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Congressional Record

PROCEEDINGS AND DEBATES OF THE 78th CONGRESS, SECOND SESSION

SENATE

MONDAY, JANUARY 10, 1944

The 10th of January being the day provided by Public Law 210, Seventy-eighth Congress, first session, for the meeting of Congress, the second session of the Seventy-eighth Congress commenced this day.

The Senate assembled in its Chamber at the Capitol.

HENRY A. WALLACE, of Iowa, Vice President of the United States, called the Senate to order at 12 o'clock meridian.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following

PRAYER

O Thou companion of the pilgrim years, with renewed powers and with restored souls returning to the high tasks of this national chamber of deliberation, to Thee we come with a solemn sense of our own inadequacy. With the dim lamps of our own devices we cannot find a sure and clear path through the tangled maze of this stricken generation. Be Thou the guardian and guide of the unbeaten way our feet must take. Above all, give us a consuming passion not for our own way but for Thy holy will. May Thy kingdom come to us and through us. May no cherished resentment, no camouflaged selfishness, no small loyalties, nor ingrained prejudices choke and clog the channels of our public service. Enlarge our spirits to meet the stupendous dimensions of these epic days.

Grant the consolations of Thy sustaining grace to the honored Members of this body who have been called so recently to pass through the deep waters of poignant personal grief. May their spirits be soothed and sustained by an unfaltering trust. Enable with the light of Thy wisdom and the strength of Thy might those who in these fearful times have been entrusted with the stewardship of the national life. O God, to whom the future belongs, use us as pioneers of a better world for ourselves and for all people's. We ask it in the dear Redeemer's name. Amen.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk, John C. Crockett, called the roll, and the following Senators answered to their names:

Aiken	Guffey	Reed
Andrews	Gurney	Revercomb
Austin	Hatch	Reynolds
Ball	Hawkes	Russell
Barkley	Hayden	Shipstead
Brewster	Hill	Taft
Bridges	Holman	Thomas, Idaho
Buck	Johnson, Calif.	Thomas, Utah
Burton	Johnson, Colo.	Truman
Bushfield	La Follette	Tunnell
Capper	Langer	Vandenberg
Caraway	Lodge	Van Nuys
Chavez	Lucas	Walsh, Mass.
Clark, Mo.	McClellan	Walsh, N. J.
Connally	Maloney	Wheeler
Davis	Millikin	Wherry
Eastland	Murdock	White
George	Murray	Wiley
Gerry	O'Daniel	Willis
Gillette	O'Mahoney	Wilson
Green	Overton	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from Nevada [Mr. SCRUGHAM] are absent from the Senate because of illness.

The Senator from West Virginia [Mr. KILGORE] is absent on official business for the Special Committee to Investigate the National Defense Program.

The Senator from North Carolina [Mr. BAILEY], the Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senators from Washington [Mr. BONE and Mr. WALLGREN], the Senator from Virginia [Mr. BYRD], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from California [Mr. DOWNEY], the Senator from Louisiana [Mr. ELLENDER], the Senators from South Carolina [Mr. MAYBANK and Mr. SMITH], the Senator from Nevada [Mr. MCCARRAN], the Senator from Arizona [Mr. MCFARLAND], the Senators from Tennessee [Mr. MCKELLAR and Mr. STEWART], the Senators from New York [Mr. MEAD and Mr. WAGNER], the Senator from Florida [Mr. PEPPER], the Senators from Maryland [Mr. RADCLIFFE and Mr. TYDINGS], and the Senator from Oklahoma [Mr. THOMAS] are necessarily absent.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from Nebraska [Mr. BUTLER], the Senator from Illinois [Mr. BROOKS], the Senator from North Dakota [Mr. NYE], and the Senator from Wyoming [Mr. ROBERTSON] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent on public matters.

The Senator from Michigan [Mr. FERGUSON] is absent from the city on the business of the Truman committee.

The Senator from Oklahoma [Mr. MOORE] is absent from the city attending hearings of a subcommittee of the Committee on Indian Affairs.

The VICE PRESIDENT. Sixty-two Senators have answered to their names. A quorum is present.

LIST OF SENATORS BY STATES

Alabama.—John H. Bankhead and Lister Hill.

Arizona.—Carl Hayden and Ernest W. McFarland.

Arkansas.—Mrs. Hattie W. Caraway and John L. McClellan.

California.—Hiram W. Johnson and Sheridan Downey.

Colorado.—Edwin C. Johnson and Eugene D. Millikin.

Connecticut.—Francis Maloney and John A. Danaher.

Delaware.—James M. Tunnell and C. Douglass Buck.

Florida.—Charles O. Andrews and Claude Pepper.

Georgia.—Walter F. George and Richard B. Russell.

Idaho.—D. Worth Clark and John Thomas.

Illinois.—Scott W. Lucas and C. Wayland Brooks.

Indiana.—Frederick Van Nuys and Raymond E. Willis.

Iowa.—Guy M. Gillette and George A. Wilson.

Kansas.—Arthur Capper and Clyde M. Reed.

Kentucky.—Alben W. Barkley and Albert B. Chandler.

Louisiana.—John H. Overton and Allen J. Ellender.

Maine.—Wallace H. White, Jr., and Ralph O. Brewster.

Maryland.—Millard E. Tydings and George L. Radcliffe.

Massachusetts.—David I. Walsh and Henry Cabot Lodge, Jr.

Michigan.—Arthur H. Vandenberg and Homer Ferguson.

Minnesota.—Henrik Shipstead and Joseph H. Ball.

Mississippi.—Theodore G. Bilbo and James O. Eastland.

Missouri.—Bennett Champ Clark and Harry S. Truman.

Montana.—Burton K. Wheeler and James E. Murray.

Nebraska.—Hugh A. Butler and Kenneth S. Wherry.

Nevada.—Patrick A. McCarran and James G. Scrugham.

New Hampshire.—Styles Bridges and Charles W. Tobey.

New Jersey.—Albert W. Hawkes and Arthur Walsh.

New Mexico.—Carl A. Hatch and Dennis Chavez.

New York.—Robert F. Wagner and James M. Mead.

North Carolina.—Josiah William Bailey and Robert R. Reynolds.

North Dakota.—Gerald P. Nye and William Langer.

Ohio.—Robert A. Taft and Harold H. Burton.

Oklahoma.—Elmer Thomas and E. H. Moore.

Oregon.—Charles L. McNary and Rufus C. Holman.

Pennsylvania.—James J. Davis and Joseph F. Guffey.

Rhode Island.—Peter G. Gerry and Theodore Francis Green.

South Carolina.—Ellison D. Smith and Burnet R. Maybank.

South Dakota.—Chan Gurney and Harlan J. Bushfield.

Tennessee.—Kenneth McKellar and Tom Stewart.

Texas.—Tom Connally and W. Lee O'Daniel.

Utah.—Elbert D. Thomas and Abe Murdock.

Vermont.—Warren R. Austin and George D. Aiken.

Virginia.—Carter Glass and Harry Flood Byrd.

Washington.—Homer T. Bone and Mon C. Wallgren.

West Virginia.—Harley M. Kilgore and Chapman Revercomb.

Wisconsin.—Robert M. La Follette, Jr., and Alexander Wiley.

Wyoming.—Joseph C. O'Mahoney and Edward V. Robertson.

NOTIFICATION TO THE PRESIDENT

Mr. BARKLEY submitted the following resolution (S. Res. 227), which was read, considered by unanimous consent, and agreed to:

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

Under the foregoing resolution the Vice President appointed Mr. BARKLEY and Mr. WHITE the committee on the part of the Senate.

NOTIFICATION TO THE HOUSE OF REPRESENTATIVES

Mr. WHITE submitted the following resolution (S. Res. 228), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

HOUR OF DAILY MEETING

Mr. HILL submitted the following resolution (S. Res. 229), which was read, considered by unanimous consent, and agreed to:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian unless otherwise ordered.

PROGRAM FOR THE DAY

Mr. BARKLEY. Mr. President, under long standing custom of the Senate no routine business, such as the introduction of bills, the presentation of resolutions, or any legislative business whatever, is to be transacted until the President shall have delivered his message to the Congress. I am informed that the President will submit his message tomorrow and have it read to both Houses. The Senator from Georgia [Mr. GEORGE] desires now to make a statement to the Senate with reference to the tax bill.

THE REVENUE ACT

Mr. GEORGE. Mr. President, after the reception of the President's message, I shall ask unanimous consent that the Senate proceed to the consideration of House bill 3687, the Revenue Act of 1943. I desire to give notice to Senators, so that they may be advised and adjust their plans accordingly, that I shall also ask unanimous consent that the last title in the bill be first considered, the title relating to the social-security taxes. The reason for the request is very simple, and I think it proper to state it now.

Certain Members of the House of Representatives, including the chairman of the House Committee on Ways and Means, have indicated that since that committee had not given consideration to that matter it would be necessary that a hearing of 2 or 3 days be held on it, if the amendment reported by the Finance Committee shall be approved by the Senate. Therefore, after the bill is taken up by the Senate, I shall ask for the consideration of the amendment to that title first; and if the Senate shall approve the amendment, then the Ways and Means Committee of the House will have ample opportunity during the week to complete such hearings as the committee may wish to hold on that provision.

There is another matter I should mention at this time; that is, the title of the bill relating to the renegotiation of contracts. The senior Senator from Tennessee [Mr. MCKELLAR], who was the author of the renegotiation-of-contracts law, has not as yet returned from his home in Tennessee. He desired that the consideration of that subject go over until he could be present, and, after conference, I agreed we would not take up the contract-renegotiation title of the bill until Monday next.

Mr. LA FOLLETTE. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. GEORGE. I yield.

Mr. LA FOLLETTE. I assume that would apply to one or two amendments, if my memory serves me correctly as to the number, relating to the subject of renegotiation which do not appear in the title to which the Senator has been referring.

Mr. GEORGE. My request would cover anything related to renegotiation. I thought all the amendments having to do with that subject were included in the last title.

I desired to make this statement because, while, of course, we want the Senator from Tennessee to return as soon as possible, he may not be able to do so for a day or two. At any rate, I have assumed the authority to protect him until Monday next, so far as the renegotiation provisions of the bill are concerned.

Mr. WHITE. I inquire of the Senator from Georgia or the Senator from Kentucky whether we may understand that the bill as reported, or at least in some form, will remain before the Senate until disposed of.

Mr. GEORGE. It will be the unfinished business, but of course it might be laid aside for some pressing matter. In the opening days of a session it would not be my purpose to hold the bill before the Senate to the exclusion of uncontested matters which should have immediate attention.

Mr. WHITE. It will not be laid aside for any matter that is controversial?

Mr. GEORGE. No.

Mr. BARKLEY. No, indeed. I might say, if the Senator from Georgia will permit, that inasmuch as we are to take the bill up tomorrow, and since the renegotiation provision, which is one of the most controversial of the bill, will go over until Monday, it is barely possible we might conclude the consideration of other features of the bill before the end of the week, in which case it might be possible to take up uncontested measures.

Mr. WHITE. I thank the Senator.

ADJOURNMENT

Mr. BARKLEY. I move that the Senate do now adjourn.

The motion was agreed to; and (at 12 o'clock and 17 minutes p. m.) the Senate adjourned until tomorrow, Tuesday, January 11, 1944, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 10, 1944

This being the day fixed by Public Law 210, Seventy-eighth Congress, enacted pursuant to the twentieth amendment to the Constitution for the meeting of the second session of the Seventy-eighth Congress, the Members of the House of Representatives of the Seventy-eighth Congress met in their Hall, and at 12 o'clock noon were called to order by the Speaker, Hon. SAM RAYBURN, a Representative from the State of Texas.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following

PRAYER

Our Father, the Lord of love and mercy, as we are clothed in the folds of the new year, open our eyes to a loving and a compassionate Saviour. Let the serene and silent beauty of His holy life be a most powerful influence as we move

through tireless and courageous exertions. So bless our President, our Speaker, the leaders and the Members of the Congress that they shall never dare to make terms with fear or failure. Grant them the faith to do and the vision to foresee their whole duty and meet the challenge of their great responsibilities. Remove from every mind the false idol of narrow nationalism and bigoted patriotism and wring out the greed of disunity which is sapping human progress. O keep us from any blunders in sculpturing our Nation's destiny and give us a glowing light that we may wisely and safely tread the ways of an unknown future.

Dear Lord, we pray that our country may be stripped of the poison of that unbelief which doubts the inflow of Thy spirit into the souls of men. May our countrymen seek the spirit of adoption which claims Thee as Father and man as brother; bestow upon us the inspiration of honor, sacrifice, and true patriotism, never faltering, burning like unquenchable flames through the darkness. Lead us to cooperate devotedly with the standards of good government, forsaking the taskmaster of hate and the autocracy of revenge. Hasten the hour when our sons shall return from the red seas of affliction and come to their dear homeland, sweetened with justice for all, and never again cross the gray wastes of tragic war. In the name of our Saviour. Amen.

CALL OF THE ROLL

The SPEAKER. The Clerk will call the roll to determine whether a quorum is present.

The Clerk called the roll, and the following Members answered to their names:

[Roll No. 1]

Abernethy	Burchill, N. Y.	Dewey
Allen, Ill.	Burgin	Dickstein
Allen, La.	Busbey	Dilweg
Andersen, H. Carl	Butler	Dingell
Anderson, Calif.	Byrne	Dondero
Anderson, N. Mex.	Camp	Durham
Andresen, August H.	Canfield	Eaton
Andrews	Cannon, Mo.	Eberharter
Angell	Carlson, Kans.	Ellis
Arends	Carrier	Ellison, Md.
Arnold	Carson, Ohio	Ellsworth
Auchincloss	Carter	Elmer
Baldwin, N. Y.	Case	Elston, Ohio
Barden	Celler	Engel, Mich.
Barrett	Chapman	Engle, Calif.
Bates, Ky.	Chiperfield	Fay
Bates, Mass.	Church	Fish
Beall	Clason	Fisher
Beckworth	Clevenger	Flannagan
Bell	Cochran	Fogarty
Bender	Coffee	Folger
Bennett, Mich.	Cole, Mo.	Forand
Bennett, Mo.	Cole, N. Y.	Ford
Bishop	Colmer	Fulmer
Blackney	Compton	Gale
Bloom	Cooley	Gallagher
Bolton	Cooper	Gathings
Bonner	Cox	Gavin
Boykin	Cravens	Gearhart
Bradley, Mich.	Crawford	Gerlach
Bradley, Pa.	Crosser	Gifford
Brown, Ga.	Cullen	Gillette
Brown, Ohio	Cunningham	Goodwin
Bryson	Curley	Gordon
Buffett	Curtis	Gore
Bulwinkle	D'Alesandro	Graham
Burch, Va.	Davis	Grant, Ind.
	Dawson	Green
	Day	Gregory
	Delaney	Griffiths
	Gross	McCord
	Hagen	McCormack
	Hall, Leonard W.	McCowen
	Hancock	McLean
	Harless, Ariz.	McMillan
	Harness, Ind.	McMurray
	Harris, Ark.	McWilliams
	Hays	Maas
	Heffernan	Madden
	Heidinger	Mahon
	Hendricks	Manasco
	Herter	Mansfield, Mont.
	Hess	Mansfield, Tex.
	Hill	Marcantonio
	Hobbs	Martin, Iowa
	Hoch	Martin, Mass.
	Hoeven	Mason
	Hoffman	May
	Holmes, Mass.	Merrow
	Holmes, Wash.	Michener
	Hope	Miller, Conn.
	Horan	Miller, Nebr.
	Howell	Miller, Pa.
	Hull	Mills
	Izac	Monroney
	Jarman	Morrison, N. C.
	Jeffrey	Mruk
	Jenkins	Mundt
	Jensen	Murdock
	Johnson, Anton J.	Murray, Tenn.
	Johnson, Calvin D.	Murray, Wis.
	Johnson, Ind.	Myers
	Johnson, J. Leroy	Newsome
	Johnson, Luther A.	Norrell
	Johnson, Lyndon B.	Norton
	Johnson, Okla.	O'Brien, Mich.
	Johnson, Ward	O'Brien, N. Y.
	Jones	O'Connor
	Jonkman	O'Hara
	Kean	O'Neal
	Kearney	Patman
	Kee	Patton
	Keefe	Peterson, Ga.
	Kefauver	Pfeifer
	Keogh	Philbin
	Kerr	Pittenger
	Kilday	Ploeser
	Kinzer	Plumley
	Kirwan	Poage
	Kleberg	Poulson
	Klein	Powers
	Knutson	Price
	Kunkle	Priest
	LaFollette	Rabaut
	Lambertson	Ramey
	Lanham	Ramspeck
	LeCompte	Randolph
	LeFevre	Rankin
	Lemke	Reed, Ill.
	Lesinski	Reed, N. Y.
	Lewis	Rees, Kans.
	Ludlow	Richards
	Lynch	Rivers
		Robertson
		Robinson, Utah
		Robsion, Ky.
		Rockwell
		Rodgers, Pa.
		Rogers, Mass.
		Rohrbough
		Rolph
		Rowan
		Rowe
		Russell
		Sabath
		Sadowski
		Sasscer
		Sauthoff
		Schiffler
		Schuetz
		Scott
		Scrivner
		Sheppard
		Sheridan
		Short
		Simpson, Ill.
		Simpson, Pa.
		Smith, Maine
		Smith, Va.
		Smith, Wis.
		Snyder
		Sparkman
		Spence
		Springer
		Starnes, Ala.
		Stockman
		Sullivan
		Sumners, Tex.
		Sundstrom
		Taber
		Talbot
		Talle
		Tarver
		Thomas, N. J.
		Thomas, Tex.
		Thomason
		Tolan
		Towe
		Treadway
		Troutman
		Vinson, Ga.
		Voorhis, Calif.
		Vorys, Ohio
		Vursell
		Wadsworth
		Walter
		Ward
		Wasielewski
		Weaver
		Welchel, Ohio
		Welch
		Wene
		Wheat
		Whelchel, Ga.
		Whitten
		Wickersham
		Willey
		Wilson
		Winstead
		Wolcott
		Wolverton, N. J.
		Woodruff, Mich.
		Woodrum, Va.
		Worley
		Wright
		Zimmerman

The SPEAKER. On this roll call 316 Members have answered to their names, a quorum.

COMMITTEE TO NOTIFY PRESIDENT

Mr. McCORMACK. Mr. Speaker, I offer a resolution (H. Res. 392), and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That a committee of two Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate, to notify the President of the United States that a quorum of each House has assembled, and Congress is ready to receive any communication that he may be pleased to make.

The SPEAKER. Without objection, the resolution is agreed to.

There was no objection.

The SPEAKER. The Chair appoints as members of the committee to notify the President the gentleman from Massachusetts [Mr. McCORMACK] and the gentleman from Massachusetts [Mr. MARTIN].

NOTIFICATION OF SENATE

Mr. RAMSPECK. Mr. Speaker, I offer a resolution (H. Res. 393), and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the Clerk of the House inform the Senate that a quorum of the House is present and that the House is ready to proceed with business.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

DAILY HOUR OF MEETING

Mr. SABATH. Mr. Speaker, I offer the following resolution (H. Res. 394), and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That until otherwise ordered, the daily hour of meeting of the House of Representatives shall be at 12 o'clock meridian.

Mr. RANKIN. Mr. Speaker, reserving the right to object, do we have to adopt a resolution of that kind at the beginning of each session?

The SPEAKER. It is customary.

Mr. RANKIN. I thought it lasted during the entire Congress.

The SPEAKER. It might, but it is customary for it to be done this way.

Without objection, the resolution is agreed to.

There was no objection.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had adopted the following resolutions:

Senate Resolution 228

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

Senate Resolution 227

Resolved, That a committee consisting of two Senators be appointed to join such a committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

The message also announced that pursuant to the foregoing resolution the Vice President had appointed Mr. BARKLEY and Mr. WHITE members of said committee on the part of the Senate.

THIRTEENTH REPORT TO CONGRESS ON LEND-LEASE OPERATIONS

The SPEAKER. The Chair lays before the House a message from the President of the United States which was received by the Clerk of the House on January 6, 1944.

The Clerk read as follows:

To the Congress of the United States of America:

I am transmitting herewith, pursuant to law, the Thirteenth Report of Operations under the Lend-Lease Act.

The coming year will be a year of decisive actions in the war. By combining their strength, the United Nations

have increased the power of the common drive to defeat the Axis. We have already beaten back our enemies on every front on which we are engaged.

At Tehran and Cairo, plans were agreed upon for major offensives, which will speed the day of victory. With the closer unity there achieved, we shall be able to strike ever-increasing blows until the unconditional surrender of the Nazis and Japanese.

Mutual aid has contributed substantially to the strength of the United Nations. The flow of lend-lease assistance from the United States to our allies and of reverse lend-lease assistance from our allies to us has increased the power of our united offensives. The lend-lease program has made stronger the ties that bind the United Nations together for common victory and in common determination to assure a lasting peace.

Each of the United Nations is giving what it can to the accomplishment of our objectives—in fighting manpower and in war production. Some countries, like the United States and Canada, located away from the fighting theaters of war, are able to make available to other United Nations large quantities of food and manufactured arms. Others, like the Soviet Union and China, require virtually everything they can raise and produce in order to fight the enemy on their own soil. And still others, like the United Kingdom and Australia, can make available substantial quantities of war material to their allies but must necessarily retain most of their war supplies and food for their own forces.

Whether food and war supplies should be transferred by one of the United Nations to another or retained for its own forces depends on the strategic military necessities of war.

Our common objective is that all the planes and all the tanks and all the food and other equipment that all the United Nations together can produce should be used as effectively as possible by our combined forces to hasten the defeat of the enemy.

The cost of the war to us, and to our allies, is high in any terms. The more fully we can now mobilize our manpower, our supplies, and our other resources for the decisive tasks ahead, the earlier will victory be ours and the lower the final cost—in lives and in material wealth.

The United Nations enter the new year stronger and more firmly united than ever before. Germany and Japan will both soon learn that to their sorrow.

FRANKLIN D. ROOSEVELT.

(Filed January 6, 1944, with the Secretary of the Senate and the Clerk of the House of Representatives as provided in sec. 5b of the Lend-Lease Act.)

The SPEAKER. The message together with the accompanying papers is referred to the Committee on Foreign Affairs and ordered to be printed.

THE LATE PAUL BURNEY JOHNSON

Mr. COLMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COLMER. Mr. Speaker, since this House adjourned, death—who is no respector of persons—has visited the ranks of the former Members of this body. On December 26, 1943, the Governor of Mississippi, Paul Burney Johnson, died at his home at Hattiesburg, Miss. Governor Johnson died as he had lived—in harness.

Governor Johnson was one of Mississippi's great and outstanding figures. He made his way of life along the rugged path of obstacles. In fact, like so many great men, his life history reads like that of an Horatio Alger character. And today Mississippians and people all over the Nation mourn his passing. He was the forty-sixth Governor of Mississippi.

Governor Johnson was born at Hillsboro, Scott County, Miss. He was 1 of 10 children, 5 of whom are still living. His parents were the late Thomas Benton Johnson and Jane Catherine Johnson. When he was 35 years of age he was married to the lovely and charming Corinne Venable of McComb, Miss., on February 10, 1915. Mrs. Johnson was the daughter of Thomas L. and Corinne Venable of McComb, Miss. To this union were born 3 children—Paul B. Johnson, Jr., now a lieutenant in the United States Marine Corps and stationed at San Diego, Calif.; Patrick Hayes Johnson, now a lieutenant in the Army and stationed at Camp McCain, Miss., and Jane Johnson, who died at the tender age of 12. After Jane's death Governor and Mrs. Johnson adopted Peggy, who is now a student at the High School at Jackson, Miss. Governor Johnson attended the public schools of Mississippi and Harpersville and Millsaps College. At the latter institute he received his law degree. Thereafter he was admitted to the bar in 1903 and began the practice of law at Hattiesburg. His ability was soon recognized and he was made city judge at Hattiesburg, in which position he served with distinction and honor during 1907 and 1908. Subsequently, he was promoted to the circuit judgeship of the twelfth judicial district in 1910 and held this position until 1919. In November of 1918, in a spirited race, he was elected to Congress from the Sixth Congressional District where he served with honor and distinction for 2 terms as a member of this body. He voluntarily retired from this House at the end of his second term to devote his full time to the practice of law. In 1939 he was elevated to the highest office within the gift of the people of Mississippi when he was selected by them to guide the destinies of his State as Governor for the ensuing 4 years. During the latter part of his term as Governor, his health began to fail and his duties as Governor were attended to with the greatest difficulty because of his failing health. Finally, on December 26, the day after Christmas, and within approximately 3 weeks of the expiration of his term as Governor, he passed into the great beyond.

Governor Johnson was buried in the peaceful little cemetery at Hattiesburg—the city where he spent most of his life. His funeral, like his life, was a simple one in accordance with his wishes. Homage and respect was paid to this outstanding Mississippian at his death by citizens from every walk of life; and thus another outstanding citizen of the Republic has gone to his reward.

I am sure that I bespeak the sentiment of this House and of the country in paying respect and tribute to his life and memory.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

Mr. RANKIN. Mr. Speaker, it is with sadness indeed that I arise to join in paying my humble tribute of respect to the memory of my distinguished friend and former colleague, Gov. Paul B. Johnson, with whom I served in this House during the Sixty-seventh Congress.

As has been said, Governor Johnson had been in failing health for several years but had struggled along with the arduous duties of the governorship in order to serve the people of his State during these trying times.

Broken with the storms of state, almost in the prime of life he lay down, as it were, by the wayside, used his burden for a pillow, and, as Shakespeare said, "gave his honors to the world again, his blessed part to heaven, and slept in peace."

Governor Johnson now takes his place in history amidst that illustrious galaxy of distinguished Mississippians who have occupied the exalted position he held at the time of his death.

He traveled the hard path; he was what we call a self-made man. By his own efforts he fought his way up from a humble position in life to the highest honor the people of his State could bestow.

He burned his candle late into the night preparing for the leadership he finally attained, and qualifying himself to grapple with those vexing problems that so greatly affect the destiny of the people he served.

He loved the people of his State and entertained a consuming ambition to make Mississippi a richer, a brighter, a better place in which to live.

He loved his State with a passionate devotion. Every county, every precinct, every acre of her ground was sacred to him. He gave his life to her service and, as Bishop Galloway said with reference to L. Q. C. Lamar:

> When life's fitful fever was over, and he was called to cross the silent river, he asked no greater boon, he craved no grander privilege, he desired no loftier honor than to be permitted to sleep in the generous bosom of her sacred soil.

Mr. WHITTEN. Mr. Speaker, I wish to join with my colleagues from Mississippi in expressing regret at the untimely

death of Hon. Paul B. Johnson, forty-sixth Governor of Mississippi.

His life was another shining example of America. From humble beginning he mastered the field of law and was one of the outstanding lawyers of his day. A former Member of this body, formerly circuit judge and then Governor, Paul B. Johnson enjoyed the highest honors his people could bestow upon him in the way of political preferment.

Many times in life he stated that his greatest ambition was to serve as Governor of Mississippi so that he could render service to the average man. At the time of his death his ambitions had been realized and most of the legislation he sponsored had become the law of Mississippi.

Mr. Speaker, my State has lost an outstanding citizens and a good Governor. We mourn his passing.

Mr. WINSTEAD. Mr. Speaker, I would like to join my colleagues in paying tribute to the late Gov. Paul B. Johnson, of Mississippi, who passed away on Sunday morning, December 26, 1943.

I know of no more appropriate words than to quote from the Jackson Clarion Ledger:

> Intensely human, sympathetic with all those who suffer and endure, vigilantly alert to the requirements of the people he served, Governor Johnson was regarded as one of Mississippi's most able statesmen.
>
> During his 30 years in public life his character, record, qualifications, and political philosophy were never doubted. He honored the people. The people honored him.

Governor Johnson will be remembered by Mississippians and recorded in history as one of our most courageous and able statesmen.

Mr. ABERNETHY. Mr. Speaker, in the death of Gov. Paul B. Johnson, the State of Mississippi and the Nation has lost a true and able servant of the people. Born into a home of humble means, this great man learned first hand and young in life of the rugged road trod by the underprivileged. Early it was that he dedicated his life to one of service for the poor, the blind, crippled, aged, and underprivileged of his State and country. He voluntarily retired after serving two eventful terms as a Representative of this body and it was in January 1940 that he was advanced to the high office of Governor of the State of Mississippi, which office he occupied when called by the Supreme Being. Reflected in his record as a Representative and as Governor is a real service to those unfortunate and underprivileged ones.

True to his trust, Governor Johnson was loved and admired by all Mississippians. His administration will be recorded as one of the most successful in the history of our State.

I join with my colleagues in paying tribute to this great man, and deeply regret his passing.

EXTENSION OF REMARKS

(Mr. COCHRAN asked and was given permission to extend his own remarks in the RECORD.)

THE LATE CHARLES F. RISK

Mr. FORAND. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island [Mr. FORAND]?

There was no objection.

Mr. FORAND. Mr. Speaker, with grief in my heart, I rise to announce the untimely death on December 26 last of a dear friend—one well known to many of the present Members of Congress—my predecessor as the Representative of the First Congressional District of Rhode Island, the Honorable Charles F. Risk.

Although Charlie had been ill for a long time, his passing, in his forty-seventh year, came as a shock to many of us. It seems that it was only a short time ago, on a visit to my district, that I talked with him. One could see that he was failing, yet, good sport that he was, he would always say he was "feeling pretty good."

Charlie was a Republican and I am a Democrat. Politically, we had many fights. We were pitted against each other in the race for Congress in three different campaigns. In every instance our contests were clean. He was a clean fighter. I defeated him in 1936. He defeated me in 1938, and I again defeated him in 1940, yet, socially and in fraternal and club circles, we were the best of friends. That in itself is testimony of his good sportsmanship.

Charlie Risk had an interesting and enviable career. His 46 years of life were crowded with accomplishments. He rose to positions of importance the hard way. He was born in Central Falls, R. I., one of a family of seven left motherless during childhood. He obtained his basic education in the public schools and the high school of his native city. He then worked in textile plants in Rhode Island and shortly after the United States entered World War No. 1 he joined the Army. After the war he took a job with the Treasury Department, here in Washington, and went to Georgetown University Law School at night. In 1922 he was awarded his LL. B. degree and in 1923 was admitted to practice law in Rhode Island.

Soon thereafter he became active in politics and, although he was a candidate for the Pawtucket, R. I., school committee on the Democratic ticket in 1924, by 1929 he had become a Republican and was elected judge of probate for the city of Central Falls. Three years later he was appointed by Gov. Norman S. Case to be judge of the eleventh judicial district.

In 1930 he was elected commander of the American Legion, Department of Rhode Island, and during his incumbency in that office he fought against pacifism and for a strong national defense.

He was elected to the Seventy-fourth Congress, at a special election held on August 6, 1935, to fill the vacancy caused by the resignation of the Honorable Francis B. Condon, who left Congress to accept appointment as an associate justice of the Supreme Court of Rhode Island. In the election campaign of 1936 I defeated him for the Seventy-fifth Congress, but in 1938, when we again were pitted against each other, he won the seat in the Seventy-sixth Congress by 899 votes, only to again lose it to me in the 1940 election. He was a sick man then and had been ever since. Yet, despite his illness he continued to practice law. Upon leaving Congress, after serving his first term, Charlie was elected town clerk in his home town of Lincoln and resigned the office a few months later to avoid a party split just before the town election.

At the time of his death, Charlie held membership in James Stanton Post, American Legion, of which he was a charter member and a past commander, in Pawtucket Lodge of Elks, Pawtucket Bar Association, of which he was a former president, in the Exchange Club, the Silver Dollar Club, the Central Falls Aerie of Eagles, and in the Fourth Degree, Knights of Columbus, Washington, D. C.

> Another bark has put to sea,
> Another boat has left the shore,
> As fair a soul on board has she
> As ever left the land before,
> And as her outward port she tends—
> Sit closer, friends.

Charlie has left this earth. His many kind deeds remain with us. His thousands of friends mourn his passing but their grief will be lightened by the thought and knowledge that during his brief stay on earth he devoted himself to help others. He knew the trials and tribulations of the unfortunate and the poor and he was generous in his efforts to make life easier for them. This, neither time nor man can ever take away from him.

To his widow and his children, as well as to his father, brothers, and sisters I am sure all join with me in extending heartfelt sympathy. May God have mercy on his soul.

THE LATE VINCENT F. HARRINGTON

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. MARTIN]?

There was no objection.

Mr. MARTIN of Iowa. Mr. Speaker, on December 8, while I was absent from Washington on an inspection trip with other members of the Committee on Military Affairs, word reached the House of Representatives that Hon. Vincent F. Harrington, former Representative in Congress from Sioux City, Iowa, had passed away while serving in the Air Forces of the United States Army in England. Inasmuch as my absence from Washington extended beyond the date of adjournment of the first session of the Seventy-eighth Congress, this is the first opportunity I have had to speak to the House with reference to his untimely death and the great loss Iowa and the Nation has suffered in his death.

I have known Vince Harrington ever since he played so brilliantly on Knute Rockne's last team at Notre Dame. It was an honor to serve with him in Congress. I was especially close to him and conferred with him frequently, especially during the months immediately following our declaration of war, when he and I were each trying to qualify for active military service. Vince was ordered to active duty just in time to be on active duty when the President's directive was issued barring active duty in the armed forces while holding a seat in Congress. He resigned from Congress in order to continue with his Army service.

In Congress Vince Harrington served his constituents faithfully and well. His work here qualifies him as one of the outstanding statesmen of Iowa and of the Nation. He stood for the highest principles of public service. No finer character has ever served in the Halls of Congress, and his death while serving in the armed forces, true to his patriotic ideals, is indeed an irreplaceable loss.

COMMITTEE TO NOTIFY PRESIDENT OF THE UNITED STATES

The SPEAKER. The Chair recognizes the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, your committee appointed on the part of the House to join a like committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and is ready to receive any communication he may make has performed that duty. The President of the United States requested that the committee state that he would communicate to the House tomorrow a message in writing.

PERMISSION TO ADDRESS THE HOUSE

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent that on tomorrow after disposition of business on the Speaker's table I may be permitted to address the House for 45 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. FLANNAGAN]?

There was no objection.

EXTENSION OF REMARKS

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech made by the gentleman from Texas the Honorable RICHARD M. KLEBERG, on subsidies, this speech having been delivered on January 4, 1944.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. O'BRIEN]?

There was no objection.

Mr. MRUK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the bill H. R. 3817.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MRUK]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that my colleague the gentlewoman from Ohio [Mrs. BOLTON] may be permitted to address the House today for 10 minutes after disposition of business on the Speaker's desk.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. MARTIN]?

There was no objection.

EXTENSION OF REMARKS

Mr. RAMEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address I made to Federal employees in northwestern Ohio on December 27.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. RAMEY]?

There was no objection.

(Mr. BUFFETT asked and was given permission to extend his own remarks in the Appendix of the RECORD.)

MUSTERING-OUT PAY FOR RETURNING SERVICEMEN

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. GAVIN]?

There was no objection.

Mr. GAVIN. Mr. Speaker, again this Congress assembles to seek a solution to many problems which confront this Nation, both on the war and the home fronts. We find ourselves in the midst of tremendous international events. We find ourselves engaged in the mightiest war effort in which this Nation has ever been confronted. That this mighty national cooperative effort has been productive of glorious results is unquestioned, yet we seem to have overlooked the most important and necessary legislative action that this Congress could undertake; that is, the mustering-out pay for the returning servicemen to enable these men to readjust themselves to civilian life. This responsibility is our responsibility—immediate right-of-way over every other piece of legislation should be granted this mustering-out pay legislation for veterans.

It begins to look as though the discharged veteran is the forgotten man; he does not seem to have any group, clique, or bloc battling with high-pressure methods to force action for him. There are no threatening letters from servicemen reaching my desk as to what will happen to my political future unless veteran legislation is enacted in their behalf. There have been no lobbyists taking up my time to secure legislation to give immediate relief to the discharged veteran returning home—yet I am attacked every hour of the day from some high-pressured outfit living in security about matters with which they are selfishly concerned.

Where would this Nation be without these boys who since Pearl Harbor have carried on the battle on the fighting fronts of the world, and the men of the sea and air, whose glorious deeds are recorded daily for us? Because of these men our lives are free. Because of these men this world will be led from this cataclysm of war in which it is now engulfed and peace will come again. No weariness of body and soul keeps them from carrying on. No horror of death beats down their courage. They, too, no doubt would enjoy being home with their loved ones and security, but they are making the fight to preserve this Nation of ours, and turning in a magnificent performance.

Let me ask this Congress if there is a man in this House who thinks there is any other matter before the Congress of greater importance?

The people of America are debtors to these fighting men. They should come before all else, so that it cannot be said we Americans are indifferent, ungrateful for the valiant service our fighting men are rendering the Nation.

EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from California [Mr. OUTLAND] be permitted to extend his own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a poem written by a soldier.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

MONOPOLY POWER AND THE CARTEL

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, the greatest post-war problem which democracy and freedom must face is the problem of monopoly power and the cartel.

With all the vigor at my command I hail the action of the Antitrust Division of the Justice Department in bringing suit against the du Pont Co. and the Imperial Chemical Industries of Great Britain for violation of the antitrust laws of this country.

This action is notice, so far as the Justice Department can give it, that the United States proposes to work for economic freedom after this war and for the right of the people to abundant production instead of the artificial scarcity which the cartel aims to create. It is notice that we are going to be alive this time as we were not alive after the last war to the danger that Germany's I. G. Farbenindustrie will gain the cooperation of American and British firms not only in carving up the markets of the world between them and destroying all competition, but in deliberately throttling production in our country and Great Britain.

The Atlantic Charter says that America and Britain are pledged, "with due respect for their existing obligations, to further the enjoyment of all states, great and small, victor or vanquished, of access, on equal terms, to the trade and to the raw materials of the world which are needed for their economic prosperity."

The Antitrust Division has struck a master blow for making the Atlantic Charter real.

HOUSE RESOLUTION 29

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. Mr. Speaker, petition No. 8 to bring out for consideration House Resolution 29 has been signed by 218 Members. I understand that under the rules of the House this motion may be called up on the second or fourth Monday of each month after the reading of the Journal. Since there was no Journal today, there is some question whether or not it would be eligible for consideration at this time. Owing to the fact that there are so many Members absent, may I ask whether or not it would be in order to carry it over until the fourth Monday, 2 weeks from today, and call it up at that time?

The SPEAKER. The Chair would recognize the gentleman at that time for that purpose.

Mr. RANKIN. Then I will carry it over for the 2 weeks.

VOTING BY MEMBERS OF THE ARMED FORCES

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, my Republican colleague, the gentleman from Ohio [Mr. BENDER] and I have sponsored a call to about 25 nationally known organizations, including among them representatives of the veterans' organizations, religious groups, labor organizations, and civic organizations, for a meeting tomorrow morning at 10 o'clock in the caucus room of the Old House Office Building for the purpose of generating sentiment and action for legislation that will create machinery authorizing the Federal Government to facilitate voting by our men in the armed forces.

When I was home, I found that the people in my district and in other districts adjacent thereto were not interested in quibbling and technicalities as an excuse for inaction on this all-important question.

I invite the Members of the House who are interested in providing the ballot for the men in the service to attend this meeting tomorrow.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. I yield to the gentleman from Mississippi.

Mr. RANKIN. Let me say to the gentleman from Pennsylvania that we are moving just as rapidly as possible. The Committee on Election of President, Vice President, and Representatives in Congress is making every effort possible to that end; and so are the legislatures of the various States.

Mr. BRADLEY of Pennsylvania. I hope the gentleman exhibits the same zeal on this question for the veterans that he exhibits on other things.

Mr. RANKIN. I certainly will, and also for the Constitution.

PERMISSION TO ADDRESS THE HOUSE

Mr. IZAC. Mr. Speaker, I ask unanimous consent that on tomorrow, following the legislative program of the day and any special orders heretofore entered, I may be permitted to address the House for 30 minutes on the subject of renegotiation.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

TREATMENT OF HONORABLY DISCHARGED SERVICEMEN

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. D'ALESANDRO. Mr. Speaker, I strongly favor real American treatment for our servicemen when they are honorably discharged from the service. They should be given adequate mustering-out pay and every facility of the Government and private industry placed at their disposal to provide employment at good pay.

Hospitalization facilities and a real start toward resuming their proper place in civil life are the least we can do for our honorably discharged servicemen and women. Our boys need more than just a pat on the back. We must show them now that we appreciate their sacrifices.

Every boy and every girl too, who has served in our armed forces should be given an opportunity at Government expense to complete his or her education in our colleges or universities. Vocational training should be given those who want it so that they may be trained to earn an adequate living. We ought not to forget the boys in the merchant marine and they also are entitled to the same consideration.

I urge that such legislation be enacted without further delay, thus insuring security from want for our men and women in the service.

EXTENSION OF REMARKS

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. BENNETT of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COMPTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from Col. Frank Haley of the Military Order of the Purple Heart.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

(Mr. O'HARA and Mr. BULWINKLE asked and were given permission to extend their own remarks in the RECORD.)

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Progressive under date of January 3, 1944.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. PITTENGER. Mr. Speaker, I further ask unanimous consent to extend my own remarks in the RECORD and include therein an article published in the Times-Herald on January 4 of this year.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. ROLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Call-Bulletin of San Francisco, and further to extend my remarks and include therein a set of resolutions adopted by the San Francisco Chamber of Commerce.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SOLDIER VOTE

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, Chairman Spangler, of the Republican National Committee, announces that he has had four Army officers, friends of his, make a survey of the soldier vote in Great Britain and elsewhere, and that they found the martial sentiment greatly in favor of the G. O. P. nominee, whoever he may turn out to be.

Of course, I refer to the chairman's original announcement at his press conference and not to the cooked-up modification issued through an intelligent publicity man 5 hours later, when the full implication of the chairman's boast or confession was realized.

I shudder to think of what would have been the comment had such a survey been made, or pretended to be made, by the Democrats or the Democratic national chairman.

Naturally we do not have to accept as accurate the alleged survey—which the apologetic modification said was not really a survey—but will place it alongside the prophecies from similar sources that President Hoover would be reelected, that Governor Landon's victory was apparent, and that Wendell Willkie was already as good as in the White House.

At all events, Mr. Spangler must be accorded faith in his own announcement, which ought to mean that the Republican Members of this House will cease their efforts to make voting by the soldiers and sailors difficult, if not impossible, for if, as Mr. Spangler's risk-taking officer friends ascertain, the armed forces are on their side, there would be no political advantage in keeping the citizens in uniform from expressing their preferences.

May I, however, express a doubt if our Republican colleagues have any greater faith in Mr. Spangler's statement than we have on this side of the aisle. Apparently Mr. Spangler unintentionally is an asset to the Democratic Party.

EXTENSION OF REMARKS

Mr. KERR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and print an address delivered by Governor Broughton, of North Carolina, recently, at the Town Hall meeting in New York.

The SPEAKER. Is there objection?

There was no objection.

MUSTERING-OUT PAY

Mr. HARRIS of Arkansas. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. HARRIS of Arkansas. Mr. Speaker, as we begin this new session there are a great many problems affecting the progess of the war on which the Congress must and will act.

Among these problems it is imperative that provisions be made for our returning soldiers. Provisions should be made for them as they are discharged, and further delay on legislation will cause more and more hardship and suffering.

I understand the Committee on Military Affairs of the House will report a bill in the next day or so that will provide for mustering-out pay. I heartily commend the committee in its diligent efforts toward helping us to expedite this needed legislation.

We should make available sufficient funds for each of the returning veterans that will permit them to adjust themselves back into civilian life. They will need civilian clothes; they will need to become established in a place to live and to obtain other essentials of life, as well as an opportunity and time to find employment. This, in most instances, will take time, and perhaps 2 or 3 months, during which time the boys must have enough on which to live and get started again.

I believe, Mr. Speaker, a specific amount of funds to be alloted monthly during this time should be provided for each returning veteran, because it is an emergency, and most of the soldiers have the same problems, regardless of the length of service.

Adjusted pay or compensation in accordance with the length of service, the type of service here and overseas is, of course, tremendously important and should be ultimately provided for; so will the matter of rehabilitation, education, and opportunities for them have to be considered. These are not emergencies now, however, and can be properly studied and considered at a later time. The problem facing us now is to take care of these boys when they are discharged until they can become adjusted again in civilian life.

Even more important in connection with this emergency is the need for supplemental legislation to provide immediate assistance to discharged veterans for disability. Mr. Speaker, it is reproachful that disabled veterans must wait so often several months before obtaining a decision on their claims. So many of them are rendered disabled in the service, due to no fault of their own, as they are drafted in the service and subject to the orders and command of our armed forces.

I am sure other Members of this House have, as I have, received numerous letters from discharged, disabled veterans stating that their claim had been pending for months, that they were disabled to work—some in destitute condition—and asking if I can do anything to help them obtain a rating on their claim. It is a serious situation, and we must do something about it.

The Veterans' Administration is having its problems in expediting these claims, and it realizes their importance. The Administration is to be commended for endeavoring to break the bottleneck by setting up installations at the discharge centers in a cooperative program with the Military and Naval Establishments. This policy is expediting to some degree many of these claims, and especially those of the boys wounded in battle and rendered disabled.

However, Mr. Speaker, this is not enough and does not break the bottleneck. To further relieve this serious problem, we should provide that a man discharged because of disability continue to get regular pay until his claim has been acted upon by the Veterans' Administration, not to exceed a period of perhaps 3 months. It is our duty and responsibility and an obligation we owe to the boys in the service doing a marvelous and masterful job toward victory and the preservation of liberty and freedom.

It is important that Congress has already provided that a man called into the training and service, leaving a position of employment in the Government, State, or political subdivision thereof, or in the employ of a private employer, shall be restored to such position, or to a position of like seniority, status, and pay, if at all possible. It will require in most instances, however, time to make these adjustments, and during that time the veterans should have a livelihood.

It is also to be remembered that Congress has provided for vocational rehabilition of disabled veterans, under the supervision of the Veterans' Administration. This is for the purpose of restoring employability lost by virtue of a handicap due to service-incurred disability, and of placing in gainful employment these men trained under this program. This is a long-range program, important and thoroughly justified, and will no doubt have to be enlarged.

Let us meet the emergency of the moment without further delay and do justice to our courageous, brave, and fighting soldiers.

EXTENSION OF REMARKS

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from New York [Mr. BARRY] may be permitted to extend his remarks in the RECORD relative to our late colleague the gentleman from Alabama, Mr. Steagall.

The SPEAKER. Is there objection?

There was no objection.

Mr. LYNCH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by myself over the radio.

The SPEAKER. Is there objection?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a newspaper article.

The SPEAKER. Is there objection?

There was no objection.

Mr. DILWEG. Mr. Speaker, I have been informed by the Public Printer that a manuscript entitled "Use of Subsidies" to enable control of prices during wartime, which I had asked unanimous consent might be printed, exceeds the prescribed two pages, and will cost $105. I ask unanimous consent to extend my own remarks and include this manuscript notwithstanding it exceeds the limit.

The SPEAKER. Is there objection?

There was no objection.

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include certain resolutions of the Clarke County, Iowa, Farm Bureau.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOWELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a message of the Governor of the State of Illinois to the sixty-third general assembly, first session, on the subject of soldiers voting.

The SPEAKER. Is there objection?

There was no objection.

Mr. WELCH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial published in the San Francisco Examiner, on the American merchant marine and overseas aircraft.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to ex-

tend my remarks in the RECORD and include certain quotations and an address recently delivered by Admiral Moreell of the Bureau of Yards and Docks.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANTON J. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial upon the subject of the War Relocation Board taking some of our school teachers to teach the Japs.

The SPEAKER. Is there objection?

There was no objection.

Mr. HEIDINGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a resolution of the General Assembly of the State of Illinois.

The SPEAKER. Is there objection?

There was no objection.

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article entitled "American Utopia," by Walter Lippmann, published in the Boston Daily Globe December 30, 1943.

The SPEAKER. Is there objection?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two particulars, one to include an address I delivered at Indianapolis January 2, and the other to include some documents, explanatory of a plan of soldiers voting by Governor Schricker.

The SPEAKER. Is there objection?

There was no objection.

LABOR DISTURBANCES

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House and to extend my remarks by including therein the report of the president of the Bethlehem Steel Co. to the employees of that company.

The SPEAKER. Is there objection?

There was no objection.

Mr. WALTER. Mr. Speaker, during the past few weeks we have been hearing and reading a great deal about interferences with the war effort by labor disturbances. On the other side of the picture, I call your attention to the record made by the Bethlehem Steel Co. during the past year. This outstanding record was made not because this great corporation has as its head one of the leading industrialists of the Nation, or that the employees of this great corporation are more competent or more loyal or more patriotic than are the other workers in this Nation, but because of the teamwork between the employer and the employed, the kind of teamwork that must ultimately spell defeat for our enemies. I am sure that everyone whose privilege it was to hear the report of Mr. Grace to the thousands of Bethlehem's employees was convinced that the men and management of that company have a full appreciation of the stern struggle we are engaged in, and are determined to work to the limit of their ability to bring the war to an early and successful conclusion. It is my hope that everyone can know about Bethlehem's great contribution to the war effort and for that purpose I call your attention to this report.

[From the Bethlehem (Pa.) Review of January 1944]

A WORLD'S RECORD IN SIZE AND DIVERSITY—380 MAJOR FIGHTING SHIPS AND CARGO VESSELS—VALUE OF PROGRAM EQUIVALENT TO MORE THAN 1,000 LIBERTY SHIPS

To the Employees:

Men and women of Bethlehem Steel, we are now coming down the home stretch of 1943 with only 10 more hours to go.

I am speaking to you from aboard a big destroyer in New York Harbor. In a few days this destroyer will be speaking a different but more persuasive language to our enemies.

I am delighted to be talking to all of you 300,000 employees of Bethlehem Steel throughout the United States, to you in our shipyards, to you in our plants, factories, and mines, to you in our offices, and to you managers and supervisors. All of our different yards and plants and mines are connected by radio for this year-end ceremony. I believe that this is the first time anywhere that a Nation-wide hook-up both inside and outside of every plant and office has been used by a company to review its year's work and get set for the task ahead.

This has been a year of hard work. Harder for all of us than at any time in our history, and also with greater results.

Each one of you has had a real part in the total job, but most of you have seen only your particular section of it. Today with the last-minute figures in hand, I can tell you what it all adds up to.

PLEDGE MADE A YEAR AGO

You may recall that last January I pledged that Bethlehem in 1943 would build a ship a day, a major size ship a day, for every day in the year, with several to spare. I made those rash remarks to a group of newspapermen, and I have invited the same group here today.

I don't mind saying there were many times during the year I was doubtful of reaching our goal. And I know that our shipyard managers at times thought that it just couldn't be done.

Today we are making good on that pledge. We are making delivery of the final group of ships in our 1943 program.

THREE HUNDRED AND EIGHTY FIGHTING AND CARGO SHIPS

Here are the figures: The total number of fighting and cargo ships which Bethlehem has delivered this year is 380, well above a ship a day.

Never before in the world's history has any company carried out a ship-building program of such magnitude and diversity.

In these 380 ships are virtually all types of vessels required by the Navy and by the merchant marine. Our program is 70 percent Navy vessels and 30 percent cargo vessels.

Let's see what this fleet of our ships looks like. It includes a large quantity of those famous cargo vessels, the Liberty ships. We hold the East Coast record in building them. But that has been only a fraction of our job.

The warships which we have built and delivered for American and British fighting forces have included battleships, combat aircraft carriers, escort aircraft carriers; heavy cruisers and light cruisers; also destroyers, destroyer escorts, large-size landing ships, and other fighting craft.

For reasons of military secrecy I cannot give you any details about these fighting ships, but I can give you a picture of what this fighting ship program means. Take the simple Liberty cargo ship as a measuring stick.

VALUE EQUIVALENT TO 1,000 LIBERTY SHIPS

Well, a battleship is equal to 40 Liberty ships. That is, the hours it takes to build a battleship, using the same number of men, are 40 times the hours needed to build a Liberty ship. A big combat aircraft carrier (like the *Wasp*) equals 29 Liberty ships, a heavy cruiser about 18 Liberty ships, and—as a good over-all picture—the value of the production of the shipbuilding division of our company in the year just closing is equivalent to more than 1,000 Liberty ships.

In addition to the building of new ships, we are proud of the job done by Bethlehem's ship-repair yards. Merchant ships have been converted into aircraft carriers, troop carriers, hospital ships, and for other special services. In 1943, our yards have reconditioned more than 7,000 vessels and returned them to the American and Allied fleets for active service.

HOW THE JOB WAS PLANNED

Now I want you to take a look at how this whole job was done. That will help us on next year's work. First I wish to thank you managers, you engineers and you supervisors for your careful planning of the job in minute detail. This was no mere assembly job. It required complete engineering. It required the buying and assembling of materials. The job was planned per yard, per shipbuilding way, per ship, per trade, and per man-hour. You had to train thousands of men and women to do the work, people who had never seen a steel plant or shipyard before. The combination of this management effort and the devotion of you employees to your various jobs brought the answer.

IMPORTANCE OF "INTEGRATED" SET-UP

Now I'm not going to let our shipbuilding division take all the credit. I believe that Bethlehem was able to handle this enormous shipbuilding job because of the way we are set up—as an integrated company. By "integrated" I mean we are a company which produces materials all the way from the ore in the ground to the completed ship. This helps us to understand how each part fits into the whole. So I say to you men in the mines in Michigan and Minnesota, in Pennsylvania, and in West Virginia, that your work is the starting point.

THIRTEEN-MILLION-TON RECORD IN STEEL

You in the steel plants are the next step. You produced 13,000,000 tons of steel this year, one-half million tons more than you had ever produced before—enough steel, if used for that purpose, to build 3,500 Liberty ships.

You men and women in the steel plants—and every plant has made new records—have produced gun forgings, guns, armor plate, projectiles, and a host of other products for our fighting forces, with a splendid record of performance.

TRIBUTE TO OTHER COMPANIES

And, with all that has been done, we 300,000 in Bethlehem should not be boastful in telling our story. Don't forget the thousands of subcontractors and suppliers, who were essential, and we salute the many other companies in American business who have done tremendous things.

Remember, we are all just working for Uncle Sam. I want to tell those of you who may feel mighty tired at the end of a week of 54 hours or more, that the men and women in your Government are not sparing themselves either. They've been helpful to us all along the line.

COUNTRY'S DEBT TO NAVY

Fellow workers, some of you may not realize how serious the crisis of recent months has been. From our long experience in designing and building all types of ships, I can tell you that the country owes a great debt to the foresight and judgment of the Navy and the Maritime Commission.

War needs ships. America's shipbuilding program, ably conceived and led by these

officials, has been a prime factor in averting disaster, and turning the tide to victory. There's no other navy afloat that, ship for ship, type for type, can equal the American Fleet. And the fleet is not only built right, it also fights right. It is tops in operations at sea.

SIXTY-SEVEN THOUSAND IN THE ARMED FORCES

Now, I want to pay a tribute to the Bethlehem men and women in the armed forces—67,000 of you—and to the millions of your fellows in uniform. Our work is for you. Our effort is small beside yours, but we are going to keep everlastingly at it, so that you may have the supplies you need, where and when you need them. We at home are more than proud of you. We are in the swing—we have learned how to do impossible things. And we are ready to do them again as war needs will require.

NINETEEN HUNDRED AND FORTY-FOUR WORK SCHEDULE EVEN LARGER

In this connection you will be interested to know that the Bethlehem program for 1944, as now scheduled, is even larger than in the year just closing.

A happy New Year to each of you and your families. It may be a year of greater hardship and sorrow than our country has ever known. But it can be made happy for all of us in doing our part toward victory.

I ask you all to join me in dedicating our efforts in 1944 to our country and its glorious flag.

E. G. GRACE, *President.*

DISABILITY COMPENSATION TO CERTAIN SERVICEMEN

Mr. SASSCER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. SASSCER. Mr. Speaker, I am introducing today a bill to provide emergency disability compensation to members of our forces separated from the service pending settlement of their claims by the Veterans' Bureau.

The purpose of the bill that I have introduced is to provide temporary compensation to disabled veterans pending their medical discharge from the Army, and the establishing of their claims in due course under the usual procedure with the Veterans' Administration under existing law.

The heads of various veterans organizations in Maryland called attention in a meeting with the Maryland delegation some weeks ago, to the hardship that has been entailed by servicemen due to the delay in establishing and rating of their cases; and distressing cases have been called to the attention of my office by veterans disabled in this war.

The Veterans' Administration has not been responsible for the delays in these cases which have come to my attention.

Under existing law and procedure, there is a period, sometimes running into many months, where the disabled veteran receives no compensation—his Army pay has ceased due to discharge, and his disability compensation has not started due to delay in establishing his claim before the Veterans' Administration, incident to obtaining his service records from far away battle fronts.

My bill provides for emergency disability compensation, and would bridge this gap, and would direct the Veterans' Administration to give him disability compensation according to the extent of his disability as certified to by a medical officer of the armed forces. As soon as his claim is perfected and adjudicated by the Veterans' Administration, he will be protected under the existing laws, and will be given a permanent status; and his claim will then be administered by the Veterans' Administration. If the Veterans' Administration finds that he is not entitled to disability compensation his payments would then cease.

The principle of the bill is the same as that of alimony pendente lite for the support of a wife during the trial of a divorce suit, where temporary payments are made pending final adjudication of the case.

This measure is not a substitute for, nor in any way in conflict with, mustering-out pay, hospitalization facilities, vocational training, and simple and adequate provision for a soldier's vote, all of which I acknowledge, favor, and shall support, but is merely an addition to the present veterans' laws for the purpose of providing emergency compensation pending adjudication of their claims.

EXTENSION OF REMARKS

Mr. BURCHILL of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a radio address delivered by me on the subject of child care, over station WHN.

The SPEAKER. Is there objection?

There was no objection.

Mr. CURLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial appearing in the Boston Daily Record.

The SPEAKER. Is there objection?

There was no objection.

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Milwaukee Journal of January 7, 1944, entitled "Mrs. Roosevelt Forgets."

The SPEAKER. Is there objection?

There was no objection.

Mr. WASIELEWSKI. Also, Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the Washington Post of January 8, 1944, on the subject of Poland's borders.

The SPEAKER. Is there objection?

There was no objection.

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial which appeared in the Dallas News.

The SPEAKER. Is there objection?

There was no objection.

Mr. BECKWORTH. Also, Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter from the Civil Service Commission.

The SPEAKER. Is there objection?

There was no objection.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address by myself on the subject of prohibition; also a letter addressed by myself to Secretary Hull.

The SPEAKER. Is there objection?

There was no objection.

PATROLMAN DREW

Mr. CELLER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. CELLER. Mr. Speaker, I take this opportunity to compliment the distinguished mayor of New York City, the Honorable Fiorello LaGuardia, with reference to his recent action concerning Patrolman Drew, whose conduct has taken on a national importance, because he sought to inject into our police department the virus of religious bias and racial disunity. Mayor LaGuardia has selected two former splendid jurists, Mr. Justice Crane and Mr. Justice Finch and former Police Commissioner McLaughlin, to sift the charges leveled against this officer.

There is a cabal of Fascists in our police department, and the mayor does well in his endeavor to weed out fascism from our excellent police force. This patrolman Drew is one of the leaders of that Fascist group. We certainly cannot fight fascism abroad, if we have it flourish in our own New York back yard. Fascism is a stench that cannot be confined anywhere. It spreads everywhere, poisons and sears all it contacts. The whole department will be corroded if that man Drew be permitted to remain within its ranks. He must be purged. All self-respecting and decent men, the rank and file of our fine police department resent Drew's presence. His actions and associations bring him and the department into disrepute.

There is considerable anti-Semitism in New York City. Bullies have attacked Jewish school children. Synagogues have been invaded. Foul hands have been laid upon altars. Scrolls of the law have been defiled and soiled and trampled upon. Drew has shown himself up to be an anti-Semite. Surely, as such, confidence cannot be placed in him as a peace officer, to prevent such unholy acts of vandalism and to apprehend the evildoers. He must resign or else the mayor must give him, in common parlance, the "hotfoot," after the verdict of guilt that the mayor's impartial tribunal will render against him.

THE SOLDIERS' VOTE

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANDREWS. Mr. Speaker, I rise to call the attention of Members, particularly of the Committee on Election of President, Vice President, and Members of Congress; the gentleman from Pennsylvania [Mr. BRADLEY], who spoke a few moments ago; and the gentleman from Ohio [Mr. BENDER], both of whom I understand are having a meeting on the subject tomorrow, to the fact that I am introducing in the House today a bill which will be called the absentee war

ballot bill of 1944. From my knowledge of the situation and the contents of other bills on the subject, I consider this by far the simplest method of effectuating what we desire to do, and what the gentleman from Pennsylvania [Mr. BRADLEY] wishes to do.

The measure would be known as the Absentee War Ballot Act of 1944 and confined to the forthcoming election. A preamble would note the intent by citing the declarations of war, the Selective Service Act, and the law ordering the National Guard into Federal service.

The Secretaries of War and Navy and the Chairman of the Maritime Commission would be designated as Federal agents of the States for the purpose of distribution, collection, and allocations to the proper State electional officials of a simple, uniform service ballot. It would be handled for the Army by the War Department, for Navy, Coast Guard, and Marine Corps personnel by the Navy Department, and distributed and collected from regular members of the merchant-marine service by the Maritime and War Shipping Administrations.

While not V-mail, the ballot would be small and compact and distributed not earlier than August 1 and not later than September 1 to men in service everywhere.

Those filling out the ballot would vote for Presidential electors, by party, a candidate for Senator in case a State has a senatorial election, and for a candidate in the Congress district in which the voter resides.

The ballot, in folded letter form ready for sealing, must be signed with an oath subscribed to by the voter, giving date of birth, legal residence in the United States, and how long the voter had lived there. In addition, the voter would pledge that this will be his only vote cast in the election and sign the ballot with his name, rank, and serial number.

The bill does not require a serviceman to confine his voting to the uniform ballot. He could individually obtain a full absentee ballot from the State in which he resides, but could not vote both ways.

The letter secret ballot folded and sealed for mailing would carry in the upper left corner the name of the sender and his home address and State, and be mailed to the War or Navy Department or the Maritime Commission for distribution to the proper State election official, eventually to reach the election precinct for counting on election day.

Thus, the eligibility of the service voter to cast his ballot in that precinct, with absentee registration requirements, of course, waived by the legislation, would be determined by the very officials who would be prepared to challenge his right to vote if he appeared in person next November.

The measure, I believe, offers a method which will remove the objections, well made by the War and Navy Departments, to direct participation in soldiers' voting, because of the physical difficulties involved, and also the opposition of those in Congress who contend that any Federal ballot procedure would transgress the rights of the States to control elections, for it leaves to the proper election officials of each State the right to pass upon the qualifications of each voter.

Mr. BRADLEY. Mr. Speaker, will the gentleman yield?

The SPEAKER. The time of the gentleman from New York has expired.

LEAVE TO ADDRESS THE HOUSE

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent that following the regular business tomorrow, Tuesday, I be permitted to address the House for 10 minutes on this subject.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the Milwaukee Sentinel.

The SPEAKER. Is there objection?

There was no objection.

FRANCES PERKINS

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. THOMAS of New Jersey. Mr. Speaker, some years ago I called for the impeachment of Frances Perkins. My charges of a conspiracy were not supported. Today, however, I call upon the Democratic leadership in this House to demand her resignation, for Frances Perkins and her long-haired advisers, have brought the house of labor down to a point of degradation where it is endangering not only the welfare of labor itself, but endangering our whole war effort. It may cost the lives of hundreds of thousands of American boys. Frances Perkins should be replaced by a two-fisted able person who understands both labor and the American people, and who will place the war effort before sissy-pants reforms. At the moment there is no sound labor policy in this Government.

The SPEAKER. The time of the gentleman has expired.

LEAVE OF ABSENCE

Mr. ANGELL. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Oregon [Mr. MOTT] may have an indefinite leave of absence on account of illness.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent that I may extend my remarks on two subjects and include excerpts in each.

The SPEAKER. Is there objection?

There was no objection.

OUR OBLIGATION TO YOUTH

Mr. SULLIVAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SULLIVAN. Mr. Speaker, if there need be any argument for granting those in the armed services the right to vote at the next election, I think the strongest reason is in the exceptional importance now and for the future, of the decision to be made at that election.

That importance springs, not from the fortunes of any party or individual, but from the fortunes of our country as a whole. It may well be that the election will become a choice between isolation and collective security. If this should be the case, and I do not know of any greater issue that may arise, it would be the height of injustice and folly to exclude from that election and decision the very element in our electorate most concerned in the event. The men in our armed forces constitute the present generation. They not only do the fighting but with their lives before them must live and exist through the coming half century, experiencing security or peril accordingly as a successful or unsuccessful solution is made of the issues of peace and war now before us. We might with equal reason ask our young men to fight in battle without bullets as to witness the decision of the war for peace and security based on foreign policy, without ballots.

It is said that our forces overseas are skeptical as to our stewardship of their liberties in their absence. It is said they have grave doubts of our enlightened and enthusiastic interest concerning the things they are fighting for. That we do not go along with them in sacrifice or in determination to lay a durable and stable foundation for peace in our time.

This feeling on the part of our fighting men can best be allayed by giving them a share in government through the vote, while they are away from home. Unless we do give them the vote the feeling will grow and the chance for a wise and representative decision at the coming election will be lost. Woe to any party or any majority in this country that shall be unable to face the returning soldiers with a better solution than that offered a quarter century ago. The older generation will pass, but shall it be in glory or in the shame of failure?

The SPEAKER. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. PLOESER. Mr. Speaker, I ask unanimous consent that I may extend my own remarks, including therein a brief speech made in Chicago last Saturday, and other documentary evidence concerning the manipulation of meat prices.

The SPEAKER. Is there objection?

There was no objection.

RATION TOKENS

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks, and to include a letter from the American Transit Association.

The SPEAKER. Is there objection?

There was no objection.

Mr. KEEFE. Mr. Speaker, the country is about to be flooded with some millions of so-called ration tokens. If the Members of Congress who have just returned from their vacations feel that they have encountered a considerable

number of complaints, I assure you that you are about to be placed in the position where previous complaints will seem trivial. I have asked permission to incorporate in these remarks a letter from the American Transit Association which has just completed a series of tests of these ration tokens on all of the coin receptacles and coin-operating machines in the transit services of this Nation, as well as other coin-operated machines. When these 50,000,000 or 60,000,000 tokens get into circulation and they start using them in all types of coin-operated machines, which they will operate, you are going to hear from your constituents. As the letter following discloses, the O. P. A. has been fully advised in the matter, and if disastrous results follow that agency alone is to blame. Clearly, a token could be devised, if any at all are necessary, to do the job intended and not seriously threaten other business.

EXTENSION OF REMARKS

Mr. SADOWSKI. Mr. Speaker, I ask unanimous consent to extend my remarks on two subjects—one, the matter of mustering-out pay, and the other on the question of the disposition of surplus war goods, and include therein an article from a magazine.

The SPEAKER. Is there objection?

There was no objection.

SAFEGUARDING RIGHT OF VETERANS TO VOTE

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes today after special orders have been disposed of.

The SPEAKER. Is there objection?

There was no objection.

Mr. FISH. Mr. Speaker, the gentleman from Pennsylvania [Mr. EBERHARTER] seems to be unduly alarmed because the Republican national chairman, Mr. Harrison Spangler, took the trouble to get samples of the political opinions of some of the veterans, showing a Republican trend of 56 percent which I believe is far too low as there is every indication of a Republican landslide in 1944. After all, our veterans of World War No. 2 are free, sovereign American citizens and certainly no one or no group have more right to express their political views and political preferences than the veterans. We on the minority side are very anxious to have the veterans vote and to have all the veterans vote and will insist on it, but we want to be assured that it will be an honest and impartial vote and not a manipulated one. We want a free ballot by free Americans in our armed forces all over the world, but not one that could possibly be manipulated or propagandized by the O. W. I. with Government money, using the United States Treasury as a campaign or slush fund.

Republicans want and insist on the right of every member of our armed forces voting for President and Vice President, for United States Senator, and for Member of Congress in the regular, customary, and constitutional manner under State supervision and not dictated, controlled, or counted by the Federal Government. We are opposed to further regimentation and bureaucratic domination by the defunct New Deal for political purposes or any other, and the destruction of the few remaining rights of the States and of their sovereignty.

The SPEAKER. The time of the gentleman has expired.

SOLDIER VOTE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. DINGELL. Mr. Speaker, I do not know what this controversy leads to. I have not fully analyzed the mishandling of the ballot question as yet. But it is my impression, from what I observed occurred here in the House and what is going on in the Senate, that probably the willingness on the part of some people to let the soldiers vote depends on whether or not they will vote Republican. So far as I am concerned I want the soldier to vote regardless of whether he votes for me or for my party or for the Republican Party. I want the man who fights for his country above all to have the right to vote for the President and for his Representative in Congress. That is the important thing, and it can be done constitutionally.

The SPEAKER. The time of the gentleman has expired.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Speaker, in reply to the statement of the gentleman from Michigan [Mr. DINGELL] to the effect that Members of the House and Senate who favor the Eastland-McKellar-McClellan soldiers' voting bill were interested in having the men and women in our armed forces vote the Republican ticket, I wish to say that he cannot accuse me of any such desire.

Certainly I do not want them to vote the Republican ticket, nor do those Democratic Senators who voted for this measure when it passed the Senate.

But we do want the men and women in the service to have the opportunity to vote in a constitutional election; and we cannot have a constitutional election if the Federal Government attempts to usurp the election machinery of the various States, or to fix the qualifications of electors in violation of the Constitution.

We are trying to pass a bill that will expedite getting these ballots to the men and women in the service, give free airmail service for these ballots, and for all communications in connection therewith, and permit them to vote for every official from President down to constable.

The legislatures of the various States are meeting now and are shaping their legislation to that end, making it possible to send these ballots, even without an application from the soldiers. They have accused us southern Democrats of having an unholy alliance with northern Republicans on this all-important issue.

It is not an unholy alliance, any more than it was when George Washington and Benjamin Franklin allied themselves to frame the Constitution. We southern Democrats and northern Republicans have fought all over the deck of the old ship of state, which is the Constitution itself; but it remained for left-wing radicals to want to shoot the bottom out of the boat.

The SPEAKER. The time of the gentleman has expired.

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. VURSELL. Mr. Speaker, the Members of Congress, both Democrats and Republicans, I notice, are beginning to become very interested and in fact have been interested for months in providing a way for soldiers to vote. The only reason that provision was not made and enacted into law before we went home for the holidays was because the administration with their pet scheme to try to take undue advantage of the soldiers and trying to get their votes by a certain amount of deception, have held back the passage of the bill.

The facts are, we have a bill written now and have had for the past 30 days, that, in my judgment, is about the only bill that is possible which will give the soldiers the greatest opportunity to vote and to vote legally and within the framework of the Constitution of the Federal Government and of the States. The only reason that bill has not been passed is because the administration has tried in the Senate and tried in the House in an effort to bring forth a bill which will not give such an opportunity to the soldiers.

The SPEAKER. The time of the gentleman has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. GEARHART. Mr. Speaker, I ask unanimous consent that on Friday next after the legislative business of the day and any other special orders, I may address the House for 20 minutes.

The SPEAKER. Is there objection?

There was no objection.

ABSENTEE SOLDIERS' VOTE

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. SABATH. Mr. Speaker, I regret exceedingly that the gentleman from Illinois [Mr. VURSELL] has seen fit to charge the administration with delaying passage of the bill giving the soldiers the right to vote.

I think it is manifestly unfair and that my colleague from Illinois is not justified in his statement or to be so reckless as to make such charges. It appears that the Members on the Republican side of the aisle while in their home districts led the people to believe that they are cooperating and assisting the administration in the prosecution of the war. Instead, many of them, like my colleague, continue to make unwarranted charges

and accusations against the administration, in the hope of creating a partisan prejudice against the President and the administration. The gentleman evinces great interest in the members of the armed forces of the United States, particularly in the matter of extending to them the opportunity to cast their votes, as provided under the Constitution.

I take the liberty of calling attention to the fact that I introduced a bill on September 16, 1943, which would give all members of our armed forces the right to vote, and included therein a provision that would also give to civilians in a quasi-military status abroad who were contributing to the war effort, the right and opportunity to exercise their voting privilege.

Many bills and amendments have been introduced to amend the Soldiers Vote Act of 1942, but in consulting the record and the calendars of the House I have not been able to find the introduction of a bill, to this date, by my colleague from Illinois, to grant to the servicemen and servicewomen the right to exercise their voting privilege. Therefore, my colleague is a little late in espousing legislation to provide the voting privilege to those in our armed forces.

Mr. Speaker, the gentleman from Wisconsin [Mr. KEEFE] has referred to the complaints which may be anticipated from this time on. I, too, am of the opinion that we are going to hear still more complaints. I agree with him that we may have complaints from those fatuous and selfish kickers who cannot get all the steaks they want, and from those who are unable to procure more than their reasonable share of rationed gasoline for joy riding, and from those who selfishly find it impossible now to get their pre-war share of butter, cream, and other luxuries. They are the people who have always complained about everything and will always find something to kick about.

Mr. Speaker, we must see to it first that the millions of those in our armed forces overseas and in training in this country have the best of everything that we can supply to them.

Of course every patriotic American will realize and recognize that we owe it to our armed forces abroad that their home folks have sufficient food and the other ordinary and reasonable necessaries of life. Certainly these things should be so rationed that the poorest of the poor may be able to obtain them for their proper sustenance at prices that are reasonable. This is common humanity—nothing partisan, Democratic or Republican—and we owe strict observance to the carrying out of these ideals to ourselves individually and to our proud country.

Mr. Speaker, if the gentleman from Mississippi [Mr. RANKIN] were not so reckless in his statements and confined himself to the facts, he would find that not only have I, but that the chairman of the Committee on Election of President, Vice President, and Representatives in Congress, the gentleman from Texas [Mr. WORLEY] have endeavored to obtain early action on the legislation which would give the deserving members of our armed forces the privilege of casting their votes in the next Presidential election. Similar expeditious action has been sought on the Green-Lucas bill, which has been pending in the Senate for months and which, when finally considered, was unfortunately so amended that it would not give our servicemen and servicewomen a real opportunity to cast their votes.

Mr. Speaker, as I have stated several times, I know that the administration is extremely anxious for the passage of a bill that will afford the right to those in our armed services to exercise the high privilege of casting their votes. Unfortunately, the gentleman from Mississippi [Mr. RANKIN] complains that the House bill as well as the Green-Lucas bill would deprive the States of some rights and violate a provision of the Constitution. He apparently fails to recognize that the Constitution gives Congress jurisdiction in the matter of election of President, Vice President, and Representatives in Congress and, as was clearly set forth in the last Congress by the former Representative from West Virginia, Judge Ramsay, author of the original soldier vote bill of 1942, the legislation is not in conflict with our Constitution and will not abridge any rights whatsoever of the States.

Mr. Speaker, I know that the demand for this legislation is Nation-wide and, as I stated several times on this floor, I am not concerned as to how those in service will vote, but I am concerned that they be given the right and opportunity to vote. It is certain that the vast majority of the rank and file of our servicemen and servicewomen will stand by the Commander in Chief of our Army and Navy, President Franklin D. Roosevelt, recognizing that he has insisted and demanded, and, in fact, has ordered that they be the best trained, best equipped and best fed of any of the armed forces in the world, and that has been done. Now and then, in isolated instances, we hear complaints from a few in the armed services who have not received a commission, or have not been advanced to the grade of colonel or general. The President has designated others to pass on those matters so that he may be free to devote his brilliant efforts to the successful prosecution of the war which I am sure is going to be accomplished in the shortest possible time.

The SPEAKER. The time of the gentleman from Illinois has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that upon Wednesday and Thursday next, on each occasion, after the expiration of the legislative business and any other special orders I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection?

There was no objection.

ABSENTEE SOLDIERS' VOTES

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, the gentleman from Illinois, whose residence is in the city of Chicago, Mr. SABATH, always feels sorry when anyone ventures to suggest that anyone should vote for a Republican. It is just too bad that the gentleman feels so downhearted.

Mr. SABATH. Will the gentleman yield?

Mr. HOFFMAN. I do not yield. The gentleman from Pennsylvania [Mr. EBERHARTER] is also sick at heart and sorry this morning, because a Republican has ventured to make some inquiries as to how the soldiers are going to vote. He may have discovered that the thousands of Roosevelt buttons which have been sent to men in the service and which we have been told are being used to pin the diapers on Algerian babies have not produced New Deal votes. I can understand that, too. The gentleman from Illinois [Mr. SABATH] said the administration always wants to do something for the soldiers. The administration must have wanted to do something for veterans when the President vetoed the bonus bill and when he took adverse action on other veterans' legislation.

The gentleman from Pennsylvania [Mr. EBERHARTER] is disturbed because in days gone by in Pennsylvania at election time the A. A. A. has taken a wagon around and distributed the A. A. A. payments at the polls, just before the farmers were to vote, thinking that the simple Dutchmen up there would vote the Democratic ticket. Well, they are not doing it. They could not be bought in that way nor in any other. You on the majority side need not worry. The election is going to come out all right—the good of the country considered.

The SPEAKER. The time of the gentleman from Michigan has expired.

EXTENSION OF REMARKS

(By unanimous consent, Mr. WHITE was granted permission to extend his own remarks and include certain excerpts.)

THE SOLDIER'S VOTE

The SPEAKER. Under previous order of the House, the gentlewoman from Ohio [Mrs. BOLTON] is recognized for 10 minutes.

Mrs. BOLTON. Mr. Speaker, before the recess I spoke to this House of my conviction that some method must be provided to make possible the free and unbiased vote of the men and women in uniform. While I have been at home I have seen literally hundreds of people. I found them all in very positive agreement with me. I have come back to you with renewed determination to do everything in my power to prevent the disfranchisement of the millions who are in the fighting forces in this country or overseas, to do everything possible to set up the machinery that will provide and safeguard their ballot. Because of the factors of time and distance that are

involved I am impelled to say to this body that it is our first duty, that nothing is of greater importance than that we demonstrate by our prompt action the sincerity of our belief in democracy. If we cannot do so, for what have these millions of our finest youth gone forth?

We are not fighting to destroy. We are not fighting for territorial gains. As a nation we are fighting for a principle, call it a dream if you will, but we fight for the right of men to determine the nature of their own lives. Our young men go out to die for that principle which nothing symbolizes so clearly, so dramatically as the right to vote. Can we permit partisanship of any kind, or intolerance, or littleness to govern our actions here? Dare we do less than find a method by which to keep faith with these who have gone out? Dare we permit our inadequacies to deprive them of their right to vote?

The mechanics involved appall one at first glance. The decision of method must be based upon practicality and we must, perhaps, in the end be willing to accept abnormal ways if we are to meet abnormal conditions. There is no precedent which we can follow. Even those of us who feel that the fundamentals of our Union stand in constant danger and that a Federal method might weaken our basic formula of the right of each State to its own way, even we must recognize that if the States are awkward, if they fail to see the abnormality of the situation and so retard action then we must act to maintain the standard of our liberties. I repeat, the franchise is the very cornerstone of the free way of life for which our men are dying on all the battle fronts of the world. Just as we owe it to them and to the future of this Republic to see that the uniform does not become the badge of disfranchisement, so do we owe it to them to prevent any permanent encroachment of Federal power upon the rights of the States. If we accept a Federal plan we must provide guaranties that it be temporary, that it be impossible of continuance when the war is at an end and those guaranties must hold.

If we cease to be a union of States we have lost the war. If we fail to forge the machinery that will make the ballot the symbol of free men available to our fighting forces, we fail also. Either one would be intolerable. Grim as would be any acceptance of an over-all, central authority, disfranchising close to 10,000,000 citizens would be grim too. When we give up the autonomy of our States, we give up the Republic. We have built a mighty Nation on the basis that power, concentrated power, is the greatest enemy of freedom. Not only did we divide Federal power into three parts to protect the individual from the arrogance of centralized authority, but we chose to be a union of many States: The United States of America, not just America. Because I believe that such a union spells freedom I have protested and shall continue to protest our accepting as a permanency centralization and federalization of authority. But I will not be party at this moment in our history to withholding the franchise from the men and women who wear the uniform and those others who serve us overseas. These are abnormal times without counterpart in human history. Abnormal actions are necessary.

I believe there is a middle way that can and must be found, a way that will protect the basic rights of the sovereign States. A way that will be a true guaranty against any camouflage to take over these rights. A way that will continue to give to the citizens of these United States their individual right to express their political opinions freely and without duress of any kind.

Mr. Speaker and Members of the House, the year that lies ahead is going to be one that will demand more of us as individuals and as a Congress than any preceding year. The tensions of war, of a tragically confused economy, of increased intolerances, and all that these imply will tear at us and rend us as the days grow into months and the year speeds on. We shall need balanced judgment, calm purpose, great wisdom. We shall need an increasing tolerance and understanding of each other and of the problems that will come before us. We shall need a renewed confidence in the sincerity and greatness of the people of this country that it is our privilege to represent and to serve. We shall need an ever deepening faith in the ultimate triumph of the forces of light, the ultimate subjugation of all evidences of the forces of evil, whether that be on the battle front or here within our own borders.

In the beginning of this, the second session of the Seventy-eighth Congress, I wish for you and for myself as one of you the capacities and strength, the tolerances and the faith that we shall need if we are to give leadership during the days that lie ahead. And I commend to you the words of Lord Tweedsmuir, whom all men who love good tales know as John Buchan, "Leadership is only courage and wisdom and a great carelessness of self."

The SPEAKER. Under the previous order of the House, the gentleman from New York [Mr. FISH] is recognized for 10 minutes.

Mr. FISH. Mr. Speaker, I ask unanimous consent to include at the end of my remarks an editorial from the newspaper Labor entitled "Why This Blitz Against Rail Unions?"

The SPEAKER. Without objection, it is so ordered.

There was no objection.

RAILROAD BROTHERHOODS ACTED WITHIN EXISTING LAW

Mr. FISH. Mr. Speaker, the sudden attacks by the New Deal administration upon labor, particularly the railroad workers, is nothing more or less than an attempt to confuse the public mind, shift the blame, and avoid the consequences of its dictatorial actions. If the high military official is correct in his sensational charge that the action of President Roosevelt in placing the railroads of America under the control of the Army as a result of a threatened strike has given the Nazis added hope and inspired them to prolong the war which will cost us hundreds of thousands of American lives and billions of dollars, the American people are entitled to all the facts.

It is my conviction that the blame actually rests, not with the Railroad Brotherhoods, the railroad workers, and organized labor who have been excoriated by New Deal spokesmen, but upon President Roosevelt, who in a typical manner has tried to blame labor for his own blunders.

There should not have been any necessity for a railroad strike. Nor was there any justification whatever for the President's hasty action in seizing the railroads. Practically all of the Brotherhoods had agreed to call off the strike, and the remaining three had indicated that if they were assured of an opportunity to have their grievances considered fairly and impartially they would likewise hold up strike action. All of them repeatedly stated they had no desire to take any steps which would in any way interfere with railroad transportation and our war efforts. The President's ill-advised action in seizing the railroads was in line with his New Deal's socialistic policies tending toward totalitarianism. This synthetic, New-Deal-inspired crisis was merely an excuse to add further bureaucratic control to the burdens of the people and a part of the New Deal scheme for national socialism.

A review of the facts will show that, after months of hearings, the President's own Emergency Board conclusively proved that gross inequalities existed between railroad wages and those paid in comparative industries, averaging 25 percent less than those engaged in war industries; that the 8-cents-an-hour increase in pay agreed upon was amply justified; and the record will disclose that the railroad employees have always been loyal and have effectively cooperated in the war effort, being content to settle their claims through mediation and in accordance with the provisions of the Railway Labor Act passed by the Congress. We still live under a Government controlled by law and not by individuals or self-appointed dictators.

When Stabilization Director Fred M. Vinson, who certainly acted with the knowledge and approval of the President, ignored the Emergency Board's recommendations and in defiance of an act of Congress refused to grant the justifiable increase requested by the railroad employees to meet the increased cost of living, the administration was guilty of perpetrating a fraud on the people and a gross injustice to the operating and nonoperating employees of the railroads. When labor protested against such unfair discrimination, the administration deliberately attempted to make them the goat by seizing the railroads.

According to the President's secretary, Stephen Early, the statements of the high military official coincided with the views of President Roosevelt, yet he saw fit to let the military pull his chestnuts out of the fire, and used the war effort to

smear labor for political propaganda purposes and to cover his own blunders.

In fairness to the American people, I call on this high military official to make known all the facts and place the blame where it belongs—not on loyal American labor but on the President and his New Deal administration.

"The hand that held the dagger to stab labor in the back" is President Roosevelt's—to further his New Deal efforts to regiment the American people, including labor, and establish national socialism or additional bureaucracy on our Nation. From his self-exalted position as a friend of labor, the President now emerges as a political opportunist who does not hesitate to betray those who have been his greatest supporters in the past and brand them with the most hated of all crimes—treason. If the statement of the President's spokesman in attempting to so brand labor is true, which it is not, then he has "given the Nazis a jolt of hope so powerful they can now force their sagging satellites to stay in the war many extra months."

Even organized labor must now realize that no matter how benevolent a dictator may be, or how much lip service may emanate from a bureaucracy, they are not immune from the whims and personal ambitions of a power-hungry politician who has stayed in office too long, whether he calls his regime a New Deal or some other catch phrase, when actually it is verging more each day toward national socialism as practiced by our enemies in Europe.

American workmen are at last beginning to realize that the various acts and statements of New Deal spokesmen are actually the views of President Roosevelt. The following editorial from Labor, dated January 8, 1944, makes interesting reading:

WHY THIS BLITZ AGAINST RAIL UNIONS

DID THE WHITE HOUSE WISH TO AVOID ANSWERING THE PEOPLE'S QUESTIONS ABOUT THE TAKING OVER OF THE ROADS?

Why was General Marshall dragged into the rail-wage controversy? Surely the chief of staff has his hands full preparing for the approaching invasion of northern Europe. Why should the White House prompt this capable soldier to put on false whiskers and make an international incident out of a dispute which could and should have been settled by the President of the United States in 24 hours, on perfectly reasonable terms?

Was it because the American people were beginning to ask highly embarrassing questions about the taking over of the railroads? Did the White House desire to avoid giving straightforward answers to those questions, and hope to divert public attention from the main issue by launching the silly tale that the mere mention of a strike in the United States would prolong the conflict in Europe 6 months?

We do not accept the contention that General Marshall did what he did on his own motion. He is not that kind of a soldier. He got his instructions from higher up and those instructions were so definite he felt he had to obey. Anyone who candidly examines the facts cannot escape that conclusion.

We believe the American people will continue to ask: "Why did President Roosevelt insist on taking over the railroads?" And we are confident, whatever the White House may do, the people will get the correct answer. Then they will discover:

That the wage dispute between the five operating rail unions and their employers might have been easily disposed of before the dead line set for a strike; that the United States Mediation Board was proceeding along that line; in other words, was performing its legal duty under the Railway Labor Act.

Then the President snatched the controversy from the hands of the Mediation Board without even notifying the members of that Board. He summoned the chiefs of the five operating unions to Washington and in the most truculent language demanded they permit him to arbitrate the dispute and agree in advance to accept his verdict.

Two accepted; three declined. Instead of making further efforts to secure a settlement, the President rushed off to Hyde Park and permitted the chiefs of the three unions to sit here in Washington for 5 days without making the slightest effort to contact them and work out a settlement.

In the meantime, with great beating of drums, he took over the railroads, insisting the Nation was menaced by some frightful tragedy. But while this scare campaign was being pushed to the limit, the chiefs of the three unions were within a few blocks of the White House, prepared to make a settlement, but the President and his lieutenants refused to move in that direction.

So far as the 15 nonoperating unions are concerned, the President approved their 8-cent wage increase and pleaded with the unions to accept it. He also suggested their members were entitled to overtime.

No one can question that statement, and yet the President would like to have the American people believe that these unions, too, are threatening to "paralyze transportation" and that their attitude is "helping Hitler." There is not a scintilla of truth in that claim.

The President and his chief lieutenants are almost entirely to blame for the failure to adjust the railway wage dispute. The White House is also responsible for General Marshall's unfortunate statement which, according to the best information available, is now being used by Hitler's propaganda agencies.

The rail unions involved are not seeking to conceal the facts of this controversy; they will welcome an opportunity to tell the entire story in the most public way. They are anxious the American people should be placed in a position to fix responsibility, because they know they are not responsible.

At any time during the last 2 weeks the rail wage issue could have been settled in 24 hours. It could be settled in 24 hours now, by men of good will.

EXTENSION OF REMARKS

(Mr. HOPE asked and was given permission to extend his own remarks in the RECORD.)

SIMPLIFIED TAX RETURNS—THOSE NEW TAX FORMS

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BENDER. Mr. Speaker, it probably is not the Treasury Department's fault that present tax legislation seems to be designed solely for the purpose of increasing the income of the Nation's auditors. Take the new four-pager turned out for the study of the 50,000,000 taxpayers who will be dipping into the sock this year to pay a fraction of our war costs. But it ought to be possible, even with the complicated system of Victory tax, withholding tax, and ordinary tax payment to design a tax-return blank without quite the large number of cross-references and "take figure 19 above or 16 below, whichever is smaller."

Eventually, Congress must assume the responsibility of setting up a tax law which provides for specific tax payments for individuals of all groups within specified income ranges.

Mr. KNUTSON. Will the gentleman yield?

Mr. BENDER. I yield to the gentleman from Minnesota.

Mr. KNUTSON. The blanks that the gentleman is referring to, of course, were prepared by the Treasury Department.

Mr. BENDER. Yes.

Mr. KNUTSON. The Ways and Means Committee had nothing to do with the preparation of the blanks.

Mr. BENDER. I am glad the gentleman makes that clear. From conversations I have had with my constituents back home, Congress is being blamed.

Mr. KNUTSON. Of course, Mr. Randolph Paul, general counsel for the Treasury Department, would like to lay the blame on the Congress. I understand he tried to do so at Indianapolis on Friday evening. That is one of the numerous attacks on the part of the Treasury Department leveled at the Congress. I may say for the gentleman's benefit that we had Treasury representatives before us last fall at which time they brought up a proposal for a new blank, what they called the simple blank, and it was so complicated that no member of the committee could grasp what its purport was; so we sent them back and told them to try it again. They finally did work out something that is not quite as complicated as we have had so far as what they call the simple forms are concerned where you make returns of $3,000 or under. It looks to me as though the Treasury Department is trying to make work for the tax lawyers. Probably that is their idea of solving the unemployment problem.

Mr. BENDER. That is the point I am trying to make here. I have never known our constituents to be as angry about anything as they are about this tax form. I have never known them to be as burned up about anything as they are about this particular form which compels them to go to an auditor or to an expert in order to fill it out.

Mr. KNUTSON. I may say to the gentleman that the forms have been completely rewritten since the New Deal came in. When we were in control it was a comparatively simple matter to fill out tax returns.

Mr. BENDER. It should certainly be possible to declare that a man earning $2,000 annually shall pay total Federal income taxes of $35 per year if he has four dependents and other amounts ranging upward and downward determined by the number of people whom he supports.

By the time most taxpayers have given the new forms more than a casual glance the reaction of every vocal member of the community is going to be something

like the roar of a perpetually firing 16-inch coastal defense gun. Life is complicated enough already without adding more problems than are absolutely necessary to the day's evils.

Mr. Speaker, the people want to pay the tax; they want to pay what is due the Government, but they do not want to experience again what they are experiencing now in filing their income-tax returns.

Mr. KNUTSON. The gentleman is to be commended, Mr. Speaker, for enlightening the American people on this whole question. Again I want to say that Congress has nothing to do with preparing the forms.

Mr. GIFFORD. Will the gentleman yield?

Mr. BENDER. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. I find the situation exactly as the gentleman states it, so far as the people of Massachusetts are concerned. I answered one of my constituents as follows: "Yes; I can spell 'simplification,' but that is as far as I can go." Can the gentleman go any further than that?

Mr. BENDER. It is up to the Treasury to cure it.

Mr. GIFFORD. Then we are not supposed to take any action on simplification?

Mr. BENDER. We are here to direct the Treasury, and I hope that the Ways and Means Committee, as well as the Congress, will indicate, as the representatives of the people, the people's disgust with this complicated form, a cumbersome form, which they are asked to prepare.

Mr. GIFFORD. But they are so unfriendly to us. Why do we try to direct people who will not be directed by us? Rather they take the opposite view and blame us.

Mr. BENDER. I am sure that if the people of America have the facts and if they have the information, they will not judge the Congress or anyone else in any way but the correct way.

Mr. GIFFORD. I commend the gentleman for bringing this matter to the attention of the House, and every day it ought to be brought up, but it should be in more severe language than the gentleman has employed. I am trying to find words to fit this thing.

Mr. BENDER. I am sure that when I say that the people are "mad" the gentleman understands me. It is not correct English, but it illustrates the point. When I say the folks back home are "burned up" about this, it is not correct English either, yet it illustrates the point.

Mr. GIFFORD. Let us use the word "stupidity" and all sorts of adjectives. You have to do something like that. I am trying to coin some words that will fit this case. It is a most damnable thing that frightens everybody. People are frightened about going to jail and jails will not hold all the people. What are they going to do about it?

Mr. BENDER. I am sure the gentleman from Massachusetts, learned and as scholarly as he is, cannot make out his tax return without help.

Mr. GIFFORD. My tax return will go to the Government, but I will have to append something to it in order to protect myself. I have got to be a liar; I cannot possibly make out that form even with help. The help can tell me the road to follow, but they do not know what I have in my pocket, and I cannot figure my profit or loss under that form.

Mr. BENDER. I have had graduates of Harvard who carry the Phi Beta Kappa key on their watch chains ask me what we meant by passing such a tax bill. The gentleman from Massachusetts has cleared up that question for those gentlemen and for the rest of the folks back home.

Mr. GIFFORD. There is just one thing about it, I may say to the gentleman, it is a bill to help tax lawyers, but the lawyers themselves now are caught and they do not know how to prepare it.

Mr. EBERHARTER. Will the gentleman yield?

Mr. BENDER. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. We all know that it is absolutely necessary now to collect many times the amount of money in taxes that we did years ago when the forms were very simple. In connection with this matter of simplification of the form, I wonder whether the gentleman is blaming it on Congress directly or whether he is blaming it on the members of the Ways and Means Committee or whether he is blaming it on the tax experts in the employ of the Treasury Department, most of whom have been there for many, many years and include accountants, economists, and the best experts that the Treasury Department is able to obtain at the meager salary which the Government pays. It is not a simple matter to simplify a tax form. I am wondering whether or not the gentleman has somebody who can make a suggestion and offer it to the Committee on Ways and Means to simplify the tax form and at the same time get all the taxes which the law calls for.

The SPEAKER. The time of the gentleman has expired.

Mr. BENDER. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. BENDER]?

There was no objection.

Mr. KNUTSON. When the gentleman from Pennsylvania states that these experts have been there for many, many years, he is asking us to assume, of course, that they went there with their nursing bottles.

Mr. BENDER. I do not want to be like most O. P. A. officials and pass the buck to anyone else. In order to get an answer for a constituent who asked a question, I made seven telephone calls and I got the run-around from seven different people in order to get the answer for that constituent.

I do not want to be accused of giving the run-around. I take part of the responsibility myself as a Member of this House. We are all responsible.

Mr. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield to the gentleman from Illinois.

Mr. CHURCH. Do not hold me responsible for causing all this chaos that the New Deal has brought about. It is using these forms in order to excuse all that chaos. Do not bring me into this.

Mr. BENDER. Frankly, we have a measure of responsibility because we vote for these tax bills and we pass on the various issues involved. I say we can direct the Treasury, we can even determine the kind of a form that is to be used, by enacting the kind of legislation here that will simplify the form. If the Treasury is using a form, as it is now, that is not understandable, then it is our job here to provide a simplified form, and put it in the law. Then there cannot be any question about it. Does that answer the gentleman's question?

Mr. EBERHARTER. The gentleman has been very fair about the thing, but he gives the impression that it is a very simple matter to draw up a simplified form. It is not simple. It would require weeks and weeks of study by persons who have a very expert knowledge of the complicated tax program. I am sure the Committee on Ways and Means, even the Republican members, I may say, have been trying to work out a good tax bill, but they have not come forward with anything that is simple and easy. It is almost as hard to do that as to pay the taxes.

Mr. BENDER. Will the gentleman agree that this tax form is as clear as mud?

Mr. EBERHARTER. I am happy to say to the gentleman that I have not been burdened yet with trying to make out my tax form, so I have not examined it.

Mr. BENDER. The gentleman will have assistance in making out his return; is not that correct?

Mr. EBERHARTER. I expect to; not because my income is so great but because I think the form is a little bit complicated.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield to the gentleman from Pennsylvania.

Mr. GROSS. I found my people much madder about the red tape connected with it than they are about the tax. Is that what the gentleman found?

Mr. BENDER. That is exactly the point I am trying to make.

Mr. GROSS. Does not the gentleman believe the Federal Government could do just what Dewey did in New York the other day? He gave New York a simplified tax return of one page, that an individual could fill out in 5 or 10 minutes. Why cannot the Federal Government do what Dewey is doing in New York?

Mr. BENDER. Maybe there are too many "brain trusters"; I do not know.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Elaborating upon the remarks made by the newly elected member of the Committee on Ways and

Means, the gentleman from Pennsylvania, let me call the gentleman's attention to the fact that the Congress is now working on the seventeenth tax bill since the New Deal came in. Each tax bill has been grafted onto the existing law. I can only compare it to an old, rambling house that has been in the family for 200 years. Each new owner has taken out a partition and added a window here or an ell over there or a door over there until now we have the worst hodgepodge of tax structure of any country in all the world. I defy any other country to produce anything like what we have now.

Mr. EBERHARTER. I agree with the gentleman that the tax structure is very complicated, but I will say that the gentleman, as a ranking Republican member of the Committee on Ways and Means, could certainly do not only the people of the country but his own party a great service if he would come forward with a plan of taxation which would be acceptable to the people of the country and to the Congress, and which would simplify not only the forms but the method of taxation. I fail to find in the history of the Congress any such proposition.

The SPEAKER. The time of the gentleman from Ohio has again expired.

JAPANESE IN THE UNITED STATES

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

Mr. SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, a number of inquiries have been made to the Committee on Immigration and Naturalization dealing with the question of Japanese in this country. A number of Members have asked me why I do not conduct hearings on bills now pending before the committee, on the ground, it is claimed, that the Attorney General, Francis Biddle, appeared before the Dies committee and made a statement that the committee can bring out legislation to cancel the citizenship of native-born Japanese.

I personally do not believe the Attorney General meant that. His statement was rather broad and lent itself to many interpretations. I do not believe that under the Constitution we can in that way strip a native-born Japanese of his citizenship, although I should like to find some way in which to punish native-born Japanese or others who are disloyal to our country and aiding the enemy.

There are a number of other problems dealing with the Japanese in this country that have occupied the attention of the committee, however, and it is my intention to call a hearing on three or four bills offered by Members on both sides of the aisle dealing with that question. I intend to conduct a public hearing January 19 and 20. If any Member of Congress is willing to come forth with some plan to solve this important problem, the committee will appreciate it. I am sure the committee will welcome any suggestions and any assistance that can be given by any group of the public or by any Member of this House.

It is the intention of the committee to do all we can within the limits of the law to dispose of that question, because much mail has been received by our committee since our worthy Attorney General appeared before the Dies committee on that matter.

There is one bill which provides for the creation of a deportation commission for the Japanese. I do not know how that is going to work out. However, there are a number of Japanese in this country that ought to be deported because they have proven their disloyalty. There is no room for them here. I am willing to do everything I can along this line, and I am sure my colleagues on the committee feel the same way.

DISPOSITION OF SURPLUS PROPERTY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER pro tempore (Mr. SPARKMAN). Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, 10 weeks ago today the House Committee on Small Business submitted to the House a report on the control, disposition, and sale of Government-owned surplus property. This report, although brief, represented the culmination of an intensive study of this subject by your committee.

On December 18 I was privileged to introduce a bill, H. R. 3873, entitled "The Surplus Property Act of 1943." This bill was introduced by me at the suggestion of the members of the House Small Business Committee and carries with it the full endorsement of all members of that committee.

Since introducing this bill I have been questioned by several interested persons as to just why our committee has laid such stress on the need for immediate consideration of legislation of this type. These persons state that it is their opinion that this is a question which should be made the object of a most detailed statistical study before any final consideration is given to this matter by the Congress. With the view of these persons I feel that I must emphatically disagree.

In its interim report your committee stressed the immediate confusing effect of present contract cancelations upon this surplus-property problem. The more than 10,000 such cancelations by the War Department alone prove the immediate need for guiding the disposition of surpluses left over from these contracts before haphazard methods of sale work further confusion to the detriment of an already disturbed civilian economy.

Your committee further recommended the utilization of one central agency for the handling of surpluses belonging to all agencies.

Lastly, it recommended that the issue before the Congress was one of principles and policy and not one of statistics. It felt that any agency thus empowered must be given some latitude of action and procedures within a given set of policies.

H. R. 3873 outlines such policies in a brief but clear fashion. In a moment I would like to review those suggested policies by quoting that portion of the bill which covers them.

SPECIFIC EXAMPLE

First, however, I would like to lay before you a specific example of just why we need this type of legislation now, not several weeks or months from now. I refer you to the mystery of the chinaware soup plate.

This earthy little item, known in Federal procurement circles as No. 63–C–3255, is a plain, white, thick soup plate made according to regular Federal specifications. It is accepted as standard for the Army, the Navy, the Procurement Division of the Treasury, the Public Health Service, and the Veterans' Administration.

It is what is known as a recurring item, meaning by that that contracts are let several times a year for this particular item. It is usually manufactured by the Shenango Pottery Co., one of the Nation's larger pottery firms.

It develops that the War Department overbought its requirements on this type of item. It bought about a quarter of a million more of these plates than it really needed or had any special use for.

Early last spring, there were 50,000 of these surplus plates in a warehouse of the Quartermaster Corps in Jersey City for which the Army no longer had any use. These plates were new and unused.

The Army, therefore, early in May 1943 asked the Procurement Division of the Treasury Department if it had a need for these plates. It was told that Treasury knew of no demand for them. Therefore the Army then sold these plates to the Balter Sales Co., 197 Bowery Street, New York City, at a price of 12½ cents each.

On May 17, 1943, the Navy Department placed an order with the Shenango Potteries, of New Castle, Pa., for 30,000 soup plates of the same identical description at a unit price of 17$^{8}/_{10}$ cents per plate; a positive loss to the Government of 5$^{3}/_{5}$ cents each.

Later on in the summer, various Army camps and depots in the South reported to War Department officials in Washington that they had a surplus of these plates totaling approximately 187,000 in number.

Fifty-two thousand eight hundred and seventy-one of these were described as being new and unused; 10,168 were classified as slightly used, almost like new; 124,257 of them were classified as good, serviceable—normal condition.

Under the terms of procurement regulation No. 7, one of the War Department's least complicated regulations, surplus goods of this type are supposed to be offered first to the other Federal agencies by means of circularization; then, if there be no takers within the Government, the goods are turned over to the Procurement Division of the Treasury for disposition by that agency, if it desires to accept them for that purpose.

In this instance, the various other agencies, including the Navy, presumably were circularized and were given the usual 20-day period in which to show an

interest. No interest being shown, the War Department then turned the plates in question over to Treasury Procurement and this is what then happened:

Treasury Procurement sold these plates during the month of December 1943 to various buyers holding such illuminating names as Army Salvage Co., Marine Junk Co., and so forth.

The new plates, thus sold, brought an average price of 8 cents each. The used plates brought an average price of approximately 9 cents each and, to cap the climax, the Navy Department on December 23, 1943, placed another order for 110,675 of these plates with Shenango Potteries at a unit price of 18 cents per plate.

UNCOORDINATED ACTION

Now, Mr. Speaker, this sort of uncoordinated and senseless Government action should not be permitted to continue. At a time when we have need for all possible economy and at a time when the war has been going on long enough for some degree of efficiency to have been attained in respect to the procurement of standard items of a recurring nature, this sort of transaction—no matter how small the amount may be in dollar volume—reflects direct discredit upon the agencies involved.

PROPOSALS IN H. R. 3873

H. R. 3873 is designed to prevent the occurrence of just such happenings as this.

The bill authorizes the Reconstruction Finance Corporation, an agency with a record for proven efficiency, to act as the holding and selling agent for all such types of Government surpluses. It says that the agency shall, so far as practicable, be governed by the following considerations:

First. Distribution of such property should be through established trade channels.

Second. The acquisition of large quantities of such property for speculative purposes should not be permitted.

Third. The prices at which any particular property or class of property is sold or leased should be uniform.

Fourth. Such property should be sold or leased at prices low enough to facilitate the disposition thereof, but high enough to enable the United States to secure a fair return therefor.

Fifth. The sale or lease of such property should be at a rate which will not unduly disrupt trade or commerce.

Sixth. The sale or lease of such property should take into consideration the need for facilitating and encouraging the establishment in the various communities in the several States by members of the armed forces of the United States upon their discharge or release from active duty, as well as by others, of small business enterprises and with a view to strengthening small business enterprises.

Mr. Speaker, I think the foregoing example of uncoordinated action shows the need for the immediate centralization of the handling of such standard surpluses in the hands of just one agency and is an argument sufficient in itself.

EXTENSION OF REMARKS

(Mr. MILLER of Connecticut asked and was given permission to revise and extend his remarks in the RECORD.)

SHIPYARD STRIKERS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, yesterday's paper carried a statement that 17,000 workers in the Cramp Shipbuilding Yard in Philadelphia, which is engaged in building cruisers and submarines, had gone on strike because they had been required by the Navy to start painting those boats with a spray gun, which will do the job much more quickly and just as well as they can do it by brush. The use of a paint-spray gun would speed up production but it will also lessen the number of man-work-hours hence the kick and the strike.

When men who have agreed that they will not strike do strike because the Navy orders them to use a method which will finish the boats sooner than they could be finished the other way, by the use of a brush, it might not be a bad thing if Congress would find some way, perhaps similar to the bill that was introduced a while ago, to take those men into the armed service, not necessarily to be sent across, because many of them are too old, perhaps many of them are physically unfit, but take them into the service automatically regardless of age or physical condition, and let the commander in that area or the officer who is in charge of that particular plant assign them to a job, either there, or, if they do not like the conditions there, if they do not like the spray gun and would rather use a brush, maybe give them a broom over across the sea and let them sweep out barracks or clear the way for some of the men who are required to do the actual fighting. Put them in and put them on a Government-pay basis. Give them lodging and food and clothing and give them $50 a month. If they are good, if they work, let them go home at the end of the month and see their wives and children. Put them on the same basis except as to location that the men in the armed services are.

There would be just as much sense but no more, in asking the men who are in the fighting lines, confronting the enemy, to discard their machine guns, which spray bullets, their tommy guns, their ordinary rifles and in place of those weapons pick up and attempt to fight the enemy with an old single-shot muzzle-loading squirrel rifle. There is no excuse for the union policy which attempts to abolish the use of paint spray guns, automatic cement mixers, the use of prefabricated window and door frames, or any other method of construction which increases production, just because that method gives greater and better production than the old-fashioned hand method.

I just cannot get the attitude of men here at home, who are comfortably at home, with plenty to eat, who refuse to adopt the most efficient way of getting the material ready for the men at the front. I think it is up to us. Everyone who has been home knows what the home folks think, and what the soldiers who have returned from the front think. That was evidenced by a little incident about some soldiers, that one on the majority side of the House spoke of today, though not in the House. A few days ago where some pickets in the South were operating, he told us, and were interfering, because of some fancied grievance, with some workers in a plant who were carrying on war production, those soldiers took the picket away, took away his placard or banner, and ran him down the street, took him off the picketing job. Something that will end interference with production must be done by this Congress. To the credit of the officials of this union and to the good sense of the majority of the members—they led by their officials—this morning marched back to their jobs.

The SPEAKER pro tempore. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

FEDERAL SOLDIER VOTING LAW

Mr. BENDER. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes and extend my remarks by including an editorial from the Stars and Stripes.

The SPEAKER. Is there objection?

There was no objection.

Mr. BENDER. Mr. Speaker, there is one issue upon which I expect the experience of all of us has been pretty much the same back home. That is that we have found from first-hand experience that there is an overwhelming demand for an adequate Federal soldier-voting law. Everywhere I went I found the firmly held belief that if a man is good enough to fight for his country he is good enough to vote for his country's officials. The families of our soldiers want our soldiers to be able to vote. And we know from the reports we have had from the battle fronts, the soldiers themselves want the right to vote.

They want the right to vote—not pious resolutions and the expression of good wishes. I have found a general understanding of, and a general revulsion for, the so-called Senate substitute which in the name of leaving soldier voting to the regulation of the 48 different States, would effectively deny the vote to the men and women in the armed services.

Some of our newspapers have made much of the fact that the Governors of some States have called, or have announced that they will call, special sessions of the State legislatures to enact State soldier-voting laws.

These Governors are to be commended for their response to the ever-growing popular demand for adequate soldier-voting machinery. It will certainly be necessary for changes to be made in existing State absentee-voting laws if more than a mere handful of men and women in the armed services are to vote in State and local elections.

In no sense, however, can the calling of special sessions of a few State legislatures be taken as an argument against the urgent and immediate necessity for providing Federal machinery for soldier voting in Federal elections.

I may say that the wise course seems to me to be that which has been announced by Gov. John W. Bricker of Ohio, who will call a session of the Legislature of Ohio as soon as Congress has finally acted on this matter. When the Federal Congress has acted to secure the vote for Federal officials to the soldiers, then the States will have a better understanding of what remains to be done by the States to secure so far as possible the right of soldiers to vote for State and local officials.

A simple, uniform Federal ballot for the use of men and women in the armed services in voting for President, Vice President, Senators and Representatives must be established by the Congress. This is unfinished business of urgent importance.

Under unanimous consent to extend my remarks in the RECORD, I include an article from the New York Times of January 8, 1944, entitled: "Stars and Stripes Asks Soldier Ballots; Says Servicemen Want Federal Control":

STARS AND STRIPES ASKS SOLDIER BALLOTS—SAYS SERVICEMEN WANT FEDERAL CONTROL

ALGIERS, January 7.—The nearer service men and women are to the fighting fronts the greater "appears" to be their interest in voting in the next national election, according to an editorial in the Stars and Stripes, which does not run editorials as a routine.

The editorial is based on a sampling of soldier mail received by the editors, and it reaches this conclusion:

"The over-all view reflected in opinions expressed to the Stars and Stripes is that men and women in uniforms overseas have proved they are good Americans and that good Americans should have a practical voting law."

The editorial declares that the mail "indicates that service men and women are not unaware of the constitutional difficulties and the political complexities of the issue," and says that "one letter pointed out that it would not be easy to give men and women overseas the political information they will need to vote intelligently in this year's elections."

INSIST THEY KEEP "BASIC RIGHTS"

It proceeds:

"It ought to be emphasized that those service men and women who have expressed an opinion to the Stars and Stripes have not coupled their appeal for a Federal overseas voting law with statements favoring any particular platform or candidates.

"Their letters and statements indicate that they are primarily concerned with the right to vote for its own sake and reflect the belief that the members of an American citizen army, even if outside the continental limits of the United States, retain the basic rights and privileges of citizenship. They do not believe they are asking Congress for any special privilege; they feel they are asking a simple right.

"They object to the bill passed in the Senate last month which leaves it to the 48 States to handle soldier voting under their 48 different varieties of law on the ground that this method would be cumbersome at best and would inevitably discourage overseas voting, since State laws are not uniform and in some instances make absentee balloting extremely difficult, if not impossible.

"Some letters to the Stars and Stripes have expressed disappointment that the original Green-Lucas bill was defeated in the Senate, but it seems safe to assume that any measure making it simple and easy for overseas personnel to vote would find favor with the uniformed men and women in this theater."

CALLS FOR UNIFORM LAW

ALGIERS, January 7.—The Stars and Stripes, in the editorial to appear in tomorrow's issue, calls upon Congress to enact a uniform balloting law, declaring that soldiers believe that otherwise "they would be unable to make proper use of the franchise."

Soldiers asked, the editorial says, "Can you imagine what percentage will actually vote if each has to proceed through various State methods, most of them not even knowing the requirements of their respective States?"

The editorial asserts that members of a single battalion, representing every section of the Nation, said: "Soldiers on the front want to fight and they want to vote. We on the front are determined to use bullets and ballots."

* * * * *

As evidence of an assertion that the nearer the soldiers have been to the fighting the more strongly they feel on the subject of voting, the editorial says that the Naples edition of the Stars and Stripes received more mail about it than the African editions.

LOW-RENT HOUSING

Mr. ROWE. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes and revise and extend my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. ROWE. Mr. Speaker, while at home on this last trip, I ran into circumstances I think should be brought to the attention of the House. It seems that when the original law was enacted to provide low rent for housing for the more or less unfortunate of that day, a rule was associated with the law, or at least as it may apply to the locality in which I live, providing that when the earnings of the occupants of the premises exceeded five times the amount of the shelter rent they would have to move to make way for somebody less fortunate.

The basis upon which these units came into a community was that the community would forego all charges in the form of taxes against real property. The city vacated streets, waived taxation, and things of that sort, but later a district court said they would have to pay taxes the same as any one else in the community toward police, fire protection, and other things necessary in the community. The case was taken to the Supreme Court, and finally the Supreme Court decreed that these Federal housing units were exempt from normal taxation in the municipality. If the exemption were granted on the basis that it was, to provide low-cost rental, it seems to me the Congress intended that should have been done originally.

The circumstance by which I come to the floor to call attention to this today is: There are about 1,000 units in the principal city of the district I represent in this House. On November 1 they received notice from the Metropolitan Housing Authority that their rate would be increased from 50 to 75 percent. At that time I called the men in charge of rent control and the man in charge of the Federal Housing Authority to ask for a report as to the reason why they were increasing rents in a locality where the Government had told private landlords they could not increase the rent unless they qualified before the regional board as to why the rent had to be increased. About 2 days after that request for a report had gone forth from my office, tenants in these different Federal housing units received the second notice from the Federal Housing Authority, stating the increased rents contemplated would not go into effect until a later time. My request for the report may have had something to do with deterring the Federal Housing Authority in increasing the rents. When I went back this time I found some of the tenants received a second notice of an increase to be effective as of February 1, which increase instead of being from 50 to 75 is now from 75 to 100 percent. There are many people living in these units whose incomes have increased, and if the units were used as intended it seems to me those with increased incomes should be made to move to a place provided for those who have larger incomes. There are housing developments known as metropolitan low-rent housing and developments known as defense housing. They have all been put into a defense category, with the result that the rent-control board under the O. P. A. and the Federal Housing Authority are now violating a rule in low-rent housing they insist the private landlords must follow. It leaves this peculiar paradox, where the Government owns the property people who are renting there and are lending their efforts toward the war effort suffer injustices, but where a private person owns the property, then the people who are making contributions are compelled by the rules of that same Government to give the rent at a rate the Government decrees. I do not know what can be done about this, but it seems to me if it is universal the Banking and Currency Committee ought to immediately start investigation to determine just what the policy is and how it may apply equally to Uncle Sam as a landlord, the same as to John Jones.

EXTENSION OF REMARKS

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the Washington Star.

The SPEAKER pro tempore. Is there objection?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. GAMBLE (at the request of Mr. HANCOCK), indefinitely, on account of illness.

To Mr. HARE (at the request of Mr. RICHARDS), for an indefinite period, on account of illness.

To Mr. FITZPATRICK (at the request of Mr. LYNCH), indefinitely, on account of illness.

To Mr. MERRITT (at the request of Mr. LYNCH), for an indefinite period, on account of illness.

To Mr. GILCHRIST (at the request of Mr. CUNNINGHAM), indefinitely, on account of official business.

EXTENSION OF REMARKS

Mr. WORLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a news story, also an editorial from the Stars and Stripes in regard to the soldiers' voting bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ADJOURNMENT

Mr. RAMSPECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 8 minutes p. m.) the House adjourned until tomorrow, Tuesday, January 11, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will hold hearings at 10:30 a. m., on Tuesday, January 11, 1944, on general bills.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the committee at 10 a. m. on Tuesday, January 11, Wednesday, January 12, and Thursday, January 13, 1944, for consideration of post-war plans, to be held in the caucus room, Old House Office Building.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold hearings on Tuesday, January 18, 1944, at 10:30 a. m., in the committee room, 247 House Office Building, on H. R. 1358 and H. R. 1512, bills granting pensions and increase of pensions to certain soldiers, sailors, and marines who served in the Pulajane and Moro campaigns, and other uprisings in the Philippine Islands from July 16, 1903, to December 31, 1913, and for other purposes, which were introduced by Representative HAROLD C. HAGEN, of Minnesota.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

975. A letter from the Acting Secretary, Department of Agriculture, transmitting the report on forest roads and trails for the fiscal year 1943; to the Committee on Roads.

976. A letter from the Secretary of War, transmitting the reports of inspection, 1,859 in number, of the records and accounts of disbursing officers of the Army, made during the fiscal year ended June 30, 1943; to the Committee on Expenditures in the Executive Departments.

977. A letter from the Acting Secretary, Department of Agriculture, transmitting a copy of a report for the fiscal year ended June 30, 1943, covering the receipts, expenditures, and work of the agricultural experiment stations in the States, Hawaii, Alaska, and Puerto Rico under the Hatch, Adams, Purnell, and supplementary acts, and title 1 of the Bankhead-Jones Act of June 29, 1935, authorizing payments to States, Hawaii, Alaska, and Puerto Rico for agricultural experiment stations; to the Committee on Agriculture.

978. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill for the relief of Capt. S. E. McCarty (Supply Corps), United States Navy; to the Committee on Claims.

979. A letter from the Acting Secretary of the Interior, transmitting, pursuant to section 16 of the organic act of the Virgin Islands of the United States approved June 22, 1936; one copy each of various legislation passed by the Municipal Council of St. Thomas and St. John; to the Committee on Insular Affairs.

980. A letter from the Attorney General, transmitting a draft of a proposed bill to carry out obligations of the United States under article 27 of the Geneva Convention relating to compensation for certain injuries to interned workers, and for other purposes; to the Committee on the Judiciary.

981. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill providing for the transfer to the custody and control of the Secretary of the Navy certain land comprising a ranger station site in connection with the administration of Kaniksu National Forest in the State of Idaho; to the Committee on Agriculture.

982. A letter from the President, United States Civil Service Commission, transmitting a draft of a proposed bill to facilitate the recruitment of persons for Federal employment; to the Committee on the Civil Service.

983. A letter from the Acting Secretary of the Interior, transmitting a report from the Secretary of the Interior showing the amount of moneys credited to the helium-production fund and the amount of disbursements made therefrom, during the fiscal year, ended June 30, 1943, and the unexpended and unobligated balances on hand in such fund as of the end of such fiscal year; to the Committee on Military Affairs.

984. A letter from the Secretary of the Interior transmitting report on the expenditures from the Colorado River Dam fund incurred in the construction, operation, and maintenance of Boulder City, together with his recommendations for allocations of such expenditures among the construction, operation, and maintenance of the Boulder Canyon project and other Federal activities in Boulder City; to the Committee on Appropriations.

985. A letter from the Commissioner of Indian Affairs, Department of the Interior, transmitting a petition of the Comanche Indians of the Kiowa Agency in protest of Senate bill 1311 and Senate Report 310; to the Committee on Indian Affairs.

986. A letter from the Chairman, Board of Directors, the Tennessee Valley Authority, transmitting its tenth annual report, covering the activities of the Authority during the fiscal year beginning July 1, 1942, and ending June 30, 1943; to the Committee on Military Affairs.

987. A letter from the Chairman, Board of Directors, Tennessee Valley Authority, transmitting a report of expenditures for the 12 months ended November 30, 1943, of funds derived from the sale of bonds under section 15c of the Tennessee Valley Authority Act of 1933, as amended; to the Committee on Military Affairs.

988. A letter from the chairman, Joint Committee on Reduction of Nonessential Federal Expenditures, transmitting in accordance with title 6 of the Revenue Act of 1941, Public Law 250, Seventy-seventh Congress, a progress report on its activities; to the Committee on Ways and Means.

989. A letter from the Secretary of the Interior, transmitting a statement showing the status of the national park trust fund as of June 30, 1943; to the Committee on the Public Lands.

990. A letter from the quartermaster general, Veterans of Foreign Wars of the United States, transmitting a printed volume containing reports of the national officers of the Veterans of Foreign Wars of the United United States, to its forty-fourth national encampment and a copy of the audit of the books of its quartermaster general; to the Committee on Military Affairs.

991. A letter from the Postmaster General, transmitting a draft of a proposed bill authorizing payments of rewards to postal employees for inventions; to the Committee on the Post Office and Post Roads.

992. A letter from the Acting Chief Clerk, Court of Claims of the United States, transmitting a statement of all judgments rendered by the Court of Claims for the year ended December 4, 1943, the amount thereof, the parties in whose favor rendered, and a brief synopsis of the nature of the claims; to the Committee on Claims.

993. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to provide for the management and operation of naval plantations outside the continental United States; to the Committee on Naval Affairs.

994. A letter from the Acting Administrator, War Food Administration, transmitting the annual report on the receipts, expenditures, and results of cooperative agricultural extension work for the fiscal year ended June 30, 1943; to the Committee on Agriculture.

995. A letter from the Attorney General, transmitting a request for withdrawal of the case of Joseph Luke Lydon from the list of those submitted for suspension of deportation; to the Committee on Immigration and Naturalization.

996. A letter from the executive director, national legislative committee, the American Legion, transmitting in accordance with the act of incorporation of the American Legion, Public Law 47, Sixty-sixth Congress, two copies of the financial statement of the organization for the year 1943, up to October 31; to the Committee on World War Veterans' Legislation.

997. A letter from the Comptroller General of the United States, transmitting report of officers and administrative offices delinquent in rendering or transmitting accounts; and officers delinquent in payment of final balances, for the fiscal year 1943; to the Committee on Expenditures in the Executive Departments.

998. A letter from the Postmaster General, transmitting the estimates of personnel requirements for the Post Office Department for the quarter ending March 31, 1944; to the Committee on the Civil Service.

999. A letter from the acting secretary, National Advisory Committee for Aeronautics, transmitting copy of quarterly estimate of personnel requirements for the National Advisory Committee for Aeronautics for period ending March 31, 1944, together with copy of letter of transmittal to the Director of the Bureau of the Budget; to the Committee on the Civil Service.

1000. A letter from the Associate Director, National Park Service, Department of the

Interior, transmitting a copy of quarterly estimate of personnel requirements for the quarter ending March 31, 1944, covering the appropriation maintenance, Executive Mansion and grounds, as provided in the Independent Offices Appropriation Act, approved June 26, 1943; to the Committee on the Civil Service.

1001. A letter from the Administrative Assistant to the Secretary, Department of Commerce, transmitting the estimates of personnel requirements for the various ceiling units of the Department of Commerce for the quarter ending March 31, 1944; to the Committee on the Civil Service.

1002. A letter from the Administrative Assistant to the Secretary, Department of Commerce, transmitting revision No. 1 of the quarterly estimate of personnel requirements for the quarter ending December 31, 1943, for the ceiling unit "Salaries and expenses, Weather Bureau," requesting an increase of 337 employees; to the Committee on the Civil Service.

1003. A letter from the Chairman, War Manpower Commission, transmitting quarterly estimate of personnel requirements for the War Manpower Commission, during the third quarter of the fiscal year 1944; to the Committee on the Civil Service.

1004. A letter from the administrative officer, Office for Emergency Management, President's Committee on Fair Employment Practice, transmitting the Committee's quarterly estimate of personnel requirements covering the quarter ending March 31, 1944; to the Committee on the Civil Service.

1005. A letter from the administrative officer, the White House, transmitting the quarterly estimate of personnel requirements (Budget Bureau No. 80–R001) for the White House office; to the Committee on the Civil Service.

1006. A letter from the Director, Bureau of the Budget, transmitting a series of five tables covering his determinations, during the second quarter of the current fiscal year, of the number of employees required by the executive departments and agencies for the proper and efficient exercise of their respective functions; to the Committee on the Civil Service.

1007. A letter from the Clerk of the House of Representatives, transmitting a list of reports which it is the duty of any officer or department to make to Congress; to the Committee on Accounts.

1008. A letter from the executive secretary, Office for Emergency Management, Office of Scientific Research and Development, transmitting a copy of the estimate of personnel requirements for the Office of Scientific Research and Development during the quarter ending March 31, 1944; to the Committee on the Civil Service.

1009. A letter from the Secretary of the Treasury, transmitting a combined statement of receipts, expenditures, and balances of the United States Government for the fiscal year ended June 30, 1943; to the Committee on Expenditures in the Executive Departments.

1010. A letter from the Secretary of the Treasury, transmitting a report showing refunds of internal revenue in excess of $500 approved by the Bureau of Internal Revenue during the fiscal year ended June 30, 1943; to the Committee on Expenditures in the Executive Departments.

1011. A letter from the Postmaster General, transmitting a report where special contracts were made with railroad companies for the transportation of the mails, and the terms and reasons therefor; to the Committee on the Post Office and Post Roads.

1012. A letter from the Chairman, Interstate Commerce Commission, transmitting a report of the final valuation of properties as described under section 19a of the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

1013. A letter from the Postmaster General, chairman, board of trustees, transmitting the report of operations of the Postal Savings System for the fiscal year ended June 30, 1943 (H. Doc. No. 373); to the Committee on the Post Office and Post Roads and ordered to be printed.

1014. A letter from the president, Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., transmitting the Sixteenth Annual Report of the Gorgas Memorial Laboratory, covering the fiscal year 1943 (H. Doc. No. 374); to the Committee on Foreign Affairs and ordered to be printed.

1015. A letter from the Chairman, National Mediation Board, transmitting the ninth annual report to Congress of the National Mediation Board, including the report of the National Railroad Adjustment Board; to the Committee on Interstate and Foreign Commerce.

1016. A letter from the Chairman, Interstate Commerce Commission, transmitting the Fifty-seventh Annual Report of the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

1017. A letter from the Administrator of Veterans' Affairs, transmitting Annual Report of the Administrator of Veterans' Affairs, for the fiscal year ended June 30, 1943; to the Committee on World War Veterans' Legislation.

1018. A letter from the Acting Secretary of the Treasury, transmitting reports from the War Department, the General Accounting Office, the Library of Congress, the War Relocation Authority, and the National Park and Planning Commission, relative to money received during the fiscal year ended June 30, 1943, which was not paid into the general fund of the United States Treasury, and the payments, if any, made from such money during such fiscal year; to the Committee on Expenditures in the Executive Departments.

1019. A letter from the Under Secretary, Department of Agriculture, transmitting a report of the activities of, funds used by, and donations to, the regional research laboratories established pursuant to section 202 of the Agricultural Adjustment Act of 1938; to the Committee on Agriculture.

1020. A letter from the Administrator, Federal Works Agency, transmitting the Annual Report of the Federal Works Agency for the fiscal year ended June 30, 1943; to the Committee on Expenditures in the Executive Departments.

1021. A letter from the Chairman, United States Tariff Commission, transmitting the Twenty-seventh Annual Report of the United States Tariff Commission; to the Committee on Ways and Means.

1022. A letter from the Attorney General, transmitting a draft of a proposed bill to require certain naturalized and derivative citizens of the United States to take an oath of allegiance; to the Committee on Immigration and Naturalization.

1023. A letter from the Attorney General, transmitting a draft of a proposed bill to amend section 48 of the Criminal Code relating to receiving of stolen public property; to the Committee on the Judiciary.

1024. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to amend the act entitled "An act to provide for the training of nurses for the armed forces, governmental and civilian hospitals, health agencies, and war industries, through grants to institutions providing such training, and for other purposes," approved June 15, 1943, so as to provide for the full participation of institutions of the United States in the program for the training of nurses, and for other purposes; to the Committee on Interstate and Foreign Commerce.

1025. A letter from the Clerk of the House of Representatives, transmitting a report for the period from July 1, 1942, to June 30, 1943, both inclusive, giving names of statutory and contingent-fund employees of the House and their respective compensations, including clerks to Members; the expenditures from the contingent fund and from certain specific appropriations; to the Committee on Accounts.

1026. A letter from the Chairman, Federal Power Commission, transmitting a classified report showing the permits and licenses issued by the Commission during the fiscal year ended June 30, 1943, the parties thereto, the terms prescribed, the moneys received, if any, and an account thereof; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CUNNINGHAM: Committee on the Territories. H. R. 3362. A bill to fix the annual compensation of the Secretary of the Territory of Alaska; with amendment (Rept. No. 983). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. RANDOLPH:

H. R. 3904 (by request). A bill to provide for the detention, care, and treatment of persons suffering from diseases of the mind in certain Federal reservations; to the Committee on the District of Columbia.

By Mr. BRADLEY of Pennsylvania:

H. R. 3905. A bill to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. HAGEN:

H. R. 3906. A bill to facilitate the formation of a joint airports and highways holding and management commission to act with respect to airports and highways built by the United States in Canada; to the Committee on Foreign Affairs.

By Mr. HARRIS of Arkansas:

H. R. 3907. A bill to amend the Interstate Commerce Act, to provide for the establishment of a uniform classification and a uniform scale of class rates for railroad freight, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. IZAC:

H. R. 3908. A bill to amend section 10 of the act of Congress approved July 24, 1941, entitled "An act authorizing the temporary appointment or advancement of certain personnel of the Navy and Marine Corps, and for other purposes," as amended, to provide for the retired pay of certain persons, and for other purposes; to the Committee on Naval Affairs.

By Mr. KEARNEY:

H. R. 3909. A bill to increase by 20 percent the rates of pension, compensation, or retired pay paid by the Veterans' Administration to veterans who served on foreign soil or in foreign waters in any war, campaign, or expedition; to the Committee on World War Veterans' Legislation.

By Mr. LUDLOW:

H. R. 3910. A bill to provide a plan of voting for men and women in the armed services of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. PLOESER:
H. R. 3911. A bill to provide for discharge pay in a lump sum, and for extended pay for not to exceed 12 months, for veterans of the Second World War; to the Committee on Military Affairs.

By Mr. ROBINSON of Utah:
H. R. 3912. A bill to amend section 6 of the Defense Highway Act of 1941, as amended; to the Committee on Roads.

By Mr. VINSON of Georgia:
H. R. 3913. A bill to promote the administration of law in the Navy; to the Committee on Naval Affairs.

By Mr. VOORHIS of California:
H. R. 3914. A bill for the relief of certain persons occupying lands of the United States within the drainage of the Arroyo Seco, Angeles National Forest, Calif.; to the Committee on Agriculture.

By Mr. WICKERSHAM:
H. R. 3915. A bill to provide that F–1 loans under the regional agricultural credit corporation loan program shall be deemed to have been made upon the same terms and conditions as F–2 loans under such program; to the Committee on Agriculture.

By Mr. RANDOLPH:
H. R. 3916. A bill to permit the construction and use of certain pipe lines for pneumatic-tube transmission in the District of Columbia; to the Committee on the District of Columbia.

By Mr. RANKIN:
H. R. 3917. A bill to amend the act entitled "An act to provide more adequate and uniform administrative provisions in veterans' laws pertaining to compensation, pension, and retirement pay payable by the Veterans' Administration, and for other purposes," approved July 13, 1943, by adding new titles to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans; to the Committee on World War Veterans' Legislation.

By Mr. ANDREWS:
H. R. 3918. A bill to facilitate voting in the general election in 1944, by qualified voters who are members of the armed forces of the United States or members of the merchant marine of the United States and who are absent from the place of their residence; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. FENTON:
H. R. 3919. A bill to insure employment of a reasonable percentage of veterans who have served in a recognized war, campaign, or expedition in the construction and manufacture of supplies contracted for in behalf of the United States; to the Committee on World War Veterans' Legislation.

By Mr. FERNANDEZ:
H. R. 3920. A bill to grant the State of New Mexico additional lands for the crippled children's hospital and for vocational trade schools; to the Committee on the Public Lands.

By Mrs. ROGERS of Massachusetts:
H. R. 3921. A bill to amend the act entitled "An act to provide more adequate and uniform administrative provisions in veterans' laws pertaining to compensation, pension, and retirement pay payable by the Veterans' Administration, and for other purposes," approved July 13, 1943, by adding new titles to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans; to the Committee on World War Veterans' Legislation.

By Mr. SASSCER:
H. R. 3922. A bill to provide for emergency disability compensation for members of the land and naval and air forces separated from service, pending settlement of their claims by the Veterans' Administration; to the Committee on World War Veterans' Legislation.

By Mr. SHORT:
H. R. 3923. A bill to regulate burial space in national cemeteries; to the Committee on Military Affairs.

By Mr. DICKSTEIN:
H. R. 3924. A bill to provide for compensation to discharged disabled veterans of the present war; to the Committee on Military Affairs.

By Mr. LESINSKI:
H. R. 3925 (by request). A bill to provide for the payment of mustering-out pay to members of the armed forces, and for other purposes; to the Committee on Ways and Means.

By Mr. CARLSON of Kansas:
H. J. Res. 211. Joint resolution establishing a Federal Tax Commission, and for other purposes; to the Committee on Ways and Means.

By Mr. CRAWFORD:
H. J. Res. 212. Joint resolution to insure the complete fulfillment of commitments made to producers who have expanded production of nonbasic agricultural commodities; to the Committee on Banking and Currency.

By Mr. DIMOND:
H. J. Res. 213. Joint resolution authorizing a preliminary examination or survey of Cordova Harbor, Alaska; to the Committee on Rivers and Harbors.

By Mr. HULL:
H. J. Res. 214. Joint resolution to insure the complete fulfillment of commitments made to producers who have expanded production of nonbasic agricultural commodities; to the Committee on Banking and Currency.

By Mr. MURRAY of Wisconsin:
H. J. Res. 215. Joint resolution to insure the complete fulfillment of commitments made to producers who have expanded production of nonbasic agricultural commodities; to the Committee on Banking and Currency.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Georgia, memorializing the President and the Congress of the United States, to pass the soldier-vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

Also, memorial of the Legislature of the State of Illinois memorializing the President and the Congress of the United States to provide free air-mail transportation of primary and election ballots to and from persons serving in the military and naval forces of the United States; to the Committee on Election of President, Vice President and Representatives in Congress.

Also, memorial of the Chamber of Deputies of Chile, memorializing the President and the Congress of the United States, extending their best wishes for the prosperity of our great country; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANGELL:
H. R. 3926. A bill for the relief of George Webb; to the Committee on Claims.

By Mr. BLAND:
H. R. 3927. A bill for the relief of William A. Hallett; to the Committee on Claims.

By Mr. CANNON of Florida:
H. R. 3928. A bill for the relief of James Leroy Eden; to the Committee on Claims.

By Mr. DEWEY:
H. R. 3929. A bill for the relief of Katherine Scherer; to the Committee on Claims.

By Mr MANASCO:
H. R. 3930. A bill for the relief of Daniel C. Davidson; to the Committee on Claims.

By Mr. MANSFIELD of Texas:
H. R. 3931. A bill for the relief of A. D. Gibson, doctor of medicine; to the Committee on Claims.

By Mr. O'TOOLE:
H. R. 3932. A bill for the relief of Beryl Williams, to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4167. By Mr. DICKSTEIN: Petition of Mr. Cacchione, requesting adequate support of uniform Federal soldiers' vote legislation; to the Committee on Election of President, Vice President, and Representatives in Congress.

4168. By Mr. GRAHAM: Petition of Plain Grove Grange, of Volant, Lawrence County, Pa., opposing subsidies; to the Committee on Banking and Currency.

4169. By Mr. GRIFFITHS: Petition of sundry residents of Zanesville, Ohio, supporting House bill 2082, prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

4170. By Mr. HAGEN: Petition of Bert Berg and Mary L. Burgland and 24 other petitioners, all from Thief River Falls, Minn., urging passage of the Townsend bill, H. R. 1649, as a contribution to America's post-war future; to the Committee on Ways and Means.

4171. Also, petition of Mr. and Mrs. Andrew Hanson and Mr. and Mrs. Elias Angell, and 22 petitioners, all from Thief River Falls, Minn., urging the passage of House bill 1701, a bill to protect and enhance the social-security benefits to all persons inducted into the military service, and to provide a cushion for post-war conditions; to the Committee on Ways and Means.

4172. By Mr. LEONARD W. HALL: Petition of the members of Plumbers' Local No. 457, Nassau County, Long Island, opposing reinstitution of prohibition, partial or national; to the Committee on the Judiciary.

4173. Also, petition of sundry citizens of the First Congressional District, New York, protesting against any proposal to reinstitute prohibition; to the Committee on the Judiciary.

4174. By Mr. HANCOCK: Petition of William J. Nix and other residents of Cortland County, N. Y., opposing House bill 2082, and any other legislation which may be proposed to bring about partial or national prohibition; to the Committee on the Judiciary.

4175. By Mr. KILDAY: Petition of Ferd V. Schedler and 949 others, opposing House bill 2082, a bill to prohibit the sale of intoxicating liquors; to the Committee on the Judiciary.

4176. Also, petition of C. R. Davis and 70 others, favoring House bill 2082, a bill to prohibit the sale of intoxicating liquors; to the Committee on the Judiciary.

4177. By Mr. KEARNEY: Petition of Thomas L. Riggs and 19 other citizens of New York State, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4178. By Mr. LYNCH: Petition of the joint industry board of the electrical industry, New York City, urging that more construction work be assigned to the New York area by the War Production Board to alleviate the break-down in the electrical division of the construction industry caused by the curtailment of public and private construction work; to the Committee on Military Affairs.

4179. Also, petition of the Advertising Men's Post, No. 209, American Legion, New York City, urging adequate provision be made for the welfare of disabled veterans of World War No. 2; to the Committee on World War Veterans' Legislation.

4180. By Mr. MARTIN of Massachusetts: Petition of Godofredo B. Ribeiro and sundry residents of Massachusetts, urging enactment of the Green-Lucas bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4181. Also, petition of Mary L. Sawyer and sundry residents of Mansfield, Mass., urging enactment of House bill 2082; to the Committee on the Judiciary.

4182. By Mr. O'LEARY: Petition of Jacob Adamo and others, opposing passage of House bill 2082; to the Committee on the Judiciary.

4183. By Mr. ROHRBOUGH: Petition of Blanche Butcher and 39 other citizens of Lewis County, W. Va., urging the stoppage of sale of beer in military camps, recommending the suspension of manufacture, sale, transportation, importation, and exportation of beverage alcohol for the duration of the war and for the post-war period of demobilization, urging the adoption of the Bryson bill (H. H. 2082); to the Committee on the Judiciary.

4184. By Mr. ROLPH: Resolution of the executive council of the California State federation of labor, urging that Congress pass the necessary legislation which would provide the highest amount of money to those members of the armed forces now being discharged, so these veterans will at least be guaranteed a sufficient income to maintain themselves in health and decency for a period of not less than 6 months; to the Committee on Military Affairs.

4185. Also, resolution of the Grand Chapter of California, Order of Eastern Star, San Francisco, adopted at State convention in Long Beach, October 1943, urging and requesting the Congress of the United States of America to enact suitable legislation, not only for the instant removal from California of all Japanese now located therein, but also in the interest of national safety to enact such legislation which will prohibit their return to California and forever bar and prohibit the settlement of Japanese in California; to the Committee on Military Affairs.

4186. Also, resolution No. 3749 of the board of supervisors of the city and county of San Francisco, Calif., adopted December 22, 1943, urging the Congress of the United States of America to pass the Worley bill without amendment; to the Committee on Election of President, Vice President, and Representatives in Congress.

4187. Also, resolution of the Retail Furniture Association of California, Inc., adopted at San Francisco, December 3, 1943, heartily approving regulation W, adopted by the Board of Governors of the Federal Reserve System, and recommending no fundamental change be made in the directive for the present; to the Committee on Banking and Currency.

4188. By Mr. SCHIFFLER: Petition of Wilbur U. Jones, chairman, legislative committee, Wheeling Industrial Union Council, and 25,000 members, urging enactment of the soldiers' vote bill; to the Committee on Elections of President, Vice President, and Representatives in Congress.

4189. Also, petition of Guy L. Knapp, secretary, First Christian Church official board, Moundsville, W. Va., opposing that part of the tax bill as follows: "That there will be no reduction for money paid to church and benevolent societies on income-tax returns"; to the Committee on Ways and Means.

4190. By Mr. SHOTT: Petition of the United Hebrew congregation of Joplin, Mo., representing Tri-State district, urging abrogation of the White Paper that would close free Jewish immigration into Palestine after March 31, 1944, and pleading for this action on the basis of America's subscription to the Balfour Declaration and the "four freedoms" as well as on the conviction that the citizens of America cling to the divine patterns of justice and mercy now long past due Europe's remnant of heroic and martyred people of the Jewish faith; to the Committee on Foreign Affairs.

4191. Also, petition of Charles W. Griesser, Polar Ice & Supply Co., Royal Recreation Parlor, West Seventh Street Package Store, Minnie's Dine and Dance, Ace High Tobacco Co., and sundry others of Joplin and Jasper County, Mo., protesting against consideration of House bill 2082, and requesting the Senators and Representatives to vote against any and all legislation of this type; to the Committee on the Judiciary.

4192. By Mr. SMITH of Wisconsin: Petition of the Wisconsin Society of Certified Public Accountants, Milwaukee, Wis., relative to the tax law; to the Committee on Ways and Means.

4193. Also, petition of the Wisconsin Implement Dealers Association relative to the production of food; to the Committee on Agriculture.

4194. By Mr. WELCH: Resolution of the Retail Furniture Association of California, Inc., urging continuation of regulation W without fundamental change under jurisdiction and administration of the Federal Reserve System; to the Committee on Banking and Currency.

4195. By Mr. VOORHIS of California: Petition of Mrs. H. C. Lehnhart, of San Gabriel, Calif., and 19 others, urging the passage of the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

4196. Also, petition of Mrs. V. E. Brase, of San Gabriel, Calif., and 19 others, urging the passage of the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

4197. By the SPEAKER: Petition of the secretary, Hegira Temple, No. 161, K. O. K. K., Newark, N. J., petitioning consideration of their resolution with reference to House bill 2328 and House Joint Resolution 49; to the Committee on the Post Office and Post Roads.

4198. Also, petition of the department adjutant, American Legion, Department of Michigan, petitioning consideration of their resolution with reference to House bill 3420; to the Committee on Interstate and Foreign Commerce.

4199. Also, petition of the Townsend Club of the First Congressional District of South Dakota, petitioning consideration of their resolution with reference to Senate bill 1161 and House bill 1649; to the Committee on Ways and Means.

4200. Also, petition of the general president, Textile Workers' Union of America, New York, N. Y., petitioning consideration of their resolution with reference to the soldier vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4201. Also, memorial of the Legislative Assembly of the Virgin Islands of the United States, memorializing the President and the Congress of the United States to reconsider their action against Robert Morss Lovett and that all tax on liquors arriving in the United States from the Virgin Islands be credited into the treasury of the Virgin Islands; to the Committee on Insular Affairs.

4202. Also, petition of the manager, Graham Chamber of Commerce, Graham, Tex., petitioning consideration of their resolution with reference to the removing, withdrawing, and transportation to other States the natural gas produced in Texas; to the Committee on Interstate and Foreign Commerce.

4203. Also, petition of the Pulaski Council of Milwaukee, petitioning consideration of their resolution with reference to Russia and Poland; to the Committee on Foreign Affairs.

4204. Also, petition of the mayor and director of public works, city of Passaic, N. J., petitioning consideration of their resolution with reference to the withdrawal in its entirety of the Palestine White Paper of May 1939; to the Committee on Foreign Affairs.

4205. Also, petition of the secretary, Washington Central Labor Union, Washington, D. C., petitioning consideration of their resolution with reference to its support of the policies of our Commander in Chief and to commend Speaker RAYBURN for his militant fight for national unity; to the Committee on Military Affairs.

4206. Also, petition of the president of the league, Insular League of Parent-Teacher Associations of Puerto Rico, petitioning consideration of their resolution with reference to amending the Organic Act of Puerto Rico under section 17; to the Committee on Insular Affairs.

SENATE

TUESDAY, JANUARY 11, 1944

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, we thank Thee for new years and for new days and for new thoughts of God and for new hopes for a redeemed humanity and a cleansed earth. That hope is brightened and that faith is strengthened only as we turn from all beside to an altar of dependence and contrition, where around our incompleteness flows the completeness of the divine resources.

We are sobered by the pressing problems of our social order, burdened with the tragic needs of the shattered earth, saddened with the anxieties and griefs of those we love. In the midst of desperate and difficult days deliver us from the evil of moral cowardice. As those set apart in perilous times to keep clean the springs of freedom and to minister to the common welfare of the Nation which looks to us for help and healing, we pray for eyes to see, for minds to understand, and hearts that claim kinship with all Thy children everywhere. May we lift others by our faith and not darken by our doubt and discouragement. Pilgrims of the night, may we be heralds of the morning. We ask it in the Name that is above every name. Amen.

ATTENDANCE OF SENATORS

HOMER T. BONE, a Senator from the State of Washington; HARRY FLOOD BYRD, a Senator from the State of Virginia; SHERIDAN DOWNEY, a Senator from the State of California; HOMER FERGUSON, a Senator from the State of Michigan; HARLEY M. KILGORE, a Senator from the State of West Virginia; BURNET R. MAYBANK, a Senator from the State of South Carolina; CLAUDE PEPPER, a Senator from the State of Florida; JAMES G. SCRUGHAM, a Senator from the State of Nevada; TOM STEWART, a Senator from the State of Tennessee; CHARLES W. TOBEY, a Senator from the State of New Hampshire; and MILLARD E. TYDINGS, a Senator from the State of Maryland, appeared in their seats today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Monday, January 10, 1944, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, informed the Senate that a quorum of the House had assembled and that the House was ready to proceed with business.

The message announced that a committee of two Members had been appointed by the Speaker, on the part of the House of Representatives, to join with the committee on the part of the Senate to notify the President of the United States that a quorum of each House had assembled and that Congress was ready to receive any communication that he might be pleased to make.

NOTIFICATION TO THE PRESIDENT

Mr. BARKLEY and Mr. WHITE advanced to the center aisle, and

Mr. BARKLEY said: Mr. President, I wish to report that the committee appointed by the Vice President under the resolution adopted yesterday to notify the President that the Senate is in session and ready to receive any communication from him has performed its function, and presently there will be delivered a message from the President to the Congress.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Reed
Andrews	Guffey	Revercomb
Austin	Gurney	Reynolds
Ball	Hatch	Russell
Barkley	Hawkes	Scrugham
Bone	Hayden	Shipstead
Brewster	Hill	Stewart
Bridges	Holman	Taft
Buck	Johnson, Colo.	Thomas, Idaho
Burton	Kilgore	Thomas, Utah
Bushfield	La Follette	Tobey
Byrd	Langer	Tunnell
Capper	Lodge	Tydings
Caraway	Lucas	Vandenberg
Chavez	McClellan	Van Nuys
Clark, Mo.	Maloney	Walsh, Mass.
Connally	Maybank	Walsh, N. J.
Davis	Millikin	Wheeler
Downey	Murdock	Wherry
Eastland	Murray	White
Ferguson	O'Daniel	Wiley
George	O'Mahoney	Willis
Gerry	Overton	Wilson
Gillette	Pepper	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Missouri [Mr. TRUMAN] and the Senator from Washington [Mr. WALLGREN] are absent on official business for the Special Committee to Investigate the National Defense Program.

The Senator from Alabama [Mr. BANKHEAD], the Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Louisiana [Mr. ELLENDER], the Senator from Nevada [Mr. MCCARRAN], the Senator from Arizona [Mr. MCFARLAND], the Senator from Tennessee [Mr. MCKELLAR], the Senators from New York [Mr. MEAD and Mr. WAGNER], the Senator from Florida [Mr. PEPPER], the Senator from South Carolina [Mr. SMITH], and the Senator from Oklahoma [Mr. THOMAS] are necessarily absent.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from Illinois [Mr. BROOKS], the Senator from North Dakota [Mr. NYE], and the Senator from Wyoming [Mr. ROBERTSON] are necessarily absent.

The Senator from Oklahoma [Mr. MOORE] is absent from the city attending hearings of a subcommittee of the Committee on Indian Affairs.

The VICE PRESIDENT. Seventy-one Senators have answered to their names. A quorum is present.

ANNUAL MESSAGE OF THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 377)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read by the legislative clerk and ordered to lie on the table.

(For President's message, see pp. 55–57 of House proceedings for today.)

FOURTH WAR LOAN DRIVE

Mr. GEORGE. Mr. President, at the request of the Secretary of the Treasury in a letter addressed to the Secretary of the Senate, representatives of the Treasury Department will be stationed in the office of the financial clerk of the Senate during the next War Loan drive. I ask unanimous consent to have printed in the RECORD a letter from the Secretary of the Treasury addressed to the Secretary of the Senate, together with a statement from the Secretary of the Senate and the Sergeant at Arms.

There being no objection, the letter and statements were ordered to be printed in the RECORD, as follows:

JANUARY 11, 1944.

To Members of the Senate and Their Staffs, Officers of the Senate and Employees:

On January 15 there will be stationed in the office of the financial clerk of the Senate representatives of the Treasury Department from whom War bonds may be purchased. This is done upon the request of the Secretary of the Treasury, who, in a letter to the Secretary of the Senate, reminds us of the War Loan drive. The letter from the Secretary of the Treasury, for your information, is quoted in full:

"JANUARY 8, 1944.

"Col. EDWIN A. HALSEY,
"Secretary of the Senate,
"Washington, D. C.

"DEAR COLONEL HALSEY: In the Fourth War Loan drive, commencing January 18, the Treasury will undertake to raise $14,000,000,000 for continued prosecution of the war. Of this amount we hope to get about five and one-half billions from individuals, which is $500,000,000 more than the goal set for individuals in the Third War Loan drive.

"On December 7, 1941, a date which will live in infamy, as the President has said, this country was savagely attacked by the Japanese at Pearl Harbor. We all know that the war was not of our making. We are determined to fight this war to a finish—unconditional surrender. And it must be paid for.

"My purpose in writing you now is to enlist your aid during the Fourth War Loan, with the end in view that appropriate facilities may be provided for the sale of War bonds to the Members of the Senate, its officers and employees.

"This Department will be glad to assist in any way it can to make these bonds conveniently available to the Members of the Senate and employees.

"Sincerely yours,

"H. MORGENTHAU, Jr.,
"Secretary of the Treasury."

The Fourth Nation-wide War Bond drive will be officially inaugurated on January 18, but you are respectfully urged to start buying your bonds on the 15th, so that the Senate may make a showing in the sale of bonds commensurate with its staff.

Let us all do our share.

EDWIN A. HALSEY,
Secretary, United States Senate.
WALL DOXEY,
Sergeant at Arms of the Senate.

MAJ. ALBERT WHITFIELD HAWKES

Mr. REVERCOMB. Mr. President, it is with profound sorrow that I announce to my colleagues of the Senate the death of a very brave soldier who died in line of duty on December 17, 1943, in the southwest Pacific—Maj. Albert Whitfield Hawkes, the distinguished son of a distinguished Member of this body.

Major Hawkes was a member of the Medical Corps. Although a young man, he had gained distinction and a high position in his profession before entering the Army. His work gave promise of fine success and greatness for him in this life.

He was a graduate of Princeton College and of the College of Physicians and Surgeons of Columbia University. He served for 1 year at Queen's Hospital in London. Later he was a member of the staffs of several hospitals in New York.

At the outbreak of war he volunteered in the Army of his country. He was promoted to major, and, as I have said, while serving with the troops in the South Pacific last month he died in line of duty.

He left surviving him his distinguished and respected father the senior Senator from New Jersey, his revered and lovely mother, his sister, his widow, and his two children, Holly and Stephen, to whom I express now the heartfelt sympathy of us all.

The loss of such a man is the severest sacrifice exacted by war and the greatest loss that can come to a nation.

Mr. President, I pay this tribute to a brave soldier, an unselfish and gifted man, who gave his life for his country.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF NATIONAL FOREST RESERVATION COMMISSION (S. DOC. NO. 145)

A letter from the Secretary of War, president of the National Forest Reservation Commission, transmitting, pursuant to law, the annual report of the Commission for the fiscal year ended June 30, 1943 (with an accompanying report); to the Committee on Agriculture and Forestry and ordered to be printed with an illustration.

REWARDS TO POSTAL EMPLOYEES FOR INVENTIONS

A letter from the Postmaster General, transmitting a draft of proposed legislation to authorize payments of rewards to postal employees for inventions (with an accompanying paper); to the Committee on Post Offices and Post Roads.

RELIEF OF DESTITUTION OF ALASKAN NATIVES

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report covering expenditures made from the appropriation "Education of natives of Alaska, 1943-44," for the relief of destitution of natives of Alaska during the fiscal year 1943 (with an accompanying report); to the Committee on Appropriations.

REPORT OF THE NATIONAL PARK TRUST FUND BOARD

A letter from the Secretary of the Interior, transmitting, pursuant to law, the annual report of the National Park Trust Fund Board for the fiscal year ended June 30, 1943, together with a statement showing the status of the national park trust fund as of June 30, 1943 (with an accompanying paper); to the Committee on Public Lands and Surveys.

EXPENDITURES FROM COLORADO RIVER DAM FUND

A letter from the Secretary of the Interior, transmitting, pursuant to law, his report on expenditures from the Colorado River Dam fund incurred in the construction, operation, and maintenance of Boulder City, together with his recommendations for allocations of such expenditures in the construction, operation, and maintenance of the Boulder Canyon project and other Federal activities in Boulder City (with the accompanying papers); to the Committee on Irrigation and Reclamation.

SPECIAL HELIUM-PRODUCTION FUND

A letter from the Acting Secretary of the Interior, transmitting, pursuant to law, the annual report showing credits, disbursements, and the balance on hand in the special helium-production fund for the fiscal year ended June 30, 1943; to the Committee on Military Affairs.

LAWS PASSED BY MUNICIPAL COUNCIL OF ST. THOMAS AND ST. JOHN, V. I.

A letter from the Acting Secretary of the Interior, transmitting, pursuant to law, copies of laws passed by the Municipal Council of St. Thomas and St. John, V. I. (with accompanying papers); to the Committee on Territories and Insular Affairs.

LAWS PASSED BY LEGISLATURE OF HAWAII

A letter from the Director of the Division of Territories and Island Possessions, Department of the Interior, transmitting, pursuant to law, a bound copy of laws passed by the Legislature of the Territory of Hawaii, regular session of 1943 (with an accompanying document); to the Committee on Territories and Insular Affairs.

REPORTS OF AGRICULTURAL EXPERIMENT STATIONS

A letter from the Acting Secretary of Agriculture, transmitting, pursuant to law, reports covering the receipts and expenditures, and the work of the agricultural experiment stations in the United States, Hawaii, Alaska, and Puerto Rico, for the fiscal years ended June 30, 1942, and June 30, 1943, respectively (with accompanying reports); to the Committee on Agriculture and Forestry.

EXTENSION SERVICE, DEPARTMENT OF AGRICULTURE

A letter from the Acting Administrator of the War Food Administration, transmitting, pursuant to law, a report of receipts expenditures, and results of cooperative agricultural extension work for the fiscal year ended June 30, 1943, and a statistical summary of Negro extension work for the calendar year 1942 (with accompanying papers); to the Committee on Agriculture and Forestry.

DELINQUENT ACCOUNTS OF FEDERAL OFFICERS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report showing officers and administrative offices of the Government delinquent in rendering or transmitting their accounts to the proper offices in Washington during the fiscal year ended June 30, 1943, and whether the delinquency was waived, together with a list of officers whom upon final settlement of their accounts, were found to be indebted to the Government and had failed to pay the amount or amounts due into the Treasury of the United States (with an accompanying report); to the Committee on Claims.

JUDGMENTS RENDERED BY THE COURT OF CLAIMS (S. Doc. No. 144)

A letter from the Acting Chief Clerk of the Court of Claims, transmitting, pursuant to law, a statement of judgments rendered by the Court of Claims for the year ended December 4, 1943, the amount thereof, the parties in whose favor rendered, and a brief synopsi of the nature of the claims (with an accompanying statement); to the Committee on Appropriations and ordered to be printed.

REPORT OF THE INTERSTATE COMMERCE COMMISSION

A letter from the Chairman of the Interstate Commerce Commission, transmitting, pursuant to law, the annual report of the Commission for the year ended October 31, 1943, except as otherwise noted (with an accompanying report); to the Committee on Interstate Commerce.

FINAL VALUATION OF A CARRIER

A letter from the Chairman of the Interstate Commerce Commission, transmitting, pursuant to law, the final valuation of properties of the Socony-Vacuum Oil Co., Inc. (Midland Division and New York and Pennsylvania Lines) (with accompanying documents); to the Committee on Interstate Commerce.

TRANSPORTATION AND PER DIEM ALLOWANCES FOR RECRUITMENT OF PERSONS FOR FEDERAL EMPLOYMENT

A letter from the President of the United States Civil Service Commission, transmitting a draft of proposed legislation to facilitate the procurement of persons for Federal employment, providing certain transportation and per diem allowances therefor (with an accompanying paper); to the Committee on Civil Service.

REPORT OF PERMITS AND LICENSES ISSUED BY FEDERAL POWER COMMISSION

A letter from the Chairman of the Federal Power Commission, transmitting, pursuant to law, a classified report showing the permits and licenses issued by the Commission during the fiscal year ended June 30, 1943, the parties thereto, the terms prescribed, the moneys received, if any, and the account thereof (with an accompanying report); to the Committee on Commerce.

REPORT OF ATLANTIC STATES MARINE FISHERIES COMMISSION

A letter from the secretary-treasurer of the Atlantic States Marine Fisheries Commission, transmitting, pursuant to law, a report of the operations of the Commission for the year ended December 1, 1943 (with an accompanying report); to the Committee on Commerce.

REPORT OF THE TENNESSEE VALLEY AUTHORITY

A letter from the Board of Directors of the Tennessee Valley Authority transmitting, pursuant to law, the annual report of the Authority for the fiscal year ended June 30, 1943 (with an accompanying report); to the Committee on Agriculture and Forestry.

EXPENDITURES OF FUNDS DERIVED FROM BOND SALES OF THE TENNESSEE VALLEY AUTHORITY

A letter from the Chairman of the Board of Directors of the Tennessee Valley Authority transmitting, pursuant to law, a report of the expenditures for the year ended November 30, 1943, of funds derived from the sale of bonds under section 15c of the Tennessee Valley Authority Act of 1933, as amended (with an accompanying paper); to the Committee on Agriculture and Forestry.

REPORT OF GORGAS MEMORIAL LABORATORY

A letter from the president of the Gorgas Memorial Institute of Tropical and Preventive Medicine, Inc., transmitting, pursuant to law, the Annual Report of the Gorgas Memorial Laboratory for the fiscal year ended June 30, 1943 (with an accompanying report); to the Committee on Interoceanic Canals.

REPORT OF GEORGETOWN BARGE, DOCK, ELEVATOR & RAILWAY CO.

A report of the Georgetown Barge, Dock, Elevator & Railway Co., transmitted, pursuant to law, for the year ended December 31, 1943; to the Committee on the District of Columbia.

ESTIMATES OF PERSONNEL REQUIREMENTS OF DEPARTMENTS AND AGENCIES

A letter from the Director of the Bureau of the Budget, transmitting, pursuant to law, a report of his determinations during the second quarter of the fiscal year 1944 of the number of employees required for the proper and efficient exercise of the functions of the executive departments and agencies of the Government (with an accompanying paper); to the Committee on Civil Service.

PERSONNEL REQUIREMENTS OF DEPARTMENTS AND AGENCIES

Letters, transmitting, pursuant to law, estimates for the quarter ending March 31, 1944, of the Department of State; Post Office Department; Navy Department; Department of Commerce; National Archives; American Battle Monuments Commission; Office of Price Administration; the White House Office; National Labor Relations Board; United States Employees' Compensation Commission; American Commission for the Protection and Salvage of Artistic and Historic Monuments in Europe; the National Gallery of Art of the Smithsonian Institution; Selective Service System; General Accounting Office; National Advisory Committee for Aeronautics; War Shipping Administration and United States Maritime Commission; War Manpower Commission of the Office for Emergency Management; Office of Strategic Services; Federal Works Agency; Executive Mansion and Grounds of the National Park Service; National War Labor Board; Office of Scientific Research and Development of the Office for Emergency Management; United States Tariff Commission; Office of Defense Transportation; Office of Central Administrative Services of the Office for Emergency Management; Panama Railroad Co.; and Office of the Coordinator of Inter-American Affairs of the Office for Emergency Management; an estimate for the quarter ending December 31, 1943, from the Reconstruction Finance Corporation; and

Two revised estimates for the quarter ending December 31, 1943, from the Department of Commerce (with accompanying papers); to the Committee on Civil Service.

PETITIONS

Petitions were laid before the Senate by the Vice President and referred as indicated:

A resolution adopted by the executive committee of the Department of Michigan, the

American Legion, requesting that House bills 3420 and 3421, pending in Congress, relating to civil aviation, be held in abeyance until the termination of the present war and for 6 months thereafter; to the Committee on Commerce.

A letter from the Commissioner of Indian Affairs, transmitting a memorial of sundry Comanche Indians of the Kiowa (Okla.) Agency, remonstrating against the enactment of Senate bill 1311, to remove restrictions on Indian property now held in trust by the United States, or any similar legislation; to the Committee on Indian Affairs.

A resolution adopted by Townsend Club No. 1, of Presho, S. Dak., favoring the enactment of House bill 1649, a general welfare bill, granting old-age assistance; to the Committee on Finance.

A resolution adopted by the Board of Aldermen of the city of Chelsea, Mass., favoring the enactment of the so-called Wagner bill, to provide credit to servicemen toward their old-age insurance and also the so-called Patman bill, to provide mustering-out pay and unemployment payments for servicemen and women unable to find employment upon demobilization; to the Committee on Finance.

The petition of Dr. R. Esmond Smith, and several other citizens, of the Patton State Hospital, Patton, Calif., praying for the establishment of a Christian world order; to the Committee on Foreign Relations.

A letter from Henry Lee Owens, of Burlington, Iowa, relating to the Government control of railroads and the obligation of railroad workers not to strike during the war period; to the Committee on the Judiciary.

A resolution adopted by Democracy Lodge No. 655, Knights of Pythias, of Brooklyn, N. Y., favoring the enactment of House bill 2328, making unlawful the distribution through the mails of literature containing defamatory or false statements regarding any race or religion; to the Committee on Post Offices and Post Roads.

Resolutions adopted by the Legislative Assembly of the Virgin Islands, and referred to the Committee on Territories and Insular Affairs, as follows:

Resolution favoring the reconsideration by Congress of its recent action relating to the continuation of Robert Morss Lovett as government secretary of the Virgin Islands; and

Resolution favoring the enactment of legislation to provide for the transfer to the government of the Virgin Islands of 50 percent of all taxes collected on articles imported into the United States therefrom for use in financing relief projects in the islands.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES

Mr. GREEN. Mr. President, on behalf of the Senator from Illinois [Mr. LUCAS] and myself, I introduce a bill to amend the act of September 16, 1942, which provided a method of voting in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, and ask that it be referred to the Committee on Privileges and Elections.

The PRESIDING OFFICER (Mr. HILL in the chair). Without objection, the bill will be received and referred as requested.

The bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes introduced by Mr. GREEN (for himself and Mr. LUCAS), was read twice by its title and referred to the Committee on Privileges and Elections.

NATIONAL WAR SERVICE

Mr. AUSTIN. Mr. President, I send to the desk an amendment which I intend to offer to Senate bill 666, which is the proposed national war service bill, and ask unanimous consent to have it printed and referred to the Committee on Military Affairs. I also ask to have it printed in the RECORD, for the convenience of the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. BARKLEY. Mr. President, inasmuch as the morning hour is allocated, in order, to certain procedure, I respectfully suggest that we follow that procedure. There will be ample opportunity for Senators either to submit amendments or introduce bills or resolutions. I think it would be better if we proceeded in order, according to the rules.

The PRESIDING OFFICER. The presentation of petitions and memorials is in order.

Mr. LODGE. Mr. President, in conjunction with the distinguished senior Senator from Vermont [Mr. AUSTIN] I am introducing today a bill giving servicemen overseas a real opportunity to vote for Federal officers at the coming election——

The PRESIDING OFFICER. In view of the objection raised by the Senator from Kentucky [Mr. BARKLEY], will the Senator from Massachusetts withhold the introduction of his bill?

Mr. LODGE. I understood a bill had already been introduced on the same subject.

The PRESIDING OFFICER. It was not introduced, because of the interposition of objection by the Senator from Kentucky. It is the intention of the Chair to recognize the Senator from Vermont [Mr. AUSTIN] when we reach the proper point in the morning hour. The Chair will then be glad to recognize the Senator from Massachusetts.

Mr. LODGE. I thought the Senator from Rhode Island [Mr. GREEN] introduced a bill on this subject.

Mr. BARKLEY. Mr. President, the Senator from Rhode Island rose. I did not know for what purpose. He introduced his bill. If I had known in advance that that was his object, I would have made the same objection which I later made. No Senator will lose any rights by following the regular order.

The PRESIDING OFFICER. The presentation of petitions and memorials is in order.

RESOLUTION OF IOWA STATE FEDERATION OF LABOR

Mr. GILLETTE presented a resolution adopted by the Iowa State Federation of Labor, protesting against practices necessitated by the Little Steel formula and favoring the granting of adequate wage increases to workers, which was referred to the Committee on Education and Labor.

PROHIBITION OF LIQUOR SALES AROUND MILITARY CAMPS—PETITION

Mr. TUNNELL. Mr. President, I present and ask unanimous consent to have printed in the RECORD without the signatures attached a petition of numerous citizens of Delaware, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States, and that the petition be referred to the appropriate committee.

There being no objection, the petition was referred to the Committee on Military Affairs and ordered to be printed in the RECORD without the signatures attached, as follows:

To the Members of the Senate and House of Representatives of the Congress of the United States:

We, the undersigned citizens of the State of Delaware do respectfully petition you to defend the United States of America by defending the health and morale of the youth called out by your action under the Selective Service Act, from what Gen. George C. Marshall, Chief of Staff of the United States Army, referred to as "a sordid business for the accumulation of money" the trade in alcoholic beverages including beer; and from the danger of venereal disease incident to prostitution, by passing S. 860.

RESOLUTION BY REGIONAL CONVENTION, NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION

Mr. CAPPER. Mr. President, I have received a letter with an accompanying resolution adopted by the regional convention of the National Rural Electric Cooperative Association held at Denver by the cooperative organizations of Wyoming, Nebraska, Colorado, and Kansas, and ask that the letter and accompanying resolution be printed in the RECORD and appropriately referred.

There being no objection, the letter and accompanying resolution were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION,
Washington, D. C., December 20, 1943.

Senator CAPPER: Attached hereto is a copy of a resolution adopted by the regional convention of the rural electric cooperatives of Wyoming, Nebraska, Colorado, and Kansas held at Denver on the 20th day of November 1943.

This resolution was adopted unanimously after full discussion and the cooperatives will appreciate whatever assistance you can give them.

Very respectfully,

J. C. NICHOLS,
Regional Director, Cody, Wyo.

Be it resolved, That we, the rural electric cooperatives of Colorado, Wyoming, Nebraska, and Kansas in annual regional convention of the National Rural Electric Cooperative Association at Denver this 20th day of November 1943, go on record as urging each and every Senator and Member of Congress of these four States to actively support the proposed amendments to H. R. 3752 by FULMER to extend the authorization for appropriations under the R. E. A. Act and to reduce the rate of interest charged on R. E. A. loans to the average interest paid by the United States on its obligations; be it further

Resolved, That we continue to support the Russell-Rankin bill and work actively for its enactment.

FAIR PRICES AND NOT SUBSIDIES

Mr. CAPPER. Mr. President, I have just received a letter from Mr. and Mrs. Clarence Paul, Rural Free Delivery 2,

Abilene, Kans. These good Kansas farmers write me as follows:

As loyal Grangers, and loyal Americans, hoping to preserve our country for the good of all, Republicans and Democrats alike, we go on record as favoring the policies adopted by the State grange, on agriculture, at Iola, Kans., December 14–17.

We want fair prices at the market, not subsidies and more regimentation. We have a son in the south Pacific who writes if there is a surplus of pork in the States, they can use some. Why not? Who deserves more than the boys who are fighting the battles for us?

Mr. President, I believe the sentiments expressed by Mr. and Mrs. Paul are those of the great majority of the farmers of my own State of Kansas, and of farmers all over the Nation. They are opposed to subsidies and regimentation. They want the men in the armed services taken care of first; and they want this country preserved, as they say, for the "good of all."

I might add, for myself, that I have listened to many explanations from representatives of governmental agencies, and none of these has advanced what seems to me a sound reason for rationing a surplus. And they admit there is at present a pork surplus. I hope that the agencies involved will take the necessary steps to have the surplus pork fed to people and not destroyed or used to bring about a smaller pork production that might substitute scarcity for surplus.

I ask unanimous consent that the letter be referred to the Committee on Agriculture and Forestry.

The VICE PRESIDENT. Without objection, the letter will be referred as requested.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session.

The following favorable reports of nominations were submitted:

By Mr. VAN NUYS, from the Committee on the Judiciary:

Fred A. Canfil, of Missouri, to be United States marshal for the western district of Missouri, vice Henry L. Dillingham, term expired.

By Mr. GEORGE, from the Committee on Finance:

Alden H. Baker, of Noblesville, Ind., to be collector of customs for customs collection district No. 40, with headquarters at Indianapolis, Ind., in place of Charles E. Kemper, deceased.

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

Capt. Russell S. Berkey, United States Navy, to be a rear admiral in the Navy for temporary service, to rank from the 25th day of November 1942;

Francis E. Pierce, Jr., a naval aviator of the Marine Corps Reserve, to be a second lieutenant in the regular Marine Corps in accordance with the provisions of the Naval Aviation Personnel Act of 1940, as amended, to rank from the 10th day of September 1941;

And sundry citizens for appointment as second lieutenants and several commissioned warrant officers for appointment as captains, all in the Marine Corps.

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

(Mr. GREEN (for himself and Mr. LUCAS) introduced Senate bill 1612, which was referred to the Committee on Privileges and Elections, and appears under a separate heading.)

By Mr. LODGE:

S. 1613. A bill for the relief of Walter G. McCormick; to the Committee on Claims.

(Mr. LODGE also (for himself and Mr. AUSTIN) introduced Senate bill 1614, which was referred to the Committee on Privileges and Elections, and appears under a separate heading.)

(Mr. SHIPSTEAD introduced Senate bill 1615, which was referred to the Committee on Finance, and appears under a separate heading.)

(Mr. WILEY introduced Senate bill 1616, which was referred to the Committee on Finance, and appears under a separate heading.)

(Mr. CLARK of Missouri (for himself, Mr. GEORGE, Mr. WALSH of Massachusetts, Mr. CONNALLY, Mr. LUCAS, Mrs. CARAWAY, Mr. VANDENBERG, Mr. BREWSTER, Mr. BROOKS, Mr. WILEY, and Mr. GURNEY) introduced Senate bill 1617, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. THOMAS of Utah:

S 1618. A bill to amend the acts of August 26, 1935 (49 Stat. 866), May 11, 1938 (52 Stat. 347), June 15, 1938 (52 Stat. 699), and June 25, 1938 (52 Stat. 1205), which authorize the appropriation of receipts from certain national forests for the purchase of lands within the boundaries of such forests, to provide that any such receipts not appropriated or appropriated but not expended or obligated shall be disposed of in the same manner as other national forest receipts, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. LANGER:

S. 1619. A bill to provide for payment of overtime compensation to assistant postmasters at first- and second-class post offices; to the Committee on Post Offices and Post Roads.

By Mr. VAN NUYS:

S. 1620. A bill to amend section 20 of the act of May 28, 1896 (29 Stat. 184; 28 U. S. C. 527), so as to provide that nothing therein contained shall preclude a referee in bankruptcy or a national park commissioner from appointment also as a United States commissioner;

S. 1621. A bill to amend section 5296 of the Revised Statutes, as amended, relating to the discharge of indigent convicts for nonpayment of fines;

S. 1622. A bill to amend section 35 of the act of July 1, 1898, entitled "An act to establish a uniform system of bankruptcy throughout the United States," as amended (11 U. S. C. 63), so as to remove the legal incompatibility between the office of United States commissioner and referee in bankruptcy;

S. 1623. A bill to establish uniform qualifications of jurors in the Federal courts, and for other purposes;

S. 1624. A bill to provide for a jury commission for each district court of the United States, to regulate its compensation, to prescribe its duties, and for other purposes;

S. 1625. A bill relating to the payment of fees, expenses, and costs of jurors;

S. 1626. A bill to amend section 21 of the act of May 28, 1896 (29 Stat. 184; 28 U. S. C. 597), prescribing fees of United States commissioners;

S. 1627. A bill to prescribe and furnish to United States commissioners standard forms and dockets and to furnish United States Code and seal;

S. 1628. A bill concerning the method of payment of the compensation of United States commissioners; and

S. 1629. A bill to amend section 48 of the Criminal Code relating to receiving of stolen public property; to the Committee on the Judiciary.

By Mr. WALSH of Massachusetts:

S. 1630. A bill providing for the transfer to the custody and control of the Secretary of the Navy certain land comprising a ranger station site in connection with the administration of Kaniksu National Forest in the State of Idaho; to the Committee on Agriculture and Forestry;

S. 1631. A bill for the relief of Thomas E. Donohue and Nellie Gilbride; to the Committee on Claims;

S. 1632. A bill for the relief of Capt. S. E. McCarty, Supply Corps, United States Navy;

S. 1633. A bill to amend the act entitled "An act to provide for the training of nurses for the armed forces, governmental and civilian hospitals, health agencies, and war industries, through grants to institutions providing such training, and for other purposes," approved June 15, 1943, so as to provide for the full participation of institutions of the United States in the program for the training of nurses, and for other purposes; and

S. 1634. A bill to provide for the management and operation of naval plantations outside the continental United States; to the Committee on Naval Affairs.

By Mr. REYNOLDS:

S. 1635. A bill to eliminate a pay discrimination against the teacher of music at the United States Military Academy; to the Committee on Military Affairs.

By Mr. WHEELER:

S. 1636. A bill to authorize and direct the Secretary of the Interior to issue to Amy Scott Rosberg a patent in fee to certain land; and

S. 1637. A bill to authorize and direct the Secretary of the Interior to issue to Henry Keiser, a patent in fee to certain land; to the Committee on Indian Affairs.

By Mr. BARKLEY:

S. 1638. A bill granting a pension to Frances Hays Murphy; to the Committee on Finance.

By Mr. PEPPER:

S. 1639. A bill authorizing and adopting a project for the improvement of Miami Harbor, Fla.; to the Committee on Commerce.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES

Mr. LODGE. Mr. President, in conjunction with the distinguished senior Senator from Vermont [Mr. AUSTIN] I introduce a bill giving to servicemen overseas everywhere an opportunity to vote for Federal officers at the coming election. I believe the bill meets the principal objections made to the Green-Lucas bill which recently failed of passage, and which I supported. I believe the bill can pass the Senate and be accepted by the House. It meets the principal objections raised by those who feared that the original bill was a trespass upon the rights of the States. At the same time it insures Federal voting for the boys overseas.

I ask that the bill be referred to the Committee on Privileges and Elections, and I hope that it may be promptly reported to the Senate.

The bill (S. 1614) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by

members of the land and naval forces absent from the place of their residence, and for other purposes, introduced by Mr. LODGE (for himself and Mr. AUSTIN), was read twice by its title and referred to the Committee on Privileges and Elections.

TAXES ON REAL ESTATE ACQUIRED BY FEDERAL GOVERNMENT

Mr. SHIPSTEAD. Mr. President, I introduce a bill to prohibit the purchase of real property by the United States for temporary purposes, and to provide for the payment of taxes by the Federal Government upon real estate acquired by the Federal Government in the various States. I ask unanimous consent to have the clerk read a short statement showing the amount of real estate that has been purchased by the Federal Government and taken off the tax rolls of the States.

The PRESIDING OFFICER. Without objection, the clerk will read as requested.

The Chief Clerk read as follows:

The Federal Government has acquired, up to January 30, 1943, 375,634,466 acres of land. The total cost of acreage acquired prior to June 30, 1940, was $691,524,231 and the cost of acreage acquired since July 1, 1940, to January 30, 1943, was $198,376,651. The grand total cost of all acreage to January 30, 1943, was $889,900,882.

All this federally owned land is taken off the State and county tax rolls. In addition, there have been large and costly pieces of land put under long-time lease by the Federal Government, which was also taken off the tax rolls. The necessity for this bill will therefore be self-explanatory and self-evident.

The PRESIDING OFFICER. The bill introduced by the Senator from Minnesota will be referred to the Committee on Finance.

The bill (S. 1615) to prohibit the purchase of real property by the United States for temporary purposes, and to provide for taxation of certain property owned by the United States was read twice by its title and referred to the Committee on Finance.

REHABILITATION OF VETERANS

Mr. WILEY. Mr. President, some time ago I introduced a bill relating to the rehabilitation of veterans. I have joined in a bill which the distinguished Senator from Missouri [Mr. CLARK] will introduce on the same subject. I prepared recently and now present a bill which relates to the educational features of veterans' rehabilitation. I feel the whole subject should be gone into and as far as possible covered by one bill. I ask that the particular bill introduced by me be appropriately referred.

The PRESIDING OFFICER. The bill will be appropriately referred.

The bill (S. 1616) to amend title I, Public Law No. 2, Seventy-third Congress, March 20, 1933, and the Veterans Regulations to provide additional benefits for veterans of World War No. 2, was read twice by its title and referred to the Committee on Finance.

READJUSTMENT IN CIVILIAN LIFE OF RETURNING VETERANS

Mr. CLARK of Missouri. Mr. President, on behalf of the Senator from Georgia [Mr. GEORGE], the Senator from Massachusetts [Mr. WALSH], the Senator from Texas [Mr. CONNALLY], the Senator from Illinois [Mr. LUCAS], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Michigan [Mr. VANDENBERG], the Senator from Maine [Mr. BREWSTER], the Senator from Illinois [Mr. BROOKS], the Senator from Wisconsin [Mr. WILEY], the Senator from South Dakota [Mr. GURNEY], and myself, I introduce a bill to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans.

Mr. President, the bill itself is quite lengthy and I shall not ask at this time that it be printed in the CONGRESSIONAL RECORD, but I do ask that at this point in my remarks a brief summary of the bill may be printed in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

TITLE I

Chapter I. Hospitalization, claims, and procedure

Section 100 makes the Veterans' Administration a war agency, second only to the War and Navy Departments. While this has been substantially accomplished by Executive order, it is felt that congressional approval is necessary in order to give the Veterans' Administration assurance of ability to carry forward its purposes and share in this program.

Section 101 provides congressional approval and direction of an enlarged and expedited hospital program for and under the control of the Veterans' Administration.

Section 102 is an enlargement of section 101 and assures for the Veterans' Administration the right of contracting for additional hospital beds of the Army and the Navy, so that, if necessary, there can be an enlargement of bed space beyond the facilities under the direct control of the Veterans' Administration.

Section 103 grants the Administrator authority to place in Army and Navy installations Veterans' Administration personnel for adjudication of claims of men about to be discharged from service, and in addition to this will permit the Administrator to place experienced contact personnel in such installations for the purpose of giving advice and assistance to those who may not be interested in a disability pension claim, but who will be in need of advice as to continuation of insurance, employment, and other items. This has been partially accomplished by administrative orders.

Section 104 provides that a man or woman shall not be released from active duty until his or her certificate of discharge and final pay, or a substantial portion thereof, are ready for delivery. This has been found necessary because many instances have arisen where men and women have been discharged without sufficient money to reach their homes, or in a few instances without a certificate of any nature to establish their actual military or naval status.

Section 105 prohibits the Army and Navy from requiring any person about to be discharged to sign a statement relating to the nature, origin, incurrence, or service aggravation of a disease or injury, and prohibits any other Government agency from giving evidentiary consideration to any such statements heretofore made. This is necessary to assure fair and equitable adjudication of pension claims.

Chapter II. Aid by veterans' organizations

Sections 200 and 201 assure properly recognized officers and representatives of accredited veterans' organizations authority to enter military and naval establishments for the purpose of giving aid and advice to men and women in service.

Chapter III. Reviewing authority

Section 300 reinstates provisions of the World War Veterans' Act that have been applicable to and for veterans of the First World War for many years.

Section 301 provides for the establishment of boards in the War and Navy Departments for the purpose of reviewing discharges already issued or hereafter to be issued, in the event the holders thereof are dissatisfied with the nature or type of their discharge certificates. This is completely new as heretofore it has been held that there is no authority for review and change of a discharge after it has been issued.

TITLE II

Chapter IV. Mustering-out or demobilization pay

This provides for muster-out or demobilization pay ranging in amounts from $100 to $500, based on length of service and without regard to rank. Provision is made for payment of this benefit to those who have already been discharged and to the dependents of those who have died since discharge. This is not regarded as adjusted compensation, and it is the thought of the American Legion that that subject should be left for the determination of the World War II veterans.

TITLE III

Chapter V. Education of veterans

Primarily the purpose of this title is to accord education to those honorably discharged after 90 days or more service whose education has been interrupted by active service. This education can be in the nature of schooling, training on the job, or refresher courses with pay established at $50 per month for single men and $75 per month for a man who is married. (These amounts are less than the amounts paid to those who are granted vocational training because of service-incurred disabilities.) While this title is rather extensive, it will be appreciated that a good portion of it covers administration.

Section 502 relates to vocational training of those who are in need of such training because of service-incurred disabilities and fixes the effective date of service as of August 7, 1940 rather than December 6, 1941 so to care for those who were injured under conditions which closely simulated war.

TITLE IV

Chapter VI. Home and farm aid to veterans

This title provides a loan system operated by the Veterans' Administration through the several States to aid veterans in purchasing homes and farms. (Loans in purchasing a home will not exceed $7,500 or a farm $12,500.)

TITLE V

Chapter VII. Employment of veterans

This title transfers to the Veterans' Administration the Veterans' Employment Service of the War Manpower Commission and that portion of the duties of the Director of Selective Service, through the Personnel Division established by the act, pertaining to the securing of positions for veterans. This does not in any way remove or affect the functions and powers of the Director of Selective Service in rendering aid for the reemployment and the replacement in their former positions of veterans.

While this places the employment program within the Veterans' Administration, it also provides that the Administrator shall work through the States and Territories and the District of Columbia, and that wherever possible the personnel of the Employment Service shall be composed of veterans. Specific provision is made for the full cooperation of all Government agencies having to do with employment.

TITLE VI

Chapter VIII. Unemployment allowances for former members of the armed forces

This title gives unemployment compensation to veterans regardless of whether or not they have established a credit because of having engaged in a covered occupation before the war, and places the administration of this benefit under the jurisdiction of the Veterans' Administration through cooperation with the various States.

This will give a man 52 weeks coverage within a 24-month period after receipt of final muster-out pay, and the amounts allowable are $15 per week for a single man with $5 additional per week if he has one dependent, or $7.50 if he has two dependents, or $10 if he has three or more dependents.

Mr. CLARK of Missouri. Mr. President, if I may be indulged for a moment more, I merely desire to say that this Congress has done more for the welfare and for the care, rehabilitation, and proper hospitalization of the veterans of this war than was accomplished for at least 5 years after the last war. Nevertheless, certain situations have developed which require the attention of the Congress at this time. I believe that there is no subject on which the American people are more united than in their recognition of the necessity for the rehabilitation, hospitalization, care, and restoration of the veterans of this war. However, too many of us have been prone to regard the problem as a post-war problem when as a matter of fact it is a very vital and pressing war problem. The design of this bill, Mr. President, is to fill the gaps in the existing law and to unite the agencies having to do with veterans' affairs under one agency, which can be held responsible, and to make adequate provision in an omnibus bill.

The PRESIDING OFFICER. The bill introduced by the Senator from Missouri will be appropriately referred.

The bill (S. 1617) to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans, introduced by Mr. CLARK of Missouri (for himself, Mr. GEORGE, Mr. WALSH of Massachusetts, Mr. CONNALLY, Mr. LUCAS, Mrs. CARAWAY, Mr. VANDENBERG, Mr. BREWSTER, Mr. BROOKS, Mr. WILEY, and Mr. GURNEY), was read twice by its title and referred to the Committee on Finance.

Mr. WILEY. Mr. President, in connection with the remarks made by the distinguished Senator from Missouri, I ask that an editorial entitled "Bark Worse Than Bite," be printed in the RECORD. The editorial is from the National Tribune, the Stars and Stripes, a national publication for the veterans, of the issue of January 6, 1944.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BARK WORSE THAN BITE

Anybody who reads the CONGRESSIONAL RECORD, listens religiously to the radio, or follows the news columns faithfully these days would be led to believe that a scandal is brewing over the care of veterans being discharged disabled from this war. Although the situation is not as healthy as it should be, it is not nearly as bad as painted.

The gentlemen on Capitol Hill have been rightfully disturbed by reports from home that men and women are being discharged from service hospitals to civilian life without any means of support; that as pay stops and allowances to dependents are discontinued, they are becoming charges on already overburdened families or communities. Spokesmen for the veterans' organizations that have successfully seen legislation enacted to insure against this very thing are howling with indignation because the machinery to administer those laws is not functioning smoothly. The press and radio, running true to form, have naturally grabbed hold and are adding to the ground swell that is about to break into a flood of protest that can result only in unsound legislation that will in turn further confuse the issue.

Certainly there is reason for complaint, but the objections do not go to the source of the trouble. War has created in Washington the most disjointed hodgepodge of bureaus with overlapping objectives that this country has ever tolerated. Bureaucracy at its worst has run rife through years of social upheaval. It feeds on confusion. As a consequence, veterans' affairs have been directed by too many people. War has expanded enormously the Army and Navy Departments and their subdepartments. As they grew, more help was needed. Many thousands of Government employees, new and old, were transferred to these and other departments with priorities for war personnel. They drafted what they needed and they took many hundreds of stenographers, typists, clerks, and what not from the Veterans' Administration in Washington and in the field. Almost irreplaceable trained men and women unthinkingly resigned to get into war jobs. In all, 6,600 veterans' agency employees donned the uniform, among them many physicians, surgeons, and hospital attendants, to say nothing of trained adjudicators, and the like. With typical lack of foresight, the Government depleted an agency that required more and more expansion as men died and the wounded came home.

We hold no special brief for Gen. Frank T. Hines, but, to be fair, it should be said that the Veterans' Administrator has labored hard and long to correct a problem that grew more complicated by the hour. He has announced patiently to the Congress and to veterans' leaders what he has been trying to do, but he could not in the nature of things get much aid from those sources even though all wanted the same thing. Official Washington confers only with official Washington. Very recently the general was finally able to obtain from the War Department a directive that permits his office to set up in Army hospitals the equivalent of stripped-down regional offices to advise with veterans before discharge. He needs more help to expand and man the program. Only last week the Budget Bureau got around to giving the Veterans' Administration an A–1 personnel priority that will naturally freeze employees in their jobs and prevent pirating of help by agencies with higher ratings. General Hines has been striving for this classification as a war agency for 2 years.

It is said that 80,000 active claims for benefits filed by discharged veterans of this war are pending before Hines' bureau, and that some have been there from 4 to 7 months. This is not surprising. We know of claims of other war veterans that have been pending 2 or more years. Not only is help scarce and inadequate, but the whole outfit is so bound up in red tape that it takes a corps of engineers 2 weeks to move a broken-down cuspidor from one floor to the next. It makes O. P. A. regulations look sick.

The conditions complained of can be corrected. They will be worked out, but time is of the essence. Senator WILEY's bill (S. 1566) to consolidate all veterans' affairs in one agency should be enacted speedily. Centralization in one department promotes efficiency. The new priority rating should be fully utilized and personnel drafted from diseased, useless, and decrepit bureaus that could be shut down at nobody's loss. No veteran with an appreciable disability should be given his discharge before his case is settled and his pension check assured, and that muster-out pay—not bonus—to tide him over for a time should be at once provided. The vocational-training program should get a shot in the arm and be rushed into greater productivity; inequities can be ironed out later. And doctors in uniform and more hospital corps privates should be given duty in veterans' institutions.

A sorely needed simplification in Veterans' Administration procedure should be gradually put into effect. The business of veterans' bills being drafted by the very office that was created to administer them is all wrong. It has only led to a maze of instructions, interpretations, and decisions that would drive a score of constitutional lawyers to the madhouse. Understandable laws and clarity in administration is necessary.

Proposals have been advanced to make the Administrator a Cabinet officer. The bureau head is now a Presidential appointee; to place him in the Cabinet still leaves him in politics, subject to political pressure. General Hines is in fact a career man, and by and large he and his office have done a splendid job. This appointment should be a career one, the office to be held during efficient administration only, efficiency to be determined by the Congress.

Existing conditions and criticisms warrant this frank discussion. If the older veterans are up in arms, how much greater must be the concern of the wounded, the widows, and other loved ones. There is cause for worry. There is room for improvement on every side, but the bark heard today is worse than the bite. Nobody wants a single one of our boys to suffer one bit of anxiety. To permit any of them to head toward the poorhouse is unthinkable, yet that is not without the realm of possibility. The whole job now is to put available machinery into real working order. What else is needed is easily obtainable. Let's dry our tears and get down to cases.

NATIONAL WAR SERVICE

Mr. AUSTIN. Mr. President, I have already submitted at the desk for the purpose of printing an amendment in the nature of a substitute for S. 666. I desire to retain the bill number, and therefore will ask to have stricken out all after the enacting clause and to insert an amendment in the nature of a substitute.

But now I renew my request for unanimous consent to have the amendment printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment in the nature of a substitute intended to be proposed by Mr. AUSTIN to the bill (S. 666) to provide further for the successful prosecution of the war through a system of civilian selective war service with the aid of the Selective Service System was referred to the Committee on Military Affairs, and ordered to be printed, and to be printed in the RECORD, as follows:

DECLARATION OF POLICY AND INTENT OF CONGRESS

SECTION 1. (a) The Congress hereby declares that in view of the critical nature of the present war and in justice to those in the armed forces of the United States, it is necessary to provide further for the comprehensive, orderly, and effective mobilization of the manpower and womanpower of the Nation in support of the war effort.

(b) The Congress further declares as the general principle governing such mobilization that an obligation rests upon every person, subject to necessary and appropriate

exceptions as herein defined or authorized, to render such personal service in aid of the war effort as he or she may be deemed best fitted to perform.

(c) The Congress further declares that there is no intention by this act to modify, reaffirm, or otherwise affect existing laws relating to maximum hours, minimum wages, overtime pay, or collective bargaining, or relating to mediation, arbitration, or other procedures for the settlement of any labor controversies or questions, the intention being that if and when any such subjects are dealt with by the Congress this shall be done by other legislation; and that nothing in this act shall be otherwise construed.

(d) The Congress further declares that there is no intention by this act to affect the integrity of the Selective Service System created under the Selective Training and Service Act of 1940, as amended; and that nothing in this act shall be otherwise construed.

LIABILITY FOR NATIONAL SERVICE

SEC. 2. (a) In order to provide for an adequate supply of workers in war industries and agriculture, and in other occupations, activities, and employments which the President shall from time to time determine to be essential to the effective prosecution of the war, and in order to maintain a proper balance between such workers and persons in the armed forces of the United States and among such workers themselves, each registrant and each person required to be registered under the Selective Training and Service Act of 1940, as amended, and every woman residing in the United States between the ages of 18 and 50 at the time fixed for her registration under the provisions of this act, except as hereinafter provided, shall be liable to contribute by personal service to the war effort in a noncombatant capacity, according to his or her abilities, and as selected in accordance with the terms of this act and regulations prescribed by the President thereunder: *Provided*, That no service under this act shall be required from any of the following: (1) Persons relieved from liability for training and service under section 5 (a) of the Selective Training and Service Act of 1940, as amended; (2) commissioned officers, warrant officers, pay clerks, and enlisted men of the land and naval forces of the United States (including the Army of the United States); (3) commissioned officers, warrant officers, pay clerks, and enlisted personnel of the Women's Army Corps, the Army Nurse Corps, the Navy Nurse Corps, the WAVES, the MARINES, and the SPARS; (4) persons serving in the Women's Auxiliary Ferrying Service; (5) persons deferred from training and service under section 5 (c) (1) or exempted from training and service under section 5 (d) of the Selective Training and Service Act of 1940, as amended; (6) any woman who has living with her and under her care either a child or children under 18 years of age, or one or more other persons who, on account of illness or advanced age, need her personal care; (7) any woman while she is pregnant, as certified by a duly licensed physician; (8) any person who is an officer or employee of any State or of any political subdivision thereof, or of any corporate instrumentality or agency of any State or political subdivision thereof, unless the Governor of the State in which such person is an officer or employee consents in writing to service under this act on the part of such person; or (9) any officer or employee of a corporate instrumentality or agency of two or more States or political subdivisions thereof, unless the Governors of the States concerned consent in writing to service under this act on the part of such officer or employee.

(b) No exception from registration and no exemption or deferment from service under this act shall continue after the cause therefor ceases to exist.

(c) For the purposes of this section, the term "between the ages of 18 and 50" shall refer to women who have attained the eighteenth anniversary of the day of their birth and who have not attained the fiftieth anniversary of the day of their birth.

REGISTRATION AND CLASSIFICATION OF WORKERS, SURVEY OF NEEDS, CALL FOR VOLUNTEERS, INVOKING OF OBLIGATIONS UNDER THE ACT

SEC. 3. (a) The Selective Service System, created under the Selective Training and Service Act of 1940, as amended, shall be utilized as the agency to register and classify those persons who are liable for service under section 2 of this act and who are not already so registered and classified, and to exercise the functions with respect to the selection and assignment for such service hereinafter provided: *Provided*, That in order to aid the local and appeal boards in the exercise of such additional duties required of them under this act, the President may assign to such local boards, in an advisory capacity, representatives of such other agencies of the Government as he may deem advisable.

(b) The Director of National Service shall keep advised of the number and qualifications of workers needed in any war industry, in agriculture, or in other occupations, activities, or employments essential to the effective prosecution of the war and of the current and prospective supply of workers employed in or available to be employed in such employments and from what areas and sources additional workers might be drawn for any such employments, with the minimum of hardship to individuals and interference with other employments essential to the effective prosecution of the war. Whenever the President shall deem it practicable without impairing or delaying the war effort to attempt to provide for the need for additional workers in such an employment by a call of volunteers he shall by proclamation specify the numbers of such workers and the purposes for which they are needed and shall issue directly or through the Director of National Service a call or calls for volunteers, specifying the number of persons required, their qualifications, and so far as practicable, the places where their work would be performed and asking that qualified men and women volunteer their services within a specified time or times; and if and to the extent that the President shall deem it practicable such calls for volunteers shall be issued and any other measures deemed appropriate to secure voluntary recruitment shall be employed before action is taken to obtain workers through the other procedures provided for by this act.

(c) If the President shall not deem it practicable to issue such a call or calls for volunteers, or if, after having issued such a call or calls, the required numbers of qualified persons have not volunteered their services, within the time or times specified, the President, either directly or through the Director of National Service, shall, to meet such needs, invoke the obligation of service declared by this act and in the manner hereinafter authorized and with the aid of the Selective Service System as hereinafter provided.

REGULATIONS; AUTHORITY OF THE PRESIDENT AND FUNCTIONS OF THE SELECTIVE SERVICE SYSTEM IN THE SELECTION AND ASSIGNMENT OF WORKERS

SEC. 4. The President is authorized, either directly or through the Director of National Service—

(a) To prescribe the necessary regulations to carry out in an impartial manner the provisions of this act, such regulations to include appropriate provisions for the registration and adequate occupational classification of all persons who are liable for service under section 2 of this act and who have not been so classified under the Selective Training and Service Act of 1940, as amended or otherwise;

(b) In accordance with such regulations, to provide, in a fair and impartial manner, and without discrimination on account of race, color, or creed, for the orderly and effective selection of persons so registered (including those volunteering and employed or in process of training on the date of enactment of this act) and their assignment or allocation to or continuance in the particular occupations deemed by the President to be essential to the war effort, and to the particular establishments, industries, or areas in which the President finds that there is a shortage or a threatened shortage of manpower or womanpower, in order that such workers will be available where they are most needed and also, for the purpose of preventing the "pirating" and the "hoarding" of labor by employers and excessive turn-over;

(c) Any worker or workers assigned to continue in the employment in which they have been engaged may, at any time, show to the local draft board of the Selective Service System in the district in which he or she is working, any reasons why it would be arbitrary, unfair, or impose an undue personal hardship on such person to require such person to continue in such employment and upon a favorable finding of such local draft board shall be relieved from the obligation of continuing in such employment. Appeals may be taken from the ruling of such local draft board by the worker or the Director of National Service to the appellate tribunals and under the procedure established under section 10 (a) (2) of the Selective Training and Service Act of 1940, as amended;

(d) In the event that any person is selected for and assigned to an employment in which he or she has not been then engaged, such person may, at any time, show to the selective-service system board in the district in which he or she resides or the district in which he or she is employed, any reasons why such selection and assignment imposes undue personal hardship or is arbitrary or unfair, and upon a favorable finding of such local board, he or she shall be relieved or deferred from such selection and assignment. Appeals may be taken from the ruling of such local selective-service board by the worker or the Director of National Service to the appellate tribunals and under the procedure established under section 10 (a) (2) of the Selective Training and Service Act of 1940, as amended;

(e) In making assignments to work under this act, (1) due regard shall be had to assigning men or women to service in or near their home communities; (2) so far as practicable no person shall be assigned to work under the provisions of this act at a location where reasonably suitable housing accommodations for such person and his or her immediate family are not available; (3) whenever necessary and, so far as it is practicable to do so, persons assigned to service under this act (including accepted volunteers) shall, prior to such assignment, be given an opportunity of receiving aptitude tests and intensive training for the purpose of efficiently allocating them in places where they may render the most useful service and of redirecting or stepping up their skills in order that they may be competent for the tasks which they are to perform; (4) every person assigned to service under this act (including every accepted volunteer) shall receive the compensation and work the hours applicable to the kind of work which he or she is required to perform in the place of employment to which he or she is assigned; (5) persons found to be conscientious objectors and First Day Observers shall, so far as it is practicable to do so, be assigned to such service under this act as is not in conflict with their religious convictions; (6) every person assigned to service under this act, including every accepted volunteer, shall have the right to join any union or organization of employees, but no such person shall be

obliged to join any such union or organization if he or she should not freely choose so to do;

(f) In accordance with such regulations, to provide for the deferment from such service of those men and women (1) whose continued service in any office under the United States or any Territory, or the District of Columbia, or whose continued employment in any occupation or activity is found by the selective-service local boards, subject to appeal to the appeal boards and agencies of appeal established under section 10 (a) (2) of the Selective Training and Service Act of 1940, as amended, to be necessary to the maintenance of the national health, safety, or interest; (2) who are found to be unfit for such service by reason of physical, mental, or moral deficiencies or defects; and (3) persons with respect to whom such local boards shall find, as above provided, that such service would result in undue hardship;

(g) In accordance with such regulations, to provide the necessary traveling expenses and subsistence allowances during travel and until commencement of work of persons (including accepted volunteers) as signed under this act to service or to training in a locality other than that of their residence, and, when necessary, during their return therefrom, and, in accordance with such regulations, to provide transportation for the dependents and household effects of such persons: *Provided*, That such traveling expenses and allowances shall be computed in the same manner and on the same basis as those now or hereafter provided by law for members of the armed forces of the United States;

(h) In accordance with such regulations, to provide for the occupational training at Government expense of persons volunteering or selected for service under this act, and to pay reasonable compensation to trainees during the continuance of such training; and

(i) Where under the provisions of this act any person is selected or assigned to employment in a particular establishment, the management of such establishment shall, pursuant to such regulations as may be prescribed hereunder, accept such person for employment, but such management may at any time show any reason to the local selective-service board in the district in which such person is employed, why the acceptance or continuance of such employment would impose undue hardship upon such employer or would not be consonant with his rendering effective service in the prosecution of the war; and upon a favorable finding of such local board such employer shall be relieved from such obligation. Appeals may be taken from the ruling of such local selective-service board by the employer or the Director of National Service to the appellate tribunals and under the procedure established under section 10 (a) (2) of the Selective Training and Service Act of 1940, as amended.

ADMINISTRATION

SEC. 5. The President shall, by and with the advice and consent of the Senate, appoint a Director of National Service to administer this act and to have general responsibility, subject to the authority of the President, for all aspects of the mobilization of manpower and womanpower for service under this act; and such Director shall receive compensation at the rate of $15,000 per annum.

REEMPLOYMENT; SENIORITY RIGHTS

SEC. 6. Any person assigned to service under this act (including any accepted volunteer) who relinquishes regular employment to undertake such service, shall upon application to his or her employer within 40 days after the termination of such service, if such service terminates while this act is in effect, or within 40 days after the expiration of this act, if such service terminates after the expiration of this act, be entitled to be restored to his former position, or to a position of like seniority, status, and pay, unless the employer's circumstances have so changed as to make such restoration impossible or unreasonable: *Provided*, That if such person was in the employ of any State or political subdivision thereof, it is hereby declared to be the sense of the Congress that such person should be restored to such position, or to a position of like seniority, status, and pay.

PENALTIES

SEC. 7. Any person who refuses or knowingly fails to comply with any lawful order issued under the provisions of this act, or with any lawful regulation promulgated thereunder, shall upon conviction thereof, be fined not more than $1,000 or imprisoned for not more than 6 months, or both.

PROTECTION IN EVENT OF INVALIDITY; PARTIAL INVALIDITY

SEC. 8. (a) The modification, withdrawal, or determination of invalidity of any provision of this act, or of any rule, regulation, or order thereunder, shall not result in damages or penalties in any Federal, State, or Territorial court on any grounds for or in respect of anything done or omitted to be done in good faith pursuant to such provision, rule, regulation, or order.

(b) If any provision of this act or the application thereof to any person or circumstances, is held invalid, the remainder of the act and the application of such provision to other persons or circumstances, shall not be affected thereby.

AUTHORIZATION FOR APPROPRIATION

SEC. 9. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this act.

EFFECTIVE DATE AND TERMINATION OF ACT

SEC. 10. (a) This act shall take effect immediately.

(b) This act shall cease to be in effect on and after May 1, 1946, or such earlier date as may be specified by the Congress in a concurrent resolution.

POPULAR NAME

SEC. 11. This act may be cited as the "National War Service Act of 1944."

AMENDMENTS TO THE REVENUE ACT

Mr. VANDENBERG. Mr. President, I submit an amendment which I intend to offer to the pending tax bill, House bill 3687, and ask that it be printed and lie on the table. For the information of the Senate I may state at the moment that it will reduce the weight of newsprint rolls which are admitted free of duty for the duration. The amendment is not only requested by the American Newspaper Publishers Association as a conservation measure but it is indorsed by the Printing and Publishing Division of the War Production Board for the same reason.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

Mr. BURTON. Mr. President, I send to the desk an amendment to House bill 3687, and ask that it be printed and lie on the table, with the intention of offering it later to the pending tax bill. The amendment relates to the credit on the excess-profits tax, and I believe it to be necessary in order to make the amendment proposed by the committee thoroughly consistent.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

Mr. LANGER. I submit an amendment to House bill 3687, the pending tax measure, and ask that it lie on the table and be printed. It provides for credit for dependents.

The PRESIDING OFFICER. The amendment intended to be proposed by the Senator from North Dakota will be received, printed, and lie on the table.

Mr. DAVIS, Mr. TAFT, and Mr. WALSH of Massachusetts each submitted an amendment intended to be proposed by them, respectively, to the bill (H. R. 3687) to provide revenue, and for other purposes, which were severally ordered to lie on the table and to be printed.

BENEFITS FOR DISABLED VETERANS OF WORLD WAR NO. 2

Mr. DAVIS. I submit a resolution authorizing the Committee on Finance or any subcommittee thereof to make a full and complete study of the administration of the laws concerning benefits for disabled veterans of the present war, with a view to ascertaining whether there are unreasonable delays in determining eligibility for and making awards of such benefits.

The resolution (S. Res. 230), was read and referred to the Committee on Finance, as follows:

Resolved, That the Committee on Finance or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study of the administration of the laws conferring benefits upon disabled veterans of the present war with a view to ascertaining whether there are unreasonable delays in determining eligibility for and making awards of such benefits. The committee shall report to the Senate at the earliest practicable date the results of such study, together with its recommendations concerning methods of eliminating any such delays which may be found to exist.

For the purpose of this investigation, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-eighth Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per 100 words. The expenses of the committee under this resolution, which shall not exceed $, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

TEMPORARY SUSPENSION OF RATIONING OF MEAT AND PERISHABLE MEAT PRODUCTS

Mr. THOMAS of Idaho. Mr. President, I submit a resolution and ask that it be read.

The resolution (S. Res. 231), was read, as follows:

Whereas reduced consumption due to rationing has caused facilities for cold storage of meat and perishable meat products to become filled to capacity; and

Whereas packers and slaughterers have been compelled to remove surplus meat from such facilities in order to provide space for new supplies with the result that large quantities

of such products have been destroyed or allowed to spoil; and

Whereas livestock producers are being forced to abandon operations because of market conditions resulting from such inability of processors to provide storage space; and

Whereas serious meat shortages will be inevitable unless the normal flow of production and processing can be maintained; and

Whereas a relaxation of restrictions on consumption would relieve overtaxed storage facilities and thus permit the meat industry to resume normal operations: Now, therefore, be it

Resolved, That it is the sense of the Senate that all rationing of meat and perishable meat products should be suspended until such time as the War Food Administrator and the Price Administrator certify that supplies which are retarding the normal flow of meat have been distributed, and that adequate facilities are available for the storage of new supplies.

Mr. THOMAS of Idaho. Mr. President, I ask that the resolution be referred to the Committee on Agriculture and Forestry.

Mr. BARKLEY. Mr. President, I should like to have the reference of the resolution withheld for a moment until I can look into it carefully. It might be that it should be referred to another committee. I will confer with the Senator.

The PRESIDING OFFICER. Without objection, the resolution will temporarily lie on the table and the reference of it will be made later.

Mr. BARKLEY subsequently said: Mr. President, I ask that the resolution submitted a few moments ago by the Senator from Idaho [Mr. THOMAS] be referred to the Committee on Banking and Currency. It is obviously an O. P. A. matter, dealing with rationing. I have consulted with the Senator from Idaho and he has no objection to the reference suggested.

The PRESIDING OFFICER. Without objection, the resolution will be referred to the Committee on Banking and Currency.

PRODUCTION OF INDUSTRIAL ALCOHOL, SYNTHETIC ALCOHOL, AND SYNTHETIC RUBBER—LIMIT OF EXPENDITURES

Mr. GILLETTE submitted the following resolution (S. Res. 232), which was referred to the Committee on Agriculture and Forestry:

Resolved, That the limit of expenditures authorized under Senate Resolution 224, Seventy-seventh Congress, agreed to March 5, 1942 (providing for an investigation with respect to industrial alcohol, synthetic alcohol, and synthetic rubber), and continued by Senate Resolution 80, Seventy-eighth Congress, is hereby increased by $3,500.

PRODUCTION, TRANSPORTATION, AND MARKETING OF WOOL—EXTENSION OF RESOLUTION

Mr. O'MAHONEY submitted the following resolution (S. Res. 233), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate Resolution 160, Seventy-fourth Congress, first session, agreed to July 10, 1935, authorizing a special committee to investigate the production, transportation, and marketing of wool, as extended, is hereby further extended and continued in full force and effect until December 31, 1944; and the said committee may report to the Senate at any time prior to said date.

DELLA M. BENDER

Mr. GILLETTE submitted the following resolution (S. Res. 234), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Della M. Bender, wife of Charles E. Bender, late a doorkeeper of the Senate, a sum equal to 6 months' compensation at the rate he was receiving in such capacity, said sum to be considered inclusive of funeral expenses and all other allowances.

UTILIZATION OF CIVILIAN MANPOWER BY THE NAVY (S. DOC. NO. 143)

Mr. WALSH of Massachusetts. Mr. President, I ask that there be printed with illustrations as a Senate document a letter received from Ralph A. Bard, the Assistant Secretary of the Navy in charge of the Shore Establishments Division of the Navy, which includes all civilian personnel employed by the Navy, and a report by Assistant Secretary Bard entitled "Report on the Navy's Utilization of Its Civilian Manpower."

The PRESIDING OFFICER. Without objection, it is so ordered.

TREATMENT OF AMERICAN SOLDIERS AT JAPANESE PRISONER-OF-WAR CAMPS

Mr. THOMAS of Utah. Mr. President, I ask unanimous consent to have printed in the RECORD a letter sent to me by the Secretary of War, Hon. Henry L. Stimson, in regard to an investigation of the prison camps in the Far East. I am asking that this letter be printed in the RECORD, together with the report which the Secretary sent to me as chairman of a subcommittee of the Committee on Military Affairs, dealing with the care of Americans who are prisoners of war.

There being no objection, the letter and report were ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
Washington, D. C., December 31, 1943.

Hon. ELBERT D. THOMAS,
United States Senate.

DEAR SENATOR THOMAS: In view of your keen interest in conditions existing at Japanese prisoner-of-war camps in which American officers and enlisted men are held, I am enclosing, for your information, copies of cables which have recently been received by International Red Cross Committee from their representatives in Geneva. Undoubtedly, the camps reported upon in the attached cables are "show" camps. Nevertheless there is some comfort to be derived from the fact that at least a few of our men are faring no worse.

Sincerely yours,

HENRY L. STIMSON,
Secretary of War.

GENEVA, SWITZERLAND, *December 16, 1943.*

751. Our delegate Shanghai visited 3d December prisoners war camp Shanghai. See our 6661. Conditions generally very satisfactory; same as before, state of health good, and every effort is being made to maintain present satisfactory condition. Warm clothing and shoes needed, but expect this need will be covered with arrival relief shipments expected beginning January. Heating probably will be available only on limited scale, but this applies to residents generally of all nationalities at Shanghai. Am doing utmost to compensate by increasing hotel meals and hot tea. Have permission arrange special Christmas dinner, but owing high cost of commodities and difficulties securing supplies celebration will be on smaller scale than last year. Planning dinner consisting of good soup, pot roast with vegetables, pies, fruit, coffee, cigarettes. Prisoners of war will be given opportunity send extra messages for Christmas to their contacts in China, also mail for abroad will again be dispatched with next evacuation boat. Senior officers representing prisoners of war express satisfaction relations with commandant and his officer and good treatment.

Our delegate visited also Haiphongroad camp, where highly satisfactory conditions in every respect are maintained. Interviewed individually many inmates, all expressing satisfaction over conditions and good treatment. Please communicate American authorities.

INTERCROIXROUGE, A9199.

GENEVA, SWITZERLAND, *December 16, 1943.*

742. Our delegate, Japan, visited prisoners' war camp, Hoten (Mukden), Manchukuo, letter address: Hoten Prisoners War Camp, Manchukuo. Capacity, 1,500 men. Commander Colonel Matsuda. Effectives, officers: British 6, Australian 1, United States of America 16; noncommissioned officers, British 29, Australian 5, United States of America 511; privates: British 49, Australian 10, United States of America 647; total, prisoners of war, 1,274. Eighty-four British, 16 Australians transferred from Keijo originally Shonan. One thousand one hundred and seventy-four United States of America transferred from Philippines, particularly Bataan, Corregidor. Prisoners' representatives: United States of America, Major Hankins; British, Major Peaty; 1 United States of America, 1 British, noncommissioned officer, 1 United States of America, 1 British, private; total, 6 representatives. Date of visit, November 13, 1943.

General description: Situated in outskirts of Hoten in fertile plain. Opened October 20, 1942, prisoners arrived November 11, 1942, transferred from provisional quarters to present camp in August 1943. Total camp area 49,300 square meters, enclosure brick wall 2.60 meters high with high-tension electric wiring. Area buildings, 13,720 square meters, prisoners' buildings, 11,550 square meters. Newly built, two-storied brick buildings with tiled roofs same type as Japanese Army barracks with attached lavatories, latrines, urinals. Double-paned windows, wooden floors, doors. Following separate buildings: Hospital, canteen, warehouse, bathhouse, boiler room, utility shop.

Interior accommodations: Electric light. Heating by built-in Russian-type Petschukas (steel tube with brick lining) same type as Japanese Army barracks available from November 11 until March 20. Ventilation good. Fire-extinguishing utensils. Prisoners' quarters 3 buildings subdivided into 10 sections, each with upper and lower bunks, capacity 50 men per section; present effectives per section: 42 to 46 men, officers 16. Bedding: Straw mattress, 6 army blankets, 2 sheets, pillowcase, pillow cover. In summer mosquito nets. Orders given in Japanese translated into English.

Sanitary installations: Washrooms, latrines urinals, connected with quarters, 120 taps, 72 separated Japanese latrines, emptied weekly; 3 concrete bathtubs, 3 by 5 by 1 meters, 22 showers, hot bath available every other day, officers daily. Special cloak room for those working, with coat hangers, 48 taps. Drainage good, municipal sewer system. Disinfection by lime footmats dipped in disinfectants. Water supplied by well in camp, drinking water boiled (water tower now under construction).

Food: Breakfast, lunch, dinner. Rations in grams per head per day: Flour 400, corn meal 190 for those working only, meat and/or fish 52 to 100, fat 25, vegetables including potatoes 600, soybeans 200, some apples, tangerines, some spices such as curry, pepper, shoyu sauce, salt 20, Kaoliang tea. Calories average 3,800, patients and laborers 4,120. Japanese soldiers 3,457 calories. Our delegates had lunch at camp sampling vegetable soup, sweetpotato pie, potato-bean-onion pie, corn meal—ordinary—Kaoliang tea, which found all of excellent quality. Prisoners satisfied with food but find diet in long run somewhat monótonous. Weight December 1942, 64.7 kilos, now 69.1 kilos. Forty-eight prisoners of war cooks, including bakers. Chief cook 24 years' service. Twenty-four caldrons. In bakery, 3 ovens. Vegetable garden 25,200 square meters, now cultivating 3,500 square meters, spinach. Large root cellars in which vegetable supplies stored to last until May 1944, including red carrots, potatoes, cabbages, turnips.

Health: Upon arrival 700 to 800 very sick. Thanks special efforts Kwantung Army headquarters, general army hospital, Red Cross hospital, health greatly improved, can be considered very good now. Well-equipped infirmary in camp recognized as army hospital receives all medical equipment and supplies issued to army hospitals. Examinations and visits daily by prisoners of war surgeons and Japanese Army surgeons. Dental care at general army hospital, Hoten. Special preventive measures taken; all prisoners were inoculated against typhoid, paratyphoid, A and B dysentery, vaccinated against smallpox, tuberculosis, X-rayed, blood tests.

Medical attendance: Japanese, 1 army surgeon, medical orderlies 3, noncommissioned officers, 3 privates, 5 civilian nurses. Prisoners of war, 4 army surgeons, medical orderlies 29, noncommissioned officers and privates. On sick list 6 contagious dysentery in isolation ward, 5 malaria, 13 beriberi, 2 colds, 17 acute enteritis, 26 others, total 69 of which in camp hospital, 43 for long-period treatment, 3 short-period treatment, 23 excused in duty. Deaths since opening camp: 154 in Hoten, 62 en route, and at Fusan 6, at Takao worst month December 1942, thereafter death rate falling rapidly, none since October 1943. Diagnosis acute enteritis, beriberi, dysentery, acute pneumonia, malaria.

Clothing: Clothes issued, 1 outfit each summer, winter, heavy winter. Heavy winter outfit includes fur-lined overcoat, boots, knitted wool caps, woolen gloves, socks, underwear. Working clothes, hats, caps, also issued leather boots. Clothes brought by prisoners of war, raincoats, tropical outfit, only officers winter clothes.

Laundry: Special laundry facilities available, soap issued.

Financial situation and pay: Deposits in individual savings accounts; officers, yen, 7,346; ranks, yen, 734. Officers receive same pay as officers Japanese Army.

Work: Morning call 7 a. m.; lights out, 9:30 p. m. Rest days every Sunday and national holidays; work consists in camp maintenance and administration, also at factories. Pay for ranks up to 25 sen per day. Workshops comprise cobblers, tailors with four sewing machines, general utility shop with metal and wood works.

Canteen: Articles for sale, cigarettes, sweets, daily necessities, toilet articles, stationery; canteen open on Sundays and holidays. In canteen, 4 barbers. Profit out of canteen sales utilized according prisoners of war desires. Cigarettes 4 per day per man, 10 more for officers. Attached to canteen, recreation room.

Cult: Anglican church service held on Sundays by Japanese clergyman.

Exercise and recreation: Outdoors on full-sized sports ground, baseball, association football, American football. On separate ground, volley ball, basketball. Indoors, card games, chess, checker board. Some books, such as novels, technical books, Bibles available, 120 copies daily issue, 18 copies weekly issue Nippon Times. Two gramophones with fair supply American records and few Japanese records. No cinema, no radio. Prisoners' representatives state are in dire need of recreational articles, mainly for mental recreation, would like get educational books any sort, particularly would they like learning languages, also mechanical, agricultural, medical textbooks.

Correspondence: Outgoing, officers, 3 letters, 3 post cards; warrant officers, 1 letter, 3 cards, noncommissioned officers, 4 cards; privates, 3 cards per year; also 20 wireless messages per month through Huryojohokyoku. Mailed up to end October 1943, 1,620 letters and post cards. Incoming up to October 1943, 431 letters and post cards, 11 telegrams. British representative, Major Peaty, states last letter received from wife dated November 1942 on September 8, 1943. United States Army, Major Hankins, states Americans received no mail since May 1942, however, received 5 replies to radiograms.

No distribution of Red Cross relief goods yet.

Benevolence: Contribution from Vatican, yen 1,500, various purchases made out of this funds, such as musical instruments, clocks.

Complaints: Prisoners of war representatives find conditions in general satisfactory and state that Colonel Matsuda has been very good to them. They find conditions in some respects better than expected and have no complaints to make.

Discipline: Camp commander states discipline in general rather lax, believes due to prisoners coming from various units of Army and Navy. Punishments, 160 for insubordination, petty thieving, disregard camp regulations, particularly in regard fire preventions. Three fugitives court martialed, death sentenced because committed murder and assault. Visited also prisoners of war cemetery in outskirts Hoten, simple wooden crosses bearing rank, name, nationality, army number, placed on each grave, will be embellished with flowers and plants next spring; seeds partly already laid.

Conclusion: General impression very satisfactory. Colonel Matsuda and officers doing their best. Please communicate American American authorities.

INTERCROIXROUGE, A9148.

THE THEATER—ARTICLE BY OLIVER M. SAYLOR, AND EXCERPTS FROM LETTER BY JOHN GOLDEN

Mr. DAVIS. Mr. President, at times we are wont to forget the outstanding contribution which the legitimate theater has made to the development of American culture and the education of the American people.

Other means of entertainment have so far crowded into the field that in many quarters the legitimate theater, as well as its colorful history, have all but been forgotten in many quarters throughout the land.

Therefore, Mr. President, as an indication of the important role which the entertainment industry has played in the development of American culture, and as a reminder of the outstanding role which this industry has played in support of our present war effort, I ask unanimous consent to have printed in the RECORD as a part of my remarks, an article entitled "I Am the Theater," which was written by Mr. Oliver M. Saylor.

I also ask unanimous consent to have printed in the RECORD excerpts from a letter written by Mr. John Golden, of New York City, who has long been prominently associated with the legitimate theater in America. Mr. Golden makes a plea in his letter that the contemplated increase in admission taxes from 10 percent to 20 percent be not applied to the legitimate theater, and in my own review of the situation, I find considerable merit in the request which Mr. Golden makes.

There being no objection, the article and the excerpts were ordered to be printed in the RECORD, as follows:

I AM THE THEATER

I use the human body, mortal and divine, to express the gayest and the deepest emotions of the human heart, the most casual and the most profound thoughts of the human mind, the most exalted aspirations of the human soul.

Primitive man conceived me to help him satisfy his religious cravings. Within the walls of the Medieval Church I was reborn as I am known today.

I am the oldest and the youngest of all the arts. I came before painting, before sculpture, before music, before literature, before architecture. I gave birth to them all, and I've always kept them with me, for they are still a part of me. They may go their separate ways, but when I call them to come back and play together around the family hearthstone, they are always willing and eager.

Painting and sculpture and music and literature and architecture are my elder children. But old as I am, I'm still young and fertile. Within living memory, I have borne two more offspring—the motion picture and radio. Another is in its birth throes—television.

Of all the voices of the human heart and mind and spirit I am the most democratic. No one is too young and too old, too white or too black, too rich or too poor, to unlettered or too learned to appreciate my appeal.

In peace, I provide pleasant pastime. I feed the imagination with fantasy. I propose and test the dreams for a better world.

In war, I relieve tensions that torture and terrify. I help men and women feel straight so that they can think and act straight. I choke tears with laughter. I mirror the deeds of heroes gone to kindle the courage of heroes now.

In war, I gladly undergo the discomforts, the risks, the dangers of rail and ship and plane to carry cheer and hope to front lines on far horizons.

In war, because I know the way to the heart—and that way lies the purse—I speak and I act and I sing so that someone else can get the credit for swelling relief funds and bond sales. It doesn't matter—I have done my part.

There are many services, many crafts, many skills, in my ranks—playwrights, composers, actors, singers, dancers, musicians, directors, producers, scene designers, costumers, stagehands, ticket sellers, managers, press agents. But the largest, the most loyal of all, are the playgoers, the audience. Without them, I would wither and die.

But I have never withered, and I have never died. And I never will—unless I am slain by ignorance and greed and bigotry.—By Oliver M. Sayler, Association of Theatrical Agents & Managers, A. F. of L., copyright 1943 by the author.

EXCERPTS FROM A LETTER WRITTEN BY MR. JOHN GOLDEN, OF NEW YORK CITY

So far as the people of the theater are concerned, the records show that they represent

the only trade, industry, or profession that gives away the only thing it has to sell. You know that I am chairman of the theater department of the Mayor's Defense Committee, at 99 Park Avenue, that, by arrangement with the patriotic and liberal managers of entertainment of New York City, have already given away to men in the service over 5,500,000 free tickets.

* * * * *

The American Theater Wing is entertaining and feeding hundreds of thousands of soldiers and sailors monthly. A songwriter named Irving Berlin will, by the time it's all counted, have given to Army Emergency Relief probably $10,000,000.

* * * * *

Keeping the theater going is an essential war effort—a definite asset to the public welfare. In simple demonstration of this fact look at the great cities abroad that lie in the path of the war's devastation. In the center of the most violent assaults their playhouses have kept open and audiences have turned to them to show their contempt of the enemy, thus allaying fear, preventing panic, stimulating courage.

* * * * *

To quote the President: "The theater is one of the real cultural factors of our American way of life. There has never been a time when the stage was called upon to play a greater part in maintaining public morale and fostering the patriotic spirit. This it is doing splendidly, and I have full confidence that this support will continue until the war between the ideals of democracy and the destructive efforts of the Axis enemies is won. A free theater in a free world is one of the objectives for which we shall continue to fight."

* * * * *

And so I beg your advocacy of a sane, reasonable tax—the present 10-percent excise—on the people who need the recreation that the theater can and does provide. Let's not keep them away from this recreation, this relaxation from tension. Instead, let's keep them scrappy and happy, grinning and winning.

ADDRESS BY THE PRESIDENT FROM HYDE PARK

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address delivered by the President at Hyde Park, N. Y., on December 24, 1943, which appears in the Appendix.]

NEW YEAR'S DAY MESSAGE BY THE PRESIDENT

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a statement issued by the President on January 1, 1944, which appears in the Appendix.]

REHABILITATION OF SERVICEMEN—ADDRESS BY SENATOR THOMAS OF UTAH

[Mr. LUCAS asked and obtained leave to have printed in the RECORD a radio address entitled "Rehabilitating Our Servicemen," delivered by Senator THOMAS of Utah on January 3, 1944, which appears in the Appendix.]

RELIEF FOR STARVING CHILDREN OF EUROPE—ADDRESS BY SENATOR GILLETTE

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD a radio address delivered by Senator GILLETTE on January 8, 1944, on the subject of relief for the starving children of Europe, which appears in the Appendix.]

Y. M. C. A. STARTS ITS SECOND CENTURY—ADDRESS BY SENATOR BURTON

[Mr. BURTON asked and obtained leave to have printed in the RECORD a radio address entitled "The Y. M. C. A. Starts Its Second Century," delivered by him at Washington, D. C., on January 1, 1944, which appears in the Appendix.]

AMERICA NEEDS DEEPER FAITH—ADDRESS BY SENATOR BURTON

[Mr. BURTON asked and obtained leave to have printed in the RECORD an address entitled "America Needs Deeper Faith," delivered by him at All Souls' Unitarian Church, Washington, D. C., on January 2, 1944, which appears in the Appendix.]

CHRISTMAS ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD a Christmas address delivered by him over the radio on December 24, 1943, which appears in the Appendix.]

NEW YEAR'S ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD a radio address in the nature of a New Year's greeting delivered by him on January 1, 1944, which appears in the Appendix.]

TERMINATION OF GOVERNMENT-FIXED WAR-SUPPLY CONTRACTS—STATEMENT BY HON. JAMES F. BYRNES

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD a statement regarding termination of Government-fixed war-supply contracts, issued by Hon. James F. Byrnes on January 8, 1944, which appears in the Appendix.]

PRIVATE INITIATIVE NEEDS REVITALIZING—ARTICLE BY HON. JESSE JONES

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an article entitled "Private Initiative Needs Revitalizing" written by Hon. Jesse Jones, Secretary of Commerce, and published in Domestic Commerce for January 1944, which appears in the Appendix.]

ADDRESS BY HON. ALFRED M. LANDON TO REPUBLICAN "FRESHMAN" SENATORS AND REPRESENTATIVES

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address delivered by Hon. Alfred M. Landon to the Republican "Freshman" Senators and Representatives in December 1943, which appears in the Appendix.]

MEN MAKE THE NAVY—ADDRESS BY REAR ADMIRAL LOUIS E. DENFIELD

[Mr. WALSH of Massachusetts asked and obtained leave to have printed in the RECORD a radio address entitled "Men Make the Navy" delivered by Rear Admiral Louis E. Denfield on January 2, 1944, which appears in the Appendix.]

FREIGHT RATE DISCRIMINATIONS—ADDRESS BY C. E. CHILDE

[Mr. STEWART asked and obtained leave to have printed in the RECORD an address entitled "Freight Rate Discriminations—the Nation's Postwar Transportation Problem No. 1", delivered by C. E. Childe before the Atlanta Rotary Club at Atlanta, Ga., January 10, 1944, which appears in the Appendix.]

PROPOSED EXTENSION OF SOCIAL SECURITY PROGRAM—ADDRESS BY I. S. FALK

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an address entitled "Proposed Extension of the Social Security Program With Special Reference to Health and Medical Aspects", delivered by I. S. Falk, Director, Bureau of Research and Statistics, Social Security Board, at the Massachusetts Conference of Social Work at Boston, Mass., on December 2, 1943, which appears in the Appendix.]

BETTER PUBLIC HEALTH AWAITS BETTER MEDICAL CARE—ADDRESS BY DR. JOSEPH W. MOUNTIN

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an address entitled "Better Public Health Awaits Better Medical Care" delivered by Joseph W. Mountin, Assistant Surgeon General, United States Public Health Service, before the Association of Internes and Medical Students in New York City on November 19, 1943, which appears in the Appendix.]

WELFARE OF SERVICEMEN AND VETERANS—EDITORIAL FROM THE DEMOCRATIC DIGEST

[Mr. HATCH asked and obtained leave to have printed in the RECORD an editorial entitled "Bridging the Gap" published in the Democratic Digest for December 1943 which appears in the Appendix.]

IMPLEMENTING THE ECONOMIC BILL OF RIGHTS

[Mr. O'MAHONEY asked and obtained leave to have printed in the RECORD a summary of the recommendations made in connection with a report of the Temporary National Economic Committee dated March 31, 1941, and a personal statement by him in connection therewith, which appear in the Appendix.]

RATIO OF AMERICANS TO BRITISH IN PROPOSED INVASION OF EUROPE—EDITORIALS FROM THE BOSTON POST

[Mr. WHEELER asked and obtained leave to have printed in the RECORD two editorials from the Boston Post on the subject of the ratio of Americans to British in the proposed invasion of Europe, which appear in the Appendix.]

COMMENT ON THE BOOK UNDER COVER

[Mr. WHEELER asked and obtained leave to have printed in the RECORD comment on the book Under Cover, published in the Jesuit Seminary News, New England Province, for December 1943, which appears in the Appendix.]

ON TO VICTORY!—ARTICLE BY WARREN H. ATHERTON

[Mr. VAN NUYS (for Mr. MCCARRAN) asked and obtained leave to have printed in the RECORD an article entitled "On to Victory," written by Warren H. Atherton, national commander, the American Legion, and published in the American Legion magazine for December 1943, which appears in the Appendix.]

POST-WAR REEMPLOYMENT—EDITORIAL FROM THE JEWISH VETERAN

[Mr. GILLETTE asked and obtained leave to have printed in the RECORD an editorial from the Jewish Veteran for December 1943, on the subject of post-war reemployment, which appears in the Appendix.]

SUBSIDY PLANS—LETTER FROM EUGENE (OREG.) FRUIT GROWERS ASSOCIATION

[Mr. HOLMAN asked and obtained leave to have printed in the RECORD a letter dated September 31, 1943, from E. A. McCornack, manager of the Eugene, Oreg., Fruit Growers Association, on the subject of subsidy plans, which appears in the Appendix.]

PRICE OF CONTEMPT—EDITORIAL FROM NEW YORK DAILY MIRROR

[Mr. WILLIS asked and obtained leave to have printed in the RECORD an editorial entitled "Price of Contempt," published in the

New York Daily Mirror of December 20, 1943, which appears in the Appendix.]

CRUEL INDIFFERENCE—EDITORIAL FROM BALTIMORE NEWS-POST

[Mr. WILLIS asked and obtained leave to have printed in the RECORD an editorial entitled "Cruel Indifference," published in the Baltimore News-Post of December 11, 1943, which appears in the Appendix.]

PRESENTATION OF WISCONSIN FLAG TO MAYOR OF PHILADELPHIA—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address delivered by him on the occasion of the presentation of a Wisconsin State flag to the mayor of Philadelphia on March 24, 1941, which appears in the Appendix.]

The PRESIDING OFFICER. The morning business is closed. The Chair recognizes the Senator from Georgia.

THE REVENUE ACT

Mr. GEORGE. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of House bill 3687, the revenue bill, and I further ask that the formal reading of the bill be dispensed with, and that it be read first for action on committee amendments.

There being no objection, the Senate proceeded to consider the bill (H. R. 3687) to provide revenue, and for other purposes, which had been reported from the Committee on Finance with amendments.

Mr. GEORGE. Mr. President, for the reasons stated by me yesterday, I now ask that the first amendment to be considered be title IX, the title having to do with social security taxes, the last title in the bill.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BARKLEY. Mr. President, I think a quorum should be present when this matter is taken up, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Reed
Andrews	Guffey	Revercomb
Austin	Gurney	Reynolds
Ball	Hatch	Russell
Barkley	Hawkes	Scrugham
Bone	Hayden	Shipstead
Brewster	Hill	Stewart
Bridges	Holman	Taft
Buck	Johnson, Colo.	Thomas, Idaho
Burton	Kilgore	Thomas, Utah
Bushfield	La Follette	Tobey
Byrd	Langer	Tunnell
Capper	Lodge	Tydings
Caraway	Lucas	Vandenberg
Chavez	McClellan	Van Nuys
Clark, Mo.	Maloney	Walsh, Mass.
Connally	Maybank	Walsh, N. J.
Davis	Millikin	Wheeler
Downey	Murdock	Wherry
Eastland	Murray	White
Ferguson	O'Daniel	Wiley
George	O'Mahoney	Willis
Gerry	Overton	Wilson
Gillette	Pepper	

The PRESIDING OFFICER (Mr. GILLETTE in the chair). Seventy-one Senators having answered to their names, a quorum is present.

The clerk will state the amendment of the committee on page 189, which is, under the order of the Senate, to be considered first.

The LEGISLATIVE CLERK. On page 189, after line 11, it is proposed to insert a new title, as follows:

TITLE IX—SOCIAL-SECURITY TAXES

SEC. 901. Automatic increase in 1944 rate not to apply.

(a) Clauses (1) and (2) of section 1400 of the Federal Insurance Contributions Act (Internal Revenue Code, sec. 1400) are amended to read as follows:

"(1) With respect to wages received during the calendar years 1939, 1940, 1941, 1942, 1943, and 1944, the rate shall be 1 percent.

"(2) With respect to wages received during the calendar year 1945, the rate shall be 2 percent."

(b) Clauses (1) and (2) of section 1410 of such act (Internal Revenue Code, sec. 1410) are amended to read as follows:

"(1) With respect to wages paid during the calendar years 1939, 1940, 1941, 1942, 1943, and 1944, the rate shall be 1 percent.

"(2) With respect to wages paid during the calendar year 1945, the rate shall be 2 percent."

Mr. GEORGE. Mr. President, I do not intend at this time to make a general statement with respect to the revenue provisions of the bill. Such a statement will be presented tomorrow morning, when I anticipate we will enter upon the consideration of the several features of the bill relating to individual incomes, corporate incomes, and sundry other provisions.

The amendment now under consideration is in technical language, but it merely means that the majority members of the Committee on Finance recommend that for 1 year from January 1, 1944, pay-roll taxes for old-age and survivors' benefits be frozen at existing rates of 1 percent upon employers and 1 percent upon employees, instead of being increased to 2 percent on employers and 2 percent on employees, as would otherwise be required by the existing social-security law. The majority of the committee believe that the present and prospective revenues from this tax will amply protect the complete solvency of the old-age and survivors' benefit fund.

It will be recalled that when the social security law was rewritten in 1939, the reserves for these purposes were changed from the basis of a so-called full reserve to the basis of a contingent reserve. Under the original Social Security Act, the law itself contemplated that the reserve fund would reach a very high level at a given date—several billion dollars, in fact—but in 1939 the whole question was reexamined and reconsidered, and Congress in its wisdom departed from the full reserve fund basis and adopted the contingent reserve fund basis. At that time the advisory committee of experts, in its report to the Senate Committee on Finance, suggested a yardstick, whether absolutely or conditionally I shall not myself discuss, by which to measure the adequacy of the contingent reserves.

Title II of the Social Security Act was amended in 1939; therefore, to require the board of trustes of the old age and survivors' trust fund to "report immediately to Congress whenever the Board of Trustees is of the opinion that during the ensuing 5 fiscal years the Trust Fund will exceed three times the highest annual expenditures anticipated during that 5-fiscal-year period." In other words, Congress indicated that these contingent reserves would be adequate whenever they exceeded three times the highest cost of the system in any one of the subsequent years.

Congress has twice applied that rule, and as a result has twice postponed the statutory increase in pay-roll taxes. In other words, Congress has twice frozen the tax at the existing level of 1 percent on employers and 1 percent on employees.

The Finance Committee by a clear majority vote has again applied this rule to the current situation. It finds as a matter of fact that for the fiscal year ending June 30, 1943, $1,130,000,000 was collected in these particular pay-roll taxes; that the cost of benefits for the fiscal year was $149,000,000, plus $27,000,000 in administrative expenses; that the balance of $954,000,000 went into the contingent reserve, with the result that the contingent reserve as of last June 30 amounted to $4,300,000,000. It is estimated that this contingent reserve will amount to $4,850,000,000 at the end of the current fiscal year.

The committee was therefore of the opinion that under the yardstick indicated or the rule by which to measure the safety and security and integrity of the fund created in the act of 1939, the reserves were more than adequate to take care of any call that could be made upon them during the next ensuing 5-year period.

Mr. President, I have no desire to expand the argument. There are other Senators who are interested in this matter and who will discuss it at some length. I have stated very briefly, and only briefly, the essential facts.

There were some who held to the view that probably it would be wise for the automatic increase to take place as of January 1, 1944, for reasons other than the preservation intact and the protection of the integrity of the trust fund set up under the Social Security Act. I myself have never believed and do not now believe that the social-security fund should be used for general revenue purposes.

The social-security fund is not a part of the revenue. It does not increase the revenue, and it does not decrease the revenue by and large. I have always believed that the social-security fund ought to be devoted entirely to the purposes set forth and provided in the Social Security Act.

In this connection, Mr. President, I should call attention to the fact that the committee amendment further freezing the social-security tax at the existing rates does not change the character of the reserve fund, and that if the benefits of the social-security system are expanded the freezing of this particular tax at this time will have no bearing whatsoever upon that question, certainly not without subsequent legislation by the Congress itself.

Mr. President, that is all I desire to say on this matter.

Mr. GREEN. Mr. President, on December 17 last, when this title was under discussion in the Senate, I indicated my

opposition to the proposed change freezing the social-security taxes for the year 1944, and I now desire to explain my reasons for opposing the committee amendment to freeze the social-security taxes for the year 1944.

In the first place, I should like to say that I think the basic confusion and misunderstanding which has arisen on this matter is due in large part to the decision in 1935 to call the collections for social security by the erroneous name of "taxes." The collections levied on employees and employers are not taxes in the usual sense. They are not levied for paying the general costs of the Government. They are levied to pay the costs of the insurance benefits provided under an insurance law. They are not taxes; they are really premiums for insurance protection, and reference to the colloquies with respect to the law which took place in the Senate on December 17 will disclose the fact that there was a misunderstanding of the difference between taxes and premiums.

I wish to give notice now that at the appropriate time—irrespective of the action which the Senate takes on this amendment—I shall offer an amendment to strike out the word "taxes" in this part of the social-security law and insert in lieu thereof the word "premiums." I might point out also that Senate bill 281, which I introduced early in 1943, broadening and expanding the social-security program, specifically provides that all social-insurance contributions shall be called premiums so there may be no further confusion on this point.

Unless and until we recognize that the old-age and survivors' insurance provisions of the Social Security Act are financed by premiums, we will continue each year to debate this issue on a false basis. I say this deliberately, because it seems to me that under any system of old-age insurance we must take the long-run view, not merely a short-run view. Here for the third time in 5 years we are debating this same matter. I think it is unwise and unsound to tinker so frequently with the financing of so important an insurance system. I think we should put the financing of the insurance system on a long-run basis and then revise the financing only if it seems necessary on the basis of the best actuarial estimates available. No actuarial estimates would support the step we are being asked to take. If we adjust the premium rates every year or so, we shall only confuse the beneficiaries, the contributors, and the public generally about the insurance system. We shall give them the impression that it is only necessary to look at the costs of insurance payments today; that Congress may change the rate, up or down, who knows when. The result can only be to give the people of the country a feeling that the system is not a sound insurance program.

The basic reason why this insurance plan must be looked at on a long-run basis is that the number and proportion of aged persons in our population is steadily growing. Among the main reasons for this are the longer life expectancy, the decreased birth rate, and the decline in immigration. In 1900, there were only 3,000,000 persons 65 years of age and over, representing 4 percent of the population. At the present time there are nearly 10,000,000 persons aged 65 and over, representing over 7 percent of the total population, and within 40 years it is estimated that we may have over 22,000,000 persons aged 65 and over, representing from 14 to 16 percent of the total population. It is clear from these figures that the cost of any old-age insurance program will continue to increase steeply, and that the small cost of the present program during the early years of its operation, and particularly during the war when few people are retiring, is misleading and deceptive as a basis for judging the long-run costs of the program. During the next 40 years the annual benefit payments under our old-age and survivors insurance program are estimated to increase to 15 or 20 times the present levels.

It is clear and unmistakable, therefore, that the costs of the insurance system will steadily increase, year by year, for many years to come. This fact is certified to us by leading statisticians, mathematicians, actuaries, and population experts. Knowing this to be true, the Congress should plan the financing of the insurance program on a sound, long-run basis and not try to make year-to-year adjustments which completely leave out of consideration these long-run costs.

This is not merely my own view. The Advisory Council on Social Security, appointed by the Senate Finance Committee and the Social Security Board, jointly, stated in 1938, as follows—and I quote this because it is applicable today:

> The planning of the old-age insurance program must take full account of the fact, that, while disbursements for benefits are relatively small in the early years of the program, far larger total disbursements are inevitable in the future. * * * The Council wishes to reiterate the necessity of taking full account of the greatly increasing costs of the old-age insurance program in future years.

It is my understanding that the graduated step-up in contribution rates was incorporated in the law to permit the employers and employees to know the long-run implications of the program and to be able to adjust their other contributions for similar purposes accordingly. This, I think, was a sound view, and it is still sound.

Several other reasons seem to me to justify the scheduled increase in the present law. It was brought out in the hearings on this matter before the Senate Finance Committee that on the basis of certain actuarial calculations, according to the concepts of private insurance, the present reserve fund already has a deficit of between five billion and thirteen billion dollars, depending upon the assumptions used in making the calculations. Although social insurance should not be judged solely by private insurance concepts, nevertheless, this comparison indicates that the existing fund is not unduly large in view of its liabilities.

It was also brought out at the hearings before the committee that the protection provided under the Social Security Act is equivalent to a face value of $50,000,000,000. Think of it! The Congress has provided $50,000,000,000 worth of life-insurance protection in this law. From the standpoint of an individual the value of the survivors' insurance benefits at the date of death—which corresponds to the face value of life insurance—is between $3,000 and $10,000 for most families, and as high as $15,000 for some families. Obviously even the increased contributions would be little enough to pay for this protection.

Even with the automatic increase in contributions the benefits paid to workers during these early years of operation of the old-age and survivors' insurance system are much higher in proportion to the contributions made by them than will be true in the case of later beneficiaries. Therefore, from the standpoint of equity, as well as from the standpoint of financial soundness, the automatic increase in contribution rates is essential in order that those who draw benefits in the next few years may not get too large a bonus at the expense of younger workers who in later years will have to pay much higher premiums than now scheduled, if we do not collect more now.

The equity of increasing the contributions is recognized by the contributors themselves. Both the A. F. L. and the C. I. O. have testified that they are willing to have the contribution rates increased according to the existing law.

It should also be noted that the Wall Street Journal, the New York Times, the Chicago Herald-American, the Chicago Sun, and the Washington Post have all editorially endorsed the scheduled step-up. Mr. President, I ask unanimous consent to have the editorials printed in the RECORD as a part of my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal of December 27, 1943]

THE AGE-PENSION TAX RATE

Now that Congress has postponed for 60 days the rise which would otherwise have taken place in the age-pension tax rate on January 1, we shall all have a little time in which to gain understanding of the Federal age-pension system. This newspaper believes that the increase in this pay-roll tax which the statute had scheduled for the opening of 1944 should have been allowed to go into effect; it believes that Congress should permit that to happen on March 1 by allowing the 60-day postponement to expire.

In another column on this page appears a letter from Mr. Delmer Hubbell, who usually has his feet firmly planted on the ground and his eyes wide open. Much of what he writes is correct as far as it goes. But Mr. Hubbell seems to assume that the amendments of the age-pension section of the Social Security Act adopted in 1939 were both right and final. Those amendments made a departure from the "full reserve" theory of the original act and put in its place the idea of a mere contingency reserve. The change then made means that when the age-pension system has reached maturity—when current

outpayments have reached their maximum excess over current age-pension collections—all but a minor fraction of the excess will have to be taken from the general tax revenues from other sources. Whereas a full reserve system would derive the whole of the excess from the interest earned by the invested reserve; any structure between the contingency reserve and the full reserve systems would depend in part upon accruing interest and in part upon Treasury contribution.

It is true, as Mr. Hubbell says, that Federal taxpayers as a body must provide the means from which age-pensions are paid, whether these are the interest earned by the reserve or Treasury contributions. But it is not true that "current collections store no value whatever out of which future payments are to be made." They do store value for the account of future pensionnaires. Through their investment in obligations of the United States they have the effect of earmarking a portion of the Treasury's general receipts for the benefit and use of the age-pension system.

At the end of his fourth paragraph Mr. Hubbell comes close to stating the argument which may be made for a full reserve system. In the amount that pension payments are less in a given year than the yield of the age-pension taxes collected, the Treasury borrows that much from the reserve and that much less from the public—or perchance from the banks. The full reserve theory, or even a part-way acceptance of it, assumes that the total Federal debt will be what it will be regardless of the measure of the age-pension tax rate and that the greater the proportion of it which rests in the reserve fund, where it channels interest payment into pension recipients' hands instead of those of other bondholders, the safer and sounder the pension system will be.

Present age-pension tax collections are admittedly much less than the present accrual of future pension liability, which is a liability of the Federal Government outside of and beyond its publicly held funded debt. In view of this fact it must be said that the Treasury never officially states the total amount of the public debt of both varieties, that evidenced by papers in the hands of cash lenders and that represented by accumulating pension rights under a section of the Social Security Act. This state of affairs may account for Secretary Morgenthau's opposition to postponing the tax rate increase. There is the further fact that the present tax collection from employees, even as supplemented by the equal collection from their employers, is by no means fairly paying for the pensions pledged by law to the former.

Mr. Hubbell's concluding paragraph, we think, misstates the case. The age-pension pay-roll taxes are not "exactly like all other taxes," for they do not yield true tax revenue. They put the Government in the insurance business, selling annuity insurance at premium rates much less than its ultimate total cost.

[From the Wall Street Journal of November 29, 1943]

THE AGE-PENSION TAX RATE

A manufacturer of the interior writes this newspaper a letter of inquiry respecting the reserve fund of the old-age pension system which indicates a probably widespread state of confusion on the subject. On the one hand there is official authority for the statement that the reserve is some twelve or thirteen billion dollars short of presently accumulated pension liabilities. On the other hand, it is estimated that by the end of this year the reserve will reach or approach $5,000,000,000, a sum several times the present annual outpayments. Both statements are correct approximations, but they seem contradictory.

Unless Congress intervenes, the age-pension tax rate will increase on January 1 next from the 1 percent of covered pay roll each for employer and employee to double that rate. The statutory rise in tax rate has twice been postponed by Congress, an attempt is to be made to postpone it again.

Because the system was established only a few years ago the number of actual pensioners has not nearly reached its maximum, but it is increasing every year and in time current payments to pensioners are bound to exceed current receipts from the age-pension tax plus interest on Government securities in the reserve fund. As originally conceived the reserve fund was to be a "full" reserve, so that the system would support itself (not merely now but throughout the long future) without contributions from the Treasury's general tax receipts, that is, without support from the general body of Federal taxpayers. But the social-security law amendments of 1939 departed from the full reserve principle in the direction of a merely contingent reserve and dependence on supporting Treasury contributions.

What it means, to say that the reserve fund is billions short of equaling already accrued liabilities, is that the fund is that much short of a sum which would yield an interest return covering what has already accrued to the credit of covered employees, a credit not payable to them now but when and as they individually reach pensioning age. Insurance actuaries seem to agree that what they call the level premium rate (the cost of the pension insurance) over the average contributing life of the beneficiaries is about 7 percent of covered pay roll. If they are right, the present combined tax of 2 percent is far short of constituting a sound actuarial basis for the age pensions as fixed by existing law. It will still be short of such a basis if the statutory rate increase is allowed to become effective in January, but it will move considerably nearer self-support.

In passing the present law Congress expressed its judgment that a higher tax rate on beneficiaries and their employers was required for the long-term protection of both the Treasury and the age-pension recipients. That judgment was not reversed by the two postponements of the rate increase. So far as this newspaper is aware, no good reason bearing upon the merits of the pension system has been advanced for again postponing the increase at a time when both employers and employees are well able to bear it. For the former, the added cost will be largely offset by resulting reduction in income-tax liability. The latter, as a group, are in receipt of greater income than for a dozen years past.

[From the Chicago Herald-American of December 20, 1943]

WHEN SHOULD WE PAY FOR SOCIAL SECURITY?

(By Robert P. Vanderpoel)

Once more the original social-security legislation has been emasculated through again postponing, at least temporarily, the automatic increases in social-security deductions that were to begin January 1.

This is a grievous mistake, for two reasons.

First of all, it means more than a billion dollars less revenue for the Government this year and a billion dollars more spending power (inflationary money) for the public and for corporations.

With the Federal Treasury badly in need of revenue and with the people and the corporations literally drunk with excess cash, it just doesn't make sense again to postpone the social-security assessment rates.

It was argued, of course, by Senator VANDENBERG, who led the opposition against the increase, that payments into the social-security fund continue to exceed outlays and that we can afford to wait and see how the matter works out in the future.

CAN AFFORD IT NOW

Actually, this is the very reason we shouldn't do it that way. We can afford to make the payments now. This is true in general of both employers and employees. We will not be in such fortunate position when the tables turn and the outlays begin to exceed the intake.

A squirrel stores nuts in the fall, when the nuts are plentiful, so that he will not starve during the winter, when there are no nuts available. The United States should be storing dollars now when dollars are more abundant than ever before in our history and each one that is taken out of circulation actually serves to strengthen our economy so that it will not have to collect as many dollars when they become scarce and when each dollar withdrawn will tend to destroy jobs and feed the fires of a deflationary spiral.

[From the New York Times of September 26, 1943]

SOCIAL-SECURITY TAXES

In the search for greater tax yields it is again being suggested that social-security taxes be raised to siphon off part of the excess purchasing power held by wage earners. Two aspects of this proposal may be considered: The rise to 2 percent already scheduled for next January, and proposed increases which might raise the rate to 6 percent.

The tax levied on workers and employers had been scheduled to increase from 1 percent to 2 percent in January of this year, but this was postponed until 1944 by congressional action. One argument advanced against allowing the increase to become effective was the size of the reserve fund, which aggregated more than $3,000,000,000 as of June 1942, and is now about $4,000,000,000. However, in planning the system provision was made, through gradually higher taxes, for the accumulation of a large fund during the early years to meet the anticipated liabilities when the benefits become fully effective. Because of the high level of incomes, the present time is very favorable for the accumulation of such reserves. The scheduled increase in the tax, therefore, should now be permitted. The annual yield would be approximately $1,000,000,000.

An increase beyond this amount would fall into a different category unless it were accompanied by a corresponding liberalization of benefit payments. If the levy were increased prior to the determination of the benefits, it is less likely that Congress would give an extension of the system the careful consideration it requires. In the absence of a simultaneous determination of benefits, an increase in social-security taxes might lead prematurely to the adoption of plans which we could not normally afford.

Moreover, if there were an increase in the employer's contribution as well as that of the employee, costs would rise, thus adversely affecting earnings and creating pressure for higher prices. The reduction in earnings, in turn, would mean a lower yield from corporation taxes, which would offset to a large extent the higher yield from social security taxes. In this connection it should be noted there is a fundamental difference between social security taxes and other taxes. In many respects social security taxes are similar to compulsory savings or bond purchases out of current incomes, since they represent liabilities which must subsequently be met—although the maturity date is longer than that for bonds. To the extent that higher social-security taxes would mean a lower yield from corporation taxes or appear to obviate the necessity to impose other taxes, therefore, the proportion of the war financed out of current incomes will be smaller than it should be.

Finally, using the social-security mechanism for this purpose carries an additional

danger. If the rate were now increased primarily as a fiscal measure, there would be agitation to lower it in periods of depression. This would fit in well with the pump-priming theory which has wide acceptance in Washington. But if the tax were lowered in bad times, it would be politically difficult to restore it to the required level when conditions improved. This has been illustrated by the past reluctance of Congress to permit even scheduled increases. The soundness of the whole social security program may be endangered if it is converted into a mechanism to implement a fiscal policy designed to stabilize the economy.

[From the Chicago Sun of November 24, 1943]

NO TIME FOR A TAX FREEZE

Once again Senator VANDENBERG has come forward with his proposal to freeze social-security pay-roll taxes at their present level. The law calls for an automatic rise in these contributions on January 1, just as it did a year ago. Senator VANDENBERG succeeded in forestalling the rise then on the argument that obligations of the social-security fund in the immediate future could be met at the lower rate of taxation. He offers the same argument for a tax freeze this year.

If the Senator has his way, individuals and corporations will be relieved of $1,200,000,000 in scheduled pay-roll taxes, and thus the job of controlling inflation will be rendered that much harder. The Treasury assuming that this $1,200,000,000 would be collected, has told us that $10,500,000,000 additional were needed to provide adequate tax safeguards against inflation. The House reduced this figure to slightly over two billion, and now Senator VANDENBERG proposes to reduce that by another $1,200,000,000. The net effect would be to levy taxes of less than one billion in the face of expert testimony that more than $11,700,000,000 are needed. That comes mighty close to a congressional strike against inflation control.

Apart from the inflationary implications, there is excellent ground for following the original intent of the social-security law. Due to heavy war employment, new obligations are being created every day, and to make sure of meeting them contributions must rise gradually, as previously contemplated. Arthur J. Altmeyer, Chairman of the Social Security Board, has warned Congress that "it would be unwise to defer the increase in contribution rates now scheduled to take effect on January 1." As he points out, deferment of the increase can only mean that contributors will have to pay higher rates later, perhaps under less favorable circumstances.

The social-security fund is like a vast joint savings account. With the national income at record heights, the time to build up that account for future contingencies is now.

[From the Washington Post of December 26, 1943]

SECURITY TAX

A bill deferring for 2 months the automatic increases in old-age security levies effective January 1 has been signed by the President. But Secretary Morgenthau has expressed strong disapproval of the Vandenberg amendment to the Senate tax bill freezing these levies for a full year. If that proposal should be embodied in the completed tax bill, therefore, it would greatly increase the chances of a Presidential veto.

Heretofore the Post has approved the freezing of the pay-roll levies because it believed that raising the rates at this time would strengthen resistance to comprehensive tax increases designed to tap the income of all classes of workers. That argument has now lost its validity owing to the refusal of Congress to vote an adequate tax program. However, we still maintain that the imposition of higher pay-roll levies cannot be justified simply as a means of fighting inflation. For these levies are exacted from insured workers to help defray the costs of the insurance system. They are not taxes imposed for the sake of obtaining revenue to cover the Government's running costs, either in time of war or of peace.

In our opinion pay-roll levies can be justified only if those payments are required to cover the costs of the insurance system. Arthur J. Altmeyer, of the Social Security Board, testifying before the Senate Finance Committee, presented very persuasive arguments of that general tenor. Indeed, after reading Mr. Altmeyer's testimony, we are prepared to retract a recent editorial assertion that the old-age reserve fund is "now far in excess of any sum that could reasonably be required to assure the actuarial soundness of the system."

To be sure, the reserve is far in excess of any sum likely to be needed in the near future, because high wages and record high employment have raised receipts from existing pay-roll levies far above expectations. But Mr. Altmeyer is not thinking of the next few years. He is looking ahead, trying to estimate the long-run costs of the old-age insurance system and the actuarial soundness of the system, judged by the tests applicable to private insurance companies. In his personal opinion the level premium cost of the present insurance system is likely to be in the neighborhood of 5½ to 6 percent of pay roll.

Mr. Altmeyer, however, is not urging that pay-roll levies be raised to the extent necessary to make the insurance system self-sustaining without contributions from the Government. Nevertheless, he believes that the insured should be asked to defray a larger proportion of the long-run costs of the system, thereby reducing the amounts that will eventually have to be contributed out of taxes to cover deficits. Especially startling is his assertion that a steep increase in future benefits costs resulting from the growing proportion of the aged in the population and the increasing amount of benefits payable per person will probably necessitate eventual disbursements 15 to 20 times present annual disbursements from the insurance fund.

To sum up: We conclude that the failure of Congress to impose adequate wartime taxes on workingmen's incomes has removed the principal objection to an immediate scheduled increase in pay-roll levies. We further conclude that such increases are warranted because the current levies fall far short of the amounts required to cover insurance costs and make the insurance system self-sustaining. Finally, we heartily agree with Mr. Altmeyer's suggestion that Congress should make up its mind as to the financial policy that it intends to pursue in respect to the long-run financing of the insurance system. We wish, too, that the public realized more fully the real value and cost of the protection that is being afforded by the small payments currently exacted.

Mr. GREEN. These statements all prove, I think, that the members of the general public are for social security, and are willing to pay for it when they know they are getting their money's worth.

I should like also to call attention to a statement in the committee report which appears to rest upon a misconception of the issues involved. The statement in the committee report, which I think has been quoted by another Member of the Senate in the course of remarks made earlier in the day, is as follows:

For example, the system, as originally set up, contemplated an ultimate reserve of approximately $50,000,000,000 in another 40 years. The interest on $50,000,000,000, at 3 percent, is $1,500,000,000 per annum. It makes no difference to the taxpayer whether this $1,500,000,000 is appropriated to pay the interest on $50,000,000,000 of Government bonds in a reserve fund or whether it is a direct appropriation to the support of the old-age and survivors system, but it makes a tremendous difference to the taxpayer whether there has also been the needless accumulation of these enormous Government reserves.

The fact is that it does make a big difference—although the committee said it makes no difference—to the general taxpayer how such a program is financed—in this case a difference of $1,500,000,000 a year. If the reserves have been built up by contributions, then the trust fund can buy $50,000,000,000 worth of bonds which the Treasury must otherwise sell elsewhere. Later the trust fund will receive $1,500,000,000 a year, which it needs to balance its current account, in the form of interest on these bonds, and the taxpayer will pay this amount only once. The interest is at the same time the Government's contribution to the social-insurance system. If these contributions are not collected and reserves acquired, then the Treasury must borrow the additional $50,000,000,000 elsewhere. Later, when the trust fund needs $1,500,000,000 to balance its account, this must be supplied from general revenues, and at the same time another $1,500,000,000 must be provided to pay interest on the bonds, which then will be held by the banks and other institutions. The notion that it makes no difference to the taxpayer how the social-security program is financed has been widely publicized, and I regret that the committee report appears to give support to such an erroneous view.

The committee also states that in the amendments of 1939—

Congress obligates itself in the future to make whatever direct appropriations (in lieu of appropriations for interest on bonds in reserve) are necessary to maintain the full and complete solvency of the old-age and survivors benefits funds, because there could be no more solemn public trust. This is inherent in the decision made by Congress in 1939.

It may be that the program, as amended in 1939, would ultimately involve some contributions from general revenue, but I doubt that Members of Congress, generally, are conscious of having made such a decision. I am inclined to question whether Congress would now, consciously, still further increase the future burden by again postponing the contributions provided for in the law as it stands. I am not opposed to a Government contribution to the social insurance system, if coverage is sufficiently broad; but it seems to me that the issue is of sufficient importance to be openly debated on the floor of the Senate. I suggest, therefore, that if such a step is contemplated, the provision be submitted as a separate and specific piece of legislation so that the whole question may be discussed on its merits. If after such discussion the Congress wishes to continue to freeze the tax, it is only reasonable and proper, in order that workers and employers be protected against unrea-

sonably high rates in the future, that Congress also specify, in the law, that the Government will provide a subsidy to the insurance system whenever the contribution rates, shared equally between employer and employee, would otherwise rise above a specified level.

Social insurance in the United States is a relatively new institution. It is essential, therefore, that all changes in our social insurance laws be considered not only in terms of their short-run effects but also in terms of their long-run implications. I have long been and still am an ardent advocate of sound social-security measures. But I recognize that if social security is to continue it must be financed on a sound, permanent, and long-run basis. I urge the Senate, therefore, to reconsider this entire question in this light.

In conclusion, I wish to say that in my opinion, after having studied this matter as a member of the Special Committee to Investigate the Old-Age Pension System, appointed by the Senate in 1941, this entire matter should be considered in relation to a broadening and expansion of the social-security program. If the coverage of the insurance system is extended to cover the millions of persons now outside the system, as I recommended in my report—Senate Report No. 666, Seventy-seventh Congress, first session, August 28, 1941—there would be a sound basis for revising the financial structure of the insurance system and providing a substantial contribution by the Federal Government out of general revenues. The broader the coverage of the insurance system the greater the justification for a governmental contribution in recognition of the fact that relief costs will be reduced thereby and that all members of the community will share in a basic minimum of protection.

I hope, therefore, that the distinguished Senator from Georgia, the chairman of the Senate Finance Committee, will, as soon as the pending bill is out of the way, begin a comprehensive review and hold public hearings on necessary changes in our social-security system. This, it seems to me, is a more logical way to handle the matter than in the tax bill.

Mr. VANDENBERG. Mr. President, this subject is technically dull, yet its importance is measured by probably $1,500,000,000 of taxation on the workers and employers of the country in 1944.

Mr. WHITE. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum?

Mr. VANDENBERG. I thank the Senator for suggesting that a quorum be summoned, but I know that practically all Senators are familiar with the facts, and have made up their minds as to the stand they should take. My purpose in speaking as the author of the pending amendment is to make a record for the benefit of the House of Representatives, which has not this year passed upon the issue. Therefore I am content to proceed. I wish to make the record because the recent address by the able Senator from Rhode Island [Mr. GREEN], for example, indicates to me that there is a total misconception of the basis upon which our social-security system is now proceeding.

Mr. WHITE. Mr. President, I can understand the feeling of the Senator and his desire to make a record, but I cannot help feeling also that many Senators now absent would like to hear the Senator's address.

Mr. VANDENBERG. I thank the Senator very much. At the conclusion of the argument, when we are approaching a yea-and-nay vote, I may again summarize the issue. For the time being, I am making the record.

The problem involved in this amendment is comparatively simple when shorn of complexities which are unavoidably present in the social-security laws themselves, but which have no pertinent or necessary place in this present discussion. Therefore, the first thing I wish to do is to strip the pending issue to its plainest, simplest terms.

The existing social-security statute requires that old-age and survivor benefits shall be financed by pay-roll taxes equally levied against employers and employees. The tax on each was 1 percent until January 1, 1944—a date, however, which was temporarily extended for 60 days by recent congressional resolution in order to permit conclusive congressional action on this pending amendment to the tax bill.

The existing statute, as thus temporarily amended, would double this tax—increase it 100 percent on both employers and employees to 2 percent pay-roll taxes on each—for 1944. I may add parenthetically that the existing statute automatically increases this tax to 2½ percent in 1947 and to 3 percent in 1949.

The Senate Finance Committee, by a vote of 4 to 1, recommends that these pay-roll taxes be frozen for 1944 at the existing 1-percent level; that this rate of tax will produce ample revenues to pay all old-age and survivor benefits, and all administration expense for 1944, and wholly sustain fully adequate reserves; that, therefore, the 100-percent increase in pay-roll taxes should be postponed until 1945 at the earliest. This purpose is accomplished by the final title in the pending tax bill.

Thus the pending question comes down to this, shall the Senate vote, pursuant to the heavily preponderant majority of its Finance Committee, to freeze these pay-roll taxes at 1 percent for another year as Congress has done upon two previous annual occasions? Shall it keep a needless burden of $1,500,000,000 in unjustified taxation during 1944 from the backs of our workers and our employers?

Obviously the right answer depends upon whether the existing 1-percent tax is sufficient to pay old-age and survivor benefits in 1944, and also to sustain a completely adequate reserve which shall protect the unassailable integrity of the social-security system. Upon the importance of this latter objective there is absolutely no difference of opinion. It is a supremely sacred trust. Indeed, those of us who advocate the pending pay-roll tax freeze are so unequivocally committed to this trust that we decline to have it used for any ulterior purpose, no matter how worthy within itself, as is the clear intent of the Secretary of the Treasury in opposing the Senate Finance Committee's recommendation. I shall come to that later.

Whether the existing 1-percent tax is sufficient for all legitimate purposes becomes in turn almost exclusively a question of reserves, because, at current levels and existing rates, about 90 percent of these pay-roll tax proceeds go into reserves.

To understand the status of the reserve problem requires a very brief résumé of the history of the Social Security Act. It was originally set up, about a decade ago, on the basis of a so-called full reserve—that is to say, upon substantially the same actuarial basis as a private insurance company would require, despite the clear fact that a public tax-supported insurance system can invincibly rely upon a far different type of resources and financing. This original set-up on a full reserve basis contemplated by 1980 a gargantuan reserve of $47,000,000,000.

I have always been advised that the President's Committee on Economic Security, which did yeoman service in laying the groundwork for the Social Security Act, was opposed to the full reserve idea for a public tax-supported system, and that the Committee's actuarial advisers were a unit against it. I believe that most of these expert advisers favored an even smaller contingent reserve than we now maintain. But the President insisted upon the full reserve; and it went into the original Social Security Act largely as a result of the appearance of Secretary of the Treasury Morgenthau before the House Ways and Means Committee on February 5, 1935. His testimony, which is available, speaks for itself. He candidly stressed the interest which the Treasury had—not in social security but in retiring a large part of the public debt from the proceeds of the pay-roll tax. He built up his case in favor of clearing away the general public debt before the country should confront the major burdens of the Social Security Act. In other words, his position was primarily related to the general national debt and not to social-security necessities.

Mr. President, I assert that this is the Secretary's position today. He is not contesting the pending recommendation of the Senate Finance Committee—he is not asking that these current pay-roll taxes on our workers and on our employers be doubled—because he questions the adequacy of social-security reserves. He could not because he is on record otherwise, as I shall presently explain. No; he is interested in 1944 as he was in 1935, in what? In retiring a large part of the public debt from these special taxes, levied for a trust purpose, and assessed against only a portion of our people. With the greatest sympathy, Mr. President, for Secretary Morgenthau's tough responsibility in financing our war bills, and without intending the slightest reflection upon his collateral

motives in this respect, I simply cannot agree with him that social-security pay-roll taxes should be levied for anything except direct and essential social-security obligations as written into our social-security contracts with some 40,000,000 workers. Such also is the position twice taken by Congress in recent years, and as once more taken by the Senate Finance Committee.

Lest there be any unfortunate misunderstanding about this business, let me clearly say that the use of social-security pay-roll revenues to retire the national debt does not even remotely suggest maladministration of the funds. This use is inherent in the system itself since all its reserves must be invested in Government bonds. The Treasury gets the money and spends it on general obligations. It puts equivalent bonds—its I O U, as it were—in the social-security reserve. It pays interest on the bonds. But if Social Security ever wants to use the bonds themselves, they must be sold all over again. The more bonds the Treasury puts into social security the less it has to sell to the public. Hence doubling social-security revenues this year is equivalent to a War-bond windfall for the Treasury. That has appealing aspects in these hard-pressing, red-ink days at the Treasury. But the point is that it has nothing to do with social security; and it is our incorrigible contention—speaking for a majority of the Senate Finance Committee upon this issue—that social-security taxes should never be levied for anything but direct and indispensable social-security purposes. That is our idea of a public trust.

But let me get back to my "reserve" narrative. The vice to which I have just referred is inherent in the "full reserve" formula upon which the Social Security Act was originally launched. Because a public, tax-supported insurance system does not require a "full reserve" for its own integrity, it is inevitable that a "full reserve" collects more pay-roll taxes than social security itself requires. This began to become apparent shortly after the old-age and survivor program was launched. Back in 1935, I quizzed 70 top executives of old-line life-insurance companies—I am sorry that the able Senator from Rhode Island [Mr. GLEEN] is not present to confront this testimony—I quizzed 70 top executives, experts whose judgment on such a subject should be the best available. Sixty-nine out of the seventy replied flatly that the existing "full reserve" in the Social Security Act was wrong and that the alternative of a much smaller "contingent reserve" was right. Two ex-presidents of the Actuarial Society of America were among these sustaining witnesses. By joint action of the Senate Finance Committee and the Social Security Board, a special, external advisory committee of experts was then set up to canvass this and other related social-security matters. The result is well summarized in a recent speech by Mr. M. Albert Linton, president of the Provident Mutual Life Insurance Co. of Philadelphia, who was a member of this advisory council. I quote:

> Following a 4-year discussion of the financing of social security, Congress adopted in 1939 for the old-age and survivors insurance system a pay-as-you-go plan—

And this is precisely what we did, and we did it conscientiously and we knew exactly what we were doing. I continue with the quotation—

> supplemented by a contingency reserve to offset, during times of poor business, possible decreasing tax receipts and increasing benefit payments. It was felt that the presence of a large excess of income over outgo year after year, accumulating in a reserve fund that might reach a total of $40,000,000,000 or $50,000,000,000, would make it difficult to protect the system against political pressure groups seeking to enlarge benefits dangerously or to spend the extra money in unsound ways. Successful efforts by such groups could easily undermine the foundations of the whole system.

Thus it came to pass in 1939 that Congress consciously abandoned the "full reserve" basis and went over to a "contingent reserve."

Mr. MURRAY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. WILLIS in the chair). Does the Senator from Michigan yield to the Senator from Montana?

Mr. VANDENBERG. I yield.

Mr. MURRAY. I should like to have the Senator from Michigan point out the statutory language by which Congress accomplished that result.

Mr. VANDENBERG. If the Senator from Montana will bear with me, I am coming to the point to which he refers in just a moment, and I shall quote the language verbatim.

Let me interrupt the narrative long enough to give one example why a public, tax-supported insurance system does not require a full reserve, because an understanding of this proposition is essential to an understanding of the basic problem which we confront in this regard. Remember that the original social-security prospectus contemplated an ultimate full reserve of $47,000,000,000 at 3 percent in 1980. Call it $50,000,000,000 for easy calculation. In 1980 the Government would have to raise $1,500,000,000 in general taxes to pay the interest on the bonds in this $50,000,000,000 reserve, in addition to having raised the $50,000,000,000 previously by pay-roll taxes. But if instead in 1980 the Government made a direct appropriation of $1,500,000,000 to social security, the net result to social security and to the taxpayer would be precisely the same; and it would not have been necessary to take the $50,000,000,000 out of the hides and purses of the American people at all. The faith of the Government is behind social security precisely as it is behind its bonds. A default in either would be civil treason. In either event, social security has to depend upon Congress for an adequate appropriation. What difference does it make whether the appropriation is for bond interest or for direct contribution in the same amount? What difference does it make to social security? What difference does it make to the taxpayer? None, except that the taxpayer has been saved $50,000,000,000 in the interim. If we keep the full reserve, we pledge the Congress to vote whatever appropriations are required to pay interest on the bonds. If we transfer to a contingent reserve, we pledge the Congress to an equivalent direct appropriation to social security to preserve the integrity of its obligations. But, in the latter event, we have saved our workers and our employers from the hard necessity of heavy taxes to accumulate the full reserve.

Perhaps I have oversimplified the problem in my anxiety to make it plain. But in essence this was the issue in 1939 when Congress, upon expert advice, abandoned the full reserve and went over to a contingent reserve. Congress has twice confirmed this decision in the intervening years. It is precisely the same issue, Mr. President, which once more confronts the Senate today, because, beyond peradventure, the existing 1-percent pay-roll tax is totally sufficient for an old-age and survivors' benefits reserve.

It only remains for me to prove this sufficiency. I do it out of the mouth of Secretary Morgenthau himself, and out of the text of the statute.

This is the question: How large a "contingent reserve" should we provide in order absolutely to maintain the complete integrity of the old-age and survivor benefit reserve under social security? How large should the reserve be? That is the only question.

I am now coming to a direct answer to the question submitted to me by the able Senator from Montana.

Testifying before the House Ways and Means Committee on March 24, 1939, Secretary Morgenthau really addressed himself for once to social-security considerations and temporarily abandoned his previous and his present "public debt" theme. He laid down a specific yardstick to measure an adequate reserve. This was it—Mr. Morgenthau speaking:

> We should not accumulate a reserve fund any larger than is necessary to protect the system against unforeseen declines in revenues or increases in the volume of benefit payments. Specifically—

Mr. Morgenthau still speaking—

> Specifically, I would suggest to Congress that it plan the financing of the old-age-insurance system with a view to maintaining for use in emergencies an eventual reserve amounting to not more than three times the highest prospective annual benefits in the ensuing 5 years.

There is only one weasel word in that otherwise admirable definition—"eventual." I do not know when "eventual" is. But I submit that "eventual" certainly is now, when we have had practically 10 years of experience with the social-security law, and when the reserves far exceed even what Secretary Morgenthau "eventually" approved.

In any event, Congress gave the Secretary's advice immediate and current application. It amended, in 1939, title II of the Social Security Act to read as follows:

> The Board of Trustees of the Old-Age and Survivors' Trust Fund is required * * * to report immediately to Congress whenever the Board of Trustees is of the opinion that during the ensuing 5 fiscal years the trust fund will exceed three times the highest annual expenditures anticipated during that 5-fiscal-year period—

There is Morgenthau's rule embedded in the law.

and whenever the Board of Trustees is of the opinion that the amount of the trust fund is unduly small.

In other words, the law, insofar as it could, adopted the Morgenthau rule in respect to the essential size of the reserve; and while it could not specifically dictate the application of such a rule, it clearly expressed its own congressional approval of the Secretary's recommendation; and when this rule is observed, we have sustained wholly the integrity of the social-security reserves.

Mr. MURRAY. Mr. President——

Mr. VANDENBERG. I yield to the Senator from Montana.

Mr. MURRAY. I do not consider the language the Senator has just read as accomplishing what he states it accomplishes. It merely provides that whenever the board of trustees is of the opinion that during the ensuing 5 fiscal years the trust fund will exceed three times the highest annual expenditures anticipated during the fiscal-year-period, a report will be required from them; but there is nothing in that language to indicate that the Congress adopted any plan in connection with the matter at all. It merely calls for a report and states the time when the report will be required. That is all I can read from that language so far as its actual wording is concerned.

Mr. VANDENBERG. I do not think the Senator and I have any disagreement with regard to the statutory effect of the language and I tried to say so myself, but otherwise I disagree with him totally, for when the Congress consciously changed in 1939 in respect to its attitude toward these reserves and when by direct and specific recommendation of the Secretary of the Treasury it imbedded the Secretary's rule in instructions to the trustees of the social-security fund, I submit that it created a yardstick by which it intended the preliminary decisions at least to be made in respect to the solvency of the social-security reserves.

Mr. MURRAY. It seems to me that if they had any such purpose in mind they would have used appropriate language to express it so that there would not be any doubt about it. All this language does is merely to provide for report.

Mr. VANDENBERG. I think they did use the appropriate language. There was no way by which they could dictate specifically to the trustees of this fund precisely what their course should be, but no one can ignore the fact that this action of the Congress was preceded by a direct, specific, and unequivocal statement officially made by the Secretary of the Treasury to the House Ways and Means Committee in respect to this particular problem that a reserve three times as large as the anticipated expenditure in any one of 5 ensuing years was a reserve wholly adequate for the purpose indicated. If the Secretary was within a mile of being right, then we certainly need no action today looking toward an increase in the rate, because I shall now indicate how much safer we are than even the Secretary himself would have required.

Remember the language of the statute. Congress in the statute put upon the board of trustees—and the Senator from Montana cannot misread at least this phase of the statute—the statute put upon the board of trustees of the old-age and survivors' trust fund the obligation of notifying us if, as, and when they thought the reserve was endangered, and particularly if it were endangered through any lapse in this Morgenthau rule.

Has the board of trustees reported to us that the amount of the trust fund is unduly small? It has not. Has the board of trustees reported that "during the ensuing 5 fiscal years the trust fund will exceed three times the highest annual expenditures anticipated during that 5-fiscal-year period"? It most emphatically has, and I present the indisputable figures. Follow me, Senators. This is the crux of the whole matter. These figures must be the basis of our verdict.

For the fiscal year ending June 30, 1943, we collected $1,130,000,000 in these pay-roll taxes. We paid out $149,000,000 in contractual benefits and $27,000,000 in administrative expenses. The balance of $954,000,000 went into the contingent reserve. This brought the reserve up to $4,300,000,000.

Now, let us get back to Mr. Morgenthau's rule. He volunteered it. He gave it to us as his best judgment. He made it officially. Let us apply his rule.

The heaviest annual cost of benefits and administrative expenses from 1943 to 1948 is estimated by the Social Security Board from a low of $415,000,000 to a remotely possible high of $813,000,000. In other words—and remember the Morgenthau rule—the present contingent reserve is about 11 times instead of 3 times the low estimate of the greatest expenditure in the next 5 years and better than 5 times instead of 3 times the highest,

The low estimate is the one which the Social Security Board has made in respect to normal expectancy under existing circumstances. The normal expectancy under existing abnormal circumstances is that the reserve is 11 times instead of 3 times the highest anticipated expenditure in the next 5 years, and if we conjure every possible hazard possible, and reduce the figure to a mathematical magnitude, which is the utter limit of the imagination of the Social Security Board, if we take its high estimate of the highest expenditure to be contemplated in the next 5 years, still the reserve is about 5 times instead of 3 times the necessary size. And Mr. Morgenthau certainly can sleep nights.

Mr. President, the situation is even more challenging than this set of figures indicates. The very able Dr. Altmeyer, the Chairman of the Social Security Board, although opposing this "freeze" because he still thinks in terms of "full reserves" conceded in his current testimony before the Senate Finance Committee—and listen to me—that if no employer or employee contributions were collected at all in 1944, the reserve assets on December 31, 1944, would amount to about $4,600,000,000, which is more than 3 times the estimated expenditure 5 years later, in 1949. In other words, the most authoritative witness there is, the Chairman of the Social Security Board himself, testified officially to the Senate Finance Committee that if we did not levy a penny of pay-roll taxes in 1944, at the end of the year still the reserve would be within the rule of complete safety and integrity.

Mr. President, in the face of such situations and such unanswerable statistics as those, I do not understand how any responsible Member of Congress can agree that pay-roll taxes should be increased 100 percent in 1944 upon the workers and upon the employers of this land.

I submit that Mr. Morgenthau's rule is completely vindicated, and so is the integrity of the social-security reserve, by maintaining the present pay-roll tax rate of 1 percent, the spirit of the statute is fully observed, the social-security reserves remain wholly adequate. Indeed—and this is official—we shall collect more in 1944 in the way of pay-roll taxes at the existing 1-percent rates on workers and employers, than was contemplated to have been obtained at 2 percent when the 2-percent rate was written into the original statute. Let anyone get away from that who can.

It is said we must live up to the literal intent of this section which was written into the law several years ago. Yet, when this literal statute was enacted, it contemplated a certain given income from pay-roll taxes in 1944, at 2 percent. We shall have more at 1 percent than was contemplated at 2 percent.

Under such circumstances, I repeat, there is not one scintilla of justification for doubling the pay-roll tax next year, as will occur automatically unless the pending amendment shall be approved. I submit that it would be an unconscionable tax gouge, from which our workers and our employers are entitled to be protected when they confront so many perplexing and difficult fiscal burdens.

I wish to add merely one or two desultory observations Mr. President. It has been said that this tax should be permitted to double next year by way of attacking inflation. I totally agree that we must be at all-out war against inflation, but the war against inflation is the problem of our whole people, and I submit that we have no right to reach into a trust fund of the Government of the United States, held there presumably for the trust benefit of the old-age and survivor beneficiaries—in order to deal with inflation, or any other collateral objective. We cannot use a trust fund for collateral purposes without violating the trust, and, so far as I am concerned, the Social Security Act is as solemn a trust as it would be humanly possible for the Government of the United States to enter upon.

It has been said that we should wink at the increase in the rate at this time, and let it go, in spite of the fact that the arithmetic denies any semblance of justification for doubling the tax. It is said we should do it because it is easy now for workers to pay more taxes.

Again, Mr. President, that is a collateral consideration; but I wish to observe this much in connection with it. There are fifteen or twenty million white-collar workers in this country who have had no increased increment because of the war effort. Practically all of them are included under social security, and if there is any group of citizens in this land who need the sympathetic consideration of the Congress, it is the classification of white-collar workers, who are among the prime casualties of the war effort.

The President himself in his message sent today to the Congress, spoke most feelingly about the necessity for remembering the plight of these people. I quote the President—it is nice to agree with him—

> And I hope you will remember that all of us in this Government represent the fixed income group just as much as we represent business owners, workers, and farmers. This group of fixed-income people include: teachers, clergy, policemen, firemen, widows, and minors on fixed incomes, wives and dependents of our soldiers and sailors, and old-age pensioners. They and their families add up to one-quarter of our 130,000,000 people. They have few or no high-pressure representatives at the Capitol. In a period of gross inflation they would be the worst sufferers.

I am speaking for that particular group, Mr. President, at this moment. I am saying that that group has a primary right to expect Congress to save it from a double social-security tax when the doubling of that tax has no relationship whatsoever to the integrity of the social-security system.

Then I hear it said that this is an easy time for employers to confront a little extra levy by the way of taxation. Mr. President, that is true in a great many cases, but here again there are tens of thousands of the small businesses of this country which are just on the border line between life and economic death. No one knows that better than the able Senator from Montana [Mr. MURRAY], who has done such yeoman service in their behalf. Without any exception, I venture to say, these small businessmen up and down the country are begging Congress not to increase needlessly by 100 percent a pay-roll tax which is not necessary to maintain the solvency of the social-security trust funds. They are entitled to be heard.

Mr. President, I wish to add that this question has nothing whatever to do with the expansion of social-security coverage or the increase in social-security benefits. There can be no question in the world that Congress ought to expand social-security coverage in many sensible directions; there can be no question in the world that social-security benefits in many aspects ought to be increased; but when that time comes the pay-roll taxes should be adjusted to the new contracts, and the contracts should never have to pay for anything except the things which are in the contracts. I submit that we have no right to use the existing contractual obligation for the creation of funds that shall be used for some other expanded purpose. That question will be met on its own merits when the time comes.

Mr. President, I could present countless letters from the country sustaining the committee's recommendations. I am content to present only two, but I think they are highly significant. I suggest to the Senate that the National Association of Life Underwriters, which ought to know more about the techniques of insurance responsibilities than any other group of men in this land, stands squarely behind the Senate Finance Committee in recommending the approval of the pending proposal.

I present one other letter. Mr. President, I suppose the greatest pioneer in behalf of social-security legislation in the history of the United States was the late Mr. Abraham Epstein, of New York, who for many years was president of the American Association for Social Security. Since his death his wife has served as vice president of the same organization. Mrs. Epstein speaks today, as her husband spoke before her, against the full reserve system in respect to the social-security financial structure, and speaks specifically and directly and appealingly in favor of a pay-as-you-go basis, a contingent reserve, and the amendment which once more is pending before the Senate.

In conclusion I wish to say, Mr. President, that Congress has acted upon this question twice before under similar circumstances. The last time the Senate voted on the question was on October 9, 1942, when it voted, 50 to 35, in favor of the same kind of a freeze which once more is contemplated by the pending amendment. It is not a partisan question, as indicated by the fact that of the 50 Members of the Senate who upon the last roll call upon this subject voted to freeze the pay-roll tax, 26 were Republicans and 24 were Democrats. It is not a question which divides upon political or partisan grounds. It is a question rooted in economics.

I submit that the amendment of the Senate Finance Committee is sustained by the record, it is sustained by the figures, it is sustained by the recommendations of the Treasury, and is sustained by ordinary common sense.

Mr. MURRAY. Mr. President, I am opposed to the amendment which the Finance Committee has added in title IX of the 1943 tax bill. This amendment would again delay the increase in old-age and survivors' insurance tax rates from 1 to 2 percent, which is scheduled to go into effect on March 1.

We believe that continued delay in increasing these rates is very unwise, not only from the standpoint of present and future social-security contributors and beneficiaries, but also from the standpoint of general taxpayers and the future fiscal position of the Federal Treasury. The reasons advanced by the committee in support of the proposed amendment absolutely fail to justify the proposed action. Finally, I will proceed to show that the committee report on the tax bill contains statements which undertake to modify the whole method of financing social security and without Congress having taken any corresponding action on the law itself. I will discuss the committee report later.

In 1935 Congress provided that pay-roll tax rates for old-age insurance should begin at 1 percent each on employers and employees in 1937, and increase at 3-year intervals by one-half percent until rates reached 3 percent each in and after 1949. The reason for taking 12 years to reach the full 3-percent rates was to impose the ultimate tax burden of the program gradually.

In 1939, after careful deliberation both by an advisory council and by Congress, benefit provisions were changed so as to increase benefits in the early years and the original tax provisions were somewhat modified. The 1939 legislation provided that the rate of 1 percent each on employers and employees would continue through 1942. The rates were then to rise to 2 percent each in the next 3 years—1943, 1944, and 1945, as originally scheduled; and were to be 2½ percent each in 1946, 1947, and 1948, and 3 percent each in and after 1949. The Revenue Act of 1942 again postponed the scheduled increase by amending the 1939 legislation to continue the 1-percent rate of employees and employers throughout 1943. House Joint Resolution 171, after amendment in the Senate, extended the 1-percent rates through February 1944. The committee amendment now before us proposes to freeze the 1-percent rates throughout the whole of 1944.

Mr. President, the basic reason why it is unwise to freeze rates at 1 percent for the eighth successive year is that the social-security program is committed to pay benefits which will lead to steadily increasing disbursements for a long time. Because the program is new, only a small part of the present aged population can qualify for benefits. As time goes on, many more people will hold benefit rights when they reach age 65. The proportion of old people in our total population also is increasing rapidly. In addition, benefit payments increase rapidly in the initial years of any insurance program which pays long-term benefits, because new beneficiaries are added to the rolls more rapidly than names are removed by death or for other cause. Still another special factor has held down current benefit costs. That is the opportunity which older workers have in wartime to continue in jobs or go back to work rather than to retire and claim benefits. There are more than 600,000 aged workers—and in many cases also the aged wives of such workers—who now hold rights to insurance benefits which they can claim whenever they wish to or must retire. We must expect a sharp and sudden rise in benefit disbursements whenever war activity slows down and young men return to industry and the older workers retire. Even more important, we must expect that disbursements will continue to rise for a half century or more. Actuaries estimate that the annual expenditure for benefits will increase to as much as 20 to 25 times the amount spent in 1943.

Unless ample provision is made for meeting high future disbursements, there is grave danger that before long we will find that our system of old-age insurance is not soundly financed. This requires that those receiving benefits in

the early years of the system, together with their employers, should pay proper premiums for their benefits. If unsound financing should become evident later, this situation would demand drastic financial action by Congress or would constitute a serious threat to the future benefit rights of persons who are now contributing regularly to the program and who are looking forward to receiving benefits in their old age. Thus, the policy laid down in the committee report, again freezing the tax rates, jeopardizes the future finances of the program.

Mr. President, no one has challenged the fact that the cost of old-age insurance will be higher in later years. Actuaries both within and outside the Government have estimated at various times that the annual disbursements may become as much as 10 or even 12 percent of pay rolls, though it may turn out to be somewhat less. The highest contribution rates now scheduled in the law—those for 1949 and thereafter—would total only 6 percent. It would be shortsighted and dangerous to shut our eyes to these future costs by failing to lay aside money in the earlier years when disbursements are deceptively low. Such ill-considered action would pass almost the entire financial burden along to future generations. It would mean also that without more than cursory consideration we took it upon ourselves to reverse the judgment of past Congresses which, after long deliberation, established the basic policy of an early and regular increase in contribution rates up to the level of 3 percent each.

The committee report advances as one justification of its proposal that collections at the 1-percent rates are now actually higher than were originally estimated for the same period at the 2-percent rates. This statement is only half the story, and proves nothing by itself, since it takes no account of changes in the obligations of the system.

It is true that high wartime employment and wages have led to an increase in contribution revenues not foreseen when the 1939 legislation was passed. But another equally unforeseen thing has also happened. The war has substantially increased the future obligations of the system as well. The number of contributors to old-age and survivors insurance, which determines the number of future beneficiaries, was less than 32,000,000 in 1938. By 1942 the number had risen to nearly 45,000,000. Workers are earning more than ever before. Therefore, the individual benefits eventually payable to this larger number of workers will also be larger than was estimated. Thus, the committee report gives a wholly inadequate picture of the effect of the war on the finances of old-age and survivors' insurance by stressing only the revenue side of the picture—stressing only current income, and ignoring currently accruing obligations.

The committee report records the belief of the Finance Committee "that the present and prospective revenues from this tax will amply protect the full and complete solvency of the old-age and survivors' benefits fund." I cannot understand how the committee has found it possible to determine the effects of its proposal on the long-run solvency of the fund. This problem requires intensive actuarial analysis for which the committee itself has no facilities. The committee's conclusion as to the desirability of freezing the rates is, it should be noted, in direct conflict with the judgment of the Social Security Board and the Board of Trustees of the system, agencies which have the necessary technical facilities for making a comprehensive actuarial analysis.

Leading newspapers whose editorial views are customarily given much weight differ sharply from the committee on the soundness of its proposed amendment. Among major newspapers which have taken a forthright position against the freezing of the pay-roll tax rates are the Wall Street Journal, the New York Times, the Chicago Sun, the Washington Post, and the Chicago Herald and Examiner. I shall read brief extracts from recent editorials of each of these newspapers, which I understand have been ordered printed in the RECORD at the request of another Member of the Senate, who spoke earlier in the day.

In the Wall Street Journal of December 27, 1943, the editor states:

> This newspaper believes that the increase in this pay-roll tax which the statute had scheduled for the opening of 1944 should have been allowed to go into effect; it believes that Congress should permit that to happen on March 1 by allowing the 60-day postponement to expire.

The editorial goes on at much length in discussing this matter.

The Wall Street Journal, in an editorial published on November 29, 1943, said:

> So far as this newspaper is aware, no good reason bearing upon the merits of the pension system has been advanced for again postponing the increase at a time when both employers and employees are well able to bear it.

That editorial likewise extends its remarks to some considerable length in discussing the matter.

In the New York Times of September 26, 1943, the editor says:

> The scheduled increase in the tax, therefore, should now be permitted. The annual yield would be approximately $1,000,000,000.

The Chicago Sun said on November 24, in discussing the matter:

> The law calls for an automatic rise in these contributions on January 1, just as it did a year ago. Senator VANDENBERG succeeded in forestalling the rise then on the argument that obligations of the social-security fund in the immediate future could be met at the lower rate of taxation. He offers the same argument for a tax freeze this year.
>
> If the Senator has his way, individuals and corporations will be relieved of $1,200,000,000 in scheduled pay-roll taxes, and thus the job of controlling inflation will be rendered that much harder. The Treasury, assuming that this $1,200,000,000 would be collected, has told us that $10,500,000,000 additional were needed to provide adequate tax safeguards against inflation. The House reduced this figure to slightly over $2,000,000,000, and now Senator VANDENBERG proposes to reduce that by another $1,200,000,000. The net effect would be to levy taxes of less than $1,000,000,000 in the face of expert testimony that more than $11,700,000,000 are needed. That comes mighty close to a congressional strike against inflation control.
>
> Apart from the inflationary implications, there is excellent ground for following the original intent of the social-security law. Due to heavy war employment, new obligations are being created every day, and to make sure of meeting them contributions must rise gradually, as previously contemplated. Arthur J. Altmeyer, Chairman of the Social Security Board, has warned Congress that it would be unwise to defer the increase in contribution rates now scheduled to take effect on January 1. As he points out, deferment of the increase can only mean that contributors will have to pay higher rates later, perhaps under less favorable circumstances.

The major labor organizations of the country have taken an unequivocal stand in opposition to the further freezing of pay-roll tax rates. These organizations, it should be noted, represent millions of workers who stand ready to pay an increase in their contributions. Statements from both the Congress of Industrial Organizations and the American Federation of Labor were introduced at the hearings before the Finance Committee in October on the freezing of pay-roll tax rates—pages 53 and 54—in opposition to the course now proposed by the committee. Labor is fully willing to pay the increased tax, because it knows that the program is worth while and wants it maintained on a solid financial basis. Therefore, it hardly behooves persons not representing labor to profess that they are serving the interests of workers when they oppose the increase in contributions. Labor knows clearly that failure to finance the program soundly now may endanger the program itself in the not-too-distant future. It is unwilling to take this risk.

The basic theme running through the remarks on the Finance Committee report—pages 18 and 19—is that freezing of pay-roll tax rates would represent only a continuation of a policy established in 1939. I propose to show that this is not only an incorrect view, but also that the committee report actually undertakes to rewrite the whole basis of financing old-age and survivors insurance. The report, moreover, proposes to do this, not by amending the law but merely through the medium of the committee report itself. I trust that the Senate will agree with me that changes involving billions of dollars in a program of the far-reaching importance of the social-security program should not be made simply through the medium of the text in a committee report. So sweeping a change in policy should be made only through specific statutory provisions on which there have been full hearings and debate in both Houses of Congress.

As I have indicated, in 1939 Congress amended the benefit provisions and delayed an increase in social-security tax rates for 3 years, with the intention of regaining the level of the original schedule in 1943. Congress did not, in any way, however, define the type of reserve it was setting up, nor did it set forth any policy as to what either the maximum or minimum size of the reserve should be.

A provision—section 201 (b) (3)—was inserted in the Social Security Act in 1939 requiring the board of trustees to report immediately to Congress whenever the board was "of the opinion that during the ensuing 5 fiscal years the trust fund will exceed three times the highest annual expenditures anticipated during that 5-fiscal-year period, and whenever the board of trustees is of the opinion that the amount of the trust fund is unduly small." The committee report now claims that the first part of this provision established a new congressional policy as to what the maximum size of the reserve should be. There is absolutely nothing in the law itself to confirm this claim, nor can anything on this point be found in the reports of the Senate Finance Committee or the House Ways and Means Committee on the 1939 legislation. The so-called three-times rule means just what it says. That is, it is a rule which does no more than specify the circumstances in which the Board of Trustees shall make interim reports to Congress in addition to the regular annual report. It does not in any way represent a binding congressional rule specifying when reserves are adequate or setting the maximum size of the reserve.

If, as the committee report asserts, Congress intended that this provision—which deals solely with reports to be made by the board of trustees—should establish a new congressional policy, such an intent would be similarly inherent in the latter part of the provision which requires a trustee's report when the fund is unduly small. Moreover, there is nothing in the law or in the 1939 committee reports explaining that part of the provision—there is no indication of what standard should be applied to determine when the fund is too small or what action Congress would take to rectify the smallness. The essential point I wish to make is that the provision of the law containing the three-times rule, on which the present committee report primarily rests its argument for freezing the tax rates, does not in actual fact prescribe any specific reserve policy—full reserve or contingent reserve. In fact, these words do not appear in the law, and there is no agreement what those words mean.

Despite this fact the committee report—page 18, second paragraph, second sentence—appears to be promulgating a formal interpretation which would make the three-times rule agree with the views of those who now wish to freeze the tax, although that rule was written into the law only as a rule determining when certain reports shall be made to Congress by the board of trustees. The present committee report reads the following interpretation into the law:

> Congress indicated that these contingent reserves are adequate whenever they exceed three times the highest cost of the system in any 1 of 5 subsequent years.

Through this statement the committee report actually undertakes to rewrite the whole financial basis of old-age and survivors' insurance by setting up what is not now in the Social Security Act, namely, a rule to determine when the reserve is adequate in size. I submit that a change of this magnitude is a matter which should be debated and voted on by the Congress, on its merits, after adequate hearings and full debate. It should not be effectuated merely through a discursive phrase in a committee report on a general tax bill. Whether or not the committee amendment to the tax bill is adopted, it should be made perfectly clear by the Senate at this time that the attempt to rewrite the basic financial provisions of the insurance system by means of the committee report does not represent Senate action upon the matter.

In the last paragraph of the committee's statement on social-security taxes (page 19), the report states that it is obviously true that the new reserve policy which it reads into recent congressional actions on pay-roll taxes means that Congress obligates itself to make whatever subsidies are necessary to maintain the solvency of the trust fund. That this commitment is less obvious than the committee's statement implies is evident from the report by the same committee on the social-security amendments of 1939—report 734 of the Seventy-sixth Congress, first session. In its 1939 report the committee pointed out, on page 18, that if future pay-roll tax collections plus interest should prove insufficient to meet future annual expenditures for benefits, it would be necessary to increase the pay-roll tax or to make up the deficiency out of general taxes, or to do both. In other words, in 1939 the committee declared that there were three alternative ways—not one obvious way—of meeting a deficiency in social security revenues: First, through raising pay-roll taxes; second, through a Government subsidy; or, third, through both. The committee's 1943 report does not mention the possibility of increasing pay-roll taxes above the scheduled 3 percent if the freezing of rates in early years impairs the solvency of the fund: it says only that Congress is obviously obligated to provide a Government subsidy if one is needed. The disagreement between the 1939 and 1943 reports would indicate that an implicit congressional obligation to provide a subsidy was by no means so obviously intended as is now stated in the committee report.

If contribution rates are kept persistently below those originally scheduled, in direct conflict with the advice of agencies administering the program, the least that Congress should do now to protect the financial integrity of the system is to incorporate a provision in the Social Security Act itself, immediately and explicitly authorizing a Government subsidy. This would replace revenues lost to the fund through congressional action in scaling down the scheduled contributions. I assume that the Finance Committee would have no objection to such an amendment, since its report states that Congress has already obligated itself to provide subsidies. Such an amendment would ensure that the finances of the program would not be endangered by past and projected freezings of the tax rate. It would also provide statutory recognition of the process which is actually taking place, namely, the process of shifting to future taxpayers most of the cost of benefits now being earned by present contributors. At the 1 percent rate, present contributors, together with their employers, are paying only a fraction of the full cost of their benefits. Congress should not adopt so imprudent a fiscal policy; but if it does, Congress should make sure that it is not adopted at the expense of future beneficiaries.

Mr. President, I come to another aspect of this subsidy question. I wish to refer to a section of the committee report which makes a serious factual blunder, one which is so large and so serious as to suggest that this entire section of the committee report must have been hastily prepared and inadequately considered. Perhaps this can be explained for us by the distinguished chairman of the committee, or by the Senator from Michigan, who has been the most active Member of the Senate in pressing for the pay-roll-tax freeze.

On page 19, in the last paragraph of the section on pay-roll taxes, the committee report declares that it makes no difference to the taxpayer whether one and one-half billion dollars is appropriated to pay interest on the investments of a reserve fund, or whether one and one-half billion dollars is directly appropriated as a Government subsidy to the old-age and survivors' insurance system. I shall show that it makes a very great difference. In fact, it makes a difference of precisely one and one-half billion dollars. Let me explain this very important point.

The committee report uses two illustrations. It assumes in one case that there is no old-age reserve, and in the other case that there is a reserve of $50,000,000,000 in Government securities. At a 3-percent rate of interest, the interest earnings of $50,000,000,000 are one and one-half billion dollars a year. Therefore, if there were a reserve of $50,000,000,000 invested in Government securities, the taxpayers would provide the Treasury with one and one-half billion dollars a year to pay the interest. And this one and one-half billion would go to the insurance system to help pay the benefit disbursements as they come due each year. If there were no reserve, the insurance system could get a subsidy of the same amount by the taxpayer paying one and one-half billion dollars in taxes to finance a direct subsidy. Up to this point, and only up to this point in the analysis, the committee report is correct. But beyond this, the report commits a serious error. It overlooks an essential point.

The committee report completely forgets or ignores that if there is a reserve of $50,000,000,000 in the trust fund, the Treasury has had the use of that $50,000,000,000 invested in Government securities, and that that is $50,000,000,000 which the Treasury did not need to borrow from other sources. In other words, if there is this reserve fund, the rest of the public debt is just that much less than it would otherwise have been.

The interest obligation on the public debt, other than the trust fund, is therefore one and one-half billion dollars less than it would have been if there were not this reserve in the trust fund.

On the other hand, if there is not this reserve fund, the rest of the public debt would be $50,000,000,000 larger and there would be an additional interest obligation of $1,500,000,000.on that additional public debt in the hands of the public.

We must keep in mind that the size of the total public debt depends on factors additional to the presence or absence of an old-age reserve, and that the total amount of the public debt will be approximately the same whether or not there is an old-age reserve. What is concerned here is how much of that public debt is owned by the old-age trust fund.

Now let me summarize. If there is no such reserve fund of $50,000,000,000, taxpayers will have to pay out each year $3,000,000,000—$1,500,000,000 in interest to private holders of $50,000,000,000 in Government securities, plus $1,500,000,000 as a subsidy to the social-insurance system. If there is such a reserve fund, taxpayers will have to pay only the interest on that $50,000,000,000 to the credit of the insurance trust fund, which is only $1,500,000,000 a year. The difference between $3,000,000,000 a year and $1,500,000,000 a year, or $1,500,000,000 a year, is what the paragraph on page 19 of the committee report dismisses as something which makes no difference. Yet it must be clear on careful inspection that the taxpayers' burden will be double if they pay in the form of a Government subsidy. It will make a great difference—at least to taxpayers—which policy is followed, whether a reserve is or is not built up.

I have taken some time to explain this point in detail, because it shows how serious and how far reaching are the changes proposed in the committee report in its defense of "freezing" the pay-roll tax. The mistakes made in the committee report are so serious that they deserve a full inspection and explanation. I repeat what I said earlier, namely, that I hope the chairman of the committee, or the Senator from Michigan, will address himself to this problem. I can only say that the fallacy to which I have called attention further confirms what I have said, that the pay-roll tax "freeze" has been inadequately considered, its full effects have not been realized, and the Senate should not accept the amendment proposed in title IX of the revenue bill now before us.

Next, I want to take up another point which follows logically. Objection has been raised in the past against a Government subsidy to the old-age and survivors' insurance system because the system covers only a limited fraction of the population. So long as coverage is limited, only part of the population would benefit from a direct Government subsidy, while the whole population would be taxed to finance such a subsidy. The limited coverage still exists, so that a Government subsidy is not wholly equitable. With each freezing of the pay-roll tax rates, however, the likelihood that such a subsidy will be necessary in order to maintain the solvency of the system, becomes increasingly probable and imminent. Thus, freezing the tax rates contributes toward needing a subsidy, but a subsidy should be preceded by broadened coverage.

The obvious solution of this dilemma is to extend the coverage of the system now. Such extension has been widely urged, but no action has yet been taken. The bill (S. 1161) which the Senator from New York [Mr. WAGNER] and I have introduced, providing for a unified social-insurance system, would extend coverage to nearly all groups now excluded. Nearly everyone would be covered. Then there could be no objection to a Government subsidy, because all workers as well as all business and the entire nation would be benefiting from the insurance system. The interrelationship between tax rates, Government subsidy, and coverage is evident. Because of this interrelationship and the importance of the issues involved, I believe that the only proper course for the Senate is to reject the committee amendment to the tax bill and to look forward to prompt consideration by the Finance Committee of the whole field of social-security legislation. This course would permit careful review of the underlying financial principles of the entire program. It would avoid inadequately considered changes in the present basic financial policy of the program through the mere medium of a short committee amendment tacked onto the end of a long tax bill and a few brief statements in a committee report. This committee amendment should be defeated.

I urge that, instead, the committee give full and comprehensive attention to the need for broad social-security legislation at the first proper occasion. The public has shown through many public-opinion polls that it wants such legislation and is prepared to pay for the benefits.

The PRESIDING OFFICER. The question before the Senate is on the adoption of the committee amendment inserting Title IX—Social Security Taxes.

Mr. BARKLEY. Mr. President, I wish very briefly to address myself to this amendment as one of the members of the Finance Committee who voted against its adoption in the committee.

I think that this is the third time the Congress has been asked to freeze the pay-roll tax. It has been done heretofore, at the beginning of 1943 and 1942. On one other occasion when the same proposal was before the Senate I expressed my doubt of its wisdom. I have graver doubt now of its wisdom than I have had heretofore.

I realize how attractive it is to freeze taxes; I realize that when taxes are not for war purposes, freezing them offers an attractive argument against further increases, no matter what the purpose of the taxation may be. But I think we must consider the basis of the social-security law and its purpose as wholly independent from war taxation. It is for that reason that the original act passed in 1935 provided for a pay-roll tax, 1 percent to be paid by employers, 1 percent by employees, which was to be stepped up automatically until it reached the total of 6 percent, divided equally between employers and employees, with a view ultimately of creating a fund of some $50,000,000,000, which, at the 3-percent rate provided for in the law, would yield one and one-half billion dollars a year for the benefit of those who had created the fund.

Of course, in passing that law the Congress of necessity had to take a longer view than any 5-year period which we could then contemplate or can now contemplate. I do not believe any 5-year period since the law was enacted, the present 5-year period or any imaginable 5-year period within the next few years, can be used as a yardstick or fair criterion for determining what this fund will ultimately need when the peak of these obligations has been reached.

Those who were responsible for the original enactment of the legislation held long hearings and made exhaustive investigations not only of the situation in the United States, but of the experiences of other countries in social-security legislation. The provisions of the act were largely based upon the accumulated experience of the world, including our own country, our States, and other nations in determining what sort of social-security legislation would be necessary to cover those who were taken into its folds.

We all realized then and I think we must still realize that as time goes on, notwithstanding any temporary interference or interruptions with the normal flow of manhood and womanhood who will ultimately be entitled to the benefits of this law we must all look forward to a larger number not only of those who will be entitled to the benefits of the fund as it may grow but those who will be covered by additional legislation and those who will be required under it to pay their proportion into the fund from which they will draw security payments in their old age. Therefore, I think that we must not be deluded by the present favorable situation, nor lured from the original purpose by it or by the comparatively small amount of benefits now being paid, into doing something that will jeopardize the stability of the fund and of the system in the years to come. The fact that the total outlay this year may amount to not more than one hundred and forty-nine or one hundred and fifty million dollars offers no reason why I by any thought I may utter should undertake to convince myself that because the outlay now is comparatively small we can overlook the long-term obligations which it seems to me we labor under in dealing with this entire social-security system.

One of the reasons why the outlay is small now is because men and women who would now be entitled to the benefits of it, either because they draw more in wages due to employment which is traceable to the war or because of a patriotic desire notwithstanding their age to do a duty for their country in the midst of war, are not claiming its benefits. Except for that situation, the

amount of money now being paid out annually would largely exceed the figures given by the Senator from Michigan [Mr. VANDENBERG].

There is a debatable question involved as to whether in 1939 by the change in the language of the act we really went from a full reserve system to a contingent reserve system. That has been assumed by interpretation, but there is nothing in the statute that refers to a full or contingent fund.

Specifically it made no difference, but by implication it did, because of the requirement that the Board should report, in addition to making its annual reports, whenever the fund was three times the amount of the outlay in any one year of the 5-year period. It might well be assumed that such a report would be for the information of the Congress. That did not automatically create a different sort of fund, or a new basis upon which the tax should be levied. That is a matter for lawyers to disagree about, however, and I happen to be one of those who do not accept the interpretation that that was intended by Congress automatically, without specifically saying so. It changed it from a full reserve to a contingent reserve system.

I would be the last man in the world to desire to create an enormous fund which was not needed, whether it were created by general taxation, or by the application of the pay-roll tax to employers and employees. Nor am I one of those who desire to create an enormous fund merely in order that the Treasury may use it in lieu of other revenue. We provided in the law that that might be done, but in the midst of a great war, not then anticipated, for which no provision was then made, which was not in contemplation when we provided that these funds might be used by the Treasury at a certain fixed rate of interest, I realize how attractive it is to have a large fund available at a rate fixed by Congress. But I would not, because of that, vote to increase the fund.

I have always believed that taxation should be levied for revenue purposes, and I have not been one of those who have felt very strongly in favor of levying a tax for some purpose other than the raising of money with which to conduct the Government of the United States or any of the political subdivisions in the United States. On the contrary, I would not vote against an increase of the fund merely because the Treasury could use it and wanted to use it instead of going out into the open market and borrowing money from private individuals or private institutions.

I base my position on the pending amendment on my strong feeling, if it is not even a conviction, that in the long run a very large fund will be necessary, when the present favorable circumstances and conditions may have terminated, when older men and women will no longer find it convenient or possible to work at the high rates of pay they receive, which they prefer to the benefits they would receive under the old-age subsistence provisions of the social-security law. I know that it is just as inevitable as that the sun will set tonight and rise tomorrow that that condition will come about. We all know it, and we all know that the longer we go on as a government and as a people the more men and women are going to make use of this fund, and are going to be required to contribute to it. I think we must take a long-range view of conditions, not a short-range view.

In the report of the committee occurs this language, to which I agree:

> The interest on $50,000,000,000 at 3 percent is $1,500,000,000 per annum.

I do not agree to this particular sentence:

> It makes no difference to the taxpayer whether this $1,500,000,000 is appropriated to pay the interest on $50,000,000,000 of Government bonds in a reserve fund or whether it is a direct appropriation to the support of the old-age and survivors' system.

I presume it would make no difference to that portion of the taxpayers who are both paying taxes and making pay-roll contributions, but, as the Senator from Montana [Mr. MURRAY], has pointed out, it would make a considerable difference to those taxpayers who were not in the system, either as employers or employees, if they were required to contribute out of the general fund of taxation to the creation of a fund which should be in existence because of the pay roll tax levied upon those involved on one side or the other, as employees or employers.

The committee proceeds:

> It is obviously true that the change to the basis of contingent reserves, as contemplated by the amended statutes, that Congress obligates itself in the future to make whatever direct appropriations (in lieu of appropriations for interest on bonds in reserve) are necessary to maintain the full and complete solvency of the old-age and survivors benefits funds, because there could be no more solemn public trust.

I agree with the statement of the committee that if we should be short-sighted enough—and I think we would be if we adopted the pending amendment—to jeopardize the fund, so that in the years to come, in the long run, it would not be sufficient, it would be necessary to make up the difference by double taxation, because we cannot fail in our obligation and in our promise to the aged and the infirm, for whose benefit the law was originally enacted.

I certainly should not like to see the time come when we would have to go into the general funds of the Treasury, put there by general taxation, to make up a deficit created by our desire to relieve employers and employees now of an increase in the rate of tax, which automatically steps up 1 percent unless the pending amendment shall be agreed to I do not believe we would render to industry or to the employees of industry any service by making it possible that we would have to make up a deficit in the fund later. We certainly would render no service to industry by relieving them now of this 1 percent of tax, and then later on be required to levy higher taxes upon them in order to make up the deficit we would create by the action proposed here today.

Mr. President, without taking further time of the Senate I may say that for the reasons I have stated I voted against the amendment in the committee, and I feel it my duty to vote against it in the Senate.

The Senator from Rhode Island [Mr. GREEN] and the Senator from Montana [Mr. MURRAY] have referred to editorials contained in certain large newspapers. Certainly those newspapers can fairly be said to represent the interests of business—the Wall Street Journal, of New York, the Washington Post, the Chicago Sun, and other newspapers, to mention only a few. None of them could be said to be unfair in their general policy toward business and industry, or to employees, or to labor. In my opinion they are fair journals. Since the Senate committee adopted the pending amendment, and even since the Senate extended the time by 60 days, under the resolution offered by the Senator from Michigan [Mr. VANDENBERG], these newspapers have expressed themselves editorially as convinced of the unwisdom of the policy. The editorials have already been ordered inserted in the RECORD on the request of the Senator from Rhode Island [Mr. GREEN].

In today's mail I received a letter addressed to me yesterday by Mr. A. J. Altmeyer, chairman of the Social Security Board, in which he goes into some detail in discussing the pending proposal. It is a full-page letter, which I shall not read, because the Senator from Montana covered most of the points outlined in it. I have merely mentioned them in a general way. But I think that for the RECORD, and in order that Congress may know the implications, and the results which are feared by the Social Security Board, which is charged with the responsibility of administering the law, the letter should go into the RECORD at this point, and I ask unanimous consent that it may be printed as a part of my remarks.

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEDERAL SECURITY AGENCY,
SOCIAL SECURITY BOARD,
Washington, D. C., January 10, 1944.

Hon. ALBEN W. BARKLEY,
United States Senate,
Washington 25, D. C.

DEAR SENATOR BARKLEY: I noticed from the newspapers that Senator GEORGE has announced that the first item of the 1943 revenue bill, which will be considered by the Senate, is the provision dealing with the so-called freezing of the present old-age and survivors insurance tax rate. I thought it might be helpful to you if I marked certain portions of the hearings before the Senate Committee on Finance which cover the essential facts and arguments. Therefore, you will find enclosed a marked copy of this document.

There is very little that I can add to the testimony I have already given before the Senate Finance Committee. However, it may be helpful if I summarize the situation as I see it:

1. Senator VANDENBERG contends that Congress amended the Social Security Act in 1939 to change "from the basis of a so-called full reserve to the basis of a contingent reserve."

However, there is nothing in the law itself relative to the amount or character of the reserve that is contemplated will be built up. The terms "full reserve" and "contingent reserve" are nowhere used or defined. Moreover, actuaries are not in agreement as to just what these terms mean. Therefore, there seems to be no advantage in arguing relative to terms that are undefined, indefinite, and somewhat charged with an emotional content.

2. Senator VANDENBERG further contends that when Congress amended the Social Security Act in 1939 to require the Board of Trustees of the Old-Age and Survivors Insurance Trust Fund to "report immediately to Congress whenever the Board of Trustees is of the opinion that during the ensuing 5 fiscal years the trust fund will exceed three times the highest annual expenditures anticipated during that 5-fiscal-year period," Congress indicated that "these contingent reserves are adequate whenever they exceed three times the highest cost of the system in any one of 5 subsequent years." However, Congress also instructed the Board of Trustees to submit "a statement of the actuarial status of the trust fund." Senator VANDENBERG is under the impression that what he considers to be the congressional judgment is supported by the report of the Advisory Council on Social Security in 1939. However, this Advisory Council did not recommend any specific yardstick. In fact, the Chairman of the Advisory Council on Social Security, in the testimony which he gave in 1939, warned against the danger of applying any yardstick rigidly during the first few years of the operation of the system.

3. The abnormal situation as regards contributions and benefit payments brought about by the advent of the war emphasizes the hazard of basing any conclusion as regards the long-range financing of this system upon such a short-range basis as 5 years. The increased liabilities due to the fact that benefits are geared to past wages, which will include the unusually high level and highly paid wartime employment, will extend for many years beyond the immediate 5-year period. All actuarial calculations indicate a steeply increasing annual cost for many years to come. These eventual annual disbursements will probably be from 15 to 20 times their present annual rate. Expressed as a percentage of pay roll, these annual costs may range from 7½ percent to 12⅔ percent. Under certain assumptions the level annual cost has been estimated to be 7 percent of pay rolls. On this basis there would already exist a deficit of nearly $13,500,000,000.

4. The chief reason why a graduated schedule of contribution rates was incorporated in the 1935 Social Security Act was to permit the ultimate contribution rate to become effective gradually, and thereby give employees, employers, and the economy generally an opportunity to become adjusted to the changes. The automatic step-up has already been postponed twice. These postponements have already had the effect of substituting uncertainty for certainty, which should be an essential characteristic of social insurance. If we once again depart from the original schedule of contributions at a time when ability to make these contributions is at a maximum, we greatly increase that uncertainty. Usually when the time comes to increase taxes, many reasons are advanced as to why the imposition of additional taxes is unwise. But in this case there will never be a better time than the present when the beneficiaries are able to pay and are willing to pay because they realize they are getting their money's worth.

5. It is only equitable that persons retiring during these early years should contribute more than they are now contributing, since the actuarial value of their benefits is very many times the value of their contributions. For example, a single individual who contributes for 10 years to the system and at the maximum salary taxable under the law ($250 per month) might have obtained from a commercial insurance company an annuity of $2 per month with his own contributions, whereas this law entitles him to a benefit of $44 per month—or 22 times the amount purchasable from an insurance company of his own contributions (S. Rept. 734, 76th Cong., p. 16). A married man might be entitled to $66 per month, or 33 times the value of his own contributions.

6. It is most important that contributors who will not receive benefits until after many years have elapsed shall not be treated inequitably because of failure to charge reasonably adequate rates in the early years of the system. It is a mathematical certainty that the longer the present pay-roll tax rate remains in effect the higher the future pay-roll tax rate must be if the old-age and survivors insurance system continues to be financed wholly by pay-roll taxes. Therefore, the indefinite continuation of the present contribution rate (assuming a self-sustaining system, the costs of which are shared equally by the employees and employers) will eventually necessitate raising the employee's contribution rate later to a point where future beneficiaries will be obliged to pay more for their benefits than if they obtained this insurance from a private insurance company. Consequently, from the standpoint of equity, as well as from the standpoint of financial soundness, it is essential that the automatic increase in the contribution rate be permitted to go into effect.

Retaining the present rate creates a moral obligation on the part of Congress to provide a Government subsidy later on to the extent necessary to avoid levying inequitably high pay-roll tax rates in the future. It appears that the Senate Finance Committee undertakes to recognize this responsibility in the following statement appearing in its report (p. 19): "It is obviously true that (sic) the change to the basis of contingent reserves, as contemplated by the amended statutes, that Congress obligates itself in the future to make whatever direct appropriations (in lieu of appropriations for interest on bonds in reserve) are necessary to maintain the full and complete solvency of the old-age and survivors benefits funds, because there could be no more solemn public trust. This is inherent in the decision made by Congress in 1939." However, it is doubtful whether this conclusion is "inherent in the decision made by Congress in 1939," since the report of the Senate Finance Committee in 1939 (p. 18) specifically recognized three possibilities as follows: "If future annual pay-roll tax collections plus available interest are insufficient to meet future annual benefits it will be necessary, in order to pay the promised benefits, to increase the pay-roll tax or provide for the deficiency out of other general taxes, or do both." There is a further possibility which was not mentioned and that is a reduction in the benefits promised. Therefore, it is essential that the law itself specify how the insurance system shall be financed in the event that the pay-roll contribution rates, which reach a maximum of 3 percent each on employers and employees in 1949, are inadequate to finance the benefits promised.

7. The Senate Finance Committee report contains the surprising statement that "It makes no difference to the taxpayer whether this $1,500,000,000 is appropriated to pay the interest on $50,000,000,000 of Government bonds in a reserve fund or whether it is a direct appropriation to the support of the old-age and survivors system." This indicates the basic misunderstanding which I believe exists. With no reserve funds the taxpayers would be required to pay $1,500,000,000 subsidy to the old-age and survivors insurance system and also be required to pay $1,500,000,000 interest to private investors on securities held by them instead of by the Old-Age and Survivors Insurance Trust Fund. With a $50,000,000,000 reserve fund the taxpayers would pay only $1,500,000,000 into the Old-Age and Survivors Insurance Trust Fund in the form of interest on the securities held by it. Therefore, without a reserve fund the taxpayers' burden would be exactly double. I attempted to present this explanation a little more fully in a letter which I wrote Senator VANDENBERG under date of August 27 and which he inserted in the CONGRESSIONAL RECORD of September 14, 1943. A marked copy of this letter is enclosed. But even though this explanation is completely rejected, there can be no escaping the fact that in this present calendar year of 1944 the Federal Government, which must pay these social-insurance benefits, will actually receive $1,400,000,000 less in contributions if the automatic step-up is not permitted to go into effect.

As you may know, both the American Federation of Labor and the Congress of Industrial Organizations have urged that the increase in the contribution rate be permitted to go into effect (pp. 53–54 of the hearings before the Senate Finance Committee). It is also interesting to note that three leading newspapers which previously advocated freezing the rate now advocate that the automatic increase be permitted to take effect. These are the Wall Street Journal, the New York Times, and the Washington Post. Copies of the editorials appearing in these papers are enclosed.

If there is any further information I can furnish you, I shall of course be only too glad to do so.

Sincerely yours,

A. J. ALTMEYER,
Chairman.

Mr. VANDENBERG. Mr. President, I think probably this concludes the debate. I ask for the yeas and nays on the pending amendment, and if they are ordered, I shall suggest the absence of a quorum.

The yeas and nays were ordered.

Mr. VANDENBERG. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Revercomb
Andrews	Guffey	Reynolds
Austin	Gurney	Scrugham
Ball	Hatch	Shipstead
Barkley	Hawkes	Stewart
Brewster	Hayden	Taft
Bridges	Hill	Thomas, Idaho
Buck	Holman	Thomas, Utah
Burton	Johnson, Colo.	Tobey
Bushfield	Kilgore	Tunnell
Byrd	La Follette	Tydings
Capper	Langer	Vandenberg
Caraway	Lodge	Van Nuys
Chavez	Lucas	Walsh, Mass.
Clark, Mo.	Maloney	Walsh, N. J.
Connally	Maybank	Wheeler
Davis	Millikin	Wherry
Downey	Murray	White
Eastland	O'Daniel	Wiley
Ferguson	Overton	Willis
George	Pepper	Wilson
Gerry	Reed	

The PRESIDING OFFICER. Sixty-five Senators having answered to their names, a quorum is present.

Mr. GEORGE. Mr. President, I do not wish to take any time at all, but I should make a personal statement regarding the pending matter. In committee I did not favor freezing the social-security pay-roll tax, but nevertheless

I feel bound by the vote of the majority of the committee, because the judgment of the committee was overwhelmingly against that view. I did not oppose the freezing of the tax for any of the reasons or any of the fears advanced. I am satisfied in my own mind that there is no reason for the automatic step-up of this tax for the next 12 months. The period is short. If at the end of this year there is a necessity for stepping up the tax or for increasing it, of course that can be done.

Mr. President, I have only one view about the social-security matter. I am profoundly convinced that social security should stand on its own basis, that funds raised for social-security purposes should be kept intact, and that the integrity of those funds should be absolutely preserved.

This tax is a hard one. It seems easy, but in fact it is a hard tax. It is a capital tax. It is a tax which the employer must pay and which the worker must pay, whether they are making money or whether they are running in the red. It is a difficult tax so far as competitive conditions between all competitors in the same lines are concerned.

It is true that the same tax falls on everyone in proportion to the number of workers and the pay received by workers, but the tax is essentially a capital tax. Perhaps under these conditions we do not worry about it so much, but I have known a great many persons who have paid this tax out of their capital since the system has been inaugurated.

I think there is a strong view for a Federally supported social-security system, in part at least, so that the tax will not become so burdensome upon borderline employers and upon employees whose income represents a bare subsistence level. I thought it perhaps would be wiser not to freeze this tax again this year, on the one, sole ground that to a slight extent the increased tax would reduce purchasing power and, in view of the concern about inflation, that the siphoning-off of the sum represented by the tax would amount to at least the dimunition by a little bit of the water in the pail. It was on that theory that I thought we would be unwise to freeze the tax at the present rate, nevertheless I did not take that position because of any of the reasons stated and presented by other Senators in the debate today. I say this with all due respect to those who have presented them.

Solely because in committee I voted the other way, but feel compelled to vote now with a very clear majority of the committee on this particular issue, I wished to offer this explanatory statement.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment inserting on page 189 new title pertaining to the Social Security Tax. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DAVIS (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. I do not know how he would vote on this question. I transfer that pair to the junior Senator from Illinois [Mr. BROOKS] who would vote as I intend to vote. I am therefore at liberty to vote, and vote "yea."

Mr. REED (when his name was called). I have a general pair with the Senator from New York [Mr. WAGNER]. I transfer that pair to the Senator from North Dakota [Mr. NYE] and will vote. I vote "yea."

The roll call was concluded.

Mr. BARKLEY. The Senator from Georgia [Mr. RUSSELL] desired to be recorded in the negative. He has been unavoidably called from the Chamber. I make that announcement in his behalf.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Missouri [Mr. TRUMAN] and the Senator from Washington [Mr. WALLGREN] are absent on official business for the Special Committee to Investigate the National Defense Program.

The Senator from New Mexico [Mr. CHAVEZ] and the Senator from Wyoming [Mr. O'MAHONEY] are detained in Government departments on matters pertaining to their respective States.

The Senator from North Carolina [Mr. BAILEY], the Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Washington [Mr. BONE], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Louisiana [Mr. ELLENDER], the Senator from Iowa [Mr. GILLETTE], the Senator from Nevada [Mr. MCCARRAN], the Senator from Arizona [Mr. MCFARLAND], the Senator from Tennessee [Mr. MCKELLAR], the Senators from New York [Mr. MEAD and Mr. WAGNER], the Senator from South Carolina [Mr. SMITH], and the Senator from Oklahoma [Mr. THOMAS] are necessarily absent. I am advised that if present and voting, the Senators from New York would vote "nay."

The Senator from Washington [Mr. BONE] is paired with the Senator from Nebraska [Mr. BUTLER]. I am advised that if present and voting, the Senator from Washington would vote "nay," and the Senator from Nebraska would vote "yea."

The Senator from Maryland [Mr. RADCLIFFE], who is detained on public business, is paired with the Senator from Nevada [Mr. MCCARRAN]. I am advised that if present and voting, the Senator from Maryland would vote "yea," and the Senator from Nevada would vote "nay."

The Senator from Utah [Mr. MURDOCK], who is detained in one of the Government departments on matters pertaining to the State of Utah, is paired with the Senator from Wyoming [Mr. ROBERTSON]. I am advised that if present and voting, the Senator from Utah would vote "nay," and the Senator from Wyoming would vote "yea."

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from Illinois [Mr. BROOKS], the Senator from North Dakota [Mr. NYE], and the Senator from Wyoming [Mr. ROBERTSON] are necessarily absent. I am advised that if present they would vote "yea."

The Senator from Oklahoma [Mr. MOORE] is absent from the city attending hearings of a subcommittee of the Committee on Indian Affairs.

The Senator from Nebraska [Mr. BUTLER] is necessarily absent. If present he would vote "yea."

The result was announced—yeas 49, nays 16, as follows:

YEAS—49

Aiken	George	Taft
Andrews	Gerry	Thomas, Idaho
Austin	Gurney	Tobey
Ball	Hawkes	Tunnell
Brewster	Holman	Tydings
Bridges	Johnson, Colo.	Vandenberg
Buck	Lodge	Van Nuys
Burton	Lucas	Walsh, Mass.
Bushfield	McClellan	Walsh, N. J.
Byrd	Maybank	Wheeler
Capper	Millikin	Wherry
Caraway	O'Daniel	White
Clark, Mo.	Overton	Wiley
Connally	Reed	Willis
Davis	Revercomb	Wilson
Eastland	Reynolds	
Ferguson	Shipstead	

NAYS—16

Barkley	Hill	Pepper
Downey	Kilgore	Scrugham
Green	La Follette	Stewart
Guffey	Langer	Thomas, Utah
Hatch	Maloney	
Hayden	Murray	

NOT VOTING—31

Bailey	Gillette	O'Mahoney
Bankhead	Glass	Radcliffe
Bilbo	Johnson, Calif.	Robertson
Bone	McCarran	Russell
Brooks	McFarland	Smith
Butler	McKellar	Thomas, Okla.
Chandler	McNary	Truman
Chavez	Mead	Wagner
Clark, Idaho	Moore	Wallgren
Danaher	Murdock	
Ellender	Nye	

So the amendment was agreed to.

Mr. BARKLEY. Mr. President, I understand that the Senator from Georgia [Mr. GEORGE] does not care to continue with the consideration of the tax bill at this time, because of the lateness of the hour.

Mr. GEORGE. Mr. President, I had anticipated that this question would consume most of the afternoon. I stated to several Senators that we would not reach the consideration of other features of the bill until tomorrow.

Mr. BARKLEY. That is satisfactory.

Mr. GEORGE. I should be very glad to suspend at this time.

CONSTRUCTION OF CERTAIN PUBLIC WORKS BY THE NAVY

Mr. BARKLEY. Mr. President, the Senator from Massachusetts [Mr. WALSH] is very anxious to have a certain bill considered. I suggest that he ask that the unfinished business be temporarily laid aside.

Mr. WALSH of Massachusetts. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to

the consideration of House bill 3741, Calendar No. 631.

Mr. WHITE. Mr. President, reserving the right to object, may I ask what the bill is?

Mr. WALSH of Massachusetts. It is Calendar No. 631, House bill 3741.

Mr. WHITE. That does not identify it to me. Will the Senator explain what it is?

Mr. WALSH of Massachusetts. Certainly. This is the bill which I tried to have passed on the last day of the session in December.

Mr. WHITE. Is this the bill to which I objected on the last day of the previous session?

Mr. WALSH of Massachusetts. It is. The Senator objected because it was understood that no business would be transacted on that day. The bill would authorize the Secretary of the Navy to proceed with the construction of certain public works.

Mr. WHITE. So far as I know, no Senator on this side of the aisle is opposed to the bill, and I have no objection to its consideration.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 3741) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Naval Affairs, with amendments, on page 2, line 3, after the word "facilities", to strike out "$27,000,000" and insert "$50,000,000"; at the end of line 3, to strike out "$20,000,000" and insert "$23,000,000"; at the end of line 4, to strike out "$72,000,000" and insert "$92,000,000"; at the beginning of line 8, to strike out "$14,000,000" and insert "$4,000,000"; and in line 12, after the word "exceed", to strike out "$235,060,000" and insert "$271,060,000."

The amendments were agreed to.

Mr. WALSH of Massachusetts. On behalf of the committee, I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Massachusetts will be stated.

The CHIEF CLERK. On page 2, line 16, after the word "acquisitions", it is proposed to change the period to a colon and insert *"And provided further,* That the Secretary of the Navy is hereby authorized to enter into contracts under the appropriation 'Public Works, Bureau of Yards and Docks' for public-works equipment, materials, and construction, including collateral public-works items, to the extent of the total cost hereby authorized and without regard to the provisions of section 3709, Revised Statutes."

Mr. WALSH of Massachusetts. This amendment would give the Department permission to enter into contracts pending the appropriation being made.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. WALSH of Massachusetts. I yield.

Mr. WHITE. Is this a committee amendment?

Mr. WALSH of Massachusetts. It is, and it was unanimously agreed to by the committee. It is the result of a letter from Admiral Horne, Acting Secretary of the Navy, to the committee, which I shall read into the RECORD:

Hon. DAVID I. WALSH,
Chairman of the Committee on Naval Affairs,
United States Senate.

MY DEAR MR. CHAIRMAN: The bill (H. R. 3741) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, was reported out by your committee on 18 December, 1943, with certain amendments.

The prospective adjournment of Congress, together with other developments, make it imperative that the Navy Department obtain contract authority for the full amount of the authorization contained in the bill (H. R. 3741) prior to the adjournment of Congress.

Though this letter was written prior to the adjournment of Congress, that statement is still applicable.

Continuing with the letter:

The Bureau of the Budget has cleared the request of the Navy Department to submit to the Senate Naval Affairs Committee, for possible inclusion in H. R. 3741, a provision which will grant the necessary contract authority. Accordingly, it is requested that your committee offer an amendment to the bill H. R. 3741 which will include the provision as cleared by the Budget. It is recommended that the amendment read as follows:

"At the end of section 1, change the period to a colon and add the following:

"'And provided further, That the Secretary of the Navy is hereby authorized to enter into contracts under the appropriation "Public works, Bureau of Yards and Docks" for public-works equipment, materials, and construction, including collateral public-works items, to the extent of the total cost hereby authorized and without regard to the provisions of section 3709, Revised Statutes.'"

Sincerely yours,

F. J. HORNE,
Acting Secretary of the Navy.

In this connection, I ask that the report of the committee be printed in the RECORD.

There being no objection, the report (No. 621) was ordered to be printed in the RECORD, as follows:

The Committee on Naval Affairs, to whom was referred the bill (H. R. 3741) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The purpose of the bill, as amended by the committee, is to authorize the appropriation of $271,060,000 for the establishment or development of naval shore activities by the construction of such temporary or permanent public works as the Secretary of the Navy may consider necessary, including buildings, facilities, accessories, and services, with which shall be included the authority to acquire the necessary land.

The bill provides that the approximate cost indicated for each category may, in the discretion of the Secretary of the Navy, be varied upward or downward but that the total cost shall not exceed $271,060,000. This flexibility is deemed necessary in order to permit the Navy Department to make changes in its construction program as the military situation changes.

The bill also provides that prior to the acquisition, by lease or otherwise, of any land under authority of this act, the Secretary of the Navy shall report to the Senate and House Naval Affairs Committees all such prospective acquisitions.

The bill as originally introduced authorized an appropriation of $200,000,000. This amount was increased by the House of Representatives to $235,060,000. The Senate committee increased the amount authorized to be approved under three headings and reduced the amount under one heading. The original amount, the increases, the decreases, and the total now authorized to be appropriated, are as follows:

	Original bill	Changes made by the House of Representatives	Changes made by the Senate committee	Total now authorized
Fleet facilities	$4,000,000			$4,000,000
Aviation facilities	25,000,000	+$2,000,000	+$23,000,000	50,000,000
Storage facilities	20,000,000		+3,000,000	23,000,000
Ordnance facilities	60,000,000	+12,000,000	+20,000,000	92,000,000
Personnel training and housing facilities	81,200,000	+11,060,000		92,260,000
Shore radio facilities	5,000,000			5,000,000
Naval Research Laboratory	800,000			800,000
Miscellaneous structures	4,000,000	+10,000,000	−10,000,000	4,000,000
Total	200,000,000	+35,060,000	+36,000,000	271,060,000

The necessity for the additional appropriations is explained as follows:

FLEET FACILITIES

The $4,000,000 authorized for fleet facilities will be used for the expansion of amphibious training facilities at points selected by the Navy Department on the east, west, or Gulf coasts of the United States. With the increase in amphibious warfare, training facilities must keep pace with the augmented program and it is therefore considered essential that additional facilities to the extent requested by the Navy Department be allowed at this time.

AVIATION FACILITIES

Additional aviation shore facilities required by the Navy Department during the remainder of the fiscal year 1944 are estimated to cost $50,000,000. This increase over the funds made available in the Naval Appropriation Act for the fiscal year 1944 is required for the following purposes:

(a) To make general increases in personnel facilities at various stations to permit a greater degree of mobility of fleet units. Experience has shown that capacities somewhat in excess of minimum theoretical requirements are necessary to provide for sudden

changes of station by fleet units in accordance with tactical requirements.

(b) To make general increases in basic facilities required as a result of increased plane complements and sizes, training devices, etc.

(c) To improve runways and taxiways to accommodate the later types of heavy planes.

(d) To provide facilities for training of personnel and the maintenance and repair of equipment, in connection with new developments in naval aviation.

It is expected that $27,000,000 of the funds authorized will be expended as follows:

Expansion of naval air stations and facilities to support fleet and sea frontier forces:	
North Atlantic area	$940,000
Middle Atlantic area	3,050,000
South Atlantic area	290,000
West coast area	10,984,000
Total	15,264,000
Expansion of naval air stations and facilities for training:	
Naval Air Primary Training Command	1,808,500
Naval Air Intermediate Training Command	2,261,000
Naval Air Operational Training Command	2,510,000
Total	6,579,500
Expansion of naval air stations and facilities for Naval Air Transport Service terminals	2,156,500
Expansion of naval air stations and facilities pertaining to material development, flight test and aircraft delivery units	3,000,000
Total	27,000,000

The additional $2,000,000 authorized by the House of Representatives will be used to construct additional facilities for the naval air transport service at or near Alameda, Calif., to meet the rapidly increasing demand for facilities to handle the large increase in naval air-transport operations.

The necessity for the additional $23,000,000 authorized by the Senate Committee on Naval Affairs is explained in the following letter, dated December 17, 1943, from the Secretary of the Navy to the chairman, Senate Committee on Naval Affairs:

NAVY DEPARTMENT,
Washington, December 17, 1943.

Hon. DAVID I. WALSH,
Chairman of the Committee on Naval Affairs, United States Senate.

MY DEAR MR. CHAIRMAN: On November 26, 1943, a letter was addressed to you by the Acting Secretary of the Navy, enclosing a copy of a letter that was forwarded to the Speaker of the House of Representatives together with a copy of a proposed bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

This proposed bill was introduced in the House of Representatives on November 26, 1943, as H. R. 3741, which bill was reported out by the Committee on Naval Affairs of the House of Representatives, on December 3, 1943, and was passed by the House on December 10, 1943, with amendments increasing the amount authorized for certain items contained in the bill, including one of $25,000,000 for aviation facilities which was increased to $27,000,000.

As the result of exhaustive studies of the aviation facilities requirements for the remainder of the fiscal year completed subsequent to the submission of the proposal for the authorizing legislation to the Bureau of the Budget, additional determinations as to the aeronautical program of the Navy Department have been made. The now known requirements for urgent projects indicate that additional authorization in the amount of $23,000,000 is required. An itemized statement of the additional requirements is appended hereto.

These requirements were submitted to the Bureau of the Budget, which has informed the Navy Department that there would be no objection to the increased authorization of $23,000,000 for aviation facilities.

It is, therefore, requested that your committee recommend amendment of the bill H. R. 3741, increasing the item for aviation facilities by $23,000,000 and the total amount authorized in the bill by the same amount.

Sincerely yours,

FRANK KNOX.

It is expected that the additional funds authorized by the Senate committee will be expended as follows:

North Atlantic area	$405,000
Middle Atlantic area	6,865,000
South Atlantic area	100,000
West coast area	4,546,600
Naval air primary training	860,000
Naval air intermediate training	455,000
Naval air operational training	1,923,000
Additional aviation facilities pertaining to the material development, flight test, and aircraft delivery units	7,845,400
Total	23,000,000

STORAGE FACILITIES

At the present time there are in the Navy Department projects amounting to $23,000,000 for the development of additional storage facilities to meet the increased requirements for storage space for general stores in all categories. The Navy Department estimates that during the remainder of this fiscal year additional authorization is required for this $23,000,000 in public-works construction to meet present anticipated demands. The work involves expansion in 16 localities and consists of additional storehouses and miscellaneous improvements and extensions.

The Senate committee authorized an expenditure of $3,000,000 for additional storage facilities at six different locations in the United States. These funds will be expended for the construction of storehouses, transit sheds, roads, railroad trackage, and other services of this nature.

ORDNANCE FACILITIES

In recommending $92,000,000 for ordance storage facilities, the Navy Department has been guided by the necessity for economy in its considerations of additional public-works construction, but is, nevertheless, cognizant of the fact that additional ordnance testing facilities, storage facilities, and reserve facilities are essential to keep pace with the development of new weapons. The principal items included in the Navy Department's request are three shipping depots on the west coast to relieve the shortage in this type of facilities, additional ordnance testing and reserve facilities at seven locations, expansion of ammunition storage facilities at five locations, additional housing facilities for ordnance battalions at various locations, and additional ammunition loading facilities at existing depots. The amount requested by the Navy Department for the above facilities is $72,000,000.

The additional $12,000,000 authorized by the House is required for the establishment of shipping facilities in the Puget Sound area to relieve the extremely hazardous condition now existing in the heart of the city of Seattle where high explosives to a large degree are being handled through the congested water front of the city of Seattle. The funds will be employed in the construction of an extension of the railroad from Shelton, Wash., to the vicinity of the Bremerton Navy Yard, a distance of approximately 32 miles, and the development of shipping facilities in the near vicinity to relieve the hazardous condition now existing.

The Senate committee authorized an additional $20,000,000 to reimburse other bureaus whose funds were temporarily diverted to finance urgently required ordnance facilities. The committee was informed that the Navy Department had used the latitude authorized in the act of March 26, 1943, to proceed with the construction of $20,000,000 worth of work for the Bureau of Ordnance by withholding a similar amount from other categories. The Navy Department did not recommend to the Congress that this amount be included in the present bill when it was originally sent to the Congress for approval, as it was under the impression that these additional funds could be appropriated by the Congress without any additional authorizations. However, the Bureau of the Budget has informed the Navy Department that it will not entertain a request for an additional appropriation and has advised the Navy Department to seek reauthorization of this amount.

The committee therefore recommends an increase of $20,000,000 in the amount authorized to be appropriated under the heading of "Ordnance facilities."

PERSONNEL TRAINING AND HOUSING FACILITIES

The funds requested by the Navy Department for this Bureau include housing and training facilities for 55,000 men on the west coast divided between the eleventh, twelfth, and thirteenth naval districts to accommodate the increased movement of men being dispatched to the west coast for replacement crews and to provide housing for those men being returned from combat areas; training facilities for armed guard crews; antiaircraft training, radar training, and advanced training for Diesel engineering, etc., and expansion of the existing naval training stations to provide facilities removed from east coast training stations which are being developed as operational training stations; welfare recreational and physical training facilities and chapels. In addition to the above, the Navy Department is requesting $36,533,000 to cover projects released by the Secretary of the Navy for the Bureau of Naval Personnel which were not specifically included in the original break-down of either the Supplemental Appropriation Act for the fiscal year 1943 or the Naval Appropriation Act for the fiscal year 1944. All of the projects within these funds requested were approved by the Secretary of the Navy in compliance with the provisions of the authorizing act of March 26, 1943, Public Law No. 19, Seventy-eighth Congress, which allowed the Secretary of the Navy leeway for increasing or decreasing the allocations for each specific bureau as the program of the war dictated. These funds were temporarily diverted from other bureau allocations to finance the urgently required projects for the Bureau of Naval Personnel and must now be reimbursed in order that their original program may be proceeded with.

The additional $11,060,000 authorized by the House of Representatives will be used to provide additional housing facilities in the eleventh, twelfth, and thirteenth naval districts to meet the requirements imposed by the increased personnel being dispatched to the west coast for replacement crews of ships and to provide for the personnel being returned from the combat areas.

SHORE RADIO

The Navy Department has requested the sum of $5,000,000 for expansion of existing radio installations and for the development of radio facilities at strategic points along the Atlantic and Pacific coasts for military

and combat intelligence. Included in the $5,000,000 is a request for authorization of $1,980,000 to cover projects released by the Secretary of the Navy which were not included in original appropriations as in the case of the Bureau of Naval Personnel quoted above. The additional new construction requested by the Navy Department under this heading is $3,020,000.

NAVAL RESEARCH LABORATORY

Expansion at the Naval Research Laboratory, Anacostia, D. C., is requested by the Navy Department to provide for an aeronautical laboratory, miscellaneous laboratory facilities, and shore protection at the Naval Research Laboratory Annex at Randall Cliff, Md. The total amount requested by the Navy Department for the research laboratory is $800,000.

MISCELLANEOUS STRUCTURES AND FACILITIES

These funds are requested by the Navy Department to provide for deficiencies in power supply and distribution, water supply and distribution, sewage and sanitary facilities, shore communication facilities, and miscellaneous structures at various naval activities. The funds requested by the Navy Department for this category of projects are $4,000,000. Included in the miscellaneous facilities and structures stated above, the Navy Department is requesting funds in the amount of $100,000 to comply with the requirements of H. R. 2886 providing for the removal of oysters from York River and replacing same in unpolluted waters in the vicinity.

The House of Representatives authorized an increase of $10,000,000 under the heading "Miscellaneous structures and facilities" to provide access facilities to Terminal Island, San Pedro, Calif. The Senate committee is not convinced that these additional funds should be authorized for this purpose at the present time and has accordingly reduced the amount authorized to be appropriated under this heading to the original amount requested by the Navy Department, namely $4,000,000.

The committee was furnished a complete break-down under each of the preceding headings and considered most carefully each item before giving its approval.

The following letter from the Secretary of the Navy, addressed to the Speaker of the House of Representatives, sets forth the views and recommendations of the Navy Department on this bill and is hereby made a part of this report:

NAVY DEPARTMENT,
Washington, November 26, 1943.

Hon. SAM RAYBURN,
Speaker of the House of Representatives.

MY DEAR MR. SPEAKER: There is transmitted herewith a draft of a proposed bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

The purpose of this proposed bill is to provide authority for the construction of public works projects, including the authority to acquire necessary land to meet the demands of the various bureaus and offices of the Navy Department in carrying out their mission to advance the progress of the war. The various facilities and activities that are planned and the approximate amounts that it is estimated will be required for each are set forth in the proposed bill.

It has become apparent that additional authorization is necessary over that included in the authorization act of March 26, 1943, Public Law 19, Seventy-eighth Congress. The appropriations made pursuant to this authorization are rapidly becoming exhausted, and it is anticipated that the Navy Department will be without public works funds by the end of this calendar year.

The ultimate cost to the Government of the enactment of the proposed legislation, if the expected appropriations are subsequently made, will be $200,000,000.

The Navy Department recommends enactment of the proposed legislation.

The Navy Department has been advised by the Bureau of the Budget that there would be no objection to the submission of the proposed legislation to the Congress.

Sincerely yours,

JAMES FORRESTAL, *Acting.*

Mr. WHITE. Mr. President, will the Senator yield?

Mr. WALSH of Massachusetts. I yield.

Mr. WHITE. I have been asked whether the amendment which the Senator has just offered would permit the letting of contracts without competitive bidding.

Mr. WALSH of Massachusetts. The bill would, in the discretion of the Department.

Mr. SHIPSTEAD. Mr. President, is it not an unusual procedure to let such large contracts without competitive bidding?

Mr. WALSH of Massachusetts. The Navy Department already has authority, under existing law, to make such contracts as it deems necessary to expedite the construction of shore establishments, to which the bill relates. Various methods are used by the Navy Department in negotiating contracts, and the letting of contracts without first obtaining bids is resorted to only when competitive bidding is not feasible, such as contracts outside the United States. The general policy of the Navy Department today in all cases is to have competitive bidding if possible.

Mr. SHIPSTEAD. Is this bill limited in its scope? Does it involve a matter of time in which to advertise for bids?

Mr. WALSH of Massachusetts. The committee has been furnished with a break-down of the amounts which are asked for in the bill for the building of shore establishments of various kinds and descriptions all over the United States. From time to time the Navy Department presents a shore-establishment bill. As the Navy expands and enlarges, it becomes necessary to build additional storage houses, to build hangars when it is necessary to expand airports, and to build aviation, hospital, dock, ordnance, and other facilities of various kinds. Among other items provided for in this bill there is the building of radio facilities and chapels at naval establishments. It is the kind of bill which appears two or three times a year and does not come in at any stated time because the Navy desires to finish a particular line of public work and exhaust its authority to construct and build before taking up new projects.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. WALSH of Massachusetts. I yield.

Mr. WHITE. As I understand, whatever authority would be given to negotiate and effectuate contracts without competitive bidding would be limited to the amounts carried in the bill.

Mr. WALSH of Massachusetts. Yes; and, also, it would be subject to the approval of the Appropriations Committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. WALSH] on behalf of the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is before the Senate and open to further amendment. If there be no further amendment to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 3741) was read the third time and passed.

NOMINATIONS ON EXECUTIVE CALENDAR

Mr. BARKLEY. Mr. President, there are only three or four nominations on the Executive Calendar, and I ask unanimous consent that they be considered as in executive session.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will state the nominations on the Executive Calendar.

COLLECTOR OF INTERNAL REVENUE

The legislative clerk read the nomination of Denis W. Delaney to be collector of internal revenue for the district of Massachusetts.

Mr. WALSH of Massachusetts. I ask that the nomination be confirmed.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

THE MARINE CORPS—TEMPORARY SERVICE

The legislative clerk read the nomination of Col. William J. Wallace to be brigadier general.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Col. Thomas J. Cushman to be brigadier general.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

NOMINATION PASSED OVER

The legislative clerk read the nomination of Col. William P. T. Hill to be quartermaster of the Marine Corps, with the rank of brigadier general, for a period of 4 years from February 1, 1944.

Mr. BUSHFIELD. Mr. President, lying on my desk are a number of objections to the immediate confirmation of the nomination of Colonel Hill. Those objections came to me this morning, and I have not had an opportunity to look into them. I ask that the nomination be passed over for a day or two until I can look into it.

The PRESIDING OFFICER. Without objection, the nomination will be passed over.

Mr. BARKLEY. Mr. President, I ask that the President be immediately notified of all nominations this day confirmed.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

Mr. WHITE. Mr. President, was the Hill nomination passed over?

The PRESIDING OFFICER. It was.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 3 o'clock and 54 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, January 12, 1944, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 11, 1944:

COLLECTOR OF INTERNAL REVENUE

TO BE COLLECTOR OF INTERNAL REVENUE FOR THE DISTRICT OF MASSACHUSETTS

Denis W. Delaney

IN THE MARINE CORPS

TO BE BRIGADIER GENERALS, FOR TEMPORARY SERVICE

William J. Wallace
Thomas J. Cushman

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 11, 1944

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Most merciful Father of mankind, as we have beating hearts which laugh and weep, we pray for Thy blessing to lift us above the corroding cares of urgent toil. Help us to cultivate those conditions in our lives out of which come spiritual knowledge and understanding. With a deep recognition of Thy relationship to us, may we seek to attain Thy fatherly presence in all our decisions. O Thou, in whose hands are all things—power to bring good out of evil, to make the sinful upright, and the selfish generous—take our weakness and mold it into Thy strength.

In the urgency of our country's need, arouse the soul of America to seek the very heights of honor and self-sacrifice. Grant that all forces enslaved in pride and arrogance may be united in the kinship of a common endeavor, a common purpose to overthrow a common enemy. Raise us up, looking forward with unconquerable chivalry, leaving nothing undone to maintain the grandeur of our free institutions. Let Thy words which fell from the inspired lips of Thy prophet surround every lonely fireside, every waiting soul, and every patriot in the civilian and armed forces:

When thou passeth through the waters, I will be nigh thee; and through the rivers, they shall not overflow thee; when thou walkest through the fire thou shalt not be burned, neither shall the flame kindle upon thee, for I am the Lord thy God, the Holy One of Israel, thy Saviour.

In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

EXTENSION OF REMARKS

Mr. SABATH. Mr. Speaker, I ask unanimous consent that I may extend my remarks and insert a short editorial from the Washington Post in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to extend my remarks by including a speech I delivered over Station WHN, at a forum at which were present five of my colleagues from New York.

The SPEAKER. Is there objection?

There was no objection.

Mr. TOLAN. Mr. Speaker, I ask unanimous consent to extend my own remarks and include an article from the Albany Times.

The SPEAKER. Is there objection?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in three brief instances.

The SPEAKER. Is there objection?

There was no objection.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an article entitled 'No More Sanctuary."

The SPEAKER. Is there objection?

There was no objection.

POLITICAL OPINION OF MEMBERS OF THE ARMED FORCES

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. CELLER. Mr. Speaker, yesterday in Chicago, Republican National Chairman Harold E. Spangler boasted that he had asked four officers of our armed forces in England, four captains or lieutenants, to conduct a poll, a political poll, among our soldiers at the overseas bases, as to how they would vote for President. He also implied that he had similarly taken some sort of political poll in the Pacific area. I draw attention to the fact that the Articles of War in Circular No. 41, issued February 4, 1943, reads as follows:

> Polls, ballots, or "straw votes" on opinion research other than those which have been authorized by the War Department will not be permitted among members of the Army of the United States.

I would say to the generous-minded the action of Mr. Spangler constituted a faux pas, but to the more critical and discriminating I would state it was a stupid and egregious error. I do not think the episode should be overlooked or forgiven.

Mr. Spangler deserves condign criticism. I hope his colleagues will appropriately warn him and chastise him. We cannot allow such flagrant violations of Army regulations to go unnoticed. What right has he to induce Army officers to indulge in political activity, particularly in combat areas? His action was unpardonable and most reprehensible.

The SPEAKER. The time of the gentleman has expired.

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARTIN of Massachusetts. My good friend from New York has just made a statement about some alleged sampling having been made by some Republicans to find out the sentiment of the soldiers. To make the record complete I want to read an article from the Associated Press, which was published in the Washington Post on December 27, 1943. Says this article:

> The administration believes the Democrats will get 70 percent of the service vote in the 1944 election and so plans a determined drive in Congress next month for legislation to provide Federal supervision of the absentee balloting.
>
> One high Democratic official said samples of sentiment had led the party organization to think that the service vote may be the determining factor in the Presidential race in such pivotal States as New York, Illinois, and California. Republicans disagree.

According to this Associated Press dispatch there must have been some sampling conducted by high Democratic officials, because they are quoting one of them. Therefore, apparently the Democratic Committee is not without blame, because apparently they were doing the same sampling. If we are to have an investigation let both sides be investigated, or, better still, let both sides drop it. An effort is being made to magnify a casual remark.

The SPEAKER. The time of the gentleman has expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. McCORMACK. Mr. Speaker, the remarks made by Mr. Spangler, of course, are known as Spangler's flop. However, I think the suggestion made by the gentleman from Massachusetts [Mr. MARTIN] is best. So far as I am concerned, I am perfectly content to let the matter rest as it is and let the American public appraise the significance of Spangler's flop because certainly his statement is one that nobody can support, and one that no one can justifiably approve. On the other hand, it is probably best to let the matter rest in the judgment of the American people.

Mr. MARTIN of Massachusetts. Will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MARTIN of Massachusetts. I want to know what the gentleman has to say about the Democratic sampling?

Mr. McCORMACK. Of course, that was just a news statement—nothing indicating that there was a survey made.

But, in any event, the last suggestion of the gentleman from Massachusetts [Mr. MARTIN] is one that I personally agree with—let the matter rest with the American people.

Mr. MARTIN of Massachusetts. Unfortunately, our men gave their names, but it has never been divulged who is making the speeches in the administration.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES ON THE STATE OF THE UNION (H. DOC. NO. 377)

The SPEAKER laid before the House the following message from the President of the United States, which was read by the Clerk:

To the Congress of the United States:

This Nation in the past 2 years has become an active partner in the world's greatest war against human slavery.

We have joined with like-minded people in order to defend ourselves in a world that has been gravely threatened with gangster rule.

But I do not think that any of us Americans can be content with mere survival. Sacrifices that we and our allies are making impose upon us all a sacred obligation to see to it that out of this war we and our children will gain something better than mere survival.

We are united in determination that this war shall not be followed by another interim which leads to new disaster—that we shall not repeat the tragic errors of ostrich isolationism—that we shall not repeat the excesses of the wild twenties when this Nation went for a joyride on a roller coaster which ended in a tragic crash.

When Mr. Hull went to Moscow in October, and when I went to Cairo and Teheran in November, we knew that we were in agreement with our allies in our common determination to fight and win this war. But there were many vital questions concerning the future peace, and they were discussed in an atmosphere of complete candor and harmony.

In the last war such discussions, such meetings, did not even begin until the shooting had stopped and the delegates began to assemble at the peace table. There had been no previous opportunities for man-to-man discussions which lead to meetings of minds. The result was a peace which was not a peace.

That was a mistake which we are not repeating in this war.

And right here I want to address a word or two to some suspicious souls who are fearful that Mr. Hull or I have made "commitments" for the future which might pledge this Nation to secret treaties or to enacting the role of Santa Claus.

To such suspicious souls—using a polite terminology—I wish to say that Mr. Churchill, and Marshal Stalin, and Generalissimo Chiang Kai-shek are all thoroughly conversant with the provisions of our Constitution. And so is Mr. Hull. And so am I.

Of course we made some commitments. We most certainly committed ourselves to very large and very specific military plans which require the use of all Allied forces to bring about the defeat of our enemies at the earliest possible time.

But there were no secret treaties or political or financial commitments.

The one supreme objective for the future, which we discussed for each nation individually, and for all the United Nations, can be summed up in one word: Security.

And that means not only physical security which provides safety from attacks by aggressors. It means also economic security, social security, moral security—in a family of nations.

In the plain down-to-earth talks that I had with the Generalissimo and Marshal Stalin and Prime Minister Churchill, it was abundantly clear that they are all most deeply interested in the resumption of peaceful progress by their own peoples—progress toward a better life. All our allies want freedom to develop their lands and resources, to build up industry, to increase education and individual opportunity, and to raise standards of living.

All our allies have learned by bitter experience that real development will not be possible if they are to be diverted from their purpose by repeated wars—or even threats of war.

China and Russia are truly united with Britain and America in recognition of this essential fact:

The best interests of each nation, large and small, demand that all freedom-loving nations shall join together in a just and durable system of peace. In the present world situation, evidenced by the actions of Germany, Italy, and Japan, unquestioned military control over disturbers of the peace is as necessary among nations as it is among citizens in a community. And an equally basic essential to peace is a decent standard of living for all individual men and women and children in all nations. Freedom from fear is eternally linked with freedom from want.

There are people who burrow through our Nation like unseeing moles, and attempt to spread the suspicion that if other nations are encouraged to raise their standards of living, our own American standard of living must of necessity be depressed.

The fact is the very contrary. It has been shown time and again that if the standard of living of any country goes up, so does its purchasing power—and that such a rise encourages a better standard of living in neighboring countries with whom it trades. That is just plain common sense—and it is the kind of plain common sense that provided the basis for our discussions at Moscow, Cairo, and Teheran.

Returning from my journeyings, I must confess to a sense of "let-down" when I found many evidences of faulty perspectives here in Washington. The faulty perspective consists in overemphasizing lesser problems and thereby underemphasizing the first and greatest problem.

The overwhelming majority of our people have met the demands of this war with magnificent courage and understanding. They have accepted inconveniences; they have accepted hardships; they have accepted tragic sacrifices. And they are ready and eager to make whatever further contributions are needed to win the war as quickly as possible—if only they are given the chance to know what is required of them.

However, while the majority goes on about its great work without complaint, a noisy minority maintains an uproar of demands for special favors for special groups. There are pests who swarm through the lobbies of the Congress and the cocktail bars of Washington, representing these special groups as opposed to the basic interests of the Nation as a whole. They have come to look upon the war primarily as a chance to make profits for themselves at the expense of their neighbors—profits in money or in terms of political or social preferment.

Such selfish agitation can be highly dangerous in wartime. It creates confusion. It damages morale. It hampers our national effort. It muddies the waters and therefore prolongs the war.

If we analyze American history impartially, we cannot escape the fact that in our past we have not always forgotten individual and selfish and partisan interests in time of war—we have not always been united in purpose and direction. We cannot overlook the serious dissensions and the lack of unity in our War of the Revolution, in our War of 1812, or in our War between the States, when the survival of the Union itself was at stake.

In the First World War we came closer to national unity than in any previous war. But that war lasted only a year and a half, and increasing signs of disunity began to appear during the final months of the conflict.

In this war we have been compelled to learn how interdependent upon each other are all groups and sections of the population of America.

Increased food costs, for example, will bring new demands for wage increases from all war workers, which will in turn raise all prices of all things including those things which the farmers themselves have to buy. Increased wages or prices will each in turn produce the same results. They all have a particularly disastrous result on all fixed income groups.

And I hope you will remember that all of us in this Government represent the fixed-income group just as much as we represent business owners, workers, and farmers. This group of fixed-income people include teachers, clergy, policemen, firemen, widows, and minors on fixed incomes, wives and dependents of

our soldiers and sailors, and old-age pensioners. They and their families add up to one-quarter of our 130,000,000 people. They have few or no high-pressure representatives at the Capitol. In a period of gross inflation they would be the worst sufferers.

If ever there was a time to subordinate individual or group selfishness to the national good, that time is now. Disunity at home—bickerings, self-seeking partisanship, stoppages of work, inflation, business as usual, politics as usual, luxury as usual—these are the influences which can undermine the morale of the brave men ready to die at the front for us here.

Those who are doing most of the complaining are not deliberately striving to sabotage the national war effort. They are laboring under the delusion that the time is past when we must make prodigious sacrifices—that the war is already won and we can begin to slacken off. But the dangerous folly of that point of view can be measured by the distance that separates our troops from their ultimate objectives in Berlin and Tokyo—and by the sum of all the perils that lie along the way.

Overconfidence and complacency are among our deadliest enemies. Last spring—after notable victories at Stalingrad and in Tunisia and against the U-boats on the high seas—overconfidence became so pronounced that war production fell off. In 2 months, June and July, 1943, more than a thousand airplanes that could have been made and should have been made were not made. Those who failed to make them were not on strike. They were merely saying, "The war's in the bag—so let's relax."

That attitude on the part of anyone—Government or management or labor—can lengthen this war. It can kill American boys.

Let us remember the lessons of 1918. In the summer of that year the tide turned in favor of the Allies. But this Government did not relax. In fact, our national effort was stepped up. In August 1918, the draft-age limits were broadened from 21–31 to 18–45. The President called for "force to the utmost," and his call was heeded. And in November, only 3 months later, Germany surrendered.

That is the way to fight and win a war—all-out—and not with half-an-eye on the battle fronts abroad and the other eye-and-a-half on personal, selfish, or political interests here at home.

Therefore, in order to concentrate all our energies and resources on winning the war, and to maintain a fair and stable economy at home, I recommend that the Congress adopt:

1. A realistic tax law—which will tax all unreasonable profits, both individual and corporate, and reduce the ultimate cost of the war to our sons and daughters. The tax bill now under consideration by the Congress does not begin to meet this test.

2. A continuation of the law for the renegotiation of war contracts—which will prevent exorbitant profits and assure fair prices to the Government. For 2 long years I have pleaded with the Congress to take undue profits out of war.

3. A cost-of-food law—which will enable the Government (a) to place a reasonable floor under the prices the farmer may expect for his production; and (b) to place a ceiling on the prices a consumer will have to pay for the food he buys. This should apply to necessities only; and will require public funds to carry out. It will cost in appropriations about 1 percent of the present annual cost of the war.

4. Early reenactment of the stabilization statute of October 1942. This expires June 30th, 1944, and if it is not extended well in advance, the country might just as well expect price chaos by summer.

We cannot have stabilization by wishful thinking. We must take positive action to maintain the integrity of the American dollar.

5. A national service law—which, for the duration of the war, will prevent strikes, and, with certain appropriate exceptions, will make available for war production or for any other essential services every able-bodied adult in this Nation.

These five measures together form a just and equitable whole. I would not recommend a national service law unless the other laws were passed to keep down the cost of living, to share equitably the burdens of taxation, to hold the stabilization line, and to prevent undue profits.

The Federal Government already has the basic power to draft capital and property of all kinds for war purposes on a basis of just compensation.

As you know, I have for 3 years hesitated to recommend a national service act. Today, however, I am convinced of its necessity. Although I believe that we and our allies can win the war without such a measure, I am certain that nothing less than total mobilization of all our resources of manpower and capital will guarantee an earlier victory, and reduce the toll of suffering and sorrow and blood.

I have received a joint recommendation for this law from the heads of the War Department, the Navy Department, and the Maritime Commission. These are the men who bear responsibility for the procurement of the necessary arms and equipment, and for the successful prosecution of the war in the field. They say:

> When the very life of the Nation is in peril the responsibility for service is common to all men and women. In such a time there can be no discrimination between the men and women who are assigned by the Government to its defense at the battle front and the men and women assigned to producing the vital materials essential to successful military operations. A prompt enactment of a national service law would be merely an expression of the universality of this responsibility.

I believe the country will agree that those statements are the solemn truth.

National service is the most democratic way to wage a war. Like selective service for the armed forces, it rests on the obligation of each citizen to serve his Nation to his utmost where he is best qualified.

It does not mean reduction in wages. It does not mean loss of retirement and seniority rights and benefits. It does not mean that any substantial numbers of war workers will be disturbed in their present jobs. Let these facts be wholly clear.

Experience in other democratic nations at war—Britain, Canada, Australia, and New Zealand—has shown that the very existence of national service makes unnecessary the widespread use of compulsory power. National service has proven to be a unifying moral force—based on an equal and comprehensive legal obligation of all people in a nation at war.

There are millions of American men and women who are not in this war at all. It is not because they do not want to be in it. But they want to know where they can best do their share. National service provides that direction. It will be a means by which every man and woman can find that inner satisfaction which comes from making the fullest possible contribution to victory.

I know that all civilian war workers will be glad to be able to say many years hence to their grandchildren: "Yes, I, too, was in service in the great war. I was on duty in an airplane factory, and I helped make hundreds of fighting planes. The Government told me that in doing that I was performing my most useful work in the service of my country."

It is argued that we have passed the stage in the war where national service is necessary. But our soldiers and sailors know that this is not true. We are going forward on a long, rough road—and, in all journeys, the last miles are the hardest. And it is for that final effort—for the total defeat of our enemies—that we must mobilize our total resources. The national war program calls for the employment of more people in 1944 than in 1943.

It is my conviction that the American people will welcome this win-the-war measure which is based on the eternally just principle of "fair for one, fair for all."

It will give our people at home the assurance that they are standing four-square behind our soldiers and sailors. And it will give our enemies demoralizing assurance that we mean business—that we, 130,000,000 Americans, are on the march to Rome, Berlin, and Tokyo.

I hope that the Congress will recognize that, although this is a political year, national service is an issue which transcends politics. Great power must be used for great purposes.

As to the machinery for this measure, the Congress itself should determine its nature—but it should be wholly nonpartisan in its make-up.

Our armed forces are valiantly fulfilling their responsibilities to our country and our people. Now the Congress faces the responsibility for taking those measures which are essential to national

security in this the most decisive phase of the Nation's greatest war.

Several alleged reasons have prevented the enactment of legislation which would preserve for our soldiers and sailors and marines the fundamental prerogative of citizenship—the right to vote. No amount of legalistic argument can becloud this issue in the eyes of these 10,000,000 American citizens. Surely the signers of the Constitution did not intend a document which, even in wartime, would be construed to take away the franchise of any of those who are fighting to preserve the Constitution itself.

Our soldiers and sailors and marines know that the overwhelming majority of them will be deprived of the opportunity to vote, if the voting machinery is left exclusively to the States under existing State laws—and that there is no likelihood of these laws being changed in time to enable them to vote at the next election. The Army and Navy have reported that it will be impossible effectively to administer 48 different soldier-voting laws. It is the duty of the Congress to remove this unjustifiable discrimination against the men and women in our armed forces—and to do it as quickly as possible.

It is our duty now to begin to lay the plans and determine the strategy for the winning of a lasting peace and the establishment of an American standard of living higher than ever before known. We cannot be content, no matter how high that general standard of living may be, if some fraction of our people—whether it be one-third or one-fifth or one-tenth—is ill-fed, ill-clothed, ill-housed, and insecure.

This Republic had its beginning, and grew to its present strength, under the protection of certain inalienable political rights—among them the right of free speech, free press, free worship, trial by jury, freedom from unreasonable searches and seizures. They were our rights to life and liberty.

As our Nation has grown in size and stature, however—as our industrial economy expanded—these political rights proved inadequate to assure us equality in the pursuit of happiness.

We have come to a clear realization of the fact that true individual freedom cannot exist without economic security and independence. "Necessitous men are not freemen." People who are hungry and out of a job are the stuff of which dictatorships are made.

In our day these economic truths have become accepted as self-evident. We have accepted, so to speak, a second Bill of Rights under which a new basis of security and prosperity can be established for all—regardless of station, race, or creed.

Among these are:

The right to a useful and remunerative job in the industries, or shops or farms or mines of the Nation;

The right to earn enough to provide adequate food and clothing and recreation;

The right of every farmer to raise and sell his products at a return which will give him and his family a decent living;

The right of every businessman, large and small, to trade in an atmosphere of freedom from unfair competition and domination by monopolies at home or abroad;

The right of every family to a decent home;

The right to adequate medical care and the opportunity to achieve and enjoy good health;

The right to adequate protection from the economic fears of old age, sickness, accident, and unemployment;

The right to a good education.

All of these rights spell security. And after this war is won, we must be prepared to move forward, in the implementation of these rights, to new goals of human happiness and well-being.

America's own rightful place in the world depends in large part upon how fully these and similar rights have been carried into practice for our citizens. For unless there is security here at home there cannot be lasting peace in the world.

One of the great American industrialists of our day—a man who has rendered yeoman service to his country in this crisis—recently emphasized the grave dangers of rightist reaction in this Nation. All clear-thinking businessmen share his concern. Indeed, if such reaction should develop—if history were to repeat itself and we were to return to the so-called normalcy of the 1920's—then it is certain that, even though we shall have conquered our enemies on the battlefields abroad, we shall have yielded to the spirit of fascism here at home.

I ask the Congress to explore the means for implementing this economic bill of rights—for it is definitely the responsibility of the Congress so to do. Many of these problems are already before committees of the Congress in the form of proposed legislation. I shall from time to time communicate with the Congress with respect to these and further proposals. In the event that no adequate program of progress is evolved, I am certain that the Nation will be conscious of the fact.

Our fighting men abroad—and their families at home—expect such a program and have the right to insist upon it. It is to their demands that this Government should pay heed rather than to the whining demands of selfish pressure groups who seek to feather their nests while young Americans are dying.

The foreign policy that we have been following—the policy that guided us at Moscow, Cairo, and Teheran—is based on the common-sense principle which was best expressed by Benjamin Franklin on July 4, 1776:

> We must all hang together, or assuredly we shall all hang separately.

I have often said that there are no two fronts for America in this war. There is only one front. There is one line of unity which extends from the hearts of the people at home to the men of our attacking forces in our farthest outposts. When we speak of our total effort we speak of the factory and the field and the mine as well as of the battleground—we speak of the soldier and the civilian, the citizen and his Government.

Each and every one of us has a solemn obligation under God to serve this Nation in its most critical hour—to keep this Nation great—to make this Nation greater in a better world.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 11, 1944.*

Mr. McCORMACK. Mr. Speaker, I move that the message of the President of the United States be referred to the Committee of the Whole House on the state of the Union and ordered printed.

The motion was agreed to.

EXTENSION OF REMARKS

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD on two matters, in the first to include a resolution adopted by Lawrence Post, No. 1549, Veterans of Foreign Wars, and in the other to include a speech by Dr. Melvin T. Copeland, chairman of the Massachusetts Committee on Post-War Readjustment, made on December 30, 1943.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. LANE]?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include an article from the Post.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

THE O. P. A.

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. O'BRIEN]?

There was no objection.

Mr. O'BRIEN of New York. Mr. Speaker, once more "the odoriferous palace of arrogance"—the O. P. A.—has gummed up the national pork situation. This glorious sanctuary of confusion refuses to countenance the oversupply of pork now existing in this country.

Not more than 4 weeks ago it was utterly impossible to buy pork. The markets had none. Today the complexion of the picture has changed. There is more pork in the country than we can consume. Unless this obdurate parasite of aggravation, the O. P. A., drastically liberalizes the purchase restriction on this all-important commodity, the result will be spoiled pork, putrid pork, and before long another pork shortage.

Why not have a pork holiday and give the people a chance to buy? No; that would be too practical, too prudent. The state of confusion existing in this particular agency is most disgusting. The American people are exceedingly disturbed and they have a right to be alarmed.

Let us declare a pork holiday and relieve the horrible bungling which this gang has created.

EXTENSION OF REMARKS

Mr. BURDICK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the Bank of North Dakota, and in another instance to extend my own remarks in the RECORD on court interference, and to include therein two editorials from the Washington Post.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota [Mr. BURDICK]?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief excerpt from the Army and Navy Journal.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. COCHRAN]?

There was no objection.

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article by George Morris, and also to extend my own remarks in the RECORD on the question of war-labor legislation.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. GATHINGS]?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that on Thursday next, after the disposition of the regular business on the Speaker's desk and at the conclusion of any special orders heretofore entered, I may address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. MADDEN]?

There was no objection.

EXTENSION OF REMARKS

Mr. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the New York Daily Mirror.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. KENNEDY]?

There was no objection.

LET US GIVE HEED

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. MURRAY]?

There was no objection.

Mr. MURRAY of Wisconsin. Mr. Speaker, I wish to call the attention of my colleagues to the House joint resolution which I introduced yesterday. It is as follows:

Joint resolution to insure the complete fulfillment of commitments made to producers who have expanded production of nonbasic agricultural commodities

Resolved, etc., That in cases where producers have expanded or hereafter expand production on nonbasic agricultural commodities pursuant to any public announcement made under section 4 (a) of the act entitled "An act to extend the life and increase the credit resources of the Commodity Credit Corporation, and for other purposes," approved July 1, 1941, as amended, it shall be the duty of the Secretary of Agriculture, through loans, purchases, and other operations under such section 4 (a), to completely fulfill all commitments made to such producers. In order to carry out the purpose of the joint resolution, the Secretary of Agriculture shall use such of the funds available for carrying out the provisions of such section 4 (a) as may be necessary, and such funds are hereby made available for such purpose.

The purpose of this resolution is to make a constructive approach to the 1944 food-production program.

When the life of the Commodity Credit Corporation was extended in the first session of the Seventy-seventh Congress it contained, in part, the following provision:

SEC. 4. (a) Whenever during the existing emergency the Secretary of Agriculture finds it necessary to encourage the expansion of production of any nonbasic agricultural commodity, he shall make public announcement thereof and he shall so use the funds made available under section 3 of this act or otherwise made available to him for the disposal of agricultural commodities, through a commodity loan, purchase, or other operation, taking into account the total funds available for such purpose for all commodities, so as to support a price for the producers of any such commodity with respect to which such announcement was made of not less than 85 percent of the parity or comparable price therefor. Any such commodity loan, purchase, or other operation which is undertaken shall be continued until the Secretary has given sufficient public announcement to permit the producers of such commodity to make a readjustment in the production of the commodity. For the purposes of this section, commodities other than cotton, corn, wheat, tobacco, and rice shall be deemed to be nonbasic commodities.

This is further implimented in the Price Control Act of the second session of the Seventy-seventh Congress, which is in part as follows:

SEC. 9. (a) Section 4 (a) of the act entitled "An act to extend the life and increase the credit resources of the Commodity Credit Corporation, and for other purposes," approved July 1, 1941 (U. S. C., 1940 ed., supp. I, title 15, sec. 713a–8), is amended—

(1) By inserting after the words "so as to support" a comma and the following "during the continuance of the present war and until the expiration of the 2-year period beginning with the 1st day of January immediately following the date upon which the President by proclamation of the Congress by concurrent resolution declares that hostilities in the present war have been terminated."

(2) By striking out "85 percent" and inserting in lieu thereof "90 percent."

(3) By inserting after the word "tobacco" a comma and the word "peanuts."

(b) The amendments made by this section shall, irrespective of whether or not there is any further public announcement under such section 4 (a), be applicable with respect to any commodity with respect to which a public announcement has heretofore been made under such section 4 (a).

Since all farm products have not been maintained at the levels designated by law, it appears to be most desirable to correct the situation where these commitments to the producers have not been fulfilled. The first reason for this is that it is the only fair and honest procedure to follow. Our Government must fulfill its commitments to all groups. The second reason is that it is going to be rather discouraging for our agricultural agencies to put on a 1944 food program if provision is not made to fulfill the commitments made in 1942 and 1943.

The increased national food production was the result of—first, the patriotic desire of the farmers to produce; second, above average weather conditions which prevailed during these two seasons; third, the conversion of accumulated stock piles of feed into livestock and livestock products; fourth, and the support prices guaranteed by the above paragraphs of the law of the land.

In 1944 we are not only confronted with the increased demands for food for our armed forces, but also with the demands of the U. N. R. R. A., the F. E. A., and other agencies. If the commitments for 1943 are fulfilled it will materially aid in securing the food production needed in 1944.

The proposal several months ago by the National Farmers Union for Federal contracts with individual producers may yet be the answer to this problem.

The following is an excerpt of a letter from Mr. Joseph A. Becker, Chairman of the Crop Reporting Board:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF AGRICULTURAL ECONOMICS,
Washington, D. C., January 7, 1944.

Hon. REID F. MURRAY,
House of Representatives.

DEAR MR. MURRAY: In your letter of January 3, you ask for the parity price of hogs and eggs as of December 1 and December 30, 1943. Parity prices are calculated as of the 15th of each month and released on the 29th or 30th, since their calculation is tied in with the United States average price received by farmers for the various agricultural commodities and prices paid by farmers for commodities, interest, and taxes. Both of these series relate to the 15th of the month. That is, the parity price calculated as of November 15 is generally used as the parity from the end of November to the end of December; the parity for December, from then to the end of January, etc. For your information, the parity prices for hogs and eggs as of November 15 and December 15, 1943, are shown below, with additional information showing the data used in deriving them:

	Hogs per 100 lbs., dollars	*Eggs per doz., cents*
Parity price:		
Nov. 15, 1943	12.10	[1] 49.5
Dec. 15, 1943	12.20	[1] 44.0

[1] Adjusted for seasonal variation.

Very truly yours,

JOSEPH A. BECKER,
Chairman, Crop Reporting Board.

You will note that the parity price of eggs is now 44 cents per dozen, and 90 percent of this price is 39.6 cents per dozen.

The producers in the Midwest are receiving from 24 to 28 cents per dozen, or 11 to 15 cents per dozen below the price guaranteed by law.

The producers of hogs are receiving 7 cents or less per pound for hogs under 200 pounds in weight, though the parity price is $12.20 per hundred. The 90 percent guaranteed prices is $10.98 per hundredweight. The announced support price is for hogs weighing 200 to 300 pounds, but this has no bearing on the 90-percent parity guaranteed price in the Price Control Act.

SHAWANO EVENING LEADER'S APPRAISAL

An editorial from the January 6, 1944, Shawano Evening Leader is evidence of the situation. Shawano is one of the leading dairy centers of the Nation, and the county and this paper are agriculturally conscious of what is happening at the grass roots as far as food production is concerned.

STILL A SHORTAGE OF PORK, THE W. F. A. INSISTS

The unprecedented influx of pork at midwestern markets is only a local and temporary condition, and a general shortage really exists, a spokesman for the War Food Administration told the group of Congressmen who had suggested that rationing be lifted for a 2-week period to relieve the overcrowded pork marketing channels.

The W. F. A. implies that the surplus of pork is all in the minds of a few speculators who were caught short with a few carloads of animated frankfurters on their hands.

However, the W. F. A. deductions do not agree with the facts.

This week saw the largest haul of pork to markets in 19 years; far greater than the pork deluge of 1934 when the Government authorized the slaughter of millions of little pigs.

It would be pretty hard to convince the Shawano County farmers who found no sale for their pork locally, and had to haul the pigs back from Green Bay after hitting no better luck over there.

The surplus of pork is general in the 19 large marketing centers throughout the Midwest. If steps are not taken to put more pork into private storage, there will be a spoilage of meat that will make the 1934 slaughter look dimunitive by comparison.

But the W. F. A., like many other Government agencies, is obstinate and stubborn. The agency is commanded by men who obviously are familiar with neither farm nor food problems. They have charted a course based on over-all figures, and are determined to stick to their guns come hell or high water.

After 18 months of heckling bureaucracy for failure to equalize returns from dairying with returns from hogs, poultry, and beef, the adjustment has finally taken place:

Eggs dropped from 42 cents a dozen to 28 cents a dozen in Wisconsin;

Light hogs are selling as low as 8 cents a pound, with 40- to 50-pound hogs going freely at $2.50 apiece;

Canners, cutters, and young heifers are going begging;

Who knows who "planned it that way"? But, everybody abused Washington when things were out of balance, so now Washington should take all the credit for restoring the balance.

I wish also to call your attention to the following article from the Sunday, January 9, 1944, New York Times:

LOWER EGG PRICES SEEN BY WOOLLEY—CEILING LISTS TO BE REPLACED BY COST-PLUS SYSTEM, EFFECTIVE TUESDAY

Further reductions in retail prices of eggs this week were forecast by Daniel P. Woolley, director of the regional office of Price Administration, when he signed yesterday an order effective Tuesday removing eggs from community ceiling lists and again placing egg pricing in the New York metropolitan area under Maximum Price Regulations 422 and 423. These provisions permit retailers to compute prices on a percentage over actual cost.

Meanwhile the Onondaga County Farm Bureau, taking exception to Mayor LaGuardia's proposal for a boycott to depress retail egg prices 10 to 15 cents a dozen below ceilings, invited him to become a farmer for a day and visit central New York to study egg production. The organization declared that Mayor LaGuardia's proposal was another contribution to "internal strife already too apparent in this war-torn country."

At the same time F. D. Cronin, regional director of the Food Distribution Administration, without specifically referring to Mayor LaGuardia's criticism of the Government's egg-buying support program, which the mayor termed "unscientific, unjust, and wasteful," declared that the support program instituted by F. D. A. "is to support a floor under egg prices, not to maintain high prices."

STRESSES AID TO PRODUCERS

"In spite of our purchases," Mr. Cronin said, "wholesale egg prices have dropped a cent or more a day during the past week. Some producers already have felt the benefit of our purchase program because 1,200 cases of eggs purchased were taken from their own cooperative associations.

"Other producers will feel benefits of this week's purchases soon because we are placing a floor under egg prices in the larger markets and prices in these markets are reflected back to producing areas within a few days.

"F. D. A. purchases were made this week at prices ranging from 31 to 33 cents for consumer grade A medium eggs to 42 cents for consumer grade A, large.

"We hope that the time will come within the next few weeks when the egg market will support itself so that the Government may withdraw.

"Eggs purchased under the program are distributed to charitable and welfare institutions and are used in school-lunch programs."

WOOLLEY SEES REAL SAVINGS

In announcing that egg pricing would again go under MPR 422 and 423, Mr. Woolley specified that the new order would apply to Suffolk, Nassau, Westchester, Rockland, Dutchess, Orange, and Putnam Counties as well as New York City.

"Housewives can look for real savings beginning next Tuesday, when the order goes into effect," he said. "I want to make it very emphatic that eggs are still under price control. What we are doing is to apply another pricing procedure which will give the consumer the saving he should have as a result of the huge surplus of eggs now on the market."

The mark-up allowed to retailers ranges from 12 to 17 percent, depending on the type of store, with higher percentages allowed the smaller stores.

Roland W. Beauchamp, president of the Delmarva Broiler Industry, who said he represented some 3,100 poultry raisers in the Delaware, Maryland, and Virginia area doing an annual business of $75,000,000, declared that New York City would be confronted with a serious poultry shortage unless the O. P. A. raised the ceiling price on live poultry 2 cents above its present level of 28½ cents a pound.

When informed of Mr. Beauchamp's warning, Mayor LaGuardia asserted that "consumers do not object to an increase in prices paid to the farmer, if necessary," and added:

"If we can get poultry at ceiling prices that is all we ask. Some poultry people went to jail and others will follow them if ceiling prices are not maintained."

It is regrettable that Mayor LaGuardia terms the support program unscientific, unjust, and wasteful. The large production of food in 1942 and 1943 can be attributed partly to this support price. His diatribe is becoming increasingly more distasteful on all subjects of public interest.

Since the producer has lived up to the request for increased production, it is imperative that we see that the commitments made them are lawfully fulfilled.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein a newspaper editorial and an article from the New York Times.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. MURRAY]?

There was no objection.

EXTENSION OF REMARKS

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include recent comments by a distinguished newspaperman, Cecil Dixon, appearing in the Binghamton Press.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. EDWIN ARTHUR HALL]?

There was no objection.

Mr. HORAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech by Mr. Lester Edge, an attorney of Spokane, Wash.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. HORAN]?

There was no objection.

Mr. HILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein an address delivered by my colleague the gentleman from Colorado [Mr. ROCKWELL], made over a national radio broadcast on January 5, 1944, on the question, Shall we save our Allied children?

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. HILL]?

There was no objection.

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter on taxes.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. PLOESER. Mr. Speaker, on yesterday I obtained unanimous consent to

extend certain material in the Appendix of the RECORD. The Public Printer informs me that the cost will be $472. I now ask unanimous consent that this material may be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. POULSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address by Mr. Rupert Hughes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RAMEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a portion of an address delivered by William Duncan Kilpatrick at the First Church of Christ Scientist in Washington on November 30.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BUSBEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from Mr. Fred W. Blaisdell, executive director of the Better Government Association, of Chicago, on the soldier vote.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two letters from the Navy Department.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HAYS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement by Edward J. Neeman.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. WEISS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Christian Science Monitor.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WRIGHT. Mr. Speaker, we have just listened to a great fighting address by a great fighting President. After this clear call for service, the petty political bickering that has unfortunately marred our deliberations must occasion us some regret.

A nation engaged in mortal combat with a strong and relentless foe needs strength of spirit as well as strength of arm. It is fortunate for the American people, now engaged in a great war, that they have enough experience to understand the exigencies of politics, and therefore will be amused, rather than appalled, when they read in the press and in the RECORD some of the strictures upon our President. If they did not understand, they might be depressed indeed, for—

Even such a man, so faint, so spiritless,
So dull, so dead in look, so woebegone,
Drew Priam's curtain in the dead of the night,
And would have told him half his Troy was burnt.

Gentlemen stand upon the floor of this House day after day proclaiming such woe and ruin that a foreigner, unacquainted with our political methods, might easily suppose that the wreck of the Republic is impending. Fortunately, we on this side are under no necessity of answering them in words. They are answered by events. The whole world stands amazed at the revelation of the power and determination of the United States. At the end of 10 years of what they tell us was ruinous rule the Nation has emerged stronger in physical might, bolder in defense of its rights, and more determined in its devotion to its ideal of human freedom than ever it was before.

If this is the result of calamitous misrule through more than a decade, then words have lost their meaning.

EXTENSION OF REMARKS

Mr. WELCH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial which recently appeared in the San Francisco Chronicle with reference to air transportation by our merchant-marine industry.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WEICHEL of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD with reference to the shipping outlook and include therein an editorial from the Journal of Commerce with reference to Admiral Land.

The SPEAKER. Is there objection to the request o the gentleman from Ohio?

There was no objection.

FIRST HERO OF WORLD WAR

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks, and include therein an article on the late Capt. Joseph A. Gainard, hero of the steamship *City of Flint*, and other services.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I attended on Thursday the impressive funeral of Capt. Joseph A. Gainard, the hero of the steamship *City of Flint* and often called the first hero of World War No. 2. Truly he was a great American, a son of the sea and a stanch defender of all that is truly American. He was called to his final assignment by the Great Commander in Chief in San Diego, Calif., on December 23. Capt. Joseph A. Gainard, United States Naval Reserve, holder of the Navy Cross, famed Yankee skipper of the steamship *City of Flint* which figured so prominently in the events preceding this country's entry into the war, died following a 2 weeks' illness. Famed as he was for his activities in the merchant marine, Captain Gainard was well on his way to an even greater measure of fame as an officer in the United States Navy.

Recalled to active duty in September 1941 as a lieutenant commander, a rank reached in World War No. 1 after enlisting as an apprentice seaman, he did a short tour of duty at First Naval District Headquarters and then was assigned as a commanding officer of the Boston section base of the local defense force. Here he ably demonstrated his great knowledge of the waters bordering our Atlantic coast while directing the antisubmarine patrol in those dark days following our initial entry into the war. Giving unstintingly of his energies he set a fine example to the numerous reserve officers assigned to his command. Raised to the rank of commander on September 30, 1942, he continued at Lockwood Basin until called on April 16, 1943, to take command of the U. S. S. *Big Horn* a combat ship of the western sea frontier. His great capacity for hard work and his astounding knowledge of tactics of modern sea warfare earned him the commendation of his superiors and the absolute admiration of his crew members.

Demonstrating time after time his oft-repeated statement that "No man is a hero; he is either a man or a bum," he drove himself so strenuously that he contracted pneumonia and was forced to spend 2 months in the naval hospital at Chelsea, Mass. Following his release from the hospital he was raised in rank to captain on June 14, 1943, and was placed in command of the U. S. S. *Bolivar* on August 16, 1943, and began training in the arduous amphibious operations technique. After 3 months of preparation Captain Gainard and the ships under his command sailed for the Pacific theater, and there his recent activities were shrouded in the mystery of war censorship until the startling news that he had been taken off his ship at sea after an attack of pleurisy came. Taken to the naval hospital in San Diego, he again demonstrated his fighting spirit by living in an oxygen tent for 2 weeks. When the end came to this real American hero he was still giving in his subconscious mind commands to his ship—a son of the sea to the last.

Capt. Joseph Gainard was a fine example to all his men. Fair, honest, straightforward, and outspoken, he typified to his men, officers and enlisted alike, all that was best in the person of a naval officer. He was the personification of the spirit that impelled our forbears to fight for the independence of their new government. Dear to him always were the American ideal and the dignity of man. He left for all who knew him a great heritage of honor and love which time can only cause to strengthen, not lessen.

GREAT HEART IN FAMED HERO—CHILDREN MOURN CAPTAIN GAINARD, NOTED FOR WORLD WAR NO. 2 EXPLOITS, ALWAYS THEIR DEVOTED FRIEND

(By Henry Gillen)

When the current World War started September 1, 1939, the last thing that the Germans wanted to do was to arouse America.

They remembered 1917 when American patience could not longer stand the arrogance of the Kaiser cult and struck back at the gray-clad supermen who were then on the threshold of victory.

They remembered particularly that it was the sea which had caused all the trouble, beginning with the *Lusitania* and ending when the submarine forays against neutral American ships whipped American wrath to war.

So in September of 1939, as the Nazi machine began to roll over Poland, baiting America was taboo. There were to be no overt acts. The war was to be a European affair and America to be kept out it at all costs.

Three days later the British ship *Athenia* was sunk while bound for Canada, sunk it is assumed by a stupid German sub commander of the Kaiser school. One day later, Capt. Joseph Gainard, American merchant skipper, of Chelsea and Melrose, brought the war home to America.

On that day, September 4, with his American merchant ship, the steamship *City of Flint*, he picked up hundreds of survivors of the *Athenia* sinking and headed for Halifax.

He brought the war home to America in its most horrible aspects, the Nazi kind of war, in the shipload of civilians he carried across the ocean from a point off the British Isles—a shipload, many of them Americans, of innocent noncombatants who had tossed 24 hours in a cold oil-slicked sea.

In the chapters relating to that incident which he told so graphically in his splendid, seagoing book Yankee Skipper, it is obvious that the horror of the incident, even to a man who had been torpedoed himself at one time, was intensified by the rescuer. The *City of Flint* had taken on survivors.

"About noon a Norwegian ship with a load of lumber come by so close I thought at first she was going to hit us. They asked if we needed anything. We told them we could use some blankets and old clothing they had. We also told them we certainly needed potatoes, and milk. We had suddenly discovered we had babies aboard and lots of them, and we wanted to be sure we had plenty of fresh milk."

He might have been skipper of an overcrowded freighter sailing through sub-infested waters, but he was not hard-boiled. In that courageous heart of his there was a warm spot for little children and that unhappiness should come to them hurt him intensely.

Yet, as you measure men by their acts, there is another sidelight on the rescue of the *Athenia* passengers which defines the kind of a man he was.

GRATEFUL GERMAN GIRL

The first survivor over side of the steamship *City of Flint* was a water-soaked, oil-covered little girl. Captain Gainard welcomed her and asked her where she was from, expecting her to say Montreal, New York, Mobile or some other place.

The girl replied that she was ashamed to tell him. He was alarmed at the reply and asked why. She said she was a German. She felt that the shame of the killer-sub captain was her shame. Captain Gainard assured her there was only one nationality on his ship and that was American. He asked her if she would help take care of other survivors. She agreed and was so grateful for the kindness shown her she became a mainstay in making other passengers as happy as they could be throughout the journey.

The name of Captain Gainard rang around the world. On a small Hog Island freighter, he improvised and made possible comfort in crowded quarters for the first survivors of Nazi madness.

SHIP SEIZED BY NAZIS

Captain Gainard was no stranger to warfare. In the First World War, as a naval officer, first a junior lieutenant and up to a full commander, he had been torpedoed several times in ocean crossings.

But he had hardly landed the *Athenia* survivors when the *City of Flint* and himself were off again to Europe with a cargo that contained no contraband. The winter weather was coming out of the Arctic already. It was October as he sailed north.

Six days out of New York the German pocket battleship *Deutschland* came over the horizon, stopped him, and put an inspection crew aboard. The Huns shook their heavy heads over a small amount of white flour and a tractor aboard. It might be contraband.

So they put a big armed guard aboard, declared the ship a prize, and headed for Germany. It was all so simple. But lean, sharp-eyed, soft-spoken Captain Gainard was not so simple. Thus began a fabulous sea yarn.

TRICKS HIS CAPTORS

It was Germany's first overt act against America. One man in a merchant-marine uniform carried on his slim shoulders the honor of America. The prize crew was armed to the teeth. He, Captain Gainard, had his bare fists and a supple wit with which the Creator endowed him.

With infinite patience and tact, playing as a cat with a mouse, he obeyed and waited, obeyed and planned, with his knowledge of the rules of war and the sea, and pushed his captors ever deeper into the corner.

From midocean to Murmansk, then down the Norwegian coast, bound for Germany, he played a skilled game and finally tricked the Germans to put into Haugesund, Norway. The Norwegians, coming to the aid of the captured Americans, interned the German prize crew for putting into the harbor without any right to do so and set the *City of Flint* free.

OLD FRIEND OF POST SANTA

Americans in America who had watched and waited anxiously for the outcome of this tremendous international incident involving an American ship and a Melrose skipper, breathed easier and applauded. A Yankee skipper, a skipper the Germans regarded as a particular prize, because of the fact that he had upheld American honor with his wits alone against their arrogance and might.

When the Norwegians freed the steamship *City of Flint* on November 4, 1939, there was a particular group of persons in Boston who hoped that Captain Gainard would be able to be home before Christmas.

They were Boston Post men and women, and the men and women volunteers of the Boston Post Santa Claus fund, who remembered him as an old friend.

Although as a merchant captain he was away to sea most of the time, in December, year after year, he always seemed to manage to make a visit to the Boston Post Santa Claus workshop with a contribution, and would then pitch in on the actual work of helping to fill the empty stockings of little children who might not otherwise be remembered by Santa Claus.

SENDS MESSAGE FROM NORWAY

Day in and day out, from early morning until late afternoon, he would be on hand, generously giving his labor and skill to the task. Great men are not only great in big things; they are great in little things, and little children who might not be happy on Christmas day was one of those awfully important little things that this busy man could not overlook.

He didn't make the Boston Post Santa workshop in 1939. But he didn't forget. In the closing hours of that campaign for happiness, on December 23, by wireless from Bergen, Norway, where his ship was being prepared for the return voyage to America after the brush with the Germans, a message came from him.

At the moment he was the toast of free peoples. At the moment he was headed for honors from a grateful government, particularly, a grateful State Department for the manner in which he handled a daring and dangerous episode.

WELCOMED BACK IN 1940

The message was one, not for the Post Santa friends, but the little children he loved. It was a contribution to the fund, airwaved across the dark Atlantic to New York and then relayed to Boston in time to fill some more empty stockings.

But in Christmas time of 1940 he did not miss. He was on hand in person. He was a guest cashier to receive gifts one noon from friends and well-wishers.

The Boston Santa staff will not forget that time. It was getting near to noon when he was due to appear. They wondered what was keeping him. They watched the door of the workshop and even scanned the street.

Then someone spotted him. He was already in the workshop. He had come in quietly, taking a seat at one of the long tables where the volunteers worked and was busy reading requests from the little ones who believed in Santa.

He was sitting there, unobtrusively, chuckling over such lines in the letters as: "I will put some bread and butter on the stove for you, Santa," or, "Me and my brother are twins, so please send the presents all alike," or, "My mother told me you had no drums, but I want one."

HAPPIEST WHEN WITH CHILDREN

A grand reunion followed among the volunteers who remembered him from away back. He hadn't changed. He wouldn't talk about himself. His concern at that moment was the work being done for the children and how it was going.

In that big building where happiness was made and laughter manufactured for the momentarily less fortunate or children, he seemed at home and very happy.

When he died the other day, as a full captain of the Navy he loved so much, and a great hero, a victim of prodigious labors that America might win the war in which he played such a vital part, there was a place made for him in Valhalla.

But those who knew him well feel that he will hardly be happy in the great hall where the gold stars shine on the great fighting men of all time.

He will probably seek out the playrooms where the little ones are, to whittle out gimcracks so that he can make them laugh as they sit on his knee and sing for him.

EXTENSION OF REMARKS

Mr. GROSS. Mr. Speaker, I ask unanimous consent to extend my own remarks

in the RECORD and include therein an editorial from the York Dispatch entitled "Politics—Politics."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

1943 TOBACCO CROP

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, I notice in the morning paper that the O. P. A. has now issued an order that farmers may sell their 1943 tobacco crop, which had been frozen until this date. The ceiling price for straight stripped tobacco is 10 cents a pound. I do not know what these farmers have ever done that they have the ill will of the O. P. A. to that extent. In the other World War we got 20 and more cents per pound for straight stripped tobacco, and from 1900 down to the present time we have many, many times gotten more than 10 cents.

Certainly with the light crop produced in 1943, together with the increased cost of production (labor and fertilizer) and with the increased demand and rising cost of smoking tobacco, cigars, and cigarettes, this action by the O. P. A. is indefensible.

EXTENSION OF REMARKS

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter I received from the Honorable Grover B. Hill, Assistant Secretary of Agriculture.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CHALLENGE TO AN INFLATIONARY CONGRESS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the message of the President of the United States contains a definite challenge to an inflationary Congress. It is a very timely and appropriate message. This Congress has been very inflationary. If the recommendations of that important message are carried out, the Seventy-eighth Congress will have to change its policies and votes because this Congress has been inflationary. This message, if carried out by Congress, will enable the United States to win the war and plan the peace more quickly.

INFLATIONARY CONGRESS

The Seventy-eighth Congress has been inflationary for the reason that our friends on the Republican side of the aisle have been voting together almost solidly on questions involving inflation or the prevention of inflation.

I have been a member of the Banking and Currency Committee of the House of Representatives for a number of years. This committee has been as near nonpartisan, I believe, as any committee in Congress; but during the past year the members on the Republican side have been voting almost solidly together on questions involving the prevention of inflation.

And on the paramount question of paying subsidies to prevent inflation, the Republican members of our committee voted solidly and along with four members on the Democratic side of the committee, they were able to report out a bill against subsidies.

If the votes during the past year in the House of Representatives are examined it will be noticed that a few Democrats along with a solid and almost solid Republican bloc, have been able to successfully deny the President of the United States the tools and weapons with which to fight ruinous and run-away inflation.

For instance, Congress passed the law October 2, 1942, known as the Stabilization Act, intended to stabilize prices, wages, and salaries. The law was a good one and contained a directive to the President of the United States to hold the line insofar as practicable as of September 15, 1942.

The President, of course, needed more than just a law; he needed money with which to enforce the law. When the appropriation bill came up in 1942 providing money for the enforcement of this law, an almost solid Republican bloc, along with a few Democrats, reduced the appropriation for the enforcement of this law more than $30,000,000, thereby rendering its enforcement very difficult and in some respects almost impossible.

In addition to this highly inflationary vote to effectively prevent the enforcement of price and rent control, there was another very significant vote concerning the appropriation for the Office of War Information. O. W. I. had been doing an excellent job teaching the people the evils of inflation, warning them of its consequences and advising them how inflation could be prevented with their cooperation.

The Congress not only reduced the appropriation of O. W. I. but actually eliminated entirely the appropriation that this particular division would use. Therefore, this was another highly inflationary vote which was successful because of a solid block of Republicans and a few Democrats.

Another instance may be cited in the Ruml tax plan. The President had asked for a tax bill that would raise $16,000,000,000 more money so as to pay more of the cost of the war as we go along. Instead of that the Congress passed a bill which would refund to income taxpayers money already owed to the Government under existing laws amounting to approximately $7,500,000,000.

In other words Congress was going in exactly the opposite direction from the President—Congress inflationary and the President trying to stop inflation.

On the first vote coming before the House on the Ruml plan March 30, 1943, the Democrats voted 15 for and 190 against, but the Republicans voted 182 for and 22 against. On the second vote on the Carlson-Ruml plan, May 4, 1943, the Democrats again voted 14 ayes and 191 nays; the Republicans voted 188 ayes and 12 nays. On the motion to instruct the conferees to agree to Senate amendment, May 18, 1943—actually the Ruml plan—the vote of the Democrats was 7 yeas and 190 nays, but the Republicans voted 187 yeas and only 9 nays.

These three votes definitely show that the Republicans were voting almost as a solid block, as they have on practically all questions involving the prevention of inflation.

On the question of agreeing to the conference report which was for final passage of the tax bill, which would remit three-fourths of the 1941 taxes instead of 100 percent, as proposed by Ruml, the vote on June 1, 1943, was, by the Democrats, 88 ayes and 98 nays, and by the Republicans 169 ayes to 13 nays.

REPUBLICANS—INFLATIONARY PARTY

On the question of renegotiation of contracts there is a definite step in the direction of inflation and at the same time permitting undue profits to be made out of the war. The Republicans are taking the lead and sponsoring the repeal of the Contract Renegotiation Act.

The Ruml plan, which was sponsored by the Republicans and which was 75 percent finally adopted, created the first crop of war millionaires in this war. The repeal or substantial change in the Renegotiation Act will create the second crop of war millionaires in this war.

The fact that the Republicans are standing solidly against new taxes, for the repeal of contract renegotiation, against subsidies, against appropriating sufficient money to enforce the Stabilization Act, and against the only agency that was informing the people of the evils and dangers of inflation is positive proof that this party is the inflationary party and may be properly labeled the printing-press money party, as inflation requires printing-press money.

INFLATION MAY CAUSE LOSS OF WAR

If money becomes so cheap that it will not buy anything, our people will not continue to work for worthless money. Therefore, it is possible for us to lose the war here at home while there are millions of our sons fighting the war overseas on the battle fronts.

$20,000,000,000 TO MAIL ONE LETTER

I have before me photostatic copies of 14 letters that were mailed from Berlin, Germany, to New York City. Each letter was mailed by the same person in Berlin and was addressed to the same person in New York City and of the same size and weight.

The first letter, May 9, 1923, carried the necessary postage of 980 marks, or about $250 our money at that time.

The second letter, August 15, 1923, carried 1,800 marks, or about $450 our money.

The third letter, August 31, 1923, required 60,000 marks, or about $15,000 our money.

The fourth letter, September 8, 1923, required 200,000 marks, or about $50,000, our money, as postage.

The fifth letter, October 1, 1923, required 10,280,000 marks or more than two and one-half million dollars of our money.

The sixth letter, October 2, 1923, required 6,000,000 marks, or about one and one-half million dollars, our money.

The seventh letter, October 13, 1923, required 15,000,000 marks, or about $3,750,000 our money.

The eighth letter, October 20, 1923, required 30,000,000 marks, or about seven and one-half million dollars our money.

The ninth letter, October 20, 1923, required 45,000,000 marks, or more than $10,000,000 our money.

The tenth letter, November 6, 1923, required 4,000,000,000 marks, or about $1,000,000,000 our money.

The eleventh letter, November 9, 1923, required 6,000,000,000 marks, or about one and one-half billion dollars our money.

The twelfth letter, November 12, 1923, required 40,000,000,000 marks or about $10,000,000,000 our money.

The thirteenth letter, November 16, 1923, required 30,000,000,000 marks, or about seven and one-half billion dollars, our money, in postage.

The fourteenth letter, November 23, 1923, required 80,000,000,000 marks as postage, or about $20,000,000,000 in our currency.

INFLATION WILL FORCE A DICTATORSHIP

This is a fair sample of what inflation will do. There is only one way for a country to come out of inflation, and that is through a dictatorship. Anyone advocating inflationary measures is indirectly advocating a dictatorship in our country.

TAKING THE PROFIT OUT OF WAR, AND UNIVERSAL SERVICE

I am inserting herewith statements from the annual conventions of the American Legion, Veterans of Foreign Wars, and Disabled American Veterans of the World War, which were adopted at their national conventions on the question of taking the profit out of war, and universal service.

RESOLUTIONS AND STATEMENTS RELATIVE TO KEEPING THE PROFITS OUT OF WAR ENUNCIATED AT NATIONAL ANNUAL CONVENTIONS OF THE AMERICAN LEGION, VETERANS OF FOREIGN WARS OF THE UNITED STATES, AND DISABLED AMERICAN VETERANS OF THE WORLD WAR

A. ANNUAL CONVENTION OF THE AMERICAN LEGION

1. A summary of proceedings (revised), fourth national convention of the American Legion, New Orleans, La., October 12–20, 1922, page 16. Universal service law recommended (by military affairs committee report):

"The committee believes that a statute of this character will, if properly administered, take the profit out of war and will preclude in any future crisis many, if not all, of the economic ills, dissatisfaction, and unrest that have been the aftermath of the World War."

2. Reports of the fifth annual convention of the American Legion, San Francisco, October 15–19, 1923, pages 107–108. Universal draft—House Joint Resolution 400, introduced by a Legionnaire into Congress included statements (December 6, 1922), Sixty-seventh Congress, fourth session:

"Whereas to take the profits out of war and to require equal service for all, and deny special profits to any, will be conducive to peace."

3. Resolution adopted at San Francisco convention (read in part):

"Whereas a special committee was appointed by resolution of the third national convention of the Legion to draft legislation which would provide for the conscripting in time of war of all the resources of the Nation, including capital, labor, industry, and transportation, as well as manpower, so that the sacrifices of war in the future may be as nearly equalized as possible among all elements of our population and the profit taken out of war so far as is humanly possible."

Hearing before the Committee on Military Affairs, House of Representatives, Sixty-eighth Congress, first session, on House Joint Resolution 128, H. R. 194, H. R. 4841, and H. R. 8111, May 11, 13, and 20, 1924. Washington, Government Printing Office, 1924, page 12.

4. Summary of proceedings, seventh national convention of the American Legion, Omaha, Nebr., October 5–9, 1925, pages 26–27. Report of the Committee on Military Affairs:

"(7) We reiterate our approval of the American Legion universal draft bill, which is embodied in the Johnson-Capper bill introduced in Senate and House of Representatives [sic]. The Legion believes that the passage of this bill will not only represent an insurance against war but will provide that in the event of any national emergency there will be no slackers or profiteers."

5. Summary of proceedings, eighth annual national convention of the American Legion, Philadelphia, October 11–15, 1926, page 34. Report of the committee on legislation.

"Be it resolved, by the American Legion in eighth annual convention assembled, That we reaffirm our unalterable belief in the principle of the universal draft * * * that we may not again have slackers and war profiteers."

6. Summary of proceedings, ninth annual National convention of the American Legion, Paris and New York, September 19–22, 1927, and October 18, 1927. Universal draft:

"Resolved, That the American Legion in national convention assembled, hereby reendorses the action of previous conventions in wholeheartedly supporting the universal draft bill."

7. Summary of proceedings, sixteenth annual national convention of the American Legion, Miami, Fla., October 22–25, 1934, page 51, legislation report. Universal draft:

"Whereas continuously since its organization, the American Legion has presented to the Congress of the United States a plan providing for a universal draft and the conscription of capital, industry, and manpower in the event of war, and the use of each in the service of the Nation without special preference or profit. * * *

"Whereas we believe that there is no matter pending before the Congress and the American people of more vital importance to the welfare of the Nation and the cause of peace: Now, therefore, be it

"Resolved, That the speedy enactment of a universal draft law be made a part of the major legislative program of the American Legion and be given a preferred position in such program."

The above resolutions were adopted.

8. Proceedings of the seventeenth national convention, St. Louis, Mo., September 23–26, 1935. House Document No. 351, Seventy-fourth Congress, second session, page 272. Recommendations to Congress by national legislative committee:

"(4) Specific provisions in legislative language to provide for the taxation of all war income above normal so as to recapture profits which escape price-freezing stabilization."

9. Summary of proceedings, seventeenth annual national convention of the American Legion, St. Louis, Mo., September 23–26, 1935, page 42, report of legislative committee. Universal draft (includes 13 resolutions submitted):

"Whereas the American Legion has consistently urged for more than a decade the enactment of laws providing for universal service and for the purpose of taking the profit out of war: Therefore, be it

Resolved, That we reaffirm our position in favor of such laws and retain the subject in the major legislative program of our organization and urge upon the Congress the speedy enactment of the same."

10. Summary of proceedings, eighteenth annual national convention of the American Legion, Cleveland, Ohio. September 21–24, 1936, report of legislative committee. Universal service.

12. Resolution on universal service:

"Be it resolved, That the eighteenth national convention demands that * * * universal service * * * so that the principle of 'equal service for all, special profit and privileges for none' may be enacted by Congress."

The report was adopted.

B. PROCEEDINGS OF THE ANNUAL ENCAMPMENT OF VETERANS OF FOREIGN WARS OF THE UNITED STATES

1. Resolution, page 197, House Document No. 662, Sixty-eighth Congress, second session, proceedings, 1925, Resolution No. 57. Universal draft:

"Be it resolved by the twenty-sixth annual national encampment, Veterans of Foreign Wars of the United States, held at Tulsa, Okla., August 30 to September 5, 1925, inclusive, That this encampment go on record as favoring the conscription of all the Nation's resources, including finance, manpower, and materials, in time of national emergency, and that the President be empowered to draft capital and labor as well."

2. Resolutions, page 301, House Document 493, Seventy-first Congress, second session, Proceedings, 1930. Resolution No. 3, universal draft.

"Be it resolved by the thirty-first national encampment, Veterans of Foreign Wars of the United States, That the National Council of Administration be instructed to give serious thought and full consideration to a plan to be enacted into a national law, part of our national defense, for the universal draft both of manpower and of industry in all future wars in which this country may be engaged.

3. Resolution, page 259, House Document No. 152, Seventy-seventh Congress, second session, proceedings, 1933. Resolution No. 225, Universal Draft:

"Be it resolved by the thirty-fourth national encampment of the Veterans of Foreign Wars go on record as favoring a universal draft of everything that is to be used in war."

4. Resolutions, page 305, House Document 45, Seventy-fourth Congress, first session, proceedings, 1934. Resolution No. 183, Universal draft in time of war:

"*Resolved*, That in time of war the Government conscript manpower, wealth, and property of the Nation. The underlying principle of this phase of our National Defense Act should be based upon the policy that recognizes the fact that human life is more valuable than wealth, and that all citizens, poor and rich alike, are under equal obligations when the safety and security of the Nation are at stake."

5. Resolution, page 309. Same source as preceding. Resolution No. 456:

"*Resolved*, That Smoky Mountain Volunteer Post No. 1733, Veterans of Foreign Wars of the United States, does hereby condemn the insidious activities of the internationally associated makers of munitions, and especially the tie-ups of American manufacturers with them; and be it further

"*Resolved*, That we hereby call upon the Congress of the United States to pass such legislation as necessary to protect American citizens and this Nation from any traffic in munitions that would put some Americans in the position of arming potential enemies of the Nation and its citizens; and if it be found impractical to devise means of controlling private manufacturers of munitions in this country to this end, that the Congress by legislation take over as a Government activity the manufacture of such munitions and war supplies; vessels, and the like as are needed for the Nation's defense alone, and forbid the encroachment of any private manufacturers on the Government prerogative on this field; and

"*Resolved*, That a copy of this resolution be forwarded to the resolution committee of the national encampment of Veterans of Foreign Wars to be read before the body, and if adopted, became a national objective."

6. Resolutions, House Document 349, Seventy-fourth Congress, second session, proceedings 1935. Resolution considered by the legislative committee, Veterans of Foreign Wars-Eight-Point Program, page 784:

"7. Federal control or regulations for the manufacture or sale of armaments."

Resolution considered by the national defense committee, page 299. Resolution No. 1943, national defense program, page 299:

"(3) We approve efforts to avoid war; we abhor efforts by industrial and financial interests to provoke war. We approve plans to take the profits from war industries."

Resolution No. 201, conscription of manpower, capital, and industry, page 300.

"*Be it resolved by the thirty-sixth national encampment, Veterans of Foreign Wars of the United States*, That in time of war the Government conscript manpower, wealth, and property of the Nation. The underlying principle of this plan of our National Defense Act should be based upon the policy the policy that recognize the fact that human life is more valuable than wealth and that all citizens, poor and rich alike, are under equal obligations when the safety and necessity of the Nation are at stake."

7. Resolutions, House Document 39, Seventy-fifth Congress, first session, proceedings 1936. Resolutions considered by the committee on national defense. Resolution No. 367, conscription of capital and industry, page 372:

"*Resolved*, That the thirty-seventh national encampment, Veterans of Foreign Wars of the United States, demand a universal conscription law to be enacted by Congress as a preventive of war which shall draft wealth and industry without profit and on the same basis as manpower in the event of war; and be it further

"*Resolved by this encampment*, That the Veterans of Foreign Wars of the United States continue to demand a policy of profit for none in connection with this Nation's possible future participation in war."

8. Resolutions. House Document No. 466, Seventy-fifth Congress, third session, proceedings 1937. Resolutions considered by the committee on national defense. Resolution No. 446, taking profits out of war, page 228:

"*Resolved by the thirty-eighth national encampment, Veterans of Foreign Wars of the United States*, That we vigorously advocate and press for the enactment of S. 1331, effectively to take the profits out of war."

9. Resolutions, House Document 39, Seventy-sixth Congress, first session, proceedings 1938. Resolutions considered by the committee on national defense. Resolution No. 473, tax the profit out of war, page 277:

"*Resolved by the thirty-ninth national encampment, Veterans of Foreign Wars of the United States*, That we do hereby respectfully urge the President and the Congress of the United States to enact into law a bill to tax the profit out of war by steeply graduated income and other taxes; and be it further

"*Resolved*, That we do hereby direct the national legislative committee to regard this proposed legislation as a major plank in the program of the Veterans of Foreign Wars."

10. Resolutions, House Documents 750, Seventy-sixth Congress, third session, proceedings 1939. Resolutions considered by the committee on national defense, page 117. Resolution No. 243, actual neutrality for the United States:

"*Be it resolved by the fortieth encampment, Veterans of Foreign Wars of the United States*, That we do hereby advocate the adoption and application of the following policies, designed to keep America out of war:

"15. Take the profits out of any possible future war by steeply graduated personal and corporation income taxes."

Resolution No. 265, tax the profits out of war.

"*Be it resolved by the fortieth national encampment, Veterans of Foreign Wars of the United States*, That we do hereby emphatically reaffirm our advocacy of proposed legislation to tax the profits out of war by steeply graduated personal and corporation income taxes, as proposed in S. 1885, now before the United States Senate of the Seventy-eighth Congress, and in several identical bills in the House of Representatives.

C. DISABLED AMERICAN VETERANS OF WORLD WAR ANNUAL PROCEEDINGS

1. Adopted national defense report 1930, House Document 494, Seventy-first Congress, second session:

"Your chairman urges * * * that Congress guarantee * * * a workable plan whereby capital and labor be conscripted on the same general principle as the young men of the country were called to the colors in 1917." (P. 94, proceedings, tenth national convention, D. A. V. W. W. (1930).)

2. National defense report, 1938, page 13, House Document 153, Seventy-seventh Congress, second session, proceedings 1933:

"It is recommended that * * * your legislative department exert its efforts to speed the day of universal draft, so when America is again threatened, capital and labor will be conscripted just as the manpower of America was drafted to face the last grave peril."

3. National defense report, proceedings 1934, page 54, House Document 46, Seventy-fourth Congress, first session:

"In order to discourage war, profit must be taken out of war. * * * Therefore, your chairman pleads with the convention that it set its face against financial gain through human misery and stand behind those committed to this principle."

4. National defense report, proceedings 1935, page 45. House Document 350, Seventy-fourth Congress, second session. Universal draft of men and materials favored.

5. National defense report, proceedings 1936, pages 30–31, House Document 40, Seventy-fifth Congress, first session:

"Place a heavy tax * * * on all corporations engaged in the manufacture of the implements of war. When enacted this would guarantee protection against such profiteering as characterized the World War."

6. National defense report, proceedings 1937, page 50, House Document 383, Seventy-fifth Congress, second session:

"More equitable mobilization of * * * material resources in any future war, with a definite bar to unconscionable profiteering by those who are not called to the colors."

It occurs to me that our Seventy-eighth Congress has not only been inflationary but has actually gone against practically everything that has been said since the last war about never permitting anyone in the future profit during a war by reason of our country's misery and misfortune.

How can anyone vote against paying adequate taxes without voting in favor of inflation?

How can anyone vote for the repeal of the Contract Renegotiation Act to permit individuals and corporations to unduly profit during this war without voting for inflation and undue war profits?

THREE REASONS FOR MORE TAXES

We should pay more taxes for the purpose of paying more of the cost of this war as we go along. The money we do not pay currently must be borrowed, and every dollar borrowed on long-term bonds must be repaid with interest over a long period, which means that by the time the long-term bonds are paid the taxpayers will have paid $1 or $2 or possibly more in interest on every dollar that is borrowed.

Next, it is unfair to our returning servicemen and servicewomen to require them after winning the war upon the battlefields of the world to be required to pay the cost of the war double and treble.

Next, the best way to keep down inflation is to siphon off excess purchasing power.

It is better for wage earners, producers, landlords, and others to receive fewer dollars than to receive many more dollars that are worth a lot less.

I am also inserting herewith a very timely editorial on Congress' Task, which appeared in the Dallas Morning News, Saturday, January 8, 1944. It is as follows:

CONGRESS' TASK

Congress reassembles Monday morning to assume responsibilities as grave as have ever confronted the world's greatest lawmaking body. In the matter of war and war production we are beyond the peak of the crisis but on the home front we are faced by problems which have mounted steadily and threaten to continue this upward trend as the war clouds recede first in Europe and then in the Far East. While the conduct of the war is still the chief concern of Congress, there now devolves upon this body the very pressing home-front problem of stopping inflation. Or it might better be stated as a problem of inflation-deflation because the trough of deflation will yawn before us, just as the tide of inflation now towers above us, as soon as Germany collapses and our industrial production is cut down. The lower we can hold the

crest of the tide, the less deep will the following trough be. They are one and the same problem.

Unfortunately, the economic pressure groups see this and, instead of trying to work together for the community interest, each is striving to set a high standard of income for its own group before the collapse comes. It is generally admitted that the coal mine, railway, and steel workers' strikes and threats of strikes presage a flood of demands for higher wages. And the farm bloc is already advancing in solid phalanx. Other groups resist needed taxation and strive for higher profits. The national income was ninety-two billions in 1941, one hundred and eighteen billions in 1942, approximately one hundred and forty billions in 1943, and it may reach one hundred and seventy billions in 1944. In the meantime, the supply of consumers' goods has been cut down and it will not be raised appreciably in 1944.

Congress should give the Office of Price Administration definite intelligent support and it should stand behind the O. P. A. by resisting the pressure blocs that are prizing up the national income. It should balance the national budget as nearly as possible by both economy and severe taxation. It should facilitate the increase of civilian good production insofar as this can be done without detracting from the war effort. There are many other great problems before the reassembling Congess, but this one is paramount. Unless it is met promptly, firmly, and intelligently, the winning of the war may win only chaos for our home front for a long period of readjustment.

TREASURY DEPARTMENT'S VIEWS ON TAXES AND INFLATION

I am inserting herewith an address delivered by the Honorable Randolph E. Paul, general counsel of the Treasury, before the Agricultural Outlook Conference October 18, 1943. It is as follows:

WILL WE HOLD THE LINE?

It is a privilege to raise the curtain at the Twenty-first Annual Agricultural Outlook Conference. I suspect that I have been placed in the position of prologue rather than epilogue, because there is a psychological, if not a therapeutic, value to be derived from administering the bitterest pill first. Taxes are a bitter pill. No layers of sugar coating, no admonitions that they are good for what ails the country, can disguise that fact. Because of my close association with taxes, I have become a kind of symbol of something that's hard to take. If I had not known this before, I should know it now. I wish I could repeat to you some of the names I have been called. By way of mild example, I was once advised to close my bureaucratic trap. My friendly critic did not explain what he meant by the term "bureaucrat." I wish I knew, so that I could appraise his indictment. Sometimes I wonder whether a bureaucrat is not just a person who doesn't believe the same things everybody else in his set thinks are vital to the American way of life.

In relating tax policy to inflation, I shall start with the premise that inflation is bad—a premise that all of us, as consumers, are willing to grant, but one that some of us, as producers, are reluctant to accept. I propose to show two things: First, that a forceful tax policy is a prerequisite to effective wage, price, and rationing controls; and second, that the answer to the question, Will we hold the line? depends, insofar as taxes are a critical factor, both upon the amount and upon the kind of taxes we have the courage to levy.

I. THE ANATOMY OF INFLATION

If we are to understand the role of tax policy in holding the line, we must know something about the anatomy of inflation. What causes price increases and on which causes can taxes operate? Close inspection will reveal whether the taxes we have, and are likely to get, will merely snap at the heels of inflation or whether they will strike at its very vitals.

A. Rising costs

In dealing with the problem of wartime inflation, it is customary to concentrate on the enormous excess of consumer spending power over the available supply of goods and services. And this, to be sure, is the central issue. But it is not the only issue, and we are likely to make mistakes both in our appraisal of inflation, and in our choice of tax measures to combat it, unless we recognize that economic forces other than excess spending power cause price increases. It is not merely that dangerous dollars are exerting a strong upward pull on prices. Costs are pushing hard from below. In choosing tax measures to reduce the pull from above it is important to avoid increasing the push from below.

As output in the factory and on the farm rises, costs are affected by conflicting forces—some operating to raise costs and some to lower them. But as production is pushed toward the limits of capacity, as at present, conditions working toward higher costs are very likely to predominate. This tendency is especially noticeable in agriculture, where record crops are achieved by more intensive—and often more expensive—cultivation of land already in use and by resort to inferior land normally held out of use. Costs of industrial production are increased by the necessity of using less efficient labor and substitute materials. Where necessary to secure essential production these costs must be covered. This is entirely consistent with a realistic anti-inflationary program and with a tax policy that is part of that program.

Apart from the consequences of having to use less efficient labor, land, and materials, costs tend to rise because prices paid by producers are prone to rise. The intensified demand for labor, for example, places workers in a better position to bargain for higher wage rates, and in addition requires overtime work commanding higher pay. Competition for scarce raw materials and machinery also tends to raise prices, thus again increasing costs of production. These are some of the forces that are constantly straining to break through wage and price controls—forces that must be denied in all but the most exceptional cases where it is clearly necessary to accept higher costs to get indispensable output not otherwise obtainable.

The role of tax policy with respect to the leverage of increased costs on prices is negative rather than positive. It should carefully avoid interference with the cost-price and parity relationships which underlie present price ceilings. Taxes which add to producers' money costs, or to the prices of goods entering into the farmer's parity base, may breach rather than bulwark the line we are trying to hold against inflation.

B. Excess of monetary demand over physical supply

When we recognize that rising costs are a source of wartime price increases, we have not yet touched the core of wartime inflation. That core consists of the great and growing unbalance between the volume of spending power and the supply of civilian goods and services. Each is uncomfortable in the presence of the other. So-called wartime prosperity fills the pockets of consumers with unprecedented money incomes. Yet, unlike peacetime prosperity, it does not fill civilian markets with the goods and services which alone can put meat on the bones of prosperity. When more than half of our manpower and equipment is devoted to supplying the sinews of war, it follows that the resultant flow of incomes to consumers cannot be matched by a corresponding flow of goods to civilian markets. Thus, we are confronted with the paradox of wartime prosperity; consumer buying power cannot keep pace with consumer spending power. The response to a large part of wartime civilian spending is not more goods, but higher prices.

Quantitative evidence that we are confronted with a dangerous excess of spending power is plentiful. Present prospects are that citizens will receive incomes of about $152,000,000,000 during the current fiscal year. Some $21,000,000,000 of this total will be skimmed off by existing personal taxes, primarily for Federal individual income tax. Available supplies of consumer goods and services, at present ceiling prices, will account for close to $89,000,000,000. That eaves an inflation potential of $42,000,000,000, which threatens to break through the lines established by our price and rationing controls. Any part of the $42,000,000,000 which is used to push consumer spending beyond the $89,000,000,000 level will be inflationary money in the purest sense of the term. In the aggregate, it will not buy goods; it will simply raise prices and thus further inflate the cost of living. And back of it, also ready to raise prices and further inflate the cost of living, are billions of dollars of accumulated savings. Since the beginning of 1940, the total figure adds up to $55,000,000,000. Of this increase $24,000,000,000 are in the form of currency and checking accounts. From the standpoint of inflation, it is no exaggeration to call these savings liquid dynamite.

The record of commercial bank lending also yields ominous evidence of dangerous dollars. War financing through bank purchases of Government securities expands the assets held by the public. To the extent that bank depositors lend their deposits to the Government by buying bonds, no new funds are created; funds are merely transferred from private to Treasury accounts. But when banks buy Government securities for themselves they have no right to make charges against their depositors' accounts. In payment for Government bonds they customarily set up war loan accounts payable to the United States Treasury. As the Treasury draws on these accounts to finance war expenditures, new funds are created—funds that very promptly flow into the pocketbooks and bank accounts of individual citizens and business firms.

During the fiscal year 1943 banks thus increased their holdings of Federal securities by about $30,000,000,000. This constituted the bulk of the increase in bank investments, which in the same period expanded by about 36 percent the total of coin, paper money, and checking deposits held by the public. These holdings are liquid fuel which constantly threaten to fan the fires of inflation.

Qualitative evidence that inflationary money is straining our rationing and price controls is also uncomfortably ample. A recent sampling of prices by O. P. A. indicated that in many instances actual retail food prices are above legal ceilings. Illicit trafficking in ration coupons and the tendency of meat, poultry, and gasoline to leak out of regular channels, and into black markets, are further threats to price stability. But markets, like many other things, cannot be clearly divided into fields of black and white. Black markets have many penumbral shadings. In the shadows lie the "gray" markets, the corner stores where housewives, sometimes knowingly and sometimes unknowingly, pay higher-than-ceiling prices, and where inferior goods are sold at superior prices. This is another persistent menace to price stabilization. These leakages indicate that inflationary money is not easily discouraged; they

tell us that unless tax policy puts an increasing portion of easy dollars out of temptation's way, price and wage policy may be unable to hold the line. It is unfortunately true that many people will make illegitimate use of money when they can find no legitimate use for it.

C. The effect of inflation on production

Before I go on to describe the specific part that taxes may play in holding the line, I should like to address myself briefly to the persistent minority who feel that inflation is a tonic for the economic system, that it invigorates production, and that it should therefore be allowed to run its course. When our economy is running at less than full capacity, it is true that rising prices have a stimulating, albeit not always wholesome, influence on production. In the thirties when we were faced with deflation, the stimulus of rising prices was to be welcomed, and even invited by means of deficit financing.

But in times of total war, when we approach, or actualy reach, the limits of production, and when our resources and efforts must be focused on victory, it is sheer madness to maintain that inflation will have a wholesome effect on production. Unless inflation is strongly resisted, consumers will bid up the prices of civilian goods and thus stimulate the wrong kind of production. This will increase the difficulty of diverting resources to war industries. When total production is at a maximum, there will even be a tendency to divert production from war into nonwar channels. If the Government does not check the rise in prices of consumer goods, its only alternative is to outbid consumers in order to get necessary war production. The process of outbidding consumers greatly magnifies the costs of war and virtually guarantees runaway inflation.

Inflation may also impede war production by shifting the emphasis of industry and labor from the real job of producing the implements of war to the monetary job of keeping up with prices. If profit is to be found not in producing more, but rather in outsmarting inflation; if higher wages are to be had not by working harder, but by bargaining on the basis of rising costs of living—in short, if inflation calls the tune to which our economy dances, our output will surely fall and our war effort will surely suffer.

The damage inflation inflicts on production cannot be adequately described in the present tense. The future tense is equally important. One has to venture prophecy. The wake of inflation will greatly magnify the problem of economic readjustment after the war. It will leave us with a price system that is seriously out of joint. The shaking-down process will increase business risks and discourage enterprise. Instead of a vigorous resurgence of civilian production, an inflated and disjointed price structure will promote a policy of "watch and wait" until prices are again in line. And once they are in line—that is, when they have come down from their heights—all debts incurred at high levels will become immeasurably harder to pay. The great farm debt was one of the most disastrous economic legacies of inflation in the last war. It exercised its depressing effect on agriculture for more than a decade. The aftermath of inflation would impair our peacetime efforts after this war, just as inflation itself would impair our effort during the war.

II. THE ROLE OF TAX POLICY

From our brief survey of the anatomy of inflation, the role of taxes in the fight to hold the line becomes clear. Taxes impound spending power, and reduce to manageable limits the strain on the defense line of rationing and price control. Taxation is thus a companion of, not a substitute for, other control devices. By striking at the spending power root of inflation, taxes reinforce our stabilization program.

It is true, of course, that wage, price, and rent controls in themselves impose limits on the creation of income and thereby reduce spending power. But even if wage rates and the prices of, say, farm products were held constant, it would not follow that workers' and farmers' incomes would also remain constant. Even in the face of fixed prices per unit of output, farm incomes rise in response to expanded output. Similarly, even in the face of rigid wage-rate control, such factors as overtime pay, the upgrading of workers into more lucrative jobs, and the drawing of women into industry, will generate greater total-wage payments. And remember that a large part of current production is not available for civilian consumption here at home. The direct control of prices and wage rates, however effective, cannot prevent the creation of an overflow of spending power. It is the job of tax policy to dam the overflow, and thus to buttress our wage and price policy.

In cutting down excessive spending power, wartime taxes serve another purpose, namely, to reduce the threat of post-war inflation. The record of past wars indicates that the peak of the inflation danger comes after a war. Pent-up desires, backed by accumulations of cash and Government bonds, are ready to express themselves in a spending spree. At the same time an individualistic public is impatient to cast off irksome wartime controls. Administrators of such controls are anxious to go back to peacetime pursuits. The unhappy result of this apparently happy combination adds up to uncontrolled inflation.

Our best insurance against post-war inflation, our best guaranty of prompt decontrol and return to the free economy we are fighting to retain, is a vigorous wartime tax policy. Part of our post-war planning should take the form of wartime taxes designed to hold liquid savings within manageable limits, and to curb excessive spending immediately after the war.

III. THE MAGNITUDE OF THE TAX JOB

A few moments ago I cited figures showing that money incomes will exceed available goods and services by more than $40,000,000,000 in the fiscal year 1944. Consumers will be able to buy only 70 cents worth of good per dollar of income left burning in their pockets. Thirty cents out of each dollar can go only into savings, additional taxes, or higher prices. This excess offers striking evidence, not only of acute inflation dangers, but also of enormous taxable capacity. If we were to apply the most rigorous possible standards of anti-inflationary war finance, and if we were to disregard the implicit hardships for persons who have not shared in wartime prosperity or are bound by pre-war commitments, the Treasury's proposed $10,500,000,000 tax program would seem modest indeed. Even allowing for $20,000,000,000 of savings out of the $41,000,000,000 inflation potential, a strong case could be made for $21,000,000,000 of additional taxes, or just twice the Treasury proposal.

But the Treasury has recognized that taxes of sufficient magnitude to trim off all the fat of excess spending power would inevitably cut into the lean of justifiable expenditures and necessary savings. The resultant inequity and hardship would impair morale and productive effort, and would leave many citizens in weakened financial position at the end of the war. To avoid such results, the Treasury tax program was limited in amount. Furthermore, the proposed taxes were carefully selected.

IV. SPECIFIC TAXES

Tax programs are not merely a matter of over-all goals and impressive aggregates. They are composed of specific tax measures, some of which are more effective, others less effective, and still others ineffective or even harmful, in the fight against inflation. Taxes available to the Federal Government include, principally, those on personal incomes, on corporate profits, on estates and gifts, and on sales. It is from these materials that the backstop to wage and price controls must be constructed.

A. Taxes on individual incomes

The individual income tax is our chief reliance to date, both as a source of wartime revenue and as a damper on inflationary spending. Moreover, from the standpoint of equity, taxable capacity, and ability to reach excess spending power, the individual income tax looms as the predominant source of additional taxes.

More than half, or $6,600,000,000, of the Treasury's $10,500,000,000 proposal, consists of increases in individual income tax rates. This strong emphasis is put on the individual income tax because by the use of this tax we can best achieve our standards of justice and fairness in taxation—standards which, if important in peacetime, become crucial in wartime. The income tax enables us to distribute burdens fairly among income groups, and with due regard to size of income and family status. No other tax can be imposed with the same assurance that a fair and intelligent distribution of the tax burden will be achieved. When taxes reach present and proposed high levels, it becomes increasingly vital that they be levied in accordance with the principle of ability to pay.

Income payments to individuals have increased $87,000,000,000 since 1938. In the same period, individual income taxes have risen only $18,000,000,000. This means that we have absorbed only about one-fifth of the increase in income payments generated by defense and war activities.

This is impressive evidence of aggregate taxpaying ability. But it is aggregate evidence. We should not let it blind us to the sharp differences in individual circumstances. We are all keenly aware that the monetary gains and losses of the war are unevenly distributed. Some persons have had large increases in income, others, little or none at all. Some have suffered a deterioration in economic status as a result of the dislocations of the war. The current ability of many persons to meet wartime tax bills is also limited by fixed commitments for life insurance and for repayment of debt on their homes. To avoid inequity, and even hardship, in our tax system wartime taxes must distinguish between those who are debt-ridden and those who are debt-free, between those whose economic status has been improved, and those whose economic status has been impaired, by the war.

In drawing up a necessarily severe schedule of wartime income-tax rates it is important also to guard against impairment of the post-war security of those in the low-income groups. Normally, such persons have little or no capital reserve for emergencies. The great majority of our people have low or modest incomes. Four-fifths of the national income goes to persons earning less than $5,000 a year. It is these people who must bear by far the largest share of the wartime increases in taxation. As individuals with low or modest incomes are called upon to shoulder an ever larger proportion of the total tax load, the problem of protection against post-war insecurity becomes ever greater.

Special provision for the post-war security of those with low or modest incomes and relief for those with fixed incomes or fixed commitments can be provided by the use of a post-war credit under the income tax. The Treasury has, therefore, submitted to the

Ways and Means Committee a plan under which over half of the proposed increase in the individual income tax would be allowed as a post-war credit. It has recommended further that part of any such refundable tax imposed by Congress be made available currently to persons with heavy fixed commitments and to persons whose incomes have failed to increase materially. The refundable tax would on the one hand serve to provide a backlog for the income groups most in need of such a safeguard. On the other hand, it would permit current use of the credit to persons whose economic status or commitments would make it a hardship to wait until after the war for their refunds.

As we broaden and deepen the income tax, it becomes necessary to make our tax system as simple as possible. The Current Tax Payment Act of 1943, by eliminating the 1-year lag in tax payments and by providing for collection at source of the bulk of our income tax liabilities, has greatly eased the payment of any given amount of income taxes. But a great deal remains to be done on the simplification front.

You will be interested to know that the Treasury has had its research and legal experts working on the simplification of income tax returns to be filed in 1944, and that the Treasury and the Department of Agriculture conducted a special joint project last summer to improve the income-tax return for farmers. Hundreds of farm returns from all parts of the country were studied in an effort to find out how the farmer's return could be modified and the job of reporting farm income simplified. I might add that the ulterior motive of promoting more accurate reporting of farm income also played a part in our revision of this form.

The Treasury has also recommended the repeal of the Victory tax and the elimination of the earned income credit, with compensating adjustments in the rate schedule. These recommendations, if adopted, will go a long way toward simplifying our unnecessarily complicated income-tax structure. Such simplification is vital to the full utilization of income taxes in the fight to hold the line against inflation. I wish I could now go into the whole question of simplification of our tax laws. But that is a speech in itself and I made it in Chicago last week. I refer you to it, if you would like to pursue the subject.

B. Sales and excise taxes

The major device currently receiving attention as an alternative to increased individual income taxes is the general retail sales tax. A tax of 10 percent on retail sales, designed to raise about $6,000,000,000, is being urged in many quarters. As in the past, the Treasury stands unalterably opposed to a general sales tax. Our opposition is based upon the inequity of this tax, and also on its inadequacy as an anti-inflationary measure.

In war as in peace, the Treasury opposes a tax which impairs the already inadequate standard of living of persons with low incomes. The general sales tax fails to differentiate between rich and poor, between necessities and luxuries, and between large families and small families. The gain in revenue from a sales tax is realized in large part at the expense of the essentials of life for the low-income groups. The imposition of the tax would therefore undermine the morale and productive efficiency of these groups. It would strike hardest at the very people who are bearing the brunt of the price increases to date.

In wartime, moreover, the sales tax presents formidable administrative difficulties. Unlike the income tax, which offers an established mechanism for the job of raising new taxes, the sales tax would require much new administrative machinery. The critical shortage of trained auditors, transportation facilities, and business machines would make it difficult to administer and enforce the tax effectively. It is worth noting also that a 10-percent rate would stimulate much more evasion and delinquency than the 2-percent rates prevalent in State sales taxation. Conflict with existing sales-tax laws in 23 States would create another troublesome problem. The Bureau of Internal Revenue is already confronted with the huge task of shifting the individual income tax to a current payment basis. To saddle the Bureau with the tremendous additional load of sales-tax administration would invite a break-down of its machinery.

To my mind, the inequity and the administrative difficulties of a sales tax are sufficient reason to bar it from the Federal statute books. But if another nail is needed to seal the coffin of the sales tax, it is certainly provided by the upsetting effect of this measure on our stabilization program.

A general sales tax, more than any other tax, produces an irresistible drive for higher wages and farm prices. Unlike the income tax, it enters directly into the cost of living of all wage earners and into the index of prices paid by farmers which underlies farm-parity prices. Both in the field of wages, where increases in response to a sharp rise in living costs would have the sanction of a sympathetic public, and in the field of farm prices, where an increase would have the sanction of law, the line we are holding against inflation would be broken.

I do not mean to imply that a sales tax has no anti-inflationary aspects. Certainly, in skimming off several billions of spending power and in providing a deterrent to spending, a sales tax would in some degree curb inflationary pressure. But to the extent that the tax encroached upon minimum living standards, the result might well be a serious increase in the pressure for higher wages, offsetting the anti-inflatienary effect of the tax.

A major threat to stable prices would arise from the entry of the sales tax into agricultural, commercial, and industrial costs and the necessary revision of price ceilings. The damaging effects on our price-control structure may be illustrated in the field of agriculture. Directly or indirectly, the ceiling and support prices of most farm products are linked to farm parity prices. This link means that these prices are relative rather than fixed, and that they respond to the parity index. A 10-percent sales tax on a reasonably broad basis would increase that index by 6 or 7 percent. The operation of the parity formula would immediately raise the parity prices for agricultural commodities by 6 or 7 percent. Ceiling and support prices of various products would probably have to be adjusted to take the change in parity into account.

If a 10-percent sales tax had become effective July 1, 1943, estimates made by the Bureau of Agricultural Economics indicate that there would have been an average increase of 6 percent in retail food prices during 1944. This increase, added to a 10-percent levy on food sales, would raise food costs by approximately 16 percent. Finally, taking into account both the direct price increases and the indirect tax-induced increase in food prices, it is estimated that the cost-of-living index would rise about 10 percent. These are dull statistics, but they illustrate in concrete terms how a general retail sales tax would breach our first line of defense against inflation.

It seems reasonable to assume also that the direct and indirect price effects of a sales tax would create irresistible pressure on our wage-stabilization program. If wage increases had to be granted in contradiction of that program, as I believe they would, the development of inflation would be greatly encouraged by the mutual interaction of price and wage increases.

Fortunately, the defects which discredit a sales tax do not apply to carefully selected excises on specific commodities. The Treasury has proposed additional excise taxes to provide an additional $2,500,000,000 annually. It is on such objects as liquor, tobacco, communications, amusements, and jewelry that excises would draw for additional wartime revenue. They require little or no increase in administrative machinery. They have been carefully selected in such a way as to avoid burdening the necessaries of life. The items chosen are either luxuries, or goods and services which need to be conserved for war purposes, or they are nonessentials, such as liquor and tobacco. The prices of such items do not enter into parity relationships.

While the proposed excises would lead to some increase in the cost of living, that increase would be far less than that generated by a sales tax designed to raise an equal amount of revenue. Taxpayers with modest or low incomes have a real option to avoid excise taxes by reducing their purchases of taxable items, not the fictional option they would have under a general sales tax, which strikes all commodities alike.

C. Other taxes

Today I shall not discuss the other taxes in the Treasury's 1943 program. Their bearing on inflation is less direct, though they are significant. This is true particularly of corporate tax increases, which are necessary if we are to persuade individual taxpayers to shoulder their part of the total burden.

V. CONCLUSION

In conclusion, I should like to return to the question which is the subject of this morning's discussion: "Will we hold the line?" Since taxation is a backstop rather than the front line of defense against inflation, I shall not attempt an explicit answer. The field is open to Mr. Morse and Mr. Gilbert. I shall, however, venture this prediction: If present taxes are not substantially increased with an eye to diverting the stream of dangerous dollars that is battering against price and rationing controls, it will be very difficult to hold the line; and if new revenues take the form of a general sales tax, the line is more than likely to be broken and then, at best, to be reestablished at a very much higher level of prices.

Let me add to that forecast a related warning. The war against inflation does not end with unconditional military surrender. It may have to be intensified for a time afterward to prevent the disaster of post-war inflation. If we fall prey to economic complacency and thus relax our anti-inflationary efforts, and if we identify the end of the war on inflation with the end of the war on the Axis, we are inviting economic chaos. We could win the war against the Axis and lose a large part of the victory at home.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that on Tuesday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in three respects,

and to include in each extension some brief documents.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an excerpt from a newspaper editorial.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. Under previous order of the House, the Chair recognizes the gentleman from Virginia [Mr. FLANNAGAN] for 45 minutes.

THE SOLDIER VOTE

Mr. FLANNAGAN. Mr. Speaker, I have asked for this time to discuss the right of the Congress, under its war powers, to remove the State voting prerequisites of those in the armed forces.

Before discussing the question I first desire to answer a certain reckless and baseless charge that has been directed against me because I entertain the opinion that the Congress, under its war powers, has the right to remove the State voting prerequisites, so far as they apply to the armed forces, and saw fit to give voice to my honest conviction.

Mr. Speaker, I left Washington on the 16th of December to attend the wedding of my soldier boy. Before leaving I signed, along with certain other Members of the House, a statement questioning the position of another honorable body in taking action that will, in my opinion, deny millions of our soldier boys and girls the right to vote.

During my absence—namely, on the 19th of December—the gentleman from Mississippi, the verbose self-appointed arbiter of the rights of the States, whose daily fulminations, usually devoted to vituperation and abuse, serve no useful purpose, unless, perchance, they edify the brilliant though quixotic mind from which they spring, saw fit to make a dastardly attack upon me and the other signers of the statement. Among other things, the gentleman from Mississippi charged that the statement was signed by "a small bunch of left-wing Congressmen." We all know the odious and un-American implications the gentleman from Mississippi intended to convey by the employment of the phrase "left-wing Congressmen." Being unable to assail our position by reason and logic, or by a discussion of the constitutional question involved, he attempts to destroy by the use of the only mental weapons seemingly with which he is familiar; namely, slimy innuendos, vituperation, and abuse, as if truth and justice could be crushed by such putorius tactics. In answer permit me to say that I am no left-wing Congressman, I am no right-wing Congressman, by heritage and conviction I am an American Congressman, and I brand those who would charge otherwise as being worthy of the punishment suffered by one Ananias who, having worried the patience and exhausted the forbearance of the Lord, fell the victim of his own poisonous, mendacious tongue.

Mr. Speaker, no man believes more earnestly, more intensely, in our American system of government than I. By ancestry and belief I am part and parcel of it. On both sides the roots of my families are deeply embedded in American soil and the fabric of this Republic. Sir, when Hurry was fanning the flame of freedom to a heat so white and holy that from its sacred God-given reflection Jefferson caught such a vision of the horrors and abuses to which our people were being subjected by tyranny that he was able to catalog them with such vividness and conviction as to arouse the spark of freedom that lay dormant in the hearts and minds of men to such heights of resolve and determination that with one voice they approved and applauded his indictment, and with one mind purposed in their hearts to make the pronouncements that followed, of our separation from the government of our ignomy and the banding of ourselves together as a free and independent people, living realities, and the practical mind of Madison such a vision of the framework of the charter of a free people that he was later able to translate the vision into the greatest governmental charter ever devised by man, the Constitution of the United States of America, my ancestors, in their humble way, were first agitating and then fighting to make the pronouncements of Jefferson and the vision of Madison come true. Since then, save when they gallantly followed the cause of the Southland, firm in the conviction that they were within their constitutional rights, and for which they have no regrets to brood over or apologies to make, though they now rejoice that the Union was preserved, they have remained true and steadfast to this Republic, and today on land and sea and in the air are battling that the fruition of the visions of Jefferson and Madison may ever remain living realities.

But, Mr. Speaker, let me get back to the issue before us. Who, may I ask, has gone "left wing"—who has veered from the constitutional course—in the controversy over whether or not the Congress, under its constitutional war powers, in time of war has the right to break down all barriers, States' rights to the contrary, standing between our soldiers, sailors, and marines, WAC's, WAVES, and SPARS, and the ballot, the proponents or the opponents of the legislation?

In my humble opinion, Mr. Speaker, once again the Constitution is being invoked to justify a wrong. Too often in the history of our country have special pleaders, while their overlords raped and ravaged the people of sacred rights, used the Constitution to ward off the blows of an outraged public. When it was invoked to justify the sweatshop I thought that we had reached the all-time low in our prostitution of the great and sacred governmental charter of a free people. Not so. The greatest act of infamy to be committed in the holy name of the Constitution has been reserved, it seems, for the boys and girls in our armed forces—for those who, while we debate and cavil over the right thing to do; yes, the constitutional thing to do, are laying down their lives in defense of the very instrument that is now being invoked to bring about their infamy—to prevent them from participating in the political affairs of the very Government they are dying to save.

And, as strange as it may seem, this outrage, like the outrage of the sweatshop, is being perpetrated in the name of States' rights. States' rights—ah, those words have a holy ring in my ears. The rights of the States are sacred to me. It is in the blood. My grandfather was killed in the great struggle that raged in this country back in the sixties over the rights of the States. And though we fought a losing battle, I have never thought that his blood was shed in vain. Any great and just governmental principle that is worth fighting for is worth dying for. And though the great struggle over the rights of the States deprived me of the fellowship, counsel, and advice of a great and good man, through my father and grandmother I know a great deal about a big-hearted, courageous, resolute man that I am proud to call my grandfather, and knowing him as I do, I say unto you that if he could speak from the tomb today his voice in fearless clarion tones would ring out against the attempt that is being made to politically crucify the defenders of America upon the holy altar of States' rights.

Now, my colleagues, before forming our opinions, let us look into the war powers of Congress and see if they do not clothe the Congress, in time of war, with the power to break down any and all State barriers that stand between our boys and girls in the armed forces and the ballot box in the event the Congress determines that such action is in the interest of the war effort.

There seems to be a great deal of false thinking on the question, and from some things that have gone on, I sometimes wonder if most of the false thinking has not been brought about, not by the fear that the rights of the States will be invaded, but in spite of Mr. Spangler's declaration to the contrary, by the fear that the soldier boys and girls if permitted to vote, will cast their ballots for the greatest exponent of true democracy in the world today, Franklin D. Roosevelt. Be that as it may, the fact remains that the outstanding opponents to Federal intervention on behalf of the armed forces are the avowed critics and enemies of the President. Certainly, after careful reflection, no one will let their prejudice against Mr. Roosevelt overshadow their love for the defenders of our country.

WAR POWERS OF CONGRESS

The confusion that exists over the right of the Congress to intervene in behalf of those in the armed forces is due largely to a failure to correctly evaluate the war powers of Congress. The war powers of Congress are set forth in article

I, section 8, of the Constitution, and, in part, read as follows:

The Congress shall have power * * * to declare war * * * to raise and support armies * * * provide and maintain a navy * * * make rules for the government and regulation of the land and naval forces * * * to make all laws which shall be necessary and proper for carrying into execution the foregoing powers.

Now, my colleagues, the paramount duty of the sovereign to its subjects is to protect its sovereignty. If it fails in this duty and its sovereignty is lost, all is lost, and freemen become vassals and slaves. In order to discharge this duty, and specifically charge someone with the great responsibility, the Constitution designated the Congress as the agency to protect the sovereignty of these United States of America, and under section 8 of Article I, gave the Congress plenary powers to discharge the grave duty thus imposed. These powers are full and complete, and once they become operative, for the duration of the emergency, are supreme, and to them all other provisions of the Federal and State Constitutions, as well as all Federal and State laws, that would hinder or hamper their free employment in the war effort—in the protection of the sovereignty of this Nation—must give way. Yes, my colleagues, self-preservation is not only the first law of nature, it is the first, the paramount, the supreme law of the Constitution. No one, I take it, will question that proposition.

Let me catalog some of the war powers the Congress has exercised under the war-powers provision of the Constitution, all of which, but for the plenary war powers vested in the Congress, would have been held in contravention of some provision of the Constitution.

1. Draft laws: Civil War—See *Kneedler* v. *Lane* (45 Pa. 238 (1863)). World War—*Arver* v. *United States* (Selective Draft Law Cases), (245 U. S. 366 (1918)); *Cox* v. *Wood* (247 U. S. 3 (1918)).

2. The Confiscation Acts of 1861 and 1862, 12 Stat. 319, 589, *Miller* v. *United States* (11 Wall. 268 (1871)); see also *Kirk* v. *Lynd* (106 U. S. 315 (1883)).

3. The act emancipating the slaves of persons aiding in the rebellion (12 Stat. 591, sec. 9); see *Buie* v. *Parker* (63 N. C. 131 (1869)).

4. Act of 1864 (13 Stat. 123) suspending the statutes of limitation of actions (*Stewart* v. *Bloom* (11 Wall. 493 (1871)). See also *Mayfield* v. *Richards* (115 U. S. 137 (1885)).

5. Acts of Congress authorizing condemnation of land for monuments, etc., on the battlefield of Gettysburg were upheld as germane and appropriate to the exercise of the war-making power, especially in view of the fact that they plainly tended to enhance the love of the citizen for his country and quicken his motives to defend it (*United States* v. *Gettysburg Electric R. Co.*, (160 U. S. 668, 681 (1896)).

6. The provisions of the Volstead Act (41 Stat. 305) extending the scope of the wartime prohibition act to include malt liquors of one-half of 1 percent alcoholic content, whether in fact intoxicating or not (*Hamilton* v. *Kentucky Distilleries & W. Co.* (251 U. S. 146 (1919)); *Ruppert* (*Jacob*) v. *Caffey* (251 U. S. 264 (1920)).

7. In taking over and operating the railroad systems of the country the United States did so in a sovereign capacity, as a war measure, under a right in the nature of eminent domain (*Du Pont de Nemours Powder Co.* v. *Davis*, 264 U. S. 456, 462 (1924)).

8. Protecting civil rights of those in the armed forces by suspending proceedings in the Federal and State courts against them while in the service (*Konkle* v. *State*, 168 Wis. 335, 170 N. W. 715).

Another proposition, I maintain, is equally as sound, namely, that the Congress in the exercise of its war powers cannot occasion a wrong that it does not have the power, under its war powers, if deemed in the interest of the war effort, to remedy. Hence, if the Congress in the exercise of its war powers destroys some civil or political right of the citizen, or renders the full and complete exercise of such a right impossible, and later deems the restoration of the right thus destroyed or the full and complete exercise of the right thus impaired, in the interest of the war effort, it follows that it has the power to bring about the restoration of the destroyed right and the full and complete exercise of the impaired right, though in doing so it nullifies, for the duration of the war, some State statute or State constitutional provision.

With these two great principles in mind, let us now consider, first, the war powers of Congress with respect to the restoration of destroyed or impaired civil rights, and then the war powers of Congress with respect to destroyed or impaired political rights.

WAR POWERS OF CONGRESS WITH RESPECT TO CIVIL RIGHTS

As to the power of Congress, under its war powers, to restore destroyed civil rights and bring about the full and complete exercise of impaired civil rights, or to preserve such rights, in my opinion, under the decisions of the courts, there can be no question.

In World War No. 1 the Congress, acting under its war powers—article I, section 8, of the Constitution—passed the Selective Service Act. As a consequence of this act, it was found that a great wrong had been occasioned to those in the armed forces, in that being away from home, many beyond the confines of the United States, they were unable to protect their civil rights before the courts, both Federal and State. When the wrong was discovered, what did Congress do? Bemoan the fact by issuing a few pious words of sorrow, or act? Why, my colleagues, it acted, and promptly acted, by correcting the wrong it had occasioned in the passage of the Selective Service Act.

And in acting it proceeded under the same constitutional provision it had looked to for authority for the passage of the Selective Service Act; namely, section 8, of article I of the Constitution. The corrective legislation is known as the Soldiers' and Sailors' Relief Act and was passed March 8, 1918, and provided for the suspension in both State and Federal courts of all civil proceedings against those in the armed forces. Clearly this relief act in time of peace would have been unconstitutional as an invasion of the States' recognized power to establish its courts and prescribe the proceedings therein. However, this act was questioned in many State courts and in every case sustained as a valid exercise of the war power of Congress. The act was also sustained by the United States circuit court of appeals in several circuits. See *Morse* v. *Stober* (9 A. L. R. 81; also 130 A. L. R. 774; 137 A. L. R. 451; 146 A. L. R. 1480).

Let us examine a few of the decisions upholding the Sailors' and Soldiers' Relief Act.

In construing the act, the Court in *Konkel* v. *State* (168 Wis. 335, 170 N. W. 715) said:

The power to maintain an army and navy necessarily implies the power to prescribe the conditions under which persons in the military service of the United States shall be subject to the process of the courts, whether State or Federal. * * * Being an exercise of a paramount Federal power, the act abrogates all State laws inconsistent therewith.

In *Hoffman* v. *Charlestown Five Cents Savings Bank* (231 Mass. 324) the Court said:

There can be no queston of the constitutionality of the act. It is a war measure within the power of Congress, therefore the supreme law of the land.

In *Pierrard* v. *Hoch* (97 Oreg. 79, 191 p. 328) the court said:

It would therefore appear, as declared in substance in the preamble, that this legislation is a legitimate function of Congress under its powers to declare war and to maintain armies, to enact laws designed to protect soldiers and sailors engaged in the prosecution of the war, and thus to maintain the morale of its armies.

In the present emergency, after the passage of the Selective Service Act but before the declaration of war, Congress passed another Soldiers' and Sailors' Relief Act—1940—much broader in scope than the act of 1918, providing for the postponement of suits, judgments, attachments, garnishments, evictions, mortgages, foreclosures, repossessions, payments under installments, purchases and conditional sales, income taxes, real-estate taxes, and all statutes of limitation, and so forth. The 1940 act also applies to life insurance, endorsers, sureties, guarantors, property rights, homesteads, mining claims, mineral leases, and so forth. So far as I know no one has ever questioned, in any way, the act of 1940. Why? I take it for the very good reason that the principle involved was forever settled in the numerous cases growing out of the act of 1918.

WAR POWERS OF CONGRESS WITH RESPECT TO POLITICAL RIGHTS

By virtue of the passage of the 1940 Selective Service Act, we find that another wrong visited upon those in the armed forces is the destruction of their political right to vote. This wrong is occasioned by the fact that under the act millions of our boys have been sent overseas and millions more to training camps far removed from their voting places

and, hence, it is impossible for them to comply with the State laws requiring registration and the payment of a poll tax as prerequisites to voting. The registration provision, I am informed, is common to all the States, while the poll-tax provision only applies to 8 of the Southern States. Now, it is nothing short of visionary to suppose that the 48 States in the Union can convene their State legislatures and pass remedial legislation in time, even conceding the State legislatures have the authority, which, of course, is not true in those States where the voting prerequisites are written into the State constitutions. Take Virginia, for instance, where the poll-tax requirement is written into the State constitution, it would be humanly impossible to bring about the needed correction in time for those in the armed forces from Virginia to vote in the coming November election. Moreover, even if the 48 States could and would act promptly, what assurance do we have that the 48 corrective laws passed by the States would be uniform? And unless the laws are uniform it would be practically impossible to handle the ballots. The only practical way to bring about the correction of the wrong is by a uniform Federal law, applicable to all the States, waiving all State requirements to voting and setting up the necessary machinery to get the ballots to and from those in the armed forces.

Now, if the Congress, in time of war, acting under the war powers provision of the Constitution, has the right to protect the civil rights of those in the armed forces, and the courts have uniformly so held, it follows that in the exercise of the same powers it has the right to protect the political rights of those in the armed forces. I challenge any reputable lawyer, however astute he may be in special pleading, to point out why Congress under its war powers is all powerful when it comes to protecting the civil rights of those in the armed forces and impotent when it comes to protecting their political rights. Can it be that civil rights are higher and more sacred than political rights? I dare say no opponent to the legislation will make such a reckless statement because we all know that our civil rights depend upon the free exercise of our political rights. Without the free and untrammeled exercise of our political rights our civil rights would soon disappear. Why, sir, it was for the abridgement of a political right that we chiefly based our claim for the establishment of this Republic, namely, upon the proposition that taxation without representation is tyranny, and if you will examine the immortal Declaration of Independence you will find that most of the abuses and usurpations cited by Jefferson in justification for the declaration are political abuses and usurpations.

The Congress, I am thankful to state, has never made such a distinction. Back in 1942, the Congress, acting under its war powers, passed a law giving those in the armed forces the right to vote in the November 3, 1942, election for Members of the House and Senate without the payment of a poll tax and registration, and this law was signed by the President September 16, 1942, and became Public Law 712. Oh, yes; I heard the gentleman from Mississippi and others here on the floor cry out against the passage of this law, denouncing it as being unconstitutional and predicting all kinds of dire results in the event of passage. And yet, in spite of all the dire predictions, I have never heard of the act of September 16, 1942, being questioned by any court in any State in the Union. On the contrary, I do know that my old college mate, the Honorable Abraham P. Staples, the able attorney general of Virginia, whose legal judgment on constitutional questions is respected by all, in a written opinion upheld the constitutionality of the act, and the soldiers from Virginia voted accordingly.

In advocating that the Congress, under its war powers, in time of war, has the constitutional right to tear down all State barriers standing between our armed forces and the ballot box, I am not unmindful of section 2, article I, of the Constitution. While this section of the Constitution, in time of peace, is controlling and vests in the respective States the sole and exclusive right to determine the qualification of voters in Federal elections, the only inhibition being that the voters shall have the same qualifications required of the voters for the most numerous branch of the State legislature, this provision, in time of war, must give way to the plenary war powers vested in Congress under section 8, article I, of the Constitution, if, in the opinion of the Congress, the war effort will thereby be promoted. And it is for the Congress, and the Congress alone, to make the determination as to whether the war effort will be promoted by breaking down the State barriers that stand between the armed forces and the ballot box.

If "the power to maintain an army and navy necessarily implies the power to prescribe the conditions under which the persons in the military service of the United States shall be subject to the process of the courts, whether State or Federal," as was said in *Konkil* v. *State* (166 Wis. 335), certainly the same war power "implies the power to prescribe the conditions under which persons in the military service of the United States" shall exercise the right of suffrage.

If, as was said by the court in *Pierrard* v. *Hock* (97 Oreg. 79), the Congress under its war powers, has the right to stay all proceedings in State courts against those in the armed forces in order "to protect soldiers and sailors engaged in the prosecution of the war, and thus maintain the morale of the Army," certainly the Congress acting under the same war powers can preserve the sacred right of suffrage to those in the armed forces in order "to protect soldiers and sailors engaged in the prosecution of the war, and thus maintain the morale of the Army."

And if, as was said by the Court in *United States* v. *Gettysburg Electric R. Co.* (160 U. S. 668), the Congress under its war powers can condemn land for monuments on the Gettysburg battlefield, on the ground that such an "act tended to enhance the love of the citizen for his country and quicken his motive to defend it," certainly the Congress under its war powers in order to enhance the love of the soldier boy for his country and quicken his motive to defend, can vouchsafe to that soldier boy, wherever he may be, the right to participate in the political affairs of the Government he is laying his life upon the altar of patriotism to save.

Oh, I know the final dire stock argument of the opposition that is used when all other arguments fail. Beset by some kind of fanatical fear, they would have you believe that sinister and un-American forces are at work to undermine constitutional government here in America, and that these forces are behind the effort to bring about Federal action to break down the State barriers standing between the soldier boys and the ballot box. Yes, that seems to be the burden of their final plea. Well, I answer in one sentence, the best way to preserve Americanism in time of war is to break down all voting barriers so the defenders of America, wherever they may be, can freely participate in the political affairs of the Government for which they are fighting and dying to preserve. Why? Because those who defend America can be trusted to preserve America.

My colleagues, the time for me to conclude is fast approaching, and it is well, because I know I have already taxed your patience. Just this plea in closing: In the name of our ancestors who believed that taxation without representation was tyranny, in the name of the fathers and mothers, wives and sweethearts, of those in the armed forces, who believe that it would be a mockery of Americanism to permit the Constitution to be perverted in such a way as to deny their soldier boys and girls the right to participate in the political affairs of the Government they are dying to save, yes, in the name of the American soldier boys and girls themselves who are risking their all to vouchsafe to us who stay at home, among other things, the sacred right of suffrage, which is the birthright of freemen, I plead with you, when this legislation comes before the House, to vote for the American ballot to follow the American flag.

Mr. VINCENT of Kentucky. Will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from Kentucky.

Mr. VINCENT of Kentucky. I feel greatly indebted to the gentleman for this forceful statement which he has made. I had some question as to the constitutional provisions of this matter but I have none now. The gentleman has convinced me absolutely.

Mr. FLANNAGAN. I thank the gentleman. I have great respect for his opinion.

Mr. WRIGHT. Will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from Pennsylvania.

Mr. WRIGHT. I would not like the gentleman to take his seat without complimenting him upon his very stirring and at the same time very thoughtful address. I think the gentleman's address will convince all of us that the Constitution was never intended to be an instrument of frustration of the national will, that its broad and simple provisions were written in order that it might accommodate itself to the best interests of America. I wish to compliment the gentleman again on a very fine and learned statement on a very important public question.

Mr. FLANNAGAN. I thank the gentleman.

Mr. WORLEY. Will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from Texas.

Mr. WORLEY. As chairman of the committee now engaged in considering soldier vote legislation, may I say to the gentleman and the membership of the House that I have been engaged in research in the last several months, I have read various works of constitutional lawyers going back even to the Civil War, but I have never read a more profound theory than I heard the gentleman present this afternoon. May I join in complimenting him and assuring him that so far as those who believe that the Constitution really believes in giving the men the power to vote that we are with him.

Mr. FLANNAGAN. I thank the gentleman and I deeply appreciate his statement.

Mr. SULLIVAN. Will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from Nevada.

Mr. SULLIVAN. I wish to congratulate the gentleman on his very remarkable address. As the adjutant general of Nevada during World War No. 1, I wrote to the Army and Navy Departments to get the addresses of men in the services. I studied State laws and found it was absolutely impossible to get the ballots to the men overseas and back again.

Mr. FLANNAGAN. I thank the gentleman.

Mr. BRADLEY of Pennsylvania. Will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from Pennsylvania.

Mr. BRADLEY of Pennsylvania. I want to compliment the gentleman on his masterful analysis and also for the forthright position he has taken on this important issue.

Mr. FLANNAGAN. I thank the gentleman.

Mr. WORLEY. I am in receipt this morning of an official communication from the War Department showing the impossibility of operating under the procedure advanced by 48 separate States. Would the gentleman like to include at this point this official communication?

Mr. FLANNAGAN. I would be pleased to do so. May I say further I understand the attorney general of the State of Virginia states it would be impossible for the Virginia State Legislature, which is now in session, to pass remedial laws. I understand that the same view has been expressed in a written opinion by the able attorney general of the State of Tennessee, which State also has the poll-tax provision written into the State constitution.

Mr. VINCENT of Kentucky. I may say that the State of Kentucky also by constitutional provision will prohibit our legislature, which is now in session, from enacting proper legislation.

Mr. FLANNAGAN. That is our situation in Virginia.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. The Kentucky Legislature, as stated by my colleague from Kentucky, is now in session. Bills and resolutions have been offered proposing to amend the constitution to meet this requirement to permit absentee voting, but it cannot be voted on until next November, on the same day that the national election is held.

Mr. FLANNAGAN. That would not give the soldier boys and girls very much relief.

Mr. ROBSION of Kentucky. I think every one of them should have the right to vote.

Mr. FLANNAGAN. I appreciate the gentleman's sentiments.

The SPEAKER pro tempore (Mr. PATMAN). The time of the gentleman has expired.

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to include in my remarks the letter from the Secretary of War handed me by the gentleman from Texas [Mr. WORLEY].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia [Mr. FLANNAGAN]?

There was no objection.

The communication referred to follows:

JANUARY 11, 1944.

Hon. EUGENE WORLEY,
Chairman, Committee on Election of President, Vice President, and Representatives in Congress, House of Representatives.

DEAR MR. WORLEY: Complying with your request of December 31, 1943, the War Department has carefully considered S. 1285, "An act to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes," as passed by the Senate, December 3, 1943, and as referred on December 7, 1943, to the House Committee on Election of President, Vice President, and Representatives in Congress.

The policy of the War Department is to give such assistance and encouragement as it can to the exercise by its members of their voting rights, so long as such assistance and encouragement does not impede essential military functions in any way or result in divulging secret information. In that connection, the War Department has been cooperating with committees of the Congress in their consideration of various measures to facilitate voting by members of the armed forces. Reports by the War Department, with respect to such measures, have been submitted to the Senate and House committees under dates of October 7, 1943, October 28, 1943, and November 13, 1943.

The report last mentioned dealt with House Concurrent Resolution 49, which was a recommendation by the Congress to the several States to enact appropriate legislation to enable absent servicemen to vote. The recommendation set forth in S. 1285 is the same in substance, though more elaborately expressed. The observations in the report of November 13, 1943, bearing upon the practical difficulties of administering during wartime the diverse absentee voting laws of 48 States, are as applicable to the substance of S. 1285 as to the substance of House Concurrent Resolution 49. This report incorporates those observations as fully as if they were repeated herein.

No procedure for offering the vote to servicemen can be effectively administered by the War and Navy Departments in time of war unless it is uniform and as simple as possible. Especially is this true with regard to the voting of persons outside the United States.

Most States now provide by their laws for absentee voting by servicemen in general elections. In my opinion, these laws cannot be effectively administered by the War Department, in wartime, so as to provide opportunity to all servicemen at home and abroad to vote. An army engaged in waging war cannot accommodate that primary function to multiple differences in the requirements of 48 States as to voting procedure. These differences exist even as to identical steps in the voting procedure, comprising different forms, different dates, different time intervals, and so forth. This administrative problem is intensified by the short time limits set by many State laws for the accomplishment of statutory requirements.

The War Department has already indicated, in connection with a prior version of S. 1285, that it may be possible, weather and military conditions permitting, in respect to one election, to carry in bulk by air, overseas and back, within a short time ballots which are uniformly light in weight and small in size. But the War Department does not believe that such expeditious carriage can be made a matter of daily routine over several months or weeks, as would be required to meet the provisions of the laws of the different States. Nor can any assurance be given in advance that recent average times of air carriage for mailed material can be regularly maintained in respect to many individual mailings of State balloting material over several months or weeks, or that the volume of what is now being carried by air can be increased or even maintained.

The effective operation of a voting procedure predicated on daily, uninterrupted air carriage overseas and back by the Army of masses of State absentee balloting material is dependent on three factors beyond control: Weather, war, and plane space.

Unfavorable flying conditions may at any time interrupt for considerable intervals the carriage of any air mail to one or more theaters. When flying is resumed, the carriage of urgent military material and personnel must, for manifest military reasons, take precedence over mail. The Army does not operate, like the post office, as a regular carrier of mail. The primary requirement of waging a victorious war obviously determines whether any space in any military plane will be available to carry any mail.

The War Department is now bending every effort to fly to and from the front as much home mail as possible. It regards the receipt of such mail overseas and at home as the most important morale factor in the war. At the present time there is not available sufficient plant space to carry all the letters to and from home. As more men go overseas, the volume of this vital home correspondence

will increase, further taxing air facilities. The bulk of a single average State absentee ballot, plus envelopes and voting instructions—averaging 3 ounces altogether—would by its size and weight displace over a thousand V-mail letters in microfilm. If this displacement were multiplied several million times, in two separate air carriages, over a period of several weeks or months, the most important of all morale factors would be dangerously prejudiced.

Although it may be possible to fly mailed material to a given theater in accordance with the average times recently obtaining—as, for example, 10 days from the Atlantic seaboard to the Mediterranean theater—the finding of the individual addressee in that theater may take many days. It is an unrealistic appraisal of war conditions to assume that the serviceman addressee can always be found and can act within a few days.

A dozen or so States now require a special form of application for ballot, and their voting procedures entail a minimum of four air carriages, apart from the transmission of the initial post card. Even where only two air carriages, in addition to the initial post card, are involved, there can be no assurance that the War Department will be able in wartime to air carry all individual State ballots overseas, locate the servicemen addressees, and air carry the executed ballots back to the postal authorities in the United States within a few weeks.

The War Department believes that it is its duty to call these practical difficulties to the attention of the Congress. It would endeavor, to the best of its ability, to administer whatever laws the States might enact pursuant to congressional recommendation. But the exigencies of war circumscribe cooperation. With but a single law to administer, involving a single air carriage of lightweight ballots in bulk overseas and a single air carriage of such ballots in bulk back to America, the accomplishment of serviceman voting outside of the United States remains only a possibility. Anything more onerous than such a procedure would be, to the extent of its burden in space, time, and diversity, a more remote possibility.

In addition to the practical difficulties referred to above and in the report of November 13, 1943, there are specific provisions of the subject bill, not of its essence, which require clarification, conformity of expression, and elimination of unnecessarily onerous restrictions and burdens. I am enclosing the text of proposed changes to cover these matters. Opportunity to explain to the committee the reasons for these changes is requested. Special reference is made to the suggested revision of section 3. It is my information that this suggested change has the approval of the sponsor of the original section. Its adoption should make more possible substantial maintenance of the current morale programs. Unless the subject bill is amended to conform to the principal changes suggested, the War Department is opposed to those provisions of the bill because of the burdens and restrictions imposed by such provisions without commensurate benefit to servicemen.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

_____,
Secretary of War.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, on December 21 I asked unanimous consent to extend my own remarks in the RECORD and to include therein a decision by the United States Emergency Court of Appeals, dealing entirely with the powers of the Office of Price Administration. This was returned to me for the reason it would take more than two pages of the RECORD. I may say I have a report from Mr. P. L. Cole, Director of the Planning Service of the CONGRESSIONAL RECORD, to the effect that this will cost $157.50. Mr. Speaker, inasmuch as this decision is a new one, having been handed down on December 15, 1943, and that it does clarify the powers of that important agency of Government, I believe every Member of the House ought to have access to it; therefore I ask unanimous consent that I may be permitted to extend my own remarks in the RECORD and to include therein this opinion, the excessive cost thereof to the contrary notwithstanding.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection.

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a very timely editorial that appeared in the Washington Post this morning entitled "State Strait Jackets."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. STEVENSON]?

There was no objection.

Mr. POWERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include an article by the gentlewoman from Connecticut [Mrs. LUCE]. I came across this article in the program of that magnificent Air Corps show, Winged Victory in New York. I suggest that every Member of Congress read this and they will get a very happy reaction from it.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey [Mr. POWERS]?

There was no objection.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from Mr. Shelby M. Allen, a tax consultant of Gary, Ind., on income-tax simplification.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana [Mr. MADDEN]?

There was no objection.

The SPEAKER pro tempore. Under a previous special order of the House, the gentleman from California [Mr. IZAC], is recognized for 30 minutes.

RENEGOTIATION OF WAR CONTRACTS

Mr. IZAC. Mr. Speaker, many of us came back from the First World War to find that 29,000 millionaires had been made while we were over there fighting. This Congress, I am happy to say, has profited by the mistakes made in the First World War. Instead of investigating after the war is over and wondering why we did not have planes and ships out there with which to fight the enemy, this Chamber, this body, early in the present war passed House Resolution 30, which made of the Military Affairs Committee and the Naval Affairs Committee of the House investigating committees so that we could investigate the progress of the war while it was going on, in order that there might not be recriminations about the munition makers having gotten us into the war, about excessive war profits, and these other things that we fought over for 20 years after the last World War.

Pursuant to that resolution, the Committee on Naval Affairs, of which I am a member, formed itself into an investigating body. We divided by appointment by the chairman into subcommittees. Hardly a member of that committee is not serving today on three or four subcommittees.

We have investigated the aircraft industry, Elk Hills oil, which we shall go into further, perhaps next week, congested war-production areas, and things of that kind.

One of the most important of our investigations has been that having to do with war profits. The Vinson-Trammell Act used to limit the amount of profit that could be made by ship manufacturers and aircraft manufacturers, but early in the war it became evident that many contractors did not want to take contracts from the Government because they did not think they could make enough money under the limitation of 12 percent for aircraft and 10 percent for battleships, and the like, so the Committee on Ways and Means just eliminated the Vinson-Trammell Act.

However, our procurement agencies in both the Army and the Navy, and in the Maritime Commission, soon found that they were having to pay a pretty high price for all of the things the Government needed in the war, and our committee became concerned lest we should lend our good offices to the perpetuation of exorbitant profits. Therefore, the chairman, the gentleman from Georgia, the Honorable CARL VINSON, introduced a bill of profit limitation. We held hearings on that for a long time but could not arrive at an agreement. His bill proposed 6-percent profit. It was testified before us that 6 percent might be fine in some cases but might do an injustice in others; therefore, we had to drop that bill.

Later an amendment was placed in an appropriation bill, the sixth supplemental appropriation bill, which provided for renegotiation of contracts in case the Government agencies found that inordinate and excessive profits were being made out of the war.

I am afraid—and this is why I am here today speaking on this subject—that perhaps the greatest steal in the history of this country is about to be perpetrated. I say that advisedly. In the tax bill which passed this House a few weeks ago, and which I understand is being brought before the Senate by the Senate Finance Committee this week, or, at the latest, next week, there are provisions which practically emasculate the renegotiation law. Worse than that, it goes this much further: It takes from the taxpayers about two and a quarter billion dollars

in taxes, but by changing the provisions of the renegotiation law which is incorporated in this bill it makes it possible for over $5,000,000,000 to be gotten back by the contractors who have been renegotiated. This is why I am so much concerned lest this bill become law. It is why I am here today to explain just what this thing does.

Mr. Speaker, sometime ago I stated that I would bring to the attention of the House exactly what the amendments to the renegotiation law, placed in the new tax bill by the Senate Finance Committee, mean to the American taxpayer and to the American soldier. Those amendments, which have the effect of converting a revenue measure into an appropriation act, are now before the Senate. I hope that they will be defeated there. If they are not, and they come to this House for approval, I propose, along with others, to do my part to see that the present restrictions on profiteering are not lifted, and that no invitation is given to those who have profiteered to raid the Treasury of those excessive profits which they already have refunded to the Treasury.

The Committee on Naval Affairs, under the guidance of its distinguished chairman, has always been sensitive to the problem of profiteering on war contracts. As I stated before, it sponsored the Vinson-Trammell Act, under which a strict limitation was placed on the profits of shipbuilders and suppliers of aircraft. When the present expanded procurement program began to emerge, it was suggested that, as a safeguard against the creation of profiteers and war millionaires, a strict profit limitation be imposed on all war contracts. This was strenuously opposed by the representatives of business, who protested that a strict profit limitation law would be unfair, in that it would treat all contractors alike and would make no allowance for special performance, efficiency, hardship cases, and so forth. The renegotiation law was devised as the answer to that protest. It was designed to place a necessary control on war profits and to make sure that the people paid no more than fair prices for the goods of war, and at the same time to provide the flexibility needed to be fair to all.

Renegotiation became the law of the land on April 28, 1942. Since that time it has recovered for the Public Treasury excessive profits amounting to almost $6,000,000,000. Almost from the first a campaign was undertaken by some representatives of selfish business interests to secure either its outright repeal or such amendments as would destroy its effectiveness as a controller of war profits. Members of Congress were bombarded with literature emanating from these looking for repeal. Countless resolutions were adopted by trade associations. It was urged that the law itself and the departmental administration of the law were working hardships upon business, and that the departments were so ruthless in recovering profits that the contractors were stripped of funds, and of an incentive to produce the articles needed for the prosecution of the war.

As a result of this public furor the Committee on Naval Affairs, which from the start, as I have said, has been concerned with the problems of war profits, determined to make a thorough examination of the law and the way in which it was being administered. After a careful preliminary study of the problems involved by the committee's staff—and right here I want to testify to the high caliber and efficiency of this staff under the leadership of able general counsel, Robert E. Kline—the committee held extensive public hearings, at which it heard from the representatives of the departments, from business organizations which had expressed an interest in renegotiation, and from a cross section of industry. It heard from large business and small, from aircraft manufacturers and automobile executives, from the machine-tool industry, and from manufacturers of standard commercial articles. We made a point of hearing from all those who had been active in opposing renegotiation in order to learn the manner in which they had been treated.

From these hearings we emerged convinced that renegotiation was performing an important and a useful task. It was clear that the law as originally enacted had certain defects, and that certain clarifying amendments were required, such as the right of judicial review, the writing of standards for the guidance of the departments in the determination of excessive profits, and so forth. With such amendments written into the law we concluded that renegotiation should remain a part of our procurement mechanism for the duration of hostilities, and we so recommended.

Our entire committee was impressed by the fact that not a single contractor who appeared before it had any complaint to make of the manner in which those administering the law had treated him. The men representing the departments and the interest of the Government were without exception described as being fair, sympathetic, and reasonable in their treatment of the cases. Such complaints as were made were directed at the law itself and not at the manner in which the law was being administered. This is in remarkable contrast to the suggestions of high-handed and arbitrary action which have received currency in recent weeks while the present amendments have been receiving consideration in the Senate.

We understand that the National Association of Manufacturers is one of the leading groups pressing the fight against renegotiation. When we were discussing, or rather holding, hearings on profit-limitation bill H. R. 6790 we had before us the president of the National Association of Manufacturers. He testified that while it is true that as president of his own business, the Blaw-Knox Co., he had received $33,000 as his salary in the thirties, it had been raised to $41,607 a year in 1941. Then he was asked about 1942. Well, in 1942 it had gone up to $50,000, and I shall never forget the colloquy that ensued between him and the gentleman from Oregon [Mr. MOTT] trying to draw him out about how much sacrifice he was making. Mr. MOTT said—

> Your work for your company for which you get an increased salary, you classify as a sacrifice. Is that my understanding?
>
> Mr. WITHEROW. I say it is a sacrifice in the sense that it more than compensates; that is, the work that I am doing in proportion today to maybe what I did in 1940, away out of proportion, and I do not begrudge that at all. I am perfectly happy to do it.
>
> Mr. MOTT. But the fact is that you have had an increase and the fact is that it is not a sacrifice; it is just a part of your business, not any more a sacrifice than the wage earners are making in this war effort in your factory.

That from the presiding officer of a large company and the president of the group that apparently does not believe in renegotiation—the National Association of Manufacturers. Apparently they want to make all the traffic will bear.

One of the principal advocates of the repeal of renegotiation has been John B. Hawley, who, through private holding companies, owns virtually all of the stock of the Northern Pump Co., and of its subsidiary, Northern Ordnance, Inc. Thousands of dollars have been spent by Hawley in his campaign to wipe renegotiation off the books. When he appeared before our committee, we were interested in learning whether his concern over the renegotiation law arose from a genuine concern over those features which he had criticized, or from more selfish reasons. For that reason we inquired into the impact of the war program and of renegotiation upon his own wholly owned companies. The facts, I think, speak for themselves.

The Northern Pump Co., prior to the war, was engaged in the manufacture of pumps and other hydraulic equipment. With the commencement of the emergency, it became one of the largest suppliers of gun mounts and other hydraulic devices for ordnance. It has, admittedly, done a superior production job for the Navy.

From 1936 to June 1940, its annual sales ran from $1,000,000 to approximately $2,000,000. Its sales in 1941, virtually all of which were to the Navy, were $18,446,000. On these 1941 sales, it realized a net profit before Federal taxes of $5,226,000, a profit amounting to more than 500 percent of the company's net worth, and 28.3 percent of its sales. After payment of Federal taxes for 1941, the company still had a profit of $1,841,000, about 200 percent of its net worth. The Government had furnished the company with facilities costing approximately $6,000,000, and capital in the amount of $8,000,000.

Northern Pump Co.'s sales for 1942 increased to $67,930,000. On this, the company had a net profit before Federal taxes of $21,186,000, or 737 percent of net worth and 31.2 percent of its sales. The company's net profit, after the payment of Federal taxes, and before renegotiation, was $5,206,000, or 181 percent of net worth.

In achieving this volume of sales, facilities costing $15,000,000 were furnished to the company by the Government. In addition, the Government in the first 6 months of 1942, furnished the company with advances amounting to $7,500,000. In 1937, the net worth of the company was $409,287. On June 30, 1940, the entire investment in the company was $956,000. Had there been no renegotiation, the net worth of Northern Pump Co. would have increased to $8,494,105, without any substantial additional private investment. All of this profit remained after the increase of Hawley's own salary from $25,000 to what do you suppose? $50,000, or $100,000? No, indeed; listen to this. He raised it to $442,000 in 1942. While the company had paid $188,000 in executive salaries in 1940, it paid out $637,000 in such salaries in 1942, and included such payments as costs before profits.

The Navy Department Price Adjustment Board proposed to Hawley that the company refund in renegotiation $15,083,967 to the Navy on its renegotiable business for 1941 and 1942. After making such a refund, and after paying Federal taxes, there would still remain to the company a profit on its renegotiable business for 1941 and 1942 of $2,790,489, almost three times the net worth of the company at the beginning of the emergency period.

After many months of a public campaign to repeal the renegotiation law, in the course of which he termed the efforts of the Price Adjustment Board to recover these excessive war profits from him "un-American," Hawley finally accepted the Navy's offer and signed an agreement to refund these profits. Under the bill that has been reported to the Senate, he may, within 90 days after the bill becomes law, file a petition before the Court of Claims and have that court review de novo this entire renegotiation proceeding. Under that bill the Court of Claims is prohibited from taking note of the agreement which he has entered into with the Navy agreeing that $15,000,000 of his profits are excessive, and ought to be refunded into the Treasury. I have no doubt that if that bill is passed Hawley will seek to regain those $15,000,000 of excessive profits.

Another of those in the forefront of the opposition to this war profits control measure has been James F. Lincoln, president of the Lincoln Electric Co. Lincoln Electric Co. manufacturers electric welding machines and electrodes, the same standard commercial articles which it manufactured in peacetime. Lincoln's bombardment, consisting of telegrams, press statements, and pamphlets, has not plumped so much for outright repeal of the law as it has for amendments which would exempt his own company's contracts from the law. Like others who have appeared in opposition to the law, Lincoln has piously subscribed to the doctrine that there should be no profiteering in wartime, and that we must guard against the creation of war millionaires. Because of this we were interested in learning of the profits which his company has made out of the war and the effect which the renegotiation law has had upon such profits. The average annual sales of Lincoln Electric Co. from 1937 to 1940 were $10,479,339. Over that period its average annual profits before payment of Federal taxes were $2,527,465, or 24.55 percent of sales. Under the impact of war orders the company's sales soared to $24,024,095 in 1941, and to $33,515,445 in 1942. The company's profits before taxes in 1941 amount to $5,616,128, and to $9,007,513 in 1942. The company's net worth at the end of 1941 was $8,335,280. Even after the payment of its share of the cost of waging the war in taxes, the company in 1941 and 1942 had larger profits left to it than in any previous year in its history.

The Navy Department in renegotiation proposed that Lincoln Electric Co. refund to the Navy $3,250,000 as excessive profits. Had the company been willing to accept this proposal, it still would have retained profits two and one-quarter times as large as those which it realized in its average pre-war years. Instead, the company has violently opposed the proposal, and the Under Secretary of the Navy then proceeded under the law to make a unilateral determination as to the existence of excessive profits in the amount of $3,250,000.

Just to show you how fair the price-adjustment boards have been, they are allowing him three and a quarter times as much as he made before, and still that is not sufficient for him.

This is being contested by the company in the courts. After the finding of the Under Secretary, Lincoln proceeded to distribute $3,000,000 as a Christmas bonus to the company's employees. Of this amount, which approximated the excessive profits which the Under Secretary had found to exist, the average Lincoln employee was to receive, in addition to his regular pay, $2,225. Three employees of Lincoln received bonuses of $50,000 each.

A nice little bonus, and very commendable, I would say, if it did not come from the taxpayers of a country fighting for its life. It is taking that money to pay that bonus right out of the pockets of the average taxpayers of this country.

These bonuses are determined solely by James F. Lincoln, the president of the company, and owner of 70 percent of its corporate stock. While Lincoln has consistently sought to give the impression that his company is owned by its employees and that they receive the bulk of its profits, actually only 5 percent of the stock is held by employees. When he testified before our committee, he was reluctant to admit that any incentive besides a profit motive could persuade contractors such as himself to produce the goods of war. While he recognized the existence of a Golden Rule which, in an ideal society, would cause manufacturers and workers to produce to the full extent of their abilities solely for love of patriotism and without an added profit incentive, he felt that that situation did not exist today in the United States of America. He felt that contractors such as Hawley and himself who produced satisfactorily should be allowed to receive every bit of profit that might accrue to them under their original arrangements, and that they should not be required to refund excessive profits to the Government. Such is the philosophy of sacrifice which the opponents of renegotiation are willing to adopt as their contribution to the winning of the war.

Another advocate of this philosophy of self-seeking was Edward G. Budd, president of the Edward G. Budd Manufacturing Co. and its affiliates. In the years 1937 to 1940 that company had average annual sales of $38,359,700, on which it realized average annual profits before Federal taxes of $732,627, and $403,382 after taxes. In 1942 the company's sales had increased to $115,289,828, on which it realized a profit before taxes of $20,122,358, and after taxes, of $5,216,000. Its profit after taxes was 24.2 percent of its net worth. The Navy Department proposed that the company refund $9,000,000 as excessive profits, leaving it a profit before taxes of $11,122,358, and $2,716,000, after taxes and renegotiation. This profit, which was 12.6 percent of the company's net worth, compared with an average annual profit, after taxes, in pre-war years of $403,382. Budd, whose 1942 salaries totaled $205,728, a substantial increase from his pre-war compensation, admitted that any manufacturer would be ashamed to retain excessive profits. He felt, however, that this company was legitimately entitled to the profits which had accrued to it under its contracts, and that the renegotiation law was inequitable. Ultimately his company agreed to the proposal offered by the Navy. Under the Senate bill, however, the company has another chance to get back this $9,000,000 in excessive profits from the Treasury. And, in the new proceeding, the Court of Claims cannot take account of the Navy Department findings, or of the agreement entered into by the company.

Still another opponent of renegotiation before our committee was Harry J. Defoe, a partner in the Defoe Shipbuilding Co., which has received substantial shipbuilding contracts from the Navy. The original investment of the two brothers who first formed this partnership was $125,000. By December 31, 1940, the company's net worth had increased to $573,000, as a result of a retention of earnings. By December 31, 1941, the net worth had increased to more than $1,561,000. In 1941 the two brothers took into partnership, as partners without any capital contribution on their part, their three sons, all of whom were young boys in their twenties. In 1939 the company's net sales were $660,228. It profits that year amounted to $75,672, a modest amount. In 1940 sales had increased to $1,284,801, and profits had increased to $198,191. In 1941 sales had increased to $4,077,033, and profits to $1,197,484. Profits in that year were 209 percent of the company's net worth. In 1942 sales had increased to $20,386,994, and profits

to $5,050,451. Profits in 1942 amounted to 323 percent of net worth.

These profits were computed after allowance of an increase in Harry J. Defoe's salary from $25,000 to $75,000, and an increase in the individual salaries of two of the young boys who had been taken into the partnership from $7,500 to $11,250.

In renegotiation the Navy proposed that the company refund $569,500 in excessive profits on its 1941 business, and $2,500,000 on its 1942 business. Even after making of such refunds, the company was left with profits of $423,494 in 1941, and $2,393,229 in 1942. This was at first strenuously opposed by Defoe, who, at our hearings, advocated the allowance of a profit solely on the basis of sales and without any regard to the invested capital of the contractor. When the proposal of the Navy was made to him during the course of the renegotiation proceedings, Defoe took the position that, if the excessive profits were taken away from him, he and his partner would have no incentive to devote all of their energies to the building of ships for the Navy. It is a shameful thing, Mr. Speaker, for such a position to be taken by citizens of this Nation, making untold profits such as this and paying large salaries at the taxpayer's expense to young sons of military age, while other men's sons are being called upon to make the supreme sacrifice in the various theaters of action.

I think you would be interested in another fact in this connection. Remember this company is a family partnership. Because it is a partnership it pays no Federal income and excess-profits tax. Think that over. If they were a corporation they would be paying excess-profits tax. Being a partnership they do not. I would like to see the Ways and Means Committee do something about a thing of that kind.

Since all of the assets and liabilities are not disclosed in the records of the partnership, the accountant for the contractor has estimated what the tax would be. But we do know this, that the taxes on the individual partners, I will not read them all, but I do want to give you what that young, 21-year-old boy paid in individual income tax, showing how much money the firm must have made out of war profits. Here it is: He paid $468,133.43. Young W. F. DeFoe had to pay that in income tax in 1942. You would say he certainly must have been of great value to that company.

Mr. MORRISON of North Carolina. Will the gentleman yield?

Mr. IZAC. I yield.

Mr. MORRISON of North Carolina. Has the gentleman figures showing how much that left him after he paid his tax?

Mr. IZAC. I have not for the individuals, but I have for the firm and I will be glad to give that.

Mr. MORRISON of North Carolina. What I would like to know is how much those boys made after the Government got what it could under the present tax laws; what they have left.

Mr. IZAC. The only way to get that would be to get a copy of his individual income tax.

Mr. MORRISON of North Carolina. Yes; I thought perhaps the gentleman had it.

Mr. IZAC. I do not have that breakdown here. I can get it very easily. But it does show that his salary went to $11,250 from $7,500 and that he paid that much—$468,133.43—in income tax. For the gentleman's information I might say that one of the other sons paid $720,000, another son paid $721,000, one of the partners paid $979,000 and Harry Defoe paid $1,512,000, all out of the profits of the partnership.

Mr. MORRISON of North Carolina. What I am anxious to know about, and I am in general sympathy with my friend's argument very much, is how much they had left. Even under these inadequate tax laws that they talk about, I do not think anybody could have very much left. It does not make any difference what they make.

Mr. IZAC. The investigating staff of the investigating committee of the Committee on Naval Affairs has determined that without renegotiation the present tax law cannot take from corporations more than 81 percent of the earnings, of which about 10 percent is refunded later; but in order not to be in such high income-tax brackets the two Defoe partners took into the partnership their three sons so the profits could be split five ways instead of two, thus saving for the family a much larger share of the total profits. And this may answer my colleague's question—the partnership after all taxes were paid had $634,411 to split up among the five partners.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. IZAC. Mr. Speaker, I ask unanimous consent that I may address the House for 5 additional minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. IZAC. I do not mean, Mr. Speaker, to convey the impression that all business has taken the selfish position which has been assumed by those to whom I have referred. Many businessmen appeared before our committee to endorse the principles of the renegotiation law. Among those who so testified were important officials of General Motors Corporation, the Newport News Shipbuilding & Dry Dock Co., the General Electric Co., the Aluminum Co. of America, and the Westinghouse Electric & Manufacturing Co. It is a significant thing that in most of our great industrial corporations, where there is not a coincidence of management and ownership, the businessmen have taken a public-spirited view and have considered it an obligation on their part to support legislation designed to eliminate war profiteering. It is from the companies where the officers of the companies are also the owners of the bulk of the underlying stock that this powerful and evil lobby, so successful thus far, has arisen.

I want to mention here also that many firms have come forward, some individuals and some corporations, even before the renegotiation law was enacted and asked to be permitted to make refunds where their profits on war contracts appeared to be excessive. As an example of this, I want to name the Ohio Nut & Washer Co., which patriotically refused to accept greater profits from war contracts than they had been making before we entered the war; and likewise the voluntary surrender of hundreds of millions of dollars by General Motors, who, with enlightened leadership, would not countenance the acceptance of unconscionable profits on Government contracts in the Nation's hour of crisis; likewise the Newport News Shipbuilding & Dry Dock Co.

Some time ago, Mr. Speaker, Mr. Justice Byrnes uttered some words which should be carefully pondered by all of us. He said:

> Twenty-four years ago we had another war. When our Army came home broke and jobless and learned how their neighbors had profited, they angrily demanded that it should never happen again. Every man in public life, regardless of political affiliation, pledged that we would take the profits out of war. It has not been done. Some day another Army will come marching home. There will be some without an arm, some without a leg, and many without a job. In that hour, I pity the man who profited excessively while those men suffered. If we would preserve the profit system, we must now take the profit out of war.

To Justice Byrnes' statement, I must add another solemn warning. It is not only those who have without conscience profiteered who will be called to account when our soldiers and sailors come marching home. Those of us who sit in this Chamber, and in the Senate, will also have to make account of the stewardship which we held while they were gone. The responsibility will rest not only with those who profiteered, but with those of us who, seeing profiteering, either stood idly by or opened the gates of the Treasury wide to those who were motivated, not by patriotism, not by a sense of obligation and duty to country, but by naked, ugly greed. Mr. Speaker, I serve warning that I do not propose to be included in such company. For my part, I intend to carry this fight on, and to let our returning armies know of what has taken place in their absence.

I know that great problems of postwar reconversion face industry, and particularly such segments of industry as our airplane companies. The aircraft industry, which has rendered a service which cannot be appraised in terms of dollars, has multiplied many times during the wartime period. Enabled to do so by Government funds, its leaders are naturally fearful of the day when they will be called upon to continue with only their own slender resources. Their spokesman before our committee was emphatic in saying that that industry did not desire to accumulate unwarranted and excessive profits out of the war, but that it was naturally concerned

with its ability to operate in the post-war period with a minimum of dislocation of its employees and its productivity. I do not believe that those problems can be met by the allowance of extra profits in renegotiation. They can and should be met directly, through the establishment of an intelligent post-war program.

In conclusion, Mr. Speaker, I urge upon the Members of this House to ponder carefully, before voting to accept any amendments to the renegotiation law, their responsibility to the men overseas for the creation of these huge and unconscionable war profits. I feel confident that upon sober reflection this House will refuse to respond to the many pressures which are being applied, and will reject these amendments.

Mr. MORRISON of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. IZAC. I yield.

Mr. MORRISON of North Carolina. Does the gentleman think the present Renegotiation Act is adequate to prevent the evils that you have presented to the House?

Mr. IZAC. Frankly, I will say to my friend, it is not adequate, because it only permits renegotiation of contracts with the Army, the Navy, the Maritime Commission and War Shipping Administration, the Reconstruction Finance Corporation, and the Treasury Department. There are many other agencies that have war contracts. For example, the Department of Agriculture buys billions of dollars' worth of meat from Swift & Co., and the other big packers. Those contracts cannot be renegotiated, no matter how much profit the packers may make. The same way with cheese products, where they buy at wholesale, not from the little farmers, but where they buy in great quantities. They are not being renegotiated under the present law. It is my firm belief that certainly all war contracts of whatever nature should be renegotiated if excessive profits are made—and, in fact, I hold that no one on any kind of contract should be permitted to make excessive profits in wartime.

Mr. MORRISON of North Carolina. You did not mean to warn us against voting for proper amendments to reach those evils, did you?

Mr. IZAC. I am sorry if I was not clear on that point, I will say to the gentleman from North Carolina. I know the gentleman is very concerned with this, but he knows that in the Naval Affairs Committee we held hearings for months, and we arrived at certain amendments that should be put into the bill. In fact, the chairman of the committee went before the Ways and Means Committee, and he also submitted to the Senate Finance Committee the findings of our committee, after months of work. But practically none of those beneficial amendments of ours appear in the bill at the present time. They have tried to emasculate the law, partially done in the Ways and Means Committee, but not anywhere near to the extent that the Senate Finance Committee has done.

Mr. MORRISON of North Carolina. Do we propose to drop those amendments, or are we going to offer them?

Mr. IZAC. When the tax bill came before this House we had no opportunity to offer amendments because it was under a closed rule. Therefore, the only chance we will have, if those vicious amendments are in the bill when it comes before the House for final enactment, is to offer ours at that time—proper amendments—and to knock out such amendments as would give back to these war profiteers any of the excess profits they have made.

Mr. MORRISON of North Carolina. I was afraid that your language was so broad that if we were able to get by the parliamentary difficulties and offer amendments which I understood we favored, your advice was to beat all amendments. I did not think you meant that.

Mr. IZAC. Of course not. My colleague remembers that when we of the Naval Affairs Committee were in executive session—and I do not think anyone will object to my giving these figures, but by votes of from 17 to 5 up to unanimous, we beat down all amendments that were of a vitiating character and accepted all amendments that furthered the objectives of reducing war profits.

The SPEAKER. The time of the gentleman from California has again expired.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following communication which was read by the Clerk:

DECEMBER 30, 1943.

Hon. SAM RAYBURN,
Speaker of the House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I beg leave to inform you that I have this day transmitted to the Governor of the State of New York my resignation as a Representative in the Congress of the United States from the Twenty-first District of New York.

With deep respect, I am
Very sincerely yours,
JOSEPH A. GAVAGAN.

CALENDAR WEDNESDAY

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent that business under the Calendar Wednesday rule tomorrow may be dispensed with.

The SPEAKER. Is there objection?

Mr. H. CARL ANDERSEN. Has the gentleman consulted with the minority leader?

Mr. RAMSPECK. I have consulted with the gentleman from Michigan [Mr. MICHENER].

There was no objection.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. MCGREGOR (at the request of Mr. BROWN), indefinitely, on account of illness.

To Mr. HINSHAW (at the request of Mr. MARTIN), for 1 week, on account of illness in family.

ADJOURNMENT

Mr. RAMSPECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 18 minutes p. m.) the House adjourned until tomorrow, Wednesday, January 12, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the committee at 10 a. m. on Wednesday, January 12, and Thursday, January 13, 1944, for consideration of post-war plans, to be held in the caucus room, Old House Office Building.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold hearings on Tuesday, January 18, 1944, at 10:30 a. m., in the committee room, 247 House Office Building, on H. R. 1358 and H. R. 1512, bills granting pensions and increase of pensions to certain soldiers, sailors, and marines who served in the Pulajane and Moro campaigns, and other uprisings in the Philippine Islands from July 16, 1903, to December 31, 1913, and for other purposes, which were introduced by Representative HAROLD C. HAGEN, of Minnesota.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will held a public hearing on Thursday, February 3, 1944, at 10 a. m., on H. R. 2809, to amend section 511 of the Merchant Marine Act, 1936, as amended.

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of Subtitle—Insurance of Title II of the Merchant Marine Act, 1936, as amended.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1027. A letter from the Director, Selective Service System, transmitting an estimate of personnel requirements for the quarter ending March 31, 1944; to the Committee on the Civil Service.

1028. A letter from the Administrator, Office of Price Administration, transmitting a copy of estimate of personnel requirements for the quarter ending March 31, 1944; to the Committee on the Civil Service.

1029. A letter from the Chairman, National Labor Relations Board, transmitting the quarterly estimate of personnel requirements of the National Labor Relations Board for the third quarter of the fiscal year 1944; to the Committee on the Civil Service.

1030. A letter from the Secretary of the Interior, transmitting a report covering expenditures made from the appropriation "Education of natives of Alaska, 1943-44" for the relief of destitution of natives of Alaska during the fiscal year 1943; to the Committee on Expenditures in the Executive Departments.

1031. A letter from the Administrator, National Gallery of Art, transmitting copy of the report Quarterly Estimate of Personnel Requirements; to the Committee on the Civil Service.

1032. A letter from the assistant secretary-treasurer, the American Commission for the Protection and Salvage of Artistic and His-

toric Monuments in Europe, National Gallery of Art, copy of the report Quarterly Estimate of Personnel Requirements; to the Committee on the Civil Service.

1033. A letter from the Director, Committee for Congested Production Areas, transmitting a request for an increase of 15 positions in the departmental service above the Quarterly Estimate of Personnel Requirements for the quarter ending December 31, 1943; to the Committee on the Civil Service.

1034. A letter from the administrative assistant to the Secretary, Department of Commerce, transmitting Revision No. 1 of the Quarterly Estimate of Personnel Requirements for the quarter ending December 31, 1943, for the Bureau of the Census; to the Committee on the Civil Service.

1035. A letter from the Vice Chairman, Board of Investigation and Research, transmitting its estimate of personnel requirements for the quarter ending March 31, 1944; to the Committee on the Civil Service.

1036. A letter from the Acting Director, Office of Strategic Services, transmitting a quarterly estimate of personnel requirements for the Office of Strategic Services; to the Committee on the Civil Service.

1037. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a copy of the estimate of the number of employees required for the proper and efficient exercise of the functions of the Reconstruction Finance Corporation and its subsidiaries for the quarter beginning October 1, 1943; to the Committee on the Civil Service.

1038. A letter from the officer in charge, Charles B. Shaw, major, United States Army, the American Battle Monuments Commission, transmitting a copy of the quarterly estimate of personnel requirements for the American Battle Monuments Commission for the quarter ending March 31, 1944; to the Committee on the Civil Service.

1039. A letter from the executive secretary, Office of Scientific Research and Development, Office for Emergency Management, transmitting a copy of the revised estimate of personnel requirements for the present quarter; to the Committee on the Civil Service.

1040. A letter from the Secretary, United States Employees' Compensation Commission, transmitting copy of the quarterly estimate of personnel requirements presented to the Director of the Bureau of the Budget for the quarter ending March 31, 1944; to the Committee on the Civil Service.

1041. A letter from the administrative officer, President's Committee on Fair Employment Practice, Office for Emergency Management, transmitting the committee's quarterly estimate of personnel requirements covering the quarter ending March 31, 1944; to the Commitete on the Civil Service.

1042. A letter from the Archivist of the United States, transmitting a copy of the quarterly estimate of personnel requirements for the National Archives for the quarter ending March 31, 1944; to the Committee on the Civil Service.

1043. A letter from the Comptroller General of the United States, transmitting an estimate of the number of employees required for the proper and efficient exercise of the functions of the General Accounting Offive during the quarter ending March 31, 1944; to the Committee on the Civil Serivce.

1044. A letter from the Chairman, United States Tariff Commission, transmitting copy of the estimate of personnel requirements of the United States Tariff Commission for the quarter ending March 31, 1944; to the Committee on the Civil Service.

1045. A letter from the Administrator, Federal Works Agency, transmitting information presented for the purpose of making a determination of the number of employees necessary for the proper and efficient exercise of the functions of the Federal Works Agency for the quarter ending March 31, 1944; to the Committee on the Civil Service.

1046. A letter from the Secretary of State, transmitting a copy of the information determining the number of employees required by the Department of State during the third quarter of the fiscal year 1944; to the Committee on the Civil Service.

1047. A letter from the Chairman and Administrator, War Shipping Administration and United States Maritime Commission, transmitting copy of his letter, with attachments, to the Director of the Bureau of the Budget transmitting quarterly estimates of personnel requirements for the United States Maritime Commission and the War Shipping Administration for the period ending March 31, 1944; to the Committee on the Civil Service.

1048. A letter from the Director, Division of Administrative Management, National War Labor Board, transmitting a quarterly estimate of the personnel requirements of the National War Labor Board for the third quarter of the fiscal year 1944; to the Committee on the Civil Service.

1049. A letter from the third vice president, Panama Railroad Co., transmitting quarterly estimate of personnel requirements for the quarter ending March 31, 1944; to the Committee on the Civil Service.

1050. A letter from the Director, Office of Economic Stabilization, transmitting a copy of the quarterly estimate of personnel requirements for the Office of Economic Stabilization for the quarter ending March 31, 1944; to the Committee on the Civil Service.

1051. A letter from the Executive Director and Chief Examiner, United States Civil Service Commission, transmitting six tabulations consolidated from quarterly reports of especially meritorious salary increases submitted by Government departments and agencies for the fiscal year ended June 30, 1943; to the Committee on the Civil Service.

1052. A letter from the Director, Office of Defense Transportation, transmitting one copy of quarterly estimate of personnel requirements, during the quarter ending March 31, 1944; to the Committee on the Civil Service.

1053. A letter from the Director, Division of Central Administrative Services, Office for Emergency Management, transmitting copies of the quarterly estimates of personnel requirements for the Division of Central Administrative Services for the quarter ending March 31, 1944; to the Committee on the Civil Service.

1054. A letter from the administrative assistant to the President, the White House, transmitting the quarterly estimate of personnel requirements of the Liaison Office for Personnel Management for the quarter ending March 31, 1943; to the Committee on the Civil Service.

1055. A letter from the Secretary, National Capital Park and Planning Commission, transmitting its estimate for the quarter ending March 31, 1944, of its minimum personnel requirements to perform its duties; to the Committee on the Civil Service.

1056. A letter from the Executive Secretary, National Labor Relations Board, transmitting revised quarterly estimate of personnel requirements of the National Labor Relations Board for the third quarter of the fiscal year 1944; to the Committee on the Civil Service.

1057. A letter from the Director, Office of War Mobilization, transmitting a copy of the quarterly estimate of personnel requirements for the Office of War Mobilization for the quarter ending March 31, 1944; to the Committee on the Civil Service.

1058. A letter from the Coordinator of Inter-American Affairs, Office for Emergency Management, transmitting a copy of the estimate of the number of employees required for this office during the period ending March 31, 1944; to the Committee on the Civil Service.

1059. A letter from the president, the Georgetown Barge, Dock, Elevator & Railway Co., transmitting the annual report of the Georgetown Barge, Dock, Elevator & Railway Co. for the year 1943; to the Committee on the District of Columbia.

1060. A letter from the Attorney General, transmitting copies of reports relative to determining the number of employees required by the various units of the Department of Justice for the proper and efficient exercise of its functions for the third quarter of the fiscal year 1944; to the Committee on the Civil Service.

1061. A letter from the Secretary of Labor, transmitting information which specifies the number of employees required for the proper and efficient exercise of the functions of the Department of Labor and its bureaus for the quarter beginning January 1, 1944; to the Committee on the Civil Service.

1062. A letter from the secretary, Smithsonian Institution, transmitting quarterly estimate of personnel requirements for the Smithsonian Institution for the quarter ending March 31, 1944; to the Committee on the Civil Service.

1063. A letter from the Archivist of the United States, transmitting report on records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

1064. A communication from the President of the United States, transmitting a report of the status as of November 30, 1943, of the emergency funds for the President, Navy and War, 1940–42, and the emergency fund for the President, national defense, 1942–44 (H. Doc. No. 378); to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURCH of Virginia:

H. R. 3933. A bill to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. HEFFERNAN:

H. R. 3934. A bill to abolish the War Damage Corporation and to provide for the refund of unabsorbed premiums for war damage insurance; to the Committee on Banking and Currency.

By Mrs. ROGERS of Massachusetts:

H. R. 3935. A bill to authorize an appropriation to provide additional hospital and outpatient dispensary facilities for persons entitled to hospitalization in Veterans' Admnistration facilities, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. WELCH:

H. R. 3936. A bill to amend the Canal Zone Code; to the Committee on the Merchant Marine and Fisheries.

H. R. 3937. A bill to amend the Canal Zone Code; to the Committee on the Merchant Marine and Fisheries.

By Mr. McMILLAN:

H. R. 3938. A bill to amend section 1 (c) of Veterans Public Law No. 484, Seventy-third Congress, approved June 28, 1934, as amended by Public Law No. 198, Seventy-sixth Congress, approved July 19, 1939, and section 11

of Public Law No. 144, Seventy-eighth Congress, approved July 13, 1943; to the Committee on World War Veterans' Legislation.

By Mr. DIMOND:

H. R. 3939. A bill to protect and preserve the salmon fishery of Alaska, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. LAFOLLETTE:

H. R. 3940 (by request). A bill to amend section 1 (b) of the Civil Service Retirement Act, approved May 29, 1930, as amended; to the Committee on the Civil Service.

By Mr. SCANLON:

H. R. 3941. A bill to give credit for service in the military or naval forces in civil-service examinations and classifications in positions requiring similar types of experience; to the Committee on the Civil Service.

By Mr. SPARKMAN:

H. R. 3942. A bill to provide for the continuance of active-duty pay and allowances of military personnel when discharged for disability; to the Committee on Military Affairs.

H. R. 3943. A bill to eliminate a pay discrimination against the teacher of music at the United States Military Academy; to the Committee on Military Affairs.

By Mr. WADSWORTH:

H. R. 3944. A bill to provide further for the successful prosecution of the war through a system of civilian selective war service with the aid of the Selective Service System; to the Committee on Military Affairs.

By Mr. DAVIS:

H. R. 3945. A bill to prohibit exclusion from cemeteries of grave markers supplied by the United States Government for deceased veterans; to the Committee on Military Affairs.

By Mr. MAY:

H. R. 3946 (by request). A bill to provide retirement pay for certain members of the armed forces; to the Committee on Military Affairs.

H. R. 3947. A bill to provide universal military or naval training for all male citizens, and for other purposes; to the Committee on Military Affairs.

By Mr. CASE:

H. J. Res. 216. Joint resolution to insure the complete fulfillment of commitments made to producers who have expanded production of livestock and other agricultural commodities; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUCKLEY:

H. R. 3948. A bill for the relief of Mrs. John H. McGrath; to the Committee on Claims.

By Mr. COLE of New York:

H. R. 3949. A bill for the relief of the Elmira Area Soaring Corporation; to the Committee on Claims.

By Mr. HEFFERNAN:

H. R. 3950. A bill for the relief of Mrs. Daisy Benson; to the Committee on Claims.

By Mr. KLEIN:

H. R. 3951. A bill for the relief of Ernst Harold Crown; to the Committee on Immigration and Naturalization.

By Mr. WELCH:

H. R. 3952. A bill for the relief of Annie L. Nesbitt and others; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4207. By Mr. BRYSON: Petition of George E. Fuhrman and 2,048 other citizens of Cleveland, Ohio, urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4208. Also, petition of Mary Russell, Mrs. M. E. Tilley, and 1,320 other citizens of Atlanta, Ga., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4209. Also, petition of Mae Collins and 339 other citizens of Wilmington, Del., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4210. Also, petition of Mrs. M. Evelyn Killen and 314 other citizens of Felton, Del., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4211. Also, petition of C. L. Ramsbottom and 309 other citizens of Rockford, Ohio, urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4212. Also, petition of Mrs. J. H. Golding and 178 other citizens of Montaque, Mich., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4213. Also, petition of Mrs. Percy M. Smith and 97 other citizens of Birmingham, Ala., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4214. Also, petition of Earl V. Hart and 116 other citizens of Muskegon, Mich., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4215. Also, petition of Rev. Garl Shaw and 156 other citizens of Logansport, Ind., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquor in the United States for the duration of the war; to the Committee on the Judiciary.

4216. Also, petition of Mrs. G. D. Himer and 153 other citizens of the District of Columbia, urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4217. Also, petition of Mrs. Albert Hanganenen and 100 other citizens of Wakefield, Mich., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4218. Also, petition of Mrs. Robert T. Tumbelston and 1,115 other citizens of Philadelphia, Pa., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4219. By Mr. EATON: Resolution of the Raritan Traffic Club of New Brunswick, N. J., opposing House bills 2547, 2436, 2391, 2378, 2645, 3183, and 2519, pertaining to railroad freight rates; to the Committee on Interstate and Foreign Commerce.

4220. By Mr. FORAND: Petition of Harold V. Edwards and 199 other citizens of the town of East Providence, R. I., protesting against the consideration by Congress of any prohibition legislation because they believe that prohibition, either in the neighborhood of Army camps or national, would impede the war effort of our country and bring back the evils of bootlegging and racketeering which our Nation got rid of in 1933; to the Committee on the Judiciary.

4221. Also, petition of Power Loring, of Wickford, and 997 other citizens of the State of Rhode Island, protesting against the consideration by Congress of any prohibition legislation because they believe that prohibition, either in the neighborhood of Army camps or national, would impede the war effort of our country and bring back the evils of bootlegging and racketeering which our Nation got rid of in 1933; to the Committee on the Judiciary.

4222. Also, petition of John Cournoyer, of Woonsocket, and 1,021 other citizens of the State of Rhode Island, protesting against the consideration by Congress of any prohibition legislation because they believe that prohibition, either in the neighborhood of Army camps or national, would impede the war effort of our country and bring back the evils of bootlegging and racketeering which our Nation got rid of in 1933; to the Committee on the Judiciary.

4223. Also, petition of Joseph Cooney, of Providence, and 1,104 other citizens of the State of Rhode Island, protesting against the consideration by Congress of any prohibition legislation because they believe that prohibition, either in the neighborhood of Army camps or national, would impede the war effort of our country and bring back the evils of bootlegging and racketeering which our Nation got rid of in 1933; to the Committee on the Judiciary.

4224. Also, petition of J. P. Gallagher, of Cranston, and 1,088 other citizens of the State of Rhode Island, protesting the consideration by Congress of any prohibition legislation because they believe that prohibition, either in the neighborhood of Army camps or national, would impede the war effort of our country and bring back the evils of bootlegging and racketeering which our Nation got rid of in 1933; to the Committee on the Judiciary.

4225. Also, petition of Anible Silvia, of Providence, and 1,155 other citizens of the State of Rhode Island, protesting against the consideration by Congress of any prohibition legislation because they believe that prohibition, either in the neighborhood of Army camps, or national, would impede the war effort of our country and bring back the evils of bootlegging and racketeering which our Nation got rid of in 1933; to the Committee on the Judiciary.

4226. Also, petition of Joseph Robinson, of Providence, and 789 other citizens of the State of Rhode Island, protesting against the consideration by Congress of any prohibition legislation because they believe that prohibition, either in the neighborhood of Army camps, or national, would impede the war effort of our country and bring back the evils of bootlegging and racketeering which our Nation got rid of in 1933; to the Committee on the Judiciary.

4227. By Mr. GRIFFITHS: Petition of the members of the Trinity Methodist Church, McConnelsville, Ohio, supporting House bill 2082, prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

4228. By Mr. LUTHER A. JOHNSON: Petition of Hon. John D. Reed, Commissioner of the Bureau of Labor Statistics of the State of Texas, opposing House bill 2800; to the Committee on Labor.

4229. By Mr. WARD JOHNSON: Petition signed by 59 members of the Trinity Baptist Church of Long Beach, Calif., of which Rev. Virgil Fisher is the pastor, urging the passage of the Bryson bill, H. R. 2082, which would prohibit the manufacture, sale, or transportation of alcoholic liquor in the United States for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

4230. Also, petition signed by 53 members of the First Christian Church of Long Beach, Calif., of which Rev. Homer A. Strong is the pastor, urging the passage of the Bryson bill, H. R. 2082, which would prohibit the manufacture, sale, or transportation of alcoholic liquor in the United States for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

4231. Also, petition signed by members of the First Baptist Church of Compton, Calif., of which Rev. W. B. Harvey is the pastor, protesting against the continuance of the liquor traffic and urging the passage of the Bryson bill, H. R. 2082, which would prohibit the manufacture, sale, or transportation of alcoholic liquor in the United States for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

4232. By Mr. LAMBERTSON: Petition of Mrs. Albert Funke and 38 other citizens of Barnes, Kans., urging passage of House bill 2082, to prohibit the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4233. By Mr. MARTIN of Massachusetts: Petition of James R. Pimental and sundry residents of Fall River, Mass., urging enactment of the Green-Lucas bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4234. By Mr. O'Brien of Illinois: Petition of sundry citizens of Cook County, Ill., protesting against enactment of prohibition legislation; to the Committee on the Judiciary.

4235. By Mr. SCHIFFLER: Petition of Herbert M. Sonneborn and other leading citizens of Wheeling, W. Va., and vicinity opposing the proposed increase in the rate of social-security taxes; to the Committee on Ways and Means.

4236. By Mr. WOLCOTT: Petition of 36 residents of Bad Axe, Mich., and adjoining territory, urging that in order to reduce absenteeism, conserve manpower, and speed production of materials for winning the war, the manufacture, sale, and transportation of alcoholic liquors be prohibited for the duration of the war; to the Committee on the Judiciary.

4237. By the SPEAKER: Petition of Mrs. A. L. Bowers and others, requesting the passage of House bill 2082; to the Committee on the Judiciary.

SENATE

WEDNESDAY, JANUARY 12, 1944

(Legislative day of Tuesday, January 11, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, we thank Thee for the inward voice which ever and again calls us away from the clamor and dusty strife of confusing days into the cool, quiet cloisters of the eternal, from whose revealing windows of faith our souls are strengthened by the far look. Awaiting us are solemn responsibilities of public welfare, decisions which make our wisdom or our folly affect the daily lives of untold millions. Who among us is sufficient for these things? Our needs of enlightenment are deep and inward.

Spirit of God, descend upon our hearts. Lead us this day in the paths of righteousness, for Thy name's sake. Enable us to fill swift hours with mighty deeds, to bear the fret of care, the sting of criticism, the drudgery of unapplauded toil; to think truly, to act kindly; to play manfully our part in the life of our time; to strike our blow for freedom, and, keeping to the end of our brief day the unbroken vigil of the inner light, to leave the world better for our sojourn in it. Amen.

ATTENDANCE OF SENATORS

JOSIAH W. BAILEY, a Senator from the State of North Carolina; HUGH BUTLER, a Senator from the State of Nebraska; ERNEST W. MCFARLAND, a Senator from the State of Arizona; KENNETH MCKELLAR, a Senator from the State of Tennessee; JAMES M. MEAD, a Senator from the State of New York; GEORGE L. RADCLIFFE, a Senator from the State of Maryland; EDWARD V. ROBERTSON, a Senator from the State of Wyoming; and ELMER THOMAS, a Senator from the State of Oklahoma, appeared in their seats today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, January 11, 1944, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Guffey	Revercomb
Andrews	Gurney	Reynolds
Austin	Hatch	Robertson
Bailey	Hawkes	Russell
Ball	Hayden	Scrugham
Barkley	Hill	Shipstead
Bone	Holman	Stewart
Brewster	Johnson, Colo.	Taft
Bridges	Kilgore	Thomas, Idaho
Buck	La Follette	Thomas, Okla.
Burton	Langer	Thomas, Utah
Bushfield	Lodge	Tobey
Butler	Lucas	Truman
Byrd	McClellan	Tunnell
Capper	McFarland	Tydings
Caraway	McKellar	Vandenberg
Chavez	Maloney	Van Nuys
Clark, Mo.	Maybank	Walsh, Mass.
Connally	Mead	Walsh, N. J.
Davis	Millikin	Wheeler
Downey	Murdock	Wherry
Eastland	Murray	White
Ferguson	O'Daniel	Wiley
George	Overton	Willis
Gerry	Pepper	Wilson
Gillette	Radcliffe	
Green	Reed	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Washington [Mr. WALLGREN] is absent on official business for the Special Committee to Investigate the National Defense Program.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Louisiana [Mr. ELLENDER], the Senator from Nevada [Mr. MCCARRAN], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from South Carolina [Mr. SMITH], and the Senator from New York [Mr. WAGNER] are necessarily absent.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from Illinois [Mr. BROOKS] and the Senator from North Dakota [Mr. NYE] are necessarily absent.

The Senator from Oklahoma [Mr. MOORE] is absent from the city attending hearings of a subcommittee of the Committee on Indian Affairs.

The VICE PRESIDENT. Seventy-nine Senators have answered to their names. A quorum is present.

INTERREGIONAL HIGHWAYS (H. DOC. NO. 379)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read by the legislative clerk, and, with the accompanying report, referred to the Committee on Post Offices and Post

Roads and ordered to be printed, with illustrations:

To the Congress of the United States:

On April 14, 1941, I appointed a committee, known as the National Interregional Highway Committee, to investigate the need for a limited system of national highways to improve the facilities now available for interregional transportation and to advise the Federal Works Administrator as to the desirable character of such improvement and the possibility of utilizing some of the manpower and industrial capacity expected to be available at the end of the war.

The Committee, with the aid of a staff provided by the Public Roads Administration, made careful and extended studies of the subject and has submitted to me its final report, which I transmit herewith and commend to the favorable consideration of the Congress. The report recommends the designation and improvement to high standards of a national system of rural and urban highways totaling approximately 34,000 miles and interconnecting the principal geographic regions of the country.

The recommended system follows in general the routes of existing Federal-aid highways and when fully improved will meet to optimum degree the needs of interregional and intercity highway transportation. Its development also will establish a transcontinental network of modern roads essential to the future economic welfare and defense of the Nation.

While the annual rate of expenditure to accomplish the improvement of the rural and urban sections of the system over a reasonable period of years will be dependent upon the availability of manpower and materials and upon other factors, the required expenditure is estimated at $750,000,000 annually. The over-all expenditures would be approximately equally divided between urban and rural sections of the system.

The improvement of a limited mileage of the most heavily traveled highways obviously represents a major segment of the road replacement and modernization program which will confront the Nation in post-war years in rural and urban communities alike. The Committee found that the national network outlined in its report comprises only 1 percent of the total road mileage of the United States but carries 20 percent of the total travel.

Continued development of the vast network of rural secondary roads and city thoroughfares, which serve as feeder lines and provide land-access service, likewise has an important place in the over-all program, together with the repair or reconstruction of a large mileage of Federal and State primary highways not embraced within the interregional network.

I commend especially to the consideration of the Congress the recommendation that minimum standards of design and construction be established cooperatively with the States for all projects embraced within a designated interregional system. This, it seems to me, is wise planning procedure, assuring the orderly development of the facilities which are necessary in the public interest with maximum long-range economy.

By Public Law 146, Seventy-eighth Congress, section 5, Commissioner of Public Roads Thomas H. MacDonald was authorized and directed to make a survey of the need for a system of express highways throughout the United States, the number of such highways needed, the approximate routes which they should follow, and the approximate cost of construction, and to report to the President and to Congress, within 6 months after the date of the act, the results of the survey, together with such recommendations for legislation as deemed advisable. The act was approved on July 13, 1943.

The purposes of this directive by the Congress were identical with my own in requesting the investigation which has been made by the National Interregional Highway Committee. The Commissioner of Public Roads has served as the chairman of the committee appointed, and the detailed investigations required have been made by the Public Roads Administration staff. The Commissioner of Public Roads has informed me that he concurs without exception in the report of the committee, and desires that it be accepted as his report, complying with the direction of Congress in Public Law 146.

I am glad to endorse this suggestion and ask that the Congress receive the report herewith transmitted as fulfilling the purposes of Congress in the directive laid upon the Commissioner of Public Roads.

Early action by the Congress in authorizing joint designation by the Federal Government and the several State highway departments of a national system of interregional highways is desirable, in order to facilitate the acquisition of land, the drawing of detailed project plans, and other preliminary work which must precede actual road construction.

These advance steps taken, the program can serve not only to help meet the Nation's highway transportation needs, but also as a means of utilizing productively during the post-war readjustment period a substantial share of the manpower and industrial capacity then available. A program of highway construction will, in addition, encourage and support the many diverse economic activities dependent upon highway transportation.

From personal experience, as Governor of a State and as President, I hope that the Congress will make additional studies in regard to the acquisition of land for highways.

In the interest of economy, I suggest that the actual route of new highways be left fluid. It is obvious that if a fixed route be determined in detail, the purchase of rights-of-way will immediately rise, in many cases, exorbitantly; whereas, if two or three routes—all approximately equal—are surveyed, the cheapest route in relation to rights-of-way can be made the final choice.

Second, experience shows us that it is in most cases much cheaper to build a new highway, where none now exists, rather than to widen out an existing highway at a cost to the Government of acquiring or altering present developed frontages.

As a matter of fact, while the courts of the different States have varied in their interpretations, the principle of excess condemnation is coming into wider use both here and in other countries. I always remember the instance of the farmer who was asked to sell a narrow right-of-way through his farm for a main connecting highway. From an engineering point of view it would have been as feasible to build the new highway across the dirt road that ran in front of his house and barn. Actually the owner received from a jury an amount equal to the whole value of the farm. The road was built. The owner of the land thereby acquired two new frontages. He sold lots on one frontage for the former value of his farm. A year or two later he sold the other frontage for the farm value of his farm. The result was that he still had his house and barn and 90 percent of his original acreage, and in addition he had received in cash three times the value of what the whole place was worth in the first instance.

It hardly seems fair that the hazard of an engineering survey should greatly enrich one man and give no profit to his neighbor, who may have had a right-of-way which was equally good. After all, why should the hazard of engineering give one private citizen an enormous profit? If there is to be an unearned profit, why should it not accrue to the Government—State or Federal, or both?

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 12, 1944.*

EMERGENCY FUNDS FOR THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Appropriations:

THE WHITE HOUSE,
Washington, January 10, 1944.

The PRESIDENT OF THE SENATE.

SIR: Pursuant to the provisions of law making appropriations to the emergency funds for the President requiring that an account be kept of all expenditures made or authorized and a report thereon be submitted to the Congress on or before January 10, 1944, there is transmitted a report of the status as of November 30, 1943, of the "Emergency funds for the President, Navy and War, 1940–42," and the Emergency fund for the President, national defense, 1942–44."

These reports set forth each allocation under these appropriations, the obligations incurred, and the amount expended in liquidation of those obligations.

A report on the "Emergency funds for the President, Navy and War, 1940–

42," was submitted to the Congress on July 1, 1942 (H. Doc. 809), showing the status of these funds as of May 31, 1942. As the appropriations involved expired for allocation and obligation purposes on June 30, 1942, the present report shows the complete record of this account with the exception of some possible minor adjustments in obligations and expenditures.

The availability of the "Emergency fund for the President, national defense, 1942–44," was extended to June 30, 1944, by the Urgent Deficiency Appropriation Act, 1943 (act of July 12, 1943, Public Law 132). Of the total amount of $414,411,669 appropriated under this head, $64,411,669 represents appropriations made by Congress in the nature of reimbursements for advances made pending the completion of congressional action on the items involved. Of the remaining amount allocated, approximately one-half was for the initial expenses of war agencies which are now provided for in the annual appropriation bills enacted by the Congress.

Respectfully,

FRANKLIN D. ROOSEVELT.

REPORT OF NATIONAL CAPITAL HOUSING AUTHORITY

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on the District of Columbia:

To the Congress of the United States:

In accordance with the provisions of section 5 (a) of the District of Columbia Alley Dwelling Act, approved June 12, 1934, I transmit herewith for the information of the Congress the report of the National Capital Housing Authority for the fiscal year ended June 30, 1943.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 12, 1944.*

(NOTE.—The report accompanied a similar message to the House of Representatives.)

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

PERSONNEL OF THE LAND FORCES

A confidential letter from the Secretary of War, reporting, pursuant to law, relative to the personnel of the land forces on November 30, 1943; to the Committee on Military Affairs.

SPECIAL RAILWAY MAIL TRANSPORTATION CONTRACTS

A letter from the Postmaster General, transmitting, pursuant to law, a statement relative to special contracts made with the following railroad companies for the transportation of the mails, viz, Denver & Rio Grande Western Railroad Co., between Thistle and Marysvale, Utah; Rio Grande Southern Railroad Co., Cass M. Herrington, receiver, between Ridgeway and Durango, Colo.; the Alaska Railroad, between Seward and Fairbanks, Matanuska, and Jonesville, and between Junction and Premier, Alaska; Pacific & Arctic Railway & Navigation Co., between Skagway and White Pass, Alaska; and Hudson & Manhattan Railroad Co., between Hudson Terminal Station, New York, N. Y., and Journal Square, Jersey City, N. J.; to the Committee on Post Offices and Post Roads.

RURAL ELECTRIFICATION ADMINISTRATION

A letter from the Secretary of Agriculture, transmitting, pursuant to law, the annual report of the Administrator of the Rural Electrification Administration covering operations of the Administration for the fiscal year ended June 30, 1943 (with an accompanying report); to the Committee on Agriculture and Forestry.

EXPENDITURES AND ACTIVITIES OF REGIONAL RESEARCH LABORATORIES

A letter from the Under Secretary of Agriculture, transmitting, pursuant to law, a report for the fiscal year 1943 of the activities of, funds used by, and donations to the regional research laboratories established pursuant to section 202 of the Agricultural Adjustment Act of 1938 (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORT OF AGRICULTURAL ADJUSTMENT AGENCY

A letter from the Administrator of the War Food Administration, transmitting, pursuant to law, the tenth report of the Chief of the Agricultural Adjustment Agency, for the fiscal year ended June 30, 1943 (with an accompanying report); to the Committee on Agriculture and Forestry.

REPORT OF FEDERAL WORKS AGENCY

A letter from the Administrator of the Federal Works Agency, transmitting, pursuant to law, the annual report of the Agency and its constituent administrations and divisions for the fiscal year ended June 30, 1943 (with an accompanying report); to the Committee on Education and Labor.

REPORT OF THE TARIFF COMMISSION

A letter from the Chairman of the United States Tariff Commission, transmitting, pursuant to law, the Commission's annual report for the fiscal year ended June 30, 1943 (with an accompanying report); to the Committee on Finance.

REPORT OF THE VETERANS' ADMINISTRATION

A letter from the Administrator of Veterans' Affairs, transmitting, pursuant to law, the report of the activities of the Veterans' Administration for the fiscal year ended June 30, 1943 (with an accompanying report); to the Committee on Finance.

REPORT OF THE NATIONAL MEDIATION BOARD

A letter from the Chairman of the National Mediation Board, transmitting, pursuant to law, the annual report of the Board for the fiscal year ended June 30, 1943, including the report of the National Railroad Adjustment Board (with an accompanying report); to the Committee on Interstate Commerce.

MERITORIOUS SALARY INCREASES OF GOVERNMENT EMPLOYEES

Two letters from the Executive Director and Chief Examiner of the Civil Service Commission, transmitting, pursuant to law, consolidated quarterly reports of especially meritorious salary increases of Government employees submitted by the various Government departments and agencies for the fiscal year ended June 30, 1943 (with accompanying papers); to the Committee on Civil Service.

REPORT OF NATIONAL WAR LABOR BOARD ON WAGES STABILIZATION

A letter from the Chairman of the National War Labor Board, transmitting, in further response to Senate Resolution 130, agreed to April 9, 1943, a report on the stabilization of wages and salaries for the month of November 1943 (with an accompanying report); ordered to lie on the table.

ESTIMATES OF PERSONNEL REQUIREMENTS OF DEPARTMENTS AND AGENCIES

Letters, transmitting, pursuant to law, estimates of personnel requirements for the quarter ending March 31, 1944, by the Treasury Department, the Department of Justice, the Department of Labor, Office of War Mobilization of the Office for Emergency Management, Executive Office of the President, Office of Economic Stabilization of the Office for Emergency Management, and the Smithsonian Institution, and a revised estimate for the quarter ending March 31, 1944, by the National Labor Relations Board (with accompanying papers); to the Committee on Civil Service.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of the Departments of War (4), Justice, Navy (4), Interior (2), and Agriculture, Federal Security Agency (4), Tennessee Valley Authority, The National Archives, War Production Board (2), Federal Works Agency (3), War Manpower Commission, Government Printing Office, and Selective Service System which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking toward their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Illinois; to the Committee on Privileges and Elections:

"House Joint Resolution 2

"Whereas the legislature of this State is convened in extraordinary session for the purpose of preserving and extending the suffrage rights of those of its electors who are serving in the military and naval forces of the United States; and

"Whereas it is the paramount obligation of the several State governments to strengthen and facilitate that sacred right of suffrage; and

"Whereas a principal difficulty to the complete exercise of that right in the forthcoming primaries and elections will be the cost of air-mail transportation of war ballots to and from persons in the military and naval services; and

"Whereas it is within the power of Congress to aid in this problem immeasurably by making provision for free air-mail transportation of such ballots both in the distribution thereof to servicemen and servicewomen and in the return of such ballots to the election officials in the States; and

"Whereas provision of this kind will afford to persons in the military and naval services the kind of opportunity to vote to which they are justly entitled and will insure their maximum participation in the primaries and elections: Now, therefore, be it

"Resolved by the House of Representatives of the Sixty-third General Assembly of the State of Illinois, at the first special session thereof (the Senate concurring herein), That we respectfully but urgently memorialize the Congress of the United States, for the reasons stated in the preamble hereof, to enact such legislation as may be necessary to provide for free air-mail transportation of primary and election ballots to and from persons serving

in the military and naval forces of the United States; and be it further

"*Resolved*, That copies of this preamble and resolution be forwarded by the secretary of state immediately to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States and to each Senator and Congressman from the State of Illinois."

A resolution adopted by the general assembly of the Insular League of Parent-Teacher Associations of Puerto Rico, favoring amendment of the Organic Act of Puerto Rico in relation to the Insular Department and the Commissioner of Education; to the Committee on Territories and Insular Affairs.

RESOLUTION OF GEORGIA LEGISLATURE—FREE POSTAGE FOR RETURN OF REGISTRATION CERTIFICATES AND ELECTION BALLOTS

Mr. GEORGE. Mr. President, I ask to have inserted in the RECORD under the rule and appropriately referred a resolution adopted by the two houses of the Georgia Legislature calling attention to the fact that Georgia is the first State which has passed a voting measure which enables the men and women in the armed services to register by mail, if requesting registration, and which also waives the poll tax, and appoints a war ballot commission and invites and requests the Federal Government to make provision for the transmission of ballots to the men and women in the armed forces.

There being no objection, the resolution was referred to the Committee on Privileges and Elections and ordered to be printed in the RECORD, under the rule, as follows:

Senate Resolution 4

Whereas the members of the Georgia General Assembly are now meeting in extraordinary session making it possible for the men and women serving in the military of the United States to participate in primaries and elections; and

Whereas Georgia had made provision for young citizens of this State serving in the military of the United States between the ages of 18 and 21 to participate in all elections and primaries; and

Whereas Georgia will become the first State in the Union to enact State legislation permitting and making possible the voting of soldiers, sailors, marines, and the women in the various branches of military service; and

Whereas the greatest obstacles to free participation in elections and primaries by the members of the military are the elements of distance and time; and

Whereas it is essential that request in reference to registration and request for ballots and the transmission of the same and their return be expedited: Therefore be it

Resolved by the senate (the house of representatives concurring), That the President of the United States, the Postmaster General, and the Congress of the United States be urgently requested to make it possible for the members of the military forces of the United States to return registration certificates and ballots to the proper election officials of States and their political subdivisions by air mail free of postage charges; be it further

Resolved, That a copy of this resolution be dispatched to the President of the United States, the Vice President of the United States as Presiding Officer of the United States Senate, the Speaker of the House of Representatives, the Postmaster General, and the Georgia congressional delegation.

The VICE PRESIDENT laid before the Senate a resolution identical with the foregoing, which was referred to the Committee on Privileges and Elections.

INTEGRITY OF POLISH TERRITORY

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred a resolution adopted by the Pulaski Council of Milwaukee, representing 152,000 Americans of Polish extraction, with respect to the integrity of the territory of Poland.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

We, American citizens of Polish extraction, gathered this Sunday, the 2d of January 1944, at a mass meeting at the South Side Armory in Milwaukee, Wis., cognizant of our duties toward the United States of America and the debt of gratitude owed by this country to Poland, the native land of Kosciusko and Pulaski, raise our voices in this critical hour for the Polish Nation and appeal to the conscience of the United States and the entire civilized world in behalf of Poland.

Poland, the land of our fathers, was first to offer armed resistance to the enemies of world freedom and, although defeated, she has never ceased to continue fighting for freedom and democracy. Today, suffering under the hideous and brutal Nazi yoke, when she has no means of speaking up in her own behalf, she is the target of territorial claims on the part of ungrateful neighbor, Soviet Russia, a neighbor who by signing an infamous pact with Poland's eternal enemy, Germany, made it safe for Hitler to start the present World War by attacking Poland, which Russia later partitioned with her German comrades.

It is our firm conviction that Hitler would never have dared to invade Poland and thereby set off the world conflagration if he hadn't been granted freedom of action in this pact, for which his then partner in crime Stalin received Hitler's approval to seize by brutal aggression the eastern half of Poland.

Today Stalin, no doubt after considerable prodding by American representatives, reluctantly admits that without the war production of the United States—to which Americans of Polish origin have contributed heavily—the United Nations could never hope to win the war; this same Stalin, through his Ambassador to Mexico, Oumansky, shamelessly lays claim to the age-old eastern Polish territories, obtained by brute aggression by Russia in 1939. Moreover the Communist fifth column has for some time now been carrying on an insidious campaign in the United States against the legally constituted Polish Government in London, its president, Wladyslaw Raczkiewicz, and premier, Stanislaw Mikolajczyk; against a government which is recognized by the United States and Great Britain as well as all the countries in the world with the exception of Germany, her satellites, and erstwhile friend, Communist Russia; against a government which enjoys the confidence of all classes and parties of the Polish Nation within its own borders as well as throughout the world.

In view of these facts, we who are gathered here today, although we are and always have been for full military and material aid for Russia, herself a victim of Hitlerite aggression as was Poland in 1939, cannot but raise our voices in the strongest protest against the recognition of the Stalin-Hitler Pact, on the basis of which Wilno, Lwow, and the eastern half of Poland have been seized by treacherous aggression by Russia, and we consider the silence of the Government of the United States with respect to the official Soviet claims to purely Polish territories a tacit recognition of this perfidious pact.

We also protest most strongly against the Moscow-inspired Communist propaganda in the United States carried on insidiously against the first nation to offer armed resistance to the Hitlerite aggression—Poland.

We reiterate our support for the Atlantic Charter, which condemns all acts of aggression and appeal to our Government in Washington to bear pressure on Soviet Russia, who continues to defend her invaded soil thanks only to American aid, to the end that she renounce all her pacts with Hitler and honor all the pre-war treaties binding her with her neighbors.

We express our deepest conviction that should Poland, Lithuania, Latvia, and Estonia be sacrificed on the altar of Russo-American friendship, the faith in the United States and the ideals it stands for will be undermined throughout the world, and a third World War will be inevitable. Our sons, brothers, and fathers are shedding their blood and sacrificing their lives to put an end to aggression. It is, therefore, incumbent upon us not to permit that their sacrifices should be in vain, and we protest most strongly against the toleration of unprovoked aggression on the part of one of our accidental allies, who owes this country materially and morally more than she can ever repay.

We appeal, therefore, to our great President and Commander in Chief, Franklin Delano Roosevelt and to the Congress of the United States to inform Soviet Russia in unequivocal terms that the United States Government will never sanction the seizure of Polish territories by Russian aggression without regard for any pretexts under which Russia may attempt to commit such an infamous crime.

We believe that the Polish Nation has a full right to independence within boundaries which will assure it a free economic development and which will constitute a guaranty of future peace in the world.

Long live the United States of America, champion of justice in international relations.

Long live Poland with undiminished eastern borders and corrected western boundaries.

Long live the Atlantic Charter, the Magna Carta of the United Nations.

PULASKI COUNCIL OF MILWAUKEE
(Representing 152,000 Americans of Polish extraction),
Rev. BISHOP F. BONCZAK,
WLADYSLAW JASIORKOWSKI,
TAD. BORUN,
JÓZEF A. KAPMARSKI,
Dr. JAN KAZMIEROWSKI,
Resolution Committee.

THE GLUT OF HOGS ON THE MARKET

Mr. LANGER. Mr. President, I ask unanimous consent to place in the RECORD and appropriately referred a letter addressed to me by George A. Kounovsky, of Fargo, N. Dak., dealing with the matter of the glut of hogs on the market.

There being no objection, the letter was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

FARGO, N. DAK., *January 6, 1944.*

Senator WILLIAM LANGER.

DEAR SIR: Well, here I am again. This time I would like to know if something could be done about this meat situation. Our yards here in West Fargo are so glutted with hogs and buyer will not buy any, so us farmers are at a standstill with our hogs, and the people in Fargo are starving for meat. Do you suppose something could be done to lift the restrictions for 30 or 40 days, so we farmers could slaughter pork and sell it to the people in town without stamps? I think if this could be done, the people locally would have meat on hand and hogs would move faster to the east and west coasts, as I think this hog situation is only a speculation on

the part of a few people who want to make a million dollars out of it. I know this is a big question to ask you, but I know if anybody can and will help us farmers, you will. I only wish we had more men like you in Washington—us farmers would have less difficulties. Hoping to hear from you if you're not too busy to answer.

I remain yours,

GEO. A. KOUNOVSKY.

I am the oldest son of John Kounovsky, of Hillsboro, whom you know well.

PRICE ON HOGS AND RELATED MATTERS

Mr. LANGER. Mr. President, I also ask unanimous consent to have printed in the RECORD and appropriately referred a resolution adopted by the Walsh County Livestock Transportation Committee dealing with the continued glut of hogs in the marketing outlet in the North Dakota area.

There being no objection, the resolution was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

In view of the continued glut of hogs in the marketing outlets of this area, reports indicate that a large percentage of hogs produced in this area are still to be marketed, and transportation facilities are being taxed to their very limit while the continued uncertainty in the marketing picture only results in wasteful motortruck operations. Any method initiated which will contribute to orderly marketing will result in better utilization of transportation facilities: Therefore be it

Resolved, That the Walsh County Livestock Transportation Committee go on record recommending that the support price on hogs be extended upward to include those up to 370 pounds in weight; and be it further

Resolved, That this committee recommends that while the present marketing emergency exists that ration points on pork be eliminated or reduced to encourage the domestic consumption of fresh pork.

OSCAR P. STROMLI,
ALBERT GISE,
JOHN KENNEDY,
PHIL KILICHOUSHI,
Livestock Transportation Committee.

Mr. LANGER. Mr. President, I also ask unanimous consent to have placed in the RECORD, and appropriately referred, a letter addressed to me by George N. Hoffman, of Jamestown, N. Dak., dealing with the same matter.

There being no objection, the letter was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

JAMESTOWN, N. DAK., *January 4, 1944.*

Hon. Senator LANGER.

DEAR SIR: Let's not have a famine in a land of plenty, or a depression while this war is on.

I have three sons in the armed forces; two were on Guadalcanal and one on the Pacific some place. All went in without a draft number. I am pretty proud of them and doing my damnedest to back them up. But I am not getting a fair break. This is all the family we have.

In 1943 I farmed 1,000 acres of land, put it in and took it off with 2 men that liked to drink better than farm. I raised 100 hogs, milked a flock of cows, have 250 laying hens right now. Eggs today in Jamestown are 20 cents per dozen. My hogs have been ready for market some time, and no market. Can't sell them at any price. Where are the windbags that were on the radio that asked for this food?

Hogs today, if you could sell them, are $1.35 below Chicago, $1.05 under St. Paul, and 60 cents under Fargo. This is our market at Jamestown.

These hogs are eating their heads off, and as they get heavier the value goes down. Nice deal. Sometime ago they told us to keep them off the market and now I guess we will have to keep them. On top of all this I am baling straw for the Government. I have nine men working for me right now. So you see with all the other things I have to do I am not very busy but just tell some of those guys down at Washington to try that on their bedposts.

Tell them not to kid these farmers as they are a pretty serious people in war and in peace also on their farms.

Yours truly,

GEO. N. HOFFMAN.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH of Massachusetts:

S. 1640. A bill to authorize the Secretary of the Navy to accept gifts and bequests for the United States Naval Academy, and for other purposes; to the Committee on Naval Affairs.

By Mr. ANDREWS (for himself and Mr. MCCARRAN):

S. 1641. A bill to amend the Code of the District of Columbia providing for the sale of fish of the shad or herring species, and for other purposes; to the Committee on the District of Columbia.

(Mr. MAYBANK introduced Senate bill 1642, which was referred to the Committee on Banking and Currency, and appears under a separate heading.)

ABSORPTION OF EXCHANGE AND COLLECTION CHARGES IN CONNECTION WITH BANK DEPOSITS

Mr. MAYBANK. Mr. President, I ask unanimous consent to introduce a bill and request that it be referred to the Committee on Banking and Currency.

The substance of the bill is to prohibit the Federal Reserve from interpreting a law to the effect that small banks are unable to charge exchange and larger banks are unable to absorb the country's banking exchange.

I will say, Mr. President, that I trust hearings will be held on the bill as soon as possible, because I understand that hundreds of smaller banks throughout the United States have recently been affected by the order, and I hope that all the facts may be presented to the Committee on Banking and Currency and that the Senate will act upon the measure as soon as possible.

Let me say, Mr. President, that Representative BROWN of Georgia will introduce a similar bill in the House of Representatives tomorrow. I sincerely hope that speedy action will be had.

There being no objection, the bill (S. 1642) to amend the Federal Reserve Act, as amended, to provide that the absorption of exchange and collection charges shall not be deemed the payment of interest on deposits, was received, read twice by its title, and referred to the Committee on Banking and Currency.

AMENDMENTS TO THE REVENUE ACT

Mr. LA FOLLETTE, Mr. MAYBANK, Mr. TRUMAN, and Mr. VANDENBERG each submitted an amendment, and Mr. LANGER submitted three amendments, intended to be proposed by them, respectively, to the bill (H. R. 3687) to provide revenue, and for other purposes, which were severally ordered to lie on the table and to be printed.

Mr. LUCAS. Mr. President, I submit an amendment to the pending revenue bill dealing with the avoidance of double taxation, and ask that it be printed and lie on the table.

The VICE PRESIDENT. The amendment intended to be proposed by the Senator from Illinois to the revenue bill will be received, printed, and lie on the table.

ADDITIONAL COPIES OF SENATE REPORT NO. 627 ON THE REVENUE ACT (H. R. 3687)

Mr. HAYDEN submitted the following concurrent resolution (S. Con. Res. 30), which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed 8,500 additional copies of Senate Report No. 627, current Congress, on the bill (H. R. 3687) entitled "Revenue Act of 1943," of which 5,000 copies shall be for the use of the House document room, 2,000 copies for the Senate document room, 1,000 copies for the Senate Committee on Finance, and 500 copies for the Committee on Ways and Means of the House of Representatives.

INVESTIGATION OF THE NATIONAL DEFENSE PROGRAM—LIMIT OF EXPENDITURES

Mr. TRUMAN. Mr. President, I ask unanimous consent to submit a resolution which I request be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

There being no objection, the resolution (S. Res. 235), was received and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the limit of expenditures under Senate Resolution 71, Seventy-seventh Congress, first session, agreed to March 1, 1941, and Senate Resolution 6, Seventy-eighth Congress, first session, agreed to January 25, 1943 (relating to the investigation of the war program), is hereby increased by $100,000.

COMMITTEE SERVICE

On motion by Mr. BARKLEY, and by unanimous consent, it was

Ordered, That the Senator from Louisiana [Mr. OVERTON] be excused, upon his own request, from further service upon the Committee on the District of Columbia; and that the Senator from New Jersey [Mr. WALSH] be assigned to service on the following committees: Commerce, District of Columbia, Immigration, Naval Affairs, and Pensions.

LABOR AND THE WAR—ADDRESS BY SENATOR THOMAS OF UTAH

[Mr. BARKLEY asked and obtained unanimous consent to have printed in the RECORD a radio address on the subject of labor and the war, delivered by Senator THOMAS of Utah, January 11, 1944, which appears in the Appendix.]

JACKSON DAY DINNER ADDRESS BY SENATOR HATCH

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD a Jackson Day dinner address delivered by Senator HATCH at Springfield, Mo., January 8, 1944, which appears in the Appendix.]

METHOD OF VOTING BY MEMBERS OF ARMED FORCES—ADDRESS BY SENATOR LUCAS

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD a radio address delivered by Senator LUCAS on December 24, 1943, on his bill to provide a method for members of the armed forces to vote in time of war, which appears in the Appendix.]

TOLERANCE—THE KEYSTONE OF AMERICANISM — ADDRESS BY SENATOR CHAVEZ

[Mr. WALSH of Massachusetts asked and obtained leave to have printed in the RECORD a radio address entitled "A New Year Message. Tolerance—the Keystone of Americanism" delivered by Senator CHAVEZ on December 27, 1943, which appears in the Appendix.]

OUR FOREIGN POLICY—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address entitled "Our Foreign Policy," delivered by him on January 7 over Wisconsin radio stations, which appears in the Appendix.]

THE AMERICAN FREE ENTERPRISE SYSTEM—ADDRESS BY SENATOR HAWKES

[Mr. HAWKES asked and obtained leave to have printed in the RECORD a radio address delivered by him from New York on December 17, 1943, on the subject The American Free Enterprise System, which appears in the Appendix.]

NATIONAL SERVICE LAW—STATEMENT BY WILLIAM GREEN

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD a statement by President William Green of the American Federation of Labor discussing the proposal for the enactment of a national service law, which appears in the Appendix.]

FLOOD-FREE JOHNSTOWN—ARTICLE BY SID A. WEINSCHENK

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an article by Sid A. Weinschenk entitled "Flood-Free Johnstown," which appears in the Appendix.]

VOTE FOR SOLDIERS—ADVERTISEMENT IN NEW YORK TIMES

[Mr. KILGORE asked and obtained leave to have printed in the RECORD an advertisement entitled "Sure, You're for the Soldier Vote—Is Congress?" by the Soldier Vote Committee of the Entertainment Industry, published in the New York Times of January 10, 1944, which appears in the Appendix.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2207) to amend the Nationality Act of 1940.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3611) to authorize the appointment of court reporters in the district courts of the United States, to fix their duties, to provide for their compensation, and for other purposes.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 3741) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. VINSON of Georgia, Mr. DREWRY, and Mr. MAAS were appointed managers on the part of the House at the conference.

EXPANSION OF THE SOCIAL SECURITY SYSTEM

Mr. MURRAY. Mr. President, for the convenience of Senators interested in S. 1161, the Wagner-Murray bill providing for an expansion of the social-security system, I have prepared a summary of the principal amendments contained in the measure.

I ask unanimous consent to have this summary printed in the CONGRESSIONAL RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

The bill creates a unified national social insurance system—

I

Covering all workers in industry and commerce (except railroad workers), agricultural and domestic workers and employees of nonprofit institutions for old-age, permanent disability, survivors', temporary disability, unemployment, and medical care and hospitalization benefits; self-employed persons (farmers, small businessmen, professional persons) and, by voluntary compact, employees of State and local governmental units not members of existing pension systems are covered for all benefits except unemployment and temporary disability.

II

Administered by Social Security Board, with single contribution and wage report and decentralized administration of benefits through a single local social-security and employment office in each area; medical care benefits administered jointly by Social Security Board and United States Public Health Service. A Federal social-security advisory council with representatives of employers, employees, and the public, and a national advisory medical and hospital council to be established; local and regional advisory councils may be established.

III

Liberalizing present old-age and survivors' insurance benefits:

(a) Includes permanent disability protection.

(b) Increases benefits through modification of formula; minimum benefit increased from $10 to $20 a month, maximum family benefit from $85 to $120.

(c) Reduces age at which women may receive old-age benefits from 65 to 60 years.

(d) Provides a lump-sum death benefit equal to six times the primary benefit.

IV

Establishing Federal unemployment and temporary disability (sickness) benefits:

(a) Weekly benefits for workers who are temporarily sick or unemployed from a minimum of $5 for a single worker to a maximum of $30 a week for a family. (Maximum unemployment benefit in Montana is now $15; no provision for dependents.)

(b) One week waiting period for unemployment and 1 week for disability.

(c) Benefits payable for 26 weeks of disability in a year and for 26 weeks of unemployment (unemployment benefits may be payable for 52 weeks if funds available). (Unemployment benefits now payable in Montana for 16 weeks.)

(d) Maternity benefits payable to married women workers for 12 weeks.

V

Setting up Federal system of medical and hospitalization insurance:

Providing workers and their wives and children under 18 all needed service by general practitioner of family's choice (from among all doctors participating in the system), specialist services, laboratory services and necessary hospital care up to 30 days a year for each member of the family, or 90 days if funds permit. All licensed physicians and qualified hospitals are guaranteed right to participate. Provisions to insure medical benefits of high quality and emphasis on prevention of disease. Needy persons may qualify for same care on basis of contributions made on their behalf by public agencies.

VI

Guaranteeing social insurance rights of persons in armed forces:

(a) Wage credits given for entire period of military service—carrying rights to old-age, survivors, permanent disability, temporary disability, and medical care and hospitalization benefits for veterans and their dependents.

(b) Unemployment allowances payable to men and women on termination of military service for 26 weeks, or 52 if funds available; $12 weekly for single person, plus $6 weekly for each qualified dependent up to a maximum of $30 a week.

(c) Costs to be borne by Federal Government out of general revenues.

VII

Establishing Federal social insurance contributions:

(a) Employer and employee contributions of 6 percent on wages up to $3,000 a year (3½ percent for State and local governments and employees covered by voluntary compact).

Self-employed contribution of 7 percent of earnings. Government contribution authorized.

(b) All funds to be deposited in Federal Social Insurance Trust Fund, managed by Board of Trustees, invested in Government obligations, and used only for benefits and administration of system.

VIII

Establishing a national system of public employment offices to promote employment and economic opportunity.

The bill also provides for a unified public assistance program—

I

Providing grants-in-aid to States for assistance to needy individuals—aged, blind, dependent children or others:

(a) State plans may not impose citizenship or residence requirements as a condition of eligibility for assistance.

(b) States permitted to disregard other income and resources up to $20 a month in determining need for assistance.

(c) Permits Federal matching of State funds spent for medical services to needy persons.

(d) No limit on maximum payment which Federal Government will match.

II

Federal Government will pay at least 50 percent of amounts spent by States and up to 75 percent for States with per capita incomes less than the national average.

THE CASE OF LABOR AND THE FARMER—LETTER FROM WILLARD E. BITTS

Mr. CAPPER. Mr. President, during the Christmas recess I received a letter from Mr. Willard E. Bitts, a farmer residing near Pomona, Kans. I found it a most interesting and informative letter, but the question he raises is not easy to answer. On his 30-acre farm in

Franklin County, Kans., he has 125 pigs. According to the figures he gives me, he has been supporting those pigs at a net loss of $47.50 a week. But he knows a girl from a nearby town who is getting $60 a week as a riveter in one of Mr. Kaiser's plants. He wants to know if that is the way to get food, which he has been told also is necessary to win the war.

Also this farmer tells of an interesting experience of his own. Through the decade when Dr. New Deal was in attendance this farmer managed to keep off W. P. A. but ran up a debt of $1,000 on his farm. In June of 1942 he cut loose, went to De Soto, Kans., and worked on the construction of the Hercules Powder plant, which was built to carry out Government contracts. In 14 months he made $3,300 in wages, paid off his farm indebtedness of $1,000, paid living expenses, and had some money left. He states:

The administration was screaming for more pork. I had the facilities to produce it, so I bought 30 gilts at a premium price in April 1943 and bred them for September farrow.

On January 1 of the present year this farmer found himself with 125 pigs, weighing about 75 pounds each, on which he had expended $8.50 for feed, 50 cents for vaccination, to say nothing of his time and labor, and he had borrowed $1,000 from the bank for feed. He says the pigs will bring him $2.50 each if he sells them now. He writes:

It looks as though I had done it again, only this time it didn't take 10 years.

I may be taking a selfish viewpoint, but it does not seem exactly right in a Nation at war to penalize the feeder quite so much on the advice of only one physician—old "Doc" Win-the-War. Seems to me they should call a consultation. If we could all be Secretary of the Treasury when our farming becomes unprofitable and quit, like Mr. Morgenthau—perhaps that is where I made my mistake.

Mr. President, this farmer's case is not exceptional, though I will say he is better able than some others to state it succinctly. I say it looks as if the Government—whether "Doc" New Deal or "Doc" Win-the-War—is in the position of getting cheap pork under false pretenses. I cannot quite agree with his semi-humorous conclusion that perhaps all this serves the greedy farmers right for producing pork instead of leaving en masse for Government war jobs at high wages.

I ask unanimous consent that the letter be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

POMONA, KANS., *December 31, 1943.*

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR SIR: Having heard quite a little about the controversy between labor and the greedy farmers, I would like to give you my own experience from both sides of the fence and as you have no doubt heard from many large farmers and feeders, I thought perhaps you would like to hear from one of the small ones.

I own and operate a small 30-acre farm in Franklin County, Kans. In the period from 1932 to 1942, I operated this farm and did nearly everything else except work on the W. P. A. to try to eke out a living and ended up about $1,000 in debt; June 4, 1942, I went to work on the construction of the Hercules powder plant at De Soto, Kans., as a common laborer; one of the lowest if not the lowest scale of wages on the job.

I retained my residence on the farm and commuted 45 miles each way and put in 10 hours on the job where I worked until August 1, 1943. In the 14 months I worked on this job, I received approximately $3,300 in wages. I cleared up the $1,000 deficit I had built up in 10 years of farming, and after paying our living expenses had some money left, so as the administration was screaming for more pork, and I had the facilities to produce it, I bought 30 head of gilts at a premium price in April 1943 and bred them for September farrow.

Now, January 1, 1944, I find myself with 125 pigs, weight approximately 75 pounds each, that I have $8.50 each invested in feed plus 50 cents each for cholera vaccination or $9 each, exclusive of labor, which is quite a little. I have borrowed $1,000 from the local bank for feed for these pigs and have about reached the limit of my capital and my credit.

While it is true that there is a support price on hogs of marketable weight, there is no market on unfinished hogs of this type except peoples' confidence in the future.

Now the administration says that they are going to force the grain lost for the dairy and poultry producers by raising the price so that it will be unprofitable to feed it to hogs and since they refuse to do anything to relieve the surplus of pork they have created except put the point value of ham up. The feeders have no confidence left, consequently, there is no market for this class of hogs.

The best offer I have had on these pigs is $2.50 each and I guess that is about the price of them as I see them sell every week through the sale ring at about this figure, so it looks like I have done it again only this time it didn't take 10 years.

I may be taking a selfish viewpoint but it does not seem exactly right in a nation at war to penalize the feeder quite so much just on the advice of only one physician (old Doc Win-the-War). Seems to me they should call a consultation.

If we could all be Secretary of the Treasury when our farming operations become unprofitable, we could quit like Mr. Morgenthau, perhaps that is where I made my mistake.

If they are trying to cut down the production of pork, the enclosed clipping from the Topeka Daily Capital would indicate that they have succeeded. I would say that they were both very conservative in their rate of reduction if this locality is any gage I would say about 90 percent, and as far as I am concerned, 100 percent would be much nearer correct. I would say it was now time or past time to do something to restore people's confidence in the future.

I see you are advocating taking pork off the ration list for a time, which I think is the only solution for the present glut in pork, but the time is now. It still might bolster people's confidence and help create a market for the unfinished hogs now on the farms, and feeders that were able to hang on longer than myself might be saved the situation I find myself in.

Thanking you for your work in my behalf and hoping you may find the strength and courage to go on helping the greedy farmers, I remain,

Respectfully yours,

WILLARD E. BITTS.

P. S.—See enclosed financial statement.

The figures I have quoted and these I am quoting on this sheet probably do not mean much to you after listening to nothing but millions and billions for so long, but they are still extremely vital to me, so am going to give you a condensed statement of my operations from September 1 to January 1:

125 pigs actual feed and vaccine cost $9 or	$1,125.00
125 pigs actual present sale value $2.50 or	312.50
Net loss	812.50
Weekly net loss, 17 weeks	47.80

Now during this period, teen-aged girls who wouldn't know if you sat on a milk stool to milk a cow or placed the cow on it, and very little more about riveting, are riveting for Mr. Kaiser in sunny California at $60 per week. Perhaps that is just what we greedy farmers deserve.

THE FARMER AND PRODUCTION OF FOOD

Mr. CAPPER. Mr. President, I ask unanimous consent to place in the RECORD at this point a letter from Mrs. G. Sattler, a farmer's wife of Americus, Kans. Mrs. Sattler, loyal American, wants to win the war but points out that certain Government regulations and practices are discouraging farmers from producing food, and warns that feeding the world is a difficult job at best. I invite the attention of Senators to her letter. It is short and simple and states some plain facts which our Government should take into consideration.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

Senator CAPPER:

We listened to your talk on the radio this p. m. We never fail to hear you.

You folk in Washington don't realize that the farmer can make more money selling his feed than by feeding it and save a lot of hard work.

It's a shame the farmers can't strike like other workers, but have to do as Phil Baker says, "Take it or leave it."

I feel as though every farmer should be glad to do all they can to help win the war, but when everything we buy is high and a ceiling is put on what the farmer sells, it is discouraging.

Last week when the price of eggs fell from 41 to 38 the merchant said the Government had put a lot of cold-storage eggs on the market.

Looks as though the Government is working against the farmers.

Some of the boys in camp write home that they have not had any pay for 3 months and ask their folks for money. What's wrong with our Government?

It is a blessing to live in the good old U. S. A. and I'm sure every American appreciates it. Nothing really matters just so we win the war, but please don't blame the farmers if they can't feed the world.

Respectfully,

MRS. G. SATTLER,
Americus, Kans.

THE REVENUE ACT

The Senate resumed the consideration of the bill (H. R. 3687) to provide revenue, and for other purposes.

The VICE PRESIDENT. The first amendment of the Committee on Finance will be stated.

The LEGISLATIVE CLERK. In the title, on page 13, line 2, after the word "Taxes", it is proposed to strike out "And withholding of tax at source on wages."

Mr. GEORGE. Mr. President, before we enter into a discussion of the tax bill proper I wish to make a factual statement and also offer some remarks. I think perhaps what I will have to say will be explanatory of several of the provisions of the bill, and will save some

time if Senators will be good enough to give attention.

The Senate has before it the revenue bill of 1943. This is the sixth revenue-raising bill since we entered upon our preparedness and war program in June of 1940. Under the bill there are increases in revenue from the individual income, the corporation excess-profits tax, and the excise taxes.

Your committee, in considering the individual income tax, believed in the main that we have almost reached the point of diminishing returns. The increases which have been made arise primarily because of our efforts to simplify the present individual structure as much as possible. In reaching this result it was thought advisable to repeal the earned income-credit allowance. This credit is allowed only for the purpose of the 6-percent normal tax and added quite a few complications to the return form, especially since it necessitates two different bases for normal tax and surtax. The maximum earned-income relief to which a taxpayer was entitled under existing law was $84, and in the low brackets the relief was very slight. For example, the individual with a net income of $1,500 received relief of $9. It might be a desirable future policy to eliminate some of the indirect burdens of business taxes on unearned income and at the same time give a clear and substantial credit in favor of earned income. The other provision in the bill which resulted in raising some additional revenue from individuals was the elimination of the deduction for Federal excises in computing individual income tax. These deductions consist of the Federal excise taxes on telephones, admissions, railroad tickets, club dues, and the like. Many taxpayers do not keep records of the amounts spent for these taxes, and it is believed that the disadvantages and annoyances to both the Government and the taxpayer in having these items checked will more than offset the slight advantage accruing to the taxpayer. Both of these changes are contained in the bill as passed by the House. The House version of the bill also contained as a substitute for the Victory tax a minimum individual income tax and an increase in the normal rate from 6 to 10 percent. The minimum tax was designed to retain on the tax rolls approximately from 11,000,000 to 14,000,000 taxpayers who were not subject to the regular income tax but who were subject to the Victory tax. While our committee was in full sympathy with the objective of the House provision, particularly of keeping on the tax rolls the 11,000,000 to 14,000,000 taxpayers subject only to the Victory tax and in simplifying the base upon which the tax was computed, it was felt that it might be less confusing to continue the Victory tax instead of substituting a complete new system at this time.

In reaching this conclusion, we were influenced to a large degree by the realization that taxpayers had to compute the Victory tax in connection with their filing returns for 1943, filed on March 15, 1944, and that at the same time, they would, in most cases, have to estimate their 1944 tax liability. Having gone through the Victory tax computation in determining their 1943 tax liability, it was thought it might be less burdensome to use the same method in estimating their 1944 liability, rather than having to become acquainted with a different system, although that system might be simpler in its operation. Therefore, our committee decided to retain the Victory tax in lieu of the minimum tax and increased rate of normal tax provided for under the House bill. However, we made an effort to simplify the Victory tax by eliminating the credits, and providing for a rate of 3 percent instead of the old rate of 5 percent. The present law net rate varies, according to family status and size of income, from 5 percent to under 3 percent. By retaining the existing rates, it was unnecessary to change the withholding tables of existing law. It would be impossible to put a new withholding system in effect by the first of the year, and it was thought best, at least for the time being, to continue the present system.

Two changes have been made in the provisions of the Current Tax Payment Act. A great deal of dissatisfaction has been felt over the penalty for a failure to estimate accurately future income. The bill as reported by the Senate committee provides that an individual who pays his tax currently on the income received in the prior year, and at the rates of the current year, shall not be liable for penalty for substantial underestimate of the tax.

Dissatisfaction has also been felt over the results of the second windfall provision which provides for a reduction in the amount of forgiveness in cases in which the income in both 1942 and 1943 is greater by more than $20,000 than the income of the base year. This works hardship in a number of particular cases such as the case of an individual making a substantial income in a foreign country during the base years, and coming into this country in 1941. Rather than allow for such exemptions to this provision, your committee has provided for its repeal. The removal of this provision will make it possible to further simplify the income-tax returns.

In regard to corporations, the bill makes three important changes:

First. It increases the excess profits rate from 90 to 95 percent.

Second. It raises the specific exemption for excess-profits tax purposes from $5,000 to $10,000. This second proposal will provide substantial relief to the small corporations by relieving the necessity of computing the excess-profits tax and then seeking relief.

Third. With respect to the excess-profits tax invested-capital credit which the bill as passed by the House reduced by one point for the second, third, and top brackets of invested capital, your committee limited the one-point reduction to the second and third brackets only, in the belief that corporate earnings at a rate of 5 percent or less on invested capital were not excessive even in wartime.

The following table compares the percentage rates of credit on invested capital under present law, the House bill, and your committee bill:

Credit on invested capital

Invested capital	Present law	House bill	Senate Finance Committee bill
	Percent	*Percent*	*Percent*
First $5,000,000	8	8	8
$5,000,000 to $10,000,000	7	6	6
$10,000,000 to $200,000,000	6	5	5
Over $200,000,000	5	4	5

Under existing law, a large group of corporations and other organizations are not required to file income-tax returns or to pay income taxes. Many of these exempt corporations and organizations are directly competing with companies required to pay income tax. Under the bill as passed by the House, these corporations are required to file returns for taxable years beginning after December 31, 1942, unless they are religious, educational, or charitable organizations. Your committee has retained the House provision with the following exceptions:

First. The exemption of existing law is continued with respect to organizations for the prevention of cruelty to children or animals.

Second. The exemption of existing law is continued with respect to Government-owned corporations, or agencies or instrumentalities thereof.

Third. The exemption of existing law is continued with respect to fraternal beneficiary societies, orders, or associations, (a) operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system; and (b) providing for the payment of life, sick, accident, or other benefits to the members of such society, order, or association or their dependents.

Your committee has also made certain changes in the House excise-tax rates. The taxes on admissions, electric light bulbs, toilet preparations, bowling alleys, cabarets, furs, luggage, and nonbeverage alcohol have been increased. The House proposal for a tax on pari-mutuel wagering has been eliminated.

We were in sympathy with the House changes in postal rates, with the exception of the third-class rate with respect to which it appeared that special hardships might result from the change. Hence, the third-class rate has been kept at the present level, and the other House changes have been approved.

A comparison of the excise taxes and postal rates under present law, the bill as passed by the House, and the Senate Finance Committee version of the bill is shown in a table taken from the committee report (pp. 12–14), which I ask unanimous consent to have printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparison of excise taxes and postal rates under present law, House bill (H. R. 3687), and Senate Finance Committee bill

Article or service	Present law	House bill	Senate Finance Committee bill	Estimated additional revenue [1]	
				House bill	Senate Finance Committee bill
1. Distilled spirits	$6 per gallon	$9 per gallon	$9 per gallon	[2] 370.0	[3] 366.0
(Draw-back on nonbeverage alcohol)	$3.75 per gallon	$5 per gallon	$6 per gallon	(4)	(4)
2. Beer	$7 per barrel	$8 per barrel	$8 per barrel	70.0	70.0
3. Wine:					
(a) Still:					
Under 14 percent alcohol	10 cents per gallon	15 cents per gallon	15 cents per gallon		
14 to 21 percent alcohol	40 cents per gallon	60 cents per gallon	60 cents per gallon		
Over 21 percent alcohol	$1 per gallon	$2 per gallon	$2 per gallon	18.0	18.0
(b) Sparkling	10 cents per half pint	15 cents per half pint	15 cents per half pint		
(c) Other	5 cents per half pint	10 cents per half pint	10 cents per half pint		
4. General admissions, lease of boxes or seats, etc.	1 cent per 10 cents	2 cents per 10 cents	1 cent per 5 cents	163.5	134.5
	11 percent of charge	20 percent of charge	20 percent of charge		
5. Cabarets	5 percent of charge	30 percent of charge	do	91.3	54.8
6. Club dues and initiation fees	11 percent of charge	20 percent of charge	do	5.1	5.1
7. Bowling alleys, billiard parlors	$10 per alley	do	$20 per alley	27.0	2.0
	$10 per table	$20 per table	$20 per table		
8. Transportation of persons	10 percent of charge	15 percent of charge	15 percent of charge	75.0	75.0
9. Communications:					
(a) Toll service	20 percent of charge	25 percent of charge	25 percent of charge		
(b) Telegraph, etc.:					
(1) Domestic	15 percent of charge	do	do	48.8	49.9
(2) International	10 percent of charge	15 percent of charge	10 percent of charge		
(c) Leased wires, etc	15 percent of charge	20 percent of charge	25 percent of charge		
(d) Wire and equipment services	5 percent of charge	7 percent of charge	8 percent of charge		
10. Local telephone service	10 percent of charge	15 percent of charge	15 percent of charge	48.9	48.9
11. Jewelry	10 percent of retail price	20 percent of retail price; silver-plated flatware exempted.	20 percent of retail price; except watches retailing for not more than $65 and alarm clocks retailing for not more than $5, 10 percent.	72.5	76.1
12. Furs and fur-trimmed articles	do	25 percent of retail price	20 percent of retail price	54.8	36.5
13. Luggage, handbags, wallets, etc	10 percent of manufacturers' sales price on luggage only.	do	15 percent of retail price	53.4	30.0
14. Toilet preparations	10 percent of retail price	do	20 percent of retail price	51.4	34.3
15. Electric-light bulbs and tubes	5 percent of manufacturers' sales price.	25 percent of manufacturers' sales price.	15 percent of manufacturers' sales price.	20.0	10.0
16. Pari-mutual wagering	None	5 percent of amount wagered	None	27.5	
Additional revenue from excises				1,197.2	1,011.1
POSTAL RATES					
(a) First class, local	2 cents per ounce	3 cents per ounce	3 cents per ounce	44.0	44.0
(b) Air mail	6 cents per ounce	8 cents per ounce	8 cents per ounce	11.0	11.0
(c) Third class	1 cent and 1½ cents per 2 ounces	2 and 3 cents per 2 ounces	1 cent and 1½ cents per 2 ounces	74.4	
(d) Fourth class	Various	Present law increased by 3 per cent, or 1 cent, whichever is greater.	Present law rate increased by 3 percent, or 1 cent, whichever is greater.	4.5	4.5
(e) Registered mail	15 cents to $1 per article	20 cents to $1.35 per article	20 cents to $1.35 per article	4.5	4.5
(f) Insured mail	5 to 35 cents per article	10 to 70 cents per article	10 to 70 cents per article	6.5	6.5
(g) C. O. D. mail	12 to 45 cents per article	24 to 90 cents per article	24 to 90 cents per article	5.4	5.4
(h) Money orders	6 to 22 cents per article	10 to 37 cents per article	10 to 37 cents per article	21.0	21.0
Additional revenue from postal rates				171.3	96.9
Additional revenue from excise taxes and postal rates.				1,368.5	1,108.0

[1] Estimated change in budget position of the United States for a full year of operation at levels of business for the calendar year 1944. In millions of dollars.
[2] Estimated additional net revenue yield after allowance for increased draw-back on nonbeverage alcohol of $4,900,000.
[3] Estimated additional net revenue yield after allowance for increased draw-back on nonbeverage alcohol of $8,900,000.
[4] Revenue effect included immediately above.

Staff of Joint Committee on Internal Revenue Taxation, Dec. 21, 1943.

RELIEF FOR MEMBERS OF ARMED SERVICES

Mr. GEORGE. Mr. President, in the Current Tax Payment Act of 1943, we provided substantial tax relief for servicemen. First, we exempted $1,500 of their service pay; second, we provided special treatment with respect to their 1942 tax liability; and third, we provided special relief for servicemen dying in the service. In this bill, your committee has exempted from income tax amounts received during the year as mustering-out pay by military and naval personnel.

ADMINISTRATIVE AMENDMENTS

Your committee has also made a number of administrative amendments to the bill, in order to provide relief and remove certain inequities of existing law. There are many other administrative amendments which we were unable to include in the bill. Such amendments of this character which could not be considered at this time, will undoubtedly be taken up in our next bill dealing with simplification of the internal revenue system.

The administrative amendments which have been made by your committee are explained on pages 19 to 32 of the report.

REVENUE ESTIMATES

Your committee bill is estimated to increase Federal revenues from income and excise taxes, including postage, by $2,275,600,000 in a full year of operation at calendar year 1944 levels of income and business activity. This sum is $136,300,000 more than the House bill would have raised from the same sources. The bill will increase revenue from individual income and Victory taxes by $664,900,000, most of which arises from the disallowance of earned-income-credit deduction; approximately $502,700,000 of new revenue will result from the changes in corporation income and excess-profits taxes; increased rates of taxes applying to commodities and services will bring in an additional $1,011,100,000, while net postal revenue will be increased by $96,900,000.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. GEORGE. I shall be glad to yield after I have finished the factual statement.

Mr. WHITE. I wished to ask the Senator a question. I will wait.

Mr. GEORGE. If the Senator will withhold his question for a moment, I shall be glad to yield.

Net Federal receipts, including net postal revenue, will be increased from $41,324,000,000 under present law to $43,599,600,000 under the committee bill.

A summary comparison, by major sources, of the increases in revenue over present law, of the House bill and the committee bill is shown in a table which I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparison of revenue increases under House bill and Senate Finance Committee bill, by major sources

Source	Estimated additional revenue [1] (in millions of dollars)	
	House bill	Senate Finance Committee bill
Individual income and Victory taxes	154.8	664.9
Corporation income and excess profits taxes	616.0	502.7
Taxes on commodities and services	1,197.2	1,011.1
Net postal revenue	171.3	96.9
Total	2,139.3	2,275.6

[1] For a full year of operation, at levels of income and business activity estimated for the calendar year 1944; excludes nonrecurring increases or decreases, and those which are completely offset by changes in expenditures.

Staff of Joint Committee on Internal Revenue Taxation, Dec. 21, 1943.

Mr. GEORGE. A detailed comparison of the revenue effect of the committee bill and the House bill is shown on pages 3 to 6 of the committee report.

I now yield to the Senator from Maine.

Mr. WHITE. Mr. President, I understood the Senator to read a paragraph which made reference to simplification of our tax structure. I desire to ask him whether the committee has a purpose to study that question and deal with it.

Mr. GEORGE. Yes. The committee has dealt with it in the pending bill, and some important simplifications have been made. Certain simplifications, of course, could not become applicable to the March 15 return, for the reason that certain taxes which were in force in 1943 would necesarily have to be returned under the law as it stood in 1943.

In addition, many months ago—in fact, nearly a year ago—at the request of the chairman of the Joint Committee on Internal Revenue Taxation, the staff commenced a systematic study of our tax laws with a view to simplification. The chairman authorized the staff to confer with informed tax experts, accountants, and lawyers outside the Government, as well as inside the Government, for the purpose of assisting the committee in that study. At the same time the Treasury indicated its desire to bring about a simplification of our tax structure. The Joint Committee on Internal Revenue Taxation and the Treasury will be ready to consider the broad problem of simplification, so far as it is possible to simplify our tax structure, in the bill dealing with technical and administrative changes.

Mr. WHITE. I am delighted to hear the statement which the Senator has just made. The present situation with respect to our tax laws and returns results in great difficulty and harassment to the people of the country. If the committee is able to accomplish something substantial in the direction of simplification, I think the whole country will be disposed to rise up and call them blessed.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. WILEY. I understood the distinguished Senator to say that approximately $43,000,000,000 would be raised if this bill were to go into effect.

Mr. GEORGE. Based on a full year of operation at the present level of income and business activity; yes.

Mr. WILEY. I understood the Senator to say that the bill would raise approximately $3,000,000,000 more than was ever raised before during a similar period in our history. Is that correct?

Mr. GEORGE. I did not say that. As a matter of fact, it would raise six or seven times as much as we have ever raised before during a similar period in our history. The highest tax raised during World War No. 1 was approximately $6,000,000,000. A mere matter of multiplication will demonstrate that the amount to be raised would be seven times greater than the Federal receipts for any fiscal-year period or a comparable period.

Mr. WILEY. Perhaps I did not make myself clear. A great deal is stated in the newspapers, and I think there was also something said in the President's message yesterday, which gave the inference that the committee had not adequately met the challenge. As I understand, if the pending bill should become law, there would be raised $3,000,000,000 more than was ever raised under any other tax bill. Is that correct? What is the real situation? In that connection, I should like to ask what the Senator estimates will be the expenditures of the Government during the next 12 months.

Mr. GEORGE. I would not be able to estimate, except as I will deal with that matter briefly in a subsequent statement, which I am about to make. The net Federal receipts, including net postal revenues, will be increased from $41,324,000,000 under present law to $43,599,600,000 under the bill as reported by the committee, as the committee estimates the increases. The provisions of the bill, including the postal rates, will bring in additional revenue of $2,275,600,000, according to the estimate of the committee.

Mr. WILEY. Mr. President, will the Senator further yield?

Mr. GEORGE. I am glad to yield.

Mr. WILEY. My understanding is that there is information to the effect that several of the departments, notably the War and Navy Departments, have spent during the last fiscal year $7,000,000,000 or $8,000,000,000 less than had been appropriated for their use.

Mr. GEORGE. If the Senator will permit me, I shall deal with that subject in a subsequent statement, which I am about to make.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. TYDINGS. Before the Senator takes up the subsequent matter, I understood him to say in presenting his factual statement that the arrangement for setting down estimated income and the penalties attached to mistakes had been altered in the pending bill.

Mr. GEORGE. That is correct. In general and in substance, the final return to be filed on March 15, 1944, for 1943, may, at the election of the taxpayer, stand as his estimated tax liability for the year 1944.

If he knows that his income has greatly increased, or that it will greatly increase, or if he knows that his income will suffer a severe decline, he may file a separate estimate at the beginning of any quarter, and he will be relieved of the penalty if the tax is paid as estimated in the 1943 tax return.

Mr. TYDINGS. Let me ask the Senator what would happen in this case: I have learned that several persons in certain businesses, of which the canning business is one, have a great deal of difficulty in ascertaining or estimating what their probable income will be until the fall of the year, for the very obvious reason that, first of all, they do not know what kind of a season there will be, they do not know how plentiful labor will be, and quite often they do not know what the cost of the product will be which the canner will preserve. Therefore, when on the 15th of March the canner is called upon to estimate what he will make during the year his estimate will be purely a shot in the dark. I should like to ask the Senator if there is any provision in the pending tax bill to make an exception of the general formula in cases in which the taxpayer's income cannot in honesty be anticipated due to conditions some of which I have described.

Mr. GEORGE. I may say to the Senator that the annual return which is made on March 15 may stand as an estimate of the income and tax liability of the taxpayer for the year in which the return is filed.

The committee was willing to make that change in existing law because, among other reasons, of the hardship and impossibility of estimating accurately, to which the Senator has himself called attention in the case of canners. If he wishes to change his estimate, the taxpayer still has that privilege by correcting it at the beginning of each quarter. However, that is optional with him, and without penalty.

Mr. TYDINGS. That is a distinct improvement, and so long as the subject is before us, I merely suggest for further consideration by the able chairman of the committee that I believe that at some appropriate time it would be wise to lift out of the general formula those engaged in seasonal enterprises, whose incomes obviously cannot be anticipated until the season for such enterprise begins. In other words, in my opinion, there ought to be some special rule which would not compel a taxpayer to make

an estimate which might be totally inaccurate.

Mr. GEORGE. He would not be compelled to do so. He would simply file the return for his income and tax liability on the basis of the previous year and let it stand, unless he knew of a radical change to take place up or down in income and liability, and desired to correct it. In such instance, he could file a corrected estimate.

Mr. TYDINGS. I thank the Senator for his explanation. I should like to ask him one further question.

He mentioned in his factual statement that the tax on nonbeverage alcohol had been increased. I recall the discussion which we had in regard to that matter when a tax bill was last before us. My recollection is that the tax on nonbeverage alcohol was about 20 times the cost of the alcohol. In other words, if we paid $1 for so much alcohol the tax on the alcohol was $20. It seemed to me that those who were engaged in making flavoring extracts, patent medicines, and things of that sort which contained no beverage alcohol, were already paying a pretty high rate of tax. I should like to inquire if the Senator recalls to what extent that tax was increased, and why it was increased when it was already so high.

Mr. GEORGE. The tax on the nonbeverage alcohol used in the preparation of medicines, foods, flavoring extracts, and so forth, was increased from $2.25 to $3 a gallon. That was due to the fact that the excise tax on beverage alcohol was increased from $6 to $9 a gallon. The pending bill carries an increase from $2.25 to only $3 in the case of alcohol used for medicinal purposes.

Mr. TYDINGS. The committee obviously had good reasons for what it did, but it still seems to me that the tax is out of all proportion. It seems that this one commodity is being given a load to carry which is far out of line with equity. When those engaged in making flavoring extracts and others engaged in commercial enterprises of a nonbeverage character recently called this matter to my attention I think the tax was 15 or 20 times the cost of the article. I think that to increase the tax further is open to serious question. I do not mean that the persons to whom I refer should not pay their fair proportion, but when a commodity is taxed 15 or 20 times its cost it seems to me that the limit has been reached.

Mr. GEORGE. The Finance Committee did decrease the tax in the House bill by allowing a greater draw-back than was allowed by the House.

Mr. TYDINGS. Perhaps the increase is offset in other ways. I have not read the bill, but I was anxious to know why the tax had been increased.

Mr. GEORGE. Mr. President, I shall continue with my factual presentation.

REASONS FOR COMMITTEE ACTION

Having discussed the provisions of the bill, I now wish to set forth the reasons which prompted our committee not to raise a larger amount of revenue at this time.

Our primary concern in the enactment of a revenue bill in these critical days is the over-all fiscal situation of the Nation. Before proceeding to a discussion of present income and expenditures, however, it is essential, first, to point out the trend in that fiscal position.

In the beginning of the war America's productive capacity rose to that challenge by simply expanding in all directions. But we have come to the state where acute shortages are being felt, and to be further improved industry must strive for greater efficiency by shifting resources to more important uses.

The recent tendencies in war production have been toward a realinement of war needs, and rather than continual expansion there have been numerous cut-backs in certain types of production which have been either oversupplied or antiquated. Typically there has been a large cut-back in plans for antisubmarine vessels as a result of victory in the Battle of the Atlantic and in order that resources might be turned to producing landing craft.

In the whole program the Army alone had canceled, by the end of October, some 12,000 prime contracts representing nearly $8,000,000,000. This has made it possible for the Army to surrender to the Budget Director the authority to disburse $13,000,000,000, and the Navy $5,000,000,000, in unobligated appropriations. These do not reflect entirely reduced expenditures in the current fiscal year, nor are they current tax savings, but they do indicate the size of the reductions of certain war expenditures.

There will nevertheless be a substantial cut in total Government expenditures in the current fiscal year. In the August budget estimate it was predicted that expenditures would reach $106,000,000,000, and tax collections $38,000,000,000, leaving a deficit of $68,000,000,000. Already the estimates of expenditures have been revised downward to $98,000,000,000 while actual tax collections have forced an upward revision of revenues to $41,000,000,000. Together these changes reduce the anticipated deficit by $11,000,000,000. The Treasury's original $10,000,000,000 tax proposal was ostensibly based on a $68,000,000,000 Federal deficit.

As a result of this trend our productive capacity in 1944 will provide total income payments of $155,000,000,000 at a maximum if the European war continues throughout the year. With a very early victory on that front, and in view of the various cut-backs and the O. P. A.'s success in breaking the continuous rise of prices, income payments may be no greater than the $142,000,000,000 of this year. At the lower figure individuals would be able to absorb the entire inflationary gap by a lower amount of savings than were made in 1943, due to an increase in available consumer goods and services and to the increases in this tax bill.

Although it may be that total income payments will be greater than last year, the fact of the matter is that the American people can be depended upon to put aside a larger amount in savings out of their larger incomes than they did in 1943, and even a larger amount percentagewise. The proximity of an end of high war incomes will induce a considerable amount of saving for any lean days of transition that might be ahead. It does not appear to me that there will be incomes that cannot be saved and that will be pushed into the spiral of bidding up prices.

Further, I feel that the burden of income taxes is particularly oppressive because of our reliance upon this form of direct taxation at the expense of consumption taxes. Direct income taxes involve probably the most painful method of taxation, and they leave the full incentive of comparatively low prices to continue inflationary spending. Canada collects 32.4 percent of her taxes by levies on consumption and Great Britain 23.9 percent while the United States at present collects only 18.8 percent in consumption taxes, Federal, State, and local.

A third significant element in the burden of present tax rates is their effect upon those with fixed or falling incomes. A fixed income in time of war does not necessarily mean that the individual is not making a significant contribution to the war economy. It is fortunate so far as our attempts to hold the line are concerned that many who abstractly might deserve a greater income are not always in a position to demand it. Typical is the white-collar class. When war prices already impose one hardship on these people, further taxes that force them to bite into their accumulated savings will shake one of the bulwarks which have made this country great.

Inflation fundamentally is an excess of consumer incomes over what individuals are able to spend. There is one group that holds this excess must be taxed away. The fallacy in this position is its utter disregard for the need of present incentives and for the post-war situation. War is accompanied by tremendous sacrifices and by the consumption of fixed assets. If the status of the great middle class is to be preserved and the function of investing savings carried by those who can save, then there should be no confiscatory taxation. Otherwise, we will make it very difficult to provide employment for our returning soldiers after the war.

INDIVIDUAL INCOME TAX

The Treasury recommended that we increase the tax on individual incomes by more than six and one-half billion dollars. We were unable to justify any such increase; in fact, I do not believe the Congress is justified in levying any substantial increase in individual income taxation at this time, unless some satisfactory plan can be devised to take care of the millions of white-collar workers, and those with fixed incomes.

In placing additional tax burdens upon the American people, especially at this time, we must give careful consideration to the existing tax burden, the rapidity with which this burden has been increased in the past few years, and the effect additional burdens would have on our immediate and post-war economies.

We must also take into account the unforgiven tax payable one-half in March of this year and the remaining one-half in March 1945. This unforgiven tax payment is, in itself, a substantial increased

burden for those who must pay it out of current incomes, and at the same time pay their regular income tax. This condition will confront the majority of our taxpayers according to the information given Congress by the Treasury when we were considering withholding of tax at source. At that time the Treasury stated:

> Most persons, especially in the middle- and lower-income brackets, make little if any advance provision for their tax liabilities by building up reserves during the year when the income is being earned.

It is estimated that payments of unforgiven tax liability will amount to approximately $1,100,000,000 in 1944, and a like amount in 1945.

Many taxpayers, I fear, are in for a rude awakening between now and March 15 when they compute their tax liability and discover the amount they will be called upon to pay at that time, as many no doubt are under the impression that the amounts being withheld from their pay envelopes will cover their tax liability.

At this point I ask to insert a table showing the total amount of unforgiven tax, and the amount payable in 1944 and 1945 on specified net incomes, assuming no change in net income over the period 1942 to 1945.

The VICE PRESIDENT. Without objection, it is so ordered.

The table is as follows:

Amount of unforgiven tax (assuming no change in net income)

Net income before personal exemption	Total unforgiven tax			Amount payable in 1944 and in 1945		
	Single person	Married, no dependents	Married, 2 dependents	Single person	Married, no dependents	Married, 2 dependents
$600						
$750						
$800	$2.20			$1.10		
$1,000	22.25			11.13		
$1,200	31.45			15.73		
$1,500	45.25			22.63		
$1,800	59.05	$25.80		29.53	$12.90	
$2,000	68.25	35.00		34.13	17.50	
$2,500	91.25	58.00	$24.75	45.63	29.00	$12.38
$3,000	118.00	81.00	47.75	59.00	40.50	23.88
$4,000	171.50	133.00	94.50	85.75	66.50	47.25
$5,000	230.00	186.50	148.00	115.00	93.25	74.00
$6,000	293.50	248.00	202.50	146.75	124.00	101.25
$7,000	362.00	311.50	266.00	181.00	155.75	133.00
$8,000	435.50	383.00	330.50	217.75	191.50	165.25
$9,000	514.00	456.50	404.00	257.00	228.25	202.00
$10,000	597.50	538.00	478.50	298.75	269.00	239.25
$15,000	1,091.50	1,013.00	939.50	545.75	506.50	469.75
$20,000	1,704.00	1,613.00	1,522.00	852.00	806.50	761.00
$25,000	2,406.50	2,305.00	2,203.50	1,203.25	1,152.50	1,101.75
$30,000	3,157.75	3,051.00	2,944.25	1,578.88	1,525.50	1,472.13
$40,000	4,750.25	4,633.00	4,515.75	2,375.13	2,316.50	2,257.88
$50,000	6,452.75	6,332.00	6,211.25	3,226.38	3,166.00	3,105.63
$60,000	8,249.00	8,123.00	7,997.00	4,124.50	4,061.50	3,998.50
$70,000	10,120.25	9,989.00	9,857.75	5,060.13	4,994.50	4,928.88
$80,000	12,066.50	11,930.00	11,793.50	6,033.25	5,965.00	5,896.75
$90,000	14,087.75	13,946.00	13,804.25	7,043.88	6,973.00	6,902.13
$100,000	16,160.25	16,015.00	15,869.75	8,080.13	8,007.50	7,934.88
$150,000	26,782.75	26,634.00	26,485.25	13,391.38	13,317.00	13,242.63
$200,000	37,655.25	37,503.00	37,350.75	18,827.63	18,751.50	18,675.38
$250,000	48,654.00	48,500.00	48,346.00	24,327.00	24,250.00	24,173.00
$500,000	103,654.00	103,500.00	103,346.00	51,827.00	51,750.00	51,673.00
$750,000	158,654.00	158,500.00	158,346.00	79,327.00	79,250.00	79,173.00
$1,000,000	213,654.00	213,500.00	231,346.00	106,827.00	106,750.00	106,673.00
$2,000,000	433,654.00	433,500.00	433,346.00	216,827.00	216,750.00	216,673.00
$5,000,000	1,093,654.00	1,093,500.00	1,093,346.00	546,827.00	546,750.00	546,673.00

Mr. GEORGE. Mr. President, few people realize the extent of the increase in tax burden on individuals in recent years. Since 1940 Federal tax collections have risen approximately 600 percent. For the fiscal year 1940, total Federal tax collections amounted to $5,925,000,000, whereas for the fiscal year 1944 they will approximate $41,000,000,000. While total tax collections during this period have increased 600 percent, the individual tax burden in many cases has increased 4,000 to 5,000 percent.

For example, in the period from 1936 to 1939, prior to the start of our defense and war programs, a married person with two dependents having a net income of $4,000 paid an annual income tax of $12. Today such an individual pays $484.97 on the same-size income. For the years 1944 and 1945, assuming no change in income, the tax will amount to $532.22 because of the required payment of the unforgiven tax. This represents an increase of $520.22, or approximately 4,335 percent.

A married person with no dependents and having a net income of $3,000 paid an annual tax of $8 in the period 1936–39. In 1940 his tax was increased to $30.80, an increase of 285 percent; in 1941 this tax was further increased to $138, an increase of 348 percent over the previous year; in 1942 it was further increased to $405.28, a 1-year increase of 25 percent, making a total increase of $397.28, or 4,966 percent since 1939. If we include the unforgiven tax payable in 1944 and 1945 and assume no change in net income, this individual will be paying a tax of $445.78 in each of these years, or an increase of 5,472 percent over what he paid in each year from 1936 to 1939, inclusive.

I ask to be permitted to insert at this point, as part of my remarks, a table showing a comparison of individual income-tax rates and exemptions for the taxable years 1936 to 1943, inclusive, and also tables showing the amount of tax payable on specified net incomes by a married person without dependents, and with two dependents.

The VICE PRESIDENT. Is there objection?

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Comparison of individual income-tax rates and exemptions, taxable years 1936–43

Personal exemption	1936–39	1940 [1]	1941	1942	1943 [2]
Single person	$1,000	$800	$750	$500	$500
Married person	2,500	2,000	1,500	1,200	1,200
Each dependent	400	400	400	350	350
Normal tax	Percent 4	Percent 4	Percent 4	Percent 6	Percent 6
Surtax rates					
Exceeding $0	$2,000			6	13
$2,000	4,000			9	16
$4,000	6,000	4	4	13	20
$6,000	8,000	5	6	17	24
$8,000	10,000	6	8	21	28
$10,000	12,000	7	10	25	32
$12,000	14,000	8	12	29	36
$14,000	16,000	9	15	32	40
$16,000	18,000	11	18	35	43
$18,000	20,000	13	21	38	46
$20,000	22,000	15	24	41	49
$22,000	26,000	17	27	44	52
$26,000	32,000	19	30	47	55
$32,000	38,000	21	33	50	58
$38,000	44,000	24	36	53	61

[1] For 1940 tax increased by 10 percent, but not more than 10 percent of the amount by which the net income exceeds such tax.
[2] For 1943 a Victory tax of 5 percent on gross income in excess of $624, with post-war credits allowed.

Comparison of individual income-tax rates and exemptions, taxable years 1936–43—Continued

Surtax rates		1936-39	1940	1941	1942	1943
Exceeding	Not exceeding					
		Percent	*Percent*	*Percent*	*Percent*	*Percent*
$44,000	$50,000	27	40	55	63	63
$50,000	56,000	31	44	57	66	66
$56,000	60,000	35	44	57	66	66
$60,000	62,000	35	47	59	69	69
$62,000	68,000	39	47	59	69	69
$68,000	70,000	43	47	59	69	69
$70,000	74,000	43	50	61	72	72
$74,000	80,000	47	50	61	72	72
$80,000	90,000	51	53	63	75	75
$90,000	100,000	55	56	64	77	77
$100,000	150,000	58	58	65	79	79
$150,000	200,000	60	60	66	81	81
$200,000	250,000	62	62	67	82	82
$250,000	300,000	64	64	69	82	82
$300,000	400,000	66	66	71	82	82
$400,000	500,000	68	68	72	82	82
$500,000	750,000	70	70	73	82	82
$750,000	1,000,000	72	72	74	82	82
$1,000,000	2,000,000	73	73	75	82	82
$2,000,000	5,000,000	74	74	76	82	82
Over	5,000,000	75	75	77	82	82

Comparison of individual income tax—Taxable years 1936–44, and increases in tax since 1939

MARRIED PERSON, NO DEPENDENTS

Net income before personal exemption	Tax payable in taxable years						Amount of increase in tax					
					Existing law							
	1936-39	1940	1941	1942	1943 [1]	1944 [2]	1940 over 1936-39	1941 over 1940	1942 over 1941	1943 over 1942 [1]	1943 over 1936-39 [1]	1944 over 1936-39 [2]
$600					$1.28	$1.28				$1.28	$1.28	$1.28
$750					6.28	6.28				6.28	6.28	6.28
$800					7.94	7.94				7.94	7.94	7.94
$1,000					14.62	14.62				14.62	14.62	14.62
$1,200					21.28	21.28				21.28	21.28	21.28
$1,500				$48.00	79.28	79.28			$48.00	31.28	79.28	79.28
$1,800			$22.80	103.20	144.48	157.38		$22.80	80.40	41.28	144.48	157.38
$2,000			42.00	140.00	187.95	205.45		42.00	98.00	47.95	187.95	205.45
$2,500		$11.00	90.00	232.00	296.61	325.61	$11.00	79.00	142.00	64.61	296.61	325.61
$3,000	$8.00	30.80	138.00	324.00	405.28	445.78	22.80	107.20	186.00	81.28	397.28	437.78
$4,000	44.00	70.40	249.00	532.00	646.61	713.11	26.40	178.60	283.00	114.61	602.61	669.11
$5,000	80.00	110.00	375.00	746.00	893.95	987.20	30.00	265.00	371.00	147.95	813.95	907.20
$6,000	116.00	149.60	521.00	992.00	1,173.28	1,297.28	33.60	371.40	471.00	181.28	1,057.28	1,181.28
$7,000	172.00	233.20	687.00	1,246.00	1,460.61	1,616.36	61.20	453.80	559.00	214.61	1,288.61	1,444.36
$8,000	248.00	316.80	873.00	1,532.00	1,779.94	1,971.44	68.80	556.20	659.00	247.94	1,531.94	1,723.44
$9,000	329.00	422.40	1,079.00	1,826.00	2,107.28	2,335.53	93.40	656.60	747.00	281.28	1,778.28	2,006.53
$10,000	415.00	528.00	1,305.00	2,152.00	2,466.62	2,735.62	113.00	777.00	847.00	314.62	2,051.62	2,320.62
$15,000	924.00	1,258.40	2,739.00	4,052.00	4,533.28	5,039.78	334.40	1,480.60	1,313.00	481.28	3,609.28	4,115.78
$20,000	1,589.00	2,336.40	4,614.00	6,452.00	7,099.95	7,906.45	747.40	2,277.60	1,838.00	647.95	5,510.95	6,317.45
$25,000	2,489.00	3,843.40	6,864.00	9,220.00	10,034.61	11,187.11	1,354.40	3,020.60	2,356.00	814.61	7,545.61	8,698.11
$30,000	3,569.00	5,614.40	9,339.00	12,204.00	13,185.28	14,710.78	2,045.40	3,724.60	2,865.00	981.28	9,616.28	11,141.78
$40,000	5,979.00	9,552.40	14,649.00	18,532.00	19,846.61	22,163.11	3,573.40	5,096.60	3,883.00	1,314.61	13,867.61	16,184.11
$50,000	8,869.00	14,128.40	20,439.00	25,328.00	27,074.58	30,240.58	5,259.40	6,310.60	4,889.00	1,746.58	18,205.58	21,371.58
$60,000	12,329.00	19,320.40	26,509.00	32,492.00	34,794.13	38,855.63	6,991.40	7,188.60	5,983.00	2,302.13	22,465.13	26,526.63
$70,000	16,449.00	24,864.40	32,779.00	39,956.00	42,813.69	47,808.19	8,415.40	7,914.60	7,177.00	2,857.69	26,364.69	31,359.19
$80,000	21,269.00	30,738.40	39,249.00	47,720.00	51,133.24	57,098.24	9,469.40	8,510.60	8,471.00	3,413.24	29,864.24	35,829.24
$90,000	26,669.00	36,942.40	45,919.00	55,784.00	59,752.80	66,725.80	10,273.40	8,976.60	9,865.00	3,968.80	33,083.80	40,056.80
$100,000	32,469.00	43,476.40	52,704.00	64,060.00	68,584.36	76,591.86	11,007.40	9,227.60	11,356.00	4,524.36	36,115.36	44,122.86
$150,000	63,394.00	77,532.40	87,189.00	106,536.00	113,838.13	127,155.13	14,138.40	9,656.60	19,347.00	7,302.13	50,444.13	63,761.13
$200,000	95,344.00	112,199.60	122,174.00	150,012.00	160,091.91	178,843.41	16,855.60	9,974.40	27,838.00	10,079.91	64,747.91	83,499.41
$250,000	128,294.00	146,863.60	157,659.00	194,000.00	206,857.69	231,107.69	18,569.60	10,795.40	36,341.00	12,857.69	78,563.69	102,813.69
$500,000	304,144.00	330,155.60	345,084.00	414,000.00	440,746.58	492,496.58	26,011.60	14,928.40	68,916.00	26,746.58	136,602.58	188,352.58
$750,000	489,094.00	521,619.60	537,569.00	634,000.00	674,000.00	753,250.00	32,525.60	15,949.40	96,431.00	40,000.00	184,906.00	264,156.00
$1,000,000	679,044.00	717,583.00	732,554.00	854,000.00	899,000.00	1,005,750.00	38,539.60	14,970.40	121,446.00	45,000.00	219,956.00	326,706.00
$2,000,000	1,449,019.00	1,510,565.60	1,522,539.00	1,734,000.00	1,799,000.00	2,015,750.00	61,546.60	11,973.40	211,461.00	65,000.00	349,981.00	566,731.00
$5,000,000	3,788,994.00	3,916,547.60	3,922,524.00	4,374,000.00	4,499,000.00	5,045,750.00	127,553.60	5,976.40	451,476.00	125,000.00	710,006.00	1,256,756.00

MARRIED PERSON, 2 DEPENDENTS

$600					$1.19	$1.19				$1.19	$1.19	$1.19
$750					5.86	5.86				5.86	5.86	5.86
$800					7.41	7.41				7.41	7.41	7.41
$1,000					13.64	13.64				13.64	13.64	13.64
$1,200					19.86	19.86				19.86	19.86	19.86
$1,500					29.19	29.19				29.19	29.19	29.19
$1,800					38.53	38.53				38.53	38.53	38.53
$2,000				$13.00	57.75	57.75			$13.00	44.75	57.75	57.75
$2,500			$12.00	99.00	159.31	171.69		$12.00	87.00	60.31	159.31	171.69
$3,000			58.00	191.00	266.86	290.74		58.00	133.00	75.86	266.86	290.74
$4,000	$12.00	$35.20	154.00	378.00	484.97	532.22	$23.20	118.80	224.00	106.97	472.97	520.22
$5,000	48.00	74.80	271.00	592.00	730.08	804.08	26.80	196.20	321.00	138.08	682.08	756.08
$6,000	84.00	114.40	397.00	810.00	979.19	1,080.44	30.40	282.60	413.00	169.19	895.19	996.44
$7,000	120.00	162.80	551.00	1,064.00	1,264.31	1,397.31	42.80	388.20	513.00	200.31	1,144.31	1,277.31
$8,000	184.00	246.40	717.00	1,322.00	1,553.41	1,718.66	62.40	470.60	605.00	231.41	1,369.41	1,534.66
$9,000	260.00	334.40	911.00	1,616.00	1,878.53	2,080.53	74.40	576.60	705.00	262.53	1,618.53	1,820.53
$10,000	343.00	440.00	1,117.00	1,914.00	2,207.64	2,446.89	97.00	677.00	797.00	293.64	1,864.64	2,103.89
$15,000	831.00	1,117.60	2,475.00	3,758.00	4,207.19	4,676.94	286.60	1,357.40	1,283.00	449.19	3,376.19	3,845.94
$20,000	1,469.00	2,142.80	4,287.00	6,088.00	6,692.75	7,453.75	673.80	2,144.20	1,801.00	604.75	5,223.75	5,984.75
$25,000	2,327.00	3,570.60	6,480.00	8,814.00	9,574.31	10,676.06	1,243.60	2,909.40	2,334.00	760.31	7,247.31	8,349.06
$30,000	3,385.00	5,315.20	8,931.00	11,777.00	12,692.86	14,164.99	1,930.20	3,615.80	2,846.00	915.86	9,307.86	10,779.99
$40,000	5,779.00	9,226.80	14,202.00	18,063.00	19,289.97	21,547.85	3,447.80	4,975.20	3,861.00	1,226.97	13,510.97	15,768.85
$50,000	8,621.00	13,741.20	19,967.00	24,845.00	26,391.58	29,497.21	5,120.20	6,225.80	4,878.00	1,546.58	17,770.58	20,876.21
$60,000	12,017.00	18,898.00	26,021.00	31,988.00	34,090.13	38,088.63	6,881.00	7,123.00	5,967.00	2,102.13	22,073.13	26,071.63
$70,000	16,105.00	24,415.60	32,275.00	39,431.00	42,088.69	47,017.57	8,310.60	7,859.40	7,156.00	2,657.69	25,983.69	30,912.57
$80,000	20,861.00	30,263.20	38,729.00	47,174.00	50,387.24	56,283.99	9,402.20	8,465.80	8,445.00	3,213.24	29,526.24	35,422.99

[1] Includes net Victory tax.

[2] Includes 12½ percent of unforgiven tax.

Comparison of individual income tax—Taxable years 1936–44, and increases in tax since 1939—Continued

MARRIED PERSON, 2 DEPENDENTS—continued

Net income before personal exemption	Tax payable in taxable years						Amount of increase in tax					
	1936-39	1940	1941	1942	Existing law		1940 over 1936-39	1941 over 1940	1942 over 1941	1943 over 1942	1943 over 1936-39	1944 over 1936-39
					1943	1944						
$90,000	$26,229.00	$36,440.80	$45,383.00	$55,217.00	$58,985.80	$65,887.93	$10,211.80	$8,942.20	$9,834.00	$3,768.80	$32,756.80	$39,658.93
$100,000	31,997.00	42,948.40	52,160.00	63,479.00	67,803.36	75,738.24	10,951.40	9,211.60	11,319.00	4,324.36	35,806.36	43,741.24
$150,000	62,898.00	76,986.80	86,637.00	105,941.00	113,043.13	126,285.76	14,088.80	9,650.20	19,304.00	7,102.13	50,145.13	63,387.76
$200,000	94,832.00	111,738.80	121,614.00	149,403.00	159,282.91	177,958.29	16,906.80	9,875.20	27,789.00	9,879.91	64,450.91	83,126.29
$250,000	127,766.00	146,388.40	157,091.00	193,384.00	206,041.69	230,214.69	18,622.40	10,702.60	36,293.00	12,657.69	78,275.69	102,448.69
$500,000	303,568.00	329,637.20	344,476.00	413,384.00	439,930.58	491,603.58	26,069.20	14,838.80	68,908.00	26,546.58	136,362.58	188,035.58
$750,000	488,502.00	521,686.80	536,953.00	633,384.00	673,800.00	752,973.00	32,584.80	15,866.20	96,431.00	40,416.00	185,298.00	264,471.00
$1,000,000	678,436.00	717,036.40	731,930.00	853,384.00	898,800.00	1,005,473.00	38,600.40	14,893.60	121,454.00	45,416.00	220,364.00	327,037.00
$2,000,000	1,448,403.00	1,510,011.20	1,521,907.00	1,733,834.00	1,798,800.00	2,015,473.00	61,608.20	11,895.80	211,477.00	65,416.00	350,397.00	567,070.00
$5,000,000	3,788,370.00	3,915,986.00	3,921,884.00	4,373,384.00	4,498,800.00	5,045,473.00	127,616.00	5,898.00	451,500.00	125,416.00	710,430.00	1,257,103.00

Mr. GEORGE. Mr. President, it will be noted from these tables that under the existing law, with the carry-over of the unforgiven tax required to be paid in 1944 and in 1945, no individual, no matter how high his income, will have left as much as $25,000 after tax, assuming his income remains constant and his uncanceled tax is paid out of current income.

Mr. WILEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. GEORGE. I yield.

Mr. WILEY. Was the last statement to the effect that no individual would have an income over $25,000, net?

Mr. GEORGE. No individual, high or low, who pays his tax out of his current income, without regard to the source of his income, will have an income of as much as $25,000. It will approximate $25,000 on an earned income of $100,000.

Mr. WILEY. If a man had a current income of a million dollars, he would not have over $25,000 left?

Mr. GEORGE. Left out of his income.

Mr. WILEY. Out of a million dollars?

Mr. GEORGE. No; indeed, he would be far worse off than that. He would be $5,750 in the red.

Mr. WILEY. Let us get that clear. If a man had a current income of a million dollars, he would have to have $1,005,000 to pay his tax on that income?

Mr. GEORGE. He would have to have $1,005,750 to pay the tax; and that, of course, exceeds his annual taxable income of $1,000,000 by $5,750. Indeed, a man who has an income of $750,000 will pay a tax of $753,250, or $3,250 more than his entire income, during this year, when he will have to absorb one-half of the unforgiven tax.

Mr. WILEY. Will those figures be in the RECORD?

Mr. GEORGE. I propose to put this table in the RECORD later.

Some seem to believe there is no limit beyond which we can safely go in levying additional income taxes on individuals. Some would even go so far as to leave the taxpayer a maximum of only approximately $12,000 after taxes; in fact, this is what the Treasury proposal would allow for the years 1944 and 1945, assuming no change in net income, and the uncanceled tax is paid out of current income.

Under the Treasury proposal, over 60 percent of the total additional yield would have come from individual income taxes. We who are closely in touch with many people in all walks of life realized immediately that the incomes of the great bulk of the American people could not stand such an increase in tax as that proposed by the Treasury. While many people are receiving higher incomes as a result of the war, there are thousands upon thousands of governmental employees, both Federal and State—school teachers, professional people, policemen, in fact, the class pointed out so forcefully yesterday in the annual message of the President—who are not enjoying 1 cent more in income than before the war, and in many cases less. Most of these persons are patriotically investing in United States War Savings bonds. If we were to levy such rates as proposed by the Treasury, many of these purchases would cease or be curtailed, and probably insurance premiums and payments on mortgages and other fixed obligations could not be met by these persons. Neither were we able to agree to the Treasury proposal for integrating the Victory tax with the regular income tax, as their plan would have excused some 9,000,000 persons now paying tax from any income tax whatsoever.

CORPORATION INCOME TAXES

With respect to corporation taxes, the important thing to note about the committee bill, just as in the bill passed by the House, is that the excess-profits tax is increased rather than the normal tax or surtax. In the minds of the committee members there were very good reasons for adhering to this procedure, despite the fact that the Treasury Department favored an increase in the rates of ordinary income tax.

An increase in the rate of normal tax or surtax would have interfered with the normal distribution of dividends, which go in large part to individuals with small incomes and to charitable, religious, and educational institutions. The rates of tax imposed on corporations in the United States are already higher than in either Canada or Great Britain.

The peacetime normal rate in Canada was 15 percent. This has since been raised to 40 percent, except where the excess-profits tax applies. Corporations subject to the 100-percent excess-profits tax pay a normal tax of only 30 percent. Canada does not impose any surtax on corporations. The normal rate of tax in Canada was not increased in the 1942 law because, in the words of the Canadian Minister of Finance—

> Already the tax on profits that have not increased is heavy when we bear in mind that those profits when distributed as dividends are subject to all the personal income taxes in addition to the corporation taxes.

It should be pointed out that, while Canada has a 100-percent excess-profits tax, the net excess-profits tax is only 80 percent, due to the allowance of a 20-percent post-war refund. Furthermore, in Canada the Provinces have given up the income-tax field for the duration of the war.

The British peacetime normal rate of 25 percent has been raised to 50 percent, but dividends from British corporations are not subject to a further normal tax in the hands of the British shareholder. Moreover, the British surtax does not apply to individual incomes of less than $8,000, and the British shareholder receives a refund of his share of the corporation normal tax if his income is less than his exemption.

Under present law dividend income of individuals in the United States is subject to a minimum rate of 19 percent after corporation earnings have first been subject to a rate of 40 percent. The double burden on corporation earnings, therefore, amounts to a minimum rate of 52 percent—that is, 40 percent, plus 20 percent of 60 percent.

The curtailment of dividends, as a result of higher taxes on normal earnings, would not be a great burden upon the wealthy shareholder but might result in real hardship to the individual in the lower-income brackets.

The British, like the Canadians, also impose a 100-percent excess-profits tax, but they allow a post-war refund of 20 percent.

So far as war production is concerned, it is important to avoid tax measures which would tend to eliminate incentive. However, the committee was advised that, in the opinion of persons in the executive departments dealing with war contractors, an increase in the excess-profits tax would not interfere with war production if the 80-percent ceiling were retained. It was stated that many contractors have already reached this ceiling and are operating efficiently under it. Your committee bill increases the rate of excess-profits tax from 90 to 95 percent, but retains the 80-percent over-all ceiling.

It was brought to the attention of the committee that corporations computing excess-profits tax under the invested-capital method are permitted to increase invested capital by plowing back into the business earnings which have never been subject to taxation in the hands of individual shareholders. Corporations using the average-earnings method are not permitted to increase their earning base in this manner. In view of this advantage possessed by companies using the invested-capital method and the fact that the invested-capital credit affords to many of these companies a larger exemption from the excess-profits tax than their normal earnings, the committee agreed to reduce the excess-profits credits allowed for invested capital.

EXCISE TAXES

The excise tax increases in the committee bill do not differ greatly from those contained in the House bill, but are much less drastic than recommended by the Treasury Department. The Treasury justified, in part, the removal of 9,000,000 persons from the income-tax rolls, under their proposal, by stating that these individuals would be subject to the increased excise taxes contained in their recommendations. Similarly, since your committee bill retains these income taxpayers on the rolls it was felt that excise taxes paid by these persons should not be made as high as suggested by the Treasury. Moreover, in many cases, higher rates than contained in your committee bill would perhaps cause permanent harm to the industries affected. Such changes as are made by your committee bill in rates imposed by the House were made in the interest of gaining uniformity in rates between articles or services having the same degree of utility or luxury, and to some extent between competing businesses.

In closing the discussion of this part of the bill, I am sure that we must all recognize that an individual income tax with a minimum rate of 19 percent and a maximum of 90 percent, and a corporate normal and surtax rate of 40 percent with an excess-profits tax rate of 95 percent is, indeed, a realistic tax law, and will aid materially in reducing the costs of the war to our sons and daughters. Perhaps there may be other sources to which we can turn for additional revenue, such as a general sales tax, a compulsory savings tax, or a tax on increased individual incomes due to the war. But all of these new sources have been frowned upon by the Treasury as the representative of the administration. And our committee was of the opinion that we have about reached the bottom of the barrel so far as existing taxes are concerned.

Mr. President, I am not dealing today with that title of the bill which relates exclusively to the renegotiation of war contracts. I expect to discuss it at a later date.

Mr. President, I wish to insert in the RECORD at the conclusion of my remarks a table, table 1, showing the existing income-tax burden for 1944 and 1945, including net Victory tax and one-half of unforgiven 1942 tax (assuming no change in net income), for married persons with no dependents.

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Without objection, it is so ordered.

The table is as follows:

TABLE 1.—*Existing income-tax burden for 1944 and 1945, including net Victory tax and one-half of unforgiven 1942 tax (assuming no change in net income)*

MARRIED PERSON, NO DEPENDENTS

Net income before personal exemption	Income net Victory, and ½ unforgiven tax [1]	Income remaining after tax
$600	$1.28	$598.72
$750	6.28	743.72
$800	7.94	792.06
$1,000	14.62	985.38
$1,200	21.28	1,178.72
$1,500	79.28	1,420.72
$1,800	157.38	1,642.62
$2,000	205.45	1,794.55
$2,500	325.61	2,174.39
$3,000	445.78	2,554.22
$4,000	713.11	3,286.89
$5,000	987.20	4,012.80
$6,000	1,297.28	4,702.72
$7,000	1,616.36	5,383.64
$8,000	1,971.44	6,028.56
$9,000	2,335.53	6,664.47
$10,000	2,735.62	7,264.38
$15,000	5,039.78	9,960.22
$20,000	7,906.45	12,093.55
$25,000	11,187.11	13,812.89
$30,000	14,710.78	15,289.22
$40,000	22,163.11	17,836.89
$50,000	30,240.58	19,759.42
$60,000	38,855.63	21,144.37
$70,000	47,808.19	22,191.81
$80,000	57,098.24	22,901.76
$90,000	66,725.80	23,274.20
$100,000	76,591.86	23,408.14
$150,000	127,155.13	22,844.87
$200,000	178,843.41	21,156.59
$250,000	231,107.69	18,892.31
$500,000	492,496.58	7,503.42
$750,000	753,250.00	−3,250.00
$1,000,000	1,005,750.00	−5,750.00
$2,000,000	2,015,750.00	−15,750.00
$5,000,000	5,045,750.00	−45,750.00

[1] Net Victory tax computed on a gross income equal to 19/6 of net income.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 13, line 2.

The amendment was agreed to.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment was, on page 13, after line 3, to strike out:

Part I. Individual and corporation income taxes.

The amendment was agreed to.

The next amendment was, on page 13, after line 9, to strike out:

Sec. 102. Normal tax on individuals.

Section 11 (relating to the normal tax on individuals) is amended to read as follows: "Sec. 11. Normal tax on individuals.

"(a) General rule: There shall be levied, collected, and paid for each taxable year upon the net income of every individual a normal tax of 10 percent of the amount of the net income in excess of the credits against net income provided in section 25 (a) and (b).

"(b) Minimum tax: If 3 percent of the amount of the net income in excess of the credits against net income provided in section 25 (a) and (c) is greater than the tax imposed by subsection (a) and section 12, there shall be levied, collected, and paid, in lieu of the tax imposed by subsection (a) and section 12, a normal tax of 3 percent of the amount of the net income in excess of the credits against net income so provided.

"(c) Alternative tax: For alternative tax, if gross income from certain sources is $3,000 or less, see section 400."

The amendment was agreed to.

The next amendment was, on page 14, after line 7, to strike out:

Sec. 103. Surtax on individuals.

Section 12 (b) (relating to the rates of surtax on individuals) is amended to read as follows:

"(b) Rates of surtax: There shall be levied, collected, and paid for each taxable year upon the surtax net income of every individual the surtax shown in the following table:

If the surtax net income is—	The surtax shall be—
Not over $2,000	13 percent of the surtax net income.
Over $2,000 but not over $4,000	$260, plus 16 percent of excess over $2,000.
Over $4,000 but not over $6,000	$580, plus 20 percent of excess over $4,000.
Over $6,000 but not over $8,000	$980, plus 23 percent of excess over $6,000.
Over $8,000 but not over $10,000	$1,440, plus 27 percent of excess over $8,000.
Over $10,000 but not over $12,000	$1,980, plus 31 percent of excess over $10,000.
Over $12,000 but not over $14,000	$2,600, plus 36 percent of excess over $12,000.
Over $14,000 but not over $16,000	$3,320, plus 40 percent of excess over $14,000.
Over $16,000 but not over $18,000	$4,120, plus 43 percent of excess over $16,000.
Over $18,000 but not over $20,000	$4,980, plus 46 percent of excess over $18,000.
Over $20,000 but not over $22,000	$5,900, plus 49 percent of excess over $20,000.
Over $22,000 but not over $26,000	$6,880, plus 52 percent of excess over $22,000.
Over $26,000 but not over $32,000	$8,960, plus 55 percent of excess over $26,000.
Over $32,000 but not over $38,000	$12,260, plus 58 percent of excess over $32,000.
Over $38,000 but not over $44,000	$15,740, plus 62 percent of excess over $38,000.
Over $44,000 but not over $50,000.	$19,460, plus 65 percent of excess over $44,000.
Over $50,000 but not over $60,000	$23,360, plus 68 percent of excess over $50,000.
Over $60,000 but not over $70,000	$30,160, plus 71 percent of excess over $60,000.
Over $70,000 but not over $80,000	$37,260, plus 74 percent of excess over $70,000.
Over $80,000 but not over $90,000	$44,660, plus 77 percent of excess over $80,000.
Over $90,000 but not over $100,000	$52,360, plus 80 percent of excess over $90,000.
Over $100,000 but not over $150,000	$60,360, plus 82 percent of excess over $100,000.
Over $150,000 but not over $200,000	$101,360, plus 83 percent of excess over $150,000.
Over $200,000	$142,860, plus 84 percent of excess over $200,000.

The amendment was agreed to.

The next amendment was, on page 15, to strike out section 104, as follows:

Sec. 104. Alternative tax on individuals with gross income from certain sources of $3,000 or less.

(a) In General. Section 400 (relating to optional tax) is amended to read as follows:

"Sec. 400. Imposition of tax.

"In lieu of the tax imposed under sections 11 and 12, an individual who makes his return on the cash basis may elect, for each taxable year, to pay the tax shown in the following table if his gross income for such taxable year is $3,000 or less and consists wholly of one or more of the following: Salary, wages, compensation for personal services, dividends, interest, or annuities:

And the gross income is—		If the individual is a single person, or a married person making a separate return whose spouse has gross income, and has—							
		No dependents	One dependent	Two dependents	Three dependents	Four dependents	Five dependents	Six dependents	Seven dependents
				Or the individual is a married person making a joint return, or a married person making a separate return whose spouse has no gross income, or is the head of a family, and has—					
Over	But not over			No dependents	One dependent	Two dependents	Three dependents	Four dependents	Five dependents
		The tax shall be—							
$0	$525	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
525	550	1.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00
550	575	6.60	0.00	0.00	0.00	0.00	0.00	0.00	0.00
575	600	12.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
600	625	17.40	0.00	0.00	0.00	0.00	0.00	0.00	0.00
625	650	22.80	0.00	0.00	0.00	0.00	0.00	0.00	0.00
650	675	28.20	0.70	0.00	0.00	0.00	0.00	0.00	0.00
675	700	33.60	1.40	0.00	0.00	0.00	0.00	0.00	0.00
700	725	39.00	2.10	0.00	0.00	0.00	0.00	0.00	0.00
725	750	44.50	2.80	0.00	0.00	0.00	0.00	0.00	0.00
750	775	49.90	3.50	0.50	0.00	0.00	0.00	0.00	0.00
775	800	55.30	4.20	1.20	0.00	0.00	0.00	0.00	0.00
800	825	60.70	4.90	1.90	0.00	0.00	0.00	0.00	0.00
825	850	66.10	5.60	2.60	0.00	0.00	0.00	0.00	0.00
850	875	71.50	6.30	3.30	0.30	0.00	0.00	0.00	0.00
875	900	76.90	7.00	4.00	1.00	0.00	0.00	0.00	0.00
900	925	82.30	7.70	4.70	1.70	0.00	0.00	0.00	0.00
925	950	87.70	8.40	5.40	2.40	0.00	0.00	0.00	0.00
950	975	93.10	12.60	6.10	3.10	0.10	0.00	0.00	0.00
975	1,000	98.50	18.00	6.80	3.80	0.80	0.00	0.00	0.00
1,000	1,025	103.90	23.40	7.60	4.60	1.60	0.00	0.00	0.00
1,025	1,050	109.30	28.80	8.30	5.30	2.30	0.00	0.00	0.00
1,050	1,075	114.70	34.20	9.00	6.00	3.00	0.00	0.00	0.00
1,075	1,100	120.10	39.60	9.70	6.70	3.70	0.70	0.00	0.00
1,100	1,125	125.50	45.00	10.40	7.40	4.40	1.40	0.00	0.00
1,125	1,150	130.90	50.40	11.10	8.10	5.10	2.10	0.00	0.00
1,150	1,175	136.30	55.80	11.80	8.80	5.80	2.80	0.00	0.00
1,175	1,200	141.70	61.20	12.50	9.50	6.50	3.50	0.50	0.00
1,200	1,225	147.10	66.60	13.20	10.20	7.20	4.20	1.20	0.00
1,225	1,250	152.50	72.00	13.90	10.90	7.90	4.90	1.90	0.00
1,250	1,275	158.00	77.50	14.60	11.60	8.60	5.60	2.60	0.00
1,275	1,300	163.40	82.90	15.30	12.30	9.30	6.30	3.30	0.30
1,300	1,325	168.80	88.30	16.00	13.00	10.00	7.00	4.00	1.00
1,325	1,350	174.20	93.70	16.70	13.70	10.70	7.70	4.70	1.70
1,350	1,375	179.60	99.10	18.60	14.40	11.40	8.40	5.40	2.40
1,375	1,400	185.00	104.50	24.00	15.10	12.10	9.10	6.10	3.10
1,400	1,425	190.40	109.90	29.40	15.80	12.80	9.80	6.80	3.80
1,425	1,450	195.80	115.30	34.80	16.50	13.50	10.50	7.50	4.50
1,450	1,475	201.20	120.70	40.20	17.20	14.20	11.20	8.20	5.20
1,475	1,500	206.60	126.10	45.60	17.90	14.90	11.90	8.90	5.90
1,500	1,525	212.00	131.50	51.00	18.70	15.70	12.70	9.70	6.70
1,525	1,550	217.40	136.90	56.40	19.40	16.40	13.40	10.40	7.40
1,550	1,575	222.80	142.30	61.80	20.10	17.10	14.10	11.10	8.10
1,575	1,600	228.20	147.70	67.20	20.80	17.80	14.80	11.80	8.80
1,600	1,625	233.60	153.10	72.60	21.50	18.50	15.50	12.50	9.50
1,625	1,650	239.00	158.50	78.00	22.20	19.20	16.20	13.20	10.20
1,650	1,675	244.40	163.90	83.40	22.90	19.90	16.90	13.90	10.90
1,675	1,700	249.80	169.30	88.80	23.60	20.60	17.60	14.60	11.60
1,700	1,725	255.20	174.70	94.20	24.30	21.30	18.30	15.30	12.30
1,725	1,750	260.60	180.10	99.60	25.00	22.00	19.00	16.00	13.00
1,750	1,775	266.10	185.60	105.10	25.70	22.70	19.70	16.70	13.70
1,775	1,800	271.50	191.00	110.50	30.00	23.40	20.40	17.40	14.40
1,800	1,825	276.90	196.40	115.90	35.40	24.10	21.10	18.10	15.10
1,825	1,850	282.30	201.80	121.30	40.80	24.80	21.80	18.80	15.80
1,850	1,875	287.70	207.20	126.70	46.20	25.50	22.50	19.50	16.50
1,875	1,900	293.10	212.60	132.10	51.60	26.20	23.20	20.20	17.20
1,900	1,925	298.50	218.00	137.50	57.00	26.90	23.90	20.90	17.90
1,925	1,950	303.90	223.40	142.90	62.40	27.60	24.60	21.60	18.60
1,950	1,975	309.30	228.80	148.30	67.80	28.30	25.30	22.30	19.30
1,975	2,000	314.70	234.20	153.70	73.20	29.00	26.00	23.00	20.00
2,000	2,025	320.10	239.60	159.10	78.60	29.80	26.80	23.80	20.80
2,025	2,050	325.50	245.00	164.50	84.00	30.50	27.50	24.50	21.50
2,050	2,075	330.90	250.40	169.90	89.40	31.20	28.20	25.20	22.20
2,075	2,100	336.30	255.80	175.30	94.80	31.90	28.90	25.90	22.90
2,100	2,125	341.70	261.20	180.70	100.20	32.60	29.60	26.60	23.60
2,125	2,150	347.10	266.60	186.10	105.60	33.30	30.30	27.30	24.30
2,150	2,175	352.50	272.00	191.50	111.00	34.00	31.00	28.00	25.00
2,175	2,200	357.90	277.40	196.90	116.40	35.90	31.70	28.70	25.70
2,200	2,225	363.30	282.80	202.30	121.80	41.30	32.40	29.40	26.40
2,225	2,250	368.70	288.20	207.70	127.20	46.70	33.10	30.10	27.10
2,250	2,275	374.20	293.70	213.20	132.70	52.20	33.80	30.80	27.80
2,275	2,300	379.60	299.10	218.60	138.10	57.60	34.50	31.50	28.50
2,300	2,325	385.00	304.50	224.00	143.50	63.00	35.20	32.20	29.20
2,325	2,350	390.40	309.90	229.40	148.90	68.40	35.90	32.90	29.90
2,350	2,375	395.80	315.30	234.80	154.30	73.80	36.60	33.60	30.60
2,375	2,400	401.20	320.70	240.20	159.70	79.20	37.30	34.30	31.30
2,400	2,425	406.60	326.10	245.60	165.10	84.60	38.00	35.00	32.00
2,425	2,450	412.00	331.50	251.00	170.50	90.00	38.70	35.70	32.70
2,450	2,475	417.40	336.90	256.40	175.90	95.40	39.40	36.40	33.40
2,475	2,500	422.80	342.30	261.80	181.30	100.80	40.10	37.10	34.10
2,500	2,525	428.20	347.70	267.20	186.70	106.20	40.90	37.90	34.90
2,525	2,550	433.60	353.10	272.60	192.10	111.60	41.60	38.60	35.60
2,550	2,575	439.00	358.50	278.00	197.50	117.00	42.30	39.30	36.30
2,575	2,600	444.40	363.90	283.40	202.90	122.40	43.00	40.00	37.00
2,600	2,625	449.80	369.30	288.80	208.30	127.80	47.30	40.70	37.70

And the gross income is—		If the individual is a single person, or a married person making a separate return whose spouse has gross income, and has—							
		No dependents	One dependent	Two dependents	Three dependents	Four dependents	Five dependents	Six dependents	Seven dependents
				Or the individual is a married person making a joint return, or a married person making a separate return whose spouse has no gross income, or is the head of a family, and has—					
Over	But not over			No dependents	One dependent	Two dependents	Three dependents	Four dependents	Five dependents
		The tax shall be—							
$2,625	$2,650	$455.20	$374.70	$294.20	$213.70	$133.20	$52.70	$41.40	$38.40
2,650	2,675	460.70	380.10	299.60	219.10	138.60	58.10	42.10	39.10
2,675	2,700	466.80	385.50	305.00	224.50	144.00	63.50	42.80	39.80
2,700	2,725	472.90	390.90	310.40	229.90	149.40	68.90	43.50	40.50
2,725	2,750	479.00	396.30	315.80	235.30	154.80	74.30	44.20	41.20
2,750	2,775	485.20	401.80	321.30	240.80	160.30	79.80	44.90	41.90
2,775	2,800	491.30	407.20	326.70	246.20	165.70	85.20	45.60	42.60
2,800	2,825	497.40	412.60	332.10	251.60	171.10	90.60	46.30	43.30
2,825	2,850	503.50	418.00	337.50	257.00	176.50	96.00	47.00	44.00
2,850	2,875	509.60	423.40	342.90	262.40	181.90	101.40	47.70	44.70
2,875	2,900	515.70	428.80	348.30	267.80	187.30	106.80	48.40	45.40
2,900	2,925	521.80	434.20	353.70	273.20	192.70	112.20	49.10	46.10
2,925	2,950	527.90	439.60	359.10	278.60	198.10	117.60	49.80	46.80
2,950	2,975	534.00	445.00	364.50	284.00	203.50	123.00	50.50	47.50
2,975	3,000	540.10	450.40	369.90	289.40	208.90	128.40	51.20	48.20

If the number of dependents is in excess of the largest number of dependents shown, the tax shall be the amount applicable in the case of the largest number of dependents shown, reduced by $3 for each dependent over the largest number shown.

(b) Technical amendment: Section 404 (relating to certain taxpayers ineligible to compute tax under alternative method) is amended by inserting after "nonresident alien individual," the following: "to a citizen of the United States entitled to the benefits of section 251."

The amendment was agreed to.

The next amendment was, on page 19, after line 3, to strike out:

Sec. 105. Repeal of Victory tax.

(a) In general: Subchapter D of chapter 1 (relating to the Victory tax) is repealed.

(b) Limitation on tax of individuals: Chapter 1 of the Internal Revenue Code is amended by inserting after section 15 of the following new section:

"Sec. 16. Limitation on tax of individuals.

"If the tax imposed by this chapter (computed without regard to this section, and without regard to the credits provided in sections 31, 32, and 35) exceeds 90 percent of the net income of an individual for the taxable year, the tax (before the allowance of such credits) shall not exceed 90 percent of the net income of such individual for such taxable year."

(c) Technical amendments:

(1) Section 3 (relating to classification of provisions) is amended by striking out the following:

"Subchapter D: Victory tax on individuals, divided into parts and sections."

(2) Section 34 (relating to credits against the Victory tax) is repealed.

(3) Section 56 (f) (cross-reference) is amended by striking out ", 144, and Part II of subchapter D" and inserting in lieu thereof "and 144."

(4) Section 58 (a) (2) (B) (relating to requirement of declaration of estimated tax) is amended by striking out "or 455" where it first appears therein.

(5) Section 58 (b) (1) and (2) (relating to contents of declaration of estimated tax) are amended by striking out ", 35, and 466 (e)" wherever appearing therein and inserting in lieu thereof "and 35."

(6) Section 103 (relating to rates of tax on citizens and corporations of certain foreign countries) is amended by striking out "362, and 450" wherever appearing therein and inserting in lieu thereof "and 362."

(7) Section 131 (a) (relating to taxes of foreign countries and of possessions of the United States) is amended by striking out "or section 450."

(8) Section 131 (i) (relating to tax withheld at source) is amended by striking out "466" and by inserting in lieu thereof "35."

(9) Section 145 (c) (cross-reference) is amended to read as follows:

"(c) For penalties for failure to file information returns with respect to foreign personal holding companies and foreign corporations, see section 340."

(10) Section 291 (b) (cross reference) is repealed.

(11) Section 294 (a) (5) (relating to substantial underestimate of estimated tax) is amended by striking out ", 35, and 466 (e)" and inserting in lieu thereof "and 35."

(12) Section 322 (a) (2) (relating to excessive withholding) is amended by striking out "part II of subchapter D or" and by striking out "or 466 (e)."

(13) Section 322 (e) (relating to presumption as to date of payment) is amended by striking out "under part II of subchapter D or" and "or section 466 (e)."

(d) Period with respect to which applicable: The amendments made by subsections (a) and (c), insofar as they relate to part II of subchapter D of chapter 1 of the Internal Revenue Code, shall be effective only with respect to wages paid on or after January 1, 1944.

The amendment was agreed to.

The next amendment was, on page 21, after line 17, to strike out:

Sec. 106. Personal exemption and credit for dependents.

(a) In general: So much of section 25 (b) (relating to the personal exemption and credit for dependents) as precedes paragraph (2) is amended to read as follows:

"(b) Credits for both normal tax and surtax: There shall be allowed for the purposes of the normal tax, if computed under section 11 (a), and the surtax the following credits against net income:

"(1) Personal exemption.

"(A) Single person: In the case of a single person, a personal exemption of $500.

"(B) Head of family: In the case of the head of a family (not a married person living with husband or wife), a personal exemption of $1,200.

"(C) Married person not living with husband or wife: In the case of a married person not living with husband or wife, a personal exemption of $500.

"(D) Married person living with husband or wife: In the case of a married person living with husband or wife, if a joint return is filed or if one spouse has no gross income, a personal exemption of $1,200; or if each has gross income and no joint return is filed, a personal exemption of $500. If a joint return is filed the husband and wife shall receive but one personal exemption of $1,200 in the aggregate."

(b) Apportionment of personal exemption and credit for dependents repealed: Section 25 (b) is amended by striking out paragraph (3).

(c) Credits for minimum tax and determination of status: Section 25 is amended by inserting at the end thereof the following:

"(c) Credits for minimum normal tax: There shall be allowed for the purposes of the normal tax, if computed under section 11 (b), the following credits against net income:

"(1) Personal exemption—

"(A) Single person: In the case of a single person, a personal exemption of $500;

"(B) Head of family: In the case of the head of a family (not a married person living with husband or wife), a personal exemption of $700;

"(C) Married person not living with husband or wife: In the case of a married person not living with husband or wife, a personal exemption of $500;

"(D) Married person living with husband or wife: In the case of a married person living with husband or wife if a joint return is filed or if one spouse has no gross income, a personal exemption of $700; or if each has gross income and no joint return is filed, a personal exemption of $500. If a joint return is filed, the husband and wife shall receive but one personal exemption of $700 in the aggregate;

"(2) Credit for dependents: For each dependent (as defined in subsection (b) (2) (A)) of the taxpayer there shall be allowed an additional credit of $100, excluding as a dependent, in the case of a head of a family, one who would be excluded under section 25 (b) (2) (B).

"(d) Determination of status: For the purposes of the personal exemption and credit for dependents, the status of the taxpayer shall be determined as of July 1 of the taxable year, unless the taxable year does not include July 1, in which case such status shall be determined as of the last day of the taxable year."

(d) Reduction of credits in case of short year repealed: Section 47 (e) (relating to reduction of personal exemption and credit for dependents in case of short taxable year) is repealed.

(e) Estates and trusts: Section 163 (a) (1) (relating to credits of estate or trust) is amended to read as follows:

"(1) For the purpose of the normal tax and the surtax an estate shall be allowed the same personal exemption allowed to a single person under section 25 (b) (1) and (c) (1), and a trust shall be allowed (in lieu of the personal exemption under section 25 (b) (1) and (c) (1)) a credit of $100 against net income."

(f) Technical amendments—

(1) Section 214 (relating to credits against net income in the case of nonresident alien individuals) is amended (A) by inserting "and (c) (1)" after "section 25 (b) (1)"; (B) by inserting "or 25 (c), as the case may be," after "section 25 (b)"; and (C) by inserting "and (c) (2)" after "section 25 (b) (2)."

(2) Section 251 (f) (relating to credits against net income in the case of certain citizens of the United States receiving income from sources within possessions of the United States) is amended by inserting "or (c) (2)" after "section 25 (b) (2)."

The amendment was agreed to.

The next amendment was, on page 25, after line 14, to strike out:

Sec. 107. Returns of income.

(a) Individual returns: Section 51 (a) is amended to read as follows:

"(a) Requirements: A return, which shall contain or be verified by a written declaration that it is made under the penalties of perjury, stating specifically the items of gross income and the deductions and credits allowed under this chapter and such other information for the purpose of carrying out the provisions of this chapter as the Commissioner with the approval of the Secretary may by regulations prescribe, shall be made by every individual having for the taxable year a gross income of $500 or more, unless such individual is married and living with husband or wife and is permitted to make a joint return with his spouse under subsection (b) and the aggregate gross income of husband and wife is less than $700. For the purposes of this section, the determination of whether an individual is married and living with husband or wife shall be made as of July 1 of the taxable year, unless the taxable year does not include July 1, in which case such determination shall be made as of the last day of the taxable year."

(b) Joint returns: Section 51 (b) (relating to joint returns) is amended by inserting before the period at the end thereof "or if husband and wife have different taxable years."

(c) Fiduciary returns:

(1) In general: So much of section 142 (a) (relating to fiduciary returns) as precedes paragraph (3) is amended to read as follows:

"(a) Requirement of return: A return, which shall contain or be verified by a written declaration that it is made under the penalties of perjury, stating specifically the items of gross income and the deductions and credits allowed under this chapter and such other information for the purpose of carrying out the provisions of this chapter as the Commissioner with the approval of the Secretary may by regulations prescribe, shall be made by every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) for any of the following individuals, estates, or trusts for which he acts:

"(1) Every individual having a gross income for the taxable year of $500 or over."

(2) Technical amendments: Section 142 (a) (3), (4), and (5) are amended by striking out "(3)", "(4)", and "(5)", respectively, at the beginning of such respective paragraphs and inserting in lieu thereof "(2)", "(3)", and "(4)", respectively.

The amendment was agreed to.

The next amendment was, on page 27, after line 13, to insert:

Sec. 102. Victory tax.

(a) Change in rate: Section 450 (imposing the Victory tax) is amended by striking out "5 percent" and inserting in lieu thereof "3 percent.".

(b) Repeal of credits against Victory tax: Section 453 (relating to credits against the Victory tax) is repealed.

(c) Technical amendments:

(1) Section 456 (relating to the 90 percent limitation) is amended (A) by striking out ", computed without regard to the credits provided in sections 453 and 466 (e)," and (B) by striking out "35 and 466 (e)" and inserting in lieu thereof "and 35."

(2) Section 34 (cross reference) is repealed.

The amendment was agreed to.

The next amendment was, on page 33, after line 2, to insert:

Sec. 105. Exclusion from gross income of mustering-out payments for military and naval personnel.

Section 22 (b) (relating to exclusions from gross income) is amended by inserting at the end thereof the following:

"(14) Mustering-out payments for military and naval personnel. Amounts received during the taxable year as mustering-out payments with respect to service in the military or naval forces of the United States."

The amendment was agreed to.

The next amendment was, on page 33, after line 11, to insert:

(1) SEC. 106. Last-in first-out inventory.

(a) In general:

(1) Retroactive effect: Section 22 (d) (6) (A) (relating to involuntary liquidation and replacement of goods subject to elective inventory) is amended (A) by striking out "December 31, 1941" and inserting in lieu thereof "December 31, 1940", and (B) by inserting after "taxpayer's income tax return for such year" the following: "(or, with respect to taxable years beginning in 1941, at any time within the 6 months' period following the date of the enactment of the Revenue Act of 1943)."

(2) Effect of adjustment on carry-overs and carry-backs: The next to the last sentence of section 22 (d) (6) (A) is amended to read as follows: "The taxes imposed by this chapter and by chapter 2 for the year of such liquidation, for preceding taxable years, and for all taxable years intervening between the year of liquidation and the year of replacement shall be redetermined, giving effect to such adjustments."

(3) Technical amendment relating to replacements: Section 22 (d) (6) (C) (relating to replacements) is amended to read as follows:

"(C) Replacements: If, in the case of any taxpayer subject to the provisions of subparagraph (A), the closing inventory of the taxpayer for a taxable year, subsequent to the year of involuntary liquidation but prior to the complete replacement of the goods so liquidated, reflects an increase over the opening inventory of such goods for the taxable year, the goods reflecting such increase shall be considered, in the order of their acquisition, as having been acquired in replacement of the goods most recently liquidated (whether or not in a year of involuntary liquidation) and not previously replaced, and if the liquidation was an involuntary liquidation shall be taken into purchases and included in the closing inventory of the taxpayer for the year of replacement at the inventory cost basis of the goods replaced."

(4) Effect of election: Section 22 (d) (6) (D) (relating to irrevocable effect of election) is amended by striking out "for subsequent taxable years" and inserting in lieu thereof "for prior and subsequent taxable years."

(5) Taxes affected by adjustment: Section 22 (d) (6) (E) (relating to adjustment with respect to closed years) is amended by striking out "Subchapter (E) of."

(b) Effective date: The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1940.

The amendment was agreed to.

The next amendment was, on page 36, after line 4, to insert:

Sec. 108. Partially worthless bad debts.

(a) In general: The first sentence of section 23 (k) (1) (relating to deductions for bad debts) is amended to read as follows: "Debts which become worthless within the taxable year; or (in the discretion of the Commissioner) a reasonable addition to a reserve for bad debts; and when satisfied that a debt is recoverable only in part, the Commissioner may allow such debt, in an amount not in excess of the part charged off within the taxable year as a deduction."

(b) Years to which applicable. The amendment made by this section shall be effective with respect to taxable years beginning after December 31, 1938.

The amendment was agreed to.

The next amendment was, on page 36, after line 16, to insert:

Sec. 109. Corporate contributions to veterans' organizations.

Section 23 (q) (relating to charitable and other contributions by corporations) is amended (a) by inserting "veteran rehabilitation service," after "scientific," in paragraph (2), (b) by inserting "or" at the end to paragraph (2), and (c) by inserting after paragraph (2) the following new paragraph:

"(3) Posts or organizations of war veterans, or auxiliary units of, or trusts or foundations for, any such posts or organizations, if such posts, organizations, units, trusts, or foundations are organized in the United States or any of its possessions, and if no part of their net earnings inure to the benefit of any private shareholder or individual;".

The amendment was agreed to.

The next amendment was, on page 38, after line 3, to insert:

Sec. 111. Credit for dividends paid on preferred stock of public utilities.

(a) Dividends unpaid and accumulated: Section 26 (h) (1) (relating to credit for dividends paid on certain preferred stock) is amended by inserting at the end of the first sentence thereof the following: "For the purposes of the credit provided in this subsection the amount of dividends paid shall not include any amount distributed in the current taxable year with respect to dividends unpaid and accumulated in any taxable year ending prior to October 1, 1942. Amounts distributed in the current taxable year with respect to dividends unpaid and accumulated for a prior taxable year shall for the purposes of this paragraph be deemed to be distributed with respect to the earliest year or years for which there are dividends unpaid and accumulated."

(b) Stock issued to replace existing securities: Section 26 (h) (2) (B) (defining "preferred stock") is amended by inserting at the end thereof the following: "stock issued on or after October 1, 1942, shall be deemed for the purposes of this paragraph to have been issued prior to October 1, 1942, if it was issued (including issuance either by the same or another corporation in a transaction which is a reorganization, as defined in section 112 (g) (1), or a transaction to which section 112 (b) (9) is applicable, or which is a transaction subject to Supplement R) to refund or replace bonds or debentures issued prior to October 1, 1942, or to refund or replace other preferred stock (including stock which is preferred stock by reason of this sentence), but only to the extent that the par or stated value of the new stock does not exceed the par, stated, or face value of the bonds or debentures issued prior to October 1, 1942, or the other preferred stock, which such new stock is issued to refund or replace. The determination of whether stock was issued to refund or replace bonds or debentures issued prior to October 1, 1942, or to refund or replace other preferred stock, shall be made under regulations prescribed by the Commissioner with the approval of the Secretary."

Mr. BARKLEY. Mr. President, I ask that the first paragraph of the amendment on page 38, after line 3, paragraph (a), go over temporarily. It may have some connection with the amendment on page 96. I ask unanimous consent that paragraph (a) of the amendment be passed over temporarily.

Mr. GEORGE. That is agreeable, Mr. President.

The PRESIDING OFFICER. Without objection, the first paragraph of the amendment, paragraph (a), will go over.

Without objection, lines 4 and 5 of the amendment on page 38 will be agreed to, as well as paragraph (b).

The clerk will state the next committee amendment.

The next amendment was, in section 112, on page 40, line 11, after the word "organization", to strike out "duly exempted by ruling of the Commissioner under" and insert "exempt under."

The amendment was agreed to.

The next amendment was, on page 40, line 14, after the word "organization", to strike out "duly exempted by ruling of the Commissioner under" and insert "exempt under"; in line 16, after the word "organization", to insert "normally"; and, in line 17, after the word "and", where it occurs the second time, to insert "normally."

The amendment was agreed to.

The next amendment was, on page 40, line 21, after the word "charitable", to strike out "organization" and insert "organization, or an organization for the prevention of cruelty to children or animals"; and, in line 23, after the amendment just above stated, to strike out "duly exempted by ruling of the Commissioner under" and insert "exempt under."

The amendment was agreed to.

The next amendment was, on page 41, line 5, after the word "organization", to strike out "duly exempted by ruling of the Commissioner under" and insert "exempt under", and, in line 9, after the word "paragraph", to strike out "(1)." and insert "(1); or."

The amendment was agreed to.

The next amendment was, on page 41, after line 9, to insert:

(5) which is an organization exempt under section 101 (3); or.

The amendment was agreed to.

The next amendment was, on page 41, after line 11, to insert:

(6) which is an organization exempt under section 101 (15) if such organization is a corporation wholly owned by the United States or any agency or instrumentality thereof, or a wholly owned subsidiary of such a corporation.

The amendment was agreed to.

The next amendment was, on page 41, after line 19, to insert:

Sec. 113. Penalties in connection with estimated tax.

(a) In general: Section 294 (relating to additions to the tax) is amended by striking out paragraphs (3), (4), and (5) of subsection (a) and inserting at the end thereof the following:

"(d) Estimated tax:

"(1) Failure to file declaration or pay installment of estimated tax: In the case of—

"(A) A failure to make and file a declaration of estimated tax within the time prescribed, unless such failure is shown to the satisfaction of the Commissioner to be due to reasonable cause and not to willful neglect, there shall be added to the tax 5 percent of each installment due but unpaid, and in addition, with respect to each such installment due but unpaid, 1 percent thereof for each month or fraction thereof during which such installment remains unpaid. For the purposes of this subparagraph each installment shall be considered to be an amount equal to 20 percent of the tax.

"(B) A failure to pay an installment of the estimated tax within the time prescribed, unless such failure is shown to the satisfaction of the Commissioner to be due to reasonable cause and not to willful neglect, there shall be added to the tax 5 percent of the unpaid amount of such installment, and in addition 1 percent of such unpaid amount for each month or fraction thereof during which such amount remains unpaid. This subparagraph shall not apply with respect to any period with respect to which subparagraph (A) is applicable.

In no event shall the aggregate addition to the tax under this paragraph with respect to any installment due but unpaid, exceed 10 percent of the unpaid portion of such installment.

"(2) Substantial underestimate of estimated tax: If 80 percent of the tax (determined without regard to the credits under sections 32 and 35), in the case of individuals other than farmers exercising an election under section 60 (a), or 66⅔ percent of such tax so determined in the case of such farmers, exceeds the estimated tax (increased by such credits), there shall be added to the tax an amount equal to such excess, or equal to 6 percent of the amount by which such tax so determined exceeds the estimated tax so increased, whichever is the lesser. This paragraph shall not apply to the taxable year in which falls the death of the taxpayer, nor, under regulations prescribed by the Commissioner with the approval of the Secretary, shall it apply to the taxable year in which the taxpayer makes a timely payment of estimated tax within each quarter of such year (or in the case of farmers exercising an election under section 60 (a), within the last quarter) in an amount at least as great as though computed on the basis of the net income of the taxpayer shown on his return for the preceding taxable year, at the rates applicable to the taxable year."

(b) Technical amendment: Section 60 (b) (relating to the application of declarations of estimated tax to short taxable years) is amended by striking out "294 (a) (3), (4), and (5)" and inserting in lieu thereof "294 (d)."

(c) Taxable years to which applicable: The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1942.

The amendment was agreed to.

The next amendment was, on page 44, after line 10, to strike out:

Sec. 113. Back pay attributable to prior years.

(a) In general. Chapter 1 is amended by inserting after section 109 the following:

"Sec. 110. Back pay attributable to prior years.

"If during the taxable year there is received or accrued by an individual any amount as back pay—

"(a) arising out of any alleged unfair labor practice of his employer under the National Labor Relations Act, or

"(b) arising out of any alleged violation of section 6 or 7 of the Fair Labor Standards Act of 1938, or

"(c) arising out of any retroactive wage increase provided for by the National War Labor Board,

any part of which is determined under regulations prescribed by the Commissioner with the approval of the Secretary to be attributable to one or more prior taxable years, the tax attributable to such amount shall not be greater than the aggregate of the taxes attributable to such amount had the portion attributable to the prior taxable year been included in gross income for such prior taxable year, or if it is attributable to more than one prior taxable year, had the respective portions thereof attributable to such prior taxable years been included in gross income for such respective prior taxable years."

(b) Taxable years to which applicable: The amendment made by subsection (a) shall be effective with respect to taxable years beginning after December 31, 1940.

Mr. VANDENBERG. Mr. President, this section and the following one are unrelated. The insertion is not in lieu of the deletion. I am inclined to think that the committee may have erred in proposing to strike out section 113. I suggest that it be passed for the time being.

Mr. GEORGE. Mr. President, it is agreeable to pass it over. However, I should like to make a statement to the Senator from Michigan. By striking it out, the whole thing would be in conference, and it would be wide open, so that the employees of the railways who were not originally included, as I recall, might have provision for them included in conference, if the section were restored.

Mr. VANDENBERG. Mr. President, what the able senior Senator from Georgia says is correct. Of course, if the section is restored, the railway labor employees should be included; but on the basis of further information which has come to me, I think there is a very real case to be made in respect to some other factors involved in this section.

Mr. GEORGE. I shall be glad to check it over.

The PRESIDING OFFICER. The amendment will be passed over. The next amendment will be stated.

The next amendment was, on page 45, after line 12, to insert:

Sec. 114. Election as to recognition of gain in certain corporate liquidations.

(a) In general: Section 112 (d) (relating to certain exchanges of property) is amended by inserting after paragraph (6) the following:

"(7) Election as to recognition of gain in certain corporate liquidations.—

"(A) General rule: In the case of property distributed in complete liquidation of a domestic corporation, if—

"(i) the liquidation is made in pursuance of a plan of liquidation adopted after the date of the enactment of the Revenue Act of 1943, whether the taxable year of the corporation began on, before, or after January 1, 1944; and

"(ii) the distribution is in complete cancelation or redemption of all the stock, and the transfer of all the property under the liquidation occurs within some one calendar month in 1944—

then in the case of each qualified electing shareholder (as defined in subparagraph (C)) gain upon the shares owned by him at the time of the adoption of the plan of liquidation shall be recognized only to the extent provided in subparagraphs (E) and (F).

"(B) Excluded corporation: The term 'excluded corporation' means a corporation which at any time between December 10, 1943, and the date of the adoption of the plan of liquidation, both dates inclusive, was the owner of stock possessing 50 percent or more of the total combined voting power of all classes of stock entitled to vote on the adoption of such plan.

"(C) Qualified electing shareholders: The term 'qualified electing shareholder' means a shareholder (other than an excluded corporation) of any class of stock (whether or not entitled to vote on the adoption of the plan of liquidation) who is a shareholder at the time of the adoption of such plan, and whose written election to have the benefits of subparagraph (A) has been made and filed in accordance with subparagraph (D), but—

"(i) in the case of a shareholder other than a corporation, only if written elections have been so filed by shareholders (other than corporations) who at the time of the adoption of the plan of liquidation are owners of stock possessing at least 80 percent of the total combined voting power (exclusive of voting power possessed by stock owned by corporations) of all classes of stock entitled to vote on the adoption of such plan of liquidation; or

"(ii) in the case of a shareholder which is a corporation, only if written elections have been so filed by corporate shareholders (other than an excluded corporation) which at the time of the adoption of such plan of liquidation are owners of stock possessing at least 80 percent of the total combined voting power (exclusive of voting power possessed by stock owned by an excluded corporation and by shareholders who are not corporations) of all classes of stock entitled to vote on the adoption of such plan of liquidation.

"(D) Making and filing of elections: The written elections referred to in subparagraph (C) must be made and filed in such manner as to be not in contravention of regulations prescribed by the Commissioner with the approval of the Secretary. The filing must be within 30 days after the adoption of the plan of liquidation, and may be by the liquidating corporation or by the shareholder.

"(E) Noncorporate shareholders: In the case of a qualified electing shareholder other than a corporation—

"(i) there shall be recognized, and taxed as a dividend, so much of the gain as is not in excess of his ratable share of the earnings and profits of the corporation accumulated after February 28, 1913, such earnings and profits to be determined as of the close of the month in which the transfer in liquidation occurred under subparagraph (A) (ii), but without diminution by reason of distributions made during such month; but by including in the computation thereof all amounts accrued up to the date on which the transfer of all the property under the liquidation is completed; and

"(ii) There shall be recognized, and taxed as short-term or long-term capital gain, as the case may be, so much of the remainder of the gain as is not in excess of the amount by which the value of that portion of the assets received by him which consists of money, or of stock or securities acquired by the corporation after December 10, 1943, exceeds his ratable share of such earnings and profits.

"(F) Corporate shareholders: In the case of a qualified electing shareholder which is a corporation the gain shall be recognized only to the extent of the greater of the two following—

"(i) The portion of the assets received by it which consists of money, or of stock or securities acquired by the liquidating corporation after December 10, 1943; or

"(ii) Its ratable share of the earnings and profits of the liquidating corporation accumulated after February 28, 1913, such earnings and profits to be determined as of the close of the month in which the transfer in liquidation occurred under subparagraph (A) (ii), but without diminution by reason of distributions made during such month; but by including in the computation thereof all amounts accrued up to the date on which the transfer of all the property under the liquidation is completed; and."

(b) Basis: Section 113 (a) (18) (relating to basis of property received in certain corporate liquidations) is amended by inserting after "paragraph (7) of section 112 (b)" the following: "of this chapter or."

(c) Effective date: The amendments made by subsections (a) and (b) shall be applicable with respect to taxable years ending after December 31, 1943.

The amendment was agreed to.

The next amendment was, on page 50, after line 10, to insert:

Sec. 115. Reorganization of certain insolvent corporations.

(a) Nonrecognition of gain or loss on certain reorganizations: Section 112 (b) (9) (relating to recognition of gain or loss in certain reorganizations) is amended to read as follows:

"(9) Gain or loss not recognized on reorganization of corporations in certain receivership and bankruptcy proceedings—

"(A) In general: No gain or loss shall be recognized if property of a corporation is transferred, in a taxable year of such corporation beginning after December 31, 1933, in pursuance of an order of the court having jurisdiction of such corporation—

"(i) in a receivership, foreclosure, or similar proceeding; or

"(ii) in a proceeding under section 77, section 77B, or chapter X of the National Bankruptcy Act, as amended,

to another corporation organized or made use of to effectuate a plan of reorganization approved by the court in such proceeding, in exchange solely for stock or securities in such other corporation.

"(B) Reorganization by adjustment of capital and debt structure of an existing corporation: Where a plan of reorganization of a corporation, approved by the court in a proceeding described in subparagraph (A) (i) or (ii) is consummated by adjustment of the capital or debt structure of such corporation, then notwithstanding its assets have not been transferred to another corporation, for all purposes of this chapter and chapter 2, such corporation upon the consummation of such plan shall be considered to be a new corporation organized to effectuate such plan, and its assets shall be considered to have been acquired upon such reorganization from the corporation which was reorganized solely for stock or securities or for stock or securities plus an assumption of other liabilities. This paragraph shall not apply if 50 percent or more of the total combined voting power of all classes of stock of the corporation after reorganization exists in the persons who were shareholders of the corporation immediately before the reorganization, by reason of a continuing equity in the assets of the corporation attributable to such shareholders solely by reason of their ownership of stock.

"(C) Nonapplication of other provisions: Paragraphs (1) to (8) shall not apply to any transaction within the provisions of this paragraph."

(b) Recognition of gain or loss of security holders in connection with certain corporate reorganizations: Section 112 (relating to recognition of gain or loss) is amended by inserting at the end thereof the following:

"(l) Exchanges by security holders in connection with certain corporate reorganizations: The acquisition, in connection with a transaction to which subsection (b) (9) is applicable, of stock or securities in a corporation organized or made use of to effectuate a plan of reorganization approved by the court in a proceeding described in subsection (b) (9) (A) (i) or (ii) and the relinquishment or extinguishment in connection therewith of stock, securities, or other obligations of the corporation whose property is transferred in such proceeding to the corporation so organized or made use of shall be deemed an exchange, gain or loss shall be recognized upon such exchange, and subsection (b) (2), (3), and (5) shall not apply thereto; except that if such exchange occurred in a taxable year of the person acquiring such stock or securities beginning prior to January 1, 1943, under regulations prescribed by the Commissioner with the approval of the Secretary gain or loss shall be recognized or not recognized—

"(1) to the extent that it was recognized or not recognized in the final determination of the tax of such person for such taxable year, if such tax was finally determined prior to the ninetieth day after the date of the enactment of the Revenue Act of 1943; or

"(2) in cases to which paragraph (1) is not applicable, to the extent that it would be recognized or not recognized under the latest treatment of such exchange by such person prior to December 15, 1943, in connection with his tax liability for such taxable year."

(c) Basis: Section 113 (a) (relating to basis of property) is amended by striking out paragraphs (20) and (21) and inserting in lieu thereof the following:

"(20) Property acquired on reorganization of certain corporations: If the property was acquired by a corporation upon a transfer to which section 112 (b) (9) is applicable, then, notwithstanding the provisions of section 270 of the National Bankruptcy Act, as amended, the basis in the hands of the acquiring corporation shall be the same as it would be in the hands of the corporation whose property was so acquired, increased in the amount of gain recognized to the corporation whose property was so acquired under the law applicable to the year in which the acquisition occurred or is deemed to have occurred.

"(21) Basis of certain securities acquired in taxable years beginning prior to January 1, 1943, in connection with certain corporate reorganizations: If stock or securities are acquired in an exchange to which section 112 (l) is applicable, and any part of the gain or loss upon such exchange is not recognized by reason of section 112 (l), under

regulations prescribed by the Commissioner with the approval of the Secretary the basis of such stock or securities shall be determined as if paragraph (6) of this subsection were applicable."

(d) Technical amendments:

(1) Section 112 (d) (relating to gain of corporation) is amended by inserting after "subsection (b) (4)" the following: "or (9)."

(2) Section 112 (e) (relating to loss from exchanges not solely in kind) is amended by inserting after "subsection (b) (1) to (5), inclusive," the following: "or (9)."

(3) So much of section 112 (g) (defining "reorganization") as precedes paragraph (1) is amended to read as follows:

"(g) Definition of reorganization: As used in this section (other than subsection (b) (9) and subsection (l)) and in section 113 (other than subsection (a) (20) and (21))—."

(4) Section 112 (k) (relating to assumption of liability) is amended by striking out "subsection (b) (4) or (5)" wherever appearing therein and inserting in lieu thereof the following: "subsection (b) (4), (5), or (9)."

(5) Section 22 (b) (10) (relating to income from discharge of indebtedness of a railroad corporation) is amended to read as follows:

"(10) Income from discharge of indebtedness in certain corporate reorganizations: The amount of any income attributable to the discharge, within the taxable year, of any indebtedness of a corporation, to the extent that such income is deemed to have been realized by reason of a modification in or cancelation in whole or in part of such indebtedness in a transaction to which section 112 (b) (9) is applicable. In such case the amount of any income of the taxpayer attributable to any unamortized premium (computed as of the first day of the taxable year in which such discharge occurred) with respect to such indebtedness shall not be included in gross income and the amount of the deduction attributable to any unamortized discount (computed as of the first day of the taxable year in which such discharge occurred) with respect to such indebtedness shall not be allowed as a deduction. Paragraph (9) shall not apply with respect to any discharge of indebtedness to which this paragraph applies."

(e) Cross reference to Bankruptcy Act.—Sections 268 and 270 of the Bankruptcy Act of July 1, 1898, as amended, are amended by inserting at the end of each such section the following: "(For provisions limiting applicability of this section, see section 115 of the Revenue Act of 1943)."

(f) Effective date: The amendment made by subsection (a), the amendment of section 113 (a) (20) of the Internal Revenue Code made by subsection (c), and the amendments made by subsection (d), shall be effective as if they were a part of the Internal Revenue Code, the Revenue Act of 1938, the Revenue Act of 1936, and the Revenue Act of 1934, on the date of its enactment, except that this subsection shall not affect any tax liability for any taxable year beginning prior to January 1, 1940. The amendment made by subsection (b) and the amendment of section 113 (a) (21) of the Internal Revenue Code made by subsection (c) shall be effective as if they were a part of the Internal Revenue Code, the Revenue Act of 1938, the Revenue Act of 1936, the Revenue Act of 1934, and the Revenue Act of 1932, on the date of its enactment.

Mr. JOHNSON of Colorado. Mr. President, I should like to have the amendment relating to the insertion of section 115 go over. We are endeavoring to work out some further amendments to that section.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Colorado?

Mr. GEORGE. No objection, Mr. President. I think it should go over.

The PRESIDING OFFICER. The amendment will be passed over.

The clerk will state the next amendment.

The next amendment was, on page 57, after line 7, to insert:

Sec. 116. Gain from sale or exchange of property pursuant to orders of Federal Communications Commission.

(a) In general: Section 112 is amended by adding at the end thereof a new subsection, as follows:

"(m) Gain from sale or exchange pursuant to orders of Federal Communications Commission: The sale or exchange of property required by the Federal Communications Commission by order or as a condition to the granting of any application for a construction permit, for the transfer of control, or for the assignment or renewal of any license, shall, if the taxpayer elects to have the benefits of this section, be treated as an involuntary conversion of such property subject to subsection (f) and the part of the gain, if any, which is recognized after the application of such subsection shall nevertheless not be recognized to the extent that it is applied to reduce the basis for determining loss upon sale or exchange of property, of a character subject to the allowance for depreciation under section 23 (l), remaining in the hands of the taxpayer immediately after the sale or exchange, or acquired in the same taxable year. The manner and amount of such reduction shall be determined under regulations prescribed by the Commissioner with the approval of the Secretary. The election of the taxpayer to have the benefits of this subsection shall be made by a statement to that effect in his return for the taxable year in which the sale or exchange takes place (or, with respect to taxable years beginning before January 1, 1944, by a statement to that effect filed within 6 months after the effective date of the Revenue Act of 1943 in such manner and form as may be prescribed by regulations prescribed by the Commissioner with the approval of the Secretary) and such election shall be binding for all subsequent taxable years."

(b) Taxable years to which applicable: The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1942.

The amendment was agreed to.

The next amendment was, on page 58, line 9, to change the section number from 114 to 117; in line 21 (in the heading), after the word "Mica", to insert "Talc,"; on page 59, line 5 (in the heading), after the word "Mica", to insert "Talc," in line 10, after the word "mica" to insert "talc."

The amendment was agreed to.

The next amendment was, on page 59, in line 11, before the word "ball", to insert "potash."

Mr. HATCH. Mr. President, on page 59, line 11, I have a clarifying amendment which I should like to offer at this point, and I would ask the Senator from Georgia to take it to conference, together with two or three others of the same nature. The amendments are technical in term, and I would ask to have them agreed to.

The first amendment is, on page 59, in line 11, to strike out the word "potash"; and in line 12, before the numerals "15", to insert "and potash mines or deposits."

If the Senator desires to have me explain the amendments, I shall be glad to do so.

Mr. GEORGE. That is not necessary.

The PRESIDING OFFICER. The question should be put, not on striking out the proposed committee amendment, but on agreeing to the amendment.

Mr. GEORGE. Mr. President, I think this amendment should be rejected, because it arises out of the failure to carry to line 11 the other descriptive terms which were originally included in line 13.

Mr. HATCH. The Senator is correct. My amendment is purely a technical one. There was a clerical error.

Mr. VANDENBERG. Mr. President, the amendment would not raise the amount of the percentage; would it?

Mr. GEORGE. Not at all.

Mr. HATCH. Not at all.

Mr. WHITE. Mr. President, I should like to ask a question. Is the proposal to strike out the word "potash" in line 11?

Mr. HATCH. My proposal is to have the committee amendment rejected, and at another point to insert the words "and potash mines or deposits." The amendment is purely a matter of technical draftsmanship; that is all.

Mr. WHITE. And to insert the same word at another place; is that correct?

Mr. HATCH. Yes.

Mr. GEORGE. That is correct—to insert it at another point.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 59, line 11.

The amendment was rejected.

The PRESIDING OFFICER. The amendment offered by the Senator from New Mexico will be stated.

The CHIEF CLERK. On page 59, in line 12, before the numerals "15", it is proposed to insert "and potash mines or deposits."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico.

The amendment was agreed to.

The next amendment was, on page 59, in line 12, after the word "sulphur", to strike out "or potash", and in line 21, after the word "mica", to insert "talc."

The amendment was agreed to.

The next amendment was, on page 59, after line 21, to insert:

(c) Definition of gross income from the property: Section 114 (b) (4) is amended by adding at the end thereof the following:

"(B) Definition of gross income from property: As used in this paragraph the term 'gross income from the property' means the gross income from mining. The term 'mining,' as used herein, shall be considered to include not merely the extraction of the ores or minerals from the ground but also the ordinary treatment processes normally applied by mine owners or operators in order to obtain the commercially marketable mineral product or products. The term 'ordinary treatment processes,' as used herein, shall include the following: (i) In the case of coal—cleaning, breaking, sizing, and loading for shipment; (ii) in the case of sulfur—pumping to vats, cooling, breaking, and loading for shipment; (iii) in the case of iron ore, bauxite, ball and sagger clay, rock asphalt, and minerals which are customarily sold in the form of a crude mineral product—sorting, concentrating, and sintering to bring to shipping grade and form, and loading for shipment; and (iv) in the case of lead, zinc, copper, gold, silver, or fluorspar

ores, and ores which are not customarily sold in the form of the crude mineral product—crushing, grinding, and beneficiation by concentration (gravity, flotation, amalgamation, electrostatic, or magnetic), cyanidation, leaching, precipitation (but not including electrolytic deposition), or by substantially equivalent processes or combination of processes used in the separation or extraction of the product or products from the ore, including the furnacing of quicksilver ores. In the determination of such gross income from mining, there shall be excluded the costs of any process or service which does not constitute an ordinary treatment process. The principles of this subparagraph shall also be applicable in determining gross income attributable to mining for the purposes of sections 731 and 735."

Mr. HATCH. Mr. President, I send to the desk an amendment to the committee amendment, which I offer and ask to have stated. It has the same purpose, that of merely clarifying and correcting what appear to be technical errors.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The CHIEF CLERK. To the committee amendment, on page 60, in line 21, before the word "and", it is proposed to insert the word "potash."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico to the committee amendment.

The amendment to the amendment was agreed to.

Mr. HATCH. Mr. President, I offer and send to the desk another amendment to the committee amendment on page 60. The amendment is of the same nature as the former one. It would merely add the word "crystallization," a change which is a matter of technical wording

The PRESIDING OFFICER. The amendment offered by the Senator from New Mexico to the committee amendment will be stated.

The CHIEF CLERK. At the end of the committee amendment on page 60, in line 25, it is proposed to insert the word "crystallization" and a comma.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Mexico to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended.

The amendment as amended was agreed to.

Mr. GEORGE. Mr. President, in this connection let me say that I may wish to have consideration of the amendment reopened. The Senator from Arkansas [Mr. MCCLELLAN] is interested in it, but he is awaiting a letter from one of the departments. If a letter is presented, I shall ask unanimous consent to have consideration of the amendment reopened.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment was, on page 61, at the beginning of line 13, to strike out "(c)" and insert "(d)", and in line 18, after the numerals "1942" and the period, to insert "The amendment made by subsection (c) shall be effective as if it were a part of the Internal Revenue Code, the Revenue Act of 1938, the Revenue Act of 1936, the Revenue Act of 1934, and the Revenue Act of 1932, on the date of its enactment."

The amendment was agreed to.

The next amendment was, on page 61, line 25, before the word "and", where it occurs the second time, to insert "(except as they relate to potash)."

Mr. THOMAS of Oklahoma. Mr. President, I have pending an amendment to the bill as passed by the House. In making up the Senate committee version of the bill the page numbers have been changed, so my amendment does not fit the Senate committee version of the bill as it now appears before us.

I offer the following amendment: In House bill 3687 to strike out all of subsection (d), found on page 61, in lines 23, 24, and 25, and on page 62, found in lines 1 to 11, inclusive.

In the House bill provisions as to certain minerals were inserted. By them it is proposed to give such mineral deposits a depletion allowance of 15 percent. Further on in the bill provision is made that such depletion allowance shall terminate after the close of the present war. If that should happen, it would include three minerals which were added to the tax structure in former tax bills. I believe the three items which were added in the former tax bill were ball and sagger clay, proposed by the Senator from Tennessee [Mr. MCKELLAR]; fluor spar, supported by numerous Senators, and the mineral known as rock asphalt, which is found in Alabama, Kentucky, my own State, and a number of other States.

These minerals do not accumulate, Mr. President. They are found, and when they are taken from the earth they are gone. They are in the same situation as oil, gas, or other minerals such as coal, potash, or sulfur. If the depletion principle is sound, it should be applied to the minerals which I have mentioned. So I wish to enter a motion to strike out the subsection referred to. I will ask that the motion be passed over until I can have an opportunity to put it in better form and bring it up for formal consideration, if that is agreeable.

Mr. GEORGE. That is agreeable. As I understand the Senator, he wishes to have a permanent depletion allowance made in the case of all these minerals and metals.

Mr. THOMAS of Oklahoma. That is the force and effect of my amendment, if it should be agreed to.

Mr. GEORGE. Not merely limiting the depletion allowance to the duration of the war?

Mr. THOMAS of Oklahoma. That is exactly the force of my amendment. If it is agreeable to have the amendment acted upon and taken to conference, I should like to have the reaction of the House conferees and the Senate conferees on this specific point. That would serve my purpose, if that agreement can be made.

Mr. GEORGE. Mr. President, I suggest that the amendment be passed over for the time being.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. LUCAS. As I understand, the Senator is now asking only that the amendment be passed over until some future time, when action can be taken.

Mr. THOMAS of Oklahoma. I suggested that if the amendment could be accepted and taken to conference, that would serve my purpose. Then the amendment could be given specific consideration by the House conferees and the Senate conferees. However, the chairman of the committee suggests that the amendment be passed over for the time being, and come up later for specific consideration on its merits.

Mr. LUCAS. I certainly hope the able chairman of the committee will accept the amendment.

Mr. GEORGE. I might be disposed to do so at this time; but this is really an amendment to the House text, and I suggest that it be passed over for the time being.

Mr. HATCH. Mr. President, some time ago I submitted an amendment and asked that it be referred to the Committee on Finance. It related primarily to potash. The committee adopted a part of the amendment which I submitted. However, the amendment which I submitted included two sections. I did not argue before the committee the second section, which reads as follows:

(e) Income from potash mines or deposits: Section 114 (b) (4) is amended by adding at the end thereof the following sentence: "In the case of potash, whether extracted from a mine or from a brine or other deposit, there shall be included in gross and net income from the property the income from other minerals or mineral salts extracted therefrom."

I offered that amendment at the request of the Trona company, which operates a brine process in California. I did not know anything about it, but I said I would offer it for the consideration of the committee, and when I appeared before the committee I did not argue that part of the amendment. I suggested, inasmuch as I had not argued it, that the committee act in executive session upon it. I still know very little about the merits of this amendment, but I think, in justice to the people interested, I should ask the Senator from Georgia if he would be willing to accept that part of the amendment, take it to conference, and go over it with the House conferees, with the view of inserting it at the proper place in the bill. I make no recommendation, but I feel that I should offer the amendment.

Mr. GEORGE. As I understand, there are only three or four companies producing potash in the United States.

Mr. HATCH. That is correct. I am familiar with the mines.

Mr. GEORGE. This is not a mining process.

Mr. HATCH. This is a brine process. I do not know anything about it. That is the reason I did not argue it before the committee. Someone else was supposed to present it. He is not here. If the Senator is willing to take it to conference and obtain information about it, that will serve my purpose.

Mr. GEORGE. Obviously, if one producer of potash is to be given a depletion allowance, it should be given to all producers.

Mr. HATCH. I think so; but this relates to a process with which I am not familiar.

Mr. GEORGE. I am not familiar with it. I am willing to take it to conference, with the understanding that we shall there have the right fully to examine it.

Mr. HATCH. That is satisfactory.

The PRESIDING OFFICER. The amendment offered by the Senator from New Mexico will be stated.

The CHIEF CLERK. On page 62, after line 11, it is proposed to insert the following new subsection:

(e) Income from potash mines or deposits. Section 114 (b) (4) is amended by adding at the end thereof the following sentence: "In the case of potash, whether extracted from a mine or from a brine or other deposit, there shall be included in gross and net income from the property the income from other minerals or mineral salts extracted therefrom."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Mexico [Mr. HATCH].

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 61, line 25.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, on page 62, after line 11, to insert:

Sec. 118. Exclusion from gross income of certain cost-of-living allowances paid to civilian officers and employees of the Government stationed outside continental United States.

(a) In general: Section 116 (relating to exclusions from gross income) is amended by adding at the end thereof a new subsection to read as follows:

"(j) In the case of a clerk or employee in the Foreign Service of the United States, amounts received as cost-of-living allowances under authority of section 3, as amended, of the act of February 23, 1931; and in the case of an ambassador, minister, diplomatic, consular, or Foreign Service officer, amounts received as post allowances under the authority of section 12, as amended and renumbered, of the act of May 24, 1924; and in the case of other civilian officers or employees of the Government of the United States stationed outside continental United States, amounts received as cost-of-living allowances in accordance with regulations approved by the President."

(b) Taxable years to which applicable: The amendment made by subsection (a) shall be applicable with respect to taxable years beginning after December 31, 1942.

The amendment was agreed to.

Mr. LUCAS. Mr. President, I should like to ask the distinguished chairman of the committee whether the Senate has passed on section 112 on page 39 of the bill, dealing with returns by organizations exempt from taxation.

Mr. GEORGE. Mr. President, as I recall, that was passed on.

Mr. LUCAS. Mr. President, I regret that I was not present when that section was considered.

Mr. GEORGE. Only the committee amendments were agreed to. Subsequently if there is any objection to the general provision made by the House, of course it can be considered.

Mr. LUCAS. Only the committee amendments have been agreed to?

Mr. GEORGE. That is correct.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment was, on page 63, after line 9, to insert:

Sec. 119. Loss on sale or exchange of securities of certain railroad company subsidiaries.

Section 117 (a) (1) (defining "capital assets") is amended by inserting at the end thereof the following: "In the case the taxpayer is (A) a corporation whose principal business is that of a common carrier by railroad or (B) a corporation the assets of which consist principally of stock in such corporations and which does not of itself operate a business other than that of a common carrier by railroad, the term 'capital assets' does not include stock or securities of any other corporation subject to part I of the Interstate Commerce Act: *Provided*, That the same are held by the taxpayer pursuant to due authorization by public authority if and so far as such authorization is required by law. For the purpose of determining under the preceding sentence whether the principal business of a corporation is that of a common carrier by railroad, if a common carrier by railroad has leased its railroad properties and such properties are operated as such by another common carrier by railroad, the business of receiving rents for such railroad properties shall be considered as the business of a common carrier by railroad."

The amendment was agreed to.

The next amendment was, on page 64, after line 6, to insert:

Sec. 120. Alternative taxes relating to capital gains and losses of corporations.

The first sentence of section 117 (c) (1) is amended by striking out "and 500" and inserting in lieu thereof "500, and 600."

Mr. GEORGE. Mr. President, I ask that that amendment be passed over temporarily. There is some question about it, and I have not had an opportunity to look into it.

The PRESIDING OFFICER. Without objection, the amendment will be passed over.

The clerk will state the next committee amendment.

The next amendment was, on page 64, after line 11, to insert:

Sec. 121. Gain or loss upon the cutting of timber.

(a) In general: Section 117 (relating to capital gains and losses) is amended by inserting at the end thereof the following new subsection:

"(k) Gain or loss upon the cutting of timber.—

"(1) If the taxpayer so elects upon his return for a taxable year the cutting of timber during such year by the taxpayer who owns, or has a contract right to cut, such timber (providing he has owned such timber or has held such contract right for a period of more than 6 months prior to the beginning of such year) shall be considered as a sale or exchange of such timber cut during such year, and for the purposes of subsection (j) such timber shall be considered 'property used in the trade or business' of the taxpayer. In case such election has been made, gain or loss to the taxpayer shall be recognized in an amount equal to the difference between the adjusted basis for depletion of such timber in the hands of the taxpayer and the fair market value of such timber. Such fair market value shall be the fair market value as of the first day of the taxable year in which such timber is cut, and shall thereafter be considered as the cost of such cut timber to the taxpayer for all purposes for which such cost is a necessary factor. If a taxpayer makes an election under this paragraph such election shall apply with respect to all timber which is owned by the taxpayer or which the taxpayer has a contract right to cut and shall be binding upon the taxpayer for the taxable year for which the election is made and for all subsequent years, unless the Commissioner, on showing of undue hardship, permits the taxpayer to revoke his election; such revocation, however, shall preclude any further elections under this paragraph except with the consent of the Commissioner.

"(2) In the case of the disposal of timber (held for more than 6 months prior to such disposal) by the owner thereof under any form or type of contract by virtue of which the owner retains an economic interest in such timber, the difference between the amount received for such timber and the adjusted depletion basis thereof shall be considered as though it were a gain or loss, as the case may be, upon the sale of such timber, and for the purposes of subsection (j) such timber shall be considered 'property used in the trade or business' of the owner."

(b) Technical amendment: Section 117 (j) (1) (relating to gains and losses from involuntary conversion and from the sale or exchange of certain property used in the trade or business) is amended by inserting immediately before the period at the end thereof: ", and timber as provided in subsection (k)."

(c) Effective date: The amendments made by subsections (a) and (b), to the extent that they relate to the disposal of timber by the owner under subsection (k) (2) of section 117 of the Internal Revenue Code, and section 117 (j) as amended by subsection (b), to the extent it relates to such disposal, shall be effective as if such amendments and such section 117 (j) were a part of the Internal Revenue Code and of each prior revenue law on the date of its enactment.

The amendment was agreed to.

The next amendment was, on page 67, line 1, to change the section number from 115 to 122; in line 5, after the word "made", to strike out "or availed of", and in the same line, after the word "to", to insert "evade or."

Mr. GEORGE. Mr. President, the junior Senator from Colorado [Mr. MILLIKIN] gave notice that he wished to offer at least one amendment in this section. I do not see him in the Chamber. I ask that all the amendments in section 122 be passed over.

The PRESIDING OFFICER. Without objection, the amendments in section 122 will be passed over.

Mr. WHITE. Mr. President, I understand the amendment on page 64 beginning in line 12 was agreed to. I should like to ask that the vote by which the amendment was agreed to be reconsidered and that it be passed over temporarily. The part to which I have particular reference begins in line 16 on page 64, under the subheading "(k) Gain or loss upon the cutting of timber." The subject is one of great concern to interests in my State, and I should like to have an opportunity to examine into it.

Mr. GEORGE. I may say to the Senator that the language to which he refers has been agreed to. Does the Senator wish to have the vote by which the amendment was agreed to reconsidered?

Mr. WHITE. I do not believe I shall wish to change the language, but I should like to have an opportunity to confer with my colleague regarding it.

Mr. GEORGE. Mr. President, I ask that the vote by which the amendment on page 64 of the bill after line 11 was agreed to be reconsidered and that the matter go over temporarily.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Georgia? Without objection, the vote by which the amendment was agreed to is reconsidered, and the amendment is passed over.

The clerk will state the next amendment of the committee.

The next amendment was on page 69, after line 5, to insert:

Sec. 123. Disallowance of certain deductions attributable to business operated by individual at loss for 5 years.

(a) In general: Supplement B of chapter 1 of the Internal Revenue Code is amended by adding at the end thereof the following new section:

"Sec. 130. Limitation on deductions allowable to individuals in certain cases.

"(a) Recomputation of net income: If the deductions allowable to an individual (except for the provisions of this section) and attributable to a trade or business carried on by him for 5 consecutive taxable years have in each of such years, exceeded the gross income derived from such trade or business, the net income of such individual for each of such years shall be recomputed. For the purpose of such recomputation, such deductions shall be allowed only to the extent of $20,000 plus the gross income attributable to such a trade or business, and no net operating loss deduction shall be allowed.

"(b) Redetermination of tax: Upon the basis of the net income computed under the provisions of subsection (a), the tax imposed by this chapter shall be redetermined for each such taxable year to which this chapter is applicable and any excess thereof, resulting solely from the disallowance of the deductions specified in subsection (a), over the amount of the tax previously determined shall be assessed and collected as a deficiency.

"(c) Suspension of statute of limitations: Notwithstanding the provisions of section 275, any deficiency determined under subsection (b) for a taxable year preceding the fifth taxable year referred to in subsection (a) may be assessed within 1 year after the expiration of the time prescribed by law for the assessment of a deficiency for such fifth taxable year."

(b) Effective date of amendment: The amendment made by subsection (a) shall be applicable to taxable years beginning after December 31, 1938, but no deficiency shall be assessed or collected thereunder for any taxable year beginning prior to January 1, 1944.

Mr. GEORGE. Mr. President, I am quite sure the Senator from Kentucky made inquiry about this matter earlier in the day. Does the Senator wish it to go over?

Mr. BARKLEY. Mr. President, in the absence of the Senator from Connecticut [Mr. DANAHER], I think the amendment should be passed over. I believe this amendment was offered by him in the committee.

Mr. GEORGE. That is correct.

Mr. BARKLEY. I think the amendment should go over. I may wish to discuss it. I should like to have it go over until the Senator from Connecticut is present. He will be present later.

The PRESIDING OFFICER. Without objection, the amendment will be passed over.

The clerk will state the next committee amendment.

The next amendment was, on page 70, after line 20, to insert:

Sec. 124. Technical amendments relating to foreign tax credit.

(a) Limit on credit: Section 131 (b) (relating to limitations on credit allowed for taxes of foreign countries and possessions of the United States) is amended to read as follows:

"(b) Limit on credit: The amount of the credit taken under this section shall be subject to each of the following limitations:

"(1) The amount of the credit in respect of the tax paid or accrued to any country shall not exceed, in the case of a taxpayer other than a corporation, the same proportion of the tax against which such credit is taken, which the taxpayer's net income from sources within such country bears to his entire net income for the same taxable year, or in the case of a corporation, the same proportion of the tax against which such credit is taken, which the taxpayer's normal-tax net income from sources within such country bears to its entire normal-tax net income for the same taxable year; and

"(2) The total amount of the credit shall not exceed, in the case of a taxpayer other than a corporation, the same proportion of the tax against which such credit is taken, which the taxpayer's net income from sources without the United States bears to his entire net income for the same taxable year, or, in the case of a corporation, the same proportion of the tax against which such credit is taken, which the taxpayer's normal-tax net income from sources without the United States bears to its entire normal-tax net income for the same taxable year; and

"(3) For the purposes of paragraphs (1) and (2) of this subsection, the terms 'normal-tax net income from sources within such country' and 'normal-tax net income from sources without the United States' shall mean the net income from such sources minus an amount equivalent to the same proportion of the credit provided in section 26 (e) which the taxpayer's excess-profits net income from such sources bears to its entire excess-profits net income for the same taxable year."

(b) Taxes of foreign subsidiary: The first sentence of section 131 (f) (relating to foreign taxes deemed to have been paid by a domestic corporation with respect to the accumulated profits of a foreign subsidiary) is amended to read as follows: "For the purposes of this section, a domestic corporation which owns a majority of the voting stock of a foreign corporation from which it receives dividends in any taxable year shall be deemed to have paid the same proportion of any income, war-profits, or excess-profits taxes paid or deemed to be paid by such foreign corporation to any foreign country or to any possession of the United States, upon or with respect to the accumulated profits of such foreign corporation from which such dividends were paid, which the amount of such dividends bears to the amount of such accumulated profits."

(c) Taxable years to which applicable: The amendment made by subsection (a) shall be effective for all taxable years beginning after December 31, 1941. The amendment made by subsection (b) shall be effective with respect to all taxable years beginning after December 31, 1939.

The amendment was agreed to.

The next amendment was, on page 73, after line 9, to insert:

Sec. 125. Extension of consolidated returns privilege to certain corporations.

Section 141 (e) (relating to the definition of includible corporations) is amended by adding at the end thereof the following new paragraph:

"(7) Any corporation described as in section 725 (a), or in section 727 (e), (g), or (h) (without regard to the exception in the initial clause of sec. 727) but not including such a corporation which has made and filed a consent for the taxable year or any prior taxable year beginning after December 31, 1943, to be treated as an includible corporation. Such consent shall be made and filed at such time and in such manner as may be prescribed by the Commissioner with the approval of the Secretary."

The amendment was agreed to.

The next amendment was, at the top of page 74, to insert:

Sec. 126. Nonresident aliens brought into United States under authority of War Manpower Commission.

Section 143 (b) (relating to withholding tax at source on nonresident alien individuals) is amended by inserting at the end thereof the following: "In respect of the compensation for services performed by nonresident alien individuals brought into the United States under the authority of the War Manpower Commission for temporary employment essential to the war effort and subject to withholding under this subsection, the deduction and withholding shall be at the rate of 10 percent, and there shall be no deduction or withholding under section 1622."

The amendment was agreed to.

The next amendment was, on page 74, after line 13, to insert:

Sec. 127. Relief in the case of excess deductions of estates and trusts.

(a) In general: Section 162 (d), relating to deductions in computing the net income of estates and trusts, is amended by adding at the end thereof the following new paragraph:

"(4) Excess deductions: If for any taxable year of an estate or trust the deductions allowed under subsection (b) or (c) in respect of any income which becomes payable to a legatee, heir, or beneficiary and which would not otherwise be deductible except through the application of paragraph (2) or (3) (A), exceed the net income of the estate or trust (computed without the deductions allowed by subsec. (b) or (c) by reason of par. (2) or (3) (A) of this subsection and without any deductions that would be allowed only if the deductions allowed under subsec. (b) or (c) by reason of par. (2) or (3) (A) were not allowed) for such year, to the extent of such excess the amount of such income shall not be required to be included in computing the net income of such legatee, heir, or beneficiary under subsection (b) or (c). In cases where the amount of such income becomes payable to two or more legatees, heirs, or beneficiaries,

the amount which shall not be required to be included in computing the net income of any such legatee, heir, or beneficiary shall be limited to that proportion of such excess which the amount of such income which becomes payable to such legatee, heir, or beneficiary bears to the aggregate of such income which becomes payable to legatees, heirs, or beneficiaries."

(b) Effective date: The amendment made by subsection (a) shall be effective as if it were a part of section 111 of the Revenue Act of 1942 on the date of its enactment.

Mr. GEORGE. Mr. President, I ask that the amendment go over temporarily. I understand that it may be necessary to revise some of the language.

The PRESIDING OFFICER. Without objection, the amendment will be passed over.

The next committee amendment will be stated.

The next amendment was, on page 75, line 22, to change the section number from 116 to 128; in the same line, after the word "For", to strike out "Maintenance," and insert "Maintenance"; on page 76, line 6, after the word "another", to strike out "person or the trustee" and insert "person, the trustee, or the grantor acting as trustee or cotrustee"; in line 14, after the word "extent", to strike out "that they do not exceed the" and insert "of the"; and in line 17, after the numerals "162", to insert "and which is not otherwise taxable to the grantor."

The amendment was agreed to.

The next amendment was, on page 78, after line 20, to insert the following new section:

Sec. 129. Mutual fire insurance companies issuing perpetual policies.

(a) Taxability under section 204: Section 204 (a) (relating to tax on insurance companies other than life or mutual) is amended as follows:

(1) by inserting in paragraph (1) after "every mutual marine insurance company" the following: "and every mutual fire insurance company exclusively issuing either perpetual policies, or policies for which the sole premium charged is a single deposit which (except for such deduction of underwriting costs as may be provided) is refundable upon cancelation or expiration of the policy";

(2) by inserting in paragraph (2) after "a foreign mutual marine insurance company" the following: "and a foreign mutual fire insurance company described in paragraph (1) of this subsection"; and

(3) by inserting in paragraph (3) after "foreign mutual marine insurance companies" the following: "and foreign mutual fire insurance companies described in paragraph (1) of this subsection."

(b) Gross income: Section 204 (b) (1) (relating to a definition of gross income) is amended by inserting after the semicolon at the end thereof the following: "except that in the case of a mutual fire insurance company described in paragraph (1) of subsection (a) of this section, the amount of single deposit premiums paid to such company shall not be included in gross income;".

(c) Dividends: Section 204 (c) (11) (relating to deduction of dividends paid or declared) is amended by striking out the period at the end of the first sentence thereof and inserting the following: ", except in the case of a mutual fire insurance company described in paragraph (1) of subsection (a) of this section."

(d) Nontaxability under section 207: Section 207 (a) (relating to tax on mutual insurance companies other than life or marine) is amended by inserting after "other than a life or a marine insurance company" and after "other than a life or marine insurance company", wherever appearing therein, the following: "or a fire insurance company subject to the tax imposed by section 204."

(e) Real estate; bond premium and discount: Subsections (c) and (d) of section 207 are amended by striking out "other than life and marine", wherever appearing therein, and inserting in lieu thereof the following: "subject to the tax imposed by this section."

(f) Taxable years to which applicable: The amendments made by this section shall apply with respect to taxable years beginning after December 31, 1941.

The amendment was agreed to.

The next amendment was, at the top of page 81, to strike out:

PART II—WITHHOLDING AT SOURCE ON WAGES

Sec. 150. Years to which applicable.

The amendments made by this part shall be applicable to all wages paid on or after January 1, 1944, except that such amendments shall not be applicable to wages paid during the calendar year 1944 with respect to a pay-roll period beginning before such date.

The amendment was agreed to.

The next amendment was, on page 81, after line 7, to strike out:

Sec. 151. Definitions.

(a) Definitions affecting status for withholding: Section 1621 (g), (h), and (i) are amended to read as follows:

"(g) Married person claiming personal exemption for withholding whose spouse claims none: The term 'married person claiming a personal exemption for withholding whose spouse claims none' means a married person with respect to whom a withholding exemption certificate is in effect under section 1622 (h) stating that for the purposes of this subchapter such person claims a personal exemption for withholding and that for the purposes of this subchapter his spouse claims no personal exemption for withholding.

"(h) Married person claiming personal exemption for withholding whose spouse claims personal exemption for withholding: The term 'married person claiming a personal exemption for withholding whose spouse claims a personal exemption for withholding' means a married person with respect to whom a withholding exemption certificate is in effect under section 1622 (h) stating that for the purposes of this subchapter such person claims a personal exemption for withholding and that for the purposes of this subchapter his spouse also claims a personal exemption for withholding.

"(i) Married person claiming no personal exemption for withholding: The term 'married person claiming no personal exemption for withholding' means a married person with respect to whom a withholding exemption certificate is in effect under section 1622 (h) stating that for the purposes of this subchapter such person claims no personal exemption for withholding."

(b) Dependent in case of head of family: Section 1621 (k) (defining "dependent") is amended by inserting before the period at the end thereof the following: ", excluding as a dependent, in the case of the head of a family, one who would be excluded under section 25 (b) (2) (B)."

The amendment was agreed to.

The next amendment was, on page 82, after line 21, to strike out:

Sec. 152. Withholding of tax at source on wages.

(a) Technical amendment: Section 1622 (a) (relating to the withholding exemption) is amended (1) by striking out "family status" in paragraph (1) and inserting in lieu thereof "normal tax and surtax"; and (2) by striking out "Victory tax" in paragraph (2) and inserting in lieu thereof "minimum tax."

(b) Normal tax and surtax withholding exemption: Section 1622 (b) (1) (A) (relating to the family status withholding exemption) is amended to read as follows:

"(A) in computing the tax required to be deducted and withheld under subsection (a) (1), a normal tax and surtax withholding exemption determined in accordance with the following schedule:

"Normal tax and surtax withholding exemption

"Pay-roll period	Married person claiming a personal exemption for withholding whose spouse claims none, or head of family	Single person, or married person claiming a personal exemption for withholding whose spouse claims a personal exemption for withholding	Person claiming no personal exemption for withholding	Each dependent
Weekly	$24.00	$10.00	0	$7.00
Biweekly	48.00	20.00	0	14.00
Semimonthly	53.00	22.00	0	15.50
Monthly	106.00	44.00	0	31.00
Quarterly	318.00	132.00	0	93.00
Semiannual	636.00	264.00	0	186.00
Annual	1,272.00	528.00	0	372.00
Daily or miscellaneous (per day of such period)	3.50	1.50	0	1.00

(c) Minimum tax withholding exemption: Section 1622 (b) (1) (B) (relating to the Victory tax withholding exemption) is amended to read as follows:

"(B) in computing the tax required to be deducted and withheld under subsection (a) (2), a minimum tax withholding exemption determined in accordance with the following schedule:

"Minimum tax withholding exemptions

"Pay-roll period	Married person claiming a personal exemption for withholding whose spouse claims none, or head of family	Single person, or married person claiming a personal exemption for withholding whose spouse claims a personal exemption for withholding	Person claiming no personal exemption for withholding	Each dependent
Weekly	$14.00	$10.00	0	$2.00
Biweekly	28.00	20.00	0	4.00
Semimonthly	31.00	22.00	0	4.50
Monthly	62.00	44.00	0	9.00
Quarterly	186.00	132.00	0	27.00
Semiannual	372.00	264.00	0	54.00
Annual	744.00	528.00	0	108.00
Daily or miscellaneous per day of such period)	2.00	1.50	0	.25

(d) Wage bracket withholding: The withholding tables contained in section 1622 (c) (relating to wage bracket withholding) are respectively amended to read as follows:

If the pay-roll period with respect to an employee is weekly

And the wages are		And (1) such person claims no personal exemption for withholding	Or (2) such person is a single person, or a married person claiming a personal exemption for withholding whose spouse also claims a personal exemption for withholding, and has—									
			No dependents	One dependent	Two dependents	Three dependents	Four dependents	Five dependents	Six dependents	Seven dependents	Eight dependents	Nine dependents
					Or (3) such person is a married person claiming a personal exemption for withholding whose spouse claims no personal exemption for withholding, or the head of a family, and has—							
At least	But less than				No dependents	One dependent	Two dependents	Three dependents	Four dependents	Five dependents	Six dependents	Seven dependents
		The amount of tax to be withheld shall be—										
$0	$10	20% of wages										
10	11	$2.10	$0.10									
11	12	2.30	.30									
12	13	2.50	.50									
13	14	2.70	.70									
14	15	2.90	.90	$0.10								
15	16	3.10	1.10	.10								
16	17	3.30	1.30	.10	$0.10							
17	18	3.50	1.50	.20	.10							
18	19	3.70	1.70	.30	.10	$0.10						
19	20	3.90	1.90	.50	.20	.10						
20	21	4.10	2.10	.70	.20	.10	$0.10					
21	22	4.30	2.30	.90	.20	.20	.10					
22	23	4.50	2.50	1.10	.30	.20	.10	$0.10				
23	24	4.70	2.70	1.30	.30	.20	.20	.10				
24	25	4.90	2.90	1.50	.30	.30	.20	.10	$0.10			
25	26	5.10	3.10	1.70	.30	.30	.20	.20	.10			
26	27	5.30	3.30	1.90	.50	.30	.30	.20	.10	$0.10		
27	28	5.50	3.50	2.10	.70	.30	.30	.20	.20	.10		
28	29	5.70	3.70	2.30	.90	.40	.30	.30	.20	.10	$0.10	
29	30	5.90	3.90	2.50	1.10	.40	.30	.30	.20	.20	.10	
30	31	6.10	4.10	2.70	1.30	.40	.40	.30	.30	.20	.10	$0.10
31	32	6.30	4.30	2.90	1.50	.50	.40	.30	.30	.20	.20	.10
32	33	6.50	4.50	3.10	1.70	.50	.40	.40	.30	.30	.20	.10
33	34	6.70	4.70	3.30	1.90	.50	.50	.40	.30	.30	.20	.20
34	35	6.90	4.90	3.50	2.10	.70	.50	.40	.40	.30	.30	.20
35	36	7.10	5.10	3.70	2.30	.90	.50	.50	.40	.30	.30	.20
36	37	7.30	5.30	3.90	2.50	1.10	.60	.50	.40	.40	.30	.30
37	38	7.50	5.50	4.10	2.70	1.30	.60	.50	.50	.40	.30	.30
38	39	7.70	5.70	4.30	2.90	1.50	.60	.60	.50	.40	.40	.30
39	40	7.90	5.90	4.50	3.10	1.70	.60	.60	.50	.50	.40	.30
40	41	8.10	6.10	4.70	3.30	1.90	.70	.60	.60	.50	.40	.40
41	42	8.30	6.30	4.90	3.50	2.10	.70	.60	.60	.50	.50	.40
42	43	8.50	6.50	5.10	3.70	2.30	.90	.70	.60	.60	.50	.40
43	44	8.70	6.70	5.30	3.90	2.50	1.10	.70	.60	.60	.50	.50
44	45	8.90	6.90	5.50	4.10	2.70	1.30	.70	.70	.60	.60	.50
45	46	9.10	7.10	5.70	4.30	2.90	1.50	.80	.70	.60	.60	.50
46	47	9.30	7.30	5.90	4.50	3.10	1.70	.80	.70	.70	.60	.60
47	48	9.50	7.50	6.10	4.70	3.30	1.90	.80	.80	.70	.60	.60
48	49	9.70	7.70	6.30	4.90	3.50	2.10	.90	.80	.70	.70	.60
49	50	9.90	7.90	6.50	5.10	3.70	2.30	.90	.80	.80	.70	.60
50	51	10.10	8.10	6.70	5.30	3.90	2.50	1.10	.90	.80	.70	.70
51	52	10.30	8.30	6.90	5.50	4.10	2.70	1.30	.90	.80	.80	.70
52	53	10.50	8.50	7.10	5.70	4.30	2.90	1.50	.90	.90	.80	.70
53	54	11.70	8.70	7.30	5.90	4.50	3.10	1.70	.90	.90	.80	.80
54	55	10.90	8.90	7.50	6.10	4.70	3.30	1.90	1.00	.90	.90	.80
55	56	11.10	9.10	7.70	6.30	4.90	3.50	2.10	1.00	.90	.90	.80
56	57	11.30	9.30	7.90	6.50	5.10	3.70	2.30	1.00	1.00	.90	.90
57	58	11.50	9.50	8.10	6.70	5.30	3.90	2.50	1.10	1.00	.90	.90
58	59	11.70	9.70	8.30	6.90	5.50	4.10	2.70	1.30	1.00	1.00	.90
59	60	11.90	9.90	8.50	7.10	5.70	4.30	2.90	1.50	1.10	1.00	.90
60	62	12.20	10.20	8.80	7.40	6.00	4.60	3.20	1.80	1.10	1.10	1.00
62	64	12.60	10.60	9.20	7.80	6.40	5.00	3.60	2.20	1.20	1.10	1.10
64	66	13.00	11.00	9.60	8.20	6.80	5.40	4.00	2.60	1.20	1.20	1.10
66	68	13.40	11.40	10.00	8.60	7.20	5.80	4.40	3.00	1.60	1.20	1.20
68	70	13.80	11.80	10.40	9.00	7.60	6.20	4.80	3.40	2.00	1.30	1.20
70	72	14.20	12.20	10.80	9.40	8.00	6.60	5.20	3.80	2.40	1.40	1.30
72	74	14.60	12.60	11.20	9.80	8.40	7.00	5.60	4.20	2.80	1.40	1.40
74	76	15.00	13.00	11.60	10.20	8.80	7.40	6.00	4.60	3.20	1.80	1.40
76	78	15.40	13.40	12.00	10.60	9.20	7.80	6.40	5.00	3.60	2.20	1.50
78	80	15.80	13.80	12.40	11.00	9.60	8.20	6.80	5.40	4.00	2.60	1.50
80	82	16.20	14.20	12.80	11.40	10.00	8.60	7.20	5.80	4.40	3.00	1.60
82	84	16.60	14.60	13.20	11.80	10.40	9.00	7.60	6.20	4.80	3.40	2.00
84	86	17.00	15.00	13.60	12.20	10.80	9.40	8.00	6.60	5.20	3.80	2.40
86	88	17.40	15.40	14.00	12.60	11.20	9.80	8.40	7.00	5.60	4.20	2.80
88	90	17.80	15.80	14.40	13.00	11.60	10.20	8.80	7.40	6.00	4.60	3.20
90	92	18.20	16.20	14.80	13.40	12.00	10.60	9.20	7.80	6.40	5.00	3.60
92	94	18.60	16.60	15.20	13.80	12.40	11.00	9.60	8.20	6.80	5.40	4.00
94	96	19.00	17.00	15.60	14.20	12.80	11.40	10.00	8.60	7.20	5.80	4.40
96	98	19.40	17.40	16.00	14.60	13.20	11.80	10.40	9.00	7.60	6.20	4.80
98	100	19.80	17.80	16.40	15.00	13.60	12.20	10.80	9.40	8.00	6.60	5.20
100	105	20.50	18.50	17.10	15.70	14.30	12.90	11.50	10.10	8.70	7.30	5.90
105	110	21.50	19.50	18.10	16.70	15.30	13.90	12.50	11.10	9.70	8.30	6.90
110	115	22.50	20.50	19.10	17.70	16.30	14.90	13.50	12.10	10.70	9.30	7.90
115	120	23.50	21.50	20.10	18.70	17.30	15.90	14.50	13.10	11.70	10.30	8.90
120	125	24.50	22.50	21.10	19.70	18.30	16.90	15.50	14.10	12.70	11.30	9.90
125	130	25.50	23.50	22.10	20.70	19.30	17.90	16.50	15.10	13.70	12.30	10.90
130	135	26.50	24.50	23.10	21.70	20.30	18.90	17.50	16.10	14.70	13.30	11.90
135	140	27.50	25.50	24.10	22.70	21.30	19.90	18.50	17.10	15.70	14.30	12.90
140	145	28.50	26.50	25.10	23.70	22.30	20.90	19.50	18.10	16.70	15.30	13.90
145	150	29.50	27.50	26.10	24.70	23.30	21.90	20.50	19.10	17.70	16.30	14.90
150	160	31.00	29.00	27.60	26.20	24.80	23.40	22.00	20.60	19.20	17.80	16.40
160	170	33.00	31.00	29.60	28.20	26.80	25.40	24.00	22.60	21.20	19.80	18.40
170	180	35.00	33.00	31.60	30.20	28.80	27.40	26.00	24.60	23.20	21.80	20.40
180	190	37.00	35.00	33.60	32.20	30.80	29.40	28.00	26.60	25.20	23.80	22.40
190	200	39.00	37.00	35.60	34.20	32.80	31.40	30.00	28.60	27.20	25.80	24.40
$200 or over		20% of the excess over $200 plus										
		$40.00	$38.00	$36.60	$35.20	$33.80	$32.40	$31.00	$29.60	$28.20	$26.80	$25.40

Dependents in excess of the largest number shown: If the number of dependents is in excess of the largest number shown, the amount of tax to be withheld shall be that applicable in the case of the largest number of dependents shown reduced by $1.40 for each dependent over the largest number shown, except that in no event shall the amount to be withheld be less than 3 per centum of the excess of the median wage in the bracket in which the wages fall (or if the wages paid are $200 or over, of the excess of the wages) over the minimum tax withholding exemption, computed to the nearest multiple of $0.10.

If the pay-roll period with respect to an employee is biweekly

And the wages are		And (1) such person claims no personal exemption for withholding	Or (2) such person is a single person, or a married person claiming a personal exemption for withholding whose spouse also claims a personal exemption for withholding, and has—									
			No dependents	One dependent	Two dependents	Three dependents	Four dependents	Five dependents	Six dependents	Seven dependents	Eight dependents	Nine dependents
					Or (3) such person is a married person claiming a personal exemption for withholding whose spouse claims no personal exemption for withholding, or the head of a family, and has—							
At least	But less than				No dependents	One dependent	Two dependents	Three dependents	Four dependents	Five dependents	Six dependents	Seven dependents
		The amount of tax to be withheld shall be—										
$0	$20	20% of wages										
20	22	$4.20	$0.20									
22	24	4.60	.60									
24	26	5.00	1.00									
26	28	5.40	1.40	$0.10								
28	30	5.80	1.80	.20								
30	32	6.20	2.20	.20	$0.10							
32	34	6.60	2.60	.30	.20							
34	36	7.00	3.00	.30	.20	$0.10						
36	38	7.40	3.40	.60	.30	.20						
38	40	7.80	3.80	1.00	.30	.20	$0.10					
40	42	8.20	4.20	1.40	.40	.30	.20					
42	44	8.60	4.60	1.80	.50	.30	.20	$0.10				
44	46	9.00	5.00	2.20	.50	.40	.30	.20				
46	48	9.40	5.40	2.60	.60	.50	.30	.20	$0.10			
48	50	9.80	5.80	3.00	.60	.50	.40	.30	.20			
50	52	10.20	6.20	3.40	.70	.60	.50	.30	.20	$0.10		
52	54	10.60	6.60	3.80	1.00	.60	.50	.40	.30	.20		
54	56	11.00	7.00	4.20	1.40	.70	.60	.50	.30	.20	$0.10	
56	58	11.40	7.40	4.60	1.80	.80	.60	.50	.40	.30	.20	
58	60	11.80	7.80	5.00	2.20	.80	.70	.60	.50	.30	.20	$0.10
60	62	12.20	8.20	5.40	2.60	.90	.80	.60	.50	.40	.30	.20
62	64	12.60	8.60	5.80	3.00	.90	.80	.70	.60	.50	.30	.20
64	66	13.00	9.00	6.20	3.40	1.60	.90	.80	.60	.50	.40	.30
66	68	13.40	9.40	6.60	3.80	1.10	.90	.80	.70	.60	.50	.30
68	70	13.80	9.80	7.00	4.20	1.40	1.00	.90	.80	.60	.50	.40
70	72	14.20	10.20	7.40	4.60	1.80	1.10	.90	.80	.70	.60	.50
72	74	14.60	10.60	7.80	5.00	2.20	1.10	1.00	.90	.80	.60	.50
74	76	15.00	11.00	8.20	5.40	2.60	1.20	1.10	.90	.80	.70	.60
76	78	15.40	11.40	8.60	5.80	3.00	1.20	1.10	1.00	.90	.80	.60
78	80	15.80	11.80	9.00	6.20	3.40	1.30	1.20	1.10	.90	.80	.70
80	82	16.20	12.20	9.40	6.60	3.80	1.40	1.20	1.10	1.00	.90	.80
82	84	16.60	12.60	9.80	7.00	4.20	1.40	1.30	1.20	1.10	.90	.80
84	86	17.00	13.00	10.20	7.40	4.60	1.80	1.40	1.20	1.10	1.00	.90
86	88	17.40	13.40	10.60	7.80	5.00	2.20	1.40	1.30	1.20	1.10	.90
88	90	17.80	13.80	11.00	8.20	5.40	2.60	1.50	1.40	1.20	1.10	1.00
90	92	18.20	14.20	11.40	8.60	5.80	3.00	1.50	1.40	1.30	1.20	1.10
92	94	18.60	14.60	11.80	9.00	6.20	3.40	1.60	1.50	1.40	1.20	1.10
94	96	19.00	15.00	12.20	9.40	6.60	3.80	1.70	1.50	1.40	1.30	1.20
96	98	19.40	15.40	12.60	9.80	7.00	4.20	1.70	1.60	1.50	1.40	1.20
98	100	19.80	15.80	13.00	10.20	7.40	4.60	1.80	1.70	1.50	1.40	1.30
100	102	20.20	16.20	13.40	10.60	7.80	5.00	2.20	1.70	1.60	1.50	1.40
102	104	20.60	16.60	13.80	11.00	8.20	5.40	2.60	1.80	1.70	1.50	1.40
104	106	21.00	17.00	14.20	11.40	8.60	5.80	3.00	1.80	1.70	1.60	1.50
106	108	21.40	17.40	14.60	11.80	9.00	6.20	3.40	1.90	1.80	1.70	1.50
108	110	21.80	17.80	15.00	12.20	9.40	6.60	3.80	2.00	1.80	1.70	1.60
110	112	22.20	18.20	15.40	12.60	9.80	7.00	4.20	2.00	1.90	1.80	1.70
112	114	22.60	18.60	15.80	13.00	10.20	7.40	4.60	2.10	2.00	1.80	1.70
114	116	23.00	19.00	16.20	13.40	10.60	7.80	5.00	2.20	2.00	1.90	1.80
116	118	23.40	19.40	16.60	13.80	11.00	8.20	5.40	2.60	2.10	2.00	1.80
118	120	23.80	19.80	17.00	14.20	11.40	8.60	5.80	3.00	2.10	2.00	1.90
120	124	24.40	20.40	17.60	14.80	12.00	9.20	6.40	3.60	2.20	2.10	2.00
124	128	25.20	21.20	18.40	15.60	12.80	10.00	7.20	4.40	2.30	2.20	2.10
128	132	26.00	22.00	19.20	16.40	13.60	10.80	8.00	5.20	2.50	2.30	2.20
132	136	26.80	22.80	20.00	17.20	14.40	11.60	8.80	6.00	3.20	2.50	2.30
136	140	27.60	23.60	20.80	18.00	15.20	12.40	9.60	6.80	4.00	2.60	2.50
140	144	28.40	24.40	21.60	18.80	16.00	13.20	10.40	7.60	4.80	2.70	2.60
144	148	29.20	25.20	22.40	19.60	16.80	14.00	11.20	8.40	5.60	2.80	2.70
148	152	30.00	26.00	23.20	20.40	17.60	14.80	12.00	9.20	6.40	3.60	2.80
152	156	30.80	26.80	24.00	21.20	18.40	15.60	12.80	10.00	7.20	4.40	2.90
156	160	31.60	27.60	24.80	22.00	19.20	16.40	13.60	10.80	8.00	5.20	3.10
160	164	32.40	28.40	25.60	22.80	20.00	17.20	14.40	11.60	8.80	6.00	3.20
164	168	33.20	29.20	26.40	23.60	20.80	18.00	15.20	12.40	9.60	6.80	4.00
168	172	34.00	30.00	27.20	24.40	21.60	18.80	16.00	13.20	10.40	7.60	4.80
172	176	34.80	30.80	28.00	25.20	22.40	19.60	16.80	14.00	11.20	8.40	5.60
176	180	35.60	31.60	28.80	26.00	23.20	20.40	17.60	14.80	12.00	9.20	6.40
180	184	36.40	32.40	29.60	26.80	24.00	21.20	18.40	15.60	12.80	10.00	7.20
184	188	37.20	33.20	30.40	27.60	24.80	22.00	19.20	16.40	13.60	10.80	8.00
188	192	38.00	34.00	31.20	28.40	25.60	22.80	20.00	17.20	14.40	11.60	8.80
192	196	38.80	34.80	32.00	29.20	26.40	23.60	20.80	18.00	15.20	12.40	9.60
196	200	39.60	35.60	32.80	30.00	27.20	24.40	21.60	18.80	16.00	13.20	10.40
200	210	41.00	37.00	34.20	31.40	28.60	25.80	23.00	20.20	17.40	14.60	11.80
210	220	43.00	39.00	36.20	33.40	30.60	27.80	25.00	22.20	19.40	16.60	13.80
220	230	45.00	41.00	38.20	35.40	32.60	29.80	27.00	24.20	21.40	18.60	15.80
230	240	47.00	43.00	40.20	37.40	34.60	31.80	29.00	26.20	23.40	20.60	17.80
240	250	49.00	45.00	42.20	39.40	36.60	33.80	31.00	28.20	25.40	22.60	19.80
250	260	51.00	47.00	44.20	41.40	38.60	35.80	33.00	30.20	27.40	24.60	21.80
260	270	53.00	49.00	46.20	43.40	40.60	37.80	35.00	32.20	29.40	26.60	23.80
270	280	55.00	51.00	48.20	45.40	42.60	39.80	37.00	34.20	31.40	28.60	25.80
280	290	57.00	53.00	50.20	47.40	44.60	41.80	39.00	36.20	33.40	30.60	27.80
290	300	59.00	55.00	52.20	49.40	46.60	43.80	41.00	38.20	35.40	32.60	29.80
300	320	62.00	58.00	55.20	52.40	49.60	46.80	44.00	41.20	38.40	35.60	32.80
320	340	66.00	62.00	59.20	56.40	53.60	50.80	48.00	45.20	42.40	39.60	36.80
340	360	70.00	66.00	63.20	60.40	57.60	54.80	52.00	49.20	46.40	43.60	40.80
360	380	74.00	70.00	67.20	64.40	61.60	58.80	56.00	53.20	50.40	47.60	44.80
380	400	78.00	74.00	71.20	68.40	65.60	62.80	60.00	57.20	54.40	51.60	48.80
$400 or over		20 percent of the excess over $400 plus										
		$80.00	$76.00	$73.20	$70.40	$67.60	$64.80	$62.00	$59.20	$56.40	$53.60	$50.80

Dependents in excess of the largest number shown: If the number of dependents is in excess of the largest number shown, the amount of tax to be withheld shall be that applicable in the case of the largest number of dependents shown reduced by $2.80 for each dependent over the largest number shown, except that in no event shall the amount to be withheld be less than 3 per centum of the excess of the median wage in the bracket in which the wages fall (or if the wages paid are $400 or over, of the excess of the wages) over the minimum tax withholding exemption, computed to the nearest multiple of $0.10.

If the pay-roll period with respect to an employee is semimonthly

And the wages are		And (1) such person claims no personal exemption for withholding	Or (2) such person is a single person, or a married person claiming a personal exemption for withholding whose spouse also claims a personal exemption for withholding, and has—									
			No dependents	One dependent	Two dependents	Three dependents	Four dependents	Five dependents	Six dependents	Seven dependents	Eight dependents	Nine dependents
			Or (3) such person is a married person claiming a personal exemption for withholding whose spouse claims no personal exemption for withholding, or the head of a family, and has—									
At least	But less than		No dependents	One dependent	Two dependents	Three dependents	Four dependents	Five dependents	Six dependents	Seven dependents		
		The amount of tax to be withheld shall be—										
$0	$22	20% of wages										
22	24	$4.60	$0.20									
24	26	5.00	.60									
26	28	5.40	1.00									
28	30	5.80	1.40	$0.10								
30	32	6.20	1.80	.10								
32	34	6.60	2.20	.20	$0.10							
34	36	7.00	2.60	.30	.10							
36	38	7.40	3.00	.30	.20							
38	40	7.80	3.40	.40	.20	$0.10						
40	42	8.20	3.80	.70	.30	.20						
42	44	8.60	4.20	1.10	.40	.20	$0.10					
44	46	9.00	4.60	1.50	.40	.30	.20					
46	48	9.40	5.00	1.90	.50	.30	.20	$0.10				
48	50	9.80	5.40	2.30	.50	.40	.30	.10				
50	52	10.20	5.80	2.70	.60	.50	.30	.20	$0.10			
52	54	10.60	6.20	3.10	.70	.50	.40	.30	.10			
54	56	11.00	6.60	3.50	.70	.60	.50	.30	.20			
56	58	11.40	7.00	3.90	.80	.60	.50	.40	.20	$0.10		
58	60	11.80	7.40	4.30	1.20	.70	.60	.40	.30	.20		
60	62	12.20	7.80	4.70	1.60	.80	.60	.50	.40	.20	$0.10	
62	64	12.60	8.20	5.10	2.00	.80	.70	.60	.40	.30	.20	
64	66	13.00	8.60	5.50	2.40	.90	.80	.60	.50	.30	.20	$0.10
66	68	13.40	9.00	5.90	2.80	.90	.80	.70	.50	.40	.30	.10
68	70	13.80	9.40	6.30	3.20	1.00	.90	.70	.60	.50	.30	.20
70	72	14.20	9.80	6.70	3.60	1.10	.90	.80	.70	.50	.40	.30
72	74	14.60	10.20	7.10	4.00	1.10	1.00	.90	.70	.60	.50	.30
74	76	15.00	10.60	7.50	4.40	1.30	1.10	.90	.80	.60	.50	.40
76	78	15.40	11.00	7.90	4.80	1.70	1.10	1.00	.80	.70	.60	.40
78	80	15.80	11.40	8.30	5.20	2.10	1.20	1.00	.90	.80	.60	.50
80	82	16.20	11.80	8.70	5.60	2.50	1.20	1.10	1.00	.80	.70	.60
82	84	16.60	12.20	9.10	6.00	2.90	1.30	1.20	1.00	.90	.80	.60
84	86	17.00	12.60	9.50	6.40	3.30	1.40	1.20	1.10	.90	.80	.70
86	88	17.40	13.00	9.90	6.80	3.70	1.40	1.30	1.10	1.00	.90	.70
88	90	17.80	13.40	10.30	7.20	4.10	1.50	1.30	1.20	1.10	.90	.80
90	92	18.20	13.80	10.70	7.60	4.50	1.50	1.40	1.30	1.10	1.00	.90
92	94	18.60	14.20	11.10	8.00	4.90	1.80	1.50	1.30	1.20	1.10	.90
94	96	19.00	14.60	11.50	8.40	5.30	2.20	1.50	1.40	1.20	1.10	1.00
96	98	19.40	15.00	11.90	8.80	5.70	2.60	1.60	1.40	1.30	1.20	1.00
98	100	19.80	15.40	12.30	9.20	6.10	3.00	1.60	1.50	1.40	1.20	1.10
100	102	20.20	15.80	12.70	9.60	6.50	3.40	1.70	1.60	1.40	1.30	1.20
102	104	20.60	16.20	13.10	10.00	6.90	3.80	1.80	1.60	1.50	1.40	1.20
104	106	21.00	16.60	13.50	10.40	7.30	4.20	1.80	1.70	1.50	1.40	1.30
106	108	21.40	17.00	13.90	10.80	7.70	4.60	1.90	1.70	1.60	1.50	1.30
108	110	21.80	17.40	14.30	11.20	8.10	5.00	1.90	1.80	1.70	1.50	1.40
110	112	22.20	17.80	14.70	11.60	8.50	5.40	2.30	1.90	1.70	1.60	1.50
112	114	22.60	18.20	15.10	12.00	8.90	5.80	2.70	1.90	1.80	1.70	1.50
114	116	23.00	18.60	15.50	12.40	9.30	6.20	3.10	2.00	1.80	1.70	1.60
116	118	23.40	19.00	15.90	12.80	9.70	6.60	3.50	2.00	1.90	1.80	1.60
118	120	23.80	19.40	16.30	13.20	10.10	7.00	3.90	2.10	2.00	1.80	1.70
120	124	24.40	20.00	16.90	13.80	10.70	7.60	4.50	2.20	2.10	1.90	1.80
124	128	25.20	20.80	17.70	14.60	11.50	8.40	5.30	2.30	2.20	2.00	1.90
128	132	26.00	21.60	18.50	15.40	12.30	9.20	6.10	3.00	2.30	2.20	2.00
132	136	26.80	22.40	19.30	16.20	13.10	10.00	6.90	3.80	2.40	2.30	2.10
136	140	27.60	23.20	20.10	17.00	13.90	10.80	7.70	4.60	2.50	2.40	2.30
140	144	28.40	24.00	20.90	17.80	14.70	11.60	8.50	5.40	2.70	2.50	2.40
144	148	29.20	24.80	21.70	18.60	15.50	12.40	9.30	6.20	3.10	2.60	2.50
148	152	30.00	25.60	22.50	19.40	16.30	13.20	10.10	7.00	3.90	2.80	2.60
152	156	30.80	26.40	23.30	20.20	17.10	14.00	10.90	7.80	4.70	2.90	2.70
156	160	31.60	27.20	24.10	21.00	17.90	14.80	11.70	8.60	5.50	3.00	2.90
160	164	32.40	28.00	24.90	21.80	18.70	15.60	12.50	9.40	6.30	3.20	3.00
164	168	33.20	28.80	25.70	22.60	19.50	16.40	13.30	10.20	7.10	4.00	3.10
168	172	34.00	29.60	26.50	23.40	20.30	17.20	14.10	11.00	7.90	4.80	3.20
172	176	34.80	30.40	27.30	24.20	21.10	18.00	14.90	11.80	8.70	5.60	3.30
176	180	35.60	31.20	28.10	25.00	21.90	18.80	15.70	12.60	9.50	6.40	3.50
180	184	36.40	32.00	28.90	25.80	22.70	19.60	16.50	13.40	10.30	7.20	4.10
184	188	37.20	32.80	29.70	26.60	23.50	20.40	17.30	14.20	11.10	8.00	4.90
188	192	38.00	33.60	30.50	27.40	24.30	21.20	18.10	15.00	11.90	8.80	5.70
192	196	38.80	34.40	31.30	28.20	25.10	22.00	18.90	15.80	12.70	9.60	6.50
196	200	39.60	35.20	32.10	29.00	25.90	22.80	19.70	16.60	13.50	10.40	7.30
200	210	41.00	36.60	33.50	30.40	27.30	24.20	21.10	18.00	14.90	11.80	8.70
210	220	43.00	38.60	35.50	32.40	29.30	26.20	23.10	20.00	16.90	13.80	10.70
220	230	45.00	40.60	37.50	34.40	31.30	28.20	25.10	22.00	18.90	15.80	12.70
230	240	47.00	42.60	39.50	36.40	33.30	30.20	27.10	24.00	20.90	17.80	14.70
240	250	49.00	44.60	41.50	38.40	35.30	32.20	29.10	26.00	22.90	19.80	16.70
250	260	51.00	46.60	43.50	40.40	37.30	34.20	31.10	28.00	24.90	21.80	18.70
260	270	53.00	48.60	45.50	42.40	39.30	36.20	33.10	30.00	26.90	23.80	20.70
270	280	55.00	50.60	47.50	44.40	41.30	38.20	35.10	32.00	28.90	25.80	22.70
280	290	57.00	52.60	49.50	46.40	43.30	40.20	37.10	34.00	30.90	27.80	24.70
290	300	59.00	54.60	51.50	48.40	45.30	42.20	39.10	36.00	32.90	29.80	26.70
300	320	62.00	57.60	54.50	51.40	48.30	45.20	42.10	39.00	35.90	32.80	29.70
320	340	66.00	61.60	58.50	55.40	52.30	49.20	46.10	43.00	39.90	36.80	33.70
340	360	70.00	65.60	62.50	59.40	56.30	53.20	50.10	47.00	43.90	40.80	37.70
360	380	74.00	69.60	66.50	63.40	60.30	57.20	54.10	51.00	47.90	44.80	41.70
380	400	78.00	73.60	70.50	67.40	64.30	61.20	58.10	55.00	51.90	48.80	45.70
400	420	82.00	77.60	74.50	71.40	68.30	65.20	62.10	59.00	55.90	52.80	49.70
420	440	86.00	81.60	78.50	75.40	72.30	69.20	66.10	63.00	59.90	56.80	53.70
440	460	90.00	85.60	82.50	79.40	76.30	73.20	70.10	67.00	63.90	60.80	57.70
460	480	94.00	89.60	86.50	83.40	80.30	77.20	74.10	71.00	67.90	64.80	61.70
480	500	98.00	93.60	90.50	87.40	84.30	81.20	78.10	75.00	71.90	68.80	65.70
$500 or over		20% of the excess over $500 plus										
		$100.00	$95.60	$92.50	$89.40	$86.30	$83.20	$80.10	$77.00	$73.90	$70.80	$67.70

Dependents in excess of the largest number shown: If the number of dependents is in excess of the largest number shown, the amount of tax to be withheld shall be that applicable in the case of the largest number of dependents shown reduced by $3.10 for each dependent over the largest number shown, except that in no event shall the amount to be withheld be less than 3 percent of the excess of the median wage in the bracket in which the wages fall (or if the wages paid are $500 or over, of the excess of the wages) over the minimum tax withholding exemption, computed to the nearest multiple of $0.10.

If the pay-roll period with respect to an employee is monthly

And the wages are		And (1) such person claims no personal exemption for withholding	Or (2) such person is a single person, or a married person claiming a personal exemption for withholding whose spouse also claims a personal exemption for withholding, and has—									
			No dependents	One dependent	Two dependents	Three dependents	Four dependents	Five dependents	Six dependents	Seven dependents	Eight dependents	Nine dependents
					Or (3) such person is a married person claiming a personal exemption for withholding whose spouse claims no personal exemption for withholding, or the head of a family, and has—							
At least	But less than				No dependents	One dependent	Two dependents	Three dependents	Four dependents	Five dependents	Six dependents	Seven dependents
		The amount of tax to be withheld shall be—										
$0	$44	20% of wages										
44	48	$9.20	$0.40									
48	52	10.00	1.20									
52	56	10.80	2.00									
56	60	11.60	2.80	$0.20								
60	64	12.40	3.60	.30								
64	68	13.20	4.40	.40	$0.10							
68	72	14.00	5.20	.50	.20							
72	76	14.80	6.00	.60	.40	$0.10						
76	80	15.60	6.80	.80	.50	.20						
80	84	16.40	7.60	1.40	.60	.30	$0.10					
84	88	17.20	8.40	2.20	.70	.50	.20					
88	92	18.00	9.20	3.00	.80	.60	.30					
92	96	18.80	10.00	3.80	1.00	.70	.40	$0.20				
96	100	19.60	10.80	4.60	1.10	.80	.50	.30				
100	104	20.40	11.60	5.40	1.20	.90	.70	.40	$0.10			
104	108	21.20	12.40	6.20	1.30	1.10	.80	.50	.20			
108	112	22.00	13.20	7.00	1.40	1.20	.90	.60	.40	$0.10		
112	116	22.80	14.00	7.80	1.60	1.30	1.00	.80	.50	.20		
116	120	23.60	14.80	8.60	2.40	1.40	1.10	.90	.60	.30	$0.10	
120	124	24.40	15.60	9.40	3.20	1.50	1.30	1.00	.70	.50	.20	
124	128	25.20	16.40	10.20	4.00	1.70	1.40	1.10	.80	.60	.30	
128	132	26.00	17.20	11.00	4.80	1.80	1.50	1.20	1.00	.70	.40	$0.20
132	136	26.80	18.00	11.80	5.60	1.90	1.60	1.40	1.10	.80	.50	.30
136	140	27.60	18.80	12.60	6.40	2.00	1.70	1.50	1.20	.90	.70	.40
140	144	28.40	19.60	13.40	7.20	2.10	1.90	1.60	1.30	1.10	.80	.50
144	148	29.20	20.40	14.20	8.00	2.30	2.00	1.70	1.40	1.20	.90	.60
148	152	30.00	21.20	15.00	8.80	2.60	2.10	1.80	1.60	1.30	1.00	.80
152	156	30.80	22.00	15.80	9.60	3.40	2.20	2.00	1.70	1.40	1.10	.90
156	160	31.60	22.80	16.60	10.40	4.20	2.30	2.10	1.80	1.50	1.30	1.00
160	164	32.40	23.60	17.40	11.20	5.00	2.50	2.20	1.90	1.70	1.40	1.10
164	168	33.20	24.40	18.20	12.00	5.80	2.60	2.30	2.00	1.80	1.50	1.20
168	172	34.00	25.20	19.00	12.80	6.60	2.70	2.40	2.20	1.90	1.60	1.40
172	176	34.80	26.00	19.80	13.60	7.40	2.80	2.60	2.30	2.00	1.70	1.50
176	180	35.60	26.80	20.60	14.40	8.20	2.90	2.70	2.40	2.10	1.90	1.60
180	184	36.40	27.60	21.40	15.20	9.00	3.10	2.80	2.50	2.30	2.00	1.70
184	188	37.20	28.40	22.20	16.00	9.80	3.60	2.90	2.60	2.40	2.10	1.80
188	192	38.00	29.20	23.00	16.80	10.60	4.40	3.00	2.80	2.50	2.20	2.00
192	196	38.80	30.00	23.80	17.60	11.40	5.20	3.20	2.90	2.60	2.30	2.10
196	200	39.60	30.80	24.60	18.40	12.20	6.00	3.30	3.00	2.70	2.50	2.20
200	204	40.40	31.60	25.40	19.20	13.00	6.80	3.40	3.10	2.90	2.60	2.30
204	208	41.20	32.40	26.20	20.00	13.80	7.60	3.50	3.20	3.00	2.70	2.40
208	212	42.00	33.20	27.00	20.80	14.60	8.40	3.60	3.40	3.10	2.80	2.60
212	216	42.80	34.00	27.80	21.60	15.40	9.20	3.80	3.50	3.20	2.90	2.70
216	220	43.60	34.80	28.60	22.40	16.20	10.00	3.90	3.60	3.30	3.10	2.80
220	224	44.40	35.60	29.40	23.20	17.00	10.80	4.60	3.70	3.50	3.20	2.90
224	228	45.20	36.40	30.20	24.00	17.80	11.60	5.40	3.80	3.60	3.30	3.00
228	232	46.00	37.20	31.00	24.80	18.60	12.40	6.20	4.00	3.70	3.40	3.20
232	236	46.80	38.00	31.80	25.60	19.40	13.20	7.00	4.10	3.80	3.50	3.30
236	240	47.60	38.80	32.60	26.40	20.20	14.00	7.80	4.20	3.90	3.70	3.40
240	248	48.40	40.00	33.80	27.60	21.40	15.20	9.00	4.40	4.10	3.80	3.60
248	256	50.40	41.60	35.40	29.20	23.00	16.80	10.60	4.60	4.40	4.10	3.80
256	264	52.00	43.20	37.00	30.80	24.60	18.40	12.20	6.00	4.60	4.30	4.10
264	272	53.60	44.80	38.60	32.40	26.20	20.00	13.80	7.60	4.80	4.60	4.30
272	280	55.20	46.40	40.20	34.00	27.80	21.60	15.40	9.20	5.10	4.80	4.50
280	288	56.80	48.00	41.80	35.60	29.40	23.20	17.00	10.80	5.30	5.00	4.80
288	296	58.40	49.60	43.40	37.20	31.00	24.80	18.60	12.40	6.20	5.30	5.00
296	304	60.00	51.20	45.00	38.80	32.60	26.40	20.20	14.00	7.80	5.50	5.30
304	312	61.60	52.80	46.60	40.40	34.20	28.00	21.80	15.60	9.40	5.80	5.50
312	320	63.20	54.40	48.20	42.00	35.80	29.60	23.40	17.20	11.00	6.00	5.70
320	328	64.80	56.00	49.80	43.60	37.40	31.20	25.00	18.80	12.60	6.40	6.00
328	336	66.40	57.60	51.40	45.20	39.00	32.80	26.60	20.40	14.20	8.00	6.20
336	344	68.00	59.20	53.00	46.80	40.60	34.40	28.20	22.00	15.80	9.60	6.50
344	352	69.60	60.80	54.60	48.40	42.20	36.00	29.80	23.60	17.40	11.20	6.70
352	360	71.20	62.40	56.20	50.00	43.80	37.60	31.40	25.20	19.00	12.80	6.90
360	368	72.80	64.00	57.80	51.60	45.40	39.20	33.00	26.80	20.60	14.40	8.20
368	376	74.40	65.60	59.40	53.20	47.00	40.80	34.60	28.40	22.20	16.00	9.80
376	384	76.00	67.20	61.00	54.80	48.60	42.40	36.20	30.00	23.80	17.60	11.40
384	392	77.60	68.80	62.60	56.40	50.20	44.00	37.80	31.60	25.40	19.20	13.00
392	400	79.20	70.40	64.20	58.00	51.80	45.60	39.40	33.20	27.00	20.80	14.60
400	420	82.00	73.20	67.00	60.80	54.60	48.40	42.20	36.00	29.80	23.60	17.40
420	440	86.00	77.20	71.00	64.80	58.60	52.40	46.20	40.00	33.80	27.60	21.40
440	460	90.00	81.20	75.00	68.80	62.60	56.40	50.20	44.00	37.80	31.60	25.40
460	480	94.00	85.20	79.00	72.80	66.60	60.40	54.20	48.00	41.80	35.60	29.40
480	500	98.00	89.20	83.00	76.80	70.60	64.40	58.20	52.00	45.80	39.60	33.40
500	520	102.00	93.20	87.00	80.80	74.60	68.40	62.20	56.00	49.80	43.60	37.40
520	540	106.00	97.20	91.00	84.80	78.60	72.40	66.20	60.00	53.80	47.60	41.40
540	560	110.00	101.20	95.00	88.80	82.60	76.40	70.20	64.00	57.80	51.60	45.40
560	580	114.00	105.20	99.00	92.80	86.60	80.40	74.20	68.00	61.80	55.60	49.40
580	600	118.00	109.20	103.00	96.80	90.60	84.40	78.20	72.00	65.80	59.60	53.40
600	640	124.00	115.20	109.00	102.80	96.60	90.40	84.20	78.00	71.80	65.60	59.40
640	680	132.00	123.20	117.00	110.80	104.60	98.40	92.20	86.00	79.80	73.60	67.40
680	720	140.00	131.20	125.00	118.80	112.60	106.40	100.20	94.00	87.80	81.60	75.40
720	760	148.00	139.20	133.90	126.80	120.60	114.40	108.20	102.00	95.80	89.60	83.40
760	800	156.00	147.20	141.00	134.80	128.60	122.40	116.20	110.00	103.80	97.60	91.40
800	840	164.00	155.20	149.00	142.80	136.60	130.40	124.20	118.00	111.80	105.60	99.40
840	880	172.00	163.20	157.00	150.80	144.60	138.40	132.29	126.00	119.80	113.60	107.40
880	920	180.00	171.20	165.00	158.80	152.60	146.40	140.20	134.00	127.80	121.60	115.40
920	960	188.00	179.20	173.00	166.80	160.60	154.40	148.20	142.00	135.80	129.60	123.40
960	1,000	196.00	187.20	181.00	174.80	168.60	162.40	156.20	150.00	143.80	137.60	131.40
$1,000 or over		20% of the excess over $1,000 plus										
		$200.00	$191.20	$185.00	$178.80	$172.60	$166.40	$160.20	$154.00	$147.80	$141.60	$135.40

Dependents in excess of the largest number shown: If the number of dependents is in excess of the largest number shown, the amount of tax to be withheld shall be that applicable in the case of the largest number of dependents shown reduced by $6.20 for each dependent over the largest number shown, except that in no event shall the amount to be withheld be less than 3 percent of the excess of the median wage in the bracket in which the wages fall (or if the wages paid are $1,000 or more, of the excess of the wages) over the minimum tax withholding exemption, computed to the nearest multiple of $0.10.

If the pay-roll period with respect to an employee is a daily pay-roll period or a miscellaneous pay-roll period

And the wages, divided by the number of days in such period, are—		And (1) such person claims no personal exemption for withholding	Or (2) such person is a single person, or a married person claiming a personal exemption for withholding whose spouse also claims a personal exemption for withholding, and has—									
			No dependents	One dependent	Two dependents	Three dependents	Four dependents	Five dependents	Six dependents	Seven dependents	Eight dependents	Nine dependents
			Or (3) such person is a married person claiming a personal exemption for withholding whose spouse claims no personal exemption for withholding, or the head of a family, and has—									
At least	But less than		No dependents	One dependent	Two dependents	Three dependents	Four dependents	Five dependents	Six dependents	Seven dependents		
		The amount of tax to be withheld shall be the following amount multiplied by the number of days in such period—										
$0	$1	20% of wages										
1	2	$0.30										
2	3	.50	$0.20									
3	4	.70	.40	$0.20	$0.05	$0.05	$0.05					
4	5	.90	.60	.40	.20	.05	.05	$0.05	$0.05	$0.05	$0.05	
5	6	1.10	.80	.60	.40	.20	.10	.10	.10	.05	.05	$0.05
6	7	1.30	1.00	.80	.60	.40	.20	.10	.10	.10	.10	.10
7	8	1.50	1.20	1.00	.80	.60	.40	.20	.15	.15	.10	.10
8	9	1.70	1.40	1.20	1.00	.80	.60	.40	.20	.15	.15	.15
9	10	1.90	1.60	1.40	1.20	1.00	.80	.60	.40	.20	.20	.15
10	11	2.10	1.80	1.60	1.40	1.20	1.00	.80	.60	.40	.20	.20
11	12	2.30	2.00	1.80	1.60	1.40	1.20	1.00	.80	.60	.40	.25
12	13	2.50	2.20	2.00	1.80	1.60	1.40	1.20	1.00	.80	.60	.40
13	14	2.70	2.40	2.20	2.00	1.80	1.60	1.40	1.20	1.00	.80	.60
14	15	2.90	2.60	2.40	2.20	2.00	1.80	1.60	1.40	1.20	1.00	.80
15	16	3.10	2.80	2.60	2.40	2.20	2.00	1.80	1.60	1.40	1.20	1.00
16	17	3.30	3.00	2.80	2.60	2.40	2.20	2.00	1.80	1.60	1.40	1.20
17	18	3.50	3.20	3.00	2.80	2.60	2.40	2.20	2.00	1.80	1.60	1.40
18	19	3.70	3.40	3.20	3.00	2.80	2.60	2.40	2.20	2.00	1.80	1.60
19	20	3.90	3.60	3.40	3.20	3.00	2.80	2.60	2.40	2.20	2.00	1.80
20	21	4.10	3.80	3.60	3.40	3.20	3.00	2.80	2.60	2.40	2.20	2.00
21	22	4.30	4.00	3.80	3.60	3.40	3.20	3.00	2.80	2.60	2.40	2.20
22	23	4.50	4.20	4.00	3.80	3.60	3.40	3.20	3.00	2.80	2.60	2.40
23	24	4.70	4.40	4.20	4.00	3.80	3.60	3.40	3.20	3.00	2.80	2.60
24	25	4.90	4.60	4.40	4.20	4.00	3.80	3.60	3.40	3.20	3.00	2.80
25	26	5.10	4.80	4.60	4.40	4.20	4.00	3.80	3.60	3.40	3.20	3.00
26	27	5.30	5.00	4.80	4.60	4.40	4.20	4.00	3.80	3.60	3.40	3.20
27	28	5.50	5.20	5.00	4.80	4.60	4.40	4.20	4.00	3.80	3.60	3.40
28	29	5.70	5.40	5.20	5.00	4.80	4.60	4.40	4.20	4.00	3.80	3.60
29	30	5.90	5.60	5.40	5.20	5.00	4.80	4.60	4.40	4.20	4.00	3.80
$30 or over		20% of the excess over $30 plus										
		$6.00	$5.70	$5.50	$5.30	$5.10	$4.90	$4.70	$4.50	$4.30	$4.10	$3.90

Dependents in excess of the largest number shown: If the number of dependents is in excess of the largest number shown, the amount of tax to be withheld for each day of the period shall be that applicable in the case of the largest number of dependents shown reduced by $0.20 for each dependent over the largest number shown, except that in no event shall the amount to be withheld for each day of such period be less than 3 percent of the excess of the median wage in the bracket in which the wages fall (or if the wages exceed $30, of the excess of the wages) over the minimum tax withholding exemption, computed to the nearest multiple of $0.05.

(c) Status for withholding at source on wages:

(1) In general: Section 1622 (h) (1) (relating to withholding exemption certificates) is amended to read as follows:

"(1) If furnished after the date of commencement of employment with the employer by reason of a change of status, shall take effect with respect to the first payment of wages made on or after the first status determination date which occurs at least 30 days from the date on which such certificate is furnished to the employer, except that at the election of the employer such certificate, if furnished by reason of a change of status occurring on or before July 1 of the calendar year, may be made effective with respect to any previous payment of wages made on or after the date of the furnishing of such certificate. For the purposes of this paragraph the term 'status determination date' means January 1 and July 1 of each year."

(2) Technical amendment: The last sentence of section 1622 (h) (relating to withholding exemption certificates) is amended by striking out "none of the personal exemption" and inserting in lieu thereof "no personal exemption."

Mr. GEORGE. The purpose of that lengthy amendment is to restore the existing law with reference to withholdings on wages at the source.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The clerk will state the next committee amendment.

The next amendment was, under the heading "Title II—Excess profits tax and post-war war refund of excess profits tax" on page 95, after line 14, to insert:

(b) Technical amendment relating to public utilities: Section 710 (a) (1) (B) (relating to the 80 percent limitation) is amended by inserting before the period at the end thereof the following: ", and without regard to 80 percent of the credit provided in section 26 (h) (relating to credit for dividends paid on certain preferred stock)."

Mr. BARKLEY. Mr. President, which part of the amendment is now under consideration? All of it?

Mr. GEORGE. Subparagraph (b), lines 15 to 21.

The PRESIDING OFFICER. The amendment is on page 95, lines 15 to 21, both inclusive.

Mr. BARKLEY. A question has been raised with reference to a practical repeal, under the amendment set forth in lines 15 to 21, of section 26 (h) of the present law with reference to credit for dividends paid on certain preferred stocks.

Mr. President, I should like to have the amendment go over until I can look into it, and see whether the effect of it is different from that of subparagraph (d) on page 96, to which the Senator from Texas [Mr. CONNALLY] will offer an amendment.

Mr. LA FOLLETTE. Mr. President, as I understand, the amendment to which objection has been made is the one which appears on page 96 and which makes the effect of this amendment retroactive.

Mr. BARKLEY. Yes; I understand that. I am familiar with it. There is objection to the retroactive feature of that amendment, but objection has been made to the effect of this language, which, it is claimed, practically repeals section 26 (h) of the present law. I wish to look into that matter.

Mr. LA FOLLETTE. If the amendment on page 95 is to go over, the same order should be entered with regard to the retroactive features.

Mr. BARKLEY. Not necessarily, because I do not believe they are necessarily connected. I have no objection to the amendment on page 96 going over. The Senator from Texas desires to propose an amendment to it. I do not believe the two cases are necessarily connected.

The PRESIDING OFFICER. Without objection, the amendment on page 95, beginning in line 15, will be passed over.

The next amendment will be stated.

The next amendment was on page 95, after line 21, to strike out "(b)" and insert "(c)."

The amendment was agreed to.

The next amendment was, on page 96, after line 2, to insert:

(d) Effective date of amendment to section 710 (a) (1) (B): The amendment made by subsection (b) shall be applicable to all taxable years beginning after December 31, 1941.

Mr. CONNALLY. Mr. President, the Senator from Kentucky suggested that I would offer an amendment to that provision. It seems to me that the purpose of offering an amendment can be met by rejection of the committee amendment.

Mr. BARKLEY. The Senator is correct. His thought, which I myself am inclined to support, is that if the amendment is rejected it will accomplish the purpose he has in mind.

Mr. CONNALLY. Mr. President, I have received very vigorous protests concerning the retroactive features incorporated in the committee amendment. My understanding is that the committee did not in fact adopt the amendment but that the Treasury had it inserted in the bill, and the only action which the committee really took was when the completed bill came before it for consideration. I may be in error about that.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. TAFT. The question was discussed at length in the committee and the committee approved the amendment as it appears in the present draft of the bill.

Mr. CONNALLY. Does the Senator refer to the retroactive feature on page 96?

Mr. TAFT. Yes. In fact, I raised the question myself, and after the Treasury explanation had been received I agreed to the amendment.

Mr. CONNALLY. Mr. President, I was not present during all the sessions of the committee, but I have received some very vigorous protests against this feature from companies which had not theretofore paid interest on their preferred stock. They represent that now to go back to 1941 with this aspect will veritably crush them with heavy excess profits taxes for prior years. They are not complaining of the tax in the future, but they are complaining bitterly about the retroactive feature.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. TAFT. There is no retroactive feature so far as the payment of preferred dividends in excess of 6 percent is concerned. The retroactive feature is in regard to the application of the preferred-stock provision to the excess-profits tax.

Mr. CONNALLY. Exactly; that is true.

Mr. TAFT. It never was intended by the Congress last year when it exempted preferred stock that it was in any way to decrease the excess-profits tax. It was only intended to affect the supertaxes on corporations. The Treasury Department says that it did affect the excess-profits tax merely because of a mistake in drafting and that immediately after the bill was passed they advised everyone it was a mistake and that they would endeavor to have it corrected retroactively. I do not think there was any intention when we permitted the deduction of preferred-stock dividends in any way to modify or decrease the excess-profits tax. I do not believe that any corporation relied upon that and did something that it would not have otherwise done. I do not really see why it should not be made retroactive to correct the mistake made the last time.

Mr. CONNALLY. Allow me to say to the Senator who is probably more familiar with this matter than I am that I do not like retroactive features of tax bills. The company which has written me and made vigorous protest about this matter say they did do exactly what the Senator says they probably did not do; that they did rely on the act and went ahead and made their settlement and plans and now, with this retroactive feature applying for 3 past years, they will be called upon for a very large additional tax which was not anticipated. I do not like retroactive legislation of this or any other kind.

Mr. LA FOLLETTE and Mr. BARKLEY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Texas yield and if so to whom?

Mr. CONNALLY. I must first yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. Mr. President, this matter has been brought to my attention since the committee acted upon the bill. It appears that in drafting the original provision, language was employed which I think clearly was subject to the interpretation that companies could pay dividends on their preferred stocks and get credit for them. The Treasury Department later, after the bill was enacted, realized that a mistake had been made in drafting, and issued a bulletin, if that is the proper term, the date of which, as I recall, was April 29, 1943, stating that an error had been made, that it was solely intended as a relief provision, and that they would seek to have the language corrected in the next tax bill.

I think it is generally accepted, even by officials of the Treasury Department, that there was a period between the time the bill actually became law and prior to the time the bulletin or statement was issued by the Treasury in which corporations in perfect good faith made payments of dividends on preferred stocks and that they were at that time entitled to rely upon the clear intent of the language.

It presents one of those difficult situations where there may be corporations that actually availed themselves of this provision of law in good faith, while probably other corporations proceeded to do so after the Treasury bulletin was issued. Frankly, I do not see how we can take care of both situations, but, according to the information given to me, it does work serious hardship on corporations that were in very great financial difficulties during the depression years and that did avail themselves of what appeared to them, and what they had a right to believe was the clear intent of the statute prior to the time the Treasury issued its statement that there had been an error in drafting. After all, it seems to me that if the Congress made a mistake, if the technical staff made a mistake, it is a great hardship upon corporations that relied in good faith upon that mistake, if it may be called that, to penalize them merely in order to take care of others that may have taken advantage of it even after the Treasury's statement was issued. It seems to me that is unfair.

Mr. CONNALLY. Mr. President, I think the Senator from Wisconsin is entirely sound on that proposition. If the law was passed in that form that is the law and there is no Treasury bulletin or anything else that can change the law until the Congress comes along and changes it later on. If we are going to adopt the policy that the Treasury can say "The Congress made a mistake and what the law says is not correct" we will be introducing a novel proposition into legislation.

Furthermore, as suggested by the Senator some of these companies, including the one I have particularly in mind, had very hard sledding during the depression and could not make payments on preferred stocks, but later on they did make them; and now to go back and take this advantage away from them for prior years will crush the life out of them.

Mr. LA FOLLETTE. And it will upset their tax returns, their tax basis.

Mr. CONNALLY. That is correct.

Mr. LA FOLLETTE. And they have no way of rectifying the situation since the dividends have been paid and the recipients thereof have taken them up in their own income tax returns.

Mr. CONNALLY. The Senator is entirely correct.

Mr. LA FOLLETTE. I believe it is a very difficult situation, but it seems to me that, in common justice, we will have to let those who did take advantage of it unfairly get away with it in order not to do an injustice to those who acted in good faith. I hope the amendment will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

Mr. BARKLEY. Mr. President, I wish merely in a word or two to emphasize what the Senator from Texas and the Senator from Wisconsin have said. Many of these companies made their distribution of dividends, especially on preferred stocks, under the law as it was interpreted and as everybody knew it to be. Those who received those dividends have paid their income tax upon them in whatever bracket they may have fallen. Now there is no way for the companies to go back and recoup from the stockholders what they have paid out to them

in dividends, upon which the stockholders themselves paid a tax, without either collecting it from them individually or denying to the stockholders dividends to which they may be entitled in the future, in order to recoup the treasury of the company for the additional tax the company would be required to pay if this retroactive feature is kept in the bill.

Mr. TAFT. Will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. TAFT. No single case was called to the attention of the committee in which anyone had relied on this before April, and I doubt if any case can be shown in which anyone relied on it before that date. At least, none have been called to my attention. The cases with which I am familiar were simply cases in which the taxpayers took a chance, and thought, "Well, this was not intended for the present." If there is a case in point, I think it should be brought to our attention.

Mr. BARKLEY. Mr. President, I call attention to a statement I have received from the Kentucky Utilities Co., which operates all over the State of Kentucky. It appears it paid its taxes according to its interpretation of the law, and as the law was generally interpreted at the time. The change in section 26 (e) by section 202 of the pending bill will involve for that particular company in the future an increase in the annual tax of $132,516.97, on this one company, a tax which is 15.87 percent of the annual preferred dividend. In other words, the increase under section 202, which modifies the present law, would place upon that company in the future an additional tax of $132,516.97.

If we make it retroactive for 1942 and 1943, as would be the effect of the pending amendment, it would mean that, in addition to the increased tax of $132,000 a year in the future, the company would have to pay the same amount for the last 2 years, which would mean $265,000 additional taxes because of the retroactive feature of the proposal, in addition to the increased tax it will have to pay in the future. Of course that means that not only for the future we would have levied a tax of 15.87 percent of the annual preferred dividend by reason of the increase from 90 to 95 percent carried in section 202, but we would have doubled the percentage for the 2 years 1942 and 1943.

Mr. President, it seems to me that is a hardship which this company should not suffer. It was not conniving at any escape from taxes. It is not at fault, and we certainly should not penalize the company now.

I am satisfied there are other companies in the country which can show a similar situation, though the figures may be different. In my judgment, this showing certainly justifies the rejection of the amendment.

Mr. LA FOLLETTE. Mr. President, I do not know how many companies there may be which are in the situation of having availed themselves of this provision prior to the Treasury's bulletin of April 29, 1943, but I have a statement, furnished me by Mr. William Ryan, of Madison, Wis., attorney for the Wisconsin Power & Light Co., in which he says:

While complaint is not made at this time of the elimination of the 80-percent credit deduction of the amount of preferred dividends for the future, vigorous opposition is registered against the retroactive feature.

The Wisconsin Power & Light Co. experienced a tough time during the depression and fell behind in payment of its preferred dividends. The company picked up these back dividends in the year of 1942 and in the first quarter of 1943. The retroactive feature of the bill will render incorrect the company's income return for 1942, although correct when made, since the 80-percent credit deduction then made is now rendered illegal by the bill and the company will not only be required to pay a deficiency but will be required to pay 6 percent interest on the amount of the deficiency created by the retroactive features of the bill.

And the bill will also render inaccurate the company's estimates and accruals for income taxes for the year 1943. It will render inaccurate the annual reports of the company to its stockholders, and will also render inaccurate the monthly reports to the Public Service Commission of Wisconsin relating to profit and loss and other financial matters.

When the company paid these back dividends, as well as current dividends, it was under the tax statutes entitled to deduct the dividends in determining income taxes. Meanwhile, the recipients of the dividends paid income taxes for the dividends so received.

And there was, and is, no ambiguity in the statute. The statute plainly and without equivocation authorized the deduction.

I interpolate to say that I believe that those who actually drafted the language concede that statement to be correct. Mr. Ryan continues:

The Treasury in 1943, bulletin No. 8–11410, dated April 29, 1943, states that section 26 (h) was intended as a relief measure and was intended to give relief only from surtax. However, congressional leaders in charge of the tax bill gave public assurance on numerous occasions that there would be no retroactive features in the forthcoming tax bill.

All of the back dividends of Wisconsin Power & Light Co. had been paid before the date of the Treasury bulletin. The Treasury makes no claim of ambiguity in the statute. If a mistake was made, it cannot now be rectified by a retroactive provision without working injustice, because the taxpayer cannot undo what was done in payment of dividends in reliance on the plain provisions of the statute authorizing the amount of dividends to be deducted in determining income taxes.

The retroactive section of the bill will add approximately $600,000, exclusive of interest, to the company's Federal taxes for the years 1942 and 1943. The company has proceeded upon the basis that the existing tax laws determined the amount of its Federal taxes and paid preferred-stock dividends, and otherwise arranged its finances on such basis. It has not paid any common-stock dividends since 1931. It can be readily seen that the company will be hit very hard if it has to pay $600,000 in additional taxes, which may well result in the impairment of service to the public by diverting to the payment of these extra back taxes funds that should be used for construction purposes.

Mr. BARKLEY. Has the Senator concluded?

Mr. LA FOLLETTE. I have concluded.

Mr. BARKLEY. In addition to the situation to which I called attention a moment ago, as it affects the Kentucky Utilities Co., and the figures which I have received from the president of that company, whom I know personally, and who is thoroughly reliable, showing that this retroactive feature will cost the company $265,000, if it is retained, my attention has been called to the fact that a large number of similar companies throughout the country have made known to the joint committee of the two Houses on internal revenue taxation the effect upon them.

I have here a telegram sent to Mr. Stam by the Minnesota Power & Light Co., in which it is stated:

DULUTH, MINN., *January 11, 1944.*

Mr. COLIN STAM,
Chief of Staff, Joint Legislative Tax Committee,
House Office Building,
Washington, D. C.:

Retroactive repeal of preferred-stock dividend credit as proposed by the Senate Finance Committee in section 202 of the pending revenue bill will increase this company's taxes for 1942 and 1943 approximately $780,000. Relying on existing law, dividends were paid and other commitments made in those 2 years, and to now have this changed retroactively would seriously affect us. Would strongly urge elimination of this retroactive feature.

MINNESOTA POWER & LIGHT CO.,
M. L. HIBBARD, *President.*

Here is a telegram from Mr. P. S. Arkwright, president of the Georgia Power Co., in which he says:

Section 202 of Senate Finance Committee revenue bill in subdivision D making change retroactive for past year would cost Georgia Power Co. $308,000. We have published our earnings statement, paid obligations, and made plans for present year in reliance on the 1942 act. Believe law should not be changed retroactively and urge that amendment be adopted deleting this feature of proposed bill.

I have here a list of companies which will be financially affected by the retroactive feature of the amendment. The Southwestern Light & Power Co. of Oklahoma would be affected to the extent of $310,000. The Central Power & Light Co. of Texas would be affected in the amount of $280,000. The Wisconsin Power & Light Co., mentioned by the Senator from Wisconsin, would be affected to the extent of $633,000. The Central Illinois Public Service Co. of Illinois would be affected in the amount of $2,415,000; the Georgia Power & Light Co., $325,000; the Northern Indiana Public Service Co., $1,400,000. The California-Oregon Power Co. and the Mountain States Power Co. would be affected. The amount is not definite, but it will be a considerable sum. The Minnesota Power & Light Co. would be affected to the extent of $750,000.

These are a few of the companies which would be required to pay additional amounts out of their treasuries, after they had paid dividends, and made plans, and paid all the other taxes they were supposed to pay. The amounts I have stated would be those required of them in addition to the taxes which they had paid, and the dividends they had disbursed, and after they had planned for the future. It seems to me that it is absolutely unjust to require them to go back and pay these other amounts for the 2 years.

Mr. WILLIS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WILLIS. With respect to the Northern Indiana Public Service Co. I should like to add that the company has since the time referred to been refinanced, and the more than one and a half million dollars referred to would have to be charged up to the new financing system, which is not at all responsible for the situation.

Mr. BARKLEY. Yes. I am not familiar with the matter of the refinancing, but I can very well understand how what the Senator says will happen.

Mr. TAFT. Mr. President, the Senator from Wisconsin has produced a case where something was done before notice was given by the Treasury of the mistake. I should like to say a word about it. I was opposed to the deduction of preferred-stock dividends. It was, in my opinion, a present, if you please. It was given to utility companies only. There is no reason that I can see why utility companies should be allowed to deduct, as if it were interest, preferred-stock dividends, if other companies cannot deduct preferred-stock dividends. It was something that they had no right to rely upon. It was a gift, if you please. It was not intended that they should have the right to pay off cumulative dividends for 10 years and thereby wipe out all of their taxes. That was not really intended. But certainly the provision was written that way, and there is no attempt to prevent retroactive action, or say that the companies cannot take advantage of the provision.

Mr. President, there is this difference between dividends on preferred stock and interest on bonds, that only 1 year's interest on bonds can be deducted because it is in arrears, because bond interest must be accrued every year, but stock dividends do not have to be thus accrued. So, many of these companies declared 8 years' back dividends, and wiped out their tax. But it was to my mind a clear gift to the utility companies.

Furthermore, the section was so written that besides affecting the corporation's supertax, which was what the committee intended, it developed that the corporations which were in the excess-profits tax group, corporations which made so much money in 1943 that they got into the excess-profits group, discovered that by paying these dividends they could practically get out of their excess-profits taxes, and so they rush in and pay them.

I do not like retroactive measures any more than any other Senator does, but it seems to me that in effect the provision in question made a gift to the utilities. I do not object to the elimination of the section, but I think that as soon as possible we should revise the entire provision with respect to the deduction of preferred stock dividends.

Mr. CONNALLY. Mr. President, I do not care to take up any more time.

Mr. TAFT. Mr. President, I withdraw my objection to the Senator's motion, or whatever it is.

Mr. CONNALLY. I will say to the Senator that I have another letter very similar to that quoted by the Senator from Wisconsin [Mr. LA FOLLETTE], in which the company advises that it went ahead and paid dividends in good faith, relying on the statute, and that if we were to make them retroactive for the year 1943 alone, their taxes would be increased $280,000.

Mr. BARKLEY. In that connection, would it not also be possible that this provision might have an effect, not on the pending applications, but on possible applications for reduction in rates of public utilities in the States in which they operate?

Mr. CONNALLY. Oh, yes.

Mr. BARKLEY. In other words, a public utility commission within a State would certainly have a right to take into consideration that the Federal Government had required a utility to dig down into its treasury and give up all these funds, in considering whether the utility is entitled to an increase in rates, or whether an application for decrease on the part of the public should be granted.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 96, inserting the language, lines 3 to 6.

The amendment was rejected.

Mr. WHITE. Mr. President, I ask leave to return to the amendment on page 64, line 12. The chairman of the committee was good enough at my request to consent that the amendment be passed over temporarily. Since then I have had an opportunity to confer with my colleague with respect to the question which prompted my request that the amendment go over. That question has been resolved, and I shall be very glad to have the amendment agreed to.

The PRESIDING OFFICER. Without objection, the amendment on page 64 beginning in line 12, is agreed to.

Mr. HOLMAN. Mr. President, if I am in order, I should like briefly to address an observation to the chairman of the committee and to members of the committee which drafted the bill. I should like to state that during the recent brief recess of Congress, while I was in Oregon, wherever I went, wherever I met a group of citizens, I was bombarded with protests with respect to the complexity of the Federal income-tax form, and I was importuned to present the protests to the Senate and to the proper committee. The contention was made, and I believe correctly so, that the taxpayer did not understand how to prepare the tax blanks and how to prepare to pay his taxes. The statement was made that invariably the taxpayer was called upon, as I myself am called upon to do, to employ a professional auditor or accountant to make out his tax statement. A shortage of accountants exists by reason of the number of accountants who have been taken into the various Federal departments and into the armed forces. I must admit I have no specific remedy for this situation, but I do make the plea that the committee endeavor to find some way to make a simpler tax bill or form to be made out with respect to payment of taxes, or the people will fail to pay their taxes. I presume the committee has taken that question under consideration. The subject is entirely too complicated for the understanding of the ordinary taxpayers.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The CHIEF CLERK. On page 99, in the table following line 9, after the words "Over $10,000,000," it is proposed to strike out the comma and "but not over $200,000,000"; and in the line immediately following to strike out "Over $200,000,000—$10,200,000, plus 4 percent of the excess over $200,000,000."

Mr. BURTON. Mr. President, I wish to make inquiry of the Senator from Georgia regarding this section. As I understand the committee amendment, it restores the excess-profits credit rate in the highest block from 4 percent to 5 percent, but it does not act upon the rate contained in the House bill with respect to the next block, ranging from $10,000,000 to $200,000,000 of invested capital.

I should like to suggest that it is consistent with the action taken by the committee that consideration be given to restoring the credit also in that block, so that the matter may be considered in conference. I suggest the restoration not only of the House provision for a block of over $200,000,000 of invested capital with a change in rate from 4 percent to 5 percent, but a change in the next block from 5 percent to 6 percent. I should like to inquire whether the chairman of the committee would be prepared to accept and to take to conference an amendment which I have on the table, which merely does that, and applies the same theory to the two upper blocks, instead of limiting it only to the very largest block.

Mr. GEORGE. Mr. President, the committee approved the action taken by the House in reducing the excess-profits credit on invested income companies with the exception of the last line in the schedule, and which applies to invested capital over $200,000,000. In drawing the amendment we had to deal with the next to the last line as well as with the last line. Actually what the committee did was to eliminate the 4 percent in the highest bracket and put the rate back to 5 percent. As I understand the Senator's amendment it would have the effect of restoring existing law between $10,000,000 and $200,000,000.

Mr. BURTON. That is correct. On page 99, what the committee does is to change the 4-percent figure to 5 percent. I would likewise in the lines above change the 5 percent to 6 percent, which would throw the second block in with the block above it at 6 percent, and therefore both would be given full consideration in conference. There are many class I railroads, for example, in the $10,000,000 and over block that would be entitled, I think, to the same consideration as those above the $200,000,000 line, and I understand that their case was not given special consideration by the committee in discussing the point. I merely would like to have them both considered when the matter comes up in conference.

Mr. GEORGE. Mr. President, there is one feature of the suggested amendment which gives me some pause. As I understand the amendment—I am not quite certain that my understanding of

it is correct—under existing law the corporations with an invested capital of between $5,000,000 and $10,000,000 are now entitled to 7 percent credit, and under the provisions of the bill as passed by the House they would be given 6 percent credit, so that they would actually have their credit reduced. That group is the only one which would have its credit reduced.

Mr. BURTON. I was not raising a point with respect to that group, it being a rather small one. However, I thought that inasmuch as there had been no question raised as to them, perhaps that would stand as a reduction. But I did think the large number of companies involved in the group or block of those between $10,000,000 and $200,000,000 should receive the same consideration as those in the group of companies over $200,000,000.

Mr. GEORGE. Those in the group of over $200,000,000 were not given the advantage of a 6-percent rate, but were given only 5 percent.

Mr. BURTON. They now have 5 percent; and, as I understand the matter, the bill as passed by the House reduced the rate to 4 percent, and the Senate committee recommends that the rate be put back to 5 percent.

Mr. GEORGE. The House reduced the rate to 4 percent for those high-bracket companies.

Mr. BURTON. I am merely asking that the committee give the same treatment to the next group, and leave them at 6 percent, instead of dropping them down to 5 percent, before the bill is taken to conference.

Mr. GEORGE. I regret that I cannot accept the amendment, because I think it would cost the Government a great deal of revenue.

I should like to ask the Senator if he will withhold his amendment at this time, and let me make inquiry about it. I am satisfied it would cost rather heavily in revenue, to give them the advantage of the 6-percent rate.

Mr. BURTON. Mr. President, let me say to the Senator that, on the basis of the estimates I have received, I think the cost to the Government would be comparatively small, as compared to amount involved in raising the rate from 4 percent to 5 percent. Generally speaking, I think the raising of the rate from 4 percent to 5 percent would involve approximately $113,000,000, and the cost of raising the rate from 5 percent to 6 percent would involve approximately $27,000,000.

Mr. GEORGE. Mr. President, I should like to have the amendment go over.

Mr. BURTON. Mr. President, I am glad to have the amendment go over.

The PRESIDING OFFICER. Without objection, the amendment will be passed over.

Mr. BURTON. Mr. President, I ask unanimous consent to have my amendment, which now is lying on the table, printed at this point in the RECORD, so that it may appear in connection with the discussion which has been had regarding it.

There being no objection, the amendment intended to be proposed by Mr. BURTON was ordered to be printed in the RECORD, as follows:

On page 99, strike out the matter appearing between lines 9 and 10 and insert in lieu thereof the following:

"If the invested capital for the taxable year, determined under section 715 is:	The credit shall be:
Not over $5,000,000	8 percent of the invested capital.
Over $5,000,000, but not over $200,000,000.	$400,000, plus 6 percent of the excess over $5,000,000.
Over $200,000,000	$12,100,000, plus 5 percent of the excess over $200,000,000."

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment was, in section 206, publicity of relief granted under section 722, on page 99, line 12, before the word "Section", to insert "(a) In general.—", and in line 15, after the word "year", to insert "beginning after June 30, 1941."

The amendment was agreed to.

The next amendment was, on page 100, after line 12, to insert:

(b) Taxable years to which applicable: The compilation of cases required by the amendment made by subsection (a) shall not be limited to cases relating to taxable years beginning after December 31, 1943.

The amendment was agreed to.

The next amendment was, on page 101, line 23, after the word "the", to strike out "producer" and insert "person"; in line 24, after the word "leased", to strike out "by the lessor"; on page 102, line 1, after the word "withdrawal", to strike out the comma and "or transportation by pipe line"; and in line 2, after the words "of natural gas", to insert "from a natural gas property in which it owns an economic interest and which was in operation during the base period."

The amendment was agreed to.

The next amendment was, on page 102, line 10, after the words "of natural gas", to strike out "sold by a natural gas company" and insert "withdrawn from a natural gas property."

The amendment was agreed to.

The next amendment was, on page 102, line 21, after the numerals "1939" and the parenthesis, to strike out "hereinafter" and insert "in this section"; on page 103, line 1, after the word "units", to strike out "sold" and insert "withdrawn"; and in the same line, after the word "the", to strike out "taxable years beginning after December 31, 1935, and not beginning after December 31, 1939 (hereinafter called 'base period')" and insert "base period."

The amendment was agreed to.

The next amendment was, on page 104, line 4, after the word "means", to strike out "the property of a natural gas company used for the withdrawal, storage, and transportation by pipe line, of natural gas," and insert "a gas well, the development and plant necessary for the withdrawal of natural gas therefrom, and so much of the surface of the land as is necessary for such withdrawal."

The amendment was agreed to.

The next amendment was, on page 105, line 1, after the word "units", to strike out "sold" and insert "withdrawn from such property."

The amendment was agreed to.

The next amendment was, on page 105, line 11, after the words "equal to", to strike out "⅙" and insert "½."

The amendment was agreed to.

The next amendment was, on page 105, line 17, after the word "company", to strike out "any of the natural gas property of which was in operation during the base period"; and in line 21, after the word "year", to insert "from natural gas properties in which it owns an economic interest."

The amendment was agreed to.

The next amendment was, on page 107, line 20, after the word "section", to strike out "with respect to lessors of mineral properties which were in operation during the base period, and with respect to lessors of timber blocks, as defined without regard to the amendments made by this section, which were in operation during the base period, and with respect to natural gas companies."

The amendment was agreed to.

The next amendment was, in section 250, Post-War Refund of Excess Profits Tax, on page 108, after line 4, to insert:

(a) Credit in case of fiscal year beginning in 1941 and ending after June 30, 1942: The last sentence of section 780 (a) (providing for a post-war refund of excess profits tax) is amended to read as follows: "For the purposes of this part, in the case of a taxpayer whose tax is determined under section 710 (a) (3), the term 'tax imposed under this subchapter' means the portion of the tentative tax determined under section 710 (a) (3) (B)."

The amendment was agreed to.

The next amendment was, in the item "(b) Effect of Refunds," on page 109, in line 16, after the word "year", to strike out "then"; and in line 20, before the word "made", to strike out "was" and insert "is."

The amendment was agreed to.

The next amendment was, on page 110, line 6, after the word "year", to strike out "or a previous taxable year"; in line 7, after the word "of", to strike out "being so applied" and insert "such reduction"; and in line 13, after the word "of", to strike out "the bonds" and insert "bonds issued with respect to such taxable year."

The amendment was agreed to.

The next amendment was, on page 111, after line 4, to insert:

(2) Special rule in case of fiscal years beginning in 1941 and ending after June 30, 1942: In the case of a taxable year beginning in 1941 and ending after June 30, 1942, the credit under section 780 (a) for such taxable year shall not be greater than the excess of the tax paid under this subchapter to the United States for such taxable year (and not credited or refunded under the internal revenue laws) over the sum of (i) the portion of the tentative tax determined under section 710 (a) (3) (A), and (ii) the portion of the tentative tax determined under section 710 (a) (3) (B) reduced by 10 percent.

The amendment was agreed to.

The next amendment was, on page 111, line 17, before the word "Special", to strike out "(2)" and insert "(3)"; and in

line 20, before the word "the", to strike out "paragraph (1) shall not apply, and."

The amendment was agreed to.

The next amendment was, on page 112, line 15, before the word "Taxable", to strike out "(f)" and insert "(g)"; in line 16, after the word "subsections", to strike out "(a), (b), (c), and (d)" and insert "(b), (c), and (d), and the amendments made by subsection (e) (except with respect to credits or refunds made on or prior to the date of the enactment of this act)"; in line 21, after the numerals "1942" and the period, to insert "The amendment made by subsection (a), and the amendment made by subsection (f) inserting a new paragraph (2) of section 781 (d) of the Internal Revenue Code, shall be applicable with respect to fiscal years beginning in 1941 and ending after June 30, 1942"; in line 26, after the word "subsection", to strike out "(e)" and insert "(f)"; and in the same line, after the word "paragraph", to strike out "(2)" and insert "(3)."

The amendment was agreed to.

The next amendment was, on page 113, after line 3, to insert:

Sec. 251. Technical amendment to credit for debt retirement.

(a) In general: Section 783 (b) (2) (relating to a limitation on the credit for debt retirement) is amended to read as follows:

"(2) An amount equal to 40 percent of the amount by which the indebtedness as of September 1, 1942, or as of the close of any preceding taxable year ending after September 1, 1942, whichever is the lesser, exceeds the amount of indebtedness as of the close of the taxable year."

(b) Taxable years to which applicable: The amendment made by subsection (a) shall be applicable with respect to taxable years beginning after December 31, 1942.

The amendment was agreed to.

The next amendment was, under the heading "Title III—Excise taxes" and the subhead "Chapter 9–A—War taxes and war tax rates—Section 1650. War tax rates of certain miscellaneous taxes," in the table appearing at the bottom of page 114, under the item "Admissions", in the last column, to strike out "two cents for each ten cents or fraction thereof" and insert "one cent for each five cents or fraction thereof."

Mr. WHITE. Mr. President, not at my own instance, but at the request of a Senator who is temporarily absent, I ask unanimous consent that the item which has just been read—the one pertaining to the war-tax rate of 2 cents for each 10 cents or fraction thereof, and so forth, may be passed over.

Mr. GEORGE. That is agreeable.

The PRESIDING OFFICER. Without objection, the amendment will be passed over.

The next committee amendment will be stated.

The next amendment was, in the table appearing on page 114, under the item "Cabarets, roof gardens, and so forth," in the last column, to strike out the figures "30" and insert the figures "20."

The amendment was agreed to.

The next amendment was, in the table appearing on page 114, under the item "Jewelry", in the first column, after the numerals "2400" to insert "(except as respects watches selling at retail for not more than $65 and alarm clocks selling at retail for not more than $5)."

The amendment was agreed to.

The next amendment was, in the table appearing on page 114, under the item "Furs," in the last column, to strike out "25" and insert "20."

The amendment was agreed to.

The next amendment was, in the table appearing on page 114, under the item "Toilet preparations," in the last column, to strike out "25" and insert "20."

Mr. LANGER. Mr. President, I have an amendment to offer to the House text of the table appearing on page 114, following line 11, under the item "Toilet preparations." I should like to present my amendment. Perhaps the committee will accept it.

The PRESIDING OFFICER. Without objection, the amendment of the Senator from North Dakota will be stated for the information of the Senate.

The CHIEF CLERK. In the table appearing on page 114, after line 11, under the item "Toilet preparations," in the first column, after the numerals "2402" it is proposed to insert "(except as respects the sale of toilet preparations to a person operating a barber shop, beauty parlor, or similar establishment, for use in the operation thereof and for resale, or the use in such operation of toilet preparations purchased by such person for resale)."

Mr. LANGER. My amendment would leave this item in the same status as under the old law. It would mean that operators of barber shops and beauty parlors, who cannot charge for the material actually used, which is not for resale, would not be penalized.

The PRESIDING OFFICER. The amendment would be out of order at this time, because the Senate is now considering only committee amendments. The only committee amendment in connection with this item is as to the rate.

Mr. LANGER. I ask that the committee amendment be passed over.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Dakota that the committee amendment be passed over? The Chair hears none; and, without objection, the amendment will be passed over.

The clerk will state the next committee amendment.

The next amendment was, on page 115, in the table, under the item "Billiard and pool tables", in the first column, after the numerals "3268" to strike out "(So much as relates to billiard and pool tables)"; in the second column, after the word "tables", to insert "and bowling alleys"; in the third column, after the word "table", to insert "$10 per year per alley"; and in the last column, after the word "table", to insert "$20 per year per alley."

The amendment was agreed to.

The next amendment was, on page 115, in the table, under the item "Electric Light Bulbs and Tubes", in the last column, to strike out "25" and insert "15."

The amendment was agreed to.

The next amendment was, on page 115, in the table, under the item "Telegraph, Cable, or Radio Dispatches", in the second column, before the word "Telegraph", to insert "Domestic"; in the same column, after the word "Dispatches", to strike out "(1) Domestic; (2) International"; in the third column, to strike out "10 per centum"; and in the last column, to strike out "15 per centum."

The amendment was agreed to.

The next amendment was, on page 115, in the table, under the item "Leased Wires, Etc.", in the last column, to strike out "20" and insert "25."

The amendment was agreed to.

The next amendment was, on page 115, in the table, under the item "Wire and Equipment Service", in the last column, to strike out "7" and insert "8."

The amendment was agreed to.

The next amendment was, on page 115, line 5, after the words "equivalent to" to strike out "25" and insert "15."

The amendment was agreed to.

The next amendment was, on page 116, after line 15, to strike out:

Sec. 1652. Tax on bowling.

(a) Tax:

(1) Rate: There shall be levied, assessed, collected, and paid a tax equivalent to 20 percent of all amounts paid for the privilege of bowling at any bowling alley. The term "bowling alley" shall include every building or place where bowls are thrown.

(2) By whom paid: The tax imposed under paragraph (1) shall be returned and paid by the person receiving the payments subject to the tax.

(b) Other laws applicable: All provisions of law (including penalties) applicable in respect of the tax imposed by section 1700 (e) shall be applicable in respect of the tax imposed by subsection (a).

Sec. 1653. Tax on parimutuel wagering.

(a) Tax: There shall be levied, assessed, collected, and paid on the conducting of parimutuel or totalizator wagering on any racing or other sporting event a tax in an amount equal to 5 percent of the total amount wagered and received, on and after the effective date of title III of the Revenue Act of 1943, into the parimutuel or totalizator pool, to be paid by the person conducting or having control of such parimutuel or totalizer pool.

(b) Returns and payment: Every person liable to tax under subsection (a) shall make returns under oath in duplicate and pay the tax to the collector for the district in which is located his principal place of business or, if he has no principal place of business in the United States, then to the Collector at Baltimore, Md. Such returns shall contain such information and be made at such times and in such manner as the Commissioner, with the approval of the Secretary, may by regulations prescribe. The tax shall, without assessment by the Commissioner or notice from the collector, be due and payable at the time so fixed for filing the return.

(c) Other laws applicable: All provisions of law (including penalties) applicable in respect of the taxes imposed by section 1700 (e) shall, insofar as applicable and not inconsistent with the provisions of this section, be applicable in respect to the tax imposed by this section.

The amendment was agreed to.

The next amendment was, on page 118, line 12, after "mortgage", to strike out "and delivery thereunder"; in the same line 12, after "mortgage", to strike out "made" and insert "made, delivery thereunder was made, and a part of the consideration was paid."

The amendment was agreed to.

The next amendment was, on page 120, line 13, after "The", to strike out "taxes

imposed by sections 1651, 1652, and 1653" and insert "tax imposed by section 1651."

The amendment was agreed to.

The next amendment was, on page 121, line 1, after "Date", to insert "or Period."

The amendment was agreed to.

The next amendment was, on page 121, line 10, after the word "Tables", to insert "and Bowling Alleys"; in line 13, after "effective", to strike out "only"; and in line 14, after the numerals "1944"; to insert "and continuing through June 30 next following the first day of the first month which begins 6 months or more after the date of the termination of hostilities in the present war (as defined in ch. 9A of the Internal Revenue Code)."

The amendment was agreed to.

The next amendment was, on page 122, line 3, after the words "after the", to insert "first day of the first month beginning after the"; in line 6, after the word "after", to strike out "the effective date of this title" and insert "such first day"; in line 9, after the word "before", to strike out "the effective date of this title" and insert "such first day."

The amendment was agreed to.

The next amendment was, on page 123, after line 11, to strike out:

Sec. 305. Suspension of special tax with respect to bowling alleys.

Section 3268 (relating to the tax on bowling alleys and billiard and pool tables) is amended by inserting at the end thereof the following:

"(c) Tax on bowling alleys suspended: The tax imposed by subsection (a) with respect to bowling alleys shall not be applicable with respect to the period beginning July 1, 1944, and ending with the date on which the tax imposed under section 1652 terminates."

The amendment was agreed to.

The next amendment was, on page 123, after line 21, to insert:

Sec. 305. Exemption of billiard and pool tables in hospitals from tax.

(a) In general: Section 3268 (a) (relating to the tax on bowling alleys and billiard and pool tables) is amended by inserting at the end thereof the following: "No tax shall be imposed under this section with respect to a billiard table or pool table in a hospital if no charge is made for the use of such table."

(b) Effective date: The amendment made by this section shall be effective beginning July 1, 1944.

The amendment was agreed to.

The next amendment was, on page 126, line 13, after the words "District of", to strike out "Columbia" and insert "Columbia, or any corporation created by act of Congress to act in matters of relief under the treaty of Geneva of August 22, 1864."

The amendment was agreed to.

The next amendment was, on page 126, line 24, after the words "District of", to strike out "Columbia" and insert "Columbia, or any corporation created by act of Congress to act in matters of relief under the treaty of Geneva of August 22, 1864."

The amendment was agreed to.

The next amendment was, on page 127, line 11, after the name "District of Columbia", to insert "or any corporation created by act of Congress to act in matters of relief under the treaty of Geneva of August 22, 1864."

The amendment was agreed to.

The next amendment was, on page 127, line 20, after the word "the", to strike out "tax imposed by" and insert "articles enumerated in."

The amendment was agreed to.

The next amendment was, on page 128, line 3, after the words "date of the", to strike out "amendments" and insert "amendments, or to any agreement or change order supplemental to such contract bearing the same Government contract number."

The amendment was agreed to.

The next amendment was, on page 128, line 8, after the words "to the", to strike out "tax imposed by" and insert "articles enumerated in"; and in line 16, after the words "date of the", to strike out "amendments" and insert "amendments, or to any agreement or change order supplemental to such contract bearing the same Government contract number."

The amendment was agreed to.

The next amendment was, on page 128, line 19, after the numerals "3443", to strike out "(a) (1) (A) (i)" and insert "(a) (3) (A) (i)."

The amendment was agreed to.

The next amendment was, on page 129, line 1, after the word "such", to strike out "date" and insert "date, or to any agreement or change order supplemental to such contract bearing the same Government contract number."

The amendment was agreed to.

The next amendment was, on page 130, after line 3, to insert:

(c) Notwithstanding the amendments made by this section, the Secretary of the Treasury may authorize exemption from the taxes imposed by chapters 19, 29, or 30 of the Internal Revenue Code as to any particular articles or services, or class of articles or services, to be purchased for the exclusive use of the United States, if he determines that the imposition of any of such taxes will cause substantial burden or expense which can be avoided by granting tax exemption and that the full benefit of such exemption, if granted, will accrue to the United States. For the purposes of this subsection, the sections of the Internal Revenue Code amended by this section as in force on the day preceding the effective date of this title shall remain in full force and effect. This subsection shall not be applicable to any contract entered into on or after the first day of the first month which begins 6 months or more after the date of the termination of hostilities in the present war.

The amendment was agreed to.

The next amendment was, on page 135, at the beginning of line 8, to strike out "$5" and insert "$6."

The amendment was agreed to.

The next amendment was, on page 135, after line 13, to insert:

(d) Time of eligibility of draw-back with respect to distilled spirits used in manufacture of certain nonbeverage products: Section 3250 (1) (1) (relating to eligibility for draw-back with respect to distilled spirits used in manufacture of certain nonbeverage products) is amended to read as follows:

"(1) In general: Any person using distilled spirits produced in a domestic registered distillery or industrial alcohol plant and fully tax-paid in the manufacture or production of medicines, medicinal preparations, food products, flavors, or flavoring extracts which are unfit for beverage purposes, upon payment of a special tax per annum, shall be eligible for draw-back at the time when such distilled spirits are used in the manufacture of such products and as hereinafter provided for."

The amendment was agreed to.

The next amendment was, on page 136, after line 4, to strike out:

Sec. 310. Exemption of silver-plated flatware from tax on jewelry.

Section 2400 (relating to the retailers' excise tax with respect to jewelry, etc.) is amended by striking out "gold, gold plated, silver, silver plated, or sterling flatware or hollow ware" and inserting in lieu thereof "gold, gold plated, silver, or sterling flatware or hollow ware and silver-plated hollow ware."

Mr. GEORGE. Mr. President, I notice that the junior Senator from New York [Mr. MEAD] is present in the Chamber. He is interested in this amendment.

Mr. MEAD. Mr. President, this amendment merely strikes out the House language. The House language eliminates the tax on silver-plated flatware, and the Senate committee would impose the existing taxes and add the tax on jewelry in the case of silver-plated flatware.

In the tax laws of 1924, and again in the tax laws of 1932, flatware was exempted from the excise taxes, definitely, on the ground that it is a household necessity, as much so as china or glassware. It is not jewelry. It is the cheapest kind of flatware. It is sold in the 5- and 10-cent stores. It is glossed over as a sanitary measure.

It occurs to me that it may not have been the intention of the committee to include it in the tax on jewelry. As a matter of statistics, only 18 percent of the flatware bought in the United States is bought in jewelry stores. The other 82 percent is bought in hardware stores, china stores, general stores, and 5- and 10-cent stores. As I have stated, the silver coating is necessary to insure safety when spoons are put into the mouth after contact with acid foods.

The tax laws of the past have exempted such flatware, and it occurs to me that it should be exempted in this bill. As I stated in the beginning, the provision applies only to silver-plated flatware, and not to what one might deduce from reading the amendment—gold or gold-plated or silver or silver-plated, or sterling flatware or hollow ware.

Striking out the committee amendment, Mr. President, would merely eliminate silver-plated flatware, which embraces the cheapest kind of utensils of that category, from the tax imposed on jewelry by the bill. If the chairman of the committee desires, I shall ask to have the amendment go over until it can be considered at the conclusion of the consideration of committee amendments. Or, if it is his desire, I of course would favor the action which I propose, which is to reject the committee amendment, and leave the House provision which would eliminate only silver-plated flatware from the provisions of the tax on jewelry.

Mr. GEORGE. The question is really whether or not we shall agree to the committee amendment. If it shall be agreed to, that action will, of course, restore the House provision. The amendment was made as a deliberate action on the part of the Senate Finance Commit-

tee. My recollection is that a relatively small amount of revenue is involved, but I do not recall the figure at this time. From $3,000,000 to $5,000,000 has been estimated as the income which would be produced by this amendment. In any event, if the amendment shall be agreed to, the matter will go to conference, and then we will look into it. Unless the Senator desires to have a record vote upon the amendment, I should like to have it agreed to. It is not necessary that he make an affirmative motion, because the amendment will be agreed to, or the House text will be restored.

I have no further information which I can give the Senate on the matter. I am dealing with my own recollection, largely, even as to the amcunt of revenue involved, but I do know that the House provision was stricken out by the committee on motion.

Mr. MEAD. Mr. President, I, of course, would yield to the counsel of the distinguished chairman of the Committee on Finance insofar as consideration of this proposition as it exists in the bill is concerned.

Mr. GEORGE. I will make this statement to the Senator from New York in all good faith: I am satisfied the House will insist on the provision because they voted it into this tax bill. There would seem to be some substantial reason why silver-plated flatware should not have this tax imposed on it. If the amendment shall be agreed to it will go to conference, and then I shall be pleased to look into it with the utmost care. I am confident that the House conferees will insist on their provision, and that the Senate conferees will not be stubborn about it, if the Senator from New York will trust us that far.

Mr. MEAD. Mr. President, it is a pleasure for me to leave the matter in the hands of the chairman of the committee, and in the hands of the committee itself. I trust that it will be considered by the conferees, and I know it will be. I am sure that a satisfactory adjustment will be made, and that we will be satisfied with it when it returns.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 136, after line 4.

The amendment was agreed to.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment of the committee was on page 136, after line 12, to insert:

Sec. 310. Repeal of manufacturers excise tax on vaccum cleaners.

Section 3406 (a) (3) (relating to the tax with respect to electric, gas, and oil appliances) is amended (a) by inserting "and" before "electric mixers, whippers, and juicers" and (b) by striking out "and household type electric vacuum cleaners."

The amendment was agreed to.

The next amendment was, under the title "Title IV—Postal Rates", page 137, after line 12, to strike out:

Sec. 403. Third class mail.

The rate of postage on all mail matter of the third class shall be increased by an amount equal to the rate provided by existing law.

The amendment was agreed to.

Mr. BUSHFIELD. Mr. President, may I ask the distinguished chairman of the committee for his understanding of what is included in the fourth-class mailing privilege covered in the next section? I understand there is no amendment to the section suggested by the committee, but I thought the Senator might explain what is included.

Mr. GEORGE. This is not a committee amendment, but is a provision which was inserted by the other House. According to my understanding, however, it is applicable to parcel post. Parcel post is classified as fourth-class mail, and this section covers parcel post.

Mr. BUSHFIELD. Is it the Senator's understanding that it would cover catalogs issued by various business concerns?

Mr. GEORGE. I understand that business catalogs fall within third-class mail, and the third-class rate is not increased. It was doubled by the House, but the Senate committee restored it to the present rate.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee.

The next amendment was, under the title "Title V.—Miscellaneous estate tax and gift tax amendments, and other miscellaneous amendments and provisions", page 140, after line 12, to strike out:

Sec. 501. Valuation of unlisted stock and securities for estate-tax purposes.

Section 811 (relating to gross estate) is amended (a) by striking out "(k)" at the beginning of subsection (k) and inserting in lieu thereof "(l)", and (b) by inserting after section (j) the following:

"(k) Valuation of unlisted stock and securities: In the case of stock and securities of a corporation the value of which by reason of their not being listed on an exchange and by reason of the absence of sales thereof, cannot be determined with reference to bid and asked prices or with reference to sales prices, the value thereof shall be determined taking into consideration, in addition to all other factors, the value of stock or securities of comparable corporations which are listed on an exchange."

The amendment was agreed to.

The next amendment was, on page 141, after line 2, to strike out:

Sec. 502. Appointment of new trustee of certain discretionary trusts not transfer subject to gift tax.

Section 1000 of the Internal Revenue Code (imposing the gift tax) is amended by inserting at the end thereof the following:

"(e) Discretionary trusts: In the case of a trust created prior to September 1, 1943, on which a gift tax was paid if created after the effective date of the gift tax, or if created prior to the effective date of the gift tax, would have been subject to a gift tax had said trust been created after the effective date of the gift tax, of which the grantor is not a named beneficiary and no part of the net income of which is, under section 166, includible in computing the net income of the grantor, (1) no appointment, prior to January 1, 1945, of a new, successor, or additional trustee, or new, successor, or additional trustees, and (2) no vesting, prior to January 1, 1945, in the trustee or trustees of discretion as to the selection of beneficiaries or the distribution of the corpus or income of the trust, and (3) no exercise, prior to January 1, 1945, by the trustee or trustees of any such discretion, shall be deemed to constitute a transfer of property for the purposes of this chapter."

And to insert:

Sec. 501. Certain discretionary trusts in connection with gift tax.

(a) Section 1000 of the Internal Revenue Code (imposing the gift tax) is amended by inserting at the end thereof the following:

"(e) Certain discretionary trusts: In the case of property in a trust created prior to January 1, 1939, if on and after January 1, 1939, no power to revest title to such property in the grantor could be exercised either by the grantor alone, or by the grantor in conjunction with any other person not having a substantial adverse interest in the disposition of such property or the income therefrom, then a relinquishment by the grantor on or after January 1, 1940, and prior to January 1, 1945, of power or control with respect to the distribution of such property or the income therefrom shall not be deemed a transfer of property for the purposes of this chapter. If such property was transferred in trust, the grantor not retaining such power to revest title thereto in himself, or if such power to revest title to such property in the grantor was relinquished, while a law was in effect imposing a tax upon the transfer of property by gift, this subsection shall apply only if (1) gift tax was paid with respect to such transfer or relinquishment, and not credited or refunded, or a gift tax return was made within the time prescribed on account of such transfer or relinquishment and the value of the property claimed on the return (together with that of other property transfers of which were included in such return) did not exceed the deductions and exclusions claimed on such return, and (2) the grantor consents, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, for all purposes of this chapter to treat such transfer or relinquishment in the calendar year in which effected, and for all periods thereafter, as having been a transfer of property subject to tax under this chapter."

(b) Section 501 of the Revenue Act of 1932 (imposing a gift tax) is amended by inserting at the end thereof the following:

"(c) Certain discretionary trusts: In the case of property in a trust created prior to January 1, 1939, if on and after January 1, 1939, no power to revest title to such property in the grantor could be exercised either by the grantor alone, or by the grantor in conjunction with any other person not having a substantial adverse interest in the disposition of such property or the income therefrom, then a relinquishment by the grantor on or after January 1, 1939, and prior to January 1, 1940, of power or control with respect to the distribution of such property or the income therefrom shall not be deemed a transfer of property for the purposes of this title. If such property was transferred in trust, the grantor not retaining such power to revest title thereto in himself, or if such power to revest title to such property in the grantor was relinquished, while a law was in effect imposing a tax upon the transfer of property by gift, this subsection shall apply only if (1) gift tax was paid with respect to such transfer or relinquishment, and not credited or refunded, or a gift tax return was made within the time prescribed on account of such transfer or relinquishment and the value of the property claimed on the return (together with that of other property transfers of which were included in such return) did not exceed the deductions and exclusions claimed on such return, and (2) the grantor consents, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, for all purposes of this title to treat such transfer or relinquishment in the calendar year in which effected, and for all periods thereafter, as having been a transfer of property subject to tax under this title."

(c) The amendment made by subsection (a) shall be effective with respect to the Internal Revenue Code as of the date of its enactment, and the amendment made by subsection (b) shall be effective with respect to title III of the Revenue Act of 1932 as if it were a part of such act on the date of its enactment.

The amendment was agreed to.

The next amendment was, on page 145, after line 14, to strike out:

Sec. 504. Authorization of appropriations to pay certain excise taxes with respect to which Government exemption terminated.

(a) In general: There are authorized to be appropriated such sums as may be necessary to pay, in each fiscal year, the tax imposed by sections 3465 (relating to telephone, telegraph, radio, and cable services, facilities, and equipment), 3469 (relating to transportation of persons), and 3475 (relating to transportation of property) of the Internal Revenue Code, with respect to amounts paid by the United States.

(b) Government travel: On and after March 1, 1944, the tax imposed by section 3469 of the Internal Revenue Code with respect to amounts paid by the United States for the transportation of persons and for seats and berths shall be paid only out of funds specifically appropriated for that purpose.

(c) Report of amounts paid with respect to Government travel: Each disbursing officer of the United States shall transmit at least quarterly to the Comptroller General of the United States a statement setting forth—

(1) each payment by him for the account of the United States under section 3469 of the Internal Revenue Code (relating to the tax on the transportation of persons) during the period not covered by any previous such statement; and

(2) the name of each official, employee, or person with respect to whom any such payment was made (excluding members of the armed forces traveling under orders pursuant to a transfer from one post of duty to another post of duty), the dates of the travel by such official, employee, or person, the destination points of his travel, the total transportation charges (exclusive of tax) paid for such travel, and the total amounts paid for subsistence for such official, employee, or person in connection with such travel. The Comptroller General of the United States shall include in his annual report to Congress the information contained in the statements so transmitted to him by the various disbursing officers.

And to insert:

Sec. 503. Retroactivity of 7-year statute of limitations relating to bad debts.

Section 169 (c) of the Revenue Act of 1942 (relating to the retroactive effect of sec. 322 (b) (5) of the Internal Revenue Code) is amended by striking out "after December 31, 1938" and inserting in lieu thereof "after December 31, 1937."

Mr. LANGER. Mr. President, will the chairman of the Finance Committee give us a brief explanation of section 503?

Mr. GEORGE. Is the Senator referring to the language in the paragraph under the heading "Section 503. Retroactivity of 7-year statute of limitations relating to bad debts"?

Mr. LANGER. Yes.

Mr. GEORGE. Under existing law, the taxpayer may be whipsawed out of a deduction of a bad debt because of the uncertainty as to the time at which the debt becomes worthless. In the Revenue Act of 1942 the committee provided relief in this inequitable situation by allowing a 7-year statute of limitations in such cases. The 7-year statute applies only with respect to the taxable year beginning after December 31, 1938. It developed that there were certain bad debts which became worthless in the taxable year 1938 and which would come within the 7-year statute were it not for the fact that the provision is limited to taxable years ending after December 31, 1938. In order to correct that situation, and that alone, the committee reported the amendment to extend the relief to the year 1938.

Mr. VANDENBERG. It allows for a longer period.

Mr. GEORGE. It does not allow for a longer period, but would begin the period 1 year earlier; that is all.

Mr. LANGER. How much longer is the period?

Mr. GEORGE. Actually it is not an extension of the period.

Mr. LANGER. It changes it from 6 to 7 years.

Mr. GEORGE. It pushes it back 1 year. It relates it back to an earlier date by 1 year. I will say to the Senator that the amendment is probably one of the very few amendments which I myself suggested. I did submit it to the Treasury and to the joint committee staff. It grows out of this situation: A famous college for women in my State had a great many outstanding bonds which were carried by certain institutions of the State because of their very great interest in the college. They were unable to determine when the bonds and obligations became worthless, and they thought they had a right to take the loss at a later date, when, as a matter of fact, they were barred by the 1-year period, or a fraction of a year period. There was a great deal of sympathy with the claimants, but we were unable to find in the Bureau of Internal Revenue even a letter in which they suggested that perhaps those bonds had become worthless in the prior year. This provision moves the period back 1 year. That is all it does.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee.

The next amendment was, on page 147, after line 13, to insert:

Sec. 504. Extension of time in connection with release of powers of appointment.

Section 403 (d) (3) of the Revenue Act of 1942 is amended by striking out "March 1, 1944," wherever it appears and inserting in lieu thereof "January 1, 1945"; and section 452 (c) of the Revenue Act of 1942 is amended to read as follows:

"(c) Release before January 1, 1945:

"(1) A release of power to appoint before January 1, 1945, shall not be deemed a transfer of property by the individual possessing such power.

"(2) This subsection shall apply to all calendar years prior to 1945."

The amendment was agreed to.

The next amendment was, on page 148, after line 2, to insert section 505, as follows:

Sec. 505. Repeal of certain provisions of the Current Tax Payment Act of 1943 relating to increased income.

(a) In general: Section 6 (c), (d), (4), (d) (5), and (e) (2) of the Current Tax Payment Act of 1943 is repealed.

(b) Technical amendments:

(1) Section 6 (d) (2) of the Current Tax Payment Act of 1943 is amended (A) by striking out "(a), (b), and (c)" and inserting in lieu thereof "(a) and (b)", and (B) by striking out "subsections (b) and (c)" and inserting in lieu thereof "subsections (a) and (b)."

(2) Section 6 (d) (3) and (7) of such act is amended by striking out wherever appearing in each such paragraph "(a), (b), and (c)" and inserting in lieu thereof "(a) and (b)."

(3) Section 6 (d) (6) of such act is amended by striking out "(a), (b) (2), or (c)" and inserting in lieu thereof "(a) or (b) (2)."

(c) Effective date: The amendments made by this section shall be effective with respect to taxable years beginning after December 31, 1942, and before January 1, 1944.

The amendment was agreed to.

Mr. GEORGE. Mr. President, the amendments following line 6 on page 154 relate to Title VII—Renegotiation of Contracts, and continue to the end of the bill, except for the last title, which was passed on by the Senate yesterday.

Now, Mr. President, I suggest that the Senate go back to the amendments which have been passed over and see how many of them we may be able to dispose of and as soon as we conclude the consideration of the passed over amendments then we can open the bill to amendments from the floor.

Mr. BARKLEY. Mr. President, I should like to make an inquiry of the Senator from Georgia. It was at my request that the amendment in subdivision (a) section 111, on page 38, went over, because it seemed to have some connection with the amendment on page 96 which the Senate a while ago eliminated.

Mr. GEORGE. Is the Senator referring to the amendment on page 95?

Mr. BARKLEY. To the amendments on pages 95 and 96. They have been disposed of, and I asked that the amendment on page 38 go over because it refers to section 26 (h) (1), which it seemed to me had some connection with the retroactive features of the amendment on page 96, subsection (d). I should like, if the Senator please, to have him explain what is encompassed in subsection (a) on page 38 and if that has any relationship to the provisions eliminated on page 96.

Mr. GEORGE. Perhaps I should say the credit is not to apply to any amount distributed in the current taxable year with respect to dividends unpaid and accumulated in any taxable year ending prior to October 1, 1942. Past-due dividends for taxable years prior to October 1, 1942, will not be allowed as a credit for surtax purposes. It only applies to 1944 and subsequent years.

Mr. BARKLEY. There is not conflict, then, between that provision and the provision which the Senate eliminated on page 96?

Mr. GEORGE. I should not think so; I am sure there is no conflict.

Mr. BARKLEY. I thank the Senator, and I have no objection to disposing of that amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 38 beginning in line 4.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment passed over.

The next amendment passed over was, on page 44 after line 10, to strike out:

Sec. 113. Back pay attributable to prior years.

(a) In general: Chapter 1 is amended by inserting after section 109 the following:

"Sec. 110. Back pay attributable to prior years.

"If during the taxable year there is received or accrued by an individual any amount as back pay—

"(a) arising out of any alleged unfair labor practice of his employer under the National Labor Relations Act, or

"(b) arising out of any alleged violation of section 6 or 7 of the Fair Labor Standards Act of 1938, or

"(c) arising out of any retroactive wage increase provided for by the National War Labor Board,

any part of which is determined under regulations prescribed by the Commissioner with the approval of the Secretary to be attributable to one or more prior taxable years, the tax attributable to such amount shall not be greater than the aggregate of the taxes attributable to such amount had the portion attributable to the prior taxable year been included in gross income for such prior taxable year, or if it is attributable to more than one prior taxable year, had the respective portions thereof attributable to such prior taxable years been included in gross income for such respective prior taxable years."

(b) Taxable years to which applicable: The amendment made by subsection (a) shall be effective with respect to taxable years beginning after December 31, 1940.

Mr. GEORGE. The Senator from Michigan [Mr. VANDENBERG] asked that that amendment go over. Has the Senator had opportunity to give it further study?

Mr. VANDENBERG. I have no further information at all, but I think it involves a very large number of wage settlements which were retroactive, and I have been convinced by testimony presented to me that we probably made a mistake in not permitting back-wage readjustments to be attributed to the years in which they occurred.

Mr. GEORGE. I may say to the Senator that the reason why we struck this provision out was not because we disagreed but solely because of its limited application. That statement is of record, so that I take it that in conference we would have an opportunity to agree to it with any amendment which would be pertinent and proper. There is no opposition to the amendment expressed in the committee report or actually in the action taken by the committee. I read from the report:

Your committee was unable to agree with this provision because of its limited application and it has, therefore, been omitted from the bill.

It will be entirely open in conference and at any time before the bill is finally sent to conference if the Senator desires to have considered an amendment to it, that will be agreeable. I am inclined to think that the most satisfactory way to handle it would be to have this amendment restored in conference with such amendments as we desire to make to it at that time.

Mr. VANDENBERG. That is satisfactory so far as I am concerned.

Mr. LA FOLLETTE. I wish to say, Mr. President, that it seems to me if this amendment is to remain in the bill the Railway Labor Act should be added to those that are listed in the amendment.

Mr. GEORGE. Undoubtedly that is true. It may be recalled that it was first assented to by the committee and then the question came up as to whether or not it still did not present a case of too limited application of the general principle.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 44, beginning in line 11.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment passed over will be stated.

The CHIEF CLERK. On page 50, after line 10, it is proposed to insert section 115, reorganization of certain insolvent corporations.

Mr. JOHNSON of Colorado. Mr. President, this amendment as it is presently written adversely affects a great many railroads. The attorneys are trying to work out a compromise agreement; they perhaps will have an amendment tomorrow, but in any case an amendment will be offered by me in respect to section 115. I do not know just what the wording of the amendment will be, but there will be an amendment offered and I should like to have the amendment reported by the committee again passed over.

The PRESIDING OFFICER. Is there objection to the request?

Mr. GEORGE. I have no objection.

The PRESIDING OFFICER. The amendment will be passed over.

Mr. VANDENBERG. In connection with section 115, in the event that the amendment proposed by the Senator from Colorado is disagreed to, I myself shall then wish to offer an amendment to section 115, and I present it now and ask that it be printed and lie on the table.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

The next passed-over amendment will be stated.

The CHIEF CLERK. On page 64——

Mr. GEORGE. Mr. President, one amendment beginning on page 64 was agreed to. The Senator from Maine withdrew objection to it. Another amendment on page 64, inserting section 120, which was passed over, will have to go over until further study is made of it.

The PRESIDING OFFICER. Without objection the amendment will be passed over.

The clerk will state the next amendment passed over.

The CHIEF CLERK. On page 67, line 8, after the word "Allowance," it is proposed to strike out "If any person or persons acquire, on or after October 8, 1940, directly or indirectly, an interest in, or control of, a corporation, or property, and the Commissioner finds that one of the principal purposes for which such acquisition was made or availed of is the avoidance of Federal income or excess-profits tax by securing the benefit of a deduction, credit, or other allowance, then such deduction, credit, or other allowance shall not be allowed," and to insert, "If any person or persons acquire, on or after October 8, 1940, directly or indirectly, control (more than 50 percent) of a corporation, and the principal purpose for which such acquisition was made is evasion or avoidance of Federal income or excess-profits tax by securing the benefit of a deduction, credit, or other allowance which such person would not otherwise enjoy, then such deduction, credit, or other allowance shall not be allowed."

Mr. MILLIKIN. Mr. President, the facts which prompted this amendment by the Senate Committee on Finance are roughly these: There are many defunct, inactive corporations in the country which have many unused deductions, credits and other allowances, unused because of the defunct or inactive nature of the corporation. Because of the existence of that situation active corporations have been buying into these defunct and inactive corporations, often at bargain prices, in order to get the benefit of those deductions, allowances, and credits.

The cases presented are very hard ones. The distinguished senior Senator from Michigan [Mr. VANDENBERG] presented advertisements of defunct corporations which were seeking to sell their credits and allowances and deductions to those who could use them.

However, the question of principle involved is whether we should retroactively legislate to make taxable transactions which were not taxable at the time they were entered into, and which were not unlawful at that time. I raised this question in the Senate Committee on Finance and the committee did not agree with my view that that kind of legislation is bad. Therefore I merely wish to make it clear of record that I voted against the amendment in the committee, and I shall vote against it in the Senate.

I know of no more vicious type of legislation than retroactive legislation which attempts to reach matters which were lawful and nontaxable when they were closed. Certainly I am against going back beyond the immediate taxable year to render them taxable.

Mr. VANDENBERG. Will the Senator from Colorado yield?

Mr. MILLIKIN. I yield.

Mr. VANDENBERG. The Senator has referred to some of the exhibits which were presented in the Committee on Finance. Those were advertisements in the commercial newspapers of the metropolitan sections of the country in which defunct corporations, or those which had ceased to be active, were offering their tax credits for sale for the clear purpose of cheating the Government out of legitimate tax levies. Is not that correct?

Mr. MILLIKIN. No; that is not correct.

Mr. VANDENBERG. What would be the Senator's estimate of those advertisements?

Mr. MILLIKIN. The statement is not correct in this respect: It was disclosed that although many lawyers counseled against that sort of transaction, the Government's attorneys admitted that it was lawful, and therefore it is not a cheat.

Mr. VANDENBERG. Oh, yes; I understand the Senator's distinction, and I quite agree with him, it was not a legal imposition upon the Government, but it was a thoroughly "lousy" and immoral imposition. The Senator will agree to that, will he not?

Mr. MILLIKIN. I will not agree to that. My philosophy on that subject, if I may say so, is that the people of this country pay over $5,000,000 a year to their Senators and Representatives to spell out their tax duties. It is our job to spell out the duties. If they are not spelled out, they do not exist. Therefore, I say it is not a proper characterization to define a transaction as "lousy" or as a cheat, or in any other opprobrious way the Senator wishes to define it, if the duty is not spelled out in the tax law.

Mr. VANDENBERG. Mr. President, I think the able Senator from Colorado can fully justify the position he takes as a technical matter, but of all the things I have seen in all my experience in the Senate Committee on Finance in the last 6 or 7 years, the most palpable offense to my sense of decency was the precise situation which this amendment undertakes to correct, because we saw the definite offering for sale of tax deductions and tax credits to corporations which could use them to their advantage. I am in no position to argue the legalistic phase of the matter with my distinguished friend; I am sorry, however, that I retain the same sense of shock and outrage which I felt when I confronted these exhibits in the committee, and I shall have to continue to maintain my feeling about it.

Mr. MILLIKIN. I will say that the Senator's exhibits were a veritable waxworks museum of horrors in tax avoidance. I will also say that they curdled my blood, but my blood is curdled even more at passing bad law to fit bad cases. If we may do what is proposed retroactively to catch these hard cases, there is not a single type of case which we cannot reach back and tax—all sorts of less smelly transactions, and transactions which were entirely unobjectionable when completed.

Mr. LA FOLLETTE. Mr. President, for the sake of the record, I wish to say that I cannot agree with the distinguished Senator from Colorado that the representatives of the Treasury conceded that these transactions were lawful. They conceded that they were technically within the statute, but they cited numerous decisions of the Supreme Court which held that transactions which were for the purpose of avoiding a tax were not lawful.

I think it is conceded by all that some of the cases which were presented to the committee could not under any circumstances be held to be transactions which were in the normal pursuit of business. One concern, for example, a steamship company, bought a defunct spinning company, and merged the steamship business into the spinning business, then continued to operate the steamship lines under the name and under the merged corporate structure of the spinning corporation.

I do not wish to prolong the debate on this matter; I merely wish to say that in my humble opinion it is not a debatable question as to whether these transactions were, in the broader sense of the word, lawful.

Mr. MILLIKIN. I should like to suggest to the senior Senator from Wisconsin that if they are unlawful, there is no reason for having the amendment. If they are unlawful, we could reach them without an amendment.

Mr. LANGER. Mr. President, I wish to ask the Senator from Wisconsin a question. In looking over the amendment, I find this language:

> If any person or persons acquire, on or after October 8, 1940, directly or indirectly, control (more than 50 percent).

Can the Senator tell me why that parenthesis was inserted? Suppose they got only 30 percent; could they not charge off losses to that extent? Why was it made 50 percent?

Mr. LA FOLLETTE. These are cases in which one corporation acquires control of another, and thus is in a position, because of its control of the other corporation, to manipulate the assets of the corporation. It is not intended to reach cases in which there might be a legitimate subsidiary interest in a corporation, or in which there is no merging of the corporations and the formation of a reorganized corporate structure and tax base as a result.

Mr. CONNALLY. I may suggest that unless it does own a majority of the stock it could not claim the credit the other companies are entitled to.

Mr. LA FOLLETTE. That is correct. Control is essential to carrying out the transaction.

Mr. LUCAS. Mr. President, I simply wish to add my voice to what has been said by other Senators who are in favor of this amendment. The evidence before the committee showed that this is one of the greatest avoidance rackets that exist in the United States, and unless the Congress of the United States now sets its stamp of disapproval, through proper and adequate legislation, upon tax-avoidance transactions, such as were presented before the committee, we shall see the taxpayers of America literally stripped of billions of dollars of taxes in the course of a few years, in the event the large corporations which are now making exorbitant profits, continue to to do so in the future. Those who are engaged in the nefarious game of tax avoidance are, in my humble opinion, some of the greatest tax racketeers that exist in this country. Their failure in this crisis to do the kind of a patriotic job they ought to do, with respect to paying taxes on the exorbitant profits they are making, smells to high heaven.

The approach proposed by the committee is a realistic approach to a tax avoidance racket that has been going on for some time, with which the Treasury of the United States is completely familiar, and the proposal would give the Treasury and the enforcement agencies a real basis from which to work when the proposed legislation becomes law.

Mr. MILLIKIN. Mr. President, I wish to make it very clear that I would favor this sort of amendment if it were prospective, if it were applicable in the future, from now on, or from the beginning of this year on. I agree that the method described has been used to avoid taxes. I am objecting to the establishment of a principle that will plague us for a long time to come, the principle which would make a transaction taxable which was not taxable when it was entered into. If it was taxable when entered into the amendment is not needed.

Mr. LANGER. Mr. President, I should like to ask the distinguished chairman of the committee another question in connection with the amendment. The amendment contains the language:

> If any person or persons acquire, on or after October 8, 1940, directly or indirectly, control * * * of a corporation.

Did the investigation conducted by the committee disclose that some of these tax dodgers had control of partnerships or trust estates, or was control had of corporations alone?

Mr. GEORGE. The cases called to the attention of the committee dealt with corporations.

Mr. LANGER. What about a trust estate?

Mr. GEORGE. There was no instance of the devices being used by persons other than corporations.

Mr. LANGER. What about units of an oil company?

Mr. GEORGE. Of course, if persons were taking over a corporation, or the majority stock of the corporation, that is precisely what this amendment is intended to reach. The principal purpose of the acquisition must be to evade or avoid Federal income or excess-profits taxes.

Mr. LANGER. Does the language of the amendment, which refers to a corporation only, cover all the chances of evasion?

Mr. GEORGE. Nothing else was brought to our attention.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 67, beginning in line 8, after the word "Allowance."

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment passed over.

The CHIEF CLERK. On page 69, after line 5, it is proposed to insert the following:

> Sec. 123. Disallowance of certain deductions attributable to business operated by individual at loss for 5 years.
>
> (a) In general: Supplement B of chapter 1 of the Internal Revenue Code is amended by adding at the end thereof the following new section:
>
> "Sec. 130. Limitation on deductions allowable to individuals in certain cases.
>
> "(a) Recomputation of net income: If the deductions allowable to an individual (ex-

cept for the provisions of this section) and attributable to a trade or business carried on by him for 5 consecutive taxable years have, in each of such years, exceeded the gross income derived from such trade or business, the net income of such individual for each of such years shall be recomputed. For the purpose of such recomputation, such deductions shall be allowed only to the extent of $20,000 plus the gross income attributable to such a trade or business, and no net operating loss deduction shall be allowed.

"(b) Redetermination of tax: Upon the basis of the net income computed under the provisions of subsection (a), the tax imposed by this chapter shall be redetermined for each such taxable year to which this chapter is applicable and any excess thereof, resulting solely from the disallowance of the deductions specified in subsection (a), over the amount of the tax previously determined shall be assessed and collected as a deficiency.

"(c) Suspension of statute of limitations: Notwithstanding the provisions of section 275, any deficiency determined under subsection (b) for a taxable year preceding the fifth taxable year referred to in subsection (a) may be assessed within 1 year after the expiration of the time prescribed by law for the assessment of a deficiency for such fifth taxable year."

(b) Effective date of amendment: The amendment made by subsection (a) shall be applicable to taxable years beginning after December 31, 1938, but no deficiency shall be assessed or collected thereunder for any taxable year beginning prior to January 1, 1944.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment passed over.

The CHIEF CLERK. On page 74, after line 13, it is proposed to insert the following:

Sec. 127. Relief in the case of excess deductions of estates and trusts.

(a) In general: Section 162 (d), relating to deductions in computing the net income of estates and trusts, is amended by adding at the end thereof the following new paragraph:

"(4) Excess deductions: If for any taxable year of an estate or trust the deductions allowed under subsection (b) or (c) in respect of any income which becomes payable to a legatee, heir, or beneficiary and which would not otherwise be deductible except through the application of paragraph (2) or (3) (A), exceed the net income of the estate or trust (computed without the deductions allowed by subsection (b) or (c) by reason of paragraph (2) or (3) (A) of this subsection and without any deductions that would be allowed only if the deductions allowed under subsection (b) or (c) by reason of paragraph (2) or (3) (A) were not allowed) for such year, to the extent of such excess the amount by such income shall not be required to be included in computing the net income of such legatee, heir, or beneficiary under subsection (b) or (c). In cases where the amount of such income becomes payable to two or more legatees, heirs, or beneficiaries, the amount which shall not be required to be included in computing the net income of any such legatee, heir, or beneficiary shall be limited to that proportion of such excess which the amount of such income which becomes payable to such legatee, heir, or beneficiary bears to the aggregate of such income which becomes payable to legatees, heirs, or beneficiaries."

(b) Effective date: The amendment made by subsection (a) shall be effective as if it were a part of section 111 of the Revenue Act of 1942 on the date of its enactment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BARKLEY. Mr. President, I am informed that while I was called from the Chamber an amendment on page 69 was agreed to. Earlier today I asked that that amendment go over because of the absence of the Senator from Connecticut [Mr. DANAHER]. I refer to section 123. I do not want to have it disposed of in my absence any more than I want it disposed of in the Senator's absence, and I should like to have the amendment go over. I do not want to have it taken up in the absence of the Senator from Connecticut.

Mr. GEORGE. Mr. President, I myself would not desire to do so. Can the Senator from Maine [Mr. WHITE] advise when the Senator from Connecticut is expected to return?

Mr. WHITE. Mr. President, I made inquiries after the Senator from Kentucky indicated an interest in the amendment. I was told that the Senator from Connecticut was on his way here and might arrive this afternoon, but there was nothing definite about it. Apparently the Senator will not be here this afternoon. I cannot speak with definiteness as to when he will be here.

Mr. GEORGE. If it is agreeable to the Senator from Kentucky, the amendment can go over until the next session of the Senate.

Mr. BARKLEY. Yes; I would like to have that done. I shall not ask that it be held up indefinitely. I will say frankly that I object to the amendment, and I want to present a very brief statement with respect to it; but if I can avoid it, I do not want to do so in the absence of the Senator from Connecticut, who offered the amendment in the committee.

The PRESIDING OFFICER. Does the Chair correctly understand the Senator from Kentucky to move that the vote by which the amendment was agreed to be reconsidered?

Mr. BARKLEY. If that is necessary, I shall do so. I thought action could be taken by unanimous consent.

Mr. GEORGE. Mr. President, I ask unanimous consent that the vote by which the committee amendment on page 69, beginning in line 6, was agreed to, be reconsidered.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the next committee amendment passed over.

The CHIEF CLERK. On page 95, after line 14, it is proposed to insert the following:

(b) Technical amendment relating to public utilities: Section 710 (a) (1) (B) (relating to the 80-percent limitation) is amended by inserting before the period at the end thereof the following: ", and without regard to 80 percent of the credit provided in section 26 (h) (relating to credit for dividends paid on certain preferred stock)."

Mr. GEORGE. Does the Senator from Kentucky wish to have the amendment on page 95 go over?

Mr. BARKLEY. No, Mr. President; I do not care.

The amendment on page 96 is the one on which we have already taken action.

Mr. GEORGE. We have already acted on it.

Mr. BARKLEY. Yes.

Mr. GEORGE. We did not act on amendments (b) and (c).

Mr. BARKLEY. I do not think there is any further cause to hold that over.

The PRESIDING OFFICER. Without objection, the amendment on page 95, line 15, is agreed to. The clerk will state the next amendment which has been passed over.

The CHIEF CLERK. On page 99, in the table following line 9, after the words "Over $10,000,000," it is proposed to strike out the comma and "but not over $200,000,000"; and in the line immediately following to strike out "Over $200,000,000—$10,200,000, plus 4 percent of the excess over $200,000,000."

Mr. BURTON. Mr. President, I have an amendment which I should like to offer to that section. My amendment incorporates the committee amendment, and extends the same theory to another block of taxpayers. However, before presenting the amendment or having action taken upon it, I should like to hear from the chairman of the committee as to whether he has any further opinion on the issue.

Mr. GEORGE. Mr. President, I have not had an opportunity to make some inquiries which I should like to make regarding the matter. If it is agreeable to the Senator from Ohio, I should like to have the amendment held over, without any prejudice, until some later time when the Senator can bring up the matter again.

Mr. BURTON. Mr. President, I have no objection to that course.

The PRESIDING OFFICER. Without objection, the amendment will be passed over.

The clerk will state the next amendment of the committee which has been passed over.

The CHIEF CLERK. Under the heading "Title III—Excise Taxes," and the subhead "Chapter 9A—War Taxes and War Tax Rates," "Sec. 1650. War Tax Rates of Certain Miscellaneous Taxes," on page 114, in the table following line 11——

Mr. WHITE. Mr. President, I asked that the amendment be passed over. I did so at the instance of the Senator from Iowa [Mr. WILSON].

Mr. WILSON. Mr. President, the junior Senator from New York [Mr. MEAD] and I are working on an amendment. If it is agreeable to have the committee amendment passed over, I ask unanimous consent that it be passed over until the amendment we are working on is prepared.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Iowa? The Chair hears none, and, without objection, the amendment will be passed over.

The clerk will state the next amendment which has been passed over.

Mr. VANDENBERG. Mr. President, I should like to ask the Senator from Georgia if an amendment from the floor may now be offered.

Mr. GEORGE. I shall be very glad to have floor amendments offered, if the Senator will permit me to dispose of one matter which previously was passed over.

Mr. VANDENBERG. Certainly.

Mr. GEORGE. Section 127, on page 74, the committee amendment, was passed over. The section is an important one. I wish to offer, first, a clarifying amendment which would be merely a substitute for the language, and then I would ask unanimous consent that the section be approved. The amendment proposes clarifying language, and I understand it has been agreed to by the Treasury and the staff. It is intended to clarify the section, and is an amendment to the proposed section 127. Section 127 was passed over when we previously reached it.

The PRESIDING OFFICER. The Chair is advised that the amendment was agreed to a little later.

Mr. GEORGE. Then, Mr. President, I ask unanimous consent that the vote by which the amendment was agreed to be reconsidered, in order that the clarifying language may be inserted.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Georgia that the vote by which the amendment on page 74, line 14, inserting section 127, was agreed to be reconsidered? Without objection, the vote by which the amendment was agreed to is reconsidered, and the amendment is before the Senate.

Mr. GEORGE. Then, Mr. President, to the committee amendment I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The CHIEF CLERK. In the committee amendment, beginning with line 20, on page 74, it is proposed to strike out down to and including line 18 on page 75, and insert:

(4) Excess deductions: If for any taxable year of an estate or trust the deductions allowed under subsection (b) or (c) solely by reason of paragraph (2) or (3) (A) in respect of any income which becomes payable to a legatee, heir, or beneficiary exceed the net income of the estate or trust for such year, computed without such deductions, the amount of such excess shall not be included in computing the net income of such legatee, heir, or beneficiary under subsection (b) or (c). In cases where the income deductible solely by reason of paragraph (2) or (3) (A) becomes payable to two or more legatees, heirs, or beneficiaries, the benefit of such exclusion shall be divided among such legatees, heirs, and beneficiaries, in the proportions in which they share in such income. In any case where the estate or trust is entitled to a deduction by reason of paragraph (1), in the determination of the net income of the estate or trust for the purposes of this paragraph the amount of such deduction shall be determined with the application of paragraph (3) (A).

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Georgia to the committee amendment beginning on page 74, line 14.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question recurs on agreeing to the committee amendment, as amended, on page 74, line 14, inserting a new section 127.

The amendment as amended was agreed to.

Mr. VANDENBERG. Mr. President, I desire to call up an amendment which I submitted yesterday. I think there will be no controversy regarding it. Instead of having it read, because it is highly technical in language, I will state again its purpose. The amendment is submitted at the request of the War Production Board, and at the primary instance of the American Newspaper Publishers Association. The Tariff Act of 1930 permits the importation, free of duty, of "standard newsprint paper." The Treasury for many years has had a standard regulation as to what is standard newsprint paper. Under the Treasury's regulation, newsprint weighing less than 32 pounds per technical unit is subject to a prohibitive duty. In the case of rolls less than 16 inches wide the same duty applies. The amendment is the exact language of the so-called Boren bill which originated in the House, House bill 3837, which leaves the present Treasury definition or regulation in effect, but reduces to 25 pounds the minimum weight of newsprint rolls which are admissible, free of duty, and reduces the minimum roll width to 14 inches.

Although the language is rather complicated and long, the only change in the existing situation which would be created as a result of adoption of the amendment would be to admit newsprint of lighter weight merely for the duration of the war, under free-of-duty importation.

The necessity is perfectly obvious. The newspapers of the country are operating under very rigid restrictions as respects their supplies. It is believed that this conservation proposal will permit them to print on paper slightly lighter in weight, perhaps from a roll of narrower width, and thus maintain a larger measure of public information service in spite of the necessary limitation upon the overall supply of newsprint. I can present letters from the War Production Board, in general, and from Mr. Arthur R. Treanor, director of the Printing and Publishing Division of the War Production Board, in particular, written as recently as January 5, 1944, urging the adoption of the amendment, which, I repeat, is the language of the Boren bill in the House, for the purpose I have indicated. I have added to the Boren bill only the provision that this change shall be effective only for the duration, so that it is exclusively an emergency matter; and I am inclined to think that the able chairman of the Finance Committee probably would find the amendment acceptable, at least to the extent of taking it to conference.

Mr. GEORGE. Mr. President, I have no objection to taking the amendment to conference. In fact, I think we can fully explore it and reach an agreement upon it.

Mr. VANDENBERG. I think there is no possible disagreement upon it.

Mr. DAVIS. Mr. President, yesterday I submitted a similar amendment, and expected to offer it today, but inasmuch as the distinguished Senator from Michigan has offered his amendment, I wholeheartedly support it and I withdraw mine.

In this connection I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial from the Philadelphia Bulletin of January 7, 1944.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TO STRETCH THE PAPER SUPPLY

The paper on which newspapers are printed is in scant supply because of wood pulp shortage. Since both the Government and the public are dependent on newspapers for many essential services, it is in their interest as well as in the interest of publishers that use of available wood pulp—and consequently newsprint—shall be stretched as far as possible.

One way of stretching the supply is to print newspapers on paper of lighter weight. It can be done. But in practice it encounters a tariff obstacle.

Three-fourths of the newsprint comes from Canada. The Tariff Act of 1930 permits free import of standard newsprint paper. It does not define "standard." This is done by Treasury regulations, in such a way as to make paper dutiable if lighter than 32 pounds per technical unit (the common weight).

To correct this situation, in accordance with the original intent of Congress that paper actually used for newspaper production shall be admitted duty-free, a bill (H. R. 3837) has been introduced in Congress. It defines duty-free newsprint paper in such a way as to include papers weighing between 25 and 35 pounds.

Enactment of this bill would facilitate economical use of wood pulp by permitting newspapers to get from the usual sources usable paper of lighter weight.

The measure is pending before the House Ways and Means Committee. It is entitled to consideration on the basis of where the interests of the Government and of the American people lie.

H. R. 3837 is in fact a bill to further the elimination of waste in the use of a commodity essential to efficiency in prosecution of the war effort.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. VANDENBERG].

The amendment was agreed to as follows:

At the proper place in the bill insert the following new section:

"Paragraph 1772 of the Tariff Act of 1930 (U. S. C., 1940 ed., title 19, sec. 1201, par. 1772) is hereby amended to read as follows:

" 'PAR. 1772. Newsprint paper, that is, paper conforming to the following specifications:

" 'Weight: A quantity with surface area equal to that of 500 sheets, each 24 by 36 inches, shall weigh not less than 25 pounds nor more than 35 pounds. Samples used to determine the weight of the paper shall be conditioned in an atmosphere maintained at 50 percent relative humidity and 23° C.

temperature with a tolerance of plus or minus 2 in the percentage relative humidity and of plus or minus 2° C. in temperature.

"'Thickness: The thickness shall not exceed forty-two ten-thousandths of an inch.

"'Rolls and sheets: The paper shall be in rolls not less than 14 inches wide and 28 inches in diameter, or in sheets measuring not less than 20 by 30 inches.

"'Stock: Not less than 70 percent of the total fiber shall be ground wood.

"'Finish: The average of five tests in machine direction and five tests in cross direction on both sides, moving the paper after each test, made with the Ingersoll glarimeter or by a method giving like results, shall be not more than 50 percent gloss.

"'Ash: The ash content shall be not more than 6½ percent.

"'Degree of sizing: The paper shall not contain sizing to a degree which will cause the transudation time of water to exceed 10 seconds when the paper is tested by the ground-glass method, or 5 seconds when the paper is tested by the curl method or with a Valley size tester.

"'Color: If colored, the paper shall be of a color and shade chiefly used in the printing of newspapers, but colored paper in sheets shall not be entitled to free entry under this paragraph.'

"This section shall take effect on the day following the date of the enactment of this act. It shall cease to be in effect on and after the first day of the first month which begins at least 6 months after the termination of hostilities in the present war."

Mr. LANGER. Mr. President, yesterday I submitted an amendment which was ordered to be printed and lie on the table. I offer it at this time. It relates to credit for dependents.

The PRESIDING OFFICER. Is there objection to the present consideration of the amendment?

Mr. GEORGE. Mr. President, what amendment is it?

The PRESIDING OFFICER. Is there objection to the consideration of the amendment offered by the Senator from North Dakota [Mr. LANGER] relative to credit for dependents?

Mr. GEORGE. I have not seen the amendment, Mr. President.

Mr. LANGER. I ask that it be read.

Mr. GEORGE. I have no objection to the consideration of the amendment, if that is the question, because while all the committee amendments have not been disposed of, there are one or two which cannot be disposed of at this time, so I am perfectly willing to consider amendments to the House text.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert a new section, as follows:

Sec. —. Credit for dependents.

Section 25 (b) (2) (A) (relating to credit for dependents) is amended by inserting before the period at the end of the first sentence thereof a colon and the following: "*Provided*, That in the case of such persons who are children (including stepchildren and adopted children) of the taxpayer, the allowance shall be as follows: One child, $350; two children, $850; three children, $1,550; four children, $2,500; five children, $3,750; six children, $5,350; seven children, $7,350; eight children, $9,600; more than eight children, $9,600, plus $2,500 for each additional child."

Mr. GEORGE. Mr. President, this seems to be an amendment to encourage childbirth. [Laughter.]

Mr. LANGER. Mr. President, we all remember the magnificent plea which Theodore Roosevelt made for large families, and the arguments which he made against race suicide. A week ago one of the leading newspapers in Washington published an article about the present temporary increase in the birth rate. It stated that already the department of health was prophesying that within a very short time the birth rate would again be very materially reduced.

Mr. President, I have always felt that there have been two unfair things so far as taxes are concerned:

First. I have always believed that, in this country, we ought to have a law such as many foreign countries have, taxing bachelors. A man who absolutely refuses to do anything toward getting married and raising a family and carrying out his duties as a citizen of the country should be taxed double. I have always believed that we should tax bachelors as they are taxed in many foreign countries.

Second. The record shows that the greatest number of children are in poor families in rural communities or in the families of laboring people, especially coal miners. A little while ago I read and put into the RECORD a statement issued by the Federal Government, showing that of every 10 prostitutes 9 came from rural areas, generally the children of sharecroppers, or the children of coal miners. Senators will remember that I placed that statement in the RECORD. It shows that such children had no opportunity for education.

At the present time, Mr. President, the poor people, who are least able to pay, are being taxed. A man who receives $12 a week is taxed. On the other hand, we have wealthy people who have no children and who have adopted none. They have no books to buy for school children. They do not have to clothe any children. It seems to me that they ought to be able to stand, and should stand, a larger proportion of the taxes, while the man who has a large family should be allowed to have decent credits for his dependents. At the present time the exemptions are pitifully small. A credit of $350 is allowed for each child, no matter whether a man has 1 child, 10 children, or 15 children. In my judgment, Mr. President, it is manifestly unfair. Therefore, I hope that this amendment will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. LANGER]. [Putting the question.] The "noes" appear to have it.

Mr. LANGER. Mr. President, I ask for a division.

On a division, the amendment was rejected.

Mr. DAVIS. Mr. President, I offer an amendment to House bill 3687, which the Senate Finance Committee has reported to the Senate, and which is now under consideration. The proposed amendment proposes to amend section 23 (g) (4) (B) of the Internal Revenue Code and section 23 (k) (5) (B) of the Internal Revenue Code.

The amendment is designed to correct an existing inequity in section 23 (g) and section 23 (k) of the Internal Revenue Code as those sections now exist. These sections were amended by sections 123 (a) and 124 (a) of the Revenue Act of 1942 so as to permit a parent corporation to deduct as an ordinary loss the loss sustained by it on account of the worthlessness of stock owned by it in a subsidiary corporation and on account of the worthlessness of securities of a subsidiary corporation owned by it under the circumstances set forth in these sections as amended by the 1942 act. Prior to the 1942 amendments, such losses had been allowed only as capital losses.

One of the circumstances required in order to come within the 1942 amendment was that the subsidiary have more than 90 percent of the aggregate of its gross incomes for all taxable years from sources other than royalties, rents, dividends, interest, annuities, or gains from sales or exchanges of stocks and securities. The obvious intention of this limitation was to permit the loss as an ordinary loss only when the subsidiary was an operating company as opposed to an investment or holding company. This intention is made clear by reference to section 225 of the 1939 act which used similar language in another connection. The Senate Finance Committee report on section 225 of the 1939 act—Report No. 648, Seventy-sixth Congress, first session, page 9—states, in part, as follows:

> Proper safeguards are inserted to make it clear that the relief granted by this section will not apply unless both the parent corporation and the subsidiary corporations are actively engaged in a trade or business (not merely holding companies).

It having been the intention of Congress in enacting sections 123 (a) and 124 (a) of the 1942 act to permit such losses as ordinary deductions when the subsidiary is an operating company as opposed to a holding or investment company, it would appear that sections 23 (g) (4) (B) and 23 (k) (5) (B) of the existing Internal Revenue Code should be amended in such a way as to carry out that intention of Congress clearly. Interest and rents are set forth in those sections without any limitation in their scope. Thus, a corporation which derived more than 10 percent of the aggregate of its gross incomes for all taxable years from interest and rents would be denied the benefits of these sections, and this would be true even though the corporation were solely an operating company and derived interest upon the deferred purchase price payable upon the sale of a part of its operating assets. Likewise, a company which was solely an operating company would be denied the benefits of these sections if it derived more than 10 percent of the aggregate of its gross incomes from rents received from employees of the corporation for

houses which had been built by the corporation in connection with the development of a mining property for the purpose of housing its employees.

In either of these instances the corporation, although solely an operating corporation, would be denied the benefits of these sections of the existing law because of the all-inclusive scope of the terms "interest" and "rents," even though the income from such sources is incidental to the operating activities of the company and arose as a direct result of its activities as an operating company. My amendment would limit the scope of these two terms in such a way as to exclude from their scope, first, interest received upon the deferred purchase price of operating assets sold, and, second, rents derived from rental of properties to employees of the company in the ordinary course of its operating business. These limited exceptions to the scope of the terms "interest" and "rents" which I propose would never apply in such a way that a nonoperating company could thereby obtain the benefits of sections 23 (g) and 23 (k) of the Internal Revenue Code.

I wish to add that the text of my amendment has been submitted to Mr. Stam, of the Joint Congressional Committee on Taxation, and Mr. Surrey, of the Treasury Department, and I am advised that the amendment meets with their approval.

My amendment would be retroactive to taxable years beginning after December 31, 1941. Since the amendment is merely corrective in its nature, it would seem appropriate and in consonance with previous action by Congress of amendments of a similar nature to make the amendment applicable back to the date upon which the original law was first effective. The 1942 act provision was made effective for taxable years beginning after December 31, 1941.

The PRESIDING OFFICER. The amendment offered by the Senator from Pennsylvania will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following:

SEC. —. Technical corrective amendment to provision relating to deduction for stock losses in affiliated corporations.

(a) Section 23 (g) (4) (B) of the Internal Revenue Code (relating to affiliation in connection with worthlessness of stock of subsidiary) is amended to read as follows:

"(B) more than 90 percent of the aggregate of its gross incomes for all taxable years has been from sources other than royalties, rents (except rents derived from rental of properties to employees of the company in the ordinary course of its operating business), dividends, interest (except interest received on deferred purchase price of operating assets sold), annuities, or gains from sales or exchanges of stocks and securities; and."

(b) The amendment made by this section shall be applicable with respect to taxable years beginning after December 31, 1941.

The PRESIDING OFFICER. Is there objection to the present consideration of the amendment?

Mr. GEORGE. I have no objection to its present consideration. However, I have this to say with regard to the amendment: It has been examined by the staff and by the Treasury, and it is acceptable in principle, but the Treasury desires to withhold approval of the precise language, because there may be suggested changes in phraseology, but not in principle. It is agreeable to have the amendment adopted, with the understanding that the text of it may be changed at the next session of the Senate if it is desired to do so.

Mr. DAVIS. That is agreeable, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. DAVIS].

The amendment was agreed to.

Mr. McFARLAND. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Arizona will be stated.

The CHIEF CLERK. On page 148, after line 25, after the amendment of Mr. VANDENBERG heretofore agreed to, it is proposed to insert:

Sec. 507. Exemption of tax on playing cards when exported for use of armed forces outside continental United States.

Section 1830 of the Internal Revenue Code is amended to read as follows:

"Sec. 1830. Exemption in case of exportation.

"(a) Playing cards may be removed from the place of manufacture for export to a foreign country or for shipment to a possession of the United States (or, until the date on which the President proclaims that hostilities in the present war have terminated, to a Territory of the United Sttaes for the use of members of the military or naval forces of the United States) without payment of tax, or affixing stamps thereto, under such rules and regulations and the filing of such bonds as the Commissioner, with the approval of the Secretary, may prescribe.

"(b) The amendment made by subsection (a) shall be effective as of January 1, 1942."

The PRESIDING OFFICER. Is there objection to the present consideration of the amendment offered by the Senator from Arizona?

Mr. GEORGE. Mr. President, I have no objection to the present consideration of the amendment, and no objection to the amendment. It has received the approval of the Treasury and the staff of the committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. McFARLAND].

The amendment was agreed to.

Mr. TAFT. Mr. President, I ask unanimous consent to offer an amendment.

The PRESIDING OFFICER. Without objection, the amendment may be offered. The amendment will be stated.

The CHIEF CLERK. On page 48, after line 25, it is proposed to insert the following:

Sec. 506. Retroactive effect of section 169 of the Revenue Act of 1942.

Section 169 (c) of the Revenue Act of 1942 (relating to the effective date of certain amendments to section 322) is amended by inserting at the end thereof the following: "The amendment inserting paragraph (3) in section 322 (b) of the Internal Revenue Code and the amendment made by section (b) of this section shall each be effective as if it were a part of the Internal Revenue Code and each prior revenue law on the date of its enactment, but such amendments shall be effective with respect to taxable years beginning prior to January 1, 1942, only if on or at some time after the date of the enactment of the Revenue Act of 1943 the Commissioner may assess the tax for such taxable year solely by reason of having made (either before, on, or after the date of the enactment of the Revenue Act of 1943) an agreement with the taxpayer pursuant to section 276 (b) of the Internal Revenue Code or the corresponding provision of the applicable prior revenue law to extend beyond the time prescribed in section 275 or the corresponding provision of such prior revenue law the date within which the Commissioner may assess the tax."

Mr. TAFT. Mr. President, this amendment was prepared by the Treasury and the joint staff. In general the purpose is simple, although the language is not.

The practice has existed for many years of asking taxpayers to sign a waiver as to the time in which a deficiency may be assessed against them. That practice has been quite common. A number of taxpayers found that after signing the waiver, and after the Commissioner had examined the return, far from being a deficiency, they were entitled to a refund. However, by reason of having signed the waiver, the time in which they might file claim for refund had expired.

This matter was dealt with in a bill a year or 2 years ago, but it was not dealt with sufficiently comprehensively and a number of taxpayers were still left without a remedy. By reason of the fact that they voluntarily agreed with the Government that the time might be extended, they found that they were barred from obtaining the refunds to which they might be entitled. The purpose of my amendment is to correct the situation and make it perfectly clear that when the taxpayer agrees that the statute of limitations may be extended for the benefit of the Government, it shall also be extended for the benefit of the taxpayer.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT].

The amendment was agreed to.

Mr. GEORGE. Mr. President, if there are any other amendments to the House text which Senators desire to offer, I wish they would now be offered.

Mr. DOWNEY. Mr. President, I will say to the distinguished Senator that it is my intention to offer an amendment to the cabaret tax, which now stands in the bill at 20 percent. My amendment would exempt from that tax members of the armed forces. I am having a technical amendment prepared for me. Perhaps that is not necessary, and I could offer my amendment orally and have it acted upon now, if the distinguished Senator desires.

Mr. GEORGE. It is not necessary. If the Senator has not his amendment ready, I suggest that it go over.

Mr. DOWNEY. Would it be agreeable to take it up tomorrow?

Mr. GEORGE. I think the Senator from Kentucky [Mr. BARKLEY] would prefer to have the Senate take a recess until Friday, because it is clear that we are practically at the end of the bill. We can easily conclude consideration of it on Friday.

Mr. BARKLEY. Mr. President, inasmuch as consideration of the bill has been practically concluded, with the exception of the part dealing with renegotiation of contracts, which will be taken up on Monday, I thought we should avoid holding a session tomorrow and conclude with the remainder of the bill on Friday.

Mr. GEORGE. That is quite agreeable to me.

AMENDMENT OF NATIONALITY ACT OF 1940—CONFERENCE REPORT

Mr. MALONEY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2207) to amend the Nationality Act of 1940, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 3. Section 339 of the Nationality Act of 1940, approved October 14, 1940 (54 Stat. 1160), is hereby amended to read as follows:

"'SEC. 339. A person who claims to have derived United States citizenship through the naturalization of a parent or through the naturalization or citizenship of a husband, or who is a citizen of the United States by virtue of the provisions of section 1993 of the United States Revised Statutes, or of section 1993 of the United States Revised Statutes, as amended by section 1 of the Act of May 24, 1934 (48 Stat. 797), or who is a citizen of the United States by virtue of the provisions of section 201 (c), (d), (e), and (g) of the Nationality Act of 1940 (54 Stat. 1138; U. S. C., title 8, sec. 601), may apply to the Commissioner for a certificate of citizenship. Upon proof to the satisfaction of the Commissioner that the applicant is a citizen, and that the applicant's alleged citizenship was derived as claimed, or acquired, as the case may be, and upon taking and subscribing before a member of the Service within the United States to the oath of allegiance required by this Act of a petitioner for naturalization, such individual shall be furnished by the Commissioner or a deputy commissioner with a certificate of citizenship, but only if such individual is at the time within the United States.'

"Section 342 (a) (5) of the Nationality Act of 1940, approved October 14, 1940 (54 Stat. 1161), is hereby amended to read as follows:

"'(5) For application for a certificate of citizenship under section 339, $5.'"

And the Senate agree to the same.

FRANCIS MALONEY,
CHARLES O. ANDREWS,
JOSEPH H. BALL,
Managers on the part of the Senate.
SAMUEL DICKSTEIN,
JOHN LESINSKI,
NOAH M. MASON,
Managers on the part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

Mr. WHITE. Mr. President, reserving the right to object, I should like to ask the senior Senator from Connecticut if all the Senate members of the conference committee joined in the report.

Mr. MALONEY. Yes; it was unanimous.

Mr. WHITE. As I recall, the junior Senator from Connecticut [Mr. DANAHER] was very much interested in it. Have his objections been met, or substantially so?

Mr. MALONEY. The junior Senator from Connecticut had no objection. He was absent when the bill was passed, but he was very ably represented by the acting minority leader. The acting minority leader will no doubt recall that the original bill was recalled from the House for the purpose of permitting the junior Senator from Connecticut to offer an amendment. The amendment was agreed to by the Senate. It is in the conference report.

Mr. WHITE. I think the junior Senator from Oregon [Mr. HOLMAN] was interested in this matter. I desire to ask if the conference report is agreeable to him. It relates to an immigration matter.

Mr. HOLMAN. I understand the report, and have no objection.

Mr. WHITE. I hear no objection.

The PRESIDING OFFICER. Is there objection to consideration of the report?

There being no objection, the report was considered and agreed to.

CONSTRUCTION OF PIPE LINE FOR STEAM-HEATING PURPOSES IN THE DISTRICT OF COLUMBIA

Mr. BARKLEY. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 609, House bill 3691, which simply permits the construction of certain steam-heating pipe lines in the District of Columbia in order to furnish heat to certain sections of the city. In the absence of the Senator from Nevada [Mr. MCCARRAN], chairman of the Committee on the District of Columbia, I ask that the bill be considered. There is no controversy about it.

The PRESIDING OFFICER. Without objection, the unfinished business is temporarily laid aside. Is there objection to the request of the Senator from Kentucky for the present consideration of the bill referred to by him?

There being no objection, the bill (H. R. 3691) to permit the construction, maintenance, and use of certain pipe lines for steam-heating purposes in the District of Columbia, was considered, ordered to a third reading, read the third time, and passed.

CONTRIBUTION OF TENNESSEE FARMERS TO WINNING THE WAR

Mr. STEWART. Mr. President, on the 8th of January I received a letter from the United States Department of Agriculture, a portion of which I desire to read, as follows:

Tennessee farmers made a tremendous contribution in 1943 toward winning the war. They made this contribution by working longer hours and in the face of shortages of labor, machinery, chemicals, and other farming essentials. Many production records were broken, demonstrating the progress which has been made in increasing the productivity of the soil.

One factor which contributed largely to Tennessee's record production was the fact that prior to the planting season farmers and their A. A. A. committeemen discussed the jobs to be done and the most effective means of doing them. Thus an individual production plan was developed for practically every farm in the State. Never before had farmers started their year's work with such definite goals and complete unity of purpose.

You will recall that on March 12, 1943, we outlined to you the objectives of the food-production program of 1943. A report was also furnished you on May 6, 1942. In this report we are outlining some of the accomplishments of 1943 and some of the objectives for 1944, as they relate to your State.

The letter continues, Mr. President, and refers to attached tables showing a comparison of the production of crops, livestock, livestock products, and so forth, for a series of years. I ask unanimous consent that the remainder of the letter and the attached tables be inserted in the body of the RECORD as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The remainder of the letter and the tables are as follows:

The attached table 1 shows a comparison of crops, livestock and livestock products for the average of the 5 years 1937–41, production for 1942 and 1943, and the goals for 1944. Highlights in the production record for 1943 show the following increases over the 1937–41 average: Peanut acreage was increased by 157 percent, soybeans 265 percent, and Irish potatoes 49 percent. Substantial increases were also made in livestock and livestock products. For example: Hog numbers increased 68 percent, milk production 18 percent, egg production 54 percent, and all cattle 26 percent.

The conservation program carried out by Tennessee farmers during the past 8 years contributed materially to their success in 1943. During these years increased quantities of lime and phosphate materials were used, larger acreages of green manure and cover crops were grown, and additional acreages of hay and pasture were improved. Table 2 shows these accomplishments from 1936 to 1942. Preliminary figures indicate that the volume of conservation practices in 1943 was the greatest yet achieved. These soil-building practices have been a major factor in breaking production records. Crop yields and the carrying capacity of pastures have steadily increased since 1936.

The 1944 goals as set by the Tennessee State War Board call for the best utilization of every acre of cropland. These goals represent increases of such crops as processing vegetables, fresh vegetables, soybeans, peanuts, tobacco, and corn. Downward adjustments are indicated for hogs and beef cattle. Goals for some crops call for maintaining production at the 1943 level. The adjustment of feed production and livestock numbers should make the State more nearly self-sufficient in feed grains.

As was the case last year, farmers will advise with their A. A. A. committeemen and other farm leaders in further adjusting their farming operations toward contributing most to the food-production program. At the same time every farmer will be offered assistance

in conserving the productivity of his land through the conservation practice program. The 1944 conservation program has been adapted to wartime needs and will include only those practices which contribute to immediate production.

Services rendered by farm committees have been extended to include assistance in overcoming farm-production problems through special wartime programs—help in rationing farm machinery and equipment; distributing supplies of feed, fertilizer, and other materials; obtaining priorities for farm construction and for gasoline, tires, and tractor fuel. These locally elected committeemen also have taken part in promoting sales of War bonds, scrap salvage in rural areas, and other national war activities.

Tennessee farmers may well be proud of their achievements in 1943. Barring unpredictable difficulties, such as unfavorable weather, we believe that 1944 will be another outstanding year for Tennessee agriculture.

Sincerely yours,

CHAS. D. LEWIS,
Director, East Central Division.

TABLE 1.—*Tennessee acres of specified crops and numbers of livestock and livestock products for 1937–41 average, 1942 and 1943, and 1944 goals*

Item	Unit	5-year 1937–41 average	1942	1943	1944 goal
Crops:					
Soybeans (harvested)	Acres	20,000	75,000	73,000	150,000
Potatoes (planted)	Acres	41,000	44,000	61,000	57,000
Sweetpotatoes (planted)	Acres	47,000	40,000	54,000	60,000
Processed vegetables (harvested)	Acres	15,400	22,000	24,700	27,200
Fresh vegetables (planted)	Acres	9,800	8,800	8,600	12,700
Peanuts (planted)	Acres	7,000	9,000	18,000	20,000
Corn (planted)	Acres	2,745,000	2,826,000	2,883,000	2,884,000
Wheat (planted)	Acres	452,000	375,000	375,000	430,000
Cotton (planted)	Acres	767,000	725,000	723,000	792,000
Tobacco (planted)	Acres	116,500	88,100	98,700	136,700
Livestock production:					
Milk produced	1,000 pounds	1,845,000	2,092,000	2,174,000	2,200,000
Eggs produced	1,000 dozen	63,250	80,834	97,583	97,500
Turkeys (raised)	Number	200,000	196,000	196,000	190,000
Chickens (raised)	1,000 head	15,836	18,399	20,975	21,000
Livestock numbers:					
Sows to farrow (spring)	Number	139,000	185,000	231,000	165,000
Sows to farrow (fall)	Number	126,000	178,000	214,000	160,000
Milk cows	Number	532,000	586,000	609,000	616,000
			1943	1944	1945 goal
On farms, Jan. 1:					
Cattle and calves	Number	1,162,000	1,388,000	1,461,000	1,406,000
Hens and pullets	Number	9,437,000	11,979,000	13,057,000	12,000,000
Beef cows	Number	84,000	128,000	130,000	130,000
Sheep and lambs	Number	385,000	414,000	413,000	435,000

TABLE 2.—*Summary of lime, phosphate, green manure, and legume seeding practices carried out by Tennessee farmers 1936–42 in connection with the agricultural conservation program*

Year	Tons of lime	Tons of phosphate, 16 percent equivalent	Terracing (1,000 feet)
1936	179,259	4,387	20,870
1937	257,953	16,100	11,824
1938	337,560	33,568	14,005
1939	457,870	51,401	15,183
1940	759,435	84,844	16,107
1941	958,608	95,506	15,282
1942	940,120	93,632	9,106

Year	Acres of legumes and grasses seeded	Acres of green manure crops
1936	1,338,848	205,816
1937	1,335,568	445,182
1938	2,034,447	496,066
1939	2,224,073	747,705
1940	1,922,203	749,242
1941	2,052,363	256,750
1942	1,980,439	300,150

Years are not directly comparable due to change in program year and in seedings eligible for credit.

Mr. STEWART. I desire to add, Mr. President, that I am advised by the Governor of Tennessee, who is present here today, that in the middle portion of the State of Tennessee, which is in the so-called maneuver area where our Army has been on maneuvers since early last spring, 43,000 farmers voluntarily gave to the War Department the use of their farms for maneuver purposes. I think, Mr. President, this striking evidence of the cooperation of the farmers of Tennessee with the military arm of the Government and the testimony of the Agriculture Department in the letter from which I have read that in 1943 Tennessee farmers made a tremendous contribution toward the winning of the war by working longer hours in the face of shortages of labor and other handicaps constitute a magnificent and justified tribute to a great and patriotic class of citizens of my State.

BIRTHDAY ANNIVERSARY OF CARL A. LOEFFLER

Mr. WHITE. Mr. President, I think it appropriate to call to the attention of the Senate the fact that today is the birthday anniversary of Mr. Carl A. Loeffler, secretary for the minority for many years. I do not know how old he is, but I know how young he looks, and with what detail and fidelity he attends to the duties of his office.

It is interesting to me to recall that Carl Loeffler came to the Senate as a page in December 1889, and has served this body in various capacities for the minority Members who have at previous periods been the majority Members. He has served them over a period of nearly 55 years.

After serving as a page on the floor, he became a telephone page and subsequently a telephone operator at a time when there was but one telephone connected with the Senate wing. Later he became clerk of the Senate post office, and in 1900 the assistant on the floor to the then majority, and in 1910 he was elected by the Senate to the office now designated as secretary for the minority. His is an extraordinary span of intelligent, diligent, and faithful service, and I want to take this occasion to extend to him, speaking, I am sure, for all Members of the Senate, my warmest congratulations and my hope that he will continue to serve us for many years to come.

Mr. BARKLEY. Mr. President, I am glad to associate myself with the Senator from Maine in congratulating Mr. Loeffler upon another birthday. I have heretofore had occasion now and then to refer to the celebration of the anniversary of his birth, and each time I have done so, including this time, he seems younger than he appeared on the former occasion. I have tried in vain to extract from him his formula by which he seems to have perpetuated his youth indefinitely. I hope yet, in return for these generous remarks of mine, that I may be able to obtain from him the formula which he uses, because I have a suspicion that 40 or 50 years from now I myself may need it, and I do not want to be deprived of it because of his modesty. So I am happy to join the Senator from Maine and his other friends in the Senate in congratulating Mr. Loeffler upon his birthday, and wishing him not only a happy year this year but many more of them, and that he may continue in the successful use of whatever remedy he applies in order to conceal his age.

CONSTRUCTION OF CERTAIN PUBLIC WORKS OF THE NAVY

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 3741) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WALSH of Massachusetts. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. WALSH of Massachusetts, Mr. TYDINGS, and Mr. DAVIS conferees on the part of the Senate.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. MURDOCK in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations (and withdrawing a nomination), which were referred to the appropriate committees.

(For nominations this day received and nomination withdrawn, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

THE MARINE CORPS—NOMINATION PASSED OVER

The legislative clerk read the nomination of Col. William P. T. Hill to be Quartermaster of the Marine Corps.

Mr. BARKLEY. Mr. President, at the request of the junior Senator from South Dakota [Mr. BUSHFIELD], I ask that the nomination again go over.

The PRESIDING OFFICER. Without objection, the nomination will be passed over.

THE JUDICIARY

The legislative clerk read the nomination of Fred A. Canfil to be United States marshal for the western district of Missouri.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of Alden H. Baker to be collector of customs for customs collection district No. 40.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the post-office nominations are confirmed en bloc.

THE NAVY

The legislative clerk read the nomination of Russell S. Berkey to be rear admiral.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. BARKLEY. I ask unanimous consent that the Marine Corps nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Marine Corps are confirmed en bloc. That completes the calendar.

Mr. BARKLEY. I ask unanimous consent that the President be immediately notified of all confirmations of today.

The PRESIDING OFFICER. Without objection, the President will be forthwith notified.

RECESS TO FRIDAY

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon on Friday next.

The motion was agreed to; and (at 4 o'clock and 10 minutes p. m.) the Senate took a recess until Friday, January 14, 1944, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 12 (legislative day of January 11), 1944:

DIPLOMATIC AND FOREIGN SERVICE

John Campbell White, of New York, now Ambassador Extraordinary and Plenipotentiary to Haiti, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Peru.

DEPARTMENT OF THE INTERIOR

Abe Fortas, of Tennessee, to be Under Secretary of the Interior, vice himself.

FEDERAL RESERVE SYSTEM

Marriner S. Eccles, of Utah, to be a Member of the Board of Governors of the Federal Reserve System for a term of 14 years from February 1, 1944. (Reappointment.)

NATIONAL MEDIATION BOARD

Harry H. Schwartz, of Wyoming, to be a member of the National Mediation Board for the term expiring February 1, 1947. (Reappointment.)

FEDERAL COMMUNICATIONS COMMISSION

Ewell K. Jett, of Maryland, to be a member of the Federal Communications Commission for the term of 7 years from July 1, 1943 (vice George Henry Payne).

BUREAU OF INTERNAL REVENUE

Frank W. Kraemer, of Hartford, Conn., to be collector of internal revenue for the district of Connecticut, to fill an existing vacancy.

UNITED STATES PUBLIC HEALTH SERVICE

The following appointments and promotions in the Regular Corps of the United States Public Health Service:

Norman W. Wagner to be assistant surgeon, effective date of oath.

Walter S. Mozden to be assistant surgeon, effective date of oath.

James G. Terrill, Jr., promoted from assistant sanitary engineer to passed assistant sanitary engineer, effective from November 25, 1943.

Vincent B. Lamoureux to be temporarily promoted from sanitary engineer to senior sanitary engineer, effective from November 1, 1943.

Francis A. Arnold, Jr., to be temporarily promoted from passed assistant dental surgeon to dental surgeon, effective from December 1, 1943.

George E. Waterman to be temporarily promoted from passed assistant dental surgeon to dental surgeon, effective from December 1, 1943.

The following-named officers of the Public Health Service for promotion, effective from December 1, 1943:

PASSED ASSISTANT SURGEONS TO BE TEMPORARY SURGEONS

Aaron W. Christensen
Robert F. Martin
Theodore McC. Burkholder.
Theodore L. Perrin
Harris Isbell
Rolla R. Wolcott
James F. Lane
John N. Bowden
Ralph B. Hogan
Vernon B. Link
Norman H. Topping
Michael B. Shimkin

SURGEONS TO BE TEMPORARY SENIOR SURGEONS

Noka B. Hon
Hiram J. Bush
Eddie M. Gordon
Walter P. Griffey
Albert T. Morrison
Samuel J. Hall
Maurice A. Roe
Paul A. Neal
Kenneth R. Nelson
Vane M. Hoge

SURGEON TO BE TEMPORARY MEDICAL DIRECTOR

Erval R. Coffey

APPOINTMENTS IN THE REGULAR ARMY

To be first lieutenants, Medical Corps, with rank from date of appointment

First Lt. James Archibald Bell, Medical Corps Reserve.

First Lt. Jules John McNerney, Medical Corps Reserve.

First Lt. William Beverly Virgin, Medical Corps Reserve.

To be chaplains, with rank of first lieutenant, to rank from date of appointment

Chaplain (Capt.) Marvin Earl Utter, Army of the United States.

Chaplain (Capt.) Verne Henry Warner, Army of the United States.

To be first lieutenant, Dental Corps, with rank from date of appointment

First Lt. James Walter Bernhard, Jr., Dental Corps Reserve.

APPOINTMENTS BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO CORPS OF ENGINEERS

Second Lt. Joseph Wentworth Hartman, Coast Artillery Corps (temporary first lieutenant), with rank from June 1, 1943.

TO INFANTRY

Capt. Shelby Francis Williams, Cavalry (temporary lieutenant colonel), with rank from June 13, 1943.

First Lt. Russell Melroy Miner, Coast Artillery Corps (temporary lieutenant colonel), with rank from June 12, 1943.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

To be colonels with rank from January 1, 1944

Lt. Col. Robert William Strong, Cavalry (temporary brigadier general).

Lt. Col. Clifford Randall Jones, Coast Artillery Corps (temporary colonel).

Lt. Col. John Beugnot Wogan, Field Artillery (temporary major general).

Lt. Col. Clesen Henry Tenney, Coast Artillery Corps (temporary colonel).

Lt. Col. Frank Edwin Emery, Jr., Coast Artillery Corps (temporary colonel).

IN THE NAVY

Capt. James E. Boak, United States Navy, to be a commodore in the Navy, for temporary service, while serving as the commander of an advanced naval base.

Capt. George R. Henderson, United States Navy, to be a commodore in the Navy, for temporary service, while serving in command of a fleet air wing.

Rear Admiral David W. Bagley, United States Navy, to be a vice admiral in the Navy, for temporary service, to rank from the 1st day of February 1944, and to continue during his assignment as commander, Western Sea Frontier.

Vice Admiral John W. Greenslade, United States Navy, when retired on February 1, 1944, to be placed on the retired list with the rank of vice admiral pursuant to an act of Congress approved June 16, 1942.

Capt. William M. Fechteler, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 3d day of December 1942.

Commodore Henry S. Kendall, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 15th day of May 1943.

Capt. Frank L. Lowe, United States Navy, to be a rear admiral in the Navy, for temporary service, while serving as Assistant Judge Advocate General.

Capt. John J. Ballentine, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 21st day of April 1943.

Capt. Frederick G. Crisp, United States Navy, to be a rear admiral in the Navy, for temporary service, while serving as director of shore establishments and civilian personnel, Navy Department.

WITHDRAWAL

Executive nomination withdrawn from the Senate January 12 (legislative day of January 11), 1944:

POSTMASTER

WISCONSIN

Howard J. Merryfield to be postmaster at Wild Rose in the State of Wisconsin.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 12 (legislative day of January 11), 1944:

THE JUDICIARY

UNITED STATES MARSHAL

Fred A. Canfil to be United States marshal for the western district of Missouri.

COLLECTOR OF CUSTOMS

Alden H. Baker to be collector of customs for customs collection district No. 40, with headquarters at Indianapolis, Ind.

IN THE NAVY

TEMPORARY SERVICE

Russell S. Berkey to be rear admiral.

IN THE MARINE CORPS

TO BE CAPTAINS

Robert E. A. Lillie
Marshall R. Pilcher
Madison C. Whiteside
Tom Woody

TO BE SECOND LIEUTENANTS

Francis E. Pierce, Jr.
Maurice L. Appleton, Jr.
Donald B. Lee
Douglas E. Haberlie
Arthur J. Bilava
Robert W. Anderson
Charles C. Crossfield III
Jerome J. Tuckner
Charles W. Boggs, Jr.

POSTMASTERS

ALABAMA

Johnie L. Jones, Cottondale.
Thomas P. Marchman, Daleville.
Etta L. Hambrice, Dixiana.
Maude C. Brown, Eastaboga.
Annie H. Chastain, Glencoe.
Martin V. Marsh, Gordon.
Roma H. Parker, Killen.
William L. Adams, Letohatchee.
Lidie T. Minter, Tyler.

CALIFORNIA

George T. Provine, Napa.
Stanley R. McLean, Sutter.

COLORADO

Vina M. McMullen, Boone.
Emmett O. Smith, Merino.
Gladys Hininger, Olney Springs.

CONNECTICUT

Christina Rowan, Pomfret.
Thomas Joseph Curran, Jr., Saybrook.

GEORGIA

Johnnie A. Webb, Damascus.
Marcus G. Keown, Mount Berry.

MARYLAND

Lola M. Kilby, Conowingo.
George A. Dressman, Long.

NEVADA

Olive G. Houghton, Luning.

NEW YORK

Norman R. McNamara, Deansboro.
Robert H. Doyle, Kerhonkson.
Frederick B. Pulling, Lagrangeville.
Lewis F. Bennett, Niagara University.
Francis P. Reilly, Penn Yan.
George W. Woods, Pulaski.
Jacob C. Kopperger, Stottville.
James D. Desmond, Waddington.
Preston A. Abplanalp, Youngsville.

OHIO

Norman S. McConnell, Berlin Center.
John W. Turner, Bettsville.
George M. Schmidt, Carroll.
Joseph A. Link, Carthagena.
Stella G. Cleaver, Clarksville.
Fred Reichelderfer, Cridersville.
George F. Burford, Farmdale.
Everett Vine, Garrettsville.
Cora O. Shick, Huntsville.
Iva D. Bachtel, Lagrange.
Blanche M. Watkins, Lower Salem.
Howard H. Lesh, Middlebranch.
Robert H. Gano, Newport.
Jessie Dell, North Bend.
Lesta C. Murphy, Rogers.
Barton F. Truster, Seven Mile.
Laura W. Spellman, Williamsfield.

PENNSYLVANIA

Anna J. Spisak, Dixonville.
Ethel M. Goodwin, Folsom.
Olive M. Harkness, Gillett.
Clara V. Snyder, Glenmoore.
Carl Seyler, Luthersburg.
Alexander Bubel, Middleport.
William L. Doebler, Mifflinburg.
Lena C. Beers, North Bessemer.

VIRGINIA

Robert H. Bear, Churchville.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 12, 1944

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Eternal God of heaven and earth, the fullness of Thy love and mercy can never be known until the countless hosts of the redeemed gather about Thy throne, to go out no more forever. We are encircled by a whole eternity of Thy love; knowing this, how can we falter or fear? We pray that this sublime truth may inspire our souls with an unquenchable faith, register our allegiance and our undying loyalty, and at least seal them with our latest breath.

When we fail to walk in the way and heed not the Shepherd's voice, help us to seek Thy will and find a stimulating joy in the service of our country that shall lead it toward an immortal destiny. O God, may it still live in the genius of our Government, in the fiber of our national life, in the ideals of Christian liberty, and ever be the temple of human rights and human dignity. Harken, blessed Lord, we are in the midst of a world tornado, blinded with burning tears, stricken with unparalleled grief, the people cannot see clearly the outlines of the world to be; we hear the wailing of the children and the appeal of woe from lips that cannot speak. O let America's answer be, "We are here, we are there, and we are coming, young and old, from every rank and station, to place a star of hope in the window of suffering, choking humanity." In the name of the Teacher of Galilee. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On December 20, 1943:

H. J. Res. 199. Joint resolution to extend the time limit for immunity.

On December 21, 1943:

H. R. 2641. An act to authorize the acquisition by exchange of certain lands for addition to the Sequoia National Park.

On December 22, 1943:

H. J. Res. 171. Joint resolution to permit the importation from foreign countries free of duty, during a period of 90 days, of certain grains and other products to be used for livestock and poultry feed, and suspending for 2 months the increase in the tax rates under the Federal Insurance Contributions Act.

On December 23, 1943:

H. R. 1203. An act to limit private suits for penalties and damages arising out of frauds against the United States;

H. R. 1616. An act to amend the Coast Guard Auxiliary and Reserve Act of 1941, as amended;

H. R. 2545. An act for the relief of Samuel J. D. Marshall;

H. R. 2562. An act to authorize the Secretary of Agriculture to sell and convey to the State Hospital at Goldsboro, Goldsboro, N. C., a certain tract of land, situated in Wayne County, N. C.;

H. R. 3598. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1944, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1944, and for other purposes;

H. J. Res. 209. Joint resolution extending until January 31, 1944, the provisions of the act of April 29, 1943, making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1943; and

H. J. Res. 210. Joint resolution authorizing the printing and binding of a revised edition of Cannon's Procedure in the House of Representatives and providing that the same shall be subject to copyright by the author.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 3741. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

MRS. FRANCES MORGAN

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts, I submit a privileged resolution (H. Res. 395), and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That there shall be paid out of the contingent fund of the House to Mrs. Frances Morgan, widow of Daniel E. Morgan, late an employee of the House, an amount equal to 6 months' salary at the rate he was receiving at the time of his death, and an additional amount not to exceed $250 toward defraying the funeral expenses of the said Daniel E. Morgan.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JENKINS. Mr. Speaker, the action that this House just took in approving the resolution of the Committee on Accounts as presented by its distinguished chairman, the gentleman from Missouri [Mr. COCHRAN], was, I think, very timely and appropriate.

I wish to speak especially with reference to Daniel E. Morgan, who served here in the Capitol Building for more than 42 years' continuous service. This service was conspicuous in that it was continuous with but very few interruptions for illness or even for vacations. His service was conspicuous because during all those years he grew gradually in the esteem of all those with whom he was associated. His service was further conspicuous because of his honesty of purpose and his loyalty to every duty. Of him it could well be said:

Not to the strong is the battle,
Not to the swift is the race,
But to the true and the faithful
Victory is promised through grace.

Daniel E. Morgan came to Washington when he was a young man. He was brought up in the same community in which I was brought up, and I can remember that when he came to Washington he was a popular young man in our community. He was deservedly popular because he was a young man of fine character and of most pleasing personality and of fine accomplishments. He came to Washington in the days when coming to Washington was considered a great prize by the young generation of that time. He came to Washington during the time when Hon. Stephen Morgan was our Representative in Congress. Congressman Morgan was a popular man in our community, especially with the younger men and women, because he had been a very prominent teacher in our section of the country.

Daniel E. Morgan died on Christmas Day, 1943, at his home on Rhode Island Avenue here in Washington. He had been complaining for a few days from a touch of the flu, which had assumed epidemic proportions in the city of Washington at that time. He leaves a wife, Mrs. Frances Morgan, and one daughter, Mrs. Lawrence Harry, of Washington.

Besides being a man of the highest character and of fine personality, Mr. Morgan was a very intelligent gentleman and was a very accomplished musician. He had been active in musical circles in Washington during all the time of his residence here. He was also a man who loved the outdoors. He loved the fields and the streams. He was skillful with firearms and was a devotee of the fishing rod. Neither of these pastimes ever interfered with his duty to the Government or to his family.

At the time of his death, Mr. Morgan was holding the important position of general storekeeper for the supplies in the Capitol Building. This is a position of great responsibility, all of which he assumed and discharged honestly and nobly.

His wife has lost a devoted husband to whom she had been married nearly half a century. His daughter will miss a kindly and considerate father, and I shall miss one of my best friends.

On behalf of his family and on behalf of myself, I want to thank the gentleman from Missouri [Mr. COCHRAN] and the members of his committee and the Congress for their consideration and for the passage of the resolution above referred to.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that on Friday next after any other special orders already entered for that day my colleague the gentleman from New York [Mr. TABER] may address the House for 20 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. SULLIVAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address by Raymond Gram Swing.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MURRAY of Tennessee. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial by Columnist Mark Sullivan which appeared in the Washington Post.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a brief excerpt; also to extend my own remarks and include two brief resolutions.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my own remarks on three different subjects: In the first to include a speech made by the clerk of the Suffolk Superior Court before the veterans at the Old Dorchester Post, 65, of the American Legion; secondly, to include an editorial appearing in the Lawrence Evening Tribune of January 10, 1944, on the record of the town of Andover; and third, a speech delivered by me on price control over Station WLAW.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CAPOZZOLI. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a radio address I delivered over Station WLW on December 30, 1943, relative to soldiers voting.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WELCH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short newspaper report appearing in the Financial News of London, England, wihch indicates the policy being followed by Great Britain in the operation of air lines by certain shipping companies in that country.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an election calendar of 1944.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

WHAT A FIGHTING SAILOR THINKS OF CONDITIONS ON THE HOME FRONT

Mr. COMPTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. COMPTON addressed the House. His remarks appear in the Appendix.]

Mr. Speaker, I ask unanimous consent to revise and extend my own remarks, and to include therein the letter referred to.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein a portion of a letter received from Frank Nelson, a farmer at O'Neill, Nebr.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WILSON. Mr. Speaker, I ask unanimous consent that after the legislative business of the day and other special orders, I may address the House for 15 minutes tomorrow.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. LYNCH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement from the New York Law Journal relative to the elevation to the bench of our former colleague, the Honorable Joseph A. Gavagan.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting an excerpt from the Washington Post of January 11, 1944, part of an article by Merlo Pusey.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(Mr. JENKINS asked and was given permission to extend his own remarks in the RECORD.)

Mr. SCHUETZ. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD, and include therein a speech by Mayor Kelly, of Chicago, delivered at Milwaukee.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(Mr. GATHINGS asked and was given permission to extend his own remarks in the RECORD.)

PERMISSION TO ADDRESS THE HOUSE

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes today, after disposition of previous special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. GIFFORD]?

There was no objection.

EXTENSION OF REMARKS

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a letter from a distinguished veteran.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. LAMBERTSON]?

There was no objection.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—REPORT OF NATIONAL INTERREGIONAL HIGHWAY COMMITTEE (H. DOC. NO. 379)

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee on Roads and ordered printed:

To the Congress of the United States:

On April 14, 1941, I appointed a committee, known as the National Interregional Highway Committee, to investigate the need for a limited system of national highways to improve the facilities now available for interregional transportation, and to advise the Federal Works Administrator as to the desirable character of such improvement, and the possibility of utilizing some of the manpower and industrial capacity expected to be available at the end of the war.

The committee, with the aid of a staff provided by the Public Roads Administration, made careful and extended studies of the subject, and has submitted to me its final report which I transmit herewith and commend to the favorable consideration of the Congress. The report recommends the designation and improvement to high standards of a national system of rural and urban highways totaling approximately 34,000 miles and interconnecting the principal geographic regions of the country.

The recommended system follows in general the routes of existing Federal-aid highways, and when fully improved will meet to optimum degree the needs of interregional and intercity highway transportation. Its development also will establish a transcontinental network of modern roads essential to the future economic welfare and defense of the Nation.

While the annual rate of expenditure to accomplish the improvement of the rural and urban sections of the system over a reasonable period of years will be dependent upon the availability of manpower and materials, and upon other factors, the required expenditure is estimated at $750,000,000 annually. The over-all expenditures would be approximately equally divided between urban and rural sections of the system.

The improvement of a limited mileage of the most heavily traveled highways obviously represents a major segment of the road replacement and modernization program which will confront the Nation in post-war years, in rural and urban communities alike. The committee found that the national network outlined in its report comprises only 1 percent of the total road mileage of the United States but carries 20 percent of the total travel.

Continued development of the vast network of rural secondary roads and city thoroughfares, which serve as feeder lines and provide land-access service, likewise has an important place in the over-all program, together with the repair or reconstruction of a large mileage of Federal and State primary highways not embraced within the interregional network.

I commend especially to the consideration of the Congress the recommendation that minimum standards of design and construction be established cooperatively with the States for all projects embraced within a designated interregional system. This, it seems to me, is wise planning procedure, assuring the orderly development of the facilities which are necessary in the public interest with maximum long-range economy.

By Public Law 146, Seventy-eighth Congress, section 5, Commissioner of Public Roads Thomas H. MacDonald was authorized and directed to make a survey of the need for a system of express highways throughout the United States, the number of such highways needed, the approximate routes which they should follow, and the approximate cost of construction, and to report to the President and to Congress, within 6 months after the date of the act, the results of the survey, together with such recommendations for legislation as deemed advisable. The act was approved on July 13, 1943.

The purposes of this directive by the Congress were identical with my own in requesting the investigation which has been made by the National Interregional Highway Committee. The Commissioner of Public Roads has served as the chairman of the committee appointed, and the detailed investigations required have been made by the Public Roads Administration staff. The Commissioner of Public Roads has informed me that he concurs without exception in the report of the committee and desires that it be accepted as his report, complying with the direction of Congress in Public Law 146.

I am glad to endorse this suggestion, and ask that the Congress receive the report herewith transmitted as fulfilling the purposes of Congress in the directive laid upon the Commissioner of Public Roads.

Early action by the Congress in authorizing joint designation by the Federal Government and the several State highway departments of a national system of interregional highways is desirable, in order to facilitate the acquisition of land, the drawing of detailed project plans, and other preliminary work which must precede actual road construction.

These advance steps taken, the program can serve not only to help meet the Nation's highway transportation needs, but also as a means of utilizing productively during the post-war readjustment period a substantial share of the manpower and industrial capacity then available. A program of highway construction will, in addition, encourage and support the many diverse economic activities dependent upon highway transportation.

From personal experience, as Governor of a State and as President, I hope that the Congress will make additional studies in regard to the acquisition of land for highways.

In the interest of economy, I suggest that the actual route of new highways be left fluid. It is obvious that if a fixed route be determined in detail, the purchase of rights-of-way will immediately rise, in many cases exorbitantly; whereas, if two or three routes, all approximately equal, are surveyed, the cheapest route in relation to rights-of-way can be made the final choice.

Second, experience shows us that it is in most cases much cheaper to build a new highway, where none now exists, rather than to widen out an existing highway at a cost to the Government of acquiring or altering present developed frontages.

As a matter of fact, while the courts of the different States have varied in their interpretations, the principle of excess condemnation is coming into wider use both here and in other countries. I always remember the instance of the farmer who was asked to sell a narrow right-of-way through his farm for a main connecting highway. From an engineering point of view it would have been as feasible to build the new highway across the dirt road that ran in front of his house and barn. Actually the owner received from a jury an amount equal to the whole value of the farm. The road was built. The owner of the land thereby acquired two new frontages. He sold lots on one frontage for the former value of his farm. A year or two later he sold the other frontage for the farm value of his farm. The result was that he still had his house and barn and 90 percent of his original acreage, and in addition he had received in cash three times the value of what the whole place was worth in the first instance.

It hardly seems fair that the hazard of an engineering survey should greatly enrich one man and give no profit to his neighbor, who may have had a right-of-way which was equally good. After all, why should the hazard of engineering give one private citizen an enormous profit? If there is to be an unearned profit, why should it not accrue to the Government—State or Federal, or both?

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 12, 1944.*

FURTHER MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—REPORT OF THE NATIONAL CAPITAL HOUSING AUTHORITY

The SPEAKER laid before the House the following further message from the

President of the United States which was read and referred to the Committee on the District of Columbia.

To the Congress of the United States:

In accordance with the provisions of section 5 (a) of the District of Columbia Alley Dwelling Act, approved June 12, 1934, I transmit herewith for the information of the Congress the report of the National Capital Housing Authority for the fiscal year ended June 30, 1943.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 12, 1944.*

EXTENSION OF REMARKS

Mr. ROHRBOUGH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from the Honorable J. D. McLaughlin commissioner of agriculture of West Virginia.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. ROHRBOUGH]?

There was no objection.

AMENDMENT TO NATIONALITY ACT OF 1940

Mr. DICKSTEIN. Mr. Speaker, I call up the conference report on the bill (H. R. 2207) to amend the Nationality Act of 1940, and I ask unanimous consent that the statement of the managers on the part of the House may be read in lieu of the full report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the reqest of the gentleman from New York [Mr. DICKSTEIN]?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2207) to amend the Nationality Act of 1940, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 3. Section 339 of the Nationality Act of 1940, approved October 14, 1940 (54 Stat. 1160), is hereby amended to read as follows:

" 'SEC. 339. A person who claims to have derived United States citizenship through the naturalization of a parent or through the naturalization or citizenship of a husband, or who is a citizen of the United States by virtue of the provisions of Sec. 1993 of the United States Revised Statutes, or of Sec. 1993 of the United States Revised Statutes, as amended by Sec. 1 of the Act of May 24, 1934 (48 Stat. 797) or who is a citizen of the United States by virtue of the provisions of section 201 (c), (d), (e), and (g) of the Nationality Act of 1940 (54 Stat. 1138; U. S. C., title 8, sec. 601), may apply to the Commissioner for a certificate of citizenship. Upon proof to the satisfaction of the Commissioner that the applicant is a citizen, and that the applicant's alleged citizenship was derived as claimed, or acquired, as the case may be, and upon taking and subscribing before a member of the Service within the United States to the oath of allegiance required by this Act of a petitioner for naturalization, such individual shall be furnished by the Commissioner or a deputy commissioner with a certificate of citizenship, but only if such individual is at the time within the United States.'

"Section 342 (a) (5) of the Nationality Act of 1940, approved October 14, 1940 (54 Stat. 1161), is hereby amended to read as follows:

" '(5) For application for a certificate of citizenship under Sec. 339, $5.' "

And the Senate agree to the same.

SAMUEL DICKSTEIN,
JOHN LESINSKI,
NOAH M. MASON,
Managers on the part of the House.

FRANCIS MALONEY,
CHARLES O. ANDREWS,
JOSEPH H. BALL,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2207) to amend the Nationality Act of 1940, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: The Senate amendment amends section 1420 of the Revised Statutes, which prohibits the enlistment in the naval service of persons who have deserted in time of war from the naval or military service, to permit the enlistment in the naval service of such deserters upon permission of competent naval authority thereunto authorized by the Secretary of the Navy. The House recedes.

Amendment No. 2: The Senate amendment amends section 339 of the Nationality Act of 1940 so as to authorize the Commissioner of Immigration and Naturalization to give documentary evidence of citizenship to persons who, though born in foreign countries, are born citizens of the United States by virtue of the provisions of section 201 (c), (d), (e), and (g) of the Nationality Act of 1940.

The House recedes with the following amendments:

(1) A provision which brings within the provisions of the bill persons born outside the United States prior to the effective date of the Nationality Act of 1940. The language contained in the Senate amendment was recommended by the Attorney General and was intended to include this class of persons but inadvertently failed to do so.

(2) An amendment to section 342 (a) (5) of the Nationality Act so as to provide for the collection of a fee for an application for a certificate of citizenship in the case of any person entitled to file such an application under section 339, as amended by the bill. The present law provides only for the collection of a fee in case of an application for a certificate of derivative citizenship.

SAMUEL DICKSTEIN,
JOHN LESINSKI,
NOAH M. MASON,
Managers on the part of the House.

Mr. DICKSTEIN. Mr. Speaker, this bill, H. R. 2207, was introduced at the request of the War Department, the Navy Department, and the marines. There have been a number of desertions in our armed forces, which have resulted in court martials and the stripping of American citizens of their civil rights and their citizenship rights. Most of these men can be repatriated into the service. They themselves are asking to go back to the firing line, if given an opportunity. The War Department states that quite a number of these men have been well trained, but because of some unfortunate set of circumstances they have deserted. They now realize their grave offense. The services would like to take these men back, but, unfortunately, in view of the fact that court martials have taken place under the War Act, they must have some legislation to do so.

This matter has been given careful consideration by the committee. We were unanimous in executive session when we consulted with representatives of the War and Navy Departments and the marines. The bill has the approval of the Attorney General and all the departments concerned. It passed the House unanimously and passed the Senate with amendments. We disagreed as to one of the amendments, and the bill went to conference. The conferees agreed upon the text of the proposed legislation.

Mr. Speaker, this measure is urgently needed by the armed forces. I was hoping to bring this matter up some time ago and to pass the bill, because the War Department, the Navy Department, and the Marine Corps have stated that it is a problem that ought to be cleared up immediately. The point of the matter is that if a man is not taken back to the service and is stripped of his civil rights he cannot regain them except by Presidential pardon. The armed services need these trained men and feel that they should be given another chance. They are willing to take them back because they feel these men can render yeoman service to our war effort.

This is the situation, Mr. Speaker. The committees as well as the conferees are in full accord.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PUBLIC WORKS, NAVY

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3741) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER appointed the following conferees: Messrs. VINSON of Georgia, DREWRY, and MAAS.

APPOINTMENT OF COURT REPORTERS IN DISTRICT COURTS OF THE UNITED STATES

Mr. HANCOCK. Mr. Speaker, I call up the conference report on the bill (H. R. 3611) to authorize the appointment of court reporters in the district

courts of the United States, to fix their duties, to provide for their compensation, and for other purposes, and ask unanimous consent that the statement be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3611) entitled "An act to authorize the appointment of court reporters in the district courts of the United States, to fix their duties, to provide for their compensation, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That the Judicial Code (act of March 3, 1911, 36 Stat. 1088, as amended) is hereby amended by inserting after section 5 thereof a new section 5a, entitled 'Court Reporters', as follows:

"'SEC. 5a. Court Reporters:

"'(a) Appointment: Each district court of the United States, including the District Court of the United States for the District of Columbia and the district courts in the Territories and insular possessions, shall appoint one or more court reporters for the district court in the manner provided for the appointment of the clerks of said courts. The number of reporters to be so appointed shall be determined by the Judicial Conference of Senior Circuit Judges (hereinafter referred to as the Judicial Conference). The persons to be so appointed shall possess the qualifications necessary for the satisfactory performance of the duties specified in subdivision (b) of this section, to be determined by standards which shall be formulated from time to time by the Judicial Conference, and shall take an oath to perform faithfully such duties. The court, with the approval of the Director of the Administrative Office of the United States Courts (hereinafter referred to as the Director) may appoint additional reporters for temporary service not exceeding 3 months, when there is more reporting work in the district than can be promptly performed by the authorized number of reporters and the urgency is so great as to render it impracticable to obtain the approval of the Judicial Conference. If the court and the Judicial Conference are of the opinion that in any district it is in the public interest that the duties of reporter should be combined with those of any other employee of the court, the Judicial Conference may authorize such a combination of positions and fix the salary therefor, as provided by subsection (c) hereof, any provision of law to the contrary notwithstanding.

"'(b) Duties: One of the reporters so appointed for each district court shall attend at each session of the court and at every other proceeding that may be designated by rule of procedure or order of court or by one of the judges of the court, and shall record verbatim by shorthand or by mechanical means (1) all proceedings in criminal cases had in open court, whether in connection with plea, trial, or sentence; (2) all proceedings in all other cases had in open court unless the parties with the approval of the sitting judge shall specifically agree to the contrary; and (3) such other proceedings as a judge of the court may direct or as may be required by rule of procedure or order of the court or as may be requested by any party to the proceeding. The reporter shall attach to his official certificate to the original shorthand notes or other original records so taken and promptly file them with the clerk of the court, who shall preserve them in the public records of the court for not less than 10 years. Upon the request of any party to any proceeding which has been so recorded and who has agreed to pay the fee therefor or of a judge of the court, the reporter shall promptly transcribe the original records of the requested parts of the proceedings and attach thereto his official certificate, and shall then deliver the transcript to the party or judge making the request. He shall also transcribe and certify all pleas and proceedings in connection with the imposition of sentence in criminal cases and such other parts of the record of proceedings as may be required by rule of procedure or order of court. The reporter shall promptly deliver to the clerk for the records of the court a certified copy of any transcript that he may make of any part of the record of any proceeding. The transcript of the testimony and proceedings in any case when duly certified by such reporter shall be deemed prima facie a correct statement of such testimony and proceedings. No transcripts of the proceedings of the court shall be considered as official except those made from the records taken by the reporter so appointed. The said original notes or other original records and the said copy of transcript shall be open to inspection in the office of the clerk as provided by law with respect to books containing the docket or minute of judgments, or decrees thereof.

"'(c) Compensation: Each reporter so appointed shall receive an annual salary, to be fixed from time to time by the Judicial Conference and to be paid in the same manner and at the same time that the salary of the clerk of the court is paid. In fixing such salary the Judicial Conference shall take into account in each instance the amount of time the reporter is required to be in attendance upon the court engaged in the performance of his duties. Such salary shall be not less than $3,000 nor more than $6,000 per annum. The reporter shall also receive his traveling expenses and expenses incurred for subsistence within the limitations prescribed by law for clerks of district courts while necessarily absent on official business from the place of his regular employment. All supplies shall be furnished by the reporter at his own expense. The reporter may charge and collect from parties, including the United States, who request transcripts, such fees therefor and no other, as may be prescribed from time to time by the court subject to the approval of the Judicial Conference. No fee shall be charged or taxed for any copy of a transcript delivered to the clerk for the records of court as required by subdivision (b) of this section. Fees for transcripts furnished in criminal or habeas corpus proceedings to persons allowed to sue, defend, or appeal in forma pauperis shall be paid by the United States out of money appropriated for that purpose; and the fees for transcripts furnished in other than criminal or habeas corpus proceedings to persons permitted to appeal in forma pauperis shall also be paid by the United States if the trial judge or a circuit judge shall certify that the appeal is not frivolous but presents a substantial question. Except as to transcripts that are to be paid for by the United States, the reporter may require any party requesting a transcript to prepay the estimated fee therefor in advance of delivery of the transcript.

"'(d) Administration: The Judicial Conference shall supervise and direct the administration of this section. Subject to this section and pertinent laws, it shall be the duty of the court to supervise and direct the reporter in the performance of his duties, including dealings with parties requesting transcripts. The Judicial Conference shall prescribe records which shall be maintained and reports which shall be filed by the reporter. Such records shall be inspected and audited in the same manner as the records and accounts of the clerk and may include records showing (1) the quantity of transcripts prepared, (2) the fees charged and the fees collected for transcripts, (3) any expenses incurred by the reporter in connection with transcripts, (4) the amount of time the reporter is in attendance upon the court for the purpose of recording proceedings, and (5) such other information as the Judicial Conference may determine.

"'(e) Taxation of fees as costs: In the discretion of the court any part or all of the fees for transcripts may be taxed as costs in the case. Fees paid by the United States for transcripts furnished to persons allowed to appeal in civil cases in forma pauperis shall be taxed in favor of the United States as costs in the case.'

"SEC. 2. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry the provisions of this Act into effect.

"SEC. 3. Upon request of the appellant, the record on appeal, under rules 75 and 76 of the Federal Rules of Civil Procedure, shall be printed by a printer designated by the appellant."

And the Senate agree to the same.

HATTON W. SUMNERS,
SAM HOBBS,
C. E. HANCOCK,
Managers on the part of the House.

PAT MCCARRAN,
HARLEY M. KILGORE,
HOMER FERGUSON,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes on the Senate amendment to the bill (H. R. 3611) entitled "An act to authorize the appointment of court reporters in the district courts of the United States, to fix their duties, to provide for their compensation, and for other purposes," submit the following statement, explaining matters agreed upon by the conference committee and recommended in the accompanying conference report:

The Senate amendment and the conference agreement retain provisions designed to accomplish the general purposes of the House bill.

Concerning the matter of compensation, the House bill provided that the Judicial Conference should fix the annual salary of the reporters and that such salary should not exceed $3,000 per annum except that if the amount of time the reporter is required to attend upon the court exceeds 30 weeks annually, the salary might be fixed not to exceed $5,000 per annum. The House bill also provided that necessary equipment and supplies for recording the proceedings should be furnished to the reporter. It provided further that the fees for transcripts of pleas and proceedings in connection with the imposition of sentence in criminal cases and for transcripts furnished to a judge for his personal use should be paid by the United States. The Senate amendment omitted the authority to permit salaries as high as $5,000 annually. It also eliminated the provision providing for furnishing equipment and supplies to the reporter and the provision that fees for transcripts of pleas and proceedings

in connection with the imposition of sentence in criminal cases and transcripts furnished for the personal use of the judge be paid by the United States.

The conference agreement provides that the salary of a reporter shall be not less than $3,000 nor more than $6,000 per annum. The conference agreement adopts the Senate amendment with respect to eliminating the provision for furnishing equipment and supplies and for payment by the United States for transcripts of pleas and proceedings in connection with the imposition of sentence in criminal cases and transcripts furnished for the personal use of the judge. It was considered that the most practical manner of handling the problem was to leave considerable discretion in the Judicial Conference to make adjustment for the services actually performed by the reporter. For this reason it was thought desirable to increase the maximum salary to $6,000.

The Senate amendment added at the end of the bill a provision that upon request of the appellant, the record on appeal, under rules 75 and 76 of the Federal Rules of Civil Procedure, shall be printed by a printer designated by the appellant. This addition is contained in the conference agreement. A further provision in the Senate amendment was not accepted. It provided that the Supreme Court should prescribe uniform rules for the form and printing of briefs and records on appeals from the district courts of the United States to the circuit courts of appeals.

HATTON W. SUMNERS,
SAM HOBBS,
C. E. HANCOCK,
Managers on the part of the House.

Mr. HANCOCK. Mr. Speaker, I understand the gentleman from Michigan [Mr. MICHENER] wishes to express his views on this conference report. Therefore, I yield 5 minutes to the gentleman from Michigan.

Mr. MICHENER. Mr. Speaker, the original bill, H. R. 3611, was considered by and reported to the House by the Judiciary Committee, of which I am a member. If I am not mistaken, I was the only member of the committee voting against a favorable report.

As a part of the committee report, under the caption "Additional views," I expressed in a general way the reasons prompting me to vote as I did. In that report I said:

This bill brings before the Congress a matter to which its committees have given consideration for many years. As to the advisability of official court reporters in Federal courts there should be no argument. The details and administration of such a law, however, present questions of vast importance.

We are advised that this proposed legislation will create approximately 200 additional Federal positions.

I am of the opinion that only essential Federal jobs should be created at this time. The consideration of many desirable bills must be postponed until the war effort is concluded and an inventory taken of the Nation's finances. Our Federal courts have gotten along pretty well for 150 years without these additional employees, and I am wondering if it is wise to enact this bill now.

Mr. Speaker, I have not changed my views.

Under the rules of the House, when a bill is reported favorably by a legislative committee, it is placed on one of the General Calendars of the House. At the request of any Member of the House any bill on the General Calendar can also be placed on the Unanimous Consent Calendar. The rules contemplate that only noncontroversial bills which do not require debate and time for consideration should be placed on the Unanimous Consent Calendar. This rule is pretty generally observed. However, H. R. 3611 was placed on the Unanimous Consent Calendar and was called up on the regular day when unanimous-consent bills are disposed of. This bill was not debated, was not read section by section, and was treated in all respects as any noncontroversial measure. The official objectors, who serve during the consideration of the Unanimous Consent Calendar, did not object and, as a result, the bill passed the House by unanimous consent along with the others and proceeded to the Senate. The Senate amended the bill in some respects and the House is now asked to concur in the Senate amendments. If this is done, it will mean that this bill will go to the White House for signature.

I have made it clear that I am in sympathy with the objectives of the bill. However, in my opinion a bill of such vast importance, involving so many technicalities and requiring additional expenditure of the taxpayers' money at this time should not be passed by unanimous consent without debate and without the general membership of the House being fully advised. I say without fear of successful contradiction that few if any Members of the House, excepting the Judiciary Committee, have given any thought or any consideration whatever to just what this bill does.

Many bills of minor importance should be passed by unanimous consent, but not a bill creating approximately 200 additional Federal jobs.

I am a little reticent, however, in urging my views because I am the only member of the Judiciary Committee opposing the bill. Possibly this is a case where it appears to me that the whole army is out of step but me. I do feel, however, that the Congress must awaken to the realization that the tax barrel has been scraped to the bottom, that the Federal Treasury is distressingly empty, that every time the Congress authorizes additional appropriations it instructs the issuance of more Government bonds to make up the deficit caused by the additional spending. How long can or will the people stand for any but essential spending?

Mr. Speaker, there is a limit, and so far as I am concerned that limit has been reached, and I sincerely believe that if the entire membership were fully advised as to the necessity of this legislation at this time this bill would not have passed the House. Again, maybe like Johnny, I am out of step with the rest of the army.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and include a complaint of the Federal Trade Commission and a release thereof.

The SPEAKER. Is there objection?

There was no objection.

Mr. COLMER. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a letter from a returned soldier.

The SPEAKER. Is there objection?

There was no objection.

Mr. HARTLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include therein a letter from Maj. Gen. Robert Wood Johnson, retired.

The SPEAKER. Is there objection?

There was no objection.

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix, and include a set of resolutions of the Association of Commerce of Centerville, Iowa, on the subject of Further Legislation Relating to Aviation.

The SPEAKER. Is there objection?

There was no objection.

Mr. SCRIVNER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a telegram received from citizens of Yugoslavian descent, respecting conditions in the country of their ancestors.

The SPEAKER. Is there objection?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two particulars, in one to include a letter from Judge Robert E. Healy, of the Securities and Exchange Commission, and in the other, to extend my remarks and submit a brief statement recently made in Britain by Herbert Morrison and also Lord Melchett, on post-war unemployment.

The SPEAKER. Is there objection?

There was no objection.

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a letter I have received from General Hines, of the Veterans' Administration, with reference to expediting the claims of veterans who have been discharged.

The SPEAKER. Is there objection?

There was no objection.

THE SOLDIERS' VOTE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks and include a law recently passed by the Georgia Legislature.

The SPEAKER. Is there objection?

There was no objection.

[Mr. RANKIN addressed the House. His remarks appear in the Appendix.]

CONDITIONS UNDER JAPANESE CONTROL

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I have just concluded listening to a story told me by one of those unhappy Americans who were herded together in Japanese concentration camps. He is Dr.

George R. Thorngate, a medical missionary who was one time a teacher under whom I was a student at Salem College, Salem, W. Va. He returned only recently on the Gripsholm.

There are deep lines of loneliness and hardship written into his face. This good man of 50 years has two sons in the Navy. He also hopes to enter the armed forces in the medical corps. His work in Christian service, prior to war, administered health and comfort to the Chinese people. With 1,100 other men, for 7½ months, he suffered in a concentration camp. These unfortunate persons were fed meagerly on stinking meat and wormy food. No medical care was provided.

The might of American arms will eventually bring the ruling militarists of Japan to their knees. Somehow or other, in the long look ahead, we must see to it that those who brought about such inhuman treatment shall be punished.

EXTENSION OF REMARKS

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks and include a radio speech delivered by me.

The SPEAKER pro tempore (Mr. COOPER). Is there objection?

There was no objection.

The SPEAKER pro tempore. Under special order heretofore made, the Chair recognizes the gentleman from Michigan [Mr. HOFFMAN] for 15 minutes.

FAIR EMPLOYMENT PRACTICE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include certain newspaper articles.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, this country needs a labor policy and the administration should quit fooling around trying to catch votes by deceptive promises and actions. My remarks are prompted by a wire received this morning. In part, it reads.

> We are shocked and amazed that at a time when the war effort can only be advanced by utilization of our total manpower, a vicious and destructive attack is planned upon F. E. P. C.

Now, I wish the gentleman from Virginia [Mr. SMITH] would get that. This wire is about the investigating committee, of which he is chairman. Continuing:

> We call upon you, as a member of this committee—

The Smith committee—

> to demand its discontinuance, and present a strong dissenting statement against its tactics on the grounds that it is playing into the hands of Tojo and Hitler. I wish to assure you that the 13,000,000 of Negro people in this country bitterly resent this assault upon the most promising agency that has come into existence in many a decade for democracy for minority groups, namely, F. E. P. C.
>
> Signed A. Philip Randolph, co-chairman, national council for a permanent F. E. P. C.

The author of that wire adopts the familiar intolerant attitude that everyone who does not agree with his views on a particular subject is disloyal and is aiding the enemy. That is the method of the New Deal smear organizations. That is the method which was used by New Republic and its communistic allies in its attempt to defeat Democratic and Republican Members of Congress prior to the November 1942 election.

It will not work if the real friends of constitutional government meet the attack as it should be met—head-on; take it apart, expose the fallacies and the falsehoods, and let the authors of such charges be known.

Ever since it came into power this administration has been trying to corral the votes of the colored people by holding out false promises of what it was doing and was going to do for them. This Fair Employment Practices Committee of the President has been stirring up trouble by telling the colored folks that they were going to be given this, that, and the other thing, just as has the lady in the White House and as have communistic speakers and at the same time the President's New Deal Supreme Court has been denying the colored folks the rights guaranteed to them under the Constitution.

Let us look at the facts and see if that is a correct statement. That statement is a charge of double dealing, of deception, of downright fraud. That is what it is. Anyone who listens to the facts knows that statement is true. Here is what administrative agencies are doing. They are intimating to the Negroes all over the country that they are going to be placed in positions of equality with other job holders by this administration, regardless of the merit of individuals to hold various jobs.

There is no one, so far as I know, who wants—I certainly do not want—to discriminate in any way against any individual because of race, creed, color, or national origin. But they lead these people to believe they are going to give the colored people all the privileges enjoyed by everyone else and that without taking into consideration local or other factors.

Now, the administration does not give privileges of that kind to the white folks. For instance, a white man or white woman does not have an equal chance nor the equal privilege of working on a defense job in many instances unless he or she happens to join or belong to an organization favored by the administration. The closed shop is an illustration of what I am talking about.

May 27, 1943, the President issued the following order:

EXECUTIVE ORDER 9346

FURTHER AMENDING EXECUTIVE ORDER NO. 8802 BY ESTABLISHING A NEW COMMITTEE ON FAIR EMPLOYMENT PRACTICE AND DEFINING ITS POWERS AND DUTIES

In order to establish a new Committee on Fair Employment Practice, to promote the fullest utilization of all available manpower, and to eliminate discriminatory employment practices, Executive Order No. 8802 of June 25, 1941, as amended by Executive Order No. 8823 of July 18, 1941, is hereby further amended to read as follows:

"Whereas the successful prosecution of the war demands the maximum employment of all available workers regardless of race, creed, color, or national origin; and

"Whereas it is the policy of the United States to encourage full participation in the war effort by all persons in the United States regardless of race, creed, color, or national origin, in the firm belief that the democratic way of life within the Nation can be defended successfully only with the help and support of all groups within its borders; and

"Whereas there is evidence that available and needed workers have been barred from employment in industries engaged in war production solely by reason of their race, creed, color, or national origin, to the detriment of the prosecution of the war, the workers' morale, and national unity: Now, therefore,

"By virtue of the authority vested in me by the Constitution and statutes, and as President of the United States and Commander in Chief of the Army and Navy, I do hereby reaffirm the policy of the United States that there shall be no discrimination in the employment of any person in war industries or in Government by reason of race, creed, color, or national origin, and I do hereby declare that it is the duty of all employers, including the several Federal departments and agencies, and all labor organizations, in furtherance of this policy and of this order, to eliminate discrimination in regard to hire, tenure, terms or conditions of employment, or union membership because of race, creed, color, or national origin.

"It is hereby ordered as follows:

"1. All contracting agencies of the Government of the United States shall include in all contracts hereafter negotiated or renegotiated by them a provision obligating the contractor not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin and requiring him to include a similar provision in all subcontracts.

"2. All departments and agencies of the Government of the United States concerned with vocational and training programs for war production shall take all measures appropriate to assure that such programs are administered without discrimination because of race, creed, color, or national origin.

"3. There is hereby established in the Office for Emergency Management of the Executive Office of the President a Committee on Fair Employment Practice, hereinafter referred to as the Committee, which shall consist of a chairman and not more than six other members to be appointed by the President. The chairman shall receive such salary as shall be fixed by the President not exceeding $10,000 per year. The other members of the Committee shall receive necessary traveling expenses and, unless their compensation is otherwise prescribed by the President, a per diem allowance not exceeding $25 per day and subsistence expenses on such days as they are actually engaged in the performance of duties pursuant to this order.

"4. The Committee shall formulate policies to achieve the purposes of this order and shall make recommendations to the various Federal departments and agencies and to the President which it deems necessary and proper to make effective the provisions of this order. The Committee shall also recommend to the Chairman of the War Manpower Commission appropriate measures for bringing about the full utilization and training of manpower in and for war production without discrimination because of race, creed, color, or national origin.

"5. The Committee shall receive and investigate complaints of discrimination forbidden by this order. It may conduct hearings, make findings of fact, and take appropriate steps to obtain elimination of such discrimination.

"6. Upon the appointment of the Committee and the designation of its chairman, the Fair Employment Practice Committee established by Executive Order No. 8802 of June 25, 1941, hereinafter referred to as the old Committee, shall cease to exist. All records and property of the old Committee and such unexpended balances of allocations or other funds available for its use as the Director of the Bureau of the Budget shall determine shall be transferred to the Committee. The Committee shall assume jurisdiction over all complaints and matters pending before the old Committee and shall conduct such investigations and hearings as may be necessary in the performance of its duties under this order.

"7. Within the limits of the funds which may be made available for that purpose, the chairman shall appoint and fix the compensation of such personnel and make provision for such supplies, facilities, and services as may be necessary to carry out this order. The Committee may utilize the services and facilities of other Federal departments and agencies and such voluntary and uncompensated services as may from time to time be needed. The Committee may accept the services of State and local authorities and officials, and may perform the functions and duties and exercise the powers conferred upon it by this order through such officials and agencies and in such manner as it may determine.

"8. The Committee shall have the power to promulgate such rules and regulations as may be appropriate or necessary to carry out the provisions of this order.

"9. The provisions of any other pertinent Executive order inconsistent with this order are hereby superseded."

FRANKLIN D. ROOSEVELT.

Read that order carefully and you will learn that the only thing which the F. E. P. C. was ordered to do was to require all contracting agencies of the Government of the United States and all subcontractors under them to include in all contracts a provision that there will be no discrimination against an employee or an applicant for employment because of race, creed, color, or national origin, and to exercise the same power in those departments and agencies of the Government of the United States which were concerned with vocational and training programs for war production.

Waiving the question of the President's authority to issue such an order and assuming that he had such authority, it is clear from a reading of the order itself that the only thing which the F. E. P. C. was ordered to do or had power to do was to take the action described in the above paragraph.

Nevertheless, that Committee, like so many other administrative agencies, assumed that it had the authority, not only to act in the two cases indicated, but in all other cases where there was alleged discrimination.

The position of the Committee, followed through to its logical conclusion, would take from all employers—colored and white—the right to select their own employees, where applicants with equal qualifications applied for a position. As an illustration: A colored man living in a colored community, where his store was patronized only by colored people, under this order would be required to employ and to keep on the job a Chinaman or an American-born Jap, if the Chinaman and the Jap possessed equal qualifications and either applied first for the job.

Such an invasion of the right to conduct a business or a profession would tend to create trouble and might, in some instances, destroy the individual's business or profession.

Assume that a doctor of the colored race wanted a nurse for his office practice and a Chinese or an American-born Japanese nurse should file her application before an application was filed by a colored or a white nurse. If the qualifications were equal, the Negro physician would be compelled to take the Japanese or the Chinese nurse. Who wants the kind of an order which would bring about such a situation?

Though the Fair Employment Practices Committee tells the Negroes that they are going to be taken care of, take a look at what has happened. The redcaps up in Minnesota, who happen to be all Negroes, formed a union of their own. They wanted to engage in collective bargaining. They applied first to join the Brotherhood of Locomotive Engineers and the Brotherhood of Locomotive Engineers said, "No, you cannot join." I wish the gentleman from Georgia [Mr. RAMSPECK] would listen to this as it has to do with the closed shop. They say, "You cannot join our union because you are colored." So the colored redcaps all over the country formed their own union, United Transport Service Employees of America, and then they went to the Mediation Board and they asked for a hearing. They wanted to bargain through representatives of their own choosing. That right is given them by the N. L. R. A. The Mediation Board said, "No, you cannot do that; the other union, the Brotherhood, is going to take care of you."

Now, mark you, they cannot become members of the Brotherhood; nevertheless, the Mediation Board says, "The Brotherhood will take care of your bargaining rights." That is the Board appointed by the President. That is an administrative agency. That shows you just how much honesty and how much sincerity there is in the administration's promise to give the Negroes equality. They do not do it and they do not intend to do it. So the union of the redcaps appealed to the district court down here in Washington. The district court held they should have the right to bargain. They are not taken care of in any other way. There was an appeal to the Circuit Court of Appeals and here is the decision in case No. 8374, Brotherhood of Railway and Steamship Carriers and Clerks against United Transport Service Employees of America, decided on August 2, 1943. Judge Eicher wrote the opinion. He says that denial of the right to bargain through representatives of their own choosing was all wrong. His opinion was concurred in by the other judges. He says that is all wrong, that the redcaps should have the right to bargain collectively under the Railway Mediation Act. I agree that they should.

Then the case went to the Supreme Court of the United States, not the old fogy court, not the old court of which Justice Hughes and some of the others, such as Van Devanter, were members. Oh, no, this goes to this renovated, fumigated, sheep-dipped, hand-picked New Deal court, appointed by the administration. This goes to the New Deal court, all great liberals. And what do they do? On the 6th day of December, last, in an opinion no longer than my two fingers, no longer than the lead pencil, they say "Reversed." "The judgment of the lower court is reversed."

They hold that all these Negroes who have formed their own union, who are denied membership in the Railway Brotherhood, must be represented by the Railway Brotherhood of which they are not members. Now if that is not a fraud, if that is not, in the language of somebody in the sticks in Michigan, just a dirty, lousy subterfuge, what is it? The administration's course is a deception; it is an attempt to convince the colored folks that the New Deal party should take the place of Abraham Lincoln and his party and that New Dealers will give them all this new freedom and then denying equality of bargaining power to them. They are selling them into slavery to a union which will not accept them as members. That is what that decision means. There is no question about it.

And they are doing the same thing to the white person who is denied employment because he does not happen to belong to an organization which is wholeheartedly in favor of the fourth term for the President. How far has this thing gone? Let me read you something about the demands of a union. Wolman, who is not antilabor, has something to say along that line in a recent article in the Washington Post.

Let me repeat: Our Nation today is confronted with the urgent necessity of establishing a labor-relations policy which will be in harmony with our cherished American traditions of free enterprise and political independence.

The philosophy of European collectivism is embraced by many of the leaders of our national unions. They are devoted, in large part, not to improvement of economic conditions at home, but to the advancement of a centralized all-powerful Federal bureaucracy, which would mean the end of orderly constitutional government.

Here is part of a statement by Mr. Leo Wolman, a member of the political science faculty of Columbia University, wherein he discusses certain features of present-day unionism which he regards as a threat to healthy industry. As a student of labor relations for more than 25 years, Mr. Wolman brings to this discussion a rich background of experience and history. His statement appeared in the Washington Post for March 14, 1943:

A recent report by a panel of the War Labor Board, following prolonged negotiation, mediation, and hearings, states that "the panel submitted a final draft of a greatly modified and extensively amended agreement which the company accepted * * * But after accepting 46 clauses, the unions enumerated approximately 81 clauses upon which the panel was asked for further decisions and 14 other points on which they demanded the board's decisions."

In this same case arising out of negotiations between a C. I. O. union and the Allis-Chalmers Co., one of the union demands was that the following items, among others, be dropped from the list of causes for discipline: (a) punching another employee's time card; falsifying any time card or time-keeping record or work ticket, (b) refusal to work on jobs assigned by foreman, (c) deliberate soldiering on the job, (d) deliberate abuse of tools, equipment, or wasting of material, (e) disobedience and insubordination.

This may seem to be an extreme example of the deterioration of the procedures of collective bargaining. But it can be matched in case after case.

Since the beginning of this war wages have substantially increased and have for some time been fixed by the Government. Hours of work are determined by law. In the many cases coming before it, the War Labor board has virtually written entire labor contracts. These contracts have, almost without exception, contained substantial concessions, such as maintenance of membership, to the union. In spite of the fact that several of the major conditions of work are fixed outside of collective bargaining, anyhow, and that the most important terms of a contract are determined by Government decree, the conclusion of one contract is only the signal for the presentation of a new set of demands and the initiation of another time-consuming and lengthy period of negotiation.

Such exercises in labor litigation will not be limited to the period of war. They are part and parcel of the usual and permanent strategy of trade unionism. * * *

Once the closed shop, the acme of union demands, is won, management begins to lose control over hiring and the most radical step toward surrendering the right to discipline is taken.

Meanwhile the whole structure of shop rules becomes likewise subject to attack and amendment. Seniority rules, which begin as simple measures intended to prevent discrimination in hiring and lay-off, are elaborated into highly restrictive practices.

The right to promote and transfer, hitherto exercised in the discretion of management, becomes subject to the seniority rules and the choice of men for more important, difficult, new or responsible jobs is a matter of joint determination, to be decided finally by negotiation and subject always to veto by the union. * * *

The organized labor movement, if it proposes intelligently and courageously to assume its responsibilities to labor, must quickly choose between policies, which aims still further to increase the power of unions, and policies, which are calculated to promote the prosperity of business and the efficiency of industry.

Let me go back to those things which the union said an employee could not be disciplined for doing:

(a) Punching another employee's time card.

You cannot discipline a man because he punched another man's time card. They would not submit that to arbitration. They wanted that dropped. The company could not discipline a man for punching another man's time card.

Here is another one:

Falsifying any time card or time-keeping record or work ticket.

An employee can falsify a time card and yet he cannot be fired.

Refusal to work on job assigned by foreman.

The foreman can order him to go here, there, or some place else, and he can sit down and say, "I will not go, and the company cannot fire me."

How are you going to like that? How are you going to get production that way? Suppose one of these boys that we see around here in uniform said, "Oh, I am going home to see my mom; I am going home to see my girl. I will let you know when I get back." What would happen to him? Yet the fellow whose efforts determine the success or failure of the boys in uniform says, "You cannot fire me even if I do refuse to work."

Deliberate soldiering on the job.

Deliberate abuse of tools and equipment or wasting of material.

Disobedience.

Insubordination.

A man cannot be discharged or disciplined for doing one or all of the foregoing, says the union.

And that is how far we have traveled along the road because of lack of a labor policy. We have gone so far that some unions will not even submit to arbitration, they will not even permit the company to discharge a man who disobeys, who wastes material, who misuses tools, who refuses to work at an assigned job.

We have it. I listened to the testimony before the subcommittee on naval affairs in the Brewster case. The Navy has entered into a new contract which contains a similar clause. Under that contract, neither the Navy nor management can fire a man no matter what he does, unless on arbitration it is mutually agreeable to the union man and the man representing management. Well, few will be fired, will they, under that kind of a contract?

Now, my thought and my suggestion is that it is just about time that this Congress, the administration having failed to give us a fair and sensible labor policy, should take up and pass legislation which will be fair to the members of the union, fair to management, and above all fair to the servicemen.

I have introduced some bills of that kind and I intend to press for action before the committee. I intend also to show my good faith by asking for action on a bill which was introduced long, long ago, which provides that the unions shall reinstate, when they come back from the war, their members who have gone abroad; that regardless of any unpaid dues, they shall reinstate them and give them their proper place as to seniority and all other union rights.

The SPEAKER pro tempore (Mr. COOPER). The time of the gentleman from Michigan [Mr. HOFFMAN] has expired.

EXTENSION OF REMARKS

Mr. MILLER of Connecticut. Mr. Speaker, I ask unanimous consent to extend my remarks and include an analysis of the Lea bill, prepared by the commissioner of aeronautics for the State of Connecticut.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. COFFEE. Mr. Speaker, I ask unanimous consent that on three different topics I may have the consent of the body to extend my remarks in the RECORD and include therein, in one case, an editorial, and, in the other two cases, brief articles.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts [Mr. GIFFORD] is recognized for 30 minutes.

THE PRESIDENT'S MESSAGE

Mr. GIFFORD. Mr. Speaker, the topic I am discussing today might well, I think, be named "The great fear of the people of their own Government."

The climax was reached yesterday when we were asked to make conscripts of ourselves. That is not a declaration that I shall vote against such a bill if presented. Certainly I have not made a decision; it would be wrong for me to do so until the legislation is carefully considered. I do not yet know how my people may feel about it. However, it comes to us belatedly. Let no one try to put words into my mouth that I intend to vote for or against it.

I take the floor to converse with you. I will yield half of my time for your helpful suggestions which may brush away the cobwebs now preventing clear vision.

On yesterday I did not have a copy of the President's message in my hand. There were not enough to go around. But I listened and I watched your faces. It was a real pleasure. I noted favorable and unfavorable expressions. The facial contortions of the gentleman from Kentucky [Mr. MAY], on whom a great responsibility lies, were interesting. I thought he must have been suffering intensely, realizing the great burden he must assume. I wish him well.

The gentleman from New York [Mr. WADSWORTH] appealed to me as seeming rather pleased, but I imagine he was thinking "why so late."

The expressions of all interested me—drinking it all in, and apparently dumfounded; so dumfounded that when the majority leader rose to applaud that message, how slowly his followers arose. How reluctantly they responded, expressing great doubt of their approval. The Republican side gave the message proper attention. They made no demonstration one way or the other. They gave it respectful silence. I hope the newspapers will report it as just that, without further imaginative interpretation.

I was greatly surprised, because the preachments of our President in the past have been so strongly the other way. How long will it take for me to overcome my surprise at his change of heart on most public matters? From the very beginning, he campaigned for economy, but only a little later found there was no pleasure in economy and advocated a vast spending spree. So on throughout his long public career have his words belied his later action. He may have wisely changed his mind on these many matters but it is confusing to us and especially to his loyal followers. Afterward I listened to that splendid oratorical effort of the gentleman from Virginia [Mr.

FLANNAGAN]. No wonder they call him "Cyclone John" down in Virginia. I listened with great interest when he came to that point when he said that if the soldiers were allowed to vote they would vote for that greatest exponent of true democracy in the entire world, Franklin D. Roosevelt. Then I had to make respectful withdrawal from the Chamber. I will tell you why. I listened to him last year on two occasions when he ridiculed his administration like few other men on the floor of the House had done before. Do you not remember his poems about changing the lambing season, and his ridicule of the O. P. A. and especially of the W. P. B.? How he raked the inefficiency and stupidity of the administration. His statement of yesterday clearly announced the fourth term. He announced for whom the soldiers would vote.

I had his other speeches in mind. Sometimes I wish I could forget. Perhaps I do forget many occasions, but some things cling to my memory. When I cannot square these proclaimed views, going in opposite directions, they do not take root within me. Therefore, today I talk to you on the message. Are we ready to vote ourselves conscripts? I imagine some of your people will write you letters saying that they are not ready. We have already granted vast powers. Why, my city has been declared an area of shortage of labor and workers are compelled to go to the employment office and submit to their decisions; they cannot give up one job and take certain others; no, they must now go where they are sent, and are deprived of taking up many occupations declared to be nonessential. They have already assumed this authority. What more is desired? Did not the President tell us that if we pass legislation it will not interfere with wages? When they transport a worker hither and yon over the country will not the cost of living and moving be increased and wages thus reduced? We may well suspect that the administration of such a law will be another failure; we fear, because of past experiences, that there would be inefficiency and persecution of certain groups not held in favor by those now in power. Persecution by Government is already rampant.

I cannot trust as I wish I could those who are appointed as administrators as demonstrated in the recent past. But we are now told that there is no longer a New Deal; that it is buried; that its father buried it only a few days ago; but the chief mourners are still in command. The New Deal that in the past has lapped up all new suggestions as a cat laps up milk, beginning with spending and coin clipping and a host of other nostrums. Let us hope it is really dead. It is one funeral of which I approve.

Again, a great fear has come over our people. The tax forms have arrived, the latest but perhaps the hardest blow. However, I quote to you the words of the brilliant gentlewoman from Ohio [Mrs. BOLTON] spoken on the floor of the House day before yesterday:

> Leadership is only courage and wisdom and a great carelessness of self.

I am trying to believe that our President has become a great leader from my own standpoint, because certainly there appears to me a great carelessness of self in that message of yesterday. Seemingly the only great block of votes he had left was the labor block. What repercussions after yesterday from labor. What a remarkable carelessness of self, because he certainly divorced from himself the support of a great mass of organized labor. Watch what the labor leaders and papers will have to say. Did our President yield to a moment of petulance? Did his "Dutch" get up because of the recent declaration of strikes from the railroad workers? Does he now say, "Well, we will have something now; there will be no more strikes"? He said in his message yesterday:

> There will be no more strikes if you pass the legislation asked for.

If I could only feel that that moderation and that wisdom existed in the United States of America that has been displayed in England and Canada I could vote for this measure. It may be that a copy of the legislative acts of England and Canada will be transmitted to us for our consideration. Then our only fear might be how it would be administered. Think of the mess we are in here in labor matters. Think of the Frankenstein monster comprised of many boards set up to settle labor problems, and thousands of strikes that have taken place.

Consider the most embarrassing contemplated railroad strike even after all these agencies had acted. The President seemed to find it necessary to seize the railroads. The necessity of doing so is highly debatable and is the spark which ignited the proposed legislation. Let us compare our labor conditions with those of England. They still have the right to strike, they still have collective bargaining, and they have wise leadership, which is so sadly lacking here. Because John L. Lewis won his ends, Murray must also show his ability to do likewise. Our President, who has often stood at that reading desk behind me and declared to us that he could depend upon the patriotism of labor and lauded their efforts in highest terms, has now apparently lost that confidence, burned his bridges behind him, and wants them to become conscripts under his full control. What will labor say? Had he felt that he had lost the support of labor? Is he now seeking the support of another set of individuals? Too many have that conception. I do not. I feel now that he is careless of himself and wants to be a real statesman. He is my President. In many ways I admire him greatly. That smile with which he has reassured us for so long and which has enabled him to take weighty matters in stride—is he losing it? My sincere prayer is, "God help our President to bear the tremendous burdens now upon him." But is it wise to give him this extraordinary power of conscription?

Mr. COX. I wonder if my friend from Massachusetts would permit an observation?

Mr. GIFFORD. I yield to the gentleman from Georgia or to anyone else.

Mr. COX. I thank the gentleman. I do not want to be put in the position of defending the labor record of the administration. I do not want to be put in that position because in my opinion that record cannot be successfully defended. I am unwilling, however, to withhold approval of that which I believe to be good. My criticism is that the President should have taken the course which he took on yesterday long ago. He should have taken it on the first indication of any sort of willingness to sabotage the war effort in order to gain personal or group advantage. In the coddling of the racketeers and the wreckers in the ranks of labor the President has built a Frankenstein which the gentleman has just mentioned who is now frightening him and the country out of their boots. But the situation has been permitted to become so bad I wonder if the gentleman cannot agree that in the interest of national safety we are not compelled to do something now? I know that there is a prevailing fear that the legislation requested would be used to further change our whole plan of government, but as I say, because of the bad situation that has developed, are we not compelled to take the risk that is involved?

Mr. GIFFORD. The gentleman heard the remarks I made at first. I may feel compelled to vote for such a measure. I am having this conversation with you seeking advice. I am giving you my doubts, my fears. I have always thought that compulsory loyalty would crack quicker than the other kind in this country. I lived through the days of prohibition; I am living through the days of the black market. I see every day those whom we call patriotic splendid citizens of all ranks avoiding the regulations, now the law. I also see little disposition to enforce the law; it is hardly possible to indict so many millions of people. Courts and incarceration housing would be totally insufficient.

This Frankenstein of Government control faces every man in practically all of his daily endeavors. He cannot do this or that unless he asks Washington and he does not know where in Washington to make inquiry.

Mr. CRAWFORD. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Michigan.

Mr. CRAWFORD. The remarks of the gentleman from Georgia prompt me to raise this question at the present time. I have just been rereading the Wadsworth bill. I have a copy here in my hand. If I understand the President's message and this bill correctly, the enactment of a national service act would in no way clear up the difficulties that have been referred to in respect to the labor Frankenstein. If I am wrong in that observation I hope somebody will straighten me out in due time because I understand that these general controls with respect to rights, privileges, and prerogatives can continue although a national service act along the lines of the Wadsworth bill is put into operation.

I want to ask the gentleman from Georgia and the gentleman from Massachusetts a question. Answer it if you please, ignore it if you care to. If we have reached the point where we are to conscript all labor, males and females, children and all, what are we going to do about the capital end of the proposition?

Mr. GIFFORD. He says in his message of yesterday that we must take that also.

Mr. CRAWFORD. I do not think so.

Mr. GIFFORD. I will read it.

Mr. CRAWFORD. I disagree with the gentleman. Read it to us.

Mr. GIFFORD. Allow me to read it. I have it marked.

Secondly, that nothing less than total mobilization of all our resources of manpower and capital will guarantee an early victory.

Mr. CRAWFORD. There is not anything in the Wadsworth bill that covers capital. The tax matter was referred to in the President's message, but there is no provision, as I see it, wherein you have a director to look after the conscription of capital. While the President refers to "total mobilization of all our resources of manpower and capital" in appraising his message we must be controlled by his recommendations as to taxes and renegotiation of contracts. The reference to capital is an appeal to some people but the tax and renegotiation recommendations place him on a safe level with other groups. To me there is a missing link of substantial size.

Mr. GIFFORD. " 'Come into my parlor,' said the spider to the fly."

I want to make a further observation. This wise saying has greatly influenced me, "He who is willing to give up a little liberty for a little temporary safety deserves neither liberty nor safety." Who said that? Those are not my words. As I recall it, those are the words of a former great President and a Democrat. I repeat them: "He who is willing to give up a little liberty for a little temporary safety deserves neither liberty nor safety."

Greatly does this worry me. A great principle is involved in this thing. Secondly, if we pass such an act, how will it be administered? Can we believe it will be administered with moderation and fairness, in view of recent, glaring inefficiency? Let us frankly express our doubts and fears and we will feel somewhat relieved.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. It seems to me that the Speaker and the leaders should call the State Department, the War Department, the Navy Department, the War Manpower Commission, and the War Production Board before the Congress in executive session, if it be considered it would be giving information to the enemy, and discuss with us the needs. I do not believe there is a man or woman in the country who would willingly hamper the war effort if they realized there was a real need. We hear nothing but optimistic reports about what is going on. People say to themselves: "Why should I go into these various services? My services are not needed. My work is not needed." The people love America. They would not sacrifice America if they realized the need.

Mr. GIFFORD. They can tell the people the truth and prove to them the great necessity of practicing patriotism. Shall we resort to civilian conscription at the request of the military? We are trying to keep our hands off of the Army and Navy. We have not criticized them and we have voted unanimously to supply their needs.

Mrs. ROGERS of Massachusetts. I am not criticizing them.

Mr. GIFFORD. But I want them to keep their hands off of us.

Mrs. ROGERS of Massachusetts. I am asking them to come before us and tell us the need.

Mr. GIFFORD. We know what they would want. Naturally they want conscription. They want manpower control for the Army and Navy. The necessity of taking the civilian population and giving them the same medicine as is given a soldier is not our constitutional method even though it may be termed a true democracy to act after that manner. A soldier has been something entirely different. His rewards have been different. Are we to conscript civilians and pay them bonuses and pensions for the rest of their days? Will they be rewarded for deeds of valor? Is there no difference between the two? There always has been. You cannot make them alike. Let us not deceive ourselves entirely by accepting rash statements.

Mrs. ROGERS of Massachusetts. Is there not also a great cruelty in the transmigration of labor into areas already crowded?

Mr. GIFFORD. I just hinted at that in quoting the message of yesterday. It said no one would be injured in his scale of wages. He said their right to earn a living would not be abridged. We cannot believe that.

Mrs. ROGERS of Massachusetts. I may say to the gentleman that we should be told the actual need, the actual situation, actually how the war is going. There is no one so callous in this country who would refuse to comply with the needs.

Mr. GIFFORD. The President's speech on yesterday was not a statesmanlike message. He used some rather harsh terms in condemnation of certain people. I did not like it. There was not a word said about our foreign policy about which we were so anxious to be informed, in view of the spanking Willkie got from Stalin. We wanted to hear from the President relating to that highly important matter. He avoided those things we were waiting for. He said he would send messages later. Yes, when a great nation is not listening in.

His message of a year ago gave us the story of our marvelous production. It was also sadly lacking in information as to the state of the Nation. Do you not remember it? I obtained the floor almost immediately and called attention to these omissions. Perhaps I would be wise to refrain from comment. I do not like to give up the use of my voice lest it lose its resonance. Really, I am rather fearful of the outcome, may I say. I am indeed careless of myself. However I desire to qualify in the ranks of the gentlewoman from Ohio [Mrs. BOLTON], who recommends courage and carelessness of self. I have courage and doubtful wisdom, but am very careless of self. I desire her approbation.

Mr. PLOESER. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Missouri.

Mr. PLOESER. The gentleman from Michigan observed that there have been no calls for the conscription of capital. The distinguished gentleman from Massachusetts interpreted the President's remarks to include as much. May I observe that the complete conscription of labor is automatically the conscription of all else because capital idle without labor is of no facility whatever.

Mr. GIFFORD. The gentleman has stated it well. I wish you could have been before the Banking and Currency Committee a short 3 weeks ago when we had the Governor of the Federal Reserve Board under our questioning, where regulation W, regulation Q, and other regulations have practically taken control of our banks so that your credit at the store is good for only 2 months, and the merchants need not seek credit from the banks. The banks have gotten into rather complete subjection to the Government. It seems that the money in the banks must be held there so that we can borrow only to buy bonds. Most banks will now average 70 percent or more of their assets invested in Government debt.

Mr. CURTIS. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Nebraska.

Mr. CURTIS. I heard the message read yesterday. I would like to know, was it written by Dr. New Deal or Dr. Win The War?

Mr. GIFFORD. It was written by the same doctor, but with a change of heart. Apparently his Dutch was up. Labor had failed him after all he had done for them. "Now, you ungrateful child, you take this." That is the message. I admire his courage. I may doubt the wisdom of it, yet I praise him for his carelessness of self.

Mr. CUNNINGHAM. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Iowa.

Mr. CUNNINGHAM. Under the President's message, in the gentleman's opinion, would total conscription mean the abolishment of labor unions for the duration?

Mr. GIFFORD. He distinctly said in his message that there would be no more strikes.

Mr. CUNNINGHAM. Would that not mean the abolishment of labor unions for the duration?

Mr. GIFFORD. It would certainly curtail their authority.

The message asks Congress to write a bill, but the President cannot advocate it unless we do five other things, which seem to have little relation to the matter of universal conscription. Renegotiation—unless you have that, he does not want this. What is the connection? When he discussed renegotiation he suggested that it is not being done properly.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Michigan.

Mr. CRAWFORD. If the gentleman will bear with me further, I referred to the Wadsworth bill because of the great support and publicity which has been given to it and because it is the only guide I have before me now in supplement to the President's message. I understand the President did not endorse the Wadsworth bill; he did not refer to it; he did not condemn it.

Section 1, subparagraph (c), protects existing laws relating to maximum hours, minimum wages, overtime pay, and collective bargaining, or relating to mediation, arbitration, or other procedures for the settlement of labor controversies or questions. I am using this as an illustration, but I am going to assume in advance that any bill that is submitted in support of the President's message will likewise protect all of those labor laws and procedures that have been established.

Mr. GIFFORD. Again I say I might vote for that bill, but again I lack faith that it would be fairly administered and interpreted.

Mr. CRAWFORD. Becoming somewhat technical, because I have been forced into the position, there is such a thing as productive capital to which labor applies, and there is such a thing as nonproductive capital to which labor does not apply. I must insist that the President's message, that portion which relates to taxes and renegotiation, has in mind protecting productive capital and nonproductive capital, and what you might term idle capital, as against not protecting labor. So I have no idea that the President's message means that he is going to conscript capital and wealth. Why the remarks about the tax bill if he intends to conscript capital? So the question I raised awhile ago I raise again: If we are going to conscript labor now, what are we going to do about capital and wealth?

Mr. GIFFORD. Of course, the less we know, the more we suspect. I shall seek enlightenment from all possible sources.

Mr. BROWN of Georgia. The gentleman spoke about the Federal Reserve Governor speaking before the Committee on Banking and Currency.

Mr. GIFFORD. Yes.

Mr. BROWN of Georgia. Does not the gentleman agree with me that to enforce regulation Q by the Federal Reserve Board according to their interpretation of its regulation would be very harmful to the small banks of this country?

Mr. GIFFORD. Yes; we know it would, but there are many regulations now harmful to the banking activities. Again, they must keep liquid to loan you money to buy bonds.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Minnesota.

Mr. KNUTSON. If the administration does not have in mind the conscription of wealth, why does the new income-tax return blank call upon us to itemize securities, bonds?

Mr. GIFFORD. I think they have had that in mind for a long time; that is, conscription of wealth. I think they have got much of it already. I think that has been in the mind of New Dealers all the time.

Mr. KNUTSON. It is not due to idle curiosity, surely.

Mr. GIFFORD. No, they have a definite purpose in mind. Let us think of the bait offered in the so-called new bill of rights. But if we have that guarantee by the Government we must give up our liberties and accept dictation, all of which is contrary to our former conception of Government. The whole philosophy of the New Deal seems to be central control from the beginning to the end.

Mr. SMITH of Ohio. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. I should like to remark in respect to the conscription of wealth that it is my judgment that the very soul of the New Deal from its beginning until now has been the conscription of wealth through its process of deficit financing, which involves the conscription of everything.

Mr. GIFFORD. Yes.

Mr. COX. If property is theft then what is the difference?

Mr. GIFFORD. But it is legal thievery, perhaps a worse condition as there is no redress.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to proceed for 3 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachuetts. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Is it not true that small business and small industry have suffered much more than large industry?

Mr. GIFFORD. Suffered? They have largely disappeared.

Mrs. ROGERS of Massachusetts. They have been annihilated.

Mr. GIFFORD. They have largely disappeared. I drink to the health of Maury Maverick, that he may resurrect it. Certainly he will not be lacking in his willingness to try.

I want to mention one other matter. They talk to us about unity. Unity is when you agree with me. That is all there is to unity. They talk much about disunity. What is disunity? In this Nation of ours we can quarrel with each other. Even we Republicans can quarrel with each other, and when we get through we are united and perhaps greatly enjoyed our quarrel. The one great thing we are fighting this war for is to retain that privilege. Let us not surrender that precious privilege.

An interesting item. Did you see it in last week's issue of the Saturday Evening Post? It is The Prayer of the G. O. P. You Democrats make the most of it.

God save the Republican Party from Willkie; God save the Nation from Roosevelt; and save the world from HENRY WALLACE.

I fear that you did not see it. I want it to be more fully read.

Mr. BUFFETT. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Nebraska.

Mr. BUFFETT. If we pass a national service act that would enslave the workers of America, what would the difference then be between this country and the slave-labor battalions in the Axis countries?

Mr. GIFFORD. We might give him the act, and he might not use it at all. It makes a difference how it is administered. I fear some in authority feel differently toward certain classes. There is a certain hatred in some quarters, apparently, for all substantial and successful men in the country, under the New Deal. But the New Deal is declared dead. Thank God for that!

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 29 minutes p. m.) the House adjourned until tomorrow, Thursday, January 13, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the committee at 10 a. m. on Thursday, January 13, 1944, for consideration of post-war plans, to be held in the caucus room, Old House Office Building.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will hold hearings at 10 a. m. Thursday, January 13, 1944, on general legislative proposals.

COMMITTEE ON THE PUBLIC LANDS

There will be a meeting of the Public Lands Committee on Friday, January 14, 1944, at 10 a. m., to consider H. R. 2596, a bill to protect Naval Petroleum Reserve No. 1. Admiral H. A. Stuart will appear as a witness. The committee will take up such other business as may come before it.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold hearings on Tuesday, January 18, 1944, at 10:30 a. m. in the committee room, 247 House Office Building, on H. R. 1358 and H. R. 1512, bills granting pensions and increase of pensions to certain soldiers, sailors, and marines who served in the Pulajane and Moro campaigns, and other uprisings in the Philippine Islands from July 16, 1903, to December 31, 1913, and for other purposes, which were introduced by Representative HAROLD C. HAGEN, of Minnesota.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 3, 1944, at 10 a. m., on H. R. 2809, to amend section 511 of the Merchant Marine Act, 1936, as amended.

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of Subtitle—Insurance of Title II of the Merchant Marine Act, 1936, as amended.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred, as follows:

1065. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to amend section 7 of the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, as amended; to the Committee on the District of Columbia.

1066. A letter from the Director, Administrative Office of the United States Courts, transmitting a copy of the detailed statement of expenditures of appropriations for the United States Court of Customs and Patent Appeals for the fiscal year ended June 30, 1943; to the Committee on Expenditures in the Executive Departments.

1067. A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from this Department to the Director of the Bureau of the Budget, together with forms executed by various bureaus, offices, and divisions of this Department, reflecting the number of employees estimated to be required during the third quarter of the fiscal year 1944 for the proper and efficient exercise of their respective functions; to the Committee on the Civil Service.

1068. A letter from the Chairman, Interstate Commerce Commission, transmitting its quarterly estimate of personnel requirements for the third quarter of the fiscal year beginning January 1, 1944; to the Committee on the Civil Service.

1069. A letter from the Director, Bureau of the Budget, transmitting the information with respect to the number of persons needed for the proper and efficient exercise of the functions of the Bureau of the Budget for the quarter ending March 31, 1944; to the Committee on the Civil Service.

1070. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to authorize the Secretary of the Navy to accept gifts and bequests for the United States Naval Academy, and for other purposes; to the Committee on Naval Affairs.

1071. A letter from the War Food Administrator, transmitting a report of the operations under sections 7 to 14, inclusive, of the Soil Conservation and Domestic Allotment Act, for the fiscal year ending June 30, 1943. This report consists of a printed bulletin, entitled "Report of the Chief of the Agricultural Adjustment Agency"; to the Committee on Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COCHRAN: Committee on Accounts. House Resolution 395. Resolution providing for the payment of 6 months' salary and $250 funeral expenses to Mrs. Frances Morgan, widow of Daniel E. Morgan, late an employee of the House; without amendment (Rept. No. 984). Ordered to be printed.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 3916. A bill to permit the construction and use of certain pipe lines for pneumatic-tube transmission in the District of Columbia; without amendment (Rept. No. 985). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CLEVENGER:

H. R. 3953. A bill to authorize a survey of the military route of Gen. Anthony Wayne during the Indian wars, with a view to constructing a national parkway to be known as the General Anthony Wayne Memorial Parkway; to the Committee on the Public Lands.

By Mr. STOCKMAN:

H. R. 3954. A bill relating to marriage and divorce among members of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians; to the Committee on Indian Affairs.

By Mr. RANKIN:

H. R. 3955 (by request). A bill to provide pension for unemployed and unemployable veterans of a recognized war, campaign, or expedition; to the Committee on World War Veterans' Legislation.

By Mr. REED of New York:

H. J. Res. 217. Joint resolution to permit the importation from foreign countries free of duty, during a period of 90 days, a certain grain, flax; to the Committee on Ways and Means.

By Mr. SPRINGER:

H. J. Res. 218. Joint resolution to insure the complete fulfillment of commitments made to producers who have extended production of nonbasic agricultural commodities; to the Committee on Banking and Currency.

By Mr. TALLE:

H. J. Res. 219. Joint resolution to insure the complete fulfillment of commitments made to producers who have expanded production of nonbasic agricultural commodities; to the Committee on Banking and Currency.

By Mr. HAGEN:

H. J. Res. 220. Joint resolution creating an income-tax simplification board; to the Committee on Ways and Means.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4238. By Mr. ANGELL: Petition of sundry citizens of Portland, Oreg., asking for the enactment of House bill 2082; to the Committee on the Judiciary.

4239. By Mr. BRYSON: Petition of A. P. Becker and 363 other citizens of Philadelphia, Pa., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4240. Also, petition of Bruce Allingham and 155 other citizens of Loveland, Colo., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4241. Also, petition of Springhill Avenue Methodist Church and 280 other citizens of Mobile, Ala., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4242. Also, petition of Mrs. C. C. Leedy and 127 other citizens of Crescent, Okla., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4243. Also, petition of Grace M. Hamilton and 191 other citizens of Claremont, N. H., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4244. Also, petition of Mr. and Mrs. Harry Slautfer and 140 other citizens of Nampa, Idaho, urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4245. Also, petition of Mrs. Arthur O. Erickson and 148 other citizens of Thief River Falls, Minn., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4246. Also, petition of Rev. Earl D. Merger and 111 other citizens of Pineville, La., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4247. Also, petition of Anna Haskell and 177 citizens of Litchfield, Minn., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the

duration of the war; to the Committee on the Judiciary.

4248. Also, petition of Lottie Singmaster and 103 other citizens of Fort Scott, Kans., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4249. Also, petition of Rosa E. Tolle and 100 other citizens of Kansas City, Mo., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4250. Also, petition of Mrs. George Blake and 80 other citizens of Salisbury, Pa., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4251. Also petition of Mary F. Sawyer and 62 other citizens of Mansfield, Mass., urging enactment of House bill 2082 a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4252. Also, petition of Rev. Monford L. Jackson and 86 other citizens of Longmont, Colo., urging enactment of House bill 2082, a measure to reduce absenteeism., conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4253. Also, petition of Mrs. A. E. Bartlett and 58 other citizens of Rapid City, S. Dak., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4254. Also, petition of J. F. Odom and 40 other citizens of St. Louis, Mo., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4255. By Mr. BUTLER: Petition of a number of citizens of the Forty-second Congressional District of New York, urging that Congress enact legislation for the relief of the starving peoples of Europe; to the Committee on Ways and Means.

4256. By Mr. ELSTON of Ohio: Petition of Anna V. Hazard and 20 other residents of Cincinnati, Ohio, requesting the enactment of House bill 2082, which would stop the manufacture and sale of alcoholic beverages for the duration of the war and during demobilization; to the Committee on the Judiciary.

4257. Also, petition of Edith E. McGee and 37 other residents of Cincinnati, Ohio, requesting the enactment of House bill 2082, which would stop the manufacture and sale of alcoholic beverages for the duration of the war and during demobilization; to the Committee on the Judiciary.

4258. Also, petition of William W. Holland and 19 other residents of Cincinnati, Ohio, requesting the enactment of House bill 2082, which would stop the manufacture and sale of alcoholic beverages for the duration of the war and during demobilization; to the Committee on the Judiciary.

4259. By Mr. LECOMPTE: Petition of sundry citizens of Ringgold County, Iowa, in the interest of the Bryson bill, H. R. 2082, to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

4260. By Mr. LUDLOW: Petition of the members of United Electrical Local, No. 1001, of Indianapolis, Ind., urging enactment of Worley bill (H. R. 3436); to the Committee on Election of President, Vice President, and Representatives in Congress.

4261. Also, petition of the employees of P. R. Mallory & Co., of Indianapolis, Ind., urging passage of Worley bill (H. R. 3436); to the Committee on Election of President, Vice President, and Representatives in Congress.

4262. By Mr. MARTIN of Iowa: Petition of the Methodist congregation of West Chester, Iowa, favoring the enactment of House bill 2082; to the Committee on the Judiciary.

4263. By Mr. ROLPH: Resolution of the board of governors, State bar of California, registering its protest to the mandatory joint-income tax returns by husband and wife; to the Committee on Ways and Means.

4264. By Mr. ROWAN: Petition presented by Fred Behn, protesting against enactment of prohibition legislation; to the Committee on the Judiciary.

4265. By Mr. SABATH: Petition of the Legislature of the State of Illinois, urging the enactment of such legislation as may be necessary to provide for free air-mail transportation of primary and election ballots to and from persons serving in the military and naval forces of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

4266. By Mr. SCHIFFLER: Petition of Joseph W. Schrock and other residents of Elm Grove, W. Va., urging the passage of the Green-Lucas bill for the soldiers' vote; to the Committee on Election of President, Vice President, and Representatives in Congress.

4267. By Mr. THOMAS of New Jersey: Petition of the Young Men's Hebrew Association of Bergen County, Hackensack, N. J., demanding that Great Britain rescind and revoke its Palestine White Paper; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 13, 1944

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord, our God, we are called to great and high tasks. Blind doubt, hatred, and intolerance stand about our country. We pray that we may make most evident the basic, living issues which are upon us and let the great work assigned to us pound at the inmost convictions of our breasts. He who goes against Thy recorded word must go trampling over the very deepest truth of human experience:

"Call upon Me, and I will answer thee and show thee great and mighty things that thou knowest not."

"Blessed are the poor in spirit, for theirs is the kingdom of heaven. Blessed are they that mourn, for they shall be comforted. Blessed are the meek, for they shall inherit the earth. Blessed are they which do hunger and thirst after righteousness, for they shall be filled. Blessed are the merciful, for they shall obtain mercy. Blessed are the pure in heart, for they shall see God. Blessed are the peacemakers, for they shall be called the children of God. Blessed are they which are persecuted for righteousness' sake, for theirs is the kingdom of heaven. Blessed are ye when men shall revile you and say all manner of evil against you falsely for My sake."

Almighty God, enable us to keep the faith and the faith will keep us. Guard our trust and allow no temptation to drive its dart into our souls. In the name of the Master Workman. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Gatling, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R 3691. An act to permit the construction, maintenance, and use of certain pipe lines for steam-heating purposes in the District of Columbia.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 3741) entitled "An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WALSH of Massachusetts, Mr. TYDINGS, and Mr. DAVIS to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 2207) entitled "An act to amend the Nationality Act of 1940."

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of the Interior.
3. Department of Justice.
4. Department of the Navy.
5. Department of War.
6. Federal Security Agency.

7. Federal Works Agency.
8. Government Printing Office.
9. National Archives.
10. Selective Service System.
11. Tennessee Valley Authority.
12. War Manpower Commission.
13. War Production Board.

ABSORPTION OF EXCHANGE BY CORRESPONDENT BANKS

Mr. BROWN of Georgia. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. BROWN of Georgia. Mr. Speaker, the Federal Reserve Board is enforcing its interpretation of regulation Q prohibiting absorption of exchange by correspondent banks. This is a socialistic move to force country bank balances to Reserve centers and is detrimental to the interest of country banks. It means that many banks in practically every State of the Union will go out of business and bring on branch banking everywhere. Banks should have something to do with the operation of their banks and it should not be left entirely under control of Federal Reserve Board regulations with changes every few months.

Regulation Q has been dormant for 10 years, and I can see no reason at this time why the Federal Reserve Board should be so anxious for the enforcement of this regulation. Under their interpretation, few country banks will be left. I cannot understand why they should in the midst of war, when many people are irritated now by many rules and regulations, take such drastic action to destroy small banks.

This Congress is on record in helping little business. We must work together in harmony to bring this war to a successful conclusion as quickly as possible. The drastic regulation of the Federal Reserve Board is certainly most untimely and unwarranted in this present crisis.

I introduced a bill this morning to amend the Federal Reserve Act so that the absorption of exchange and collection charges can be continued by banks if they desire it. The same bill was introduced in the Senate yesterday by my good friend, Mr. MAYBANK, the junior Senator from South Carolina.

I refer my colleagues to the remarks I made on December 21, appearing in the CONGRESSIONAL RECORD for that day on pages 10959 to 10964. I there attempted to discuss this matter fully and proved, I think, conclusively, that if the Federal Reserve Board has its way we will have very few small banks left in this country. These banks, on account of strong Government competition, make barely enough money to exist now.

THE BUDGET (H. DOC. NO. 426)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying documents, referred to the Committee on Appropriations, and ordered printed:

To the Congress of the United States:

The Budget transmitted herewith covers the period ending June 30, 1945. This is a period which I am certain will be crucial in the history of the United States and of mankind, a period which will see decisive action in this global war. While we move toward complete defeat of our enemies, we must lay the groundwork to return the Nation to peaceful pursuits. This double task is the essence of the Government's program and must be reflected in the Budget.

The Budget for the fiscal year 1945 anticipates a total of Federal expenditures (in general and special accounts and net outlays of Government corporations, excluding debt retirement) of 100 billion dollars—slightly more than the revised estimates for the fiscal year now under way.

In substantial measure these expenditures will be made under appropriations already enacted. I am transmitting herewith specific recommendations for appropriations of 17 billion dollars, of which 7 billion dollars are for war purposes. For most of the war appropriations I shall submit detailed recommendations in the spring. I estimate that these recommendations will amount to 53 billion dollars. The estimated total of 70 billion dollars of appropriations in the general and special accounts for the fiscal year 1945 compares with a total of 100 billion dollars of actual appropriations for the fiscal year 1944. Reappropriations, additional to the above totals for recommended new appropriations are estimated to be 38 billion dollars for the fiscal year 1945 and 15 billion dollars for the fiscal year 1944. Since there is always—and particularly for war procurement—a lag between appropriations and the related obligations and subsequent expenditures, a large part of the recommended appropriations will not be translated into expenditures until later fiscal periods. We shall continue to adjust our war program promptly to changing strategic necessities, and I shall use all the authority available to the Executive branch to prevent needless expenditures.

THE WAR PROGRAM

FOUR PHASES IN THE WAR PROGRAM

As we win the battle of producing the instruments of modern war, we enter the period of decisive action on many battlefields throughout the world. We have attained superiority in war production. Production alone, however, does not assure victory. We must fight and fight hard.

In June 1940 when France fell, we recognized that we were in mortal danger and that only by building our strength to the utmost would we have a chance to maintain peace or to attain victory if we were attacked. We then embarked on a program of preparedness, converting our factories and constructing a new munitions industry of gigantic size. At the time of Pearl Harbor, we were in the first stages of training the Army, strengthening the Navy, and developing a munitions industry.

In the period of defensive war, we had to be satisfied with fighting a delaying action and with delivering munitions to our Allies while we gained precious time.

The anxious year of defensive warfare came to an end with the attack on Guadalcanal and the invasion of Africa in late 1942. Thus began the period of aggressive deployment of our forces. During that time we had to build up and fill up the pipe lines for military supplies of all kinds as well as establish material reserves for future aggressive operations. The munitions program was then limited only by our productive resources and shipping facilities.

With pride in the over-all achievements of American management and labor, I can say that we are now well equipped; with pride in the military leadership of the Allied forces, I can say that we are now in a strategic position to make full use of our equipment for decisive blows by land, by sea, and by air.

The size and composition of our war expenditures reflect these various phases of the preparedness and war program, as the following table indicates:

War expenditures, including net outlays of Government corporations

Period	Average annual rate (in billions)	Estimated percent of total		
		Munitions, including ships	Pay, subsistence [1]	War construction
Preparedness: July 1940–November 1941	$9.8	50	30	20
Defensive war: December 1941–October 1942	45.7	56	22	22
Aggressive deployment: November 1942–December 1943	83.5	59	28	13
Offensive war:				
January 1944–June 1944 [2]	97.0	64	30	6
July 1944–June 1945 (fiscal year 1945)	90.0	63	33	4

[1] Including also agricultural lend-lease and other civilian war activities.
[2] On basis of $92,000,000,000 for fiscal year 1944.

The rapid increase in war expenditures mirrors a gigantic effort. We have converted and diverted approximately half of our resources to war purposes. In the production of munitions we now almost equal the rest of the world combined. Expenditures for industrial facilities and other war construction, which reached their peak in the fall of 1942, have declined since then and will decline further. The total 22-billion-dollar public and private expansion of industrial plant and equipment should suffice by and large for the foreseeable needs of the far-flung battle fronts, and in addition provide capacity for unexpected contingencies. Expenditures for pay and subsistence of the armed forces are still increasing because of the continuing growth of our military forces and increased allowances to the wives, children, and other dependents of our fighting men. Expenditures for subsistence and other purposes would have to be higher were it not for the fact that our field forces stationed abroad are receiving considerable supplies and services from our Allies under reciprocal lend-lease arrangements.

THE MUNITIONS PROGRAM

At the present time it is extremely difficult to estimate necessary expenditures for munitions. In the past, such estimates were based on maximum output

in the light of available facilities, raw materials, and manpower. This maximum was always less than enough to fill the requirements established by our military leaders.

The situation is quite different now. We have excess supplies in some types of munitions, deficiencies in others. Whether at any time we have an excess or a deficiency depends on rapidly changing strategic conditions. Every effort is made to adapt production to these changing conditions as promptly as possible. A special committee under the Joint Chiefs of Staff is scrutinizing the military requirements item by item and cutting out or cutting back programs no longer justified in view of strategic developments. The lend-lease requirements of our Allies are subject to similar scrutiny by other agencies.

In most cases in which contracts have been canceled, the same contractor has received other more urgent orders; plants, raw materials, and labor could not be released for production for civilian use in these cases. We have canceled, for instance, orders for many escort vessels in order to push construction of landing vessels. In a number of cases, however, labor and material have been released for urgent domestic needs of indirect war importance. We shall release for civilian production any facilities, manpower, or raw material that are no longer needed for war production, but only when we are sure that by doing so we will not impair the war effort. I know that none of us wants any cut in the production of munitions needed at the battle fronts simply to permit an increased production for civilian comforts.

RELIEF AND REHABILITATION IN LIBERATED AREAS

As we close in on the enemy we are confronted with the necessity of initiating the restoration of civilian life and productivity in the liberated areas. Both relief and the commencement of the process of rehabilitation will be necessary requirements of military occupation.

In liberated areas relief must, of necessity, be a military problem at the outset. This job will be turned over to civilian administration as soon as feasible. For this reason the United Nations Relief and Rehabilitation Administration recently has been created. Appropriate committees of Congress are now considering enabling legislation that will permit the United States to make its proportionate contribution.

SUMMARY OF WAR PROGRAM: ESTIMATES OF EXPENDITURES AND APPROPRIATIONS

It is now expected that war expenditures (including net outlays of Government corporations for war activities) for the current fiscal year will amount to 92 billion dollars, 8 billion dollars below the 100-billion-dollar estimate submitted in my Budget message of a year ago. In certain types of munitions we have fallen short of our objectives, but by and large the cut in the estimate of expenditures is due to changes in the war program.

For the fiscal year 1945—the year ending 18 months hence—war expenditures are estimated at 90 billion dollars. I emphasize, however, that this estimate is tentative; it is based on the assumption that the war will continue throughout the fiscal year 1945. In our military planning, in our production planning, and in our financial planning we cannot rely with safety on hopes of earlier victory. If the war should continue on all fronts throughout the fiscal year 1945 or longer, we shall be prepared. If an unfavorable turn in military events should result in an increased demand for munitions, we shall, with available facilities, pour out even more munitions than scheduled, and expenditures will be larger. If, on the other hand, victory should be achieved on one of the major fronts earlier than assumed, I assure the Congress and the Nation that war production will be promptly adjusted to the changed requirements, and war expenditures in the fiscal year 1945 may be less than estimated at the present time. Because of termination payments, mustering-out pay, and similar demobilization expenditures, however, the reduction in cash expenditures will of necessity lag considerably behind any curtailment of war production.

The total war program as measured by appropriations, contract authorizations, and Government corporation commitments from June 1940 through December 1943 totals 344 billion dollars. Of this amount, 264 billion dollars have been obligated already, and it is estimated that 307 billion dollars will have been obligated by the end of the current fiscal year. Unobligated balances total 80 billion dollars now and will be reduced to about 38 billion dollars by June 30, 1944, assuming that additional supplemental appropriations of 1.5 billion dollars will be provided before the end of the current fiscal year.

Through December 1943, we have spent 153 billion dollars for war and it is estimated that 202 billion dollars will have been spent by the end of the current fiscal year, leaving 105 billion dollars in outstanding obligations to be liquidated in later fiscal years.

It will be necessary to request additional appropriations for obligations to be incurred in the fiscal year 1945. Detailed recommendations for most of the war appropriations will be made in the spring, as last year. The tentative estimate for the fiscal year 1945 is 60 billion dollars of new war appropriations and 10 billion dollars of new contract authorizations. I also intend to recommend that an estimated 38 billion dollars of unobligated appropriations be reappropriated for the coming fiscal year. The new appropriations include 18 billion dollars to liquidate prior contract authorizations. The additions to the war program therefore will amount to 42 billion dollars new appropriations (excluding appropriations for the liquidation of prior contract authorizations), 10 billion dollars new contract authorizations, and 1.5 billion dollars estimated supplementals for this year. These additions will bring the total war program to 397 billion dollars for the fiscal year 1945.

Enactment of these requests will permit the Government to incur new obligations totaling 90 billion dollars in the fiscal year 1945. This, together with the unliquidated obligations on June 30, 1944, would permit the expenditure of 195 billion dollars in the fiscal year 1945 and subsequent years, when appropriations have been made to liquidate contract authorizations. As stated earlier, it is estimated that 90 billion dollars will be spent for war purposes in the fiscal year 1945. Assuming that it will be necessary to obligate all appropriations and contract authorizations, we shall finish the fiscal year 1945 with about 105 billion dollars of unliquidated obligations—the same amount as the unliquidated obligations existing at the beginning of the fiscal year.

I hope that this total war program will never be fully obligated and spent. Congressional approval of the estimated new appropriations and contract authorizations will be necessary, however, to permit our military leaders and our procurement agencies the flexibility they must have in planning and executing the job ahead.

WARTIME READJUSTMENTS AND PREPARATION FOR PEACE

Demobilization begins long before hostilities end. While we are still expanding war production, we have already terminated more than 12 billion dollars of war contracts; while we are still increasing the size of the armed forces, we have already discharged a million men and women. If hostilities end on one major front before they end on other fronts, large-scale demobilization adjustments will be possible and necessary while we are still fighting a major war.

The problems of adjustment cover a wide range—contract termination, reconversion of war plant, disposal of Government-owned property, shifting of men to peacetime employment, and many others. Our approach to these problems must be positive, not negative. Our objective must be a permanently high level of national income and a correspondingly high standard of living. To achieve this end there must be concerted efforts by industry, labor, and government and a well-planned demobilization program. As men, materials, and facilities are released from war service and production, such resources must be channeled into civilian production on a basis that will assure a high and stable level of production, consumption, and employment. The soldier, the worker, the businessman, and the farmer must have assurance against economic chaos.

Just as economic mobilization for total war required many interrelated measures, so adequate reconversion to civilian production will require many interrelated adjustments of fiscal policy, production policy, price policy, and labor policy. At this time I shall discuss, but briefly, certain aspects of a demobilization program.

CONTRACT TERMINATION, DISPOSAL OF SURPLUS PROPERTY, AND INDUSTRIAL RECONVERSION

The problems pertaining to the termination of contracts, the disposal of war surpluses, and the reconversion of industry, already before us, will take on increased significance during the war and after.

Contract termination will become a problem of large magnitude. A considerable number of contracts has already been terminated. Should victory be achieved on one front, the volume of contract termination and related settlement problems will increase markedly even during the war. Raw materials, goods in process, and overhead costs incurred on the assumption that contracts will be completed, all involve settlement problems when contracts are terminated. The timing of future contract terminations is, of course, uncertain; but it is evident that the volume of such terminations and the amount of related claims and payments will be very large.

It will be necessary to dispose of a vast amount of Government property. Our war program has required the expenditure of approximately 15 billion dollars by the Government for new industrial plant and equipment and over 13 billion dollars for nonindustrial construction and land. In addition, the Government owns scores of billions of dollars of raw materials, merchant ships, aircraft, munitions, and a wide variety of other commodities. The value of Government property that will become surplus during and after the war is as uncertain as the vicissitudes of war. There can be no doubt, however, that a very large amount of public funds will be involved.

The policies followed in contract termination and the disposal of surplus property will have a major impact on the speed and effectiveness of the reconversion of industry and of the reemployment of those released from war service and war production. Such policies will also have a major bearing on the stability and pattern of the Nation's economy for many years to come. It is, therefore, imperative to develop a unified program to deal with the interrelated problems of contract termination, surplus property disposal, and industrial reconversion. To facilitate the development of coordinated policies pertaining to these fields, a war and post-war adjustment unit has been established in the Office of War Mobilization. A Joint Contract Termination Board, including representatives of the several contracting agencies, has also been established in that Office to develop recommendations for a unified program relating to the settlement of terminated war contracts. Recommendations pertaining to contract termination and disposition of surplus war properties are now in preparation.

The disposition of war surpluses should be closely coordinated with the permanent management of Government property. To provide a foundation for such coordination, I hope that machinery for the permanent management of Government property can be established in the very near future.

MANPOWER DEMOBILIZATION AND REEMPLOYMENT

Demobilization of war workers and members of the armed forces also starts long before the war ends. Since January 1, 1942, we have discharged a million men and women from active military duty because of age, physical and mental disabilities, and other reasons.

Both servicemen and war workers will need active help in finding their way back into gainful and productive peacetime employment. Many have gained exceptional skills and shown managerial ability in wartime; they should have an opportunity to contribute these skills and aptitudes to civilian activities. Certain reemployment rights in private and Government employment have been assured to members of the armed forces and, in limited instances, to those who transferred to war jobs. Many of these will be able to resume their pre-war employment. This war, however, is causing substantial changes in the geographic, technological, and market structures of industry. Many employers will be recruiting employees in excess of their pre-war labor force. Many employees and ex-servicemen will be looking for new employment opportunities because they had no employment before the war or because their previous jobs no longer exist.

It is imperative that we be on guard against any weakening of the administrative agencies which have been established for the purpose of job placement, counseling, and training. To master this great task of reemployment we must maintain and strengthen during the demobilization period a unified national employment and counseling service. Adequate provisions for job re-training, education, and rehabilitation must supplement the placement service. Special measures are needed to increase the opportunities for the employment of ex-servicemen, particularly those disabled in war service.

PUBLIC WORKS PLANNING

Our reconversion policy should have as a major aim the stimulation of private investment and employment. There will, however, be an urgent need for certain public works in the post-war period. As a result of the war the normal construction work of Federal, State, and local governments has been curtailed. Many new facilities will be needed. Careful advance planning and evaluation are essential to assure that priority will be given those projects that fill the greatest need relative to their cost, as well as to assure that their construction will be timed in accordance with employment requirements.

It is my hope that adequate machinery for the general planning and evaluation of public works in relation to broader economic activities can be established at all levels of government and that there can be close coordination both in planning and in completing essential projects. Thus, public works activities of the various communities and areas would be effectively coordinated with broad national programs and interests.

I have directed the various Federal agencies to submit estimates of appropriations for making detailed plans for Federal public works and improvements. I have asked the Bureau of the Budget to assume a continuing responsibility for coordinating the advance preparation of Federal public works and improvement programs to be undertaken when the war is over.

VETERANS' LEGISLATION AND SOCIAL SECURITY

Last July I recommended to the Congress a minimum program to assist servicemen and servicewomen in meeting some of the problems they will face when discharged. This included mustering-out pay for every member of the armed forces sufficient to provide for a reasonable period after discharge. I also urged an educational and training program to enable those demobilized from the armed forces to further their education and training and to prepare for peacetime employment. I am confident that the Congress will take early action along these lines.

The permanent program of social security initially adopted in 1935 provides a framework within which many of the problems of demobilization can be met. This framework of unemployment insurance and retirement benefits must be reinforced and extended so that we shall be better equipped for readjustment of the labor force and for the demobilization of the armed forces and civilian war workers.

Pressing economic need has forced many workers to continue in employment or seek work even when disability, old age, or care of young children would have made retirement from the labor force preferable. Extension at the present time of the coverage of the Federal old-age and survivors insurance system to many groups now denied protection, and expansion of the scope of the system to include disability benefits, would permit these workers to retire after the war. The old-age and survivors insurance system should also be amended to give those in the armed forces credit for the period of their military service.

The proposed changes in the social-security law would provide the necessary minimum protection for nearly all individuals and their families, including veterans of the present war. They would provide benefits additional to veterans' pensions, veterans' compensation, and national service life insurance in case of death or disability attributable to military service.

I repeat my recommendation that the present unemployment insurance system be strengthened so that we shall be able to provide the necessary protection to the millions of workers who may be affected by reconversion of industry. I prefer an extension of coverage and liberalization of unemployment benefits to any special legislation, such as that providing for dismissal payments through war contractors. I also recommend the adoption of a program of Federal unemployment allowances for members of the armed forces. Furthermore, I suggest Congress consider the establishment of unemployment insurance for maritime employees and a temporary system of unemployment allowances for those in Federal service who, because of their wartime employment, have been unable to build up rights under the existing system.

INTERNATIONAL PROBLEMS OF READJUSTMENT

In the international field, as in the domestic field, there is no sharp distinction

between war and post-war policies. For example, the program under lend-lease and reciprocal lend-lease arrangements is designed to facilitate the effective prosecution of the war and at the same time to help lay the foundation for post-war settlement and international prosperity.

We are now engaged in discussion with other members of the United Nations to work out plans to expedite the international flow of capital into worth-while long-term investments, to remove obstacles to international trade, and to stabilize currencies. The United Nations are working toward a permanent international organization for food and agriculture. We are also considering cooperative arrangements to facilitate maritime and air transportation.

The success of these international policies depends to a considerable extent on the success of our domestic demobilization policy, and vice versa. The more prosperous the United States, the more it will demand the products of other countries, both in the form of raw materials for its industries and in the form of manufactured goods to meet consumers' demands. Our purchases will, in turn, provide other countries with the means to buy more of our exports. More and more, our prosperity and world prosperity become interdependent.

THE FARM AND FOOD PROGRAM

Farm output in 1943 has been the largest in our Nation's history. This bountiful production has enabled us to maintain the best-fed Army in the world, to send much needed food to our Allies, and to eat better ourselves than civilians in any other country. Although some of us at home did not have all the particular foods we wanted, more of us were nutritionally well fed than ever before. Our farmers have accomplished this through hard work and intelligent use of their resources.

The year 1944 will be more critical on the food front in view of increasing food requirements for our armed forces, our Allies, and the starving populations in territories formerly occupied by the enemy. To meet these needs, farm production must be larger than in 1943. Barring unfavorable weather conditions, I believe this objective can and will be achieved through even better use of our farm labor, land, machinery, and other resources.

Farmers, spurred on by their desire to make the utmost contribution to the war effort, will do their level best to get the job done. It is the Government's responsibility to facilitate their efforts. The major emphasis of our 1944 program will be to develop and encourage balanced production, efficient farming practices, and full use of all our agricultural resources.

Much of the Government's assistance to agriculture in the past ten years has been intended to reestablish farmers' purchasing power. This has been achieved—and more. Farm prices in 1943 were 115 percent of parity, and farm income in 1943 is estimated at 150 percent of parity. On the price side, the problem of the Government is no longer to increase farm prices generally, but rather to adjust relationships among prices of the various farm products in harmony with relative production needs. To this end the War Food Administrator, in cooperation with the Price Administrator and with the approval of the Director of Economic Stabilization, has prepared a full schedule of support prices for war crops and other critical commodities with the objective of encouraging 1944 production of each crop in the quantity desired without increasing the general level of farm prices. This schedule should be announced well in advance of planting time. The carrying out of these support prices, however, will depend upon congressional action on the Commodity Credit Corporation bill. The schedule of support prices must be implemented by appropriate measures such as loans, purchase and sale programs, ceilings, and related production aids.

A stable farm price level is basic if we are to prevent inflation. I have often declared my belief that the judicious use of subsidies is necessary if consumer prices are to be kept from rising. I repeat it again. Only if we succeed in preventing an appreciable rise in the general level of both farm prices and wages, however, can we continue to hold the cost of living stable with a moderate use of subsidies. The cost-of-living index was 124.1 in November 1943—the same as in April.

In order that the Federal Government may fulfill its responsibility in the 1944 farm and food program, I am recommending appropriations of 659 million dollars for the Department of Agriculture including the War Food Administration. This is approximately 314 million dollars less than the current appropriations for these agencies. The recommendation includes provision for conservation and use of agricultural land resources, the Soil Conservation Service, the Farm Security Administration, the exportation and domestic consumption of agricultural commodities, the administration of the Sugar Act, and research and other long-established functions of the Department of Agriculture. It does not include provision for potential losses of the Commodity Credit Corporation. The over-all decrease of 314 million dollars results largely from the omission of a recommendation for parity payments and a reduction in the recommended appropriation for conservation and use of agricultural land resources.

TOTAL FEDERAL EXPENDITURES

The estimates of Federal expenditures are intimately related to the stabilization program. If we permit general increases in wages in the war industries, in farm prices, or in profits on war contracts, Federal expenditures will increase correspondingly. The estimates presented in this Budget are based on the assumption that the wage and price line will be held and I am convinced that the line can be held. Wages, farm prices, and profits have reached levels which should be exceeded only in rare cases of special war requirements and not by attempts of pressure groups to promote their special interests. If we take the point of view that our efforts to secure stabilization can be relaxed just because production is nearing its peak, we shall be sacrificing one of the main objectives of the stabilization program—to reduce the dangers of economic disorganization in the demobilization period.

The following figures summarize Federal expenditures in recent years for the war program, for interest on the public debt, and for all other activities.

Total expenditures for fiscal years 1942–45, excluding debt retirement and trust funds

[In millions]

Classification	1945 estimated	1944 estimated	1943 actual	1942 actual
War activities:				
General and special accounts	$88,200	$88,500	$72,109	$26,011
Government corporations (expenditures less receipts)	1,800	3,500	2,976	2,255
Total	90,000	92,000	75,085	28,266
Interest on public debt	3,750	2,650	1,808	1,260
Other activities:				
General and special accounts:				
Veterans' pensions and benefits	1,252	865	600	552
Refunds of taxes and customs, including excess-profits tax refund bonds	1,799	412	79	94
All other	2,953	3,524	3,583	4,479
Government corporations (expenditures less receipts)	15	−175	−1,476	−440
Total expenditures	99,769	99,276	79,679	34,211

As I have pointed out repeatedly, there is not much realism in the customary distinction between war expenditures and other expenditures, often called "non-war" expenditures. Practically all Government activities under present conditions are related directly or indirectly to the war. War expenditures, as identified for budgetary purposes, include only those made under appropriations which the Congress has designated "defense" or "war" or obviously enacted for war purposes.

Another group of expenditures is emerging as a result of the present war. Already large, this aftermath-of-war category will become a dominant factor in future budgets. For the fiscal year 1945 it includes, for example, about three-fourths of the interest on the public debt; more than half of the expenditures for insurance, pensions, and other benefits for veterans; and a large amount for refunds of war taxes. Expenditures for contract termination, now included in war procurement, also belong in this group.

Expenditures for veterans' pensions and benefits and for tax refunds are expected to rise sharply during the fiscal year 1945. Tax refunds include 1 billion dollars for issuance of post-war bonds for the refundable portion of corporate excess-profits taxes. The issuance of refund bonds is, of course, not a cash expenditure.

Excluding expenditures for veterans and refunds, the total for "other" activities is expected to continue next year

the steady decline which has been maintained since 1939. The estimate for the fiscal year 1945 is 2,953 million dollars—barely half the comparable total of 5,897 million dollars expended in 1939. It is 571 million dollars below the revised estimates for the current fiscal year.

This latter decrease will occur despite some increases in so-called "nonwar" expenditures. Among the increases are 129 million dollars in some subdivisions of the Treasury, Justice, State, and Agriculture Departments, the General Accounting Office, the National Advisory Committee for Aeronautics, and the social security program. For the most part, these increases reflect war-necessitated expansions of workloads under "nonwar" appropriations. Major reductions are expected in aids to agriculture, general public works, work relief, the Department of Commerce, War Department civil functions, and the Federal Works Agency. These items total 553 million dollars less than the corresponding items for the present fiscal year. The Post Office expects to have no deficit but rather a surplus of 11 million dollars.

For all purposes other than direct war activities, I am recommending appropriations, in general and special accounts, of 10,115 million dollars, including 3,750 million dollars for interest on the public debt and 590 million dollars for statutory debt retirement under permanent appropriation. The total of 5,775 million dollars for other purposes is an increase of 1,321 million dollars over the amount enacted by the Congress for the current fiscal year including anticipated supplemental appropriations. This increase, like the expenditure estimates, reflects primarily the large volume of veterans' benefits and tax refunds occasioned by the present war, and if these items are excluded there is a decrease of 434 million dollars.

The estimated expenditures and recommended appropriations assume application of the Overtime Pay Act with present coverage throughout the fiscal year 1945. Current provisions for overtime pay for most Federal Government employees have been operative only since May 1, 1943; they will expire June 30, 1945, unless terminated earlier by the Congress.

The overtime-pay law provides for quarterly determinations by the Director of the Bureau of the Budget of the number of employees required for the proper and efficient exercise of the functions of each department or agency. Although nearly half the civilian personnel of the Government are not covered by the act, I believe the determinations have effectively supplemented other budgetary controls. Other factors contributing to savings in Government use of manpower have been the legislation authorizing overtime work and pay, suggestions made by congressional committees, general manpower controls, curtailment and consolidation of activities, and the unremitting efforts of the Civil Service Commission and the heads of operating agencies to use personnel more effectively.

More than a year ago I notified the heads of all departments and agencies that I expected them to eliminate every nonvital service, to seize every opportunity for improving the speed and efficiency of operations, and to conserve manpower, materials, and money. Each of these officials is now being asked to take stock of what his agency has accomplished and to continue aggressive efforts for improvement in the management and economical functioning of his organization.

One result of all these efforts has been a material reduction in Government personnel. The latest reported total of paid civilian employees of the Executive branch in continental United States was 2,798,000 in October 1943; there were 154,500 additional in Alaska, the Panama Canal Zone, and overseas. Nearly three-fourths were in the War and Navy Departments and other war agencies. The total number employed in the continental United States in October was 205,000 below the peak of June 1943. The bulk of the reduction was in the war agencies; they reduced personnel by 167,000 from June to October, while the so-called nonwar agencies reduced personnel by 38,000. The earlier rise was in the war agencies. Other agencies as a group have been reducing personnel steadily for 18 months or more, although during all that time they have been devoting more and more of their efforts directly to war activities.

There has been, during the past year, too much unfounded disparagement of Government employment. No one can estimate what this has cost in impaired morale, employee turn-over, recruitment difficulties, and retardation of essential war work. Thousands of Americans entered the Government service or have remained in it with single-hearted determination to contribute to victory. Yet Government employees frequently have had to bear an unjustified stigma, somehow associated with the mistaken assumption that nearly all of them occupy armchair jobs. Of course, it is true that thousands of Government employees work at desks. In Government, as elsewhere, the manual workers are not the only producers. Modern armies cannot operate without quartermasters, paymasters, communication systems; ships and planes cannot be built without drafting, procurement, accounting; indeed, no organized activity in our complex society can succeed without writing and record-keeping. Even so, the large majority of employees in the war agencies are engaged in mechanical operations. Among the so-called nonwar agencies, the Postal Service alone accounts for more than two-fifths of all the personnel. These facts are too frequently disregarded by critics who fail to look behind personnel statistics to the work the employees do.

THE REVENUE AND BORROWING PROGRAM

SUMMARY OF FEDERAL FINANCES

Net receipts under present legislation are estimated at a little more than 41 billion dollars for the current fiscal year and at somewhat less than 41 billion dollars for the fiscal year 1945. Receipts in these years will be about 19 billion dollars above those of the fiscal year 1943. This rise reflects increased tax rates in the Revenue Act of 1942, the Current Tax Payment Act of 1943, and the higher level of incomes and profits. Net receipts from all sources in the fiscal year 1945 are expected to be somewhat lower than in the current fiscal year, despite the fact that some items, notably corporation taxes, will increase further. Substantial collections in the present fiscal year, mainly in connection with transition to a current basis for individual income taxes, will not recur in 1945 and later years. Estimates of receipts in this Budget are subject to modification if the pending revenue bill is enacted.

Total expenditures for the fiscal year 1945 are estimated to exceed net receipts by 59 billion dollars. Without further legislation the deficit will amount to 59 percent of total expenditures, approximately the same as the comparable ratio for the current fiscal year.

Summary of Federal finances, excluding debt retirement and trust funds

[In millions]

Classification	1945 estimated	1944 estimated	1943 actual	1942 actual
Total expenditures (p. xvii)	$99,769	$99,276	$79,679	$34,211
Total receipts	43,425	42,578	23,385	13,668
Deduct: Net appropriations for Federal old-age and survivors insurance trust fund	2,656	1,392	1,103	869
Net receipts	40,769	41,186	22,282	12,799
Excess of expenditures over receipts	59,000	58,090	57,397	21,412

In view of these prospective deficits, I recommend the earliest possible enactment of additional fiscal legislation.

The amount which the Federal trust funds, especially the old-age and survivors insurance fund, can invest in Treasury bonds has been estimated under the assumption that the increased Federal insurance contribution rates which were scheduled for January 1, 1944, will become effective on March 1, 1944. The Congress decided to postpone the effective date of the increase 60 days in order to gain time for further consideration of the increase in social-security rates. I earnestly urge the Congress to retain at this time the scheduled increase in rates. High employment and low rates of retirement during the war have added to social-insurance reserves. However, liabilities for future benefits based on the increased wartime employment and wages have risen concurrently. The increase in contributions provided by existing law should now become effective so that the contributions will be more nearly in accord with the value of the insurance provided and so that reserves may be built up to aid in financing future benefit payments.

THE NEED FOR ADDITIONAL TAXES

In my Budget message last year I recommended legislation to collect 16

billion dollars in additional taxes, savings, or both. I also pointed out the importance of simplifying taxation and of putting taxes, as far as feasible, on a pay-as-you-go basis. I repeated previous recommendations for making our tax laws more fair and equitable.

Provision for collection of individual income taxes on a pay-as-you-go basis was made in 1943 by the passage of the Current Tax Payment Act.

In October 1943, the administration's revenue program was presented calling for additional wartime taxes in the amount of 10.5 billion dollars. Those recommendations are still under consideration by the Congress, and I wish at this time to stress the need for additional wartime taxes in at least the amount requested in October.

The developments of the past year have not lessened the needs for additional revenue and nothing has occurred to indicate that the administration's tax program is more than a minimum. Indeed, the necessity for additional revenue becomes increasingly acute as the war continues. The debt has risen at a record rate, and the prospect is for a continued rise, with little or no diminution in rate during the months to come. Let us face the fact—the failure thus far to enact an adequate fiscal program has aggravated the difficulties of maintaining economic stabilization. Increases in income should be limited to reasonable rewards for additional effort. A wartime tax policy directed to that objective is a necessary support to wage and price stabilization. It is, furthermore, an important wartime contribution to post-war fiscal planning.

The time to impose high taxes is now, when incomes are high and goods are scarce. In this situation, if we do not now pay in taxes all that we can, we shall be treating unfairly those who must face the accumulated bill after the war. Individual incomes will be approximately 40 percent higher in the calendar year 1944 than in 1941, after payment of all taxes, Federal, State, and local. Corporate profits after taxes are running at an all-time high. The time to relax some wartime taxes will come when goods are again plentiful, after reconversion of industry to peacetime production.

In view of these facts, I must urge upon the Congress the need for additional revenue beyond that provided in the bill now pending before the Senate. I also recommend tax simplification to reduce the burdens of compliance of the many millions of taxpayers by elimination of returns where feasible and by other measures—provided such changes do not result in substantial impairment of receipts for the Treasury or of equity for taxpayers.

RENEGOTIATION OF WAR CONTRACTS

The American people are united in their resolution to prevent war profiteering. Taxation alone is not enough. One of the most constructive attempts ever made to reduce profiteering at the expense of the Government in wartime was the renegotiation law, enacted by the Congress in April 1942. That statute gives to the major procurement agencies the right and charges them with the duty to reexamine their war contracts and subcontracts and to recover excessive amounts paid under them, as well as to reduce inordinately high prices being charged for goods still to be delivered.

The record of performance under that statute has been good. The cost of our procurement program has already been reduced by over 5 billion dollars by contractors' agreements to refund money already paid them by the Government for war matériel and by price reductions granted the Government on goods still to be delivered. A considerable part of this amount would have escaped even wartime taxes. Many wartime profits are not subject to excess-profits taxation; moreover, even taxes paid may be refunded under various provisions of the present excess-profits tax law. The recapture of exorbitant war profits, in my judgment, should be definitely assured by renegotiation. To measure the benefits of the renegotiation statute in terms of dollars recovered from war contractors is to understate its beneficial effect. The statute is enabling us to combine speed of procurement with fair prices for the goods the Government must buy. Without it the war procurement program would be handicapped.

Of late I have been disturbed by proposals, apparently being seriously considered in the Congress, which will, if adopted, greatly restrict the operation of the statute if not destroy its effectiveness. I believe adoption of such proposals would be a serious mistake. In spite of criticism leveled at the statute by highly articulate special pleaders, I think it can fairly be said that the statute has proved to be very helpful in preventing or reducing excessive profits, and that renegotiation has been carried out with fairness and equity.

THE PUBLIC DEBT

Wartime spending leaves its legacy of post-war debt. By June 30, 1944, the public debt is expected to reach 198 billion dollars, and a year later, 258 billion dollars. Even higher totals will be reached if advance financing builds up cash balances. In any case it will soon be necessary to request legislation authorizing a further increase in the debt limit from the present level of 210 billion dollars. In view of these huge totals, administration of the public debt and of related fiscal policies must receive double care and scrutiny.

The primary achievement of our debt policy has been the maintenance of low and stable rates of interest. Average interest rates payable on the public debt now are less than 2 percent. Interest received from all new issues is fully taxable. As a result, the net cost per dollar borrowed since Pearl Harbor has been about a third the cost of borrowing in the first World War.

A debt of 258 billion dollars will require gross interest payments of 5 billion dollars annually at the present average rate. With a national income of 125 billion dollars or more, these payments need not prove oppressive. I am confident that we can devise a tax structure and other appropriate economic policies which will permit both payment of interest, and gradual repayment of principal during years of prosperity, without impairing the stability and growth of the national income.

We have sought to secure the broadest possible distribution of our debt, not only to fight against inflation, but also to assure a wide distribution of income from the debt. For these two reasons it has been our deliberate policy to offer the highest rates of interest on those bonds which are sold to individual purchasers in limited amounts.

Over 50,000,000 subscribers to War bonds now own a direct financial stake in the United States. More than a third of all the resources of life-insurance companies and mutual savings banks and half of all the assets of commercial banks consist of Government bonds. These individual investors, as well as bank depositors and insurance policy holders, can count upon the soundness of these assets.

Every dollar accumulated by individuals, corporations, or other nonfinancial institutions adds to rainy-day reserves of these bondholders. Businesses with heavy costs of reconversion will be able to defray such costs in part through liquidation of bonds. State and local governments will be able to finance some public works programs without levying additional taxes or borrowing additional funds. Individuals who are temporarily unemployed will be able to redeem War bonds, besides relying upon unemployment compensation and other provisions.

An increase in wartime debt is unavoidable. War expenditures must continue at high levels until our enemies are defeated; a bare minimum of regular Government activity must be preserved; interest must be paid regularly on the outstanding debt. The executive departments are using their best efforts to hold down all these outlays, wherever reductions are consistent with maximum war effort. The only effective way now to control the volume of the debt and to minimize post-war adjustments is to adopt a truly stiff fiscal program.

This war was inevitable because peaceful nations cannot live in the same world with nations that have become tools in the hands of irresponsible cliques bent on conquest. That obstacle to peace will be removed by destruction of the German and Japanese war machines and by establishing lasting cooperation among the nations united in the fight for freedom. In this Budget I have outlined the financial requirements for victory. I have also outlined some of the measures required to aid in the reconversion of our war economy and to help discharged soldiers and dismissed war workers find their way back into civilian life and peacetime employment.

Military victory is not enough. We shall not have completed the defense of our way of life until we also solve the second task, the reconstruction of an

economy in which everyone willing to work can find for himself a place in productive employment. The enemy, though beaten on the battlefields, may still arise in our midst if we fail in the task of reconstruction.

Victory will be not only a cause for joy over an accomplishment but at the same time a challenge to another great undertaking. You and I have the responsibility to prepare for victory and for peace. Let us make sure that the Budget, the Government's work plan, serves both ends.

FRANKLIN D. ROOSEVELT.

JANUARY 10, 1944.

COMMITTEE ON MILITARY AFFAIRS

Mr. MAY. Mr. Speaker, I ask unanimous consent that the House Committee on Military Affairs may have until midnight tonight to file its report on the bill (S. 1543) to provide mustering-out pay for the armed forces.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

PIPE LINES FOR PNEUMATIC-TUBE TRANSMISSION IN THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 3916) to permit the construction and use of certain pipe lines for pneumatic-tube transmission in the District of Columbia.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I understand this bill comes from the gentleman's committee with a unanimous report?

Mr. RANDOLPH. The gentleman is correct. The bill was reported unanimously from the House District Committee. It simply provides that the company in question be allowed to construct and maintain not to exceed three pipe lines in the District of Columbia, these pipe lines to be used for pneumatic-tube transmission.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia are authorized to grant permission to the Bureau of National Affairs, Inc., a corporation organized under the laws of the State of Delaware, and doing business in the District of Columbia, and owner of lot 816, square 50, on the northwest corner of Twenty-second and M Streets NW., and lessee of all of lots 10, 11, 12, 13, and 14 in square 36, all on the east side of Twenty-fourth Street NW., between M and N Streets, and all of lots 15, 16, 807, 808, and 809 in square 36, all on the north side of N Street NW., between Twenty-third and Twenty-fourth Streets, leased from an affiliated corporation, and all in the District of Columbia, its successors and assigns, to lay down, construct, maintain, and use not more than three pipe lines for a pneumatic-tube system from a point within said lot 816, square 50, through connecting public alleys, across Twenty-third Street NW., through a connecting alley to a point within said lot 10, square 36.

SEC. 2. (a) The construction and use of such pipe lines shall be under such regulations and rentals as the Commissioners of the District of Columbia may prescribe and all plans and specifications for such construction shall be subject to their approval.

(b) The Commissioners of the District of Columbia shall have full authority to designate the location and to cause such repairs or relocation of such pipe lines as the public necessity may require, any such repairs or relocation to be at the expense of the Bureau of National Affairs, Inc., its successors and assigns.

(c) Any repairs to streets, highways, or other public property necessitated by construction or alterations of such pipe lines shall be made in a manner approved by the Commissioners of the District of Columbia, at the expense of the Bureau of National Affairs, Inc., its successors and assigns.

SEC. 3. No permission granted or enjoyed under the provisions of this act shall vest any right, title, or interest in or to the land within any public alleys or Twenty-third Street NW.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by the distinguished majority leader the gentleman from Massachusetts [Mr. MCCORMACK] and further to extend my remarks and include therein some newspaper editorials on the subject of civil aviation.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein a letter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

PROHIBITION

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include therein an editorial from the Cleveland News.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, prohibition rears its ugly head again to divide the American people at a time when unity is our greatest need.

I will wage an unrelenting and ceaseless fight to stifle this un-American and undemocratic movement. This, I pledge to the people of the Twentieth District, as the House of Representatives Judiciary Subcommittee, of which I am a member, commences hearings on a wartime prohibition bill.

I put the professional prohibitionist in a class with the saboteur. The saboteur attempts to wreck our war machine with violence. The prohibitionist seeks to destroy public morale by injecting an issue that serves only to divide and disunite the people and to turn their thoughts from the chief objective of the day—the winning of the war.

The saboteur-prohibitionist unfairly and in his un-American manner seeks to take advantage of the millions of American boys who are in the service and fighting for democratic rights around the globe. They can't raise their voices in protest. They are entitled to vote, and Congress should devote its time to such an all important matter as well as to its duty of aiding in the prosecution of the war, rather than considering such ill-timed and disloyal legislation.

We know that wartime prohibition is just a trick designation. The prohibitionists want to make it lasting prohibition.

Prohibition is not something untried. We know prohibition was a complete failure after World War No. 1.

Let us not forget blinded eyes, broken bodies and wrecked homes when highjacking, racketeering, murder, and gangsterism were rampant and uncontrollable.

So long as humans fight and die for the personal liberty of all of us, then so long must the personal right to do as we feel fit to do, as we deem right to do, under the law, remain a sacred right.

I am against any prohibition of these rights of free Americans.

Congress should give the boys the right to vote, the right for which they are fighting.

Congress should not take any rights or privileges away from them by trickery while they are on the battlefield.

[From The Cleveland (Ohio) News of January 12, 1944]

FEIGHAN FIGHTS DRY BILL

Congressmen have to be always wary of their public words, so that it is a refreshment when Representative FEIGHAN speaks his entire mind in announcing his opposition to the Bryson prohibition bill, sponsored by a bone-dry southern Democrat. The bill today goes before a subcommittee of which Mr. FEIGHAN is a member.

The bill is a step on the road the country trod in 1918, when Congressman Andrew J. Volstead's war prohibition law was fixed on the United States while its fighting men were principally overseas. As a result, we had national prohibition without any ratifying votes of the people.

"The prohibitionist," said Representative FEIGHAN, "seeks to destroy public morale by injecting an issue that serves only to disunite the people and to turn their thoughts from the winning of the war." If this seems strong to anyone, let him remember that the prohibitionists of the land did do that once, at least, and that the Nation sustained an unhappy 15 years from it. We want no prohibition attempts again from Congress and none without popular elections and none in the absence of 12,000,000 United States citizens from the country.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article on subsidies by Professor Harper, of Cornell University.

The SPEAKER pro tempore (Mr. PATMAN). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TROUTMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODWIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

VOTING BY MEMBERS OF THE ARMED FORCES

Mr. WILSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. WILSON. Mr. Speaker, many caustic and untimely remarks have reverberated throughout this Chamber during the past few weeks. Those remarks to which I refer have been in regard to the willingness of the Congress of the United States to facilitate the voting of our No. 1 citizens, our men and women in the armed forces. I do not believe there is a single Member of this House who is not willing to do everything within his power to facilitate the voting of the men and women in the service. There is not a Member of this Congress who was also a Member of the Seventy-seventh Congress who did not vote to send these boys to war. Therefore, I think it is very untimely for Members on either side of the House to accuse a Member on the other side of being against permitting the soldiers to vote, regardless of which party these service men or women may be voting for.

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired.

LEAVE TO ADDRESS THE HOUSE

Mr. COLE of Missouri. Mr. Speaker, I ask unanimous consent that today, after all legislative business and any special orders have been disposed, I may address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

PROHIBITION

Mr. DOUGLAS. Mr. Speaker, I wish to file a petition containing the names of practically 5,000 people protesting against the enactment of any and all prohibition legislation.

The SPEAKER pro tempore. The gentleman may drop his petition in the box.

EXTENSION OF REMARKS

Mr. MILLER of Connecticut. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the New York Times.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include resolutions from the Nebraska Farm Council.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and have printed newspaper article referring to a Presidential ballot conducted in the Middle West.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LARCADE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and have printed excerpts from a meeting of the Mississippi Valley Flood Control Association held in New Orleans, La., December 21, 1943, and to include a speech by Brig. Gen. Max C. Tyler, president of Mississippi River Commission. I am informed that this will exceed the usual limitation by $351, but I ask unanimous consent that it be printed nevertheless.

The SPEAKER pro tempore. Is there objection?

There was no objection.

REGULAR VETERANS' ASSOCIATION

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and revise and extend my remarks, and include a letter and statement I received from Mr. William M. Floyd, national commander of the Regular Veterans' Association, relative to my bill, H. R. 3925, which has for its purpose to provide for the payment of mustering-out pay to members of our armed forces.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LESINSKI. Mr. Speaker, I received a communication from the national commander of the Regular Veterans' Association which contains information of interest to our veterans and members of our armed forces. Mr. Floyd was elected national commander by the Regular Veterans' Association at its last national convention in Chicago in October of 1943. He is a resident of Alaska, where he is a highly respected and successful businessman. He has an outstanding war record, having served in the Third Division during the World War and was in six major engagements; was wounded, has the Purple Heart, and because of extraordinary heroism was awarded the Distinguished Service Cross. Because of Mr. Floyd's position as national commander of a recognized veterans' organization and his outstanding work for all of the veterans' organizations and our servicemen, I am of the opinion that Commander Floyd's letter contains valuable information, and it is for that reason that I have secured the permission of the House to insert it along with my remarks at this point:

REGULAR VETERANS' ASSOCIATION,
Washington, D. C., January 12, 1944.

Hon. JOHN LESINSKI,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN LESINSKI: The President of the United States and the Members of Congress are, we know, giving generous consideration to the welfare of members of the armed forces of World Wars No. 1 and 2. We, of the Regular Veterans' Association, believe that it is also wise that the Members of Congress think of the man and woman who will remain in the armed forces after the present conflict is ended. These are the men and women who, through their previous training, enabled our present armed force to obtain it's vast strength and superiority. These are the men and women who are such a credit to our Nation in wartime and peacetime, alike.

These members of the armed forces, who were in the service prior to the war and who will remain in service following the war, have trained our present Army, Navy, Marine Corps, and Coast Guard. They have in years passed, and will in years to come, keep intruders from our shores.

We believe that when a man loses a leg, or an arm, or an eye in line of duty in the peacetime service, he is still serving his country just as faithfully and just as surely as in time of war, and should have the same kind of consideration given to him and the same protection provided for him as in the case of men and women serving during a war period.

As you know, there are extensive plans now being laid for men and women who will return to civilian life following the present conflict. The President has asked, among other things, that young men and women be provided a way of completing their education, which, in many instances, has been interrupted by this war. We of the Regular Veterans' Association are heartily in favor of providing facilities whereby young men and young women leaving the service may take up and complete their educations. However, it is our opinion that while this is being done, some provision should be made for the young man and the young woman who will desire to remain in the service following the war. It is our belief that schools for the armed forces should also be established whereby these young men and young women may remain in the armed forces if they wish and still continue with their educational pursuits. This will be conducive to a higher and finer type of military personnel than our country has ever known. These men and women will be better trained and better suited to the vast task that will be theirs in keeping peace and protecting rights in the important years to come. Should it again, in future years, be necessary for our country to equip and train another military force, these men and women will be amply qualified to carry the burden of this endeavor.

There is legislation now in the House of Representatives on mustering-out pay for the armed forces. We believe that the committee now considering this legislation should have additional hearings. The legislation now pending on this subject is not, in our opinion, fair to the man or woman who decides to stay in the armed forces following the present conflict. Should the legislation now under consideration be enacted into law, all members of the armed forces would have to leave the service in order to receive mustering-out pay. The present legislation, as a matter of fact, encourages these young people who have been so well trained to fight the war and protect the peace, to leave the service in order to obtain monetary benefits to which they would not otherwise be entitled.

For this reason we have requested Congress to support our bill, H. R. 3925. My statement to the members of the committee now considering mustering-out legislation is attached.

I request that this letter be printed in the RECORD since I particularly desire that a clear presentation be made of our views on the subject of the armed forces of the present war and in the post-war period.

Very truly yours,

W. M. FLOYD,
National Commander.

STATEMENT OF W. M. FLOYD, NATIONAL COMMANDER, REGULAR VETERANS' ASSOCIATION

Members of the committee, I was unable to be present at the hearings of this committee on the mustering-out pay bills because, following my election to office as national commander of the Regular Veterans' Association, I made a hurried trip by air throughout the United States to ascertain the views of members of the organization and of the public concerning the matter of mustering-out pay and related issues now being considered by your committee. Prior to this trip I spent many months in constant association with the personnel of our military and naval forces stationed in Alaska and other posts and I feel that I understand the wishes of the service forces and of the members of my organization thoroughly and this bill, which has been introduced with the endorsement of the Regular Veterans' Association, is a crystallization of the wishes of the servicemen and the opinions of our organization members.

I want to stress the provision for administration made in this bill. The provision that the checks for cash pay and issuance of bonds shall be handled by the disbursing officers means a tremendous saving to the taxpayers of the United States in administration expenses. It will prevent the setting up of a new administrative agency either as an independent agency or as a bureau or division of a previously existing Government department. The provision also means that the act will be administered by trained personnel already familiar with the men to whom payment will be made.

I wish to state also that the sums specified in the bill are based on a careful and conservative estimate of what a man will really require to reestablish himself in civilian life. An itemized budget of clothing, rent, and board requirements was worked out in conversation and consultation with persons in all sections of the country and it is believed that the estimate is fair and can be depended upon to equip a man for civilian life and leave something to maintain him for a short period of time without encouraging needless expenditures. The provision that the check for the cash payment cannot be cashed until the discharged person returns to his civilian address will insure a distribution of the expenditure of this cash throughout the United States and also that the returning veteran will not come home empty handed. The larger cash amount is provided for overseas veterans as it is believed that they are less apt to have any civilian equipment and will need a longer time to readjust to civilian life.

EXTENSION OF REMARKS

Mr. WEISS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include several telegrams I received from Legionnaires.

The SPEAKER. Is there objection?

There was no objection.

THE SOLDIERS' VOTE

Mr. WEISS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. WEISS. Mr. Speaker, I favor Federal legislation to simplify the voting of soldiers in the coming elections. There appear to be some Members in the House who do not favor a measure of this kind. I have before me some petitions with over 10,000 names of people in my district, being families representing 3,100 men in the armed services, urging the Congress to pass a bill simplifying the right of soldiers to vote, and also several hundred letters to Members of Congress from wives of men in the service of the same character. We hear the constitutional question raised, and certainly if it is constitutional for the Congress to enact legislation to take soldiers away from their wives and families and jobs and send them thousands of miles away to fight and die for us, certainly it is constitutional for us to pass legislation to give these boys and girls the right to vote this fall. I urge the Members of the House to read carefully the address delivered by the distinguished gentleman from Virginia [Mr. FLANNAGAN] on Tuesday of this week, which appears on pages 68, 69, 70, and 71 of the CONGRESSIONAL RECORD. They will find there a masterful dissertation on the law that will clear up any constitutional objections on the soldiers' right to vote. In addition, the venerable and distinguished Virginia Senator, CARTER GLASS, issued a forceful statement some weeks ago urging Federal legislation on this important and vital issue. If we want to preserve democracy, let us practice it by giving the soldiers the right to vote in the coming Presidential and congressional elections.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

EXTENSION OF REMARKS

Mr. SADOWSKI. Mr. Speaker, I ask unanimous consent to extend my remarks on two subjects, one in the matter of the soldiers' vote and in the other to include a newspaper article and letter.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a proposal made by Lawrence Quigley, commandant of the soldiers' home at Chelsea, Mass.

The SPEAKER. Is there objection?

There was no objection.

Mr. FERNANDEZ. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD concerning a bill (H. R. 3920) respecting grants of land in the State of New Mexico, which I introduced last Monday.

The SPEAKER. Is there objection?

There was no objection.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a resolution adopted at a meeting on January 11, attended by representatives of nationally known organizations, favoring a Federal ballot for our armed forces, together with a list of organizations attending the meeting and other statistics on the same subject.

The SPEAKER. Is there objection?

There was no objection.

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address delivered by myself at the Republican National Committee meeting in Chicago on Monday last.

The SPEAKER. Is there objection?

There was no objection.

Mr. WELCH. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an excerpt from the British weekly Flight, with reference to the operation of transoceanic air lines by shipping companies.

The SPEAKER. Is there objection?

There was no objection.

Mr. MONKIEWICZ. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a telegram.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. ANGELL. Mr. Speaker, I ask unanimous consent that tomorrow, after the conclusion of the legislative business and other special orders I be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter to my constituents.

The SPEAKER. Is there objection?

There was no objection.

Mr. EDWIN ARTHUR HALL. Also, Mr. Speaker, I ask unanimous consent that my colleague [Mr. PLOESER] be permitted to extend his remarks and include certain recommendations of the War Contract Termination Committee.

The SPEAKER. Is there objection?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

THE SOLDIERS' VOTE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Speaker, in reply to the gentleman from Pennsylvania [Mr. WEISS] I desire to say that Senator CARTER GLASS did not make any speech on the veterans' vote bill. That distinguished gentleman has been in bed sick for many months, as we all know.

We who are trying to work out a plan to enable the men to vote in a constitutional election are following in the course CARTER GLASS pursued for 50 years.

Besides, the ones who are clamoring for a national ballot overlook the fact that these men want the right to vote for State, county, and local officials, as well

as for Congressman, without the risk of having the law declared unconstitutional and throwing the entire election into confusion.

The members of the Committee on the Election of President, Vice President, and Representatives in Congress are trying in every way we can to work out a bill that will meet the constitutional test and enable every qualified voter in the armed forces to vote in the coming election for every official from the President of the United States down to constable, and we are not going to be intimidated by these attacks, no matter where they come from.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, of course, I understand that my colleague from Mississippi did not have reference to me when he spoke of the gentleman from Pennsylvania. Nevertheless, so that the record will be clear, I would like to emphasize at this point that notwithstanding the fact that the Senator from Virginia did not make a speech, he actually did write a letter to Senator LUCAS of Illinois, emphatically endorsing the Senator's bill.

Mr. RANKIN. Will the gentleman yield?

Mr. BRADLEY of Pennsylvania. I am sorry, I cannot yield, as I only have a minute. I would like to yield to the gentleman. I want to say this with respect to the constitutionality of the act, the gentleman is concerned about State's rights and he is concerned about a poll tax and he is concerned about the need for registration of the servicemen as voters. This Congress has already decided on that. We have already passed Public Law No. 712, in the Seventy-seventh Congress, eliminating the requirements of a poll tax and of registration for men in the armed forces. So there is no need for anyone to hide behind that subterfuge with respect to soldiers voting on a Federal ballot in this election. Those who hide behind that subterfuge are simply beclouding the issue. Let them take their stand right out in the open. Do they favor our soldiers being given the opportunity to vote, or do they think that men who are ready to die for our flag and our country should be deprived of the privilege of the ballot? There are no two ways about it and anything that the gentleman from Mississippi or anyone may say to the contrary, does not remove that as the main issue, the right of the men in the armed forces to vote in the Federal elections.

Mr. RANKIN. Will the gentleman yield?

The SPEAKER. The time of the gentleman has expired.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House further for 30 seconds.

The SPEAKER pro tempore. If that is agreeable to the other Members who have special orders, the gentleman may proceed.

Is there objection?

There was no objection.

Mr. BRADLEY of Pennsylvania. I yield to the gentleman from Mississippi.

Mr. RANKIN. I just want to say to the gentleman from Pennsylvania that we are not hiding behind anything of the kind and we know what we are doing. We are providing a method for a constitutional election for Federal, State, and county officials.

Mr. BRADLEY of Pennsylvania. I know what I am doing. I am quite sure the gentleman from Mississippi and those who oppose the right of soldiers to vote know what they are doing, too.

WASTE-PAPER BAGS VERSUS COTTON BAGS

Mr. HARE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. HARE. Mr. Speaker and gentlemen of the House, it is generally understood that Solomon was the wisest of men. I heard the famous comedian, Nat Wills, say several years ago that it was not surprising that he was the wisest man, because he had over 1,000 women bringing the news to him every day. I rise for the purpose of bringing to the attention of the House some news that was brought to me recently by a few men—not 1,000 women. I do not know whether the information has increased my wisdom or not, but it is sufficient to put some of us on notice as to what may be going on. I understand and know that we are having a great drive on to increase the amount of pulpwood in order to supply sufficient paper to meet the demands of our war-production program and our war efforts. We are cutting wood and felling the forests and gathering all the waste paper available. But it has been brought to my attention that all wood pulp or pulpwood and all of the refuse and waste paper has been turned over to the paper manufacturers, but instead of using the paper for the purpose for which it was intended—to promote the war effort—they are converting material into paper bags to store and ship commercial fertilizers. They are converting them into paper bags to store and ship poultry feed; converting them into paper bags to store and ship grain, dairy feed, and so forth, despite the fact we have somewhere between 12,000,000 and 18,000,000 bales of surplus cotton that can make the finest bags in the world for use in storing and shipping such products. The point I want to emphasize is this: If paper manufacturers can go out and legitimately compete with cotton manufacturers and cotton growers by using paper bags in place of cotton bags, that is all right. But I want to enter a protest against any agency of the Federal Government going out and contributing to such a program under the pretext we are contributing to the war effort, whereas they are actually developing a colossal industry by destroying another.

I am not fully advised as to what proportion of the available supply of paper material is being converted into paper bags for use heretofore supplied by use of cotton bags, but I have a feeling that if all commercial fertilizers, poultry feed, dairy feed, and so forth, are to be stored and shipped in paper bags the quantity of such material remaining for use in our war-production program will be greatly reduced and our war effort will, therefore, be greatly hampered or delayed. I do not think anyone will deny that cotton bags have proven to be highly satisfactory for the purposes mentioned, and since there is such a tremendous surplus of raw cotton that can easily and readily be converted into bags, I cannot see any justification for any agency of the Government to become interested in securing materials for making paper further than that which may be necessary to meet the demands of our war efforts. That is, it really looks foolish to take a material so badly needed in our war effort and allow it to be converted into paper to take the place of an almost inexhaustible supply of cotton material to meet civilian demands, and at the expense of our war program.

The SPEAKER pro tempore (Mr. COLMER). The time of the gentleman from South Carolina has expired.

Under previous order of the House, the gentleman from Indiana [Mr. MADDEN] is recognized for 20 minutes.

SLOVAKS OF AMERICA

Mr. MADDEN. Mr. Speaker, in the midst of war, upon the result of which the whole future of civilization depends, I can speak with a deep sense of satisfaction and pride at the manner in which the Slovaks of America have comported themselves on the war front and on the home front. I refer particularly to the Slovak response to our Government's request for the Third War Loan.

As Representative of the First District of Indiana, I wish to extend my hearty congratulations to the Slovaks of America and the American-Slovak War bond committee, of which Rev. John J. Lach, of Whiting, Ind., is the national chairman, for the outstanding success of their patriotic effort and cooperation with our military forces. This committee appointed by Secretary Morgenthau set out to reach a bond-sale quota of $6,000,000 but at the close of their drive, were happy to announce an oversubscription of more than 90 percent, the same totaling approximately $11,000,000. These patriotic Americans have thus demonstrated once again their depth of loyalty to the United States, its Government, and people, and the sincerity of their desire to see America carry on the war to victory. Their task was hard and difficult as this bond drive covered all communities in the United States. Enthusiastic local committees with the help of devoted Slovak priests were untiring in bringing their parishes to the realization of their Government's needs in this crisis.

Special commendation and praise should be given the following Slovak newspapers of America for their untiring

effort in this campaign: Slovenská Obrana, Catholic Falcon, Jednota, Osadné Hlásy, Sloboda, Zenská Jednota, Pennsylvania Slovak Jednota, Slovensky Občan, Narod, Narodné Noviny and Slovak v Amerike.

Also the various State chairmen who assisted in making this drive a success, namely: Rev. Clement Mlynarovich, Indiana Harbor, Indiana State chairman; Rev. John Fedor, Chicago, Illinois State chairman; Rev. Casimir Cvercko, Milwaukee, Wisconsin State chairman; Rev. Joseph Zalibera, Detroit, Michigan State chairman; Rev. Leo Rehak, O. S. B., Cleveland, Ohio State chairman; Rev. Martin Rubicky, Clairton, Pennsylvania State chairman; Rev. Florian Billy, O. M. C., Schenectady, New York State chairman; Rev. John Rura, Perth Amboy, New Jersey State chairman; Dr. Michael Simko, Bridgeport, Connecticut State chairman; Rev. Joseph Ferenz, Webster, Massachusetts State chairman; Mr. Michael Marcak, Lisbon Falls, Maine State chairman; Mr. Michael M. Vargo, Lakefield, Minnesota State chairman; Mr. Stephen Strecansky, Benwood, West Virginia State chairman; Rev. J. A. Hurcik, St. Louis, Missouri State chairman.

The above-stated chairmen worked in cooperation with the national executive committee, consisting of the Right Reverend Francis J. Dubosh, Paul Jamriska, Mrs. Julia Krajcovic, and John A. Kocur.

It is by no means the first time this group of citizens has responded generously to the call of the Government for war funds, for the records show that Slovak-Americans have more than met their quotas each time there has been a demand for funds to prosecute the war, and I venture to predict that in the Fourth War Loan drive there will be no let down in their enthusiastic response.

The Slovak citizens of the United States, though comparatively small in number, yield to no other racial groups in loyal devotion to our flag and all that it stands for in the eyes of the world. They have a double interest in the winning of the war by America and her allies of the United Nations—first, their prime interest as patriotic Americans, and, secondly, a very special interest, because their kindred in Europe lie prostrate under the steel-shod heel of nazi-ism. Hence, their youth is serving in all the armed forces of the United States; their young women are found in the Army and Navy auxiliaries.

The Slovaks of America and their ancestors have advocated freedom for centuries and they looked with nationalistic fervor on this, the promised land of civil and religious liberty. Thanks be to Him who doeth all things well, they found here in the United States the conditions for which their souls longed. They found not only the perfect religious liberty which enabled them forthwith to build their own churches and schools, establish their own priesthood, and worship freely as they wished, but also the civil liberties which gave them the long-suppressed feeling of freemen. They were emancipated from the inhibitions and terrors of the European system of domination by minorities. They became an integral part of the American commonwealth.

The record of their race in this country has been one of steady progress in Americanization and good citizenship. In every community in which Slovaks have settled, their sterling character, their industry and integrity have left a deep and lasting impression. They are intensely religious by nature and tradition. Their church is to them the center and hub of the community, and they are invariably law-abiding. They observe the laws of man, because their lives and conduct are soundly based upon the eternal laws of God. Their religious faith and practice helps them to enrich the community with the moral and spiritual leaven of practical Christianity, with model citizenship as its inevitable development, and so they have become thoroughly assimilated into the great family of American citizens and find a welcome wherever they make their homes. They know the duties and responsibilities of citizenship, as well as they recognize and appreciate its rights and privileges. And in such national emergencies as the present, they will always be found ready and anxious to do their patriotic part.

But it is not only by buying bonds that the Slovaks of America are again cooperating with the United States Government to the fullest extent of their ability and their resources. They are engaged in every field of activity connected with the equipment and maintenance of our armed forces on land, on the sea, and in the air; and they work with greater zeal and assiduity because they have sons and brothers serving in each and every one of those forces, which are scattered around the globe today as no nation's army and navy ever were scattered before. Whatever their work on the home front, whether it be on the farm, in the factory, or in the depths of the mine, Slovak-Americans are putting forth their utmost efforts, spurred by the ever-present thought that they are working to maintain their brethren in the field and camp, and working, too, to win the war.

The very idea of a war for human freedom captivates the Slovak mind. Centuries of oppression and persecution by ruthless tyrants in Europe have engrained the hopeful prospect of a free world in the subconsciousness of every member of the race. The possibility of its realization through present hostilities against the forces of aggression and domination leaves but one burning desire in the Slovak heart, the desire for victory, complete and as speedy as possible.

With victory now on the horizon, our Government can rest with great contentment on the fact that our numerous races and various nationalities in this country have not only contributed their money, but have cooperated by enduring bitter hardships and inconveniences that America, this great land of the "four freedoms" can continue to endure.

The SPEAKER pro tempore. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to incorporate in the RECORD, an editorial by Mr. H. B. Snyder, editor of the Gary Post-Tribune.

The SPEAKER pro tempore. Is there objection?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. NEWSOME, from January 17 through January 21, inclusive, on account of official business in the District.

ADJOURNMENT

Mr. McCORD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 24 minutes p. m.) the House adjourned until tomorrow, Friday, January 14, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE PUBLIC LANDS

The Committee on the Public Lands has postponed the hearing on H. R. 2596, which was previously scheduled for Friday, January 14, 1944, until Tuesday, January 18, 1944, at 10 a. m.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will hold hearings at 10 a. m. Monday, January 17, 1944, on general legislative proposals.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold hearings on Tuesday, January 18, 1944, at 10:30 a. m., in the committee room, 247 House Office Building, on H. R. 1358 and H. R. 1512, bills granting pensions and increase of pensions to certain soldiers, sailors, and marines who served in the Pulajane and Moro campaigns and other uprisings in the Philippine Islands from July 16, 1903, to December 31, 1913, and for other purposes, which were introduced by Representative HAROLD C. HAGEN, of Minnesota.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization on Wednesday, January 19, 1944, at 10 a. m., for the consideration of private bills.

The Committee on Immigration and Naturalization will hold hearings at 10:30 a. m. on Thursday, January 20, 1944, on H. R. 2701, H. R. 3012, H. R. 3446, and H. R. 3489.

COMMITTEE ON THE MERCHANT MARINES AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 3, 1944, at 10 a. m., on H. R. 2809, to amend section 511 of the Merchant Marine Act, 1936, as amended.

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of subtitle "Insurance of Title II

of the Merchant Marine Act, 1936," as amended.

EXECUTIVE COMMUNICATIONS, ETC.

1072. Under cause 2 of rule XXIV, a letter from the Comptroller General of the United States, transmitting a report of an investigation by representatives of this office of contracts and other records of the United States Maritime Commission relating to the purchase by the Commission of 10 vessels from the Southern Pacific Co. under contract dated June 10, 1941, for $4,733,952, was taken from the Speaker's table and referred to the Committee on Expenditures in the Executive Departments.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAY: Committee on Military Affairs. S. 1543. An act to provide for mustering-out payments to members of the armed forces, and for other purposes; with amendment (Rept. No. 986). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of Georgia:

H. R. 3956. A bill to amend the Federal Reserve Act, as amended, to provide that the absorption of exchange and collection charges shall not be deemed the payment of interest on deposits; to the Committee on Banking and Currency.

By Mr. MANSFIELD of Montana:

H. R. 3957. A bill to provide for the education and training of members of the armed forces and the merchant marine after their discharge from service, and for other purposes; to the Committee on Education.

By Mr. VINSON of Georgia:

H. R. 3958. A bill to authorize the Secretary of the Navy to accept gifts and bequests for the United States Naval Academy, and for other purposes; to the Committee on Naval Affairs.

By Mr. McCORD:

H. R. 3959. A bill to amend the Defense Highway Act of 1941, as amended; to the Committee on Roads.

By Mr. DIMOND:

H. R. 3960. A bill to amend section 6 of an act of Congress entitled "An act for the protection of the fisheries of Alaska, and for other purposes," approved June 6, 1924; to the Committee on the Merchant Marine and Fisheries.

By Mr. MANSFIELD of Texas:

H. R. 3961. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. SMITH of Virginia:

H. R. 3962. A bill to prohibit strikes and other interruptions of production during the present war; to the Committee on Labor.

By Mr. ELLIOTT:

H. R. 3963. A bill to amend the Emergency Price Control Act of 1942, as amended; to the Committee on Banking and Currency.

By Mr. GEARHART:

H. R. 3964. A bill to amend the Emergency Price Control Act of 1942, as amended; to the Committee on Banking and Currency.

By Mr. PHILLIPS:

H. R. 3965. A bill to amend the Emergency Price Control Act of 1942, as amended; to the Committee on Banking and Currency.

By Mr. BROOKS:

H. R. 3966. A bill to provide 4–H classifications for persons discharged under a medical certificate of disability, and for other purposes; to the Committee on Military Affairs.

By Mr. KNUTSON:

H. R. 3967. A bill granting the consent of Congress to the Minnesota Department of Highways and the county of Crow Wing, in Minnesota, to construct, maintain, and operate a free highway bridge across the Mississippi River at Mill Street in Brainerd, Minn.; to the Committee on Interstate and Foreign Commerce.

By Mr. GATHINGS:

H. J. Res. 221. Joint resolution to insure the complete fulfillment of commitments made to producers who have expanded production of nonbasic agricultural commodities; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARENDS:

H. R. 3968. A bill for the relief of Artie D. Lakin; to the Committee on Military Affairs.

By Mr. FLANNAGAN:

H. R. 3969. A bill for the relief of Mrs. Edward B. Formanek; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4268. By Mr. BROWN of Ohio: Petition of 53 residents of Madison County, Ohio, urging the passage of Senate bill 860 and House bill 2082; to the Committee on the Judiciary.

4269. Also, petition of 60 residents of Clark County, Ohio, urging the passage of House bill 2082; to the Committee on the Judiciary.

4270. By Mr. CUNNINGHAM: Petition of 545 citizens of Iowa, urging support of House bill 2082; to the Committee of the Judiciary.

4271. By Mr. DOUGLAS: Petition of approximately 5,000 citizens of the Thirty-third Congressional District of New York State, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4272. By Mr. FELLOWS: Petition of William T. Maybury, of Bangor, Maine, and 389 others, opposing the Bryson bill; to the Committee on the Judiciary.

4273. By Mr. FISH: Petition of 100 residents of Carmel, East Fishkill, and Peekskill, N. Y., opposing any legislation or restrictions which may be proposed that may bring about partial or national prohibition; to the Committee on the Judiciary.

4274. Also, petition of 120 residents in my district from Newburgh, Poughkeepsie, Wappingers Falls, Beacon, and Milton, N. Y., opposing any legislation or restrictions which may be proposed that may bring about partial or national prohibition; to the Committee on the Judiciary.

4275. By Mr. HANCOCK: Resolution of the Technology Club of Syracuse, N. Y., with a membership of 950, E. P. Crowell, president, opposing Senate bill 702; to the Committee on Military Affairs.

4276. By Mr. HEIDINGER: Communications from Martin C. Wittke, Laurence Korte, C. S. Adkins, Walter E. Dyer, Shennan Sommer, all of Metropolis, and F. E. Geltner, of Brookport, representative citizens of Massac County, Ill., opposing subsidies as being economically unsound; to the Committee on Appropriations.

4277. By Mr. HOEVEN: Petition of sundry citizens of LeMars, Iowa, urging support of House bill 2082, to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war and until the termination of mobilization; to the Committee on the Judiciary.

4278. By Mr. KEARNEY: Petition of Henry S. Amos and 20 other citizens of Gloversville, N. Y., urging the passage of House bill 2082; to the Committee on the Judiciary.

4279. Also, petition of Jay Collins and 38 other citizens of Fulton County, N. Y., urging the passage of House bill 2082; to the Committee on the Judiciary.

4280. Also, petition of George M. Pulver, of Schenectady, N. Y., and 52 other citizens of New York State, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4281. By Mr. LECOMPTE: Petition of Mrs. A. C. Axmear and other citizens of Keokuk County, Iowa, in the interest of the Bryson bill, H. R. 2082, to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war, by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States; to the Committee on the Judiciary.

4282. By Mr. LEWIS: Petition of F. B. Gilhousen and 34 other residents of Barnesville, Ohio, and vicinity, asking for passage of Senate bill 860; to the Committee on the Judiciary.

4283. By Mr. REED of Illinois: Petition of Fred C. Casper, of Elmhurst, and 230 other citizens of Illinois, protesting against enactment of prohibition legislation; to the Committee on the Judiciary.

4284. By Mr. ROHRBOUGH: Petition of C. M. Garrett and 11 other citizens of Lewis County, W. Va., advocating stoppage of sale of beer in military camps, the suspension of manufacture, sale, transportation, importation, and exportation of beverage alcohol for the duration of the war, passage of the Bryson bill (H. R. 2082), etc.; to the Committee on the Judiciary.

4285. Also, petition of Mrs. A. R. Wolfe and 20 other citizens of Grantsville, W. Va., requesting passage of the Bryson bill (H. R. 2082) providing for wartime prohibition; to the Committee on the Judiciary.

4286. By Mrs. SMITH of Maine: Petition of James G. Lagorio and other citizens of Pittsfield, Maine, protesting against consideration by Congress of the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

4287. Also, petition of Joseph G. Pepin, of Augusta, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4288. Also, petition of Remi Labbe, of Hallowell, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

4289. Also, petition of Hector A. Lerette, of Hallowell, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

4290. Also, petition of Lewis N. Kesairs, of Hallowell, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

4291. By Mr. WILLEY: Petition of sundry citizens of the State of Delaware, asking for the enactment of House bill 2082; to the Committee on the Judiciary.

4292. By Mr. WEISS: Petition concerning the soldiers' vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

SENATE

FRIDAY, JANUARY 14, 1944

(Legislative day of Tuesday, January 11, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou God of love and hope, through all the length of changing years Thy goodness faileth never; grant us of Thy mercy a valiant heart for any duty which this day may be entrusted to our fidelity. In times of strain and stress lay Thy cooling hand upon our fevered pulses. May we tread the climbing path with head uplifted and with smiling face. In a confused day save us from any panic of spirit; may we draw our inner strength from deep wells. May the highest truth illumine the nearest duty and our holiest aspirations transfigure the humblest task. May we be brave enough to bear the truth and to follow its gleam wherever it may lead us, so that by Thy grace we may not be found wanting in this hour of crisis.

Hasten the day when the black remnants of savagery which now blight our social order shall haunt the memory of a new generation but as an evil dream of a night that is past. By the fierce fires of global strife may barriers to brotherhood be burned away and mankind whose inmost needs are one find at last the refuge of the one fold and the one Shepherd. Amen.

ATTENDANCE OF SENATORS

C. WAYLAND BROOKS, a Senator from the State of Illinois; JOHN A. DANAHER, a Senator from the State of Connecticut; and EDWARD H. MOORE, a Senator from the State of Oklahoma, appeared in their seats today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, January 12, 1944, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

CALL OF THE ROLL

Mr. THOMAS of Utah. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Bridges	Caraway
Andrews	Brooks	Chavez
Austin	Buck	Clark, Mo.
Bailey	Burton	Connally
Ball	Bushfield	Danaher
Barkley	Butler	Davis
Bone	Byrd	Downey
Brewster	Capper	Eastland
Ferguson	McKellar	Shipstead
George	Maloney	Stewart
Gerry	Maybank	Thomas, Idaho
Gillette	Mead	Thomas, Okla.
Green	Millikin	Thomas, Utah
Gurney	Moore	Truman
Hayden	Murdock	Tunnell
Hill	Murray	Tydings
Holman	O'Daniel	Vandenberg
Johnson, Colo.	O'Mahoney	Van Nuys
Kilgore	Overton	Walsh, Mass.
La Follette	Radcliffe	Walsh, N. J.
Langer	Reed	Wheeler
Lodge	Revercomb	White
Lucas	Reynolds	Wiley
McClellan	Robertson	Willis
McFarland	Russell	Wilson

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Washington [Mr. WALLGREN] is absent on official business for the Special Committee to Investigate the National Defense Program.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Louisiana [Mr. ELLENDER], the Senator from Nevada [Mr. MCCARRAN], the Senator from South Carolina [Mr. SMITH], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from New Mexico [Mr. HATCH] and the Senator from Nevada [Mr. SCRUGHAM] are detained from the Senate because of slight colds.

The Senator from Pennsylvania [Mr. GUFFEY] is absent on public business.

The Senator from Florida [Mr. PEPPER] is detained in Florida on public business.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from New Jersey [Mr. HAWKES], the Senator from North Dakota [Mr. NYE], the Senator from Ohio [Mr. TAFT], and the Senator from Nebraska [Mr. WHERRY] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is necessarily absent on public matters.

The VICE PRESIDENT. Seventy-five Senators have answered to their names. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

PURCHASE OF VESSELS BY THE MARITIME COMMISSION FROM THE SOUTHERN PACIFIC CO. (MORGAN LINE)

A letter from the Comptroller General of the United States, transmitting a report of an investigation by representatives of his office of contracts and other records of the United States Maritime Commission, relating to the purchase by the Commission of 10 vessels from the Southern Pacific Co. under contract dated June 10, 1941, for $4,733,952, etc. (with an accompanying report); to the Committee on Commerce.

EXPENDITURES OF COURT OF CUSTOMS AND PATENT APPEALS

A letter from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a statement of expenditures of appropriations for the United States Court of Customs and Patent Appeals for the fiscal year ended June 30, 1943 (with an accompanying statement); to the Committee on the Judiciary.

ESTIMATES OF PERSONNEL REQUIREMENTS OF A BUREAU AND COMMISSION

Letters, transmitting, pursuant to law, estimates of personnel requirements for the quarter ending March 31, 1944, by the Bureau of the Budget and the Interstate Commerce Commission (with accompanying papers); to the Committee on Civil Service.

REFERENCE OF THE PRESIDENT'S REPORT ON LEND-LEASE OPERATIONS

Mr. CONNALLY. Mr. President, I ask to have referred to the Committee on Foreign Relations the thirteenth report of the President on lend-lease operations for the period ended November 30, 1943, which was filed, pursuant to law, with the Secretary of the Senate during the last adjournment of the Congress.

The VICE PRESIDENT. Without objection, it is so ordered.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A letter in the nature of a memorial from Iona Gutshall (Mr. L. E. Gutshall), of Shippensburg, Pa., remonstrating against the enactment of Senate bill 1161, the general welfare bill granting old-age assistance; to the Committee on Finance.

By Mr. GREEN:

A joint resolution of the General Assembly of Rhode Island; to the Committee on Finance:

"STATE OF RHODE ISLAND AND
"PROVIDENCE PLANTATIONS,
"IN GENERAL ASSEMBLY,
"January Session, A. D. 1944.

"Joint resolution requesting the Senators and Representatives from Rhode Island in the Congress of the United States to use their earnest efforts to have enacted into law a satisfactory measure to authorize the erection of a permanent United States Veterans' Hospital in the State of Rhode Island

"Whereas the State of Rhode Island and Providence Plantations is one of the most heavily impacted military areas in the United States with the Naval War College, naval training station, naval torpedo station, naval air station, naval construction training center and advance-base depot, the naval motor torpedo boat squadrons training center, naval fuel and net depot, the naval antiaircraft training center, the magnetic survey ranges, the Army airfield at Hillsgrove, and many training centers and and forts of our harbor defenses and coast artillery; and

"Whereas every veteran organization in Rhode Island, the American Legion, the Veterans of Foreign Wars of the United States, the Disabled American Veterans of the World War, the Jewish War Veterans of the United States, and other similar organizations, the parents of men and women in service and the citizens of the State are highly in accord with the purposes of legislation which will provide sufficient hospital, domiciliary, and outpatient dispensary facilities in Rhode Island to care for the increasing number of disabled veterans of all wars and the casualties of the present conflict; Now, therefore, be it

"Resolved, That the Senators and Representatives from Rhode Island in the Congress of the United States be and they hereby are requested to use every effort to have enacted into a statute a satisfactory measure authorizing the erection of a permanent United

States veterans' hospital in the State of Rhode Island; and be it further

"Resolved, That duly certified copies of this resolution be transmitted by the secretary of state to the Senators and Representatives from Rhode Island in the Congress of the United States."

RESOLUTION OF PROVIDENCE (R. I.) CITY COUNCIL—VETERANS' HOSPITAL IN RHODE ISLAND

Mr. GREEN presented a resolution adopted by the City Council of Providence, R. I., which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Whereas there is apparent need for a veterans' hospital in the State of Rhode Island, which is one of the very few remaining States without the benefit of just such a hospital; and

Whereas the nearest hospitals of this type are located some distance from the city of Providence, and it is therefore inconvenient for residents of this city to visit patients in such hospitals; and

Whereas interest regarding a veterans' hospital is increasing daily because of the influx of service-connected cases; and

Whereas the State of Rhode Island has the necessary physical facilities for an adequate veterans' hospital: Now, therefore, be it

Resolved, That the Members of Congress representing the State of Rhode Island be and they are hereby requested to sponsor and promote the necessary legislation to the end that a veterans' hospital be erected within the State of Rhode Island; and be it further

Resolved, That a copy of this resolution expressing the opinion of this body be forwarded to the following: Gov. J. Howard McGrath, United States Senator Theodore Francis Green, United States Senator Peter G. Gerry, Congressman John E. Fogarty, Congressman Aime J. Forand.

RESOLUTION BY REPRESENTATIVES OF VERMONT FARM ORGANIZATIONS

Mr. AIKEN. I present a resolution adopted at a meeting held at Montpelier, Vt., on Thursday, December 23, 1943, by the representatives of various farm organizations of Vermont, and ask that it be printed in the RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

The Vermont farmer is endeavoring to do his part in the prosecution of the war under the serious handicap of labor and machinery shortages, poor quality roughage and concentrate feeds. He is most desirous to do his part to prevent uncontrolled inflation, as he realizes that the aftermath of serious inflation is serious depresion.

In order to produce the necessary food during the remainder of the war and the reconstruction period following and to prevent more undesirable centralization of control, the Vermont farmer believes the only practical way to allow the necessary food to be produced is by increasing the price of his product to a level in the market place that will assure him cost of production plus a reasonable profit.

He does not want subsidies, as he questions whether they will control inflation, and he is very fearful of the ultimate results if subsidies are allowed to become a part of the price of his product.

Although he is opposed to consumer subsidies in general, he believes that the class of people whose economic condition has become worse off because of the war should have the means of bringing their standards up to the level of other similar classes.

A copy of this resolution to be sent to the Vermont congressional delegation and to the Vermont Press.

R. E. Burnett, president, Windsor County Exchange; Edson E. Gifford, Vermont Farm Bureau; L. E. Grigg, director, Northern Farms Cooperative; O. L. Martin, Vermont State Grange; L. H. Marvin, Vermont State Farm Bureau; L. G. Morrill, director, Northern Farms Cooperative; Arthur Packard, president, Vermont State Farm Bureau; W. F. Sinclair, Vermont State Grange; Keith Wallace, Vermont State Farm Bureau and Mount Mansfield Cooperative Creamery.

RESOLUTIONS OF THE COURT OF COMMON COUNCIL, HARTFORD, CONN.

Mr. DANAHER presented a resolution adopted by the Court of Common Council of Hartford, Conn., which was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

OFFICE OF THE TOWN AND CITY CLERK,
Hartford, Conn., January 11, 1944.

This certifies that at a meeting of the court of common council held January 10, 1944, the following resolutions were passed, and were approved by his honor, the mayor, January 11, 1944:

"Whereas there are several bills pending in the Congress of the United States, relating to the lifting of certain educational requirements and other restrictions as a basis for admission to citizenship, those aliens who have a son or daughter in the armed forces of our country and also aliens who have resided in the United States for a prescribed number of years; and

"Whereas the passage of these measures would be in recognition of the patriotism of those aliens who have contributed their children to the service of our country and of those aliens who have manifested long and undying devotion to our country: Therefore be it

"Resolved by the Court of Common Council of the City of Hartford, That it go on record as being in favor of these measures; and be it further

"Resolved, That copies of this resolution be sent to Connecticut Senators and Congressmen."

Attest: JOHN A. GLEASON,
City Clerk.

Mr. DANAHER also presented a resolution adopted by the Court of Common Council of Hartford, Conn., which was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

OFFICE OF THE TOWN AND CITY CLERK,
Hartford, Conn., January 11, 1944.

This certifies that at a meeting of the court of common council held January 10, 1944, the following resolutions were passed, and were approved by his honor, the mayor, January 11, 1944:

"Resolved, That this court of common council endorse the Lynch-Dickstein bill now pending in Congress which proposes to ban from the mails discriminatory or derogatory literature aimed at any race, creed, or color; and be it further

"Resolved, That copies of this resolution be sent to Senator DANAHER, Senator MALONEY, and Congressman MILLER."

Attest: JOHN A. GLEASON,
City Clerk.

PROTEIN FEED SHORTAGE IN WICHITA COUNTY, KANS.

Mr. CAPPER. Mr. President, I desire to call the attention of the Senate to a memorial just received by me from the Wichita County (Kans.) Farm Bureau, urging shipment of sorely needed protein feed to that county. The memorial is signed G. O. Lower, of Leoti, Kans., and 14 other farmers and stockmen of that community.

The memorial points out that there are 10,000 cattle and 3,000 sheep on 325 farms in Wichita County that must be fed. If proteins are not available, these animals must be marketed largely before really cold weather sets in for the winter. This without regard to whether the animals are ready for market or not.

Mr. President, the Kansas delegation in Congress, and also delegations from other States similarly affected, have been working to get these protein feeds distributed where they are most needed. Since the middle of December we have secured, through the Commodity Credit Corporation, the allocation of some 257 cars of protein feeds for Kansas, to be delivered before February 1. Getting the cars delivered seems to be another matter, but I am informed that some cars are on the way. I am hopeful that by this time at least 1 of the cars destined for Wichita County has arrived. The shortage of proteins is especially serious throughout the Great Plains area, where many cattle and sheep will perish if proteins do not arrive in time. I ask unanimous consent to have printed in the RECORD at this point and appropriately referred the memorial which I have mentioned.

There being no objection, the memorial was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

WICHITA COUNTY FARM BUREAU,
Leoti, Kans.

We, the undersigned members of the Wichita County Farm Bureau, protest the protein shortage situation in Wichita County.

We have approximately 10,000 cattle and 3,000 sheep on 325 farms to feed. We do not have wheat pasture, which frequently is the source for protein for our livestock.

Unless protein supplements are made available, it is going to be necessary to move our cattle and sheep to market as the winter storms come. I think an adjustment should be made in the price ceilings on these supplements to make for equitable distribution from the processing plants to the farmers and stockmen.

G. O. Lower, Leoti, Kans.; B. C. Kough, Scott City, Kans.; L. G. Henry, Leoti, Kans.; Chas. F. Durham, Selkirk, Kans.; Geo. M. Woodbury, Arthur R. McCowan, Alvin T. Warrington, Otto Krenzel, Leoti, Kans.; Richard Hobson, Marienthal, Kans.; Lee Oldham, Ernest Krenzel, E. C. Sowers, Dan Brack, H. W. Kuhlmans, H. A. Carothers, Leoti, Kans.

FOOD SUBSIDIES

Mr. CAPPER. While I have the floor, Mr. President, I also ask unanimous consent to have printed in the RECORD and appropriately referred a letter from Mr.

and Mrs. Axel E. Pearson, former Kansans now living in Washington, D. C., in opposition to consumer-food subsidies.

There being no objection, the letter was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *January 10, 1944.*
The Honorable ARTHUR CAPPER,
Senator from Kansas,
Washington, D. C.

DEAR SIR: We are Kansas voters living in Washington, D. C.

We wish to convey our appreciation of what you have done for the people of Kansas and to express our opposition to the continuation of food subsidies, price ceilings, rationing, Office of Price Administration and the multiplex income-tax system.

We think the parity prices for wheat are out of date.

Believe us,

Yours very truly,

EUGENIA DE WALD PEARSON.
AXEL E. PEARSON.
(Mr. and Mrs. Axel E. Pearson.)

LACK OF RAILROAD CARS IN THE NORTHWEST FOR WHEAT SHIPMENTS

Mr. LANGER. Mr. President, a few days ago I told the Senate about the desperate situation of the farmers in the Northwest because of their inability to ship wheat. I ask unanimous consent that there be printed in the RECORD several telegrams I have received, yesterday and today, dealing with that situation, in view of the fact that 200 empty railroad cars are now being sent to Canada in which to bring in Canadian wheat.

The VICE PRESIDENT. Is there objection to the request of the Senator from North Dakota?

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

ARTHUR, N. DAK., *January 13, 1944.*
Hon. WILLIAM LANGER,
Senator:

Our elevator is blocked. Getting empties is like butting our heads against a stone wall. Sending 200 empties per day to Canada will aggravate the situation.

FARMERS ELEVATOR CO.

SCRANTON, N. DAK., *January 13, 1944.*
Senator WILLIAM LANGER,
Senate Office Building:

Protest order sending grain cars to Canada. Elevators full. Car situation critical.

SCRANTON EQUITY EXCHANGE,
SAM ELLENBAUM, *Manager.*

REGENT, N. DAK., *January 13, 1944.*
Hon. WILLIAM LANGER,
Washington, D. C.:

Protest order of O. D. T. turning cars over to Canada. Elevators filled to full capacity with wheat. Ceiling prices on wheat. Elevators paying interest and insurance. No cars here past 3 days.

REGENT COOPERATIVE EQUITY EXCHANGE.
WESTERN LUMBER & GRAIN CO.
OSBORNE MCMILLAN ELEVATOR CO.

OSNABROCK, N. DAK., *January 13, 1944.*
Senator WILLIAM LANGER,
Senate Office Building:

Do all possible head off ruling requiring railways furnish 200 cars per day to Canada. We are blocked with grain. Farmers have thousands of bushels unable to move on account of our being unable to get sufficient cars.

RASMUSSON GRAIN CO.

BROCKET, N. DAK., *January 14, 1944.*
Hon. WILLIAM LANGER,
United States Senate,
Washington, D. C.:

We vigorously protest O. D. T. order to deliver 200 cars daily to Canada for grain loading. Our elevators practically blocked with cash grain ready for shipment due to car shortage.

BROCKET GRAIN CO.

WINDSOR, N. DAK., *January 13, 1944.*
Senator WILLIAM LANGER,
Washington, D. C.:

We are vigorously opposed to recent order of O. D. T. allotting 200 grain cars to Canada for grain loading per day when our elevators are blocked because we cannot get empty grain boxes.

WINDSOR FARMERS COOPERATIVE
ELEVATOR ASSOCIATION.

GLENULLEN, N. DAK., *January 14, 1944.*
Senator LANGER:

We are informed that the O. D. T. at Washington ordered the railroad to deliver 200 empty boxcars a day to Canada for grain loadings. It is our opinion that our North Dakota grain should be moved first. We are 90 percent of the time blocked in our elevators. We have orders with the railway company for 80 empty cars and we can get only from 3 to 5 cars a week. See what you can do to get empties diverted to our section of the country.

GLENULLEN ROLLER MILLS.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. AUSTIN, from the Committee on the Judiciary:

H. R. 3408. A bill to amend chapter 7 of the Criminal Code; with amendments (Rept. No. 629).

By Mr. GILLETTE, from the Committee on Agriculture and Forestry:

S. Res. 232. Resolution to increase the limit of expenditures for the investigation relative to the production of industrial alcohol, synthetic alcohol, and synthetic rubber; without amendment, and, under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate..

ADDITIONAL COPIES OF SENATE REPORT NO. 627 OF THE REVENUE ACT (H. R. 3687)

Mr. HAYDEN. Mr. President, as chairman of the Committee on Printing, I report favorably from that committee, without amendment, Senate Concurrent Resolution 30, and ask unanimous consent for its present consideration.

There being no objection, the concurrent resolution (S. Con. Res. 30, submitted by Mr. HAYDEN on January 12, 1944) was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 8,500 additional copies of Senate Report No. 627, current Congress, on the bill (H. R. 3687) entitled "Revenue Act of 1943," of which 5,000 copies shall be for the use of the House document room, 2,000 copies for the Senate document room, 1,000 copies for the Senate Committee on Finance, and 500 copies for the Committee on Ways and Means of the House of Representatives.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLMAN:

S. 1643. A bill granting an increase in pension to Rosa Bell Eckenberger; to the Committee of Pensions.

By Mr. LA FOLLETTE:

S. 1644. A bill for the relief of Annie L. Nesbitt and others; to the Committee on Interoceanic Canals.

By Mr. WHEELER:

S. 1645. A bill relating to the administration of the Glacier National Park Fish Hatchery at Creston, Mont., and for other purposes; to the Commitee on Commerce.

By Mr. LANGER:

S. 1646. A bill to provide for continuing the pay of members of the armed forces for 12 months following the date of discharge from the service, and for other purposes; to the Committee on Military Affairs.

TRAINING OF NURSES—CHANGE OF REFERENCE

Mr. WALSH of Massachusetts. Mr. President, I ask unanimous consent that the Naval Affairs Committee be discharged from further consideration of Senate bill 1633, and that the bill be referred to the Committee on Education and Labor. The subject matter of the bill is somewhat foreign to the activities of the Naval Affairs Committee and is within the scope of the authority of the Committee on Education and Labor.

The reason why the bill was referred originally to the Naval Affairs Committee was because it had been introduced at the request of the Navy through me and referred to the Committee on Naval Affairs.

The VICE PRESIDENT. Is there objection to the request of the Senator from Massachusetts?

Mr. WHITE. Mr. President, reserving the right to object, is it the Senator's opinion that the Committee on Education and Labor is the proper committee to which the bill should be referred?

Mr. WALSH of Massachusetts. Yes. I will read the title of the bill.

A bill to amend the act entitled "An act to provide for the training of nurses for the armed forces, governmental and civilian hospitals, health agencies, and war industries, through grants to institutions providing such training, and for other purposes," approved June 15, 1943, so as to provide for the full participation of institutions of the United States in the program for the training of nurses, and for other purposes.

The bill would be in the nature of an amendment to the act. I believe the Committee on Education and Labor recently dealt with the subject matter.

The VICE PRESIDENT. Without objection, the Committee on Naval Affairs will be discharged from the further consideration of Senate bill 1633, and it will be referred to the Committee on Education and Labor.

SUPPLY AND DISTRIBUTION OF FARM LABOR—AMENDMENT

Mr. HAYDEN submitted an amendment proposing to appropriate $1,359,200 to enable the War Manpower Commission to provide, in accordance with regulations prescribed by the Chairman of the Commission, for the temporary migration of workers from foreign countries, and so forth, intended to be proposed by him to the joint resolution (H. J. Res. 208) making an appropriation

to assist in providing a supply and distribution of farm labor for the calendar year 1944, which was referred to the Committee on Appropriations, and ordered to be printed.

AMENDMENTS TO THE REVENUE ACT

Mr. ANDREWS, Mr. BALL, Mr. CLARK of Missouri, Mr. DOWNEY, Mr. GILLETTE, Mr. HAYDEN, and Mr. MAYBANK each submitted an amendment intended to be proposed by them, respectively, to the bill (H. R. 3687) to provide revenue, and for other purposes, which were severally ordered to lie on the table and to be printed.

Mr. TRUMAN. Mr. President, I submit an amendment on behalf of the senior Senator from New Mexico [Mr. HATCH] to House bill 3687, the tax bill, which I ask to have printed and lie on the table.

The VICE PRESIDENT. Without objection, the amendment intended to be proposed by the Senator from New Mexico [Mr. HATCH] will be received, printed, and lie on the table.

REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL CIVILAN EMPLOYMENT, NOVEMBER 1943

Mr. BYRD. Mr. President, I wish to present a report on the number of civilian employees in the executive branch of the Federal Government for the month of November 1943.

Total number of employees for November 1943, is 2,974,002 which is an increase of 5,069 over the revised figure of 2,968,933 for the month of October 1943. However, this net increase is due to the Post Office Department having perfected their reporting machinery so as to give an actual count of the temporary substitute employees whereas previously only an estimate has been made of these employees; and to 1,039 seasonal workers employed by the Post Office Department to handle the Christmas mail.

There has been a net decrease of 121,461 employees since the month of June 1943 when civilian employment in the executive branch reached the peak figure of 3,095,463.

Since October 1943, 31 departments and agencies have eliminated 23,617 employees while 31 departments and agencies have increased the number of their employees by 28,686 employees.

Greatest increases were made by the following departments and agencies: Navy Department, 7,492; Treasury Department, 1,456; Office of Price Administration, 495; Veterans' Administration, 409; Civil Service Commission, 362; and General Accounting Office, 286.

The War Department again shows a substantial decrease of 14,260 employees. Three thousand six hundred and seven of this reduction are from the employees of the regular services of the War Department while 508 is a reduction in the number of force account employees and 10,145 is a reduction of the number of employees in terminal leave status.

Other departments and agencies showing substantial reductions in the number of their employees were: Department of the Interior, 2,294; Commerce Department, 1,848; Agriculture Department, 1,681; Tennessee Valley Authority, 1,138; and the Panama Canal, 482.

Mr. President, I ask unanimous consent to present the report on behalf of the Joint Committee on Reduction of Nonessential Federal Expenditures, on Government personnel for the month of November, and ask that it be printed in the body of the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

Federal civilian employment, by department and agency, for months of October and November 1943, showing increases and decreases in number of paid employees

Department or agency	October	November	Increase (+) or decrease (−)
Office of the President [1]	578	578	0
State Department	8,288	8,497	+209
Treasury Department	84,396	85,852	+1,456
War Department	1,242,742	1,228,482	−14,260
Justice Department	30,289	30,191	−98
Post Office Department	[2] 334,274	350,982	+16,708
Navy Department [3]	699,365	706,857	+7,492
Interior Department	41,118	38,824	−2,294
Agriculture Department	84,108	82,427	−1,681
Commerce Department	33,295	31,447	[4]−1,848
Labor Department	6,071	5,909	−162
NATIONAL WAR AGENCIES			
Committee on Fair Employment Practice	100	103	+3
Division of Central Administrative Services	[5] 4,599	4,641	+42
National War Labor Board	3,308	3,082	−226
Office of Alien Property Custodian	1,041	1,039	−2
Office of Civilian Defense	1,112	1,048	−64
Office of Coordinator of Inter-American Affairs	1,311	1,339	+28
Office of Defense Transportation	5,002	5,045	+43
Office of Economic Stabilization	7	7	0
Office of Scientific Research and Development	1,397	1,112	[6]−285
Office of War Information	4,876	5,008	+132
Office of War Mobilization	12	15	+3
Smaller War Plants Corporation	1,591	1,605	+14
War Production Board	17,232	17,266	+34
War Manpower Commission [7]	25,452	25,129	−323
Selective Service System	23,934	23,758	−176
War Relocation Authority	1,839	1,943	+104
War Shipping Administration	4,163	4,395	+232
Foreign Economic Administration	[8] 6,269	[8] 6,257	−12
Office of Censorship	11,979	12,165	+186
Office of Price Administration	54,566	55,061	+495
Office of Strategic Services	1,574	1,622	+48
Petroleum Administrator for War	1,446	1,422	−24
INDEPENDENT ESTABLISHMENTS			
American Battle Monuments Commission	1	1	0
Board of Investigation and Research—Transportation	86	79	−7
Civil Aeronautics Board	314	320	+6
Civil Service Commission	6,493	6,855	+362
Employees' Compensation Commission	528	532	+4

[1] Includes only Bureau of the Budget and the National Resources Planning Board.
[2] Revised.
[3] Includes 10,324 employees of stations in the hands of the enemy.
[4] Decrease due in part to 763 cotton agents paid in October but not paid in November.
[5] Corrected. Our October report should have shown a decrease of 168 instead of an increase of 188.
[6] Due to reduction in the number of without-compensation employees on their roll.
[7] Includes Training within Industry and the U. S. Employment Service. Also includes the National Youth Administration which was ordered liquidated by Dec. 31, 1943. Does not include the Selective Service System.
[8] Includes employees of the Lend-Lease Administration now transferred to Foreign Economic Administration.

Federal civilian employment, by department and agency, for months of October and November 1943, showing increases and decreases in number of paid employees—Con.

Department or agency	October	November	Increase (+) or decrease (−)
INDEPENDENT ESTABLISHMENTS—continued			
Export-Import Bank of Washington	59	60	+1
Federal Communications Commission	[9] 2,218	2,200	−18
Federal Deposit Insurance Corporation	1,101	1,088	−13
Federal Power Commission	682	672	−10
Federal Security Agency	31,320	31,189	−131
Federal Trade Commission	465	463	−2
Federal Works Agency [10]	22,252	21,968	−284
General Accounting Office	10,267	10,553	+286
Interstate Commerce Commission	2,158	2,157	−1
Maritime Commission	9,293	9,475	+182
National Advisory Committee for Aeronautics	4,440	4,456	+16
National Archives	343	338	−5
National Capital Housing Authority	274	273	−1
National Capital Park and Planning Commission	19	17	−2
National Gallery of Art	257	[11] 261	+4
National Housing Agency	20,532	20,709	+177
National Labor Relations Board	788	759	−29
National Mediation Board	93	86	−7
Panama Canal	33,638	33,156	−482
Railroad Retirement Board	1,560	1,536	−24
Reconstruction Finance Corporation	7,776	7,778	+2
Securities and Exchange Commission	1,251	1,243	−8
Smithsonian Institution	418	421	+3
Tariff Commission	301	303	+2
Tax Court of the United States	121	124	+3
Tennessee Valley Authority	26,235	25,097	−1,138
Veterans' Administration	46,316	46,725	+409
Total	2,968,933	2,974,002	{+28,686 / −23,617}
Net increase			+5,069

[9] Revised.
[10] Does not include project workers.
[11] Now includes the American Commission for the Protection and Salvage of Artistic and Historic Monuments in Europe.

NOTE.—Employment figures now reported to the committee include dollar-per-annum employees and without-compensation employees of the consultant-expert type who are allowed per diem in lieu of subsistence.

REPORT ON THE SO-CALLED FATHER DRAFT ACT, PURSUANT TO PUBLIC LAW NO. 197

Mr. REYNOLDS. Mr. President, what I am about to say may be of interest to the Senator from Missouri [Mr. CLARK]. A report was submitted to the Senate Committee on Military Affairs by Lt. Col. Francis V. Keesling, Jr., Selective Service legislative officer, on behalf of Maj. Gen. Lewis B. Hershey. The report was submitted pursuant to section 6 of Public Law 197, being the so-called Wheeler-Bailey-Clark Father Draft Act. An identical report was also submitted to the House Committee on Military Affairs.

The committee has requested Colonel Keesling to appear before it next week to furnish supplemental confidential information and to answer any inquiries the committee may have in connection with the matters set forth in the report, or any inquiries which the Senator from Missouri [Mr. CLARK] may wish to propound.

I ask unanimous consent that the report may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The report is as follows:

On December 5, 1943, the President signed S. 763, the Wheeler-Bailey-Clark father draft bill, which is now designated as Public Law 197, Seventy-eighth Congress.

Section 6 of that bill requires that Selective Service make a report to the Senate and House Committees on Military Affairs monthly or at such intervals as the committees may designate from time to time concerning requests for deferment, deferments, exemptions, rejections, discharges, inductions, enlistments, replacement schedules, and other matters with respect to registrants and members of the armed forces. This report is made pursuant to that provision.

Immediately upon being informed that S. 763 had been approved by the President, national headquarters transmitted appropriate instructions to State headquarters and local boards in order to put into effect the provisions of that act.

Local board memorandum 123 was one of those that was issued in revised form. Copy of that memorandum is attached hereto as exhibit A. It requires the reclassification of pre-Pearl Harbor fathers from class III–A into other classifications, such as class III–D for hardship, class III–C for essential farmers, class II–A or II–B for irreplaceable registrants engaged in essential war work or work in support of the war effort, and various subclassifications of class IV, or into class I–A, available for induction. This memorandum provides that local boards shall fill calls by forwarding for induction nonfathers who are in class I–A and only taking fathers if there are not sufficient nonfathers to meet the call. Provision is also made for abolishing the nondeferable distinction among pre-Pearl Harbor fathers in class I–A by providing for the introduction of class I–A pre-Pearl Harbor fathers in order of order number when, as, and if, it is necessary to use any of them to make up the deficiency of nonfathers in filling any call.

State directors were specifically instructed to obtain information from local boards concerning the numbers of nonfathers and numbers of fathers they had available in class I–A and to distribute calls made upon them by national headquarters to the local boards so that nonfathers would be called from local boards all over the State on a State-wide basis before calling fathers. Fathers are called from local boards only if the supply of available nonfathers in class I–A is insufficient to meet the monthly call placed upon the particular State.

In order to carry out the Nation-wide mandate of section 1 of the act, national headquarters obtains inventory information from all of the States setting forth the numbers of nonfathers and fathers that are in class I–A in the respective States. National headquarters uses that information and allocates calls made upon it by the armed forces to the States in proportion to the number of nonfathers that they report so that available nonfathers in class I–A will be taken before taking fathers from any State to meet the particular monthly call. If there are not enough nonfathers reported, additional demand is placed upon States to supply the deficiency from class I–A fathers on an equitable quota basis.

Section 1 of the act also required that occupational deferments granted to registrants working outside the appeal board area in which their own local boards were located be reviewed by the appeal board for the area in which they were working. In order to carry out that requirement, national headquarters issued Local Board Memorandum 133, copy of which is attached hereto and marked "Exhibit B". Inasmuch as this will increase considerably the administrative work of appeal boards for highly industrialized areas, national headquarters has made arrangements with State headquarters to create additional appeal-board panels and to employ additional personnel where necessary to accomplish the task. Also, in order to carry out the added responsibility and accountability placed upon the Director of Selective Service concerning the employer's employment situation and the employee's employment status, arrangements have been made for supplementing the work of the appeal boards by detailing additional occupational advisers to areas where needed.

In some instances in connection with this new appeal-board procedure, upon investigation it was discovered that it was in the national interest to consolidate some existing appeal-board areas in instances where two or more appeal-board areas were within reasonable distance of the same industrial activity. In the absence of such consolidation, an unnecessary administrative burden would have fallen upon all of the appeal boards concerned, although each of them was near enough to the particular industrial activity to have sufficient knowledge about the employer's employment situation and the employee's employment status.

Section 4 of Public Law 197 provides for the appointment by the President of a five-man medical commission, which is charged with investigating the physical, mental, and moral standards for admission to the armed forces and, also, with investigating the situation with respect to use of limited-service personnel in the armed forces and recommending to the President whether or not additional numbers of limited-service men could be utilized by the armed forces without impairing their effectiveness.

In the event the board recommends and the President approves a lowering of the standards for admission to the armed forces, the Director of Selective Service is charged with reexamining the class IV–F registrants in order to give effect to any such revision. Pursuant to that section, the President has appointed to this commission Rear Admiral Ross T. McIntire, Surgeon General of the Navy; Maj. Gen. Norman T. Kirk, Surgeon General of the Army; Dr. Alan C. Woods, ophthalmologist in chief of Johns Hopkins; Dr. Frank H. Lahey, Chief Surgeon of Lahey clinic, and Dr. Edward A. Strecker, psychiatry professor at the University of Pennsylvania. That board has already held meetings but has not as yet made any recommendations. General Hershey was invited to meet with the commission at one of its sessions, and selective service will furnish to the board detailed information in its possession concerning causes for rejection, the number of registrants rejected, and other pertinent information which it has or may have from time to time that comes within the scope of the commission's jurisdiction.

Some pertinent information with respect to the number of persons rejected for failure to meet standards for admission to the armed forces will be mentioned later in this report.

Section 5 of Public Law 197 provides for preinduction physical examination at the request of registrants whose induction will shortly accur. In order to give effect to that section, local board memorandum 178 was issued, copy of which is attached hereto and marked "Exhibit C." In brief, that memorandum changes the existing procedure so that instead of a registrant being inducted immediately after passing his physical examination at the induction station and thereafter being sent home as an enlisted reservist on inactive duty, for 21 days in the case of the Army and for 7 days in the case of the Navy, the registrant will be given a preinduction examination, but if he passes it, he is not immediately inducted but is returned home in a civilian status and will not have to report for induction until at least 21 days after his examination, regardless of whether he is to be inducted into the Army or into the Navy. This procedure will do away with the present inequitable distinction whereby Navy inductees receive only 7 days as distinguished from the 21 days which Army inductees receive. Although this procedure is to go into effect on February 1, 1944, in order to commence building up the pools, registrants will be ordered to report for preinduction examinations during January in addition to registrants being ordered to report for induction under the old procedure until February 1, 1944. It is hoped that in the near future sufficient numbers of persons will be given preinduction examinations long enough before their actual induction so that by building up large enough pools a period in excess of the initial 21 days can be granted. It may ultimately be that such a period can be extended to as long as 45 days or more.

Under the new procedure, the local board cursory examination will be given only in the event a registrant requests it and states that he believes he has one of the manifestly disqualifying defects listed in DSS Form 220.

In addition to carrying out the requirements of Public Law 197, national headquarters has recently revised local board memorandum 115 as of January 6, 1944, copy of which is attached hereto as exhibit D. The revision restricts considerably the granting of occupational deferments to registrants 22 years of age. Exceptions are made only in the case of a limited number of students in specialized fields, to personnel of the merchant marine, and in special instances where approved expressly by the State or National Director of Selective Service. Such restrictions apply to pre-Pearl Harbor fathers as well as to nonfathers. The policies with respect to classification of students have been modified and occupational deferments have been restricted considerably as set forth in the revised Activity and Occupation Bulletin 33–6, copy of which is attached hereto and marked "Exhibit E."

Under that revised bulletin, undergraduate students in certain designated fields graduating on or before July 1, 1944, may be considered for deferment. However, after July 1, 1944, in five specialized fields, namely, chemistry, engineering, geology, geophysics, and physics, only 10,000 undergraduate students can be deferred now and after July 1, 1944, and then only if they meet the following requirements:

"He is a full-time student in good standing in a recognized college or university and if it is certified as follows:

"(a) By the institution that he is an undergraduate student majoring in one of the scientific and specialized fields listed in this paragraph and that he gives promise of the successful completion of his course of study;

"(b) By the institution that if he continues his progress he will graduate within 24 months from the date of certification; and

"(c) By the national roster of scientific and specialized personnel of the War Manpower Commission that the certification of the institution as to his course of study and competence and as to his prospective date of completion is correct to the best of its knowledge and belief, and that his deferment, if granted, will be within the national quota for such students."

The 10,000 quota is to be allocated by the national roster of scientific and specialized personnel.

Activity and Occupation Bulletin 33–6 also provides that, in addition to the undergraduate students, medical, dental, veterinary, or

osteopathic students in recognized professional schools would be considered for occupational deferment during the period of such professional course, provided he is a full-time student in good standing and if (a) he continues to maintain good standing in such course of study, and (b) it is certified by the institution that he is competent and gives promise of the successful completion of such course of study and acquiring the necessary degree of training, qualification, or skill to become a recognized medical doctor, dentist, doctor of veterinary medicine, or osteopath.

Activity and Occupation Bulletin 33–6 also makes provision for certain undergraduate preprofessional students and provides that a student in premedical, predental, preveterinary, preosteopathic, and pretheological fields should be considered for occupational deferment if he is a full-time student in good standing in a recognized college or university, and if it is certified (a) by the institution that he is pursuing a course of study in one of these preprofessional fields and if he continues his progress he will complete such preprofessional course of study within 24 months from the date of certification; (b) by a recognized medical, dental, veterinary, osteopathic, or theological school that he is accepted for admission and will be admitted to undertake professional studies upon completion of his preprofessional work; and (c) by the national roster of scientific and specialized personnel of the War Manpower Commission that the certification of the institution as to his course of study and competence, and as to his prospective date of completion is correct to the best of its knowledge and belief, and that his deferment, if granted, will be within the quota for such preprofessional students.

The quota for preprofessional students provides (a) that the total number of preprofessional students occupationally deferred at any one time does not exceed 50 percent of the total average number of students in schools of medicine, dentistry, veterinary medicine, osteopathy, or theology, respectively, in the years 1938–39 and 1939–40, and (b) the total number of students occupationally deferred at any one time who have been accepted for admission by such school does not exceed that part of the capacity of such school available for civilian students in the entering classes for which such students have been accepted.

With respect to internes, Activity and Occupation Bulletin 23–6 provides that a registrant who has completed his professional training and preparation as a medical doctor, dentist, or osteopath, and who is undertaking further studies in a hospital or institution giving a recognized internship would be considered for occupational deferment so long as he continues such internship but for a period not to exceed 9 months.

During the hearings on S. 763, representatives of the War Department stated that the planned active strength of the Army for December 31, 1943, was 7,700,000 males and females, including both officers and men. At that time it was stated that after such strength was reached, it was hoped that no additional increase in net strength would be necessary, but that inductions into the Army would be limited to the numbers necessary to maintain the net strength of the Army at 7,700,000 by replacing losses through discharge or death.

Also in the course of the hearings, the Navy stated that its planned active strength for December 31, 1943, was 3,009,000. The Navy, however, indicated that it expected to increase its net strength above that figure, and that during the first 6 months of 1944, it expected to call upon Selective Service for 92,350 men each month, of which 73,000 per month would constitute net increase, the balance constituting estimated monthly average replacements.

The Navy would obtain additional personnel through the voluntary enlistments of 17-year-olds, WAVES, and a few over-age males.

Selective Service officials at the time of the hearings on S. 763, after analyzing and presenting figures as to the current supplies of manpower of various kinds in the various selective-service classifications and potential future supplies, and after analyzing and presenting figures constituting the demands that it was estimated would be placed on Selective Service by the armed forces for manpower, estimated that in order to meet such demands its supply of nonfathers then existing and that would be supplemented from time to time between then and the end of 1943 would be exhausted and would fall short by approximately 446,000. That resulted in our estimate that in order to meet the demands of the armed forces by the end of 1943 it would be necessary to supply the deficiency resulting from lack of nonfathers by inducting some 446,000 pre-Pearl Harbor fathers. Figures now show that approximately only 90,000 pre-Pearl Harbor fathers were in fact inducted until the end of 1943. However, partially because of the pending legislation and partly for other reasons, the Selective Service System failed to meet the demands of the armed forces and fell short in meeting the calls by approximately 300,000 men during the last 3 months of 1943. Consequently, neither the Army nor the Navy reached their planned net strength for the end of the year, and instead of having 10,709,000, they had only 10,431,000 at that time. Therefore, in order to make up this deficiency, it has been necessary for them to increase their demands upon us during the first 6 months of 1944, and, consequently, the combined monthly calls for the Army and the Navy instead of being approximately 167,000 as indicated at the time of the hearings have been increased beyond that amount. To attain the planned net strength for the Army and the Navy as of July 1, 1944, of 11,130,000, an increase in net strength during the first 6 months of 1944 of approximately 700,000 men is necessary, and in order to furnish replacements for losses as a result of casualties and discharges of an unknown amount, but which at the time of the hearings were estimated at approximately 100,000 per month for both the Army and the Navy, we believe it will be necessary to induct a considerable number of pre-Pearl Harbor fathers inasmuch as the number of nonfathers from among those reaching 18 years of age and those being reclassified from Class II–A, Class II–B, Class III–C, Class II–C, and Class IV–F under existing standards and policies will fall short of meeting such demands. In connection with our potential supplies of nonfathers and fathers, the following schedules set forth the estimated classification of registrants as of January 1, 1944.

In analyzing the various pools of registrants I call your attention to the fact that as the pre-Pearl Harbor fathers are reclassified out of class III–A the other deferred classifications necessarily are increasing, although it should be kept in mind that as they increase the percentage of pre-Pearl Harbor fathers in these classes as compared with the number of nonfathers is steadily increasing, while the percentage of nonfathers in such classifications is decreasing. This is due not only to the influx of pre-Pearl Harbor fathers into the other deferred classifications but is also due to reclassification out of such classes of nonfathers. The schedule attached hereto as exhibit F shows the classification actions made during the months of October and November 1943. You will note from that schedule that out of a total of 3,197,160 cases considered by locals boards 245,335 class II–A and II–B registrants were processed, 202,836 of whom went into the armed forces or into class I–A pending physical examination; 50,919 class II–C farmers without dependents had their cases looked at, of whom 39,367 went into the armed forces or into class I–A pending physical examination; 91,972 class IV–F registrants were reconsidered, of whom 79,793 went into the armed forces or into class I–A pending physical examination.

Exhibit G, attached, hereto sets forth a break-down of the 138,067 Federal employees who were deferred in class II–A and class II–B on November 15, 1943, solely because of their Federal employment. Approximately 22,590 of that number are pre-Pearl Harbor fathers; 114,987 of the Federal employees in class II–A and class II–B are civilian employees of four agencies, namely, War Department, Navy Department, War Shipping Administration, and Maritime Commission; only 23,080 are employees of all the 53 other agencies listed.

Classification actions and reclassifications from the deferred classes, namely, class II–A, class II–B (industrial, student, governmental), class II–C and class III–C (farm), and class IV–F (physical), are taking place continually, and indications are that the local boards are closely scrutinizing the cases of nonfather registrants in these deferred classifications, while, at the same time, pursuant to our instructions as set forth in Local Board Memorandum 115 and Local Board Memorandum 123, are giving more liberal occupational and hardship consideration to pre-Pearl Harbor fathers. In addition to this action on the part of local boards, the increased activity on the part of the appeal boards, State headquarters, and national headquarters, pursuant to the intention of Congress in connection with Public Law 197, should serve to weed out any improper deferments and to thereby not only cause the induction of all who may be improperly deferred but also, at the same time, to thereby remove the stigma from those who are in fact irreplaceable at the present moment and whose morale we must in all fairness and for all practicable purposes maintain at the highest level in order not to impair essential production.

Approximate classification of registrants, ages 18 through 37, as of Jan. 1, 1944

Classification	Total	Nonfathers	Fathers
Total living registrants	22,174,000	15,032,000	7,142,000
I-C. Furnished to armed forces. (This does not include nonregistrant enlistees who were under age or over age at time of enlistment, or who are women; it does include a certain number of registrants who died or were discharged for disability following induction)	9,170,000	9,080,000	90,000
IV-F. Disqualified from service with the armed forces for physical, mental, educational, or moral reasons	3,530,000	3,284,000	246,000
I. In process of classification, examination, and induction	1,178,000	422,000	756,000
III-A. Deferred for dependency	3,684,000	50,000	3,634,000
II-A. Deferred as necessary in civilian activity	823,000	258,000	565,000
II-B. Deferred as necessary in war production program	1,907,000	836,000	1,071,000
II-C. Deferred as necessary in agriculture	742,000	727,000	15,000
III-C. Deferred for dependency and as necessary in agriculture	880,000	182,000	698,000
III-D. Deferred for dependency hardship	98,000	64,000	34,000
IV-B-C-D-E. Deferred specifically by law (public officials, neutral aliens, ministers, and students of religion) or under authority of law (conscientious objectors)	162,000	129,000	33,000

Although at the present time many of the men now occupationally deferred in industry or on the farms are irreplaceable from the standpoint that there are no satisfactory replacements ready and willing to come forward and replace them, the message presented to Congress by the President recommending national service legislation, if acted upon by Congress, would provide the means of making replacements available for many of the nonfathers who are now deferred, and to the extent that they are made available, for each nonfather who is replaced and inducted, one less father will be taken who would otherwise have had to be inducted. This will become immediately apparent to you if you look at the above schedule and could visualize an appreciable number of the 3,530,000 class IV–F registrants or other deferred or nonliable registrants in the jobs now held by the nonfathers among the 823,000 II–A registrants, the 1,907,000 II–B registrants and the 742,000 II–C registrants.

In connection with the 3,530,000 registrants in class IV-F, 2 tables are attached hereto as exhibit H. The first of those tables sets forth a break-down of the principal causes of rejection of those class IV–F registrants. The second table shows that many registrants who have been listed as being rejected for 1 principal cause of rejection also have other defects for which they would be rejected. This second table is the result of a sample confined to only 10 causes for rejection and thus far is the only information available, although more detailed information will be available subsequently for later reports. Schedules which we have heretofore submitted with respect to class IV–F registrants and their causes for rejection set forth only a break-down of the principal causes for rejection, listing only 1 cause per man regardless of the number of rejectable defects he might actually have. Consequently, some persons have erroneously, but quite naturally, inferred from such schedules that if a certain number of men were listed as being rejected for hernia, and if hernia were abolished as a cause for rejection, that exact number of men would immediately qualify for induction. Such an inference is entirely incorrect, inasmuch as a number of those who are rejected for hernia would also have one or more other defects for which they would be rejected if they had not been rejected for hernia.

Section 6 of Public Law 197 requires us to report on discharges from the armed forces. In this connection it is, of course, obvious that the number of discharges for reasons other than death and the individual causes for such discharges are as material as a review of the number of men who are rejected and the causes for such rejection. Consequently, we have requested from both the Army and the Navy information with respect to the persons discharged over a specified period, together with causes therefor. This information has been obtained from the Army but has not as yet been received from the Navy. However, the information from the Navy when received will be made available to the committee. About 200,000, it is estimated, were discharged from the Army during the last 4 months of 1943 for physical and mental reasons. Some idea of the distribution of these cases may be obtained from the table attached hereto as exhibit I. The number of monthly discharges from the Army, other than for battle casualties, has decreased materially, and War Department Circular No. 293, copy of which is attached hereto as exhibit J, has had considerable to do with this decrease.

In connection with the portion of Local Board Memorandum 115 restricting occupational deferments of men under 22 years of age, it will be seen from exhibit G that there were approximately 15,000 Federal employees in class II on November 15, 1943, who were deferred solely by reason of their occupation. In addition to these, most of whom were nonfathers, there were approximately 122,500 other registrants, exclusive of farmers, who were between 18 and 21 and who were deferred in classes II–A and II–B by reason of their occupation. Any pre-Pearl Harbor fathers under 22 years of age who remain in class III–A will, of course, be subject to this restriction on occupational deferment, and, therefore, the total number of persons affected will be in excess of these numbers. This occupational deferment restriction with respect to men between 18 and 22 could not be applied to class II–C and class III–C registrants deferred by reason of engaging in farming, because of the specific wording of the Tydings amendment, section 5 (k) of the Selective Service Act. However, as already indicated, local boards are closely scrutinizing the causes of registrants deferred by reason of farming inasmuch as the Tydings amendment gives to the local boards broad authority with respect to them. In this connection, if the local board upon reviewing any such case finds that the registrant is not (1) necessary to, or (2) regularly engaged in an agricultural activity essential to the war effort, or (3) is not irreplaceable in fact, it is charged under the Tydings amendment with the responsibility of removing the deferment from such registrant, and indications are, as set forth in exhibit F, that local boards are doing just that, although some guidance from national headquarters may be required.

EXHIBIT A

NATIONAL HEADQUARTERS,
SELECTIVE SERVICE SYSTEM,
Washington, D. C.

LOCAL BOARD MEMORANDUM NO. 123—ISSUED APRIL 21, 1943, AS AMENDED DECEMBER 10, 1943

Subject: Fathers to be reclassified but not to be inducted until after available volunteers and nonfathers.

1. Manpower objectives: The manpower required by the armed forces, war production, and activities supporting the war effort to carry out the strategic plans of the armed forces, and the general deferment of registrants regularly engaged in agriculture make it necessary to reclassify fathers to meet current calls, to supply information concerning the number of fathers who will be available to meet future calls, and to determine which fathers will be deferred because they are in war production or in activities supporting the war effort.

2. Disposition of class III–A: One of the objectives sought to be accomplished by Congress in adopting the recent amendments to the Selective Training and Service Act of 1940 was to delay as long as possible the induction of fathers. In order to do everything within the power of the Selective Service System to give effect to this purpose of Congress, local boards and appeal boards will continuously review deferred classifications to the end that no nonfather shall continue in a deferred status longer than required by the national interest. Selective Service Regulations have been amended to provide that no registrant shall thereafter be placed in class III–A and that the classification of all registrants now in class III–A shall be immediately reopened in sequence of order numbers and they shall be classified anew.

3. Deferment in other classifications to be considered: In classifying registrants anew under the provisions of this memorandum, the local boards shall proceed as provided in section 623.21, Selective Service Regulations, paying particular attention to the following questions:

(a) Should the registrant be deferred by reason of his agricultural occupation or endeavor? See Local Board Memorandum No. 164, No. 164–A, No. 164–B, and No. 164–C.

(b) Should the registrant be deferred by reason of his employment in war production or in support of the war effort? See Selective Service Regulations, sections 622.21 to 622.24, inclusive, and Local Board Memorandum No. 115, No. 115–A, No. 115–B, No. 115–C, No. 115–D, and No. 115–E. In determining this question with respect to fathers who are eligible for occupational deferment under the provisions of Local Board Memorandum No. 115, the foregoing regulations Local Board Memorandum No. 115, and other applicable instructions will be liberally construed. Fathers who are eligible for occupational deferment under the provisions of Local Board Memorandum No. 115 and who are making contributions in war production or in support of the war effort are usually stable employees and, if other factors are equal, will normally be accorded deferment in preference to nonfathers.

(c) Should the registrant be placed in class III–D? In determining this question the provisions of section 622.32, Selective Service Regulations, will be strictly construed and the amounts payable under the amended Servicemen's Dependents Allowance Act of 1942 (see table attached) shall be taken into consideration.

4. Filling calls:[1] When a local board is filling a call, it shall first select and order to report for induction specified men who have volunteered for induction. To fill the balance of the call, it shall, from the groups listed below, and insofar as possible in the order in which the groups are listed, select and order to report for induction specified men finally classified in class I–A and class I–A–O who are available for induction: Nonfathers,[2] fathers.[3] Specified nonfathers will be selected and ordered to report for induction in sequence of their order numbers except that a specified nonfather placed in class I–A or class I–A–O because he is a delinquent (see pt. 642) or because he left an agricultural occupation or endeavor (see secs. 622.25 and 622.31–2) shall, regardless of his order number, be moved to the head of other nonfathers and ordered to report for induction before any other specified nonfather. In a

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[1] A registrant in class IV–E will be ordered to report for a final-type physical examination under the provisions of sec. 651.1 when under the provisions of this paragraph he would be ordered to report for induction if he were classified in class I–A or class I–A–O.

[2] All registrants who do not qualify under the definition of the word "father" in footnote 3 hereof shall be considered as nonfathers. This group combines former groups 1, 2, and 3. Whenever reference is made to groups 1, 2, and 3 in selective-service documents or forms, such reference shall be deemed to refer to nonfathers as herein defined.

[3] A father is defined as a registrant who was married prior to December 8, 1941, who has maintained a bona fide family relationship with his family since that date, and who has a child as defined in sec. 622.33 (a), Selective Service Regulations. This group is former group 4 revised on the basis of the congressional definition of "child." Whenever reference is made to group 4 in selective-service documents or forms, such reference shall be deemed to refer to fathers as herein defined.

similar manner, when fathers are reached, specified fathers will be selected and ordered to report for induction in sequence of their order numbers, except that a specified father placed in class I–A or class I–A–O because he is a delinquent (see pt. 642) or because he left an agricultural occupation or endeavor (see sec. 622.31–2) shall, regardless of his order number, be moved to the head of other fathers and ordered to report for induction before any other specified father.

5. Fathers in class I–A or class I–A–O because of nondeferrable activity and late registrants: When a father has been placed in class I–A or class I–A–O because he was engaged in a nondeferrable activity or occupation listed in Local Board Memorandum No. 181 (now rescinded), or when a late registrant father is hereafter placed in class I–A or class I–A–O, but would have been entitled to be placed in class III–A had not that class been abolished, an order to report for induction (Form 150) shall not be issued to him until such time as all fathers with lower order numbers who are still in class III–A have been reclassified and (if placed in class I–A or class I–A–O) have been ordered to report for induction.

LEWIS B. HERSHEY,
Director.

TABLE OF MONTHLY ALLOWANCES TO SERVICEMEN'S DEPENDENTS

I. To class A dependents, which class includes the serviceman's wife, child, or former wife divorced:

(1) Wife but no child [1]	$50
(2) (a) Wife and 1 child [1]	80
(b) Each additional child	20
(3) (a) Child but no wife	42
(b) Each additional child	20
(4) Former wife divorced but no child [1]	42
(5) (a) Former wife divorced and 1 child [1]	72
(b) Each additional child	20

[1] The family allowance payable to a wife who is living apart under written agreement or court order or decree, or to a former wife divorced, shall never exceed the amount payable to her under the agreement, order, or decree; and if such agreement, order, or decree provides for no amount payable to her, no family allowance shall be payable to her.

II. To class B dependents, which class includes the serviceman's parent, brother, or sister who is found by the Secretary of the Department concerned (War or Navy) to be dependent on the serviceman for a substantial portion of his support, but payable only while no allowance is payable to any class B–1 dependent:

One or more dependents, in the aggregate	$37

III. To class B–1 dependents, which class includes the serviceman's parent, brother, or sister who is found by the Secretary of the Department concerned (War or Navy) to be dependent on the serviceman for the chief portion of his support:

(1) 1 parent but no brother or sister	$50
(2) 2 parents but no brother or sister	68
(3) (a) 1 parent and 1 brother or sister	62
(b) Each additional brother or sister	11
(4) (a) 2 parents and 1 brother or sister	79
(b) Each additional brother or sister	11
(5) (a) A brother or sister but no parent	42
(b) Each additional brother or sister	11

The amount paid to a serviceman's dependent or dependents each month is made up of a deduction of $22 from his pay and a contribution of the remainder by the Government except that if the dependents include more than one class of dependents an additional $5 is deducted from the serviceman's pay. If the total does not exceed $22, it is all deducted from the serviceman's pay.

The Servicemen's Dependents Allowance Act of 1942, as amended, defines the terms "wife," "former wife divorced," "child," "parent," "brother," and "sister" as quoted below. These definitions differ materially in several instances, notably that of a "child," from definitions of the same terms when used in the Selective Training and Service Act and the selective service regulations. These differences should be noted and, in considering the allowances which may accrue under the Servicemen's Dependents Allowance Act to the dependents of a registrant if he is inducted, care should be exercised to determine definitely whether the persons involved are within the following definitions, regardless of the definition of the same terms under the Selective Training and Service Act of 1940 or the Selective Service Regulations (from sec. 120, Servicemen's Dependents Allowance Act of 1942, as amended):

"(a) The term 'wife' means a lawful wife.

"(b) The term 'former wife divorced' means a former wife divorced who has not remarried and to whom alimony has been decreed and is still payable.

"(c) The term 'child' includes—

"(1) A legitimate child;

"(2) A child legally adopted;

"(3) A stepchild, if a member of the man's household, including a stepchild who continues as a member of the man's household after death of the mother or termination of the marriage; and

"(4) An illegitimate child, but only if the man has been judicially ordered or decreed to contribute to such child's support; has been judicially decreed to be the putative father of such child; or has acknowledged in writing that he is the father of such child.

"(d) The term 'child' also includes a person to whom the man stands in loco parentis and has so stood for not less than 12 months prior to the date of application on behalf of such child.

"(e) The term 'parent' includes father and mother, grandfather and grandmother, stepfather and stepmother, father and mother through adoption, either of the person in the service or of the spouse, and persons who, for a period of not less than 1 year prior to the man's enlistment or induction, stood in loco parentis to the man concerned: *Provided*, That not more than two within those named therein may be designated to receive an allowance, and in the absence of a designation by the enlisted man preference shall be given to the parent, or parents not exceeding two, who actually exercised parental relationship at the time of or most nearly prior to the date of the enlisted man's entrance into active service: *Provided further*, That if such parent or parents be not dependent or waive an allowance, preference may be extended to others within the class who at a more remote time actually supported the enlisted man prior to entrance into service.

"(f) The terms 'brother' and 'sister' include brothers and sisters of the half blood as well as those of the whole blood, stepbrothers and stepsisters, and brothers and sisters through adoption.

"(g) The terms 'child,' 'brother,' and 'sister' are limited to unmarried persons either (1) under 18 years of age, or (2) of any age, if incapable of self-support by reason of mental or physical defect."

Under certain circumstances a person may be a "dependent" of two or more members of the armed forces at the same time, and any amount presently being received by a dependent of a prospective inductee because of another relative in the armed forces should be considered as well as the allowance which may result from his induction.

EXHIBIT B

NATIONAL HEADQUARTERS,
SELECTIVE SERVICE SYSTEM,
Washington, D. C.

LOCAL BOARD MEMORANDUM NO. 188—ISSUED DECEMBER 10, 1943

Subject: Appeal Procedure

PART I. GENERAL

Law. On December 10, 1943, the Selective Training and Service Act of 1940, as amended, was further amended by the addition of subsection (l) to section 5 of the act. Subsection (l) in part is as follows:

"(l) In the case of any registrant whose principal place of employment is located outside the appeal-board area in which the local board having jurisdiction over the registrant is located, any occupational deferment under subsection (c) (2) or subsection (e) of this section (section 5) existing at the date of enactment of this subsection shall within 30 days after such date, and any such occupational deferment made after the date of enactment of this subsection shall within 10 days after such deferment is made, be submitted for review and decision to the selective-service appeal board having jurisdiction over the area in which is located the principal place of employment of the registrant."

PART II. APPEAL BY LAW FOR CERTAIN REGISTRANTS DEFERRED IN CLASS II–A OR CLASS II–B ON DECEMBER 10, 1943

File of registrant whose classification is appealed by law to be forwarded for review and decision of the board of appeal before January 9, 1944:[1] On or before January 9, 1944, every local board shall, in the manner provided by section 627.13, Selective Service Regulations, forward for review and decision of the board of appeal in whose area is located the registrant's principal place of employment, the file of each registrant:

a. who on December 10, 1943, is in class II–A or class II–B (regardless of whether he was so classified by a local board, a board of appeal,[2] or the President[3]) and

b. whose principal place of employment and local board of jurisdiction are in different appeal-board areas.

PART III. APPEAL BY LAW FOR CERTAIN REGISTRANTS PLACED IN CLASS II–A OR CLASS II–B AFTER DECEMBER 10, 1943

File of registrant whose classification is appealed by law to be forwarded for review and decision of the board of appeal within 10 days after he is classified:[1] Within 10 days after he is classified, the local board shall, in

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[1] Section 5 (l) of the act does not provide for an appeal by law in any of the following cases:

(a) Where the principal place of employment of the registrant and the local board having jurisdiction over the registrant are both in the same appeal board area.

(b) Where the principal place of employment of the registrant is located outside an area where boards of appeal are organized.

[2] Except where the classification of the registrant was made by the board of appeal having jurisdiction over the area in which the principal place of employment of the registrant is located.

[3] Except where the classification of the registrant was made by the President on appeal from the board of appeal having jurisdiction over the area in which the principal place of employment of the registrant is located.

the manner provided by section 627.13, Selective Service Regulations, forward for review and decision of the board of appeal in whose area is located the registrant's principal place of employment, the file of each registrant:

a. who after December 10, 1943, is placed in class II–A or class II–B by the local board, and

b. whose principal place of employment and local board of jurisdiction are in different appeal board areas.

PART IV. APPEAL FROM ANY CLASSIFICATION

1. Procedure when appeal was taken on or before December 10, 1943: (a) Whenever an appeal was taken on or before December 10, 1943, by any person entitled to appeal from any classification of a registrant, and such appeal has not been finally disposed of on or before December 10, 1943, the local board, board of appeal, or the President, whichever has possession of the file, shall determine the address of the principal place of employment of the registrant.

(b) If the registrant's principal place of employment and the local board having jurisdiction over the registrant are in different appeal board areas, the board of appeal, or the President, in possession of the file shall take no further action in the case but shall immediately return the file to the local board. The local board shall then forward the file in the manner provided by section 627.13, Selective Service Regulations, to the board of appeal having jurisdiction over the principal place of employment of the registrant.

(c) If the principal place of employment of the registrant and the local board having jurisdiction over the registrant are in the same appeal board area, or the principal place of employment of the registrant is located in an area where boards of appeal are not organized, or the registrant is unemployed, the appeal board or the President, whichever has possession of the file, shall handle and determine the appeal in the same manner as heretofore, and, after determining the case, shall return the file to the local board.

2. Procedure when appeal taken after December 10, 1943: (a) Whenever an appeal is taken after December 10, 1943, by any person entitled to appeal from any classification of a registrant by a local board, the local board shall determine the address of the principal place of employment of the registrant.

(b) If the principal place of employment of the registrant and the local board having jurisdiction over the registrant are in different appeal board areas, the local board will forward the appeal in the manner provided in section 627.13, Selective Service Regulations, to the board of appeal in whose area is located the registrant's principal place of employment.

(c) If the principal place of employment of the registrant and the local board having jurisdiction over the registrant are in the same appeal board area, or the principal place of employment of the registrant is located in an area where boards of appeal are not organized, or the registrant is unemployed, the local board will forward the registrant's file to its own appeal board in the manner provided in section 627.13, Selective Service Regulations.

LEWIS B. HERSHEY,
Director.

EXHIBIT C

NATIONAL HEADQUARTERS,
SELECTIVE SERVICE SYSTEM,
Washington, D. C.

LOCAL BOARD MEMORANDUM NO. 178—ISSUED JANUARY 27, 1943 AS AMENDED, JANUARY 6, 1944

Subject: Preinduction physical examination and induction

1. Description of new plan: The Selective Service Act, as amended December 5, 1943 (Public Law 197), provides that any registrant may request and receive a preinduction physical examination when his induction will shortly occur. Since most registrants would request such an examination, provision has been made, effective immediately, for a preinduction physical examination for registrants classified in class I–A, class I–A–O, or class IV–E, and in certain instances for registrants in other classes whose induction will shortly occur. Effective immediately, local board physical examinations are limited to registrants claiming manifestly disqualifying defects; provided that serology shall, whenever possible, be taken for all registrants forwarded for induction or for preinduction physical examination on or before January 31, 1944. Effective February 1, 1944, taking blood for serology will be discontinued at the local board level except when request is made to verify serology taken by the armed forces.

2. Induction procedures for January 1944: In order to facilitate the switch-over from the present system to the new system for physical examination and induction, the local board will continue to send registrants forward for induction during January 1944 in the same manner as heretofore, and the armed forces will give registrants inducted during January the usual furloughs. Orders to report for induction (Forms 150) shall be immediately issued to the number of registrants required to fill the January call. Local board physical examinations are limited to registrants claiming manifestly disqualifying defects; provided that serology shall, whenever possible, be taken for all registrants forwarded for induction on or before January 31, 1944.

3. Preinduction procedures for January 1944: Preinduction physical examinations will also be commenced during January, and every effort will be made to build up a pool of men who have been accepted by the armed forces as a result of such preinduction physical examination to be available for filling calls in February and thereafter. The State director will advise the local boards of the number of men to be forwarded to the induction station for preinduction physical examination during January. Local board physical examinations are limited to registrants claiming manifestly disqualifying defects; provided that serology shall, whenever possible, be taken for all registrants forwarded for preinduction physical examination on or before January 31, 1944.

4. Preinduction procedures for February and thereafter: For each month commencing with February 1944, the local board will receive a call—preinduction physical examination (Form 224) specifying the number of men to be delivered for preinduction physical examination.

5. Induction procedures for February and thereafter: (a) Calls for induction for February and for each month thereafter will be separate for the Army and for the Navy. Army calls will be filled by men who on preinduction physical examination have been found acceptable to the Army. Navy calls will be filled by men who on preinduction physical examination have been found acceptable to the Navy. Each local board will receive from the State Director of Selective Service new separate Army and Navy calls for February to replace the present combined call.

(b) Deliveries to the Army and to the Navy for induction for February and thereafter will be made in accordance with instructions of the State director of Selective Service.

6. Importance of filling calls: The importance of the Selective Service System filling every call for induction of the armed forces cannot be overemphasized. The key to successfully filling calls for induction under the new system outlined in this memorandum is to create an adequate pool by filling all calls for preinduction physical examination. Every effort should be made to build this pool to a size which will permit a minimum of 45 days between the time of each registrant's preinduction physical examination and his induction. In filling such calls for preinduction physical examination, local boards will not reclassify registrants who are properly deferred occupationally or otherwise but will fill such calls from men properly classified as available for military service.

7. Assignment to the Army or the Navy (including the Marine Corps and Coast Guard): At the time of his preinduction physical examination each registrant who is found to be acceptable for service in the armed forces will be designated as acceptable either to the Army, or to the Navy (including the Marine Corps and Coast Guard). Before such designation is made, the registrant will be given an opportunity to express, and the fullest consideration practicable will be given to his preference.

8. Enlistments and volunteers for induction: (a) No male persons ages 18 through 37 may enlist. Male persons of other ages may enlist as heretofore.

(b) Male persons ages 18 through 37 may volunteer for induction at the local board, and if such a person wishes to be inducted immediately he may sign a request for immediate induction (Form 219).

(c) When a male person ages 18 through 37 volunteers for induction, he will be permitted to indicate at the induction station the service to which he prefers assignment. Insofar as such a volunteer for induction is qualified, and a vacancy exists, he will be assigned to the preferred service. Local boards should not, however, assure him that he will be inducted into the service which he prefers.

9. Volunteers with specialized training: The Joint Army and Navy Personnel Board has announced a policy governing the selection, induction, and assignment of certain specialized personnel such as aviation cadets, officer candidates, or technicians. Registrants desiring to apply for such assignment may do so at the recruiting stations of the respective services where their acceptability for special assignment will be determined. If the registrant is found to be acceptable, the recruiting officer will give him a letter addressed to the commanding officer of the induction station setting forth the pertinent facts, but such letter is not a document for consideration by the local board. Such registrant will apply for voluntary induction at his local board by filing an application for voluntary induction (Form 165) and will request immediate induction by signing a request for immediate induction (Form 219). He should be classified and, if not deferred, ordered to report for induction.

When the registrant is delivered to the induction station, he will present his letter of acceptance from the recruiting officer. We are advised that he will be assigned to the unit for which he has previously been found acceptable, but his assignment is strictly a function of the induction station and local boards should make no commitment regarding such assignment.

LEWIS B. HERSHEY,
Director.

EXHIBIT D

NATIONAL HEADQUARTERS,
SELECTIVE SERVICE SYSTEM,
Washington, D. C.

LOCAL BOARD MEMORANDUM NO. 115—ISSUED MARCH 16, 1942; AS AMENDED JANUARY 6, 1944; EFFECTIVE FEBRUARY 1, 1944

Subject: Occupational classification other than agricultural.

PART I. GENERAL POLICIES

1. Objectives of the Selective Service System: The Selective Service System, in the

selection of men, is responsible for the attainment of two objectives. First, the manpower requirements of the armed forces must be met. Second, civilian functions necessary to war production and to the support of the war effort must be maintained.

2. Basis of occupational deferment: In order to be given occupational deferment, a registrant must be a "necessary man" in war production or in support of the war effort.

3. Replaceability: In determining whether a registrant is a "necessary man," the replaceability of the registrant is of paramount importance. The replaceability of the registrant may be based on various factors which should be considered carefully. There may be a shortage of men possessing the registrant's special training, qualification, or skill. There may be such a distinct unskilled labor shortage that the registrant is irreplaceable without reference to any special training, qualification, or skill. In either case, there may be a shortage of the supply of labor for replacement purposes at the place where the registrant is working even though there is no over-all shortage throughout the Nation.

PART II. SPECIAL PROVISIONS APPLICABLE TO REGISTRANTS, AGES 18 THROUGH 21

1. Registrants, ages 18 through 21, not to be occupationally deferred except under certain conditions: Effective February 1, 1944, no registrant (whether a nonfather or a father) ages 18 through 21 at the time he is classified may be considered as a "necessary man" entitled to be placed in class II–A or class II–B unless:

(a) There is filed with the local board a Form 42–A Special upon which the State director of selective service in whose State the registrant's principal place of employment is located has endorsed a statement, that, based upon the information on the Form 42–A Special, he recommends that the local board except the registrant from the general restriction against the occupational deferment of registrants, ages 18 through 21.[1]

(b) An exception to the restriction against occupational deferment of registrants, ages 18 through 21, is specifically authorized by the Director of Selective Service without a statement from a State director of selective service as provided in (a) above and the local board determines that the registrant comes within the exception described by the Director of Selective Service.[2] (See list of exceptions attached.)

[1] All requests for new or additional occupational deferments for registrants under this subparagraph will be made on Affidavit-Occupational Classification (Form 42–A Special). The DSS Form 42–A Special will be completed in an original and first copy and second copy and presented by the employer to the State director in whose State is located the registrant's principal place of employment. If the registrant is included on a replacement schedule, the original and both copies of DSS Form 42–A Special will be submitted to the State director with the replacement schedule.

[2] All requests for new or additional occupational deferments for registrants under this subparagraph will be made on Affidavit-Occupational Classification (Form 42 Special). DSS Form 42 Special will be filed directly in an original and first copy with the local board of the registrant concerned. The DSS Form 42 Special will not be submitted to the State director.

2. Registrant, age 18 through 21, in class II–A or II–B on February 1, 1944: Unless justified by a change in status or other condition, the deferment in class II–A or class II–B of a registrant, age 18 through 21, existing on February 1, 1944, shall not be terminated in advance of its expiration date.[3]

3. Local board to reopen certain classifications: When at any time prior to induction a Form 42–A Special or a Form 42 Special is received by a local board for a registrant, age 18 through 21, and the local board determines that such registrant is within one of the exceptions to the general restriction against occupational deferment of registrants, ages 18 through 21, set forth in subparagraphs (a) and (b) of paragraph 1 above, the local board will reopen and consider anew the classification of such registrant.

4. Local boards to report registrants, ages 18 through 21, placed in class II–A or class II–B: The local board shall report to the Director of Selective Service each registrant (whether on a replacement schedule or otherwise), age 18 through 21, who on or after February 1, 1944, is placed in class II–A or class II–B under the provisions of this memorandum. Such report will be made as follows:

(a) If such registrant is placed in class II–A or class II–B by the local board, it will complete the report to the Director of Selective Service on the back of the first copy of DSS Form 42 Special or DSS Form 42–A Special, attach the first copy to the Local Board Action Report (Form 110) for the local board meeting at which such classification is made, and transmit it to the Director of Selective Service, Gimbel Building, Philadelphia, Pa., as an attachment to the DSS Form 110.

(b) If such registrant is not placed in class II–A or class II–B by the local board but is so classified by the board of appeal or the President, the local board will complete the report to the Director of Selective Service on the back of the first copy of DSS Form 42 Special or DSS Form 42–A Special, attach such first copy to the local board action report (Form 110) for the local board meeting at which such classification by the board of appeal or the President is recorded, and transmit it to the Director of Selective Service, Gimbel Building, Philadelphia, Pa., as an attachment to the DSS Form 110.

PART III. SPECIAL PROVISIONS APPLICABLE TO REGISTRANTS AGES 22 AND OVER

1. Special consideration for fathers: In determining whether a father age 22 or over is a "necessary man," the provisions of sections 622.21 to 622.24, inclusive, Selective Service Regulations, and the applicable provisions of this local board memorandum, and other applicable instructions will be liberally construed. A father age 22 or over who is making a contribution in war production or in support of the war effort is usually a stable employee and, if other factors are equal, will normally be accorded occupational deferment in preference to fathers ages 18 through 21 and in preference to all nonfathers.

PART IV. INFORMATION AVAILABLE IN CONNECTION WITH OCCUPATIONAL CLASSIFICATION

1. All available information to be considered: In determining whether a registrant should be placed in class II–A or class II–B, all available information from national, regional, State, and local levels will be used. No one source of information is conclusive. All information presented must be considered and evaluated properly. The agencies of the Selective Service System are urged to use the facilities of the United States Employment Service for information with respect to the occupations of registrants.[4] Local employment offices, on request, will provide local boards with information as to whether there exists or is likely to exist in the near future a national or local shortage of persons with the registrant's claimed qualifications.[5]

2. Activity and occupation bulletins: The agencies of the Selective Service System have been supplied with activity and occupation bulletins. The information contained in the activity and occupation bulletins is prepared by the War Manpower Commission and is used by the United States Employment Service in connection with the recruitment, transfer, and placement of workers. The activities and occupations contained in these bulletins represent, on a national basis, the most important activities and occupations with respect to war production and in support of the war effort.

3. Use of activity and occupation bulletins: The activity and occupation bulletins should be used by the agencies of the Selective Service System as a guide and should be considered in occupational classification matters along with all other available information. The agencies of the Selective Service System will give careful consideration to the fact that a registrant is engaged in war production or in support of the war effort in determining his replaceability or loss to the war effort should the registrant be withdrawn without replacement. The inclusion of the registrant's employment in activity and occupation bulletins, or exclusion therefrom, does not conclusively determine his occupational status. The local board and board of appeal may consider a registrant for occupational deferment when he is employed in an activity or occupation in war production or in support of the war effort even though the activity or occupation is not listed in the activity and occupation bulletins. Determinations as to coverage of specific establishments by activity and occupation bulletins for placement or stabilization purposes are a function of the United States Employment Service, and agencies of the Selective Service System will make no determination with respect thereto.

4. List of critical occupations, with definitions:[6] The list of critical occupations, with definitions attached, is prepared by the War Manpower Commission and includes occupations requiring long experience and in which a national shortage exists or would exist should any substantial number of such persons qualified in those occupations be withdrawn from the labor market. It is impera-

[3] This paragraph is not applicable to deferments granted in accordance with the provisions of Activity and Occupation Bulletin No. 83–6.

[4] Attention is directed to the provisions of Local Board Memorandum No. 115–C concerning the obtaining of information from the United States Employment Service.

[5] Information on the availability of replacements will usually include the number of current unfilled orders for the occupation involved and the number of qualified applicants listed in the local United States Employment Service Office's files, together with such further information as may be pertinent concerning the possibility of filling the job through the transfer of workers from present employment or through clearance.

[6] Reference is made to provisions of Local Board Memorandum No. 115–B concerning referral to the United States Employment Service of registrants ages 22 and over who are in critical occupations.

tive that, except for registrants ages 18 through 21, all registrants engaged in critical occupations in war production or in support of the war effort be given grave consideration for occupational deferment by the agencies of the Selective Service System. Administrative action will be taken to insure such consideration by the Selective Service System.

LEWIS B. HERSHEY,
Director.

LIST OF EXCEPTIONS

The Director of Selective Service authorizes the following exceptions to the restriction against occupational deferment of registrants, ages 18 through 21, without a statement from a State director of selective service:

1. Personnel of the merchant marine and the Army Transportation Corps, and persons in training therefor for whom the Recruitment and Manning Organization or the Division of Training of the War Shipping Administration files an affidavit—occupational classification (form 42 special) in accordance with the provisions of Activity and Occupation Bulletin No. 26–2 or Activity and Occupation Bulletin No. 33–2.

2. Students who qualify for occupational deferment in accordance with the provisions of Activity and Occupation Bulletin No. 33–6.

EXHIBIT E

NATIONAL HEADQUARTERS,
SELECTIVE SERVICE SYSTEM,
Washington, D. C.

ACTIVITY AND OCCUPATION BULLETIN No. 33–6—ISSUED MARCH 1, 1943, AS AMENDED JANUARY 6, 1944, EFFECTIVE FEBRUARY 15, 1944

Subject: Educational services—Student deferment

PART I. POLICIES THAT APPLY TO THIS ACTIVITY

In addition to general policies, the following policies and procedures apply to this activity:

A. General policy on student deferment:

1. Change in policy: The current needs in connection with the war effort require a change in the policy governing the occupational deferment of students. The Army and Navy specialized training program is providing for the specialized training of a large number of men. This number will furnish a supply of persons in scientific and specialized fields and certain professions adequate for the needs of the armed forces. Therefore, students occupationally deferred should be limited to a number sufficient to meet civilian needs in war production and in support of the war effort.[1]

2. Student quota: It is necessary that students in certain professional fields be considered for continued deferment. In certain scientific and specialized fields students who will graduate on or before July 1, 1944, should be considered for deferment until graduation. National quotas have been determined in accordance with which occupational deferment may be granted to undergraduate students in certain scientific and specialized fields, and undergraduate students in preprofessional courses of study. The quotas and the procedures by which they are controlled and certified to the local board are set forth in subpart E hereof.

[1] The provisions relating to high-school students are set forth in section 5 (f) of the Selective Training and Service Act, as amended.

B. Students, regular courses, scientific and specialized fields:

1. Undergraduate students who will graduate on or before July 1, 1944: An undergraduate student in any of the scientific and specialized fields listed in this paragraph, who will graduate on or before July 1, 1944, should be considered for occupational deferment if he is a full-time student in good standing in a recognized college or university and if it is certified as follows:

(a) By the institution that he is competent and gives promise of the successful completion of a course of study majoring in one of the scientific and specialized fields listed in this paragraph; and

(b) By the institution that if he continues his progress he will graduate from such course of study on or before July 1, 1944; and

(c) By the national roster of scientific and specialized personnel of the War Manpower Commisison that the certification of the institution as to the course of study and competence of the registrant, and that if he continues his progress he will graduate from such course of study on or before July 1, 1944, are true to the best of its knowledge and belief:

Aeronautical engineering; agricultural sciences; automotive engineering; bacteriology; chemical engineering; chemistry; civil engineering; electrical engineering; forestry; geophysics; marine engineering; mathematics; mechanical engineering; meteorology; mining and metallurgical engineering, including mineral technology; naval architecture; optometry; petroleum engineering; pharmacy; physics, including astronomy; radio engineering; sanitary engineering.

2. Undergraduate students who will graduate after July 1, 1944: An undergraduate student in any of the scientific and specialized fields listed in this paragraph who will graduate after July 1, 1944, should be considered for occupational deferment if he is a full-time student in good standing in a recognized college or university and if it is certified as follows:

(a) By the institution that he is an undergraduate student majoring in one of the scientific and specialized fields listed in this paragraph and that he gives promise of the successful completion of his course of study;

(b) By the institution that if he continues his progress he will graduate within 24 months from the date of certification; and

(c) By the national roster of scientific and specialized personnel of the War Manpower Commission that the certification of the institution as to his course of study and competence and as to his prospective date of completion is correct to the best of its knowledge and belief, and that his deferment, if granted, will be within the national quota for each such student:

Chemistry, engineering, geology, geophysics, and physics.

C. Students, medical, dental, veterinary, osteopathic, and theological:

1. Students in professional schools. A registrant who is in training and preparation as a medical, dental, veterinary, or osteopathic student in a recognized medical school, dental school, school of veterinary medicine, or school of osteopathy (a student preparing for the ministry in a theological or divinity school recognized as such a school prior to September 16, 1939, is exempt from training and service under the provisions of the Selective Training and Service Act of 1940), should be considered for occupational deferment during the period of such professional course, provided he is a full-time student in good standing, and if:

(a) He continues to maintain good standing in such course of study, and

(b) It is certified by the institution that he is competent and gives promise of the successful completion of such course of study and acquiring the necessary degree of training, qualification, or skill to become a recognized medical doctor, dentist, doctor of veterinary medicine, or osteopath.

2. Undergraduate preprofessional students: A student in premedical, predental, preveterinary, preosteopathic, and pretheological fields should be considered for occupational deferment if he is a full-time student in good standing in a recognized college or university, and if it is certified:

(a) By the institution that he is pursuing a course of study in one of these preprofessional fields and if he continues his progress he will complete such preprofessional course of study within 24 months from the date of certification;

(b) By a recognized medical, dental, veterinary, osteopathic, or theological school that he is accepted for admission and will be admitted to undertake professional studies upon completion of his preprofessional work; and

(c) By the National Roster of Scientific and Specialized Personnel of the War Manpower Commission that the certification of the institution as to his course of study and competence, and as to his prospective date of completion is correct to the best of its knowledge and belief, and that his deferment, if granted, will be within the quota for such preprofessional students.

3. Interns: A registrant who has completed his professional training and preparation as a medical doctor, dentist, or osteopath and who is undertaking further studies in a hospital or institution giving a recognized internship should be considered for occupational deferment so long as he continues such internship but for a period not to exceed 9 months.

D. Opportunity to engage in profession:

When a registrant has completed his training and preparation in a recognized college or university, or his internship, and has acquired a high degree of training, qualification, or skill, such registrant should then be given the opportunity to become engaged in the practice of his profession in war production or in support of the war effort. In many instances following graduation from a recognized college or university, or the completion of an internship, a certain period of time will be required in the placing of such persons in war production or in support of the war effort. When a registrant has been deferred as a necessary man in order to complete his training and preparation, it is only logical that his deferment should continue until he has had an opportunity to put his professional training and skill to use in the best interest of the Nation. Accordingly, following graduation in most of these professional fields or following an internship, a registrant should be considered for further occupational deferment for a period not to exceed 30 days, in order that he may have an opportunity to engage in his profession in war production or in support of the war effort. Persons graduating in medicine, dentistry, veterinary medicine, or osteopathy are required to pass a State examination before they will be licensed to practice their profession and, accordingly, to permit the completion of such examination registrants who are graduates in medicine, den-

tistry, veterinary medicine, and osteopathy should be considered for further occupational deferment for a period of not to exceed 60 days following their graduation. Consideration for further occupational deferment, as provided above, should be given following graduation or completion of internship, or in case of persons graduating in medicine, dentistry, veterinary medicine or osteopathy, after the taking of the State examination, only if during such period the registrant is making an honest and diligent effort to become engaged in his profession in war production or in support of the war effort.

E. Determination and certification of quotas:

1. Student quota, scientific, and specialized fields: A national quota of 10,000 has been established for students who should be occupationally deferred at any one time by reason of pursuing courses of study in chemistry, engineering, geology, geophysics, and physics (the scientific and specialized fields listed in sub-part B, par. 2). Students deferred to graduate on or before July 1, 1944, as provided in sub-part B, paragraph 1, and students deferred for reasons other than pursuing a course of study will not be counted against this quota.

2. Student quota, preprofessional fields: A national quota has been established for students who may be occupationally deferred at any one time by reason of pursuing courses of study in premedicine, predentistry, preveterinary medicine, preosteopathy, and pretheology. This quota provides:

(a) That the total number of preprofessional students occupationally deferred at any one time does not exceed 50 percent of the total average number of students in schools of medicine, dentistry, veterinary medicine, osteopathy, or theology, respectively, in the years 1938–39 and 1939–40, and

(b) The total number of students occupationally deferred at any one time who have been accepted for admission by such school does not exceed that part of the capacity of such school available for civilian students in the entering classes for which such students have been accepted.

3. Function of the national roster: The national roster of scientific and specialized personnel of the War Manpower Commission will certify to requests for occupational deferment of students under this bulletin as follows:

(a) Request for occupational deferment of a registrant who will graduate on or before July 1, 1944 (pt. I, B, 1, of this bulletin) will be prepared by the institution in which the registrant is a student and will be forwarded to the national roster. The national roster will, if such is the case, certify that the statements of the institution as to the course of study and competence of the registrant and that if he continues his progress he will graduate from such course of study on or before July 1, 1944, are true to the best of its knowledge and belief; and

(b) Request for occupational deferment of a registrant in chemistry, engineering, geology, geophysics, or physics (pt. I, B, 2, of this bulletin) or in premedicine, predentistry, preveterinary medicine, preosteopathy, or pretheology (pt. I, C, 2, of this bulletin) will be prepared by the institution in which the registrant is a student and will be forwarded to the national roster. The national roster will, if such is the case, certify on the request that the statements of the institution as to the course of study and competence and prospective date of completion of the registrant are correct to the best of its knowledge and belief and that the registrant's deferment, if granted, will not exceed the quota established for such students.

If the national roster cannot truthfully make such certification, it will not certify to the request. The national roster will return the request for occupational deferment of students, whether certified to or not, to the institution which prepared the request.

4. Requests for student deferment: The institution in which the registrant is a student will file requests for the occupational deferment of such student with the local board as follows:

(a) For a student who has reached his eighteenth birthday but has not reached his twenty-second birthday, in duplicate on DSS Form 42 Special; and

(b) For a student who is 22 years of age or older, on DSS Form 42.

PART II. ESSENTIAL ACTIVITIES

Included in part I hereof.

PART III. ESSENTIAL OCCUPATIONS

Included in part I hereof.

EXHIBIT F

Classification actions on registrants 18 through 37 years of age during October and November 1943, continental United States—Preliminary

TOTAL WHITE AND NEGRO REGISTRANTS

Previous class	Total actions	New class												
		I-A I-A-D	I-A-C-L and I-A-L	I-C NDC and I-C IND	I-C ENL	II-A	II-B	II-C	III-A	III-C	III-D	IV-B, C, D and IV-E	IV-F	Other
Total	3,197,460	1,044,419	23,168	445,080	21,470	372,163	718,276	44,311	19,912	88,429	27,805	6,370	372,122	13,935
Unclassified	210,738	159,490	22	2,392	7,977	3,930	3,951	16,421	474	210	327	1,896	10,456	3,192
I-A and I-A-O	998,394	[1] 630	20,757	427,746	4,854	65,364	124,026	14,703	6,690	11,435	11,162	1,456	307,621	1,950
I-A-L	15,673	470	[1] 1	9,206	22	329	1,037	87	24	16	16	7	4,443	15
I-C IND	18,790	4,787	20	[1] 53	272	505	1,065	1,339	360	195	577	49	9,196	372
I-C ENL	5,475	2,690	1	392		221	635	190	170	24	73	27	938	114
II-A	62,256	44,049	50	348	1,183		8,796	2,597	1,758	1,113	312	305	1,427	318
II-B	183,079	154,700	157	783	1,773	15,547		753	3,530	592	689	192	3,616	747
II-C	50,919	39,135	23	191	41	1,066	477		57	7,953	121	124	1,383	348
III-A and III-B	1,511,303	530,232	53	1,499	3,621	280,891	569,960	4,184	[1] 2,843	66,252	14,354	1,840	31,170	4,404
III-C	20,397	11,567	5	29	7	1,506	1,437	2,478	2,535		99	51	524	159
III-D	14,060	10,333	3	16	23	706	2,430	57	147	53		14	243	35
IV-B, C, D, E	5,360	3,159	1	80	430	203	361	156	174	56	19	[1] 78	443	200
IV-F	91,972	76,348	2,064	2,260	1,185	1,594	3,678	1,225	1,075	437	37	310		1,759
Other	9,044	6,829	11	85	82	301	423	121	75	93	19	21	662	[1] 322

[1] Class actions shown here are the result of grouping several classes.

EXHIBIT G

Age of registrants deferred for occupational reasons by selective service local boards because of their employment in or under the Federal Government, by branch or agency of the Government by which employed Nov. 15, 1943, registrants 18 to 37, inclusive, United States and Territories—Preliminary

Agency	Total	Age groups				
		18–21	22–24	25–29	30–34	35–37
	Number	*Number*	*Number*	*Number*	*Number*	*Number*
All agencies reported, total	138,067	15,177	20,262	43,577	39,308	19,743
Legislative establishments, n. e. c.	4				2	2
House of Representatives	3			1		2
The judiciary	9	1		1	4	3
Department of Agriculture	1,908	14	128	586	716	464
Department of Commerce	3,494	170	476	1,258	1,072	518
Civil Aeronautics Board	4			1	2	1
Department of the Interior	1,285	31	180	428	409	237
Department of Justice	4,648	116	560	2,303	1,305	364
Department of Labor	28			2	17	9
Navy Department	64,679	7,240	10,338	20,274	18,029	8,798
Pearl Harbor, n. e. c.	1,593	284	377	506	309	117

EXHIBIT G—Continued

Agency	Total	Age groups				
		18-21	22-24	25-29	30-34	35-37
	Number	Number	Number	Number	Number	Number
Post Office Department	547		7	147	211	182
Department of State	378	1	51	148	110	68
Department of the Treasury	106	1	2	26	45	32
War Department	38,563	2,383	4,981	12,351	12,313	6,535
Panama Canal, n. e. c	1,616	60	226	589	504	237
Federal Security Agency	227	2	11	93	79	42
Federal Works Agency	317	12	41	77	109	78
National Housing Agency	8				4	4
Board of Economic Warfare	79	1	2	21	28	27
Bureau of the Budget	13				6	7
National Resources Planning Board	4			1	1	2
Office of Censorship	54		2	21	18	13
National War Labor Board	18		1	3	9	5
Office of Alien Property Custodian	5				2	3
Office of Civilian Defense	14	2	1	2	4	5
Office of Coordinator Inter-American Affairs	36			7	13	16
Office of Defense Transportation	46		1	4	18	23
Office of Lend-Lease Administration	19	1		3	9	6
Office of Scientific Research and Development	372	26	77	161	80	28
Office of War Information	231	4	11	64	97	55
War Manpower Commission	133	3	13	40	42	35
National Youth Administration	13			2	7	4
War Production Board	146	2	4	32	55	53
War Relocation Authority	7			1	1	5
War Shipping Administration	7,394	2,470	1,275	1,735	1,302	612
Office for Emergency Management, n. e. c	62	4	6	22	17	13
Office of Price Administration	62		1	14	23	24
Office of Strategic Services	21	1		8	12	
Petroleum Administration for War	40		1	8	21	10
The Alley Dwelling Authority	1				1	
Civil Service Commission	46	4	7	14	14	7
Employees Compensation Commission	2			1		1
Federal Communications Commission	358	24	31	151	108	44
Federal Deposit Insurance Corporation	1					1
Federal Power Commission	12			1	6	5
General Accounting Office	8		1		6	1
Government Printing Office	10			1	4	5
Library of Congress	5			2	2	1
National Advisory Committee for Aeronautics	867	155	286	255	118	53
National Labor Relations Board	5				2	3
Railroad Retirement Board	1					1
Securities and Exchange Commission	5			1	2	2
Tariff Commission	2				1	1
United States Maritime Commission	4,351	1,915	659	913	627	237
Veterans' Administration	28		1	7	11	9
Executive Office and independent establishments, n.e.c	15	5	3	2	3	2
Federal Reserve System	4				2	2
Reconstruction Finance Corporation	96		4	21	36	35
Tennessee Valley Authority	1,010	8	85	285	412	220
Government Corporation and Credit, n.e.c	31		1	6	8	16
District of Columbia Government	463		30	185	178	70
Government agencies, n.e.c	2,560	237	381	792	762	388

NOTE.—"n.e.c." means "not elsewhere classified."

SOURCE.—Report of Occupational Deferment of Federal Government Employees from Selective Service Local Boards (DSS Forms 38 and 39).

EXHIBIT H (1)

Estimated principal causes for rejection of registrants 18 to 37 years of age in class IV-F, as of Jan. 1, 1944—Preliminary

Principal cause for rejection	Number	Percent
Total	3,437,000	100.0
Manifestly disqualifying defects	361,200	10.5
Educational deficiency [1]	358,100	10.4
Physical and mental defects	2,679,500	78.0
Mental disease	497,800	14.5
Syphilis	312,900	9.1
Musculo-skeletal	252,800	7.4
Cardiovascular	219,200	6.4
Hernia	202,400	5.9
Neurological	186,100	5.4
Eyes	182,000	5.3
Ears	131,700	3.8
Mental deficiency [1]	114,100	3.3
Tuberculosis	89,100	2.6
Underweight, overweight, and other	68,600	2.0
Lungs	56,500	1.7
Feet	40,500	1.2
Abdominal viscera	39,300	1.1
Kidney and urinary	35,600	1.0
Teeth	34,900	1.0
Genitalia	34,600	1.0
Varicose veins	34,400	1.0
Endocrine	34,000	1.0
Nose	21,600	.6
Neoplasms	21,000	.6
Skin	20,700	.6
Gonorrhea and other venereal	16,000	.5
Hemorrhoids	13,600	.4
Mouth and gums	9,900	.3
Throat	3,400	.1
Blood and blood-forming	3,400	.1
Infectious and parasitic	3,400	.1
Nonmedical	38,200	1.1

[1] Includes registrants who failed to meet minimum intelligence standards from June 1, 1943, on. Some of these registrants have been reported as educationally deficient, others as mentally deficient.

EXHIBIT H (2)

Percent distribution of other disqualifying defects of rejected registrants, by principal cause for rejection [1]—Preliminary

Principal cause for rejection	Other disqualifying defects								
	Number	Total	Eyes	Ears	Cardio-vascular	Mental disease	Musculo-skeletal	Feet	Other
Total	1,160,500	100.0	15.7	3.5	4.3	6.7	10.3	5.0	54.5
Mental disease	191,400	100.0	18.6	4.2	5.7		9.9	3.3	58.9
Educational deficiency	180,100	100.0	21.9	3.6	1.2	13.6	12.4	4.1	43.2
Syphilis	122,300	100.0	21.2	6.1	6.1	6.1	9.1	12.1	39.3
Musculo-skeletal	73,700	100.0	11.5	3.3	3.8	6.1		6.1	69.2
Cardiovascular	67,900	100.0	17.6	1.5		10.8	9.8	3.4	56.9
Hernia	61,100	100.0	14.4	.7	5.8	5.0	6.5	9.3	58.3
Neurological	67,900	100.0	19.2	4.1	4.1	4.1	16.4	7.5	44.6
Eyes	65,200	100.0		6.3	5.8	11.0	13.9	5.8	57.2
Ears	46,200	100.0	19.7		2.0	7.9	9.8	6.9	53.7
Mental deficiency	61,000	100.0	9.8	8.2	1.6	8.2	4.9	4.9	62.4
Other	223,700	100.0	13.2	3.3	5.0	9.3	11.2	4.7	53.3

[1] Excludes registrants with more than 1 disqualifying defect who were rejected for nonmedical reasons or for manifestly disqualifying defects.

EXHIBIT I

Estimated distribution of discharges for physical and mental reasons (other than limited service, section X, discharges)

Neuropsychiatric	44.6
Psychoneurosis	32.0
Schizophrenia	4.1
Epilepsy	2.2
Neurological	2.2
Mental deficiency	1.3
Neurocirculatory asthenia	.6
Constitutional psychopathic state	.2
Alcoholism	.1
Other psychoses	.2
Other	1.7
Musculo-skeletal	11.1
Musculo-skeletal	7.4
Feet	3.2
Congenital abnormalities and malformations	.5
Infectious and general diseases	8.9
Arthritis	5.0
Diseases of the endocrine system	.8
Cancer and other malignant tumors	.2
Diseases of the blood and blood-forming organs	.2
Diseases not elsewhere classified	2.7

Cardiovascular	7.4
Organic heart disease	4.3
Hypertensive diseases	1.4
Varicose veins	.7
Hemorrhoids	.1
Coronary thrombosis, coronary embolism, and coronary sclerosis	.1
Other	.8
Gastro-intestinal	7.5
Gastric and duodenal ulcers	5.7
Hernia	.7
Other	1.1
Eyes, ears, nose, and throat	8.1
Ears	4.0
Eyes and annexa	3.3
Nose and throat	.8
Respiratory (excluding tuberculosis)	6.0
Genito-urinary (excluding venereal)	2.0
Veneral diseases	1.7
Syphilis	1.6
Gonorrhea	.1
Other	0
Tuberculosis	2.0
Traumatism	.7
Amputation of limb	.2
Fracture of bone	.1
Other	.4
All causes	100.0

EXHIBIT J

CIRCULAR NO. 293

WAR DEPARTMENT,
Washington, D. C., November 11, 1943.

Enlisted men—Utilization of manpower based on physical capacity: 1. Rescission of previous instructions: a. Circular No. 395, War Department, 1942, as amended by section II, Circular No. 404, War Department, 1942; section I, Circular No. 39, and section II, Circular No. 101, War Department, 1943; section III, Circular No. 161, War Department, 1943, as amended by section I, Circular No. 176, War Department, 1943; paragraphs 2 and 3, section III, Circular No. 189, War Department, 1943; and Memorandum No. W615-64-43, August 26, 1943, are rescinded.

b. All instructions and directives in conflict with the provisions of this circular are rescinded.

2. General policy: a. It is imperative that each enlisted man be assigned to the position in which he can render the maximum service. Classification, assignment, reassignment, and training are command functions which must be exercised energetically and continuously so that the skill, aptitude, physical qualifications, and capacity for development of the individual are used to the utmost.

b. Some assignments require enlisted men of unusual strength, stamina, and all around physical ability, but even in combat units there are many positions which can be filled by men of lesser physical attainments. Conservation and proper use of our manpower require that each enlisted man found in an assignment beyond his physical capacity be reassigned to a job within that capacity. Many enlisted men who are below current physical standards for induction are extremely valuable to the Army because of their training, experience, ability, and demonstrated capacity to render service in a specified assignment. The discharge of an enlisted man for physical reasons because he is incapable of serving in a physically exacting position when he may well render adequate service in a less exacting assignment is a waste of military manpower and is prohibited. Such men will be retained in the service and will be given appropriate assignments even though they do not fulfill the minimum physical standards for induction under MR 1-9.

c. (1) Officers responsible for selection and dispatch of oversea casual replacements will select only those fully qualified physically to perform the duties of their military occupational specialties under field conditions. See paragraph 4a (6).

(2) Men of Table of Organization units dispatched overseas must be considered in the same way. At the time they were assigned to units these men were considered physically qualified to serve therein. Those found definitely not qualified should be removed as early as possible in the training period. As members of units arriving at a port of embarkation these enlisted men have been trained in their jobs, have proved their ability in their assignments, and have become part of the organization team. Though they may not meet the standards for individual replacements, they are considered fully capable of performing adequately in their current assignments unless they have suffered recent marked physical set-back or deterioration. The unnecessary removal of trained enlisted men from units immediately prior to departure for overseas is a flagrant example of wastage of military manpower and training, destructive alike to the morale of the individual and the efficiency of the unit.

d. The existence of a nonprogressive or remedial defect or disease which would disqualify a man for dispatch overseas will not be sufficient reason to return him to the United States from an oversea theater. Men whose defects are such that they can be remedied within the oversea command and those who can serve usefully in any assignment in oversea theaters, despite their defects, will be retained. Malaria alone, without incapacitating residual damage or sequalae, such as marked splenomegaly or cachexia, will not be a reason for return to the United States from overseas.

e. The discharge of men who can render effective service is prohibited. On the other hand, the retention of men unable to perform a reasonable day's work for the Army is wasteful. Therefore commanders and surgeons will exercise extreme care and judgment in arriving at a decision to discharge an enlisted man on physical grounds. It is essential that commanders exercising discharge authority give this matter their closest personal supervision so as to obtain the maximum benefit from available manpower. Enlisted men who are physically unable to render useful military service in any assignment that can reasonably be made available will be discharged immediately under the provisions of AR 615-360. If overseas, they will be returned to the United States for discharge.

f. Enlisted men will be assigned to the most active type of duty appropriate to their physical qualifications with due consideration to their civilian training and experience, education, intelligence, aptitude, leadership ability, and acquired military occupational qualifications. All commanders and those staff officers concerned with personnel must study this matter continuously, for it never remains static.

g. Each of the three major forces must make the best use of its physically handicapped enlisted men. Enlisted men will not be transferred from one major force to another solely by reason of physical condition without the concurrence of the commanders concerned, except as directed by the War Department. Enlisted men of the Army Ground Forces who cannot be used in any unit or installation thereof by reason of physical handicap, but who are considered capable of rendering useful service elsewhere, will be reported to The Adjutant General for reassignment.

3. Use of term "limited service": The use of the term "limited service" pertaining to enlisted men is discontinued. This term is used only at armed forces induction stations where similar terminology is used by Selective Service and the Navy. Discontinuance of the term "limited service," however, does not mean that men heretofore classified as "limited service" are to be discharged or that the Army will not continue to induct and use men who do not meet the full standards for general service. No man will be discharged for physical disability if he meets the standards for induction for limited service currently prescribed in MR 1-9.

4. Physical standards for dispatch overseas: a. Enlisted men will not be dispatched overseas who have any of the following defects:

(1) Pronounced psychiatric disorders. Men with other psychiatric disorders, except mild psychoneuroses, transient in character, will not be sent overseas with combat units or as casual replacements.

(2) Hernia, except small incisional or umbilical. Moderate impulse produced by cough at the inguinal ring or at the site of a scar is not necessarily indicative of hernia. Diagnosis of inguinal hernia must be based upon demonstration of a hernial sac.

(3) Class I dental defects, except those individuals whose only defect is the need of prosthetic replacements, provided that, despite the missing teeth, they have been able to follow a gainful occupation in civil life and histories indicate that restoration of the missing teeth is not essential.

(4) Enucleation of an eye with or without prosthesis.

(5) Individuals who have suffered from tropical diseases causing residual damage or sequelae, or tropical diseases, such as filariasis, which are liable to exacerbation or serious aggravation upon reinfection. This does not include uncomplicated malaria, except that individuals who have or have had a clinical attack of malaria or in whose blood malaria parasites are found will not be sent overseas until 6 months subsequent to the date of recovery from symptoms or of disappearance of parasites from the blood.

(6) Defects below the minimum physical standards for induction as provided in MR 1-9, as amended, except that enlisted members of units who have defects below the minimum standards for induction, other than those listed in (1) through (5) above, and who have been trained in and have performed adequately in their current assignments, or who are believed capable of serving usefully therein, will be retained in their units.

b. Enlisted men not qualified for oversea service as specified in this circular will be removed from units prior to departure from home stations. Examinations of men in units at staging areas will be limited to necessary physical inspections to determine the existence of communicable disease, venereal disease disqualifying under the provisions of e below, and to locate and remove those whose physical condition has undergone a marked and disqualifying deterioration subsequent to the screening at home station. The removal of men from units at staging areas immediately prior to departure overseas must be reduced to a minimum.

c. Enlisted men with physical defects which disqualify them for oversea service will not be reassigned to oversea replacement depots, casual shipments, or tactical units of the field forces which have been alerted for oversea service. They will be reassigned to installations, activities, or units assigned to duty in the continental United States until their defects are remedied. This does not prohibit the appropriate reassignment to new or low priority units of casual replacements disqualified under a (6) above, but who otherwise meet the requirements for oversea shipment as members of units.

d. When disqualifying defects are discovered, appropriate notation will be made on Soldier's Qualification Card under "Remarks" (par. 28, W. D., A. G. O. Form No. 20) and on service records (W. D., A. G. O. Form No. 24) under "Remarks Administrative." Prompt initiation and early completion of action to remedy correctible defects is the responsibility of every commander.

e. (1) When otherwise qualified enlisted men with venereal diseases are eligible for oversea shipment except for those with the following conditions:

(a) Chancroid or undiagnosed penile ulcers.

(b) Primary and secondary syphilis unless two injections of an arsenical have been administered.

(c) Sulfonamide-resistant gonorrhea as determined by failure to respond to one course of treatment.

(d) Gonorrhea with complications such as epididymitis, arthritis, and severe acute prostatis.

(e) Granuloma inguinale or lymphogranuloma venereum.

(2) When penicillin is available on transports, all individuals with gonorrhea, except those with complications listed in (1) (d) above, may be shipped.

5. Uniform standard and procedures to prevail: Commanders will require officers under their jurisdiction to read this circular within 48 hours of its receipt at the station. They will then conduct the conferences and inspections necessary to insure that all concerned are acquainted with these policies and that a uniform understanding of standards and procedure is achieved.

[A. G. 220.4 (6 Nov. 43).]

By order of the Secretary of War:

G. C. MARSHALL,
Chief of Staff.

Official:

ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

ADDRESS BY HON. ALFRED M. LANDON AT REPUBLICAN PARTY COMMITTEE MEETING

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address by Hon. Alfred M. Landon, of Kansas, delivered December 13, 1943, at a meeting of the Republican Party Committee at Milwaukee, Wis., which appears in the Appendix.]

COMMENT ON PROPOSED NATIONAL-SERVICE LEGISLATION

[Mr. HOLMAN asked and obtained leave to have printed in the RECORD a letter addressed to him commenting on proposed national-service legislation as recommended by the President, which appears in the Appendix.]

THE FOOD-STAMP PLAN—EDITORIAL FROM WASHINGTON STAR

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an editorial entitled "Food Stamp Plan," published in the Washington Evening Star of January 10, 1944, which appears in the Appendix.]

THE PRESIDENT'S MESSAGE—EDITORIALS FROM THE OMAHA (NEBR.) WORLD-HERALD

[Mr. BUTLER asked and obtained leave to have printed in the RECORD two editorials from the Omaha (Nebr.) World-Herald of January 12, 1944, one entitled "Draft-Everybody Law" and the other "The Unwritten Paragraph," which appear in the Appendix.]

A NATIONAL LABOR CODE—ARTICLE AND LETTER BY WALTER W. CENERAZZO

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD an article entitled "A National Labor Code," written by Walter W. Cenerazzo and published in the American Watch Worker for November 1948, and also a letter from Mr. Cenerazzo, which appear in the Appendix.]

POST-WAR PLANNING—LETTER FROM GEORGE GELDER

[Mr. LANGER asked and obtained leave to have printed in the RECORD a letter relating to post-war planning, from George Gelder, of Berkeley, Calif., which appears in the Appendix.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H. R. 3916) to permit the construction and use of certain pipe lines for pneumatic tube transmission in the District of Columbia, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 2207. An act to amend the Nationality Act of 1940;

H. R. 3611. An act to authorize the appointment of court reporters in the district courts of the United States, to fix their duties, to provide for their compensation, and for other purposes; and

H. R. 3691. An act to permit the construction, maintenance, and use of certain pipe lines for steam-heating purposes in the District of Columbia.

HOUSE BILL REFERRED

The bill (H. R. 3916) to permit the construction and use of certain pipe lines for pneumatic tube transmission in the District of Columbia was read twice by its title and referred to the Committee on the District of Columbia.

VOTES FOR SOLDIERS

Mr. TYDINGS. Mr. President, so far as I can learn, every Member of the United States Senate and of the House of Representatives desires our servicemen and those attached to our service forces to have the opportunity to cast a valid ballot in any Federal or State election held during the course of this war.

No one opposes this proposition. Everyone, both in the Congress and out, realizes the overwhelming justice of affording the opportunity to vote to those who are so gallantly and sacrificially meeting the enemy on the battlefields everywhere. So overpowering is the justice of the soldiers' right to vote that no argument to support the proposal need be made. No argument can be made against it.

Therefore, we need concern ourselves only with finding the best means, and the method which will be unquestionably valid in law, to accomplish this desired result.

Anyone familiar with the law and the facts realizes that, although our fellow citizens in the armed services have every right to vote, they will not actually enjoy this right unless we draw a law which will stand the test of the courts, and the election laws, both national and State, governing elections under existing conditions.

There are some people who hold that in time of war the Constitution is so elastic that anything at all can be done under the guise of the emergency. This argument is so fallacious that a few illustrations will show it is not tenable as a matter of law. For example, section 1 of amendment 15 of the Constitution of the United States, provides:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Even in time of war that express provision of the National Constitution can not be set aside by any power on earth.

Amendment 17 of the Constitution of the United States provides:

> The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

Even in time of war that express provision of the Constitution of the United States cannot be set aside by any power on earth.

Taking these two parts of our National Constitution to drive home my argument, let me point out that amendment 17, which I have just read, says:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Can we, by an act of Congress in time of war, set aside that express provision of the National Constitution? If we can, then we could likewise set aside in time of war that other express provision of the National Constitution which I have heretofore read, which says:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color or previous condition of servitude.

Thus, if a part of the seventeenth amendment, dealing with the qualification of voters, can be set aside in time of war, even though expressly set forth in the Constitution of the United States, then that other provision of the Constitution contained in amendment 15 could likewise be set aside, and persons could be denied the right to vote because they were white or black, or because they were Negro or Aryan. It seems to me that this argument is conclusive, to wit, that the express provisions of the Constitution cannot be set aside even in time of war by an act of Congress.

If the opposite conclusion is reached, then Congress, in time of war, could extend the term of the President indefinitely or extend the terms of its own Members indefinitely, even though the express provisions of the Constitution of the United States limit the terms of the President, United States Senators, and Members of the House of Representatives.

Again, amendment 7 provides:

> In suits at common law, where the value in controversy shall exceed $20, the right of trial by jury shall be preserved.

If a part of amendment 17 can be set aside in time of war by an act of Congress, then the express provisions of the amendment I have just read, giving persons the right to trial by jury where the "value in controversy shall exceed $20," could likewise be set aside.

Amendment 6 provides:

In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed; * * * to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defense.

If the express provisions of amendment 17, which says that "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures," can be set aside by act of Congress in time of war, then the logic is equally clear that, in time of war, Congress, notwithstanding the express provisions of amendment 6 of the National Constitution, can by law deny a person accused of a criminal offense the right to "enjoy the right to a speedy and public trial by an impartial jury," and so forth.

Certainly if in time of war Congress can disregard the express provisions of the Constitution of the United States in one case it is irrefragably true that Congress could then disregard the express provisions of all other parts of the Constitution of the United States, which, carried to its conclusion, would mean that the Constitution of the United States is suspended in time of war.

Our Supreme Court has repeatedly said we live under the same Constitution in war that we live under in peace. Its express provisions cannot be nullified. The term of President cannot be extended by act of Congress; taxes cannot be laid by the President; Congress cannot appoint persons to the Executive Office; in criminal cases the right of a trial by jury cannot be suspended; the right of free speech, free press, and the right of the people peaceably to assemble and to petition their Government for a redress of grievances cannot be suspended in time of war.

The express powers in the Constitution give the Congress the authority to declare war, and, inherently, the right to prosecute war when declared, but it must prosecute it without nullifying the Constitution of the United States.

Mr. President, I shall be glad to be interrupted at any time by any Senator who wants to take issue with any of these statements.

To reiterate, we live under the same Constitution in war as we do in peace. If this were not so, if any express part of the Constitution could by act of Congress be nullified in time of war, every other part of the Constitution could likewise be nullified in time of war.

To put it differently, if we are fighting to preserve the Constitution of the United States, its liberties and safeguards, for our people, we cannot preserve it by setting it aside in whole or in part.

While it cannot be done, yet assuming that it could be done, there would be no difference then between the conduct of the American Government and the conduct of the Hitler government; both would be ruling by decree, without restraint or restriction or limitation upon any of its acts.

If our servicemen are fighting in far-off places to destroy the Constitution of the United States and all that it holds for them, there is not one of them who knows it. Yet, while they are fighting in far-off places for America, for its Constitution, and for all that it means, there are those who are seeking to set aside our democratic and constitutional processes and erect instead a government on a Hitlerian model, by denying to our servicemen the Constitution for which they are contending.

Therefore, while all of us want all the men and women in the armed forces to have the right to vote, we must legislate to achieve that result within the express provisions of the Constitution of the United States, for it is the same Constitution in time of war that it is in time of peace. If we do not legislate in this fashion the law will be illegal. More than that—it can be challenged in every precinct, election district, and State in the Union. In hundreds of precincts the votes of the soldiers will be thrown out and not counted. That is the possibility which overzealous advocates of fly-by-night legislation are seeking to put over on the gallant men and women of our armed forces. We must not let such a debacle at the ballot boxes take place. We must nip this deception in its budding. We must give the soldiers the right to vote and we must do it in such fashion that no legal question about the validity of that law can be raised or sustained. To do less than this is to embrace treachery to men who are dying in far-off battlefields even as I speak.

Now let us see what we can do by national law to confer the right to vote on the members of our armed forces.

Section 2 of article I of the Constitution says:

The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Those are the words of the National Constitution which I think I have proved conclusively are just as much in force now in time of war as they were 10 years ago in time of peace. That provision is express; it is definite; there is no room for argument about it. The Constitution of the United States says:

The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

If they do not have the qualifications which the voters of Maryland or Mississippi or Illinois or any other State in the Union must have in order to vote for the members of their own State legislatures, then the Constitution of the United States says their votes cannot be counted for President, for Vice President, for a Senator, or for a Member of the House of Representatives. They must have the qualifications necessary to vote for the members of their own State legislature, and unless they have those qualifications they cannot cast a valid vote, says the Constitution of the United States, for President, Vice President, a Senator, or a Member of the House of Representatives.

Every Member of the Senate is a State officer. The people who elected me did not come from Mississippi or Michigan or Colorado. They had to come from Maryland, and they had to be qualified to vote for the members of the Maryland State Legislature before they could cast a legal ballot for a Senator in the State of Maryland. If persons who did not have such qualifications as I have enumerated attempted to cast ballots, every Member of this body knows that they were not allowed to vote because they were not qualified.

Therefore, our problem is a simple one: How can we make certain that the soldiers from any State, though absent in the armed forces, can cast a legal ballot, in accordance with the constitutional provision of our country which I have just read?

Let us look to another part of the Constitution of the United States. Article I, section 4, says:

The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations.

Thus, we do have the right to provide the time, place and, under a liberal construction of the seventeenth amendment, the manner of holding elections for Senators and Representatives. We do not have the power to qualify the voters who shall elect such Senators and Representatives, for the Constitution says that the voters in each State shall have the qualifications requisite for voters of the most numerous branch of the State legislature.

The bill I have introduced, copies of which Senators may have if they desire, is the so-called Lucas-Green soldiers' vote bill, rewritten and amended so as to bring that bill under the express provisions of the Constitution of the United States.

The most important change in the Green-Lucas bill occurs on page 4, line 13, subsections (b) (1) and (2).

Mr. LANGER. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. LANGER. Where can Senators obtain copies of the bill?

Mr. TYDINGS. The bill is the one I have introduced. Copies have been distributed to Senators' desks, but I do not think the Senator got one. I am glad to hand him one; and if any other Senator would like a copy, I shall be glad to have further copies distributed.

Mr. President, here is the whole crux of the controversy which in my humble way I have attempted to reconcile so as to carry the right of the soldiers' vote beyond all question as to validity, so as to make sure they will have the right to vote. Let me read the main change which, among others, I have suggested in the Green-Lucas bill. As written and amended by me, these two sections now read as follows—this is my

version of sections (b) (1) and (b) (2), not the Lucas-Green version:

In time of war and for 6 months after the formal declaration of the conclusion thereof, every individual specified in subsection (c)—

That is, every soldier and sailor—

who is absent from the place of his voting residence shall be eligible and qualified to vote in any election for United States Senators and Representatives in Congress whenever the Governor of any State or the adjutant general of any State shall certify to the Commission—

The United States War Ballot Commission—

that such individual is entitled to vote for such officers in accordance with the provisions of this title.

The next provision is similar to that one.

Mr. OVERTON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MAYBANK in the chair). Does the Senator from Maryland yield to the Senator from Louisiana?

Mr. TYDINGS. I yield.

Mr. OVERTON. I do not exactly understand what is intended by the phrase "entitled to vote * * * in accordance with the provisions of this title." Why not say "in accordance with the provisions of the State law"?

Mr. TYDINGS. The Governor would have to certify the soldier's qualifications in accordance with the law of his own State.

Mr. OVERTON. In accordance with the State law?

Mr. TYDINGS. Only the Governor could do it in accordance with State law. I have no objection to adding those words.

Mr. OVERTON. Very well.

Mr. TYDINGS. But I attempted to phrase it so as to pull both ends of the controversy together and, I hope, in a thoroughly constitutional manner.

The next section, dealing with the President and Vice President, reads in similar language:

In time of war and for 6 months after the formal declaration of the conclusion thereof, every individual specified in subsection (c) who is absent from the place of his voting residence shall be eligible and qualified to vote in any election for electors of President and Vice President of the United States, whenever the Governor of any State or the adjutant general of any State shall certify to the Commission that such individual is entitled to vote for such officers in accordance with the provisions of this title.

Before I proceed further, let me point out what that means. It simply means that if the State of Maryland passes a law qualifying its absent soldiers and sailors to vote, as I know and believe it will, and if the Governor certifies to the war ballot commission that that is the fact, the soldiers and sailors can vote, their ballots will come back to the respective precincts and districts in Maryland, they will all be counted, and there will not be any question about constitutionality, national law, or State law; it will all be there. Every soldier and sailor will have the mental satisfaction of knowing there is no dispute about this matter.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. CONNALLY. Does that imply that the Governor will have to submit the names of those eligible?

Mr. TYDINGS. No; he would not have to do that necessarily. He would simply certify that the law provided in blanket as to all those of such and such an age, and so forth.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. TYDINGS. I yield.

Mr. LANGER. I wonder why the Senator phrased it in the alternative: "The Governor or the adjutant general." Suppose the State law provided that only the Governor could do it?

Mr. TYDINGS. If the Governor could do it, obviously he would; but that language was inserted for the reason that I was advised that in many States the adjutant general has the names and addresses and other detailed information concerning those who have gone from those States into the armed forces; and in order to relieve the Governor of the detailed work, I inserted, with some reluctance, the phrase "adjutant general." I would have no objection to striking it out; but, obviously, the adjutant general would not act unless the Governor directed him to do so. However, I am not quarreling over the certification. I am endeavoring now to get at the point which is in controversy.

Under these propositions as read, the Government of the United States recognizes the right of every man and woman in our armed forces during this war to vote a valid and legal ballot whenever the Governor or the adjutant general certifies to the United States war ballot commission that such person is entitled to cast an absentee ballot.

Thus, we live up to the express provisions of the Constitution of the United States; thus, we qualify the men and women in our armed services to cast a legal ballot in accordance with the expressed provisions of the Constitution of the United States. Thus, we make sure that the men and women in the armed services shall have the right to vote. Thus, we raise the whole matter out of the realm of political and legalistic demagogery and chicanery, and bottom it on the express provisions of the Constitution of the United States, which must control, because it is the supreme law of the land. In such fashion no man on earth can successfully challenge or deny the absent soldiers, sailors, and others in our armed forces the right to vote in both National and State elections.

I have altered the so-called Green-Lucas bill in other respects to conform with the philosophy which I have presented to the Senate today.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. VANDENBERG. I take it that none of the questions which the Senator is now discussing would be involved at all if the soldier voted under title II, and the State had provided a totally adequate absentee ballot.

Mr. TYDINGS. The Senator is correct. What I am attempting to do—and I thank the Senator for his suggestion—is, above everything else, to have no question that when a ballot is voted by a soldier it will not be thrown out in an election precinct or district because Congress has attempted to do something which it had no right to do.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. GILLETTE. If I correctly interpret the Senator's explanation and the language, the certification of a Governor or adjutant general would be final and conclusive as to the right of any individual to vote.

Mr TYDINGS. That is correct.

Mr. GILLETTE. It would rest entirely on that interpretation and sound discretion in making the certification.

Mr. TYDINGS. That is correct. In other words, the Governor is the enforcement or executive officer of the State. Someone must transmit to the war ballot commission the authorization or certification as to whether or not these men are qualified. I take it that the only way that could be achieved would be through the Chief Executive. However, further answering the Senator's question, which I shall anticipate a little, in the Green-Lucas bill, on page 18, and in my bill, it is provided what ballots shall be valid, and who shall say that they are valid. The judges of the validity of the ballots are the election officials in the precincts. Obviously it would get back to the place where the power originated. I wish to discuss that question when I finish the presentation of the formal statement.

Mr. GILLETTE. Would it be the Senator's interpretation, when the matter came before the local election board for determining the validity of the ballot, that a certification made by the Governor would be controlling, and could not be overruled?

Mr. TYDINGS. Will the Senator allow me to postpone the answer to that question for 5 minutes? I am coming to it.

Mr. VANDENBERG. Mr. President, will the Senator further yield?

Mr. TYDINGS. I yield.

Mr. VANDENBERG. I should like to ask the Senator one further question. I am not quite sure that I understand the Senator's answer to the question of the Senator from Texas [Mr. CONNALLY]. Am I to understand that this is to be a blanket certification by the Governor? I do not understand how that could cover the individual eligibility of the voter.

Mr. TYDINGS. I see the Senator's point. Taking the State of Maryland as an example, the State of Maryland has not yet enacted such a law. I would assume that the Governor of Maryland, the Governor of Michigan, or the Governor of any other State would simply say, "I am authorized to state that all persons now in the armed forces who will be over

21 years of age on the date of such and such an election are qualified to vote under the laws of this State for the most numerous branch of the State legislature." It might and probably would be necessary to send the commission the names, addresses, and congressional election districts of the service men and women from Maryland.

Mr. VANDENBERG. Then I do not understand the Senator's answer to the Senator from North Dakota, that he has included the adjutant general because the adjutant general has all the information as to the names and addresses.

Mr .TYDINGS. I say the Governor or adjutant general.

Mr. VANDENBERG. The Senator's explanation to the Senator from North Dakota was that he included the adjutant general because the adjutant general is the one who has all the names and addresses.

Mr. TYDINGS. That is correct.

Mr. VANDENBERG. Which carries the implication that there must be further detailed certification.

Mr. TYDINGS. I will confess very frankly that it is not my desire to build a certification with such exactness that it might prove to be a technical hazard. I assume that the war ballot commission, upon the general or blanket certification, would ask the Governor of Maryland if he could give to the war ballot commission the individual names and other pertinent information. In the case of Maryland, I believe that could be done; but I was afraid that if I should draw the provision so strictly that that must be done in every case, it might cause many otherwise eligible soldiers to be disfranchised.

Mr. VANDENBERG. The important thing to me is to determine whether or not the Senator is proposing to put upon the Governor or the adjutant general of each State responsibility for inquiring into the detailed individual eligibility of each voter, and to certify him.

Mr. TYDINGS. In my opinion, that is the point of my proposal, except that the war ballot commission might take a liberal view of the certification if it had the pertinent detailed information already available.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. HOLMAN. I inquired from the secretary of state of my State, who is in charge of elections, what the status of Oregon is, and he has advised me that no further legislation on this subject is needed in Oregon, provided the soldiers and sailors in war areas can obtain the ballots.

Mr. TYDINGS. That may be true.

Mr. HOLMAN. With the Senator's permission, I should like to place in the RECORD at this point as a part of my remarks, a copy of the telegram which I have received from the secretary of state of Oregon.

Mr. TYDINGS. I shall be glad to have the Senator do so.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

JANUARY 13, 1944.

Senator RUFUS HOLMAN,
Senate Office Building,
Washington, D. C.:

Re yours of the 12th. As far as Oregon residents in service overseas are concerned we can vote them under existing State and Federal laws, if their commanding officers will definitely make an effort to get war ballot applications to them, as contemplated and provided in Public Law No. 712. Then extend free air-mail privilege to these people in transmitting envelopes bearing election material. The State of Oregon will air mail from here to overseas on our own account and am sure servicemen can get their ballot back in time to be counted if they are given free air-mail privilege. You may quote me if you so desire.

ROBERT S. FARRELL, Jr.

Mr. TYDINGS. Let me say that there may be States which are already qualified under this provision. It may be that when this bill is further considered some details will have to be changed. I am offering it as a substitute, in the form of an amendment to a bill which I am afraid would not do what its sponsors hope it would do. I am addressing myself more to that point than to some detail which may have to be altered, although I have attempted to draft it comprehensively so far as possible.

Mr. BURTON. Mr. President, will the Senator yield?

Mr. TYDINGS. I shall be glad to yield in a moment. I will yield to all Senators who may wish to ask questions.

From all sides we hear the cry go up, "Give the soldiers the right to vote. They are entitled to it." I agree with these sentiments most heartily. The question is, Shall we give them the right to vote in such fashion that that right cannot be successfully challenged in any quarter, or shall we, in the face of the express provisions of our National Constitution, attempt to give them that right and leave it under the cloud of uncertainty, in the sure knowledge that in many precincts and districts and States their votes will be, and can be, successfully challenged and not counted.

I want to issue a word of warning. Unfortunately, the evil fruit of an invalid soldier-vote law will not be known to the people of this country until after the next general election. That word of warning is this: If we enact an invalid law which purports to qualify the absent soldiers with the right to vote, but which in effect will not so qualify them with that right, once that invalid law is enacted there will be election turmoil in many of the States; the soldiers will learn that they do not have the right to vote; and those who have forced this flimflam on them will be held accountable, not only by the absent soldiers and sailors of the armed forces, but by the civilian men and women from Maine to California. If we insist on sowing the wind, we should not expect to escape the whirlwind. I do not believe there is one Member of Congress who will attempt to challenge in substance the validity of the proposition for which I am speaking. All well know that this measure would stand the test of any court in America, that it is clearly within the express provisions of the Constitution of the United States, and that no Governor or State legislature can, when Congress passes it, refuse to do any necessary act to confer upon our absent servicemen the right to cast a legal ballot. This is the only sure, certain, and valid way. Those who insist on tearing up the Constitution and, driven by ill-advised expediency, seek to achieve illegally what can easily be achieved legally, will pay a price in condemnation by the mothers and fathers of this country greater than any ever paid before by a Member of this body.

Now is the time to stop, look, and listen, for already attorneys general of many States have questioned the validity of the proposals which have heretofore been before us.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. MILLIKIN. I thought the Senator developed very ably the fact that our own oaths would require us to throw out ballots in the event of a contest in the Congress, if the qualifications of voters were not in accordance with the laws of the State regarding the qualifications of voters for the election of persons to the most numerous branch of the legislature.

Mr. TYDINGS. That is correct.

Mr. MILLIKIN. Let me remind the Senator also that article VI of the Constitution places upon our State executives and on the members of the judiciary of our States, as well as on members of the State legislatures, the duty to obey the Constitution of the United States.

Mr. TYDINGS. That is true. Let me not only endorse what the Senator has said, but suggest that the election of President may be thrown into the House of Representatives because of the turmoil created throughout the country, which would make a sham, a farce, and a pretense of the democracy about which we hear so much.

Mr. CONNALLY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. EASTLAND in the chair). Does the Senator from Maryland yield to the Senator from Texas?

Mr. TYDINGS. I yield.

Mr. CONNALLY. In his interesting address the Senator from Maryland may have covered the point, but I should like to propound to him a question. Is it not true that article I, section 2, of the Constitution, which fixes the qualification of the voter, fixes not only a State qualification but that it becomes a Federal qualification as well?

Mr. TYDINGS. The Senator is correct.

Mr. CONNALLY. The Constitution makes the requirement that the voters shall have the same qualifications as the voters for the most numerous branch of the legislature in the State. They are not merely State qualifications, but are Federal qualifications required by the Constitution of the United States.

Mr. TYDINGS. The Senator is absolutely correct.

Mr. CONNALLY. And the only obligation of the Congress——

Mr. TYDINGS. Is to live up to them.

Mr. CONNALLY. As stated by the Senator from Colorado, if the matter came before the commission, or before the Senate, or the House in any election contest, we would have to reject the ballot or swallow our oath to support the Constitution.

Mr. TYDINGS. The Senator is not only correct but in his State a voter might have the qualifications set forth in the Constitution to elect a Member of Congress and possess other qualifications to vote for a Governor of his own State, and the qualifications in either case might be utterly different.

Mr. BAILEY. Mr. President, will the Senator yield?

Referring to section 3, paragraph 3, on page 5, also paragraph 3——

Mr. TYDINGS. Will the Senator defer his inquiry for about 5 minutes until I finish? Then I shall be glad to yield to him.

Mr. BAILEY. Very well.

Mr. TYDINGS. Mr. President, my plea today—and I believe my arguments are irrefutable—is to give the men of our armed forces the right to vote, and give it to them in such fashion that it cannot be called into question. Do not, I beseech, while they are dying on so many far-off battlefields, give support to a measure which, to say the least, may result in many cases in their having no ballot to cast at all, after they have been led to believe they have it. Let us not be parties to placing ourselves in line with this palpable deception. We are now in the month of January. Those who advocate, the Constitution notwithstanding, that an invalid law be passed may reap the plaudits of the moment from a multitude of uninformed persons as they stalk about the stage of America purporting to be the authors and benefactors of a so-called soldiers' vote bill, but time will call them to account as surely as the stars shine. Lawsuits, injunctions, and rulings by our law authorities are likely to show that their honors are not true honors and that the voting rights which they purported to give to the absent soldiers and sailors cannot be realized. Then the day of reckoning will be here. And, finally, remember that election laws as to qualifications will likely be fought out in the State courts, for this dubious measure will plunge the country into the intangible field of the conflict between National and State prerogatives and powers. Why, then, with the election 10 months away, should we take short and ill-advised cuts? Why not take the certain road, the sure road, by extending to the absent service men and women within the full limit of our power every right which we can confer upon them to cast a ballot that will be counted?

This is no time to pass dubious or questionable legislation purporting to settle just and righteous matters such as the soldiers' vote. This is the time to pass certain and sure legislation.

I respectfully submit that if this substitute is adopted every soldier and sailor in America may have the certain and sure knowledge that the Congress of the United States has passed a good and valid voting law, and when the next elections come they can cast their ballots for any candidate they please in the full confidence that their ballots will be legal, and that even though they are thousands of miles away their choices will be recorded in the ballot boxes in the same fashion they would be recorded were these gallant Americans at home in the places where they had been living.

Finally, to show that those who are advocating the original bill are skating on the thinnest of ice, allow me to read from the latest version of the Green-Lucas bill a short section entitled 114 (a) on page 16 which lets the cat out of the bag. The provision to which I refer is under the title "Validity of Ballots." It reads as follows:

The commission—

That is the national war ballot commission—

shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted elected officials of the appropriate districts, precincts, counties, or other voting units of the several States. Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

There is the answer, Senators. The answer is simply this: After we have marched up the hill, after we have had all the flag waving, after we have said that every man in the armed forces over 21 years of age is eligible and qualified to cast a ballot, we have not anything to say as to whether, when that ballot is cast, it is good. Why? Because the authors of the bill say that every ballot shall meet the test of the election precinct officials appointed by the Governor of Oklahoma, Maryland, Colorado, or of whatever State it may be. Why was that provision put into the bill? Because all election officials are appointed in accordance with State law. They are the sole judges of the eligibility of the citizens of the State who appear to cast a ballot.

Let us assume, for example, that the State of X had laws which did not permit absent soldiers to qualify in accordance with the constitutional provision which I have read. Let us assume further that the soldiers from that State vote and their ballots come back to the election precincts and districts of that particular State of X. What happens? The judges who are sworn to uphold the laws of that State say in effect, "This man is not on the registered list. He is not on the list of qualified voters. The State of X has never put him there. Therefore his ballot goes out." Who is going to challenge them? It is a matter exclusively under the State law. How are we going to get it into the Federal courts, and how are we to obtain a determination of the question, even if we can bring it before the court, in time to ascertain which is right, the national election law or the State law?

Let me cite another example, and refer to the senior Senator from Maine, the acting minority leader. Who voted for him? The people of Maine. What people of Maine could vote for him? Only those who were qualified to vote for the members of his own State legislature. Could anyone who had failed to register go to the polls on election day and vote? No. They had to be on the list. The judge turned to his book to see whether they were on the list. If they were not on the list they might have been next to Almighty God in importance, but they could not cast a vote.

Senators, this is the give-away of the whole bill. I retain that provision in my bill because the whole philosophy of the substitute I have offered is to keep it within the Constitution of the United States; and that means that the States must qualify the absent soldiers. However, in the remainder of the bill ample and abundant machinery is set up to facilitate, aid, and help in every way the transportation of the ballots, their voting, and their return to the places where they can legally be counted.

Mr. CONNALLY. Mr. President——

Mr. TYDINGS. I yield to the Senator from Texas.

Mr. CONNALLY. The Senator has pointed out very clearly that the responsibility for the qualifications is on the States.

Mr. TYDINGS. That is correct.

Mr. CONNALLY. Does not this whole question involve the responsibility for the qualifications?

Mr. TYDINGS. Yes.

Mr. CONNALLY. And should not the States enact whatever legislation may be necessary to relax the requirements, instead of Congress, which has nothing on earth to do with it, trying to do it for the States?

Mr. TYDINGS. The Senator is correct.

Mr. CONNALLY. Should not the States meet their obligations and their responsibilities and should we not commit the matter to them, and say, "Here, it is up to you to do this"?

Mr. TYDINGS. Yes. "We have done all we can do, and it is now up to you to qualify the absent voters."

Mr. CONNALLY. Every soldier is a citizen both of the State and of the Nation in one sense, and if anybody is mistreating him it is the people in his own State of which he is a citizen, and there is where we ought to insist that this obligation be performed.

Mr. TYDINGS. That is correct. I agree with the Senator.

The Senator from North Carolina [Mr. BAILEY] asked me a question and courteously deferred while I finished a certain part of my argument. I now yield to him.

Mr. BAILEY. I go back to page 5, paragraphs 2 and 3, in which the proposed legislation undertakes to vest in the Governor or adjutant general power as to the qualifications of an absentee voter, being a soldier or a sailor. Does not that violate the principle upon which the Senator has predicated his proposed legislation? The objection to the bill which I will call the Green-Lucas bill or the

Lucas-Green bill, for which this is proposed as a substitute, is that that bill proposes to nullify the State laws. I am opposed to States nullifying Federal laws and I am equally opposed to the Federal Government nullifying State laws. But the provision in the substitute that "whenever the Governor of any State or the adjutant general of any State shall certify to the Commission that such individual is entitled to vote" interferes with the machinery set up by the States.

Let us take an illustration. It happens that I am in the clear about it, for the Legislature of North Carolina, in session about a year ago, passed an act very fully providing for voting for the soldiers and their qualifications to vote in the election, not in the primary. The Legislature of North Carolina provided how they might be registered, and as I recall, created a commission that would be empowered to register them under proper circumstances. It provided for their voting. We have no poll-tax qualification in North Carolina, but still we do have the qualification of age, the qualification of domicile, the qualification of a first voter with respect to taking an oath to support the Constitution. We cannot have the Governor of the State judge en masse the qualifications.

Mr. TYDINGS. The Senator has misinterpreted, I think, the amendment. I have no idea of doing that at all. Obviously there must be some official of a State who will notify the War Ballot Commission of what the State law is dealing with such matters.

Mr. BAILEY. What would be the objection to having the War Ballot Commission upon receiving a ballot from an absentee soldier send it to the secretary of state in the respective States and having the secretary of state in the respective States send the ballot to the judge of the election of the county?

Mr. TYDINGS. That is provided in the bill I have introduced.

Mr. BAILEY. If that is so there is absolutely no necessity for the Federal Government authorizing the Governor finally to determine the qualifications of the voter.

Mr. TYDINGS. The Governor does not finally determine who is eligible to vote. Suppose a great mass of men vote and get ballots with no certification and those ballots come back and finally go down to the precincts and are there thrown out. The purpose of my proposal is not to have any soldier vote whose ballot is not going to be counted.

Mr. LODGE. Mr. President, will the Senator yield to me along that line?

Mr. BAILEY. If the Senator will pardon me a moment, a certification by the Governor could not prevent the judges of election from throwing out ballots.

Mr. TYDINGS. That is correct.

Mr. BAILEY. But, on the other hand, the judges of election are not going to do anything like that. They will resolve every doubt in favor of the absent soldier.

Mr. LODGE. Mr. President, that is why I should like to ask the Senator whether his object would not be served by simply saying:

> In time of war every individual specified in subsection (c), qualified to vote by absentee voting ballot under the laws of the State of his voting residence.

Why not make such a statement as that?

Mr. TYDINGS. I have no pride of authorship in the mere detail of how the proposition is stated. If the Senator had been present during the early part of my remarks he would have heard me say that the burden of my effort was to devise a law that would not conflict with the Constitution. I have no objection to having the secretary of state or the legislature on a resolution transmitted to the Governor or any other properly constituted authority make the certification, but the War Ballot Commission ought to be formally put on notice by somebody in every State that certain people in that State who are in the armed forces are by State law qualified to vote.

Mr. LODGE. That is a point which is not quite clear to me. I do not see why it is necessary to have a War Ballot Commission at all.

Mr. TYDINGS. Why not?

Mr. LODGE. It seems to me that if the ballots are sent to the soldiers, the soldiers mark them and they are returned enclosed to the voting precinct, that should be sufficient.

Mr. TYDINGS. Who is going to send the ballot to the soldier?

In New York State alone there are 43 congressional districts and hence there must be printed 43 different ballots for that State.

Mr. LODGE. The Army and Navy.

Mr. TYDINGS. From whom are they going to get them?

Mr. LODGE. Under my bill they are going to print them.

Mr. TYDINGS. How are the Army and Navy going to know the names of those who are running for office in the congressional election districts from which the soldiers come, when there are 43 congressional districts in New York State alone, necessitating the printing of 43 differing forms of ballots in that State?

Mr. LODGE. There will not be any names printed on it. There will not be any time for that.

Mr. TYDINGS. Under my substitute every name of every candidate is going to be on the ballot. I set up a form of ballot in it.

Mr. LODGE. For local officers, too?

Mr. TYDINGS. I would not leave it to chance or a man might not know who was running. Under the Senator's proposal a soldier might vote for someone who was not a candidate.

Mr. LODGE. Does the Senator's bill contemplate that all State officers shall be voted for?

Mr. TYDINGS. Certainly, if the State law provides for it.

Mr. LODGE. Does the Senator believe it is physically possible to distribute such ballots and have them returned in time?

Mr. TYDINGS. Why not?

Mr. LODGE. There is involved a time element, as well as a transportation element.

Mr. TYDINGS. That is correct; but it takes no longer to get out a long ballot than a short one.

Mr. LODGE. But there will be many different ballots from all the 48 States.

Mr. TYDINGS. The bill I have introduced provides for a separate Federal ballot and for a short State ballot; that is, it provides for the election of those who make the laws in the States. However, there is a provision in the bill which will allow the State, where the State law specifies that soldiers may vote for minor officers, to send the State ballot, too. In other words, whatever the State law is, we are facilitating it; we are not curtailing it. We are not letting the voter have half of what the State law says he can have, or two-thirds. We would give him the whole right, all the way down the line, from President to sheriff, if the State law gives him that right.

Mr. LODGE. I may be wrong, but, as I understand, the Senator from Maryland is dealing with the same Federal ballot we have been discussing right along.

Mr. TYDINGS. That is correct, because that is the only one there is.

Mr. LODGE. And that is the one which will go out to everyone. Then, as I understand, the State ballot, with State officials on it, comes along later, separately?

Mr. TYDINGS. Yes; a separate ballot.

Mr. LODGE. That will be mailed separately?

Mr. TYDINGS. Only if the State law permits the absentee soldier to vote for State officers. Does the Senator wish to deny the soldiers the right to vote for State officers?

Mr. LODGE. No; I want them to vote for them all, from dog catcher on up.

Mr. TYDINGS. That is the answer.

Mr. LODGE. Why does the Senator put the Federal Government in the position of receiving certifications from the Governors as to who shall and who shall not vote?

Mr. TYDINGS. No such thing has been suggested in the bill at all.

Mr. LODGE. The Senator understands I am just trying to get information.

Mr. TYDINGS. The Senator is not familiar with the bill.

Mr. LODGE. No; I am not.

Mr. TYDINGS. If the Senator will read the bill through——

Mr. LODGE. It says:

> Whenever the Governor of any State * * * shall certify to the Commission that such individual is entitled to vote—

And so on.

Mr. TYDINGS. Yes.

Mr. LODGE. What I would like to know is, why would we not get the same result by merely stating that the ballots shall be marked only by soldiers who are qualified voters under the State laws?

Mr. TYDINGS. The Senator could offer that as a substitute, and I would debate it with him then, but I have not so far heard anything which makes me feel that his proposal is superior to mine.

Mr. LODGE. I am not claiming it is superior.

Mr. TYDINGS. I now yield to the Senator from Ohio. He rose some time ago, but I could not yield to him at the moment.

Mr. BURTON. Mr. President, I should like to have an explanation by the Senator from Maryland in regard to subsections (b) (1) and (b) (2), of section 102

to which he referred as constituting the heart of his proposal. Am I to understand that the Governor of Maryland is to certify that John Jones can vote in Maryland or is the Governor merely to certify what are the provisions of the laws of the State of Maryland fixing the voting qualifications of a man in the armed forces?

Mr. TYDINGS. I would not like to answer that question categorically, because the Senator realizes that different States might want to regulate that particular matter. However, it would mean that the Governor of any State, in pursuance of the law of the State as to absentee soldiers and sailors, should formally certify to the Federal War Ballot Commission that such and such and such was the case, for their information, and that all so certified should have the right to vote. That can be rephrased so as to make it either simpler, or stronger, or plainer. I have no pride of authorship. What I do want is to have the Federal Government know that the State of Maryland or the State of Ohio has done thus and so. Then the War Ballot Commission is put on notice of exactly what the rights of the servicemen from Ohio or Maryland are.

Mr. BURTON. I believe the Senator's answer conforms to his previous statement, but I want to press the matter one bit further. Involved in the question of voting are the individual qualifications of the voter and, secondly, the question as to where he will vote, in which congressional district, let us say. How would the Governor determine that?

Mr. TYDINGS. He would not.

Mr. BURTON. Who would?

Mr. TYDINGS. Let us assume, taking Ohio, for the sake of the argument, that the Governor of Ohio sent to the War Ballot Commission a certification reading in substance like this: "Ohio has passed a law conferring upon all citizens of Ohio over 21 years of age the right to vote for all officers for whom they would be entitled to vote if they were in their respective homes."

Let us suppose that the War Ballot Commission gets such a certification. That does not mean that the ballots would be printed by the War Ballot Commission. The State ballots would be sent to it, and it is assumed that some arrangement, as the bill provides, for close cooperation to work out the details, would be made, so that those ballots could be distributed. They would have their genesis in the States and in the congressional election districts. The War Ballot Commission would only facilitate the State law, that is all.

Mr. BURTON. If John Jones steps up and says, "I am from Ohio," and they give him a ballot; then he says, "I am from the Twenty-second Congressional District," and then after the ballot finally gets home, they decide whether he is from the Twenty-second Congressional District?

Mr. TYDINGS. That is correct; I did not follow the Senator's question before. I know the Senator has not had time to go through the bill, but he will find certain forms which will have to be made out, which show where the soldier lives, and so on. So that when the ballot comes back, with the envelope, the election officials can siphon it right down to the precinct, and there the local judges will say whether the voter lives in the district or not.

Mr. BURTON. That was the point I wanted to raise, because it is not merely a question of age, intelligence, and so on, but, in addition, the voter must have lived a certain length of time in a certain place.

Mr. TYDINGS. I agree with the Senator. Let me add one sentence in conclusion. I do not present this measure as being perfect in all details. I do offer it in the best of faith, and with all the honesty I possess, as the only sure means of guaranteeing to every man in the armed forces the right, in some form or other, to cast a ballot which will be counted. Without reflecting on other proposals which we have heretofore considered, I am very doubtful that under many of them the votes would be counted when the ballots get back.

Mr. BURTON. I am thoroughly in sympathy with the Senator in asking for Federal legislation in this matter, but I want to see a law that will be thoroughly understood.

Mr. TYDINGS. Mr. President, in support of the position which I take I desire to quote a brief extract from a decision of the Supreme Court of the United States. As Mr. Justice Davis of the Supreme Court so fittingly said in the case of ex parte Milligan, reported in United States Reports, Wallace 4:

> The history of the world had taught them that what was done in the past might be attempted in the future. The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false; for the Government, within the Constitution, has all the powers granted to it, which are necessary to preserve its existence; as has been happily proved by the result of the great effort to throw off its just authority.

Mr. President, I ask unanimous consent that the amendment in the nature of a substitute submitted by me be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment in the nature of a substitute submitted by Mr. TYDINGS to Senate bill 1612 is as follows:

That Public Law No. 712, Seventy-seventh Congress, be amended to read as follows:

"It is hereby declared to be the policy of the Government of the United States to aid, assist, and facilitate in every way voting in State and National elections in time of war and for 6 months thereafter of all members of the armed forces of the United States wherever serving, of all members of the merchant marine of the United States, and, in addition to the foregoing, of persons serving with the Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots, and the United States Service Organizations, outside the United States who are attached to or serving with the armed forces of the United States.

"TITLE I

"SPECIAL METHOD OF VOTING IN TIME OF WAR

"United States War Ballot Commission

"SEC. 101. (a) There is established a United States War Ballot Commission (hereinafter referred to as the Commission), which shall be composed of four Commissioners, who shall be appointed by the President, by and with the advice and consent of the Senate, to serve a term which shall not exceed the duration of the war and 6 months thereafter. Two Commissioners shall be members of the political party casting the largest popular vote and two Commissioners shall be members of the political party casting the second largest popular vote for Presidential electors in the most recent Presidential election. Such Commissioners shall be appointed from lists of not less than six nominees submitted by the national committees of the respective political parties. Vacancies in the Commission shall be filled in the same maner as the original appointments, that is, from lists of not less than three nominees for each such vacancy submitted by the national committees of the respective political parties. No Commissioner shall hold or be a candidate for any elective public office. The Commission shall elect from among its members a Chairman and Vice Chairman. Each Commissioner shall receive as compensation $25 for each day in which he is actually engaged in performing the duties of his office and shall also be reimbursed for any necessary expenses incurred in the performance of his duties. The vote of a majority of all the Commissioners shall be necessary to a decision by the Commission on any matter.

"(b) The Commission is authorized to appoint, without regard to the Civil Service Act, rules, and regulations, an Executive Director and such other officers, employees, or agents as may be necessary for the performance of its duties under this act. The Commission may receive assistance from other Federal departments and agencies in carrying out the purposes of this act.

"(c) It shall be the duty of the Commission, in performing its functions under this act, to consult with representatives of the War and Navy Departments and the War Shipping Administration and with State officials. As soon as practicable after any election to which the provisions of this title apply, the Commission shall report to the Congress on the administration of this act, including the number of ballots received by the Commission and transmitted to the secretaries of state of the several States, and the reports received by the Commission from such secretaries of state. Any Commissioner disagreeing as to the contents of the report may set forth his separate views.

"VOTERS ELIGIBLE UNDER THIS TITLE

"SEC. 102. (a) As used in this act—

"1. the term 'members of the armed forces of the United States' means members of the Army of the United States, the United States Navy, the United States Marine Corps, the United States Coast Guard, or any of their respective components;

"2. the term 'members of the merchant marine of the United States' means persons employed as officers or members of crews of vessels documented under the laws of the United States and persons enrolled for such employment with the War Shipping Administration, but does not include those in service or enrolled for service on the Great Lakes or the inland waterways;

"3. the term 'United States,' used geographically, includes only the territorial limits of the several States of the United States and the District of Columbia.

"(b) (1) In time of war and for 6 months after the formal declaration of the conclusion thereof, every individual specified in subsection (c) who is absent from the place of his

voting residence shall be eligible and qualified to vote in any election for United States Senators and Representatives in Congress whenever the Governor of any State or the adjutant general of any State shall certify to the Commission that such individual is entitled to vote for such officers in accordance with the provisions of this title.

"(2) In time of war and for 6 months after the formal declaration of the conclusion thereof, every individual specified in subsection (c) who is absent from the place of his voting residence shall be eligible and qualified to vote in any election for electors of President and Vice President of the United States, whenever the Governor of any State or the adjutant general of any State shall certify to the Commission that such individual is entitled to vote for such officers in accordance with the provisions of law.

"(3) In time of war and for 6 months after the formal declaration of the conclusion thereof, every individual specified in subsection (c) who is absent from the place of his voting residence shall be eligible and qualified to vote in any election for the State officers specified in section 104 (a) (2), whenever the Governor of any State or the adjutant general of any State shall certify to the Commission that such individual is entitled to vote for such officers in accordance with the provisions of law.

"(c) The following individuals, if otherwise eligible under subsection (b), shall be entitled to vote in accordance with the provisions of this title:

"1. Members of the armed forces of the United States and members of the merchant marine of the United States.

"2. Persons serving with the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots, and the United Service Organizations outside the United States who are attached to and serving with the armed forces of the United States.

"PAYMENT OF POLL TAX NOT REQUIRED

"SEC. 103. No individual specified in section 102 (c) shall, in time of war and for 6 months after the formal declaration of the conclusion thereof, as a condition of voting in any election for electors for President or Vice President or for Senator or Member of the House of Representatives, be required by any Federal officer or any member of the armed forces or any person serving under the Government of the United States in any capacity, to pay any poll tax or other tax or to make any other payment to any State or political subdivision thereof.

"OFFICIAL FEDERAL AND STATE WAR BALLOTS, ENVELOPES, AND EXPLANATIONS

"SEC. 104. (a) (1) The Commission shall cause to be prepared and printed for use in voting in general elections under this title an adequate number of official Federal war ballots. Each ballot shall be printed in the following form insofar as the offices enumerated are appropriate to the particular election:

"OFFICIAL FEDERAL WAR BALLOT

"Instruction: To vote, write in the name of the candidate of your choice for each office or write in the name of his political party—Democratic, Republican, Progressive, or other.

"Electors of President and Vice President of the United States (a vote for President includes a vote for Vice President of the same party).

"Write in the name of your choice for President or the name of his party: _____.

"UNITED STATES SENATOR

"(Only if a Senator is to be elected in your State)

"Write in the name of your choice for Senator or the name of his party: _____.

"REPRESENTATIVE IN CONGRESS FOR YOUR DISTRICT

"Write in the name of your choice for Representative in Congress for your district or the name of his party: _____.

"REPRESENTATIVE AT LARGE IN CONGRESS

"(Only in the States entitled thereto)

"Vote for one or two as case may be

"Write in the name or names of your choice for Representative or Representatives at Large or the name of his party: _____. A vote by party designation shall be deemed to be a vote for the candidate of that party by name. A vote for a Presidential candidate by name shall be deemed to be a vote for the candidates for Presidential and Vice Presidential electors of his party. No ballot shall be invalid by reason of mistake or omission in writing in the name of the candidate or his political party where the candidate or party intended by the voter is plainly identifiable. Where, because of any defect in marking, a ballot is held invalid as to any particular candidate for office, it shall remain valid as to the other candidates for office.

"(2) The Commission shall cause to be prepared and printed for use in voting in general elections under this title an adequate number of official State war ballots. Each ballot shall be printed in the following form insofar as the offices enumerated are appropriate to the particular election:

"OFFICIAL STATE WAR BALLOT

"Instruction: To vote, write in the name of the candidate of your choice for each office or write in the name of his political party—Democratic, Republican, Progressive, or other.

"GOVERNOR

"Write in the name of your choice for Governor or the name of his party_____

"LIEUTENANT GOVERNOR

"Write in the name of your choice for Lieutenant Governor or the name of his party _____.

"STATE SENATOR

"Write in the name of your choice for State senator or the name of his party _____.

"MEMBER OF THE STATE HOUSE OF REPRESENTATIVES OR HOUSE OF DELEGATES, AS THE CASE MAY BE

"Write in the name or names of your choice for member or members of the State house of representatives or house of delegates as the case may be, or the name of his party_____

"Vote for one or more as the case may be

No ballot shall be invalid by reason of mistake or omission in writing in the name of the candidate or his political party, where the candidate or party intended by the voter is plainly identifiable. Where, because of any defect in marking, a ballot is held invalid as to any particular candidate for office, it shall remain valid as to the other candidates for office.

"(b) The Commission shall also cause to be prepared and printed an appropriate number of official inner envelopes for use in sealing the official Federal war ballots and the official State war ballots. Each envelope shall be gummed ready for sealing. Upon one side of the envelope shall be printed:

"OFFICIAL FEDERAL WAR BALLOT FOR GENERAL ELECTION

"Name of voter _____
"(Print your name plainly here)

"Home residence:
"Street and number (if any) or rural route _____
"(Print street and number or rural route plainly here)

"City or town (if any) _____
"(Print city or town plainly here)

"County _____
"(Print county plainly here)

"OR OFFICIAL STATE WAR BALLOT FOR GENERAL ELECTION

"Name of voter _____
"(Print your name plainly here)

"Home residence:
"Street and number (if any) or rural route _____
"(Print street and number or rural route plainly here)

"City or town (if any) _____
"(Print city or town plainly here)

"County _____
"(Print county plainly here)

"Upon the other side of such envelope shall be printed the following oath, at the top of which shall be set forth the date of the election:

"OATH OF ELECTOR FOR VOTING IN THE GENERAL ELECTIONS TO BE HELD IN 194__

"I do hereby swear (or affirm) that—

"(1) I am a citizen of the United States.

"(2) The date of my birth was _____.

"(3) For ____ years preceding this election my home residence has been in the State of _____.

"(4) For ____ years preceding this election my home residence has been in the (city, town, or village) of _____, in the county of _____ at (street and number, if any, or rural route) _____.

"(5) I am (check appropriate blank)—

"(a) in the armed forces of the United States_____ ( );

"(b) in the merchant marine of the United States_____ ( );

"(c) serving with the American Red Cross ( ), the Society of Friends ( ), the Women's Auxiliary Service Pilots ( ), or the United Service Organizations ( ), outside the United States, and am attached to and serving with the armed forces of the United States; and that I have not voted and do not intend to vote in this election at any address other than the above; and that I have not received or offered, do not expect to receive, have not paid, offered, or promised to pay, contributed, offered, or promised to contribute to another, to be paid or used, any money or other valuable thing as a compensation or reward for the giving of a vote at this election, and have not made any promise to influence the giving or withholding of any such vote; and that I have not been convicted of bribery or any infamous crime, or, if so convicted, that I have been pardoned or restored to all the rights of a citizen, without restriction as to the rights of suffrage.

"_____
"(Voter must write his usual signature here and oath must be administered and attested)

"Subscribed and sworn to before me this ____ day of _____ 194__.

"_____
"Commissioned, noncommissioned, or petty officer not below the rank of sergeant or its equivalent, or other person authorized to administer and attest this oath.

"(c) The Commission shall also cause to be prepared and printed an appropriate number of official outer envelopes for use in returning to the Commission official Federal war ballots and official State war ballots and official inner envelopes. Upon such outer envelope the following shall be printed:

"Free of all postage, including air mail
"(Official war ballot)

"*To the United States War Ballot Commission.*

"For transmission to the secretary of state of the State shown below:

"Voter's home residence:
"Street and number (if any) or rural route _____
"(Print clearly)

"City or town _____
"(Print clearly)

"County _____
"(Print clearly)

"State _____
"(Print clearly)

"(d) Ballots and envelopes for use outside the United States shall be suitable for air mailing.

"(e) The Commission shall also cause to be prepared and printed an adequate number of copies of explanations of voting procedure for use in accordance with the provisions of this title.

"(f) Where the Secretary of War or the Secretary of the Navy determines that the transmission abroad of any material required to be prepared and printed by the provisions of this section is inexpedient because of transportaion difficulties or for other reasons arising from the conduct of the war, the Commission is authorized to arrange for such material to be printed outside the United States.

"BALLOTING

"SEC. 105. (a) Any person voting under the provisions of this title shall privately mark the ballot, place it in the official inner envelope, and securely seal the same. He shall then fill in and subscribe the oath printed upon the official inner envelope. After the oath has been duly attested, the voter shall then place the official inner envelope in the official outer envelope provided for the return of the ballot to the Commission and shall deliver it to a person designated by proper authority to receive executed ballots for transmission to the Commission.

"(b) Any commissioned, noncommissioned, or petty officer not below the rank of sergeant or its equivalent in the armed forces of the United States and any member of the merchant marine of the United States designated for this purpose by the Administrator of the War Shipping Administration is authorized to administer and attest such oaths as are required by this title. All such oaths shall constitute prima facie evidence that the voter is qualified to vote, unless the statements contained in such oath indicate the contrary.

"ADMINISTRATION

"SEC. 106. The Secretaries of War and Navy shall be responsible for the administration of this title with respect to members of the armed forces and civilians attached to and serving with the armed forces and entitled to vote thereunder. The Administrator of the War Shipping Administration shall be responsible for the administration of this title with respect to members of the merchant marine of the United States entitled to vote thereunder.

"TRANSMISSION OF FEDERAL AND STATE BALLOTS, ENVELOPES, AND EXPLANATIONS

"SEC. 107. In each year in which a general election for Senators and Representatives in Congress is to be held, the Commission shall furnish well in advance of the election an adequato number of ballots, envelopes, and copies of explanations of voting procedures to the Secretaries of War and Navy and to the Administrator of the War Shipping Administration.

"LISTS OF CANDIDATES

"SEC. 108. The secretary of state of each State shall furnish the Commission such information as the Commission shall request for compiling a list of candidates and their parties in any general election for President and Vice President or for Senators and Representatives in Congress or for State officers specified in section 104 (a) (2). The Commission shall transmit to the Secretaries of War and Navy and the Administrator of the War Shipping Administration, at such times as it deems to be appropriate for balloting under this title, lists of candidates compiled from the information so received, even if incomplete. The Secretaries of War and Navy and the Administrator of the War Shipping Administration shall, in ample time for balloting under this title, transmit such lists to all units of the armed forces and to members of the merchant marine of the United States, to the extent that such transmission is practicable and compatible with military operations. Incomplete lists of candidates so furnished, or failure to furnish such lists, shall be no bar to balloting under the provisions of this title. No list of candidates furnished under this title shall include information as to a candidate other than his name, address, party affiliation, and office for which nominated.

"DISTRIBUTION AND COLLECTION OF BALLOTS FOR MEMBERS OF THE ARMED FORCES AND OTHERS

"SEC. 109. (a) The Secretaries of War and Navy, insofar as practicable and to the fullest extent compatible with military operations, shall cause ballots, envelopes, explanations of voting procedure, and lists of candidates to be distributed to members of the armed forces, and to civilians attached to and serving with the armed forces and entitled to vote under this title, in ample time to insure an opportunity to vote in general elections under this title and shall cause executed ballots to be collected and transmitted to the Commission.

"(b) Whenever practicable and compatible with military operations, the appropriate commanding officer shall be required—

"(1) to designate a balloting day for voting in general elections, which shall be, whenever possible, after he has received a list of candidates from all States, but which shall not be later than the date which the Secretary of War or the Secretary of the Navy, as the case may be, may fix for the area in which his command is located as the latest date which will afford a reasonable opportunity for the return of executed ballots;

"(2) to cause lists of candidates to be posted and otherwise made available at conspicuous and convenient places prior to and on the balloting day and to cause copies of explanations of voting procedure and all other necessary information to be furnished to members of his unit and civilians attached to and serving with such unit and entitled to vote under this title;

"(3) on the designated day to cause ballots and envelopes to be distributed, to provide a convenient place for marking them in secret, and to cause executed ballots to be collected and delivered for transmission to the Commission;

"(4) to assume general responsibility for assuring that every person in or attached to and serving with his unit, who is entitled to vote under this title, has an opportunity to vote.

"DISTRIBUTION AND COLLECTION OF BALLOTS FOR THE MERCHANT MARINE

"SEC. 110. The Administrator of the War Shipping Administration shall cause ballots, envelopes, explanations of voting procedure, and lists of candidates for voting in general elections to be made available to members of the merchant marine of the United States upon request. The Administrator shall provide a convenient place for marking such ballots in secret, and shall cause executed ballots to be collected and delivered to the Commission or to appropriate representatives of the War and Navy Departments for transmission to the Commission. The Secretaries of War and Navy shall arrange, so far as practicable, for the receipt of such ballots and their transmission to the Commission together with the ballots of members of the armed forces. The Administrator may delegate to the Secretary of War or the Secretary of the Navy, with the consent of such Secretary, any function of the Administrator under this title.

"PRIORITIES

"SEC. 111. The Secretaries of War and Navy and other appropriate authorities shall take all steps necessary to give to the transmission and delivery of ballots and communications under this title priority over all unofficial communications and priority over official communications except where, in the judgment of the appropriate military and naval authorities, such priority would interfere with the effective prosecution of the war. Ballots cast outside the United States shall be transmitted by air, wherever practicable and compatible with military operations.

"TRANSMISSION

"SEC. 112. The Commission, upon receiving any ballot cast under this title, shall promptly transmit it to the secretary of state of the State of the voter's residence who shall at an appropriate time transmit it to the appropriate election officials of the district, precinct, county, or other voting unit of the voter's residence. No person other than such appropriate election officials shall open any official outer or inner envelope purporting to contain a ballot cast under this title.

"REPORTS

"SEC. 113. (a) The Secretaries of War and Navy and the Administrator of the War Shipping Administration shall report to the Commission on balloting under this title, including the number of ballots distributed, received, and transmitted to the Commission, together with any comments thereon or explanation thereof.

"(b) The Commission shall prepare a statement of all ballots received and transmitted to the various secretaries of state. Each secretary of state shall prepare a report of all ballots received by him and transmitted to the various election officials, and within 30 days after the last day for counting absentee ballots in any election in which ballots are cast under the provisions of this title, each secretary of state shall transmit such report to the Commission.

"VALIDITY OF BALLOTS

"SEC. 114. (a) The Commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States. Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

"(b) No official Federal war ballot shall be valid if—

"1. the voter has also voted in person or by absentee ballot in accordance with the procedure provided by State law; or

"2. the date of the oath of elector is later than the date of the holding of the election; or

"3. such ballot is received by the appropriate election official of the district, precinct, county, or other voting unit of the State of the voter's residence later than the date of the holding of the election, except that any extension of time for the receipt of absentee ballots permitted by State laws shall apply to ballots cast under this title.

"(c) All ballot envelopes received by a secretary of state at a date or time too late for proper delivery, and all ballot envelopes not delivered to polling places or to the proper officials shall not be opened but shall be endorsed with the date of reception and shall be retained by the secretary until the time has expired for contesting the election, when they shall be destroyed without examination.

"VOTING SAFEGUARDS

"SEC. 115. Every individual concerned with the administration of this title shall take all necessary steps to prevent fraud, to protect voters against coercion of any sort, and to safeguard the integrity and secrecy of ballots cast hereunder.

"PENALTIES

"SEC. 116. The provisions of State and Federal law prohibiting offenses against the elective franchise shall apply in the case of elections and voting conducted pursuant to the provisions of this title: *Provided, however,* That no act done in good faith by a member of the armed forces of the United States, in the exercise of his judgment as to what was practicable and compatible with military operations, shall constitute a violation of any such provision of law.

"APPROPRIATE STATE OFFICIALS

"SEC. 117. Wherever, in any State, an official other than the secretary of state is the appropriate State official to carry out any function vested in the secretary of state under this title, the term 'secretary of state' shall mean such other official.

"OFFICIALS AND AGENCIES TO ACT FOR SECRETARY OF STATE

"SEC. 118. Each secretary of state may utilize the services of such State and local officials and agencies for such purposes and to such extent as he may deem appropriate in the exercise of his powers and duties under this title.

"ACT TO BE LIBERALLY CONSTRUED

SEC. 119. The provisions of this act shall be construed liberally in order to effectuate its purposes.

"TITLE II

"VOTING UNDER STATE LAW FOR STATE AS WELL AS FEDERAL OFFICERS

"Post cards

"SEC. 201. In order to afford an opportunity for members of the armed forces to vote for Federal, State, and local officials and to utilize State absentee balloting procedures to the greatest extent possible, the Commission shall cause to be printed and delivered to the Secretaries of War and Navy an adequate number of post cards for use in accordance with the provisions of this title. The Secretaries of War and Navy shall, wherever practicable and compatible with military operations, cause such post cards to be made available, at appropriate times, upon request, to members of the armed forces located within the United States, and, where State procedures can be effectively employed, to members of the armed forces located in other places.

"Upon one side of the post card shall be printed the following:

"Secretary of state or other appropriate official within the State of _____.

"Being in the armed forces of the United States, I hereby request an absentee ballot to vote in the coming _____ (primary, general, or special) election.

"(1) I am a citizen of the United States.

"(2) The date of my birth was _____.

"(3) For _____ years preceding this election my home residence has been in the State of _____.

"(4) For _____ years preceding this election my home residence has been in the (city town, or village) of _____, in the county of _____, at (street and number, if any, or rural route) _____.

"(5) My voting district, to the best of my knowledge, is _____.

"Please send the ballot to me at the following address: _____

"_____

"(Print your name plainly above)

"_____

"(Write your usual signature above)

"Subscribed and sworn to before me this _____ day of _____, 194__.

"_____

"(Commissioned officer writes here his name and rank)

Upon the other side of the post card shall be printed the following:

"Free of postage

"Including air mail

"(War ballot)

"Secretary of state of _____,

"_____,

"(City)

"_____.

"(State)

"FUNCTION OF POST CARDS

"SEC. 202. Such post cards (and post cards provided under section 3 of this act prior to its amendment) may be used, if State law permits, as applications for ballots under State absentee balloting laws, as applications for registration under State absentee balloting laws, or as sources of information to implement State absentee balloting laws. No voter shall be precluded from voting under the provisions of title I of this act by reason of any post-card application made under this title, unless such voter casts an absentee ballot.

"INFORMATION REGARDING ELECTIONS

"SEC. 203. The Commission shall, at appropriate times, furnish the Secretaries of War and Navy with any information received from a secretary of state as to the dates of elections in such State, including general, special, and primary elections. The Secretaries of War and Navy shall, whenever practicable and compatible with military operations, cause such information to be made available to members of the armed forces.

"TITLE III

"MISCELLANEOUS

"Authorization for appropriations

"SEC. 301. (a) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

"(b) The Commission shall certify to the Secretary of the Treasury for payment in advance or otherwise such sums as it estimates to be necessary to compensate State or local agencies for administrative expenses incurred under title I of this act. The Secretary of the Treasury, through the Division of Disbursement of the Treasury and prior to audit or settlement by the General Accounting Office, shall pay the sums so certified. The use of such sums shall be properly accounted for, and any part in excess of that used to meet such administrative expenses shall be returned to the United States upon the demand of the Commission.

"(c) The transmission of all communications under titles I and II shall be free of postage, including air-mail postage, in the United States mails.

"VOTING UNDER STATE LAW PERMITTED

"SEC. 302. Nothing in this act shall be deemed to restrict the right of any member of the armed forces of the United States or of any other person to vote in accordance with the law of the State of his residence, if he does not elect to vote in accordance with the provisions of title I of this act.

"SEPARABILITY

"SEC. 303. If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the invalidity of the remainder of the act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

"Amendments to act of August 2, 1939, as amended

"SEC. 304. The act of August 2, 1939, entitled 'An act to prevent pernicious political activities,' as amended (U. S. C., 1940 edition, title 18, secs. 61–61t; Supp. II, title 18, secs. 61h, 61u), is hereby amended by adding thereto the following new sections:

"'SEC. 22. It shall be unlawful for any officer of, or person employed in, the executive branch of the Federal Government, or any agency or department thereof, including the Army and Navy, to deliver or present or cause to be delivered or presented to persons in the armed forces of the United States any general communication, Government magazine, Government newspaper, motion-picture film, or other literature or material, or to make, or cause to be made, any broadcast to the armed forces of the United States, paid for in whole or in part with Government funds, or sponsored by the Government or any agency or department thereof, including the Army and Navy, and containing political argument or political propaganda of any kind designed or calculated to affect the result of any election for President, Vice President, Presidential elector, Member of the Senate, or Member of the House of Representatives, except that—

"'(1) Nothing in this section shall prohibit the rebroadcast over Government-controlled radio stations of any political address, but equal time must, if requested, be given for such purposes to representatives of each political party which polled at least 10 percent of the votes cast in the most recent Presidential election;

"'(2) Nothing in this section shall prevent the distribution to members of the armed forces of books, magazines, and newspapers which have a general circulation in the United States, or of servicemen's magazines or newspapers, such as Yank and Stars and Stripes, or the presentation to members of the armed forces of motion-picture films, radio broadcasts, or rebroadcasts; but—

"'(a) The list of such magazines and newspapers of general circulation shall be determined in accordance with the preference of the members of the armed forces in some reliable method to be determined by the Secretary of War and the Secretary of the Navy;

"'(b) any such books of general circulation hereafter purchased shall be selected from a list of books, not containing political argument or political propaganda of any kind designed or calculated to affect the result of any election for the Federal offices above-mentioned, approved by a nonpartisan committee of civilian publishers and librarians which is not financed by the Government or by political parties; and

"'(c) such motion-picture films, radio broadcasts or rebroadcasts, and servicemen's magazines or newspapers, sponsored or paid for by the Government, shall be nonpartisan and nonpolitical: *Provided,* That this subparagraph shall not prohibit or curtail impartial coverage or presentation, as news, or information, of public events and persons in public life: *And provided further,* That if in any issue or presentation space or time is allotted to editorials, columns, or other argumentative matter supporting a political party which polled at least 10 percent of the votes cast in the most recent Presidential election, an equal amount of space or time shall be allotted in the same issue or presentation to similar matter concerning each such other political party.

"'(3) Nothing in this section shall prevent the sending of any letter, communication, magazine, newspaper, or other literature by any individual, corporation (other than a Government-owned or Government-controlled corporation), or political committee to any member of the armed forces, addressed personally to such member of the armed forces, and paid for by him, or by the individual, corporation, or committee sending the same.

"'SEC. 23. It shall be unlawful for any censor or other officer, employee, or member of the executive branch of the Government, including the Army and Navy, to censor any

letter, communication, magazine, newspaper, or other literature referred to in paragraph (3) of section 22 of this act, for the purpose of removing therefrom any political argument, political propaganda, or other political matter, except to the extent that such argument, propaganda, or other matter contains information which may be of value to the enemy in their prosecution of the war.

" 'SEC. 24. Any person who violates the provisions of section 22 or section 23 of this act either within or outside of the United States shall upon conviction thereof be fined not more than $1,000 or imprisonment for not more than 1 year, or both.' "

Mr. GEORGE obtained the floor.

Mr. HOLMAN. May I ask the Senator from Maryland a question?

Mr. TYDINGS. I have already delayed the Senator from Georgia, but if it is just one question I shall yield to the Senator.

Mr. HOLMAN. From the telegram I have received from the Oregon secretary of state, to which I have heretofore made reference, I am assured that the State of Oregon is prepared to issue the ballots to the absent voters in the American combat forces and to insure the counting of those ballots as provided for by State law. All that we in Oregon want from the Federal Government is the means of rapid transportation and delivery of the ballots to the absent voters in our Army and Navy, and the collection and return of these ballots.

Mr. TYDINGS. The bill does exactly what the telegram indicates the State of Oregon wants done. It sets up machinery to carry out the law of the State of Oregon.

Mr. HOLMAN. I thank the Senator.

THE REVENUE ACT

The Senate resumed the consideration of the bill (H. R. 3687) to provide revenue, and for other purposes.

Mr. GEORGE. Mr. President, I do not wish to interfere with any Senator who has anything to present, and I make inquiry now of the Senator from Missouri whether he has a matter he desires to submit.

Mr. TRUMAN. The senior Senator from New Mexico [Mr. HATCH] is detained from the Senate with a slight cold. He asked me to offer an amendment to the tax bill this morning, which I did, and he asked me to make a short explanation of it, which will take about 10 minutes.

Mr. GEORGE. Will the Senator permit me to have some clerical amendments agreed to first, amendments which will not lead to any debate?

Mr. TRUMAN. I desire to abide by whatever the Senator from Georgia wants to do.

Mr. GEORGE. I shall offer the amendments; then the Senator may proceed.

Mr. WHITE. Will the Senator from Georgia yield to me to suggest the absence of a quorum?

Mr. GEORGE. I wish the Senator would withhold the suggestion. I am now about to offer a few clerical, technical amendments to the tax bill. But if the Senator insists on a quorum call, I may be compelled to yield to him.

Mr. WHITE. I share the Senator's great anxiety to make progress.

Mr. GEORGE. Let me make a statement. I intend to have the Senate conclude the consideration of the tax bill, except for the one matter that is to go over until Monday, even if I have to ask the Senate to remain in session tonight; and I do not wish to do that if I can help it. There are some controversial provisions which will call for debate.

Mr. WHITE. I advised a Senator on the other side of the aisle that when we reached the tax bill I would make a point of no quorum. Let me say to the Senator—and I repeat what I stated a moment ago—I am in complete sympathy with him, and I shall cooperate in every way possible.

Mr. GEORGE. Mr. President, it is not a matter of cooperation; it is simply a matter of knowing what the program is to be. If the tax bill is not to be considered today I want to know it now, and as soon as I can find out about the matter I myself will make an appropriate motion.

I now yield to the Senator from Maine to suggest the absence of a quorum.

Mr. WHITE. I suggest the absence of a quorum. I will say to the Senator from Georgia that I will not again suggest the absence of a quorum today unless a vote is actually impending.

The PRESIDING OFFICER (Mr. WALSH of New Jersey in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	George	O'Mahoney
Andrews	Gerry	Overton
Austin	Gillette	Radcliffe
Bailey	Green	Reed
Ball	Gurney	Revercomb
Barkley	Hayden	Reynolds
Bone	Hill	Robertson
Brewster	Holman	Russell
Bridges	Johnson, Colo.	Shipstead
Brooks	Kilgore	Stewart
Buck	La Follette	Thomas, Idaho
Burton	Langer	Thomas, Okla.
Bushfield	Lodge	Thomas, Utah
Butler	Lucas	Truman
Byrd	McClellan	Tunnell
Capper	McFarland	Tydings
Caraway	McKellar	Vandenberg
Chavez	Maloney	Van Nuys
Clark, Mo.	Maybank	Walsh, Mass.
Connally	Mead	Walsh, N. J.
Danaher	Millikin	Wheeler
Davis	Moore	White
Downey	Murdock	Wiley
Eastland	Murray	Willis
Ferguson	O'Daniel	Wilson

The PRESIDING OFFICER. Seventy-five Senators have answered to their names. A quorum is present.

Mr. GEORGE. Mr. President, I should like to offer certain clerical or technical amendments to the bill. They all have the approval of the staff of the joint committee and of the Treasury. While they are numerous, they are all of the character I have described, except the last amendment, which, while it is also technical, is a mere rewriting of something the Senate has already done. I ask that the first amendment be stated, and then I shall be glad to yield to the Senator from Missouri [Mr. TRUMAN].

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 50, in line 3, it is proposed to strike out the semicolon and insert a period.

Mr. TRUMAN. Mr. President, earlier today, at the request of the Senator from New Mexico [Mr. HATCH], I submitted an amendment which I asked to have printed and lie on the table. The amendment deals with the post-war industry set-up. I should like to make a short statement in explanation of what the amendment would do.

On September 21, 1943, the Senator from New Mexico [Mr. HATCH] called the attention of the Senate to the frequently heard complaints of war contractors that they are unable under the present provisions of the tax and renegotiation laws to set up adequate reserves for anticipated expenses in connection with the termination of their war contracts and the necessary post-war conversion of their plant facilities. Many such contractors, individual and corporate, will doubtless suffer large inventory losses. Many of them will feel a strong moral obligation to make substantial severance payments to unneeded war-time employees after cancelation of war contracts. Many such contractors will suffer substantial overhead losses during post-war periods of change-over.

At that time he pointed out to the Senate that three provisions have already been made in the law for the relief of these conditions: First, the post-war credit under the excess-profits tax law, which, in the case of top-bracket corporate excess-profits taxpayers, may amount to as much as 9 percent of the total profit before taxes; second, the provision for acceleration of amortization of emergency facilities which are worthless at the end of the war, if the war should terminate before the expiration of the 5 years currently allowed for the emergency amortization; third, provision for a 2-year carry-back, as well as carry-forward of losses, with the requirement of a cash refund by the Government in the event of application of the carry-back provision. This last provision could be very important to contractors whose businesses are really hard hit at the termination of the war and could result in losses for a 2-year period at the end of the war being entirely made up by the Government.

I know, however, and I am sure other Members know from conversations with war contractors, both individual and corporate, that even these provisions are inadequate to take care of the legitimate needs of many of them.

The staff of the Special Committee Investigating the National Defense Program has made a survey within the past 6 months of the post-war reserve requirements of the 100 war contractors holding the largest volume of war contracts, and I expect to discuss the results of that survey more fully when we come to the debate on renegotiation. The study is based upon correspondence and conversations with the contractors themselves and each contractor has been asked to estimate exactly what his termination and post-war expenses are ex-

pected to be. Answers have been received from a very large percentage of this group of 100, and the group contains representatives of practically every substantial industry in the United States. The most striking feature of the replies is not the amount of money which will be required, nor the variety of purposes for which it will be required, but the complete uncertainty of the contractors themselves as to how much will be required and the purposes for which it will be required.

Of the 86 companies whose answers have been tabulated, 28 have literally thrown up their hands and said they have no idea of any kind upon which they can make even a remote estimate as to how much money they will need or what they will need it for.

The estimates made by the remainder run the gamut from the modest statement that nothing will be required except a "prompt settlement of war contracts on termination," to estimates by some contractors that restoration to their previous peacetime position in our national economy will require sums amounting to several times their present total net worth.

For example, at one extreme we find the Sun Oil Co. of Philadelphia whose executives stated that they did not think the company would require any substantial amount of money for post-war reconversion. As illustrations of the other extreme, we find that General Motors Corporation expects to need $150,000,000, General Electric Co. expects to need $50,000,000, Ford Motor Co. expects to need $70,000,000, Douglas Aircraft Co. expects to need $63,000,000, the Glenn L. Martin Co. expects to need $105,000,000, and numerous other companies expect to need only slightly smaller sums.

Two points are perfectly clear as a result of this study: First, any provision designed to solve the post-war reserve problem must be extremely flexible or it will result in hardship to some and windfalls to others, while the number whose needs will be exactly met will be purely accidental. Second, any provision to be effective must be reasonably self-administering and must avoid, insofar as possible, a requirement of determination by Government administrators of the amount of money needed. If in most cases the contractors do not know themselves, how can anybody expect a Government administrator to know?

The only plan I have yet heard suggested which will meet both of these tests by providing both flexibility and simplicity of administration is a plan suggested by a group of war contractors, a plan which has been the subject of much informal discussion in the past 6 months. The Senator from New Mexico [Mr. HATCH] brought it to the attention of the Senate on September 21, and suggested that it be considered in connection with the proposed amendments to the tax law. I do not find any amendment to accomplish this in the present bill; and, in view of the unavoidable absence today of the Senator from New Mexico, I am offering one at this time for the Senator from New Mexico and myself. The substance of the plan is that any taxpayer, individual or corporate, who anticipates a termination or post-war reserve requirement, may, in his own discretion, set up a reserve of whatever amount he thinks he will need, so long as it does not exceed 20 percent of his normal tax net income, and he may in that event claim a credit against his normal tax net income, his surtax net income, and his excess-profits net income of the amount of the reserve which he decides upon within the 20-percent limit, subject to only two simple conditions:

First. That the amount set aside in such reserves be invested in a special issue of nonnegotiable, noninterest-bearing Government bonds, redeemable at any time prior to the end of the eighteenth month after the cessation of hostilities;

Second. That simultaneously with the liquidation of such securities, the taxpayer must return the amount derived from such liquidation to his taxable income for the year of liquidation.

This plan does not require the exercise of discretion by any Government bureau. It leaves it to each taxpayer to determine for himself the seriousness of his own war-contract termination, post-war expense, and declining income problem. The taxpayer who has a serious problem of this character can protect himself against it, and can spread his increased wartime income equitably to meet it. The taxpayer who does not have such a problem will not be required to do so, and will not be prejudiced by his failure to do so.

The taxpayer who seeks an unconscionable advantage will find himself caught in his own trap, for, if he does not have extraordinary expenses within the period ending 18 months after hostilities cease, he will either be forced to lose the money invested in the special bond issue or he will be forced to take it back and add it to his continuing income so that he will find himself in a higher tax bracket instead of a lower tax bracket.

The plan would keep all moneys required for these intangible and presently undeterminable post-war expenses in the form of non-interest-bearing securities until the termination or post-war need actually arises, so that the money would in the meantime be fully available for wartime financing.

The approval of this plan will in my judgment render unnecessary the amendment set forth in subdivision (a) (4) (vii) of title 7 of this bill, which requires the administrators of renegotiation to take into account, in fixing the amount of the renegotiation refund, "financial problems in connection with reconversion". I will postpone any further discussion of that clause until the renegotiating provisions of the bill are brought before the Senate for debate, but I do wish to emphasize now that a choice must be made between the handling of this termination and post-war reconversion problem through a simple, automatically administered tax provision such as the one I now offer and the other amendments to the renegotiation law, which would immeasurably increase the administrative burden already imposed upon the renegotiators by requiring them to make a guess as to post-war requirements, a guess which our survey shows the contractors in most cases are unable or unwilling to make themselves at the present time.

Mr. GEORGE. Mr. President, I ask unanimous consent that the Senate reconsider the votes by which approval was had of certain committee amendments in order that I may offer thereto several clarifying and technical amendments relative to various sections of the code.

The PRESIDING OFFICER. Is there objection? Without objection, the votes by which the amendments were agreed to are reconsidered, and the amendments are before the Senate.

Mr. GEORGE. Mr. President, I now offer the clerical amendments. Since they are all purely clerical and technical in nature, I think they might be approved en bloc, if there is no objection, with the exception of the last amendment, which I request to have read.

The PRESIDING OFFICER (Mr. MCCLELLAN in the chair). The amendments will be read.

The CHIEF CLERK. The following amendments are proposed:

On page 50, line 3, strike out "; and" and insert a period.

On page 50, line 7, before the period, insert ", and by striking out the comma preceding 'of the Revenue Act of 1938.'"

On page 52, line 20, after "(b) (9)", insert ", or so much of subsection (d) or (e) as relates to subsection (b) (9)."

On page 54, line 1, after "(b) (9)", insert ", or so much of section 112 (d) or (e) as relates to section 112 (b) (9)."

On page 55, line 8, after "(b) (9)", insert ", or so much of subsection (d) as relates to subsection (b) (9)."

On page 55, lines 24 and 25, strike out "in a transaction to which section 112 (b) (9) is applicable" and insert "pursuant to an order of the court in a receivership, foreclosure, or similar proceeding, or in a proceeding under section 77, 77B, or chapter X of the National Bankruptcy Act, as amended."

On page 56, after line 11, insert:

(6) Section 718 (a) (6) (A) is amended by striking out "112 (b) (3), (4), or (5), or so much of section 112 (c), (d), or (e) as refers to section 112 (b) (3), (4), or (5)" and inserting in lieu thereof "112 (b) (3), (4), (5), or (9), or so much of section 112 (c), (d), or (e) as refers to section 112 (b) (3), (4), (5), or (9)."

On page 57, line 25, after "determining" insert "gain or."

On page 59, line 7, before "The", insert the subparagraph heading "(A) In general.—."

On page 61, line 23, strike out "(d)", and insert "(e)."

On page 74, before "section" in line 4, insert "(a) In general.—"; and after line 13 insert:

(b) Effective date: The amendment made by subsection (a) shall be applicable to all

compensation paid on or after the 10th day after the date of the enactment of this act.

On page 64, strike out lines 7 to 11, inclusive, and on page 148, after line 25, insert:

SEC. —. Capital gains and losses of corporations for purpose of declared value excess profits tax.

(a) In general: Section 602 (defining net income for the purposes of the declared value excess-profits tax) is amended by inserting before the period at the end thereof the following: ", and by excluding therefrom the excess of the net long-term capital gain over the net short-term capital loss."

(b) Taxable years to which applicable: The amendment made by subsection (a) shall be applicable to taxable years beginning after December 31, 1943.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. DANAHER. Is it the Senator's purpose to explain the last amendment?

Mr. GEORGE. The last amendment is entirely clerical. It is a rewriting of the text which has already been approved by the committee and by the Senate, and the rewriting has been done by the staff and by the Treasury. There are no objections to it.

Mr. DANAHER. I thank the Senator.

The PRESIDING OFFICER. Without objection, the amendments offered en bloc to the amendments are agreed to; and, without objection, the committee amendments, as amended, are agreed to.

Mr. GEORGE. Mr. President, the first amendment which was passed over is, I understand, on page 50, in line 11. It is the so-called Johnson amendment, and has previously been read. There is one feature of this particular amendment which was passed upon and approved by the committee, and regarding which there is no dispute. I understand that the Senator from Colorado is proposing a rewriting of the main provisions of the amendment, but I should like to have one matter separated and carried in a different section. I shall explain to the Senate that it relates entirely to several of the short-line railroads which went through bankruptcy proceedings or section 77B proceedings in the year 1938. Last year we made certain provisions for railroad companies which had to go through bankruptcy proceedings. The Interstate Commerce Commission and all interested parties have indicated they have no objection, and no objection has been offered by the Treasury, to permitting the same treatment to be accorded to three short-line railroads, as I recall—one in Utah, one elsewhere in the West, and one in the South—which was given to the railroads which passed through bankruptcy proceedings or proceedings under section 77B in 1939.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. CONNALLY. I do not know whether the matter I have in mind comes under this particular section, but the other day someone represented to me, that in respect to certain corporations which had their indebtedness scaled down under section 77B, although the property was the same and the ownership was the same, the courts, or the Treasury, or someone else insisted that the reduction of the debt was a gain, and that it was very burdensome on those companies which had been scaled down. Does the matter to which the Senator refers cover that question?

Mr. GEORGE. The matter of which I am speaking today does not touch that question. That is involved in the amendment offered by the Senator from Colorado [Mr. JOHNSON], which is really before the Senate. I was trying to separate one item as to which there is no dispute and have it acted upon in a separate section. Since the Senator from Colorado is now proposing to omit anything applicable to the railroads in the section which he is offering, I therefore ask consideration of this amendment, which is technical, and which relates only to the year 1938.

The PRESIDING OFFICER. The amendment offered by the Senator from Georgia will be stated.

The CHIEF CLERK. On page 64, after line 6, it is proposed to insert:

SEC. 120. Nonrecognition of loss on certain railroad reorganizations made retroactive to 1939.

(a) Amendment of section 112 (b) (9): Section 112 (b) (9) (relating to nonrecognition of loss on certain railroad reorganizations) is amended by striking out "1939" and inserting in lieu thereof "1938."

(b) Amendment of section 113 (a) (20): Section 113 (a) (20) (relating to basis of property acquired by railroad corporations in certain railroad reorganizations) is amended by striking out "1939" and inserting in lieu thereof "1938."

(c) Amendment of section 142 (d) of the Revenue Act of 1942: Section 142 (d) of the Revenue Act of 1942 (prescribing the taxable years to which such section is applicable) is amended by striking out "1939" and inserting in lieu thereof "1938."

Mr. GEORGE. Mr. President, may we have action on the amendment?

Mr. JOHNSON of Colorado. Mr. President, before action is taken, will the Senator yield for a parliamentary inquiry?

Mr. GEORGE. I yield.

Mr. JOHNSON of Colorado. As I understand, the Senator from Missouri [Mr. CLARK] has an amendment which he wishes to offer to the railroad reorganization section, having to do with railroads which are insolvent and are trying to be reorganized. The Senator from Missouri does not happen to be in the Chamber at the moment. I have sent for him. Would he be estopped from offering his amendment to the same section to which the Senator is now offering an amendment, if action were taken on the pending amendment?

Mr. GEORGE. I would say not, because I presume he has an amendment to existing law.

Mr. JOHNSON of Colorado. That is correct.

Mr. GEORGE. I do not think it would be affected; but if so, I would ask for reconsideration of any action taken.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. GEORGE].

The amendment was agreed to.

Mr. BUSHFIELD obtained the floor.

Mr. GEORGE. Mr. President, before the Senator from South Dakota proceeds, may it be understood that the amendment now before the Senate is the amendment heretofore passed over, known as the Johnson amendment, to be found on page 50 of the bill?

The PRESIDING OFFICER. The Senator is correct.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BUSHFIELD. I yield.

Mr. VANDENBERG. If I may have the attention of the Senator from Georgia, when we return to the consideration of section 115, I wish to offer a perfecting amendment, which has been drawn by the Treasury Department, and which is essentially technical in character. I should like to perfect section 115 before the Senator from Colorado offers his substitute. All I am doing at the moment is calling this amendment to the attention of the Senator from Georgia and asking that he be prepared to tell me whether it will be acceptable when we return to the consideration of the bill.

Mr. GEORGE. The amendment will be in order. I have not seen the amendment.

Mr. JOHNSON of Colorado. Mr. President, if I may say so at this time, I will make a motion to strike out all of section 115 and substitute——

Mr. BRIDGES. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BRIDGES. Who has the floor?

The PRESIDING OFFICER. The Senator from South Dakota [Mr. BUSHFIELD] has the floor.

Mr. VANDENBERG. The Senator yielded to me.

Mr. JOHNSON of Colorado. Mr. President——

Mr. BUSHFIELD. For what purpose does the Senator from Colorado wish me to yield?

Mr. JOHNSON of Colorado. I wish to reply to the statement made by the Senator from Michigan.

Mr. BUSHFIELD. I am perfectly willing to yield briefly for that purpose, but for nothing else.

Mr. JOHNSON of Colorado. All I desire to say is that I intend to offer an amendment in lieu of the language in the bill in section 115, and to strike out all the language in section 115. I wanted the Senator from Michigan to understand.

Mr. VANDENBERG. I understand.

SUBSIDIES ON FOOD AND FARM COMMODITIES

Mr. BUSHFIELD. Mr. President, in the book entitled "Hunger and Civilization" the following statement is made:

If food and other necessaries of life are adequate in quality and variety, and if men are free, there will be industry. If savings are secure from confiscation and debasement, there will be thrift; and an industrious, thrifty people make a prosperous and rich nation.

On Labor Day 1942 the President delivered a message to Congress—perhaps the most amazing message ever delivered by a President.

On the same date the President delivered a radio speech to the American

people commenting upon his message to Congress. In that speech he said:

Today I sent a message to the Congress pointing out the overwhelming urgency of the serious domestic economic crisis with which we are threatened. Some call it inflation, which is a vague sort of term, and others call it a rise in the cost of living.

Last January the Congress passed a law forbidding ceilings on farm prices below 110 percent of parity on some commodities. On other commodities the ceiling was even higher so that the average possible ceiling is now about 116 percent of parity for agricultural products as a whole.

This act of favoritism for one particular group or commodity increased the cost of food to everybody, not only to the workers of the city or in the munitions plants and their families, but also the families of the farmers themselves.

Since last May ceilings have been set on nearly all commodities except the exempted farm products.

Wages in certain key industries have been stabilized on the basis of the present cost of living.

Obviously, the President intended to and did tell the Nation in that speech that the American farmer was getting too much money, in spite of the fact that since January 1939 industrial wages have risen 94 percent while the cost of living, including all items, has risen only 24.1 percent.

The President severely criticized the Congress for passing the law of January 1942 whereby he was prohibited from fixing ceiling prices below 110 percent of parity on many foods and farm products, and left the impression that the advance in the price of farm products has far outrun that parity limitation.

In the statistical summary issued by the Bureau of Agricultural Economics, Department of Agriculture, under date of October 30, 1943, we find that wheat, corn, cotton, and eggs are still within or below the parity limits and have not advanced to 110 percent as suggested by the President.

We further find that none of the food products mentioned in that report of the Department of Agriculture, which includes oats, potatoes, hogs, beef, veal, lumbs, butterfat, and milk, have exceeded the 110 percent of parity named in the law of January 1942, except in one or two cases and then only slightly.

But the President went further than that. He demanded immediate action by the Congress giving him vast additional powers and specified a time limit within which the Congress must act, namely, October 1, 1942. He said:

I have told the Congress that inaction on their part by that date will leave me with an inescapable responsibility to the people of this country to see to it that the war effort is no longer imperiled by the threat of economic chaos.

Only one conclusion can be drawn from this statement. Since he claimed he had stabilized everything except farm prices, and that we were threatened with economic chaos on that account, then we must conclude that because of soaring prices of farm products we have chaos.

Reluctant as I am to differ with the President, I must call attention to the fact that the President was mistaken in both statements. There have been no soaring prices in farm and food products, and there has been no economic chaos.

The President, continuing, said:

In the event that the Congress shall fail to act, and act adequately, I shall accept the responsibility, and I will act.

The President further said:

The President has the powers, under the Constitution and under congressional acts, to take measures necessary to avert a disaster which would interfere with the winning of the war.

The Congress not only acceded to the demand of the President, but very promptly, on October 2, 1942, passed the Emergency Price Stabilization Act, giving him all the power he demanded.

In the spring of 1943 I introduced Senate bill 1143 which had for its purpose the prohibition of the payment of subsidies by the executive branch of the Government unless specifically authorized by the Congress. I introduced this bill because the subsidy program then proposed was in violation of the law, and was definitely inflationary, as I shall point out hereafter.

The bill was later merged with the Commodity Credit Corporation bill, and in the rush of the closing days of the session before the summer recess, was passed with a limited authority granted for the payment of certain subsidies.

The bill expired on the 31st day of December, and was continued until February 17, 1944.

House bill 3477, which was recently passed by the House of Representatives by an overwhelming majority, is now before the Committee on Banking and Currency for consideration. It would extend the life of the Commodity Credit Corporation to June 30, 1945. That bill contains the following provision, known as section 3:

No funds appropriated to, borrowed by, or in the custody or control of any governmental agency (including any Government-owned or Government-controlled corporation) shall be directly or indirectly used by or made available to the Commodity Credit Corporation or any other governmental agency (including Government-owned or Government-controlled corporation) to make any subsidy or other payment, or to pay or absorb losses, on any agricultural commodity or any commodity processed or manufactured in whole or substantial part thereof, either to reduce or maintain, or in lieu of increasing, maximum prices established on such commodities, except as provided in section 4 hereof: *Provided*, That with respect to any such commodities for which subsidy programs or support prices have been announced on or before October 13, 1943, such programs may be carried out and such support prices may continue to be maintained to the extent only that funds are availagle for such purpose under existing law, but not beyond December 31, 1943.

Mr. President, years ago in the county fair circuits of the Middle West there was always to be found a pitchman with his little table, three walnut shells, and a little pea. The pitchman was an adept at his business. After getting a crowd around his little table, he would deliberately, slowly, and with complete honesty, show his audience the pea. He then covered the pea with one of the walnut shells and permitted some member of his audience to tell him under which shell the pea was located.

With confidence thus established in his customers, he offered to bet a sum of money that no one in the audience could tell him under which shell the pea was located. One or more of the "suckers" were certain they could do so and thereupon bet their hard-earned money upon their judgment.

Of course, the pea was not under the shell designated. In the end the "suckers," if they remained long enough, "lost their shirts."

Today there is a shell game going on in our National Government. We are shown the pea and told exactly under which shell it will be and what will result if we lift the shell. The pitchman is a clever operator, else he could not survive.

The American people in this particular shell game are the "suckers." They are being told that if we remove the shell from the pea a terrible, destructive, and cataclysmic inflation will sweep this country.

The pea is not under the shell which we think it is under. The disastrous inflation predicted will not occur, but if we bet our money and follow the advice given us we will lose our shirts in the expenditure of public money for unneeded and unwanted subsidies.

An unprecedented campaign of misrepresentation and even downright falsehood has been waged by those high in authority for the purpose of instilling fear in the minds of the people. The President; James F. Byrnes, Director of the Office of War Mobilization; Fred M. Vinson, Director of the Office of Economic Stabilization; Chester Bowles, Director of the Office of Price Administration; and other governmental officials have, by written and spoken word, endeavored to instill in the minds of the American people a fear that catastrophe will result if this bill is passed.

In recent weeks many statements have been issued to the press suggesting a compromise. A compromise means surrender to those asking a continuation of subsidies, and this is no time for surrender.

Throughout the country organized groups have been inspired from Washington to bombard Congress with telegrams and letters. News writers and radio commentators have engaged in this pressure campaign of fear, either because they do not understand, or are inspired from the same source, and we are witnessing today a concerted and studied attempt to pass legislation by pressure. One leading official of the administration has stated publicly that if this bill is passed it will cost the American people $8,000,000,000. According to the January 10 issue of News Week, Mr. Bowles has now boosted the figure to $17,500,000,000. That claim is so fantastic that it is not worthy of an answer. It is not founded upon any known facts and is nothing more than pure misrepresentation.

From the reverse viewpoint, I agree that this program, if carried on for 2 or 3 years, will cost the American people far more than $8,000,000,000, but not in the way the administration means. Those billions will come out of the Federal Treasury and will come from taxes paid by the American people to pay subsidies.

The President said in his recent message to Congress that the continued payment of subsidies to consumers was vital to the war-food program. Subsidies have nothing whatever to do with the war-food program, because the payments proposed to be continued are being made to consumers for the alleged purpose of cutting down their grocery bills and not to produce food. The farmer is getting no part of these subsidies except a few unwanted pennies on milk checks.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. BUSHFIELD. I yield.

Mr. WILEY. I am very much interested in the remarks which the Senator has made. I should like to cite an instance which came to my personal attention in the last few weeks.

It was my privilege to be in New York City, and a gentleman there took me to breakfast. We had some orange juice, a little bacon, some eggs, a little toast, coffee, and a little milk. The breakfast cost $2.20 a piece. When I returned to my home in Washington I asked my wife how much it would cost to place that breakfast on the table here in Washington, where, as we know, prices are high. Thank God she is the one who cooks my meals for me; it would be unfortunate for me if she did not; she looks after my breakfast and my dinner at night. She figured out the cost of the orange juice, the eggs, the bacon, the toast, the coffee, and the milk, and said the cost would be about 30 cents. Then, I figured out that the farmer to produce the fruit, the bacon and eggs, did not receive over 15 cents. Now I ask the Senator, if the Government subsidized the farmer's whole product for 15 cents, does he think that would reduce the price of that breakfast in New York City by a cent?

Mr. BUSHFIELD. Not by 1 cent. Not only is the farmer not getting any of these subsidies under this present program, but the farmer's share of the consumer's dollar, as disclosed by the Department of Agriculture in its report of August 1943, amounts to only 58 cents out of each dollar; and I think that estimate is too liberal, according to the facts. The President made no mention of the 42 cents going into other pockets, but left the impression that the farmer was the sole beneficiary of whatever increase in prices has occurred.

The President says:

> Government funds have been used in various ways to enable the farmer to get a fair price for his crops—a price high enough to encourage him to raise more crops—without raising the price to the consumer.

Mr. WILEY. Mr. President, will the Senator yield again?

Mr. BUSHFIELD. I yield.

Mr. WILEY. In that connection is it not true that the law guarantees the farmer 90 percent of parity?

Mr. BUSHFIELD. That is correct.

Mr. WILEY. Does not the Senator also know that in recent weeks eggs, particularly, and pork in sections of the country have gone away down below 90 percent of parity, and has the Senator heard of the Government giving the farmer anything or making good the guaranties?

Mr. BUSHFIELD. The record supports the Senator's statement and I thank him for his contribution.

The statement of the President which I quoted before the interruption is not in accord with the facts. The law passed by Congress in 1942 authorized the payment of subsidies for the sole purpose of increasing production. The experience of the last 6 months has proved that the subsidy program has actually reduced production. Cattle production has declined and thousands are being rushed to market before they are ready for slaughter. Hog production in 1944 will be down 20 percent.

Milk and butter production both show a monthly decline. These subsidies have not benefited the producers. They have not increased production, but have caused confusion, annoyance, and financial loss.

The President says he is sure—

> That Congress and the people feel that this expenditure of $800,000,000 per year is a moderate sum to pay in order to help accomplish the objectives which we have in mind—greater production and lower consumer prices.

These payments have not gained the objective sought. Neither the people nor Congress favor them.

Last summer Secretary of Commerce Jesse H. Jones testified before the Agriculture Committee of the Senate that he estimated the cost of the roll-back program to be $450,000,000 a year. The President now has it up to $800,000,000. Chester Bowles, Director of the Office of Price Administration, says it will cost a billion and a half dollars. That was awhile ago. Now he has raised it to $17,500,000,000. C. I. O. demands $2,000,000,000 for this purpose. Whatever the price, are we willing to pay the grocery bills of labor at a time when it is receiving the highest wage in history? I am not criticizing labor by that statement, but am merely asking the question.

The Department of Labor figures on the increase in average wages of workers in all manufacturing industries and on the cost of living since January 1941 show that industrial wages have increased 94 percent and the cost of living has increased 24.1 percent. In other words, industrial wages of workers of this country have increased three times as much as the cost of living.

The President said that the payment of subsidies will stimulate production, prevent price increases, encourage distribution. Experience has shown that it will not stimulate production. It will not prevent price increases, because the payment of subsidies has nothing whatsoever to do with prices. It will not encourage distribution, but will encourage hoarding.

There are 40,000,000 farmers in this country. Our national income has increased since 1939 by at least $40,000,000,000, but only 14 percent of that $40,000,000,000 has gone to the farmer. The other 86 percent has gone to nonfarm groups.

Last winter the hog producers of America were urged by the administration to increase hog production. Now, in the face of falling prices, it refuses to support prices for hogs. In the face of a black market in every city in this country, in the face of a threatened scarcity of meat the administration is discouraging meat production. Hog raisers are being punished. The cattle industry, through ill-advised regulations, is being wrecked. There are more cattle in the country today than ever before, but cattle weighing not more than two-thirds, and in many cases not more than one-half, of a matured animal, are being pushed upon the market. The producer is losing that extra production. The American people are deprived of the extra meat, and O. P. A. is on its way to better and bigger pay rolls.

Food is being hoarded and wasted by the War Food Administration. On January 4 the Office of Defense Transportation officially charged:

> 1. W. F. A. has bought and hoarded such tremendous stocks of butter, meats, and frozen commodities that the Nation's storage facilities are filled to capacity, with no space available for storing spring and summer crops which should be processed to prevent spoilage.
>
> 2. W. F. A. has continued buying and hoarding despite this apparent condition.
>
> 3. W. F. A. does not even know how much it has bought, so frenzied has been the purchase spree.

Think of that Senators. It does not even know how much it has bought.

> 4. W. F. A. does not know where all this food is stored.
>
> 5. W. F. A. does not know what percentage of food stored is held by commercial operators and what percentage by their agency.
>
> 6. W. F. A., as a result of this shortsighted policy, has been responsible, indirectly at least, for tremendous losses in meat, eggs, and canned milk.

The President says:

> There are some who advocate taking off all restrictions on food because of the vast food production which the American farmers have raised. But with the great excess of purchasing power now in the pockets of the American people, the supply would never last. We might have a feast for a few months, but then there would be a real shortage.

That is the President's remarkable statement, Senators. Does the President think that the American people are children or savages, who would glut their stomachs with an excess of food for a short time and then end in famine? We have managed to get along without executive direction in this country for 150 years, and no famines have resulted. We have not overfed ourselves. We have not destroyed our resources. We have taken care of ourselves without Government paternalism, and we can continue to do so.

There is only one solution to this confusion and threatened famine, and that is to remove all regulations on food production. Let the age-old law of supply and demand take its course. Hoarding will cease. Black markets will disappear.

We will get rid of an unwanted and an unnecessary army of Government employees, and our supply of food will be ample for all purposes.

The President says:

> Some people say "a little inflation will not hurt anyone." They are like the man who takes the first shot of opium for the sensation he thinks it will give him. He likes it, although he swears that he will not make it a habit. Soon he is taking two—and then more and more—and then he loses all control of himself.

I paraphrase that statement by saying there are a few people in this country who say that a little subsidy will not hurt anyone; that it will be extremely helpful and acceptable to those who receive the subsidy; that they like it, but they swear it is only for the moment, and that they will do without it a little later on. But soon we will lose all control of ourselves, and will be subsidizing everything out of the Federal Treasury to take care of pressure groups who think they want Government assistance.

Under the present law the Government is paying subsidies on cheese, 3¾ cents, amounting to $28,000,000; on butter, 4½ cents, amounting to $100,000,000; on milk and cream, amounting to $350,000,000; on meat, amounting to $350,000,000; and on bread, $108,000,000. Where will it end? What will be the next item the pressure groups will insist should be included in this subsidy opium?

Many officials and others who are talking vociferously in favor of subsidies are confused in their thinking. They either do not understand the problem, or they have been inspired by the idea of getting something for nothing, or they are looking with longing eyes to the 1944 election.

There are two kinds of subsidies—production and consumers' subsidies—a fact which most of the commentators seem to overlook completely.

Congress authorized subsidies in order to increase production. No one is complaining of that kind of a subsidy. The other kind of a subsidy is a consumers' subsidy, which is a different breed of cats. It is a raid on the Federal Treasury, or, more directly, into the taxpayer's pocket, to help out a pressure group with its grocery bill.

No one is objecting to producers' subsidies if used for the purpose specified in the law. That is the kind of subsidy they are paying to the producers of copper, because the Government needs copper in its war effort.

We are told over and over and over again, with a repetition that has grown monotonous, that if we do not pay subsidies we will have inflation, and that inflation is a terrible bugaboo which we must avoid under all circumstances. Some of those who talk so glibly about inflation do not know what inflation means. But inflation is easily defined. It means that there is more money in the pockets of the people than there are goods to purchase. Doing this or that legislatively will not cause inflation. Neither is all inflation harmful. We have inflation in some degree nearly all the time, but there is nothing harmful about it. When a farmer buys a work horse in the fall for $100, when no one wants a horse, and sells it in the spring for $125, when everyone wants horses, that is inflation. But no one is harmed by it. If I buy 1,000 bushels of corn in October for a dollar and sell it the following May for $1.25, that is inflation, but no one is harmed.

There is only one correction for inflation, and that is increased production. Production of civilian goods cannot be increased materially at the present time, but there are two other solutions, and only two; namely, increased taxes and enforced saving, but neither is needed.

We have in this country vast stock piles of commodities for war use. Those stock piles are a continuing brake upon the threat of inflation. So long as they exist, no inflation can occur, because the market can be completely controlled. We have heard much about holding the line under the President's order, but the President himself does not hold the line. He did not hold the line of John L. Lewis' coal miners. He did not hold the line in the case of the railway workers, or Government employees, or the steel workers; and the whole mess was created in the first instance by the ill-advised policy of Government paying outrageous prices for war work. For the first time in the history of America, pick-and-shovel laborers were paid, out of Government funds, wages ranging as high as $100 a week. No man living can legitimately earn that much money with his hands, but our entire economic structure was wrecked by the payment or approval of such wages.

Congress passed what is known as the Stabilization Price Act. Under it the Government has complete authority to fix prices of commodities. Because of its failure to do so, we are now threatened with inflation, and the Government is attempting the futile, unnecessary expedient of paying subsidies to consumers. The payment to me of 5 cents a pound for butter that I buy and use in my home has nothing whatsoever to do with holding the price of butter. All the Administration had to do at any time was to fix prices, both of labor and commodities, and hold them there. No subsidies were needed to accomplish that, nor will subsidies accomplish it. I say to Senators that there is no reason, either moral, legal, or economic, why the money in the Federal Treasury should be used to pay the grocery bills of every Tom, Dick, and Harry in this country at a time when 9,000,000 American boys are working for their Government for $50 a month. It is the job of O. P. A. to hold the line, but not by the payment of subsidies.

Through timidity or vacillation the Administration refused to use the one certain method provided by Congress. Instead of picking out an item here and there upon which a ceiling price was ordered, why did it not issue one horizontal order straight across the board, fixing prices upon retail merchandise and upon labor? That was the obvious course, if anything was to be done, but that course was not taken.

Last summer there was established what was called a roll-back price on butter, meat, and coffee of 10 percent. To thousands of processors of these commodities the Administration proposed to and is paying a subsidy out of the United States Treasury.

During the weeks while that policy was under discussion, Secretary of Commerce Jesse H. Jones appeared before the Committee on Agriculture of the United States Senate and stated, in substance, that the proposed roll-back subsidy would cost $450,000,000 a year; that he had the money in his R. F. C. funds, and that he proposed to pay these subsidies upon the order of the President whether the Congress approved it or not, and without the necessity of an appropriation from Congress.

Further testifying, Secretary Jones said, in disapproval of the subsidy program:

> If you let the law of supply and demand take its course, no subsidies are needed. The subsidy plan will reduce production instead of increasing it.

Chester C. Davis, then War Food Administrator, and since sent back to the obscurity of nonofficialdom because he did not agree with his Chief, said, in testifying before our committee:

> I believe that a general dependence upon a broad subsidy program as the chief instrument in holding prices in line, or in expanding production, would be dangerous and would not accomplish the things we seek.

T. G. Stitts, Chief of the Dairy and Poultry Branch of the Agricultural Marketing Administration, stated before our committee on the same day:

> The proposal to roll back the price of butter has had an unfortunate effect. Prices, for the producer, have gone down. There is no provision to indicate that the subsidy would be passed on to the farmer.

Albert Goss, national president of the Grange, one of the large farm organizations, testified before our committee. He said:

> We are opposed to the use of subsidies for such purpose, because they will not work. They are inflationary and will defeat the purpose sought to be accomplished. Subsidies in lieu of fair prices will lead to post-war chaos. Subsidies pass on to future generation costs which this generation should bear. Subsidies lead to the dangerous doctrine of expecting the state to support its people. Subsidies lead to political control and when once used they are almost impossible to get rid of.

Under this subsidy program on butter and meat, the benefit to the consumer is so negligible as to be almost laughable. Under the rationing now in effect each consumer can obtain a quarter of a pound of butter a week, or 12 pounds a year. The 5 cents additional cost paid by the consumer without a roll-back, amounts to just 65 cents for the whole year. On meat it amounts to $2 for the entire year. The entire cost to the consumer without the roll-back and subsidy is less than 1 cent a day.

The worker has plenty of money. He is receiving the highest wage ever paid. Is it not better that he, the consumer, pay this small additional cost than to take it out of the taxpayer?

Comparison of the wages of industrial workers with the pre-war average is shown by the following table:

Year and month	Wage income for employed industrial workers	Cost of living
1935-39 average	100.0	100.0
1941—January	118.7	100.8
1942—		
January	145.6	112.0
September	167.3	117.8
1943—		
January	173.4	120.7
February	177.2	121.0
March	181.1	122.8
April	184.1	124.1
May	186.2	125.1
June	185.5	124.8
July	186.8	123.8
August [1]	190.8	123.2

[1] Preliminary.

The foregoing data was compiled by the Bureau of Agricultural Economics.

The cost-of-living index was compiled by the Bureau of Labor Statistics.

Another thing is that whatever the amount paid for subsidies, whether it be $800,000,000 or $2,000,000,000, the Government does not have the money. It must borrow it from the American people. To borrow money we must pay interest, and to administer this subsidy program we must hire an army of new job holders. We then have the original cost of the subsidy, whatever it may be, plus the interest on borrowed money, plus the cost of administration. Mr. President, you and I know that when the Government handles it the cost will be two or three times the total amount of the subsidies, and who pays this bill? The taxpayer pays it.

The administration is determined upon the policy of subsidy payments, and, by hook or crook, unless this Congress emphatically says "no," it is going through with it.

As an illustration of what I mean, let me tell Senators of a conference held in the committee room of the Committee on Agriculture some weeks ago. Hon. Fred M. Vinson, Director of the Office of Economic Stabilization, appeared before a conference of 31 Senators in connection with the payment of milk subsidies. The chairman of the meeting asked for an expression from the Senators as to their feelings about the payment of subsidies. Mr. Vinson insisted that no expression of opinion be given. Nevertheless, it was given, one by one. Every Senator present—and it was not a partisan group; the Senators were about equally divided between the two parties—stated emphatically that he was opposed to subsidies. Mr. Vinson said: "We are going to pay this subsidy, nevertheless."

So I repeat that unless Congress emphatically prohibits the continuance of this policy by the passage of the bill in question, the wishes of a large majority of the Members of the Congress are going to be disregarded. Certain labor leaders have stuck a gun against the ribs of the administration, demanding higher wages, and in lieu of wages subsidies on their food bill. The administration has attempted to press the same gun against the head of Congress, but Congress knows that the gun is loaded, and we have no fear of it. Subsidies have been tried over and over again in the history of the world and have always resulted in confusion, disaster, and chaos, and that is what is going to happen in this country if the administration is permitted to carry out its ill-advised policy.

The claim of the proponents of subsidies that we are faced with a disastrous inflation is not true. One of the leading officials of the present administration, Dr. Richard V. Gilbert, economic consultant in the Office of Price Administration, agrees with that statement. He says, in his book, An Economic Program for American Democracy:

> The supposed danger of inflation can be disposed of briefly. The instances of runaway inflation usually cited—for example, the post-war experience in many European countries—all occurred in countries exhausted by long wars and straining their depleted resources to the breaking point. There is no danger of a rapid rise of prices. Furthermore, the instruments of monetary control already at the disposal of the Federal Government—for example, control over reserve requirements, taxation, and debt repayment—assure us that there need be not the slightest fear of inability to control any general price rise which might be regarded as excessive.

So says Dr. Gilbert, a representative of the present administration.

Mr. WILEY. Madam President, will the Senator yield?

The PRESIDING OFFICER (Mrs. CARAWAY in the chair). Does the Senator from South Dakota yield to the Senator from Wisconsin?

Mr. BUSHFIELD. I yield.

Mr. WILEY. The Senator has been speaking of inflation. Does the Senator not think that one of the great checks on inflation which the Government is just now beginning to apply, but which it might have applied in the months that are gone—and some of us have advised for a period of a year that it be applied—is the increase of consumer goods in this country?

Mr. BUSHFIELD. There is only one answer to inflation, and that is to produce more goods.

Mr. WILEY. The Senator perhaps noticed the statement which was made a few days ago that sufficient material was being released to make 2,000,000 electric flatirons. Of course, the production of consumer goods should not interfere with war production, but we know that the administration at one time thought that Russia was going to be out of the picture, and as a consequence great factories were built to produce explosives and munitions. In my own State 2 great munitions plants were built. Their operation has since been discontinued because Russia stayed in the picture. That exemplifies what I am driving at, that there are available materials for the production of a great new line of consumer goods, materials which we previously thought were absolutely and imperatively necessary for the war effort. The production of such consumer goods would act as a safety valve which would reduce the danger of inflation.

Mr. BUSHFIELD. I thank the Senator for his contribution. There is only one answer to inflation, and that is to produce more goods. We cannot produce as much of consumer goods as are demanded, but I read in this morning's newspaper an announcement by the head officials of this administration in which they said they were going to refuse to permit to go into civilian work certain commodities which were no longer needed in war work, because they wanted to hold them up to see what happened in the future.

Madam President, Professors Harper and Curtiss, of Cornell University, two of the foremost economists of this country, recently issued a statement upon this same subject. This is what they have to say:

> A rising price level, no matter how slight, is inflation. The popular concept of inflation is a rapid rise, perhaps like that of World War No. 1, where wholesale prices rose from 100 to 244, or possibly an "uncontrolled" type like that which occurred in Germany in the twenties. A more modest rise than either of these is inflation, but is not commonly thought of as such.
>
> In the history of countries, inflation (rising prices) has been occurring about half the time. Rarely has it been of the extreme type. Conspicuous instances in the world in modern times were those of France in the 1790's, and Germany in the 1920's; both were in defeated countries following major wars. Violent inflation now threatens China, following large governmental deficits and a long war. Violent inflation in the United States is unlikely.

Continuing, they say:

> Inflation cannot be controlled by law or regulation of prices. Theoretically it seems possible, but in practice it is not, because it does not get at the root of the trouble and so enforcement breaks down. "Legislatures are as powerless to abrogate moral and economic laws as they are to abrogate physical laws. They cannot divorce effect from cause, either by parliamentary majorities, or by unity of supporting public opinion."
>
> As an aid to the solution of the inflation problem, subsidies fail for two reasons: First, the subsidy payments to producers add to their spending power, which is as inflationary as an equal number of dollars received directly in price. Second, consumers' prices are held down (or possibly reduced by a "roll-back") which increases their excess spending power and exerts that much more inflation pressure on black-market operations or elsewhere.
>
> Subsidies also add to later inflationary tendencies. This is because they add to the Federal debt. The fact that the Government pays the subsidy does not in the least prevent its being an inflationary force.

I ask the Members of the Senate to pay particular attention to this statement by these two economists:

> Subsidies are an excellent device by which to maneuver producers and distribution agencies—and even consumers—into position where they are much more subject to governmental control; but as a means of controlling inflation they are a delusion, and for this purpose they yield nothing in recompense for the loss of individual freedom that goes with the plan.
>
> Subsidies, in effect, are a means of shifting some of the cost of living from the consumers of the product subsidized to the national debt, and thus to the taxpayers. This really amounts to a shift in the cost of living from those who used the product to some who did not, rather than a reduction in the cost of living for the Nation.

Dr. John Lee Coulter, one of the leading economists of this country, and a

man of national reputation, has this to say in regard to House bill 3477, which we are now considering:

We have shown that the indices for wholesale prices on costs of living and retail prices on goods in large cities throughout the Nation have returned to normal. There is no possible justification for widespread payment of subsidies in order to make it possible for the consumers to purchase commodities at Government expense.

Roll-back subsidies now in operation certainly are inflationary in character and should be eliminated.

Moderate wage and salary adjustments, some long overdue, should not be used as a basis for hysterical cries of inflation.

Madam President, the truth of the matter is that there is not going to be any inflation, all the noise to the contrary notwithstanding. The cry of "Wolf! Wolf!" is wholly unjustified. Remove all regulations on the production of food and the problem will solve itself. The record shows wages have risen twice as fast as food and three times as fast as living costs during the last 4 years.

It is said by some who do not favor subsidies that if we do not pass a bill continuing them the administration will use our refusal to start an inflation of its own for political purposes. I do not subscribe to that fear. There have been few of the acts of the Roosevelt New Deal administration with which I have agreed. I do not wonder that he has finally seen the handwriting on the wall, and requests that we drop the name "New Deal;" but I do not believe that Mr. Roosevelt or any other man holding the office of President of the United States would under any circumstances purposely bring on a disastrous panic of uncontrolled inflation.

If we are going to roll back prices of commodities and farm products to the 1939 level, let us roll back the wages of the laboring man to a comparable price with the farmer's income.

In 1939, farm prices were only 92 percent of the 1910–14 average. The weekly factory worker's wages are 208 percent of the wages of that same period. The latest figures of the Bureau of Economic Statistics show that in August 1943, as compared to September 1942, the weekly wages of the factory worker could purchase 52 pounds more of bread, 28 quarts more of milk, 11 pounds more of butter, 19 pounds more of steak, 28 pounds more of pork chops, or 91 pounds more sugar than in 1942.

Mr. WILEY. Madam President, if the Senator will yield, let me inquire where the Senator means such amounts of food could be purchased.

Mr. BUSHFIELD. In the United States of America.

Mr. WILEY. I assume the Senator means that the worker's wages would have been sufficient to purchase that much food, provided the food had been available.

Mr. BUSHFIELD. Of course, that is so.

Dr. Wilford I. King, Professor of Economics of New York University, said the other day:

According to the United States Bureau of Labor Statistics, the cost of living in February 1943 was 21.5 percent higher than the average for 1939. But what happened during this interval to the average weekly earnings of employed factory workers? According to the United States Bureau of Labor Statistics, these earnings rose from $24.58 to $41.12. These figures refer solely to those employed, taking no account of the large additional gains in income brought about by rising employment. The best available evidence, therefore, indicates that, in the last 4 years, the contents of the pay envelope of the average factory worker have expanded at least three times as much as the rise in the cost of living. Obviously, unless conditions change very decidedly from those existing at present, Mr. Green's worry lest the growing cost of living outstrip wage advances is quite superfluous.

Whether they know it or not, the poor as well as the rich pay the hidden tax inflicted by inflation. They pay it not only in higher prices but in shortages of automobiles, gasoline, household equipment, farm machinery, meat, canned goods, etc. Had our leaders dared to tell the people the truth and put the war on a pay-as-you-go basis, the marvelous price system—an automatic control mechanism far surpassing in efficiency anything which the mind of man can devise—would have silently and effectively taken care of both war and civilian needs, obviating all necessity of rationing except perhaps in the case of rubber. Had inflation been avoided, the O. P. A. would have been entirely unnecessary, and the army of men and women now engaged in regimenting the populace could have been busy helping to win the war. Only an absolute, ruthless dictatorship, oblivious of the wishes of the public, can interfere with the free-price system and not produce by its operations shortages of necessities and widespread black markets.

The expenditures of consumers for food as a percentage of his total income, as indicated in a table prepared by the Department of Labor, show that the percentage of incomes paid for food has declined steadily, instead of increasing.

I ask unanimous consent to have the table printed at this point in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Food expenditures as a percent of total income

1929	23
1930	24
1931	24
1932	25
1933	25
1934	24
1935	23
1936	21
1937	21
1938	22
1939	21
1940	21
1941	20
1942	21
1943	20

Mr. BUSHFIELD. Madam President, I have not taken time to read the table, but I desire to call attention at this time to the fact that in 1929 the average expenditures for food, in terms of the percentage of the total income for 1929, was 23 percent. It has gone down from that, until in 1943 it was only 20 percent of the total income.

Senators have been talking of compromise. If the payment of subsidies out of the Federal Treasury to specific groups is wrong, I say in all earnestness that a compromise does not right the wrong, and no benefit will be derived by anyone.

There will be no inflation if the administration uses the tools now in its hands for holding this so-called line.

Dr. John Lee Coulter, the economist, from whom I have heretofore quoted, in a recent statement issued by him, said:

Over a considerable period of years, the basic price-reporting agency set up by the United States Government, Department of Labor, reported regularly all details with reference to the price structure. Prices are quoted on many hundred commodities. In order to make comparisons as between price movements of different commodities and as between dates, these data have been reduced to the form of index numbers. For this purpose, the calendar year 1926 has long been accepted as the base period representing normal price levels in the United States. These statistical price index numbers have been calculated extending back over a period substantially of a hundred years.

Using price levels during the normal base or representative year 1926 as equal to 100, the Bureau shows that in October 1942 (1 year ago) the index number of wholesale prices for all commodities likewise stood at exactly 100. In other words, wholesale price levels in October 1942 had finally recovered from the low or depression levels of the depression period and had again returned to the exact level of the base period.

During the year October 1942 to October 1943 the wholesale price index number for all commodities has ranged between 100 and 104. At the very most, therefore, it may be said that wholesale prices for all commodities have ranged within the margin of probable error in collecting, calculating, and computing index numbers.

I call the attention of the Members of the Senate to this significant statement by Dr. Coulter:

There is only one conclusion which can be properly drawn, and that is we do not have any price inflation in the United States at the present time as measured by index numbers of wholesale prices.

The payment of subsidies has no effect whatsoever upon the price of commodities, and I urge Senators to approve this bill by such an overwhelming vote that those proponents of subsidies will understand that there is no compromise. Karl Marx said:

If you control the people's food, you control the people themselves.

There are those in this Government who want to control the people's food. It is within our power to prevent that control of our food. It is within our power to restore to the people of this country the handling of their own affairs, if we have the courage to take that step.

For 11 years the President has met every problem presented to him during his administration with one unfailing formula, "Spend more money." That is his answer to every problem. That is his answer today. Instead of holding the line with the power that Congress has placed in his control, he evades the issue by pleading for authority to spend more money.

This bill is more than just another piece of legislation. It goes to the very foundation of our Government and our way of life. I urge Senators to consider

it as such. I urge them to take control away from the Executive and prevent his proposed spending of more public money. I urge that Government control of food be removed and that the law of supply and demand be permitted to settle this problem.

THE BUDGET (H. DOC. NO. 426)

The PRESIDING OFFICER (Mrs. CARAWAY in the chair) laid before the Senate a message from the President of the United States, transmitting the Budget for 1945.

Mr. BARKLEY. Madam President, that is the Budget message which was read in the House of Representatives yesterday and printed in the RECORD. I ask that the message be received and referred to the appropriate committee without being read at this time.

The PRESIDING OFFICER. Without objection, it is so ordered; and the message with the accompanying documents will be referred to the Committee on Appropriations.

(For the President's Budget message, see pp. 140–146 of the proceedings of the House of Representatives of January 13, 1944.)

THE THREAT OF EMIGRATION FROM THE FARMS

Mr. BRIDGES obtained the floor.

Mr. WILEY. Madam President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. WILEY. I thank the Senator. I desire to take a few moments at this time particularly because the thoughts which I have in mind supplement those expressed by the distinguished Senator from South Dakota [Mr. BUSHFIELD]. He has given us a picture of the farmer and the position he occupies today.

All over America we are contemplating our post-war days with apprehension, but we are confining our apprehension to business and industry, and giving little thought to the most important individual in our economic structure—the farmer-producer, the small farmer, the dairy farmer, the farmer who grows the produce with which we maintain our day-to-day health; yes, our very life.

It is appalling to note a heavy out-migration of tenant farmers, particularly in the valley of the Mississippi River, the bread basket of this Nation, where, in 12 States producing 35.5 percent of the Nation's agricultural commodities, the decline of the rural farm population in the past decade was 758,917. Think of that. While the population of the rest of the country increased by millions, in the Mississippi Valley, the bread basket of America, the population decreased by almost one million.

Consider these figures, Madam President, in the light of today's war-production schedule, with its high wages, and think of the number of our farmers and farmers' sons and daughters who have closed up shop and gone to the cities—certainly rightfully so—to collect their share of the huge dividends now paid labor on the war-production front.

It is a rarity, indeed, these days to receive from a farmer a complacent or optimistic letter. The farmers are not complacent, nor are they very optimistic. With the various directives, regulations, price fixings, and allotments, they are unable to determine exactly what the Government wants. The directives and regulations are being issued by various agencies of Government which are not cognizant of other regulations which in many cases have been completely contradictory, though dealing with the same farm produce. For example, the Department of Agriculture encouraged the farmer—in fact, almost pleaded with him—to produce more pork and more eggs. Then the War Food Administration packed the refrigerators, and, fearful that the eggs would spoil, dumped them on the market, and glutted the market. Of course, the bottom dropped out of the price. In the case of hogs, a similar situation existed. Farmers increased their production of hogs. Then they were unable to sell them because of various regulations from the Office of Price Administration and the War Food Administration, while in the meantime other regulations increased the cost of the feed necessary to maintain the hogs—for all practical purposes, to store the hogs—to such an extent that the farmer was losing approximately 2 cents on every pound of pork he sent to the market.

Madam President, when the tax returns of the farmers are looked over it will be seen that in many instances they are back almost to the pre-war level. Is it any wonder, then, that the farmer looks yearningly toward his fellow workers on the production front and sees how rapidly their standard of living has advanced, while the poor, befuddled farmer is at a loss to plan his crops or his own personal economic future? Is it any wonder that we find statistics on population changes between 1930 and 1940 and between 1940 and 1942 showing declines in the rural farm population throughout the 24 States in the Mississippi Valley?

The question may be asked, What has that to do with us? I invite attention to the statement of Karl Marx, which was quoted by my distinguished colleague from South Dakota. In substance it was that the one who controls the food of a nation controls the nation. This country has been independent because we have had independent farmers. It has been a nation of clear-thinking, independent individuals. They are being herded into factories and industrial centers. Is it any wonder that in the decade from 1930 to 1940 the area to which I have referred had an outward migration of 1,780,000 people? Still worse, in rural farm population there was an actual decline of 334,007. In 12 of the States from which 35.5 percent of the Nation's agricultural produce comes there was a decline in rural farm population of 758,917. The decline from May 1942 to the present day would probably give us some small idea of what we will face in the future if we do not do something for the farmer, who is cursed and damned by columnists and radio speakers for every increase in the price of food, but who does not like it when he knows that he is not receiving the cost of production from what he produces. We must do something not only for the farmer but for the entire country. I am thinking in terms of our beloved country. We must look the problem in the face and solve it.

In a discussion with the Senator from South Dakota I used an illustration showing that the farmer received 15 cents for produce for which a friend of mine paid $2.20 in New York at the breakfast table. If we had subsidized the farmer 15 cents, which would have been the cost of what the farmer produced, the price at the breakfast table would still have been $2.20.

We must think this thing through. On the subject of subsidies there is a large group of white-collared individuals who think they might be benefited. That is the dangerous point in this argument. It is a psychological point. Many of the people of this country have been confused into believing that subsidies are the remedy.

I thank the distinguished Senator from New Hampshire [Mr. BRIDGES] for allowing me the privilege of making these few remarks.

THE POWER OF PUBLIC OPINION

Mr. BRIDGES. Madam President, my remarks today are on a subject which is much honored in words but too often and too cynically ignored in deeds. I refer to public opinion. We invoke its sacred name as a matter of course on all occasions, but unfortunately few seem to notice, and fewer seem to care, when concerted efforts are made to vitiate the normal processes of democratic public opinion. There is abundant reason to fear that just such efforts are now being made—under the cloak of wartime expediency and under slogans of superpatriotism—and it behooves us to examine this tendency. Our ancient American liberties are much too precious to be lost by default.

I am among those Americans who believe that a vigorous, well-informed, many-sided public opinion is indispensable to the proper functioning of our democracy, whether in peace or in war. We believe that criticism and honest discussion by an alert citizenry in full possession of all the facts are not the indulgences of willful minorities, but an integral part of the democratic process. Nor are the questions which we raise those of "suspicious souls," as the President would brand them. They are the questions of intelligent, honest Americans who, under our form of Government, have a right to ask them. The President is their representative, and they have a right at any time to ask exactly what he has done, and an equal right to ask what he has not done. That is an American right. We had better stand up to it before it vanishes in this country. Self-righteousness and name-calling must stop. The American people are simply tired of it.

We will not allow the President to dispose of the mounting criticism which this administration has earned for its failures on many fronts by describing it as the criticism of the minority that "swarms through the lobbies of the Congress and the cocktail bars of Washington" seeking "profits for themselves at

the expense of their neighbors—profits in money or in terms of political or social preferment."

The American people have a right to make this criticism. They have a right to express it in their press, over their radio, and in their elections; and it cannot be disposed of by being called the selfishness of a minority. I suspect that if no other evidence were available that this is more than a minority wail, the last elections in 1942 and 1943 should be conclusive on that point.

It is precisely in time of war, when the issues are so great and so fateful, when the sacrifices expected from the people are so colossal, that the freedoms essential to a genuine public opinion become especially important. At such a time the people surrender an exceptional amount of power to their Government, and consequently must exercise a corresponding amount of vigilance to safeguard their rights and to prevent abuse of authority. At the other end, the Government itself, loaded with unaccustomed power, has more need than ordinarily for the balance wheel of an enlightened public opinion to save it from excess and error.

But how can we hope to have the benefits of a robust and effective public opinion if we lack full and truthful information on our Government's actions and intentions? If we deny the elementary popular right of asking questions and demanding answers? If we make abject acceptance of every official policy almost obligatory by smearing every honest expression of doubt and every intelligent demand for explanations as disloyalty and disunity?

If there is one political principle which, more than any other, distinguishes the American concept of democracy, it is that government must rest upon the consent of the governed. That is the very core of the American way of life. It is what makes ours a Government of the people, not over the people.

But the consent of the governed is not an unlimited license conferred upon government, once in 4 years, to do what it pleases, and no questions asked. On the contrary, if democratic self-government is not to be perverted into arbitrary authority, that consent must be continuous. It must be constantly renewed and refreshed, and, if necessary, revised. There can be no walls of secrecy and official mystery between those who govern and those from whom they derive their powers.

The free interplay between government and people, day after day, is what gives democracy its living quality. It is a current of contact, a flow of popular energy, that cannot be broken without doing violence to the heart and vitals of our democracy. Its expression must remain varied and manifold: not only approval but dissent, not only applause but sharp protest, not only hurrah-shouting but open and courageous opposition.

That is why public opinion plays such a central role in our American scheme of things. That is why in tampering with public opinion—in cutting off its traditional rights of inquiry and discussion—we are tampering with the heart of American democracy. Public opinion is a force that constantly reaffirms the mandate residing in government; but it is also a constant brake and corrective on officialdom as well. What are the freedoms formulated in our Bill of Rights but in essence a system of guaranties that the sources of public opinion will not be choked off or polluted?

A lively and unhampered public opinion is not a luxury reserved for bright, clear days. It is a necessity, basic and indispensable, especially in periods of trouble and social challenge. The test of any system of government is in times of crisis, and American democracy is no exception in this respect.

If ever there was a time when government should rest on popular confidence, rather than on blind and uninformed obedience, that time is now—in time of war, in time of trouble, in time of strife. If ever the enlightened consent of the governed must find full and deep expression it is now, when millions of families have sent their sons across all the seas to fight and die on land, on water, and in the air. Unless all Americans understand what they are doing and why they are doing it, unless they have a true sense of direct and genuine participation in the process of governing, their sacrifices may begin to look like a mockery.

This needs to be said today, as vigorously as possible, because a pernicious theory seems to be gaining ground in recent years in our America that silence is the supreme proof of loyalty; that blind trust in our betters is the foundation of national unity; that a padlocked mouth is the symbol of a new patriotism. No matter how it may be disguised in war paint, that theory is merely an American version of the totalitarian doctrine of some of the Axis Powers that the people's job is just to fight, die, suffer, work, obey—and keep their mouths shut.

Those who promote this strange and, for America, wholly alien notion that to criticize or to demand information is disloyal forget that in a democratic society silence is not a sign of unity but of apathy and indifference. They forget that in squelching criticism, in making it seem somehow unpatriotic and almost traitorous to ask searching questions, they are destroying public opinion as a living force. To the extent that they succeed in suppressing candid popular inquiry, they are paralyzing American democracy. Besides, why all this panicky shouting about unity? Why this extraordinary fear of division and conflict? Those who raise such cries, I suspect, are seeing ghosts. They are being scared by the figments of their own overwrought imaginations. We do not believe that American unity is so fragile, American patriotism so brittle that it cannot weather exposure to truth. We observe the spirit of the boys on all the fronts and the spirit of civilians at home and find them good, strong, and quite capable of facing realities. My advice to the scared ones who are so strangely apprehensive about the unity of the American people is to stop shouting "Unity" and remove the impediments to popular understanding and discussion without which unity is impossible.

Frankness demands that we face another aspect of the situation. I refer to the fact that so many who occupy seats close to the mighty in our Government have much to gain and little to lose, politically, by shouting down every embarrassing question with cries of "unity." No doubt most of them actually believe the monstrous fallacy that silence is necessary for victory. But are there not others who fear that questions and discussion may conceivably reveal the weakness or failure of their own polity and who, therefore, need silence as a shield against the bitter winds of exposure? This year we are facing a great and crucial national election, one of the most decisive in the whole career of our beloved Republic. The solemn setting of bloodshed, sacrifice, and heroism gives the election additional dimensions of significance. But, in order that it may be conducted intelligently and be geared to clear reason, we must discuss, debate, rediscuss, and redebate all the great domestic and foreign issues. Only thus can the electorate reach an enlightened decision.

There are those who would hold this crucial election in an intellectual blackout, where none of the real issues can be discerned or explored. But the American people will not permit this. They will insist on examining every vital question that confronts our Nation. Anyone who attempts to put a lid on free discussion will find that the resulting pressures of popular resentment will blow the lid and himself to bits. It is the glory of American democracy that in the middle of a war we can hold a free election—free not only with respect to an honest count of ballots but with respect to full and honest discussion of all issues. No matter how the various parties and factions may differ in the course of the election, no matter how intense the partisanship of the moment, America will emerge from the process united and strong as ever, regardless what the results may be. Free discussion, without inhibitions or prohibitions, is indeed the guaranty that the results will be truly representative and therefore truly unifying.

Those in our midst who propagate the doctrine of obedience in silence forget that under the American system governmental policies and commitments, regardless of how nobly conceived or how flamboyantly staged, are so many empty gestures unless they have the sanction of popular consent growing out of free, full, and enlightened discussion. Government simply cannot bypass public opinion. Officials, high or low, simply cannot evade the clear injunctions of the Constitution. Whenever it has been tried it has failed.

Madam President, some weeks ago our respected friend, the Speaker of the House of Representatives, attacked those Americans who dare to inquire about the policies and purposes of our own Government as well as of governments allied or associated with us in the war effort. He argued that anything short of total acquiescence in the acts and words of

those governments, known or concealed, was divisive and almost disloyal. He implied that anything short of complete faith in the wisdom and high intentions of all these governments—any attempt to curb, influence, or question their behavior—amounts to interference with the winning of the war and the shaping of the post-war world. In effect, it will be recalled, the Speaker instructed his colleagues not only to keep silent about issues uppermost in the public mind, but to prevail upon their constituents to do likewise.

To me it was a shocking speech—an attempt to slap unpatriotic labels on Americans who consider it dangerous to impose a moratorium on intelligent and informed public discussion. It seemed to me an expression of the utterly un-American illusion that surface unanimity, attested by silence or by cheering on signal from above, is the same as real unity. It seemed to me a repudiation of the American experience—recognized by Abraham Lincoln and after him by Woodrow Wilson even in wartime—that unity is the end-product of freedom, including freedom of speech and of criticism.

Was this shocking proposal of a blackout of discussion merely the personal opinion of the Speaker of the House or was it a party line laid down by political strategists hoping to win an election by default? I do not know. I know only this as a certainty, that the American people will insist on free discussion, and that no man in public life will be permitted to drape himself in the American flag and claim a monopoly on patriotism and loyalty.

Has our democratic morale sunk so low, has our trust in the American people so declined that we dare not risk candid examination of the most vital Government actions and policies? I do not for a moment believe this to be so. I am convinced that those who harbor such ideas are tragically mistaken. And they are no less mistaken in their assumption that they can bludgeon a free people into silence with slogans of unity.

At a million American dinner tables, wherever free Americans foregather in private, searching questions are being asked—questions that make manifest the people's genuine concern with public affairs and hence their genuine unity.

Yes; Americans want to know. They want to know not only that commitments have not been made to other governments, as the President told us the other day, but they also want to know whether we are trying to restrain allies who might have territorial or power ambitions. It is not enough to tell us that we are not a party to the swallowing up of some small country by one of the great European powers. We want to know in addition whether we have a clear-cut policy which indicates our objection to such imperialisms, if they should develop.

Americans want to know, Madam President, whether the national life and independence of any people in Europe—whether in the Baltic region, the Balkans or western Europe—have been endangered by American commitments, or the failure to make strong American representations. They want to know how Poland, which was the only full ally England and France had at the beginning of the war and which has been so horribly ravaged, is to be rewarded for its loyalty and supreme sacrifices. Have we made any representation with respect to the border of Poland or is that something we are leaving entirely to Poland and her eastern neighbor? Again it is not enough to tell us we have made no commitments. The important thing is not the technical answer that we have made no commitments but what is the spirit of the negotiations, and what is the spirit of our requirements with respect to the various states of Europe.

I listened carefully and I read carefully, but I noticed not one word said about the Atlantic Charter—which we all applauded; or was it the spirit of the Atlantic Charter? No matter what the Atlantic Charter is or what it stands for, why was it not brought out? Are we still for it, or is it a thing of the past?

What about any commitment with respect to Yugoslavia, which has been a heroic and steadfast ally? Why is it that General Mikhailovich, who held his fire and covered his forces on our own request, has apparently been abandoned, and an opposition force, headed by Communists, has become the sole recipient of Allied support? Is that merely military expediency, or is it the first expression of a deeper design?

What really happened in Teheran? Why is it that the plans for a series of European confederations, advanced by Mr. Churchill and supported by many of our own leaders, have suddenly been forgotten? Granted that no commitment was made with respect to the Balkans, is it our policy to sit by and by doing nothing allow the swallowing up of the Balkan nations? Our people want to know whether the rights of smaller and weaker peoples have been traded on the auction block of power politics with the passive consent if not the open connivance of the American Government.

Mr. JOHNSON of Colorado. Madam President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Colorado?

Mr. BRIDGES. I yield.

Mr. JOHNSON of Colorado. What I should like to know is, Does the Senator believe the President can make commitments, outside of military commitments? Can he make commitments as to the post-war period?

Mr. BRIDGES. In my understanding, the President cannot make commitments, but I want to know what went on at the conferences.

Mr. JOHNSON of Colorado. Did the Senator say the President can make commitments that would be binding on this country?

Mr. BRIDGES. No; I do not think he can; but I want the other countries in dealing with us to understand fully that he cannot do so.

Mr. CONNALLY. Madam President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. CONNALLY. The Senator is aware of the fact that the President stated that no commitments had been made, is he not?

Mr. BRIDGES. Yes.

Mr. CONNALLY. Does the Senator accept that statement?

Mr. BRIDGES. Let me tell the Senator from Texas——

Mr. CONNALLY. I do not want to be told anything; I want the Senator to answer the question.

Mr. BRIDGES. I shall answer the question, and I shall tell the Senator something, too, if he will listen. I know what the President said, in a negative way, but I want something said in a positive way. I want to know if he told them we believed in the rights of small nations and some other things.

Mr. CONNALLY. How much more positive can anything be than when the President says no commitments were made? If the Senator is advised of any clearer language than that, I will tell it to the President, and he can call the Senator up and tell him. But I cannot conceive of anything plainer than to say that no commitments were made. It does not have to be said before a notary public, does it?

Mr. BRIDGES. Does the Senator still believe in the Atlantic Charter?

Mr. CONNALLY. I have not expressed any opinion about it, publicly or to the Senator.

Mr. BRIDGES. Does the Senator still believe that the President believes in the Atlantic Charter?

Mr. CONNALLY. I do not think that is pertinent to this inquiry. The Senator wants to know all about Latvia and Poland. Where does he stand on those questions?

Mr. BRIDGES. I want to know all these things, yes.

Mr. CONNALLY. What is the Senator's position? Where does he want the boundary between Poland and Russia placed?

Mr. BRIDGES. I am not over there negotiating that question, but I want the President to tell us, and I should think that the chairman of the Committee on Foreign Relations of the United States Senate would be the first to demand and see that the United States Senate and the American people were told what went on.

Mr. CONNALLY. The Senator from Texas will, at the proper time, when it is pertinent, certainly insist not only on the people knowing about it, but on the Senate of the United States knowing about it; and the Senator from Texas, along the line of the suggestion of the Senator from Colorado, will have no hesitancy in maintaining the rights of the United States Senate, and all constitutional rights. But the Senator from Texas is not inclined, in the midst of military operations, to try to anticipate what is going to happen after the war, and go around with a sharp stick punching every ally we have, and mouthing about someone having told something, when the President in explicit language said no commitments had been made. If the Senator wants any more assurance than that, I think he should take

a trip across the seas and privately investigate this matter.

Mr. BRIDGES. I certainly do want more assurances, and if the Senator will permit me to conclude my remarks, I shall be very glad to have him reply to them, and speak either for himself or the President.

I repeat, our people want to know whether the rights of the smaller and weaker nations and peoples have been traded on the auction block of power politics with the passive consent, if not the open connivance, of the American Government.

They want some clue to the ominous silence in recent months about the Atlantic Charter, the "four freedoms," and other statements of principle, and to the correspondingly greater emphasis on expediency, power politics, spheres of influence, and the like.

I project these typical questions not as a partisan, not as a Republican, but as an American and as a Member of the United States Senate, which has a constitutional mandate to share with the President in the treaty-making power. Again, these questions are not asked by a "suspicious soul." They are asked as a responsible American who wants to know what it is all about, and has a right to know what it is all about, and will not be put off by being called names, by being smeared, or by being treated with considered, skilled contempt.

The President recently alluded to mistakes made after the First World War. They were indeed many and grievous, but no one group or party, no one Nation, is alone to blame. Past mistakes certainly are no excuse for new and more serious ones. On the contrary, they deepen our common responsibility for clear-eyed and open-minded examination and action in absolute conformity with the law of the land.

Mr. Roosevelt has told us that he, Marshal Stalin, Mr. Churchill, Generalissimo Chiang Kai-shek, and Mr. Hull, are fully aware of the constitutional prerogatives of this body with respect to treaty-making powers, but I think it is equally as important to inform these gentlemen that the Senate will not allow itself under any circumstances to be circumvented or presented with a series of accomplished facts to the end that these, our treaty-making powers, may be practically nullified. We want to make it clearly understood that now that the President has promised us that no assault will be made on the front door of this body, we will also not permit an entrance through the back door. Only those engagements openly negotiated, freely discussed and freely ratified will bind the American people.

This needs to be emphasized, because Americans are alarmed and confused by indications of behind-the-scenes bargains which may hurt the prestige of American integrity. They can understand concealment from the enemy, but not concealment from themselves, in matters that the enemy knows only too well.

Remember that questioning and criticism will not be obliterated in any case. They are deep-rooted habits in America, and cannot be stamped out overnight. The only issue, therefore, is whether public opinion will be muffled by threats and driven underground—or will be voiced aloud, in the American tradition, in our legislative chambers, editorial columns, and over the airwaves. The choice is a clear one: Either we shall safeguard our democratic procedures, or we shall bring into being a black market in political opinion such as exists in the dictated countries.

Whenever we suppress questions, by branding them as disloyal, we are not promoting unity, but promoting suspicion. Questions that are not asked and answered in the full light of day remain to fester in the darkness, breeding doubts, discontents and cynicism.

No one in our country has a monopoly on patriotism. We all claim equal rights in loving these United States. And we are all equally determined to win the war at any price, and to make its recurrence impossible. This business of impugning the patriotism of anyone who ventures to peer below the surface of official evasion must stop.

American cooperation in the post-war world is no longer a matter of dispute. It is no longer an issue. The issue is the nature of that cooperation, how it will be implemented, how it will work, how it will affect American interests. Nowhere is there any real doubt by this time that America is willing to participate in the reconstruction of a shattered world, that America is ready to shoulder its full share of responsibility for maintaining the peace for which we are making such huge sacrifices. That, however, does not mean that we have signed away our privilege of inquiring into the nature of that participation and the character of that responsibility. On the contrary, the very earnestness of their sentiments, their deep awareness of the importance of what is now being shaped up, impels most Americans to ask questions and to delve below the tinselly surface of official formulas.

America recognizes that it has an obligation to posterity. But it has an obligation, no less, to the present generation—to the millions who are staking their lives in battle and to their families back here. Too often in history the supposed interests of unborn generations have been made the excuse for loading hardships and injustices on those now living and suffering.

Tens of millions of American fathers and mothers, wives, and sweethearts, and children yearn to have their loved ones, now fighting on scores of battlefields, back home. They are not ashamed of that yearning. They are willing to make any necessary sacrifices, willing to prolong the painful separations as long as necessary for enduring victory. But they want to be taken into complete confidence on the whole matter. It is altogether too vital, too intimate a matter to be left exclusively to the secret devising of any three or four men—even if those men possessed all the wisdom of the ages.

The fate of our country for many decades, perhaps for many centuries to come, is now being decided. Precisely because the enterprise is so great, so far-reaching, so pregnant with grandeur and so fraught with perils, the American people—through a freely functioning public opinion and through their elected representatives—must insist upon full participation in the process. They do not want to be presented with accomplished facts on a take-it-or-leave-it basis. Obviously it is easier to ask questions than to answer them. Admittedly it is easier to criticize than to deal with the complex problems of a world at war. That, however, must not serve as a convenient excuse for undermining the democratic processes from which American strength derives.

We have a right to ask all the questions even though all the answers are not yet available. That is the one sure way of forcing an answer to those questions that can be answered. Nor will we take evasive generalities. We expect to be treated as an intelligent people who merit the complete confidence of our Government. At the worst, our insistent demands for the truth would serve as a reminder to all concerned that the power to help reshape the world, like the power to make war, rests in America with the whole people, not with their temporary spokesmen.

In spite of the President's assurance and at the risk of repeating, it should serve as a wholesome reminder that under the American system no one man—not even the President of the United States—and no group of men can commit the Nation irrevocably to a course of action, at home or abroad, without consulting the entire people and taking them into fullest confidence.

In ordinary justice to the rest of the world, this central fact must not be obscured. It may seem to some, here and in other countries, a stupid or outmoded or embarrassing fact, but a fact it is. Political bargains and compromises that have not been tested by American public opinion have no real validity. They cannot be made to stick without recourse to the democratic procedures.

It would be unfair to encourage illusions on this subject. Those who by enforcing an artificial silence seek so desperately to head off a test by public opinion, are in truth harming the very cause they would serve. A program worked out in open collaboration with the people will have vastly more chance of popular understanding and acceptance than one that is smuggled into being over the heads of our people.

Because of the imperatives of a war crisis, we have given unwonted authority to our Government. Far from implying a suspension of public opinion, this grant of exceptional powers necessitates even greater popular controls. Moreover, a people which cherishes its traditional rights to question and criticize its own government cannot be forced or frightened into silence on the methods and motives of other governments.

Americans simply cannot comprehend why it is right for General Smuts, for instance, to speak bluntly about Russian and American policies, but wrong and well-nigh treacherous or suspicious—to put it in polite terms, as the President

says, to raise questions about British and Russian intentions. They cannot comprehend why it is legitimate for official Russian papers and spokesmen to attack American leaders, American ideas, American strategy, but disloyal and a blow to allied unity for Americans to examine frankly any aspect of Russian policy, history or intentions. It all adds up to a system of double political bookkeeping which may make sense in the stratosphere of the higher diplomacy but looks like utter nonsense down below here where we simpler mortals have our being.

Americans are instinctively wary of grab-as-grab-can power diplomacy. Check that up to the youth of our country if you will. Personally, I prefer to check it up to our practical common sense.

It is our common sense which warns us that cynical "deals" in which small nations are sacrificed on the altar of expediency to propitiate big nations may explode in our face.

It is our common sense that is offended by the suspicion that Yugoslavia or Poland or the Baltic countries—all of which have suffered grievously under the lash of Axis fury—may be used as pawns in a game called spheres of influence.

It is our common sense which dictates the feeling that we cannot afford to destroy the prestige of American integrity among the plain people of the world by seeming to support old-style division of spoils settlements.

It is our common sense which raises doubts as to the wisdom of preserving the old imperialist order in any portion of the globe, let alone permitting the extension of new imperialisms.

It is our common sense, finally, which makes us so certain that there is a moral order, as well as an order of simple expediency, and that such things as justice, right, freedom, decency, respect for promises freely given—even to small nations—cannot be flouted with impunity.

In all such matters, and a hundred others, Americans want to know. Lip service to democracy is not only futile but insulting if simultaneously we make its exercise a proof of disloyalty or disunity. Public opinion is an essential ingredient in the American way of life, and it cannot function in a vacuum. It must have access to facts. It must retain its traditional privilege of asking questions, pertinent and impertinent, wise or foolish, about its own Government and allied governments. It must be encouraged to regard criticism not merely as a right but as a duty.

American idealism and American common sense are factors for world stability. They can be brought into play, however, only if they are not suppressed at home. The only kind of cooperation our beloved country can offer to a stricken world and a tormented humanity is the cooperation of a democratic, conscious, enlightened, self-governing people. Cooperation on any other terms is impossible and would in any event be doomed to failure.

I do not feel that these remarks require any apology—I happen to know that I am voicing the thoughts and doubts of countless Americans of all political persuasions. But to anticipate the name calling that will be undertaken by those who may resent my candor, I want to set the Senate clear on my own record. That record is proof that I have always favored world cooperation. I was one of the few who voted against the Neutrality Act when the administration was still deeply isolationist and appeaser in spirit. I have never ceased to demand unstinting measures of national defense at a time when others were still smug and complacent. I have supported, and shall continue to support with every fiber of my being, the relentless prosecution of the war to the point of clear-cut victory.

America, I believe, must recognize the altered state of the world and the responsibility that flows from its power and wealth and industrial genius. But American collaboration in the building of a better world must be open, not secret; must be reasoned, not panicky; must be democratic, not bureaucratic.

I am aware that any and every sincere attempt to apprise our Government of such attitudes will be branded as partisan. That is one familiar device for shutting up critics. But the moment is too critical, the issues are too great, to allow such devices to silence us.

Nine and a half million empty chairs at the breakfast tables of America prove our interest—our stake in this war. Many of those chairs will remain vacant—a silent symbol to their loved ones of those who have given the full measure of devotion. In the mines, in the factories, on the farms, Americans are toiling and sweating to make our America in truth the world's arsenal of democracy. And so on the fields of battle and on the home front we are making our great contribution to the inevitable victory. That victory must find us as we have been since the beginning of our national history—resolute, strong, free.

THE REVENUE ACT

The Senate resumed the consideration of the bill (H. R. 3687) to provide revenue, and for other purposes.

Mr. DAVIS. Madam President, in our concern with the immediate problems presented by the pending tax bill we cannot afford to ignore, or even to give slighting notice, to the long-run aspects of war taxation as it fits into the whole pattern of our war economy. Hence, I would at this time invite the attention of the Senate to the realism of this bill in view of the wartime needs and the peacetime goals of the Nation.

A war can be financed in a number of ways, depending upon the other policies in the complete scheme of the temporary emergency control of production and distribution. There has been too great a tendency on the part of some advisers that only higher taxes than those provided in the present bill can preserve the price stability that is necessary for complete support of this total war. In making the choice between very much higher taxes and some other method of war finance, however, the Congress is confronted with conditions that exist, and that cannot be molded to fit our convenience.

The pending bill must be considered in the light of these conditions. This is the sort of realistic tax program that we need—one that will finance our world-wide effort in a manner consistent with the realistic facts that face us, one that promises long-range benefits, as well as satisfying present needs.

There are practical matters that make the burden of present taxes such that further tax increases would do inestimable harm to a great mass of our citizens. The public has a certain ability to pay taxes, and taxes should be laid so as to reach that ability. A broad tax law cannot take into consideration all of the factors influencing the taxable capacity of any individual. It cannot with fairness provide for the particular hardships of individuals with fixed incomes, for many increases represent real added effort for victory, longer hours, a shift in jobs to more skilled or more dangerous work. A broad tax law can hurt those who must live in a boom community where prices have leaped upward more than they have in the rest of the country.

It is not simply a convenient fiction that those with fixed incomes meet a serious hardship in the face of rising prices. This group, predominantly the white-collar group, have as a result of their fixed incomes incurred fixed obligations which are now like millstones around their necks. These may be financial obligations in the form of necessary mortgage or insurance payments, or they may be a pattern of expenditures which are necessitated by the section of town in which the individual lives, such as the merchants with which he must trade. The only escape for these people is a drastic cut in their standard of living even when their work contribution is of great importance to the war.

This is the realistic situation we face. We cannot tax all the incomes that we think might be taxed, even at present rates, which reach 90 percent on individuals and 95 percent on the excess profits of corporations. But if certain incomes accumulate they are not for that reason necessarily inflationary. There is still a second stage, the stage of individual saving, through which these incomes must pass before they are spent.

In the face of this situation the realistic procedure is to apply the anti-inflationary controls at this stage. If these savings are kept from the markets, and are turned to the use of the Federal Government, they are still kept from becoming dangerous dollars. This solution can be realized by continued and emphasized prosecution of the voluntary war loans, while at the same time the opportunities for inflationary wartime spending can be dried up by more effective price control, rationing, and wage control.

Madam President, the healthiest stimulus that could be given to private savings at this time would be the assurance that the Government will follow a policy of stimulating investment opportunities after the war. Such a stimulus would have the double-barreled effect of giving an incentive to businesses, large investors, and potential small stockholders to

hold their funds now so as to be prepared to take a share in a healthy post-war business. This promise of post-war business carries with it the promise of more and better goods at cheaper prices. Evidence of a real interest in a healthy domestic business will avert much of the scare buying which is rampant today.

During the First World War there was a ninefold increase in Federal expenditures, from $724,000,000 in 1913 to $6,700,000,000 in 1919. The national debt rose over twelvefold, from under $2,000,000,000 in 1913 to over $25,000,000,000 in 1919. The Treasury set out at that time to cover one-third of the war expenses by taxation. The remainder was financed predominantly by resort to the inflationary device of borrowing bank credit, which resulted in a net increase in the amount of currency in the form of cash and business and individual bank accounts. Between 1913 and 1921 the total of bank accounts virtually doubled, rising from $19,000,000,000 to $38,000,000,000. Even adjusted according to the change in the index of wholesale prices, bank accounts after the war totaled $28,000,000,000 of prewar dollars.

It is true that, due to entirely inadequate direct controls on production and prices, we witnessed in the last war an unhappy inflation, not the least part of which occurred after the actual close of hostilities. That part of the situation is not by any means directly comparable with present conditions.

Despite the inflation of 1919 and 1920, and the short depression that set in during 1921, the wealth accumulated in the last war had a definite influence on the future of this Nation.

In respect to the depression in 1921, I might say that when the Senate agreed to a resolution requesting the Secretary of Labor to determine the number of employees who had been removed from industrial pay rolls in the period 1921–22, the number ascertained was approximately 7,500,000 workers.

Madam President, I ask unanimous consent to have printed in the RECORD at this point a table showing several measurements of the value of national income and expenditure from 1919 to date.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

National income, 1919–43

[In billions of dollars]

Year	Gross national product [1]		National income [4]	Total income [5] payments
	Commerce [2]	Kuznets [3]		
1919		72.6	67.6	
1920		84.2	69.7	
1921		66.8	52.6	
1922		67.8	60.4	
1923		79.7	70.0	
1924		80.1	70.0	
1925		84.2	74.6	
1926		90.4	76.8	
1927		88.9	76.2	
1928		90.8	80.1	
1929	99.4	96.8	83.3	82.6
1930	88.2	86.5	68.9	73.3
1931	72.1	68.6	54.5	62.0
1932	55.4	50.1	40.0	47.4
1933	54.8	49.1	42.3	46.3
1934	63.8	57.0	49.5	52.9
1935	70.8	62.0	55.7	58.6

National income, 1919–43—Continued

[In billions of dollars]

Year	Gross national product		National income	Total income payments
	Commerce	Kuznets		
1936	81.7	70.8	64.9	68.1
1937	87.7	79.4	71.5	72.4
1938	80.6	74.6	64.2	66.2
1939	88.6		70.8	70.8
1940	97.0		78.8	76.5
1941	119.2		95.6	92.2
1942	151.6		119.8	115.5
1943	[6] 185.0		[6] 147.0	[6] 142.0

[1] Gross national product is the total value of all goods produced minus the value of the goods consumed in the process but not minus the value of capital consumed.

[2] National Income Unit, Bureau of Foreign and Domestic Commerce.

[3] Simon S. Kuznets, Uses of National Income in Peace and War, National Bureau of Economic Research.

[4] The net value of goods produced, taking into consideration the cost of goods and capital consumed. National Income Unit, Bureau of Foreign and Domestic Commerce.

[5] National income minus business savings and other small adjustments. National Income Unit, Bureau of Foreign and Domestic Commerce.

[6] Estimated, Survey of Current Business, Department of Commerce, August 1943.

Mr. DAVIS. There has been far too little willingness on the part of the high-tax advocates to rely upon saving and the consequent Government borrowing as the first line of the fight against inflation. As an immediate wartime measure, the possibility of accumulating savings serves as an incentive where high taxes would choke off further activity, but its wartime effect of reduced incentives and of insufferable burdens upon certain parts of the economy is only one of the disadvantages of too high a rate of wartime taxation. Of greater importance than many of the problems of some present tax inequity is the task that lies before us of restoring this Nation to our traditional freely capitalistic American way of life after the war.

It is not strictly true that every dollar borrowed to finance the war today represents a partial shifting of the financial burden of the war on to future generations. In the first place, in speaking of a burden we cannot have in mind only a tax payment of a certain size, but a tax payment which must be met out of a certain sized income. The debt situation during and after the last war is an ideal case in point. I ask unanimous consent to insert in the RECORD at this point a table showing Federal receipts and expenditures, and the changes in the national debt from 1913 to date.

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Public debt of the United States, 1912–43

Year	Receipts	Expenditures	Change in debt [1]	Gross debt at end of year	Per capita debt at end of year
	Millions of dollars	*Millions of dollars*	*Millions of dollars*	*Millions of dollars*	
1913	724	725	----------	1,193	$12
1914	735	735	−5	1,188	12
1915	698	761	+3	1,191	12
1916	783	734	+34	1,225	12

Public debt of the United States, 1912–43—Continued

Year	Receipts	Expenditures	Change in debt	Gross debt at end of year	Per capita debt at end of year
	Millions of dollars	*Millions of dollars*	*Millions of dollars*	*Millions of dollars*	
1917	1,124	1,198	+1,751	2,976	$29
1918	3,665	12,697	+9,268	12,244	116
1919	5,152	18,515	+13,238	25,482	240
1920	6,695	6,403	−1,184	24,298	228
1921	5,625	5,116	−321	23,977	221
1922	4,109	3,373	−1,014	22,963	209
1923	4,007	3,295	−613	22,350	200
1924	4,012	3,049	−1,100	21,250	187
1925	3,780	3,063	−734	20,516	178
1926	3,963	3,098	−873	19,643	168
1927	4,129	2,974	−1,131	18,512	156
1928	4,042	3,103	−908	17,604	147
1929	4,033	3,299	−673	16,931	139
1930	4,178	3,440	−746	16,185	131
1931	3,190	3,652	+616	16,801	135
1932	2,006	4,535	+2,686	19,487	156
1933	2,080	3,864	+3,052	22,539	179
1934	3,116	6,011	+4,514	27,053	214
1935	3,800	7,010	+1,648	28,701	225
1936	4,116	8,666	+5,078	33,779	261
1937	[2] 5,029	8,177	+2,646	36,425	282
1938	5,885	7,239	+740	37,165	285
1939	5,165	8,707	+3,275	40,440	308
1940	5,387	8,998	+2,528	42,968	326
1941	7,607	12,711	+5,993	48,961	368
1942	12,799	32,397	+33,461	72,422	541
1943	22,281	78,182	+64,274	136,696	998

[1] Not the same as the difference between receipts and expenditures due to changes in the Treasury's cash holdings.

[2] After 1937 receipts do not include social security receipts.

Sources: Annual Reports of the Secretary of the Treasury; the Budget, 1945.

Mr. DAVIS. Mr. President, it is only under such conditions of growth and development that the national debt may be reduced to manageable proportions. Whatever were the other conditions surrounding the normalcy of the twenties, this much is undeniable, that reversion to American free enterprise made it possible to carry the financial aftermath of the first great fight for freedom and democracy.

In 1919 we began to bring tax rates for corporations down very slightly from their wartime peak. But in 1921, in the face of a tremendous debt, Andrew Mellon, then Secretary of the Treasury, recommended a serious cut in Federal taxes that was designed to remove the evil of a serious deterrent to business incentive especially as it took away the reward that attracted risk capital investment. The excess-profits tax was repealed in 1921. For individuals the exemption for married couples and the credit for dependents were raised and the surtax rates were cut. The top surtax rate was reduced from 65 to 50 percent, and by 1926 the top was 20 percent.

The Nation turned to cultivating instead of drying up the sources from which future revenue must come—the industry of the people, the accumulation of capital that makes possible job-producing large industries, the freedom of legitimate enterprise, and the willingness of individuals to venture capital in enterprises which hold promises of opening up new vistas for an entire new industry.

This is the manner in which new jobs were provided and the income generated which resulted in a steady reduction of the debt, with taxes well under the wartime level. The reduction was over a billion dollars a year in the 4 best years

of the period. In such an expanding economy the wartime accumultations of funds were readily absorbed and were a part of the stimulus to that business expansion in that they encouraged individuals to spend a larger portion of their incomes in providing a market for industry.

In somewhat the same manner we must revive our private enterprise system after this war. The first step in such a preparation for the post-war period is the provision for adequate savings in the hands of both individuals and corporations which may be turned to future investment without reliance upon a system of Government assistance.

It is clear that such a policy of encouraging investment out of private savings has its own peculiar dangers that were not fully appreciated during the twenties. Particular investment opportunities offered must be subject to a general type of control designed to preserve and stimulate public confidence in the investment market. The tendency of the public as a whole to overinvest can be regulated by such influences as the banking system can exert over the economy. Private investment may be relied upon and encouraged without fear of such after effects as the crash of 1929, which was traceable to international influences as well as to abuses of the investment pattern.

This, Mr. President, I submit is a realism based upon the sound American principles which we are dedicated to preserve. It is the type of philosophy that has made this country great. It is based upon an awareness of the existing conditions into which this tax bill was born. The current bill could be better than it is on several points, but by and large it meets the present needs and still is directed to the long-run welfare of the Nation.

I hope it will be possible, when we take up the administrative bill early in this session, to undertake a simplification of the tax structure as a whole.

Mr. JOHNSON of Colorado. Mr. President, section 115 is now before the Senate. I understand that there are now pending certain perfecting amendments to that section. After they shall have been acted upon, I wish to offer a substitute for the entire section.

The PRESIDING OFFICER. The Chair knows of no perfecting amendments.

Mr. GEORGE. Mr. President, certain amendments were offered by the Senator from Michigan [Mr. VANDENBERG], who stated that they were for the purpose of perfecting the section.

Mr. JOHNSON of Colorado. That is correct.

Mr. GEORGE. Does the Senator wish to have them acted upon?

Mr. JOHNSON of Colorado. They can be acted upon, and then I wish to offer my amendment as a substitute for the entire section.

Mr. GEORGE. I understand.

Mr. FERGUSON. Mr. President, I have an amendment to offer at this time. It is on page 78——

Mr. JOHNSON of Colorado. Mr. President, the reference was to the senior Senator from Michigan, who had certain perfecting amendments to section 115, which is now pending.

Mr. GEORGE. Mr. President, may the perfecting amendments be stated, if they have been sent to the desk? I do not know what they are.

The PRESIDING OFFICER. The amendments intended to be proposed by the Senator from Michigan [Mr. VANDENBERG] will be stated for the information of the Senate.

The LEGISLATIVE CLERK. The perfecting amendments are as follows:

On page 52, line 20, after the phrase "subsection (b) (9)", insert the following: "or so much of section 112 (d) or (e) as relates to subsection (b) (9)."

On page 54, line 1, after "112 (b) (9)", insert the following: "or so much of section 112 (d) or (e) as relates to section 112 (b) (9)."

On page 55, line 8, in the parenthesis after the phrase "subsection (b) (9)", insert the following: "so much of subsection (d) as relates to subsection (b) (9)."

Mr. GEORGE. Mr. President, I do not see the distinguished Senator from Michigan in the Chamber. I do not know whether these are mere clerical amendments or not.

Mr. JOHNSON of Colorado. They are perfecting amendments, having to do with policy. I think we could dispose of them and then go ahead with the substitute. I am not interested in the amendments in any way, except that I thought that was the proper parliamentary procedure.

The PRESIDING OFFICER. As the Chair understands, the amendments are not offered.

Mr. GEORGE. Mr. President, I am now advised that the senior Senator from Michigan was undertaking to do what has already been taken care of in some perfecting amendments which I offered this morning, and that undoubtedly is the reason why he did not remain in the Chamber and press his amendments.

Mr. JOHNSON of Colorado. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Colorado will be stated.

The LEGISLATIVE CLERK. Begining with line 13 on page 50 in the committee amendment it is proposed to strike out down to and including line 7 on page 57, and insert in lieu thereof the following:

(a) Nonrecognition of gain or loss on certain reorganizations: Section 112 (b) (relating to recognition of gain or loss upon certain exchanges) is amended by inserting at the end thereof the following:

"(10) Gain or loss not recognized on reorganization of corporations in certain receivership and bankruptcy proceedings: No gain or loss shall be recognized if property of a corporation (other than a railroad corporation, as defined in section 77m of the National Bankruptcy Act, as amended) is transferred, in a taxable year of such corporation beginning after December 31, 1933, in pursuance of an order of the court having jurisdiction of such corporation—

"(A) in a receivership, foreclosure, or similar proceeding, or

"(B) in a proceeding under section 77B, or chapter X of the National Bankruptcy Act, as amended,

to another corporation organized or made use of to effectuate a plan of reorganization approved by the court in such a proceeding, in exchange solely for stock or securities in such other corporation.

(b) Basis: Section 113 (a) (relating to basis of property) is amended by striking out paragraph (21) and inserting in lieu thereof the following:

"(21) Property acquired on reorganization of certain corporations: If the property was acquired by a corporation upon a transfer to which section 112 (b) (10), or so much of section 112 (d) or (e) as relates to section 112 (b) (10), is applicable, then, notwithstanding the provisions of section 270 of the National Bankruptcy Act, as amended, the basis in the hands of the acquiring corporation shall be the same as it would be in the hands of the corporation whose property was so acquired, increased in the amount of gain recognized to the corporation whose property was so acquired under the law applicable to the year in which the acquisition occurred."

(c) Technical amendments:

(1) Section 112 (d) (relating to gain of corporation) is amended by inserting after "subsection (b) (4)" the following: "or (10)."

(2) Section 112 (e) (relating to loss from exchanges not solely in kind) is amended by inserting after "subsection (b) (1) to (5), inclusive," the following: "or (10)."

(3) So much of section 112 (g) (defining "reorganization") as precedes paragraph (1) is amended to read as follows:

"(g) Definition of Reorganization. As used in this section (other than subsection (b) (10)) and in section 113 (other than subsection (a) (21))."

(4) Section 112 (k) (relating to assumption of liability is amended by striking out "subsection (b) (4) or (5)" wherever appearing therein and inserting in lieu thereof the following: "subsection (b) (4), (5), or (10)."

(5) Section 718 (a) (6) (A) is amended by striking out "112 (b) (3), (4), or (5), or so much of section 112 (c), (d), or (e) as refers to section 112 (b) (3), (4), or (5)" and inserting in lieu thereof "112 (b) (3), (4), (5), or (10), or so much of section 112 (c), (d), or (e) as refers to section 112 (b) (3), (4), (5), or (10)".

(d) Effective date: The amendments made by subsections (a), (b), and (c) shall be effective as if they were a part of the Internal Revenue Code, the Revenue Act of 1938, the Revenue Act of 1936, and the Revenue Act of 1934, on the date of its enactment, except that this subsection shall not affect any tax liability for any taxable year beginning prior to January 1, 1940.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. WHITE. May I ask if the amendment which has just been read has been printed?

Mr. JOHNSON of Colorado. It has not been printed in the exact form in which it appears today, but it was printed in its original form, and was before the Senate and the Finance Committee where it was given a great deal of consideration. However, the language of the present copy which is now before the Senate was prepared today by the Treasury, and the staff of the joint committee, and has not been printed in its present form.

Mr. WHITE. Mr. President, the language of the amendment sounds rather formidable to me. With all respect, I may say that it seems almost like an imposition on some of us to be asked to vote on an amendment so complicated as the

one now before us seems to be, without ever having had an opportunity to see it. Does the Senator say that the amendment has been before the Finance Committee?

Mr. JOHNSON of Colorado. The amendment was presented by me to the Senate. The amendment was referred to the Finance Committee and was considered when the revenue bill was before that committee.

Mr. WHITE. Was it rejected?

Mr. JOHNSON of Colorado. No; it was not rejected. It was agreed to in principle, but the Treasury added some riders to it, and that is the reason the amendment is here now.

Mr. WHITE. So the amendment which has been read at the desk is not the amendment which was approved by the Treasury?

Mr. JOHNSON of Colorado. The amendment which has been read at the desk is not the amendment which was prepared by the Treasury and put into the bill at the last moment. It is the same amendment which was offered by the Senator from Colorado, considered by the Finance Committee, agreed to in principle, and changed somewhat by the Treasury. Because of the fact that it was changed by the Treasury, I have had to resubmit it, and it is now before the Senate in its present form.

Mr. WHITE. I still believe it is asking a good deal of Senators to accept an amendment of this kind and importance without having been given an opportunity to read it and study it.

Mr. JOHNSON of Colorado. I will say to the Senator that the amendment was submitted on November 26, 1943. The Members of the Senate have certainly had an opportunity to study and consider it, and become informed with regard to it.

Mr. WHITE. Yes; possibly in a different form, but not in the form for which approval is now asked.

Mr. JOHNSON of Colorado. It is practically in the same form.

Mr. WHITE. I do not know what the Senator means by "practically," but according to my understanding, it is not practically in the same form as the amendment previously offered.

Mr. JOHNSON of Colorado. My understanding of "practically" is just what the language implies, so far as the Senator from Colorado is concerned.

Mr. President, as I have already stated, on November 26, 1943, I submitted the amendment which has now been read, and I ask to have incorporated in the RECORD at this point as a part of my remarks the amendment which I submitted on November 26.

There being no objection, the amendment was ordered to be printed in the RECORD, as follows:

(a) Nonrecognition of loss in certain reorganizations: Section 112 (b) (9) (relating to nonrecognition of loss on certain reorganizations) is amended to read as follows:

"(9) Loss not recognized on certain reorganizations: No loss shall be recognized if property of a corporation is transferred, after December 31, 1934, in pursuance of an order of the court having jurisdiction of such corporation—

"(A) in a receivership proceeding, or

"(B) in a proceeding under section 77, section 77B, or chaper X of the National Bankruptcy Act, as amended, to another corporation organized or made use of to effectuate a plan of reorganization approved by the court in such proceeding. The term "reorganization," as used in this paragraph, shall not be limited by the definition of such term in subsection (g)."

(b) Basis of property acquired by certain corporations: Section 113 (a) (21) (relating to the basis of property acquired by certain corporations) is amended to read as follows:

"(21) Property acquired by certain corporations: If the property of a corporation was acquired after December 31, 1934, in pursuance of an order of the court having jurisdiction of such corporation—

"(A) in a receivership proceeding, or

"(B) in a proceeding under section 77B or chapter X of the National Bankruptcy Act, as amended, and the acquiring corporation is a corporation organized or made use of to effectuate a plan of reorganization approved by the court in such proceeding, then, notwithstanding the provisions of section 270 of chapter X of the National Bankruptcy Act, as amended, the basis shall be the same as it would be in the hands of the corporation whose property was so acquired, notwithstanding that the transaction may fall within another provision of section 113 (a). The term 'reorganization,' as used in this paragraph, shall not be limited by the definition of such term in section 112 (g)."

(c) Taxable years to which amendment applicable: The amendment made by this section shall be applicable to taxable years beginning after December 31, 1939.

Mr. JOHNSON of Colorado. Mr. President, as I have already stated, the amendment was referred to the Finance Committee, and when the revenue bill was considered the amendment was considered and agreed to in principle. The Treasury had no objections to the nature of the amendment, but it desired to add other provisions which affected the general subject. The matter was left to the Treasury to redraft and present the amendment to the Finance Committee. The Treasury redrafted the amendment and added to it a very important rider. My original amendment did not in any way affect any railroads. However, when the amendment came back from the Treasury, and when it was agreed to by the Finance Committee without an opportunity being given to study all of its provisions, it was discovered that it adversely affected a great many railroads which had become insolvent, and which were reorganizing and trying to become solvent. The amendment would adversely affect such railroad lines.

In brief, the Treasury language which was added as a rider attempted to do two things: First, it attempted to nullify the Supreme Court decision which was rendered in 1942 in the Cement Investors, Inc., case, in which the Supreme Court determined that no gain or loss to security holders was involved. The language prepared by the Treasury attempted to set aside that decision. That was the first thing which it did.

The second thing it did was in the language which is contained in paragraph (B). It attempted to change the tax laws relating to railroad companies by changing the law enacted by Congress last year, being a relief measure for insolvent railroad corporations. The Treasury language attempted in some degree to amend, limit, and change that language. That is a very controversial matter, and my original amendment had nothing whatever to do with railroads.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CLARK of Missouri. The fact of the matter is, so far as the record is concerned, that the Senator offered an amendment in the committee dealing with one subject, which was accepted in principle by the committee. It was agreed to in principle without any reference to its particular verbiage. The Treasury experts were instructed to write the amendment in accordance with the principle adopted by the committee. When they wrote it they put in many things not included in the Senator's amendment whatever, and not passed upon by the committee. That is what the Senator is now trying to correct. Is that not true?

Mr. JOHNSON of Colorado. The Senator is correct. The Senator has stated the situation exactly as it is.

Mr. President, the objective of the amendment which I offered has been very carefully studied by the staff of the joint committee and by the Treasury. The Treasury does not agree to it, because it does not contain the extra provisions which they wrote into the amendment; but the staff has agreed, as I understand, to the policy and to the language and to the objectives of the amendment offered by the Senator from Colorado.

It attempts to give to a corporation going through insolvency proceedings exactly the same treatment which is accorded solvent companies should they reorganize. If a solvent company were to reorganize today, it would have a certain status and certain tax advantages because of the historical basis allowed it as a policy of the tax laws enacted by the Congress, but the Treasury has contended that a company which becomes insolvent, when it comes out of insolvency and reorganizes must start out as a new company, and, therefore, if it comes out as a new company naturally it loses the historical basis for tax treatment which is accorded all other companies. The object of this amendment is not to give an insolvent company any advantage or to take anything away from it, but to maintain the status quo. That is the object of the amendment.

Mr. GEORGE. Mr. President, this amendment presents some very important questions of policy. The Senator from Colorado is quite correct in saying that an amendment substantially in this form, as I understand, if not identical with the amendment now offered, was approved in principle by the Finance Committee. The amendment was then written up. It is a somewhat lengthy amendment, and, as I say, it is an important one. The amendment finally approved is to be found in section 115 of the bill as reported to the Senate.

The Senator from Colorado now, as I understand, proposes to strike out that text and reinsert substantially, if not entirely, the text he formerly presented to the Finance Committee and on which there was a vote affirmatively approving it in principle.

The important question omitted probably is that dealing with gain or loss to the security holder in the reorganized company and the provision treating a reorganized company as a new corporation.

I think I should state to the Senate very frankly that I personally felt that, without more study, the amendment went somewhat too far when it was originally presented, but a majority of the committee felt otherwise.

I should also say that the Treasury feels strongly that the amendment should go to conference as it was finally approved by the Finance Committee and incorporated in the bill. The Senator from Colorado, however, was the author of the original amendment, and he is offering to strike out that text of the committee amendment and substitute a new amendment. In conference this whole subject unquestionably will have to be reexamined, and will be carefully reexamined, by the House conferees because of its importance. It is the viewpoint of the Treasury that it would be desirable to have in conference all questions presented in the text of the amendment as it appears in the bill rather than the substitute language now offered by the Senator from Colorado. I therefore regret that I am not in a position to accept the amendment. It is a matter for the Senate; it will have to be passed on by the Senate.

Mr. LA FOLLETTE. Mr. President, it is my recollection—and I should like to ask the Senator if it conforms with his—that this matter was brought to the attention of the committee by the Treasury experts.

Mr. GEORGE. That is correct.

Mr. LA FOLLETTE. I do not think that the impression should be left that they put something into this amendment which had not been discussed by them and by the committee.

Mr. GEORGE. No; the representatives of the Treasury did raise the issue, and they said, after the amendment was approved in principle, that they were very desirous of covering other pertinent issues and questions which would arise, and should arise, in connection with the amendment.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. JOHNSON of Colorado. I simply want to point out with reference to the statement made by the Senator from Wisconsin that, while the Treasury did talk about the relationship between the security holder and the stockholder and indicated that that matter should be dealt with at the present time, the Treasury did not at the time the matter was pending indicate to the committee that insolvent railroad companies were going to be adversely affected by the amendment which they proposed to submit. They never at any time explained that. In 1942 the Congress passed a relief measure which made it possible for railroad companies, reorganized and insolvent, to reestablish themselves, and the amendment that the Treasury presented curtailed, limited, and affected adversely the law Congress passed in 1942. I am certain that the Treasury never said one word to the committee about the effect their proposal would have upon insolvent railroad companies.

Mr. LA FOLLETTE. Mr. President, if the Senator from Georgia will permit——

Mr. GEORGE. Certainly.

Mr. LA FOLLETTE. The Senator from Colorado may not have been there, but I have independent recollection of a colloquy which took place between Mr. Surrey and I think, though I am not positive, the Senator from Ohio [Mr. TAFT], and the point was brought out by Mr. Surrey that the representatives of the railroads had waited upon the Treasury and had asked for specific information months ago, and that it had not been furnished.

Mr. JOHNSON of Colorado. That was with respect to another matter entirely.

Mr. LA FOLLETTE. So, I am satisfied that the matter was discussed in my presence and in the presence of the committee.

Mr. JOHNSON of Colorado. But not with respect to railroads, if I may say so. That was never discussed by the Treasury, and I was there most of the time. The colloquy to which the Senator from Wisconsin refers between the Senator from Ohio and Mr. Surrey did take place; I recall that conversation, but it had to do with another matter not related to my amendment and it was not concerning my amendment. My amendment simply gives to an insolvent company or corporation the same treatment as the existing law now accords insolvent railroad companies, the same treatment for which we provided in 1942 for railroad companies. A great trouble with the rider which was put in is that it does, as I say, repeal, curtail, limit, and adversely affect the law which the Congress enacted a year ago in respect to insolvent railroad companies.

Mr. CLARK of Missouri. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Missouri?

Mr. JOHNSON of Colorado. I yield.

Mr. CLARK of Missouri. As a member of the Committee on Finance, I should like to say that certainly the proposition was never voted on, or, so far as I know, suggested, in connection with the amendment of the Senator from Colorado, at the time of the adoption of the principle, that we were going to repeal the provisions of the 1942 law with respect to railroads. I can say that if there had been any such suggestion as that in the committee, there would have been a very vigorous contest against the whole Johnson amendment, because it was never understood, at least by some members of the committee, including myself, that the Johnson amendment, which was agreed to in principle, included the repeal of the 1942 provisions regarding railroads.

Mr. JOHNSON of Colorado. The Senator is correct, and of course I would have opposed the amendment had I thought, for one moment it would result in repealing the law.

The Senator from Georgia indicates that he would like to take the Treasury language to conference, but so far as my vote is concerned, and so far as my position is concerned, I would have to be opposed to the whole amendment as it came back from the Treasury, for the reason that it does repeal and change adversely the 1942 statute with respect to insolvent railroad companies.

Mr. BURTON. Will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield.

Mr. BURTON. Am I correct in understanding that if this amendment should be agreed to in the form in which it came from the committee, it would be retroactive in its effect on some of the railroad reorganizations, when the roads were in great financial difficulty and accomplished reorganization on the basis of existing laws, and paid their taxes on that basis? If we should adopt this provision it would have a retroactive effect, would it not, and would impose greatly increased taxes over and above those in effect when they made their reorganizations, relying on existing law when they did so?

Mr. JOHNSON of Colorado. That is my understanding. So far as the Erie Railroad is concerned, it would affect it adversely to the extent of about $6,000,000, and would affect some other railroads which had come out of insolvency and had reorganized. But I have been informed by the Treasury today that, through regulations or agreements of some kind, the retroactive features have been eliminated; I do not understand exactly how, but they tell me that that is not a current question.

Mr. BURTON. As the bill stands, the retroactive feature is in it, as I understand, and therefore if we should adopt this provision it would involve a retroactive tax on a reorganized railroad, such as the Erie.

Mr. JOHNSON of Colorado. That is my understanding.

Mr. CLARK of Missouri. What right have the Treasury to come here and ask us to enact legislation and tell us at the same time that they have already stipulated by regulation to negative the plain language of the measure they are asking us to enact? I do not understand that kind of procedure.

Mr. JOHNSON of Colorado. I do not know that it is quite fair to them to say they have done exactly that; but I was told by Mr. Surrey that at least it had been worked out, that the Erie case had been worked out. The language here does not work it out. According to the Erie officials, the language here gives them a tax bill of $6,000,000 over what they have already settled on.

Mr. CLARK of Missouri. What right have the Treasury to agree in advance to change by regulation or construction the plain language of a statutory measure they are asking us to enact?

Mr. JOHNSON of Colorado. I cannot answer that question.

Mr. CLARK of Missouri. Nor can anyone else.

Mr. GEORGE. Mr. President, before we take a vote on the amendment, I wish to say that I had hoped we might carry this issue to conference in such a way as to have all points clearly presented.

This section as written in the bill is applicable to all corporations, and it does raise a serious question as to whether or not certain corporations, including railroads, which have gone through bankruptcy proceedings, do not lose the right of carry-over provisions after reorganization.

I do not see why all the issues would not be in conference with the adoption either of the Senator's amendment as he now offers his substitute, or the adoption of the Finance Committee amendment. It seems to me that the matter is so important that the conferees will examine it with a great deal of care, and accept it with such amendments as they desire.

I wish to make it plain that if the Senate does vote for the substitute now offered by the Senator from Colorado, who offered the original amendment, I shall be free in conference to treat of the broad questions of policy and the additional issues which are clearly raised by the Senate committee bill.

I merely wished, in the brief statement I made, to call attention to the Treasury's position about the matter and its reason for it.

I think, therefore, that there should be a vote on the substitute amendment, so that whatever decision is reached may become Senate action.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. JOHNSON] in the nature of a substitute for the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. GEORGE. Mr. President, the junior Senator from Michigan [Mr. FERGUSON] has an amendment, which I have discussed with him, and if he will present it at this time, before we proceed to the consideration of other amendments, I shall be very glad to have it disposed of.

Mr. FERGUSON. Mr. President, on behalf of the senior Senator from Ohio [Mr. TAFT] and myself I propose an amendment to section 128, the section which deals with trusts for maintenance or support of certain beneficiaries.

The bill as it now stands would give relief to certain trust taxpayers who had not taken appeals, and those who had taken appeals and had adjudicated their claims would have no relief. It is the feeling of the Senator from Ohio and myself that at the time these trusts were created the Commissioner's regulations and the adjudicated cases had held that the income derived from trusts for the benefit of minor children could not be taxable to the settlors of the trusts, except to the extent that such income was actually used for the support and maintenance of the minor children.

A case involving this question went to the Supreme Court of the United States, and the Court held that all the trust funds were taxable in the name of the grantor. They held that trust income for the benefit of minor children was taxable to the settlor of the trust as long as there was a mere possibility, under the trust instrument, that such income could be used for the support and maintenance of the minor children, irrespective of whether or not such income was in fact so used.

After that decision, the Treasury Department, realizing that it would be unjust to apply the recent ruling in the Stuart case retroactively to taxpayers who had created trusts in reliance upon the former rule, issued a special ruling, known as I. T. 3609, which was designed to avoid hardship to taxpayers who had relied on the rule as it had existed prior to the Stuart decision.

However, the policy was not applied to those cases which had been adjudicated by the courts. As the bill now stands, it would give relief to all taxpayers except those who had their cases adjudicated. In justice and in right those people should also be covered by the statute as it is being drafted. Therefore we propose to cure this defect by amending the section on page 78, striking out lines 7 to 12, inclusive, and inserting "collection. The period within which claims", and then again on page 78, line 17, before the period, to insert a comma and the words, "and credit or refund may be allowed or made notwithstanding any provision or rule of law (other than this subsection, section 3760 of the Internal Revenue Code or a corresponding provision of prior law, relating to closing agreements, and section 3761 of the Internal Revenue Code or a corresponding provision of prior law, relating to compromises) which would otherwise prevent such credit or refund."

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. GEORGE. I discussed this amendment with the Senator from Michigan, and it has been considered by the Treasury and by the staff of the joint committee, and there is no objection to it. It simply gives to the taxpayer who has gone through the courts and had an adverse decision the same treatment that is given to the taxpayer in the same circumstance who did not go into court.

Mr. FERGUSON. That is all it does.

Mr. GEORGE. The Treasury does not object to the amendment. It provides an equitable treatment. It will probably be necessary to reconsider the vote by which the section to which this amendment applies was agreed to. I ask unanimous consent that the vote by which the section in question was agreed to, may be reconsidered.

The PRESIDING OFFICER. The Chair will state that the text under consideration is the House text, and that procedure is not required.

The amendment will be stated.

The CHIEF CLERK. On page 78 it is proposed to strike out lines 7 through 12, and to insert "collection. The period within which claim."

On page 78, in line 17, before the period, it is proposed to insert ", and credit or refund may be allowed or made notwithstanding any provision or rule of law (other than this subsection, section 3760 of the Internal Revenue Code or a corresponding provision of prior law, relating to closing agreements, and section 3761 of the Internal Revenue Code or a corresponding provision of prior law, relating to compromises) which would otherwise prevent such credit or refund."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. FERGUSON] for himself and the Senator from Ohio [Mr. TAFT].

The amendment was agreed to.

Mr. BUSHFIELD. Mr. President, I understand that the amendment on page 33, section 105, has been agreed to. Am I correct?

Mr. GEORGE. The Senator is correct; yes.

Mr. BUSHFIELD. I ask unanimous consent that the vote by which paragraph (14) under section 105 was agreed to be reconsidered for the purpose of adding thereto an amendment which reads as follows:

> Retirement pay of enlisted military and naval personnel: In the case of retired enlisted personnel of the Army, Navy, Marine Corps, and Coast Guard, the amount received from the United States as retirement pay.
>
> This amendment shall be applicable only with respect to taxable years beginning after December 31, 1943.

My amendment would come following line 11, on page 33.

I shall explain the purpose of my amendment. As I understand the law, at the present time enlisted men who are retired, disabled, or sick—and there are many of them in this country—do not have the benefit of an exemption from the provisions of the revenue act on their Government pay. I feel that we owe those men the same treatment we are giving other members of the military service.

Mr. GEORGE. Mr. President, I would have no objection to the reconsideration of the vote, because I think every Senator should have that courtesy extended him, unless the matter has been fully debated. But I would have to oppose the amendment.

There is no tax liability against any disability allowance or pay. Retired pay is a part of a salary which is deferred for a particular purpose and in accordance with a policy adopted by the Congress. The Supreme Court has often said that retired pay was a part of a salary in effect which was payable after the expiration of the active term of service. It seems to me that we could not afford to exempt from taxation retired pay.

In the case of the private, if that should be his sole income he would rarely ever be called upon to pay any income tax at all, because of the personal exemption and credit for dependent allowances. Of course if he has other income than the retired pay, he will have to pay income tax when his total exceeds his exemptions. But I think there is a clear distinction between compensation, whether it be paid currently or be paid after the term of active service, and pay for disability, or for injuries, or for sickness. In other words, where there is a

straight gratuity paid by the Government there is always a strong argument for saying that the Government ought not to turn around and tax such gratuity. That is the case in mustering-out pay. The Government has no contract to pay mustering-out pay. The men in the service are not legally entitled to it, but Congress recognizes that it should be paid. It is a gratuity in the sense that we should very properly not give it and then tax it away. But retired pay is a part of a compensation for services actually rendered over a period, and there is no element of gratuity in it.

While consenting to reconsideration of the vote by which the section was approved, I would have to oppose the amendment. I had hoped that the Senator from South Dakota would not press the matter, because we have had that question before us in various forms and on many occasions. If the Senator wishes a vote on the matter——

Mr. BUSHFIELD. I wish to ask the Senator from Georgia a question in order to be clear in my own mind with respect to the matter. The retired private during the time he is in the service receives his full pay, does he not?

Mr. GEORGE. He does, but he becomes entitled to a pay after he retires from active service.

Mr. BUSHFIELD. Is not that a gratuity?

Mr. GEORGE. No; it is not a gratuity. It is a part of his contract with his Government. If he remains in the service and is honorably discharged he is entitled to the retired pay. Whenever he meets the conditions, he is entitled to it. It does not require any act of Congress at this time.

Mr. BUSHFIELD. In the first place it did, however.

Mr. GEORGE. In the original act it did, that is true; yes. But it is a part of his compensation. It is a part of the conditions under which he becomes a member of the active military forces of the country. It is altogether different from a gratuity, or something that Congress feels should be done although it was not originally provided by law and not originally contemplated.

With respect to the matter of mustering-out pay, the men in the military service were not promised mustering-out pay originally. They were drafted. We put them in the service. We now have decided to pay them, under the bill fathered by the distinguished Senator from Kentucky [Mr. BARKLEY], from $200 to perhaps $500. But that is a gratuity in the sense that a proper tax policy would indicate that we would not give it and then turn around and tax it away.

Mr. BUSHFIELD. I can see the Senator's position with respect to any retired enlisted man who has sufficient income, but many thousands of poor fellows do not have any income at all except their retired pay. It must have been looked at as a gratuity at the time Congress first passed the act.

Mr. GEORGE. The retirement pay of a private would ordinarily not be taxable, because his retirement pay would in many cases be less than the personal exemption and credit for dependents allowed under the income-tax law.

The PRESIDING OFFICER. Does the Senator from South Dakota insist upon his request?

Mr. BUSHFIELD. I should like to have the question put, Mr. President.

The PRESIDING OFFICER. Without objection, the vote by which the committee amendment was agreed to is reconsidered, and the question is on agreeing to the amendment offered by the Senator from South Dakota to the committee amendment.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. BAILEY. Mr. President, I send to the desk the amendment, which I offer and ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 148, after line 25, it is proposed to insert:

SEC. —. Gains and losses from involuntary conversions and from the sale or exchange of certain property used in trade or business.

Section 151 of the Revenue Act of 1942 (relating to involuntary conversions and sales or exchanges of certain property used in a trade or business) is amended by inserting at the end thereof the following:

"(f) Taxable years to which applicable: The amendments made by subsections (a) and (b) shall be effective as if they were a part of the Internal Revenue Code and title I of the Revenue Act of 1938 on the date of its enactment."

The PRESIDING OFFICER. Is there objection to the present consideration of the amendment? None is heard.

Mr. BAILEY. Mr. President, just a word of explanation. The purpose of the amendment is to place gains derived from sales of certain types of articles owned and used in business on the basis of capital gains, just as they always were up until 1938, and just as they are now. However, in the period from 1938 to 1941, inclusive, I think, by some awkwardness in the drafting of the law at that time, the Bureau of Internal Revenue seems to have been left at liberty to tax such gains as income, when as a matter of fact they are capital gains.

If the amendment is agreed to, it will place that class of gains on the same basis as that upon which they stood from the beginning until 1938, and upon which they now stand. The amendment merely proposes a correction in the taxation for a 4-year period.

I talked to the chairman of the committee, who is in charge of the bill, and I would not submit the amendment at this time except with the understanding that it is agreeable to him.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina [Mr. BAILEY].

The amendment was agreed to.

Mr. McCLELLAN. Mr. President, I ask unanimous consent to return to pages 58 and 59 of the bill, section 117, I offer the amendments which I send to the desk and ask to have read.

The PRESIDING OFFICER. Without objection, the amendments will be stated.

The CHIEF CLERK. The following amendments are proposed:

On page 58, lines 20 and 21, strike out "and spodumene" and insert "spodumene, and barite."

On page 59, line 5, after "spodumene", insert "barite."

On page 59, line 11, after "spodumene", insert "barite."

On page 59, line 21, after "spodumene", insert "barite."

Mr. McCLELLAN. Mr. President, the amendments, or substantially these, were presented by me to the Finance Committee. That was in the closing days of the committee's consideration of the bill, and the matter had come to my attention only at that time. The committee suggested that I secure from the War Production Board a statement or certificate with respect to this mineral and its importance—in other words, the War Production Board's recommendation regarding whether it should be included along with other minerals and metals which now are included in subsection 4 of section 117 of the pending bill, to receive the benefit of percentage depletion.

I immediately took up the matter with the War Production Board, and was advised by letter of December 21, the letter being written by Mr. Harry J. Wolf, chief of the Cadmium-Indium Section, Zinc Division, of the War Production Board. In his letter Mr. Wolf discussed the importance of this mineral, and pointed out that at that time an extensive survey and investigation was being conducted to determine the real situation with regard to the need for that mineral and the possibility of our obtaining the needed quantities of it. I ask unanimous consent to have the letter printed at this point in the RECORD, as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WAR PRODUCTION BOARD,
Washington, D. C., December 21, 1943.

Hon. JOHN L. McCLELLAN,
Senate Office Building,
Washington, D. C.

DEAR SENATOR McCLELLAN: This refers to your recent request for preliminary general information with respect to the barite situation. Exact and well-considered facts and figures are not immediately available in view of the fact that we are now conducting a field investigation designed to bring out information required as a guide in formulating our policy with respect to any official action that may have to be taken by the War Production Board in the interest of producers and users of barite. We expect to have authentic information available in about 10 days.

Barite requirements in the United States for the ensuing year are estimated as follows: Uses for well drilling, 230,000 tons; required for the manufacture of reagent chemicals, 125,000 tons; required for the manufacture of pigments, 150,000 tons; required for glass, 35,000 tons; and other uses, 20,000 tons.

During the past 60 days a critical situation has developed in the industry, which first became apparent from the failure of producers to make customary deliveries to users.

The existing situation is the resultant of several influences, all of an unfavorable nature, that appear to have developed gradually during the past few months.

In the first place, it appears that production is seriously curtailed, owing to the drafting of key men who are experienced in the industry. A second influence is the inability on the part of producers to pay high enough wages to hold their labor, which means that it may be necessary to bring about some adjustment in the wages of labor engaged in production of barite. A third factor is the price of the mined product, which is now stated to be insufficient to cover the cost and production. A fourth and important factor is the depletion of reserves. As mining operations progress, heavy overburden is being encountered and some mines have been abandoned because of this fact, inasmuch as it increases costs of development and production. Production from certain mines now in operation is threatened and might be curtailed because of this serious depletion of available ore. Little, if any, exploration work is being done, owing to lack of equipment, labor, and funds available for such purpose.

There are other minor influences, but the above combination constitutes the problem demanding solution.

Very truly yours,

HARRY J. WOLF,
Chief, Cadmium-Indium Section,
Zinc Division.

Mr. McCLELLAN. Mr. President, it will be noted that Mr. Wolf points out in the letter that barite requirements in the United States for the ensuing year are estimated as follows:

Uses for well drilling, 230,000 tons; required for the manufacture of reagent chemicals, 125,000 tons; required for the manufacture of pigments, 150,000 tons; required for glass, 35,000 tons; and other uses, 20,000 tons.

In the letter, Mr. Wolf advised that they expected the survey they were then making to be concluded within about 10 days.

Since then I have received from Mr. Wolf, of the War Production Board, another letter, dated January 11, 1944. I wish to read the letter into the RECORD at this point:

WAR PRODUCTION BOARD,
Washington, D. C., January 11, 1944.

Hon. JOHN L. MCCLELLAN,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MCCLELLAN: Supplementing my letter of December 21, 1943, I transmit the following information and comment:

The situation in connection with the production of barites continues to grow more critical, and every possible measure must be taken to encourage added production. The individual ore deposits are not extensive, and they are depleted rapidly, necessitating the constant exploration for new sources if production is to be maintained. Plants and equipment often have to be moved and relocated.

Our information leads us to believe the depletion loss and expense of relocating should be compensated by proper allowances. Producers advise this office that without adequate allowance the development of new fields cannot be undertaken. Margins of profit at present prices do not appear to cover costs of development.

It is the considered opinion of this office that barites should be included in any list of nonmetallic minerals for which depletion allowances are to be considered. The demand for this material is increasing rapidly and new sources of supply must be located and exploited if any large proportion of the requirements is to be fulfilled.

Very truly yours,

HARRY J. WOLF,
Chief, Cadmium-Indium Section,
Zinc Division.

Mr. President, I have discussed this matter with the chairman of the Finance Committee; and I believe the facts, as I have presented them, warrant the inclusion of this mineral among the minerals which are to receive the benefit of depletion allowances.

Mr. GEORGE. Mr. President, I believe that in this instance the depletion allowance is 15 percent, as in the case of other minerals which were included by the House, and which are to be given this allowance for the war period only.

Mr. McCLELLAN. That is correct, Mr. President, and my amendment includes only this one mineral.

Mr. GEORGE. Mr. President, I will not object to the amendment, because the letter submitted by the distinguished junior Senator from Arkansas, which he received from the War Production Board, is unusually strong.

There has been opposition by many members of the committee to the inclusion of certain minerals in the provision with respect to the depletion allowance. It is questionable whether the policy on which we have embarked is sound, but the House has included several new metals and minerals and given them a depletion allowance. The Senator from Arkansas has certainly made a meritorious case in this particular instance. I will not offer any objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arkansas [Mr. MCCLELLAN].

The amendment was agreed to.

Mr. McCLELLAN. Mr. President, I should like to ask the Senator from Georgia whether it is planned to complete the consideration of the bill tonight.

Mr. GEORGE. We shall not be able to do so tonight. I was about to make that statement.

Mr. McCLELLAN. I have another amendment to offer. If we are not to complete consideration of the bill tonight, I should prefer to wait until tomorrow or Monday.

Mr. GEORGE. I have asked the majority leader to have a session tomorrow. I think it will be advisable.

Mr. McCLELLAN. We have not reached the point in the bill where my amendment would be appropriate, so I shall wait until tomorrow to offer it.

Mr. GEORGE. Mr. President, I wish to offer two clarifying amendments, and I desire to get them into the bill tonight. We have already approved the principle. These amendments simply represent a change in language.

The first is on page 42, beginning in line 1, relating to the penalty for failure to make a declaration or pay installments of the estimated tax. Before that amendment can be considered, it will be necessary to have a reconsideration of the vote by which the committee amendment was agreed to.

The PRESIDING OFFICER. Without objection, the vote by which the committee amendment, on page 42, beginning in line 1, was agreed to, is reconsidered.

The amendment offered by the Senator from Georgia to the committee amendment will be stated.

The CHIEF CLERK. Beginning with line 1, on page 42, in the committee amendment, it is proposed to strike out down to and including line 6, on page 43, and insert the following:

(d) Estimated tax:

(1) Failure to file declaration or pay installment of estimated tax:

(A) Failure to file declaration: In the case of a failure to make and file a declaration of estimated tax within the time prescribed, unless such failure is shown to the satisfaction of the Commissioner to be due to reasonable cause and not to willful neglect, there shall be added to the tax 5 percent of each installment due but unpaid, and in addition, with respect to each such installment due but unpaid, 1 percent thereof for each month (except the first) or fraction thereof during which such installment remains unpaid. In no event shall the aggregate addition to the tax under this subparagraph with respect to any installment due but unpaid, exceed 10 percent of the unpaid portion of such installment. For the purposes of this subparagraph each installment shall be considered to be an amount equal to the amount that would have been due and payable if a declaration showing an estimated tax in the amount of the correct tax had been timely filed, and one such installment shall be considered due on the 15th day of the last month of that quarter of the taxable year in which the declaration is required to be filed, and another such installment shall be considered due on the 15th day of the last month of each succeeding quarter of the taxable year.

(B) Failure to pay installments of estimated tax declared: Where a declaration of estimated tax has been made and filed within the time prescribed, in the case of a failure to pay an installment of the estimated tax within the time prescribed, unless such failure is shown to the satisfaction of the Commissioner to be due to reasonable cause and not to willful neglect, there shall be added to the tax 5 percent of the unpaid amount of such installment, and in addition 1 percent of such unpaid amount for each month (except the first) or fraction thereof during which such amount remains unpaid. In no event shall the aggregate addition to the tax under this subparagraph with respect to any installment due but unpaid, exceed 10 per centum of the unpaid portion of such installment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. GEORGE. Mr. President, the second amendment is on page 43, in line 22 of the committee amendment. I think the committee amendment has already been agreed to. I ask unanimous consent that the vote by which the committee amendment on page 43, beginning with line 7, was agreed to, be reconsidered.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment offered by the Senator from Georgia to the committee amendment will be stated.

The CHIEF CLERK. On page 43, line 22, in the committee amendment, after the word "tax" it is proposed to strike out "within each quarter" and insert "within or before each quarter (excluding, in case the taxable year begins in 1943, any quarter beginning prior to September 1, 1943)"; and beginning with line 25, to strike out down to and including line 3 on page 44, and insert "amount at least as great as though computed under such regulations on the basis of the taxpayer's status with respect to the personal exemption and credit for dependents on the date of the filing of the declaration for such taxable year but otherwise on the basis of the facts shown on his return for the preceding taxable year."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. GEORGE. Mr. President, there is another amendment which has the approval of the Treasury. I am satisfied it will not meet with any objection. We provided a draw-back for alcohol used for medicinal purposes. The question has arisen as to what treatment is to be given to distilled spirits used in the manufacture of such products which remain unsold in the hands of the manufacturers on and after the effective date of this act. The American Pharmaceutical Manufacturers' Association and others have asked that alcohol falling within that description be given precisely the same treatment that we have already given in the case of alcohol used after the passage of the act. The administrative difficulties would be greatly simplified. The Treasury has no objection to this amendment.

I ask unanimous consent that the vote by which the committee amendment on page 135, after line 13, was agreed to, be reconsidered in order that this amendment may be considered.

The PRESIDING OFFICER. Without objection, the vote by which the committee amendment on page 135, after line 13, was agreed to, is reconsidered.

The amendment offered by the Senator from Georgia to the committee amendment will be stated.

The CHIEF CLERK. On page 136, after line 4, in the committee amendment, it is proposed to insert:

(e) Time for filing claim for draw-back with respect to distilled spirits used prior to effective date of title III of act: Distilled spirits used prior to the effective date of this title in the manufacture or production of medicines, medicinal preparations, food products, flavors, or flavoring extracts which are unfit for beverage purposes, and which are not covered by any claim filed in conformity with law prior to such effective date, shall be regarded as so used during the quarter in which such effective date occurs, and the claim filed by any person for such quarter shall include the draw-back claimed with respect to such distilled spirits: *Provided*, That no claim shall be allowed which was barred by any provision of any prior law.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. GEORGE. I also ask unanimous consent to offer an amendment on page 135, line 12, in the House text, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Georgia will be stated.

The CHIEF CLERK. On page 135, line 12, after the word "rate", it is proposed to insert a comma and "or at a rate equivalent to the war tax rate."

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Georgia.

The amendment was agreed to.

Mr. DANAHER. Mr. President, I invite the attention of the Senator from Georgia to the fact that on page 114 there is one item which was passed over on Wednesday. It deals with section 2402, in the table, under the item "Toilet preparations." The committee amendment was not acted upon at that time. I ask that the Senate now return to it.

Mr. GEORGE. Mr. President, the Senator from North Dakota [Mr. LANGER] was interested in that matter and asked that it be checked.

Mr. DANAHER. I respectfully invite the attention of the Senator from Georgia to the fact that action on the committee amendment would in no way militate against the amendment which the Senator from North Dakota had in mind, as disclosed by the RECORD. The Senator from Georgia will recall, I am sure, that what the Senator from North Dakota had in mind was an administrative change with reference to the incidence of the tax on barber shops and places of business of cosmeticians, where toilet preparations are used, rather than sold. That has nothing whatever to do with the excise rate.

Mr. GEORGE. With the understanding that it will not prejudice the right of the Senator from North Dakota if he wishes to press his amendment, it would be in order to dispose of that committee amendment, which was passed over.

The PRESIDING OFFICER. The committee amendment will be stated.

The CHIEF CLERK. Under the heading "Title III—Excise Taxes," and the subheading, "Sec. 302. Increases in Rates," in the table on page 114, after line 11, under the item "Toilet preparations", in the last column, it is proposed to strike out "25" and insert in lieu thereof "20."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. WALSH of Massachusetts. Mr. President, I have several amendments in the nature of perfecting amendments to the committee amendment beginning at the top of page 142. The perfecting amendments are noncontroversial, and I should like to offer them at this time. They will require reconsideration of the vote by which the committee amendment in section 501 of the bill was agreed to. I ask unanimous consent for the reconsideration of the vote by which the committee amendment was agreed to, in order that the perfecting amendments may be in order.

The PRESIDING OFFICER. Without objection, the vote by which the committee amendment beginning at the top of page 142 was agreed to, is reconsidered.

The amendments offered by the Senator from Massachusetts to the committee amendment will be stated.

The CHIEF CLERK. On page 142, line 16, in the committee amendment, after the word "therefrom" it is proposed to insert "by an exercise or other termination of such power or control."

On page 143, in the committee amendment, it is proposed to strike out lines 1 through 4, inclusive, and insert in lieu thereof "relinquishment but no gift tax was paid with respect to such transfer or relinquishment because of the deductions and exclusions claimed on such return, and (2) the."

On page 143, line 24, in the committee amendment, after the word "from", it is proposed to insert "by an exercise or other termination of such power or control."

On page 144, line 8, in the committee amendment, after the word "relinquishment", it is proposed to strike out "and the", and strike out lines 9 through 12, inclusive, and insert in lieu thereof "but no gift tax was paid with respect to such transfer or relinquishment because of the deductions and exclusions claimed on such return, and (2) the."

The PRESIDING OFFICER. Without objection, the amendments offered by the Senator from Massachusetts [Mr. WALSH] to the committee amendment beginning at the top of page 142, will be considered en bloc. The question is on agreeing to the amendments offered by the Senator from Massachusetts.

The amendments to the amendment were agreed to.

The amendment as amended was agreed to.

Mr. CLARK of Missouri. Mr. President, I had an amendment which I intended to offer this afternoon, but in view of the obvious fact that it will be impossible to complete the consideration of this portion of the bill this afternoon, I send the amendment to the desk and ask unanimous consent that it may lie on the table and be printed, because it involves a matter of some importance.

The PRESIDING OFFICER. Without objection, the amendment submitted by the Senator from Missouri will lie on the table and be printed.

Mr. WALSH of Massachusetts. Mr. President, I have another amendment which is not controversial. I send it to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Massachusetts will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following new section:

SEC. —. Deduction for disclaimed legacies passing to charities.

(a) Deduction in case of citizens and residents: The first sentence of section 812 (d) (relating to the deduction for charitable, etc., bequests) is amended by inserting after "if the disclaimer is made prior to the date prescribed for the filing of the estate tax return" the following: "or, in the case of a decedent dying on or before October 21, 1942,

if the disclaimer is made prior to September 1, 1944".

(b) Deduction in case of nonresidents not citizens: The first sentence of section 861 (a) (3) (relating to the deduction for charitable, etc., bequests) is amended by inserting after "if the disclaimer is made prior to the date prescribed for the filing of the estate tax return" the following: "or, in the case of a decedent dying on or before October 21, 1942, if the disclaimer is made prior to September 1, 1944".

(c) Estates with respect to which amendments applicable: The amendments made by this section shall be applicable to estates of decedents dying after February 10, 1939.

Mr. WALSH of Massachusetts. Mr. President, the amendment is not controversial. It has been prepared by the Treasury and by Mr. Stam, the chief of the staff of the joint committee. It is agreeable to the chairman of the Senate Finance Committee. It would simply perfect and correct a date in the operation of the disclaimer in connection with charitable gifts and estate taxes.

The PRESIDING OFFICER. Is there objection to the present consideration of the amendment?

There being no objection, the amendment was considered and agreed to.

Mr. GEORGE. Mr. President, there are three amendments on which there is full agreement by the staff of the joint committee and the Treasury and I am sure the Senate Finance Committee has no objection to them.

The War Shipping Administration asked for an amendment exempting from the tax imposed on the transportation of property by section 3475 of the Internal Revenue Code, amounts paid to or by the War Shipping Administration for the transportation of property by water from one point in the United States to another, except between points on the Great Lakes.

The three amendments have been approved, and I ask unanimous consent for their present consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the amendments? The Chair hears none.

The first amendment will be stated.

The CHIEF CLERK. On page 127, line 13, it is proposed to strike out "or."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The Clerk will state the next amendment.

The CHIEF CLERK. On page 127, line 14, after "property," it is proposed to insert ", or (3) amounts paid by or to the War Shipping Administration for the transportation of property by water from one point in the United States to another, except between points on the Great Lakes."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment will be stated.

The CHIEF CLERK. On page 129, line 21, before the period, it is proposed to insert "except that the amendment of such section 3475 (b), insofar as it relates to the exemption of amounts paid by or to the War Shipping Administration, shall be applicable for the period beginning December 1, 1943, and ending on the first day of the first month which begins 6 months or more after the date of the termination of hostilities in the present war."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WALSH. Mr. President, the views of the minority of the Finance Committee filed by me on the renegotiation provisions of the pending tax bill contained a table showing the high percentage of earnings on net worth in 1942 of 200 companies doing business with the Army. I now present, to have inserted in the RECORD, a table prepared by the Navy Department showing 50 examples of high increase in dollar profits in 1942 over the base period 1937 to 1940, together with a percentage of earnings on net worth in 1942, all before renegotiation.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Navy Price Adjustment Board—Examples of high increases in dollar profit in 1942 over base period 1937–40 along with high percentage of earnings on net worth in 1942

[All before renegotiation]

Company	Net earnings after taxes		Percent earned on net worth, 1942 after taxes
	1937–40 base period	1942	
1	$259,600	$1,183,400	49.8
2	148,600	1,409,700	121.5
3	688,400	1,663,800	133.8
4	814,300	7,444,000	27.7
5	271,000	2,850,000	104.5
6	188,900	1,266,100	44.8
7	1,125,800	14,813,900	160.0
8	865,700	2,596,200	36.0
9	119,400	331,800	59.7
10	19,000	165,200	58.4
11	1,432,700	5,704,300	47.0
12	23,800	171,600	110.0
13	479,100	1,581,000	169.0
14	70,400	1,414,500	66.3
15	94,600	1,992,800	85.0
16	66,500	201,100	34.6
17	766,000	6,681,200	204.4
18	441,100	2,354,100	49.1
19	Loss	53,100	86.0
20	(1)	513,000	91.6
21	7,400	121,700	170.4
22	81,600	1,935,000	151.7
23	727,600	1,762,300	18.4
24	42,400	971,000	126.5
25	97,300	484,800	56.3
26	1,362,000	4,694,200	29.6
27	257,000	3,765,000	33.5
28	36,600	864,600	87.2
29	23,000	101,800	47.3
30	231,800	919,100	54.1
31	5,306,900	17,563,500	62.7
32	9,000	170,500	126.0
33	43,500	2,891,200	75.7
34	287,000	850,200	38.5
35	485,000	6,145,000	86.3
36	137,000	584,600	81.2
37	8,525,300	41,089,000	90.9
38	251,000	1,331,000	67.6
39	105,700	2,263,800	149.7
40	403,400	5,216,000	25.0
41	232,300	5,069,000	181.0
42	1,124,000	4,516,700	47.5
43	42,000	175,424	175.4
44	66,000	1,926,300	282.1
45	4,000	321,000	595.1
46	225,400	1,737,800	50.8
47	75,000	500,400	68.8
48	18,800	139,200	61.5
49	13,600	124,300	25.4
50	111,000	481,100	37.6

[1] Began 1939.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. TUNNELL in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. BAILEY, from the Committee on Commerce:

Josh Lee, of Oklahoma, to be a member of the Civil Aeronautics Board in the Department of Commerce for the terms of 6 years expiring December 31, 1949 (reappointment).

By Mr. GEORGE, from the Committee on Finance:

Sundry surgeons for temporary promotion in the Public Health Service; and

Sundry surgeons, dental surgeons, an assistant sanitary engineer, and a sanitary engineer for promotion in the Regular Corps of the Public Health Service.

By Mr. MCKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

THE MARINE CORPS—NOMINATION PASSED OVER

The legislative clerk read the nomination of Col. William P. T. Hill to be Quartermaster of the Marine Corps.

Mr. BARKLEY. That nomination is still to go over at the request of the Senator from South Dakota [Mr. BUSHFIELD].

The PRESIDING OFFICER. The nomination will be passed over.

Mr. WALSH of Massachusetts. Mr. President, in connection with the nomination, and for the information of the Senator who desires the nomination passed over, as well as for the information of other Senators, I should like to present for printing in the RECORD a statement and a letter in reference to the qualifications of Colonel Hill, and the reasons why he was selected to head the Quartermaster Corps of the Marine Corps.

There being no objection, the statement and letter were ordered to be printed in the RECORD, as follows:

Colonel Brown, legal assistant to Lieutenant General Vandegrift, Commandant of the Marine Corps, stated that General Vandegrift considered Colonel Hill the best qualified man in the Marine Corps to perform the duties of Quartermaster. Colonel Brown pointed out that General Vandegrift, himself, when he was appointed was not the senior general in the Marine Corps.

As you know, bureau chiefs in the Navy Department and department heads of the Marine Corps are not appointed by seniority,

but are appointed from those who are considered best qualified for the particular duties concerned. For example, Commander Moreell, of the Civil Engineers Corps, was appointed a rear admiral and chief of the Bureau of Yards and Docks, and was thus passed over the heads of all of the captains and rear admirals in the Civil Engineer Corps, and over the heads of a considerable number of commanders. In a similar manner, every officer who is now a bureau chief in the Navy Department was selected because of special qualifications, and not merely because of seniority.

Confirmation of an officer to fill the post of Quartermaster of the Marine Corps is urgent. Unless a person qualifies for this office prior to the 1st of February 1944, the law requires that the Commandant, himself, perform these duties in addition to his other duties.

The rank to which Colonel Hill is being promoted will only continue during the 4 years of his appointment to Chief of the Quartermaster Corps.

HEADQUARTERS, UNITED STATES MARINE CORPS,
Washington, D. C., December 20, 1943.

Hon. DAVID I. WALSH,
Chairman, Committee on Naval Affairs, United States Senate.

MY DEAR MR. CHAIRMAN: With reference to the nomination of Col. William P. T. Hill to be the Quartermaster of the Marine Corps, I have to inform you that his appointment is to fill a vacancy in that office which will be created on February 1, 1944, by the retirement for age of the present quartermaster, Maj. Gen. Seth Williams.

The law (U. S. Code, title 34, sec. 667c) provides that as vacancies occur, heads of staff departments of the Marine Corps shall be appointed for 4 years from officers whose names appear on the eligible lists for the respective departments. There is but one officer, Brig. Gen. Bennett Puryear, Jr., on the eligible list for appointment as head of the Quartermaster's Department. He has been hospitalized for the past 5 months, and has appeared before a retiring board which has found him incapacitated for service. In view of the nature of his disability (coronary thrombosis), he will unquestionably be retired.

The placing of additional names on the eligible list would require also the selection of additional colonels for permanent promotion to brigadier general of the line of the Marine Corps, since the law vests that function in the Line Selection Board. However, the act of June 30, 1942 (Public, No. 639, 77th Cong.), suspended permanent promotions for the period of the war, and it is accordingly impracticable to comply at the present time with the regular procedure prescribed in the appointment of heads of staff departments of the Marine Corps.

In these circumstances, it appears entirely proper for the President to appoint as head of the Quartermaster's Department of the Marine Corps an officer of the rank of colonel, even though his name be not on the prescribed eligible list.

General Vandegrift, the prospective commandant of the corps, has recommended the appointment of Colonel Hill, and that recommendation is concurred in by the Secretary of the Navy and myself.

Colonel Hill, who is 48 years of age and has over 26 years' commissioned service, is particularly well qualified for the office. His record throughout his career has been outstanding. As early as 1920, his services were requested because of his special technical knowledge and ability by the Alaskan Coal Commission in connection with a survey of coal fields in Alaska as a source of fuel for the Pacific Fleet. His work there over a period of 2½ years in connection with prospecting and development was of such value as to call forth the commendation of the Secretary of the Interior. He has also had wide practical experience and training in all phases of military procurement and supply, with which he has been almost continuously associated in important and responsible assignments for the past 15 years.

One of his more recent assignments was that of Marine Corps liaison officer in connection with the planning and construction of the marine training camp at New River, N. C. In that capacity he rendered conspicuously valuable service and was to a great degree responsible for the rapidity with which urgently needed housing and training facilities were made available there.

Sincerely yours,

T. HOLCOMB,
Lieutenant General, U. S. M. C.,
The Commandant, U. S. Marine Corps.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask unanimous consent that the postmaster nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

Mr. BARKLEY. I ask that the President be immediately notified of all confirmations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 57 minutes p. m.) the Senate took a recess until tomorrow, Saturday, January 15, 1944, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 14 (legislative day of January 11), 1944:

RECONSTRUCTION FINANCE CORPORATION

The following-named persons to be members of the Board of Directors of the Reconstruction Finance Corporation for terms of 2 years from January 22, 1944 (reappointments):

Charles T. Fisher, Jr., of Michigan.
Charles B. Henderson, of Nevada.
Sam Husbands, of South Carolina.
Howard J. Klossner, of Minnesota.
Henry A. Mulligan, of New York.

IN THE NAVY

Capt. Harold B. Sallada, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 10th day of March 1943.

Capt. Thomas E. Hipp, Supply Corps, United States Navy, to be a pay director with the rank of rear admiral in the Navy, for temporary service, to rank from the 31st day of March 1943.

Lt. (Jr. Gr.) Robert C. Sleight to be a lieutenant in the Navy, to rank from the 28th day of January 1942.

Ensign Elbert D. Sprott, Jr., to be a lieutenant (junior grade) in the Navy, to rank from the 2d day of December 1941.

Assistant Surgeon Marr Griffith to be an assistant surgeon in the Navy with the rank of lieutenant (junior grade), to rank from the 20th day of May 1943, to correct the date of rank as previously nominated and confirmed.

The following-named officers of the Naval Reserve to be ensigns in the Navy, to rank from the date stated opposite their names:

John W. Pickens, October 21, 1940.
Melvin C. Roach, August 30, 1941.
Frederick E. Woodward, September 6, 1941.
Richard C. Harper, October 14, 1941.

The following to be assistant surgeons in the Navy, with the rank of lieutenant (junior grade), to rank from the date stated opposite their names:

George S. Olmsted, August 4, 1941.
William L. Jaquith, December 20, 1941.
John J. Courtney, July 14, 1942.
Edward R. Graff, July 15, 1942.
James D. Wharton, August 1, 1942.
Howard O. Musser, September 18, 1942.
James B. Cummins, October 19, 1942.
Daniel E. Owens, February 17, 1943.
Ralph E. Kirsch, February 20, 1943.
Haskell M. Wertheimer, April 13, 1943.
William W. Wilson, June 6, 1943.
David F. Bew, June 28, 1943.
Arnold Breckenridge, July 1, 1943.
William R. Nesbitt, Jr., July 2, 1943.
Allan P. Turner, July 8, 1943.
Robert S. Sherman, Jr., July 8, 1943.
William S. Stryker, July 8, 1943.
Edward R. Woodward, July 9, 1943.
Robert J. McNamara, July 9, 1943.
Clayton S. White, July 10, 1943.
William J. Baker, July 10, 1943.
Russell A. Donald, July 10, 1943.
Walter F. Nichols, July 10, 1943.
John R. Green, July 10, 1943.
Robert W. Truscott, July 10, 1943.
Thomas H. Willcockson, July 10, 1943.
James A. Kaufman, July 10, 1943.
Karl S. Alfred, July 10, 1943.
Philip J. Parker, July 10, 1943.
Frank A. Cerzosimo, July 10, 1943.
William V. Young, July 10, 1943.
David M. Baker, July 12, 1943.
Paul C. Ronniger, July 12, 1943.
Irving Sarnoff, July 17, 1943.
Thomas C. Seymour, July 19, 1943.
William E. Byrd, September 13, 1943.
Joseph H. Kurre, September 13, 1943.
Earl K. Smith, September 13, 1943.
Harry M. Brown, September 13, 1943.
Robert M. Whitrock, September 27, 1943.
James T. Jackson, October 22, 1943.
Maynard B. Gustafson, October 29, 1943.
Paul F. Christenson, December 4, 1943.
Franklin P. Allen, Jr., January 1, 1944.
Robert C. Doolittle, January 1, 1944.
Peter E. Arioli, Jr., January 1, 1944.
George M. Cravey, January 1, 1944.
Hilburn D. Gilliam, January 1, 1944.
Joseph B. Dominey, Jr., January 1, 1944.
Charles H. Wilson, January 1, 1944.
James S. Haimsohn, January 1, 1944.
Louis M. Cartail, January 1, 1944.
Vincent J. Rizzo, January 1, 1944.
Charles H. Alper, January 1, 1944.
Richard E. Leigh, Jr., January 1, 1944.
William D. Dannacher, January 1, 1944.
Wade H. Boswell, January 1, 1944.
Robert E. Switzer, January 1, 1944.
Sherman A. Minton, Jr., January 1, 1944.
Robert M. Campbell, January 1, 1944.
Roy M. Kash, January 1, 1944.
John L. Barrett, January 1, 1944.
Stuart W. Rose, January 1, 1944.
Leroy E. Smale, January 1, 1944.
John J. Fluhrer, January 1, 1944
James W. Sargent, January 1, 1944.
William G. Wiest, January 1, 1944.
Wendell A. Prough, January 1, 1944.
Walter H. Jarvis, Jr., January 10, 1944.
Robert I. Boyd, January 15, 1944.
Benjamin F. Edwards, January 15, 1944.
Robert G. Fisher, January 15, 1944.

Ensign George E. Thode, D–V (G), United States Naval Reserve, to be an assistant paymaster in the Navy, with the rank of ensign, to rank from the 30th day of May 1940.

Ensign Russell G. Delaney, A–V (N), United States Naval Reserve, to be an ensign in the Navy, to rank from the 1st day of November 1939.

IN THE MARINE CORPS

Col. William E. Riley to be a brigadier general in the Marine Corps, for temporary service, from the 1st day of April 1943.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 14 (legislative day of January 11), 1944:

POSTMASTERS

MARYLAND

Emma B. Gardner, Arnold.
William E. Bowman, Silver Spring.

MASSACHUSETTS

Hester L. Sherman, Brimfield.
Priscilla C. Turner, Greenbush.
Rufus O. Case, Halifax.
Loring Goodspeed Jones, Jr., Marstons Mills.
Fred T. Webb, North Westport.
Fred L. Strong, Stow.
Ernest G. Barnes, Sturbridge.
Edmund F. Peck, West Wareham.

TEXAS

Ora D. Morgan, Bronson.
Vera B. Elkin, Channing.
Audria W. Sheffield, Daisetta.
Charlie B. O'Bryan, De Berry.
Lillian G. Sherrieb, Higgins.
Ollie Elaine Burditt, La Ward.
Walter Kurz, Somerset.
Lawrence E. Charlesworth, South Houston.

HOUSE OF REPRESENTATIVES

FRIDAY, JANUARY 14, 1944

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven, from whom all blessings flow, we praise Thee for Thy holy, immortal symphonies which invite us, for the springtime of hope which sustains and comforts us, and for the gentle compulsions which lure us on. However numerous the aggressive devices, bless us with a multiplied sense of our duty. We rejoice that deep down in the human soul is a power as secure as time. Let us build that life which walks with Thee and draws its strength and courage from those sources which touch the priceless realities of life.

Dear Lord, keep us free from the sins of presumption and lead us to moments of insight and meditation that the strange and subtle ministry of Thy spirit may rest upon us, guarding us against the inflow of evil passions into our better natures. Forgive our tempers, our fatal desires, and help us to learn the lesson of our Lord, who, when He was reviled, reviled not again. At the altar of our souls may we humbly pray with the psalmist, "Search me, O God, and know my heart, try me and know my thoughts, and see if there be any wicked way in me and lead me in the way everlasting." O, speak to us and fold us in the bonds of a common purpose and the Lord ever direct us to put first things first—God, home, and native land—dissolving every discordant note into a harmony that gives promise of a glorious future. Through Christ, our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

SOLDIERS' VOTE BILL

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN. Mr. Speaker, this morning the Committee on Election of President, Vice President, and Representatives in Congress reported the soldiers' voting bill which passed the Senate sometime ago, with such amendments as were deemed necessary to enable every man and woman who is qualified to vote and who is now serving in our armed forces, to vote by absentee ballot in the coming election.

The committee instructed me to make the report. We are going to do everything we can to get this bill through as early as possible, because it is the only constitutional method by which we can accomplish what we are all driving at, and that is to enable the men and women in our armed forces to vote in the coming election. It would not only enable them to vote for President, Vice President, Members of the House and the Senate, but it would also enable them to vote for State and county officers from Governor to constable. I believe when this bill comes to the House with these amendments added it will meet with the approval of at least three-fourths, if not 90 percent of the Members of this body. I hope we can pass it, as amended and return it at once to the Senate, and that the Senate will immediately agree to the amendments, so that the States may move on with their program of preparing to get these ballots to the men and women in our armed forces.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. SPRINGER. I wish to state to the gentleman from Mississippi that in my own State of Indiana they are now preparing to call a special session of the legislature to take this matter up.

Mr. RANKIN. That is being done by many States. Georgia led the way, and other States are rapidly falling in line.

Mr. Speaker, under permission to extend my remarks, I am inserting a copy of the Senate bill 1285 as it was reported from our committee this morning. It reads as follows:

S. 1285

An act to facilitate voting, in time of war, by members of the land and naval forces, members of the merchant marine, and others, absent from the place of their residence, and for other purposes

Be it enacted, etc., That the Congress hereby expresses itself as favoring, and recommends to the several States the immediate enactment of, appropriate legislation to enable each person absent from the place of his residence and serving in the armed forces of the United States or in the merchant marine of the United States, or serving in the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots or the United Service Organizations outside the United States and attached to and serving with the armed forces of the United States, who is eligible to vote in any election district or precinct, to vote by absentee ballot in any primary or general election held in his election district or precinct in time of war; and in order to afford ample opportunity for such persons to vote for Federal, State, and local officials and to utilize the absentee balloting procedures of the various States to the greatest extent possible:

(a) It is recommended that the several States, in order to avoid expense, duplication of effort, and loss of time, shall accept, as applications for absentee ballots under such States' absentee balloting laws and as applications for registration under such States' election laws, the form of post card (when duly executed by a person to whom this act is applicable) provided pursuant to section 3 of the act of September 16, 1942 (Public Law 712, 77th Cong.), of which some 11,000,000 have been prepared and are available for such purposes, notwithstanding that such post cards refer to the ballot being applied for as an "official war ballot."

The form of the post-card application referred to is as follows:

_____
(Date)

Secretary of state of _____:

Being on active duty in the armed forces of the United States and desiring to vote in the coming election, I hereby apply for an official war ballot.

My home address is _____,
(Number and street)
in the city, town, or village of _____, in the county of _____, in the State of ____ _____, and my voting district or precinct to the best of my knowledge is _____. I desire that the ballot be sent to me at the following address _____
_____
_____
(Signed)

Signature certified by:

_____
(To be signed by any commissioned officer)

Upon the other side of such post card is printed the following:

Free
(Official war ballot)

Secretary of state of _____,
_____,
(City)
_____
(State)

The Secretary of War and the Secretary of the Navy, wherever practicable and compatible with military operations, and the Administrator of the War Shipping Administration, are directed to cause such post-card applications to be distributed to persons to whom this act is applicable, outside of the United States not later than August 15, 1944, and within the United States not later than September 15, 1944. If such post-card applications already printed are not sufficient in number to supply the persons to whom this act is applicable, it shall be the duty of the Secretary of War, the Secretary of the Navy, and the Administrator of the War Shipping Administration to cause to be printed an additional amount of such post-card applications so that all of the persons to whom this act is applicable may be furnished with such application.

(b) It is recommended that the secretary of state of each of the several States, upon receipt of any such post-card application, promptly forward it to the proper county,

city, or other election official or officials in order that the request for an absentee ballot may be acted upon as expeditiously as possible.

(c) It is recommended that the several States cooperate, to the end that county, city, or other election officials be authorized and instructed, upon receipt of an application made upon such a post card, to mail promptly to the voter making the application, if legally permissible under the laws of the State, a suitable absentee ballot, including therewith a self-addressed envelope for the use of the voter in returning the ballot and any instructions to govern the use of such ballot and envelope.

(d) It is recommended, so that the envelope in which the ballot is sent to the voter, and the envelope supplied for the return of the ballot, may be identified by Post Office Department and other authorities as carrying an election ballot, that there be printed or stamped in a conspicuous place on each such envelope the words "Official Election Ballot." It is further recommended that, in the case of States in which no provision is made, either on the envelope or separately, for sending with the absentee ballots a printed form to be used by a voter for the purpose of establishing his legal right to vote, appropriate action be taken to have printed and enclosed with absentee ballots mailed in response to applications received on the post cards hereinbefore referred to, a form for the signature and oath or affirmation of the voter; and it is suggested that a form substantially as follows would be appropriate for such purpose:

OATH OF ELECTOR FOR VOTING IN THE GENERAL ELECTION TO BE HELD IN 1944

I do hereby swear (or affirm) that—

(1) I am a citizen of the United States;

(2) The date of my birth was_____;

(3) For ____ years preceding this election my home residence has been in the State of _____;

(4) For ____ years preceding this election my home residence has been in the (city, town, or village, if any) of _____, in the county of _____, at (street and number, if any, or rural route) _____;

(5) I am (check appropriate blank)—

(a) in the armed forces of the United States _____ ( );

(b) in the merchant marine of the United States ____ ( );

(c) in the American Red Cross ( ), the Society of Friends ( ), the Women's Auxiliary Service Pilots ( ), or the United Service Organizations ( ), outside the United States, and attached to and serving with the armed forces of the United States; and

(6) I have not voted and do not intend to vote in this election at any address other than the above; and that I have not received or offered, do not expect to receive, have not paid, offered, or promised to pay, contribute, offered, or promised to contribute to another, to be paid or used, any money or other valuable thing as a compensation or reward for the giving of a vote at this election, and have not made any promise to influence the giving or withholding of any such vote; and that I have not been convicted of bribery or any infamous crime, or, if so convicted, that I have been pardoned or restored to all the rights of a citizen, without restriction as to the rights of suffrage.

_____

(Voter must write his usual signature here and oath must be administered and attested.)

Subscribed and sworn to before me this _____ day of _____, 1944.

_____

(Commissioned, noncommissioned, or petty officer not below the rank of sergeant (or its equivalent), or other person authorized to administer and attest this oath, shall write his name here.)

_____

(Officer or other person signing above shall print his rank, rating, or title clearly here.)

(e) It is recommended that, in States where the voter's absentee ballot will not be available for mailing to the voter 45 days prior to the general election in 1944, such States cause to be made such changes in the election laws of their States as will lengthen such time; and that all States waive registration of all men and women in the military service who, by reason of such services, have been deprived of an opportunity to register.

(f) It is further recommended that the several States, in order to reduce the weight and bulk for air transport of absentee voting material being sent to persons to whom this act is applicable, reduce in size and weight of paper, as much as possible, envelopes, ballots, and instructions for voting procedure.

SEC. 2. (a) It shall, wherever practicable and compatible with military operations, be the duty of the Secretary of War, the Secretary of the Navy, and the Administrator of the War Shipping Administration, respectively, to cooperate with appropriate State officers and agencies in transmitting to and from persons to whom this act is applicable, making application therefor to their several States, such absentee ballots, and envelopes to be used in connection therewith, as may be provided under the laws of the several States for the use of such applicants, and to cooperate in the execution by such applicants of oaths in connection with such ballots.

(b) Such post cards, ballots, and envelopes, and instructions for voting procedure, shall be transmitted free of postage, including airmail postage, in the United States mails. The Secretaries of War and Navy, and the Administrator of the War Shipping Administration, shall take all steps necessary to give to the transmission and delivery of such post cards, ballots, envelopes, and instructions for voting procedure priority over all unofficial communications and priority over official communications except where, in the judgment of the appropriate military and naval authorities, such priority would interfere with the effective prosecution of the war. Ballots cast outside the United States shall, wherever practicable and compatible with military operations, be transmitted by air.

(c) As used in this act—

(1) the term "United States" used geographically includes only the territorial limits of the several States of the United States and the District of Columbia; and

(2) the term "members of the merchant marine of the United States" means persons employed as officers or members of crews of vessels documented under the laws of the United States and persons enrolled for such employment with the United States War Shipping Administration, but does not include those in service or enrolled for service on the Great Lakes or the inland waterways.

SEC. 3. The act of August 2, 1939, entitled "An act to prevent pernicious political activities," as amended, is hereby amended by adding thereto the following new sections:

"SEC. 22. It shall be unlawful for any officer of, or person employed in, the executive branch of the Federal Government, or any agency or department thereof, including the Army and Navy, to deliver or cause to be delivered to persons in the armed forces of the United States any general communication, Government magazine, Government newspaper, motion-picture film, or other literature or material, or to make, or cause to be made, any broadcast to the armed forces of the United States, paid for in whole or in part with Government funds, or sponsored by the Government, or any officer, agency, or department thereof, including the Army and Navy, containing political argument or political propaganda of any kind designed or calculated to affect the result of any election for President, Vice President, Presidential elector, Member of the Senate, or Member of the House of Representatives, except as hereinafter provided:

(1) Nothing herein shall prohibit the rebroadcast over Government-controlled radio stations of any political address, but equal time must, if requested, be given for such purposes to representatives of each political party which polled at least 10 percent of the votes cast in the most recent Presidential election.

(2) Nothing herein shall prevent the distribution to members of the armed forces of books, magazines, and newspapers which have a general circulation in the United States, or of servicemen's magazines or newspapers, or the presentation to members of the armed forces of motion-picture films, radio broadcasts, or rebroadcasts; but no such distribution or presentation shall be undertaken by any Federal agency: *Provided, however,* That nothing herein shall prevent or interfere with the customary activities of the War Shipping Administration or the United States Maritime Commission or the War, Navy, and Post Office Departments.

"SEC. 23. It shall be unlawful for any censor or other member of the executive branch of the United States Government to censor or interfere with any letter or communication addressed to an individual member of the armed forces for the purpose of removing therefrom political literature or political arguments or other matter sent to such individual members of the armed forces by any individual, corporation, or political committee, unless such literature or other matter contains information which may be of value to the enemy in their prosecution of the war.

"SEC. 24. Any person who violates the provisions of section 22 or section 23 hereof either within or outside of the United States shall upon conviction thereof be fined not more than $1,000 or imprisoned for not more than 1 year, or both."

SEC. 4. There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

SEC. 5. Section 3 of the act of September 16, 1942 (Pub. Law 712, 77th Cong.), is hereby repealed.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that I may extend my own remarks and include therein a copy of the bill as reported by the Committee on Election of President, Vice President, and Representatives in Congress.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MURPHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MURPHY. Mr. Speaker, having just listened to the remarks of the gentleman from Mississippi and his claim of fairness, let me say that I hope sincerely that when the rule comes on the floor it will not be a closed or gag rule but, on the contrary, of such a nature that those who really want to give the soldiers a vote will have an opportunity so to do. I feel from what I have read and heard that amendments to the bill will be vitally necessary. The soldiers—every soldier—should have a right to vote. Let us not make a mockery of justice.

ADJOURNMENT OVER AND PROGRAM FOR WEEK OF JANUARY 17

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, and I shall not, I simply wish to inquire as to the program for next week.

Mr. McCORMACK. On Monday the mustering-out pay bill will come up.

I understand the Committee on Foreign Affairs has reported out a bill in reference to implementing the United Nations Relief and Rehabilitation Agreement. I believe the report has not yet been filed, but it is the intention of the leadership to bring that bill up as soon as possible, and, if it can be called up next week, it will be.

Mr. MARTIN of Massachusetts. That would follow this soldier bill?

Mr. McCORMACK. Yes.

The soldiers' voting bill we naturally want to bring up as soon as possible, and, if a rule is reported out on that, no matter what our views may be on one side or the other, I feel it should be disposed of as quickly as possible because it is important, in the final analysis, to know what kind of bill Congress is going to pass.

Mr. MARTIN of Massachusetts. I agree with the gentleman.

Mr. McCORMACK. Without in any way expressing my own views, because they would be irrelevant now, I think it is only right that that bill should be brought up as soon as possible.

Mr. MARTIN of Massachusetts. Then we may expect a rather full week.

Mr. McCORMACK. Yes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mrs. ROGERS of Massachusetts. There will be plenty of time undoubtedly for full debate on the United Nations relief and rehabilitation bill.

Mr. McCORMACK. I may say to the gentlewoman from Massachusetts that whatever her committee agrees among themselves as to time for debate will be agreeable to me; as the gentlewoman knows I have always tried to accommodate myself to the needs and wishes of that committee.

Mrs. ROGERS of Massachusetts. I know the gentleman does and he has great interest in the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts that when the House adjourns today it adjourn to meet on Monday next?

There was no objection.

EXTENSION OF REMARKS

Mr. CRAVENS. Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas [Mr. NORRELL] may extend his own remarks in the Appendix on the servicemen's voting bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MANSFIELD of Montana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein some material on education for veterans.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

IMPORTATION OF GRAIN FROM CANADA

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my own remarks, and to include therein certain telegrams dealing with what I have to say.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. O'CONNOR. Mr. Speaker, last December 8, when House Joint Resolution 171, to permit the importation of grain from Canada entry free for a period of 90 days, came before this House, I not only voted against the bill but I spoke against it. In the light of subsequent events I feel my action at that time now more justified than ever.

I pointed out at that time that grain was rotting on the ground for lack of storage and boxcars to transport it. Nevertheless, the bill passed. Well, the situation has not materially changed. Grain elevators in the West are full to capacity and there is still wheat on the ground in several Western States—as of last night, there were 538 blocked elevators in 7 Western States—60 in Montana, 228 in North Dakota, 99 in South Dakota, 30 in Minnesota, 79 in Iowa, 36 in Nebraska, and 6 in Missouri.

Yet, notwithstanding that fact the Office of Defense Transportation has been ordered to start supplying Canada with 200 boxcars a day to relieve the congestion of their elevators and transport this duty-free wheat into the United States and this, notwithstanding the fact that the railroads have not enough cars to relieve the congestion still existing in the West.

Now, in the first place, unless some executive power exists that I am not aware of, no one has any authority to order any boxcars of any railroad to be earmarked for consignment outside of the United States. In the second place, it seems very peculiar to me that we should be taking badly needed cars away from our own people in order to get 40,000,000 bushels of wheat out of Canada into the United States duty free. Canada right now owes us 8,139 cars, due to the unfavorable car exchange balance, which are, the Lord only knows where. The average turn-around time on cars in the United States is 14.2 days per car. The cars going to Canada take almost twice as long to return. Now with between 50 and 60 percent of the grain in the Northwest still remaining on the farms—which is deteriorating rapidly if not properly stored—as is estimated by a person who should know, I think it a very short-sighted and unfair policy to, at this time, insist on emptying Canada's elevators. I think that charity should begin at home.

MINNEAPOLIS, MINN., *January 12, 1944.*
Hon. JAMES F. O'CONNOR,
House of Representatives,
Washington, D. C.:

All our elevators blocked account no cars for shipments. How come Eastman orders Northwest railroads furnish cars to Canada? Montana farmers entitled to more consideration. Appreciate your protesting this action. Advise.

FAIRVIEW MILL CO.

MINNEAPOLIS, MINN., *January 13, 1944.*
Congressman JAMES F. O'CONNOR,
House Office Building,
Washington, D. C.:

Understand Eastman has issued certification requiring railroads to deliver 200 boxcars a day to Canada for grain loading. Senator REED will investigate matter Thursday. Our country elevators over the four Northwestern States are plugged with domestic grain. Could use three times number of cars we are getting now. Farmers anxious to deliver further quantities as cars are made available. There will be tremendous saving in car-days if these cars are used for grain from our Northwest rather than sent to Canada. Financial situation of our country elevators is serious as cannot get out the grain as fast as the farmers are selling it to us. Please cooperate with Senator REED in seeing that these 200 cars are used for carrying of domestic grain.

INTERNATIONAL ELEVATOR CO.,
BEN C. MCCABE, *President.*

MINNEAPOLIS, MINN., *January 12, 1944.*
Hon. JAMES F. O'CONNOR,
Member of Congress,
Washington, D. C.:

Eastman's order requiring railroads deliver 200 boxcars day Canada for grain loading seriously interferes with Northwest movement. Large percentage elevators now plugged. Please protest with Eastman, Senator CLYDE REED, and any others.

KELLOGG COMMISSION CO.

MINNEAPOLIS, MINN., *January 12, 1944.*
Hon. JAMES F. O'CONNOR,
Member of Congress,
Washington, D. C.:

Understand O. D. T. ordering 200 cars daily from Northwest roads to Canada for grain loading. We strenuously protest and urge immediate repeal. Many Northwest producers unable market grain due car shortage. Order detrimental producers and businessmen and not helpful war effort. Great quantities feed grains available Northwest awating cars.

VICTORIA ELEVATOR CO.

MINNEAPOLIS, MINN., *January 12, 1944.*
Hon. JAMES F. O'CONNOR,
Member of Congress,
Washington, D. C.:

Eastman's order requiring railroads deliver 200 boxcars day Canada for grain loading seriously interferes with Northwest movement. Large percentage elevators now plugged. Please protest with Eastman, Senator CLYDE REED, and any others.

ATLANTIC ELEVATOR CO.

MINNEAPOLIS, MINN., *January 12, 1944.*
Hon. JAMES F. O'CONNOR,
Member of Congress,
Washington, D. C.:

The following wire today addressed to Joseph Eastman and Senator CLYDE REED:

"In re certification requiring railroads deliver 200 boxcars per day to Canada for grain loading. Survey car requirements in this territory indicate Minneapolis terminal requirements for actual commitments for next 20

days 9,800 cars for terminal elevators, 2,312 cars for flour mills, 2,200 cars feed shipments. Requirements for country elevators tributary this market conservatively 45,000 cars for immediate shipment. In face of dire need for boxcars in this country respectfully urge postponement of program for delivery of our boxcars to Canada."

NORTHWEST COUNTRY ELEVATOR ASSOCIATION.

It is certainly little wonder that the bureaucrats are coming in for the criticism they are. I know the people of Montana and the Dakotas just cannot fathom the logic of the administration's policy when they, with their elevators full and every available space on their farms stored with wheat, are told that boxcars are not available, and at the same time see trainload after trainload of Canadian wheat roll out of Canada into the United States in American boxcars. Sooner or later this unfairness and treatment that the farmers of the Northwest are receiving is going to be reflected in their production. And sooner or later the disgust and dissatisfaction of the American people in being ruled and governed by edict instead of law, as is fast becoming the practice in the case of many administrators, is going to be reflected in a vote by the American people very disastrous to those who choose to disregard the acts of Congress, and instead do as they damn well please in carrying them out.

ALLOCATION OF LARD TO SOAP MANUFACTURERS

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. MURRAY]?

There was no objection.

Mr. MURRAY of Wisconsin. Mr. Speaker, I wish to call the attention of my colleagues to the fact that our agencies have been allocating lard with its 4,080 calories per pound, to the soap manufacturers. Now, does this really make sense, when you realize that we are appropriating from thirty to sixty million dollars this year and an estimated sixty-five million next year for subsidizing vegetable oils?

While lard is being converted to soap that is not rationed, the housewife pays stamps at the grocery to get lard. Is this exercising common sense? Why do they follow so many illogical pathways when we should be using all our resources to carry on the war.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein a letter from Mr. S. R. Smith, Deputy Director, addressed to myself.

The SPEAKER. Is there objection to the request of the gentleman from Wiscon [Mr. MURRAY]?

There was no objection.

The letter is as follows:

WASHINGTON, D. C., *January 13, 1944.*

Hon. REID F. MURRAY,
House of Representatives.

DEAR MR. MURRAY: This is in reply to your letter of December 30, addressed to Mr. W. H. Jasspon and your letter of January 3, with reference to the use of lard in the production of soap.

From July, the first month in 1943 in which lard was used in soap, through November which is the last month for which figures are available, soap makers were granted approval to purchase a total of 128,430,000 pounds of inspected and uninspected lard. Seventy-three million eight hundred and twenty-six thousand pounds of this total was purchased during the month of August at which time fats suitable for use in soap production were in very short supply. For your information, as of December 10, soap makers were advised that they could no longer purchase inspected lard for use in soap, but could use such quantities as they may have had on hand. They are still permitted to purchase and use uninspected lard.

If there is any further information you desire, please do not hesitate to let us know.

Sincerely yours,

S. R. SMITH,
Deputy Director.

Mr. MURRAY of Wisconsin. The press quotes the gentleman from Kentucky [Mr. SPENCE], chairman of the Banking and Currency Committee, as saying the opposition to the subsidies is crumbling. The appropriations to the C. C. C. with its bucket-shop operations would surely crumble if the Banking and Currency Committee would give the Members of Congress and the public the facts in connection with its many far-flung questionable activities.

MUSTERING-OUT PAY

Mr. ROLPH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. ROLPH]?

There was no objection.

Mr. ROLPH. Mr. Speaker, in my opinion the Military Affairs Committee recommendation of $100 and $300 for mustering-out pay is inadequate. Our fellow Americans who have so loyally served our country are entitled to fair treatment. Each should receive $100 as mustering-out pay. Each should receive in addition various amounts based on length of service, the maximum to equal a soldier's yearly pay. These allotments would range from a minimum of $250 to a maximum of $700. Why be parsimonious with our own? We are openhanded with peoples and nations everywhere.

Let us show due appreciation to the veterans.

Sentiment in my district is strongly for a square deal. The San Francisco Labor Council, under date of January 11, 1944, writes as follows:

It is our position that the problem of the returning veteran can best be, and should be, solved now. As a matter of fact, the problem is here. Any number of men have already been discharged from the armed services because of over-age, medical deficiencies, injuries, or wounds. In justice to those already home, and so that those not yet home may know what their position may be, this legislation should certainly be enacted at this session of Congress and at an early date. We urge your support and vote for such legislation.

PERMISSION TO ADDRESS THE HOUSE

Mr. COLE of Missouri. Mr. Speaker, I ask unanimous consent that on today, after disposition of all legislative matters on the Speaker's desk and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. COLE]?

There was no objection.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, on yesterday I asked and received unanimous consent to extend my own remarks in the Appendix of the RECORD and to include an article by Professor Harper, of Cornell University. The matter I asked to have extended in the RECORD exceeds the authorized amount. I have a letter here from the Public Printer estimating that it will cost $306 to extend this article in the RECORD. I therefore ask unanimous consent that I may be permitted to extend my remarks and include this article, notwithstanding the cost.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

Mr. TALBOT. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Connecticut [Mr. MONKIEWICZ] may be permitted to extend his own remarks in the RECORD and to include therein a letter to the New York Times.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. TALBOT]?

There was no objection.

MUSTERING-OUT PAY

Mr. LEMKE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my own remarks in the RECORD and include therein a short letter.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota [Mr. LEMKE]?

There was no objection.

Mr. LEMKE. Mr. Speaker, I understand that the mustering-out-pay bill will come up next Monday or Tuesday. I am sure that the Members of the House will deal intelligently, promptly, and honestly with the discharged veterans. They have been neglected long enough.

A great deal of display of patriotism has been shown on this floor in connection with the soldiers' vote. I do not believe there is a Member on this floor who does not wish the soldier to have a vote. But to give the soldier a vote should not be synonymous with having that vote manipulated. There can be no question, therefore, over giving the soldier the right to vote.

That right must be given to him, and will be given to him, I am sure; but I would like to see a little of that energy displayed in seeing that the soldiers that have been already mustered out are, at least, given an opportunity to readjust themselves and get back into the pursuit of life they were in before Uncle Sam interrupted them by induction.

Again, the mustering-out pay is only the first step to bring about the rehabili-

tation of the soldier. The next step must be to give the soldier the opportunity to again take up his education or his professional, industrial, or agricultural pursuit. In other words, this Nation owes it to the veterans to make them as near as possible again self-sustaining when they return victorious.

Another urgent necessity is to take care of the disabled more promptly than they are being taken care of. I challenge the accuracy of statements made on the floor that these men are being taken care of promptly. General Hines himself admitted before the Military Affairs Committee that up to date there were over 200,000 disabled applications pending before the Veterans' Administration and only a little over 100,000 have been acted upon.

There is something wrong here. This great Nation must not deal so dilatory with the veterans who have given their all and have received disability. No excuses that General Hines or anyone else can make will be acceptable. With the billions we have appropriated, there is no excusable reason for that neglect on the part of those who are responsible for the proper administration of our armed forces and of our disabled.

I here include a letter that I have just received, dated January 11, 1944, from Sgt. Henry S. Zuba, headquarters, Sixth Medical Training Regiment, Camp Grant, Ill.:

MY DEAR MR. LEMKE: I have been reading with interest in the Chicago Herald-American your proposed bill for veterans' legislation, and would appreciate it if at an early date you could forward me a copy of same, as I would like to show it to various buddies of mine stationed here.

Might I say that I enlisted at Buffalo, N. Y., in July of 1939 and was assigned to Fort Jay Station Hospital, Governors Island, N. Y. From there I was transferred to the Sixteenth Infantry, Medical Detachment, First Division. Then subsequently was sent overseas to England and Scotland, then served under active enemy fire in the invasion of Oran and later in the Tunisian campaign, having direct supervision in the evacuation of casualties. Because of illness, was transferred back to the States in August 1943, and am at the present moment stationed at Camp Grant as a personnel director. You will see from my record that I have had active duty, and at the present moment am entitled to wear ribbons evidencing six campaign invasions.

My buddies' thoughts and my own are simply this: The veteran should be given a definite mustering-out pay of a year's salary, payable in monthly installments, plus the cash payment of $100 on the date of his discharge.

The reason why we advocate this procedure is so that the veteran will be paid periodically during the first year after his discharge, and will not be tempted to throw his money away if paid in one lump sum, as experience has shown occurred with bonus money paid after the First World War.

In addition, we advocate that private industry at this time take active steps to seek employment for these boys who are about to be discharged from the Army to enable them to get on their feet and to return to civilian life at as early a date as possible. We believe, also, that it would be a splendid idea to furnish school facilities for these veterans who have mechanical aptitudes.

Trusting that you will give this letter as wide publicity as possible and that these suggestions can be incorporated in this bill, I am

Very truly yours,

Sgt. HENRY S. ZUBA.

EXTENSION OF REMARKS

Mr. MANSFIELD of Texas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in two instances, in one to include an editorial from the Waterways Journal and in the other to include an editorial from the Galveston News.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. MANSFIELD]?

There was no objection.

DECORATION CONFERRED ON MAJ. H. L. ALLEN

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the gentleman from Louisiana [Mr. BROOKS]?

There was no objection.

Mr. BROOKS. Mr. Speaker, I want to felicitate with my colleague the gentleman from Louisiana [Mr. ALLEN] and his good wife Mrs. Allen, today. Word has come from the War Department that their son, Maj. Harwell L. Allen, has just been decorated by King George of England for meritorious service in the Mediterranean theater of action.

I knew this young man when he was here with us on the Hill. I knew him when he was taking law here in George Washington University. When he left to serve his country, we, his friends, had profound confidence that we would hear from him on the other side, and our confidence has not been misplaced. I am happy with the Allens on this occasion today when such high recognition is given the meritorious service which he is rendering his country.

Mr. McCORMACK. Will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I join with my colleague and friend from Louisiana in the expressions he has made. We are proud of all of our American heroes. Particularly we are proud that a son of one of our distinguished Members, the gentleman from Louisiana [Mr. ALLEN], has been so signally honored for the outstanding bravery he has displayed, and in congratulating Mr. and Mrs. Allen the House, through the heroism of their son, receives an honor itself.

Mr. RANKIN. Will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from Mississippi.

Mr. RANKIN. We all join the gentleman from Louisiana [Mr. BROOKS] in congratulating our distinguished friend and colleague the gentleman from Louisiana, the Honorable LEONARD ALLEN, on this honor that has come to his distinguished son. While this decoration was being conferred upon this young man, his distinguished father in this House was presiding over the Veterans' Committee, working out legislation to take care of these men when the war is over. He is one of the best friends the veterans ever had.

We extend to him our heartiest congratulations and I am sure the American people, and especially the American Legion, will join us.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. BROOKS. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I, too, would like to speak of my pleasure at the great merited honor that has come to the son of the gentleman from Louisiana and to join with the gentleman from Mississippi [Mr. RANKIN] chairman of the World War Veterans' Committee, in his expressions of appreciation of the work the gentleman from Louisiana [Mr. ALLEN] is doing for the disabled veterans of this war.

Mr. BROOKS of Louisiana. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and to include therein the Associated Press dispatch referred to.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. BROOKS]?

There was no objection.

The press dispatch referred to follows:

MAJOR H. L. ALLEN WINS BRITISH DECORATION

Maj. Harwell L. Allen, son of Representative ALLEN, Democrat, of Louisiana, and Mrs. Allen, was listed among American Army officers who received British decorations by order of King George VI, Tuesday, it was learned yesterday.

Major Allen, 27, a 1940 graduate of the school of law at George Washington University, was awarded membership in the Order of the British Empire for "meritorious action in the Mediterranean area," according to an Associated Press ditspatch from Algiers.

He received his A. B. degree from the Louisiana College, Pineville, in 1936 and then came here to study law. He entered the service with a Reserve commission of second lieutenant in May 1941.

Major Allen was sent overseas a year later and took part in the invasion of North Africa. His home is in Winnfield, La.

His parents live here at 2801 Pennsylvania Avenue SE. A brother, Capt. Lyndon C. Allen, is now in northern Ireland with the field artillery.

LEAVE OF ABSENCE

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent that I be granted a 5-day leave of absence because of a death in the family.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial and a report of the Committee on Foreign Relations of the Republican Advisory Committee which met at Mackinac Island on September 7.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution adopted by the Central Nebraska Beet Growers Association.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HARRIS of Arkansas. Mr. Speaker, I ask unanimous consent that on Wednesday next, following the legislative program of the day and any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

EXTENSION OF REMARKS

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a copy of a letter I addressed to the Governor of the State of Florida on the soldiers' vote.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

ENSIGN WILLIAM I. HALLORAN

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

Mr. FEIGHAN. Mr. Speaker, today at the navy yard, Mare Island, Calif., Mrs. Lawrence J. Halloran will christen the U. S. S. *Halloran*, named in honor of her heroic son, Ensign William I. Halloran, who was killed on the U. S. S. *Arizona* resisting the sneak attack by the Japs on that fateful day, December 7, 1941.

Ensign Halloran volunteered in the service of his country, fought gallantly, and died bravely with other members of our armed forces in the service of his country. His name will live on in memory of loyal Americans through the exploits of the ship that bears his name.

Ensign Halloran was the first member of the Knights of Columbus to be killed in action since the United States entered this war. The people of the Twentieth District of Ohio and the Nation are proud of this true American.

EXTENSION OF REMARKS

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein excerpts from an article by Judge Frank.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. RICHARDS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein certain excerpts in connection with the presentation of the E award to the Springs Mills of South Carolina.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Oil City Derrick.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent that on Monday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 20 minutes to make some comment on the President's message.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

THE SOLDIERS' VOTE

Mr. WORLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WORLEY. Mr. Speaker, as chairman of the committee which has had under consideration the soldiers' vote bill, may I say that action was taken this morning whereby the Senate bill was voted out by a vote of 7 to 5. I compliment the members of my committee on both sides of the aisle for doing what they thought they should do. However, I do not agree with the wisdom of their action.

I have just released the following statement to the press:

The action taken by the committee means that most of the 11,000,000 members of the armed forces will not get to vote in the next elections. I wonder what the marines at Tarawa, the Texans in Italy and all over the world, and the flyers over Germany will think of Congress if this is all Congress intends to do.

This action will destroy their morale more than all the enemy bullets, bombs, and propaganda have ever been able to do. The Army and Navy both stated officially they could not get State ballots to any appreciable number of soldiers, especially overseas, operating under 48 different State systems, which is what the Senate bill 1285, as amended, provides.

It is a ghost bill masquerading under the cloak of life and reality. Before the soldier can hope to vote, stronger and closer cooperation between the States and Congress must be secured. Senate 1285 will not, in its present form, accomplish this result.

Mr. Speaker, I intend to carry this fight for soldier votes to the floor of the House and hope we can get a bill which means more than the present Senate bill means.

EXTENSION OF REMARKS

Mr. COFFEE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two topics, in one to include a newspaper article, and in the other to include a magazine article.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

OURS IS A CIVILIAN ARMY

Mr. COFFEE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. COFFEE. Mr. Speaker, the American Army is a civilian Army, not a professional Army of mercenaries. The Commander in Chief of the American Army is a civilian. The President, as Commander in Chief of our Armies, is responsible to the people who elect him. The soldiers in our Armies do not look forward to a military career. The war is a temporary phenomenon to them. The men who are fighting it expect to return to their education, their jobs, and their responsibilities as citizens. It is fitting and proper that they think as they do, plan as they do. It is likewise fitting and proper that their patterns of civilian life be maintained. Citizen-soldiers want to vote and they should vote, thereby maintaining their connections with civilian life. Now, most of us anticipate a successful termination of the war within a year or two. However, there is no positive assurance that will be the case. Consequently, it is our responsibility to settle the voting rights of the soldiers now, once and for all, without preventing them from voting by raising some specious excuse or technicality as the ostensible basis for blocking the soldiers' right freely to vote in elections.

PERMISSION TO ADDRESS THE HOUSE

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent that on Thursday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 30 minutes to discuss the problem of food production for 1944.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

THE SOLDIERS' VOTE

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, on different occasions I have heard a member of another body make certain broad statements with respect to the inability of the military forces to get absentee ballots to the soldiers. I wish to ask the gentleman from Mississippi [Mr. RANKIN] what credit should be given to the statement that the military officials are unable to get those ballots to the boys.

Mr. RANKIN. None whatsoever. I have just listened to the statement of the gentleman from Texas [Mr. WORLEY] and, with all deference to him, I must say that it was ridiculous. Under this Senate bill, as amended, practically every person in the armed forces who is qualified to vote at home will get to cast an absentee ballot, he will get to vote for all officials from the President down to constable. I know there are some people who want us to draft the soldiers' vote because we drafted them to fight, but we want the soldiers to cast a free ballot in a free and constitutional election.

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. VURSELL. Mr. Speaker, as our chairman of the Elections Committee, the gentleman from Texas [Mr. WORLEY], told the House in a short address a moment ago, we have reported out a bill for the purpose of giving the soldiers the greatest opportunity to vote. I assure the Members of this House that when they have read this bill and when they have heard the debates on the bill, they will be convinced that the bill we have reported out will give every soldier in continental United States a right and an opportunity to vote, and that it will give two-thirds to 85 percent of the soldiers overseas a chance to vote, and, in my judgment, it will give every soldier in any part of the world, overseas, an opportunity to cast his vote secretly, an opportunity to quietly cast his ballot, helping to make democracy work on the home front, participating in democracy on the home front, that he is fighting for on the battlefields of the world.

LEAVE TO ADDRESS THE HOUSE

Mr. CALVIN D. JOHNSON. Mr. Speaker, I ask unanimous consent that at the close of business on Monday next, I be permitted to address the House for 5 minutes.

The SPEAKER. Is there objection?

There was no objection.

THE SOLDIERS' VOTE

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to proceed for half a minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. GIFFORD. Mr. Speaker, I thought that next week would furnish plenty of time to express our desire that the soldiers be privileged and assisted to vote. So many Members are expressing themselves favorably today that I do not want to be found lacking in enthusiastic support. However, there seems to be one admission which we ought to make, as there may be some suspicion of our eagerness. Each of us might add, "I want the soldiers to vote, so that they can vote for me."

LEAVE TO ADDRESS THE HOUSE

Mr. CASE. Mr. Speaker, on Wednesday next, after the reading of the Journal and the disposition of business on the Speaker's table, and any other special orders previously entered, I ask unanimous consent that I be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection?

There was no objection.

BOARD OF VISITORS TO UNITED STATES MILITARY ACADEMY

The SPEAKER laid before the House the following communication which was read:

Hon. SAM RAYBURN,
Speaker of the House of Representatives.

MY DEAR MR. SPEAKER: Pursuant to the provisions of the act of May 17, 1928 (10 U. S. C. 1051, 1052a), I have designated the following members of the Committee on Appropriations as members of the Board of Visitors to the United States Military Academy for the calendar year 1944: Hon. J. BUELL SNYDER, Hon. JOE STARNES, Hon. JOHN H. KERR, Hon. D. LANE POWERS, Hon. ALBERT J. ENGEL.

With assurances of my regard, I am

Sincerely yours,
CLARENCE CANNON,
Chairman,
Committee on Appropriations,
House of Representatives.

The SPEAKER. Under previous order of the House, the Chair recognizes the gentleman from New York [Mr. TABER] for 20 minutes.

OFFICE OF PRICE ADMINISTRATION, W. F. A., AND COMMODITY CREDIT CORPORATION

Mr. TABER. Mr. Speaker, the Office of Price Administration, the War Food Administration, and the Commodity Credit Corporation are at present engaged in an attempt to deceive the public, the producers of agricultural products, and to destroy price control on foods. I have only time to present a few features of the crazy-quilt pattern of their operations.

I shall take milk first. The price of 3½-percent milk delivered in various points in New York State varies from $2.85 to $3.48 a hundredweight to the farmer-producers. Some of the price schedules are such that farmers side by side, delivering their milk to a different market, receive as great a difference in price as 38 cents a hundredweight, including the subsidy. The subsidy for all fluid milk delivered by producers to all places except for the New York market, is 40 cents per hundredweight. The subsidy for milk delivered for the New York market is 25 cents per hundredweight. I know of cases where farmers living side by side, one is selling to the Rochester market at $3.48 per hundredweight, plus 40 cents subsidy, a total of $3.88; and the other is selling to the New York City market at $3.25, plus 25 cents subsidy, a total of $3.50 per hundredweight.

But just so that they might jumble the situation a little more the subsidy granted to milk producers was required to be paid direct to the farmer instead of being distributed by the milk-distributing organizations, and it has worked out this way: A great lot of penalties have been levied upon farmers for producing wheat in the year 1941. A very large percentage of these penalties are illegal and noncollectible, because in fixing the quotas the Department of Agriculture has refused to take into consideration the production upon the farms in question in the years previous to 1941. These illegal penalties are being deducted from the subsidy checks and in that way the Department is collecting illegal penalties which it could not collect in court. One farmer was entitled to $71 subsidy. They had illegal penalties levied against him of $69, and he received a $2 subsidy check.

Mr. CASE. Mr. Speaker, will the gentleman yield?

Mr. TABER. Yes.

Mr. CASE. In addition to the injustices which the gentleman has cited, I find that they are now not collecting the wheat penalty from the man who resisted, but the penalty they collected from the man who paid, they insist on retaining. The man who tried to comply with the law, unfair as it was, is being penalized, while the man who resisted is going scot free.

Mr. TABER. Yes. That is typical of the way they are performing all the way through.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. TABER. Yes.

Mr. CRAWFORD. To add to the gentleman's statement, that the farmers in my district, where the penalty is based on being applied against their checks, are just refusing to go along, and are passing up the whole outfit, refusing to have anything to do with that, so that this seems to be a general protest all over the country. I cannot understand why they think it will increase the production of milk.

Mr. TABER. The object of the O. P. A., the way they started out, and of the Commodity Credit Corporation, has been to destroy the private operation of the farm, and put the whole thing under the Government—complete socialism. The underhandedness and red tape which they are obliged to put up with is terrible. Nothing has done more to demoralize the producers of milk than this Government bureau red tape and dishonesty.

I shall next take up the subject of apples. No. 1 apples were priced about the middle of September and were allowed to be sold for fresh market. No. 2 apples were frozen to the canners but the price was not fixed on them until after the 1st of November when all the apples were supposed to have been picked. The price of the canned products, that is applesauce and jellies, was not fixed

until after the 1st of December and then it has been fixed according to the same crazy-quilt pattern that the price of milk is fixed at. A different price is fixed for each manufacturer based, not upon quality or cost of production but upon the price that he received in 1941 for his crop, and where a man was obliged to sell his 1941 crop early in the season because of financial pressure, he receives a low price for his present production, whereas the man who was in good financial circumstances and was able to hold his crop until late in the season and received a good price in 1941, receives a larger price than the fellow who was in distressing circumstances. In other words, the greater the distress of the manufacturer and the processor and the worse his financial condition, the lower price he must accept for his product regardless of what it has cost him to produce it.

The price of tomato juice is fixed according to the same crazy-quilt pattern. I have in front of me prices fixed upon No. 3 tall for a group of canners in the same territory—six different prices and they vary from $1.91 per case to $2.19. I have before me the prices which five different canners, all in the same territory and all producing the same grade of goods, receive and their prices vary from $3.82 per case to $4.37 per case, a difference of 55 cents per case, and the difference is not because of the quality nor is the price fixed according to the price of production but solely according to the price they got in 1941.

The same thing applies to canned vegetables of all descriptions. There are all sorts of prices for the different canners based upon the same foolish idea.

Just so you may realize that there is no difference in the way other articles are handled, I might say that manufacturers of other goods, scattered all over the country, have their prices fixed today on their 1941 prices as of a certain date and not on the basis of cost. This whole picture has repeatedly been called to the attention of the Price Administrator and an attempt has been made to make him clean it up without the least bit of success or the least bit of interest. It has been impossible, up to today, to get an appointment with the O. P. A. or get an audience for any of this sort of thing. The War Food Administration can be reached on the telephone and so can the Commodity Credit Corporation, but the O. P. A. has been so impossible and knows so little about what it is doing that it is absolutely impossible to do anything with it or even get the facts to them.

I have previously discussed the danger of the subsidy system from an inflationary standpoint. The subsidy presently is being used by these three organizations, not for the purpose of controlling inflation but for the purpose of deceiving and confusing the public and the producers. They have not deceived the producers. They have deceived to a certain extent a large number of our consumers. I am taking these few minutes to show the people of this country just what kind of a racket this subsidy business is, just how it is being used to deceive the public. It is absolutely necessary that we have a fixed price, a positive fixed price for every article, and have it fixed promptly so that business people can arrange their affairs and not have to go into bankruptcy, and so they can plan their production. These fixed prices, if they are fixed honestly and fairly, will not only control inflation but it will encourage production by giving the people a chance to know where they are at. The present jumble is disgraceful. The present jumble is dishonest. It is creating scarcity and it is inflationary in the highest degree. It is about time that the President began to cooperate with the war effort and do something to try and prevent inflation instead of continuing the impossible situation that exists at the present time in the Office of Price Administration.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. CRAWFORD. Has the gentleman made any study of the methods used in pricing grapes up in the New York area on the last year's crop?

Mr. TABER. Well, the method was not to use anything relating to the cost of production, but to use entirely a fictitious price that was based upon other circumstances than those under which the grapes in question were produced. Their statements with reference to these situations in the hearings that they had with Representatives of the Congress back 4 or 5 months ago when it was possible to get to them, demonstrated that they were trying to deceive those Members of the Congress.

Mr. CRAWFORD. We have a situation in the Concord and other grape products in New York, Ohio, and Michigan, and while I was home during the Christmas recess, a committee of grape experts from the producers' end and the East Lansing, Mich., State Land Grant College, presented me with a report consisting of about 47 pages which I have and which is not confidential, which covers this whole field, and I am convinced based on what these gentlemen told me and what this report shows, that there has been criminal action on the part of Government employees in connection with handling the grape crop. When this matter comes before our committee I expect to make that record public and ask for information on it.

Mr. TABER. They are not making a case for the confidence of the Congress or the public in the way they are handling their job.

Mr. CASE. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. CASE. Referring to the topic which the gentleman discussed at the outset of his remarks to the milk situation, I want to say that the discrepancies that he found as existing within the State of New York also are found in the western part of the country. I know, as a matter of personal knowledge, that the variations between prices of milk as paid in western South Dakota, Wyoming, Denver, and Colorado are such that the producers of milk in that area at times find they can make more by selling milk in their home towns; at times they find it pays to ship it about 30 miles; at times they find it pays to ship it into Denver. The discrepancies are such it clearly makes for a discrimination and unfairness that is entirely unjust to the producers who are struggling with a bad feed situation at the present time.

Mr. TABER. It is unfair to the consumers, because there are many communities in my territory where the quantity of fluid milk available for delivery has evaporated completely, and they are unable to get milk and they have to go miles and miles to other towns to get it.

Mr. CASE. That is entirely true, because when the farmer shifts from one market to another it makes a drought of milk in markets abandoned. The petitions I have received on the subject have been petitions from consumers that have asked that an adjustment be made so they can be assured of a stable milk supply for their children.

Mr. PHILLIPS. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. PHILLIPS. Following up what the gentleman says about the milk situation, the inconsistency of Government agencies also enters into the case. In the gentleman's State and in my State we have State control acts, but in the Chicago milkshed there is a Federal act, and in that milkshed the Federal Government has allowed increases to the retailer and in that milkshed, so far as I can learn, that is the only place where a sufficient supply is available at the moment. I mean the Government does not apply the same theory to itself as it applies to New York State and to California.

Mr. TABER. Before I made this statement I went to Albany and I checked up with the New York State authorities and I found they were not listened to at all with reference to this price situation and the terrible mess that it has created, but that the whole job was being concentrated down here and all Washington was doing was sticking to what prices they had without any consideration whatever as to their fairness.

Mr. PHILLIPS. Well, the gentleman is doing a very good job in bringing this to the people, because milk is the most important commodity we have.

Mr. TABER. I may say that I was promised that this situation would be corrected in my State with reference to milk by the head of the Commodity Credit Corporation about the 20th of December, before we left for the recess, and that it would be corrected for the January 1 prices. The result was the usual result—nothing.

Mr. GIFFORD. Will the gentleman yield?

Mr. TABER. I yield.

Mr. GIFFORD. They had to have the approval of the W. F. A. and they had to have the approval of the czar before the

O. P. A. could act. I have the same trouble with fish.

Mr. TABER. Oh, everything is in the same category, and that is why people have no confidence in any of these set-ups.

Mr. GIFFORD. How can the Commodity Credit Corporation promise you with any degree of confidence? Theirs is not the last word.

Mr. TABER. It was represented to me by the other outfits at that time that they were the ones to blame.

Mr. GIFFORD. Far from it.

Mr. TABER. I think all three of them are to blame. I think until we have the pricing of food in one hand, and have absolute prices fixed that the people can see, we are doing the consumer public a great wrong, because we are creating a situation where it is impossible for the farmers to produce food. It is not only difficult but it is getting to the point where it is going to be impossible. Unless we have a definite, positive, clear price fixed for everything, it is going to be absolutely impossible for us to get the food that we ought to have to feed the American people.

Mr. MURRAY of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. MURRAY of Wisconsin. I received a letter this morning from a county agent whom I have known for a quarter of a century. He says, "You realize the position the present prices put the county agents in. We have gone out and urged production and then the producers get this 'kick in the pants.' At the rate farmers are selling hens and reducing farrowing of pigs, it is my prediction that the public will be pretty hungry for meat by 1945. Lack of confidence in representatives of the administration to carry out their promises based on facts shown in the past history is fast destroying the morale of the agricultural workers."

Mr. TABER. I think the gentleman has described a picture which is pretty general all through the United States.

I did not bring this statement here until after I had exhausted every other resource to try to get action to correct a lot of these situations. I feel that they have betrayed the trust that the Congress and the people have placed in them. Instead of contributing to the control of prices and cutting down inflation, they have promoted inflation by this outrageous way of performing the work that has been put up to them. That is why the people all over the United States do not have any confidence in that outfit.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. AUGUST H. ANDRESEN. The gentleman has discussed the situation with reference to milk and also with reference to apples. I suppose the gentleman knows that one of the distinguished citizens of New York State, who is Secretary of the Treasury at the present time, sold out his dairy herd because it was no longer profitable to remain in the dairy business, and went into the apple business.

Mr. TABER. If the gentleman would like a little information on that, they tell me that these dairy cattle that the Secretary of the Treasury had paid so much money for were in such poor condition at the time of the sale, due to the manner in which the farm had been operated, that they did not bring but very small prices. I have a schedule of something of that kind over in the office, and if anyone is interested I will be glad to show it to them. His whole set-up was not the type that was conducive to successful operation.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield further on that point?

Mr. TABER. I yield.

Mr. AUGUST H. ANDRESEN. I understand from reliable sources that the neighbors of the Secretary got together and put a ceiling price of $100 on all of these cattle when they were sold at the sale, and no cow brought more than $100.

Mr. TABER. I do not know about that, but I would not be surprised.

Mr. GIFFORD. Will the gentleman yield?

Mr. TABER. I yield.

Mr. GIFFORD. We have had a fish strike where I come from.

Mr. TABER. Does the gentleman mean the fish have gone on strike?

Mr. GIFFORD. Yes. Both. But I want to say to you that the Wildlife people who have charge of the fisheries industry have appealed for the fishery people, and to whom did they appeal? The War Food Administration, which smiled on them a little, and led them to believe that the ceilings would be fixed. But then it went to the O. P. A., and before they could get their mouths open, Mr. Byrnes, the czar, said, "You made so much money a few years ago that we have fixed the price and nothing will be done about it." Mind you, the Wildlife people are the ones on whom the responsibility rests, but it goes through so many people that the people do not know where to go and do not know what to believe. I do not want the gentleman to leave the impression that the Commodity Credit Corporation is to blame. I want you to fix the blame where it belongs. It reaches higher up.

Mr. TABER. The gentleman would not want to say that the Commodity Credit Corporation was not to blame?

Mr. GIFFORD. Oh, no. They obeyed orders.

Mr. CASE. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. CASE. Would the gentleman permit me to say to the gentleman from Massachusetts [Mr. GIFFORD] that out where I come from the only strike in which we see any virtue is the one that comes from a trout.

Mr. TABER. I am in hopes that what little I have had to say this afternoon may contribute something toward getting action and clearing up some of these situations.

The SPEAKER. The time of the gentleman from New York has expired.

EXTENSION OF REMARKS

Miss STANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a statement on post-war planning.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Oregon [Mr. ANGELL] is recognized for 20 minutes.

AMERICAN ALUMINUM IN WAR AND PEACE

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks I am about to make, and to include certain documents and correspondence.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANGELL. Mr. Speaker, I want to discuss in the time allotted me American aluminum in war and peace, but first let me say a significant event took place in my home city, Portland, Oreg., this week when our first Victory ship was launched. A great fleet of freighters, which may well form the backbone of our post-war merchant fleet, will be constructed in the shipyards of America, and this ship launched in Portland was the first. I want to take this occasion, Mr. Speaker, to call to your attention and to the attention of my colleagues in the Congress the contribution my State of Oregon and the Pacific Northwest has made and will continue to make, if given the opportunity, to the winning of the war.

The Victory ships, many of which will be built in the Northwest, are much superior to the Liberty ships which we have been constructing. The Victory ship is more streamlined, with greater speed and will carry an equal amount of cargo with the Liberty ships and will have three times as much power. They are designed to have a speed of 15 knots, whereas the Liberties have only 11. As a result, these ships may even sail without convoy protection, and it is predicted that they will be able to make a round trip to the war front in 3 weeks, instead of 9 required by the Liberty ships. It will take considerably longer for the construction of this type of vessel, by reason of its more complicated and intricate design. The ship which was launched in Portland was on the ways 54 days, and some 30 to 40 days more will be required for its completion. However, when full production is attained, this time will be very materially reduced and the officials of the Oregon Shipbuilding Co. predict that a ship may be produced in 50 days as compared with an average time of 30 days for the Liberty ships.

Mr. Speaker, I am proud of the record the shipbuilders of Portland and the Portland area have achieved in the construction of ships for the use of our fighting forces and the great contribution they have made to the winning of the war. We have produced in that area nearly 1,000 ships of all types for war purposes, including over 300 Liberties, subchasers, mine sweepers, net tenders, tugs, landing barges, "baby" carriers, and

many other small naval vessels. This remarkable record has been made without strife or labor difficulties.

Mr. Speaker, in discussing the contribution to the war made by the people of my State and surrounding territory in the Northwest, I should not neglect to call to your attention the outstanding record made by our people in the production of aluminum for airplane and other war construction. The Columbia River is the most outstanding river in the world for hydroelectric power. Between 40 and 50 percent of the potential hydroelectric power of our Nation is stored up in this great waterway. Now with the completion of the Bonneville project and a substantial portion of the Grand Coulee power development we have an immense pool of hydroelectric power in the Columbia River Basin which is working night and day for the winning of the war. Most of this power is utilized for war purposes and a considerable part for the production of aluminum. We are producing in that area approximately a third of the aluminum produced in the United States for the war. We have produced enough aluminum up to this time to build many thousands of war aircraft. The rated capacity of the five Northwest plants is about 600,000,000 pounds per year. I am informed such an amount of aluminum would be sufficient for 27,000 B–17 bombers, 4 engine; or 50,000 B–25 bombers, 2 engine; or 120,000 P–40 pursuit planes. It is a severe indictment against our foresight that when we were forced into the war by the dastardly attack by the Japanese at Pearl Harbor we were woefully deficient in fighting aircraft. We have been building aircraft at a feverish pace since that time and fortunately have now obtained superiority in the air in every theater of the war. Without this control of the air we would be unable to be victorious in any of the battle areas. Without aluminum we cannot have aircraft; therefore it is of major importance to the prosecution of the war that every precaution be taken to insure an ample supply of aluminum for the building of airships until we shall have ended the war victoriously. No one is in a position today to predict when the war will end. Even though the European phase should collapse we would still have the war of the Pacific where we have been largely marking time thus far.

Unfortunately, bauxite, which is the raw material from which aluminum has largely been made up to this time, is limited in the continental United States. We have a small supply in Arkansas of high-grade bauxite which experts advise will last less than 3 years. With the exhaustion of this supply we would be relegated to foreign importations which now come largely from South America and are under the control of foreign government. Scientific investigations have been made by American experts of the deposits of clays in the United States which contain aluminum. These experts after extensive surveys and exhaustive scientific experimentations have concluded that these clays may be successfully utilized for the production of aluminum and semicommercial pilot plants are now in process of construction in several places in the United States for the utilization of these clays as the basic product for our supply of aluminum. Fortunately, these clays are widely distributed throughout the United States and exist in immense quantities, so that we will have ample sources of supply of raw material if these plants prove to be successful.

Mr. Speaker, unfortunately there is a movement on foot to curtail the production of aluminum in our own country. In order to secure an adequate supply of this strategic material for war purposes all commercial uses of aluminum were banned and the use of aluminum, even in war production where it could be eliminated, was prohibited. The present supply is devoted almost entirely to war construction. If aluminum were freed by the War Production Board to be used in civilian production and also in war construction where other substitutes are now used, it is certain that our full present productive capacity would not be sufficient to meet all of these needs. It is now proposed by our officials in charge to cut drastically the production of aluminum in the continental United States. They have not only proposed to close down pot lines which produce aluminum, but have actually done so in many instances.

It should be noted that if these pot lines are shut down many types of them will cost as high as $500,000 per line to reopen and put into operation. Six of these lines have already been closed in eastern plants and it has even been proposed to close some of the pot lines in the Pacific Northwest which are utilizing cheap hydroelectric power from the Columbia River area. The Federal Government has invested in this area well over $500,000,000 in hydroelectric facilities and aluminum plants, the future of which would be jeopardized if this move is carried out and followed to its ultimate conclusion.

Mr. HORAN. Mr. Speaker, will the gentleman yield?

Mr. ANGELL. I yield to the distinguished gentleman from Washington.

Mr. HORAN. Not only will the future be jeopardized, but it is my understanding that we are getting our aluminum cheaper from domestic production than from abroad.

Mr. ANGELL. The gentleman is quite correct. It is my understanding that the aluminum made from materials that come from abroad costs in some cases as high as 21 cents, whereas we can procure it as low as 15 cents.

Mr. HORAN. There is a differential of 2 cents between what we sell to our own Government and to lend-lease.

Mr. ANGELL. That is true.

Mr. HORAN. I am not sure about the 21 cents, but I know aluminum from abroad costs our taxpayers more, considerably more.

Mr. ANGELL. That is quite true. I thank the gentleman for his contribution.

It may well be that an adequate use of all of our facilities for war production would justify the closing of some of these pot lines which utilize coal instead of hydroelectric power. There is an extreme shortage of coal in many areas and drastic measures have to be taken to insure a minimum supply to prevent suffering and the closing of essential war plants. No such arguments, however, apply to the pot lines in the Pacific Northwest using hydroelectric power.

Furthermore, there is no shortage of manpower in that area requiring this action. Under date of January 7 the Manpower Utilization Division of the War Manpower Commission of my State, in response to my request, sent me the following telegram:

> In Mr. Stoll's absence because of illness, wish to reply your telegram January 1 that adequate manpower is available to keep all aluminum pot lines at Vancouver, Wash., and Troutdale, Oreg., running without crippling other war production of comparable priority.

Governor Snell, of Oregon, sent the following telegram to Philip D. Wilson, Director of the Aluminum and Magnesium Division of the War Production Board, on January 4:

> Understand you are meeting with northwestern congressional delegation this afternoon. Have read reports that W. P. B. has recommended closure of aluminum plants. This would affect reduction plant at Troutdale, Oreg., as well as other aluminum plants in Northwest. Strongly urge careful consideration these factors. All pot lines both Vancouver and Troutdale in full operation today. These manpower requirements are in no way taking manpower away from needed war industries in Portland-Vancouver metropolitan area. The entire war manpower requirements have definitely eased within past 60 days, and more especially since maritime yards are on 6-day basis. Confident manpower investigation status of the conditions will not justify closing any of the pot lines because of manpower.

The Oregon State Grange which for many years has been active in the development of hydroelectric power in the Northwest is strongly opposed to the closing of these pot lines and Morton Tompkins, master of the Oregon State Grange, on January 7 sent me the following protest:

> We strongly protest the proposal to shut down pot lines in American aluminum plants until such time as (1) War Production Board can certify that adequate aluminum stock piles have been built up to meet any emergency, (2) ample supplies have been released as can be fabricated for consumer needs at this time, and (3) full details of the Shipshaw contract be made public and such contract be readjusted to place American plants on an equitable basis with Shipshaw operations. This proposal bears the mark of connivance between W. P. B. and W. M. C. and monopolistic interests to do permanent injury to our newly developed aluminum industry of the Northwest and other regions. War Manpower Commission's certification of the Pacific Northwest as a critical labor shortage area was arrived at without conferring with Northwest offices or advisory committees of that agency and is a gross and deliberate misstatement of fact. Air-mail letter follows but need for action is immediate. Please transmit a copy of this to other members of the Oregon congressional delegation.

The manpower problem in the State of Washington is similar to that in Oregon

and there is no shortage of manpower requiring closing of these pot lines. The Governor of Washington advised Senator BONE by wire January 4 as follows:

Publicized reports by Lawrence Appley, Executive Director of War Manpower Commission, indicate closure of Pacific Northwest aluminum plants chargeable to manpower shortage. Appley report erroneous. The aluminum industry in State of Washington needs as of today only 40 people. That shortage due solely to conditions of work in 1 plant only. Production up to capacity. See no reason for reducing production aluminum this State because of any manpower shortage.

That no manpower problem is involved in the closing of these pot lines in the Northwest is disclosed by the following editorial which appeared in the Oregon Journal, January 4, 1944:

ALUMINUM POTS ARE COOLING

Projected shut-down by the W. P. B. of 10 aluminum pot lines in addition to the 6 turned off in eastern plants last week is a threat to Pacific Northwest production which drew swift protest by Oregon and Washington representation at the Capital. Thus far, no curtailment is ordered for this area, and should not be as long as the metal is produced elsewhere at higher cost and supplies are imported from Canada.

Once an aluminum production unit is down, it undoubtedly will remain so. Cost of restoring the pots to operation is large. But the simple reason for the reduction order is that production is above the country's needs. Of units already down, two are in a three-line plant at Burlington, N. J., two in an eight-line plant at Brooklyn, N. Y., one in Tennessee, and one in North Carolina. The Burlington and Brooklyn units draw their electricity from cool-fired generating plants, and in their partial closure there will be an immediate saving of 70,000 tons of coal a month. It is possible to save more than 2,000,000 tons of coal annually by further shut-downs of their remaining units. Further, their cost factor is much higher. In the Pacific Northwest it is about 15 cents a pound, and in the East about 19 cents, the difference being due largely to our cheaper power.

Further, no manpower problem is involved locally in keeping the Pacific Northwest units at present production. This is officially confirmed.

The argument is all on our side and we commend our delegation in Congress in presenting it so promptly before the W. P. B.

A pertinent factual discussion of this program was made in an editorial in the Portland Oregonian January 6, 1944, which reads as follows:

The outcry raised by the northwest congressional delegation has brought a War Production Board reprieve for pot lines of this region's new aluminum industry, which W. P. B. had planned to close quietly during the recess of Congress. Yet there is no assurance that the threatened closures will not be made in the near future. As in the case of the alumina-from-clay plant which the Northwest saved after a hard fight, W. P. B.'s movements have been devious and deliberately confusing.

It must be understood, first, that once shut down, an aluminum reduction unit, or pot line, cools and "freezes" by the solidification of chemicals and materials. Weeks of time and large sums of money are required to "thaw" such a unit to bring it into production again. Any closures made might well be permanent. Again, the Northwest aluminum industry is the principal customer of Bonneville and Grand Coulee, requiring about 75 percent of present capacity. The threatened closures at Troutdale, Vancouver, Longview, and Tacoma would cost about half of the total power load allotted to aluminum.

The latest figure advanced by W. P. B. indicates a surplus of aluminum ingots totaling 250,000,000 pounds, of which 190,000,000 pounds are allotted to the Shipshaw project in Quebec Province, financed by the United States Government through Metals Reserve Corporation under a weird arrangement which substitutes the aluminum standard for gold. This surplus is in pig metal. No one, to our knowledge, has shown that there is a surplus of extruded and rolled aluminum products. And although the Army and Navy have diligently searched for aluminum substitutes; although the public and many industries have been deprived of aluminum for more than 2 years, W. P. B. recently put the brakes on a program of expansion of aluminum fabrication. Philip Wilson, chief of W. P. B.'s Aluminum-Magnesium Section, has informed Congressmen that the United States must continue to buy from Shipshaw, to obtain repayment from Aluminum, Ltd., the Canadian affiliate of Aluminum Co. of America, of the money invested in the great power project and metals plant. Pig from the secretly financed and secretly constructed Shipshaw development already has replaced Northwest aluminum in lend-lease shipments to Russia. It will continue to flow into the United States for our own war and domestic needs, while American pot lines cool. No wonder that Congressmen plan to revive a resolution for an investigation of the Shipshaw deal, killed several months ago while the hush campaign was on.

In the wartime expansion of aluminum reduction plant capacity, that in the East was built near large cities where surplus steam generating capacity could be used. In the Northwest, plants were located in the area of great hydroelectric generating plants. They all obtain their raw material from Gulf plants that refine bauxite, which comes from South America, into aluminum oxide.

There is a longer rail haul from Gulf ports to the Northwest than to eastern steam plants, but the differential in favor of hydroelectric power over steam power amounts to $30 a ton in cost of making aluminum. The aluminum oxide can be shipped to the Northwest and the metal can be shipped back East by rail at a total cost for both movements of less than $30 a ton.

Rail capacity to handle the business is, of course, a factor as well as cost of transportation. But it is estimated that 3 eastern steam reduction plants require 50,000 freight cars a year to carry the coal that goes into the production of power they consume. Moreover they use 2,100,000 tons of coal in an area where coal is short and their operations call for the labor of 1,500 mine workers.

Use of hydroelectric energy for aluminum production does not diminish a natural resource, nor subtract in this area from power needed by other industries, or from fuel required to heat homes and business houses. The manpower situation in this section is subject to inquiry, and there is a manpower element in the operation of the eastern steam plants that rely on steam-generated power.

Aluminum authorities have been confident that in the post-war period Government steam-founded aluminum plants will have to close.

If cut must be made, the eastern steam plants, that must close in time anyhow, deserve to be first, if not all, to close. They at least are first to be affected by official order.

Mr. Speaker, as it is well known to the Members of the Congress, the manpower shortage throughout the United States has eased up and there is a lessening from day to day of the demand for war workers which heretofore existed in some sections. In line with this program and cut-backs in many lines of production the War Manpower Commission on yesterday advised of a 600,000 worker reduction in manpower estimate for the next 6 months. Particularly in the Northwest area where a number of the aluminum pot lines are situated which are being considered for closing, there is no critical manpower shortage. In fact in some of the major industries I was informed only this week that the employment agencies are not able to provide jobs for all of the applicants. Much of the rumored shortage in that area was due not so much to lack of manpower as to wage disputes as between different industries and attempted shifting of workers to plants where higher wage rates obtained. Some heavy employers were overoptimistic in their estimates for future demands and their estimates for increased labor needs were found to be excessive. When all of these factors were eliminated it was found in the Northwest there was and now is ample manpower for keeping our war industries in full production.

There is no manpower shortage in the Pacific Northwest which would necessitate the curtailing of the production of aluminum or the closing down of these pot lines. If I am incorrect in that statement as it applies to Washington, I am sure the gentleman from Washington who so ably represents the district in which this great project, Grand Coulee, is located, will correct me.

Mr. HORAN. If the gentleman will yield, Mr. Speaker, I should like to say that the situation is very easy at Longview, and in Spokane there is the threat almost of unemployment at this time.

Mr. ANGELL. I will say to the gentleman, the telegrams with reference to manpower shortage I have included in my remarks show that to be true. It has been contended that shortage of manpower is one of the main factors involved in the curtailing of this production and the proposed closing down of the pot lines in the Pacific Northwest.

Mr. Speaker, having grown up in the Northwest and being familiar during all of my adult life with the wealth of the natural resources in that area, and having been concerned not only during my service here in the Congress but in the legislature in my State for many years with the development of the immense storehouse of electric energy in the Columbia River Basin, I am deeply concerned over the future of the hydroelectric projects, the aluminum industry, and other war enterprises using hydroelectric power in the Northwest area.

My first concern and your first concern, I am sure, is the full utilization not only of these great plants now devoted to war production in the winning of the war, but the conversion of them into useful enterprises in the post-war period to help in giving employment to our servicemen and service workers.

With this in view, on December 22 I wrote to Harold L. Ickes, Secretary of the Interior, who has jurisdiction over the Bonneville development, in which I propounded certain questions seeking information as to the plans of his Department for the continued post-war utilization of these Federal projects in the Northwest which have been constructed by the Federal Government at a cost of upward of half a billion dollars. The letter sent to Secretary Ickes reads as follows:

The northwestern House delegations have been informally organized to protect the development and industrial interests of the region.

In the short time that this group has worked together as a unit with one objective, we have had rather extensive experience with the conflicting actions of the temporary agencies. These conflicting decisions vitally affect the future welfare of the Pacific Northwest, and the sound utilization of a large Federal investment. We want to preserve this investment and keep the Government plants operating, and by so doing, utilize our immense pool of hydroelectric power, and at the same time develop our extensive natural resources.

Our first intimate and detailed experience with such actions was connected with War Production Board's adverse decision, later reversed, on the alumina-clay project. I was named chairman of a committee of three from the delegation to secure action on this matter. The experience gained through open hearings in this cause, and an examination of file records, lead us to feel that the full Federal and regional interests will not be protected unless some sound remedial action is taken. The question is still open as to the extent of necessary congressional action.

With this objective, I am writing to secure your views on several vital points. To shorten the inquiry, I am reducing these points to five fundamental questions:

1. What can the Department of the Interior do to prevent the shutting down of the Northwest aluminum plants?

2. What can Congress do about it?

3. Does the Department of the Interior have plans or suggestions for the operation of these federally owned plants to prevent them from becoming idle either during the war or in the post-war period?

4. What can be done about the transfer of lend-lease markets from the Northwest aluminum plants to Shipshaw and the consequent financial hardship on the Northwest operators and workers?

5. Is the Department of the Interior satisfied with preparing a public-works program for the Northwest to relieve men rendered idle by the closing down of war plants, or does it have more constructive suggestions to offer to Congress?

The Secretary of the Interior has been designated by Congress as the operator of the largest basic part of the Federal investment in the Pacific Northwest. This fact, together with your sound public statements on the fundamentals of this problem, prompts me to seek your views on this all-important matter.

On January 6, in reply to my communication, Secretary Ickes sent me the following letter, which contains proposals and suggestions for the continued utilization of these Federal projects in the post-war period, which are worthy of our study and careful consideration:

THE SECRETARY OF THE INTERIOR,
Washington 25, D. C., January 6, 1944.

Hon. HOMER D. ANGELL,
House of Representatives.

MY DEAR MR. ANGELL: Your letter of December 22 with regard to the aluminum plants in the Northwest has raised some fundamental questions that have been plaguing me and members of my staff since the inception of the first defense program more than 3 years ago. Because of our concern with the power developments of the Columbia River and the general well-being of the Northwest, we have sought ways of insuring a permanent aluminum industry in that region. These efforts have been directed to securing (1) competitive aluminum operations under managements that would be interested in long-time operation, (2) fabrication facilities to complement the production of ingot aluminum, and (3) the use of local aluminous clays to prevent uneconomic importation of raw materials over long rail hauls. Briefly, these efforts can be summed up as seeking the full development of the industry for the benefit of the region and the Nation under nonmonopolistic conditions. The success of these efforts has not been complete, and I am aware that there is an increasing concern on the part of the citizens of the area that the end of the war will bring a serious retrogression that may turn present boom towns into ghost towns. I know that their concern, like yours, springs from a loyal nonpartisan interest in the welfare of the region and the country. While I have no sure cure, I am glad to give you some tentative conclusions in answer to your thoughtful letter, in the hope that they may be useful to you.

The immediate closing down of the Northwest plants seems unthinkable as long as aluminum plants using steam-generated power are kept in operation. I have already called Mr. Donald Nelson's attention to the fact that one plant of 8 pot lines uses 1,400,000 tons of coal and the efforts of 1,000 mine workers. Coal and mine labor is sorely needed for war purposes and for the homes of the country and should not be used for aluminum as long as water power is available. I am aware that other factors must be given consideration, but I can think of no factor that outweighs the availability of the low-cost water power of the Northwest.

The problem of keeping the Northwest plants in operation after the war need drops down is the most pressing one. It is part and parcel of the problem of handling the huge Federal investment in capital equipment throughout the country. In my opinion, the answer is of vital concern not only to the people of the Northwest but will affect the entire Nation. The disposition of the aluminum plants alone may have a direct bearing upon the technological progress of our country. The age of light metals will not be ushered in by the short-sighted small production policies of the past. In my opinion, the key to the solution lies in an emphasis upon production. Any effort to scrap or to lock up these Government plants must be discouraged. I have been asked to report on a number of bills that have been introduced in this Congress for the handling of these Government plants, and I shall do so at the appropriate time. Some of these measures seem to me to play into the hands of the monopoly interests and require the most careful scrutiny. The handling of the aluminum program for the war should make all of us extremely wary of any move that strengthens monopolistic control.

What is needed both for the Northwest and for the Nation is a group of independently operated aluminum plants and fabricating facilities that will produce aluminum at a price that will put it into the great common markets from which its high controlled price has always excluded its use as a major material. Those markets are in freight cars, ships, automobile bodies and engines, electric conductor and building construction. It is my opinion that a 15-cent controlled price will not bring in such markets for aluminum, but that lower, competitive prices are a prerequisite. I am confident that the profits on low-priced aluminum can be as large, with large sales, as they have been on high-priced aluminum with small sales. There is nothing in the history of the monopoly to justify the idea that it will voluntarily or permanently embrace the dynamic American business idea of large sales and low-unit profits. Therefore, independently operated plants and facilities are a prerequisite to that result. That result alone can keep the bulk of our aluminum facilities operating. It can also give our post-war industrial expansion an impetus similar to that given at the end of the last war by the low-priced automobile.

In considering the disposal of the Government-owned aluminum plants and other industrial facilities, the main emphasis must be upon continued production. All this equipment must not be allowed to rust in useless idleness. We also have the obligation to secure an adequate return to the Government on its investment. We have a further obligation to prevent the $15,000,000,000 worth of equipment from being used to stifle independent competitive business enterprise.

With these objectives and obligations before us, I make the following suggestions:

1. Whenever any of these Government-owned plants are closed down for lack of war orders, they should immediately be advertised for competitive bidding on a conditional lease basis.

One advantage of leasing over selling is that the use of the plants thus becomes open to competent aggressive managements that could not borrow the capital necessary to purchase the plants, but could pay a very adequate annual rental and depreciation.

2. Whenever the successful lessee fails to operate the plant at a given rate of production over a given period of time, the facilities shall immediately be reopened for competitive bidding.

This achieves the objective of keeping the plants in operation. No plant will be allowed to stand idle as long as there is a willing and independent person or company able to operate it.

3. The leases must provide that the bidders have no idle plant of the same type on their hands, and that new bidders must be independent of the operator who kept the plant idle.

The requirement that the bidders have no idle plant on their hands is to prevent monopolies from shutting down their present plant simply for the sake of securing newer facilities. The requirement that new bidders must be completely independent of any operator who kept the plants idle is essential if the plants are not to be kept idle by a series of dummy companies operating in behalf of a monopoly.

4. Of the Government-owned war plants, one plant of each type should be operated at cost by the Government as a yardstick for the purpose of reducing costs to the taxpayers on material required by the military services or for other governmental purposes, and incidentally for the purpose of lowering monopoly prices, preventing discriminatory and monopolized sales distribution, and for the purpose of making cost figures available to possible lessees on other Government plants of the same type.

I believe that such an arrangement might make it impossible for a monopoly to close these plants permanently or to hold prices up permanently. It would stimulate the interests of smaller businessmen in getting into operation. It would prevent a disastrous exodus of workers from the area. It would do much, in industries such as aluminum and magnesium, where high controlled prices have prohibited wide use of the material, in bringing the prices down, and in stimulating large sales. This would not need to be accomplished by a lowering of rental payments, for rent is a small part of the cost of production. It would be accomplished by making the facilities available to able managements

which could pay an adequate annual rental and depreciation, and yet might never accumulate the millions necessary to purchase these facilities in competition with the larger companies.

In short, I believe that this would be a blow struck for the system of free competitive enterprise, and I can imagine no free enterprise which is not competitive. I realize that there will be difficulties in administering this arrangement, but compared to the difficulties of obtaining competition through court action under the antitrust laws they will be minor; compared to the difficulties of securing competition if these plants were in the hands of the monopolies, they would be as sheer gossamer is to high-carbon armor plate.

My suggestion to rent as much as possible of the Government's capital plant to independent producers tends to give the system of free competitive enterprise what may be its last chance to prove its superiority to a system of monopolies and cartels. If Congress allows this additional $15,000,000,000 of plant to be put into the hands of companies that may close the plants down or otherwise integrate them with monopoly, the possibility of major industrial competition in many fields in this country will, I believe, be ended, regardless of how much Congress amends and strengthens the antitrust acts. On the other hand, if Congress dedicates this $15,000,000,000 of plant to free competition, that event would give the free competitive system both relief from the prospect of having this large plant investment used against it, and also a base of its own, which it badly needs after the ravages of the war.

Let me add, in complete candor, that I am not sure that relieving the competitive system of the prospect of having most of the $15,000,000,000 worth of plant kept in the hands of monopoly would be enough to see it through the years ahead. There are other conditions for the survival of free enterprise. Among them are:

1. Access at low cost to that major requirement of modern industry—long-term investment capital. The Northwest does not have the local accumulations of savings that are required to finance the costly electrometallurgical plants for which it is particularly adapted.

2. Access to markets through nonprejudicial and competitive transportation rates. The West, like the South, needs an equal opportunity to get its products into the large markets. For the Northwest the reestablishment of competition in intercoastal shipping seems essential. The high-priced shipping monopoly to Alaska has held back that area for years, and with it the west-coast ports.

3. Access on a basis of competitive equality to the Nation's supply of technological information. For a region such as the Northwest, which could easily become the light metals center of the world; access on equal terms with all others to the technological information of the Nation is probably a major requisite for growth, as well as essential insurance against monopoly.

All of these, together with the independent operation of the Government plants, seem to me to be essentials for the development of the Northwest and of those other regions of the Nation whose future is still before them. I do not see how great developments can take place in any other way.

You asked two additional questions. One was, What can be done about the transfer of lend-lease markets from the Northwest aluminum plants to Shipshaw and the consequent financial hardship on the Northwest operators and workers? I do not believe that it is a desirable long-run economic policy to have a plant whose future ownership is already in the hands of a brother company of the American monopoly given preference on lend-lease orders which plants in the United States have been filling at the same or lower prices. It is difficult to believe that Shipshaw was constructed with United States money for the purpose of putting United States plants out of operation. I suggest that this matter be discussed with the Foreign Economic Administration and other agencies responsible for the Shipshaw plant. I am sure that they will agree with the desirability of providing that independent aluminum plants on this side of the border do not have to take all of the war risk, while Shipshaw and the Canadian monopoly are held safe from risk.

Your final question was, Is the Department of the Interior satisfied with preparing a public-works program for the Northwest to relieve men rendered idle by the closing down of war plants, or does it have more constructive suggestions to offer to Congress? The Department of the Interior has a considerably more comprehensive program than that usually described as "public works." The program of development of the Columbia River with its vast potentialities of low-cost power is not a static public-works plan. It is geared to the expanding private enterprise that has need for the huge blocks of power that will be produced. Moreover, the reclamation program, of which the Columbia Basin project is an outstanding example, will provide a large number of returning soldiers and war workers with a basis of living and a way of life that is not comparable to a mere transitory employment program. The balancing of industry and agriculture that has been the American dream for generations has nowhere had a better opportunity of fulfillment than in the post-war Northwest. The plans of the Department of the Interior, with its emphasis on multiple-purpose development, its creation of new lands and new industries based upon low-cost power and processing of indigenous raw materials, if properly implemented, could become one of the major factors of lessening the dependence of the Northwest upon the usual work programs after the war. I am hopeful that the program will be allowed to go before the Congress in time to allow for the necessary preliminary work and designing, and that the Congress will recognize the importance of the income-producing and wealth-producing works of this Department.

Sincerely yours,

HAROLD L. ICKES,
Secretary of the Interior.

Mr. Speaker, I am referring to this correspondence at this time by reason of its pertinency and bearing upon the proposal to shut down the aluminum pot lines in the Northwest which are using the hydroelectric power developed by the Government plants in the Columbia River Basin.

As stated by Secretary Ickes—

In considering the disposal of the Government-owned aluminum plants and other industrial facilities the main emphasis must be upon continued production. All this equipment must not be allowed to rust in useless idleness. We also have the obligation to secure an adequate return to the Government on its investment. We have a further obligation to prevent the $15,000,000,000 worth of equipment from being used to stifle independent competitive business enterprise.

Mr. Speaker, the problem facing us today having to do with aluminum production in the United States is a basic problem upon which the economic and industrial development as well as the military defense of our country may well depend. We all know that in these critical war days air power is a major factor. Our deficiency in aircraft when war was thrust upon us crippled our fighting ability and set us back in our war program perhaps a year. Many in the Congress had been urging for over 2 years a more vigorous air program and expansion of our facilities for fighting aircraft and the coordination of the air force.

If we now adopt a short-sighted policy which will make us entirely dependent upon foreign countries for aluminum, we will not only place in jeopardy the success of our industrial enterprises in the post-war period which are dependent upon aluminum but we will also place our national defense, insofar as air power is concerned, in the control of foreign governments. We should not, under any circumstances, permit the closing down of our own plants and facilities for the production of aluminum in continental United States and the substitution therefor of an imported product from foreign sources, and thus build up a competitive regime which will ultimately result in the stagnation of aluminum production in the continental United States.

The following memorandum, dated September 3, 1943, by A. H. Bunker, who at that time was the director of the Aluminum and Magnesium Division of the War Production Board, is significant:

SEPTEMBER 3, 1943.

I am deeply disturbed by the minutes of the production executive committee meeting of September 1, which have just come to hand, insofar as they have voted to cancel out all of the projects for producing alumina from nonbauxitic domestic material and the balance of this program still under consideration. I believe this decision is a grave mistake.

The history leading up to the sponsorship of this program is a long and complex one, dating from almost the moment of my arrival in Washington in June of 1941. The very first step which I took upon arriving here was to cause a careful and thorough examination of domestic bauxite reserve to be made. It was immediately apparent that these reserves were inadequate to bear the full weight of a long and difficult war. The amount of high-grade ore, or that type of ore then regarded as commercial, was extremely limited, and even the lower grades of ore represented by no means extensive reserves. As soon as we had provided initial facilities for expanding the production of both alumina and aluminum by standard processes, we turned our attention to providing ways and means of successfully using all of the lower grade bauxite ores and also to developing and selecting those processes which would lend themselves to the recovery of alumina from nonbauxitic materials. We realized that this latter program would be a long and arduous one.

We enlisted the active help of the National Academy of Sciences, who immediately formed an alumina committee to devote itself to this problem. This work involved an examination of countless processes, recommendations, and suggestions for improving processes, pilot plant work under the direction of the war metallurgy committee largely at Government expense, and encouraging corporations not then engaged to enter into research work on clays, mine tailings, and many other available aluminous materials.

There was, of course, at that time no particular concern as to the safety of shipping in the Caribbean, as this had always been regarded by the Navy as highly defensible territory. However, we were very definitely concerned over the enormous requirements that might be placed upon shipping to conduct any large-scale war. We for that reason felt that every step should be taken to

make this country entirely self-sufficient in supplying all of its necessary alumina from domestic raw materials, whether these were to be low-grade bauxites heretofore not used in the commercial production of alumina, or other nonbauxitic materials which we then knew to be extremely abundant.

As far as high-grade reserves of bauxite are concerned, they are being depleted with almost frightening rapidity; as far as the very low-grade reserves are concerned, we have not yet placed in operation our lime-soda-sinter facilities and therefore have no final proof of the degree of effectiveness of those facilities. In any event it is quite evident that another 2 years of war will so seriously deplete both high-grade and low-grade bauxite reserves that the rate of mining is likely to become sharply reduced to such an extent that the output of these ores may be quite inadequate to support the present aluminum system at full scale operation. Short of ability to use domestic nonbauxitic raw materials this would immediately make us again dependent upon importation of foreign bauxite.

It is true that within recent months the Navy has suggested that conditions are very much easier, due to substantial correction of the submarine menace and to the large amounts of merchant tonnage which are being constructed and put into service. Of course, I am in no position to judge whether the correction of the submarine menace may or may not be of a temporary nature, and I am certainly not in the final position to judge whether those amounts of merchant tonnage which are now being put into service will all be needed to conduct future military campaigns or whether there will constantly remain a surplus available for the movement of very large tonnage of bauxite. I can only know that the pressure upon us has been constant to reduce imports throughout the entire last 2½ years. There has never been a suggestion that either the Navy or the War Shipping Administration would be willing to commit themselves to an adequate program of imported foreign bauxite. That condition, as far as we are concerned, would still obtain today even if we did receive some temporary assurance that larger tonnages of bauxite could be moved from South America. This still would seem to me to be an inadequate guaranty that we could continue to count upon such movements over the next few years.

Without being a military strategist, I can conceive of any number of vicissitudes which would make it extremely difficult to undertake the importation of the millions of tons of bauxite necessary to maintain the operation of the present North American aluminum system. Any consideration of this problem must include not only the United States but Canada. There are many thoughtful people who consider it quite possible that Russia might engage in a separate peace and that the consequence thereof would be to prolong this war on the part of the Allies by a great number of years. I, of course, have no way of knowing how much substance there may be in a premise of this sort.

However, any decision now made which would eliminate the construction and operation of those plants projected for the treatment of nonbauxitic aluminous metals and would cancel the rest of this program now in progress must, in my opinion, be predicated upon a series of optimistic assumptions and possibly a combination thereof. It must be assumed, it seems to me, that the war will be a short one or that even if it should continue for a number of years shipping would at all times be relatively so free that it would not impose any burden upon military operations to continue not only to import several million tons of bauxite a year from South America but to increase rapidly the future rate of importation. These assumptions seem very hazardous to me, and if they should turn out to be wrong this country could easily be placed in a position of great jeopardy.

It is a fact that we have already stripped the cream of the high-grade deposits from Arkansas and are continuing to strip them at an unparalleled rate. Each 12 months leaves this country's limited bauxite resources in a weaker condition.

It is a function of any process work, such as that under consideration, that it takes long periods of time to select and develop the means best suited to the solution of new technological problems, and from that point to the stage of commercial production requires further large periods of time. The whole program is now so timed that one has a right to assume that as our domestic bauxite deposits are being reduced, we are preparing in a timely fashion to replace them with other raw materials as bauxite production declines. For example, 2½ years from now we could be in a position to produce on a large commercial scale such alumina as we might need to support the present aluminum system even with substantially decreased domestic bauxite production.

This whole question of preparing for the self-sufficiency of raw material supply for the continental aluminum system has received very extensive consideration by large numbers of technical people, and I think it is fair to say that all of those individuals and groups are in agreement that the steps we are now taking are justifiable, and in order, and that they should, if anything, be extended. It is my own personal opinion that we have not gone far enough and that to be entirely safe we should add at least two or three more processes of promise to our program.

In conclusion, if we cancel out this program we can claim self-sufficiency for the aluminum system, undoubtedly the most vital metal system in the entire conduct of the war, only provided we assume either a short war or a far greater degree of shipping freedom than we have ever enjoyed in the past 2½ years. Both of these premises seem to me to be extremely hazardous and are not assumptions upon which we should dare to risk the possible outcome of this war. I feel this matter deeply and have therefore taken this opportunity to present my views, opposed as they are to the action of the P. E. C., and to present them as vigorously as possible. Naturally, I should be very glad to appear before the next meeting of the P. E. C., if you would deem this a suitable method of reopening this important question.

A. H. BUNKER,
Director, Aluminum-Magnesium Division.

While Mr. Bunker's memorandum had to do with the program for production of alumina from clay within the United States, it is particularly pertinent to the critical situation facing us with reference to the ability of the United States to supply our needs of this important critical material within the confines of our own boundaries. We must by all hazards keep the United States self-sufficient in the production of aluminum. It is infinitely more important than that other critical material, rubber, which almost wrecked our war program by reason of dilatory and bungling tactics of our officials who had the matter in charge in refusing to provide stock piles and production facilities for synthetic rubber within continental United States and leaving us entirely dependent upon importations from foreign sources. This same program is now in the offing for aluminum production.

There is a grave question as to whether our present supply of aluminum justifies the curtailment of production of this important product. It is true that the orders from the Army, Navy, Maritime Commission, and Lend-Lease presently made leave an excess of aluminum, but this is not released by these agencies but is held on order, according to my information. Increased demands may result at any time, due to the exigencies of war and the great losses of fighting aircraft which may take place in addition to the losses we are now suffering. Pertinent and interesting facts bearing upon the critical situation with reference to our aluminum supply here in continental United States are set forth in a memorandum dated October 13, 1943, by Secretary Harold L. Ickes, as follows:

First, the high-grade bauxite reserves containing less than 8 percent silica in this country are not more than 6,500,000 tons, according to the Bureau of Mines' reexamination made in the past month. This reserve represents 1⅓ years' supply for the United States, or approximately a three-fourth year's supply for the United States and Canada at the present rate of use. After that, our high-grade bauxite is finished, for this war and for any other war.

The next grade of bauxite containing between 8 and 12 percent silica is going to be exceedingly difficult to process by any means that either the Aluminum Co. of America or the National Academy of Sciences has approved for adoption. In a memorandum of protest against the cancelation of the three clay plants, dated September 3, Mr. Arthur Bunker, head of the Aluminum and Magnesium Branch of the War Production Board, stated: "As far as high-grade reserves of bauxite are concerned, they are being depleted with almost frightening rapidity; as far as the very low-grade reserves are concerned, we have not yet placed in operation our lime-soda-sinter facilities, and therefore have no final proof of the degree of effectiveness of these facilities." The Bureau of Mines shares Mr. Bunker's doubts about the prospect that these facilities can operate successfully on bauxite with more than 8 percent silica under processes approved by the National Academy of Sciences.

The same grave doubt as to its usefulness in this war under proposed processes applies to the mountain of reserves of bauxite averaging 13 percent silica, acquired by the Metals Reserve Corporation. There is a real possibility that these stock piles will be sold at the end of the war at a great loss to the Government.

The more recent discoveries of high-grade bauxite reserves lie much deeper below the surface than those being mined. No plans for mining them are under way. Not only will this take a year in preparation, but some of these new reserves contain more ferrous iron than can be handled by methods now in use. This means that the processing will be more difficult and will result in more off-grade aluminum.

Second, the consequences of depleting our high-grade bauxite will force our dependence in wartime upon the expensive convoying of such ore from South America. The movement of over 6,000,000 tons annually of high-grade bauxite to the United States and Canada means the use of many ships and crews, escort vessels, and aircraft. These could be used more directly in the war rather than in the protection of supply lines. Your staff can calculate the loss to the fighting fronts. I have seen no assurance from the Navy and the War Shipping Administration that they are willing to commit themselves to devoting six times the present number of ships to importing high-grade bauxite. I have as yet

seen no evidence that they will thank the civilian agencies for making a high-class bottleneck target for the enemy out of our vital supplies.

Third, there is grave doubt as to the validity of the underlying assumption of the cancelation, that the war will be over in 2 years, by 1945, when these three alumina-from-clay plants would start producing and would point the way to our self-sufficiency in aluminum raw materials. I point to the fact that other war contracts are being made involving commitments through 1947. I doubt that the War Production Board has received any assurance from the Commander in Chief or from the military leaders that the war will be over in 1945.

Fourth, there is further doubt as to the wisdom of the policy involved in this cancelation. Given the rapid exhaustion of our own high-grade bauxite sources, it is simply a matter of elementary military sense to have an alternative source of supply available in the continental United States. There is now a general agreement that this source is aluminous clay. The three semicommercial plants which will prove up three different processes for extracting it need some time to complete their work. Our Nation should not be left naked in the period between the exhaustion of our high-grade bauxite and the proving of these processes. By the time our own high-grade bauxite sources are exhausted in 1945, these plants should be finished with their semicommercial operations and ready for expansion. I am in favor of such intelligent and farsighted insurance.

Finally, there is also grave doubt that the current claims of a surplus of alumina and aluminum will remain true 6 months from now, or would be true now if the past shortage had not forced a switch to other metals in munitions production. The delay in completion of the extrusion and other fabricating plants has been the main cause for the accumulation of unused aluminum. The requirements of fabricated products from January to June 1943, inclusive, were 1,237,800,000 pounds, while the actual production was 990,400,000 pounds, a deficiency of 247,400,000 pounds. While these deficiency figures can of course be altered by arbitrary paper revision downward of requirements to meet an inadequate supply, I believe that the surplus of aluminum now on hand hardly meets past requirements, as they were once given by the War Production Board. I believe more rather than less alumina should be used in the various phases of war production.

FOREIGN IMPORTATION

The startling fact involved in this proposed cut of aluminum production in the United States is that the plan contemplates the annual importation of 630,000,000 pounds from a foreign source, namely, the Shipshaw plant in Canada. This importation is designed to take up the slack in cutting off production here in the United States. It should not be overlooked, however, that the raw bauxite from which aluminum is made in the Shipshaw plant must be transported by ship from South America to United States ports and thence by rail to Shipshaw to be reduced to aluminum ingots and then transported by rail back to the United States. This long and expensive process involves much water and rail shipping, convoy operations, and use of war facilities supplied by the United States which are vitally needed in our war efforts.

Do not misunderstand me; I am heartily in accord with the good-neighbor policy. There is no conflict between this great country of ours and our Canadian brothers on the north or with any of the Allies who are fighting so bravely by the side of our boys overseas; we are fighting side by side in complete harmony. We now, however, are discussing a matter of home production of a necessary product not only essential to the progress of the war but absolutely essential to many other commercial enterprises if they are to succeed in the post-war period.

Mr. Speaker, while we have expended $69,500,000, funds loaned without interest, in the construction of the Shipshaw plant, a considerable portion of this has now been repaid under the repayment provisions in the reduction of the purchase price for aluminum delivered to the United States. Rather than close our own aluminum facilities, shut down our pot lines and stymie aluminum production in continental United States, and deprive our own laborers in the post-war period of employment in our own aluminum industries, we would be far better off to forfeit the balance coming on the Shipshaw loan. There is no merit in the argument that we should close down our American plants in order to continue importations from the Shipshaw plant to prevent losing the moneys invested therein.

It is true that some of these facilities used in transporting bauxite to Shipshaw would be needed to bring the same bauxite to continental United States for reduction in our own plants. However, at the present time I am reliably informed that practically all of the raw material being used in the United States is coming from Arkansas.

American tax dollars built the Shipshaw plant. We furnished the money without interest, and my information is that the plant is free from taxes from the Canadian Government and it is put in this preferred class in the production of this most important war material, as well as an essential material for civilian uses in the post-war period.

The following letter from the Secretary of Commerce to Senator TRUMAN explains the Shipshaw arrangement:

THE SECRETARY OF COMMERCE,
Washington, March 24, 1943.

HON. HARRY S. TRUMAN,
United States Senate,
Washington, D. C.

DEAR SENATOR TRUMAN: In reply to your inquiry about Metals Reserve Company's purchases of aluminum from Canada, beg to advise that May 2, 1941, at the request of the Office of Production Management, Metals Reserve Company contracted with the Aluminum Co. of Canada for the purchase of 170,000 metric tons (374,680,000 pounds) of aluminum at 17 cents per pound, the then-prevailing price of aluminum in this country.

This contract and all subsequent contracts in this program were approved by the President.

In connection with the purchase, the Aluminum Co. required an advance of $25,000,000, which we agreed to make at 2 percent interest. Such advances are authorized in connection with the purchase of critical and strategic materials under section 5d of the Reconstruction Finance Corporation Act, as amended, and do not require interest. The interest was computed to equal 0.295 cent per pound of aluminum, and in drawing the contract this was deducted from the price of 17 cents. The advance was to be amortized at the rate of 6⅔ cents per pound of aluminum delivered.

Substantial advances on purchase contracts of critical and strategic materials have been made to China and Russia and in connection with purchases in some Latin American countries.

May 13, 1941, the Office of Production Management requested that the initial contract be doubled. This was concluded at the same price. The company asked for an advance of $25,000,000 against this contract, and a loan for this amount was made to it by the Export-Import Bank at 3 percent interest.

In negotiating contracts with the Aluminum Co. of America to build and operate aluminum plants in the United States for our account, we secured a reduction from Alcoa in the price of aluminum in the United States from 17 cents to 15 cents per pound, thereby saving the Government a great many millions of dollars.

After getting the reduced price from Alcoa, we asked the Aluminum Co. of Canada to reduce their price from 17 cents to 15 cents, notwithstanding we had contracted to pay 17 cents. The company was reluctant to reduce the price since they were getting 17 cents from the British and Canadian Governments. However, we finally prevailed upon them to reduce the price to 15 cents on 80 percent of the shipments. To get this reduction in price, we waived the interest on the advances, and made a reduction in the amortization requirements. The reduction from 17 cents to 15 cents saved Metals Reserve Company $16,000,000, while only $2,500,000 was waived in interest. This revision of the previous contracts provided for an increase in our purchases of aluminum from Canada to 1,000,000,000 pounds.

February 23, 1942, we were requested by the War Production Board to increase the purchase of Canadian aluminum by an additional 370,000,000 pounds. These purchases were made at the reduced price schedule. The latter contracts also provided for advances against deliveries.

Total loans and advances to date in connection with all purchase contracts aggregate $69,500,000, and repayments have been $15,919,477. Total amount of aluminum contracted for is 1,370,000,000 pounds, and deliveries to date have been 368,000,000 pounds.

The contracts made provision for a fixed basis of cancelation on any part of the aluminum that we might determine not to buy.

Metals Reserve Company has had no control over the expenditure of the loans and advances; that is, whether they were to be used for working capital, plant expansion, or otherwise.

Sincerely yours,

JESSE H. JONES,
Secretary of Commerce.

Mr. Speaker, I ask, Is it good business, is it common sense, is it fair to the American taxpayer to close down our aluminum pot lines in the United States which have been constructed at the taxpayers' expense and which are utilizing cheap hydroelectric power, also furnished at the taxpayers' expense, and throw out of employment American workmen in order to import from foreign sources aluminum not only needed in war production but for civilian uses now and in the post-war period, and thus build up in the hands of foreign competitors a monopoly which will fit nicely into the cartel system which stifled free competition in many essential products in the pre-war period?

We are today pleading for the preservation of a great American industry. We

do not want this great aluminum industry in the United States scuttled and abandoned in the post-war period and our American laborers thrown into the ranks of the unemployed.

Mr. HORAN. Will the gentleman yield?

Mr. ANGELL. I yield to the gentleman from Washington.

Mr. HORAN. I would like to comment, if the gentleman will allow me, that we have made the charge aluminum can be produced profitably with cheap hydroelectric power for less than 10 cents a pound. We know that our Government contracts call for 15 to 21 cents a pound. If we are to carry this newfound industry into the post-war era where it will be of greatest value to our domestic production of all products from aluminum to get the raw metal at the least sound price, certainly someone should determine whether we are right or wrong in asserting that aluminum can be produced profitably for 10 cents a pound. That assertion has not been challenged.

Mr. ANGELL. I thank the gentleman for his contribution. The plea I am making here today is, first of all, that we may keep our fighting forces supplied with every material, every resource, and every fighting tool that they need, not only to protect themselves in this great contest with death that they are waging overseas, but in order to bring this fight to a victorious conclusion in what is now the greatest catastrophe and tragedy that has ever ravaged the world.

Further than that, Mr. Speaker, after the war closes and after these boys come back victorious, after the guns stop firing, we will have a problem perhaps as great and as difficult of solution as bringing victory to our cause, and that is the reconstruction of our whole financial and economic post-war productive activities and social life so that we may bring back into our social and economic structure the 10,000,000 men and women who are now fighting in uniform and the twenty or twenty-five million additional people who are doing heroic service in the great war plants of America. That will be your problem and mine. We must begin to plan now to make sure that all of our productive facilities now being utilized for war purposes shall be converted to civilian use and be kept in operation insofar as that process is possible. No one can deny successfully that there will be an immense demand for aluminum in post-war activities. Many new uses for this important material have now been developed and the ban against production for civilian uses of products requiring aluminum during the war period will make a heavy demand for the production of aluminum following the war. We should not take any steps now which will curtail aluminum production in our own country and prevent us from making use of our full productive facilities of this necessary material which will not only mean jobs for many thousands of our returned soldiers and released war workers, but will provide employment for many others in industries, fabricating and processing aluminum into useful commercial products.

My plea is that every single industry, every great industry like the aluminum industry here in America in which we have put the hard-earned tax dollars of the American people, should be protected and it is our solemn duty as Members of Congress to see to it that we take no action today or tomorrow or at any time before the war ends that will place these great plants of ours at a disadvantage so that they may be sold under the hammer when the war is over as junk instead of being continued as useful, productive enterprises in this country.

The aluminum industry is facing that very situation today. The reconversion period is beginning. If we close down aluminum production in America now and make ourselves dependent upon foreign importations, we will have stifled one of the greatest industries we have in this country. After the war the increased uses for aluminum not only by reason of the fact that it has been denied to manufacturers for productive civilian uses during the war but also for the hundred and one increased uses that have been developed for aluminum will create a demand upon our production facilities far greater than we will have the rated capacity for in the United States.

Mr. Speaker, it seems clear that we in America should first of all, looking toward the successful prosecution of the war, utilize, develop, and perfect every single one of these great aluminum plants as well as all other productive enterprises so that we may not only have them running full force day and night during the war to win the war, but that we may then harness them in civilian pursuits to furnish our boys coming back from overseas with employment. We can profitably and successfully compete, if these American industries are given a fair break.

Mr. Speaker and my colleagues, I plead with you to join me in protecting this great industry—aluminum production—in our own continental United States. Let us not trade it off down the river for foreign importations and curtail our own aluminum plants built with American taxes and throw our American workmen on the breadline in the post-war period and make America dependent upon foreign countries for aluminum, both for civilian uses and national defense.

The SPEAKER pro tempore. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article on hogs and hog products and prices.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa [Mr. MARTIN]?

There was no objection.

The SPEAKER pro tempore. Under previous special order of the House, the gentleman from Missouri [Mr. COLE] is recognized for 5 minutes.

THE LATE LT. (JR. GR.) CLARK FRANKLIN RINEHART

Mr. COLE of Missouri. Mr. Speaker, yesterday I was highly honored by a visit from Judge and Mrs. Frank T. Rinehart, of Ridgeway, Harrison County, Mo., who came east to participate, last Sunday, in the launching at Port Newark, N. J., of the U. S. S. *Rinehart*, a destroyer escort named in honor of their son, Lt. (Jr. Gr.) Clark Franklin Rinehart, who, as a Navy combat pilot of a fighter plane, rendered distinguished service in the battle of the Coral Sea on May 7 and 8, 1942, for which he was posthumously awarded the Distinguished Flying Cross and the following citation:

> For extraordinary achievement in aerial combat, as pilot of a fighter plane in action against enemy Japanese forces in the battle of the Coral Sea, May 7 and 8, 1942, with utter disregard for his own personal safety, Lieutenant (Jr. Gr.) Rinehart boldly engaged enemy Japanese aircraft and by his courage and expert airmanship contributed materially to the defense of our forces. His gallant and fearless conduct throughout this battle was in keeping with the highest traditions of the United States naval service.

Judge and Mrs. Rinehart are outstanding Missourians, and they and their family have gone all out in our war effort. Four other sons are now valiantly serving our country: Lt. Carl Ward Rinehart has served with distinction overseas and is now an instructor in Naval Air Service at Jacksonville, Fla.; First Lt. Marvin L. Rinehart is now serving with our Army in England; Ralph Olin Rinehart is serving in the Aleutian Islands; and Kenneth Wilbur Rinehart is now a patient in a hospital at Santa Cruz, Calif. Each of these boys volunteered to serve.

Furthermore, Mr. Speaker, my distinguished constituents are farming 514 acres of fertile soil, feeding 362 head of livestock, caring for 600 laying hens, and doing it with little or no help, while, at the same time, Judge Rinehart fulfills all of his official duties as county judge. They insist that they are doing no more than any of their neighbors and that theirs is typical of the spirit which prevails in northwest Missouri.

Mr. Speaker, I am exceedingly proud to pay tribute to the Rineharts for their outstanding service to our cause.

MARKETING OF HOGS AND PORK

Mr. CASE. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota [Mr. CASE]?

There was no objection.

Mr. CASE. Mr. Speaker, there is nothing in the field of marketing and production today that is being so abused as that which pertains to the marketing of hogs and the pricing of pork.

The secretary of the National Farmers Union, Mr. Emil Loriks, of South Dakota,

and Mr. John Skage, president of the South Dakota State Farmers Union, have been in Washington for several days trying to bring order out of the chaos that exists. They have prepared a three-point program which they have urged on the War Food Administration to bring some order out of this chaos.

Today, they are releasing a statement, which, with the permission of the House, I insert at this point:

CHAOS IN THE HOG MARKET

Demands for an investigation and correction of marketing abuses and adoption of a three-point program to bring order out of chaos in the hog market were made by Emil Loriks, secretary of the National Farmers Union, and John Skage, president of the South Dakota Farmers Union, as a result of a conference of several North Central hog-producing States in December.

Skage issued a statement charging too much divided responsibility and "buck passing" in Washington. He said, "Unless various governmental agencies coordinate their activities to arrive at some sane and sensible decision for immediate action, pork production will drop to unbelievably low levels in 1944." After a week of conferences here in Washington he said, "I am alarmed over the smug complacency and false optimism and the do-nothing attitude prevailing within some agencies dealing with food problems."

"There is rebellion in the Northwest," said John Skage, "and there is a limit to tolerance of bureaucratic bungling in the administration of the national all-important food program.

"While floor prices have protected hog producers against ruinous prices," he said, "the floors established must be undergirded to withstand the impact and pressure of abnormal conditions. Floors must be susceptible of upward revision to promote orderly marketing in a crisis such as we face in the 60 days ahead.

"The same protection must be afforded the producers of eggs now experiencing ruinous price declines. It is a matter of integrity, keeping faith with the producers, backing Government commitments, to maintain confidence in government.

"We have demanded investigation and correction of flagrant marketing abuses. We have presented a sane and sensible program for orderly marketing in the present emergency.

"Failing to get action we will urge as a final and last alternative that the Government take over the meat-packing industry as they did the railroads and operate them for the benefit of the public and principally for promoting the war effort on the food-production front."

Mr. Skage and Mr. Loriks have spent several days in Washington, and I think, Mr. Speaker, it is fair to say that they are leaving the city in anything but a happy mood. They came here with a specific three-point program, they did not come simply to register a complaint; they came prepared to suggest a remedy. They were given an audience, yes. They saw, among others, the following people: Judge Marvin Jones, War Food Administrator; Wendell Berge, Assistant Attorney General in charge of antitrust enforcement; J. B. Hutson, Director of Food Production; and Harry E. Reed, Chief, Livestock and Meats Branch, F. D. A., both of the War Food Administration; Secretary of Agriculture Claude R. Wickard; H. H. Williamson, agriculture coordinator of O. P. A.; and Stuart K. Barnes, vice president, Defense Supplies Corporation. But the confusion of authority made Mr. Loriks and Mr. Skage almost despair of effective action being taken. Mr. Skage's remarks as he left the city, I have given above.

These men did not approach the matter belligerently; they had called attention to the fact that the farmers throughout the Dakotas and throughout the Northwest generally have answered the call of their country; that in response to the request of the Government, they have broken all records for hog production.

They then said:

The reward the farmers are now receiving for this cooperation is inability often to sell their hogs at any price, severe breaks in price, when they can sell them, and threatened destruction of their established channels of trade.

The most serious of the many problems now facing hog farmers is the dilemma of insufficient feed for hogs, and housing on the one hand, and inability to market them on the other.

The recent action of the War Food Administration in raising the weight limit on hogs eligible for support prices from 270 to 300 pounds, has had a very good result. We commend that action and urge that additional steps be taken.

What is needed is a rounded program. We suggest the following three-point program:

A THREE-POINT PROGRAM

1. Restoration of an open competitive market situation by—

(a) Withholding of subsidy payments from those packers who evade by direct buying the requirement that they pay support prices;

(b) Or by Federal inspection and grading of all hogs sold for slaughter;

(c) Or by establishment of a Federal quota system of purchases by packers from commission firms, based on historic volume;

Or by a combination of these measures.

2. Seasonal variation in support prices to give farmers with sufficient feed an incentive for holding hogs off the market.

3. Increase from 300 to 350 pounds of the upper limit on weights of hogs eligible for support prices.

Mr. Loriks and Mr. Skage set forth their program in detail as follows:

1. (a) *Withholding of subsidy payments from those packers who evade by direct buying the requirement that they pay support prices*

The Government has required packers to pay support prices to farmers as a condition for receiving subsidy payments. Subsidies have been withheld not only under the hog program but under other programs for failure of processors to comply with this requirement. Only if this condition is met, can it be said that processors are passing on to farmers the full amount of the subsidy payment to which farmers are entitled.

Therefore, if a packer by resorting to direct buying evades the requirement that he pay farmers support prices, then he is guilty of evading the Government's requirements. We have definite evidence that this is what is happening. In South Dakota, packers have resorted to direct buying as a subterfuge to enable them to decide, with no check whatever on their decision, whether hogs are choice hogs and so eligible for support prices. They are able to do this because heavy supplies of hogs and lack of feed and housing facilities on farms have resulted in market gluts. When the packers boycott the commission firms, farmers thus are forced to deal direct with packers with no protection whatever on the grading of the hogs.

The result, we hold, is clearly an evasion of the Government requirement that packers pay to farmers the minimum support prices supposedly guaranteed them. We feel that it is a legitimate exercise of the Government's authority in this crisis to require packers to deal through commission firms, where their grading of hogs can be checked by commission-house graders as well as by packer graders. Therefore, we urge that the appropriate Government agencies withhold subsidy payments from those packers who use direct buying as a means of forcing down farm income.

1. (b) *Federal inspection and grading of all hogs purchased for slaughter*

This action is needed particularly in areas where a single packer buys virtually all of the hogs and buys them direct from the farmers. Direct buying that bypasses the commission firms gives farmers absolutely no grading protection. The buyer, in this case the packer, has the farmer completely at his mercy because there is no check on the grading of hogs as coming within the support price range. In other words, if a packer rules that a hog is not choice and therefore can be bought at less than support prices, with only one buyer on the market, farmers can do nothing but accept that decision. Yet the packer receives a subsidy regardless of how he grades the hogs.

The extent to which this practice has gone in the Sioux Falls area is illustrated by these figures from the official records of the Sioux Falls market:

"Figures from the stockyards records showing the purchases by the different packers, Swift, Armour, Cudahy, and Morrell, on the Sioux Falls public market.

	Swift	Armour	Cudahy	Morrell
December:				
1941	12,055	13,307	16,654	23,688
1942	21,541	2,409	7,436	39,047
1943	3,291	----------	----------	4,524

Balance sold to other order buyers.

"Stockyards receipts:

1941	422,190
1942	495,330
1943	578,933
November 1941	37,677
November 1942	[1] 39,010
November 1943	[1] 68,156
December 1941	68,886
December 1942	73,335
December 1943	[1] 14,438

"A. M. SORENSEN,
Sioux Falls Stockyards Co.,
Assistant Secretary and Treasurer."

[1] 1943 December estimates according to other years, 150,000.

This indicates a very strange, concerted withdrawal of all packers from dealings with the Sioux Falls Commission firms within virtually a single week.

Destruction of established channels of trade unquestionably will be the result of this practice if it continues. Moreover, packers' dealing direct with farmers, without Government supervision or grading, will mean a severe loss in income to those farmers in a very short time.

The major step that needs to be taken to deal with this problem is to institute at once a system of Federal grading of hogs that will cover all markets uniformly. These inspectors would prevent the undue grading-out of hogs so as to deprive farmers of support prices for hogs on which they should receive them.

1. (c) Establishment of historic volume buying quotas at markets

As a further protection of established trade channels through commission firms, we propose that the Government require all markets to institute a quota system, based on the history of each commission firm's historic volume, of purchases by packers, and to require all packers to adhere to these quotas.

Such quota systems, originally put forward by the Government, have been put into effect voluntarily by the markets and the packers operating on them at St. Paul, Sioux City, and perhaps other places. This is a satisfactory system, as is demonstrated by the records at those markets since it was instituted.

Unless that kind of arrangement is made uniformly at all markets, the future of central marketing of livestock is made uncertain. Cooperative livestock commission houses, along with private, are endangered, and if they disappear, farmers will have lost institutions it has taken them many years and millions of dollars to build.

To tide them over the wartime crisis we urge the formalizing of arrangements already in effect at such markets as St. Paul and Sioux City, and to extend those arrangements to all other markets.

2. Seasonal variation in support prices

This step is needed because it will give those farmers who have feed an incentive to hold their hogs longer, and will therefore make elbow room for farmers who do not have feed and are forced to sell now regardless of future prices. We suggest that floor prices be advanced at staggered intervals over a period, beginning January 15 with regular increases designed to place the floor price at or near the ceiling price by April 1. This price then could be tapered off correspondingly from that peak, allowing, say, a month for marketing at or near the ceiling. We believe this would contribute materially toward replacing the present chaotic situation with orderly marketing and distribution processes.

There is plenty of precedent already for such action. The War Food Administration now adjusts seasonally the support prices of eggs and soybeans. In the case of soybeans, for example, the support price rises 1 cent a month on the first of each month for the 6-month period beginning January 1 every year. Such a scale of upward adjustment could be maintained with or without subsidies, depending on whether subsidies were needed to avoid price increases to consumers.

If this seasonal variation program is correctly administered it will not contribute to inflation, will not cut further into feed supplies, and will not add to the total amount of subsidy payments. Orderly sales of hogs will result in conservation of feed and the production of more pork per bushel of feed because wasteful forced feeding of hogs in the upper weights will be avoided. If the seasonal variation of support prices is arranged so that the price average for the year does not rise, then there will be no particularly inflationary result from such variation, unless maladjustment arises between price and volume. Finally, we believe that such a program can be operated without increasing by a penny the present total expenditure on the hog subsidy.

3. Increase in weight limit of price-support hogs to 350 pounds

As we already have said, the increase from 270 to 300 pounds in the weight limit within which hogs must be kept if they are to be eligible for price supports has done much good. We are convinced that it will save thousands of dollars to farmers who have tried conscientiously to market their hogs before they passed 270 pounds but have been unable to do so. As the marketing crisis continues, however, the situation remains acute for some farmers.

Our correspondence, letters, and telegrams, and surveys indicate that thousands of hogs still are backed up on farms through the Dakotas, and that the crisis will last for several weeks yet. We, therefore, recommend that in all justice a further increase in the weight limit to 350 pounds be authorized. There is no doubt that some farmers will feed the hogs up to or past 300 pounds who otherwise would market them, if this is done. But the number, we believe, is very, very small, indeed. Most farmers will be only too glad to get their hogs safely marketed at the earliest possible opportunity. Present weight limitations, therefore, tend to penalize the majority of patriotic, earnest, sincere farmers simply because a very small fraction of all farmers may take advantage of the present situation.

If farmers are not to be expected to produce hogs to capacity in 1944 they should know it now. Moreover, they should know at once the alternative crops they are to be asked to produce and what support prices are going to be paid for all crops. We urge not only the earliest possible dissemination of information through all possible channels. We believe that all restrictions on A. A. A. information work should be ended immediately, increased funds made available for such information work. Finally, we believe that the Federal Office of Extension should make much greater efforts to obtain thorough State cooperation in carrying to farmers the detailed story of what their Government wants them to do in producing for victory in 1944.

Finally, in addition to the above recommendations, we urge the Federal agencies concerned to send investigators into the field immediately to investigate unfair grading of hogs and any other unfair practices followed by packers in connection with the support price program; not only should these investigators look into the situation in South Dakota but they should investigate the situation throughout the country.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and to include therein the statement prepared by the gentleman to whom I have referred and also to include certain excerpts from letters that I have received on the subject.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota [Mr. CASE]?

There was no objection.

THE SOLDIER VOTE BILL

Mr. ELLSWORTH. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, after weeks of careful study involving countless conferences with informed officials and a careful analysis of the election laws of the several States, the members of the House Committee on the Election of President, Vice President, and Representatives in Congress, of which I am a member, have today voted, by a vote of 7 to 5, to reject the so-called soldier vote bill, H. R. 3876, known in the House of Representatives as the Worley bill, but being similar in character to the Lucas-Green bill previously rejected by a majority vote of the Senate.

I voted to reject this bill because I know it is an unworkable, deceptive, and unconstitutional proposal.

It is unworkable because it proposes to ask State election officials to accept and count a Federal ballot when it is well known that there is no State law in any State that will permit election officials to count any general election or other election ballots that are not specifically provided for under State laws. The language of the Worley bill pretends to meet this situation by leaving to the States the right of acceptance or rejection of the Federal ballots; but its authors must know full well that the States have at present no legal right to accept them.

The Worley bill, in my opinion, is cruelly deceptive, for it is heralded by its sponsors and by irresponsible or badly informed radio commentators and newspaper writers as a bill that would permit the servicemen to vote, when in fact it would do no such thing. If enacted into law, it would permit the men and women in the armed forces to write a ballot for President, Vice President, and Senators and Representatives in Congress, but provides not the slightest assurance that any such ballots would be counted—hence voted.

Furthermore, the Worley and Green-Lucas bills are frankly unconstitutional. The Constitution of the United States clearly assigns to the States complete control over the machinery of elections.

But perhaps more objectionable than all of the other objectionable features of the Worley bill is the fact that when the so-called Federal ballot is used it completely disenfranchises servicemen in State and local elections. Governors in 34 States will be elected in the 1944 general election, but no person who filled out a Federal ballot could participate in the election of a Governor, or of any State or county or city officer.

Our committee now has ready for presentation to the House a bill that, with the forthright cooperation of the Army, the Navy, and the several States, will permit every man and woman in uniform to cast a regular complete ballot in the 1944 election with the certain knowledge that when he has marked it the ballot will be counted—and he will have voted in the election.

ENROLLED BILLS SIGNED

Mr. KLEIN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2207. An act to amend the Nationality Act of 1940;

H. R. 3611. An act to authorize the appointment of court reporters in the district courts of the United States, to fix their duties, to provide for their compensation, and for other purposes; and

H. R. 3691. An act to permit the construction, maintenance, and use of certain pipe lines for steam-heating purposes in the District of Columbia.

ADJOURNMENT

Mr. FOLGER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 23 minutes p. m.), under its previous order, the House adjourned until Monday, January 17, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE PUBLIC LANDS

The Committee on the Public Lands has postponed the hearing on H. R. 2596, which was previously scheduled for Friday, January 14, 1944, until Tuesday, January 18, 1944, at 10 a. m.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will hold hearings at 10 a. m. Monday, January 17, 1944, on general legislative proposals.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold hearings on Tuesday, January 18, 1944, at 10:30 a. m., in the committee room, 247 House Office Building, on H. R. 1358 and H. R. 1512, bills granting pensions and increase of pensions to certain soldiers, sailors, and marines who served in the Pulajane and Moro campaigns and other uprisings in the Philippine Islands from July 16, 1903, to December 31, 1913, and for other purposes, which were introduced by Representative HAROLD C. HAGEN, of Minnesota.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization on Wednesday, January 19, 1944, at 10 a. m., for the consideration of private bills.

The Committee on Immigration and Naturalization will hold hearings at 10:30 a. m. on Thursday, January 20, 1944, on H. R. 2701, H. R. 3012, H. R. 3446, and H. R. 3489.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 3, 1944, at 10 a. m., on H. R. 2809, to amend section 511 of the Merchant Marine Act, 1936, as amended.

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of subtitle "Insurance of Title II of the Merchant Marine Act, 1936," as amended.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Select Committee on Small Business. Fourth interim report pursuant to House Resolution 18. Resolution creating a Select Committee on Small Business of the House of Representatives and defining its powers and duties; without amendment (Rept. No. 987). Referred to the Committee of the Whole House on the state of the Union.

Mr. ABERNETHY: Committee on Claims. S. 1447. An act to remit claims of the United States on account of overpayments to part-time charwomen in the Bureau of Engraving and Printing, and for other purposes; without amendment (Rept. No. 988). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOBBS: Committee on the Judiciary. H. R. 3592. A bill to amend the Judicial Code in respect to the original jurisdiction of the district courts of the United States in certain cases, and for other purposes; with amendment (Rept. No. 991). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOLIFIELD: Committee on the Post Office and Post Roads. H. R. 3870. A bill to amend section 214 of the act of February 28, 1925; without amendment (Rept. No. 992). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KEOGH: Committee on Claims. H. R. 443. A bill for the relief of Dave Hougardy; with amendment (Rept. No. 989). Referred to the Committee of the Whole House.

Mr. ROWAN: Committee on Claims. H. R. 3062. A bill for the relief of the board of trustees, Summerville Consolidated School District, Chattooga County, Ga.; without amendment (Rept. No. 990). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FULMER:

H. R. 3970. A bill providing for the transfer to the custody and control of the Secretary of the Navy certain land comprising a ranger station site in connection with the administration of Kaniksu National Forest in the State of Idaho; to the Committee on Agriculture.

By Mr. HOBBS:

H. R. 3971. A bill to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended; to the Committee on the Civil Service.

By Mr. MAGNUSON:

H. R. 3972. A bill to provide for the donation of certain forest lands to the city of Seattle, Wash.; to the Committee on Agriculture.

By Mrs. ROGERS of Massachusetts:

H. R. 3973. A bill to provide further necessary statutory authority required to accomplish the purposes of laws administered by the Veterans' Administration granting medical and hospital treatment, and other benefits; to the Committee on World War Veterans' Legislation.

By Mr. ANDERSON of New Mexico:

H. R. 3974. A bill to provide for regulation of certain insurance rates in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DIES:

H. R. 3975. A bill for the relief of Hardy H. Bryant; to the Committee on Claims.

By Mr. HARRIS of Virginia:

H. R. 3976. A bill for the relief of Charles L. Kee; to the Committee on Claims.

By Mr. HENDRICKS:

H. R. 3977. A bill for the relief of Harry Schultz; to the Committee on Claims.

By Mr. McGEHEE:

H. R. 3978. A bill for the relief of Ralph P. Aiello; to the Committee on Claims.

H. R. 3979. A bill for the relief of Capt. S. E. McCarty; to the Committee on Claims.

By Mrs. ROGERS of Massachusetts:

H. R. 3980. A bill for the relief of the parents of Dorothy White; to the Committee on Claims.

By Mr. WHITE:

H. R. 3981. A bill for the relief of Mrs. Margaret M. Ross; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4293. By Mr. BISHOP: Petition of the Carbondale Businessmen's Association, Carbondale, Ill., regarding the declaration of policy on world-wide aviation; to the Committee on Interstate and Foreign Commerce.

4294. By Mr. BUCKLEY: Petitions of Arthur J. Burgoyne and others, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4295. By Mr. HAYS: Petition of Guisto Mancini, Ella V. Stewart, J. H. Fletcher, George J. Kaufman, Julius Pierpaoli, John Taldo, George Cook, all of Little Rock, Ark., and others, protesting against passage of House bill 2082; to the Committee on the Judiciary.

4296. By Mr. HEIDINGER: Communication from S. A. Lynn, farmer, of Brookport, Ill., opposing the food-subsidy program for the reason it will not help the farmer and will increase the national debt and is economically unsound; to the Committee on Agriculture.

4297. By Mrs. SMITH of Maine: Petition of Eddie Larrabee, of Augusta, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4298. Also, petition of Romeo Cyr, of Augusta, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4299. Also, petition of Herbert J. Casy, of Augusta, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4300. Also, petition of John O'Brien, of Augusta, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4301. By Mr. WHEAT: Petition of sundry citizens of Decatur, Ill., and vicinity protesting against the consideration of any and all prohibition measures by Congress; to the Committee on the Judiciary.

4302. Also, petition of E. M. Crawford, of Decatur, Ill., protesting against the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

4303. Also, petition of the leading citizens of Decatur, Ill., protesting against the consideration of any and all prohibition measures by Congress; to the Committee on the Judiciary.

4304. By the SPEAKER: Petition of the secretary, the Colorado Producers & Distributors, Inc., protesting against the consideration of House bill 2082; to the Committee on the Judiciary.

SENATE

SATURDAY, JANUARY 15, 1944

(Legislative day of Tuesday, January 11, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

"God bless our native land!
Firm may she ever stand,
Through storm and night;
When the wild tempests rave,
Ruler of wind and wave,
Do Thou our country save
By Thy great might.

"For her our prayer shall rise
To God, above the skies;
On Him we wait:
Thou who art ever nigh,
Guarding with watchful eye,
To Thee aloud we cry,
God save the state!

"Not for this land alone,
But be God's mercies shown
From shore to shore;
And may the nations see
That men should brothers be,
And form one family
The wide world o'er."

Amen.

GERALD P. NYE, a Senator from the State of North Dakota, appeared in his seat today.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Secretary, Edwin A. Halsey, read the following letter:

WASHINGTON, D. C., *January 15, 1944.*

To the Senate:

Being temporarily absent from the Senate, I appoint the Honorable CARL HAYDEN, a Senator from the State of Arizona, to perform the duties of the Chair during my absence.

CARTER GLASS,
President pro tempore.

Mr. HAYDEN thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. GEORGE, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, January 14, 1944, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

CALL OF THE ROLL

Mr. GEORGE. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Ferguson	O'Daniel
Andrews	George	Overton
Austin	Gerry	Radcliffe
Bailey	Gillette	Reed
Ball	Green	Revercomb
Barkley	Gurney	Reynolds
Bone	Hayden	Robertson
Brewster	Hill	Russell
Bridges	Holman	Shipstead
Brooks	Johnson, Colo.	Stewart
Buck	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Bushfield	Langer	Thomas, Utah
Butler	Lodge	Truman
Capper	McClellan	Tunnell
Caraway	McFarland	Tydings
Chavez	Maloney	Walsh, Mass.
Clark, Mo.	Maybank	Wheeler
Connally	Mead	Wherry
Danaher	Millikin	White
Davis	Moore	Wiley
Downey	Murdock	Willis
Eastland	Nye	Wilson

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

The Senator from Washington [Mr. WALLGREN] is absent on official business for the Special Committee to Investigate the National Defense Program.

The Senator from New Mexico [Mr. HATCH], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Nevada [Mr. SCRUGHAM] are detained from the Senate because of slight colds.

The Senator from Pennsylvania [Mr. GUFFEY] and the Senator from Illinois [Mr. LUCAS] are absent on public business.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Louisiana [Mr. ELLENDER], the Senator from Nevada [Mr. MCCARRAN], the Senator from Tennessee [Mr. MCKELLAR], the Senator from South Carolina [Mr. SMITH], the Senator from New Jersey [Mr. WALSH], the Senator from Indiana [Mr. VAN NUYS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Florida [Mr. PEPPER] is detained in Florida on public business.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from Maine [Mr. BREWSTER], the Senator from Delaware [Mr. BUCK], the Senator from New Jersey [Mr. HAWKES], the Senator from Ohio [Mr. TAFT], and the Senator from Michigan [Mr. VANDENBERG] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is necessarily absent on official business.

The ACTING PRESIDENT pro tempore. Sixty-nine Senators have answered to their names. A quorum is present.

DEFERMENT OF DRAFT REGISTRANTS UNDER FEDERAL EMPLOYMENT

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the Director of the Selective Service System, reporting, pursuant to law, in the matter of 18- through 37-year-old registrants deferred because of their employment in or under the Federal Government or November 15, 1943, which was referred to the Committee on Military Affairs.

DEFERMENT OF CONSIDERATION OF AIR COMMERCE LEGISLATION—RESOLUTIONS FROM MICHIGAN

The ACTING PRESIDENT pro tempore laid before the Senate resolutions adopted by the Board of Supervisors of Kent County, and East Grand Rapids Post, No. 311, the American Legion, both in the State of Michigan, requesting that consideration of House bill 3420, affecting air commerce and similar proposed legislation, be deferred until after the end of the present war, which were referred to the Committee on Commerce.

VOTES FOR MEMBERS OF THE ARMED FORCES AND MERCHANT MARINE

Mr. RADCLIFFE. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a resolution adopted by the City Council of Baltimore, Md., having a most worthy object, requesting the Congress to enact legislation to enable persons in the armed forces of the United States and the United States merchant marine to vote. I am heartily in accord with this resolution.

There being no objection, the resolution was referred to the Committee on Privileges and Elections and ordered to be printed in the RECORD, as follows:

CITY COUNCIL OF BALTIMORE,
Baltimore, Md., January 15, 1944.

Hon. GEORGE L. RADCLIFFE,
United States Senate:

I have the honor to inform you that the following resolution was adopted by the city council on January 10, 1944:

"Resolution 120

"Resolution requesting the Congress of the United States to enact legislation to enable persons in the armed forces of the United States and the United States merchant marine to vote

"Whereas many citizens of Maryland are now in the armed forces of the United States and the United States merchant marine and will be unable to vote unless legislation is enacted by Congress and the several States: Therefore be it

"*Resolved by the City Council of Baltimore,* That the Congress of the United States be and it is hereby requested to enact whatever legislation may be necessary to enable citizens of the United States, who are in the armed forces of the United States and the United States merchant marine, to vote in the coming primaries and elections; and be it further

"*Resolved,* That the chief clerk of the city council be and he is hereby directed to send a copy of this resolution to the President of the United States Senate, to the Speaker of the House of Representatives and to the Representatives from the State of Maryland in the United States Congress."

Very Respectfully,

EDWARD P. O'MALLEY,
Chief Clerk.

EDUCATION OF RETURNING SOLDIERS AND SAILORS—LETTER FROM THE GOVERNOR OF MASSACHUSETTS

Mr. LODGE. Mr. President, I ask unanimous consent to have printed in the

body of the RECORD, and appropriately referred, a letter which I have received from Governor Saltonstall, of Massachusetts, enclosing a letter from the commissioner of education, of Massachusetts, regarding the education of our returning soldiers and sailors.

There being no objection, the letters were referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT,
State House, Boston, January 12, 1944.

Hon. HENRY CABOT LODGE, Jr.,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR LODGE: At my request Julius E. Warren, commissioner of education, has examined the contents of Senate bill 1509, which concerns the education of returning soldiers and sailors. He has also conferred with various educational leaders in the Commonwealth.

I enclose herewith a report to me that he has prepared on this subject. It includes the points that he believes are essential if the bill is to achieve its objective of being of the most benefit to the returning veterans. He is, I am, and I feel confident that you are also, a firm believer in the principle that adequate and generous provisions should be made for the boys and girls of our armed forces to complete their education which has been interrupted by war service.

At the same time, we here in Massachusetts have always believed that the education of our children is a responsibility for local and State government, and I hope it always will continue as such. It therefore becomes mighty important in order to maintain this principle of government, and at the same time to recognize the responsibility of the Federal Government to take care of its war veterans, that the provisions in this bill make it clear that the administration of this act will be left in the hands of the individual States under general policies formulated in Washington. The ninth and tenth paragraphs of Commissioner Warren's letter point to the necessary provisions to carry out this principle of government.

I am taking the liberty of sending you this memorandum on this most important subject for your consideration. I know that the commissioner of education, or any of our State authorities will give you any further information that you may desire.

With kind personal regards, I am,

Sincerely yours,
LEVERETT SALTONSTALL,
Governor of the Commonwealth.

COMMONWEALTH OF MASSACHUSETTS,
DEPARTMENT OF EDUCATION,
Boston, January 10, 1944.

Hon. LEVERETT SALTONSTALL,
Governor of the Commonwealth,
State House, Boston, Mass.

MY DEAR GOVERNOR SALTONSTALL: At your request I have discussed with leaders of education in this State, senate bill No. 1509 (dated as of November 3) and with their help have analyzed the intent and purpose of the proposed law, together with the machinery for putting the program into operation. I am advised that since the bill was introduced it has been rewritten to include some changes which seem essential for efficient and economically sound operation.

Since the purpose of the bill is to provide for all war-service persons suitable opportunities to continue or to complete their formal education in approved educational institutions, and thus stop the gap caused by the war interruption of the various kinds of educational experience needed by young men and women who are to participate in the stable and effective operation of a democracy, I would report to you that, in my judgment, the bill as finally enacted should include the following provisions:

1. Availability of 1 year of educational experience to any war-service person honorably discharged after September 16, 1940, serving for a period of at least 6 months in the armed forces of the United States, in the merchant marine, or any of the auxiliaries thereto, who desires to continue or complete his formal education and who is qualified to meet the admission requirements of the educational institution or training agency which he selects and who continues to make in that institution satisfactory educational progress.

2. Participating educational institutions should include:

(a) Elementary and secondary schools; trade schools; scientific, technical, and vocational training institutions.

(b) Apprentice and in-service training opportunities in business and industrial establishments (which provide State and Federal compensation regulations) and operate under the supervision of the State board of war service education herein created by this act.

(c) Any institution of higher education, including junior colleges approved by the State board of war-service education herein created by this act.

3. Each war-service person should receive a maintenance payment of $50 a month if single; $75 a month if married, with $10 a month for each dependent child during such time as he may be in full-time attendance in an approved educational institution.

4. The approved educational institution should be paid from Federal funds the full amount of tuition, laboratory, library, and other fees regularly charged by such institution for each war-service person enrolled and in full-time attendance.

5. These payments should not be made for any given recipient over a period longer than 1 calendar year, except for certain specially qualified persons within quotas to be established by the national agency, who may receive such payments for a maximum period of 3 additional calendar years. The entire educational experience for each recipient should not extend beyond a period of 6 calendar years from the date of his discharge, with initial enrollment to be effected within a period of 12 months from the date of discharge.

6. The educational institution which has been approved by the State board of war-service education herein created by this act shall have the right—

(a) To determine qualifications for admission of war-service persons.

(b) To select from the applicants those whom it is willing to admit.

(c) To pass upon satisfactory progress of its war-service students.

7. Each war-service person shall be free to select the educational institution in which he wishes to enroll within or outside his State and choose the course or courses which he desires, subject to the approval of the educational institution concerned.

8. Machinery should be created in connection with the operation of this act which will provide educational and vocational counseling and guidance to the persons eligible for training.

9. For the Federal administration of this act there should be created an agency within the United States Office of Education whose function should be to formulate policies and procedures necessary to assure the effective operation of the program, to set up State quotas of trainees, etc., and to distribute funds through the appropriate educational agency set up within the individual States.

10. To carry out the provisions of this proposal within the State, a State should, by legislative enactment, designate any existing State board of education or create a new board to be called the State board for war service education. Pending such action by the legislature, the Governor should designate or create such a board whose functions would essentially be:

(a) Approval of educational institutions of the State.

(b) Setting up and maintaining guidance and counseling services to be available to the ex-service personnel in the State.

(c) Certifying persons who are eligible to receive various types of education and training.

(d) Determining fees to be charged for educational services wherever those fees are in doubt.

(e) Adopting rules and regulations necessary for the effective operation of the program within the State.

Respectfully submitted.

JULIUS E. WARREN,
Commissioner of Education for Massachusetts.

LACK OF RAILROAD CARS IN THE NORTHWEST FOR WHEAT SHIPMENTS

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point, and appropriately referred, a number of telegrams which I have received relative to the boxcar shortage in North Dakota.

There being no objection, the telegrams were referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

STREETER, N. DAK., *January 14, 1944.*

Senator WILLIAM LANGER,
Washington, D. C.:

Our elevator is blocked, and we are unable to get cars, so please do something.

FARMERS' COOPERATIVE ELEVATOR CO.,
WALTER SCHWARTZ.

FALKIRK, N. DAK., *January 14, 1944.*

Senator LANGER,
Washington, D. C.:

Elevator blocked; boxcars going to Canada. Get rid of Mr. Eastman; or do we have to come to Washington and clean house?

FARMERS' UNION ELEVATOR & MERCANTILE CO.

KILLDEER, N. DAK., *January 14, 1944.*

Senator BILL LANGER:

Grain-car situation has been deplorable; have been blocked continuous for months. Understand railroads requested furnish large number cars for Canadian shipments. This move most unfair when big amount our crop yet to move. Farmers short help; must move grain before spring. Your help appreciated.

KILLDEER EQUITY ELEVATOR CO.
OFFIDENT ELEVATOR CO.
KILLDEER GRAIN CO.

NOONAN, N. DAK., *January 14, 1944.*

Hon. WILLIAM LANGER,
United States Senator,
Washington, D. C.:

Elevator blocked; grain on ground; enormous amount in plain cribs. Farmers request you to vigorously protest against sending grain boxcars into Canada. Do something, BILL. Elevator carrying full capacity of cash grain. We need relief and immediately.

A. M. PAULSON, *Secretary,*
R. R. KLAMMER, *General Manager,*
FARMERS' COOPERATIVE ELEVATOR CO.

KRAMER, N. DAK., *January 15, 1944.*
Hon. Senator WILLIAM A. LANGER,
Washington, D. C.:

Please protect for us Mr. Eastman's 200-car-per-day order for Canadian grain loading. We have blocked elevator and 30,000 bushels wheat purchased that is still in farmers' hands.

KRAMER EQUITY ELEVATOR CO.,
E. F. TROTTER, *Manager.*

MINNEAPOLIS, MINN., *January 12, 1944.*
Hon. WILLIAM LANGER,
United States Senate:

Eastman has issued orders effective today Northwest railroads furnish 200 grain cars daily to Canadian Pacific and Canadian National. Will create additional hardship Northwest producer, with large number blocked elevators.

ATWOOD-LARSON CO.

COLGAN, N. DAK., *January 14, 1944.*
Hon. WILLIAM LANGER,
United States Senate,
Washington, D. C.:

We ask you to submit a complaint to the Administrator of the O. D. T. on their recent order requiring the railroads to furnish 200 boxcars per day to Canada. This order is unfair to all us country shippers. Elevators full of cash grain. Grain sold to arrive. If this recent order is carried out it will cause us country shippers a serious handicap. Some of the grain on the farms is going out of condition and should be moved at once. We believe that the American shippers should be given priority on the cars, being our elevators are blocked most of the time. This recent week we have been able to buy grain 2 days. Grain is loaded direct to car from pit whenever we have any cars. Will appreciate whatever you can do in our favor in regards to recent order issued by the O. D. T.

FARMERS ELEVATOR CO.,
O. D. BERVIG, *Manager.*

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH of Massachusetts:

S. 1647. A bill to amend the act approved March 2, 1895, as amended; to the Committee on Naval Affairs.

By Mr. BRIDGES:

S. 1648. A bill for the relief of Carroll Jesseman; to the Committee on Finance.

By Mr. REYNOLDS:

S. 1649. A bill for the relief of Pete Paluck; to the Committee on Claims.

By Mr. BONE:

S. J. Res. 106. Joint resolution granting permission to Charles Rex Marchant, Lorne E. Sasseen, and Jack Veniss Bassett to accept certain medals tendered them by the Government of Canada in the name of his Britannic Majesty, King George VI; to the Committee on Commerce.

By Mr. LANGER:

S. J. Res. 107. Joint resolution proposing an amendment to the Constitution of the United States relating to terms of office of President, and providing for nomination of candidates for President and Vice President, and for election of such candidates, by popular vote; to the Committee on the Judiciary.

AMENDMENTS TO THE REVENUE ACT

Mr. MEAD submitted an amendment; Mr. LANGER submitted two amendments; and Mr. WILSON (for himself and Mr. WHERRY) submitted an amendment intended to be proposed by them to the bill (H. R. 3687) to provide revenue, and for other purposes, which were severally ordered to lie on the table and to be printed.

Mr. O'DANIEL submitted an amendment intended to be proposed by him to the bill (H. R. 3687) to provide revenue, and for other purposes, which was ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

TITLE X—PAYMENT OF POLL TAXES OF MEMBERS OF THE ARMED FORCES

SEC. 1001. The Secretary of War and the Secretary of the Navy are authorized and directed—

(a) To ascertain (1) the names and home addresses of all members of the military and naval forces of the United States whose legal voting residences are in States under the laws of which the payment of a poll tax or other tax or fee is required as a condition of voting in elections for electors of President and Vice President or for United States Senators and Representatives in Congress, and who are absent from their respective legal voting residences, and (2) the amount of such poll tax or other tax or fee, including any interest or penalties accrued because of nonpayment thereof, required to be paid by each such member of the armed forces as a condition to voting in the elections to be held during the calendar year 1944, for electors of President and Vice President, and for United States Senators and Members of Congress; and

(b) To tender to the appropriate election officials of such respective States, in advance of the last dates fixed by the laws thereof for the making of such payments, such sums as may be necessary to make the payments ascertained under paragraph (a) (2) to be required with respect to the members of the armed forces who have legal voting residences therein.

SEC. 1002. The amount of any payment tendered by the Secretary of War or the Secretary of the Navy under section 1001 with respect to any member of the armed forces, and accepted by the election officials of any State, shall be remitted by such election officials to the Secretary of War or the Secretary of the Navy, as the case may be, if (a) notwithstanding such payment by the Secretary of War or the Secretary of the Navy, such member of the armed forces is held by the election officials of such State not to be eligible to vote in such election, or (b) such member of the armed forces is found to have paid such poll tax or other tax or fee within the time allowed for such payment.

SEC. 1003. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

PRINTING OF MANUAL EXPLANATORY OF PRIVILEGES, RIGHTS, AND BENEFITS PROVIDED FOR MEMBERS OF ARMED FORCES AND DEPENDENTS

Mr. BONE submitted the following resolution (S. Res. 236), which was referred to the Committee on Printing:

Resolved, That the manuscript entitled "Manual Explanatory of the Privileges, Rights, and Benefits Provided for All Persons Who Are, or Have Been, Members of the Armed Forces of the United States, and All Those Dependent Upon Them," designated as Senate Document No. 96, Seventy-seventh Congress, be printed as a Senate document; and that 5,000 additional copies be printed for the use of the Senate.

OUR SECURITY AND THE ISLANDS OF THE PACIFIC—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address entitled "Our Security and the Islands of the Pacific," delivered by him over radio stations in Wisconsin on January 14, 1944, which appears in the Appendix.]

ENCROACHMENTS ON PRIVATE ENTERPRISE—ADDRESS BY SENATOR MOORE

[Mr. ROBERTSON asked and obtained leave to have printed in the RECORD a radio address entitled "Private Enterprise Must Assert Itself Against Further New Deal Encroachments," delivered by Senator MOORE on December 23, 1943, which appears in the Appendix.]

ADDRESS BY SECRETARY KNOX TO THE BOY SCOUTS

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD the address delivered by Hon. Frank Knox, Secretary of the Navy, at the annual dinner of the Greater Cleveland Council of the Boy Scouts of America, Statler Hotel, Cleveland, Ohio, January 14, 1944, which appears in the Appendix.]

VETERANS' LEGISLATION—STATEMENT BY WARREN H. ATHERTON

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD a statement by Warren H. Atherton, national commander of the American Legion, delivered before the Senate Finance Committee on January 14, 1944, which appears in the Appendix.]

INTO POLAND—EDITORIAL FROM NEW YORK DAILY MIRROR

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial entitled "Into Poland," published in the New York Daily Mirror of January 5, 1944, which appears in the Appendix.]

FRONTIERS OF POLAND—ARTICLE BY WILLIAM PHILIP SIMMS

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article entitled "Acid Test," written by William Philip Simms, which appears in the Appendix.]

THE TAX ON OLEOMARGARINE—ARTICLE FROM READER'S DIGEST

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an article entitled "Here's Why There's Nothing To Spread on Your Bread," published in the Reader's Digest of December 1943, which appears in the Appendix.]

LABOR'S POLITICAL AIMS—ARTICLE BY PHILIP MURRAY

[Mr. ANDREWS asked and obtained leave to have printed in the RECORD an article by Philip Murray, president of the C. I. O., entitled "Labor's Political Aims," published in the American magazine of February 1944, which appears in the Appendix.]

PERSONAL STATEMENT

Mr. GEORGE obtained the floor.

Mr. GILLETTE. Mr. President——

The ACTING PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Iowa?

Mr. GEORGE. I yield.

Mr. GILLETTE. I have asked the distinguished Senator to yield to me to make a very brief statement.

Mr. President, I have been concerned over various reports which have appeared in the news columns of the papers and in the special columns of writers pertaining to me, an experience common to all Members of the Senate. Ordinarily I have paid no attention to such reports and stories, however unfounded they may be. I have felt that it was unwise, and

would accomplish no good purpose, to speak of the matters publicly. But in this morning's issue of a Washington newspaper appears an article by a well-known columnist under the heading "Washington Merry-Go-Round" which purports to cover a reputed conversation between the Secretary of State, Cordell Hull, and me with reference to candidacy for the Presidency in the coming campaign. It speaks of a conversation which I was alleged to have had with the distinguished Secretary last week in which the matter of his suggested candidacy for the Democratic nomination was spoken of, suggested by me, and discussed between the Secretary and myself.

I wish to say unequivocally that I did not discuss, last week or last month or last year, or in the last 10 years, the candidacy of Cordell Hull or any other Democrat, for the Democratic nomination for the Presidency. There is not the remotest basis for the story which has been published today. As I have stated, I would not refer to it now were it not for the fact that this writer has brought in the name of the distinguished Secretary, and placed him in an unfortunate position, as a member of the President's Cabinet, with the statement that while he is occupying that position he is discussing, with me or with anyone else, his prospective candidacy, or his personal interest in a Democratic nomination.

Mr. President, I have read and reread the article, and, so far as I am concerned there are only two statements of truth in it. One is that I am white thatched; the other is that the distinguished Secretary is held in the highest esteem throughout the country, and especially for the success of his Moscow mission.

I thank the Senator from Georgia for permitting me to make this statement.

Mr. GEORGE. The Senator from Iowa need not be greatly concerned about any reference made by a certain columnist. Recently he has made statements about me which began with a lie and ended with a lie, and there is no improvement that I could make on the President's observation about this same columnist, that he is a chronic liar, except to say that the President was probably guilty of understatement. So I say to the Senator from Iowa that he need not be disturbed about anything that man may say about anyone, certainly about the distinguished Secretary of State, who is held in high esteem in this body, and throughout the country.

THE REVENUE ACT

The Senate resumed the consideration of the bill (H. R. 3687) to provide revenue, and for other purposes.

The ACTING PRESIDENT pro tempore. The clerk will state the amendment which was passed over at the request of the Senator from Kentucky [Mr. BARKLEY].

The LEGISLATIVE CLERK. On page 69, after line 5, it is proposed to insert the following new section:

SEC. 123. Disallowance of certain deductions attributable to business operated by individual at loss for 5 years.

(a) In general: Supplement B of chapter 1 of the Internal Revenue Code is amended by adding at the end thereof the following new section:

"SEC. 130. Limitation on deductions allowable to individuals in certain cases.

"(a) Recomputation of net income: If the deductions allowable to an individual (except for the provisions of this section) and attributable to a trade or business carried on by him for 5 consecutive taxable years have, in each of such years, exceeded the gross income derived from such trade or business, the net income of such individual for each of such years shall be recomputed. For the purpose of such recomputation, such deductions shall be allowed only to the extent of $20,000 plus the gross income attributable to such a trade or business, and no net operating loss deduction shall be allowed.

"(b) Redetermination of tax: Upon the basis of the net income computed under the provisions of subsection (a), the tax imposed by this chapter shall be redetermined for each such taxable year to which this chapter is applicable and any excess thereof, resulting solely from the disallowance of the deductions specified in subsection (a), over the amount of the tax previously determined shall be assessed and collected as a deficiency.

"(c) Suspension of statute of limitations: Notwithstanding the provisions of section 275, any deficiency determined under subsection (b) for a taxable year preceding the fifth taxable year referred to in subsection (a) may be assessed within 1 year after the expiration of the time prescribed by law for the assessment of a deficiency for such fifth taxable year."

(b) Effective date of amendment: The amendment made by subsection (a) shall be applicable to taxable years beginning after December 31, 1938, but no deficiency shall be assessed or collected thereunder for any taxable year beginning prior to January 1, 1944."

Mr. GEORGE. Mr. President, the amendment which has just been stated was offered in committee by the Senator from Connecticut [Mr. DANAHER]. I do not see the Senator from Connecticut on the floor. Can the minority leader give me any information with respect to when he expects the Senator to be present?

Mr. WHITE. Does the Senator from Georgia refer to the amendment in which the Senator from Connecticut [Mr. DANAHER] is interested?

Mr. GEORGE. Yes.

Mr. WHITE. Can the amendment be temporarily passed over while I send word to his office that the amendment is in order?

Mr. GEORGE. Yes. I ask that the amendment be passed over temporarily, Mr. President. I should like to clear up these amendments as we reach them.

The ACTING PRESIDENT pro tempore. The amendment will be passed over.

The clerk will state the next committee amendment passed over. The amendment appears on page 99, and was passed over at the request of the Senator from Ohio [Mr. BURTON].

The LEGISLATIVE CLERK. In section 205, "Reduction of excess profits credit based on invested capital in certain brackets," on page 99, after line 9, in the first column of the table, after "Over $10,000,000", it is proposed to strike out the comma and "but not over $200,000,000"; in the same column, after the amendment just above stated, to strike out "Over $200,000,000", and in the second column, to strike out the last item in the column, "$10,200,000, plus 4 percent of the excess over $200,000,000."

Mr. GEORGE. Mr. President, an amendment is offered by the Senator from Ohio, which I am not at liberty to accept. Very frankly I think the amendment would result in cutting too deeply into the revenue, and I have made that statement to the Senator from Ohio. If the Senator wishes to press the amendment, though, I should like to have it disposed of at this time.

Mr. BURTON. Mr. President, I feel that the amendment should be pressed, and I hope that the chairman of the committee may be willing to take it to conference. I might state the nature of the amendment. The matter dealt with by the amendment has been brought to my attention by a number of Senators and a number of other persons. It relates to section 205 on page 99 of the bill, and relates to the size of the excess-profits credit. Under the law as it now stands, as we know, there are two types of excess-profits credits, one based on average earnings and the other based on a percentage of invested capital. This section does not attempt to reduce the credit based on average earnings, but picks out those taxpayers who base their credit on invested capital and reduces their credit, thereby increasing the excess-profits tax they will pay, although the distinction between themselves and the other type of taxpayers has been established for a long time, and they presumably have been treated on a comparable basis in the past.

It seems to me that this amendment as it stands, as it came from the House, by reducing the excess-profits credit solely as to that type of taxpayer who for various reasons chooses an invested-capital basis, is an injustice to him and is a discrimination against him as compared with the other taxpayers who have proceeded on the basis of average earnings.

Therefore I think there is a good argument to be made for the elimination of the entire section, and leaving the law as it is, but I am not pressing it quite that far. The Senate committee in proceeding with this matter saw the injustice of the proposed amendment as it related to the upper bracket. I argue that we should restore the existing credit not only in the upper bracket but in the bracket next to that, because I think the restoration is important not only to the largest taxpayers, the largest railroads, but to those who are smaller and may be affected by it in dollars to a less extent.

The nature of the situation is this: Under the present law the size of the credit varies with the size of the invested capital. It is on a basis of 8, 7, 6, and 5 percent: that is, if the taxpayer has an invested capital of not over $5,000,000 he is allowed a credit of 8 percent on it; if it is between $5,000,000 and $10,000,000 he is now allowed a credit of 7 percent on that portion of his invested capital between those figures. If it is between $10,000,000 and $200,000,000 he is allowed a credit of 6 percent on that

bracket. If it is over $200,000,000 he is allowed a credit of 5 percent on that excess. That is the present law. The provision adopted by the House of Representatives reduces those percentages in each of the three upper brackets. It reduces the 7 percent to 6 percent, the 6 percent to 5 percent, and the 5 percent to 4 percent.

As I have said, there is a reason for arguing against all of these reductions but the Senate committee discussed the upper bracket and after full consideration of those companies that have an invested capital of over $200,000,000, and therefore obviously are the larger companies, decided that the invested-capital credit should not be reduced in their case. Therefore the amendment that comes before us from the Senate committee restores the 4 percent to 5 percent in the upper bracket.

The amendment which I present does precisely the same thing in the next bracket, in the bracket between $10,000,000 and $200,000,000. My amendment restores the 5 percent to 6 percent. I believe that is a sound procedure. If we are going to restore the excess-profits credit for the upper bracket of $200,000,000 we should also restore it to the group that is next to it.

I may say that from the point of view of many railroads—and the matter came to my attention through some of the railroads reorganized recently in the city of Cleveland—there are some 76 class I railroads that fall in the group having invested capital of over $10,000,000 and not over $200,000,000. They do not receive the benefit of the committee restoration. They are penalized by the amendment, because they happen to be in a lower bracket.

I use one illustration: One railroad recently reorganized and back on its feet at the present time, under the proposed amendment would be permitted to earn for its common stock, before the excess-profits tap applied, only $1.02 per share. When we apply this excess-profits law and get all through the whole procedure, under the present law it would, in 1943, be allowed only $2.80 per share. Under the amendment proposed by the Senate committee it would be allowed only $2.08 per share. Under my amendment it would be allowed $2.43 per share. Whichever of these is allowed, it is an exceedingly small earning per share. Under those circumstances we have an illustration of the extent to which such taxpayers are now taxed, while doing a difficult job in these wartimes.

All I am asking is that we accept the Senate committee's amendment, which restores the upper bracket credit from 4 percent to 5 percent, and that we send the matter to conference in order that the conferees may also consider the effect of raising and restoring the present level of credit in the next bracket covering companies having an invested capital from $10,000,000 to $200,000,000. In that case I would restore the rate of credit from 5 to 6 percent.

I believe therefore that my amendment is thoroughly consistent with the needs of the situation, and that in conference is the best place to consider just how many dollars this will affect.

The Senator from Georgia, in referring to the matter, said that the committee feared that it would take away a great deal of income from the Government. As I understand it, the amount that it might take away has been estimated at between $60,000,000 and $70,000,000. It seems to me that there is a difference of opinion as to that. I stated the other day on the computation which I had made from the published committee reports that it would affect about $27,000,000. Whether it be $27,000,000 or $60,000,000 or $70,000,000 it seems to me that it is typically the kind of thing that should be weighed in conference.

I also urge this point, that the Senate Finance Committee, in discussing this matter, argued fully the point as affecting companies with invested capital of over $200,000,000. The committee did not argue the point as affecting the next bracket, from $10,000,000 to $200,000,000. The fact that the Senate committee has not recommended the restoration in both brackets does not represent a vote of the Finance Committee against restoring it. It merely represents absence of special action by the committee on that particular matter.

I believe that both brackets should be fully considered. In fact, I have been given to understand by some of those who took an active part in the committee deliberations that they thought at the time that the restoration voted by the committee would cover corporations with invested capital of from $10,000,000 up, not merely those with invested capital of from $200,000,000 up.

Therefore, Mr. President, I urge the adoption of the amendment which will restore the upper rates in both brackets.

The ACTING PRESIDENT pro tempore. Does the Senator from Ohio desire to offer his amendment?

Mr. BURTON. Yes, Mr. President; I offer my amendment and ask to have it read.

The ACTING PRESIDENT pro tempore. The amendment will be read.

The LEGISLATIVE CLERK. On page 99, it is proposed to strike out the matter appearing between lines 9 and 10, and insert in lieu thereof the following:

If the invested capital for the taxable year, determined under section 715 is:	The credit shall be:
Not over $5,000,000	8 percent of the invested capital.
Over $5,000,000, but not over $200,000,000.	$400,000, plus 6 percent of the excess over $5,000,000.
Over $200,000,000	$12,100,000, plus 5 percent of the excess over $200,000,000.

Mr. GEORGE. Mr. President, I sincerely regret that I am unable to accept the amendment for conference consideration, but there are very strong reasons why I cannot do so. I have the very greatest admiration for the distinguished junior Senator from Ohio and the purpose he has in view in presenting his amendment. It may well be that the invested capital credit should not be reduced as the House provision would reduce it; but there were strong arguments which compelled the House to take that action.

I desire to state very briefly the exact situation. Under the present law the credit on invested capital is as follows:

On the first $5,000,000, 8 percent. The House bill did not disturb that. The Senate Finance Committee approved that rate, and it remains as in existing law.

From $5,000,000 to $10,000,000, under existing law the credit is 7 percent on the invested capital. The House reduced the rate in that bracket to 6 percent and the Senate committee approved it.

Under existing law the credit on invested capital of from $10,000,000 to $200,000,000 is 6 percent. The House reduced that to 5 percent, and the Senate committee approved.

Over $200,000,000, the present law allows a credit on invested capital at the rate of 5 percent. The House bill reduced that to 4 percent. The Senate Finance Committee disagreed with the House on that item, and returned the credit or invested capital of over $200,000,000 to 5 percent. That would have the effect, Mr. President, of losing some revenue. The amendment which the Senator from Ohio has offered would have the effect of losing, according to the estimate made by the Treasury, approximately $61,900,000. The staff estimated the loss at a somewhat greater amount. However, accepting the Treasury's figures, there would be a considerable loss in revenue.

The reason why I cannot accept the amendment is not the mere loss in revenue. The situation is as follows—and I beg the Senator from Ohio to give me full credit in making the statement: If the Senator's amendment is adopted, the only corporations which would have their rate of credit on invested capital reduced materially would be those in the group having invested capital of between $5,000,000 and $10,000,000.

Mr. BURTON. Mr. President, will the Senator yield?

Mr. GEORGE. I am glad to yield.

Mr. BURTON. The way the table is set up, however, the reduction would be for all corporations, on that block of their invested capital, as I understand the matter. As I understand it, the reduction would apply to the small corporations, the middle-sized corporations, and the large corporations, because it would apply to that block of the invested capital in every case. Therefore, it would not apply only to the smaller corporations but would apply to all.

Mr. GEORGE. What the Senator has said is literally true; but the effect would be that giving the corporations having $200,000,000 of invested capital a higher rate would leave as a negligible matter the rate applicable to invested capital of between $5,000,000 and $10,000,000, because there is a difference of $190,000,000 there. The net effect of the Senator's amendment, if agreed to, would be to place the Senate in the attitude of having actually reduced the credit, insofar

as its effect is concerned, for corporations having invested capital of from $5,000,000 to $10,000,000.

It is true that the $200,000,000 corporation would have the same rate on its first $10,000,000; but it would have $190,000,000 of additional capital on which the Senator's amendment would give the benefit of the 6-percent invested capital rate, inasmuch as the benefit of the rate would apply to all of its invested capital above $10,000,000.

The Senate would do better simply to strike out the whole provision, and go to conference on it, rather than by amendment restrict the actual benefit insofar as it is very material to that group of corporations. When I say "benefit," of course I mean the contrary; because it would have the effect of reducing the rate on invested capital of between $5,000,000 and $10,000,000 from 7 percent to 6 percent. That group of corporations would be the only group which would have an actual reduction in the credit. Except to the extent that a $200,000,000 corporation would, of course, have the 6-percent rate on its first $10,000,000 of invested capital, the Senator's amendment would return to the 6-percent rate the group of corporations having invested capital of between——

Mr. BURTON. Between $10,000,000 and $200,000,000.

Mr. GEORGE. Yes; between $10,000,000 and $200,000,000. That is correct.

However, it would be better for the Senate, and I should infinitely prefer, to strike out the whole provision and to take it to conference, rather than to take to conference a proposal which I could not sustain in conference, and as to which I am satisfied the Senate conferees would be unable to withstand the argument of the House conferees when they said that, "All you have done now is to reduce the credit of the corporations having the relatively small invested capital of from $5,000,000 to $10,000,000," although, of course, such an amount sounds large to me. The Senator's amendment would give them an actual reduction of 1 percent in their credit, but would not give any reduction whatever, under existing law, to corporations having invested capital of from $10,000,000 to $200,000,000.

Mr. BURTON. Mr. President, I should simply like to emphasize again that the reduction to which the Senator has just referred does apply to the corporations having invested capital of between $5,000,000 and $10,000,000, but also applies to the large corporations, because all of them have the block of from $5,000,000 to $10,000,000 in their invested capital of $200,000,000, or whatever it may be. The rate would apply equally.

Mr. GEORGE. Mr. President, the Senator is correct; but the reduction would not amount to very much to a corporation having a large invested capital.

Mr. BURTON. In that connection, I emphasize that it is taken care of by the fact that it is allowed a credit in the upper bracket of only 5 percent. The House tried to make it 4 percent in the upper bracket. I am trying to leave the rates as they are now in both upper brackets, 6 percent and 5 percent. Although I believe that there is ground for the distinction I have made in my amendment in favor of the two upper brackets, I should be glad to concur in what I take it is the suggestion of the Senator from Georgia, that it would be preferable to take to conference an amendment which would strike out the entire section. I am glad to concur in that suggestion.

Mr. GEORGE. Mr. President, I should not care to do that; but the Senate conferees would be in a much more comfortable position before the country and in conference. What the Senate committee did was to say, in effect, that, in the judgment of the Finance Committee, 5 percent on invested capital is the minimum credit that should be allowed, and it should not be reduced below 5 percent. That action was taken by the Finance Committee, and it is not objected to here, so far as I know. However, in taking that action, the committee was simply determining what in its judgment was the minimum credit on invested capital that should be allowed, namely, 5 percent.

I do not dispute what the Senator has to say about the effect on earnings of certain railroads. That is not the point. The point is that if we adopt this amendment we will reduce the credit on only the block between $5,000,000 and $10,000,000; and, to the extent that that block is incorporated in any larger invested capital, of course, there would be that additional burden to bear, or that much less credit against excess-profits taxes. For that reason the committee could not accept the amendment. Furthermore, it would result in a reduction in revenue of an amount in excess of $60,000,000, according to the statement of the Treasury.

Mr. BURTON. Mr. President, I appreciate what the Senator from Georgia has just said, and I appreciate his desire to have a little more freedom in conference. Therefore, although I believe that my amendment does state a proper distinction, I believe it would strengthen my position and the Senate's position in the conference if we were to follow the suggestion which the Senator from Georgia brings to the attention of the Senate, that is, in lieu of my amendment, to strike out section 205. Therefore, I withdraw my amendment and move that section 205 of the bill be stricken out. The effect of this would be to restore the present excess-profits credits on the basis of invested capital, raising the whole question of discrimination, covering the point included in my amendment, and giving a little more freedom to the conferees to act upon the matter. I move, therefore, to strike out section 205.

The ACTING PRESIDENT pro tempore. The usual procedure would be to act first on the committee amendment, and then move to strike out the entire section.

Mr. GEORGE. The pending amendment is not to strike out the entire section. It is to strike out a particular item.

The ACTING PRESIDENT pro tempore. The Senator from Ohio withdrew his amendment to the committee amendment, and now seeks to strike out all of the House language in section 205.

Mr. GEORGE. Mr. President, I ask that the committee amendment be acted upon first. I believe that would be the usual procedure.

The ACTING PRESIDENT pro tempore. That is the usual procedure.

The question is on agreeing to the committee amendment on page 99, after line 9.

The amendment was agreed to.

Mr. BURTON. Mr. President, I now move to strike out section 205, as amended, which will also carry out the full effect of the committee amendment and give the conferees full opportunity to discuss the matter on its merits.

Mr. GEORGE. Mr. President, I should prefer that course, rather than to be put in an untenable position, but I will have to resist it, because it would result in a loss of revenue of about $100,000,000. I hope the amendment will not be agreed to.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Ohio, to strike out section 205 on page 99. [Putting the question.] The "noes" appear to have it.

Mr. BURTON. Mr. President, I ask for a division.

On a division, the amendment was rejected.

Mr. GEORGE. Mr. President, I ask that the Senate recur to the committee amendment on page 69, after line 5. The Senator from Connecticut [Mr. Danaher] has returned to the Chamber.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. On page 69, after line 5, it is proposed to insert:

SEC. 123. Disallowance of certain deductions attributable to business operated by individual at loss for 5 years.

(a) In general: Supplement B of chapter 1 of the Internal Revenue Code is amended by adding at the end thereof the following new section:

"SEC. 130. Limitation on deductions allowable to individuals in certain cases.

"(a) Recomputation of net income: If the deductions allowable to an individual (except for the provisions of this section) and attributable to a trade or business carried on by him for 5 consecutive taxable years have, in each of such years, exceeded the gross income derived from such trade or business, the net income of such individual for each of such years shall be recomputed. For the purpose of such recomputation, such deductions shall be allowed only to the extent of $20,000 plus the gross income attributable to such a trade or business, and no net operating loss deduction shall be allowed.

"(b) Redetermination of tax: Upon the basis of the net income computed under the provisions of subsection (a), the tax imposed by this chapter shall be redetermined for each such taxable year to which this chapter is applicable and any excess thereof, resulting solely from the disallowance of the deductions specified in subsection (a), over the amount of the tax previously determined shall be assessed and collected as a deficiency.

"(c) Suspension of statute of limitations: Notwithstanding the provisions of section 275, any deficiency determined under subsection (b) for a taxable year preceding the fifth taxable year referred to in subsection (a) may be assessed within 1 year after the expiration of the time prescribed by law for the assessment of a deficiency for such fifth taxable year."

(b) Effective date of amendment: The amendment made by subsection (a) shall be applicable to taxable years beginning after December 31, 1938, but no deficiency shall be assessed or collected thereunder for any taxable year beginning prior to January 1, 1944.

Mr. GEORGE. Mr. President, this amendment was adopted by a majority vote of the Committee on Finance. The distinguished Senator from Connecticut is interested in the amendment, and he will explain to the Senate its purpose.

Mr. DANAHER. Mr. President, the problem with which this amendment deals arises from the fact that the Internal Revenue Code expressly states:

In computing net income there shall be allowed as losses all the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business.

The law does not expressly so state, but the intent is clear, and Congress has hitherto authorized a reduction of gross income by the cost of producing such income before the determination of tax liability. Notwithstanding the clear intent of the Congress in that respect, but because there has been no prohibition otherwise, many persons with large sources of income from dividends, salaries, or businesses seek to avoid the payment of taxes in the measure computable under the statutes by directing large portions of their income, or large blocks of capital, into collateral fields wholly independent of the source from which their original gross income was computable.

That is particularly true of that type of operation which may be called the hobby form of investment. Time and time again the Commissioner of Internal Revenue has sought to reach the losses which have been taken by individuals from the operation of hobbies. In every single case which has gone to the courts, so far as I know, and so far as research discloses, the Commissioner has lost, simply for the reason that the Congress has never made it plain that its intention is to permit as legitimate deductions the cost of operating a business which has produced income.

The Finance Committee took this question under consideration last year. It came before the Senate when the 1942 tax bill was before us. At that time the Senate adopted an amendment substantially similar to that appearing on page 69, line 14, of the bill now pending. The Finance Committee, by an overwhelming vote, has reported this particular amendment.

The chief difference between the amendment as drafted this year and that which was before the Senate last year is that we authorize a deduction of $20,000 before the amendment shall have application, instead of $10,000, which was the figure we adopted last year.

The amendment would operate in this way: In the year in which a tax loss is claimed by an individual from the operation of what I am here describing as a collateral venture, the Commissioner would be authorized to recompute the income of the particular individual for each of 5 years. If in the 5 preceding years there had been an annual loss in excess of $20,000 this amendment would propose that it be presumed that the individual did not engage in that particular venture for profit. If a person loses $100,000 in the aggregate over a period of 5 years with an annual loss in excess of $20,000, he certainly must be extremely naive if he convinces himself that it was a transaction entered into for profit.

When the recomputation is made in the fifth year there would be deductible from the net income subject to tax the excess above $20,000 up to the amount of the loss claimed in the fifth year, and the individual would be required to pay a tax only on the difference, or the excess between the $20,000 loss and the actual figure of loss, whatever it might be.

Mr. President, allow me to cite a typical case. In volume 8 of the decisions of the Board of Tax Appeals, at page 651, there appears a decision in the case of George D. Widener et al. against Commissioner of Internal Revenue. Involved in the case were the Widener horse racing stables. This particular decision was promulgated on October 8, 1927. It covered the 5 years from 1919 to 1922, both inclusive.

The receipts in 1919 were $54,000. I shall give only round figures. The expenses were $74,000. The deficit was $20,717, all of which was deductible in favor of the taxpayer. In 1920 the receipts were $70,600. The expenses were $177,000. The deficit was $106,000, deductible in favor of the taxpayer. In 1921 the receipts were $40,400. The expenses were $144,000, and the deficit was $94,000. In 1922 the receipts were $29,600. The expenses were $141,400, and the deficit was $111,800, all of which was deductible before taxes.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. DANAHER. Yes; I am glad to yield.

Mr. TYDINGS. What would have happened to that hobby if it had been a success instead of a failure? Would the taxpayer have had to pay on his profit as a part of his income?

Mr. DANAHER. Yes.

Mr. TYDINGS. So, as I understand, if those who engage in side lines, as they might be called, sustain a loss they receive a credit for the loss only after the $20,000 point has been reached. Is that correct?

Mr. DANAHER. Yes. Then if in any one of the 5 years the business should in fact show a profit the entire chain would be broken, and this amendment would not apply.

Mr. TYDINGS. The loss must be for 5 consecutive years?

Mr. DANAHER. Five consecutive years.

Mr. TYDINGS. If there is a loss for 5 consecutive years, am I to understand the Senator to say that for tax-deduction purposes $20,000 of that loss in the fifth year is still deductible?

Mr. DANAHER. Yes; it is still deductible.

Mr. TYDINGS. Would that mean the average for the 5-year period, or is the $20,000 an arbitrary limitation?

Mr. DANAHER. The 5-year period would have nothing to do with it except from the standpoint of establishing the presumption that the business was not one which was entered into for profit. Further answering the Senator's question, the tax would be payable only to the extent that there were no disallowances above the $20,000, which we admit—and properly so—as a cut-off point at which this amendment would apply as a minimum.

Mr. TYDINGS. So the tax from $20,000 downward on the loss would not apply directly or indirectly.

Mr. DANAHER. That is correct.

Mr. TYDINGS. But any amount from $20,000 above would not be considered as a loss, and would therefore be taxable.

Mr. DANAHER. That is correct.

Mr. TYDINGS. And it must be 5 years hand running.

Mr. DANAHER. Yes.

Mr. TYDINGS. But, to illustrate, if in the fifth year the loss is $25,000, the taxpayer would be entitled to take a credit of $20,000 and would be denied credit only for $5,000. Is that correct?

Mr. DANAHER. That is correct. Allow me to give the Senator a typical case, and let me add further that there are manifold cases of this character.

The extent of loss to the Government's revenue is incalculable for the simple reason that we have never sought directly to reach these losses.

Mr. TYDINGS. Before giving me the case, will the Senator allow me to ask another question? I am thoroughly in the dark on this subject.

Mr. DANAHER. I yield.

Mr. TYDINGS. Whenever a man is engaged in two businesses of any consequence, is his secondary or smaller business considered to be in the category of a hobby or side line?

Mr. DANAHER. Of course not. The test is, Is he engaged in a trade or a business? That being the test, he may be engaged in a dozen businesses and that fact alone has nothing to do with it. The point is that for 5 consecutive years he takes a loss of $20,000 and in the fifth year we simply say to him, "You shall not take as a tax deduction for this year an amount of loss in excess of $20,000."

Mr. TYDINGS. Mr. President, will the Senator further yield?

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Does the Senator from Connecticut yield to the Senator from Maryland?

Mr. DANAHER. I yield.

Mr. TYDINGS. Allow me to cite a case to the Senator which will probably interest some Senators from the West, and, although it has not been called to my attention, it may interest some of those from the East.

For 10 or 15 years in my State of Maryland, there has been a tremendous upsurge in the desire of all classes of farmers to possess purebred dairy and beef cattle herds. A cow bears a calf about once a year, let us say. So if a man buys purebred stock he makes a considerable investment. Good bulls sell anywhere from $500 to $15,000 or $20,000 for top quality.

Without disagreeing with the horse-racing case cited in the Senator's argument, I am thinking about a legitimate business which is quite often conducted by a man who is engaged in other businesses. Considering the fact that the building up of a beef or dairy herd is a very slow process, and often entails losses until the owner of the cattle arrives at the point where his reputation is made, I am wondering whether the 5-year provision, as I understand the Senator's interpretation of it, would not include a class which I know he does not desire to include.

Mr. DANAHER. Allow me to say to the Senator from Maryland that after everything is said and done, the whole question is, Who is to bear the cost of the experimental operation and development of the herd? Is it to be the taxpayer with large sources of individual income aside from that which is involved in the development of the herd, or all the taxpayers of the United States?

Mr. TYDINGS. Will the Senator allow me to interrupt him at that point?

Mr. DANAHER. Yes.

Mr. TYDINGS. I am not familiar with the detailed facts except from general information and accounts carried in the newspapers, but I have in mind a farmer in Maryland who sought to obtain for himself one of the very finest herds of dairy cattle in the country. I believe he has been engaged in the business for about 15 years. For a long time he did not sell many of his cattle, except his inferior stock, but he studied breeding and worked on the subject and had the good fortune to sell single cows at prices from $5,000 to $8,000 and bulls for as much or more. As I have said, I am not familiar with the facts in this case, but I know it was a bona fide venture a long-time one, and that the loss entailed would have covered a period in excess of 5 years. Therefore it might be argued that the general public was aiding him in building up the herd by the exemption to which the Senator refers. On the other hand, when the herd did go into "pay dirt," so to speak, and he did make a profit, the tax was abnormally high that year because that was the "year of the harvest," so to speak. So I am wondering if the public in that particular case would not have gotten back what perhaps the taxpayer should have paid in the earlier years.

Mr. DANAHER. It is not different from exploring for oil; it is not different from conducting any other type of business operation. But let me, in order to clarify the matter, state a case to the Senator. I can assure him it is typical of those to which this amendment would apply. Let us suppose that there are two individuals and each has an income from salaries and dividends of $250,000. One individual has no losses to offset against this income, while the other has a loss of $50,000 from the operation of a racing stable or from the development of a herd of cattle or from the development of a herd of polo ponies—and we have had cases like that presented to us. Now let us assume that the loss of $50,000 occurs in the calendar year 1944, the present year, and that this is the fifth consecutive taxable year in which a net loss has been incurred from the operation of the racing stable or from the hobby; on his net taxable income of $250,000 the first individual, under the bill which has been reported to the Senate, would pay a Federal income tax of approximately $203,000, which would leave a net income to that individual of $47,000 after the tax. The second individual who was operating the side-line venture, who would have a taxable net income of $200,000 would pay an income tax of approximately $157,000 under the Finance Committee bill without this provision in it, and therefore he would have $43,000 left after taxes.

It is apparent that the individual who operates the racing stable is left with only $4,000 less than the first individual after taxes, and meanwhile he has his equity capital invested, and that the Government receives from the second individual $46,000 less in taxes. In other words, under the Finance Committee bill, without this provision, the United States Government—and that means all the taxpayers—would bear 92 percent of the net cost of the racing-stable hobby, while the individual taxpayer would bear only 8 percent of the net cost. If the Senate feels that that is not an utterly unconscionable situation in the light of the desperate need of our Government for revenue, then I am mistaken.

The Finance Committee has felt that we could not properly in these days of such need for revenue saddle the cost of 92 or 95 percent of the operations of these side-line ventures on the taxpayers of the United States, leaving the small difference to be expended by the individuals who engage in such ventures.

I should like to cite further to the Senator from Maryland a paragraph from the opinion of Commissioner Landson, of the Board of Tax Appeals, when the Widener case was before it. I quote from his opinion:

> None of the so-called business activities of the petitioners during the taxable years appear to have resulted in profit or to have been conducted with any hope of profit. Had these enterprises been conducted for gain there should have been some sales of proved and winning horses at profitable prices. It appears, however, that only those animals that had been tested and found wanting in speed were sold. Apparently all the sales set forth in the record were made not for the purpose of gain but to realize losses already manifest, in proved lack of racing qualities or to prevent further losses. * * *
>
> The taxes here in controversy were imposed by act of Congress at a time when the Republic was in desperate need of revenue.

That is identical with our present situation—

> Every good citizen values the privilege of contributing to the public income in proportion to his ability to pay.

But, as Commissioner Landson concluded:

> I am convinced that Congress had incomes such as we have under consideration in mind when it provided that there should be no deduction from gross income on account of personal expenses.

Right there we differentiate in our minds between the type of enterprise which yields the gross income from which losses may properly be deductible and that type of venture which purposefully is caused to result in losses on the side that have nothing to do with the original source of income.

> To permit these petitioners and others of their type to reduce their tax liability by the deductions of the costs of maintaining racing stables, expensive estates, and other similar activities, would result in a shifting of the burden of public taxation which it seems to me would be wholly inconsistent with the public interest. I am satisfied that these petitioners have not sustained the burden of proof necessary for us to find that the alleged losses were sustained during the taxable year in a business conducted for profit. I feel that the allowance of the deductions claimed would be contrary to the intent of Congress, detrimental to the public interest and a dangerous perversion of the sound and equitable principles upon which just taxation must rest.

I heartily concur in Commissioner Landson's observations.

Now, Mr. President, let me point further to section 123 at page 69 of the bill. The amendment which the committee has reported to the Senate would limit the deductible loss from the operation of the racing stable in the example I gave the Senator from Maryland to $20,000, so that the net taxable income of the second individual would amount to $230,000, and upon this sum a Federal income tax of $184,000 would be paid. The individual would be left after taxes the difference between $200,000 and $184,000 or $16,000. In this case the reduction of the tax paid as the result of the hobby loss would amount only to $19,000 while the reduction of income after tax would be $31,000. These two figures, of course, add to $50,000, the net cost of operating the hobby, and in this example the Government, or the taxpayers, would bear 38 percent of the net cost of the hobby as against 92 percent; while the taxpayer would pay 62 percent of the net cost as compared with 8 percent in the example I gave.

It seems to me, Mr. President, I have said enough to outline clearly what we seek to establish and the basis of fact upon which the committee action proceeded.

Mr. BURTON. Mr. President, will the Senator yield?

Mr. DANAHER. Gladly.

Mr. BURTON. As I understand the amendment, the computations made relate to the preceding 5 years.

Mr. DANAHER. That is correct.

Mr. BURTON. As I read the last subsection there would be no deficiency assessed or collected for any taxable year prior to January 1, 1944; so it is really prospective in its operations.

Mr. DANAHER. The Senator is absolutely correct; it would apply only to the year in which the loss is claimed, and that is this year.

Mr. BARKLEY. Mr. President, this matter is not quite so simple as the Senator who has explained it would have us believe. He has selected an outstanding breeder of thoroughbred horses, Mr. Joseph E. Widener, who has for many years been engaged in the breeding of fine horses and in racing them. The Senator has picked that out as a typical case

which would be affected by the amendment. It is not at all a typical case. There have been in this country very few Joseph E. Wideners who may have been interested in the development of thoroughbred horses, and there is nothing that I know of, morally or socially, against the development of thoroughbred horses, any more than there is against the development of thoroughbred cattle, or thoroughbred hogs, or thoroughbred men and women, for that matter We are all seeking excellence in the breeding of all sorts of live things, even including chickens and turkeys, and everything else alive.

There are many individuals in this country who are engaged in that sort of enterprise for profit, not as a side line, but as a business. All the individual in the so-called typical instance referred to by the Senator from Connecticut has to do in order to avoid the effect of the amendment is to incorporate, and some have already incorporated. It applies only to individuals.

Mr. CLARK of Missouri. Will the Senator yield?

Mr. BARKLEY. In just a moment. It applies only to individuals, so that every farmer who desires to develop a line of thoroughbred livestock, as the Senator from Maryland indicated a while ago in his question, may be compelled to take losses for 5 years in developing that thoroughbred line of cattle, or hogs, or horses, and in order to avoid the evil effects of this proposed amendment he would have to incorporate his farm and his land, and thereby he would escape the effect of it.

What the amendment does is to require the individual to have his taxes recomputed for previous years, if he has sustained a loss for 5 successive years. The fact that it is not retroactive now as to the last 5 years has no effect on the viciousness of it for the future.

Mr. DANAHER. Of course, the Senator understands that in the recomputation there would be no tax liability after 1943.

Mr. BARKLEY. I understand that. I now yield to the Senator from Missouri.

Mr. CLARK of Missouri. Mr. President, this is generally known as the "Marshall Field amendment," as I understand it. The idea has been that Mr. Field was engaged in the activity of starting newspapers and other publications around over the country for the purpose of influencing and, as some of us think, corrupting, the public mind, simply as a device to reduce his income taxes.

I may say that I voted for the amendment in the committee, under the impression that it would have some effect on Mr. Field's activities. It was on that basis that the amendment was carried in the committee. I should like to ask the Senator from Kentucky whether it is true or not that the amendment as at present drawn would apply to such a case as Mr. Field's.

Mr. BARKLEY. It is my understanding that Mr. Marshall Field has incorporated his newspaper enterprises, and therefore, it would not apply to him.

Mr. CLARK of Missouri. It would not apply to him?

Mr. BARKLEY. No.

Mr. CLARK of Missouri. Then, of course, I would be against the amendment. I should simply like to point out an illustration along the line of that suggested by the Senator from Maryland, a case with which I was very familiar. It was the case of my own father-in-law, the late Wilbur W. Marsh, of Waterloo, Iowa, who was probably the most prominent and most eminent breeder of Guernsey cattle who ever lived in the United States. He took all the prizes and all the cups, and was the first man ever awarded by the National Cattle Raisers' Association the title of "Master Breeder." When he died it so happened that his estate was insolvent, and in settling it up I discovered that while he had established a superlative reputation as a breeder of Guernsey cattle, while he had made great contributions to the development of the Guernsey breed of dairy cattle, had made very great contributions to that science, had won all the prizes, had established many records for selling a bull and a cow for the highest price ever established for that breed, he had lost a great deal of money through his activity. When I undertook to clear up the record of his activities for over 20 years I found that they had cost him and his estate something over $300,000, and that his great scientific development of the Guernsey breed of cattle had wrecked his own private business. Yet his contribution to the science of breeding was probably more important than his contributions in his business, important as that was.

It does seem to me that the fact that his primary business was as a manufacturer of cream separators should not have stood in the way of his being able to maintain his interest in the general dairying science to the extent of allowing him to make expenditures, if he desired to do so, for the development of a great breed of dairy cattle. It does seem to me that any amendment which would be calculated to stop such activities as that is an unfair amendment.

Mr. BARKLEY. Mr. President, I appreciate the Senator's contribution to the discussion. Let me point out that the amendment was originally called the "Marshall Field amendment," because in its inception it was intended to obviate the possibility that when Marshall Field, in his newspaper enterprises, lost money for 5 years and got a deduction in his individual income tax during those 5 years, he then would have to go back and recompute his taxes for the entire 5 years. But there is only one Marshall Field in the United States and only one Joseph E. Widener in the United States. The pending amendment would apply to everyone who had the initiative to start out on a new business, we will say, regardless of whether he had any other business, who had accumulated a sufficient amount of money to initiate a new business. It may be that he would have to make a great deal of research over a period of years in order to determine whether the business would be profitable. If such an individual has a loss during 5 consecutive years, and then in the sixth year has a profit, he must go back and recompute his taxes for the entire 5 years on an annual basis, and he can, under the amendment, be allowed a deduction of only $20,000 for the 5-year period. Not only is he required to pay the taxes——

Mr. DANAHER. Mr. President, that is not correct. Will the Senator yield?

Mr. BARKLEY. Let me finish my statement. He is required in the sixth year to pay the taxes on the profit he makes that year, and out of that sixth year profit he must pay the taxes assessed against him for the past 5-year period.

Mr. DANAHER. Will the Senator yield?

Mr. BARKLEY. I yield.

Mr. DANAHER. The Senator is just as wrong as he can be, and that is going a long way. Let me say to the Senator from Kentucky that the taxpayer would pay the taxes in the fifth year only on the excess of his profits above $20,000.

Mr. BARKLEY. I am not talking about the fifth year, I am talking about the sixth year.

Mr. DANAHER. That is equally true of the sixth year.

Mr. BARKLEY. Then what is the object of going back and recomputing his taxes for the 5-year period, unless it is intended to recoup for the Treasury some of the money he may acquire in the sixth year?

Mr. DANAHER. Will the Senator yield further?

Mr. BARKLEY. I yield.

Mr. DANAHER. Merely because of the fact that we all recognize that it is common experience that a business can be losing money in 1944, in 1945, and it may be in 1946, but all in the process of development; but if we are talking about some test by which to decide whether or not an individual has entered into a transaction for profit or not, we have created it by the standard we have fixed.

Let me say further to the Senator from Kentucky that he has said that this amendment in its inception was the "Marshall Field amendment," so-called.

Mr. BARKLEY. That is what it was called.

Mr. DANAHER. I do not know anything about the vulgar nomenclature to which the Senator refers, but it is not mine, and I will tell the Senator that, so far as I am concerned, this problem first arose back in the district of Connecticut, when it came to my notice in the case of Morton F. Plant against Walsh, collector, when Judge Thomas, then on the Federal bench in Connecticut, in 280 Federal Reporter, 722, handed down a decision which exempted Morton F. Plant from the payment of taxes. At that time I was busily engaged in attempting to make Mr. Plant pay his just share of the tax burden of the United States, and not charge off all his losses against the other taxpayers and from that time on I have been interested in trying to reach this problem. It has nothing to do with Marshall Field, and, so far as I am concerned, he is a department store.

Mr. BARKLEY. It was known, as the Senator from Missouri [Mr. CLARK] has indicated, when it was first brought in, as the "Marshall Field amendment."

Mr. CLARK of Missouri. I voted for it under that misapprehension.

Mr. BARKLEY. It is now known as the hobby amendment. It is designed to reach persons who have a hobby, but it reaches hundreds of thousands of persons in this country whose hobby is to try to make an honest living out of some business into which they have placed their money and in which they have exercised an initiative, in connection with which they recognized before they got into it that they might have losses over a period of years before the profit stage was reached.

Mr. DANAHER. I have no knowledge whatever of Mr. Field's losses in the newspaper field. For all I know he is making money. But I have the record of the case in which the Commissioner of Internal Revenue had to act in reference to Marshall Field in 1932. From 1924 to 1928, inclusive, the losses on Marshall Field's racing stables were as follows: On his American racing stables, in 1925 the loss was $130,000; in 1926 it was $134,000; in 1927 it was $72,000, and in 1928 it was $50,000. On his English racing stables, his loss in 1924 was $37,000; in 1925, $36,000; in 1926, $36,000; in 1927, $22,000, and in 1928, $51,000. I supply only round figures. I want to insist to the Senate that every single dime of that, to the extent of the taxability of the income as of those dates, was coming out of the American taxpayers, without his sharing in the losses which he thus absorbed in the interest of horse racing.

Mr. BARKLEY. Mr. President, it has been easy and would be easy for any Senator to pick out a few individuals of great wealth who interest themselves in some activity in which they may sustain losses. It is not in their behalf that I am speaking, although I do not think there is any rule of society or law or philosophy that ought to prevent a man from having a hobby if he wants one.

Mr. DANAHER. I want them to have hobbies.

Mr. BARKLEY. I have a hobby. I do not make any money out of it.

Mr. DANAHER. But I do not want the taxpayers to be called upon to pay 92 percent of the loss.

Mr. BARKLEY. Some man may think his hobby is a legitimate business.

Mr. DANAHER. In that case, if the gross income of the individual is derivable from that business, he may charge off the loss.

Mr. BARKLEY. This amendment was adopted rather nonchalantly by the Senate at the last session.

Mr. DANAHER. But not in the Senate Finance Committee in this session.

Mr. BARKLEY. I think it was. No one was heard on it. No one was invited before the committee to testify as to the effect of the amendment. The Senator offered it during the last days of the consideration of the bill, and it was adopted. In connection with the last tax bill, it was adopted by the Senate without much debate, and went out in conference, because the House of Representatives felt—I think properly so—that the Senate ought not to devote itself to these little chicken-feed things in order to clutter up a bill with apparently innocent amendments which affected hundreds of thousands of people in the United States.

I have in mind a man who is not incorporated, who has been for years interested in the sale of automobiles. He has not been able to sell a new automobile since the war started. No one knows how long the war will last. If that man should have sustained a loss during 5 years because he could not get the things to sell out of which he can make a profit, but is holding on by the skin of his teeth hoping that when the war is over he may be able to recoup by continuing his business as formerly, he would be penalized because of the fact that he has kept his employees, retained his business, although he has sustained a loss during the 5 years in which he was compelled to do business on a restricted basis.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield. I do not wish to take a great deal of time, but I shall yield.

Mr. DANAHER. I realize the earnestness of the Senator from Kentucky, but the Senator cannot minimize this loophole in the tax law by calling it chicken feed. These cases are not chicken feed. These cases represent important money, and even in the horse-breeding section in Kentucky they would say "this ain't hay."

Mr. BARKLEY. Of course, the Senator realizes that if this were much of a loophole the Treasury would have recommended it. The Treasury did not discover it, and did not recommend it.

Mr. DANAHER. The Treasury did not want it. Let me point this out to the Senator from Kentucky. He talks about only a few cases. I have here in my hand the case files of a half a dozen or eight cases that are tremendously important, that will produce millions in revenue if we can reach them all. And if the Senator wants to examine them I will show them to him. I have a breakdown on each one of them right out of the books.

Mr. BARKLEY. The Senator might have a half a dozen or a dozen or even a hundred cases. But there are literally thousands of individuals in this country who are affected by this amendment, and the only way they can avoid the effect of it is to incorporate. Then they are free from it. Then it does not apply to them. Why should a stock breeder who starts out to build up a great herd of cattle, who buys expensive breeding cattle, who knows in advance that he cannot make any money out of it for 4 or 5 years, be required to incorporate his farm in order to avoid the provisions of this amendment, which he would have to do? If he is a corporation, the amendment does not apply to him. Then he gets his deductions for all 5 years. But if he is an individual and not a corporation, he is denied the deduction. Even after the 5-year period is over, under this amendment, he is denied any net deductions at all for any of the 5 years.

In my judgment, this is unfair to many individuals throughout this country, not only to those engaged in stock breeding. The Senator has pointed out a few people interested in horses. I presume the time has not come yet when mankind does not love a beautiful horse. I do not know that there is any ban socially on the excellence of a horse. I remember the time when I had to fight here year after year for a law which would encourage the breeding of thoroughbred horses because they were needed in the Cavalry of the Army of the United States. Now that we have mechanized our Cavalry somewhat, the need is not so acute; but we have not gotten far enough away from that period to eschew the pleasure of looking upon a beautiful horse, whether at a race or in a horse show, or whether some handsome gentleman like the Senator from Connecticut is riding such a horse, with mane and tail up in the air, prancing around here—I mean the horse. [Laughter.]

So far as I know there is no ban against horses, and somebody with money, somebody who can afford to take losses, must engage in that initiative enterprise or the thoroughbred horse industry, the thoroughbred cattle industry, the thoroughbred hog industry will deteriorate. But this does not apply simply to those who breed race horses, to those who breed cattle, or to those who breed hogs. It applies to every man who wants to go into the mining business, who may engage in research over a period of years. Such a man may take losses for 5 years, whether the business be the mining of gold, silver, iron, copper, or anything else. He may realize that he must take a loss. He may have $100,000 that he is willing to risk in that sort of venture. He takes his loss for 5 years. In the sixth year, we will say as an illustration, he is able to make a profit.

Mr. MILLIKIN. Very seldom.

Mr. BARKLEY. The Senator from Colorado says "very seldom." But let us suppose for the sake of argument that in the sixth year he does make a profit. Then the mere fact that he has had a loss for 5 years makes it necessary for him to go back to the Treasury and recompute his tax for all 5 of those years, and when a man's tax may be recomputed over a period of 5 years, it means that he does not know in advance what his tax is going to be during the 5-year period. He does not know at the end of the 5-year period what it is going to be for the sixth year, unless he goes back and recomputes it for those 5 years. And if he has had a loss in the industry or the enterprise during the 5 years, and has a gain in the sixth year or the seventh, he must pay his back taxes in the 5 years in which he sustained a loss out of the profits he has made in the sixth or the seventh year. All his profit might be wiped out in that year, merely because he was willing to risk his money in the enterprise and willing to take a loss for a number of years.

The same situation would apply to operations in the oil fields. The Senator from Oklahoma [Mr. THOMAS] represents an oil State. The Senator from Texas [Mr. O'DANIEL], who does me the honor to listen to my remarks, represents an oil State. The amendment would do

the same thing to a man drilling for oil, as an individual, over a 5-year period, unless he was willing to incorporate his business; but most of the oil-drilling operations are initiated by individuals, not by large corporations. Of course, in the case of either large or small corporations, the amendment would not apply; but if the operator of an oil well were an individual who had been willing to stake his all on his chances for success in drilling for oil, he might lose everything he had for 5 years and then in the sixth year strike a gusher. In that event he would be required to recompute his income taxes for the 5 preceding years during which he sustained losses, and would have to pay income taxes for those years with his profits out of the income for the sixth year, although in the sixth year he would also be required to pay his income tax in the bracket for which he had income in that year. So, out of that 1 year's income he would not only have to pay an income tax for that year, but also would have to pay income taxes for the 5 years in which he had no net income or profit. Certainly such an activity as drilling for oil is not a hobby. It is a great enterprise and business in the United States.

The amendment would effectively discourage the initiation of new business. Many types of business require years of operation before net profits can be realized. We all know that to be so. I might mention the case of apple growers. A man operating as an individual apple grower must first plant an orchard. If he operates on as large a basis as does the Senator from Virginia [Mr. BYRD] or former Senator Townsend, of Delaware, or other individuals who grow apples on a large scale, of course he would be required to take a loss during the first years of operation. He must undergo much expense during the first years. He must plant the apple trees, he must cultivate the soil, he must prune and spray the trees; he must do all the things calculated to develop an efficient apple orchard. Yet he would know when he planted the trees that in all likelihood he could not make a profit during the first 5 years, but that if he did make a profit thereafter he would be required to recompute his income taxes based on those nonprofit years, and would be required to pay taxes for those years. Certainly that would deter any individual from making the necessary investment required in order to bring about the development of an enterprise of that sort.

As I have already stated, the amendment would apply to livestock producers and persons engaged in similar enterprises or activities in which years of operation are required before it is possible to establish profitable operations.

The fact that the amendment would not be retroactive from now contains no virtue, in my judgment. The amendment would be retroactive at the end of the fifth year from now. If a man sustained losses in 1944, 1945, 1946, 1947, and 1948, and then in 1949 enjoyed a profit, the amendment would be retroactive for the 5 preceding years, even though he might have had losses during all those years.

It is impossible to arrive at any estimate of the amount involved under the operations of the amendment. As I said a while ago, the Treasury did not recommend it. I have asked the Treasury for an estimate of the income which would be involved by the operation of the amendment. It is utterly impossible for them to compute it. They do not know whether it would bring in any income; and if it would bring in any, they do not know how much it would bring in, because they have no basis upon which to calculate such income.

In many cases the enactment of the bill with the amendment as a part of it would not achieve the purposes for which the amendment is intended. Wealthy persons could avoid the effect of the amendment by incorporating such enterprises, as I have already said. All they would have to do would be to incorporate, and therefore they would be within the safety zone, and would not have to go back and recompute their losses for a preceding 5-year period.

As a matter of principle, I think the amendment is vicious, insofar as it would allow the Government to go back and require the recomputation of income taxes previously computed on the basis of losses incurred during a period of 5 years. If a man had made a profit during those years, and had deliberately defrauded the Government of the United States, the proposition might be a different one. Even in such a case, it is questionable whether a 5-year period is not too long.

At any rate, the amendment would operate in a different way in the case of deliberate fraud on the United States during a 5-year period, as contrasted to a case in which a man has had the foresight to enter a new adventure, whether it be in timber or mining or the raising of horses or cattle or hogs, or the growing of apples, or the automobile business. The amendment would apply to every individual who had not incorporated such an enterprise or activity, no matter what the business might be. The amendment would affect not merely side lines and hobbies, but it would affect every trade. Therefore, it seems to me the amendment is a vicious one.

All a man would have to do to avoid the operation of the amendment would be to incorporate his activity, so as to enable a corporation to carry on the transaction. The average man of whom I am thinking does not have a large amount of securities which he could turn over to a corporation which he might organize in order to "beat" the operation of the amendment and avoid its application. Rich persons could incorporate such enterprises, and could turn over to the corporations sufficient of the securities from which they derive income, in order to pay the expenses. But the average man does not have sufficient securities to do that. I am speaking of the average man, not simply those persons who have been able to accumulate large sums of money and to start out on some side line.

Mr. President, that seems to me to cover my objection to the amendment. I hope it will not be adopted. It seems to me to be extremely unfair. In an endeavor to hit at a few mountain peaks which the Senator from Connecticut [Mr. DANAHER] has described, in effect it would demolish a great many hills and hillocks throughout the United States among our people. I sincerely hope the amendment will be rejected.

Mr. THOMAS of Oklahoma. Mr. President, I am not a member of the Finance Committee. Hence, I am not acquainted with the intricacies of the provisions of the pending bill. The citizens of my State do not clearly understand the so-called "hobby amendment" or the so-called "Marshall Field amendment." They do understand the operations of their own businesses. A number of the citizens of my State have called this matter to my attention, and have indicated that if the amendment is agreed to and remains in the bill and becomes law, they will be forced to change very largely the course of their operations. I have in mind one oil man in my State. This particular man has made a rather large amount of money in drilling for oil. Recently he went to the central part of my State and purchased a large tract of grass land. The land is rough, and contains some timber of no value, and rock and gravel; but it seems that the grass is nutritive, and is adapted to use for grazing purposes. So this particular youngster, as an outlet for his activities and for his money, bought up this tract of ground in Murray County, close to Sulphur, Okla., and began to develop livestock, especially cattle. He did not seek to develop the dairy brand of cattle, but rather, the beef brand. He has now been operating for some years, and already has made an outstanding success. The ranch he operates now is one of the outstanding ranches in my State; in fact, I think I can say it is one of the outstanding ranches in the entire United States. He has spent a large sum of money in developing this ranch. He has a very commodious farm house and numerous barns, and the ranch is well-fenced. He has devoted his attention to the development of a high class white-face cattle. Each year he puts on an auction sale of about 50 head of cattle. The cattle he produces which would not be favored in an auction sale he sells on the regular commercial market. The auction sale is widely advertised, and between 1,000 and 1,500 persons attend the sale. If this amendment should become law, I do not think he could continue the operation of this ranch, if he must depend upon profits for the maintenance of the ranch. If he can charge off losses when he sustains losses, that is one thing; but as I understand, under the terms of the pending amendment, he could charge off only $20,000 a year. If I am not correct, I should like to be corrected.

Mr. BARKLEY. The Senator is correct. In other words, in the recomputation of the 5-year loss he would be permitted to charge off only $20,000.

Mr. CLARK of Missouri. In that way it becomes retroactive.

Mr. BARKLEY. Yes. It does not apply to the years up to now, but it applies to all the years in the future, when

there is a 5-year loss, and thus becomes retroactive.

Mr. THOMAS of Oklahoma. Mr. President, I cite this ranch as typical. There are a number of similar ranches in my State. This particular ranch is owned by Roy J. Turner. He held a sale last Monday, January 10. I knew the sale was to take place, and I desired to attend it, but because this bill was coming before the Senate I had to return to Washington. After the sale was over I telegraphed Mr. Turner for a statement as to how much he had received for some of the cattle he sold. I have a telegram from him dated yesterday, January 14. I had telegraphed to him asking for a statement as to the amount that the cattle which he sold brought at the auction sale. This is his reply:

Top bull thirty-eight thousand setting all-time new record.

As I understand, if this amendment should become law, no one would dare to pay $38,000 for a bull, because the bull might die, and he could charge off only $20,000 of the $38,000 price. So if my interpretation is correct, the amendment would set a price on prize bulls of not more than $20,000.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. CLARK of Missouri. Offhand, it sounds like an outrageous proposal for anyone to pay $38,000 for a particular bull. Nevertheless, it is entirely true that in the cattle-breeding business, the dairy business, the horse business, and the hog-producing business, the selection of these very excellent specimens has tremendously improved the breed and advanced the whole science of food production in the United States to a very great extent.

Mr. THOMAS of Oklahoma. I submit this information in support of the contention that not all hobbies are losing ventures.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. DANAHER. In the case which the Senator has cited, he has stated that he understands that this amendment would have such and such an effect. Please let me assure the Senator that in the very case which the Senator cites, the ranch owner would be able to deduct $100,000 losses, if the losses amounted to that much, plus $20,000, which we add. Obviously, it would be of no advantage whatever unless an individual had so much income that he took it from some unrelated source and put it into the particular venture to which the Senator refers. I can assure the Senator that this amendment has no application whatever along the lines suggested by him.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. BARKLEY. In that connection, if he should happen to sell a $38,000 bull every year of the 5 years, which he might well do, he would not be permitted to take a loss in any one of those years of more than $20,000 on such a bull.

Mr. THOMAS of Oklahoma. Mr. President, it seems to me that those who advocate this amendment are presuming upon the alleged fact that some persons are dishonest in making their tax returns. If that is the theory upon which they proceed, that sets up one proposition. But in this particular case, Mr. Turner, at least this year, has made money. As he states, the top bull brought $38,000, setting an all-time new record for high prices for bulls. He also states that two bulls brought $20,500 each, and that one bull brought $11,000. He sold 50 bulls for $202,000. The average price for each bull was in excess of $4,000.

Mr. President, Mr. Turner is under the impression that if this amendment were adopted he would be so hampered that he would not dare to take a chance in trying to maintain this expensive establishment.

I have in mind another citizen of my State who, a few years ago, undertook as a hobby the development of pecans. Oklahoma is covered with wild native pecan trees. By grafting to those native trees a particular variety, the yield is greatly increased. The pecan business has been so improved in my State, mainly because one man had a hobby, that during the past year Oklahoma produced more than 20,000,000 pounds of pecans. Allowing 50,000 pounds of pecans to a car, there would be 400 cars of pecans. Those cars made into trains would make 8 trains of 50 cars each. In my State that is largely the result of the hobby of 1 man, who made a large sum of money in the development of a life-insurance company.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. ROBERTSON. I am interested in the telegram which the Senator read, stating that one man purchased a bull for $38,000.

Mr. THOMAS of Oklahoma. That is correct.

Mr. ROBERTSON. Turner bulls are known all over the cattle-raising country, particularly among Hereford herds. Anyone who has a top Turner bull is assured of the sale of his livestock at the highest price; and when he pays $38,000 for a bull he gets about $8,000 worth of bull and about $30,000 worth of advertising. In his income-tax return he should deduct $30,000 for advertising.

Mr. THOMAS of Oklahoma. Mr. President, it is my fear that if this amendment should remain in the bill and become law, it would retard and discourage the activity in which a number of my constituents are now engaging. What I say about my constituents I could say about the constituents of other Senators.

I remember that some years ago an oil man came to my State from Pennsylvania. He had some experience, but he did not have very much money. He obtained leases on a large number of tracts of school land which were thought to have oil possibilities. He went to his friends back East and induced them to go into the venture with him and furnish money to drill wells. He did not organize a corporation. He enjoyed the confidence of his friends, and they furnished the money. He began to drill these school-land sections. I think he drilled more than 15 wells before he struck oil.

I am asked if the man to whom I refer is Mr. Marland. His name is E. W. Marland. Later he organized a company known as the E. W. Marland Oil Co. At one time his personal wealth was approximately $70,000,000. Later he became Governor of my State. He is well known in the oil world. He expended many millions of dollars of his friends' money and his own money before he struck oil.

Under the terms of this amendment, as I understand it, if it had been the law at the time when he struck his first oil well, it might not only have broken him but likewise his friends. I do not believe the Congress is justified in writing such a provision into the law. I am certainly opposed to it. It will stop many activities which in some years might be successful and in other years might result in a loss. If these men cannot be allowed to go on with a fair assurance of success and profit, I think they will go out of this class of business and go into some other more satisfactory and assured line.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. BARKLEY. What the Senator from Oklahoma [Mr. THOMAS] has said is true, not only in connection with such enterprises as have been mentioned by him, and by me a few moments ago, namely, oil, minerals, and livestock, but during this war we have been trying to help small businesses in some way. We have legislated in their behalf and set up an agency to aid them. We know that many small businessmen have gone out of business and many others are hanging on by their eyelids, and taking a loss with the hope that when the war is over they will be able to reestablish themselves on a solid basis.

Leaving aside livestock of all kinds, minerals, oils, and metals of all sorts, it seems to me that we are doing small business no service by saying to the small businessman that if during this period of chaos he has been able to hang on by his eyelids in the hope that when it came to an end he would reestablish his business, and he has done so, the Government will go back over the 5-year period, recompute his taxes, and take away all the money he has made after the 5-year period in order to pay the taxes assessed during the 5 years of loss. It seems to me the possibilities for evil in this amendment are indefinite, widespread, and infinite. By its adoption we would attempt to nullify everything we have been trying to do by positive legislation in behalf of small business throughout the country.

Mr. THOMAS of Oklahoma. I thank the Senator for his contribution.

Mr. DANAHER. Mr. President, will the Senator yield to me?

Mr. THOMAS of Oklahoma. I yield.

Mr. DANAHER. Mr. President, I feel certain that the Senator from Oklahoma may have missed subsection (b) on page 70 of the bill, and I should like to read it. It reads as follows:

(b) Effective date of amendment: The amendment made by subsection (a) shall be

applicable to taxable years beginning after December 31, 1938, but no deficiency shall be assessed or collected thereunder for any taxable year beginning prior to January 1, 1944.

I merely wish the Senator from Oklahoma to realize the effect of what I have read.

Mr. THOMAS of Oklahoma. I thank the Senator.

Mr. President, it is my opinion that if this proposal becomes law it will bring to an end many activities which have heretofore been most beneficial to the country. I am advised that years ago Henry Ford used some of his money to experiment with soybeans. Earlier, soybeans were not thought to have any particular value. I can remember when cottonseed was thought to have no particular value. It was not worth hauling from the cotton gin. The cotton lint would be taken from the cottonseed and the cottonseed was condemned as being worthless. Now cottonseed is worth more than cotton lint. So years ago Mr. Ford, with plenty of money, began experimenting in order to ascertain what could be done with soybeans. As a result of his experiments, which no doubt cost him a great sum of money in the earlier years, many uses were found for soybean oil. In addition to the oil from the soybean the cake, the residue, is now most valuable. At one time the cake, which was the residue from the manufacture of cottonseed oil, was thought to be worthless, but now it is acknowledged to be one of the finest cattle feeds which can be found for fattening cattle and for the production of milk by dairy herds. The same thing is true of soybean meal. The soybean residue of meal taken after the oil has been extracted is now also one of the finest feeds which can be obtained in the cattle regions. I am doubtful if there would have been the progress which has been made in the uses of soybeans and cottonseed meal had it not been for men who were willing to make research experiment in order to see what could be done with the products to which I have referred.

I remember a colored man by the name of Dr. Carver who worked for years to find uses for the byproducts of peanuts. I do not know who financed him, but he had a laboratory; and no doubt someone furnished the money. That perhaps was the hobby of the man who furnished the money, although I am not speaking with any authority. But as the result of Dr. Carver's experiments with peanuts, he found more than 400 uses for them.

So it is my opinion that if the amendment shall be agreed to, it will tend to discourage men with means from doing research or in exploiting their hobbies.

The reasons which I have stated are sufficient to cause me to vote against the amendment.

Mr. President, as a part of my remarks, I ask to have inserted in the RECORD an article appearing in the Washington Times-Herald of about January 6, 1944. The article has a bearing on the pending subject.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

In general it (meaning the Danaher or the so-called hobby amendment) affects everyone connected with racing, for when the root is injured, it is only a matter of time before the entire tree deteriorates. This bill is especially aimed at rich people who have hobbies, and whose losses in sustaining them continue over a period of 5 years.

WEALTH IMPROVES INDUSTRY

It is through this source of wealth that our livestock, which includes cattle, both in dairy and meat production; sheep, pigs, chickens, as well as the thoroughbred horse, remains of the highest quality. Who in ordinary circumstances could begin to stand the costs of our most select importations, let alone maintain the great breeding establishments?

It is asked, are these establishments necessary? If they were not, we would not have such horses today in this country as Sir Gallahad 3d, Beau Fere, Rhodes Scholar, Imp. Blenheim, Challenger 2d, and others that are carried by men who have stood losses year after year, to benefit the entire country. In time of peace and in time of war, the entire thoroughbred production stands as an inestimable asset to the country. Millions of dollars have been turned over to War Relief centers since Pearl Harbor.

Large sums are lost in doing all this, and under existing laws, the owners have the right to make certain deductions when filing their income-tax reports. Under the proposed amendment, this privilege, to a certain extent, will be denied. The result would be the closing of some of the most outstanding breeding establishments in the United States. Likewise, the big owners would not operate on their present basis.

RECIPIENTS PAY TAX

It must be remembered that the present deductions are not entirely an evasion of income tax. The huge sums that are spent annually by breeders and owners for salaries, food, and other items, naturally go to individuals and corporations. Those individuals and corporations pay income tax. In other words, while taxes might be secured from the operators through this amendment, if they discontinue their activities the income enjoyed by employees and those who furnish supplies would be materially reduced. The Government, therefore, would suffer in the end, particularly after the war, since America today stands at the top in thoroughbred and livestock production.

Since the war there has been little competition from foreign countries other than South America. To destroy this position will be to harm foreign trade later. It is to us that England, France, and other nations will appeal for replenishments of livestock, particularly blood lines. And our present standards have been largely the responsibility of the wealthy, who are able to cope financially with the intrigues of breeding and nature.

ALL HOBBIES AFFECTED

This "hobby" amendment does not apply solely to those engaged in the breeding and raising of horses and livestock. It hits every conceivable hobby that the rich man has. It will affect many laboratories where experiments are being made that eventually help the general public. An example is Henry Ford. For many years he experimented with soybeans, and in the end found so many uses for them that the raising of the beans now stands out in the agricultural industry. There is no telling how much Mr. Ford spent on his experiment.

The question is, Would Mr. Ford have continued to experiment if the hobby amendment had been the law at that time? And it can be expected that wealthy people who have sponsored and supported our great supply of livestock would drastically curtail their activities if the amendment is enacted.

Mr. BURTON. Mr. President, I should like to propound a question to the Senator from Connecticut. Some little time ago I inquired of the Senator whether or not the proposed amendment is entirely prospective in its effect.

Mr. DANAHER. It is.

Mr. BURTON. As I understood the Senator to say, the effect of the last paragraph of the section is that, although it is applicable to taxable years beginning after December 31, 1938, no deficiency shall be assessed or collected thereunder for any taxable year beginning prior to January 1, 1944.

Mr. DANAHER. That is correct.

Mr. BURTON. I understand that to mean that in a tax return made say in March 1944, an examination might be made into preceding years, 1939, 1940, 1941, 1942, and 1943. However, there would be no deficiency assessed for those years, no matter what the situation might be, but there might be a tax assessed beginning with the year 1944.

Mr. DANAHER. That is correct.

Mr. BURTON. And then when we came to the year 1945 or the year 1946 there might be some retroactive effect, and some deficiency assessed, but the Commissioner would never go back prior to January 1, 1944.

Mr. DANAHER. The onset date would advance 1 year as the calendar year progressed. In speaking of the onset date I was speaking about a date with reference to which recomputation could be had for the purpose of determining whether or not presumptively the business was entered into for profit. That is all.

Mr. BURTON. So far as the taxpayer is concerned there might be recomputation made for the previous years, but he would not be assessed with a retroactive tax based on years prior to 1944.

Mr. DANAHER. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 69, after line 5.

Mr. BARKLEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Ferguson	O'Daniel
Andrews	George	Overton
Austin	Gerry	Radcliffe
Bailey	Gillette	Reed
Ball	Green	Revercomb
Barkley	Gurney	Reynolds
Bone	Hayden	Robertson
Brewster	Hill	Russell
Bridges	Holman	Shipstead
Brooks	Johnson, Colo.	Stewart
Buck	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Bushfield	Langer	Thomas, Utah
Butler	Lodge	Truman
Capper	McClellan	Tunnell
Caraway	McFarland	Tydings
Chavez	Maloney	Walsh, Mass.
Clark, Mo.	Maybank	Wheeler
Connally	Mead	Wherry
Danaher	Millikin	White
Davis	Moore	Wiley
Downey	Murdock	Willis
Eastland	Nye	Wilson

The PRESIDING OFFICER. Sixty-nine Senators having answered to their names, a quorum is present. The question is on agreeing to the amendment on page 69.

Mr. AUSTIN. Mr. President, I should like to ask the Senator from Connecticut for his interpretation of certain language in the amendment. I think his

answer may make a great difference with my position regarding my vote.

Let us assume that in the year beginning January 1, 1944, which I understand to be the effective date of the beginning of the operation of the amendment, a taxpayer's income-tax report is reviewed for the purpose of finding out whether he had a hobby by virtue of which he took certain deductions from his gross income as a result of losses for 5 consecutive years preceding January 1, 1944. Let us assume that on recalculation there is a loss ascertained. Does the Senator interpret the language on page 70, in subsection (b) entitled "Redetermination of Tax," which ends with the phrase:

shall be redetermined for each such taxable year to which this chapter is applicable and any excess thereof, resulting solely from the disallowance of the deductions specified in subsection (a), over the amount of the tax previously determined shall be assessed and collected as a deficiency.

Does the Senator interpret that when applied to the illustration which I have assumed to cause the taxpayer to pay a tax as a deficiency based upon the amount of deduction above $20,000 provided for in section (a)?

Mr. DANAHER. Only for the year 1944. It is not retroactive; no deficiency could be assessed for 1940, for example, and a tax collected thereon.

Mr. AUSTIN. No; but it is all brought together in effect in one calculation for 1944; so that, in reality, the taxpayer would pay now on the income recalculated for the 5 preceding years, would he not?

Mr. DANAHER. Yes.

Mr. AUSTIN. That is the problem in my mind.

Mr. DANAHER. That is, to ascertain whether there is a basis for the presumption that the trade or business was in fact entered into for profit; but there is no liability for tax for the prior years to the extent of any losses previously taken.

Mr. AUSTIN. In the illustration I have assumed that it is a hobby and not a business, and I gather from the reply of the distinguished Senator from Connecticut that the tax calculated now, in 1944, on the deficiencies in each of the 5 preceding years would be much greater than it would be if the tax were calculated at the rate which prevailed in each of those years.

Mr. DANAHER. I have misled the Senator if he drew that from what I said——

Mr. AUSTIN. I did draw that conclusion.

Mr. DANAHER. Because the only deficiency would be for 1944 and it would be measured by the excess between $20,000, which we grant as a minimum exemption, and the loss this year; it has nothing to do with the other years.

Mr. AUSTIN. Let me ask the Senator another question.

Mr. DANAHER. The section which the Senator has quoted from is prospective in its operation so that in 1945, starting with the 1939 period for 5 years through 1944, the test would apply, and in 1945 the measure of loss between $20,000 and the actual loss would give rise to a claim for a deficiency to the extent of that difference.

Mr. AUSTIN. Is it the purpose of the amendment to give the taxpayer the benefit in some cases and the disadvantages in other cases of the average for 5 years, rather than to take the deductions on account of losses for 1 year?

Mr. DANAHER. No; there is no average about it. The taxpayer has the full advantage of the losses for 4 years, and in the fifth year he might make money, in which case the section would not apply at all.

Mr. AUSTIN. I understand. Very well.

Mr. BARKLEY. If the Senator from Connecticut will yield, while what he says is applicable to the past years, up to now, when we arrive at 1949, when we take the case of an individual who has had losses for 1944, 1945, 1946, 1947, and 1948, he would begin to figure his taxes in 1949. If he has had losses each year I have mentioned, from 1944 to 1949, then he recomputes his taxes for those 5 years, and the limit is $20,000 gross loss. Under the amendment, one is not allowed anything for any net loss for each of those 5 years.

Mr. DANAHER. So that we will both understand the Senator, will he please tell us what he means by a "gross loss"?

Mr. BARKLEY. What does the Senator mean by it? He says "gross income."

Mr. DANAHER. Of course.

Mr. BARKLEY. Gross income is the total amount of money one takes in.

Mr. DANAHER. Certainly; but there is no such thing as a gross loss.

Mr. BARKLEY. We figure a loss on his gross income, say, $20,000 annually. The Senator said that was the minimum, but that is the maximum.

Mr. DANAHER. I am trying to have the Senator understand, and make it plain to the Senator from Vermont, that we are talking about actual losses, and there is no encumbrance by any such term as "gross loss." It is actual loss.

Mr. AUSTIN. I wish to ask one more question. There is but one $20,000 deduction, and not five $20,000 deductions. Is that correct?

Mr. DANAHER. As of now. That is certainly so.

Mr. AUSTIN. And that will be true in the future, will it?

Mr. DANAHER. No; that will not be true in the future, for the reason that in 1949, to take the case which the Senator from Kentucky suggests, if for 5 successive years there shall be an annual loss of $20,000, if the loss be $100,000 in 5 years, there will be no penalty, there will be no deficiency, but to the extent that $100,000 of allowable deductions creates a difference between actual losses, let us say, of $125,000, there would be levyable a deficiency tax of $25,000.

Mr. AUSTIN. Will the Senator please state why a period of 5 years is selected for this calculation?

Mr. DANAHER. Simply because somewhere or other between youth and age, and night and day, we must draw a line, one of the things that is involved in every cut-off, in every excise, in every exemption for married couples, every allowance for dependent children, and what not. The tax bill is replete with cut-off periods, dates, or levels. So that is why we took this standard.

Mr. AUSTIN. The reason why my mind is groping on that point is that I cannot at this moment see why an effective amendment could not be considered which related solely to the future, beginning with January 1, 1944, and providing for a maximum amount of deduction of $20,000 loss per annum, looking to the future, and then have the incident closed with the annual calculation and payment of the tax. Why is it not done that way?

Mr. DANAHER. Let me suggest to the Senator from Vermont that a little while since—and I think this is as good time as any to bring out the point I intended to make sooner or later, anyway—I conferred with the Senator from Georgia, and supplied him with advices which came to me last evening. He told me that he felt it advisable that I state to the Senate exactly what is involved; and it bears on the Senator's question.

The situation is that the joint committee staff has gone over this language thoroughly, and felt that this was the best way to get at the point. On the other hand, the Treasury feels that very properly there may be cases where there should not be applied so automatic a standard as the $20,000 maximum on a 5-year basis might seem to imply.

The Treasury has, therefore, suggested that we go ahead with the committee action in this matter. The provision is not in the House text, it therefore will be in conference, and between now and the time of the completion of our action on the renegotiation section, and hence between now and the date of the conference, the Treasury will submit to the chairman of the committee to take to conference language which it feels will meet the very point the Senator from Vermont raises. While they had not the language in form at the present time, and since there are administrative problems which confront the Bureau of Internal Revenue which we of the committee constantly regard, as the Senator knows, I felt that their point was well taken. I had no earlier opportunity than a few minutes ago to tell the chairman of the committee of this information.

Mr. AUSTIN. Let me ask one further question.

Mr. DANAHER. Certainly.

Mr. AUSTIN. I wish to know if the Senator feels satisfied that the effect of the amendment, even in its present language, would be the same as if it provided for the future only, beginning on January 1, 1944, and in operation would mean an annual calculation which would give each one of the individuals who comes within the description a maximum deduction of $20,000 for loss, but would make each one who had a greater loss than $20,000 free to treat the surplus as income for each year in the future, payable in each year, and not reviewable at the end of 5 years?

Mr. DANAHER. That sounds like a reasonable approach to the problem. Certainly it is in the direction of what

we are all trying to do. What we really have in mind is that we think it is utterly unconscionable to allow any individual taxpayer to saddle the taxpayers of the United States, or saddle the Treasury, with 90 percent of the cost of operating a venture which does not yield to him the gross income against which he charges the loss. There cannot be any cavil on that point. That is the position of the committee.

Mr. WHITE. Mr. President——

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Does the Senator from Connecticut yield to the Senator from Maine?

Mr. DANAHER. I yield.

Mr. WHITE. I wish to ask the Senator a question or two, because I find myself very much confused by the amendment.

In the first place, Members of the Senate have talked about hobbies. I take it this provision applies, as it now stands, not only to what might be called a hobby in the ordinary acceptation of that word but that it applies to all business undertakings.

Mr. DANAHER. Yes.

Mr. WHITE. For illustration, let us take a shoe manufacturer in my home town.

Mr. DANAHER. Is it a corporation or an individual?

Mr. WHITE. A corporation.

Mr. DANAHER. Then the amendment does not apply.

Mr. WHITE. It does not apply to a corporation?

Mr. DANAHER. It has nothing to do with corporations.

Mr. WHITE. Let us consider this manufacturer on the basis of an individual, then.

Mr. DANAHER. Very well.

Mr. WHITE. Suppose he manufactures shoes, and suppose, perhaps as a contribution to his shoe business, but entirely separate and apart from it, he goes into the business of manufacturing shoe findings—eyelets, shoestrings, rubber heels, and what not. Undoubtedly the man who starts in a business of that sort, something distinct from his previous occupation, faces losses in the initiation of the business. What I want to know is, if he proceeds along that line, and incurs, in fact, a loss of $25,000 a year for 5 years, does the section as it now stands mean that if in the sixth year his efforts come to fruition, and he shows a handsome profit, there must be a recomputation for the 5 lean years and that he can be allowed only $20,000 in offset for the whole period of time?

Mr. DANAHER. Let me point out to the Senator from Maine that if the man to whom he referred has no other income in the first year than the income from the business of operating a shoe-findings plant, then obviously he has no income, and there is no tax. But if he has $100,000 income from a citrus grove in Florida, and he charges off $25,000 of loss on the shoe-findings business against it, he pays a tax on the $75,000 of net income. This provision does not disturb that situation at all.

If he does that, however, for 5 consecutive years, and in the fifth year claims a loss of $25,000, we say that in the fifth year we will allow him $20,000; we will say that $5,000 must be treated as income and not deductible as a loss, and he pays a tax on that $5,000. The idea of it is that we are perfectly willing to have him exercise the poorest judgment in the world; he may dissipate all his assets he chooses in any venture he may select, but we have not the faintest intention of permitting him to exercise such poor judgment so continuously as that a transaction will be considered to have been entered into for profit, when the fact is that the taxpayers of the United States are going to have to pay 90 percent of the cost of it.

Mr. WHITE. Then, the Senator would presume a purpose in the main to operate this collateral or accessory business purely for the purpose of creating a tax loss. The thing about the proposal which disturbs me is that it looks to me as though it were merely a discouragement of ventured capital. I do not want to see anything done which will result in discouraging the American businessman from going forth on the high-road of adventure, engaging in new undertakings, and taking a chance in building up a business which may ultimately prove profitable. What troubles me about the amendment is whether it is not a discouragement of just that sort of venture.

Mr. DANAHER. Does the Senator know what the capital ventured is in some of the operations to which I have referred? The ventured capital of the individual is 8 percent, and the ventured capital at the expense of the taxpayer is 92 percent. In other words, the individuals in question are funding these enterprises at the expense of the taxpayers. Is that the Senator's idea of ventured capital?

Mr. WHITE. But the Senator's amendment is not limited exclusively to such cases as he has named.

Mr. DANAHER. It is not.

Mr. WHITE. But it covers the whole range of business.

Mr. DANAHER. It does.

Mr. WHITE. That is what I thought.

Mr. BURTON. Mr. President, will the Senator yield to me for one question?

Mr. DANAHER. Yes.

Mr. BURTON. But if this entrepreneur wishes to go into a venture of his capital and incorporates his venture as is so often done in these days, this proposal will have nothing to do with his money at all.

Mr. DANAHER. Except that if the corporation loses money he has to dip into his own pocket and provide the money to pay the loss.

Mr. GEORGE. Mr. President, I hope we may have to vote on the amendment. This is an amendment adopted by the Finance Committee, and I shall follow my rule of adhering to the judgment of the committee, unless it is a matter of vital principle. If the amendment is properly and strictly limited to those cases where the taxpayer deliberately reduces his otherwise taxable income by throwing away a part of it in any kind of manner he wants to throw it away, it is in my judgment a meritorious one. I therefore shall vote for it. I hope we may have to vote on it at this time.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 69, after line 5.

Mr. BARKLEY. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DANAHER. Mr. President, I should like to make one thing perfectly clear, and that is that the committee did not ask the Treasury to take a position on this amendment. The Treasury did not announce any position on it, and what I had to say a few minutes ago with reference to my discussion with one of the Treasury representatives was purely personal between him, as one of the counsel for the Treasury, and myself.

Mr. BARKLEY. Of course, in that connection I think it ought to be said that any member of the committee, while a bill is under consideration in the committee, or any Member of the Senate who has an idea about an amendment and calls upon the Treasury to frame it in language appropriate to his idea, will receive such help as the Treasury can give him without any committal on the part of the Treasury.

Mr. DANAHER. Yes. Of course I want to make it clear that there is no Treasury action on it at all.

Mr. BARKLEY. And the same thing is true of the staff of the joint committee.

Mr. CLARK of Missouri. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK of Missouri. The committee amendment now to be voted on is the amendment which has been discussed under the name of the Danaher amendment, but it is in addition to the House bill, and those who are in favor of the proposition advanced by the Senator from Connecticut [Mr. DANAHER] should vote "yea", and those who are opposed should vote "nay." Am I correct?

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

Mr. GEORGE. I think, Mr. President, the Senator from Missouri is correct.

Mr. CLARK of Missouri. I make the parliamentary inquiry, Mr. President, because of number of Senators have asked me as to how to vote with reference to the debate. Included as a committee amendment is the so-called Danaher amendment.

The PRESIDING OFFICER. The present occupant of the Chair is not advised as to who is the author of the amendment, except that it is reported as a committee amendment.

Mr. CLARK of Missouri. Mr. President, I think I have sufficiently cleared that question up. The committee amendment is the Danaher amendment. Those who favor the Danaher proposal should vote "yea," and those who oppose it should vote "nay."

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. BARKLEY (when Mr. CHANDLER'S name was called). I wish to announce the unavoidable absence of my colleague. If present, he would vote "nay."

Mr. DAVIS (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. I understand that he would vote "nay" if present. I transfer that pair to the senior Senator from Michigan [Mr. VANDENBERG], who would vote "yea." Therefore I am at liberty to vote, and vote "yea."

Mr. THOMAS of Idaho (when his name was called). I have a general pair with the Senator from Florida [Mr. PEPPER]. Not knowing how he would vote, I transfer my pair to the Senator from New Hampshire [Mr. TOBEY], who, if present, would vote "yea." I am therefore free to vote, and vote "yea."

The roll call was concluded.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Washington [Mr. WALLGREN] is absent on official business for the Special Committee to Investigate the National Defense Program.

The Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Idaho [Mr. CLARK], the Senator from Texas [Mr. CONNALLY], the Senator from Louisiana [Mr. ELLENDER], the Senator from Nevada [Mr. MCCARRAN], the Senator from Tennessee [Mr. MCKELLAR], the Senator from South Carolina [Mr. SMITH], the Senator from Indiana [Mr. VAN NUYS], and the Senator from New York [Mr. WAGNER], are necessarily absent.

The Senator from New Mexico [Mr. HATCH], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Nevada [Mr. SCRUGHAM] are detained because of slight colds.

The Senator from Pennsylvania [Mr. GUFFEY], the Senator from Illinois [Mr. LUCAS], and the Senator from New Jersey [Mr. WALSH] are detained on public business.

The Senator from Utah [Mr. MURDOCK] is detained in one of the Government departments on matters pertaining to the State of Utah.

The Senator from Montana [Mr. MURRAY] is absent on official business.

The Senator from Florida [Mr. PEPPER] is detained in Florida on public business.

The Senator from Alabama [Mr. BANKHEAD] has a general pair with the Senator from Oregon [Mr. MCNARY].

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness. He has a general pair with the Senator from Alabama [Mr. BANKHEAD].

The Senator from Maine [Mr. BREWSTER], the Senator from Delaware [Mr. BUCK], the Senator from New Jersey [Mr. HAWKES], the Senator from Ohio [Mr. TAFT], and the Senator from Michigan [Mr. VANDENBERG] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent on official business.

The Senator from Kansas [Mr. REED] is unavoidably detained. He has a general pair with the Senator from New York [Mr. WAGNER].

I am advised that the Senator from Michigan [Mr. VANDENBERG] and the Senator from New Hampshire [Mr. TOBEY] would vote "yea" if present. Both Senators have been paired by transfer.

The result was announced—yeas 37, nays 26, as follows:

YEAS—37

Aiken	Davis	Robertson
Andrews	Ferguson	Russell
Austin	George	Shipstead
Bailey	Green	Thomas, Idaho
Ball	Gurney	Tydings
Bone	Holman	Walsh, Mass.
Bridges	La Follette	Wherry
Brooks	Langer	White
Burton	Lodge	Wiley
Bushfield	Maloney	Willis
Butler	Moore	Wilson
Capper	Nye	
Danaher	Reynolds	

NAYS—26

Barkley	Hill	Overton
Caraway	Johnson, Colo.	Radcliffe
Chavez	Kilgore	Revercomb
Clark, Mo.	McClellan	Stewart
Downey	McFarland	Thomas, Okla.
Eastland	Maybank	Thomas, Utah
Gerry	Mead	Truman
Gillette	Millikin	Tunnell
Hayden	O'Daniel	

NOT VOTING—33

Bankhead	Hatch	Reed
Bilbo	Hawkes	Scrugham
Brewster	Johnson, Calif.	Smith
Buck	Lucas	Taft
Byrd	McCarran	Tobey
Chandler	McKellar	Vandenberg
Clark, Idaho	McNary	Van Nuys
Connally	Murdock	Wagner
Ellender	Murray	Wallgren
Glass	O'Mahoney	Walsh, N. J.
Guffey	Pepper	Wheeler

So the committee amendment on page 69, after line 5, was agreed to.

Mr. GEORGE. Mr. President, I call up the next committee amendment which has been passed over, which is, according to my record, the amendment on page 114. I ask to have the amendment read.

The PRESIDING OFFICER (Mr. MCCLELLAN in the chair). The amendment will be stated.

The CHIEF CLERK. On page 114, in the table after line 11, it is proposed to strike out "2 cents for each 10 cents or fraction thereof," and insert "1 cent for each 5 cents or fraction thereof."

Mr. GEORGE. Mr. President, this is the admission tax, is it not? That is what I intended to bring up.

Mr. MEAD, Mr. LANGER, and other Senators addressed the Chair.

Mr. GEORGE. Just one moment, Mr. President, so that I can see what I have before me. I say to all Senators that I shall be glad to yield as soon as I can find out just where we are. Is the amendment the admission-tax amendment?

The PRESIDING OFFICER. The amendment is on page 114.

Mr. CLARK of Missouri. Yes; it is the admission-tax amendment.

Mr. GEORGE. I understand that it is the general admission-tax amendment. Mr. President, to the committee amendment an amendment has been prepared or will be prepared and offered by the Senator from Iowa [Mr. WILSON] and the Senator from Nebraska [Mr. WHERRY]. I shall be glad to take it to conference, since the matter will be in conference in any event. The Senate committee proposed one amendment, and I shall be glad to take to conference the amendment of the Senator from Iowa and the Senator from Nebraska to the committee amendment, if their amendment is agreed to by the Senate.

Mr. CLARK of Missouri. Mr. President, let me inquire what the amendment is.

Mr. GEORGE. The Senator from Iowa and the Senator from Nebraska merely wish to insert in the committee amendment the word "major" before the word "fraction." Their amendment does affect the matter; but at the proper time I shall be very glad to see how the amendment fits in with the amendment we have already made, inasmuch as I think it would be wise, since the matter will be in conference in any event, to allow it to go to conference for further consideration. I should be glad to pass over the amendment, but I desire to make that word of explanation at this time.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. CLARK of Missouri. I think this section should be passed over to the very last. Mr. President, I have the feeling that it would be an absolute outrage to increase greatly the tax on the legitimate theater and to those actors who have devoted their lives to the legitimate theater, which is, after all, a great American institution. After turning down the amendment—and I voted to do so—to increase the taxes on horse racing and on pari mutuels, it would be most unjust to increase the tax on the legitimate theater to the point where it might be a back-breaking burden. So I am opposed to the amendment. I wish that it might be passed over.

Mr. GEORGE. I was about to say to the Senator that I am agreeable to passing it over, particularly for the reason which the Senator has stated, and partly in connection with the subject of the tax on general admissions, in which the Senator from Iowa is interested. I shall be glad to take the whole matter to conference. I think the Senator from New York [Mr. MEAD] is interested in another feature of it. I shall be glad to pass this amendment over in view of the matter to which the Senator from Missouri has referred. The bill will still be before us on Monday, and by that time we may be able to devise an amendment which can go to conference, and which will avoid any further discussion.

Mr. MEAD. Mr. President, at this point I should like to say that I had an amendment which I intended to offer, and which I wished to have the Senate consider. The amendment was to strike out the Senate amendment on page 114, under section 1700 (a) in the table, so that what would be in the conference would be the old rate, namely, a 10-percent tax, and the House rate, namely, a 20-percent tax. I feel as does the senior Senator from Missouri, that in view of

the fact that this tax has remained as it is since the First World War, it ought to be given special attention before we double it.

Mr. GEORGE. That is the reason why I made the suggestion that it be passed over. The Senator from Iowa has an amendment on a different feature under the same item. The item has already been amended by the Committee on Finance. I thought we would try to get the amendments altogether, and see if we could not agree on an amendment which would be acceptable.

Mr. MEAD. That is entirely agreeable.

Mr. LANGER. Mr. President, I send to the desk two amendments to the pending bill and ask that they may be printed and lie on the table.

The PRESIDING OFFICER. The amendments will lie on the table and be printed.

Mr. MEAD. Mr. President, I ask that the amendment which I send to the desk, and which I shall offer later, be printed in the RECORD in connection with my remarks, so that the Senate may have an opportunity to consider it.

The PRESIDING OFFICER. The amendment will lie on the table and be printed; and without objection, it will be printed in the RECORD.

The amendment intended to be proposed by Mr. MEAD is, on page 114, in the table after line 11, to strike out the item in reference to section 1700 (a) regarding the tax on admissions.

Mr. MEAD subsequently said: Mr. President, earlier in the day, I discussed an amendment which will be considered on Monday in connection with the proposed tax on admissions. In connection with that matter, I had requested that a copy of the amendment be printed for the benefit of the Members of the Senate. I desire to have printed along with the amendment a very brief statement which explains the objective of the amendment I am supporting.

In that connection, Mr. President, the brief statement which I shall make at this time will, I believe, explain what the theater and the show industry in general have done in the past. In this catastrophic emergency, the theatrical industry of America has risen to unprecedented heights. In every essential war activity, including the recruiting of personnel, the sale of War bonds, the success of the U. S. O., and similar drives, the theater has been close to the heart and center of all these worthy enterprises. The stars of both the moving pictures and the legitimate stage have been generous with their time and their talents in entertaining our military personnel, both here and on our distant battle fronts. Song writers attached to the industry, like George M. Cohan in the First World War, and Irving Berlin today, have written inspiring songs; authors, directors, and producers have given to the country plays that portrayed the gallant sacrifices of our boys, and which have spurred on the Nation's war effort, and intensified the patriotic spirit of our people.

The present tax has not been changed since the First World War, and in my judgment it should not be increased at this time.

I desire to have the statement I have just made accompany my earlier explanation of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. OVERTON. Mr. President, I should like to ask the Senator from Georgia if we have completed the committee amendments.

Mr. GEORGE. Not quite. There are one or two controversial matters remaining. I will say to the Senator that I propose to dispose of every amendment possible this afternoon. I do not wish to carry over until Monday any committee amendment unless it is imperative.

Mr. OVERTON. I wish to ask unanimous consent to reconsider a committee amendment on page 114, in the table following line 11, in connection with war-tax rates. I think it will require only a short time to present it, and I should like to dispose of it.

Mr. GEORGE. I shall be very glad to do so as soon as I have finished with another matter in the same table.

Mr. President, there is another committee amendment in the table on page 114, under the item "Toilet preparations," under section 2402. I do not think it was finally disposed of.

The PRESIDING OFFICER. The request before the Chair is that the committee amendment in the table on page 114, relating to taxes on admissions, be passed over. Without objection, the amendment will be passed over.

Mr. GEORGE. Mr. President, there is another committee amendment on the same page.

The PRESIDING OFFICER. The Chair is informed that the amendment with respect to toilet preparations was agreed to yesterday. Is that the amendment which the Senator from Louisiana wishes to reopen?

Mr. OVERTON. No. It is in connection with the item "Furs," under section 2401.

Mr. GEORGE. As I understand, the Senator from Louisiana wishes to have reconsidered the vote by which some other item in this schedule was agreed to.

Mr. OVERTON. I refer to the item "Furs," under section 2401.

Mr. GEORGE. Mr. President, I ask unanimous consent that the vote by which the committee amendment in the table on page 114, under the item "Furs," was agreed to, be reconsidered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. OVERTON. I thank the Senator from Georgia.

This item is under section 2401, "Furs." The old rate is 10 percent; the rate in the House text 25 percent; and the rate under the Senate committee amendment 20 percent.

Mr. President, I do not wish to reopen this question in relation to the rate generally imposed on furs. In fact, I would have no objection at all if the House rate of 25 percent were retained; but I wish to reopen it in reference to one class of furs. I refer to cheap fur garments, which are necessary to be worn by people in the lower income groups and by working girls. As I understand, such garments sell at retail from $200 down. It is my thought that we ought not to impose such a high tax on very necessary and essential garments, any more than we should impose a tax on the suits which Senators wear, which probably cost an average of $100 to $150 a suit. These fur garments are necessary to protect girls and women in the low-income groups against the winter's cold.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. CLARK of Missouri. What does the Senator propose to substitute? Does he propose a differentiation, a bracket, or what?

Mr. OVERTON. I propose to handle it in the same way that the committee handled watches and alarm clocks. The amendment which I now offer is that after the numerals "2401" in the table on page 114, under the item "Furs", there be inserted "except as respects fur garments retailing for not more than $150."

Mr. CLARK of Missouri. I am very much interested in that subject. I simply wondered if the Senator was proposing to make a plea for the concerns which advertise, to the extent of three or four pages, mink coats at $5,600 and up in the New York Times and New York Herald Tribune every Sunday, notwithstanding the paper shortage.

Mr. OVERTON. I am willing to tax those garments 50 percent. If the Senator wishes to ask for reconsideration of the Senate committee amendment, I am willing to tax those expensive furs at any sum; but I do not want this high tax imposed upon garments which are necessary to be worn by people of very moderate means. They are just as necessary as are Senators' overcoats, most of which, I dare say, cost from $100 to $150.

Mr. CLARK of Missouri. The Senator flatters me very much.

Mr. OVERTON. I was not looking at the Senator. I was looking at other Senators when I said that. [Laughter]. I know that the Senator from Missouri wears a very comfortable overcoat. I was about to say that it adorns him, but I should say that he adorns it.

Mr. BARKLEY. I am glad the Senator added that last statement. I think the Senator from Missouri would adorn any overcoat worn by him, rather than being adorned by it. The Senator from Louisiana thought of it before I did.

Mr. OVERTON. Mr. President, I do not wish to present this in a spirit of levity. I am very serious about it. I do not think we ought to charge poor girls a 20-percent tax on garments which are absolutely necessary. I ask that fur garments retailing at $150 or less be exempt from taxation.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. BARKLEY. Does the Senator propose to exempt them from the increase, or the present tax?

Mr. OVERTON. I would be willing to go back to the old tax rate of 10 percent,

if the Senator from Kentucky thinks we should do so.

Mr. BARKLEY. No; I am merely trying to find out what is the Senator's intention.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. MALONEY. Would not the Senator consider the repeal of the entire tax on the low-priced coat? I know that in the section of the country from which I come a coat costing even $150 is not often considered a wintertime luxury. It seems to me that a 20-percent tax, or even a 10-percent tax, on a coat costing that much money is a pretty heavy tax. I hope the Senator will treat the thought seriously.

Mr. OVERTON. I thank the Senator for his contribution. I prefer complete exemption. Therefore, Mr. President, after the numerals "2401", on page 114, I move to amend by inserting the following: "(except as respects fur garments selling at retail for not more than $150.)"

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. CONNALLY. When the Senator says "fur garments" does he mean garments manufactured entirely of fur?

Mr. OVERTON. A fur garment means a fur garment, and nothing else.

Mr. CONNALLY. Suppose half of the garment consisted of fur. The reason I suggest that is that in the hearings on the tax bill, the question has arisen repeatedly whether the garment consists entirely of fur or only partly of fur. We should use at least the words "the chief component of which is fur" or similar language.

Mr. MEAD. There is another section in the bill dealing with that point.

Mr. OVERTON. I understand this provision refers only to furs.

Mr. MALONEY. Does the Senator know what is the tax at the present time on a man's coat costing $150?

Mr. OVERTON. It is nothing whatever.

Mr. MALONEY. Can the Senator suggest any good reason why a woman's coat consisting entirely of fur, or partly fur, and costing $150, should be taxed?

Mr. OVERTON. No; I cannot.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. CLARK of Missouri. Does it make any difference whether it is a man's coat or a woman's coat? We know that a coat like George Marshall's raccoon coat is taxable.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. MALONEY. Many coats worn by women are only in part made of fur. There is a 10-percent tax on those garments, as I understand.

Mr. OVERTON. The tax would remain. My amendment would apply only to fur garments. They are wearing apparel.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. GILLETTE. I was about to interrogate the Senator on the very matter to which he has referred. His amendment refers to garments. There are all kinds of fur. A fur coat of the type to which the Senator has referred would be a necessity in many climates. However, there are other types of garments, such as neck scarfs and throws, which are purely a luxury.

Mr. OVERTON. I do not believe they can be classified as garments. I have no objection to my amendment being modified by inserting the words "fur coats" so as to make the amendment clear.

Mr. GILLETTE. It seems to me that a limitation should be placed upon the type of garment involved. If the Senator says "fur garments"——

Mr. OVERTON. I have in mind that fur garments are fur coats.

Mr. MEAD. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. MEAD. According to the rate, as I understand it, the tax applies on a garment of which fur is the chief material of value. That is in the law.

Mr. GILLETTE. That would apply to a fur worn around the neck, or to a scarf, or anything of that kind, which would be purely a luxury.

Mr. MEAD. First of all, it must be a garment, and then the chief material of value in the garment is the determining factor. So when real fur is the chief material of value in the garment—it must be a garment—it is then taxable under the amendment proposed by the Senator from Louisiana. That is already covered in the law.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana on page 114, in the item under "Furs," in the table after line 11.

Mr. GEORGE. Mr. President, I shall have to oppose the proposed amendment. It would result in a loss to the Treasury of from approximately $36,000,000 to $38,000,000, and it would let in a great many items of a purely luxury nature. A fur piece to be worn about the neck costing possibly $125 would be subjected to no tax, and someone who wished to buy a fur garment costing $160 would be required to pay a tax of 20 percent. It involves a kind of discrimination which I cannot justify.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. CLARK of Missouri. I should also like to invite the attention of the Senator and the Senate to the fact that this is a peculiar sort of item on which the O. P. A. has never been able to set a ceiling because there are different kinds and standards of furs, and different styles. Any O. P. A. ceiling, or attempt to regulate the price on such articles, can very easily be defeated by a change in style, mixture, and that sort of thing. It seems to me that to make an exception in this case as to price would simply mean, as the Senator said a moment ago, putting a premium on luxury items. It seems to me that everyone must recognize that furs, for all intents and purposes, are luxury items.

Mr. GEORGE. Mr. President, I fully agree with the Senator.

Mr. WHEELER. Mr. President, may I interrupt the Senator?

Mr. GEORGE. I yield.

Mr. WHEELER. I wish to confirm what the Senator from Missouri has said. I have talked with a person in my State who handles women's wearing apparel exclusively in one of the largest stores of the State and he told me that because there is no way by which the O. P. A. can fix a price ceiling on women's coats and other articles of that nature, there has been a tremendous rise in the price of those garments. The styles are changed. The articles which used to sell for $7 or $8 are now selling for twice that much, and those which were selling for $16, for example, are now selling for twice that much. Coats which formerly sold at that price have now doubled in price, and there is a tremendous difference in women's clothes of all kinds and character. There has been a greater rise in the price of articles of that kind than in almost anything else. That is the reason why dealers and jobbers have increased the prices of wearing apparel of that kind. They could not be reached under the O. P. A. ceiling because they change the types and styles, and so forth, of the articles.

Mr. GEORGE. I thank the Senator.

Mr. MALONEY. Mr. President, if my understanding is correct, the consumer pays this tax. The Senator from Montana would have us believe that the seller pays the tax.

Mr. WHEELER. Of course, the consumer pays the tax. I agree with the Senator's statement. But those who are asking for a reduction in tax, and have talked to me about the matter, are the manufacturers and others who are interested in selling. It is not the consumer. I venture the assertion that not a single, solitary consumer in this country has asked for a reduction, but that it is the manufacturer of furs who is asking for it.

Mr. MALONEY. I disagree with the Senator's contention that a $150 fur coat is always a luxury.

Mr. WHEELER. I have not said that it is a luxury; some other Senator said that; but certainly it is a luxury for a great many people in the United States. It may not be for the people of Connecticut, but it is certainly a luxury for people in my State, particularly for farmers. The farmers of my State will not be found buying fur coats and paying $150 for them. I would consider such a coat a luxury for a great many people in the United States.

Mr. CLARK of Missouri. With the permission of the Senator from Georgia, will the Senator from Montana permit me to interject a remark at that point?

Mr. WHEELER. Certainly.

Mr. CLARK of Missouri. What the Senator from Montana says is absolutely correct. In my capacity as a member of the Finance Committee I have not had one single letter or protest about this item from any wearer of furs, any purchaser of furs, or from any producer of furs. The letters I have had—and I must have had at least 200, and I have

had 15 or 20 interviews—have all come from the sellers of fur garments.

Mr. WHEELER. From the jobbers.

Mr. MALONEY. Mr. President, may I have just another word?

Mr. WHEELER. I yield.

Mr. MALONEY. I have talked with some consumers, and one in particular, who have purchased coats for $100. I do not know what kind of fur can be obtained for a hundred dollars, but the purchaser in this instance paid a tax of $10 on that particular coat.

I doubt that any coat in my family cost $150. I know, however, that in the cold northern part of the country many working women buy fur coats which cost in excess of $150. It is indicated to me that to obtain a worth-while coat—and by "worth while" I mean a warm and durable coat—it is necessary to pay in the neighborhood of $100. It seems to me that a 20-percent tax of this sort on that kind of garment is excessive.

Mr. WHEELER. Let me say that I come from a State which is fully as cold in the winter as any other State in the Union because in some parts of Montana the thermometer goes down to 45° or 50° or even 60° below zero.

Mr. CLARK of Missouri. Montana has the lowest recorded temperature in the United States.

Mr. WHEELER. Exactly. Montana has the lowest recorded temperature in the United States.

What I call attention to is this: The dealers have raised the price not only of coats but of garments of all kinds and character which are sold to women. They have taken advantage of the war to raise the price of women's apparel. If any Senator does not take my word for it, let him go to any store in the United States—in Connecticut or any other State—and ask whether or not the dresses that used to cost $16 do not now cost almost twice that, and whether dresses that used to be priced at $7 are now not priced much higher than that. The sellers have raised the prices because of the fact that the O. P. A. could not put a ceiling on garments because they changed the styles, the types, and so forth, so rapidly that it was impossible to do so.

Mr. GEORGE. Mr. President, I do not care to discuss the amendment further, but I hope it will not be agreed to. I think it would be most difficult of administration. There would be all sorts of price cutting all sorts of shifting of prices, to get away from the tax. The dealers could afford to reduce the price by $10 or $15, and then profiteer to the extent of $5. So the difficulty of administering the provision under the amendment would be almost incalculable.

We have dealt with this fur-tax matter for many years. In the present law there is a tax of 10 percent upon the garment if the chief component value is of fur. The bill imposes a straight fur tax and I hope that it may be approved without a break in the price, which would add to the difficulties of administration and greatly reduce the revenue.

Mr. OVERTON. Mr. President. I offered an amendment that I thought was very simple and easily understood and yet I find all sorts of curious arguments have been advanced against it. It was an amendment having to do with people of low income who must clothe themselves against the winter's cold not only in northern climates, as in the State of Connecticut, but even in the State where the present occupant of the chair [Mr. McCLELLAN in the chair] resides, the State of Arkansas, and down to the Gulf coast in the State of Louisiana. Even in those sections of the country, fur coats are necessary items of clothing.

The Senator from Georgia says that the amendment I have offered will include neck furs, and all sorts of fol-de-rol. I stated that I was perfectly willing to modify the amendment, and I do now modify it, so that instead of using the words "fur garments" the amendment will exempt "fur coats." There can be no misunderstanding as to what a fur coat is. A fur coat takes the same place for women that an overcoat takes for men.

Mr. CLARK of Missouri. Mr. President, I do not wish to interrupt the Senator, but I think that the last statement of the Senator should be called into question because there is a great difference of opinion as to what is a fur coat, whether it is a coat made wholly of fur or a coat with certain fur trimmings, a certain amount of fur around the neck, a certain amount of fur around the cuffs, or a certain amount of fur on the front.

Mr. OVERTON. I do not yield further to the Senator. It is not necessary. I understand his thought and suggestion.

I modify my amendment further and say "the chief component material of which is fur." I think that will settle the question. I want to remove every possible objection to the amendment.

Mr. CLARK of Missouri. Mr. President——

Mr. OVERTON. I will yield to the Senator after a while.

Mr. CLARK of Missouri. I merely want to ask the Senator whether he means the principal component as to area or value? That is another question.

Mr. OVERTON. The Senator may put his own interpretation upon it. If the Senator wants to vote against poor women getting cheap clothes and desires to go along with the manufacturer to raise prices on clothes and become copartners with them and have the Federal Government take the hard-earned money out of pockets of the poor when they try to clothe themselves against the rigors of winter, of course he can take such a position and present such an argument. I have merely offered a simple amendment.

Of course, there may have been lobbyists here. They have called upon me and upon every other Senator, I presume, but what they want is the tax on furs reduced from 20 percent as proposed by the committee down to 15 percent. I told them I would not listen to any of them, that I wanted a tax levied on expensive furs, I did not care how high it might go. But when it comes to taxing low-cost necessary garments, to be worn by poor girls and poor women and putting a 20-percent tax on articles of clothing which they need in order to protect themselves against the winter's blasts, I shall not be a party to it. When such a proposition is submitted to a vote I shall vote against it. There ought not to be any tax at all on cheap fur coats.

The Senator from Georgia says if the amendment is adopted it will be difficult of administration. I cannot see where difficulty of administration will attend such a proposition. It would simply apply to selling at retail. The tax would be paid by the consumer upon the sale at retail. If a fur coat sold for $150 or less no tax would be paid but if sold for more than $150 a tax would be paid. What difficulty would there be in the administration of such a provision as that? Many Members of the Senate who want to impose the tax would vote against a sales tax today, and yet this is a sales tax, a sales tax upon necessary garments to be worn by shop girls, office girls, girls who go down to the war plants to make munitions to enable our soldiers to fight. Senators want to tax them. I say it is an outrage. I say that all the arguments presented against it simply dodge the issue. The issue is, Do we want to tax a coat necessary to be worn by poor girls or do we not? That is all.

Mr. CLARK of Missouri. Mr. President, I had not intended to enter into a debate on this item, but I must say I am perfectly amazed at the intemperate and unreasoned attack upon everyone in the House of Representatives who voted for this provision, and upon every member of the Committee on Finance who has considered this proposition of the Senator from Louisiana.

Mr. OVERTON. Will the Senator yield?

Mr. CLARK of Missouri. Yes; although the Senator would not yield to me.

Mr. OVERTON. But I did yield.

Mr. CLARK of Missouri. Yes; but the Senator finally shut me off.

Mr. OVERTON. I yielded to everyone who desired to interrupt.

Mr. CLARK of Missouri. The Senator shut me off before he made his final attack.

Mr. OVERTON. I caught the Senator's point, and I modified the amendment to meet his criticism.

I have not attacked any Member of the House or any Member of the Senate.

Mr. CLARK of Missouri. The Senator walked directly toward me and shook his fist at me——

Mr. OVERTON. Mr. President——

Mr. CLARK of Missouri. Wait a moment; I have the floor. The Senator walked toward me and shook his fist at me and accused every member of the committee who voted for this provision——

Mr. OVERTON. I did not.

Mr. CLARK of Missouri. Of being in league with a gang of manufacturers for the purpose of trying to render naked a lot of deserving girls who wanted to wear fur coats. That is a reductio ad absurdum.

Mr. OVERTON. The Senator has misunderstood me, and when he rises tomorrow and reads the CONGRESSIONAL RECORD, he will find I did not make that statement.

Mr. CLARK of Missouri. I heard it.

Mr. OVERTON. This is the first time this was submitted. It was not submitted to the Finance Committee. I did not know anything about the fur tax until this bill was reported. This is the first time my proposal has been submitted. So far as I know, such an amendment as mine was not submitted in the House and was not submitted in the Senate Finance Committee.

Mr. CLARK of Missouri. That is what I was about to say, that the Senator from Louisiana apparently does not know anything about this subject. Unfortunately, the matter has just come to the attention of the Senator from Louisiana in the form of a suggestion that it is going to interfere with the price of muskrats in Louisiana. The Finance Committee has been considering this proposition from year to year. The technical questions, the spurious arguments, which the Senator from Louisiana says were raised by the Senator from Georgia and myself were simply technical matters which have been raised every time the subject of a fur tax has come before the Committee on Finance.

Mr. President, the subject of fur coats is one which has led to a great mass of technical decisions by the Treasury Department, and vast consideration by the Ways and Means Committee of the House and by the Finance Committee of the Senate, in the consideration of tax bills.

When one refers to a "fur coat," what does he mean? Does that mean a coat composed wholly of fur? Does it mean a coat of which a considerable part, or the principal part, as to area, is fur? Does it mean a mink coat or a muskrat coat? Does it mean a rabbit coat dyed, or does it mean a combination of furs dyed to imitate mink, or dyed to imitate some other fur, perhaps dyed to imitate sables?

Mr. President, those are very technical questions, which have been considered from year to year by the Finance Committee and by the Ways and Means Committee. The Senator from Louisiana comes in at the last moment professing that he never heard of the question until this bill had been reported in the Senate, although it has been mixed up in tax bills ever since I have been a Member of the Senate, for the past 10 years.

The Senator from Louisiana admits that he never heard of the subject until this bill was reported to the Senate, and he rushes in, in the interest of the muskrat industry in Louisiana, to protest, in the interest of the poor, barefoot girls of Louisiana, and to urge their necessity for fur coats.

Mr. President, I say that furs are no more a necessity than is wool, or any other particular commodity in this country, and that as a matter of fact furs, taken by and large, are a luxury.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. MALONEY. The Senator was asking questions about the meaning. I should like to tell him what it means to me. It means to me that when a school teacher, or a girl in a war plant, or any other woman, goes into a store to buy a $100 coat, she can buy the coat if she has the $100, its regular cost, plus another week's pay, or nearly a week's pay, in the form of a tax of $20.

Mr. CLARK of Missouri. No one has denied the burden of the tax on furs. No one has denied, on the other hand, that furs are a luxury.

Mr. MALONEY. I am willing to go along with the Senator from Louisiana on the higher taxes on higher-priced furs. But I insist that a hundred-dollar coat, or even a hundred-and-fifty-dollar coat——

Mr. CLARK of Missouri. What does the Senator mean by "a hundred-dollar coat"? I should be glad to have the Senator expatiate on his idea as to what a hundred-dollar coat is.

Mr. MALONEY. I am afraid I cannot go beyond that.

Mr. CLARK of Missouri. Does the Senator mean a hundred-dollar wool coat with a little fur on it? Does he mean a hundred-dollar fur coat? Does he mean a hundred-dollar wool or cotton coat, or rayon coat, or what-have-you, with a lot of fur down the front of it, with cuffs of fur? There are all sorts of differentiations.

Mr. MALONEY. I mean any kind of coat with fur on it that would be subject to this tax.

Mr. CLARK of Missouri. The Senator by that admits he does not know what the provisions of the present law are.

Mr. MALONEY. I have a general idea of what the provisions are, because I have discussed them with the Senator and have the benefit of the unusual understanding of the Senator from Missouri.

Mr. CLARK of Missouri. Mr. President, I do not profess to be an expert on the subject at all, but I have sat and listened in hearing on this subject in the Committee on Finance, and when the Senator from Louisiana comes in and attacks everyone who voted for the committee report on the theory, as he said a moment ago, that they may be willing to go in with the manufacturers to deprive poor working girls of the necessities of life, I deny that. I say this matter has been fought out year after year before the Finance Committee and before the Ways and Means Committee, and that every differentiation possible has been made, but the conclusion has been inescapable that furs are a luxury, and should be subjected to a luxury tax.

Mr. WHEELER. Will the Senator yield.

Mr. CLARK of Missouri. I yield.

Mr. WHEELER. When there is talk about the necessity of a fur coat, that covers a large range. There are certain kinds of fur coats which are not nearly so warm as wool coats.

Mr. CLARK of Missouri. Certainly, and everyone knows that.

Mr. WHEELER. It depends to a large extent on the nature of the fur coat. Take for instance a squirrel fur coat, made of little thin skins which tear so easily. There has been more of a racket against the women of this country by those who dye furs and misname furs than in almost any other line of women's goods.

Mr. CLARK of Missouri. Women who follow that particular form of luxury and vanity would be much warmer with wool coats, or rayon coats, or coats made of reprocessed wool. They wear the fur purely from vanity. It almost breaks my heart to contemplate the pathetic picture drawn by the Senator from Louisiana of the poor, freezing girls in semitropical Louisiana being harassed and bedeviled because they are not able to wear these necessary fur garments for their protection from the cold.

Mr. GILLETTE. Mr. President, will the Senator from Missouri yield?

Mr. CLARK of Missouri. I yield to the Senator from Iowa.

Mr. GILLETTE. I invite the attention of the Senator to another fallacy, the magic figure of $200. If a girl pays $210, then she is indulging in a luxury, and can be taxed anything up to 50 percent, but if she pays $190, it is a necessity, and it is a crime against the girl to impose the tax.

Mr. CLARK of Missouri. Certainly, and in addition to that, all the manufacturer has to do is to change the design.

Mr. GILLETTE. That is the point.

Mr. CLARK of Missouri. Or make a different combination of fake furs, and lower his sights a little on the price and save money at the same time, taking them out of one class and putting them in another. The Senator from Iowa is entirely correct.

Mr. OVERTON obtained the floor.

Mr. MALONEY. Will the Senator yield?

Mr. OVERTON. I yield.

Mr. MALONEY. I was about to ask the able Senator from Missouri if he thinks those inexpensive coats are a luxury, whether he is in favor of putting a 20-percent tax on ice cream cones.

Mr. CLARK of Missouri. I do not see any connection.

Mr. MALONEY. They are both the same kind of luxuries.

Mr. CLARK of Missouri. If anyone showed me that ice cream cones were absolutely a luxury, I might be in favor of that. As a matter of fact, I do not think they are. I think they are very nutritive, contributing to a good diet. I buy ice cream for my children when I can get it, on the theory that it contributes to their diet. I myself was raised in a dairy section, so I believe in the introduction of milk into the human system whenever possible. I believe that ice cream, along with cheese and milk and buttermilk, is a human necessity and not a luxury. If I have not answered the Senator, I shall be glad to expatiate further.

Mr. OVERTON. Mr. President, it is, indeed, very much to be regretted that the wonderful technical knowledge which the Senator from Missouri possesses in relation to furs was not utilized in the committee. I understand he is a member of the Finance Committee, which had the bill under consideration. I am quite sure that the Senator did not undertake in any way whatsoever to lessen the load and the burden placed upon what he says I designate as a poor, freezing, suffering girl. He ridiculed the girls from Louisiana. They are every bit as fine as the girls from Missouri. He may undertake to attempt to vindicate his position with such arguments, but I do not be-

lieve he could very successfully do so in my State of Louisiana.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. OVERTON. I do not yield because the Senator did not yield to me, and I shall now take my own time to reply to him.

Mr. CLARK of Missouri. I did yield to the Senator.

Mr. OVERTON. Of course, a Senator may undertake to kill any amendment in a tax measure by raising the cry of "technicality, technicality." I have undertaken to overcome any possible objection that could be made to the amendment, and I have made the amendment a very simple one. Anyone of ordinary common sense, that is, unless he is a technical expert, knows what a fur coat is. You see them in the shop windows. You go into the shops and buy them, and your wives and your daughters buy them. A fur coat is a fur coat, and it is nothing else than a fur coat, whether, as the Senator from Missouri suggests, it be made of rabbit skin, or as the Senator from Montana suggests, it be made of the thin and porous skins of poor, little, delicate squirrels. Whatever skin it is made of, it is still a fur coat.

Of course if a Senator desires to kill an amendment which he knows ought to be adopted, and which he cannot successfully undertake to fight upon the ground that he does not wish, openly, at least, to make a distinction between the tax paid by milady, who goes out in a $2,000 or $5,000 or $10,000 fur coat, and the tax which will be paid by the woman who, as the Senator from Connecticut [Mr. MALONEY] said, has to go a considerable distance in the cold of winter to teach school, or to work in a war factory, and wears a very modest coat to protect herself against the cold—if a Senator does not wish to make a distinction between the rich, rare, and radiant furs which are worn by wealthy socialites, and the humble coats which are worn by the poor, then of course, the Senator is driven to squirrel arguments and to rabbit arguments, and to the exact, precise, composite material that enters into a fur garment. But a fur coat is a fur coat, and every Senator who votes on this question knows what a fur coat is.

Mr. CLARK of Missouri. Will the Senator please tell us what a fur coat is?

Mr. OVERTON. I have already described it in the amendment.

Mr. President, the Senator from Georgia said that there would be a loss to the Treasury $15,000,000 or $16,000,000. I am quite sure that he would not want to make that statement in reference to the amendment, as modified.

Mr. GEORGE. The estimate is that it would be somewhere in the neighborhood of $30,000,000.

Mr. OVERTON. Thirty million dollars taken out of the pockets of these poor struggling girls working in factories, working in offices, working in national defense plants all over the United States. Thirty million dollars taken out of their pockets.

Mr. GEORGE. Very well, Mr. President; when the Senator takes his seat I will have to argue this matter for a few minutes.

Mr. OVERTON. I shall be glad to have the Senator do so.

Mr. GEORGE. I have the right to conclude the argument.

Mr. OVERTON. Yes; $30,000,000 taken out of the pockets of these poor girls. That is what I am leveling my amendment against. I do not want that money taken out of their pockets. We can raise money, God knows, in other ways. We can increase the income tax, we can increase the corporation tax, but let us not take the money from the woman who has to buy a fur coat for $50, on which she would pay another $10 in tax under the committee proposal. If she were to buy a $75 coat she would have to pay $15 tax on it. If she were to buy a $100 coat she would have to pay a week's wages in taxes; that is, she would have to pay $20 in order to get the coat. The Senator from Georgia says $30,000,000. This vast sum is taken out of the pockets of these self-supporting girls and women annually by such a tax.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. MALONEY. Does not the Senator want to point out that in most instances the kind of coat he describes is used by the kind of girl he describes over a period of years, and is not bought every little while, as in the case of tax-free cloth coats?

Mr. OVERTON. Certainly. The girls and women to whom I am referring wear their coats year in and year out, 2 or 3 or 4 or 5 or 6 years, until the coats become shiny, but they do protect them. The coats supply them with some comfort. I do not care if the coat is a squirrel coat, as described by the Senator from Montana, or a rabbit coat, as described by the Senator from Missouri. Whatever it is, it affords some warmth to the wearer. But $30,000,000, the Senator from Georgia says, will be taken out of the pockets of these girls and women annually when they buy the coats to protect themselves in the cold of winter.

Mr. GEORGE. Mr. President, I do not want the Senator from Louisiana to put words in my mouth. I did not say that. The point that is pinching is that the money is being taken out of the hides of some fur manufacturers and fur fabricators and fur merchants. They are the ones who are objecting.

Mr. OVERTON. Is it $30,000,000 or not?

Mr. GEORGE. Oh, yes; fully $30,000,000 will be lost to the Treasury.

Mr. OVERTON. The purchaser pays the tax and the fur manufacturer does not pay the tax.

Mr. President, I submit the question.

Mr. GEORGE. Mr. President, I do not care to argue the question any longer. I consented to the reopening of a matter which was closed, and we have had this argument, if it may be described as an argument.

Anyone connected with the administration of the excise tax laws will say that the fur tax has been most difficult of administration. Originally under the taxes placed on furs rich people bought up the pelts themselves and had them made into fur garments, and escaped or tried to escape the tax. We placed the tax on the article of chief value in the garment. The chief value is in the fur. All sorts of manipulations have been attempted in connection with that tax.

Mr. President, it is regrettable that we are obliged to tax anyone, and especially place a tax on anything that becomes more or less of a luxury item. We are not confining this tax bill, and the Congress is not confining it, strictly to luxury items, but we have taxed luxury items. There is a tax provided in the bill on light bulbs, because the production of light bulbs is in such volume as to produce a considerable revenue. There is a tax on electric stoves. Such taxes are placed on articles for various reasons. In this particular instance, to classify according to value, will simply open the door to more administrative difficulties than the tax would be worth. I therefore hope the amendment will be rejected.

Mr. OVERTON. Mr. President, I ask for the yeas and nays on my amendment. There has been considerable discussion of it and I think we should have a record vote on it.

The PRESIDING OFFICER. The Senator from Louisiana asks for the yeas and nays. Is the request seconded?

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana as modified.

The amendment was rejected.

The PRESIDING OFFICER. Without objection, the committee amendment in the table on page 114, in the figures in the third line from the bottom, is agreed to.

Mr. DOWNEY. Mr. President, I send to the desk an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 122, between lines 13 and 14, it is proposed to insert the following new section:

SEC. —. Exemption of servicemen from cabaret tax.

(a) In general: Section 1700 (e) (1) (imposing a tax on cabarets, roof gardens, etc.) is amended by inserting at the end thereof the following: "No tax shall be imposed under this subsection on any amount paid by or for any patron or guest who is a member of the military or naval forces of the United States, or of any of the other United Nations, and is in uniform."

(b) Time of taking effect: The amendment made by subsection (a) of this section shall be effective with respect to the period beginning at 10:00 antemeridian on the first day of the first month which begins more than 10 days after the date of enactment of this act.

Mr. DOWNEY. Mr. President, the distinguished senior Senator from Georgia gave me some reason to believe that the amendment would be acceptable to him.

Mr. GEORGE. Mr. President, is the amendment one which relates to cabarets?

Mr. DOWNEY. Yes. The amendment would exempt from the 20-percent or 30-percent cabaret tax members of the armed forces who are in uniform when their food is served to them.

Mr. GEORGE. I have no objection to taking the amendment to conference, but I desire to point out to the Senator from California that it may be very difficult of administration. I should not want to bind the Treasury or the staff or any member of the conference beyond the fact that the amendment would be there for fair and open consideration. It may be that it would be rather difficult to administer, because no one would ever be able to check the cabaret in order to ascertain whether everyone who attended it during a certain period was in uniform and was a member of the armed forces. But insofar as the purpose of the amendment is concerned, I am glad to go along with it, and shall be very glad to take it to conference and see if it can be agreed to.

Mr. DOWNEY. Mr. President, I appreciate that very much. I should like to say to the Senate and to the distinguished chairman of the Finance Committee that I can imagine nothing more unhappy than to have the Treasury and the Congress say to the young men whom we are taking from their homes and their communities, and are training elsewhere in the United States or are sending abroad, that we are going to charge them 20 percent or 30 percent on the amount of food they buy in a restaurant, because they may want to dance there with their sweethearts or listen to a singer or to instrumental music. A great many of the cabarets of the Nation are patronized by soldiers and sailors who have only $25 or $50 a month to spend. To say to them that they must add to their food bill 20 or 30 percent of the cost of the food seems to me to be a rather ungenerous gesture toward the members of the armed forces of the Nation. I cannot conceive that the American people would want to charge that kind of a tax against the members of the armed forces who are away from their homes, seeking some entertainment wherever they may be stationed.

Mr. GEORGE. Mr. President, I fully agree with the Senator from California. I hope he did not misunderstand my statement. The difficulty would be to administer the amendment as against the cabaret owner. He would have a great deal of advantage. So far as the tax on the soldiers or sailors is concerned, I think it should be remitted entirely, and should not be imposed.

Such a tax is on the total bill. If it were merely on music or some other form of entertainment, the matter would be a different one; but the tax is on the total bill, which includes the charges for the food consumed. I fully agree with the Senator as to his purpose.

Mr. DOWNEY. Let me point out that when the soldier or sailor pays for the entertainment in the cabaret, he pays extra for all the entertainment he receives there, in addition to paying for the food he eats. He pays for the opportunity to dance with his sweetheart, and likewise he pays for the liquor he drinks, if he drinks any. In addition to that, to pay a tax of 20 percent or 30 percent on the food he consumes, merely because he desires a little entertainment before he goes abroad, would seem to me to represent a most extraordinary desire on the part of the Treasury to take money from the members of the armed forces, under the circumstances.

Mr. GEORGE. Mr. President, I should not want the Senate to gain the impression that the Treasury has such a purpose at all. I merely said I was not committing the Treasury, because I do not feel I should do so. I recognize certain difficulties relative to administering the tax as against soldiers and sailors only; but I am sure everyone has full sympathy with the objective and purpose of the amendment, and I am hopeful it can be worked out.

Mr. DOWNEY. I thank the Senator very much.

Mr. GEORGE. Mr. President, I should like to have a vote taken on the amendment.

The PRESIDING OFFICER (Mr. EASTLAND in the chair). The question is on agreeing to the amendment offered by the Senator from California [Mr. DOWNEY].

The amendment was agreed to.

Mr. ANDREWS. Mr. President, I send to the desk the amendment which I offer and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the proper place in the bill, it is proposed to insert a new paragraph, as follows:

That no duty shall be levied, collected, or payable under the Tariff Act of 1930, as amended, with a respect to coconuts or coconut meat provided for in paragraph 758 of that act, entered or withdrawn from warehouse for consumption during the period beginning with the day following the date of enactment of this act and ending with the termination of the unlimited national emergency proclaimed by the President on May 27, 1941.

Mr. ANDREWS. Mr. President, after Pearl Harbor those who manufactured candy, pies, and cakes containing fresh coconut were no longer able to obtain from the Philippine Islands, from Guam, or from other islands in the south seas fresh coconut which is used in making those products, including Peter Paul Mounds, a coconut candy which is probably one of the most popular used by the members of our armed forces, and practically a part of the everyday make-up of the kit of edibles which our boys take with them into the fox holes.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. ANDREWS. I yield.

Mr. CLARK of Missouri. The Senator did not submit the amendment to the Finance Committee; did he?

Mr. ANDREWS. I did not, because it was originally proposed to another measure. That measure has been sidetracked in the Senate, and we hoped we could obtain the desired result by submitting the matter as an amendment to the pending bill. I did not think anyone would object to it.

Mr. CLARK of Missouri. The effect of the amendment would be to modify the provisions of the tax on coconuts and coconut products which was established as an excise tax several years ago; would it not?

Mr. ANDREWS. That is correct.

Mr. CLARK of Missouri. Let me say to the Senator that I was one of the seven Senators who voted against that measure when it was passed; and I thought it was an outrageous thing for the Government of the United States to do at that time, because it was done immediately after the acceptance by the people of the Philippines of the Tydings-McDuffie Act. But I do not believe an amendment to the pending bill is the proper means of modifying that act—at the tail end of debate on a tax bill, without any consideration by the committee.

Mr. ANDREWS. We could not take it up until consideration of the various committee amendments had been concluded.

Mr. CLARK of Missouri. The Senator could have taken it up in committee. There was no opposition to doing that. I personally am very much opposed to changing previously existing laws, when the matter has not been presented to the committee at all.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. ANDREWS. I am glad to yield.

Mr. DANAHER. I should like to advise the Senator from Missouri that when House Joint Resolution 171 was brought up, upon the basis of which the temporary suspension of the increase of social-security tax was had, the Senator from Florida did consult with me with reference to this general subject, as a rider to that measure. I then intended to offer the proposal of the Senator from Florida as an amendment. However, one of the members of the committee who was acting with reference to House Joint Resolution 171 asked me not to involve this particular subject in the consideration of the social-security bill, inasmuch as it was desired that we reach a vote on that measure before the close of December, and therefore I did not do it.

While it is true that it was only cursorily discussed at that time—I do not recall whether the Senator from Missouri was present—surely it was at least adverted to, and I was dissuaded from offering the amendment of the Senator from Florida on the grounds I mentioned.

Mr. ANDREWS. The Senator states the facts.

Mr. DANAHER. If the Senator from Florida will permit me, let me state, while I am on my feet, that there is much to commend in this particular proposal. It is temporary in nature, and applies only for the duration. It does not involve the Philippine situation or the Hawaiian situation. On the contrary, the venture has the approval of Judge Marvin Jones, of the War Food Administration, and of the War Department. It is my recollection that there is on file a letter from the Navy Department to the Committee on Ways and Means of the House.

Mr. ANDREWS. Also a letter from the State Department in favor of it.

Mr. DANAHER. I mention the letter by way of collaboration with the Senator from Florida only because I am satisfied that the representations he has made in connection with the matter are entirely correct. Let me add that in the State of Connecticut there is a branch of the industry to which he refers. It has done a very constructive job. It is

a sound company, and has been contributing largely to the war effort. In fact, at the present time almost all its output goes to the Army and Navy.

Mr. ANDREWS. Practically all of it.

Mr. DANAHER. Does the Senator know what percentage?

Mr. ANDREWS. No; but it is very high, I understand about 80 or 85 percent.

Mr. DANAHER. An enormous percentage of its entire product goes to the Army and Navy. The product is looked upon as of great value. I know no more about the subject than does the Senator from Florida himself, but I am glad to collaborate with him.

Mr. ANDREWS. I thank the Senator.

The coconut meat which goes into this product cannot be produced in this country, but must be imported from the Central American countries and islands. The duty increases the cost, and therefore it will cost more to manufacture the product which is going to our armed forces. I believe that everyone who has been to the war fronts will admit that this is a most popular edible substance which goes to our boys at the front. Only about $100,000 would be taken from the duty paid on those commodities. I am perfectly satisfied that the Senator from Missouri will agree that if there are any who ought to have consideration under all the circumstances, we ought to remember those who are receiving the benefit of these products.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. ANDREWS. I yield.

Mr. CLARK of Missouri. Let me say to the Senator that I was opposed to the excise tax on coconut oil when it was originally proposed. As I stated awhile ago, I was one of seven Senators, including the late Senator Harrison, of Mississippi, then chairman of the Committee on Finance, who voted against it. However, I do not believe that the thing ought to be repealed piecemeal. I shall not raise any objection, but I think the Senator from Florida or the Senator from Connecticut ought to have come before the Finance Committee and let us know what was being done in this connection. I was opposed to these provisions in the first place. I would be in favor of repealing them now; but I do not like this more or less clandestine way of modifying them.

Mr. DANAHER. Mr. President, will the Senator from Florida yield?

Mr. ANDREWS. I yield.

Mr. DANAHER. The Senator from Missouri is utterly reasonable in the position he takes. There is no question about that. I differ with him markedly in his use of the word "clandestine," because surely there was no secret about the interest of the Senator from Florida.

Mr. CLARK of Missouri. If the Senator from Florida will yield, I meant no reflection on the Senator.

Mr. DANAHER. I am sure of that. I am merely making the record.

Let me say further, Mr. President, in the time of the Senator from Florida, that I have in my hand a letter from Hon. Henry L. Stimson, which was addressed to Representative ROBERT L. DOUGHTON, chairman of the House Ways and Means Committee, with reference to this matter. The House was precluded from taking affirmative action because of the situation in the House in the past few weeks.

I read from Secretary Stimson's letter:

> The meat of the coconut is not used in any great quantity by the War Department. Coconut meat, however, is used extensively in the manufacture of candy and certain baking products, the available supply of which is to a large extent consumed by the Army. Furthermore the meat of the coconut yields a substantial amount of coconut oil, of which there is a shortage at the present time.

I skip some nonessential matter with reference to coconut shells.

> Coconuts in shells imported during the calendar year of 1940 (the last year for which figures are published) numbered 20,097,071, yielding tariff duties of $100,485.35. During the same year tariff duties on shredded and desiccated coconut meat amounted to $7,881. If suspension of tariff duties on these products would result in imports equal to those of 1940, which is somewhat doubtful, the fiscal effect of enactment of H. R. 1033 would be a loss in revenue of the amounts above indicated with a corresponding loss for any increase over 1940 imports. This loss is regarded as being insignificant when compared with the benefits to be derived from increasing the importation of coconuts and coconut meat.

The War Department has taken that position and made that much analysis of it. The Lend-Lease Administrator concurs in the general objective; and I can add no more. I have done this much simply in the hope of making the RECORD show what the situation is.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. ANDREWS. I yield.

Mr. CLARK of Missouri. It seems to me, Mr. President, that a provision of this sort would upset the whole processing-tax arrangement as to coconuts and coconut products. I have said twice before, and I repeat, that originally I was opposed to the whole business, and still am opposed to it; but I do not think we can afford to upset the processing-tax provisions by a measure never considered by any committee, and with which no Member of the Senate, including the Senator from Florida, professes to be very intimately familiar now.

Mr. ANDREWS. Mr. President, we undertook to have the matter considered by the committee, as the Senator from Connecticut has just explained. If the tariff is wrong, it should not be very difficult to remove this particular phase of the tariff on coconut meat, which is used for a very worthy purpose. I could tell the Senate of a great many instances in which this product has helped our cause—even with the natives of north Africa and Sicily. The boys carry these little candy bars along with them as part of their day's rations. They hand them out to the people, and thereby make friends. Of course, they hand out other things.

This product is a very important food article. Perhaps the Senator knows that 15 percent of the energy in the human body comes from sugar or sweets.

This is a very important matter, and I hope that the Senate will adopt the amendment. The manufacture of these particular coconut candy bars and other products containing fresh coconut is now more or less suspended. The manufacturers do not know what to do. As the Senator from Connecticut has said, nearly all of these products go to our armed forces, and they should not be deprived of them.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. ANDREWS. I yield.

Mr. CLARK of Missouri. I should like to ask the Senator a question before he takes his seat. Is this a proposal to suspend the current laws of the United States in the interest of some manufacturers of candy bars? Is that what it amounts to?

Mr. ANDREWS. I do not think so. Unless some relief is granted, the price will have to be doubled.

Mr. CLARK of Missouri. It is a particular candy-bar product; is it not?

Mr. ANDREWS. It is a candy-bar product.

Mr. CLARK of Missouri. It is a particular candy-bar product; is it not?

Mr. ANDREWS. It is one that can be purchased almost anywhere, in normal times. Perhaps that is not true now, because the Army and Navy have probably taken most of them.

Mr. CLARK of Missouri. So far as I am concerned, with all sympathy for the worthy efforts of the Senator from Florida, I must oppose amending a tax bill with the idea of taking care of particular producers of candy bars.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. ANDREWS. I yield.

Mr. GEORGE. Is not this same matter covered in a bill now pending in the House?

Mr. ANDREWS. I understand that it is a part of House bill 1030. I have not gone into that particular phase of it; but we were asked to attach the provision to this bill, because this bill is under consideration, and will have some chance of passing in the near future. The Acting Secretary of State says that no objection to the enactment of the proposed legislation is perceived. No doubt the State Department would object if there were any danger of interference with the reciprocal trade agreements.

The Senator from Connecticut has read a portion of a letter from Secretary of War Stimson showing that it is a very important product. The proposed amendment has been so changed as to eliminate the objections which existed when it was first proposed as a part of House bill 1030. I should like to see it become a part of the pending bill. It would not involve any great cost to the Government, and I hope the amendment will prevail.

Mr. GEORGE. Mr. President, I am embarrassed by having to disagree with my very good friend the senior Senator from Florida, but I must oppose the amendment. I do not believe that it is

wise policy, I may say to my friend, to change existing law on a matter which on many occasions has been highly controversial, without a hearing, giving opportunity to those supporting it to present reasons why it should be changed, and an equal opportunity to those on the other side to offer their objections thereto.

We have had in this body, as the Senator from Missouri has properly pointed out, some very heated controversies over the question of the importation of oils and fats, especially coconut oil, copra, and coconuts. Both a tariff and a special processing tax are levied on the first processor of coconuts in the United States. Coconuts cannot be brought into the country without bringing the oil in. When the coconuts are compressed oil is obtained, and we get back into the same field of controversy. Since there is pending in the other House a bill dealing with the same subject matter and covering it precisely, it would seem wise not to press the matter because it is unquestionably a safe course to follow not to change existing law without giving an opportunity to those who propose the change to set forth their reasons, and those who oppose it to come before some standing committee of the Senate and make out their case.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. LA FOLLETTE. Another thought occurs to me, and I wonder what the Senator's reaction to it will be. It seems to me that this matter being one affecting the tariff, the Senate conferees would be given a futile task in attempting to put forward in conference any such amendment as the one proposed, the other House not having had an opportunity to act upon it.

Mr. GEORGE. I think the Senator is quite correct. I recall that the House conferees served notice on us that they did not relish or invite, and probably would not accept, any further actual changes in existing tariffs unless the House first had an opportunity to go into the matter. I therefore must oppose the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. ANDREWS].

Mr. BAILEY. Mr. President, I hope the amendment will not prevail. As I understand, the proposed introduction of coconuts and coconut meat into this country duty free is, after all, a tariff matter. I do not think we should have a tariff matter in connection with the pending bill.

However, that is not the main question. There have always been those in this country who wished to import foreign products such as coconut oil and copra, as it is called, which is a form of coconut, in competition with the oils and fats which are produced here and which are very acceptable here. In Florida, for example, there has been a great fisheries development due to the ability of the fisheries to produce a high quality of oil which is used for commercial purposes. The amendment proposed by the Senator from Florida would result in coconuts being brought into the country duty free, and the fats and oils produced here would be displaced to that extent. Eventually the coastwise fisheries operations would be displaced. Those operations extend all the way from Maine to Florida, around the Gulf and into the Pacific. Why should we upset the public policy which has been well established for at least 7 years? The policy has worked admirably and has built up American industries. Why should we import foreign coconut products in order that the coconut oil may be made to displace our American oils and fats? I am somewhat amazed that the proposal should be made at this time.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). Does the Senator from North Carolina yield to the Senator from Missouri?

Mr. BAILEY. I yield.

Mr. CLARK of Missouri. The Senator said a moment ago that this is a question of national policy. I was about to call the Senator's attention to the fact that, as I recall, the last time this question was determined in the Senate it was determined by a vote of 63 to 7. I was one of the 7. I was one of the minority in a fight ably led on our side by the late Senator Harrison, of Mississippi, and led on the majority side by the Senator from North Carolina [Mr. BAILEY] himself, and it was decided that these provisions should be put into effect.

Before the Senator came into the Chamber I was objecting, not to the merits of this proposal, because I have always been opposed to the provision which the Senator has correctly stated was adopted as a matter of national policy, but I was objecting to it being repealed and altered as a rider on a tax bill of this nature without due consideration by the Senate.

Mr. BAILEY. I am very grateful to the Senator from Missouri for his statement. Since he has mentioned the controversy which took place several years ago, I may say that in that controversy I was quoted by the American Grange, the Farm Bureau Federation, and practically all the other farm organizations of this country, as well as by those engaged in the fisheries industries on our coasts, west, east, and south. I believe that nearly everyone agrees that the policy which we then established has worked with admirable success throughout the country. It has developed soybean production. It has developed the fisheries industry, and it has developed the production of oil-bearing nuts, foods, and seeds. I have heard of no complaint against it. But if there is complaint, it is my view that it should not be met here in connection with a domestic tax bill.

As I understand, the proposal is distinctly a tariff proposal. I do not know that I would say that the present tariff policy is one which I shall always sustain. I have consistently voted for the trade agreements. I voted for them with some misgiving as to the policy. The trade-agreement mode of treating tariffs is the established policy of the country at the present time. We ought not to break into that policy now by way of a domestic tax bill; and yet that is what is proposed.

Let us look at it very practically. Suppose at this stage we open up this revenue measure to tariff propositions, how long will it take us to get the measure through? There may be some changes I should like to have made in the trade agreements. If we undertake to set this precedent here and now, other Senators, no doubt, would have demands made upon them to bring forward tariff changes, disrupting the trade-agreement mode, and also tending to destroy this legislation. The President is telling us that some time within the next 6 months there should be another tax bill. Shall we open the matter up and have the tariff question shot through it? I do not think I need to argue that.

It happens that I read the CONGRESSIONAL RECORD a long time before I came to the Senate. Back in those days the tariff was the main question in this country, and the Congress spent most of its time discussing the tariff. I think I would be safe in saying that for 75 years the chief political question in America and in the Senate and in the House of Representatives was the tariff. If we want to revive that question and bring it back into the old congressional mode, I would be willing to consider that as a matter of policy, but I am unwilling to tolerate the thought of it in connection with the domestic tax bill.

Mr. CLARK of Missouri. Mr. President, will the Senator permit me for a moment?

Mr. BAILEY. I yield.

Mr. CLARK of Missouri. The Senator was a little late coming into the Senate during the discussion of this matter. He was in the lobby, perhaps, when this question was presented to the Senate. Although it does involve a matter of tariff and all the considerations the Senator has mentioned, yet it was presented to the Senate purely as a matter of facilitating the delivery to our troops around the world of certain candy bars which are apparently made by certain candy manufacturers in Florida and in Connecticut. I do not believe personally that it is justifiable to break down the whole practice of tariff procedure between the two Houses, merely to facilitate the distribution of candy bars to our armed forces, but that is really and essentially what the issue now is.

Mr. BAILEY. I will say to the Senator it may be candy, but it is not exclusively candy bars. Of course, I would not impugn the good faith of Senators who made that representation, but it is possible they were imposed on. It is also possible that they had not seen what I see in this proposal. We got rid of the coconut oil which was sold in competition with our farmers' and fishermen's oil, and now we propose to open the tent to let the camel's nose come in by way of bringing in coconut to be used in making candy for soldiers and babies. Of course everybody knows that if it comes in that way, it will be pressed into oil and there will be millions of money in the oil compared with dollars in the candy.

That is all I intend to say. I did not intend to be here this afternoon. I was upstairs resting, but I was notified that this question had arisen. So I have undertaken to discuss it not in any extensive way, but merely to state my thought upon coming into the Chamber and being informed that this proposal was before the Senate.

I hope that the amendment will be voted down as a matter of policy, for it would be very bad policy for the Senate to open up a domestic revenue bill to tariff propositions.

I promised to yield to the Senator from Florida.

Mr. ANDREWS. Mr. President, I want to say to the Senator from North Carolina that there is nothing produced on this continent which can take the place of coconut meat for use in the foods we are talking about. The adoption of the amendment would never interfere with anything else. Only a few thousand dollars are involved in the whole proposal. I thought this was a very innocent and a very simple matter, and frankly did not imagine there would be opposition to it because practically all the coconut which would come in under the proposal would go into the articles we have discussed, namely, candy bars, pies, and cakes which go to our boys in the Army and Navy, who take the greater portion of it. If this action is not taken it will probably cause a change entirely in the price of the articles and very likely make it more difficult to produce them. I am willing for the Senate to vote on the amendment now, and if we are not successful we will renew the effort later on.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. ANDREWS].

The amendment was rejected.

Mr. BALL. Mr. President, I offer an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 148, after line 25, it is proposed to add the following new section:

SEC. 506. Distributions by personal holding companies.

(a) The last sentence of section 115 (a) of the Internal Revenue Code is amended by adding after the word "distribution," where it first appears, the following: "(to the extent of its subchapter A net income, whether or not a dividend as defined in the preceding sentence)."

(b) The amendment made by subsection (a) shall be effective for all taxable years beginning after December 31, 1941.

Mr. BALL. Mr. President, I discussed this amendment with the chairman of the committee. The 1942 act, so I am informed, amended section 115 (a) and provided that all distributions of personal holding companies would be considered as dividends and hence be taxable. That act did not make the exception made for other corporations for distributions of capital except in case of complete or partial liquidation. I understand the chairman of the committee is willing to take the amendment to conference for further study.

Mr. GEORGE. Mr. President, I should say that the Treasury does not approve the amendment, but I am willing to take it to conference and examine it further. The Senator from Minnesota has correctly stated the situation. At the present time any distribution of capital by personal holding companies not in complete or partial liquidation—not in complete liquidation, as I recall—is regarded as a dividend.

It has been a matter of controversy since the proposal was made. A great many people have presented the matter to members of the Finance Committee and to the committee itself. Frankly, as I have said, the Treasury has objected to the amendment, but I am willing to take it to conference because actually it involves a question of the distribution of capital and not of dividends.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. BALL].

The amendment was agreed to.

Mr. TRUMAN. Mr. President, I offer an amendment which I ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the proper place in the bill it is proposed to add the following section:

That section 710 (a) (1) (relating to rate of excess-profits tax) is amended to read as follows:

"(1) General rule: There shall be levied, collected, and paid, for each taxable year, upon the adjusted excess-profits net income, as defined in subsection (b), of every corporation (except a corporation exempt under sec. 727) a tax equal to whichever of the following amounts is the lesser:

"(A) 90 percent of the adjusted excess-profits net income, or

"(B) An amount which when added to the tax imposed for the taxable year under chapter 1 (other than sec. 102) equals the following percentages of the corporation surtax net income, computed under section 15 or supplement G, as the case may be, but without regard to the credit provided in section 26 (e) (relating to income subject to the tax imposed by this subchapter): On corporation surtax net incomes amounting to $25,000 or less, 40 percent; on corporation surtax net incomes over $25,000 but not over $50,000, 50 percent, or $10,000 plus 90 percent of the corporation surtax net income in excess of $25,000, whichever is the lesser; on corporation surtax net incomes over $50,000 but not over $75,000, 60 percent, or $25,000 plus 90 percent of the corporation surtax net income in excess of $50,000, whichever is lesser; on corporation surtax net incomes over $75,000 but not over $100,000, 70 percent, or $45,000 plus 90 percent of the corporation surtax net income in excess of $75,000, whichever is the lesser; on corporation surtax net incomes over $100,000, 80 percent, or $70,000 plus 90 percent of the corporation surtax net income in excess of $100,000, whichever is the lesser."

Mr. TRUMAN. Mr. President, I am not a tax expert, but the objective of the amendment is to keep the small corporations in business. The amendment was presented by my colleague in the Committee on Finance, but the Treasury objected on account of certain technicalities, and said it had not had time to work the matter out. I am hoping that the chairman of the Committee on Finance will take the amendment to conference, and work out some sort of arrangement so that the small corporations will not all be put out of business by the present excess-profits tax.

Mr. WHITE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Maine?

Mr. TRUMAN. I am glad to yield.

Mr. WHITE. Was the amendment submitted to the committee?

Mr. TRUMAN. It was, by my colleague.

Mr. WHITE. It was not approved by the committee?

Mr. TRUMAN. The Treasury objected to it.

Mr. WHITE. The Treasury objected?

Mr. TRUMAN. The Treasury representatives objected to it on technical grounds, and I thought they might be able to work out some sort of a compromise which would meet the intent of the amendment, if it could be taken to conference.

Mr. GEORGE. Mr. President, I regret that I cannot agree to take it to conference, because the amendment was presented by the senior Senator from Missouri [Mr. CLARK], who is a member of the Committee on Finance, and the committee passed on it. Objection was urged by the Treasury. The great difficulty about the matter, as I see it, is that there is no showing as to how it would affect revenue, or just what the effect would be.

Mr. TRUMAN. I understand that, and the Treasury could not furnish the information.

Mr. GEORGE. No; we could not get the information. The chairman of the Committee on Ways and Means has publicly stated—and I think I therefore may be able to assure the Senator that this course will be followed—that his committee would expect to commence work, as soon as the pending bill was out of the way, on a bill which would deal primarily with administrative, technical provisions, looking to the elimination of the inequities in the whole tax structure, and looking primarily to the simplification of our revenue laws, and of the requirements imposed on the citizen in connection therewith.

I really believe it would be better for the Senator to withhold his amendment, and let it come before the Committee on Ways and Means. I think he will have that opportunity within a reasonably short time. I do not know how it would affect the revenue in connection with the pending bill.

Mr. TRUMAN. I understand that, and I am perfectly willing to abide by the advice of the able and distinguished chairman of the Committee on Finance. I sincerely hope the matter can be worked out, because a great many of the small corporations are now being abandoned, turned into partnerships, and other things are happening, which is of vital interest if we are to maintain the small business structure of the Nation.

Mr. GEORGE. The Senator is quite right in that point, and this is a matter which will press itself upon the Con-

gress. Congress must consider the problem. I think the Senator is quite right in seeking to have it considered in connection with the tax bill, but I appreciate the fact that he is willing to bide his time until the next tax bill comes in.

Mr. TRUMAN. I am, if we can get some relief.

Mr. GEORGE. I thank the Senator.

The PRESIDING OFFICER. The Senator from Missouri withdraws his amendment.

Mr. TRUMAN. Mr. President, I should like to offer another amendment, which has to do with the sale of Government equipment. It proposes legislation, and I hope it can be attached to the pending bill, because I think it is of vital importance at this time.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed to insert at the proper place in the bill the following new section:

SEC. —. Sale of certain Government-owned production equipment.

Notwithstanding the provision of any other law relating to the disposal of Government property, any manufacturer having in his plant production equipment, title to which is in the United States and which was procured by that manufacturer for the account of the United States, or which was furnished by the United States, for the production of war supplies of the United States, shall have the right, at any time during which such production equipment is in the manufacturer's plant, to purchase such production equipment for amounts equal to the following percentages of the original acquisition price to the United States of such production equipment:

Manufacturing equipment 1 year of age or less, 80 percent;

Manufacturing equipment more than 1 year but less than 2 years of age, 65 percent;

Manufacturing equipment of 2 years of age or more, 50 percent.

For the purpose of determining the age of manufacturing equipment under this section, the date of manufacture of such equipment shall govern in each case. No warranty of any kind by the United States shall be construed to arise from such sale of such property.

Mr. TRUMAN. Mr. President, this amendment is offered for the purpose of making a concrete approach to reconversion. One of the difficulties that will be met as soon as the production emergency for war is over will be as to what is to happen to Government-owned equipment in war plants, and how we are to arrive at a conclusion which will be satisfactory for reconversion to peacetime work. I am merely offering the amendment for the purpose of setting up a concrete approach to what shall be done with Government equipment in the plants which may be reconverted to peacetime production.

Mr. WHITE. Will the Senator yield for a question?

Mr. TRUMAN. Certainly.

Mr. WHITE. As I read the amendment hurriedly, it seems to me the Senator is fixing an arbitrary price, and that the producer in whose plant the property is could not trade with respect to it except at the statutory figure. Is that correct?

Mr. TRUMAN. The Senator knows what will happen if some means is not found to prevent an immense amount of Government machinery and wartime production equipment, which cannot be ordinarily used in peacetime production, being thrown on the market. It is going to be pooled and sold at an outrageous discount, so far as the taxpayers' interest in it is concerned; then we will have a glut on the market of machinery and things of that kind, to such an extent that a great many of the factories will be completely put out of business.

I see the junior Senator from Michigan [Mr. FERGUSON] has just entered the Chamber, and I recall a case, with which he is familiar, of an immense amount of new equipment for the manufacture of wartime engines being junked by the Army. That equipment cost somewhere in the neighborhood of $600,000, and it was sold for $36,000, which is outrageous. I merely want some sort of a safety device, so that such things cannot happen between now and the time when we come to a real adjustment.

Mr. WHITE. I repeat, as I hurriedly read the amendment, it strikes me that the Senator has provided that "Manufacturing equipment 1 year of age or less," must be sold at 80 percent, and at no other price.

Mr. TRUMAN. That is correct.

Mr. WHITE. That seems a little arbitrary. I think that in some plants we might find the parties perfectly willing to pay more than 80 percent. Of course, in most plants it is going to be very largely a case of salvaging much of the material, much of the equipment, much of the machinery, and the Government getting for it what people are ready and willing to pay. If they do not dispose of it practically on that basis, we will have it left on our hands, deteriorating, until the value will have entirely disappeared.

Mr. TRUMAN. But if the material is dumped on the basis of the case which I have cited, we are going to have the situation of a great many manufacturers being put out of business.

Mr. BARKLEY. Mr. President, the question involved in the amendment is one of very broad policy.

Mr. TRUMAN. That is true.

Mr. BARKLEY. It is a question which is now being investigated by the Post-War Planning Committee of the Senate, of which the Senator from Georgia [Mr. GEORGE] is chairman. We have held hearings on this subject. It involves reconversion and involves cancelation of contracts. It involves an infinitely complicated problem of how best to demobilize our war efforts. It seems to me unwise now in this bill to undertake to fix a yardstick by which that problem can be solved. I can say to the Senator from Missouri that the subject is receiving the closest attention of the Post-War Planning Committee. It has also been gone into to some extent by other committees of the Senate. But I doubt the wisdom of trying to offer it to the pending bill without committee consideration, and I hope the Senator will not press his amendment. I can assure him that the subject which it covers is one in which we are all very much interested. We are seeking to work out the problem not only in the Senate but with the agencies downtown, the War Department and the Navy Department and all other departments. The proposal covers all the departments of the Government; not simply the Treasury. I hope the Senator will not press for action on his amendment at this time.

Mr. TRUMAN. Mr. President, what I am particularly interested in, I will say to the Senator, is that the Army and the Navy now are taking steps and disposing of immense amounts of property and machinery at ridiculous prices. Some stoppage ought to be put to that practice until the very thing that the Senator is talking about can be worked out.

Mr. BARKLEY. Even if that be true I doubt if we can at this time, in an amendment offered on the floor, fix an arbitrary figure at which this property should be disposed of. If the departments referred to are disposing of property now they are disposing of it under whatever law exists on the subject.

Mr. TRUMAN. They are doing it under the Emergency Act.

Mr. BARKLEY. I think this is not an appropriate time to try to fix a policy with respect to that subject.

Mr. TRUMAN. I think the Army and the Navy ought to be put on notice that the actions which they are taking now with regard to some of this material and machinery will be carefully looked into by the Senate and the House of Representatives, and that they ought to be very careful as to how they take steps along this line from now on. I am not particularly interested in any special piece of legislation, but I want to see that the interests of the Government and the public are protected.

Mr. BARKLEY. I share in that desire, and I am sure the committee and the Congress itself are going to be very watchful, if not critical, of the method by which this property is disposed of. The entire assembly of machines and buildings and everything else that the Government has invested its money in as a war activity are to be scrutinized. I can guarantee to the Senate that the Post-War Planning Committee, and any other committee that has jurisdiction of the subject, will go into it carefully and will be meticulous, I think, in attempting to protect the interests of the Government.

Mr. TRUMAN. With that assurance, Mr. President, on the part of the leader, I will be glad to withdraw the amendment, and leave the matter for future consideration.

Mr. President, I ask unanimous consent to offer an amendment on behalf of the senior Senator from Illinois [Mr. LUCAS] who cannot be present today. The amendment has something to do with the refund of tax on luggage, to avoid double taxation. The Senator from Illinois asked me to offer the amendment in his behalf. I do not

think it was ever presented to the Finance Committee.

The PRESIDING OFFICER. The amendment will be read.

The LEGISLATIVE CLERK. On page 136, after line 19, it is proposed to insert a new section reading as follows:

SEC. 311. Refund of luggage tax to avoid double taxation.

(a) Where prior to the effective date of section 1615, relating to retailers excise tax on luggage, any article subject to the manufacturers' excise tax on luggage imposed by section 3406 (a) (2) of the Internal Revenue Code has been sold by the manufacturer, producer, or importer, and is on such effective date held by a dealer and intended for sale, there shall be refunded to the manufacturer, producer, or importer the amount of the tax, or if the tax has not been paid, the tax shall be abated. Upon request, the manufacturer shall furnish to such dealer the amount of the manufacturers' excise tax paid with respect to such articles.

(b) As used in this section the term "dealer" includes a wholesaler, jobber, or retailer. For the purposes of this section, an article shall be considered as "held by a dealer" if title thereto has passed to such dealer (whether or not delivery to him has been made), and if for purposes of consumption, title to such article or possession thereof has not at any time been transferred to any person other than a dealer.

(c) Under regulations prescribed by the Commissioner, with the approval of the Secretary, the refund provided by this section may be applied as a credit against the tax shown by subsequent returns of the manufacturer, producer, or importer.

(d) When the refund, credit, or abatement provided for in this section has been allowed to the manufacturer, producer, or importer, he shall remit to the dealer who held on such effective date the article in respect of which a refund, credit, or abatement was allowed, so much of that amount of the tax corresponding to the refund, credit, or abatement as was paid or agreed to be paid by the dealer. Upon failure of the manufacturer, producer, or importer to make such remission, he shall be liable to the dealer for damages in the amount of three times the amount thereof, and the court shall include in any judgment in favor of the dealer in any suit for the recovery of such damages, costs of the suit and a reasonable attorney's fee to be fixed by the court.

Mr. TRUMAN. Mr. President, I am offering this amendment at the request of the senior Senator from Illinois who is unavoidably detained from the Senate at this time. After reading the amendment I was under the impression that it had some justification.

Mr. GEORGE. Mr. President, this particular amendment was not submitted to the committee, although the Senator from Illinois is a member of the committee. But the general subject, as it relates to the refund on several of what might be called, and properly have been called, war excise taxes, was brought to the attention of the committee, and there is some merit in the proposal. We were of the opinion that the matter could be handled subsequently much better than we could do so at this time. If this amendment is in the same general field, and I think it is, dealing only with one particular item or particular commodity or article on which this special tax is imposed, it seems to me it might go over until we consider the whole subject.

Furthermore, I understood that the Treasury did not favor this particular proposal. There are matters involved in this field, however, that will require study, and there unquestionably will be some legislation dealing with this very subject matter. But we are not ready to dispose of it. I suggest to the Senator from Missouri that he either not press the amendment today, or let it lie over until Monday at any rate. If the Senator from Illinois returns, we may be able then to reach some agreement with respect to the amendment.

Mr. TRUMAN. I am perfectly willing to have that done.

Mr. CLARK of Missouri. Mr. President, I should like to have the attention of the Senator from Georgia, the chairman of the Finance Committee. It is my intention at the proper time to move to strike out section 112 of the House bill, beginning on page 39 and extending down toward the bottom of page 41. It seems to me to be obvious that we cannot conclude the bill tonight. However, if the Senator from Georgia has any intention of going through with the conclusion of the bill, other than the renegotiation feature, I should like to offer the amendment at this time.

Mr. GEORGE. Mr. President, it is obvious that we cannot conclude consideration of the bill tonight.

Mr. CLARK of Missouri. I will say very frankly that it will be necessary to have a quorum present when the matter is considered, and I intend to ask for a yea and nay vote on the question of striking out section 112. I do not desire to interfere with the orderly consideration of the bill. But I thought it proper to call the attention of the Senator from Georgia at this time to my intention.

Mr. GEORGE. It is obvious that we cannot complete consideration of the bill tonight. There are one or two amendments perhaps on which a vote will be taken. I think for the most part the other amendments which have been exhibited to me or brought to my attention very few in number in fact now, can be disposed of without controversy.

But I am ready now, if agreeable to the majority leader, to conclude for the day consideration of the bill and amendments.

EXECUTIVE SESSION

Mr. BARKLEY. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. MCFARLAND in the chair) laid before the Senate a message from the President of the United States submitting several nominations, in the Marine Corps, which were referred to the Committee on Naval Affairs.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

Capt. James E. Boak, United States Navy, to be a commodore in the Navy, for temporary service, while serving as the commander of an advanced naval base;

Capt. George R. Henderson, United States Navy, to be a commodore in the Navy, for temporary service, while serving in command of a fleet air wing;

Rear Admiral David W. Bagley, United States Navy, to be a vice admiral in the Navy, for temporary service, to rank from the 1st day of February 1944, and to continue during his assignment as commander, Western Sea Frontier;

Vice Admiral John W. Greenslade, United States Navy, when retired on February 1, 1944, to be placed on the retired list with the rank of vice admiral pursuant to an act of Congress approved June 16, 1942;

Capt. William M. Fechteler, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 3d day of December 1942;

Commodore Henry S. Kendall, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 15th day of May 1943;

Capt. Frank L. Lowe, United States Navy, to be a rear admiral in the Navy, for temporary service, while serving as Assistant Judge Advocate General;

Capt. John J. Ballentine, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 21st day of April 1943; and

Capt. Frederick G. Crisp, United States Navy, to be a rear admiral in the Navy, for temporary service, while serving as Director of Shore Establishments and Civilian Personnel, Navy Department.

REFERENCE OF TREATIES AND NOMINATIONS

Mr. BARKLEY. Mr. President, I submit the resolution which I send to the desk and ask to have read and considered.

The PRESIDING OFFICER. The resolution will be read.

The legislative clerk read as follows:

Resolved, That on calendar days of the present session of Congress when no executive session is held, nominations or treaties received from the President of the United States may, where no objection is interposed, be referred, as in executive session, to the appropriate committee by the Presiding Officer of the Senate.

Mr. WHITE. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. WHITE. Am I correct in my understanding that the resolution is a usual and more or less routine one?

Mr. BARKLEY. Yes. It merely means that when the Senate is in session and there is no executive session, nominations or treaties sent to the Senate may be referred to the appropriate committees.

Mr. WHITE. Such a resolution is usually agreed to, is it?

Mr. BARKLEY. Yes.

The PRESIDING OFFICER. The question is on the present consideration of the resolution.

There being no objection, the resolution was considered and agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

THE MARINE CORPS—NOMINATION PASSED OVER

The legislative clerk read the nomination of Col. William P. T. Hill, to be Quartermaster of the Marine Corps, with the rank of brigadier general, which nomination had previously been passed over.

Mr. BARKLEY. Mr. President, the nomination of Colonel Hill to be Quartermaster of the Marine Corps, with the rank of brigadier general, has been passed over several times. I understand it is desired that the nomination go over again; but I wish to inform Senators who have asked that it go over that I think it has gone over about long enough, and unless there is some opposition to be expressed in the Senate to the confirmation of the nomination, I shall insist that the nomination be taken up and passed upon.

Mr. WHITE. Mr. President, does the Senator mean to have that done some day next week?

Mr. BARKLEY. Yes; early next week.

DEPARTMENT OF COMMERCE

The legislative clerk read the nomination of Josh Lee, of Oklahoma, to be a member of the Civil Aeronautics Board for the term of 6 years expiring December 31, 1949.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the United States Public Health Service.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the postmaster nominations are confirmed en bloc.

Mr. BARKLEY. I ask unanimous consent that the President be immediately notified of the nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

That completes the calendar.

THE REVENUE ACT

Mr. BARKLEY. I move that the Senate resume the consideration of legislative business.

The motion was agreed to.

The Senate resumed the consideration of the bill (H. R. 3687) to provide revenue, and for other purposes.

Mr. GEORGE. Mr. President, I wish to call attention to one matter which can be, and should be, disposed of now. It will be recalled that yesterday, on motion of the Senator from Colorado [Mr. JOHNSON], a certain section of the Finance Committee bill, as reported from committee, was stricken out, and a new section was inserted. I do not have before me the exact page number.

Mr. JOHNSON of Colorado. On page 50.

The PRESIDING OFFICER. The Chair is informed that the new section was inserted on page 50, line 11.

Mr. GEORGE. The amendment was agreed to.

The Senator from Pennsylvania [Mr. DAVIS] has offered an amendment to the amendment of the Senator from Colorado which was agreed to in lieu of the Finance Committee amendment. To the amendment of the Senator from Pennsylvania to the amendment of the Senator from Colorado the Treasury does not object; but I understand that the position of the Treasury is that the amendment of the Senator from Pennsylvania should go in as an amendment to the amendment of the Senator from Colorado. If the amendment of the Senator from Colorado, now included in the bill, is retained, the amendment of the Senator from Pennsylvania should become a part of it, or at least should go to conference, so that the matter presented in the amendment may be fully considered. The amendment of the Senator from Pennsylvania is, in substance, a part of the amendment which the Finance Committee first recommended, but it does not relate to the new matter. So it is a matter with which the committee is familiar, and on which the committee has really passed, although the final committee amendment was rejected, and a substitute for it was agreed to.

Therefore I ask unanimous consent that the vote by which the amendment of the Senator from Colorado was agreed to be reconsidered, so that the Senator from Pennsylvania may offer his amendment, which I hope will be agreed to.

The PRESIDING OFFICER. Without objection, the vote by which the amendment of the Senator from Colorado was agreed to is reconsidered, and the amendment is before the Senate.

Mr. GEORGE. Mr. President, I now ask unanimous consent that the amendment of the Senator from Pennsylvania to the amendment of the Senator from Colorado be considered and agreed to.

The PRESIDING OFFICER. Without objection, the amendment of the Senator from Pennsylvania to the amendment of the Senator from Colorado is considered and agreed to.

The amendment of the Senator from Pennsylvania [Mr. DAVIS] to the amendment of the Senator from Colorado [Mr. JOHNSON] is as follows:

At the end of the amendment offered on January 14 by the Senator from Colorado [Mr. JOHNSON], beginning on page 50 and ending with line 7, on page 57, add the following:

SEC. 115½. Reorganization by adjustment of capital and debt structure of an existing corporation.

(a) Section 113 (a) of the Internal Revenue Code is amended by adding at the end thereof a new paragraph, as follows:

"( ) Reorganization by adjustment of capital and debt structure of an existing corporation: If the reorganization of a corporation (other than a railroad corporation as defined in section 77m of the National Bankruptcy Act, as amended) in a receivership proceeding or in a proceeding under section 77B of chapter X of the National Bankruptcy Act, as amended, is consummated under a plan by adjustment of the capital and debt structure of an existing corporation rather than by transfer of the assets to a successor corporation, then, at the election of the taxpayer, notwithstanding the provisions of section 270 of the National Bankruptcy Act, as amended, the basis of such assets shall be the same as immediately prior to the reorganization and, for the purposes of sections 718 and 760, the reorganized corporation shall be treated as if it were a corporation which acquired the assets pursuant to a plan of reorganization, in exchange for the stock and securities and an assumption of the liabilities of such corporation as reorganized. This paragraph shall not apply if any of the persons who were shareholders of the corporation immediately before the reorganization are shareholders of the corporation immediately after the reorganization by reason of a continuing equity in the assets of the corporation attributable to such shareholders solely by reason of their ownership of stock. The term "reorganization," as used in this paragraph, shall not be limited by the definition of such term in section 112 (g)."

The election under this section shall be made under such rules and regulations as the Commissioner, with the approval of the Secretary, shall prescribe.

The PRESIDING OFFICER. The question now recurs on agreeing to the amendment of the Senator from Colorado [Mr. JOHNSON], as amended.

The amendment as amended was agreed to.

Mr. DAVIS subsequently said: Mr. President, in respect to the amendment I offered to the amendment of the Senator from Colorado, both of which were agreed to, I desire to make a brief statement.

The effect of this amendment is to provide a rule for the determination of the invested capital and of the basis of the assets of a corporation following a bankruptcy or receivership reorganization where a new or successor corporation is not employed. It does not apply to railroad corporations, nor does it apply to any reorganization where the old stockholders' interests are preserved in whole or in part. It applies only to industrial reorganizations where the entire proprietary interest of the enterprise shifts to the corporation's creditors.

The amendment provides in such cases that the basis of the assets shall be the same as immediately prior to the reorganization, unadjusted for debt cancelation, and that such basis shall be the measure of the property paid in for the corporation's stock. The rule under existing law is unclear, and has impeded the orderly termination of many pending bankruptcy and receivership proceedings involving industrial corporations. The amendment provides the same rule as that now prescribed in railroad reorganizations and in the Johnson amendment with reference to industrials, where a new corporation is employed. It is similar to the provision contained in section 115 of the reported bill, but is much narrower in scope, and retains existing carry-overs. It is, therefore, believed to be free from objection.

Mr. MAYBANK. Mr. President, I have two amendments in connection with the tax on oleomargarine, which I had hoped to offer today. However, due to the lateness of the hour, and because some Senators who have been very much interested in the subject are not now in the Chamber, I shall delay offering the amendments until Monday.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 38 minutes p. m.) the Senate took a recess until Monday, January 17, 1944, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 15 (legislative day of January 11), 1944:

PROMOTIONS AND APPOINTMENTS IN THE MARINE CORPS

Brig. Gen. DeWitt Peck to be a major general in the Marine Corps, for temporary service, from the 1st day of January 1944.

Col. Gerald C. Thomas to be a brigadier general in the Marine Corps, for temporary service, from the 7th day of December 1943.

Robert P. Smith, a citizen of California, to be a second lieutenant in the Marine Corps from the 31st day of October 1942.

The below-named citizens to be second lieutenants in the Marine Corps from the 7th day of August 1943:

Carl E. Walker, a citizen of California.

William L. Eubank, a citizen of Mississippi.

The below-named citizens to be second lieutenants in the Marine Corps from the 29th day of October 1943:

William H Dennen, a citizen of Virginia.

Charles H. Scholfield, a citizen of Missouri.

Jay T. Nichols, a citizen of Illinois.

Platoon Sgt. Arba K. Alford, Jr., a meritorious noncommissioned officer, to be a second lieutenant in the Marine Corps from the 17th day of November 1943.

Bevan G. Cass, a citizen of Pennsylvania, to be a second lieutenant in the Marine Corps from the 1st day of December 1943.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 15 (legislative day of January 11), 1944:

DEPARTMENT OF COMMERCE

Josh Lee, of Oklahoma, to be a member of the Civil Aeronautics Board in the Department of Commerce.

UNITED STATES PUBLIC HEALTH SERVICE

TO BE TEMPORARY SURGEONS

Aaron W. Christensen
Robert F. Martin
Theodore McC. Burkholder
Theodore L. Perrin
Harris Isbell
Rolla R. Wolcott
James F Lane
John N. Bowden
Ralph B. Hogan
Vernon B. Link
Norman H. Topping
Michael B. Shimkin

TO BE TEMPORARY SENIOR SURGEONS

Noka B. Hon
Hiram J. Bush
Eddie M. Gordon
Walter P. Griffey
Albert T. Morrison
Samuel J. Hall
Maurice A. Roe
Paul A. Neal
Kenneth R. Nelson
Vane M. Hoge

TO BE TEMPORARY MEDICAL DIRECTOR

Erval R. Coffey

TO BE ASSISTANT SURGEONS

Norman W. Wagner
Walter S. Mozden

TO BE PASSED ASSISTANT SANITARY ENGINEER

James G. Terrill, Jr.

TO BE TEMPORARILY PROMOTED TO SENIOR SANITARY ENGINEER

Vincent B. Lamoureux.

TO BE TEMPORARILY PROMOTED TO DENTAL SURGEONS

Francis A. Arnold, Jr.
George E. Waterman

POSTMASTERS

CALIFORNIA

Joseph L. Hewes, Encinitas.
Alice L. West, Rocklin.

DELAWARE

Florence E. Williams, Dagsboro.
Otto Dickerson, Milton.
Edna E. Conner, Townsend.

FLORIDA

Evelyn V. Morrow, Deerfield Beach.
Jennie D. Carlton, Nocatee.

GEORGIA

Charles P. Suber, Ben Hill.
Katherine F. Underwood, Cadwell.
Durell W. Knight, Dexter.
Edgar F. Allen, Folkston.
Bob H. Elliott, Milstead.
Julia E. Custer, Montrose.
Marie E. Harrell, Pearson.
Hubert H. Watson, Warner Robins.

INDIANA

Joshua Rothrock, Brooklyn.
Eva C. Brown, Burlington.
Frank A. Anderson, Deputy.
Madelyn O'Dell, Fillmore.
Dale E. Pherigo, Flat Rock.
Willard W. Goble, Freetown.
Leta McComb, Huntertown.
Louvisa E. Rainford, Lake Village.
Ina Belle Manges, Lapaz.
Lester A. Madden, Lynnville.
Winnie Johnson, North Terre Haute.
Andy Dillon, Otwell.
James H. Witherspoon, Sr., Patoka.
Leonora T. Anderson, Poland.
Ruth Kennedy, St. Bernice.
Grace Mitchell, Springville.
Harold T. Conrad, Zionsville.

KANSAS

Clarence F. Danielson, Clyde.
Roy W. Sanderson, Hamilton.
Paul D. Randel, Havensville.
Philip P. Voran, Kinsley.
Caleb A. Bodmer, Natoma.
May B. Lawson, Plains.
Clifford I. Percival, Smolan.
G. Lowell Kelley, White Cloud.

MINNESOTA

Peter L. Geris, Carlos.
Carl W. Appelquist, Dunnell.
Clifford E. S. Gunderson, Waubun.
William D. Banta, Wyoming.

NEW JERSEY

Pearl S. Richman, Malaga.
John C. Wiltsee, Monroeville.
Jennie Kapner, Mount Freedom.
Robert Francis Murray, New Market.
Edgar Kerris, Pine Brook.

NORTH DAKOTA

Max A. Wipperman, Hankinson.

OREGON

Gertrude K. McKinney, Elkton.
Dorathy V. Elliott, Florence.
Lois M. Brown, Langlois.
Clinton F. Trow, Ontario.

SOUTH CAROLINA

Luther L. Hadden, Duncan.

TEXAS

Claud S. Campbell, Borger.
Thomas L. P. Lindley, Fairfield.
Stella Gliddon, Johnson City.
Fannie E. Taylor, Murchison.
Marion J. Edwards, Rankin.
Robert E. Johnson, Round Rock

UTAH

Etta Moffitt, Kenilworth.

VIRGINIA

Russell D. Davis, Axton.
Cecil I. Bruce, Bastian.

WASHINGTON

John H. Thompson, Midway.
Roy W. Peterson, Parkland.
Fred Kelly, Woodinville.

SENATE

MONDAY, JANUARY 17, 1944

(Legislative day of Tuesday, January 11, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Father of our yearning spirits, we thank Thee for every sacrament of beauty: For the rosy flush of the dawn which calls to holy dedication; for the noontide splendor which brings the heat and burden of the day; and for the quiet vesper of the evening which mirrors a realm where, beyond these voices, there is peace:

Once more in Thy great mercy the white scroll of a new day unfolds before us. We lift our hearts to Thee in the pure light of morning. We pray that this day our record may be kept unstained by any word or act unworthy of our best. As we take our place among our fellows, to face the tasks committed to our hands in these stirring and solemn times, grant that we may look all men in the face with the eyes of a brother. May no cloud of misunderstanding, no passing irritation, rob us of the joyful fellowship one with another in the partnership of the Nation to whose welfare our strength of mind and heart is dedicated. In troubled and anxious days still our minds, hush our spirits, and may Thy calm, O God, possess our souls. Amen.

ATTENDANCE OF SENATORS

JOHN H. BANKHEAD, a Senator from the State of Alabama; THEODORE G. BILBO, a Senator from the State of Mississippi; ALLEN J. ELLENDER, a Senator from the State of Louisiana; PAT MCCARRAN, a Senator from the State of Nevada; and MON C. WALLGREN, a Senator from the State of Washington, appeared in their seats today.

THE JOURNAL

On request of Mr. TRUMAN, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Saturday, January 15, 1944, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

NOTICE OF HEARING ON AUSTIN-WADSWORTH BILL (S. 666)

Mr. AUSTIN. Mr. President, the hearing on the Austin-Wadsworth bill, Senate bill 666, has been postponed from Tuesday, tomorrow, to Wednesday. The meeting will be held at 10 o'clock a. m. in the caucus room, 318 Senate Office Building. Due to unforeseen causes, it has become inconvenient for the Secretary of War to attend the meeting Tuesday, but he will attend Wednesday.

CALL OF THE ROLL

Mr. TRUMAN. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	George	O'Mahoney
Andrews	Gerry	Overton
Austin	Gillette	Radcliffe
Bailey	Green	Reed
Ball	Guffey	Revercomb
Bankhead	Gurney	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hall	Shipstead
Brewster	Holman	Stewart
Bridges	Johnson, Colo.	Taft
Brooks	Kilgore	Thomas, Idaho
Buck	La Follette	Thomas, Okla.
Burton	Langer	Thomas, Utah
Bushfield	Lodge	Tobey
Butler	McCarran	Truman
Byrd	McClellan	Tunnell
Capper	McFarland	Tydings
Caraway	McKellar	Vandenberg
Chavez	Maloney	Van Nuys
Clark, Mo.	Maybank	Wallgren
Connally	Mead	Walsh, Mass.
Danaher	Millikin	Walsh, N. J.
Davis	Moore	Wheeler
Downey	Murdock	Wherry
Eastland	Murray	White
Ellender	Nye	Wiley
Ferguson	O'Daniel	Willis

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from South Carolina [Mr. SMITH], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Florida [Mr. PEPPER] is detained in Florida on public business.

The Senator from New Mexico [Mr. HATCH] and the Senator from Nevada [Mr. SCRUGHAM] are detained because of slight colds.

The Senator from Illinois [Mr. LUCAS] is detained on public business.

Mr. WHITE. The Senator from Oregon [Mr McNARY] is absent because of illness.

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

NATIONAL WAR SERVICE

Mr. VANDENBERG. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a brief statement I have made regarding the proposed National Service Act.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Ever since Pearl Harbor I have urged that all interruptions to defense production should be outlawed by statute. I could no more tolerate a war-production strike on the home front than at the battle front. Organized labor gave us a notable no-strike pledge which has been widely kept. Unfortunately, however, it has also been abused. It makes no difference in net results that this abuse has often been unauthorized. The Government figures tell us that there were 3,737 total strikes in 1943, which is twice as many as the 1927–41 average, and that we lost 13,947,557 man-days of production as a result. It makes no difference that over-all production minimizes these figures. An 8-ounce heart can stop a 200-pound body. If the President, at long last, is now ready to face this problem unequivocally, I want to cooperate. But I am unable to understand why we must regiment every adult male civilian and particularly every adult civilian woman in order to achieve the desired result. In my view, such a remedy might become worse than the disease. I prefer to outlaw all strikes or lock-outs in defense production or services for the duration. Of course, there will still be disputes; but, for the duration, they must be negotiated when the national defense is involved. No dispute is as important as unbroken supply lines to our soldier-sons and the law must say so in unequivocal terms.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

WAIVER OF PROSECUTION UNDER ANTITRUST LAWS, ETC., IN CERTAIN INSTANCES REQUISITE TO PROSECUTION OF THE WAR

A letter from the Attorney General, transmitting pursuant to section 12 of Public Law 603, Seventy-seventh Congress, approved June 11, 1942, his 5th report covering the period from September 14, 1943, through January 8, 1944 (with an accompanying report); to the Committee on Banking and Currency.

EXCHANGE OF LANDS FOR RECREATIONAL PURPOSES

A letter from the Secretary of the Interior, reporting, pursuant to law, in relation to the patenting to States, counties, and municipalities of lands classified as chiefly valuable for recreational purposes in exchange for lands of equal value or equal quantity; to the Committee on Public Lands and Surveys.

REPORT OF FEDERAL TRADE COMMISSION

A letter from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the annual report of the Commission for the fiscal year ended June 30, 1943 (with an accompanying report); to the Committee on Interstate Commerce.

REPORT OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Chairman of the Reconstruction Finance Corporation, transmitting, pursuant to law, a report covering the operations of the Corporation for the period from its organization on February 2, 1932, to September 30, 1943, inclusive (with an accompanying report); to the Committee on Banking and Currency.

OCTOBER 1943 REPORT OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Chairman of the Reconstruction Finance Corporation, transmitting, pursuant to law, a confidential report of the Corporation for the month of October 1943 (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF THE CHESAPEAKE & POTOMAC TELEPHONE CO.

A letter from the president of the Chesapeake & Potomac Telephone Co., transmitting, pursuant to law, the report of the company for the year 1943 (the month of December being estimated) (with an accompanying report); to the Committee on the District of Columbia.

PERSONNEL REQUIREMENTS OF A DEPARTMENT AND OFFICES

Letters transmitting, pursuant to law, estimates of personnel requirements for the quarter ending March 31, 1944, by the Bureau of Foreign and Domestic Commerce of the Department of Commerce, Federal Trade Commission, War Production Board, and War Relocation Authority (with accompanying papers); to the Committee on Civil Service.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of the Treasury, Navy (4), Agriculture, Commerce, and Labor; Federal Works Agency; and the United States Coast and Geodetic Survey which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking toward their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of South Carolina; to the Committee on Military Affairs:

"A concurrent resolution pledging the all-out cooperation of the General Assembly of the State of South Carolina to the President and the Congress of the United States of America to achieve an early victory in winning the war and to accomplish a lasting and just peace thereafter

"With profound conviction of the justice of our cause and of the imperative necessity of winning the war; be it

"Resolved by the house of representatives (the senate concurring):

"SEC. 1. That the General Assembly of the State of South Carolina pledges all-out cooperation to the Commander in Chief of the armed forces of our country, and to the Congress of the United States of America, to the achievement of an early victory in the war, and to the accomplishment of a lasting and just peace thereafter.

"Let copies of this concurrent resolution be transmitted forthwith to the President of the United States of America, and to the President of the Senate, and the Speaker of the House of Representatives, of the Congress of the United States of America."

A resolution adopted by the City Council of Baltimore, Md., favoring the enactment of legislation to enable persons in the armed forces of the United States and the merchant marine to vote; to the Committee on Privileges and Elections.

A letter in the nature of a petition from the national president of the Moms of America, on behalf of that organization, praying for the enactment of legislation to enable members of the armed forces to vote; to the Committee on Privileges and Elections.

By Mr. GREEN:

A resolution of the General Assembly of Rhode Island; to the Committee on the Judiciary.

"Resolution 20

"Whereas the State of Rhode Island, on the 21st day of March A. D. 1931, in a memorial which was adopted by its General Assembly and approved by its Governor, addressed to the Congress of the United States its protest against the then-existing eighteenth amendment to the Constitution of the United States, under which the manufacture, sale, or transportation of intoxicating liquors for beverage purposes was prohibited, and requested the Congress to take such action as was necessary to secure the repeal of such amendment; and

"Whereas in this memorial, a copy of which will accompany this resolution, there is contained a recital of the experience of the State of Rhode Island during the years 1886 to 1889 when this State attempted to prohibit the manufacture and sale of intoxicating liquors for beverage purposes under an amendment to its State constitution; of the lawlessness and corruption which was consequent upon this attempt to enforce by law the prohibition of the use of alcoholic beverages; of the repeal of this amendment in the year 1889 by a vote of 28,315 to 9,956;

of the opposition of the State of Rhode Island to the eighteenth amendment to the Constitution of the United States because of its own experiences as to the folly of such attempts to enact and enforce a sumptuary law; of the refusal of this State to adopt the eighteenth amendment to the Constitution despite its almost unanimous adoption by the States; of the submission on November 4, 1930, by the General Assembly to the electors of the State of Rhode Island of the question "The eighteenth amendment to the Constitution of the United States; shall it be retained?" when the people voted against such retention by a vote of 171,960 to 47,652; and

"Whereas after the eighteenth amendment to the Constitution of the United States had been in effect from the year 1920 to the year 1933, a period in which was witnessed such lawlessness and corruption as to shock the Nation, it was acknowledged that the effort to prevent the use of intoxicating liquors for beverage purposes by the enactment of a prohibitory amendment to the Constitution had been a failure, and within a period of 10 months from the time when the Congress submitted to the States the twenty-first amendment to the Constitution, which provided for the repeal of the eighteenth amendment, such twenty-first amendment was ratified by the 36 States whose approval was necessary for the repeal; and

"Whereas it has come to the attention of this General Assembly that despite the sad experiences of the Nation in connection with national prohibition, there is a present effort being made in the Congress to bring about the enactment of a law to prohibit the sale, transportation, manufacture, import, and export of intoxicating liquors for beverage purposes for the duration of the war and for a demobilization period to be determined by the President, an effort which is strikingly similar to that which was made in the year 1918 when the wartime prohibition law was enacted to conserve grain and ultimately developed into the eighteenth amendment; and

"Whereas the General Assembly of the State of Rhode Island desires to be placed on record against any efforts to bring about the reenactment of legislation to prohibit the manufacture or sale or transportation of intoxicating liquors for beverage purposes, in the belief that such legislation has not only failed to accomplish its purpose but has also brought in its train conditions which have proven detrimental to the public interest: Therefore be it

"Resolved, That the General Assembly of the State of Rhode Island and Providence Plantations does hereby protest against the enactment of H. R. 2082 now pending in the Congress of the United States which has for its purpose the prohibition, for the duration of the war and for a demobilization period to be determined by the President, of the sale, transportation, manufacture, import, and export of alcoholic beverages containing more than one-half of 1 percent of alcohol by volume, and against the enactment by the Congress of any other legislation which would have as its purpose any prohibition—whether of general application or in any limited area—of the manufacture or of the sale or of the transportation of intoxicating liquors for beverage purposes; and be it further

"Resolved, That the General Assembly of the State of Rhode Island and Providence Plantations does hereby enter its further protest against any action by the Congress—during the period of the war—to enact legislation to prohibit the manufacture or the transportation or the sale of intoxicating liquors for beverage purposes, since many millions of voters now in the armed forces of the Nation will be unable to express either their approval or disapproval of such legislation or their approval or disapproval of the position taken by their representatives in the Congress concerning such legislation; and be it further

"Resolved, That the secretary of state of the State of Rhode Island and Providence Plantations shall forward forthwith copies of this resolution and of the before-mentioned memorial, to the Senators and Representatives from Rhode Island in the Seventy-eighth Congress of the United States—with the request that this resolution be presented to the Senate of the United States—or to the House of Representatives of the United States—or to any committee or body of the Congress—before which there may be pending, at any time, any legislation to prohibit the manufacture or the transportation or the sale of intoxicating liquors for beverage purposes."

PROHIBITION OF LIQUOR TRAFFIC DURING THE WAR

Mr. GREEN presented a resolution of the City Council of Providence, R. I., which was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Resolution 11

Whereas House Resolution 2082 has been introduced into the national House of Representatives under the title of, "A bill to reduce absenteeism, conserve manpower, and speed production of material necessary for the winning of the war," and has been referred to the Committee on the Judiciary; and

Whereas the intent of the resolution is to promote prohibition by stating it shall be unlawful to sell or possess alcoholic beverages containing more than one-half of 1 percent alcohol by volume; and

Whereas it further prohibits the manufacture, sale, transportation, and exportation of such beverage of such alcoholic content excepting for industrial or medicinal use; and

Whereas the enactment of such legislation would of necessity cause many beverage companies to curtail a major portion of their beverage manufacture, thus causing unemployment of thousands of persons engaged in that particular business, and decreasing revenue realized through taxation upon such beverage: Now, therefore, be it

Resolved, That we, the members of the city council, go on record as objecting to the enactment of such legislation by Congress; and be it further

Resolved, That a copy of this resolution be forwarded to the Members of Congress representing the city of Providence and the State of Rhode Island, and requesting that they use the influence of their respective offices to the end that House Resolution 2082 be defeated.

LETTER FROM MRS. NELLIE B. WINSLOW, OAKLEY, KANS.

Mr. CAPPER. Mr. President, I have received a most interesting letter from Mrs. Nellie B. Winslow, a very intelligent woman of Oakley, Kans., who offers timely suggestions having important bearings on the present situation. I ask unanimous consent that her letter be printed in the RECORD and appropriately referred.

There being no objection, the letter was ordered to lie on the table and to be printed in the RECORD, as follows:

OAKLEY, KANS., *January 11, 1944.*

DEAR SENATOR CAPPER: I have listened to your broadcasts and to your invitation to your constituents to write you their opinions on current topics.

Soldier votes: Of course, they should vote. They are still citizens even if not always treated so, and provision for their votes should be made by the Federal Government—now and not too late for 1944 election.

Labor question: Repeal of Wagner Act, which should have been done as soon as the first sit-down strike occurred.

Labor legislation that insures workmen fair wages, reasonable hours, and all possible safeguards from industrial accidents.

Strikes anywhere absolutely prohibited in wartime and anytime except for violations of law regarding wages, hours, working conditions.

Membership in labor unions voluntary; no exorbitant entrance fees, voluntary payment of dues, no check-off, no maintenance of membership, no agitators, no jurisdictional disputes.

Responsibility of labor for damaged property.

Publicity of accounts.

The present labor leaders, who did not keep their agreement in regard to strikes in wartime should be arrested and accused of treason to the United States. As well try to persuade us that two and two do not make four as that strikes do not impede the war effort.

Food: No food of any kind used for making intoxicants, including beer. Alcoholic limit on all drinks sold one-half of 1 percent.

Subsidies may not be good as a permanent policy, but now is not the time to stop them. It would offer an excuse for higher prices. Everybody does not have an increased income.

Rationed goods: We do not believe that millions of pounds of spoiled food does not lessen the supply. This food should be released before it spoils. We are willing to accept and abide by reasonable rationing.

Prohibition: Immediate stoppage of intoxicants sold on trains. Bars and club cars are a disgrace.

No drunken officers commanding our boys. No food transportation or man or woman power for manufacture or sale of intoxicants.

Soldiers on European front: Three Americans to one British may be necessary to defeat Hitler, but not to hold under British rule the 400,000,000 who will not fight for her.

Mrs. NELLIE B. WINSLOW.

REPORT OF COMMITTEE ON THE JUDICIARY

Mr. McFARLAND, from the Committee on the Judiciary, to which was referred the bill (S. 1227) to amend section 1 of the act providing punishment for killing or assaulting of Federal officers, reported it with an amendment and submitted a report (No. 630) thereon.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. DANAHER, from the Committee on Finance:

Frank W. Kraemer, of Hartford, Conn., to be collector of internal revenue for the district of Connecticut, to fill an existing vacancy.

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs;

Capt. Harold B. Sallada, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 10th day of March 1943;

Capt. Thomas E. Hipp, Supply Corps, United States Navy, to be a pay director with the rank of rear admiral in the Navy, for temporary service, to rank from the 31st day of March 1943;

Sundry officers for promotion in the Navy;

Sundry officers of the United States Naval Reserve for appointment in the Navy; and

Col. William E. Riley, to be a brigadier general in the Marine Corps for temporary service from April 1, 1943.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCARRAN:

S. 1650. A bill to provide for determination of claims for benefits under the laws administered by the Veterans' Administration with respect to persons discharged from the armed forces because of disability, prior to the granting of such discharge, and for other purposes; to the Committee on Finance.

By Mr. BUSHFIELD:

S. 1651. A bill for the relief of Mrs. Henderson Dale Fagg; to the Committee on Claims.

By Mr. DOWNEY:

S. 1652. A bill to provide for the advancement on the retired list of certain retired officers of the United States Army; to the Committee on Military Affairs.

By Mr. WALSH of Massachusetts:

S. 1653. A bill to provide titles for heads of staff departments of the United States Marine Corps, and for other purposes; to the Committee on Naval Affairs.

By Mr. ANDREWS:

S. 1654. A bill to suspend the effectiveness during the existing national emergency of the tariff duty on coconuts; to the Committee on Finance.

By Mr. GEORGE:

S. 1655. A bill to amend section 901 of the Second War Powers Act, 1942, approved March 27, 1942, to permit any letter mail containing registration certificates or ballots sent by any member of the military or naval forces to be transmitted by air mail, free of postage; to the Committee on Military Affairs.

By Mr. KILGORE (for himself, Mr. TRUMAN, Mr. BREWSTER, and Mr. LA FOLLETTE):

S. 1656. A bill to provide that members of the armed forces shall not be discharged for disability until their rights to veterans' benefits shall have been adjudicated; to the Committee on Military Affairs.

AMENDMENT TO THE REVENUE ACT

Mr. WALSH of New Jersey submitted an amendment intended to be proposed by him to the bill (H. R. 3687) to provide revenue, and for other purposes, which was ordered to lie on the table and to be printed.

CONTINUATION OF THE COMMODITY CREDIT CORPORATION—AMENDMENT

Mr. DOWNEY submitted an amendment intended to be proposed by him to the bill (H. R. 3477) to continue the Commodity Credit Corporation as an agency of the United States, to revise the basis of annual appraisal of its assets, and for other purposes, which was referred to the Committee on Banking and Currency and ordered to be printed.

READJUSTMENT IN CIVILIAN LIFE OF RETURNING WORLD WAR NO. 2 VETERANS—AMENDMENTS

Mr. McCARRAN submitted several amendments intended to be proposed by him to the bill (S. 1617) to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans, which were severally referred to the Committee on Finance and ordered to be printed.

WARTIME METHOD OF VOTING BY MEMBERS OF ARMED FORCES—AMENDMENT

Mr. LODGE (for himself and Mr. AUSTIN) submitted an amendment intended to be proposed by them, jointly, to the bill (S. 1614) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, which was referred to the Committee on Privileges and Elections and ordered to be printed.

PHILIPPINE-AMERICAN COLLABORATION—ADDRESS BY SERGIO OSMEÑA VICE PRESIDENT OF THE PHILIPPINES

[Mr. TYDINGS asked and obtained leave to have printed in the RECORD an address entitled "Philippine-American Collaboration" delivered by Hon. Sergio Osmeña, Vice President of the Philippines, at Chicago, Ill., January 2, 1944, which appears in the Appendix.]

LIQUIDATION OF COMMUNIST PARTY—ARTICLES BY FRANK R. KENT AND WESTBROOK PEGLER

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article by Frank R. Kent, and an article by Westbrook Pegler, on the subject of the liquidation of the Communist Party, which appear in the Appendix.]

ROTATION OF TROOPS

Mr. REYNOLDS. Mr. President, the rotation of troops is a subject in which many millions of American fathers and mothers are presently interested, particularly those who have sons or daughters overseas, whether they be in the Orient or in Europe.

The senior Senator from Texas [Mr. CONNALLY], the able chairman of the Senate Committee on Foreign Relations, has evidenced a great deal of interest in this subject. As a result of his unusual interest in our men and women in uniform, I took up with the War Department the matter of the rotation of troops. In response to a letter which the Senator from Texas wrote me, I addressed to him a letter dated December 31, 1943. I ask that there be printed in the RECORD at this point as a part of my remarks the letter which I addressed to the Senator from Texas in regard to the rotation of troops.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DECEMBER 31, 1943.

Senator TOM CONNALLY,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR CONNALLY: I return the accompanying letter from Mr. G. O. Hunt, Sr., of Houston, Tex., with a rather lengthy explanation, because of the importance of the subject.

One of the perplexing problems confronting the General Staff of the Army, and which has been given constant study and consideration since the outset of the two wars in which we are engaged, is the return to the United States from overseas theaters of operation of American soldiers who have served overseas for more than 1 year.

Kinfolk of these soldiers in their anxiety to have them back in the United States have been urging that something be done to effect their early return.

As I visualize the situation, after contact with the War Department, the difficulties which preclude immediate solution of this problem are:

(a) The war is still in its early stages.

(b) Additional troops are needed in all existing overseas theaters of operation.

(c) New theaters of operation are anticipated.

(d) Replacements must be shipped to cover attrition.

(e) Supplies, equipment, and munitions must be given priority in shipment.

(f) Seasoned troops cannot be withdrawn from the present overseas theaters in the midst of operations when fresh troops are not available to replace them.

(g) Sufficient shipping is not available at the present time to transport troops overseas in very large numbers, therefore shipments must be spread over many months.

(h) The distance from our shores to our overseas theaters of operations are many thousand of miles.

The magnitude of the problem of prosecuting two wars several thousands of miles distant from the shores of the United States is difficult of conception by the average citizen not familiar with the problems of transportation and supply.

Army officials have estimated that 7,700,000 officers, enlisted men, and women will be required through the year 1944 in the prosecution of the 2 wars. During the present year (1943) large numbers of troops were dispatched overseas as rapidly as ships became available. In 1944 it is expected that the number of troops which will have been shipped overseas to all theaters will approximate 5,000,000. A number of officers, enlisted men, and women in the Army then remaining in the United States will be required for the primary purpose of training of thousands of replacements which must be transported overseas as fast as possible to keep the units which are overseas filled to the required strength, and also for the purpose of keeping supplies, equipment, and munitions moving overseas. The great majority of the men who will be retained in the United States in training replacements and engaged in the shipment of munitions are by reason of physical defects and age not suitable for combat service.

The General Staff of the Army has realized from the outset that our combat soldiers who might experience combat fatigue and stress should be returned home as soon as possible, and with that in mind have been constantly planning for the relief of such men when it is possible to replace them. The present deterring factors previously mentioned make it undesirable to prescribe a definite tour of service which a soldier should serve overseas before being replaced and returned home. Through efforts now being made it is anticipated that the present difficulties will disappear.

Some relief in returning men from overseas theaters has already taken place. For instance—

Alaska: In this theater a system is operating which should assure that by the middle of the year 1944 all personnel in Alaska with 2 years' overseas service will be returned to the United States.

Caribbean: (Same as in Alaska).

North Africa: In this theater there is in operation a system which returns monthly a limited number of men with more than 18 months' overseas service.

South and Southwest Pacific: It is anticipated that the present difficulties in returning men from these theaters of operation will be overcome in the spring of 1944, and that a system will then be put into effect to return a certain number of men to the United States.

European: Up to the present time men in this theater of operations, other than those in the air crews, have not been subject to combat fatigue and stress, and the climatic conditions do not necessitate a change and, therefore, no system has been established for this theater for the rotation of troops to the homeland. As the situation changes in the European theater a system will be put into effect.

Air-crew personnel: The rotation of our air-crew personnel serving overseas in all theaters has been established and is functioning satisfactorily.

Where personnel overseas are stationed in isolated posts and where climatic conditions are severe, there has always been a system of local or theater rotation to provide relief. Also, units have been rotated in combat areas so that relief from combat fatigue and stress has been available.

With cordial best wishes, I am,

Very sincerely,

ROBERT R. REYNOLDS,
Chairman.

Mr. REYNOLDS. In conclusion, Mr. President, I have before me a letter from Seattle, Wash., under date of January 13, 1944, signed by approximately 100 persons, giving their names and addresses, in reference to the rotation of troops. I ask that it be printed in the RECORD, but I do not wish to encumber the RECORD, so I ask for the elimination of the names and addresses, but I should like to have the letter returned to me in order that I may reply to each one of those persons.

There being no objection, the letter, without the names and addresses of signers, was ordered to be printed in the RECORD, as follows:

SEATTLE, WASH., *January 13, 1944.*

Senator REYNOLDS,

Capitol Building, Washington, D. C.:

We commend the action of the Military Affairs Committee as announced by you concerning the plan of the War Department troop rotation policy.

In the Seattle Post Intelligencer of Sunday, January 9, 1944, it stated "that by mid-1944, all soldiers in Alaska and the Caribbean areas with 2 years of overseas service will be returned to the United States." For the South and Southwest Pacific "a system will be put into effect to return a certain number of men to the United States."

Many of our relatives and friends have been serving in the South Pacific from 21 months to 2 years. We feel that the soldiers in that area should be given the same considerations as the soldiers in other areas.

With conditions in the tropics the way they are, it would surely be to the best interests and welfare of the soldiers that 18 months of overseas duty would be the limit. Some of the men have lost as much as 40 to 50 pounds in a few weeks in the tropics from the intense heat, difficult work, and strain of front-line conditions. To keep them beyond that reasonable period would greatly endanger their health. From letters received the mental attitude of discouragement as to the length of time they have been gone and the uncertainty of when they'll see their families makes it imperative that they should be sent home.

Despite the obvious difficulties of transportation, the men would be more capable soldiers for their next assignment and mentally and physically better citizens in a post-war world.

Will you please continue to do everything you can to see that the men of the South Pacific, as well as those in other war theaters are given a much-needed and well-deserved furlough home?

Sincerely,

(MRS.) JEAN BORUP.

Mr. CONNALLY. Mr. President, I thank the Senator from North Carolina for his very generous reference to me in connection with the proposal to rotate the soldiers so as to give those who have been abroad for long periods of time an opportunity to have leave and furloughs.

Mr. REYNOLDS. I thank the able Senator from Texas for having been so persistent in the interest of our men overseas. I think he is the one who is to be congratulated and commended for his continued interest in the members of our armed forces.

Speaking of rotation, Mr. President, I see no reason why our soldiers on European shores should not be returned to this country through a process of rotation, because we have plenty of room in returning vessels, which come back empty. Of course, they go overseas loaded with materials of war. I would rather see several hundred thousand American soldiers in Europe and Africa returned to America shores in these heretofore empty ships than to permit 75,000 or 100,000 Italian aliens to be brought into this country, as has been suggested by the State Department.

THE REVENUE ACT

The Senate resumed the consideration of the bill (H. R. 3687) to provide revenue, and for other purposes.

The VICE PRESIDENT. Does the Senator from Georgia wish to have the Senate proceed to the consideration of an amendment which was passed over?

Mr. GEORGE. If there is an amendment to the committee amendment, I should like to have it acted on first.

The VICE PRESIDENT. The clerk will state the amendment which was passed over on page 114.

Mr. GEORGE. That relates to the admission tax.

The CHIEF CLERK. On page 114, in the table, it is proposed, in section 1700 (a), in the column headed "War tax rate," to strike out "2 cents for each 10 cents or fraction thereof" and to insert "1 cent for each 5 cents or fraction thereof."

Mr. GEORGE. Mr. President, as soon as an amendment can be formulated covering that particular section it will be formally acted on. The Senator from New York is interested in the subject, as are the Senators from Iowa and Nebraska. The matter wil be disposed of without further controversy as soon as an amendment can be formulated. Therefore I ask that we pass to the next open amendment, if all the other amendments have been acted on.

The VICE PRESIDENT. There is no other committee amendment to be acted on except that dealing with the renegotiation of contracts.

Mr. GEORGE. We will not reach that this morning, anyway. There are some amendments to the text to be proposed. I offer an amendment by authority of the Senate Committee on Finance, to be inserted on page 69. I ask that the clerk state the amendment.

The CHIEF CLERK. On page 69, line 5, it is proposed to strike out the words "after December 31, 1939", and insert in lieu thereof the words "beginning prior to January 1, 1944, where such acquisition was made with fraudulent intent to evade tax", so as to read:

The amendments made by this section shall be effective with respect to taxable years beginning prior to January 1, 1944, where such acquisition was made with fraudulent intent to evade tax.

Mr. GEORGE. Mr. President, this amendment has been authorized by the Committee on Finance as a floor amendment. I should state that the primary purposes of offering the amendment is to open up in conference the subject matter contained in subsection (c), page 69. It is also offered, because it is felt by the committee that it is too broad to make the section, which is new in the law as a code section, retroactive to the years 1940, 1941, 1942, and 1943, where the purpose was to avoid rather than to evade taxes. I emphasize the fact that the committee is offering the amendment so that this provision of the section may be open in conference.

Mr. VANDENBERG. Mr. President, on the basis of the statement that the purpose is to carry the subject into conference, I am not disposed to contend against the proposal submitted by the able Senator from Georgia, but I want it understood that, so far as I am concerned, not only as a member of the committee but as, I assume, a probable conferee, I am not bound beyond the point that we are opening the subject for conference discussion, because, so far as my own present view goes, I am still obdurate on the subject.

Mr. LA FOLLETTE. Mr. President, I should like to join the statement made by the Senator from Michigan, and I feel that so far I have not been convinced that the language in question should be permanently eliminated. But the chairman made a statement in the committee this morning which did persuade me to the extent that I am willing that the matter should go to conference for further consideration.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. GEORGE] on behalf of the committee.

The amendment was agreed to.

Mr. GEORGE. Mr. President, the text of the bill is now open to floor amendments. At this time I have no further amendments to offer.

Mr. MAYBANK. Mr. President, I have two amendments pending in connection with the tax on oleomargarine. I should like to have read first the amendment which I offered relating to the 10-cent tax per pound in the case of oleomargarine which is yellow in color.

The VICE PRESIDENT. The amendment will be read.

The CHIEF CLERK. At the proper place, in title III, it is proposed to insert the following new section:

That so much of section 2301 (a) (1) of the Internal Revenue Code (relating to the tax upon oleomargarine) as reads "except that such tax shall be at the rate of 10 cents per

pound in the case of oleomargarine which is yellow in color" shall not be applicable with respect to oleomargarine manufactured or sold, or removed for consumption or use, after the date of enactment of this act and prior to the expiration of 6 months after the termination of hostilities in the present war, as proclaimed by the President.

SEC. 2. No person shall be deemed to be a manufacturer of oleomargarine within the meaning of the provisions of the Internal Revenue Code by reason of adding to or mixing with any oleomargarine any substance which causes such oleomargarine to be yellow in color after the date of enactment of this act and prior to the expiration of 6 months after the termination of hostilities in the present war, as proclaimed by the President, whether or not such person sells, vends, or furnishes oleomargarine for the use and consumption of others.

Mr. MAYBANK. Mr. President, it is not my purpose to make a lengthy speech concerning the tax on oleomargarine. The subject is well known to most Members of the Senate, and I hope in the next few years it will become better known to the people of America. But it is my desire to read a statement which I had placed in the hearings held on the present tax bill, when I appeared before the Senate Finance Committee. The statement is as follows:

On October 12 I introduced S. 1426, designed to suspend, for the duration, the existing 10 cents per pound tax on margarine containing yellow color, whether artificial or otherwise, and to restrict the definition of the term "manufacturer" for the duration, so that restaurants, boarding houses, hospitals, and so forth could color margarine and serve it to their patrons, guests, and employees without incurring the $600 annual license fee now imposed upon them.

On November 3 the House Agriculture Committee, by a vote of 14 to 11, adopted a motion deferring further hearings or action on H. R. 2400 or similar legislation relative to oleomargarine for the balance of the Seventy-eighth Congress. H. R. 2400, by Representative FULMER, was designed to repeal all existing Federal taxes, license fees, and related restrictions on the manufacture, sale, and use of margarine. The House Agriculture Committee, in effect, declined to consider further H. R. 2400, despite the fact that over 30 witnesses, representing science, manufacturers, wholesalers, retailers, cotton, soybean, livestock, and peanut producers, labor, consumers, and hospitals unequivocally urged the repeal of the existing discriminatory margarine taxes and license fees. Therefore, I am requesting the Senate Finance Committee to incorporate my bill in the pending Revenue Act of 1944.

The manufacture, sale, and labeling of margarine is now fully and adequately regulated by the Food and Drug Administration under the Pure Food, Drug, and Cosmetics Act, and the standard recently promulgated by that Department for margarine. That supervision is not affected, in any way, by my bill.

I firmly believe that it is in the best interest of the public during this war period for margarine to be made available at its low cost and point value to the consumers throughout this country who are unable to obtain sufficient butter for an adequate diet. We are now reduced to one tablespoon of butter per day per capita, and this, in the opinion of experts in nutrition (and certainly in the opinion of the laymen who do not like dry bread and won't eat it), is not enough. The free use of margarine will tend to make up this deficiency and relieve an important wartime scarcity.

All competent nutrition authorities, including the American Medical Association, National Research Council, and our own Department of Agriculture, have established the fact that modern fortified margarine is equal nutritionally to butter. Each pound of margarine packed for consumer use contains 9,000 U. S. P. units of vitamin A, which is the average found in each pound of butter.

The average American who can afford butter and has points to buy it, if his grocer has it to sell, would rather have butter than margarine. But, as we know, there is not now enough butter and probably will not be for the duration of the war. From the standpoint of nutrition, the deficiency between supply and demand can be supplied with fortified margarine, in a palatable form, if the existing restrictions that my bill proposes to suspend for the duration are removed as handicaps. For too long the consumer has been the forgotten man in the efforts of certain butter interests to exterminate margarine.

Mr. President, during the hearings, through the courtesy of the Finance Committee, several very distinguished scientists and others appeared and testified. I shall not take the time of the Senate to read the testimony which is in the record of the hearings from page 373 through page 384, but I should like to call attention to a statement by Rev. John Goodrich Martin, who represented at the hearings the American Hospital Association. Dr. Martin testified as follows:

The hospitals do not get enough butter to supply the ordinary dietary requirements to which they have been accustomed. They are denied butter and, therefore, seek substitutes for it. A favorite substitute is oleomargarine. This product is credibly stated to contain nutritional values comparable to those of butter. But the legal restrictions to the use of this product in voluntary hospitals deter them from taking advantage of it. I say "voluntary hospitals" for the law expressly permits governmental hospitals to make full use of oleomargarine without any license fee or tax upon the coloring process.

Then he quoted the law on the subject, with which we are all familiar.

He then said:

It is manifestly unfair to require a license fee and tax of voluntary hospitals which give medical service in large measures to the same types of patients as those served by the governmental hospitals which are exempt from the fees and tax.

Mr. President, for many years this subject has been one between certain groups of agriculturalists. Today that is not the case. There is not enough butter to go around.

The amendment I have offered is purely and only to apply for the duration of the war. To give an illustration of what is taking place in the large cities of the country—and I could cite many instances and read many statements—I merely wish to read a statement by the mayor of the largest city in the country—New York City. I hope Senators will give their attention to this matter, because it is one which is for the good of every poor person in the country, and what we recommend should be done.

When the mayors came before the Banking and Currency Committee of the Senate, when the Congress was considering the subsidy program, I asked them many questions about oleomargarine. Those questions will be found throughout the extended hearings. I shall not read all the questions and the answers, but I desire to read the statement of a man who fought in the House of Representatives for years for this tax, and who now realizes the condition under which the poor people of his city are suffering—I refer to Mayor LaGuardia, of New York City:

Senator MAYBANK. Mr. Mayor, may I ask you a question? It does not have to do exactly with your testimony, but if you would care to answer it I would appreciate it; if you would not, it is quite all right.

I have read a lot in the papers about the troubles that certain New York hospitals had with the case of noncolored oleomargarine. At the present time you can get 2 pounds of "oleo" for the price of 1 pound of butter. It is 6 points against 16 points.

I may say that since that time the point value of both has been changed.

I then asked the following question:

Very frankly, what do the people of New York think about oleomargarine? Have they been using it in increased quantities because there is a plentiful supply of it?

Mayor LAGUARDIA. Yes. Now, at the risk of being misunderstood by some of my friends in Wisconsin and other States, and up-State——

Senator MAYBANK. Yes; I understood that.

Mayor LAGUARDIA. I will say this. We have had to break down resistance and apprehension that have been created against oleomargarine for the last 35 years or 40 years.

Senator MAYBANK. That is right. You went through all the House fights, of course, and you know it.

Mayor LAGUARDIA. Yes. As long as our dairy industry had a surplus and were in a bad financial plight, then I went along as a Member of the House to protect them. That time is gone, and I hope it is gone forever. The dairy industry will have all they can do during this war and a long time afterward in byproducts and in selling their milk.

Oleomargarine fortified with vitamin A is just as good in taste, nutrition, and appearance as butter.

Mr. President, the testimony continues for some time, and Mayor LaGuardia made the further statement that insofar as the New York laws were concerned, he personally, during this session, was going to appear before the legislature and ask for assistance from it.

Much has been said about States' rights——

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. MAYBANK. Certainly, I yield.

Mr. EASTLAND. I am struck with the force of the able argument the Senator has been making. I should like to ask him this question: If his amendment is adopted, will it result in decreasing the income of the dairy farmers of the country by $1? I ask that question because there is now a shortage of dairy products which the dairy farmers can supply.

Mr. MAYBANK. I can speak only on the basis of what I know to be the situation in the Southeast. The people in the Southeast are threatened with the prospect of having no milk. In fact, in the city from which I come, which is a war center, one cannot buy milk now; and I would say to my distinguished friend the junior Senator from Mississippi that I

am very fearful that many of the dairies now operating will, because of the price of milk, close, or else the price of milk will have to be increased somewhat. I am one of those who favor the Senator's bill to increase the price of milk a little.

Mr. EASTLAND. Mr. President, will the Senator further yield?

Mr. MAYBANK. Yes; I yield.

Mr. EASTLAND. Let me inquire whether it is not a fact that the dairy industry and the dairy organizations have shouted to the high heavens that dairy production has been dangerously low and that they cannot supply the demand at the present time.

Mr. MAYBANK. I may say that, only from reading the hearings before the Committee on Banking and Currency—and I do not know the name of the gentleman who testified, but I think my distinguished friend the junior Senator from Arkansas [Mr. McCLELLAN] may be able to enlighten us in that respect, because he asked questions at that time——

Mr. McCLELLAN. Mr. President, if the Senator will yield to me, let me inquire if it is not true that evidence addressed before the Committee on Banking and Currency, when that committee was considering the Commodity Credit Corporation bill, revealed that for the year 1943 the supply of liquid milk in the United States decreased 17 percent, and that the supply of butter decreased 10 percent. Is that not correct?

Mr. MAYBANK. Yes, Mr. President; as memory serves me, the distinguished junior Senator from Arkansas is entirely correct. I do not know the page of the printed hearings on which that testimony appears; but during the hearings relative to subsidies, all the testimony pertaining to milk was to the effect that the supplies of milk and butter were both decreasing rapidly. Of course, the people need more milk than butter. I may say that I cannot understand how the administration will pay $82,000,000 to roll back the price of butter at a time when, according to Mayor LaGuardia's testimony and the testimony of other persons, the poor people are unable to obtain sufficient butter, and then turn around and levy a tax on the poor people who eat oleomargarine.

Mr. EASTLAND and Mr. AIKEN addressed the Chair.

The VICE PRESIDENT. Does the Senator from South Carolina yield, and if so, to whom?

Mr. MAYBANK. I yield first to the Senator from Mississippi.

Mr. EASTLAND. Mr. President, is it not a fact that in the hearings in the House on House bill 2400, a bill providing for the repeal of the oleomargarine privilege taxes, the evidence showed that the normal annual per capita consumption of butter in the United States was 18 pounds?

Mr. MAYBANK. That is correct.

Mr. EASTLAND. And that due to the shortage, this year, the Government estimates there will be available only 13 pounds per capita for the people of this country?

Mr. MAYBANK. Yes; which, as I previously suggested, amounts to a teaspoonful a day per person.

Mr. EASTLAND. In addition to that, is it not a fact that the dairy organizations question those figures, and say there will not be as much as 13 pounds per capita available?

Mr. MAYBANK. That is correct.

Mr. EASTLAND. Is it not also a fact that the object of the proposal is to make oleomargarine easily available, so as to help do away with that deficit, and to give the people of the country a balanced diet?

Mr. MAYBANK. To make it available to hotels and restaurants, and particularly in places where poor people eat, such as those who live in various sections of our large cities throughout the United States of America as well as our rural population who, because of poor land, cannot produce dairy products.

I yield now to the Senator from Vermont.

Mr. AIKEN. Mr. President, I should like to ask the Senator from South Carolina if at the present time there is a surplus of oleomargarine in the country.

Mr. MAYBANK. I should say that the answer to that question would be that there can be a surplus, provided certain oils are not used for other purposes. The War Production Board today allots so much of certain oils for oleomargarine and so much of the oils for products of other types.

Mr. AIKEN. Let me inquire what types of oil would be used.

Mr. MAYBANK. Soybean oil, cottonseed oil, and oil from various other products.

Mr. AIKEN. Then there is plenty of oil which might be used for the manufacture of oleomargarine if it were not used for industrial and war purposes?

Mr. MAYBANK. The Senator is correct. In the over-all picture, the War Production Board must allot these oils where they are most needed. Some oils are allotted to soap manufacturers and other civilian needs.

Mr. AIKEN. Does the Senator understand that oils for the manufacture of oleomargarine would be diverted from war purposes, for which we understand there is a shortage of oil, if his amendment were adopted?

Mr. MAYBANK. I am hopeful that during the coming year the production of soybeans and cottonseed will be increased. I am sure that it would be increased if the producers knew that they could have a better market. Such an increase could be brought about through support prices, which Judge Jones might announce.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. AIKEN. I have one or two further questions which I should like to have answered, and then I shall take my seat.

Mr. EASTLAND. Mr. President——

Mr. MAYBANK. I yield to the Senator from Mississippi for a question.

Mr. EASTLAND. The Senator has stated that increased production of oil would come from soybeans. Is it not a fact that the increased soybean acreage would be largely in the West, and most largely in the State of Iowa?

Mr. MAYBANK. That is my information.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. AIKEN. Does the Senator believe that the price of cottonseed oil, soybean oil, or peanut oil would increase if his amendment were adopted?

Mr. MAYBANK. I would not say the price would increase, but Mr. Jones would have authority to guarantee a support price, which might perhaps increase the acreage and production in the over-all picture. Through that support price, a greater acreage might be planted if the farmers knew that they could depend on the market.

Mr. AIKEN. Does the Senator believe that the income of certain classes of farmers would be increased?

Mr. MAYBANK. It would certainly not be decreased. The acreage might be increased.

Mr. AIKEN. Does the soybean producer or the cotton producer lack a market for his product at the present time?

Mr. MAYBANK. I would not say he lacks a market, but I am am hoping that there will be a larger market and that more will be planted. The cotton farmer has been the forgotten man. The price of cotton for next October is now below 19 cents for the first time in a long period. Cottonseed is a byproduct of cotton. If the producer could get a better price for cottonseed he would not lose as much on his cotton.

Mr. AIKEN. I understand that there is quite a spread between the income of the farmer and the income of others in connection with this product.

Mr. MAYBANK. The price of cotton is $3 below parity.

Mr. AIKEN. Mr. President, I should like to ask a further question. The Senator is making his argument in behalf of the low-income consumer.

Mr. MAYBANK. Yes.

Mr. AIKEN. I agree that we have devoted almost no attention to the lowest income consumer. He deserves a great deal more than he is getting. But if it is the low-income consumer in whom the Senator is interested, and for whom he is pleading, would it not be still more to the advantage of the low-income consumer if we should let down the bars and permit coconut oil, from which oleomargarine could be made, to come into this country? Would the Senator object to oleomargarine being made from coconut oil?

Mr. MAYBANK. Where would the coconut oil come from? Soap used to be made from it.

Mr. AIKEN. It would come from the places mentioned by the Senator from Florida [Mr. ANDREWS] on Saturday when he was arguing for his amendment. I assume that if this amendment were adopted coconut oil would be available, and that there would be pressure in behalf of the use of coconut oil.

Mr. MAYBANK. Mr. President, this proposal is only for the duration of the

war. To the best of my knowledge, in years gone by most of the coconut oil came from the Orient. At this time we are shut off from that source. This amendment would not apply after the conclusion of the war.

Mr. AIKEN. If coconut oil were available, the Senator would not object to its importation for the purpose of making oleomargarine, would he?

Mr. MAYBANK. It would not be necessary after the war. If it were not for the war, this proposal would not be before the Senate. We cannot bring in coconut oil during the war.

Mr. AIKEN. It may be possible to bring it in. We have ships coming back empty from the South Pacific; and as our shipping facilities increase, it may be possible to bring back copra and vegetable oils.

Mr. MAYBANK. I would not object so long as it did not affect the dairy farmer. I am friendly to the dairy farmer, but he has enough to do to look after the milk business right now.

I should like to read the statement to which the Senator from Arkansas [Mr. McCLELLAN] referred a little while ago. The situation is gradually becoming worse. I believe the Senator from Vermont [Mr. AIKEN] was present when Mr. Holman, the president of the Cooperative Milk Producers Association, made his statement. I read from page 294 of the hearings before the Committee on Banking and Currency in connection with the continuation of the Commodity Credit Corporation:

Senator MAYBANK. Well, has production declined?

Mr. HOLMAN. Yes; production has declined.

Senator MAYBANK. To what extent?

Senator BANKHEAD. Of milk, you mean?

Senator MAYBANK. Of milk and its products.

Mr. HOLMAN. Total milk. This is total milk. The only figures we have is our price report ending with October. The total milk supply was 2 percent less than October of a year ago, and it is evident that it will be much greater in December than a year ago.

Senator MAYBANK. You mean you will have greater production?

Mr. HOLMAN. No.

Senator MAYBANK. Or greater decrease?

Mr. HOLMAN. The supply has decreased. Decreased 2 percent from a year ago. Now, when that is divided into separate commodities it becomes much more serious looking. The supply of creamery butter in September was 7.9 percent less than a year ago. It is now 10 to 12 percent below the same month a year ago. Now, the supply of American cheese for the first 9 months of 1943 was 18.8 percent below that period the year before. I would say on the whole that creamery butter this year would run several percent less than it did last year.

Mr. AIKEN. I agree with the Senator from South Carolina that there is a shortage of dairy products at this time, and there will be a greater shortage unless the administration sees the light pretty soon. I understand that there is an equal shortage of materials for the manufacture of oleomargarine.

Mr. MAYBANK. I should appreciate having the Senator explain to me how this amendment would hurt the dairy farmer, when the dairy farmer is not producing enough butter. Production is decreasing every month, according to the head of the dairy interests. My amendment would apply only for the duration of the war.

Mr. AIKEN. I do not see how it would help the consumer, when every pound of oleomargarine that can possibly be made is being sold at the present time. I understand that more than 99 percent of it is being sold as uncolored oleo.

Mr. MAYBANK. I must differ with the Senator on that point. Allotments are being made on the basis of what the War Production Board thinks can be absorbed. I understand that during the latter part of the year, because there were sufficient stocks of oleomargarine on hand, certain oils were allotted by the War Production Board for the manufacture of soap.

Mr. AIKEN. Is there an excess of soybean or peanut oil at the present time?

Mr. MAYBANK. I can tell the Senator only what the War Production Board has told me. The War Production Board has allotted the oils which it thought could be consumed, and certain allotments have been increased. Allotments of some of the oils are being transferred to other purposes.

Mr. AIKEN. The present market will consume all the oleomargarine that can be made under the present law.

Mr. MAYBANK. If one should go to an East Side restaurant in New York he probably could not obtain oleomargarine, because it is necessary for a restaurant to pay a license fee of $600 in order to serve colored oleomargarine. If it were not for the license fee of $600, oleomargarine would be much more widely used. In the Senate restaurant peanut butter and jelly are now being served in lieu of butter. Oleomargarine could be used in the Senate restaurant if the license fee of $600 were paid. I hope the chairman of the committee having the restaurant in charge will pay the license fee so that oleomargarine may be served in the Senate restaurant.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. HOLMAN. The amendment offered by the Senator from South Carolina has to do primarily with oleomargarine which has been colored to give it the appearance of butter.

Mr. MAYBANK. That is correct.

Mr. HOLMAN. Does the coloring of the oleomargarine make it more palatable, or increase its food value?

Mr. MAYBANK. I will answer the Senator's question frankly. I cannot say whether it increases its food value; but about 2 months ago I placed in the CONGRESSIONAL RECORD a letter written by one of the distinguished correspondents of the New York Times, in which it was stated that there had been near riots in the hospitals of New York because oleomargarine was served in its natural white condition. It looked like lard, and the patients refused to eat it. So I would say that the coloring makes it more palatable. As to the nutritional value, I do not know.

Mr. HOLMAN. One object of my question was to bring out the point that the only purpose of coloring oleomargarine is to make it appear to be butter. I think the tax is justified, in view of that deception practiced upon consumers.

Mr. MAYBANK. Mr. President, I believe the Senator will agree with me in this statement. He comes from a section of the country which is cold in the winter. He knows that during the winter butter must be colored because of the lack of sunlight on the cows. The butter itself is all colored.

Mr. HOLMAN. Oh, Mr. President, I raise Guernsey cows on my farm. The outstanding quality of Guernsey milk is its rich, creamy color.

Mr. MAYBANK. Mr. President, I am very fond of Guernsey milk, and I presume that is the kind which the Senator sells. Allow me to ask the Senator this question: Is there not a shortage of milk in the Northwest?

Mr. HOLMAN. Oh, more milk can always be used throughout the country.

Mr. MAYBANK. That is what I want to make possible—more and more milk.

Mr. HOLMAN. My contention has always been that there is not a shortage of consumption of milk in this country, but a shortage of production.

Mr. MAYBANK. The Senator is correct.

Mr. HOLMAN. I am perfectly willing that oleomargarine be placed upon the market as oleomargarine, but do not want to have it dressed so as to appear to be butter and then have it offered to the unsuspecting purchasers as butter.

Mr. MAYBANK. Mr. President, the Pure Food and Drug Act specifically takes care of that. I am glad to hear the Senator say there is a shortage of milk, because my amendment would provide more milk for consumption by children and war workers.

Mr. HOLMAN. Does the Senator say it would provide more milk for consumption?

Mr. MAYBANK. That is correct. Less butter would be made.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. EASTLAND. Is it not a fact that during 8 to 12 months of the year butter is colored?

Mr. MAYBANK. That is correct. That is what I suggested to the Senator from Oregon.

Mr. EASTLAND. The statement has been made that the Senator from South Carolina is trying to dress up oleomargarine to imitate butter. Is it not true that oleomargarine is sold in a package which is plainly marked in conformity with the Pure Food and Drug Act?

Mr. MAYBANK. The Senator from Mississippi is eminently correct.

Mr. President, I have nothing further to say. I hope the amendment will be agreed to in the interest of the war effort and in the interest of those in the low-income group, as well as in the interest of helping the general situation.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. RUSSELL. I commend the Senator from South Carolina for his valiant fight against this unjust discrimination.

I may say to him that he need not rest his plea for repeal of this punitive legislation solely upon the present emergency. This punitive legislation was imposed by one legitimate industry of the country upon another legitimate industry merely because it had the votes to enact the law. The injustice goes deeper than the present temporary emergency and crisis, because this punitive and prohibitive legislation has been imposed at the behest of one industry upon another. It is fundamentally undemocratic and un-American, and should be repealed and abated for that reason, in addition to the reasons assigned by the Senator.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. GILLETTE. I was very much interested in the statement which the Senator made before he completed his first statement and was interrupted by the Senator from Georgia, to the effect that if his amendment should be agreed to there would be less butter manufactured. Is that a correct statement?

Mr. MAYBANK. I would hope that the adoption of my amendment would result in placing upon the market more oleomargarine and perhaps relieve the shortage of milk in some places.

Mr. GILLETTE. And take the butter market?

Mr. MAYBANK. Oh, no; not take the butter market, but relieve the congested areas, such as the Northwest, or the section from which I come, of the necessity of using milk for the manufacture of butter, and thereby making it available for the war workers. I believe the Senator will admit that there is not enough butter to go around.

Mr. GILLETTE. Yes; I admit that. I will also state that last night I popped some corn, and the grease which I used was oleomargarine. It was not colored, but there was a package of coloring material attached to the package of oleomargarine which could have been used.

Mr. MAYBANK. That is correct.

Mr. GILLETTE. It was placed there to avoid the payment of the 10-cent tax.

Mr. MAYBANK. The license fee is a worse feature than that.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MAYBANK. I yield.

Mr. CLARK of Missouri. I have listened with very great interest to the eloquent remarks of the Senator from South Carolina. I was particularly interested in the crux of his appeal for his amendment, which was to the effect that oleomargarine should be made available to the people of the United States at the lowest possible price, and at the lowest point requirement. I join wholeheartedly in that desire of the Senator from South Carolina; but unfortunately, Mr. President, that has nothing whatever to do with the amendment which the Senator from South Carolina has today proposed. His amendment has nothing to do with the price, or with the point value of oleomargarine. It has nothing whatever to do with the wholesomeness of oleomargarine. It has nothing whatever to do with the desirability of oleomargarine as a substitute for butter except that it would repeal the existing law with respect to coloration. It is designed to allow oleomargarine to masquerade as butter. I say that, irrespective of my full knowledge of the requirements of the Pure Food and Drug Act as to quality.

At the present time there is nothing in the law except the very small tax on oleomargarine as such—which is not the basis of the Senator's amendment—which would prevent anyone who wishes to use oleomargarine, if he has the price, and the number of points required by the O. P. A. from buying oleomargarine as a substitute for butter, without reference to the tax laws of the United States.

As a matter of fact, Mr. President, I myself use oleomargarine habitually, not because I like it as well as I like butter, and not because I think it is a full and complete substitute for butter. Even when butter is available on my family table I use oleomargarine instead of butter, because the doctor prescribed oleomargarine as a weight-reducing instrument to be used in the place of butter. According to my doctor, it is not so rich in calories as is butter. I use oleomargarine instead of butter as a restrictive measure on my weight, and for reduction of the caloric content of my diet.

Mr. President, since I have learned to use oleomargarine it has never seemed to me to be necessary or desirable to go to the trouble of artificially coloring it, although every time I buy a package of oleomargarine there is a little envelope attached to it which would enable me to color the oleomargarine if I wanted to do so. If I thought I could "kid" myself into the idea that I am eating butter when I am eating oleomargarine, I would probably use the package of coloring material attached to the package of oleomargarine which I buy. I am not so gullible, and I do not think the average American citizen who buys and intends to eat oleomargarine is gullible to the point of having to delude himself by the use of the coloring material which, under the law, is attached to every package of oleomargarine.

Mr. President, the fact is that the pending amendment is designed to change the eating habits of the American people during a time of emergency, in the hope that after the emergency has come to an end it will bring about an increased use of certain commodities that have nothing to do with the cow. In other words, the impetus for this amendment comes from some of my friends from the cotton States and soybean States—and Missouri is both a cottonseed and soybean State—on the theory that the eating habits of the American people are to be changed during this emergency and that then they can go back and get an embargo on the importation of coconut oil and oriental fats and the other byproducts of soap manufacture and be able to maintain for cottonseed oil and soybean oil a market which they will be enabled to monopolize from that time on.

Mr. President, that impression on the part of some of my brethren, as I conceive it, is entirely erroneous. The oleomargarine market in any sort of normal times, absent an absolute embargo on the importation of coconut oil and a supporting price on oleomargarine, which the Senator from South Carolina frankly espouses, is absolutely at the mercy of the coconut-oil products. Cottonseed oil and soybean oil cannot possibly compete in the manufacture of oleomargarine with the various byproducts of coconut oil, which are, as I say, byproducts of the manufacture of soap.

So, Mr. President, it is now proposed to strike down the great dairy industry of the United States in the interest of an illusory and entirely fantastic idea that cotton and the soybean can supplant the cow with a source of highest usefulness of fats for the American table.

As I say, Mr. President, the question of the availability of oleomargarine is not concerned in this amendment; the question of the price of oleomargarine is not concerned in it; the question of the point value of oleomargarine is not concerned; but the whole question here is one of coloration. The Senator from South Carolina asked the Senator from Oregon a question a moment ago as to whether it was not true that butter is sometimes artificially colored. Of course, that is true; but the natural color of butter is yellow. It may be accentuated by coloring material. But particularly in the case of Guernsey butter, as the Senator from Oregon well pointed out, the natural color of butter is yellow, while the natural color of oleomargarine is white. The whole question involved in this amendment is a question of coloration and deceit, and a question of whether manufacturers and dealers shall be allowed to palm off oleomargarine as butter for the purpose of sufficiently changing the eating habits of the American people so that they can hold the market after the war is over. I think this amendment should be voted down.

Mr. LA FOLLETTE. Mr. President, the Senator from Missouri with his usual cogency has stated the issue this amendment presents to the Senate. The issue is one of coloration. It cannot be successfully contended that the repeal of the 10-cent tax on colored oleomargarine, as is proposed in the amendment of my able friend from South Carolina, will in any wise make available any greater amount of oleomargarine or that it will relieve the so-called milk shortage. This, purely and simply, then, is an issue of color, and it is aimed at one of the most important segments of the dairy industry.

My plea here today, Mr. President, is that the Congress should not in the left-handed consideration which can be given to a matter of this importance both in the Finance Committee and the Senate take a step which will have far-reaching effect upon the dairy industry and, in the end, upon agriculture as a whole, and upon the fertility of the soil. If such a step were to be taken, Mr. President, it should only be after the most exhaustive investigation and consideration by com-

mittees of Congress in order that the Congress as a whole can be fully informed as to the sweeping effect of the proposal upon the dairy industry and upon agriculture in general.

The Finance Committee, pressed as it was with the complex problems involved in the tax bill, was able to give the proponents of this measure only 1 hour and the opponents 1 hour. True, the matter has been before the Agricultural Committee of the House of Representatives in the consideration of the so-called Fulmer bill. There have been extensive hearings there, but at the conclusion of those hearings that committee voted to postpone consideration of the measure for the duration of the Seventy-eighth Congress, in order, I presume, that in the cataclysmic period which will no doubt confront all industry, including agriculture, conditions might be fully taken into consideration before any such drastic step as this was taken.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield to the Senator from Vermont.

Mr. AIKEN. The Senator from Wisconsin mentioned extensive hearings which were held before the Committee on Agriculture of the House of Representatives. It is my understanding that at those hearings, which ran over a period of about 2 weeks, the entire testimony was given by the oleo interests and not an hour of it was devoted to the $2,000,000,000 dairy industry; furthermore that all the publicity that went out from those hearings was on the testimony presented by those who would give oleo this fair advantage over the dairy industry, and that there was nothing presented at the hearing to go out in behalf of the dairy industry.

Mr. LA FOLLETTE. It is my opinion that the proponents of the measure had a larger amount of time but that the representatives of some of the dairy organizations did appear before that committee.

Mr. AIKEN. I understand that they sat in at the hearings before the committee, but at the conclusion of the pro-oleo testimony the committee decided then not to go any further with hearing the representatives of the dairy industry who were called to testify formally.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. Certainly.

Mr. CLARK of Missouri. It seems to me that the essential point in connection with the House procedure is that, in spite of the fact that the bill was introduced by the chairman of the Committee on Agriculture of the House of Representatives, a Member long in service and very influential by reason of his character and experience, at the conclusion of the evidence by the proponents of the bill something in the nature of a "demurrer to the evidence," as lawyers term it, was sustained and the matter was indefinitely postponed. It seems to me if the chairman of the committee, the personal sponsor of the bill, was not able to put it through the committee after 2 weeks of hearings on behalf of the sponsors of the bill, that is very persuasive evidence as to the merits of the case.

Mr. LA FOLLETTE. Of course, Mr. President, I cannot tell from looking at the hearings whether these statements were merely filed with the committee or whether they were delivered in person, but it does appear from the hearings that the witnesses were to some extent heard. However, as the Senator from Missouri has said, that is not the question. The committee of original jurisdiction in the House of Representatives, where of course this tax originated years ago in the first instance, has given consideration to the measure, and has decided by a majority vote to postpone it.

Mr. President, for more than two decades, from 35 to 40 percent of the milk produced in this country has been marketed in the form of butter. For the fiscal year 1943 there were 72 plants in the United States making oleomargarine, and, based on the 1939 census, that would indicate that they employed approximately 3,960 persons. The last census shows that 4,663,701 farms reported dairy cows milked in the United States. One million people were employed full time milking and taking care of dairy herds; 80,000 more were employed in dairy manufacturing plants, and 170,000 in the fluid milk marketing. In butter manufacturing there were 4,619 plants, while in oleomargarine manufacturing, as I have stated, there were only 72.

The dairy branch of agriculture produces one-fifth of the total returns from all agricultural pursuits. It has investments in 26,000,000 milk cows, 5,000,000 heifers and bulls, farm lands, equipment, and processing and manufacturing and distribution, of a value of approximately $30,000,000,000.

Mr. BARKLEY. Mr. President, would it disturb the Senator if I asked him to yield at this point?

Mr. LA FOLLETTE. No.

Mr. BARKLEY. The Senator has given us statistics relating to the plants manufacturing oleomargarine and the number manufacturing butter, and the number of employees. Has the Senator figures showing whether the consumption of oleomargarine has increased in recent years?

Mr. LA FOLLETTE. Yes; I am coming to that. Oleomargarine has not, in my opinion, been unfairly treated in this war. It has had very generous allotment from our scarce supply of fats and oils in comparison with its previous production. I shall touch upon that in a few moments.

Mr. BARKLEY. In that connection, if the Senator will permit, one of the things that disturbs me with regard to the relationship between butter and oleomargarine is that we know that, due to the increased cost of feed, which the O. P. A. has apparently not been able to control because, while they fixed a ceiling of $1.07 a bushel on corn, and recently raised it to $1.16, following the parity up as prices of other things rose, we all know that neither dairies nor cattle feeders generally have been able to secure corn at any price approximating the O. P. A. figures. In my State, and I am sure it is true in other States, the dairy people and cattle feeders have been compelled to pay as high as $1.60 a bushel for corn, for they could not allow their cattle to go hungry. There has been an inevitable and most unfortunate squeeze in the dairy industry as between the cost of feed and the price of the product to the consumer. The same general situation has applied in the cattle market, in the feeding of cattle and the selling of cattle for beef. The question is, Would the elimination of this tax imposed on oleomargarine because of the coloring process place an additional handicap and burden upon the dairy industry, which now is laboring under the conditions to which I have referred?

Mr. LA FOLLETTE. I believe it would, Mr. President, because, with all due respect to the proponents of the amendment, it is well known that their desire is the permanent repeal of this tax. The Fulmer bill provides for its permanent repeal, and this amendment is merely an entering wedge. If the amendment shall prevail, in my opinion it will result in the final and permanent repeal of the tax, and that is one of my reasons for being opposed to its consideration at this time.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. REVERCOMB. With regard to the issue presented by the amendment offered by the Senator from South Carolina, at the present time there is a tax of one-fourth of 1 cent a pound on uncolored oleomargarine, and there is a proposal of a tax of 10 cents a pound on colored oleomargarine?

Mr. LA FOLLETTE. We now have a 10-cent tax on colored oleomargarine.

Mr. REVERCOMB. That is the proposal in the pending bill?

Mr. LA FOLLETTE. No; the bill does not touch the subject at all. The Senator from South Carolina having failed to secure approval of his amendment by the Committee on Finance, now seeks to have it incorporated as a floor amendment. Of course, he has a perfect right to do that.

Mr. REVERCOMB. The existing law provides a tax of one-fourth of a cent on uncolored oleomargarine?

Mr. LA FOLLETTE. And 10 cents a pound on colored oleomargarine.

Mr. REVERCOMB. The amendment offered does not affect the one-fourth of 1 cent on uncolored oleomargarine?

Mr. LA FOLLETTE. No; it proposes to repeal the 10-cent tax on colored oleomargarine.

Mr. REVERCOMB. It would leave the one-fourth of 1 cent tax on uncolored oleomargarine?

Mr. LA FOLLETTE. That is correct.

Mr. REVERCOMB. One may today purchase uncolored oleomargarine, paying a tax of only one-fourth of 1 cent a pound, and take it home and color it, with no other tax being placed upon it?

Mr. LA FOLLETTE. None whatever. The testimony before the House committee indicates that the manufacturer absorbs the one-fourth of a cent a pound

tax, that the margin of the wholesaler is about 3 cents a pound, and the margin of the retailer about 4 cents a pound.

Mr. MAYBANK. Will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. MAYBANK. What the Senator stated is absolutely correct as to the first amendment, but I stated that I had two amendments, and that I would discuss both. The other amendment, I may say to the distinguished Senator from Wisconsin, is the amendment which pertains to the payment of a license fee. At the present time one must pay $600 as a license. The amendment would reduce that to $200, so that the smaller hotels, the smaller hospitals, and all the other smaller institutions in the cities, as well as the distributors, would have the license reduced, and they could pay it more conveniently.

Mr. LA FOLLETTE. Personally I prefer to discuss one amendment at a time. I should like to have the Senator from South Carolina discuss his second amendment, if he wishes to discuss it while the first is pending, in his own time, not in my time, although I shall be glad to yield to him for any other purpose.

I wish to say—violating my own injunction, now—that neither of the amendments affects the one-fourth of a cent a pound tax on uncolored oleomargarine.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield to the Senator from Oregon.

Mr. HOLMAN. As I understand the debate, presumably it all rests upon the tax on oleomargarine when it is colored so as to appear to be butter. If the producers merely wanted to color it, they could get away from the tax if they selected some pure red color, bright blue, or something other than a butter color.

Mr. LA FOLLETTE. The Senator from Oregon is absolutely correct. Under the existing law every color in the spectrum is available to the manufacturers of oleomargarine without the penalty of the 10-cent tax, so long as they do not utilize the natural color of butter, yellow, and thus make it appear to be butter.

Mr. SHIPSTEAD. Will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. SHIPSTEAD. This is a revenue bill. Is there anyone who claims that the tax on oleomargarine is levied for the purpose of raising revenue?

Mr. LA FOLLETTE. No. The first law originated in the House of Representatives, and I am proud to say that my father, as a young man, took an active part in the consideration and passage of the legislation; and in the entire history of the law, going back to 1886, it appears that it is a regulatory tax, that it is imposed for the purpose of preventing the manufacture of a substitute article in imitation of a natural food product.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. CLARK of Missouri. I myself had some experience in connection with the jurisdiction of House committees when I was Parliamentarian of the House, and I may say that this is the only instance, so far as I know, in the history of the House of Representatives, when the Ways and Means Committee was defeated by another committee in a fair fight on a question of jurisdiction. The jurisdiction of the oleomargarine tax was taken away from the Ways and Means Committee on the theory that it had nothing to do with the raising of revenue, but it was, as the Senator from Wisconsin said, a regulatory tax. The Committee on Agriculture defeated the Ways and Means Committee in a full, fair, knock-down-and-drag-out fight in the House, and the jurisdiction over this subject has remained in the Committee on Agriculture ever since. It was that committee which took jurisdiction after a bitter fight, and which has retained jurisdiction ever since, which refused to consider the proposal made by the Senator from South Carolina.

Mr. LA FOLLETTE. Mr. President, the committee refused to consider it at this time, and it is fair to say that they have postponed consideration of it during the Seventy-eighth Congress.

Mr. SHIPSTEAD. Mr. President, will the Senator again yield?

Mr. LA FOLLETTE. I yield.

Mr. SHIPSTEAD. The tax in question was placed on oleomargarine, not for the purpose of raising revenue, but as a means of regulation, to prevent fraud and deception. That is the only reason the tax has been assessed.

Mr. LA FOLLETTE. The Senator from Minnesota is correct. And as I stated a moment ago, the plea that the purpose of the amendment is to provide an additional spread for those in the low-income group falls to the ground, because so long as they buy the product as uncolored oleomargarine, or if they desire to color it themselves, there is no important tax levy. The repeal of one-quarter-of-a-cent-a-pound tax, in my opinion, would not affect the price to the consumer of oleomargarine, uncolored. It is the 10-cent tax which prevents, except by the payment of the tax, the coloration of oleomargarine to make it look like butter, which is the issue here, and which is the objective sought by those who sponsor the amendment.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. AIKEN. Does the Senator from Wisconsin have any information to show what percentage of the oleo sold at the present time pays the 10-cent tax?

Mr. LA FOLLETTE. Ninety-nine and eight-tenths percent of the oleomargarine manufactured and sold in the United States is uncolored, according to the Bureau of Agricultural Economics.

Mr. AIKEN. Then, if the pending amendment should be adopted, and it should be accepted by the House, it would not reduce the most of oleo to the consumers who now buy it on more than two-tenths of 1 percent of the product?

Mr. LA FOLLETTE. On the contrary, Mr. President, it is my firm conviction that if the amendment prevails the oleomargarine manufactured and sold in this country will be colored to simulate butter, and the price thereof will be increased by the manufacturers because of the fact that it is colored, although the testimony before the House committee shows that the cost of coloration is about one-quarter of a cent a pound. But if the manufacturer is permitted, without paying the 10-cent tax, to color oleomargarine at the cost of a quarter of a cent per pound, I make the prediction that the price of oleomargarine to the consumer will increase from 5 to 7 cents a pound.

Mr. AIKEN. Is it not true that representatives of Washington restaurants appeared before the committee and asked for the right to color their oleo?

Mr. LA FOLLETTE. Certainly the representatives of the restaurants appeared before the committee, and the only purpose the operators of restaurants can have is to put something on the butter plates of their customers which the customers will think is butter.

Mr. President, I was attempting a few moments ago to describe the importance and the widespread effect of any action taken here on the dairy industry as a part of the agricultural industry. I wish to say furthermore, Mr. President, that the dairy industry is a very complex one. It produces from the milk of the cow numerous products, including butter, and the price relationship between the fluid milk and the products which are made from milk is very sensitive. We cannot take action here without affecting the entire relationship and delicate balance of the price structure in the complex dairy industry.

If the butter market should be impaired or destroyed, the whole industry would be shaken to its foundation. Every student of the dairy industry knows that butter is the balance wheel of the industry. It is the governing wheel upon the industry. The proponents of the amendment attack this industry at a very vulnerable point when they seek to impair or to damage the market for butter. If the attack is successful, it will shake the industry to its foundations.

Mr. President, I repeat, a time such as this, when the country is confronted with the prospect of most serious problems of readjustment to the peace, when it comes, is not the time to take a left-handed swipe at this industry which produces one-fifth of the total income derived by the farmers of the United States.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. WALLGREN in the chair). Does the Senator from Wisconsin yield to the Senator from Missouri?

Mr. LA FOLLETTE. I yield.

Mr. CLARK of Missouri. Does not the Senator agree with the proposition which I enunciated a little while ago that the real purpose of the amendment is simply to change the eating habits of the American public—It has nothing to do with the war situation—in the hope that after the war is over there will be a complete conversion of certain eating habits of the American public?

Mr. LA FOLLETTE. I think the proponents of the amendment have let the cat out of the bag. They have constantly urged that people ought to consume milk in fluid form. I do not think there is any question, Mr. President, that the manufacturers of oleomargarine are looking forward to the time when they can absorb a very substantial part, if not all, of the butter market. The proposal now before the Senate is, as I said a moment ago, but the entering wedge, and of course they are seeking to drive it in at a very advantageous time, when, because of administrative policies and the necessities of war, the supply of butter has not been adequate to meet the demand. I should say right there, however, Mr. President, that, in view of the shortage of existing edible products of oil, in my opinion there will not be any substantial increase in the amount of oleomargarine available even if the amendment shall prevail. Right at the time when the Fulmer bill was before the House Committee on Agriculture, because of the shortage of fats the O. P. A. felt compelled to increase the points of both oleomargarine and butter in order to restrict their consumption.

As I said in reply to the question propounded by the senior Senator from Kentucky, the able majority leader [Mr. BARKLEY], the oleomargarine industry has been treated very generously by the War Food Administration in the allocation of the available supply of fats and oils.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. CLARK of Missouri. It is undoubtedly true, is it not, that if the amendment were agreed to, it could not possibly reduce the point value of oleomargarine by a single point, or the price of oleomargarine by a single penny. On the contrary, by the promotion of its use as a substitute for butter, perhaps unbeknownst to the user, it would be bound to increase both the price and the point value of oleomargarine.

Mr. LA FOLLETTE. It is my firm conviction that it will result in an increase in the price of oleomargarine because the moment it is all colored to look like butter there will be an increase in cost, for the manufacturer, who will pay a penny a pound to color it, will increase the price to the consumer because he will have a product which will look like butter.

Furthermore, Mr. President, I think the adoption of the amendment would have a very adverse effect upon the existing butter production. As was stated by the Senator from South Carolina [Mr. MAYBANK], there has been a shortage of butter. I think no one, however, would desire, in view of the urgent demands of war for fats and oils, to see the production of this natural form of spread for bread reduced. Yet I am convinced that if the dairy farmers and those who are producing for the creamery and butter manufacturers find that the amendment has been enacted, they will then begin to make their inevitable and necessary adjustments to meet the peacetime position in which they would be placed, if this unfortunate action should be taken.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. AIKEN. The Senator has expressed his opinion that the enactment of the amendment would ultimately result in an increase in the price of oleomargarine. Does not the Senator know for a fact that it is the production of butter which enables the farmers to produce fluid milk to be delivered and sold in the cities at so low a cost as it is sold today? Once let the butter market be injured, it will be necessary to have an increase in the price of fluid milk in order to produce it and distribute it at the cost of production.

Mr. LA FOLLETTE. Mr. President, the Senator from Vermont has stated very much more clearly than I did a very important point in connection with the whole discussion. It is what I tried to say when I stated that the butter segment of the dairy industry was the balance wheel of the entire dairy industry, and that the price relationship between whole milk—fluid milk—and the products thereof is very sensitive.

Mr. AIKEN. I believe the Senator stated that the price of other dairy products is based upon the price of butter.

Mr. LA FOLLETTE. That is correct.

Mr. AIKEN. That includes the price of fluid milk. If the consumer insists on using oleomargarine exclusively, he will have to pay a higher price for every quart of milk he purchases.

Mr. LA FOLLETTE. Yes.

Mr. President, I desire to emphasize the point that under the present law not a single additional pound of oleomargarine will be available to the consumers unless the oleomargarine industry can get some of the fats and oils which now are already allocated to war production, to the production of soap, away from those allotments, and have some of them diverted for use in making oleomargarine.

Mr. GILLETTE. Mr. President, will the Senator yield to me very briefly?

Mr. LA FOLLETTE. I am very glad to yield.

Mr. GILLETTE. In support of the Senator's statement that the amendment is by no distortion of reason a revenue-raising measure, but is an attempt to amend a regulatory measure, I wonder if the Senator will yield to me long enough to permit me to read the present law defining oleomargarine?

Mr. LA FOLLETTE. I shall be happy to have the Senator do so.

Mr. GILLETTE. I shall read section 2300 of the Code:

Chapter 16: Oleomargarine, adulterated butter, and process or renovated butter.

Subchapter A: Oleomargarine.

Oleomargarine defined.

If the amendment is agreed to, it will apply to the following definition:

For the purposes of this chapter, and of sections 3200 and 3201, certain manufactured substances, certain extracts, and certain mixtures and compounds, including such mixtures and compounds with butter, shall be known and designated as "oleomargarine," namely: All substances known prior to August 2, 1886, as oleomargarine, oleo, oleomargarine oil, butterine, lardine, suine, and neutral; all mixtures and compounds of oleomargarine, oleo, oleomargarine oil, butterine, lardine, suine, and neutral; all lard extracts and tallow extracts; and all mixtures and compounds of tallow, beef fat, suet, lard, lard oil, fish oil or fish fat, vegetable oil, annatto, and other coloring matter, intestinal fat, and offal fat; if (1) made in imitation or semblance of butter, or (2) calculated or intended to be sold as butter or for butter, or (3) churned, emulsified, or mixed in cream, milk, water, or other liquid.

That is the type of product which the amendment seeks to remove from the application of the regulatory tax.

If the Senator will further yield to me, I should like to read from section 2301 of the code.

Mr. LA FOLLETTE. Certainly.

Mr. GILLETTE. It reads as follows:

Upon margarine—

As I have just read the definition of it—

which shall be manufactured or sold, or removed for consumption or use, there shall be assessed and collected a tax at the rate of one-fourth of 1 cent per pound—

As the Senator has mentioned—

except that such tax shall be at the rate of 10 cents per pound in the case of oleomargarine which is yellow in color—

Which, of course, is what is attempted to be reached here.

So all those products—beef suet or fish oil or anything else which is sold in semblance or imitation of butter—would be exempted from the payment of the tax.

Mr. LA FOLLETTE. That is correct.

Mr. GILLETTE. Not in order to raise revenue, but simply to avoid the pure-food law which requires that it be sold for what it is.

Mr. LA FOLLETTE. That is correct.

Mr. President, fat supplies and facilities are so limited that the O. P. A. recently was forced further to conserve supplies by raising the ration-point value of butter from 12 points to 16 points, and the ration-point value of oleomargarine from 4 points to 6 points.

I desire, however, to reemphasize the fact that, despite the shortage of fats, the Secretary of Agriculture authorized the allocation of fats and oils for use in oleomargarine at the rate of 180 percent of the 1940–41 average, determined by quarterly periods. That certainly was a generous allotment of a scarce commodity, utilized and needed by the war effort in almost all its phases. It was one of the most generous allocations provided for any food. At the same time, the policies of government sharply reduced the supplies of butter available to civilian consumers.

The result is that there has been a rapid increase in oleomargarine production and sale during the last 3 years. The 1943 production of oleomargarine exceeded 600,000,000 pounds—a gain in 4 years of approximately 100 percent. Some of that is reflected in export or lend-lease supplies, but the bulk represents an increase in domestic consumption.

In 1943, Government requirements of butter were fixed at 457,000,000 pounds,

25 percent of normal creamery production. The net result of Government policy has been to reduce the supply of butter from approximately 17 pounds per capita per annum to 12 pounds per capita in 1944.

In contrast, oleo production has been encouraged, apparently for the purpose of replacing the deficit in butter. In short, the effect of the war is to deprive the dairy farmer of part of his civilian market. In justice to him we should not strike down, in addition, the protection against the unfair competition of a substitute product colored to look like the natural product.

I repeat that the oleomargarine industry has available to it, without the payment of a 10-cent tax, every color in the spectrum except yellow, to simulate butter. Yellow is the natural color of butter. The issue is one of color. Ninety-nine and eight-tenths percent of oleo is sold to the public in the uncolored form. This uncolored oleo is taxed at one-quarter of a cent a pound, and not 10 cents a pound, as the public has been led to believe. The tax is absorbed by the manufacturer, and is strictly a regulatory tax. Uncolored margarine is sold at retail at from 17 to 29 cents a pound. According to the testimony before the House Agricultural Committee on the Fulmer bill, the wholesaler has a margin of 3 cents, and the retailer a margin of about 4 cents a pound.

There is no evidence to indicate that the repeal of the tax on oleomargarine would reduce the price to the consumers at all. However, there would be a real lush profit to the oleo manufacturer if the 10-cents-a-pound tax on colored oleo were repealed. It costs about 1 cent a pound to color it. Take off the 10-cent tax on colored oleomargarine and the oleo manufacturer will be in a position to raise his price, and at the same time take some of the market of the butter producer. One billion pounds of oleo is the first objective of the manufacturers, according to their published statement. As I have said, the 1943 production is in excess of 600,000,000 pounds, which is only about 1,000,000 pounds short of being equivalent to one-third of the total fats in butter.

These gentlemen, operating 72 plants employing 3,960 persons, have not been badly treated in this war effort. They have been given most generous treatment, but they are not satisfied. They not only wish to take more than a third of the total fat production represented by butter, but they wish to strike down the tax which is imposed for the purpose of preventing them from perpetrating a fraud on the public in order, in my firm conviction, that these manufacturers may ultimately take the entire butter market away from the farmer.

After the war, if the color tax is removed, the economic effect of the lower-priced fat as compared to the higher-priced fat—that is, oleomargarine as compared to butter—will make itself felt just as was the case, as every Senator who has studied this subject knows, when there was competition between lard and vegetable shortening. The whole effect of that contest was to pull down the price of the higher-priced fat.

Experts have predicted that it would break down the price of butter to approximately 10 cents a pound above that of colored oleomargarine. This would be a blow to the dairy industry, the repercussions of which would extend to the entire agricultural industry.

I do not intend this afternoon to go into the volume of statistical material which I have in my possession; but it is my firm conviction, Mr. President, that many farmers who are producers of commodities which might ultimately be used for the manufacture of oleomargarine have been following a mirage. They have been hoping for something which ultimately will prove to be nothing short of a bitter disappointment to them. The manufacturer of oleomargarine is not primarily interested in the farmers who produce the oils which can be utilized in the manufacture of his product. He is primarily interested in getting as much as he can of the market for butter, if not all of it; and, once this war is over and once the stringency upon the production of foreign oils has been removed, he will give short shrift to the producers of oils which come from vegetable products grown in the United States. He will buy his oil where he can get it the cheapest; and the producers of cottonseed, soybeans, and other products which may provide materials to be utilized in the manufacture of oleomargarine will some day find to their sorrow that the oleomargarine manufacturer is not in business for their benefit. He is in business to obtain the materials which are required in the manufacture of oleomargarine at the cheapest possible price.

Mr. AIKEN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Does the Senator from Wisconsin yield to the Senator from Vermont?

Mr. LA FOLLETTE. I yield.

Mr. AIKEN. At the beginning of his speech the Senator stated that there were 72 plants in the United States manufacturing oleomargarine today. I wish to invite his attention to the fact that those 72 plants are owned by only 18 different concerns.

Mr. LA FOLLETTE. Yes. Some of them are subsidiaries.

Mr. AIKEN. If any group succeeds in destroying the butter industry of the United States with the expectation that its members will receive a better price for their cottonseed oil, soybean oil, peanut oil, or any other kind of oil, they will find that they have placed themselves at the mercy of a virtual monopoly, or as near a monopoly as we probably have in industry in this country today.

Mr. LA FOLLETTE. I believe the Senator from Vermont is entirely correct.

Mr. AIKEN. If they do not know that a monopoly of that nature would certainly take advantage of both the producer and the consumer, I do not believe they are very well acquainted with monopolies.

Mr. LA FOLLETTE. While I am on this subject, I wish to emphasize what has happened so far as the soybean farmer is concerned. In 1942 the total cash income in the five principal soybean producing States of Iowa, Illinois, Ohio, Missouri, and Indiana, was $3,800,000,000. Of this, $464,000,000 was derived from the sale of dairy products and $208,000,000 from soybeans. It is estimated that in that year the farm value of soybean oil was $85,000,000. Of this, $21,000,000 worth was used in shortening, and $8,000,000 worth in oleomargarine. In contrast, the value of soybean meal fed to dairy cows was $34,000,000, or four times as much as the soybean farmer received from the oleomargarine manufacturer in 1942.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. SHIPSTEAD. I do not say that the proponents of this amendment have intentionally tried to misrepresent the facts, but the public has been led to believe that the tax upon oleomargarine is a tax upon the poor man's butter. In the first place, oleomargarine is not butter at all. In the second place, the tax is not a tax on the product itself but on the coloring matter.

Another point is that this amendment comes before the Senate in connection with a revenue bill, when the tax is not a tax for revenue at all. As has been explained, it is a regulatory tax for the purpose of controlling the product and preventing fraud. If there is any excuse whatever for the repeal of the tax, the question should be presented on an entirely different bill, and not on a revenue bill. It has no place on a revenue bill.

Mr. LA FOLLETTE. I agree with the Senator from Minnesota. In the Finance Committee I made the plea that this is not the appropriate place to consider this complex question.

I admit that it is a complex question, but its very complexity, Mr. President, should prevent its being considered in this casual fashion. It should prevent its being so considered because, I predict, the repercussions upon all farmers—not merely the butter producers and not merely the dairy farmers—throughout the country will be adverse in their final result if the proposed step is taken. Surely the Senate would not wish to take any such sweeping, any such far-reaching step as the one suggested, after only 2 hours of consideration before the Finance Committee—1 hour for the proponents and 1 hour for the opponents—at the tail end of the consideration of the bill. Surely the Senate would not wish to take it up in connection with the pending tax bill and consider it under the circumstances which I have enumerated.

Mr. President, I wish to reemphasize that oleomargarine can now be colored any color other than yellow without the 10-cent tax being paid. However, this would not accomplish what the oleomargarine manufacturers are seeking. They want their product to look like butter. They want it to smell like but-

ter, and if they could find any way in which to perform the miracle which the dairy cow performs, they would like the oleomargarine also to taste like butter.

Long experience in the field of oleomargarine taxation shows that when oleomargarine is colored so that it looks like butter the profit from its sale as butter is so great that the law is evaded, and fraud is perpetrated upon the consumer.

The repeal of the tax at this time would be a body blow to the dairy industry. The subject should have the most careful study. The far-reaching effects on the farmers and consumers should be fully explored. The proposal should not be injected into the deliberations on a revenue bill where at best it can receive only a left-handed consideration.

Mr. President, let the House, which originated the tax, give full consideration to this matter. If, after considering all the aspects of the situation, the House comes to the conclusion that the tax should be repealed, let it take the responsibility of adopting such legislation. Then let the Senate committee take it up and give full consideration to it, and report it to the floor of the Senate, where it can be considered on its merits alone.

Mr. President, I wish very briefly to read from a statement made by President Cleveland when he signed the original act. It reads as follows:

> I am convinced that the taxes which it creates cannot possibly destroy the open and legitimate manufacture and sale of the thing upon which it is levied. If this article has the merit which its friends claim for it, and if the people of the land, with full knowledge of its real character, desire to purchase and use it, the taxes enacted by this bill will permit a fair profit to both manufacturer and dealer. If the existence of the commodity taxed and the profits of its manufacture and sale depend upon disposing of it to the people for something else which it deceitfully imitates, the entire enterprise is a fraud and not an industry; and if it cannot endure the exhibition of its real character which will be effected by the inspection, supervision, and stamping which this bill directs, the sooner it is destroyed the better, in the interest of fair dealing. Such a result would not furnish the first instance in the history of legislation in which a revenue bill produced a benefit which was merely incidental to its main purpose.

Mr. President, this afternoon I shall not go into the arguments on the question whether oleomargarine, when fortified with 9,000 U. S. P. units of vitamin A, becomes the equivalent of natural butter. I satisfy myself with this brief statement: Butterfat is a short-chain fat. These other fats are long-chain fats. It has not been demonstrated that oleomargarine fortified with vitamin A to the extent of 9,000 U. S. P. units is equivalent to butter insofar as its nutritive and growth-producing effects upon human beings are concerned.

The experiments which have thus far been carried forward have been, so far as I know, only upon laboratory rats and upon calves. The experiments upon calves have not been concluded, and the much-quoted statement of the National Research Council is carefully qualified, as anyone who pauses to read it will see, by the statement that the conclusion is based upon available research evidence at this time.

Mr. President, I believe there is evidence which indicates that further research will show that butter contains an enzyme, a thing which affects growth, and which has not yet been artificially produced. I am frank to say that those experiments have not yet been concluded; but I repeat there is no evidence which demonstrates that in actual experiments upon human beings, fortified oleomargarine contains the same nutritive and growth stimulating factors which are contained in natural butter.

Mr. President, when I was at home during the recess of the Congress I visited many farmers in Wisconsin. I do not know about the situation obtaining in any other State, but I may say that the farmers of Wisconsin were working as they have never worked before. Men and women with white hair and stooped shoulders were out in the fields performing manual labor which their previous efforts should have justified them in having performed by others. They were performing such labor, Mr. President, because they believed it was their patriotic duty to make an effort to reach the war goals which had been set for agricultural producing sections of the country, and insofar as they were able, to replace the manpower which had been taken from the farm and placed in the armed services, or had been attracted into industry. They were doing the best they could do. They were working long hours from before dawn until after dark, 7 days a week, in order to offset the lack of farm machinery which was absolutely essential to the production goals which had been set. I think that has been true of farmers all over the United States.

I plead with my colleagues not to take a step which will have a far-reaching effect upon the entire agricultural industry until they are in possession of a sufficient weight of evidence to justify them in upsetting the price relationship affecting the entire post-war readjustment of the dairy industry of this Nation. That industry like every other, Mr. President, has been distorted because of the incidence of war. The farmers make no complaint of that; they are prepared to meet whatever cataclysmic readjustments may be their lot as the result of our involvement in this total war; but I say, Mr. President, we should not, upon the state of the record as it exists today, take this far-reaching and sweeping step, which may destroy an important segment of the dairy industry, without viewing it in relationship to the entire post-war agricultural readjustment and without a full understanding of the consequences of that act if we ever take it.

Mr. GILLETTE. Mr. President, before the Senator takes his seat will he yield to me for one further observation?

Mr. LA FOLLETTE. I am glad to yield.

Mr. GILLETTE. The Senator was kind enough to yield to me for the reading of the definition of oleomargarine in the Internal Revenue Code, which included intestinal fats and offal fats which can be sold. In addition to that there is a penalty imposed on the manufacturers of oleomargarine who are expressly defined.

In the pending amendment section 2 provides that no person shall be deemed a manufacturer of oleomargarine within the meaning of the provisions of the Internal Revenue Code by reason of adding to it or mixing with it coloring matter. Section 2306 provides a penalty for the importation of oleomargarine and subjects the importer to the same penalties as provided against the manufacturers as to method of sale, boxing, stamping, and so forth. If this amendment is now adopted as presented, it will exempt the importer from all the penalties provided in the case of the manufacturer if he merely adds coloring matter.

Mr. LA FOLLETTE. That prompts me to say that the Senator is 100 percent correct in that conclusion, and, furthermore, I wish to say that it is entirely erroneous to say that the Food and Drug Act or the Meat Inspection Act will protect the consumer against the product which he buys if the tax on coloring matter is removed.

The Bureau of Animal Industry only has the power to inspect oleomargarine plants where animal fats are being employed. The Food and Drug Act does not, as I understand, permit an inspection of plants. It permits only the analysis of the product and the prosecution of those persons whose products are found to be misbranded or deleterious in character after they enter the field of interstate commerce. I am very glad the Senator from Iowa brought out that point, because it was one I had intended to make.

Mr. CAPPER. Mr. President, I wish to call to the attention of the Senate a telegram I received recently from Charles W. Holman, secretary of the National Cooperative Milk Producers' Federation, advising me of the action taken by that federation at their recent annual convention in Chicago, urging defeat of the bill which proposes legislation as to the coloring of oleomargarine.

The telegram is as follows:

> Hon. ARTHUR CAPPER,
> *Senate Office Building,*
> *Washington, D. C.:*
>
> Three hundred delegates, representing 300,000 organized dairy farmers in 41 States, attending twenty-seventh annual convention of our federation here today, unanimously adopted resolution urging defeat of bill suspending color taxes on oleomargarine, called for its divorcement from internal revenue bill, and protested against what appeared to them as unseemly rush on part of Senate Finance Committee to force this bill into general tax legislation, thereby violating congressional custom in effect since 1886.
>
> CHARLES W. HOLMAN,
> *Secretary, National Cooperative Milk Producers' Federation.*

Mr. President, this statement by Mr. Holman represents the wishes not only of the members of the National Milk Producers' Association but it speaks the sentiments of practically all the farmers

of the Midwest Farm Belt. The repeal of the tax on oleomargarine would be most disastrous to the livestock and dairy industry of this country. I urge the Senate to defeat the pending amendment.

Mr. DAVIS. Mr. President, there has been considerable agitation of late to remove the taxes on oleomargarine which have been imposed by the Federal Government and which have been in effect for a number of years.

The present emergency has created an unnatural condition in the butter market, with the result that, because of shipments overseas to our allies and to our armed forces and because of supplies consumed domestically by the armed forces, the civilian consumer has been unable to purchase as much butter as he ordinarily consumes.

There has been an increase in the consumption of oleomargarine during this emergency period, and, because of the fact that the dairy industry in America is unable to supply for civilian consumption all the butter required, there is a movement on foot in certain quarters to remove all the restrictions which the Federal Government has placed upon the manufacture, distribution, and sale of oleomargarine.

Mr. President, the laws which are now enforced with respect to the production of oleomargarine were enacted only after thorough and careful investigation on the part of the Congress of the United States had proved that such legislation was necessary to protect properly the consumer against fraud and misrepresentation.

These laws, and laws passed in many of the individual States, designed to protect the consumer, have been tested in the Supreme Court of the United States, and they have been universally upheld as measures necessary to protect the health and welfare of our citizens.

The State of Pennsylvania, which in part I represent, has seen fit to enact such regulatory measures to the end that the manufacture and sale of margarine, colored to resemble dairy butter, is absolutely forbidden throughout the State. In addition, the manufacture, sale, and distribution of uncolored margarine is carried on under a license system which permits the State officials to investigate and to maintain proper standards of sanitation and health in the distribution of this product.

No consumer in the State of Pennsylvania who desires to use oleomargarine is denied that right. He can purchase and use it as he sees fit; but no consumer in the State of Pennsylvania who purchases butter need fear that he is receiving any synthetic or substitute product.

The laws of the Federal Government are designed to achieve the same results; and they have been effective in their operation. To remove these regulations at this time could only serve once again to confront the American consumer with the danger of fraud, with the danger that he would pay the price for legitimate dairy butter, and receive instead a product of lesser nutritive value.

As conditions now stand, Mr. President, the Federal Government exacts a tax of only one-fourth of a cent a pound on uncolored margarine, a tax which the average consumer can meet with little difficulty. The additional tax of 10 cents a pound on colored margarine is fundamentally for the protection of the consumer and should not, in my opinion, be repealed. No nutritive value is added to margarine through coloring; the white margarine is just as nutritious as the yellow.

In connection with this particular problem, I ask unanimous consent to include in the RECORD at this point, as a part of my remarks, a statement written by Mr. Fred Brenckman, of the National Grange, in which this issue is very thoroughly and very carefully discussed.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

There is at present pending before the United States Senate a bill introduced by Senator MAYBANK, of South Carolina, which would suspend for the duration of the war and 6 months thereafter the Federal tax on yellow oleomargarine. We are persuaded that the enactment of this bill would not serve any useful purpose.

On the other hand, we entertain the conviction that it would prove injurious to the dairy industry and would remove a safeguard for the benefit of the consumer which the present law provides.

The National Grange is opposed to any legislation of this character. Just because we are at war, and because there is a temporary shortage of butter is no reason why we should repeal all the laws that have been enacted in more than half a century for the protection of the dairy industry and consumers of dairy products as well.

The first Federal regulatory legislation regarding oleomargarine was passed in 1886, followed by the Grout Act in 1902. The legislation worked satisfactorily for many years, with the Federal Government collecting a tax of one-fourth cent per pound on the sale of oleomargarine in its natural color, which is white. A tax of 10 cents per pound has been levied on the product when colored in imitation of butter. This is intended to protect the dairy industry against dishonest competition and the consumer against fraud.

In November 1930 the Commissioner of Internal Revenue issued a ruling under which oleomargarine colored in imitation of butter by the use of palm oil, chemically treated to make it yellow, was permitted to escape with a tax of one-fourth cent per pound, instead of 10 cents. The ruling rested on the technicality that palm oil was a natural product and that its use was permissible without the payment of the additional tax. This ruling caused the price of butter in the New York market to drop from 45 to 26 cents per pound. Prices of other dairy products registered a correspondingly sharp decline.

As soon as this ruling was made there was a perfect rash of oleomargarine advertising in streetcars, newspapers, and magazines all over the country, because the oleomargarine interests naturally reasoned that if they could sell yellow oleomargarine with a tax of only one-fourth cent per pound, they could do a very profitable business. As an example of the money that was spent in this advertising campaign, on January 10, 1931, the Saturday Evening Post carried a double-page advertisement in colors, inserted by one of the leading oleo manufacturers of Chicago, which made it appear that oleo was just as good as butter, and which was well calculated to make a strong appeal to the thrifty housewife. The advertisement pictured many tempting dishes, all of which depended on the generous use of oleomargarine. We were reliably informed that this advertisement cost more than $23,000. No one ever heard of butter being advertised at such a lavish outlay. The reason for this is simple. There is not enough profit in making butter to warrant such an expenditure for advertising. In normal times it costs about 10 cents to make a pound of oleomargarine. There never was a time from the days of flintlock rifles and wooden moldboards down to the present when it was possible to make a pound of genuine butter for 10 cents and live.

After a fruitless attempt to induce the Commissioner of Internal Revenue to rescind this ruling, the Grange joined with other farm groups in demanding corrective legislation. After a memorable battle extending over the whole of the short session of Congress ending on March 4, 1931, the Brigham-Townsend Oleomargarine Act was passed. This calls for the use of the Lovibond tintometer test in differentiating between white and yellow oleomargarine, entirely eliminating all grounds for argument regarding the coloring matter used in yellow eleomargarine. The passage of this legislation corrected a situation which was costing the dairy farmers of the country approximately $1,000,000 a day in the form of lower prices.

Some producers of cottonseed oil have long entertained the idea that our oleomargarine laws have worked to their disadvantage, the theory being that without any regulation of the manufacture of oleomargarine, or any taxation, a larger market would be afforded for cottonseed oil. This, of course, overlooks the fact that the dairy industry is one of the best customers of the producers of cottonseed products. Whatever injures the dairy industry also injures the cottonseed oil industry. Moreover, there can be no permanent agriculture without animal husbandry. The destruction of our dairy industry would break the immemorial rhythm of nature: up from the soil and back to the soil.

Notwithstanding all the talk about the improved nutritive value of oelomargarine, Canada prohibits the manufacture, importation, or sale of oleomargarine, butterine, or other substitutes for butter. The Dominion Department of Agriculture declares that there is little likelihood of any change in this legislation, notwithstanding the war emergency. In Canada, butter is rationed on the basis of one-half pound per week per person, and supplies are adequate to meet the demand.

With imports of foreign oils and fats practically shut off by the war, domestic producers are finding a ready market for their products at ceiling prices. Under the circumstances, there appears to be no justification whatever for such legislation as is proposed in H. R. 2400.

After the war, we will be flooded by the imports of cheap foreign oils. It is conceivable that Congress, animated by a generous desire to rehabilitate the Philippines, will admit coconut oil free of duty. The manufacturers of oleomargarine may be depended upon to use the cheapest oil they can get. That will be coconut oil, and not cottonseed oil.

In view of these considerations, we think the producers of cottonseed oil and soybean oil would be working against their own best interest in trying to pass such legislation as is embodied in H. R. 2400. The same holds true of S. 1426, introduced by Senator MAYBANK.

Mr. DAVIS. Mr. President, I believe that every American consumer should be free to buy the products which he desires and which conform to his budget. Such a course is possible under the present laws which require a tax of only one-fourth of a cent a pound on uncolored

margarine. But the removal of the regulations regarding the sale and manufacture of colored margarine would subject the consuming American public to dangers and complications which would far outweigh the benefits they could possibly realize through the repeal of these necessary regulations.

Mr. EASTLAND. Mr. President, much has been said to the effect that the pending amendment is backed by the cotton interests and by the soybean interests, and that this is a fight between those two groups and the dairy industry.

To begin with, I take issue with that statement. As I understand, this amendment is backed and promoted by organized labor, by the American Federation of Labor, by the United Automobile Workers of the C. I. O., and by the hospital and charitable organizations of this country.

It has been said that this is an attempt to destroy the dairy industry, that it is an attempt to capture for other groups part of the butter market. I submit that nothing could be further from the facts in the case. The question is not one having to do merely with the coloring of butter, as the Senators from Wisconsin and Missouri said. This amendment is a war measure, its purpose is to give the very poorest segment of the American people an adequate diet, to give them to eat what they desire and as they desire it. I submit that to a large extent butter and oleomargarine are not competitive, because 18 percent of the oleomargarine consumption of this country is by the income group making a thousand dollars a year or less, while only 5 percent is by the higher income group, and persons in that income group, because of poverty, could not purchase butter if they desired to do so.

Oleomargarine is a poor man's product. This Government says that of the seven basic fats necessary for an adequate diet, oleomargarine is one. The record shows that two-thirds of the Nation's retail grocers cannot pay the privilege tax required of them before they can handle this product, and therefore the low-income groups of our country are denied a cheap table spread, one of the essential foods that is just as nutritious as butter, and that has a food value equal to that of butter.

It is said this is an attempt to injure the dairy industry, to capture part of the butter market. Nothing could be further from the facts. Why, everyone knows that today there is a shortage of dairy products. To maintain an adequate diet, 18 pounds of butter per capita and 3 pounds of oleomargarine is the normal consumption of this country. A consumption of 21 pounds of fats is essential to preserve the health and furnish an adequate diet to the American people. Because butter production has fallen off, because the dairy industry is not producing the normal supply of butter, according to Government figures, only 13 pounds of butter will be available to the American people, on a per capita basis, during the year 1944. The dairy organizations take exception to that figure, and say that only about 10 or 11 pounds of butter will be available to the people of our country. The Government desires to pull up the per capita consumption of oleomargarine, roughly, to 5 pounds, in order to supply an adequate diet and preserve the health of the men who man the machines and produce the arms and implements of war for our forces.

The enactment of the amendment would not cost a single dairy farmer one dime, it would not decrease his income one cent, it would not lower his standard of living one bit. There is an acute shortage of dairy products, and there is a demand for every single thing the dairy farmer can produce. If this amendment is adopted every pound of butter produced this year will be profitably sold. The sole issue here is whether or not the American people, the war worker, the industrial worker, and the low-income groups, shall secure an adequate diet, shall have enough to eat, and that their food product shall be in the form in which they desire it.

Figures show that 40,000,000 Americans normally do not have an adequate diet, and now, because there is an acute shortage of butter, that number will be even greater. The sole object of the amendment is to make oleomargarine, which is just as nutritious as butter, which has an equal food value, available for human consumption.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. GILLETTE. A few moments ago the Senator referred to the fact that many retail dealers found it difficult to handle this product under the present law. Does the Senator have in mind that under the present law the annual tax on a retail dealer handling oleomargarine is only $6 a year?

Mr. EASTLAND. Forty-eight dollars for handling colored oleomargarine.

Mr. GILLETTE. Yes; but if he sells it uncolored, under the present law the tax is $6 a year.

Mr. EASTLAND. Yes, and I may state to the distinguished Senator from Iowa that the testimony from representatives of the retail dealers' association before the House committee, based on the yearly sales of the average dealer in this country, showed that it was impossible for the average oleomargarine dealer to pay the $6 tax or the $48 privilege tax, because of the small volume of his sales, and because of the low income from his business, and that therefore there was largely denied to the very lowest paid segment of our population this essential food.

Mr. President, much has been said about the matter of coloring. The argument by the opponents of the amendment is based solely on the fact that the coloring of oleomargarine is an attempt to imitate butter, that the sole issue presented by the amendment is whether or not oleomargarine should be colored, as is alleged, the color of butter.

WHY BUTTER IS COLORED THE SAME AS OLEOMARGARINE IS COLORED

Eight months in the year, according to Government figures, butter is white in color and is colored the same as oleomargarine is colored. Only four months of the year, and then in only certain sections of the country, does butter have a yellow, golden color.

I submit that rayon is a textile which competes with cotton. Rayon is a fiber which each year is absorbing more of the market for American cotton. Rayon is bleached white. Would there be any justice in the Federal Government placing a tax on rayon because it competes with cotton?

Aralac is a fiber made from milk, which, when coloring is added, competes with cotton. I wonder what the dairy interests would say if we should tax that fiber for the protection of cotton.

THERE IS NO JUSTICE IN TAXING OR DISCRIMINATING AGAINST ONE AMERICAN PRODUCT FOR THE BENEFIT OF ANOTHER

I submit, Mr. President, that all American products should stand on the same basis of equality before the law. The American Government, a Government which stands for justice itself, should not place a discriminatory tax upon a product which is grown and manufactured by the sweat of American labor.

Why talk about coloring, as I said? Butter is colored and, in addition to that, butter is flavored. In fact, if I remember the figures correctly, more flavoring goes into butter than goes into oleomargarine.

Mr. President, this is a free country. Why should not any person in this country buy oleomargarine or any other food product in any color or form he desires? It is a healthful product. The purchaser is protected by the pure food and drug law. The package is marked, it is labeled. Surely the opponents of this amendment are not serious when they say the object of the tax is to prevent margarine from being sold as butter. The food and drug law protects that. The purchaser knows what he is buying.

Mr. President, is it the duty of the American Government to take part in a contest between two American products, or should not those products be sold on their own merit to those who desire to purchase them? Why should not each American product bear its share of the responsibility and be placed on the same basis of equality to share the same benefits from the Government?

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. MAYBANK. I should like to ask the Senator if he proposes to make a part of the record the recommendations of the American Federation of Labor and the Congress of Industrial Organizations?

Mr. EASTLAND. I do. I shall place them in the RECORD at the conclusion of my remarks.

Mr. President, I am going to read what representatives of the hospital associations say is the effect of this tax upon the poor, weak, sick charity cases confined in the hospitals of the country. This tax is not a tax to raise revenue. It is not a tax based upon ability to pay. But it is a tax to deprive the poor people of this country, those in the lowest income group, of the very necessities of life, and is placed generally on a segment of our

population which does not have the money to buy butter, because usually oleomargarine costs about half as much as butter, and the figures show that although in prosperous times and depression the consumption of butter is usually on the same level; while the consumption of oleomargarine in bad times falls way down. In bad times the consumption of margarine falls much farther than does the consumption of butter. That shows conclusively that the consumers of oleomargarine do not buy anything when they are out of work. They are not customers of the butter producer and this tax is an imposition on them.

Mr. President, I am going to read a statement made by Dr. John G. Martin, representing the American Protestant Hospital Association. Dr. Martin said:

I come here merely as the president of the association with personal knowledge of the opinions of the group and as a hospital administrator myself. I am the superintendent of the hospital of St. Barnabas, in Newark, N. J., and my knowledge of the activities in that hospital have a bearing upon the case.

We find that the imposition of the $600 tax prevents us from using oleomargarine—

Ah, yes, it is said the question is solely one of color. The argument is made that the consumption by the poor does not enter into the question. Let us see. Dr. Martin continues:

We find that the imposition of the $600 tax prevents us from using oleomargarine as we would like to do in view of the fact that butter is so scarce that we cannot serve butter to our patients and employees in the hospital as we would like to do.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. MAYBANK. The Senator spoke of a $600 tax. I presume the Senator means by that the $600 license fee, in addition to all the other taxes.

Mr. EASTLAND. The $600 represents a license fee per annum, and, in addition, there is a tax of 10 cents a pound on the necessity of life that is given a poor, defenseless, sick person in a hospital.

Mr. MAYBANK. Will the Senator permit me to read a list of institutions to which that tax applies?

Mr. EASTLAND. Yes.

Mr. MAYBANK. A sanitarium, hospital, any charitable, religious, educational, or other institution.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. AIKEN. Can the Senator from Mississippi tell us whether every hospital that buys oleo for its use has to pay $600 for that privilege?

Mr. EASTLAND. If the oleomargarine is colored.

Mr. AIKEN. Does that apply to any hospital?

Mr. EASTLAND. The Government owns certain hospitals, and it does not apply to them. I mean private hospitals and church hospitals, both Protestant and Catholic. In fact, all hospitals and charitable organizations except those that are owned by the Government.

Mr. AIKEN. In any State?

Mr. EASTLAND. Yes. So the record shows.

Mr. AIKEN. What do such hospitals pay if they buy the kind of oleo they usually buy, the uncolored oleo?

Mr. EASTLAND. I submit that this is a free country. By God Almighty's help and by the force of American arms, we made this a sovereign Nation, and the people of this country are a free people, and by every rule of justice——

Mr. AIKEN. That, Mr. President, does not answer my question.

Mr. EASTLAND. I will answer in a moment. A person should be allowed to buy whatever he desires in whatever color he desires it without any interference from a lobby or a group which by law is attempting to promote one product over another product, which is the case in the matter now under discussion.

The Senator has spoken of the use of oleomargarine uncolored. The record in the House hearings shows, by the testimony of eminent scientists, that digestion is aided by a person eating the kind of food he likes, in the form he likes it. He receives more nourishment from food he likes and in the form he likes it than otherwise.

Mr. AIKEN. But the question was, What does the hospital which buys uncolored oleo pay in the way of tax?

Mr. EASTLAND. If the hospital buys uncolored oleo and serves it colored, it pays a $600 a year license fee, plus 10 cents a pound on what is served.

Mr. AIKEN. Then the Senator insists that if a hospital goes to the local store and buys colored oleo the hospital must pay a $600 license fee for the right to buy such oleo?

Mr. EASTLAND. That is what the record shows.

Mr. AIKEN. And that that is true in every State?

Mr. EASTLAND. Except in Government-owned hospitals. Since it is a Federal tax, of course, it applies in every State.

Mr. AIKEN. What do hospitals pay by way of taxes if they buy uncolored oleo?

Mr. EASTLAND. Dr. Martin discusses that point in his statement, which I shall come to in a moment. It is not a question of what is taxed and what is not taxed. It is a question of justice and right. Every product should stand on the same basis of equality before the law, and every person should be permitted to buy any legitimate kind of product in the form he wants it, in the color he wants it, and as he wants it.

Mr. AIKEN. On that basis the Senator would have no objection to the free importation of coconut oil for the purpose of making oleo?

Mr. EASTLAND. Is coconut oil an American product?

Mr. AIKEN. The Senator would not have objection to the poor people of the country taking advantage of imported coconut oil, would he, so long as it is imported free of charge?

Mr. EASTLAND. The Senator is getting into an entirely different field.

Mr. AIKEN. I agree with the Senator that it is an entirely different field.

Mr. EASTLAND. The importation of coconut oil does not have one single thing to do with the pending bill. The measure before us is a war measure.

Mr. AIKEN. But the Senator must know it can be made cheaper from coconut oil.

Mr. EASTLAND. I ask the distinguished Senator from Vermont to let me conclude what I was saying. The measure is a war measure, to apply only during the war. The Senator knows that today we cannot bring vegetable oils into the country, and that because of the shortage we have had to plant millions of acres of soybeans and other oil-bearing crops, to make up for the coconut oil and palm oil which no longer come into the country.

Mr. AIKEN. Let me say that only last Saturday the amendment offered by the senior Senator from Florida [Mr. ANDREWS], I believe, which was defeated, would have permitted the importation of coconut oil at this time. I do not recall how the Senator from Mississippi voted on that amendment or whether he was in the Chamber at that time, but let me inquire what purpose there could be in offering an amendment permitting the importation of copra and coconut oil if none is obtainable.

Mr. EASTLAND. Mr. President, the Senator has been asking me to comment on an action taken last Saturday by the Senate. The Senator stated he did not know how I voted on the amendment offered by the senior Senator from Florida, that he did not know whether I was in the Chamber. The Senator referred to a question I do not know anything about and a subject entirely foreign to the matter now under discussion.

Mr. AIKEN. Mr. President, the question I asked was relative to the objection to permitting the hospitals to pay the prices referred to.

Mr. EASTLAND. That is the question I was endeavoring to answer.

Mr. MAYBANK. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from South Carolina?

Mr. EASTLAND. I yield.

Mr. MAYBANK. I should like the RECORD to show that the American Hospital Association, on behalf of which Mr. James Russell Clark and other gentlemen appeared at the hearings—the testimony occupies many pages of the printed hearings—represents 5,750 hospitals and other charitable institutions.

Mr. EASTLAND. Mr. President, I quote further from the testimony of Dr. Martin:

We find that the imposition of the $600 tax prevents us from using oleomargarine as we would like to do in view of the fact that butter is so scarce that we cannot serve butter to our patients and employees in the hospital as we would like to do.

Oleomargarine is used in the kitchen of the hospital for cooking purposes, and we consider oleomargarine, not an imitation of butter, but a substitute, and being assured that its nutritive value is approximately equal to butter, we would like to use it as a substitute for the butter which we cannot secure in adequate quantities.

Mr. ZIMMERMAN. Do you want to use the colored margarine?

Dr. MARTIN. We would like to do that; yes, sir.

Mr. ZIMMERMAN. But if you use that, you have to pay a large tax?

Dr. MARTIN. We have to pay a $600 tax, plus 10 cents a pound.

Mr. ZIMMERMAN. In order to serve that to your sick people there?

Dr. MARTIN. That is right.

Mr. ZIMMERMAN. And your sick people do not want to use the white margarine on their toast, and their trays, and so forth?

Dr. MARTIN. That is correct.

Mr. ZIMMERMAN. They want the colored product?

Dr. MARTIN. That is right.

Mr. ZIMMERMAN. And in order to give them that colored product you would have to pay a tax of $600. That is what you are asking to be removed?

Dr. MARTIN. That is right; yes, sir.

Mr. POAGE. You have to pay that tax of $600 even though you buy white margarine and color it, don't you?

Dr. MARTIN. If we color it; yes, sir.

Does that answer the Senator's question?

Mr. AIKEN. My question is this: What license fee would a hospital have to pay in order to buy and use uncolored margarine?

Mr. EASTLAND. I cannot answer the Senator's question as to the license fee required to be paid in order for a hospital to buy and use uncolored margarine; but if they buy it uncolored and color it they must pay a tax of $600 per annum and in addition 10 cents per pound on what is used; but that question is beside the point, because certainly it is a maxim of human liberty that in America a man can use any legitimate American product he desires to use, colored as he desires, and use it whenever he desires.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. OVERTON. Is the license fee of $600 imposed on each hospital?

Mr. EASTLAND. Yes; except a State hospital or a Federal Government hospital.

Mr. OVERTON. It is imposed on each restaurant?

Mr. EASTLAND. Yes; on each restaurant.

Mr. OVERTON. A good deal of dairy butter is colored, also. What tax does such butter pay?

Mr. EASTLAND. Nothing.

Mr. President, I will also tell the distinguished Senator from Louisiana, as I pointed out a few minutes ago, about the absurdity and injustice of this thing. As the Senator knows, rayon competes with cotton, and rayon is bleached white. Where would we stand if we were to come here, representing the cotton industry, and say, "Put a tax on rayon, in order to protect cotton; because rayon is bleached white?"

Mr. President, I read further from Dr. Martin's testimony before the House Committee on Agriculture.

Mr. POAGE. The housewife can buy uncolored margarine—or more correctly, I should say white margarine, because it is bleached—the housewife can buy white margarine and take it home and color it without paying any kind of a special tax other than the quarter of a cent a pound, but when you color it in your own kitchen for your patients and employees in the hospital you have to pay 10 cents for every pound you color. You are not simply talking about buying colored margarine. I want to get that point clear. Some of these folks may have the idea you want to buy colored margarine. You can't even buy white margarine and color it without paying a $600-a-year manufacturer's tax and then paying 10 cents for every pound you use; is that right?

Dr. MARTIN. That is correct; yes, sir.

Just imagine! Placing that tax on a church hospital doing charitable work. That was the testimony of a representative of the American Protestant Hospital Association.

I read now from a statement by Hon. William T. Montevam, representing the National Catholic Conference of Charities:

Mr. MONTEVAM. I am here today at the request of the Catholic Hospital Association, which was unable to be represented here today, and asked me to appear.

Mr. ZIMMERMAN. What group do you represent?

Mr. MONTEVAM. The Catholic Hospital Association of the United States, which has a membership of approximately 750 hospitals located in all parts of the United States, with headquarters in the city of St. Louis.

We are also members of the national joint committee which represents the three national hospital associations. I am, in an advisory capacity, a member of that committee.

I feel I cannot do better on behalf of the Catholic Hospital Association than endorse the statement made by those who have gone before me. Mr. Clark and Dr. Martin, with whom I have been associated for a great many years, spoke to my personal knowledge, the minds of their associations as well as my own.

The main objection of the hospital association to this tax is based on what I think is substantial discrimination against voluntary associations as compared with public associations engaged in parallel work.

Right there, Mr. President, I ask what is the necessity for or the justice in penalizing the Catholic Church?

I read further from the testimony of Mr. Montevan:

These hospitals at the present time are obliged to increase the consumption of substitutes for butter, because of the difference between the ration point value of butter as compared with the ration point value of the substitute, and they are compelled to use margarine. If they use margarine in large quantity, as Mr. Martin has pointed out, and undertake to color it, they become manufacturers of margarine and are subject both to the tax on manufacture and the tax of 10 cents a pound, which makes it almost prohibitive to use oleomargarine.

To be used by the poor, in religious hospitals.

I read further from the testimony:

I am sure all of them would prefer to use butter for table use and for tray service, whereas in the kitchen and in the bakery, I think they use large quantities of margarine.

Mr. MURRAY. Just one question. Have you found any place where you have a shortage of butter?

Mr. MONTEVAM. Shortage of butter? I don't know about a shortage, but there is a shortage of ability to buy butter, and I suppose that a proper reflection of the quantity of butter available is the point rationing that the hospitals receive from the Office of Price Administration. Presumably the point value is high because butter is not abundant. I presume that the rationing means just that.

Mr. MURRAY. Do I understand you to say that the hospitals have the same rationing——

Mr. MONTEVAM. I don't say they have the same, but they have rationing, and that rationing indicates the scarcity as compared with oleomargarine. Margarine values, as we have heard here is 6 points, and butter is 16 points. That means, of course, that there is two and a half times as much margarine available as there is butter.

Mr. ZIMMERMAN. We thank you for your appearance.

I read from the statement filed by Hon. Frances Perkins, Secretary of Labor, with the House committee which had this matter under consideration:

I should like to call your attention to the special interest of the Department of Labor in child health and to the special concern which the Department therefore feels in nutrition at the lowest economic levels. It is in these groups that one finds the largest number of children. The future well-being of the country depends upon the vigor and health of these children. Normally the Department of Labor would recommend that the first step toward improved nutrition is to make essential foods available at as low a cost as would be consistent with a fair return to efficient producers. This would be as true of fortified margarine as of any other food. If food costs are at a high level, it becomes wise to provide special programs for the feeding of children, as for example, through school lunches.

As you know, the consumption of a certain amount of fat is essential to good nutrition. Both butter and fortified margarine meet the requirements for fat and in addition provide essential vitamins. You will notice from the table below that margarine made up 18 percent of the butter and margarine purchased at low economic levels as against 5 percent among the upper third of the wage-earner population. Those of us who are interested in the nutrition of low-income families are, therefore, necessarily concerned with the amount of both these products which is consumed and the prices at which they are available.

Mr. President, I submit that the question of a fight between the dairy interests, the cotton interests, and the livestock interests has no place in this controversy. This is a war measure. The promotion of the war effort and the welfare of the United States is all that matters. If we were to enact this amendment, it would not increase the income of the cotton farmer by one dime. If we were to enact this amendment, it would not decrease the income of a single dairy farmer by one dime. It would simply make available a nutritious, healthful food to the very lowest income group in the country.

I am sorry that a sectional issue has become involved here because it has utterly no place in this controversy. Today 50 percent of the oleomargarine is manufactured from soybeans which are grown in the Midwest, and in the Dairy Belt, largely by dairy farmers. Here we are taxing the dairy farmer for the benefit of the dairy farmer. Frankly, I cannot see the logic in this apposition. In all sincerity I say the dairy farmer has just as much at stake in this amendment as has the cotton farmer.

However, I submit that those considerations should not control. The sole thing that should control here is the welfare of America, and an adequate diet for the American people—a diet which will give them strength and vitality to man the machines and produce the arms and implements of war which will destroy the enemies of America and hasten the day of victory.

Mr. President, I ask unanimous consent to have printed in the RECORD at this

point as a part of my remarks a statement before the House committee by Mr. Donald E. Montgomery, Consumers' Counsel, United Automobile Workers, and also a statement filed on behalf of the American Federation of Labor.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT OF DONALD E. MONTGOMERY, CONSUMER COUNSEL, UNITED AUTOMOBILE WORKERS (CONGRESS OF INDUSTRIAL ORGANIZATIONS), WASHINGTON, D. C.

Mr. PACE. The committee will be glad to hear now from Mr. Donald E. Montgomery.

Will you identify yourself and proceed.

Mr. MONTGOMERY. Mr. Chairman and members of the committee, my name is Donald E. Montgomery. My address is Washington, D. C., and I am appearing here as the consumer counsel of the United Automobile Workers—C. I. O.

Mr. PACE. Mr. Montgomery, if you will pardon me, I notice on the list given me that you are requested if possible to confine your statement to 20 minutes.

Mr. MONTGOMERY. Yes. That will be sufficient.

On behalf of the million members and their families in the organization I represent, I urge passage of this bill to take the Federal curse off a wholesome and economical food which the consumers of this country both need and want. I wish the bill went further and asserted the constitutional power of Congress to regulate commerce by prohibiting any bans or impediments imposed by the States on the movement of margarine in interstate commerce.

And, to anticipate the questions of Mr. HOPE and Mr. ANDRESEN, I might add that if it also took off the import tax on margarine, it would not make me unhappy a bit.

Mr. ANDRESEN. We could not put such an amendment in the law as is suggested, without a constitutional amendment, could we?

Mr. MONTGOMERY. I think, on this constitutional power, my lay opinion would be that Congress already has the power to prevent the States from imposing restrictions on interstate commerce. However, I am not a lawyer. Therefore, I can reverse the Supreme Court with great alacrity and a great deal of pleasure.

Margarine legislation, both State and Federal, belongs to the Middle Ages, and, in my opinion, it ought to go back where it came from. It is a hang-over from the feudal system under which guilds and masters controlled markets according to the power and prestige they could muster. In the midst of a war which we are fighting for a variety of freedoms it is out of date, to say the least, to be arguing about legislation which to protect one commodity from the competition of another, and for no other purpose, perverts the public powers of State and Federal Governments.

What other purpose can these Federal taxes on margarine have?

Some years ago, according to butter propagandists, they were necessary to protect consumers from a filthy product—coconut oil. Whether that was ever true, it isn't true today. Margarine is subject to the same food and drug regulation and inspection as any other food. Its manufacture is more concentrated, therefore more easily supervised, than most foods. The experience of food and drug administrations, according to their published reports, suggests that their greatest problem in protecting consumers from filth in food arises not with respect to margarine but with respect to butter. In any event, discriminatory taxes offer no solution to that problem.

The butter propagandists also argue that margarine should be penalized by the Government because it is an imitation of butter. Certainly that is what it is, or should be permitted to be. Margarine should be permitted to imitate butter as closely as possible, including its color, because butter is a delicious food and margarine is a cheap one. Of course, we want cheap imitations of good products—all we can get of them—so long as there is anyone left living in these United States who feels any pinch whatever in the pocketbook. Imitation has been one of the spurs to free enterprise in this country. The automobile started out as an imitation of the horse and buggy, and a damned poor one. Rayon got its start as an imitation of silk. Now it is imitating wool. Is not there some byproduct of milk which is now trying to imitate cotton?

Next it is charged against margarine that it is an artificial product. Whatever that charge of artificiality may mean, certainly it is no crime and is not contrary to the public interest. Anyone who reads butter-trade journals will see that butter, too, has its artificial ingredients, both color and flavor. Consumers are entitled to be informed of artificial factors in the foods they buy, it seems to me, but discriminatory taxation is neither necessary nor effective as a means to that end.

Or is it? Another reason for these taxes is said to be to provide adequate Federal regulation of the manufacture, labeling, and sale of this product. Maybe this committee can find out what the Bureau of Internal Revenue does under these statutes to regulate margarine; I have been able to find nothing but a perfunctory collection of taxes. In any event there is no doubt that the Food and Drug Administration is fully competent to protect margarine consumers against adulteration and misbranding, and the Federal Trade Commission to protect them against false and misleading advertising of margarine. Margarine, unlike butter, and unlike cheese and unlike ice cream, is not exempt from any of the consumer-protection provisions of the Food, Drug, and Cosmetic Act.

Now comes a new attack upon margarine to make a case for the discrimination against it. Despite the fifteenth-century character of these margarine laws, butter propagandists never miss a chance to dress them up in modern togs. Nutrition is the new style. Margarine, we are told, is inferior to butter nutritionally. The American Medical Association does not accept the proofs of that. The Food and Nutrition Board of the National Research Council says fortified margarine substituted for butter in a mixed diet produces no nutritional differences that can be observed. But what of it? Suppose margarine were grossly inferior to butter nutritionally, and therefore, a poor imitation of butter. Is that reason for placing special taxes on it, or on those who make or sell it? White flour, even where fortified, is not the nutritional equal of whole wheat flour. Nutritionally speaking, coffee is probably a poor imitation of imitation coffee, like Postum. Would you tax coffee or flour on that account?

There can be no argument in the public interest for the continuation of these medieval margarine taxes. But that does not mean that this bill to repeal them will pass. There will be powerful arguments against the repeal, because these taxes are only one manifestation of the arrogant and dangerous power long exercised by the butter industry. The fiscal punishment meted out this year to the Bureau of Foreign and Domestic Commerce for having published a good word on behalf of margarine is another example. The failure of the War Food Administration to take appropriate steps to curtail butter production during wartime is another. That governmental favoritism to butter has contributed to the scandalous continued waste of nearly half the important human food factors in our national milk supply, in spite of the critical importance of food, especially milk, in the waging of total war. The recent destruction of academic freedom and scientific integrity at Iowa State College is another sample of what the butterfat powerhouse can and will do.

These taxes are only one manifestation of that power, but they provide an important keystone to the whole structure. They give governmental sanction and national plausibility to all the other outrages committed by the butter trade against the general welfare. All that this committee can do is to recommend to the House that it remove that keystone from the butterfat bastion. As an aid to low-income consumers, or to any other consumers for that matter who choose to economize in the purchase of table fats, and a one step at least toward restoration of some semblance of public decency in this cesspool of commercial brigandage, I urge the committee to make that recommendation.

In addition to that statement, Mr. Chairman, I would like to submit for the record certain tables that bear upon this question. The first presents comparative data and the family consumptions of butter and other table fats with the families classified according to income. This table is based on an analysis made of the extensive investigation of consumer income and expenditures by the Government in the year 1936.

Briefly, the table shows that for those families with incomes under $500 a year, the proportion of other table fats—and that was probably all margarine—the total table fats was 25 percent, and as income rises, that proportion of margarine to the total of table fats decreased until at the $5,000 and over level, the proportion is only 5 percent.

(The table referred to is as follows:)

Comparative per family consumption of butter and other table fats per week, by nonrelief, nonfarm families, United States, 1936, classified according to annual family income

Income	Pounds per family		Proportion of other table fats to total
	Butter	Other table fats	
			Percent
Under $500	0.6	0.20	25
$500 to $1,000	1.1	.26	19
$1,000 to $1,500	1.3	.21	14
$1,500 to $2,000	1.4	.16	10
$2,000 to $3,000	1.5	.10	6
$3,000 to $5,000	1.7	.07	4
$5,000 and over	1.8	.05	3
All families	1.3	.17	12

Mr. MONTGOMERY. Another exhibit I wish to leave with the committee is a chart which shows from the years 1921 to 1942 the per capita consumption of butter in this country; the per capita consumption of margarine and the difference each year between the United States average retail price of butter and the United States average retail price of margarine; or in other words, the amount of consumer saving available by buying margarine instead of butter.

This chart shows that the consumer tendency is to buy more margarine, and that tendency is influenced very largely by the amount they can save in buying margarine instead of butter. In other words, it shows that it is an economy product influenced by that opportunity to save money.

Incidentally, it shows that strangely enough, margarine consumption goes up during years of increasing prosperity and goes down during years of depression, while butter, during these 22 years, has taken the opposite course. One of the highest per capita consumptions of butter we have ever had was in the years 1932 and 1934, and then as prosperity increased, butter consumption decreased.

Mr. POAGE. Will the gentleman yield right there?

Mr. MONTGOMERY. Yes.

Mr. POAGE. Can that not be explained by the fact that the people who buy margarine are largely those whose incomes are smallest and when the pinch of depression hits them, they are simply unable to buy anything?

Mr. MONTGOMERY. That is right. Of course, they buy more or less margarine as they have more or less money with which to buy.

This chart does not happen to show it, but it will show also, if you apply your common knowledge to it, of how farm incomes were tending—that is, butter farmers, dairy farmers, were making the most money out of butter in those years when margarine consumption was at its highest level, because margarine consumption happens to be at its highest level when the butter prices are at their highest, and those are the years when the butter farmers are making the most money.

The other exhibit is a table which simply shows the data that is included in that chart.

(The table referred to is as follows:)

TABLE 1.—*Per capita consumption of margarine and butter and related data, by years, 1921–42*

Year	Per capita consumption of—			Retail price per pound of—		Price difference between butter and margarine
	Margarine	Butter (farm and factory)	Margarine and butter	Margarine	Butter	
	(1)	(2)	(3)	(4)	(5)	(6)
	Pounds	*Pounds*	*Pounds*	*Cents*	*Cents*	*Cents*
1921	2.0	16.2	18.2	30.2	51.7	21.5
1922	1.7	17.1	18.8	27.5	47.9	20.4
1923	2.0	17.8	19.8	28.1	55.8	27.7
1924	2.0	18.0	20.0	29.3	52.2	22.9
1925	2.0	18.0	20.0	30.2	55.2	5.0
1926	2.0	18.5	20.5	30.1	53.6	23.5
1927	2.3	18.1	20.4	28.3	56.3	28.0
1928	2.6	17.5	20.1	27.3	56.9	29.6
1929	2.9	17.4	20.3	27.0	55.5	28.5
1930	2.6	17.3	19.9	25.0	46.4	21.4
1931	1.9	18.1	20.0	19.9	35.8	15.9
1932	1.6	18.2	19.8	15.4	27.8	12.4
1933	1.9	17.9	19.8	13.2	27.8	14.6
1934	2.1	18.3	20.4	13.5	31.5	18.0
1935	3.0	17.2	20.2	18.8	36.0	17.2
1936	3.1	16.5	19.6	18.5	39.5	21.0
1937	3.1	16.5	19.6	19.2	40.7	21.5
1938	3.0	16.5	19.5	17.5	34.7	17.2
1939	2.3	17.4	19.7	16.7	32.5	15.8
1940	2.4	17.0	19.4	15.9	36.0	20.1
1941	2.7	16.4	19.1	17.1	41.1	24.0
1942	2.7	16.5	19.2	22.1	47.3	25.2

SOURCES

Column (1): U. S. Department of Agriculture, Bureau of Agricultural Economics, Division of Statistical and Historical Research.
Column (2): U. S. Department of Agriculture, Bureau of Agricultural Economics, Division of Statistical and Historical Research.
Column (4): U. S. Department of Labor, Bureau of Labor Statistics.
Column (5): U. S. Department of Labor, Bureau of Labor Statistics.

Mr. MONTGOMERY. And the final exhibit is simply another table which shows for a group of consumers that were studied by the Bureau of Labor Statistics in four cities in the United States in 1934 and 1935; shows the proportion of families at different income levels who in a given week of the survey bought butter or bought both butter and margarine or bought only margarine; and it shows that as the income increased the proportion of families that bought only margarine or that bought some margarine decreases, while the proportion of families that bought only butter increases.

(The table referred to is as follows:)

Number and proportion of families in each of 4 income groups purchasing butter and margarine in 4 cities, 1934 and 1935 [1]

Income classification	Bought butter		Bought butter and margarine		Bought margarine	
	Number	Percent	Number	Percent	Number	Percent
Lowest fourth of families	252	68.3	45	12.2	72	19.5
Second fourth of families	300	77.1	36	9.3	53	13.6
Third fourth of families	329	84.3	28	7.2	33	8.5
Highest fourth of families	347	90.8	19	5.0	16	4.2

[1] Based upon family expenditure survey by U. S. Bureau of Labor Statistics among families of employed wage earners and low-salaried clerical workers in Boston, Detroit, Los Angeles, and Birmingham, 1934 and 1935.

Mr. MONTGOMERY. Mr. Chairman, that concludes my testimony.

Mr. PACE. Are there any questions by the members of the committee?

Mr. POAGE. I would just like to ask if it does not seem that your figures there indicate that the butter industry has simply taken the dog-in-the-manger attitude in this; that is, they apparently do not want this margarine sold even though it would not hurt the butter industry; that they do not want the people who do not have the income to buy butter to have anything; that they would rather see the people who cannot buy or pay for butter go without anything than allow them to buy any other spread.

Mr. MONTGOMERY. Well, I think, Mr. POAGE, the butter industry would have a very difficult time proving actually that these margarine laws have added anything of importance to the income of the dairy farmer.

Mr. POAGE. But they do have an important effect on denying to the people of the lower-income brackets an opportunity to have anything on their bread, do they not?

Mr. MONTGOMERY. That is right.

Mr. HOPE. The gentleman from Texas [Mr. POAGE] surely does not think that a quarter of a cent a pound is enough to keep anyone from buying oleomargarine.

Mr. POAGE. The gentleman from Texas is not talking about the quarter of a cent; the gentleman from Texas is talking about all of these margarine taxes and these idiotic regulations that prohibit the use of natural oils to produce a product of the color God Almighty made it; these laws that require the bleaching of natural soybean oil and cottonseed oil, in order that it may not resemble butter in any respect. That is what the gentleman from Texas is talking about. He is also talking about these regulations which require the maintenance of a whole staff of employees to determine whether a man is violating the regulations; the turning out of duplicate statements that are being brought into the tax office and are running through a whole hoard of Government employees. The gentleman from Texas is talking about the infinite amount of red tape that is wrapped around this thing; and the gentleman from Texas is talking about this whole silly, selfish, archaic system that the butter industry has set up in order to take margarine off of the bread of the poor children and working people of this country.

That is what the gentleman from Texas is talking about, and not a quarter of a cent a pound.

Mr. HOPE. That was not what the gentleman from Texas said. He said that the butter industry was trying to keep the people who could not buy butter from having any spread on their bread.

Mr. POAGE. The gentleman said they were; he did not say they were trying to; he said that they were.

Mr. HOPE. Of course, they are not, all statements of the gentleman to the contrary.

Mr. POAGE. The gentleman is not talking about the quarter of a cent; and this bill does not involve simply a quarter of a cent.

Mr. WICKERSHAM. Will the gentleman yield?

Mr. HOPE. Yes.

Mr. WICKERSHAM. There is not anything that would cause you or any housewife or me to be deceived in going and buying oleomargarine from the shelf, as if she can get it, and believing that it is butter now.

Mr. MONTGOMERY. Not unless she is blind, Mr. WICKERSHAM. It is thoroughly labeled. I think it is certainly much more adequately labeled than butter, because butter is the most poorly labeled food that we have on the market.

Mr. WICKERSHAM. As a matter of fact, so far as that goes, you and I can even tell the difference when we eat it.

Mr. MONTGOMERY. I certainly can. I much prefer to buy and eat butter if I can get it, if it is good butter—not some of this rancid butter we have had around.

Mr. WICKERSHAM. I had, too; but as a matter of fact, neither butter nor oleomargarine would require rationing now, unless there was a scarcity of it, would it?

Mr. MONTGOMERY. That is right.

If the witness could assume, Mr. Chairman, that Mr. HOPE's question was directed at him, I would like to say what seems to me is the most specific thing in connection with our Federal tax is the prohibitive tax on selling the margarine already colored. That certainly is a real barrier to consumption of margarine, because it is a nuisance and also that applies in placing a particular hardship upon the boarding house or restaurant which may want to sell colored margarine, who have to take out under these laws a $600-a-year manufacturer's license or pay a $600-a-year manufacturer's tax, if it colors the margarine which it sells to its boarders. That certainly is seriously interfering with the consumption of margarine by the consumers who want to consume it.

Mr. PACE. Mr. Montgomery, I recall your last appearance before this committee was in connection with the labeling question. From your studies in that connection, general labeling, Can you state to the committee whether or not you think the oleomargarine manufacturers are doing a fair job in the labeling of oleomargarine for the protection of the consumers?

Mr. MONTGOMERY. So far as I have seen, Mr. Chairman. I do not buy margarine and I have not made a detailed study of the packages in the store, but I am familiar with the regulations of the Food and Drug Administration; regulations which will be very simple

for them to enforce with respect to labeling, and there is also a labeling regulation under this tax law, which perhaps the Bureau of Internal Revenue enforces. I do not know as to that, because they would give me practically no information as to just what they do under these laws to regulate. Nothing more is needed to protect the consumer than what the Food and Drug Administration and the labeling regulations issued in its standards for oleomargarine, and its labeling requirements.

Mr. PACE. Thank you, Mr. Montgomery.

Mr. MONTGOMERY. Thank you.

STATEMENT OF LEWIS G. HINES, NATIONAL LEGISLATIVE REPRESENTATIVE OF THE AMERICAN FEDERATION OF LABOR, WASHINGTON, D. C.

Mr. HINES. Mr. Chairman, my name is Lewis G. Hines. I am national legislative representative of the American Federation of Labor.

The American Federation of Labor desires to register its approval of H. R. 2400 which proposes to eliminate taxes on domestic margarine and relating to license taxes upon manufacturers, wholesalers, and retailers of margarine.

We feel that these taxes are discriminatory in that they impose a hardship on our low-income groups which is unwarranted and unjustified. The imposition of a tax of 10 cents per pound on yellow-colored margarine is admittedly a discriminatory tax in favor of the butter-producing interest, while at the same time it deprives the consumer in the low-income groups of an opportunity to purchase at a reasonable price a healthful table spread containing ingredients of nutritional value.

The imposition of a tax upon manufacturers and the definition of manufacturers deprives many of our people of the benefits of a table spread who are patrons of popular-price restaurants.

We disagree with those who advocate that a high tax, or any tax, on margarine will prevent the processing and the distribution of an unwholesome product as well as resort to misbranding and other forms of chiseling.

While we are strenuously opposed to the imposition of taxes on margarine at any time, we call particular attention to the unfairness of the imposition of such taxes at this time when it is estimated that the total consumption of both butter and margarine will drop during 1943 to approximately 18 pounds per person as against 20 per person in recent years, and when the estimated increase in the consumption of margarine will be approximately 5 pounds per person as against the maximum of 3 pounds during the past three decades, and the consumption of butter in turn will have decreased to an estimated figure of 13 pounds per person as against 18 per person during the past three decades. This would indicate that there is a sharp rise in the use of margarine in 1943 and a sharp reduction in the consumption of butter during that period.

This means that in addition to all other taxes the working men and women of our Nation are paying, there is a heavy imposition of taxes in this one item alone—margarine.

We ask that you pass this bill and eliminate all tax restrictions on margarine and allow it to compete freely with other forms of table spread, particularly butter.

Mr. HOPE. Mr. Chairman.

Mr. ZIMMERMAN. Mr. HOPE.

Mr. HOPE. I would like to ask you a question. You refer to the taxes which the working people are paying and implied at least they are paying a 10-cent tax on oleomargarine.

Now, as a matter of fact, there is not any considerable amount of oleomargarine upon which a tax of 10 cents is collected.

Mr. HINES. There is some.

Mr. HOPE. There is not any great amount of that sold. The taxes that they pay on 99 and a fraction of a percent of oleomargarine is just one-fourth of 1 cent.

Mr. HINES. There does not seem to be any reason why margarine cannot be put out in colored form. The imposition of a 10 cents a pound tax against one article, per pound, is a subterfuge to keep oleomargarine in the form that people do not like to use it. It is for the purpose of keeping it off the market.

I might say that I myself have been using margarine for the last 8 or 9 months, because with a family of 5, I cannot buy butter, because of the large number of points that is necessary to purchase butter, and because of the fact that butter has been very, very scarce. We buy the uncolored margarine. We take it home, most of the time, and it is my job to color that margarine. I would like to have that phase of the thing eliminated. I do not see any point to it. I do not see any point in making any housewife or me, for instance, and it takes thousands and thousands of hours of time to do it, to do something that the manufacturer can very readily do and very easily do.

Mr. POAGE. Do it much better than you can.

Mr. HINES. I think so, because the color varies and sometimes the children want to know whether this is the rich butter or the other kind.

I will say very frankly, if my opinion is worth anything, that the margarine that I have been using, which is composed principally and largely of vegetable oils, is far superior to some types of butter that we have been able to buy during the past couple of years.

Mr. POAGE. Mr. Chairman.

Mr. ZIMMERMAN. Mr. POAGE.

Mr. POAGE. Mr. Hines, you suggested, and Mr. Hope said, that there was a tax on this margarine. The very fact that the Federal Government does not get the tax, but that the tax is merely an aggravation makes it worse than if it really were a revenue measure, does it not?

Mr. HINES. That is right.

Mr. POAGE. Would you not rather pay a tax that the Government actually got, and would not the public prefer to pay a tax from which the Nation at least received some benefit, than be subjected to all of the disadvantages of taxes without the Government getting any appreciable amount of revenue out of it?

Mr. HINES. Of course. The point is made that very little of the margarine pays the 10 cents tax per pound and that a very little of that is sold indicates that the Government derives practically no revenue from that source of distribution of margarine. It is not a revenue-raising proposition. It is a discriminatory tax to eliminate margarine in what you may term its natural form, and I say that advisedly, because when it goes to the table for personal consumption it is colored, and it is to eliminate that and to handicap the sale of margarine in the interest of butter. That is all.

Mr. POAGE. And you have heard the gentlemen along here suggesting day after day that the one-fourth of 1 cent does not amount to anything. You have heard the repeated suggestions that the tax on uncolored margarine was immaterial.

Mr. HINES. That is right.

Mr. POAGE. But you have not heard any of them suggesting that they put such a tax on butter, have you?

Mr. HINES. Well, it all bears out what I have said already—that this is a discriminatory tax.

Mr. POAGE. Why certainly; and, as a matter of fact, the tax, the one-fourth of 1 cent, is not what they are interested in, is it?

I hold in my hand regulations of the United States Treasury Department, Regulation No. 9, relating to taxes on oleomargarine, and there are 59 pages of the regulations which must be complied with by any dealer, processor, or even a great many consumers.

Mr. HINES. All summed up, it is a form of legislation enacted in the interest of the few to the detriment of the many.

Mr. POAGE. That is right.

Mr. HINES. That is exactly what it is. And I am speaking now in the interest of millions of wage earners, many of whom are in the low-income groups, who are unable to get butter and who feel that there should be no tax upon a substitute for butter, but that there should be an open competitive basis upon which butter, margarine, or any other kind of table spreads, are sold.

Mr. POAGE. Mr. Hines, as a matter of fact, the experience of the past has shown when you allow margarine to be sold freely, that you do not reduce the consumption of butter. And am I correct in assuming that that simply means there are a good many people who have felt that they are unable to buy butter, but who would like to buy margarine if they could buy it without governmental interference?

Mr. HINES. According to the figures I have seen, the maximum production of butter has totaled about 18 pounds per person per year. Give the workers enough money to buy butter, remove the point restrictions, and the consumption would jump almost 100 percent; that is, the consumption of butter.

Mr. POAGE. And no matter how much margarine is offered for sale.

Mr. HINES. Now, they are forced to use margarine because of the high price of butter, and at this particular time the restrictions that are placed on the purchase of butter through the point system. There is not any question but what the people, or the Nation, could consume twice as much butter, and I do not think margarine would be a serious competitor of butter if people had the money in the first place, and secondly if there were no restrictions upon its purchase.

Mr. PACE. Mr. Chairman.

Mr. ZIMMERMAN. Mr. PACE.

Mr. PACE. Mr. Hines, I am having difficulty in reconciling the position of some of those who oppose the enactment of this bill.

It has developed in the course of the hearings during the last week on this bill that a considerable amount of butter is being colored by the manufacturers and that a considerable amount of cheese is being colored by the manufacturers.

Are you able to reach a distinction whereby you or your wife are compelled to mix the coloring in your own home in the case of margarine, but no such burden is placed upon you in the case of butter or cheese?

Mr. HINES. That is the case exactly. And let me say this: It has been stated on numerous occasions that the butter interests claim the right to restrict the coloring of any substitute, because butter is a natural yellow, or yellow is the natural color of butter. That is not true about 8 months of the year. So, if they are going to be consistent, they should say that butter has a very pale yellow tinge for a greater part of the year and they have no right to claim the full yellow color, which only exists about 4 months in the year, during the favorable feeding seasons.

Now, I cannot agree that the coloring of margarine is an infringement on butter, and I do not think any reasonable person could agree that the coloring of margarine is an infringement upon the color of butter. There is no God-given right; there is no patent on it; there is just an assumption on somebody's part that because butter is yellow, or golden in color 4 months of the year, why, no substitute has the right to come on the market and be colored artificially.

Mr. PACE. And the manufacturer should have no more taxes upon him for the coloring of margarine than he should have upon him for the coloring of cheese and butter.

Mr. HINES. Of course not; or any other type of vegetable spread, such as jellies and jams, which are colored artificially in many instances.

Mr. ANDRESEN. Mr. Chairman.

Mr. ZIMMERMAN. Mr. ANDRESEN.

Mr. ANDRESEN. Mr. Hines, you referred to some bad butter that you had bought during the past few years.

Mr. HINES. Yes, sir.

Mr. ANDRESEN. Maybe that was butter coming from cream down in my friend POAGE'S district, down in Texas.

Mr. HINES. My friend, we have got a pound of it out in the ice box now and we are wondering how we are going to get rid of it. My wife says probably she can use it up in cooking, but it is absolutely unfit for use on the table.

I am not condemning butter as a whole because of that, but I am trying to bring out the fact that we do get, at times, inferior grades of butter.

Mr. ANDRESEN. It is probably some that has been kept in storage for a long time, and when oleomargarine is kept in storage its quality will deteriorate and it will not be as good.

Mr. HINES. That is probably true.

Mr. ANDRESEN. What particular branch of the American Federation of Labor are you with?

Mr. HINES. The American Federation of Labor.

Mr. ANDRESEN. The national organization?

Mr. HINES. The national organization.

Mr. ANDRESEN. The national organization?

Mr. HINES. The national organization, which is composed of all unions of the American Federation of Labor.

Mr. ANDRESEN. You do not represent any particular union?

Mr. HINES. No, sir; I represent them all; some 6,000,000 members.

Mr. ANDRESEN. Has the organization taken action on this subject?

Mr. HINES. Over the years; yes, sir. You heard reference the other day to President Green's statement when Congressman LaGuardia was here; and in going over the record, I find that we have taken a consistent position against the imposition of a tax on margarine. In fact, I am here at the personal request of President Green. President Green called me into his office the other day and asked me to appear before this committee.

Mr. ANDRESEN. I understand that there are only two States, Illinois and Tennessee, that have taken action on this particular subject.

Mr. HINES. I believe Oklahoma. I am not familiar with what the States have done with regard to rescinding the tax. I know several States have a very, very high tax and unfair and discriminatory tax that was promoted by the dairy farmers and the Department of Agriculture in those States. I think if the Federal Government takes the lead, it will show the way to the States to reduce this tax. And it will be a powerful argument in favor of the reduction of taxes in the States.

Mr. ANDRESEN. But no action has been taken at any annual meeting of the American Federation of Labor on this particular subject?

Mr. HINES. Yes. The legislative committee of the American Federation of Labor, which I represent, compiles a report for the Federation and that goes before the body, is referred to the legislative committee, in convention, and a report is made to the convention, and it is either approved or rejected; and in every instance where the legislative committee has brought this matter to the attention of the delegates in convention, the delegates have endorsed the position of the legislative committee and instructed them to carry on in the same manner as heretofore.

Mr. ANDRESEN. Do you have a copy of the resolution on this subject that was approved by the American Federation of Labor at its last convention?

Mr. HINES. It has not come in in the form of a resolution. It comes in in the form of a report; a report from the legislative committee. It is a matter of record. I can supply you with all of the proceedings of the Federation, going back over the period of time, to any period that you desire.

Mr. ANDRESEN. All I wanted to call particular attention to and would like to have your direct answer on is whether or not the American Federation of Labor has taken action on the subject.

Mr. HINES. Yes; they have. I have told you that they have taken action.

If you are questioning my motives in being here or questioning my authority to be here——

Mr. ANDRESEN. No; not at all; but I want the record straight.

Mr. HINES (continuing). I can bring substantial proof to show you that I am representing the American Federation of Labor, which has taken a decided stand on this question, and that is against taxes on margarine.

Mr. ANDRESEN. I do not question your authority to be here.

Mr. HINES. It all leads up to that.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. ANDRESEN. Yes; I will yield.

Mr. PHILLIPS. I want to ask a question.

Mr. ZIMMERMAN. Mr. PHILLIPS.

Mr. PHILLIPS. The action of the American Federation of Labor was on the subject of the tax on margarine.

Mr. HINES. That is right.

Mr. PHILLIPS. It had nothing to do with the matter of coloring margarine or the details of it?

Mr. HINES. We are opposed to the taxes on margarine. The question of coloring, the question of processing, the question of distribution, are questions entirely to be covered by the Pure Foods Act.

Mr. PHILLIPS. Those comments you made on those subjects, then, are your personal opinions?

Mr. HINES. No; not my personal opinion. They reflect the opinions of 6,000,000 members of the American Federation of Labor, who are opposed to this unfair, discriminatory tax.

Mr. PHILLIPS. I just wanted to make that clear.

Mr. POAGE. Mr. Hines, in that connection all that this bill does is to repeal the tax.

Mr. HINES. That is right; repeals the taxes.

Mr. POAGE. This bill does not have a thing in the world to do with any health measure.

Mr. HINES. It repeals the restrictions on the consumer; repeals the definition of the term of manufacture; repeals the tax on manufacturing and will enable the popular-priced restaurants, which are patronized by millions of our people, particularly during the lunch period to offer a substitute, when they cannot get butter; and that is the case right now. There are thousands and thousands of the eating places which cannot get butter and do not supply butter and cannot afford to supply margarine, because of the prohibitory taxes, and we want those taxes removed.

Mr. POAGE. That is just what this bill would do.

Mr. HINES. Yes.

Mr. ZIMMERMAN. May I make this comment? I am told, upon reliable authority, that there are a lot of poor people today who are spreading lard on their bread and using that because they cannot get another spread or cannot get other spreads.

Mr. HINES. That is right. Lard has been in common usage with a certain small percentage of people; but that will naturally increase if they cannot get a table spread equivalent to butter or margarine.

Mr. MCCORD. Will the gentleman yield?

Mr. ZIMMERMAN. Just a minute. As a practical matter, the reason that the coloring is asked for by most housewives, and by most people—I am referring to myself, and I am sure that is the experience of the average individual—it is psychological—you are inclined to think that it may be lard or some other material that is not quite so palatable and desirable, if it is not colored, and you like to be assured it is not that sort of product.

It is just the old idea; when I was a boy they used to give us medicine in coffee. I suspect there are a lot of you other fellows here who have had that experience.

Mr. POAGE. Put castor oil in it.

Mr. ZIMMERMAN. Castor oil was one of them. And until I became a man, and for several years thereafter, I could not bear the smell of coffee, because it suggested turpentine or castor oil or some other medicine. Now, that is the same thing about this spread; is it not?

Mr. HINES. There is not any question about it.

Mr. ZIMMERMAN. It is the psychological effect on the individual.

Mr. HINES. The coloring gives it a more palatable quality.

Mr. PHILLIPS. Molasses was the thing that was used where I lived.

Mr. ZIMMERMAN. We did not contaminate our molasses; we usually depended upon coffee. They thought that was the strongest thing to kill the taste of castor oil.

Mr. MCCORD. I want to ask you, Mr. Chairman, what is the price of lard?

Mr. ZIMMERMAN. I do not know; about 14 cents a pound.

Mr. MCCORD. What is the price of margarine?

Mr. ZIMMERMAN. I think 25 cents.

Mr. MCCORD. Seventeen cents in Washington last week.

Mr. ZIMMERMAN. You can get it at different prices. But at any rate, Mr. MCCORD, you would not want to use lard on your toast, for breakfast.

Mr. MCCORD. Not a bit in the world, and I hate for anybody else to have to.

Mr. ZIMMERMAN. Let me say this——

Mr. MCCORD. Mr. Chairman.

Mr. ZIMMERMAN. Just a minute.

Mr. MCCORD. I asked you if you knew the price of lard, and you gave me that information.

Mr. ZIMMERMAN. All right. Do you want to claim that some of that should be colored yellow?

Mr. MCCORD. I am not discussing yellow. I am talking about lard and oleo.

Mr. ZIMMERMAN. I thought maybe you wanted to color something yellow.

Mr. MCCORD. I wanted to get information as to the relative values, and I want to ask this question, Mr. Hines, as much for information as anything else.

If you take the tax off oleo, how much is that going to reduce the price of that commodity to the people; what is the amount of this tax that we are talking about just now?

Mr. HINES. I just do not get the question.

Mr. MCCORD. If we remove this quarter of a cent tax on oleomargarine, how much cheaper would it be sold to the public?

Mr. HINES. I do not think that that will make any material difference; but the imposition of a 10-cent tax on it does.

Mr. MCCORD. I am not discussing the yellow.

Mr. HINES. Well, the answer is that it would not make any material difference.

Mr. MCCORD. Do you know what the revenue to the Department or to the Government is from the one-quarter of a cent on oleo?

Mr. HINES. No; I do not have those figures.

Mr. MCCORD. It is $1,088,155. That is awfully small change the way we count our money nowadays.

Mr. HINES. It is an unfair way of collecting revenue.

Mr. McCORD. The tax on colored oleo, in the United States, was $2,340,000 annually. That is for the fiscal year 1943.

Are you familiar with the case that was tried in Louisiana where an unscrupulous man bought some oleo and sold it as butter?

Mr. HINES. I heard the facts discussed here the other day.

Mr. McCORD. I do not think that that case has been in here. It might have been. Do you know under what act they broke that man up—and he was violating the margarine ethics as much as he was butter?

Mr. HINES. Well, it seems to me it should have been under, and he should have been convicted under, the Pure Food, Drug, and Cosmetic Act.

Mr. McCORD. I would have thought so, too, but it seems that it was under this act.

Mr. HINES. It ought to have been under some law to cover that. It is a form of deception. It is a form of deceit. If you want to turn your attention to something to prevent that, I would say enact legislation that will prevent that thing from happening. We want to protect the consumer, as I have said in my statement.

Mr. McCORD. I quite agree with your proposition there.

Now, this case, as I understand it—I have not read the case—is where a man went around representing bakeries and bought some 72,000 pounds of margarine. He also bought a little butter. He mixed those—packed them in a carton that looked like butter, cut them up into quarter-pound blocks, sent them out as butter. That was as much a reflection on the margarine manufacturer as it was on the producer of butter. They prosecuted him under this act we have here and broke him up.

Mr. POAGE. Will the gentleman yield?

Mr. McCORD. Yes; I will yield to the gentleman.

Mr. POAGE. Would you favor imposing a similar tax on butter in order that we might protect margarine's good name? You say that this tax is to protect butter and margarine. Now, would you favor a similar tax on butter in order that we might make it work both ways?

Mr. McCORD. If some man was making what he claimed to be superior butter and that was not the truth, I would be in favor of prohibiting that.

Mr. POAGE. I ask you, Do you favor a tax of one-fourth of 1 cent a pound on butter?

Mr. McCORD. I do not.

Mr. POAGE. In order that you may extend the same protection to butter that you are extending to margarine?

Mr. McCORD. Butter does not need that so much.

Mr. HINES. May I cite an instance——

Mr. POAGE. It is a matter of personal opinion as to whether butter needs it.

Mr. HINES (continuing). If a fellow engaged in the dairy business who produced a certain number of pounds of butter annually and who bought considerably more, and he added water to the butter, and he churned it and increased the weight of the butter, and you were paying your good money for the water that he added to the butter.

Now, I do not know how you are going to reach that.

Mr. McCORD. That man ought to be prosecuted.

Mr. HINES. He ought to be if there is some way of prosecuting him.

Mr. McCORD. You are talking about rare cases.

Mr. WICKERSHAM. Mr. Chairman, I want to ask one question.

Mr. ZIMMERMAN. Mr. WICKERSHAM.

Mr. WICKERSHAM. Some of the dairymen are fearful that after the war there will not be a market for all of the butter that is produced and that oleomargarine will take a large proportion of the sales.

I would like to ask you if you do not believe that if the people are given employment they will eat all of the oleomargarine and butter that will be made?

Mr. HINES. Yes, sir. Whether they will eat oleomargarine as a spread, or butter, is a question of individual taste. I do not think that you have a right to regulate by law my preference in the matter. If I choose to use margarine in preference to butter, you should not impose a tax on me, because I do so.

Mr. WICKERSHAM. The people are now eating all that they can get of both.

Mr. HINES. Yes, sir.

Mr. WICKERSHAM. In other words, there is still a shortage of both apparently.

Mr. HINES. About 5 pounds per year per person, according to the latest figures that have been compiled, I understand.

Mr. POAGE. Mr. Chairman.

Mr. ZIMMERMAN. Mr. POAGE.

Mr. POAGE. I want to ask another question or two.

Mr. Hines, the gentleman from Tennessee [Mr. McCORD] asked you, first, how much effect this quarter-of-a-cent tax had on the consumer and you said that it would have very little. And then you said, well it pays the Government, Mr. McCORD, $1,200,000, was it?

Mr. McCORD. $1,088,000.

Mr. POAGE. $1,088,000.

Mr. McCORD. That was on the quarter of a cent a pound.

Mr. POAGE. And you suggested that you would be very unhappy to lose that amount. But, who paid it?

Mr. HINES. Well, the low-income groups are the people who pay most of it.

Mr. POAGE. It came out of the pockets of the low-income group, that is where most of it came from?

Mr. HINES. From people who can least afford to pay it.

Mr. POAGE. Even if it were but a quarter of a cent a pound, it took over a million dollars from the lowest income groups of this Nation.

Mr. HINES. And it is the kind of money that the Government should not want to take.

Mr. POAGE. It is the kind of money that the Government should not want to take, certainly. But, to go a little further: Was that all they paid? You suggested that would not affect them, but maybe you did not say that that was all the effect that it had upon them. I hold in my hand the regulations of the Treasury Department about this margarine. We heard that referred to the other day.

Mr. PHILLIPS. That is Regulations No. 9?

Mr. POAGE. That is Regulations No. 9.

We heard the testimony of a distributor of margarine where he testified that complying with these regulations cost him approximately $10 for every dollar of taxes paid or he actually paid about $11 for every dollar of taxes he paid. That was simply the wholesale distributor, and that does not get down to the retail distributor at all; and it does not affect the manufacturer.

Now, is it not true that all of those costs were passed on to the consumers?

Mr. HINES. Of course. In the State of Pennsylvania last year, several hundred thousand dollars was collected from taxes off of all kinds of direct consumers or manufacturers, which in turn was passed on to the consumers.

Mr. POAGE. Surely.

Mr. HINES. Now, that meant that the person eating in low-priced restaurants and popular-priced restaurants had to pay that tax.

Mr. POAGE. Does not that really mean then that whereas the Government only received $1,000,000, as Mr. McCORD so well pointed out, that the low-income groups in the United States must have paid some $10,000,000 or $12,000,000 unnecessarily, in order to maintain this quarter-of-a-cent tax on uncolored margarine?

Mr. HINES. It appears that that is a reasonable estimate; yes, sir.

Mr. McCORD. May I ask the gentleman to enumerate a few of those items?

Mr. POAGE. I will be glad to.

Mr. ZIMMERMAN. Just a moment.

Mr. McCORD. I asked him if he would enumerate a few of those that made up the $12,000,000.

Mr. POAGE. All right. We heard the gentleman from Portland the other day who is a wholesale dealer in margarine. He pointed out that, as you can read here, and I can call off some of these things which will give them to you.

Mr. HINES. I heard his testimony.

Mr. POAGE. But, the gentleman [Mr. McCORD] wants to know what some of them are.

You must file an intention to manufacture oleomargarine; you cannot manufacture it until you file an intention. You have got to get your lawyers to prepare forms in connection with that. You have got to go to considerable expense to file that notice of intention. You have got to post that notice and must file it with the collector of internal revenue. You have got to file an inventory. "The manufacturer shall file with the collector of internal revenue a statement as to the amount of business on July 1 of each year and thereafter," and upon discontinuing of business; you have got to have a verification of that by the collector; you have got to maintain records in the manner that is set out here, and there are some three pages of forms in which you must maintain the records. You cannot maintain records simply by grasping them out of the thin air. It costs money, good American money, to employ people to maintain those records.

Mr. McCORD. You are right about those things.

Mr. POAGE. You must go——

Mr. McCORD. It costs money to keep the records on that.

Mr. POAGE. Yes. You want to know what these things are and I am attempting to tell you what makes them up and how it is that it makes it more expensive than the amount of the taxes.

You must file a statement with the Bureau; you must provide samples of the tests made of oleomargarine and these samples must be recorded in the same manner as the oleomargarine which is sold. You must make a record of transfers to yourself. You must have a special record for changing orders, to make certain——

Mr. McCORD (interposing). I will waive the balance of it, if you will go ahead.

Mr. POAGE. There are 59 pages of these regulations. I do not think anyone can seriously dispute the testimony of the gentleman who is in business and said that it costs 11 times as much to comply with the regulations as it did to pay the taxes.

Mr. HOPE. Will the gentleman yield at that point?

Mr. POAGE. Yes.

Mr. HOPE. Is the gentleman's contention that this extra expense is all passed on to the consumer?

Mr. POAGE. Certainly it is. You do not think that these people are in business for their health, do you?

Mr. HOPE. I just want to call the gentleman's attention to the fact that the other day he was contending, when we had the dealers here, that they could not stay in business, a lot of the retail dealers, could not stay in business, but had to go out of business because the tax was so great that they could not afford to pay it. Now, if the consumer pays it, the dealer does not have to pay it, and that does not hold good.

Mr. POAGE. Maybe I have not made myself clear. All of these regulations I am talking

about are on the distributor. I have not gotten down to the retailer at all. I have not been able to get to the retailer yet. I have been trying to name the things that are enumerated in these 59 pages of regulations, the restrictions on the distributor of margarine, and when we get down to the retailer, who has to pay this tax, I will discuss him.

The point there is that he has to pay the tax before he makes any profit on his sales of margarine and that he has to pay the tax in advance.

Mr. HOPE. He does not have to do that, if he passes it on.

Mr. POAGE. Yes, he does. You cannot pass a thing on until you have got it. And, you cannot get into the margarine business until you pay Uncle Sam a manufacturing tax. You cannot pay it out of the profits you hope to make if you are successful in the business or pay it on any contingency basis. You pay Uncle Sam the tax, the retail tax, before you sell a single package of margarine.

The retailer must put up the money for the tax, and if he never sells a pound of margarine he loses that money. If he sells enough margarine, he may come out. But he has first got to put up the tax and take his chances on getting it back, and the testimony here has been undisputed that probably two-thirds of the storekeepers do not take that chance and simply do not provide an opportunity for people to buy oleomargarine. Now, you suggested that many of your people, Mr. Hines, who might want to buy it in the retail stores were unable to do so because the stores do not handle margarine.

Mr. HINES. That is right.

Mr. ZIMMERMAN. Mr. POAGE, may I interpose to make a statement at this point in the record?

We have been quite a while with this witness, and we have here before us, and I have before me, a list of witnesses who want to be heard. Some are anxious to get away. And the Chair must insist that we let these interested gentlemen read these pamphlets and find out for themselves what they contain, if they want to get the information, and let us go on with something that has not been over.

Mr. POAGE. All right.

Mr. ANDRESEN. Mr. Chairman, I do not want to let the record stand as it is.

Mr. ZIMMERMAN. The Chair is going to rule that we have had enough of this at this time, and we cannot take any more time on it.

Mr. ANDRESEN. Will you let me just state this for the record, that the gentleman who testified here as a wholesaler claimed that he had a margin of 3 cents' profit on oleomargarine, and last year he sold 360,000 pounds of margarine and made a profit of $10,800, and it cost him $2,500, including taxes to handle it.

Mr. ZIMMERMAN. We all remember that testimony, and there is no use of rehashing that today.

Mr. MURRAY. Mr. Chairman.

Mr. ZIMMERMAN. Mr. MURRAY.

Mr. MURRAY. I am just going to ask our colleague from Texas to yield.

Mr. POAGE. Yes; I will yield to the gentleman.

Mr. MURRAY. And I want to call his attention to the fact that we should not be discussing something that past Congresses have done. If anyone is interested in the low-income groups, it might be interesting to know that at the present time a man, if he has the price, can go down and buy himself a quart of cream. The low-income group cannot even buy a pound of cottage cheese without having 5 points along with them to buy it, and that is all made out of skim milk.

Mr. ZIMMERMAN. Let me suggest, let us not go into the matter of cheese. I am sure that the gentleman is interested in cheese. We will all admit that.

Mr. GRANGER. Mr. Chairman.

Mr. ZIMMERMAN. Mr. GRANGER.

Mr. GRANGER. Some people get excited about the cost of living and the low-income groups, and yet they advocate the sales tax.

Mr. ZIMMERMAN. We are not discussing the sales tax here.

Mr. POAGE. I want the record to show that I have never advocated the sales tax and do not now.

Mr. ZIMMERMAN. Unless there is something further on this subject that somebody would like to ask some questions about—

Mr. MURRAY. I would like to ask Mr. Hines one question.

Mr. ZIMMERMAN. Mr. MURRAY.

Mr. MURRAY. I would just like to ask if he realizes that at the present time, so far as any group is concerned, the low-income or the high-income group, we are securing all of the oleomargarine that can be secured under the allocations of fat that have been made to them up to this time.

Mr. HINES. Are they able to secure it?

Mr. MURRAY. I say, that is the limiting factor. I asked the gentleman if he realized that.

Mr. HINES. Yes.

Mr. MURRAY. That at the present time the reason that you cannot get all of the oleomargarine that you want or may want is due to the fact that we do not have the fat allocated to accomplish that purpose; that they have made all of the oleo and people can only get the oleo that they have an allocation of fats to make.

Mr. HINES. They can make oleomargarine out of two ingredients principally—namely, cottonseed oil and soybean oil. I think that is coming into general use. I think the days of the use of fat to a large extent has passed out. I think more and more people are becoming accustomed to and asking for vegetable margarines.

Mr. MURRAY. That is not the point; that is not what I mean. I mean, the War Production Board allocates the fats to each industry; allocates all fats, butterfat and every other kind of fat, and the oleomargarine people are making as much oleomargarine as they can make at the present time.

Mr. HINES. Well, I would rather let the oleomargarine people add to that.

Mr. MURRAY. That is the limiting factor. I think that the record should show that that is the limiting factor rather than the tax.

Mr. HINES. Let me put this whole question very concisely, Congressman.

The proponents of this bill are not on trial. They are proposing the abolition of the tax. Those who have favored the tax over the years and those who favor the continuation of the tax are on trial now and should be made to show good cause why the tax should be continued. That is the only thing you men have to consider, whether or not it is fair to the low-income groups in the country that a tax should be imposed upon the product that they would like to use, that has certain nutritional value, which is healthful for them, or whether they shall be denied that because of the imposition of an unfair tax. That is all.

Mr. MURRAY. I think it is only fair, Mr. Hines, right there to say—I may have an opportunity to come into that later—but I would like to have an opportunity to say we have this right on our hands, in connection with what the low-income groups have to pay; that they cannot even get a quart of milk to drink, yet the man who has plenty of money can go out and buy enough milk to take a bath in. I think that we will have to get to that sometime, too.

Mr. HINES. You and I are in thorough accord on that.

Mr. ZIMMERMAN. Mr. Hines, we thank you for your appearance here today.

Mr. HINES. I thank you, gentlemen, for the privilege of appearing.

Mr. ZIMMERMAN. On the agenda handed me we have next representatives of the retail grocers. The first is Mr. Tyre Taylor.

Mr. TAYLOR. Mr. Chairman and gentleman, I am located here in Washington, and we have Mr. Guckenburger, from New York, who is next on the list, and, if it is agreeable to the committee, I would like to have him go first.

Mr. ZIMMERMAN. Without objection, Mr. Guckenburger will be called. He has been assigned 7 minutes of our time.

Mr. WILEY obtained the floor.

Mr. REYNOLDS. Mr. President, will the Senator yield to me for the purpose of inserting something in the RECORD?

Mr. WILEY. I yield.

Mr. REYNOLDS. I thank the Senator very much.

I have before me a copy of the report on the revenue bill of 1943, as submitted by the able Senator from Georgia [Mr. GEORGE], chairman of the Committee on Finance. The opening statement in the report is as follows:

The Committee on Finance, to whom was referred the bill (H. R. 3687) to provide revenue, and for other purposes, having had the same under consideration, reports favorably thereon with certain amendments and as amended, recommends that the bill do pass.

That is followed by a brief summary of a general nature in reference to the bill under consideration at the present time, which has as its objective the raising of $2,275,600,000.

I ask unanimous consent that the general statement by the able chairman of the Finance Committee, on pages 1 and 2 of the report, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Your committee concurs in the action of the House as to the general magnitude of the additional revenue which ought to be provided by the Congress at this time. It gave especial attention to the factors tending toward inflation, to the mounting Federal debt, and to the burden of present taxes imposed on the American people. In arriving at its conclusion not to seek more than a fourth of the $10,500,000,000 of additional funds requested by the Treasury your committee was influenced by the fact that, between the time the Treasury representatives testified before the Ways and Means Committee and their appearance before your committee, the Bureau of the Budget lowered by $11,000,000,000 its previous estimate of the current year's deficit.

This reduction is due in a large part to the lowering of estimated Government expenditures in certain lines of war goods. These stoppages of output cannot free resources immediately for other types of production and there are instances of at least small-scale unemployment of both men and resources. In view of this, it would appear that income payments in 1944 will be lower than the $156,900,000,000, estimated by the Treasury. If any amount of steel and other metals is released for limited civilian production, as now appears inevitable, the total amount of civilian goods may be greater than in 1943. Together these trends would leave the inflationary gap smaller than was anticipated.

Your committee was not convinced that a sum as great as proposed by the Treasury could equitably be raised at this time in the

manner suggested by the Treasury, that is, in the main, by higher rates of individual income taxes. In his testimony before your committee, Secretary Morgenthau indicated that the Treasury Department preferred a bill raising only two to three billion dollars to one which would include more by resort to a general retail sales tax. Aside from its merits, about which there was some difference of opinion, the Treasury's position in this matter weighed heavily in the minds of committee members.

In general your committee agrees with the objectives of the House bill. It is believed that the individual income tax burden should not be appreciably increased over that of existing law, since individuals will be paying for the next 2 years, a carry-over of liability for the lesser of the years 1942 and 1943. So far as corporation taxes are concerned, your committee is in agreement with the House bill that any increase in corporate taxes should be by way of excess-profits tax rather than normal and surtax.

Mr. REYNOLDS. In this connection, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a very able editorial published several days ago in the New York Daily Mirror under the title "Realism in Taxes."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

REALISM IN TAXES

"The tendency of taxation is to create a class of persons who do not labor, to take from those who do labor the produce of that labor and give it to those who do not labor." (William Cobbett, famous English economist.)

President Roosevelt, in his message to Congress, asks for a "realistic tax law which will tax all unreasonable profits, both individual and corporate."

The President does not explain what he means by a "realistic" tax law.

But if we look over the tax legislation of the Roosevelt administration from its inception, it is only logical to infer that a "realistic" tax law means a confiscatory tax law.

The whole history of the New Deal in regard to fiscal legislation has been not taxation for revenue (or war) only but taxation for the purpose of extinguishing private enterprise and transforming into state socialism our democratic-individualistic form of government.

That is certainly "realistic," as our depleted pockets attest.

DESTRUCTION OF INCOME

But, according to President Roosevelt, we need more of it, though some corporations are now carrying an excess-profits tax as high as 90 percent of their earnings, and individual taxation has reached a point where the tax drain is destroying income—that income which is the very source not only of taxation itself but of the well-being of our people.

Mr. Roosevelt in his cryptic paragraph on "realistic" taxation speaks of "unreasonable profits."

In the eyes of the New Dealers all profit is unreasonable.

The President, however, does not tell us what he believes is a reasonable profit and what is an unreasonable profit.

We suppose the decision on that momentous question is to be left to one of those secret sanhedrins of socialism-at-any-price that surround the Executive.

On the domestic line, this administration has done only one thing with perfect consistency in the last 10 years—and that is tax.

All the messages President Roosevelt has sent to Congress have had one aim, openly or implied—"tax 'em."

Behind every piece of "social" legislation of the New Deal regime you will find taxation.

The N. R. A., the A. A. A., the vast pre-war "relief" structures, the octopus-like bureaucratic oligarchy that has grown up in Washington since and before the war—these are all built on taxation.

What the President really means by "realistic" taxation is that Congress shall shelve the $2,000,000,000 tax bill in favor of the $10,500,000,000 Morgenthau-administration tax load.

But it is doubtful whether even this new $2,000,000,000 tax bill is a necessity today, with vast unexpended nonobligated billions still lying idle in the Treasury.

Senator BYRD, of Virginia, has estimated this unexpended surplus at $91,000,000,000.

THREAT TO OUR SYSTEM

The minority report of the Ways and Means Committee of the House, when the $2,275,600,000 tax bill was reported, said with great truth that if Secretary Morgenthau's $10,500,000,000 tax bill ever became a law it would tend to annihilate the very thing for which our armed forces are fighting and dying—that is, the free-enterprise system.

For, the heavier the taxes that individuals and corporations must bear, the lower falls the level of investing capital, with a corresponding decline in jobs and the general living wage of all the people.

That, too, is "realistic," Mr. President.

A bit too "realistic" to be looked at steadily for any length of time.

To win the war, the American people will stand taxation to the very limit.

But taxation to promote a political program, taxation in the presence of waste and the absence of economy, is indefensible, for it is neither "realistic" nor idealistic.

It is just premeditated bankruptcy.

Mr. REYNOLDS. Mr. President, of course, I shall vote for the pending tax bill, because the Finance Committee has found that it is absolutely necessary for the welfare of the country at this particular time to raise the amount of money to be provided by the bill, $2,275,600,000. However, I wish to take advantage of the opportunity to say that I am indeed glad that I shall not be called upon to vote for a bill carrying in additional taxes $10,500,000,000, which was the amount asked by Mr. Morgenthau, because, as stated by the Senator from Georgia [Mr. GEORGE] the other day on the floor of the Senate, we have arrived at the point where many persons are being required to pay to the Government—and were last year, for that matter—actually more money in the form of income taxes than they earned or received from one source or another.

I realize that during this war it is absolutely impossible in every respect for us to bring about a reduction of taxes; but when this war shall have ended, I believe the duty of the Congress will be to make a very serious and conscientious effort to reduce taxes in this country in order that we may set about the business of rehabilitating America. To that end I hope that all ceilings on commodity prices will be dropped, but that after the war, in time of peace, we will place a ceiling on taxes to the extent of prohibiting the Government from collecting Federal taxes from any individual in excess of a ceiling of 25 percent of all taxes—income, inheritance, estate, and otherwise—taking into consideration, of course, the fact that many of the States, counties, cities, and other political subdivisions must collect taxes, which just about takes away everything from everybody.

I thank the Senator from Wisconsin for his kindness.

Mr. WILEY. Mr. President, the particular subject before the Senate is the amendment offered by the Senator from South Carolina [Mr. MAYBANK] to House bill 3687. I wish to read it, because it seems to me that in the debate we have gone far afield from the very crux of the issue which is involved in the debate at this time. I read the amendment:

That so much of section 2301 (a) (1) of the Internal Revenue Code (relating to the tax upon oleomargarine) as reads "except that such tax shall be at the rate of 10 cents per pound in the case of oleomargarine which is yellow in color" shall not be applicable with respect to oleomargarine manufactured or sold, or removed for consumption or use, after the date of enactment of this act and prior to the expiration of 6 months after the termination of hostilities in the present war, as proclaimed by the President.

SEC. 2. No person shall be deemed to be a manufacturer of oleomargarine within the meaning of the provisions of the Internal Revenue Code by reason of adding to or mixing with any oleomargarine any substance which causes such oleomargarine to be yellow in color, after the date of enactment of this act and prior to the expiration of 6 months after the termination of hostilities in the present war, as proclaimed by the President, whether or not such person sells, vends, or furnished oleomargarine for the use and consumption of others.

Mr. President, the last idea which was suggested to this honorable body a few moments ago by the distinguished Senator from Mississippi [Mr. EASTLAND] was that we should have in mind but one great objective in all our legislation—namely, the general welfare of the people. I agree with that statement.

Much has been said in the Senate today about the subject of butter, and the subject of oleomargarine. I should like to consume a few minutes of the time of the Senate, without recapitulating what has been said, to bring to the attention of the Senate a reason why originally the Government stepped into the picture. If the reason was valid then, it is valid now.

Back in the days prior to 1886, when most of us were mere children, there was an article known as imitation butter. It was made out of various substances, which, as suggested by the Senator from Iowa [Mr. GILLETTE], were defined in the statute itself. In other words, when purchasers went to a store to buy butter they sometimes bought oleomargarine oil, lardine, lard, or suine, or they bought mixtures. They bought lard extracts and tallow extracts. They bought something which looked like butter but which was made of tallow, beef fat, suet lard, lard oil, fish oil, or fish fat. There were also certain vegetable oils which were placed in it. There was another substance called annatto.

Why were these substances sold? It was because they looked like butter. They were colored yellow, and were palmed off on the public.

When I was a youngster there was talk about butterine, which was fed to the men in the camps who thought that they were eating a good dairy product. It was found that into the product had been put one or more foreign substances which were unhealthy. Then the Government took a hand and said, in effect, "We will impose a tax of one-quarter of a cent a pound." With what object? In order to insure that when the product was manufactured it would be healthy and not contain filth and germs which brought about disease. As I have said, the Government imposed a tax of one-quarter of a cent, and the imposition of the tax was continued.

Then the Government did something else. Even after Congress had done what I have suggested, they saw that the public was being taken for a ride, and decreed that a manufacturer could not color a synthetic product to look like butter unless he paid a tax of 10 cents a pound.

Mr. President, that was done for the general welfare. It was done in order to protect you and me from being fooled into thinking that we were buying butter when we were receiving something which was not what we intended to buy.

Mr. President, during the course of my legal work it has been my good fortune to have had experience with what the Government and the States have taken care of under the title of "Fair Trade Practices."

Mr. CLARK of Missouri. Mr. President, will the Senator yield before he leaves the point which he has been covering?

Mr. WILEY. I yield.

Mr. CLARK of Missouri. One of the principal witnesses appearing before the Finance Committee in behalf of this amendment was a representative of the Restaurant and Hotel Dealers Association. He called attention to the fact that under the laws of nearly every State a notice is required to be posted if oleomargarine or some other substitute for butter is served in the place of butter. Does the Senator think that is any protection to the public? The basic definition of oleomargarine includes substitutes for butter made from copra and possibly deleterious substances. Does the Senator believe that a notice of the nature to which I have referred is any protection to the ordinary consumer? I am not now speaking of the home consumer. Does the Senator believe that any protection is afforded persons in restaurants, either in hotel restaurants or those not connected with hotels, by requiring that a notice be posted at some place in the restaurant to the effect that oleomargarine is being used instead of butter? From his experience does the Senator believe that any one goes around a restaurant peering all over the walls to ascertain whether butter or oleomargarine is being served? Does he believe that if a person goes into a restaurant where butter is served he cannot recognize it as butter, or if oleomargarine is served under the present law he cannot recognize it as oleomargarine, unless the restaurant proprietor is permitted to "doctor" the oleomargarine in such a way as to make it appear like butter?

Mr. WILEY. Mr. President, I believe the point which the distinguished Senator has made is a good one. I assert that, at least in the recollection of everyone who listens to me, butter has always had a rich, yellow, golden color. That is what we mean by butter. If a restaurant proprietor or a hotel proprietor is permitted to color oleomargarine and serve it, of course, the average individual who eats it will think that he is eating butter. Now, I ask if the statute was passed in the interest of the public welfare, or in the public interest, in order to protect the public from putting into its stomach food of a character which may be different from what it believes it to be, or, at least, not what it thought it had paid for?

I started to say something about fair trade practices. In our whole economy throughout the years, in the States and in the Federal Government, we have developed a long line of trade-practice decisions which contemplate that if one represents a product to be something different from what it is he is engaging in an unfair trade practice. Is not that situation exactly the one which is involved here? It has been admitted that less than two-tenths of 1 percent of the oleomargarine which is produced in this country is colored. In other words, it has been admitted that the 10-cent tax does the job which the Congress some 50 or more years ago said should be done. It has been admitted that down through the years this tax has protected the public. I again refer to the question of trade practices. Does the Government, in the manner now proposed, wish to repeal the statute, and say to the 18 great concerns controlling the industry in this country, "You can color your product so that it looks like the product of that segment of industry which produces the greatest wealth in America, that farm segment, namely, the dairy industry"? Do we want to do that? Let us see, Mr. President. I do not think that would be fair trade practice.

Something was said by the distinguished Senator to the effect that the matter of color did not make any difference.

Mr. CLARK of Missouri. That is the whole point of controversy.

Mr. WILEY. Of course, the question of color is the very crux of the situation, because by the use of coloring matter it is hoped to invade the market of the farmer who has produced butter down through the years.

Mr. President, the statement was made that the hospitals could not color the product they use without paying a tax of $600. I purposely put into the RECORD the particular amendment, because it will be noted the amendment does not mention hospitals. It refers to manufacturers. Why? Because the statute itself defines a manufacturer as one, among other things, who takes the product and colors it and then disposes of the material to someone else.

Suppose, as a war measure, there should be an exception for hospitals, then we would have clear-cut the issue which was precipitated here a few moments ago. But that is not what is being asked. What is asked is that the 18 concerns that manufacture in the neighborhood of some eight or nine hundred million pounds of oleo a year shall be privileged, without paying the 10-cent-a-pound tax, to color their product and palm it off onto the public as the equivalent of butter.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. SHIPSTEAD. In 1931, while in Europe I looked into the health conditions and the character of the food of people working in industry. I was told in two of the countries where butter is produced that, because of the scarcity of foreign exchange, they had to export their butter and had fed margarine to their school children and that there had been noticed a great degeneration of the teeth of the children as well as those working in factories, and at the time that condition was ascribed to the almost universal use of margarine.

Now we find that the United States, particularly in the cotton areas, many persons are exempt from military service because of bad teeth. I think it would be very well for the Public Health Service to examine into that matter and ascertain if the condition is as prevalent here as it was in Europe, where, because of the need for foreign exchange, they had to export their butter.

The Senator from Missouri this afternoon brought out the point that the people were eating margarine in order to keep down their weight, as margarine does not contain the fats which are found in butter. It seems to me that there is being much deception in the effort to make margarine not only appear like butter but also to claim that it has the same virtues as a food as those possessed by butter. It is an effort to make people believe that the butter of the cow is no better than the butter coming from a bale of cotton.

Mr. WILEY. Mr. President, I thank the Senator from Minnesota for his contribution. I do not want to go into that issue at this time. I think my distinguished colleague in the Senate [Mr. LA FOLLETTE] spoke on the subject quite illuminatingly. Butter and cheese, of course, come from milk of cows and contain animal fats so necessary to human life. Their nature is food. In the summer from the succulent grass, the sweet-scented clover, the luscious alfalfa, and cool spring waters, the greatest chemist in the world, the milk cow, makes this food, and in the wintertime from silage and from nut-brown corn, good wheat, oats, barley, hay, and alfalfa, she turns out the same product. I can agree with the Senator from Minnesota and with my colleague from Wisconsin that it has not been demonstrated to any degree of certainty that any synthetic product—and that is what this is—into which there is injected, as it is claimed, certain

vitamins, is the equivalent of the article produced in the natural way and containing natural vitamins.

Mr. President, why is this amendment offered at this time? If it becomes law, what will be its effect? Why should a Federal tax of this nature be imposed upon a domestic product? That is a question which was asked and apparently it is claimed by the distinguished Senator from Mississippi that there should be no tax on it. The question as to the tax and the two other questions, I propose to answer in the course of my brief remarks.

As has been stated, there is a Federal tax of 10 cents a pound on oleomargarine which is colored to resemble butter, and a tax of only a quarter of a cent a pound on uncolored margarine.

I receive letters from people in my State who are very much confused, and when I have written them back and told them what the issue was they have thanked me. In other words, the propaganda that has gone forth over the radio and through the press at the instance of those who have some selfish interest to serve attempts to accomplish something not very healthful to our country.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. CLARK of Missouri. Irrespective of the merits of the controversy as to whether synthetic fats are as healthful as natural fats, the fact remains that the issue on this particular amendment has nothing to do with that. The issue is an issue of deception. The existing law puts no tax, or a very minor tax, on the sale of oleomargarine. The law, as the Senator has well pointed out, is designed to prevent deception in selling oleomargarine in the guise of butter or serving it in restaurants or hotels in that guise. On this amendment the only issue is not the issue of nutrition; it is a question of deception.

Mr. WILEY. I agree a hundred percent with my colleague from Missouri in that respect. The whole thing is based upon whether or not there should be repealed the protective feature of the law which says to those who are making a synthetic product, "You cannot color that product to look like butter unless you pay 10 cents a pound. If you sell it in the shape you produce it you have to pay only a quarter of a cent." That is the very nubbin of the whole thing.

The oleomargarine industry, as has been stated, consists of 18 manufacturers and their subsidiaries. They produce all the oleomargarine in the United States. Many people have been deceived. The propaganda put out is deceiving and unfair. The public have been led to believe that they are unable to get oleomargarine because of the 10-cent Federal tax which is applicable to oleomargarine colored yellow in imitation of butter.

Mr. President, I have not the exact facts in mind, but as I recall, the Government takes in the neighborhood of two-thirds of all the oleomargarine now manufactured. Yet the public has been told that the tax is the reason why they cannot get oleo. There is no tax on butter, yet most of us cannot buy butter, because the Government takes about 20 or 25 percent of the butter produced. That necessarily reduces the portion each of us can get under normal conditions.

There has also been a reduction of approximately 10 percent in the production of butter, because fluid milk has gone into other channels, under the direction of the Government.

Ninety-nine and eight tenths percent of all oleomargarine sold for civilian use in the United States is uncolored. The small tax is absorbed by the manufacturer.

The production of oleomargarine for 1943 is estimated at 650,000,000 pounds, or more than one-third of the total butter production in the United States. The people can now buy all the oleomargarine they want to buy, which is available at from 19 to 29 cents a pound, and I repeat, the tax is only one-fourth of a cent a pound on the oleomargarine, which is absorbed by the manufacturer, and paid by him.

I was interested in a statement made by one of the Senators who is back of this proposal, to the effect that because of certain taxes the retailer is not able to handle the product. I think there is some confusion. First, there is not a large amount of the product available, because the Government has not seen fit to permit to be used many of the fats for the production of oleomargarine. Second, there is some proportion—as I have estimated, a large proportion—which goes to the Army.

The margin of profit for the wholesaler and the retailer have been stated before the Committee on Agriculture of the House of Representatives to be 3 cents a pound for the wholesaler and about 4 cents a pound for the retailer. Therefore, it is quite obvious that the tax of a quarter of a cent a pound is absorbed before it reaches the consumer.

Something has been said about the statement of Dr. Carlson, the chief spokesman for the oleomargarine manufacturers, in the hearing on the Maybank bill. He advocated that all whole milk should be used and consumed as whole milk, and I repeat, Dr. Carlson said that oleomargarine colored yellow should take the place of butter in the diet of the American people.

Mr. President, I wonder how that sounds to you. When I read that I literally shuddered. When and where is this bureaucratic tendency, which is so evident in some quarters ever going to stop? Think of it, Government agents, and agents representing industry, testifying and telling us now what we shall eat. Pretty soon they will be telling us when we shall eat. There must be a stop to such nonsense.

Mr. MAYBANK. Will the Senator yield?

Mr. WILEY. I yield.

Mr. MAYBANK. In order to correct a misapprehension the distinguished Senator from Wisconsin probably got from the testimony, let me say that I do not think Dr. Carlson is a bureaucrat. As a matter of fact, I never brought any bureaucrats before the Finance Committee. Dr. Carlson is a professor from Illinois, I was told, and a man of ability. I do not think he works for the Government. If he does, I am mistaken.

Mr. CLARK of Missouri. Will the Senator from Wisconsin yield?

Mr. WILEY. Permit me to say that I have no personal knowledge of Dr. Carlson. The Senator from South Carolina says he is a professor. I did not mean to imply that everyone who works for the Government comes within the term "bureaucrat." There are working for the Government many fine people, who are rendering splendid service, and thank the Lord there are more and more in that classification now, because we have seen a weeding-out process in operation in the last year. In past years there were too many professoriate minds in the Government, but we have been getting rid of them. I have no reflection to cast upon professors generally. They are all right in their place, but their place, by and large, is in the classroom, and not in the Government service, because as a rule they have never had any practical experience. Too much theory spoils the broth. When I read that a professor espousing the cause of the oleomargarine industry appeared before a congressional committee and told the American people what they should eat, to me it did not seem to make sense. I think it was an evidence of the same complex which has almost ruined America in connection with other matters. That is what I had reference to.

Mr. MAYBANK. I wish to state again, in justice to Dr. Carlson, that my information about him was that he was a scientist, and presented the scientific side of the subject, along with many other witnesses. I do not believe he works for the Government. I do not think he is a bureaucrat. If he is, I have never heard of it.

Let me also say, in addition to what the distinguished Senator has said, that I have a great deal of respect for the many efficient and faithful Government employees, but I do not believe in some of the theorists. Dr. Carlson was not supposed to be in that category. If he is, I am mistaken.

Mr. WILEY. Does the Senator believe the American people should be ordered what to eat, even if it is oleo?

Mr. MAYBANK. Certainly not. The only point I have in my amendment is to give the people a chance to buy oleomargarine colored.

Mr. WILEY. I now yield to the Senator from Missouri.

Mr. CLARK of Missouri. Mr. President, so far as Dr. Carlson is concerned, I listened to his testimony before the Finance Committee, and if I had considered his testimony to be in any way pertinent to the issues presented by the amendment of the Senator from South Carolina, I would have examined the doctor as to who was paying his expenses and his per diems while he was putting in most of his time appearing before congressional committees in behalf of the removal of the coloration provision of

the present law. Dr. Carlson qualified as being an eminent scientist. He does hold certain honorary and advisory positions in various advisory committees of the Government, or has, and I think he does at the present time.

As to Dr. Carlson's interest in this matter, he was not examined by the Finance Committee, and, as I have said, my reason for not personally examining him was that I did not consider his testimony at all pertinent to the issue. If Dr. Carlson is paying his own expenses, putting in his own time, to come here and appear before the Committee on Agriculture of the House and the Banking and Currency Committees of the House and Senate, and the Finance Committee of the Senate, in an agitation in behalf of the removal of the ban on deception by the oleomargarine manufacturers, he is about the first old, broken-down college professor I have ever known of who was able to do that. Dr. Carlson has been an eminent college professor. He is now an old, broken-down ex-college professor. So far as I know, he is putting in his undivided time in connection with an agitation for the removal of the ban on deception regarding oleomargarine.

I do not think it is fair to say that he is a representative of bureaucracy, but I do think it is fair to say that his testimony should not be given great weight, because it amounts to only a declaration that properly colored oleomargarine is not deleterious to the human system. That is the sum total of his testimony.

Mr. WILEY. Mr. President, I did not hear his testimony. All I know is that from the record it appears that he recommended, or suggested, that oleomargarine should take the place of butter. Whom he served, I do not know.

Mr. CLARK of Missouri. Nor do I.

Mr. WILEY. If anyone paid him, I do not know it; but the purpose was to tell the whole American people to cut out eating butter and turn to oleo. To me that is evidence that he was serving, not the public interest, but serving a private interest. The argument, as the Senator from Missouri said, was not pertinent to the issue we were discussing.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. MAYBANK. I want my distinguished Republican friend to know that according to Dr. Carlson's testimony he was drafted by former President Herbert Hoover to serve with the American Relief Administration, and served in the capacity particularly in connection with the feeding of the starving children in the war-devastated areas of Europe, and served thereafter with former President Hoover for some time.

Mr. WILEY. I am glad to have that contribution. I am sure, however, that the fact that he was utilized in those days and is utilized now does not make sense out of a thing which is not sense.

Mr. President, it is quite obvious that the sole intent of the oleomargarine industry is to perfect a synthetic product called oleomargarine and make it taste, smell, and look like butter—for what reason? To get the other fellow to buy it, to replace his taste for butter with a taste for this article. In other words, the purpose is to deceive the public, having in mind a complete change in the diet of the American people from butter to oleo, thereby increasing the sale of the product of the oleomargarine manufacturers, and destroying the dairy industry in this country, which consists of nearly 5,000,000 farmers, and which is the principal and largest source of cash income of American agriculture in the Northern States. Five million farmers and their families, and tens of thousands of communities of the Nation are involved.

Mr. President, my colleague [Mr. LA FOLLETTE] stressed that point, and I am not going into detail in connection with it. But I wish to say to the Senate that there are tens of thousands of small towns, cities, and villages throughout the Middle West whose economic life's blood is dependent upon the farmers who live in their vicinity. Ever since the beginning of the life of this Nation 150 years ago the farmers living in the neighborhood of those villages, towns, and cities have made butter and have sold it. Then came the establishment of factories, and the farmers sold milk to those factories, which manufactured it into butter, and butter itself has been one of the great sources of the farmer's income. Now the thought is to make a switch.

Professor Carlson says:

> Of course, feed the people milk and feed them wholly oleomargarine.

And we find proposed to the bill now pending before the Senate an amendment which proposes to strike at the very heart of 20,000,000 people of the United States—5,000,000 farmers and their families. It does not make sense. It is not good legislation. It should not be tolerated. If there is any issue involved here as to the right of hospitals, the question could be limited to them. But that is not the question. The point is to open up the door, let the camel's nose in, and pretty soon the whole animal will be inside.

Mr. President, the whole thing is a deception, as has been stated. Color is the issue. The people who do not buy colored oleomargarine are not subject to a 10-cent tax. If a woman goes into a store in Washington to buy oleo, what does she pay? She pays the regular price per pound for the oleo, and there is no 10-cent tax added. There is simply a tax of one-quarter of 1 cent. Then she receives a little capsule. She can take that home and color the oleomargarine and make it look like butter, and can sweeten it or salt it, and make it taste like butter. There is no law which prohibits that being done. The poor people who have been mentioned here as literally being sabotaged of their American rights can do that very thing and pay no tax. The manufacturer pays the one-quarter of a cent tax. The purchaser can color the oleomargarine, as many purchasers do. As a matter of fact, 99.8 percent of the oleo sold in this country is sold uncolored, and the poor man can take his oleo home and color it.

So, Mr. President, the whole thing is a deception. The purpose of the whole thing is to get the other market; not the market which oleo already has, but the other market. The purpose is to color oleo so that it looks like butter. That is an unfair trade practice.

Mr. President, something has been said about the poor storekeeper. The Federal tax on the retailer is $6 a year, or 50 cents a month. That is about 1⅓ cents a day. That is all, Senators. If the retailer sells 1 pound of oleomargarine a day and makes a margin of 4 cents he does not have any difficulty in paying his tax. The tax of $640 a year on the manufacturer is so small that when we consider the large volume of production for the 18 manufacturers, 640,000,000 pounds or more, it does not amount to anything, and it is not passed on.

I previously said the question was raised that the hospitals could not obtain butter. Of course, they cannot obtain an adequate butter supply, and the same thing is true of the rest of us. Why? Because the administration took 456,000,000 pounds of butter from the market between February and October 1 of last year, and how much more the Army and the Navy purchased we do not know. But what the Government took off the market was about 35 percent of the production in the flush period of the year, and that of course, simply destroyed the ability of the civilian population, including hospitals, to obtain any. The synthetic argument which has been used, "Color oleo like butter and that will take care of the situation," when the Government has taken 35 percent of butter off the market, simply does not make sense.

Mr. LA FOLLETTE. Mr. President, will my colleague yield to me?

Mr. WILEY. I yield.

Mr. LA FOLLETTE. I have taken occasion to make some inquiry since the point was stressed concerning the plight of the hospitals, and I find that the War Food Administration on November 13, 1943, allotted 5,000,000 pounds of butter for the hospitals of the United States, which is to cover the period to April 1 of this year, at which time another set-aside order will be considered. I have been informed that if it develops that the 5,000,000 pounds—and I want to emphasize that that is the allotment for all hospitals—are not sufficient, another 1,000,000 pounds will be made available out of the contingency reserve in the Government's set-aside butter. This is on the basis of three-tenths of a pound a bed a week. It has now been raised to five-tenths of a pound a bed a week, which is equal to 26 pounds a bed a year.

Mr. WILEY. Mr. President, I thank my colleague. I had similar information, that 5,000,000 pounds had been allocated to take care of the situation spoken of by the distinguished Senator from Mississippi [Mr. EASTLAND], and that if that is not sufficient, there will be a greater allotment made to look after the hospitals of the country.

Mr. President, it has not been contended here today that oleomargarine is butter. It has not been demonstrated that it is the equivalent of butter. All that has been contended for is, "Please let us color it so it looks like butter, so we can purvey it to the unsuspecting public, and they will buy it as butter."

Oleomargarine has its place and purpose when wholesomely produced, but I refer again to the statement I made in my opening argument, that the Congress of the United States, recognizing that it was not and had not been wholesomely produced some 50 years ago, passed the statute which now is in force. We do not want to return to those old days. We want that one-quarter of one cent a pound paid so that there will be compliance with the health laws, so that there will be inspection, that the oleo will be made out of soybeans and, possibly, when the war is over, the coconut cow will get into action again, and it can be made out of coconut oil. But we do not want the people of the country to find themselves in the position of attempting to buy one thing and being sold another.

In other words, Mr. President, oleomargarine should not be sold as butter or represented as butter. If it is colored, it is literally represented as butter. Butter is recognized by its color.

Mr. President, I repeat that the real issue is whether oleomargarine shall be permitted to be colored and sold in packages so as to resemble butter. I repeat, because there has been so much misunderstanding, that all housekeepers know they can buy the fine grades of oleomargarine, obtain the little capsules of coloring matter, color the oleomargarine, and use it as they see fit, and that they will not be violating the law, and that no tax will be imposed. But if a restaurant-keeper or some other person serving the public buys oleomargarine and colors it, he thereupon is subject to the payment of the tax which has been mentioned. The reason for that is because the public welfare is involved.

A few years ago, when the dairy farmers—and I was one of them—were selling milk at from 95 cents to $1.25 a hundred pounds, although the milk cost them $1.80 or more to produce, and when the economy of the farm segment of the country was being paralyzed, the situation was indeed terrible. In order to recall that time, our memories do not have to go back very far; that was in 1930, during my first years of service in the Senate. At that time tens of thousands of farm mortgages were being foreclosed, and in my State dairy farmers were being paid $1.25 a hundred pounds for milk which cost them $1.80 or more to produce.

If colored oleomargarine is now to be permitted to be sold without the payment of the tax, and if the oleomargarine manufacturers are now to be permitted to capture the butter market, when the war ceases every dairy State will skid into another depression. If that occurs, everyone will suffer—business, labor, and professional men, as well as the farmers. If the farmers are given the cost of production of the commodities they produce, the rest of the economy of the country will be healthy.

To permit oleomargarine to be colored and sold in the stores as butter substitute is unfair practice, I repeat. Let those who desire to use oleomargarine on their tables buy it in the stores and color it. That is easily done. But do not permit colored oleomargarine to be sold as butter. That is neither fair dealing nor sound business practice. Such a practice strikes at the security of millions of America's best citizens, the backbone of the Nation—the American farmers.

Mr. GEORGE. Mr. President, let me inquire whether the proponents of the amendment desire to have a yea-and-nay vote on the question of its adoption. If such is the case, I would suggest the absence of a quorum.

Mr. MAYBANK. Mr. President, in answer to the distinguished senior Senator from Georgia, let me say that I understood that other Senators would insist on having the yeas and nays.

Mr. CLARK of Missouri. Mr. President, I desire to have the yeas and nays on the question of the adoption of the amendment.

Mr. LA FOLLETTE. Mr. President, I also desire to have the yeas and nays.

The yeas and nays were ordered.

Mr. LA FOLLETTE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	George	Reed
Andrews	Gerry	Revercomb
Austin	Gillette	Reynolds
Bailey	Green	Robertson
Ball	Guffey	Russell
Bankhead	Gurney	Shipstead
Barkley	Hawkes	Stewart
Bilbo	Hayden	Taft
Bone	Hill	Thomas, Idaho
Brewster	Holman	Thomas, Okla.
Bridges	Johnson, Colo.	Thomas, Utah
Buck	Kilgore	Tobey
Burton	La Follette	Truman
Bushfield	Langer	Tunnell
Butler	Lodge	Tydings
Byrd	McClellan	Vandenberg
Capper	McFarland	Van Nuys
Caraway	McKellar	Wallgren
Chavez	Maloney	Walsh, Mass.
Clark, Mo.	Maybank	Walsh, N. J.
Connally	Millikin	Wheeler
Danaher	Moore	Wherry
Davis	Murdock	White
Downey	Nye	Wiley
Eastland	O'Daniel	Willis
Ellender	Overton	
Ferguson	Radcliffe	

The PRESIDING OFFICER. Seventy-nine Senators have answered to their names. A quorum is present.

Mr. LANGER. Mr. President, I wish to read a letter into the RECORD:

BENTLEY, N. DAK., *January 13, 1944.*
Senator WILLIAM LANGER,
Washington, D. C.

DEAR SIR: If you want to do something for the people of North Dakota, and I might add the United States of America, for God's sake do something about these crazy income-tax laws we have. We don't mind paying our share of the taxes, but at least give us something a farmer can understand without going insane.

Yours truly,

JOHN R. KLEINJON.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. MAYBANK]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DAVIS (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. I do not know how he would vote, if present. I transfer that pair to the junior Senator from Iowa [Mr. WILSON], who would vote as I am about to vote. I am, therefore, free to vote, and vote "nay."

The roll call was concluded.

Mr. BANKHEAD (after having voted in the affirmative). I have a general pair with the senior Senator from Oregon [Mr. MCNARY]. I transfer that pair to the senior Senator from South Carolina [Mr. SMITH], and allow my vote to stand.

Mr. THOMAS of Idaho (after having voted in the negative). I have a pair with the junior Senator from Florida [Mr. PEPPER]. Not knowing how he would vote, I withdraw my vote.

Mr. BARKLEY. The Senator from Illinois [Mr. LUCAS] is absent because of official business. If he were present, he would vote "nay."

Mr. REED. I have a general pair with the Senator from New York [Mr. WAGNER]. Not knowing how he would vote on this question, I transfer that pair to the Senator from Illinois [Mr. BROOKS], who, I am advised, would vote as I intend to vote. I am, therefore, at liberty to vote, and vote "nay."

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Nevada [Mr. MCCARRAN], the Senator from South Carolina [Mr. SMITH], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from New York [Mr. MEAD] and the Senator from Montana [Mr. MURRAY] are detained in government departments on business pertaining to their respective States.

The Senator from New Mexico [Mr. HATCH], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Nevada [Mr. SCRUGHAM] are absent because of slight colds.

The Senator from Florida [Mr. PEPPER] is detained in Florida on public business.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The result was announced—yeas 23, nays 55, as follows:

YEAS—23

Andrews	Ellender	Maybank
Bailey	George	O'Daniel
Bankhead	Guffey	Overton
Bilbo	Hayden	Reynolds
Burton	Hill	Russell
Caraway	McClellan	Stewart
Connally	McFarland	Thomas, Okla.
Eastland	McKellar	

NAYS—55

Aiken	Barkley	Bridges
Austin	Bone	Buck
Ball	Brewster	Bushfield

Butler	Kilgore	Tobey
Byrd	La Follette	Truman
Capper	Langer	Tunnell
Chavez	Lodge	Tydings
Clark, Mo.	Maloney	Vandenberg
Danaher	Millikin	Van Nuys
Davis	Moore	Wallgren
Downey	Murdock	Walsh, Mass.
Ferguson	Nye	Walsh, N. J.
Gerry	Radcliffe	Wheeler
Gillette	Reed	Wherry
Green	Revercomb	White
Gurney	Robertson	Wiley
Hawkes	Shipstead	Willis
Holman	Taft	
Johnson, Colo.	Thomas, Utah	

NOT VOTING—18

Brooks	Lucas	Pepper
Chandler	McCarran	Scrugham
Clark, Idaho	McNary	Smith
Glass	Mead	Thomas, Idaho
Hatch	Murray	Wagner
Johnson, Calif.	O'Mahoney	Wilson

So Mr. MAYBANK'S amendment was rejected.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. WILLIAM H. WHEAT, late a Representative from the State of Illinois, and transmitted the resolutions of the House thereon.

CONSTRUCTION OF CERTAIN PUBLIC WORKS BY THE NAVY—CONFERENCE REPORT

Mr. WALSH of Massachusetts, submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8741) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 4.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 6; and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert $281,060,000; and the Senate agree to the same.

DAVID I. WALSH,
MILLARD E. TYDINGS,
JAMES J. DAVIS,
Managers on the part of the Senate.

CARL VINSON,
MELVIN J. MAAS,
Managers on the part of the House.

The report was agreed to.

THE REVENUE ACT

The Senate resumed the consideration of the bill (H. R. 3687) to provide revenue, and for other purposes.

Mr. GEORGE. Mr. President, there are two or three matters which I should like to dispose of at this time. I think they will not delay the Senate. I should like to dispose of them before we become involved in another debate.

I offer an amendment, which I send to the desk. The amendment is offered at the request of the Treasury Department.

Let me make a brief statement which will make the amendment clearer. It is rather technical.

Under the present law adjustments in the corporate excess-profits tax affect the tax liability under the corporate-income tax. Likewise, adjustments in the corporate-income tax affect the excess-profits tax. It is important that when such adjustments occur the taxpayer or the Government should be able to arrive at the proper liabilities.

The present operation of the statute of limitations may defeat a proper adjustment of these liabilities in certain cases. The proposed amendment is designed to provide reciprocal treatment to taxpayers and to the Government, under which the effect upon one tax of adjustments in another tax may be properly made. It would thereby avoid inequitable results possible under the present law. Sometimes it will adversely affect the taxpayer. At other times it will adversely affect the Government, but the statute of limitations is extended only with respect to the items affected.

Mr. President, the proposed amendment seems to me to be fair and equitable, and I offer it now so that it may be incorporated in the bill if it is agreed to.

The PRESIDING OFFICER. The amendment offered by the Senator from Georgia will be stated.

The LEGISLATIVE CLERK. On page 148, after line 25, it is proposed to insert the following new section:

SEC. —. Period of limitations in case of related taxes under chapter 1 and chapter 2.

(a) In general: The Internal Revenue Code is amended by inserting at the end of chapter 38 a section to read as follows:

"SEC. 3807. Period of limitations in case of related taxes under chapter 1 and chapter 2.

"(a) Definitions: As used in this section—

"(1) The term 'determination' shall have the meaning assigned by section 3801 (a) (except the last sentence thereof) to the term 'determination under the income tax laws.'

"(2) The term 'the same taxable year' shall include any taxable year which coincides in whole or in part with the taxable year for which the determination referred to in subsection (b) is made.

"(b) Extension of period of limitations: If, under a determination with respect to a tax imposed by chapter 1 or chapter 2, an assessment is made or a credit or refund allowed or made and the application of the law or facts so determined to any other such tax of the taxpayer for the same taxable year would result in an increase or decrease in the liability with respect to such other tax, such increase or decrease shall be considered a deficiency or overpayment, as the case may be, and if the assessment of such deficiency or the allowance or making of credit or refund with respect to such overpayment is prevented (except for the provisions of section 3081 or 734) by the operation (whether before, on, or after the date of the enactment of the Revenue Act of 1943) of any provision of the internal-revenue laws other than this section and other than section 3761 (relating to compromises), then such assessment may be made if the notice of deficiency is mailed within 1 year from the date of such determination, and such credit or refund may be allowed or made if claim therefor is filed within such period, or allowed or made within such period if no claim is filed.

"(c) Adjustment unaffected by other items, etc.: In determining whether an increase or decrease in the liability for another tax shall be considered to result from the application of the law or facts under a determination as defined in subsection (a), changes shall be made only in items, inclusions, deductions, credits, exemptions, gains, and losses which are the subject of such determination or which are affected thereby. The amount which may be assessed or allowed as a credit or refund under subsection (b) shall not be diminished by any credit or set-off based upon any item, inclusion, deduction, credit, exemption, gain, or loss which was not the subject of such determination or affected thereby. Such amount, if paid, shall not be recovered by a claim or suit for refund or suit for erroneous refund based upon any item, inclusion, deduction, credit, exemption, gain, or loss which was not the subject of such determination or affected thereby.

"(d) Application to affiliated groups: As used in subsection (b) the term 'any other such tax of the taxpayer' shall, if the taxpayer was a member of an affiliated group, also include any other such tax of any other member of the group."

(b) Taxable years to which applicable: The amendment made by this section shall apply to taxable years beginning after December 31, 1939.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. TOBEY. I confess that as one Member of the Senate I do not have a comprehension of the amendment. Will the Senator from Georgia give us a little more detailed information as to what the effect of the amendment, if agreed to, would be on the existing tax legislation?

Mr. GEORGE. To repeat, Mr. President, it would merely have this effect: Under present law adjustments in corporate excess-profits tax may affect the tax liability of the taxpayer under the corporate income tax; and the converse is also true.

The Treasury is desirous—and those of us who have been able to confer on the amendment have agreed—to extend the statute of limitations only with respect to the items affected. After having adjusted an item in the excess-profits tax of the taxpayer, which has an effect on his ordinary income tax, it is desirable to recognize that situation and make the adjustment equitable. Under existing law it is impossible to do so because the statute of limitations with respect to the item in question in one tax does not permit a corresponding effect on the other tax. The question should be examined without regard to the statute of limitations. It is an equitable provision. It would frequently help the taxpayer, and at other times it might operate against him; but it is fair and equitable. If one opens up an item in his tax bill—for example an excess-profits tax—and that adversely affects his income tax the question of his income tax ought to be opened. That is all the amendment would do.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. GEORGE].

The amendment was agreed to.

Mr. GEORGE. Mr. President, there is a matter which should have been disposed of when the oleomargarine tax amendment, which was under debate for so long, was voted upon. I suggest to the Senator from South Carolina [Mr. MAYBANK] that he now present the additional amendment which he had so that we may dispose of it at this time, if it is agreeable to him.

Mr. MAYBANK. Mr. President, it is perfectly agreeable to me to offer the amendment at this time. I am sorry that we did not combine the two amendments.

I send to the desk an additional amendment, which I offer, and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from South Carolina will be stated.

The LEGISLATIVE CLERK. On page 148, after line 25, it is proposed to insert the following new section:

SEC. —. Wartime reduction or suspension of certain taxes upon dealers in oleomargarine.

(a) Wholesale dealers: After the date of enactment of this act and until the first July 1 occurring more than 6 months after the termination of hostilities in the present war, as proclaimed by the President, (1) the rate of the special tax imposed upon wholesale dealers in oleomargarine by section 3200 (b) (1) shall be $200 in lieu of the rate specified in such section, and (2) liability to such tax shall be incurred only at the registered premises where oleomargarine is sold or offered for sale.

(b) Retail dealers: Section 3200 (c) (imposing a special tax upon retail dealers in oleomargarine) shall not be applicable with respect to the period beginning on the date of enactment of this act and ending with the expiration of 6 months after the termination of hostilities in the present war, as proclaimed by the President.

(c) Nonapplicability of amendments to taxes already paid: The amendments made by this section shall not be applicable with respect to any tax paid prior to the date of enactment of this act.

Mr. CLARK of Missouri. Mr. President, the amendment is simply an attempt to do by indirection what the Senate has just by more than 2-to-1 majority refused to do by direction. In essence, the effect of this amendment is simply to permit wholesale dealers in oleomargarine to peddle from door to door colored margarine in violation of existing statutes. I do not believe that the Senate is going to do by indirection what it has just refused by a 2-to-1 majority to do by direction.

Mr. CONNALLY. Mr. President, will the Senator yield for a question?

Mr. CLARK of Missouri. I yield.

Mr. CONNALLY. Does the Senator from Missouri know what the tax is now on butter colored artificially?

Mr. MAYBANK. The amendment does not relate to that.

Mr. CONNALLY. I understand that, but I am referring to butter.

Mr. CLARK of Missouri. So far as I know, there is no tax on butter. The natural color of butter is yellow. There has been some coloration of butter, but nobody is coloring butter to imitate any other product. The whole question of coloration in the case we have been discussing is one of deceit.

Mr. LA FOLLETTE. Mr. President, before the vote is taken, I want to say merely a few words about the amendment lest there might be some misapprehension as to its effect. Had the first amendment of the Senator from South Carolina to repeal the 10-cent tax on colored oleomargarine prevailed, the pending amendment might have been logically in order, but the only effect of the amendment would be to make the enforcement of the existing law which the Senate has just refused to change more difficult, if not impossible. Under existing law wholesalers are required to take orders for the sale of oleomargarine and to fill them on the premises. If this amendment should prevail, it would permit the wholesaler, as the Senator from Missouri has said, to make distribution of oleomargarine. It would make the job of enforcement by the Internal Revenue Bureau very difficult if not impossible.

It must be borne in mind, Mr. President, that the 10-cent differential between colored and uncolored is a large one and that is where the temptation to avoid the statute exists. Had the first amendment of the Senator from South Carolina prevailed, to remove the 10-cent tax, and had oleomargarine, colored and uncolored, been taxed a quarter of a cent a pound, then the pending amendment might well be considered by the Senate, but I think all Senators should hesitate before they make the enforcement of a law which is on the statute books more difficult. So, I hope the amendment will be rejected.

Mr. MAYBANK. Mr. President, in view of the desire of the distinguished Senator from Georgia to move forward with other matters in connection with the pending bill, I merely suggest that we have a division vote rather than a yea-and-nay vote, in order to save time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina. [Putting the question.]

The amendment was rejected.

Mr. GEORGE. I now yield to the Senator from Missouri, who has two brief amendments he wishes to offer.

Mr. TRUMAN. I offer an amendment on behalf of the senior Senator from Illinois [Mr. LUCAS].

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 127, line 13, before the word "or", it is proposed to insert: "in cases wherein the State, Territory, political subdivision, District, or corporation is the consignor or consignee of the property at the time of the transportation, the amount paid for which would be taxable under subsection (a) were it not for this exemption."

Mr. TRUMAN. Mr. President, I shall make a very brief explanation of the amendment I have offered on behalf of the senior Senator from Illinois [Mr. LUCAS]. The amendment would make it clear that where a coal dealer sells coal to a State on which a transportation tax has been paid on the transportation to the dealer, there is no tax exemption which would prevent the dealer from passing on the tax as a part of the price charged by him. Such tax may be passed on under rulings of the O. P. A.; and the amendment would specifically provide that no exemption exists which would prevent the dealer from including the tax in the price if it is billed separately.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Missouri [Mr. TRUMAN] on behalf of the Senator from Illinois [Mr. LUCAS].

Mr. GEORGE. Mr. President, let me make this statement: I have conferred with the Treasury and the staff on this amendment. The Treasury assures me that everything this amendment seeks to accomplish is permissible under the present law and that the amendment is therefore unnecessary. The only objection offered is that it might cause some confusion. I am assured the existing law completely covers the precise point aimed at in the amendment. If that statement can be accepted by the Senator as a sufficient reply to the amendment, I would rather he would not offer it.

Mr. TRUMAN. I am merely offering the amendment on behalf of the senior Senator from Illinois, and I am very certain that if he were present he would accept the statement of the very able chairman of the Committee on Finance. I should like to have the other amendment which I desire to offer stated.

The PRESIDING OFFICER. Does the Senator from Missouri withdraw the amendment which has been read?

Mr. TRUMAN. Yes; on the statement of the chairman of the committee, I withdraw it.

Mr. GEORGE. The Senator from Missouri has another amendment he desires to offer.

Mr. TRUMAN. It is the amendment I offered on Saturday on behalf of the senior Senator from Illinois [Mr. LUCAS], in respect to the luggage tax. It was held over, hoping that the Senator from Illinois would be able to be present today.

Mr. GEORGE. The luggage-tax amendment offered by the Senator from Missouri on behalf of the senior Senator from Illinois has not Treasury approval because it would affect the revenue; but I see no objection to taking it to conference.

Mr. REYNOLDS. Mr. President, I hope the Senator will tell us what the amendment proposes.

Mr. TRUMAN. It is an amendment designed to prevent a double tax on luggage, and was offered by the senior Senator from Illinois. The Senator from Georgia is willing to take it to conference.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Missouri [Mr. TRUMAN] on behalf of the Senator from Illinois [Mr. LUCAS].

The amendment was agreed to, as follows:

On page 136, after line 19, insert the following new section:"

"SEC. 311. Refund of luggage tax to avoid double taxation.

"(a) Where prior to the effective date of section 1615, relating to retailers excise tax on luggage, any article subject to the manufacturers' excise tax on luggage imposed by section 3406 (a) (2) of the Internal Revenue Code has been sold by the manufacturer, producer, or importer, and is on such effective date held by a dealer and intended for sale, there shall be refunded to the manufacturer, producer, or importer the amount of the tax, or if the tax has not been paid, the tax shall be abated. Upon request, the manufacturer shall furnish to such dealer, the amount of the manufacturers' excise tax paid with respect to such articles.

"(b) As used in this section the term 'dealer' includes a wholesaler, jobber, or retailer. For the purposes of this section, an article shall be considered as 'held by a dealer' if title thereto has passed to such dealer (whether or not delivery to him has been made), and if for purposes of consumption, title to such article or possession thereof has not at any time been transferred to any person other than a dealer.

"(c) Under regulations prescribed by the Commissioner, with the approval of the Secretary, the refund provided by this section may be applied as a credit against the tax shown by subsequent returns of the manufacturer, producer, or importer.

"(d) When the refund, credit, or abatement provided for in this section has been allowed to the manufacturer, producer, or importer, he shall remit to the dealer who held on such effective date the article in respect of which a refund, credit, or abatement was allowed, so much of that amount of the tax corresponding to the refund, credit, or abatement as was paid or agreed to be paid by the dealer. Upon failure of the manufacturer, producer, or importer to make such remission, he shall be liable to the dealer for damages in the amount of three times the amount thereof, and the court shall include in any judgment in favor of the dealer in any suit for the recovery of such damages, costs of the suit and a reasonable attorney's fee to be fixed by the court."

Mr. O'DANIEL. Mr. President, I offer an amendment which is lying on the desk. I ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill, it is proposed to insert a new title, as follows:

TITLE X—PAYMENT OF POLL TAXES OF MEMBERS OF THE ARMED FORCES

SEC. 1001. The Secretary of War and the Secretary of the Navy are authorized and directed—

(a) To ascertain (1) the names and home addresses of all members of the military and naval forces of the United States whose legal voting residences are in States under the laws of which the payment of a poll tax or other tax or fee is required as a condition of voting in elections for electors of President and Vice President or for United States Senators and Representatives in Congress, and who are absent from their respective legal voting residences, and (2) the amount of such poll tax or other tax or fee, including any interest or penalties accrued because of nonpayment thereof, required to be paid by each such member of the armed forces as a condition to voting in the elections to be held during the calendar year 1944, for electors for President and Vice President and for United States Senators and Members of Congress; and

(b) To tender to the appropriate election officials of such respective States, in advance of the last dates fixed by the laws thereof for the making of such payments, such sums as may be necessary to make the payments ascertained under paragraph (a) (2) to be required with respect to the members of the armed forces who have legal voting residences therein.

SEC. 1002. The amount of any payment tendered by the Secretary of War or the Secretary of the Navy under section 1001 with respect to any member of the armed forces, and accepted by the election officials of any State, shall be remitted by such election officials to the Secretary of War or the Secretary of the Navy, as the case may be, if (a) notwithstanding such payment by the Secretary of War or the Secretary of the Navy, such member of the armed forces is held by the election officials of such State not to be eligible to vote in such election, or (b) such member of the armed forces is found to have paid such poll tax or other tax or fee within the time allowed for such payment.

SEC. 1003. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this title.

Mr. O'DANIEL obtained the floor.

Mr. TOBEY. Mr. President——

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). Does the Senator from Texas yield to the Senator from New Hampshire?

Mr. O'DANIEL. For what purpose does the Senator ask me to yield?

Mr. TOBEY. For a question.

Mr. O'DANIEL. I yield.

Mr. TOBEY. As I heard the proposed amendment read, and scanned it through very hastily, am I correct in my understanding that under the amendment, if it should be agreed to, the Federal Government—the taxpayers of the United States, in the last analysis—would pay up to date the poll taxes due in the States wherein the poll tax payment is a prerequisite to voting, and that it would be a burden which would fall upon the taxpayers, on the Federal Government, rather than on the States themselves?

Mr. O'DANIEL. If the Senator will bear with me for a few moments, I will make the point clear.

Mr. TOBEY. Would the Senator object to saying whether I am right or wrong; yes or no?

Mr. O'DANIEL. I will answer the Senator's question as soon as I can get to it, but I wish to make a few remarks prior to doing so.

Mr. TOBEY. I shall listen to the Senator's remarks with great interest.

Mr. O'DANIEL. Mr. President, much has been said on the floor of the Senate about the right of the soldier to vote, and some legislation has been passed in that regard. I dislike to bring up this subject as an amendment to a tax measure, because it is a legislative matter, and I would not propose it at this time except that I believe an emergency exists.

I am satisfied that every Senator of the United States is in favor of the soldier boys voting. Much has been said, and many insinuations have been made, but that is my opinion, because I have heard no Senator say that he is against it, and I believe that every one is in favor of them voting. But since we discussed the matter on the floor on a prior occasion, the attorney general of the State of Texas has made a ruling. He made the ruling because there was a demand for a special session of the Texas Legislature to be called for the purpose of exempting the soldiers who are absent from the State from paying the poll tax.

The attorney general of the State of Texas has ruled that the Texas State Legislature is without authority to exempt the soldiers from the payment of their poll tax. Therefore that creates an emergency, whereby the soldiers who are absent from the State of Texas will be unable to vote, because the poll taxes must be paid by the 1st of February or those failing to pay will be unable to vote. Inasmuch as all Senators, in my opinion, want the soldiers to vote, I know of no other way to enable those who are absent from Texas and other States which have similar constitutional provisions to vote unless somebody pays the poll taxes due.

Mr. President, I am opposed to the payment of a poll tax as a prerequisite to voting. As Governor of Texas, I recommended legislation which would have abolished the poll tax as a prerequisite to voting. Regardless of my recommendation, the Texas Constitution still requires the payment of a poll tax as a prerequisite to voting and we must deal with the actual conditions which exist.

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield.

Mr. REYNOLDS. Why cannot the State remove the poll-tax requirement?

Mr. O'DANIEL. The poll-tax requirement is a constitutional provision.

Mr. REYNOLDS. It cannot be removed by enactment of the legislature?

Mr. O'DANIEL. The attorney general of Texas has ruled that the Texas Legislature cannot remove the payment of the poll tax as a prerequisite, and cannot exempt the soldiers from the payment of the poll tax.

Mr. REYNOLDS. I thank the Senator. I am highly interested in what he is saying, and I should like to state that I agree with him that everyone wants the soldiers to vote. I am particularly anxious to have all men and women in uniform who are entitled to vote to exercise the franchise, and vote for their respective candidates for President and Vice President, United States Senator and Representative, and all the way down to constable in their respective townships.

Mr. O'DANIEL. I thank the Senator very much for his remarks, but I have stated the actual condition which exists at the present time. Soldiers from Texas, who have been called by Uncle Sam to foreign lands to fight the war, according to the ruling of the attorney general of Texas, and under the laws and constitution of the State, will be unable to vote unless their poll taxes are paid before February 1, and, inasmuch as Uncle Sam has taken these boys from Texas, it seems to me that one of the most important things Uncle Sam could do would be to see that the poll taxes of these soldiers were paid within the prescribed time, before February 1.

Mr. MURDOCK. Will the Senator from Texas yield?

Mr. O'DANIEL. I yield.

Mr. MURDOCK. The distinguished Senator from Texas I am sure is familiar with the provision of law now on the

statute books of the United States which provides that, so far as the election of President, Vice President, Senators, and Representatives is concerned, no soldier shall be deprived of the privilege of casting his vote for any of those officials merely because he has not paid a poll tax in one of the States. That is a provision of Public Law No. 712, which is now a part of our Federal law, and I wonder if the Senator takes the position that that law is controlling so far as the elections of Federal officials are concerned, or does he take the position that because the Constitution of the State of Texas requires the payment of a poll tax as a prerequisite for voting, that constitutional provision, notwithstanding the Federal statute, would preclude the soldiers of Texas from voting.

Mr. O'DANIEL. The Senator from Texas is familiar with the fact that that law has been enacted, and is also familiar with the fact that in Texas the attorney general interprets the law, and he has so interpreted the law that the soldiers from Texas will be unable to vote unless their poll taxes have been paid by the 1st of February, and that even the Texas Legislature is without authority to exempt the soldiers from the payment of the tax.

Mr. TOBEY. Will the Senator yield?

Mr. O'DANIEL. I yield.

Mr. TOBEY. The Senator has answered my query, and in view of his remark following my question, the answer is "Yes." Now he brings up the point that the poll-tax requirement, being a provision of the State constitution, cannot be changed by statute passed by the legislature. But I submit that we, coming from the anti-poll-tax States, stand here with amazement on our faces and sorrow in our hearts that anyone would suggest such a thing as this. If they cannot change the constitution, what is there to prevent the State of Texas and its legislature voting to appropriate a sum of money to pay these delinquent taxes so as to give the Texas soldiers the right to vote?

Mr. O'DANIEL. I might say to the Senator that I have observed the amazement on the faces he has mentioned; nevertheless, we are dealing with a practical problem. I am dealing with a problem as a Senator of the United States, with a proposal that the United States Government, which is responsible for these boys being absent from the States, pay their poll taxes, in order that they may enjoy the right to vote. The State of Texas did not send these boys away from their State. The United States Government ordered them away.

Mr. TOBEY. Why does not Texas pay them out of an appropriation?

Mr. O'DANIEL. I do not question the right of Texas to pay them, but not being a member of the Texas Legislature, I am unable to introduce such a measure.

Mr. TOBEY. Let me ask, in all kindness, has the Senator suggested to the powers that be in Texas that their problem is to put their own house in order to take care of this Texas situation, and take care of their soldiers, and give them the right to vote without any inhibitions at all?

Mr. O'DANIEL. I am endeavoring to perform my duties as a United States Senator in making my recommendations and proposals on the floor of the Senate. When I was connected with the Texas State government as the chief executive, I confined my activities to matters dealing with State government. Since leaving the governorship of the State of Texas and becoming associated with the national legislative body, I have divorced myself from legislative matters with reference to the State of Texas and have confined my activities to legislative matters concerning the Federal Government. They are two separate sovereign governments, and should be treated and respected as such. As a United States Senator, I am proposing to the Senate, and I hope it will accept my proposal, to make it possible for the soldier boys from Texas and other poll-tax States, who are caught on the horns of this dilemma and have been called from their residence in the State of Texas by the United States Government to go to foreign fields and fight the fight for freedom for America, which not only includes Texas but includes all the other States—that they be protected by the United States Government providing the funds to see that their poll taxes are paid before the expiration date of February 1.

Mr. TOBEY. Now, may I ask the Senator another question? He expresses the hope that the Senate will accede to his amendment. May we not infer that when he expresses that hope he keeps his fingers crossed?

Mr. O'DANIEL. The fingers on neither of my hands are crossed. I sincerely hope my amendment will be approved.

Mr. TOBEY. What is the Senator's estimate of the total cost to the Federal Government for taking care of this delinquency on the part of certain States?

Mr. O'DANIEL. I have no estimate of the total cost, I will say to the Senator, but, in view of the fact that our boys should be entitled to exercise this great right to vote, and in view of the valuable service they are performing for this Nation, I think the cost will be relatively small compared to the important rights involved.

Mr. TOBEY. I will simply say in conclusion that, so far as I am concerned, I do not question the sincerity of the Senator's efforts at all, but I do say that for myself I cannot conceive for a moment that the Senate of the United States would adopt an amendment which would place on the Federal Government and the taxpayers of the country the burden of taking care of the weaknesses existing in the poll-tax States. I will go back to the ancient injunction delivered on a most important occasion, "Physician, heal thyself," and, to paraphrase it, say, "States that have this burden, heal yourselves. It is still an issue of 48 sovereign States, and the issue is in your own hands to take care of your own delinquency."

Mr. O'DANIEL. I hope the Senator from New Hampshire understands my position fully. It has nothing to do with healing my own State. I made the statement on the floor—I do not know whether the Senator heard it—that as Governor of the State of Texas I recommended that the poll tax be abolished. Not only that, but to show that my fingers were not crossed then, and that I actually believed what I was advocating then and what I am advocating here now, when I ran for Governor the first time I did not even have a poll tax. I was so much opposed to the theory of a poll tax as a prerequisite to voting that I did not have a poll tax when I ran for Governor of the State of Texas, and possibly I hold the distinction of being the only Governor in the United States who was ever elected without voting for himself. Regardless of my personal opinion, however, I recognize the fact that my State still requires the payment of a poll tax as a prerequisite to voting and I certainly intend to observe and respect the Texas Constitution and laws and the exclusive right of Texas citizens to retain or amend their own constitution and laws.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield.

Mr. TYDINGS. I do not rise to discuss the merits or the demerits of the pending question. I thoroughly appreciate the exigencies which caused the Senator from Texas to offer his amendment. But it simply occurs to me, thinking somewhat as Mark Twain would think, that if the Senator will broaden his amendment and provide that the Federal Government shall pay all county, municipal, State, and Federal taxes, he may obtain my support for the proposition.

Mr. O'DANIEL. I may say to the Senator from Maryland that if we proceed along the communistic and socialistic lines our Government has been pursuing for the past 10 years, the problem which he suggests may have solved itself. Our private-enterprise system and our profit system may disappear, leaving no profits or earnings with which to pay taxes, and leaving our citizens as slaves of a centralized and dictatorial government.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield.

Mr. CHAVEZ. I simply wish to make one observation. I think the proposal made by the Senator from Texas should be decided on its merits, and not on the estimate of cost. When we passed a draft law to call the boys from Texas, New Mexico, Maryland, and elsewhere we did not figure on the cost to the Federal Government or to the taxpayer. We simply passed the law. The present proposal should be considered on the same basis. Whatever it costs, the question is: Are the boys entitled to it or are they not? The question should be discussed and considered on its merits.

Mr. O'DANIEL. I thank the Senator from New Mexico for his valuable contribution.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield.

Mr. GILLETTE. I wish to ask the Senator, as an ardent advocate of States' rights, as I know he is, if he thinks the Federal Government by an appropriation out of its Treasury could in effect nullify

a constitutional provision of the States under which they have fixed the qualifications of voters?

Mr. O'DANIEL. In my opinion, if the Federal Government pays the poll tax for the boys who are unable to pay it themselves because of their distance from home that would provide them with a poll tax so they could vote in accordance with the provisions of the State constitution.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. O'DANIEL. I am glad to yield to the Senator from Rhode Island.

Mr. GREEN. May I ask the distinguished Senator from Texas whether the learned attorney general of Texas limited his advice to the poll tax or whether it applied to other taxes.

Mr. O'DANIEL. His ruling, as I understand it, applied to the authority or power of the Texas Legislature to exempt soldiers from the payment of a poll tax.

Mr. GREEN. But not other taxes; not property taxes?

Mr. O'DANIEL. Poll taxes.

Mr. GREEN. He limited it to poll taxes. The Senator from Texas is well aware of the fact that the Congress of the United States has already enacted legislation whereby the property of a soldier overseas cannot be levied on in connection with the draft.

Mr. O'DANIEL. I see no levy being made on the soldiers overseas if the Government should pay their poll taxes.

Mr. GREEN. No. Then, why does not the Senator from Texas include in his proposed amendment all taxes, not only poll taxes, because the Federal Government has already interfered with the right of the State of Texas to levy on the soldier's property for nonpayment of property taxes.

Mr. O'DANIEL. That is a suggestion which might have much merit, but my amendment is offered as an emergency amendment, because of the nearness of the time of the expiration date on which poll taxes must be paid if the soldier is to vote. So far as other taxes are concerned, I think provision for their payment could be taken up in an orderly manner and considered on their own merits at a later time, and not as an amendment to the pending tax bill.

Mr. GREEN. But the Congress has already enacted legislation as to these other taxes. Does the State of Texas claim that its laws or its constitution are superior to the Federal laws passed under the Federal Constitution?

Mr. O'DANIEL. Most of the people in the State of Texas sort of lean to the old-fashioned idea that Texas is a sovereign State, and has its own constitution, and those who have taken the oath of office to uphold that constitution do not feel at liberty or are not willing to violate their oath at any time regardless of what laws the Government of the United States or any other government may enact.

Mr. GREEN. I might suggest another remedy to the distinguished Senator from Texas. The State of Rhode Island also in its constitution has a provision which would be in conflict with the proposed soldiers' voting law, in that registration is provided for by the State constitution, and that would be in conflict with the waiving of the registration under proposed Federal law, or under the present law as it exists. So the Governor of Rhode Island is calling a constitutional convention to make the necessary change.

If Rhode Island, the smallest State in the Union, geographically I mean of course, can do that, why could not Texas, the greatest State in the Union, I mean geographically of course, do the same?

Mr. O'DANIEL. Mr. President, let me say that that matter is one for the public officials of the State of Texas to decide. However, only a few days remain during which the poll tax can be paid. It must be paid before February 1. So I am dealing with an actuality, something which is real.

Mr. GREEN. But the soldiers will not vote until next November.

Mr. GEORGE. Mr. President, I express the hope that we may terminate this debate on matters extraneous to the tax bill. I cannot say the matter now under discussion is out of order, and I make no point regarding that; but I hope we may obtain a vote on the tax bill as soon as possible.

Mr. O'DANIEL. I assure the Senator from Georgia that I have no desire to detain the Senate any longer than necessary. I merely wished to state my reasons for offering the amendment; and, of course, I have welcomed the questions which have been asked by other Senators, and have been very glad to answer them to the best of my ability.

Mr. MURDOCK. Mr. President, will the Senator yield to me for another question?

Mr. O'DANIEL. I am glad to yield.

Mr. MURDOCK. Does the Senator take the position that the payment of the poll tax may be delegated to some other person or to some agency of the Federal Government of the United States, as his amendment proposes, and that such payment would be the same as payment by the soldier, so far as concerns making him eligible to vote?

Mr. O'DANIEL. I take the position that under the present conditions the payment of the poll tax by the Federal Government would legally secure the poll tax for the soldier who is absent from the State, and thereby would give him the right to vote.

Mr. MURDOCK. I am wondering, let me say, if the Senator will indulge me for another question, whether the candidates for office in the State of Texas would not be willing to pay the poll tax in order to permit the soldiers to vote, provided the Senator from Texas takes the position that the payment of the poll tax can be delegated to someone else, and that such payment can be effective.

Mr. O'DANIEL. That would be unlawful, but I think it is a different matter altogether from the Federal Government paying the poll tax for the soldiers and sailors who are in the service of the Federal Government and absent from the State on orders of the Federal Government.

Mr. MURDOCK. I thought probably I would offer such an amendment, so as to grant a splendid opportunity to the candidates for office in the State of Texas to show how anxious they are for the soldiers to vote.

Mr. O'DANIEL. I thought it might be a good idea to offer the amendment I have offered, so as to show how anxious the Members of this Senate are for the soldiers to vote. We have a condition here which makes it appear to be absolutely impossible for the soldiers of Texas to vote, and I assume such a condition would apply to soldiers from other poll-tax States. Many Senators have been making beautiful speeches about the right of the soldiers to vote, and have been saying that the vote should not be denied the soldiers. Such speeches and statements have been made when it does not cost anything to make them. I desire to ascertain by this amendment whether Senators really want the soldiers to vote, when it costs a little money to give them that right. That is the meat of the amendment I have offered.

Inasmuch as the able chairman of the Committee on Finance thinks we should rush on with the tax bill, I have nothing further to say. I am simply leaving it to the Senate to decide whether it wishes to pay the poll tax for the soldiers. If the Senate votes not to pay the poll tax of the soldiers, that will mean that those particular soldiers will not be able to vote. This is an emergency matter because the poll taxes must be paid by February 1, if the Texas soldiers, absent from the State, get to vote. They cannot pay the poll taxes themselves by that date.

Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were not ordered.

Mr. O'DANIEL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ferguson	Radcliffe
Andrews	George	Reed
Austin	Gerry	Revercomb
Bailey	Gillette	Reynolds
Ball	Green	Robertson
Bankhead	Guffey	Russell
Barkley	Gurney	Shipstead
Bilbo	Hawkes	Stewart
Bone	Hayden	Taft
Brewster	Hill	Thomas, Idaho
Bridges	Holman	Thomas, Okla.
Brooks	Johnson, Colo.	Thomas, Utah
Buck	Kilgore	Tobey
Burton	La Follette	Truman
Bushfield	Langer	Tunnell
Butler	Lodge	Tydings
Byrd	McClellan	Vandenberg
Capper	McFarland	Van Nuys
Caraway	McKellar	Wallgren
Chavez	Maloney	Walsh, Mass.
Clark, Mo.	Maybank	Walsh, N. J.
Connally	Millikin	Wheeler
Danaher	Moore	Wherry
Davis	Murdock	White
Downey	Nye	Wiley
Eastland	O'Daniel	Willis
Ellender	Overton	

The PRESIDING OFFICER. Eighty Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment of the Senator from Texas.

Mr. O'DANIEL. I ask for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas. [Putting the question.] The "noes" appear to have it.

Mr. O'DANIEL. I request a division.

On a division, the amendment was rejected.

PROPOSED INVESTIGATION OF REPUBLICAN NATIONAL CONVENTION OF 1940

Mr. LANGER. Mr. President, I rise to state the oath of office which every one of us has taken when we assumed the office of United States Senator. The oath I took is as follows:

I, WILLIAM LANGER, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign or domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God.

Under that oath I have conceived it to be my duty to represent all the American people, and to resist any attempt on the part of anyone either to loot their Treasury, to debase their morals, or to rob them or their children of their economic, social, or political heritage, and to defend the Constitution against all enemies, foreign or domestic.

It was in accordance with my line of duty that when I read in a Washington newspaper of the charges made by C. Nelson Sparks, a veteran of two wars and a former mayor of the city of Akron, Ohio, I introduced Senate Resolution 217. This resolution is as follows:

Whereas there have appeared in the public press charges to the effect that attempts were made at the Republican National Convention in 1940 to purchase the support of the Arizona delegation for the nomination of Wendell Willkie; and

Whereas such sources further allege that the nomination of Mr. Willkie was influenced by assurances privately given by him concerning his support of a foreign policy contrary to the principles of the Republican Party platform; and

Whereas the serious nature of such charges demands an inquiry into their accuracy: Therefore be it

Resolved, That the Committee on Privileges and Elections, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete investigation of (1) the conduct of the 1940 National Convention of the Republican Party with a view to ascertaining whether there were irregularities in the selection of the candidate of such party for the office of President, and whether Harry Hopkins had a corrupt connection therewith, and (2) of the conduct of the 1940 national convention or of any other political party if in the opinion of the committee such investigation is desirable. The committee shall report to the Senate at the earliest practicable date the results of such recommendations as it may deem desirable.

Mr. President, certainly the people are entitled to know whether it was the same gang of international monopolists, bankers, and thieves, masquerading under the name of Republicans one day, and under the name of Democrats some few days later, who, aided by the corrupt manipulations of Harry Hopkins, had betrayed the faith of the American people in the two-party system of government.

Certainly the common people are entitled to know whether we have a two-party system or whether this voting is just a cruel joke—a deceptive snare—a cunningly contrived delusion. They are entitled to know if they have been fooled by the campaign oratory of Messrs. Roosevelt and Willkie in a sham battle; they are entitled to know if in reality, whether they voted for Mr. Roosevelt or Mr. Willkie they were really voting for England, and that England could not lose the election.

Mr. President, sometimes it is hard to do one's duty; but unless a man is not afraid to do his duty he has no place in the Senate. If a Senator cannot speak here without being afraid of not being reelected, or if he is afraid of being embarrassed, or if he fears a smear campaign by powerful magazines and newspapers, then that man ought not to be a United States Senator, because a good United States Senator is afraid of nothing; a good United States Senator cannot be embarrassed, and when the people come to know his good character and honesty, he cannot be smeared. That has been my creed—that of being the people's representative; the common people's champion; the fighter for the farmer, the laborer, the small businessman, during the time that I have been attorney general and later Governor of my State—and it will continue to be my creed on the floor of the Senate. It will so continue, Mr. President, regardless of slurs and sneers of opposing magazines and newspapers. These interests have met in me one Senator who is not afraid of them, and a man who has an abiding belief that the common people recognize honesty and truth when they see it regardless of charges; regardless of legal trials; regardless of innuendoes; and regardless of outright lying about one's character.

But, Mr. President, when WILLIAM LANGER entered the door of the United States Senate Chamber he did so confident in the knowledge that he was meeting with 95 other Senators, also conscious of the fact that every one of them was representing on an average of 1,300,000 or more people; conscious of the fact that we here represent, and are, the last bulwark of representative government; that we here carry on the tradition established by those brave men who defied tyranny, who risked and gave up their lives that America might exist and their fellow men and fellow women have a government of, and for, and by the people.

Let us see what happened just a few days after I introduced Senate Resolution 217. On Christmas Day, three newspapers attacked me. I hold in my hand an editorial published in the Boston Herald in the staid old city of Boston—Boston, deservedly famous as the home of those who first openly defied England when she attempted to tax the Colonies without representation; Boston, the home of the Boston Tea Party. The editorial is so utterly false that I will not encumber the RECORD by reading it.

On the same day we find the Daily Worker, the Communist official newspaper, with an article calling me "the most dangerous man in the United States Senate," and not only willfully, deliberately, and cold-bloodedly misrepresenting me, but even going to the length of deliberately lying about my vote here on a farm measure, fondly hoping that an honest people in far-off North Dakota might believe their nefarious untruth.

So we have a conservative, big business newspaper, on the same day joined by the official newspaper of the Communists; and by a strange coincidence on the same day Christmas Day, joined by the Socialist official newspaper, the New Leader, published in New York City. That newspaper also, in an endeavor to fool and deceive the common people, published a tirade of untruths that would have made Ananias blush with shame.

Of course, these were not the only newspapers. A day or two before in Virginia, where poor people have not much chance to vote, at Richmond, a newspaper had paid its respects, and a few days after Christmas the Minneapolis Tribune, published in Minneapolis, Minn., and owned by the Cowles family, relatives of Tom Lamont, now head of the House of Morgan, editorially told what a disloyal, unpatriotic citizen I am. I suppose that the other newspapers controlled by this family in various portions of the western part of this country had similar editorials.

Mr. President, this is all the more remarkable, because I know John Cowles, the publisher, personally, and up to the time I introduced this resolution to investigate the doings of Wendell Willkie and Harry Hopkins in the last Republican National Convention, our relations had been pleasant. Senators know that in my resolution I said nothing about Mr. Cowles; I made no charges against him; I know nothing about his financial relationships with his relative, Tom Lamont, and care less. Mr. President, it is significant that all these charges were made against me almost simultaneously, and yet not one mentioned the resolution that I introduced as the real reason for this sudden onslaught from East and West, North and South.

Fellow Senators, I call attention to the fact that Wendell Willkie did not carry a single primary election prior to the 1940 convention. Not one State had declared for him.

In one State the people in the election primary defeated Mr. Willkie by an overwhelming majority by preferring Mr. Dewey; and yet, Mr. President, a few weeks later, a month before the convention and while the American people were still completely ignorant of the fact, we find the London Times stating that—

Mr. Wendell Willkie, whom a spontaneous public sentiment has made the outstanding dark-horse candidate for the Republican nomination for President, proposed at an American Legion dinner at Akron, Ohio, last night that the Secretary of State should ask the Allies what help, short of troops, the American people could give them.

Then a few days before the Republican Convention, on June 24, the London Times again said about Mr. Willkie—

He has a long and lone record among Republicans for his unqualified support of the Roosevelt foreign policy.

How much more knowledge the London Times had, thousands of miles away from Philadelphia, than the farmers, laborers, and small businessmen of America.

Ah, here is something else—and perhaps this is the reason for this spontaneous demand for a man who had not a single delegate in a single primary as the Republican candidate—the London Times said on June 28—

But behind Mr. Willkie there is a large organization with unlimited money.

Unlimited money, unlimited money, Mr. President, unlimited money. I ask the Senators to remember this phrase in the London Times, when they read the book by Mr. Sparks, who said that Mr. Willkie had a room full of money with which to buy delegates.

Yes, Senators, some men had unlimited money with which to make a joke out of the preferential primary elections in the States of this Nation. They had unlimited money with which to make a joke out of the American system of selecting a candidate at the Republican National Convention. Mr. President, I ask, Where did this money come from?

After I had submitted my resolution, Tom Lamont, ruler of the House of Morgan, rushed into print the next day with the pontifical annunciation of a bishop and intoned, "I did not give him any money, I did not give him any money."

Tom Lamont's House of Morgan in World War No. 1 had been the financial agents of England and made millions of dollars as such. Is it not fair to assume that Tom Lamont, who, as Mr. Sparks says in his book, had called in Glenn Frank in order to size him up as a Republican candidate for President, who had sized up Hugh Johnson, and who attended the Reid dinner at the Reid home with Mr. Willkie and the Senator from Ohio [Mr. TAFT] before the New York Herald Tribune came out for Mr. Willkie, was interested when Mr. Willkie said he was for war and the Senator from Ohio said he was not. Is it not fair to assume that Mr. Lamont was at the Philadelphia Republican Convention acting as the international banker, the international monopolist, fighting all that the average American holds fine, dear, and sweet in life, in a city which contained a room full of money, and helping to select a President? Certainly he was not there as a delegate. What was he there for? From the day America was established until we joined her as an ally in World War No. 1 no other country, Mr. President, had been so ruthless in her determination to wipe out the United States. From the day the Redcoats tried to terrorize the patriots of this country, they have never given up the battle to control America.

Mr. President, I love America. I would rather cut off my right arm than do anything to harm her, and I beg you to know that I, who thrice volunteered in World War No. 1, and whose only brother was desperately wounded in the Argonne while fighting for the flag we all hold so dear, speak today only as I do because, under my oath and conscience, I cannot do less. And so when I speak of England today remember that what I say about her I say before and not after she became our ally in this present war, which every one of us is determined to win. Certainly no one would question the patriotism of a single Member of this body in doing his duty as he conceives that duty to be.

So I say, Mr. President, that in those dark, dark days of the American Revolution we also had Tories. They were Tories, Mr. President, who bent the knee to the King of England; Tories who for different reasons, but mostly for money and position, were willing to betray this Government; Tories, many of whom were rewarded by England after the war; Tories, I repeat, who were the great-grandfathers of some men who today wield much power because of their financial connections. Ah, Mr. President, blood tells, and men who are descendants of Tories in the Revolutionary War still have Tory instincts, and I care not how much money they may have. Either by breeding or by instinct, they are Tories at heart, Tories in spite of any oath they may have taken, Tories who try to make themselves smell sweet by calling opponents of their political philosophies and political beliefs names and names without number.

Shortly after the Revolutionary War England was again engaged with us in the War of 1812, and if any man believes that America won that war let him reread his history. Came the Louisiana Purchase, and in that purchase was involved not only Louisiana, but the territory which includes Montana, part of Wyoming, part of Colorado, Kansas, Oklahoma, Arkansas, Nebraska, South Dakota, part of Minnesota, Iowa, Missouri, and my own State of North Dakota. This is the territory which England said we would not buy because they objected. The battle of New Orleans had to be fought, and the English Army whipped, before they would desist. And again, when the matter of the annexation of Texas came up, there was England again battling to keep Texas from joining the Union. And when the Civil War came, I do not need to tell the Members of the Senate that if it had not been for Senator Charles Sumner of Massachusetts, England at that time would have declared war against us again.

Senator Sumner clearly stated upon this Senate floor, "England, for the damages done this country during the Civil War, owed individuals of this country for damage wrought by the *Alabama* and other cruisers." He attached the conservative estimate of $15,000,000, "for all damages to commerce driven from the ocean." Senator Sumner suggested as the chairman of the Foreign Relations Committee that the computation should be $110,000,000. And "There still remained," said Senator Sumner, "that other damage, immense and infinite, caused by the prolongation of the war, all of which may be called national, in contradiction to individual."

These national claims which Charles Sumner was first to advance, and which were to be for years much in controversy, he did not venture to estimate, but he did declare that the cost of suppressing the rebellion had been more than $4,000,000,000, and that through British dereliction largely in the concession of belligerent rights upon the ocean, the war had been doubled in duration, and Sumner said, "England was justly responsible for the additional expenditure."

President Garfield thanked Sumner and congratulated him upon that speech. The treaty was rejected by the Senate by a vote of 54 to 1, and as the British Minister reported to his Government, Senator Sumner's speech was "received with vehement applause by the whole Republican press."

Fellow Senators, when Garfield had been elected President, but before he had assumed office, whose guest was he, time and again, while staying in New York? Why, the Whitelaw Reids'. While Garfield was staying there, trying to name his Cabinet, he conferred with Mrs. Whitelaw Reid, just as nearly 70 years later, Wendell Willkie and Tom Lamont were to be the guests of another Mrs. Reid a few days before the Republican National Convention. If anyone has any doubts about the influence of Mrs. Whitelaw Reid on President Garfield, I suggest he read the letters which President-elect Garfield wrote to his wife while visiting at the Reid home in New York.

Mr. President, in the short time I have to talk here today, I cannot go into the history of the Whitelaw Reid family. We all know how Reid was Ambassador to England; we all know about the intermarriages of the Whitelaw Reid family with English nobility, and we all know that today the most powerful Republican paper in America is the New York Herald Tribune, owned and operated by the Ogden Reids, at whose home C. Nelson Sparks so clearly describes the dinner at which it was intended for Senator ROBERT TAFT to obtain the favor of the Reids to get their support for the Presidency. TAFT was to be tempted to sell out the American people by declaring that he was in favor of involving the United States in World War No. 2.

It is interesting to read the account in Mr. Sparks' book of the clever way the Reids tried to "bamboozle" the Tafts.

Mr. President, England at the Republican Convention wanted two things: First, the right kind of platform; second, the right kind of candidate. They weren't worrying about the Democratic Convention, because they knew that Mr. Harry Hopkins, through his friendship with Mr. Tom Lamont, with whom he had been associated for some years, would, in violation of a tradition of 150 years, nominate Franklin Roosevelt for a third term; and I do not want any misunderstanding about it; I say that Hopkins had been associated with Mr. Lamont for some years.

They had to have a man running on the Republican ticket so that as far as the American people were concerned, England could say, "Tails I win, heads you lose."

So we come to the Republican Convention. Months before in the State of Illinois there were a number of patriots, a group who were determined to keep this country out of this war; a brave, honest, God-fearing, patriotic group, a group that knew that 85 percent of our people wanted to keep out of that war, and so they had adopted what was known as the Illinois plank, and they came to this convention in Philadelphia determined to put a plank against war in the Republican platform. Mr. President, in that group was the distinguished junior Senator from Illinois [Mr. BROOKS]—WAYLAND BROOKS, a veteran of World War No. 1; WAYLAND BROOKS, who had been wounded in that war; WAYLAND BROOKS, with a record so fine that he had repeatedly been decorated for bravery in action. WAYLAND BROOKS went to that convention determined to write into the platform a plank which would make it impossible, if the Republicans won, to involve our country in the intrigues of Europe; where there have been wars and wars and wars for hundreds of years.

Mr. President, what did the Senator from Illinois say at this convention? On page 151 of the Official Proceedings of the Republican National Convention on June 26, he is reported to have spoken as follows:

> We have spoken rather bluntly out there in the Middle West when we said we believed in this tragic hour the blood of America, consisting of the blood of the nationalities of the people of the world who had learned to live in entire harmony with each other, that the blood of America belonged to America to the last drop and should not be shed in any foreign war. We came prepared to write rather bluntly that thought.
>
> I yielded to the gentleman of the Resolutions Committee, who showed me that even though they were not using that language, that the spirit of that thought, that the elasticity of our thinking, was indicated in this platform, and therefore I say the platform should be adopted unanimously, without a single objection, at this convention.

Mr. President, the Senator from Illinois did not surrender, he still thought that he was getting something into the platform the people of Illinois wanted there, but he did not get it, and why? One reason was—and it will be shown if this investigation proposed in my resolution takes place—that a short time before a group of millionaires, representing the big business interests of this country, had met and had signed a "round robin" saying to the Republican Party, "If you put in that Illinois plank into the Republican platform, that plank to keep this country out of war, we will not contribute a single dollar to the Republican Campaign Fund." Yes, Mr. President; even then, a year and a half before Pearl Harbor, the Illinois plank against war had to be kept out of that platform, and so England had the kind of platform that it wanted; the job was now to get the candidate; and Mr. C. Nelson Sparks tells in his book, which I want to investigate, under my resolution, how that was done. It is either true or it is false. If it is false, the people of the country are entitled to know if it is false; and if it is true, it means that in this country the system we have of letting international bankers and monopolists choose their candidate for President should be forever wiped out, and selection of the President placed in the hands of the people.

Mr. President, in 1940 the American people were not war conscious. Lord Lothian and Mr. Lamont, both experts on crowd psychology, believing that Mr. Willkie could not win the nomination and election by campaigning with the British flag over one shoulder and the American flag over the other and the slogan "We Want War," were content to allow Time, Life, and Fortune magazines to carry on Mr. Willkie's campaign with the slogan "We Want Willkie."

Yes; Mr. President, England learned not to sacrifice their men at war to conquer America, if conquer they could by controlling members of the Cabinet or the President, so that they could get what they wanted from the American people by flattery, by intrigue, by diplomacy, without the average farmer, laborer, and small businessman in the United States knowing what was happening. And so from the time of Garfield's reign up to the present time, with an exception of 4 years, England has been the mother country.

No, Mr. President, England did not pay the $4,000,000,000 or more that Sumner said they owed for the Civil War. They have not paid anything except a little interest a time or two. They have depended upon a few men in this country to help them; a few men from England and a few more descendants of the Tories of the Revolutionary War. And, fellow Senators, consciously or unconsciously, from that time to this we find, first, Woodrow Wilson was head of this country when World War No. 1 was declared, and later came Hoover, the man whom the Senator from California [Mr. JOHNSON] although a Republican, went on record as opposing, and the Senator from California stated that Hoover was an Englishman, that his address was London, England, that he had lived in his adult life as long in England as he had in the United States—Mr. Hoover, who led in forgiving the billions of dollars of England's indebtedness to the United States after World War No. 1.

Then after Hoover came Franklin Roosevelt, and he was elected President. Yes, he was elected President after he stated that he was against the League of Nations, and after he told the American people that he had been for it while Wilson was President, but that he was against the League of Nations now. He said that when he was a candidate in 1932. Ye Gods, does not the man know that there are some of us Americans who have memories?

After Mr. Roosevelt was elected, one of his first official acts was to send William Bullitt to England. To do what? To collect the debts England owed us? Oh, no, Mr. President. Oh, no. England had agreed to pay a certain definite sum which Congress had agreed to but as soon as Mr. Roosevelt went into the White House they refused to pay, and when a few months after Mr. Roosevelt was President, England made token payments, it was Senator Robinson, of Indiana, who submitted a resolution in the Senate after Mr. Bullitt and others had been conferring with Englishmen, asking the President in this resolution:

> What, if any, verbal or written assurance or agreement was entered into by the President to accept token payments on war debts due from Great Britain, Italy, Czechoslovakia, or any other nation? What steps have been taken to induce France, Belgium, or any other defaulting nations to fulfill their obligations in accordance with terms and provisions of the World War debt-funding agreements approved by the Congress?
>
> What, if any, verbal or written understanding, assurance, or agreement, has been entered into by the present administration offering to accept a reduction in the payment or principal or interest, or both, on any of the war debts since the joint resolution adopted by the Congress approved December 23, 1931, expressly declaring against further reduction or cancelation of war debts? What, if any, verbal or written assurances have been given or negotiations entered into by the present administration with any foreign nation regarding tariff concessions or trade agreements in respect to war-debt payments?

What did the venerable Senator Norris say about this from the Senate floor here on February 28, 1934? See page 3374 of the CONGRESSIONAL RECORD. He said:

> I would not hesitate, if they did not pay because they could not pay, to say nothing in regard to the matter and let the debts run. I would not, however, of my own accord, unless I had evidence which I do not now have, under any circumstances agree to the cancelation of the debt, and, so far as I know now, I shall not agree to any further decrease in the debt. Rather would I write on the sky, where unborn generations may read, the obligations of our allies to us as a warning to our children and our children's children never to go into an unholy combination, a wicked war, such as I believe the World War to have been, or any war.

That, Mr. President, was Senator George Norris speaking—George Norris, whom the good people of Nebraska, the farmers, laborers, and small businessmen had sent time and time again to the United States Senate. George Norris represented the people of his State, but I shall never forget, Mr. President, that on the day after George Norris voted for lend-lease, and when he had turned his back to the things he had said and done in years gone by, that one of the most distinguished men in Nebraska said to me:

> There is no use for George Norris to run again for Senator from Nebraska, because, whether he runs on the Republican, the Democratic, or Independent ticket, he will be overwhelmingly defeated. Right or wrong, he is considered the mouthpiece for Mr. Roosevelt. He is no longer the George Norris the common people loved in Nebraska.

And, Mr. President, knowing George Norris as I do, and knowing how honorable he is, and knowing of his integrity, I know that George Norris, if he thought he was right, would have voted the way he did regardless of the consequences. I wish to make it plain to every Senator upon this floor, and to every American

who may read this speech, that if I make one-half as good a record on this floor as was made by George Norris, I will feel that I have not lived in vain, but on this Senate floor, under our representative form of government, we represent the American people, and when they believe that we fail to represent them fairly we should be overwhelmingly defeated, and someone else sent to fill our places upon this floor.

Mr. President, when I submitted my resolution I plainly stated that I did not profess to have personal knowledge of the incidents covered by it, but I stated that those charges ought to be investigated because they were made by a responsible person. Upon the publication of the book, newspaper items appeared all over the country with headings similar to the one I saw in one of the leading papers of Pennsylvania, which read, "How 1940 Willkie nomination was bought at Philadelphia." Mr. President, that kind of publicity is bad for this country. It is bad at any time, but especially bad in time of war. If the day ever comes when the people of America lose confidence in their Government and lose faith in the condition being remedied at the ballot box by a free and open election, then, indeed, a sorry day lies ahead for this Nation.

It seems to me as I read these accounts that there is one place in which the people should insist that there is a duty which, in the final analysis, rests upon the membership of this body. They may say that in a proceeding brought in court that it is brought by the friends of Mr. Hopkins, or Mr. Willkie, or Mr. Lamont, and that in a proceeding of that kind true facts may possibly be covered up, but here upon this floor, where we have 96 Senators of every political faith, of every shade of economic and social thought, where every one of the 96 under his constitutional duty can sift out the truth, whether in a body as a whole or through their regularly constituted committees, they know that we can get the facts.

Feeling that the Committee on Privileges and Elections was the proper committee to consider the resolution, I moved to refer this matter to that committee, and I saw by the newspapers that promptly thereafter the chairman of that committee, the Senator from Rhode Island [Mr. GREEN], appointed a subcommittee headed by the Senator from West Virginia [Mr. KILGORE], the other two Democratic Members being the Senator from Delaware [Mr. TUNNELL], and the Senator from Tennessee [Mr. STEWART], while the two Republican members were the Senator from Vermont [Mr. AUSTIN] and the Senator from New Hampshire [Mr. BRIDGES]. This committee was appointed promptly by the chairman over a month ago. Up to the present time I have received no communication from that committee, either officially, unofficially, or otherwise, but time, Mr. Chairman, is running. Within 8 weeks a primary election in New Hampshire is to be held. In view of the inactivity of this committee, I have deemed it my duty to present what facts have come to my attention since I submitted this resolution directly upon this floor to all Senators and to the people of this country. My decision to do so was influenced also by the interview given by the distinguished Senator from Vermont in the Evening Star of December 27, 1943, in which he is quoted as saying that in his opinion—

> The subcommittee must first decide whether it believes Congress has any jurisdiction over the happenings at a national party convention. He said witnesses might have to be called on this question, pointing out that actual investigation of the Sparks charges technically should wait until the Senate itself acts on the Langer resolution.
>
> In this connection Senator AUSTIN cited the fact that the Federal Corrupt Practices Act specifically excludes national party conventions in its provisions dealing with elections and vote machinery.

Of course, Mr. President, if there is to be a hearing and witnesses called until the Senate as a whole has determined that fact, as advocated by the senior Senator from Vermont [Mr. AUSTIN], the primary elections in many of the States will long since have been concluded before the debates are terminated. If the Senate should decide that the subcommittee had jurisdiction, then weeks more would go by before the witnesses could be subpenaed, the testimony heard, and the report made to the Committee on Privileges and Elections as a whole, and then still later the findings reported to this body.

Mr. President, an unusual situation also arose when the distinguished chairman of the subcommittee, the Senator from West Virginia [Mr. KILGORE], according to the Washington Star of December 27, and to the dispatches sent to the North Dakota newspapers, stated that the subcommittee would call me before it at an open session early in January and would decide then whether the charges made in my resolution were sufficiently substantiated to warrant further investigation.

At the time when I submitted the resolution, I stated why I was submitting it. Of course, it is foolish to talk of my substantiating the charges, because that is the function of the committee after they, in their judgment, decide whether or not to subpena witnesses.

However, the prize interview of them all was that given by one member of the committee, as printed in the New York Times on December 12, 1943, the Senator from the State of Delaware [Mr. TUNNELL], stating that "as an accommodation to Mr. Willkie" he was willing to listen to anything he had to say. "If it is to accommodate him, I do not know that I have any objection, but I am inclined to look upon the whole proposed investigation with suspicion," he added. He said further:

> Before the committee goes into it at all I would want to know more about it. I want to find out if there is any ulterior motive behind this thing.

So, Mr. President, there will be more delay. The distinguished senior Senator from Delaware wants to make his own private investigation to find out the "ulterior motive." In order to do that, he would likely have to go to a great many of the States of the Union as a committee of one, and call witnesses; he would likely have to call before him a great many of the monopolists interested in international cartels. But I can very well imagine that it would take him a great many months before he would finally be convinced that there was not "any ulterior motive" on the part of anyone, including myself, when I submitted this resolution. No one asked me to submit it; I conferred with on one before I submitted it. I am not interested in the candidacy of any particular individual for President. I am not an enemy of Mr. Willkie, either personally or politically. I submitted that resolution as a friend and representative of the common people of this country. The best answer I can give to the unworthy insinuation of the Senator from Delaware is to repeat a little ditty I learned as a boy. It is about a young man who asked a young lady to marry him:

> When I asked her to wed,
> "Go ask father," she said.
> And she knew that I knew
> That her father was dead,
> And she knew that I knew
> What a life he had led,
> And she knew that I knew
> What she meant when she said,
> "Go ask father."

One of the things that impelled me to submit this resolution was the charge made in the book that Harry Hopkins, on White House stationery, and as an occupant of the White House, and as right-hand man and confidential adviser to the President, and as a man who helped to rig the Democratic conventon in 1940, was for the nomination of Mr. Willkie this year in order to defeat the distinguished senior Senator from Texas [Mr. CONNALLY], should he decide to run for reelection in 1946. I have not always agreed with the Senator from Texas. I have not always voted the way he would have liked to have me vote. But he knows he has my highest regard, respect, and affection. The CONGRESSIONAL RECORD abundantly shows that over a period of years the able and outstanding senior Senator from Texas has been his own man; that he has taken no orders from either the White House or from Harry Hopkins, that he has stood upon his own two feet, a freeman, a man worthy of the respect of the people of the great State of Texas, and a man for whom I have such a high regard personally that to help him, should he ever be in need, he could write a draft on every dollar I had in a bank, or call upon me for any aid I could give, or money I could borrow.

Mr. President, as much as anything else in that book, I was concerned with the charges that the distinguished senior Senator from Texas was to be purged and fought in 1946. Frankly, I do not believe in purges by either Mr. Roosevelt or Mr. Hopkins. If any purging is to be done, I believe the common people should do it. The people are familiar with the records of all of us. These records are an open book. I vehemently oppose having Mr. Roosevelt or Mr. Hopkins make any deal

with anybody, anywhere, to circumvent the wishes or the constitutional rights of a single Senator upon this floor by tying him up with any Republican candidate for President in an effort to get the Republican President, in case of a Republican victory, to turn over Federal patronage to Harry Hopkins to purge either a Senator or a Member of the House of Representatives.

Mr. President, in Mr. Sparks' book, on page 44, is a letter reported to have been written by Harry Hopkins to Umphrey Lee, president of Southern Methodist University, as a possible candidate against the Senator from Texas [Mr. CONNALLY], dated August 17, 1943. This letter is as follows:

DEAR UMPHREY: What has been done in the * * * matter? Will you write me, please? What developments in the other situation? Willkie is going to be the man in my opinion, and I can promise you good cooperation from that quarter if you think it would be helpful.

Mr. Sparks, who had been the campaign manager for Frank Gannett in his battle for the Republican Presidential nomination in 1940, states that southern politicians were looking a long way ahead to "knock off Senator TOM CONNALLY when he came up for reelection in 1946." He says that the New Deal tried purging CONNALLY in 1940, when he had made himself unpopular when he voted against the court-packing bill, and that he is "a little bit too inclined to challenge dreams of world-wide utopia to suit the mind of Harry Hopkins" and certain others, as chairman of the United States Senate Foreign Relations Committee.

Mr. President, Mr. Hopkins says that letter is a forgery. I hold in my hand a photostatic copy of that letter, and at the conclusion of my remarks I shall be glad to show it to any Senator who cares to see it. The Attorney General of the United States has commenced to investigate it, at Mr. Hopkins' request, to determine the validity of this letter.

After that investigation started, I telephoned Mr. Sparks to find out how he got the letter, and asked him to submit to me any documents he might have. He did not give me the originals, which naturally he wished to keep himself, but he gave me photostatic copies, verifying his belief that this letter of Mr. Hopkins was genuine. I hold in my hand a letter written by George N. Briggs, deputy in the office of Secretary Ickes. This letter is written upon the stationery of the United States Department of the Interior, office of the Secretary, Washington, September 10, 1943, and is as follows:

MY DEAR MR. SPARKS: I have read with great interest your manuscript, One Man—Wendell Willkie. Thank you for letting me see it. I am glad that I could have been of service in documenting the piece with the letters from Martha Taft and the late Dr. Frank, both of which you so kindly returned for my files. You have accurately reported the conversations with the member of the South Carolina delegation and with the attorney who was so interested in the Arizona delegation. If I can be of any further help, please call on me.

I have here a photostatic copy of the envelope in which that letter was mailed to Mr. Sparks.

Next, I hold in my hand a photostatic copy of a telegram sent to Mr. Sparks on September 27 by Mr. Briggs, of the Interior Department, which is as follows:

SEPTEMBER 27, 1943.

C. NELSON SPARKS,
New York, N. Y.:

If interested in Texas matter we must move fast. Phone or wire.

GEORGE N. BRIGGS.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. WHEELER. Who was Briggs?

Mr. LANGER. As I understand, Mr. Briggs is deputy to Harold Ickes, in the Department of the Interior.

Mr. WHEELER. And he sent a telegram to Sparks?

Mr. LANGER. He sent a telegram to Sparks.

Mr. WHEELER. Saying that if he was interested in the Texas matter, he should do what?

Mr. LANGER. The telegram reads:

If interested in Texas matter we must move fast. Phone or wire.

That refers to the first line in the letter purporting to have been written by Harry Hopkins. As I afterward learned, it refers to what is known as the Alamo matter, in which I understand the President and Mr. Hopkins are very much interested.

Then it appears that an arrangement was made whereby Mr. Briggs was to go to Texas to secure this letter. Apparently Mr. Briggs could not go on the date selected, and sent a telegram to Mr. Sparks, a photostatic copy of which I hold in my hand, and which reads as follows:

C. NELSON SPARKS,
Tudor Hotel:

Unable to get date before Thursday this week. Leaving today.

GEORGE N. BRIGGS.

Following this, Mr. Briggs apparently went to Texas, because he wrote a letter on Saturday, October 9, of which I hold a photostatic copy in my hand, from which it appears that the letter was in the hands of a Mr. Phillips. I understand that this Mr. Frank Phillips, of Oklahoma, was a friend of Secretary Ickes, Secretary of the Interior. It appears that Mr. Briggs was to get the letter from Frank Phillips.

Mr. Phillips apparently secured it from Dr. Umphrey Lee. This letter is as follows:

MY DEAR MR. SPARKS: Just back late last night—without the letter. However, it will be here next week on the word of Mr. Phillips who is coming East and will bring it. The fact is that the one to whom the letter was addressed—the head of Southern Methodist—wanted it back for a purpose, but has promised to put it back into circulation as soon as he has finished. I didn't feel that I could afford to wait for that time as he said it probably wouldn't be for 4 or 5 days. Moreover, I didn't want to have photostats made of it, and they promised me that they wouldn't have them, either, because once you get three or four copies in circulation somebody is going to print it. Personally, I want this one exclusive.

I won't take the time to tell you the story now as I am way behind in my work here. Besides it will keep until you come to Washington. Mr. Willkie's tail is well in the gate in Texas. I am anxious to hear how things are going with you.

G.

I understand that "G" refers to George Briggs.

P. S.—I feel that I can definitely assure you that the letter will be in our hands next week. Incidentally, I am getting splendid cooperation from this end of the line.

As I say, this letter is written on Interior Department stationery.

On October 15, 1943, Mr. Briggs wrote to Mr. Sparks that he had had a meeting with Dr. Lee, and secured a copy of the letter. The entire letter of Mr. Briggs, of which I hold a photostatic copy in my hands, reads as follows:

DEAR MR. SPARKS: I had my meeting with Dr. Umphrey Lee, and I am enclosing herewith a copy of the Hopkins letter which I read and was assured by Dr. Lee that the original would be made available for our use within the next week or 10 days. It will come to me through those sources which I disclosed to you.

Sincerely,

GEORGE BRIGGS.

On October 18, Mr. Briggs, on the stationery of the Department of the Interior, from Mr. Ickes' office, again wrote to Mr. Sparks, advising him that he had the letter and loaned it to Mr. Ickes. This letter is as follows:

DEAR MR. SPARKS: The Phillips letter came in just as the boss was leaving to take a train for Chicago. He asked for permission to take it with him—wanted to show it to someone he expects to see while away. He will return the end of this week, and I will then have it for you. Meanwhile I have been so rushed that I have not had a chance to write the story. I think you should go without it because we don't want to rush it. Besides, what you have is strong enough to stand on its own bottom. The Taft letter hasn't come through yet, and I suspect that it isn't in St. Paul. I did receive the printed bulletin that I put out on the subject, and I will have that for you when you come to Washington. Good luck.

G.

Apparently he had some difficulty in getting this letter back from Mr. Ickes, because on October 27, again on the stationery of the Department of the Interior, Mr. Briggs wrote to Mr. Sparks, although he did not sign this letter. I hold a photostatic copy of this letter in my hand, and it reads as follows:

DEAR MR. SPARKS: I am not satisfied that I put over to you in our conversation today that I cannot jack up the boss as I could almost anyone else. I have learned that he brings things up in his own time, but depend upon it, he never forgets.

The words "he never forgets" are underlined in the letter. The "he" refers to Harold Ickes.

He went from Chicago to Pittsburgh to inspect some new work there, and then on to Marcus Hook, Del., where he is dedicating a new Sun Oil Co. cracking plant today. Tomorrow he speaks before the Saints and Sinners Society of New York, and his secretary has just told me, since I talked with you, that he has an early Friday date with Curtice

Hitchcock. That may mean that he won't be in his office this week. Of course if worse comes to worse I can always screw up the courage to call him, but I would rather not force the issue, especially with him.

I realize and regret the position it puts you in. As I have repeatedly told you, however, I believe the book is a strong document even without the H matter, and that as time is so much of the essence and W is making such rapid progress toward the nomination, I would not be in favor of delaying another minute for anybody or anything. It will be no trick and no expense to add the H and W chapter when everything is in hand and when we have had a chance to get it in just the shape we want it.

I repeat, if I were in your shoes I wouldn't wait even for FR. The blast against W should start now. Recharge it with the H dynamite in another 10 days or 2 weeks. Hours run quickly into days you know, and in this case I sincerely believe there is no time to lose.

As I wired you, the 40 bucks reached me, and was duly welcome. I am within a hundred bucks of my goal now, and I have four days in which to raise it. After that you can get me at the city jail. (Sounds like our friend John Holzerman, or whatever his name was.) Don't worry. It isn't quite that bad.

I will call you Friday morning, just as soon as I find out where the boss is and when he is likely to be in if he has not already arrived. Believe me I want to help you get this thing across in the shortest possible time. It means a lot to the country, by God.

Sincerely yours.

Mr. WHEELER. Did Briggs sign that letter?

Mr. LANGER. That is the only letter of all those that I am reading that is not signed; but it is written on the stationery of the Department of the Interior, Office of the Secretary.

On November 3, George Briggs telegraphed Mr. Sparks that due to the coal strike there has been an unavoidable delay in securing the letters. The telegram, of which I have a photostatic copy in my hand, reads as follows:

C. NELSON SPARKS,
Tudor Hotel:

Unavoidable delay of few days due to coal strike emergency and mix-up of letters pressing for quickest possible action.

GEORGE BRIGGS.

On November 5, the following telegram, a photostatic copy of which I hold in my hand, was sent to Mr. Sparks by George Briggs:

C. NELSON SPARKS,
Tudor Hotel:

What's cooking? Have call in for you but no return.

GEORGE BRIGGS.

It seems that Mr. Sparks was given to understand that Briggs was having some difficulty in getting the letter from Secretary of the Interior Ickes, or else the Secretary had loaned it to somebody, because Mr. Briggs says that the Secretary of the Interior was going to help him get it back, as will be noted from the letter signed "George," a photostatic copy of which I hold in my hand and which reads as follows:

DEAR MR. SPARKS: Forgot to ask you yesterday when I had you on the telephone what was doing in the Gannett-Wood-Willkie matter. Tuesday's elections would make it appear that a Republican has a good chance next year, but Willkie is not the one, although he is certainly burning up the track getting to the nomination.

After I talked to you I discussed our matter again with the secretary, and he confessed that he was afraid there was some stalling going on. I asked him what he thought about using the story without the letter, and he said he thought it would be perfectly safe provided the name of the man who got the letter was not used without his written consent. If the letter is not here Monday he is going to get on the long distance and raise some hell around the country. Meanwhile, he will swear that he saw the letter if it comes to a showdown. I hope it won't be necessary to put him in that spot because he has enough trouble without that.

My personal situation is this: I have cash assets of $657, out of which to pay up on my house, move, pay insurance premiums on which the grace period expires November 12, of $781. My insurance policies will not carry themselves. Once I am out from under the burden of this house I will be O. K., but the load has been terrific and I can't shed it too soon. If there is anything you can ever do to help, I can assure you that it will be deeply appreciated and will be repaid in every possible way.

I shall be in touch with you sometime Monday.

GEORGE.

On November 13 Mr. Sparks received a telegram signed "George," which reads as follows:

C. NELSON SPARKS,
Tudor Hotel:

Writing air mail special.

GEORGE.

On November 16, in response to a letter that Mr. Sparks had written to Mr. Briggs, he received a reply dated November 13, of which I have a photostatic copy in my hand, and which apparently accounts for the delay in that there was apparently some deal mentioned in the first line of the letter which would be embarrassing to some persons. Evidently the Alamo deal, of which I know nothing personally, but which I have been told by Mr. Sparks is about some scandal in Texas. The letter reads as follows:

DEAR MR. SPARKS: The secretary has had word from Texas, the burden of which is that the use of the word "Alamo" will be very embarrassing, and the boss has asked me that it be deleted. I have told him that I am sure it will be agreeable. He says that if it is used he is afraid that Dr. Lee won't stand up. He is working on that now; also to get the letter itself which I think will be made easier as soon as you give me assurances that Alamo will not be used.

I have spent 3 days moving. I am so sore around my middle that I myself am no longer able to move.

If I don't get $150 by Monday—or Tuesday at the latest—I am going to be in serious trouble, I am afraid. Is there any possibility with you? If it were not so urgent I wouldn't mention it, but I simply have to squeeze out of this spot. I paid $522 to settle the house deal, plus my insurance of $219, moving, etc. I thought it possible that something might be in. I hope so.

When will you be in Washington?

Sincerely,

GEORGE.

On November 16, Mr. Sparks received another letter signed "George," which is apparently from Mr. Briggs. It is on the letterhead of the United States Department of the Interior, Office of the Secretary, a photostatic copy of which I have in my hand, and which reads as follows:

MY DEAR MR. SPARKS: Your letter received. Am in a terrific jam—worse than yours, I'm afraid. Had counted heavily on some help. The result is that the check for my insurance premium has gone back unpaid, and the last day of grace was last Friday, the 12th. I'm just about sick over the whole business, as it probably means that in another 2 days my insurance will lapse.

I understand quite well the expense to which you have been put. This I believe is my last hurdle, but it is apparently the highest one and it looks as though I am going to trip and go on my "schnozzola."

I gather from your letter that you are discouraged over the failure of the Hopkins missive to arrive. You can still say that the original letter is available, because it will be if I have to invoke the pressure of the Secretary to get it. As to the Taft letter—we couldn't reproduce that in any event without her consent, and the trouble there would be that if you asked permission to show the signature she would probably forbid the use of the letter entirely. So I think we are better off as it is. I am confident that you have a powerful document that is going to have a profound effect upon the coming political situation. And if worse comes to worse we can force someone's hand in the Hopkins-Lee affair. We will discuss it further when you come to Washington.

Please get a little advance help from these red-hot Republicans who are so anxious to lick Willkie. You and I have done a lot of ball-carrying in the past 3 years and have paid through the nose. It's about time for some relief.

Wire me a little encouraging news. I need it. I repeat the new address: 3034 Buchanan, So., Arlington, Va., telephone Temple 8038.

Sincerely,

GEORGE.

On November 24, Mr. Sparks received another letter signed "George," apparently from Mr. Briggs, again on Department of the Interior stationary, a photostatic copy of which I hold in my hand, and which reads as follows:

DEAR MR. SPARKS: As I sat here thinking about the first blast from the opposition, Mrs. Reid's denial, it occurred to me that you ought to be ready with an answer to the others that are sure to follow. I believe you should say something to this effect:

"The important thing is not, it seems to me, whether this detail or that detail is true, but whether the Republican Party can afford to risk its life by choosing as a leader a man involved in a series of incidents that cannot be dismissed by a categorical denial. I expect that there will be many denials, but I have made my statements in good faith on the strength of what I believe to be true, and I shall not be diverted from my main objective—to save my party, if possible, from repeating in 1944 what many millions of us think was a mistake in 1940."

Or words to that effect. The heat has been put on the secretary from the Southwest. When it was learned what use had been made of the Hopkins' letter that was a great hullabaloo and much consternation. The secretary called me in and said not to be surprised at some pretty strong statements, but to "sit tight and say nothing." I have cotton in my ears.

Didn't you have any luck interesting the political big wigs of Ohio? You know I haven't seen you since you left here for Columbus. I'll await your arrival here with bated breath.

Sincerely,

GEORGE.

Finally, on December 10, after the story had been published, Mr. Briggs wired Mr. Sparks again, a photostatic

copy of which telegram I hold in my hand, and which reads as follows:

C. NELSON SPARKS,
Tudor Hotel, New York:
Call me concerning story in today's paper.
BRIGGS.

For all these letters I hold in my hand, I have photostatic copies of the envelopes in which they were mailed. I might add that I shall be glad to show these to any Senator who might wish to see them.

It appears that after the deletion of the word "Alamo" was requested by Mr. Briggs, who said that it would be embarrassing to certain people, Mr. Sparks wired Mr. Briggs that the deletion had been made, as shown upon the telegram, a photostatic copy of which I hold in my hand, and which reads as follows:

GEO. N. BRIGGS,
Arlington, Va.:
Deletion has been made. Writing you today.
NELSON SPARKS.

Now, Senators, Mr. Sparks, in his very interesting book, on pages 5 and 6, tells that Dr. Glenn Frank had been more than president of the University of Wisconsin, and in the early spring of 1936 found himself, more or less by command because of the fact that he was manager of the platform for the Republican Party, in a royal suite on the twenty-first floor of the Waldorf-Astoria Hotel in New York City. It is stated that the purpose of the gathering was to consider a possible Republican candidate for President against Roosevelt, who was then nearing the end of his first term; that Dr. Frank for many months had been working hard against the New Deal, but had been unable to meet with Mr. Lamont and his associates, and that it was somewhat of a surprise to him to be invited to this hotel room, where he met Mr. Lamont of the house of Morgan, Mr. Thomas Cochran also of the Morgan firm, and Alfred P. Sloan, of General Motors Corporation; and that on September 11, 1940, a few days before his untimely death by accident, that Dr. Frank wrote to a personal friend of Mr. Sparks, who let Mr. Sparks see the letter, and who still holds it, regarding that meeting with Mr. Lamont, Mr. Cochran, and Mr. Sloan. The letter reads, in part, as follows:

Early in 1936 I responded, as much out of curiosity as anything else, to a peremptory summons to meet with a group of industrial and financial leaders in the Waldorf-Astoria Hotel in New York. After 4 years, I am unable to remember all of the eight men present, but I do recall that among the men I faced were Thomas Lamont, Thomas Cochran, also of the Morgan firm, and Alfred P. Sloan. I was ushered very ceremoniously into a rich suite where I was to be left not long in doubt that great political plans were hatching and that political history was being made.

I was told abruptly that inasmuch as they might "decide" (Dr. Frank underlined the word in his letter) to make me the Republican nominee for President, I was to curtail my speaking engagements and to cancel them entirely whenever possible. It was related to me that they desired to name a candidate who hailed from the Mississippi Valley or Corn Belt region, and that I had been suggested to them as a potential winner.

Their representations did not impress or deceive me. It was true, I knew, and as they said, that they wanted a candidate from the Corn Belt; but I knew they could not win with him, and they knew it, too. There was no beating Roosevelt for reelection.

Now, Mr. President, of one thing there can be no doubt in my mind; that is, that Dr. Glenn Frank told the truth, because by a strange coincidence Dr. Frank and Mr. Sparks met on a Northwest air liner on September 11, the date when Dr. Frank wrote this letter to Mr. Sparks' friend, and at Mr. Sparks' request, Dr. Glenn Frank wrote the statement of which I have a photostatic copy in my hand, and which Senators will notice is witnessed by two witnesses, one of whom lives in Fargo, in my own State of North Dakota. There can be no question but that that part of Mr. Sparks' story is absolutely true.

The statement signed by Dr. Glenn Frank is as follows:

To Whom It May Concern:

The facts as related in this article by Mr. Briggs are known to me of my own knowledge. They include the circumstances leading up to the determination to make Mr. Willkie the Republican candidate in 1940, and to the best of my belief are true as stated. I have no objection to their publication so far as I am directly involved.

GLENN FRANK.

And that was signed by two witnesses.

When Mr. Sparks came to see me in response to my request, he brought with him a letter from Mrs. Reid, in which she states that there were some inaccuracies in his book dealing with the dinner which the Senator from Ohio [Mr. TAFT] attended, but she admitted that a dinner had taken place. Her letter, of which I hold in my hand a photostatic copy, reads as follows:

DEAR MR. SPARKS: Your book, One Man—Wendell Willkie, has just come to my attention and both because of your own standing in the community as well as the words of your publisher, Mr. Rayner, on the first page—"We are convinced that it is a true record of the facts in the case," I feel sure you will be glad to receive information about any inaccuracies.

On pages 11, 12, and 13 there is some mention of Mr. Reid and myself. It is true that a dinner did take place at our house. The date, however, was June 4, 3 weeks before the convention in Philadelphia, instead of 1 week. A number of other people in addition to those mentioned by you were present and they included Democrats as well as Republicans. In other words it was a gathering of friends with widely different views, and not a political one. The statements attributed to Lord Lothian were not made by him. He took no part in the discussion and made no appeal—he responded briefly to the few words I said about him in connection with his having received an honorary degree that afternoon from Columbia University. Your story says "The next morning the Herald Tribune editorially announced itself unequivocally for Wendell Willkie." The paper did not make any announcement about its choice of Wendell Willkie for the nomination until June 27, the day before he was nominated at the convention. At that time we published an editorial on page 1. You also state that the paper is again advocating Willkie's nomination in 1944. The fact is the paper has not yet made any announcement about a candidate.

There are many other inaccuracies in your book of lesser importance and I am only sorry that you were not at the dinner yourself so that you could know what a completely false picture you have given of the scene. I am sure that this could not have been intentional and if you are expecting to be in New York within the near future, I wish you would come to see me. It would give me great pleasure to set you straight on the facts about a private party that has, through distorted gossip rather than "documents supporting the statements" been given a relation to Republican politics that never existed in fact.

Looking forward to seeing you, I am,
Sincerely yours,
MRS. REID.

Mr. President, if the subcommittee of the Senate Committee on Privileges and Elections has a hearing, I am sure that Mrs. Reid will be glad to appear, as well as possibly others, and testify as to what did take place. There is no doubt, however, from Mrs. Reid's own letter, that Lord Lothian, the British Ambassador, was present, that Wendell Willkie was there, and that others named by Mr. Sparks also attended; and I think it will be agreed, even as a result of Mrs. Reid's letter, that Mr. Sparks told the truth when he said that Lord Lothian spoke. I think it will be agreed that Mr. Wendell Willkie spoke, and it will be noted that Mrs. Reid does not deny that Mr. Willkie made the speech Mr. Sparks said on page 12 he made, nor does Mrs. Reid deny that the Senator from Ohio [Mr. TAFT] made the kind of speech Mr. Sparks said he made. Indeed, it is most significant that no denial was made by Mrs. Reid as to what was said by Mr. Willkie and by the Senator from Ohio [Mr. TAFT], in the presence of the Ambassador of Great Britain and other millionaires representing the House of Morgan, and the Pillsburys, representing the great milling interests of this country shortly before the Republican National Convention.

Mr. President, I do not know Mrs. Ogden Reid; I wish that I did, so that I could better evaluate her letter. From all reports, she is a splendid lady, a lady with an outstanding personality, a brilliant, well-informed person of outstanding capacity, a businesswoman who made a splendid success of the New York Herald Tribune, the outstanding Republican newspaper of this country. I regret that I have never had the pleasure of her acquaintance or that I have never had the opportunity of conversing with her, so that I might have the benefit of the experience she gained in England when she was there. Maybe if I could get to know her I could interest her deeply in the fact that the Republican Party, in order to win next time, must have the confidence and the active support of the farmers, and laboring people, and small-business folks of this country. Possibly I could induce her to take a speaking tour out into the West, where I live, where she could shake the calloused hands of some of my farmer friends, discuss the small incomes with the resultant problems that the daily laborers have, and note the number of idle buildings that cannot be rented in some of the

towns in the Northwestern States, because the monopolists have put small businessmen out of business by the hundreds. It would be a real genuine pleasure to have her visit the Northwest.

Some years ago, when I was attorney general of my State, I wrote to Nicholas Murray Butler, president of Columbia University, suggesting that he use his great influence to get some of these great monopolists, including J. P. Morgan, to come out to the Northwest and meet the people face to face and become acquainted with our problems, and I still have the reply from Nicholas Murray Butler, in which he stated that Mr. Morgan, with whom he played golf quite often, was not in the habit of giving speeches, and that it would be impossible to carry out such a plan.

I shall always believe that if the head men, the real executives of these monopolies, would take the time to personally become acquainted with those who slave and work, those who compose the backbone of the country; the farmer, the laborer, and the small businessman, that they would soon realize how utterly asinine it is for 1 percent of the people to feel that they can continue to own 97 percent of the wealth of this country. I feel that they would then realize that Americans will not continue to tolerate that kind of a situation, and that is true more than ever today at the very time when we are enacting a new tax bill. I never more surely felt that that condition must be eliminated in this country. This country simply will not indefinitely permit starvation, want, misery, and suffering among its poor while a small group continue to hold in their hands practically all the wealth of this country and through ill use of it, hold in their power the life or death of poor men and women and children.

I call attention to this Senate to the American Federationist for December 1942. This magazine is the official magazine of the American Federation of Labor. On page 3, Nathan Robertson has an outstanding magazine article, so clearly, so coherently, so definitely, so unanswerably setting forth how the corporations are making more money than ever before in the history of this country. Mr. President, when this war started, we were promised that a new crop of millionaires would not be permitted. The fact is industry's war profits after taxes are absolutely beyond the comprehension of the average American person. As Mr. Robertson says:

> Millions of individuals are paying higher taxes because of the war, on the same incomes they had before the war. Not so with the corporations. Their tax rates have been raised, too, but every time their taxes have gone up a dollar their incomes have gone up $2.
>
> Here is a simple table showing how profits this year compare with profits in 1939, 1929, and the First World War years, according to Treasury figures.

Mr. President, I ask unanimous consent that the table quoted by Mr. Robertson may be printed in the RECORD at this point as a part of my remarks.

The PRESIDING OFFICER (Mr. MURRAY in the chair). Without objection, it is so ordered.

The table is as follows:

	Profits before taxes	Profits after taxes
1943 (estimated)	$22,000,000,000	$8,550,000,000
1939	5,272,000,000	4,040,000,000
1929	9,300,000,000	8,100,000,000
1917	10,000,000,000	7,700,000,000
1918	7,700,000,000	4,500,000,000
1919	9,300,000,000	6,900,000,000

Mr. LANGER. I quote further from Mr. Robertson's article:

> You won't find in either column a profit figure as fat and juicy as the figure for the year of 1943, the year of great war sacrifice when the Nation is fighting for its very existence.
>
> Look at those figures for the last war and remember that they resulted in the creation of a crop of 23,000 new millionaires. The country was so shocked that it promised never to let it happen again. Both major parties pledged themselves against it. Scores of bills were introduced in Congress to prevent it from happening again.

Mr. President, both the Republican Party and the Democratic Party pledged themselves that if war ever came again no new group of war millionaires should be created. Yet, look at the record in this very body. Almost every single measure which would have prevented the creation of war millionaires has been defeated. The platforms of the Republican Party and the Democratic Party have been sterile, because at each convention the great monopolists, the millionaires, have had control, and the poor people, the average common men, have had nothing to say. Mr. Willkie did not receive one vote in a single preferential primary in the whole United States. The Republican Convention met, and yet a month before, the London Times, of London, England, said that the people had a spontaneous demand for Mr. Willkie's nomination. What rot. Such things, however, are possible only because of the way, under our Constitution, in which a President is nominated, and is elected through the electoral college, a method which is absolutely obsolete, a method which should be abolished as rapidly as possible.

Contrast that if you like, you people who have been saying that the workers on the railroads and in the mines have been overpaid, with the deficits that the worker has actually suffered. This war has not made the workers rich; it has left them with a deficit and not a surplus, as is shown from the table prepared by the Heller committee, University of California, adjusted to average prices in the United States.

Mr. President, I ask unanimous consent to have the table in question printed in the RECORD as a part of my remarks at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

	Heavy industries		Light industries		Retail trade	
	January 1941	August 1943	January 1941	August 1943	January 1941	August 1943
Worker's yearly income	$1,660	$2,580	$1,178	$1,788	$1,120	$1,351
TAXES						
Federal income		78				
Federal Victory		59		35		22
Social security	17	26	12	18	11	14
Total taxes	17	163	12	53	11	36
War bonds (10 percent)	166	258	119	179	112	135
Left for living expenses	1,477	2,159	1,047	1,566	997	1,180
Adequate budget (family of 4)	2,124	2,204	2,124	2,204	2,124	2,204
Deficit	647	45	1,077	648	1,127	1,024

Mr. LANGER. Mr. President, that table appeared in the American Federationist, the official publication of the American Federation of Labor.

So, Mr. President, we come to the great question facing the American people. I ask the distinguished acting minority leader, the senior Senator from Maine [Mr. WHITE], a man who has been in the Senate for many years, and who is a worthy successor to his illustrious grandfather who, himself, once occupied the position of president pro tempore of the Senate—I ask the distinguished senior Senator from Maine, What are we going to do about it? I say that the time has come in America to prevent five or six millionaire monopolists, international bankers, or crooks from meeting as Democrats and selecting a Democratic candidate; or five or six other millionaire monopolists, bankers, or crooks from meeting in a hotel room and nominating a Republican candidate, and then saying to the American people, "This is a free country. Here is a place where you people have the right to vote. Just drive to the polls on election day and by your vote elect the President of the United States. Of course, you cannot vote for him directly. Of course, in some of the States it has been so fixed by law that it is almost impossible for an individual candidate to run. Of course, it would not do for us to let a man or woman run on the independent ticket in some of the States, because it might upset the apple cart. We have planned it that way. We have selected a good Republican, and a good Democrat. You make the choice on election day. Get up a real hot campaign. Get on the stump and tell the poor public that it makes a difference whether Tweedledee is elected over Tweedledum, or Tweedledum over Tweedledee. We are not going to take any part in this election. All we have done is to nominate good candidates for you. You go ahead and do the fighting, while we retire to a cocktail lounge and watch you."

Those, Mr. President, are the actions we have under the present form of choosing a President in this country. How well do I remember, as a young man, picking up a newspaper which told how the Republican convention with bated breath was waiting until Andrew Mellon should appear from Pittsburgh to tell who should be nominated for President on the Republican ticket. The convention, the newspaper stated, was waiting, waiting for Andrew Mellon who for some reason or other had been delayed and was 24 hours late—Andrew Mellon, head of the Aluminum Co. of America, the concern about which I need not tell Senators who have been so anxious to see planes manufactured months and months ago, the manufacture of which would have saved the lives of thousands of our soldier boys fighting on almost every front in the world, Senators who, with dread, hated to pick up the morning newspaper while General MacArthur was losing the fight in the Philippines because of lack of planes.

Mr. President, I believe that when a Senator criticizes a situation which confronts the country, he ought to have a remedy. My remedy is that the common people of the country should elect the President, and that the electoral college should be abolished. Only a few years ago the monopolists said that the common people were not fit to vote for a United States Senator, that there was something about the job of voting for Senators, they said, that was sacred, and that only legislatures could choose them. We are all familiar with how legislature after legislature was bribed, years ago, in sending certain men wanted by big business to this legislative Hall. But under the leadership of men like HIRAM JOHNSON, Senator Robert M. La Follette, Sr., and other great outstanding liberals, men who dared to battle the monopolists, those men who did not care whether they did business in England, Japan, Germany, Rumania, the United States, or Africa, just so long as they made money and profits, because of the fight of the brave men I have mentioned, the common people now elect their United States Senators by direct vote. I think I would not be here in this Senate today if the battle made by these men of embodied Americanism had not prevailed.

So, Mr. President, on Saturday, I introduced a joint resolution providing for a constitutional amendment enabling the people to vote directly for President, and abolishing the electoral college. I ask unanimous consent that this resolution may be printed in the RECORD at this point, as a part of my remarks.

There being no objection, the joint resolution (S. J. Res. 107) proposing an amendment to the Constitution of the United States relating to terms of office of President, and providing for nomination of candidates for President and Vice President, and for election of such candidates, by popular vote, was ordered to be printed in the RECORD, as follows:

Resolved, etc., That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by conventions in three-fourths of the several States:

"ARTICLE —

"SECTION 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of 4 years, and together with the Vice President chosen for the same term, be nominated and elected as hereinafter provided. No person shall be chosen as President for any term, or be eligible to hold the office of President during any term, if such person shall have been elected to and shall have held the office of President during the whole or any part of each of any two consecutive prior terms; but this article shall not prevent any person who may hold the office of President during the term within which this article is ratified from holding such office for the remainder of such term.

"SEC. 2. The official candidates of political parties for President and Vice President shall be nominated at a primary election by direct vote of the qualified voters who are members of the respective political parties in the several States. The time of such primary election shall be the same throughout the United States, and, unless the Congress shall by law appoint a different day, such primary election shall be held on the first Wednesday after the first Monday in June in the year preceding the expiration of the regular term of President and Vice President. Persons voting in primaries for candidates for President and Vice President in each State shall have the qualifications requisite for electors of the most numerous branch of the legislature of such State, and shall have been members of their respective political parties for not less than 6 months prior to the holding of such primaries.

"The names which shall appear in each of the States on the primary ballots for candidates of the respective political parties shall be only of those persons who shall have filed petitions at the seat of the Government of the United States with the Secretary of State. Such petitions shall be valid only if filed at least 60 days prior to the day of primary election and if signed by qualified voters in any or all of the several States, equal in number to at least one-tenth of 1 percent of the total number of popular votes cast throughout the United States for all candidates for President (or, in the case of the primary election first held after the ratification of this article, for electors of President and Vice President) in the most recent previous Presidential election.

"SEC. 3. Within 30 days after such primary election, the chief executive of each State shall make distinct lists of all persons of each political party, for whom votes were cast, and the number of votes for each such person, which lists shall be signed, certified, and transmitted under the seal of such State to the seat of government of the United States, directed to the Secretary of State, who shall open all certificates and count the votes. The person receiving the greatest aggregate number of popular votes of any party for candidate for President shall be the official candidate of such party, throughout the United States, for President; and the person receiving the greatest aggregate number of popular votes of any party for candidate for Vice President shall be the official candidate of such party, throughout the United States, for Vice President.

"SEC. 4. In the event of the death or resignation of the official candidate of any political party for President, the person nominated by such political party for Vice President shall be the official candidate of such party for President. In the event of the death or resignation of the official candidate of any political party for Vice President, a national committee of such party shall designate a candidate for Vice President who shall then be deemed the official candidate for Vice President of such party, but in choosing such candidate the vote shall be taken by States, the delegation from each State having one vote. A quorum for such purpose shall consist of a delegate or delegates from two-thirds of the States, and a majority of all States shall be necessary to a choice.

"SEC. 5. The electoral college system of electing the President and Vice President of the United States is hereby abolished. The President and Vice President shall be elected by the people of the several States as shall be determined by direct vote of the qualified voters at a general election. The time of such election in each State shall be the same throughout the United States, and unless the Congress shall by law appoint a different day, such election shall be held on the first Wednesday after the first Monday in November in the year preceding the expiration of the regular term of the President and Vice President. The voters in each State shall vote directly for President and Vice President and shall have the qualifications requisite for electors of the most numerous branch of the State legislature. The names of candidates officially nominated in primaries as herein provided, and in addition the names of any independent candidates, shall appear in every State upon the official ballot for the offices of President and Vice President, but names of any such independent candidates shall so appear only following the filing with the Secretary of State of the United States, at least 60 days prior to the day of the election, of petitions signed by qualified voters in any or all of the several States, equal in number to at least one-half of 1 percent of the total number of popular votes cast throughout the United States for all candidates for President.

"SEC. 6. Within 30 days after such election, the chief executive of each State shall make distinct lists of all persons receiving votes for President and all persons receiving votes for Vice President, and the number of votes cast in such State for each, which lists shall be signed, certified, and transmitted under the seal of such State to the seat of government of the United States directed to the President of the Senate. The Congress shall be in session on the 6th day of January, or if such day shall fall on Sunday on the 7th day of January, and on that day the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted. The person having the greatest aggregate number of popular votes for President shall be President, and the person having the greatest aggregate number of popular votes for Vice President shall be Vice President. No person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

"SEC. 7. In the event that it is shown by such certificates that the two persons receiving the greatest number of votes for President have received an equal number of such votes, the House of Representatives shall choose immediately, by ballot, the President. In choosing the President the votes shall be taken by States, the representation from each State having one vote. A quorum for this purpose shall consist of a Member or Members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. If the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the 20th day of January next following, then the Vice President shall act as President, as in the case of death or other constitutional disability of the President. In the event that it is shown by such certificates that the two persons receiving the greatest number of votes for Vice President have received an equal number of such votes, the Senate shall choose the Vice President. A quorum for this

purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

"SEC. 8. The Congress shall have power to provide by appropriate legislation for methods of determining any dispute or controversy that may arise in the counting and canvassing of votes for President and Vice President in any such primary or general election. The places and manner of holding such primary or general election shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations. The Congress and the several States shall have concurrent power to prevent fraud and corrupt practices in connection with such primary or general elections.

"SEC. 9. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States as provided in the Constitution."

Mr. LANGER. Mr. President, I appeal for prompt action on the part of the Senate to pass the joint resolution quickly.

I have prepared another constitutional amendment, under which legislatures of the States, under the Constitution, can call upon us here in Washington to call a convention to put into effect the direct election of the President by the common people of this country. I shall be glad to send a copy of the measure to any citizen of this country who may desire a copy of it, with the urgent request that the people organize themselves into groups to get their legislators to adopt it. I believe that in a representative government the people should elect men in high offices. If the common people can be trusted to elect members of the legislature, Governors, and other State officials, Representatives, and Senators, they can also be trusted to elect a President and Vice President of this country. May God speed the day when, sitting in the White House, there will be a man or woman sent there directly by the people, one elected by the farmers, the laborers, and the small businessmen—all the people of America. I hope the returning veterans will help in bringing about the passage of this proposed constitutional amendment; because unless we have a constitutional amendment of this kind, even the veterans, the men who now are sacrificing, will be deprived of the privilege of voting directly for the President of this country.

Mr. President, I repeat that I hope God may speed the day when, sitting in the White House, there will be a man or woman sent there directly by the people, one elected by the farmers, the workingmen, and the small businessmen, by the veterans of all the wars, by all the people of America—a real American sitting in the White House, not a representative of the monopolists; a real American who, as President, will not be antagonistic to any foreign country, who will not be the enemy of any other nation but the friend of them all; a real American who will appoint a Cabinet made up of real Americans, so that the people will have the kind of government which a great country like ours should have—a government, Mr. President, of the people, by the people, and for the people, which shall not perish from this earth.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. MURRAY in the chair) laid before the Senate a message from the President of the United States nominating Capt. Don P. Moon, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from November 21, 1942, which was referred to the Committee on Naval Affairs.

DEATH OF REPRESENTATIVE WHEAT, OF ILLINOIS

The PRESIDING OFFICER. The Chair lays before the Senate a resolution from the House of Representatives, which will be read.

The resolution (H. Res. 396) was read, as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
January 17, 1944.

Resolved, That the House has heard with profound sorrow of the death of Hon. WILLIAM H. WHEAT, a Representative from the State of Illinois.

Resolved, That a committee of four Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. WHITE. Mr. President, at the request of the junior Senator from Illinois [Mr. BROOKS], who is unavoidably absent, I send to the desk a resolution, which I ask to have read, and for which I ask present consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 237) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WILLIAM H. WHEAT, late a Representative from the State of Illinois.

Resolved, That a committee of two Senators be appointed by the President of the Senate to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Under the second resolving clause the Presiding Officer appointed Mr. LUCAS and Mr. BROOKS members of the committee on the part of the Senate to attend the funeral of the deceased Representative.

Mr. WHITE. Mr. President, as a further mark of respect to the memory of the deceased Representative, I move, on behalf of the junior Senator from Illinois [Mr. BROOKS], that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was unanimously agreed to; and (at 6 o'clock and 20 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, January 18, 1944, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate January 17 (legislative day of January 11), 1944:

PROMOTION, FOR TEMPORARY SERVICE, IN THE NAVY

Capt. Don P. Moon, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 21st day of November 1942.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 17, 1944

The House met at 12 o'clock noon.

Rev. John C. De Korne, Ph. D., secretary of missions, Christian Reformed Church, Grand Rapids, Mich., offered the following prayer:

Our Father which art in heaven, Thou art the source of all that is good. In these days when so much of evil is abroad in the world we need that true good which can come only from Thee.

We pause in the midst of life and behold death, and we acknowledge that Thy ways are right, even when we do not understand.

Comfort those who have been bereaved and make them conscious of the brevity of human life.

Thou art the source of light and of love. In these days when a deep darkness has fallen upon the earth and men, because of their misunderstanding of one another, are flying at one another's throats, we need the light and love that can come only from Thee.

Thou art the God of peace, and in these days when peace still seems so far off we need the insight and the energy and the resources which only Thou canst supply in order to restore peace on earth.

Lord, have Thy way in executive councils, in legislative halls, and in judicial chambers; but most of all in the hearts of men in order that Thou mayest use them in causing Thy will to be done on earth as it is in heaven.

May our Nation walk in humility before God, acknowledging its share of the world's sin that has brought these judgments and calamities upon us, and may we as a Nation wholeheartedly turn to the God of our salvation. Through Jesus Christ Thy Son. Amen.

The Journal of the proceedings of Friday, January 14, 1944, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 30. Concurrent resolution authorizing the printing of additional copies of Senate Report No. 627, current Congress,

on the bill (H. R. 3687) entitled "Revenue Act of 1943."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. KLEBERG, indefinitely, on account of illness in family.

PERMISSION TO FILE MINORITY VIEWS

Mr. WORLEY. Mr. Speaker, I ask unanimous consent that the Committee on Election of President, Vice President, and Representatives in Congress may have until midnight tonight to file minority views of that committee and to accompany the majority report.

The SPEAKER. Is there objection?

Mr. RANKIN. Mr. Speaker, I shall not object, but I say to the gentleman from Texas that we have filed a majority report today, but we have no objection to the gentleman having until midnight to file minority views.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

MUSTERING-OUT PAY BILL

Mr. SABATH. Mr. Speaker, I ask unanimous consent that I may have until midnight tonight to file a privileged report from the Committee on Rules on Senate 1543, the mustering-out pay bill.

The SPEAKER. Is there objection?

There was no objection.

BILLS PRESENTED TO THE PRESIDENT

Mr. KLEIN, from the Committee on Enrolled Bills, reported that that committee did, on January 15, 1944, present to the President, for his approval, bills of the House of the following titles:

H. R. 2207. An act to amend the Nationality Act of 1940;

H. R. 3611. An act to authorize the appointment of court reporters in the district courts of the United States, to fix their duties, to provide for their compensation, and for other purposes; and

H. R. 3691. An act to permit the construction, maintenance, and use of certain pipe lines for steam-heating purposes in the District of Columbia.

THE LATE REPRESENTATIVE WILLIAM HOWARD WHEAT

Mr. ALLEN of Illinois. Mr. Speaker, it becomes my sad mission to announce to the Members of the House of Representatives that yesterday at Georgetown Hospital, here in Washington, our respected and beloved colleague, WILLIAM HOWARD WHEAT, passed out of the realm of the living into the Great Beyond.

Mr. WHEAT was elected to the House of Representatives January 3, 1939, and served with faithfulness and ability until his passing. Born in Kahoka, Mo., he was the son of Rev. Thomas J. Wheat, Methodist minister, and Mrs. Sarah Martin Wheat. He was educated in the public schools and at Chaddock College and the Gem City Business College in Quincy, Ill. Entering the banking field in 1900, as a cashier at the Thomasboro, Ill., bank, he became 6 years later its cashier and vice president. From 1909 until death, he was president of the First National Bank of Rantoul. He was also engaged in farming.

Mr. WHEAT was a Shriner, an Elk, and a member of the Champaign Country Club. He was a trustee of the Huling Home for the Dependent Children in Rantoul and served as president of the Dads Association of the University of Illinois for two terms. During the World War he was active in procuring for Rantoul designation as the location of the present great air field there located. Surviving are his wife, the former Miss Mabel Williams, of Rantoul, and a son, James H. Wheat, formerly a practicing attorney at Champaign, Ill., and now a private in the Army Air Corps.

Mr. WHEAT served as a faithful and dependable member of the great Naval Affairs Committee of this body.

At a more appropriate time I shall join this membership in a more fitting tribute to our departed colleague. At the moment, however, I cannot refrain from expressing the hope that the God of Consolation may visit his loved ones with the comfort that garrisons the heart against the devastating effect of sorrow and that they may realize that in his life he typified the most sacred meaning of the soul in devotion to country and loved ones.

I yield now to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Speaker, in the death of Representative WHEAT, of Illinois, the country, and the Congress has lost a valuable public servant. A farmer and banker, he was thoroughly conversant with the many difficult problems which confront our country in these critical days. Because of his experience and common sense he was invaluable to his associates as a counsellor. Our beloved deceased colleague was a gentle and kindly man. He was always anxious to extend a helping hand to his friends and colleagues. He was attracted to Congress not because of any material gains, but because of a genuine desire to serve the people and his country. He could have easily earned a much greater reward outside of Congress, but he preferred to devote his energies for the good of the public.

A fine, outstanding Christian gentleman has left us, and we who have been privileged to enjoy his friendship are greatly bereaved.

To his good wife, his boy who is serving so well in the armed forces, and to the rest of his family, we extend our deepest sympathy. They have lost a noble father; we have lost a man whose fine friendship we prized, and the country a rugged, sturdy American.

Mr. ALLEN of Illinois. Mr. Speaker, I yield now to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, we contemplate another vacant chair. The moving finger has erased another name from the rolls of this body. It has emblazened another golden star on the banner of this House. WILLIAM WHEAT has been summoned to a higher constituency. We mourn the loss of a rare fellowship, the gentility and graciousness of a splendid Member, a devoted public servant, a useful and constructive citizen.

The fortuities of this existence and the departure of our colleagues from time to time to the great republic of eternity stirs one to deep contemplation. I entertained a deep and abiding affection for WILLIAM WHEAT. As I think of his departure, I can only observe that death is no end, it is but a transition. It is no blind alley. It is but a thoroughfare to a more expansive life. It is no defeat. It is but election to eternal service.

There was a quality in BILL WHEAT which made deep appeal, and I think of that quality in terms of an interesting character in the early history of the Nation who achieved distinction from a very humble service. It was this service that caused grateful people in succeeding generations to erect a monument to his memory in Ohio. I refer to John Chapman, who was born just a year before the Declaration of Independence was signed. History knows him as Johnny "Appleseed" Chapman. It was he who gathered appleseeds from the cider mills of the East and distributed them to the pioneer families who were moving across the Alleghenies to the rich alluvial prairies of Illinois, Ohio, and Indiana. Not only did Johnny "Appleseed" Chapman distribute appleseeds to such families but he scattered seeds wherever he went and then spent 40 years of his life in devoting attention to those trees wherever they grew. Thus did he make an enriching contribution to the benefit of people everywhere in the Midwest and the lovely fragrance of every apple tree which blooms in the spring is like a sweet testimony to the humbler service of a man whose greatness lay in his humility and kindness.

BILL WHEAT was like that. He did not scatter apple seeds. He scattered sunshine. He scattered little kindnesses which made the heart glad. He found pleasure in going out of his way to do little things which scattered and enriched life and softened its severities. He was a dispenser of sunshine and became a beneficiary of his own nobleness and spirit. What a pleasure then as we contemplate the place made vacant by his departure that we pay tribute to a gracious and humble person who has so abundantly enriched the lives of those with whom he came in close association.

But there was another quality about BILL WHEAT which to me is a great appeal. It was his devotion to the Republic and its traditions and to that living vital faith that we call the American way. In him it was so genuine and deep-seated because it was the moving force in his life. He sprang from humble origin to find his place in the commerce of the State, of the Nation, and never forgot that the recognition which came to him was possible only in a country like America.

In that respect I think of him in terms of the unnamed and unidentified soldier from New Hampshire who fought in the Civil War. He died in 1862 before the great issue of freedom and union was resolved. Before he departed, however, he had opportunity to fashion his own epitaph. Today a stone stands to his memory on one side of which there is this imperishable inscription:

This side of my monument I dedicate to the sacred cause of liberty and union; may it be preserved forever.

BILL WHEAT would have liked that. In a sense it is a bit tragic that he had to depart on the long journey before the crucial issues of today have been resolved. The Nation and the world is beset with difficult problems. There is tumult of spirit and anxiety in the soul as one contemplates global conflict with all the bitter duty it requires. There is distress of spirit as one thinks of the problems which will be born out of the war. He would like to have remained and helped in that disposition but, like the soldier of 1862, the fortuities of this existence called him away, and could he have fashioned the inscription for himself he, too, would have said "This side of my monument I dedicate to the sacred cause of liberty; may it be preserved forever."

Goodbye old colleague, as you march through that portal and into the last thoroughfare that leads to the republic of spirit. We shall ever remember your gentility, your fellowship and service, and the noble way in which you enriched those about you.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, our colleague and friend BILL WHEAT has answered the last call. Those of us who knew him over the years and were privileged to serve with him in the House of Representatives learned to love and respect him.

For many years our departed friend carried on an active business life in the town of Rantoul, Ill., which is but 25 miles from my home. I knew BILL WHEAT then, when he was active, vigorous, and a most prominent business figure in the life of central Illinois.

In 1938 he was elected to the Seventy-sixth Congress as Representative from the Nineteenth District. He was reelected to the Seventy-seventh and Seventy-eighth Congresses. To say that he served his country and district well is a statement no one can challenge. Always uppermost in his mind was a determination to do his job to the very best of his ability. He carried on at times when he might better have been more considerate of his own well-being.

BILL was a gentleman, a great and loyal patriot, an able legislator, and a true friend. His passing is a loss to our Nation, the State of Illinois, and to his district. Our heartfelt sympathies go out to his fine family.

Sunset and evening star,
And one clear call for me!
And may there be no moaning of the bar
When I put out to sea,

But such a tide as moving seems asleep,
Too full for sound and foam,
When that which drew from out the boundless deep
Turns again home.

Twilight and evening bell
And after that the dark!
And may there be no sadness of farewell,
When I embark;

For tho' from out our bourne of Time and Place
The flood may bear me far,
I hope to see my Pilot face to face
When I have crost the bar.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Illinois [Mr. REED].

Mr. REED of Illinois. Mr. Speaker, the messenger of death has again brought sorrow into this chamber. BILL WHEAT in the quiet, unobtrusive manner that characterized his life, endeared himself to the Members of this and the preceding Congresses in which he served.

We of Illinois, and those Members from other States with whom he was intimate, will always remember him as a kind, unselfish, lovable man.

As a legislator, he was conscientious—he was courageous—he was sound.

Faithful to the trust imposed in him by the citizens of his State, loyal to the principles which he believed were for the betterment of the Republic, courteous, helpful, and sincere in his relationship with fellow Members, his departure at this time is a loss that this body can ill afford to sustain.

Although his name will henceforth be omitted from the roll, the record of his devotion to public duty will remain forever and to us, his colleagues, memory of his estimable character will remain a treasured asset.

Farewell, dear friend, none can fill your seat
Within the sacred circle of our love
And so we'll count you present when we meet
And greet you once again in realms above.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Georgia [Mr. VINSON].

Mr. VINSON of Georgia. Mr. Speaker, it was a great shock to me to learn of the sudden death of our esteemed and beloved colleague, the Honorable WILLIAM H. WHEAT, of Illinois.

As you know, he has been a member of the Committee on Naval Affairs for a number of years, and it was my privilege to work with him closely from day to day, and to know him intimately and well. I, and the other members of my committee, formed a deep and lasting attachment for him.

Mr. WHEAT was quiet and unassuming in his manner, dignified and judicial in his bearing, and possessed of a sweetness of character which enabled him to make friends easily, and to bind them to him with hoops of steel, strong even unto death. He performed every task we asked of him effectively and well. He gave unstintingly of his time to the affairs of the committee, even to the extent, perhaps, of overtaxing his strength. His judgment was of help in many an important decision. He thought right, and acted accordingly. He was one upon whom I could, and did, rely.

Our distinguished colleague's death will be a real loss to the Committee on Naval Affairs, to the Congress, to the great State of Illinois, and to our country. We shall miss his kind word and gentle manner.

Our hearts go out in sympathy to his beloved wife and his fine son, now serving his country in the armed service.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Speaker, the death of our colleague, BILL WHEAT, brings to my mind the consolation that is given in the poem entitled "There Is No Death." I offer the consolation that is contained in that poem to you, his colleagues, and to his family:

There is no death! the stars go down
To rise upon some other shore,
And bright in heaven's jeweled crown
They shine forevermore.

There is no death! the dust we tread
Shall change beneath the summer showers
To golden grain, or mellow fruit,
Or rainbow-tinted flowers.

There is no death! although we grieve
When beautiful familiar forms
That we have learned to love
Are torn from our embracing arms;

Although with bowed and breaking heart,
With sable garb and silent tread
We bear their senseless dust to earth,
And say that they are dead.

They are not dead! they have but passed
Beyond the mists that blind us here
Into the new and larger life
Of that serener sphere.

Tho' disenthralled and glorified,
They still are here and love us yet:
The dear ones they have left behind
They never can forget.

And we, his colleagues in the House, will not forget our associations with BILL WHEAT for many, many years to come.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, the State of Illinois and the whole country also have lost an able, sincere, loyal, patriotic, and affable Member of Congress. Mr. WHEAT, banker and farmer, served his State and the country with singular devotion and intelligence. All his time here was given unstintedly to the best interests of the people of the whole Nation; and the people of the important district he represented with unexcelled success are as one in their mourning the loss of such an able and dependable legislator.

I have served with a great many men in this honorable body, but I have never met a more gentlemanly, scholarly, and lovable man than BILL WHEAT, of Rantoul.

The Nineteenth District of Illinois has been represented by four able men during my service here, V. Warner, of De Witt County, William B. McKinley, of Champaign County and President Taft's campaign manager, Mr. Donald Dobbins, of Champaign County, and, lastly, Mr. Wheat; and Mr. Wheat was the equal of either of his predecessors.

I, too, was shocked when I heard of his passing. Unfortunately, we were deprived of his vast, successful experience in this House the last few weeks, due to his illness. I, like his other myriad friends, had very earnestly hoped that he would recover and be with us again in full vigor; but that pleasure has been denied us.

I join all my colleagues in lamenting his passing, I know that the people of the district he had the honor to represent, and which he represented with singular dignity, devotion, and loyalty, will

miss him as much as we. So will his good family.

I understand he had only one child, a son, and that fine son, without waiting to be inducted, enlisted in the service of his country. That is the WHEAT make-up. In so doing he simply did as his eminent father would have done except for his age.

I hope at some future date to have the opportunity of expressing my thorough sentiments with reference to this splendid deceased Member of the House of Representatives, whose traditions he so well understood and whose principles he so luminously expounded.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the distinguished majority leader [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, the messenger of death has again visited this body. Each and every one of us is deeply moved and touched in the passing on of not only a colleague, but of our late beloved friend, BILL WHEAT.

Many years ago, a poet said, among other things, "Each man hath a' many faces."

The face of our late friend that I shall always remember is the face of a gentleman, the face of one who was always tolerant with his fellowmen, and who always exercised to the fullest extent humanly possible those fine elements that make up a true gentleman; also the face of a sincere legislator, one whom his people honored. He assumed his trust in a gentlemanly, sincere, and effective manner.

"Each man hath a' many faces," said the poet; and BILL WHEAT's face of the gentleman, of the sincere and constructive legislator, will always remain in the memories of those of us who had the honor and pleasure of serving with him.

To the loved ones, whom he has left behind, I join with my colleagues, particularly the Illinois delegation, in extending my sympathy. His district has lost a man who commanded respect; a man who, as an outstanding legislator, has left his imprint on the passage of time. His State and our country has sustained a great loss in the passing on of BILL WHEAT.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Illinois [Mr. HOWELL].

Mr. HOWELL. Mr. Speaker, certainly it is always a sad task to acknowledge the departure of a Member of this distinguished body, but it is doubly difficult to acknowledge the loss of one who is a particularly close friend, as BILL WHEAT was to me, not only due to the fact that our congressional districts join in the heart of central Illinois, but because I spent my early life, and my family still resides, in the district which Mr. WHEAT represented. In that district is located some of the finest agricultural land to be found anywhere in the world; the University of Illinois and other fine educational institutions; the churches, the industries, and all of those things which personify a real American congressional district and represented by BILL WHEAT in a manner in keeping with its interests and the high character of its citizens.

It has been my privilege to know Mr. WHEAT for many years prior to coming to Congress, and even before being honored by my constituents to sit in these halls with the other representatives of the American people, I had come to love and respect his gentle manner and high qualities of character.

From him I gained some of my earliest impressions of Congress and the city of Washington—all of which I now recognize because of BILL WHEAT's honest appraisals.

On my first day in Washington, it was a great personal pleasure for me to be greeted by him in his warm and friendly way. Since then our friendship has continued to grow to the point where I can sincerely say, "BILL WHEAT was one of the finest friends I have ever known."

Our frequent trips to and from the office together were always a source of companionship and pleasure to me, and while his health had not been the best for some time, he faithfully stayed at his job from day to day. He could easily have remained away, which on many days his own best interests demanded—yet his sense of duty and responsibility to the people of his district kept him constantly in their service.

The good people he so ably and diligently represented have suffered an irreparable loss, the State and Nation a great public servant, and all of us who knew him well, a good and sincere friend.

It was my privilege also to know Mrs. Wheat and to know their son. In acknowledging his passing today, in paying tribute to the fine qualities he possessed as an individual and as a splendid representative of the Nineteenth Congressional District of Illinois, certainly our hearts go out to his loved ones.

To his lovely wife, whose personality and tender qualities of character made her a perfect counterpart for him and his splendid son, Pvt. James H. Wheat, I extend the heartfelt sympathy and sincere condolences of myself and Mrs. Howell, to whom he and they have also been so very kind.

Death is only an old door
Set in a garden wall;
On gentle hinges it gives, at dusk
When the thrushes call.

Along the lintel are green leaves,
-Beyond the light lies still;
Very willing and weary feet
Go over that sill.

There is nothing to trouble any heart;
Nothing to hurt at all.
Death is only a quiet door
In an old wall.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, when the House adjourned on Friday last, Representative WILLIAM H. WHEAT was with us. Apparently in his usual health, he was interested and active in the tasks of the day. Little did he realize then that we would be called upon today to think of him in retrospect.

I think I first met BILL WHEAT at a Republican national convention a number of years ago. When he came to Washington as a Member of the Seventy-sixth Congress I renewed that acquaintance and we became great friends. We lived at the same hotel. I saw him and talked with him daily, and the more I saw of him and the better I became acquainted with him, the more I was impressed by him.

A man of unusual ability, of sound judgment, a trained banker, an experienced businessman, he was an asset to the Congress. He was not arbitrary. He was a practical man. He realized that great public questions are usually two-sided and that most legislation is a matter of compromise. He was always tolerant of the views of others and ever ready to concede, provided fundamental principle was not involved. He was not spectacular. He was real and thought always of accomplishment as distinguished from publicity. BILL WHEAT's word was always as good as his bond. He had a splendid personality. His integrity was above reproach. He was always gentle, patient, and kind to those with whom he came in contact. He was one of the best known and most beloved Members of the Congress. It, therefore, naturally follows that he will be greatly missed. The world is better because BILL WHEAT lived in it. The people of his district honored him, because they believed in him, and the Congress respected him because his conduct here compelled such respect.

In short, Mr. Speaker, one of our outstanding Members has gone to the Great Beyond, and it is with sad hearts that we extend to the very capable and charming wife and the splendid son our genuine sympathy. The memory of BILL WHEAT will linger with us long.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Illinois [Mr. CHURCH].

Mr. CHURCH. Mr. Speaker, WILLIAM HOWARD WHEAT was one of the kindest, friendliest, and sincerest individuals whom it has been my privilege to meet throughout my entire service in public life. He began his service here in the Seventy-sixth Congress during my third term. I shall never forget him.

Outstanding in his career is BILL WHEAT's sympathetic and unselfish concern for the other fellow. Only last week BILL, while sitting over there in his seat, asked me about the welfare of my sons, Bill and Ralph, Jr., now in the service, and of my daughter in school, and of Mrs. Church, all of whom he knew. He was always solicitous of the well-being of those whom he knew, never sparing himself or his health when there was a service he could render.

The sympathies of all go out to his fine wife and his family. His son, Jim, in the service, was able to arrive here by plane to be at his mother's side in her bereavement.

The congressional district which BILL has so well represented three terms can feel proud of his record. Illinois and the Nation have lost a fine Christian statesman.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Texas [Mr. THOMASON].

Mr. THOMASON. Mr. Speaker, I do not want this record to close today with-

out at least a brief tribute from me to a man whom I regarded as a fine citizen and a great friend. One of the closest friends I have is Col. William Lanagan, of the United States Air Corps. He was for a long time stationed at the Rantoul, Ill., Army air base. When WILLIAM H. WHEAT and his charming wife came to Washington my friend Lanagan gave them a letter of introduction to my wife and me, and from that introduction there developed a warm and a close friendship. There was no finer or more gentle soul in this House than BILL WHEAT. He was kind, generous, and tolerant. He had not been in good health for some time, but he was always happy, cheerful, and friendly. He was a modest, unassuming man, and few knew of his many kind deeds. The gentleman from Illinois [Mr. DIRKSEN] well expressed it when he said he always went about scattering sunshine. He was a great American, and the kind of a citizen we can ill afford to lose in these trying days.

The country has sustained a great loss. I know the people of his district will miss him. His many friends in this House will miss him. And to his charming wife, one of the loveliest women I know in this city, I am sure I voice your sentiments in extending to her and to her fine son now in the Air Corps our very deep and abiding sympathy.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Indiana [Mr. GRANT].

Mr. GRANT of Indiana. Mr. Speaker, the State of Illinois and the Nation have suffered an irreplaceable loss in the untimely passing of our beloved colleague, WILLIAM H. WHEAT.

BILL WHEAT, as he was called by all who knew him, was a devoted public servant, a thorough American, and the finest friend that any man could claim. BILL came to Congress with some 80 new Republican Members following the elections of 1938. We of that group organized a weekly dinner meeting that has brought us even closer together than could come from the associations of the normal working days.

To know BILL WHEAT was to respect him and to love him. He was always thoughtful of the other fellow and always anxious to go out of his way to spread a bit of happiness in the paths of those about him.

He leaves behind him a charming and devoted companion, and their son, Jim, and his family. Jim volunteered, and is now serving in the Army Air Corps at Stout Field, in Indiana.

To his family and his host of friends we send our heartfelt sympathy in this hour of sorrow. All of them, however, should take a great deal of pride in the fact that this old world is a better place for all of us for BILL WHEAT having been with us these many years.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Speaker, like all the rest who knew him, I was deeply grieved and shocked to learn of the passing of our colleague from Illinois, Hon. WILLIAM H. WHEAT, one of the most beloved characters I have ever known.

During these trying times when representative government is on trial, when evil forces throughout the world are battering at the very foundations of our system of government and our way of life it is a pleasure, indeed, to know and to be associated with such men as WILLIAM WHEAT, one of the most conscientious and patriotic Members with whom any man ever served. His entire family was engaged in winning this war—he as a Representative of the State of Illinois on this floor, his only son as a private in the Air Corps, and Mrs. Wheat as a member of that bloc of congressional wives who meet at the Library of Congress every day and roll bandages for our wounded men.

In the last few months three distinguished men who have served the Nineteenth District of Illinois in this House since I have been a Member of Congress have passed away. One was Hon. Charlie Adkins, whom you all knew, one of the most affable and irresistible individuals I have ever met. Another was Hon. Donald C. Dobbins, one of the ablest and most courageous men who ever occupied a seat in this body, certainly since I have been a Member of the House; and now, our distinguished and lovable friend, Hon. WILLIAM H. WHEAT.

There are some things that cannot be taken away from us. Among them are the golden memories that we build around the lives and characters of those colleagues we love and admire. The memories of these distinguished men, so far as I am concerned, will never die. I believe it was Thomas Moore, the great Irish poet, who said—

Let fate do her worst, there are moments of joy,
Bright dreams of the past which she cannot destroy,
Which come in the nighttime of sorrow and care,
And bring back the features that joy used to wear.

Long, long be my heart with such memories filled,
Like a vase in which roses have once been distilled;
You may break, you may shatter the vase if you will,
But the scent of roses will hang round it still.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentlewoman from Illinois [Miss SUMNER].

Miss SUMNER of Illinois. Mr. Speaker, because our dear friend WILLIAM WHEAT who was always so genial and cordial was also a man of fine character and ability his loss is not merely our loss, it is also the loss of the American Nation which he served.

We shall not see him here again sitting across there on the side aisle surrounded by colleagues who loved to sit near and hear his shrewd comments. But we can keep with us always the principles of good citizenship which he strived to uphold.

He was a kind husband, father, and grandfather. He so lived that when, after proving his excellence in private life, he offered his services to the public, the neighbors who knew him best fought hardest to elect him.

He brought to our National Legislature his ripe experience, his thorough understanding of human nature and his mature wisdom upon which many of us here leaned heavily for guidance. Knowing that his health was breaking he did not hesitate to sacrifice himself. He served on the important Naval Affairs Committee of Congress. He performed many duties which he might easily have avoided doing. He truly believed in the ideals which have made the American Nation a great Nation and worked for them.

Some mortals want for themselves a resplendent immortality in which they shall tread golden streets and sing with angels. Our friend had the greatness of humility. He would, I think, feel rewarded to know that when he left this earth, his multitude of friends paused in their work, meditated upon his many fine and Christian qualities and resolved to emulate them.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Maine [Mr. FELLOWS].

Mr. FELLOWS. Mr. Speaker, I ask for a few moments of time that I may do all that is permitted me to do for a friend—speak a few words.

I have been a Member of this House one term and part of another. It has been a priceless privilege to know and call friends many Members on both sides of the aisle, and yet, as these friends drop away, one by one, each with a piece of one's heart about him, the thought crowds in—what a price we pay for this privilege of membership.

In the death of WILLIAM H. WHEAT I feel a deep sense of personal loss.

It is not here that any just appreciation in detail of his services, his public worth, or even his private character be said; but we are met here as his associates and friends to place upon his grave the sweet tribute of friendly recognition.

Those human qualities which endear one to his friends were his, and that sturdiness of character bred in the son of a clergyman but made his hold on our hearts the stronger.

He was gentle, generous, and kind.

Gentleness was his daily life. He won with few words. He disarmed prejudice by the potency of a gracious personality. Seldom did he call attention to himself, but his absence from a group immediately made and will ever make itself felt. I cannot believe he has gone from us, for there was a gentle, permanent reality that was as much a part of himself as his kindly smile and twinkling eyes.

With him generosity was almost a fault. No opportunity to help passed by him unnoticed, and no appeal that was worthy fell upon deaf ears.

Kindness was not only a habit with WILLIAM WHEAT, it was a part of him. For 2 years we occupied offices close together, and his thought was to make my road easier to travel and life less difficult to understand. I had been in Washington but a few days when he invited me to his office to meet a gathering of his friends. Many of those acquaintances have ripened into strong attachments, and, I hope, abiding friendships, for only these make life worth the living.

His was a personality that attracted and held men to him. He knew that the secret of making friends is to be one. He loved companionship.

To those whom he represented in Congress he devoted his life, and he served them capably, honestly, and well. He believed in America and possessed an abiding faith in her system of government and free enterprise.

In his death our country has lost a good citizen, his State of Illinois has lost an outstanding Representative, and we have all lost a food friend. I would that some word or act of mine today might for his sorrowing family soften the awful sense of loss.

I can only say at the last, and feel with the author of these lines—

The rainbow comes and goes,
And lovely is the rose;
The moon doth with delight
Look round her when the heavens are bare;
Waters on a starry night are beautiful and fair;
The sunshine is a glorious birth,
But yet I know where'er I go
That there hath passed away a glory from the earth.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Speaker, in our times of sorrow it is not possible to find words to express the emotions of the heart. Especially does this seem true with reference to the passing of our beloved friend, WILLIAM WHEAT. I doubt if a sweeter character ever served in these Halls. I prized and cherished his friendship and his conscientious devotion to the performance of his dutes.

Several persons related to him live in my home city. They are citizens of the finest type, some of whom in the armed forces are rendering distinguished service for our country.

He has gone to "that land from whose bourne no traveler returns," a land to which we all shall go, and there through a similar transition some day we shall learn that our association with him is in recess and not in adjournment.

Some years ago, in an effort to pen a few lines of hope and cheer for the family of another beloved friend who had been called to his reward, I wrote these little verses, and they would be my message now to him who has just passed through the portal of death into that better and brighter life:

Goodbye, good friend.
In God's good time,
In God's good clime,
We'll meet again.

And in that land
Where we shall know
No pain or woe,
We'll understand.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Illinois [Mr. CHIPERFIELD].

Mr. CHIPERFIELD. Mr. Speaker, it was with profound sorrow and a keen sense of personal loss I learned of the passing of WILLIAM H. WHEAT, our beloved colleague from the Nineteenth District of Illinois.

Bill, as he was affectionately known by his friends, was a fine public servant, a true American, and a friend of all who knew him. Bill and I came to Congress at the same time and my association with him over a period of 5 years in the House will always be a happy memory. He endeared himself to me and to all who had the privilege of knowing him.

Bill was quiet and unassuming in his manner but stood firm as a rock for the principles which he believed were for the betterment of our Republic.

He gave unstintingly of his time to the Naval Affairs Committee, of which he was a member, even to the extent of undermining his health. His passing is a distinct loss not only to us of Illinois but to the Nation.

I join with my colleagues in extending my sympathy to his family. We will miss his friendliness and his human qualities which endeared him to us all.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Illinois [Mr. BISHOP].

Mr. BISHOP. Mr. Speaker, it was my privilege and honor to meet the Honorable WILLIAM H. WHEAT when I first came to Congress, and since that time he has been a dear friend and a respected colleague. He was, indeed, a big brother at all times, and I always found his advice and counsel of great value.

BILL WHEAT was a leader in every way. The entire Illinois delegation admired and respected him as one of our outstanding statesmen of today, feeling his decisions on matters were of great importance.

His passing is an irreplaceable loss to each of us.

I know I shall miss his quiet and soft-spoken manner more than I can express.

His loving wife, his dear son, and his fine grandchildren can always be proud of this grand person.

May his soul rest in everlasting peace.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. BURGIN].

Mr. BURGIN. Mr. Speaker, I join with my colleagues in mourning the death of BILL WHEAT, and express my sympathy to his good wife. We both came to this body at the same time, found quarters at the same hotel, and have lived there ever since. Soon after I met him, he told me that his forebears came from Yadkin County, which is located in my congressional district in North Carolina, and migrated west prior to the War between the States. Of course, after this I felt a particular interest in him, and a friendship grew up that has lasted until his death. He was a very genuine American, and the people of his district and the Members of this body will miss his fine services in the consideration of the great problems that confront us.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Illinois [Mr. DEWEY].

Mr. DEWEY. Mr. Speaker, I join with all of the friends of BILL WHEAT in the splendid things they have said of his character. I should like to add one other word, and that is as to his courage. BILL WHEAT died in the service of his country, just as much as did some of our splendid boys on the fighting line. He had not been well for several months. A number of us, his colleagues, cautioned him in the fear that he was overdoing. He never spared himself for a moment. He gave his all to his country, the service of his State and this House. In his passing we have lost a fine example of a Member of the Congress of the United States. I mourn his going.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Illinois [Mr. BUSBEY].

Mr. BUSBEY. Mr. Speaker, although I did not have the privilege of knowing BILL WHEAT until a year ago this month, when I came to take my seat in this body, I believe that in that year I learned to know and love him a great deal more than some others who may have known him for a longer period of time. It happened that BILL WHEAT represented that district in the central part of Illinois in which I was born and spent those very happy childhood days, the district where my father also was born, and to which my grandfather moved in 1840. This naturally caused a common bond between BILL WHEAT and me. But more than that, he was one of the first Members of this body to call on me at my office and extend a helping hand and advice in many helpful ways. He also invited me to the 76 Club, of which he was a member, which was the first invitation I received on coming to Washington. There he introduced me to his colleagues of the 76 Club in order that I might become acquainted with the Members of this House in that club. At all times he was very solicitous of my welfare and wanted to help me in every possible way. While that was my experience, I am sure others in this House can testify in like manner.

It was indeed a shock to Mrs. Busbey and to me as we listened to the radio last night, to receive the word that Bill had passed away. Mrs. Busbey, like the other congressional wives working in their Red Cross unit, enjoyed working with Mrs. Wheat very, very much.

I join my colleagues and the friends of BILL WHEAT in offering my deepest sympathy to his family in this their hour of bereavement. To know him was to know a friend. His passing is a loss to an entire Nation.

Mr. ALLEN of Illinois. Mr. Speaker, I yield now to the gentleman from Illinois [Mr. SIMPSON].

Mr. SIMPSON of Illinois. Mr. Speaker, WILLIAM WHEAT's father served as a Methodist minister in my home county in Illinois for many years. Coming to Washington as a new Member of this body last January, a father could not have been more considerate or finer than Mr. WHEAT was to me. He was never too busy to advise or consult with a friend. His advice could always be relied upon and was for one's own good. His passing will be missed by all of us and his family most deeply.

Mr. WHEAT constantly had his district, the Nation, and his friends at heart. Had he not taken his duties so seriously he no doubt would be with us today. Several times each week he would ride

to and from his office with me. Frankly, knowing him as I did, I cannot help but feel that he worked his heart out. He continued with his duties when he should have relaxed. Surely such faithfulness to his family, country, district, and friends will not go without its reward.

It seems that Edgar Guest's poem, At the Last, represents how all of us feel.

There is so little to be said
Within the presence of the dead;
Altho so calm and still they lie
They know what friends are standing by
Whose eyes are filled with tears and who
Have hurried in their tasks to do.

The years have taught them all these things;
Who heeds the door bell when it rings,
Who is the first to come and stay
And kneel beside the bier and pray;
They know whose hands the flowers arranged
And if they didn't 'twould be strange.

If love has prompted us to give
Devoted service while they lived
They know that we will carry on
And still be true altho they're gone;
They know we'll do the last sad tasks
Which love or friendship ever asks.

There is so little to be said
Within the presence of the dead,
For always in the lonely room
Made lovely by a bower of bloom
Their peaceful faces seem to say,
"I knew that you'd be here today."

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks upon the life and character of our late colleague, and that they be entered at this point.

The SPEAKER. Is there objection?

There was no objection.

Mr. ALLEN of Illinois. Mr. Speaker, the body of our late colleague is resting now in the Lee Funeral Home, at Fourth and Massachusetts Avenue NE., and it is the purpose of many of our friends to meet there at 3 o'clock this afternoon.

Mr. HEIDINGER. Mr. Speaker, I was deeply shocked yesterday morning when I called to inquire about my distinguished friend and colleague, WILLIAM H. WHEAT, and was advised that he had passed away only a few hours before. I have long known of BILL WHEAT, as we all loved to call him, but was not personally acquainted with him until I became a Member of this House. When I first came to Washington a few days before the convening of the Seventy-seventh Congress I met him. He called me to his office and said to me that if he could be of any service to me he would be glad to do so. I became intimately acquainted with him and he was one of my best friends. He was always willing to do anything he could to assist a friend.

BILL WHEAT was a man of good judgment and an untiring worker. He was of a quiet and unassuming disposition with a desire to serve. He was honest and firm in his convictions, but he always respected the views of others. He had no enemies that I know of and he did not deserve to have any, for he was fair and charitable in his dealings with all. His ambition was to do the right thing for his fellow men and his country.

It can truthfully be said of BILL WHEAT that he was a devoted husband and father, a good neighbor, a businessman of sound judgment, a true American, a gentleman in every sense of the term. In his passing his home community has lost a good neighbor, the State of Illinois has lost one of its most distinguished citizens, the Nation has lost a faithful public servant and each Member of this House has lost a true friend.

Mr. REED of New York. Mr. Speaker, I am heartsick and hurt at the loss of my dear friend, Hon. WILLIAM H. WHEAT. The passing of this able and kindly man leaves many wounded hearts among his colleagues.

Representative WILLIAM H. WHEAT, of the Nineteenth Illinois Congressional District, was a man of tender heart, fine sensibilities and wide sympathies, all enkindled and stimulated by a Christian spirit of love for his fellow men. The influence of such a noble character will live on and go far toward creating the finest type of American citizen during the coming generations.

While I mourn the passing of my friend, nevertheless, he has left to his family, to his State, and to his Nation the rich heritage of a good name and a useful life.

Mr. SHORT. Mr. Speaker, BILL WHEAT was born in Missouri. I do not think that the good Lord will hold that against him—certainly Bill was never ashamed of it himself. While Mr. WHEAT lived most of his life in our great sister State of Illinois, and there achieved his greatest success, he often referred with pardonable pride, I believe, to the fact that he was born in the "show me" State, and Missouri indeed feels it an honor to count him as one of her native sons. We feel that Missouri gave him a good start which was later aided and brought to full fruition in Illinois. Our deceased colleague in a real sense belonged not only to Missouri and Illinois but to the Nation as a whole because of his wide outlook on big and important questions.

Soon after his election to the Seventy-sixth Congress, BILL WHEAT called at my office and reminded me that I had spoken several years before at Decatur, Champaign, and other points in his congressional district. He expressed his gratitude for my feeble efforts, though I had little or nothing to do with his own election. This little incident, however, only goes to show how appreciative a person he was. He was one of the most human individuals I have ever known which accounts for his sympathetic understanding of all our problems.

Determined but not dogmatic; quiet but unafraid; unassuming but ever willing to face any difficult problem, BILL WHEAT was a man of strong character who reflected the intelligent and sturdy type of citizenry which he represented. In his district are located the great University of Illinois at Champaign and one of our largest air training centers at Rantoul. He knew all kinds and classes of people—from the commanding officer to the greenest rookie; from the university president to the forlorn and forgotten freshman. BILL WHEAT was a friend to all of them and his reward was the high confidence they had in him and the great respect they held for him. Essentially his district is agricultural and thousands of farmers have been the recipients of his consideration and kindness.

BILL WHEAT lived a useful and helpful life. What greater tribute could be paid to this quiet, modest, and unostentatious man? There was strength in his quietness. His tongue remained silent long enough for his brain to work—and his brain did work. He was a most successful banker and businessman, and more than once did he help his friends in time of need. Never did he take advantage of anyone's sorrowful plight.

The older Members of this House will recall how seriously ill Bill was 4 or 5 years ago. I personally felt that he would never survive that terrible ordeal, and only one with his infinite patience and his indomitable courage could ever have won that battle. While Mr. WHEAT recovered rather fully from that illness, he was never again the same. For the past few months he has worked when he should have been in bed, and on numerous occasions when I asked him how he felt he would answer me, "fine, fine." But the little twinkle in his eye and the faint smile at the corner of his mouth told me that he was fibbing. In fact, I accused him of lying and I firmly believe that this is perhaps the only kind of lie he ever told.

Mr. Speaker, the Congress has lost one of its worthy and useful Members. Illinois and the Nation have lost a courageous legislator and a great patriot. His charming, gracious, and helpful wife has lost a faithful and devoted husband, and his fine and noble son, who gave up a successful and lucrative law practice and who voluntarily left his good wife and two beautiful children to enter as a private in the Air Corps of our Army, has lost a father whose life, desires, and ambitions were largely wrapped up in him.

To Mrs. Wheat, one of the loveliest women who ever came to this capital, and to her patriotic and unselfish son, the Members of this Congress extend their heartfelt sympathy. The pride of power and the glamor of fame had no appeal to BILL WHEAT. His controlling desire and purpose in life was to take care of his own household first, for whom he was immediately responsible, and then to lend a helping hand to all mankind. Such a spirit can never end at any grave. His memory will linger on and our associations with him will forever be cherished.

Oh, love, true love, pure love, the King of kings, the soul's sweet starlight; strength of the weak, salvation of the doomed—the God of every man, be with us yet lest we forget, lest we forget.

Mr. CHENOWETH. Mr. Speaker, I wish to join with my colleagues in paying tribute to the memory of WILLIAM H. WHEAT. I was shocked when I learned this morning of his untimely death.

During the first 2 years of my service in this body Mr. WHEAT had his office just across the hall from mine. We visited with each other often. I sought his counsel and advice frequently. He was always of a genial and friendly disposition, and anxious to help the younger Members of the House.

By his passing this Nation has suffered a great loss. His services were sorely needed at this critical hour. He will be remembered by all of us as a true and genuine friend. I extend my deep personal sympathy to the widow and son.

Mr. ALLEN of Illinois. Mr. Speaker, I offer the following resolution (H. Res. 396), which I send to the desk.

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. WILLIAM H. WHEAT, a Representative from the State of Illinois.

Resolved, That a committee of four Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The SPEAKER. The Chair appoints the following committee to attend the funeral: Mr. CHIPERFIELD, Mr. HOWELL, Mr. SIMPSON of Illinois, and Mr. SCHUETZ.

ADJOURNMENT

The SPEAKER. The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect, the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 5 minutes p. m.) the House adjourned until tomorrow, Tuesday, January 18, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE PUBLIC LANDS

The Committee on the Public Lands has postponed the hearing on H. R. 2596, which was previously scheduled for Friday, January 14, 1944, until Tuesday, January 18, 1944, at 10 a. m.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will hold hearings at 10:30 a. m. Tuesday, January 18, 1944, on general legislative proposals.

COMMITTEE ON INVALID PENSIONS

The Committee on Invalid Pensions will hold hearings on Tuesday, January 18, 1944, at 10:30 a. m., in the committee room, 247 House Office Building, on H. R. 1358 and H. R. 1512, bills granting pensions and increase of pensions to certain soldiers, sailors, and marines who served in the Pulajane and Moro campaigns and other uprisings in the Philippine Islands from July 16, 1903, to December 31, 1913, and for other purposes, which were introduced by Representative HAROLD C. HAGEN, of Minnesota.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization on Wednesday, January 19, 1944, at 10 a. m., for the consideration of private bills.

The Committee on Immigration and Naturalization will hold hearings at 10:30 a. m. on Thursday, January 20, 1944, on H. R. 2701, H. R. 3012, H. R. 3446, and H. R. 3489.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 3, 1944, at 10 a. m., on H. R. 2809, to amend section 511 of the Merchant Marine Act, 1936, as amended.

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of subtitle "Insurance of Title II of the Merchant Marine Act, 1936," as amended.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1073. A letter from the Executive Director and Chief Examiner, United States Civil Service Commission, transmitting a copy of each of the quarterly reports of especially meritorious salary increases submitted to the Civil Service Commission by the various Government departments and agencies for the fiscal year ended June 30, 1943; to the Committee on the Civil Service.

1074. A letter from the Director, Selective Service System, transmitting the list of 18 through 37-year-old registrants deferred because of their employment in or under the Federal Government on November 15, 1943. This list has been prepared from reports submitted by selective-service local boards in continental United States, the Territories of Alaska, Hawaii, and Puerto Rico, and contains the names of 138,067 registrants, of whom 131,323 were registered with local boards in the continental United States; to the Committee on Military Affairs.

1075. A letter from the Comptroller General of the United States, transmitting the report of the Comptroller General of the United States of the work of the General Accounting Office for the fiscal year 1943; to the Committee on Expenditures in the Executive Departments.

1076. A letter from the Chairman, Federal Trade Commission, transmitting the Twenty-ninth Annual Report of the Federal Trade Commission for the fiscal year ended June 30, 1943; to the Committee on Interstate and Foreign Commerce.

1077. A letter from the Chairman, Reconstruction Finance Corporation, transmitting the report of the Reconstruction Finance Corporation for the month of October 1943; to the Committee on Banking and Currency.

1078. A letter from the Chairman, Federal Trade Commission, transmitting a copy of a quarterly estimate of the personnel requirements of the Federal Trade Commission for the third quarter of the fiscal year 1944; to the Committee on the Civil Service.

1079. A letter from the Chairman, Reconstruction Finance Corporation, transmitting the report covering its operations for the period from the organization of the Corporation on February 2, 1932, to September 30, 1943, inclusive; to the Committee on Banking and Currency.

1080. A letter from the president, the Chesapeake & Potomac Telephone Co., transmitting a report of the Chesapeake & Potomac Telephone Co. for the year 1943; to the Committee on the District of Columbia.

1081. A letter from the administrative assistant to the Secretary, Department of Commerce, transmitting the estimate of personnel requirements for the quarter ending March 31, 1944, under the ceiling unit "Working funds, Bureau of Foreign and Domestic Commerce," substituting the one transmitted with letter of December 30, 1943; to the Committee on the Civil Service.

1082. A letter from the Acting Archivist of the United States, transmitting report on records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

1083. A letter from the Assistant Secretary of the Navy, transmitting estimates of personnel requirements for the Navy Department, the United States Marine Corps, and the United States Coast Guard, for the quarter ending March 31, 1944; to the Committee on the Civil Service.

1084. A letter from the Attorney General, transmitting the fifth report of the Attorney General covering the period from September 14, 1943, through January 8, 1944; to the Committee on Banking and Currency.

1085. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to amend the act approved March 2, 1895, as amended; to the Committee on Naval Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RANKIN: Committee on Election of President, Vice President, and Representatives in Congress. S. 1285. An act to amend the act of September 16, 1942, which provided a method of voting in time of war by members of the land and naval forces absent from the place of their residence, and for other purposes; with amendment (Rept. No. 993). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLOOM: Committee on Foreign Affairs. House Joint Resolution 192. Joint resolution to enable the United States to participate in the work of the United Nations relief and rehabilitation organization; with amendments (Rept. No. 994). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 398. Resolution providing for the consideration of S. 1543, to provide for mustering-out pay to members of the armed forces, and for other purposes; without amendment (Rept. No. 995). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WORLEY:

H. R. 3982. A bill to provide a method of voting during the period of the war and 6 months thereafter by members of the armed forces absent from the place of their residence; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. GILLIE:

H. R. 3983. A bill to authorize a survey of the military route of Gen. Anthony Wayne during the Indian wars, with a view to constructing a national parkway to be known as the General Anthony Wayne Memorial Parkway; to the Committee on the Public Lands.

By Mr. KILDAY:

H. R. 3984. A bill to amend the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes, approved June 3, 1916," as amended, and for other purposes; to the Committee on Military Affairs.

By Mr. PACE:

H. R. 3985. A bill to amend section 901 of the Second War Powers Act, 1942, approved March 27, 1942, to permit any letter mail containing registration certificates or ballots sent by any member of the military or naval forces to be transmitted by air mail, free of postage; to the Committee on the Post Office and Post Roads.

By Mr. SCANLON:

H. R. 3986. A bill to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry; to the Committee on Labor.

By Mr. SHAFER:

H. R. 3987. A bill to provide that the proceeds from the sale of surplus war materials and real estate of the United States be used for the reduction of the public debt; to the Committee on Ways and Means.

By Mr. CURLEY:

H. R. 3988. A bill to establish, protect, and extend an American merchant navy; to the Committee on the Merchant Marine and Fisheries.

By Mr. HOFFMAN:

H. R. 3989. A bill to amend section 113 of chapter VI of title 29 of the United States Code (47 Stat. 70); to the Committee on the Judiciary.

By Mr. ENGEL of Michigan:

H. R. 3990. A bill to amend subsection (f), section 1, title I, Public Law No. 2, Seventy-third Congress, approved March 20, 1933, and paragraph 1, part VII, Veterans Regulation No. 1 (a), as amended, to provide vocational rehabilitation under Public Law No. 16, Seventy-eighth Congress, approved March 24, 1943, for veterans entitled to disability benefits at wartime rates under the provisions of Public Law No. 359, Seventy-seventh Congress, approved December 19, 1941; to the Committee on World War Veterans' Legislation.

By Mr. HARLESS of Arizona:

H. R. 3991. A bill to protect investments made for wartime production of strategic and critical minerals, to prevent dumping after the war and a post-war market collapse, and to provide a stock pile of these minerals for future emergencies; to the Committee on Banking and Currency.

By Mr. PRICE:

H. R. 3992. A bill to provide a method of voting for members of the armed forces of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. GILLIE:

H. J. Res. 222. Joint resolution to insure the complete fulfillment of commitments made to agricultural producers who have expanded production of nonbasic farm commodities; to the Committee on Banking and Currency.

By Mr. RANKIN:

H. Res. 397. Resolution making S. 1285, a bill to facilitate voting, in time of war, by members of the land and naval forces, members of the merchant marine, and others, absent from the place of their residence, and for other purposes, a special order of business; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURDICK:

H. R. 3993. A bill conferring jurisdiction upon the Court of Claims to reopen and readjudicate the eminent domain case of John W. Parish, trustee (John H. Bexten, substituted), against the United States, No. 34450; to the Committee on the Judiciary.

By Mr. DIMOND:

H. R. 3994. A bill for the relief of Camp No. 1, Alaska Native Brotherhood, Sitka, Alaska; to the Committee on Claims.

By Mr. HORAN:

H. R. 3995. A bill for the relief of Walter Lundmark; to the Committee on Claims.

By Mr. MANSFIELD of Texas:

H. R. 3996. A bill for the relief of F. L. Gause, Rosalind Gause, and Helen Gause; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4305. By Mr. ANDREWS: Petition containing approximately 1,600 names of residents of Niagara and Erie Counties, N. Y., opposing the Bryson bill or any such legislation; to the Committee on the Judiciary.

4306. Also, resolution adopted by the Evans Grange organization of Angola, N. Y., protesting against the continuation of farm subsidies; to the Committee on Banking and Currency.

4307. Also, resolution adopted by the Amalgamated Local No. 686 consisting of 5,000 members, and the Lockport Congress of Industrial Organizations council, consisting of 10,000 members, favoring the Green-Lucas soldiers' vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4308. By Mr. ENGEL of Michigan: Petition of Mrs. Jessie M. Berry and 271 others, favoring House bill 2082, known as the Bryson bill; to the Committee on the Judiciary.

4309. By Mr. FOGARTY: Petition of the Rhode Island General Assembly on the subject of a permanent United States veterans' hospital in the State of Rhode Island; to the Committee on World War Veterans' Legislation.

4310. Also, memorial of the city council of the city of Providence, urging the establishment, in the State of Rhode Island, of a United States veterans' hospital; to the Committee on World War Veterans' Legislation.

4311. Also, memorial of the Rhode Island General Assembly, protesting against the enactment of House bill 2082, or any legislation having as its purpose any prohibition of the manufacture or sale or the transportation of intoxicating liquors for beverage purposes; to the Committee on the Judiciary.

4312. Also, memorial of the City Council of the City of Providence, R. I., urging the defeat of House bill 2082; to the Committee on the Judiciary.

4313. By Mr. GILLETTE: Petition of the Koch's Brewing Co., South Williamsport, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4314. Also, petition of T-A Waterville Hotel Corporation, Waterville, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4315. Also, petition of Ted's Restaurant, Montoursville, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4316. Also, petition of White Horse Inn, Montoursville, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4317. Also, petition of John Spath, of Williamsport, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4318. Also, petition of Ann V. Kyler, of Lock Haven, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4319. Also, petition of Elks Club of Jersey Shore, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4320. Also, petition of the Old Corner Hotel, Williamsport, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4321. Also, petition of John G. Rohrer, of Williamsport, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4322. Also, petition of the Riverside Grill, South Williamsport, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4323. Also, petition of the Keystone League, of Williamsport, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4324. Also, petition of the Republican Club of Williamsport, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4325. Also, petition of Mary M. Mosser, of Williamsport, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4326. Also, petition of the Williamsport Wheel Club, Williamsport, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4327. Also, petition of Edward Payne Porter, of Williamsport, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4328. Also, petition of the Kelly Grill, Williamsport, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4329. Also, petition of Carl A. Meyer, of Williamsport, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4330. Also, petition of the Loyal Order of Moose, Williamsport, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4331. Also, petition of the Valley Inn, DuBoistown, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4332. Also, petition of Forty and Eight Voiture No. 382, Williamsport, Pa., opposing House bill 2082; to the Committee on the Judiciary.

4333. By Mr. HOEVEN: Petition of Mrs. C. A. Shulte, of Sac City, Iowa, and 73 other people of that community, urging enactment of House bill 2082; to the Committee on the Judiciary.

4334. Also, petition of Rev. L. A. Brunsting and other residents of Sioux County, Iowa, urging enactment of House bill 2082; to the Committee on the Judiciary.

4335. By Mr. HOPE: Petition of sundry citizens of Plains, Kans., urging the passage of House bill 2082; to the Committee on the Judiciary.

4336. Also, petition of 50 citizens of Hutchinson, Kans., urging passage of House bill 2082; to the Committee on the Judiciary.

4337. By Mr. HORAN: Petition of Mrs. R. L. Ringer and 14 other residents of Spokane, Wash., to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war, by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

4338. Also, petition of Ella M. Terry and 17 other residents of Spokane, Wash., to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war, by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

4339. By Mr. KEARNEY: Petitions signed by 84 citizens of New York State, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4340. Also, petitions containing the signatures of 2,465 citizens of the State of New York, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4342. By Mr. MOTT: Seventeen petitions signed by Tom Holman, of Salem, Oreg., and 489 other citizens of the State of Oregon, protesting against enactment of House bill 2082 and Senate bill 860; to the Committee on the Judiciary.

4343. By Mr. RAMEY: Petition of Rev. William Bain and 39 other residents of Toledo, Ohio, and a letter from Rev. Fay M. Bowman, of Toledo, Ohio, urging the passage of House

bill 2082, to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war, sponsored by Hon. JOSEPH R. BRYSON; to the Committee on the Judiciary.

4344. By Mr. ROWAN: Petition of the B. & M. Distributors of Chicago, Ill., against the enactment of House bill 2082, the Bryson bill; to the Committee on the Judiciary.

4345. By Mr. SCHIFFLER: Petition of T. M. Tuerffs, commander, Fairmont Post, No. 17, the American Legion, Fairmont, W. Va., urging the passage of legislation that will provide mustering-out pay, clothing, and hospitalization facilities for discharged servicemen immediately upon their return to civilian life; to the Committee on Military Affairs.

4346. By Mrs. SMITH of Maine: Petition of the Desire Toulouse Market, Augusta, Maine, and citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4347. Also, petition of the Black and White Cafe, Augusta, Maine, and citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4348. Also, petition of Jack's Cafe, Augusta, Maine, and citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4349. Also, petition of Calix P. Blouin, of Augusta, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4350. Also, petition of Michaud Bros., Augusta, Maine, and citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4351. By the SPEAKER: Petition of Morris H. Tynes, of Greensboro, N. C., petitioning consideration of resolution with reference to postponing of the 1944 Presidential campaign; to the Committee on the Judiciary.

4352. Also, petition of Moms of America, Detroit 26, Mich., petitioning consideration of resolution with reference to soldiers voting; to the Committee on Election of President, Vice President, and Representatives in Congress.

4353. Also, petition of the Colorado Producers and Distributors, Inc., Denver, Colo., petitioning consideration of resolution with reference to House bill 2082; to the Committee on the Judiciary.

4354. Also, petition of the Board of Supervisors of Kent County, Mich., petitioning consideration of resolution with reference to House bill 3420; to the Committee on Interstate and Foreign Commerce.

4355. Also, petition of the American Legion, East Grand Rapids Post, East Grand Rapids, Mich., petitioning consideration of resolution with reference to House bill 3420; to the Committee on Interstate and Foreign Commerce.

4356. Also, petition of the managing director, State of Connecticut Development Commission, Hartford, Conn., petitioning consideration of resolution with reference to House bill 3420; to the Committee on Interstate and Foreign Commerce.

4357. Also, petition of Elizabeth A. Blanchard, of Boston, Mass., petitioning consideration of resolution with reference to her petition for redress; to the Committee on the Civil Service.

SENATE

TUESDAY, JANUARY 18, 1944

(Legislative day of Tuesday, January 11, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal Spirit, far above us and yet deep within us we bow at the altar of prayer which our fathers set up at the Nation's birth, in this temple of freedom, so that even before we speak we may listen. In a turbulent time we would wait to put our hearts in tune with the infinite. As we come now we would be conscious of those voices that speak of high motives in a world ridden by low motives, of purity in an age blatant with uncleanness, of self-giving in a social order which in its blindness still crucifies its prophets. In such a world, where the lowest so commonly is the loudest, we need at the day's beginning a shrine of reverence to give the highest a chance at our lives. We cannot maintain the fine edge of our spiritual morale in the constant babel of the world's uproar. For our soul's sake we must find the quiet places, the still waters, the green pastures, if our jaded and frayed spirits are to be restored.

Give us, we beseech Thee, ears to hear, not the raucous shouts upon the noisy streets but the still voice heard only in the inner chamber. Amen.

ROBERT F. WAGNER, a Senator from the State of New York, appeared in his seat today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, January 17, 1944, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Downey	Maybank
Andrews	Eastland	Mead
Austin	Ellender	Millikin
Bailey	Ferguson	Moore
Ball	George	Murdock
Bankhead	Gerry	Murray
Barkley	Gillette	Nye
Bilbo	Green	O'Daniel
Bone	Guffey	Overton
Brewster	Gurney	Radcliffe
Bridges	Hayden	Reed
Buck	Hill	Revercomb
Burton	Holman	Reynolds
Bushfield	Johnson, Colo.	Robertson
Butler	Kilgore	Russell
Byrd	La Follette	Shipstead
Capper	Langer	Stewart
Caraway	Lodge	Taft
Chavez	McCarran	Thomas, Idaho
Clark, Mo.	McClellan	Thomas, Okla.
Connally	McFarland	Thomas, Utah
Danaher	McKellar	Tobey
Davis	Maloney	Truman
Tunnell	Wagner	Wheeler
Tydings	Wallgren	White
Vandenberg	Walsh, Mass.	Wiley
Van Nuys	Walsh, N. J.	Willis

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Illinois [Mr. LUCAS] and the Senator from Florida [Mr. PEPPER] are detained on public business.

The Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], and the Senator from South Carolina [Mr. SMITH] are necessarily absent.

The Senator from New Mexico [Mr. HATCH] and the Senator from Wyoming [Mr. O'MAHONEY] are detained because of slight colds. The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness. The Senator from Illinois [Mr. BROOKS] is absent on official business. The Senator from Iowa [Mr. WILSON] is absent because of illness. The Senator from Nebraska [Mr. WHERRY] is necessarily absent.

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

VOTES FOR SOLDIERS—POLITICAL POLL OF FORCES IN ENGLAND

Mr. GREEN. Mr. President, I wish to read two short letters which may be of interest to some Members of the Senate. These letters passed between the Secretary of War and myself. The first is a letter which I addressed to the Secretary of War, dated January 12 last. It reads:

JANUARY 12, 1944.

Hon. HENRY L. STIMSON,
Secretary of War,
War Department, Washington, D. C.

MY DEAR MR. SECRETARY: Press reports of Monday state that Mr. Harrison Spangler, chairman of the Republican National Committee, sponsored a survey of political opinion among our armed forces in England.

In common with other Members of the Senate, I am deeply concerned about this matter since we are in the midst of an effort to ensure the right of a secret ballot to every member of the armed forces, as provided in the bill jointly sponsored by Senator SCOTT LUCAS and myself.

Having in mind the language of War Department Circular No. 41, dated February 5, 1943, issued by Chief of Staff Gen. George C. Marshall, I believe that a thorough investigation should be made by the War Department.

I would appreciate being advised if the War Department has instituted an investigation and if so, having a complete report when ready.

Yours very truly,
THEODORE FRANCIS GREEN.

This morning I received the Secretary's reply, dated January 15, which reads as follows:

WAR DEPARTMENT,
Washington, D. C., January 15, 1944.

Hon. THEODORE FRANCIS GREEN,
United States Senate.

MY DEAR SENATOR GREEN: I wish to acknowledge the receipt of your letter of January 12, 1944, referring to press stories to the effect that the chairman of the Republican National Committee had sponsored a survey of political opinion among the armed forces

in England and inquiring if an investigation had been instituted by the War Department.

Prior to the receipt of your letter, the commanding general of the European theater of operations had been directed by cable to make an immediate investigation of the facts alleged in the press stories and to submit a preliminary report by radio at the earliest practicable date, to be followed by a formal report transmitted by air mail.

The War Department has received a reply by cable from the commanding general of the European theater of operations, stating that if any such survey or poll was made it was done without the consent or knowledge of himself or his headquarters, and that he is conducting an intensive investigation with a view to determining whether any such survey or poll was made and, if so, what members of the military services, if any, were responsible therefor.

When the facts have been ascertained, I shall, in compliance with your request, advise you of the result of the investigation.

Sincerely yours,

HENRY L. STIMSON,
Secretary of War.

WARTIME METHOD OF VOTING BY MEMBERS OF ARMED FORCES—RESOLUTION OF KENTUCKY LEGISLATURE

Mr. BARKLEY. Mr. President, I ask unanimous consent to present for printing at this point in the RECORD, under the rule, a resolution adopted by both houses of the Kentucky Legislature, now in session, urging Congress to pass a Federal statute which will permit the soldiers and sailors and others in the armed services of the United States to vote at the coming and all future elections while they are in the service.

There being no objection, the resolution was received, referred to the Committee on Privileges and Elections, and ordered to be printed in the RECORD, under the rule, as follows:

House Resolution No. 7

Whereas the present World War is being fought to give freedom to the world, freedom from fear, freedom of worship, freedom of speech, and freedom from want; and

Whereas men and women of our beloved country are on the far-flung battle fronts and on home fronts in defense plants; and

Whereas these men and women are willing to sacrifice their lives that the people of the earth may govern themselves and rid the world of dictators; and

Whereas the citizens of Kentucky owe a debt of gratitude to the men and women of Kentucky who are thus engaged that can never be amply paid; and

Whereas under the fundamental law of the Commonwealth of Kentucky these men and women are deprived of the right of suffrage; and

Whereas there is pending in the Congress of the United States an Absentee Servicemen's Voting Act: Therefore be it

Resolved by the House of Representatives of the Commonwealth of Kentucky (the Senate concurring), That we respectfully urge the Congress of the United States to pass an act that would give to our service mer and women, wherever they may be, and those who are away from their homes engaged in defense work, the right to vote in all State and national elections; be it further

Resolved, That a copy of these resolutions be mailed by the clerk of the house of repsentatives to the President of the United States, to the President of the Senate of the United States, to the Clerk of the House of Representatives of the United States, to Senator ALBEN W. BARKLEY, to Senator A. B. CHANDLER, and to every Member of the House of Representatives of the United States from Kentucky.

The VICE PRESIDENT laid before the Senate a resolution identical with the foregoing, which was referred to the Committee on Privileges and Elections.

CONSUMER SUBSIDIES—LETTER AND MEMORIAL

Mr. BUTLER. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the body of the RECORD in connection with my remarks a letter, together with a memorial, signed by 25 farmers of Nebraska.

There being no objection, the letter and memorial were referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

REPUBLICAN CITY, NEBR.,
January 14, 1944.

The Honorable HUGH BUTLER,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR BUTLER: At a community meeting of farmers last evening the subject of subsidies was discussed pro and con. As a result the enclosed resolution was drafted and signed by the farmers and their wives who were present. The sentiment expressed in the resolution is the current opinion of the majority of the farmers in this region.

As farmers, we are amazed at the popular opinion of the urban peoples, that farmers are the direct cause of the high food costs and that they are rolling in wealth from the prices they are receiving from foodstuffs. We feel that the consuming public should know the facts concerning the percentage of the food dollar which the farmers receive and that they should know the amounts added to the food dollar between the farmer and the ultimate consumer.

In the main, farmers are fairly well satisfied with current farm prices and are more than willing for ceiling prices to be enforced, along with a floor price so that they will be assured of returns in the black when they plant a crop or breed livestock.

Unless something is done to relieve the farm labor shortage, there will be a general decrease in farm products this year, because every farmer is forced to raise just what he and his family can tend.

Thanking you for your consistent representation of the agricultural State of Nebraska in your office, I am

Very truly yours,

Mrs. R. L. HASKINS.

REPUBLICAN CITY, NEBR.,
January 14, 1944.

The Honorable HUGH BUTLER,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR BUTLER: Believing the consuming public is able and willing to pay its food bill as it goes if properly informed, and believing that subsidies will not prevent inflation or guarantee parity prices to farmers, we, the undersigned farmers, ask you to use your influence against consumer subsidies.

C. C. Hawley, I. C. Hecht, K. J. Payne, Harold Simmons, John Sindt, Peter Rolland, Darrel Wolfe, Wm. Kauk, Ray Haskins, C. R. Waggoner, H. H. Guest, Mrs. I. C. Hecht, Mrs. Wm. Kauk, Travis Thomas, Raymond Richard, Gladys W. Hawley, Gladys Simmons, Flora Sindt, Mildred Waggoner, Beulah Wolfe, Beulah Thomas, Hazel Tubridy, Donna Tubridy, Alice H. Haskins, M. H. Haskins.

GLOBAL AIR TRANSPORT SYSTEM—RESOLUTION OF PUTNAM (CONN.) CHAMBER OF COMMERCE

Mr. MALONEY. Mr. President, I ask unanimous consent that there may be printed in the body of the RECORD and appropriately referred a letter, in the form of a resolution, which I have received from the Putnam Chamber of Commerce, Putnam, Conn., and which refers to subjects of very great interest at this time.

There being no objection, the letter embodying a resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

JANUARY 7, 1944.

Senator FRANCIS MALONEY,
Washington, D. C.

DEAR SENATOR MALONEY: At a meeting of the board of directors of the Putnam Chamber of Commerce, Inc., the following resolution was unanimously adopted:

"*Resolved*, That the Putnam Chamber of Commerce, Inc., of Putnam, Conn., is definitely in favor of the preservation of free enterprise and a sound basis of overseas air-transport operation, in line with the preamble as laid down by the domestic air carriers of the United States, as follows:

"1. Free and open competition, world-wide, subject to reasonable regulations by the appropriate governmental agencies.

"2. Private ownership and management.

"3. Fostering and encouraging by the Government of the United States of a sound world-wide air-transportation system.

"4. Freedom of transit in peaceful flight—world-wide.

"5. Acquisition of civil and commercial outlets required in the public interests; and be it further

"*Resolved*, That copies of this resolution be transmitted to Senator JOHN A. DANAHER, Senator FRANCIS MALONEY, and Representative JOHN D. MCWILLIAMS, with a respectful and urgent appeal for support of the policies of free enterprise in any and all legislation concerned with post-war commercial overseas air transportation."

Respectfully yours,

PUTNAM CHAMBER OF COMMERCE, INC.,
OMER J. MILOT, *Secretary.*

PRESERVATION OF PRE-WAR BOUNDARIES OF POLAND—RESOLUTION OF POLISH CENTRAL COMMITTEE, TERRYVILLE, CONN.

Mr. MALONEY. Mr. President, I ask also unanimous consent that there may be inserted at this point in the RECORD and appropriately referred a resolution adopted by the Polish Central Committee of Terryville, Conn., seeking congressional aid to maintain the pre-war boundaries of Poland in the post-war planning.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

TERRYVILLE, CONN., *December 27, 1943.*

DEAR SENATOR FRANCIS MALONEY: The Polish Central Committee of Terryville, Conn., which has 52 members, representing 2,000 people of the town of Terryville, Conn., at its last meeting voted to go on record in seeking congressional aid to maintain pre-war boundaries of Poland in the post-war planning. It is for this reason, and in the furtherance of this program that we are filing our appeal with you as our Representative in Congress.

This appeal is filed, because of in our opinion the sacrifices of the Polish legions

and the Polish people in delaying the Wehrmacht at a critical period when time was needed by the Allied Nations to organize the facilities and resources for the elimination of the enemy. Furthermore it is our belief that the pre-war boundaries will in the future, as in the past, establish Poland as a buffer state, valuable in helping to keep peace.

Therefore, we, as a representative body of the Polish American people of Terryville, because of humanitarian principles and more specifically the Atlantic Charter, and because of the geo-political value to the democracies in the future strongly urge you to do everything in your power to revive the old boundaries of Poland in the post-war world.

Thanking you for your kind consideration of this matter, we remain,

Very truly yours,

THE POLISH CENTRAL COMMITTEE,
JOSEPH A. ZABASKI,
President.
JOHN K. CICHON,
Vice President.
KONST J. KAWIECKI,
Treasurer.
WALTER WODZYNSKI,
Secretary.
STELLA CHUINLEWSKI,
Second Vice President.

WORLD ORGANIZATION FOR PEACE—PLAN OF A. D. QUAINTANCE, DENVER, COLO.

Mr. DOWNEY presented a plan of a world organization for peace submitted by A. D. Quaintance, of Denver, Colo., which was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

WIN THE PEACE WHILE WINNING THE WAR—UNITED STATES PATTERN FOR WORLD PEACE

1. Not less than two nor more than seven representatives from each of the United Nations to meet at historic Independence Hall at Philadelphia not later than January 17, 1944.

2. Organize a world congress patterned after our Continental Congress.

3. Do the same thing in the same way for the world that our founding fathers did for us.

(a) Adopt articles of confederation giving the congress jurisdiction over the maintenance of law and order and the stabilization of world affairs.

(b) Three-fourths of all nations cooperating necessary for action.

(c) The congress to have jurisdiction to frame and adopt a constitution and bill of rights for the world, to be submitted for ratification and approval by each of the United Nations.

4. The President and the United States Senate shall invite the United Nations to send their representatives to this congress, thereby establishing a definite foreign policy and insuring cooperation between the Executive and the Senate against its later repudiation.

5. While the world congress is framing the constitution and bill of rights, each nation reserves absolute sovereignty over commerce, trade, tariff, and every other question affecting its internal security.

David Lawrence, editor of the United States Daily, says:

"Judging by our own spokesmen, America seems to be engaged already in losing the peace. Gradually the leverage which can be exercised upon allies only during a war is being surrendered.

"Apparently no commitments binding upon the United Nations are to be entered into, but a sort of groping or evolutionary process is to set in so that conceivably 5 to 10 years after hostilities and the question of a world organization to preserve peace is to be finally resolved.

"This does not fit in with the lessons of World War No. 1. When hostilities had ended and there was no longer need for the aid of the United States, there was a different attitude on the part of the victors—Great Britain, France, and Italy. The Fourteen Points on which the armistice was based began to be regarded as a goal rather than a commitment, and soon President Wilson found himself up against the victorious powers who wanted to divide the spoils in accordance with secret treaties. And what could Mr. Wilson do?

"It is therefore surprising to read that the main issues of the kind of organization that will be committed to keep the peace are to be left unsettled for a long time. Under Secretary Welles has often outlined with statesmanlike vision the bases of a permanent peace but his latest speech seems to fit in now with the Churchill-Roosevelt philosophy of regional understandings and a loose framework of nations for the after-the-war era."

Let us form the congress now while the other nations still need our help, so that we will not have the same debacle that we had after the last war.

One hundred and fifty years ago they said our form of government would never succeed, and they still say so. Are we to concur now in this opinion and repudiate the finest form of representative government the world has ever known, substituting for it some new experimental form?

A. D. QUAINTANCE.

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCARRAN:

S. 1657. A bill to amend an act entitled "An act to empower the Commissioners of the District of Columbia to convey land (approved April 28, 1922); and

S. 1658. A bill to extend for 1 year the date of termination of Public Law 22, dated April 1, 1943, entitled "To provide for a temporary increase in compensation for certain employees of the District of Columbia government and the White House Police force"; to the Committee on the District of Columbia.

By Mr. DOWNEY:

S. 1659. A bill providing for the establishment of an Emergency Economic Commission; to the Committee on Banking and Currency.

By Mr. McKELLAR (for Mr. GLASS):

S. J. Res. 108. Joint resolution making an appropriation for contingent expenses of the Senate; to the Committee on Appropriations.

AMENDMENT TO THE REVENUE ACT

Mr. RADCLIFFE submitted an amendment intended to be proposed by him to the bill (H. R. 3687) to provide revenue and for other purposes, which was ordered to lie on the table and to be printed.

ADDRESS BY THE VICE PRESIDENT AT THE MEETING OF GOVERNORS OF SOUTHERN AND WESTERN STATES

[Mr. MURRAY asked and obtained leave to have printed in the RECORD the address delivered by the Vice President at the meeting of Governors of the Southern and Western States held in Washington January 17, 1943, which appears in the Appendix.]

VETERANS' LEGISLATION—ADDRESSES BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD two radio addresses on the subject of veterans' legislation delivered by him on December 28, 1943, and January 3, 1944, respectively, which appear in the Appendix.]

ADDRESS BY THE POSTMASTER GENERAL, AT SYRACUSE, N. Y.

[Mr. MEAD asked and obtained leave to have printed in the RECORD an address delivered by Hon. Frank C. Walker, Postmaster General, at Syracuse, N. Y., on January 15, 1944, which appears in the Appendix.]

THE MAKING OF PEACE—ADDRESS BY ARCHIBALD MacLEISH

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an address delivered by Archibald MacLeish on the Metropolitan Opera program, December 25, 1943, which appears in the Appendix.]

THE REVENUE ACT

The Senate resumed the consideration of the bill (H. R. 3687) to provide revenue, and for other purposes.

Mr. THOMAS of Oklahoma. Mr. President, I call up an amendment which is on the table, and ask that it be reported to the Senate.

The VICE PRESIDENT. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 61, after line 22, it is proposed to strike out subsection (d), reading as follows:

(d) Termination of percentage depletion for certain minerals: The amendments made by subsections (a) and (b) (except as they relate to potash) and the amendments made to section 114 of the Internal Revenue Code by section 145 of the Revenue Act of 1942 (providing percentage depletion for fluor spar, ball and sagger clay, and rock asphalt), shall not apply with respect to any taxable year beginning on or after the date of the termination of hostilities in the present war. For the purposes of this subsection the term "date of the termination of hostilities in the present war" means the date proclaimed by the President as the date of such termination, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier.

Mr. THOMAS of Oklahoma. Mr. President, the pending amendment relates to the principle of depletion. The amendment does not seek to give any new metal or mineral the depletion privilege. It simply seeks to provide that the metals and minerals which have the principal allowance shall retain that allowance. At the present time certain minerals and metals have a depletion allowance. For example oil has 27½ percent depletion allowance. Gas has a similar percentage of depletion allowance. Sulfur has 23 percent depletion allowance. The metals have 15 percent depletion allowance.

To the metal group we have added ball and sagger clay, rock asphalt, and fluor spar. The pending bill, when it was made up in the House, added a number of new minerals to this group. When the bill reached the Senate, the Senate committee added some new minerals to the depletion group, so that now quite a group of metals and minerals are accorded the depletion-allowance principle ranging from 27½ percent for oil and gas down to as low as 5 percent in the case of coal.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. MURRAY. May I inquire if the depletion group includes manganese and tungsten?

Mr. THOMAS of Oklahoma. Manganese and tungsten come under the classification as metals with the 15 percent depletion allowance.

Mr. President, after the House and the Senate committees considered the bill they placed in the measure a section which, if not stricken out, will deprive a number of these metals and minerals of this depletion allowance after the close of the war. My amendment strikes out that section, and if my amendment shall be adopted by the Senate and agreed to in conference and later by the two Houses, then the metals and minerals now in the group will have a permanent depletion allowance until the Congress hereafter sees fit to change the law.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. WHITE. Am I correct in my understanding that the Senator's amendment, if adopted, would strike out the provision of the bill which ends the right to this depletion allowance after the war?

Mr. THOMAS of Oklahoma. After the close of the war, yes. The section I seek to strike provides that after the close of the war, when the President shall have declared the emergency at an end, or when the two Houses shall have declared by resolution that the war is over, then the depletion allowance on certain minerals shall cease. My amendment would strike out that provision.

Mr. WHITE. The Senator's amendment would strike out that provision, so that the right of depletion will be a continuing right?

Mr. THOMAS of Oklahoma. Yes, until the Congress hereafter sees fit to change the law.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. McCLELLAN. I should like to inquire of the Senator whether any of the metals or minerals which now have the benefit of the depletion allowance have a permanent depletion allowance, or does the section the Senator seeks to strike out of the bill apply to all which have been granted that status?

Mr. THOMAS of Oklahoma. Under the present law oil and gas have a 23½ percent depletion allowance, and that is permanent so far as the bill is concerned. Metals have a 15 percent depletion allowance, and that is permanent so far as the bill is concerned. Sulfur has 23 percent depreciation allowance, and that is permanent so far as the bill is concerned. Likewise coal has a 5 percent depletion allowance, and that is permanent. My amendment refers to all the other items in the bill.

Two years ago the Congress gave rock asphalt and ball and sagger clay and fluor spar a depletion allowance of 15 percent. The present bill takes those three items now in the law and puts them over in this section, so that if this section is not striken these three items—ball and sagger clay, rock asphalt, and fluor spar—will go out along with those placed in the bill by the committee.

Mr. McCLELLAN. I am interested in the Senator's amendment, and shall support it. Since the bill has reached the floor of the Senate, I have had included barite—a mineral found in my State, important to the war effort and also to our domestic economy. I should like to see the Senator's amendment adopted in order that this benefit may extend in the post-war period to further development and exploitation of our mineral resources.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. VANDENBERG. It was my understanding when this matter came before the Senate Finance Committee—and I ask the Senator to check my information—that this proposal to terminate depletion allowances at the end of hostilities in respect to certain commodities applied only to those which had been given depletion on the plea of a war emergency. Am I wrong about that?

Mr. THOMAS of Oklahoma. The Senator is wrong in three particulars. The Senator is correct with respect to all of them save the three, which are ball and sagger clay, rock asphalt, and fluor spar, but my amendment takes in these items which now have the depletion allowance in existing law. Again, the three are ball and sagger clay, rock asphalt, and fluor spar. They are lifted from the present law and placed in this section, which, if not stricken, will remove them from the law as soon as the war is over. They now have depletion, but they will not have it after the bill is passed and signed.

Mr. VANDENBERG. So the Senator's proposal applies only to those three commodities?

Mr. THOMAS of Oklahoma. No; it applies to the new ones and the three I have just mentioned.

Mr. VANDENBERG. I think it is the new ones that I am inquiring about. Have they not been given depletion on the plea that it was a war depletion and that it was an emergency matter and a temporary matter?

Mr. THOMAS of Oklahoma. Mr. President, I cannot answer that question, because I have not read the House hearings. I do not know with respect to what plea this section was placed in the bill. The group is found in 33 of the States of the Union, and I imagine that when their producers saw the other minerals and metals having a depletion allowance they could not understand why their metals or minerals should not likewise be included in the group, because they are depletable, and depletable minerals or metals, when used and once destroyed, cannot be replaced. As to the reason why, I cannot say. But if the depletion principle is good for oil, which is depletable, for natural gas, which is depletable, for copper, lead, and zinc, which are depletable, good for sulfur, which is depletable, then these new minerals added by the bill should likewise be placed in that group. At least that is my viewpoint, and that is the reason why I am moving to strike out the repealing clause.

Mr. VANDENBERG. I am not disposed at the moment to argue the particular merits of the situation explained by the Senator. I am simply trying to identify the fact. My impression is that except for the three commodities the Senator first identified, all the other depletions here involved were sought from the Senate Finance Committee in connection with previous bills on the theory that it was a war depletion and that a war-depletion provision in the statute was all that the situation justified. I have not seen any evidence to the contrary, and it would seem to me that we should face the peacetime depletion problem on its merits when we reach it.

Mr. THOMAS of Oklahoma. Mr. President, I have stated the effect of my amendment. In the event that those who are sponsoring the inclusion of these minerals or metals in the war economy do not want them included after the war is over, of course, I then should be the last one to insist that they be retained in the depletion group. But I concede that for the purpose of war the deposits of those minerals will be drawn upon, and they may be largely depleted. I assert that immediately after the war will be too soon to terminate the depletion principle as to such minerals. I can say that in the tri-State zinc and lead area, which embraces a part of Missouri, Kansas, and Oklahoma, the richest deposits are gone. They are gone to such an extent that now the chat piles on top of the ground are being worked; and in order to obtain the lead and zinc from those chat piles, not only are high prices being paid, but, in addition to the high prices, subsidies are being paid, in order to get what lead and zinc may be obtained from the chat piles.

Mr. WILLIS. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. WILLIS. Let me inquire how long the depletion allowance referred to has been in effect.

Mr. THOMAS of Oklahoma. On the three items since 2 years ago, as I recall.

Mr. WILLIS. It began after the present war began; did it?

Mr. THOMAS of Oklahoma. I think it was in the 1940 revenue bill, but I cannot be sure about that. I know the fight came on the floor of the Senate; and after the matter was discussed, a vote was had, and the Senate by substantial majority voted into the bill the depletion allowance on ball and sagger clay, rock asphalt, and fluor spar.

Mr. WILLIS. I thank the Senator.

Mr. THOMAS of Oklahoma. Mr. President, I desire to place in the RECORD definitions of the various minerals which are herein accorded the depletion allowance principle.

The first one is beryl. This mineral, a silicate of beryllium and aluminum, of great hardness, and, when transparent, of much beauty, occurs in hexagonal prisms, commonly green or bluish green, but also yellow, pink, or white. Beryl is found in the States of South Dakota, New Hampshire, Colorado, Maine, New Mexico, and Virginia.

The next one is feldspar. This mineral is any of a group of minerals closely

related in crystalline form, and all aluminum silicates, either potassium, sodium, calcium, or barium. Feldspar is found in the States of North Carolina, South Dakota, New Hampshire, Colorado, Virginia, Wyoming, Connecticut, Maine, and California; and in smaller amounts it is found in the States of Arizona, New York, Pennsylvania, and Texas.

The next mineral or metal which is included in the group is flake graphite. In connection with it there are two definitions, the first being of flake. Flake is defined as a loose, filmy mass or a thin, chiplike or scalelike layer of anything; a film, flock, lamina, layer, scale, or strip; as, a flake of snow, ice, tallow, or fish. Graphite is defined as follows: A mineral; native carbon in hexagonal crystals, also foliated or granular massive, of black color and metallic luster, and so soft as to leave a trace on paper. Flake graphite is found in the States of Alabama and Pennsylvania.

The next item covered by the bill is lepidolite. It is likewise a mineral, and is a species of mica containing lithia. It usually occurs in rose-colored masses consisting of small scales. Spodumene is likewise a mineral, a monoclinic mineral of white to yellowish, purplish, or emerald-green color, occurring in prismatic crystals, often of great size. It is a lithium aluminum silicate. Lepidolite and spodumene are found in the States of South Dakota, California, North Carolina, and Maine.

The next mineral is mica. It is likewise a mineral, and is defined as any of a group of minerals crystallizing in forms apparently orthorhombic or hexagonal, but really monoclinic, and characterized by highly perfect cleavage, so that they readily separate into very thin leaves, more or less elastic. Mica is found in the States of North Carolina, South Dakota, New Hampshire, and Connecticut; and minor production occurs in Alabama, California, Colorado, Georgia, Idaho, Maine, Massachusetts, New Mexico, South Carolina, Texas, Vermont, and Virginia.

The next mineral included in this group is potash. Potash is defined as potassium carbonate, especially that obtained by leaching wood ashes, evaporating the lye, usually in iron pots, and calcining the residue. This yields crude potash, colored and very impure. Purified potash, a white solid, is often called pearlash or pearlashes. Potash is found in the States of New Mexico, California, Utah, and Maryland.

The next mineral included in this group is talc. It is defined as mica of muscovite; a thin sheet of such mineral. It is also defined as a soft mineral of soapy feel, occurring in foliated, granular, or fibrous masses, usually whitish, greenish, or grayish in color. It is found in the States of New York, North Carolina, California, and Vermont.

The next mineral in this group is vermiculite. It is defined as a mineral, any of a number of micaceous minerals, as kerrite, maconite, and so forth, which are hydrous silicates derived generally from the alteration of some kind of mica. It is so called because the scales open out when heated, sometimes producing long, wormlike forms. Vermiculite is found in the States of Montana, Wyoming, and North Carolina.

The next item is fluor spar. It is already covered in the law, and has the depletion principle; but if this section is not stricken, fluor spar will be stricken out, and will lose its depletion allowance as soon as the war is over.

Fluor spar is defined as fluorite. It is a mineral, calcium fluoride, CaF_2, a transparent or translucent mineral of many different colors, crystallizing commonly in cubes with perfect octahedral cleavage, also massive. It is used as a flux. Fluor spar is found in the States of Illinois, Kentucky, Colorado, New Mexico, Nevada, Utah, Tennessee, and Washington.

The next mineral is ball clay and sagger clay. At the present time, they have now 15-percent depletion; but if this section is not stricken, ball and sagger clay will lose their depletion benefits after the conclusion of the war. Ball clay is found in the States of Kentucky, Tennessee, and New Jersey, with minor amounts found in Maryland, Mississippi, and Missouri. Sagger clay is found in the States of Tennessee, Kentucky, New Jersey, Ohio, Georgia, and South Carolina, with small amounts found in Illinois, California, Missouri, and Pennsylvania.

Rock asphalt now has a depletion allowance of 15 percent, but unless this section is stricken, rock asphalt will likewise lose its benefits after the war is over. Rock asphalt is found in the States of Texas, Oklahoma, Kentucky, Utah, Alabama, California, and Missouri.

Mr. President, those are the definitions of the minerals which are affected by this amendment. I have also named the States in which the various minerals are found. I now ask permission to have printed in the RECORD at this point as a part of my remarks a list of the States, showing for each State the minerals found in that State. That will give a cross-section reference, so that the record will be complete.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Maine: Beryl, feldspar, lepidolite, spodumene, mica.
South Dakota: Beryl, feldspar, lepidolite and spodumene, mica.
New Hampshire: Beryl, feldspar, mica.
Colorado: Beryl, feldspar, mica, fluor spar.
New Mexico: Beryl, mica, potash, fluor spar.
Virginia: Beryl, feldspar, mica.
North Carolina: Feldspar, lepidolite, spodumene, mica, talc, vermiculite.
Wyoming: feldspar, vermiculite.
Connecticut: Feldspar, mica.
California: Feldspar, lepidolite, spodumene, mica, potash, talc, ball and sagger clay, rock asphalt.
Arizona: Feldspar.
New York: Feldspar, talc.
Pennsylvania: Feldspar, flake graphite, ball and sagger clay.
Texas: Feldspar, mica, rock asphalt.
Alabama: Flake graphite, mica, rock asphalt.
Georgia: Mica.
Idaho: Mica.
Massachusetts: Mica.
South Carolina: Mica, ball and sagger clay.
Vermont: Mica, talc.
Utah: Potash, fluor spar, rock asphalt.
Maryland: potash, ball and sagger clay.
Montana: Vermiculite.
Illinois: Fluor spar, ball and sagger clay.
Kentucky: Fluor spar, ball and sagger clay, rock asphalt.
Nevada: Fluor spar.
Tennessee: Fluor spar, ball and sagger clay.
Washington: Fluor spar.
New Jersey: Ball and sagger clay.
Mississippi: Ball and sagger clay.
Missouri: Ball and sagger clay, rock asphalt.
Ohio: Ball and sagger clay.
Oklahoma: Rock asphalt.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. McCLELLAN. Has the Senator included barite in the list which he is now submitting?

Mr. THOMAS of Oklahoma. In answer to the Senator's question, whatever is done with the pending amendment, barite will remain in the bill.

Mr. BARKLEY. Mr. President, I shall support the Senator's amendment. I think there was a basis for the Committee on Finance and the Congress, including fluor spar and the other minerals, as there is in the case of many other allowances of depletion in the case of minerals and oil. I happen to know more about fluor spar than any of the other items, because it is produced in my section of Kentucky and across the river in Illinois.

Deposits of fluor spar are greatly limited in territory. I should say that the deposits of fluor spar, which is an absolutely necessary commodity in the manufacture of steel, are overwhelmingly located in western Kentucky and southern Illinois. The same vein runs from Illinois across the river. The vein is cut by the river, and it continues into Kentucky. There is no way to increase those deposits, and no large amount of prospective fluor spar has been discovered or located elsewhere in the United States. So it seems to me that there is a just basis for the permanent inclusion of these minerals and metals.

The other items, in their respective fields, occupy the same status. The supplies are bound to be exhausted. What will take their places when they are exhausted, of course, I do not know. Humanity has a way of finding something to take the place of some natural product which is exhausted, but that is a matter for the future. There is no way to increase the supply or the deposits. It is costly to produce these things. As a rule the deposits are not owned by large companies, adequately financed. I happen to know that some of the producers have been compelled to borrow money from the R. F. C. in order to continue operations.

I know of no reason why there should be any different kind of treatment of these natural resources found in restricted geographical locations, with no prospect for enlargement, when there is bound to be ultimate exhaustion. I know of no reason why they should not be allowed the same depletion, not simply during the war but on the same basis as

other minerals and oil. Fluor spar is always necessary in the manufacture of steel, not only in wartime but at all times. It is absolutely indispensable in the manufacture of steel. I hope the Senator's amendment will be adopted. Otherwise, at the end of the war we must either enact another law including such minerals, or they will be denied the depletion allowance which other minerals are now enjoying.

Mr. VANDENBERG. Mr. President, will the Senator yield for a question?

Mr. BARKLEY. I yield.

Mr. VANDENBERG. I was not a member of the Finance Committee in the early days when the original minerals and metals received their depletion allowance. I have been a member of the committee for the past few years, when these new additions to the list have been accepted by the committee, only when the War Production Board, as the Senator will recall, has certified that they are a war necessity. Can the Senator from Kentucky tell me why, in the first instance, these later minerals, which have recently been exempted on a war basis, were not originally exempted on a standard basis?

Mr. BARKLEY. I am not sure that I was a member of the Committee on Finance when the original exemptions were allowed. I think they antedate my membership on the committee. But I think I can answer the question of the Senator in this way: The minerals which are now included on a war basis were not generally known. They had not been explored and developed at the time of the original allowance for depletion, to the extent to which they have been developed since. The Congress was lacking in knowledge with respect to them. Those who had invested their money in them and were interested in their development had not presented the case to Congress, as others in other fields had done.

I speak of fluor spar because I know about it. I am satisfied that the same justification can be made for the other minerals. If this allowance is necessary as a war mesure, which the War Production Board certified to the committee was true, I do not see why it will not be necessary when the war is over and we shall still be trying to develop the manufacture and use of steel in other fields than the manufacture of war implements. I do not see any reason for denying that exemption simply because the producers of these minerals came in late, at a time when the war was in progress. I think there is a fair basis for the same treatment that other minerals receive in times of peace.

Mr. VANDENBERG. I think there is something to be said for the Senator's point of view; but I find myself confronted with this rather challenging thought: Obviously there must have been a reason why these later minerals were not included in the original depletion allowance. We know that the present depletion allowance was made on the basis of the plea of war necessity, and on the basis of certification by the War Production Board. It seems to me that it would be far more logical to leave these war allowances on a war basis until the war is over, and then canvass the question of the eligibility of the particular minerals for permanent depletion in time of peace, after we have heard from the Treasury Department and taken some testimony on the subject. I know of no testimony whatever on the subject at the present time.

Mr. BARKLEY. We all know that the attitude of the Treasury Department is against all depletion allowances. That has been the traditional attitude of the Treasury Department. It objects to such allowances. I respect the opinion of the Treasury Department. It objects to all depletion allowances, just as it objects to the depletion allowances which are now in the law, and have been in the law for years. It is the attitude of the Treasury Department that there ought not to be any allowance whatever for depletion. That is a consistent attitude if that is the view one takes of it, but I do not find myself in accord with that view as a general proposition.

We had no War Production Board with which to deal until the war came and such a board was created. If we had had a similar board in years past, before we got into the war, a board whose function it was to recommend legislation of this kind, I do not know what might have happened in regard to these items; but the mere fact that Congress did not see fit to make similar allowances for depletion in the case of minerals which have come into more general use recently than formerly does not afford me a basis for believing that we ought to put such minerals on another basis. These minerals have been accorded a depletion allowance as a war measure. I know that the producers of many such minerals have lost money. They have taken a chance and have invested their money in mineral deposits and enterprises from which they have received no great profits, even in wartime.

Mr. THOMAS of Oklahoma. The prices are all frozen.

Mr. BARKLEY. The Senator from Oklahoma [Mr. THOMAS] reminds me of the fact that the prices on all these articles are frozen. The producers have no voice in what they are to receive for their products. Of course, it is a war measure, but it may be, depending on the economic situation, that it will have to be extended after the war has come to an end. I do not predict that, but it is possible. There is now a great deal of discussion as to whether price ceilings and regulations should be extended beyond the actual termination of the war.

In view of the fine work which these small concerns have done in developing new materials which are essential, I think it would be most unfortunate for them now to be placed back upon a prewar basis which in many cases, I believe, would result in their complete liquidation.

Mr. VANDENBERG. Mr. President, all that the able Senator from Kentucky has said may be true. I am merely asserting that there is no proof before the Senate Finance Committee that what he has said is true. I happen to have a geographical interest in one of these minerals; but I must say that no case has been made in its behalf for a permanent depletion allowance. There may be a perfectly good case. The able Senator from Kentucky and the able Senator from Oklahoma may be entirely correct. I am merely asserting that, so far as the Senate Finance Committee, from which this bill emanates, is concerned, there has been justification on a war basis for a temporary depletion allowance during the war at the recommendation of the War Production Board. No case has been made out for a permanent depletion allowance, and it seems to me that the allowance should be suspended at the end of the war. At that time the case can be presented on its merits before a proper committee and on a basis of adequate testimony in order to determine whether my able friends are correct in asserting that they can prove the eligibility of these products for permanent depletion. I merely repeat that it has not yet been proved before the Senate Finance Committee, and no testimony whatever has been taken on the subject.

Mr. BARKLEY. In that connection, in the hearings which were held on this particular bill no additional testimony was offered upon the point to which the Senator refers. However, in hearings held in the past before the Finance Committee, testimony was produced on behalf of some of these items, not based on a war foundation at all. The mere fact that when the committee heard the testimony which had been adduced theretofore, it limited the depletion allowance to the duration of the war, does not mean that evidence has not been presented to the committee which would justify a permanent depletion allowance. Committees are frequently asked to do things on the basis of permanent justice. As a sort of compromise, and upon the recommendation of someone, they afford only temporary relief. As the Senator from Michigan may recall, it is not correct to say that there has been no testimony on this subject on the basis of its merits. I recall that a year ago there was testimony. There was none in connection with this particular bill, because the committee tried to limit the hearings as much as possible, and everyone tried to respect the wishes of the committee. I think it is true that no one came before the committee in connection with this particular bill to offer testimony on these items.

Mr. GEORGE. Mr. President, I oppose this amendment, and I express the hope that the Senate will not approve it. It is proposed to place upon a permanent basis for depletion allowance a large number of metals and clays with respect to which depletion allowances have been made during the war. They were made for the purpose of encouraging production for war purposes.

I wish to remind the Senate that with respect to all strategic minerals, not only have depletion allowances been made, but producers have been exempted from excess-profits taxes, and have been given preferences which would be most difficult for anyone to justify in peacetime.

In addition, bonuses have been given by the war agencies for production in certain quantities.

What is the situation? In 1926, after a thorough investigation, Congress allowed a percentage-depletion allowance on certain minerals which had already had a discovery allowance, which had been enjoyed by producers of those minerals, such as oil, for a number of years. The discovery allowance was found most difficult to administer, and after long study and thorough investigation a percentage-depletion allowance was given to producers of oil and certain metals in lieu of the discovery allowance which had theretofore been enjoyed. The program was not a haphazard one. It was adopted on the basis of careful investigation and study. It was determined that oil was entitled to a certain percentage-depletion allowance in lieu of the advantages which it had therefore enjoyed. It was discovered that sulfur was entitled to a certain percentage depletion.

What has happened? We have brought in ball and saggar clay, vermiculite—and God knows what—and have given them a percentage depletion in wartime without any study whatever as to whether, in computing the taxable income of the producers, the 15-percent depletion allowance bore any relation to values, quantity, or what not.

In this particular section fluor spar, flake graphite, and vermiculite are classed as strategic minerals and metals. They are exempted. Those who produce them in this period of our economic life are exempted from excess-profits taxes. They are given a wartime percentage depletion, and now it is proposed to extend that percentage depletion into peacetime after the war without any study being made as to whether 15 percent is the correct amount, or whether it should be 3 percent, 4 percent, 5 percent, or nothing whatever.

Is the Congress merely to guess at what is a proper percentage depletion on metals and minerals of this character? If it develops that the producers should have a permanent depletion allowance in computing their taxable incomes, that can be determined after the war. But there are no data before us concerning the subject; no study or investigation has been made, and there is no representation as to quantities, or as to whether or not any discovery costs were incurred in bringing such metals and minerals into production. Merely because, after long years of discovery allowance for other metals and minerals—a method which was found impractical, or at least difficult of administration—we substituted a percentage depletion for those metals; we are now being asked to put upon a permanent basis other minerals and metals which are already receiving preferential treatment.

Let me call attention to the fact that vermiculite is one of the minerals to which permanent percentage depletion is given if this amendment prevails. Vermiculite is a direct competitor of asbestos and of insulating wool products that have no percentage depletion allowance. Is it fair, is it equitable, does it square with common sense to take one competitive article and, without any study, give to it preferential treatment as against asbestos and mineral wool by allowing it 15 percent by way of deduction in computing its taxable income? The real use of vermiculite is for insulation; so is the real use of asbestos, so is the real use of mineral wool, and that will be the main peacetime use. I am using it merely by way of illustration. It would be a mistake to put these minerals on a permanent percentage depletion basis at this time without study of the competitive conditions and without demanding that sufficient data be furnished so as to enable the Congress, if it is proper hereafter to fix a permanent deduction for percentage depletion, to say what it should be. We have simply lumped them all together; they are all given 15 percent in computing their taxable income. It certainly will, I must say, upset competitive conditions and widen a gap in the Federal income-tax laws as applicable to corporations that will one day, in all probability, lead to the elimination or curtailment of the percentage depletion given to oil and to other minerals. So I hope, Mr. President, that this amendment will be rejected.

Mr. THOMAS of Oklahoma. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	Overton
Andrews	Green	Radcliffe
Austin	Guffey	Revercomb
Bailey	Gurney	Reynolds
Ball	Hayden	Robertson
Bankhead	Hill	Russell
Barkley	Holman	Shipstead
Bilbo	Johnson, Colo.	Stewart
Brewster	Kilgore	Taft
Bridges	La Follette	Thomas, Idaho
Buck	Langer	Thomas, Okla.
Burton	Lodge	Thomas, Utah
Bushfield	McCarran	Tobey
Butler	McClellan	Truman
Byrd	McFarland	Tunnell
Caraway	McKellar	Tydings
Chavez	Maloney	Vandenberg
Clark, Mo.	Maybank	Wagner
Connally	Mead	Wallgren
Danaher	Millikin	Walsh, Mass.
Davis	Moore	Walsh, N. J.
Eastland	Murdock	Wheeler
Ellender	Murray	White
George	Nye	Wiley
Gerry	O'Daniel	Willis

The PRESIDING OFFICER. Seventy-five Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. THOMAS].

Mr. THOMAS of Oklahoma. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. AUSTIN (when his name was called). Mr. President, I ask to be excused from voting on this amendment. I am personally interested in one of the items affected, namely, talc.

The PRESIDING OFFICER. Shall the Senator from Vermont, for the reasons assigned by him, be excused from voting? [Putting the question.] The "ayes" have it, and the Senator is excused.

Mr. THOMAS of Idaho (when his name was called). I have a pair with the junior Senator from Florida [Mr. PEPPER]. Not knowing how he would vote if present, I withhold my vote. If permitted to vote, I should vote "yea."

The roll call was concluded.

Mr. WALLGREN. The senior Senator from Washington [Mr. BONE] is unavoidably absent. I understand that if present he would vote "yea" on the pending amendment.

Mr. THOMAS of Oklahoma (after having voted in the affirmative). I change my vote from "yea" to "nay."

Mr. BANKHEAD (after having voted in the affirmative). I have a general pair with the senior Senator from Oregon [Mr. MCNARY], which I transfer to the senior Senator from South Carolina [Mr. SMITH], and permit my vote to stand. I am advised that, if present and voting, the Senator from South Carolina would vote "yea."

Mr. BUTLER. My colleague the junior Senator from Nebraska [Mr. WHERRY] is necessarily absent. If present, he would vote "nay."

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from South Carolina [Mr. SMITH], the Senator from Indiana [Mr. VAN NUYS], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Illinois [Mr. LUCAS] and the Senator from Florida [Mr. PEPPER] are detained on public business.

The Senator from New Mexico [Mr. HATCH] and the Senator from Wyoming [Mr. O'MAHONEY] are detained because of slight colds.

The Senator from California [Mr. DOWNEY] is detained in one of the Government departments on matters pertaining to the State of California.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] and the Senator from Iowa [Mr. WILSON] are absent because of illness.

The Senator from Illinois [Mr. BROOKS] is absent on official business.

The Senator from New Jersey [Mr. HAWKES] and the Senator from Nebraska [Mr. WHERRY] are necessarily absent.

The Senator from Kansas [Mr. REED] is unavoidably detained. He has a general pair with the Senator from New York [Mr. WAGNER].

The Senator from Michigan [Mr. FERGUSON] and the Senator from Kansas [Mr. CAPPER] are unavoidably detained on official business.

The result was announced—yeas 34, nays 38, as follows:

YEAS—34

Andrews	Hill	O'Daniel
Bankhead	Holman	Overton
Barkley	Johnson, Colo.	Revercomb
Bilbo	Kilgore	Stewart
Bushfield	McCarran	Thomas, Utah
Caraway	McClellan	Truman
Chavez	McFarland	Tunnell
Connally	McKellar	Wallgren
Eastland	Mead	Wheeler
Ellender	Millikin	White
Gurney	Murdock	
Hayden	Murray	

NAYS—38

Aiken	Gerry	Robertson
Bailey	Gillette	Russell
Ball	Green	Shipstead
Brewster	Guffey	Taft
Bridges	La Follette	Thomas, Okla.
Buck	Langer	Tobey
Burton	Lodge	Tydings
Butler	Maloney	Vandenberg
Byrd	Maybank	Walsh, Mass.
Clark, Mo.	Moore	Walsh, N. J.
Danaher	Nye	Wiley
Davis	Radcliffe	Willis
George	Reynolds	

NOT VOTING—24

Austin	Glass	Reed
Bone	Hatch	Scrugham
Brooks	Hawkes	Smith
Capper	Johnson, Calif.	Thomas, Idaho
Chandler	Lucas	Van Nuys
Clark, Idaho	McNary	Wagner
Downey	O'Mahoney	Wherry
Ferguson	Pepper	Wilson

So the amendment of Mr. THOMAS of Oklahoma was rejected.

Mr. THOMAS of Oklahoma. Mr. President, I enter a motion to reconsider the vote by which the amendment was rejected.

Mr. CLARK of Missouri. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. GEORGE. I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Georgia [Mr. GEORGE] to lay on the table the motion of the Senator from Missouri [Mr. CLARK] to reconsider the vote by which the amendment was rejected.

Mr. THOMAS of Oklahoma. A point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. THOMAS of Oklahoma. After I have entered a motion to reconsider, I make the point of order that it is not then in order for another Senator to make a motion to reconsider.

Mr. CLARK of Missouri. Of course, Mr. President, the practice of the Senate is that a Senator may enter a motion to reconsider and leave it open indefinitely, until the measure is passed. When such a motion is entered, any Senator who voted on the prevailing side has the right to make a motion to reconsider, which right I have exercised. The Senator from Georgia moved to lay on the table my motion to reconsider.

The PRESIDING OFFICER. The Chair holds that the Senator from Missouri has a right to make the motion. The Senator from Georgia has moved to lay on the table the motion to reconsider, and that is the question before the Senate.

Mr. THOMAS of Oklahoma. I ask for the yeas and nays on the motion to table.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. AUSTIN (when his name was called). Mr. President, I repeat the request I made on the last vote, to be excused from voting on the question.

The PRESIDING OFFICER. Without objection, the Senator will be excused from voting.

Mr. BANKHEAD (when his name was called). I have a general pair with the senior Senator from Oregon [Mr. MCNARY]. I transfer that pair to the senior Senator from South Carolina [Mr. SMITH], who I am advised would vote "nay," and will vote. I vote "nay."

The roll call was concluded.

Mr. REED (after having voted in the affirmative). I transfer my general pair with the Senator from New York [Mr. WAGNER] to the Senator from Nebraska [Mr. WHERRY], and allow my vote to stand.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Washington [Mr. BONE], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Tennessee [Mr. MCKELLAR], the Senators from New York [Mr. MEAD and Mr. WAGNER], the Senator from South Carolina [Mr. SMITH], and the Senator from Indiana [Mr. VAN NUYS] are necessarily absent.

The Senator from New Mexico [Mr. HATCH] and the Senator from Wyoming [Mr. O'MAHONEY] are detained because of slight colds.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

The Senator from California [Mr. DOWNEY] is detained in one of the Government departments on matters pertaining to the State of California.

The Senator from Illinois [Mr. LUCAS] and the Senator from Florida [Mr. PEPPER] are detained on public business.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] and the Senator from Iowa [Mr. WILSON] are absent because of illness.

The Senator from Illinois [Mr. BROOKS] is absent on official business.

The Senator from New Jersey [Mr. HAWKES] and the Senator from Nebraska [Mr. WHERRY] are necessarily absent.

The Senator from Michigan [Mr. FERGUSON] and the Senator from Kansas [Mr. CAPPER] are unavoidably detained on official business.

The result was announced—yeas 37, nays 34, as follows:

YEAS—37

Aiken	George	Robertson
Bailey	Gerry	Russell
Ball	Green	Shipstead
Brewster	Guffey	Taft
Bridges	La Follette	Tobey
Buck	Langer	Tydings
Burton	Lodge	Vandenberg
Bushfield	Maloney	Walsh, Mass.
Butler	Maybank	Walsh, N. J.
Byrd	Moore	Wiley
Clark, Mo.	Nye	Willis
Danaher	Radcliffe	
Davis	Reed	

NAYS—34

Andrews	Hill	Revercomb
Bankhead	Holman	Reynolds
Barkley	Johnson, Colo.	Stewart
Bilbo	Kilgore	Thomas, Okla.
Caraway	McCarran	Thomas, Utah
Chavez	McClellan	Truman
Connally	McFarland	Tunnell
Eastland	Millikin	Wallgren
Ellender	Murdock	Wheeler
Gillette	Murray	White
Gurney	O'Daniel	
Hayden	Overton	

NOT VOTING—25

Austin	Hatch	Scrugham
Bone	Hawkes	Smith
Brooks	Johnson, Calif.	Thomas, Idaho
Capper	Lucas	Van Nuys
Chandler	McKellar	Wagner
Clark, Idaho	McNary	Wherry
Downey	Mead	Wilson
Ferguson	O'Mahoney	
Glass	Pepper	

So Mr. GEORGE's motion to lay on the table the motion to reconsider was agreed to.

Mr. WALSH of New Jersey. Mr. President, I have offered an amendment to the pending revenue bill, which has been printed and is on the table, and I ask that the amendment be read.

The PRESIDING OFFICER. The amendment will be read.

The LEGISLATIVE CLERK. On page 154, at the end of line 6, it is proposed to add a new section reading as follows:

SEC. 603. Payment of unforgiven tax.

Section 6 (e) (1) of the Current Tax Payment Act, 1943, is amended by adding at the end thereof the following new sentence: "Where the election prescribed above is made by the taxpayer, he may further elect to pay the amount not otherwise extended in four equal quarterly installments, the first installments of which would be due on the date the entire amount would have become payable but for this sentence."

Mr. WALSH of New Jersey. Mr. President, this amendment simply proposes a liberalized method for the payment of the unforgiven portion of income taxes scheduled to commence on March 15 of this year. As the Members of the Senate will recall, the Congress, in enacting the 1943 Tax Payment Act, wisely and properly took into consideration the fact that the withholding tax might well serve to handicap taxpayers in the accumulation of cash with which to meet the unforgiven tax payments, and the Congress provided that half of such unforgiven taxes could be paid on March 15, 1944, and the other half on March 15, 1945.

While I have no desire further to complicate the present tax situation, or to add to the difficulties of the distinguished Senator from Georgia or those of the Senate Finance Committee, I do feel that the Senate might well give favorable consideration to further alleviation of the hardship bound to be created on March 15 by providing in the pending tax measure that unforgiven tax payments may be made on a quarterly basis. The proposed amendment seems to have sound precedent in the fact that income-tax payments for many years have been permitted to be made on a quarterly basis, and the favorable consideration of this plan by the Senate will be of distinct aid and simple justice to many thousands

of taxpayers. Furthermore, and, of course, equally important, the adoption of the proposed amendment would not reduce the over-all tax receipts over the calendar year.

It might be said that, as the forms for the payment of 1944 taxes have already been distributed, this proposed amendment may create certain complications. However, I strongly suspect that there will be considerably less paper work and effort involved in getting to the taxpayers the information regarding this liberalized feature than the paper work and effort that will be required to collect the unforgiven portion of the taxes on the March 15 lump-sum basis.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Jersey [Mr. WALSH].

Mr. GEORGE. Mr. President, I should not ordinarily object to an amendment of this kind, and I regret to do so; but all the forms for the 1943–44 tax have been printed, and all those forms call for the payment of one-half of the unforgiven tax—25 percent of the original tax—on March 15. Also, I call the attention of the Senator from New Jersey to the fact that, upon application to the Commissioner, if any taxpayer is suffering any undue hardship by the payment of the full tax, he may have his tax split up into quarterly payments. So a taxpayer is not without remedy. The forms have been printed at some considerable cost. Moreover, although this is a minor point, the estimates are based on the fiscal year ending June 30, so that if we were to split this up for all taxpayers, the estimates would be somewhat out of line.

But because the forms have been printed, and because any taxpayer may, in a hardship case, have his tax split into installments, I feel it would be unwise to accept the amendment. Therefore, I am compelled to oppose it.

Mr. WALSH of New Jersey. Mr. President, to suggest that there is any way left further to complicate the present tax form is, I think, of itself an extremely interesting observation. I think the question, "How could one further complicate the present tax form?" should be the $64 question on next Sunday's radio quiz program.

However, I wonder if the Senator from Georgia would consider taking this matter to conference, to see if perhaps something could be worked out, because, while it is true that the taxpayer may ask for relief in the form of a postponement, he must pay 6 percent for such postponement, and the great number of taxpayers on whom the present lump-sum payment will cause great hardship will create so much confusion to the Government by requesting the postponement that the net gain on the 6-percent basis will be nil.

Mr. GEORGE. Mr. President, I shall be happy to take the matter to conference, but I thought I should make the statement that, inasmuch as the forms have been printed, and inasmuch as, in most instances, taxpayers may obtain relief, it is not likely that the amendment will be sustained. But I shall have no objection to taking the amendment to conference.

Mr. WALSH of New Jersey. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey [Mr. WALSH].

The amendment was agreed to.

Mr. CLARK of Missouri. Mr. President, I move to strike out section 112 of the bill, beginning on page 39, and extending through page 40 and almost to the bottom of page 41.

Pending that, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JOHNSON of Colorado in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Radcliffe
Andrews	Gillette	Reed
Austin	Green	Revercomb
Bailey	Guffey	Reynolds
Ball	Gurney	Robertson
Bankhead	Hawkes	Russell
Barkley	Hayden	Shipstead
Bilbo	Hill	Stewart
Bone	Holman	Taft
Brewster	Johnson, Colo.	Thomas, Idaho
Bridges	Kilgore	Thomas, Okla.
Buck	La Follette	Thomas, Utah
Burton	Langer	Tobey
Bushfield	Lodge	Truman
Butler	McCarran	Tunnell
Byrd	McClellan	Tydings
Capper	McFarland	Vandenberg
Caraway	McKellar	Van Nuys
Chavez	Maloney	Wagner
Clark, Mo.	Maybank	Wallgren
Connally	Mead	Walsh, Mass.
Danaher	Millikin	Walsh, N. J.
Davis	Moore	Wheeler
Downey	Murdock	White
Eastland	Murray	Wiley
Ellender	Nye	Willis
Ferguson	O'Daniel	
George	Overton	

The PRESIDING OFFICER. Eighty-two Senators have answered to their names. A quorum is present.

The question is on the amendment offered by the Senator from Missouri [Mr. CLARK].

Mr. CLARK of Missouri. Mr. President, the amendment which I have offered, and which is now before the Senate, is to strike out all of section 112, as amended, beginning on page 39, after line 15, and extending to the end of line 19 on page 41 of the bill.

This is the provision which requires income-tax returns from certain organizations which are exempt under the present law from paying income taxes. Most notable of the cases to which the provision is intended to apply are the farm cooperatives of the United States, now exempt from paying taxes because they are purely cooperative organizations, and the labor unions of the United States, now exempt from paying taxes on their intake because they are organizations which are created to implement a right now universally admitted, the right of collective bargaining.

The support for this provision in the House bill does not dare recommend that either of these two great classes of organizations be taxed—either farm cooperatives, which have no organization profit, or labor unions organized for the purpose of perpetuating the right of collective bargaining. I dare say that if the direct proposal to tax either class of organizations were to come before the Senate it would be defeated easily, and by a substantial majority.

This is a proposal, Mr. President, devised and put into the bill by an organization the name of which I have forgotten, but the headquarters of which are in the city of Chicago. This organization, the expenses of which, I dare say, are largely paid by the implement companies and the other great corporations of the country which are in the habit of preying on farmers, was organized to fight the farm cooperatives.

It seems so clear as hardly to require contradiction that Congress, in enacting numerous measures during the past few years to guarantee to labor the right of collective bargaining—a right which is not denied in these times even by the most reactionary—did not intend, on top of that, to impose a tax on the machinery and instrumentalities by which collective bargaining is achieved. At the same time, Mr. President, it seems inconceivable to me that the Congress would be willing seriously to consider a proposal for taxing the income of farm cooperatives, which are mere agencies for trying to apply the principle of collective bargaining to the farmer, both as to his purchases and as to his sales, and which are sufficient in extent only to be a brake on the extortions of some of the corporations which had been in the habit in previous times of preying upon the farmers of the United States. The cooperatives have no profits which are kept for the organizations themselves, because the profits are all immediately distributed to the members of the cooperatives, and are taxable as personal income of the members. It seems inconceivable to me that the Congress should consider a proposal to tax their income.

Mr. President, this is a specious proposal, because it is urged that there is no reason why such organizations should not make returns. The proponents of the proposal are afraid to come forward with a bald, naked proposal to tax such organizations. They come forward by indirection with the idea that they ought to be compelled to make returns. The next step would be to try to bring about their taxation.

The proposal to strike out this section was defeated in the Finance Committee once by a tie vote. On reconsideration it was defeated by one vote. I deem it proper to bring the matter to the attention of the Senate, because while the matter was considered in the Finance Committee, there was practically an even division of opinion in the committee as to the merits of the proposal.

The Finance Committee did adopt an amendment to this section. It excepted certain fraternal organizations, such as the Moose, the Eagles, the Elks, and several other organizations, from the requirement of making returns. I have no quarrel with that amendment. I voted for it. I thought it was proper. I believe that some of the organizations which, without the committee amend-

ment would have been required to make returns are among the most beneficial organizations in the United States. The Shriners, for example, with their homes for crippled children at St. Louis and San Francisco, have done some of the noblest work that has been done by public-spirited institutions and organizations. The Moose have done a great work through their home at Mooseheart. I do not think they should be included. I should like to have someone explain to me why the Moose, the Eagles, the Shriners, and the Knights of Columbus, who have done magnificent work, should be excluded from the provisions of this section, while institutions such as the great farm cooperatives, organized for the purpose of providing a check on the extortions of corporations which have been in the habit of preying on the farmers, both as buyers and sellers, and labor unions, organized to assert and promote the right of collective bargaining, should be included.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. CHAVEZ. I do not believe that the Senator from Missouri should bring in the organizations which he mentions when discussing the matter of the unions. Of course, anyone has the right to join the Moose, or the Knights of Columbus, or the Elks. That is a matter between the individual and the lodge itself. So far as collective bargaining is concerned, the Senator is correct. However, when a labor union—and I say this with all due deference, respect, and kindness to them—when a labor union insists that an American citizen must pay tribute to it before he can work for the Federal Government, I think that the principle involved is entirely different from the one involved in joining the Elks or the Moose.

Mr. CLARK of Missouri. Mr. President, may I say to the Senator from New Mexico that, so far as the proposition which he advances is concerned, it seems to me to be an entirely different one. If extortion has been practiced by labor unions it should be corrected by a proper law.

In recent days the newspapers have undertaken to inject into this question the fact that some labor organizations are raising campaign funds in effect to try to "boodle" the next election. I believe that is a matter which should be handled by adequate laws. I do not believe it is proper for Congress at this time to impose a tax upon labor's right to organize for collective bargaining, and I certainly do not think it should be done by indirection.

If a tax is to be imposed, provision for it ought to be brought in as a blunt proposition which men can understand, and it should not be presented to the Congress by indirection, or as a method of harassment of either the farm cooperatives, the labor unions, or anyone else who is included in this matter.

Mr. CHAVEZ. We will all agree with the Senator from Missouri that there should not be a tax on the right of labor to organize for collective bargaining. But when labor goes beyond that point, at a time when the American Government and the American people, in their war effort, are paying for a particular project, and requires those who work on the project to pay tribute, why should we not tax the tribute assessed against a person in order that he may work for the American people?

Mr. CLARK of Missouri. Mr. President, I may say only that if the Senator from New Mexico desires to offer an amendment to tax labor unions, no one would be more competent to draft such an amendment than he. It would be a concrete proposition, which could be understood, rather than an inchoate proposal, approaching the subject by indirection. If the Senator from New Mexico believes that labor unions ought to be taxed, the thing for him to do is to submit an amendment to that effect instead of endeavoring to approach the matter by indirection as has been done in the House bill.

Mr. CHAVEZ. Mr. President, will the Senator further yield?

Mr. CLARK of Missouri. I yield.

Mr. CHAVEZ. I believe in labor unions.

Mr. CLARK of Missouri. So do I.

Mr. CHAVEZ. I believe in the right of collective bargaining.

Mr. CLARK of Missouri. So do I. Even if I disagree with some of their policies at certain times, I believe in the right of labor to bargain collectively. The House provision, as I see it, and the amendments to it, simply constitute an attack on that right by indirection, made by organizations which do not have the courage to come forward with the blunt proposal to tax persons whom they say are doing certain things, and should be taxed.

Mr. CHAVEZ. Mr. President, I would not take a back seat to any Member of this body in his interest in labor unions.

Mr. CLARK of Missouri. I know no one who would ask the Senator from New Mexico to take a back seat on any occasion in the consideration of anything.

Mr. CHAVEZ. No; and I thank the Senator from Missouri for giving me this opportunity to speak.

But this is what I have in mind and this is what I complain about; I believe in collective bargaining; I believe in unionism, but when the Government calls our boys and says to them in effect, "You are to go to far-off places to fight the Japs," I do not believe that it should be necessary for an American citizen to pay tribute to a labor union, or to the Knights of Columbus, or to any other organization, in order to work for the welfare of the country.

Mr. CLARK of Missouri. Mr. President, I certainly have no quarrel with the Senator from New Mexico respecting has pronunciamento. However, it seems perfectly clear to me that the language of the House provision which I am seeking to have stricken out has nothing to do with the views which have been expressed by the Senator from New Mexico. The language is not designed to reach any racketeering by anyone. It is simply an indirect way of approaching a tax without actually adding a single penny to the revenue of the Government. The only possible effect of it at the present time is merely to add to the burdens of American citizens in making tax returns, most of whom already have too many returns to make.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. BREWSTER. Does not the Senator recognize the informational character of the returns which would be involved?

Mr. CLARK of Missouri. Mr. President, I am very doubtful about the informational value of returns. As a member of the Finance Committee, I have examined some of the forms which are being prepared for the new income tax, and I do not believe there is any information in them. I doubt whether any of the forms now being required by the Bureau of Internal Revenue would have any informational value.

Mr. BREWSTER. I would hesitate to quarrel with a member of the Finance Committee on the subject of the returns which have been formulated under the provisions of the law, and I quite agree with him as to their complexity. But does not the Senator from Missouri realize that an organization which is able to contribute $500,000 to a political campaign might perhaps give the American public, or the internal-revenue authorities, information as to the source of its revenues?

Mr. CLARK of Missouri. Mr. President, so far as the question of contributions to political campaigns is concerned, I think that the matter should be regulated by penal prohibitory statutes which would prohibit such contributions being made.

Mr. BREWSTER. Has it not been done?

Mr. CLARK of Missouri. In my opinion, it has been done. I understand there is contrary legal opinion, and the matter has now been submitted to the Attorney General of the United States. I may say that I made my living for most of my adult life by the practice of law, and I would perhaps personally rely more on my own legal opinion than I would on the opinion of the Department of Justice. In my opinion, the law at the present time does prohibit such contributions. However, it certainly does not seem to me that the way to reach that question to any degree whatever is by the requirement of furnishing such information in a tax return.

Mr. BREWSTER. No; I agree with the Senator that the way to handle the matter of campaign contributions is by direct legislation, which we thought had been passed.

Mr. CLARK of Missouri. My legal opinion is that it has been passed.

Mr. BREWSTER. Does it not seem to the Senator that those concerned with the financial problems of the Government in these rather difficult times may well be interested further in the financing of organizations which, in one instance, contributed $500,000 to a recent political campaign, and in another instance just proclaimed to the world that

they will contribute $700,000 to a political committee as a starter to the campaign? I understand the chairman of the committee——

Mr. CLARK of Missouri. Allow me to say to the Senator from Maine that my opinion and my information are that the section of the bill under discussion is not directed to labor unions at all. The labor unions have not been particularly interested or active in opposition to it.

Mr. BREWSTER. Mr. President, I submit that the Senator from Missouri was the one who brought the question of labor unions into the discussion.

Mr. CLARK of Missouri. I mentioned them because the section applies to them. The section is directed primarily at farm cooperatives, and the amendment was originally sponsored by an organization—as I have said, I have forgotten its correct title, but its headquarters are in the city of Chicago—which was organized for the sole purpose of fighting farm cooperatives, and was also organized in the interest of some of the corporations who have been in the habit of plundering farmers for many years, and whose activities have been checked by such nonprofit organizations as, for example, the Missouri Farmers' Association, with which I happen to be familiar.

Mr. BREWSTER and Mr. AIKEN addressed the Chair.

Mr. CLARK of Missouri. I yield first to the Senator from Maine, and then I shall yield to the Senator from Vermont.

Mr. BREWSTER. I referred to labor unions because the Senator from Missouri brought the question up.

Mr. CLARK of Missouri. I mentioned the subject of labor unions because the House provision in terms applies to labor unions, but this section is essentially directed not to labor unions but to farm cooperatives.

Mr. BREWSTER. I should like simply to finish for the RECORD the statement I made as to the $700,000 contribution which was proclaimed by Mr. Philip Murray as directed to the political committee he had formed, and to an estimate by the chairman of that committee, and from an apparently authoritative journal, that this committee contemplates a campaign fund of $5,000,000. When they get to dealing in funds of that character, certainly it would seem that they can have no just objection if the revenue authorities of this Government at least indicate an interest in the source and the expenditure of their revenues. They certainly are becoming big business in a big way. The Senator speaks of collective bargaining. A $700,000 campaign fund is not for bargaining collectively. It is for bargaining politically. It seems to me that none can seriously object if they are asked simply to give an accounting to the proper authorities. I say that so far as the union aspect of the question is concerned. I sympathize greatly with the Senator's position regarding farm cooperatives.

Mr. AIKEN. Mr. President, will the Senator from Missouri yield?

Mr. CLARK of Missouri. I yield to the Senator from Vermont.

Mr. AIKEN. There must be a good deal of misunderstanding as to what section 112 provides. From the remarks of the Senator from Maine, he apparently feels that the public should be better informed as to the income and expenditure of labor unions and other organizations. Section 112 requires, as I understand it, that returns shall be made to the Commissioner of Internal Revenue, but he will have no right whatsoever to let the public know anything that is in the reports which may be submitted.

Mr. CLARK of Missouri. The Senator from Vermont is entirely correct.

Mr. BREWSTER. Mr. President, I think in my initial language I made it clear that this was for the governmental authorities concerned with the fiscal problems of the Government and the country. I quite understand the limitation. It has only been once that returns have been made public. But, in view of what the Senator from Missouri has just stated, that he had examined these returns, as was his province in the responsible position he occupies, I think the Congress might well be interested.

Mr. AIKEN. Mr. President, I believe, under the circumstances, if the returns are made that they probably should be made public. The public seems to have the feeling that if the returns are made they are going to find out something about the income and expenditures of labor unions and farm cooperatives. I agree with the Senator from Missouri in my understanding that this section is aimed primarily at farm cooperatives.

Mr. CLARK of Missouri. There can be no question about that. It just happens to catch labor unions.

Mr. AIKEN. And is sponsored by organizations that feel the competition of farm cooperatives and are out to check and stop it.

I understood that other Senators would cover that ground and are prepared to do so a little later, and I shall not go into it now; but I have talked with a good many representatives of the farm cooperatives and I find that they are unanimously against this section. So far I do not know of any farm cooperative or farm organization that is for section 112. I shall support the motion of the Senator from Missouri.

Mr. GEORGE. Mr. President, I may suggest to the Senator that I have in my possession a statement from the Farm Bureau Federation that they have no objection to this, though they did suggest an amendment or two. On inquiry, however, I find that the amendments are not necessary because the existing law covers the point they had in mind.

Mr. AIKEN. The communication from the farm organization referred to, however, is not available and it has not been put into the RECORD.

Mr. GEORGE. No; I did not put it into the RECORD, but it is in my office and I can send for it.

Mr. AIKEN. I will say that the American Farm Bureau Federation is not a farm cooperative, so far as I know; but in my section of the country, at least, nearly all the members of the Farm Bureau Federation are members of cooperatives and those cooperatives are certainly opposed to section 112.

Mr. GEORGE. That may be.

Mr. CLARK of Missouri. The Senator from Georgia will certainly recognize that there is a very great difference between the Farm Bureau Federation and some of the other large farm organizations, which are simply made up of farmers, and farm cooperatives, which are business organizations.

Mr. GEORGE. But I did not want the statement to go unchallenged that no organization of farmers was in favor of the provision. I have a statement from two organizations in which they say that with certain amendments, which are wholly unnecessary because the existing law covers the situation, they would have no objection. They did insist that they ought to be allowed to file their returns with a division of the Department in Washington rather than in the field. I think that probably was due to the fact that they thought that some competitive enterprises might have access to the returns, although that would not be true, of course.

Mr. CLARK of Missouri. I have no desire whatever to quibble with the Senator from Georgia as to terms, but the fact is that there is no identity whatever of interest between farm organizations as such and farm cooperatives as such. The Senator from Vermont said he had not heard of any farm cooperative that was opposed to the House provision. The Senator from Georgia comes back and undertakes to refute that by saying he has had some statements not from farm cooperatives but from farm organizations. There is a great difference between an organization which is interested in the general welfare of the farmers and is made up of individual farmers, and an organization, a business organization, even though it be a nonprofit organization, in which every member has a personal interest which is represented by the dividends he may receive and on which he pays taxes, and which is created for the purpose both of increasing the price of the commodities he has to sell and reducing the price of articles he has to buy. There is a very great difference between an ordinary farm organization and a farm cooperative. Most of the members of farm cooperatives are also members of great farm organizations; but, nevertheless, there is no identity of interest whatever between them.

Mr. AIKEN. Will the Senator permit me to clarify the statement I made a few moments ago? When I said the American Farm Bureau Federation of itself is not a cooperative, I meant it is not engaged, so far as I know, in the buying and selling of farm produce or farm supplies. There are State organizations of the Farm Bureau Federation which have sponsored and organized very successful cooperatives.

Mr. CLARK of Missouri. It is a very different organization, for instance, than the Missouri Farmers' Association, which is not only a great farm organization, containing many times as many members as all other farm organizations in the State put together, but is also a

great farm cooperative that both buys things the farmer has to use and in turn sells them to the farmer, distributing immediately to each member any proceeds that may be derived on which proceeds the members pay taxes, and at the same time assists the members in marketing agricultural products. That is substantially a different type of organization from an ordinary farm association made up of members who simply desire to cooperate for the purpose of declaring their purposes as a national organization regarding agriculture. The two things have nothing whatsoever in common except that they both happen to be composed of farmers.

Mr. AIKEN. That is exactly what I wanted to make clear.

Mr. MEAD. Mr. President——

Mr. CLARK of Missouri. I yield to the Senator from New York.

Mr. MEAD. First of all I want to commend the Senator from Missouri for his objective, which is a worthy one, and, further, for his desire to keep the pending issue clear. As he has pointed out, there is nothing in his amendment that applies to the objective announced by the junior Senator from New Mexico or the junior Senator from Maine.

The position which they take will not be affected by the particular amendment the Senator is offering at this time. In other words, the suggestion of the junior Senator from New Mexico inferring that in some cases the dues and initiation fees might be too high has nothing whatever to do with the pending amendment. Making political contributions by labor unions in the coming election will not be prevented by the amendment which the Senator from Missouri has in mind. He is merely attempting to strike out of a tax bill an item calling for returns which in my judgment has no right there.

Mr. CLARK of Missouri. The Senator is entirely correct.

Mr. MEAD. If any Member of the Senate objects to the political activities of a labor organization——

Mr. CLARK of Missouri. We should deal with that directly.

Mr. MEAD. There is a committee on labor legislation which will consider such matters. But when we deal with the subject of political contributions we should take into consideration not only labor organizations, but all sorts of organizations. I am sorry the senior Senator from Pennsylvania [Mr. DAVIS] is not in the Chamber at the moment. He issued a statement a few days ago to the effect that huge financial interests were organizing for political purposes in his State. Some of these interests were investigated, at least scantily, by my distinguished colleague the junior Senator from Arizona [Mr. MCFARLAND] when he was chairman of the Committee on Campaign Expenditures. Large corporations and interests were pouring out their wealth in the campaign of 1940 in every section of the country, so it was reported, and as I stated a moment ago, the senior Senator from Pennsylvania served warning on the country that a huge fund was being set up in his State to defeat him for reelection. That, of course, is a separate and a distinct question.

Now with reference to the C. I. O. and the fund they are setting aside, I think it can be said that it is not a direct political contribution to any individual or to any party. It is a sum, as I understand, set aside to arouse interest among the members of that organization and the people generally in the privileges and the responsibilities which are ours as citizens of a democracy.

Looking over the figures relating to the recent elections in some sections of the country, we find that less than 50 percent of the eligible voters went to the polls to vote on election day, and if any organization, be it political or fraternal, business or agricultural, can arouse wholesome interest and intensify the activities of the people of this country in the democratic processes, it seems to me it is perfectly within the law. So far as I know, no contribution has been made to a political party or to a political candidate from this fund.

Mr. BREWSTER. Will the Senator from Missouri yield to me?

Mr. CLARK of Missouri. I yield the floor. I have said everything I wish to say on the subject.

Mr. BREWSTER. I was very much interested in the remarks of the Senator from New York. I wonder how he discriminates between the enormous sums which are being contributed by corporations to the education of the American public as to the wisdom of voting and the sums which are being contributed by the C. I. O. to the education of American citizens as to the wisdom of voting. What is the line the Senator draws to distinguish between the two?

Mr. MEAD. I am sorry, but if the Senator had been listening, he would have heard me say in the beginning that neither of them would be affected by the pending amendment. I merely commended my colleague from Missouri for keeping the issue clear. However, if the argument of my gracious colleague the Senator from Maine were directed toward labor organizations, then he would, of course, welcome an opportunity to cover the entire situation.

Mr. BREWSTER. Would the Senator from New York include in the investigation the contributions of corporations in the amount of a thousand dollars a page to a political campaign book to tell the virtues of their organization? Would that be included within the scope of the investigation?

Mr. MEAD. In the first place, the Senator from New York is not interested in an investigation. He is merely interested in assisting the distinguished Senator from Missouri in striking this section out of the bill. Then, after that, the Senator from New York will make his own decision with reference to such other matters as are not germane to the present discussion.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. CLARK].

Mr. CLARK of Missouri. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. GEORGE. I suggest the absence of a quorum.

Mr. REYNOLDS. I should like to submit a few remarks before the vote is taken.

The PRESIDING OFFICER. The Senator from North Carolina is recognized.

Mr. REYNOLDS. Mr. President, I have listened to what my distinguished colleague the Senator from Missouri [Mr. CLARK] has said, and what the able Senator from New York [Mr. MEAD] has said, and what was stated by the distinguished Senator from Vermont [Mr. AIKEN]. The debate has all been highly interesting, particularly interesting to me, as well as to other Senators, because the arguments have had to do with politics and the financing of political campaigns. Of course, all of us who are candidates are interested to a large degree in the financing of campaigns. Even if we are not interested in that, we are interested in getting as many votes as possible.

We all recognize that the C. I. O. and the American Federation of Labor are powerful organizations in their field, and powerful political organizations. We know that to be so. I remember that some time ago the Members of the Senate were called upon to vote for a bill introduced by the Senator from Texas [Mr. CONNALLY], which had as its objective the stopping of strikes. Tremendous political pressure was brought on us not to vote for that bill. Perhaps some of us hesitated about it, because it was a serious step we were taking; but, after giving the matter much consideration, I decided to vote in the way I thought would be best for my Government and for the war effort, and I voted for the Connally bill, which had as its objective, as I have said, the stopping of strikes. Unfortunately, since that bill was enacted we have found that it did not have quite enough teeth in it.

As I have stated, we are interested in campaigns. That is why I suggested at the outset that I was very much interested in what the Senator from New York, the Senator from Maine, and the Senator from Missouri said about unions in politics.

Reverting to the Connally bill, I recall that shortly after it was passed I was in the South, in the State of Arkansas, the two distinguished representatives of which State are now in the Chamber, and I read an article in a newspaper stating that our good friend Mr. William Green had made a speech in Newark, N. J., in which he had said that the labor organizations were going to defeat every man in the Senate and in the House of Representatives who voted for the Connally bill.

Mr. President, that was a very unfortunate statement for Mr. Green to make, and I am really sorry that he made it. Of course we are interested in unions, particularly all of us who are in politics, because the unions have a great deal of influence in this country. As was stated a moment ago by one of the Senators, a few years ago Mr. John L. Lewis gave to one candidate $500,000, and I believe it was the Senator from Maine [Mr. BREWSTER] who stated a moment ago that Mr. Philip Murray, of

the C. I. O., had said that his organization already had $700,000 in hand and were going to raise $5,000,000 to elect the boys they wanted, and to defeat the boys they did not want. That is their right; but at the same time, if money is so easily raised, and millions of dollars are so carelessly referred to, I think the Federal Government has a right to know from what source the funds are derived. Consequently, whether it is a labor union, a fraternal organization, or whatever it is, I think Uncle Sam himself has a legitimate reason for obtaining and a right to obtain the information as to where a labor organization, a fraternal organization, or any other association, derives its money, whether it is a thousand dollars or ten hundred thousand dollars.

It has been stated here, and I am ready and willing to believe it, and to take it at its face value, that the labor organizations are not opposing the section in question, which was placed in the bill in the House. No labor representative has ever spoken to me and said that he did not want it in the bill and would like to have it taken out. I have never heard of any Senator being spoken to by any representative of any labor organization in regard to the subject. Therefore, instead of the labor unions not wanting the amendment in the bill, I argue that the labor unions want it to remain. So why not let them have what they want?

Mr. President, I think, as do a great many other persons, that the amount of funds derived by labor organizations, and information with respect to the source of the funds, should be made available to the United States Commissioner of Internal Revenue, and I think the section in question should remain in the bill. Uncle Sam has all the information with respect to where you and I get our money on which we pay income taxes. Uncle Sam has all the information from the corporations with respect to where they get their money and how much they have received. Now Uncle Sam says he wants likewise to obtain information with respect to where the labor organizations get their money, and how much they have received. There is only one trouble about the matter, and that was revealed a moment ago by the able Senator from Vermont; that is that the information is not to be made public.

Mr. MEAD. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. MEAD. The issue between us is clear cut, in that the Senator from North Carolina favors the retention of the provision and I favor its elimination from the bill. But will not the Senator agree with me that it is a matter which should be taken up by a legislative committee? There is not a tax associated with it, and by taking it up in a legislative committee we might see the wisdom—and I am sure the Senator agrees—of including the National Chamber of Commerce, national manufacturers' associations, and other organizations of similar character? Is there any reason for including the farmers and the laboring men, but leaving the group composed of the national manufacturers' associations and kindred organizations outside the scope of legislation which, according to my distinguished colleague, is good legislation? If it is good for one, it ought to be good for another.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. KILGORE. That calls to my attention a column written upon that very point in which comment was made on the fact that some of the most powerful lobbies now operating in Washington were backed by funds from organizations such as the National Chamber of Commerce, which had to render no accounting, whereas it had been ruled by our tax authorities that the same thing done by employee organizations was illegal.

Mr. REYNOLDS. I quite agree with the Senator.

Mr. GEORGE. I may call the attention of the Senator from West Virginia to the fact that the chambers of commerce and business organizations are covered under this same provision, and all they are asked to do is to give a little information to the Congress so that we may determine whether or not from some of their investment income they ought to pay some tax.

Mr. REYNOLDS. Mr. President, from all the evidence which has been produced on the floor, labor unions do not oppose this amendment. Therefore, as I stated a moment ago, I argue that the labor unions favor it. Therefore, in view of the fact that the officers of labor unions, as I have argued, favor it, I now, having spoken in the interest of the officers of the big labor unions, wish to address myself to this body in the interest of those persons who provide these funds amounting to millions of dollars. I am now going to speak in the interest of the dues-paying, initiation-fee-contributing members of labor organizations. All the millions of dollars that are being passed around, the $500,000 donations made by labor chiefs to various candidates, and the $700,000,000 which Mr. Murray says he has already raised to elect or to defeat certain candidates—that money is paid by the members of the labor organizations.

As a matter of fact, I think Uncle Sam ought to know from what source that money comes, and how much it is, and I believe such information should be made public in order that the dues-paying members who put the money into the kitty or put it into the pot should know just how it is going to be spent, for whom it is going to be spent, or against whom it is going to be spent, because Mr. Murray might favor one candidate and the fellow who put the money up by paying the dues might favor another candidate. And so it goes.

I am speaking in the interest of the members of the labor unions. I introduced during the past year Senate Joint Resolution 9 in the interest of labor unions, fundamentally and firstly in the interest of the dues-paying members of the labor unions. That measure would make it mandatory upon the part of the labor unions to register with the Secretary of Labor. It would make it mandatory upon the part of labor unions to declare to the Federal Government the amount of dues they charge and how often they charge them, what the initiation fees are, and to render annually to their respective unions reports showing how much they have taken in and how much they have paid out. That is something that the members of the organizations have been seeking for a long time.

Furthermore, my joint resolution would prohibit any labor union from having as an officer of the organization any alien, anyone who was a member of the Communist Party, or the Fascist Party, or the Nazi bund. It is from that angle that my interest in this matter stems. As evidence of the fact that I am interested primarily in the dues-paying members of labor organizations I ask unanimous consent that my measure, Senate Joint Resolution No. 9, be printed in the RECORD at this point, in order that my position may be made clear.

There being no objection, the joint resolution (S. J. Res. 9) requiring the registration of labor organizations, prohibiting the employment of certain persons as officers or agents of such organizations, and for other purposes, was ordered to be printed in the RECORD, as follows:

Whereas it is essential that the public be fully informed with respect to the activities of the various labor organizations whose members are engaged in the production of articles and materials which are vital to the war effort; and

Whereas the officers and agents of such organizations should all be American citizens whose allegiance to the United States is unquestioned and who can be depended upon to aid the Government in suppressing industrial sabotage and other subversive activities which tend to impede, undermine, or defeat the war effort: Therefore be it

Resolved, etc., That within 30 days after the date of enactment of this act and annually thereafter every labor union or other labor organization (a) which represents, or purports to represent, in any manner the interests of any persons employed by any business enterprise which is engaged in interstate or foreign commerce, or in the production of goods for such commerce or for national defense or war purposes, or (b) whose activities in representing the interests of employees extend to more than one State, shall, through its president or other authorized officer, register its identity with the Department of Labor, and state under oath the following information, and such other information as the Secretary of Labor may by regulation prescribe:

(1) The name of the labor union or other labor organization;

(2) The address at which it has its principal office or does business;

(3) The names, titles, and salaries of its officers;

(4) The initiation fees charged each member;

(5) The annual dues charged each member;

(6) The assessments levied against its members during the past 12-month period;

(7) The limitations on membership;

(8) The number of paid-up members;

(9) The date of the last election of officers;

(10) The method of election of officers;

(11) The vote for and against each candidate for office at any election held during the past 12-month period; and

(12) The date of the last detailed financial statement furnished to all members and the method of publication or circulation of such statement.

With such information there shall be filed a copy of the constitution and bylaws of the labor union or other labor organization, and there shall be filed under oath a detailed and intelligible financial statement showing the receipts and expenditures of such labor union or other labor organization during the past 12-month period.

SEC. 2. Every such labor union or other labor organization established after the date of enactment of this joint resolution shall, when established and annually thereafter, register with the Department of Labor and furnish the information required of existing labor unions and other labor organizations under the preceding section.

SEC. 3. Any labor union or other labor organization which fails to register with the Department of Labor and file the information required by this act shall be disqualified to act as the representative of employees in collective bargaining during any period that such failure continues and, in addition, shall be fined not more than $.

SEC. 4. (a) It shall hereafter be unlawful for any labor union or other labor organization which is required to register with the Department of Labor to have as an officer or agent any person—

(1) who is not a citizen of the United States;

(2) who is a Communist, Fascist, or member of any Nazi bund organization;

(3) who has been a member of or affiliated with any Communist, Fascist, or Nazi bund organization within the 2-year period prior to the date of enactment of this act;

(4) who is ineligible to hold public office; or

(5) who has lost his rights to United States citizenship by reason of conviction of a felony.

It shall be the duty of each such labor union or other labor organization to use due diligence to determine whether any of its officers or agents is a person who is prohibited from being such an officer or agent under the provisions of this subsection.

(b) It shall hereafter be unlawful for any person described in subsection (a) to be an officer or agent of any such labor union or other labor organization.

(c) Any labor union or other labor organization, or any person, who willfully violates any of the provisions of this section shall, upon conviction thereof, be fined not more than $10,000; and each such violation shall be deemed to be a separate offense.

Mr. REYNOLDS. Mr. President, I wish to say in conclusion that although I dislike very much to disagree with my distinguished friend the Senator from Missouri [Mr. CLARK], I hope that those who are interested in the labor unions and likewise in Uncle Sam's welfare will vote to leave the section in question in the bill. Of course, if Senators do not want Uncle Sam to know how much money the unions have collected, or where they collected it, or how much they have on hand, if they do not want Uncle Sam to know as much about the labor union business as Uncle Sam knows about their business and about my business, they will vote "yea" on the question; but if they want Uncle Sam to know as much about the unions' business as Uncle Sam now knows about their personal business and my personal business they will vote "nay." That, it seems to me, presents the whole situation. I am obliged to file an income tax return, and I must let Uncle Sam know how much I receive and where I get it and I must then pay a tax thereon. It causes me a great deal of trouble, of course. I do not see any reason why labor organizations should be exempt from doing the same thing. Uncle Sam should be permitted to know as much about their business as he knows about our personal business.

Mr. President, that is all I wish to say on the subject.

The PRESIDING OFFICER (Mr. WALSH of New Jersey in the chair). The question is on agreeing to the amendment of the Senator from Missouri to strike out section 112, beginning on page 39. On this question the yeas and nays have been ordered.

Mr. GEORGE. Mr. President, if no further discussion is to be had on this matter, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Radcliffe
Andrews	Gillette	Reed
Austin	Green	Revercomb
Bailey	Guffey	Reynolds
Ball	Gurney	Robertson
Bankhead	Hawkes	Russell
Barkley	Hayden	Shipstead
Bilbo	Hill	Stewart
Bone	Holman	Taft
Brewster	Johnson, Colo.	Thomas, Idaho
Bridges	Kilgore	Thomas, Okla.
Buck	La Follette	Thomas, Utah
Burton	Langer	Tobey
Bushfield	Lodge	Truman
Butler	McCarran	Tunnell
Byrd	McClellan	Tydings
Capper	McFarland	Vandenberg
Caraway	McKellar	Van Nuys
Chavez	Maloney	Wagner
Clark, Mo.	Maybank	Wallgren
Connally	Mead	Walsh, Mass.
Danaher	Millikin	Walsh, N. J.
Davis	Moore	Wheeler
Downey	Murdock	White
Eastland	Murray	Wiley
Ellender	Nye	Willis
Ferguson	O'Daniel	
George	Overton	

The PRESIDING OFFICER. Eighty-two Senators have answered to their names. A quorum is present.

Mr. TRUMAN. Mr. President, I desire to make only a short statement on the amendment proposed by my colleague, the senior Senator from Missouri. I shall vote for the amendment, but I think the time has come when labor unions, cooperatives, and similar organizations which have grown to such vast proportions during the past few years are going to be required to make an accounting of their funds and of what they do with them, for the benefit of the public and in the public interest. There is no difference between a labor leader with too much money to spend on an election and Mark Hanna with too much money to spend on an election. I think the sooner the people concerned realize that in their own interest they must make a public accounting of their funds and that they must also approach the political program in such a way that no suspicion can be cast on them as to the manner in which they use their money, the sooner we shall come to a proper settlement of labor leadership and the proper expenditure of the funds for which they are responsible.

Mr. CLARK of Missouri. Mr. President, will my colleague yield to me?

Mr. TRUMAN. Certainly.

Mr. CLARK of Missouri. I entirely agree with everything my colleague has said about this matter. Let me inquire whether my colleague does not agree that the proper way to approach the matter is by the Corrupt Practices Act, not by a rider on a tax bill, which is what the section is.

Mr. TRUMAN. I agree. A tax bill is not the proper place to have legislation on the matter. It should be considered by the proper legislative committee, and should be brought into the Senate in a proper way.

Mr. TAFT. Mr. President, I wish to make merely a brief statement on the pending amendment. In committee I voted to eliminate the section. I intend to vote for the amendment of the Senator from Missouri. Let me say that in committee a motion was made to exempt the labor unions and farm cooperatives from the application of the provisions of the section. I voted against the motion to exempt the labor unions and farm cooperatives from the application of those provisions. The reason why I shall vote for the amendment of the Senator from Missouri is that the section which is now in the bill represents an effort to obtain information upon which to base a future program of taxing a long list of organizations now tax exempt. However, today the Treasury already has full power to require any of those groups of organizations to make returns. The Treasury can require them to do so under the existing law.

On the basis of the returns, the Treasury can make studies which will be perfectly adequate as a basis upon which to tax the various organizations now tax-exempt. Probably some of them should be taxed. Last year the Treasury submitted a proposal to tax mutual insurance companies, without proposing any such means as that provided in the section. With respect to each of these groups, it is perfectly possible to face directly the question whether they should be taxed. As I say, the Treasury may obtain the information under existing law, without any compulsory requirement.

In order to have this information obtained under the provisions of this section, I think we would be asking approximately 300,000 organizations to make returns—which would seem to me to be a duplication of paper work, and an unnecessary imposition on those concerned. The labor unions constitute a very small percentage of the total.

I myself feel that the section would result in placing, in time of war, an additional burden of paper work on a great many persons who are busy in the war, and that the section represents an endeavor in the midst of war to undertake a permanent reform.

Therefore, it seems to me that it was unwise and unnecessary to include in the bill the compulsory requirement for an informational schedule or return.

Mr. SHIPSTEAD. Mr. President, I have not heard all the discussion on the pending question. As I understand, section 112 incorporates in the revenue bill now before the Senate a provision calling upon cooperative organizations, labor unions, and other organizations which have funds which are not considered profits, to make returns. I ask the Senator from Georgia if that is not correct?

Mr. GEORGE. No; it is not correct. The Senator's understanding may be correct in part. The facts are these:

From time to time the Congress has exempted certain corporations from taxation. A large number of them have grown up in the United States, and the number is still increasing. Such exemptions are allowed under section 101 of the Internal Revenue Code. This provision is simply to require such tax-exempt corporations to file informational returns with the Bureau of Internal Revenue, as in other cases.

Mr. SHIPSTEAD. It has nothing to do, then, with cooperative organizations, which realize no profit?

Mr. GEORGE. If they were tax-exempt corporations, they would be required to file an informational return. That is all. They would not be taxed.

Mr. SHIPSTEAD. Would an organization which is a nonprofit organization be required to file a return of income?

Mr. GEORGE. Those which have been exempted would be required to file an informational return. There is a vast difference between organizations or corporations which have been exempted in certain cases, and those which are nonprofit making. The Senator is speaking of fact. I am speaking of the law. Of the 300,000 corporations in this country which are exempted from taxation at this moment, many of them have incomes which, in my opinion, ought to be subjected to some tax.

Mr. SHIPSTEAD. Does the Senator contend, for example, that farmers' mutual insurance companies should file returns? Such companies are not now taxed. They were exempted from taxation because they were shown to be nonprofit organizations.

Mr. GEORGE. I would not say that any nonprofit organization, such as a farmers' cooperative, should be taxed.

Mr. SHIPSTEAD. What about a labor union? Are labor unions taxed upon their funds?

Mr. GEORGE. No; they are not taxed; and the man who pays the assessment is permitted to make a deduction for the assessment.

This provision is in the House language. The Committee on Finance did not put it in the bill. All it does is to provide that certain kinds of corporations shall make returns. This bill has very little application to labor organizations. They would have to file an informational return. But the man who pays dues or assessments deducts them from his income tax, and there is no accounting for them by the organization to which they are paid, so far as taxes are concerned. I do not think there should be. The truth is that this section is aimed primarily at a type of investment income on which the Congress might or might not impose a tax if it had full information.

Mr. SHIPSTEAD. I do not see why a nonprofit organization should be required to report by the terms of a revenue measure. There may be corporations which have profits and which are still exempt. The question of policy or regulation in connection with organizations which have no profits might be covered by a separate bill. That is another matter. But I cannot vote to put that kind of a provision into a revenue bill when there are no taxes to pay.

Mr. LA FOLLETTE. Mr. President, I wish to make a brief statement concerning the amendment offered by the senior Senator from Missouri [Mr. CLARK].

I wish Senators would dissociate, in their thinking concerning the issue presented to the Senate, any question of regulation of labor organizations or cooperatives, or any of the other exempt organizations which would be required to file informational returns under this section, and think of the section solely for what it is.

In one fell swoop, with certain exceptions, it wipes out the exemptions from filing which have been built up over the years under section 101 of the Internal Revenue Code. So far as I know, as a member of the Committee on Finance, it is done without any statistical or detailed information being presented to justify it, as a means of furnishing information upon which additional revenue might be collected, save the general statement just now made by the Senator from Georgia, that there are some organizations which have investment income which the Congress, if it had information about them, might decide to tax.

Mr. President, every Senator knows that we are in a very difficult situation so far as manpower is concerned. When I was at home during the adjournment of Congress I had a greater number of complaints about the information, returns, and forms which taxpayers are required to submit to the various agencies of government than with respect to any other single item.

The Small Business Committee of the Senate made an investigation of that subject, and Congress enacted a statute, sponsored by the chairman of the committee, as I recall, designed to force the Government, whenever possible, to reduce the number of forms and the amount of paper work which organizations of every type and description are being required to file with the Government. That law has not accomplished as much as I had hoped it would; but in one fell swoop in this bill we would do more, in my opinion, to increase the burdens upon these organizations in filling out returns than we have eliminated by the enactment of the measure to which I have referred.

It seems to me that in view of the shortage of manpower and the difficulty which organizations of every kind have in performing their functions today, we should not impose this additional burden upon them unless there is a substantial showing of fact that there is warrant for the assumption that in causing such an inordinate burden the Government will, in return, receive information which will be commensurately beneficial to it.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. SHIPSTEAD. There should be some revenue involved.

Mr. LA FOLLETTE. I am not certain how much revenue would be revealed by such returns, because I have no definite information on the subject; but I do not know of anyone who has come forward and said that he wants to tax all genuinely cooperative enterprises in the country under the income tax. The justification for their exemption is the fact that they are, as organizations, nonprofit enterprises. They return their profits, if I may term them such, or their savings, to the members of the cooperatives in the form of dividends, which are reported as income by the individual members thereof, and become taxable in their income-tax returns.

I have not heard the suggestion that there should be a tax imposed upon labor organizations as a group, and yet they would be required to furnish returns under this provision, just as would all the cooperative organizations in the country.

Mr. President, if we are seeking to reach the fields in which there is competition between so-called nontaxable or exempt organizations and private enterprise or business, we have defeated our own purpose by some of the exemptions which we have already written into the law. As I recall, the Treasury came forward in connection with one of the revenue bills—they have been so numerous that I cannot keep them separated in my memory—with a proposal to tax the business activities of educational and charitable institutions, and it was the Treasury which took the responsibility of suggesting that there was a field in which we might find some forms of income as a result of actual commercial enterprises which should be considered by the Congress as a subject of taxation.

Any Senator examining the pending measure will find that such institutions have been specifically exempted. I do not wish to be misunderstood; I am in favor of such exemption; but I say that it does impair the argument which I have heard presented in favor of section 112, because we have eliminated certain groups. We have eliminated all educational institutions and all fraternal organizations. I voted for the elimination of the fraternal organizations because I felt that the proposal would impose on organizations distributed all over the United States an undue and unwarranted burden and one out of all proportion to the benefit which could be derived by the Government, in view of the manpower shortage. However, we will not do a thorough job if we accept the proposal as it now stands. We are asked to exempt certain organizations,

one group of which, as I recall, the Treasury suggested might be considered for the purpose of taxation.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. MALONEY. I am not as completely informed with respect to cooperatives as I should like to be, and I desire to ask the able Senator from Wisconsin if some of the cooperatives in existence, or some of those which he has in mind, do not buy products and in turn sell them to agriculturists and farmers?

Mr. LA FOLLETTE. Certainly; there are cooperatives organized all over the United States which farmers have organized for the purpose of buying supplies, and, in some instances, buying machinery for use on their farms.

Mr. MALONEY. I should like to ask the Senator one or two additional questions. Let us assume for the moment, if I may, on the basis of the statement of the Senator, that the Congress at some time in the future will pass a sales-tax law. At the moment I doubt that I would vote for a sales tax. However, let us assume that one becomes effective. Would the Senator exempt the cooperatives from the sales tax, in such a situation?

Mr. LA FOLLETTE. No; because the sales tax is predicated on an entirely different principle. The burden of the retail sales tax falls upon the consumer. The tax is levied on the retail sale. The income tax is predicated on a different principle, namely, that of arriving at the income of an organization and then imposing a tax upon it.

Mr. MALONEY. Does the Senator feel that mutual-insurance companies, for example, should be exempt when they are in competition with corporate stock insurance companies?

Mr. LA FOLLETTE. Mr. President, as the Senator may recall, in connection with the last tax bill, we labored long and arduously on a proposal to tax the investment income of mutual-insurance companies. However, I wish to remind the Senator from Virginia [Mr. BYRD], who worked very hard on the proposal, that we exempted certain of the small companies. After long and difficult consideration we fixed the exemption they could claim on filing their income-tax returns. Under the terminology of section 112 as now drawn, that exemption would be wiped out, and all small farm mutual-insurance companies, in which even the person who conducts the business takes a very small salary, and in which he does the work in his spare time, would be required to file returns.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. MALONEY. Mr. President, will the Senator further yield to me? I should like to ask another question, if I may.

Mr. LA FOLLETTE. I yield first to the Senator from Connecticut.

Mr. MALONEY. Does the Senator from Wisconsin entertain the thought that any organization which is in competition with like institutions should be exempt from the payment of taxes?

Mr. LA FOLLETTE. Mr. President, I believe in the principle of income taxes, and that they are predicated upon a sound principle. I believe that in the application of that principle there should be a tax upon the net income of an organization which has realized a net income from its activities. A cooperative organization does not realize any net income in the true sense of the word because although it sells at the prevailing retail price, it pays out to its stockholders in the form of dividends whatever it receives over and above its actual operating expenses. So, in my view, the genuine cooperative does not have a net income in the same sense that a corporation has a net income.

Mr. MALONEY. Mr. President, I should like to ask the Senator one more question, and I hope he will believe that I am only seeking enlightenment. I have no fixed view on this matter whatever.

Mr. LA FOLLETTE. I yield.

Mr. MALONEY. It seems to me, if I understand the views of the Senator correctly, that if carried to its logical conclusion this special tax exemption would lead to a kind of socialization. That is the theory which I hold.

Mr. LA FOLLETTE. Mr. President, I have no fear of it leading to socialization. I certainly do not look upon a genuine cooperative organization as a socialistic enterprise.

Mr. MALONEY. My fear is that it leads toward the danger of a socialistic state. That is my theory.

Mr. LA FOLLETTE. In my view, genuine cooperatives hold out very great hope that we never shall have a socialistic state.

Mr. MALONEY. I do not have any fixed opinion about the matter.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I should like to invite attention of the Senator to the fact that one of the first things which the dictators of Europe did in rolling roughshod over the democracies was to strike down the cooperatives and labor organizations.

Mr. MALONEY. Mr. President, may I make myself clear before the Senator yields to the Senator from Missouri?

Mr. LA FOLLETTE. I yield to the Senator from Connecticut.

Mr. MALONEY. I have no fixed opinion about this matter. I am somewhat disturbed, however, by tax exemptions as they would apply in this instance, and I am only seeking enlightenment.

Mr. LA FOLLETTE. Allow me to say that, so far as my recollection goes, these organizations have been exempt from the very inception of the income-tax law.

Mr. MALONEY. Mr. President, the Senator from Georgia [Mr. GEORGE] has pointed out that under the existing law thousands of new organizations have come into being. I gather that in his mind, and in the minds of the other members of the committee, a review should be made of the situation.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. Allow me first to answer the Senator from Connecticut.

It is true that the cooperative movement has been growing in this country, but I do not think that is any cause for alarm, so far as our social institutions are concerned. I think it should be cause for reassurance.

I now yield to the Senator from Georgia.

Mr. GEORGE. Mr. President, I merely wish to point out that when we began to exempt these organizations the income tax was very low. It was not burdensome. It did not give one competitor the power of strangulation over other competitors.

Regarding true cooperatives, which deal with their members, whether they be farmers or others, I would never vote to tax them. However, it is known that many of the cooperatives do much business for nonmembers. With tax rates as high as they now are, it is not difficult to justify at least calling on these organizations to file informational returns. It seems to me they do themselves an injustice when they even oppose it.

Mr. LA FOLLETTE. I yield to the Senator from Minnesota.

Mr. SHIPSTEAD. Mr. President, to show how it is when we enter upon this ground, let me say that there are some companies calling themselves mutual which are not mutual in fact, but farm mutual insurance companies—and I say this for the benefit of the Senator from Connecticut—were taxed on their income in 1922. The farm mutual companies had no money surplus. The only income they had was derived from assessments required to pay losses. They had no profits, they had only losses. They are conducted by local agents, usually farmers. For such insurance a farmer may pay a dollar to the agent for issuing the policy. At the end of the year the losses which have been sustained are appraised and an assessment is made upon the members, who chip in so much, according to the size of their policies, to pay the losses. That is what we usually find in the case of farmers' mutual insurance companies.

When this was called to the attention of Congress in 1924 the House reinserted the tax upon the income, but when the bill came to the Senate the Senate discovered that such companies had nothing in the form of a profit or an income subject to taxation; that they had nothing but losses, and so, as such a mutual organization had no income except that derived to pay losses, there was nothing to tax. That is one kind of a mutual organization. There may be others. I understand that there are certain life-insurance companies that call themselves mutual companies that have vast amounts of capital and great income, but that is a different matter. So we must distinguish between these various organizations. The question it seems to me should come up in an entirely different bill.

Mr. LA FOLLETTE. Mr. President, I desire to emphasize the point the Senator from Minnesota has developed. When

the necessity for revenue became great the Finance Committee, as well as the Ways and Means Committee, took up the question of taxation of mutual insurance companies other than life companies. We spent a great deal of time on it; we obtained all the facts about the matter, and adopted a provision, which I think has worked very well, to tax them on their investment income. That it seems to me, Mr. President, is the orderly, logical, and fair way for the Congress to proceed, and not merely to throw out a dragnet in time of war and impose a crushing burden upon people who are already short-handed and overworked.

The small-farm mutual insurance companies to which the Senator from Minnesota has referred are often operated by a single individual. He often carries on the business of the organization in his spare time; frequently he is a farmer who is operating his farm. Any Senator who knows anything about the situation on the farm today must realize that the farmers are extremely short-handed; that they do not have even the machinery they require to make up for the loss in manpower to the armed services and to industry. So, merely to throw this additional burden upon people so situated at this time in the hope of turning up something out of all this information that may be helpful to the Government seems to me unjustified in the face of the facts and the record and the information now in our possession.

I desire to reemphasize, Mr. President, that this will not cure any of the situations which were discussed by the Senator from North Carolina and by the Senator from New Mexico. This form of informational income-tax return will be a sealed document. There is a severe penalty against anyone in possession of such a document in the Internal Revenue Bureau who discloses any facts concerning it. This will not convey any information to individual members of the unions; it will not convey any information to any part of the public, because the returns will be under the same seal of secrecy that is applicable to every other income-tax return.

If a majority of Congress wishes to pass substantive legislation requiring labor unions to make public accounting of their funds and their business, that is entirely a different question, and it should not be confused with the issue now before the Senate. This is a proposal, as I view it, to go out with a dragnet and force hundreds of thousands of organizations in this country, short-handed as they are, to fill out returns and then to file them where they will be under the seal of secrecy, and will not be available to the general public, but will be available only to the Ways and Means Committee of the House of Representatives and the Finance Committee of the Senate, and usually even in those cases the information is presented as a composite and not to reveal the individual situation of any particular corporation, organization, or person. So, from the public standpoint, this is not a solution of the problem which some Senators have been discussing this afternoon. If there had been any showing made, if there had been any evidence presented before the committee, aside from general statements, and the committee had recommended specifically that, because of information in its possession, certain of these organizations should be required to be taxed and to file income-tax retuns, that would have been, as I view it, an orderly and a proper way to proceed; but it seems to me that, in the situation which we all know confronts the country, we should not increase the burden upon citizens of the United States and thus impair to that extent the total war effort.

Mr. MALONEY. Mr. President——

Mr. LA FOLLETTE. I yield to the Senator from Connecticut.

Mr. MALONEY. I should like to make it clear, with the Senator's permission, that my inquiries were not intended to give the idea that I am opposed to cooperatives.

Mr. LA FOLLETTE. I so understood.

Mr. MALONEY. Or that I was doing anything more than seeking information.

Mr. LA FOLLETTE. That was my understanding.

Mr. MALONEY. I should like to ask the Senator one more question.

Mr. LA FOLLETTE. I shall be glad to answer the question if I can.

Mr. MALONEY. The Senator's argument dealing with the shortage of manpower is not without considerable logic, but I have so much faith in the Senator and his judgment that I should like to ask him, as a member of the Finance Committee, if he feels that in peacetimes, if we were not engaged in war, this would be a worth while proposal?

Mr. LA FOLLETTE. In my opinion, as I thought I had indicated, since the Commissioner of Internal Revenue has the power to require any organization to make returns and because of the constant study made by and the statistical information at the command of the Treasury and the Bureau of Internal Revenue, that the logical thing would be for them to proceed as they tried to proceed once with the commercial activities of charitable and educational institutions. In that instance they came forward with specific information, and recommended that such organizations should be taxed.

Mr. MALONEY. Will the Senator yield for another question?

Mr. LA FOLLETTE. Certainly.

Mr. MALONEY. Will the Senator tell me—and I shall not expect him to answer the question unless he wants to do so—if he has any feeling that this language is directed against labor unions?

Mr. LA FOLLETTE. I do not know against whom it is directed particularly, but it is directed against every organization that is now exempt under section 101, save and except the specific exemptions which are continued and contained in the language of the bill as reported by the Finance Committee.

Mr. MALONEY. Does the Senator have any feeling that it would be harmful to any organization, aside from the manpower situation to which he has pointed?

Mr. LA FOLLETTE. I do not think we are justified in peace or in war in requiring people to do unnecessary things, unless we have evidence upon which we believe we are justified in requiring it on the theory that we are going to develop a substantial field of revenue that should be taxed.

Mr. MALONEY. I thank the Senator.

Mr. SHIPSTEAD. Will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. SHIPSTEAD. What does the Senator think of having a probe made by a committee of the Senate, the Finance Committee or some other committee, into all these organizations? There may be some which have been exempt from taxation which should be taxed. We do not know; I do not know. Before we proceed upon a broad scale to require what is provided in section 112, if there is a suspicion that it should be done, should there not be some inquiry, some search made to ascertain what organization received income which it has not reported, what are the duties and what are the functions of the organization, what profits it has made, or whether it has made no profits, and for what purpose it is organized? That is an entirely different matter, it seems to me, from bringing an organization in through a revenue bill for the purpose of taxing incomes and profits which are made in the transaction of business.

Mr. LA FOLLETTE. Of course, I think one answer to the Senator's suggestion is that the Treasury Department has a group of economists, statisticians, and other experts, who are diligently searching for sound methods of increasing the revenues of the Government at this time, when it is so direly needed. If the amendment had behind it evidence and testimony indicating that there was a large field of revenue which was not being taxed, but which, under the theory of an income-tax law, should be taxed, I should feel very differently about it.

Mr. CLARK of Missouri. Will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. CLARK of Missouri. I am sure the Senator will recall that there was not one single scintilla of evidence produced before the Committee on Finance in support of this provision. No one suggested that it would produce any revenue in itself, or that it was supposed prospectively to lead to any revenue. There was no evidence whatever in favor of it, as I recall.

Mr. LA FOLLETTE. A statement was made by the chairman of the committee, as I recall, and I think Mr. Stam of the joint committee made the statement that he thought this section should be incorporated in the bill because he hoped, or thought, there might be investment income discovered which the Congress would wish to tax.

My feeling is—and I say this in all sincerity; it has nothing to do with whether one is for or against the labor unions or for or against cooperatives, or for or against any of the other thousands

of organizations upon which the burden would fall—we should not, in the present difficult situation, impose this burden unless we have ample evidence to justify it, and so far as I am concerned, I do not believe that, with all the organization which the Treasury and the Bureau have, we need to worry about their overlooking sources of substantial income which should be taxed.

Whether that be true or not, I do not think this is the time when the Congress should indulge in a fishing expedition which would cause great burdens to fall upon literally hundreds of thousands of organizations scattered all over the United States.

Mr. CLARK of Missouri. Mr. President, I suggest the absence of a quorum.

Mr. GEORGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri withhold his suggestion?

Mr. CLARK of Missouri. I am glad to withdraw the suggestion, if the chairman of the committee desires to address the Senate.

Mr. GEORGE. I do not wish to argue the subject at any great length, but I desire to explain to the Senate what the provision is and how it came to be in the bill, so far as I know.

The chairman of the taxing committees of the House and the Senate have received many appeals from certain enterprises to the effect that they were in competition with nontaxed competitors. Some of them, as I recall, appeared before the Ways and Means Committee of the House. The Ways and Means Committee of the House did not see fit to impose a tax on these nontaxed corporations. They merely saw fit to ask that they make informational returns.

The opponents of the amendment tell us this is no time to make people do more work in making returns, because they are all shorthanded or will be. I should be very happy indeed to make a return if someone would forgive my taxes. I would not think I would be doing too much for the privilege of enjoying exemption from paying taxes, if I merely made a tax return. I would make one every month if necessary. I am not so sure but that I would file one every Monday morning, if I would thereby escape the present burden of taxation.

These nontaxed organizations are not bothered greatly about making returns. They make no tax returns. They do not even file anything in the Treasury after they once "get by," unless the Treasury becomes suspicious of them, and asks some of them to make returns. So I do not think that when someone is enjoying the special privilege of total exemption from taxation it should be any very great back-breaking burden on that person at least to file a paper with the Treasury showing what his income was, whence he got it, and for what he spends it. That is about all it comes to in the case of an informational return, because the person does not have to compute his tax, since no tax is payable by him. He does not remit a check; he does not have to do anything but file a statement of his total income, what money he is making from any of his investments, from what source it is derived, what he does with it. Is that any great burden to a man whose tax is forgiven? I cannot see that it is a burden.

Then others are worried because this provision is included in a tax bill. Where would it be put? These nontaxed persons got into the tax law and got exemption from taxes, but it is said we must not bring them back through a tax bill and ask them even to tell what their income is, whence they receive it, and what they are doing with it. The attitude of those who are exempt is inconsistent.

The Senator from Missouri says—and I think correctly—that this section would have no special effect on labor organizations, and I doubt if it is intended to. Certainly it is not intended to, so far as I know. The Finance Committee did not write the section. The Tax Committee of the House of Representatives, who are charged with the initial responsibility of originating revenue legislation, put it in the bill and sent it to the Senate, and we should pay it sufficient respect to examine it, and see whether or not there is not something to be served by it.

What is the situation? I know the chairman of the Tax Committee in the House, and I know the committee had before them some evidence complaining of unfair competition. I know such evidence has been brought to me by the bushels, and by the half bushels. But none of the parties were called, because they were not being taxed, they were merely being asked to furnish information.

We inserted certain exemptions. We said that corporations exempt under section 101 are not even to be called on to file returns, because we knew some of them would not be taxed anyway.

First we exempted organizations formed for the prevention of cruelty to children and animals. We exempted Government-owned corporations or agencies or instrumentalities of government. We exempted all fraternal, beneficiary societies or otherwise, associations operating under a lodge system, or for the exclusive benefit of members of a fraternity itself operating under a lodge system. We also exempted any association paying life, sick, accident, or other benefits to its members. We knew we would not tax those organizations. We did not exempt cooperatives, not because anyone would want to tax a small farm cooperative, or a genuine cooperative, whatever its size, composed of farmers or other persons, engaged in buying and selling for its own members.

Mr. President, I say to the Senate frankly that there is no ground on which we can tax one man on his income and excuse another man from taxation on his income not derived from a transaction with somebody associated with him as a member of a cooperative. There is no ground on which I will undertake to distinguish between such income. Senators can do as they like about it, but income is income. If farmers associate themselves together, or if lawyers associate themselves together, or if workmen associate themselves together to deal with their own membership, and it results in profit, they ought not to pay taxes. But if they are in competition with a man who himself is taxed, if they deal with nonmembers, upon what moral basis can it be said that we should not say to people of that delicate feeling that "We would like to see the source of your income, how much you receive, and what you have done with it. But we do not tax you"? It might lead to a tax, of course.

Take some of the building and loan associations. The fact is that their preferred stock is in the market. Yet some persons do not even want them to file an informational return to the Treasury. I cannot quite comprehend why we should be so tender with respect to people who got under the tent long ago when the income taxes were low, and when it did not make so much difference to the other man who was paying full taxes whether his competitor was escaping a small tax. Taxes are high now, and any concern in America which can save one-half of the Federal tax imposed upon it can grow enormously rich.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. CLARK of Missouri. I do not wish to interrupt the Senator's trend of argument, but if I understood the Senator correctly he was in favor of the provision inserted by the Finance Committee exempting certain fraternal organizations.

Mr. GEORGE. Yes; that is correct.

Mr. CLARK of Missouri. I have heretofore stated that I voted for that provision myself, and I think it is proper. But a man died in my State in the last 2 or 3 weeks who left an estate of more than a million dollars, all of which he made out of one of these fraternal organizations. I assume he had paid a personal income tax on his takings from, as it happened to be, the Eagles. I assume he had paid the income tax on everything he had received from them. But I should like the Senator to explain to me why the Eagles, for instance, or the Moose, or any other fraternal organization, the Shriners, or the Knights of Columbus, or anybody else, should be exempted, and bona fide farm cooperatives which are maintained simply as a check on the extortions of the agricultural implement companies, and which deal in the things the farmer has to sell and the things he has to buy, should be taxed.

As I have said, I voted in the committee to exempt fraternal organizations, but if anyone can explain to me why they should be excluded, and labor unions and farm cooperatives should be included in making tax returns, I should be very glad indeed to hear it.

Mr. GEORGE. I do not know about all fraternal organizations, but the ones that are exempted are the ones that serve their own members. I can understand that. I do not want to tax bona fide farm cooperatives. I am a member of two of them. But they are not organized for profit. They do not make any

profits. What little profits they receive are used in the organization. They serve their membership. If they were doing about one-half of their business with persons on the outside, I would feel that they should pay an income tax on the business done with nonmembers. But this provision does not propose to tax them or to tax anybody else. It may well be that every return made would show such a structure and such a course of business as to persuade the Congress, or to satisfy the Congress, that they ought not to be interfered with at all, and that no tax should be imposed. But I know, as a matter of fact, that certain types of business in this country have reached more than $3,000,000,000 a year in trade. That business is escaping taxation. It may be that it is entitled to escape taxation, and I think, so long as it is confined to a bona fide cooperative of any kind, it ought to escape taxation.

But this is not a tax provision. It is simply a request for informational returns so that the committees of Congress may know whether they ought to proceed to tax anyone who is now tax exempt. I think the committees of Congress could be relied upon. I think the House is entitled to respectful consideration of the amendment. The House has the burden of originating tax legislation. It put the provision in the bill and sent it to the Senate, and our committee did not see fit to strike it out. There were three votes taken in the committee, as I recall—two, at least—but the provision was not stricken out, and it is still in the bill. I sincerely hope the Senate will retain it.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. CLARK of Missouri. The Senator will recall that there were three votes.

Mr. GEORGE. I think there were three.

Mr. CLARK of Missouri. There were three votes.

Mr. GEORGE. I qualified my statement by saying two at least.

Mr. CLARK of Missouri. There were three votes, there is no question about that, but I think the Senate is entitled to know that in one instance the proposal to strike out the provision lost on a tie vote, and in the other two instances it lost by one vote.

Mr. GEORGE. Yes.

Mr. CLARK of Missouri. In other words, there was an almost completely equal division of opinion in the committee.

Mr. GEORGE. Yes.

Mr. CLARK of Missouri. While the Senator is entirely correct when he says that the committee refused to strike out the provision, it was a horse-and-horse proposition every time the committee did vote.

Mr. GEORGE. Mr. President, I have said all I care to say on the subject. I simply wish to reiterate that there is no way to get the information in question except to provide for obtaining it in a tax bill. I would have no curiosity in the world to receive any information and to expose it with respect to any business organization, any cooperative organization, or any labor organization. That would not be the purpose in obtaining the information. The information when received by the Bureau of Internal Revenue would be confidential, except to the taxing authorities of the Congress and to certain others, upon complying with certain conditions, of course, all of which look to the preservation of the secrecy of the returns.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. AIKEN. The Senator remarked that there was no way of obtaining this information except that now proposed to be adopted. I do not know in what detail the Treasury Department would require the information. I happen to live in a State in which the farmers are probably more intensively organized than in any other State. Virtually every farmer in my State belongs to one or more cooperatives. So far as I know, all those cooperatives are required to make a detailed report of their finances to their members each year, and I am sure all those reports would be available to the Treasury Department.

Mr. GEORGE. Yes; I suppose they would be.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. GEORGE. I yield. I was about to yield the floor.

Mr. WILEY. I do not wish to have the Senator yield the floor; I desire to ask a question. From the remarks which have been made by several Senators, I understand that the power to be conferred under the section already exists in law, so far as the Treasury is concerned. Is that correct?

Mr. GEORGE. Yes. The Treasury could, if it thought that some tax-exempt corporation should have its status reexamined, require the filing of certain additional information. However, what the Congress undoubtedly had in mind was to obtain the whole picture, and to take a look at it, in order to ascertain whether any taxes should be imposed upon any type of income of any kind of presently tax-exempt corporations.

Mr. WILEY. Does the Senator know whether this provision of the bill was suggested by the Treasury or whether it was the result of consideration in the House?

Mr. GEORGE. I understood from statements made by, I think, representatives of the Treasury that they had not made any suggestion, but that the matter originated in the House committee. That was my understanding.

Mr. WILEY. I thank the Senator.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Kentucky?

Mr. BARKLEY. I thought the Senator from Georgia had yielded the floor.

Mr. GEORGE. Yes, Mr. President; I had. I hope we may soon obtain a vote on the amendment.

Mr. BARKLEY. I wish to call attention to the categories of section 101 of the Internal Revenue Code, so that all Senators may know what organizations they would be voting to require to make returns.

The bill would require all the organizations or associations set out in section 101 of the code to make returns, with the exception of certain exemptions which are limited to subsections 3, 6, and 15 of the present law. There are 18 categories. So, in order that we may cast an intelligent vote upon the subject, I think we should have before us the information as to what are the other 15 categories which, under the provisions of the requirement, are not exempted from making the report.

No. 1, labor, agricultural, or horticultural organizations. I have no information or knowledge as to what prompted the House committee to insert this provision. At the time when it was inserted, and also at the time when the Senate committee considered it, the press emphasized the alleged fact that it was aimed at labor organizations, in the endeavor to ascertain the contributions they had made in political campaigns, what their income was, and its source. I do not know whether that is true. I might add in that connection that shortly there will be submitted to the Senate a resolution, which will be the customary one, for the investigation of campaign expenditures, both in Presidential and senatorial contests throughout the United States, and that the committee to make the investigation authorized by the resolution will, of course, have the power to investigate any campaign contributions made by anyone in a Presidential or senatorial contest.

No. 2, mutual savings banks not having a capital stock represented by shares. They, as well as all labor, agricultural, or horticultural organizations, would be required to make the returns, because under those provisions they would not be exempt. Mutual savings banks not having a capital stock represented by shares would be required to report.

Subsection 3 of the bill exempts fraternal beneficiary societies, orders, or associations operating under the lodge system. So we need not bother about that subsection.

No. 4, tax-exempt domestic building and loan associations, substantially all the business of which is confined to making loans to members. Under this provision, they would be required to make the return.

No. 5, cemetery companies owned and operated exclusively for the benefit of their members or which are not operated for profit. The bill would require cemetery associations organized for the purpose of facilitating the burial of the dead and the care of their graves and tombs to make the report, under the terms of this provision. That requirement would apply to any corporation chartered solely for burial purposes as a cemetery corporation and not permitted by its charter to engage in any business not necessarily incident to that purpose, no part of the net earnings of which inures to the benefit of any private shareholder or individual. They would be required to make the report.

Mr. MURDOCK. Mr. President, will the Senator yield to me?

Mr. BARKLEY. I yield.

Mr. MURDOCK. In every little community in my State will be found from one to one-half dozen mutual irrigation and canal companies, the sole purpose of which is to hold in trust the waters owned by the incorporators and to distribute those waters. They have no income whatever except assessments levied against stockholders. As I understand the statement of the Senator, each one of those companies would be required, under the section referred to, to furnish a statement as to its annual income. Is that true?

Mr. BARKLEY. Undoubtedly that is true.

Mr. MALONEY. Mr. President, will the Senator yield to me there?

Mr. BARKLEY. I yield.

Mr. MALONEY. I should like to inquire what harm would come from that. When we have a national registration law, everyone must register. A man without legs is required to register. It is obvious that he will not go to war, and it is unfortunate that under such circumstances some persons are put to the inconvenience of being required to register, even though it is perfectly apparent that they will not be required to go to war.

In the instance to which the Senator has referred, I cannot understand how any harm would be caused.

Mr. BARKLEY. That is a matter of opinion. All persons are required to register for military purposes. After they have registered, it is not necessary to pass another law in order to put them into the Army.

Mr. MALONEY. We have not yet reached a situation comparable to that one, as I understand the matter. Insofar as this particular bill and section are concerned, there is nothing pending which would apply after we obtain the information.

Mr. BARKLEY. That is true. However, the frank object of the section is to ascertain information which may result in having the Treasury recommend to the Congress a law providing for the taxing of various organizations.

Mr. MALONEY. My next question is, What is wrong with that?

Mr. BARKLEY. My view is that we should let the committees investigate, as they do with regard to all sorts of persons and corporations and associations.

Mr. MALONEY. Is not that exactly what the section would do? Would it not result in providing such information as to all persons?

Mr. BARKLEY. That may be.

Mr. REYNOLDS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. REYNOLDS. Does the Senator favor requiring labor organizations to reveal the amount of funds they obtain?

Mr. BARKLEY. If they are taxable, I certainly would favor such a requirement.

Mr. REYNOLDS. Suppose they are not taxable?

Mr. BARKLEY. The Senator from North Carolina singles out, among all the categories, labor organizations.

Mr. REYNOLDS. I refer to any cooperatives.

Mr. BARKLEY. I do not favor the section which is now in the bill. If the Senator desires an answer to his question, I say that I intend to vote to strike out the section.

Mr. REYNOLDS. Is the Senator opposed to the provision on the theory that it is not fair to cause these organizations to register, because they are short-handed?

Mr. BARKLEY. No; I am not participating in the "short-handed" argument. I think Congress has heretofore, for reasons which it thought sufficient—and I hope to have the attention of the Senator from North Carolina as I discuss this matter——

Mr. REYNOLDS. I am looking right at the Senator.

Mr. BARKLEY. Yes; but I do not know whether the Senator is thinking at me.

Mr. REYNOLDS. I am thinking about the Senator, not at him. [Laughter.]

Mr. BARKLEY. For reasons which Congress has, for a long time, ever since the income-tax law was written, regarded as sufficient, it has exempted all the associations and organizations set out in the 18 subsections.

Mr. REYNOLDS. Yes.

Mr. BARKLEY. In 1913 the first income-tax law was written, but I am not certain when the total exemption was written. Probably it was written from time to time.

Mr. REYNOLDS. As the Senator stated, there have been exemptions for all these years.

Mr. BARKLEY. Yes.

Mr. REYNOLDS. Why should the organizations not be required to let Uncle Sam know how much money they have, and where they got it?

Mr. BARKLEY. In the first place, I do not believe any good purpose would be served by requiring all these organizations in the 18 categories, with the 3 exceptions, to file returns with the Commissioner of Internal Revenue, to be held by him in secret unless some committee of Congress should ask him for them as information in connection with some future tax bill.

Mr. REYNOLDS. Does the Senator think that we should give them more consideration than we give to the boys in uniform?

Mr. BARKLEY. That is not a comparable situation in any respect.

Mr. REYNOLDS. Not only must every man in uniform go to the trouble of revealing to Uncle Sam how much he has and where he got it, but Uncle Sam makes the boy in uniform, the soldier, pay a tax.

Mr. BARKLEY. Yes.

Mr. REYNOLDS. We are not asking the corporations and labor unions to pay taxes.

Mr. BARKLEY. The boy in uniform is not paying a tax on what he gets from the Government by way of pay. He is paying a tax on income which he received from other sources.

Mr. REYNOLDS. He is in uniform.

Mr. BARKLEY. Oh, yes; he is in uniform.

Mr. REYNOLDS. We make him go to the trouble of filing his return and paying a tax. Then, when we ask the cooperatives and labor unions to file a report, objection is made. Why should we give labor unions and cooperatives more consideration than we give to our men in uniform?

Mr. BARKLEY. We are not doing that. In the first place, the Senator from North Carolina would not advocate that any man in uniform be exempted from paying taxes on income from other sources than his pay?

Mr. REYNOLDS. No; he cannot be exempted.

Mr. BARKLEY. That is true.

Mr. REYNOLDS. We are forcing the boys in uniform to file reports and pay taxes, but we do not want to make labor unions and cooperatives do it.

Mr. BARKLEY. The boys in uniform pay taxes when they are subject to taxation. We have not exempted them. But if we had exempted them from taxation, I myself would be in favor of exempting them from making a return, because upon the return they would pay no tax whatever.

Mr. REYNOLDS. As stated by the able Senator from Georgia [Mr. GEORGE], chairman of the committee, the provision requiring labor unions and cooperatives to file the returns which we are now trying to force them to file, was put in the bill so that we might find out if the cooperatives and labor unions have investment funds on which we might make them pay taxes.

Mr. BARKLEY. There are other ways by which to find out the facts as to whether any organization is now violating the spirit of section 101, without requiring all of them to file returns with the Commissioner of Internal Revenue.

Mr. REYNOLDS. What is the Senator's objection to forcing the labor organizations to reveal the amount of funds they have?

Mr. BARKLEY. If the Senator will let me occupy a little of my own time, I will try to tell him.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. AIKEN. Virtually every member of a farm cooperative files a return as an individual.

Mr. BARKLEY. Yes.

Mr. AIKEN. But not as an organization.

Mr. BARKLEY. That is true.

Mr. AIKEN. Virtually every member of the armed forces files a return as an individual, but they do not file returns as regiments or divisions.

Mr. BARKLEY. Of course. All members of these associations, no matter what they are, are required to file returns.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. It is a fact, is it not, that a good many of the members of the farm cooperatives, and a good many members of labor unions, are actually also "boys in uniform," as the Senator from North Carolina called them?

Mr. BARKLEY. Of course.

Mr. CLARK of Missouri. Let me say in that connection that in my own experience the thing which I have found irritated soldiers more than anything else was to be called "our boys." They think they are more than boys. They think they are grown men. They do not like to be called boys in uniform or any other kind of boys. They think they are men. They are old enough to defend the interests of their country.

Mr. BARKLEY. Let me go on with this category:

(7) Business leagues, chambers of commerce, real-estate boards, or boards of trade, not organized for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual.

They would be required to make a return.

(8) Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or local associations of employees, the membership of which is limited to the employees of a designated person or persons in a particular municipality, and the net earnings of which are devoted exclusively to charitable, educational, or recreational purposes.

In other words, if an association of employees working for an individual or corporation were to organize a recreational club among themselves in order to have the benefits of a gymnasium, they would be required to file a return.

(9) Clubs organized and operated exclusively for pleasure, recreation, and other nonprofitable purposes, no part of the net earnings of which inures to the benefit of any private shareholder.

(10) Benevolent life insurance associations of a purely local character, mutual ditch or irrigation companies—

That covers what the Senator from Utah asked about a while ago.

Mutual or cooperative telephone companies, or like organizations; but only if 85 percent or more of the income consists of amounts collected from members for the sole purpose of meeting losses and expenses.

They would all have to file a return.

(11) Farmers' or other mutual hail, cyclone, casualty, or fire insurance companies or associations (including interinsurers and reciprocal underwriters) the income of which is used or held for the purpose of paying losses or expenses.

All over the country there are small local cyclone associations, the members of which pay some sort of assessments or dues and out of which are paid losses in case of cyclone. They would all have to file a return.

(12) Farmers, fruit growers, or like associations organized and operated on a cooperative basis (a) for the purpose of marketing the products of members or other producers, and turning back to them the proceeds of sales, less the necessary marketing expenses, on the basis of either the quantity or the value of the products furnished by them.

Every association of tobacco growers organized for the purpose of marketing a crop would be forced to file a return. There are such organizations in all the States which produce tobacco. I recall that for many years we have been active in my State, and in Tennessee, North Carolina, South Carolina, Georgia, and other States, in the organization of what are known as tobacco cooperative associations, the membership of which is limited to actual growers of tobacco. They organize for the purpose of marketing their tobacco in an orderly way and holding it, instead of dumping it on the market when the market is unable to absorb it at a reasonable price. The expenses of the operation are taken out, and the farmer who has put his crop into the organization receives the net result thereof. That sort of an association would be required to file a return.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. AUSTIN. I should like to ask the Senator from Kentucky whether the committee considered the wisdom of including in this proposal another category, which would cover subdivisions (11) and (12), relating to purely nonprofit cooperative services. They apparently are limited to organizations which do not derive profits to be divided among the members. If I have understood the category just read, why is it not in this bill? Personally I see no reason why that category should not be on the same footing as the other categories of nonprofit cooperatives which do nothing but serve their own members.

Mr. BARKLEY. That question was not considered by the Finance Committee. I do not know whether it was considered by the House committee. It came up in the Committee on Finance, on one vote, on a motion to strike out the section. As I recall that motion was defeated by a tie vote. It came up again on a motion to exclude labor and agricultural organizations. That motion was defeated by a majority of one. Those are the propositions upon which we had the three votes in the committee. No consideration was given to the matter suggested by the Senator.

Mr. AUSTIN. Does the Senator interpret the possible effect of this provision to be a resultant tax upon such cooperatives as those described in subsections (11) and (12)?

Mr. BARKLEY. I take it the effect of the provision is to make possible the future levying of taxes upon all 15 of the categories of organizations or associations not excluded in the pending bill. The only ones which are excluded are those named in subsections (3), (6), and (15) of the present law.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BARKLEY. If there were sufficient income, or if in the future a committee of Congress should decide that such an organization ought to be taxed, as a result of its return filed with the Commissioner of Internal Revenue, it would undoubtedly contemplate a tax. We have no more right to assume that it would not contemplate a tax in such cases than we have to assume that it would contemplate a tax in all the other cases which have been mentioned.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. The fact of the matter is, Mr. President, that this amendment was devised by the anti-farm cooperative organization, which is opposed to activities in which the farm cooperatives have been extremely successful. It was not devised as an anti-labor measure. The labor organizations just happened to be caught in the dragnet which was thrown out. The measure has been devised by the anticooperative organization for the purpose of eventually putting the farm cooperatives out of business. I believe that I could prove that assertion if I had the process to bring in witnesses before a senatorial investigation.

Mr. BARKLEY. From the knowledge which I have I am not able to say that the purpose referred to by the Senator from Missouri was the sole purpose of the proposal in the House of Representatives, but the effect of it is certainly the same.

Mr. CLARK of Missouri. I do not believe that was the sole purpose of those who voted for it, but I know the amendment originated with the anticooperative organization.

Mr. BARKLEY. It certainly effectively deals with them and all others caught in the dragnet.

I continue to read from the codification of internal revenue laws:

(13) Corporations organized by an association exempt under the provisions of paragraph (12), or members thereof, for the purpose of financing the ordinary crop operations of such members or other producers, and operated in conjunction with such association. * * *

(14) Corporations organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organization which itself is exempt from the tax imposed by this chapter.

Such organizations would be required to file a return.

We now come to paragraph (15), which is excluded from the operation of this provision. It reads as follows:

Corporations organized under act of Congress, if such corporations are instrumentalities of the United States and if, under such act, as amended and supplemented, such corporations are exempt from Federal income taxes;

(16) Voluntary employees' beneficiary associations providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents if (A) no part of their net earnings inures (other than through such payments) to the benefit of any private shareholder or individual, and (B) 85 percent or more of the income consists of amounts collected from members for the sole purpose of making such payments and meeting expenses;

(17) Teachers' retirement fund associations of a purely local character, if (A) no part of their net earnings inures (other than through payment of retirement benefits) to the benefit of any private shareholder or individual—

And so forth. In other words, an association of school teachers organized on a purely local basis, into which teachers

pay assessments, contributions, or dues, for the purpose of paying benefits to its own members, would be required to make a return.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. MALONEY. Does the Senator have any idea that an attempt would be made to tax organizations of school teachers?

Mr. BARKLEY. I do not know. I have no right to assume what might be done. They are included in the requirement to make the return. That is what seems to me to be objectionable.

Mr. MALONEY. Is it not the customary practice, when returns are required for everyone to be included?

Mr. BARKLEY. This is the first time a provision of this nature has been in a tax bill, so I do not think we can say there has been any customary method followed with reference to it.

I now read paragraph No. 18:

(18) Religious or apostolic associations or corporations, if such associations or corporations have a common treasury or community treasury, even if such associations or corporations engaged in business for the common benefit of the members, but only if the members thereof include (at the time of filing their returns) in their gross income their entire pro rata shares, whether distributed or not, of the net income of the association or corporation for such year. Any amount so included in the gross income of a member shall be treated as a dividend received.

In other words, these religious or apostolic associations would have to file a return.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. GEORGE. The Senator is mistaken. The House exempted such organizations.

Mr. CLARK of Missouri. The Senator is reading from the statute, is he not?

Mr. BARKLEY. I was referring to the amendment reported by the Senate Finance Committee.

Mr. CLARK of Missouri. Such organizations are not covered.

Mr. BARKLEY. Let me see if paragraph 18 is included.

Mr. CLARK of Missouri. It covers religious organizations.

Mr. BARKLEY. That is a different character of religious organization. Purely religious organizations are included, but the category to which I am now referring in subsection 18 is not excluded either in the House text of the bill or in the amendment of the Senate Finance Committee.

Mr. CLARK of Missouri. If they are not religious perhaps they ought not to be excluded.

Mr. BARKLEY. It says "religious."

Mr. GEORGE. Religious organizations were excluded by the House.

Mr. BARKLEY. I know, but they are the religious organizations referred to in subsection 6 of section 101. If the Senator will compare subsection 6 with subsection 18 he will find that they are a different character of religious organizations.

I have said all I care to say. I do not wish to delay the Senate, but I thought it might be helpful to set out the 15 different kinds of organizations which will be required to make these returns if this language is kept in the bill. I have the greatest respect for the House, the House Ways and Means Committee, and also the Senate Committee on Finance, of which I am a member, but when the matter was under consideration by the committee I felt that this section ought to have been eliminated. I have not changed my views with regard to it, and I shall therefore vote for the amendment of the Senator from Missouri to strike out the section.

Mr. VANDENBERG. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. VANDENBERG. Is an amendment to the text of section 112 in order before the amendment offered by the Senator from Missouri to strike out the section is acted upon?

The PRESIDING OFFICER. Such a perfecting amendment would take precedence over an amendment to strike out.

Mr. VANDENBERG. Mr. President, I now offer an amendment of that nature. I offer it because I believe it at least partially meets some of the argument which has been submitted to the Senate against this section.

On page 41, in line 19, under the heading "Years to which applicable" after the word "taxable" I move to amend the subsection, so as to read:

(b) Years to which applicable: The amendments made by subsection (a) shall be applicable with respect to the taxable year beginning after December 31, 1943.

Mr. President, the purpose of the amendment is obvious. It seems to me that there can be no argument against the proposition that when the Government of the United States extends to anyone what is now a highly valuable privilege of tax exemption, the Government is entitled to one disclosure to it that the exemption is justified and that the privilege is not abused.

As the subsection has been drawn, and as it would stand without this amendment, it would initiate a continuing burden upon all those institutions and organizations. I am proposing an amendment which would apply the requirement but once. We could then determine, on the basis of the information received, first, whether it would be worth while to continue the quest for information; and second, whether there is anything in the information which would justify a change in the tax laws themselves.

I am taking the current year because the only complaint I have heard from legitimate cooperatives in my State is that they may not have kept adequate records in past years to satisfy this requirement for information, but they have indicated that if the information shall be required for the current year so that they are on notice that it will be required the situation will not be objectionable.

Mr. President, that is all I have to say. I think the amendment speaks for itself. It enforces the right of this Government to require the beneficiary of a tax privilege to prove that the exemption is justified. It does not continue the burden beyond that point.

Mr. President, on that basis it seems to me that the amendment should be adopted.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Michigan.

The LEGISLATIVE CLERK. On page 41, line 19, it is proposed to strike out "taxable years beginning after December 31, 1942", and insert "the taxable year beginning after December 31, 1943."

Mr. CLARK of Missouri. Mr. President, this amendment would have been very much simpler and better stated and very much more easily understood if it had been phrased in such a way as to strike out the word "tweedledum" and insert the word "tweedledee", because that is its effect. It does not make any particular difference whether the year 1942 or the year 1943 is included; the principle involved is the question of compelling people whom the Government apparently does not intend to tax and whom certainly no one has advocated taxing, making unnecessary returns. As I say, I think that the amendment of the Senator from Michigan is simply the difference between tweedledum and tweedledee; I mean that the House provision with the amendment of the Senator from Michigan is equally as objectionable as the original House language. It makes no difference whether 1942 and 1943 are omitted.

Mr. President, before the vote is taken I suggest the absence of a quorum.

Mr. VANDENBERG. Will the Senator withhold his suggestion for a moment?

Mr. CLARK of Missouri. I am glad to withhold it.

Mr. VANDENBERG. I simply desire to comment in response to the Senator that he has referred only to the fact that this amendment applies to the current tax year instead of to the 2 previous years. I respectfully submit to him that it is not a difference between tweedledum and tweedledee when the amendment also confines the application of this informational requirement to one single year. With great respect for the Senator, with whom I so infrequently disagree, I submit that there is a substantial difference between writing a permanent requirement into the law as compared with writing into the law one single inquiry for one single year.

Mr. BARKLEY. Mr. President, will the Senator from Missouri yield there?

Mr. CLARK of Missouri. I yield.

Mr. BARKLEY. Does the Senator think this thought is worthy of consideration? The Senator from Michigan moved to strike out "1942 and 1943" because adequate records may not have been kept. We all know the Government is asking unusual efforts on the part of not only individual farmers but cooperatives in the war production of food and supplies; so that 1944 will not be a normal year and it cannot be a normal year, due to abnormal conditions under which not only individual

farmers but cooperatives operate. Will not that disadvantage offset any advantage that may be given to them in 1944 over 1943 because of the Senator's amendment?

Mr. CLARK of Missouri. Of course, the Senator from Kentucky and the Senator from Michigan, as well as most of the other Senators who have been engaged in this debate, have listened to the testimony of Commissioner Helvering, of the Bureau of Internal Revenue, and Commissioner Hannegan, his successor, both of whom complained bitterly about the lack of manpower, the lack of machines available to the Internal Revenue Department. It seems to me that this provision, unless it is stricken out, will be a great complicating factor in the ability of the Internal Revenue Bureau to perform its functions.

Mr. President, in view of the fact that it seems to me that the debate has been exhausted; no one has been anxious to shut it off, but in view of the fact that a vote is about to be taken, I suggest the absence of a quorum.

Mr. BAILEY. Mr. President——

Mr. CLARK of Missouri. If the Senator from North Carolina desires to address the Senate, I shall be glad to withhold my suggestion, and I do so.

Mr. BAILEY. I thank the Senator from Missouri. I wish to submit some remarks from my own point of view and upon my own responsibility.

I have heard a great deal this afternoon about cemetery cooperative societies, recreational centers—some of it coming from sources that never heretofore manifested any great amount of interest in those places—about the difficulty of getting work done by way of preparing returns, and even some talk about the manpower shortage.

I am perfectly willing to take the responsibility of saying that if there were nothing in this amendment except the requirement that the labor unions should give an account to the Congress for the information of the Congress, I would be very heartily for it; and if I must pay the price of being in favor of getting some information from any other groups in America, I am willing to pay that price. The time has come when it is the clear duty of the Federal Government to face the issue and obtain information from the labor organizations.

Hear me about that for a moment. We have given the labor organizations of America the power to tax, and we all know it. We may call it what we please, but the labor unions have the power to tax. They can tax the workers and indirectly tax the American people. They not only fix the dues of their organizations but we have put the workers in their hands. We collect their dues, in a great many instances, by what is called the check-off. We do not limit the dues; we do not know what the dues are; we just give them ad lib opportunity to charge the workers all that the traffic will bear, and we raise no question. Yet when we do undertake to get a little information, we are resisted in the name of all the cemeteries on earth [laughter], in the name of the co-ops, mutual societies, and burial organizations, and in the name of the difficulty of compiling returns here in a country where practically every man is required to file a return. Every soldier has to file returns, every taxpayer has to file returns, and there are some 44,000,000 of them. But now we begin to weep briny tears because a few labor organizations, having the taxing power, which we gave them, having the power to say to a man whether he can work or not and upon what conditions he may work—and we gave them that power—are involved; and now we do not dare to say, "You should give some account to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate as to how much you are getting and what you are doing with it." That is a strange thing to me. We gave that power, and it is our duty to see to it that the power is not abused. There is no other body on earth which can see to it except ourselves. The workers cannot. They are helpless.

There was an attempt to build a military training camp in North Carolina. There was a great outcry about the shortage of manpower with which to build the camp, in which to train boys to fight our enemies and save our country. The farmers came out and said, "We will hammer and we will saw." Then the labor agitator stood at the door and said, "You do not hammer and you do not saw until you pay us a tax of $25 or $100." Yet some are unwilling to have us find out about it, and are going to shed crocodile tears over cooperatives and cemeteries rather than find out about it. I do not mean any reflection, of course.

Mr. CLARK of Missouri. Will the Senator yield?

Mr. BAILEY. Yes; but let me say to the Senator in advance that he does not ever shed any crocodile tears. I am not charging him with shedding any. [Laughter.]

Mr. CLARK of Missouri. I did not understand that the Senator from North Carolina was charging me with shedding crocodile tears. But does the Senator believe that under the provisions of section 112 any information will be derived as to exorbitant revenue from such practices as the Senator is discussing? If the Senator will introduce a bill to prohibit such practices, or, as another Senator has suggested something about contributions of some of these organizations to political campaigns, if a measure shall be introduced to prohibit that under the Corrupt Practices Act, I shall be glad to vote for it, but I do not think the section the Senator is discussing would at all reach the result he is trying to achieve.

Mr. BAILEY. That comes from a Senator who just now talked about tweedledum and tweedledee. You can have them both, so far as I am concerned. What we are discussing is a provision to elicit information from labor organizations, among others, concerning their incomes and their financial transactions. If it were more definite and broader, I should be for it without any compromise, and without any fear of the consequences, either.

There is another thing, and I intend to be very plain about it. We have given the labor organizations so much power that this Government itself is in jeopardy. That sounds like a very extravagant statement. People might say that that was the language of rhetoric and exaggeration, but it is not. It is the language of truth and soberness.

Only a few days ago—and the cloud is not altogether behind us—there was not a Member of the Senate who knew and there was not a man in the country who knew whether there would be transportation to the ports for the arms and ammunition, the clothing and the food, for our fighting men on the battle fronts around the world. Just before that there was not a man in the United States who knew whether the American people would be made to freeze this year at the instance of that modern Catiline, unmatched by any Cicero so far, at the head of the mine workers. Probably I pay him a compliment when I speak of him as Catiline.

He could give forth his order to close the mines, and the mines closed. Exercising a godlike power, he could say, "Close the furnaces," and the furnaces closed, or "Close the hearths," and the hearths closed, or "Close the grates in your homes and stores," and they were closed. Shut down the war effort and present our country naked in the presence of its enemies! And we do not dare to grapple with him. We do not dare to ask him what he is doing with the dues and fees he collects from the men who stupidly follow him—the misguided men.

Here we come this afternoon with an effort to insert in the revenue law, in line with all the precedents of this legislation for 25 years, a clause or two intended to elicit information we want, and we are met on every hand with every sort of pretext and every sort of excuse.

Mr. President, I am for facing the issue. We are not through with it. I am with that general, whose name has not been officially made known, who referred to the railroad strike, as the papers say, as a "damned outrage." I might apologize for the use of the adjective, and simply say that while the language is not parliamentary, perhaps, it was deserved; it was good military language, it was timely, it was true, it was in the line of duty; and I am with it.

Think of our situation, Senators. Where do we put ourselves today? We have the amendment down to the point of merely calling for information as to what these institutions are doing, institutions to which we gave the power, and which should be dependent upon ourselves for their existence. Yet they have become so powerful that we are a little bit inclined to tremble as we approach the sacred precincts of their might.

Well, I am not. So far as I am concerned, there is but one flag in America, and that is the flag of my country, the Stars and Stripes. There is but one cause in America, and that is the cause of my country, and I subordinate everything on earth to that. I am not under the labor flag.

Here we are, notified in the press that one of the labor organizations is proceeding forth with three-fourths of a million dollars, for political purposes, money collected by our authority, and by power which we gave, and which the workers cannot resist. Yet, some are unwilling to challenge that statement and ask for the truth about it.

A few days ago I received through the mail a political primer issued by the C. I. O., and I suggest that most of us might profit by reading that primer. It tells us how to get delegates, and how to acquire local political power, with a view to taking charge of this country; that is all. They are not in politics for the sake of anything on earth except their own particular group. They are educating men, not to serve the United States but to serve the C. I. O. in elections.

Mr. Hillman has gone forth with his organization, dividing the country into 12 regions, organized wholly for the purpose of group power politics, not for the national interest, not for the war effort, not for the Democratic Party, not for the Republican Party, not for any party, but for the labor organizations, the labor power—group power.

Senators, nothing on earth could be more serious for this country than that. We have always operated in the national interest. The country has lived by that. We have always abhorred class politics. But here we are confronted with it, and it is we ourselves who have armed these men with the sinews of their warfare. We gave them the power of collective bargaining. We gave them the power to turn humble men away from their work. We gave them the power to exclude a worker if he failed to pay his dues. Now they deny to us the very humble power of finding out how much money they are handling, and what they are doing with it.

Mr. President, that is intolerable to me. I will accept the challenge here. I will accept it in North Carolina. They cannot defeat me, and they cannot defeat any other Senator, and they cannot defeat any honest man on an issue such as that in America, because the American people down in their hearts know what is going on. They have seen how far things have been carried, and the American people believe in the national interest and not in the interest of any group. The moment any group in this country, whether it be the millionaires and the bankers and the strong men financially, or whether it be a particular coterie, or whether it be the farmers, or whether it be the workers, becomes strong enough in its arrogance, in its stupidity, to challenge the country in the hour of war, and to tell us it will stop the wheels of the engines and the freight cars, that it will bank the fires in the furnaces unless we yield to its demands, and that it will throw us out of office unless we yield to its demands—when that hour strikes I have no question what the American people will do. They will accept the challenge; they will not support any political party that falters in circumstances like that, and they will not support any political person, whether President, Senator, Representative, or Governor, who caters to the arrogance manifested in that way.

Mr. President, if I did not have that faith in the American people I would be very greatly cast down. But I have that faith.

I think the time has come, Mr. President, when we must accept this challenge without fear, and on the other hand, with great confidence. I think the time has come when we must say to all concerned, "You cannot threaten your country in time of war, nor will you be permitted to hold it up at the point of a pistol."

I am aware of what Mr. Green, the head of the American Federation of Labor, said. He said there never was any danger of the railroad strike taking place anyway. Well, that makes matters worse. If he is to be believed, the railroad labor unions were bluffing Uncle Sam when his back was to the wall, and I do not know of anything more damnable than that. If they meant to stop the trains, they meant to surrender the country to Hitler, and nothing else can be made out of it. If they did not mean to stop the trains, then they meant to bluff the President of the United States in an hour when they thought he could not afford to call the bluff. Either way you take it, there are no decent words with which to describe it; there are no adjectives sufficient to condemn it.

So, now, Mr. President, I have met this issue for myself. I am going down the line with every man who is in favor of unity of our country until we have victory in this war. I am against every man who falters, who trembles, who flinches, or who tries to compromise with a situation in which one group or another undertakes to say to our country in the hour of its extremity, "We must have our way or we will surrender you to your enemies." That is insufferable. It is inconceivable. So I make my course clear. I welcome the opportunity to vote for this legislation, and I would vote for legislation incomparably stronger if it were presented here.

SEVERAL SENATORS. Vote! Vote!

Mr. HILL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Radcliffe
Andrews	Gillette	Reed
Austin	Green	Revercomb
Bailey	Guffey	Reynolds
Ball	Gurney	Robertson
Bankhead	Hayden	Russell
Barkley	Hill	Shipstead
Bilbo	Holman	Stewart
Bone	Johnson, Colo.	Taft
Brewster	Kilgore	Thomas, Okla.
Buck	La Follette	Thomas, Utah
Burton	Langer	Tobey
Bushfield	Lodge	Truman
Butler	McCarran	Tunnell
Byrd	McClellan	Tydings
Capper	McFarland	Vandenberg
Caraway	McKellar	Van Nuys
Chavez	Maybank	Wagner
Clark, Mo.	Mead	Wallgren
Connally	Millikin	Walsh, Mass.
Danaher	Moore	Walsh, N. J.
Downey	Murdock	Wheeler
Eastland	Murray	White
Elender	Nye	Wiley
Ferguson	O'Daniel	Willis
George	Overton	

The PRESIDING OFFICER. Seventy-seven Senators having answered to their names, a quorum is present.

Mr. GEORGE. Mr. President, with reference to the amendment offered by the Senator from Michigan [Mr. VANDENBERG], proposing to restrict to the current year the requirement for informational returns, I have no objection so far as I am concerned. I do not think we need a yea-and-nay vote on the amendment. I hope we may soon complete consideration of the whole matter.

Mr. CLARK of Missouri. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK of Missouri. I understand that the matter before the Senate at the present time is the amendment of the Senator from Michigan, the so-called tweedledum and tweedledee amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. VANDENBERG. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. VANDENBERG. Am I not correct in stating that the Chair is correct in saying that the amendment now pending is the one identified, but that the identification is not correct? [Laughter.]

Mr. CLARK of Missouri. Mr. President, I do not think it makes any difference whether the identification is correct. I do not think it makes any difference whether the amendment of the Senator from Michigan is agreed to or rejected. Certainly it makes no difference as to my amendment proposing to strike out section 112. I do not think the amendment of the Senator from Michigan makes any difference, but I am going to vote against it.

Mr. AIKEN. Mr. President, let me reiterate that the years 1943 and 1944 are not typical years on the basis of which to require returns from farm cooperatives. Last year the farm cooperatives handled enormous quantities of materials for the Government. In 1944 they will handle even more. They are handling potatoes from Maine, for the Government; they are handling fertilizer for the Government; they are handling feeder wheat and other materials. The Government is using farm organizations, probably to the extent of hundreds of millions of dollars, during the wartime period. Such a situation does not make the years 1943 and 1944 typical ones on the basis of which to obtain the information which the Treasury Department might possibly require.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan [Mr. VANDENBERG], on page 41, line 19. [Putting the question.] The "ayes" appear to have it.

Mr. CLARK of Missouri. I ask for a division.

On a division, the amendment was rejected.

Mr. LODGE. Mr. President, I ask for the yeas and nays.

Mr. CLARK of Missouri. Mr. President, I make the point of order that the request for the yeas and nays comes too late.

Mr. LODGE. No, Mr. President; I was on my feet.

The PRESIDING OFFICER. After the result has been announced, it is too late to request the yeas and nays.

Mr. LODGE. I was on my feet asking for the yeas and nays, and should have been recognized. I think the Chair was in error in announcing the vote while I was on my feet asking for the yeas and nays.

Mr. CLARK of Missouri. Mr. President, I have most excellent hearing. I did not hear the Senator from Massachusetts address the Chair in any degree whatever. I would just as leave have a yea-and-nay vote on the amendment. I am not disposed to request to have the rule enforced, if the Senator from Massachusetts is disposed to insist on having a yea-and-nay vote taken. However, I repeat that the Senator from Massachusetts did not address the Chair, and never pursued his right to request the yeas and nays, before the result was announced.

The PRESIDING OFFICER. If the Senator from Massachusetts states he was on his feet and requested a yea-and-nay vote before the result was announced, the Chair recognizes his request.

Mr. LODGE. Mr. President, I asked for the yeas and nays.

The yeas and nays were ordered.

Mr. AIKEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). The Senator will state it.

Mr. AIKEN. The pending question is on agreeing to the amendment of the Senator from Michigan; is it not?

The PRESIDING OFFICER. That is correct.

The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITE (when Mr. DAVIS' name was called). I rise to announce the unavoidable absence of the Senator from Pennsylvania [Mr. DAVIS]. I am advised that he is away from the city upon business of the Senate. He has a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. I am not advised, however, how either Senator would vote on the pending amendment.

Mr. BUTLER (when Mr. WHERRY'S name was called). I announce that my colleague the junior Senator from Nebraska [Mr. WHERRY] is necessarily absent. If present, he would vote "yea."

The roll call was concluded.

Mr. BANKHEAD (after having voted in the negative). I cast my vote on this amendment because I intended to transfer to another Senator the pair I have with the senior Senator from Oregon [Mr. MCNARY]. However, I find I cannot secure a transfer of my pair, so I am advised by the clerk. Therefore I withdraw my vote.

Mr. THOMAS of Utah (after having voted in the negative). I have a general pair with the Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the Senator from Nevada [Mr. SCRUGHAM]. I am not advised how either Senator would vote if present. I allow my vote to stand.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], and the Senator from South Carolina [Mr. SMITH] are necessarily absent.

The Senator from Illinois [Mr. LUCAS] and the Senator from Florida [Mr. PEPPER] are detained on public business.

The Senator from New Mexico [Mr. HATCH] and the Senator from Wyoming [Mr. O'MAHONEY] are detained because of slight colds.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] and the Senator from Iowa [Mr. WILSON] are absent because of illness.

The Senator from Illinois [Mr. BROOKS] is absent on official business.

The Senator from Idaho [Mr. THOMAS] is necessarily detained. He has a general pair with the Senator from Florida [Mr. PEPPER].

The Senator from New Jersey [Mr. HAWKES] is necessarily absent. He has a pair with the Senator from Illinois [Mr. LUCAS].

The Senator from New Hampshire [Mr. BRIDGES] is necessarily detained. He has a general pair with the Senator from Utah [Mr. THOMAS].

The result was announced—yeas 27, nays 50, as follows:

YEAS—27

Andrews	Chavez	Radcliffe
Austin	Ellender	Reed
Bailey	Ferguson	Stewart
Ball	George	Vandenberg
Brewster	Gurney	Van Nuys
Bushfield	Lodge	Walsh, N. J.
Butler	Maybank	White
Byrd	Millikin	Wiley
Capper	Moore	Willis

NAYS—50

Aiken	Hill	Revercomb
Barkley	Holman	Reynolds
Bilbo	Johnson, Colo.	Robertson
Bone	Kilgore	Russell
Buck	La Follette	Shipstead
Burton	Langer	Taft
Caraway	McCarran	Thomas, Okla.
Clark, Mo.	McClellan	Thomas, Utah
Connally	McFarland	Tobey
Danaher	McKellar	Truman
Downey	Maloney	Tunnell
Eastland	Mead	Tydings
Gerry	Murdock	Wagner
Gillette	Murray	Wallgren
Green	Nye	Walsh, Mass.
Guffey	O'Daniel	Wheeler
Hayden	Overton	

NOT VOTING—19

Bankhead	Hatch	Scrugham
Bridges	Hawkes	Smith
Brooks	Johnson, Calif.	Thomas, Idaho
Chandler	Lucas	Wherry
Clark, Idaho	McNary	Wilson
Davis	O'Mahoney	
Glass	Pepper	

So Mr. VANDENBERG'S amendment was rejected.

Mr. CLARK of Missouri. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK of Missouri. As I understand, the question now recurs on my amendment to strike out section 112 as amended.

The PRESIDING OFFICER. The Senator is correct.

Mr. CLARK of Missouri. Am I correct in the impression that the yeas and nays have been ordered on my amendment?

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITE (when Mr. DAVIS' name was called). I repeat my announcement that the Senator from Pennsylvania [Mr. DAVIS] is absent from the city on business of the Senate. He has a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. I do not know how the Senator from Kentucky would vote if present; but the Senator from Pennsylvania, if present and at liberty to vote, would vote "yea."

Mr. BUTLER (when Mr. WHERRY'S name was called). My colleague [Mr. WHERRY] is necessarily absent. If present, he would vote "nay."

The roll call was concluded.

Mr. BANKHEAD. I have a pair with the senior Senator from Oregon [Mr. MCNARY]. I do not know how he would vote. If I were at liberty to vote, I would vote "yea."

Mr. THOMAS of Utah (after having voted in the affirmative). I have a general pair with the Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the Senator from Nevada [Mr. SCRUGHAM], who is absent on official business, and allow my vote to stand. I am not advised how either Senator would vote if present.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK] and the Senator from South Carolina [Mr. SMITH] are necessarily absent. I am advised that if present and voting, the Senator from South Carolina would vote "nay".

The Senator from New Mexico [Mr. HATCH] and the Senator from Wyoming [Mr. O'MAHONEY] are detained because of slight colds.

The Senator from Illinois [Mr. LUCAS] and the Senator from Florida [Mr. PEPPER] are detained on public business.

The Senator from Kentucky [Mr. CHANDLER] has a general pair with the Senator from Pennsylvania [Mr. DAVIS].

The Senator from Illinois [Mr. LUCAS] is paired with the Senator from New Jersey [Mr. HAWKES]. I am advised that if present and voting, the Senator from Illinois would vote "yea," and the Senator from New Jersey would vote "nay."

The Senator from Florida [Mr. PEPPER] is paired with the Senator from Idaho [Mr. THOMAS]. I am advised that if present and voting, the Senator from Florida would vote "yea."

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from Illinois [Mr. BROOKS] is absent on official business.

The Senator from Idaho [Mr. THOMAS] is necessarily detained. He has a general pair with the Senator from Florida [Mr. PEPPER].

The Senator from Iowa [Mr. WILSON] is absent because of illness. If present he would vote "nay."

The Senator from New Jersey [Mr. HAWKES] is necessarily absent. He has a pair on this question with the Senator from Illinois [Mr. LUCAS]. If present Senator HAWKES would vote "nay," and Senator LUCAS would vote "yea."

The Senator from New Hampshire [Mr. BRIDGES] is necessarily detained. He has a general pair with the Senator from Utah [Mr. THOMAS].

The result was announced—yeas 34, nays 43, as follows:

YEAS—34

Aiken	Johnson, Colo.	Taft
Barkley	Kilgore	Thomas, Okla.
Bone	La Follette	Thomas, Utah
Clark, Mo.	Langer	Tobey
Danaher	McCarran	Truman
Downey	McFarland	Tunnell
Ellender	McKellar	Wagner
Gerry	Mead	Wallgren
Green	Murdock	Walsh, Mass.
Guffey	Murray	Wheeler
Hayden	Nye	
Hill	Shipstead	

NAYS—43

Andrews	Eastland	Reed
Austin	Ferguson	Revercomb
Bailey	George	Reynolds
Ball	Gillette	Robertson
Bilbo	Gurney	Russell
Brewster	Holman	Stewart
Buck	Lodge	Tydings
Burton	McClellan	Vandenberg
Bushfield	Maloney	Van Nuys
Butler	Maybank	Walsh, N. J.
Byrd	Millikin	White
Capper	Moore	Wiley
Caraway	O'Daniel	Willis
Chavez	Overton	
Connally	Radcliffe	

NOT VOTING—19

Bankhead	Hatch	Scrugham
Bridges	Hawkes	Smith
Brooks	Johnson, Calif.	Thomas, Idaho
Chandler	Lucas	Wherry
Clark, Idaho	McNary	Wilson
Davis	O'Mahoney	
Glass	Pepper	

So the amendment of Mr. CLARK of Missouri was rejected.

Mr. GEORGE. Mr. President, there are one or two amendments lying on the table. I do not know whether the Senators offering them now desire to press them. They relate to the section of the bill we have just been considering. If the sponsors of the amendments wish to present them at this time, I wish they would do so.

Mr. REYNOLDS. Mr. President, will the Senator yield to me in order that I may be permitted to send to the desk and have read an amendment which I offer?

Mr. GEORGE. Is it an amendment to this section of the bill?

Mr. REYNOLDS. No; it is not applicable to this particular section, but I should like to have it read; and if it cannot be reached for consideration today, I should like to have it printed and to lie on the table.

Mr. GEORGE. Very well. I yield for that purpose.

The PRESIDING OFFICER. The amendment offered by the Senator from North Carolina will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following new section:

SEC. —. Interest and additions to tax. Supplement M (relating to interest and additions to the tax) is amended by striking out "6 per centum" and "5 per centum" wherever such terms appear therein and inserting in lieu thereof "3 per centum."

Mr. REYNOLDS. Mr. President, I will state for the information of the distinguished chairman of the Finance Committee that I am of the opinion that our Government should not charge taxpayers 6 percent interest on deferred payments of income taxes for the reason that when they loan money to the Government it pays only from about 2 to 3 percent interest. However, when they owe the Government money it charges them 6 percent. I do not believe the Government should charge the taxpayers any more interest on deferred payments than it pays in interest upon the bonds which they purchase. In other words, I do not believe that Uncle Sam should charge its citizens 6 percent for money which they owe him, when the citizens charge him only 2 percent for the money they lend him. I believe the rate should be the same in both cases.

Mr. GEORGE. Mr. President, I may say to the Senator from North Carolina that the interest charged by the Government is 6 percent, but the Government also pays 6 percent upon all refunds. So it works both ways. The rate is too high, and it is believed to be too high. In connection with a bill which it is believed the House Ways and Means Committee will take up immediately after we clear the pending tax bill, the committee will be perfectly willing to look into that question. It will be looked into because it is now recognized that the rate is too high in view of the prevailing interest rate.

Mr. REYNOLDS. Would the Senator from Georgia prefer that I withdraw the amendment?

Mr. GEORGE. I suggest that he hold it for the other bill.

The PRESIDING OFFICER. Does the Senator from North Carolina withdraw his amendment?

Mr. REYNOLDS. I am glad to follow the suggestion of the Senator from Georgia, and I withdraw the amendment.

Mr. GEORGE. Mr. President, the Senator from New York has an amendment which he wishes to offer. Before the amendment is voted upon I will merely state that I have agreed to accept an amendment offered by the junior Senator from Nebraska [Mr. WHERRY] and the junior Senator from Iowa [Mr. WILSON]. I ask that the amendment be now considered.

The PRESIDING OFFICER. The amendment offered by the junior Senator from Iowa [Mr. WILSON] and the junior Senator from Nebraska [Mr. WHERRY] will be stated.

The CHIEF CLERK. On page 114, in the table after line 11, in the column headed "War tax rate," after "5 cents or", it is proposed to insert "major."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GEORGE. The Senator from New York has an amendment to offer.

Mr. MEAD. Mr. President, I offer an amendment the purpose of which is to strike out on page 114 all reference to the item 1700 (a), following line 11.

The purpose of my amendment, Mr. President, is to strike from the bill the increased tax on admissions as reported to the Senate by the Finance Committee. My amendment, I understand, cannot be considered, unless by unanimous consent, until the committee amendment is acted upon. The adoption of my amendment will give the conferees the opportunity to consider everything from existing law, which provides for a 10-percent tax, up to the 20-percent tax now proposed in the House bill.

Therefore, Mr. President, the difference between my proposal and the language of the House will be the difference between existing law, which levies a 10-percent tax on admissions, and the House provision, which would impose a 20-percent tax on admissions.

Mr. President, I realize the necessity for increasing the revenue of the Government. I appreciate the splendid work which has been accomplished by the Finance Committee. Above all, Mr. President, the patience, the graciousness, and the leadership of the chairman of the committee, I know, are deserving of our highest commendation. However, this is a very vital portion of the bill. It affects several industries. It not only affects the small theaters in cities and towns of less than 5,000 population, as referred to in the amendment offered by the junior Senator from Iowa [Mr. WILSON] and the junior Senator from Nebraska [Mr. WHERRY], but it also affects the entire theatrical industry of the country—the movies, the legitimate theater—and also all competitive sports, exhibitions, and amusements of all kinds.

Mr. President, what is the situation which now exists in those industries? What prompted the junior Senator from Iowa [Mr. WILSON] and the junior Senator from Nebraska [Mr. WHERRY] to offer their amendment? Taking these activities industry by industry, we find that the legitimate stage performances are disappearing. At the present time one has to travel a long distance, to large cities, in order to see one of the great plays of the stage.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. MALONEY. Does the Senator imply that the additional tax will be eliminated in towns and cities below a certain population?

Mr. MEAD. No; that was the intent of the amendment offered by the junior Senator from Iowa [Mr. WILSON]. My

amendment would eliminate the tax imposed by the Senate Finance Commmittee, which is an additional tax over that provided under present law.

Mr. MALONEY. In all cities?

Mr. MEAD. In all cities.

Mr. MALONEY. I thank the Senator.

Mr. MEAD. As I stated a moment ago, Mr. President, legitimate plays are disappearing from the stage, and the operas and musical comedies are being confined more and more to the great metropolitan centers.

In the field of competitive sports, we find that many of them are no longer to be enjoyed in the smaller communities. A few short years ago there were 37 or 38 baseball leagues in the United States. Baseball was then a thriving industry. Exhibitions of America's national pastime could be seen all over the country. Today 30 of those leagues have been discontinued; they have gone the way of the legitimate stage.

Mr. President, we are asked to double a tax which has remained stationary since the First World War, and in doing so we would be adversely affecting these industries which are already called upon to absorb a very large tax burden.

Everyone agrees that taxes to the very limit are required, particularly at this time, but consideration must be given to the possibility of these industries carrying the load.

It is my opinion that by increasing the tax rate as the bill proposes, we would reduce the volume of taxes to be collected. In other words, we would collect less revenue from the theater, from baseball, football, and other competitive sports, from amusements generally, as a result of the imposition of a tax 100 percent greater than that levied by existing law.

Mr. President, it is important that we continue these industries. They are deserving of our support. They have made many contributions to the progress of the Nation. It is my opinion that the legitimate stage, as such, should be preserved. Competitive sports have contributed largely to the fine physical stamina of the men who are serving in our military forces. It is my opinion that in these times of war, competitive sports, the theater, amusements as we know them in this country, have contributed very largely to strengthening the morale of our people.

Anyone familiar with the record will agree when I say that many of the athletes of our colleges and sand lots and those engaged in professional sports who have gone into the military forces in large numbers have distinguished themselves. The training, and the results of that training, have proved to be beneficial in the military service where these men now are.

Mr. President, the theater has made its contribution to the war effort. The theater is one of the very centers of every drive, of every program that has anything to do with or has any relation to the Nation's war effort.

An increase of a hundred percent in the tax is too much for many of the theaters to carry, and particularly the smaller theaters in the smaller communities. Everyone realizes that they are already taxed heavily. While it is true that some of the stars—and they represent only a small part of the movie fraternity—receive large salaries, yet it is understood that a great deal of what they receive is returned to the Treasury in the form of taxes. Everyone realizes that a theater must locate usually in a section of the community where the real estate tax is unusually high, and therefore the local taxes form quite a burden for the theaters to carry.

Mr. President, the taxes on our theatrical industry, the taxes on our athletic competitive sports, are already high and I believe we would be doing what was right and proper if we were to strike out the rates inserted by the committee and let the entire matter go to conference, so that the conferees would have the language contained in the bill as it passed the House, imposing a tax of 20 percent, and the language which would then be in the Senate bill, imposing a tax of but 10 percent. This would give the conferees an opportunity to go all the way from 10 percent up to and including the 20 percent tax.

Mr. President, I believe that serious consideration should be given to the several industries I have mentioned. I have reason to believe that the imposition of the maximum taxes contained in the bill would eliminate some of the theaters in the smaller communities of the country. I believe that it would eliminate some of the baseball leagues still in existence.

There are several million American boys participating in the game of football. There are several million also participating actively in baseball. There are millions more interested in tennis and other games. Since the coming of machine production, when men are forced to stand in one spot from 8 to 10 hours a day, the American boy, more than ever, needs the training, the building he receives from participation in competitive sports.

In the colleges and universities of America, and in our service schools at West Point and Annapolis, every student is called upon to select two or three or more competitive sports. They are considered a vital part of his training, and the physical perfection of the American youth, compared with the youth of other countries, as exemplified on every battlefield of the war, is in some measure due to the popularity of competitive sports in the United States.

Mr. President, I am only asking that the entire matter be brought to the attention of the conferees in such a way as will enable them to consider a tax all the way from the tax imposed by present law up to and including the tax as recommended in the House bill.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. VANDENBERG. How much would the Senator's amendment cost by way of loss of revenue?

Mr. MEAD. The chairman of the Finance Committee brought out the figures the other day, and for the purpose of accuracy I should like to have him state them again, if he will.

Mr. VANDENBERG. I understand it is $135,000,000.

Mr. GEORGE. It is $135,000,000. The amendments we have already taken to conference would have the effect of reducing the admission tax by a small sum, but $135,000,000 would be eliminated if the proposed amendment were adopted.

Mr. VANDENBERG. I should like to ask the Senator from New York if he has a suggestion as to where we can turn by way of alternative tax to obtain another $135,000,000 to take the place of the tax he proposes to do away with.

Mr. MEAD. I shall be glad to answer that question if the Senator will be patient with me. As I said before, only a few years ago we had 38 baseball leagues playing to millions of spectators in the United States. We now have but 8 or 10 at the outside.

I just heard from the manager of a baseball team located in one of our largest cities. He said he was able to carry the load last year, but if there were any further financial burdens placed upon him he would have to close up. That city contributed a very large sum of money to the Treasury, because it was possible to maintain this competitive sport. But if we continue to impose taxes we will eliminate the industry, and in eliminating the industry we will wipe out the revenue and reduce tax collections. I have no disagreement with the experts in the Treasury Department, but if we continue to eliminate these tax sources we will have no revenues. So I disagree with the figures which have been given to us by the Treasury. I believe we are drying up the sources of revenues.

Mr. VANDENBERG. Is it not the drafting of men and the diversion of manpower which is responsible for whatever reduction there has been in admissions, on the one hand, and is it not true, on the other hand, that such league baseball operations as are still maintained this year drew a larger attendance than ever? Where is the dangerous trend? I do not quite see it.

Mr. MEAD. Mr. President, there is a sufficient number of baseball athletes to keep the leagues in operation. A great many of them are in deferred classifications. Second, everybody at home is working and able to go to ball games, either in the afternoon or in the evening. But one of the largest baseball corporations in the United States, drawing to the greatest crowds of the year, lost $200,000 this past year. They simply cannot keep it up. The crowds are there, the personnel is there; but the expenses are growing by reason of additional Federal, State, and local taxes.

Mr. VANDENBERG. If the Senator will allow me, I will say that having sat painfully on the Senate Finance Committee through many weeks of hearings on this subject, I do not recall a single witness testifying for a single industry in the United States who did not say precisely the same thing, that costs are go-

ing up, and the burden of maintaining operations is becoming almost impossible, and yet we have increased their taxes. I agree with the Senator that we certainly need to maintain sports in this country, particularly in wartime, for the purpose of sustaining morale, but it seems to me that public amusement certainly should stand at least a comparable burden of taxation with industry, upon which we have to depend for the very existence of our economy.

Mr. GEORGE. Mr. President, may I suggest that every dime and every penny paid by the people who go into the amusement places is taxed? The operating company does not pay any of this tax. I had the experience myself last year of being almost excluded from the ball park every time I tried to get in.

Mr. VANDENBERG. Mr. President, I think the Senator from Georgia will concede that if we were to yield to the argument submitted by the Senator from New York and apply it generally to the tax bill there would not be any tax bill.

Mr. GEORGE. It could be applied generally, but this tax is paid by the people who patronize the sports.

Mr. MEAD. Mr. President, it is paid by the people who patronize the sports, but there are a great many other taxes paid by the corporation. All the taxes affect the well-being of the corporation. I appreciate the fact that the senior Senator from Michigan sat for weeks in considering the tax bill. I probably would feel very much as he does were I in his place. But I am pointing out the fact that in this particular item we may be liquidating a number of industries. As we know, the legitimate theater is disappearing.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. MALONEY. Of course, the Senator knows that today millions more persons are attending the theater than ever before in the history of our country; and the Senator knows that the decline in the legitimate theater is due to the gradual perfection of the motion pictures. So the decline of the legitimate theater cannot be blamed on taxes. In most cities of any size it is rather difficult today to get into the motion pictures. They open immediately after church on Sundays, and stay open a good part of all day, every day, and well into the nights, and sometimes into the mornings.

Mr. MEAD. Mr. President, the greatest reason for the decline, I believe, is the cost of a ticket.

Mr. MALONEY. Even if we did not have the motion pictures, we still would be required to pay high prices in order to attend the legitimate theater. The motion-picture industry has attracted artists receiving tremendously high salaries. People generally are attracted to the motion pictures, and feel that they receive unusually fine entertainment when they attend them. I confess that the prices of the legitimate theater are high.

Mr. MEAD. The prices have a great deal to do with the problem.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. TOBEY. The Senator referred to taxes. To what pastime was he making reference?

Mr. MEAD. To baseball, the great American game.

Mr. TOBEY. Does not the Senator agree that the popular pastime of "passing the buck" is the great national pastime?

Mr. MEAD. I disagree with the Senator, but, of course I will not argue with him.

At any rate, Mr. President, I appreciate this opportunity of bringing before the Senate a matter which I believe is justified. I believe other Senators will agree with me when I say that in this age men no longer work as they used to.

If we are to intensify the automatic machine work of the age in which we live, so that men will work by pulling levers or turning valves, there must be developed the degree of physical perfection required for good health. This can be obtained by the encouragement of football, baseball, and other sports.

If our people are to become a nation of machine workers, we will need more and more athletics in this country.

I am sorry that 30 out of 38 baseball leagues have had to fold up. I am sorry that the legitimate theater has had to close in hundreds of our American cities. It seems to me that when we observe that all those activities have gone out of existence, we should treat a tax law with a great deal of care.

Mr. President, remembering the great contribution which the stage, the movies, and our various competitive sports and sports of every kind are making to the war effort, recalling the inspiring songs of George M. Cohan in the First World War, and of Irving Berlin in the present war, as well as the contributions of many other artists, I believe we have every reason to be proud of the contributions they have made; and, in view of the fact that some of those industries are diminishing, some of them closing their doors, I believe we should send my amendment to conference. That would still give the opportunity to lighten the burden here and there, if it were the judgment of the conferees that the burden should be so lightened.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. VANDENBERG. The Senator spoke of inspiring songs. I wonder if he listened at all to Mr. Morgenthau's inspiring song to the effect that the tax bill should raise $10,000,000,000 instead of $2,500,000,000? I wonder if that struck a responsive chord in the heart of the able junior Senator from New York.

Mr. MEAD. Yes, Mr. President; I think that would strike a responsive chord in anyone's heart.

Mr. VANDENBERG. In anyone's heart, but not in his purse.

Mr. MEAD. I am also sure that, so far as the senior Senator from Michigan is concerned, anything Secretary Morgenthau said would strike a responsive note in his heart.

Mr. VANDENBERG. I assure the Senator there never has been a single moment when Secretary Morgenthau's effort was justified either in common sense or sanity, from my point of view.

However, having found the means of raising revenue to the extent of $2,500,000,000, if we are going to start paring it at the rate proposed by the Senator from New York, I shall have to urge him to give us some protection against further attacks upon us by his fellow citizen and colleague in the Administration, if we are to yield to any such plea as that which the Senator from New York has been making.

Mr. MEAD. Mr. President, I feel sorry for my distinguished colleague from Michigan; but I assure him that whenever it is possible I shall give him all the protection I can.

However, I desire to commend the Senator for the part he played in bringing the bill to the floor of the Senate. I only suggest to him that we may be going so far as to reduce the volume of revenue, rather than to increase it. I want to be very careful that we do not decrease the volume of revenue.

Mr. GEORGE. Mr. President, let me inquire if there are other Senators who desire to speak on this particular amendment.

Mr. THOMAS of Oklahoma. Mr. President, if I may do so, I should like to request to have printed in the RECORD at this point, in connection with my remarks, the text of a letter received recently by me from one of the prominent theater operators in the State of Oklahoma. The letter states the viewpoint of the industry, and further states the effect that this provision would have upon theaters and the theater-going public in my State. I believe that those engaged in the theater industry should have their viewpoint expressed. For that reason, I ask unanimous consent that the letter be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NOVEMBER 27, 1943.

Senator ELMER THOMAS,
Senate Office Building,
Washington, D. C.

DEAR SENATOR THOMAS: * * * I find that the tax bill, just passed by the House, goes to the Senate Finance Committee next Monday. I realize that you are not a member of this committee, but I want to here and now express my objections to the proposed doubling of the admission tax, which is included in this tax bill.

First, let me say that while I am opposed to the doubling of the present admission tax as a theater operator, my opposition does not stem entirely from the fact that I am a theater operator but is based on common sense.

Let us be practical. I want to give you herewith my slant on this proposed increase and my reasons for opposition to it in order that I may help you in arriving at some conclusion as to the advisability of such an increase:

1. The motion-picture theater evidently is being classed as a luxury, which definitely should not be done for the following reasons:

(a) The motion picture is probably the least expensive form of entertainment obtainable by the American people. It is the entertainment purchased by the masses—not by a selected few.

(b) The average price of a theater ticket in Oklahoma is in the neighborhood of 23 cents. Surely an entertainment lasting from 2 to 3 hours which can be purchased for 23 cents is not a luxury.

(c) The motion-picture theater is a release from the cares of the day of approximately 90,000,000 to 100,000,000 people weekly in the United States.

2. The present rate of tax of 1 cent on each 10 cents or fraction thereof is commonly referred to as a 10-percent tax. Actually in practice it varies in every theater between 10 percent and 14½ percent. For instance, a 2-cent tax on a 15-cent admission is 13.3 percent and a 3-cent tax on a 25-cent admission is 12 percent. Only in the case of even-priced admissions such as 10 cents, 20 cents, 30 cents, etc., is it as low as 10 percent. The average in our theaters is 12½ percent.

3. Oklahoma already has a 2-percent sales tax. Some States have 3 percent. Obviously, in Oklahoma in the case of a 15-cent admission, the theaters are responsible for 15.3 percent on a 15-cent theater ticket in view of the foregoing paragraph.

4. The proposed doubling of the tax would make an average Federal tax of somewhere in the neighborhood of 25 percent throughout the Nation which is plainly discriminatory. I can think of only a couple of industries which have been discriminated against to this extent.

5. Statistics will show that with even a slight increase in admissions, attendance falls off so that even though the theater owner may apparently be passing the tax on to the public, actually some portion of it is being borne by the theater through a loss in attendance. (We made a survey following July 1, 1940, when the present tax was passed, which showed that approximately half the tax was being borne by us because of this fact.)

6. Through the war-activities committee of the motion-picture industry the Government is now releasing a large number of films for the purpose of promoting the war effort. These films have been a very potent factor in doing just what they were intended to do. A falling off in attendance of theaters because of increased admission prices incidental to a tax increase would defeat to some extent the dissemination of information to the public through the use of motion-picture films.

7. Of course, the theater industry like all others is paying very heavy taxes both through its various corporations and individuals. A lessening of the income of these theater companies and individuals through the increase of the tax would naturally decrease the income tax; therefore, the expected gain to the Treasury would not be as much as might appear on the surface.

8. At the present rate of collection, it is apparent that the present tax will produce $156,000,000 in revenue for 1943. If attendance is reduced because of increased prices, which is certain to happen, the doubling of the tax will not produce double the revenue. This is obvious.

9. While the class A theaters in Washington and in the various defense boom centers are doing a very fine business, at the present time there are thousands of small theater operators throughout the United States upon whom this tax would work an insurmountable hardship. I am sure it would force the closing of many of the small theaters. These theaters are confronted with an exodus of population from their towns, and other hardships, in addition to constantly rising costs of operation due to the inflationary aspect of the present situation.

We have not generally raised admissions as other industries have raised their prices simply because we could not without decreasing attendance.

I shall appreciate personally your studying the foregoing statements. I have tried to make them as clear and brief as possible. If you believe I have presented a good case for the retention of the tax at its present level, I shall appreciate very much your vote against the increase of the tax and the use of your influence with your colleagues in the Senate.

Can you and will you see that my thoughts in the matter are presented to the proper people?

Sincerely yours,

C. B. AKERS.

The PRESIDING OFFICER. Without objection, the committee amendment, as amended, on page 114, relating to the war-tax rate on admissions, under section 1700 (a), is agreed to.

The question is on agreeing to the amendment offered by the Senator from New York [Mr. MEAD].

Mr. REVERCOMB. Mr. President, I think an inquiry was made by the distinguished Senator from Georgia as to whether any other Senator desired to speak further on the question presented here.

Mr. GEORGE. I made that inquiry, Mr. President.

Mr. REVERCOMB. It was my intention to speak on this subject after the disposition of the pending amendment.

Mr. GEORGE. Not on this amendment?

Mr. REVERCOMB. Not on this particular amendment, but on an amendment affecting this item in the bill.

Mr. GEORGE. Mr. President, may we have a vote on the pending amendment at this time?

Mr. BURTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BURTON. As I understand, we have just approved the committee amendment to the item under section 1700 (a). As I understand, the amendment of the Senator from New York [Mr. MEAD] would strike out the entire item, and throw it back to the original tax.

The PRESIDING OFFICER. The amendment of the Senator from New York would strike out section 1700 (a).

Mr. GEORGE. Mr. President, it really has the effect of striking out the whole text, but I do not believe the Senator from New York wishes to strike out anything but the increased tax.

Mr. MEAD. That is correct.

Mr. GEORGE. The amendment is simply to strike out the war tax on admissions.

Mr. MEAD. Mr. President, to make my position clear, my amendment would merely strike out the increase over the existing tax, so that it would remain at 10 percent, instead of 20 percent, as recommended by the committee.

Mr. GEORGE. Mr. President, may we have a vote?

Mr. REVERCOMB. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. REVERCOMB. As I understand, after the vote on the pending amendment of the Senator from New York, the item under section 1700 (a) will still be open to amendment.

Mr. GEORGE. Mr. President, I am unable to answer that question. It depends upon what kind of an amendment is offered. The amendment of the Senator from New York is to strike out the whole war tax.

Mr. REVERCOMB. If the amendment of the Senator from New York should not prevail, then, as I understand, the amendment, as amended by the amendments accepted by the Senator from Georgia, would still be open to further amendment.

The PRESIDING OFFICER. It would not be open to further amendment. The proposal stated by the Senator from New York to limit his amendment to the increase is not in order.

Mr. MEAD. Mr. President, I did not hear what the Chair said.

Mr. GEORGE. Mr. President, I had agreed that the Senator might offer the amendment, and asked for the reopening of the committee amendment for the purpose of permitting him to offer his amendment. That agreement was made at the time the Senator from New York offered his amendment.

The PRESIDING OFFICER. Does the Senator ask unanimous consent to that effect?

Mr. GEORGE. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered. The question is on agreeing to the amendment offered by the Senator from New York [Mr. MEAD].

Mr. REVERCOMB. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. REVERCOMB. Am I to understand that after the vote on the pending question, which is the amendment of the Senator from New York, section 1700 (a) will not be open to further amendment?

The PRESIDING OFFICER. The war tax rate would not be open to further amendment.

Mr. BARKLEY. Mr. President, that would depend upon what disposition was made of the pending amendment.

Mr. REVERCOMB. I mean if the pending amendment were voted down.

Mr. BARKLEY. That would not affect any further amendments to that item.

Mr. REVERCOMB. The question is as to amending the bill as written.

Mr. WHITE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WHITE. If the pending amendment offered by the Senator from New York is voted down, will not section 1700 (a) still be open to amendment?

Mr. REVERCOMB. I should think so.

The PRESIDING OFFICER. The war tax would be open to amendment.

Mr. WHITE. That is a part of section 1700 (a). I take it the answer to my parliamentary inquiry is that, if the amendment of the Senator from New York is voted down, this subparagraph will still be open to amendment.

The PRESIDING OFFICER. Limitations could be placed in the first column under section 1700 (a).

Mr. REVERCOMB. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. REVERCOMB. In the event the pending amendment is voted down, cannot the war tax rate provision be amended?

Mr. GEORGE. Mr. President, if the Senator will indicate what amendment he proposes to offer, I may be able to simplify the problem.

Mr. REVERCOMB. I shall be glad to do so.

Mr. GEORGE. I am now trying to see if we can obtain a vote on this amendment. If not, the Senate can take a recess.

Mr. REVERCOMB. I shall be very glad to indicate what I have in mind.

I have in mind letting the war tax-rate provision in section 1700 (a) stand, with this additional language:

Except admissions to moving-picture shows, for which the tax shall be 1 cent for each 10 cents or fraction thereof.

Mr. GEORGE. Mr. President, I do not think it would be open to that amendment, because already this section has been twice amended, and I have opened it again because the Senator from New York raised this question. If the Senator wishes to offer another amendment to it tomorrow, I will not raise any objection on the ground that it is foreclosed by a vote.

Mr. REVERCOMB. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York [Mr. MEAD]. [Putting the question.]

Mr. MEAD. Mr. President, I ask for a division.

On a division, Mr. MEAD's amendment was rejected.

APPROPRIATION FOR CONTINGENT EXPENSES OF SENATE—EXPENSES OF INQUIRIES AND INVESTIGATIONS

Mr. McKELLAR. Mr. President, before a motion is made to take a recess, from the Committee on Appropriations, on behalf of the Senator from Virginia [Mr. GLASS], I report favorably, without amendment, Senate Joint Resolution 108, making an appropriation for contingent expenses of the Senate, and ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The joint resolution will be read for the information of the Senate.

The joint resolution was read by the legislative clerk, as follows:

Resolved, etc., That there is hereby appropriated out of any money in the Treasury not otherwise appropriated the sum of $200,000 for contingent expenses of the Senate, expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1944: *Provided,* That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. McKELLAR. Mr. President, I have a letter from Mr. Oco Thompson, financial clerk of the Senate, in which he states that the amount in his treasury for the payment of expenses of inquiries and investigations is down to $6,214.75. He asks for a deficiency appropriation of $200,000 at this time. His letter, which I ask to have printed in the RECORD, sets out all the reasons. The expenses have increased to such an extent that unless something of this kind is done at once, the appropriation will be exhausted.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
Washington, January 18, 1944.

Hon. CARTER GLASS,
Chairman, Committee on Appropriations, United States Senate.

DEAR MR. CHAIRMAN: Due to unusually heavy expenditures by the investigating committees toward the end of 1943, of which I had no advance knowledge, the contingent appropriation for expenses of inquiries and investigations will not be sufficient to meet the pay-roll vouchers for January.

The regular appropriation for the current fiscal year was $150,000, and disbursements from July 1 to December 31, 1943, amounted to $143,785.25, leaving a balance of $6,214.75.

I have no way of knowing what the requirements may be from now on, but assume the total expenditures for this fiscal year will at least equal those of the previous year, 1943, which were $326,000, and would, therefore, suggest a deficiency appropriation of $200,000 at this time.

Respectfully,

OCO THOMPSON,
Financial Clerk.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

Brig. Gen. DeWitt Peck to be a major general in the Marine Corps, for temporary service, from the 1st day of January 1944;

Col. Gerald C. Thomas to be a brigadier general in the Marine Corps, for temporary service, from the 7th day of December 1943; and

Sundry citizens and a meritorious noncommissioned officer to be second lieutenants in the Marine Corps.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

MARINE CORPS—NOMINATION PASSED OVER

The legislative clerk read the nomination of Col. William P. T. Hill to be quartermaster of the Marine Corps, with the rank of brigadier general, for a period of 4 years from February 1, 1944, which nomination had been previously passed over.

Mr. BARKLEY. Mr. President, the nomination of Colonel Hill has been passed over a number of times. Last week I stated that I would ask for consideration of the nomination early this week. The Senator from Massachusetts [Mr. WALSH], chairman of the Committee on Naval Affairs, advises me that the Senator from South Dakota [Mr. BUSHFIELD], at whose request this nomination has heretofore been passed over, will not ask that it be passed over beyond tomorrow. I am willing to agree that it be passed over once more. After that, I shall insist on action.

The PRESIDING OFFICER. Without objection, the nomination will be passed over.

Mr. WHITE. Mr. President, I may say to the Senator from Kentucky that earlier in the day I notified those who, so far as I knew, were opposed to the nomination, that it would probably be considered today. In view of what the Senator has said, I think a happy solution has been reached. I understand the nomination will be considered tomorrow.

COLLECTOR OF INTERNAL REVENUE

The PRESIDING OFFICER. The next nomination on the calendar will be stated.

The legislative clerk read the nomination of Frank W. Kraemer to be collector of internal revenue for the district of Connecticut.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the postmaster nominations are confirmed en bloc.

THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. BARKLEY. I ask that the nominations in the Navy be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Navy are confirmed en bloc.

THE MARINE CORPS

The legislative clerk read the nomination of William E. Riley to be brigadier general.

The PRESIDING OFFICER. Without objection, the nomination is confirmed. That completes the calendar.

Mr. BARKLEY. I ask unanimous consent that the President be notified immediately of all confirmations of today.

The PRESIDING OFFICER. Without objection, the President will be forthwith notified.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 42 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, January 19, 1944, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 18 (legislative day of January 11), 1944:

COLLECTOR OF INTERNAL REVENUE

Frank W. Kraemer to be collector of internal revenue for the district of Connecticut.

IN THE NAVY

TEMPORARY SERVICE

To be rear admirals

William M. Fechteler
John J. Ballentine
Henry S. Kendall
Frederick G. Crisp
Frank L. Lowe

To be commodores

James E. Boak
George R. Henderson

To be vice admiral

David W. Bagley

To be rear admiral

Harold B. Sallada

To be pay director with rank of rear admiral

Thomas E. Hipp

RETIRED LIST

Vice Admiral John W. Greenslade to be placed on retired list February 1, 1944, with rank of vice admiral.

REGULAR SERVICE

To be lieutenant

Robert C. Sleight

To be lieutenant (junior grade)

Ensign Elbert D. Sprott, Jr.

To be assistant surgeon

Marr Griffith

To be ensigns

John W. Pickens
Frederick E. Woodward
Melvin C. Roach
Richard C. Harper

To be assistant surgeons

George S. Olmsted
Allan P. Turner
William L. Jaquith
Robert S. Sherman, Jr.
John J. Courtney
William S. Stryker
Edward R. Graff
Edward R. Woodward
James D. Wharton
Robert J. McNamara
Howard O. Musser
Clayton S. White
James B. Cummins
William J. Baker
Daniel E. Owens
Russell A. Donald
Ralph E. Kirsch
Walter F. Nichols
Haskell M. Wertheimer
John R. Green
William W. Wilson
Robert W. Truscott
David F. Eew
Thomas N. Willcockson
Arnold Breckenridge
James A. Kaufman
William R. Nesbitt, Jr.
Karl S. Alfred
Philip J. Parker
Irving Sarnoff
Frank A. Cerzosimo
Thomas C. Seymour
William V. Young
William E. Byrd
David M. Baker
Joseph H. Kurre
Paul C. Ronniger

To be ensigns

Earl K. Smith
William D. Dannacher
Harry M. Brown
Wade H. Boswell
Robert M. Whitrock
Robert E. Switzer
James T. Jackson
Sherman A. Minton, Jr.
Maynard B. Gustafson
Robert M. Campbell
Paul F. Christenson
Roy M. Kash
Franklin P. Allen, Jr.
John L. Barrett
Robert C. Doolittle
Stuart W. Rose
Peter E. Arioli, Jr.
Leroy E. Smale
George M. Cravey
John J. Fluhrer
Hilburn D. Gilliam
James W. Sargent
Joseph B. Donnelly, Jr.
William G. Wiest
Charles H. Wilson
Wendell A. Prough
James S. Haimsohn
Walter H. Jarvis, Jr.
Louis M. Cartall
Robert I. Boyd
Vincent J. Rizzo
Benjamin F. Edwards
Charles H. Alper
Robert G. Fisher
Richard E. Leigh, Jr.

To be assistant paymaster

George E. Thode

To be ensign

Russell G. DeLany

IN THE MARINE CORPS

TEMPORARY SERVICE

To be a brigadier general

William E. Riley

POSTMASTERS

IDAHO

Claus J. Breier, Jr., Lewiston.

MAINE

Mae C. Lord, Charleston.

MISSOURI

Stephen H. Biggerstaff, Wheeling.

NEBRASKA

James B. Gordon, Cedar Rapids.
George H. Summers, Creston.
George W. Lincoln, Lexington.

NORTH CAROLINA

Belmont H. Winters, Elk Park.
Ancil W. Melvin, Lakedale.
T. Damon Sutton, Seven Springs.
Clara C. Craven, Trinity.

OKLAHOMA

Erma E. Johnston, Gore.
Clark W. Craig, Shawnee.

PENNSYLVANIA

Jane F. Mackley, Bainbridge.
Arthur R. Lovell, Blandburg.
Besse C. Peffer, Boiling Springs.
Donald A. Noll, Bowmanstown.
Beulah McConnell, Clinton.
Julia M. Fuleki, Commodore.
Catherine Matlock, Cumbola.
Kermit E. Reisenweaver, Drums.
Walter R. Weir, Floreffe.
Charles W. Staley, Plymouth Meeting.
Walter C. Starinshak, Ranshaw.
Lafayette Lawrence, Renfrew.
Arzella A. Plummer, Sidman.
Frank O. Shenton, Slatedale.
Katherine M. Evans; Springville.
Grace E. Strattan, Strattanville.
Ruth A. Groover, Upper Black Eddy.
Emma E. Foster, Wall.
Elizabeth N. Nolt, Willow Street.

SOUTH CAROLINA

Grover C. Henderson, Greenwood.
James N. Cleveland, Marietta.
Thomas M. Moore, Rembert.

VERMONT

Marjorie B. Carroll, Graniteville.
Olive M. Lobdell, Hartland.
George E. Lee, Pawlet.

WEST VIRGINIA

Gaylord Smith, Ellenboro.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 18, 1944

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven and earth, even the winds proclaim the order of divine love; we would be grateful for this heavenly blessing first to be experienced and last to be remembered through all our earthly pilgrimage; we pray that it may ever be our hymn of praise. Grant us the sense of Thy guidance and establish among us the spirit of truth and justice that shall bring honor and contentment to all our people.

While we believe in bread and water as the source of life, help us firmly to believe in that bread and water which grows and flows in the soil of a better world whose course is peace and beyond our idle thoughts. So be with us, dear Lord, that we shall feel most deeply and clearly the realities of an inner rest which scorns inglorious strife, unafraid of that which is right and its consequences. O God, expedients are short-lived and principles are for the ages; do Thou shape us to revolve in that harmony and in that sphere which shall give evidence to our country of an aroused patriotism. Be Thou our pillar of cloud by day and our pillar of fire by night that we may wage a successful warfare against all selfishness and divisive disunity; cast down all barriers of confusion and misunderstanding and may we stand for our Republic that pleads for the liberty and the happiness of mankind. Jesus Christ, our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3741) entitled "An act authorizing the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes."

The message also announced that the Senate had adopted the following resolution (S. Res. 237):

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. WILLIAM H. WHEAT, late a Representative from the State of Illinois.

Resolved, That a committee of two Senators be appointed by the President of the Senate to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased, the Senate do now take a recess until 12 o'clock noon tomorrow.

The message also announced that pursuant to the provisions of the above resolution the Presiding Officer had appoint-

ed Mr. LUCAS and Mr. BROOKS members of said committee on the part of the Senate.

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of Commerce.
3. Department of Labor.
4. Department of the Navy.
5. Department of the Treasury.
6. Federal Works Agency.
7. United States Coast and Geodetic Survey.

PERMISSION TO ADDRESS THE HOUSE

Mr. SAUTHOFF. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes after the disposition of today's business and such other special orders as are on the calendar.

The SPEAKER. Is there objection?

There was no objection.

GRANT E. MOUSER, FORMER MEMBER OF THE HOUSE OF REPRESENTATIVES

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, it is with deep regret that I inform the Members of this House that on December 21, 1943, Grant E. Mouser, Jr., a former Member of this body, died at his home in Marion, Ohio, after a brief illness. He was 48 and had served in the Seventy-first and Seventy-second Congresses from the Eighth Ohio Congressional District. His father, Grant E. Mouser, Sr., previously had served as Congressman from the Eighth Ohio District during the Fifty-ninth and Sixtieth Congresses. Many of the older Members remember both of them.

Being one of my fellow townsmen I feel able to speak of his record of public service. Mr. Mouser was a veteran of World War No. 1. He was attending Ohio State Law School at the outbreak of the war and enlisted as a private on the day war was declared, before completing his last year of schooling. Following his honorable discharge from service Mr. Mouser returned to Marion and joined his father's law firm. He continued in this practice until death. He served Marion, Ohio, as city solicitor for two terms, during which he gained an enviable State-wide reputation as the result of his success in a telephone and gas rate case which involved not only Marion, Ohio, but other Ohio cities also. Success in this litigation resulted in his appointment as special assistant attorney general for Ohio where he served until his election to the Seventy-first Congress in 1928.

While in Congress he was very active in veteran legislative matters and served on the Pensions Committee. Mr. Mouser was bitterly opposed to nepotism and as his record will indicate was one of the most outspoken opponents of all time to this practice.

The life of Grant E. Mouser, Jr., was given to service for his fellow man and to our Republic which he so passionately loved.

The SPEAKER. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. KENNEDY. Mr. Speaker, I ask unanimous consent to insert a letter in the Appendix of the RECORD that I received from William Green, president of the American Federation of Labor.

I further ask unanimous consent, Mr. Speaker, to insert in the Appendix of the RECORD a resolution I received from the Brewers' Board of Trade in New York.

And I further ask unanimous consent to insert in the Appendix of the RECORD an interview over the radio on Station WHN with Capt. Sigfrid Ericsson, the captain of the *Gripsholm* on the last trip back.

The SPEAKER. Is there objection?

There was no objection.

SOLDIERS' VOTE

Mr. DILWEG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. DILWEG addressed the House. His remarks appear in the Appendix.]

THE DEWEY BLITZ—A DUD

Mr. LYNCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. LYNCH. Mr. Speaker, at about the time when President Roosevelt was leaving for his last trip to the war fronts, Governor Dewey, of New York, thought it opportune to make a blitz of fear upon the people of New York City. He stated at that time that there was a milk shortage and that the milk shortage would continue through November and 3 or 4 succeeding months, and blamed the alleged shortage on the economic practices of Federal agencies. It is difficult to understand how anybody can expect Governor Dewey to know the facts about the state of the Nation when he does not know the facts about his own State. These are the facts: In November of 1942 there were shipped into the metropolitan district of New York 210,746,635 pounds of milk, plus 5,936,050 pounds of relief milk—a total of 216,682,685 pounds. In November 1943 there were shipped into metropolitan New York 230,532,750 pounds, or a net increase over the same period of a year ago of 13,850,065 pounds.

In December 1942 there were shipped into the New York metropolitan area 211,790,934 pounds of milk, plus 6,123,935 pounds of relief milk. In December 1943, 232,261,568 pounds of milk were shipped into the same area—an increase of 14,346,699 pounds for the corresponding period of the previous year.

Dewey's blitz has turned out to be a dud.

The SPEAKER. The time of the gentleman has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. WORLEY. Mr. Speaker, I ask unanimous consent that after the close of the legislative business and other special orders on next Thursday, I may be permitted to address the House for 1 hour, and on Friday for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent that after the disposition of matters on the Speaker's desk and other special orders on Thursday I may be permitted to address the House for 30 minutes, and on Friday for 1 hour.

The SPEAKER. Is there objection?

There was no objection.

SOLDIERS' VOTE

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. LESINSKI addressed the House. His remarks appear in the Appendix.]

ELECTION TO STANDING COMMITTEE OF THE HOUSE

Mr. DOUGHTON. Mr. Speaker, I offer a resolution (H. Res. 399), which I send to the desk.

The Clerk read as follows:

Resolved, That EDWARD J. HART, of the State of New Jersey, be, and he is hereby, elected chairman of the standing committee of the House of Representatives on War Claims.

The resolution was agreed to.

Mr. DOUGHTON. Mr. Speaker, I offer a resolution (H. Res. 400) which I send to the desk.

The Clerk read as follows:

Resolved, That JAMES A. WRIGHT, of the State of Pennsylvania, be, and he is hereby, elected a member of the standing committee of the House of Representatives on Foreign Affairs.

The resolution was agreed to.

THE DUST BOWL OF THE BREAD BASKET OF THE WORLD

Mr. BURDICK. Mr. Speaker, I ask unanimouus consent to address the House for 1 minute and to revise and extend my remarks, and that my remarks and the extension may appear in the Appendix of the RECORD.

The SPEAKER. Is there objection?

There was no objection.

[Mr. BURDICK addressed the House. His rearks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an article from the New York Times.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. COMPTON. Mr. Speaker, I ask unanimous consent that on Wednesday, January 19, after the disposition of the regular legislative business and following any previous special orders, I may address the House for 15 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks and include, for the benefit of the Congress and the various Federal departments and agencies, a letter.

The SPEAKER. Is there objection?

There was no objection.

Mr. REECE of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter on the civil aviation bill.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. TALBOT. Mr. Speaker, I ask unanimous consent that on Monday, after the legislative business of the day and any other special orders, I may address the House for 12 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. COX. Mr. Speaker, I ask unanimous consent that I may be permitted to extend my remarks in the RECORD, inserting therein an article by Mr. Woltman appearing in a recent issue of the New York World-Telegram.

The SPEAKER. Is there objection?

There was no objection.

Mr. COX. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a brief editorial appearing in the recent issue of Broadcasting.

The SPEAKER. Is there objection?

There was no objection.

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to extend my remarks and include an article from the Baltimore Sun, on taxation.

The SPEAKER. Is there objection?

There was no objection.

Mr. FAY. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter from a friend of mine, Maj. Reagan McCrary.

The SPEAKER. Is there objection?

There was no objection.

Mr. MANSFIELD of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks, and to include an article from the Washington Times-Herald.

The SPEAKER. Is there objection?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. SCRIVNER. Mr. Speaker, I ask unanimous consent to extend my remarks, and include a resolution from the electrical workers union, endorsing national conscription, and my reply thereto.

The SPEAKER. Is there objection?

There was no objection.

Mr. HILL. Mr. Speaker, I ask unanimous consent to include in the Appendix of the RECORD, a resolution passed by the Implement Dealers Association of the State of Wisconsin, at Milwaukee.

The SPEAKER. Is there objection?

There was no objection.

Mr. KEARNEY. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a letter.

The SPEAKER. Is there objection?

There was no objection.

FOR OUR RETURNING HEROES

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. STEVENSON addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and to include a short article appearing in the Washington Daily News on Chips, the dog that was awarded the Silver Star.

The SPEAKER. Is there objection?

There was no objection.

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial that appeared in the New York Times today.

The SPEAKER. Is there objection?

There was no objection.

Mr. GRANT of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a letter from the White House addressed to Mr. Horace C. Carlisle and a poem.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks in two particulars, and in the first to include a letter written to Roland M. Jones, which appeared in the New York Times, and, secondly, to include a report of Julius E. Warren, commissioner of education of the Commonwealth of Massachusetts.

The SPEAKER. Is there objection?

There was no objection.

Mr. MANASCO. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the Dothan (Ala.) Eagle.

The SPEAKER. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an article from the Washington Star on the soldier's vote.

The SPEAKER. Is there objection?

There was no objection.

Mr. BURGIN. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address made over the radio.

The SPEAKER. Is there objection?

There was no objection.

Mrs. SMITH of Maine. Mr. Speaker, Mr. George Otis Smith, of Skowhegan, Maine, who died on January 10, 1944, was for many years Director of the United States Geological Survey, and later Chairman of the Federal Power Commission.

I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial by John L. Fysche, editor of the Independent-Reporter, Skowhegan, Maine.

The SPEAKER. Is there objection?

There was no objection.

Mr. LEFEVRE. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter from a farmer in my district, Mr. John Williams.

The SPEAKER. Is there objection?

There was no objection.

Mr. HERTER. Mr. Speaker, I ask unanimous consent to extend my remarks, and include a statement of policy of the Boston Maritime Association, and an editorial from the Boston Herald, dealing with the same subject.

The SPEAKER. Is there objection?

There was no objection.

Mr. MRUK. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill, H. R. 3817.

The SPEAKER. Is there objection?

There was no objection.

Mr. BENDER. Mr. Speaker, I ask unanimous consent to extend my remarks and include a speech delivered by the Representative of the Eighth District of Indiana, on yesterday.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CARSON of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOLMES of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a news release issued by the Bureau of Reclamation concerning the award of contracts.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BUFFETT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix and to include therein a letter from a constituent.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief poem about three boys in the armed service.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(Mr. GATHINGS and Mr. HOFFMAN asked and were given permission to revise and extend their own remarks.)

MANPOWER FOR PULPWOOD AND LOGGING OPERATIONS

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks, and include therein a copy of a bill I have introduced.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. PHILBIN addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. GWYNNE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address delivered by me.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ROLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two subjects: One, insurance, and the other taxes on federally owned property, and to include newspaper articles.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WEICHEL of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial discussing the national service law by the editor of the Sentinel Tribune.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

REINSTATEMENT OF BILL ON PRIVATE CALENDAR

Mr. MASON. Mr. Speaker, I ask unanimous consent that the bill H. R. 2456, for the relief of Moses Tennenbaum, be reinstated on the Private Calendar.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. CARLSON of Kansas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a letter written by one of my constituents which appeared in the Washington Post yesterday morning.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a telegram from the Travis Universal Corporation undertaking to state the disadvantages of a small, self-financing corporation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE SOLDIERS' VOTE BILL

Mr. FURLONG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FURLONG. Mr. Speaker—

First. Man can do no greater thing than to give his life, or offer to give his life for his country and his fellow man.

Second. Every man and woman in the armed forces of our Nation is doing that.

Third. They have been called there by this Nation—to kill or be killed.

Fourth. This is not a war between our States, this is a war for all our States, our Nation.

Fifth. Therefore, it is our duty to see that the people who defend the Nation shall have not only the right but the opportunity to vote for the officials of the Nation they defend.

Sixth. You cannot serve God and the devil. You cannot be for the soldiers' vote and against it.

Seventh. Let us act like men, and get down to business and see that the armed forces get their vote.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. RANKIN addressed the House. His remarks appear in the Appendix.]

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SABATH. Mr. Speaker, answering the gentleman from Mississippi [Mr. RANKIN], I wish to state that late yesterday afternoon he sent me a letter requesting a hearing for a rule on the servicemen's vote bill, and still later I talked with him explaining the situation with respect to bills and resolutions before the Committee on Rules for consideration. A hearing was had on the Lea aviation bill last December which was adjourned with the understanding that 18 Members who desired to be heard would be afforded an opportunity by our committee immediately after Congress reconvened. Last week these 18 Members were notified that a meeting would be called for Tuesday, January 18, and they appeared before our committee today and the hearing continued up to the time the House met. Yesterday the Committee on Rules granted two rules—one for the consideration of the servicemen's mustering-out-payments bill, now before us, which will require 2 days' consideration—the other bill, House Joint Resolution 192, to enable the United States to participate in the work of the United Nations relief and rehabilitation organization, will be taken up following the passage of the mustering-out-payments bill and will require an additional 2 days' general debate by the House, and its passage cannot be expected before Saturday. So with the best of intentions it will not be possible to take up the servicemen's vote bill before Monday or Tuesday of next week.

Mr. COX. Mr. Speaker, will the gentleman yield to me at that point?

Mr. SABATH. I cannot yield now.

Mr. COX. Will the gentleman agree to call the committee to consider this matter on Monday, Tuesday, or any time this week?

Mr. SABATH. Not Monday of this week; of course not.

Mr. COX. Well, Tuesday of next week.

Mr. SABATH. I will not delay for a minute the passage of a bill giving the boys the right to vote, a bill that will give them the right to vote, and not a bill that will deprive them of the right to cast their vote.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COX. Mr. Speaker, it is perfectly apparent to everyone that there is no purpose on the part of the chairman of the Committee on Rules to give that committee the opportunity to consider an application for a rule on the bill to which the gentleman from Mississippi referred.

I believe I am in position to assure the chairman of the committee that every member of that committee, or at least a considerable majority of the committee, will meet with the chairman now, an hour from now, or any hour during this day, tomorrow, the next day, or any time the chairman may find it possible to devote a few minutes to the consideration of the matter. The opposition is stalling and the chairman of the Committee on Rules is serving that segment of the House.

Mr. WORLEY. Mr. Speaker, will the gentleman yield?

Mr. COX. I yield.

Mr. WORLEY. I have no disposition to indulge in personalities either now or later. So far as I am concerned, I have no disposition whatever to delay action either way on the soldiers' vote bill.

Mr. COX. All right; then consult with the chairman of the Committee on Rules and get an agreement out of him to call the committee in session at any time during this or next week.

Mr. WORLEY. I intend to do that today or tomorrow.

Mr. COX. I hope the gentleman will be successful.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, when my distinguished friend from Georgia speaks, of course, it commands my attention not only because of my strong personal friendship for him—and he is one man whose friendship I particularly value—but also because of my respect for him as a legislator. I do not want him to get into the position of being among those who make the claim that there is stalling. I can assure the gentleman that there is not. Just before this little unnecessary outburst occurred, where the charge of stalling was made, I had spoken to the chairman of the Committee on Rules and told him that I hoped a rule would be reported out this week making the soldiers' vote bill in order so it could be called up next week; and I may say that even prior to this the same request was made.

Mr. SABATH. And that is true.

Mr. COX. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Georgia.

Mr. COX. If the gentleman could have heard the colloquy between the members of the Rules Committee and the chairman just before the committee adjourned this morning, he would have understood and appreciated my position.

Mr. McCORMACK. My only purpose is to prevent the impression throughout the country that there is any stalling, because we are all anxious to get the bill up for consideration just as soon as we can and have it disposed of one way or the other.

Mr. ALLEN of Illinois. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Illinois.

Mr. ALLEN of Illinois. About 2 months ago the Committee on the Judiciary reported an insurance bill 17 to 5. Our eminent chairman, the gentleman from Texas [Mr. SUMNERS], has been anxious to get this insurance bill reported, but that also is being held up.

Mr. McCORMACK. I think the chairman used good judgment on that bill.

The SPEAKER. The Chair is very anxious, and has been for 30 minutes, to recognize the chairman of the Committee on Rules to call up a rule making in order consideration of a bill in which the soldiers of the country are very much interested, but that has been delayed. The Chair hopes there will be no further delay.

THE SOLDIERS' VOTE BILL

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. FISH]?

There was no objection.

Mr. FISH. Mr. Speaker, I want to make it very clear that the minority members of the Rules Committee are ready right now to meet at the call of the chairman of the Rules Committee to report out of the soldiers' vote bill. May I say that I believe they are in favor of an open rule so that this controversial issue may be decided by the House itself at the earliest possible moment. If the majority leader is in accord, why does not the chairman call a meeting of the Rules Committee this afternoon and give us an opportunity to report out a bill with an open rule and give the House an opportunity to amend it. Time is the essence, and the responsibility for any further delay will rest on the chairman of the Rules Committee and the Democratic majority.

The SPEAKER. The time of the gentleman has expired.

Mr. MURPHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. MURPHY]?

There was no objection.

Mr. MURPHY. Mr. Speaker, now that the gentleman from Mississippi and the gentleman from New York are in accord on shortening the time in order that the soldiers will get a right to vote, why do they not also immediately agree that we should eliminate the stupid "post card" provision which will only mean delay from the bill and give the soldiers a ballot?

EXTENSION OF REMARKS

Mr. MANSFIELD of Montana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein two newspaper articles having to do with water power in Montana.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. MANSFIELD]?

There was no objection.

THE SOLDIERS' VOTE BILL

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. MICHENER]?

There was no objection.

Mr. MICHENER. Mr. Speaker, there has been a lot of talk here about the soldiers' vote. A lot of misinformation has been peddled to the country. We might as well have it understood clearly that the Rules Committee, if given an opportunity, will vote for a rule to bring a soldiers' vote bill to the floor of the House for consideration under the general rules of the House—an open rule—so that any amendments may be offered. I make this statement because members of the Rules Committee—and I am one of them—are receiving literally hundreds of telegrams condemning the Rules Committee for stalling and threatening to bring in a gag rule that will not permit amendments from the floor of the House. That is not the attitude of the Rules Committee. Such an accusation is unwarranted and untrue. The Rules Committee, I am sure, stands ready, willing, and anxious to report an open rule at the earliest possible moment. All we want is an opportunity to vote.

As one Member of the House I shall support the bill and amendments most likely to provide a means by which all service people can vote for all candidates from President to coroner. They are entitled to vote as they please and they are entitled to have those votes counted.

EXTENSION OF REMARKS

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in order to express my vigorous opposition to the universal conscription of labor and to include therein an editorial from the Fort Wayne News-Sentinel.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. GILLIE]?

There was no objection.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a letter from a cattle feeder of Iowa.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. JENSEN]?

There was no objection.

(Mr. HOFFMAN asked and was given permission to extend his own remarks in the RECORD.)

ONE-MINUTE SPEECHES

The SPEAKER. The Chair will state that hereafter when there is business of importance pending before the House, especially concerning the soldiers, as there is today, the Chair trusts he will not have to object to gentlemen proceeding for a minute before the rule is called up.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first bill on the Private Calendar.

JOHNNY NEWTON STRICKLAND

The Clerk called the first bill on the Private Calendar, S. 653, for the relief of Johnny Newton Strickland.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Johnny Newton Strickland, of Southern Pines, N. C., the sum of $1,500, in full satisfaction of his claims against the United States for compensation for personal injuries sustained by him, and hospital and medical expenses incurred by him, as the result of a collision which occurred when his automobile was struck by a United States Army truck on October 22, 1941: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN HENRY MILLER, JR.

The Clerk called the next bill, S. 1090, for the relief of John Henry Miller, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Henry Miller, Jr., of Staunton, Va., the sum of $135, in full satisfaction of his claim against the United States for accumulated leave which was due him at the time of his resignation as deputy clerk for the United States Court for the Western District of Virginia, but which he failed to receive prior to the acceptance of such resignation by reason of a misunderstanding of his superiors: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and

passed, and a motion to reconsider was laid on the table.

AUGUST MICHELA, INFANT

The Clerk called the next bill, H. R. 297, for the relief of August Michela, infant.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby authorized to pay the sum of $7,500 to August Michela for personal injury by reason of the negligent driving of a Work Projects Administration truck which resulted in a fracture of his right leg: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 4, after the word "pay", strike out the remainder of lines 4, 5, 6, and 7 through the word "leg" and insert the following: "out of any money in the Treasury not otherwise appropriated, to the legal guardian of August Michela, a minor, of Brooklyn, N. Y., the sum of $750 in full settlement of all claims against the United States for personal injuries sustained as a result of being struck by a Works Progress Administraion truck, on March 17, 1939, at the intersection of Thirty-ninth Street and Fort Hamilton Parkway, Brooklyn, N. Y."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the legal guardian of August Michela, a minor."

ROBERT BECKWITH ET AL.

The Clerk called the next bill, H. R. 1469, for the relief of Robert Beckwith, Julius Buettner, and Emma M. Buettner.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert Beckwith, of Shawano County, Wis., the sum of $6,000, and to Julius Buettner and Emma M. Buettner, of Shawano County, Wis, the sum of $5,100, in full settlement of all claims against the United States for personal injuries to Robert Beckwith, and for the death of Harrison Buettner, son of Julius and Emma M. Buettner, as a result of an Army ambulance numbered 7558 colliding with the car in which they were riding near Crystal Falls, Mich., on September 1, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$6,000" and insert in lieu thereof "$3,000."

Page 1, line 8, strike out "$5,100" and insert "$2,500."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HASSLER-PONDER TOY MANUFACTURING CO., INC.

The Clerk called the next bill, H. R. 2455, for the relief of Hassler-Ponder Toy Manufacturing Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hassler-Ponder Toy Manufacturing Co., Inc., the sum of $10,000, in full satisfaction of all claims against the United States for damages sustained by the Hassler-Ponder Toy Manufacturing Co., Inc., by a fire which destroyed its plant and equipment on November 16, 1938, while being occupied and used by the Works Progress Administration: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, after the word "Incorporated" insert "of Birmingham, Ala."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WALLACE KERR, JR.

The Clerk called the next bill, H. R. 3195, for the relief of Willard Kerr, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Willard Kerr, Jr., of Chester, Pa., the sum of $10,000, in full settlement of all claims against the United States for the death of his wife, Edith Kerr, who was killed when the automobile in which she was riding was struck by a United States Army truck at the intersection of Ridge Road in Marcus Hook, Pa., on October 24, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of service rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$10,000" and insert in lieu thereof "$6,020.80."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WADE BROS., A PARTNERSHIP COMPOSED OF M. J., G. W., AND OVID WADE

The Clerk called the next bill, H. R. 3504, for the relief of Wade Bros., a partnership composed of M. J., G. W., and Ovid Wade.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Wade Bros., a partnership composed of M. J. Wade, G. W. Wade, and Ovid Wade, of Eldorado, Tex., the sum of $7,674.98, for losses which occurred on November 28, 1942, when a United States Army airplane engaged in bombing practice released a bomb striking and exploding on said Wade Bros. ranch and causing the following damages, to wit: 3,200 acres of grass burned and destroyed, 98 fence posts destroyed, 1 mile of net wire and 1 mile of barbed wire destroyed, and 499 sheep destroyed: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DAVID COWAN AS NATURAL GUARDIAN OF GILDA COWAN, A MINOR

The Clerk called the next bill, H. R. 2126, for the relief of David Cowan as natural guardian of Gilda Cowan, a minor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to David Cowan the sum of $10,000, as compensation for and in full settlement of all claims for damages against the United States for injuries sustained by his daughter, Gilda Cowan, a minor, when, on April 28, 1934, a Navy Department trailer attached to the dirigible *Macon*, at Opa Locka Flying Field, Miami, Fla., ran over her right leg: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum

of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$10,000, as compensation for and" and insert in lieu thereof "$2,500, as natural guardian of Gilda Cowan, a minor, of Chicago, Ill."

Page 1, line 8, strike out "for damages."

Mr. SPRINGER. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. SPRINGER: Page 1, line 6, after the words "sum of," strike out "$2,500" and insert "$1,500."

The amendment to the committee amendment was agreed to.

The committee amendments as amended were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of David Cowan as natural guardian of Gilda Cowan, a minor."

PRESENTATION OF SILVER MEDALS TO CERTAIN MEMBERS OF THE PEARY POLAR EXPEDITION OF 1908–9

The Clerk called the next bill, S. 184, to provide for the presentation of silver medals to certain members of the Peary Polar Expedition of 1908–9.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to cause to be made, at a United States mint, silver medals of an appropriate design to be presented, in the name of Congress, to Matthew A. Henson, Capt. Robert A. Bartlett, Ross G. Marvin, Dr. John W. Goodsell, George Borup, and Donald B. MacMillan, in recognition of their efforts and services, as members of the Peary Polar Expedition of 1908–9, in the field of science and for the cause of polar exploration, by aiding in the discovery of the North Pole by Admiral Peary.

SEC. 2. If any of such persons has died, the Secretary of the Navy is authorized to make the award posthumously by presenting such a medal to the widow or other member of the family of such deceased person.

SEC. 3. There is hereby authorized to be appropriated the sum of $500, or so much thereof as may be necessary, for carrying out the provisions of this act.

With the following committee amendment:

Page 2, line 8, strike out "$500" and insert in lieu thereof "$750."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING SECRETARY OF THE INTERIOR TO CONVEY TO JOSE C. ROMERO ALL RIGHT, TITLE, AND INTEREST TO CERTAIN PROPERTY IN CARSON NATIONAL FOREST, N. MEX.

The Clerk called the next bill, S. 1488, to authorize the Secretary of the Interior to convey to Jose C. Romero all right, title, and interest of the United States in a certain described tract of land within the Carson National Forest, N. Mex.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in recognition of the following facts (1) that Jose C. Romero, of Trampas, N. Mex., had by purchase and possession established a major equitable interest in certain lands comprising a portion of the Las Trampas grant prior to the acquisition of said grant by the United States through an exchange consummated under the provisions of the act of June 7, 1924 (43 Stat. 643), whereby said grant became a part of the Carson National Forest, (2) that the said area purchased and possessed by the said Jose C. Romero has been specifically delineated by a survey commenced June 16, 1941, and completed June 18, 1941, by Aaron F. Jones, senior engineering aide, of the Forest Service, United States Department of Agriculture, whose field notes of said survey have been accepted and filed by said Department and show the area claimed by said Jose C. Romero to be $12^{324}/_{1000}$ acres, and (3) the said Forest Service has found and stated that the equities of the said Jose C. Romero are such as to warrant conveyance to him of title to the said described $12^{324}/_{1000}$ acres of land, the Secretary of the Interior be, and he hereby is, authorized and directed on behalf of the United States to execute a quit-claim deed conveying to the said Jose C. Romero, his heirs, successors, or assigns, all right, title, and interest which the United States now hold in the said described lands.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DAVE HOUGARDY

The Clerk called the next bill, H. R. 443, for the relief of Dave Hougardy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dave Hougardy, Renton, Wash., the sum of $2,000. The payment of such sum shall be in full settlement of all claims against the United States for damages arising out of the death by drowning of Teddy Hougardy, 8-year-old son of the said Dave Hougardy, on August 5, 1938, when he fell from an unprotected foot log built by employees of the Forest Service of the Department of Agriculture in The Dalles Campground of the Snoqualmie National Forest, Wash.

With the following committee amendment:

At the end of the bill, insert the following: *"Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUMMERVILLE CONSOLIDATED SCHOOL DISTRICT, GA.

The Clerk called the next bill, H. R. 3062, for the relief of the board of trustees, Summerville Consolidated School District, Chattooga County, Ga.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SPRINGER, Mr. GRANT of Indiana, and Mr. BUFFETT objected and, under the rule, the bill was recommitted to the Committee on Claims.

MOSES TENNENBAUM

The Clerk called the next bill, H. R. 2456, for the relief of Moses Tennenbaum.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Moses Tennenbaum, of Poland, now residing at 552 Neptuno, Habana, Cuba, shall be admitted to the United States of America for permanent residence here notwithstanding any provision of the immigration laws of the United States now in effect. That upon the enactment of this act into law the Secretary of State is directed to authorize the proper consul to issue proper visa to Moses Tennenbaum without compliance with the usual requirements.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BARDEN. Mr. Speaker, that concludes the call of the Private Calendar.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address recently delivered by Rear Admiral Denfeld.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

MUSTERING-OUT PAY BILL OF 1944

Mr. SABATH. Mr. Speaker, I call up House Resolution 398, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 1543) to provide for mustering-out payments to members of the armed forces, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Military Affairs, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute committee

amendment recommended by the Committee on Military Affairs now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, I shall later yield 30 minutes to the gentleman from New York [Mr. FISH], and now yield myself 10 minutes.

Mr. Speaker, this rule makes in order the consideration of the mustering-out pay bill. It provides for 2 hours of general debate. I know some gentleman will be disappointed that the Committee on Rules did not bring in a closed or gag rule. This is an open rule, giving every Member who so desires an opportunity to offer an amendment to the bill, because the bill will be read for amendment under the 5-minute rule.

The rule makes in order the consideration of the Senate bill, which, however, has been amended by the House Committee on Military Affairs by striking out all after the enacting clause and substituting for it its own bill, to which that committee has given real and careful consideration lasting many days.

Although at times I might have found fault with the way the Committee on Military Affairs has reported its bills, this time I am foreclosed from criticizing, and am obliged to say to the House that to my mind the committee has prepared a very enlightening and intelligent report, giving the membership full and complete information as to what the House bill provides and also what the original Senate bill provided.

I myself am ready to go as far as anybody for the men who have been mustered out. I am willing to be as liberal as anybody. But this is only the beginning of what is contemplated to be done for our armed forces. Not only the President but we are interested in taking care of all those who have served and are serving our Nation.

The Senate bill as passed hurriedly would have cost the Government over $5,000,000,000. The House bill will cost about $3,600,000,000. The reduction is due not only to the fact that the amount of the pay provided for the men who have been mustered out has been reduced but the fact that the Committee on Military Affairs has wisely eliminated pay to those who, it is believed, are not entitled to any mustering-out pay, such as officers above the grade of captain, who are drawing $5,000 or $6,000 a year, and many persons who will immediately be on the pay roll of the Government. The committee has also eliminated those who of their own free will asked to be released to enter remunerative employment which will provide for them immediately sufficient income so that they will not need any of this pay, because many of these men are earning much more than they earned before they enlisted. Also to be excepted from receiving mustering-out payments will be those members of our armed forces who are entitled to receive retirement pay following their discharge or relief from active service and such Air Corps Reserve officers who are entitled to receive a lump-sum payment under the act of June 16, 1936, as amended; members of the armed forces who have served only under Army specialized-training program, or similar programs under the jurisdiction of the Navy, Marine Corps, or the Coast Guard.

I understand that the chairman of the Committee on Military Affairs also feels that he should, and that he will offer an amendment in time respecting all those Government employees who have civil-service status, and who immediately after being mustered out can go back and will return to their old positions, without loss in time or in pay. I think the House bill is a splendid bill.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Yes.

Mr. HOFFMAN. If we put this bill through, will the soldiers get this mustering-out pay before they are given an opportunity to vote?

Mr. SABATH. I am satisfied that they will, because it is provided that they shall be paid when they are mustered out and, furthermore, I say to the gentleman from Michigan, that I hope that they will have a real right and an opportunity to vote when the time comes, and in that connection I say that the chairman of the Rules Committee has not delayed the consideration of that bill, because the chairman of the Rules Committee introduced the very first bill of that kind.

Mr. HOFFMAN. Oh, I make the point of order that the gentleman is not now speaking to the matter under consideration.

Mr. SABATH. I have answered the gentleman and am answering the question that he propounded to me. He tried to infer that I might be responsible for the delay in the consideration of the servicemen's vote bill.

Mr. HOFFMAN. I did not infer anything of the kind. I know the gentleman wants the soldiers to have a vote but that he cannot get to it. That is all.

Mr. SABATH. So the benefits under this bill will be followed by benefits also of giving them a real right to vote, a real opportunity to vote, in a manner I feel they are entitled to under our Constitution.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Yes.

Mr. MICHENER. I am sure that our distinguished chairman wants the soldiers to vote, and I am especially impressed with his statement that he wants them to cast a real ballot. I take it the chairman wants to make it possible for those men and women in the service to vote for everybody from the President to the coroner.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. SABATH. I yield myself 3 minutes more. Mr. Speaker, I do not know whether the Congress has jurisdiction to say how they can vote for a coroner, constable, or for any county officer. I know that the Congress has jurisdiction to act on and legislate on the election of the President, the Vice President, and Senators and Representatives. I do not know where the Congress has any right to interfere in any State, county, city, or municipal election. That is my position. I do not at this time wish delay. I think I have explained the bill that is before us, feeling that the chairman of the Committee on Military Affairs and the other members of that committee on both sides can do that much more clearly and intelligently than I can, so that there can be no misunderstanding as to the effect of the provisions of the bill. I repeat, and I am willing to go as far as any man, but we must recognize also our responsibility to the taxpayers, and if my friend from Pennsylvania, a former Member, Mr. Rich, were with us today, I know that he would rise in his seat and ask, "Where are you going to get the money?" Since that time conditions have changed, and we are raising greater revenues than ever before. That also reminds me of the gentleman from Tennessee, a former Member, with whom I had the pleasure of serving years ago, who voted for every appropriation and for every amendment increasing appropriations—he did not care what the amendment might be—but on the other hand always refused to vote for any tax or revenue bill.

In conclusion, I wish gentlemen before me had been present at the Rules Committee meeting when the gentleman from Missouri [Mr. SHORT] appeared, and that you could have heard the strong statements he made. I believe that we will have a sound bill with which the mustered-out men will be satisfied and happy.

The SPEAKER pro tempore. The time of the gentleman from Illinois has again expired.

Mr. SABATH. Mr. Speaker, I now yield 30 minutes to the gentleman from New York [Mr. FISH], and later on I may yield so much time as may be desired by the gentleman from Kentucky [Mr. MAY], chairman of the Committee on Military Affairs.

Mr. FISH. Mr. Speaker, I yield myself 10 minutes.

This bill comes before the Congress with the unanimous report of the Committee on Rules. I understand that before that it had a unanimous report from the Committee on Military Affairs. The bill is a very simple measure. It had most careful consideration by the Committee on Military Affairs, whose main object was to refer to us some legislation that would be adequate and constitute fair treatment of our veterans who will eventually be mustered out of the service, as some of them have already been

to the number of approximately 1,000,000.

Undoubtedly, this will become a controversial piece of legislation when it is taken up under the 5-minute rule. There are some Members who believe that the amount carried in the bill should be doubled or trebled, but we have got to consider the whole problem. This is a mustering-out pay bill. It has nothing to do with adjusted compensation or with hospitalization, rehabilitation, or with insurance, or with vocational or educational training that may follow later on for our soldiers. It is a mere mustering-out pay bill. I do not want to preclude myself by saying in advance that I will not favor certain amendments that may be offered until they have been offered and discussed.

I know one amendment that I will support and if someone else does not offer the amendment I will offer it myself. That is to do away with that provision that implies that those veterans of 38 years of age who are honorably discharged at their own request are ineligible to receive any of this mustering-out pay. I cannot understand the reason or the logic by which that provision was put into this bill. In my humble opinion those who were 38 years of age and retired or were given honorable discharges are even more entitled to compensation from the Government than any other single group, for most of those of 38 years of age were married men and were engaged in business and made far larger economic and financial sacrifices than the boys between 18 and 30. Yet for one reason or another they have been excluded from the provisions of the bill. If that precedent is allowed and permitted to continue they will probably be excluded from the adjusted compensation measures that will follow. Now, Mr. Speaker, this is no picayune legislation. It is a very simple bill, and gives $300 to most of the veterans who will be mustered out, to be used, of course, to get civilian clothes and to take care of themselves until they get jobs. It is not meant to be adjusted compensation.

But the chairman of the Rules Committee well said, "Where are you going to get the money?" This bill that some Members of the House are complaining about and saying it is not enough and that we are not doing the square thing by the veterans; we should double it or triple it, this little measure, mark you, will cost the taxpayers $3,600,000,000.

A few minutes ago I sent to the Veterans' Administration to find out how much the adjusted service certificates or adjusted service compensation of World War No. 1 cost, over which we had a tremendous fight going on for years and on which we finally had to override two or three presidential vetoes. I find that this simple, little measure which it is complained is not enough for the veterans, costs exactly the same or approximately the same as adjusted service compensation of the last war. It is stated or estimated that this will cost $3,600,000,000. The adjusted service compensation cost $3,851,987,605.40. And yet there are those who say that we must double and triple it. I am giving you these figures without making any commitment myself. I am inclined to think this is the proper thing to do, to be followed later by adjusted compensation and educational provisions and other benefits for the veterans of World War No. 2.

Mr. SABATH. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Illinois.

Mr. SABATH. This, however, only applies to those that have been mustered out. We have a little over 10,000,000 in the services now and it is expected there will be about 15,000,000 before we are through. So the amount that it will cost will be increased tremendously before all these men are mustered out.

Mr. FISH. That is probably true. We have between 10,000,000 and 11,000,000 men in the services now. One million have already been discharged. That is the purpose of this bill now, to speed it up so they will be taken care of. And there will be another million discharged during this year. So maybe it will probably be about 15,000,000 that will be eligible for this type of mustering-out pay. It might be well also to note that we have spent $14,000,000,000 for the veterans of World War No. 1 in the last 25 years. I have estimated that the size of our present Army and the benefits that have been provided for and which undoubtedly will be provided for, will cost over $50,000,000,000 in the next 25 years, based on this legislation, that is, not increasing other legislation that the House and Congress and the American people more or less are agreed to in advance.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Michigan.

Mr. DONDERO. Has the Veterans' Administration taken any position in regard to the bill before us?

Mr. FISH. The Veterans' Administration has been heard on the measure. I do not know exactly their position. I would prefer you ask that of some member of the committee who was at the hearings. This is compromise legislation, of course, and the committee is evidently trying to do the fair thing.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. ROBSION of Kentucky. What is the report, if any, from the Director of the Bureau of the Budget on the matter?

Mr. FISH. I have not seen the report of the Budget Bureau. I should suppose the Director of the Bureau of the Budget would be dizzy, or will be, when he sees the staggering amounts involved. But I will say to this House that it is far easier for me to vote this $3,600,000,000 to take care of our veterans and give them a little nest egg when they come home, so they can have time to find a job, than it will be to vote for $1,350,000,000 in a few days from now to supply relief to foreign countries in a war which we did not start. Yet that bill of $1,350,000,000 will immediately follow from the Rules Committee this particular bill providing a mustering-out pay for our soldiers.

I am in favor of this bill. Whether I am willing to go any further I do not know until I hear the arguments. I think it is a fair bill so far. This piece of veteran legislation is probably about all we shall put through until we take up the question of adjusted compensation and educational training.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FISH. Mr. Speaker, I yield myself 5 additional minutes.

The SPEAKER pro tempore. The gentleman from New York is recognized for 5 additional minutes.

Mr. FISH. Mr. Speaker, I ask unanimous consent to speak for 2 minutes out of order during the 5 minutes remaining.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. FISH. Mr. Speaker, I introduced today a bill providing for the establishment of a single department to administer all war veterans' affairs and to be headed by a secretary of veterans' security who will automatically become a member of the Cabinet. The handling of veterans' rehabilitation and the administration of the congressional acts providing for hospitalization, educational and vocational training, compensation, insurance, and pensions for the veterans of all our wars, will involve at least 16,000,000 veterans after the advent of peace, and the actual work, responsibility, and cost will be on a gigantic scale. It is difficult to estimate what the annual cost will be, once the war has been won, to carry out the program of rehabilitation and vocational training for the disabled, and 1 or more years of educational training for the able bodied, the payment of compensation and pensions to various groups of veterans, and all the other functions and facilities required by law. It will exceed $2,000,000,000 a year at the outset and by far the costliest department of the Government in time of peace. The first year—with the mustering-out pay and possibly job insurance—will probably reach the unprecedented peacetime total of $7,000,000,000 annually, or the cost of running the war for 30 days. I estimate that it will cost $50,000,000,000 within the next 25 years, or one-sixth of the total war expenditures.

I can see many reasons for quick action by Congress to enact legislation for a secretary of veterans' security to administer under a single department all war-veteran relief and benefits whereas there is no valid reason against the establishment of such a department. I shall ask for immediate hearings before the Veterans' Legislation Committee on my bill and will expedite action with the hope of having it enacted into law before Congress adjourns around July 1.

There are now approximately 1,000,000 honorably discharged veterans of World War No. 2 and they are increasing at a rate of 60,000 a month.

I placed that bill in the hopper this morning, and I hope it will be taken up reasonably soon and considered by the committee and by the House.

Mr. Speaker, at the proper time, under the 5-minute rule, I hope some member of the committee will offer an amendment to do away with that provision that excludes those men 38 years of age and over from mustering-out pay. If it is not done by some member of the committee, then I propose to offer that amendment myself, because I think it is absolutely ill-advised and ill-considered, and amounts to rank injustice to those men over 38 years of age, who were advised by the War Department that they were not needed, that the hospitals were filled with soldiers over 38 years of age, and it was against the interest and the conduct of the war. They were advised in writing to that effect, and they got out with the consent of the War Department, and with the cooperation of the War Department and of the Congress, and in the interest of the conduct of the war. They should not be excluded.

Mr. SCRIVNER. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. SCRIVNER. To what provision of the bill is the gentleman referring? I do not find that anywhere.

Mr. FISH. I do not have the bill before me right now.

Mr. LANE. Will the gentleman yield to me to answer that question?

Mr. FISH. I yield to the gentleman from Massachusetts.

Mr. LANE. When the gentleman referred to those over 38 years of age, he was referring to section 1, paragraph 3, of the bill, in which it provides that no mustering-out pay shall be allowed for those who requested discharge for the purpose of securing employment.

Mr. FISH. I protested it only yesterday in the Rules Committee. It was aimed at those men over 38 years of age. I submit that those men are more entitled to financial assistance than any other group, because they lost their business; they had large investments, and they had to go into the service. They were drafted into the service. Naturally the Army was only too glad to get rid of them, because they found they were too old.

Mr. CUNNINGHAM. Will the gentleman yield?

Mr. FISH. I yield.

Mr. CUNNINGHAM. Section 3, on page 8, provides that they be paid mustering-out pay.

Mr. FISH. I am delighted, if that is true. I am not interested in amending any bill but only in a square deal and justice for these older veterans. I am interested in getting the facts and knowing exactly what is in the bill. Before the Rules Committee yesterday, members of the Military Affairs Committee said it was in the bill, and that men of 38 years of age would not get a penny of the mustering-out pay who have already been discharged by their own request. If that is true, that is not only unfair, but you are establishing a precedent that they could not qualify for adjusted compensation or other benefits. So it is important to understand exactly what the bill provides.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

CONSTRUCTION OF PUBLIC WORKS BY THE NAVY DEPARTMENT

Mr. VINSON of Georgia submitted a conference report and statement on the bill (H. R. 3741) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, for printing in the RECORD.

CALL OF THE HOUSE

Mr. THOMAS of New Jersey. Mr. Speaker, I made the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. SPARKMAN). The gentleman from New Jersey makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. RAMSPECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll. No. 2]

Baldwin, Md.	Granger	Magnuson
Bland	Halleck	Maloney
Buckley	Hare	Morrison, La.
Burch, Va.	Harness, Ind.	Mott
Chapman	Hart	Newsome
Chiperfield	Hébert	Norton
Clark	Howell	O'Leary
Cravens	Jackson	Rivers
Dewey	Johnson, Okla.	Sasscer
Dirksen	Johnson, Ward	Schuetz
Domengeaux	Jones	Scott
Eberharter	Kleberg	Simpson, Ill.
Fitzpatrick	LaFollette	Simpson, Pa.
Forand	Landis	West
Ford	Larcade	Whelchel, Ga.
Fuller	Lesinski	Wigglesworth
Furlong	Luce	Winter
Gale	Ludlow	Woodrum, Va.
Gamble	McKenzie	
Gavin	McMurray	

The SPEAKER pro tempore (Mr. SPARKMAN). On this roll call 369 Members have answered to their names, a quorum.

Further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made a few moments ago and include therein a radio address I delivered on last Friday night.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement by a former colleague of ours, the Honorable John M. Houston, on the subject The National Labor Relations Board in Retrospect and Prospect.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

MUSTERING-OUT PAYMENT BILL OF 1944

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. LANE].

Mr. LANE. Mr. Speaker, our people are virtually unanimous in the opinion that all veterans of this war shall receive some form of mustering-out pay. It is the will of the Nation that we express in this manner some small measure of our gratitude and obligation.

In principle we are united; in execution we are somewhat divided. Serious questions have been raised as to whether the pay scale of the bill before the House is just and equitable.

The Congressional Committee for Immediate and Adequate Mustering-Out Pay, better known as the Lemke committee, in order to correct obvious weaknesses in the May bill, seeks to replace section 2 of the original bill with the following section 2:

SEC. 2. The Secretary of War and the Secretary of the Navy are hereby authorized and directed to pay $100 as mustering-out pay and to continue the regular pay to any veteran, as herein defined, that has been or may hereafter be honorably discharged from the armed forces on the basis of the pay of a private in the Army, or an apprentice seaman in the Navy, as follows: A veteran who has served 1 month, but less than 3 months, for an additional 3 months; one who has served for less than 6 months, but more than 3 months, an additional 6 months, one who has served for less than 9 months, but more than 6 months, for an additional 9 months; one who has served 9 months or more, for an additional 12 months.

Any mustering-out pay bill, to be acceptable to the millions of veterans and to the general public, must be on a graduated basis; its terms must be proportionate to the individual's period of service. We must ever bear in mind that these men and women gave up every civilian comfort and advantage to meet the effort and restraints on individual liberties which military discipline imposes. At the same time, others of their own age groups, while enjoying the freedoms of civilian life, were earning wages far in excess of their normal earning capacities. We spoke of total war—of equality of service—of united effort—but this was a hope and not a reality. I hesitate even to compare the efforts of our civilians, excellent as they are, with those of the men and women in uniform, for the contrast brings to light, painful extremes.

If we wish our soldiers and sailors to believe that they are fighting a people's war, we must be just and consistent in our legislation concerning them. For out of this multitude of men and women who are saving the Nation will come the leaders of tomorrow. Conscious of the example which we offer to our inheritors, let us not incite the cynicism and distrust of democratic processes which ill-advised legislation has so often nourished.

The men and women in this war are laboring under no illusions. They are doing a job which they dislike intensely, but they realize it has to be done. They are watching and thinking, wondering what their service will mean to a nation which says it is grateful. The insistent demands of war have uprooted them from familiar surroundings. The necessities of war are training them in a routine completely at variance with their

normal activities. Can we honestly expect to change a law-abiding citizen into a soldier trained to kill, then back to a good citizen again without causing serious dislocations in the economic and psychological life of that individual? These men and women are anxious to know if there will be a place for them in civilian life when the present job is done. They feel that it will be difficult for them to find a place in the picture again. These men and women do not want the hollow acclaim of parades and testimonials. They want deeds, not words. They believe that a nation's gratitude is best expressed by giving them a moderate reserve to tide them over the change-back period.

In the future, the Congress will formulate legislation of a special character designed to meet the difficult needs of those who are disabled in their country's defense, and rightly so. Our present concern is for the veterans of this war as a whole on the question of the mustering-out pay bill.

Whatever emolument we decide to confer will fall far short of the material debt we owe to them. Our spiritual debt is incalculable beyond reckoning.

The immediate problem is that of material assistance. For a considerable time after a veteran leaves the service, he feels lost. The old routine, difficult as it was, is gone. Changes have taken place in his community, even in his personal relationships, during his enforced absence. It takes time for him to bridge the gap of changed conditions and fit himself back into a civilian routine. It is our responsibility to assist him over that bewildering transitional interim.

The longer he has been in uniform, the more difficult is his problem. Therefore, we submit, the basis of "readjustment pay," to coin an expression, should be governed somewhat by the length of time he has been in uniform.

A mere pittance will not solve his problem. It will not justify the faith he has in his Government. It will, on the other hand, lower the dignity of this House in the eyes of a nation which is keenly aware of all that these men and women have given to their country.

We have approached this problem in the light of the veteran's own conception of his needs. We are certain that the clear-thinking American soldier will consider this Lemke amendment as fair and sufficient for himself and his buddies, because it is a sliding-scale measure, without oversights or disproportionate gaps. Broadly outlined, we seek to establish the sum of $100 as the minimum and $700 as the maximum.

This amendment also seeks to remedy a glaring omission in the May bill, which, inadvertently or otherwise, discriminates unjustly against the veteran over 38, who was released by the services as being over age to accept employment.

The military authorities, as well as the men themselves, will tell you that men over age were constantly fatigued. Younger men can be dog tired, yet they can bounce back with an amazing resilience which older men do not possess. It was doubly difficult for these older men because the physical demands were extreme. Many of them came from sedentary occupations and when suddenly projected into a program of arduous physical training in the field collapsed.

Many of them had home responsibilities as well, which they were forced to sacrifice. Some of these 40-year olds had executive positions in civilian life, yet they were forced to take orders from mere striplings. Let us try to put ourselves in the position of these men. I simply ask the Members of the House to imagine how they would react, if they had to take orders from a "noncom" barely out of high school. Perhaps, we can understand the psychological shock of such an experience, for the armed services often pooled 20- and 40-year olds with confusion. These men suffered humiliations that a younger man could not possibly experience.

The military and naval authorities observed that physical training for combat was too strenuous for these men and they were encouraged to leave the armed services in order to best serve the war effort in essential civilian activities. They were induced to retire at the suggestion of a Government which originally drafted them.

Why, why should we ignore these older men for whom service was a greater hardship than it was for younger men?

There is utterly no reason for such discrimination. It would divide serviceman against serviceman and justifiably embitter hundreds of thousands of men who did wear the common uniform of service.

These men were called—they answered—they served. They went through basic training, they did K. P. and guard duty, drilled, and hiked—some received combat training and a few went overseas.

The Army and Navy found that sickness in the over-age group was much higher than in the younger groups. Because of the operation of natural laws, obviously beyond their control, these men did not have the stamina for continuing military service.

Shall they be penalized for this? Are we, the Congress, to say that a younger man who served 60 or even 30 days shall receive mustering-out pay—yet a man over 38, in the same uniform, who served upwards of a year or more, shall receive none because he was discharged to accept employment?

Mr. Speaker, this does not make sense. Let us not give the lie to men over 38 by saying, in effect, "You did not serve."

Let us rather give to all who are or were in uniform during this conflict mustering-out pay on the proportionate basis of the time they gave to their country's service.

Let us rectify these injustices by voting for the Lemke amendment.

Mr. SABATH. Mr. Speaker, I yield to the gentleman from New York [Mr. KENNEDY] such time as he may desire.

Mr. KENNEDY. Mr. Speaker, as a Representative in Congress from New York City, I am delighted to join with all the other friends of the men and women in the armed forces in an endeavor to have enacted into law Senate bill 1543, entitled "Mustering-Out Payment Act of 1944." This bill was passed in the Senate on December 17, 1943.

While the amounts provided by this act are not large, they may be considered as a slight token of the gratitude of the American people for the gallant service of our boys and girls in uniform. On this basis, I think our people in service will accept the sums allowed in the typical American spirit.

At the proper time I shall suggest two amendments, one to section 2, on page 7, line 22, and the other to section 5, page 9, lines 11 to 13. My first amendment will provide for a single payment of the mustering-out pay instead of three payments, and my second amendment will provide for an appeal, which is now specifically prohibited, from the decisions of the Secretary of the Navy and the Secretary of War in matters involving the payment of the mustering-out allowances.

I would like the membership to study these proposed amendments, which I consider important amendments, and vote for their adoption.

There are many legislative proposals now before the various committees of Congress which would, if passed, supplement the existing veterans' laws. Some of them will and should be enacted into law. Because of the misunderstanding that exists concerning the benefits presently available to our armed forces, I should like, at this point, to mention a few of the many benefits in order of their importance.

HOSPITALIZATION AND REHABILITATION

A person who is injured or who becomes ill in service is afforded the best of medical care and attention in the Army or Navy hospitals as the case may be. Upon his complete recovery, he is restored to active duty. If he cannot be so rehabilitated and requires extensive hospitalization, he is discharged directly to a Veterans' Administration facility for such hospitalization. If further hospitalization is not necessary, then he may be discharged to go home.

Hospitalization and domiciliary care are available to World War No. 2 veterans in Veterans' Administration facilities for service or non-service-connected disabilities as hereinafter explained in more detail. The Veterans' Administration has 93 facilities throughout the States of the Union and plans now being completed or under way are expected to furnish adequate beds to meet the load of all veterans eligible under laws administered by the Veterans' Administration.

If, as a result of his disability, he has a vocational handicap to prevent him from returning to employment, he is eligible to vocational training upon application to the Veterans' Administration, and upon completion of such training he is entitled to assistance in securing a position for which he has been trained.

Under State laws with Federal contribution, vocational training is afforded returning disabled veterans where disability is not due to service, and provision is made for training of handicapped civilians generally.

PENSION

For a service-incurred disability, pension may be payable in amounts varying from $10 per month for 10 percent disability to $100 per month for total disability, with additional allowances for specific injuries or losses to a maximum in some cases of $250 per month. Cooperative arrangements have been undertaken by the Veterans' Administration, War and Navy Departments. The War and Navy Departments have authorized the Veterans' Administration to function at military and naval installations for the purpose of facilitating the processing of pension claims of military personnel discharged on a certificate of disability for discharge. Veterans' Administration personnel will be assigned to installations from which men are discharged in large numbers. Every effort will be made by the War and Navy Departments to see that all clinical and service records necessary are made available to the Veterans' Administration as promptly as possible. But where there is encountered any delay in securing records from overseas, a procedure is being established whereby ratings will be made for disabilities obviously due to service and with provision that a full adjudication of all disabilities will be had later when all the records in the individual case are available. It will have to be borne in mind that pension is not payable in advance, but that checks are mailed on the 1st of each month for the amount due for the preceding month or any part thereof.

INSURANCE

Every man who was in or who entered the active service on or after October 8, 1940, was, by law, afforded opportunity to secure not to exceed $10,000 national service life insurance upon application without medical examination prior to the expiration of 120 days from entrance into active service. This insurance was provided by the Government at peacetime rates with no additional cost for the war-risk hazard or the cost of administration. The rates were, therefore, very low. Some 11,000,000 persons have availed themselves of this insurance, the policies averaging approximately $9,000 per insured, or a total of over $99,000,000,000 insurance. During service, premiums may be paid by allotments or deductions from pay, and after separation from the service they may be continued by direct remittance to the Veterans' Administration. The insurance provides for waiver of premiums if the insured is totally disabled, and for maturity upon death, in which latter event payments are made to the designated beneficiaries monthly as annuity or for a definite number of installments. Arrangements heretofore made with respect to discharging disabled service persons directly to Administration hospitals and those being affected will insure that every person being discharged from the service for disability will have an opportunity to indicate his desire to maintain his insurance in full force and effect either by filing application for waiver of premiums if totally disabled, or by tender of the premiums as due.

Based upon World War No. 1 experience in connection with war risk term insurance, the premium charged covers only one-fifth of the risk.

REEMPLOYMENT

Under section 8 of the Selective Training and Service Act of 1940, as amended, employment rights are preserved for persons entering the military and naval forces of the United States who occupied permanent positions at the time of their entrance into the service. These provisions are administered through the Employment Division of Selective Service. If any private employer fails or refuses to restore the veteran to a former or similar position, the district court of the United States for the district in which the private employer maintains a place of business shall have the power to require such employer to comply with the provisions of the law and to compensate the veteran for loss of wages or benefits suffered by reason of such employer's unlawful action. The court is required by the act to order a speedy hearing in any such case and advance it on the calendar, and the United States district attorney is directed to appear and act as an attorney for the veteran. No fees or court costs shall be taxed against the veteran for finding such relief. In cooperation with the United States Employment Service, Veterans' Placement Service, local agents and veterans and civic organizations are in direct contact with the local selective service boards and the State unemployment agencies. The committee had interesting testimony to the effect that the State unemployment insurance funds are in excellent condition and have ample reserves to afford unemployment insurance under the State laws to those entitled thereto under such laws, but that very few discharged veterans have applied for unemployment benefits.

BURIALS

Expenses of burial and funeral and transportation of the body, including preparation of the body, to the place of burial in an amount not exceeding $100 are authorized under laws administered by the Veterans' Administration for honorably discharged veterans. Those dying in service are afforded military funerals. If the burial be beyond the continental limits of the United States, determination will be made after the end of the war whether the body will be brought to the United States for interment. In the case of burial of a person dying in service or an honorably discharged person, a flag to drape the coffin is supplied, and after burial is then given to the next of kin. Interment in Arlington or other national cemeteries is authorized for honorably discharged veterans and certain members of their families under certain conditions. Headstones will be furnished for graves of veterans who rendered honorable service, upon application to the Quartermaster General, United States Army, Washington, D. C. Burial flags may be issued by any county-seat post office, or field office of the Veterans' Administration on application by relatives or undertakers who desire to secure an American flag with which to drape the casket of an honorably discharged veteran of any war, and under recent act of Congress for memorial services for those dying in service overseas where no flag is supplied by the Army or Navy.

DEATH BENEFITS

Upon death in service, a veteran's dependent or designated next of kin is entitled to 6 months' pay death gratuity, and if death is due to service or to disability incurred in service, the widow, child, or children and dependent parent or parents of the deceased service person are entitled to pension benefits upon application to the Veterans' Administration. The rates and other details with respect to all of these benefits are contained in the detailed report appended hereto. Under existing law, the Federal departments and agencies are authorized to continue pay and allowances of officers, enlisted men, and employees missing, missing in action, interned in a neutral country, or captured by an enemy for reasonable periods, with administrative provision in regard thereto.

Mr. Speaker, I shall continue my efforts, as I have throughout my legislative service, since 1924, here in Washington and in the State legislature at Albany, to obtain for our veterans every possible benefit consistent with good government. My office and my personal services are always available to any veteran from any town in the good old U. S. A.

I am sure we will pass the bill now before the House, and, in casting my vote for Senate 1543, I do so with the absolute assurance that my vote has the approval of every decent, grateful citizen in my district, my city, and my State.

Mr. FISH. Mr. Speaker, I yield 6 minutes to the gentleman from North Dakota [Mr. LEMKE].

Mr. LEMKE. Mr. Speaker, America's generosity is on trial. The question is, How much or how little shall we do to assist our discharged soldiers in getting back into civilian life?

Long ago I have observed that as a people we are always overgenerous with those that are far away. We are overgenerous with foreign nations and foreign peoples. But we have always been overniggardly, over-penny-wise and pound-foolish when we deal with our own people. This is especially true if they consist of a large number.

We voted billions for lend-lease. We issued blank checks for billions for foreign nations. We never asked how lend-lease was going to be spent. At this time I am not finding any fault with that. It may have been necessary. It does seem queer to me, however, that whenever we deal with our own discharged soldiers we suddenly become analytical, overcautious.

We are so afraid we may give them a penny too much. We search for individual cases in order to excuse our conscience. We raise the hue and cry of the great number. We say there will be 15,000,000 veterans at the end of the war. That it will cost us $3,500,000,000 to take care of those now discharged. What of

it? Is not the work that our boys are doing worth $10,000,000,000 to us? My answer is that this is no excuse unless it is to ease our conscience for living in a civilization that makes such world catastrophes possible.

Again it cost the Government, at least, $150 a month to keep a man in the armed forces. There are many that are being kept that should long ago have been discharged. They are not fit and do not perform military service. Why not try some of your economy in bringing about a prompt discharge and then giving enough to the veteran that he can readjust himself to civilian life?

We can still save billions along many lines if we will act promptly without taking it out of our veterans. The President said he hoped that Congress would not let the boys down. My answer is that we do not intend to let them down.

I know that patriotism cannot be bought. I know that we cannot resurrect those who gave their lives in this struggle. I know that we cannot give back a leg, an arm, or a lung to the veteran who has lost it in the protection of his Nation—in your protection. But, I do feel that we can, at least, appreciate that sacrifice.

A nation that does not protect its protectors is unworthy of protection. A nation that does not appreciate patriotism cannot long endure. Patriotism is the feeling that you are a somebody. It is the feeling that you belong to a nation that is not only powerful, but that is interested in your welfare.

The contract between the soldier and his nation is reciprocal. He tacitly agrees to protect the nation even unto death, and the nation tacitly agrees to protect him on his return to civilian life. This is the compact between the nation and the soldier. Without this feeling of security and reciprocity there can be no true patriotism on the part of the soldier.

We never raise the question of how many billions it will cost in materials, in guns, in planes, and in battleships, to win the war. But, when it comes to the human side of our national defense, then we begin figuring how much it will cost and how little we can get away with. I know that the soldiers expect nothing unreasonable. I shall, therefore, offer the following amendment to section 2 of the Senate bill as amended by the Military Affairs Committee of the House:

SEC. 2. The Secretary of War and the Secretary of the Navy are hereby authorized and directed to pay $100 as mustering-out pay and to continue the regular pay to any veteran, as herein defined, that has been or may hereafter be honorably discharged from the armed forces on the basis of the pay of a private in the Army, or an apprentice seaman in the Navy as follows: A veteran who has served 1 month, but less than 3 months, for an additional 3 months; one who has served for less than 6 months, but more than 3 months, for an additional 6 months; one who has served for less than 9 months, but more than 6 months, for an additional 9 months; one who has served 9 months or more, for an additional 12 months.

Fifty Members are sponsoring this amendment. These Members, together with all of the Members of this House, I am sure, are interested in the human as well as the material side of our national defense. They are interested in the soldiers, the sailors, the marines, and the aviators. These, after all, are our real national defense. Without soldiers, sailors, marines, and aviators, there can be no national defense. Without them, the warships, submarines, and airplanes will be at a standstill and cannon, machine guns, and rifles will remain silent. These Members are interested in the flesh and blood of our national defense.

Mr. FISH. Mr. Speaker, I yield 3½ minutes to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, the Congress is about to consider the resolution reported out by the House Committee on Foreign Affairs which proposes to legally establish the United Nations Relief and Rehabilitation Administration.

This is a grandiose, global W. P. A. scheme to scatter our substance to the four corners of the world, covering a land area in excess of 13,000,000 square miles, or more than four times the size of the United States; to a population in excess of 850,000,000, or more than six times that of the United States.

The limitation of $1,350,000,000 written into the resolution for the operation of the plan has no meaning, as every Member of this body must surely know. Once the scheme were put in operation it would generate its own forces for self-perpetuation and expansion. If this program should cost more than 10 times the amount estimated, nobody would be surprised.

The money to operate the scheme must be provided by the Government printing press, which will add to the specter of inflation and further endanger the future value of every investment dollar, savings dollar, social security dollar, pension dollar, and more especially every dollar invested in United States bonds.

This is just another scheme to give the United States away and to bring about further disintegration of our economy and social order.

But it is far more than that. This resolution actually provides for the surrender to an international body the power to legislate for the United States with or without the consent of any representative of the United States, and the ignoring of Congress entirely.

There is no division of opinion on the question of our willingness to help the starving people in the war-stricken areas, but whatever program of aid we may undertake let it be confined to the absolute necessities—food, clothing, shelter, medicines, and so forth, as was done by us in the other war. That program was eminently successful because it really dealt with the vital needs of the hungry and starving.

But the program projected in House Joint Resolution 192 is something different. It is one of the very worst proposals for legislation ever brought before this Congress. A vote for it is a vote for dictatorship and the surrender of United States sovereignty to foreign nations.

The great cry of the people throughout our land now is that Congress give more attention to our own interests and less to those of foreigners.

Mr. FISH. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. ROLPH].

Mr. ROLPH. Mr. Speaker, have we forgotten those bemedaled veterans of World War No. 1 standing on corners peddling apples? Have we forgotten their struggle in becoming readjusted to civilian life? Have we forgotten the millions of heartaches throughout this broad land of ours? Of course not. We remember those incidents all too vividly. We must not have a repetition. The discharged veterans deserve adequate and immediate mustering-out pay. They are entitled to fair treatment. They require it urgently in returning to civilian life.

One constituent telegraphs as follows:

As a veteran of World War No. 1, I know what it means for a soldier to try to return to civilian life without sufficient means to make the adjustment and become rehabilitated.

I repeat, "without sufficient means to make the adjustment and become rehabilitated."

In this Chamber last Friday—January 14, 1944—I said, in my opinion, the figures of $100 and $300, as recommended by the committee, are inadequate. How in the world can anyone get readjusted on $300? What can he do on $100? When you try to see how far anyone can get on $100 it begins to look absurd.

Mr. Speaker, why not be sensible about this proposition and make it possible for these loyal, patriotic citizens of ours to get a proper start? Here we are a Nation with wealth beyond the dreams of Midas. Here we are calling ourselves the most enlightened people in all history. Here we are appropriating billions upon billions for peoples of other lands, and still we are hesitating about our own.

When the bill is being read an amendment will be offered by the gentleman from North Dakota, Representative LEMKE, specifying certain amounts which, while still far from sufficient, will be more in keeping with American ideas of a square deal. I hope my colleagues will join with me in voting for Congressman LEMKE's amendment.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FISH. Mr. Speaker, I yield the balance of the time to the gentleman from Wisconsin [Mr. SAUTHOFF].

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. SAUTHOFF] is recognized for 3 minutes.

Mr. SAUTHOFF. Mr. Speaker, for almost 30 years many men and women have been seeking a formula to take the profits out of war. Various formulas have been suggested:

First. Government ownership of munitions plants.

Second. Six percent profit on investment.

Third. Sauthoff plan to freeze all prices and profits and wages as of time of declaration of war.

The First World War created 23,000 new millionaires. Efforts to prevent similar results in this war resulted in—

First. Excess-profits tax.

Second. Renegotiation Act.

Tax dodgers have avoided 1 year's excess profits taxes with Ruml plan and are now nullifying the entire tax programs by junking the Renegotiation Act, as set forth in the majority report of the Senate Finance Committee. Purpose—a sales tax.

Examples on above:

Instead of a revenue act for 1943 it should be entitled "A Plan for the Relief of War Profiteers." If we want to forgive any taxes, why not forgive the 1 year's income tax due from young men inducted into service and thereby relieve them of a burden which will be hanging over them as soon as the war is over. I am introducing a bill to that effect.

FOR THE RELIEF OF WAR PROFITEERS

Human life seems to be the cheapest thing in the world, while money seems to be the most precious. You can pass a bill through Congress in a day to conscript men, but we have not been able to conscript money in 25 years of effort and during two world wars. You can even raise a universal hue and cry for regimenting men and women all over the country to help make these war-born profits, but you cannot pass a law that will regiment the wealth which they create.

When I read the stories of splendid heroism of our boys on the fighting fronts, when I see the motion pictures of the War and Navy Departments depicting our men landing in north Africa, Sicily, and Italy, crawling on their bellies through the disease-ridden and poison-infected jungles of the South Pacific, and then hear these egotists testifying before our committees, attributing their swollen war business to their own genius, and crying out in their anguish against the injustice of excess-profits tax and demanding the repeal of the Renegotiation Act. When I hear and see these things, do you know what I wish?

JUSTICE FOR PROFITEERS

Just for a week I would like the power to sit in judgment with the authority to mete out justice as I saw fit. To the war profiteer lamenting his fate I would say, "You demand justice. Very well, you shall have it. I sentence you to serve for 1 year with Company E of the Thirty-second Division as a private and at a private's pay. Come back here after a year and tell me then if you still think that you want justice." I think that his answer would be, "Only let me help those boys. I don't want any money. I want to serve."

Money does queer things to people. Charmed by its gleam and dazzled by its glitter, men and women since recorded time have succumbed to its allurements. And yet money is the lowest form of reward. It brings neither health nor happiness, it keeps no promise, it cannot build character nor enlarge a soul. Nor does it establish any of the principles for which our boys are giving their lives. On the contrary, it destroys souls, honor, and even faith itself. No Jesus Christ gave faith to the world through the power of gold.

Perhaps you think that I feel too strongly on this subject, but I remember all too well the fact that 23,000 millionaires were created by the First World War. I remember, too, that the men and women who demanded that these unholy gains be taxed were crucified and hounded as though they were moral lepers. Yet the moral degeneracy caused by war profits today is much greater than in those days, because we spent only $25,000,000,000 during the First World War period, while in this war we are spending more than 10 times that amount. Such vast sums are too great a temptation for sordid souls who would lower the Stars and Stripes and substitute the dollar sign, who would supplant the Star-Spangled Banner with Roll Out the Barrel.

THE REVENUE BILL OF 1943

For more than 25 years earnest men and women all over the world have been seeking a formula to take the profits out of war, but none has been found to date. Government ownership of munitions plants was suggested, but this was opposed by the Army and Navy as impracticable. Next a 6-percent profit on the amount of the contract was formulated, but this, too, was rejected as creating too many inequalities. I would add one more: Freeze all profits, prices, and wages the moment war is declared. No injustice would be done anyone, if there were a board to review all hardship cases. However, none of these plans seemed feasible to the proper committees, so two laws were passed to reach war profits—the excess profits tax and the Renegotiation Act.

TAX-DODGING MANEUVERS

At once the artful tax dodger went into a huddle to find a way out and so the Ruml Plan was born. This painted hussy lured many a legislative pilgrim from the straight and narrow path. Though at first rejected, she came back in a new costume, and, with her face lifted, she renewed her efforts and won out. However, the fact remains that $12,000,000,000 in taxes forgiven is 12 billion that you never get. No one can argue me cut of that fact.

The second attack is being made now against the renegotiation act. And what a thorough job of junking a bill the Senate Finance Committee has done. If it had repealed the act outright, it could not have done a better job. But not without protest. A minority report has been filed by Senators WALSH of Massachusetts, LA FOLLETTE, CONNALLY, and LUCAS. Because many of our people will not see this report, I take the liberty of quoting freely from it.

MINORITY REPORT

Renegotiation to date has resulted in saving the Government $5,300,000,000—2½ billion in actual cash which the procurement agencies have recovered or will recover for delivery to the Treasury and 2.8 billions in reductions in prices for future deliveries under existing contracts.

The real choice for us to make is between renegotiation and war profiteering. Let the Democratic and Republican parties redeem their platform pledges. I will guarantee that the Progressive Party in Congress will redeem its pledge 100 percent. I also call upon the American Legion, the Veterans of Foreign Wars and other veteran organizations not to let our men in service down. I call on business itself not to permit this steal. The vast majority of businessmen are doing their best. Many of them have sons and daughters in the service and these men want to do what is right, but there are some ghouls and jackals among them who would rob the graves in their greed for gold. These men bring dishonor on all.

Business will benefit from the retention of an adequate profit-control statute. For 10,000,000 men in the armed forces and for their familles, the war has meant heavy sacrifices. The control of wages, rationing and the other restraints of total war have imposed burdens upon the people at large. Having endured these sacrifices and burdens, the people will not tolerate any relaxation of wartime-profit controls.

LET US LOOK AT THE RECORD

The proposed Senate committee amendments would exempt standard commercial articles. This exemption will exclude from renegotiation a large part of war procurement on which exorbitant profits are realized.

The Maritime Commission estimates that this amendment will exempt contracts for $2,000,000,000 of standard commercial articles to be incorporated in ships still to be built by it. This amendment will permit almost everyone except the shipbuilder to retain excessive profits.

The situation of the Navy is similar. About 30 percent of its program of $4,700,000,000 for auxiliary and landing craft will be spent for standard commercial products. Here are specific cases:

The Timken-Detroit Axle Co., in its fiscal year ended June 30, 1942, did a total business of $127,800,000, or approximately six times its average annual business during the period from 1936–39. It realized a total profit—after taxes—of eight and one-quarter million dollars. On every dollar during 1941–42, the Timken Co. made a net return after taxes but before renegotiation of more than 50 cents. This company would be largely exempted by this amendment.

The Elastic Stop Nut Corporation, which is continuing its peacetime production of self-locking nuts, also would seem to be largely exempted. With an average 1936–39 business of $744,000 annually, the company had total sales of $25,000,000 for 1942 of which two-thirds were for war purposes and one-third was nonrenegotiable commercial business. On this large volume of business, the company has sharply increased its profit margin to 55 percent. With this expansion and higher margin, the company realized a net profit after taxes for 1942 of $3,480,000 as compared with $432,000 in

1939, or 122 percent of its net worth at the beginning of 1942.

These cases are not exceptional instances; similar profit figures are general for such articles. In 1942, the profits—after taxes—of 19 companies making perishable tools were 11 times their pre-war—1936–39—average. The 1942 profits for 25 woolen textile companies had increased ninefold. Profits of 10 lumber companies for the same period quadrupled. Fifty-three cotton textile companies realized 8 times as much profit—after taxes—in 1942 as in the average pre-war—1936–39—years. These facts refute the argument that profits are not excessive on sales of standard commercial articles.

Permit me to call to your attention the fact the proposed Finance Committee bill will make this new restricted definition retroactive to the original date of the statute—April 28, 1942. The chief advocate of this new definition is the machine-tool industry. The exemption of these companies is not justifiable.

The Warner & Swazey Co. is an example. This company's machine tools have been sold principally on subcontracts and are not incorporated into finished munitions—but their prices affect the cost of the munitions. During 1942 Warner & Swazey did $42,000,000 of war business, or about six times its average pre-war volume of $7,000,000 per year. On its war business Warner & Swazey took a bigger profit mark-up—38.8 percent—than it customarily received during peacetime. As a result, without renegotiation, Warner & Swazey would have made a profit, after taxes, of $5,461,000 in 1942, or approximately four times its peacetime average. That is a return of 49 percent in 1942 on each dollar invested in the business.

But the crowning achievement in forgiving war profits in the Senate finance bill is the provision for a court review, even though the contract has been closed to the entire satisfaction of both the contractor and the Government. All in all, if these changes in the Renegotiation Act should be adopted, much of the money recovered by the Government since this act was passed can be sued for and won back by the contractor. More than 99 percent of all completed renegotiation cases have been settled by voluntary agreements. They run into the thousands. Why open them up again? This whole proceeding looks like a willful and determined drive to give back most of the war profits and not take much in the future.

SACRIFICE

To wage this war, the Nation must expend its substance and the lives of its young men on an appalling scale. Despite much talk of equalizing the sacrifices, that can never be done in sober fact. To achieve the defeat of Hitler and Japan, thousands must contribute their lives or broken bodies. Measured by their sacrifice, any lesser contribution of time, or effort, or money, seems but a paltry mite. Equality of sacrifice there never can be. To those who die or are maimed, we must remain eternally in debt.

But if we cannot match their supreme sacrifices, we must do our best to spread the burdens of the war as fairly as we can. Every class and group must do its share to carry the Nation's war load. Above all else, we must make certain that no group or class shall exploit the war for its selfish benefit. This is but simple fairness to our soldiers and sailors, and also to our people—who are enduring unwanted restraints and burdens for the common good.

This is a statement in the conclusion of the minority report.

SALES TAX

What is the meaning of this emasculation of the Renegotiation Act, and what purpose is behind it? The President calls for a $100,000,000,000 budget and sixteen billions in additional taxes, and the Senate Finance Committee responds with a revenue bill which would raise less than three billions and a forgiveness feature which would restore five billions. As I interpret this maneuver, it means that the drive is on to force the President to accept a sales tax. Such a tax would be the final injustice to the boys in the service, for it would make it necessary for them not only to fight the war but to pay for it, too.

The House should reject the Senate proposals by such an overwhelming majority that there would be no doubt in anyone's mind as to our position in this matter.

FORGIVENESS OF SERVICEMEN'S TAXES

Under the present law, a young man entering the armed forces still owes income taxes due at the time of induction, but need not pay them until he is honorably discharged and 6 months thereafter. To 97 or 98 percent of this group, these taxes will be a stiff debt to face when they are looking for a job. While Congress is in the mood to forgive war profits, let us do a little something for the boys who make the real sacrifices and who would not have this debt hanging over them were it not for the war. Let us forgive these back income taxes of our boys in service and let them begin life free of this encumbrance. To give these boys a fresh start and a clean bill of health financially, I have introduced a bill declaring these taxes paid and rendering any claim against them for back taxes null and void.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

The gentleman from Illinois has 9 minutes remaining.

Mr. SABATH. Personally I am of the opinion that there is no opposition to the rule and I am indeed gratified and pleased that we have brought this bill here under an open rule and that the desire on the part of some to bring in a gag rule did not prevail. I realize that there will be a large number of amendments offered under this rule, but I have the utmost confidence in the membership of the House that they will vote for a fair, just, and adequate mustering-out pay for these deserving members of our armed forces.

By the way, I just heard a little while ago that instead of 1,000,000 there have been already mustered out 1,424,000 men and that mustering-out will continue. I merely give you these figures so that you can judge your action in voting on this bill and on any amendments that I take for granted will be offered in good faith; I hope so.

Mr. Speaker, I ask unanimous consent that I may proceed out of order for a few moments.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SABATH. Early in the day, I was charged by the gentleman from Mississippi [Mr. RANKIN] with delaying to bring forth a rule on the servicemen's vote bill. I want to make my position clear. Here is H. R. 3210, introduced September 14, 1943, by myself, providing for legislation that would guarantee and assure each and every member of our armed forces, as well as those civilians in governmental and war activities, the right and opportunity to vote.

A few days thereafter I requested a hearing and appeared before the Committee on Election of President, Vice President, and Representatives in Congress and urged the early consideration of my bill. I was pleased to hear from many persons who heard my appeal and presentation of facts in my effort to obtain the reporting out of not only my bill but any bill that would provide a positive right and opportunity for our soldiers, sailors, marines, Coast Guard men, members of the merchant marine, and women members of our armed forces, as well as civilians serving in a quasi-military capacity, the privilege of casting their votes in the coming election. Therefore, the charge that I have delayed the consideration of this legislation is unfounded and unjustified. I am just as much interested and desirous of obtaining the great voting privilege for our boys here and abroad as any Member here.

Now the gentleman from Mississippi [Mr. RANKIN] sent me a letter yesterday, as I have stated, which I received with the last mail, about 5 o'clock, asking for a rule. That was the first notice I had. Immediately I called him up and I directed his attention to the fact that we had set the hearings on the Lea aviation bill for today, and we did have that hearing. We have a demand for hearings on the insurance bill and on the Kefauver Cabinet questioning bill and on the Bell Puerto Rico bill and the Hobbs antisabotage bill and the Randolph bill and many other bills whose sponsors and the chairmen of committees reporting same have been pressing for the holding of hearings and the granting of rules.

Further, I venture to say there are over 50 resolutions pending on which I have been asked to hold hearings. It is humanly impossible for me, as chairman of the committee, to immediately grant hearings on all bills and resolutions. Please bear in mind one thing. Never before in history has a Rules Committee brought in more rules to expedite the business of the House than the committee of which I have had the honor to be chairman. There are many ways by which bills can be called up. They can be brought up by unanimous consent; they can be brought up under suspension of the rules, or they can be brought up under the Calendar Wednesday rule. Seldom in the past has such liberality

been shown by a Rules Committee as has been shown by my committee, and I am proud of the fact. I am also proud of the fact that very few gag rules have been granted by the Rules Committee. It is my aim at all times to give Members the privilege and opportunity of being in a position to offer amendments, and to have any bill considered under the 5-minute rule, whereby they will be able to offer any amendments which they honestly and candidly believe will improve the bill under consideration.

In view of the conditions, I feel I have made my position clear on the soldiers' vote bill, relative to the charges that hearings have been delayed on some of the bills.

In conclusion I will say that as soon as the committee can do so, it will grant hearings on all other bills and resolutions. But we have before us the mustering-out payments bill which will be considered today and tomorrow, to be followed by the bill reported by Committee on Foreign Affairs to enable the United States to participate in the work of the United Nations relief and rehabilitation organization on which a rule was granted yesterday, which provides for 2 whole days of general debate, and the gentleman from New York [Mr. FISH] is aware of that fact. Then there is demand for many other hearings that have been promised.

I will say now, it is not the intention of the chairman of the Rules Committee to delay any bill, or any resolution, or any action to expedite the business of the House. It is my aim and it shall continue to be my aim to give the membership ample opportunity to be heard on any bill or resolution, which they have introduced, because I think they are entitled to it. We cannot do it all in one day, or in one week.

Mr. FISH. Will the gentleman yield?

Mr. SABATH. I yield.

Mr. FISH. When does the gentleman propose to call a meeting of the Rules Committee to have a vote on the soldiers' vote bill.

Mr. SABATH. I just gave you the program as it is now before us. It will be as soon as I possibly can. I will call a meeting of the committee to consider all of the other bills and matters that are pressing.

Mr. FISH. Will it be this week?

Mr. SABATH. I do not think it can be this week.

Mr. FISH. Then, will the gentleman at least agree to meet next Monday?

Mr. SABATH. I agree to call a meeting as soon as I can.

Mr. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. CHURCH. Would not the bill you have just mentioned, your own bill, deny an opportunity to vote for an entire ballot with all names on it?

Mr. SABATH. My position has been this, and I made that clear: I feel the Congress has no right to legislate on any city, county, or State election. We have a right under the Constitution to legislate and provide a method by which the election of President, Vice President, Senators, and Members of Congress may be conducted.

The SPEAKER. The time of the gentleman from Illinois has expired.

All time has expired.

The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. MAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 1543) to provide for mustering-out payments to members of the armed forces, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 1543, with Mr. SMITH of Virginia in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. The gentleman from Kentucky [Mr. MAY] is recognized for 1 hour.

Mr. MAY. Mr. Chairman, I yield myself 15 minutes, and I ask that I be notified when I have consumed 10 minutes.

Mr. Chairman, if the pending measure were proposed as a measure to pay our veterans of the present war for their services and their sacrifices to our country, we would have to open the doors of the Treasury, down on Pennsylvania Avenue, take everything there is in it, then exhaust the gold vaults at Fort Knox, and we would never be able to pay them. That is not the question here today. The problem is a plain and simple proposition to grant a form of aid to the servicemen of this country for a sole and particular purpose. That purpose is simply to aid them to adjust themselves upon being discharged from the military service, back to the status of their peacetime activities.

Your Committee on Military Affairs was rather severely criticized, prior to the Christmas holidays, for what was charged to be inactivity on its part in connection with this legislation. But I am not going to take the time of the House this afternoon to talk about that. I pass it by unnoticed.

Your committee took up the bill passed by the Senate. I would like to make it definite and clear now that in the course of the hearings before your House committee, as well as the hearings before the Senate committee, there was a great deal of confusion, confusing the question of mustering-out pay, or discharge pay, if you care to call it that, with adjusted compensation. We heard the representatives of the veterans' organizations, and not one of them ever claimed that as mustering-out pay there should be any larger sum than that which this committee has reported. On the contrary, it was admitted in executive session by two of the representatives of the veterans' organizations that the pay should be about $100. But this committee was up against a proposition of having to consider the fact that they were considering a Senate bill that allowed much more. We undertook to get on a kind of middle ground, so that the House would not think we were being penurious on the one hand or extravagant on the other, and at the same time be liberal with our servicemen.

I do not know how many men there are on the floor of the House who would care to make the statement I am about to make, but I am going to make it regardless of the consequences: I think the present bill is excessive on the subject of mustering-out pay but I am willing to support it and am supporting it. I want to do everything that can be done for our veterans, but I believe that the veterans of our Army today are as intelligent a group of people as we have in our population. I believe that if when they are discharged 3, or 4, or 5 years from now or at whatever time it may be, they come back home to an insolvent country and find it in the midst of destructive inflation and chaos they will feel that their efforts and their battles have been in vain. I believe they have sense enough to know that and I think they take that view of it. That is one of the considerations that has influenced me to take the position I now take.

Let me say that we took this bill up as passed by the Senate and struck out all the Senate had done and inserted after the enacting clause of the bill reading:

> That except as provided in subsection (b) of the first section of this bill that each member of the armed forces who shall have been engaged in active service in the present war, and who is dischargeed or relieved from active service under honorable conditions on or after December 7, 1941, shall be eligible to receive mustering-out payment.

I might explain here that in the First World War the minimum time they had to serve in order to receive mustering-out pay was 90 days. We have fixed it in this bill at 60 days, a concession, by way of comparison, to the veterans at this time. In addition to that where the First World War veterans received $60 mustering-out pay, we have provided $300, or exactly five times as much as the veterans of the First World War received in face of the fact that the evidence discloses, as all of us know, that jobs are plentiful now and they were scarce then; wages are unusually high now and they were low then because we had not planned as we have planned this time to have available to these men jobs when they return to their homes.

We exclude certain groups from the legislation, groups we did not believe were entitled to this pay. Here they are: The first group that is not to receive mustering-out pay under this bill is:

> Any member of the armed forces who, at the time of discharge or relief from active service, is receiving base pay at a higher rate than the base pay of the period as prescribed in section 1 of the Pay Readjustment Act of 1942, as amended.

That means the rank of captain in the Army and those holding corresponding rank in the Navy and the Coast Guard. The Senate bill provided that everybody up to the rank of colonel should receive

mustering-out pay, but when I thought of the case of a lieutenant colonel who left a $5,100 job in the Home Owners' Loan Corporation and went in the Army as a Reserve officer and drew pay at the rate of $6,000 a year all the time he was in the Army, that he came home the evening he left the Army, took off his uniform and the next morning at 9 o'clock entered his $5,100 job again, I thought it was bad practice to pay such men additional money out of the taxpayers' funds, especially in view of the fact that one of the large groups of taxpayers after this war is going to be the servicemen who fought to win the war.

The next group we excluded is:

(2) Any member of the armed forces who, at the time of discharge or relief from active service, is transferred or returned to the retired list with retirement pay or to a status in which he receives retirement pay.

We did not feel that retired Army or Navy officers should be paid mustering-out pay, since their retired pay runs for life.

Mr. MILLER of Connecticut. Mr. Chairman, does the gentleman want to yield as he goes along?

Mr. MAY. I would rather make an explanation of the bill and yield then, if the gentleman will permit.

The next group we excluded and denied mustering-out pay is:

(3) any member of the armed forces for any active service performed prior to the date of his discharge or relief from active service to accept employment or, in the case of any member so relieved from active service, for any active service performed prior to the date of his discharge while in such inactive status, unless he has served outside the continental limits of the United States or in Alaska.

The evidence before our committee disclosed that there had been discharged at the time we conducted these hearings something more than a million men. The figure now I believe, currently, up to date, is 1,400,000. I should like to illustrate right here and now just how the cost of this thing is going to mount, mount, mount, and keep on climbing.

The CHAIRMAN. The gentleman from Kentucky has consumed 10 minutes.

Mr. MAY. I thank the Chairman.

There is a process of taking in and discharging going on all the time; in other words, it is like a wheel rolling, they roll them in and they roll them out; and at the rate of more than a million a year rolled in and rolled out and with 11,000,000 men in the armed services now it will not be based on an army of 11,000,000 men to cost $3,600,000,000 under one bill or five and one-half billions under the Senate bill, but it will be rolling right on and on until it will roll out perhaps fifteen or sixteen million men, and we felt in view of this that we ought to be a little cautious and move with care and discretion.

The next group we exclude from receiving mustering-out pay is a group of Air Corps reserve officers who are entitled to receive a lump-sum payment under the act of 1936 of $500 and during the time they are in service they are paid excess pay over and above that of the ordinary ground forces who do not fly; then at the end of their service they receive $500 additional in cash. We excluded this group because we did not think it would be fair to add two or three hundred dollars on to the bonus they already receive.

The next group we excluded was:

(5) any member of the armed forces whose total period of service has been as a student detailed for training under (A) the Army Specialized Training Program, (B) the Army Air Forces College Training Program, or (C) any similar program under the jurisdiction of the Navy, Marine Corps, or Coast Guard.

We did not think, and we do not think that you think, that we ought to allow mustering-out pay to these young men whom we are trying to get into the schools and colleges, if we are the parent, in order that they may get a better education, be paid $50 a month while they are there and in addition have all their expenses paid; we think it is bad economy, bad practice, and unwise legislation to allow that even though we admire the young men and are willing to do anything we can for them. We are dealing with a trust fund that belongs to the taxpayers of this country.

The next group we excluded was:

(6) any member of the armed forces for any active service performed prior to the date of his discharge from such forces for the purpose of entering the United States Military Academy, the United States Naval Academy, or the United States Coast Guard Academy.

These men, particularly those at West Point, are given an education that costs about $14,000.

We also excluded those students at the United States Naval Academy at Annapolis who get a like education at Government expense. We felt they should not be given mustering-out pay.

The next group that we considered and exempted was the commissioned officer, unless discharged or relieved from active service within 3 years after the termination of the present war as proclaimed by the President, which means, of course, commissioned officers above the rank of captain.

Mr. Chairman, we have given this matter very careful study and I am sure there is no one here who will vote against the bill. There may be a few who may vote for a higher allowance. But I want to caution you against that. I want to tell you that it is definitely said by the representatives of the veterans' organizations, it is definitely stated by the Congress, the Senate and the House of Representatives, and everybody knows, that we are going to consider hereafter adjusted compensation for every one of these men, and we ought to consider that matter. There are so many considerations involved that I hesitate to start to enumerate them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MAY. Mr. Chairman, I yield myself 5 additional minutes.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. MAY. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. What has the Director of the Budget said on this subject? Has the gentleman any report on that?

Mr. MAY. I do not believe we consulted the Director of the Bureau of the Budget. The War Department said that the amount it would cost was so indefinite they could not make an accurate estimate of it, therefore they had not consulted the Budget.

Mr. ROBSION of Kentucky. Was the Army and Navy in favor of the bill?

Mr. MAY. Both the Army and Navy have reported favorably on it.

Mr. ROBSION of Kentucky. Have they expressed any preference for this bill over the Senate bill?

Mr. MAY. They never express any preferences as between bills offered by Members of Congress.

Mr. IZAC. Will the gentleman yield?

Mr. MAY. I yield to the gentleman from California.

Mr. IZAC. Will the gentleman state why the committee chose the date of December 7 rather than the beginning of the emergency?

Mr. MAY. There is no particular reason why we did that. We chose to start at the beginning of the war as declared by the Congress rather than to take any period before that because everybody who had been discharged prior to that time was discharged at their own request and, in addition to that, those who were in the service were automatically by a subsequent act of Congress inducted into the service notwithstanding the fact they had been originally taken in for a period of 1 year's training. We thought that that was the proper date to take.

Mr. COOLEY. Will the gentleman yield?

Mr. MAY. I yield to the gentleman from North Carolina.

Mr. COOLEY. Before December 7 the National Guard had been called into the service. It occurs to me that perhaps members of the National Guard had been injured in maneuvers or otherwise physically disqualified and discharged. I was wondering if it would not be well to consider the advisability of fixing that date as of the time the National Guard was called into service?

Mr. MAY. I do not think so. In addition to that, all of those who were discharged for disability incurred in the service, whether they be National Guard men, Reserve officers, or inductees, will be paid not only their compensation and their pensions, but this mustering out pay if they are discharged subsequent to the 7th day of December.

Mr. COOLEY. I have in mind an individual who was discharged for physical disqualifications which were not service-connected for which he has received no compensation. He is mustered out because of those physical disqualifications. Many of these men might even be objects of public charity. I wonder if it would not be discrimination to fix arbitrarily the date as December 7 rather than the time the National Guard was called out

Mr. DURHAM. Will the gentleman yield?

Mr. MAY. I yield to the gentleman from North Carolina.

Mr. DURHAM. He is entitled to all the Government benefits.

Mr. COOLEY. There are no benefits for a man who is discharged for physical disabilities not connected with the service.

Mr. MAY. If it has been fairly determined he had no disability in the service, of course he ought not to have any pay, in the form of compensation or pension.

Mr. COOLEY. The statement has been made that there is a benefit. I have in mind an individual in my home town who has engaged in five major engagements abroad. He has come back home completely paralyzed. He is a boy 21 years old, now dependent absolutely upon the charity and benevolence of his friends and relatives. He has not been given any muster-out pay, he has not been given any compensation, he has not been given a blessed thing except to be thrown back into that home, ruined and maimed for life.

Mr. MAY. The very thing that embittered the gentleman's feelings in the matter and mine likewise was the fact a large number of these men, not a large number perhaps, but a considerable number, in that kind of condition and in like condition have been discharged pending the adjustment of their compensation and pension. At the same time it has been arranged, and General Marshall has entered an order authorizing the Veterans' Administration to set up a discharge office and an office for the consideration of claims in every Army hospital in this country. They are going to it as rapidly as they can. That man whom the gentleman mentions will draw $250 per month, and in addition to that he will draw this muster-out pay.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHORT. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, in the words of the prophet, "Come, let us reason together." We all will agree that legislation of this type and character offers a rare opportunity for Members to demagog, and it would be amusing were it not pathetic and tragic to see how some people fall all over each other trying to show their great love for the ex-servicemen. I do not know whether they are concerned so much about the genuine welfare of the veterans as they are thinking about this coming November election.

Judging from some of the reports that we have heard over the radio by certain commentators and certain articles we have read in the press, and, I am sorry to say, from utterances of some Members of Congress, you would think that the Congress of the United States has been apathetic and indifferent to the welfare of our veterans. They would lead you to believe that our House Committee on Military Affairs has deliberately and maliciously blocked, prolonged, or delayed the passage of this legislation. Nothing further from the truth could be said. No veteran has a better friend than the members of the Committee on Military Affairs of the House of Representatives, which is composed almost entirely of ex-servicemen. We served in the last war. We have had to stand up against the gun and take criticism because of a few hardship cases, one of which was pointed out by the distinguished and able gentleman from North Carolina, that has incensed him, you, me, and all the rest of us. But that is a matter of administration, not of legislation.

The Army, the Navy, and the Veterans' Administration have been called before our committee and have promised to hasten the adjudication and take up that unjustifiable, inexcusable, and indefensible lag between the discharge of the men and the adjudication of their pensions or compensation claims. I will tell you how parsimonious this Congress has been with our veterans. No army in all the world is as well fed, well clothed, well housed, well equipped, well trained as the American Army, Navy, Marine Corps, Coast Guard, and Air Forces. And, if it were not offensive to our allies, I would add the best fighters on earth.

If you are going to take the stars from that flag and put a dollar sign on it, God knows you could never pay in dollars and cents for his services anybody who has been shot out of the air or bombed under the sea or bombarded on land, who has gone through the icy blasts of the far-off cold and foggy Aleutians, the bitter cold of Iceland and Greenland, or the stinking, slimy, sweltering heat of the Tropics of the South Pacific. But I repeat that no Congress in all our history has been so kind, considerate, and generous with the men and women in our armed services as has the present Congress of the United States.

Look at the benefits they have today under existing law:

Not only do the veterans have burial and funeral expenses but they have insurance up to $10,000 at the lowest and cheapest rates in all the world. In addition, we have hospitalization, and due to amended legislation passed recently, whether a man has service-connected disability or not, if he is a war veteran he is admitted to a Government hospital where he is given the benefits of modern science.

In section 8 of the Selective Training and Service Act we deliberately wrote into the law that when a soldier of World War No. 2, this global conflict, is discharged he will be given back, whether in Government or State employment, or in private enterprise, his old job—or one as good or better—with all his seniority rights. If he is not given that job voluntarily by his employer, the United States district attorney is required to take his case before the courts and try it without any charge or fee to the veteran, and the employer must pay any benefits that are lost during such absence of employment.

Not only will he get his job back but he also will be given other benefits besides burial and funeral expenses, insurance, and hospitalization. He is given vocational education. Any disabled veteran coming out of this war can attend a training school, a college or university, wherever he wants to go, for 4 years at the expense of the taxpayer.

Then, Members of this House come down in this well and say that Congress has been niggardly in the treatment of our veterans. I call that "bunk." It is unfair, it is unjust, and it is untrue.

What is all this fuss and furor about, Mr. Chairman? Why, I have received only three letters from veterans in my district concerning this legislation. That is how little they are interested in it, and I bet a lot of you have not received a single letter. Their main interest and chief thought is to win this war. The veterans of this war did not come before us demanding this pay. A few politically anxious Congressmen did. Some want to pay them $1,000. In the last war we had 4,000,000 men in our armed services, 2,000,000 in France and 2,000,000 at home. Today we have 11,000,000 men and women. Because of the turnover we will have not 11,000,000 men and women but, if the war continues for 2 or 3 years, fifteen to twenty million men and women in the services. Pay them $1,000 mustering-out pay, and it will be $15,000,000,000 or $20,000,000,000. Our distinguished and able chairman, the gentleman from Kentucky [Mr. MAY], has been criticized because he has used his brain. He is a true friend of the veteran. He knows that we must not bankrupt this country. I resent this criticism regardless of its source.

Have we gone completely crazy? Have we lost all sense of proportion? Who will have to pay this bill? You who think you are going to bribe the veteran and buy his vote, you who think you can win his support by coddling him and being a sob sister with a lot of silly, slushy sentimentality, are going to have a sad awakening. These veterans, their children, and their children's children will have to pay this bill. We talk about inflation. We argue and fuss over a billion and a quarter or a billion and a half for subsidies, and then we bring in this bill. Mr. Chairman, some may think it is excessive, but I am supporting it. It was reported unanimously out of our committee. It gives $100 to a man who served less than 60 days here or abroad, in war or out of war, and $300 in three monthly installments, one at the time of discharge and two succeeding installments, to any man who has served more than 60 days, either here or abroad.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. SHORT. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, in the last war when we discharged our men we paid them $60. Here we are proposing to pay five times as much, and you can buy a better suit of clothes today for $35 than you could buy for $60 in 1918. Sixty dollars then, $300 today.

How much did we pay our veterans in the last war? Twenty-one dollars per month. And do not think that those boys at Chateau-Thierry, Soissons, Belleau Wood, and the Argonne, who went under barbed-wire entanglements and crawled on their bellies through the mud, muck, and mire like snakes, facing

the fire of musketry and cannon, were not brave men; do not think they did not suffer in those days as men today are suffering. But today instead of paying our soldiers $21 a month we are paying them $50 a month and in addition we are paying dependency benefits, $50 to the wife, $30 to the first child, and $20 for each additional child. Up until this hour, since we voted dependency benefits and allotments, in 20 months' time the Federal Treasury has sent out more than 53,000,000 checks that aggregate more than $3,000,000,000. We know that this cannot compensate them, but can we do more?

Unfortunately, many of you have not studied this measure. The thing that rather amuses me is that after our committee had spent weeks listening to testimony, reading it, studying it, conferring with the Army, Navy, Veterans' Administration, and with one another; after we had taken a bill that was hatched overnight and brought out on the Senate floor under unanimous consent, a bill which the leader himself branded as a Christmas gift—one of the sloppiest pieces of legislation I have ever seen—some bright boy comes along and tells us just what kind of bill we should pass.

Mr. Chairman, without any disrespect to another body, I can say that sufficient consideration was not given to this bill by that body. Look at that body today and the present Supreme Court, and we can understand why Jesus wept.

Our committee took this bill, and none of us could understand it. We tore it apart and put it together again. We now have a decent, respectable, liberal, and generous measure, which every Member of this House can vote for without batting an eye and can go back home and defend. I say, as a Member of this House and as a member of the Committee on Military Affairs, that I have always supported veterans' legislation with my voice and my vote. I think the veterans in my district are more responsible for my being here than any other group, but I am not going to lose my sense of proportion, go off half-cocked, and lay a burden upon the backs of these very men who have not asked for it.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. MAY. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. COSTELLO].

Mr. COSTELLO. Mr. Chairman, this House has before it perhaps the most important piece of legislation that may come before it during the current session. I say that advisedly, because how you act today may determine what you are going to do in regard to all future legislation, concerning your program in regard to veterans of the present war. Unfortunately there has been carried on throughout the country a very vicious campaign, a campaign in certain newspapers, which has completely confused and misled not just the public in this country, but the men who are serving in our armed forces, and, worse than that, the message that they have conveyed has been carried across the seas to our men serving abroad. They have confused the public as to what mustering-out pay really is, and let me emphasize to you today, that it has nothing at all to do with unemployment compensation. If you are going to take up unemployment compensation, you want a different bill from this. Then is when you want to extend out payments during the time of unemployment for those veterans who are actually unemployed and, for that reason, we should not accept any provisions today that will spread the payments of this money out over a period of a year. If it is mustering-out pay, let us pay it to the men at the time they are discharged from the service, so that it will take care of their pressing important needs, and not pay it to them 10 to 12 months after they are out of the service, when the need has long since passed.

This legislation has nothing to do with adjusted service compensation. For that reason, do not attempt to put in some amendments that will distinguish between a man's service in this country and his service overseas.

That is a problem for adjustment of his service compensation and it has nothing to do with mustering-out pay. The problem of rehabilitation and transition from military life to civilian life is identically the same for every man, regardless of whether he spent his time in Sicily, the Caribbean or the South Pacific, or at some Army post in this country, and all this bill undertakes to do is to provide funds necessary to effectuate that transition from military to civilian life.

But the greatest confusion that has come about has been constantly repeated stories in the press that the Congress and the Government have done nothing to take care of the sick and wounded and disabled, and that the Military Affairs Committee of the House actually went home at Christmas time without doing a thing to take care of these disabled veterans. That is a lie. The men who wrote those stories and disseminated them to their newspapers knew that they were lies and yet they published them. I have an article here that I could read to you, if I could take the time, and I could show you that there is not a true statement contained therein, because this Congress has done everything within reason to provide for the sick, the wounded, the disabled veterans of this war. In fact, we have even increased the amount payable in excess of the amounts heretofore paid to veterans of the last war. We have discharged our duty, and we did it promptly, without hesitation.

Mr. MILLER of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. COSTELLO. Not just at this moment. Let me call to your minds that the demands being made on the Congress for this legislation are not coming from the veterans who are serving overseas, or the veterans of this war. In the main they have emanated from the veterans' organizations of the last war.

You have not heard from a veteran of this war and it will be some time before you do, but let me assure you that the veteran of this war who is serving in some isolated island in the Pacific, or some lonely island in the Caribbean, or in Sicily, has plenty of time for thought, and he is indulging in a great deal of thinking, and if you think you are going to satisfy him by a hand-out of a few paltry dollars, and saying that this will discharge your obligations to him, you are sadly mistaken. What he wants to know is whether you are preserving this Government as he left it, whether we are going to lay a tax burden upon him and harass him for the rest of his days, whether you are building up such a debt that inflation is inevitable, and whether when he gets back, because of the tax burden laid on his shoulders, he is not going to enjoy the standard of living to which he has been accustomed. He is going to want to know whether this Government will see to it that it will provide employment for him when the war is over, when he is discharged from the service, far more than he is interested in the measly hand-out of so many dollars in discharge of this patriotic obligation. I think no greater service could be done to the discharged veterans of this war than to have the War and Navy Departments establish at every mustering-out place a special board of review to see to it that every man at the time of discharge shall be personally interviewed, in respect to his qualifications for work, his medical record, the type of work he desires, and, taking such things into consideration, they should apply to the United States Employment Service, and find specific employment for that man prior to discharge, so that at the time he leaves the service he knows that there is a definite specific job waiting for him. I think he would be more appreciative of efforts in that regard than in the amount of money that we are going to pay him.

We have to keep in mind that we have increased the amount of payments in this war far beyond what we did in the last war, and we have also increased the number of men whom we have called into the service, and every time you pay out a dollar to a veteran of this war, it means twelve or fifteen million dollars, and when a newspaper comes out with a statement that the chairman of the Committee on Military Affairs, at the most, offered a bill which is just a sop and an insult to the veterans, which would give each man $300 on discharge, then that paper knows that it is falsifying and that it is trying deliberately to mislead the public.

For any man who can stand up and say $3,600,000,000 is a sop and an insult cannot help but be falsifying. And I wonder why this terrific pressure to rush this bill through? Do you recall the adjusted-service compensation of the last war, $3,790,000,000? It took years to pass that over the opposition of all kinds of organizations, particularly the opposition of many newspapers in the country. Yet this bill for $3,600,000,000 should be passed without a hearing and without debate. Keep in mind that if you increase the amounts of this bill you are

not going to eliminate the demand for adjusted-service compensation. If you place that legislation on the same basis as the World War No. 1 provision of $1.25 for every day of overseas service and $1 for every day of domestic service, that alone will cost you $15,000,000,000. There is a proposal right now, introduced in the other body, which advocates doubling those amounts to $2.50 for every day of overseas service and $2 for every day of domestic service, or a total of $30,000,000,000. The unemployment-compensation program will cost you $5,000,000,000 if we enact it. The educational program to provide for 4 years of college education will cost you $4,000,000,000 if you should enact it. Yet none of those things are for disabled veterans. I would far rather see us continue to increase the compensations that are to be paid to men who suffered some disability. Double this if you will, but for heaven's sake do not start doubling and increasing those amounts which go out to the able-bodied veteran who comes back and is able to gain his own living and to provide for his own self in peacetime. It is the disabled man to whom we owe the obligation. The Veterans' Administration have paid out since World War No. 1 a total of slightly less than $15,000,000,000 to the veterans of the First World War. Yet we here are proposing to dump out sums equal to that amount for various purposes at this time. To go to whom? To the disabled veterans? No; to all the veterans, able-bodied and disabled alike. But I say, confine your augmented payments to disabled veterans and do not increase the amount of this bill. Finally, let me remind you that you are not giving the veteran anything. Instead you are passing laws to pay out large sums of money to these veterans, money which is not cash on hand, but borrowed dollars, dollars which these same veterans are going to have to repay into the Treasury through taxation, and it will cost these veterans two and a half dollars to pay off every dollar they receive, if we are ever to retire the national debt.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHORT. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Chairman, I realize that anything I may now say would be but repetition. However, proceeding on the theory that dripping water finally wears away a stone, I want to repeat a few of the facts dealing with this legislation. Although the ground has been rather well covered, I want to comment on one or two things which may have been overlooked. First, the committee gave an extraordinary amount of study and consideration to this bill, both in subcommittee and in the full committee of the Committee on Military Affairs. Members from the War Department and from the Navy Department and either General Hines or a representative from the Veterans' Administration were with us at every session during which this legislation was discussed. The bill which came to us as reported by the Senate, I think, can best be described by the words I read in one of the papers, "It is neither fish nor fowl. It is more than mustering-out pay and less than adjusted-service compensation." That is the thing we want to bear in mind now in dealing with this bill. This is purely mustering-out pay. I wonder how many Members of this body have had correspondence from any of the boys in the service concerning this particular legislation. I know I have not, and I question how much others may have had. The boys are not concerned about mustering-out pay at this time. What they are troubled over, is what about their jobs after the war. Will they be able to go back to work and live a normal, peaceful life and carry on as they did before going into the service? Let me read to you an excerpt from a letter that came from one of the boys overseas. This may bring to your attention a little of what they are thinking. It reads as follows:

> I think it would be in order to caution you not to try to ride the pension horse. All these fellows over here want is to get it over with as quickly as possible. This stuff about "how much" is untimely and is making them mad. If some of your colleagues think they are buying soldier votes by it, they are certainly badly mistaken. There is a growing feeling of uneasiness in the service that by the time the war is over, things will be so inflated that a dollar won't be worth anythink anyway. It seems that a good old-fashioned economy program with a little soldier security thrown in, would be a better vote-getter than this latest form of attempted bribery.

That is what some of the boys are disturbed about who are going to have to help to pay through taxation some of the expenditures we are presently voting. I cannot help thinking of the remark the gentleman from North Dakota made in his statement earlier in the afternoon when he said "the generosity of the American people is on trial here today." I would rather say that the common sense and business judgment of the people are on trial through those of us who are the peoples' representatives.

Mr. Chairman, all of us want to do everything possible for the serviceman. I am sure we have proven through all the veterans' legislation passed within the last year or two, that we are true friends of all those who serve their country.

I am convinced the committee bill is a good bill and trust that it will merit the support of a great majority of this House.

Mr. MAY. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. THOMASON].

Mr. THOMASON. Mr. Chairman, I do not feel that I, or, in fact, anybody else, can add much to what has already been said. This bill comes here with a unanimous report from the committee. I think, however, I should say in all fairness there were, I believe, four members who did in the committee offer or support amendments increasing the amount and basing the payments on foreign service or length of service. But when the committee reached the conclusion that they would stick to a strictly muster-out pay bill, I believe I am within the truth when I say the bill was reported unanimously. I am happy to come here and join in enthusiastic support of the measure, because I believe I can say in all candor that there has never been a bill considered by any committee of this House that had more careful or patriotic consideration than this measure. I think, in view of what my friend the gentleman from California [Mr. COSTELLO] said, I would like, in passing, to pay tribute to him for his courage and intelligence. The subcommittee of the Committee on Military Affairs, of which he was the acting chairman, gave this bill the closest study. The confusion was brought about by reason of the fact that the bill that came from the other body provided, in effect, for adjusted compensation based on length of service and also more pay for overseas service. But I want to repeat what has been so often said this afternoon, and that is, this is nothing in the world but a mustering-out bill. It has nothing to do with pensions, adjusted compensation, or bonus. It has no regard for length of service except that a man who has been in service less than 60 days gets less than one who has been in a longer time than that. This is muster-out pay to bridge the man over. This is just to tide the man over from the day of his discharge until he is rehabilitated or reinstated in employment of some sort. I believe the hearings show that 635,000 of these who have been discharged have already been restored to jobs. Of course, these may be flush times, and that kind of situation may not prevail 12 or 18 months from now.

Nevertheless, in every war we have ever had there has been a mustering-out bill, to pay the men a reasonable sum of money to tide them over until they can get reestablished. That is all this bill is. That is all it is intended to be. It is too early to do more than that. I believe I speak for the committee when I say there is not a single man on the committee who is not willing and anxious, when the proper times comes, to provide adequate pension, or compensation, or bonus, or whatever you want to call it. Of course, the length of service and the question of foreign service, and perhaps the question of combat service, will then enter into it, as it did in the last compensation act. But this bill is fair, in fact, very liberal, and the heads of the various service organizations have approved it, so I am advised by the chairman.

It says to every man who is honorably discharged, who has been in the service longer than 60 days, that he is to receive $300, unless he comes under one of the exceptions mentioned by the Chairman. So I do not see, in view of what happened after World War No. 1, when $60 was paid to the men as mustering-out pay, how any man, any citizen, and, above all, any soldier, can feel that this is anything but fair and equitable, when he gets five times as much mustering-out pay as he did in the other war, and is in no way estopped from later pressing his claim for adjusted compensation.

When the proper time arrives, every soldier will receive fair and adequate compensation from me, and I am sure that is the way all the committee feel about it.

Mr. MILLER of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. MILLER of Connecticut. I have heard it said, and I would like your answer for the record, that as of today the men and women who are serving in this war, who are disabled in line of duty, are entitled to every benefit that has ever been made available to the veterans of World War No. 1, some of which took 20 years to accomplish. Is that correct?

Mr. THOMASON. That is my opinion about it, yes; and that is the way I feel about it. In addition to that, every soldier who is discharged, if he has been in the service over 60 days, is going to get $300. If he is unfortunate enough to have become disabled, he gets his pension, or compensation, plus any hospitalization, or any other rights or privileges that any other veteran has. There is not enough money in the world to pay some of the disabled heroes of this war. Of course, Congress is going to treat them all fairly, and even generously.

Mr. SCRIVNER. Will the gentleman yield?

Mr. THOMASON. I yield.

Mr. SCRIVNER. In other words, this measure proposes just the opposite to what was done when the men enlisted, when the Government provided a fund with which to provide officers with their uniforms?

Mr. THOMASON. Yes.

Mr. SCRIVNER. This is the reverse.

Mr. THOMASON. I think that is pretty well said, because a man who is discharged, perhaps wants a couple of suits of clothes. Perhaps he has two or three weeks' bill at a boarding house or hotel before he gets reinstated in his former employment. His business is gone. This $300 is just what the word means, just what has been the application of the word in every war we have had. It is just to tide him over until he gets reestablished. It is muster-out pay, and nothing else.

Mr. SPRINGER. Will the gentleman yield?

Mr. THOMASON. I yield.

Mr. SPRINGER. I appreciate the statement that the gentleman has made on this bill. Respecting the WAVES, the WAC's, and the SPARS, I presume they are entitled to the same benefits.

Mr. THOMASON. Of course, it covers everybody in the service who is entitled to it. You cannot name anybody in this war who is not going to be treated fairly in this mustering-out pay if this bill is passed as reported. I commend my friend the gentleman from Missouri [Mr. SHORT], the gentleman from Illinois [Mr. ARENDS], together with those on my own side for the unanimity with which they have backed up this bill and with which they are going to defend it when amendments are offered. Perhaps there may be some amendments offered that will have merit, but I undertake to say that in the main this is an absolutely fair and sound bill and it has had the most careful and patriotic consideration by every member of the committee, regardless of any partisanship or politics.

Mr. IZAC. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. IZAC. My friend intrigues me a little about wanting to pay everyone the same figure. Still the committee bill provides $100 if you are in the service for 59 days and $300 if 60 or 61 days. In other words, you get $200 for that extra day or two. How does the committee justify its position on that ground?

Mr. THOMASON. Well, it just seemed to the committee that perhaps a man who has been in the service for a week and is discharged for some good reason, is not entitled to as much as a man who has been in for 2 years, because he can step right back into his business. I grant you it is difficult to draw the line, but some arbitrary time had to be fixed. Many Members wanted to make it 90 days or 6 months; but it does seem that a man who has been in the service only a week, or 2 weeks, or 3 weeks is not entitled to as much as a man who has been in for 2 or 3 years, because it is more difficult for a man who has been in the service 2 years to promptly reestablish himself in his business than a man who has been in only a week or two.

Mr. COSTELLO. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. COSTELLO. Before the deferment committee a specific case was brought up where a man served 31 days in the Navy. I understand that 30 of those days were spent in the hospital. It was difficult to get him into the service at all. He was discharged. He immediately returned to the fat Government job that he was in before he went into the service. To give him $300 for 30 days hospital service at a time when it was difficult even to get into the service, I think is rather high payment to make.

Even $100 is excessive.

Mr. THOMASON. Well, there are a lot of cases like that, but you have to draw the line somewhere.

Mr. IZAC. I think the gentleman would admit that we could pick out certain instances where this general law will not obtain in fairness.

Mr. THOMASON. Certainly. There are always exceptions to the rule. You will find them under this legislation, but most careful consideration has been given to the matter, and we worked out the fairest compromise we knew how.

Mr. IZAC. I want to compliment the committee which gave the matter fair consideration. I do think there is a weakness in this legislation when you give $100 for 59 days' service, and $300 for another day's service.

Mr. THOMASON. Perhaps so, but a man who has been in 10 days is not entitled to as much under all the circumstances as a man who has been in 2 years and who has lost his business.

Mr. IZAC. Thereby proving the justice of having this Congress recognize the fact that men who have served longer are entitled to a little more consideration.

Mr. THOMASON. Well, when there is as much difference as that, there ought to be a difference in the pay. My friend from California is confusing the matter with adjusted compensation, and if we were considering that question he would be right and I would not argue with him.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. HOLIFIELD. This has nothing to do with the railroad fare allowance—transportation back home?

Mr. THOMASON. No.

Mr. HOLIFIELD. Will it be necessary for this Congress to wait 17 years to pass an Adjusted Compensation Act, as it was before?

Mr. THOMASON. Well, that is up to the Congress—you and the balance of us. That is your responsibility, as well as every other Member of Congress. I just believe that we will do the right and just thing when the proper time arrives to take care of the compensation pay or bonus, or anything else, but I repeat, this is nothing but mustering-out pay being considered now, and we ought to stick to it.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. MAY. I think it ought to be pointed out that in addition to the Federal payments that will go out under this legislation, all of the compensation laws, or unemployment laws of the various States which were frozen at a fixed time, are all available to these veterans when they return.

Mr. THOMASON. Oh, to be sure. The rights and privileges of the veterans in regard to other benefits are not affected in the slightest. This is just a gratuity or a gift, or whatever you want to call it, of $300, to help get a soldier on his feet so that he can get a job or started back into his business.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. SHORT. For the information of certain Members who have asked me the question, I may say that the committee proposes to offer an amendment to substitute section 4 of the Senate bill, whereby this mustering-out pay can be paid not merely to the veteran himself, or to his guardian, as written in the House bill, but in cases of decease, it can be paid to his widow and then to his children, or to his parents.

Mr. THOMASON. The gentleman is correct. The committee decided at the morning session that the chairman should at the proper time see that that amendment was offered to the bill. I feel sure of its adoption.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mrs. ROGERS of Massachusetts. Does not the gentleman feel that the mustering-out pay should have been included in the Selective Service Act, and then the veteran would know, when he was discharged and he would have something to tide him over?

Mr. THOMASON. The gentlewoman may be right about that, but that is water over the dam. That is ancient history now. We are facing the proposition now of what you are going to do for these more than a million men who have been discharged and more being discharged every day. So I do not see how this bill has any direct bearing on the Selective Service Act at this time.

Mrs. ROGERS of Massachusetts. Well, we should have done it at the time.

Mr. THOMASON. Well, there are a lot of things that should have been done in the past. War came on us so suddenly, perhaps, we overlooked a lot of things. We must now solve the problems of today and tomorrow.

Mrs. ROGERS of Massachusetts. Is it not true also that there is difficulty for the returning veterans to find employment? I know there is a cut-back in many communities and these men cannot get employment.

Mr. THOMASON. I feel sure the gentlewoman is right that there are some communities where it is more difficult to get employment than it was a few months ago.

Yet at the same time the officials of the Veterans' Administration have advised that 635,000 have already been returned to private employment. They are doing a fine job with the help they have had available. There have been a good many hardship cases, but that condition is now being rapidly overcome. So I would say we were doing pretty well under the circumstances. The employment situation may not be so good a year from now or 2 or 3 years from now, but for the present these men certainly are going back to work.

Mrs. ROGERS of Massachusetts. Many of them did not even have money enough to get home with.

Mr. THOMASON. There may have been a few hardship cases and there may have been some delay in the Veterans' Administration getting adequate relief to them. That is not their fault. They were short of offices and employees. That situation is now much better and improving every day.

Mrs. ROGERS of Massachusetts. But we cannot pay these men for their disabilities or their service.

Mr. THOMASON. Of course not; that is not a debatable proposition. We will, however, pay them adjusted compensation and we will give them the best hospitalization in the world. But this bill is nothing in the world but mustering-out pay, and I repeat that it is both fair and just and is meant only to accomplish that purpose.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SHORT. Mr. Chairman, I yield such time as he may desire to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, I believe there has been some misunderstanding with respect to the legislation we are considering this afternoon. This is a measure that is intended to provide funds to help take care of the soldier's expenses for a period of time after he has been discharged from the armed forces. This bill has nothing to do with other compensations and benefits to which the soldier may be entitled. It ought to be understood, too, that a man or woman discharged from the armed forces is also entitled to hospitalization and all other benefits that are allowed veterans of the First World War.

Mr. Chairman, there will be further legislation before the Congress to provide adjusted compensation and other additional benefits for those who have served in the armed forces, but as I have said, that legislation has nothing to do with the measure that is being discussed today and should not be confused with it.

Mr. Chairman, neither this measure nor any other legislation that comes before this Congress can hardly be considered on the basis of paying the men and women in the armed forces what they are entitled to for their services to our country. There is not money enough in the Treasury of the United States to begin to compensate the thousands and millions of men and women who have seen service in this war. However, Mr. Chairman, I am sure this Congress and the Congresses that may follow will be glad and willing to do everything that is fair and reasonable on behalf of the members of our armed forces in the way of compensation and other benefits, in an attempt to show appreciation for their services.

Among other things, Mr. Chairman, we will have to give consideration immediately to the question of hospitalization, education, and a chance for rehabilitation of the men and women when they are discharged from the services of their country. And very important, Mr. Chairman, is the question of providing jobs for these men and women when they return to their communities and again enter into the activities of civilian life. To be assured a chance to work at a decent wage is one of the most important things that can be done for them. We must give consideration in the immediate future to this problem.

Mr. Chairman, one thing more: these boys who are fighting in the four corners of the world today must not be permitted to return to a country of chaos and of misunderstanding and confusion. Let us make sure we on the home front are doing everything we can to see that this country of ours shall continue to be one of opportunity, a place where every man and woman may live under a free representative government and may have a chance to enjoy the benefits of what we have always understood and known to be the American way of life. To see that this is done is one of the biggest challenges to us who remain on the home front.

Mr. SHORT. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I propose to support this bill.

Mr. Chairman, this measure now in debate is to provide for mustering-out payments to members of the armed forces at the termination of this war, or to those who are discharged and relieved from the service both prior and subsequent thereto. This is a measure which deserved the support of the Members of the House.

At the conclusion of World War No. 1, a mustering-out pay bill, or a discharge bill, or to be entirely specific the $60 bonus pay bill, as it was commonly called, was enacted into law. Under the provisions of that law every serviceman, regardless of the length of time he served, received the sum of $60 at the time of his discharge from the service. Under that law, the payment of such sum of money was not limited in any respect, but that sum of $60 was paid to every ex-serviceman. The spirit and purpose of the payment was to provide each soldier with a sum of money whereby he might be enabled to maintain himself during the intervening period between his discharge from the service and the time when he might be able to secure employment at some gainful occupation. In many cases the $60 payment, at the close of the last World War, was wholly and entirely inadequate to bridge over the gap between his last pay while serving his country, and the time when he was able to secure civilian employment whereby he could maintain himself. Many will recall that the jobs of the men in service had been absorbed by others, and the wartime activity in our factories and mills had diminished to a great extent so that employment, in those plants, was hard to find when the boys came home. Quite well do we remember that the change from a wartime effort in producing the essential materials, supplies, and equipment for war, to a peacetime production, required almost a complete rehabilitation in our industries. Therefore many of the ex-servicemen returning home from World War No. 1 found themselves without any job, and without any opportunity of securing a job. They were destitute, in many cases, except the meager sum of $60 which was provided for them at the time they were mustered out of the service. In many cases the ex-servicemen stood upon the streets and sold apples in order to secure funds for their own sustenance; in other cases the ex-servicemen were forced to beg for food; some of them slept in poorhouses and in jails. They had served their country faithfully and well, yet they had no job and all they had was the meager gratuity given them by their Government in the sum of $60.

Mr. Chairman, it is my fervent hope that a kindred situation, such as we know existed following the last war, will not develop following this war. A grateful Nation and a grateful people will not permit another era of want and great distress to follow in the wake of World War No. 2, I am certain. Those who have borne the brunt of battle in this war, and to those who have been inducted into the service and who are in the camps in this country, all of whom have equally submitted to give their all for their country and for the preservation of our American way of life, should be treated as our veterans of this war—because they have extended their aid in saving our Nation in time of extreme peril—and they should not be discharged

and then forgotten. They should have extended to them a mustering-out pay which will give the aid which it is intended to give to them to bridge over the gap, or the period of time, intervening between the end of their military service and the time when they will be able to secure a job in civil life whereby they will be enabled to sustain and support themselves and their families. We do not want to witness the veterans of this war standing upon the street corners in our cities selling apples after this war is over. We want these veterans to come back home, when this frightful war is over, and take over their jobs. We want to see them employed at gainful occupations. However, the transition of a soldier from the Army, or a sailor from the Navy, into the ways of civil life is not accomplished overnight. There is a period of rehabilitation required for every soldier and sailor following his service in the Army and Navy, because upon his return from service he is usually highly restless, and very nervous; his long period of training, or his participation in combat in the battle zones, have remolded him; a period of readjustment or rehabilitation is essential. This measure is intended to provide a small sum of money for these veterans of this war, based upon the length of service rendered, in order to keep them free from hunger and want during that period. Every veteran of the last World War is entirely familiar with this period of transition from war activities to peacetime living.

Mr. Chairman, this measure provides for the payment of the sum of $300 to those persons who have performed active service for a period of 60 days or more. This sum will not be paid in a lump sum. Only one-third of this amount, or the sum of $100, will be paid at the time of final discharge and ultimate relief from the service. The remaining amount, or the sum of $200, will be paid in two equal installments—the sum of $100 will be paid in 1 month after the discharge and final relief from the service, and the remaining $100 will be paid in 2 months thereafter. This method will be of aid and assistance to the veterans in preventing them from losing their money in the various pet schemes which will be presented to them by those wishing to take undue advantage of them when they return from service. And, the days of the carpetbagger will fade into insignificance when the veterans of this war come home with their mustering-out pay in their pockets, because there are those who will use every effort and every device to extract that money from the pockets of the veterans.

Mr. Chairman, this pending measure provides, further, for the payment of the sum of $100 as mustering-out pay to all persons who have performed active service for less than 60 days.

We must aid in protecting our veterans when they return home from service. These men and boys will be victorious in this war—that we know. When they come back, with victory theirs, let us prevent the hours of anguish and despair which might result, and which I am constrained to firmly believe will result, unless ample provision is made, as this measure will accomplish, in giving to them a small sum of money which will bridge over the gap between Army service and civilian employment.

We can, and should, as a grateful people, in a grateful Nation, take care of the veterans of this war upon their severance from their wartime service.

Mr. SHORT. Mr. Chairman, I yield such time as he may desire to the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point and to include certain quotations.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. ANGELL. Mr. Chairman, I plan to vote for this bill. Over a million men and women have already been mustered out. This legislation is limited to mustering-out pay and does not cover adjusted compensation or other benefits to which veterans will be entitled after discharge from the service. This payment will simply bridge over the gap from discharge to reemployment in civilian pursuits. At a later date legislation will be enacted for adjusted compensation, rehabilitation, and other benefits. We should, Mr. Chairman, make certain that veterans will be provided with employment following their release. This bill, however, does not have that objective in view. On July 2, last, I introduced H. R. 3108, continuing the pay of servicemen for 1 year, which provides as follows:

H. R. 3108

A bill to continue the pay of all persons serving in the armed forces of the United States for 1 year after the termination of the present conflict

Be it enacted, etc., That the pay, exclusive of allowances, of all persons in the armed forces of the United States on or after December 8, 1941, and at the date of the termination of the present conflict, unless previously honorably discharged, and who shall have served at least 90 days, shall be continued for a period of 1 year from the date of their honorable discharge, separation, or release from active service, during which 1-year period such persons shall be members of the reserve forces: *Provided*, That in no event shall the monthly pay of any such persons, during the 1-year period, exceed $200 unless recalled for active service: *Provided further*, That within the monthly pay limitation imposed herein, the increased percentage in pay allowed for foreign service shall apply where any such service is shown.

Mr. SHORT. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. CLASON].

Mr. CLASON. Mr. Chairman, this bill is one to grant mustering-out pay to the men who have served with the armed forces. It covers not only those who have already been discharged, but also who may be discharged in the future. Perhaps you noticed in this morning's Washington Post a statement to the effect that up to the present time 1,457,000 persons have returned to civilian life since the Selective Service Act became effective. That is about 3,500 for every congressional district, assuming they were divided equally among the different districts of this country.

Mr. Chairman, I propose to offer an amendment to strike out section 3 on page 6, which prevents men who have left the Army to enter employment, from receiving the mustering-out pay. Most of them are over 38 years of age. Personally, I cannot see why this group of persons, and they already number about 1,000 in each congressional district, should not be entitled to mustering-out pay. We have been told that some of them have been in the Army for a year and a half; in fact, while I was home one man 46 years of age told me that he served that length of time in the Army, that he gave up a good business to go into the Army, and he was practically told that because he was over 38 years of age he was no longer of any use in the Army and they would be very glad to have him ask his way out. This has happened to hundreds of thousands of citizens who have left jobs. After they got into the Army, the Army told them they were not wanted and they were asked to ask their way out.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. CLASON. I should like to proceed for just a moment longer if the gentleman will permit.

The position is this: Long after Pearl Harbor the War Department through Selective Service stated that they did not want anyone over 38 years of age, some months after they had been inducting men of 45. They made the mistake themselves by having selective service up to 45, or if they did not Congress gave them something they did not want. They took these men between the ages of 38 and 45. It seems to me that any person who has served in the United States Army honorably in wartime and has received an honorable discharge, who is going to receive a bonus in the future according to the speaker ahead of me and who at the same time is going to have all the benefits that go to veterans, should not have this one particular thing taken away from him. If he has served in the Army even a short length of time, when he gets out he needs a suit of clothes or a pair of shoes or a week or two of pay just as much as any other person.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. CLASON. Yes, if the gentleman will yield me additional time, otherwise I cannot yield in 5 minutes.

Mr. SHORT. Mr. Chairman, I yield 3 additional minutes to the gentleman from Massachusetts.

Mr. CLASON. Then, Mr. Chairman, I yield to the gentleman from Kentucky.

Mr. MAY. I wish the gentleman would advise the House if he has the information, in connection with his statement that one businessman in his district had to sell his business to go in the Army and then bought it back at a sacrifice, how many men above 38 years of age in his district immediately went into good jobs when they left the Army.

Mr. CLASON. That may have happened in some cases, but it did not happen

to all of them by any means, especially to those who were discharged from the Army with some disability even though at their own request. Probably the majority of those who were discharged on account of disability have not been able to get good jobs. Certainly the gentleman would not ask that they be deprived of this mustering-out pay to which they are entitled, something with which to buy a suit of clothes, a pair of shoes or a couple of weeks' board after they have been in the Army a year and 4 months or any other period. If anyone is entitled to it, certainly these men are.

The other point I have in mind is this: There are hundreds of thousands who have come back to civilian life through disability. Spread out over the country by districts, this already is more than a thousand to each district. In the State of Massachusetts, except in Boston, there is not any office of the Veterans' Administration to which a discharged veteran can go to get either counsel or forms on which to make out claims and receive sound advice. I feel that one thing the Congress has failed to do is to see to it that the Veterans' Administration establishes some subdistrict offices in centers of population in the various parts of every State so that a veteran when he returns home can go to some official who knows all the answers; to an office where there will be a doctor to examine him and to look out for his wants. These men who are discharged because of disability sometimes within 3 or 4 weeks after their return to their homes, may be much worse off in a physical way.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. CLASON. Yes; if the gentleman will yield me some time.

Mr. MAY. I will yield the gentleman 1 minute if he will answer my question.

Mr. CLASON. Then I yield to the gentleman from Kentucky.

Mr. MAY. I am sure the gentleman does not want to leave any false impression as to what the Veterans' Administration has done, and in order that the gentleman may be fully advised I may state that the fact is that since we started hearings on this bill they have established 93 offices throughout the country and have issued a pamphlet advising the public and the veterans that they can apply for their compensation at these places and that there are offices and a staff of personnel there to attend to their needs.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. CLASON. I yield.

Mr. SHORT. So far as counsel and advice on these forms are concerned the forms can be secured at nearly every American Legion post throughout the country.

Mr. CLASON. But there ought to be somebody in every large center of population to tell the veterans what to put into the forms, tell them what they are entitled to. After the last war we had those subdistrict offices in places like Springfield, Worcester, and other centers of population. They had there also a doctor and director. The physician looked the man over to ascertain his condition and if the man needed the attention of a specialist he saw to it that such attention was given to him. Similar offices ought to be established today in practically every city in the country where they had offices before. I feel that one thing the Veterans' Administration ought to do and do quickly is to reestablish those district offices in charge of a competent director, with a full-time physician in attendance to examine the men, a part-time staff, and a competent office force. We had them after the last war and they gave great service. The Veterans' Administration did a swell job and I think they can do the same thing now. They ought to start.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CLASON. I yield.

Mrs. ROGERS of Massachusetts. I may say to the gentleman that we have been working on that very matter with the Veterans' Administration. No legislation is necessary; and, regarding mustering-out pay, certainly as the gentleman says, there should be no discrimination against any man because he is in the group over 38 years of age, or in any other group.

Mr. CLASON. I agree with the gentlewoman.

Mr. SHORT. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. CLASON. Mr. Chairman, the proposition I really want to bring home is that we are telling several hundred thousand men who have returned to their homes that their services in the Army, Navy, and so forth, are not worth mustering-out pay. I believe that is a stigma upon that group of persons, and I do not believe that the Members of Congress want to place that stigma upon them.

If the Army had gone at it in the way it should have been done, in order to protect those people, it would have simply stated: "We made a mistake with reference to selective service. The top age should have been 38. We made it 45. Therefore we are now going to give discharges to everyone over 38 because your services are not of sufficient value for you to stay in the Army. You can be of much more use in this war effort by going back to war jobs. We are going to release you; we are going to give you your honorable discharges, and we are going to ask you to go back home and take part in the war effort back there."

Instead they did the negative proposition of stating: "You have got to ask for your discharge, but we are telling you now we want you to ask for it and that when you ask for it we are going to give it to you."

I do not think it is fair to go at things in that kind of way; then, when it is all over, say to the fellows: "We really do not think your services in the Army were worth very much. You should have stayed at home."

I am in favor of mustering-out pay for veterans of the present war. We received such pay at the conclusion of World War No. 1. I shall vote for the bill in the form in which it is finally presented for passage, though I may not be in entire accord with its provisions. I am not certain that the amounts of money provided in the bill, S. 1543, now before the House are entirely satisfactory. At least they are much more generous than the $60 provided after the last war for the purposes sought to be carried out by this bill. Personally I feel that such mustering-out pay should be for the purpose of immediate aid to each veteran. He may need clothes, shoes, and other essential articles. To me it is beside the point to argue that if he requested his discharge to return to a farm or to a war job he should be discriminated against. The fact that he is discharged for such a purpose is some evidence that he ought never to have been drafted. General Marshall has stated that the beds in Army hospitals contain far too many old men in the military sense. The Army officials urged the older men, those over 38 years of age, to seek their discharge. In my own district I have talked with one man recently who was inducted just before his forty-fifth birthday. His younger brother, now 46 years old, was also brought in under Selective Service. The younger brother is on limited duty in fact, even though the Army has given up the term. He could be of far greater use outside the Army. He has been in the Army more than 18 months. Other men went in with the National Guard before the war. They are too old for the rigorous life of modern warfare. Many have served in the Army faithfully for months. Congress is responsible for the fact that many of these older men have been or are in the Army. General Marshall and other military men advised us that the Army really wished us to limit the draft to men between 18 and 31 years of age. At that time I voted for lower age brackets but the law as enacted permitted drafting men up to 45 years. We forced these older men in and now when we make them ask to be released rather than order their release from service, it is provided by this bill that they shall not receive mustering-out pay. I believe this provision is unfair to them for they need immediate aid as much as any group after months of service. It is unfair to them for we knowingly are placing a stigma upon their service. They will be a group known in after years as those whose service did not deserve the comparatively small sum called mustering-out pay. I hope this provision in the bill will be stricken out.

Then the bill discriminates against those who go to school after they are in the Army. That provision seems to say that the school program of the War Department is not exactly on the level; it is at best a program subject to careful scrutiny; whatever the student may be, he is not truly a member of the armed forces of the United States. The fact that this great committee has seen fit to discriminate against this group shows the need of a careful investigation into Federal expenditures for educational purposes of all kinds.

I believe that it would be better to give some mustering-out payment to every person who leaves our armed services

with an honorable discharge. To my way of thinking, it would be better to discriminate between groups when payments as adjusted compensation or as a bonus are under consideration.

I hope that an amendment will prevail which will strike out the provisions which would bar certain groups of honorably discharged veterans from mustering-out pay.

And as we discuss the need for mustering-out pay for veterans, we should have in mind that this pay does not close the books with reference to our veterans. For many the mustering-out pay is far less important than sound advice, information as to their rights, and competent medical services from Government agencies right now. A majority of our veterans of the present war hold honorable discharges for physical disabilities. They are released from Army or Navy hospitals or posts. They return to their homes, often to cities or towns in which there is no veterans' facility or district office. Their condition is almost certain to change for the better or for the worse within 2 or 3 weeks of their discharge. They go looking for help. They go to the officers of the American Legion and other veterans' organizations, or to the soldiers' relief commissioners, or to private citizens for advice and information. The results are far from satisfactory. I believe that the Veterans' Administration is not living up either to its responsibilities or to its grand record in this crisis. It may be that it has been hamstrung through failure to rate it as a war agency with outstanding priorities, as sometimes stated. If so, the Government officials responsible have made a terrible mistake which should be rectified at once. Priorities have been given for construction and alteration of buildings of far less consequence than sorely needed additions to veterans' facilities to take care of far more patients than have been provided to this date. There are capable persons employed by other bureaus of the Government today who could render far more valuable service under the Veterans' Administration than in their present jobs.

I wish it were possible to add to this bill a section requiring the establishment of a subdistrict office of the Veterans' Administration in every large center of population in the United States. I am told that it would not be difficult to set up in Springfield, Mass., the same kind of a subdistrict office which was maintained for several years after the last war. Most of the physicians then employed are our leading practitioners today. They can be used again on a part-time, fee basis as before. The office would need a competent manager who could give correct information and sound advice to the veterans; an examining physician and part-time medical staff of specalists; and a competent office force. In the long run the Government will be saved millions of dollars by these offices and our veterans will receive the decent, competent treatment which we as a people owe to them. If no more men and women enter the services, there will ultimately return to Springfield, a city of 150,000, more than 20,000 veterans of this war. About 1,500 have already returned to Springfield and more than 7,500 to the area which would be served by a Springfield office of the Veterans' Administration. They are returning in increasing numbers, many of them wounded or ill. It is time to act now in their behalf. I urge that something be done at once. I will close my own remarks by including a letter from Mr. Earle F. Bliss, executive secretary of Springfield Post 21, Inc., of the American Legion. Mr. Bliss is one of the best informed, kindest, and most cooperative gentlemen with veterans and their problems in the United States. He is known all over the country as an indefatigable worker in their behalf. He is always ready to do more than his share of the work. He has told me that the matter has gotten beyond the scope of local groups. The veterans are getting the wrong answers and the wrong impressions as to their problems and rights. Some have been told that in the absence of a Veterans' Administration doctor they can go to any physician and the Government will foot the bill. Later the veterans will learn that they have incurred heavy debts personally. Mr. Bliss also believes it would not be difficult to establish subdistrict offices with competent personnel. His letter to which I have referred is as follows:

THE AMERICAN LEGION,
SPRINGFIELD POST, 21, INC.,
Springfield, Mass., December 31, 1943.

Hon. CHARLES R. CLASON,
Congress of United States,
House Office Building,
Washington, D. C.

DEAR CHARLES: This will acknowledge your letter of December 29 and the inquiry contained therein relative to the establishment of a subdistrict office of the Veterans' Administration.

It is true that since the removal of the office here in 1933 the Springfield Post of the American Legion has carried on a great deal of the work that ordinarily would have been handled through the Veterans' Administration office. This has included the filing of claims and giving advice on compensation, insurance, and kindred matters.

However, the situation has changed considerably now. We are having a large number of men coming back from the service in the present World War who need immediate medical attention. It is my opinion that a man who is discharged on a certificate of disability discharge should be entitled immediately to medical attention, even before his claim is entered or any process of adjudication has been started.

Of course, that should be the first thing, but the mere fact that he is discharged with a disability should, in itself, be sufficient evidence that he has a disability that was either taken into the service on what the regulations term "presumption of soundness." It may later develop that he had a preexisting disability which may or may not have been incurred or aggravated by his military service. I believe it is absolutely necessary, in all fairness, to assume that every man was aggravated by his service, but until that is definitely determined he should have immediate and competent medical attention.

That, to my mind, is the prime purpose of the immediate establishment of a Veterans' Administration office, with an executive in charge who would have authority to incur the necessary expense to send these men to proper physicians. The set-up that was in vogue last time had one examining physician, Dr. Harriman; and he determined whether the man, in his opinion, required a specialist for heart, eye, ear, nose, and throat, orthopedic, lungs, X-rays, etc.

Most of those doctors who did that work the last time are here now. They could examine these men either on a salary or fee basis. They have the whole set-up at the Veterans' Administration. All they have to do is to just authorize it, and it would be functioning inside of a week. I will admit that there may be some difficulty in getting the office help that would be required. They would need two or three stenographers, and perhaps some additional interviewers to start off; and in connection with that, there should be somebody who could be assigned from the office in Boston to give competent advice, and have the authority of the Government behind him, on insurance matters and also on vocational training in particular, which is going to be a highly important factor in the very near future.

What appears to me to be the most essential item in this whole set-up would be the fact that the advice received from such an office would carry with it the weight of the Government behind it. It would be official. The man, when he finished talking there, would know exactly where he stood—or as near to it as would be possible for anybody to tell him.

Nobody realizes any more than do I the many small, troublesome details in the whole program of veteran rehabilitation; but until this office is started here, we are absolutely going to get nowhere on any program that may be devised.

We have got to recognize primarily that this whole rehabilitation program is a Federal proposition; and no matter how interested and earnest State, city, and town committees may be, they cannot possibly function in the rehabilitation of veterans where questions of compensation, death pensions, insurance, and vocational training are involved. I am speaking now primarily of men who are disabled. It is my firm belief that the big bulk of able-bodied men who come back will find their own niche and will need little or no assistance, and, if any, it may be of a very temporary nature. Possibly some of these young men who had no pre-war occupation may need some vocational training or guidance; and if so, that should properly be the function of the Veterans' Administration.

The actual reemployment of men, of course, has got to be a local proposition, to a very large extent; but the big problem is to prepare disabled men to reestablish themselves in the economic life of this country; and that is going to require competent handling of compensation and vocational training and can only be done, as I said before, by the Federal Government.

I believe if you could get together the other Congressmen and Senators from New England, you really could get something started. Certainly this is nothing that is coming from Springfield alone; it is bound to come from every section of the country where there has been a large population taken into the service.

The establishment of the subdistrict offices is nothing new; the set-up and machinery is all on record in Washington. It merely needs to be set going.

Very truly yours,

EARLE F. BLISS,
Executive Secretary.

P. S.—I just received a bulletin from our State headquarters carrying the minutes of a recent department executive committee meeting, in which the establishment of subdistrict offices of the Veterans' Administration was endorsed by the Department of Massachusetts, of the American Legion. (For throughout the State.)

Mr. MAY. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. BROOKS], a member of the Committee on Military Affairs.

Mr. BROOKS. Mr. Chairman, I have heard all the speeches made here today and I am inclined to agree with much that has been said. On the same statement of facts, I have largely reached a somewhat different conclusion. Of all the members of the committee I was perhaps the most critical of the pending bill. My criticism of it was largely the result of the thought that the time has arrived when we in the Congress of the United States should promulgate an overall comprehensive program for these soldiers who are about to be discharged. We can legislate in a haphazard, piecemeal, hodgepodge way, as the Congress did after the First World War, and we can from time to time begrudgingly give to the soldiers coming out of the service of the Nation little benefits and assistance here and there.

This is not the way the veterans want legislation, and it is certainly not the most satisfactory way to legislate. What the returning soldier wants, as he takes off the uniform and again puts on civilian clothes, is a definite program which he can depend upon. He wants to know not only what his mustering-out pay is going to be, he wants to know what is going to happen when that $300 mustering-out pay is gone. He wants to know, if he is unemployed at the end of 3 months, what is going to happen to him. He wants to know what kind of business rehabilitation program, if any, the Congress is going to provide for him and he wants to know this at the time he leaves the service. It is reasonable that we should decide what kind of program for rehabilitating the returning soldiers and sailors the Congress intends to provide.

There is a bill pending before the Committee on Military Affairs which does attempt in a general way to provide a comprehensive program. It provides for education; it provides for unemployment; it provides a home-owning program; it provides assistance for the returning soldier and sailor who finds that he is crowded by debts contracted before he went to war; and it provides for aid in reestablishing in business the veterans. In other words, this bill provides a genuine program of help for these men and women who are returning from the war and are reentering civilian life.

This Congress should decide now before too many of these men are returned home what we intend to do for them. When they come back and survey the situation they will know then and there what they can depend upon and they will govern themselves accordingly. In the long run we will give them benefits which will be far more useful to these men and women, and it will cost the Treasury less money, yet be far more satisfactory for those who return and need this help.

My criticism of the pending bill, if it be called such, is that it does not go far enough. It does not cover anything in the nature of a broad general constructive program which these men and women have the right to expect as they come back from serving their Nation in the largest and most dangerous war that we have yet been engaged. I hope that this Congress will soon work out such a program as will not be excessively expensive on the Treasury and yet will be something to which we can point with pride and satisfaction in the years ahead as being our aid to the Nation's defenders returning to civilian life.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I assume that the Committee on Military Affairs was concerned primarily with the making of legal provisions for the payment of a reasonable amount for all veterans of World War No. 2 upon being discharged. I am confident that the committee in its wisdom did not intend that mustering out pay in the small amount provided in this bill should in any sense constitute a substitute either in whole or in part for adjusted compensation which will, by precedent, be properly due veterans of the Second World War.

With the termination of the war and with a suddenness that will jar the Nation, we will be faced with the making of some provision for the immediate care of the returning servicemen and women. The termination will be sudden whether the war ends next month or next year. At this time, I do not undertake to predict when the war will terminate. I mean to say, however, that unless we make provisions for post-war assistance for our men and women in service through stop-gap legislation such as this, we may be confronted with a serious problem.

It may be a bit late now, as I see it, to provide mustering-out pay because already more than 1,400,000 servicemen have been returned to private life. Although of these many are casualties which are properly taken care of through hospitalization, the great bulk of them have been returned to private life and have re-entered private employment during this hectic period when so many men and women are needed in the wartime industries, but the situation will change with the end of the war. Then, wholesale, unprecedented discharge will follow the cessation of hostilities and whether we make ample provisions now or not, the returning veterans will constitute a problem that this legislation should be very helpful in solving.

It is the post-war era that we are taking into account now, when millions, not hundreds of thousands, return to their homes. Until they are able to get a new foothold, this Government owes them an immediate spot-cash payment, but, Mr. Chairman, I reserve the right and at the proper time will insist upon the payment of adjusted compensation to all veterans, men and women of the Army, Navy, the Marine Corps, and the various reserves and auxiliary services, of $1.33 a day or approximately $40 per month for domestic service within the continental United States and an additional 25 percent for foreign service, that is, service outside of the continental United States, or in the amount of $1.66 per day, approximating $50 per month. I shall not go into any extensive detail as to my bill, but I would include it as part of my remarks at this time. The bill, H. R. 2853, as introduced by me, constitutes the first and the only real adjusted-compensation act. It enjoys precedence over all others in that I have introduced this instrument on June 2 of 1943 and, over and above that, it may be said that the bill may have some advantage because the Committee on Ways and Means, of which I am a member, has jurisdiction and it naturally follows that I might, as a member of the committee, prevail upon the chairman and the membership not only to consider, but possibly to act favorably upon its provisions.

I respectfully suggest to all Members of the House that they make a study of my bill, which I will have reprinted as part of my remarks. It is concise and simple and in due time I presume it will be the law, so I say to you, Mr. Chairman, in voting for the mustering-out pay under the bill now being considered, I do not in any way compromise with my conscience as to the justice of the payment of a bonus at a later date, or, as I prefer to call it, adjusted compensation due our veterans. The bill follows:

H. R. 2853

A bill to provide additional compensation for veterans of the present war, and for other purposes

Be it enacted, etc., That this act may be cited as the "Second World War Adjusted Compensation Act."

SEC. 2. As used in this act—

(a) the term "land or naval forces" includes the Coast Guard, the Women's Army Auxiliary Corps, the Women's Reserve of the Naval Reserve, the Marine Corps Women's Reserve, and the Women's Reserve of the Coast Guard Reserve;

(b) the term "veteran" means any individual who (1) serves on active duty in the land or naval forces of the United States or, in the case of any member of the Public Health Service, any individual detailed for service with the land or naval forces, at any time during the period beginning December 7, 1941, and ending with the date of the termination of hostilities in the present war as proclaimed by the President, and (2) is separated from such service under honorable conditions, is released from active duty, or dies in such service;

(c) the term "oversea service" means service on shore outside the 48 States and the District of Columbia, and service afloat except service on receiving ships; including, in the case of either such service, the period from the date of embarkation for such service to the date of disembarkation on return from such service, both dates inclusive; and

(d) the term "home service" means all service not oversea service.

SEC. 3. (a) The Secretary of War or the Secretary of the Navy, as the case may be, shall, within 30 days after the date of separation from the land or naval forces or of release from active duty of any veteran or within 30 days after the date of enactment of this act, whichever date is the later, transmit to the Secretary of the Treasury (hereinafter referred to as the "Secretary") a certificate setting forth—

(1) The name and address of the veteran; and

(2) The number of days of oversea service and the number of days of home service performed by the veteran, but no service shall be included which is performed by the veteran during any period in which his base pay is greater than the base pay of the third period as provided by section 1 of the Pay Readjustment Act of 1942, as amended.

(b) As soon as practicable after the receipt of any such certificate, the Secretary shall pay to the veteran an amount equal to $1.66 for each day of oversea service and $1.33 for each day of home service as shown by such certificate. If such amount is not more than $50, payment shall be made in cash. If such amount is more than $50, payment shall be made, at the option of the veteran, either (1) in cash or (2) in bonds of the United States registered in the name of the veteran only, in denominations of $50 having a total face value up to the highest multiple of $50 in the amount determined by the Secretary to be due the veteran, plus a sum in cash equal to the difference between the amount determined to be due the veteran and the face amount of the bonds.

(c) Each bond issued under subsection (b) shall mature 10 years after the 1st day of the month in which it is issued, but shall be redeemable at the option of the veteran or his estate at any time, at post offices and such other places as may be designated by the Secretary. Such bonds shall not be transferable, assignable, subject to attachment, levy, or seizure under any legal or equitable process and shall be payable only to the veteran or, in the case of death of the veteran, in the manner provided by this subsection. Interest on each such bond shall accrue at the rate of 3 percent per annum from the 1st day of the month in which it is issued to date of maturity or date of payment of the principal of the bond, whichever date is the earlier, and shall be paid with such principal; except that no interest shall be paid on any bond redeemed prior to the expiration of 1 year from the 1st day of the month in which it is issued. In cases of deceased veterans, the payments provided by this subsection shall be made to the person or persons determined by the Secretary to be lawfully entitled thereto, without the necessity of the appointment by judicial proceedings or otherwise of a legal representative of the estate of any veteran or of any other persons, or of compliance with State law in respect of the administration of estates.

(d) Bonds issued under subsection (b) shall, for the purpose of the debt limit of the United States prescribed by section 21 of the Second Liberty Bond Act, as amended, be held to be issued under authority of such act, as amended.

SEC. 4. (a) If the veteran dies in service either before or after the date of enactment of this act, the Secretary of War or the Secretary of the Navy, as the case may be, shall, as soon as practicable after his death or, if he died prior to the date of enactment of this act, as soon as practicable after the date of enactment of this act, transmit to the Secretary a certificate setting forth—

(1) the name of the veteran, the fact of his death in service, and his former residence; and

(2) the information with respect to type and length of service required by section 3 (a) (2).

(b) As soon as practicable after the receipt of any such certificate, the Secretary shall pay an amount equal to $1.66 for each day of oversea service and $1.33 for each day of home service as shown by such certificate to his dependents, in the following order of preference:

(1) To the widow;

(2) If no widow entitled to payment, then to the children, share and share alike;

(3) If no widow or children entitled to payment, then to the mother; and

(4) If no widow, children, or mother entitled to payment, then to the father.

(c) (1) The widow shall be presumed to have been dependent at the time of the death of the veteran upon a showing of the marital cohabitation.

(2) Payment under subsection (b) shall be made to a child if (A) under 18 years of age at the time of the death of the veteran, or (B) incapable of self-support by reason of mental or physical defect.

(3) No payment under subsection (b) shall be made to the mother or father, as the case may be, unless dependent at the time of the death of the veteran, except that such mother or father shall be presumed to be dependent if 60 years of age or over at the time of the death of the veteran.

SEC. 5. The right to receive any amounts under this act shall not be assigned, sold, transferred, pledged, or hypothecated, and the payment of such amounts shall be made only to the person or persons entitled to receive such amounts under this act.

SEC. 6. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

Mr. SHORT. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. MARTIN].

Mr. MARTIN of Iowa. Mr. Chairman, the Committee on Military Affairs has done a really good job in perfecting this bill in order to serve a very definite purpose in the matter of caring for those boys and girls serving in the armed forces.

This bill should not be confused with provisions affecting the disabled, nor should it be confused in any way with provision for adjusted compensation. The bill is analogous to the mustering-out pay bill enacted at the close of the last war, and, in my opinion, it is a very liberal allowance, certainly more liberal than was the bill providing mustering-out pay for the veterans of the last war.

I was strongly in favor of the more liberal allowance for these veterans, because many of my buddies in the First World War were not able to adjust themselves and keep out of the bread lines on a $60 mustering-out pay. This bill, however, is liberal enough to satisfy the needs for mustering-out pay.

Those of you who are sponsoring amendments to this bill more liberal for the disabled, I appeal to you as a matter of good, just service to the disabled and to other veterans to leave your amendments out of this bill. Let us pass this bill, and then take care of this other legislation when it comes to the House in the proper order. Otherwise you will be doing a disservice to the veteran by confusing adjusted compensation and disability allowance with the matter of mustering-out pay. Let us keep the issue clear. This is a mustering-out pay bill. I am in favor of this more liberal allowance than was given in the mustering-out pay bill after the First World War.

I would like very much to see this bill passed in the form the committee has perfected it. It is exactly what I think it should be as far as mustering-out pay is concerned.

Mr. JENSEN. Will the gentleman yield?

Mr. MARTIN of Iowa. I yield to the gentleman from Iowa.

Mr. JENSEN. I have read this bill. There is only one section of the bill that is not clear to me. I am sure the able gentlemen of the committee can explain it and I hope they will do so, if possible. Section 4, page 6 of the bill, reads as follows: "Any Air Corps Reserve officer who is entitled to receive a lump sum payment under section 2, as amended (55 Stat. 240), of the act of June 16, 1936."

What I want to know is this: Just who are the Air Corps officers who will be disqualified under this act?

Mr. MARTIN of Iowa. I am glad the gentleman asked that question. I have had it asked privately by two or three Members on the floor this afternoon. I went to the document room and got a copy of the act referred to there, the Act of 1936. It is Public Law No. 691 of the Seventy-fourth Congress. The first two paragraphs of it read as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to call to active duty, with their consent, for periods of not more than 5 years, such number of Army Air Corps Reserve officers as he may deem necessary, not to exceed 1,350.

SEC. 2. Upon the termination of such a period of active duty of not less than 3 years in duration, such Air Corps Reserve officers shall be paid a lump sum of $500, which sum shall be in addition to any pay and allowances which they may otherwise be entitled to receive.

In other words, they have been provided a type of mustering-out pay, and we on the committee did not think it would be proper to give them an additional type of mustering-out pay such as provided in this bill.

Mr. JENSEN. I thank the gentleman for clearing that up. I may say that I am strictly in favor of this fair and just bill.

Mr. MARTIN of Iowa. I appreciate the gentleman's statement because, I may tell the House at this point, there is no man in the State of Iowa who has had more to do with veterans' affairs than has the gentleman from Iowa [Mr. JENSEN] through his many years of distinguished service in the American Legion.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. MAY. Mr. Chairman, I yield the balance of my time to the gentleman from Alabama [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. Chairman, this legislation has been very fully discussed here this afternoon. I want to endorse the statement made by the gentleman who preceded me, the gentleman from Iowa, as well as by practically every other Member who has spoken on the subject, that we should keep in our own minds a very clear distinction between mustering-out pay and adjusted compensation, as well as other benefits. As different Members have explained it, mustering-out pay is to help the serviceman buy some civilian clothes, rent a house, turn on the lights, water, and gas, and go around looking for a job, and to sustain him and his family until he finds a job. That is the only purpose of mus-

tering-out pay. It has no relation whatever to the length of service or the type of service.

The point has been raised, then, why did we set the amount at $100 for those having less than 60 days' service. I do not mind saying that my own thought was that, just as was done in the World War, the mustering-out pay should have been applied uniformly, without reference to the length of service. However, the majority of the committee felt that the man who had been in for less than 60 days—and that was simply an arbitrary time arrived at more or less through compromise—had been maladjusted much less than the man who had been in for a much longer period of time and, therefore, would require less in order to get him back on his feet.

A great many of the cases that have been referred to as an argument for mustering-out pay and for larger amounts have been disability cases, but I warn you that this legislation is not going to take care of a great many of them. As a matter of fact, I have felt all along that ahead of this legislation we should have enacted a law whereby a person discharged from the service for disability incurred in the service ought to continue on the pay roll until his claim for compensation was adjudicated by the Veterans' Administration, of course, putting a limitation on the length of time within which that adjudication ought to come about. We are still going to have some hardship cases in spite of this legislation and in spite of all the legislation we enact. This cannot be a cure-all.

A good many people have said that we ought to work out a form of adjusted compensation right now. Some have said that we ought to pay the servicemen for 12 months, continue them on the pay roll for 12 months. I say that any adjusted compensation we work out at this time will most likely be unjust and unfair simply because there are still factors to be taken into consideration about which we cannot yet know.

We do not know how long this war is going to last, we do not know all the conditions under which our boys are going to be fighting all over the world, we do not know the extent to which liabilities back home are going to pile up on them under the Soldiers and Sailors' Civil Relief Act. There are a great many things we cannot know yet that ought to be taken into consideration in working out any kind of adjusted compensation.

Further, if we should enact a law continuing all of our servicemen on the pay roll for 12 months following the time of discharge or for any other period of time, I think it would be grossly unfair to those in the lower grades. After all, they are the ones who will perhaps need the help most, yet they would be getting the least. The upper grades, those where the pay is somewhat commensurate with the service, would be getting the big benefits, and they perhaps would need it least of all.

Something has been said here about the exception of those over 38 years of age who were discharged upon their own application for the purpose of taking work. Remember that both of those conditions must enter into it, they must be discharged, first, upon their own application; second, for the purpose of taking work back home. You will recall that even though the Army may have encouraged them to apply for discharge, no discharge would be granted unless a man could show that he had a job waiting for him. It may be that this rule laid down is arbitrary as to them, but any rule we lay down is bound to be arbitrary as to somebody.

I also call your attention to the fact that after the last war the mustering-out pay of $60 was paid to every person who had an honorable discharge from the services of the United States regardless of the length of time he had served. Later, when this Congress worked out adjusted compensation it deducted from the total amount of that compensation the amount that would have accrued for the first 60 days of service, in order to take care of that 60 days. I suppose it is reasonable to assume that if we do have adjusted compensation legislation following this war the same pattern generally will be followed. If that is true, the man who is over 38 and who was discharged under the conditions mentioned is not going to lose a dollar. He may not get it in the form of mustering-out pay but the sum total, after all, will be the same, provided we follow the pattern that was laid out for us following the last World War.

I do not know of anything that should be added to the discussion. Our committee worked rather long and rather hard on this bill. We tried to keep clear in our minds at all times the distinction between mustering-out pay and adjusted compensation, feeling that this was no time to consider adjusted compensation. Further, if I understand correctly, the jurisdiction of that subject matter does not lie with our committee.

We have tried to present to this House a bill which we believe to be reasonable, not one to pay our servicemen for the length of time or for the type of service they have rendered. As the gentleman from Missouri has so well said, we cannot pay them for the service they have rendered, and this is not intended for that purpose; neither is it intended as a sop thrown out to them. It is intended for one purpose and one purpose only, to help them following their discharge to get themselves adjusted back to the normal pursuits of a peacetime life.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. Yes.

Mrs. ROGERS of Massachusetts. Does it not seem to the gentleman, however, that every man should be given mustering-out pay, no matter how he came out of the service, because they have referred a good deal in debate here today to the mustering-out pay that was given to every man in the First World War, no matter what was his age or rank, and it seems to me that this, unintentionally on the part of the committee, is discriminatory. If it is mustering-out pay, it should go to everybody.

Mr. SPARKMAN. I have just said that my own view is that the amount should have been uniform, without reference to the 60-day service, or what it may have been, and I also have called attention to the fact that following the last World War when the question of adjusted compensation came up, the first 60 days of service was deducted in the calculation of that adjusted compensation, in order to take up that $60. It may be that we shall have adjusted compensation following this war, and if we follow the same pattern laid down then, no man will lose anything in the calculation of the total amount finally paid to him.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. SHORT. Mr. Chairman, I yield now to the gentleman from Ohio [Mr. ELSTON].

Mr. ELSTON of Ohio. Mr. Chairman, I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ELSTON of Ohio. Mr. Chairman, I hope that at all times during the consideration of this bill it will be borne in mind that this is strictly a mustering-out pay bill as distinguished from an adjusted-compensation bill or a bill to provide disability compensation. It will be recalled that during the First World War, Congress passed a mustering-out pay bill providing for the payment of $60 to every veteran regardless of his length of service and irrespective of where he may have served. Later on, after the war was over, Congress passed an Adjusted Compensation Act in which payments were based upon length of service, being larger for those with overseas service than those who served in continental United States.

I think it should be called to the attention of the House that when the Military Affairs Committee began a consideration of a number of bills on the subject of veterans compensation we decided to report out at this time only a mustering-out pay bill. So as amendments are offered to this bill I trust the House will consider whether they are on the subject of mustering-out pay or pertain to a subject which should be considered at a later time. If we are to confuse the subjects or attempt to consider together mustering-out pay and ad-adjusted compensation, we may do an injustice to those we desire to help.

Mustering-out pay has but one objective and that is to assist financially a returning veteran during that period of time between his discharge and his obtaining a job. In no sense of the word can we hope to compensate in dollars those who have offered their lives in the service of our country. In all our history we never have attempted to do that. Men and women in the armed services do not expect us to do so now. I am sure they only expect us at this time to provide some reasonable provision to aid them after they leave the service and before they become reestablished in civilian life.

This bill came to the House with the unanimous approval of the members of

the Military Affairs Committee after the committee had conducted extensive hearings in which all interested persons, including representatives of veterans' organizations, were given an opportunity to be heard. Being strictly a mustering-out pay bill it necessarily follows that certain groups have been excluded, such as those who requested their release from the service to accept employment in industry, students whose total service has been in school, and officers above the rank of captain in the Army and corresponding rank in the other services.

As the impression had been created, intentionally or otherwise, that Congress was neglecting the veterans, even those who were disabled, the Military Affairs Committee felt it necessary to file a report, while considering this bill, setting forth the legislation and benefits which Congress has already provided for veterans and their dependents. This report has been repeated in the report which accompanied this bill. Even a casual reference to these benefits will dispel any notion that Congress has neglected the veterans of this war. No Congress ever did more.

So I hope, Mr. Chairman, we may be able to confine this bill to mustering-out pay, and that alone. I submit the time has not arrived to take up adjusted compensation. That can perhaps best be done when the war is over. If we confine our efforts at this time to mustering-out pay we will do more ample justice to the veterans and render better service to the country as well.

Mr. SHORT. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. J. LEROY JOHNSON].

Mr. J. LEROY JOHNSON. Mr. Chairman, what I have to say will be in part a repetition, but I think I can make one point that has not been stressed in fact today. There seems to be an idea that by bidding up the amount of money that we propose to pay these soldiers, we can buy their good will.

Mr. Chairman, the soldiers are not unreasonable. They were not in the last war, and will not be in this war. I emphasize what has been repeated here by every single speaker, that all this money is for is to give the soldiers and the sailors a chance to get from the uniform into overalls to go to work. If we can help that man provide a way to get a living, to get a job, it will do him a hundred times more good than we can do by giving him any amount of money. We should give a reasonable amount, and I believe the amount proposed in the bill, namely $300, is reasonable.

There seems to be a prevailing opinion that this Congress has not done anything for the soldiers of this war.

I recommend to every single Member sitting in the House today to read the interim report of the subcommittee of our committee prepared by the gentleman from California [Mr. COSTELLO]. It lists the various benefits the soldiers of this war are entitled. Numerous benefits and more will be provided by this Congress if they are required.

I emphasize this one benefit: We passed in this Congress the finest vocational training law ever adopted in the United States. After 25 years of experience in the Federal Government with vocational training, and with vocational training in the States, we were in position to write a law that is the finest law that has ever been on the books anywhere. If that law is carried out according to its spirit and intent, you will do every soldier who gets the benefit of it a hundred times more good than you will do by giving him any amount of money. We will teach him to become vocationally efficient, and you will show the way by which he can get a job, and hold it, and climb up the ladder of success. In that way you will give him a benefit that will stay with him from the day he starts until the time he dies. Vocational efficiency is the key to success in the free enterprise system.

I mention one other matter that I think is of importance to the servicemen of this country. There is pending in our committee and in other committees a law concerning the termination of contracts, which is a very complicated problem. If we do not find a way whereby we can unfreeze the productive forces now engaged in producing war matériel we may bog down our whole economic system in this country, and it is just as important or more so to the soldier in this war that we find a fair way to unscramble the productive forces engaged in making munitions of war and implements of war and get them back on a peacetime basis as fast as we can, as any law that we can pass for the benefit of the soldier.

If we do not do a good job in that particular situation, no matter how much money we can give to the soldiers, we will not give them any lasting benefit. By reviving promptly the productive forces of our country after the war is over we will provide the jobs that the returning veterans deserve.

Another matter is the matter of adjusted compensation. We must realize that it is much better to wait until the soldiers of this war get back out of the Army and give us their ideas of what they think they ought to have. They are going to be restless, just as we were, and when they hear of the big profits and the high wages paid the people at home, when they get back, we will have a demand for some sort of adjustment in the compensation of the soldiers of this war, and I think the Congress will make a very fair adjudication of that matter when the time comes.

I endorse the suggestion made by the gentleman from Louisiana [Mr. BROOKS] that perhaps we ought to make an overall study of the whole veterans' problem. To me that has not yet been done, and we should provide the means to do it. This Congress has done a lot for the soldiers, and this bill is a very decent, fair, and just bill, and it covers the situation we are trying to cover, namely, that we want to give the soldiers a little help during the transition period from the day he leaves the Army until he gets on the pay roll, where he will make a living for himself and his family.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. SHORT. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. TOWE].

Mr. TOWE. Mr. Chairman, I have received some mail from veterans who have retired which indicates that they have in their minds the question of whether or not, having served abroad, they are entitled to mustering-out pay. As I read the third paragraph on page 6 of the bill, it appears to me that those who have served abroad who have been voluntarily retired, are entitled to mustering-out pay and I would like, if I am correct in that conclusion, to have the gentleman from Ohio [Mr. ELSTON] confirm it.

Mr. ELSTON of Ohio. Mr. Chairman, I say to the gentleman that he is correct in that. At least this section provides that those members of the armed forces who have voluntarily retired from the service after a period of service in the United States are not entitled to mustering-out pay, but those who were in service outside of the United States are entitled to it.

Mr. SHORT. I yield now to the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PHILBIN. Mr. Chairman, the principle of mustering-out pay as embodied in this bill seems to me to be sound and unanswerable. Even now before the war is over, an amazing number of our young men have for some reason or other already been discharged from our armed services. Very many of them have returned to their home communities disabled, sick, unadjusted, and unemployed. Often in need of funds to reestablish themselves in civilian life, pending the time when they secure jobs, many of them will never be able to work again. Many more will have to await a long period of recuperation and recovery before they can resume employment.

Mustering-out pay will be of inestimable help to all these boys. It will give to the disabled, the wounded, the mentally sick or otherwise incapacitated veterans badly needed funds to tide them over the waiting period until the Veterans' Administration adjudicates their claims. It will give to all others, entitled under the salutary provisions of the bill, financial means to carry them across the difficult bridge between military and civilian life and provide for them until they are once again restored to adequate civilian employment.

Measures like this, which entail considerable expenditure of Government money, invariably meet with some protest that the United States Treasury cannot stand the burden of expenditure. I think that most of us have a full recognition of the urgent need of cutting down and minimizing Government expenditures, but are unwilling to commence that process by denying to our worthy veterans reasonable and generous provisions for their care, treatment, hospitalization, and reestablishment in civil life. I think we are all agreed that we

must be liberal and generous in all the allowances intended to benefit our returning veterans.

As compared with those who remain behind in war industry, receiving bountiful and skyrocketed wartime wages, our service boys have made bitter sacrifices. Not only have they left their homes and families, not only have they left highly paid jobs, lucrative professions and callings, but in large numbers they have faced and suffered the shot and shell of our brutal enemies. They have known the true meaning of patriotic sacrifice and they have rendered conspicuous, unselfish service to their country.

True, we cannot measure these sacrifices and these services in terms of monetary or material value. That would be impossible because the urge of patriotism, love of country, and willingness to fight and die, if necessary, to preserve our cherished institutions spring from the deepest wells of our noblest human emotions. But we can endeavor, in some small way, as we seek to do, in part, by the enactment of this measure, to demonstrate the fact that this Congress and the American people are not only willing but determined that every measure of national appreciation and national gratitude is shown to those who have offered their all in unstinted, unremitting fashion, so that our country may be preserved and so that our democratic institutions may be insured present and future security.

These boys have given uncomplaining and unrestrained service. For our part, we cannot permit them to be in need of funds when they return home. We must provide them with the means to readjust and reestablish their due and proper station in life, to resume their occupations, and to get in a position where they can take care of themselves and families.

Thus in yielding up a truly generous portion of our national treasure for these well-justified ends, we must have ever before us the thought and the recognition that while mustering-out pay, bonuses, vocational education, and other benefits are necessary, judicious, and wise, that the best service and the best repayment we can give to these boys is to arrange our national economy so that when this war is over they will return to a nation strong in heart, strong in fiber, strong in physical strength and resources, where they can obtain jobs at decent wages under the same system of free enterprise they left behind, which will permit them to enjoy in a fair, just, and generous measure the benefits of democracy and freedom and the rich fruits of American industry, American free opportunity, and American initiative.

Mr. SHORT. Mr. Chairman, I yield 5 minutes to the gentleman from North Dakota [Mr. LEMKE].

Mr. LEMKE. Mr. Chairman, I find no fault with those Members who disagree with me, but I must confess that I have heard all of these arguments against a rational mustering-out pay bill during the bonus debates years ago. They are just a repetition.

Permit me to say in the beginning that in legislation of this kind we are not concerned particularly with individual cases, but with the law of average. I am not concerned with funeral expenses, because the dead cannot appreciate those, although the living relatives may get comfort out of that. I am more concerned with those who are still alive, with the human element that enters into their cases.

I am also aware that our Nation has done more for its soldiers than any other nation, but we also have done more for all of our citizens, and that is not a fair comparison. It is not a fair comparison to say that we treat our soldiers better than Japan treats hers, or than China treats hers. That is no reason why we should not treat American soldiers according to the American standard of living.

That is not the question. The question is, What are we able to do and what have our soldiers a right to demand from us in comparison with those of us who stay at home and let the soldiers do the fighting? My good friend from California seems to begrudge the fact that a member of his own committee asked $1 a day additional pay for the servicemen. Does he forget that he is also a public servant, and I will admit a good one? Does he not know that he is being paid $27.77 a day for his services? Why then should he begrudge a dollar a day to the men who are fighting so that his Government may continue his employment at $27.77 a day?

I am fully aware also that this is just a mustering-out bill. Therefore we have provided in the amendment that I am going to offer, representing some 50 Members of Congress, that we should muster them out at $100 if they have been in service less than 30 days. No Member of Congress can object to that. Then in this amendment we have added an additional 3 months' pay for those who have served over 30 days but less than 3 months; and an additional 6 months' pay for those who have served over 3 months but less than 6 months; and an additional 9 months' pay for those who have served 6 months but less than 9; and, finally, an additional 12 months' pay for those who have served 9 months or more.

The amendment provides that this be done at the rate of $50 a month, because many of the veterans themselves have asked that; that is, those from whom we have received letters. They do not want it in a lump sum because they want it so they can continue to support themselves until they get back into actual civilian life.

That I am sure is the better way. The difference between our bill and the committee bill is this. We agree with them that a certain number are not to receive more than $100 mustering-out pay. Then we provide for additional monthly payments of $50. These payments to continue for 3 to 12 months, depending upon the length of service. Our minimum is $100. Our maximum is $700. Surely that is not too much to muster out the men and women who have been in the service for 9 months or more.

Again permit me to suggest that this is not a question of getting votes. I am very sorry if there is any Member here that considers that. This is a question of doing justice to the American veteran. The suggestion has been made that some have received no letters from the veterans of World War No. 2. If you have not, it is because the veterans thought you were too tough to consider it. I have received hundreds of letters and if you have any doubt of that come to my office and I will show them to you.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHORT. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA. Mr. Chairman, I fully appreciate that the membership of the House has been rather completely advised by the membership of the Committee on Military Affairs about this bill. Personally I heartily concur and agree with what the gentleman from Massachusetts [Mr. CLASON] had to say with reference to section I, subsection (3), on page 6 of the bill.

In that language a very unfair discrimination is made against those men who were more than 38 years of age and who were inducted into the service or enlisted in the service and who were subsequently discharged. I shall certainly support a motion to strike from the bill that subsection.

I have not heard any discussion today upon another group of those who are affected by this bill. You will recall that in this war we have passed an 18-year-old draft bill. You have taken into the service by enlistment or draft literally thousands and hundreds of thousands, and I suppose it will exceed a million, of students, some of them even from the high schools and even some of them, many of them, from the colleges, who have anywhere from a year in high school or part of a year, or who may have 3 or 4 or 5 years of college, if they are taking a professional course, who are not being given a great deal of consideration in this bill. I do not know whether the membership of the House is interested—but I hope it will be.

Mr. SCRIVNER. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

Mr. SCRIVNER. Would the gentleman be interested in knowing that the Committee on World War Veterans' Legislation is interested in considering just that type of legislation for the benefit of those men?

Mr. O'HARA. I am very interested and I thank the gentleman.

Mr. SCRIVNER. We are now holding hearings on that very subject.

Mr. O'HARA. I think you must consider you have a group in these students who are going to be a lost generation, if you please, unless we think about that very subject, because they will come back out of this war, and I recall rather distinctly I was one of those who had to finish college training after the last war. I had a year of college left to complete my course, and if someone had come along and offered me a good job at $100 a month the chances are I would have taken that job and never finished my professional education.

But I do want to call your attention to the fact of the terrific readjustment

that all of these veterans make. But do not forget the difficult decisions and the difficult age of these youngsters of 18, 19, 20, 21, 22, and 23 years of age who may have spent some 3 years and maybe 4 and maybe 5 years away from the classroom before they get back, and who have got to make a decision as to whether they are going back to school or whether they are going to marry and settle down, or just what road they are going to take. I am very happy that the Committee on Veterans' Affairs is further considering that subject because we have considered so far the man who has been injured in a physical way, or we are considering the readjustment of the man who is coming back to get a job, which is a serious problem. But I still say to you if we are going to think of the coming generation we had better think also of these youngsters.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

Mrs. ROGERS of Massachusetts. The gentleman knows a great many of the veterans have been discharged because of nervous disability and many of them have been declared not to be of service origin.

Mr. O'HARA. That is correct.

Mrs. ROGERS of Massachusetts. That creates another great problem for these men.

Mr. O'HARA. It creates a tremendous problem and one which we must face and face fairly, honestly, and decently.

Mrs. ROGERS of Massachusetts. That is why this money will be of help to them until they make up their minds.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHORT. Mr. Chairman, I am happy to yield the remainder of my time, 9 minutes, to the learned jurist and distinguished and able chairman of the Committee on the Judiciary, the House philosopher, the gentleman from Texas, Judge SUMNERS.

Mr. SUMNERS of Texas. Mr. Chairman, I appreciate very much the courtesy of my distinguished friend and colleague the gentleman from Missouri [DEWEY SHORT], who delivered in this Chamber today one of the most eloquent, statesmanlike speeches that has been delivered here in my time.

I was here during the First World War. I saw then on occasions, demonstrations of ability, courage, and practical, sound judgment, when circumstances challenged the Members to forget that there was any dividing line between the Democrats and the Republicans in this Chamber. That spirit is in this Chamber today. From what I hear from our fighting forces, our boys have matured very rapidly under the influence of danger and responsibility. Their judgments have developed. They are concerned to come back to a country worthy of their suffering and their sacrifice. They have a right to expect us more firmly to establish and preserve for them the opportunities of free government when they come home, those who do come home. We know, and they know, that every dollar that will be authorized from this time forward by such legislation as is here pending and all other appropriations, these soldiers and others of their generation and their children are going to have to pay. We of this generation are not going to pay these billions of dollars already owing by this Government. All of this talk about what we are giving them is just funny. If we add another increase to this army of administrators and bosses of the people, they will have to pay that too. Then they have got to pay the interest on these debts. We are the trustees of our soldiers in these appropriations. Our faces are going to be mighty red when they ask us how it came about that we incurred some of these debts—avoidable debts,, some of them, which got political advantage for us maybe—and then we charged the debts up to them.

We may have fooled their daddies, but we are not going to be able to fool the sons by scattering money around which we have borrowed on their credit. Our boys are dying now in the jungles of southern seas because, when we ought to have been exercising caution, we were strutting our stuff, saying we could "whip Japan before breakfast." Egotism breeds incaution. Incaution breeds disaster like that at Pearl Harbor that Sunday morning. We have not yet acquired the solidarity which comes with the consciousness of a common danger.

Donald Nelson had something to say in the papers this morning about the lack of unity, the lack of oneness-of-purpose, of the American people. This Congress, by its attitude, can do much to straighten that thing out. Deep lines of cleavage run through the whole internal structure of our people, still struggling for private profits and private gains. Cleavages are everywhere. Failure of the American people to rectify these weaknesses makes it impossible to give our men the strength which only unity of effort and singleness of purpose can give. That failure cannot be answered by appropriation of money—money which these boys will have to pay. These professions of interest and concern, which increase as we approach the election, are not a good sign. These soldiers know it. These men and women do not want to come back to be coddled by an army of coddlers who are living off of them while they coddle. They want to come back as free men and women, to free opportunity in a free country. Lots of things will have to be done. They know that the money spent they will have to pay. They have a right to expect economy in expenditures and to be protected against the hazards of inflation or repudiation resulting from any reckless piling up of a debt beyond their capacity to pay. These are the things which, if we will do them, will win for us the respect and confidence of these soldiers.

I am proud of this committee. Two fine Texas men are members of it. I have asked for the opportunity to speak these words of appreciation in behalf of the committee. I believe I express the sentiment of the Army and the Navy personnel. During World War No. 1 I saw Mr. James Mann, Republican leader, come to the well of the House and Democrats were in control, but this aisle did not separate the Democrats and Republicans then. This aisle does not separate Members of this House today.

The CHAIRMAN. The time of the gentleman from Texas [Mr. SUMNERS] has expired.

All time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That (a) except as provided in subsection (b) of this section, each member of the armed forces who shall have been engaged in active service in the present war, and who is discharged or relieved from active service under honorable conditions on or after December 7, 1941, shall be eligible to receive mustering-out payment.

(b) No mustering-out payment shall be made to—

(1) any member of the armed forces who, at the time of discharge or relief from active service, is receiving base pay at a higher rate than the base pay of the third period as prescribed in section 1 of the Pay Readjustment Act of 1942, as amended;

(2) any member of the armed forces who, at the time of discharge or relief from active service, is transferred or returned to the retired list with retirement pay or to a status in which he receives retirement pay;

(3) any member of the armed forces for any active service performed prior to the date of his discharge or relief from active service to accept employment or, in the case of any member so relieved from active service, for any active service performed prior to the date of his discharge while in such inactive status, unless he has served outside the continental limits of the United States or in Alaska;

(4) any Air Corps Reserve officer who is entitled to receive a lump-sum payment under section 2, as amended (55 Stat. 240), of the act of June 16, 1936;

(5) any member of the armed forces whose total period of service has been as a student detailed for training under (A) the Army specialized training program, (B) the Army Air Forces college training program, or (C) any similar program under the jurisdiction of the Navy, Marine Corps, or Coast Guard;

(6) any member of the armed forces for any active service performed prior to the date of his discharge from such forces for the purpose of entering the United States Military Academy, the United States Naval Academy, or the United States Coast Guard Academy;

(7) any member of the armed forces whose sole service has been as a cadet at the United States Military Academy or the United States Coast Guard Academy, or as a midshipman at the United States Naval Academy, or in a preparatory school after nomination as a principal, alternate, or candidate for admission to any of said academies; and

(8) any commissioned officer unless he is discharged or relieved from active service within 3 years after the termination of the present war as proclaimed by the President.

Mr. PLOESER. Mr. Chairman, I offer a substitute for the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. PLOESER: Strike out all of the committee amendment and insert the following as a substitute therefor:

"That (a) subject to the provisions of section 2, each individual who shall have served in the land or naval forces of the United States at any time during the period beginning December 7, 1941, and ending on the date of the termination of the present war

as proclaimed by the President, and who shall have been separated from such service under honorable conditions or released from active duty—

"(1) shall be paid discharge or mustering-out pay to persons who shall have been in active service during the present war for more than 12 months, shall be in the sum of $400; to persons who shall have been in the active service during the present war for less than 12 months but for more than 6 months, shall be in the sum of $300; to persons who shall have been in the active service during the present war for less than 6 months but for more than 3 months, shall be in the sum of $200; to persons who shall have been in the active service during the present war for less than 3 months, shall be in the sum of $100. One hundred dollars of such pay shall be paid to all eligible persons at the time of separation from active duty by the Secretary of War to those who have served in the Army of the United States, and by the Secretary of the Navy to those who have served in the United States Navy, United States Marine Corps, and the United States Coast Guard. The remaining amount, if any, shall be paid in monthly installments of $100 each by either the Secretary of War or the Secretary of the Navy."

"(b) Members of the armed forces entitled to discharge or mustering-out pay who shall have been separated from active duty under other than dishonorable conditions before the effective date of this act shall receive the first installment or lump-sum payment, whichever may be applicable of their mustering-out pay 1 month after the effective date of this act.

"(c) If any member of the armed forces, after his separation from active duty, shall die before receiving the full amount of the discharge or mustering-out pay payable to such person, the amount which he or she would have received had he or she lived shall be payable to the surviving widow or widower, and if no surviving widow or widower, then to the child or children, equally divided, and if no surviving widow or widower, or child or children, then to the surviving parent or parents in equal shares.

"(2) shall be paid each month, during a succeeding period to that provided by payments referred to under subsection (a) (1) and not to exceed a total period of 12 months, extended discharge or mustering-out pay consisting of the sum of $60.

"(b) The period of 12 months referred to in subsection (a) (2) shall commence on the date of separation from service or release from active duty, or on the date of the enactment of this act, whichever is the later.

"SEC. 2. (a) All payments provided for by this act shall be made by check. Each check covering extended pay shall include, as a part thereof, a form of voucher suitable for use by the payee in giving information under oath as to his income during the month covered by such check.

"(b) The payee of any check covering extended pay shall fill out and execute the voucher on such check so as to state under oath the amount of his income for the month covered by such check, and such check may be cashed only if such voucher is so filled out and executed. The amount of the check covering extended pay for the next month shall be reduced by the amount of income stated in such voucher. In the event that, due to the amount of income stated in any such voucher, the individual is not entitled to any extended pay for the next month, no further payments of extended pay shall be made to such individual; except that, if thereafter his income for any month is less than the extended pay provided for in his case under section 1 of this act, he may apply for extended pay covering such month, stating in such application under oath his income for such month, and payment to him of extended pay shall thereupon be resumed, appropriate deduction being made on account of such income. No deduction shall be made from the amount of the extended pay of any individual for the first month of the 12-month period referred to in section 1.

"(c) Failure to require identification of any individual for whom any check issued under this act is cashed shall not relieve the United States of liability for payment of such check.

"(d) Payments provided for by this act shall be made, as far as practicable, without the individual entitled thereto being required to make application therefor, but in the case of individuals separated from service or released from active duty prior to the enactment of this act, and in any other cases where the making of an application is necessary, application shall be made in such form and manner as may be required by regulations which shall be prescribed jointly by the Secretary of War and the Secretary of the Navy.

"(e) As used in this section, the term 'income' means income from any source, exclusive of amounts received pursuant to the provisions of this act.

"SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act. The Secretary of War and the Secretary of the Navy shall administer this act within their respective services."

Mr. MAY. Mr. Chairman, I make a point of order against the substitute amendment on the ground that it is not germane to the pending bill.

The CHAIRMAN. Does the gentleman from Kentucky wish to be heard on the point of order?

Mr. MAY. The objection to the amendment lies on the ground of germaneness. Not only does the bill extend the pay of Army personnel but it also constitutes what in essence is an amendment to the income tax law and to the compensation statute.

The CHAIRMAN. The point of order is overruled.

The gentleman from Missouri is recognized for 5 minutes.

Mr. PLOESER. Mr. Chairman, I ask unanimous consent that I may proceed for 10 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. PLOESER. Mr. Chairman, the difference between the bill I have offered as a substitute to the committee bill and the committee bill is found basically in two categories. The first, the mustering-out-pay provision, the lump-sum-payment provision, differentiates in amount according to length of time in the service. The committee bill states that everybody who has served over 60 days, or 61 days or more, shall receive the amount of $300, $100 to be paid at the time of discharge and $100 in each of 2 succeeding months. My bill is almost identical to that recommended by the American Legion with the exception of the upper bracket of $500, which has been deleted. Those who have served over 12 months are to receive an amount of $400, $100 to be paid at the time of discharge, and the remaining portion in payments of $100 for 3 succeeding months. Those who have served for more than 6 months would get $300 payable in the same fashion; and those who have served more than 3 months but not more than 6 would get $200 in the same fashion. Those serving under that length of time would get $100. This provides a more equitable adjustment of payment.

In the matter of dollars and cents there is no one who can accurately estimate what either this bill or the committee bill will cost, but from the averages I am inclined to believe after considerable study that my bill will cost in total dollars and cents less than the committee bill, because the committee bill pays everyone who has served 61 days or more $300.

The second feature of my bill to me is the most important thing to be considered regarding these veterans. What these veterans will want, what they now want, is a job. They believe, and I believe, and I hope all the Members of this House believe, that they are entitled to some sort of economic assistance which will bridge the gap for them from the date of discharge to the moment of employment. This substitute provides that after these other payments have been made and in the most extreme case, at the conclusion of 3 months they shall go on extended pay of $60 a month, the over-all maximum period for all the provisions of the bill being 12 months. After the first month of the $60 payment their income would be deductible automatically in the provisions I have made in the bill without the necessity of setting up any great new bureau or system of bookkeeping. This arranges the $60 per month extended-pay feature in such a manner as to make it terminable with remunerative employment. This thing is not guesswork, this is the result of 2 years' study and inquiry regarding means for the simplification of a method of unemployment compensation insurance. I would prefer, but I thought it not germane, that other allowances might be made in accordance with the existing law by dependencies.

Thinking this feature of the Ploeser bill, H. R. 3911, not germane, I have not introduced it as a part of this substitute. If and when a man earns an income equal to the $60, he automatically goes off the roll. If 3 months is all that is necessary to get him into employment, he does not become a beneficiary of this $60-a-month extended pay. If it takes 4 months, he does have a limited period of time. If it takes 12 months, he at least ends up the remaining period with subsistence of some nature, not great, low enough to be an incentive to go to work but sufficiently high to care for him. Surely that is not asking too much. If a man becomes unemployed after he is taken off the rolls and within 12 months from discharge, he may be reinstated by application.

The great problem is not how much are you going to give the veterans when they get out of the service. The basic and most important problem before this Congress is, How are you going to bridge the gap between discharge and job? On the other hand, how are you going to bridge the gap between discharge and

the beginning of disability compensation? It would work in the same fashion for disability compensation.

It is easy enough to say that we are going to so improve the detail of the Veterans' Administration and that every man at the date of discharge will immediately receive his disability compensation. As a matter of fact, it is reported in testimony taken by the World War Veterans' Committee of General Hines that there have been 222,000 applications for disability compensation filed since Pearl Harbor but only 119,000 of them have been adjudicated. One hundred and three thousand have not been acted upon. General Hines said that the great problem is personnel; that he cannot get enough medical personnel needed to man the necessary number of rating boards. Some have offered the solution that we not discharge these men until discharge allowance is adjudicated, but these men will want to get out of the Army and Navy. They do not want to be on furlough. Furloughs are not conducive to jobs. They want to be discharged. This provision would bridge the gap between discharge and job, between discharge and disability in a reasonable, respectable manner, and in a comparatively easy fashion from the standpoint of administration of the enormous amount of detail which is going to be necessary.

Mr. McCORMACK. Will the gentleman yield?

Mr. PLOESER. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I do not want to interfere with the gentleman's argument, but in view of what the gentleman said about the difficulty of getting medical men on rating boards, I would like to make an observation.

Mr. PLOESER. I merely quoted General Hines.

Mr. McCORMACK. I think the gentleman is correct. I have obtained information today which in my opinion should be interesting to the Members of the House that there are plans under way to have a hundred of the commissioned officers of the Navy assigned to the rating boards for rating purposes.

Mr. PLOESER. I think that is splendid, but we still have an enormous task ahead of us.

Mr. McCORMACK. There is no question about that. I am simply making the observation for information and not to interrupt the gentleman in his speech.

Mr. PLOESER. I thank the gentleman.

Mr. ELSTON of Ohio. Will the gentleman yield?

Mr. PLOESER. I yield to the gentleman from Ohio.

Mr. ELSTON of Ohio. I would like to ask the gentleman if his bill recognizes any of the groups that are exempted from payment of mustering-out pay in the committee bill.

Mr. PLOESER. The bill does not represent any differentiation except that every man who is discharged other than dishonorably would qualify to receive these benefits. I would not object to an amendment eliminating students.

Mr. ELSTON of Ohio. Under the gentleman's bill, even students who did nothing but attend school would be entitled to the compensation provided?

Mr. PLOESER. If they are members of the enlisted personnel. It would be limited because of length of service. It must be remembered that the purpose of the bill is to bridge an economic gap. There is nothing in the substitute which I have offered nor is there anything in the committee's bill which is designed to attempt to compensate men for their service in the war. Our problem is to get them back to employment and to keep them out of the bread lines and to do it in a decent, respectable way. It does not matter where a man has served, the same economic problem confronts him when he is discharged.

Mr. HINSHAW. Will the gentleman yield?

Mr. PLOESER. I yield to the gentleman from California.

Mr. HINSHAW. While the substitute was being read, I think I heard that the military personnel discharged must have been discharged under honorable conditions. Everyone here knows that there is a blue discharge that is not honorable, neither is it dishonorable, yet those with a blue discharge are as much entitled to compensation, in my judgment, as are any of those who received the full honorable discharge.

Mr. PLOESER. My judgment is the same as the gentleman's. The substitute reads: "From such service under honorable conditions or released from active service." So the man with a blue discharge would come under the provisions of this bill.

Mr. HINSHAW. I hope it does take in the blue discharge. I know boys who have received blue discharges for medical reasons which were no fault of the boys whatsoever.

Mr. PLOESER. Yet they have had an economic disturbance caused by their induction into the service.

Mr. HINSHAW. That is quite right.

Mr. PLOESER. And they are entitled to that bridge over the economic gap which is likely to exist for some period of time.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MAY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. SMITH of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill S. 1543, to provide for mustering-out payments to members of the armed forces and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial published in the New York Daily News.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. KENNEDY]?

There was no objection.

VETERANS' LEGISLATION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for one-half minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts [Mrs. ROGERS]?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, it has been stated this afternoon that there should be a comprehensive study made of the veterans' needs and legislation provided for that purpose. I may say that the World War Veterans' Legislation Committee is considering a very comprehensive plan suggested by the American Legion and other veterans' organizations have been heard concerning a program of veterans' security.

I ask unanimous consent that the bill which the American Legion requested the chairman of the World War Veterans' Legislation Committee to introduce and of which I was requested to introduce a duplicate bill may be included in the RECORD as a part of my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts [Mrs. ROGERS]?

There was no objection.

The matter referred to follows:

A bill to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans

Be it enacted, etc., That this act may be cited as "The Servicemen's Aid Act of 1944."

TITLE I

CHAPTER I—HOSPITALIZATION, CLAIMS AND PROCEDURE

SEC. 100. The Veterans' Administration is hereby declared to be and is hereby constituted an agency of the United States vital and essential to the successful prosecution of the present war, and as such agency the Veterans' Administration shall be entitled, second only to the War and Navy Departments, to priorities in personnel, equipment, supplies, and material under any laws, Executive orders, and regulations pertaining to priorities, and in appointments of personnel from civil-service registers the Administrator of Veterans' Affairs is hereby granted the same authority and discretion as the War and Navy Departments and the United States Public Health Service.

SEC. 101. The Administrator of Veterans' Affairs and the Federal Board of Hospitalization are hereby authorized and directed to expedite and complete the construction of additional hospital beds for war veterans, and to enter into agreements and contracts for the use of permanently constructed Army and Navy hospitals by the Veterans' Administration after cessation of hostilities and after such institutions are no longer needed by the armed services; and the Administrator of Veterans' Affairs is hereby authorized and directed to establish regional offices, suboffices, branch offices, contact units, or other subordinate offices in centers of population where there is no Veterans' Administration facility, or where such facility is not readily available or accessible.

SEC. 102. The Administrator of Veterans' Affairs and the Secretary of War and Secretary of the Navy are hereby granted authority to enter into agreements and contracts for the mutual use or exchange of use of hospital and domiciliary facilities, supplies, equipment, and material as may be needed to operate properly such facilities, except that at no time shall the Administrator of Veterans' Affairs enter into any agreement which will result in a reduction of Veterans' Administration hospital and domiciliary beds below

the number now established or approved, plus the estimated number required to meet the load of eligibles under laws administered by the Veterans' Administration, or in any way subordinate or transfer the operation of the Veterans' Administration to any other agency of the Government.

SEC. 103. The Administrator of Veterans' Affairs shall have authority to place officials and employees designated by him in such Army and Navy installations as may be deemed advisable for the purpose of adjudicating disability claims of, and giving aid and advice to, members of the Army and Navy who are about to be discharged from military service.

SEC. 104. No officer or enlisted man or woman shall be discharged or released from active duty until his or her certificate of discharge or release from active duty and final pay, or a substantial portion thereof, are ready for delivery to him or her or to his or her next of kin or legal representative, and no wounded, diseased, or handicapped member of the active armed forces shall be released from active service until and unless adequate provisions are made for him or her under the laws and regulations administered by the Veterans' Administration.

SEC. 105. No officer or enlisted man or woman suffering from disease or injury shall be required to sign a statement of any nature relating to the origin, incurrence, or aggravation of such disease or injury or any other statement against the interest of the officer or enlisted man or woman. In the adjudication of any claim against the United States of such officer, enlisted man or woman, all Government agencies are hereby authorized and directed to disregard and to hold for naught any such statements heretofore signed by such officer, enlisted man or woman.

CHAPTER II—AID BY VETERANS' ORGANIZATIONS

SEC. 200. That upon certification to the Secretary of War or Secretary of the Navy by the Administrator of Veterans' Affairs of accredited representatives of the veterans' organizations specified in section 200 of the act of June 29, 1936, Public Law No. 844, Seventy-fourth Congress, and each other organizations recognized by the Administrator of Veterans' Affairs thereunder in the presentation of claims under laws administered by the Veterans' Administration, the Secretary of War and Secretary of the Navy are hereby authorized and directed to permit the functioning of such accredited representatives in military or naval installations from which persons are discharged from the active military or naval service.

SEC. 201. The necessary regulations shall be promulgated to accomplish the purpose of the foregoing paragraph and in the preparation of such regulations the national officer of each of the recognized organizations responsible for claims and rehabilitation activities shall be consulted. The commanding officer of the military and naval installations shall cooperate fully with such authorized representatives and shall provide any necessary space and available equipment for such representatives.

CHAPTER III—REVIEWING AUTHORITY

SEC. 300. The discharge or dismissal of any person from the military or naval forces on the ground that he or she was guilty of mutiny, treason, spying, or any offense involving moral turpitude or willful and persistent misconduct of which he or she was found guilty by a court martial, or that he or she was a conscientious objector who refused to perform military duty or refused to wear the uniform, or a deserter, shall bar all rights under any laws administered by the Veterans' Administration: *Provided*, That in case any person has been discharged or dismissed from the military or naval forces as a result of a court martial trial, and it is thereafter established to the satisfaction of the Administrator that at the time of the commission of the offense resulting in such court martial trial and discharge such person was insane, such person shall be entitled to benefits in accordance with the laws administered by the Veterans' Administration.

SEC. 301. The Administrator of Veterans' Affairs is hereby authorized and directed to confer with the Secretary of War and the Secretary of the Navy for the purpose of establishing boards of review in the War and Navy Departments composed of five members each whose duties shall be to review, upon the request of a former officer or enlisted man or woman, the type and nature of his or her discharge or release from active duty. Such review shall be based upon all available records of the service department relating to the person requesting such review, and such other evidence as may be presented by such person. Witnesses shall be permitted to present testimony either in person or by affidavit and the person requesting review shall be allowed to appear before such board in person or by counsel: *Provided*, That the term "counsel" as used in this section shall be construed to include, among others, accredited representatives of veterans' organizations recognized by the Veterans' Administration under section 200 of the act of June 29, 1936, Public Law No. 844, Seventy-fourth Congress. Such board shall have authority to change, correct, or modify any discharge or release from active duty in accord with the facts presented to the board.

TITLE II

CHAPTER IV—MUSTERING-OUT OR DEMOBILIZATION PAY

SEC. 400. That any person who served in the active military or naval service at any time after December 6, 1941, and prior to the termination of the present war, who is not dishonorably separated therefrom, upon separation from active service shall be entitled to a monetary grant from the Federal Government to partially alleviate the conditions incident to the transition from service in the armed forces, such monetary grant to be designated as demobilization or mustering-out pay.

SEC. 401. Mustering-out or demobilization pay for persons who shall have been in active service during the present war for 18 months or more shall be in the sum of $500; mustering-out or demobilization pay for persons who shall have been in active service during the present war for less than 18 months but for more than 12 months shall be in the sum of $400; mustering-out or demobilization pay for persons who shall have been in the active service during the present war for less than 12 months but for more than 6 months shall be in the sum of $300; mustering-out or demobilization pay for persons who shall have been in the active service during the present war for less than 6 months but for more than 3 months shall be in the sum of $200; mustering-out or demobilization pay for persons who shall have been in the active service during the present war for less than 3 months shall be in the sum of $100. One hundred dollars of such pay shall be paid to all eligible persons at the time of separation from active duty by the Secretary of War to those who have served in the Army of the United States and by the Secretary of the Navy to those who served in the United States Navy, United States Marine Corps, and the United States Coast Guard. The remaining amount, if any, shall be paid in monthly installments of $100 each by either the Secretary of War or the Secretary of the Navy.

SEC. 402. Members of the armed forces entitled to mustering-out or demobilization pay who shall have been separated from active duty under other than dishonorable conditions before the effective date of this act shall receive the first installment or lump-sum payment, whichever may be applicable, of their mustering-out pay 1 month after the effective date of this act.

SEC. 403. If any member of the armed forces, after his separation from active duty, shall die before receiving the full amount of the mustering-out or demobilization pay payable to such person, the amount which he or she would have received had he or she lived shall be payable to the surviving widow or widower; and if no surviving widow or widower, then to the child or children, equally divided; and if no surviving widow or widower or child or children, then to the surviving parent or parents in equal shares.

TITLE III

CHAPTER V—EDUCATION OF VETERANS

SEC. 500. Subsection (f) of section 1, title I, Public, No. 2, Seventy-third Congress, approved March 20, 1933, as amended, is hereby amended to read as follows:

"(f) Any person who served in the active military or naval forces on or after August 7, 1940, and prior to the termination of hostilities in the present war shall be entitled either to vocational rehabilitation, subject to the eligibility and other provisions and limitations contained in Veterans' Regulation No. 1 (a), as amended, part VII, or education and/or training, subject to the eligibility and other provisions and limitations contained in Veterans Regulation No. 1 (a), as amended, part VIII."

SEC. 501. Veterans Regulation No. 1 (a), as amended, is hereby amended by adding at the end thereof a new part to be known as part VIII, and to provide as follows:

"Part VIII

"1. Any person who served in the active military or naval service at any time on or after August 7, 1940, and prior to the termination of the present war, who is honorably separated therefrom after service of 90 days or more, or if less than 90 days was separated for disability incurred in line of duty, and whose education was interrupted by such service, shall, upon application to the Administrator of Veterans' Affairs, be entitled to continue such education and/or training, including such vocational, professional, and/or technical refresher courses as may be approved by the Administrator of Veterans' Affairs: *Provided*, That while pursuing the training or education approved herein such person shall be entitled to training allowance of $50 for single and $75 for married person each month, but as to a woman veteran it must be shown to the satisfaction of the Administration of Veterans' Affairs that the husband is dependent upon her for support: *Provided further*, That no course of training or education in excess of a period of 4 years shall be approved, nor shall any training under this act be afforded beyond 6 years after the termination of the present war.

"2. The Administrator shall have the power and duty to prescribe and provide suitable education to persons included in the foregoing paragraph, and for such purposes may employ such additional personnel and experts as are deemed necessary, and may utilize and extend existing Veterans' Administration facilities and utilize those of any other governmental agency as well as those maintained by joint Federal and State contribution; and, in addition, he may, by agreement or contract with public or private institutions or establishments, provide for such additional educational facilities as may be suitable and necessary to accomplish the purpose of this title: *Provided*, That the Administrator shall consult with and utilize the services and facilities of the various State departments of education.

"3. The provisions of paragraph 4 of part VII of this regulation shall be applicable to persons while following training or education under this part.

"4. When the course of education or training furnished to any person under this part consists of training on the job by an employer, such employer shall be required to submit monthly to the Administrator a statement under oath showing any wage, compensation, or other income paid by him to such person during the month, directly or indirectly, and based upon such sworn statements the Administrator is authorized to reduce or discontinue the training allowance.

"5. Any person while pursuing education or training under this part who is in receipt of pension or compensation, shall be paid only so much of the monthly training allowance as will, when added to the pension or compensation, aggregate the rate of training allowance which would otherwise be payable in the particular case under this part."

SEC. 502. Paragraph 1 of part VII of Veterans Regulation No. 1 (a), as amended by Public Law 16, Seventy-eighth Congress, March 24, 1943, is hereby amended by deleting the date "December 6, 1941," in the first sentence thereof, and substituting the date "August 7, 1940."

TITLE IV

CHAPTER VI—HOME AND FARM AID TO VETERANS

SEC. 600. Moneys made available for the purpose pursuant to this title shall be used for making advances of money and payments to States—and Alaska, Hawaii, and Puerto Rico, herein referred to as States—which have submitted and had approved by the Administrator of Veterans' Affairs, State plans to enable veterans of World War No. 2 to purchase a home or farm.

SEC. 601. To be approvable under this title, a State plan for enabling veterans of World War No. 2 to purchase a home or farm shall—

(1) designate an agency as the sole agency for the administration, supervision, and control of the State plan;

(2) provide that the State treasurer, or officer exercising similar functions for the State, be appointed as custodian of the funds received under this title from the Federal Government and receive and provide for the proper custody of such funds;

(3) show the plan, policies, and methods to be followed in carrying out the State plan and its administration and supervision;

(4) provide that the right to purchase a home or farm under the plan shall be available only to those certified by the Administrator of Veterans' Affairs to have been separated from active military or naval service of the United States subsequent to August 7, 1940, and prior to termination of the present war under other than dishonorable conditions;

(5) provide such methods of administration as are found by the Administrator of Veterans' Affairs to be necessary for the proper and efficient administration of the plan; and

(6) provide that the State agency will make such reports in such form and containing such requirements as the Administrator of Veterans' Affairs from time to time may require, and comply with such provisions as he may from time to time find necessary to meet the requirements of this title as now enacted or hereafter amended.

SEC. 602. The Administrator of Veterans' Affairs shall approve any plan which he believes to be feasible and which fulfills the conditions and limitations provided in this title.

SEC. 603. The State plan shall include provisions for making a loan to any qualified veteran who is a resident of such State of an amount not in excess of 95 percent of the appraised valuation of any premises desired as a home not in excess of $7,500 or any premises to be used by the veteran as a farm not in excess of $12,500. Title to such premises shall be retained by the agency or the State until the loan, with such interest as may be required, is liquidated, unless the veteran secured the money advanced by a first mortgage or trust on the premises purchased.

SEC. 604. No State plan shall be approved by the Administrator of Veterans' Affairs which does not require the premises purchased be kept in a reasonable state of repair, protected from unnecessary waste, sufficiently insured to cover the State's interests in the premises, and any appurtenances and equipment purchased in connection with said premises, nor shall any plan be approved which does not provide for immediate termination of the State's obligation, under the terms of the purchase agreement if the veteran vacates the premises prior to liuidation of the outstanding indebtedness directly or indirectly assumed by the State.

SEC. 605. A State plan may provide for payment of interest at a rate not in excess of 5 percent on any money advanced through State contribution but may not charge interest in excess of 1 percent of any money advanced through the Administrator of Veterans' Affairs, which latter interest shall be available to defray the expenses of the agency in connection with the purchase and sale of premises and administrative and other expenses of the agency.

SEC. 606. For the purpose of providing funds to carry out the provisions of any approved State plan, the Administrator of Veterans' Affairs is authorized to advance to the State agency such money as the State agency may request, but not in an amount in excess of $4 for every $1 contributed by the State for the purpose of carrying out the provisions of such plan: *Provided*, That if any State is unable to contribute immediately such amount as is required to meet the State's contribution for the purpose of carrying out the plan, the Administrator of Veterans' Affairs may advance such amount that is estimated necessary for any year prior to 1947, on condition that the amount advanced for use in lieu of the State contribution be repaid prior to the close of the State fiscal year ending in 1948.

SEC. 607. Any money advanced to a State under this title shall remain available for carrying out the State plan in the option of any State for a period not in excess of 40 years from the date upon which an advance is first secured, and within such period additional advances may be made to any State upon satisfactory showing to the Administrator of Veterans' Affairs that the State has contributed an amount equal to one-fifth of the amount requested. At the termination of the 40-year period specified in this section, the State shall repay to the Administrator of Veterans' Affairs all money advanced under this title less such amounts as are deductible for losses incurred in operation of the approved State plan. In the event that the veteran fails or refuses to meet the terms and conditions of the contract or agreement of purchase made under the provisions of the approved State plan, the State agency, unless otherwise authorized by the Administrator, shall proceed to foreclose the premises in question and shall apply the net proceeds of the sale in liquidation of the liability of the State with respect to such premises. If the net amount realized by the sale is less than the amount due to the State at the time of liquidation, the State may let the difference between such amounts stand as a credit against the amount to be returned to the Administrator of Veterans' Affairs at the termination of the 40-year period provided in this section, or may secure, upon application and certification to the Administrator of Veterans' Affairs of the amount of such loss, a further advance equal to such amount.

TITLE V

CHAPTER VII—EMPLOYMENT OF VETERANS

SEC. 700. Effective the first day of the month following the date of enactment of this act the duties, powers, and functions vested in the Director of Selective Service by subsection (g) of section 8 of the Selective Service Act of 1940 (Pub. Law 783, 76th Cong., approved September 16, 1940, as amended (U. S. C., title 50, sec. 308)), except as to aid to veterans in the replacement in their former positions, are hereby transferred to the Veterans' Administration. Effective the 1st day of the month following the date of enactment of this act the duties, powers, and functions of the Veterans' Employment Service, War Manpower Commission, under the provisions of the act of June 6, 1933 (48 Stat. 114; 29 U. S. C. 49) (b), without exception, are hereby transferred to the Veterans' Administration. All laws relating to the Employment Division, Selective Service, and governing the functions transferred herein, and the laws pertaining to Veterans' Employment Service, War Manpower Commission, without exception, shall remain in full force and effect, except as herein modified, or hereafter amended by act of Congress, and shall be administered by the Administrator of Veterans' Affairs. The public records and property of the Employment Division, Selective Service, pertaining to the functions transferred herein, and the public records, property, and personnel of the Veterans' Employment Service, War Manpower Commission, are hereby transferred to the Veterans' Administration.

SEC. 701. The Administrator of Veterans' Affairs shall establish not less than one veterans' employment representative in each of the States and territories and the District of Columbia. Each veterans' employment representative shall have sufficient personnel and necessary equipment—

(A) To supervise registration of veterans in local employment offices for suitable types of employment.

(B) To secure and maintain current information as to various types of available employment in public works and private industry or business.

(C) To promote interest of employers in employing veterans.

(D) To maintain regular contact with employers and employment offices and veterans' organizations with a view of keeping employers advised of veterans available for employment and veterans advised of opportunities for employment.

(E) To assist in every way possible in improving working conditions and advance in employment of veterans.

SEC. 702. As a condition to payment of Federal aid under this act, there shall be appointed by the director of the State employment offices in each local employment office in the State, subject to the approval of the Administrator of Veterans' Affairs, one or more veterans' employment representatives who shall be a part of the State organization but be functionally responsible to the veterans' employment representative of the Veterans' Administration for the State. All appointments of veterans' employment representatives, Veterans' Administration, for the States shall be made by the Administrator of Veterans' Affairs in accordance with the Civil Service Classification Act of 1923, as amended: *Provided*, That all executive and supervisory personnel of the Veterans' Employment Service shall be veterans of wars of the United States.

SEC. 703. The Department of Labor, the War and Navy Departments, and the War Manpower Commission and such other employment agencies as may hereafter be provide l shall furnish the Veterans' Administration any records, statistics, or information deemed necessary or appropriate in admin-

istering the provisions of this act, and shall cooperate with the Veterans' Administration in providing suitable and continuous employment opportunities for veterans.

SEC. 704. All unexpended appropriations in respect to the duties, powers, and functions, transferred to the Veterans' Administration under this act, shall become available for expenditure by the Veterans' Administration from the date of transfer under this act, and shall be treated as if the Veterans' Administration had been originally named in the laws making appropriations.

SEC. 705. Failure of State employment offices to cooperate with the Veterans' Employment Service, Veterans' Administration, in the registration and employment of veterans shall be sufficient cause to withhold Federal funds from said office until such time as the State office satisfies the Administrator of Veterans' Affairs that the State has complied with the laws and regulations pertaining to veterans' employment administered by the Veterans' Administration.

TITLE VI

CHAPTER VIII. UNEMPLOYMENT ALLOWANCES FOR FORMER MEMBERS OF THE ARMED FORCES

SEC. 800. (a) Any member of the armed forces of the United States who shall have been separated from active service under other than dishonorable conditions after the effective date of this title or within the 52-week period preceding such date shall be entitled, in accordance with such regulations as the Administrator of Veterans' Affairs may prescribe, to receive an allowance for each week of unemployment, up to 52 weeks, which (1) begins after the effective date of this title and (2) occurs during the 24-month period after final payment of mustering-out or demobilization pay: *Provided*, That no such allowance shall be paid during the 4 weeks following the receipt of mustering-out or demobilization pay, under title II or for any period for which he received educational allowances or any other payments under title III of this act.

(b) Such former member of the armed forces shall be deemed eligible to receive an allowance for any week of unemployment if claim is made for such allowance and the Administrator finds with respect to such week that—

(1) the person is residing in the United States at the time of such claim;

(2) the person is completely unemployed, having performed no services and received no wages, or is partially unemployed in that services have been performed for less than a full workweek and the wages for the week are less than the allowance under this title plus $3;

(3) the person registers with and continues to report to a public employment office, or such other agency as the Administrator may designate, in accordance with regulations of the Administrator;

(4) the person is able to work and available for suitable work: *Provided*, That no claimant shall be considered ineligible in any period of continuous unemployment for failure to comply with the provisions of this subparagraph if such failure is due to an illness or disability which occurs after the commencement of such period.

CHAPTER IX—DISQUALIFICATIONS

SEC. 900. (a) Notwithstanding the provisions of section 800, a claimant shall be disqualified from receiving an allowance if—

(1) he or she leaves suitable work, voluntarily without good cause or is suspended or discharged for misconduct in the course of employment;

(2) he or she, without good cause, fails to apply for suitable work in accordance with regulations of the Administrator or to accept suitable work when offered him or her; or

(3) he or she, without good cause, does not attend a free training course not within the purview of Title III, in accordance with regulations of the Administrator.

(b) Notwithstanding the provisions of section 800, a claimant shall also be disqualified from receiving an allowance for any week with respect to which it is found that his or her unemployment is due to a stoppage of work which exists because of a labor dispute at the factory, establishment, or other premises at which he or she is or was last employed: *Provided*, That this subsection shall not apply if it is shown that—

(1) he or she is not participating in or indirectly interested in the labor dispute which causes the stoppage of work; and

(2) he or she does not belong to a grade or class of workers of which, immeditaely before the commencement of the stoppage there were members employed at the premises at which the stoppage occurs, any of whom are participating in or directly interested in the dispute: *Provided, however*, That if in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each such department shall, for the purposes of this subsection, be deemed to be a separate factory, establishment, or other premises.

(c) (1) If a claimant is disqualified under the provisions of paragraph (1) of subsection (a) of this section, he or she shall be disqualified to receive any unemployment allowance for the week in which the cause of his or her disqualification occurred and for not more than 4 immediately following weeks. In addition, the total number of weeks for which he or she might otherwise be eligible to receive unemployment allowances shall be reduced by the number of weeks for which the claimant shall have been disqualified.

(2) If a claimant is disqualified under the provisions of paragraphs (2) and (3) of subsection (a) of this section, he or she shall be disqualified to receive any unemployment allowance for the week in which the cause of his or her disqualification occurred and for all subsequent weeks until he or she has had substantially full-time employment for wages for a period of not less than 2 weeks or such longer period as the Administrator may prescribe in such case.

(3) In addition to the disqualification prescribed in paragraph (1) above, the Administrator may, in cases of successive disqualifications under the provisions of paragraph (1) of subsection (a) of this section, impose the disqualification provided in paragraph (2) above, when in the estimate of the Administrator such additional disqualification is in furtherance of the purposes of this act.

(d) (1) In determining under subsection (a) of this section the suitability of work or the existence of good cause with respect to a claimant, there shall be considered, among other factors, the degree of risk involved to his or her health, safety, and morals, his or her physical fitness and prior training, his or her experience and prior or probable earnings in his or her customary occupation or one for which he or she has been trained, the length of his or her unemployment, his or her prospects for obtaining work in the customary occupation or one for which he or she has been trained, the distance of available work from his or her residence and prospects for obtaining local work. No work shall be deemed unsuitable for an individual solely because the wages are less than his or her unemployment allowance.

(2) No work shall be deemed suitable if—

(a) the position offered is vacant due directly to a strike, lock-out, or other labor dispute;

(b) the wages, hours, or other conditions of the work offered are substantially less favorable to him than those prevailing for similar work in the locality; or

(c) as a condition of being employed he or she would be required to join a company union or to resign from or refrain from joining any bona fide labor organization.

CHAPTER X—AMOUNT OF ALLOWANCE AND PAYMENT

SEC. 1000 (A) The allowance for a week shall be—

(1) $15 plus

(2) (a) $5 if the claimant has one dependent; or

(b) $7.50 if he has two dependents; or

(c) $10 if he has three or more dependents, less that part of the wages payable to him for such week which is in excess of $3: *Provided*, That where the allowance is not a multiple of $1, it shall be computed to the next highest multiple of $1.

(B) (1) As used in this section the term "dependent" includes only—

(a) the lawful wife of a claimant living with him or receiving regular support from him, or the lawful husband of a claimant if dependent upon his wife for support, who, in the week for which an allowance is claimed, has not received $5 or more either as wages, as an allowance under this title or under any Federal or State unemployment or disability compensation law; or

(b) an unmarried child either (1) under 18 years of age, or (2) of any age, if incapable of self-support by reason of mental or physical defect.

(2) As used in this section the term "child" shall include only—

(a) a legitimate child;

(b) a child legally adopted;

(c) a stepchild, if a member of the claimant's household; or

(d) a child to whom the claimant stands in loco parentis and has so stood for not less than 12 months prior to the date of claim on behalf of such child.

(C) The Administrator may find an individual to be a dependent of a claimant if a claimant certified the facts required by the provisions of this subsection.

(D) Where a child is a dependent of more than one claimant, allowance for the child shall be made only on behalf of one claimant, as determined by the Administrator.

(E) Where a claimant seeks an allowance for a dependent who is separated from him or her under court order or written agreement, the allowance for the dependent shall not exceed the amount fixed in the court order or in the written agreement. If such amount is not fixed at a weekly rate, the portion payable for each week shall be determined in accordance with regulations of the Administrator.

SEC. 1001. (a) Unemployment allowances shall be paid at reasonable intervals prescribed by the Administrator.

(b) Any allowances remaining unpaid upon the death of a claimant shall not be considered a part of the assets of the estate of the claimant, or liable for the payment of his or her debts, or subject to any administration of his or her estate, and the Administrator may make payment thereof to such person or persons he finds most equitably entitled thereto.

CHAPTER XI—ADJUSTMENT OF DUPLICATE BENEFITS

SEC. 1100. Where an allowance is payable to a claimant for a week under this title and where, for the same week, either an allowance or benefit is received under any Federal or State unemployment or disability compensation law or a Federal or State noncontributory benefit is received, the amount received from such other source shall be subtracted from the allowance payable under this title except that this section shall not apply to pension, compensation, or retired pay paid by the Veterans' Administration.

CHAPTER XII—ADMINISTRATION

SEC. 1200. (a) The Administrator of Veterans' Affairs is authorized to administer this title and may, insofar as possible, utilize existing facilities and services of Federal and State departments or agencies on the basis of mutual agreements with such departments or agencies. Such agreements shall provide for the filing of claims for unemployment allowances with the Administrator through establishing public employment offices and State unemployment-compensation agencies. Such agencies, through agreement, may also be utilized in the processing, adjustment, and determination of such claims and the payment of such allowances. To facilitate the carrying out of agreements with State departments or agencies and to assist in the discharge of the Administrator's duties under this title, a representative of the Administrator shall be located in each participating State department or agency.

(b) The Administrator shall prescribe such rules and regulations and require such records and reports as he may find necessary to carry out the purposes of this title: *Provided, however,* That prior to the adoption of any rules and regulations relating to the performances of Federal or State agencies with which agreements have been made, the Administrator may consult and advise with representatives of such agencies as to the provisions of such rules and regulations.

(c) The Administrator may delegate to any officer or employee of his own or of any agency of the Federal Government or of any State, such of his powers and duties, except that of prescribing rules and regulations, as the Administrator may consider necessary to carry out the purposes of this title. The Administrator may require any such officer or employee to give a surety bond to the United States in such amount as the Administrator may deem necessary and the cost of such bond shall be paid out of sums appropriated for the administration of this title.

(d) Allowances shall be paid upon certification by the Administrator. The Secretary of the Treasury, through the Division of Disbursement of the Treasury, and prior to audit and settlement by the General Accounting Office, shall pay, at the time or times fixed by the Administrator to the departments, agencies, or individuals designated, the amounts so certified.

(e) The Administrator shall from time to time, certify to the Secretary of the Treasury for payment in advance or otherwise such sums as he estimates to be necessary to compensate any Federal department or agency for its administrative expenses under this title. Such sums shall cover periods of no longer than 6 months.

The Administrator shall also from time to time certify to the Social Security Board such State departments or agencies as may be participating in the administration of this title. Upon such certification the Social Security Board shall, in addition to the amounts certified under the provisions of section 302 (a) of the Social Security Act, as amended, certify to the Secretary of the Treasury for payment to each State such amounts as the Board determines to be necessary for the administrative expense of such State under this title.

(f) Any money paid to any cooperating agency, person, or institution which is not used for the purpose for which it was paid shall, upon termination of the agreement with such agency, person, or institution, be returned to the Treasury and credited to the current appropriation for carrying out the purposes of this title or, if returned after the expiration of this title, shall be covered into the Treasury as miscellaneous receipts.

SEC. 1201. (a) No person designated by the Administrator as a certifying officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to the payment of any allowance certified by him under this title.

(b) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this title if it was based upon a voucher signed by a certifying officer designated by the Administrator.

SEC. 1202. Any claimant whose claim for an allowance has been denied shall be entitled to a fair hearing before an impartial tribunal. The representative of the Administrator located in each State participating in the administration of this title shall be the final appellate authority in regard to contested claims arising in such State. The decision of the representative shall be subject to review by the Administrator.

CHAPTER XIII—DECISIONS AND PROCEDURES

SEC. 1300. The authority to issue subpenas and provisions for invoking aid of the courts of the United States in case of disobedience thereto, to make investigations, and to administer oaths and as contained in title III of the act of June 29, 1936 (49 Stat. 2033–34, U. S. C. title 38, secs. 131–133), shall be applicable in the administration of this title.

CHAPTER XIV—REQUIREMENT OF REPORTING

SEC. 1400. Any claimant shall report the occurrence of any event which makes him or her ineligible for, or reduces his allowance. Any claimant who fails to report any such event of which he or she has knowledge and who accepts an allowance to which he or she is not entitled because of such event, shall be ineligible to receive an allowance for 4 weeks of unemployment thereafter.

CHAPTER XV—PENALTIES

SEC. 1500. (a) Whoever, for the purpose of causing an increase in any allowance authorized under this title, or for the purpose of causing any allowance to be paid where none is authorized under this title, shall make or cause to be made any false statement or representation as to any wages paid or received for the period during which earned or paid, or whoever makes or causes to be made any false statement of a material fact in any claim for any allowance under this title, or whoever makes or causes to be made any false statement, representation, affidavit, or document in connection with such a claim shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both.

(b) Whoever shall obtain or receive any money, check, or allowance under this title, without being entitled thereto and with intent to defraud the United States shall be punished by a fine of not more than $1,000 or by imprisonment for not more than 1 year, or both.

CHAPTER XVI—DEFINITIONS

SEC. 1600. As used in this title—

(a) The term "week" means such period or periods of 7 consecutive calendar days as may be prescribed in regulations by the Administrator.

(b) The term "United States" used geographically means the several States, the District of Columbia, Alaska, Hawaii, and Puerto Rico.

(c) The term "State" includes the District of Columbia, Alaska, Hawaii, and Puerto Rico.

(d) The term "wages" means all remuneration for services from whatever sources, including commissions and bonuses and the cash value of all remuneration in any medium other than cash.

(e) The term "member of the armed forces of the United States" means any member of the Army of the United States, United States Navy, United States Marine Corps, United States Coast Guard, or any of their respective components.

(f) The term "noncontributory benefit" means a cash benefit, allowance, annuity, or compensation (including payments under any workmen's compensation law) payable by reason of the past employment or services of any individual, under any law or plan of the United States, any State, Territory, or possession, or the District of Columbia, or any political subdivision or instrumentality of any of the foregoing, creating a system of such payments to individuals (including payments made under any such law or plan by private insurance carriers), if with respect to such individual the benefit system is supported without direct and substantial contributions by wage earners.

TITLE VII

CHAPTER XVII—GENERAL ADMINISTRATIVE AND PENAL PROVISIONS

SEC. 1700. Except as otherwise provided in this act, the administrative, definitive and penal provisions under laws administered by the Veterans' Administration shall be for application under this act.

SEC. 1701. The appropriations for the Veterans' Administration are hereby made available for expenditures necessary to carry out the provisions of this act and there is hereby authorized to be appropriated such additional amounts as may be necessary to accomplish the purposes of this act.

EXTENSION OF REMARKS

Mr. CLASON. Mr. Speaker, I received today permission to revise and extend the remarks I made in the course of debate. I now ask unanimous consent to include therein a letter which I received from the executive secretary of the Springfield (Mass.) Post.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. CLASON]?

There was no objection.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein an article by Walter Lippmann.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. WRIGHT]?

There was no objection.

Mr. MERRITT. Mr. Speaker, I ask unanimous consent to make two insertions in the Appendix of the RECORD, in one to include an editorial entitled "A Medal for Nancy," and in the other to include an address by Captain Eaton, of the United States Navy, on the occasion of posthumous award to the widow of the late Lt. Comdr. Arthur A. Loeser, at the annual dinner of the New York Alumni Association of the University of Rochester.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MERRITT]?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD on three different subjects, in two to include a resolution and in the other to include a speech of mine.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a reference to the painting of Lafayette at the Speaker's left.

The SPEAKER. Is there objection to the request of the gentleman from Arizona [Mr. MURDOCK]?

There was no objection.

Mr. ROWAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two subjects, in one to include a speech delivered by Brig. Gen. J. E. Barzynski, commanding general, Chicago Quartermaster depot, at the Polish Day observation of the Fourth War Loan drive at Carson Pirie Scott Co.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. ROWAN]?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in two instances.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in three instances.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CALENDAR WEDNESDAY BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on tomorrow, Calendar Wednesday, be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SURPLUS MACHINE TOOL UTILIZATION

Mr. STARNES of Alabama. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD and include therein a bill which I introduced this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. STARNES of Alabama. Mr. Speaker, I have just introduced for appropriate reference a bill providing for the equitable disposition and maximum utilization of Government-owned surplus machine tools. Although my measure differs in some details from a Senate bill addressed to the same problem, introduced on December 12, 1943, by the Honorable JAMES E. MURRAY, the distinguished junior Senator from Montana, I am happy to associate myself with the perspective and purpose of Senator MURRAY'S bill S. 1609.

We are faced with the problem of the equitable distribution and maximum utilization of the vast number of surplus Government-owned machine tools. One of our first bottlenecks in war production, we now have the greatest supply of machine tools in the world.

Over 700,000 machine tools were produced in this country in the period 1941–43. This compares with 250,000 produced in the decade 1929–39. Our machine tool output in the 1941–43 period totals more than $3,000,000,000. This exceeds the total output in dollar volume for the 2 decades preceding 1941. This tremendous supply of machine tools can stagnate the market and stifle inventive genius unless disposed of in an equitable and orderly manner. Their proper disposition can stimulate industry, provide for the national defense, encourage free enterprise.

The problem of disposing and utilizing the scores of thousands of surplus machine tools accumulated and to be accumulated by the Government during the war effort offers a unique opportunity to the industrial enterprise in the southern and western regions of our great country. Under the impact of iron necessity occasioned by this unprecedented war, many changes will yet be wrought upon the economic face of America. Or perhaps I should say that the war will but accelerate these changes for even before Pearl Harbor the forces of free and independent enterprise in the South and West were fast maturing to the point where they would no longer tolerate their regions being used merely as the sources of raw materials and cheap labor to supply the industrial needs of other regions. For that reason, my measure provides that in disposing of these surplus tools adequate provision be made for establishing and preserving in business the small and intermediate-sized metal-working enterprises which have contributed so splendidly to our war production effort. Loans and advances would be provided for these purposes and preference accorded to the machine-tool needs of war veterans desiring to set themselves up or to maintain a small and independent business. Of course, the retention and replacement needs of Government shipyards, navy yards, shore establishments, and similar installations would have unquestioned priority, but I am reliably advised that the expected surplus will be abundantly in excess of these needs.

Then no less important and as part of the purpose to aid small business enterprise are the uses to which a great part of these machines could be put in our schools and colleges as a necessary means of vocational training and instruction in the sciences connected with machine-tool operation. I have been in touch with the educational authorities in my own State and they assure me that the level of training in these fields would be greatly elevated by making part of these machines available for these purposes. The measure which I have just introduced so provides.

Mr. Speaker, I shall not burden the RECORD with an enumeration of the provisions of this bill except to say that the board which it would establish to administer the scheme of disposal prescribed is to be in no sense a new agency but rather a policy-making body consisting of representatives of existing Government departments connected with machine-tool production besides representatives of the interested industries. Its functions will be to determine, allocate, and dispose of these surpluses in suitable types and quantities and according to the priorities prescribed in section 5 of the bill.

Mr. Speaker, various reports in the press concerning Government plans for the reconversion of business would seem to indicate that this problem of machine tool disposal is to await the promulgation of a so-called over-all plan of reconversion whose pattern will comprehend this and other problems of a particular nature. I have no wish to prejudge or deprecate any top policy which may be arrived at ultimately to govern these enormously important questions nor to embarrass their consideration by the distinguished individuals involved in these reports. But I do submit, Mr. Speaker, that particular conditions affecting the reconversion of particular industries do present particular problems that call for particular legislation and the Congress ought not to abdicate its duty to legislate upon these conditions. Such is the situation in the machine-tool industry which, I need scarcely point out, is the very lifeblood of production in our economy. It would be disastrous if the huge surplus of machine tools already accumulated and certain to exist at the end of the war, were to be distributed according to the conventional method of public sale to the highest bidder or in such a manner as to impair the competitive position of small business enterprise. It would be only less unfortunate if the particular factors which are indigenous to the machine-tool industry were subordinated and lost in some over-all program which the Congress had no opportunity to examine and had taken no part in preparing. I venture to predict that as this stupendous problem of reconversion develops it will be realized more and more that, to a great extent, it must be dealt with industrywise; that the conditions and needs of scores of industries in our economy require separate consideration and that legislation is the only traditional and feasible means of dealing with them.

The measure which I have just introduced embodies that approach to the problem of reconversion and, I trust, will be the forerunner of other such measures which are addressed to the particular needs and conditions of particular industries.

A bill to provide for the equitable disposal and maximum utilization of Government-owned surplus machine tools, and for other purposes

Be it enacted, etc., That the purposes of this act, which shall be cited as the "Surplus Machine Tool Utilization Act," shall be to provide for the equitable disposal and maximum utilization of those machine tools now or hereafter owned or controlled by or in behalf of the United States as a result of the prosecution of the war, which have or will become surplus to Government needs and functions upon termination of war procurement contracts or otherwise; and, by the disposal thereof, to aid and promote (a) the national defense; (b) the preservation and establishment of small business concerns

in an economy of free enterprise; (c) international trade; and (d) public education in the mechanical skills and the sciences connected with the operation of machine tools.

SEC. 2. As used in this act—

(a) The term "Government-owned machine tool" shall mean any power-driven mechanism, whose primary use and function are to form or shape metal, and in which the United States Government or any department, agency, or establishment thereof has heretofore acquired and, at any time prior to the sixtieth day next following termination of hostilities in the present war, shall hereafter acquire any title, right, or other possessory or property interest for the primary purpose of using such mechanism in connection with the prosecution of the present war or to aid the national defense, but shall not include any machine tools heretofore allocated or distributed for the purpose of vocational education pursuant to the authority of the act of February 23, 1917 (Public, No. 347, 64th Cong.), the act of February 28, 1936 (Public, No. 460, 74th Cong.), and the act of June 8, 1936 (Public, No. 673, 74th Cong.).

(b) The term "termination of hostilities in the present war" shall mean the conclusion of an armistice with all the nations now at war with the United States, or such time prior thereto as the President may declare for the purposes of this act.

(c) The term "political subdivision" shall mean (1) a State, Territory, or possession of the United States, and the District of Columbia; (2) any county of any State, possession, or Territory of the United States; and (3) in the absence thereof, the territorial unit of any State, Territory, or possession of the United States which the Commission, established under section 3 of this act, shall deem most nearly approximate to a county.

(d) The terms "public school," "public high school," "vocational school," and "college, university, and technical school" shall mean any educational institution supported, in whole or in part, by funds appropriated by any appropriating power of the United States, State, or local governments, whose primary function and purpose are to provide training and instruction of any kind to all persons conforming to standards of admission lawfully required.

(e) The term "war veteran" shall mean any member of the armed forces of the United States who shall have been honorably discharged therefrom and all members of the merchant marine who shall have received an honorable discharge or its equivalent certifying to satisfactory service.

(f) The term "larger metal working industry" shall refer to those metal working concerns which are not within the definition of a smaller metal working concern as that term is hereinafter defined in section 5 (c) of this act.

SEC. 3. A Federal Machine Tool Commission (hereinafter called the Commission) is hereby created, to consist of nine members who shall be appointed in the following manner:

(a) The Secretary of War, the Secretary of the Navy, the Chairman of the United States Maritime Commission, and the Chairman of the Board of Directors of the Defense Plant Corporation shall each designate for membership on such Commission one representative from his department or agency, whose functions and duties relate primarily to the acquisition or use of machine tools.

(b) The President, by and with the advice and consent of the Senate, shall appoint the five remaining members from the following groups, namely: One member from large metalworking industry, one member from smaller metalworking industry, one member from the machine-tool industry, and two members from the public at large. A vacancy on the Commission shall be filled in the same manner as the original appointment and shall not impair the right of the remaining members to exercise all the powers of the Commission and five members shall at all times constitute a quorum. The President shall designate the Chairman and Vice Chairman from among the appointees provided for in this subsection, and each appointee shall receive compensation to be determined by the Commission, at a rate not to exceed $50 per diem.

(c) The principal office of the Commission shall be in the District of Columbia, but the Commission may establish such branch offices in other places of the United States as it may determine. The Commission shall have an official seal which shall be judicially noticed.

(d) The Commission is authorized to accept and utilize such voluntary services and property as it may deem necessary to carry out its duties and functions and with the consent of any department or agency may utilize the services, facilities, and personnel thereof, including field services, to carry out its duties and functions. The Commission shall, without regard to the civil-service laws, appoint and prescribe the duties of a secretary and general counsel. To the extent that such additional personnel as the Commission may require is not available to it from the other departments and agencies of the Government under subsection (b) of this section, the Commission, subject to the civil-service laws, shall employ such additional personnel, whose compensation shall be fixed in accordance with the Classification Act of 1923, as amended.

(e) The Commission from time to time, without regard to the provisions of the civil-service laws, may employ the temporary services of such qualified engineers, agencies, or other qualified specialists as it may deem necessary to carry out its duties and functions under this act. It may fix the compensation of such personnel, without regard to the Classification Act of 1923, as amended: *Provided*, That all such compensation be on a per diem basis, not to exceed $50 per diem for each such employment.

(f) The Commission may make such expenditures at the seat of government and elsewhere as are necessary in the exercise of its duties and functions, including expenditures for (1) rent and personal services at the seat of government and elsewhere; (2) traveling expenses; (3) office furniture, equipment, and supplies, newspapers, periodicals, and books of reference (including the exchange thereof); (4) printing and binding; and (5) inquiries and studies concerning the supply, location, availability, disposal, and utilization of machine tools.

SEC. 4. The Commission shall require from such executive departments and agencies of the Government as have heretofore acquired or at any time prior to the sixtieth day next following the termination of hostilities in the present war shall hereafter acquire any control or interest in any machine tools and such departments and agencies shall thereupon furnish to the Commission, any information and data with respect to such tools. Upon the submission of such information and data, the Commission shall determine what machine tools, if any, are surplus to the needs and functions of such department or agency and such determination shall be final and conclusive upon such department or agency. The Commission shall thereupon classify all machine tools so determined to be surplus, according to the following manner:

Class A shall consist of those Government-owned machine tools which, for a period not exceeding 1 year next following their manufacture and prior to the date of such classification, have remained continuously unused.

Class B shall consist of those Government-owned machine tools which at any time prior to the date of classification had been in use for a total period not exceeding 9,600 hours.

Class C shall consist of all Government-owned machine tools determined to be surplus under the provisions of this act, which are not properly classifiable thereunder in class A or class B: *Provided*, That no machine tool which shall be acquired by the Government, or for its account, more than 60 days next following termination of hostilities in the present war shall be subject to classification under this section or be subject to the provisions of this act.

SEC. 5. Notwithstanding any existing provision of law or other regulation, such machine tools, as so classified, shall thereupon be allocated upon estimate and disposed of under the direction of the Commission according to the following order of priority and upon the following conditions:

(a) All Government machine tools of whatever classification which are specially designed, equipped, and manufactured for the production of military or naval equipment and which the Commission shall find are not readily replaceable from the open market, shall be retained by or redistributed among the appropriate Government departments or agencies in such types and quantities and according to such procedures as the Commission shall prescribe: *Provided*, That the retention of any machine tools under this subsection shall continue until such time, not exceeding 20 years, as the same become obsolete or are abandoned as otherwise unsuitable for military or naval purposes.

(b) Class A and B machine tools, excepting such quantities as the Commission shall deem required for the purpose specified in subsection (a) of this section, shall be allocated and made available first for the machine tool replacement needs of Government arsenals, navy yards, maintenance and repair facilities, shore establishments, and similar installations of the United States, in such types and quantities and upon such conditions as the Commission shall determine: *Provided*, (1) That no machine tool shall be allocated or disposed of under this subsection unless the Commission shall first determine that the same is superior in design or condition for the particular purpose of the machine tools which it is to replace; and (2) that the Government establishment receiving any machine tool pursuant to this subsection shall thereupon become accountable therefor in accordance with existing provisions of law relating to accountability for Government property and the Government establishment releasing any such tool shall thereupon be relieved of all such accountability.

(c) Class A and B machine tools, excepting such quantities as the Commission shall deem required for the purposes specified in subsections (a) and (b) of this section, shall be allocated and made available by sale to smaller metalworking concerns in such types and quantities and upon such terms and conditions as the Commission shall deem necessary or appropriate to maintain or establish any smaller metalworking concern in business: *Provided*, That in allocating and disposing of each type of machine tool under this subsection the Commission shall give preference to any war veteran desiring to maintain or establish himself individually or as a participant having a substantial interest in a smaller metalworking business and the Commission shall prescribe appropriate rules and regulations to carry out the purpose of this proviso, which shall govern the determination of such preferences: *Provided further*, That the Commission, in disposing of machine tools under this subsection to war veterans and smaller metalworking concerns, shall, in all proper cases, arrange through the medium and by means of the funds of the

Smaller War Plants Corporation or any other existing agency of the Government (and such agencies are hereby directed to comply with the Commission's directives issued under this subsection) for the extension of credit to the purchaser or user of such tools or, through such media and by means of such funds or otherwise, to make or guarantee such other financial arrangement respecting the use and disposition of such machine tools as in its judgment will carry out the purposes of this act: *Provided further,* That the rate of interest in connection with any credit, loan, or deferred payment under this subsection shall not exceed 3 percent per annum: *Provided further,* That for the period of 10 years following the disposition of any machine tool pursuant to this subsection, the same shall be subject to repossession by the appropriate department or agency of the Government if in the event of war or national emergency it is not being utilized for the production of military, naval, or maritime equipment. To carry out more effectively the purpose of this subsection, the Commission shall promptly conduct a general survey of the machine tool capacity and potential capacity of the smaller metal working concerns of the country, the results of which shall be made public. For purposes of this act, a smaller metal working concern or business shall be deemed to be any independent, unaffiliated manufacturing enterprise which utilizes not more than 100 machine tools for not less than 60 percent of the number of man-hours involved in its total productive operations. Upon the delivery of any machine tool to any smaller metal working concern pursuant to this subsection, the accountability of any Government department or agency under existing provision of law relating to accountability for Government property shall terminate, but such accountability on the part of such department or agency shall thereupon attach to any property or other thing of value received by it or for its account in consideration of or in connection with the particular transaction involved: *Provided further,* That the Commission shall allocate and make exclusively available by sale for larger metal working concerns such surplus machine tools as its general survey conducted under this subsection shall indicate are unsuited for the use and capacity of smaller metal working concerns: *And provided further,* That the disposal of any machine tools under this subsection shall not be authorized or approved by the Commission and any such disposal shall be rescinded and the machine tool or tools which are the subject thereof, repossessed whenever it shall appear that the same have been obtained or are being used or intended to be used for speculation or speculative dealing or for any purpose other than the utilization thereof in good faith for industrial production by the concern or group of concerns receiving such tools from the Commission.

(d) Class A, B, and C machine tools, excepting such quantities as the Commission shall deem required for the purposes specified in subsections (a), (b), and (c) of this section, shall be allocated and made available without charge and for the purposes hereinafter specified, in such types and quantities and upon such terms and conditions as the Commission shall determine, to promote training and instruction in the skills and sciences connected with the operation of machine tools, in public schools, public high schools, vocational schools, colleges, universities, and technical schools heretofore and hereafter established in the several States, the District of Columbia, and the Territories and possessions of the United States: *Provided,* That any State participating for educational purposes in the benefits of this act shall through its legislature designate an appropriate State educational agency, or, if no such agency exists, provide for the creation of such agency to be known as the State educational agency for the distribution of surplus Government-owned machine tools to public schools, public high schools, vocational schools, colleges, universities, and technical schools as provided in subsection (c) of this section: *Provided further,* That the Governor of the State may designate or create such agency pending action by the legislature: *Provided further,* That in those States in which a single board exercises jurisdiction over public elementary, secondary (including vocational), and higher education, that board shall be designated as the State educational agency for the distribution of surplus Government-owned machine tools: *And provided further,* That in those States in which no single board exercises such jurisdiction over public elementary, secondary (including vocational), and higher education, the agency designated or created as provided for in this section shall consist of not fewer than seven members and shall utilize, as far as practicable, in determining the needs of the public schools, public high schools, vocational schools, colleges, universities, and technical schools, the regularly constituted educational officers, educational boards, and other educational agencies such as chief State school officers, State boards of education, State boards for vocational education, and State boards for higher education, in carrying out the purposes of subsections (c) and (d) of this section of this act: *Provided, however,* That where machine tools shall be allocated to institutions of higher learning for installation in engineering laboratories that the proviso, with respect to local advisory committees and approval of courses by State boards of control for vocational education. shall not apply.

(e) Class A, B, and C machine tools, excepting such quantities as the Commission shall deem required for the purposes specified in subsection (a), (b) (c), and (d) of this section, shall be allocated and made available for sale, or exchange for goods, wares, or merchandise to friendly nations in the Western Hemisphere and their nationals in such types and quantities and upon such terms and conditions as the Commission shall deem appropriate within the purposes of this act: *Provided,* That each such allocation made for foreign consignment pursuant to this subsection shall first be authorized by license issued by the Secretary of State or by such other Government establishment as he shall designate for that purpose. The accountability of any Government department or agency in respect of all machine tools disposed of under this subsection shall terminate upon delivery thereof and such accountability on the part of such department or agency shall thereupon attach to any property or other thing of value received in consideration of or in connection with the particular transaction.

(f) Any machine tool acquired in exchange or otherwise by the Commission or by any Government department or agency in connection with any transaction under this section shall thereupon be classified by the Commission in accordance with the standards prescribed in section 4 of this act and the same shall be allocated and disposed of in accordance with the provisions of this section.

(g) Whoever, in connection with any transaction under this section, makes any material statement in writing, knowing it to be false; or for the purpose of influencing the action of any Government establishment or any employee, agent, or designee thereof, or for the purpose of obtaining any machine tool, property, or other thing of value hereunder from any Government establishment, offers or tenders to any employee, agent, or designee, of any Government establishment any bribe, gratuity, or other consideration or thing of value in connection with the performance of any official act or duty under this act and any employee or agent who accepts the same, shall be punished by a fine of not more than $5,000 or by imprisonment of not more than 2 years, or both. The provisions of sections 112, 113, 114, 115, 116, and 117 of the Criminal Code of the United States (U. S. C., title 18, ch. 5, secs. 202 to 207, inclusive), insofar as applicable, are extended to apply to contracts or agreements made under the provisions of this act.

SEC. 6. (a) The authority granted under this act shall cease and the existence of the Commission terminate on a date which shall be 5 years following the termination of hostilities in the present war or at such time as all allocated machine-tool surpluses shall be disposed of pursuant to the provisions of this act, whichever shall be earlier, except that within 60 days after such date the Commission shall make a final report of its operations, together with its recommendations under this act, to the President, the President of the Senate, and the Speaker of the House of Representatives. Such report shall include a summary and brief account of all transactions not previously reported and a full itemization of all Government machine tools remaining on hand, together with the reasons for their nondisposal under this act.

(b) On expiration of 60 days next following submission of such final report, all machine tools remaining on hand shall be broken up as scrap by and at the expense of the department and agencies of the Government accountable therefor and the same shall be sold as broken scrap metal for the purpose of being remelted: *Provided,* That no part of any such scrap metal shall be at any time thereafter resold or consigned to or for the account of any foreign purchaser and all Government departments or agencies making any sale under this subsection shall incorporate therein such terms and conditions as will apply the intent of this proviso to the particular transaction in each instance. The proceeds of all sales under this subsection shall be paid into the general fund of the Treasury.

SEC. 7. In addition to the final report required under section 6 of this act, the Commission shall render semiannual reports, in writing, to the Congress, begining the first day of the sixth month following the effective date of this act, setting forth in detail its operation under this act and such recommendations as it may deem appropriate within the purposes of this act.

SEC. 8. The Commission shall adopt and promulgate appropriate rules and regulations which shall be binding upon all executive departments and agencies to carry out its duties and functions under this act.

SEC. 9. There are authorized to be appropriated such sums as are necessary or appropriate to carry out the purposes of this act.

SEC. 10. (a) Except as otherwise specifically provided in this act, no department, agency, or establishment of the Government shall be in any degree relieved of its accountability for any Government-owned machine tool in accordance with existing provisions of law relating to accountability for Government property.

(b) In complying with such directives as the Commission may issue to carry out its functions under this act, the departments, agencies, and establishments of the Government to which such directives are issued shall be responsible for all expenses and charges connected with the storage, protection, preparation for shipment, and shipment of any Government-owned machine tool involved in any such directive or in any transaction under this act: *Provided,* That nothing in this section shall be construed to prohibit the assumption of such expenses or charges by any other party to such transaction, excepting the Commission.

SEC. 11. Whoever, being connected in any capacity with the Commission or with any other Government establishment involved in the administration of this act, embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, received or connected with any transaction under this act, or with intent to defraud the Commission or any Government establishment, or any other body politic or corporate, or any individual, or to deceive any officer, auditor, or examiner of the Commission or other Government establishment, makes any false entry in any book, report, or statement of or to the Commission or to any other Government establishment in connection with the administration of this act, or, without being authorized, draws any order or issues, puts forth, or assigns any note, debenture, bond, or other obligation, or, with intent to defraud, participates, shares, receives, directly or indirectly, any money, profit, property, or benefit through any transaction, loan, commission, contract, or any other act of the Commission or Government establishment, or gives any unauthorized information concerning any future action or plan of the Commission or of any Government establishment under this act which might affect the value of securities, or having such knowledge, invests or speculates, directly or indirectly, in the securities or property of any company or corporation receiving or about to receive loans or other benefits under this act, shall be punished by a fine of not more than $10,000 or by imprisonment of not more than 5 years, or both.

SEC. 12. No Government-owned surplus machine tool shall be disposed of other than provided for in this act.

SEC. 13. This act shall take effect immediately.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. LARCADE, for several days, on account of death in the family.

To Mr. O'LEARY (at the request of Mr. KENNEDY), for an indefinite period, on account of illness.

To Mr. HARNESS (at the request of Mr. HALLECK), for an indefinite period, on account of death in the family.

To Mr. ROBERTSON, for 2 days, on account of death in the family.

To Mr. HARE (at the request of Mr. RICHARDS), for 3 days, on account of illness.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 30. Concurrent resolution authorizing the printing of additional copies of Senate Report No. 627, current Congress, on the bill (H. R. 3687) entitled "Revenue Act of 1943," to the Committee on Printing.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 41 minutes p. m.) the House adjourned until tomorrow, Wednesday, January 19, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the committee at 10 a. m. on Wednesday, January 19, 1944, for consideration of postwar plans, to be held in the caucus room, Old House Office Building.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization on Wednesday, January 19, 1944, at 10 a. m., for the consideration of private bills.

The Committee on Immigration and Naturalization will hold hearings at 10:30 a. m. on Thursday, January 20, 1944, on H. R. 2701, H. R. 3012, H. R. 3446, and H. R. 3489.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 3, 1944, at 10 a. m., on H. R. 2809, to amend section 511 of the Merchant Marine Act, 1936, as amended.

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of subtitle "Insurance of Title II of the Merchant Marine Act, 1936," as amended.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BARRETT: Committee on Irrigation and Reclamation. H. R. 3522. A bill to extend the time within which the States of Montana, North Dakota, and Wyoming may negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River; without amendment (Rept. No. 998). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MASON: Committee on Immigration and Naturalization. H. R. 2456. A bill for the relief of Moses Tennenbaum; without amendment (Rept. No. 996). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HENDRICKS:

H. R. 3997. A bill to amend the Code of the District of Columbia providing for the sale of fish of the shad or herring species, and for other purposes; to the Committee on the District of Columbia.

By Mr. MADDEN:

H. R. 3998. A bill authorizing payments of rewards to postal employees for inventions; to the Committee on the Post Office and Post Roads.

By Mr. DICKSTEIN:

H. R. 3999. A bill to require certain naturalized and derivative citizens of the United States to take an oath of allegiance; to the Committee on Immigration and Naturalization.

By Mr. PHILBIN:

H. R. 4000. A bill to amend the Selective Training and Service Act of 1940, as amended, to defer registrants engaged in timber or pulpwood logging operations; to the Committee on Military Affairs.

By Mr. DWORSHAK:

H. R. 4001. A bill to insure allocation to small newspapers of a proportionate share of national advertising; to the Committee on Ways and Means.

By Mrs. BOLTON:

H. R. 4002. A bill to amend the act entitled "An act to provide for the training of nurses for the armed forces, governmental and civilian hospitals, health agencies, and war industries, through grants to institutions providing such training, and for other purposes," approved June 15, 1943, so as to provide for the full participation of institutions of the United States in the program for the training of nurses, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDOLPH:

H. R. 4003 (by request). A bill to authorize the naturalization of certain Filipinos who are permanent residents of the United States; to the Committee on Immigration and Naturalization.

By Mr. DAWSON:

H. R. 4004. A bill to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry; to the Committee on Labor.

By Mr. LAFOLLETTE:

H. R. 4005. A bill to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry; to the Committee on Labor.

By Mr. LESINSKI:

H. R. 4006 (by request). A bill to provide for the payment of victory bonus bonds to members of the armed forces, and for other purposes; to the Committee on Ways and Means.

By Mr. CELLER:

H. R. 4007. A bill to aid merchant seamen and to provide for payment of mustering-out pay, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. FISH:

H. R. 4008. A bill to establish a Department of Veterans' Security, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. STARNES of Alabama:

H. R. 4009. A bill to provide for the equitable disposal and maximum utilization of Government-owned surplus machine tools, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. WASIELEWSKI:

H. R. 4010 (by request). A bill to replace the present cost-plus and other systems of contracting for public construction by a system of negotiated lump-sum contracts; to the Committee on Expenditures in the Executive Departments.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ELSTON of Ohio:

H. R. 4011. A bill to provide for the appointment of Julius P. Uihlein 3d, as a second lieutenant in the Army of the United States; to the Committee on Military Affairs.

By Mr. FAY:

H. R. 4012. A bill granting a pension to Eveline Holden Fairman; to the Committee on Pensions.

By Mr. LEA:

H. R. 4013. A bill for the relief of Capt. John Earl Dwyer; to the Committee on Claims.

By Mr. McGREGOR:

H. R. 4014. A bill for the relief of Mrs. Ruby Winsch; to the Committee on Claims.

By Mr. O'BRIEN of Michigan:

H. R. 4015. A bill for the relief of Hamsah Omar; to the Committee on Immigration and Naturalization.

By Mr. WIGGLESWORTH:

H. R. 4016. A bill for the relief of John Casey and Marie Casey; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4358. By Mr. BUTLER: Petition of Edward Friedrich, of Buffalo, N. Y., and 883 other citizens of Buffalo and vicinity, protesting against the enactment by Congress of any and all prohibition legislation; to the Committee on the Judiciary.

4359. By Mr. CARTER: Petition of Rose P. Orr and 20 other residents of Oakland, Calif., and vicinity, urging the immediate enactment of House bill 2082, the Bryson bill, prohibiting the manufacture and sale of alcoholic liquors during the war period; to the Committee on the Judiciary.

4360. Also, petition of Mrs. M. Adamson, of Oakland, Calif., and 20 other residents of this district, urging the enactment of Senate bill 860, the O'Daniel bill, prohibiting the sale of alcoholic liquors on military and naval reservations, or within a reasonable distance therefrom; to the Committee on the Judiciary.

4361. Also, petition of Mrs. M. Adamson, of Oakland, Calif., and 20 other residents of Oakland and vicinity, urging the immediate enactment of House bill 2082, the Bryson bill, prohibiting the manufacture and sale of alcoholic liquors during the war period; to the Committee on the Judiciary.

4362. Also, petition signed by William W. Bruce, Alameda, Calif., and 49 other railroad employees at the Oakland port of embarkation, United States Army, urging a permanent civil-service status be granted them; to the Committee on the Civil Service.

4363. Also, petition of Mattie E. Bliven and 20 other citizens of Oakland, Calif., and vicinity, urging the enactment of Senate bill 860, the O'Daniel bill, prohibiting the sale of alcoholic liquors on military or naval reservations, or within a reasonable distance therefrom; to the Committee on the Judiciary.

4364. Also, petition of Mary W. Bristow and 20 other residents of Oakland, Calif., and vicinity, urging the enactment of House bill 2082, the Bryson bill, prohibiting the manufacture or sale of alcoholic liquors in the United States during the period of the war; to the Committee on the Judiciary.

4365. Also, petition of Ellen Holmgren and 20 other residents of Oakland, Calif., and vicinity, urging the enactment of House bill 2082, the Bryson bill, prohibiting the manufacture and sale of alcoholic liquors during the war period; to the Committee on the Judiciary.

4366. Also, petition of the Grand Chapter of California, Order of the Eastern Star, Maud McWilliams Smith, grand secretary, urging enactment of legislation for instant removal of all Japanese now located in California and legislation which will prohibit their return to California and prohibit the settlement of Japanese in California; to the Committee on the Judiciary.

4367. By Mr. DICKSTEIN: Petitions signed by several hundred citizens from New York, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4368. By Mr. DIRKSEN: Petition of sundry residents of Peoria, Ill., supporting the bill to place the administration of the soldiers' vote in the hands of the Federal Government; to the Committee on Election of President, Vice President and Representatives in Congress.

4369. By Mr. ENGEL of Michigan: Petition of Rev. Arnold Brink, of the Bethany Christian Reformed Church, and 43 others, favoring House bill 2082, known as the Bryson bill; to the Committee on the Judiciary.

4370. By Mr. GRAHAM: Petition of 304 members of the Geneva and College Hill congregations of the Reformed Presbyterian Church in Beaver Falls, Pa., urging the passage of House bill 2082, introduced by Hon. JOSEPH R. BRYSON, of South Carolina; to the Committee on the Judiciary.

4371. By Mr. HARRIS of Virginia: Petition of Christ Georgadis, of Norfolk, Va., and 24 other citizens of the Second Congressional District of Virginia, protesting against the consideration by Congress of any prohibition legislation; to the Committee on the Judiciary.

4372. By Mr. HEIDINGER: Communications from William Bremer, Olen Allbritten, J. N. Weaver, Harmon Hohmann, Byrd Stewart, O. H. Korte, and R. N. Mizell, representative farmers of Massac County, Ill., favoring a fair price for the farmer for his commodities and opposing the subsidy plan; to the Committee on Agriculture.

4373. By Mr. JENSEN: Petition of Mrs. H. P. Procter, president of Woman's Christian Temperance Union, and 134 other citizens of Greenfield, Iowa, urging that in order to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war, by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war and until the termination of mobilization, we, the undersigned citizens of the State of Iowa petition the Congress of the United States to pass House bill 2082, introduced by Hon. JOSEPH R. BRYSON, of South Carolina; to the Committee on the Judiciary.

4374. Also, petition of Mrs. E. A. Schade and 109 citizens of Glenwood, Iowa, urging their opposition to the Wagner-Murray bill, socializing the practice of medicine and requesting the defeat of the pending legislation; to the Committee on Ways and Means.

4375. By Mr. FITZPATRICK: Petition signed by sundry residents of the State of New York, particularly Westchester and Bronx Counties, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4376. By Mr. HANCOCK: Petition of Louis Pasco, of Syracuse, N. Y., containing approximately 5,000 signatures of residents of Onondaga County, opposing any and all prohibition legislation; to the Committee on the Judiciary.

4377. Also, petition of Louis Pasco, of Syracuse, N. Y., containing approximately 400 signatures of residents of Cortland County, opposing any and all prohibition legislation; to the Committee on the Judiciary.

4378. By Mr. LUTHER A. JOHNSON: Petition of H. P. Moss, M. K. Amos, L. L. Dotson, Ogle Tidwell, Leon L. Conger, Willard Dick, Arnold H. Broadus, A. N. Mathews, Luther Kerns, and Robert E. Rhode, of Hearne, Tex., and C. W. Leggett, Hub Locklier, and Jesse L. Dick, of Calvert, Tex., favoring House bill 2565; to the Committee on Military Affairs.

4379. Also, petition of Joseph L. Cline, chairman, north Texas committee, Federal employees, Dallas 8, Tex., favoring Senate bill 878; to the Committee on the Civil Service.

4380. By Mr. ANTON J. JOHNSON: Petition of Edward Andries, of Moline, Ill., and 20 other prominent business men and women protesting against the consideration of any and all prohibition measures by Congress especially House bill 2082; to the Committee on the Judiciary.

4381. By Mr. MOTT: Eight petitions signed by Paul Geil, of Salem, Oreg., and 221 other citizens of the State of Oregon, protesting against enactment of House bill 2082 and Senate bill 860; to the Committee on the Judiciary.

4382. By Mr. LYNCH: Petition of the Advertising Men's Post, No. 209, American Legion, New York City, urging passage of legislation giving right of vote to servicemen; to the Committee on Election of President, Vice President, and Representatives in Congress.

4383. By Mr. MARCANTONIO: Petition of 277 voters in the city of New York and members of the New York State Council of Brewery and Soft Drink Workers, opposing the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4384. By Mr. REED of Illinois: Petition of Herman Fischer, of Elgin, Ill., and 20 other citizens, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4385. By Mr. ROLPH: Resolution of the California Real Estate Association, adopted at its meeting January 8, 1944, favoring enactment of Senate bill 1362 and House bills 3269 and 3270, relating to State regulation of the insurance business; to the Committee on the Judiciary.

4386. Also, resolution of the San Francisco Chamber of Commerce, urging that the Post Office Department should not be used to raise revenues for general purposes; to the Committee on the Post Office and Post Roads.

4387. Also, resolution of the San Francisco Chamber of Commerce, relative to taxation of Federal properties; to the Committee on Public Buildings and Grounds.

4388. Also, resolution of the San Francisco Chamber of Commerce, relating to Federal metals purchasing policies; to the Committee on Mines and Mining.

4389. By Mr. SCHIFFLER: Petition of Alfred I. Chapman and other residents of the Wheeling, W. Va., area, urging passage of the Green-Lucas bill for the soldiers' vote; to the Committee on Election of President, Vice President, and Representatives in Congress.

4390. By Mrs. SMITH of Maine: Petition of Joseph Karkos, of Lisbon Falls, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4391. Also, petition of A. S. Hersey, of Augusta, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4392. Also, petition of Ernest Smith, of Augusta, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4393. Also, petition of L. B. Lamreau, of Augusta, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4394. Also, petition of Lucien Allarie, of Augusta, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4395. By Mr. TOWE: Petition of Jack Bankowsky, of Wallington, N. J., and 78 other residents of Bergen County, opposing the Bryson bill or any such bill; to the Committee on the Judiciary.

4396. By Mr. TALLE: Petition of Eva Glazier and other citizens of Edgewood, Iowa, and

vicinity, favoring the enactment of House bill 2082; to the Committee on the Judiciary.

4397. By Mr. VOORHIS of California: Petition of Paul D. Beck, of Pasadena, Calif., and 34 others, with reference to House bill 2082; to the Committee on the Judiciary.

4398. Also, petition of V. G. Story, of El Monte, Calif., and 23 others, with reference to House bill 2082; to the Committee on the Judiciary.

4399. Also, petition of Magda A. Barton, of El Monte, Calif., and 65 others, with reference to House bill 2082; to the Committee on the Judiciary.

4400. By Mr. WADSWORTH: Petition of Joseph Walters, of Rochester, N. Y., and others, opposing proposed legislation providing for partial or national prohibition; to the Committee on the Judiciary.

4401. By Mr. WIGGLESWORTH: Petition of the mayor and City Council of Brockton, Mass., urging enactment of legislation providing for the care and support of our honorably discharged veterans; to the Committee on World War Veterans' Legislation.

4402. By Mr. ARNOLD: Petition of Mr. and Mrs. Clyde Bachman and more than 300 other citizens of Kirksville, Mo., petitioning Congress to pass House bill 2082, introduced by Hon. JOSEPH R. BRYSON, of South Carolina, to prohibit the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war, and until the termination of demobilization; to the Committee on the Judiciary.

SENATE

WEDNESDAY, JANUARY 19, 1944

(Legislative day of Tuesday, January 11, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Dr. Fred S. Buschmeyer, pastor of the Mount Pleasant Congregational Church, Washington, D. C., offered the following prayer:

Almighty God, in all our planning we would seek wisdom and guidance from Thee, whose designs for men and nations are supreme in wisdom and in goodness. Grant us vision to see clearly the lines of Thy holy purpose traced upon the trestle boards of history. Seeing clearly Thy purpose, O Thou who art the strength of our hearts and hands, give us the courage and the power to perform our tasks and to fulfill our responsibilities in a manner pleasing unto Thee.

In times of stress and confusion may we hear the call of Thy voice above all clamor and dispute. In times of sacrifice may we be certain in our own hearts that our lives are being given first to Thee.

Lift us above all unworthy thought or action that as individuals and as a nation we may grow in true greatness.

Bless all who stand in our behalf in places of danger. May they, too, know the joy of a life committed completely unto Thee.

Bless this deliberative body and the Nation it represents that both may be used of Thee for the blessing of Thy people everywhere. In gratitude for all Thy mercies in the past and with reverent hope for the future we pray. Amen.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, January 18, 1944, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 653. An act for the relief of Johnny Newton Strickland;

S. 1090. An act for the relief of John Henry Miller, Jr.; and

S. 1488. An act to authorize the Secretary of the Interior to convey to Jose C. Romero all right, title, and interest of the United States in a certain described tract of land within the Carson National Forest, N. Mex.

The message also announced that the House had passed the bill (S. 184) to provide for the presentation of silver medals to certain members of the Peary Polar Expedition of 1908–09 with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 297. An act for the relief of the legal guardian of August Michela, a minor;

H. R. 443. An act for the relief of Dave Hougardy;

H. R. 1469. An act for the relief of Robert Beckwith, Julius Buettner, and Emma M. Buettner;

H. R. 2126. An act for the relief of David Cowan as natural guardian of Gilda Cowan, a minor;

H. R. 2455. An act for the relief of Hassler-Ponder Toy Manufacturing Co., Inc.;

H. R. 2456. An act for the relief of Moses Tennebaum;

H. R. 3195. An act for the relief of Willard Kerr, Jr.; and

H. R. 3504. An act for the relief of Wade Bros., a partnership composed of M. J., G. W., and Ovid Wade.

CALL OF THE ROLL

Mr. WHITE. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Connally	La Follette
Andrews	Danaher	Langer
Austin	Davis	Lodge
Bailey	Downey	McCarran
Ball	Eastland	McClellan
Bankhead	Ellender	McFarland
Barkley	Ferguson	McKellar
Bilbo	George	Maloney
Bone	Gillette	Maybank
Burton	Green	Mead
Bushfield	Gurney	Millikin
Butler	Hatch	Moore
Byrd	Hawkes	Murdock
Capper	Hayden	Murray
Caraway	Holman	Nye
Chavez	Johnson, Colo.	O'Daniel
Clark, Mo.	Kilgore	O'Mahoney
Overton	Taft	Van Nuys
Pepper	Thomas, Idaho	Wagner
Radcliffe	Thomas, Okla.	Wallgren
Revercomb	Thomas, Utah	Walsh, Mass.
Reynolds	Tobey	Walsh, N. J.
Robertson	Truman	Wheeler
Russell	Tunnell	White
Shipstead	Tydings	Wiley
Stewart	Vandenberg	Willis

Mr. BARKLEY. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Kentucky [Mr. CHANDLER], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from South Carolina [Mr. SMITH] are necessarily absent.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

The Senator from Idaho [Mr. CLARK], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Alabama [Mr. HILL], and the Senator from Illinois [Mr. LUCAS] are detained on public business.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] and the Senator from Iowa [Mr. WILSON] are absent because of illness.

The Senator from Illinois [Mr. BROOKS] is absent on official business.

The Senator from Maine [Mr. BREWSTER], the Senator from Delaware [Mr. BUCK], the Senator from Kansas [Mr. REED], and the Senator from Nebraska [Mr. WHERRY] are necessarily absent.

The VICE PRESIDENT. Seventy-eight Senators have answered to their names. A quorum is present.

THE ROTATION OF NAVAL PERSONNEL

Mr. WALSH of Massachusetts. Mr. President, as a result of inquiries made to me and other members of the Committee on Naval Affairs of the Senate, the rotation of officers and enlisted men in the Navy was taken up with Admiral Jacobs, Chief of the Bureau of Personnel.

I ask to have printed in the RECORD at this point a statement made to me by Admiral Jacobs, which sets forth the policy of rotating enlisted personnel in the Navy.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The Bureau has announced the policy of rotating enlisted personnel for rehabilitation leave and reassignment, after a minimum period of service of 18 months in hazardous duty afloat or in outlying stations. However, this is promulgated as a matter of policy and not of directive since the granting of leave or rotation must be consistent with the maintenance of the fighting efficiency of the service. The method of effectuating this policy is a matter within the cognizance of administrative commands, and the granting of leave remains the prerogative of the commanding officer.

When men are returned under this plan it is usual to grant leave up to 30 days at the rate of 2½ days for each month served at sea or overseas. Upon return to the receiving station at which received, these men are made available for new construction or assigned to fleet activities from general detail.

In the case of survivors, return to the United States for 30 days' leave and reassignment is recommended, where practicable.

Effectuation of these policies depends materially upon personnel requirements in the particular theater or command, and it is not

possible to state at the time to what extent they will be found feasible.

ANNIVERSARY OF BIRTH OF ROBERT E. LEE

Mr. ANDREWS. Mr. President, I wish to take only a few minutes of the time of the Senate to make a few appropriate remarks in commemoration of the birthday of Gen. Robert E. Lee.

As a small boy and all through life I have revered the memory of Gen. Robert E. Lee. Today, on the anniversary of his birth, I take a few moments to honor this great and good man. In the period in which he lived, his every act was motivated by what he deemed to be his duty. He was a kindly Christian gentleman, abundantly endowed with those attributes which attract and hold friends. Though he suffered mental anguish and physical hardships, never once did he complain, and never once did his feet stray from the path of duty he had chosen to follow. In the Lord he put his trust, and in the Lord he was sustained.

The eminent historian, Douglas S. Freeman, selected the following incident to close his four-volume biography of General Lee. It happened in northern Virginia:

A young mother brought her baby to General Lee to be blessed. He took the boy in his arms and, after looking at it and then at the mother, he slowly said: "Teach him he must deny himself."

How timely these words are today. We should all take them to heart, for by doing so we not only would be better men and women but we would also contribute materially toward shortening the war. Time saved means lives saved. It is now, as always, later than we think.

I do not believe it inopportune to invoke the blessings of Providence on our Chief of Staff, Gen. George C. Marshall, who possesses to a marked degree many of the fine qualities and characteristics of General Lee. We are, indeed, most fortunate in having his services at this crucial time. I pray that his health will continue robust; that he will, as in the past, speak when he conceives it his duty to speak; and that in the well-nigh overwhelming responsibility he is called upon to bear, he will be guided and sustained by Him to whom we all turn in moments of supreme crisis.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

PERSHING HALL MEMORIAL FUND

A letter from the Secretary of the Treasury, transmitting, pursuant to law, an itemized report of transactions for account of the Pershing Hall Memorial Fund (with an accompanying paper); to the Committee on Military Affairs.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

A letter from the Attorney General, transmitting, pursuant to law, a report stating all the facts and pertinent provisions of law in the cases of 238 individuals whose deportation has been suspended for more than 6 months under the authority vested in the Attorney General, together with a statement of the reason for such suspension (with accompanying papers); to the Committee on Immigration.

SPECIAL STATISTICAL STUDIES, ETC., BUREAU OF FOREIGN AND DOMESTIC COMMERCE

A letter from the Acting Secretary of Commerce, transmitting, pursuant to the act of May 27, 1935 (49 Stat. 292), statements showing the names for whom special statistical work has been performed, the nature of the services rendered, the price charged therefor, and the manner in which the moneys received were deposited or used (with accompanying papers); to the Committee on Commerce.

REPORT OF SOCIAL SECURITY BOARD

A letter from the Administrator of the Federal Security Agency, transmitting, pursuant to law, the eighth annual report of the Social Security Board for the fiscal year ended June 30, 1943 (with an accompanying report); to the Committee on Finance.

PERSONNEL REQUIREMENTS, THE OFFICE OF CENSORSHIP

A letter from the Chief, Administrative Division of the Office of Censorship, transmitting, pursuant to law, an estimate of personnel requirements of that office for the quarter ending March 31, 1944 (with accompanying papers); to the Committee on Civil Service.

REPORT OF THE NATIONAL ARCHIVES TRUST FUND BOARD

A letter from the chairman of The National Archives, transmitting, pursuant to section 10 of the National Archives Trust Fund Board Act, approved July 9, 1941 (55 Stat. 581), the annual report of the National Archives Trust Fund Board for the fiscal year ended June 30, 1943 (with an accompanying report); to the Committee on the Library.

RESOLUTION OF CONNECTICUT STATE DENTAL ASSOCIATION CONCERNING SENATE BILL 1161

Mr. MALONEY. Mr. President, I ask unanimous consent that there may be inserted in the body of the RECORD, and appropriately referred, a letter which I have received from Dr. Earle S. Arnold, secretary of the Connecticut State Dental Association, West Hartford, Conn., and a copy of a resolution adopted by the board of governors of that association, concerning Senate bill 1161.

There being no objection, the letter and resolution were referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

CONNECTICUT STATE DENTAL ASSOCIATION,
West Hartford, Conn., January 16, 1944.

Hon. FRANCIS MALONEY,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR MALONEY: Enclosed is a copy of a resolution adopted by the board of governors of the Connecticut State Dental Association January 8, 1944.

As required by the resolution, I am forwarding a copy for your attention, so that you may know the feeling of the Connecticut State Dental Association in regard to this proposed Senate bill 1161 (Wagner-Murray-Dingell bill).

Very truly yours,
EARLE S. ARNOLD, D. D. S.,
Secretary.

Be it resolved, That the board of governors of the Connecticut State Dental Association, while approving the motives of Senate bill 1161 (Wagner-Murray-Dingell bill), does condemn the machinery it proposes to set up for procurement of funds and administration of those funds, and for the procurement of personnel and the administration of that personnel, and that this board of governors so inform the board of trustees of the American Dental Association in whose hands the matter is entrusted, and urge them to do all in their power to defeat this pernicious legislation; be it further

Resolved, That a copy of this resolution be sent to the president of the American Dental Association, to the trustee of the first district, and to each of the United States Senators and Representatives from Connecticut.

RESOLUTION AND MEMORIALS OF FLORIDA LEGISLATURE

Mr. PEPPER. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD, under the rule, a concurrent resolution and two memorials of the Legislature of the State of Florida memorializing or petitioning the Congress.

The VICE PRESIDENT. Without objection, the resolution and memorials will be received and appropriately referred:

To the Committee on Commerce:

Senate Memorial 3

A memorial to the Congress of the United States of America urging that all departments and functions of the Federal Government relating to commercial fishing and fisheries be transferred from the United States Department of Interior and placed under the United States Department of Agriculture

Whereas, by reason of the present war in which the United States of America is engaged, there exists a meat shortage in this country; and

Whereas a considerable amount of food produced and consumed by the people of this country consists of fish and sea foods, which is helping to alleviate the existing meat shortage; and

Whereas all departments and functions of the Federal Government relating to commercial fishing and fisheries are now administered by the United States Department of Interior; and

Whereas such department and functions more properly belong under the United States Department of Agriculture and if transferred from the United States Department of Interior to the United States Department of Agriculture, such change would be conducive to greater production of fish and sea foods and would aid and assist our country in combating the existing meat shortage and facilitate the prosecution and successful early termination of the present war: Be it

Resolved by the Legislature of the State of Florida:

SECTION 1. That we do hereby respectfully memorialize and petition the Congress of the United States of America to take such action as is necessary to immediately effect the transfer of all departments and functions of commercial fishing and fisheries under the Federal Government from the United States Department of Interior and place the same under the United States Department of Agriculture.

SEC. 2. That a copy of this memorial under the Great Seal of the State of Florida be immediately forwarded by the secretary of state to the President of the United States Senate, to the Speaker of the House of Representatives of the United States Congress and to each Member of the delegation representing the State of Florida in both the House of

Representatives and Senate of the Congress of the United States of America.

SEC. 3. That a copy of this memorial be spread upon the journal of both the Senate and the House of Representatives of the State of Florida and that sufficient copies thereof be furnished to the press.

Approved by the Governor May 27, 1943.

Filed in office of secretary of state May 27, 1943.

Senate Concurrent Resolution 8

Resolution urging the Congress of the United States to take action on a project for the construction of a waterway connecting the St. Johns River and Indian River in Florida in the interest of flood control and navigation

Whereas the agricultural and cattle industries in the valley of the St. Johns River are seriously handicapped and made economically unfeasible by the frequent recurrences of destructive floods; and

Whereas studies have demonstrated that these floods can be controlled and the now existing agricultural and cattle industries can be tremendously expanded by the creation of a channel connecting the two said rivers; and

Whereas such a channel will be susceptible of commercial and recreational navigation affording economic transport facilities connecting the interior of the peninsula with many important centers on the east coast of Florida; and

Whereas the benefits to agricultural and cattle production and commerce would not be confined to the State of Florida, but on the contrary would extend to the entire Atlantic coast region and the territory commercially tributary thereto: Now, therefore, be it

Resolved by the senate (the house of representatives concurring):

SECTION 1. That the Congress of the United States is hereby urged to pass proper authorizing legislation for this much-needed project.

SEC. 2. That copies of this resolution be forwarded to the Florida Senators and Congressmen, with the request that they do all in their power to further this project.

Approved by the Governor May 26, 1943.

Filed in office, secretary of state, May 26, 1943.

To the Committee on Foreign Relations:

House Memorial 15

Memorial to the President and Congress to call a convention to frame a federal constitution for world government

Whereas peace under ordered liberty throughout the world is an end devoutly to be desired and worth making sacrifices to attain; and

Whereas intercommunication has become so rapid and the instruments of destruction so deadly that no nation can now lead a life of isolation in peace and safety; and

Whereas systems of alliance and balances of power and leagues have failed to accomplish more than a breathing space between wars; and

Whereas the people of the Thirteen States once faced the urgent need which freemen throughout the world now face—the vital need of uniting their power in the strongest way to secure their common rights; and

Whereas the people of the Thirteen States then met that need by creating a common government, in the midst of war, and when the war was thus won but the peace was endangered helped develop that emergency government into the more perfect Union embodied in the Constitution of the United States; and

Whereas these principles of federal union have proved for more than 150 years to be the most successful solution known to history of the problem now confronting all free peoples, viz, how to unite, so that all may live together peacefully, with freedom and prosperity; and

Whereas the American people have never yet explored how far they might apply their federal principles beyond the confines of the 48 States in conjunction with other free peoples so as to secure the lasting world peace that only ordered liberty can provide; and

Whereas such exploration cannot possibly do any harm and may achieve as great good as our Federal Convention of 1787: Now, therefore, be it

Resolved by the Legislature of the State of Florida, That the President and the Congress be requested to call at the earliest possible moment a convention of representatives of all free peoples, to frame a federal constitution under which they may unite in a democratic world government, subject to ratification by each people concerned; and be it further

Resolved, That copies of this resolution be sent to the President and the Vice President of the United States, the Speaker of the House of Representatives, and to each of the Senators and Representatives of Florida in the Congress of the United States.

Approved by the Governor June 5, 1943.

Filed in office of secretary of state June 7, 1943.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BALL:

S. 1660. A bill granting the consent of Congress to the Minnesota Department of Highways and the county of Crow Wing in Minnesota to construct, maintain, and operate a free highway bridge across the Mississippi River at Mill Street, in Brainerd, Minn.; to the Committee on Commerce.

By Mr. KILGORE:

S. 1661. A bill granting an increase of pension to Jess Musgrave; to the Committee on Pensions.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H. R. 297. An act for the relief of the legal guardian of August Michela, a minor;

H. R. 443. An act for the relief of Dave Hougardy;

H. R. 1469. An act for the relief of Robert Beckwith, Julius Buettner, and Emma M. Buettner;

H. R. 2126. An act for the relief of David Cowan as natural guardian of Gilda Cowan, a minor;

H. R. 2455. An act for the relief of Hassler-Ponder Toy Manufacturing Co., Inc.;

H. R. 3195. An act for the relief of Willard Kerr, Jr.; and

H. R. 3504. An act for the relief of Wade Bros., a partnership composed of M. J., G. W., and Ovid Wade; to the Committee on Claims.

H. R. 2456. An act for the relief of Moses Tennenbaum; to the Committee on Immigration.

AMENDMENTS TO THE REVENUE ACT

Mr. LANGER submitted an amendment and Mr. FERGUSON (for Mr. BUCK) submitted an amendment intended to be proposed to the bill (H. R. 3687) to provide revenue, and for other purposes, which were each ordered to lie on the table and to be printed.

Mr. TRUMAN. Mr. President, I ask unanimous consent on behalf of the Senator from New Mexico [Mr. HATCH] and myself that I be permitted to offer a substitute for the amendment offered by the Senator from New Mexico [Mr. HATCH] and myself on January 14 as an amendment to section 252, credit against income and excess-profits taxes of sums invested in post-war reconversion bonds. I ask that the amendment intended to be proposed to House bill 3687, the tax bill, may be printed and lie on the table.

The VICE PRESIDENT. Without objection, it is so ordered.

INVESTIGATION OF RURAL ELECTRIFICATION ADMINISTRATION—LIMIT OF EXPENDITURES

Mr. BILBO (for Mr. SMITH) submitted the following resolution (S. Res. 238), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the limit of expenditures authorized under Senate Resolution 197, Seventy-eighth Congress, first session, agreed to December 9, 1943 (authorizing the employment of assistants and the expenditure of funds in a proposed investigation of the administration of the Rural Electrification Act), is hereby increased by $15,000.

WILLIAM J. EWING—WITHDRAWAL OF PAPERS

On motion of Mr. WHITE (for Mr. MCNARY), it was

Ordered, That the papers accompanying the bill (S. 914, 75th Cong.) for the relief of William J. Ewing, be withdrawn from the files of the Senate, no adverse report having been made thereon.

BRIEF ANALYSIS OF BENEFITS TO VETERANS AND DEPENDENTS (S. DOC. NO. 146)

Mr. CLARK of Missouri. Mr. President, at my request, in my capacity as chairman of the Subcommittee on Veterans' Affairs of the Committee on Finance, the Veterans' Bureau has prepared an exhibit graphically setting forth all the benefits to which veterans of the various wars of the United States, or of the Regular Establishment, are entitled. They are set out in parallel columns—the Indian Wars; the Civil War; the War with Spain; the Philippine Insurrection; the Boxer Rebellion; benefits to which veterans of the Regular Establishment are entitled; and benefits to which veterans of World War No. 1 and World War No. 2 are entitled.

I believe that this analysis of the pensions and compensation under the law as administered by the Veterans' Administration is sufficiently detailed to be of great value to Members of Congress and should, if published as a Senate document, speed up consideration of veterans' bills by removing, to a great extent, misunderstanding or lack of more complete information as to the benefits now provided by law. A chart of this nature will also meet a long-standing need in our own offices and to organizations and individuals directly interested in veterans' affairs.

The analysis, which was prepared by the Veterans' Administration, covers four main subjects—

First, pension or compensation to veterans for service-connected disabilities;

Second, pension or compensation to widows, children and dependent parents based upon service-connected death;

Third, pension to veterans for non-service-connected disabilities or age; and

Fourth, pension or compensation to widows and children based upon death not shown to be due to service.

Under these headings are found the monthly rates, both general and specific; the conditions of eligibility; dates of service; limitations if any, on eligibility; special provisions governing determination of service connection; and definitions.

The analysis covers all wars and the Regular Establishment, and after each provision under the various headings the citation to the existing law is given, the United States code citation being used for convenience. Where a provision is regulatory, reference is made to published regulations and procedure of the Veterans' Administration.

Mr. President, I believe this will be one of the most valuable documents in the consideration of veterans' legislation under the proper application of the laws already in existence that could possibly be conceived. For that reason I ask unanimous consent that it may be printed as a Senate document. I may say that if that is done, I shall probably subsequently ask unanimous consent that an additional number be printed so that it may be made available for the use of members of Congress and generally by those interested in the subject of veterans' benefits throughout the Nation.

The VICE PRESIDENT. Without objection, the analysis will be printed as a Senate document.

PRESENTATION OF SILVER MEDALS TO CERTAIN MEMBERS OF PEARY POLAR EXPEDITION

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 184) to provide for the presentation of silver medals to certain members of the Peary Polar Expedition of 1908–09, which was, on page 2, line 8, to strike out "$500" and insert "$750."

Mr. WHITE. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

REHABILITATION OF VETERANS

Mr. WILEY. Mr. President, in relation to pending legislation having to do with the rehabilitation of veterans, I have a letter from the American Legion headquarters here in Washington; from the American Legion of Bluefield, W. Va.; from the American Legion at Kensington, Md.; and from the American War Dads, which I ask to have printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE AMERICAN LEGION,
NATIONAL HEADQUARTERS,
Indianapolis, Ind., December 21, 1943.

Senator ALEXANDER WILEY,
United States Senate, Washington, D. C.

DEAR SENATOR WILEY: The American Legion is in complete accord with your thought that there should be an over-all plan for assisting World War veterans into useful employment, and also providing for their hospitalization and compensation if disabled.

At our Omaha convention the Legion endorsed the placing of all remedies and benefits of this character under the jurisdiction of one agency, the Veterans' Administration.

At the present moment a special committee of the American Legion on rehabilitation and employment, under the chairmanship of John Stell, former Governor of Illinois, are studying the whole problem of aiding the veteran and at the same time benefiting our national economy.

I am forwarding your letter and bill to Chairman Stell, and will discuss them with him on my return in January.

Very truly yours,
WARREN H. ATHERTON,
National Commander.

THE AMERICAN LEGION,
BLUEFIELD POST, No. 9,
Bluefield, W. Va., January 3, 1944.

Senator WILEY,
Senate Chamber, Washington, D. C.

DEAR SENATOR: The Bluefield Daily Telegraph, a local newspaper serving southern West Virginia and Virginia carried an article outlining your views on the handling of veterans' affairs.

I wish you to know that many, many Legionnaires are grateful to you for the stand you are taking to have all veterans' affairs handled by one agency, instead of four or more, none of which will admit the gross injuries being done our discharged veterans, through their neglect in handling just claims, and so forth, promptly.

This apparent inefficiency of the several agencies in handling, or rather delaying, just claims of honorably discharged servicemen should be immediately corrected, and I know the American Legion stands ready to do what it can to correct any inefficiency in the handling of veterans' affairs, as soon as our hands are untied.

Yours very truly,
L. J. SOULIER,
Commander.

ARNOLD WILBURN POST, No. 30,
AMERICAN LEGION,
Kensington, Md., December 3, 1943.

Senator ALEXANDER WILEY,
The United States Senate,
Washington, D. C.

DEAR SENATOR WILEY: Your forthright and far-sighted action on the problem of rehabilitation lends inspiration to every one of us concerned with this solemn duty.

The fine record of the Veterans' Administration has earned the veterans' confidence. This is half the battle.

Your plan is sound and holds promise of seeing this job through without the confusion which threatens to engulf this work.

Sincerely yuors,
NEWTON T. CASHION,
Post Adjutant, Silver Spring, Md.

NATIONAL COUNCIL,
AMERICAN WAR DADS,
Kansas City, Mo., January 12, 1944.

The Honorable ALEXANDER WILEY,
United States Senate, Washington, D. C.

MY DEAR SENATOR: My attention has just been called to an article titled "Senators WILEY and BUCK Discuss Future of Veterans," which appeared in the January 6, issue of the National Tribune—Stars and Stripes. I take it you have read this article.

Will you be good enough to let us have for publication in the American War Dad magazine, February issue, the script of your broadcast over the Columbia Broadcasting System on December 28 mentioned in that article.

We at these headquarters are very sure you must be in sympathy with the service objectives of the American War Dads movement. Therefore we would welcome an article from you, with an accompanying photograph of yourself, to the columns of the American War Dad.

As the lay-out for the February issue is now under way, it would be helpful to have word from you by return mail, if possible, as to whether we may count on this contribution from you. If necessary, copy would not need to reach us until January 20.

Blessings on you as you carry the ball in so important a connection as proper and just legislation on behalf of our returning war veterans.

Awaiting your earliest convenient reply, believe me,

Yours sincerely and respectfully,
VERNE W. GOULD,
National Program Director.

WORLD PEACE—ADDRESSES AT UNITED NATIONS FORUM, JANUARY 17, 1944

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD addresses upon the subject of world peace delivered by Senator Barkley, Senator Taft, Senator Truman, and Senator Ball, and by Hon. A. A. Berle, Jr., Assistant Secretary of State, before the United Nations Forum, Washington, D. C., on January 17, 1944, which appear in the Appendix.]

MR. STALIN'S ATTITUDE—EDITORIAL FROM WASHINGTON TIMES-HERALD

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial entitled "What's Pal Joey Up To?" published in the Washington Times-Herald for January 19, 1944, which appears in the Appendix.]

ADDRESS BY FRANK S. BOICE AT ANNUAL MEETING OF AMERICAN NATIONAL LIVE STOCK ASSOCIATION

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an address delivered by President Frank S. Boice at the forty-seventh annual meeting of the American National Live Stock Association, Denver, Colo., January 13, 1944, which appears in the Appendix.]

ADDRESS BY ASSOCIATE JUSTICE LOUIS LE BARON OF THE HAWAIIAN SUPREME COURT

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address delivered by Associate Justice Louis Le Baron, of the Hawaiian Supreme Court, at the I Am An American Day ceremony at Honolulu, Hawaii, on May 16, 1943, which appears in the Appendix.]

THE REVENUE ACT

The Senate resumed the consideration of the bill (H. R. 3687) to provide revenue, and for other purposes.

Mr. REVERCOMB. Mr. President, I offer an amendment to the pending bill, which I ask to have stated.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. On page 114, after line 11, in section 1700 (a), in the column headed "War tax rate," after the language "1 cent for each 5 cents or fraction thereof", it is proposed to add "except admissions to moving-picture shows, for which the tax shall be 1 cent for each 10 cents or fraction thereof."

Mr. GEORGE. Mr. President, I did not hear what the amendment provides. Is it limited to the moving-picture-admittance tax?

Mr. REVERCOMB. Yes. The effect of the amendment is to change the war-tax rate as proposed in the pending bill as to moving-picture shows only.

The VICE PRESIDENT. Is there objection to reconsideration of the vote by which the committee amendment, as amended, was agreed to? The Chair hears none, and the vote is reconsidered. The question is on agreeing to the amendment proposed by the Senator from West Virginia to the amendment of the committee.

Mr. REVERCOMB. Mr. President, I wish to make a brief statement explaining the purpose of the amendment, and submit a few remarks in support of it.

The only effect of the amendment would be to change the newly proposed war-tax rate upon admissions with respect to moving-picture shows only. At the present time the rate of taxation for admissions to moving-picture shows is 1 cent for each 10 cents or fraction thereof. That is the rate as to all admissions. The pending bill proposes that there shall be a change in the rate for all admissions—1 cent for each 5 cents or major fraction thereof. My amendment proposes that the old rate shall apply to moving-picture shows.

Mr. President, I feel that special consideration may be given to taxing admissions to picture shows because that form of entertainment and enlightenment has become almost a national institution. I am not attempting to affect in any way the new proposed tax on admissions to other places of entertainment. But the moving picture shows are found in almost every community.

They are patronized generally by all our people. Together with the press and with the radio they have become institutions of education, maybe good, maybe bad in some instances, but indeed, they have become places where the people of this country repair to see what is going on, to learn of current events, and to be entertained with the pictures they find exhibited there.

The proposed increase in tax will not fall upon the picture theaters. It will fall upon the people who attend those places. In many of the small towns of this country the moving-picture house is the only place to which the citizens may go for entertainment, for diversion; and on that point let me say that it has become quite a place of refuge and of comfort in these trying times. Those who have their loved ones, their sons and their husbands and their fathers, serving in the armed forces, who are living under the constant strain, the constant torment of the news that may come, often go there to find some surcease from worry and some diversion in these days that are so trying for us all.

Mr. President, if it can reasonably be avoided I do not believe that we should add another burden, another tax, upon the privilege of attending motion-picture shows. I doubt very much that the proposed tax will cut down any attendance there. It is not going to be a burden upon the moving-picture theaters, and I hold no brief for that cause whatsoever, but it does lay an extra burden on those people who desire the benefit, the entertainment, the diversion, if you please, so much needed today.

It is for that reason, Mr. President, that I propose to the Senate now that the tax upon admissions to moving-picture theaters be left alone; that a 10-percent tax, 1 cent upon each 10 cents or fraction thereof is sufficiently high. I therefore ask that the amendment may be adopted.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from West Virginia [Mr. REVERCOMB] to the committee amendment, as amended. [Putting the question.] The "nays" seem to have it——

Mr. REVERCOMB. I ask for a division.

On a division the amendment to the committee amendment, as amended, was rejected.

The VICE PRESIDENT. Without objection, the committee amendment, as amended, is agreed to.

Mr. MURRAY. Mr. President, I send to the desk an amendment and ask that it be stated.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 190, after line 4, it is proposed to insert the following:

SEC. 902. Sec. 201 (a) of the Social Security Act, as amended, is further amended by adding at the end of the subsection the following:

"There is also authorized to be appropriated to the trust fund such additional sums as may be required to finance the benefits and payments provided under this title."

Mr. MURRAY. Mr. President, in view of the fact that the committee amendment, which has already been agreed to, will freeze the social-security tax, this amendment is being proposed by me to make clear the intent which I understand the Committee on Finance had in mind in connection with this matter. In the report of the Finance Committee the following statement is made:

It is obviously true that the change to the basis of contingent reserves, as contemplated by the amended statutes, that Congress obligates itself in the future to make whatever direct appropriations (in lieu of appropriations for interest on bonds in reserve) are necessary to maintain the full and complete solvency of the old-age and survivors' benefits funds, because there could be no more solemn public trust. This is inherent in the decision made by Congress in 1939.

That statement is to be found on page 19 of the committee report.

Mr. President, in view of that statement in the report, and in view of the fact that the able Senator from Michigan [Mr. VANDENBERG] has stated—and I quote his exact language:

We pledge the Congress to an equivalent direct appropriation to social security to preserve the integrity of its obligations.

I believe that the amendment which I am proposing will be considered as noncontroversial, and will be accepted as merely stating in the law what the Senate has implied by its previous actions and by the statement contained in the committee report.

Of course, I wish to make it clear that I was opposed to the freezing of the social-security tax. However, in view of the fact that the Senate has voted to freeze this tax, I think that the Senate should in good faith enact this necessary legislation to clarify the provision in the law, and to make the long-run financing of the insurance program completely clear.

I think it was made very clear in the debate that that was the intent, and therefore, as I say, the intent should be stated in the bill so there can be no doubt about it.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. VANDENBERG. So far as the principle contained in this amendment is concerned I completely agree with the Senator from Montana. I know of no particular reason why it should not be stated as indicated in the Senator's amendment. I want to make it perfectly clear, however, that this carries with it, so far as I am concerned, and so far as the record is concerned, no implication that any additional sums are necessary now or in the foreseeable future. So far as the immediate situation is concerned, it is perfectly obvious that the current pay-roll-tax collections will be probably four times the sums required to finance the "benefits and payments provided under this title" for the coming year. And when the existing reserves, without any additional collections whatever, are added, it is the testimony of the Social Security Board itself that the funds available are 11 times the "benefits and payments provided under this title" at the highest peak in the next 5 years. I insist that the amendment has no immediate application, it has no immediate menace, it contemplates and anticipates no immediate appropriation; but as the statement of a principle, I agree with the amendment completely, and so far as I am concerned, I have no objection to its inclusion in the bill.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Montana [Mr. MURRAY].

The amendment was agreed to.

Mr. CLARK of Missouri. Mr. President, I call up an amendment which lies on the desk, which I offer, and ask to have read.

The VICE PRESIDENT. The amendment will be read.

The LEGISLATIVE CLERK. On page 64, after line 6, it is proposed to insert the following:

SEC. —. Unused excess-profits credit.

(a) Section 710 (c) (3) of the Internal Revenue Code is amended by inserting after subparagraph (B) the following new subparagraph:

"(C) Certain reorganized railroad corporations and predecessor corporations deemed to be same taxpayer: For the purposes of this subsection, if the basis of the property of a railroad corporation, as defined in section 77m of the National Bankruptcy Act, as amended, is prescribed by section 113 (a) (20), the acquiring corporation and the corporation whose property was acquired, within the meaning of section 113 (a) (20), shall be deemed to be the same taxpayer."

(b) Taxable years to which applicable: The amendment made by this section shall be applicable to taxable years beginning after December 31, 1939.

Mr. CLARK of Missouri. Mr. President, the purpose of the amendment is to

correct an obvious and, I am very certain, an unintentional discrimination in the law as it now exists. In the present state of the law, a very material difference is made between railroad corporations which have reorganized and maintained their theretofore existing corporate structure, and railroads in connection with the reorganization of which, by reason of the local law, it has been necessary to form a new corporation. I do not think that was ever the intention of the Congress, in the first place. I think it should be corrected. I do not think there is any basis of distinction as to the carry-over—and that is all the amendment applies to—as between corporations which are organized in States where they are permitted to reorganize with the old corporation in existence and corporations located in States where the local law is different, and where they are required to form a new corporation.

I am frank to say that this matter was not called to my attention in time for it to be offered in the Finance Committee. All that I ask now is that the Senator from Georgia take the amendment to conference and, if he finds merit in the proposition, that he endeavor to keep it in the bill.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield for a question?

Mr. CLARK of Missouri. I yield.

Mr. JOHNSON of Colorado. I have no objection to the amendment—in fact, I am supporting it—but I desire to know where the amendment would go into the bill? Would it go into section 117, on page 64?

Mr. CLARK of Missouri. Mr. President, inasmuch as I was requesting that the matter be taken to conference, I did not specify the physical place in the bill where it should be inserted. I did provide specifically as to the section of existing law which should be modified; and if the conferees thought well of the proposition, I think they would be able, in drafting the final conference report, to locate the proper place.

Mr. JOHNSON of Colorado. That is a very important parliamentary point, Mr. President, for the reason that none of the language in section 115 pertains to railroad reorganizations.

Mr. CLARK of Missouri. Mr. President, I offered the amendment, as it provides, to be inserted in the bill on page 64, after line 6.

Mr. JOHNSON of Colorado. Very well.

Mr. CLARK of Missouri. I offered the amendment to be inserted on page 64, after line 6 of the amendment offered by the Senator from Georgia, and heretofore adopted by the Senate. There was no opposition to the adoption of the amendment. I propose to have my amendment inserted in the bill after the amendment offered by the Senator from Georgia and agreed to by the Senate.

Mr. JOHNSON of Colorado. That is entirely agreeable. However, I desire to be sure that the amendment goes into the bill at that place.

Mr. CLARK of Missouri. If the Senator will read the amendment, which has been printed, he will observe that at the beginning of the amendment it is stated "Amendment intended to be proposed by Mr. CLARK of Missouri to the bill (H. R. 3687) to provide revenue, and for other purposes, viz: On page 64, after line 6, insert the following."

Mr. JOHNSON of Colorado. That is entirely satisfactory.

Mr. CLARK of Missouri. To be sure, Mr. President, the number of the section has been left blank, because that is a matter of draftsmanship which the drafting clerks of the conference would necessarily have to fill in if the amendment is retained by the conferees.

Mr. JOHNSON of Colorado. I now have a printed copy of the Senator's amendment before me, and the amendment is entirely satisfactory.

Mr. GEORGE. Mr. President, the amendment offered by the Senator from Missouri raises certain highly controversial questions, but I will not oppose taking it to conference and examining it in conference on its merits.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. CLARK].

The amendment was agreed to.

Mr. GEORGE. Mr. President, I offer an amendment which I send to the desk and ask to have stated, following which I shall make a brief explanatory statement.

The VICE PRESIDENT. The amendment offered by the Senator from Georgia will be stated.

The LEGISLATIVE CLERK. On page 108, after line 2, it is proposed to insert the following new section:

SEC. 209. Exempt corporations.

(a) Section 727 (h) of the Internal Revenue Code is amended by adding at the end thereof the following new sentence: "For the purposes of this paragraph, such exclusion shall also be made in determining the unused excess-profits credit for such year."

(b) The amendment made by this section shall be effective as of the date of the enactment of the Excess Profits Tax Act of 1940.

Mr. GEORGE. Mr. President, the purpose of this amendment is to provide an excess-profits-credit carry-over for air transport companies for purposes of section 727 (h) of the code, computed consistenly with the excess-profits-tax exemption now provided for them under that section.

Under section 727 (h), such companies are exempt from excess-profits tax if, in effect, their excess-profits credit equals or exceeds their excess-profits net income from sources other than mail revenue. The intended effect of this provision was to exempt mail revenue from the excess-profits tax if ordinary income was less than the excess-profits credit. However, a carry-over must be provided in those cases where ordinary income is less than the excess-profits credit in order to effectuate this policy.

This amendment carries out this policy, and treats the amount of the difference between ordinary revenue and the credit as an unused excess-profits credit, to be carried over as a part of the excess-profits-credit carry-over for the purpose of determining the status of the taxpayer under section 727 (h) for any year which may be affected.

I should add, Mr. President, that I am asking the adoption of this amendment because the matter was discussed in one conference heretofore, and at the time of the discussion it was found that the bill then under consideration was not open in conference for such an amendment. At that time it was believed that an amendment could be formulated which would have Treasury approval. I should say frankly that the Treasury does not approve this amendment, but I have the feeling that it sets forth a sound public policy. I ask for its adoption by the Senate in order that it may have fuller consideration in the conference.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. GEORGE].

The amendment was agreed to.

Mr. GEORGE. Mr. President, I find one or two other amendments on the desk, but they are not being pressed at the moment by the Senators who submitted them. So far as I know, there is no other amendment to be considered to the tax title of the bill.

Mr. THOMAS of Oklahoma. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment offered by the Senator from Oklahoma will be stated.

The LEGISLATIVE CLERK. At the proper place in the bill it is proposed to insert the following:

Amend United States Code, 1940, title 26, section 122 (c), by striking the numeral (1) immediately after the letter (d).

Mr. THOMAS of Oklahoma. Mr. President, I should like to have the attention of the chairman of the committee.

I have just offered an amendment to the law and not to the bill. This amendment is offered to the code, title 26, section 122, relating to net operating loss deduction. It comes under (c), which relates to the amount of net operating loss deduction, and which reads as follows:

(c) Amount of net operating loss deduction.

The amount of the net operating loss deduction shall be the amount of the net operating loss carry-over reduced by the amount, if any, by which the net income (computed with the exceptions and limitations provided in subsection (d) (1), (2), (3), and (4)) exceeds, in the case of a taxpayer other than a corporation, the net income (computed without such deduction), or, in the case of a corporation, the normal-tax net income (computed without such deduction).

The provision of the code relating to exceptions and limitations reads as follows:

(d) Exceptions and limitations.

The exceptions and limitations referred to in subsections (a), (b), and (c) shall be as follows:

(1) The deduction for depletion shall not exceed the amount which would be allowable if computed without reference to discovery value or to percentage depletion under section 114 (b) (2), (3), or (4).

The real purpose of the amendment is to strike out what many conceive to be a discrepancy and an injustice to certain classes of taxpayers, both individual and corporate. Paragraph (1) has the effect in some instances of depriving taxpayers of the benefits of percentage depletion for all taxable years since 1938, or for a period of 5 taxable years.

I know that the amendment is a technical and complicated one, and, if it be agreeable, I should like to have it taken to conference. If it possesses merit I am sure the conferees will do the proper thing by it, and if it does not I can have no objection if the amendment is not agreed to. I may say that this is the amendment with reference to which my colleague the junior Senator from Oklahoma [Mr. MOORE] prepared a rather lengthy letter and submitted it to the committee.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. THOMAS].

Mr. GEORGE. Mr. President, I do not know what the amendment means. It has not been printed.

Mr. THOMAS of Oklahoma. That is correct.

Mr. GEORGE. It is a complicated amendment. My attention has been called to the fact, however, that the amendment, or the substance of it, was offered in the committee and the committee rejected it. I do not feel at liberty to accept the amendment inasmuch as the committee as a whole passed upon it.

I know that the general effect of the amendment has heretofore been opposed by the Treasury, and inasmuch as the amendment was presented to the full committee and rejected by it, I feel obliged to oppose it. I cannot accept it.

Mr. THOMAS of Oklahoma. Mr. President, as a part of my remarks, and as a further explanation of the amendment, I submit for the RECORD a copy of the letter which was addressed by my colleague the junior Senator from Oklahoma to the Senator from Georgia under date of November 29, 1943. The letter explains the matter in detail. In the event the amendment should be agreed to by the Senate and then, after experts have passed on it, it should be held by the conferees not to have merit, I, of course, would have no objection and would interpose none. I should like to have the amendment go to conference for study in harmony with the suggestion made in the letter submitted by my colleague the junior Senator from Oklahoma.

The PRESIDING OFFICER. Without objection, the letter will be printed in the RECORD.

The letter referred to is as follows:

WASHINGTON, D. C., *November 29, 1943.*

Senator WALTER F. GEORGE,
Chairman, Senate Committee on Finance.

MY DEAR SENATOR: There is now pending before your committee certain amendments to the Internal Revenue Code recently passed by the House, and, in this connection, the effect of section 122 (c), as applied to oil, gas, coal, and other natural-resource producers in certain cases, has been called to my attention.

Section 114 (b) of the Revenue Code permits an allowance for depletion for oil and gas wells, coal mines, and metal mines. In the case of oil and gas wells, the allowance for depletion, under section 23 (m) of the code, is 27½ percent of the gross income from the property during the taxable year, excluding rents or royalties paid or incurred by the taxpayer. Such allowance may not exceed, however, 50 percent of the net income of the taxpayer from the property (computed without allowance for depletion).

Section 122 (c) provides:

The amount of the net operating-loss deduction shall be the amount of the net operating-loss carry-over reduced by the amount, if any, by which the net income (computed with the exceptions and limitations provided in subsection (d) (1), (2), (3), and (4) exceeds, in the case of a taxpayer other than a corporation, the net income (computed without such deduction), or, in the case of a corporation, the normal-tax net income (computed without such deduction).

Section 122 (d) (1) provides:

The deduction for depletion shall not exceed the amount which would be allowable if computed without reference to discovery value or to percentage depletion under section 114 (b) (2), (3), or (4).

It will, therefore, be apparent that section 122 (c), in permitting a net operating loss carry-over and a net operating loss carry-back to the taxable year, in determining the net operating loss deduction, limits depletion for the year in which the net operating loss deduction is claimed to cost depletion, thereby depriving the taxpayer of the benefit of percentage depletion in excess of cost depletion in that year. This, of course, could have the effect of depriving a taxpayer of the benefits of percentage depletion for all taxable years since 1938, or for a period of 5 taxable years.

It is suggested for your consideration that, in order to remedy this injustice, section 122 (c) should be amended by striking therefrom the reference to subsection (d) (1), and the amendment should be applicable to all taxable years beginning after December 31, 1938.

I cannot believe that Congress intended to deprive a taxpayer of statutory depletion as a condition to carrying over a net operating loss from a preceding year or carrying back a net operating loss for a succeeding year where, in computing such net operating loss, percentage depletion is eliminated. I can see why an allowance for statutory depletion should be eliminated in arriving at a net operating loss sustained in some previous or subsequent years, but this should not deprive the taxpayer of his right to percentage depletion, which right is granted to his competitors who have been fortunate enough not to have sustained a net operating loss in a preceding or succeeding year.

The following examples will serve to illustrate the inequitable and unjust application of section 122 (c):

(a) Example:

	1941	1942	Projected period		
			1943	1944	1945
Normal tax, net income or loss	$45,000	$50,000	[1] $595,000	[1] $65,000	$400,000
Excess of percentage over cost depletion	105,000	110,000	95,000	100,000	150,000
Net gain or loss	150,000	160,000	[1] 500,000	35,000	550,000
Application	[1] 150,000	[1] 160,000		[1] 35,000	155,000
Taxable income					395,000

[1] Loss.

(b) Comparable example (same aggregate income):

Net gain or loss	$79,000	$79,000	$79,000	$79,000	$79,000
Excess of percentage over cost depletion	105,000	110,000	95,000	100,000	150,000
No taxable income	[1] 26,000	[1] 31,000	[1] 16,000	[1] 21,000	[1] 71,000

[1] Loss.

In each case, for the 5-year period, the aggregate net income is $395,000. The lucky producer with an equal distribution of earning pays no tax and could have realized, on the same distribution basis, an additional net income of $165,000 or a total net income of $560,000 without any tax liability. The hard luck producer has an aggregate net income of $395,000 and pays tax on every dollar of it.

Section 114 (b) provides for percentage depletion. It is a relief section of the law which grants a special privilege to producers of oil and gas, due to the hazardous nature of such a business. It places oil, gas, and other natural resource businesses on an equitable basis with other business enterprises. Its purpose must be to do that particular thing based on the accumulated evidence, or else it has no just or proper place in the tax laws.

All of the reductions with respect to a usable loss (and there are no net additions under subsection (d) even though the words "exceptions, additions, and limitations" are used) are in respect of tangible transactions (resulting in cash in the till) excepting (d) (1)—excess of percentage depletion. The tangible transactions are subject to control without any disastrous consequences to an enterprise and are not apt to be, in the years immediately preceding or following a loss year, of material consequence. Percentage depletion, the excess thereof over cost, cannot so readily be manipulated, in fact, cannot be changed in any consequential amounts excepting through changes in operations and no accurate results could possibly be calculated by any manner of scheduled changes.

In example (A) no benefit whatever was derived from percentage depletion, while in example (B) excess percentage depletion was advantageously used to the extent of $395,000 and could have been used to the extent of the full amount thereof or $560,000. For the (A) enterprise, section 114 (b) might as well not have been a part of the act.

On the basis of a 40 percent corporate tax, the (A) enterprise retained only $237,000 of its aggregate income while the (B) enterprise retained the full amount of $395,000 and could have, had its earnings been ratably increased, retained $560,000.

Section 114 (b) balance against section 122 (c) deprives the unfortunate enterprise of all of the benefits of percentage depletion until all benefits of the net operating loss deductions are used. Both cannot be used to advantage. A net operating loss in any one year must exceed the excess percentage depletion allowable in the first application

year or it cannot be used to any advantage whatsoever.

Excess percentage depletion should not be one of the exceptions, additions, and limitations contained in subsection (d) of section 122 as it is a special concession for the purpose of placing a hazardous exploitation enterprise on an equal basis with other business enterprises. It surely was not the intention of Congress to use any of the amounts contained in the application year to further reduce the net operating loss deduction correctly computed with respect to all other periods for application with respect to tax computation for that year. If such is the intention, it voids every section or subsection of the revenue act granting the various rights and privileges to all taxpayers alike, with respect to certain taxpayers who are unfortunate and have, within a period of 5 years, one or more net operating loss years. And this is for every year within the period or until the loss is offset or used. A loss that is more than offset by allowable exceptions, additions, and limitations in the first application year is of no use whatsoever.

I call your attention to the example appearing in section 19.122-2 (p. 378) of regulations 103.

The X corporation of the example was a producer of oil or of some natural commodities. In the loss year of 1940, the loss as ordinarily computed for tax purposes is reduced by the following items:

Tax exmpt interest (net)	$20,000
Excess of percentage depletion over cost	70,000
Excess of long-term capital losses over gains	10,000
Total reduction of loss	100,000

The ordinary tax report loss of $200,000 was reduced to $100,000.

In the application year of 1942 a normal-tax net income of $445,000 was increased to $450,000. A difference of only $5,000, representing any or all of the same class of exceptions, additions and limitations aggregating $100,000 in the loss year of 1940. Either the company dispensed with all or the major portion of its producing properties, and there is no indication of such an occurrence, or something else out of the ordinary happened. The ordinary result would be an increase in the excess of percentage depletion over cost depletion in a net income year and certainly not a reduction from $70,000 to $5,000 or a lesser amount.

Other examples illustrating the unfairness of section 122 (c) and its inequitable application to taxpayers who should be entitled to a loss carry-over or a loss carry-back without forfeiting their right to statutory depletion are hereto attached.

The attention of your committee to this matter, in connection with its consideration of the Revenue Act of 1943, will be appreciated.

Yours very truly,

E. H. MOORE.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. THOMAS].

Mr. GEORGE. Mr. President, I regret that I cannot take the amendment to conference. Since the letter addressed to me by the junior Senator from Oklahoma has been mentioned, I recall that this subject deals with one of the most highly controversial provisions in our revenue law. It deals with the percentage depletion allowance. The effect of this amendment would be to undo a policy which the committee and the Senate adopted in 1939. It may be that there should be a reexamination of it, but inasmuch as the amendment was rejected by the full committee and falls within a highly controversial field, I believe that it would be a mistake to put it into this bill even for conference purposes. I will say to the Senator that in connection with the technical and administrative bill which unquestionably will be taken up by the House Ways and Means Committee at a very early date this particular amendment would be a very proper subject matter for study and could then have the advantage of committee judgment both in the House and Senate. I hope the amendment will not be agreed to.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Oklahoma [Mr. THOMAS].

The amendment was rejected.

Mr. AIKEN. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 41, at the end of line 16, it is proposed to strike out the period and the quotation marks and insert a semicolon and the following: "or (7) which is an organization exempt under section 101 (12) or (13)."

Mr. AIKEN. Mr. President, the amendment would exempt under section 112 of the bill, which was not stricken out yesterday, certain farm cooperative organizations which will be unduly hit by that provision.

Mr. GEORGE. Mr. President, I am obliged to make a point of order on this amendment. Yesterday after lengthy debate we adopted section 112. This amendment is an attempt to reopen the debate. I make the point of order that the amendment is not in order.

The VICE PRESIDENT. The point of order is not sustained.

Mr. TOBEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Pepper
Andrews	Gurney	Radcliffe
Austin	Hawkes	Revercomb
Bailey	Hayden	Robertson
Ball	Holman	Russell
Bankhead	Johnson, Colo.	Shipstead
Barkley	Kilgore	Stewart
Bilbo	La Follette	Taft
Bone	Langer	Thomas, Idaho
Burton	Lodge	Thomas, Okla.
Bushfield	McCarran	Thomas, Utah
Butler	McClellan	Tobey
Byrd	McFarland	Truman
Capper	McKellar	Tunnell
Caraway	Maloney	Tydings
Chavez	Maybank	Vandenberg
Clark, Mo.	Mead	Van Nuys
Danaher	Millikin	Wagner
Davis	Moore	Wallgren
Downey	Murdock	Walsh, Mass.
Eastland	Murray	Walsh, N. J.
Ellender	Nye	Wheeler
Ferguson	O'Daniel	White
George	O'Mahoney	Wiley
Gillette	Overton	Willis

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Seventy-five Senators having answered to their names a quorum is present.

Mr. AIKEN. Mr. President, I am proposing this amendment which, frankly, exempts farm cooperatives from the necessity of filing returns to the collector of internal revenue as is required by section 112 of the pending bill. I am offering the amendment for two reasons: First, because I do not believe the situation was fully understood by some Members of the Senate on the floor yesterday; and secondly, because it would provide a measure of relief for those organizations which will be hit hardest by the provisions of section 112.

I believe that some of the Members of the Senate got the impression yesterday that farm organizations were not opposed to the provisions of this section. This morning I have received from two of those organizations letters explaining their stand in the matter. The first is from the National Cooperative Milk Producers' Federation, which, as is well known, is made up of small and large dairy associations in virtually every State in the Union. The letter reads as follows:

THE NATIONAL COOPERATIVE
MILK PRODUCERS' FEDERATION,
Washington, D. C., January 19, 1944.

Hon. GEORGE D. AIKEN,
Senate Office Building,
Washington, D. C.

DEAR SENATOR AIKEN: Our organization has given careful consideration to the provisions of section 112 of the revenue bill of 1943 which, if passed, will require cooperative organizations to file annual income-tax returns, notwithstanding their exempt status by act of Congress of many years standing.

In view of the existing law and the regulations of the Bureau of Internal Revenue, respecting the tax-exempt status of bona fide cooperative organizations, it is difficult for us to see the need for a requirement that they now file annual tax returns.

As you are aware, under the present law cooperatives must make a showing in order to secure a certificate of exemption from the Commissioner of Internal Revenue. The regulations in this regard are both precise and exacting and if a cooperative organization is not conducting its business consistent with the theory of the statutory exemption and the regulations of the Commissioner, the certificate of exemption is denied such organization.

Apparently the impression prevails that cooperatives are the same as ordinary business corporations, namely, that they are in business for profit and that their exemption from income taxation is in the nature of a special privilege granted by the Government. This, of course, is entirely an erroneous conception of the method in which exempt cooperatives operate. The savings that are effected by a cooperative through its cooperative method of doing business are in no sense profit to the cooperative. Rather, they are the savings of the patrons and the exemption from income taxation is not an exemption in fact at all, but a recognition that such organizations do not engage in business for profit to themselves.

It seems to us that the passage of section 112 will impose an intolerable burden both upon the Treasury Department, Bureau of Internal Revenue, as well as upon the more than 10,000 cooperatives presently operating throughout the country. It will add both to the overhead expense of the cooperative as well as to the Government since it may be presumed that the returns will be examined and audited by the Treasury Department.

We feel that nothing is to be accomplished in requiring cooperatives to file annual returns and it is the position of our organization that cooperatives should be excluded from the provisions of section 112.

Sincerely yours,

CHAS. W. HOLMAN,
Secretary.

The second letter is from the National Council of Farmer Cooperatives, which is an organization of cooperatives also from virtually every State in the Union, handling all kinds of farm produce. The letter, which is dated January 19, reads as follows:

NATIONAL COUNCIL OF
FARMER COOPERATIVES,
Washington, D. C., January 19, 1944.

Hon. GEORGE D. AIKEN,
United States Senate,
Washington, D. C.

MY DEAR SENATOR AIKEN: Re section 112, H. R. 3687, I attach herewith copy of my statement before the Senate Finance Committee and a letter directed to Members of the Senate dated January 14 regarding the above.

The National Council of Farmer Cooperatives, representing over 2,300,000 farmers affiliated with thousands of farmer cooperatives, is opposed to the filing of annual detailed reports for the following reasons:

1. These cooperatives are now filing reports currently with the Commissioner of Internal Revenue for the purpose of showing the character of their operations. If this information is not sufficient and Congress wishes additional information, the Commissioner of Internal Revenue can change the form accordingly. Cooperatives are now subject to continuous examination by the Government for the purpose of determining their tax status under the provisions of the tax law.

2. Bona fide farm cooperatives are essentially partnerships of farmers and are nonprofit in their operations.

3. It would be impossible for a farm cooperative to fill out the form of income-tax return prescribed for an ordinary business corporation because that form calls for a showing of profit and loss. A true farmer cooperative can make no profit or loss.

4. The adoption of a new filing requirement would be a needless and burdensome expense both on the part of the cooperatives and the Government. It would require additional personnel and result in the extension of Government control. On the other hand, I want it clearly understood that farmer cooperatives have nothing to conceal from either the Members of Congress or the American public. It does, however, seem unwise to require on the part of 10,500 farmer cooperatives the filing of annual detailed reports when these associations are already filing reports with one agency of the Government and are subject to current examination by the same agency.

Sincerely yours,

EZRA T. BENSON,
Executive Secretary.

Mr. President, I have here for the inspection of any Senator the questionnaire which all farmers' cooperative associations have to fill out before they are certified for exemption from filing these returns. I ask unanimous consent that the questionnaire be printed in the RECORD, so that Senators may have some idea of what they are called upon to answer.

The PRESIDING OFFICER. Is there objection?

There being no objection, the questionnaire was ordered to be printed in the RECORD, as follows:

QUESTIONNAIRE FOR FARMERS', FRUIT GROWERS', OR LIKE ASSOCIATIONS CLAIMING EXEMPTION UNDER SECTION 101 (12) OF THE INTERNAL REVENUE CODE AND THE CORRESPONDING PROVISIONS OF PRIOR REVENUE ACTS

State of _____

County of _____, ss:

_____ deposes and says that he
(Name of affiant)

is the _____ of the
(Title of affiant)

_____ located at
(Full name of association)

_____, and that
(Full address, street and number)

the following answers and statements relative to the year ended _____, 19___
(Fiscal or calendar year on basis of which your books are kept)

are true to the best of his knowledge and belief:

1. Date association was organized _____
2. Purpose for which organized _____
3. Is the association incorporated? _____
(Yes or no)

If so, state:

(a) Date incorporated _____
(b) Under the laws of what State? _____

4. State the amount of each class of capital stock outstanding and the value of the consideration for which it was issued _____

(a) State the rate of dividend paid on each class of such capital stock _____

5. State the amount of each class of capital stock owned by: [1]

(a) Producers _____
(b) Nonproducers _____
(c) Persons who were nonproducers at the time stock was acquired _____

6. State the circumstances surrounding the acquisition of your capital stock by nonproducers [1] _____

(a) What provision is made for retiring the capital stock held by nonproducers? _____

7. If the association issues any nonvoting preferred stock, explain whether the owners thereof may participate in the profits of the association, upon dissolution or otherwise, beyond the fixed dividends _____

8. What is the legal rate of interest in the State in which the association is incorporated? _____

9. Does the State law require the maintenance of a reserve? _____ If so,
(Yes or no)

state the amount of such reserve, $_____

10. Does the association maintain any reserves other than required by the State law? _____ If so, state:
(Yes or no)

(a) Amount of each reserve _____
(b) Purpose for which each reserve is maintained _____

11. What are the requirements for membership in the association? _____

12. Does the association deal with both members and nonmembers? _____

13. State the value of products marketed during the year for:

(a) Members [2] _____ $____
(b) Nonmembers _____ $____

14. State the value of purchases made during the year for:

(a) Members [2] _____ $____
(b) Nonmembers _____ $____

15. State the value of purchases made during the year for persons who are neither members nor producers. (Do not include this amount in item 14 (b)) _____ $____

16. State fully the manner in which distribution is made of the proceeds of products marketed for:

(a) Members _____
(b) Nonmembers _____

17. State fully the plan followed in charging for supplies and equipment purchased for:

(a) Members _____
(b) Nonmembers _____

18. Does the association pay patronage dividends? (Yes or no) _____. If so, explain how such payments are made and whether in cash or otherwise:

(a) Members _____
(b) Nonmembers _____

19. Is the information contained herein representative of the purposes and activities of the association since January 1, 1925, or date of organization, if organized subsequent to that date? (Yes or no) _____. If not, state the changes that have occurred and dates of such changes _____

20. Has the association filed income-tax returns? (Yes or no) _____. If so, for what year or years? _____

21. Attach to this questionnaire a classified statement of the receipts and expenditures of the organization during the year covered by this questionnaire and a complete statement of the assets and liabilities as of the end of that year; a copy of the articles of incorporation, if incorporated, or if not incorporated, a copy of the constitution, articles of association, or other document setting forth the aims and purposes of the organization; and a copy of the by-laws, or other similar code of regulations. (N. B.—A separate questionnaire and financial statements must be submitted for each year for which exemption is being claimed, beginning with the year 1924.)

A mere claim or contention by a corporation (or other organization) that it is exempt from income tax under section 101 of the Internal Revenue Code and the corresponding provisions of prior revenue acts, will not relieve the corporation from filing income-tax returns and paying the tax. Unless the Commissioner has determined that a corporation is exempt, it must prepare and file a complete income-tax return for each taxable year of its existence. Accordingly, every organization that claims to be exempt should furnish the information and data specified herein, together with any other facts deemed material to the question, with the least possible delay, in order that the Commissioner can determine whether or not it is exempt. As soon as practicable after the information and data are received, the organization will be advised of the Commissioner's determination, and if it is held to be exempt, no further returns of income will be required.

_____
(Signature of officer making affidavit)

Subscribed and sworn to before me this _____ day of _____, 194___.

[Notary's seal]

_____
(Signature of officer administering oath)

_____
(Title)

(If the space provided for the insertion of information or data under any of the above questions is inadequate, additional sheets may be used which should be properly identified and securely attached hereto.)

(This affidavit may be executed without cost before any internal revenue officer authorized to administer oaths.)

[1] The information called for in questions 5 and 6 above need not be supplied with respect to nonvoting preferred stock, the owners of which are not entitled or permitted to participate, directly or indirectly, in the profits of the association, upon dissolution or otherwise, beyond the fixed dividends.

[2] If a member is required to own one or more shares of stock, include in 13 (a) and 14 (a) only the amount of business transacted with persons actually owning the required number of shares.

Mr. VANDENBERG. Mr. President, will the Senator yield for a question?

Mr. AIKEN. I yield.

Mr. VANDENBERG. Does the Senator know whether one original filing suffices in respect to the questionnaire he has just submitted? Is not that preliminary to the initial issuance of the certificate of exemption, and is not that the end of it?

Mr. AIKEN. I have not the exact information about that. I understand it has to be filed each year, but I will not be positive as to that.

Mr. GEORGE. Oh, no, Mr. President. They have to qualify under section 101, and thereafter they may change colors from year to year. The Department can call on them for additional information if it wishes to.

Mr. AIKEN. It can call on them every 6 months if it desires, can it not?

Mr. GEORGE. Yes; it can, but it does not, and we are trying to include in the pending bill some provision which would require it to do that.

Mr. VANDENBERG. That is the point I was suggesting. It does not seem to me that the initial questionnaire preceding certification is any substitute in respect to the proposal we are making, because it is conceded that many of the cooperatives, which I am sure the Senator from Vermont himself would concede if he studied the record, are not cooperatives any longer, in a tax-exemption sense. They take on that character after they have been certified, and after they have developed their operations. So, if I may say so to the Senator, I do not think the questionnaire is a substitute in protecting the Government against the only thing in which we are interested, so far as the Senate Committee on Finance is concerned, which is a cooperative that is misused for illegitimate purposes, not for cooperative purposes.

Mr. AIKEN. Mr. President, I dare say there are those who will organize cooperatives, and then take them over for personal profit, if they can do so, and I dare say there are those who get away with it. However, the Treasury has a means of catching up with them, if it has the time. That is also true, however, of others, engaged in other lines.

It so happens that I do not know of any cooperatives which would fall in the category suggested by the Senator from Michigan. In Vermont we require them to furnish such information to the Commissioner of Agriculture each year as he may request. I do not know what he requests at this time, but I assume that during these hard war days he is making it as easy as he can for them.

Mr. President, it seems to me that with the farm cooperatives playing the part they are playing in the food-production program, doing the things they are doing for the Federal Government, acting as distributors of feed and fertilizer and other farm commodities which a farmer has to purchase, we should not impose any heavier burden on them. They are taking over the Maine potato situation from the Federal Government. I do not know what the Federal Government would have done with the potatoes in Maine if there had not been two cooperatives there to handle the situation.

It seems to us that when they are having all this extra work, when all of us are raising a hue and cry against making it harder and harder for anyone and everyone to do business by requiring the filling out of more questionnaires and still more questionnaires, we should not impose this added burden at this time.

I shall not go into the benefits or lack of benefits provided by farm cooperatives. I think most of us know the work they are doing, but it is extremely important, especially during these days, when the Government is urging everyone to produce food so that the world may continue to eat what it should have to eat.

Mr. LANGER. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I yield.

Mr. LANGER. I have received hundreds of telegrams and letters and petitions, signed by farmers, who belong to cooperatives in North Dakota, and they are very much concerned about the additional work made necessary if the new requirement is complied with. They endorse the amendment offered by the Senator from Vermont.

Mr. AIKEN. Mr. President, I do not believe a great many farmer cooperatives are in a position to fill out regular income-tax returns. I think they are not in a position to go back over the years and figure out the information and furnish the data which would have to be furnished, which has accumulated over a period of years.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. GEORGE. The Senator persists in talking about making out income-tax returns. The section under discussion does not require that at all. It requires only that they show the gross receipts, from what source derived, and what they have done with them.

Mr. AIKEN. Does the Senator mean just three or four lines?

Mr. GEORGE. Yes; practically that is all it amounts to; and such other information as the Commissioner, with the approval of the Treasury, may ask for. That is all that is required.

Mr. AIKEN. I cannot imagine the Treasury Department sending out a questionnaire requiring answers covering only three or four lines, although I hope the time will come when the questionnaires will be much briefer than they are now.

Mr. GEORGE. The Senator persists in talking about income-tax returns, when that question is not at all involved in the controversy.

Mr. AIKEN. What I am trying to do this morning is to present the position of the farm cooperatives, which we did not present clearly yesterday, because we did not have the information from them. It should have been here so that it could have been given to the Senate yesterday.

The secretary of the Farm Bureau Federation called me this morning. Reference was made yesterday to the position of that organization. It appears they intended to back up the National Council of Farmer Cooperatives. The National Council of Farmer Cooperatives at one time stated that they would not object to the enactment of the section under discussion, provided certain amendments were made to it. As I understand from the secretary of the American Farm Bureau Federation, they endorse the position taken by the National Council of Farmer Cooperatives.

Later, at their meeting in Chicago last week, the National Council of Farmer Cooperatives looked into the situation a little deeper and took an outright stand against section 112. But the American Farm Bureau Federation has had no meeting of its executive committee since, and therefore has had no opportunity to endorse and back up the final stand of the National Council of Farmer Cooperatives.

Mr. President, I hope the amendment will be agreed to. It is not accompanied by as many complications as was the provision we were considering yesterday.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. SHIPSTEAD. The bill before us is a revenue bill, and is introduced for the purpose of levying taxes on incomes and profits. The question now seems to me to be: Why is the provision in question contained in the bill, unless it be for the purpose of finding out if there is any tax evasion by any organization which has had a profit? As I understand, the cooperatives as such have no profits. They have income, but the income goes back to the individual members, who pay taxes on the income they individually receive.

Mr. AIKEN. That is usually required by State laws under which they are organized, or by their charter or their bylaws.

Mr. SHIPSTEAD. If a cooperative has an income at all, it is used to pay incidental expenses on which, of course, there is no tax to be paid. The cooperative may have a manager who receives a salary, and he pays an income tax on the salary he receives. If any money out of its treasury goes to the members, the members pay taxes on that money. Unless the purpose of the provision is to find out the source of revenue, I cannot understand why it should be contained in the tax bill.

Mr. AIKEN. Mr. President, we have heard that there is an organization with headquarters at Chicago, which was organized for the express purpose of limiting, or delimiting, farm cooperatives—an organization which intends to do away, if possible, with competition which its members have from farm cooperatives.

The usual procedure of a farm cooperative is to sell to its members at the prevailing price for the commodity. In fact, in some communities the cooperatives sell so much that in effect they fix the price. But they sell at the prevailing price; and then at the end of the year they refund to each of their members a certain amount in proportion to the purchases which the members have made from their own cooperative during the year. Some of these cooperatives are

very large. They do business very efficiently and ecnomically. One cooperative has a membership of 180,000, with headquarters in New York State. Suppose that cooperative at the end of their year had $1,800,000 to be turned back to its members, that would mean $10 on an average to each of its members. It would not be very much. But suppose, after this entering wedge is established, that the opponents of the cooperatives go on step by step from there until they succeed in having that $1,800,000 belonging to the 180,000 members taxed as corporation profits, then there would be virtually nothing whatsoever going back to the members of the cooperative, and there would be no inducement any longer for maintaining the cooperative.

I do not know whether the enemies of the cooperatives have that purpose in mind. But it is one thing that they could have in mind.

Mr. SHIPSTEAD. My understanding of a cooperative is that it is an institution organized for the purpose of providing a saving on purchases by means of cooperative buying.

Mr. AIKEN. It enables the farm people to do cooperatively what none of them could do individually. It enables them to buy by the carload instead of in small lots. It enables them to install systems of grading of their products which no one of them could do alone. It regulates quality to a large extent. I remember when farmers used to buy dirt under the name of fertilizer until the cooperatives got on the job and brought about regulation, and the farmers obtained fertilizer of higher-grade material. I remember when we used to buy grass seed which was full of weeds and grain which was full of chaff.

Mr. SHIPSTEAD. Is it not true that if any profits are made above expenses the profits go to the individuals?

Mr. AIKEN. The profits are returned to the individual members.

Mr. SHIPSTEAD. And the individual member pays a tax on what he receives?

Mr. AIKEN. The individual pays a tax on it; yes.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. HOLMAN. It is my notion that farm cooperatives are intended to overcome a disadvantageous position occupied by farmers when they are unorganized in their buying and selling. The farmers are required to sell at wholesale prices and to buy at retail prices, and the idea of a farm cooperative is to reverse that process.

Mr. AIKEN. The Senator is correct in that the farm cooperative often enables the farmer to buy at more nearly wholesale prices, and I certainly hate to see any additional burden placed upon these organizations at this time.

Mr. GILLETTE obtained the floor.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. GILLETTE. Yes.

Mr. VANDENBERG. I wish to comment very briefly on one thing the able Senator from Vermont said. I do not believe that he intended to imply that the inspiration for the attitude of the Senate Finance Committee on this proposition is opposition to cooperatives.

Mr. AIKEN. Absolutely not. I think I understand the position of the members of the committee, and I know that they are not party to such purpose as that for which our friends in Chicago have organized.

Mr. VANDENBERG. I thank the Senator for his forthright statement, because I think we are entitled to have him make it. I doubt if the RECORD will disclose any stauncher friend of cooperatives in the Senate than I have been. I believe in the cooperatives. But I also believe that it is good for legitimate cooperatives to run out illegitimate cooperatives, and I think that in the long run legitimate cooperatives are safer and stronger in proportion as they are defended against the prostitution of the great idea upon which they are organized.

There are cooperatives in this country using the name but violating the principle. The sole purpose of the amendment is to undertake to obtain the information which will identify that fact, and when that fact is identified tax evasion has been identified. Furthermore, Mr. President, all tax evasion must stop in this country if we are going even remotely to approximate the revenues we must raise.

Mr. AIKEN. Mr. President, will the Senator yield briefly?

Mr. GILLETTE. I yield.

Mr. AIKEN. I have in mind one small store, not in my State, which has a sign "Cooperative" over it. I am satisfied that it is owned by an individual, but I am also satisfied that that man makes his return to the Commissioner of Internal Revenue as an individual and not as a cooperative. He is not exempt from making his return because he uses a name to which he has no right.

Mr. GILLETTE. Mr. President, shortly before the holiday recess of Congress I introduced a bill which was designed, through means of a so-called profits tax, to control, or perhaps limit and restrict if not control, the pending threat of a runaway boom in land prices. The bill, in theory at least, was a revenue raising measure, and as such had no constitutional place in this body. At the time I introduced it I announced my intention of offering it as an amendment to the first revenue bill to be considered by the Senate, which of course is the pending measure. I requested the eminent chairman of the committee, during the holiday recess, if possible, to appoint a subcommittee to consider the provisions of the proposal, because it was somewhat intricate, and while he earnestly tried to do so, his time was so limited, and the demands on him so great, that he was unable to do it.

While I have offered it as an amendment, and it is now on the table, I have conferred with the distinguished chairman, and it has been suggested that I not call it up at this time. A number of Senators have asked me if it was my intention so to do. But it seems there is a very good probability that between now and the next revenue bill to come to the Senate, which will be very soon, there will be an opportunity for study by a subcommittee of the provisions of this proposal, so that its effect can be fully known.

In view of that assurance by the chairman of the Committee on Finance, I announce that I have no intention of calling up the amendment to the pending revenue bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AIKEN].

Mr. GEORGE. Mr. President, I sincerely hope that the amendment will not prevail. As was stated during the debate, this proposal came before the Finance Committee three times. On three occasions the committee voted on it. Yesterday, after 3 hours of debate, with no Member of the Senate offering this section to perfect the amendment at that time, the Senate decided that it would retain the House provision in the bill.

No true farm cooperative need be afraid. The tremendous anxiety of the cooperatives leads me to believe that there are some of them which ought to be examined.

Let me read the law to indicate what will be exempted if the amendment prevails. The Senator from Vermont proposes to exempt all corporations organized under subparagraphs 12 and 13 of section 101 of the Internal Revenue Code. I shall read subparagraphs 12 and 13:

(12) Farmers', fruit growers', or like associations organized and operated on a cooperative basis (a) for the purpose of marketing the products of members or other producers, and turning back to them the proceeds of sales, less the necessary marketing expenses, on the basis of either the quantity or the value of the products furnished by them—

A perfect description of a commission merchant who is doing a legitimate business and paying the tax, to the extent that he deals for persons not members of the organization—

or (b) for the purpose of purchasing supplies and equipment for the use of members or other persons, and turning over such supplies and equipment to them at actual cost, plus necessary expenses. Exemption shall not be denied any such association because it has capital stock, if the dividend rate of such stock is fixed at not to exceed the legal rate of interest in the State of incorporation or 8 percent per annum, whichever is greater, on the value of the consideration for which the stock was issued, and if substantially all such stock (other than nonvoting preferred stock, the owners of which are not entitled or permitted to participate, directly or indirectly, in the profits of the association, upon dissolution or otherwise, beyond the fixed dividends) is owned by producers who market their products or purchase their supplies and equipment through the association; nor shall exemption be denied any such association because there is accumulated and maintained by it a reserve required by State law or a reasonable reserve for any necessary purpose. Such an association may market the products of nonmembers in an amount the value of which does not exceed the value of the products marketed for members, and may purchase supplies and equipment for nonmembers in an amount the value of which does not exceed the value of the supplies and equipment purchased for members, provided the value of the pur-

chases made for persons who are neither members nor producers does not exceed 15 percent of the value of all its purchases. Business done for the United States or any of its agencies shall be disregarded in determining the right to exemption under this paragraph.

Mr. President, the following would also be exempted:

(13) Corporations organized by an association exempt under the provisions of paragraph (12)—

Corporations now are organized by those who are exempted under the provisions of paragraph (12) which I have just read—

or members thereof, for the purpose of financing the ordinary crop operations of such members or other producers, and operated in conjunction with such association. Exemption shall not be denied any such corporation because it has capital stock, if the dividend rate of such stock is fixed at not to exceed the legal rate of interest in the State of incorporation or 8 percent per annum, whichever is greater, on the value of the consideration for which the stock was issued, and if substantially all such stock (other than nonvoting preferred stock)—

And so forth—

is owned by such association, or members thereof; nor shall exemption be denied any such corporation because there is accumulated and maintained by it a reserve required by State law or a reasonable reserve for any necessary purpose.

Mr. President, it is a matter of public record that these so-called farm cooperatives have done a volume of business approximating $3,000,000,000 annually.

Mr. AIKEN. Mr. President, if the Senator will yield to me, let me inquire whether he infers that the 10,500 member organizations of cooperative associations are not true cooperatives. Does he mean that the letters I have received have not come from——

Mr. GEORGE. No, Mr. President; I do not infer anything. But I have stated that there are many organizations which have a colorable status under which they have obtained this exemption, and they have become nothing more or less than business enterprises.

But I have said in the beginning, and I say again, that I am not inferring anything. The honest farm cooperative association has nothing in the world to fear from making a return. Nobody would want to tax them. But are not the taxing powers of the Congress to have the right to take a look at many who simply have a colorable organization under which they are doing a vast volume of business? That is all the proposal is. The Senator from Vermont is proposing to let labor unions and everyone else under this provision make the returns, but he wants to take out only these special groups.

Mr. AIKEN. Mr. President, there is no comparison between the returns a labor union would have to make and the returns which would have to be made by a farm cooperative doing a half million or a million dollars' worth of business. I deem that the cooperatives which have written to me—this association representing 10,500 farm cooperatives—are all honorable cooperatives.

Mr. GEORGE. I would not question that they are honorable cooperatives.

Mr. AIKEN. But they are the ones that are protesting against this proposal.

Mr. GEORGE. No one is disputing their honesty. But here is the law, and I have read it:

(12) Farmers', fruit growers', or like associations—

Any group of farmers. I am a farmer; my entire investment is in farms. Any group of four or five or a dozen or any other number of farmers can organize; and so long as the organization is a farmers' cooperative, it is all right, and there never would be a proposal even to inquire as to whether it should be taxed. We can organize, and we can do the same amount of business for those who are not farmers, if we wish to do it. There is no way to prevent it; and yet cooperatives are not taxed.

Mr. AIKEN. Will the Senator permit me to explain the reason why it is necessary to permit a farm cooperative to do some business for nonmembers? If they are selling——

Mr. GEORGE. I am not explaining it, but I am saying that when there is a mere colorable organization, as some of them are——

Mr. AIKEN. Will the Senator let me explain?

Mr. GEORGE. Not in my time. The Senator may speak again if he wishes to do so.

Mr. AIKEN. There is a very good explanation.

Mr. GEORGE. I presume this is an effort to whittle down what the Senate did yesterday, whittle down the vote which was taken in this Chamber after 3 hours of debate, by exempting one of them at a time. But I think the Senator will be woefully deceived when the vote comes on this amendment, because I do not conceive that any Member of the Senate will be willing to ask for certain factual information from a large number of other organizations and exempt the farm cooperatives.

The true farm cooperative can make its report to the Bureau of Internal Revenue at the close of its business or fiscal year with practically no trouble at all. How long would it take any business organization to say what its gross receipts are, and from what source it received those revenues? It would not be expected to itemize every dollar, but it could state from what source the revenues were received, and to whom the money was paid. That is all that is asked, unless the Bureau of Internal Revenue, with the approval of the Treasury, wishes to ask some additional questions, which I concede it has a right to ask now if it wishes to do so.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AIKEN].

Mr. AIKEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Radcliffe
Andrews	Hawkes	Revercomb
Austin	Hayden	Robertson
Bailey	Holman	Russell
Ball	Johnson, Colo.	Shipstead
Bankhead	Kilgore	Stewart
Barkley	La Follette	Taft
Bilbo	Langer	Thomas, Idaho
Bone	Lodge	Thomas, Okla.
Burton	McCarran	Tobey
Bushfield	McClellan	Truman
Butler	McFarland	Tunnell
Byrd	McKellar	Tydings
Capper	Maloney	Vandenberg
Caraway	Maybank	Van Nuys
Chavez	Mead	Wagner
Clark, Mo.	Millikin	Wallgren
Danaher	Moore	Walsh, Mass.
Downey	Murdock	Walsh, N. J.
Eastland	Murray	Wheeler
Ellender	Nye	White
Ferguson	O'Daniel	Wiley
George	O'Mahoney	Willis
Gillette	Overton	
Green	Pepper	

The PRESIDING OFFICER. Seventy-three Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AIKEN].

Mr. AIKEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. BANKHEAD (when his name was called). I have a general pair with the senior Senator from Oregon [Mr. McNARY]. I have no information as to how he would vote. If I were at liberty to vote, I should vote "yea." Under the circumstances, I withhold my vote.

Mr. WHITE (when Mr. HOLMAN's name was called). I am requested to announce that the junior Senator from Oregon [Mr. HOLMAN] has been obliged to leave the Chamber to attend to official business elsewhere. I am informed that he has a general pair with the junior Senator from Tennessee [Mr. STEWART]. I am not advised how the Senator from Oregon would vote if he were present.

Mr. STEWART (when his name was called). I have a general pair with the junior Senator from Oregon [Mr. HOLMAN]. I transfer that pair to the junior Senator from Pennsylvania [Mr. GUFFEY], whom I am informed would, if present, vote "nay." I am, therefore, at liberty to vote, and I vote "nay."

Mr. WAGNER (when his name was called). I have a general pair with the Senator from Kansas [Mr. REED]. I transfer that pair to the senior Senator from Virginia [Mr. GLASS]. I am not advised how either Senator would vote if present. I vote "nay."

The roll call was concluded.

Mr. BARKLEY. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Rhode Island [Mr. GERRY], and the Senator from South Carolina [Mr. SMITH] are necessarily absent.

The Senator from Texas [Mr. CONNALLY], the Senator from Utah [Mr. THOMAS], the Senator from California [Mr. DOWNEY], and the Senator from North Carolina [Mr. REYNOLDS] are detained in Government departments on matters pertaining to their respective States.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

The Senator from Pennsylvania [Mr. GUFFEY], the Senator from Alabama [Mr. HILL], and the Senator from Illinois [Mr. LUCAS] are detained on public business.

The Senator from New Mexico [Mr. HATCH] is detained because of a slight cold.

The Senator from Kentucky [Mr. CHANDLER] has a general pair with the Senator from Pennsylvania [Mr. DAVIS].

The Senator from Utah [Mr. THOMAS] has a general pair with the Senator from New Hampshire [Mr. BRIDGES].

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] and the Senator from Iowa [Mr. WILSON] are absent because of illness.

The Senator from Maine [Mr. BREWSTER], the Senator from Delaware [Mr. BUCK], and the Senator from Nebraska [Mr. WHERRY] are necessarily absent.

The Senator from Illinois [Mr. BROOKS] is absent on official business.

The Senator from New Hampshire [Mr. BRIDGES] has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from Kansas [Mr. REED] is necessarily absent. He has a general pair with the Senator from New York [Mr. WAGNER].

The Senator from Pennsylvania [Mr. DAVIS] is detained on official business. He has a general pair with the Senator from Kentucky [Mr. CHANDLER].

The result was announced—yeas 26, nays 44, as follows:

YEAS—26

Aiken	La Follette	Shipstead
Austin	Langer	Thomas, Idaho
Barkley	McCarran	Thomas, Okla.
Bone	McFarland	Tobey
Capper	McKellar	Wallgren
Chavez	Murdock	Wheeler
Clark, Mo.	Murray	Wiley
Hayden	Nye	Willis
Johnson, Colo.	Pepper	

NAYS—44

Andrews	Green	Revercomb
Bailey	Gurney	Robertson
Ball	Hawkes	Russell
Bilbo	Kilgore	Stewart
Burton	Lodge	Taft
Bushfield	McClellan	Truman
Butler	Maloney	Tunnell
Byrd	Maybank	Tydings
Caraway	Mead	Vandenberg
Danaher	Millikin	Van Nuys
Eastland	Moore	Wagner
Ellender	O'Daniel	Walsh, Mass.
Ferguson	O'Mahoney	Walsh, N. J.
George	Overton	White
Gillette	Radcliffe	

NOT VOTING—26

Bankhead	Downey	McNary
Brewster	Gerry	Reed
Bridges	Glass	Reynolds
Brooks	Guffey	Scrugham
Buck	Hatch	Smith
Chandler	Hill	Thomas, Utah
Clark, Idaho	Holman	Wherry
Connally	Johnson, Calif.	Wilson
Davis	Lucas	

So Mr. AIKEN's amendment was rejected.

Mr. CLARK of Missouri. Mr. President, I send forward an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 57, before line 8, it is proposed to insert the following:

SEC. 115¾. Reorganization by adjustment of capital structure prior to September 22, 1938.

(a) Section 113 (a) (relating to the basis of property) is amended by inserting at the end thereof the following:

"(23) Adjustment of capital structure prior to September 22, 1938: Where a plan of reorganization of a corporation, approved by the court in a proceeding under section 77B of the National Bankruptcy Act, as amended, is consummated by adjustment of the capital or debt structure of such corporation without the transfer of its assets to another corporation, and a final judgment or decree in such proceeding has been entered prior to September 22, 1938, then, notwithstanding the provisions of section 270 of the National Bankruptcy Act, as amended, the basis of the property of such corporation shall be unaffected by such proceeding. For the purpose of this paragraph the term 'reorganization' shall not be limited by the definition of such term in section 112 (g)."

(b) The amendment made by subsection (a) shall be effective as if it were a part of the Internal Revenue Code, the Revenue Act of 1938, and the Revenue Act of 1936, on the dat of its enactment.

Mr. CLARK of Missouri. Mr. President, the purpose of this amendment is to send to conference the question of the proper construction of a statute which has heretofore been enacted by the Congress. It is a highly technical matter which I shall not undertake to detain the Senate at this time by explaining, but it has to do with the retrospective change of a ruling made by the Bureau of Internal Revenue, having to do with certain corporations whose reorganization under section 77B had been completed and approved by the Federal courts and had gone into effect and been established long before the change in the ruling by the Bureau of Internal Revenue. I am not asking the Senate to commit itself on the final determination of this matter, but I do think that it should be sent to conference in order that the conferees may examine the question as to whether or not there should not be uniformity of ruling with regard to this matter.

As I stated, the ruling is a retrospective ruling of the Bureau of Internal Revenue in which they changed the position they formerly took. If the Senator from Georgia would be willing to take the amendment to conference, I believe it might be very helpful.

Mr. GEORGE. Mr. President, I am not disposed to object to taking it to conference; but I will say to the Senator from Missouri that of course this is a controversial question.

Mr. CLARK of Missouri. I understand it is a controversial question, and I say very frankly to the Senator from Georgia that I shall not be disposed to oppose what may be the decision of the conferees. It seems to me that corporations affected have a square case, from instances which were called to my attention, and I did not think that they ought to be foreclosed by the passage of the tax bill without any consideration of it whatever.

It was not called to my attention in time to present the matter to the Finance Committee, and, if the Senator from Georgia will be willing to take it to conference, I shall be entirely satisfied.

Mr. GEORGE. I am perfectly willing to take it to conference, because I think it is a question that ought to be carefully examined.

Mr. CLARK of Missouri. I agree entirely with the Senator from Georgia, and I will say in advance that I shall be disposed to adhere to the decision of the conferees.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. JOHNSON of Colorado. I should like to ask the Senator from Missouri a question. I have not had time and opportunity, of course, to read the amendment which he has offered, but I should like to know in what way it would affect any railroads undergoing reorganization.

Mr. CLARK of Missouri. It has nothing whatever to do with railroads. It relates to a general statute having to do with corporations which have heretofore concluded reorganization under section 77B, which have been wound up by the Federal courts that had charge of reorganization, and which are now affected by a reversal of a ruling by the Internal Revenue Bureau. As I say, I am not insisting in any degree whatever on the provisions of this amendment. I offer it for the purpose of having the matter sent to conference.

Mr. JOHNSON of Colorado. I understand, then, that it has nothing to do with any controversy that might later appear between security holders and bondholders and stockholders of railroad corporations.

Mr. CLARK of Missouri. As a matter of fact, Mr. President, the genesis of this amendment has to do with certain companies that had been through the wringer under section 77B without changing their existing corporate structure. I have particularly in mind the Long-Bell Lumber Co., of Kansas City, Mo., which by cutting down all interest and by an adjustment of the rights of the bondholders and the stockholders has been through the wringer without a change in its corporate structure. The reorganization has been approved by the Federal court and the reorganized company is actually engaged in business. Now, along comes the Internal Revenue Bureau and makes a reversal of its previous ruling. The purpose of this amendment is simply to accord to corporations which have not had a new corporate structure the same rights that would be accorded under section 77B to corporations which had reorganized their whole corporate structure.

I do not believe there is any possible objection to it, and as I have stated to the Senator from Georgia, I am perfectly willing for him to take it to conference and if there is any evidence adduced against the proposal, I shall be bound by the decision of the conferees in the matter.

Mr. JOHNSON of Colorado. Would the Senator from Missouri accept an amendment to his amendment with a proviso stating that "Nothing in this section shall be deemed to apply to rail-

roads undergoing reorganization or with respect to security holders, bondholders, or stockholders of such companies"?

Mr. CLARK of Missouri. Mr. President, so far as I am concerned, this amendment was drawn by the head of the staff of the Joint Committee on Internal Revenue Taxation. I believe it is the correct technical amendment. I believe it puts the question into conference, and, rather than inject into it some other questions that have nothing to do with it, I would rather have the amendment defeated.

Mr. JOHNSON of Colorado. Mr. President, I do not desire to defeat the Senator's amendment. I should like to have it go to conference. But of course we have had no opportunity to learn anything with respect to its effect upon the railroads undergoing reorganization.

Mr. CLARK of Missouri. I do not think it would have any effect whatever on railroads undergoing reorganization, but, as I have said, it is a highly technical matter, which was prepared, in full consideration of the problem involved in sending it to conference, by the head of the staff of the Joint Committee on Internal Revenue Taxation, and rather than accept amendments to the amendment with which I am not familiar, and the effect of which I do not know, I should rather have the whole amendment defeated.

Mr. JOHNSON of Colorado. I have just been informed by the staff that this amendment does not affect railroads undergoing reorganization.

Mr. CLARK of Missouri. That is not the purpose of it, as I have stated to the Senator.

Mr. JOHNSON of Colorado. I hope the Senator will bear with me. I want to be certain about this, because presently section 115 does not apply to railroads undergoing reorganization. There is nothing in the bill as it came over from the House which applies to railroads undergoing reorganization, and personally I do not now want to see anything go into section 115 that would make railroads a subject of conference between the House and the Senate. But I have been assured by the staff that this amendment does not affect railroads presently undergoing reorganization, so I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. CLARK].

The amendment was agreed to.

THE GRAIN SITUATION IN THE NORTHWEST—DIVERSION OF FREIGHT CARS TO CANADA

Mr. LANGER. Mr. President, we have had such beautiful weather in North Dakota in the latter part of 1943 and the first part of 1944 that we are competing with California and Florida in that regard, and it has conduced to a fine grain crop. I wish to call attention to a number of telegrams with relation to the grain situation in North Dakota and the proposal to divert 200 cars a day to hauling grain from Canada.

The farmers in North Dakota have a large amount of grain now lying on the ground, and naturally they desire to have it hauled in to the elevators, but they find that all the elevators are plugged, practically, in every section of the State. Day after day I have been reading telegrams showing the terrible conditions, the elevators being plugged with grain, and the farmers being unable to deliver their grain to them.

Mr. President, that is not the whole story. We now find that an order has been issued sending 200 railroad cars to Canada in which to haul grain from Canada into the United States, all of which, of course, would be detrimental to the farmers of the United States, in view of the fact that they cannot get their grain to market.

I have here some telegrams which I wish to put into the RECORD. First is one from Max, N. Dak.:

Protest diversion of cars to Canada.

That is signed by the Equity Farmers Elevator Co., C. T. Jacobson, manager.

Another one is from Elgin, N. Dak., reading:

ELGIN, N. DAK., *January 16, 1944.*
Senator WILLIAM LANGER,
Washington, D. C.:

Account shortage of grain cars it is necessary that we stop farmers hauling their grain in. We urge that action be taken to stop so many cars being furnished to Canada.
ELGIN FARMERS UNION ELEVATOR CO.

That is signed, also, by the Birdsall Elevator.

Mr. STEWART. Mr. President, will the Senator from North Dakota yield?

Mr. LANGER. I yield.

Mr. STEWART. Has the Senator any information as to whether the movement of cars into Canada has already taken place?

Mr. LANGER. It has not taken place.

Mr. STEWART. We had hearings a few days ago in the Senate Committee on Interstate Commerce on the Senator's resolution, after it developed that the Office of Defense Transportation had ordered the movement of 200 cars a day to Canada. I understood that movement was to be held up, at least temporarily.

Mr. LANGER. The order has been issued to use the 200 cars, but the order stopping it has not been issued.

Mr. STEWART. But the movement of cars into Canada has not as yet begun?

Mr. LANGER. No; but the order directing it to take place was issued, and that is what we are trying to stop.

Mr. STEWART. That was developed at the hearing, but, as I understood, the movement of the cars would not begin, temporarily, until possibly after a few days more spent in investigating the situation.

Mr. LANGER. In any event, the order stopping it has not been issued.

Mr. STEWART. In any event the farmers of North Dakota still have wheat and other grain on the ground, as the Senator himself testified some time ago.

Mr. LANGER. That is correct, hundreds of thousands of bushels are scattered on the ground in the snow, which will be damaged to some extent.

Mr. STEWART. Can the Senator tell me whether in the last 30 or 60 days there has been any effort to save the grain which is on the ground in North Dakota?

Mr. LANGER. Oh, yes; the elevators have been most cooperative, and whenever they have had any cars at all, instead of shipping out grain in the elevators, they have taken the grain which is piled up in the fields.

Mr. STEWART. What is the present situation, as compared with that 2 months ago?

Mr. LANGER. Roughly, I shall say that about two-thirds has been removed, but the elevators are still plugged, and within a few weeks the spring work will start, and the farmers are desirous of now hauling in their grain, so that they will not be handicapped in performing their spring work.

Mr. STEWART. I thank the Senator.

Mr. LANGER. Returning to the telegrams, I have one here from Arnegard, N. Dak., in the western part of the State, reading as follows:

ARNEGARD, N. DAK., *January 17, 1944.*
Hon. Senator WILLIAM LANGER,
Washington, D. C.:

A serious emergency exists in our territory. Many farmers are reporting their grain starting to spoil, due to weevil infestation and poor storage facilities; and unless we get relief by receiving more grain cars, it will be a serious loss to many individuals, as well as to our war effort. We vigorously protest Mr. Eastman's order for the railroads to send 200 cars per day to Canada, while we are sitting with our elevators blocked and watch the grain we have produced in our own country spoil because some official has the power to order our railroads to furnish cars to outside interests before they take care of the emergency that exists at home. We ask that you use every means to prevent this injustice to the loyal farmers of this territory who have used every effort to comply with our Government's request for the highest possible food production which is so vital to our war effort.

FARMERS' COOPERATIVE ELEVATOR CO.,
MELVIN JOHNSON, *Manager.*

Here is a telegram from Upham, N. Dak., which is right near the Canadian line:

UPHAM, N. DAK., *January 18, 1944.*
Senator WILLIAM LANGER,
Washington, D. C.:

Reference to your telegram January 7, car supply less, rather than better. Current reports that cars going to Canada. Railway officials cannot furnish relief. We expect you to get some results.

UPHAM FARMERS' ELEVATOR CO.,
B. T. BENSON, *President.*

I have here a telegram from the eastern part of the State, right next to Minnesota, which reads:

PORTLAND, N. DAK., *January 18, 1944.*
Hon. WILLIAM LANGER,
United States Senator,
Washington, D. C.:

No grain cars for 10 days. Car shortage here very serious, except for a period of 10 days in December. We have been plugged since August 15. Elevator capacity of 150,000 bushels, and which is all cash grain. Farmers have thousands of bushels of grain on farms; anxious to haul now, because of the shortage of farm labor, before busy season begins. Elevator has 400 stockholders, who all object to cars going to Canada.

PORTLAND FARMERS' UNION ELEVATOR,
E. LENABURG, *Manager.*

CONTINUATION OF COMMODITY CREDIT CORPORATION—REPORT OF BANKING AND CURRENCY COMMITTEE

Mr. BANKHEAD. From the Committee on Banking and Currency, I report back favorably with an amendment the bill (H. R. 3477) to continue the Commodity Credit Corporation as an agency of the United States, to revise the basis of annual appraisal of its assets, and for other purposes, and I submit a report (No. 631) thereon.

I desire to give to the Senate the information that when the tax bill is out of the way the majority leader will probably, on Friday, move to take up the Commodity Credit Corporation bill.

The PRESIDING OFFICER. Without objection, the report will be received, and the bill will be placed on the calendar.

FOREIGN GOVERNMENT NATIONALS IN UNITED STATES AGENCIES

Mr. LANGER. Mr. President, in view of certain information which has come to me, I deem it my duty to bring to the attention of the Senate a situation which, if my information is accurate, seems to me dangerous to the war effort, fraught with peril to the American people, sinister in its implications, involving men high in the Government, destined to make the United States hated by small foreign governments, and robbing the taxpayers of the United States.

I believe, from the information given me, that several hundred persons, many of whom are British subjects, others of whom have only taken out their first naturalization papers, and others deliberately planted here by foreign governments, are holding key positions in agencies controlling American foreign affairs, and that many of them are furthering British aims at American expense.

I realize the seriousness of these charges, and would not make them unless I were satisfied that they are true. It is my understanding that international financiers have formed a powerful British syndicate which has taken over the entire mineral rights of Ethiopia, taking them away from the common people, and that this syndicate has become so powerful that it has thwarted the American mission to Ethiopia, that the American mission has not gotten started because a British subject high in the councils of this Government has stopped the processing of the proper papers for the personnel of the commission, and that this high official has stated that he would see that the members of the American mission would never be granted the necessary passports.

Mr. President, these facts are either true or untrue. They are, however, of such tremendous importance that in my opinion they merit the most careful and fullest consideration by the proper committee, and unless we do something here soon the American people are going to wake up some morning terribly disillusioned. It is for this purpose that I submit the following resolution:

Resolved, That an appropriate standing committee of the Senate to be designated by the President of the Senate is authorized and directed to make a full and complete study and investigation with a view to ascertaining (1) to what extent important American foreign affairs are being directed by self-admitted "international officials," (2) how many key positions in agencies supported by American taxpayers are occupied by British subjects who have never become naturalized citizens of the United States, or have taken out only first papers, (3) whether or not English-Americans have been deliberately planted in these agencies particularly those controlling American foreign affairs not to further American interests but to safeguard and enhance British interests at American expense, (4) how many persons holding positions in the Foreign Economic Administration are pro-British, (5) whether Lauchlin Currie, one of the anonymous executive assistants to the President and who has recently been appointed Acting Deputy Administrator of the Foreign Economic Administration, is a British subject, (6) whether it is true that competent American engineers ready, willing, and anxious to do the work have been ignored while persons who owe allegiance to Great Britain have been hired. Such committee shall report to the Senate at the earliest practicable date concerning the results of its investigation, together with any recommendations it may deem appropriate.

For the purpose of this investigation, the committee designated by the President of the Senate, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-eighth Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee under this resolution, which shall not exceed $, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. President, I ask unanimous consent that the resolution be received and referred to the Committee on Foreign Relations.

The PRESIDING OFFICER (Mr. MAYBANK in the chair). Without objection, the resolution (S. Res. 239) will be received and referred to the Committee on Foreign Relations.

THE REVENUE ACT

The Senate resumed the consideration of the bill (H. R. 3687) to provide revenue, and for other purposes.

Mr. BARKLEY. Mr. President, I understand there are no further amendments pending, or, so far as I know, to be offered.

Mr. LANGER. Mr. President, I have two or three more.

Mr. BARKLEY. I thought the Senator was not going to offer them.

Mr. LANGER. They are very short.

Mr. BARKLEY. Then what I said is not correct. But the Senator had better get busy with them if he is going to offer them.

Mr. President, the Senator from North Dakota says he has two or three short amendments.

Mr. LANGER. Mr. President, I offer an amendment which I submitted a few days ago, and ask that it be read.

The PRESIDING OFFICER. The amendment will be read.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert a new section, as follows:

SEC. —. Exclusion from gross income of retirement pay of enlisted military and naval personnel.

Section 22 (b) of the Internal Revenue Code (relating to exclusions from gross income) is amended by inserting at the end thereof the following:

"(15) Retirement pay of enlisted military and naval personnel: In the case of retired enlisted personnel of the Army, Navy, Marine Corps, and Coast Guard, the amount received from the United States as retirement pay."

Mr. LANGER. Mr. President, I am advised by some persons who were formerly in the military or naval service but have been retired that the amount of pay they receive is just barely enough to enable them to live. The amounts received by certain widows are very small. If the persons in question are obliged to pay income tax upon the retirement pay it will place a real burden upon them. I offer the amendment for the purpose of relieving them of this burden.

Mr. BARKLEY. Mr. President, this matter has been under discussion heretofore. It involves the question whether retirement pay, which is not a gratuity on the part of the Government, but is a part of a salary which has been earned by reason of longevity in service by men in the Army and Navy, should be exempt from taxation. The same argument would undoubtedly apply to Government employees who have become a part of the retirement system. We might as well exempt from taxation what they receive from the Government of the United States as retirement pay, which they have earned over a period of years. My opinion would be that if the particular individuals of whom the Senator from North Dakota speaks are in such distressed circumstances that what they receive is not sufficient to enable them to live, they would not be paying an income tax anyway. But it seems to me to be a bad policy to exempt from Federal income tax a part of a compensation which has been earned over a period of years and which is being drawn after retirement.

I think the Senator from Georgia the chairman of the committee, who has temporarily absented himself from the Chamber in order to get a bite of lunch, has discussed that matter here on the floor of the Senate and in the committee; and I think the opinion I have expressed is the attitude he has expressed and the attitude the committee has taken with regard to amendments of this type.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Dakota [Mr. LANGER].

The amendment was rejected.

Mr. LANGER. Mr. President, I offer the amendment which has been printed and lies on the desk, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the proper place in the bill, it is proposed to insert a new section, as follows:

SEC. —. Exclusion from gross income of retirement pay of disabled enlisted military and naval personnel.

Section 22 (b) (13) (relating to additional allowance for military and naval personnel) is amended to read as follows:

"(13) Additional allowance for military and naval personnel: In the case of compensation received during any taxable year and before the termination of the present war as proclaimed by the President, by a member of the military or naval forces of the United States for active service in such forces during such war, by a citizen or resident of the United States who is a member of the military or naval forces of any of the other United Nations for active service in such forces during such war, or by a disabled retired member of the military or naval forces of the United States, below the commissioned grades, who served in such forces during any war in which the United States has participated, as retirement pay, so much of such compensation as does not exceed $1,500."

Mr. LANGER. Mr. President, the amendment simply provides that no disabled veteran, no matter what position he held, will pay a tax on any part of his income which does not exceed the sum of $1,500.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Dakota.

The amendment was rejected.

Mr. LANGER. Mr. President, I offer the amendment which lies on the desk and has been printed, and ask that it be read, with the exception of the last three words.

The VICE PRESIDENT. The amendment will be read as requested.

The CHIEF CLERK. At the proper place in the bill, it is proposed to insert a new section, as follows:

SEC. —. Credit for dependents.

Section 25 (b) (2) (A) (relating to credit for dependents) is amended by inserting before the period at the end of the first sentence thereof a colon and the following: "*Provided*, That in the case of such persons who are children (including stepchildren and adopted children) of the taxpayer, the allowance shall be as follows: For each child, $500."

Mr. LANGER. Mr. President, several days ago I submitted an amendment whereby the allowance for the first child would be $500, and for the second child $750. Last year the amount of the allowance for each child was $400. In the pending bill the allowance for each child has been reduced to $350.

All my amendment would do would be to provide an allowance of $500 for each child. I wish to call attention once more to the fact that the poor families are the ones which have the most children. The record shows that the small tenant farmers and the men working in the coal mines are the ones who have the largest families. One need only read some of the speeches made by former President Theodore Roosevelt, in which he begged the people of the country not to be guilty of race suicide; one has only to look at the reports made last week, showing that the birth rate of the United States is again declining; one has only to consider that everyone has to pay taxes, even a man who earns the small amount of $12 a week; one has only to consider that, because of the high cost of living, it costs more today than it did a year ago to take care of a little child or of any other dependent—one has only to consider those facts in order to know that the amendment should be agreed to.

I hope the Senate will vote that for each dependent, whether an adopted child or an old person who is dependent upon a son or daughter, the person paying the bills shall be allowed an income-tax credit of at least $500.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Dakota [Mr. LANGER].

The amendment was rejected.

Mr. LANGER. Mr. President, I offer another amendment which has been printed and lies on the desk, and which I ask to have read.

The PRESIDING OFFICER. The amendment will be read.

The CHIEF CLERK. At the proper place in the bill, it is proposed to insert a new section, as follows:

SEC. —. Credits against tax for voting in Federal election.

Part III of subchapter B of chapter 1 is amended by adding at the end of such part a new section as follows:

"SEC. 36. Credit for voting in Federal election.

"Against the tax imposed by this chapter there shall be allowed in the case of an individual who shall have voted during the taxable year in one or more elections for electors for President and Vice President, Senator, or Member of the House of Representatives, a credit of $25: *Provided*, That in the case of a husband and wife filing a joint return only one such credit shall be allowed."

Mr. LANGER. Mr. President, in the last election the number of persons who stayed at home from the election was sufficiently large to have decided the election. If all those who stayed at home had voted for one person, neither Mr. Willkie nor Mr. Roosevelt would have been elected President of this country. Two out of every five persons who were entitled to vote did not vote. Forty percent of the people stayed at home.

In the recent election for mayor of the city of Chicago—I cite this instance merely to show the trend—one-half million people did not vote.

I believe something should be done to offer some inducement to get out the voters. In some of the countries of South America a man who does not vote is put in jail. In other South American countries a man who does not vote is fined. In some of the countries of Europe, according to my understanding, those who do not vote are punished.

I took up the matter with several diplomats from South America. They said that the law they have, under the terms of which persons who do not vote are punished, is rigidly enforced, and that it has resulted in very good government.

Mr. President, I made an investigation before I submitted the amendment, and afterward. We have heard a great deal from the distinguished chairman of the Committee on the District of Columbia [Mr. MCCARRAN] to the effect that the people of Washington wish to have the right to vote. There are thousands of Government employees in Washington. When I asked the chairman of the Committee on the District of Columbia whether or not any of them voted, he said that many of them could vote in Ohio, for example, and other States, by absentee ballot, but they did not. There was no inducement to them to vote.

All this amendment would do would be to allow a credit in the sum of $25 to any man or woman who votes. Instead of being put in jail or fined, as is done in some of the South American countries, he would be offered an inducement to go to the polls. Our boys are fighting for liberty across the ocean. Mr. President, one of the greatest privileges of a free citizen is the right to vote. I believe we ought to offer some inducement to the people to vote, and I believe that the allowance of a credit of $25 in a person's income tax for voting is not too much.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. AIKEN. If a person's income were not large enough to require him to pay a tax, what inducement would he have for voting?

Mr. LANGER. He would have no inducement.

Mr. AIKEN. Could he get a check?

Mr. LANGER. The amendment does not provide for that. It is my hope that possibly some Senator on the other side of the aisle will offer an amendment to the amendment, to provide a payment to poorer people who would not be entitled to the $25 credit.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. DOWNEY. If I could be convinced that a vote cast under compulsion, or in the hope of making $25, would be of any value to the State, I might be inclined to support the Senator's amendment; but if an individual were not sufficiently interested in public affairs to vote without hope of reward or fear of punishment, I cannot conceive that he would cast a vote that would be of very much value.

Mr. LANGER. I believe I can convince the Senator very easily. In some places corporations do not give their employees the opportunity to vote. They keep them working all day.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. BARKLEY. In most of the States the State laws governing elections require corporations and individuals to give voters in their employ the opportunity to vote, and the employers are subject to a penalty if they do not provide such opportunity.

Mr. LANGER. I should like to have the distinguished Senator show me that law.

Mr. BARKLEY. Under the laws of my State, a corporation or an individual is required to give a voter in his employ

sufficient opportunity, between the hours of 6 and 4 o'clock, to cast his vote.

Mr. LANGER. That may be true in Kentucky, but it is not true in some of the other States. In California, for example, why should not a poor man, who loses a day's pay and travels a long distance to vote, using gasoline in his car, be offered some inducement to vote? What is wrong with paying him to vote? Perhaps he should not receive $25, but certainly there is nothing wrong with offering him an inducement to go to the polls.

Moreover, in the last analysis, the $25 would go to the poorer class of people. It would mean more to them than it would to the wealthier class. For example, take a very old person, who may have to travel 6, 10, or 12 miles to vote. He may have to hire transportation. Some of those people are very poor and are living on relief. So it would do no harm to pay them or to offer some inducement. They would not be entitled to the $25 credit because they pay no income tax.

As I stated before, I believe that it would be to the best interests of the country to get every single voter to the polls. I do not care how we get them there, so long as we get out every man and woman who is entitled to vote—so that we may have a free and honest expression of all the people of the country.

Some of the poor old people in California have children who may have fought for this country. They may have fought in one of the more recent wars. They are too poor to go to the polls. What happens? In some elections organizations with plenty of money which they are willing to spend can hire automobiles and take the voters to the polls, provided they vote right. The allowance of a credit of $25, as provided in my amendment, with any amendment which the distinguished junior Senator from California may care to offer, would put an end to city and county political gangs which have control of elections.

Recently I was told that in one of the nearby States the city gangs are so bold as to go out upon the streets with dollar bills, carrying them openly, and offering them to the people to go to the polls and vote. It is difficult for a man from the West to believe that, because it is not done in the agricultural States, so far as I know. So the best remedy I can think of is one which provides a credit of $25 on the income tax. I hope the amendment suggested by the distinguished junior Senator from Vermont [Mr. AIKEN] will be offered, so that those who do not pay an income tax will also have some inducement to vote.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. AIKEN. I did not suggest paying them $25 for voting.

Mr. BILBO. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. BILBO. I have been very much impressed by the novel scheme of the distinguished Senator from North Dakota to get out the vote. I think every citizen should vote in every election. I wonder if he would agree to an amendment. I think his price for each vote is rather excessive. I have heard that in some sections votes can be obtained for $5, or even less. I think $5 would be a more reasonable consideration to bring out the vote, for which he seems to be struggling. I should like to amend his amendment further by providing that they vote the Democratic ticket. [Laughter.]

The PRESIDING OFFICER. Does the Senator accept the amendment?

Mr. LANGER. I refuse to accept that amendment. If the Senator will change the word "Democratic" to "Republican" I will accept it. [Laughter.]

Mr. BARKLEY. Mr. President, I think this debate has proceeded far enough in ridiculosity. I hope we may vote on it now.

Mr. LANGER. Mr. President, I am serious about this amendment. I call attention to the fact that some Members of Congress, both in the Senate and in the House, have been elected at elections in which only 3 or 4 percent of the people voted. It is a disgrace. Certainly nothing that we can do here to get out the vote can possibly be wrong. Frankly, I cannot see why a measure which would simply allow a small deduction from the income tax would not be proper. If $25 is too much, the Senate has the power to amend it. The amendment is absolutely right in principle. I believe every citizen should vote, and I believe that we should do everything we can to get out the vote.

Mr. President, I ask for a vote upon my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. LANGER].

The amendment was rejected.

Mr. LANGER. Mr. President, I offer another amendment, which I have taken up with the distinguished chairman of the committee. I send it to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from North Dakota will be stated.

The LEGISLATIVE CLERK. On page 114, in the table appearing after line 11, after the "2402" in the item relating to toilet preparations, it is proposed to insert the following: "(except as respects the sale of toilet preparations to a person operating a barber shop, beauty parlor, or similar establishment, for use in the operation thereof and not for resale, or the use in such operation of toilet preparations purchased by such person for resale)."

Mr. LANGER. Mr. President, the amendment is offered at the request of the Hairdressers' Association and beauty parlor operators of my State and some of the neighboring States, as well as at the request of the national president of the organization to which I have referred. I am advised by them that in the retail trade the merchant can add 2 percent, 3 percent, 4 percent, or 5 percent tax to the price at which they buy it from the manufacturer and resell it locally. I am advised that there is no way by which they can pass the tax on to the customers. I am also told that in the District of Columbia there were at one time 4,000 beauty operators, and that now there are 1,600. I am informed that the wages of the girls have increased from $18 a week to $45 a week. The persons to whom I have referred have also advised me that they really are not in position to pay any additional taxes. They want the tax to remain exactly where it has been under the law. They are opposed to any increase. I promised them to present the matter to the Senate. I believe the amendment is a meritorious one. I invite attention to the fact that in my State, for example—and I believe the statement is applicable with respect to most other States—this business is conducted by young ladies who are trying to make a living. Sometimes they are trying to support their fathers and mothers.

As I have said, in my opinion, the amendment is a meritorious one and I hope that it will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. LANGER].

Mr. TAFT. Mr. President, this question was before us last year. The persons to whom the Senator from North Dakota has referred came to me. I had the impression—and at the time I talked to the Treasury representatives they had the same impression—that an exemption was allowed on articles of this kind which are sold to persons who are, in effect, manufacturers. The question is whether this was intended to be a retail luxury tax. Those who are now required to pay a tax, irrespective of this amendment, are certainly processors and manufacturers. Ordinarily we have not levied a tax on that process. I was surprised to ascertain that such persons were taxed. In fact, when I talked to the Treasury representatives about the matter approximately 3 weeks ago I was told that they thought they were not taxed. I was told in effect, "We are not changing the law, at any rate, and we are not perfectly certain what the present provision is." So it seems to me that the exemption requested would be a reasonable one.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Dakota [Mr. LANGER].

The amendment was rejected.

Mr. BARKLEY. Mr. President, I believe there are no further amendments to be considered at this time. In view of the fact that the renegotiation section, which has been postponed from day to day, must be again postponed until tomorrow in order that a subcommittee which was appointed this morning by the Committee on Finance may endeavor to work out certain controversial matters pertaining to the section, it will be necessary that we suspend further consideration of the tax bill until tomorrow. However, it is hoped that by tomorrow the renegotiation section may be so adjusted that we can promptly dispose of it. Whether that will be true or not, I do not know.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. O'MAHONEY. I understand that the majority leader has announced that the pending tax bill will go over until tomorrow in order that an opportunity may be afforded the subcommittee to work out substantive language governing renegotiation.

Mr. BARKLEY. That is correct.

Mr. O'MAHONEY. May I ask the Senator if during the interim we may have his consent to proceed to the consideration of Calendar No. 542, Senate bill 469?

Mr. BARKLEY. Yes; I was going to suggest that the Senator from Wyoming [Mr. O'MAHONEY] and the Senator from Indiana [Mr. VAN NUYS] are interested in taking up the bill which is known as the Red Cross bill, and which has been pending for some time I not only have no objection, but I am agreeable to such a program.

Mr. O'MAHONEY. I thank the Senator from Kentucky.

NOTICE OF VISIT OF PRESIDENT OF VENEZUELA

Mr. BARKLEY. Mr. President I wish to announce that tomorrow at 12:15 o'clock p. m., the President of Venezuela will visit the Senate, and it is expected he will deliver a brief address. I hope Senators will be present.

Mr. WHITE. Mr. President, I wish to inquire of the Senator from Kentucky if he can give us any information as to what else will be before the Senate tomorrow and the remainder of the week.

Mr. BARKLEY. I announced earlier in the day that we hope to take up tomorrow the renegotiation provisions of the tax bill, and dispose of them. The Committee on Banking and Currency has reported the commodity credit bill, relating to subsidies, and it is now hoped that if we shall finish with the renegotiation provisions of the tax bill tomorrow, we can take up the Commodity Credit bill.

Mr. WHITE. Those two bills will undoubtedly consume the remainder of the week?

Mr. BARKLEY. Undoubtedly.

THE RED CROSS

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 542, Senate bill 469.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 469) to implement article 28 of the convention signed at Geneva on July 27, 1929, relating to the use of the emblem and name of the Red Cross.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 469) to implement article 28 of the convention signed at Geneva on July 27, 1929, relating to the use of the emblem and name of the Red Cross, which had been reported from the Committee on the Judiciary, with amendments.

The first amendment of the Committee on the Judiciary was on page 2, in line 6, to strike out:

It shall be unlawful for any person, corporation, or association other than the American National Red Cross and its duly authorized employees and agents and the Army and Navy sanitary and hospital authorities of the United States for the purpose of trade or as an advertisement to induce the sale of any article whatsoever or for any business or charitable purpose to use within the territory of the United States of America and its exterior possessions the emblem of the Greek Red Cross on a white ground, or any sign or insignia made or colored in imitation thereof, or the words "Red Cross" or "Geneva Cross," or any combination of these words.

And to insert:

The American National Red Cross and its duly authorized employees and agents and the Army and Navy sanitary and hospital authorities of the United States shall have the sole and exclusive right to use, within the territory of the United States of America and its exterior possessions, the emblem of the Greek Red Cross on a white ground, and the words "Red Cross" and "Geneva Cross." It shall be unlawful for any person, corporation, or association other than the American National Red Cross and its duly authorized employees and agents and the Army and Navy sanitary and hospital authorities of the United States for any charitable purpose, or for any person, corporation, or association for the purpose of trade or as an advertisement to induce the sale of any article whatsoever or for any business purpose, to use within the territory of the United States of America and its exterior possessions the emblem of the Greek Red Cross on a white ground, or any sign or insignia made or colored in imitation thereof, or the words "Red Cross" or "Geneva Cross," or any combination of these words.

Mr. O'MAHONEY. Mr. President, approximately a week ago the distinguished Senator from Georgia [Mr. GEORGE] spoke to me about this amendment. I observe that the Senator from Georgia has now come into the Chamber. I understood that it was his intention to move a perfecting amendment on page 3, line 9, after the word "made", to strike out "or" and insert "and." I may say that I have discussed the proposed amendment with the chairman of the Committee on the Judiciary, and it is quite agreeable to me that the change shall be made. I therefore move that, on page 3, line 9, after the word "made", the committee amendment be amended by striking out "or" and inserting "and."

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee.

The LEGISLATIVE CLERK. On page 3, in line 24, it is proposed to strike out "1944" and insert "1947."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. TYDINGS. Mr. President, I am not objecting particularly to the proposed extension, but, in my opinion, if the bill is passed, the extension ought to be broad enough so that concerns which were incorporated 15, 18, or 20 years before the passage of the congressional Red Cross statute would be given more time than merely 2 years in which to liquidate a vested asset which they have acquired validly and which otherwise would be peremptorily taken away from them.

Mr. O'MAHONEY. Mr. President, I may say to the Senator from Maryland that the question of the time to be allowed was thoroughly canvassed by the Committee on the Judiciary. The original proposal, of course, was that the use should be terminated immediately. There was a proposal that the right to use should be extended in one instance as long as 20 years. The subcommittee to which the bill was referred held protracted hearings and gave long consideration to the matter. The full committee came to the conclusion that an extension of 3 years for the original use, accompanied by another 3 years in which to convert to another insigne, would be sufficient.

The Senator from Georgia has suggested that there should be an additional 3-year period in which to permit the retailers and jobbers to dispose of commodities so marked. The committee has agreed to accept the suggestion of the Senator from Georgia with respect to such extension, and at the proper time I shall suggest that on page 4, line 23, the figures "1953" be inserted instead of "1947."

I may say that with this installment the committee feels sufficient and adequate recognition has been made of prior use and of the facility of disposal.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Certainly.

Mr. TYDINGS. For the information of Senators, many of whom may not be familiar with the matter, let me say that the first official action of any American institution was in the year 1881, when an American committee formed by Miss Clara Barton in 1877, incorporated under the name of the American Association of the Red Cross. That was in 1877. In 1900 the Federal Congress enacted a statute incorporating the American National Red Cross. However, the case of some concerns will show my desire to be fair when I name the dates when they began to use the Red Cross label. There is the case of Johnson & Johnson, about which most people know, but there is also the case of Charles B. Silver & Son, who originally used the Red Cross label, and took out a trade-mark for it in 1876, which was before Miss Barton formed her society, before it was incorporated, and 24 years before the Congress passed the act officially recognizing the Red Cross.

Now, when this concern ever since 1876 has continually used the Red Cross label and has built up a goodwill and has come upon it validly and rightly, it seems to me that what we are doing here is

almost equivalent to taking property without due process of law, and certainly without just compensation. I am very much interested not only in the time in which the transition is to be made but to ask the Senator from Wyoming if the bill goes through and we ride roughshod over the vested rights of these people who have done no wrong, what provisions the bill will contain to compensate them for the taking of their property.

Mr. O'MAHONEY. Mr. President——

Mr. TAFT. Mr. President, it seems to me that this bill is of sufficient importance so that I will suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Pepper
Andrews	Gurney	Radcliffe
Austin	Hawkes	Revercomb
Bailey	Hayden	Robertson
Ball	Holman	Russell
Bankhead	Johnson, Colo.	Shipstead
Barkley	Kilgore	Stewart
Bilbo	La Follette	Taft
Bone	Langer	Thomas, Idaho
Burton	Lodge	Thomas, Okla.
Bushfield	McCarran	Tobey
Butler	McClellan	Truman
Byrd	McFarland	Tunnell
Capper	McKellar	Tydings
Caraway	Maloney	Vandenberg
Chavez	Maybank	Van Nuys
Clark, Mo.	Mead	Wagner
Danaher	Millikin	Wallgren
Davis	Moore	Walsh, Mass.
Downey	Murdock	Walsh, N. J.
Eastland	Murray	Wheeler
Ellender	Nye	White
Ferguson	O'Daniel	Wiley
George	O'Mahoney	Willis
Gillette	Overton	

The PRESIDING OFFICER (Mrs. CARAWAY in the chair). Seventy-four Senators have answered to their names. A quorum is present.

The question is on agreeing to the committee amendment on page 3, line 24.

Mr. TYDINGS. What is the amendment?

Mr. O'MAHONEY. This is the amendment providing for an additional 3 years in which to continue the use of the Red Cross label.

Mr. TYDINGS. We have not yet come to the amendment we have just been discussing?

Mr. O'MAHONEY. No.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 3, line 24.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee.

The next amendment of the committee was, on page 4, at the beginning of line 4, to strike out "1944" and insert "1947."

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee.

The next amendment was, on page 4, line 4, after the date "July 1" and the comma, to strike out "1947" and insert "1950."

Mr. TYDINGS. I understand the Senator from Ohio intends to offer an amendment to this amendment.

Mr. TAFT. Madam President, I move that the figure "1950" be stricken out and that in lieu thereof the figure "1953" be inserted.

This section relates to the provision that after the expiration of the right to use the term "Red Cross" in 1947, the owners of Red Cross trade-marks may advertise that their trade-mark was "formerly Red Cross." Let me take a case I have in mind, of the manufacturers of the Red Cross shoe. They may advertise, let us say, "White Cross shoe," then in small type underneath "formerly Red Cross." I cannot see how that would in any way interfere with the rights of the American National Red Cross. It would enable anyone with these trade-marks to gradually acquaint their customers with the new trade-mark, calling attention to the fact that they formerly had the Red Cross trade-mark.

We must remember that no one can have used the Red Cross trade-mark unless he used it before 1905, in any event, so that all these trade-marks are well established, and of real value to the owners. It seems reasonable that such owners be given a fairly long time, I think longer than that provided in my proposal, but I understand the chairman of the committee feels that that is the limit to which he can agree. It certainly would permit no infringement of the rights of the National Red Cross, and it would help owners of existing trade-marks, and there is every reason to extend the time. I hope the chairman of the committee will accept the amendment.

Mr. O'MAHONEY. Madam President, the theory of the bill is that after a certain date the American Red Cross Society shall have the exclusive right to the use of the Red Cross emblem. It was the belief of the Committee on the Judiciary that the great popular support being given the American Red Cross Society by the people of every State and of every community, and the great humanitarian objectives of the society, are such that we should, out of consideration for the Red Cross Society alone, grant this exclusive right.

In addition to that, Madam Chairman, we have the treaty obligations of the United States. Therefore, in granting these three extensions of 3 years, 3 years in which to continue the lawful use heretofore recognized, 3 years in which to use another insignia and say that the trade-mark was formerly the Red Cross symbol, and then 3 years additional, making a total of 9 years in which jobbers and retailers may dispose of the commodities manufactured, the committee feels that it has manifested its good faith, and has made it possible for commercial users to adjust themselves to the proposed law.

I may say to the Senator from Ohio that I have had numerous conferences with the spokesman for the manufacturer of the Red Cross shoes and I have a great deal of admiration and respect for the manner in which that company has reacted to the suggestions of the proposed law. As a matter of fact, it has already entered upon a campaign of advertising without the use of the red cross. It has substituted a gold cross for the red cross, and is doing precisely what the bill would require should be done.

For my own part, I think these parties are adequately taken care of, particularly in view of the fact that an amendment which was at one time suggested by the spokesman for this particular shoe company has already been accepted by the committee at the suggestion of the Senator from Georgia [Mr. GEORGE], the amendment to which I referred earlier in the discussion, on page 3, whereby, instead of prohibiting the use of any sign or insigne made or colored in imitation, we are prohibiting only the use of the sign or insigne which is made or colored.

Personally I feel that a sufficient concession has been granted. I should like to have the chairman of the Committee on the Judiciary, who is sitting beside me, and who participated in all the discussions in the committee, give his judgment upon this matter.

Mr. VAN NUYS. Madam President, I can say very truthfully to the Senator from Wyoming, who has worked long and hard as chairman of the subcommittee, that personally I think we have gone very far in conforming to the persistent lobbying or arguing, whatever it may be called, before the committee since the bill has been pending in the last year in the Senate Committee on the Judiciary. I know of no other bill which has been so thoroughly studied as this bill, or in connection with which such complete investigation of all complaints and suggestions of every kind and character has been made by the subcommittee and members of the full committee.

It appears to me that 3 years is sufficient time after which to stop the manufacture of articles bearing the Red Cross emblem, with 3 additional years, making 6, and 3 further additional years, making 9.

Furthermore, I should like to call the attention of the Senator from Ohio to the fact that those interested in the bill have been on notice that it has been for the last year in the Senate Committee on the Judiciary. A similar bill was introduced 5 years ago in the House. The manufacturers of goods using this emblem have had from 10 to 15 years' notice that legislation of this kind was contemplated and have had ample time to change their emblem from the red cross to the gold cross, or a cross of some other color. Personally, I think we have gone the limit with respect to extension of time, but of course decision of the question is up to the Members of the Senate.

I should like to have a vote on the question.

Mr. O'MAHONEY. Madam President, I should like to add a few words more. The Senator from Maryland [Mr. TYDINGS] has been talking to the members of the committee about the bill for a long period of time and has been urging various concessions which the committee to date has not seen fit to make. The Senator from Maryland came to me again today saying that he felt that we should at least add an amendment to the bill which would provide that if such users as

he has described suffer a loss by reason of the action which we are about to take, they may have the right to submit their cases to the Court of Claims. Personally, I make no secret of the fact that I do not believe they will suffer any loss. I believe with the chairman of the Committee on the Judiciary that we are granting every possible concession. But at the insistence of the Senator from Maryland I have consulted this afternoon with the legislative drafting service, and we have prepared an amendment which I am willing to offer, which will grant to the commercial users the right to go into the Court of Claims to show whether or not there is any liability, and then to have determined what the measure of damages, if any, may be. I shall be quite willing to offer that amendment. In these circumstances I feel that the request made by the chairman of the committee that we sustain the committee recommendation and allow the period in question to be 3 years, ought to be acquiesced in by the Senate.

Mr. TAFT obtained the floor.

Mr. DANAHER. Madam President, will the Senator yield?

Mr. TAFT. I yield.

Mr. DANAHER. I simply wish to say, in the light of the observation made by the Senator from Wyoming [Mr. O'MAHONEY], that I hope he will not accept such an amendment as that to which he has referred. This matter has been quite thoroughly canvassed in the committee, and if we have any right whatever to do what we are undertaking to do, it certainly is not contingent upon the existence of some claimed right in some person whose so-called claimed right to pursue a claim against the United States Government would otherwise be extinguished. If there is any such amendment as that I, for one, would most certainly wish to be heard in opposition.

Mr. ROBERTSON. Madam President, will the Senator yield?

Mr. TAFT. I yield.

Mr. ROBERTSON. I should like to ask my colleague if in his opinion the use of the Red Cross emblem by a fraternal and nonprofit organization would come within the scope of the bill?

Mr. O'MAHONEY. No; it would not. I will say to the Senator that the language of the amendment which has just been adopted is as follows:

It shall be unlawful for any person, corporation, or association other than the American National Red Cross and its duly authorized employees and agents and the Army and Navy sanitary and hospital authorities of the United States for any charitable purpose, or for any person, corporation, or association for the purpose of trade or as an advertisement to induce the sale of any article whatsoever or for any business purpose, to use within the territory of the United States of America and its exterior possessions the emblem of the Greek Red Cross.

This is the prohibition which the committee has placed against the use of the emblem for a charitable purpose or for a purpose of trade, and is not a prohibition against the use of the red cross by a fraternal organization such as the Masonic order.

Mr. ROBERTSON. I thank the Senator.

Mr. TAFT. Madam President, I wish to make clear that the amendment I offer in line 4, page 4, is to change the figure "1950" to "1953." Let us see what it is we are requesting should be done. In order to protect, so far as we can protect, consistent with the policy of abolishing these trade-marks, which have been established for 40 years in every case, and in many cases longer than 40 years, I ask that until 1953, in advertising or labeling an article, a firm which has already changed or abandoned the trade-mark may continue to refer to the fact that it was formerly a red cross article. That is the fact. That is no misrepresentation of any fact. I cannot personally see why a firm should not be able forever to say that the article in question was formerly labeled with the red cross. It was perfectly legal when the firm was using it. It was perfectly legal when the firm started to use it. Its use was expressly excepted from the law of 1905, so that those who used it have been justified in believing that Congress intended that they could use it ever since.

Mr. WILEY. Madam President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Wisconsin?

Mr. TAFT. I yield.

Mr. WILEY. I take it that in the amendment suggested, when "red cross" is used, it means the words "red cross" and not the insignia of the Red Cross?

Mr. TAFT. This is the permission which is given. It is stated in the bill:

(A) If use in the labeling of such article by such person, corporation, or association would have been lawful prior to the date of enactment of this act.

That means prior to 1905, because that is the time when the law forbade anyone to begin anew the use of "red cross."

(B) If a new trade name, design, or insignia is used in such labeling.

In other words, if a firm has now adopted a new trade-mark.

(C) If such use is only of the words "Red Cross," and only for the purpose of indicating, in lettering smaller than the new trade name, design, or insignia, that such article formerly was identified by the red cross.

That is the fact. I cannot see why that should not be advertised. The committee feels that such use should have a termination date. The committee feels it should have a termination date. If so, I think the date should be as remote as possible; because what should be done for these persons, if possible, is to enable them to preserve as much as they can of the valuable trade-mark right they have established. Certainly a great deal of time is required to educate the public. People do not buy shoes of this particular type, for instance, more than once in 2 years; and even by 1953, when such advertising would be stopped, there might be people looking for Red Cross shoes, let us say, who would not be able to find them.

I cannot see anything in the amendment which would weaken the bill. I cannot see anything unreasonable in the request to extend at least until 1953 the period during which it might be said that a certain shoe was formerly known as the Red Cross shoe—an actual fact and an actual condition which existed.

With reference to the amendment suggested by the Senator from Wyoming, those who have talked to me are not asking for compensation. They are not asking for a long, drawn out court proceeding, as in the instance of some of the patent cases in which a master tries to ascertain the value of a trade-mark which, at best, is difficult to determine. They simply feel that, without any loss to the Red Cross or the Government, if Congress can make provision for them to have a little longer period within which they can obtain practically all the value of their trade-mark, while they change to another one, that would be the fair thing to do.

So I think the amendment I request to have agreed to is a perfectly reasonable one.

Mr. CAPPER. Madam President, I have been actively identified with the work of the American Red Cross for more than a quarter of a century. I have served my home chapter in Kansas in many capacities. I have been the Kansas State chairman of the Red Cross a number of times, and I have enjoyed membership on its national board of incorporators for more than 20 years. The members of this board are recommended for election by the delegates from all the Red Cross chapters in the country. I have attended with regularity the meetings of the board of incorporators and, in fact, I do not believe I have missed more than one such meeting in the last two decades. As a result of these intimate and continuous connections with the organization, I have kept myself familiar with its growth and operations, both at home and abroad.

I can assure the Senate, based upon my intimate experience and knowledge of the Red Cross, that this legislation is needed and is in the public interest. Now that this matter is before us for consideration, I know that if this bill is not promptly enacted, hundreds of thousands of volunteers who are carrying on Red Cross activities in every city and hamlet in this country will find it difficult to understand why Congress has failed to give protection to an emblem which to them is sacred.

The Red Cross emblem was adopted in 1864, as a distinct sign for humanitarian work. It was intended to be and has grown to be, all over the world, the symbol of mercy used for the relief of suffering. It was never intended that this emblem should at the same time be used for private gain by commercial advertisers.

It has always seemed a great pity to me that the protection of the Red Cross name and emblem, now to be for all time accomplished by the pending measure, was not provided by Congress immediately after we ratified the 1906 Geneva Treaty. That treaty in plain terms

placed upon the contracting parties the obligation to prevent the use by private persons of the Red Cross name and emblem, whether for commercial or other purposes. The 1929 Geneva Convention reaffirmed in stronger language this obligation, and provided that the signatory parties, of which the United States is one, would make this protective provision effective within 5 years after the treaty was ratified. To say that the matter has been too long delayed is the best of all reasons why it should be delayed no longer.

The activities of the Red Cross have increased manyfold, especially during the present world-wide conflict. On every battlefield where American youth serves our country today the Red Cross emblem is used to give protection provided by the Geneva Treaty to those noncombatant members of the hospital corps of the Army and Navy who must care for our wounded. On all fronts workers of the American Red Cross are found extending a helping hand and sustaining the morale of our fighting men. The Red Cross chapters in every county of the United States are working constantly to care for the members of the armed forces or their families. These chapter workers are producing vast quantities of supplies for the relief and comfort of our soldiers and sailors. They carry on the collection of priceless human blood, the use of which in this conflict has saved the lives of countless numbers of our men wounded on the battlefields. Is it right or fair that these volunteers who labor so devotedly in this work should have to see their emblem used by the manufacturers of an endless variety of articles for private gain?

Was not the President right when he wrote:

> To great numbers of loyal Americans it seems almost a sacrilege for any person, for private material benefit, to use an emblem created by international agreement solely for humanitarian purposes and as a protective mark for the establishments caring for the sick and wounded of armies and those engaged in extending aid to them.

The bill now before the Senate gives commercial advertisers 3½ years or so in which to select and introduce substitute marks for their products. It gives retailers and jobbers an additional 3-year period in which to dispose of any Red Cross branded merchandise. To me this seems a most generous consideration of commercial users who for many years, by reason of the great increase in the popularity and public esteem in which the Red Cross Society is held by the American people, have benefited by the sale of their products under the Red Cross label.

Personally I would have preferred the bill as originally submitted by the State Department. That bill would have required the cessation of commercial use of the Red Cross emblem within 1 year after its enactment. But I am content with the bill, as amended, which is now before the Senate, realizing that it has had the very careful and prolonged consideration of the Judiciary Committee. I am not content with and would oppose commercial advertisers who grudgingly agree to make this legislation effective many years in the future. Despairing of defeating the bill on its merits, they hope by indirection to destroy its practical effect by suggesting that they be permitted to continue their present commercial use of the emblem for many years to come.

To further delay the carrying out of the provisions of the Geneva Treaty is tantamount to saying that the Army and Navy and the Red Cross are not entitled to the exclusive use of the Red Cross emblem. That I am unwilling to say, because I know what protection the emblem affords to our armed forces, and the respect and veneration in which it is held by countless thousands of our people at home. I know that all other civilized nations who signed the treaty have long since passed legislation similar to that now before us, and I am not willing that we should longer delay carrying out our solemn treaty obligations. By passing this bill we will declare that the Red Cross emblem is a humanitarian emblem, not a commercial mark to be used for private gain.

Mr. President, this bill is in every respect a worthy and necessary measure. I hope it will receive the unanimous approval of the Senate.

The PRESIDING OFFICER (Mr. MAYBANK in the chair). The question is on agreeing to the amendment of the Senator from Ohio to strike out "1950", in the committee amendment on page 4, line 4, and insert "1953."

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment as amended.

The committee amendment as amended was agreed to.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment was, on page 4, in line 21, to strike out "1947", and insert "1950."

Mr. O'MAHONEY. Mr. President, in view of the adoption of the amendment offered by the Senator from Ohio, it will be necessary to amend the committee amendment, and also to change the date in line 25. In each place the date should be July 1, 1953, so as to coincide with the Taft amendment. Therefore, Mr. President, to the committee amendment on page 4, in line 21, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Wyoming to the committee amendment will be stated.

The LEGISLATIVE CLERK. In the committee amendment on page 4, line 21, it is proposed to strike out "1950", and insert "1953."

The PRESIDING OFFICER. The question is on agreeing to the amendment to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the commitee amendment as amended.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment of the committee was, on page 4, in line 23, to strike out "1944", and insert "1947."

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments.

Mr. O'MAHONEY. Mr. President, on page 4, line 8, after the word "act", I move to strike out the semicolon and insert a comma.

The amendment was agreed to.

Mr. O'MAHONEY. Mr. President, I now offer the amendment, which I send to the desk and ask to have stated. It is in line with the previous amendment of the Senator from Ohio to the preceding committee amendment, as I have already stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 4, in line 25, it is proposed to strike out "1950", and insert "1953."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wyoming.

The amendment was agreed to.

Mr. O'MAHONEY. Mr. President, on page 4, line 8, I offer a technical amendment, to strike out the semicolon and insert a comma.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. O'MAHONEY. Mr. President, I offer the amendment which I send to the desk and ask to have stated. The amendment is suggested by the Senator from Maryland [Mr. TYDINGS].

The PRESIDING OFFICER. The amendment offered by the Senator from Wyoming will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to insert a new section, as follows:

SEC. — (a) Any person, corporation, or association that had a right to use and actually used the Red Cross, or whose assignor had a right to use and actually used the Red Cross, for any lawful purpose prior to January 5, 1905, and subsequent to January 5, 1905, but prior to the date of enactment of this act, who shall have been deprived of such use because of the enactment of this act, and who deems himself to have been injured thereby, may bring an action in the Court of Claims against the United States for compensation for such injury. Jurisdiction is hereby conferred upon the court of Claims to hear and determine the claim of any such person, corporation, or association, and, in any case in which it determines that such person, corporation, or association has been so injured, to render judgment thereon against the United States in an amount not exceeding the amount of the financial loss which shall have been suffered or may reasonably be expected to be suffered by such person, corporation, or association, by reason of such injury.

(b) Suit upon any such claim may be instituted at any time within after the date of enactment of this act. Proceedings for the determination of any such claim, and appeals from and payment of any judgment thereon shall be in the same manner as in the case of claims over which such court has jurisdiction under section 145 of the Judicial Code, as amended.

Mr. DANAHER. Mr. President, I should like to ask the Senator from Wyoming within what number of years he contemplates suit may lie?

Mr. O'MAHONEY. I thank the Senator for calling attention to the oversight. I had intended to insert "5 years."

Mr. DANAHER. Five years from the date of the enactment of this act?

Mr. O'MAHONEY. Exactly. I thank the Senator. I ask that the amendment be so modified.

The PRESIDING OFFICER. The amendment will be so modified.

Mr. DANAHER. Mr. President, there are several objections to the amendment. The first derives from the fact, as I see it, that at a time when, in the public interest, we are extinguishing, or purporting to do so, a right which inures to given individuals, which is established by law, which has been regarded by our own congressional acts, which, in fact, had been agreed to between the American Red Cross itself and certain of the claimants, we would ipso facto give any such injured claimant the right to go into the Court of Claims and assert a claim against the United States to recoup all losses which he can show as flowing from the act of extinguishing that right.

I assert that in this attempt we are creating a precedent which is without foundation. We cannot justify it. If we have the right to extinguish the claim of Johnson & Johnson, the Red Cross shoe manufacturers, the Red Cross mattress manufacturers, or anyone else, then we have the right to do it in 3 years, 6 years, 9 years, or 1 day, and we owe them no compensation of any kind. If, on the other hand, Mr. President, as has been alleged before the committee, the right to extinguish this particular use derives from a treaty which was entered into some 12 or 14 years ago—I have forgotten the exact year, but I think it was 1929—that is where we would find our authority to act. There should not be any compensation available to any claimants. We either have the right to act under this proposal reported from the Judiciary Committee, or we have not, and without loss or claim of right against the United States.

On the factual side, Mr. President, it is my recollection that the testimony shows that the Treasury has already agreed, or at least has computed, that Johnson & Johnson will be entitled to a tax deduction running into millions of dollars for loss arising from extinguishment of the right to use the Red Cross as a mark.

This measure came up today without prior notice to others of us on the committee that it would be called up. Otherwise, I should have had my file before me and would have been able to supply the exact figures. It is my recollection that it is said that Johnson & Johnson alone would be entitled to a tax deduction of $11,000,000 by reason of our enacting this legislation. If, in addition, such loss can be shown in terms of the value of the mark which we extinguish, and thereafter there is added the loss which would flow from the business normally to be expected by this company from the use of this type of advertising, when its sales are vastly increased during wartime, it can easily be seen that it is conceivable that a record can be complied which will allow the claimant to go into the Court of Claims with an assertion of injury in a prodigious amount. By the adoption of this very amendment we would give color to such a claim.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. GEORGE. There is nothing strange in the Government taking over property and paying for it. The Government may be under treaty obligation to do just that, and it may be quite proper to do it. If a property right is involved, the Government should pay for it if it is to take it away from a citizen who has a legal right to use it.

The point I wish to make is this: I think the Senator will find that few users of the Red Cross emblem would be able to establish any considerable damage. After all, it is a trade-mark. It has a good-will value which has been depreciated ever since we have had income-tax laws. I think the Senator will probably find that when we get right down to it there will be no considerable item that would not have been depleted to the owner of the trade-mark. I can see no insurmountable objection to allowing the Court of Claims to find the damage, if any occurs, because even then it would be up to the Congress to decide whether or not to make an appropriation to take care of it.

It occurs to me that there is no substantial basis for worry on this point. Frankly, I do not think any damage of real consequence can be sustained. I do not know whether a cause of action exists, but assuming that we were granting a cause of action by the adoption of this amendment, I do not think any great damage would result. I was appealed to to try to insert something in the tax bill which would compensate taxpayers for the loss of the trade-mark in this very instance. I looked into the question, and I did not think it was a feasible or practical thing to do generally, because I question very much whether anyone would be able to sustain a claim for damages when we take into consideration the depreciation which must have been taken against all items of invested capital by the users of this trade-mark.

Mr. DANAHER. Mr. President, answering the Senator's first point, let me note that this is not a taking by the United States for public use of an existing lawfully employed mark from any owner, such as Johnson & Johnson. We are not taking property. We are extinguishing a lawful user's right to use an established trade-mark. That is the first point to be noted.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. McFARLAND. Is not the value of the trade-mark largely due to the fact that it is the same as the emblem of the Red Cross international organization?

Mr. DANAHER. I have no doubt that is the case.

Mr. McFARLAND. If the symbol of the international organization were to be changed to a blue cross, the damage sustained by the users of the trade-mark would be just as great, would it not?

Mr. DANAHER. Likely enough.

Mr. McFARLAND. How are we to determine what the damages are?

Mr. DANAHER. The last question asked by the Senator from Arizona is, of course, a cogent one. We have had no evidence before us as to what the nature of possible claims might be. We have never had any such evidence, in all the long years the chairman tells us this matter has been under consideration. In all the months it was before the Judiciary Committee, not one claimant asserted the suggestion that he be given the right to sue the United States for damages in the Court of Claims.

This whole matter was in a very precarious state throughout all the committee's consideration. Whether the bill would ever be reported from the committee at all was open to considerable doubt. A compromise was finally reached as to the term of years, which we have here discussed. Now, without committee action, and without any evidence before us to assert that we are going to create a cause of action, as to which the Senator from Georgia is willing to guess that there may not be very large claims, or that the damages may not amount to considerable sums, I think would leave us on still more dangerous ground.

Indeed, Mr. President, if we pass this bill there is nothing to prevent any one of these possible claimants from shutting up his business tomorrow and charging off the entire loss.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. VANDENBERG. I wonder if I misunderstand the theory upon which the committee developed the bill. I should like to have the attention of the Senator from Wyoming [Mr. O'MAHONEY].

I wonder if I correctly understand the theory upon which the committee recommends the bill, because I do not see how the committee theory can harmonize with the theory of the pending amendment.

Mr. O'MAHONEY. The Senator is correct.

Mr. VANDENBERG. As I understand the committee theory, the user of the Red Cross emblem, within 9 years under the committee theory, can mitigate any possibility of loss through a change in the symbol. Yet, within 5 years the user would be permitted to start suit for damages before he had a chance to run the 9-year mitigating course, to discover whether or not the committee theory is right.

Mr. O'MAHONEY. Mr. President, perhaps I made my statement before the Senator entered the Chamber. I will say to the Senator from Michigan that I agree completely with the theory of the committee and the theory of the report, which is that we have the power to extinguish the right of private commercial users to employ this symbol in trade, and that by extinguishing such

use we are not laying the basis for a suit for damages against the Government of the United States.

But when the Senator from Maryland [Mr. TYDINGS] came upon the floor today pleading the case of a user in the State of Maryland—the original user of the Red Cross symbol in commercial pursuits——

Mr. TYDINGS. Since 1876.

Mr. O'MAHONEY. The Senator informs me that the use by this particular user began in 1876. He urged the submission of such an amendment. To be quite frank, I agreed that I would not object to it, believing that thereby the effective opposition of the Senator from Maryland to the bill would be eliminated. However, at the time, I accepted it, I told him that I believed it would make no difference, that no user could establish a case in the Court of Claims. I agree precisely with what the Senator from Georgia has said. Therefore it is my opinion that this amendment could be agreed to without harm.

Mr. VANDENBERG. Still the Senator has not answered my point. If we are to allow a suit for damages I do not see why we do not require the 9 years to run before the suit can be started in order to discover whether the theory of the committee is correct, that the change-over can be made without loss. We start with the theory that in 9 years the change-over could be made without loss by the user of the symbol. Then an amendment is proposed which would permit the user to sue in 5 years for a loss, which, under the original theory, would be offset in 9 years.

Mr. O'MAHONEY. The Senator overlooks the fact that in the bill the right of usage is only for 3 years, and it was for that reason that the period was made 5 years. Damage to the corporation, institution, or person who has used the symbol would arise only during a period of 3 years, and therefore 5 years is 2 years after that right has been extinguished. That was the theory.

Mr. VANDENBERG. Mr. President, probably it is my fault, but I fail to follow the Senator from Wyoming. After the first 3-year period it is proposed to allow another 3-year period in which the former user of the Red Cross symbol may say that the new symbol has replaced the Red Cross symbol.

Mr. O'MAHONEY. That would not affect his loss, if any.

Mr. VANDENBERG. That might well be another period in which to rebuild his business and overtake any possible loss which he might have suffered.

Mr. O'MAHONEY. That is when the jobber or the retailer who has bought the material which can no longer be manufactured under that insigne would be permitted to dispose of it. I believe that so far as years are concerned, there is nothing complicated at all.

Mr. VANDENBERG. I favor the original bill as reported by the committee, but I think that the pending amendment is cockeyed.

Mr. REVERCOMB and Mr. TRUMAN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Connecticut yield; and, if so, to whom?

Mr. DANAHER. I yield first to the Senator from West Virginia.

Mr. REVERCOMB. Mr. President, as I understand the amendment suggested by the Senator from Maryland [Mr. TYDINGS], it would permit the present user of the Red Cross symbol who would be deprived of it by the bill, to maintain a suit in the Court of Claims to recover damages for any loss which he might sustain.

As a member of the committee, and likewise as a member of the subcommittee which considered the amendment, it is my recollection that two major questions arise. The first is whether it is proper, by legislation, to take the symbol away from those who had used it as a private symbol over a course of years. The question was raised as to whether the Government should use the funds of the taxpayers to pay damages. As I distinctly recall, it was the sense of the committee that Government funds should not be used to pay for such damages; that that would be virtually a purchase of the symbol from the users for the benefit of the Red Cross.

Mr. O'MAHONEY. Mr. President, will the Senator from Connecticut further yield?

Mr. DANAHER. I yield.

Mr. O'MAHONEY. I desire to recall to the mind of the Senator from West Virginia that the amendment which was discussed in the committee, and to which he now refers, was an amendment which acknowledged a liability on the part of the Government and, of course, it was rejected. As I recall, no member of the committee was willing to sponsor that amendment. That is, not the amendment suggested by the Senator from Maryland. I would not agree to such an amendment.

Mr. REVERCOMB and Mr. TYDINGS addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield and, if so, to whom?

Mr. DANAHER. I yield first to the Senator from West Virginia in order that he may make reply to the Senator from Wyoming.

Mr. REVERCOMB. I thank the Senator.

The sum and substance of what the Senator from Wyoming has said bears out what I stated. It was decided in the committee that Federal funds should not be used to reimburse users of the Red Cross symbol.

Mr. O'MAHONEY. That is to say, it should not be so stated in the bill.

Mr. REVERCOMB. Yes. An amendment is now offered—and I must say that somewhat to my surprise—I find that amendment accepted by the able Senator from Wyoming who reported the bill from the committee, providing that a suit may be maintained. I am opposed to it, because, in my opinion if a suit could be maintained, that would be an acknowledgment of the right of recovery; and if the right of recovery is present the claimant can present a claim showing loss, and in the end it would have to be paid out of Federal funds. In my opinion that is absolutely contrary to the decision reached by the committee.

Mr. DANAHER. Mr. President, I wish to emphasize what the Senator from West Virginia has said. If we accept the pending amendment, we say that if in fact the claimant shall assert injury, and if in fact the court finds injury to have been sustained, the court shall award damages. Every Senator knows that when we extinguish the right of the user, in fact, he is injured. That is exactly why we are passing the bill.

Mr. TYDINGS. Mr. President——

Mr. DANAHER. I yield to the Senator from Maryland.

Mr. TYDINGS. Mr. President, I have not interrupted the Senator; but as the advocate of this amendment I wish to say there are a good many statements being made in the debate that I do not believe are sound, and I hope that Members of the Senate will keep an open mind until some of the facts on the other side can be presented. I did not want to interrupt the Senator during his presentation.

Mr. DANAHER. I have reached the point of concluding, anyway.

Mr. President, simply for the reason that we have not factually gone into this situation and we do not know what the possible liability is, since it has not been explored—it was discussed in the committee as a matter of possible award to claimants whose rights indeed would be extinguished but that was ruled out—and because of the uncertainty of the situation, I move that the bill be recommitted to the Judiciary Committee in order that the committee may resume hearings on this phase of the question. I was willing to support the bill without this amendment, and I still will support it without it, but otherwise I move, respectfully, that the bill be recommitted for further hearings.

The PRESIDING OFFICER. The question is on the motion of the Senator from Connecticut that the bill be recommitted to the Committee on the Judiciary.

Mr. TYDINGS. Mr. President, I think the first thing we ought to do is to get straightened out so as to understand what we are arguing about. All the preceding debate prior to the offering of this amendment was that nobody would suffer any loss; that there was not going to be any loss; a transition period was provided, and, therefore, there would not be any loss; but when we think there may be losses in certain cases and ask for a hearing of them, then those who assert that there will be no losses are not willing to put their contention to the test of a fair, impartial tribunal of the Government of the United States itself. Either there is a loss or there is not a loss. Let us settle that dispute by referring this matter to the Court of Claims. If the contention that this bill will take no rights away from anyone and will cause no losses to anyone is correct, then the Court of Claims will so hold; but if, on the other hand, the men who are

interested can prove a loss in the Court of Claims, then they are entitled to be heard.

The second thing to keep in mind is that we are not in this bill wiping out trade-marks or copyrights which are open to all the people of the United States. We are in this bill wiping out only one trade-mark and one copyright. A particular group who had honestly been using this trade-mark long before this Government in any capacity whatsoever extended the hand of welcome and approval to the Red Cross, are to have it taken away from them and they are to be denied, when their property and the goodwill of their business is taken away, the mere opportunity—and that in a democracy, praise God—to go before a court and prove their case.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Vermont.

Mr. AUSTIN. I wonder if the Senator is accurate in his statement about priority of use.

Mr. TYDINGS. Yes, sir; I am going to read the history pertaining to the matter.

Mr. AUSTIN. Before the Senator begins to read, I ask him to consider that the evidence before the subcommittee of which I was a member showed the use of the Geneva Cross by the Red Cross as early as 1864.

Mr. TYDINGS. I am not disputing that, but the Government of the United States took no official action until 1905.

Mr. AUSTIN. That is to say, the Government did not create this industry, of course.

Mr. TYDINGS. That is correct.

Mr. AUSTIN. And so far as the equity of priority of use goes nobody has a claim against the Red Cross.

Mr. TYDINGS. Let me develop the facts and let them speak for themselves. On August 22, 1864, the Geneva Convention adopted as its symbol a red cross with a white background. The United States Government was not represented. In 1866 there came the Bellows committee, which had an ephemeral existence and dissolved in 1872 without taking action. In 1869 Miss Clara Barton, founder of the American Red Cross Society, first heard of the Geneva Convention. From 1872 to 1905 numerous firms in the United States used the red cross as a trade-mark. In 1881 an American committee formed by Miss Barton in 1877 was incorporated under the name "The American Association of the Red Cross." In 1900, act of June 6, 1900, the first Federal statute incorporating the American National Red Cross was passed.

The concern I am talking about has used the red cross since 1872 and registered it with this Government in 1876, practically 30 years before the Government of the United States, by an official action, approved by the Red Cross.

Now what is it proposed to do? To wipe out all trade-marks, wipe out all copyrights? No; but a concern that had been using it 25 or 30 years before our Government took any official action is asked in the national interest to surrender its copyright, its goodwill, its trade-mark, while all other persons, firms, and corporations in America are to be allowed to retain theirs.

Mr. DANAHER. Mr. President——

Mr. TYDINGS. Let me proceed for a little while and then I shall then yield to the Senator.

I have heard some arguments on this floor today that I can hardly believe would be made in the United States Senate. I have heard that the Government can take a man's property without due process of law.

Mr. AUSTIN. Mr. President, I beg the Senator's pardon, but will he permit a question at this point?

Mr. TYDINGS. I will.

Mr AUSTIN. I observe that he commenced his address on a point of law and I note that the language of his amendment commences with a clause relating to the "right to use." Therefore, I am inclined to inquire whether the Senator regards it necessary that his amendment should be so worded and so considered by the Senate as to indicate that a condition precedent to any action to recover a loss is the establishment of a legal right of property in the trade-mark. That I ask as a question.

Mr. TYDINGS. I answer generally in the affirmative, but in all detailed respects I should say "No" because in this instance, in my opinion, there is a moral obligation.

Mr. DANAHER rose.

Mr. TYDINGS. Let me proceed for a few moments, because I do not believe that all the Senators are conversant with the fact that we are dealing with cases where users of the Red Cross had adopted and employed that emblem prior to 1905, which was the date of the incorporation by Congress of the American National Red Cross. We are not dealing with anybody who came along after 1905. We are dealing with a group of cases going back to 1872—30 years before the American Congress acted—affecting men who in good faith have been using the Red Cross as a trade-mark to aid in selling their products by giving them a good name, and a designation which the public would recognize as guaranteeing quality.

I have heard on the Senate floor today an argument, which to me is astounding, to the effect that the Government in the public interest can take property without due process of law, as was so ably brought out by the Senator from Georgia. If in the public interest the Government needs the house of the Senator from Connecticut, let the Government take it and do nothing further about it. A trade-mark is just as much a property right, an intangible property right to give it its correct name, as is a tangible property right consisting of acreage. Every Senator has a trade-mark. The Senator from Connecticut has one of the best trade-marks in this body. The name "Danaher" in Connecticut politics stands for integrity and industry and good representation. Let the Senator have his name changed to Jones and run on the Republican ticket and he will not get so many votes as he would get under the name of Danaher, and he knows it.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. DANAHER. The Senator is perfectly right about that. I would have it made clear, furthermore, that I like the name "Danaher" and have no intention of changing it to Jones; but, above all, I do not want the Senate of the United States extinguishing my trade-mark. Everything the Senator from Maryland is saying on this floor I said in committee.

Mr. TYDINGS. Good.

Mr. DANAHER. I have been one of the last recalcitrants, so to speak, to agree that this bill might be brought up, because I thought we were extinguishing a right which the claimants indeed had. When we get this far, on the other hand, and it is urged that we have a right to extinguish this trade-mark because some treaty has given us the right to do it, and that the treaty as the supreme law of the land indeed imposes upon us the duty to extinguish it, then, Mr. President, I say that, if we have the right to do it on that ground, we do not owe anybody anything, and, therefore, I do not want to leave the Government liable or possibly liable.

Mr. TYDINGS. I am glad the Senator made that remark, because, without flattery, I look upon him as one of the ablest Members of this body, and it was astounding to me, without his qualifying statement of a moment ago, how he could take what seems to me to be the untenable ground that property rights in democratic United States of America can be extinguished without just compensation, although the amendments to the Constitution provide otherwise.

Mr. AUSTIN. Mr. President——

Mr. TYDINGS. Let me proceed for a moment, and then I shall yield to the Senator from Vermont.

The trade-mark is everything in the world that distinguishes one product from another. When we go to a store to buy a pair of shoes, do we say, "Give me a pair of shoes"? When we go to a store to buy any garment at all, do we merely ask for a garment? No; we buy the garment with the trade-mark on it, which we know from experience shows quality.

When we buy canned goods put up by Charles B. Silver, of Havre de Grace, Harford County, Md., we are buying goods which have been sold in every State in the Union under his trade-mark since 1872, known as the Red Cross canned goods, with a standard of quality, under a trade-mark which Mr. Silver honestly came by, which he built up through depressions and adversity so that his is one of the great canning establishments of this country, a business which represents his life work and which he is about to hand over to his son. But we are asked to say, "You may call your goods the Red Circle goods, and you will not lose anything. Then, after he is told he will not lose anything, we are to deny him the opportunity to go into a court of the United States and

prove that he did suffer loss. And that is called democracy; that is called justice.

Suppose one of the Members of this body owned a canning establishment, representing the notes he had paid, and the toil he had put in, the hours of adversity, and the time he had spent fighting unfair competition, extending the sales of his wares here and there, finally coming to the point that people know that when the goods have the Red Cross Canned Goods stamp on them, they are cleanly packed, there is honest weight, there is real quality. The housewife knows, when she goes into any store in any State in this Union and buys those goods, that they come up to that standard. We are asked to say, "Just put a red circle on the label and she will buy them just the same."

It is said he would not suffer any loss, because he would be given 3 years in which to call the goods The Red Circle instead of The Red Cross, after using that trade-mark for 75 years of the hardest kind of work, starting from the infancy of the canning industry, when canned goods were first put up, down to this good hour. We are asked to deny this man a chance to come into the Court of Claims and show what he lost.

Mr. BUSHFIELD. Mr. President——

The PRESIDING OFFICER (Mr. WALLGREN in the chair). Does the Senator from Maryland yield to the Senator from South Dakota?

Mr. TYDINGS. I yield.

Mr. BUSHFIELD. I should like to ask the Senator whether it is not a fact that for more than 50 years Congress has recognized that there is a value in trade-marks.

Mr. TYDINGS. That is true.

Mr. BUSHFIELD. And people have built up their businesses on that principle?

Mr. TYDINGS. Of course.

Mr. BUSHFIELD. It is an established principle in our Government to recognize the value of trade-marks.

Mr. TYDINGS. Yes.

Mr. REVERCOMB. Will the Senator from Maryland yield?

Mr. TYDINGS. In a moment, but let me develop the thought suggested by the distinguished Senator from South Dakota.

Senators, it is always easy to settle another man's losses with his money. It is always easy to write down the hardships of another man. But whether one is in the ranching business, or manufactures oilcloth, or is in the shoe business, or the milling business, or in the law business, as many of the Members of this body are, there is something so vital, there is something so overwhelming, in the power of a good name, established over a period of years, that no money on God's earth can buy it. Millions of rich men who have gained great wealth have lost it all because they did not acquire a good name while they were accumulating their wealth.

Mr. Silver is a man who started out as a farmer, and who went into the canning business when there was hardly a thing put up in cans in this country, when half the cans of food would spoil. He gradually grew up with the industry, he fought competition, and for 75 years has conducted an honest business. Now, it is proposed to say, by the edict of the Federal Congress, that that shall go for nothing. It is proposed to say further, that we should not allow him to go into the Court of Claims, that the Government can take away, but the Government need not restore. And this is to be done in the name of justice and right.

Mr. President, was not this Government established to protect the right of the poorest, the humblest, the most ignorant individual in this country? That is why we have the Constitution. He has as much power and right as any king in Christendom. But here we are asked to depart from that principle. Because there are only a few, they shall sit outside and get the crumbs. As Shakespeare said:

Who steals my purse steals trash; 't is something, nothing;
't was mine, 't is his, and has been slave to thousands;
But he that filches from me my good name
Robs me of that which not enriches him
And makes me poor indeed.

After 75 years of honest effort, behind the Red Cross label of Charles B. Silver & Son, of Havre de Grace, Md., without having committed any crime, after having paid his taxes and done his part in all the wars his country has fought in his lifetime—that is all to be done away with by act of Congress, if this amendment shall be rejected, and this man is to be denied, not compensation but denied the mere opportunity to prove he is entitled to it.

Charles Silver first registered his trade-mark in 1876. The Government of the United States first officially recognized the Red Cross by the act of January 5, 1905—an act to incorporate the American Red Cross. Twenty-nine years elapsed between 1876 and 1905 before this Government officially took cognizance of the Red Cross, while this man was working to build up this industry in an honest and American way.

First it is argued that he would suffer no loss whatsoever. Eminent Senators say they believe that, with the transition period provided, there will be no loss at all. Then they say to him, "You shall not have the right to prove there was a loss. There is no loss, but we are not even going to give you the right to prove there was a loss. We are going to take your trade-mark, you cannot use it again, we are going to take from you 75 years of effort to build up a good name, we are going to kick you out of the Senate and House of Representatives as if you were a foreigner. You can go your way. You can suffer whatever loss comes to you. You can be ruined. But you dare not come into any American court and ask for a hearing."

There is nothing in the amendment to provide damages. All it provides is the opportunity for a hearing, because no judgment of the Court of Claims can be paid until approved by the Appropriations Committees of both Houses of Congress and by the Congress itself.

Mr. REVERCOMB and Mr. DANAHER adressed the Chair.

The PRESIDING OFFICER. Does the Senator from Maryland yield, and if so, to whom?

Mr. TYDINGS. I yield first to the Senator from West Virginia, then I shall yield to the Senator from Connecticut.

Mr. REVERCOMB. I am deeply impressed by the eloquence of the Senator from Maryland.

Mr. TYDINGS. I hope it is logic, rather than eloquence.

Mr. REVERCOMB. I may say it is logic.

Mr. TYDINGS. I thank the Senator.

Mr. REVERCOMB. I am deeply impressed by the fact that the Senator has taken the position I took in the committee.

Mr. TYDINGS. I am glad to hear that. I am in good company.

Mr. REVERCOMB. I am in good company now, but I had no company when I stood alone in the committee. Under no circumstances, however, do I feel that the Government of the United States should take its funds and purchase an emblem for any organization.

Mr. President, I ask the Senator from Maryland if his position would not be stronger if he were to oppose the passage of the bill rather than to amend it to require the Government to pay money, in effect, damages by recovery in a court, in order to bestow this mark upon an organization, however worthy?

Mr. TYDINGS. Mr. President, I hope the Senator will not press me to answer that quesion, because I frankly would not want to make that decision right now.

Mr. REVERCOMB. Then may I say to the able Senator that I regret very much that he did not join me before the committee——

Mr. TYDINGS. I did.

Mr. REVERCOMB. In presenting this matter. May I further not ask if it would not be the wiser course to recommit the bill to the Committee on the Judiciary for further consideration rather than to proceed at this time, in view of the situation which has been developed here by an amendment offered which will require the payment out of the National Treasury of unknown amounts of money not only in the case of the Maryland packer but other users of the Red Cross emblem? It seems to me that the wiser course, indeed, would be to recommit the bill rather than to place the Senate in the situation of passing upon the question of eventual payment of damages by the Government.

Mr. TYDINGS. If the Senator wishes to make that motion, I shall, of course, be governed by the exigencies of the battlefield.

Mr. REVERCOMB. I believe such a motion is pending.

Mr. GEORGE. Mr. President——

Mr. TYDINGS. I wish to make a statement before I yield to the Senator from Georgia, which I shall do in a moment. My good friend, the senior Senator from Michigan [Mr. VANDENBERG] a while ago characterized this amendment as a "cockeyed" amendment. I am going to assume, representing, as

he ably does, the great State of Michigan and our country, that this bill took away the trade-mark of Henry Ford, in the Senator's own State; would the Senator feel that if Mr. Ford were suddenly to lose the right to use the name "Ford" in the particular way it is written, and that he could use the name "Jones"—or "the Jones automobile," that Mr. Ford would suffer no loss whatsoever in the transition from the use of the former Ford name to the Jones name in any kind of normal times?

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. VANDENBERG. The Senator mistakes the application of my word. I was applying it to the fact that it is inconceivable to me that the bill should contemplate a 9-year program to overtake the loss incident to the change in trade-mark, yet that the lawsuit could begin in 5 years, before the 9-year period has run.

Mr. TYDINGS. I am glad to have the Senator correct me. If this were a big matter, the loss would be so great that no Senator could escape it. But because it affects one small independent canning establishment in the little country town of Havre de Grace—well, it is just one man; brush him aside. But if it were the Ford interest, whose trade-mark and goodwill were built up in such difficult circumstances in the early days of that industry—if that were the thing that were to be swept aside in the national interest, there would be no question about allowing Mr. Ford to come into a court of law and prove his loss, and he would come close to obtaining a unanimous vote in this body.

Mr. VAN NUYS. Mr. President, I know the distinguished Senator from Maryland does not intentionally want to mislead the Members of the Senate with respect to the facts.

Mr. TYDINGS. Not at all.

Mr. VAN NUYS. I understood the Senator from Maryland to say that the Silver concern had registered the trade-mark in 1876.

Mr. TYDINGS. I said they had used the trade-mark since 1876, and it was registered as soon as the trade-mark laws permitted it to be registered thereafter, and long before, in either case, the Government of the United States took any official action with respect to the Red Cross Society.

Mr. VAN NUYS. Mr. President, that is just as wrong as the facts can be. I read from a letter recently sent me by H. J. Hughes, general counsel of the American National Red Cross.

Mr. TYDINGS. Very well, show me where I am wrong and I shall be glad to admit it.

Mr. VAN NUYS. The trade-mark now being used by the Silver company was registered as a trade-mark March 6, 1906. I read from the letter:

> The registration statement under oath declares—
>
> And here is where the 1876 comes in—
>
> 1. The trade-mark has been continuously used in the business since 1876.

Mr. TYDINGS. Well, I stand corrected with respect to the date when the trade-mark was registered.

Mr. VAN NUYS. The history of the trade-mark is that—and I quote from the letter—

> On February 23, 1917, Charles B. Silver & Son acquired the trade-mark from S. J. Seneca, the original registrant.

Mr. TYDINGS. I knew Mr. Seneca, and I know Mr. Silver. Mr. Seneca employed Mr. Silver, and Mr. Silver built up and extended his business and afterward bought it out and continued it.

Mr. VAN NUYS. I continue to read from the letter:

> This is one of the two known cases where a present use of the Red Cross trade-mark is claimed to have begun before the first incorporation of the present American Red Cross.

Mr. TYDINGS. It is probably as strong a case as any case in the whole category. I should equally be interested in it if it were a case in Indiana. What I am interested in seeing is that an American citizen is not bereft of his right to trial in a court of the United States. If that right is to be denied him we had better call off the war with Hitler and let things take their normal course.

Mr. VAN NUYS. I continue to read from the letter:

> It is to be noted that the first claimed use starts in 1876, 12 years after the Treaty of Geneva——

Mr. TYDINGS. To which the United States was not a party.

Mr. VAN NUYS. Will the Senator please permit me to continue?

Mr. TYDINGS. Yes, I will; but I want the Senate to know the whole situation.

Mr. VAN NUYS. The Senator has had his opportunity. I continue to read:

> Twelve years after the Treaty of Geneva, and from 10 to 12 years after the use of the Red Cross emblem by the United States Sanitary Commission in Civil War days, and by the kindred society, the American Association for the Relief of Misery on the Battlefield.
>
> These associations were the forerunners of the American Red Cross Society as incorporated. So the statement that the red cross had not been used by the Red Cross Society——

Mr. TYDINGS. I did not say that.

Mr. VAN NUYS. Or its predecessor——

Mr. TYDINGS. I did not say that.

Mr. VAN NUYS. I beg the Senator's pardon.

Mr. TYDINGS. I said the Red Cross received no official sanction by the Government of the United States until 1905, and I stand on that statement.

Mr. VAN NUYS. That is the date of its incorporation.

Mr. TYDINGS. That is correct.

Mr. VAN NUYS. But its predecessor, the two associations which I just mentioned, for years and years used the Red Cross as an emblem, and the emblem would not have been worth 5 cents to Mr. Silver, of Havre de Grace, Md., if it had not been for the long history of charity and humanitarianism built up around this traditional symbol.

Mr. TYDINGS. Mr. President, I do not agree with that remark. It is so transparent that it defeats itself. If all that Mr. Silver had to sell was the Red Cross label on the package in 72 years, his customers would have found him out. Mr. Silver is not asking for the Red Cross emblem because of its humanitarian value. He is asking for it because that is the way the customer knows what C. B. Silver's goods are and how they are labeled.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. TYDINGS. Yes, I shall yield in a moment. As to the statement made by the Senator from Indiana, Mr. President, let me remind him that the red cross was used by the Crusaders. The red cross appeared on every crusade flag that was carried across Europe by that gallant band of men who went forth with high motives and ideals and impulses to rescue the Holy Grail from the infidel, and who robbed every chicken coop on the way back, and some of them did not get back.

I now yield to the Senator from Vermont.

Mr. AUSTIN. Mr. President, the statement I shall make is a little distant from the point to which it applies, but I desire to ask the Senator from Maryland to consider a possible correction in his statement that the Red Cross emblem and its use for the purpose of humanity were not directly recognized by the United States until after 1900.

Mr. TYDINGS. That is correct.

Mr. AUSTIN. I wish to correct that statement, because the United States became a party to the Geneva Convention in 1882; and from a strictly legal point of view, I doubt whether the Senator would make the claim that any particular private individual could acquire a legal property right to the use of the emblem, as against any of the parties signatory to that treaty.

Mr. TYDINGS. Mr. President, I do not wish to go into that field of argument.

I go back to my statement that the Red Cross emblem—and I hold in my hand a history of the Red Cross which gives the day and month when the emblem came into use—originally came into use and effect in 1864, and that the United States of America was not present and was not represented when that was done. A certain period went by. Miss Barton, a very wonderful American woman, organized the Red Cross in unincorporated form. After a while it grew in prominence, but it was not until the year 1905 that the Congress of the United States recognized it and incorporated it by a legislative act. I maintain that up to that time its official status as a Government institution was rather more indefinite than definite.

Mr. Silver, on the other hand, utilized the Red Cross trade-mark as far back as 1876. I was born in 1890. As a boy of 8 years of age, I can remember the Spanish-American War. During that war a bill was introduced to prevent Mr. Silver using the Red Cross trade-mark, just as today a similar bill has been introduced during the present war. My

predecessor in the House of Representatives was Col. J. F. C. Talbott, of the Confederate Army, who served some 30 years in the House of Representatives, and for a long time was chairman of the Committee on Naval Affairs. He made the same points, in essence, that I have made today.

I have appealed to the representatives of the Red Cross who came to my office. I said to them, "All I ask you to do is to treat fairly those who legally, and in good faith, used the red cross as a trade-mark before the United States Government gave it its official sanction. I like the spirit of your bill. I like the aim of your bill. But it would be an outrage, merely because there are a few of them, not to give them a hearing and the consideration to which their case is entitled."

Mr. President, I do not wish to continue this argument longer. I may be defeated in my efforts in this connection. It may be that, because of the great humanitarian impulses which we all feel and have for the Red Cross, my small voice asking for justice for one man in line with our American traditions will be lost in the wilderness. But I know that if any one of us had a business which was 75 years old and had used the red cross as a trade-mark all that time, in voting on this matter he would not feel so detached as Senators feel when their own pocketbooks and their own economic security are not jeopardized.

All we ask for in the amendment is the right to a hearing. If there are no damages, as many claim, then nothing at all will be found in favor of these claimants. If they have suffered loss, in God's name has the Congress of the United States reached the point where, by statute, it will deprive a man of his honest property without compensation, and even without hearing, if some contentions are to be upheld?

Therefore, Mr. President, I rely on the fairness of my colleagues, representing, as I do, one comparatively small industry, one independent industry; for I feel that in representing the head of that organization I am representing not only him and his concern but the finest traditions for which the American Republic was established and for which, pray God, it may ever stand and uphold.

Mr. GEORGE. Mr. President, before the Senator takes his seat, I should like to make a statement in his time, if that is agreeable to him, because I do not care to discuss the matter in my own time.

Mr. TYDINGS. Certainly.

Mr. GEORGE. I was interested in the bill, and I conferred with its proponents, particularly the senior Senator from Wyoming [Mr. O'MAHONEY]. I felt that the amendments proposed to the bill were very reasonable and liberal, when all of the facts were taken into consideration. However, I cannot see why the amendment offered by the Senator from Maryland—of course, it may be that the phraseology is not quite what it should be—should not be inserted in the bill. I very much doubt, as I have said to him frankly, that anyone could establish damages for the taking of his red cross trade-mark, because there would enter into the consideration a great many questions; for instance, whether the person concerned had used the trade-mark, whether he had used it continuously, whether he had attempted to protect it as against other users, whether he had lost any exclusive right which he may have had in it, and so forth, and so on.

The present tendency of the courts is to hold that the failure vigorously to assert all rights to an alleged trade-mark results in the loss of the rights to its exclusive use; and the courts will not restrain another person from using it if there has been a failure to protect those rights, to say nothing of awarding damages to the person who claims to have had the exclusive right to the use of the trade-mark.

However, a property right to a trade-mark can properly be asserted with respect to cutting off the use of the trade-mark by others, if action is promptly taken at the time when others attempt to make use of it. That seems to me to be beyond argument.

The only right of the United States to take away such a right with compensation is not because it is taken away by virtue of a treaty but because it is taken away in the public interest.

It is true that the International Red Cross and the American Red Cross are in one way the beneficiaries of the legislation; but we deem it to be in the public interest to give to the International Red Cross and the American Red Cross certain privileges and certain rights because of their great work for humanity. It is in the public interest to do so, just the same as when the Government sends its agents to farms in the West and has them destroy cattle there, not for the benefit of the Government, but for the benefit of all the people of the United States, in order to prevent the spread of a destructive disease in the cattle of the country. Yet Congress right along provides for payment for the cattle taken from Bill Smith and John Jones and other persons, in cases in which there has been a rightful taking.

Frequently there are treaty stipulations, particularly with reference to certain sorts of plant diseases and animal diseases; but that would not excuse the refusal of the Government, if it took the property of another, to pay just compensation.

That is all there is to the present case. There is nothing that anyone could do to take away a property right if it has a value which has not already been amortized and been taken up by its owner. It seems to me we are simply wasting time to say so or to think so; that we are confused in our thought. Undoubtedly we have a right to pass this bill. Undoubtedly, if we made a treaty obligating the Government of the United States to pass the bill, we should carry out the treaty stipulations. But undoubtedly no one has the right by treaty or by any provision of statutory law to take away any property right of a citizen, for the public welfare, without paying him for it or giving him a chance to show his rights regarding it. I am morally certain in my own mind that the amendment is a hope held out to the users of this Red Cross emblem as a trade-mark on business or commercial articles that will not materialize. In the first place, they may not be able to show that they have any right in it; in the second place, they may not be able to show that they tried to protect it, or that it is an exclusive right.

I know that since 1913 no single individual or corporation in America has failed to take depreciation against his invested capital. I do not believe there is any chance for anyone to recover any substantial amount whatsoever. Of course, users of the emblem may have spent a great deal of money in advertising year by year in order to keep the trade-mark effective, but the cost of the advertising is a deductible item against the Government of the United States. I would not like to be a lawyer working on a contingent basis and taking cases against the Government of the United States to recover damages from the United States under this amendment. I honestly do not think it is worth discussing, because I do not believe there can be any damage; but if there is a damage, then certainly the Government of the United States ought not to take away a right without letting the citizen have the opportunity to establish his claim if he can possibly do so.

Mr. CONNALLY. Mr. President, I dislike very much to disagree with my distinguished friend from Maryland, and to oppose his amendment; but I was on the committee which considered this measure, and I cannot agree to the doctrines urged here.

In the first place, the United States Government in dealing with this matter is not dealing with it as man to man, as would be the case in some private transaction. It is dealing with it in its highest sovereign capacity. Irrespective of having made a treaty, if the Red Cross organization is a great international utility, my own view is that the Government of the United States, as a great sovereign government, would have a right to enact this legislation in the promotion of that organization, irrespective of whether or not we had bound ourselves by treaty.

Furthermore, I do not regard a trade-mark, after it has expired, as giving anyone a property right. It is an act of grace on the part of the Government. When the Government enacts a copyright law, it does so as an act of grace. The copyright user registers his copyright or trade-mark, and so long as he complies with the law he is protected, not against the Government but against competitors who might otherwise use his name or trade-mark. So I cannot subscribe to the theory that every time we enact a law, if someone is hurt by the law, we must pay him damages. Suppose, when we enacted the prohibition law, every man who had had a liquor business or saloon had said, "I have been engaged in this business for 25 years. I have obeyed the law. Congress has enacted a law which takes away my business, and I ought to be recompensed."

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. TYDINGS. Is it the Senator's understanding that I maintain that Congress has no right to enact the proposed law?

Mr. CONNALLY. No; I did not say that.

Mr. TYDINGS. I thought the Senator said that under the treaty the Congress has the right to do what is proposed. I am not questioning its right.

Mr. CONNALLY. I said that irrespective of the treaty we have the right to do it.

Mr. TYDINGS. I am not questioning the right to do it, treaty or no treaty.

Mr. CONNALLY. I cannot agree with the Senator's subsequent statement, that because we have the power to do it we are obligated to pay damages.

Mr. TYDINGS. I did not say that.

Mr. CONNALLY. I thought that was the basis of the Senator's argument.

Mr. TYDINGS. I said that we are obligated to do it only if someone suffers a loss in property damages. Does the Senator agree to that?

Mr. CONNALLY. No; I do not agree to it.

Mr. TYDINGS. If anyone suffers a provable loss in property damages, under our Constitution, which I think is sovereign——

Mr. CONNALLY. I would rather not deal with generalities. I will deal with this particular case.

Mr. TYDINGS. Is not a trade-mark a property right?

Mr. CONNALLY. No; I do not think so. It is an act of grace on the part of the Government of the United States; and if the Government wishes to take that privilege back it can do so. I do not think it is a right.

Mr. TYDINGS. The Senator is a member of the Finance Committee.

Mr. CONNALLY. In connection with this bill I am speaking as a member of the Judiciary Committee.

Mr. TYDINGS. Do we not make provision in our tax laws for the value of property rights?

Mr. CONNALLY. Of course.

Mr. TYDINGS. Then they must have a property value.

Mr. CONNALLY. I do not doubt that so long as a copyright is enjoyed it has a business value.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. CONNALLY. Let me first answer the Senator from Maryland. I dislike very much to disagree with my distinguished friend from Maryland. I can see his viewpoint. But I do not agree that the granting of a privilege—not a right—is a vested property right in anything. What would there be to prevent us tomorrow from repealing every trade-mark and copyright law on the statute books? Can any Senator answer that question?

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. TYDINGS. If that were done, I should not object.

Mr. CONNALLY. Does the Senator doubt our power to do it?

Mr. TYDINGS. No; and I am not questioning the power to pass this bill; but we have not repealed all the laws. We pick out a few individuals and say that everyone else may have a trade-mark. To a few individuals we say, "Even though you have had it before Geneva, you can no longer have it."

Mr. CONNALLY. We are not picking out individuals. We are picking out an international purpose and objective, and we are saying, with respect to the emblem of a great organization, that no matter how many individuals are involved, we propose to prevent their use of that emblem.

Mr. TYDINGS. I agree to that.

Mr. CONNALLY. The freedom of the Congress to enact laws within its sovereign power is unlimited. Congress may declare war, and draft young men and send them into the service. A man might say, "I had a contract to work for my employer at $25,000 a year. Congress declared war and dragged me off to the battlefield, canceling my contract. I want to be recompensed. I want to be paid $25,000 a year, which I would have earned." Does any one subscribe to such a doctrine?

We enacted a law cutting down the gold content of the dollar. We did it as an act of high sovereignty. We were not trying to deal with individuals. We were not trying to take something out of one man's pocket and put it into another man's pocket. Was the Government responsible to private owners of credits, gold, or anything else? Was the Government liable in damages for what it did?

Mr. President, we enact laws every day which have their economic and business repercussions. The Government does not become responsible therefor. I regret that anyone should feel aggrieved or suffer under the terms of this bill, if it should be enacted; but users of this trade-mark have enjoyed the privilege for many years. They have had a monopoly, as it were, within the scope of their advertising, their emblems, and their copyrights, which the Government has protected and guaranteed to them. Because they have had that privilege for many years, they claim the right in perpetuity. If that doctrine were sound, we could never change it. If a man once had a copyright, he could have it forever. A man may say, "I have had a copyright for all these years, and you cannot take it away from me." That is not sound. The copyright was meant to protect individuals against one another, not against the Government of the United States. It is a mere privilege. It is a mere act of grace on the part of the Government toward its citizens. Of course a copyright can be taken back whenever the Government wishes to take it back.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. O'MAHONEY. I ask to interrupt merely to sustain the statement which the Senator has made with respect to the lack of any real property right in a trade-mark. The Supreme Court has held in several cases that there is no property right per se in a trade-mark. The right of the user of the trade-mark grows out of the law of fair competition, and he is entitled to be protected in the use of his trade-mark against some other user who may seek to take advantage of the credit, reputation, or name he may have built up. No such question is involved here, because the truth of the matter is, as the evidence before our committee has shown, that as the American Red Cross Society became better and better known, as it gained the support of an increasing number of people in the United States, the attempt by commercial operators to capitalize upon the good name of the American Red Cross Society increased, and users and owners of trade-marks who had registered their marks in one form abandoned the precise form which they had filed in the trade-mark office in order to simulate the symbol of the Red Cross, to make it appear in greater and greater degree that they were in fact purveying some commodity which was supported or originated by the American Red Cross Society. So it seems to me that the question is absolutely one of privilege.

So far as this particular amendment is concerned, it means only that if a person could prove to a court that he in fact had a property right in the insigne he could have his day in court, and I can see no reason why such consent should not be given. But to regard that as a reason for the defeat of the bill seems to me to be utterly without merit. The fundamental point here is that for centuries the red cross has been in the minds of men a symbol of some sort of humanitarian, idealistic effort. The symbol was used for such purpose for centuries before any commercial user in the United States endeavored to use it. The Geneva Conference was held and it was used there. The American Red Cross Society was formed, and it was used by that society. As the work of the Red Cross Society became more and more important, and engaged more and more the support of the people of the United States, those engaged in commercial enterprises sought to capitalize upon the use of the Red Cross insigne. As the Senator from Texas has well said, we have a right to take this privilege away from all commercial users and to say that henceforth the symbol shall be used only by the Red Cross Society.

The Committee on the Judiciary has made several concessions to good-faith users in the hope of getting the pending bill passed. But all through this struggle commercial users who have preyed upon the reputation of the American Red Cross Society have sought in one way or another to becloud the issue, to change men's minds, and to defeat the proposed legislation.

I submit, Mr. President, that no amendment which has been offered today in any way serves to argue against the fundamental right of the United States, through Congress, to assert that henceforth the American Red Cross Society shall have the sole right to the use of

the symbol—and the Senator from Maryland is not objecting to that right.

Mr. CONNALLY. Mr. President, I thank the Senator from Wyoming. With his approval, and with the help of the decisions of the Supreme Court which he indicated had been rendered, without any investigation of the authorities, but relying only on plain old horse sense, I am very much gratified.

The PRESIDING OFFICER. The question is on the motion of the Senator from Connecticut [Mr. DANAHER] to recommit the bill to the Committee on the Judiciary.

Mr. DANAHER. Mr. President, in order that the Senator from Wyoming may have a vote on his amendment, I withdraw my motion.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. O'MAHONEY. Mr. President, I ask that the RECORD show that the amendment was offered by me at the request of the Senator from Maryland.

Mr. REVERCOMB. Mr. President, I do not like to argue a motion which has been withdrawn.

It seems to me that this question has been discussed upon this floor more thoroughly and certainly with more conflict of opinion on the part of the Members of the Senate than any question which has arisen heretofore. I do not question for a moment the power of the Senate to pass this bill. I do question its fairness. I make the motion now that the bill be recommitted to the Committee on the Judiciary.

Mr. DANAHER. Mr. President, will the Senator from West Virginia withhold his motion for a moment?

Mr. REVERCOMB. Does the Senator from Connecticut desire to speak to the point?

Mr. DANAHER. No; I wish to ask the Senator a question.

Mr. REVERCOMB. I yield.

Mr. DANAHER. I wish to ask the Senator to join with me and other Senators to vote on the amendment offered by the Senator from Wyoming. Let us vote it down and get rid of it. If we vote it down that will end it. If we do not succeed in voting it down then we will move to recommit the bill. If the Senator will join me in that endeavor we shall achieve a happy solution.

Mr. REVERCOMB. Voting the amendment down would not end the matter. I think the whole question should be considered. Mr. President, I renew my motion.

The PRESIDING OFFICER. Is the Chair to understand that the Senator from West Virginia withdraws his motion to recommit?

Mr. REVERCOMB. No; I have not withdrawn my motion.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia that the bill be recommitted to the Committee on the Judiciary.

Mr. O'MAHONEY. Mr. President, allow me to say that I hope the motion of the Senator from West Virginia will not prevail. The Judiciary Committee has given ample study to the subject.

The only question in controversy is with regard to the amendment of the Senator from Maryland. If the Senate should decide to agree to the amendment, it perhaps might be incumbent upon some Member who is opposed to the amendment to move to recommit the bill. But suppose the Senate should reject the amendment. Why should we not attempt to decide the question here on this floor? Let us not attempt to recommit the bill until we know whether the amendment to which the Senator from West Virginia [Mr. REVERCOMB] and the Senator from Connecticut [Mr. DANAHER] object will be agreed to.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. BARKLEY. In the final analysis would not the recommittal of the bill, considering the chances that it might remain committed indefinitely, do greater harm to the Red Cross than the adoption of the amendment offered by the Senator from Wyoming?

Mr. O'MAHONEY. There is no doubt about it.

Mr. BARKLEY. So, whether the amendment is rejected or agreed to does not seem to offer any reason why the bill should be recommitted.

Mr. O'MAHONEY. Let the Senate express itself on the amendment offered by me in behalf of the Senator from Maryland, and then we can raise the question of recommittal. I hope the Senate will vote to reject the motion of the Senator from West Virginia to recommit the bill.

The PRESIDING OFFICER. The question is on the motion of the Senator from West Virginia to recommit the bill.

The motion was not agreed to.

The PRESIDING OFFICER. The question now recurs on the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY] in behalf of the Senator from Maryland [Mr. TYDINGS]. [Putting the question.] The "noes" seem to have it.

Mr. TYDINGS. Mr. President, I ask for a division.

Mr. PEPPER. Mr. President, will the Chair restate the question.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wyoming in behalf of the Senator from Maryland. A division has been requested.

Mr. PEPPER. Would a vote "aye" be in favor of the amendment.

The PRESIDING OFFICER. Yes.

On a division, the amendment was rejected.

Mr. TYDINGS. Mr. President, for the RECORD will the Chair please announce the vote?

The PRESIDING OFFICER. Under the rules the Chair does not announce the result on a division.

Mr. TYDINGS. I know that the Chair is not obliged to announce the result. However, I do not wish to ask for a roll call, and if the Chair will accommodate the Senator from Maryland he will try to cooperate with the Chair and get on with the discharge of business. There can be no reason why the result of the vote should be secret.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Maryland that the Chair announce the result of the vote?

Mr. LA FOLLETTE. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. TYDINGS. Mr. President, I ask for the "yeas" and "nays."

Mr. LA FOLLETTE. I make the point of order that the request comes too late.

The PRESIDING OFFICER. The Chair rules that the request comes too late.

The point of order is sustained.

The bill is open to further amendment. If there be no further amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 469) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 4 of the entitled "An act to incorporate the American National Red Cross," approved January 5, 1905, as amended, is amended to read as follows:

"SEC. 4. That from and after the passage of this act it shall be unlawful for any person within the jurisdiction of the United States to falsely or fraudulently hold himself out as or represent or pretend himself to be a member of or an agent for the American National Red Cross for the purpose of soliciting, collecting, or receiving money or material; or for any person to wear or display the sign of the Red Cross or any insigna colored in imitation thereof for the fraudulent purpose of inducing the belief that he is a member of or an agent for the American National Red Cross. The American National Red Cross and its duly authorized employees and agents and the Army and Navy sanitary and hospital authorities of the United States shall have the sole and exclusive right to use, within the territory of the United States of America and its exterior possessions, the emblem of the Greek Red Cross on a white ground, and the words 'Red Cross' and 'Geneva Cross.' It shall be unlawful for any person, corporation, or association other than the American National Red Cross and its duly authorized employees and agents and the Army and Navy sanitary and hospital authorities of the United States for any charitable purpose, or for any person, corporation, or association for the purpose of trade or as an advertisement to induce the sale of any article whatsoever or for any business purpose, to use within the territory of the United States of America and its exterior possessions the emblem of the Greek Red Cross on a white ground, or any sign or insignia made and colored in imitation thereof, or the words 'Red Cross' or 'Geneva Cross', or any combination of these words. Any person, corporation, or association, or any member, director, officer, agent, representative, or employee thereof, violating any provision of this section shall be guilty of a misdemeanor, and upon conviction in any Federal court shall be fined not more than $500, or imprisoned for a term not to exceed 1 year, or both."

SEC. 2. Notwithstanding the amendments made by this act to section 4 of such act approved January 5, 1905, as amended, any person, corporation, or association that actually used or whose assignor actually used the Red Cross for any lawful purpose prior to January 5, 1905, may continue to use the Red Cross—

(1) until July 1, 1947, if such use by such person, corporation, or association would have been lawful prior to the date of enactment of this act; and

(2) during an additional period beginning July 1, 1947, and ending July 1, 1953, in the advertising and labeling of any article, (A) if use in the labeling of such article by such person, corporation, or association would have been lawful prior to the date of enactment of this act, (B) if a new trade name, design, or insignia is used in such labeling; and (C) if such use is only of the words "Red Cross", and only for the purpose of indicating, in lettering smaller than the new trade name, design, or insignia, that such article formerly was identified by the Red Cross.

SEC. 3. For purposes of section 4 of such act approved January 5, 1905, as amended, the sale, other than to the American National Red Cross and its duly authorized employees and agents and the Army and Navy sanitary and hospital authorities of the United States, of any article in the labeling of which the Red Cross is used, shall be deemed to be a use of the Red Cross, by the vendor of such article; but the resale, prior to July 1, 1953, by a jobber or retail dealer, of any article lawfully sold by the manufacturer or producer thereof prior to July 1, 1947, or, in the case of any article referred to in paragraph (2) of section 2, prior to July 1, 1953, shall not be held to be a violation of section 4 of such act approved January 5, 1905, as amended by this act.

SEC. 4. As used in sections 2, 3, and 4 of this act, the term—

(a) "Red Cross" means the emblem of the Greek Red Cross on a white ground, or any sign or insignia made or colored in imitation thereof, or the words "Red Cross" or "Geneva Cross", or any combination of such words.

(b) "Labeling" means any written, printed, stamped, or graphic matter upon an article or any of its containers or wrappers.

Mr. O'MAHONEY subsequently said: Mr. President, I ask unanimous consent that there be printed in the RECORD immediately following the action of the Senate upon Senate bill 469 the report of the committee.

The PRESIDING OFFICER. Is there objection?

There being no objection, the report (No. 534) was ordered to be printed in the RECORD, as follows:

The Senate Committee on the Judiciary, to whom was referred the bill (S. 469) to implement article 28 of the convention signed at Geneva on July 27, 1929, relating to the use of the emblem and name of the Red Cross, having carefully considered the same, report favorably thereon with the following amendments and with the recommendation that the bill, as amended, do pass:

Page 2, line 5, after the period, strike out down to and including the word "words" in line 16 and insert in lieu thereof the following:

"The American National Red Cross and its duly authorized employees and agents and the Army and Navy sanitary and hospital authorities of the United States shall have the sole and exclusive right to use, within the territory of the United States of America and its exterior possessions, the emblem of the Greek Red Cross on a white ground, and the words 'Red Cross' or 'Geneva Cross.' It shall be unlawful for any person, corporation, or association other than the American National Red Cross and its duly authorized employees and agents and the Army and Navy sanitary and hospital authorities of the United States for any charitable purpose, or for any person, corporation, or association for the purpose of trade or as an advertisement to induce the sale of any article whatsoever or for any business purpose, to use within the territory of the United States of America and its exterior possessions the emblem of the Greek Red Cross on a white ground, or any sign or insignia made or colored in imitation thereof, or the words 'Red Cross' or 'Geneva Cross,' or any combination of these w rds."

Page 3, line 4, strike out "1944" and insert "1947."

Page 3, line 8, strike out "1944" and insert "1947." In the same line strike out the figures "1947" and insert "1950."

Page 3, line 25, strike out "1947" and insert "1950."

Page 4, line 2, strike out "1944" and insert "1947."

Legislation of this character was suggested for the consideration of the Congress in a message of the President of the United States dated April 3, 1942, and was designed the more effectively to carry out the obligations of the United States under the Red Cross Convention of 1929 by which it was agreed that—

"The government of the high contracting parties whose legislation may not now be adequate shall take or shall recommend to their legislatures such measures as may be necessary at all times:

"(a) To prevent the use by private persons or by societies other than those upon which this convention confers the right thereto, of the emblem or of the name of the Red Cross or Geneva Cross, as well as any other sign or designation constituting an imitation thereof, whether for commercial or other purposes;

"(b) By reason of the homage rendered to Switzerland as a result of the adoption of the inverted Federal colors, to prevent the use, by private persons or by organizations, of the arms of the Swiss Confederation or of signs constituting an imitation thereof, whether as trade-marks, commercial labels, or portions thereof, or in any way contrary to commercial ethics, or under conditions wounding Swiss national pride.

"The prohibition mentioned in subparagraph (a) of the use of signs or designations constituting an imitation of the emblem or designation of the Red Cross or Geneva Cross, as well as the prohibition mentioned in subparagraph (b) of the use of the arms of the Swiss Confederation or signs constituting an imitation thereof, shall take effect from the time set in each act of legislation and at the latest 5 years after this convention goes into effect. After such going into effect it shall be unlawful to take out a trade-mark or commercial label contrary to such prohibitions."

In January 1905, after the American National Red Cross had been reincorporated by an act of Congress, commercial exploitation of the Red Cross emblem was prohibited by Federal statute, but this law operated only as to persons and corporations which at that time were not "lawfully entitled to use the sign of the Red Cross."

With the steady growth of the American Red Cross Society, both as to membership and as to its activities, the significance of the symbol as the sign of international work for the relief of the wounded and the suffering both in time of war and in time of peace became constantly better and better known. The charitable efforts of the people of the United States through the American Red Cross Society and of the people of other nations through similar societies gave the symbol and the words a special meaning, and as the work of the Red Cross Society increased, a tendency developed for the expansion of commercial use far beyond that which was not disturbed by the act of January 5, 1905.

It was the opinion of the committee, after long hearings and much consideration, that legislation should be enacted to implement the treaty and to provide eventually that the use of the symbol and the words should be limited rigidly to the American Red Cross Society.

It was recognized, however, that there have been good-faith uses of the symbol. The bill as reported to the Senate, therefore, gives an opportunity for commercial users gradually to abandon the use by providing: First, that those who were lawfully entitled to the use of the Red Cross prior to the act of January 5, 1905, for commercial purposes might continue such use until July 1, 1947; second, that during an additional period of 3 years, namely, to July 1, 1950, the words or the symbol could be used in advertising and labeling if the use was lawful prior to the date of the enactment of the act, if a new trade name, design, or insignia, is used in the labeling and if such use is "only of the words 'Red Cross' and only for the purpose of indicating, in lettering smaller than the new trade name, design, or insignia, that such article formerly was identified by the Red Cross"; and that retailers may be permitted to deal in articles in the labeling of which the Red Cross is used until July 1, 1950. In other words, the bill provides, in effect, first, 3 years' continued use of the symbol by manufacturers; second, 3 years' additional in which to change to a new insignia, and, third, 3 years after 1947 for retailers to dispose of stocks.

The committee is of the opinion that the international character of the work of the Red Cross Society, its great importance in the alleviation of the sufferings of soldiers and sailors in war, and the universal support which the American Red Cross Society receives from the people of the United States, justify an act of Congress making the symbol the exclusive property of the American Red Cross Society. This is particularly true since the Nation has voluntarily assumed a treaty obligation to this effect.

It may be pointed out that the law of trade-marks was a direct development of the law against unfair competition. The courts recognized the right of a commercial user who had established a reputation and goodwill in his business under a particular trademark to the exclusive use of that trade-mark in the specific area of his trade, and this protection was granted solely for the purpose of protecting such a user against the unfair competition of another user who sought to capitalize upon his commercial reputation. It was also designed to protect the public against deception. It has been said by the courts that there is no property right in a trade-mark as such, but only a right to be protected against the unfair and deceptive use of a trade-mark by another commercial user.

For example, it was said by Mr. Justice Pitney in *Hanover Milling Co.* v. *Metcalf* (240 U. S. 403, 413, 414):

"Common-law trade-marks, and the right to their exclusive use, are, of course, to be classed among property rights (*Trade-mark cases*, 100 U. S. 82, 92, 93); but only in the sense that a man's right to the continued enjoyment of his trade reputation and the goodwill that flows from it, free from unwarranted interference by others, is a property right, for the protection of which a trademark is an instrumentality. As was said in the same case (p. 94), the right grows out of use, not mere adoption. In the English courts it often has been said that there is no property whatever in a trade-mark, as such. (Per Ld. Langdale, M. R., in *Perry* v. *Truefitt* (6 Beav. 73); per Vice Chancelor Sir William Page Wood (afterward Ld. Hatherly), in *Collins Co.* v. *Brown* (3 Kay & J. 423, 426; 3 Jur. N. S. 930); per Ld. Herschell in *Reddaway* v. *Banham* (A C. 1896, 199, 209)). But since in the same cases the courts recognized the right of the party to the exclusive use of marks adopted to indicate goods of his manufacture, upon the ground that 'A man is not to sell his own goods under the pretense that they are the goods of another man; he cannot be

permitted to practice such a deception, nor to use the means which contribute to that end. He cannot, therefore, be allowed to use names, marks, letters, or other indicia, by which he may induce purchasers to believe that the goods which he is selling are the manufacture of another person' (6 Beav. 73); it is plain that in denying the right of property in a trade-mark it was intended only to deny such property right except as appurtenant to an established business or trade in connection with which the mark is used."

Later, in the case of *United Drug Co.* v. *Rectanus* (248 U. S. 90, 97), Mr. Justice Pitney wrote as follows:

"The asserted doctrine is based upon the fundamental error of supposing that a trade-mark is a right in gross or at large, like a statutory copyright or a patent for an invention, to either of which, in truth, it has little or no analogy. (*Canal Co.* v. *Clark* (13 Wall. 311, 322); *McLean* v. *Fleming* (96 U. S. 245, 254).) There is no such thing as property in a trade-mark except as a right appurtenant to an established business or trade in connection with which the mark is employed. The law of trade-marks is but a part of the broader law of unfair competition; the right to a particular mark grows out of its use, not its mere adoption; its function is simply to designate the goods as the product of a particular trade and to protect his goodwill against the sale of another's product as his; and it is not the subject of property except in connection with an existing business."

In *Prestonettes* v. *Coty* (264 U. S. 359, 368) Mr. Justice Holmes said:

"A trade-mark only gives the right to prohibit the use of it so far as to protect the owner's goodwill against the sale of another's product as his."

It was the judgment of the committee that the protection of the public against possible deception into the belief that commodities which were being placed on the market by commercial operators were in fact the product of the American Red Cross Society or endorsed by the American Red Cross Society would warrant the passage of this legislation even if there were no treaty obligations at all.

The message from the President of the United States transmitting a report from the Acting Secretary of State with an accompanying draft bill, designed the more effectively to carry out our obligations under the Red Cross convention of 1929 is hereinbelow set forth in full and made a part of this report:

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES TRANSMITTING A REPORT FROM THE ACTING SECRETARY OF STATE WITH AN ACCOMPANYING DRAFT BILL, DESIGNED THE MORE EFFECTIVELY TO CARRY OUT OUR OBLIGATIONS UNDER THE RED CROSS CONVENTION OF 1929

THE WHITE HOUSE, *April 3, 1942.*

To the Congress of the United States of America:

I am transmitting for the consideration of the Congress the enclosed report from the Acting Secretary of State, with an accompanying draft bill, designed the more effectively to carry out our obligations under the Red Cross Convention of 1929.

I commend the report and the proposed legislation to the favorable consideration of the Congress.

FRANKLIN D. ROOSEVELT.

DEPARTMENT OF STATE,
April 1, 1943.

THE PRESIDENT:

The protection of the emblem of the Red Cross and the words "Red Cross" and "Geneva Cross," which was important in times of peace, is even more important now that we are at war, and makes it necessary to take steps to prevent their use for commercial purposes.

The Red Cross was given its distinctive name and emblem by the convention of 1864. The United States became a party to that convention in 1882. The first American National Association of the Red Cross was formed in Washington in 1881. From the beginning it was contemplated that the distinctive name and emblem should be used only by governments, through their medical, sanitary, and relief services, and by the national societies to be formed in the different countries. Unfortunately, our legislation has never been entirely adequate to protect either the name or emblem against commercial exploitation.

It was not until January 5, 1905, when the American National Red Cross was reincorporated by act of Congress, that commercial exploitation was prohibited by Federal statute, and the prohibition enacted was effective only as to persons or corporations not then "lawfully entitled to use the sign of the Red Cross." Two years later, in 1907, on becoming a party to the revised Red Cross Convention of 1906, the United States assumed an express obligation under the convention to prohibit all commercial exploitation. Notwithstanding the obligation thus freely assumed, the act of June 23, 1910, contains a clause providing that "no person, corporation, or association that actually used or whose assignor actually used the said emblem, sign, insignia, or words for any lawful purpose prior to January 5, 1905, shall be deemed forbidden by this act to continue the use thereof for the same purpose and for the same class of goods."

The obligation assumed under the 1906 convention was amplified and reaffirmed in the Red Cross Convention of 1929, to which the United States became a party in 1932, but nothing has been done with respect to amending the acts of 1905 and 1910 so as to carry out the obligation contained in chapter VIII, article 28, of that convention, which provides:

"The Governments of the high contracting parties whose legislation may not now be adequate shall take or shall recommend to their legislatures such measures as may be necessary at all times:

"(a) To prevent the use by private persons or by societies other than those upon which this convention confers the right thereto of the emblem or of the name of the Red Cross or Geneva Cross, as well as any other sign or designation constituting an imitation thereof, whether for commercial or other purposes;

"(b) By reason of the homage rendered to Switzerland as a result of the adoption of the inverted Federal colors, to prevent the use, by private persons or by organizations, of the arms of the Swiss Confederation or of signs constituting an imitation thereof, whether as trade-marks, commercial labels, or portions thereof, or in any way contrary to commercial ethics, or under conditions wounding Swiss national pride.

"The prohibition mentioned in subparagraph (a) of the use of signs or designations constituting an imitation of the emblem or designation of the Red Cross or Geneva Cross, as well as the prohibition mentioned in subparagraph (b) of the use of the arms of the Swiss Confederation or signs constituting an imitation thereof, shall take effect from the time set in each act of legislation and at the latest 5 years after this convention goes into effect. After such going into effect it shall be unlawful to take out a trade-mark or commercial label contrary to such prohibitions."

Other nations recognizing their treaty commitments have enacted laws to prevent the use of the name and emblem for commercial purposes. I am told that the extent to which the name and emblem is presently being used in the sale of varied products has grown out of all proportion to its commercial use in the period prior to the passage of the original act. The resulting confusion is today a source of increasing embarrassment and danger to the Medical Corps of our armed forces, in our relations with foreign countries, and to the far-flung activities of the American Red Cross.

I attach for your consideration a draft bill designed to amend the existing law in a manner which would enable us to discharge our conventional obligations and at the same time protect our medical and sanitary services and the American Red Cross. The bill was prepared in the Department of Justice and has the approval of the Attorney General and the chairman of the American National Red Cross. I also understand that it has the approval of the Surgeons General of the Army and the Navy.

Respectfully submitted.

SUMNER WELLES,
Acting Secretary of State.

A bill to implement article 28 of the convention signed at Geneva on July 27, 1929, and proclaimed by the President on August 4, 1932 (47 Stat. 2074, 2092), by making it a criminal offense for any person to use the emblem and name of the Red Cross for commercial or other purposes

Be it enacted, etc., That section 4 of the act entitled "An act to incorporate the American National Red Cross," approved January 5, 1905 (33 Stat. 600), as amended (act of June 23, 1910, 36 Stat. 604, U. S. Code, title 36, sec. 4), be, and it hereby is, further amended to read as follows:

"SEC. 4. That from and after the passage of this act it shall be unlawful for any person within the jurisdiction of the United States to falsely or fraudulently hold himself out as, or represent or pretend himself to be, a member of or an agent for the American National Red Cross for the purpose of soliciting, collecting, or receiving money or material; or for any person to wear or display the sign of the Red Cross or any insignia colored, in imitation thereof for the fraudulent purpose of inducing the belief that he is a member of or an agent for the American National Red Cross. It shall be unlawful for any person, corporation, or association other than the American National Red Cross and its duly authorized employees and agents and the Army and Navy sanitary and hospital authorities of the United States for the purpose of trade or as an advertisement to induce the sale of any article whatsoever or for any business or charitable purpose to use within the territory of the United States of America and its exterior possessions the emblem of the Greek red cross on a white ground, or any sign or insignia made or colored in imitation thereof, or of the words 'Red Cross' or 'Geneva Cross' or any combination of these words: *Provided, however,* That any person, corporation, or association that actually used or whose assignor actually used the said emblem, sign, insignia, or words for any lawful purpose prior to January 5, 1905, may continue the use thereof for the same purpose and for the same class of goods for a period not exceeding 1 year after the date of the enactment of this act. If any person, corporation, or association, or any member, director, officer, agent, representative, or employee thereof violates the provision of this section he shall be deemed guilty of a misdemeanor, and upon conviction in any Federal court shall be liable to a fine of not more than $5,000, or imprisonment for a term not exceeding 1 year, or both, for each and every offense."

Also printed below is a letter from the Secretary of State to the Honorable SOL BLOOM under date of May 23, 1942, with regard to this matter:

DEPARTMENT OF STATE,
Washington, May 23, 1943.

Hon. SOL BLOOM,
Chairman, Committee on Foreign Affairs, House of Representatives.

MY DEAR MR. BLOOM: The following relates to the bill H. R. 6911, introduced by you on

April 9, 1942, to implement article 28 of the convention signed at Geneva on July 27, 1929, by preventing the use of the Red Cross insignia for commercial purposes.

I understand that your committee has held extensive hearings on this bill, which naturally has encountered considerable opposition from people who have been using the Red Cross as a trade-mark on their products and in their establishments. It is not my purpose to review those hearings or to undertake to combat the arguments that have been advanced against the proposed measure, but rather to state from an unbiased point of view my understanding of our obligations under the convention.

The bill relates to paragraph (a) of article 28 of the convention. The article reads:

"The Governments of the high contracting parties whose legislation may not now be adequate shall take or shall recommend to their legislatures such measures as may be necessary at all times:

"(a) To prevent the use by private persons or by societies other than those upon which this convention confers the right thereto, of the emblem or of the name of the Red Cross or Geneva Cross, as well as any other sign or designation constituting an imitation thereof, whether for commercial or other purposes.

"(b) By reason of the homage rendered to Switzerland as a result of the adoption of the inverted Federal colors, to prevent the use, by private persons or by organizations, of the arms of the Swiss Confederation or of signs constituting an imitation thereof, whether as trade-marks, commercial labels, or portions thereof, or in any way contrary to commercial ethics, or under conditions wounding Swiss national pride.

"The prohibition mentioned in subparagraph (a) of the use of signs or designations constituting an imitation of the emblem or designation of the Red Cross or Geneva Cross, as well as the prohibition mentioned in subparagraph (b) of the use of the arms of the Swiss Confederation or signs constituting an imitation thereof, shall take effect from the time set in each act of legislation and at the latest 5 years after this convention goes into effect. After such going into effect it shall be unlawful to take out a trade-mark or commercial label contrary to such prohibitions."

I understand that there has been discussion before the committee of the words "shall take or shall recommend to their legislatures" such measures as may be necessary to prevent the use of the Red Cross or Geneva Cross, etc. I think that you and I, as well as members of the committee, can readily appreciate why this obligation was placed in the alternative form, i. e., "shall take or shall recommend." It was realized that this convention, like many other international agreements, would require implementation. Some of the signatory governments might have been able to implement it by orders or decrees, but it was recognized that governments such as our own would be under the necessity of seeking the assistance of their respective legislative bodies. In such cases the executive could only recommend legislation. The provision in this convention is not unique in this respect.

However, our obligation under the convention is not fulfilled merely by making a recommendation. I say this for the reason that the last paragraph of article 28 clearly shows that the prohibition against the use of the Red Cross or Geneva Cross "shall take effect * * * at the latest 5 years after this convention goes into effect." Herein lies our unqualified obligation to restrict the use of the Red Cross insignia to the purposes contemplated by the agreement.

Questions have also been raised at the hearings, I believe, as to why, if the convention contemplated an absolute prohibition, on the use of the emblem for commercial purposes, the executive branch of the Government did not earlier recommend legislation for this purpose. I shall not undertake to answer this question except by stating that, as you and I well know, it is not uncommon for administrative officials to allow matters of this sort to drift until there is some impelling reason for action.

At the time the act of January 5, 1905, was passed there was no provision in the convention under which we were then operating, namely, that of 1864, regarding the use of the Red Cross emblem for commercial purposes. Yet the Congress restricted the use of persons and corporations who were then lawfully entitled to use it. Later we became a party to the convention of 1906 containing restrictive provisions, and the Congress on June 23, 1910, passed an act confining the use of the emblem to persons, corporations, or associations which had used it for lawful purposes prior to January 5, 1905, but limiting the use to the "same purpose and for the same class of goods."

The convention of 1929 broadened the scope of the earlier convention in many particulars and incorporated article 28, which I have quoted above. There can be no doubt, it seems to me, as to our obligation under that article, and it is hardly worthy of us to rely upon what was done in 1910 as a fulfillment of this unqualified obligation. The fact that we failed in 1910 to enact adequate legislation is no excuse for our failure now to comply with our undertaking. The 32 years which have elapsed since the act of 1910 was passed have brought about many changes in world affairs. We are today in the midst of a struggle for human freedom and for the alleviation of the condition of oppressed peoples. We are in immediate need of the full benefits of the Red Cross convention, which has for its purpose the amelioration of human suffering and the condition of the sick and wounded on the field of battle. Commercial interests in many directions have been required to adjust themselves to the war needs of our country and to requirements for the preservation of our domestic institutions. It should be our purpose to surround the Red Cross, a symbol of missions of mercy, with every safeguard against uses likely to impair its effectiveness. None of us has any desire unreasonably to interfere with the legitimate commerce and trade of our people, but I think that all of us have a desire to foster and advance humanitarian endeavors. This is characteristic of our people. I have great doubt as to whether by confining the use of the Red Cross insigne to Red Cross purposes the general course of our commercial endeavors would be greatly affected, certainly not for long. Our business people are too ingenious to permit such a situation to develop. Moreover, I am disinclined to believe that any manufacturer would desire to hold on to a trade-mark if he felt that to do so would prejudice the common good. In my judgment, the common good can best be served by reserving for the exclusive use of the medical services of the Army and Navy and the Red Cross organizations an emblem which has been chosen as their symbol and which we, along with other governments, have by treaty undertaken to protect. I do not think that we should be less liberal in giving effect to these obligations than have other governments parties to the convention.

I am, therefore, hopeful and strongly recommend that the bill which you have under consideration shall be enacted into law.

Sincerely yours,

CORDELL HULL.

Mr. STEWART subsequently said: Mr. President, I wish to enter a motion to reconsider the votes by which Senate bill 469 was ordered to be engrossed for a third reading, read the third time, and passed. I think we have done a rather serious thing because, while I did not enter into the debate, I feel rather strongly that there is a very definite moral obligation on the part of the United States Government in this case. That is why I enter the motion. I should like to have the motion go over and not be acted upon this afternoon, but taken up possibly tomorrow, or at some other time which may be satisfactory to the Senate I should like to be allowed to call it up. I do not want it acted on this afternoon, and I do not make it with that in mind. It is a matter I desire to look into carefully. I feel we should give more consideration to it.

The PRESIDING OFFICER. The motion will be entered.

THE SWISS COAT OF ARMS

Mr. O'MAHONEY. Mr. President, I wish to call the attention of the Senate to the fact that there is on the calendar Order of Business No. 567, Senate bill 470, which is a measure quite similar to the one we have just passed. It is intended to carry out the provisions of the same treaty we have been discussing, but with respect to the arms of the Swiss Confederation—that is to say, the white cross upon the red background. I think the bill should be passed at the same time, and with the same amendments that were adopted with respect to the bill the Senate has just acted upon. I ask unanimous consent that the measure may be taken up and passed.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 470) to implement article 28 of the convention signed at Geneva on July 27, 1929, relating to the use of the coat of arms of the Swiss Confederation for commercial or other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. WHITE. Mr. President, I did not hear the Senator's request.

Mr. O'MAHONEY. The Red Cross Convention of 1929, to which the Government of the United States was a signatory, contained this provision:

> The governments of the high contracting parties whose legislation may not now be adequate shall take or shall recommend to their legislatures such measures as may be necessary at all times—
>
> (a) To prevent the use by private persons or by societies other than those upon which this convention confers the right thereto, of the emblem or of the name of the Red Cross or Geneva Cross, as well as any other sign or designation constituting an imitation thereof, whether for commercial or other purposes;
>
> (b) By reason of the homage rendered to Switzerland as a result of the adoption of the inverted federal colors, to prevent the use, by private persons or by organizations, of the arms of the Swiss Confederation or of signs constituting an imitation thereof, whether as trade-marks, commercial labels, or portions thereof, or in any way contrary to commercial ethics, or under conditions wounding Swiss national pride.

Two measures were introduced and two measures were recommended by the Committee on the Judiciary. The first

of these, having to do with the protection of the Red Cross, has just been passed. The second has to do with the protection of the inverted federal colors, the arms of the Swiss Confederation. The two bills are the same to all intents and purposes, and I am asking unanimous consent that, since we have disposed of the one, we now pass the second.

Mr. WHITE. The Senator is asking for the immediate consideration of the bill?

Mr. O'MAHONEY. Yes.

Mr. WHITE. Of course, this bill is not identical with the bill which has just been passed.

Mr. O'MAHONEY. No; because one had to do with the Red Cross, and the one I am now discussing has to do with the white cross with the red background, the emblem of the Swiss Confederation.

Mr. WHITE. How long has the second bill been on the calendar?

Mr. O'MAHONEY. It has been on the calendar practically the same length of time the other has.

Mr. WHITE. Has it been objected to when reached on the call of the calendar?

Mr. O'MAHONEY. It has not been objected to. All the controversy was with respect to the first bill. No representations were made to the committee about the second bill.

Mr. WHITE. I have no objection, in view of the explanation.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 470) to implement article 28 of the convention signed at Geneva on July 27, 1929, relating to the use of the coat of arms of the Swiss Confederation for commercial or other purposes, which had been reported from the Committee on the Judiciary with amendments.

The first amendment of the Committee on the Judiciary was, in section 2, page 2, line 21, after the date "July 1" and the comma to strike out "1944" and insert "1947."

The amendment was agreed to.

The next amendment was, on page 2, line 25, after the date "July 1" and the comma, to strike out "1947" and insert "1950".

Mr. O'MAHONEY. Mr. President, in accordance with the action taken on motion of the Senator from Ohio [Mr. TAFT] in regard to a similar provision in the Red Cross bill, I move to amend this amendment by striking out "1950" and inserting "1953".

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. LANGER. Mr. President, I have just come into the Chamber. What is under consideration?

The PRESIDING OFFICER. Calendar No. 567, Senate bill 470.

Mr. LANGER. I have no objection.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee.

The next amendment of the committee was, in section 3, page 3, line 10, after the word "For" to insert the word "the."

The amendment was agreed to.

The next amendment was, on page 3, line 14, after the date "July 1" and the comma, to strike out "1947" and insert "1950."

Mr. O'MAHONEY. Mr. President, in accordance with the action heretofore taken at the instance of the Senator from Ohio [Mr. TAFT], I move to amend the amendment by striking out "1950" and inserting "1953."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the committee was, on page 3, line 16, after the date "July 1" and the comma, to strike out "1944" and insert "1947."

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments.

Mr. O'MAHONEY. Mr. President, I move to amend on page 3, line 4, after the word "act," to strike out the semicolon and insert a comma.

The amendment was agreed to.

Mr. O'MAHONEY. Mr. President, I move to amend on page 3, line 18, after the date "July 1," to strike out "1950" and insert "1953."

The amendment was agreed to.

Mr. O'MAHONEY. Now, returning to page 2, in accordance with the amendment made in the bill we have just passed, I move to amend on line 8, after the word "made," by striking out the word "or" and inserting the word "and."

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 470) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act entitled "An act to prohibit the commercial use of the coat of arms of the Swiss Confederation, pursuant to the obligation of the Government of the United States under article 28 of the Red Cross Convention signed at Geneva July 27, 1929," approved June 20, 1936 (U. S. C., 1940 edition, title 22, sec. 248), is amended to read as follows:

"That it shall be unlawful for any person, partnership, incorporated or unincorporated company, or association within the jurisdiction of the United States to use, whether as a trade-mark, commercial label, or portion thereof, or as an advertisement or insignia for any business or organization or for any trade or commercial purpose, the coat of arms of the Swiss Confederation, consisting of an upright white cross with equal arms and lines on a red ground, or any sign or insignia made and colored in imitation thereof. Any person, corporation, or association, or any member, director, officer, agent, representative, or employee thereof, violating any provision of this section shall be guilty of a misdemeanor, and upon conviction in any Federal court shall be fined not more than $500, or imprisoned for a term not to exceed 1 year, or both."

SEC. 2. Notwithstanding the amendments made by this act to such act approved June 20, 1936, any person, corporation, or association that actually used or whose assignor actually used the white cross for any lawful purpose for 10 years next preceding June 20, 1936, may continue to use the white cross—

(1) until July 1, 1947, if such use by such person, corporation, or association would have been lawful prior to the date of enactment of this act; and

(2) during an additional period beginning July 1, 1947, and ending July 1, 1953, in the advertising and labeling of any article, (A) if use in the labeling of such article by such person, corporation, or association would have been lawful prior to the date of enactment of this act, (B) if a new trade name, design, or insignia is used in such labeling; and (C) if such use is only of the words "white cross," and only for the purpose of indicating, in lettering smaller than the new trade name, design, or insignia, that such article formerly was identified by the white cross.

SEC. 3. For the purpose of such act approved June 20, 1936, the sale of any article in the labeling of which the white cross is used shall be deemed to be a use of the white cross by the vendor of such article; but the resale, prior to July 1, 1953, by a jobber or retail dealer, of any article lawfully sold by the manufacturer or producer thereof prior to July 1, 1947, or, in the case of any article referred to in paragraph (2) of section 2, prior to July 1, 1953, shall not be held to be a violation of the act approved June 20, 1936, as amended by this act.

SEC. 4. As used in sections 1, 2, and 3, of this act, the term—

(a) "White Cross" means the coat of arms of the Swiss Confederation, consisting of an upright white cross with equal arms and lines on a red ground, or any sign or insignia made or colored in imitation thereof.

(b) "Labeling" means any written, printed, stamped, or graphic matter upon an article or any of its containers or wrappers.

SCENIC PARKWAY IN THE GREAT SMOKY MOUNTAINS NATIONAL PARK

Mr. STEWART. Mr. President, I ask unanimous consent for the immediate consideration of Calendar No. 558, House bill 1388, to authorize the acceptance of donations of land for the construction of a scenic parkway to provide an appropriate view of the Great Smoky Mountains National Park from the Tennessee side of the park. The bill was reported favorably from the Committee on Public Lands and Surveys, without amendment, as it passed the House of Representatives, on the 1st of December last by the senior Senator from New Mexico [Mr. HATCH], the chairman of the committee. I ask unanimous consent for the immediate consideration of the bill.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

Mr. DANAHER. Mr. President, when the calendar was called on December 9, on behalf of Senators who were not then and are not now present, I entered objection to the consideration of the bill on the unanimous-consent call. They were absent on important business, and left it to me to note their objections. In the light of the fact that Senators who are interested in the measure are not present, I think the bill should go over. It well may be, let me say to the junior Senator from Tennessee, that whatever difficulty there may have been in the minds of Senators can easily be resolved, and I will see whether or not it can be done, and I shall notify the Senator.

Mr. STEWART. Can the Senator indicate to me what objection may be in the minds of Senators? I should like to know.

Mr. DANAHER. Yes. I do not have my calendar before me. There was something in the bill to the effect that

the average width of the right-of-way to be acquired should be not less than 800 yards. I think that is what the bill provided. In any case, it specified an average width, whether 300 yards, or a quarter of a mile, or a mile and a half. The point is obviously that out of any such arrangement, in such transfer of property to the Government, in the course of the acquisition, preferred sites for commercial use could easily be allocated to a person who received a roadside privilege, even though the average depth at that point were 800 or 900 or a thousand yards. Therefore, Mr. President, it seemed to some Senators, as I understand, that the question should be inquired into further. I will say to the Senator that I have never even seen the Great Smoky Mountain group——

Mr. STEWART. The Senator has missed one of the great opportunities of his life.

Mr. DANAHER. I have not had time enough to go there, I will say to the Senator. But the Senator must admit that there are such possibilities inherent in this situation, and Senators have had that in mind. If the route were so to be laid out that no preferential advantage might be gained by some grantor who gave his property to his Government, reserving to himself and to his children life use, so long as he obtained a preferred site, perhaps no objection could arise.

Mr. STEWART. I will say to the Senator, since he has interposed objection, that as soon as he can communicate to me the objections of the Senators for whom he speaks, I shall endeavor to arrange to have present at a meeting members of the park commission and others interested, who, I hope, will clear away the objections which the Senators might have.

Mr. DANAHER. I shall be glad to cooperate.

The PRESIDING OFFICER. Objection is heard to the present consideration of the bill.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. WALLGREN in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WAGNER, from the Committee on Banking and Currency:

Charles T. Fisher, Jr., of Michigan, to be a member of the board of directors of the Reconstruction Finance Corporation for a term of 2 years from January 22, 1944 (reappointment);

Charles B. Henderson, of Nevada, to be a member of the board of directors of the Reconstruction Finance Corporation for a term of 2 years from January 22, 1944 (reappointment); and

Henry A. Mulligan, of New York, to be a member of the board of directors of the Reconstruction Finance Corporation for a term of 2 years from January 22, 1944 (reappointment).

By Mr. BALL, from the Committee on Banking and Currency:

Howard J. Klossner, of Minnesota, to be a member of the board of directors of the Reconstruction Finance Corporation for a term of 2 years from January 22, 1944 (reappointment).

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

NOMINATION OF SAM HUSBANDS TO BE A MEMBER OF RECONSTRUCTION FINANCE CORPORATION—REPORT OF BANKING AND CURRENCY COMMITTEE

Mr. MAYBANK. Mr. President, today it is my privilege to report favorably from the Committee on Banking and Currency the nomination of Hon. Sam Husbands, of South Carolina, for reappointment as a member of the Board of Directors of the Reconstruction Finance Corporation for a term of 2 years from January 22, 1944. This has given me great pleasure, as Mr. Husbands is a distinguished, able, and highly esteemed citizen of my State.

The PRESIDING OFFICER. The report will be received and the nomination will be placed on the Executive Calendar.

NOMINATION OF MARRINER S. ECCLES TO BE A MEMBER OF THE BOARD OF GOVERNORS OF FEDERAL RESERVE SYSTEM—REPORT OF BANKING AND CURRENCY COMMITTEE

Mr. MURDOCK. Mr. President, from the Committee on Banking and Currency I report favorably the nomination for reappointment of Hon. Marriner S. Eccles, of Ogden, Utah, to be a member of the Board of Governors of the Federal Reserve System for a term of 14 years from February 1, 1944.

Mr. President, I feel that it would be proper at this time to state that Mr. Eccles has been a member and Chairman of the Federal Reserve Board for a great number of years, and, in my opinion, has rendered very significant and important service to his Government, to the banking fraternity of the United States, and to the people while holding this important position.

Prior to coming to the service of the Government, first in the Treasury Department, and then in the Federal Reserve System, Mr. Eccles was one of the West's greatest and most progressive bankers. Many important improvements, Mr. President, have been made in our Federal Reserve System under the leadership and the sponsorship of Governor Eccles.

In my opinion, there is today no agency of our Government more important to this country's economy than that of the Federal Reserve System. Mr. Eccles has demonstrated without doubt that he is a very faithful, honest, and industrious public servant, and, in m. opinion, the Government of the United States and the people of the United States are fortunate in having a man of the ability and the comprehension of Mr. Eccles to fill this very important position.

The report made by the Committee on Banking and Currency of the Senate was without opposition, and I trust that the action of the Senate will be the same.

The PRESIDING OFFICER. The report will be received and the nomination will be placed on the Executive Calendar.

If there be no further reports of committees the clerk will state the nominations on the Executive Calendar.

MARINE CORPS—NOMINATION PASSED OVER

The Legislative Clerk read the nomination of Col. William P. T. Hill to be quartermaster of the Marine Corps, with the rank of brigadier general, for a period of 4 years from February 1, 1944, which nomination had been previously passed over.

Mr. BARKLEY. Mr. President, yesterday I announced that I would seek to obtain action on this nomination today, if it were agreeable to all Senators concerned. I am now informed that the Senator from South Dakota [Mr. BUSHFIELD] wishes to speak 30 or 40 minutes on the nomination, which I think would be a futile performance at this time of the day.

I think I may state that the only question involved, so far as I can gather, is this: There is no objection to Colonel Hill, but objection is made because in being appointed brigadier general he has been jumped over another officer or two, who have probably inspired the delay in his confirmation.

I know nothing about Colonel Hill or about the ranking officers who seem to take umbrage at his appointment. If what I have said be true, it is nothing more or less than what has been going on since the Government was established. Officers have been appointed by the present President, and by all Presidents, over other men who outranked them from a technical standpoint. The Senate, so far as I know, has never refused to confirm an appointee simply because he was a little below the rank of someone else who, naturally, desired the appointment.

Mr. President, while I am not going to punish the Senate this afternoon by insisting that we proceed with consideration of this nomination, it is my purpose, and it is the purpose of the Senator from Massachusetts [Mr. WALSH], to secure action on the matter as soon as possible.

Mr. WALSH of Massachusetts. Mr. President, I want to add to what the Senator from Kentucky has said, that it so happens that not a single chief of a bureau in the Navy is in his present post of duty by reason of seniority. So there is no rule or practice or custom by which the Senate is to be bound.

The action taken with respect to promotions in the Navy is taken with the knowledge of the head of the Navy Department or the Chief of Naval Operations, or in the case of the Marine Corps, with the knowledge of the Commandant of the Marine Corps. It is their custom to submit names and make recommendations of men best qualified for the particular jobs.

In the case in question, the post involved is in the Quartermaster's Department. It is a very important post, and the man nominated to this post seems to be the one best qualified.

Mr. BARKLEY. Mr. President, it is not only the rule in the Marine Corps, but it is and ought to be the rule in all branches of the service, that those in charge exercise their discretion with respect to appointment of the men best qualified for particular jobs. Those in charge should not be restricted always by the strait jacket of seniority. I do not recall any President, or any Secretary of War, or Secretary of the Navy, or any board of selection regarding himself or themselves as meticulously bound by the question of seniority in the matter of appointing the right man to the right job.

Mr. WALSH of Massachusetts. The present Commandant of the Marine Corps was appointed to his post over another man who was ahead of him. It does not follow that the heads of departments should be restricted in making appointments on the basis of seniority.

Mr. BARKLEY. No. We all recall that a great furor was raised during the administration of President Theodore Roosevelt because he appointed Gen. Leonard Wood over a number of other officers. I think he jumped Leonard Wood over 40 or 50 Army officers who outranked him. That action created quite a furor, but General Wood was confirmed, nevertheless, by the Senate of the United States.

The same statement can be made with respect to the present Chief of Staff, General Marshall. He was appointed by the President, although other Army officers outranked him in seniority of service. I do not think anyone would say that the President made any mistake in appointing General Marshall Chief of Staff of the United States Army.

Mr. WALSH of Massachusetts. The rank which the officer in question is given is a rank which is attached to the position of the chief of the department, and ends at the expiration of 4 years.

Mr. BARKLEY. That is true. I simply wanted to make this comment for the information of Senators. I do not care to indulge now at this late hour in probably an hour's discussion of the nomination, and therefore I agree that it may go over once more.

The PRESIDING OFFICER. Without objection, the nomination will be passed over.

The clerk will state the next nomination on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. WALSH of Massachusetts. I ask that the nominations in the Marine Corps be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the Marine Corps nominations are confirmed en bloc.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the President be notified immediately of all nominations this day confirmed.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate took a recess until tomorrow, Thursday, January 20, 1944, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 19 (legislative day of January 11), 1944:

THE JUDICIARY

Sterling Hutcheson, of Virginia, to be United States district judge for the eastern district of Virginia, vice Hon. Luther B. Way, deceased.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Fannie K. Frederick, Hackleburg, Ala., in place of A. H. Powell, deceased.

George R. Tyler, Pinson, Ala. Office became Presidential July 1, 1943.

ARKANSAS

Mrs. Archie Beard, Barling, Ark. Office became Presidential July 1, 1943.

Lady E. Weatherton, Pottsville, Ark. Office became Presidential July 1, 1943.

Edna M. Brown, Peach Orchard, Ark. Office became Presidential July 1, 1943.

Edith L. Armstrong, Pea Ridge, Ark. Office became Presidential July 1, 1943.

William M. Dickens, Bigelow, Ark., in place of M. B. Wurz, deceased.

Robert H. Bridger, Brookland, Ark. Office became Presidential July 1, 1943.

John M. Simmons, Harrisburg, Ark., in place of H. D. Landers, removed.

Kathryn Arnold, Midland, Ark. Office became Presidential July 1, 1943.

COLORADO

Glenn F. Frost, Henderson, Colo. Office became Presidential July 1, 1943.

CONNECTICUT

Bruce B. Randall, Bridgewater, Conn. Office became Presidential July 1, 1943.

Robert J. Boyd, South Kent, Conn. Office became Presidential July 1, 1943.

Ralph A. Booth, Stafford, Conn. Office became Presidential July 1, 1943.

FLORIDA

Cecilia G. Hanson, Belleview, Fla. Office became Presidential July 1, 1943.

Wendell L. Longstreth, Bradenton Beach, Fla. Office became Presidential July 1, 1943.

Ralph A. McIntosh, Brandon, Fla. Office became Presidential July 1, 1943.

Etta Matthews, Caryville, Fla. Office became Presidential July 1, 1943.

Clara Wicker, Coleman, Fla. Office became Presidential July 1, 1943.

Harriet J. Cooper, Crawfordville, Fla. Office became Presidential July 1, 1943.

Thomas J. Chapman, Goulds, Fla., in place of W. H. Owens, retired.

Arthur J. Allen, Lake Park, Fla., in place of A. D. Nelms, resigned.

GEORGIA

Rossie Harrison, Martin, Ga. Office became Presidential July 1, 1943.

William D. Bennett, Molena, Ga. Office became Presidential July 1, 1943.

Richard A. Lawson, Morven, Ga. Office became Presidential July 1, 1943.

John W. Dugger, Oliver, Ga. Office became Presidential July 1, 1943.

Laura B. Roberts, Pooler, Ga. Office became Presidential July 1, 1943.

Lela B Richardson, Riceboro, Ga. Office became Presidential July 1, 1943.

William E. Fitts, Rocky Ford, Ga. Office became Presidential July 1, 1943.

John S. Farrar, Scottdale, Ga. Office became Presidential July 1, 1943.

Lonnie L. Crow, Statham, Ga. Office became Presidential July 1, 1943.

Seaborn G. Jones, White Plains, Ga. Office became Presidential July 1, 1943.

Jewell J. Bailey, Whitesburg, Ga. Office became Presidential July 1, 1943.

Ralph J. Chandler, Winterville, Ga. Office became Presidential July 1, 1943.

ILLINOIS

Chris R. Leins, Danville, Ill., in place of J. H. Elliott. Incumbent's commission expired July 26, 1939.

Charles L. Altman, Edgewood, Ill., in place of Scottie Brown, resigned.

Clayton B. Faber, Genoa, Ill., in place of L. J. Kiernan, deceased.

David H. McClugage, Peoria, Ill., in place of T. J. Cody. Incumbent's commission expired June 23, 1942.

IOWA

Stanley G. Douglas, Alden, Iowa, in place of A. H. Blackmore. Incumbent's commission expired June 23, 1942.

Mary Conway, Cylinder, Iowa. Office became Presidential July 1, 1943.

Emil H. Engel, Dixon, Iowa. Office became Presidential July 1, 1943.

Georgetta B. Dolezal, Elberon, Iowa. Office became Presidential July 1, 1943.

Albert C. Oetzmann, Eldridge, Iowa. Office became Presidential July 1, 1943.

William Molloy, Galva, Iowa, in place of William Molloy. Incumbent's commission expired March 2, 1941.

Ray A. Fox, Hampton, Iowa, in place of H. C. Shafer, transferred.

Mabel I. Olson, Hanlontown, Iowa. Office became Presidential July 1, 1943.

Lucille M. Wright, Linden, Iowa. Office became Presidential July 1, 1943.

Frank L. Ratliff, Lynnville, Iowa. Office became Presidential July 1, 1943.

Marshall D. Thomson, Oakville, Iowa, in place of R. O. Mellinger, transferred.

Jessie W. Hart, Webb, Iowa, in place of E. A. Howe, deceased.

KANSAS

Beulah M. Warner, Carbondale, Kans. Office became Presidential July 1, 1943.

David Basye, Coats, Kans. Office became Presidential July 1, 1943.

Dyarl L. Newkirk, Elk City, Kans., in place of Page Manley, transferred.

Otto B. Critchfield, Mission, Kans., in place of F. A. Wurtenberger, deceased.

George E. Bartlett, St. John, Kans., in place of J. J. Owen, transferred.

LOUISIANA

Mattie P. Jones, Downsville, La. Office became Presidential July 1, 1943.

Gladys Trask Graves, Norwood, La. Office became Presidential July 1, 1943.

Eliud D. McCallum, Ruston, La., in place of Z. J. Meadows, removed.

MAINE

Myrtle S. Hardy, Freedom, Maine. Office became Presidential July 1, 1943.

MASSACHUSETTS

Theresa K. Larkin, Haydenville, Mass., in place of J. R. Mansfield, retired.

Newell A. Ritchie, North Billerica, Mass., in place of N. R. Mahoney, retired.

Brantson K. Fuller, South Easton, Mass., in place of Maurice Williams, resigned.

Annie W. Baker, South Yarmouth, Mass., in place of F. F. Collins, deceased.

MICHIGAN

David E. Visnaw, St. Clair Shores, Mich., in place of Helen MacMillan, resigned.

George Q. Brace, Sparta, Mich., in place of Lyle O'Connor, deceased.

Edwin T. Nyquist, Vestaburg, Mich., in place of E. L. Erskin, transferred.

MINNESOTA

Earl J. Baker, Dundas, Minn. Office became Presidential July 1, 1942.

William J. Janssen, Jr., Mountain Lake, Minn., in place of A. F. Scheibel. Incumbent's commission expired June 23, 1942.

MISSISSIPPI

Mabel C. Basham, Hamilton, Miss. Office became Presidential July 1, 1943.

MISSOURI

Grover C. Hayes, Anderson, Mo., in place of E. M. McKinney, resigned.

Lee Dickson, Carrollton, Mo., in place of Lee Dickson. Incumbent's commission expired May 22, 1938.

Neil Henderson, Lilbourn, Mo., in place of M. L. Castleberry, deceased.

James Russell Howerton, Noel, Mo., in place of E. T. Rousselot, transferred.

William I. McDougall, Purdy, Mo., in place of W. G. Ray, transferred.

Eugene T. Craig, Summersville, Mo., in place of F. E. Scott. Incumbent's commission expired June 23, 1942.

MONTANA

William E. Conn, Forsyth, Mont., in place of C. A. Westphal. Incumbent's commission expired June 23, 1942.

Knute E. Johnson, Ronan, Mont., in place of Godfrey Johnson, removed.

NEBRASKA

Grace H. Smith, Bennet, Nebr., in place of A. E. Wallick, resigned.

James M. Timmons, Eustis, Nebr., in place of E. G. Grabenstein, deceased.

Bertha P. Palmer, Fairfield, Nebr., in place of Rex Shubert, resigned.

NEW JERSEY

John N. Stonaker, Cranbury, N. J., in place of E. W. Walker, retired.

Joseph V. Lynch, Kenvil, N. J., in place of R. F. Holt, deceased.

NEW MEXICO

Denzel L. Lee, Dexter, N. Mex., in place of D. L. Lee. Incumbent's commission expired December 23, 1941.

NEW YORK

DeVerne A. Lewis, Canastota, N. Y., in place of DeVerne A. Lewis. Incumbent's commission expired June 23, 1942.

Thomas M. Townsend, Carmel, N. Y., in place of T. M. Townsend. Incumbent's commission expired June 23, 1942.

Anson A. La Roue, Harrisville, N. Y., in place of Charles Hogan, resigned.

Mary A. Jerman, Houghton, N. Y., in place of R. B. Ingersoll, resigned.

Frances D McClenon, Jamesville, N. Y., in place of J. T. McConnell, resigned.

Joseph L. McKernan, Lake Ronkonkoma, N. Y., in place of A. A. Matson, removed.

William J. Devitt, Montgomery, N. Y., in place of Edward Devitt, deceased.

NORTH CAROLINA

Robert M. Kiser, Bessemer City, N. C., in place of S. B. Hovis, transferred.

NORTH DAKOTA

Forrest C. Cowles, Ellendale, N. Dak., in place of J. B. DuRand, removed.

OHIO

Carl W. Somerville, Frazeysburg, Ohio, in place of O. D. Blizzard, resigned.

Frank Cave, Mansfield, Ohio, in place of H. E. Homberger, deceased.

OKLAHOMA

Ed Whiteaker, Panama, Okla. Office became Presidential July 1, 1942.

G. Phillips Hines, Watts, Okla. Office became Presidential July 1, 1943.

OREGON

Henry R. Crawford, Salem, Oreg., in place of H. R. Crawford. Incumbent's commission expired June 18, 1942.

PENNSYLVANIA

Frank C. Davis, Alum Bank, Pa. Office became Presidential July 1, 1943.

Charlotte E. Capwell, Factoryville, Pa., in place of J. R. Thurston, retired.

Bertha M. Fiesser, Farm School, Pa., in place of C. L. Goodling, resigned.

James A. Donahue, Heilwood, Pa. Office became Presidential July 1, 1943.

Walter W. Gilmore, Hillsville, Pa. Office became Presidential July 1, 1943.

Olive K. Floyd, Hookstown, Pa. Office became Presidential July 1, 1943.

Ralph M. Pearce, Hyde, Pa. Office became Presidential July 1, 1943.

Charles M. Brubaker, Intercourse, Pa. Office became Presidential July 1, 1943.

W. Herbert Pearsol, Kunkletown, Pa. Office became Presidential July 1, 1943.

Charles C. Duck, Lewistown, Pa., in place of J. C. Amig, removed.

Martha M. Stamm, Lincoln, Pa. Office became Presidential July 1, 1943.

Thomas F. Melody, Locust Gap, Pa. Office became Presidential July 1, 1943.

Ella R. Bradley, Mahanoy Plane, Pa. Office became Presidential July 1, 1943.

Alexander J. O'Reilly, Mayview, Pa., in place of A. D. Gibson. Incumbent's commission expired December 21, 1941.

Marie Sterrett Smith, McKean, Pa. Office became Presidential July 1, 1943.

Basil W. Bradley, Middlebury Center, Pa. Office became Presidential July 1, 1943.

Lucy M. Labuski, Morris Run, Pa. Office became Presidential July 1, 1943.

George P. Kratzert, Neffsville, Pa. Office became Presidential July 1, 1943.

Mary F. Wilson, Newportville, Pa. Office became Presidential July 1, 1943.

Agnes Susan Whisdosh, Norvelt, Pa. Office became Presidential July 1, 1943.

SOUTH DAKOTA

F. Marion Brooks, Florence, S. Dak., in place of E. F. Heuer, transferred.

Alice M. Hudgel, Garretson, S. Dak., in place of A. C. Lembcke, deceased.

Freda Haberman, McLaughlin, S. Dak., in place of C. H. Page, resigned.

Jessie E. Hanson, Mound City, S. Dak., in place of A. A. Kluckman, transferred.

John A. DeLay, Wessington Springs, S. Dak., in place of Ward Kieser, removed.

TENNESSEE

Joseph L. Arrington, Cordova, Tenn. Office became Presidential July 1, 1943.

Percye E. Beard, Kingston Springs, Tenn. Office became Presidential July 1, 1943.

Edgar D. Robinson, Lancaster, Tenn. Office became Presidential July 1, 1943.

TEXAS

Aileen M. Greer, Chireno, Tex., in place of G. W. Greer, resigned.

Lenore H. Boothe, Gonzales, Tex., in place of Fred Boothe, deceased.

Allen A. Collet, Handley, Tex., in place of A. A. Collet. Incumbent's commission expired June 23, 1942.

Tempest Adams, Skellytown, Tex., in place of D. B. Statton, resigned.

Myrtle B. Clark, Vidor, Tex. Office became Presidential July 1, 1943.

VERMONT

Annie J. Graiff, Readsboro, Vt., in place of M. F. Brown, resigned.

VIRGINIA

Hugh E. Love, Boissevain, Va. Office became Presidential July 1, 1943.

Annie G. Davey, Evington, Va. Office became Presidential July 1, 1943.

Emily B. Chinn, Hague, Va. Office became Presidential July 1, 1943.

Charles M. Saunders, Milford, Va. Office became Presidential July 1, 1943.

Indiana B. Poindexter, Morrison, Va. Office became Presidential July 1, 1943.

W. Roger Burgess, Mount Crawford, Va. Office made Presidential July 1, 1943.

Dewey B. Bennett, Ringgold, Va. Office became Presidential July 1, 1943.

Anna R. Brown, Woodlawn, Va. Office became Presidential July 1, 1943.

WEST VIRGINIA

Eleanor M. Lantz, Blacksville, W. Va. Office became Presidential July 1, 1943.

Charles Pelfrey, Fort Gay, W. Va., in place of G. J. Carter, Jr., resigned.

Eddith Fox, Gilbert, W. Va. Office became Presidential July 1, 1943.

George L. Carlisle, Hillsboro, W. Va. Office became Presidential July 1, 1943.

WISCONSIN

Cora J. Sorenson, Mount Horeb, Wis., in place of C. J. Sorenson. Incumbent's commission expired April 26, 1942.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 19 (legislative day of January 11), 1944:

IN THE MARINE CORPS

TEMPORARY SERVICE

To be major general

DeWitt Peck

To be brigadier general

Gerald C. Thomas

REGULAR SERVICE

To be second lieutenants

Robert P. Smith	Charles H. Scholfield
Carl E. Walker	Jay T. Nichols
William L. Eubank	Arba K. Alford, Jr.
William H. Dennen	Bevan G. Cass

POSTMASTERS

ALABAMA

Katherine D. Wright, Auburn.

KENTUCKY

James A. Usher, Farmington.
Elizabeth Godsey, Hardburly.
James L. Howard, Kings Mountain.
Mary H. Buckler, Loretto.
Arnold E. Adkins, Raceland.
Thelma Chloe Howard, Summer Shade.

TENNESSEE

James A. Hudson, Brownsville.
John V. Kendall, Troy.

WEST VIRGINIA

Dallas R. Yeager, Mason.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 19, 1944

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Father of all mercies, who dwellest in the hearts of them who love Thee, we wait in this solemn stillness; Thou dost speak not in noisy haste nor in the whirlwind of excitement, but to him who waits in calmness with unfettered thoughts. O Holy Spirit, sweep through us, leaving rich deposits of faith and trust and visions that are deeper and clearer than our aspirations. Let our manhood be self-contained and deliberate, then we shall be able to live and serve worthily.

In the quietude of these moments, may we feel the sacredness of our obligations. Embody in our daily lives the influence and the example that our Lord brought to the children of men. As there are changes in the world of men, O give to us Thy changeless hand; lift up our souls and let the tendrils of trustfulness bind our hearts to Thee, believing that character, not power, nor wealth, nor position is of living and of supreme worth. Help us to know the humble way of sacrifice, whose spirit is the royal way of our Saviour. We pray that we may be too strong to be unjust, too noble to be vain, and too generous to be small. Eye hath not seen, neither hath it entered into the heart of man the things which God hath prepared for them that love Him. In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 108. Joint resolution making an appropriation for contingent expenses of the Senate.

EXTENSION OF REMARKS

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from this morning's Washington Post.

The SPEAKER. Is there objection?

There was no objection.

Mr. SULLIVAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a newspaper article.

The SPEAKER. Is there objection?

There was no objection.

COOPERATIVE LEAGUE, INTERNATIONAL COOPERATIVE RECONSTRUCTION

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I wish to call the attention of the House to the fact that today and tomorrow at the Washington Hotel in this city there is being held a conference of very great significance, sponsored by the Cooperative League of the United States, International Cooperative Reconstruction. There are there in attendance representatives of the cooperatives of many of the nations of the world, as well as our American cooperative leaders. The purpose of the conference is to discuss and bring to public attention the vital and all-important contribution that those cooperatives can make to a rehabilitation of the nations after this war. The answer of the cooperative movement to the problems that face mankind is the most constructive single answer that I know of. Cooperation is the middle way whereby the people can solve many of their problems by their own efforts and by application of the principle of human brotherhood. Congress would find it most worth while to attend the sessions of this conference.

CONSTRUCTION OF CERTAIN PUBLIC WORKS

Mr. VINSON of Georgia. Mr. Speaker, I call up the conference report upon the bill (H. R. 3741) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3741) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 4.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 6 and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "$281,060,000"; and the Senate agree to the same.

CARL VINSON,
MELVIN J. MAAS,
Managers on the part of the House.

DAVID I. WALSH,
MILLARD E. TYDINGS,
JAMES J. DAVIS,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3741) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Amendment No. 1: This amendment increases by $23,000,000 the amount provided in the bill as it passed the House for aviation facilities, making the amount to be authorized $50,000,000.

Amendment No. 2: This amendment increases by $3,000,000 the amount provided in the bill as it passed the House, authorizing a total of $23,000,000 for storage facilities.

Amendment No. 3: This amendment increases by $20,000,000 the amount provided in the bill as it passed the House, making a total authorization of $92,000,000 for ordnance facilities.

Amendment No. 4: In this amendment the Senate reduced by $10,000,000 the amount provided in the bill as it passed the House for miscellaneous structures. The conferees restored this $10,000,000 to make the total authorized for this item $14,000,000, which is the amount provided in the bill as it passed the House.

Amendment No. 5: This amendment corrects the total cost as provided in the bill to agree with the sums provided under the individual items.

Amendment No. 6: This amendment was added in the Senate and authorizes the Secretary of the Navy to enter into contracts under the appropriation "Public works, Bureau of Yards and Docks" for public-works equipment, materials, and construction, to the extent of the total cost authorized in the bill.

CARL VINSON,
MELVIN J. MAAS,
Managers on the part of the House.

Mr. VINSON of Georgia. Mr. Speaker, when this public-works bill passed the House it provided for an authorization of $235,000,000. When it went through the Senate it provided for $271,000,000, an increase of some $46,000,000. The first amendment of an increase of $23,000,000 is for aviation facilities. The Navy Department found that it is absolutely essential to make certain changes in the aviation program which involves an expenditure of this kind. I would like, Mr. Speaker, to be permitted to insert in the RECORD a full and complete explanation in regard to each one of these amendments. The conference report has been unanimously agreed to by the House conferees. The main increase is in dollars and cents.

Mr. MARTIN of Massachusetts. Mr. Speaker, is there no other change in the legislation?

Mr. VINSON of Georgia. There is no other change except permitting the Navy Department to enter into contracts relating to this before the money becomes available.

Mr. Speaker, I ask unanimous consent to insert in the RECORD an explanation in regard to each one of these amendments.

The SPEAKER. Is there objection?

There was no objection.

Mr. VINSON of Georgia. Amendment No. 1:

(a) To make general increases in personnel facilities at various stations to permit a greater degree of mobility of fleet units. Experience has shown that capacities somewhat in excess of minimum theoretical requirements are necessary to provide for sudden changes of station by fleet units in accordance with tactical requirements.

(b) To make general increases in basic facilities required as a result of increased plane complements and sizes, training devices, etc.

(c) To improve runways and taxiways to accommodate the later types of heavy planes.

(d) To provide facilities for training of personnel and the maintenance and repair of equipment, in connection with new developments in naval aviation.

It is expected that $27,000,000 of the funds authorized will be expended as follows:

Expansion of naval air stations and facilities to support fleet and sea frontier forces:	
North Atlantic area	$940,000
Middle Atlantic area	3,050,000
South Atlantic area	290,000
West coast area	10,984,000
Total	15,264,000

Amendment No. 2:

STORAGE FACILITIES

At the present time there are in the Navy Department projects amounting to $23,000,000 for the development of additional storage facilities to meet the increased requirements for storage space for general stores in all categories. The Navy Department estimates that during the remainder of this fiscal year additional authorization is required for this $23,000,000 in public-works construction to meet present anticipated demands. The work involves expansion in 16 localities and consists of additional storehouses and miscellaneous improvements and extensions.

The Senate committee authorized an expenditure of $3,000,000 for additional storage facilities at six different locations in the United States. These funds will be expended for the construction of storehouses, transit sheds, roads, railroad trackage, and other services of this nature.

Amendment No. 3:

ORDNANCE FACILITIES

In recommending $92,000,000 for ordnance storage facilities, the Navy Department has been guided by the necessity for economy in its considerations of additional public-works construction but is nevertheless cognizant of the fact that additional ordnance-testing facilities, storage facilities, and reserve facilities are essential to keep pace with the development of new weapons. The principal items included in the Navy Department's request are three shipping depots on the west coast to relieve the shortage in this type of facilities, additional ordnance testing and reserve facilities at seven locations, expansion of ammunition storage facilities at five locations, additional housing facilities for ordnance battalions at various locations, and additional ammunition loading facilities at existing depots. The amount requested by the Navy Department for the above facilities is $72,000,000.

The additional $12,000,000 authorized by the House is required for the establishment of shipping facilities in the Puget Sound area to relieve the extremely hazardous condition now existing in the heart of the city of Seattle where high explosives to a large degree are being handled through the congested water front of the city of Seattle. The funds will be employed in the construction of an extension of the railroad from Shelton, Wash., to the vicinity of the Bremerton Navy Yard, a distance of approximately 32 miles, and the development of shipping facilities in the near vicinity to relieve the hazardous condition now existing.

Amendment No. 4:

These funds are requested by the Navy Department to provide for deficiencies in power supply and distribution, water supply and distribution, sewage and sanitary facilities, shore communication facilities, and miscellaneous structures at various naval activities. The funds requested by the Navy Department for this category of projects are $4,000,000. Included in the miscellaneous facilities and structures stated above, the Navy Department is requesting funds in the amount of $100,000 to comply with the requirements of H. R. 2886 providing for the removal of oysters from York River and replacing same in unpolluted waters in the vicinity.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

UNITED NATIONS RELIEF AND REHABILITATION

Mr. SABATH, by direction of the Committee on Rules, submitted the following privileged report, House Resolution 401, for printing in the RECORD:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the resolution (H. J. Res. 192) to enable the United States to participate in the work of the United Nations relief and rehabilitation organization. That after debate, which shall be confined to the resolution and shall continue not to exceed 2 days, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

RECESS OF THE HOUSE ON THURSDAY, JANUARY 20, 1944, TO RECEIVE THE PRESIDENT OF VENEZUELA

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it be in order tomorrow for the Speaker to declare a recess of the House for the purpose of receiving a distinguished visitor to the United States, the President of our neighboring Government of Venezuela.

The SPEAKER. Is there objection?

There was no objection.

CONTINGENT EXPENSES OF THE SENATE

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to take from the table Senate Joint Resolution No. 108, making an appropriation for the contingent expenses of the Senate and ask that the same be considered.

The Clerk read the joint resolution.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, has the gentleman taken this up with the gentleman from New York [Mr. TABER]?

Mr. CANNON of Missouri. I have, and the gentleman from New York [Mr. TABER] concurs in the action which I have proposed, and submitted to the House.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $200,000 for contingent expenses of the Senate, expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1944: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

The SPEAKER. The question is on agreeing to the Senate joint resolution.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a recent editorial from the Norwich Sun.

The SPEAKER. Is there objection?

There was no objection.

SPECIAL ELECTIONS IN PENNSYLVANIA

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. SCOTT. Mr. Speaker, yesterday two special elections were held in Pennsylvania, one in the congressional district adjoining mine on the north—formerly represented by Representative Ditter; the other—formerly represented by Representative McGranery—almost abutting it on the south.

In both districts Republicans were elected to Congress by overwhelming majorities. It appears that in Montgomery County the majority will show a greater Republican victory than in 1942 and in Philadelphia a district which went Democratic by 50.50 percent in 1942 went Republican yesterday by 56.33 percent on the basis of unofficial but complete returns.

Two days before the election the New Deal's news organ in Philadelphia quoted the Democratic candidate as declaring that the issue was support of President Roosevelt and of his administration. Throughout the campaign the New Deal candidate stressed the national character of the contest and asked for a vote of confidence in the Roosevelt administration. The result speaks for itself.

Now that it has become evident that democracy means bounty no longer but sacrifice—giving by the citizen rather than taking—the Santa Claus type of Democrat seems to have been conspicuous by his absence yesterday.

This poses a problem for New Dealers: "What kind of a new hand-out can we dream up which will be big enough to buy some more gratitude by November?"

The SPEAKER. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter.

The SPEAKER. Is there objection?

There was no objection.

Mr. WEISS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a letter.

The SPEAKER. Is there objection?

There was no objection.

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter from one of my constituents and also to extend my remarks concerning a bill that I have introduced.

The SPEAKER. Is there objection?

There was no objection.

Mr. FULBRIGHT. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include therein a newspaper article from the New York Herald Tribune.

The SPEAKER. Is there objection?

There was no objection.

FIGHT AND VOTE

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANE. Mr. Speaker, we are reliably informed that 10,000,000 American men and women are serving in our armed forces. Perhaps a million more will be called into service by the end of 1944. Already nearly 700,000 persons have been demobilized because of physical injury or mental disturbance. These young Americans have given and are giving of their best in the service of their country. They are called upon to assume responsibility and make decisions as soldiers which are more significant than any they might be called upon to make in civilian life. Living life as they do, acting in the interest of their Nation and their comrades, matures men. Certainly, then, it is not too much to expect that men called upon to fight and die for their country should be allowed to vote and express their choice in regard to their country's future. Let us be consistent—men who are called on to die should be given the right to vote. Let us resolve to pass legislation as soon as is possible to accomplish this purpose.

MABEL T. BOARDMAN

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include therein a tribute paid by the Chief Justice of the United States to Miss Mabel T. Boardman yesterday.

The SPEAKER. Is there objection?

There was no objection.

[Mrs. ROGERS of Massachusetts addressed the House. Her remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. GOODWIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. LEWIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein also a letter.

The SPEAKER. Is there objection?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include a letter.

The SPEAKER. Is there objection?

There was no objection.

THE SOLDIERS' VOTE BILL

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 whole minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. FISH. Mr. Speaker, time is of the essence. The chairman of the Committee on Rules is fooling no one but himself by refusing to call a committee meeting on the soldiers' vote bill. Alibis and excuses about prior committee hearings is political buncombe and partisan humbug. There was no meeting of the Rules Committee called this morning, and I rise to demand that the chairman stop delaying the consideration of this important war measure.

The public is entitled to know the facts. If there is any further stalling by the chairman of the Committee on Rules, it is up to the members of the committee, both Republicans and Democrats, to place the responsibility publicly and to insist on an open rule on the soldiers' vote bill Thursday, preferably, but not later than next Monday in order to bring it up in the House on Tuesday for consideration and amendments.

The Republican Members will, I am sure, support a wide-open rule to permit any germane amendments. The talk of a gag rule emanates from the Communists, the Daily Worker, PM, and Walter Winchel—who is doing more than anyone in America to create racial disunity and anti-Semitism—in their consistent efforts to undermine the faith of the American people in our representative and constitutional form of government. No member of the Rules Committee, nor any Member of the House, has ever advocated a gag rule on the soldiers' vote bill.

The SPEAKER. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. COFFEE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

A TRIBUTE TO LABOR

Mr. COFFEE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. COFFEE. Mr. Speaker, at a time when countless words have been spoken condemning organized labor, it is only fair and just that the people of the United States should know of the wholehearted cooperation which labor unions are giving to governmental programs which are unspectacular but essential to winning the war. Too often the light of publicity never shines upon the day-to-day activities of organized labor which result in tremendous gains upon the home front. In the fields of production, transportation, and distribution of goods for our armed forces and for our civilian population labor organizations are rendering yeoman service and are hastening the day of peace.

Labor cooperation in the Government's food-management program was strikingly exemplified in Chicago on January 12. At a stirring meeting at the Hotel Sherman, attended by 3,300 members of Local No. 734, Bakery, Cracker, Pie, and Yeast Wagon Drivers' Union, A. F. of L., the union pledged itself to 100-percent compliance with Food Distribution Order 1, which prohibits consignment selling of bakery products. Convinced that F. D. O. 1 is a necessary and patriotic measure in wartime, the drivers have accepted the challenge of its provisions and are actively cooperating with industry and the Government in order that the distribution economies intended by the order can be fully realized.

Under the leadership of President William Lee, Local No. 734 has an enviable record for patriotic activity. Nearly half its members are blood donors, many of them having made several donations. Purchases of War bonds are notably high in this group, and special money contributions from members recently went for the purchase of ambulances for the Government.

This is but one example of the practical patriotism which motivates millions of American workers to set an example of cooperation with Government which should inspire every citizen of our great country.

The SPEAKER. The time of the gentleman from Washington has expired.

EXTENSION OF REMARKS

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. BUTLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter from a constituent.

The SPEAKER. Is there objection.

There was no objection.

(By unanimous consent, Mr. MILLER of Nebraska, was granted permission to extend his own remarks in the RECORD.)

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that upon the conclusion of the legislative business and any other special orders on Wednesday, and also on Thursday of next week, I may

be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection.

There was no objection.

EXTENSION OF REMARKS

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter.

The SPEAKER. Is there objection?

There was no objection.

SOLDIERS' VOTE LEGISLATION

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Speaker, this morning's issue of the radical paper called PM, which is known as the uptown edition of the Communist Daily Worker, and is financed by that wealth of Marshall Field that is escaping taxation, says that I am asking for a "gag" rule on the soldiers' absentee voting bill. There is not a word of truth in that statement.

What PM is trying to do is to muddy the waters and create confusion in the minds of the voters. However, the people of the country are not being misled, but the various States are cooperating by passing enabling legislation.

What I am asking for is for the chairman of the Rules Committee [Mr. SABATH] to call the Rules Committee together and give us an open rule, so that we can vote now and pass this legislation immediately.

While the States of the Union are trying to cooperate in every way to make it possible for the men and women in the armed services to vote in the coming election for everything from President to constable, the chairman of the Rules Committee [Mr. SABATH] ought to call the committee together and help us speed up this legislation.

The SPEAKER. The time of the gentleman from Mississippi has expired.

CALL OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 3]

Anderson, N. Mex.	Fitzpatrick	Howell
Brooks	Forand	Jackson
Carrier	Fuller	Jones
Chiperfield	Furlong	Kleberg
Cooley	Gamble	LaFollette
Courtney	Gathings	Larcade
Dies	Granger	Lea
Dirksen	Hare	Luce
Domengeaux	Harness, Ind.	Magnuson
Engle, Calif.	Hébert	Maloney
Fernandez	Herter	Morrison, La.
	Hoch	Mott
Murphy	Schuetz	Whitten
Newsome	Sheridan	Wickersham
Norton	Simpson, Ill.	Wigglesworth
O'Leary	Sparkman	Winter
Phillips	Taylor	Zimmerman
Rivers	Treadway	
Robertson	West	

The SPEAKER. On this roll call 372 Members have answered to their names, a quorum.

On motion of Mr. McCORMACK, further proceedings under the call were dispensed with.

MUSTERING-OUT PAYMENT BILL OF 1944

Mr. MAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 1543) to provide for mustering-out payments for members of the armed forces, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 1543, with Mr. SMITH of Virginia in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose yesterday the gentleman from Missouri had offered a substitute amendment to section 1 of the bill as a substitute for the committee amendment. The question is on the amendment offered by the gentleman from Missouri [Mr. PLOESER].

Mr. MAY. Mr. Chairman, I would like to secure an agreement as to the length of time of debate on the pending amendment.

I ask unanimous consent that all debate on the substitute amendment to section 1 and all amendments thereto close in 30 minutes.

Mr. PLOESER, Mr. CELLER, and Mr. SHAFER objected.

Mr. CELLER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CELLER to the substitute amendment offered by Mr. PLOESER: On page 1, line 4, after the words "naval forces" insert "and merchant marine."

Mr. CELLER. Mr. Chairman, my purpose in offering this amendment to the Ploeser substitute is to draw attention to the need for offering at least a modicum of security by way of a bonus or discharge pay to the members of our merchant marine. I think the time has now come when we can no longer hide our heads in the sand. We must take cognizance of the tremendous sacrifices that are being made by our merchant seamen for victory.

A recent study made by the United Seamen's Service, a semigovernmental agency whose executive committee is composed of members of the War Shipping Administration, shipowners, and the maritime unions, shows that the annual wage of seamen averages only $1,677, including bonuses and overtime. This study includes a statement released by the Office of War Information reporting that—

The annual income of the lowest paid Army private has been estimated by Federal authorities to be equivalent to $1,700 a year when consideration is given to the value of food, shelter, clothing and equipment, medical, dental, and hospital care, and saving on other personal expenses.

This $1,700 figure compares favorably with the general average for seamen.

It would appear, unfortunately, that a large number of Americans have been led to believe that the incomes of seamen are higher. Seamen are even excluded, for example, from the 1936 Unemployment Compensation Act, and while working under conditions similar to those of the armed services receive none of the rights, benefits, or privileges of the latter group. You may recall that President Roosevelt recently identified the role of merchant seamen as of importance equal to that of members of the armed forces. Why not, therefore, a common mustering-out pay for seamen, soldiers, and sailors?

The other evening I was in the company of a number of merchant seamen. They hail from my own bailiwick in Brooklyn. Seven or eight of them told me they had had their ship torpedoed from under them four and five times. They had spent hours and hours in the water clinging to life rafts. They often despaired of ever seeing again their homes, hearths, and loved ones. They had gone through the most harrowing experiences. Such trial and tribulation, such patriotism must not remain unrewarded. The Nation can show its gratitude by according those brave men the same treatment as accorded our fighting men. Seamen also fight—fight the subs and terrors of the deep.

The number of dead among the merchant seamen, comparatively and on a percentage basis, is far greater—far greater, I emphasize—than that of all the members of our armed forces. They go through the most wretched experiences often ending in the last call. Many have gone through the valley of the shadow. Yet those who escape the terrors of the submarine come back, in common parlance, for more punishment. They are ever anxious to get back to their ship and to carry our men and goods across. They man veritable bridges across the seven seas over which run the men and ammunition. Ships and seamen in this war are as essential as guns, tanks, planes, and soldiers.

This amendment will not involve too great an amount of money because, as you know, we have been building a huge number of ships across both oceans. It is contemplated to construct in 1944 24,000,000 tons of ships. We constructed 16,000,000 tons during the past year. I am sure it is not in the contemplation of anyone to buckle those ships together again as we did after the last war and let them rot in our harbors. We are going to use those ships. They will carry our flag and commerce to every port as in the halcyon days of the clipper ships. So there will not be too many of the seamen mustered out if we use those ships. Crews will be needed. These robust and daring seamen will continue the service that makes Uncle Sam proud of them.

With reference to the dangers inherent in a merchant seaman's work, the percentage loss of merchant seamen was more than eight times as great as in the armed forces. Between December 7, 1941, and December 31, 1943, the armed forces have lost 0.668 percent of their total manpower. The merchant marine has lost 5.6 percent. Therefore, the total losses of the armed forces represent only 11.9 percent of the total loss of the merchant marine, as given in percentage. The startling low wages and the extreme hazards suffered by merchant seamen make it imperative that Congress enact protective legislation, such as mustering-out pay, immediately.

Because of the arduous nature of their work and the constant dangers under which they labor, many merchant seamen are having a difficult time readjusting themselves upon returning from the war zones. The merchant marine is growing more than threefold. These new seamen are patriotic Americans who have left safer and better-paying shoreside jobs for the duration to deliver the goods. After the war many expect to return to their homes. Mustering-out pay for these men is essential for a speedy readjustment to a productive peacetime civilian life.

I submit a schedule showing total losses of the armed forces of the United States and the merchant marine: Killed, captured, and missing between December 7, 1941, and December 31, 1943, compared with total manpower as of December 31, 1943:

Service	Losses from Dec. 7, 1941, to Dec. 31, 1943	Total manpower, Dec. 31, 1943	Percentage loss to total manpower
Army	63,445	7,500,000	0.858
Navy	3,097	2,389,000	.129
Marines	3,381	403,000	.838
Coast Guard	78	173,000	.045
All military services	70,001	10,465,000	.668
Merchant marine	5,366	96,000	5.6

Total losses of the armed forces represent 11.9 percent of the total losses of the merchant marine.

Source: Army, Navy, Coast Guard and War Shipping Administration.

Mr. GAVIN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, we all recall the thankfulness in our hearts on the day that ended World War No. 1. We recall too the load of anxiety that was lifted from the world of mothers' hearts and how a war-torn world turned back to peace with profound thankfulness to God and thankfulness to the boys who paid for it with their lives.

We now pray that the day is not far distant when again we can offer thanks to the Almighty for the end of World War No. 2, and offer our gratitude to the thousands of men who have already paid and those who will pay the cost with their lives, and those blind, crippled, and maimed with their broken bodies and distorted limbs who will return to live among us.

We are now considering legislation to remunerate the veteran over a period after his discharge to permit him again to find his place in life.

As one veteran of World War No. 1, I am of the opinion that it should be sufficient to enable him to meet the demands that will be made upon him during this critical period.

I often thought of the man who got $60 discharge pay in World War No. 1, and a railroad ticket to his home town; that if he had no relatives he was dependent upon charity or his wits until he found a job and his place in life.

Jobs at that time were not very plentiful, and nobody was seemingly greatly concerned about finding them for the serviceman.

We have heard some of the distinguished Members talk about the $300,000,000,000 indebtedness. We have heard that $100 mustering-out pay will be ample. All I can say is that if a man is married and has two or three children and has $100 for a period of 30 days, it will not take him or his family very far.

We here in America live in security, free from the horrors of night bombing, most of us carrying on with a few discomfitures, and I want to state that this matter deserves the serious consideration of every Member of this House. If it takes every penny we have to take care of these boys, it would be worth it. We all talk about sacrifice for the war effort. Who is making this sacrifice? The youth of America. We are doing the talking. They are doing the fighting that permits us to do the talking.

We set up $65,000,000,000 for lend-lease; we spent $2,700,000,000 on the good-neighbor policy; we dumped $134,000,000 down a rat hole for a project in the Canadian wilderness; and here today we are considering the veteran who uncomplainingly is doing a great job, turning in a brilliant performance in the various theaters of war—on land, in the air, and on the sea.

Men who are getting shot up in the mud of Italy, blasted out of the air, dying like rats in the submarines or burning oil on the seas; men who are undergoing the horrors and hardships of war—the cold and the heat, the filth and fatigue, the misery and the mud—and not one of them being able to offer an opinion as to whether or not $100 per month for a period of 3 months will see them through the readjustment period.

If we were to experience the hardships that these men on the various fighting fronts are undergoing, I think that we would have a more generous attitude toward these men who over the months that lie ahead will need our help.

Nothing that we can offer them can ever compensate them for the miseries of mental and physical tortures of mechanized warfare.

No words of mine, I know, can change this situation; however, I do want to be recorded that I think they should receive the largest amount possible to tide them over as an expression of gratitude and appreciation for the sacrifices that they are making in the springtime of their lives.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. CELLER] to the substitute amendment offered by the gentleman from Missouri [Mr. PLOESER].

The question was taken, and the amendment was rejected.

Mr. SHAFER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. SHAFER: Amendment to the substitute bill, subsection (e), section 2, insert the following additional subsection, to be known as (f):

"(f) No payment whatever under this act shall be made to—

"(1) any member of the armed forces who, at the time of discharge or relief from active service, is receiving base pay at a higher rate than the base pay of the third period as prescribed in section 1 of the Pay Readjustment Act of 1942, as amended;

"(2) any member of the armed forces who, at the time of discharge or relief from active service, is transferred or returned to the retired list with retirement pay or to a status in which he receives retirement pay;

"(3) any member of the armed forces for any active service performed prior to the date of his discharge or relief from active service to accept employment or, in the case of any member so relieved from active service, for any active service performed prior to the date of his discharge while in such inactive status, unless he has served outside the continental limits of the United States or in Alaska;

"(4) any Air Corps Reserve officer who is entitled to receive a lump-sum payment under section 2, as amended (55 Stat. 240), of the act of June 16, 1936;

"(5) any member of the armed forces whose total period of service has been as a student detailed for training under (A) the Army specialized training program, (B) the Army Air Forces college training program, or (C) any similar program under the jurisdiction of the Navy, Marine Corps, or Coast Guard;

"(6) any member of the armed forces for any active service performed prior to the date of his discharge from such forces for the purpose of entering the United States Military Academy, the United States Naval Academy, or the United States Coast Guard Academy;

"(7) any member of the armed forces whose sole service has been as a cadet at the United States Military Academy or the United States Coast Guard Academy, or as a midshipman at the United States Naval Academy, or in a preparatory school after nomination as a principal, alternate, or candidate for admission to any of said academies; and

"(8) any commissioned officer unless he is discharged or relieved from active service within 3 years after the termination of the present war as proclaimed by the President."

Mr. SHAFER. Mr. Chairman, my amendment merely covers into the Ploeser substitute sections 1, 2, 3, 4, 5, 6, 7, and 8 of the committee bill. These sections deal with those servicemen the committee believes are not entitled to receive mustering-out pay. I believe my amendment should be adopted if favorable consideration is to be given the Ploeser substitute.

I regret I was unable to be present at the hearings on this legislation. I was prevented by injuries that caused me to be hospitalized most of the month of December. Had I been able to be present I am not so sure that the committee bill would have been unanimously reported.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. SHAFER. Not now, but I shall be glad to yield to my colleague on the committee as soon as I have finished my statement.

Much has been said regarding the merits of the committee bill, Mr. Chairman, but there still remains the question of whether the bill will meet the economic needs of the veterans when they are discharged from the service. I am not so sure that it will.

Of course, many veterans will step right out of the Army or Navy into good jobs in industry. But, too, there will be thousands of others who will not be able to find immediate jobs and will not be able to reestablish themselves in business.

The economic needs of each veteran must be met by this legislation. I dislike to disagree with the committee but I believe the Ploeser substitute comes nearer to accomplishing what is intended here. It will not overpay those who are fortunate enough to find immediate work and it will not overpay those who are unable to find immediate jobs. It will also take care of those disabled veterans pending the adjudication of their claims for compensation.

Of course, we have been told that the Veterans' Administration is now in a position to expedite the adjudication of those claims, but the fact remains and I have this on good authority, that the Veterans' Administration is today 10 months behind in the consideration of the claims now on file. Remember that the heavy end of this job is yet to come.

I did not hear the testimony of General Hines before the Committee on World War Veterans' Legislation recently, but I have been told that he made a statement that some 200,000 applications for compensation had been filed since Pearl Harbor and up to December 1, 1943. Out of that number only 119,000 have been adjudicated. As I said before, we have just started on that program. The Ploeser substitute and its method of payment is an intelligent way of handling this matter.

The purpose of mustering-out pay is not to grant a gratuity. It is, as the term suggests, simply to assist the veteran in the transition from the armed forces back to civilian life. As I see it, the Ploeser substitute does just that. It comes closer than the committee bill to meeting the objective once stated by former President Theodore Roosevelt that "A man who is good enough to shed his blood for his country is good enough to be given a square deal afterward. More than that no man is entitled to, and less than that no man shall have."

I hope the House will give every consideration to my amendment and to the Ploeser substitute.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COSTELLO. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment that has just been submitted to the Committee has been taken almost verbatim out of the House bill as presented to this Committee. It is an indication of just what you are trying to do if you want to rewrite this legislation here on the floor. The Ploeser amendment comes in with a large number of defects and an effort is going to be made now to write intelligence into that amendment and try to make it conform to the legislation that has been presented by the committee. Unfortunately my colleague from Michigan has not favored the committee with the benefit of his advice during the period in which we have had this legislation up for consideration. If he did, and if he had some worth-while suggestions to offer to us I am quite sure we would have been happy to incorporate them in the bill. Today, however, he comes to us complaining about the committee's bill and he is offering as an amendment to the Ploeser amendment the language taken directly from the committee's bill of which he complains. Now I am not going to go into details regarding the Ploeser amendment, but I might point out to you that the language of that amendment provides that the payments can be made to any person who has been discharged from the service—"period." Now, get that. The Ploeser amendment would give these payments to dishonorably discharged soldiers, and that is what you are going to do if you are going to legislate this way. You do not know the effect of some of the language that is being submitted to the Speaker's desk.

I do not think that the author of the amendment intended that his amendment should read as it does, but here is the language it contains:

> who shall have been separated from such service under honorable conditions or released from active duty—
> (1) shall be paid—

And so forth. Anyone released from active duty under any conditions whatsoever shall be paid mustering-out pay under the terms of this amendment. Down in subsection (b) of his amendment he restricts those who have already been discharged from the service prior to the passage of this legislation from receiving the pay unless they shall have been honorably discharged. However, anyone released from active duty from now on shall receive mustering-out pay according to this amendment.

And what else is he doing? The very thing we complained about yesterday. He comes in with a proposition to pay $400 in four monthly installments and then he adds on to it unemployment compensation for the next 8 months. He can get $60 a month, or a total of $720 additional. Now, what is the answer? The $400 payment may run as high as $4,000,000,000. The other 8 months of payments may run over $5,000,000,000 or $6,000,000,000. His bill most probably would cost more than $10,000,000,000. What does it do? It provides unemployment compensation to whom? To the unemployed? Not at all, to every single soldier that comes out of the service. If we are going to write unemployment compensation, let us give the compensation to the unemployed, not to all those who are employed, and incidentally, to a small group who happen to not be employed. Let us not confuse our issues here today. The committee has spent a long time studying this legislation. We have proposed mustering-out pay. We have proposed a generous mustering-out pay—$300 to those who have served over 60 days, $300 with which to provide themselves civilian clothing and a little pocket change—that should certainly be sufficient for mustering-out pay. But if you are going into unemployment compensation, let us handle that subsequently. Let us provide in the legislation that we will give unemployment compensation to those who are unemployed and not to employed and unemployed alike.

Mr. SHORT. Will the gentleman yield?

Mr. COSTELLO. I yield.

Mr. SHORT. It must not be overlooked that most of the States already have unemployment compensation.

Mr. COSTELLO. That is quite correct.

Mr. SHORT. And in addition to the $400 provided for in the substitute bill, the veteran is guaranteed $60 a month up to the limit of 12-month period, until he can find a job. I wonder how many men would seriously go out and hunt for work as long as they could be guaranteed $60 a month.

Mr. COSTELLO. The gentleman from Missouri presents a genuine question. He will also recall that our committee had testimony regarding conditions in the State of Indiana, where some 15,000 men have already been discharged from the service, yet only 300 of these have applied for unemployment compensation. To these men who have applied, compensation averaging $60 each has been paid and no more. This definitely shows that at the present time a single payment of $60 is apparently adequate to take care of the temporary unemployment of those men who are being discharged now. Yet this proposal and others which may be offered will recommend that we continue such payments for at least 1 year.

Let me also call attention to another provision of the Ploeser amendment with reference to the manner of paying these veterans. It provides that all these payments shall be made by check, and the checks covering the so-called extended payments shall contain a form of voucher which must be filled out and sworn to by the veteran giving information regarding his actual income for the month covered by the check. Then before the next month's checks can be issued, each veteran's account must be examined to determine whether he had any income other than the $60 payment. If he has received any income, then his check the following month must be reduced by that amount or eliminated entirely for the balance of the period of 12 months should the income equal or exceed $60. Thereafter payments can be reinstated only upon application by the veteran showing his other income has decreased below $60. A complicated fantastic and impossible program, if ever there was one. There is no provision requiring the veteran to cash his check before the 30th day of the month or at any time. How checks can be prepared by the first of the following month, when hundreds of them might not be cashed at the end of the previous month is not explained. Yet the Government must adjust the amount of the check the following month nevertheless. I need not mention the difficulty that will ensue where the veteran happens to be living

outside the continental limits of the United States and so might not receive his check during the month for which it is intended to be payment. Yet the veteran might still be residing in China, or he might be in Alaska or even closer at hand, as he might be in Hawaii. What is more, the veteran has to indicate exactly what his income is. At the present time an income-tax return is considered to be private. Under this amendment it would be written on this check and go through anybody's hands. I hope this amendment and all amendments to it will be defeated.

Mr. CLASON. Mr. Chairman, I rise in opposition to the amendment offered to the substitute.

Mr. Chairman, the difficulty with the amendment just offered by the gentleman from Michigan is that it includes what is paragraph 3 on page 6 of the committee bill. By his amendment to the substitute it would be impossible for a man who is over 38 years of age who has seen service for 2 or 3 years in the armed forces, who has been a member of the Army since the war started, and perhaps for 18 months after the war started, to receive any muster-out pay. I wish the gentleman from Michigan would strike out from his amendment that section 3. It is possible that some of the restrictions placed upon the payment of mustering-out pay are good, but certainly that section is not. In connection with these restrictions which have been placed in the committee bill, I was interested today in the committee when Colonel Beukema, who perhaps knows as much as anyone about the Army specialized training program, told us, with reference to paragraph 5, on page 6, which is also contained in Mr. SHAFER'S amendment, that hardly anyone would be touched by that restriction. As a matter of fact, all boys who go into the Army specialized training program have to serve for a period of time for basic training, and, as that restriction is worded, it does not cover them at all. As a matter of fact it only covers men who were in the medical schools, dental schools, and veterinary schools at the time they went into service. Obviously it was not the intention of the committee to restrict it to that particular group as against all others in the Army specialized training program.

I feel that not only in respect to paragraph 3, but in respect to paragraph 5, that these restrictions have been drawn altogether too broad and that they are unfair to hundreds of thousands of men who have already been discharged from the service and who are truly veterans of the present World War. There are undoubtedly at the present time 1,000 veterans returned to every congressional district in the United States who, by virtue of some restriction which has been placed in this bill, for the most part this paragraph 3, are going to have a stigma placed upon them by this legislation. They are not going to receive mustering-out pay. I say that because these men were in there. They went in there, not because the Army wanted them but because Congress made them subject to the draft. The Army came in and said to our committee, "We want men between 18 and 31." The majority of the committee—and it was a close vote—said, "We are going to take everybody up to 45 under the Selective Service Act." I recall one day early in 1943, or late in 1942, when General Marshall came before our committee and said a bad mistake had been made; that he had gone through the hospitals in the South and that practically all the beds were occupied by these older men. For that reason he felt they should not be in the service. Shortly thereafter the Army adopted the policy of allowing these men, practically directing the men over 38 years of age, to ask for their discharge, telling them in advance that their requests would be granted.

It was not a question of whether you had a job waiting for you back home. Many of these men had sold their farm stock and machinery when they were drafted. Others had been forced to give up good jobs. Now when they have served for 18 months or 2 years, it seems to me they are more entitled to receive this $100, or $300, or whatever it may be, than a lot of these boys who go in there and stay for 20 or 30 days. They were older men. They had places in the community, and they were wiped out.

The CHAIRMAN. The time of the gentleman from Massachusetts [Mr. CLASON] has expired.

Mr. ELSTON of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in opposition to the Ploeser substitute for the committee bill. I believe there are a number of reasons why this substitute should not be adopted.

In the first place, if you will examine the substitute you will find it would be almost impossible to enforce its provisions. You will note that the service man or woman receiving a monthly check for $60 must indicate on a voucher attached to the check the extent of his income for the period covered by the check. I submit this would be an exceedingly difficult task for a farmer, whose income is received generally when his crops are sold. It might be equally difficult for business or professional men. Only salaried men or women could comply with the requirement.

Then again, as was pointed out by the gentleman from Missouri [Mr. SHORT] awhile ago, if service men and women are entitled to receive $60 a month for an 8-month period, in addition to the 4-month period during which they receive their $100 payments, there would be some who would make no effort to obtain employment until the full 12-month period of time had passed.

You will note that no persons are excluded from payments as provided for in the committee bill. The committee bill has excluded eight different groups. For example, we have excluded students whose total period of service has been in the Army specialized training program, or similar programs under the jurisdiction of the Navy, Marine Corps, or Coast Guard. Persons under these groups obviously are not entitled to mustering-out pay, yet they all are included in the Ploeser substitute. This would cost the Government many millions of dollars.

Let me point out by way of illustration what would happen in the case of a student under one of the service training programs. These students are receiving $50 a month. Moreover, the Government is paying their tuition. Formerly their parents were paying it, or they worked to pay it. Those boys, when the war is over, would be entitled, under the Ploeser bill, to receive not only the mustering-out pay amounting to $400 if they had been in school long enough, but in addition will be entitled to receive $60 a month for 8 additional months for a total of $880. This will be in addition to their tuition which the Government pays, and in addition to their service pay which is at least $50 a month. During all that period they are learning some profession, or at least are studying something which may be useful to them in civil life.

There was testimony before the Military Affairs Committee this morning that there are hundreds of boys today who are simply premedical students. They are in many cases doing exactly what they were doing before they became a part of the Army or the Navy. They are preparing themselves for the practice of medicine. Those boys are receiving $50 a month, plus their tuition, plus all other benefits accorded to men in the armed forces. Those boys would be entitled to the compensation provided for in the substitute if it is adopted, but would not be entitled to it under the committee bill.

No doubt we are going to have to consider later the subject of unemployment compensation. We are going to have to consider adjusted compensation, but I submit this is not the time to do it. The Adjusted Compensation Act of the First World War was not passed until that war was over. Perhaps the time to do it this time will be when the present war is over. The matter of unemployment compensation is not something that should be taken up at this time. I believe the attempt on the part of any Member to bring the subject up at this time, however well intentioned such effort may be—and certainly the able gentleman from Missouri is well intentioned—will only confuse matters and in the end may work an injustice upon those of us seeking to serve by mustering-out-pay legislation. The Military Affairs Committee gave every consideration to every phase of this subject. We decided first of all that we would endeavor to pass solely a mustering-out-pay bill, leaving these other matters for future consideration. That is what the committee endeavored to do in writing the bill before the House today.

I am hopeful, Mr. Chairman, that the House today will consider this solely as a mustering-out-pay bill.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. ELSTON] has expired.

Mr. MILLER of Connecticut. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, it is my intention to support the committee bill, without any major amendments.

There are two legislative proposals now very much on the minds of the Members of this House. One, to provide adequate mustering-out pay, and the other, which I believe will be taken up later and should be taken up later, the establishment of a sound unemployment compensation program, to provide compensation for returning servicemen who may not be able to find employment immediately.

A great deal has been said about the amount of money involved in this bill, three and one-half billion dollars. That is still a lot of money. But I do think that this thought should be expressed, that the passage of this bill will, in my humble opinion, save the Treasury money in the long run. If these men can come back with what has been referred to as a measly $300, it will give them the opportunity of getting the minimum of their civilian clothing needs, and an opportunity to at least relax and look around for a week or two. They have not been used to high living, and they will not be looking for it immediately upon their discharge. But, if they can be given time to make that tremendously difficult adjustment of going back into civilian life, after the existence they have led in Italy, Africa, or the islands of the Pacific, it will be money well spent.

If this is all that was to be proposed to be done for the returning servicemen, I would say it was inadequate; but I believe the record should show, and I asked the gentleman from Texas [Mr. THOMASON] yesterday if the statement I made then was correct, that the men and women now serving in our armed forces are entitled to receive every benefit that has ever been made available to the disabled veterans of World War No. 1. Members will recall that it took 20 years to get some of those benefits for the veterans of World War No. 1.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Connecticut. I yield.

Mr. ARENDS. In addition, this $300 mustering-out pay will make it possible for the disabled men to have some available money until such time as their cases are adjudicated, which General Hines said would be done within that time. There will be no more going on relief from the standpoint of the disabled veteran.

Mr. MILLER of Connecticut. The gentleman is entirely correct. I feel very strongly that no man should be taken off the pay roll of the War or Navy Department until the Veterans' Administration is ready to pick up his case. It should be done before they leave the jurisdiction of the Army or the Navy.

I have one question I would like to ask the chairman of the Military Affairs Committee with reference to paragraph 2 on page 6, disallowing this mustering-out pay for those who return to the retired list. My question is, Will that apply to an enlisted man of the Army or the Navy who had retired with perhaps 16 or 20 years' service and a small pension and who went back into the service during the period of this war?

Mr. MAY. It will do that. The committee studied that very carefully and came to that conclusion, because we felt that a man who had been previously discharged and went back to the service ought to be given this mustering-out pay.

Mr. MILLER of Connecticut. I thank the gentleman, and I agree with him.

Mr. Chairman, I yield back the remainder of my time.

Mr. PLOESER. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I want to answer some of the statements which have been made in great error by some members of the committee. For the edification of the gentleman from California I will read very briefly from the Ploeser substitute:

> Members of the armed forces are entitled to discharge or mustering-out pay who shall have been separated from active duty under other than dishonorable conditions before the effective date of this act.

The gentleman, if he had read the bill, would understand that he is in error.

Mr. COSTELLO. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. I do not yield.

The Shafer amendment contains the exact wording of exceptions provided in the committee bill. If, therefore, the members of the committee are willing to support their own product they can very well, in fact they are duty bound to, support the Shafer amendment which does perfect the Ploeser substitute.

On the subject of unemployment compensation, if these men receive unemployment compensation from their State unemployment-insurance funds it becomes automatically deducted from the Federal allowance. That is provided in the bill. Furthermore, let me say for the benefit of the gentleman from the State of Ohio that the bill very clearly means income during that particular month and this provision could hardly be misinterpreted.

It does not seem the committee is so solid on this thing as we thought they were yesterday. The gentleman from Massachusetts does not agree with the Shafer amendment, which is a very important part of the committee bill. The principal feature of the committee bill is a $300 bonus for 61 days' service in the Army or the Navy. In that particular portion of your bill you are woefully weak and extremely inequitable. I have sought through the adoption of the major portion of the American Legion proposal in my substitute to correct that glaring inequity as proposed in the committee's bill and I have sought also to eliminate by the provision of this extended pay, which is very clear, very simple, to eliminate the necessity for any great organization of unemployment-compensation boards extended throughout the length and breadth of this land.

This bill calls for $60 a month with a deductible feature dependent upon what income may be earned during a current month, and there cannot be any misunderstanding.

As for the draftmanship of the bill, it was drafted by the same legislative drafting service used by the committee. I have nothing but praise to pay them for their great ability, their legal ability, their parliamentary ability in drafting bills for this Congress.

If the gentleman from California will take the time and do himself the justice of reading the bill he will find that almost the entirety of his statement came about through some great misunderstanding that could not have possibly been made had the bill been read.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. PLOESER. I yield to the gentleman from Nebraska.

Mr. STEFAN. The gentleman has explained some of the criticism of the bill except the criticism made in connection with the medical students.

Mr. PLOESER. The Shafer amendment puts back the exclusions of the committee bill and therefore excludes all medical students. The gentleman from Ohio instead of attacking the Shafer amendment unintentionally left the impression that the Shafer amendment was not before the House. I hope for the adoption of the Shafer amendment. I hope the Members will vote for it and then vote for the Ploeser substitute.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

The question is on the amendment offered by the gentleman from Michigan [Mr. SHAFER] to the substitute offered by the gentleman from Missouri [Mr. PLOESER].

Mr. ELSTON of Ohio. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ELSTON of Ohio. Mr. Chairman, my understanding is that the Shafer amendment has already been voted on and the vote announced.

The CHAIRMAN. A division has been demanded.

Mr. ELSTON of Ohio. Mr. Chairman, I believe the Shafer amendment was voted on some time ago.

The CHAIRMAN. No. The question is on the Shafer amendment to the substitute offered by the gentleman from Missouri [Mr. PLOESER].

The question was taken; and on a division (demanded by Mr. PLOESER) there were—ayes 11, noes 86.

So the amendment to the substitute was rejected.

The CHAIRMAN. The question now recurs on the substitute amendment offered by the gentleman from Missouri [Mr. PLOESER].

The question was taken; and on a division (demanded by Mr. PLOESER) there were—ayes 19, noes 113.

So the substitute was rejected.

Mr. MAY. Mr. Chairman, I ask unanimous consent that debate on all remaining amendments to section 1 and all amendments thereto conclude in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

Mr. CLASON. Mr. Chairman, I object.

Mr. MAY. Mr. Chairman, I move that all debate on the pending section 1 and all amendments thereto close in 20 minutes.

The motion was agreed to.

Mr. CLASON. Mr. Chairman, I offer an amendment, which I have at the Clerk's desk.

The Clerk read as follows:

On page 6, line 7, strike out all of line 7, and all of the subsequent lines down to and including line 14.

Mr. CLASON. Mr. Chairman, this amendment is the one about which I spoke yesterday and also I spoke on the same subject today. This involves about 400,000 men who have returned with honorable discharges to their homes, having been directed by the War Department to ask for their discharges. They were the men and are the men over 38 years of age who were brought into the service under the Selective Service Act. That act did not have the age limit that the Army wanted. The Army wanted 18 to 31. Our committee made it up to 45 and the Congress passed the law providing the age up to 45.

Late in 1942 General Marshall visited hospitals throughout the South, came back to our committee, and told us that most of the beds in these hospitals were occupied by men over 38 years of age and in his opinion we ought not to have men over 38 in the service.

Shortly thereafter, or early in 1943, a policy of the War Department was announced under which men over 38 years of age were told, in fact they were practically directed, to ask for their discharges, being advised that if they did so their requests would be granted. Many of these men had no jobs to return to. Many of them, because the Selective Service Act became effective in 1939, had been in the Army for 2 or 3 years. Those men are veterans of the present World War; they were brought in under the Selective Service and they are entitled to this mustering-out pay.

Mr. BRADLEY of Pennsylvania. Will the gentleman yield?

Mr. CLASON. I yield to the gentleman from Pennsylvania.

Mr. BRADLEY of Pennsylvania. Is it not true this provision which the gentleman seeks to strike out also prevents payment to those men in the National Guard who served 18 months under orders?

Mr. CLASON. It would, if they were over 38 and requested their discharge in that manner.

It is my understanding from the figures which have been furnished me that there are approximately 1,000 of these veterans returned to every congressional district in the United States. Personally I do not wish by my vote to place a stigma upon these 1,000 men, many of whom I have known, many of whom have spoken to me about it and others have written to me. Some of them are farmers. They sold their stock, they sold their machinery, because they went into the service. They made real sacrifices and need this mustering-out pay more than numbers of those who will receive it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HINSHAW. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HINSHAW. The time has been limited by action of the House to 20 minutes. There are several of us who have amendments. Is the time to be divided among those who have amendments to offer or is it to be allotted in some other way?

The CHAIRMAN. The gentlemen who desire some time will indicate that fact and the Chair will divide the time among those Members.

Mr. HINSHAW. Mr. Chairman, I have an amendment at the Clerk's desk and I would like to be recognized in due course.

Mr. MAY. Mr. Chairman, I want to rise in opposition to the amendment that has been offered when an arrangement has been made as to time.

The CHAIRMAN. The gentleman from Kentucky [Mr. MAY] is recognized for 3 minutes.

Mr. MAY. Mr. Chairman, I had hoped very much that my colleague from Massachusetts who has offered the pending amendment would yield to me when I asked him to, not very long ago, on the question of General Marshall's statement with regard to these men that the gentleman says are over and above 38 years of age. First, may I say that in 3 minutes I want to get into the minds of the Members that there is not one word in this bill which says anything about the age of anybody.

General Marshall did come before the committee in support of the bill to draft 18-year-old youths, and his argument was in effect that, because we had lifted the age for selective service up to 45, the group above 38 years of age that has been provided as the maximum by Executive order were not the class of people that they needed as soldiers.

General Marshall did call attention to a visit he paid to the General Hospital at Fort Bragg, N. C., which is one of the largest camps in the United States. The thing the gentleman from Massachusetts did not tell you that General Marshall said about that was this: In addition to saying what the gentleman from Massachusetts said he said, he pointed out the fact that almost all of the men who were in that hospital down there were above 38 and had been in less than 30 days, nearly all of them 10 or 15 days, and some of them only about 3 days.

Mr. ELSTON of Ohio. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Ohio.

Mr. ELSTON of Ohio. If any one of those men was discharged for a physical disability, he would be entitled to compensation under this bill.

Mr. MAY. That is right. In addition, they could not then be discharged unless they had a job. That was the ground on which they got out. That is another reason why we excluded them.

Mr. ELSTON of Ohio. This amendment does not affect men over 38, exclusively; it affects any man who may have voluntarily asked to be dismissed from the service to accept a job in industry.

Mr. MAY. That is exactly correct.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Minnesota.

Mr. KNUTSON. I received an inquiry today whether the bill under consideration would exclude one who had been discharged from the service after 18 months, 12 of which were spent in Alaska, in the Aleutians, because of his having passed the age of 38.

Mr. MAY. There is no such provision in the bill. That man will not only get disability compensation, if he is entitled to it, but will be paid mustering-out pay.

Mr. KNUTSON. Are the boys excluded who have been discharged to go back on the farm after having had active combat service,

Mr. MAY. They are excluded unless they have subsequently served in the armed forces.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, speaking under the rule I stated that I would offer the amendment submitted by the gentleman from Massachusetts [Mr. CLASON]. I see no reason whatever to discriminate against these veterans 38 years of age who got out of the service of their own accord but actually at the instigation of the Army itself, which issued directives encouraging those in our armed forces who were 38 or over to apply for discharge as they were a burden upon the Army and it was in the interest of the service for them to get an honorable discharge.

If this precedent is established, these 400,000 veterans will not even get adjusted-service compensation. They will use this precedent against them.

I ask every Member of this House, Republicans and Democrats alike, to read subsection (3) on page 6 of this bill. If they can understand a word of subsection (3), they ought to be on the Supreme Court of the United States, because even Felix Frankfurter could not understand or interpret what this subsection provides for. This subsection ought to be stricken out anyhow, regardless of the arguments about the status of veterans 38 years of age who have received an honorable discharge. Just read subsection (3) on page 6 and see if any Member of the House can understand what it means.

I submit that it would be a gross injustice and a rank discrimination against those veterans who are entitled to more compensation than any other group, those who were compelled to gave up their businesses, practically all of whom were established in some kind of permanent or semipermanent job, and who left their families and had more at stake than younger men. If anybody should be compensated by this bill, it should be those veterans of 38 years of age or over. I hope that they received a job when they got out. Most veterans who will receive honorable discharges expect to get jobs. There is no logical or sound

reason for any discrimination whatever against those over 38 years of age.

Mr. ELSTON of Ohio. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Ohio.

Mr. ELSTON of Ohio. Does the gentleman know a single man who ever left the Army or the Navy and accepted a job in private industry who got a salary smaller than he received in the service?

Mr. FISH. I am saying this should be the same rule for every veteran. All veterans who get out of the service expect to get a job. The Congress should not discriminate and say they shall not get this mustering-out pay because they got a job when it does not apply to other veterans. We do not even know whether or not they got a job. I submit nobody can understand what is in subsection (3) and it should be stricken out as being vague, meaningless, and making for utter confusion. All I am trying to do is to secure a square deal and fair treatment for those veterans of 38 years of age or over who are entitled, as honorably discharged veterans, to the same treatment as all those veterans.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. CLASON].

The question was taken; and on a division (demanded by Mr. CLASON) there were—ayes 44, noes 92.

Mr. CLASON. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

Mr. HINSHAW. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HINSHAW: On page 5, line 18, strike out "honorable conditions" and insert "conditions other than dishonorable."

Mr. HINSHAW. Mr. Chairman, I wonder if the chairman of the Committee on Military Affairs and the members of that committee would be willing to accept this amendment. I say this because I am sure they have no intention of doing harm to or failing to take care of a lot of young men who are unfortunately receiving peculiar discharges through no fault of their own.

Mr. MAY. I do not believe the committee has any objection to the amendment, Mr. Chairman.

Mr. HINSHAW. I thank the gentleman. I am glad to know that the committee has no objection to the amendment. At the same time, I recognize that the amendment may require perfection in conference on the bill, as there are certain classes of persons who should not be included, such as those who are discharged for the good of the service to avoid court martial, those who are discharged pursuant to conviction under civil law, and out-and-out fraudulent enlistments.

However, Mr. Chairman, there are many cases receiving ordinary discharges who are as deserving of mustering-out pay as those who receive honorable discharges. I would like to quote from a letter to his mother from a Navy man who was injured in an accident that happened at Pearl Harbor, as follows:

DEAR MOM: This is important.

Write Mr. HINSHAW and tell him to dig into the reason why they changed all the fellows' discharge papers who have not been wounded in action to an ordinary discharge from an honorable discharge. Everyone here is mad and we think it is very unfair to us. This law came from the Bureau of Medicine and Surgery in Washington. This will mean a lot to me and to the other fellows here. Send it special delivery air mail and soon.

Love,

BOB.

P. S.—I'll be home in 2 weeks for good.

While I was at home recently certain service officers of the American Legion and others brought differing cases to my attention. It seems to me that a soldier, sailor, or marine who is offered a blue discharge should have an opportunity to be heard on record before being discharged, and that none of them should be asked to accept a blue discharge as a condition to release from the service, unless it be among the three categories I first mentioned. Every Member of this body has been called upon to obtain corrections of the service records of men who have been discharged from the Army—some of them as long ago as the Spanish War. Most of these men have borne their shame in secret and have rankled in their hearts against the unjustness which they felt was meted out to them. When these cases are now brought to the War or Navy Department's attention, it is invariably the rule, in my experience, that the record cannot be changed, and seldom is it changed, even by an act of Congress, as the departments invariably give an unfavorable report on the bills introduced for the purpose. Furthermore, when such bills have passed, they are frequently vetoed by the President.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was agreed to.

Mr. ANGELL. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. ANGELL. Mr. Chairman, I hope the committee bill will be passed. It should be understood at the outset that this is not a bill for rehabilitation, adjusted compensation, or for any other purpose than that of supplying a small sum of cash to servicemen and servicewomen upon being mustered out, to bridge over the gap between the service in the Army and civilian pursuits. It is a stopgap, pure and simple. The fund provided should be ample and sufficient for the purpose intended, but should not infringe upon the larger subject of adjusted compensation, unemployment insurance, and rehabilitation, which will receive the attention of the Congress later.

In the last war we provided $60 for each serviceman on being mustered out, regardless of length of service. The bill as it comes to us today from the committee, unanimously reported, provides $100 for all those who have served less than 60 days at home or abroad, in the war or out of the war, and $300 in three monthly installments for those who have served longer than 60 days. The $300 allowance is divided into three equal payments, one to be paid at mustering out, and a like payment on each of the 2 succeeding months.

Much confusion has arisen not only in Congress but with the people at home, over the real purpose of this legislation. I am sure, Mr. Speaker, when it is realized that this legislation is limited to mustering-out pay and does not in any sense seek to cover adjusted compensation or other benefits to which our service men and women are entitled, that the uncertainty will be dispelled and the legislation will have the full approval not only of the Congress but of veterans' organizations, the men and women in the service, and the citizens back home. I am sure that all of us here have the desire to give every consideration to the needs and welfare of the servicemen, who have been and are doing an heroic job in defending our country during these tragic hours.

We do not want to see duplicated again the spectacle that took place following the last World War, when thousands of our heroic fighting men were compelled to stand on street corners seeking employment, or be subjected to the humiliation of accepting menial jobs merely to keep body and soul together during the time they were seeking to rehabilitate themselves and find permanent employment in our economic structure. Not only is the welfare of these men and women involved but the morale and cooperation of the civilian population. I am glad that the Congress has provided adequate and necessary legislation for taking care of the injured, providing hospitalization, care and treatment, and also putting in motion the machinery for rehabilitation and the rebuilding of the battered lives of our disabled soldiers. This legislation will be in line with that program.

I include as a part of my remarks an editorial appearing in the Washington Post of this date, entitled "Home Front Morale." While it does not deal with mustering-out pay, it does call to our attention the broader aspects of fair treatment to the fighting men of our military forces, not alone for their own protection and well-being, but for keeping a healthy morale at home. The editorial is as follows:

HOME-FRONT MORALE

According to a news conference given by six Army nurses, one of the chief concerns of mutilated servicemen returning from the front lines to this country is the reception they will receive from their friends and families. After more than a year aboard the hospital ship *Acadia*, these nurses have observed that the spirit of the men is good until they are brought in contact with unimaginative and even thoughtless behavior at the hands of their relatives. "The important war problem," the nurses agreed, "is building not the soldier's morale, but rather that of their relatives at home." In fact, in some cases a serviceman's fear of the manner in which he will be treated even outweighs his desire to

return home. It would seem, therefore, that this gulf between the home front and the battle front calls for immediate attention.

One way of meeting the situation might well be, as Mrs. Roosevelt suggested at her last press conference, for the Navy and War Departments, together with the Red Cross, to set about instructing the public in the best ways to help veterans make their difficult adjustment to civilian life. This is part of the larger problem of supporting the fighting front. Servicemen, though they grumble about our civilian behavior, know and see that our material support of the front line is prodigious. At bottom that doesn't worry them half so much as what we are not doing to set up a society fit for veterans to live in. In respect of the incapacitated, there is a fine distinction to be made between pampering a man to the point at which he becomes a helpless invalid and asking so much of him that he grows discouraged and loses his will to get well. It is common knowledge that we all recover our strength and appetite for life more quickly, whether the illness be physical or psychoneurotic, if we live in a healthy climate of affection and realistic optimism. Surely we cannot afford to destroy on the home front the miracles of medicine which our Army and Navy doctors have performed under enemy fire.

Mr. ROBSION of Kentucky. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROBSION of Kentucky. Mr. Chairman, in December 1943, the Senate passed Senate bill 1543 to provide for mustering-out pay to members of the armed forces. This bill came to the House and was referred to the Committee on Military Affairs of the House. After holding hearings on this bill, the Military Affairs Committee of the House amended Senate bill 1543 by striking out all after the enacting clause in the Senate bill and submitted a substitute bill. This House Military Affairs substitute bill is now before us for consideration. This bill provides as follows:

SEC. 1. (a) That except as provided in subsection (b) of this section, each member of the armed forces who shall have been engaged in active service in the present war and who is discharged or relieved from active duty under other than dishonorable conditions on and after December 7, 1941, shall be eligible to receive mustering-out pay.

SEC. 2. (a) Mustering-out pay for persons eligible under section 1 shall be as follows:

(1) $300 for persons who have performed active service for 60 days or more.

(2) $100 for persons who have performed active service for less than 60 days.

Those who have performed active service for less than 60 days will receive the full $100 on discharge, and those who have performed active service for 60 days or more and are entitled to $300 will receive $100 at the time of discharge, another $100 1 month thereafter, and the third $100 2 months after discharge. This applies to all those who have had such active service since December 7, 1941, and have heretofore been discharged and those who may hereafter be discharged. This mustering-out pay will not be allowed to those who have secured their discharge in order to take other employment, or to any Air Corps Reserve officer who is entitled to receive a lump-sum payment under section 2 of the act of June 16, 1936, or to any member of the armed forces whose total period of service has been as a student detailed for training under the Army specialized training program, the Army Air Forces college training program, or any similar program under the jurisdiction of the Navy, Marine Corps, or Coast Guard, or for such period as such person may be a student in the United States Military, Naval, or Coast Guard Academies.

All those in our armed services and auxiliaries, men and women, up to and including the rank of captain are entitled, unless dishonorably discharged, to this mustering-out pay, with the exceptions we have noted. The WAC's, WAVES, SPARS, and other auxiliaries composed of women will receive this mustering-out pay, provided they served after they became component parts of the Army, Navy, Marine Corps, or Coast Guard. Those women who had active service prior to that date and were discharged on account of disabilities contracted in the service in line of duty, will likewise be entitled to this mustering-out pay.

At the present time, approximately 11,000,000 persons have had active service in our armed forces. Approximately 1,000,000 have already been discharged. Of course, this 1,000,000 or more that have been discharged will be entitled to this mustering-out pay unless they have received a dishonorable discharge or come within the exceptions already mentioned, and if any of them have died, their wives and children, or their husbands and children, as the case may be, will be entitled to this mustering-out pay. The mustering-out pay for all of these men and women that have been discharged and will be discharged of the approximately 11,000,000 who have been inducted into our armed services will amount to approximately three billion and six hundred million. Of course, the war is not over, and perhaps three or four million more may be inducted into our armed services before the war is over. This will add an additional billion and a half. The total cost of mustering-out pay may reach five billions.

I had no communication from my own State or district from anyone in our armed services in regard to these matters. Some of the veterans' organizations in other States have wired me and other Members of Congress urging mustering-out pay. A number of us favored and voted for amendments to increase this amount, but practically all of the members of the Military Affairs Committee of the House that reported the bill and a majority of the Members of the House favor these sums and they will likely be adopted.

This bill places into the hands of the returning service men and women this sum of money to help them get started again. In World War No. 1 the mustering-out pay was fixed at $60 for one and all, without regard to the length of service. For those who have served 60 days or more this bill provides 5 times that amount, and for those who have served less than 60 days almost double that amount.

This measure has nothing whatever to do with adjusted compensation, death benefits, disability compensation, insurance, hospitalization, or vocational education. Congress has already provided for the service men and women of World War No. 2 to receive disability compensation, insurance, vocational training, hospitalization, dependency benefits, and many other benefits. It was my good pleasure to vote and help to pass all of these measures. The matter of bonus or adjusted compensation will be considered at a later date and then the important question of where and how long a man or woman served will have an important bearing as to the amount that such service man or woman will receive. I might add that the cost of living was higher when the men were mustered out in World War No. 1 than it is today, and at that time we did not have full hospital facilities, liberal compensation laws, vocational training, and so forth, as we now have for service men and women of World War No. 2. These desirable measures were passed at the close of World War No. 1. The soldiers' adjusted compensation was not passed for many years after the close of World War No. 1, and I am sure that this matter will be taken up and considered and acted on favorably I trust in a much shorter time, perhaps before this war comes to an end.

There are those who complain of the liberal treatment to our service men and women and their dependents, but let us bear in mind that however liberal we may be we cannot pay the debt that we owe these patriotic men and women. The President has already called upon the Congress and the Congress has voted more than sixty-five billion for lend-lease to other countries. Very little of this enormous sum will ever be paid back. The administration, in administering these funds, has been very liberal with millions of people in Central and South America, Europe, Asia, and Africa, and the islands of the seas. Tomorrow the administration is bringing before us a bill calling for an initial sum of nearly one and one-half billion for the people of Europe, Asia, and Africa. This also will be a gift, and if this program is entered upon I am afraid additional billions will be demanded. Knowing these facts, so far as within my power, I do not propose to be niggardly with our own heroic and patriotic men and women who have been and still are doing such a wonderful job on land, sea, and in the air, and who will insure ultimate victory for our country.

There are those in this country who were not adverse to war because of the profits it would bring to them. It may help to keep the peace for these as well as all of us to know that war is a very expensive undertaking and, furthermore, that we owe a debt of gratitude to our

service men and women that we cannot repay.

The Clerk read as follows:

SEC. 2. (a) Mustering-out payment for persons eligible under section 1 shall be in sums as follows:

(1) $300 for persons who have performed active service for 60 days or more;

(2) $100 for persons who have performed active service for less than 60 days.

(b) Each person eligible to receive mustering-out payment under subsection (a) (1) shall receive one-third of the stipulated amount at the time of final discharge or ultimate relief from active service. The remaining amount of mustering-out payment shall be made in two equal installments—1 month and 2 months, respectively, from the date of the original payment. Each person eligible to receive mustering-out payment under subsection (a) (2) shall receive the stipulated amount at the time of such discharge or relief from active service.

Mr. LEMKE. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. LEMKE: Strike out all of section 2 and insert the following:

"SEC. 2. The Secretary of War and the Secretary of the Navy are hereby authorized and directed to pay one hundred dollars ($100) as mustering-out pay and to continue the regular pay to any veteran, as herein defined, that has been or may hereafter be honorably discharged from the armed forces on the basis of the pay of a private in the Army, or an apprentice seaman in the Navy as follows: A veteran who has served 1 month but less than 3 months, for an additional 3 months; one who has served for less than 6 months but more than 3 months, for an additional 6 months; one who has served for less than 9 months but more than 6 months, for an additional 9 months; one who has served 9 months or more, for an additional 12 months."

Mr. LEMKE. Mr. Chairman, this amendment is offered on behalf of myself and 51 Members of this House.

They are: WILLIAM LEMKE, North Dakota; THOMAS J. LANE, Massachusetts; JOHN M. COFFEE, Washington; HAROLD C HAGEN, Minnesota; FRANK B. KEEFE, Wisconsin; COMPTON I. WHITE, Idaho; BERTRAND W. GEARHART, California; JOHN H. TOLAN, California; FRED E. BUSBEY, Illinois; GERALD W. LANDIS, Indiana; CHARLES M. LAFOLLETTE, Indiana; J. GLENN BEALL, Maryland; PHILIP J. PHILBIN, Massachusetts; JOSEPH P. O'HARA, Minnesota; WILLIAM C. COLE, Missouri; KARL STEFAN, Nebraska; USHER L. BURDICK, North Dakota; VICTOR WICKERSHAM, Oklahoma; KARL E. MUNDT, South Dakota; CHESTER GROSS, Pennsylvania; MERLIN HULL, Wisconsin; CHARLES B. HOEVEN, Iowa; HARRY SAUTHOFF, Wisconsin; MARION T. BENNETT, Missouri; KARL M. LECOMPTE, Iowa; STEPHEN A. DAY, Illinois; EDWARD J. HART, New Jersey; THOMAS ROLPH, California; ED. V. IZAC, California; J. HARDIN PETERSON, Florida; WILLIAM A. ROWAN, Illinois; MARTIN GORSKI, Illinois; THOMAS GORDON, Illinois; FRED C. GILCHRIST, Iowa; GEORGE G. SADOWSKI, Michigan; WILLIAM A. PITTENGER, Minnesota; CARL CURTIS, Nebraska; A. L. MILLER, Nebraska; HOWARD J. MCMURRAY, Wisconsin; FRANK BARRETT, Wyoming; RAY MADDEN, Indiana; WIRT COURTNEY, Tennessee; MAURICE J. SULLIVAN, Nevada; ANDREW C. SCHIFFLER, West Virginia; JERRY VOORHIS, California; WILLIAM H. STEVENSON, Wisconsin; CHET HOLIFIELD, California; GEORGE E. OUTLAND, California; WILL ROGERS, Jr., California; THOMAS F. FORD, California; EARL R. LEWIS, Ohio; JAMES M. CURLEY, Massachusetts.

I am sure that it will receive the serious consideration of the Members of this House who have at all given this subject any consideration. The minimum in this amendment is $100 to those who have served for less than 30 days, $250 for those who have served 3 months or less; $400 for those who have served 6 months or less, $550 for those who have served 9 months or less, and $700 for those who have served 9 months or more.

Let us see what the reason for this amendment is. It is not an adjusted compensation, but it is giving to the soldiers who have saved not only this Nation, and who are now saving it—yes, for the soldiers who are the best uniformed, the best dressed, the best paid among the United Nations, and who also are the soldiers who are doing the most and the best fighting of all the United Nations—the soldiers but for whom the United Nations would have been defeated long ago—it is giving to those men who have been unfortunate enough to be discharged or who will be discharged in the future, a sufficient amount to readjust themselves into the civil life from which they were taken. Oh, but we are told, nobody asks for this amendment. My colleagues who oppose this amendment told us yesterday that they had received no letters about it. Here are the letters and the telegrams which I have received in favor of this amendment, and among the telegrams are some that are from the American Legion and other organizations, and from those who returned from foreign battlefields and were discharged.

Mr. D'ALESANDRO. Mr. Chairman, will the gentleman yield?

Mr. LEMKE. Yes.

Mr. D'ALESANDRO. Mr. Speaker, I agree with the gentleman from North Dakota and shall vote for his amendment. I hold in my hand a telegram which I received from commanders of veterans' organizations from Maryland which reads as follows:

BALTIMORE, MD., *January 18, 1944.*

Representative THOMAS D'ALESANDRO, Jr.,
Washington, D. C.:

Representing veterans of World Wars No. 1 and No. 2 in Maryland we demand you support bill giving 1 year's pay to all honorably discharged veterans of World War No. 2 as they are returned to civilian life.

DR. HERBERT C. BLAKE,
Commander, Maryland American Legion.
GEORGE H. TITTER,
Commander, Maryland Veterans of Foreign Wars of the United States.
ADOLPH C. WINKLER, Sr.,
Commander, Disabled American Veterans of Maryland.

Mr. LEMKE. I thank the gentleman. Further, it is claimed that these telegrams and letters do not mean anything. Here is one from a man whose name I shall not give. He is a dentist. In part he says:

After 7 months in the Army I was honorably discharged. About 15 weeks of that time was spent treating an eye of which I almost lost the sight. My dear Mr. LEMKE, I, now after 7 months, sit day in and day out waiting for my business to return. It is just an uphill fight. I am 44 years old. Do not use my name, please, but let this give you an idea of what a hard, hard job it is to take up where one left off and please keep up the good fight for the many who may be worse off than I am.

I have hundreds of these letters, and if you who have not received any letters wish to see these, I should be very glad to let you see them. What does this amendment do? It provides $100 for those who have served less than 30 days, and yet the correspondence that I have received shows that many of these gave up good positions. It was stated yesterday that they could get their jobs back. That is not a correct statement. There is no truth in it, because the large corporations now demand a physical examination of the discharged soldier, and even if the examination is satisfactory it is still a question if they put them back to work at all. If they do, they may put them at some other job and at less wages than they received when they were inducted. I said at the time we wrote that into the law that it was a joke, and it is. The soldiers are not benefiting by it. They are not all getting their jobs back, and the record shows that.

Then this amendment provides $250 for those who have been in the service 3 months. That is not too much. The total amount provided by this amendment would be approximately the same as the Senate bill, only it distributes the money over a longer period of time. The soldiers that I have consulted asked that the money be given them in monthly payments, and not in a lump sum.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. ROLPH. Mr. Chairman, the Lemke amendment now before the committee should be adopted. While mustering-out pay has been discussed from every conceivable angle, the fact remains that anything we may do for the veterans falls far short of that to which they are justly entitled.

I am dismayed to find a feeling of hesitancy in authorizing the equivalent of 1 year's pay.

The gentleman from North Dakota [Mr. LEMKE] wants the payments to reach a maximum of $700. This amount covers $100 for mustering-out plus $600, the latter figure being pay of a soldier for 1 year.

To me, it does not seem reasonable that those who are urging the lesser amounts have given the subject the study it deserves. The subject is of deepest import to the Nation.

While we have only this means of showing a small part of our appreciation, no matter what we pay it will be impossible to show the deep debt of gratitude in our hearts.

I hope the Lemke amendment is adopted.

Mr. WICKERSHAM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the Lemke amendment. In a recent meeting 57 or 58 of the Members of the House agreed on this amendment. I think it is a wise amendment. I urge you to support it.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I offer an amendment to the amendment, which I send to the desk.

The CHAIRMAN. This amendment cannot be considered at this point as it is not an amendment to the pending amendment.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, a parliamentary inquiry. May I offer this as an amendment to the amendment?

The CHAIRMAN. The amendment is not so worded.

Mr. DEWEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have read the amendment offered by my colleague the gentleman from North Dakota [Mr. LEMKE], and I am very much impressed with the spreading of the pay. We all know we are going to be faced with great difficulties in holding price levels after the war ends; and if our soldiers return and receive a lump sum in 3 months, I think the pressure to spend that fund may do a great deal toward starting a price spiral. I like the idea of Mr. LEMKE's amendment, its spreading the payment in a lesser amount over a longer period. Who can blame a boy, after having gone through what they have gone through, from wanting to spend? We would all want to do that. They might spend that lump sum in 1 month. Whereas, if it is spread monthly over a longer period, I think it would have a beneficial effect. I would like, however, to suggest that if this amendment is considered, it might be advisable for the recipient at the end of 6 months, by affirmation, to make a statement that he is not yet employed. If he is employed at the end of 6 months, further payment should stop. But I think it is advisable to consider the spreading of the payment.

Mr. MAY. Will the gentleman yield?

Mr. DEWEY. I yield to the gentleman from Kentucky.

Mr. MAY. The gentleman is referring to the spreading of the payments provided under the Lemke amendment in smaller amounts. According to the Lemke proposal, the smallest amount to be paid to anyone—and that goes to those who served 1 month and not more than 3 months—is $250. It runs to $400, to $550, and $700.

Mr. DEWEY. I would like to say I did not say "amount"; I said "amounts." He gives $100, exactly the same as the committee amendment, on mustering out, and he gets $50 each month, depending on how long he is serving. The total sum, I admit, is greater; but being spread over a longer period, I think it may do a greater good to the soldier; providing, however—and I would like to suggest—that by affirmation the recipient should make a statement at the end of 6 months that he is unemployed. I think it may save a great pressure on the price structure.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. I yield.

Mr. MURDOCK. I agree heartily with the gentleman in favoring this amendment, and that for about the same reasons he has announced, that is, the spreading of the payment over a longer period. That is a better plan than lump-sum payment. I also agree with the Lemke amendment because it is more liberal in its provisions than the committee bill provides. It must be understood that this mustering-out pay is only one of several measures we must pass for veterans.

Mr. DEWEY. Mr. Chairman, I yield back the remainder of my time.

Mr. SNYDER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I want to commend the distinguished gentleman from Kentucky and his committee for bringing before the House this commendable piece of legislation. However, I think that within the next 6 months or year, or by the time the war is over, this legislation will have to be adjusted if it is passed as it is. I introduced a bill on November 12 that had some different provisions in it. All I wish to do is ask unanimous consent that I may insert that bill in the RECORD at this point.

The CHAIRMAN. Is there objection?

There was no objection.

The bill is as follows:

H. R. 3656

A bill to grant men and women of the armed forces of the present war base pay and family allowances for 1 year after their separation from the service or release from active duty

Be it enacted, etc., That any person who (1) serves in the armed forces of the United States beginning December 7, 1941, and ending when the cessation of hostilities in the present war is proclaimed by the President, and (2) if separated from such service under honorable conditions or is released from active duty shall be paid monthly, 1 year beginning on the date of such separation or release an amount equal to his monthly base pay (less amount by which such pay may have been reduced pursuant to the Servicemen's Dependents Allowance Act of 1942, as amended) plus amount of the monthly family allowance payable under such act, as amended, to the dependent or dependents of such person at the time of such separation or release.

SEC. 2. The Secretary of the Navy and the Secretary of War, respectively, shall set up such regulations as may be necessary to carry out the provisions of this act.

SEC. 3. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

Mr. MAY. Mr. Chairman, inasmuch as we have debated this particular question for months, I think we ought to agree that we will close all debate on this section and all amendments thereto in about 30 minutes.

Mr. WHITE. Mr. Chairman, reserving the right to object, I would like to remind the distinguished chairman of the Committee on Military Affairs that most of the Members who have spoken on the bill have yielded back time, and we are making fast progress. I suggest that debate continue for some little time.

Mr. MAY. I would like to say to the gentleman that I am not trying to cut him off. I am just trying to conserve time. We would like to get through with this bill.

Mr. O'CONNOR. Mr. Chairman, reserving the right to object, I want to say to the distinguished chairman of the Committee on Military Affairs——

Mr. KEEFE. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. MAY. I move that all debate on section 2 and all amendments thereto close in 30 minutes.

The CHAIRMAN. The question is on the motion.

Mr. WHITE. Mr. Chairman, I desire to be heard on the motion.

The CHAIRMAN. The motion is not debatable.

The question was taken; and on a division (demanded by Mr. O'CONNOR) there were ayes 123 and noes 35.

So the motion was agreed to.

Mr. GREEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GREEN. Would it be in order for me, if recognized now, to have my amendment to section 2 of the bill read?

The CHAIRMAN. It can be read for information.

Mr. GREEN. Yes.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, a parliamentary inquiry. I would like to ask the Chair what would be the disposition to an amendment that I have that will come as a new section? Will it be included in the 30 minutes or can it be included in the next section?

The CHAIRMAN. It will be included.

Mr. EDWIN ARTHUR HALL. It will be included in the 30 minutes.

Mr. CHAIRMAN. It will be included in the 30 minutes.

Mr. O'CONNOR. Mr. Chairman, I have two amendments which I have sent to the Clerk's desk. I would like to ask permission for time to discuss those two amendments in connection with the time allotted by the Chair to those standing confined within the 30 minutes.

The CHAIRMAN. All time is confined within the 30 minutes.

Mr. WHITE. How is the time to be allotted?

The CHAIRMAN. The Chair will allot the time.

The gentleman from Florida [Mr. GREEN] is recognized.

Mr. GREEN. Mr. Chairman, I will ask the Clerk to read for information and for consideration at the end of the 30 minutes' debate, an amendment which I am now offering to section 2 of the bill.

The CHAIRMAN. Without objection, the Clerk may read the amendment for information.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. GREEN: On page 7, line 14, after the period, insert the following:

"SEC. 2. That any enlisted man who serves in the land or naval forces of the United States during the present war and is honorably discharged from such service or re-

leased from active duty, shall be paid monthly, for a period of 1 year commencing on the date of such discharge or release or on the date of enactment of this act, whichever date is the later, an amount equal to the monthly base pay which he had been receiving immediately prior to such discharge or release.

"SEC. 3. No enlisted man who is serving in the land or naval forces of the Unite States on the date of the cessation of all hostilities in the present war shall be honorably discharged or released from active duty, without his consent, prior to the termination of 1 year after such date."

Mr. GREEN. Mr. Chairman, this amendment would permit a man or a woman, if they desired to do so, to remain in the service after the armistice for a period of not to exceed 12 months. That would be their option. Then when the service man or woman is discharged, he or she would receive base pay, paid on the first day of each month from the time of discharge, for a 12-month period, to help him bridge over the ghost period following discharge and his readjustment back to employment or to business.

This legislation was suggested to me by the Harvey Seeds Post of the American Legion, Miami, Fla., and I commend it to the House for consideration.

I introduced this as a bill in April, and I believe it is appropriate to consider it in connection with the mustering-out pay bill now before us. I hope the House may see fit to adopt the substance of this amendment.

The CHAIRMAN. The time of the gentleman from Florida has expired.

The gentleman from Idaho [Mr. WHITE] is recognized.

Mr. WHITE. Mr. Chairman, I rise in support of the Lemke amendment.

It has been stated on the floor that some 52 Members have given this bill most careful scrutiny and consideration. In considering the particular provision of section 2, it was decided that a more equitable distribution and a more equitable rate of pay should be adopted.

This amendment is the result of the resolution adopted by 52 Members of this House who have considered this legislation, and incorporated in this amendment a more equitable rate of pay for the men discharged from the Army. I know we all appreciate what happens to a man who is drafted in the Army. He has to give up his business or his farm. His whole arrangement is disrupted and his private income is lost. It is no more than fair and equitable that some fair plan be worked out to put that man back into his former status until he can rehabilitate his business and support himself and his family.

I hope the Membership will support the Lemke amendment.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

If there are no others who desire to speak on the Lemke amendment, we might better dispose of that amendment at this time.

Mr. IZAC. Mr. Chairman, I desire to speak on the Lemke amendment.

The CHAIRMAN. The gentleman from California [Mr. IZAC] is recognized.

Mr. IZAC. Mr. Chairman, I rise in support of the Lemke amendment. One great defect of the committee's bill we should all recognize right now. That is, they give $100 if you are in the service for 59 days, but for that other day they give you another $200. It is utterly unconscionable. If they are going to give mustering-out pay, why not make it $100 for everyone? That is given in order to tide these people over who cannot get a job immediately, or who cannot readjust themselves. Then why not run it along at $50 a month, which is the minimum pay in the Army and the Navy, and keep that going up to a year, depending on the length of service of the individual?

The gentleman from North Dakota [Mr. LEMKE] has figured it out, I think, in the most appropriate manner, because we are not going to make anybody rich with this $50 payment, even if he gets a job during the first 12 months.

Another thing, the committee bill says 59 days is the limit for the $100 payment. There is no logic in that at all, because the boot training for the Navy man or the basic training period for a man in the Army is longer than that. So, anybody who has borne the brunt of that basic training is surely entitled to more than the man who serves only a few days. Many a man has been cut down and discharged as a result of the severity of this training. If the committee wants to be logical it should differentiate between the man who has really served and the one who has not—not on a basis of 59 days equals $100, 60 days equals $300. Besides this, I believe all those who go through and serve will have 4 months or more to their credit, and therefore they are entitled to that extra $50 a month that the Lemke amendment provides, because having been subjected to the orientation of military service it will be harder for them to readjust back to civil life.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. HOLIFIELD. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, I have been greatly impressed by the able and unanimous presentation of the membership of the Military Affairs Committee regarding the mustering-out bill, S. 1543.

We have been assured repeatedly by most of the Members that Senate bill 1543 provides strictly for a discharge gratuity. In answer to my direct question to the respected gentleman from Texas [Mr. THOMASON], who is also a member of the committee, he explicitly stated that this bill in no way attempted to settle the adjusted-compensation question. We have been repeatedly assured that the question of adjusted compensation is not germane to the present bill. Because of this ruling it will be impossible to get consideration at this time on this important subject. On November 24 I introduced H. R. 3735, which provides for discharge compensation of $1,200, payable at the rate of $100 per month. I regret that parliamentary procedure does not allow consideration of my bill at this time. I fear that the passage of a mustering-out bill containing a small gratuity will preclude consideration for many years of proper adjusted compensation for our discharged veterans. In view of the 17 long years after the World War No. 1 before the passage of the so-called bonus bill, I fear a repetition of that disgraceful history.

Under the existing circumstances I shall vote for the Lemke amendment which provides a $700 maximum, whereas the Senate bill 1543 provides a maximum of only $300.

If real consideration were given to the adjusted-compensation problem of World War No. 2 veterans at this time, I believe that mustering-out pay could be combined with a complete settlement of the bonus question. As this course has not been pursued under the pending bill, I predict that this question will rise again and again until it is settled equitably. I shall vote for the liberal provisions in the Lemke amendment and if it is defeated I will support other liberalizing amendments offered. If these liberal amendments are also defeated I shall vote for the passage of Senate bill 1543. I do so, however, with mental reservations as to the timeliness of this mustering-out pay bill and to the distinction drawn between those entitled to $100 for less than 60 days and those entitled to $300 for over 60 days. It is my opinion that every man and woman who has broken the ties of his civilian life, assumed military obligations, and then through discharge has been faced with readjustment problems is entitled to the maximum provided in this bill. I do not consider that this bill in any way precludes the consideration of an adequate adjusted compensation act which should be designed to cover the terrific problems of readjustment and rehabilitation which will face each and every member of our armed forces immediately upon their discharge.

The CHAIRMAN. The Chair recognizes the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, I am supporting the Lemke amendment, but in case the Lemke amendment is defeated I am going to ask the Membership to support two amendments that I am offering. One is to raise the mustering-out pay to $600, which means about 1 year's salary to a discharged soldier who has performed services for more than 60 days, and $250 for services for less than 60 days.

If all amendments are defeated I will vote for the bill as reported by the committee. It provides something to be handed to the boys as they are mustered out although it is small. This assistance should have been granted long ago by this Congress but for some reason or another the bill was not reported to the House until yesterday. Arguments have been made in favor of holding the amounts down for economy purposes. Poor time and circumstance to talk economy, in the light of the spending we are doing for other nations as well as our own for other purposes.

It is very interesting and gratifying to me to note the marked change in sentiment in this House toward the soldiers. I recall the first conscription bill that was introduced in this House provided for base pay of $5 a month; later that was upped. When the conscription bill came before the House I offered an amendment at that time to raise the pay to $50 a month. I pioneered that amount. I received support among a few Members of the House, among them my distinguished friend the gentleman from Arizona [Mr. MURDOCK] and my friend the gentleman from Mississippi [Mr. RANKIN], and the gentleman from Washington [Mr. COFFEE]. They spoke for it also, but we only got a few votes. Later on, when we again considered the base pay, we raised it to $50. The gentleman from Mississippi [Mr. RANKIN] offered the amendment and enough supported it to adopt the amendment. I am glad to see the sentiment changing. I know from my knowledge of the membership of this House that it is not due to the fact that this is an election year. We all realize the sacrifices that these boys are making. We further must realize the fact that when these boys come out, many of them are married men, they will need some money in order to get along on, not only to rehabilitate themselves and to tide them over while trying to secure employment, but in addition, to keep their families. We are not niggardly with foreign nations. We can give them billions of dollars without batting an eye. We had better not be niggardly with the boys who are doing our fighting and dying. They did not make this war. They had no part in reaching the decisions which caused this war. Old men make wars, but young men have to fight them and do the dying.

The CHAIRMAN. The time of the gentleman from Montana has expired.

The gentleman from Illinois [Mr. BUSBEY] is recognized.

Mr. BUSBEY. Mr. Chairman, there are two thoughts in my mind in favoring the Lemke amendment. First, it has been said that if you go beyond the committee bill you are getting into the matter of adjusted compensation and not mustering-out pay. Well, if that is true, what of it? If we do have an adjusted compensation bill before the House at some future date, naturally any consideration given the men at this time will have to be taken into account when we consider that bill.

Secondly, I understand following the mustering-out pay bill we are to consider the U. N. R. R. A. bill—the United Nations relief and rehabilitation bill—and we are going to be asked to appropriate $1,350,000,000. I have voted for every appropriation bill before this House in the Seventy-eighth Congress to further the activities of this war, and I will continue to do so. But I still say that if we can vote billions for U. N. R. R. A., billions for lend-lease, and many other things to help people in other countries, certainly the least we can do in this House of Representatives is to adopt the Lemke amendment which provides a more substantial recognition of their services, and expresses our gratitude to these boys who are fighting this war for us.

The CHAIRMAN. The time of the gentleman has expired.

The gentleman from Wisconsin [Mr. HULL] is recognized for 2 minutes.

Mr. HULL. Mr. Chairman, I am also in favor of the Lemke amendment. I am heartily in support of this legislation. I regret that the time for discussion has been limited. Before the holiday recess we were informed that the measure might have been taken up at that time but for the absence of the chairman of the committee, who was unfortunately called out of the city; consequently a month has elapsed since many of these soldier boys have come home and found themselves out of jobs, many of them disabled, many of them unable to pick up the ordinary threads of life, and with no relief from the Federal Government. This bill should become a law at the earliest moment possible. The Lemke amendment will add to its merit.

I fully agree with the previous speaker, that if we can spend billions in countries far remote from the war centers, if we can spend not merely millions but hundreds of millions of dollars such as are being spent in Canada on the Canol project, for instance, if we can go to such extremes, then it seems to me it is a poor time to talk economy at the expense of wounded and disabled soldiers, coming out of the service without means of subsistence.

I am for the most liberal appropriation which can be made in their behalf. I hope the Lemke amendment will pass, I hope the legislation will pass and that further legislation will follow. I also hope that the further legislation will be brought to the floor under such circumstances that Members will not have their right of discussion curtailed by arbitrary motions. Legislation for those who are or have been fighting for the country is of interest to every district and community, and the right of free speech is as important in Congress as it is elsewhere.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

The gentleman from Illinois [Mr. DAY] is recognized for 2 minutes.

Mr. DAY. Mr. Chairman, the feature of the Lemke amendment that appeals to me is the fact that it is immediate and continuing. I have had the opportunity in the last several months to make many contacts with veterans, and especially with sad cases of men who have come back and found no opportunities waiting for them, especially those who came back disabled. The proposition for them was that they could not wait, they had to respond to an immediate call.

This idea of $100 as provided in the committee bill is all right as a mustering-out proposition. They stop at $300. Where that fails, in my judgment, is this: We must take care of the immediate needs and if later on we get to the point of adjusted compensation, then full credit will be given for these payments; but whatever we do let us do something now; wait no longer. These men are in serious need. One hundred dollars now and a continuation of their pay for a few months is only in the name of humanity and for the better protection of the morale of this great country of ours. Let us not be niggardly here today; let us do justice; let us do it quickly and let us do it adequately.

Mr. CURLEY. Mr. Chairman, I ask to be recognized on the Lemke amendment.

The CHAIRMAN. The Chair does not find the name of the gentleman from Massachusetts on the list of Members seeking recognition on the Lemke amendment.

Mr. CURLEY. Mr. Chairman, I ask unanimous consent to speak for 1 minute on the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 1 minute.

Mr. CURLEY. Mr. Chairman, the importance of dealing in a liberal manner with the men in the armed service of the Nation who have already been honorably discharged, or will be at the termination of the war, represents one of the most important duties and obligations confronting the Members of Congress at the present time. Many will return with mind gone, eyes gone, or with a limb or limbs gone, destined to continue to fight against pain and suffering until the kindly Angel of Death calls them to a better world.

To the professional men and to the small businessmen, in fact to all of the men in the service, is presented the task, at the termination of their service, of piecing together the threads that were broken when they entered the war. To the professional men, more particularly physicians and surgeons, this presents a terrific problem, taking up the broken threads and starting to rebuild a practice to which they had devoted a lifetime and which in their absence has been taken over by others. It means in the case of most of these men income of a very limited character for a year or longer—and what is true in the case of the professional man is equally true in the case of men with dependents, whether it be an aged mother or father, or a wife with small children in the home, and that we should deal most liberally to safeguard this most priceless possession that will come out of the war, the patriotic manhood and the character of those who have served devotedly in the hour of the Nation's trial. We must never again resort to the charity system of relief, regardless of what name we cloak it under. We have been so liberal in the aid extended to other nations and to the peoples of other nations that there are countless hundreds of persons in America who are fearful that we will never again enjoy either prosperity or solvency.

Personally, I do not share this view, since I believe that a return to the American way of life, or individual initiative in the event we are not taxed out of existence through Government profli-

gacy or criminally careless expenditures of public money.

We can forego many things, but we cannot forego a duty that is a prime obligation, namely: to deal honorably, generously, and justly with the defenders of American institutions. Not charity for the returning members of the armed forces but a square deal should be our objective to preserve the faith which they have defended in the hour of the Nation's trial.

Personally, I favor the most liberal character of allocation, for it has been my privilege to witness the actual suffering endured by men who served in the First World War, their inability to receive justice with positions held by them before entering the service preempted by less patriotic and less worthy men thus requiring them to become the objects of charity. This should not be the American way of discharging an obligation which we owe to these gallant defenders of democracy and for the best interests of America and Americans I favor the passage of the liberal and equitable Lemke bill.

Mr. RANKIN. Mr. Chairman, I ask unanimous consent to speak for 1 minute.

Mr. ANDREWS. Mr. Chairman, I make the point of order that all time on the amendment has expired.

The CHAIRMAN. The point of order is not well taken. The point of order is overruled.

Is there objection to the request of the gentleman from Mississippi?

Mr. ANDREWS. I object.

The CHAIRMAN. Objection is heard.

Does any other Member who desired time on the Lemke amendment wish to claim it?

Mr. RANKIN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair cannot sustain the gentleman's motion.

The question is on the amendment offered by the gentleman from North Dakota [Mr. LEMKE].

The question was taken; and on a division (demanded by Mr. O'CONNOR and Mr. WHITE) there were—ayes 71, noes 137.

So the amendment was rejected.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I offer an amendment.

Mr. O'CONNOR. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. O'CONNOR. Mr. Chairman, I have two amendments on the Clerk's desk to section 2 and I think they should be disposed of before any further amendments are considered by the House.

The CHAIRMAN. The gentleman's amendment will be read in due course. The Clerk will report the amendment offered by the gentleman from New York [Mr. EDWIN ARTHUR HALL].

The Clerk read as follows:

Amendment offered by Mr. EDWIN ARTHUR HALL: After line 5, page 8, insert a new section as follows:

"SEC. 2. That the Secretary of War, under such regulations as he may provide, shall issue, but not more often than once every 6 months, to each noncommissioned officer and enlisted man on active military service in the armed forces of the United States, upon such person's being given a furlough to go home, a furlough certificate for travel to and from his home during such furlough period. Such certificate shall designate the point of departure, the point of destination, and the period of furlough, and when presented by such person to the agent of the carrier furnishing this transportation, shall entitle such person to receive, on the credit of the United States a ticket for transportation from such point of departure to such point of destination, and return, during such furlough period. On presentation of such certificate by the carrier furnishing this transportation, it shall be entitled to receive from the Treasury of the United States payments of fare at such rates as shall have been agreed upon by the Secretary of War and the said carrier."

Mr. MAY. Mr. Chairman, I make the point of order that the amendment is not germane to the pending bill.

Mr. EDWIN ARTHUR HALL. Will the gentleman reserve his point of order?

Mr. MAY. No. I insist on the point of order.

The CHAIRMAN. Does the gentleman desire to be heard on the point of order?

Mr. EDWIN ARTHUR HALL. Yes, Mr. Chairman, I do.

Mr. Chairman, may I say to the distinguished gentleman from Kentucky that this amendment has been before the House a number of times. I have never objected to listening to him and I am surprised that he is denying me the chance to be heard. This amendment has had a great deal of support. It has had support from some of the ranking members of the Committee on Military Affairs, including Members on both sides of the aisle.

Mr. Chairman, while the subject of furloughs and their extension and their frequency is before the House and the Congress, it is high time to bring up once more the subject of furlough transportation. This has been aired in the Congress a great many times before and I am voicing the opinion of several hundred patriotic women in my district. They have written me that they are forming furlough clubs and they are backing this idea of free furlough transportation. I do not like to be gagged here today. I know the ladies in these furlough clubs will not be gagged. They will continue to talk back home and work for the benefit of their men at the front. It is something that should be adopted just as soon as possible whether or not it is adopted today. I am sorry that the gentleman has made the point of order. I wrote him about a week ago asking his cooperation in bringing my bill out of the Military Affairs Committee. I shall expect the courtesy of a reply from him in answer to my requests as soon as possible.

Mr. MAY. Mr. Chairman, I make the point of order that the gentleman is not discussing the point of order raised to his amendment.

The CHAIRMAN. The gentleman is not arguing the point of order. He is arguing the merits of his amendment.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, may I proceed on the point of order?

The CHAIRMAN. The gentleman has not confined his remarks to the point of order.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, if I do confine my remarks to the point of order, may I continue?

The CHAIRMAN. If the gentleman thinks his amendment is germane to the pending bill, the Chair will hear the gentleman on the point of order.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, this is an amendment for the benefit of servicemen. I am in hearty accord with the members of the Committee on Military Affairs and the action they have taken recently, but I cannot agree that further debate should be gagged on these benefits.

The remark was made yesterday on the House floor that Congress ought to be proud because it had done a lot for the soldiers, particularly by furnishing them with free burials—I cannot go back to my district and crow about free burials—Congress should furnish free furlough transportation to our boys in service now.

The CHAIRMAN. The gentleman is not discussing the point of order.

The Chair is prepared to rule. The Chair sustains the point of order.

Mr. PRICE. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. PRICE: On page 7, line 15, after the word "payment" insert the following "and adjusted compensation" and strike out lines 17 to 25, inclusive, and on page 8, strike out lines 1 to 5, inclusive, and insert on page 7: "(1) $50 monthly for each month served outside the United States; (2) $30 monthly for each month served within the United States; (3) between December 7, 1941, and the date on which the President proclaims that hostilities in the present war have ceased. Each person eligible to receive payment under this bill shall receive the stipulated amount each month from the time of such discharge or relief from active service until he has received payment for a period equal to the number of months served in the armed forces as hereinbefore set out in this section. All members of the armed forces who have served outside the United States shall receive payment for such services beginning at the time of discharge from the service."

Mr. PRICE. Mr. Chairman, I believe every Member of the House will agree that we will sooner or later do more for our boys, so my idea is to do it now. Let us not force them to march on Washington every year or two for the next 10 or 20 years. Let us not make them keep lobbyists in Washington to get their just deserts.

There are many reasons why this amendment should be adopted. If we are sincere and in earnest about this matter we all should agree that to consider the length of service and the type of service is the only equitable way to approach this problem. Then to make the payments monthly will be far better for our boys. They will, at least, have some assurance of a means of existence while readjusting themselves to civilian life. We hear daily of the hardships experienced by those who are being mustered out. Even now we hear of the long delays being caused by an inadequate

system and red tape so why wait until the war is over. Think of the effect the passing of this legislation would have upon the morale of our boys. If this amendment should be adopted there would be no delay, no hitch in the serviceman's pay. My plan will not interfere with or conflict in any way with the program to educate or rehabilitate the veterans. On the other hand, it will insure his welfare until his real status is determined.

Let us not play politics with the lives of our heroes; let us meet our obligation with at least a healthy gesture; not a crumb when we should hand them a whole loaf. I hope this amendment will be given serious consideration by every Member of the House.

I introduced a bill with this provision in March 1943 but have been unable to get a hearing; therefore, I bring it to the House in this manner.

My amendment embodies all the safeguards of the committee's bill and goes a step further and really attempts to solve the problem now.

Bear this in mind: We are not giving them anything; they have sacrificed more than anyone else, to say nothing of the risk they have taken. The best we can do is to attempt to show our gratitude, so let us make a real attempt.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida.

The amendment was rejected.

Mr. O'CONNOR. Mr. Chairman, I offer two amendments, and ask unanimous consent that they be considered together as they are both amendments to section 2.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. O'CONNOR:

On page 7, line 17, after "section 2 (a) (1)" strike out "$300" and insert "$600."

On page 7, line 19, after "section 2 (a) (2)" strike out "$100" and insert "$250."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana.

The amendment was rejected.

Mr. GREEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GREEN: On page 7, line 14, after the period insert the following:

"SEC. 2. Any enlisted man who serves in the land or naval forces of the United States during the present war and is honorably discharged from such service or released from active duty, shall be paid monthly, for a period of 1 year commencing on the date of such discharge or release or on the date of enactment of this act, whichever date is the later, an amount equal to the monthly base pay which he had been receiving immediately prior to such discharge or release.

"SEC 3. No enlisted man who is serving in the land or naval forces of the United States on the date of the cessation of all hostilities in the present war shall be honorably discharged or released from active duty, without his consent, prior to the termination of 1 year after such date."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida.

The amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GILCHRIST].

Mr. GILCHRIST. Mr. Chairman, I wish to say only that I remember what happened in the First World War and appreciate how much a man's business is damaged and his life injured because he may be taken out of that and forced to leave that business. I live in a small town of 1,200 people. I have often said that it is like Goldsmith's Village, it is the fairest village of the plain. I know now in that town three little business places that are closed up because the boys who ran them have gone to war. When they come back they will find that competition has wiped them out, and they will have to start all over again. Six hundred dollars is absolutely too small an amount, in my judgment, to recompense them for their loss in business alone, and it will never answer for the sacrifices they have made.

But only from the standpoint of economic and monetary loss and from no other standpoint, the people of these United States have made no real sacrifice; that is, they have suffered no economic or monetary loss since this war commenced. They are as well off financially and most of them are better off financially than they were heretofore. They all get the comforts of life with three square meals per day and with good homes and good physical surroundings.

From their abundance they can afford to pay for the sacrifices and losses and pains and penalties that our boys are suffering on the fighting fronts. We should not be niggardly. When victory perches upon our banner we should give the boys full and adequate mustering-out pay so that they can look around and have sufficient money to tide them over until they can find good jobs and positions and establish themselves in business again.

That is the purpose of this bill, but it is not as liberal as it should be. I would prefer the amounts named in the amendment of the gentleman from North Dakota.

The CHAIRMAN. All time on this section has expired. The Clerk will read.

The Clerk read as follows:

SEC. 3. Any member of the armed forces entitled to mustering-out payment who shall have been discharged or relieved from active service under honorable conditions before the effective date of this act shall, if application therefor is made within 1 year after the date of enactment of this act, be paid such mustering-out payment by the War Department or the Navy Department, as the case may be, beginning within 1 month after application has been received and approved by such department: *Provided*, That no member of the armed forces shall receive mustering-out payment under this act more than once, and such payment shall accrue and the amount thereof shall be computed as of the time of discharge for the purpose of effecting a permanent separation from the service or of ultimate relief from active service.

Mr. ANDREWS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, while on this subject of great interest to those in the service, I want to say something on another subject which is of greater interest not only to the men in the service but to their families. With some observations on the situation today having to do with the soldier vote.

We realize what has taken place in the House Committee on Election of President, Vice President, and Representatives in Congress. The vote was 7 to 5 to report an amended Senate bill, with one Republican absent who, I am reliably informed, would have been against the bill as reported. I have no objection to the bill as it was reported. It will to some extent facilitate and expedite voting by States, providing the States alter their laws and move their primary dates forward sufficiently to permit sending and receipt of soldier ballots. But I am one of those who believe it will not amount to much of anything. I think all those who support that measure are going to find that it will come back to plague them in a difficult way.

Over a week ago I introduced a bill for a uniform ballot of a slightly different nature than those which have been suggested. I reintroduced that bill today with some refinements, so that it now is about the same as the bill which has been reintroduced and refined by the gentleman from Texas [Mr. WORLEY]. I intend to support that bill when the election matter comes to the floor.

Let me give you a few figures for Erie County in New York State, where I happen to reside. The Erie County Election Commissioners last year under the 1942 act sent out approximately 30,000 ballots to men in the service, but only 122 of them came back. I tell you, the post-card business, sending out ballots and getting ballots back is a fine theory. In some States they will be able to take advantage of it where men are sufficiently close by. However, men move around in the Army. They are moved, they are transferred. The ordinary infantry or engineer battalion of 800 men represents within its ranks possibly 300 or 400 separate congressional districts. Think of what that means.

I merely wish to call the attention of the Members of the House today to my bill, which is really simpler than the Worley bill. The ballot will be one sheet of paper, which is folded, mucilaged, and sealed. It is executed with oath. It is a secret ballot. It leaves to the responsible State election officials the right to pass on the qualifications of the voter in the district from which he comes.

I merely want to say to the Members, be careful about this, because we are going to be held to account not only by the soldiers but by their families.

Mr. JENKINS. Mr. Chairman, I rise in opposition to the pro forma amendment, and ask unanimous consent that my colleague the gentleman from Ohio

[Mr. JONES], who has taken a great deal of interest in this legislation, but who is now in the hospital, may have unanimous consent to extend his remarks in the RECORD at this point.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JONES. Mr. Chairman, I appreciate very much the privilege of being permitted to extend my remarks in the RECORD at this point because I am very much interested in the legislation that we are now considering.

Naturally, a matter that reaches out and inc'udes practically every family in the United States encourages many different viewpoints. While I am not entirely satisfied in every respect with the bill brought out by the Military Affairs Committee of the House of Representatives, still I must say that quite generally it meets with my most hearty approval.

I am sure that this is the best that can be done at this time, and consequently, I should be very anxious to support it. This legislation, I think, will meet the general approval of the American people. I am sure that it will pass this House with practically a unanimous vote.

Mr. LEMKE. Mr. Chairman, I ask unanimous consent to revise and extend the remarks I made this afternoon on this bill.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MILLER of Connecticut. Mr. Chairman, I move to strike out the last word. I have been disturbed by the number of Army discharges that have recently been given to residents of my own congressional district, stating as the "reason for discharge" mental incompetence or, in some cases, mentally incompetent. You can well imagine what a chance there is of any veteran securing employment in any industry, particularly in war industries, when he presents an honorable discharge from the Army on which it is stated that the soldier was discharged as mentally incompetent.

I realize that nothing can be written into this mustering-out-pay legislation to correct the situation I have just cited, but I wanted to take these few minutes simply to draw this matter to the attention of the House and to appeal to members of the World War Veterans' Legislative Committee and the members of the House Committee on Military Affairs in hopes that they will use their greater influence to bring an end to the practice of placing on a man's discharge the phrase "mentally incompetent" as a reason for discharge.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Connecticut. Yes.

Mrs. ROGERS of Massachusetts. The gentleman from Connecticut is ever mindful of the welfare of the veterans and has accomplished a great deal for them. The day before yesterday the Committee on World War Veterans' Legislation was in session, and it was stated then by General Hines that he was working on this very matter. A great deal of distress could have been prevented if the administration of the laws that we have passed had been better done. They have not been properly administered, however, and it is inexcusable. One reason for this is because there has been a shortage of personnel. Personnel should have been transferred from nonessential offices to the Veterans' Administration.

Mr. MILLER of Connecticut. You might as well put a mental diagnosis on a man's discharge and expect him to secure employment. I yield back the remainder of my time.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

SEC. 4. No mustering-out payment under this act shall be paid to any person other than the veteran or a duly appointed guardian for a veteran, and no such payment shall be payable to the estate of any deceased veteran.

Mr. MAY. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Committee amendment: On page 8, line 21, strike out all of section 4 and insert in lieu thereof the following:

"SEC. 4. If any member of the armed forces, after his discharge or relief from active service, shall die before receiving any portion of or the full amount of his mustering-out payment, the balance of the amount due him shall be payable, on appropriate application therefor, to his surviving spouse, if any; and if he shall leave no surviving spouse, then in equal shares to his child or children, if any; and if he shall leave no surviving spouse or child or children, then in equal shares to his surviving parents, if any: *Provided*, That no payments under this act shall be made to any other person."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 5. (a) Mustering-out payments due or to become due under this act shall not be assignable and any payments made to or on account of a veteran hereunder shall be exempt from taxation, shall be exempt from the claims of creditors, including any claim of the United States, and shall not be subject to attachment, levy, or seizure by or under any legal or equitable process whatever either before or after receipt by the payee.

(b) The Secretary of War and the Secretary of the Navy shall make such regulations not inconsistent with this act as may be necessary effectively to carry out the provisions thereof, and the decisions of the Secretary of War and the Secretary of the Navy shall be final and not subject to review by any court or other Government official.

SEC. 6. As used in this act, the term "member of the armed forces" means any member of the Army or Navy of the United States, the United States Marine Corps, the United States Coast Guard, or any of their respective components.

Mr. COSTELLO. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: On page 9, line 17, after the word "components" insert "including those members of the WAAC who were discharged under honorable conditions on account of disability."

Mr. COSTELLO. Mr. Chairman, I have offered this amendment in view of the fact that when the Women's Army Auxiliary Corps was originally instituted it was as an auxiliary to the armed forces, and not as an actual component of the Army. However, when the other women's organizations were created, such as the WAVES and the SPARS, they were an actual part of the service to which they belong. As a result, it was not until some time after the auxiliary corps of the Army had been created that they were made a definite part of the Army, and they became the Women's Army Corps. The purpose of the amendment is to provide that those who have been honorably discharged on account of disability from the auxiliary corps prior to the time it was mustered in as a part of the Army will be given mustering-out pay, but only those who were honorably discharged and who had suffered some disability.

Mr. BROOKS. Mr. Chairman, I move to strike out the last word in this paragraph to say briefly a few words about this amendment. I think the gentleman from California [Mr. COSTELLO] has covered the situation splendidly, but I would like to emphasize that of all the women's service organizations which have been formed, Women's Army Auxiliary Corps was the only women's organization which at its beginning was not a part of the armed forces. In the original formation of the WAAC's, it was thought preferable to organize it beyond the scope of the Army, but as a part of the War Department. After the organization period was completed, however, the Army took the WAAC's into the armed forces, and since that time it has been a part of the armed forces of the Nation under the name of the Women's Army Corps. In the interim arising immediately before the induction of these young women into the armed forces, there arose a few cases of women who had developed physical disabilities, and who received honorable discharges from the WAAC's. This amendment will take care of these women who were honorably discharged from the WAAC's for physical disability. It is a good amendment and I hope it will be passed.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from California.

The amendment was agreed to.

Mr. ROLPH. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. ROLPH: On page 9, line 17, after the comma insert "The United States Merchant Marine Service."

Mr. MAY. Mr. Chairman, I make the point of order against that amendment because the same amendment was disposed of earlier in the day. Furthermore, it relates to civilians who are not a component part of the Army.

The CHAIRMAN. The gentleman from Kentucky reserves the point of order, and the gentleman from California [Mr. ROLPH] is recognized for 5 minutes.

Mr. ROLPH. Mr. Chairman, my amendment has but one object—to give mustering-out pay to sailors and officers of the merchant marine.

No mention is made in the bill of these gallant Americans—men who have for months been going back and forth through sub-infested waters of Atlantic and Pacific, risking their lives every time they leave American ports. Are they to be forgotten men in this war effort?

Picture after picture has been released on the screen dramatizing the hazards of life at sea—pictures showing American ships battling with Nazi submarines, Nazi planes. And from the Pacific, pictures depict skillful seamanship, of vessels zigzagging back and forth, eluding Japanese planes.

Many of the flower of our manhood are in the merchant marine—men loyally serving our country. Brothers of men and women in the Army, the Navy, Marine Corps, and Coast Guard. Men who are delivering the goods to MacArthur, Eisenhower, Clark, and to our allies. Men who have made possible the stop to Nazi advances in Europe; the Japs in the South Pacific. Men who are actually making it possible for our armies to function.

Mr. Chairman, you remember Gen. George V. Strong's address to us over yonder in the Congressional Library on October 20, 1943. I quote from the general's address:

> In discussing Japanese production we are prone to compare it with our own, forgetting that the Japanese front is receiving only a part of the industrial production of the United States. We must not only equip our forces in the Far East and provide material for our troops in the European theater but we must also help supply the forces of our allies, the British, Russians, and Chinese, and we must make good our own combat losses and provide a reserve for future action. It is not fair to compare even that fraction of our production in the United States which goes to the Pacific theater with the production of the Japanese. The difference can readily be seen when one takes into consideration the fact that it is about 3,000 miles from the Japanese industrial centers to the fighting front in New Guinea, while much of the equipment for the United States forces in that area must be shipped nearly three times as far before it reaches our forces. Again, the entire war effort of Japanese industry is directed to the production of materials for war. The Japanese do not need heavy consumer goods such as Americans need.

The answer is transportation. Without adequate oceangoing shipping, our war effort would stop. Mr. Chairman, we rely on the merchant marine. The merchant marine keeps our armed forces supplied. The very outcome of the war depends on open trade lines in all the seven seas. Sailors of the merchant marine should receive the same treatment as those serving in the armed forces.

I urge my colleagues to adopt my amendment. We owe it to these heroic seamen.

Mr. COSTELLO. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the purpose of this amendment is to consider the merchant seamen as though they were a part of the armed forces. The fact is that merchant seamen are not members of the military forces of this country. They are a part of the great laboring body of the Nation, and if you are going to include the merchant seamen in this legislation there would be no reason why you should not include shipyard workers and aircraft workers. The fact is they have never been mustered into the service, and how you would ever determine when a merchant seaman was going to be mustered out is yet another problem. Every time a ship comes to port the merchant seamen leave that vessel. They may stay ashore 10, 20, or 30 days before they ship out again. As a result, they might claim at the end of the next voyage they would be entitled to mustering-out pay and then return immediately to sea to take another voyage across the water. I do not think you can consider merchant seamen a part of the military services. Certainly you would have difficulty in determining the mustering-out time for merchant seamen. In addition, they are receiving a very satisfactory wage, and I think far in excess of what the men in the military services are obtaining at this time. For that reason I think the amendment should not be accepted by the House but should be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. ROLPH].

The amendment was rejected.

Mr. KENNEDY. Mr. Chairman, I ask unanimous consent that we may return to section 5 for the purpose of considering an amendment which I have sent to the desk.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

> Amendment offered by Mr. KENNEDY: On page 9, line 12, after the word "be", strike out the remainder of line 12 and line 13, and insert "reviewable by the Board of Veterans' Appeals in such manner as such Board shall, by appropriate rules and regulations, prescribe."

Mr. KENNEDY. Mr. Chairman and members of the Committee, subsection (d) of section 5, provides that the Secretary of War and the Secretary of the Navy shall make such regulations not inconsistent with this act as may be necessary effectively to carry out the provisions thereof and the decisions of the Secretary of War and the Secretary of the Navy shall be final and not subject to review by any court or other Government official.

I believe that there should be some means by which a veteran might appeal from an adverse decision upon his application for mustering-out pay. There will be millions of applications for this money and undoubtedly thousands of them will be in dispute. The Supreme Court has, on many occasions, indicated there is no review or appeal available to a veteran or any claimant against a decision of a Government official or body except where Congress specifically makes provision for that review. While I have complete confidence in both the Secretary of War and the Secretary of the Navy, I also know that most of the work and approval will be routine work done by clerks in the different departments and I contemplate many cases where injustices and inequalities will develop, not purposely, of course. In a problem as big as this one there will be much red tape and many errors and for that reason I believe we should amend the act and make provision for an appeal as provided in my amendment, I feel sure it will strengthen the pending bill and make it more acceptable to the men and women in service. I ask for your vote in support of my amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. KENNEDY].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

> SEC. 7. Appropriations for the Army and Navy, and the several components thereof, respectively, shall be available for the payments provided by this act and necessary administrative expenses. There is hereby authorized to be appropriated such additional sums as may be necessary to carry out the provisions of this act. Amounts expended hereunder shall be included in the annual reports to the Congress by the departments concerned.

Mr. VOORHIS of California. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

> Amendment offered by Mr. VOORHIS of California on page 9, line 25, insert a new section as follows:
>
> "SEC. 8. The Selective Training and Service Act of 1940 as amended is further amended by adding to section 8–G thereof the following: Under such rules and regulations as the Director of Selective Service may prescribe, the facilities, agencies, and personnel of the Selective Service System shall be available for the purpose of furnishing advice and assistance to members of the armed forces and to their heirs, devisees, duly designated beneficiaries, dependents, or legal representatives in connection with their claims for any rights, benefits, gratuities, privileges, compensation, or allowances now or hereafter lawfully due by reason of service in the armed forces subsequent to May 1, 1940."

Mr. MAY. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from California is recognized for 5 minutes in support of his amendment.

Mr. VOORHIS of California. Mr. Chairman, I hope the House will give me 5 minutes to speak on this amendment and will listen to what I have to say.

It is quite different from any other amendment that has been offered to this bill. Of course, I hope the gentleman from Kentucky [Mr. MAY] will not press his point of order. But whether or not this amendment is adopted on this bill, it certainly is a proposition which ought to be considered by the Congress in the very near future.

If there is one criticism that is more important than any other criticism of the things that have happened to some of the men who have already left the service because of disability, it is that they have not in every case known what

their entitlements were, nor where to go to secure the assistance and guidance that they have needed. Consequently, in some cases, these men, though disabled, have been discharged without the benefit of any compensation or help at all and sometimes this has continued for a period of time. Such things ought never to happen.

A variety of things are being done to correct this condition by the Veterans' Administration, by the Army, and the Navy, which I welcome and am thankful for, but which I do not have time to discuss now.

The purpose of this amendment is briefly this: It is to say to the Selective Service System, particularly to the local draft boards which exist in every neighborhood in this Nation, "It shall be your duty, obligation, and privilege, not only to call men out of civilian life into military service, but also to see to it as their friend at court, as counsel for these men, that they are enabled to make an orderly adjustment and a hopeful one out of military life back to civilian life." These local boards and the Selective Service System generally have done on the whole a remarkably good, though difficult, job of taking men out of civilian life and getting them into the armed forces. I believe, with perhaps some additional trained and expert personnel added to present staffs, this same system and these same boards are admirably equipped to do the much more happy job of helping men to leave their military life and get back to a worth-while civilian life.

My amendment would not mean that the Selective Service System would take over the functions of the Veterans' Administration or the Employment Service or any other agency. It would mean that the veteran coming home can go back to his draft board, which will be equipped with proper skilled personnel, and lay his problems before them, whatever those problems are. He would have a right to call upon that draft board for assistance in securing a worth-while job—for standing by him in his contacts with the Employment Service or prospective employers. The board could readily secure for him the assistance of his fellow citizens in his own community. It could aid him in making out his forms for compensation, pensions, insurance, or other claims to be presented to the Veterans' Administration; it could follow those claims through; it could advise and help him in securing the opportunities for vocational training, rehabilitation, or further education which may be open to him; there are a hundred ways in which they could help him to get back into civilian life again.

I believe such a measure would be of very marked assistance to the Army and Navy in their job of demobilization when that time comes. If the local draft boards were equipped with all the forms that might be necessary, they could be of marked assistance in identification and in helping with claims of every sort. With all the information that they already possess as a result of drafting men into the Army and going through all the manpower in their community, they are obviously in a position to do this work as no other agency can be equipped to do it. The boards would know at any time just how many discharged veterans were in the community, what their qualifications and experience were, what their special problems consisted of.

I hope, Mr. Chairman, that we are going to realize that our job is only beginning with the passage of this bill; that there remains to be done the whole careful, thoughtful job as to just how these 11,000,000 men are going to be brought back into civilian life of their country after victory is finally won.

This bill is a step in that direction, but only the very first step.

Another thing that is more incumbent upon us than anything else is to see to it that the general over-all economic problem of this Nation is met and that we are prepared with such measures as will be necessary, in order that we may have economic health and full employment when the war is over. But certainly, as a means of giving to the veteran the best and most interested assistance that he can have and putting the obligation upon a group in his own community to be his counsel, adviser, and helper in his contacts with private agencies as well as governmental agencies, this proposal has decided merit, and I recommend it to the House.

If the point of order lies against my amendment, nevertheless I hope that at some early future time we can put this provision in a bill.

The CHAIRMAN. The time of the gentleman from California [Mr. VOORHIS] has expired.

Mr. MAY. Mr. Chairman, I insist upon the point of order.

The CHAIRMAN. Does the gentleman from California desire to be heard on the point of order?

Mr. VOORHIS of California. Briefly, Mr. Chairman. This is a bill for mustering-out pay My amendment seeks to provide machinery which would be, in my judgment, of very marked assistance to the veteran at the time he is mustered out, to make his mustering-out pay go to the point of assisting him to the greatest possible extent. It certainly applies to the problems he will face at the time he is mustered out, even as mustering-out pay does. I think it might well be that in a great many cases the payment of this mustering-out pay, if made to the veteran, could be accompanied by advice and counsel and help which he may receive from his local draft board, and would make the payment of that mustering-out pay of greater benefit to him than would otherwise be the case.

The CHAIRMAN (Mr. SMITH of Virginia). The Chair is of the opinion that the amendment is not germane to the pending bill. Therefore, the Chair sustains the point of order.

Mr. ELSTON of Ohio. Mr. Chairman, I ask unanimous consent to return to the end of section 6 for the purpose of offering a clarifying amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio [Mr. ELSTON]?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Ohio.

The Clerk read as follows:

Amendment offered by Mr. ELSTON of Ohio: On page 9, line 17, insert the following new subsection:

"(b) The term 'spouse' means a lawful wife or husband.

"(c) The term 'child' includes (1) a legitimate child; (2) a child legally adopted; and (3) a stepchild, if, at the time of death of the member of the armed forces, such stepchild was a member of the deceased's household.

"(d) The term 'parent' includes father and mother, stepfather and stepmother, and father and mother through adoption."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. ELSTON].

The amendment was agreed to.

The Clerk read as follows:

SEC. 8. This act may be cited as the "Mustering-Out Payment Act of 1944."

Mr. HINSHAW. Mr. Chairman, I offer an amendment, which I have sent to the desk.

The Clerk read as follows:

Amendment offered by Mr. HINSHAW, as a new section to follow section 8:

"SEC. —. No officer or enlisted man or woman shall be discharged or released from active duty until his or her certificate of discharge or release from active duty and final pay, or a substantial portion thereof, including mustering-out pay, are ready for delivery to him or her or to his or her next of kin or legal representative; and no wounded, diseased, or handicapped member of the active armed forces shall be released from active service until and unless adequate provisions are made for him or her under the laws and regulations administered by the Veterans' Administration."

Mr. MAY. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. HINSHAW. Mr. Chairman, I presume that this amendment comes under the same classification as the amendment just offered. But I have offered it for the purpose of calling to the attention of the House, H. R. 3917, which is known as the American Legion bill, and which was prepared by the national rehabilitation committee of the American Legion in session in the middle part of December. There are some very important provisions of that bill which should be given immediate consideration. I note that the bill has been referred to the Committee on World War Veterans' Legislation. I trust that committee will begin hearings immediately on that bill in order that proper provision may be made for the care of our veterans as they come out of the armed services.

When I was at home recently I called upon the American Red Cross chapter in one of the larger communities in my district and found that they were having to care for a great many of our veterans who had come out, even in wounded condition, and provide funds for them which they could use for their own care pending the receipt of disability pay and

other allowances which would be coming to them in due course. The American Red Cross is doing a splendid job in such matters and is deserving of our heartiest support. But the Red Cross is neither staffed for or experienced in the handling of veterans' compensation cases. Arrangements should be made for the referral of all such cases to the service officers of the several veterans' organizations. They are experienced and able and willing to be of every possible assistance to the veterans of this war.

One veteran whom I met in an American Legion post had contracted what appears to be osteomyelitis in the jungles of the South Seas, had been discharged last June, and was still wearing a cast up over his hip, and yet not one dime of compensation had been paid to him and nothing had been done about his case, and nothing, of course, insofar as mustering-out pay or anything of that sort is concerned. The American Red Cross and the veterans' organizations are doing their very utmost to take care of such men who come out of the service, but we cannot expect them to be carried financially forever. Consequently, I trust that the appropriate committee of the House will bring forth legislation in the nature of H. R. 3917 at the earliest possible date.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield for a question?

Mr. HINSHAW. I yield.

Mrs. ROGERS of Massachusetts. I may say to the gentleman from California that the World War Veterans' Committee has been holding hearings on that bill, and also that if the Veterans' Administration had been carrying out the laws already passed that man would be receiving compensation today for his osteomyelitis.

Mr. HINSHAW. There is another point that comes in here, a very important provision in this bill, H. R. 3917, and that is these statements that medical officers of the Army and Navy request the men to sign concerning claims, relating to the origin, occurrence, or aggravation of their difficulties. Such statements should certainly not be held against a soldier. I know quite a number of whom this demand has been made, that they sign these releases before they could get out of the hospitals. Some of them in utter disgust have actually signed them when, as a matter of fact, they should be released without any such statement being signed, and allowed to go about their business and be given their proper ratings so they can be properly taken care of.

Mrs. ROGERS of Massachusetts. The committee has been assured that that will be done, yet I think the gentleman will agree that it requires legislation so there will be no doubt about it.

Mr. HINSHAW. I think it does and that is the reason I am urging the committee to bring out the bill H. R. 3917.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. WRIGHT. I was very much interested in hearing the gentleman's statement that releases were requested of these servicemen before they were allowed to go home. That has been corroborated to me by some servicemen who finally got home. These men, in their disgust, finally did sign such statements in order that they could get home.

Mr. HINSHAW. I know of two who said they would stay in the hospital "until hell froze over" before they would sign anything because they knew they were right. They refused to give in to the medical officers of the Army.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield further?

Mr. HINSHAW. I yield.

Mr. WRIGHT. I certainly do not believe that surgeons, or doctors, should deal with veterans at arm's length like two men trying to outmaneuver each other in a commercial deal. They should treat each other with proper respect, courtesy, and consideration.

Mr. HINSHAW. There is no question about that whatever. I have a complete file in my office of a man who was given a double shot of yellow-fever serum, then sent out on maneuvers on a very hot day, and who ended up in the hospital in a straight jacket. The medicos gave him an S. C. D. stating that he was a dementia praecox case prior to entry into service and he was required to sign papers before they would release him. A few months of care at home and he was perfectly normal. He never had been a case of dementia praecox and never was. He was the victim of malpractice and a medical board. Some day, when the war occupies less of our attention we here must make an investigation of some of these cases. I am sure that in some cases we will find falsification of records and even destruction of records by officers in the medical branches of the armed services.

The CHAIRMAN. Does the gentleman from Kentucky insist on his point of order?

Mr. HINSHAW. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained.

The question now is on the adoption of the committee substitute as amended to the Senate bill.

The committee substitute was adopted.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point and to include a statement I made in the committee.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I desire to offer my congratulations to the members of the Military Affairs Committee on the excellent work they have done in bringing to this floor today the mustering-out pay bill. It shows careful, sympathetic, and painstaking consideration on the part of the Members having jurisdiction over this important legislation.

I was one of the several Members of the Congress who appeared before the Military Affairs Committee during the hearings on this legislation, at which time I made a number of general suggestions. I am delighted to see that the bill as reported, and on which we are about to vote, follows, in a general way, the suggestions made at that time.

Of course this is not a perfect bill. It is not as liberal as I would like to vote for and, in my judgment, the mustering-out pay should be spread out over a period of several months. It is hoped that when the final bill is passed these matters will be taken into consideration.

Following is the statement made by me on this legislation before the House Committee on Military Affairs:

STATEMENT OF HON. JED JOHNSON, MEMBER OF CONGRESS FROM OKLAHOMA

The CHAIRMAN. We are pleased to have with us this morning a former member of this committee, the Honorable JED JOHNSON of Oklahoma. Will you please give us your views of this legislation, Mr. JOHNSON?

Mr. JOHNSON of Oklahoma. Mr. Chairman, may I express my appreciation for the opportunity of appearing before this important committee, the House Committee on Military Affairs, for the purpose of making a brief statement.

Several years ago, I had the pleasure of serving on this committee and I enjoyed my work on it very much. When I first became a member, the able gentleman from Michigan, Mr. Frank James, was the chairman. Later under Democratic control, I served under another distinguished and able chairman, the late Representative from Mississippi, Mr. Percy Quin. Still later, I served under the brilliant and lovable character whom some of you knew, Major McSwain, of South Carolina, who has also passed to his reward. The only present members of the committee with whom I had the pleasure of serving are your distinguished chairman, Hon. ANDREW MAY and Hon. R. EWING THOMASON. So it is with unusual pleasure that I appear here at this time.

Now, Mr. Chairman, my purpose in appearing at this time is to express my support and enthusiastic approval of proposed legislation now being considered by your committee to grant our men and women in the armed forces a reasonable and equitable mustering-out pay. It is not too early to think about this legislation, nor is it too soon for Congress to adopt a plan and enact legislation on the matter. If the plan is worked out, is fair and reasonable, it will have the effect of strengthening the morale in the armed forces. Conversely, if such a plan is neither fair nor reasonable, it is obvious that it would have the opposite effect on those now, or who will hereafter be, connected with our armed forces.

For example, Chairman MAY yesterday raised a very pertinent question when he stated on the floor of the House that one of the problems to be considered today was whether a person serving only a couple of weeks should receive the same muster-out pay as one who has had a couple of years of overseas service. To my mind, that ought not to be a difficult decision to make. Certainly those who have seen active foreign service are entitled to more muster-out pay than one who has served a few days or a few weeks in the homeland. Those of us who had a humble part in World War No. 1 will recall how extremely difficult it was for us to adjust ourselves after the long months overseas. Generally speaking, I think it is safe to say that the longer one has served in the armed forces with radically changed habits and environments, that the more difficult and the longer it will take for readjustment to civilian life, even though the soldier or sailor might be able to find a job or reenter the business or professional life where he left off.

The gentleman from Louisiana has offered a bill that presents food for thought. If I remember its provisions correctly, it proposes simply to furlough all in the armed forces for a period of 3 months. Such a provision would immediately raise questions, if not serious complications. Aside from paying the man with 2 or 3 weeks' service his regular pay for 3 extra months, during his furloughed status, the same as the man who had served 2 or 3 years, which is clearly indefensible, it proposes to pay high-ranking Army and naval officers several times the same amount while on their furloughed status while at home looking for a job as would be paid the private soldier. Now, they may be worth several times the salary while actually in the Army. Having served as a buck private in France during World War No. 1, even that proposition is at least debatable. But to say that a high-ranking officer should receive from $1,500 to $2,500 during that 3 months at home, while the buck private receives $150 for the same period of adjustment, cannot be defended, and I give notice now that I shall oppose any such provision.

Then what, may you ask, is the answer? You remember that the so-called bonus bill, or adjusted-compensation measure enacted by the Congress for veterans of World War No. 1 paid the soldier $1 for each day served in the homeland and $1.25 for each day in foreign service. Although the amount paid seems small, it did recognize the length of time in service.

Let me suggest that in this legislation, there should be a minimum and a maximum of muster-out pay. Just what that minimum and maximum should be is a problem for members of your distinguished committee and the Congress to work out and agree upon. It might be that 3 months' so-called furlough pay, or muster-out pay, would be reasonable for the minimum. If so the soldier or sailor with from 1 to 3 years' service is justly entitled to considerably more.

Of course, I realize that merely handing our Nation's defenders a few dollars or a few hundred dollars of muster-out pay will by no means solve the problem or pay the debt we owe them. We can never do that with mere dollars. My own feeling from my own experience is that the main thing the average man or woman in uniform will want will be a job or a business with which to earn a decent and respectable living for himself or herself when that happy time comes that they can be mustered out of service. In the meantime, we must face this as well as many other problems that arise as a result of this tragic war fairly and courageously with justice to all.

The CHAIRMAN. Thank you very much, Mr. JOHNSON of Oklahoma.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. SMITH of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill S. 1543, reported the same back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

Mr. HARRIS of Arkansas. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and fifty-six Members are present, a quorum.

The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. MAY. Mr. Speaker, on that question I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 389, nays 0, not voting 38, as follows:

[Roll No. 4]

YEAS—389

Abernethy	Dawson	Horan
Allen, Ill.	Day	Hull
Allen, La.	Delaney	Izac
Andersen, H. Carl.	Dewey	Jarman
Anderson, Calif.	Dickstein	Jeffrey
Andresen, August H.	Dies	Jenkins
Andrews	Dilweg	Jennings
Angell	Dingell	Jensen
Arends	Disney	Johnson, Anton J.
Arnold	Dondero	Johnson, Ind.
Auchincloss	Doughton	Johnson, J. Leroy
Baldwin, Md.	Douglas	Johnson, Luther A.
Baldwin, N. Y.	Drewry	Johnson, Lyndon B.
Barden	Durham	Johnson, Okla.
Barrett	Dworshak	Johnson, Ward
Barry	Eaton	Jonkman
Bates, Ky.	Eberharter	Judd
Bates, Mass.	Elliott	Kean
Beall	Ellis	Kearney
Beckworth	Ellison, Md.	Kee
Bell	Ellsworth	Keefe
Bender	Elston, Ohio	Kefauver
Bennett, Mich.	Engel, Mich.	Kelley
Bennett, Mo.	Engle, Calif.	Kennedy
Bishop	Fay	Keogh
Blackney	Feighan	Kerr
Bland	Fellows	Kilburn
Bloom	Fenton	Kilday
Bolton	Fernandez	King
Bonner	Fish	Kinzer
Boren	Fisher	Kirwan
Boykin	Flannagan	Klein
Bradley, Mich.	Fogarty	Knutson
Bradley, Pa.	Folger	Kunkel
Brehm	Ford	Lambertson
Brooks	Fulbright	Landis
Brown, Ga.	Fulmer	Lane
Brown, Ohio	Furlong	Lanham
Brumbaugh	Gale	LeCompte
Bryson	Gallagher	LeFevre
Buckley	Gathings	Lemke
Buffett	Gavin	Lesinski
Bulwinkle	Gearhart	Lewis
Burch, Va.	Gerlach	Ludlow
Burchill, N. Y.	Gibson	Lynch
Burdick	Gifford	McCord
Burgin	Gilchrist	McCormack
Busbey	Gillette	McCowen
Butler	Gillie	McGehee
Byrne	Goodwin	McGregor
Camp	Gordon	McKenzie
Canfield	Gore	McLean
Cannon, Fla.	Gorski	McMillan
Cannon, Mo.	Gossett	McMurray
Capozzoli	Graham	McWilliams
Carlson, Kans.	Grant, Ala.	Maas
Carrier	Grant, Ind.	Madden
Carson, Ohio	Green	Mahon
Carter	Gregory	Manasco
Case	Griffiths	Mansfield, Mont.
Celler	Gross	Mansfield, Tex.
Chapman	Gwynne	Marcantonio
Chenoweth	Hagen	Martin, Iowa
Church	Hale	Martin, Mass.
Clark	Hall, Edwin Arthur	Mason
Clason	Hall, Leonard W.	May
Clevenger	Halleck	Merritt
Cochran	Hancock	Merrow
Coffee	Harless, Ariz.	Michener
Cole, Mo.	Harris, Ark.	Miller, Conn.
Cole, N. Y.	Hart	Miller, Mo.
Colmer	Hartley	Miller, Nebr.
Compton	Hays	Miller, Pa.
Cooley	Heffernan	Mills
Cooper	Heidinger	Monkiewicz
Costello	Hendricks	Monroney
Courtney	Hess	Morrison, N. C.
Cox	Hill	Mruk
Cravens	Hinshaw	Mundt
Crawford	Hobbs	Murdock
Crosser	Hoeven	Murphy
Cullen	Hoffman	Murray, Tenn.
Cunningham	Holifield	Murray, Wis.
Curley	Holmes, Mass.	Myers
Curtis	Holmes, Wash.	Norman
D'Alesandro	Hope	Norrell
Davis	Horan	O'Brien, Ill.
	Hull	O'Brien, Mich.
	Izac	O'Brien, N. Y.
	Jarman	O'Connor
	Jeffrey	O'Hara
	Jenkins	O'Konski
	Jennings	O'Neal
	Jensen	O'Toole
	Johnson, Anton J.	Outland
	Johnson, Ind.	Pace
	Johnson, J. Leroy	Patman
	Johnson, Luther A.	Patton
	Johnson, Lyndon B.	Peterson, Fla.
	Johnson, Okla.	Peterson, Ga.
	Johnson, Ward	Pfeifer
	Jonkman	Philbin
	Judd	Phillips
	Kean	Pittenger
	Kearney	Ploeser
	Kee	Plumley
	Keefe	Poage
	Kefauver	Poulson
	Kelley	Powers
	Kennedy	Pracht
	Keogh	Price
	Kerr	Priest
	Kilburn	Rabaut
	Kilday	Ramey
	King	Ramspeck
	Kinzer	Randolph
	Kirwan	Rankin
	Klein	Reece, Tenn.
	Knutson	Reed, Ill.
	Kunkel	Reed, N. Y.
	Lambertson	Rees, Kans.
	Landis	Richards
	Lane	Rizley
	Lanham	Robinson, Utah
	LeCompte	Robsion, Ky.
	LeFevre	Rockwell
	Lemke	Rodgers, Pa.
	Lesinski	Rogers, Calif.
	Lewis	Rogers, Mass.
	Ludlow	Rohrbough
	Lynch	Rolph
	McCord	Rowan
	McCormack	Rowe
	McCowen	Russell
	McGehee	Sabath
	McGregor	Sadowski
	McKenzie	Sasscer
	McLean	Satterfield
	McMillan	Sauthoff
	McMurray	Scanlon
	McWilliams	Schiffler
	Maas	Schwabe
	Madden	Scott
	Mahon	Scrivner
	Manasco	Shafer
	Mansfield, Mont.	Sheppard
	Mansfield, Tex.	Short
	Marcantonio	Sikes
	Martin, Iowa	Simpson, Pa.
	Martin, Mass.	Slaughter
	Mason	Smith, Maine
	May	Smith, Ohio
	Merritt	Smith, Va.
	Merrow	Smith, W. Va.
	Michener	Smith, Wis.
	Miller, Conn.	Snyder
	Miller, Mo.	Somers, N. Y.
	Miller, Nebr.	Sparkman
	Miller, Pa.	Spence
	Mills	Springer
	Monkiewicz	Stanley
	Monroney	Starnes, Ala.
	Morrison, N. C.	Stearns, N. H.
	Mruk	Stefan
	Mundt	Stevenson
	Murdock	Stewart
	Murphy	Stockman
	Murray, Tenn.	Sullivan
	Murray, Wis.	Sumner, Ill.
	Myers	Sumners, Tex.
	Norman	Sundstrom
	Norrell	Taber
	O'Brien, Ill.	Talbot
	O'Brien, Mich.	Talle
	O'Brien, N. Y.	Tarver
	O'Connor	Taylor
	O'Hara	Thomas, N. J.
	O'Konski	Thomas, Tex.
	O'Neal	Thomason
	O'Toole	Tibbott
	Outland	Tolan
	Pace	Towe
	Patman	Treadway
	Patton	Troutman
	Peterson, Fla.	Vincent, Ky.
	Peterson, Ga.	Vinson, Ga.
	Pfeifer	Voorhis, Calif.
	Philbin	Vorys, Ohio
	Phillips	Vursell
	Pittenger	Wadsworth
	Ploeser	Walter
	Plumley	Ward
	Poage	Wasielewski
	Poulson	Weaver
	Powers	Weichel, Ohio
	Pracht	Weiss
	Price	Welch
	Priest	Wene
	Rabaut	Whelchel, Ga.
	Ramey	White
	Ramspeck	Whitten
	Randolph	Whittington
	Rankin	Wickersham
	Reece, Tenn.	Wigglesworth
	Reed, Ill.	Willey
	Reed, N. Y.	Wilson
	Rees, Kans.	Winstead
	Richards	Wolcott
	Rizley	Wolfenden, Pa.
	Robinson, Utah	Wolverton, N. J.
	Robsion, Ky.	Woodruff, Mich.
	Rockwell	Woodrum, Va.
	Rodgers, Pa.	Worley
	Rogers, Calif.	Wright
	Rogers, Mass.	Zimmerman
	Rohrbough	
	Rolph	
	Rowan	
	Rowe	
	Russell	
	Sabath	
	Sadowski	
	Sasscer	
	Satterfield	
	Sauthoff	
	Scanlon	
	Schiffler	
	Schwabe	
	Scott	
	Scrivner	
	Shafer	
	Sheppard	
	Short	
	Sikes	
	Simpson, Pa.	
	Slaughter	
	Smith, Maine	
	Smith, Ohio	
	Smith, Va.	
	Smith, W. Va.	
	Smith, Wis.	
	Snyder	
	Somers, N. Y.	
	Sparkman	
	Spence	
	Springer	
	Stanley	
	Starnes, Ala.	
	Stearns, N. H.	
	Stefan	
	Stevenson	
	Stewart	
	Stockman	
	Sullivan	
	Sumner, Ill.	
	Sumners, Tex.	
	Sundstrom	
	Taber	

NOT VOTING—38

Anderson, N. Mex.	Herter	Morrison, La.
Chiperfield	Hoch	Mott
Dirksen	Howell	Newsome
Domengeaux	Jackson	Norton
Fitzpatrick	Johnson, Calvin D.	O'Leary
Forand	Jones	Rivers
Fuller	Kleberg	Robertson
Gamble	LaFollette	Schuetz
Granger	Larcade	Sheridan
Hare	Lea	Simpson, Ill.
Harness, Ind.	Luce	West
Harris, Va.	Magnuson	Winter
Hébert	Maloney	

So the bill was passed.

The Clerk announced the following pairs:

General pairs:

Mr. Schuetz with Mr. Dirksen.
Mr. Fitzpatrick with Mr. LaFollette.
Mr. O'Leary with Mrs. Luce.
Mr. Magnuson with Mr. Jones of Ohio.
Mr. Domengeaux with Mr. Simpson of Illinois.
Mr. Larcade with Mr. Herter.
Mrs. Norton with Mr. Fuller.
Mr. Hoch with Mr. Chiperfield.
Mr. Robertson with Mr. Howell.
Mr. Harris of Virginia with Mr. Winter.
Mr. Sheridan with Mr. Calvin D. Johnson.
Mr. Newsome with Mr. Mott.
Mr. Kleberg with Mr. Harness of Indiana.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO PRINT

Mr. MAY. Mr. Speaker, I ask unanimous consent that all Members of the House may have 5 legislative days within which to revise and extend their remarks on the bill just passed.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my remarks made this afternoon and include certain excerpts.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANGELL. Mr. Speaker, I make the same request in respect to the remarks I made in Committee today, and also to include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. KLEIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a portion of a letter written by Pvt. Ransom Gurganus.

The SPEAKER. Is there objection?

There was no objection.

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to extend my remarks made in Committee today and include a telegram.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an article appearing in today's New York Herald-Tribune.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a short editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNSON of Oklahoma. Also, Mr. Speaker, I ask unanimous consent to extend my remarks and include a statement made to the Committee on Military Affairs on the bill just passed, and that it may be printed before the roll call today.

The SPEAKER. Is there objection?

There was no objection.

Mr. KELLEY. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Boston Daily Globe.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that tomorrow after the conclusion of all other special orders I be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to extend my own remarks and include an address delivered by Hon. Robert H. Roberts, mayor of Warren, Ohio, at a dedication of Mosquito Creek Dam.

The SPEAKER. Is there objection?

There was no objection.

FARM MEAT STAMPS

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER. There are other special orders in order today, but the Chair will put the request. Is there objection to the request of the gentleman from Montana [Mr. O'CONNOR] that he address the House for 2 minutes?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I have just read an article in the Post of January 18: "O. P. A. Prevalidates Farm Meat Stamps, 216 Points Made Available in Move to Help Farmers." The article went on to say that the advance use of the points was granted to stimulate on-the-farm purchases of pork or any other rationed meat bought directly from farmers who have been unable to market their meat regularly through normal channels.

What the article did not say was that through stubborn insistence the O. P. A. has continually refused to either lower all the point values on meat or else do away entirely with points on meat until such time as the congestion that now exists is relieved.

Just recently, I have seen with my own eyes advertisements running in a southeastern Montana newspaper, the Miles City Daily Star, put in by buyers, telling the farmers not to bring any hogs into market, that the market was glutted so that they were not buying any more hogs until a better situation existed. Those farmers who were not aware of the existing conditions and brought hogs into market either had the trip in vain or else had the expensive choice of feeding them at the sales yards on feed the cost of which was prohibitively high.

For months now I have pleaded on the floor of the House for the O. P. A. to do either one or two things—to either lower the point values on meat or else take away the points altogether until such time as the situation readjusts itself. The present stubborn, stupid policy is not the work of bureaucrats, it is the work of nincompoops.

There is hardly a mail coming into my office that does not bring a letter of protest from some Montana cattle, sheep or hog man over existing conditions. They are not only finding themselves unable to dispose of their product but now find that the cost of feed is becoming prohibitively higher and higher. I have said before and I say again, such a condition if allowed to exist will result in only one thing—a serious cut in the production of feeder animals.

We have the meat, why not make it possible for the American public to have it?

RIGHT OF ARMED FORCES TO VOTE

Mr. HARLESS of Arizona. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. HARLESS of Arizona. Mr. Speaker, I would like to express my views upon the proposed legislation, which will permit members of the armed forces to vote. I am unqualifiedly in favor of legislation which will make it possible to deliver ballots to the men and women in the service and have those ballots returned in time for the general election. I want every member of the armed forces, both men and women, given this opportunity, and I shall support legislation which makes it possible for them to exercise their franchise.

In view of the fact that these men and women are scattered all over the world, this legislation is emergency in its aspect. I recognize that there is a question of States' rights involved, and, whenever possible, I believe that we should reserve local government as against the concentration of power in Washington. However, I am convinced that the only way these men and women will be able to vote for the President, Vice President, Senators, and Congressmen in the coming election is for this Congress to enact a law to provide uniformity in the handling of ballots. Of course, such a plan would be only for the duration. It would be a sad state of affairs if we denied the right to vote to the fine Americans who are now serving our country on the far-flung battle fronts of the world. They have as much or more at stake at this time than any other Americans.

It is unfortunate that the 48 States cannot provide a uniform system of issuing ballots so that the military and naval authorities could supervise the delivery of ballots to the respective voters who are now abroad. We have been told by the Secretaries of War and the Navy that it would be impossible to supervise the handling of ballots for the 48 States with 48 different election laws. Therefore, in the interest of the rights of those true Americans it becomes necessary by special emergency legislation to provide a uniform ballot in order that all of our service men and women, wherever they may be, can cast their votes for their choice of candidates in the coming election. They are entitled to this right; and insofar as it is possible for me to provide it for them, they shall have it.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter received from Governor Saltonstall, and also a letter to him from the commissioner of education.

Mr. MICHENER. Mr. Speaker, I reserve the right to object for the purpose of asking something about the program for the rest of the week and next week.

Mr. McCORMACK. Mr. Speaker, the bill relating to international relief and rehabilitation comes up tomorrow. The rule provides for 2 days of general debate. Of course, we have the reception of a distinguished visitor also on the program. Two days of general debate means Thursday and Friday. It is my intention to ask unanimous consent that when the House adjourns on Friday it adjourn to meet on the following Monday, which means that that bill would come up on the following Monday under the 5-minute rule. It is true there is a discharge petition, I understand, on the program for that day, and that will be kept in line, but the bill to which I have referred under the 5-minute rule will not be considered before Monday if we adjourn from Friday until Monday.

Mr. MICHENER. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, in order to have the matter settled, I ask unanimous consent that when the House

adjourns on Friday next, it adjourn to meet on the following Monday.

The SPEAKER. Is there objection?

Mr. HOFFMAN. Mr. Speaker, I reserve the right to object in order to ask a question. What about this bill that we have heard so much about, the soldiers' vote bill?

Mr. McCORMACK. The best information that I can give the gentleman is this. We are anxious to have a rule come out providing for the consideration of that bill and I am very hopeful that the bill will be under consideration next week. Without taking issue with any Member who has made a statement to the contrary, I may say that there is no effort to stall in this matter. I am anxious, and the leadership on both sides is anxious, to bring the bill up as soon as possible. We could not bring it up this week, with the condition of legislation as it is, but I am hopeful if the rule comes out, which I am urging, that the bill will come up next week.

Mr. HOFFMAN. I did not want to say anything to bring about any controversy.

Mr. McCORMACK. I understand. I was trying to give the gentleman as complete information as is within my power.

Mr. FISH. Will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. FISH. If we get a rule Friday or Monday, probably it would be the gentleman's intention to bring up the soldiers' vote bill next Tuesday, would it not?

Mr. McCORMACK. It would be my intention, without definitely committing myself now, to bring it up next week, and as soon as possible. I know of nothing which would preclude it from coming up after the United Nations Relief and Rehabilitation Act.

Mr. FISH. If it is disposed of by a final vote on Monday, it probably would be the gentleman's intention to bring it up on Tuesday?

Mr. McCORMACK. Exactly, unless something intervenes of paramount importance and I do not know of anything. I would bring it up on Tuesday next, I hope.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CALVIN D. JOHNSON. Mr. Speaker, I desire to make a statement that I was unexpectedly called away from the House on official business and returned a moment or two too late to cast my vote on the mustering-out pay bill. Had I been here I would have voted in favor of the bill.

EXTENSION OF REMARKS

Mr. CARSON of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks on the bill just passed and to include therein a program prepared by the Timken Roller Bearing Co.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I have a special order for tomorrow. I wish that order vacated and I ask unanimous consent that it be vacated and that on Tuesday next I may have 30 minutes, after the disposition of matters on the Speaker's table and other special orders.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein certain excerpts in connection with the property-disposal bill now before the Committee on Banking and Currency.

The SPEAKER. Is there objection?

There was no objection.

Mr. ROWAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include several editorials.

The SPEAKER. Is there objection?

There was no objection.

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a speech delivered over the Columbia network on Sunday by the Reverend Sam Morris.

The SPEAKER. Is there objection?

There was no objection.

SOLDIERS' VOTE BILL

Mr. WORLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. WORLEY. I might be able to throw some light on the soldier vote bill program for next week. I plan to appear before the Committee on Rules Friday at 2 o'clock if possible and ask for a rule which would permit expeditious action on the soldiers' vote bill for the coming week. I personally would like to see it disposed of in one way or the other not later than next week at the latest.

Mr. FISH. Will the gentleman yield?

Mr. WORLEY. I yield.

Mr. FISH. The gentleman, I assume, will appear before the Committee on Rules as he says sometime Friday and he will advocate a wide-open rule; is that not a fact?

Mr. WORLEY. I will advocate a wide-open rule. And I would also, and I think it is fair for the gentleman to know this, like to have a recommittal motion which would permit a record vote on substituting a Federal ballot along with the State ballot.

Mr. FISH. The gentleman probably would have a recommittal vote anyway under the wide-open rule.

Mr. WORLEY. Yes, I would like to limit it to that extent. I would be glad to.

Mr. MICHENER. Will the gentleman yield?

Mr. WORLEY. I am glad to yield.

Mr. MICHENER. The gentleman does not mean he wants a wide-open rule under the rules of the House, but he wants a special rule which is different than a wide-open rule. The gentleman does not want to use unfortunate language, I am sure.

Mr. WORLEY. The gentleman misunderstands me. I would like to have a rule and I think the Committee on Rules can grant the same kind of rule that was passed in 1935 in the Patman bonus bill and even in the Ruml bill. The only thing I want is a wide-open rule which will permit the people of this Nation to see how we stand on an effective soldier vote bill.

Mr. MICHENER. Yes, but the gentleman does not want a wide-open rule. He wants a rule different than the rules of the House provide for.

Mr. WORLEY. I certainly bow in deference to the long experience and seniority of the gentleman from Michigan. As I understand the purpose of the Committee on Rules it is to make exceptions to the rules, otherwise we conform to the rules of the House.

Mr. MICHENER. The general purpose of the Committee on Rules and the philosophy back of the Committee on Rules is that that committee places before the Congress bills which have been reported by the legislative committees and which are on the calendar, but can not be brought up soon without a special rule. Then you can elaborate on that and make a gag rule or any kind of rule the committee sees fit. But I thought the gentleman wanted a wide-open, simple, straight rule so that this bill might be amended under the general rules of the House.

Mr. WORLEY. I agree. I want the rule as wide open as possible.

The SPEAKER. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein an article from the Washington News of today.

The SPEAKER. Is there objection?

There was no objection.

RESIGNATION FROM COMMITTEE ON BANKING AND CURRENCY

The SPEAKER. The Chair lays before the House the following communication:

Hon. SAM RAYBURN,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: I herewith tender my resignation as a member of the Committee on Banking and Currency.

Respectfully,

JAMES A. WRIGHT.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

VETERANS' LEGISLATION

Mr. BARDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BARDEN. Mr. Speaker, I would like to call the attention of the House to this resolution, No. 29, which I believe comes up for consideration on Monday, as the result of a discharge petition that it be discharged from the committee

handling it. This resolution, among other things, has this statement in the last sentence, "and all legislation affecting them." That is, the veterans. "All legislation affecting veterans, other than Civil Service, Public Lands, and Compensations." Some time ago the President sent a message down dealing with the question of the post-war educational program for the men in the service. That message was referred to the Committee on Education and following that the Committee on Education started to work on a bill dealing with that problem. Now I am just wondering if the House will not be in a greater state of confusion by adopting this resolution than they are at the present time with reference to veterans' legislation for the simple reason that I cannot imagine much legislation going through this House in the next 2 or 3 years that does not affect the veterans. And this says, "all legislation affecting veterans."

The SPEAKER pro tempore (Mr. RAMSPECK). The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. DOMENGEAUX] be permitted to extend his remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article recently received from Clifton E. Hooper, of Cambridge, Mass., relating to a permanent peace.

The SPEAKER pro tempore. Is there objection?

There was no objection.

SOLDIERS' VOTE BILL

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, coming back to the question of a rule on the soldiers' vote bill I submit that those of us who are supporting a Federal ballot should be entitled to a record vote on that question. It is an issue that nobody should be permitted to dodge behind any of the parliamentary maneuvers. May I say to the gentleman from Michigan who is rising to ask me to yield, that we know that a motion to recommit rests with the Republican minority and that we may be confronted with an innocuous motion to recommit, a motion not containing the Worley bill as an amendment in the motion to recommit, thereby depriving the American people of a record vote on the issue of a national and effective soldiers' vote bill. Under these circumstances it is in keeping with our responsibility to the country to have every Member of Congress on record on this vote. The Committee on Rules owes it to the Nation and to the armed forces to permit consideration of the Worley substitute, which provides for a Federal soldiers' vote system, in the House rather than in the Committee of the Whole, thus guaranteeing a record vote on that proposal.

The SPEAKER pro tempore. The time of the gentleman has expired.

Under previous order of the House, the gentleman from Arkansas [Mr. HARRIS] is recognized for 30 minutes.

OUR JOB—MINE AND YOURS

Mr. HARRIS of Arkansas. Mr. Speaker, I would not presume myself upon the House today, but I wish to bring to your attention some thoughts which have been giving me much concern. We are faced with critical situations that are trying our very souls.

Freedom is the one purport, wisely aimed at, or unwisely, of all man's struggles, toilings, and sufferings in this earth.

We are now in one of the most fateful years in the history of human experience.

I have watched with much concern and growing alarm the increased dissatisfaction, the apparent disunity, and the placing of emphasis, in my opinion, on those controversial matters of much lesser importance, than on winning the war.

Lack of confidence and faith in our Government and leadership can lead only to more distress, suffering, and hardship if it prolongs the war a day or even 1 hour.

I do not wish to be critical, Mr. Speaker, and I have no stones to throw but I wish to emphasize with all the seriousness and sincerity, our job—mine and yours—in these critical and decisive moments.

In 1942, the first year of the war, dark and gloomy it was, we had unity, determination, and organized effort beyond the comprehension of man's imagination. That year of awakening, our accomplishments were almost miraculous. It was immediately after Pearl Harbor and we were all in the war above everything else. We did our job with precision, confidence, and faith in each other and our great leaders.

In 1943, the second year of the war, with the same confidence, determined efforts, and will to win, we brought our military and naval might to full stride. We have seen the result and we know the dawn of victory for us and our allies has risen over the horizon.

Now, as we go into this second session of the Seventy-eighth Congress, confronted with the third and no doubt the hardest year and the most promising year of this global and tragic war; a year to face with heavy hearts, with bleeding hearts, it is imperative for our national security, necessary to save the lives of many of our courageous young men, and to attain the earliest possible victory, that we strengthen our unity, place emphasis where it properly should be placed, and to have continued and increased cooperation.

The world has become war weary, and by the end of this year we will be weighted down with increased burdens, grief, and scars that can never be healed. Is it not well, then, that we pause at the threshold of this, the most tragic year in our history, and reflect on those things and rededicate ourselves with renewed effort and determination to our jobs and responsibility?

I was deeply moved by the report of a tragic battle I heard over the radio the other night. Some of you might have heard it. I wish all might have heard it. It gave the details of a battle between our fighting men and the enemy. I was impressed first of all by the fine teamwork of our armed forces. On the same evening, over the same radio, there were reports, I regret to say, of the lack of teamwork here at home. Quite naturally, I was proud of the united war front and very much discouraged with the apparent lack of unity at home. Our failure to coordinate or to cooperate with the armed forces may cost us thousands of lives and extra billions of dollars.

The report of that battle showed excellent coordination of the armed forces that make up the United Nations; it showed that they had a common, strategic goal, and they were all working together as one man to reach that goal with the greatest possible speed, consistent with the proper conservation of men and resources.

Mr. Speaker, there was no rivalry among the units or the men that make up the units. There was no lost motion, no side-stepping or side-swiping, no snapping at the heels of the commanding officers, no thought of greed or selfishness, no lack of faith or confidence, and no shirking of duties or responsibilities.

But with remarkable precision, our men were fighting together to get an ugly job done as soon as possible. They were not seeking personal advancement, at the expense of their comrades in arms. They were fighting to bring harmony out of chaos; order out of disorder; unity over division; and yes, victory and peace to a despairing and suffering world.

The harmony, unity, and precision described in that battle were in no wise accidental. It came from a well developed and planned strategy far in advance of that battle. One could see the hand of our Commander in Chief, the President of the United States, our Chief of Staff, our War Council, and all working step by step, smoothly and surely toward ultimate victory.

From time to time we have listened over our radios to big-league baseball games. We got from these games the same idea of what fine teamwork and cooperation will do. It is nothing uncommon for some player seeking a high batting average for himself to make a sacrifice hit for the team; likewise, when called upon by the manager, the leader, a great pitcher steps aside, ofttimes losing credit for winning the game to give way for a pinch hitter.

We have an organization in this country known as the Federated Churches of America, in which all denominations may come together on causes and programs for the common good. The organization puts the emphasis on fundamental moral and religious programs, minimizing denominational creed. Sunday after Sunday, we have listened to

the radio minister selected by the Federated Churches as the mouthpiece of scores of denominations. We never hear Dr. Emerson Fosdick speak a discordant note, or from his radio sermons one would never know to what denomination he belongs. How does he maintain his own intellectual integrity? By the simple expediency of placing emphasis where it belongs; by discussing things that unite folks, instead of things that divide them; by being first a Christian and keeping in the forefront the fundamentals of Christian faith.

We have in the offing a national election, and if I read its implications correctly it will become a major event, for the reason that it may overshadow and imperil the war effort. With all the criminations and recriminations, charges and counter-charges, already started, at a time when our energies should be given to the war, we are probably confronted with the bitterest campaign in the history of the United States.

Our Constitution wisely provides for a national Presidential election every 4 years. We must have the election. It is even more important now. It makes the United States of America a greater democratic republic to have the regular scheduled election in the midst of a tragic war.

Even so, I cannot agree with statements expressed in a current Life magazine editorial, entitled "1944," suggesting the outcome of the election this year is the only salvation of this country. Such tactics, the same used 4 years ago, inside or outside of Congress, can bring only discord and dissension to the American people. Our salvation as a free country depends on having the election as provided by the Constitution. The outcome of it is not nearly as important as such editorials would have us believe. Regardless of whom a majority of the people of this Nation select, we will continue as a great people of a great Nation.

I believe in wholesome and constructive criticism, but statements with all such implications, unfounded, and severely critical, as carried by the press and the radio throughout the Nation, some of which were placed in the CONGRESSIONAL RECORD, coming from the meeting of the National Republican Committee in Chicago a few days ago, statements charging insincerity, incompetence, and lack of confidence in our leadership, cannot have any other reaction except a tendency to disunite our people and deter our war effort. They can lead to dismal consequences.

However, in these conflicting emergencies, a world war and a national election, how should we conduct ourselves? Should we not take lessons from the army of the United Nations fighting in unity for freedom and liberty? Or from organized baseball in teamwork and sacrifice? Should we not take lessons from our church leaders that so love the world and the God we all worship, to lay aside petty differences for the common good? Should we not, like them, work together for a better world?

As has been so wisely said, "Let it never be forgotten that it is not by means of war that states are rendered fit for the enjoyment of constitutional freedom; on the contrary, whilst terror and bloodshed reign in the land, involving men's minds in the extremities of hopes and fears, there can be no process of thought, no education going on, by which alone can a people be prepared for the enjoyment of rational liberty."

It is well to ponder and say again that we have three branches of government, the legislative, the judicial, and the executive, wisely proclaimed by the Constitution of the United States, each with its separate authority and jurisdiction, except in time of war, when the Chief Executive, whoever he may be, by temporary expediency is given summary powers as Commander in Chief of all the armed forces of the United States.

My service in the legislative branch has strengthened my belief that it was never intended by our forefathers in establishing the three branches of government to bring chaos instead of unity. Sometimes I wonder if we correctly interpret the true meaning of the term "checks and balances." Surely it does not mean dissension, bitterness, and bewilderment of government, but in my opinion it means reaching a common understanding in a cooperative program for the best interest of the people at all times.

I need not call to your attention that all the Government and not merely three separate branches, and all the people within the Government, are engaged in this terrible, bloody war. To be successful, and we will, with the least expenditure of our resources, we must have continued cooperation of all branches of the Government and all the people within the Government, working together toward this paramount aim. We must have all of our collective energy, all of our will power, wealth, human and economic, and all of our spiritual substance into one harmonious whole.

Mr. Speaker, we are on trial, the Congress is on trial, the executive is on trial, the judicial is on trial, and, yes, the people are on trial. Let us resolve now that at the end of the year none of us will be found wanting.

We have just had presented to us and to the Nation a war budget of estimated expenditures for the next fiscal year, another colossal sum of $100,000,000,000. The President correctly said:

> In our military planning, in our production planning, and in our financial planning, we cannot rely with safety on hopes of early victory.

We have just received a report that by July 1 this year we will need and will have a total of 11,130,000 men in the armed services. Ah, Mr. Speaker, we cannot afford to let anything detract our progress; we cannot afford to let up for one moment with our productive program, with our military and naval program; the risk is too great. We must and will continue to move forward with our war and peace policies.

The farmer, the factory worker, the banker, and all other conscientious, well-meaning, and patriotic citizens of this Nation are realistic and want to continue to follow a program of leadership, permitting them to make the greatest possible contribution toward victory.

Therefore, in becoming more specific, may I suggest that petty controversial differences that tend to create disunity, that tend to agitate the minds of the people be laid aside long enough to do a few things that transcend their importance. There are many important problems definitely affecting the war and connected therewith, to which we should devote our efforts and attention.

First. In addition to mustering-out pay, which means so much to the boys in the service, we should provide a simple and easy method to give immediate assistance to the wounded and otherwise disabled discharged war veterans. I am in thorough accord with a provision that will extend to those disabled veterans continued pay as a soldier for a period of time or until their claim for disability can be adjudicated. It is our duty and responsibility, our job—mine and yours—to see their needs are taken care of.

Second. We should stand united against ruinous inflation. The Congress must act again on this important problem to prevent economic chaos in this country. The unselfish and wholehearted cooperation of all branches of the Government is of vital necessity. We must have a practical and realistic program and if we fail our boys will have little to come back to after the winning of the war.

Third. It is expedient that the Congress complete the pending tax bill in order that the people of this country may know what their rate of taxation will be at the beginning of the year. The people of this country have been told that we would have no more retroactive tax bills, and we cannot break the faith with the taxpayers as they work and strive to pay on this tremendously expensive war program. We should provide a more simplified return which will go a long way toward unifying the people in cooperating with our tax program. We cannot expect complete cooperation in any program that is so complicated that it cannot be understood or followed without expert and technical assistance. This is a part of our problem to which we should direct our attention as representatives of the people.

Fourth. We have heard much about renegotiation of war contracts, the prevention of exorbitant profits, taking undue profits out of the war, and the assurance of fair prices to the Government and the people. This problem cannot be toyed with. It means so much to business, to the people of this country, and to the progress of the war. Certainly a just, right, fair, and equitable program can be provided. There have been many incidents reported of injustices on the one hand and of exorbitant profits on the other, and we should provide the right kind of legislation in justice to all. We must continue the policy of renegotiation and provide safeguards that will prevent undue burden and hardship.

Fifth. As I have already said, a national election is approaching, the outcome of which is as important to the

soldiers, the sailors, and the marines as it is to civilians. The constitutional privilege of their franchise—the right to vote—should be protected. They should not be denied this inherent right because they are serving in our armed forces for the perpetuation of freedom and liberty. We should take the polling booths to them wherever they may be on the face of the earth. Insofar as it is humanly possible, the opportunity should be provided for them to cast their vote for their choice of State and local candidates, as well as candidates for national offices. It is my job and yours, in cooperation with the States of this great Nation, to provide an adequate and practical method for the opportunity of an orderly, adequate, and constitutional ballot for these men.

Above all, Mr. Speaker, we must see that sacrifices made in winning of this war shall not have been in vain. Regardless of the outcome of the national election, regardless of the claims and charges and countercharges, the responsibility of a durable peace will fall largely upon the shoulders of the Commander in Chief, the President of the United States, and his advisers, in cooperation with the Congress. Already important steps in the right direction have been taken. We cannot let any issue becloud the promising peace issues that are already progressing as initiated and being carried forward on a grand scale by the Congress; the Secretary of State, Mr. Hull; and our Commander in Chief, President Roosevelt.

These and many other issues of equal importance call for unity, patience, tolerance, and thoughtful, careful consideration. These are our problems for which we will provide as we have done in the past. Our job—mine and yours.

I cannot repeat with too much emphasis that we resolve to rededicate our untiring efforts primarily to winning the war this year. Let us put first things first, and take the lead in a unified bipartisan march to victory.

To those who would bring about discord and disunity, intentionally or unintentionally, to those in these difficult times who endeavor to create lack of confidence and faith in our leaders, primarily responsible for continued progress to victory, may I suggest this thought:

Where weary folk toil, black with smoke,
And hear but whistles scream,
I went, all fresh from dawn and dew,
To carry them a dream.
I went to bitter lanes and dark,
Who once had known the sky,
To carry them a dream—and found
They had more dreams than I.

Mr. NORRELL. Will the gentleman yield?

Mr. HARRIS of Arkansas. I yield to the gentleman from Arkansas.

Mr. NORRELL. I wish to congratulate my very distinguished colleague from Arkansas for his very fine, able, courageous, and patriotic analysis of the situation confronting us. I, too, have been disturbed over the trend of affairs. I think those in high office ought to be statesmen sufficient to cooperate one with the other and all for the good of the country. I have enjoyed the gentleman's address.

Mr. HARRIS of Arkansas. I thank the gentleman for his remarks.

Mr. HAYS. Will the gentleman yield?

Mr. HARRIS of Arkansas. I yield to the gentleman from Arkansas.

Mr. HAYS. I would like to say a word of personal appreciation for the excellent statement that we have heard from the gentleman from Arkansas. It is an interesting reflection to me that while I am a few years his senior, he was still in college when I made my first race for public office. Being my senior in this House, I look to him for guidance and counsel. On this occasion it seems to me that the advice he has given can be addressed to both sides of the aisle, and if I have understood the implication of his address it is that while we shy away from the distasteful aspects of a national election in wartime, it is his conviction we can make this a positive asset to our democratic institutions and that we should resolve now to approach it in a spirit of tolerance and of good will that will unify, not divide, us, that we can be helped by the experience of America in the past, that actually there have been two other occasions in American history when Presidential elections were held during wartime and that we did survive.

Mr. HARRIS of Arkansas. The gentleman is eminently correct and I appreciate his statement.

Mr. BROOKS. Will the gentleman yield?

Mr. HARRIS of Arkansas. I yield to the gentleman from Louisiana.

Mr. BROOKS. The gentleman's district bounds my district on the north for many miles.

Mr. HARRIS of Arkansas. I am glad to join hands with the gentleman across the Louisiana-Arkansas line.

Mr. BROOKS. During the gentleman's career in Congress I have learned to have a profound respect for his judgment on public matters. I am impressed especially with what the gentleman has had to say in reference to the fact that we, the Congress, are on trial and the Government is on trial. In fact, I think all republican government and democratic institutions everywhere are distinctly on trial today. We have to do our full part to make it work in this country so that we can provide the necessary example for all of the world in reference to the working of the democratic processes and institutions.

Mr. HARRIS of Arkansas. I thank the gentleman.

Mr. FULBRIGHT. Will the gentleman yield?

Mr. HARRIS of Arkansas. I yield to the gentleman from Arkansas.

Mr. FULBRIGHT. I congratulate the gentleman from Arkansas, and may I say that in my opinion he has perhaps touched on the central and most important issue before the whole Nation. That is the question of unity and equality in pursuance of the war effort. If that can be achieved, we will have overcome the greatest obstacle to both victory and a lasting peace.

Mr. McCORMACK. Will the gentleman yield?

Mr. HARRIS of Arkansas. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I consider the gentleman's speech to be one of the finest and the most deeply considered one that I have heard in my 16 years as a Member of this body. It is constructive, and on a broad, high plane, consistent with the great crisis that confronts our country. I want to express my personal feeling of pleasure at having been on the floor and having listened to the gentleman and to congratulate him and the people of his district for having such a fine Representative in this body.

Mr. HARRIS of Arkansas. I appreciate those statements and observations from the majority leader.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that upon the conclusion of the special orders today I may have 10 minutes to speak on the subject of unity, about which the gentleman from Arkansas spoke.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

SPECIAL ORDER

The SPEAKER pro tempore. Under previous special order of the House, the gentleman from South Dakota [Mr. CASE] is recognized for 15 minutes.

Mr. CASE. Mr. Speaker, I had intended to use the 15 minutes for which I had a special order today but it turns out that we had hearings in the Independent Offices Subcommittee this afternoon, which hearings have not concluded, so I am not going to use the time at present.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Mr. COMPTON] is recognized for 15 minutes.

THE CRITICISM OF CONGRESS ON THE SOLDIER VOTE

Mr. COMPTON. Mr. Speaker, I want to speak very briefly on a subject that involves both sides of the aisle but which has not been discussed here in the House. Now, it may not irritate Members older in service than I, who by experience have long since learned to shield their feelings behind the armor of a clear conscience, and by a sincere appraisal of each problem can brush off all attacks. Less mature, I still resent lack of fair play, tolerance, and the truth.

I refer to a certain line of criticism that is being heaped on Congress—both Senate and House—by some commentators, columnists, and newsmen alike. Now, I do not assume to be the champion of Congress, even if it needed one, but these one-sided analysts try to make it appear that the Congress has no consideration for the men and women in uniform; they say or infer Congress does not want the soldier to vote; that we are trying by circumlocution and subterfuge to keep him from having his ballot. That

annoys me—for I know as you know that it is not the truth.

This self-serving diagnosis of Congress was the dying inspiration of Dr. New Deal as a legacy of profit to his successor, Dr. Win-the-War. Well, they are both quacks, and their frightened patient is finding it out more and more every day. All the hired help who assist in the office, and mix and concoct the salves, sedatives, and stimulants, and who advertise the wonder cures of these Siamese-twin doctors are once more using the needle to give us a dose of this holier than thou "I am the only one who loves the soldier" dope. They hope to be effective by baldness and boldness. That is old stuff, but like all dope it has its effect and is hard to shake off.

Any informed person will tell you the fact that every Member of Congress on both ends of the Capitol, for patriotic reasons among others demonstrated many times, desires to accord the men and women in service every moral, legal, and inherent right, as a warm-hearted token of appreciation for their active defense of the Nation. There is no corner on patriotism—nor priority needed either—and the fountain head is not necessarily in high places, even though rivers often originate in the mountains. I would remind Dr. New Deal that both the old-fashioned Democrats and the Republicans alike are inspired by patriotic zeal and devotion to our own sons, brothers, husbands, and fathers in uniform. We do not have to beat the breast nor cry out from the housetops to tell them how much we love them. They are likely to be suspicious of those who protest too much.

Certainly no Republican fears to have the soldier vote. For us, for all of us who really want the soldier to vote, it is just a question of how. I do not speak today for any of the proposed methods nor for those to be proposed. That is not my theme, although I will say parenthetically and unequivocally that I shall vote for any measure that will insure prompt and sure action to give service people a vote.

By custom most of us find it repugnant to question the motive of a man in high elective office, for who can fairly say what is in the mind of any man? So, while I hesitate to accuse, I do ask all who run and read to look back a few years. Remember what the conditions were, then open your eyes and look around at what confronts us all today. Slowly and almost painlessly old Dr. New Deal has been dosing us with his so-called elixir of life; it has exhilarated us temporarily and rendered somewhat painless the gradual decay and decline of our Constitution. We overlooked the fine print under the label which read, "Notice, habit-forming drug," and some of us ignored the obvious fact that whatever the prescription, the remedy was the same, a painkiller and not a cure. But the warning was on the bottle and today we know that we and our neighbors are now in the toils of vicious habit. Every time we had an ache or a pain old Dr. New Deal had another prescription for it. Now, we have a crisis almost every day—old Dr. New Deal wants us to believe we cannot get along without his dope.

Mr. Speaker, you cannot overlook the evidence of the political propaganda used by Dr. New Deal and his assistants in the discussion of the soldier-vote bills. Neither a tolerant smile nor angry abuse will answer the warning I am trying to give today.

The continuous gratuitous demand by the President and his New Dealers that a national soldier's voting law of their own choosing be enacted by Congress has a double political purpose. Not that he and they love the soldier any less, but they love more to sponsor such a law popular in every home and front. By using that as a sounding board, old Dr. New Deal—same place for 11 years—says he never lost a patient—continued his assaults on constitutional methods and wanted another commission which he could name and control. That was too bold. He did not get that commission. But this attempt to again bypass the constitutional rights of the States and the Nation and further break down respect for Congress goes on.

The defects and deficiencies of the soldier-vote law of 1942 were well known to the President in November after the election of that year.

Why, then, did he wait until this election year to show his zeal for the soldier and his vote? Could it be he delayed until this late date to put the onus on Congress? I do not make that accusation, but we, the Congress, have been so charged by him, at least by inference, and by his political puppets directly.

Then, too, a late and hurried piece of legislation might admit of flaws that make legal tangles possible, perhaps to be decided by courts.

Do not, I pray you, accuse me of being intemperate—do not denounce me as I have been denounced before as "hating Roosevelt"—that does not stop the steady and no longer stealthy march down the road to a new kind of government—new to this Nation. Call these comments political or partisan arguments if you will, but let me warn all who will hear that this inspired berating of Congress is meant to bring us closer to the day when we shall have a complete breakdown of the system of traditional American government; no longer the three equal branches, the legislative, the executive, and the judicial.

Let me warn all who for selfish reasons aid and abet in perpetuating this New Deal scheme of things, that when the men come home from war if they find they have lost the political freedoms for which they have been fighting, it may take a civil war to tear out some excesses deeply imbedded by New Deal habit and customs.

Meantime let me say for the record that it is my firm belief that the country need have no fear—Congress will freely discuss and openly pass a law that the soldier may vote and his vote be cast and counted legally with every safeguard for his future rights protected. That protection will be assured by the efforts of those Members of Congress who may incur temporarily the displeasure of the genuine advocates of the soldier's vote because of the care with which they are now proceeding. The accompanying widespread discussion, however, of New Deal administration delays and exhortations—and even intolerant criticism—will help to perfect a bill that will best serve that end.

Mr. BUSBEY. Mr. Speaker, will the gentleman yield?

Mr. COMPTON. Yes.

Mr. BUSBEY. I rise at this time to compliment my colleague from Connecticut for a very fine speech on Doctor New Deal and Doctor Win-the-War.

Mr. COMPTON. I thank the gentleman very much. I yield back the remainder of my time.

The SPEAKER pro tempore. Under previous order of the House, the Chair recognizes the gentleman from Michigan [Mr. HOFFMAN] for 10 minutes.

UNITY

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a newspaper article.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, it was also my privilege to listen to the eloquent and, if we accept generalities, constructive address by the gentleman from Arkansas [Mr. HARRIS]. It is regrettable, as the gentleman stated, that the Republican National Committee found it necessary to say that there is a lack of confidence in the national administration, to say that there has been incompetency in the national administration, but sometimes facts must be stated. That the Republican National Committee was not indulging in campaign oratory is shown by the fact that the elections in 1942, beginning then, those elections and every single subsequent election down to the one held yesterday in Pennsylvania, have demonstrated beyond any argument that, unfortunate as it may be in wartime, the people of America do lack confidence in the national administration. In one Pennsylvania district the Republican candidate received, according to radio, 83 percent of the vote. In the other, a Democratic district, the Democratic candidate received but 43 percent of the vote. Let me repeat, it is regrettable. But no one is to blame except the administration itself. I recall when the New Deal flower was blossoming, and its fragrance was spread all over the country—down the valleys and on the mountaintops, and throughout the cities and on the farms—a sweet flower it was, heralded by the majority Members and the leader on the majority side as a sweet-scented flower, was it not, and as a sign of a mandate from the people. But now the President, prompted by expediency, changes his political love and gives us something else again, and says, let us get away from it, let us forget the New Deal now because that is not the name I propose to use as my slogan hereafter. It has lost its charm.

To go back, the people have lost confidence in the administration, not because they do not believe in the objectives which the President has advocated, because almost always the objectives he said he was seeking were laudable, and invariably—and I use that word advisedly—the administrators of the laws which we gave—those who spent the money which we appropriated—found some way to create confusion, until the confidence of the people, which in those early New Deal days gave to the President a mandate, as he said, was destroyed, and now they say they will have no more of it. To the gentleman from Arkansas [Mr. HARRIS] and to the majority leader may I suggest that if those votes for the New Deal in those days, which some of us would like to forget, gave him an overwhelming majority, and a mandate to do certain things, now, likewise, the returns have told him we have had enough. More than enough. They told us then, so many of the people cannot be wrong. May I now suggest to those of the majority that those people who are turning in those majorities, one in a democratic district in Philadelphia, the district formerly represented by Mr. McGranery, and one in a Republican district, where in each instance they turned in Republican majorities—that that is a mandate to the President which I hope he will follow as faithfully as he followed those other mandates under his instructions, that he bring some order, some efficiency, and sound procedure out of the confusion, and incompetency, which has existed here.

Yes, to go back once more. It is regrettable that the facts, the situation in which our country finds itself, makes it the duty of the Republican organization to point to the lack of confidence, to the inconsistencies the New Deal has caused.

This plea for unity is well timed. We should have unity in the war effort, and we will have, but never unity in a country where we have a two-party system of government. It is only because of the difference of opinion, the clashing of ideas, that we finally arrive at the truth. I have been here only 9 years, and during that time I have been unable to find anyone on either side of the Chamber who was not patriotic, honest, and sincere. So, what is the use in asking us always to give up our views in order to have unity? Sure, I would like to have unity, but I would not go so far as to say that I would want it at the expense of having those on the majority surrender their opinions, and go along with me, because before long I would find that we were all wrong. Opposition is always necessary. Some reference was made by the gentleman from Arkansas [Mr. HARRIS] to a minister who spoke so effectively and it was said that one could not tell when he was speaking to what denomination he belonged. That is a fine tribute.

I have listened to many fireside chats, and to a good many of the President's messages, but never have I been in doubt about the party to which he belonged—not the Republican, not the Democratic, but the New Deal Party, a party of his own. I, too, wish during wartime that when we get these fireside chats, and these messages on the state of the Union, that we would not be able to tell from the tone of the message whether a Democrat, a Republican, or a New Dealer was delivering the message, but there has never been any doubt about it. And there is no doubt at the present time when he speaks.

The other day when he asked for a new slogan for the New Deal and then wanted to monopolize that of "win the war," the first thing I thought of was the 1-cent postage stamp, where, lo and behold, if you look at Government expense, you will find "Win the War" on the postage stamp. Those postage stamps go all over the country, all over the world, and that led me to be curious and to look at the 3-cent postage stamp, and, lo and behold, on that stamp, also printed at Government expense, are the "four freedoms." I do not know now what he is going to use when now it is said that Russia has slipped away a little bit, or is going to slip away. Maybe we will have another stamp saying, "Me and Britain," or "Me and Churchill"—or something like that. But as heretofore we will find the New Deal using the administrative agencies to carry on a campaign. Do not make any mistake in attempting to advise us on this side and do not think that the President ever overlooked one bet along the line of advancing the political fortunes of those who think as he does or of those who make him think he thinks certain things.

Again, when you talk about criticism, may I suggest that it is called to my mind by this editorial in the Washington News of today, which says that it would be useful if Chairman Donald M. Nelson of the War Production Board would identify the American Fascists and the psychopathic Hitler worshippers. This unity business. I hope the gentleman from Arkansas will take his lesson to heart, will induce the New Dealers to follow the policy he advocates. We are all for unity in the war effort, but we—some of us, and soon a majority of us—will have too much of the New Deal.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

PATRIOTIC WOMEN

Mr. RAMEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RAMEY. Mr. Speaker, it is my privilege, and in it I find justifiable pride, to call to the attention of the House a certified check in the amount of $500 which has been transmitted to me for presentation to the Navy Department to help defray the cost of constructing the U. S. S. *Toledo*.

On November 11, 1943, Mrs. Clement Piraino, then acting president of the Navy Wives Club, of Toledo, and whose husband is serving in the Navy as chief machinist's mate, sent to me a letter reading as follows:

> The members of the Toledo chapter of Navy Wives of America are planning on selling tags on December 7, Pearl Harbor Day, and donating the proceeds to the U. S. S. *Toledo*, now under construction. We have been promised a permit to sell the tags here in Toledo and we are planning to contact the Toledo Chamber of Commerce, the various women's clubs, and other organizations, as well as the theaters, with a view to enlisting their interest and cooperation in this drive. Our club is not large—having only about 60 active members—but we feel that if we all get behind the idea we can obtain the necessary cooperation to make a success of the plan. We realize that it means a lot of hard work but we are ready for that. We have all the details of the plan worked out but before actively proceeding we would like your opinion on it. Do you think it is too large an undertaking for our group or do you believe that we should get the ball rolling and that we could make a success of it?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio be permitted to address the House further for 1 additional minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RAMEY. I replied to this good lady urging her and the members of the club to get going on this splendid plan—that I felt confident that from a financial standpoint it would be well worth the effort and in addition the selling of the Pearl Harbor tags on December 7 would serve to concentrate attention on the score that we as a Nation have to settle with Japan. This group of Navy wives, headed by Mrs. Clement Piraino and Mrs. Ralph Norman, went to work on the Pearl Harbor Day tag sale and raised this fund of $500, which today I am handing over to the Navy Department as the contribution of the Toledo chapter of the Navy Wives of America to help defray the cost of the construction of the U. S. S. *Toledo*.

I congratulate these women on their fine spirit of patriotism and this concrete display of loyalty to the Navy in which their husbands are serving.

Mr. ROLPH. Will the gentleman yield?

Mr. RAMEY. I yield.

Mr. ROLPH. I would like to commend the gentleman and his constituents for their great patriotic demonstration.

Mr. RAMEY. Thank you very much.

EXTENSION OF REMARKS

Mr. HAYS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HAYS. Mr. Speaker, one of the momentous events of history took place recently when the heads of three great nations met over a council table in the capital city of Iran.

Our first and most instinctive emotion is one of deepest gratitude in the safe return of President Roosevelt. I

know that all Americans, whoever they are, wherever they may be, and whatever their political opinion, will share with us at this time our feeling of profound relief and thanksgiving at the recent homecoming of our Commander in Chief.

We feel a glow of pride, a tingle of elation that is honestly American, at the uncontrovertible evidence, presented anew, that our President has the qualities of fearless leadership, that he carries his smiling courage like a banner at the head of a great people.

Traveling is nothing new to Mr. Roosevelt. It was estimated by a New York newspaper recently that the President has journeyed far enough, since the days of his nomination in 1932, to reach the moon, by easy stages. His latest trip was a little matter of some 20,000 miles, and he faced it with the same cheerful unconcern, the same jauntiness, that he does a week-end trip to Hyde Park. The fact that the trip was made, in large part, in an Army plane, and that the course was laid through the lofty reaches of the upper air, often under the menace of enemy guns, made little difference to this indomitable traveler.

We want you to know, Mr. President, that the people of the United States hung breathless on every word that was reported to them on the progress of your mission. We followed you from Cairo to Tehran with mingled sensations of pride in your deeds and apprehension for your safety. We noted that after your visits with Mr. Churchill, General Chiang Kai-shek, and Marshal Stalin, you shuttled back to Egypt, apparently to take care of something you had overlooked in your hurry. Then, our eyes glued to the headlines, we saw that you had dropped casually down from the skies to pay tribute to the shattered and heroic remnants of the little island fortress of Malta; that another duty call was made at Gibraltar; and that you turned up soon afterward in Sicily, where the troops of our occupying forces passed before you in review, and where you presented decorations to some of our outstanding heroes of that campaign.

During all this time you must have sensed that a hundred million American hearts and minds were concentrated upon your movements; that countless other millions in the oppressed and tortured countries of Europe and Asia were joining their prayers to our own for the successful conclusion of your mission and for your safety and continued strength of body and will. Stronger even than the comforting steady roar of the motors that drove you through the clouds must have been your presentiment of this invisible supplication, this mighty surge of emotion that sprang from the smoky caves of Chungking, from prisons and concentration camps on two continents, from the stricken fields and streets of the little conquered peoples, from the lonely women everywhere whose sons and husbands stood poised and ready, with rifle and naked blade, for the moment of the great attack.

It was this consciousness of the prayerful hopes of suffering human beings which must have guided you in the days that followed. What was accomplished at that meeting of men of good will from the four corners of the world will some day be indelibly impressed upon the pages of history. We are too close to it now to see it but dimly. Its true import will not take definite form in our minds until that day in the not-too-distant future when our armies and our fleets of sea and sky begin to blast their way forward according to the plan and method that were laid down in Cairo and Teheran.

What we do know is that it was your courageous and far-seeing mind which played a leading part in bringing together the representatives of four great powers whose aims and problems had seemed up to now almost hopelessly divergent, even inimical. By that very act of collaboration, you destroyed with one keen stroke the strongest propaganda weapon of Germany and Japan. You gave the lie to the oft-repeated assertion that we were allies in name only. You wiped out their last-remaining hope that our military aims would never be successfully accomplished because of this carefully anticipated and craftily encouraged theory of disunity among nations which dared to call themselves united.

We have since been privileged to hear your actual message on the conference, of the problems of interallied collaboration that have been disposed of to the satisfaction of all but the enemy. It has taken years of bitter battle; years which produced disappointments and reverses; years when the grim specter of defeat hovered close; when the victorious armies of Hitler and Tojo spread like a malignant disease over the map of the world; but now the Allies have come together at last in the determination to defeat our enemies.

The years of slow waiting; the laborious concentration at strategic points of men and materials; the organization and implementation of our vast production; the welding together of faltering spirits—all the preliminaries necessary to the greatest conquering surge that the world will ever know—all these elements of preparation have now been given point and impetus by the coming together of four great leaders; and by the decisions they reached, which already animate our armed millions on the battle lines of the world.

We may well be thankful that we have at the head of this Government one who has studied the institution we call politics. We are fortunate in having as a leader one who understands the essential part that politics in the highest sense of the word plays in our young, aggressive democracy.

May a gracious Providence keep our President strong and steadfast for the grave tasks that lie ahead. May we prove, by our tolerance of his difficulties, by our support of his purpose, and by the manner in which we carry out our own duties, that we deserve the victory which will some day be ours, and the enduring and honorable peace which will some day belong to the world.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. SCHUETZ (at the request of Mr. O'BRIEN) for today, on account of attending the funeral of his colleague, Mr. Wheat.

To Mr. HERTER, indefinitely, on account of illness.

To Mr. HOCH, for 2 days, on account of official business.

To Mr. ANDERSON of New Mexico (at the request of Mr. THOMASON) for today, on account of official business.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 13 minutes p. m.) the House adjourned until Thursday, January 20, 1943, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the committee at 10 a. m. on Thursday, January 20, 1944, for consideration of post-war plans, to be held in the caucus room, Old House Office Building.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold hearings at 10:30 a. m. on Thursday, January 20, 1944, on H. R. 2701, H. R. 3012, H. R. 3446, and H. R. 3489.

COMMITTEE ON THE PUBLIC LANDS

The hearings on H. R. 2596, to protect naval petroleum reserve No. 1, will be continued on Friday, January 21, 1944, at 10:30 a. m.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 3, 1944, at 10 a. m., on H. R. 2809, to amend section 511 of the Merchant Marine Act, 1936, as amended.

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of subtitle "Insurance of Title II of the Merchant Marine Act, 1936," as amended.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1086. A letter from the Administrator, Federal Security Agency, transmitting a copy of the Eighth Annual Report of the Social Security Board (H. Doc. No. 380); to the Committee on Ways and Means and ordered to be printed, with illustrations.

1087. A letter from the Chairman, The National Archives, transmitting the Annual Report of the National Archives Trust Fund Board for the fiscal year ending June 30, 1943; to the Committee on the Library.

1088. A letter from the Acting Secretary of Commerce, transmitting in compliance with the act of May 27, 1935 (49 Stat. 292), authorizing the Department of Commerce to make special statistical studies upon payment

of the cost thereof; statements showing the names for whom work has been performed, the nature of the services rendered, the price charged for these services, and the manner in which the moneys received were deposited or used; to the Committee on Expenditures in the Executive Departments.

1089. A letter from the Chief, Administrative Division, the Office of Censorship, transmitting a copy of the quarterly estimate of personnel requirements for the Office of Censorship for the quarter ending March 31, 1944; to the Committee on the Civil Service.

1090. A letter from the president, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to amend an act entitled "An act to empower the Commissioners of the District of Columbia to convey land" (approved April 28, 1922); to the Committee on the District of Columbia.

1091. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to provide titles for heads of staff departments of the United States Marine Corps, and for other purposes; to the Committee on Naval Affairs.

1092. A letter from the Director, War Relocation Authority, transmitting a copy of the quarterly estimate of personnel requirements for the third quarter of fiscal year 1944; to the Committee on the Civil Service.

1093. A letter from the Chairman, War Production Board, transmitting a copy of the personnel requirements of the War Production Board for the third quarter of the fiscal year 1944, prepared in accordance with instructions of the Director of the Bureau of the Budget; to the Committee on the Civil Service.

1094. A letter from the Attorney General, transmitting a report stating all of the facts and pertinent provisions of law in the cases of 238 individuals whose deportation has been suspended for more than 6 months under the authority vested in him, together with a statement of the reason for such suspension; to the Committee on Immigration and Naturalization.

1095. A letter from the Acting Secretary of the Interior, transmitting a report that no exchanges pursuant to the act of June 14, 1926 (44 Stat. 741; 43 U. S. C., sec. 869), were consummated during the calendar year of 1943; to the Committee on the Public Lands.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SABATH: Committee on Rules. House Resolution 401. Resolution providing for the consideration of House Joint Resolution 192 to enable the United States to participate in the work of the United Nations relief and rehabilitation organization; without amendment (Rept. No. 999). Referred to the House Calendar.

Mr. MANSFIELD of Texas: Committee on Rivers and Harbors. H. R. 3961. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; without amendment (Rept. No. 1000). Referred to the Committee of the Whole House on the state of the Union.

Mr. BOREN: Committee on Interstate and Foreign Commerce. S. 1255. An act to revive and reenact the act entitled "An act creating the Arkansas-Mississippi Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark., and for other purposes," approved May 17, 1939; without amendment (Rept. No. 1002). Referred to the House Calendar.

Mr. WINTER: Committee on Interstate and Foreign Commerce. S. 1504. An act to extend the time for completing the construction of a railroad bridge across the Missouri River at or near Randolph, Mo.; without amendment (Rept. No. 1003). Referred to the House Calendar.

Mr. O'HARA: Committee on Interstate and Foreign Commerce. H. R. 3028. A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Sauk Rapids, Minn.; with amendment (Rept. No. 1004). Referred to the House Calendar.

Mr. KENNEDY: Committee on Interstate and Foreign Commerce. H. R. 3164. A bill to revive and reenact the act entitled "An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes," approved June 14, 1933; with amendment (Rept. No. 1005). Referred to the House Calendar.

Mr. SPARKMAN: Committee on Military Affairs. H. R. 1506. A bill to further amend the Pay Adjustment Act of 1942; with amendment (Rept. No. 1006). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ELLIOTT: Committee on the Public Lands. H. R. 3618. A bill to authorize the War Food Administrator to sell and convey to Mrs. Andrew J. Frey, and her heirs, a certain tract of land, situated in the county of San Joaquin, State of California, and for other purposes; without amendment (Rept. No. 1001). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on World War Veterans' Legislation was discharged from the consideration of the bill (H. R. 3844) for the relief of Henry O. Heuer, and the same was referred to the Committee on War Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ANDREWS:

H. R. 4017. A bill to facilitate voting, in the general election in 1944, by qualified voters who are members of the armed forces of the United States or members of the merchant marine of the United States and who are absent from the place of their residence; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. ANDERSON of California:

H. R. 4018. A bill to extend certain benefits of the Social Security Act to employees employed in connection with commercial processing and packaging of dried fruits and raisins; to the Committee on Ways and Means.

By Mr. HENDRICKS:

H. R. 4019. A bill amending the Social Security Act to provide for the matching of administrative costs of State old-age assistance plans with Federal funds; to the Committee on Ways and Means.

By Mr. PETERSON of Florida:

H. R. 4020. A bill to authorize the issuance of an unrestricted patent on certain lands to Henry S. Giddens; to the Committee on the Public Lands.

By Mr. WEISS:

H. R. 4021. A bill to amend the Soldiers' and Sailors' Civil Relief Act of 1940 so as to suspend the payment of interest and taxes on Federal Housing Administration mortgages; to the Committee on Military Affairs.

By Mr. CASE:

H. R. 4022. A bill to authorize procurement of public-utility services for which rates are fixed by public law or regulation; to the Committee on Expenditures in the Executive Departments.

By Mr. LANDIS:

H. J. Res. 223. Joint resolution to insure the complete fulfillment of commitments made to producers who have expanded production of nonbasic agricultural commodities; to the Committee on Banking and Currency.

By Mr. RANKIN:

H. Res. 402. Resolution for the consideration of H. R. 1744; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to pledge all-out cooperation to the Commander in Chief of the armed forces of our country, and to the Congress of the United States of America; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LUDLOW:

H. R. 4023. A bill granting an increase of pension to Frank M. Young; to the Committee on Pensions.

By Mr. WARD:

H. R. 4024. A bill for the relief of Victoria Cormier; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4403. By Mr. BROWN of Ohio: Petition of 28 members of the Woman's Society of Christian Service of the Lebanon (Ohio) Methodist Church, urging the passage of Resolution 117, so that the starving children of the occupied countries of Europe may be fed; to the Committee on Foreign Affairs.

4404. By Mr. GRAHAM: Petition of 35 residents of the county of Butler, State of Pennsylvania, requesting the enactment of House bill 2082, to stop the manufacture and sale of alcoholic beverages for the duration of the war and during demobilization; to the Committee on the Judiciary.

4405. Mr. HOPE: Petition of sundry citizens of Plains, Kans., urging passage of House bill 2082; to the Committee on the Judiciary.

4406. By Mr. LAFOLLETTE: Petition of William H. Hetzel and 200 other citizens of Chandler, Ind., and vicinity, urging the passage of House bill 8082 and Senate bill 860; to the Committee on the Judiciary.

4407. By Mr. LESINSKI: Resolution of the Council of the City of Dearborn, Mich., endorsing the immediate enactment of mustering-out pay legislation for veterans of World War No. 2; to the Committee on Military Affairs.

4408. Also, resolution of the Wayne County Board of Supervisors, representing a county-wide population of approximately 2,165,468, including the city of Detroit, requesting the immediate enactment of mustering-out legislation; to the Committee on Military Affairs.

4409. Also, resolution of the delegates representing the American Legion Post of the Department of Michigan, recommending that aviation bills, H. R. 3420 and H. R. 3421, and all other legislation affecting civil aviation now pending in Congress be held in abeyance until the termination of the present war and for a period of 6 months thereafter; to the Committee on Interstate and Foreign Commerce.

4410. By Mrs. SMITH of Maine: Petition of Frank Bernier, of Auburn, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4411. Also, petition of Ruby Dorgen, of Auburn, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4412. Also, petition of Aldouin Houle, of Lewiston, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4413. Also, petition of Thomas Buton, of Auburn, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4414. Also, petition of Arthur A. Bembe, of Lewiston, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4415. By Mr. MERRITT: Resolution of the Women's National Democratic Club, Inc., of New York, endorsing the equal-rights amendment to the Constitution which would guarantee to women equal rights with men under the law; to the Committee on the Judiciary.

4416. Also, resolution of the Allied Civic Associations of Forest Hills, N. Y., that present-day activities of the black market whereby hijackers and racketeers are profiting at the expense of the people of this Nation on the necessities of life, it is necessary that Congress awaken and produce the evidence of these violations and prosecute the guilty violators of our laws; to the Committee on Military Affairs.

4417. Also, resolution of the Queens County Civic Councils, Inc., of New York, that this organization opposes any increase in the immigration quota and recommends that 6 months after the war all refugees be returned to their respective countries; also opposing any form of prohibition and the return of bootlegging and racketeering; recommending that all service men and women having served at least 6 months in the armed forces of the United States receive 1 year's advanced pay on his or her honorable discharge; and that this organization recommends the soldiers' vote, provided it is conducted by the States; to the Committee on Military Affairs.

4418. By Mr. SCHIFFLER: Petition of Mrs. William T. Parsons and other citizens of Chester, W. Va., urging the passage of House bill 2082; to the Committee on the Judiciary.

4419. By Mr. JONKMAN: Petition of 100 residents of the Fifth District of Michigan opposing House bill 2082; to the Committee on the Judiciary.

4420. By the SPEAKER: Petition of the Jewish Community Council of Houston, Tex., petitioning consideration of their resolution with reference to the withdrawal of the Palestine White Paper of May 1939; to the Committee on Foreign Affairs.

4421. Also, petition of the vice president of the Cortlandt Democratic Club, Croton on Hudson, N. Y., petitioning consideration of their resolution with reference to President Roosevelt's five-point program; to the Committee on Ways and Means.

4422. Also, petition of the chief clerk of the City Council of Baltimore, Baltimore, Md., petitioning consideration of their resolution with reference to the soldier vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4423. Also, petition of sundry citizens of New York, N. Y., American Youth for Democracy, petitioning consideration of their resolution with reference to the Green-Lucas bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4424. Also, petition of the Missouri Pension Society, St. Joseph, Mo., petitioning consideration of their resolution with reference to old-age pensions; to the Committee on Ways and Means.

4425. Also, petition of the Fresno Labor Council, Fresno, Calif., petitioning consideration of their resolution with reference to the Green-Lucas voting bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4426. Also, petition of the Phoenix Chamber of Commerce, Phoenix, Ariz., petitioning consideration of their resolution with reference to world-wide aviation; to the Committee on Interstate and Foreign Commerce.

SENATE

THURSDAY, JANUARY 20, 1944

(Legislative day of Tuesday, January 11, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Dr. Fred S. Buschmeyer, pastor of the Mount Pleasant Congregational Church, Washington, D. C., offered the following prayer:

Almighty and eternal Creator, whose endless beginnings are the hope of our hearts and the solace of our souls, we thank Thee for the pattern of ceaseless creative endeavor which Thou hast set before us. Thou, who didst stand behind creation's dawn, and at whose holy bidding the ancient stars didst assume their courses, dost still stand behind the dawn of each new day, and dost still work with recreating power throughout all this living universe, our home.

Though Thy creative hand was old in practice when our Nation was born, still we feel the freshness and the power of Thy touch upon our lives in these later years, and our hope for the future still rests in Thy leadings.

Out of confusion and failure and disaster Thou art ever creating new possibilities of life and growth and noble achievement. We thank Thee that by Thy grace the marching days and the sequent seasons bring to us fresh chances to build upon our own efforts of the past, to correct the errors of our yesterdays, and to redeem the lost opportunities of receding years.

Grant to us with each new day a consciousness of the holy heritage Thou hast visited upon us, that as the children of Thy spirit we, too, may make each day a drama of creative power, of fresh beginnings, in companionship with Thee. In humility and in hope, we pray. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, January 19, 1944, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the joint resolution (S. J. Res. 108) making an appropriation for contingent expenses of the Senate.

The message also announced that the House had passed the bill (S. 1543) to provide for mustering-out payments to members of the armed forces, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3741) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

ATTITUDE OF WAR SHIPPING ADMINISTRATION ON AMENDMENT TO REVENUE BILL—CORRECTION

Mr. GEORGE. Mr. President, at page 197 of the CONGRESSIONAL RECORD of January 14, 1944, in connection with an amendment which was offered, it was stated by the chairman of the Committee on Finance, reading from a memorandum which had been given to him, that the amendment was recommended by the War Shipping Administration, and so forth. Admiral Land, the Administrator of the War Shipping Administration, has addressed to me a letter in which he says the War Shipping Administration had no objection to the amendment and so advised the Treasury, but that they had not asked for the amendment, following their policy of noninterference in tax matters. In order that the matter may be clearly understood, I ask to have Admiral Land's letter inserted in the CONGRESSIONAL RECORD. I regret the fact that the memorandum stated that the amendment had been asked for by the War Shipping Administration, but it appears that that organization had no objection to the amendment.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WAR SHIPPING ADMINISTRATION,
Washington, January 18, 1944.

The Honorable WALTER F. GEORGE,
United States Senate.

MY DEAR SENATOR GEORGE: At page 197 of the CONGRESSIONAL RECORD of January 14, 1944, you are reported as having stated:

"The War Shipping Administration asked for an amendment exempting from the tax imposed on the transportation of property

by section 3475 of the Internal Revenue Code, amounts paid to or by the War Shipping Administration for the transportation of property by water from one point in the United States to another, except between points on the Great Lakes."

Under the amendment to which you referred, amounts paid by or to the War Shipping Administration for the transportation of property by water from one point in the United States to another would be exempt from the Federal transportation tax.

It is our policy in tax matters to suggest amendments to the tax law only when existing practices unduly interfere with the effective prosecution of the duties of the War Shipping Administration in the war effort. In all other cases we prefer to leave matters of tax policy to those branches of the Federal Government charged with responsibility therefor.

In line with this policy we did not ask for the amendment. We did, however, state to the Treasury Department that the War Shipping Administration had no objection to an amendment which would substantially restore the situation as it existed prior to December 1, 1943, when payments of transportation charges by or to the War Shipping Administration were exempt from the transportation tax. We also advised the Treasury that the language of the proposed amendment would, in our opinion, accomplish that objective.

It is our understanding that the amendment was suggested by certain shippers who felt that the result of the taxes as applied to those interests was unfair and inequitable. We at no time had any communication with any committee of Congress or any Member thereof regarding this suggestion. Our participation was limited merely to informal advice to the Treasury Department that we would have no objection to the suggested amendment if they felt it was otherwise desirable. Obviously, we could not take an affirmative position on a revenue matter in which we had no real interest.

We know that you would want to have before you a statement of the position of the War Shipping Administration with respect to our policy on tax legislation and the proposed amendment.

Sincerely yours,

E. S. LAND,
Administrator.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Radcliffe
Andrews	Guffey	Reed
Austin	Gurney	Revercomb
Bailey	Hatch	Reynolds
Bankhead	Hawkes	Robertson
Barkley	Hayden	Russell
Bilbo	Holman	Shipstead
Bone	Johnson, Colo.	Stewart
Bridges	Kilgore	Taft
Buck	La Follette	Thomas, Idaho
Burton	Langer	Thomas, Okla.
Bushfield	Lodge	Thomas, Utah
Butler	Lucas	Tobey
Byrd	McCarran	Truman
Capper	McClellan	Tunnell
Caraway	McFarland	Tydings
Chavez	McKellar	Vandenberg
Clark, Mo.	Maloney	Van Nuys
Connally	Maybank	Wagner
Danaher	Mead	Wallgren
Davis	Millikin	Walsh, Mass.
Downey	Moore	Walsh, N. J.
Eastland	Murdock	Wheeler
Ellender	Murray	Wherry
Ferguson	Nye	White
George	O'Daniel	Wiley
Gerry	O'Mahoney	Willis
Gillette	Overton	

Mr. BARKLEY. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], and the Senator from South Carolina [Mr. SMITH] are necessarily absent.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

The Senator from Alabama [Mr. HILL] is detained on public business.

The Senator from Florida [Mr. PEPPER] is absent because of a slight cold.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] and the Senator from Iowa [Mr. WILSON] are absent because of illness.

The Senator from Illinois [Mr. BROOKS] is absent on official business.

The Senator from Minnesota [Mr. BALL] and the Senator from Maine [Mr. BREWSTER] are necessarily absent.

The VICE PRESIDENT. Eighty-three Senators have answered to their names. A quorum is present.

BOARD OF VISITORS TO THE NAVAL ACADEMY

The VICE PRESIDENT, pursuant to law, appointed Mr. THOMAS of Oklahoma, Mr. LUCAS, Mr. WALSH of New Jersey, and Mr. BROOKS as members on the part of the Senate of the Board of Visitors to the Naval Academy.

RELIEF OF VETERANS' ADMINISTRATION EMPLOYEES FROM LIABILITY FOR OVERPAYMENTS

The VICE PRESIDENT laid before the Senate a letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of Guy F. Allen, Chief Disbursing Officer (with accompanying papers) which was referred to the Committee on Claims.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Board of Supervisors of Ottawa County, Mich., requesting that action on House bill 3420, affecting air commerce, and similar proposed legislation be deferred until after the termination of the present war; to the Committee on Commerce.

A resolution of the Common Council of the City of Milwaukee, Wis., favoring the enactment of legislation enabling all members of the armed forces who are residents of Wisconsin to cast their votes for the selection of representatives in the Government; to the Committee on Privileges and Elections.

By Mr. CAPPER:

A petition, numerously signed, of sundry citizens of Atchison, Kans., praying for the enactment of Senate bill 860, relating to the sale of alcoholic liquors to the members of the land and naval forces of the United States; to the Committee on Military Affairs.

PROHIBITION OF LIQUOR TRAFFIC DURING THE WAR—MEMORIALS FROM WISCONSIN

Mr. LA FOLLETTE. I ask unanimous consent to present memorials signed by citizens of Wisconsin remonstrating against the enactment of any prohibition legislation. I ask that the heading of one of the memorials may be printed in the RECORD and that the memorials be referred to the Committee on the Judiciary.

There being no objection, the memorials were received, referred to the Committee on the Judiciary and the heading of one of the memorials was ordered to be printed in the RECORD, as follows:

WISCONSIN STATE COUNCIL OF BREWERY AND SOFT-DRINK WORKERS PROTEST AGAINST THE ENACTMENT OF ANY AND ALL PROHIBITION LEGISLATION—OPPOSED TO PROHIBITION OR THE PASSAGE OF ANY LAW THAT WILL INTERFERE WITH THE PERSONAL LIBERTY OR ECONOMIC WELFARE OF THE WORKING CLASS

Whereas the professional prohibition organizations are attempting to force the consideration and passage of House bill 2082, known as the Bryson bill, which would impose complete prohibition for the duration of the war; and

Whereas these same prohibitionists are also sponsoring legislation which would bring back prohibition by banning the sale of beer to our fighting forces in and near military camps, as well as to civilians in zones around such camps; and

Whereas the object of all such legislation is to reestablish complete national prohibition in the United States during the absence from their homes of more than 8,000,000 citizens in the military service of their country; and

Whereas any such legislation is opposed by the War and Navy Departments as well as by the great majority of our soldiers, sailors, marines, and civilians; and

Whereas national prohibition, during a test of 13 years from 1920 to 1933, brought upon the Nation the uncontrollable evils of the speak-easy and the bootlegger, the degradation of teen-age girls and boys, Nation-wide home manufacture of illegal liquor, widespread vicious crime, official corruption, and disrespect for law—all of which so outraged public decency that the eighteenth amendment was repealed by a majority of 10,000,000 votes; and

Whereas the enactment of any such legislation would completely destroy all legalized control and cause the loss of Federal revenues of more than $1,500,000,000 a year and local revenues of $500,000,000 a year without any compensating benefits to either State or Nation; and

Therefore we, the undersigned citizens of the United States, protest against the consideration of any and all prohibition measures by Congress and herewith request our Senators and Representatives to vote against any and all such proposed legislation. We further respectfully request that this petition be referred to the proper committees and listed in the CONGRESSIONAL RECORD.

EXCHANGE AND COLLECTION COSTS BETWEEN BANKS—RESOLUTION OF SOUTH CAROLINA BOARD OF BANK CONTROL

Mr. MAYBANK. Mr. President, I ask unanimous consent to have printed in the body of the RECORD and appropriately referred a resolution adopted by the Board of Bank Control of the State of South Carolina, which shows the serious trouble that will come to many of our small banks unless the interpretation of regulation Q of the Federal Reserve System is revoked.

There being no objection, the resolution was referred to the Committee on

Banking and Currency and ordered to be printed in the RECORD, as follows:

Whereas the recent interpretation by the Board of Governors of the Federal Reserve System of regulation Q will materially affect the present well-ordered operation of the banking institutions in South Carolina: Now, therefore, be it

Resolved, That it is the sense of this Board that the Congress should immediately take the necessary action to return the matter of exchange and collection costs between banks to the status existing before the present interpretation of the Federal Reserve Board became effective; and further,

That a copy of this resolution be forwarded to the Banking and Currency Committee of the Congress.

CONTINUATION OF COMMODITY CREDIT CORPORATION—AMENDMENT

Mr. MALONEY submitted an amendment intended to be proposed by him to the bill (H. R. 3477) to continue the Commodity Credit Corporation as an agency of the United States, to revise the basis of annual appraisal of its assets, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT TO THE REVENUE ACT

Mr. McCARRAN submitted an amendment intended to be proposed by him to the bill (H. R. 3687) to provide revenue, and for other purposes, which was ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

Amendments intended to be proposed by Mr. MCCARRAN to the bill (H. R. 3687) to provide revenue, and for other purposes, viz:

On page 38, line 4, insert the following:

"(y) (2) Deferred maintenance deduction—carriers: The deduction for deferred maintenance provided in section 128 (B)."

On page 67, line 1, insert the following new section:

"SEC. —. Chapter 1 is amended by inserting after section 128 the following new section:

"SEC. 128 (B). (a) Deferred maintenance deduction—carriers: In computing the net income of any carrier subject to the Interstate Commerce Act, there shall be allowed as a deduction, in addition to deductions otherwise provided for in this chapter, the amount which such carrier shall, pursuant to authorization of the Interstate Commerce Commission, accrue in its maintenance reserve account to provide for the cost of maintenance and repairs which it is unable to undertake or complete in any taxable year beginning after December 31, 1942: *Provided*, That United States Treasury securities shall be set aside and held by the taxpayer in a face amount at all times not less than the balance in said maintenance reserve account: *Provided further*, That expenditures subsequently made on account of any maintenance or repairs for which accruals have been made in said reserve account shall be charged against said account and shall not be deductible in the determination of net income, except to the extent provided in subsection (b) hereof.

"(b) The deduction provided in subsection (a) of this section may be taken in any taxable year beginning after December 31, 1942, but may not be taken in any taxable year beginning after December 31 in the year in which the President shall issue his proclamation declaring the war to be at an end. Any amount remaining in the maintenance reserve account on December 31 of the fifth year following the year in which the President shall issue his proclamation as aforesaid shall be included in the gross income of the taxpayer in the 5th year following the issuance of such proclamation and shall be taxed at the rate or rates applicable to the last year or years in which an equivalent amount of deduction was allowed, with interest at the rate or rates borne by the Treasury securities remaining in the taxpayer's treasury. Upon inclusion of such remaining amount in its gross income, any expenditures subsequently made on account of deferred maintenance and repairs shall be deductible under section 23 (a), and the taxpayer shall be relieved of any further obligation to hold Treasury securities under the provisions of paragraph (a) of this section."

HEARINGS BEFORE COMMITTEE ON BANKING AND CURRENCY—LIMIT OF EXPENDITURES

Mr. WAGNER submitted the following resolution (S. Res. 240), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the amount authorized to be expended by the Committee on Banking and Currency, pursuant to Senate Resolution 42, agreed to January 18, 1943, is hereby increased by $12,000.

ADDITIONAL COPIES OF HEARINGS BEFORE SUBCOMMITTEE ON CONTRACT TERMINATION OF MILITARY AFFAIRS COMMITTEE

Mr. MURRAY submitted the following resolution (S. Res. 241), which was referred to the Committee on Printing:

Resolved, That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Subcommittee on Contract Termination of the Committee on Military Affairs be, and is hereby, authorized and empowered to have printed for its use 2,000 additional copies of the hearings held before said subcommittee during the first session, on S. 1268, a bill to facilitate the termination of war contracts; S. 1280, a bill to provide authority to the Secretary of War to use funds now or hereafter appropriated for adjustment of contracts, and for other purposes; and Senate Joint Resolution 80, a joint resolution to prohibit the use of cost-plus-a-fixed-fee system of contracting in connection with war contracts.

JACKSON DAY DINNER ADDRESS BY SENATOR LUCAS

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD a Jackson Day dinner address delivered by Senator LUCAS at a meeting of Democrats of Sangamon County, Ill., which appears in the Appendix.]

ADDRESS BY SENATOR LUCAS BEFORE NATIONAL FOOD AND VEGETABLE GROWERS' ASSOCIATION

[Mr. LUCAS asked and obtained leave to have printed in the RECORD an address delivered by him before the National Food and Vegetable Growers' Association, at Chicago, Ill., on January 18, 1944, which appears in the Appendix.]

PRODUCTION FOR WAR—ADDRESS BY DONALD M. NELSON

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD an address delivered by Donald M. Nelson at a dinner given in his honor on the occasion of the second anniversary of the War Production Board, Washington, D. C., January 17, 1944, which appears in the Appendix.]

OVERCOMING OF GROUP ANIMOSITIES—DISCUSSION ON AMERICAN FORUM OF THE AIR

[Mr. WAGNER asked and obtained leave to have printed in the RECORD a discussion on the American Forum of the Air entitled "How Can We Overcome Group Animosities?" on January 11, 1944, which appears in the Appendix.]

SUBSIDIES SAFEGUARD AGAINST INFLATION—LETTER OF HERBERT M. SINGER

[Mr. WAGNER asked and obtained leave to have printed in the RECORD a letter written by Herbert M. Singer, published in the Corpus Christi (Tex.) Caller, in the issue of November 1, 1944, under the heading, "Subsidies Called Practical Safeguard Against Inflation," which appears in the Appendix.]

OLEOMARGARINE — EDITORIAL FROM WASHINGTON POST

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an editorial entitled "Oleomargarine," published in the Washington Post of January 20, 1944, which appears in the Appendix.]

AMERICAN AVIATORS OVER GREECE—INTERVIEW WITH LT. FRANK D. BUEHL

[Mr. STEWART asked and obtained leave to have printed in the RECORD an article by James J. Kay, from the National Herald, a Greek newspaper of New York, issue of December 26, 1943, containing an interview with Lt. Frank D. Buehl, which appears in the Appendix.]

THE POLISH BOUNDARY QUESTION—EDITORIAL AND NEWS DISPATCH

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial entitled "Polish-Russian Realities," published in the Washington Star of January 19, 1944, and an Associated Press dispatch from Baltimore, dated January 19, entitled "Monsignor Sheen Views Poland as Moral Test," which appear in the Appendix.]

VISIT TO THE SENATE BY HIS EXCELLENCY, GEN. ISAÍAS MEDINA ANGARITA, PRESIDENT OF VENEZUELA

Mr. BARKLEY. Mr. President, as I announced yesterday afternoon, at a quarter past 12 today we are to be visited by the President of Venezuela, who will delive. a brief address. I therefore ask unanimous consent that the Vice President appoint a committee of four Members of the Senate to escort the President of Venezuela into the Chamber, and that thereafter, until the ceremonies shall be concluded, the Senate stand in recess subject to the call of the Chair.

The VICE PRESIDENT. Without objection, it is so ordered. The Chair appoints the Senator from Kentucky [Mr. BARKLEY], the Senator from Maine [Mr. WHITE], the Senator from Texas [Mr. CONNALLY], and the Senator from Minnesota [Mr. SHIPSTEAD], as the committee to greet the President of Venezuela and escort him into the Chamber.

Pursuant to the unanimous-consent agreement, the Senate will now stand in recess, subject to the call of the Chair.

The Senate being in recess, at 12 o'clock and 15 minutes p. m.,

His Excellency, Gen. Isaías Medina Angarita, President of Venezuela, escorted by the committee appointed by the Vice President, consisting of Mr. BARKLEY, Mr. WHITE, Mr. CONNALLY, and Mr. SHIPSTEAD, preceded by the Secretary of the Senate, Edwin A. Halsey, and the Sergeant at Arms, Wall Doxey, entered the Chamber and took the place assigned him on the rostrum in front of the Vice President's desk.

The members of the party accompanying the President of Venezuela, including Señor Don Rodolfo Rojas, Minister of

the Treasury; Señor Dr. Manuel Silveira, Minister of Public Works; Señor Dr. Gustavo Manrique-Pacanins, Attorney General; Commander Antonio Picardi, Chief of the Naval Division of the Ministry of War and Navy; Señor Don Eugenio Mendoza, former Minister of National Development; Señor Dr. Manuel Pérez-Guerrero, Acting Secretary to the President; Col. Alfredo Jurado, Aide to the President; Ensign Elio Quintero-Medina, Aide to the President; His Excellency Señor Dr. Don Diogenes Escalante, Ambassador of Venezuela to the United States; Hon. Frank P. Corrigan, American Ambassador to Venezuela; Brig. Gen. Norman Randolph, United States Army, military aide; Capt. Henry T. Richter, United States Navy, naval aide; Mr. Stanley Woodward, Department of State; Col. Nicholas H. E. Campanole, United States Army; Mr. M. Hamilton Osborne, special agent, Department of State, entered the Chamber, and were escorted to the seats assigned them to the left of the Vice President's desk.

The VICE PRESIDENT. Members of the Senate, ladies and gentlemen, the President of Venezuela.

[Applause, Senators and occupants of the galleries rising.]

ADDRESS BY THE PRESIDENT OF VENEZUELA

Señor Presidente, Señoras y Señores, llego a esta tribuna preclara, penetrado del hondo sentimiento de la unidad americana, a traeros en mi voz de ciudadano de América, el saludo fraternal de un pueblo que se enorgullece de haber contribuído, tanto como el que más, con sangre, pensamiento y sacrificio, a la forja de los principios y de las realidades sobre los que se asienta la solidaridad continental. Yo os traigo el saludo muy cordial que os envía un pueblo que entiende y comparte vuestras aspiraciones; que ha luchado por ellas y que está dispuesto a sostener ideales y principios que nos son comunes.

Llego ante vosotros como el jefe legítimo de la democracia venezolana, de un país pequeño todavío por su población y su desarrollo, pero grande por su extensión, por la magnitud de sus recursos materiales, por la altura de sus principios y por su incomparable aporte a la historia de América. La Patria de Simón Bolívar vive hoy una de las épocas más interesantes de su vida. Estamos construyendo nuestro porvenir y recuperando el tiempo perdido con una velocidad y en una forma que inspiran fe y provocan entusiasmo; y estamos haciéndolo manteniendo, en todo su esplendor, las instituciones que garantizan la libertad y la dignidad del hombre y la justicia como norma en las relaciones de la vida social y económica, porque nuestro ideal democrático no se limita a las palabras y no consiste en una mera fachada, más o menos compuesta para impresionar la opinión exterior, sino que consiste en hechos, en realidades, en la forma y en la substancia de la vida de un pueblo. Venezuela es un país libre, donde todos los ciudadanos disfrutan de la libertad civil y política y de todas las garantías que pautan las leyes y en el que la soberanía reside en el pueblo y se ejerce por medio del sufragio en la persona de mandatarios sinceramente representativos. Por eso, cuando el pueblo venezolano o su Gobierno aseguran que luchan por la democracia y que cooperan por el triunfo de la democracia, no hacen sino revelar la verdadera situación de una colectividad de seres humanos que defienden y están dispuestos a defender, no remotos ideales, sino bienes altamente apreciables que constituyen la realidad de todos sus días.

Esos principios, esa profesión de fe, y la vecindad geográfica son las causas determinantes del sentimiento de simpatía que nos une a vosotros. Miramos en esta augusta assamblea el monumento vivo y fecundo a la voluntad de un pueblo que implantó en la historia el Gobierno democrático y representativo. Vuestro ejemplo inspiró a los grandes hombres que, con su heróico esfuerzo, construyeron nuestras Patrias. La causa de la justicia halló siempre voz robusta en vuestro seno, y todavía resuena en la memoria inmarchitable de nuestra gratitud la noble voz de Henry Clay abogando por la independencia de nuestras Repúblicas americanas.

Los nobles principios que tienen su altar en esta casa, que es el corazón de un gran pueblo, no han de sufrir eclipse, ni mengua. Por eso venimos confiados, sin recelo de la desproporción de nuestras fuerzas. Aspiramos a vivir en un mundo regido por la justicia y por el derecho, ofreciéndonos mutua ayuda, mutuo respeto y mutua confianza. A la sombra benéfica de esos principios, que es la sombra misma del gran árbol de la solidaridad americana, viene ante vosotros, con toda lealtad y firmeza, la ratificación de la amistad fraternal de Venezuela. Ni queremos ser engañados ni engañamos. Con buena fe entera servimos la causa de la democracia y de la justicia que sabemos es, también, la vuestra. No tenemos segundas intenciones. Ni en el pasado ni en el presente hemos hecho negocio con nuestros ideales, y podemos afirmar que nuestra adhesión y nuestra amistad no llevan sombra de interés mezquino. Nunca hemos pedido nada; nunca hemos aceptado nada que no hayamos pagado íntegramente y nuestra amistad, por el contrario, se traduce en inmensa ayuda material para la causa por la cual vuestros hijos ofrecen sus vidas. Por eso es sólido la base sobre la cual nos acercamos y es firme la mano de amigo que os tendemos.

Nada tiene de extraño que, amigos de ayer, seamos amigos de hoy, ya que la misma igualdad de ideales que teníamos en el pasado existe en el presente, y que las únicas cuentas pendientes entre nuestros dos países son las que derivan de la caballerosidad, de las nobles acciones, de la rectitud de intención en nuestro trato internacional. Nuestra actitud de hoy es la misma de siempre. Por eso, desde el primer momento del criminal ataque de Pearl Harbor, nos colocamos a vuestro lado. La causa que defendéis es causa común de los pueblos democráticos. Además de las potencias de ultramar, os acompañan, por convicción, por su propio interés, por la defensa de su tradición y por su libertad futura, las Repúblicas del Hemisferio, que de ese modo cumplen la palabra que voluntariamente dieron ayer, cuándo aun no se sabía contra quié iría dirigida la primera agresión continental. Si Venezuela se situó sin vacilaciones a vuestro lado, no fué para ofreceros solamente el muy valioso apoyo moral de un pueblo independiente, sino para contribuir también de manera efectiva al esfuerzo bélico colectivo y para compartir con vosotros los padecimientos que, en mayor o menor grado, necesariamente han de afectarnos. Os hemos dado y os damos hoy todo lo que podemos. Las materias primas y articulos de primera necesidad disponibles, están a la orden de las Naciones Unidas. Nuestro petróleo, afortunadamente abundante, ha ido y seguirá yendo hasta los campos de batalla, del lado de las democracias. Además de nuestra ayuda material, cooperamos con vosotros en el estudio y realización coordinada de muchos otros proyectos y problemas comunes, y nuestra contribución en el período de la reconstrucción de posguerra será tan amplia y efectiva como nos lo permitan nuestros medios, pues comprendemos que en ello va la libertad de todos, la seguridad futura y el progreso y la supervivencia de la vida libre que soñaron los gloriosos fundadores de nuestras naciones. Mi Gobierno ha estudiado con el mayor interés cuanto se refiere a nuestra participación en la causa de todos, y estamos convencidos de que nuestra posición y actitud de hoy nos permitendar todo cuanto pueden las fuerzas del país.

De Simón Bolívar hemos heredado la conciencia de la unidad de América, fortalecida por el hecho inquebrantable de la geografía y por la comunidad de intereses y de ideales. Los tiempos presentes nor atraen aún a mayor acercamiento y podéis estar seguros de que es el pueblo todo de mi Patria el que hoy, por mi boca, os dice: Venezuela está con vosotros hoy, mañana y siempre, para la causa de la justicia, de la democracia y de la felicidad del hombre.

[Prolonged applause, Senators, distinguished visitors, and occupants of the galleries rising.]

The English translation of the address by the President of Venezuela is as follows:

Mr. President, ladies, and gentlemen, filled with the deep sense of American unity, I come to this most illustrious rostrum to convey to you—with my voice of a citizen of the Americas—the fraternal greetings of a people proud to have contributed as much as any other, with blood, thoughts, and sacrifices, to establish those principles and realities upon which our continental solidarity stands. I bring to you the most cordial greetings from a people who understands and shares your aspirations, who has fought for them, and is ready to support those principles and ideals common to both of us.

I come to you as the head of the Venezuelan democracy, of a country still small in population and development, but large in territory, rich in material resources, great in the loftiness of its prin-

ciples and in its matchless contribution to the history of America. The fatherland of Simon Bolivar is living today one of the most interesting moments of its life. We are now building our future and making up for lost time at such a rate and in such a way as to inspire confidence and arouse enthusiasm; and we are doing it while preserving in all their splendor the institutions that guarantee the freedom and the dignity of man and justice as the standard of social and economic life, for our democratic ideal is not limited to words and is not a mere front shaped more or less to impress foreign opinion, but consists of the facts, the realities, the form, and substance of the actual life of a people. Venezuela is a free country where every citizen enjoys civil and political liberty and all the guaranties within the law, and where sovereignty resides in the people and is carried out through suffrage by truly representative mandataries. And so, when the people of Venezuela or its Government state that they are fighting for democracy and cooperating in the victory of democracy, they do nothing else than disclose the real position of a collectivity of human beings who are defending and are ready to defend, not remote ideals, but highly prized possessions which are the reality of their everyday life.

Those principles, that creed, and the geographic vicinity are the determining reasons for the sympathetic feeling that binds us to you. In this august assembly we see the living and fruitful monument to the will of the people who implanted in the history the representative and democratic Government. Your example inspired the great men who, with their heroic efforts, built our countries. The cause of justice always found vigorous voices among you, and in the unwithering memory of our gratitude the voice of Henry Clay still resounds pleading for the recognition of our American Republics.

No waning and no detriment shall the noble principles suffer that have an altar in this House which is the heart of a great Nation. And that is why we come confident, unperturbed by the disparity of our respective powers. We long to live in a world ruled by justice and law, where we can offer reciprocal help, reciprocal respect, and reciprocal trust. Under the beneficient protection of those principles, which are the very shelter of the magnificent tree of American solidarity, comes to you today, firm and loyal, the ratification of Venezuela's fraternal friendship. We do not want to be deceived, nor do we want to deceive. In full good faith we serve the cause of democracy and justice which we know is also your cause. We have no concealed intentions. Neither in the past nor in the present have we ever traded with our ideals, and we can state that our adherence and our friendship bear not the slightest shade of a mean interest. We have never asked for anything; we have never accepted anything which we have not fully paid for, and our friendship, on the contrary, brings a considerable material help to the cause for which your own children are offering their lives. That is why the foundations upon which we approach you are solid and the friendly hand that we stretch out to you is firm.

No wonder that, friends of the past, we are friends of today, for the identity of the ideals that we shared in the past still exist in the present, and the only debts pending between our two countries are those that spring from chivalry, noble deeds, and the fair intentions of our international deals. Our attitude today is the same it ever was. Consequently, from the very moment of the criminal attack on Pearl Harbor, we were at your side. The cause you fight for is the common cause of all democratic peoples. In addition to the powers beyond the seas, the republics of this hemisphere are with you, because of their convictions, because of their own interests, because of the defense of their traditions and their future liberty, and in this way they keep their word, given out of their own free will, at a time when nobody knew against whom the first continental aggression would be directed. If Venezuela took your part without hesitation, it certainly was not to offer only the very valuable moral support of an independent people, but also to contribute in an effective way to the collective war effort and to share with you the sufferings and difficulties that, in a greater or lesser degree, necessarily were to be our lot. We have given, and are now giving to you, all we can. Our available raw materials and articles of primary importance are at the command of the United Nations. Our oil, luckily abundant, has reached and will continue to reach the battlefields on the side of the democracies. In addition to our material help, we cooperate with you in the study and coordinated fulfillment of many other common purposes and problems, and our contribution during the recovery period, when the war is over, will be as large and effective as our means may allow, because we realize that in it goes liberty for all, future security, and survival and development of that free life which was the dream of the glorious founders of our nations. My Government has studied with great interest everything that has a bearing on our participation in the common cause, and we are convinced that our attitude and position of today freely permits us to give all that our country's energies are capable of giving.

From Simon Bolivar we inherited the consciousness of American unity, strengthened by the immutable geographic reality and by our common interests and ideals. The present emergency is bringing us even closer together, and you may be sure that it is the whole people of my country who, through me, say to you now: Venezuela is with you today, tomorrow, and always, for the sake of justice, for the sake of democracy, for the sake of man's happiness.

Following his address, the President of Venezuela and the distinguished visitors accompanying him were escorted from the Chamber.

At 12 o'clock and 27 minutes p. m. the Senate reassembled, when called to order by the Presiding Officer [Mr. RUSSELL in the chair].

EXPENDITURES AND ACTIVITIES OF THE UNITED STATES IN LATIN AMERICA

Mr. BUTLER. Mr. President, we have just been honored with a personal visit and message from the distinguished President of Venezuela, General Medina. General Medina is the second President from among our good neighbors to the south who has visited and spoken to us since my return last September from a trip through Latin America. It is indeed a great privilege and an honor to receive these distinguished visitors, and it is my hope that we may in time have heard in person from the President of each of the 20 Latin-American countries.

I first met our distinguished visitor, General Medina, on his arrival at the airport in La Paz, where hundreds of prominent persons had gathered to greet him as a welcome visitor to Bolivia. I was deeply impressed with the pomp and ceremony of the occasion, the booming of the official salute, the roar of American planes flown by native pilots. I was impressed with the genuine sincerity apparent in everything.

At La Paz, President Medina was completing his official visits to the neighboring governments in South America, as an example of genuine friendship and good neighborliness. In the same spirit he is our guest today. I, for one, not only welcome him, but I hope his reception in the United States will be as genuinely friendly as was his reception when he visited his close neighbors in South America. I believe it will be.

Venezuela is making a great contribution to our war effort. Last year it averaged an output of about 500,000 barrels of oil a day. When I was there in early September, I learned it was planned to boost the output to an even million barrels a day.

In my further remarks at this time, made in reply to those who have criticized me for my report on Latin American affairs, I ask that Senators realize that my personal attitude toward every Latin American country is as genuinely friendly as the feeling I have indicated toward Venezuela. I want us to merit their friendship and cooperation, and I hope that we merit the same from each of them.

As further evidence of my sincere desire to be a genuine friend of our Latin American neighbors, I ask unanimous consent that at this point in the RECORD an article appearing in the February issue of the Reader's Digest be inserted in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THEY ARE STILL DEEP, DARK SECRETS

(By HUGH BUTLER, United States Senator from Nebraska)

(An advance copy of the article by Senator BUTLER which appeared in the December Reader's Digest was submitted to Nelson Rockefeller, Coordinator of Inter-American Affairs. He was invited to defend the practices of the good-neighbor policy, as pointed out by Senator BUTLER.

Unforeseen circumstances prevented Mr. Rockefeller from completing his article for the January issue, as planned. Later, Mr. Rockefeller requested that his article be withheld from publication in deference to the

statement released to the newspapers by Mr. Cordell Hull, eloquently supporting the good-neighbor policy.

Like Mr. Hull, the Reader's Digest believes in that policy. The point at issue, however, is whether the huge nonwar outlays by the United States in Central and South America are now promoting hemispheric solidarity and good will.—The EDITORS.)

In the United States the principle of the good-neighbor policy for the increase of good will and cooperation between ourselves and Latin America is above partisanship and beyond debate. Both Republicans and Democrats give it enthusiastic support.

But the fact that we endorse the good-neighbor principle does not mean that we must give blank-check endorsement to all the methods that have been used in seeking to carry it out.

In an article in the December issue of the Reader's Digest, after recounting evidence of United States bungling, boondoggling, and extravagance in Latin America, I wrote: "The answer to all this is not to scrap the good-neighbor policy. The answer is to make it authentically good neighbor." Despite this explicit statement, spokesmen for our present methods have sought to make it appear that these exposures are an attempt to injure the good-neighbor policy. The issue, I repeat, is not the good-neighbor policy; it is the vast welter of dubious, unnecessary, and wasteful projects which, under cover of that policy, we have undertaken—undertaken very largely without the knowledge of the American people.

I repeat that the soundest friends of the good-neighbor policy are those who insist that we should bring those projects into the open for public appraisal.

The need for such appraisal is not merely my personal opinion. It is important to remember that my conclusions reflect the composite judgment of a score of experienced, on-the-job United States diplomats with whom I talked, veteran representatives of United States agencies long established in Latin America, as well as independent journalists and businessmen.

Recently a subcommittee of the Military Affairs Committee of the United States House of Representatives went to Latin America. Chairman of that subcommittee was MATTHEW J. MERRITT, a Democrat. Three of its five members were Democrats. Their chief purpose was to inspect our military bases in Latin America. But when they returned, early in December, they issued a statement to which every Member, Democrat as well as Republican, subscribed.

After recognizing the unchallenged benefits of the good-neighbor policy this statement warned us that "the expenditures of huge funds by the Americans is an everyday occurrence which no longer has a salutary effect."

A not inconsiderable part of this expenditure, the statement made clear, is unnecessary and harmful. In particular, our inexcusably high wage scales are upsetting the local economies and creating ill will. "In every instance known to the committee," the report declares, "these wage scales are much higher than the native wages. Since there was little competing employment in any of these areas, the additional incentive was not required to obtain workers. As a result of these higher wage scales, misunderstanding and resentment have been created among the local people and unrest and jealousies among the workers."

Bungling and waste—much of it due to the many United States agencies vying with each other for a place in the spending sun—are apparent. "It is necessary," says this nonpartisan statement, "to report criticism of Federal agencies which, in nearly every country, appear to get under each other's feet in the scramble to advance their respective interests. There is great need for coordination of effort and singleness of purpose."

For this extravagant meddling, the report states, the United States suffers: "Bungling tactics by amateur good-will emissaries who bid against each other have created confusion and injured American standing."

This confirmation of what I saw and the testimony I secured in Latin America are underscored by the reports of Washington correspondents who, under the sponsorship of the United States Government, went to Brazil late last fall to inspect our efforts to get rubber out of the Amazon jungle. Our critical war need for rubber may serve as an excuse for the fact that, in its early stages, this project, as the correspondent of the New York Herald Tribune described it, resembled "a gigantic international boondoggle." Today, according to his report, "it has been whittled down to something like an export edition of W. P. A."

Marquis W. Childs, highly reputable Washington correspondent of the St. Louis Post-Dispatch, wrote that straight from our American diplomats "comes a plain intimation that there are far too many Americans duplicating each other's work and spreading confusion.

"The Brazilian people," he continued, "are polite but they do not conceal the doubts they feel about the presence of so many Americans in their country. They refer to the coming of the North Americans as 'an invasion of friendly paratroopers' and they put an ironic inflection on the word 'friendly.' Here in Rio alone are several thousand American civilians connected with the United States Purchasing Commission, the Office of the Coordinator of Inter-American Affairs, and several other agencies."

No observer can miss this costly, confusing overlapping among United States agencies and the ill effects upon our relationships with Latin America.

A responsible United States official, long identified with Latin American affairs, reported on his recent return that in one city he found seven separate American agencies engaged in what should have been the one-agency business of United States purchasing. He said: "They were all in competition—conflict would be a better word for it—with each other. The consequences were equally bad for the United States pocketbook and the United States reputation."

An American official who has had close-up opportunity to observe our recent spending policies asked me to quote, verbatim, this conclusion he has reached: "Throwing money around the way we do is bad for the people and they resent it. Because we need to buy certain materials in this country is no excuse, as the people see it, for our attempting to come in and operate enterprises for them. They hotly resent the idea that they can't do their operating themselves. The government of this country, and its people, are exceedingly jealous for the maintenance of their national sovereignty. They are highly suspicious of what we may do to it."

The distinguished foreign minister of a country notable for its friendliness to the United States summed it up when he said that United States spending, lending, and giving in some Latin American nations actually exceeds the average per capita income of the people of those countries and that the nonessential expenditures can be eliminated without harm to hemispherism.

Federal bookkeeping being what it is, only a congressional inquiry, with power to subpena the records and accounts of dozens of agencies and to examine witnesses under oath, can possibly discover the full total of what we are spending in Latin America. My own further investigation will confirm the assertions made in my article in the December Reader's Digest. This investigation is continuing under the direction of qualified accountants. Its results will be published.

The final figure for nonwar expenditures, whatever it precisely is, will be an alarming sum to anyone who financial senses are not already benumbed. That we are benumbed may explain why we overlook the fact that the United States alone, among all the governments of the world, has the effrontery to spend money lavishly for the making over of other nations.

Since calling attention to what is happening in Latin America, I have received more than 3,000 letters, of which 90 percent approve my article and report. But more significantly, these letters included several scores from persons with first-hand knowledge of Latin American affairs. More than 98 percent of these people confirm, out of their experience, my findings. The following typical quotations are exclusively from persons with such first-hand knowledge:

"Our neighbors to the south are proud and they resent our charity and our patronizing attitude."

"The reason we are looked upon as 'simple' is because we urge loans and gifts without exacting a quid pro quo. They can understand a bargain, give and take, and respect a bargainer such as England, but they wonder where the joker is with us.

"I agree with you on every point. Throughout South America you'll find all sorts of United States commissions, accomplishing absolutely nothing but throwing away United States money.

"I can confirm what you said about the stupidity of upsetting the whole economic set-up in these countries by paying native labor needlessly excessive wages.

"The Latins are not going to think any more of us for spending money. If they like us, they will like us for our qualities, not our dollars. We cannot buy friendship with money.

"Stay with your investigation in the hope that we can live down being the laughing-stock of South Americans. Fifty percent of our army of inexperienced culture boys in South America should be weeded out now.

"I congratulate you on your courageous exposé of our current dollar diplomacy in Central and South America. Your outline of its potential future repercussions is quite inadequate.

"Our wild spending spree in Latin America will not only result in their thinking us utter damn fools, but it is certain to cause a world of financial difficulties in those countries.

"If the rest of Latin America is like Mexico your report is a bull's-eye.

"There can be no real feeling of friendliness and understanding based on the mania of the planners who think that money is a universal panacea. I am a Latin American from Costa Rica. I have tried to demonstrate by all possible means to my friends in the United States the harm your country is doing in Latin America by flooding it with money, money, money.

"Countries down there do not want to be patronized as though they were orphans or indigents. They ask for recognition as equals. They look upon our insane spending spree during the past few years as a visit from Santa Claus and they take the presents from the Christmas tree avidly but without gratitude. You are entirely right; you cannot buy Latin American friendship.

"The minute the war is over, Latin American countries are going to throw our 'do-gooder' crowd and philanthropic myopics out by the nape of the neck, and resume business with Europeans who do business down there on a hard-boiled basis, withal in a manner consistent with the customs of the people. Just as after the last war—only to a much greater degree—we shall find that we have lost ground in our trade with Latin America.

I trust that the Senate investigation of the quixotic spending spree in Latin America will be complete and without quarter.

"I agree with you that the ultimate outcome of all this reckless spending will do much to destroy the good-neighbor policy.

"Underneath the Latin American's extremely polite exterior he has always seemed to me the complete realist always looking for the 'gato encerrado'—the hidden cat—in any proposal to give him something for nothing. The result is that we lose his respect. And mutual respect seems to me the fundamental of all sound international relationships. The Latin Americans resent our condescension, just as we resented it on the part of Europeans toward ourselves in an earlier day. Our policy has been completely unrealistic and the administration of it intentionally staffed with people who know nothing about actual conditions, but were chosen because they are willing to carry out the policy and ask no questions."

The good-neighbor policy, I reiterate, is not on trial. What well-informed persons are criticizing is the means by which that policy is being practiced. There is no justification whatever for shrouding in secrecy thousands of United States projects in Latin America. Unless the truth about these practices is fully known and squarely faced, the policy itself cannot continue to merit the confidence, either here or in Latin America, which rightfully should belong to it.

Mr. BUTLER. Mr. President, I shall not read the entire article at this time, but I should like to read two or three paragraphs from it. The first paragraph of the article is as follows:

In the United States the principle of the good-neighbor policy for the increase of good will and cooperation between ourselves and Latin America is above partisanship and beyond debate. Both Republicans and Democrats give it enthusiastic support.

But the fact that we endorse the good-neighbor principle does not mean that we must give blank-check endorsement to all the methods that have been used in seeking to carry it out.

I now read a paragraph appearing in the center of the article:

The distinguished foreign minister of a country notable for its friendliness to the United States summed it up when he said that United States spending, lending, and giving in some Latin American nations actually exceed the average per capita income of the people of those countries and that "the nonessential expenditures can be eliminated without harm to hemispherism."

Mr. President, the closing paragraph of the article reads as follows:

The good-neighbor policy, I reiterate, is not on trial. What well-informed persons are criticizing is the means by which that policy is being practiced. There is no justification whatever for shrouding in secrecy thousands of United States projects in Latin America. Unless the truth about these practices is fully known and squarely faced, the policy itself cannot continue to merit the confidence, either here or in Latin America, which rightfully should belong to it.

Mr. President, on November 26, I made a report to the Senate on our financial operations in Latin America. In that report I said—and I quote:

Our actual expenditures, commitments, and extensions of credit in or for Latin America during the 3 years, 1942, 1943, and 1944 total more than $6,000,000,000.

Mr. President, the document I hold in my hand is an item-by-item list of our expenditures, commitments, and extensions of credit relating to Latin America during those 3 years. Every item in this list has been documented. Every item has been documented as to its source. The source is set forth in these tables. Every item has been documented as to amount. The amount is set forth in these tables.

More than that, Mr. President, the documentation of every item and of every amount has been certified and authenticated by the well-known Washington accounting firm of James A. Councilor & Co. The head of that firm, Mr. Councilor, was formerly president of the American Society of Certified Public Accountants. The investigation and certification were under the immediate direction of Mr. M. T. Charlton of that firm. Mr. Charlton is at present the president of the District of Columbia Institute of Certified Public Accountants.

Mr. President, this documented, certified total of our expenditures, commitments, and extensions of credit relating to Latin America during the 3 years 1942, 1943, and 1944, amounts to $5,733,953,534.

It was said on the floor of the Senate that my figures were 95 percent wrong and 5 percent right. They were attacked as false, not only here, but by administration spokesmen in the departments. Mr. President, in the light of this certificate of the public accountant, I submit that those administration statements are proof of the administration's duplicity in perverting the good-neighbor policy so as to spread the New Deal and its methods to envelop a hemisphere. On the basis solely of this first, documented, certified list, which I have just exhibited, I am 95.5 percent right. As a businessman, accustomed to business methods in bookkeeping, I submit that, in the dark and labyrinthine maze of the Government's accounting, 95.5 percent right is as near correct as any mortal has any right to expect to be.

But, Mr. President, I was not wrong. The figures in this total are not all the figures which I would present if I had ready access to all the administration's records, and the energetic aid of the New Deal's accountants. But, even with that handicap, the total figure which, before I am through, I will present today will be substantially in excess of the $6,000,000,000 contained as the total in my first report. This report will interest every Member of this body who wants to know where the taxpayer's money goes, what it goes for, and what it accomplishes when it gets there. Moreover, this document will bear examination by every Member of this body who believes, as I do, in the good-neighbor policy, and not a good-neighbor New Deal. To a discussion of the items in this certified total of $5,733,953,534 of our "expenditures, commitments, and extensions of credit" to Latin America, I will return a little later.

Here, Mr. President, is another document. This is a list of our actual expenditures, commitments, and extensions of credit during 1942, 1943, and 1944, in and to our Latin American possessions—the Panama Canal Zone, the Virgin Islands, and Puerto Rico. Every item in this list has been documented. Its documentation has been certified by the firm of Councilor & Co. The total amount thus documented and certified is $662,806,970.

That sum, Mr. President, is not part of the $5,735,953,534 documented and certified in the previous list. I am not including this in that total. This is a different three-quarters of a billion dollars altogether.

But let no one assume that this sum of $662,806,970, separated though it is in the total, can be separated from any honest, over-all account of what we are doing in Latin America. These are our possessions. We have responsibility for them in peace. We have greater responsibility for them in war. We will spend what is necessary to meet those responsibilities. All that is true.

But the place where this sum has gone, is going, and will go is not somewhere else. The place is Latin America. The amount we spend in these Latin American possessions has some effect on adjoining areas. The way we spend it has a great deal of effect. If we are lavish and wasteful in the Territories under our flag, the consequences of our lavishness and wastefulness cannot be confined to those Territories. They set precedents; they stir unrest; they create ill-will elsewhere.

Moreover, Mr. President—and this is the most important point—it is in these possessions of ours, particularly in the Virgin Islands under Mr. Harold Ickes and in Puerto Rico under Dr. Rexford Guy Tugwell that the pattern of New Deal spending for all Latin America has been set and fashioned.

Let us suppose, Mr. President, that I am an inquiring and somewhat skeptical Latin American. As such I want to know what the United States, if given a wholly free hand, would do down there. Where would I go? I would not go to Washington. I would go, rather, to those areas of Latin America where we already have a free hand.

What would I find? Would I find in Dr. Tugwell's Puerto Rico evidence to encourage me to believe in New Deal neighborism? On the contrary, I would find much to alarm me. A distinguished Member of this body, the Senator from New Mexico [Mr. CHAVEZ], went to Puerto Rico last year. What did he find? He found a place where—and I quote him—"there is only one commodity of which there is an abundance and that is Government employees." I would find, if I were an inquiring Latin American, that last spring 30 percent of the island's employables were unemployed. I would find a territory which, more nearly than any other in the New World's history, is governed according to the principles of state socialism.

No intelligent Latin American could witness what we are doing and come away without having his faith in our good-neighbor policy badly shaken. For he would see in our New Deal spending in our own possessions a blueprint of the New Deal's Latin American shape of things to come.

I am offering this document for the RECORD. It belongs there because in this

three-quarters of a billion dollars—more, perhaps, than anywhere else—is concealed the answer to the question: What is the New Deal, under the good-neighbor cloak, aiming for in Latin America?

The first document which I introduced was a certified total of our expenditures, commitments, and extensions of credit to Latin America during 1942, 1943, and 1944. The total thus certified was $5,733,953,534.

Let no one assume that that grand total of $6,396,760,504 to Latin America and to our Latin American possessions is all that we have expended, committed, and extended down there. That total of $6,396,760,504 is only the documented, certified total. That is the amount that we can be absolutely sure of. That is the amount which this responsible, highly reputable firm of accountants would certify and authenticate.

How much more there is no one can say. How much more there is no single Member of this body, however aided by experts, can find out. The sums of money for which no public accounting is made are too vast. The technique of concealment is too well developed. The dark art of financial double-talk has been too well mastered. We do not know. Perhaps the administration does not know. Certainly, the taxpayer does not know.

But there is evidence of much additional, unrevealed expenditures, commitments, and extensions of credit. There is substantial evidence of it. There is substantial evidence that the sum, if it were known, would be a huge one.

Let me illustrate what I mean. On November 18, 1942, our American Ambassador to Mexico signed an agreement with the Mexican Government for the reconstruction and rehabilitation of Mexico's government-owned railroads from Laredo, Tex., all the way to Guatemala. According to that agreement, the United States bears the cost of all materials and equipments. It bears the cost of all rails and fastenings. It furnishes, without cost to Mexico, all the technicians necessary for the job. It bears the cost of repairing railway locomotives. It bears the cost of whatever additional Mexican road gangs are necessary for the labor. In short, Mr. President, the United States foots the bill.

How much that bill will be nobody knows. You will notice that I have put down, in the first document of certified expenditures, a total of $7,500,000 for this project. That is the amount which the Government will acknowledge. But nobody believes or contends that that is anything like the total eventual cost. On the contrary, Mr. President, I have had testimony from two competent sources that the total cost will be near $100,000,000. One of these authorities is Mr. Floyd Ransome, a Mexico City American businessman now associated with the Office of Economic Warfare and the Reconstruction Finance Corporation. The other is William F. Machold, head of the Trade and Commerce Division of the Office of the Coordinator of Inter-American Affairs. Both of these competent witnesses have declared that the cost of this railway undertaking will be close to $100,000,000.

That is $92,500,000 more than is included in our certified total. But, Mr. President, no honest, over-all account of our Latin-American expenditures, commitments, and extensions of credit would be honest or over-all that left that sum out of account. One may ask how this administration could appropriate that sum without Congress knowing about it. But if he does, let him ask also where the $7,500,000 appears in the Budget.

That is just one item of this type of expenditure. Throughout Latin America funds are going into cinchona plantations, sansiviera plantations, cryptostegia plantations, hennequin plantations, sisal plantations, abaca plantations, Rotenone plantations. They are expensive. They are costing us multiplied millions of dollars. But how many? Eighty millions? One hundred millions? I have been unable, despite persistent and lengthy effort, to find an exact figure. The items will not be found in the Budget; and even if some administration spokesmen should declare blandly that the sum is so many millions, why should their statements merit credulity when these same spokesmen's figures do not jibe with what the certified public accountants find?

Another item unknown in amount, but surely known as a fact, is the Mexican oil-refinery project known as Petroleas Mexicanos. This was mentioned in a press release from the Coordinator's office; and newspapermen, quoting the Coordinator, as they often do, though he may have spoken only orally of the project, mentioned in their stories the sum of $10,000,000. What is the correct amount? Why does not the New Deal state it, rather than saying, as its spokesmen did on this floor some weeks ago, that the funds simply had not been paid out as yet. There was no denial, however, that the money was not obligated. They are undocumented figures, it is true; but important.

Then there are administrative expenses. In the certified public accountants' list is a $23,000,000 item covering the pay roll for only 16 of the agencies which are doing business in Latin America. But there is evidence that there are 40 other Government agencies running up expenses there. What are their administrative expenditures? Another $23,000,000? Maybe more? I cannot supply the figures because they have not been made available to me. Yet such figures would add to the total of our Latin American expenditures.

A Mr. Cook, an official of Standard Oil at Buenos Aires, told me that the United States Government had financed $50,000,000 worth of oil exploration in Argentina. Is this a fact? I wrote the Petroleum Administrator for War in an attempt to ascertain just how much Government money was being used to finance oil explorations through Latin America. I received no reply. I lack the authority to send an auditor either to P. A. W. or to the Petroleum Reserves Corporation. But the information their books contain certainly should be interesting in any over-all picture of our Latin American operations.

Throughout Latin America our military authorities have built radio stations and otherwise improved the continent's communications. Those numerous towers and installations cost some millions of dollars, according to what was told me while looking at them in the company of high military and naval officers. But the immense amount of expenditure involved in their construction is unknown; the Washington officials say the amount is a military secret and therefore not available to me, a United States Senator.

In that same category are pay rolls of military and naval personnel stationed in Latin America. This money, spent largely in Latin America, would be enough to cause a great part of the inflationary conditions existing in many Latin American countries today. To the extent that these sums helped to carry the Latin American economy, they certainly made unnecessary those welfare type and boondoggling expenditures which we have spread through the countries. But what is the amount? It has been variously estimated as high as $400,000,000, but it is not included on the certified list I began with today because it is not definitely known.

Let me repeat, the foregoing are not a part of the $5,733,953,534, which is the authenticated, certified total of our expenditures, commitments, and extensions of credit in Latin America. This is not a part of the $662,806,970, which is the authenticated total of our expenditures, commitments, and extensions of credit in and to our Latin American possessions. This is additional.

I am submitting these figures for the RECORD. I am offering them for the RECORD because no honest, over-all account of our operations in Latin America would be either over-all or honest if it failed to indicate that beyond our certified total of $5,733,953,534 in Latin America, and in addition to our certified total of $662,806,970 in our Latin American possessions, there are other sums, amounts unknown, which must be taken into consideration.

Mr. President, I wish to make it clear that I do not rest the case on this uncertified spending. I do not even rest the case on the $662,806,970 of certified spending in our Latin American possessions.

I rest the case on the certified amounts contained in the first document which I introduced. That document shows that "our actual expenditures, commitments, and extensions of credit" to Latin America in the years 1942, 1943, and 1944 were $5,733,953,534.

That, Mr. President, is not $6,000,000,000. That is $266,046,466 less than $6,000,000,000. My assertion to this body on November 26 has thus been proved to be 4.5 percent wrong. I rest the case on the fact that that assertion has been proved to be 95.5 percent right.

I hope that this document will be examined. I hope it will be examined for errors. In my original statement to the

Senate I said "It would be miraculous if all errors were avoided in making such a long and detailed report." That is still true.

Perhaps my own further investigations will prove that instead of being 95.5 percent right, I am 125 percent right. That is altogether possible. Every day, working through the New Deal's Latin American maze, I come upon new documentation which makes it possible to transfer an uncertified item into the certified list.

But meanwhile, 95.5 percent right is right enough for me. It will be right enough for the American taxpayer. To the American taxpayer, and to me, $5,733,953,534 is a lot of money. Approximately three-quarters of a billion dollars is a lot of money.

Mr. President, does this add up to $6,000,000,000? Or does it not? To me, to the American taxpayers, to any fair-minded Member of this body, it adds up to a great deal more than $6,000,000,000.

The important fact about that figure is not that my original assertion has thus been substantiated. I am not chiefly interested in my own vindication. Neither are the bases of my arguments statistical. This multi-billion-dollar total, Mr. President, is important because it demonstrates, in Latin America, what the present Government of the United States apparently aims to do all over the world. In Latin America we have already found out what we are beginning to find out in other parts of the world, namely, that money will not buy good will and that the Treasury of the United States cannot successfully be the agent for building our post-war world.

Recently an Associated Press dispatch from north Africa came to my attention. That dispatch from this objective news source outlined in detail the story of the way in which, in north Africa, we are throwing our money around. It indicates, just as the facts in Latin America indicate, that the consequences of our spending are not good consequences. Instead of liking us better, the people in north Africa are liking us less; instead of having a greater desire for our way of life, they are turning hostile to that way of life.

That, Mr. President, is what is happening in Latin America. It is time for us to recognize that fact and face it. It is time that we understood that our Latin American ventures are only one part of a world venture. It is time that we called a halt and took an inventory. That is what I am asking for. I am asking for it because such an inventory is the first step necessary in the direction of developing a policy that will be soundly good neighbor.

But having set the figures straight, I should like to set straight a few other things. It would be greatly to the liking of those behind the good-neighbor New Deal if they could shift the ground of this debate entirely. Even the new dealers do not like the sound of $6,000,000,000—not when it is made public. They would like to have us talk about our Latin American ventures exclusively in terms of expenditures, that is, cash on the barrel head, paid out. If we should do that they would come up with considerably less than $6,000,000,000 and they would be a lot happier about it. But we will not be caught in that trap. I aim to give to the people of this country and to the people of Latin America, not the New Deal picture of what we have undertaken, but an honest picture of what we have undertaken. Any over-all accounting which stops with expenditures, which does not include commitment and extensions of credit is thoroughly misleading, deceptive, and dishonest.

I am not going into the legal technicalities as to whether an obligation is an actual expenditure or when it becomes one; or whether a commitment is an actual expenditure; or whether an extension of credit is an actual expenditure. Such technicalities are red herrings.

But, Mr. President, I am going to point out that it has been my observation and experience as, I am sure, it has been the experience of other Members of this body, that sooner or later a commitment does become an expenditure; sooner or later an extension of credit does become an expenditure. If an expenditure were not in mind then, plainly, the commitment or the extension of credit would not have been asked for in the first place. Such commitments and credits were asked for from the Treasury of the United States, because somebody in our Latin American operations had something specifically in mind for which that money was going to be used. Perhaps it was not all to be used in this year. Perhaps the project in mind extended over 2 years, 5 years, or 10 years, with payments out of the United States Treasury continuing year by year through that period. But it is obvious that to know what we are up to in Latin America we must take not merely 1 year's installment on our obligations. We must take the total obligation.

In my report to the Senate last November, I said "our actual expenditures, commitments, and extensions of credit." That is what I meant to say. I repeat, today, that "our actual expenditures, commitments, and extensions of credit" to Latin America during the 3 years 1942, 1943, and 1944 total $5,733,953,534. Any other kind of accounting would have as its only aim and purpose the deceiving of the American people.

Now, it would also be greatly to the liking of those behind the good-neighbor New Deal if they could shift the ground of this debate in another direction. They would like to have us omit entirely from our reckoning what has been, is being, and will be spent in Latin America for war purposes, for the securing of war materials, for the development of air and naval bases. If I did that, I could come up with a lot less than $6,000,000,000. But if I did that I would also be dishonest. An over-all accounting of what we are doing in Latin America and of the consequences of our doing it which leaves military and naval expenditures out of account is misleading and deceptive.

Let me take a moment here to point out one of the divers and sundry tricks by which the New Deal sought to discredit my report. Alarmed that somebody, at long last, had begun to pry the lid off, the new dealers raised the hue and cry that I had classified our war expenditures in Latin America as boondoggling. Even the distinguished Senator from Tennessee was taken in by that. He said:

> The Senator has made an astounding statement that $6,000,000,000 has been spent in boondoggling in South and Central America.

I know how, in the heat of debate, such unsupported and unsupportable charges are sometimes made. I do not criticize the Senator from Tennessee for having made, in the heat of the moment, such an unsupported and unsupportable charge against me. He knows, of course, that I did not say that; that I did not say anything like that. I am sure he will recall that I said:

> In the list there are many items in connection with the purchase of critical materials which I would not criticize.

I did not criticize them then. I do not criticize them now. Moreover, I do not criticize the necessary spending involved in the building of air and naval bases which are indispensable for Latin America's defense and for our common victory.

May I digress for a moment, Mr. President, to underline that remark "indispensable for Latin America's defense and for our common victory." I am acutely conscious of the size and importance of Latin America's contribution to our war effort. But, Mr. President, this is not our war effort alone. It is also their war effort. They are not providing us with these necessary things entirely out of the kindness of their hearts. In the first place we pay handsomely for them. In the second place we are using them for the protection of these nations themselves.

Or is it true, Mr. President, as some of the administration's spokesmen would lead us to believe, that democracy is on such shaky foundations in Latin America that it must be shored up with our money? Is it true, as one inevitably gathers from administration arguments, that, though the nations of Latin America are in this war formally, their hearts are not in it and that we, therefore, are obliged to pour in the money lest, not liking the company they are in, they pull out again?

I do not believe that these things are true. But that is what the administration, searching for reasons for its vast expenditures, would lead us to think. But if, by any chance, the administration is right; if these things are true; if the support in Latin America for us and for our war effort will only last as long as the money holds out, then, Mr. President, the sooner we find it out the better.

But what I am getting at, Mr. President, is the total story of United States financial operations in Latin America and the consequences thereof. Anybody who thinks that that story would be complete without an accounting of our war expenditures and commitments,

however necessary, is deliberately leaving out of account one of the most important chapters in that story. Moreover, Mr. President, it is time we took serious note of the New Deal's latest strategy of defense and coercion. That strategy is to hide the New Deal, its plans and purposes, its extravagances and waste, under the cloak of war necessity. That is a clever maneuver. For then when anyone in Congress or elsewhere arises to attack the New Deal's plans and purposes, its extravagance and waste, that person is forthwith assailed as hindering the war effort. Mr. President, the war effort and the New Deal are not synonymous. On the contrary, there is every reason to believe that we would have more war effort if we had less New Deal.

I do not propose to fall into that trap either. The New Deal's operations in Latin America have made use of military necessity for ideological purposes. The New Deal's authority in the matter of our military expenditures in Latin America has resulted in extravagance and waste.

I am by no means alone in that conclusion, Mr. President. Last fall a subcommittee of the Military Affairs Committee of the United States House of Representatives went to Latin America. The chairman of this committee was MATTHEW J. MERRITT. Mr. MERRITT is a Democrat. Three of the five members of this subcommittee were Democrats. On their return, only last month, they issued a statement. It was a unanimous statement, the three Democrats concurring with the two Republicans.

What they had to say concerned military construction and the payment of wages on these admittedly necessary military projects. Here is what they said:

> In every instance known to the committee, these wage scales are much higher than native wages. Since there was little competing employment in these areas, the additional incentive was not required to obtain workers. But as a result of these higher wages misunderstanding and resentment have been created among the local people and unrest and jealousies among the workers. The War Department is continuing to pay its native workers more than the prevailing wages at practically every base investigated.

In the current February issue of the Reader's Digest I have written a second article, the title of which is "They Are Still Deep, Dark Secrets." I have already referred to that article, and included it as a part of my remarks. That article contains further, competent testimony, such as that given by the Merritt committee, from persons intimately familiar with what we are doing in Latin America.

The new dealers, Mr. President, would like to have me leave such evidence as that out of my accounting. They would like to have me omit the extravagance and waste which behind the excuse of war necessity they are forcing upon our military leaders. But I do not propose to leave that out of my account. What I am presenting here is not a New Deal apologetic. What I am presenting is an honest accounting.

Moreover, Mr. President, our war expending and commitments and extensions of credit to Latin America, however necessary, have put many of these countries on the crest of an economic boom. It is a boom, I might add, which has worked chiefly to the advantage of those who are in the upper financial brackets. Very little of it has been transmitted, as yet, to the advantage of the average man and woman, unless perchance, he happens to be a United States employee. The average man and woman are quite differently affected. They are not the beneficiaries of our spending. They are, rather, the victims of the inflationary situation which our spending has produced.

This is not my opinion alone. The American in Mexico who probably knows more than any other about the economic consequences of our operations there is Mr. Floyd Ransome. Mr. Ransome is a businessman, one of the most successful American businessmen in Mexico. As a war service, he was serving, when I saw him, in a representative capacity for both the Office of Economic Warfare and the Reconstruction Finance Corporation. He was frankly alarmed at the inflationary pressures which were resulting from excessive United States spending in Mexico. In his opinion, the rank and file Mexicans do not benefit. Rather, they have ground for resentment.

Last fall, a dozen outstanding United States correspondents were taken on an officially sponsored trip to view our efforts to get raw rubber from the Amazon jungle. They saw many things in addition. Among other things, they saw the same inflationary consequences of our large-scale spending. One of them, Marquis W. Childs, distinguished Washington correspondent for the St. Louis Post-Dispatch, wrote as follows:

> While appraisal is difficult in a country with such close internal censorship as Brazil, some observers believe they see signs of gathering unrest.
>
> In spite of handsome charts which show the contrary, prices have risen and life for the ordinary citizen is more difficult.

I should like to say that in the current issue of Reader's Digest, to which I have already referred, there will be found more authentic confirmation of this independent testimony.

Naturally, Mr. President, the new dealers would like to have me leave those consequences out of the picture. They would like to have me omit any reference to the expenditures which are helping to produce those consequences. That I do not propose to be tricked into doing.

Toward the end of December there was a revolution in Bolivia, a revolution which threw out a pro-United States government and brought to power a government more pro-Axis. Was this because we had not spent enough money in Bolivia to buy her good will? Or was it because so little of the huge sums we spent reached the common people? Or was it simply because good will is something which cannot be bought over the counter and rung up on a cash register?

I want to read two responsible statements about Bolivia which may help to answer these questions. Last August Harper's magazine carried an article by that well-known authority on Latin America, Mr. Carleton Beals. The article was entitled "Inside the Good Neighbor Policy." It concerned the good-neighbor policy, as currently practiced, in Bolivia. It made it plain that, inside the currently practiced good-neighbor policy in Bolivia, there are a good many things that neither look nice nor smell nice.

But let me quote Mr. Beals' conclusions. He says:

> Thus in the United States urgency to obtain such essential war materials or to prevent them from reaching the enemy there is no assurance necessarily that the good-neighbor policy will be permanently fortified or that the future economic independence and prosperity of Bolivia or the full development of its potential resources in guarantee of permanent economic security will be attained. Certainly there is in all this no assurance of any satisfactory post-war solution.
>
> The Bolivian tangle—

And I am still quoting Mr. Beals—

> presents other aspects of far-reaching importance. The immediate problem in Bolivia has been to change the formula "tin versus human welfare" into "human welfare plus more tin." But if we write extensive labor provisions into our contracts for foreign materials, is there any way of seeing that they are lived up to except by utilizing American Government inspectors? Any such move promptly runs afoul of national sovereignties. Are we, in addition to military, economic, diplomatic, and other missions of experts, to put social-welfare commissions to promote labor legislation in every land on the face of the earth? How long can we support such world-wide welfare undertakings?
>
> And what—

Mr. Beals asks—

> if the Bolivian economy collapses with the end of our buying splurge? There was a boom during the last war, after that Bolivia wallowed in the trough of hard times until the onset of the present war. The benefits of these booms accrue mostly to the absentees, the country and most of its people scrabble along in their bleak and remote poverty, the prey of politicians at home and landlords abroad.
>
> What is going to happen—

And this is still Mr. Beals—

> to the recommendations of our high-minded mission? What is going to be the fate of the good-neighbor policy? What can that policy accomplish that will leave the Bolivians less driven, less at the mercy of the powers that now dominate them?

That, Mr. President, is the testimony of Mr. Carleton Beals. Of course, the new dealers would like to have me leave all that out of our accounting.

Here is further testimony to the same effect. In its issue of January 3 Time magazine reported, in some detail, the Bolivian revolution which happened a few days earlier. Time concluded the report with these significant comments:

> The United States buys Bolivian tin, helps her with loans, technicians, lend-lease. But

these favors do not touch the heart of the Bolivian people. When they stoned the United States Embassy they were criticizing United States policy in the only way they knew.

Naturally, Mr. President, the New Deal hopes I will skip that. They hope that I will leave part of our Latin American operations out of account so that they can escape responsibility for the consequences of our expenditures, commitments, and extensions of credit to Latin America. I aim to present, not part of the picture, but the whole picture. Unless we see and understand the whole picture, we shall never be in a position to take those steps necessary to forestall further consequences of this unhappy sort.

Moreover, there is another fact which such an honest accounting must consider. There is boondoggling in our operations in Latin America. There is a vast amount of it. Just how much there is, just what its actual dollars-and-cents size may be, no one can say. There is boondoggling in enterprises which the New Deal has sought to cover up under the cloak of war necessity.

On the face of it the getting of rubber out of the Amazon jungle is not a boondoggle. The New Deal hopes that we will assume that that project is a war project, and not scrutinize it too closely, but it has been scrutinized. The newspapermen who went down there last fall had a good look at it.

Let me read to the Senate what one of them said about it. This is from Frank Kelley, experienced and able member of the Washington Bureau of the New York Herald Tribune. He sent this cable from Brazil. He said:

The rubber program in the Amazon began a year and a half ago as a gigantic international boondoggle. Today it has been whittled down to something like an export edition of W. P. A.

That is not my opinion, Mr. President. That is the opinion of a responsible newspaperman who was seeing firsthand. Here is the way in which the New York Herald Tribune, commenting on Mr. Kelley's dispatch, summed it up. Calling the project, as undertaken by the Board of Economic Warfare, an attempt to create "an impossible brave new world in the jungle," this editorial proceeds:

They hoped to cut across the traditional economics of the Amazon and deal directly with the tapper, raising his standard of living to a point at which it would have been doubtful whether he would have remained on the job instead of going off to hunt or fish. Their plans called for the gift to the tappers and their wives of a great variety of supplies and equipment including sewing machines and bathtubs.

As I have already said, no one knows the actual, dollar-and-cents size of our Latin American boondoggle. It is obviously more than it ought to be.

How much more it is than it ought to be can only be fully appreciated when it is put alongside the sum total of all our expenditures, commitments and extensions of credit in Latin America. For the fact is that, due to the inpouring of American dollars and American credit, many of these countries, in their governments and in their upper economic brackets, are on the crest of a wave of unprecedented prosperity. There was never a time in all their history when some of them were in such good position to do for themselves what we are insisting we must do for them.

I insist, Mr. President, that any nonmilitary project, any nonwar enterprise, any undertaking directly concerned with defense, which any Latin American nation is able to handle for itself, but which we do instead, deserves to be put into the "boondoggle" classification. It may, like the building of hospitals, be a good idea; like the building of sewage systems, it may be a commendable idea; like the construction of roads, it may be a useful idea. But whenever these things are done and largely paid for by us when they could be done and largely paid for by these prospering nations, then, Mr. President, the idea, insofar as it involves the United States Treasury, is unnecessary and unsound.

Of course, the New Deal would like to have me omit part of the picture of our good-neighbor New Deal. They would like to have me omit it because to see the whole picture is to see, at once, how inexcusable and demoralizing some of our Latin American ventures are.

Thus, and for these reasons, Mr. President, what I am talking about now, what I was talking about last November, is "our actual expenditures, commitments, and extensions of credit" in Latin America during the 3 years 1942, 1943, and 1944. To talk about anything less than that would be to conceal part of the truth.

I am not particularly concerned by the slurs and innuendos which, after my first report, were directed at me. If that is the best level on which the New Deal can defend itself in Latin America, then that fact speaks for itself. I do not propose to reply to the New Deal on the New Deal's level. I have something better with which to reply.

I am interested in the truth about our Latin American operations. I am interested in it because I believe that getting the truth is the first and most important step toward the establishment of a good-neighbor policy that will be better than the New Deal; better for us and better for Latin America.

In the interest of the truth there are, however, certain facts about the New Deal's attack on my report which should be a part of this record. The first fact is the gigantic disagreement not between myself and the new dealers but between the new dealers themselves. Immediately following my report, Mr. Nelson Rockefeller, Coordinator of Inter-American Affairs, made a statement in which, according to the Associated Press, he said:

Spending and commitments to spend in Latin America in the last 3 years by all Government agencies, including military and naval installations, total less than $600,000,000.

How astronomically wrong Mr. Rockefeller is can be gathered from a brief study of the document containing certified expenditures of $5,733,953,534, the document to which I have been referring. But what is more interesting at this point is not the gulf that divides Mr. Rockefeller from the facts; what is more interesting is the gulf which divides Mr. Rockefeller's purported facts from the purported facts of other administration spokesmen.

On the same day on which Mr. Rockefeller made his statement the distinguished Senator from Tennessee [Mr. McKellar] also made a statement. His statement, like that of Mr. Rockefeller, was on behalf of the administration. The Senator presented certain figures. Of course, I do not believe that the figures which he used were his own figures. I have too great respect for the Senator as acting chairman of the Appropriations Committee to believe that they were his own figures.

But the interesting fact is that the Senator from Tennessee and the Coordinator of Inter-American Affairs both purported to give the same figures, and yet they were not the same figures. They missed being the same figures by more than a billion and a half dollars. The Senator said:

If I understand correctly, $2,207,000,000 is all that has been spent down there for every purpose, including the purchase of war material.

Mr. Rockefeller says $600,000,000. The Senator from Tennessee says $2,207,000,000. That is a discrepancy of $1,607,000,000. It is a discrepancy which, to adopt the phrase of another, "is not picayune."

Now, perhaps Mr. Rockefeller and the Senator from Tennessee were talking about different things. Perhaps they were drawing from different sources. Perhaps they talked to different people. I don't know. It is not important that I should know. What I do know is that I had said "our actual expenditures, commitments, and extensions of credit to Latin America during the 3 years—1942, 1943, 1944—total more than $6,000,000,000," a figure that is now proved to be 95.5 percent right. That is what I was talking about, Mr. President. Mr. Rockefeller and the Senator from Tennessee wanted to give the impression that that was what they were talking about. They gave that impression. To give any other kind of impression would not have served their purpose which was to cast doubt upon the authenticity of what I had said.

But there is more to this. On December 13 the distinguished Senator from Tennessee took up the discussion again. This time he brought with him a wholly new set of figures. This time he said:

Now, Mr. President, I am here with the actual facts. I present first an over-all picture of all our expenditures and operations for the last 3 years in Latin America. I hope the Senators will listen carefully as I read the figures.

The net figure, the over-all total which he read in this case was $1,483,373,000.

That is $723,000,000 less than his previous total. It is still $883,373,000 more than the total of Mr. Rockefeller.

Mr. President, when the administration's spokesmen, with the energetic cooperation of the New Deal bookkeeper, go so far wrong, is it surprising that a member of the opposition, who has to dig for the facts, can only be 95.5 percent right? Confronted with such conflict and contradiction, is it surprising that the people of Latin America, instead of being filled with good neighborliness, are filled with doubt and suspicion? Or, being witness to such a spectacle of confusion, is it any wonder that the American people who desire to have a good-neighbor policy in which they can have faith, are filled with distrust for the good-neighbor New Deal?

If I may presume to say so, the distinguished Senator from Tennessee, expert at figures though he is, appears, in this instance, to have been taken for a New Deal ride. He gives the impression that he is talking about the same thing I am talking about. It is only by appearing to talk about what I talked about that he can discredit my figures. But unhappily, the Senator was not talking about the same thing I was talking about. He was talking about something else altogether.

I said that our "actual expenditures, commitments and extensions of credit on Latin America during the years 1942, 1943, and 1944 amounted to more than $6,000,000,000." That figure has now been proved to be 95.5 percent right. But back there in November, the Senator from Tennessee was trying to prove that I was 95 percent wrong. How did he go about it? Well, I am sure that the Senator did not go about it at all. I am sure that the trick employed originated somewhere else.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. STEWART in the chair). Does the Senator from Nebraska yield to the Senator from Tennessee?

Mr. BUTLER. I yield.

Mr. McKELLAR. I desire to say that that statement is unqualifiedly incorrect. I made that speech myself. I made the investigation myself. I had such help as I could obtain, but no one has ever and so long as I live no one ever will speak for me either directly or indirectly on this floor. I am responsible for those figures, and no one else is.

Mr. BUTLER. Mr. President, I want to assure the distinguished Senator from Tennessee that I intended no reflection whatever on him or on his ability. I respect the Senator's ability as highly as does every other Member of this body. But I think if the Senator will wait until I finish this sentence he will appreciate its import and understand what I mean. I think he was misled, and I still think so.

For the 3-year period from which the Senator drew his totals was not the same 3-year period from which I drew mine. It was a different period. It was not the years 1942, 1943, and 1944. It was the years 1941, 1942, and 1943.

I do not know what the correct total for the Senator's period is; whether it is the Senator's first figure or the Senator's second figure or Mr. Rockefeller's figure or some other figure. I do not know and I have not made any effort to find out. For that is not the period I was talking about. It is not the period I am talking about now. What I am talking about is the figure for the years 1942, 1943, and 1944. The certified total for that period is $5,733,953,534, or 95.5 percent of the sum I said that it was in November.

Mr. President, I want to be charitable about this. I have, now, a better understanding than I ever had before of just what sort of deviousness and deceptions anyone runs afoul of who tries to get the truth about what is happening in our Latin-American operations.

Just lately a very good, but by no means exceptional, illustration of what I mean came to hand. This concerns our $78,000,000 effort to get rubber out of the Amazon jungle; the effort which the Herald Tribune's correspondent characterized as a gigantic boondoggle now trimmed down to a W. P. A.

In his reply to my first report to the Senate, the distinguished Senator from Tennessee took exception to what I had said about this rubber undertaking. He said that in return for our $78,000,000 we had received 30,000 tons of raw rubber. A short time after the Senator introduced his figure, the head of the Rubber Development Corporation appeared before the Gillette committee and offered his figure. He said that for our $78,000,000 we had received 24,000 tons of rubber. Well, that is a 6,000-ton discrepancy to start with.

But the counsel for the Gillette committee, like a good many of us, was unwilling to take the administration's statement at face value. He put the pressure on Mr. Allen and other witnesses and the facts began to ooze out. He found that that 24,000 tons that we were getting for our $78,000,000 was not net increase. Not at all. Before the war, before we spent our $78,000,000, we were already getting 16,000 tons. So that reduces the net return. It reduces it—to use Mr. Allen's figures—to a net of 8,000 tons.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BUTLER. I yield.

Mr. McKELLAR. The Senator will admit that it was not 30,000 pounds? Do I understand the Senator to say that he admits that it was not 30,000 pounds? It was not 30,000 pounds.

Mr. BUTLER. No; the fact of the matter is, I will say to my good friend, the Senator from Tennessee, that the copy of the report which I made, from which the Senator prepared his text, was the unproven or unchecked report, and the error did not appear in my final report to the committee. That error was eliminated.

Continuing with the same illustration.

The pressure was continued and more facts appeared. When we went into the Amazon jungle with our $78,000,000, it seemed that we entered into an agreement with Brazil. By the terms of that agreement, Brazil gets the first 10,000 tons of what we take out. That further reduces our net return. It not only reduces it, it wipes it out entirely. It replaces it with a deficit. For our $78,000,000 it now seems that we are not getting 30,000 tons net gain; we are not getting 24,000 tons net gain. We are getting, in fact, 2,000 tons less than we got before we started.

Is it any wonder that the truth is hard to get at? Is it any wonder that such effort is made to see to it that we do not get at the truth?

In the administration's reply to my original report, a good deal was made of the loans of the Export-Import Bank to Latin America. We were left to draw the inference that our loans down there are a good risk. Well, Mr. President, I, for one, hope they are a good risk. We need a few foreign loans like that. But I cannot refrain from recalling that, some years ago, a great many private banking institutions in the United States floated loans in some of these countries. Bonds of these countries were bought by thousands of United States citizens. The total amount of the private, United States loans to Latin America which are now in default is $1,700,000,000. I hope that that bitter experience is not symptomatic. But any ordinary banker, Mr. President, would be bound to give the fact some consideration before he loaned any more money.

Some of the loans made by the Export-Import Bank have been repaid. That is all to the good. I hope they will all be repaid. But the process of repaying them will, I think, bear some scrutiny. For example, in the laws of the Seventy-eighth Congress, chapter 92, I come upon this paragraph:

> There is hereby authorized to be appropriated out of any moneys in the Treasury, not otherwise appropriated, a sum not to exceed $2,700,000 to enable the Secretary of the Treasury to pay to the Republic of Panama an amount equivalent to the principal and interest paid by that government on account of the credit of $2,500,000 made available to it by the Export-Import Bank for the construction of Panama's share of the Chorrera-Rio Hato Highway and to pay to the Export-Import Bank an amount sufficient to liquidate the remaining obligation of the Republic of Panama to that bank on account of the aforesaid credit.

In other words, Mr. President, the Export-Import Bank loaned to Panama $2,500,000. Then the United States Treasury was authorized to give to Panama $2,700,000 with which to pay back that sum to the Export-Import Bank, plus interest. I am glad that the Export-Import Bank is being repaid. I think the process of repayment needs to be studied. Please note that the Republic of Panama is not the Canal Zone. It is an independent government, over which we have no control.

Now, the new dealers, in connection with my report, have resorted to another trick. They have raised a great uproar to the effect that I attacked the good-neighbor policy. That is another revela-

tion of New Deal strategy. It is of a piece with its other dishonesties.

The principle of the good-neighbor policy is above partisan dispute. It is agreed to by both parties. Like the war and its successful prosecution, that principle is not a political issue. That, Mr. President, makes it all the easier for the new dealers to make New Deal use of it. They can hide themselves behind that principle, just as they hide themselves and their purposes back of the war effort. They then can say, as they said about me, that any criticism of what is being done under the guise of the good-neighbor policy is, ipso facto, a criticism of the principle of that policy. That is their strategy. In this case, at least, they will not get away with it.

Mr. McKELLAR. Mr. President, will the Senator yield for a further question?

Mr. BUTLER. I yield.

Mr. McKELLAR. My question is merely a humble, everyday sort of question. While the war is going on and while the nations south of us, in Latin America, for the most part are with us, does the Senator conceive that such an explanatory speech as the one he is making in the Senate today, in which he directly or indirectly criticizes our neighbors and our dealings with them, contributes to the good-neighbor relations which should exist between our country and our Latin American neighbors?

Mr. BUTLER. Mr. President, has the Senator concluded his question?

Mr. McKELLAR. Yes.

Mr. BUTLER. I shall be very glad to answer it with a plain "Yes." I think I am making a contribution to the genuine good-neighbor policy. I have just completed a trip through the 20 Latin American countries. I have visited them. I know most of their rulers personally through a short meeeting. I have talked with them. I have talked with business interests, Americans, and representatives of the native countries. I have talked with representatives and members of our own embassies. I am confident that I am making a contribution to the good neighborliness between our country and the 20 Latin American countries.

Mr. McKELLAR. Mr. President, in the kindliest way in which I am capable of expressing myself, looking at the matter just as I think a Senator should look at it, as an American should look at it, I beg to differ with the Senator. I believe the kind of explanatory speech the Senator is making, keeping up or attempting to keep up a controversy which has simmered down, to say the least, does not do our country any good in this time of war. I say that in the utmost kindness, because I know the Senator would not intentionally stir up things. But, instead of helping our good-neighbor policy, I am very much afraid the Senator's speech will tend to hurt that policy—although I hope it will not—rather than help it.

Mr. BUTLER. Mr. President, I appreciate what my good friend the distinguished Senator from Tennessee has had to say. Before the conclusion of my remarks, which are just about finished, I think he will feel as I do, that I am endeavoring, at least, to make a genuine contribution to the good-neighbor policy. I believe as heartily as does any Member of this body in the principle of the good-neighbor policy. I have tried to support that principle.

I hold in my hand a photostatic copy of a letter I received from our great Secretary of State, Cordell Hull, shortly after my return from the trip through South America. We all recall that Cordell Hull is a former distinguished Member of this body. I am proud of his letter. I think I shall read it at this time, because I believe it is a direct answer to the question just propounded to me by the Senator from Tennessee. The letter is dated August 28, 1943, is addressed to me, and is signed by Cordell Hull. It reads as follows:

> MY DEAR SENATOR BUTLER: I take pleasure in transmitting herewith a summary of the events of your visit to Chile, together with a set of Chilean newspaper clippings regarding the event. You will undoubtedly be pleased to know that Ambassador Bowers in forwarding these clippings said:
>
> "Senator BUTLER made an excellent impression here in his contacts with Chileans, in his speech before the Chilean Senate, and in the remarks made during a press conference arranged for him by the Embassy.
>
> "I think particularly praiseworthy was his statement, made frequently in conversation and in his press conference, that possible change in the administration as a result of future elections would not alter the fundamental policy of the United States of cooperation with South America."
>
> Sincerely yours,
>
> CORDELL HULL.

Mr. President, I am glad to have in this record that testimony from Mr. Hull and from our Ambassador to Chile, Mr. Bowers. I do not believe now, any more than I did then, that a change in administrations would alter the fundamental policy of the United States toward Latin America. But, Mr. President, such a change would greatly alter some of the things that are now going on under the cloak of that policy—alter them for the great benefit of ourselves and of our neighbors.

In the article which I wrote in the December issue of Reader's Digest, Our Deep, Dark Secrets in Latin America, I said almost the same thing. I wrote:

> The answer to all this is not to scrap the good-neighbor policy. The answer is to make it authentically good neighbor. Neighborliness is a two-way proposition. We should stop trying to be rich uncle to Latin America. We should insist that, according to their ability to pay, what we do for the nations of Latin America is matched, dollar for dollar, by what Latin America does for itself. This is not merely sound sense from the standpoint of our own interests.
>
> It is sound sense for the interests and self-respect of Latin America. When we begin to make that our first aim, then we will begin to merit the respect we have not won and cannot buy.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BUTLER. I yield.

Mr. McKELLAR. The Senator seems to have been an advocate of our South and Central America good-neighbor policy up to last August. As I understood the reading of the letter, the Senator stated that it made no difference which party came into power, we all upheld the good-neighbor policy.

Mr. BUTLER. Yes.

Mr. McKELLAR. What has caused the Senator to change his mind about the good-neighbor policy which he declared to the South and Central Americans as being good last August, and which he states is not good now?

Mr. BUTLER. Mr. President, I have stated and restated a number of times that I want to be a good neighbor and that I am a firm believer in a genuine good-neighbor policy. It is the administration of that policy and the things that are being done under the cloak of the New Deal good-neighbor policy to which I am taking exception.

Mr. McKELLAR. Mr. President, if that is correct, I wonder what change has taken place. Mr. Hull was the leader, the stanch advocate of the good-neighbor policy. When the Senator wrote him last August, and when the Secretary of State wrote to the Senator last August, both were upholding that policy. Mr. Hull is the same administrator of that policy now that he was then. Why has the change come about in the Senator's view about that policy?

Mr. BUTLER. The very next sentence of my statement will answer the Senator's question.

That, Mr. President, is the crux of the matter. I believe in the good-neighbor policy when it is the instrument of good neighborliness. I do not believe in the good-neighbor New Deal, for that is not an instrument of good neighborliness.

That is not my opinion alone, Mr. President. Let me read the opinion of Marquis Childs, the newspaperman whom I have already quoted. From the capital city of Brazil, Rio de Janeiro, Mr. Childs wrote:

> A new phase in the relationship not merely between Brazil and the United States but between North and South America is about to begin. The honeymoon is nearly over. For this reason, perhaps, certain signs of strain and stress are evident that might have been overlooked in the immediate past. For one thing, rivalry between United States agencies—a reflection of the rivalry that prevails in Washington—is more in evidence. * * * The Brazilians are polite but they do not conceal the doubts they feel about the presence of so many Americans in their midst. They refer to the coming of the North Americans as an invasion of friendly paratroopers" and they put an ironic inflection on the word "friendly."

This, Mr. President, is not merely the opinion of North Americans. It is an opinion that is increasingly expressed by intelligent Latin Americans. Here, for example, is the testimony of Manuel Seoane. Manuel Seoane is the editor of Chile's leading magazine. After paying tribute as every observer must, to the fact that our good-neighbor enterprise has, as he puts it, "made some progress," he states, in an article in Harper's magazine of last February:

> Most of the work accomplished in the past two and a half years has not been satisfactory from the Latin point of view.

Here, again, is the testimony of another distinguished Latin American journalist, Benjamin Subercaseaux. Writing in the Nation on last September 11, he said:

> We all know that it is easier to build a ship in 10 days than to change a South American into a Yankee in the same length of time. That is why I have been irritated by the standardized, mechanical, and unimaginative applications of the good-neighbor policy. In short, I am so fed up with everything connected with the good-neighbor policy that I am almost sick of this very article as I write it.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BUTLER. I yield.

Mr. McKELLAR. As I understood, the Senator placed in the RECORD a few moments ago a letter from Secretary Hull dated last August, in reply to a letter which the Senator wrote him, enclosing certain clippings.

Mr. BUTLER. Let me correct the Senator. The letter came unsolicited from Secretary Hull, enclosing clippings and quoting a letter which he had received from Ambassador Bowers, who reported to the Secretary on my visit to Chile.

Mr. McKELLAR. Did he send a copy of the letter from Ambassador Bowers?

Mr. BUTLER. He quoted from it.

Mr. McKELLAR. If it is quoted from, that is all right.

Mr. BUTLER. It is in the RECORD. I will read it to the Senator again.

Mr. McKELLAR. I hope the Senator will read it again.

Mr. BUTLER. Reading only the part which he quotes from Ambassador Bowers:

> Senator BUTLER made an excellent impression here in his contacts with Chileans, in his speech before the Chilean Senate, and in the remarks during a press conference arranged for him by the Embassy.
>
> I think particularly praiseworthy was his statement, made frequently in conversation and in his press conference, that possible change in the administration as a result of future elections would not alter the fundamental policy of the United States of cooperation with South America.

Mr. McKELLAR. The Senator evidently endorsed the policies of the Government with respect to friendly dealings with and good neighborliness toward the South and Central American countries at that time. Otherwise, that letter could not possibly have been written. What I am asking the Senator is, When and for what reason did he change his mind on that subject? The Ambassador says that the Senator made a speech down there endorsing these policies. He endorsed the good-neighbor policy. He endorsed the very policy against which he is now speaking. What caused the Senator to change his mind?

Mr. BUTLER. Mr. President, I do not think I have materially changed my position with reference to the good-neighbor policy. I know a great deal more now about the operation of certain programs and projects which are pretended to be carried on under the cloak of the good-neighbor policy. I still believe in the basic, fundamental principles of the good-neighbor policy; but the basic, fundamental principles are not what I am talking about today.

Mr. McKELLAR. What country was The Senator visiting at that time?

Mr. BUTLER. Chile.

Mr. McKELLAR. How many countries had the Senator visited when he got to Chile?

Mr. BUTLER. About 10 up to that time.

Mr. McKELLAR. That is about half of them.

Mr. BUTLER. Yes.

Mr. McKELLAR. The Senator should have had some idea of the practices under the good-neighbor policy by that time.

Mr. BUTLER. Oh, yes.

Mr. McKELLAR. For that reason I am wondering why he so thoroughly endorsed the good-neighbor policy before the Chilean Legislature.

Mr. BUTLER. I am still endorsing the fundamental principles of the good-neighbor policy.

Mr. McKELLAR. Did the Senator state to the Chilean Legislature that he endorsed the fundamental principles?

Mr. BUTLER. A copy of the speech which I made is in the RECORD. I do not happen to have it before me. It is very brief.

Mr. McKELLAR. I will look at it in the RECORD. That will be entirely satisfactory.

Mr. BUTLER. Mr. President, I have quoted from distinguished journalists of Chile. I ask, Is it the principle of good neighborliness that these gentlemen cry out against? Because they do not like what is taking place under the good-neighbor cloak, are we to conclude that they do not want to be good neighbors? Not at all. They are "fed up," they are alarmed, not at the good-neighbor policy itself; they are "fed up" and alarmed at the good-neighbor New Deal.

I have already referred to the December revolution in Bolivia. Bolivia, Mr. President, next to Brazil, is probably the most important country in Latin America in the matter of our war effort. From Bolivia we get great quantities of tin; we get tungsten and antimony and other raw materials needed for the war. If there were any place in Latin America where our good-neighbor policy as currently practiced should have produced neighborly results, Bolivia is the place.

But something else was produced. In the face of our certain victory in the war, and in spite of the outpourings of multiplied millions in that country, Bolivia staged a revolution which threw out its good-neighbor New Deal government and established in its place a government more friendly to the Axis. I do not presume to have an insider's knowledge of the facts about that revolution; but I do say that if our good-neighbor policy, as currently practiced, had been producing genuine good neighborliness, that revolution would not have occurred.

Furthermore, Mr. President, there are signs that Bolivia is no isolated case of hostility toward the United States. There are ominous signs that that feeling is rapidly spreading. Let me read here, the summary printed in Time magazine of January 10, a summary which was reached from evidence gathered by Time's correspondents throughout Latin America:

> Reports were heard of plots in other Latin-American countries—Venezuela, Chile, Peru. Some were mere rumors, but it was obvious that a continental current was flowing. The success of the "colonel's" clique in Argentina, if underlined by a similar "major's" clique in Bolivia might encourage further army officer revolts. These might be purely nationalist in origin, not necessarily instigated by outsiders, but they would probably take Fascist forms and look to Argentina for support. Then the United States would be confronted by a powerful anti-democratic bloc within the good-neighbor circle.

Mr. President, I do not presume to have an insider's knowledge of the continental currents to which Time refers. But I know that they are not good neighborly currents. I know that if our good-neighbor policy, as currently practiced, were producing good neighborliness they would not be stirring.

In our relations with Latin America, Mr. President, the time is upon us to put an end to deception, and to face the facts. What will it avail us if when democracy has won in the Old World we discover that it has lost in the new? What will it avail us if we make arrangements to keep the peace in the Atlantic and in the Pacific and, meanwhile, fail to make and keep the peace in the Western Hemisphere? Of what good will it be if we make friends of all the world and fail to make friends of our own neighbors?

I do not want to see us go backward. I want to see us go forward. I want to see us go forward with a good-neighbor policy, the fruits of which, through thick and thin, in good times and bad times, are an authentic and bona fide good neighborliness.

Mr. President, I believe that I made it plain during my discourse that the audited and certified reports which I submitted were to be printed in the RECORD following my speech. I now ask unanimous consent that they be printed in the RECORD.

There being no objection, the reports were ordered to be printed in the RECORD as follows:

UNITED STATES GOVERNMENT EXPENDITURES AND COMMITMENTS IN THE LATIN AMERICAN REPUBLICS AND IN POSSESSIONS OF THE UNITED STATES IN THE CARIBBEAN AREA FOR THE YEARS 1942, 1943, AND 1944

(Report to the Honorable HUGH A. BUTLER, U. S. Senate, Washington, D. C.)

WASHINGTON, D. C., *January 18, 1944.*

The Honorable HUGH A. BUTLER,
United States Senate, Washington, D. C.:

We have examined certain lists, prepared by your office, of expenditures, obligations, commitments, encumbrances, authorizations, loans, and extensions of credit by the United States Government in Latin America and in the Canal Zone, Puerto Rico, and the Virgin Islands for the years 1942, 1943, and 1944.

These items have been listed separately for the Latin-American republics and for the possessions of the United States, and the lists have been designated schedule 1 and schedule

2, respectively. Copies of these lists, which are attached hereto, may be summarized as follows:

Schedule 1: South and Central American items and amounts (exclusive of Canal Zone, Puerto Rico, and Virgin Islands)	$5,733,953,534
Schedule 2: Canal Zone, Puerto Rico, and Virgin Islands items and amounts not included in the preceding table	662,806,970
Total	6,396,760,504

Comments, explanations, and other information contained in these schedules were not examined or verified by us.

We hereby certify that the source material referred to in these lists has been examined by us and that the amounts shown are correct according to the source information.

JAMES A. COUNCILOR & CO.,
Certified Public Accountants.

SCHEDULE 1.—*South and Central American items and amounts (exclusive of Canal Zone, Puerto Rico, and Virgin Islands)*

1. Defense Plant Corporation, capital investment in Latin America $53,589,850
   Source: List supplied by Department of Commerce, transmitted by letter of W. L. Clayton dated Jan. 14, 1944.
   This represents plants built in Latin American countries at United States expense, and no determination of final ownership has been made, as far as is known. This figure represents the actual expenditures made and the commitments made to complete projects authorized as of June 30, 1943.
2. Defense Supplies Corporation, capital investment in Latin America 14,742,353
   Source: Same as above.
   This represents expenditures and commitments for establishment of facilities in Latin America other than plants referred to above. The remainder of the comment of item No. 1 applies.
3. Metals Reserve Company, capital investments in Latin America 6,829,615
   Source: Same as above.
   Comment of item No. 2 applies.
4. Rubber Reserve Company and Rubber Development Corporation, capital investments in Latin America. 54,991,845
   Source: Same as above.
   Comment of item No. 2 applies.
5. Export-Import Bank loans, authorizations, credits extended and commitments 778,982,997
   Source: Letter over the signature of Jesse Jones, dated Nov. 24, 1943.
   Total authorizations as of June 15, 1943, stood at $757,153,707. Previously $65,928,927 has been authorized, extended, and subsequently repaid or refinanced so that no part thereof was outstanding as of June 15, 1943. Thus the over-all credit commitment of the United States through the Export-Import Bank, related to Latin America totaled $823,082,634. Many of these loans have been made to development corporations of Latin American countries. They range in purpose from financing steel mills and other industrialization programs to financing handicraft projects and hat-manufacturing aid. However, the documented figure used, though smaller, is from the letter from Jesse Jones described above.
6. The Department of State, for cooperation with American republics, fiscal 1942, 1943, and 1944 8,385,300
   Source: The Budget. 1944, p. 619 and subsequent.
   These items are the appropriation figures as shown in the Budget (1944). They do not include the State Department expenses for the diplomatic staffs in Latin American countries and other State Department normal peacetime activities in Latin America.
7. Commodity Credit Corporation commitments, completed purchases, loans on commodities 436,580,000
   Source: Tabulation submitted by J. B. Hutson, President of the Commodity Credit Corporation, transmitted by letter, dated Dec. 11, 1943, which tabulation shows total loans and commitments for fiscal 1943 and fiscal 1944.
   Due to discrepancies in reports from Government agencies, the over-all exact amount is not believed to be reflected in this figure. It should be noted that the date given is July 31, 1943. Thus, if the figure were known of purchases made and commitments made since Aug. 31, 1943, the total reflected to the left would be higher. Also, under date of Nov. 24, 1943, in a letter, C. G. Garman, Acting Director of Finance of the Department of Agriculture, states that, "* * * obligations for the fiscal year 1943 are now estimated at $175,796,000," and he states, "obligations for the first half of fiscal year 1944 are now estimated roughly at $107,465,000." These two figures total $283,261,000. He does not show the purchases and commitments of 1942, nor for the other half of fiscal 1944, nor the commitments. Thus, taking the reported figure of $289,755,711, completed transactions admitted as of Aug. 31, 1943, and adding the $107,465,000 for fiscal 1944 (still omitting the figure commitments) the total would be $397,220,711. Further, if purchases for the last half of fiscal 1944 were to be added plus all commitments for the future, it is obvious that the total would be still higher. No criticism of purchases of Latin American commodities is intended except only insofar as premium prices which cost the United States Government needless sums are involved.
8. Reconstruction Finance Corporation, subsidiary purchases in Latin America $2,001,361,060
   Source: Letter dated Nov. 24, 1943, signed by Jesse Jones, Secretary of Commerce, which states: "The R. F. C. and its subsidiaries have expended $1,001,361,060 through Oct. 31, 1943, for purchases in Latin America."
   The other $1,000,000,000 is supported by a letter from Jesse Jones, Secretary of Commerce, to Senator MCKELLAR, dated Dec. 8, 1943, which states: "The commitments growing out of our over-all agreements are necessarily open end and in their nature, it is impossible to make an accurate estimate of what they will aggregate, but the figure of $1,000,000,000 that I gave Senator BUTLER will, I am sure be sufficient to cover it." (See CONGRESSIONAL RECORD, Dec. 13, 1943, p. 10579 and p. 10571 note.)
   No criticism of these expenditures is intended insofar as they were made for the purchase of essential supplies. However, operating under the former B. E. W. directives, the R. F. C. was forced to purchase supplies in Latin America at inordinately high premium prices which have cost the U. S. Government needless sums. This over-all $2,000,000,000 of purchases and commitments is shown for the specific reason to permit investigation of the sum as a whole, in order to determine the amount of needless loss caused to the U. S. Government in this immense procurement program. Mr. Jesse Jones himself has cautioned against such loss and pointed out in annual reports which he has filed for his agencies, the loss which the premium-price-purchase procedure is causing. This is particularly reflected in the R. F. C. annual report, December 1942.
9. Office of Coordinator of Inter-American Affairs, expenditures, commitments, contractual authorizations, corporation capitalization authority and interagency fund transfers 232,110,000
   Source: Hearings before House subcommittee of Committee on Appropriations, p. 171, table inserted by Nelson Rockefeller showing total expenditures up to Apr. 19, 1943, $75,218,000. Appropriation for Office of the Coordinator of Inter-American Affairs, fiscal 1944, Public Law No. 139, 78th Cong., p. 9, appropriation direct $30,735,000 and in addition contract authorization of $18,000,000. Funds authorized to be allocated from O. E. M. available for the use of the Coordinator of Inter-American Affairs $69,919,000 (unrestricted), 55 Stat. 818. Coordinator of Inter-American Affairs, with power to create and capitalize corporations, O. E. M., $28,638,000 (additional), Stat. 56, p. 708. Coordinator of Commercial and Cultural Relations between the American Republics (O. E. M.) $1,600,000 (additional), Stat. 55, p. 543. Contract authorization of Coordinator $3,000,000 (additional), Stat. 55, p. 543. Coordinator of Inter-American Affairs with power to create and capitalize corporations (O. E. M.) $5,000,000 (additional), Stat. 56, p. 996.
   The total over-all expenditures and commitments by the Coordinator's office, as shown by the detailed explanation above, should properly include all figures presented since the completed expenditures, as evidenced by the hearings table alone, were $75,218,000. Thus, the fiscal 1944 appropriations and the transfers from O. E. M. must be included to arrive at the over-all total reflected to the left. Further any inference that such expenditures have not been made, or the funds not obligated, would be erroneous, since the Treasurer's report shows none of these funds as "Unexpended balances."
10. Gold and silver purchases from Mexico:
    For first quarter of 1942 ..... $34,269,000
    For first quarter of 1943 5,915,000
    Gold and silver purchases from Peru:
    For first quarter of 1942 4,567,000
    For first quarter of 1943 2,800,000
    Source: Office of Coordinator of Inter-American Affairs release, Inter-American Economic News, No. 64, p. 3, August 1943.
    These are in the form of agreements and/or purchases from the countries named. Attention should be directed to them because the United States mines have been closed down or their operations greatly curtailed while at the same time purchases for other countries are being made which means an income to them from the U. S. Treasury. These are from only 2 Latin American countries for only 2 quarters. When the Treasurer's 1943 report is released the total may be reflected as much greater.
11. United States stabilization fund agreement provided use of:
    For Mexico 40,000,000
    For Ecuador 5,000,000
    Source: U. S. Treasury, Annual Report, fiscal 1942, p. 42.
12. U. S. Bureau of Mines transfer to Interdepartmental Committee on Cooperation with the American Republics for Technical Aid:
    Mining, 1943 58,000
    U. S. Bureau of Mines, 1942 50,000
    Source: Letter dated Nov. 27, 1943, from U. S. Bureau of Mines signed by R. R. Sayers.
13. United States defrayed costs of U. S. Department of Agriculture for experimental station in Ecuador through Ecuadorian corporation, Oct. 20, 1942, including recreational facilities, tennis courts, and swimming pool 75,000
    And loan to Ecuadorian corporation for same (plus salaries of scientists and supplies for station) 150,000
    Source: Stat. 56, p. 1792.
14. U. S. Department of Interior, Geological Survey Department, expense in Latin America 309,390
    Source: Letter dated Dec. 8, 1943, from U. S. Department of Interior signed by Thomas B. Nolan.
15. Inter-American Radio Office 17,000
    Source: The Budget, June 30, 1944, p. 615.
16. Inter-American Trademark Bureau .. 42,000
    Source: The Budget, June 30, 1944, p. 615.
17. Pan American Institute of Geography and History 30,000
    Source: The Budget, June 30, 1944, p. 615.
18. Inter-American Coffee Board 30,000
    Source: The Budget, June 30, 1944, p. 615.
19. Inter-American Indian Institute 13,000
    Source: The Budget, June 30, 1944, p. 615.
20. Inter-American Statistical Institute .. 58,000
    Source: The Budget, June 30, 1944, p. 615.
21. Direct contributions to Republic of Panama, 1942, 1943, 1944 1,290,000
    Source: The Budget, June 30, 1944, p. 615.

22. Contribution to Pan American Sanitary Bureau, 1942, 1943, 1944 ..... $180,000
Source: The Budget, June 30, 1944, p. 615.

23. Contribution to Pan American Union, 1942, 1943, 1944 779,600
Source: The Budget, June 30, 1944, p. 615.

24. Mexican fishery mission 28,200
Source: The Budget, June 30, 1944, p. 620.

25. Foreign inter-American expenditure to record folk music in other American republics 12,500
Source: The Budget, June 30, 1944, p. 620.

26. Survey of collections of Latin-American music and preparation of bibliographies of Latin American music 10,900
Source: The Budget, June 30, 1944, p. 620.

27. Preparation of transcripts for radio broadcasts in Spanish and Portuguese 3,000
Source: The Budget, June 30, 1944, p. 620.

28. Guide to official publications of Latin America 29,000
Source: The Budget, June 30, 1944, p. 620.

29. Law guide and center of Latin-American legal studies 37,600
Source: The Budget, June 30, 1944, p. 620.

30. Preparation of a handbook of the South American Indians 35,993
Source: The Budget, June 30, 1944, p. 620.

31. Eighth Pan-American Child Congress 13,979
Source: The Budget, June 30, 1944, p. 621.

32. International Committee on Political Refugee Settlement Aid of Immigrants of Other Countries to Latin America 17,079
Source: The Budget, 1944, p. 621.

33. Second Inter-American Travel Congress 3,500
Source: The Budget, June 30, 1944, p. 622.

34. Fourth Pan-American Highway Congress 6,500
Source: The Budget, June 30, 1944, p. 622.

35. Total Department of Agriculture appropriations for rubber projects in Latin America 44,483,000
This amount does not include the sum of $2,000,000 authorized to be paid to the Inter-Continental Rubber Co. for its rights, properties, and facilities, and the rights, properties, and facilities of its subsidiaries (56 Stat. 127). This is presumed, therefore, to exclude all expenditures in the United States and cover only those for Latin America, thus the known expenditures in California are excluded.
Sources: Western Hemisphere rubber projects, U. S. Department of Agriculture: For necessary expenses incident to the planting of guayule and other rubber-bearing plants in areas throughout the Western Hemisphere, where the best growths and yields may be expected; for leasing, construction of buildings, and plants; for studies, surveys, and tests, including the employment of aliens and the use of motor equipment for the transportation of laborers from points of assembly to the sites of projects and return and other expenses, $4,200,000 (56 Stat. 240).
Western Hemisphere rubber projects, U. S. Department of Agriculture: For the same purpose, additional amount, $8,235,000 (56 Stat. 596).
Western Hemisphere rubber projects, U. S. Department of Agriculture: For the same purposes, additional amount, $19,000,000 (56 Stat. 1002).
Western Hemisphere rubber projects, U. S. Department of Agriculture: For the same purposes, additional amount, $13,048,000 (Public Law 129, 78th Cong.).

36. Total contributions, expenditures, loans, grants, and costs defrayed by United States in connection with Inter-American Highway system equals $212,000,000. This does not include $49,200,000 of Export-Import Bank loans for the Inter-American Highway 212,000,000
Source: The Budget, 1944, p. 190; the Budget, 1944, p. 701.

37. Federal Loan Administrator's Allocation for eliminating Axis control from Latin American air lines 8,000,000
Source: Report of the Secretary of Commerce covering the activities of the Reconstruction Finance Corporation and its subsidiaries in connection with the war, as of Oct. 31, 1942 (RFC-1710, Dec. 15, 1942, p. 10).

38. Costs of movement of Latin-American sugar to United States defrayed by Defense Supplies Corporation $30,000,000
Source: Same as above, p. 10.

39. Appropriation by Defense Supplies Corporation for training citizens of other American republics as aviation pilots and technicians 1,488,600
Source: Same as above, p. 11.

40. Lend-Lease Administration: Total shipments to Latin America 116,543,000
Source: Substantiation of this total is found in the thirteenth report to Congress on Lend-Lease operations for period ended Nov. 30, 1943, showing at p. 36, Lend-Lease Shipments to Latin America.
Under column 6 of Lend-lease exports, column headed "Other." All other known zones where lend-lease aid has been distributed have been included under other preceding columns. Thus, the total of $484,000,000 for lend-lease exports should be applicable to Latin America. In addition, Mr. East, of the Lend-Lease Administration, stated that these exports as reflected in this table run approximately 50 percent behind the authorizations of lend-lease for the nations to whom commitments have been made. Thus, on that basis, lend-lease aid to Latin America may be computed, by the process of reason as $800,000,000 or more. Further, Mr. East stated that the figures shown in this table do not include that lend-lease aid which comes from the Army and Navy appropriations which are authorized for lend-lease use. In other words, this portion of lend-lease aid is only that portion which comes from the lend-lease appropriations, i. e., the $18,410,000,000 of direct lend-lease appropriations. The other two appropriation sources are (*a*) the Navy (*b*) the Army. See Lend-Lease report of Dec. 31, 1942.

41. Rubber Development Corporation: Expenditures for rubber acquisition program and collateral facilities attendant thereto 28,047,153
Source: Statement made by Douglas H. Allen, president, Rubber Development Corporation, before Gillette committee of the U. S. Senate, in response to a request "for information concerning the procurement of rubber from South America, and the expenditures connected therewith," transmitted by letter from Jesse H. Jones, Secretary of Commerce, dated December 13, 1943, $83,040,998; less $54,993,845 shown in item 4 as capital investments. Thus, net additional expenditures by Rubber Development Corporation.

42. Funds for Government payment of losses re Latin American shipments 150,000
Source: The Budget, p. 638.

43. Bureau of Foreign and Domestic Commerce:
Estimate—1942 1,403,230
Estimate—1943 1,423,000
Estimate—1944 1,409,000
Source: Estimate from Budget items; the Budget, 1944, p. 375.

44. U. S. Government expenditure for rehabilitation of Mexican railways 7,500,000
Source: CONGRESSIONAL RECORD, Dec. 13, 1944, p. 10593.

45. Promotion of Inter-American cultural relations 1,685,000
Source: Stat. 56, p. 479.

46. War Manpower Commission: Expenditures in Latin America for labor recruiting 13,147
Source: Letter signed by Paul V. McNutt, Chairman, War Manpower Commission, Office for Emergency Management, dated Dec. 13, 1943.

47. Petroleum Administrator for War 122,900
Source: Letter signed by Ralph K. Davies, Deputy Petroleum Administrator, Petroleum Administration for War, dated Dec. 10, 1943.

48. Department of Commerce, Civil Aeronautics Administration: Expenditures and commitments in connection with Latin American construction projects and training courses, fiscal year 1943 81,000
Source: Letter, Dec. 11, 1943, from C. I. Stanton, Administrator.

49. Civil Aeronautics Board, Latin American Aid:
Fiscal year 1942 528
Fiscal year 1943 138
Source: Letter of Dec. 3, 1943, from Edward Warner, Acting Chairman, Civil Aeronautics Board.

50. Expenditures and/or authorizations of War Department funds in Latin America:
(*a*) Construction of airfields, materials, labor, and supervision $346,134,000
(*b*) Personal services other than construction 5,857,000
(*c*) Military matériel 125,000,000
(These amounts are for the fiscal years 1942, 1943, and 1944.)
Source: Letter of Dec. 10, 1943, from Henry L. Stimson, Secretary of War, CONGRESSIONAL RECORD of Dec. 13, 1943, at p. 10588.

51. Navy Department, Bureau of Yards and Docks: Total public works authorized for Central and South America 292,964,340
Source: Letter of Nov. 22, 1943, from Rear Admiral B. Moreell.

52. Naval aid to the American Republics 24,021,000
Source: Statement in communication from Secretary Knox to Senator McKellar. CONGRESSIONAL RECORD; Dec. 13, 1943, p. 10587. (This does not duplicate other items but is direct expenses by the Navy, according to the statement in the CONGRESSIONAL RECORD by Secretary Knox, which is as follows: "Current expenses of the U. S. Navy in other American republics during the fiscal years 1941–43 amounted to $24,021,000. This figure includes expenditures as reported by disbursing officers located ashore throughout the American republics, including Guantanamo, approximately $13,000,000; Rio de Janeiro, approximately $4,000,000; Recife, approximately $1,500,000. The figure does not include maintenance and operating expenses of fleet units operating in and around the other American republics."

53. U. S. Department of Agriculture, expenditures for programs in Latin American republics:
Fiscal year 1942 279,000
Fiscal year 1943 288,000
Fiscal year 1944 (estimated) 379,000
Source: Letter of Dec. 11, 1943, from Claude R. Wickard, Secretary of Agriculture.

54. U. S. Department of Agriculture, Office of Foreign Agricultural Relations—Subsidies to United States exporters to encourage shipment of cotton, wheat, and flour to Latin America:
Fiscal year 1942 4,820,000
Fiscal year 1943 6,554,000
Fiscal year 1944 0
Source: Letter of Dec. 11, 1943, from Claude R. Wickard, Secretary of Agriculture, to Senator Butler.

55. Naval station, Guantanamo, Cuba: Additional fleet operating facilities, bomb-proof shelters for communication and personnel, and limited ship repair facilities 5,747,500
Source: 55 Stat. 36.
These amounts do not include sums advanced by the Commodity Credit Corporation, Lend-Lease Administration, State Department, and the Office of the Coordinator of Inter-American Affairs.
NOTE.—Letter addressed to Senator McKellar, p. 10593, Congressional Record, has omitted part of the information, thus a different total.

56. Guantanamo, Cuba: Additional hospital facilities, buildings, and accessories and quarters for corpsmen and nurses 610,000
Source: 55 Stat. 39.

57. Guantanamo, Cuba: Additional fleet operation facilities, bomb-proof shelters for communication and personnel, ship repair facilities 5,747,500
Source: 55 Stat. 49.

58. British Guiana, Trinidad, Jamaica, Antigua, St. Lucia, and Bahama Islands: Aviation facilities, including buildings and accessories 66,050,000
Source: 55 Stat. 51.

59. Guantanamo, Cuba: Additional hospital facilities, including buildings and accessories, quarters for corpsmen and nurses 610,000
Source: 55 Stat. 52.

60. Guantanamo, Cuba; improvement of power plant 120,000
Source: 55 Stat. 164.

61. Convention for the Promotion of Inter-American Cultural Relations 100,000
Source: 55 Stat. 272.

62. International Boundary Commission, United States and Mexico, Rio Grande rectification and canalization projects 200,000
Source: 55 Stat. 273.

63. Lower Rio Grande flood-control projects; construction, acquiring of easements $950,000
Source: 55 Stat. 274.

64. Rio Grande canalization project, including reconstruction or replacement of certain bridges 440,000
Source: 55 Stat. 274.

65. Mexico, for the control and prevention of spread of the Mexican fruit fly, including necessary surveys and control operations in Mexico, in cooperation with the Mexican Government and local Mexican authorities 167,960
Source: 55 Stat. 427.

66. Inter-American Travel Congress (Second) 3,500
Source: 55 Stat. 561.

67. Mexico, Agrarian Claims Commission, United States and Mexico, expenses of participation on account of expropriations of agrarian properties 15,000
Source: 55 Stat. 562.

68. Guantanamo, Cuba, additional ammunition storage facilities, including buildings and accessories 286,000
Source: 55 Stat. 661.

69. Guantanamo, Cuba, additional radio facilities, including buildings and accessories 210,000
Source: 55 Stat. 663.

70. Guantanamo, Cuba, Naval Station, Guantanamo, Cuba, 2 swimming pools 100,000
Source: 55 Stat. 672.

71. Guantanamo, Cuba, additional ammunition storage facilities, including buildings and accessories 286,000
Source: 55 Stat. 676.

72. Guantanamo, Cuba, additional radio facilities, including buildings and accessories 210,000
Source: 55 Stat. 678.

73. American-Mexican Claims Commission "necessary expenses" 700,000
Source: Public Law No. 11, 78th Cong.

74. International Boundary Commission, United States and Mexico, additional amount for salaries and expenses 300,000
Source: Public Law No. 11, 78th Cong.

75. Inter-American Financial and Economic Advisory Committee 23,000
Source: Public Law No. 79, 78th Cong.

76. Emergency Advisory Committee for Political Defense, American Republics 105,560
Source: Public Law No. 80, 78th Cong.

77. Mexico, International Boundary Commission, United States and Mexico, salaries and expenses 290,000
Source: Public Law No. 105, 78th Cong.

78. War Department, Inter-American relations for expenses to Secretary of War to promote better relations with other American countries, including transportation and subsistence expenses of Army officers and military students of the other American countries 500,000
Source: Public Law No. 108, 78th Cong.

79. Department of State, International Boundary Commission, United States and Mexico 21,800
Source: Public Law No. 132, 78th Cong.

80. Mexico, Rio Grande canalization 16,200
Source: Public Law No. 132, 78th Cong.

81. Inter-American Statistical Institute 35,000
Source: 56 Stat. 20.

82. Mexico, Boundary Commission, United States and Mexico 239,600
Source: 56 Stat. 476.

83. Mexico, Public Works projects under International Boundary Commission, United States and Mexico, including lower Rio Grande flood control project 949,460
Source: 56 Stat. 476.

84. Mexico, Douglas-Agua Prieta sanitation project, International Boundary Commission, United States and Mexico 90,000
Source: 56 Stat. 477.

85. Mexico, International Boundary Commission, United States and Mexico, additional amount for salaries and expenses Rio Grande rectification and canalization projects 50,000
Source: 56 Stat. 600.

86. War Department, Inter-American Relations for expenses necessary to promote better relations with other American Republics, including transportation and subsistence expenses while traveling in the Western Hemisphere, of Army officers and military students of the other American republics $500,000
Source: 56 Stat. 628.

87. Mexico, for the enforcement of foreign plant quarantines for cotton and cottonseed for Mexico, including inspection, cleaning, disinfection of railroad cars, vehicles, freight, express, baggage, construction and repair of buildings, plants and equipment for the fumigation, disinfection and cleaning of products, railroad cars and other vehicles 719,550
Source: 56 Stat. 686.

88. American-Mexican Claims Commission, salaries of 3 members 30,000
Source: 56 Stat. 1058.

89. Purchases of the Cuban sugar crop for the years 1942, 1943, 1944 592,000,000
Source: Oral statement of Dr. Bernhard, Sugar Administrator, Department of Agriculture. This oral statement is supported by the written communication from J. B. Hutson, president of the Commodity Credit Corporation, to Senator McKellar, dated Dec. 11, 1943, which appears in the Dec. 13, 1943, issue of the CONGRESSIONAL RECORD at p. 10594.
These sugar purchases of $592,000,000 from Cuba by U. S. Government obviate the necessity of other welfare spending in Cuba by the U. S. Government. It is for this reason that this sum is included in the over-all Latin American total. Loss of $22,000,000.

90. Trinidad, development of protected fleet anchorage, collateral items, construction 5,100,000
Source: 55 Stat. 38.

91. Trinidad, fleet anchorage, including buildings and facilities 15,000,000
Source: 55 Stat. 677.

92. Panama, to enable the Secretary of the Treasury to pay to the Republic of Panama an amount equivalent to the principal paid by that Government on account of the credit of $2,500,000. Made available to it by the Export-Import Bank for the construction of Panama's share of the Chorrera-Rio Hato Highway, and to pay to the Export-Import Bank an amount sufficient to liquidate the remaining obligation of the Republic of Panama to that bank on account of the aforesaid credit 2,700,000
Source: Public Law No. 48, 78th Cong.

93. Mexico, fence construction along boundary, United States and Mexico, International Boundary Commission, United States and Mexico 15,000
Source: 56 Stat. 477.

94. Office of Coordinator of Inter-American Affairs, American Navigation Corporation (an Office of Coordinator of Inter-American Affairs corporation, incorporated in Delaware on July 15, 1942), United States capital investment on Nov. 30, 1943 500,000
Source: Monthly financial statement of corporation filed with U. S. Treasury pursuant to Budget Treasury Regulations No. 2, issued under Executive Order 8512, as amended by Executive Order 9084, Nov. 30, 1943.

95. Office of Coordinator of Inter-American Affairs, Inter-American Educational Foundation (an Office of Coordinator of Inter-American Affairs corporation, incorporated in Delaware, Sept. 25, 1943, United States capital investment on Nov. 30, 1943 800,000
Source: Monthly financial statement of this corporation filed with U. S. Treasury pursuant to Budget Treasury Regulations No. 2, issued under Executive Order 8512, as amended by Executive Order 9084, Nov. 30, 1943.

96. Office of Coordinator of Inter-American Affairs, Institute of Inter-American Affairs (an Office of Coordinator of Inter-American Affairs Corporation, incorporated in Delaware, Mar. 30, 1942), United States capital investment on Nov. 30, 1943 17,000,000
Source: Monthly financial statement of this Corporation filed with U. S. Treasury pursuant to Budget Treasury Regulations No. 2, issued under Executive Order 8512 as amended by Executive Order 9084, Sept. 30, 1943.

97. Principal of the funded and unfunded indebtedness of Latin American governments to the United States, the accrued and unpaid interest thereon and payments on account of principal and interest as of Nov. 15, 1942 ..... $12,455,327
Source: Annual Report of Secretary of Treasury, fiscal 1942, p. 600.

98. War Shipping Administration defense aid, allocations and obligations to Brazil 2,143,500
Source: Schedule B, following p. 62, hearings before the subcommittee of the Committee on Appropriations, 78th Cong., supplemental appropriations bill.

99. Foreign Economic Administration expenditures in Latin America 3,522,000
Source: Statement from Foreign Economic Administration included in Senator McKellar's table of Latin American expenditures, p. 10571, CONGRESSIONAL RECORD, Dec. 13, 1943.

100. Total amount spent in Ecuador on our troops and on our air base on the islands nearby 1,400,000
Source: Statement in CONGRESSIONAL RECORD, p. 10574; statement by Senator McKellar in CONGRESSIONAL RECORD, Dec. 13, 1943.

101. Investigation and survey of Canaland highway across Republic of Nicaragua 9,709
Source: The Budget, 1944, p. 673.

102. First Inter-American Congress on Indian Life 425
Source: The Budget, 1943, p. 845.

103. Eighth Pan-American Child Congress, San Jose, Costa Rica 13,979
Source: The Budget, 1943, p. 845.

104. Fourth Pan-American Highway Congress 6,500
Source: The Budget, 1943, p. 843.

105. Second Inter-American Travel Congress 3,500
Source: The Budget, 1943, p. 843.

106. Convention for the Promotion of Inter-American Cultural Relations, 1943 and 1944 200,000
Source: The Budget, 1944, p. 621.

107. Preparation of Inter-American Treasury Bulletin 20,000
Source: The Budget, 1943, p. 842.

108. Direct appropriations for export subsidies on cotton products, wheat and wheat flour exported to all South and Latin American republics 10,120,070
Source: Letter dated Dec. 11, 1943, to Senator McKellar, signed by J. B. Hutson, president of Commodity Credit Corporation. Document in CONGRESSIONAL RECORD of Dec. 13, 1943, p. 10593; appropriation reference, P. L. No. 320, sec. 32, 74th Cong., 7 U. S. C. 6120.

109. Salaries of only 17 Federal agencies' employees in Latin America 23,105,445
Source: Table and letter from Arthur S. Fleming, Commissioner of U. S. Civil Service Commission, dated Jan. 14, 1944; shows $7,701,815 per year.

110. Contribution to improve the food supply of northern Brazil, 2-year contribution by the Institute of Inter-American Affairs 2,000,000
Source: O. C. I. A. A. Inter-American Economic News, No. 32, Dec. 1942, p. 7, line 13.

111. Commitment for Future by Rubber Reserve Company for development of rubber reserves in Bolivia 2,125,000
Source: Page 28, Foreign Commerce Weekly, Aug. 8, 1942, column 3. This is a commitment for the future as contrasted with completed examination.

112. Building new embassies and residences in Latin America:
1942 305,785
1943 376,085
1944 427,990
Alterations and repairs, 3 years 90,000
Source: Letter dated Jan. 11, 1944, from Department of State, signed by Secretary of State, Cordell Hull.

113. Rents paid and heat, light, and fuel for Foreign Service in Latin America 692,292
Source: Tables transmitted by letter dated Jan. 11, 1944, signed by Secretary of State, Cordell Hull.

114. Loss on purchase of $1,000,000 worth of Brazil nuts by Foreign Economic Administration from Brazil 750,000
Source: Letter from Leo T. Crowley, Administrator of Foreign Economic Administration to Senator Kenneth McKellar, document in CONGRESSIONAL RECORD, Dec. 13, 1943, p. 10586, col. 2.

115. State Department, obligations for salaries and allowances in the

Foreign Service of the Department of State (regular and auxiliary) in Central and South America for the years (fiscal) 1942 and 1943. This amount is exclusive of office rent, operating expense, travel, etc..... $10,297,000
Source: Letter to Senator BUTLER from G. Howland Shaw, Assistant Secretary of State, Jan. 17, 1944.

Total..... 5,733,953,534

SCHEDULE 2. *Canal Zone, Puerto Rico, and Virgin Islands items and amounts not included in the preceding table*

Item No.

1. Securities of the Panama Railroad held by the U. S. Government..... $7,000,000
Source: P. 598, U. S. Treasury Annual Report Fiscal 1942.
2. Capital stock, Puerto Rico Cement Corporation..... 1,219,600
Source: P. 599, U. S. Treasury Annual Report Fiscal 1942.
3. Sanitation, Canal Zone, Panama Canal:
1942..... 1,024,223
1943..... 2,157,000
1944..... 1,546,000
Source: The Budget, June 30, 1944, p. 687; and the Budget for 1943 for the 1942 expenditures, p. 958.
4. Maintenance and operation of Panama Canal:
1942..... 22,713,086
1943..... 47,034,637
1944..... 6,016,000
Source: The Budget, June 30, 1944, p. 678; and the Budget for 1943 for the 1942 expenditures, p. 948.
5. Panama Canal construction costs largely for pay roll to Panamanians and Costa Ricans employed on the project:
1942..... [1] 111,569,000
1943..... 107,516,810
Source: Stat. 55, p. 829; Stat. 56, p. 224.
6. Administration of Sugar Act of 1937, United States subsidy and expense of administration of Sugar Act of 1937 for benefit of Cuban, Puerto Rican, and other Latin American countries' sugar-production aid and quota maintenance:
1942..... [47,962,910
1943..... 47,462,910
1944..... 63,883,000
Source: Tabulation of items in the Budget of the U. S. Government for the fiscal year ending June 30, 1944, p. 303.
7. Hospital care, Canal Zone garrisons.. 335,000
Source: Stat. 55, p. 126.
8. Naval operating base, Balboa, fleet operating and repair facilities, including buildings and accessories, Balboa and Cristobal..... 2,765,000
Source: Stat. 55, p. 37.
9. Charlotte Amalie, V. I., submarine base and operating facilities, including buildings and accessories, and acquisition of land..... 1,270,000
Source: Stat. 55, p. 37.
10. Balboa, submarine operating facilities, including buildings and accessories, piers, and dredging..... 1,855,000
Source: Stat. 55, p. 37.
11. Coco Solo, submarine base and operating facilities, including buildings and accessories..... 1,010,000
Source: Stat. 55, p. 37.
12. San Juan, P. R., surface craft operating facilities, including buildings and accessories, berthing and housing for personnel, and acquisition of land..... 737,500
Source: Stat. 55, p. 37.
13. Vieques, Puerto Rican area, fleet operating facilities, fleet anchorage, breakwaters, dredging, repair facilities, buildings, accessories, and acquisition of land..... 35,000,000
Source: Stat. 55, p. 37.
14. Coco Solo, additional aviation facilities, including buildings and accessories..... 450,000
Source: Stat. 55, p. 37.
15. San Juan, P. R., additional aviation facilities, including buildings and accessories and breakwater..... $1,575,000
Source: Stat. 55, p. 38.
16. Balboa, development of temporary hospital facilities, including buildings and accessories..... 500,000
Source: Stat. 55, p. 39.
17. Coco Solo, extension of hospital facilities, including buildings and accessories..... 700,000
Source: Stat. 55, p. 39.
18. San Juan, P. R., naval hospital quarters for nurses and corpsmen..... 85,000
Source: Stat. 55, p. 39.
19. Puerto Rico, acquisition, improvements, and development of dry dock, including berthing and repair facilities..... 2,500,000
Source: Stat. 55, p. 40.
20. Puerto Rico, bomb-proofing communication centers, bomb-proof shelters for personnel, recreational facilities, and acquisition of land..... 650,000
Source: Stat. 55, p. 40.
21. Canal Zone, bomb-proofing communication centers, bomb-proof shelters for personnel, quarters for officers, and recreational facilities..... 1,340,000
Source: Stat. 55, p. 40.
22. San Juan, P. R., quarters and accessories for bachelor officers..... $200,000
Source: Stat. 55, p. 48.
23. Charlotte Amalie, V. I., additional aviation facilities, including buildings and accessories and equipment.. 1,281,000
Source: Stat. 55, p. 48.
24. Puerto Rico, additional aviation facilities, buildings and accessories and breakwater..... 972,000
Source: Stat. 55, p. 48.
25. Balboa, fleet operation and repair facilities, buildings and accessories, Balboa and Cristobal..... 2,765,000
Source: Stat. 55, p. 50.
26. Charlotte Amalie, V. I., additional submarine operating facilities, including buildings and accessories.... 1,270,000
Source: Stat. 55, p. 50.
27. Coco Solo, additional submarine operating facilities, including buildings and accessories..... 1,010,000
Source: Stat. 55, p. 50.
28. San Juan, P. R., surface craft operating facilities, including buildings and accessories, berthing and housing for personnel..... 737,500
Source: Stat. 55, p. 50.
29. Vieques, Porto Rico area, fleet operating facilities and anchorage, including breakwaters, dredging, repair facilities, buildings, and accessories.. 5,000,000
Source: Stat. 55, p. 50.
30. Coco Solo, additional aviation facilities, including buildings and accessories..... 450,000
Source: Stat. 55, p. 50.
31. San Juan, P. R., additional aviation facilities, including buildings and accessories and breakwater..... 1,575,000
Source: Stat. 55, p. 51.
32. Balboa, development of temporary hospital facilities, including buildings and accessories..... 500,000
Source: Stat. 55, p. 52.
33. Coco Solo, extension of hospital facilities, including buildings and accessories..... 700,000
Source: Stat. 55, p. 52.
34. San Juan, P. R., quarters for nurses and corpsmen..... 85,000
Source: Stat. 55, p. 52.
35. Puerto Rico, acquisition, improvement, development of Puerto Rico drydock, including berthing and repair facilities..... 2,500,000
Source: Stat. 55, p. 53.
36. Puerto Rico, bombproofing communication centers, bombproof shelters for personnel, and recreational facilities..... 650,000
Source: Stat. 55, p. 53.
37. Canal Zone, bombproofing communication centers, bombproof shelters for personnel, quarters for officers, and recreational facilities..... 1,340,000
Source: Stat. 55, p. 53.
38. Virgin Islands, defraying deficits in treasuries of municipal governments, in the Virgin Islands, additional amount because of excess of current expenses over current revenues..... 58,433
Source: Stat. 55, p. 69.
39. Coco Solo, submarine public works shop..... 100,000
Source: Stat. 55, p. 164.
40. Coco Solo, submarine transit shed and accessories..... 166,000
Source: Stat. 55, p. 164.
41. Coco Solo, extension of roads, walks, and services..... 344,000
Source: Stat. 55, p. 166.
42. Coco Solo, extension of storehouse.... $130,000
Source: Stat. 55, p. 166.
43. San Juan, P. R., landing-field improvements..... 300,000
Source: Stat. 55, p. 166.
44. San Juan, P. R., additional parking areas..... 255,000
Source: Stat. 55, p. 166.
45. San Juan, P. R., extension of barracks and mess hall..... 350,000
Source: Stat. 55, p. 166.
46. San Juan, P. R., additional bachelor quarters..... 200,000
Source: Stat. 55, p. 167.
47. San Juan, P. R., additional aviation facilities, including buildings, accessories, and breakwaters, and acquisition of land..... 972,000
Source: Stat. 55, p. 167.
48. Charlotte Amalie, additional aviation facilities, including buildings and accessories and equipment, and acquisition of land..... 1,241,000
Source: Stat. 55, p. 167.
49. Puerto Rico, graving drydock and accessory construction, Caribbean area..... 7,500,000
Source: Stat. 55, p. 167.
50. District Court of the Panama Canal Zone, for salaries of officials and employees of the District Court of the United States, Panama Canal Zone.. 26,000
Source: Stat. 55, p. 299.
51. Government of the Virgin Islands, for salaries of the Governor and employees, traveling expenses of officers and employees, other expenses..... 150,075
Source: Stat. 55, p. 359.
52. Government of the Virgin Islands, for salaries and expenses of agricultural experiments taken and vocational schools in the Virgin Islands..... 45,650
Source: Stat. 55, p. 359.
53. Government of the Virgin Islands, for defraying the deficits in the treasuries of the municipal government because of excess of current expenses over current revenues..... 120,000
Source: Stat. 55, p. 359.
54. Puerto Rican hurricane relief, expenses to continue collection and administration of money due the United States on account of loans made and to make compositions and adjustments on loans—administrative expenses..... 20,000
Source: Stat. 55, pp. 359-360.
55. Puerto Rico, to coordinate the agricultural experiment station work..... 50,000
Source: Stat. 55, p. 412.
56. Puerto Rico, to enable the Secretary of Agriculture to establish and maintain an agricultural experiment station in Puerto Rico, including the erection of buildings, the preparation, illustration, and distribution of reports and bulletins..... 83,000
Source: Stat. 55, p. 413.
57. Puerto Rico, to enable Secretary of Agriculture to carry into effect the provisions of sec. 21 of the Bankhead-Jones Act..... 100,000
Source: Stat. 55, p. 414.
58. Puerto Rico, for extending from Puerto Rico vocational education and civilian rehabilitation..... 105,000
Source: Stat. 55, p. 475.
59. Government of the Virgin Islands, survey of public works needs, administrative expenses, employment of engineer or firm of engineers, if necessary, to construct and rehabilitate public works necessary for the welfare of the Virgin Islands..... 5,000
Source: Stat. 55, p. 554.
60. Balboa, housing for enlisted men, laundry and school facilities..... 900,000
Source: Stat. 55, p. 659.
61. Vieques, P. R.: Roosevelt Roads, additional development of protected fleet anchorage, including acquisition of land..... 21,970,000
Source: Stat. 55, p. 659.
62. Charlotte Amalie, V. I., additional development of submarine facilities. 2,195,000
Source: Stat. 55, p. 659.
63. Coco Solo, additional power plant, shore patrol headquarters and school facilities..... 885,000
Source: Stat. 55, p. 659.
64. Balboa, additional ammunition storage facilities, including buildings and accessories..... 165,000
Source: Stat. 55, p. 660.
65. Coco Solo, additional ammunition storage facilities, including buildings and accessories..... 160,000
Source: Stat. 55, p. 660.
66. Balboa, expansion of hospital facilities. 250,000
Source: Stat. 55, p. 660.
67. Charlotte Amalie, V. I., ammunition storage facilities and including buildings and accessories..... 576,000
Source: Stat. 55, p. 661.

[1] The figures for the Panama Canal are included for the reason that over $200,000,000 have been expended, the majority of which expenditure is for construction and the pay rolls for this construction revert principally to the people of Panama and Costa Rica. Since the money thus goes to support the economy and means substantial income to the people of Panama and Costa Rica it is obvious that additional spending for nonwar purposes by such agencies as the Coordinator's office are neither necessary to the bolstering of their economy nor justifiable as additional welfare expenditures from the U. S. Treasury in wartime.

68. San Juan, P. R., additional aviation facilities, including buildings and accessories $752,000
Source: Stat. 55, p. 662.
69. Balboa, utility building and accessories 25,000
Source: Stat. 55, p. 662.
70. Charlotte Amalie, V. I., radio facilities, including buildings and accessories .. 130,000
Source: Stat. 55, p. 663.
71. Gatun, additional radio facilities, including buildings and accessories 200,000
Source: Stat. 55, p. 663.
72. David, Panama, National Airport, quarters for officer in charge and operators 30,000
Source: Stat. 55, p. 663.
73. Summit, C. Z., additional radio facilities, including buildings and accessories 350,000
Source: Stat. 55, p. 663.
74. Puerto Rico, fleet fuel and storage facilities, including buildings and accessories 800,000
Source: Stat. 55, p. 664.
75. Balboa, C. Z., housing for officers and and enlisted men, laundry and school facilities 900,000
Source: Stat. 55, p. 672.
76. Puerto Rico, Roosevelt Roads (Vieques), additional development of protected fleet anchorage, including acquisition of land 21,970,000
Source: Stat. 55, p. 673.
77. Charlotte Amalie, V. I., additional development of submarine facilities. 2,195,000
Source: Stat. 55, p. 673.
78. Coco Solo, additional power plant, and shore patrol headquarters and school facilities 885,000
Source: Stat. 55, p. 673.
79. Coco Solo, improvement of the water supply 36,000
Source: Stat. 55, p. 673.
80. Coco Solo, signal station 5,000
Source: Stat. 55, p. 673.
81. Coco Solo, improvement of power plant 200,000
Source: Stat. 55, p. 673.
82. Coco Solo, gas chamber 3,000
Source: Stat. 55, p. 673.
83. Coco Solo, railroad tracks for pier No. 1 20,000
Source: Stat. 55, p. 673.
84. Coco Solo, storage for salvage pontoons 10,000
Source: Stat. 55, p. 673.
85. Coco Solo, marginal wharf on north side of north mole 100,000
Source: Stat. 55, p. 673.
86. Balboa, additional ammunition storage facilities, including buildings and accessories 165,000
Source: Stat. 55, p. 673.
87. Coco Solo, additional ammunition storage facilities, including buildings and accessories 160,000
Source: Stat. 55, p. 673.
88. Balboa, expansion of hospital facilities. 250,000
Source: Stat. 55, p. 675.
89. Charlotte Amalie, V. I., ammunition storage facilities, including buildings and accessories 576,000
Source: Stat. 55, p. 676.
90. San Juan, P. R., additional aviation facilities, including buildings and accessories 752,000
Source: Stat. 55, p. 676.
91. Balboa, utility building and accessories 25,000
Source: Stat. 55, p. 677.
92. Charlotte Amalie, V. I., radio facilities including buildings and accessories .. 130,000
Source: Stat. 55, p. 677.
93. David, Panama, national airport, quarters for officer-in-charge and operators 30,000
Source: Stat. 55, p. 677.
94. Gatun, additional radio facilities including buildings and accessories 200,000
Source: Stat. 55, p. 663.
95. Gatun, additional radio facilities including buildings and accessories 200,000
Source: Stat. 55, p. 678.
96. Summit, C. Z., additional radio facilities including buildings and accessories 350,000
Source: Stat. 55, p. 678.
97. Puerto Rico, fleet fuel and storage facilities, including buildings and accessories 800,000
Source: Stat. 55, p. 679.
98. Canal Zone, temporary housing for marine guards at radio stations 60,000
Source: Stat. 55, p. 679.
99. Puerto Rico, Virgin Islands, work relief on projects in Puerto Rico and Virgin Islands, under the supervision of the Federal Works Administrator. 8,000,000
Source: Public Law 86, 78th Cong.
100. Canal Zone, retirement and disability fund for employees of Panama Canal and Panama Railroad Company $1,177,000
Source: Public Law 90, 78th Cong.
101. Puerto Rico, to enable Secretary of Agriculture to extend the benefits of sec. 21 of the Bankhead-Jones Act to Puerto Rico 140,000
Source: Public Law 129, 78th Cong.
102. Puerto Rico, to enable the Secretary of Agriculture to coordinate agriculture experiment-station work in Puerto Rico 90,000
Source: Public Law 129, 78th Cong.
103. Puerto Rico, to enable the Secretary of Agriculture to maintain an agricultural experiment station in Puerto Rico, including erection of buildings, preparation, illustration, and distribution of reports and bulletins 100,000
Source: Public Law 129, 78th Cong.
104. Virgin Islands, for additional amounts for salaries and expenses of the government of the Virgin Islands 7,000
Source: Public Law 132, 78th Cong.
105. Virgin Islands, for additional amounts for salaries and expenses agricultural experiment stations and vocational school in the Virgin Islands 2,100
Source: Public Law 132, 78th Cong.
106. Virgin Islands, for additional amount to defray deficit in the treasury in the municipal government of Saint Croix, because of excess of current expenses over current revenue 45,000
Source: Public Law 132, 78th Cong.
107. Puerto Rican hurricane relief, additional amount for administrative expenses 2,400
Source: Public Law 132, 78th Cong.
108. Virgin Islands government, salaries and expenses 12,250
Source: Public Law 132, 78th Cong.
109. Virgin Islands, salaries and expenses of agricultural experiment station and vocational school 400
Source: Public Law 132, 78th Cong.
110. Puerto Rican hurricane relief, additional amount 1,790
Source: Public Law 132, 78th Cong.
111. Panama Canal and Canal Zone, civil government (War Department) 111,000
Source: Public Law 132, 78th Cong.
112. Virgin Islands, salaries of the Governor and employees, traveling expenses of officers and employees 168,820
Source: Public Law 133, 78th Cong.
113. Virgin Islands, for salaries and expenses of the agricultural station and the vocational school in the Virgin Islands, including demonstrations and practical farming 37,640
Source: Public Law 133, 78th Cong.
114. Virgin Islands, for defraying deficit in the treasury of the municipal government of St. Croix, because of the excess of current expenses over current revenues 140,000
Source: Public Law 133, 78th Cong.
115. Puerto Rican hurricane relief, to enable the Secretary of Interior to continue the collection and administration of money due the United States on account of loans made to make compositions and adjustments on loans .. 20,000
Source: Public Law 133, 78th Cong.
116. Puerto Rico, for extending to Puerto Rico vocational education and civilian rehabilitation 105,000
Source: Public Law 135, 78th Cong.
117. Puerto Rico, Virgin Islands, for work relief in Puerto Rico, Virgin Islands, under the supervision of Federal Works Administrator 7,000,000
Source: Public Law 140, 78th Cong.
118. Virgin Islands, additional amount for defraying deficit in the treasury of the municipal government for St. Croix, because of excess of current expenses over current revenues 10,000
Source: Stat. 56, p. 242.
119. Panama Canal Zone, for salaries for officials and employees of District Court of the United States for Panama Canal Zone 27,300
Source: Stat. 56, p. 502.
120. Virgin Islands, for salaries of Governor and employees, traveling expenses of officers and employees, and other necessary expense 147,980
Source: Stat. 56, p. 560.
121. Virgin Islands, for salaries and expenses of the agriculture experiment station and the vocational school in the Virgin Islands, including demonstration in practical farming .. 37,640
Source: Stat. 56, p. 560.
122. Virgin Islands, for defraying the deficit for the treasury of the municipal government of St. Croix because of excess of current expenses over current revenue 114,800
Source: Stat. 56, p. 560.
123. Puerto Rican hurricane relief, administrative expenses to continue collection and administration of money due the United States on account of loans and to make compositions and adjustments on loans $19,950
Source: Stat. 56, p. 560.
124. Puerto Rico, to enable the Secretary of Agriculture to coordinate the agricultural experiment station work in Puerto Rico 50,000
Source: Stat. 56, p. 670.
125. Puerto Rico, to enable the Secretary of Agriculture to establish and maintain an agricultural experiment station in Puerto Rico, including the erection of buildings, the preparation, illustration, and distribution of reports and bulletins 90,592
Source: Stat. 56, p. 670.
126. Puerto Rico, to enable the Secretary of Agriculture to extend the benefits of Sec. 21 of the Bankhead-Jones Act to Puerto Rico 100,000
Source: Stat. 56, p. 672.
127. Panama Canal Zone, for additional amount for salaries, district court, Panama Canal Zone 2,250
Source: Stat. 56, p. 704.
128. Federal Security Agency, for extending to Puerto Rico vocational education and civilian rehabilitation 105,000
Source: Stat. 56, p. 577.
129. Loan to Puerto Rico Reconstruction Administration 4,296,664
Source: P. 599, U. S. Treasury Annual Report, fiscal 1942.

Total 662,806,970

Mr. McKELLAR. Mr. President, before the Senator takes his seat I will say that I have sent for a copy of the speech which the Senator made in connection with his so-called report concerning rubber. I notice that the price per pound has been changed, but that the following language has not been changed:

If this be true, it seems incongruous to permit rubber costs to continue at the rate of $200 to $500 per pound in Guatemala, Brazil, and other Latin American countries. The former cost of raw rubber was 6 cents a pound.

The figures of $200 to $500 per pound were based on the statement that only 30,000 pounds of raw rubber had been produced.

Mr. BUTLER. That was left out of my official report, Mr. President.

Mr. McKELLAR. It is in the official report as printed, a copy of which is before me.

Mr. BUTLER. In the original report pounds were stated.

Mr. McKELLAR. Yes; it was pounds.

Mr. BUTLER. And now it is pounds.

Mr. McKELLAR. It is still considered in pounds because by simple calculation the only possible way by which the Senator could arrive at the cost of rubber as being from $200 to $500 a pound was for him to use 30,000 pounds of rubber instead of 30,000 long tons of rubber.

Mr. BUTLER. I believe that a few moments ago I explained to the distinguished Senator from Tennessee that the error was purely mathematical. It had nothing to do with the basic principles of the argument. I believe the good Senator from Tennessee himself will admit that in the past he may have possibly made mistakes in his arithmetic. I have today shown that the figures which he used did not agree with Mr. Rockefeller's figures, and that the figures which he used on the second occasion did not agree with his first figures.

Mr. McKELLAR. They were about entirely different things.

Mr. BUTLER. So far as I am concerned, I am eliminating everything that was said with reference to the Brazilian rubber transaction in the first report, and I am inserting in my report today——

Mr. McKELLAR. A correction?

Mr. BUTLER. My candid and corrected statement.

Mr. McKELLAR. Very well.

THE REVENUE ACT

The Senate resumed the consideration of the bill (H. R. 3687) to provide revenue, and for other purposes.

Mr. McKELLAR. Mr. President, at the moment, the Senator from Georgia [Mr. GEORGE] does not appear to be in the Chamber, and neither does the majority leader. The senior Senator from Michigan [Mr. VANDENBERG], who is a member of the committee, is present. I wonder if he can give us any information. Our leaders are not present. That is why I make the inquiry.

Mr. VANDENBERG. Mr. President, I should be complimented by what the Senator has asked even if our leaders were present.

Mr. McKELLAR. I thank the Senator.

Mr. VANDENBERG. The Senate Finance Committee has just very happily reached a complete agreement on a series of amendments to the Senate Finance Committee's recommendation in respect to the renegotiation act.

Mr. McKELLAR. I am intensely interested in that.

Mr. VANDENBERG. I know the Senator is interested.

Mr. McKELLAR. Being the author of the act I should like to know what the amendments are, if the Senator can tell me.

Mr. VANDENBERG. I believe the Senator will be reasonably pleased with the net result. The amendments are considerable in number, and it is my understanding that it will be impossible to proceed with them this afternoon because it is desired that they be printed so that all Senators may have copies of them before action is taken upon them. I do not wish to presume upon any statement which the able chairman will make.

Mr. McKELLAR. I understand that.

Mr. VANDENBERG. However, it is my understanding that he will report the amendments to the Senate this afternoon and ask that they be printed.

Mr. GEORGE. Mr. President, I do not know that there is on the desk any amendment to the tax provisions of the pending bill that can be pressed at this time or can be disposed of. My recollection is that yesterday all the amendments to the tax provisions had been disposed of insofar as they had been offered from the floor by any Senator.

Now I should like to make this statement: The Senate Finance Committee has given prolonged consideration to the title of the bill dealing with contract renegotiation. The committee has arrived at a conclusion which has the approval of the full committee. It will be necessary to have several amendments printed before the Senate can see clearly and definitely what action has been taken by the committee. I may say that the amendments agreed to by the committee are not wholly satisfactory, maybe, to individual members of the committee, but there has been a unanimous agreement with perhaps one or two reservations that certain other amendments might be offered from the floor on certain questions that are not material, or, at least highly material.

I, therefore, ask that the amendments agreed upon this morning by the Senate Finance Committee may be printed and placed on the desks of Senators tomorrow morning, and if there are other amendments from the floor to this section of the bill I hope that Senators will see that they are printed and on the desk tomorrow morning. It is not practicable to go into a general statement about the amendments unless Members of the Senate have them before them so that they may see precisely what has been done.

I also ask that these amendments may be printed in the body of the CONGRESSIONAL RECORD. It may not be necessary, but I ask that the drafting service may have until 10 o'clock tonight to file the amendments for the RECORD and for printing and to lie on the table.

The PRESIDING OFFICER (Mr. WALSH of New Jersey in the chair). Without objection, the request of the Senator from Georgia is granted.

The amendments submitted by Mr. GEORGE, which were ordered to lie on the table, to be printed, and printed in the RECORD, are as follows:

Page 156, line 14, strike our "financial."

Page 158, line 4, before "allowable", insert "estimated to be."

Beginning with line 15, on page 158, strike out down to and including line 2, on page 159, and insert:

"(5) The term 'subcontractor' means—

"(A) Any purchase order or agreement to perform all or any part of the work, or to make or furnish any article, required for the performance of any other contract or subcontract; or."

Page 165, line 5, after "year", insert "(or such other period as may be fixed by mutual agreement)."

Page 168, in lieu of the committee amendment in lines 2, 3, and 4, strike out "statements," in line 3, and insert "statement."

Page 168, in lieu of the committee amendment in lines 6, 7, and 8, strike out "statements" in line 7 and insert "statement."

Page 169, beginning with line 15, strike out down through line 22 to line 23 and insert:

"(5) (A) Every contractor and subcontractor who holds contracts or subcontracts, to which the provisions of this subsection are applicable, shall, in such form and detail as the Board may by regulations prescribe, file with the Board on or before the first day of the fourth month following the close of the fiscal year, a financial statement setting forth actual costs of production and such other information as the Board may by regulations prescribe. In addition to the statement required under the preceding sentence, every such contractor or subcontractor shall, at such time or times and in such form and detail as the Board may by regulations prescribe, furnish the Board any information, records, or data required by the Board. Any person who willfully fails or refuses to furnish any statement, information, records, or data required of them under this subsection, or who knowingly furnishes any such statement, information, records, or data."

Page 174, beginning with the comma in line 3, strike out down to and including the period in line 13 and insert: "The Board may review any determination by any such officer, agency, or division on its own motion, or in its discretion at the request of any contractor or subcontractor aggrieved thereby. Unless the Board upon its own motion initiates a review of such determination within 60 days from the date of such determination, or at the request of the contractor or subcontractor made within 60 days from the date of such determination initiates a review of such determination within 60 days from the date of such request, such determination shall be deemed the determination of the Board."

Beginning in line 25, on page 176, strike out "whether or not such determination is" and insert "which is not"; and beginning with "If", in line 24, on page 177, strike out down to and including the period in line 4, on page 178.

Beginning with line 24, on page 179, strike out down to and including line 4, on page 180, and insert:

"(h) This section shall apply only with respect to profits derived from contracts with the departments and subcontracts which are attributable to performance prior to the termination date. For the purposes of this subsection—

"(1) The profits derived from any contract with a department or subcontract which shall be deemed 'attributable to performance prior to the termination date' shall be those determined by the Board to be equal to the same percentage of the total profits so derived as the percentage of completion of the contract or subcontract prior to the termination date; and

"(2) The term 'termination date' means—

"(A) December 31, 1944; or

"(B) If the President not later than December 1, 1944, finds and by proclamation declares that competitive conditions have not been restored, such date not later than June 30, 1945, as may be specified by the President in such proclamation as the termination date; or

"(C) If the President, not later than June 30, 1945, finds and by proclamation declares that competitive conditions have been restored as of any date within 6 months prior to the issuance of such proclamation, the date as of which the President in such proclamation declares that competitive conditions have been restored;

except that in no event shall the termination date extend beyond the date proclaimed by the President as the date of the termination of hostilities in the present war, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier."

Beginning with the first "or", in line 23, on page 180, strike out down to and including "harvested", in line 1, on page 181.

On page 182, the committee will ask that the committee amendment in lines 1 and 2 be not agreed to, and on page 184, the committee will ask that the committee amendment in lines 3 to 6 be not agreed to.

Page 182, before line 3, insert:

"(F) Any contract or subcontract for durable machinery, tools, or equipment used in processing an article made or furnished under a contract with a department or subcontract but which is not incorporated in or as a part of such article. For purposes of this subparagraph the term 'durable machinery, tools, or equipment' means machinery, tools, or equipment ordinarily having a useful life of more than 10 years; or."

On page 182, the committee will ask that the committee amendment in lines 6 to 10 be not agreed to.

Page 186, beginning with "the" at the end of line 18, strike out down to and including "and" in line 21, and in line 23, strike out "such act" and insert "the Sixth Supple-

mental National Defense Appropriation Act, 1942."

Mr. BARKLEY obtained the floor.

Mr. LANGER. Mr. President——

Mr. BARKLEY. I yield.

Mr. LANGER. Am I to understand that any amendment can be filed up until 10 o'clock tonight or merely committee amendments?

Mr. GEORGE. I made the request for the committee amendments both for the RECORD and for the table, so that Senators may have them before them tomorrow when they are taken up and considered.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Michigan.

Mr. VANDENBERG. Might I suggest, if it is not inconsistent with the plans of the chairman of the committee, that we might meet tomorrow at 11 o'clock a. m., and start going on this job and get behind it?

Mr. GEORGE. That would be entirely agreeable to me.

Mr. BARKLEY. That would be entirely agreeable. I think there are no important committee meetings tomorrow morning.

I wish to state that in a little while when the Senator from South Dakota [Mr. BUSHFIELD] returns to the Chamber I wish to have taken up and considered a nomination which has been passed over several times and to dispose of it, but prior to going into executive session I wish to make a brief statement before the legislative session concludes.

The PRESIDING OFFICER. The Senator from Kentucky has the floor.

ACCOMPLISHMENTS OF THE ADMINISTRATION OF PRESIDENT ROOSEVELT

Mr. BARKLEY. Mr. President, today marks the third anniversary of the inauguration of President Roosevelt in his present term. His administration has functioned in the interest of the people since March 4, 1933, and we are proud of its accomplishments during those years.

Compare the situation of the United States with that of any other country on the globe, and in the light of such comparison our domestic difficulties may be appraised at their true value.

We are in the midst of a terrible war which was forced upon us and which entails the heart-rending sacrifices incident to such a struggle. The oncoming of the calamity found us ready to meet it, and our arms are victorious in every far-flung theater of action against the greatest military forces the world has known.

We have kept destruction and disaster away from our own cities and, except for the inconveniences of rationing, higher taxes and other regulations and restrictions necessary to war—which are trifling in comparison with the sufferings of other warring nations—and the inevitable sorrows incident to battle casualties, our home life is undisturbed.

Our national prestige is at its peak; our national credit is unassailable. In fact, so excellent is our situation that some of us are engaged in the quadrennial diversion of politics, which puzzles and causes wonderment among our allies.

Mr. President, this condition did not come about by accident. We are where we are because we have had an administration, farsighted and conscientious, both in the field of domestic welfare and of grim warfare.

In the final analysis the value of a political party to the Nation is twofold: It must propose a program and it must carry its program into action. Once a definite program has been offered to the people, the party must receive, through an election, the consent of the people to enable it to act. It then acts under the mandate of the people, often in opposition to the policies of the political party not so mandated, and, fortunately, sometimes in harmony with those more reasonable elements of the opposition who have listened to the mandate of the people and are able to rise above party to support action upon programs of unquestioned value to the Nation.

No one would question the fact that we have had political party government in the United States for a century and a half, and no one would doubt the strength and enduring value of our form of government. But at moments in the Nation's history when great problems and questions of vital import cry for solution, as has been the case for the last 11 years, no one questions the necessity of all persons transcending party lines and giving the Nation the soundly progressive legislation needed to assist it through national and international stress and strain and finally to effect its full recovery.

Such legislation by the Congress, and administration thereof by the President, has not only been introduced and supported by the majority party, but a careful check of the records reveals that the minority party has supported some democratic policies and legislative acts of unquestioned value and merit.

The stamina and integrity of a nation are manifested in the character of its laws. The wealth of a nation exists not only in its treasury and its natural resources, but in the contentment and moral character of its people.

The broad, wholesome, and comprehensive laws enacted and administered under the Roosevelt administration have done more to stabilize this country than any other single feature. The Democratic legislative program has infused the strength and resistance into the Nation that have made possible the great victories our military forces have achieved since the treacherous attack at Pearl Harbor. Had the infamy perpetrated by Japan happened in the closing days of the Hoover administration, due to the fact that our military and naval strength not only had not been increased but had been permitted to decline, the onslaught then might have been fatal.

The stimulation of popular legislation beneficial to all the people, expounding the Jeffersonian theory of "the greatest good to the greatest number," has given to this Nation renewed vitality, force, and defensive aggressiveness. Surely there is no one of rational thought, other than those politically prejudiced, who would ask for the repeal of Democratic national policy-making legislation. Such legislation has been the backbone of the country, and made possible the great resistance recently exhibited in this national emergency.

The Democratic legislative record from 1933 to 1943 has been such as to give stability, energy, and victory to the Nation, economically, financially, and defensively. The soundness of the legislative policies made this Nation an invincible stronghold. The fortitude of the people, and their immediate conversion to a strong, aggressive attitude, were possible only as a result of the wholesomeness of the legislative program enacted under the Democratic administration. This program brought out the splendid national resourcefulness of the Nation.

After President Roosevelt assumed office, before the ringing words of his first inaugural address had ceased echoing through the Nation, his immediate action in declaring a bank holiday inspired the Congress to pass national emergency financial legislation, which resulted in sound banking policies in an unprecedentedly brief time. This action was but a forerunner of the strong financial legislation that was to follow in the months and years to come.

The agricultural legislation that kept the farmer from burning his products for fuel and gave him a profitable return for his labor, the home owner's relief that saved him from eviction and the processes of the sheriff, the remedial legislation that banished the bread line, the heartening legislation that conquered unemployment, the laws that gave relief to labor, the miner, the railroad worker, the industrial employee, all were creations of Jeffersonian-minded legislators. The veterans, servicemen and servicewomen, have received unprecedented advantages, as evidenced by the long list of laws enacted in their behalf. The industrialists, the capitalists, the laborer and the white-collar worker, the manufacturers—the women and children, the maimed, the halt, and the blind have been given a fairer consideration and definite benefits by the legislation of the Democratic Congresses.

Mr. President, I am appending hereto a brief summary of some of the outstanding legislation enacted by Congress and the Roosevelt administration during the past 11 years. I shall not do more than call attention to it. I have outlined 34 different legislative policies which have been enacted into law during the period of which I speak. I shall not take the time of the Senate to recite them paragraph by paragraph, but I ask unanimous consent that they may be appended to the remarks I have just made.

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). Is there objection?

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

THE PARADE OF PROGRESS—RECORD OF ACHIEVEMENT, DEMOCRATIC ADMINISTRATION, 1933–44

1. A sound banking system was inaugurated which was more flexible and responsive to

the needs of the small depositor, investor, or borrower.

2. Federal guaranty of bank deposits and the reopening of closed banks was provided through the Federal Deposit Insurance Corporation and the Emergency Banking Relief Act.

3. Monetary and financial stabilization was strengthened by passage of the Gold Reserve Act and the Silver Purchase Act. The unsteady position of public finance and credit was corrected by the reciprocal trade agreements, the Municipal Bankruptcy Act, and the Farm Bankruptcy Act, all being major factors in assisting business, municipalities, and farmers to put their finances on a firm basis with renewed confidence.

4. The Home Owners' Loan Corporation was organized to save thousands of homes from foreclosures.

5. Farm homes and farms were saved from foreclosures by the establishment of the Farm Credit Administration.

6. Farmers who were vainly laboring to work unprofitable marginal lands were resettled upon new and arable farms and lands throughout the Nation.

7. Electricity, and thus time-saving and labor-saving devices and machinery, was brought to twice as many farms during the 8 years of R. E. A. as had been provided in the last 50 years.

8. A vast program of water conservation has been carried out implemented by the expanded program of dam and reservoir construction. Many marginal farms and unarable lands have thus become arable.

9. Floods, which have always taken an annual toll of millions of dollars from the rural and urban areas alike, have been largely controlled and restrained through operation of the water-conservation program and flood-control acts, such as the Mississippi River Flood Control Act, the Omnibus Flood Control Act, and the Flood Compact Act.

10. Drought-control and drought-relief programs have formed integral parts of all agricultural legislation dealing with conservation. Water-facilities programs provided treatment for more than 3,530,000 acres.

11. The soil-conservation program has returned thousands of depleted and abandoned farms to use. More than 30,000,000 acres have been saved or returned to production.

12. Financial and production aid has been extended to all farmers through the Soil Conservation and Domestic Allotment Act and the farm-mortgage acts.

13. Farm tenancy with its former substandard living conditions has been improved through operations of the farm tenant acts.

14. Encouragement and assistance has been given to the establishment of farm cooperatives effecting reduction in operating and living costs to the farmer and fostering community solidarity and self-reliance.

15. Crop insurance and parity payments have maintained a level of farm prices which have kept farms in production through periods of distress.

16. The natural resources of the Nation have been conserved through the various agricultural programs, and by the establishment of new national parks and monuments. The production of scarce strategic and critical raw materials has been benefited by the financial assistance of the Government to research in synthetic production, this in turn will create new markets for the farms and mines of the Nation while conserving supplies of the natural product.

17. Public-works projects have been carried forward in every section of the Nation in providing work through critical periods and adding to the wealth of the Nation a broad variety of permanent improvements such as roads affording access to remote sections, highways, bridges, dams, and stream control, public buildings, and recreational areas.

18. The Civilian Conservation Corps formed to provide a healthful and normal environment for the unemployed youth of the country carried out a program of road building and reforestation which has added to the future national wealth and the conservation of the Nation's forests.

19. The National Youth Administration aided thousands of underprivileged young people through vocational study programs, direct work programs, and student aid.

20. Old-age and retirement insurance has been provided through the cooperation of the Federal and State governments and industry.

21. Unemployment insurance has given the worker freedom from hunger and fear through periods of industrial stress.

22. The Government in cooperation with the States has given financial aid and vocational training to the crippled and the blind.

23. Funds have been distributed through the Federal Emergency Relief Administration to starving and undernourished persons having no other local or private sources of assistance.

24. Slum clearance has given decent housing and encouragement to thousands of underprivileged families.

25. Private home building has been stimulated through the activities of the Federal Housing Administration.

26. Housing projects for new industrial areas have given clean and comfortable quarters to war workers.

27. Legislation has been passed abolishing child labor and its attendant evils.

28. Minimum-wage and maximum-hour legislation have given the worker protection from unscrupulous exploitation wherever it may have prevailed.

29. The establishment of the National Labor Relations Board has provided a sound and effective means for the settlement of labor disputes.

30. Utility monopolies have been broken providing relief to the consumers from extortionate rates and charges.

31. Legislation was enacted providing for the truth being told to investors in securities, and the Securities and Exchange Commission was set up to protect the investor from corrupt stock exchange and dealer practices wherever met.

32. Reciprocal trade agreements have been made with many cooperating nations effecting a sounder and more mutually prosperous relationship with foreign nations.

33. The good-neighbor policy has brought a closer understanding of the mutual problems and means of solving them to the nations of the Western Hemisphere.

34. Our veterans and men and women on active duty have been aided by increased compensation, greater benefits for their dependents, and job assurance after the war.

The present administration believes that it has brought about a broader conception of human relationships, and a better general understanding of individual and governmental responsibilities. This should point the way to a more sympathetic and cooperative procedure for the solution of future problems. There has come into the hearts and minds of the people a renewed hope and feeling of security against the dangers and hazards implicit in the problem of conversion of a world at war to a world of permanent peace.

MUSTERING-OUT PAY FOR MEMBERS OF THE ARMED FORCES

The PRESIDING OFFICER (Mr. McFARLAND in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1543) to provide for mustering-out payments to members of the armed forces, and for other purposes.

Mr. JOHNSON of Colorado. Mr. President, I move that the Senate disagree to the amendment of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. REYNOLDS, Mr. THOMAS of Utah, Mr. JOHNSON of Colorado, Mr. AUSTIN, and Mr. BRIDGES conferees on the part of the Senate.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to consider executive business.

The motion was agreed to.

The Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

Capt. Don P. Moon, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 21st day of November 1942.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

The PRESIDING OFFICER (Mr. McFARLAND in the chair). If there be no further reports of committees, the clerk will proceed to state the nominations on the calendar.

NOMINATIONS CONFIRMED EN BLOC

Mr. BARKLEY. Mr. President, the first order of business on the calendar is a nomination in the Marine Corps, which has been passed over several times. I ask unanimous consent that, with the exception of that order, all the other nominations be considered and disposed of en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the nominations, with the exception of the first order, are confirmed en bloc.

Mr. BARKLEY. I ask unanimous consent that the President be notified immediately of all these confirmations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

THE MARINE CORPS—COL. WILLIAM P. T. HILL

The legislative clerk read the nomination of Col. William P. T. Hill to be quartermaster of the Marine Corps.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination?

Mr. BUSHFIELD. Mr. President, at the time the nomination of Colonel Hill was first presented to the Senate I raised an objection. I wish now to acknowledge the very gracious courtesy extended me by the distinguished majority leader, the Senator from Kentucky [Mr. BARKLEY]. He has always been helpful, courteous, and cooperative, and I wish to assure him that I appreciate his granting me the opportunity to investigate some objections which were filed with me in connection with this nomination.

I do not know Colonel Hill personally, I never heard of him before his nomination was sent to the Senate for confirmation, but at that time a number of objections were presented to me as to why Colonel Hill should not be confirmed at this time, and I think it my duty to lay before the Senate what has been brought to my attention, in spite of the fact that the distinguished majority leader stated what would be the probable outcome of the objections, when he said such nominations have always been confirmed.

In the first place, I do not appear for any official either of the Army or the Navy, but I am speaking today, in these few brief remarks, on behalf of all the commissioned officers of the Army and Navy, the Coast Guard and the Air Force, for throughout their lifetime these men in the armed services have striven for and have endeavored to secure advancement in their ratings. Their entire life objective is to progress in their profession. Men in the armed services are set aside, practically speaking, from all the privileges and opportunities of those in civil life in our country. If anything occurs relative to promotions in these services, their mouths are sealed, and I feel that the matters which have been brought to my attention in the last week should be presented to the Senate for consideration. Perhaps there is nothing in what I shall say concerning Colonel Hill personally, possibly there may be, I do not know, but it is the situation which exists which I think should be taken into consideration by the Naval and Military Affairs Committees of this body as well as the general policy prevailing.

A few days ago the distinguished Senator from Kentucky had placed in the RECORD a letter from General Holcomb, which, as I recall, was addressed to the senior Senator from Massachusetts [Mr. WALSH]. In that letter several statements are made which I do not believe are borne out by the facts in this case. In the first place the statement is made in General Holcomb's letter:

> There is but one officer, Brig. Gen. Bennett Puryear, Jr., on the eligible list for appointment as head of the Quartermaster's Department.

Mr. President, I take issue with that statement as not representing the facts, and misleading to the Senate. The facts of the matter are that there are six qualified colonels on the accredited list in the Quartermaster's Department who are entitled by right of seniority, by right of service, and by right of their service records, to be considered in connection with the appointment. I read the names: Col. Arnold W. Jacobsen, of the State of Iowa, now depot quartermaster at San Francisco; Col. Ery M. Spencer, of the Marine Corps, now director of the Quartermaster School at New River, N. C.; Col. William M. Best, of California, now post quartermaster at Quantico; Col. Maurice E. Gregory, now department quartermaster at Philadelphia; and Col. Andrew E. Cressy, of the State of Massachusetts, now on duty in the southwest Pacific with the Marine Corps.

All those officers are ahead of Colonel Hill in the list for consideration as quartermaster. There are more than 140 colonels of the line, any one of whom could be selected for this important position.

Mr. President, as I said a moment ago, officers of the various military services are precluded from saying anything. You and I know that if any officer of the Army or of any of the other services raised his voice in one word of protest he would be "broken." That would be the end of his career in the service. He would lose the opportunity for any future advancement. The officers dare not speak, and I am speaking for them today.

Mr. President, let me call attention to another thing. The present quartermaster general is a man named Williams. It is said in General Holcomb's letter, or in one of the other letters which was offered the other day for the record, that it is very important that a decision in this case be made on or before February 1, because General Williams is to relinquish the office by reason of retirement for age at that time, and it is important to have an active officer in charge of the Quartermaster Department.

I wonder if Senators know that the same General Williams, whose place it is so important to fill because of the crisis of war in which we are now engaged, on December 20 took a leave of absence of 40 days as head of the Quartermaster Department and is at the present time in one of the Southern States on a hunting trip, and has been for some time. I see no urgency for passing upon the case if the head of the department, whose marines are fighting all over the world, finds time to quit his post for 40 days and go on a hunting trip.

Mr. President, it must be recognized that the Congress in years past has seen the importance of these selections being made upon some other basis than a personal basis. In accordance therewith Congress enacted a law some years ago creating a commission for the purpose of selecting men from the service for advancement. I do not for a moment contend—and I want the majority leader to appreciate this—that those having the appointive power should be confined simply to the question of seniority. I do not contend for that at all. I do contend that Congress created a commission for the purpose of going over the service records of officers and deciding who are best qualified for advancement or promotion. I hold and believe with all my heart that the fact that an officer's wife plays bridge with the commandant's wife is not a reason for advancing such an officer in any of the armed services of the country. I use that simply as an illustration, not stating it as a fact, because I know nothing about the private lives of these officers or their families. But here we have a case in connection with which General Holcomb makes the statement that in view of the fact that a couple of years ago, because of the war emergency, Congress said that no appointments other than temporary appointments should be made at this time.

> It is * * * impractical to comply——
>
> Note the word "impractical"——
>
> It is * * * impractical to comply——

With the law governing promotions, and, therefore, the promotion must be made upon a personal basis.

Mr. President, I do not agree with that policy at all. Granting that the promotions are now only temporary, I see no reason why the board or the commission which was named and set up by the Congress should not be active at this time and pass upon the service records of the officers presented for nomination to higher grades.

So, in this particular case, instead of some commandant or some superior officer saying, "Here is the man we want," I say that the board should function, and go over the officers' service records, and let the promotion be made upon merit only, and not upon personal choice of higher-ranking officers.

Mr. President, I know it will be said that the contrary practice has prevailed for years. I am not discussing what has been in past years. I am discussing what is fair and right to the officers in these services, and they are entitled to that consideration. They have spent their lives, I repeat, endeavoring to better themselves in their profession. They have spent their lives improving their grades in their profession. If their service records are equal or superior to those of some other officers they should be considered for appointment instead of being thrust aside and kicked out the window by reason of some personal choice. That is the crux of my complaint in this case, and I think it is a sound one, and that the Senate should consider it.

Mr. President, let me now call attention to one promotion recently made, which was confirmed. A certain Colonel Thomas was recently selected by the commandant for promotion to the grade of brigadier general. Colonel Thomas was only a temporary colonel. He was not even in the regular line. He was picked out from 140 other colonels of the line and promoted above 139 of them. No consideration was given to the merit of the other officers, or their service records. Colonel Thomas was picked out because the commandant said he wanted him. I say that is a wrong policy in the armed services of this country and should not be permitted to be continued. If the board which Congress created decides that an officer down the line has better qualifications, I do not have a word to say, and I do not believe any Member of this body would say anything. But I think Senators will agree with me that officers should be picked for promotion on the basis of merit, and not through personal choice of some commanding officer.

I have a copy of a letter before me which illustrates what I have been saying. If I am incorrect in quoting the

letter, I ask the Senator from Massachusetts to correct me. The letter states:

> I am a marine from Massachusetts, of long service. * * * I cannot sign my name for reason that you can readily understand.
>
> The attached clipping reads that a Colonel Hill has been nominated to be the quartermaster of the Marine Corps.
>
> The Marine Corps has a group of officers who have been designated for quartermaster duty only. It is but proper that the quartermaster should be selected from that group. * * *
>
> Why should six senior officers be passed over so that Colonel Hill * * * be promoted?

These officers are listed in the Navy Register in the following seniority: Brigadier General Long, of California; Colonel Jacobsen, of Iowa; Colonel Spencer, of the United States Marine Corps; Colonel Best, of California; Colonel Gregory, of the Marine Corps; Colonel Cressy, of Massachusetts; and Colonel Hill, of Oklahoma.

Mr. President, I have before me the records, briefly stated, of all those officers, giving a statement of their backgrounds, their education, and their experience. I desire to call attention to the fact that the statement of General Holcomb that only one officer was available for consideration is a misstatement of the facts and is incorrect.

The letter gives a brief statement of the education and background of the various officers. Colonel Cressy, whom I last mentioned, at present is in the southwest Pacific, taking it on the chin with the other marines, not hanging around Washington at a desk job.

Mind you, Mr. President, I desire to repeat and impress upon the Senate that I am speaking for no particular officer. I do not know these men; but I think they are entitled to consideration by the Senate and by the promotion board which handles these matters, and that they are entitled to have their rights and their merits determined on the basis of what their merits are and upon the basis of their service, not upon the basis of seniority alone. I see no reason why the nomination should not be recommitted to the Committee on Naval Affairs. I am about to move that the nomination be recommitted to the Committee on Naval Affairs for further study, because, according to the record I have before me, on the particular delegated list there are the names of a number of officers whose service records and whose qualifications are equal or superior to those of Colonel Hill.

Therefore, Mr. President, I move that the nomination be recommitted to the Committee on Naval Affairs for further study of the record.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Dakota.

Mr. WALSH of Massachusetts. Mr. President, I understand that the position of the Senator from South Dakota is not one of personal objection to the nominee under consideration, but that his contention is that the selection should be made on the basis of seniority rather than on the basis of selection as an officer who is judged to be the one best fitted for the position under consideration.

Mr. BUSHFIELD. Mr. President, if the Senator will yield, let me say that I wish to have my position correctly understood. I said I did not stand upon seniority, but that seniority should be considered by the promotion board in considering the service record.

Mr. WALSH of Massachusetts. Mr. President, one answer to that is that the President made the nomination; no board made it. The President himself sent the nomination to the Senate. I assume he followed the usual procedure of conferring with his Secretary of the Navy, and that the Secretary of the Navy conferred with the Commandant of the Marine Corps, and perhaps some other officers of the Marine Corps, but at least with the Commandant. I assume that the recommendation probably is the recommendation of the Commandant of the Marine Corps, approved by the Secretary of the Navy, and approved by the President himself.

There is nothing objectionable about this officer, so far as his training or his background is concerned. The Senator from South Dakota thinks that, everything else being equal, the senior officer should be selected. I do not think anyone would disagree with him. But those of us who are members of the committee were not in a position to pass on the qualifications of the various officers under consideration. The Naval Affairs Committee had before it only the question of the fitness and capacity of this particular officer for the position under consideration.

The information which comes to me is that the nominee is an exceptionally able and competent officer, one of the very best in the Marine Corps; and there appears to be no objection on the basis of fitness or capacity.

Suppose we should reject the nomination. We would not have anything to do with the selection of the officer whom the President might thereafter select to nominate for the position. The President could select any other officer in the Marine Corps he was pleased to select. He could select an officer of even lower rank than this officer, as has been done in other cases; and in such case we should only be in the position of rejecting the first nominee and requesting that another name be submitted to us. We would not have the right or power to suggest to the President that he select the senior officer, whoever he might be. The Senator has emphasized, and properly so, the importance of recognizing seniority, when it is possible to do so, as a general policy in promotions.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. WALSH of Massachusetts. I yield.

Mr. McCARRAN. I think the Senator will agree with us, however, from his long experience and his interest in the subject, that promotions to positions of the importance of the one under consideration, at least, and indeed all promotions, should be made on the basis of merit, rather than on the basis of "pull" or some prestige arising from a cause other than merit.

Mr. WALSH of Massachusetts. Mr. President, I am sure we all agree to that. There is no evidence, however, that the nomination now before the Senate has been made on the basis of "pull" or influence; but I am sure the Senator is sound in his observation. On the contrary, it appears that Colonel Hill is the marine officer best fitted for this position.

The selective system in the Navy and in the Marine Corps, as I have observed it during the years, operates in a very satisfactory way. It has now been tried out for a number of years. In order that an officer may be promoted from one grade to another, a selective board composed of officers of the next higher grade is selected. The board meets and goes through the records of every officer who may be in the lower rank and who is in a position to be considered for promotion. Those conferences or board meetings are secret. The officers are solemnly sworn to perform their duties conscientiously and without favor or fear, and to make the best possible selection. In my experience, there have come to the attention of the Committee on Naval Affairs only a very few cases of officers who thought they should have been selected and who complained because they were not selected. That is understandable, because we can all understand the delicate position in which an officer who was not selected would find himself if he appealed to a congressional committee to have his qualifications considered, and requested to have stated the reasons why he should be passed over. So I can understand why perhaps very few such cases have come to our attention. None has come to us in recent years. Some years ago there were some cases in which complaints were made against the selective system, but such complaints have not been made in recent years.

The particular position under consideration is not one with respect to which selection is made on the basis of seniority. All chiefs or bureaus in the Navy and in the Marine Corps are selected by the President, I assume after consulting with the Secretary of the Navy. The present nominee is not senior to several other officers.

Mr. BUSHFIELD. Mr. President, will the Senator yield to me again?

Mr. WALSH of Massachusetts. I yield.

Mr. BUSHFIELD. Is it not true that a few years ago the Congress provided for the selection of a promotion board for the very purpose of making recommendations to the President?

Mr. WALSH of Massachusetts. The Congress itself?

Mr. BUSHFIELD. Yes.

Mr. WALSH of Massachusetts. Congress could repeal the present law providing for selective boards. I suppose it could even itself set up a selective board. But the task would be a terrific one, and would involve examining hundreds and in some cases perhaps thousands of records; and it would be simply impossible to remove the influence about which one naturally complains—the possible personal influence or political influence.

Mr. BUSHFIELD. Mr. President, will the Senator yield again, so as to permit me to make another observation?

Mr. WALSH of Massachusetts. Certainly.

Mr. BUSHFIELD. I spoke because of the following statement in General Holcomb's letter to the Senator from Massachusetts:

> The placing of additional names on the eligible list would require also the selection of additional colonels for permanent promotion to brigadier general of the line of the Marine Corps, since the law vests that function in the Line Selection Board.

That is the board to which I was referring. The Line Selection Board is in existence today, and has been for years.

Mr. WALSH of Massachusetts. The Senator is referring to the general selective system?

Mr. BUSHFIELD. Yes.

Mr. WALSH of Massachusetts. And not to this nomination?

Br. BUSHFIELD. No; I did not mean that.

Mr. WALSH of Massachusetts. As the Senator indicates, the general selective system is composed of a board of superior officers who have presented to them the entire records of the other officers. They may be informed for illustration that there are 10 vacancies, let us say, in a particular rank, and they go through the records of 100 or 200 officers and choose the 10 officers who in their opinion have the best records. They are confined to the records, under their oath, and must very carefully scrutinize the records and make promotions entirely upon merit. So far as I have been able to observe, I must say from my observation that that has been done in a remarkably creditable way.

Only recently the Navy Department has set up a board to provide for the promotions of Reserve officers in the Navy. That board is to consider the records submitted of all the officers in a particular grade who are entitled to promotion, and make selections based upon the best-fitted man, and upon the number of vacancies in the higher grades. That is important. If there are only 10 vacancies in the higher grade, and 100 officers are entitled to promotion, they cannot all be promoted, because the number of officers in any grade is limited by statute. We cannot have an Army of all generals, or a Navy of all admirals. The number of officers in each particular grade is limited by statute.

I must say frankly that the selective system—I am speaking now so far as the Regular Navy is concerned, as distinguished from the Reserve Corps—has worked admirably. In years I have not heard, even privately, with perhaps one or two exceptions, of any dissatisfaction with the system. Many excellent officers are passed over in the selective system, but it is because there are so few vacancies in the higher grades. The number of vacancies is not sufficient to take care of many excellent officers, who must remain in their present grades for a longer period of time.

I was about to refer to the board which has been set up recently to provide for promotions among the Reserve officers, particularly in the lower grades. That board is charged with the responsibility of reviewing the records of all those officers and making selections for promotions based upon merit. I hope it will work out satisfactorily. Heretofore among officers in the Reserve Corps, promotion has been largely a matter of recommendation from their immediate superior commanding officers, and approval by the Bureau of Personnel. Now a board is to pass upon the fitness, qualifications, and records with respect to all these officers, and promotions from one grade to a higher grade will be made upon the recommendation of this board. The reason for setting up the board is that complaints which have been made that the Department itself, upon individual superior officer's recommendation without surveying the records of all officers, has made some promotions. I am speaking of the Reserve Corps and not the Regular Navy. The Regular Navy prior to the war required all promotions to be made through the selective system to which the Senator has referred. At present they follow the selective system principle but it is no longer a statutory requirement in making temporary promotions during the war.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. WALSH of Massachusetts. I yield.

Mr. BUSHFIELD. I should like to ask the Senator a question. Was the nomination of Colonel Hill made upon recommendation by the selective board?

Mr. WALSH of Massachusetts. I do not know. I assume not. I assume that the Commandant of the Marine Corps said, "Among the high-ranking officers available to be appointed head of the Quartermaster Corps, this is the best officer. He has had the best experience, and can do this job best."

The Commandant has a responsibility because if this officer is unfit, complaint can be lodged against the Commandant of the Marine Corps for recommending him. Of course, the Commandant of the Marine Corps submits the name of this officer and the names of others, I assume, whom he may think eligible, to the Secretary of the Navy, and later the names go to the President for selection.

Mr. BUSHFIELD. I am sure the distinguished Senator from Massachusetts will agree with me in this comment upon that situation: Even though the Commandant or commanding officer, whoever he may be, picks out the man he thinks is best fitted because he wants to work with him, this is not any Commandant's personal war, or any officer's personal war. The Senator and I, and everyone else in this country, has a part in this war. We are all partners in it.

Mr. WALSH of Massachusetts. The Senator is failing to keep in mind that the Chief of Operations of the Navy and his subordinates can send an officer anywhere, any time, to do whatever kind of work it may be necessary to do. That cannot be a matter of seniority.

Mr. BUSHFIELD. I understand that.

Mr. WALSH of Massachusetts. When an officer is sent to the Pacific to engage in certain naval operations there, he must be the man best fitted for the task. The Chief of Naval Operations is the one who is responsible. The man who is responsible for the efficiency of the Marine Corps is the Commandant of the Marine Corps. This nominee is his selection. He is not the senior officer. Several other officers are his seniors.

Mr. BUSHFIELD. There are six ahead of Colonel Hill.

Mr. WALSH of Massachusetts. Yes; there are some officers senior to him. The Commandant himself was not the senior officer when he was appointed. He was selected by passing over another officer because the President and the Chief of Operations considered that the present Commandant, by reason of his experience in the Pacific, had had special training, was especially fitted, and was in a position to do a very effective and successful job for the Marine Corps. It so happens that in no case is the head of any bureau in the Navy today the senior officer. The heads of bureaus in the Navy Department are selected because of their particular knowledge and experience in a particular line. Take the Bureau of Ordnance. The head of the Bureau of Ordnance ought to be a man who knows ordnance, who has been to the ordnance schools, and has been given special training in ordnance. He should know the subject of ordnance, and all the intricate and involved problems upon which the Ordnance Department must pass.

In my opinion, one of the most capable, if not the most outstanding, officer at the head of any bureau in the Navy Department is Admiral Moreell, Chief of the Bureau of Yards and Docks. He was not the senior officer, and yet on all sides there is universal praise for the way in which he has accomplished an exacting and difficult task in making contracts and planning for the expansion of our Navy so far as the land establishments are concerned.

So there is no policy in the Navy or the Marine Corps of recognizing the theory that the chief of a bureau should be the senior officer. I think it would be a great mistake if we should attempt to enact legislation requiring that whenever a vacancy occurs in a particular bureau the senior officer must be appointed to the vacancy. I think the vacancy should be filled from among officers in the next lower grade, but I do not think that the man appointed to fill the vacancy should necessarily be the senior officer.

There is another point I want to stress. The promotion to which the Senator refers is a temporary promotion. It is only for 4 years. His appointment as chief of the quartermaster's bureau is for 4 years. This rank goes with the office, not with the man. At the end of 4 years, unless in the meantime there is some change in the situation, he must revert to the grade which he occupies at this time.

I think it would be folly to send this nomination back to the committee. All it could do, at most, would be to reject it, and then the President would send another name to the Senate. The same question might be raised as to the next nominee not being the senior officer, and another rejection might occur if we were

to take the position that the outstanding requirement for a man to be the head of any bureau should be his seniority. I think the Senator will agree on second reflection that that would be an unsound and unwise course for us to pursue.

In view of all the circumstances, Mr. President, I think the motion should be rejected, and that the nomination should be confirmed by the Senate.

Reference has been made to a statement and to a letter which I received from General Holcomb, and which I had inserted in the RECORD a few days ago when the same matter was under consideration. I ask that they again be printed in the RECORD as a part of my remarks.

There being no objection, the statement and the letter were ordered to be printed in the RECORD, as follows:

Colonel Brown, legal assistant to Lieutenant General Vandegrift, Commandant of the Marine Corps, stated that General Vandegrift considered Colonel Hill the best qualified man in the Marine Corps to perform the duties of quartermaster. Colonel Brown pointed out that General Vandegrift, himself, when he was appointed was not the senior general in the Marine Corps.

As you know, bureau chiefs in the Navy Department and department heads of the Marine Corps are not appointed by seniority, but are appointed from those who are considered best qualified for the particular duties concerned. For example, Commander Moreell, of the Civil Engineer Corps, was appointed a rear admiral and chief of the Bureau of Yards and Docks, and was thus passed over the heads of all the captains and rear admirals in the Civil Engineer Corps, and over the heads of a considerable number of commanders. In a similar manner, every officer who is now a bureau chief in the Navy Department was selected because of special qualifications, and not merely because of seniority.

Confirmation of an officer to fill the post of quartermaster of the Marine Corps is urgent. Unless a person qualifies for this office prior to the 1st of February 1944, the law requires that the Commandant, himself, perform these duties in addition to his other duties.

The rank to which Colonel Hill is being promoted will only continue during the 4 years of his appointment to Chief of the Quartermaster Corps.

HEADQUARTERS, UNITED STATES MARINE CORPS,
Washington, D. C., December 20, 1943.

Hon. DAVID I. WALSH,
Chairman, Committee on Naval Affairs, United States Senate.

MY DEAR MR. CHAIRMAN: With reference to the nomination of Col. William P. T. Hill to be the quartermaster of the Marine Corps, I have to inform you that his appointment is to fill a vacancy in that office which will be created on February 1, 1944, by the retirement for age of the present quartermaster, Maj. Gen. Seth Williams.

The law (U. S. Code, title 34, sec. 667c) provides that as vacancies occur, heads of staff departments of the Marine Corps shall be appointed for 4 years from officers whose names appear on the eligible lists for the respective departments. There is but one officer, Brig. Gen. Bennett Puryear, Jr., on the eligible list for appointment as head of the Quartermaster's Department. He has been hospitalized for the past 5 months, and has appeared before a retiring board which has found him incapacitated for service. In view of the nature of his disability (coronary thrombosis), he will unquestionably be retired.

The placing of additional names on the eligible list would require also the selection of additional colonels for permanent promotion to brigadier general of the line of the Marine Corps, since the law vests that function in the Line Selection Board. However, the act of June 30, 1942 (Public, No. 639, 77th Cong.), suspended permanent promotions for the period of the war, and it is accordingly impracticable to comply at the present time with the regular procedure prescribed in the appointment of heads of staff departments of the Marine Corps.

In these circumstances, it appears entirely proper for the President to appoint as head of the Quartermaster's Department of the Marine Corps an officer of the rank of colonel, even though his name be not on the prescribed eligible list.

General Vandegrift, the prospective Commandant of the corps, has recommended the appointment of Colonel Hill, and that recommendation is concurred in by the Secretary of the Navy and myself.

Colonel Hill, who is 48 years of age and has over 26 years' commissioned service, is particularly well qualified for the office. His record throughout his career has been outstanding. As early as 1920, his services were requested because of his special technical knowledge and ability by the Alaskan Coal Commission in connection with a survey of coal fields in Alaska as a source of fuel for the Pacific Fleet. His work there over a period of 2½ years in connection with prospecting and development was of such value as to call forth the commendation of the Secretary of the Interior. He has also had wide practical experience and training in all phases of military procurement and supply, with which he has been almost continuously associated in important and responsible assignments for the past 15 years.

One of his more recent assignments was that of Marine Corps liaison officer in connection with the planning and construction of the marine training camp at New River, N. C. In that capacity he rendered conspicuously valuable service and was to a great degree responsible for the rapidity with which urgently needed housing and training facilities were made available there.

Sincerely yours,

T. HOLCOMB,
Lieutenant General,
United States Marine Corps,
The Commandant,
United States Marine Corps.

Mr. REYNOLDS. Mr. President, unfortunately for me, I was not in the Chamber when the Senator from Massachusetts began his discourse relative to this interesting subject. Since being here, however, I have listened with interest to the observations which the able Senator from Massachusetts has made relating particularly to the nomination of Col. William P. T. Hill, pending before the Senate at the present time.

I do not know Colonel Hill, but I believe it to be my duty to advise the Senate that yesterday a distinguished Representative from North Carolina, Mr. GRAHAM A. BARDEN, came to the Chamber and told me he understood that Colonel Hill's name was coming up for confirmation, and that he would appreciate my giving expression to his views regarding Colonel Hill if I happened to be in the Chamber at the time the nomination was called up. He stated that he had known Colonel Hill for a number of years, that he knew a great many of his military and civilian associates, and that he had never known of a finer man and had never heard of a man in uniform spoken more highly of than Colonel Hill. I told him I would be glad to report that to the Senate if I happened to be in the Chamber at the time the matter was under consideration. So, having told him I would be glad to convey such a certainly splendid recommendation from one of my colleagues, I am glad now to have the opportunity of doing so.

Mr. WALSH of Massachusetts. Mr. President, what the Senator from North Carolina has said confirms the report which has come to me. I am informed that Colonel Hill is really an outstanding personality and a high-class officer. Let me say that not only did he not seek this appointment but regrets very much that any controversy has arisen over it.

Mr. REYNOLDS. I have no personal interest in the nomination whatever, except as an American who is interested in insuring that our country shall obtain the best officer material for its armed forces.

Mr. WALSH of Massachusetts. I thank the Senator from South Dakota [Mr. BUSHFIELD] for stating frankly his observation that he does not question Colonel Hill's fitness. He has made a public contribution in emphasizing the importance of a rigid and impartial method of selecting naval officers. I do not think we can emphasize too strongly the importance of keeping in operation the basic principles of the selective system, and the necessity of promotions being based solely upon merit, fitness, and capacity, and the elimination of favoritism and personal and political influence of any and all kinds.

I wish to repeat that, so far as expressions of views on the selecting systems are concerned, I welcome them on this floor, because they have a repercussion in the Navy Department which cannot be other than helpful and beneficial.

I hope the Senator will not press his motion, in view of what has been said, and in view of the fact that the nomination does not relate to the selective system as such.

Mr. BUSHFIELD. Mr. President, I am exceedingly reluctant not to accept immediately the suggestion of the Senator not to press the motion. I wish to repeat to the Members of the Senate who are present that I do not know Colonel Hill, and never heard of him before his nomination was sent to the Senate. I have no interest in this matter except for the good of the service. So far as the distinguished Senator knows, this nomination was made upon the recommendation of but one man, or possibly two or three men. It was not passed upon by any board, such as the selection board, which has been referred to. The information I have, while not complete, and far from being exhaustive, indicates to me as a layman that there are at least six other colonels on the list who are senior to Colonel Hill, with service records which are at least equal if not superior to that of Colonel Hill, and which should be considered by some board. I do not look at it as does the distinguished Senator from Massachusetts, namely, that to reject the nomination would mean merely the rejection of one officer and asking the President to appoint another. If the Naval Affairs

Committee were satisfied, after looking over the records of all the colonels who are available, that one or more of them had qualifications equal or superior to those of this nominee, and make a recommendation or suggestion to those in authority, it would probably correct this situation.

Colonel Hill is fifty-fourth in line of colonels—by the way, he is not the sixth—and it seems very important from the standpoint of the morale of men who have devoted their lives to the service, and who are precluded from taking part in civilian affairs, or protecting or urging their own promotions or qualifications, that the committee should have an opportunity to go over the service records of at least the six colonels who are senior to Colonel Hill. Much as I regret not being able to accept the suggestion of the distinguished Senator from Massachusetts, I feel that because of the importance of the matter the motion should be pressed.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BUSHFIELD. I yield.

Mr. CLARK of Missouri. Does the Senator feel that promotions in the higher ranks of the Army, Navy, and the Marine Corps should be made entirely on the basis of seniority?

Mr. BUSHFIELD. Not at all. The Senator has misunderstood me entirely. Some years ago Congress passed a law creating a selection board for the purpose of examining into the records of military and naval officers.

Mr. CLARK of Missouri. That was for advancement in rank; not for the selection of officers.

Mr. BUSHFIELD. This nomination is for advancement in rank. It is to advance a colonel to the rank of brigadier general.

Mr. CLARK of Missouri. I understand that, but the board to which the Senator refers was set up for the classification of officers into classes, and the advancement of officers in rank.

I may be mistaken, but it is my recollection that before he was appointed to his present duties, General Marshall, who is now Chief of Staff of the Army, was a brigadier general. He was jumped over the heads of 28 of his seniors because the President, the Secretary of War, and the then Chief of Staff regarded him as the best officer in the Army to take over the task which was about to be imposed upon the Chief of Staff of the Army.

Mr. BUSHFIELD. I do not at all contend against the Senator's statement. I simply feel that other officers have a right to have their records considered and studied. According to my understanding, six colonels have been delegated to the Quartermaster Department. Any one of them is equally qualified with the nominee whom we are now considering. I believe that two or three of them are considerably superior to him in their qualifications. I am interested only in a principle. I am not interested in the matter personally. I do not at all contend, as I have said two or three times, that the rule of seniority should control in this matter. I want the officers to be promoted, as nearly as possible, completely upon the basis of merit.

Mr. CLARK of Missouri. Mr. President, I am entirely in sympathy with the proposition of the Senator from South Dakota, but this much is true, that Congress is not really equipped to consider the various qualifications of men for high command in the Army and Navy. We either have to accept the nomination by the President of the United States, or turn it down on the ground that the nominee is obviously unfit. I believe that in the past the Presidents of the United States have done very well in their recommendations of officers for high command. I have opposed some of the nominations because I did not happen to approve the personal qualifications of the nominees. But, unless some Senator can raise objection to the particular qualifications of an officer who is suggested for promotion, it does not seem to me to be within the province of the Senate to try to weigh the qualifications of various officers for high command. It seems to me that that is peculiarly within the purview of the Commander in Chief.

Mr. BUSHFIELD. Let me ask the Senator a question, if I may. Let us suppose an extreme case where nominations comparable to this are made of men who are obviously unqualified and who are inferior to other men who are qualified, would the Senator take the same position?

Mr. CLARK of Missouri. Mr. President, I have hitherto opposed the confirmation of the nominations of men whom I considered obviously unfit. I will say that the last time I did so mine was the only vote cast against confirmation; but I have opposed the confirmation of men whom I regarded as unfit. I think that is a function of the Congress; but, as between equally meritorious officers, I think the selection is obviously the business of the President of the United States and that, unless there is some vital objection to the qualifications of an officer, it is not the business of the Senate to consider those questions.

Mr. BUSHFIELD. I think we are pretty much in agreement on that. Mr. President, I suggest the absence of a quorum.

ATTITUDE OF AMERICAN FEDERATION OF LABOR ON NATIONAL SERVICE LEGISLATION—NOTICE OF MEETING OF COMMITTEE ON MILITARY AFFAIRS

Mr. REYNOLDS. Mr. President, will the Senator from South Dakota withhold his motion for a moment?

Mr. BUSHFIELD. I withhold it.

Mr. REYNOLDS. As in legislative session, I present and ask to have printed in the RECORD, a telegram from Hon. William Green, president of the American Federation of Labor, dated Miami, Fla., January 19, 1944, embodying a declaration of the American Federation of Labor relative to its position regarding the National Service Act of 1944, which the Military Affairs Committee has now under consideration. At this time I should like to state for the benefit of members of the committee present and the Senators who are not members that Wednesday last we had with us the Secretary of War, Mr. Stimson, and that, not having completed his testimony or his examination by some of the members of the committee, he was requested to return and appear before the committee with Judge Patterson, his assistant, next Monday morning. That meeting will be held in Room 335 of the Senate Office Building.

There being no objection, the telegram presented by Mr. REYNOLDS was ordered to be printed in the RECORD, as follows:

MIAMI, FLA., *January 19, 1944*

Hon. ROBERT R. REYNOLDS,
Senate Military Affairs Committee,
Washington, D. C.:

The executive council of the American Federation of Labor now meeting at Miami, Fla., expressed its opposition to the enactment of a National Service Act through the adoption of the following declaration:

"The American Federation of Labor has consistently supported every sound measure designed to win the war in the shortest possible time. Unlike other groups whose opposition to nazi-ism and fascism is of recent and belated origin, the American Federation of Labor from the very beginning vigorously and uncompromisingly denounced totalitarian dictatorship and recognized its basic hostility to democracy. Labor's war against Nazi and Japanese aggression was declared long before Pearl Harbor, and it has been carried on unremittingly ever since.

"Because speedy victory is its No. 1 objective, the American Federation of Labor has voluntarily submitted to various wartime controls and considerable Government regimentation of vital matters normally left to the sphere of economic determination and collective bargaining—such as terms of employment, working conditions, and wages.

"The one thing the American Federation of Labor has not surrendered and never will surrender is the basic freedom of American workers. Fundamentally, this is a war between freedom and slavery, a war of free workers against slave workers. We believe that in freedom there is strength. The amazing speed with which free American workers have won the battle of war production against the enemy within 2 years upholds the truth of that principle.

"It is now proposed to substitute compulsory labor for our traditional system of free labor through the enactment of a national service law.

"The executive council has given calm and careful consideration to this proposal. We are convinced that it is based on a mistaken premise—the premise that a National Service Act, which would introduce compulsory labor in America, would prevent strikes.

"The experience of other countries—notably Great Britain—proves that a national service law does not prevent strikes. There have been more strikes proportionately in Great Britain in the past 2 years than in the United States. The laws of nature are superior to the laws of man. It is a law of nature that human beings will rebel against injustice. No man-made law will prevent strikes so long as the unjust conditions which provoke strikes are allowed to remain in force. The way to end strikes is to give workers fair play.

"The record shows that the great majority of American workers has remained steadfastly on the job since Pearl Harbor. Are we to punish them and jeopardize the splendid production achievements they have made just because a small minority has proved less dependable?

"Only 2 months ago, the leading representatives of American industry, agriculture, and labor joined in a unanimous declaration that

the Nation's manpower problems can best be solved by voluntary cooperation and that a National Service Act would only obstruct the war-production program. Can we afford to reject this practical counsel and venture into dangerous fields of experimentation at this critical moment in the war effort?

"The executive council firmly believes that the war-production program is progressing far better than anyone could have dared to hope 2 years ago, and should not be upset by radical innovations at this late date.

"We recommend the officers and members of the American Federation of Labor for promptly and vigorously expressing opposition to the proposal for a National Service Act.

"The executive council appeals to Congress to defeat this unnecessary and unwise legislative proposal."

By direction of the executive council:

THE AMERICAN FEDERATION OF LABOR,
WILLIAM GREEN, *President*,
GEORGE MEANY, *Secretary-Treasurer*.

THE MARINE CORPS—NOMINATION OF COL. WILLIAM P. T. HILL

The Senate resumed the consideration of the nomination of Col. William P. T. Hill, to be quartermaster of the Marine Corps with the rank of brigadier general.

Mr. BUSHFIELD. Mr. President, I withdraw my request for a call of the roll.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Dakota [Mr. BUSHFIELD] that the nomination be recommitted to the Committee on Naval Affairs for further study.

The motion was not agreed to.

The PRESIDING OFFICER. The question now is, Will the Senate advise and consent to the nomination of Col. William P. T. Hill to be quartermaster of the Marine Corps, with the rank of brigadier general?

Mr. WALSH of Massachusetts. I move that the nomination be confirmed.

The PRESIDING OFFICER. The question is on the motion of the Senator from Massachusetts.

The motion was agreed to.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

As in legislative session,

A message from the House of Representatives, by Mr. Taylor, its enrolling clerk, announced that the House insisted upon its amendment to the bill (S. 1543) to provide for mustering-out payments to members of the armed forces, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MAY, Mr. THOMASON, Mr. MERRITT, Mr. COSTELLO, Mr. SHORT, Mr. ARENDS, and Mr. ELSTON of Ohio were appointed managers on the part of the House at the conference.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 3 o'clock and 5 minutes p. m.) the Senate took a recess until tomorrow, Friday, January 21, 1944, at 11 o'clock a. m.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 20 (legislative day of January 11), 1944:

FEDERAL RESERVE SYSTEM

BOARD OF GOVERNORS

Marriner S. Eccles to be a member of the Board of Governors of the Federal Reserve System.

RECONSTRUCTION FINANCE CORPORATION

TO BE MEMBERS OF THE BOARD OF DIRECTORS OF THE RECONSTRUCTION FINANCE CORPORATION

Charles T. Fisher, Jr. — Howard J. Klossner
Charles B. Henderson — Henry A. Mulligan
Sam Husbands

IN THE MARINE CORPS

Col. William P. T. Hill to be The Quartermaster of the Marine Corps, with the rank of brigadier general.

POSTMASTERS

ARIZONA

Juanita I. McEwen, Whiteriver.

HAWAII

Francis K. C. Foo, Kailua.

IOWA

W. Forrest McGregor, Corning.
A. Woodruff Moore, Onawa.
Hermann Onken, Tipton.
Mildred L. Thoreen, University Park.

MAINE

Verna G. Clark, Albion.
Lester G. Sands, Bar Mills.
Katherine C. Duntley, Casco.

MISSOURI

Gorda L. Preston, Stockton.

MONTANA

David R. Bowen, Worden.

NEW HAMPSHIRE

Harland L. Goodhue, Bristol.
Edward Reilly, Dover.
Walter E. French, Dublin.
Julia W. Blair, Fitzwilliam.
John F. Cronin, Lebanon.
George G. Helsberg, New Ipswich.
Ralph E. Avery, West Campton.
Carroll N. Young, West Stewartstown.

PUERTO RICO

Angel Socorro, Caguas.
Thomas S. Gutierrez, San Sebastian.

SOUTH DAKOTA

Clarence R. Dregseth, Baltic.
Alton B. Nelson, Toronto.

TENNESSEE

Mattie Ida O'Brien, Christiana.
Harry B. Gillespie, Limestone.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 20, 1944

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. MCCORMACK.

The SPEAKER pro tempore. The Clerk will read an announcement.

The Clerk read as follows:

JANUARY 20, 1944.

I hereby designate Hon. JOHN W. MCCORMACK to act as Speaker pro tempore today.

SAM RAYBURN,
Speaker.

The SPEAKER pro tempore. The Chaplain will offer prayer.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

For our country, for our homes, for the joy of hearts that love, for the privilege to fit our lives to the needs of others, and for all that brings us to Thee, blessed be Thy holy name, O Lord most high. With Thy law written in our hearts, may it be so joyous to obey, that we shall grow into the likeness of Him who came to fill the world with happiness and eternal hope.

Thou who dost permit flame and pain, increase the power of our faith in Thee, keeping watch above Thine own. We beseech Thee to defend us against blindness and fear and lift us into the quietness of that peace which is forever unbroken. Dedicated as we are to our country's weal, remove all confusion; strengthen our wills to do our whole duty and thus inspire our people in heart and soul to dissipate all gloomy forebodings. Thou whose mercy endureth forever, whose righteousness is Thy children's defense, whose voice spake in thunders at Sinai and in whispers to Elijah at Horeb, let the footsteps of a tormenting conscience follow the trails of ignorance and vice in this sunken earth. Give a new, glorious outlook for our Nation; let us labor for its larger life and for the vaster life of humanity. We would unveil our spiritual vision, O Lord, and behold the spirit of our Master resting in mutual service to mankind, rising to a nobler and a diviner civilization. In the name of Jesus Christ, our Lord, the light of the world. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 470. An act to implement article 28 of the convention signed at Geneva on July 27, 1929, relating to the use of the coat of arms of the Swiss Confederation for commercial or other purposes.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 184. An act to provide for the presentation of silver medals to certain members of the Peary Polar Expedition of 1908–09.

EXTENSION OF REMARKS

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to insert in the RECORD an editorial from the Philadelphia Inquirer of yesterday.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent to insert in the RECORD in the remarks which I shall make in Committee of the Whole this afternoon certain tables.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

(By unanimous consent, Mr. LAMBERTSON was granted permission to extend his own remarks in the RECORD.)

Mr. MERROW. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the New York Times of Wednesday, January 19, 1944, in regard to Winston Churchill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

MUSTERING-OUT PAY FOR SERVICEMEN

Mr. LEMKE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

[Mr. LEMKE addressed the House. His remarks appear in the Appendix.]

GENERAL MEDINA

The SPEAKER pro tempore. Prior to declaring recess, the Chair will appoint as a committee to escort General Medina into the Chamber the gentleman from Georgia [Mr. RAMSPECK], the gentleman from Massachusetts [Mr. MARTIN], the gentleman from New York [Mr. BLOOM], and the gentleman from New Jersey [Mr. EATON].

RECESS

The SPEAKER pro tempore. In accordance with the order entered yesterday, the House will stand in recess subject to the call of the Chair.

(Thereupon, at 12 o'clock and 10 minutes p. m., the House stood in recess.)

DURING THE RECESS

At 12 o'clock and 41 minutes p. m. the committee heretofore appointed by the Speaker pro tempore escorted General Medina to the Chamber, and he took his place on the Speaker's rostrum.

The SPEAKER pro tempore. Members of the House of Representatives, it is my extreme pleasure and high privilege to present to you the President of a great people, and our distinguished guest, from the Republic of Venezuela, Gen. Isaias Medina.

ADDRESS OF THE PRESIDENT OF VENEZUELA

General MEDINA. Mr. Speaker, filled with the deep sense of American unity I come to this most illustrious rostrum to convey to you—with my voice of a citizen of the Americas—the fraternal greetings of a people proud to have contributed as much as any other, with blood, thoughts, and sacrifices, to establish those principles and realities upon which our continental solidarity stands. I bring to you the most cordial greetings from a people who understands and shares your aspirations, who has fought for them and is ready to support those principles and ideals common to both of us.

I come to you as the head of the Venezuelan democracy, of a country still small in population and development, but large in territory, rich in material resources, great in the loftiness of its principles, and in its matchless contribution to the history of America. The fatherland of Simon Bolivar is living today one of the most interesting moments of its life. We are now building our future and making for lost time at such a rate and in such a way as to inspire confidence and arouse enthusiasm; and we are doing it while preserving in all their splendor the institutions that guarantee the freedom and the dignity of man and justice as the standard of social and economic life, for our democratic ideal is not limited to words and is not a mere front shaped more or less to impress foreign opinion, but consists of the facts, the realities, the form, and substance of the actual life of a people. Venezuela is a free country where every citizen enjoys civil and political liberty and all the guaranties within the law, and where sovereignty resides in the people and is carried out through suffrage by truly representative mandatories. And so, when the people of Venezuela or its Government state that they are fighting for democracy and cooperating in the victory of democracy, they do nothing else than disclose the real position of a collectivity of human beings who are defending and are ready to defend, not remote ideals, but highly priced possessions which are the reality of their everyday life.

Those principles, that creed, and the geographic vicinity are the determining reasons for the sympathetic feeling that binds us to you. In this august assembly we see the living and fruitful monument to the will of the people who implanted in the history the representative and democratic government. Your example inspired the great men who, with their heroic efforts, built our countries. The cause of justice always found vigorous voices among you, and in the unwithering memory of our gratitude the voice of Henry Clay still resounds pleading for the recognition of our American republics.

No waning and no detriment shall the noble principles suffer that have an altar in this House which is the heart of a great nation. And that is why we come confident, unperturbed by the disparity of our respective powers. We long to live in a world ruled by justice and law, where we can offer reciprocal help, reciprocal respect, and reciprocal trust. Under the beneficent protection of those principles which are the very shelter of the magnificent tree of American solidarity, comes to you today, firm and loyal, the ratification of Venezuela's fraternal friendship. We do not want to be deceived, nor do we want to deceive. In full good faith we serve the cause of democracy and justice which we know is also your cause. We have no concealed intentions. Neither in the past nor in the present have we ever traded with our ideals, and we can state that our adherence and our friendship bear not the slightest shade of a mean interest. We have never asked for anything; we have never accepted anything which we have not fully paid for, and our friendship, on the contrary, brings a considerable material help to the cause for which your own children are offering their lives. That is why the foundations upon which we approach you are solid and the friendly hand that we stretch out to you is firm.

No wonder that, friends of the past, we are friends of today, for the identity of the ideals that we shared in the past still exists in the present, and the only debts pending between our two countries are those that spring from chivalry, noble deeds, and the fair intentions of our international deals. Our attitude today is the same it ever was. Consequently, from the very moment of the criminal attack on Pearl Harbor, we were at your side. The cause you fight for is the common cause of all democratic peoples. In addition to the powers beyond the seas, the Republics of this Hemisphere are with you, because of their convictions, because of their own interests, because of the defense of their traditions and their future liberty, and in this way they keep their word, given out of their own free will, at a time when nobody knew against whom the first continental aggression would be directed. If Venezuela took your part without hesitation, it certainly was not to offer only the very valuable moral support of an independent people, but also to contribute in an effective way to the collective war effort and to share with you the sufferings and difficulties that, in a greater or lesser degree, necessarily were to be our lot. We have given, and are now giving to you, all we can. Our available raw materials and articles of primary importance are at the command of the United Nations. Our oil, luckily abundant, has reached and will continue to reach the battlefields on the side of the democracies. In addition to our material help, we cooperate with you in the study and coordinated fulfillment of many other common purposes and problems, and our contribution during the recovery period, when the war is over, will be as large and effectitve as our means may allow, because we realize that in it goes liberty for all, future security, and survival and development of that free life which was the dream of the glorious founders of our nations. My Government has studied with great interest everything that has a bearing on our participation in the common cause, and we are convinced that our attitude and position of today freely permit us to give all that our country's energies are capable of giving.

From Simon Bolivar we inherited the consciousness of American unity, strengthened by the immutable geographic reality and by our common interests and ideals. The present emergency is bringing us even closer together, and you may be sure that it is the whole people of my country who, through me, say to you now: Venezuela is with you today, tomorrow, and always for the sake of justice, for the sake of democracy, for the sake of man's happiness.

At 12 o'clock and 53 minutes p. m., the committee heretofore appointed, escorted his Excellency, the President of Venezuela, from the Chamber.

AFTER THE RECESS

At 12 o'clock and 58 minutes p. m., the recess having expired, the House was called to order by the Speaker pro tempore.

The SPEAKER pro tempore. Without objection, the proceedings that took place during the recess will be printed at that point in the RECORD.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. CELLER. Mr. Speaker, I ask unanimous consent that on Monday next I be permitted to address the House for 30 minutes after the disposition of matters on the Speaker's desk.

The SPEAKER pro tempore. Is there objection?

There was no objection.

SOUTH AMERICAN AND SPANISH RELATIONS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CELLER. Mr. Speaker, the Evening World of the Scripps-Howard chain, editorially states as follows:

Just when the Axis is threatening to destroy hemisphere solidarity and United States leadership in Latin America, through the Fascist dictatorships of Argentina and Bolivia, press reports from Caracas say the Spanish Embassy there is the center for Axis agents in Venezuela. That is within striking distance of the Panama Canal and of our entire Caribbean defense system.

The Panama Canal and the Caribbean area is the jugular vein of our own defense system. This time the United States must not be caught asleep. The Department of State was caught unprepared for the pro-Axis revolt in Bolivia. At least recognition is being withheld, in cooperation with the friendly Latin American diplomats.

Spain, under encouragement from Franco, is a pipe line of intelligence to Berlin.

In addition I call attention to the fact that Franco still keeps his Blue Division in Russia. We must, as Anthony Eden said in the House of Commons yesterday, pull off the thin veil of neutrality of Franco, the Falange Quisling. Eden said that the British Government could no longer justify to the British people support of a regime that was giving active assistance to Germany against Russia. Spanish troops still in Russia number about 1,500 members of the Blue Division. This barefaced breach of neutrality must stop. El Candillo must be told in no uncertain terms that his soldiers must be returned to Spain from Russia, otherwise Spain shall be deemed foe, not friend. There can no longer be any pussyfooting with Franco. Also our Ambassador to Spain, Mr. Hayes, must be told also that his paens of praise for Franco must cease.

The SPEAKER pro tempore. The time of the gentleman from New York [Mr. CELLER] has expired.

RATION TOKENS

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks and include therein a letter from the Director of Price Administration.

The SPEAKER pro tempore. Is there objection?

There was no objection.

[Mr. KEEFE addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. PETERSON of Georgia. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a letter from the Secretary of the Interior.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an editorial.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an article by David Lawrence.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the RECORD and include therein a speech made by Mr. Sam Cummings, a very prominent New Orleanian.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial.

The SPEAKER pro tempore. Is there objection?

There was no objection.

IN GOD WE TRUST

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, when the President was hunting around for a new name for his discredited New Deal, it was just too bad that he had to take one from a postage stamp. On this 1-cent stamp we have the "four freedoms." Then on the 3-cent stamp we have "Win the War."

He wants to use the latter as the slogan to supersede the discredited New Deal.

That is kind of hitting below the belt—to grab off those two. Thank God he left us, at least, the one on our hard money, In God We Trust.

I do not need to say there is no one in the New Deal we can trust.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

EXTENSION OF REMARKS

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to extend my remarks in two instances.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SCHWABE. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. ELLSWORTH] may have permission to extend his own remarks, and include therein an address which he delivered over the Columbia Broadcasting System.

The SPEAKER pro tempore. Is there objection?

There was no objection.

THE SOLDIERS' VOTE

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. PRICE. Mr. Speaker, on January 17 I introduced a bill, H. R. 3992, which provides for a simple method whereby those of our armed forces may vote.

The ballot would contain provisions for voting for President, Vice President, Senators, and Congressmen. Under each office to be filled the parties now represented in Congress would be listed and the voter could vote for the party of his choice for each office, or split the ticket if he so desired.

The ballots are to be printed by the War Department and distributed by each branch of the service.

Under this bill it would not be necessary to make application for ballot.

The voter would mail his ballot to his local selective service board and the board would turn all ballots over to the local election officials, where they would be counted according to local election laws.

I believe it impossible to pass a Federal law which would provide a method of voting in the primaries of the 48 States, as the primaries of the different States vary and are held at different times; however, if we do provide a simple method of voting, for those in our armed forces in the general election, for President, Vice President, Senators, and Congressmen, then we have simplified matters for the States who wish to provide for their own soldier voting primary laws, and most of the States have so provided.

Please get a copy of H. R. 3992 and read it, as I intend to introduce it as a substitute for the committee bill.

The SPEAKER pro tempore. The time of the gentleman from Florida has expired.

EXTENSION OF REMARKS

Mr. WOLVERTON of New Jersey. Mr. Speaker, I ask unanimous consent to

extend my remarks and to include therein two resolutions adopted by aviation organizations, and an editorial from the Aerial Digest.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and include a speech by Mr. Stewart Woodfill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

REFUSAL TO PAY INCOME TAX

Mr. OUTLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. OUTLAND. Mr. Speaker, I have before me a copy of yesterday's Washington Post. On page 1, I see the following headline: "Vivien Kellems, war producer, balks at paying income tax."

The first paragraph of the statement reads:

KANSAS CITY, January 18.—Vivien Kellems, Westport, Conn., war industrialist, announced today she had not paid her December 15 income tax, and called upon "all business, both big and small, to follow my example."

Mr. Speaker, for the last 12 months we have been hearing numerous statements in this Chamber about what labor has been doing to sabotage the war effort. Denunciations have been made and investigations have been demanded. It seems to me that worse than any strike is a statement such as this on the part of someone who is making profits out of the war effort. Deliberate refusal to obey the laws of the United States, in wartime especially, is a contemptible action. Miss Kellems, who is stated in the news dispatch to be "one of the outstanding woman industrialists in the country," in 1942 sought the Republican nomination for Congress in the Fourth Connecticut District.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. VURSELL. Mr. Speaker, I ask unanimous consent that on Tuesday, January 25, after the regular business of the House is concluded and other special orders, I may be permitted to address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks and include a recent excerpt from the Marlboro Daily Enterprise, of Marlboro, Mass.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. TIBBOTT. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and to include a newspaper article entitled "The Women of Pennsylvania."

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein two short editorials.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

IN GOD WE TRUST

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. WRIGHT. Mr. Speaker, just a moment ago the gentleman from Michigan [Mr. HOFFMAN] made a somewhat scornful reference to our Commander in Chief's attempt to awaken us to our primary duty of winning the war and to the "four freedoms," which are the basis of an enduring peace. He also suggested somewhat scornfully that these sentiments are contained on the United States postage stamps. I believe I recall that the faces of such great patriots as George Washington and Abraham Lincoln are also shown on our postage stamps. The only thing I regret is that sentiments such as the President is trying to inculcate in the people are not heard more often in the speeches of the minority membership in Congress.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent that on Monday next after the disposition of the legislative business of the day and the other special orders I may address the House for 15 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

THE DILEMMA OF PORK PRODUCERS—MARKETING OF HOGS

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, the farmer who patriotically met the request of our Government and produced more hogs in 1943 than he ever did previously, is now being penalized for that patriotic response to his Nation in time of war.

"Raise more hogs," was the plea of the War Food Administration, "and we will guarantee a certain price per hundredweight in the markets."

Despite shortage of labor, agriculture met this plea with a production of millions of additional hogs to take care of our needs and those of our allies.

Bungling by those in control and refusal to see what was sure to happen, temporarily glutted the market and of a necessity the permit system has been invoked. The farmers realize that this is necessary as a cure for the mistakes of last fall and they have patiently waited for their turn to dispose of their hogs.

It is discouraging, however, to these men to be forced on the one hand to hold their hogs so long as to weigh over 300 pounds when marketed and then to be squeezed by the packers when finally able to sell these overweight animals.

The War Food Administration, in refusing to permit the support price of $13.45 in St. Paul to apply to all weights of butcher hogs, is playing with fire and may wake up out of their bureaucratic idealism some time next summer to find that pork is a very scarce article.

If our Government will not fulfill its announced or implied promises to producers to maintain a cost-of-production floor under hogs—yes, and eggs—it were far better if W. F. A. keeps its mouth shut and makes no such promises at all.

Congress must immediately order W. F. A. to hold the floor under the balance of the 1943 production of hogs unless we want the producers of food in this Nation to lose faith in what Uncle Sam says he will do.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

EXTENSION OF REMARKS

Mr. WHITE. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and to include therein certain excerpts from a communication.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

IN GOD WE TRUST

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BULWINKLE. Mr. Speaker, I do not think the gentleman from Michigan should be criticized. I know every Member of this House feels extremely gratified to know that the gentleman from Michigan trusts in something, because we have never seen anybody in authority, whom we have heard him express trust in before.

EXTENSION OF REMARKS

(Mr. JENKINS asked and was given permission to revise and extend his own remarks in the RECORD.)

SIMPLIFYING INCOME-TAX FORMS

Mr. FISHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. FISHER. Mr. Speaker, it is gratifying to know that the Ways and Means Committee is now studying methods of

simplifying the complicated income-tax forms now required in making returns. It sems that the Department of Internal Revenue should be able to assist materially in this regard.

Under the present system no one can think of filling out a return without hiring an expert. And even the experts, with their slide rules and calculating machines, are troubled. The people want and are entitled to have a system of reporting blanks that will enable the average taxpayer to fill out his own return.

Many people, because of the nature of their businesses, find it difficult to estimate their future incomes, as is now required. In my judgment, that requirement should be modified or repealed. Surely that can be corrected without depriving the Treasury of 1 cent of revenue.

I repeat, Mr. Speaker, it is gratifying to know the Ways and Means Committee is now giving study to these problems. It is hoped that relief will be forthcoming soon.

INCOME TAXES ON MARSHALL FIELD'S INHERITANCE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN. Mr. Speaker, I concur with the gentleman from California [Mr. OUTLAND] in the statement that no one should escape the payment of his income taxes now; and for that reason I am going to demand that the Commissioner of Internal Revenue institute proceedings at once to collect the income or inheritance taxes on the $70,000,000 that Marshall Field came into possession of in September 1943 and on which he is escaping taxes entirely.

I am going to demand that the Attorney General of the United States bring suit for the collection of these taxes and prosecute those proceedings through the Supreme Court of the United States, if necessary.

I know there was an attempt to sidestep the Government and to cheat the United States out of these taxes through a shrewd scheme of some lawyers who prepared the will under which he received this money.

But every dollar of it is subject to the income or inheritance tax now. Instead of using this money to finance that Communist publication known as PM, let him turn it into the Federal Treasury to help finance the winning of this war.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. FOLGER. Mr. Speaker, I ask unanimous consent that on tomorrow, January 21, after the disposition of the business of the day and other special orders I may be permitted to address the House for 15 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that upon the conclusion of the business of the House today and other special orders I may have 10 minutes in which to explain to these gentlemen why I do not trust the New Deal and why I do trust in the Lord.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to address the House for 10 minutes today after the other special orders. Is there objection?

There was no objection.

PARTICIPATION OF THE UNITED STATES IN THE UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

Mr. SABATH. Mr. Speaker, I call up House Resolution 401 to make in order consideration of House Joint Resolution 192 to enable the United States to participate in the work of the United Nations Relief and Rehabilitation organization and ask for its immediate consideration.

CALL OF THE HOUSE

Mr. KEEFE. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. KEEFE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently no quorum is present.

Mr. BLOOM. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 5]

Baldwin, Md.	Hall, Leonard W.	Morrison, N. C.
Barry	Halleck	Mott
Beall	Hare	Myers
Bell	Harness, Ind.	Newsome
Bender	Hébert	Norton
Bradley, Pa.	Heffernan	O'Leary
Burchill, N. Y.	Hobbs	O'Toole
Burdick	Hoch	Pace
Byrne	Holifield	Ploeser
Carlson, Kans.	Howell	Plumley
Celler	Jackson	Reece, Tenn.
Chiperfield	Johnson, Ward	Rivers
Coffee	Jones	Robertson
Curley	Kearney	Rogers, Calif.
Dickstein	Kennedy	Satterfield
Dirksen	King	Schuetz
Disney	Kleberg	Sheridan
Domengeaux	Klein	Simpson, Ill.
Elmer	LaFollette	Smith, W. Va.
Fay	Larcade	Somers, N. Y.
Fellows	LeCompte	Stewart
Fitzpatrick	Luce	Taylor
Ford	Lynch	Treadway
Fuller	McKenzie	Vinson, Ga.
Furlong	Magnuson	Wene
Gamble	Maloney	West
Gifford	Marcantonio	Winter
Granger	Morrison, La.	Woodrum, Va.
Grant, Ind.		

The SPEAKER pro tempore (Mr. RAMSPECK). On this roll call 342 Members have answered to their names, a quorum. Without objection, further proceedings under the call will be dispensed with.

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, I shall later on yield the usual 30 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. The gentleman would not be willing to yield the full hour to me, would he?

Mr. SABATH. If I thought the gentleman would use it for the best interest of the Nation, I would, but of course I cannot assume that.

Mr. Speaker, this rule makes in order Join Resolution 192, known as the U. N. R. R. A., the United Nations Relief and Rehabilitation Administration. The resolution was reported unanimously by the Foreign Affairs Committee after 8 days of careful consideration by the committee, and a request has been made of the Rules Committee for the rule, and that committee, by nearly a unanimous vote, reported out the rule. It is an open rule, and it provides for 2 days of general debate, after which the resolution will be taken up under the 5-minute rule.

Mr. SHAFER. That is too much time.

Mr. SABATH. I agree with the gentleman that there is too much time granted, but that was the request, and notwithstanding what is said here and there by some gentlemen, the Rules Committee always tries to comply with the request of the members of committees who appear before our committee to have a rule granted.

The resolution provides for a contribution of $1,350,000,000 and no more by the United States. There is the restriction, that it shall not exceed that amount. That amount was arrived at after various conferences on the part of 43 representatives of various nations, of which the United States was the forty-fourth. I shall take it for granted that everybody is in favor of the rule and for the resolution, and so it is not necessary for me to detain the House at length. The resolution aims to provide for millions of unfortunates, men, women, and children, who have been driven from their homes and deprived of all their possessions and are now roaming the countries of Europe from one end to the other. As I say, the amount provided for is restricted, and is based on this, that each of the 44 nations will contribute 1 percent of its national income. As has been stated the amount that will be required, it is estimated, will be between two billion and a half and three billion dollars, which will be provided by the 44 signatories to the agreement. This however will be only 5 percent of the actual cost, it being estimated that the appropriations required later on for proper and complete relief will approximate $20,000,000,000. I do not have the exact figures but they will be given to you by the very able gentleman from New York [Mr. BLOOM], chairman of the Committee on Foreign Affairs, and implemented more thoroughly and specifically explained by the gentleman from New Jersey, Dr. EATON, who appeared before our committee and made a forceful presentation of the need for this legislation.

Only 1 percent is to be taken from each and every nation of its national income, but notwithstanding that fact, we will contribute more than 50 percent of the original amount because our income is greater than that of all of the other 43 nations, including Great Britain and

every one of the member nations that signed this agreement.

Mr. MASON. Will the gentleman yield for a correction?

Mr. SABATH. I yield.

Mr. MASON. According to the report it is 1 percent of the income of those nations who are in this agreement who have not had their homelands overrun. That brings us down to only about half a dozen nations, because most of them have been overrun and occupied by the enemy.

Mr. SABATH. Those small nations, of course, will bring it to more than six nations, because the sovereign republics have not been overrun and many others have not been overrun. But naturally those that have been overrun have no income and they cannot guarantee or assure a contribution to this great humanitarian relief. The point I want to make is this. Though the amount is great, still it shows how prosperous, how rich our Nation is, when our income is greater than the income of all the 43 nations that have subscribed to this agreement.

Mr. CUNNINGHAM. Will the gentleman yield?

Mr. SABATH. I yield.

Mr. CUNNINGHAM. If a nation has been bombed and its cities heavily bombed, but no soldiers have invaded it, has that nation been overrun by the enemy?

Mr. SABATH. No.

Mr. CUNNINGHAM. Does this bill define that so we will understand that?

Mr. SABATH. I will say this, I do not desire to deprive the chairman and members of the Committee on Foreign Affairs that diligently and painstakingly devoted so much time and gave the matter such thorough consideration the opportunity to explain the bill more effectively and intelligently, because they have considered it for many months, not only during the time that the bill was being considered in the Committee on Foreign Affairs but long before. Conferences have been held by the Senate committee and by the House committee in conjunction with the State Department and other departments, and finally agreement entered into originally, I think, in the White House, and later on concurred in, and the agreement finally drafted and agreed to by the 44 signatory nations in Atlantic City several months ago. The agreement in its entirety is embodied in the resolution now before us and speaks for itself.

So I am giving you the rough outline of what this bill aims to do. I know that there are some gentlemen who feel that the cost to the Government will be great. But let me say that it will not be a great cost to the Government in the long run. Our Nation will be the beneficiary, because all these nations and these peoples that we are going to aid and assist will recognize and appreciate our effort and our aid to them. At this time I am reminded of a $20,000,000 contribution that we made, I think it was in 1920 or 1921, upon the request of former President Hoover, then in charge of American relief, who urged help for the Russian people in certain sections that had suffered severely from drought. At that time many people thought it was unwise and that we should not appropriate that sum of money, but later on, after we had acted and passed the resolution authorizing the amount and started to purchase wheat and corn and other articles, within no time at all the price of those farm products and everything else had gone up so that the country really had been benefited to a greater degree than the amount we provided for. I am satisfied that in this case again the United States will be benefited notwithstanding we are going to advance this amount of money for this needed humanitarian purpose.

Mr. SMITH of Ohio. Will the gentleman yield?

Mr. SABATH. I yield.

Mr. SMITH of Ohio. I should like to ask the gentleman whether the agreement which appears in this resolution in quotes does or does not become a part of this resolution in the sense that it is Federal legislation?

Mr. SABATH. I think it does. But it also provides, that is, the very agreement you call attention to, that any country has a right at any time, that is, not "at any time," but after due notice, to withdraw. Furthermore, the agreement cannot be changed or altered if there is any objection upon the part of any one nation that might be dissatisfied with any provisions that might apply to it, or any acts of the committee that will have charge of the distribution of this relief. I hope I have answered your question. I will say this to you. The gentleman sitting right next to you, the ranking member of the Committee on Foreign Affairs, Dr. EATON, is so well posted and informed in the matter that I know if he will take the floor he can, as I have stated before, more thoroughly and intelligently explain the various provisions of this important bill than I possibly can, as my time has been limited in the study of its provisions.

And that applies to the gentleman from New York [Mr. WADSWORTH] and to the gentleman from Ohio [Mr. VORYS], Republican members of the committee, and naturally as well as to the chairman of the committee [Mr. BLOOM], and Mr. LUTHER A. JOHNSON, of Texas, all of whom appeared before the Committee on Rules and impressed the committee with the splendid work on their part and the careful consideration they had given to this important matter before they finally came to the conclusion to report the bill to the House and to ask for the rule. I shall conclude, but before I do so, I feel that it is my duty to express my appreciation to the splendid Committee on Foreign Affairs for its wonderful work, and the time and devotion they have given to this legislation which I know is of such great importance to millions of unfortunate men, women, and children, many of whom have been deprived of everything they ever possessed and who are roving the countries of Europe half starved, without food or shelter.

I feel it is not necessary for me to call attention to the plight of millions of Poles, Yugoslavs, French, Belgians, Greeks, Hollanders, and the peoples of the smaller countries, saying nothing of the outrageous atrocities practiced on them and, especially, on the Jewish people, believing that is generally known and recognized by all of us. Never in the history of the world has the need for relief been so great as in this instance. Therefore, I feel that we should provide those who have escaped the murderous hands of the Nazi and who are half-starving and suffering tortures beyond description, should have sufficient food, clothing, medical care, and, yes, shelter. Any help that will alleviate their suffering will be repaid tenfold. It will serve to prevent future hardships and will bring about their rehabilitation in all of the over-ridden countries and make them self-sustaining in the shortest possible time and will, most definitely bring order out of chaos. This legislation aims to bring relief to them and I, therefore, feel that the rule should be adopted by unanimous vote and I hope that the bill also will receive the unanimous vote of the House.

Now, Mr. Speaker, reserving the balance of my time, I yield 30 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. I yield 10 minutes to the very distinguished gentleman from New Jersey [Mr. EATON].

Mr. EATON. Mr. Speaker, I am somewhat depressed by the fact that this legislation is presented to this body at a time when there seems to be widespread misunderstanding, suspicion, and anxiety as to its provisions, as to its origin, and as to its purpose. I may say that in 20 years I have never seen a bill come from our committee, on which I am proud to serve, that has received such continuous and careful consideration as this bill.

We have written a report which is both exhaustive and exhausting, setting forth the background of our efforts to produce legislation which, I am sure, will eventually meet the moral sanction and intellectual approval of the rank and file of this House on both sides.

Mr. Speaker, first of all, in a sentence or two I want to give the reason for this legislation. You must know that when final victory comes to our armies there will be great sections of Europe and the Orient that will be completely devastated and destroyed. We will have, and we have now, in Europe 20,000,000 people who are scattered away from their homes. Eight million of them have been taken into Germany, many of them for slave labor. Many of those people are homeless women and children who for long years have had no proper nourishment, no proper shelter, no proper clothing, and who are in an emaciated condition that augurs ill for their future and the future of their descendants.

So that as we view the picture in Europe, and in China, and in other occupied territories, we discover a tremendous appeal to the humanity and to the self-preservation and intelligence of every free nation in the world, including our own. For, Mr. Speaker, we might as well face the fact, that after this war is over we shall be faced with problems of reconstruction, problems of assistance, problems of developing our own re-

sources, and our own safety that will tax our legislative power, our statesmanship and manhood to the last degree. It will not be a question of Democrats or Republicans. Certainly it will not be a question, I hope, of the New Deal. It will be a question of the American people and the other free peoples who will seek to save themselves by helping to save the rest of the world, which will be in instant and complete contact with them.

Mr. Speaker, it is impossible for this Nation to continue in an orderly way in a disorderly and chaotic world. It is impossible for us to continue to be an island of prosperity in an ocean of adversity. It is impossible for us to continue in peace and security, surrounded by a world in economic and social chaos. It is impossible for us to retain or sustain our national life separate and distinct from the rest of the world. We cannot be a healthy Nation surrounded by a sick world. In self-defense apart from all other considerations our first duty is to help the sick and needy in war-stricken countries to rehabilitate themselves.

The object of this legislation expressed in one sentence—and do not forget it—is to help those people to help themselves. At this point I shall refer to the money part of the problem.

It has been continuously stated that we are going to pay 50 percent of all the expense. The fact is, which I will demonstrate in a minute, that we will pay about 5 or 6 percent, because the complete contribution that will be made through U. N. R. R. A. will be something over $2,000,000,000, including our large share, which will be 50 percent of that; but the nations that we will help to help themselves will, out of their own resources that have not been destroyed by the enemy, put up 90 percent of the total cost, making the expenditure finally amount to about $20,000,000,000, 10 percent of which will come out of the 44 nations, including ourselves.

Those are the facts of the situation.

Secondly, what does this bill provide? I ask my colleagues to turn to page 2 of the bill. The first paragraph provides:

> Being determined that immediately upon the liberation of any area by the armed forces of the United Nations or as a consequence of retreat of the enemy the population thereof shall receive aid and relief from their sufferings—food, clothing, and shelter, aid in the prevention of pestilence—

If you have a million people over there who are ill and underfed and they start a trek back home carrying typhus or smallpox, you have to prevent that plague from spreading over the Continent in order to protect ourselves from the infection—

> and in the recovery of the health of the people, and that preparation and arrangements shall be made for the return of prisoners and exiles to their homes and for assistance in the resumption of urgently needed agricultural and industrial production and the restoration of essential services.

Now, I want to give you the history of this legislation.

In 1941, before Pearl Harbor, before we were in the war, the Allied countries met in London and faced this very problem. They appointed a commission or a committee to study it. That committee had no organization, no money, no executive; but it gave study to the facts. After we were in the war a while it dawned upon us, as it already had upon Great Britain and Russia, that this was inadequate to meet the situation, and at the suggestion of Russia and the United States, a further study was undertaken on behalf of all the Allied and associated nations, 44 of us. That study continued from sometime in 1942 until this final legislation came from our committee. That study was carried on in complete accord and understanding with the representative committees of both branches of this Congress. Our Committee on Foreign Affairs had the executive representatives before us continuously, bringing the various drafts of the organization to us for our consideration. Over in the other body the Foreign Relations Committee appointed a subcommittee, representing all conditions of opinion—Senator VANDENBERG, Senator, GREEN, Senator LA FOLLETTE, and two or three others. They cooperated with the executive authorities of the State Department and with foreign representatives in drafting this legislation.

The SPEAKER pro tempore. The time of the gentleman from New Jersey [Mr. EATON] has expired.

Mr. SABATH. Mr. Speaker, I yield an additional 10 minutes to the gentleman from New Jersey.

Mr. EATON. I am deeply grateful to the gentleman from Illinois for giving me this reprieve.

We had this continuous consultation, representing our House, representing the Senate, representing the State Department, and representing our allies—Russia, Great Britain, and China. At last this plan of organization of 44 nations was evolved. Then the question was: How much shall each contribute? After complete study at Atlantic City it was decided that the least objectionable, although it is fraught with many objections, the least objectionable solution of the problem was to make it 1 percent of the national income for that particular year 1943.

This bill does not provide for reconstruction; it is not a world W. P. A.; it has nothing to do with the announced objectives of the New Deal, very many of which would make everybody rich by making everybody poor. It has only one program, and that is to relieve the danger to the liberties and prosperity of the United States and the other free peoples resulting from the distress, failure, and ruin in these occupied countries due to the war. This legislation represents a study as fair and complete and courageous as that given to any legislation I can recall in 20 years. It is not a fly-by-night proposition. We had before our committee the distinguished gentleman from Illinois [Mr. DEWEY]. In my judgment, he is one of the best equipped and ablest men on economic questions in this country. He had a bill which I consider of the utmost importance to deal with the problem of reconstruction. He, like the rest of us, was entirely in favor of relief of the distress, hunger, disease of our fellow mortals in these stricken countries, but he did not want, and we do not want, and I do not want, and you do not want, the United States to go in haphazard and scatter its money to the four winds to rebuild the physical institutions of these shattered countries.

The gentleman from Illinois [Mr. DEWEY] proposes in a bill which he is now rewriting, a system or method by which the United States can on a business basis associate itself with enterprises that look to the reconstruction of the shattered utilities and other services of the Old World and the Orient. Mr. Speaker, before we are through we are going to be doing business in every part of the world and our chief problem will be to keep what belongs to us and to assist in making the world prosperous in order that the flood of prosperity may come back upon us.

I want to say just one more word. I pray that we can approach the consideration of this bill calmly; denude our minds of suspicions and fears which are perfectly justified under many conditions that exist in this country.

We must not forget, Mr. Speaker, that this House passed the Fulbright resolution which enabled this part of the Congress to go on record in favor of our cooperating as a Nation in the rehabilitation of the world, and for the securing of safety in the generations to come by means of an established peace. We do not forget that the Senate passed a similar resolution broad in its scope; and you Republicans do not forget that up at Mackinac Island you produced what we called the Mackinac charter. This resolution is as absolutely in accord with the principles of those three resolutions as any instrument can be from any point of view; so I hope this debate will throw light and not heat on the question and that all of us may find a rational basis upon which to vote favorably upon its final consideration.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. EATON. With pleasure.

Mr. AUGUST H. ANDRESEN. Does the gentleman feel that it was necessary to include the agreement signed by the 44 nations as a part of the resolution?

Mr. EATON. I regret to say that I was not the author of that suggestion. That suggestion was made by a distinguished Republican Senator, named VANDENBERG, from Michigan, Mr. HOFFMAN'S State; and in accord with his views and the views of his colleagues we thought it was good to put that in simply for information and not for legislation.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. EATON. I yield.

Mrs. ROGERS of Massachusetts. But after all it is much more than information; it is legislating the agreement.

Mr. EATON. I am not under any bonds to accept the gentlewoman's interpretation.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. EATON. I yield.

Mr. VORYS of Ohio. By including the agreement and nothing else we show just exactly what Congress approves and what they do not approve. In this way we are not taking a pig in a poke or describing something that is not before the body; is not that true?

Mr. EATON. Answering the gentlewoman from Massachusetts, the gentleman from Ohio, and the gentleman from Minnesota, let me say that I did not make the suggestion to the committee. Had I been consulted by those of the upper levels in legislation I would have thought it an excellent idea to print in this legislation exactly the thing we were implementing in meeting the needs of the world.

Mr. BLOOM. Mr. Speaker, will the gentleman yield?

Mr. EATON. Yes; I yield to the chairman of the Committee on Foreign Affairs.

Mr. BLOOM. Is it not a fact that the agreement was read to the entire Foreign Affairs Committee last summer long before it was ever presented to any other nation or any other person? It was presented to the Foreign Relations Committee; it was presented to the Foreign Affairs Committee by a representative of the State Department, and at that time it was considered that we should place the agreement in the resolution as suggested by the Foreign Relations Committee of the Senate.

Mr. EATON. Yes; that is right.

Mr. LUTHER A. JOHNSON. Mr. Speaker, will the gentleman yield?

Mr. EATON. I yield.

Mr. LUTHER A. JOHNSON. In answer to the suggestion made concerning the inquiry as to whether or not by incorporating the terms of the agreement in the bill such act constitutes ratification of the agreement, I do not agree that it does. I think this bill does one thing and one thing only. On the first page of the bill and on the last page are the only legislative portions. The bill merely authorizes our Government to participate in this organization by expenditure of money; and then in order that we may know what the organization is we say that the agreement constituting that organization is as follows, thus setting it out so the Congress may know what the purpose of the organization is.

As far as ratification is concerned, the adoption of this resolution will not ratify the agreement, will not change it if we may want to change it but merely states that this is the agreement. The only thing the resolution authorizes is the making of appropriations hereafter for support of that organization.

Mr. GEARHART. Mr. Speaker, will the gentleman yield?

Mr. EATON. I yield.

Mr. GEARHART. Conceding the nobility of purpose of the proponents of this legislation, does the gentleman think just because the purposes are noble that we have any right to circumvent the Constitution, to bypass the Constitution and by legislation avoid the provisions of the Constitution which so plainly provide that the President shall have power—and this is the only place where power is conferred upon the President in matters of this sort—that the President shall have power by and with the advice and consent of the Senate to make treaties providing two-thirds of the Senate concur. The point I have in mind is: Why has this agreement not been submitted to the Senate?

The SPEAKER pro tempore. The time of the gentleman from New Jersey has again expired.

Mr. SABATH. Mr. Speaker, I yield 1 additional minute to the gentleman from New Jersey.

Mr. EATON. My answer to that is that the Foreign Relations Committee of the Senate examined this with great care and decided that it was an Executive agreement and not a treaty, and therefore would not necessarily come before the Senate for ratification, for consent and approval.

Mr. GEARHART. Before this New Deal administration came in there was a very, very narrow view placed upon the right of the President to negotiate Executive agreements. Since this administration has been in power it has been increasingly widening the field, until now it is contended by New Deal internationalists that you can do anything by Executive agreement which in the old days everyone thought had to be done by treaty. Are we accepting and ratifying this new view being set forth, this so-called Executive agreement which is nothing but a treaty? It does not make any difference what you call it. All agreements or conventions or covenants or treaties or Executive agreements are all the same thing. Are we, by putting that in this bill, giving encouragement to this administration to go on and on and on, until finally they get sufficient courage to negotiate a peace treaty under the guise and in the form of an Executive agreement? We have taken a constitutional oath to defend the Constitution of the United States. When are we going to begin to do that?

Mr. EATON. The gentleman has made a very pertinent and eloquent defense of the Constitution and the right and duty of the Senate to consent and approve of a treaty, and I hope that when he gets in the Senate his voice will be heard as distinctly and as authoritatively as it is here. But that is not in our bailiwick here.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SABATH. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. EATON. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. My understanding is that the Senate wishes to have this agreement in the bill in order to give it legislative sanction.

Mr. EATON. That was not my understanding.

Mrs. ROGERS of Massachusetts. That was the general understanding—that we would give it legislative sanction by a majority vote.

Mr. EATON. Is the logic of the lady's position, then, that we ought to reject this bill and let the Senate wrestle with it?

Mrs. ROGERS of Massachusetts. I think we can accept the appropriation part and leave out some of the rest of it, or amend it.

Mr. EATON. That is what we are doing.

Mr. CURTIS. Will the gentleman yield?

Mr. EATON. I yield to the gentleman from Nebraska.

Mr. CURTIS. On page 10 I find the following provision:

> Foreign voluntary relief agencies may not engage in activity in any area receiving relief from the Administration without the consent and unless subject to the regulation of the Director General.

Would the words "foreign voluntary relief agencies" include the Red Cross, the various missionary boards of our churches of all denominations, or what does the gentleman mean by that provision?

Mr. EATON. It means exactly what it says, that U. N. R. R. A. has one definite objective, namely, to feed, clothe, medicate, and, where necessary, to put temporary shelter over the stricken peoples of Europe until they can get started to produce for themselves.

Mr. CURTIS. One further question to clarify that. In other words, if U. N. R. R. A. found that a certain country shall not receive relief or shall receive very little, they can prevent the American Red Cross or any other agency from distributing medicine, food, or other charitable items there?

Mr. EATON. Not under this legislation.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FISH. Mr. Speaker, I yield 7 minutes to the gentlewoman from Illinois [Miss SUMNER].

Miss SUMNER of Illinois. Mr. Speaker, I think you have been looking at the world through rose-colored glasses.

Millions of Europeans, not only in Poland but all over Europe, will fight to the death rather than be ruled by either Stalin or Hitler. Because they believe Hitler is already doomed to defeat, because they believe Stalin will be the next dictator of Europe, they are beginning to fight Stalin. Thus the Moscow Agreement, because it will help Stalin become dictator of Europe and encourage freedom-loving Europeans to try to prevent it, was a victory for the Axis. Because this U. N. R. R. A. measure will also help Stalin become dictator of Europe and alienate European allies it will, if passed, be another victory for the Axis.

America's contribution—nobody pretends this will be the last contribution—will be $1,350,000,000—more than a tenth of what Americans usually pay in Federal taxes. At least 60 percent of the money is to be paid for by America—private contributions by Americans will not even be counted in as part of America's 60 percent. The rest of the contributions, if and when made, will be paid mostly by nations to which America has already donated more money than these nations will contribute. Article V of the measure seems to preserve America's constitutional rights. But section VIII gives U. N. R. R. A. the right to amend that

article and take away American constitutional rights without American consent—since only a two-thirds vote of the associated nations is required to do so.

U. N R. R. A. is to have a monopoly on all the food supplies of the world. U. N. R. R. A. can give supplies where needed or refuse them—even though the nation wanting them has and offers the money with which to pay for the supplies. U. N. R. R. A. has the right to levy on American supplies and cause American citizens more shortages and more rationing. America has no veto power to prevent it. Mr. Crowley admitted on cross-examination by the gentlewoman from Ohio [Mrs. BOLTON] that America has no veto power to prevent it.

The recognized government of each nation is to be given the right to distribute supplies allotted by U. N. R. R. A. to that nation. The government so enriched will be permitted to sell instead of giving away supplies to its people and pocket the money in a revolving fund. If it chooses to use that revolving fund for purposes other than relief purposes U. N. R. R. A. has no power to prevent it—except the right to refuse further supplies.

And who do you think will control the recognized governments of Europe which will control the distribution of supplies in each European country? Stalin.

The Moscow Agreement, you remember, provided that the first Ally to reach a liberated country has the right to occupy that country and hold an election to determine who shall control the government. Stalin will be the first Ally to reach most every country. Stalin with his army will hold the elections. Stalin will use his army to win the elections the way Hitler did it in Austria and Stalin himself did it in east Poland. Stalin has political machines already set up to win the elections in most every European country. Thus Stalin can use U. N. R. R. A. money to make himself dictator of Europe and keep himself dictator of Europe. The fact that millions of Europeans know it and will fight to prevent it makes this measure another victory for the Axis. It is not kind to the people of Russia to help their ambitious leader Stalin acquire so much power that people who should be fighting with us want to help Hitler in order to prevent Stalin having as much power over Europe as Hitler had.

This money will not be paid for by you or your generation. It will be paid by veterans and the children of veterans, many of whom have already made the supreme sacrifice for the civilians of Europe.

The safe, sane, constitutional, and Christian way to relieve the victims of Nazi barbarism is to organize a tremendous drive for voluntary contributions to be paid for by Americans of our generation, many of whom have war-swollen fortunes. Let it be distributed by the Red Cross, the Quakers, and other practical, nonpolitical organizations.

There is no law to prevent you or any other American citizen giving everything you possess to this cause. But you in Congress have not this constitutional authority. Federal contributions to foreign countries have been made in the past, but the sums were so small we winked at the practice. Congress has no constitutional authority to force Americans of this or any other generation to give money to people outside of America.

Mr. FISH. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I commend the gentlewoman from Illinois, who expressed to the House in such eloquent terms her strong feelings about this bill from a strictly American point of view. Thank God, there are those in this legislature that still use that one yardstick, what is best for America, and know nothing else different.

I admire Winston Churchill, I admire even Joe Stalin, the leader of communism, for one thing. First, I admire Winston Churchill, I may say, because he always puts the interest of the British Empire first, and Joe Stalin always puts the interest of the Communists first. The gentlewoman expressed her views.

Mr. EATON. I refuse to be accused of being disloyal here. I am as good an American as is the gentleman or any of his breed. I want him to understand that.

Mr. FISH. I will reach the gentleman in due time.

I repeat my statement that the gentlewoman from Illinois, using that one yardstick, what is best for America, gave her views. She is entitled to her views and the gentleman is entitled to his.

Mr. EATON. She is; and so am I.

Mr. FISH. I do not believe that in this vital issue there should be either partisanship or rancor but if we cannot say that a Member of this House is entitled to express her views the same as other people have in other nations, using that one yardstick, what is best for America, then there is something wrong about free speech in America. That is all she did. I am not criticizing anybody opposed to this bill because I may vote for this bill myself. If it is amended, I may vote for this bill myself. I voted it out of the Committee on Rules because I believed it should be considered in the House and substantially amended.

I do not agree with the gentlewoman who spoke to this extent. I think the time of the Congress has come—and I agree there is involved a debatable constitutional question, but I am ready to vote to feed these millions, to clothe them, to give them medical supplies and fuel, but I am not ready to vote for this bill, which includes rehabilitation, the building of factories, and public utilities. Why should we spend $1 of American money to build any factory in Europe, to be owned by whom?

When the gentleman from the Committee on Foreign Affairs appeared before the Committee on Rules, I asked him, "What does this rehabilitation mean?" He said, "It means that we can build factories in these foreign nations." I said, "What kind of factories?" He said, "Textile factories." Imagine using American money to build textile factories in Europe.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. FISH. No; I have only 12 minutes and I must continue, because I have a good deal to say.

Mr. SABATH. I would appreciate it if the gentleman would state the name.

Mr. FISH. I do not want to name any names here. It was a distinguished gentleman of the committee, who specifically said textile factories, that you can build textile factories, you can build steel mills, you can build glass factories, or any other kind of factories.

Mr. BLOOM. Mr. Speaker, will the gentleman yield?

Mr. FISH. I will not yield, I am sorry to say.

Mr. BLOOM. I just want to get it right, that is all. The gentleman is making a misstatement.

Mr. FISH. If the gentleman says I am making a misstatement, I will name the man, and he is in this room. If the gentleman, who is in this room, will permit me to do so, I will name him. It is in the record. He said it permitted them to build textile factories, not just plain factories, but textile factories.

Mr. BLOOM. Did he say it permitted them to repair them?

Mr. FISH. No, to build, repair, and everything else.

Mr. BLOOM. No.

Mr. FISH. How can you repair them when they do not exist?

All right, rehabilitate them. Rehabilitate the textile mills. I will not quibble about the words. That is what I am opposed to in this bill. I realize the constitutional issue is a grave and a serious one, but I am not opposed to relieving the suffering of the starving people of Europe and of the liberated countries with the necessities of life, but not one bit beyond that. I am not willing to spend a single penny of American money for glorified W. P. A.'s, and certainly it becomes a world-wide, glorified W. P. A., despite the denial made here by the gentleman from New Jersey. The minute you go into rehabilitation it can be nothing else. When we had our W. P. A. here in America we did not go out and build or rehabilitate factories. It was a question of unemployment. They even take that up in this bill.

Let me read to you the parts to which we are opposed. I am not speaking here as an individual on this matter. I know three members of the Committee on Foreign Affairs who will offer vital amendments to this bill. I know of other amendments that will be offered. Let us consider some of those amendments.

The gentlewoman from Massachusetts [Mrs. ROGERS], one of the senior members of the committee, will offer an amendment to prohibit any of this money being used for educational purposes. Certainly that prohibition ought to be in this bill.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield for a very brief question.

Mrs. ROGERS of Massachusetts. Of course, it would not be even our ideology that would be taught, it would not be our

education taught to the people of these countries, but the beliefs of others.

Mr. FISH. It would be dictatorial and possibly communistic.

Mrs. ROGERS of Massachusetts. We are fighting, I think, so that people may have their own form of education and their own form of religion.

Mr. FISH. The gentleman from South Dakota [Mr. MUNDT] will offer an amendment to include starving and disease-stricken India.

If any nation ought to be included, where hundreds of thousands have starved to death within the last few months, certainly India ought to be included, and India contributes, or may contribute; and when we come to that matter of contribution, let us get the facts correct. The gentleman from New Jersey [Mr. EATON] kept talking about 50 percent of our contribution. Our contribution is 60 percent, and we are called upon right here to authorize the entire total of $1,350,000,000, or 60 percent of two and a half billion dollars, the total sum required. We have no guarantee that these other nations will pay, but we are called upon in this bill to authorize the appropriation of the entire lump sum, whereas we have no guarantee that many and many of these nations, will pay, and many will not pay. I shall not go into that now, but that is a matter of record.

A member of the committee, the gentleman from West Virginia [Mr. SCHIFFLER], will offer that amendment to reduce the amount to $675,000,000, or one-half the sum carried in this bill. I would prefer to have it reduced to $500,000,000; but he is a member of the committee and will offer that amendment. I shall offer an amendment myself requiring that 90 percent of all of the moneys that we appropriate be expended for supplies in this country; that 90 percent be spent here. I wish I could agree with my distinguished friend the gentleman from New Jersey [Mr. EATON] when he talks about this great ocean of prosperity. Can he guarantee that there will be oceans of prosperity in this Nation after the war, when 10,000,000 soldiers will come back home looking for jobs? There will be millions. I do not know a single industry in America that will not cut down almost one-half of what are employed today. Unquestionably, there will be 20,000,000 unemployed, and there will be no ocean of prosperity. Yet, we are called upon here to authorize $1,350,000,000, part of which is to go to rehabilitation in foreign lands, the building of public utilities and factories and other buildings.

Gentlemen, that is the issue before you, not so much a matter of relief. I know that some of you will not oppose matters of relief. We all remember when Mr. Hoover spent $100,000,000 for the relief of 10,000,000 Belgian people. That contribution came from private funds, and that was successful. Twenty years ago I got through a bill in this House for $10,000,000 to feed the starving people in central Europe. I introduced 2 years ago and again last May a bill to feed them now, and I believe in it with all my heart. I believe in feeding the starving children of France and Belgium and Norway and all of the other occupied countries.

I do believe we owe a moral duty to supply funds, but also we owe a moral duty to serve notice on the British Empire to let food ships go through the blockade into France and Belgium and Norway and Holland. And so I am willing now to afford relief. What I want is to see this bill amended by the Congress in the regular way and after full and due consideration. There will be, and I am glad to say that I am a party to providing for it, 2 days of general debate on this bill. It is one of the most important policy bills that has come before the Congress, one of the most important peace bills. It should be considered on a nonpartisan basis, on an American basis, from the point of view of what is best for America. That is the only yardstick that should be considered here when we vote on each and every separate amendment.

Mr. ALLEN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. ALLEN of Illinois. Back in 1933, when we had been here but a few days, there was brought into the House an economy measure, and at that time we had a national debt of less than $25,000,000,000. That measure applied to disabled veterans, and at that particular time it was advocated by Members who now, with a debt of $200,000,000,000, would grant the sum of $1,350,000,000. At that time they wanted to reduce the veterans' income, with a debt of $20,000,000,000 and claimed that if we did not that insolvency threatened the country and that the credit of the country would be reduced to a chaotic condition. Yet these gentlemen now seem to be the most willing to vote to spend this money, when we have a debt of $200,000,000,000. Yet, as I say in 1933 they were the most anxious to cut down the veterans' income, with a national debt of $20,000,000,000 and take it away from the soldiers.

Mr. FISH. Mr. Speaker, the gentleman will have to ask that question of those who voted against the disabled soldiers at that time. Of course, the question of taxes is a vital one, and we are now approaching a debt of $200,000,000,000.

The SPEAKER pro tempore. The time of the gentleman from New York has expired. The gentleman from Illinois [Mr. SABATH] has 2 minutes remaining.

Mr. SABATH. Mr. Speaker, I yield those 2 minutes to the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Speaker it would be impossible for anyone within 2 minutes to answer the misstatements and misconceptions of what this resolution is, as stated by those who have spoken in opposition to it. This is a war measure. It is just as important for the winning of this war as the appropriations that we have made to the War and Navy Departments. It is a war measure because it does what we had to do at the close of the last war in affording relief, immediately after hostilities ceased. When an occupied country is liberated there will immediately arise the question with reference to relief of people in those countries, where the food has been stolen, where people have been taken away by the Axis Powers. Disease will follow, and this appropriation, when it is made, will help not only those people of the liberated countries, but it will help our soldiers over there, who would be subject to diseases that may be prevalent. I hope that we are learning some of the lessons from the last war. At the end of the last war we had to do the work being done now, but instead of having an agreement in advance, we made no preparation for it, and we had to do it after the war was over. As a result, it cost the United States over $3,000,000,000. This time we are planning to cooperate with the other countries of Europe, whereby they will contribute to the funds, and whereby the funds will be wisely administered to reach the most effective means of doing what this legislation is designed to do. I submit that when this House understands all the facts back of this resolution no one, who is not prejudiced, will vote against the resolution, because it is for the welfare of the United States of America, and it is necessary for help in winning this war immediately after hostilities cease. Without it, there will be chaos.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SABATH. Mr. Speaker, I move the previous question.

The previous questioned was ordered.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate disagrees to the amendment of the House to the bill (S. 1543) entitled "An act to provide for mustering-out payments to members of the armed forces, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. REYNOLDS, Mr. THOMAS of Utah, Mr. JOHNSON of Colorado, Mr. AUSTIN, and Mr. BRIDGES to be the conferees on the part of the Senate.

MUSTERING-OUT PAY

Mr. MAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 1543) an act to provide for mustering-out payments to members of the armed forces and for other purposes, with a House amendment, insist on the amendment of the House, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I would like to know from the gentleman from Kentucky if the ranking Republican member has been advised of the

fact that the bill was going to be referred to the conferees.

Mr. MAY. It is the invariable rule of the chairman of the Committee on Military Affairs of the House to leave it to the ranking Republican member to name the conferees in all matters.

Mr. MARTIN of Massachusetts. I did not mean that.

Mr. MAY. In this case he did name them a while ago and I wrote them down as he requested.

Mr. MARTIN of Massachusetts. I did not mean that, but he knew this was going to be referred to the conferees?

Mr. MAY. Yes; I talked to him just a moment ago.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Mr. MAY, Mr. THOMASON, Mr. MERRITT, Mr. COSTELLO, Mr. SHORT, Mr. ARENDS, and Mr. ELSTON of Ohio.

There was no objection.

UNITED NATIONS RELIEF AND REHABILITATION ORGANIZATION

Mr. BLOOM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of a House joint resolution (H. J. Res. 192) to enable the United States to participate in the work of the United Nations Relief and Rehabilitation organization.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the joint resolution (H. J. Res. 192), with Mr. O'NEAL in the chair.

The Clerk read the title of the resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

Mr. BLOOM. Mr. Chairman, I regret exceedingly that these questions have come up in the consideration of this joint resolution.

The State Department has worked in close cooperation with the Foreign Affairs Committee of the House and the Foreign Relations Committee of the Senate, conferences relating to U. N. R. R. A. having begun last July 1943 between these two committees and representatives of the State Department.

During July 1943 Assistant Secretary of State Acheson and Mr. Francis B. Sayre, Special Assistant to the Secretary of State, appeared before the Foreign Affairs Committee and laid before us the text of the proposed draft agreement, and entered into a detailed explanation and discussion of the plans for forming U. N. R. R. A.

As the result of these meetings, which continued until the introduction of House Joint Resolution 192 on November 15, 1943, modifications in the text of the draft agreement were suggested by Members of the Congress and were adopted, and it was agreed that the joint resolution, when introduced, would include the agreement in full, so as to give the Congress the fullest opportunity to consider the extent of United States participation in U. N. R. R. A.

The U. N. R. R. A. agreement was signed at the White House on November 9, 1943. The President transmitted a message to the Congress on the subject on November 10, and on the same day the first session began, in Atlantic City, of the Council of the U. N. R. R. A. The session extended through December 1, 1943. The House of Representatives authorized travel expenses for members of the Foreign Affairs Committee to attend meetings of the council at Atlantic City, and various members of the committee attended some of the sessions and also the final plenary meeting on December 1.

In addition to the many informal executive conferences and meetings on the subject, the Foreign Affairs Committee held eight open hearings on House Joint Resolution 192, ending January 11, 1944.

It was suggested by members of the Senate subcommittee last summer that the text of the agreement should be placed in the resolution. This matter was also brought before our committee and at no time—and I feel that I am stating all of the facts—at no time has there ever been a motion made by any member of the committee that the agreement should be eliminated from the resolution. In fact, it would not have made any difference at all whether the agreement was eliminated or not. It was included in the joint resolution solely for the information of the Congress.

Now, there was no concealment of any information. I want to say this, that whenever any name was submitted to me as chairman of the Committee on Foreign Affairs, to be called before the committee as a witness at its hearings, I tried to get such persons and invited them to come before the committee. We went over this thoroughly. Indeed, I am surprised there should be so much talk here in this Chamber about this resolution such as we have had here, because at no time in all those months of consideration has there been as much dissension as there has been on the floor here today.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. BLOOM. I shall be delighted to yield.

Mr. AUGUST H. ANDRESEN. There is one thing that is troubling me which I wish the gentleman would clear up. These 44 nations got together in the United States at the invitation of the President and of the State Department and joined in this agreement and signed it. Does the gentleman feel that the signing of the agreement at the invitation of our country has committed the United States to a policy which Congress must go along with and approve?

Mr. BLOOM. I will say this to the gentlemen, that this agreement does not commit the Congress to anything at all. If you do not appropriate or authorize this appropriation, why, of course, there is nothing to be done. Now, please remember this, that under the agreement the question of contributions to U. N. R. R. A. is solely within the discretion of the appropriate constitutional bodies of the member governments. Of course, in the case of the United States, this means the Congress. The agreement itself says that.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. BLOOM. Yes; I yield. May I say this: Please ask all the questions that you would like to ask and let us try to answer them in such a way that we will all understand what we are trying to do here. I think after you find out that you will be just about in the same position and of the same mind as the members of the Committee on Foreign Affairs.

Mr. AUGUST H. ANDRESEN. I am asking these questions to get information.

Mr. BLOOM. That is right, and I would like to give it to you.

Mr. AUGUST H. ANDRESEN. Because I am not a member of the Committee on Foreign Affairs.

Mr. BLOOM. That is right.

Mr. AUGUST H. ANDRESEN. The gentleman says that all of these other countries will have to ratify this agreement, and I assume that is correct.

Mr. BLOOM. That is, the appropriate constitutional bodies would have to determine the extent of their participation.

Mr. AUGUST H. ANDRESEN. Now, will the agreement become operative before all the other countries have ratified it?

Mr. BLOOM. I do not know whether you can say that the agreement would become operative. It is already in effect. There are 44 signatories of which 14 nations signed with reservations. I have a list here and I would like to read them to you. It might be of interest. These are the countries that have already contributed money:

Egypt	$20,650
Philippines	5,000
Yugoslavia	5,000
Luxemburg	5,000
United Kingdom	100,000
Poland	50,000
Canada	50,000
Iceland	55,000
New Zealand	30,000
Belgium	100,000
Guatemala	5,000
French	50,000
Ethiopia	5,000
Norway	30,000
China	250,000

These are principally for administration expenses. All member countries are to contribute to administrative expenses. There are a few things in here that you have to understand; all countries contribute to administration expenses. No country can receive any financial benefits from U. N. R. R. A. if they have exchange credit with which to pay for their supplies. It does not make any difference who they are. The idea is this, they will get the benefit of technical assistance if they desire it, but no financial benefits in the way of supplies. That is one of the essentials of U. N. R. R. A.

Now, those countries that have dollar exchange or currency in this country do

not receive any financial benefit. They have to pay cash for their relief.

The question was asked before and I should like to get that clear because it is a very important point. A country that is not occupied by the enemy does not receive any benefit under U. N. R. R. A. For instance, England does not receive any benefits under U. N. R. R. A. U. N. R. R. A. does not begin to operate until after the country has been liberated and after a government which is recognized by the United Nations is exercising authority. Then U. N. R. R. A. comes in upon the request of the military authorities.

Now it is calculated that only 10 percent of the relief required for the liberated areas will be provided by U. N. R. R. A. and 90 percent of the total cost will be provided by the governments themselves. Even the poorer countries, for instance, will provide 90 percent of their own relief.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield further?

Mr. BLOOM. I yield.

Mr. AUGUST H. ANDRESEN. Coming back to the first premise, that is, ratification by other countries, will the Congress of the United States be required to appropriate the money authorized in this resolution before the other countries ratify the agreement?

Mr. BLOOM. The answer is "No." The answer is "No."

Mr. AUGUST H. ANDRESEN. So all those other countries must first ratify the agreement?

Mr. BLOOM. Oh, no.

Mr. WADSWORTH. Will the gentleman yield to me?

Mr. BLOOM. I yield.

Mr. WADSWORTH. Perhaps in further elucidation of the subject, the agreement is now in operation. Some countries have already contributed or started their contribution. We have not as yet contributed. We do not have to contribute unless the Congress appropriates the money. There is no commital forced upon any of the 44 governments.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield further?

Mr. WADSWORTH. If this resolution should fail and the Congress refuse to authorize any appropriation for our participation, U. N. R. R. A. goes ahead without us.

Mr. AUGUST H. ANDRESEN. I do not want to be misunderstood. I am asking these questions not in opposition to the resolution, but I am asking for information. I would like to ask the gentleman from New York [Mr. BLOOM] this question: The gentleman states that certain countries, because they have dollar exchange in the United States, which are now occupied by the Nazis, will not get any benefits as long as they have dollar exchange in this country.

Mr. BLOOM. They will have to pay for it. If they get any relief they will have to pay for it out of what foreign exchange they may have, as long as they have the money. They get the relief benefits and everything else, but they have to pay for it. I should have said that they get no financial benefits out of it.

Mr. AUGUST H. ANDRESEN. Can any of those countries which have dollar exchange buy anything here in the United States, or in any other country, with that exchange that might be delivered to them outside of U. N. R. R. A.?

Mr. WADSWORTH. Will the gentleman yield?

Mr. BLOOM. I yield.

Mr. WADSWORTH. One of the purposes of this agreement is to prevent the countries that have money competing against each other in the world markets for supplies, and thus the country with the most money would get the most supplies and result in starving out a country with less money. Under this agreement all procurement of supplies must be with the approval of the joint organization which is charged with the duty of seeing to it that the available supplies are honestly and equally distributed, even though in many cases the country to be benefited will pay for it herself.

Mr. AUGUST H. ANDRESEN. In a case like Denmark or Norway, they might want to buy 50,000 milk cows here. Will they be permitted to do that outside of U. N. R. R. A.?

Mr. WADSWORTH. No.

Mr. AUGUST H. ANDRESEN. They might not get the cows then?

Mr. WADSWORTH. The resources of this country must be taken into consideration. If that request is recommended by U. N. R. R. A. it goes before a joint board of American officials including, for example, the War Food Administration, the War Production Board, and they will make a survey of the resources of this country. If they make up their minds that the request for purchase in the United States will exhaust or unduly strain our resources, the answer will be "No."

Mr. AUGUST H. ANDRESEN. Then U. N. R. R. A. will control all exports to those countries of essential and other commodities?

Mr. WADSWORTH. When the supplies are finally procured, wherever they are procured, anywhere in the world, their distribution will be seen to by the central organization charged with the duty of seeing that it is done fairly, and stop competition between nations.

Mr. DONDERO. Mr. Chairman, will the gentleman yield for a question?

Mr. BLOOM. I shall be glad to yield to the distinguished gentleman from Michigan.

Mr. DONDERO. Is this intended as permanent legislation?

Mr. BLOOM. Oh, no; no.

Mr. DONDERO. The gentleman from New York [Mr. WADSWORTH] has raised an interesting question by stating that if we do not approve this resolution, U. N. R. R. A. goes on without us. Does that mean that U. N. R. R. A. goes on without our contribution of 60 percent of the fund that is intended to be set up?

Mr. WADSWORTH. Yes; it does.

Mr. DONDERO. What authority will this country then have in this particular type of international agency, if we do not make any contribution to it or accept it?

Mr. WADSWORTH. None. To all intents and purposes we are out of it.

Mr. GEARHART. Will the gentleman yield?

Mr. BLOOM. I anticipate a constitutional question.

Mr. GEARHART. I have one.

Mr. BLOOM. Very well, I yield to the gentleman.

Mr. GEARHART. I would like to know just wherein a treaty, a copy of which appears in this joint resolution, but which so many Members like to call an executive agreement, differs from that type of international agreement which, under the Constitution of the United States, must be submitted to the Senate for its advice and consent.

Mr. BLOOM. I would say, as the gentleman certainly knows, that the difference between an agreement and a treaty is your opinion against mine, and my opinion against yours.

Mr. GEARHART. Oh, no.

Mr. BLOOM. I will say to the gentleman that the idea of embodying this agreement in the joint resolution originated in the Senate, which is the treaty-ratifying body. The ratifying body of treaties says that this is an executive agreement. The committee has already passed upon that, I believe. That is why it is here. I disagree with the gentleman in the statement that he made before with reference to the ratification of treaties, because that history is a long drawn-out history. My opinion is that this is 100 percent an agreement and not a treaty.

Mr. GEARHART. Now let us follow this a little further. The gentleman has said there is a difference between a treaty and an executive agreement, so-called.

Mr. BLOOM Yes.

Mr. GEARHART. Is not every international arrangement, whether you call it a treaty, a covenant, a convention or an executive agreement, just an agreement between nations?

Mr. BLOOM. You see when you come to an agreement between 44 different countries that are trying to do something, it depends upon so many different things that it does come more nearly to an agreement than to a treaty.

Mr. GEARHART. Now, what is the difference? That is what I am asking you. What is the distinction between an executive agreement which does not have to be ratified by the Senate, and a treaty which must be ratified and submitted to the Senate, under the Constitution of the United States? This body would like to know what is in the gentleman's mind. What is the distinction insofar as the gentleman is concerned?

Mr. BLOOM. No; what I would like to know is what is in the mind of the gentleman from California?

Mr. GEARHART. I should like to reach an understanding, too. I should like to tell the gentleman, if he does not know already, that there is not any distinction between an executive agreement and a treaty, because they are all international covenants; they are all international conventions; they are all international this or that, whatever you want to call them; they are all just agreements.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield to me? I should like to answer the question.

Mr. BLOOM. I yield.

Mr. LUTHER A. JOHNSON. I think the chairman was very correct when he wanted to know what there was in the gentleman's mind. If the gentleman says there is no difference between an agreement and a treaty, why all this hullabaloo?

Mr. GEARHART. That is just the point. Now, just answer that.

Mr. LUTHER A. JOHNSON. Let me call the gentleman's attention to this fact, that the State of Texas was admitted into the Union not by a treaty but by a joint resolution of Congress. Does the gentleman think it is a bad policy for the House of Representatives to legislate and to function with reference to these agreements? Or does the gentleman think that this House is unable to pass intelligently upon those matters, that all the wisdom is in the Senate of the United States? If he does not, what is he talking about?

Mr. GEARHART. I will tell the gentleman what I am talking about, and the gentleman seems to agree there is no difference.

Mr. LUTHER A. JOHNSON. I did not say that; I said the gentleman said so.

Mr. BLOOM. The gentleman from California said so; the gentleman from Texas did not.

Mr. GEARHART. All right; if there is no difference then they are all treaties, and that is exactly what I contend is true: Every international agreement is a treaty.

Mr. BLOOM. According to the gentleman's own words, if there is no difference—the gentleman says they are all treaties—I say if there is no difference they are all agreements.

Mr. GEARHART. That is the point. If there is no agreement then all such matters should be submitted to the Senate under the Constitution of the United States.

Mr. BLOOM. Let me say a word here, because I have the floor; but I will be liberal in yielding.

Mr. GEARHART. Just a minute; I should like to finish my statement. The gentleman should not cut me off.

Mr. BLOOM. I think I have been very liberal with the gentleman. The gentleman says there is no difference between an agreement and a treaty. Why not then call them all treaties?

Mr. GEARHART. That is right; call them all treaties and be honest.

Mr. BLOOM. Will the gentleman yield to me for a minute?

Mr. GEARHART. Yes.

Mr. BLOOM. If that be the case, the gentleman on his own statement says they are all treaties——

Mr. GEARHART. That is right.

Mr. BLOOM. Then does not the gentleman feel I have the right to say under his own contention that they are all agreements?

Mr. GEARHART. Yes.

Mr. BLOOM. Then they are all agreements; we agree.

Mr. GEARHART. Yes, that is exactly the point.

Mr. BLOOM. Mr. Chairman, I cannot yield further.

Mr. GEARHART. The gentleman from New York opened this thing up. He should not say for one minute that he wants to close the debate because the gentleman himself admitted the very point I wanted him to admit, that a treaty and an agreement, a covenant, and a convention, whatever you want to call an international arrangement, are all treaties.

Mr. BLOOM. I did not admit that; oh, I did not admit that.

Mr. GEARHART. Now, wait a minute.

Mr. BLOOM. I do not want the gentleman to say I admitted something I did not.

Mr. GEARHART. Let me finish my statement; I have not said that. What have we been asking each other?

Mr. BLOOM. That is what I should like to know.

Mr. GEARHART. All right; now, let us get this settled right now. I am leading up the point that any of them are treaties, any of them are agreements, any of them are covenants, any of them are conventions; and we use all those names.

Mr. BLOOM. Mr. Chairman, I do not feel I can yield further. I have used a good deal of time here and as yet no one on the other side has spoken. I think I have been very fair with the gentleman.

Mr. GEARHART. No, I do not think the gentleman has. The gentleman has interrupted me in the middle of every statement I have attempted to finish.

Mr. BLOOM. Because the gentleman will not let me answer him.

Mr. GEARHART. I ask to be allowed to make my statement.

Mr. BLOOM. Proceed.

Mr. GEARHART. Will the gentleman listen to me and allow me to complete my statement? I will be through in a minute.

Mr. BLOOM. Proceed.

Mr. GEARHART. When I say they are all treaties or they are all agreements I do not contend all of them have to be submitted to the Senate for ratification. There are three distinct classes of agreements: Those which are made by the President without the necessity of referring them to the Senate when he is carrying into execution a definite constitutional obligation imposed upon him by the Constitution of the United States; then there is a second kind of executive agreement that does not have to be submitted to the Senate, agreements which are entered into pursuant to a preceding congressional mandate; and a third kind is the kind of international agreement which we call a treaty which must be submitted to the Senate for ratification, and that is one which does not involve the first two considerations I have been pointing out.

This is a subterfuge. This bill is an attempt to bypass the Constitution. This is an attempt to nullify the Constitution by bringing international agreements into the classification of the first two I mentioned, one or the other.

That is all I wanted to say.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. Mr. Chairman, I refuse to yield until I get through making this statement; then I shall be pleased to yield.

Mr. Chairman, the gentleman has given his views with reference to the constitutionality of this legislation. There is no such thing as the constitutionality of anything.

Mr. MICHENER. What did the gentleman say?

Mr. BLOOM. The Supreme Court states that it does not rule on the constitutionality of any act. That is the decision of the Supreme Court of the United States. It rules on the validity of an act. I am not a lawyer but I think I have studied the Constitution. Any time anyone wants to have 10 rounds on that with me some other place I would be very glad to take him on. But the Supreme Court states that it rules on the validity of an act. It never says the "constitutionality" or the "unconstitutionality" of an act.

We have been debating House Joint Resolution 192. This subject matter was brought to us by the Senate Foreign Relations Committee. This reference had the approval of some of the best minds. If there had been any doubt as to the interpretation of the Constitution with reference to treaties and the ratification of treaties, certainly the Senate Foreign Relations Committee would not have submitted this to the Foreign Affairs Committee of the House. That is the source from which we got this matter; it was brought to us from the Senate. If the Senate says it is an agreement and it comes to us as an agreement I think we have the right to accept it as an agreement.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. To a member of the committee just for a question, yes; but I should like to go on.

Mr. MUNDT. I want the gentleman to yield for a statement.

Mr. BLOOM. For a statement, no. I will yield to the gentleman for a brief question.

Mr. MUNDT. But there is something I think I can clarify and certainly I believe the gentleman wants these points clarified as they come up and as we go along.

Mr. BLOOM. How much time does the gentleman want?

Mr. MUNDT. I wish to make just a very brief statement.

Mr. BLOOM. Very well; I yield to the gentleman briefly.

Mr. MUNDT. Let me say, Mr. Chairman, that I believe the gentleman from California [Mr. GEARHART] has a valid position in being disturbed in his thinking as to whether or not this is a treaty or an executive agreement. I believe, however, the chairman of the committee is correct in his statement that this is not the tribunal in which we can determine and settle the question of whether this is a treaty or an executive agreement. The tribunal which must in the final analysis determine that aspect of it is the United States Senate.

If the Senate chooses, even though unfortunately and unwisely in our opinion, to vacate its traditional jurisdiction over this bill from the standpoint of whether it is a treaty or an executive agreement it is not within the power of the House to insist that the Senate measure up to what we might consider to be its proper prerogatives. If the Senate or its Foreign Relations Committee chooses, even though we consider such a choice regrettable, to consider compacts such as this with foreign countries as executive agreements rather than treaties, this body and this House cannot, I am sure, do anything to compel the Senate to decide differently.

There were times in the history of this Republic when the great Senate of the United States was very jealous of its treaty-ratifying power, and when Senators, individually and collectively, insisted on the power of that body to participate in the drawing and ratifying of agreements with other countries by the special majority vote provided in the Constitution of the United States. Such may or may not be the case today, but it seems apparent that it is for the Senate to decide whether it is to vacate this authority and waive this right or whether it has satisfied itself that agreements of this type do not come under the classification of treaties.

Our job in the House is limited as I see it to the functions which definitely repose in the House of Representatives, and that is in the matter of making appropriations for the implementing of such foreign agreements as we approve of whether they be treaties or executive agreements.

When I discuss this in my time tomorrow, I hope to point out reasons why it is therefore doubly important that we scan this legislation from the standpoint of an appropriation and our direct relationship to it. As to whether it is a treaty or executive agreement, I believe the chairman of the Committee on Foreign Affairs is correct in saying that is something which must be determined by the membership of the Senate, and though we might like to have them consider it a certain way, if they refuse to do so or vacate their rights, there is nothing we can do about it.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. BLOOM. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. The distinguished chairman of the Committee on Foreign Affairs has stated that this is not permanent legislation; it is only temporary.

Mr. BLOOM. Yes; that is right.

Mr. ROBSION of Kentucky. What is there in the bill itself that defines it that way?

Mr. BLOOM. After 6 months' notice our Government can withdraw.

Mr. ROBSION of Kentucky. I have not seen that in the bill.

Mr. BLOOM. Well, it is there.

Mr. ROBSION of Kentucky. I understand it is in an agreement, but is it in the bill itself?

Mr. BLOOM. It is in the agreement. It is not in the bill.

Mr. ROBSION of Kentucky. The agreement is in the bill and this limitation is in the agreement?

Mr. BLOOM. Yes.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. BLOOM. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. What makes this legislation temporary is the limitation upon the amount. When the amount of the authorization is used up, that is the end of the act. Unfortunately there is a probability that we may at some time use the full limitation on the amount.

Mr. BLOOM. There is a 6 months' provision. In the agreement there is the provision that we can withdraw after 6 months. On page 14, line 16, it is stated:

> Any member government may give notice of withdrawal from the Administration at any time after the expiration of 6 months from the entry into force of the agreement for that government.

Mr. DEWEY. Will the gentleman yield?

Mr. BLOOM. I yield to the gentleman from Illinois.

Mr. DEWEY. I want to refer to the joint resolution, No. 192, article III, which reads as follows:

> Each member government shall name one representative and such alternates as may be necessary upon the Council of the United Nations Relief and Rehabilitation Administration which shall the policy-making body of the Administration.

Later I hope to have the time to speak in regard to the rehabilitation features of House Joint Resolution 192. I have in my mind the United Nations Relief and Rehabilitation Journal, first session, Resolution 12 of that session having to do with matters of rehabilitation. Paragraph 11 reads:

> The task of rehabilitation must not be considered as the beginning of reconstruction—it is coterminous with relief.

I would like to clarify that one word "coterminous," because the argument that I may have the privilege of presenting to this body will revolve about the matter and subject of rehabilitation. I have looked it up in the dictionary here in the House the word "coterminous." There is a word "coterminous" and a reference to "conterminous." The definition of "coterminous" is as follows:

> Conterminous; specifically, biology, of groups of organisms, coextensive.

Now, then, I looked up the word "conterminous" and the definition is as follows:

> Having a common boundary. Having the same bounds or limit; coextensive in space, time, or range; having the same ending.

The synonyms are, "adjacent, near, close, neighboring, bordering, immediate, touching, contiguous."

Mr. BLOOM. Mr. Chairman, I would like to have the gentleman ask his question.

Mr. DEWEY. I am getting to it. This is not a frivolous matter because I asked the same question directly in a meeting of the Foreign Affairs Committee when it was said that rehabilitation was coterminous with relief, and I understood it was stated that it stopped at the same time as did relief, but the word itself has nothing to do with arrested motion. It delimits something, and it might mean that rehabilitation and relief may be of the same size. I would like to make a record now of my understanding in the committee that it means what I said.

Mr. BLOOM. The gentleman is worried about the word "rehabilitation." The thought just occurs to me that the Veterans' Administration from the beginning has used the word "rehabilitation" to describe temporary benefits extended to veterans.

Mr. DEWEY. I am talking about "coterminous" and "conterminous."

Mr. BLOOM. I know what the gentleman is talking about, but I am trying to get the gentleman to understand what I am talking about.

You can talk about rehabilitation and define it in so many different ways that you might scare someone. I may say to the gentleman that this legislation in no way goes into the thought of reconstruction. The provision on page 3 involves food, fuel, clothing, shelter, and other basic necessities, medical and other essential services. In the matter of rehabilitation, or anything that comes within that scope, the work of U. N. R. R. A. is strictly limited to facilitation of the relief work. But this does not in any way go into the term "reconstruction."

Mr. DEWEY. Mr. Chairman, I have asked a question and I would like to have it answered because I hope to have some time of my own.

Mr. BLOOM. To answer the gentleman from Illinois [Mr. DEWEY] if the gentleman is looking for an answer with reference to "reconstruction" and "rehabilitation" or the dividing line between the two, why, of course, I have not the time to answer it because the gentleman has looked up the dictionary.

Mr. DEWEY. Will the gentleman permit me to interrupt? I am not seeking in any way to cause a delay of the discussion, but this does use one word which I understood meant "stop," that rehabilitation would stop with relief, and the word "coterminous" is used. Now, "coterminous" does not mean "stop." If it is the gentleman's opinion that coterminous means stop, I am satisfied and I shall stop.

Mr. RICHARDS. Will the gentleman yield?

Mr. BLOOM. I yield to the gentleman from South Carolina.

Mr. RICHARDS. May I say it is my understanding that everybody on the committee interpreted the word just as the gentleman did in its application to this bill.

Mr. DEWEY. Despite the application and general usage, as shown by the dictionary?

Mr. RICHARDS. That is correct; yes.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. I will yield just for a question to the gentlewoman from Massachusetts, then I decline to yield further. I must get through.

Mrs. ROGERS of Massachusetts. I think that this is important.

Mr. BLOOM. Otherwise I would not have yielded to the gentlewoman. I know it is important.

Mrs. ROGERS of Massachusetts. It is important because the administration today in connection with the reconstruction or change-over of buildings is using the word "rehabilitation" for building.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. No.

Mr. CURTIS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Will the gentleman from New York yield to the gentleman from Nebraska?

Mr. BLOOM. All right; I will yield.

Mr. MASON. The rest of us can do that, too.

Mr. BLOOM. All right, I will yield to the gentleman, too.

The CHAIRMAN. Does the gentleman from Nebraska withdraw his point of order?

Mr. CURTIS. I withdraw the point of order, Mr. Chairman.

I should like to ask the chairman of the committee a question. Is it not true that the central committee of the U. N. R. R. A. is made up of four members, China, Russia, Great Britain, and the United States, and by a majority vote they can prevent the financial reports of U. N. R. R. A. from being published?

Mr. BLOOM. The last part of it, no; but the first part of it, yes. It is in the agreement.

Mr. CURTIS. Then will the gentleman explain to me lines 12 to 15 on page 11, where it is stated:

> The reports shall be made public except for such portions as the central committee may consider it necessary, in the interest of the United Nations, to keep confidential.

Mr. BLOOM. I will try to answer that in as brief a time as I can. Under the agreement the central committee is made up, as the gentleman has said, of four nations—China, Soviet Russia, the United States, and Great Britain. The council is made up of 44 nations. As to the report that the gentleman speaks of, I am going to answer his question, but I am first going to give him a picture. There are four countries there. There are England, the United States, China, and Russia. If those four countries get up a report, I think the Congress will be satisfied with it. I would like also to refer the gentleman to the provisions contained in the first few lines on page 15 of the joint resolution.

Mr. CURTIS. But three of them can keep the report away from the nation that furnishes 60 percent of the money; is not that true?

Mr. BLOOM. I do not know.

Mr. CURTIS. I did not ask, Would they do it? I asked, Could they do it?

Mr. BLOOM. No.

Mr. CURTIS. They could not do it.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. I yield to the gentleman from Illinois.

Mr. MASON. I have a question that I really want to get answered, and it is very plain.

Mr. BLOOM. I shall be delighted to try to answer it.

Mr. MASON. The text of the U. N. R. R. A. agreement, as printed in the bill, regardless of whether it is a treaty or an agreement, if this resolution is passed by the Congress and adopted, then becomes a substantive part of the law, and whether it is a treaty or an agreement it is then approved by the Congress. Is not that right?

Mr. BLOOM. That is right.

Mr. Chairman, the preamble, as we shall call it, of the report written by the committee, tells the story, and it reads as follows:

> This war is causing great suffering. America has always heeded the call of human suffering. America has a genius for organization. This genius, applied to this great human need, has resulted in the community fund system throughout the United States. The United Nations Relief and Rehabilitation Administration is an international organization, developed on the principles of the American community fund system, to relieve human suffering caused by war. The characteristic elements are there; each member's contribution is voluntary, yet through organization the human needs are analyzed, the means to meet the needs are allocated, and the value of each contribution is thus enhanced. The U. N. R. R. A. is the community fund of the United Nations.

I would also like to call attention to the conclusion in the report, which reads as follows:

> United States participation in the work of the U. N. R. R. A. is essential, if the United States is to carry out in the field of international action those responsibilities of world leadership which are imposed upon us by the deepest interests of the security and prosperity of the United States. The need for the U. N. R. R. A. is evident. The wake of human misery left by the German and Japanese war machines requires international action as a matter of necessity, as well as of humanity. The problems presented are international problems—the marshaling of available world supplies; the working out of agreements as to common standards for relief among the liberated areas; the establishing of reserves of supplies available for use in whatever areas may be liberated first; the prevention of competitive scrambling for limited relief and rehabilitation supplies in the world markets; and the provision for and control of the movement of displaced persons. International action is essential if the liberated peoples are to be put in position to help themselves. They must be given that additional strength which will enable them to go forward with us in the task of economic reconstruction and the building of a durable peace.

I also specifically call attention to the fact that the Committee on Foreign Affairs put a limit of $1,350,000,000 on the authorization, and then wrote a new section that was not in the joint resolution at the time, section 3. Section 3 gives the full understanding of the Committee on Foreign Affairs as to what this resolution calls for in the way of rehabilitation.

Therefore, I call the attention of the committee to the fact that the Committee on Foreign Affairs has taken every precautionary measure to safeguard the money whose appropriation will be authorized by this legislation, and to see that it is properly expended.

Mr. VORYS of Ohio. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, America is always ready to help in the relief of human suffering, and Congress has repeatedly appropriated money, taxpayers' money, if you please, for the relief of human suffering in other countries all over the world, in great disasters and after wars.

There is no question but that the American people are going to do their share in taking care of the helpless, guiltless women and children, the victims of war, who are starving and naked and sick and homeless. The question is how to do it.

There are three ways we might go at it. One way would be to go it alone, until our generosity ran out. We might help much in meeting the real problem, but we would get credit for what we did. That was the old-fashioned Lady Bountiful method, a method which the Pharisees of the Bible adopted in giving alms, but it has somewhat gone out of style.

The second way would be to get up a world superstate and have that world superstate pass a law to assess every nation for relief. Perhaps Mr. WALLACE and some others in this town and over the world may want that plan, but that is not my idea.

The third way would be the American community-fund idea, where there are voluntary contributions, but a suggested quota for each member is made by the organization. You analyze the needs, set up an "asking budget," and then allocate the means to meet the needs so as to go as far as possible. It is as American as pumpkin pie, and it is the basis of U. N. R. R. A.

I intend to speak something about the organization and financial plan here, but I want to do one thing first. I want to beg of you all to read this bill that contains the full agreement, and to read the resolutions on policy adopted at Atlantic City by the Council of U. N. R. R. A., appendix 1, pages 295 to 328 of the hearings before you.

You cannot understand about U. N. R. R. A. without the labor of reading what it is about. Carlyle in Sartor Resartus had a character, a professor, Teufelsdröuckh, who was a professor of things in general, and we have a few of those in the Congress here, who know everything about everything, but I think most of you will not be able to understand this great, elaborate, detail mechanism by merely closing your eyes and taking a deep breath. You have got to study, and you may make a grave mistake if you vote on this without knowing what it is and what it is not.

First, as to the organization, there are 44 nations, grouped like this: There is the Big Four and 19 American republics, and then 9 European refugee governments and 6 governments that are a part of the British Empire, and then there are 6 consisting of Ethiopia and Liberia in Africa, Iceland, the Philippines, Iraq, and Iran. That is the way the thing is set up. Complaint was made, I understand, at Atlantic City, that with 20 American republics usually voting together, and with Liberia and the Philippines following along with the United States, and

with the United States having the Director, that our country had control of U. N. R. R. A. I confess that while that complaint may or may not be justified, I do not feel terribly ashamed that my country is the dominant, if not the dominating, member of U. N. R. R. A.

The agreement, section III, provides for the Central Committee, the Big Four, and they take charge between the council meetings. Section IV provides for the executive, the Director General, who is nominated by the unanimous action of the Big Four. Section VIII provides for amendment and provides that there cannot be any change in articles III and IV without the unanimous consent of the Big Four. Section VIII further provides that no new obligations can be voted on any country without that country's consent.

In view of these provisions those people who say and who fear that this agreement in this bill takes away the power of the United States to govern itself, are seeing spooks in the dark, and I respectfully submit are talking through their hats.

We have had much discussion of executive agreements and treaties. I might mention that this Government's Chief Executive has made about 1,000 executive agreements in our history, most of them before the New Deal was ever heard of. I think the New Deal has used executive agreements, without congressional authority before or after, in a reckless manner, but in this instance this executive agreement has been passed on by a number of constitutional lawyers in both the House and Senate, and is here for authorization from Congress, so that it may be provided with the wherewithal, the money, to go forward. Therefore, any further debate about its nature is futile. Congress can authorize executive agreements. It has in the past a long series of them, for instance, in our international postal laws, and trademark laws, and boundary-dispute agreements, and many others. It seems to me that this device of having the Executive enter into agreements, which are clearly within his province, as this one is, to carry on an executive function, and then submit the thing in toto to the Congress for the authorization of the money for activities under it—that that mechanism eliminates any constitutional questions either in the strict sense, or in the spirit of the Constitution, which depends upon collaboration and teamwork between the Executive and the Congress.

Now, on the financial plane, as has been said today, but not mentioned earlier in the newspapers, the world-wide relief problem of taking care of the war-stricken areas is, as far as anybody can now estimate, about a $20,000,000,000 problem, not a $2,000,000,000 problem. The United States is called upon to contribute not 60 to 65 percent of $20,000,000,000, but 6 percent of this total. Payment for most of the supplies and materials is going to come from the countries where the people needing relief live. It is the basis of U. N. R. R. A. that we are going to help people help themselves, and the mechanism of allocation of supplies and securing materials is designed for that purpose.

We come now to the 1-percent proposition. Why was the national income chosen as the yardstick? They tried out a lot of others—exports, the number of people, the size of territory—but none of them was nearly as satisfactory and as fair a measurement of the ability of a country to "kick in" as its national income. Why was 1943 chosen? Because when you are choosing ability to pay, you better pick the time when you are going to make the payment, or near that time. That yardstick, no matter whether our income has advanced more than other countries or not, is fair so long as you take the same proportion of each country's national income, because the same percentage of each man's income, or each country's income, fairly approximates ability to pay.

Each country gets to measure its own national income. Remember, this is all voluntary. I have been inquiring into that, to find out whether the standards over the world are about the same as ours. I find that ours is conservative, and that the other countries follow about the same standard. Also I find that certain countries are making ready to put in more than perhaps our figures might show for them. You wonder why? Well, there is going to be some sort of reconstruction mechanism developed and if any country cuts down its participation in U. N. R. R. A. in order to save money, it will then be faced by that small amount as being its proper proportion, when a bank, which will be a profitable institution to enter, is being created. So, we therefore have conflicting interests in each country which make them fairly anxious to do their part. But people say, Why is it that of those countries contributing—there cannot possibly be, under the rules, more than 30, and there may not be that many—why is it that of the unoccupied countries of the world, we contribute 60 to 65 percent of the total? And I certainly asked that question the first time I heard of it, because it came as a shock to me and a surprise, as it must to you, to realize that we are so overwhelmingly the richest country on earth.

When you have a community fund and go according to ability, then the richest giver makes the biggest contribution.

Now, there are many limitations upon U. N. R. R. A. Some of them are in these resolutions on policy which I beg of you to read. U. N. R. R. A. is not to be political and it is not to be for reconstruction, and I think we have gone over "coterminous" sufficiently to have you realize that we have incorporated in this law the language limiting this to relief as far as you can limit it to relief. If you are going to stick just to food, clothes, and shelter, what are you going to do about situations like this? Is it not cheaper to send seeds over there to have the people put in a crop for the next year than to feed them all this year and next year? Suppose it is cheaper to send some cloth over there and have them sew it up in a patched-up textile mill than to have the clothing made in our mills and shipped in our vessels? In those countries where they are going to have to have coal to keep from freezing, and I understand relief coal may amount to as much as 11,000,000 tons in these areas, it might be cheaper if we could find some means of rehabilitating some of their mines and patching them up so the people over there could dig their own coal. Is that not a better proposition than for us to load coal from the United States in American ships and take it over there? That is why you have to have something more here than merely provision for relief. It is limited as much as human language can limit it. They divide rehabilitation from construction or reconstruction. They say they are not trying to solve the world unemployment problem. If they stick to their language in performance they have made fair limitations.

I think there are two more limitations on the activity of U. N. R. R. A. It will not go into any area until the military say to come in. The disposition of the military will be to continue complete charge of an area until order and civilian economy is restored enough that they dare get out, rather than let U. N. R. R. A. in only partially. They will not take over until the military is through. Then if a reconstruction mechanism for borrowing money on safe terms for safe and sane reconstruction projects is erected, as I feel sure it must be, and our committee is shortly going into Mr. Dewey's proposal, there will be countries that rather than patch up a coal mine or patch up a factory or patch up a sewer system, will want to reconstruct it and will want to borrow money and go ahead with the long-term projects. Instead of turning to U. N. R. R. A. for limited repairs as required by the rules of U. N. R. R. A., and by the limitations which we ourselves here reinforced by section 3, they will go through the reconstruction mechanism and borrow money. It may be, and I hope and pray, as I know you do, that the field which U. N. R. R. A. will be forced to meet will be more limited than we think.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EATON. I yield 5 additional minutes to the gentleman from Ohio.

Mr. VORYS of Ohio. Of course, only God Almighty knows how long this planet is going to need war relief. You cannot budget human suffering. You can budget what you are going to do about it.

But I want to emphasize that this $1,350,000,000 is not an appropriation; it is not an obligation; it is a limitation. It is inconceivable that anything like that amount will be appropriated the first time. The rules of U. N. R. R. A. call for approximately proportionate calls on all contributing members, and when a call comes on us the Appropriations Committee will go to work and will examine it, and then we, the Congress, will see whether we will contribute. Congress will act. When they say, "We will need some more money," we will say, "What have you been doing?" We will look that over, and if Congress approves, we will say, "Well, we will contribute again." But Congress itself, if it passes this act,

cannot contribute over the 1 percent till another authorization bill goes through.

Now, as to the personnel, I feel that former President Hoover should have been made head of the U. N. R. R. A. However, I am forced to confess that although starting out with a prejudice against Governor Lehman, after I heard him talk and I talked to him myself, and when I read his words which you have before you, I was convinced of his high purpose and of his determination to hold this thing to a practical basis and to carry out this motto of his not to put these people on a W. P. A., but to "help them to help themselves." I think Assistant Secretary Acheson, our member of the council, efficient, intelligent, tactful, hard-working, with a broad grasp of this problem, has done a good job and will do a good job.

I have criticisms of U. N. R. R. A., not in the international field, but in the domestic handling. I do not want to see this handled as a blank-check appropriation to the President. I want to see it go to the State Department or the Treasury Department or some old-line statutory department, instead of the F. E. A., a 4-month-old war baby born of an Executive order, which I want to see liquidated, rather than perpetuated, when the war is over.

But while I may criticize, while this is not perfect, while changes may be needed, while it may even fail, it is our responsibility to give it a chance. For 5 years I have been arguing for more cooperation between the Executive and Congress. And now we have got it. Some of those who, with me, complained that the Executive was ignoring Congress, now that this thing is presented to us and Congress was being consulted, are now complaining that the Executive is trying to put us on the spot. Well, brethren, you are on the spot with U. N. R. R. A. This, the first formal working post-war organization for a specific purpose with limited powers, by its very terms is dependent upon your action to succeed and to go forward. It is unthinkable to me that you are going to refuse, by your vote, to give this American-type project a chance to try to help the war-stricken people of the world.

Mr. MARTIN of Iowa. Will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. MARTIN of Iowa. I would like to ask regarding the determination of 1943 as the base year, was the year 1943 adopted as the base year for an indefinite period of time ahead or was it to be changed always to the nearest year?

Mr. VORYS of Ohio. This is the only suggestion for any contribution to U. N. R. R. A. forever so far as U N. R. R. A. has ever asked for any, and so far as our laws provide. There are those who think U. N. R. R. A. will not get by with this money and will have to come back. I think if they do it wisely they may get through on this. But there is not any repetition of annual contributions. This is supposed to be once and for all.

Mr. MARTIN of Iowa. Was there any effort to arrive at any other year than 1943 on any other basis?

Mr. VORYS of Ohio. I understand that they argued over a dozen or a score of different formulas, different years, and so forth, and came to the conclusion finally that national income was a fair figure and the national income of the year in which you started to pay was fair.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EATON. I yield 3 additional minutes to the gentleman from Ohio.

Mr. MASON. Will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. MASON. I want to ask the gentleman the same question as I asked the chairman of the committee. The fact that the text, you might say, of U. N. R. R. A. is incorporated in this bill, whether it is an agreement or whether it is a treaty makes no difference, if this resolution is passed, then does that mean that that text is adopted as a part of the substantive law of this land?

Mr. VORYS of Ohio. In my opinion, it is not. It is no more a part of the substantive law than if the Lord's Prayer, or some other document, were quoted in a statute. It appears in the text, it is there, but it is not a part of the substantive law. I am of the opinion it cannot even be amended on this floor, because we cannot amend documents that, in fact, exist some place else and where what is before us only purports to be a copy.

Mr. MASON. Then you say it is just included for our information and enlightenment?

Mr. VORYS of Ohio. Yes.

Mr. HANCOCK. Will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. HANCOCK. We have some great humanitarian institutions in this country, such as the American Red Cross, China Relief, Greek Relief, which extend relief to distressed peoples of Europe, Asia, and Africa. Will their activities abroad be brought to an end if this resolution is passed?

Mr. VORYS of Ohio. No; they will cooperate with U. N. R. R. A. Practically all of the important ones were represented at Atlantic City by observers and were members of the American delegation. I know, for instance, that the American Red Cross support this. I went to them months ago and said, "Why do you not take on this job? I will help get a bill through to do it." They said, "Frankly, this is too big a job for us. The way to do is to have this type of organization and we will work with and through and under them."

Mr. HANCOCK. And U. N. R. R. A. has the approval and the support of such organizations?

Mr. VORYS of Ohio. Yes; they were present at the council meeting.

Mr. SMITH of Ohio. I would like to ask the gentleman with reference to the words on page 7, "Member government," to what and to whom does that refer, as respects the United States?

Mr. VORYS of Ohio. There is a definition of "Member government" earlier in the resolution, on page 5, at the top of the page, but that refers to the United States, and to the President signing as the Chief Executive signs for us. However, as has been said repeatedly, nothing happens as far as our money is concerned, until the appropriations are authorized. We have assurance that nothing has happened so far; no American supplies have been allocated. I may disagree with my distinguished colleague from New York [Mr. WADSWORTH]. U. N. R. R. A. may be technically in existence now, but I feel that if the United States does not contribute and go forward, the whole thing will fail. The fate of this whole relief project rests in our hands.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. VORYS] has expired.

Mr. EATON. Mr. Chairman, I yield 15 minutes to the gentleman from Illinois [Mr. DEWEY].

Mr. DEWEY. Mr. Chairman, I would like to say in advance that I am in full sympathy with the purposes of U. N. R. R. A. I have seen after the last war, the difficulties that have existed in the devastated countries of Europe, over which the battles have been fought, and the terrible condition of the people and the terrible problems that faced them. I feel that we can give of our wealth. Even if we have to tighten our belts, we can give of our surplus to help these war-devastated people in food, medicine, and clothing. In fact, to a certain extent, start them toward self-support by an opportunity to obtain their own livelihoods.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. I yield to the gentleman from California.

Mr. HINSHAW. I think it should be stated at this point that the gentleman from Illinois [Mr. DEWEY] was financial adviser to Poland following the last war, and had much to do with the reconstruction of that great country.

Mr. DEWEY. I thank my colleague from California.

I studied this resolution with great seriousness when it first came to my attention, as well as the agreements that were being entered into in Atlantic City. I am perfectly free to confess that I was troubled by one item that has been discussed here on the floor by some of the Members. That is the matter of rehabilitation contained in the title "United Nations Relief and Rehabilitation Administration." I have questioned some of the officers of the executive department to ascertain from them what was meant by "rehabilitation," and just how far rehabilitation might be carried. I was assued by them that rehabilitation, as they conceived it, meant only doing that which was necessary to make relief effective.

I agree that those things will have to be done, but pressure to do more will be asked of us after the war in those coun-

tries of the Old World. We also may suspect that international politics may play a part, and as we are only one member of the four members of the Central Council, pressure may be placed upon us to go further, and to make commitments further than we here in the United States had originally contemplated. Hence, I have given particular attention to the rehabilitation work of the United Nations Relief and Rehabilitation Administration.

I appeared, thanks to the courtesy of the chairman, before the Foreign Affairs Committee. Later I would like to query him on a point then agreed to. I appeared before the Committee on Foreign Affairs with House Joint Resolution 207, of which I am the author. That resolution took up the matter of rehabilitation in collaboration with U. N. R. R. A. and carried it forward from the point where relief would stop.

Earlier in the session I laid particular stress on the word "coterminous," because I wanted to have it in the record that "coterminous" meant "stop." It is stated in section 12 of the first session of the U. N. R. R. A. council proceedings that rehabilitation would be coterminous with relief. But we are going to have many cases where it cannot possibly stop with relief. As an example we have the matter of displaced people. First, they will be fed where they are found, but later they will have to be brought back to their native lands. But when they are brought back there it will be a matter of feeding them again if we do not give them some housing and some means of livelihood.

Now, that is probably where rehabilitation would start under the provisions of House Joint Resolution 207.

As I have said, I appeared before the Committee on Foreign Affairs with the intention of offering House Joint Resolution 207 as an amendment to House Joint Resolution 192, which is now under consideration. I was asked by members of the administration, particularly Mr. Dean Acheson, Assistant Secretary of State, not to press it as an amendment for fear it might cause delay in the passage of House Joint Resolution 192; might cause the bringing in of discussions and other considerations. So I agreed I would not press for an amendment at this time, provided that immediate hearings would be held on House Joint Resolution 207, when House Joint Resolution 192 had been disposed of.

Now I want to ask the chairman this question: I shall stand by my word and not offer House Joint Resolution 207 as an amendment, but I understand, Mr. Chairman, that you will have hearings on it as soon as this bill is disposed of, and I would like to suggest within 2 weeks. I yield to the gentleman from New York for an answer to my question.

Mr. BLOOM. I call the gentleman's attention to the fact that page 3, the last line of the report, reads as follows:

Representative DEWEY, of Illinois, appeared and proposed House Joint Resolution 207 as an amendment to House Joint Resolution 192. He withdrew his suggestion however on receiving definite assurance from the chairman that hearings would be held on House Joint Resolution 207 after action was completed on House Joint Resolution 192.

Mr. Chairman, if the gentleman from Illinois can tell me when we shall be able to get through, get House Joint Resolution 192 out of the way, I will be able to tell him when we will proceed on his resolution.

Mr. DEWEY. I want more assurance than that because "after" is a long while. I am ready and would like to appear within 3 weeks from today.

Mr. BLOOM. Oh, no. I think I have been very fair right from the start. I believe the gentleman from Illinois will admit that. I am ready to go on the moment we get U. N. R. R. A. out of the way so there will not be any conflict, for our time will be taken up between now and then; we might be in conference for a long time mornings. I can assure the gentleman that the committee intends to take it up immediately after U. N. R. R. A. is out of the way.

Mr. DEWEY. "Out of the way." By that does the gentleman mean after the other body has acted on it? Does he mean after the Committee on Appropriations has acted? That might be 3 or 4 months.

Mr. BLOOM. "Out of the way," so far as action by the House and Senate are concerned and it is on its way to the President. The question of appropriation is another thing.

Mr. DEWEY. Why could we not have earlier hearings on House Joint Resolution 207? I am standing by my word.

Mr. BLOOM. So am I.

Mr. DEWEY. I have only one chance of offering it as an amendment to this bill, and that will be tomorrow, or Monday, or whenever the bill is read for amendment. I want a little more definite commitment as to the time I will be before the gentlemen's committee. The Senate might consider the matter for many days.

Mr. JARMAN. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. I yield.

Mr. JARMAN. If the gentleman wants more assurance than he has been given, why not let him offer it as an amendment?

Mr. DEWEY. Would the gentleman like to have me offer it as an amendment?

Mr. JARMAN. If the gentleman is not satisfied with the chairman's statement.

Mr. DEWEY. If the gentleman wishes me to offer it as an amendment, I will take him up. I have given my word. And I tell the gentleman that if I offer it as an amendment, I will have plenty of backing for it.

Mr. JARMAN. The chairman of the committee has given his word.

Mr. BLOOM. I have given my word; I have even put it in the report.

Mr. DEWEY. I want to deal with this just as I want to deal with "coterminous," I want to delimit "afterwards."

Mr. BLOOM. I put "co-terminus" in this. Co-terminus, concurrent—I will do anything the gentleman wants, but if there is any Member of either branch of this Congress who can say definitely when legislation will pass or will not pass it is a wonder. I say that as soon as the Senate concludes its consideration of this bill and it is on its way to the President, immediately after that I will send the gentleman a special invitation to appear, I will come and get him myself and bring him over there and we will have a nice meeting on his resolution. I cannot do any more than that. To say a specific date I cannot.

Mr. DEWEY. I will take the gentleman's commitment, and if I may proceed now——

Mr. BLOOM. The gentleman may proceed; he started this; I did not.

Mr. DEWEY. Yes; but I always like to sign, seal, and deliver matters that pertain to legislation and when I am handling other people's money.

House Joint Resolution 207 sets up a well understood, American way of doing business, and that is by joint account. It is an old custom here in this country of ours.

When people wish to enter into an engagement to do something beyond their personal means they get around them some friends, discuss the subject, and then once having complete knowledge of it one takes one share, we will say one-half interest, another takes a quarter of an interest, and the third takes the last quarter. They all enter on the same basis. The matter is perfectly understood. On the other hand, I have had some experience and I fear the complications of these large organizations, world-wide in scope.

We know today that the first two provisions of the Atlantic Charter, having to do with territories, have been breached. We know that the "four freedoms" better have a fifth one added—freedom from suspicion. When we are dealing with other nations I think it is a good thing for us to have a body or group that will meet the representatives of those countries on an equal basis, take up each project as it may be presented, and discuss it, and if advisable, go along with them. I give you as an example, let us say, our good friend Greece. It may be the first country that will be evacuated of the Axis troops. Then they will want to have rehabilitation probably going much further than could be done by U. N. R. R. A. What would happen? Probably the Greek authorities would outline a plan. They might then call in the authorities from Russia, from England, probably the Turks would like to take part, the French, and ourselves. The Greek program would be considered as an individual project and be accepted or rejected on its merits.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. EATON. Mr. Chairman, I yield 3 additional minutes to the gentleman from Illinois.

Mr. DEWEY. I have provided in House Joint Resolution 207 for an administrative body and a fund, a revolving fund, to be used for rehabilitation

purposes. The money for the revolving fund will be appropriated from the stabilization fund now under the jurisdiction of the President and the Secretary of the Treasury. It will cost the American people nothing for the simple reason that the stabilization fund was developed by increasing the value of gold from $20 an ounce to $35. Supervising that fund as a board of directors will be two members appointed from the State Department, the Treasury Department, the Reconstruction Finance Corporation, the Federal Reserve Board, two Senators, and two Congressmen. A chairman of that board of directors will be appointed by the President, who will be empowered to meet the representatives of foreign countries on these matters of rehabilitation. If this kind of organization is carried out it will serve as a "stopgap" between the period when relief stops and more permanent reconstruction comes in. It will do away with the dangers that are foreseen by some of the speakers here of setting up knitting mills, complete railroad systems, public-utility systems out of U. N. R. R. A. funds wherein we would lose control and where we, as one of the members of a council of four, would have only one vote. The U. N. R. R. A. administration could stick to the provisions of U. N. R. R. A., which is only to do rehabilitation as far as is necessary to carry out relief and turn over to the central reconstruction fund provided in House Joint Resolution 207 those matters of greater rehabilitation and do them in the American way on joint account with other nations well disposed on an equal basis, and all to have an opportunity to study each subject as it may arise.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. I yield to the distinguished gentleman from Texas.

Mr. LUTHER A. JOHNSON. As I understand the gentleman's position he is not opposed to the present bill, but the plan provided for under his bill would begin when this plan ends; in other words it supplements the work of U. N. R. R. A.

Mr. DEWEY. It does not begin when this plan ends but it supplements this plan during its life.

Mr. LUTHER A. JOHNSON. And it is a different field of work.

Mr. DEWEY. It is a broader field of rehabilitation based on carefully worked out programs.

Mr. STEARNS of New Hampshire. Mr. Chairman, will the gentleman yield?

Mr. DEWEY. I am glad to yield to the distinguished gentleman from New Hampshire.

Mr. STEARNS of New Hampshire. Following the point just brought out by the gentleman from Texas, the gentleman from Illinois has referred repeatedly to the possibility that the American members of U. N. R. R. A. might be overridden and that rehabilitation might go beyond anything he has been assured is the intention.

Mr. DEWEY. That is the fear.

Mr. STEARNS of New Hampshire. It is to be remembered all the time that this is an authorization bill, not an appropriation bill, that the Congress keeps control over the funds, it would have reports, and if at any time it is felt by the Congress that they were going beyond the powers laid down by this law, it is always possible to check the appropriations.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EATON. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. DEWEY. I may say in answer to the gentleman from New Hampshire that there is always the danger of commitments. There are always dangers in operating great undertakings such as this with 44 other nations that one might build the front steps of an edifice, then come back to the Congress and say, "We made the commitment to build the edifice itself." This would take care of all such matters.

Mr. STEARNS of New Hampshire. Of course, there is danger in walking down Pennsylvania Avenue.

Mr. DEWEY. Yes; but the dangers of foreign commitments are well known in our experiences in foreign matters after the last war.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLOOM. Mr. Chairman, I yield 20 minutes to the gentleman from Alabama [Mr. JARMAN].

Mr. JARMAN. Mr. Chairman, throughout the history of this country it has been but natural, because of the benevolent, charitable, humanitarian and Christian disposition of our people, to gladly answer calls for relief by suffering people. It commenced as far as my memory goes back, in the little town where I was reared, when a widow and her children were suffering, someone who was dependent on a salary had become injured or a transient came in and was without means of support, one or more public-spirited citizens went about among the people and took up a collection for the relief of that specific sufferer. Later that attitude on the part of the people in my little town and your little town resulted in the Community Chest idea, whereby, instead of indulging in collections for every specific need, we contribute annually to an organization which has personnel experienced in distributing these funds. When the need arises the funds are available.

America has not confined its contributions for relief to its own towns. Back in the last World War we remember the relief in Belgium, in the 1940 unpleasantness we contributed generously toward Finnish relief, and in recent years toward the alleviation of the suffering of Greeks, Chinese, and other suffering humanity. In the meantime, those excellent organizations, the Red Cross, the Salvation Army, and so forth, have been with us. During the last war, as has been indicated, America contributed approximately $2,600,000,000 for relief, which, incidentally, was approximately 4 percent of its national income at that time as contrasted with the 1 percent of our present national income which is requested and proposed in the pending resolution.

If the need back yonder, in my and your little town, for that widow and her children was great, if the need of Belgium in the other war was great, and the need in Finland in 1940 and in Greece and China and the other countries now is great, I say to you that I fear very much those needs will all but fade into insignificance when compared with the necessities which will exist, which do exist now, as a matter of fact, in the liberated countries, and which will exist in many others after this war is over.

Mr. ELSTON of Ohio. Will the gentleman yield?

Mr. JARMAN. I gladly yield to my friend the gentleman from Ohio.

Mr. ELSTON of Ohio. Does the gentleman recognize that the administration of foreign relief after the last war was very efficiently performed under the direction of Herbert Hoover?

Mr. JARMAN. That is quite correct.

Mr. ELSTON of Ohio. By a very simple method?

Mr. JARMAN. That is correct.

Mr. ELSTON of Ohio. Does the gentleman know of any reason why the same simple method could not be employed now in the administration of relief throughout the world?

Mr. LUTHER A. JOHNSON. Will the gentleman yield?

Mr. JARMAN. I gladly yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. May I suggest that we spent for relief at the end of the last war over $3,000,000,000? The hope is that by organizing in advance for this situation that is coming up and getting the other countries to contribute we might thereby lessen the amount of our contribution and at the same time have the other countries go along with us. That is the reason we are acting before the war ends rather than wait until it ends, as we did before.

Mr. JARMAN. That is one reason. There are others, some of which have been stated.

The situation which will confront us after this war is not the little problem that existed in my town of Livingston, Ala., consisting of a thousand people back yonder, with a widow and several children, it is not a problem that Alabama or Ohio or America or Finland or Greece could very well care for alone, because there is not only the financial phase of it, there are various other grave problems with which we will be confronted. It is an international problem, that is a United Nations problem, not only from a financial standpoint, but also for other reasons. Relief supplies are going to be scarce. It must be internationally or United Nations supervised, as has been said, to prevent the country which has a large foreign exchange in gold from gobbling up all of the supplies. There must be an evenness of relief in the different countries as far as is possible. There is the care for and transportation of the displaced persons, who are now roaming all over Europe, more or less, back to their countries.

Those are several reasons why it is a different situation and must be handled differently, in addition to the one the

distinguished gentleman from Texas mentioned.

What is the alternative? Two or three. We do not have to pass this legislation, of course. Our failure to do so will not prevent the other countries from proceeding as best they can. Naturally, being the richest and the largest Nation in the world, we are contributing more than any other country, and it would not succeed as well without us. There is another alternative. It is for the whole world to just forget it, let it go, and not attempt to indulge in any relief of these suffering people.

Where does that lead? It leads to chaos and anarchy in a large part of the world, which would endanger us all; in fact, it would endanger the very civilization we know. I believe, and I think most of us of the Committee on Foreign Affairs believe, that it behooves us not only to participate in this humanitarian and necessary endeavor but even more to take the lead in it.

The concept of concerted action back yonder in 1941 has been explained. I want to emphasize, however, a phase of the background which has also been referred to. After the United States and Russia entered the conflict, they joined this group which originally discussed the matter in London in 1941. Both of them suggested that it should be broadened to take in other Allied countries. The first discussions were commenced between representatives of China, Russia, the United Kingdom, and America and were soon extended to include other United Nations. A tentative agreement was prepared, with which all the United Nations were circularized.

At the same time, as you have been told, all of the facts, the tentative agreement, the need as far as it could be foreseen, and all of the circumstances were explained in detail to the Committee on Foreign Relations of the other body and to our Committee on Foreign Affairs. Suggestions were invited from the members of these committees and from the proposed member nations. Many suggestions were offered, both by the nations and by the members of our committees. The great majority of these suggestions were incorporated into a new tentative agreement, with which these 44 nations were again circularized, and which was immediately brought to these two committees of the Congress for our information and suggestions. This second tentative agreement resulted in unanimous acceptance by the 44 nations, and there naturally followed the conference at the White House on November 9, 1943, when it was signed, and the meeting of the Council in Atlantic City the following day.

At that meeting the first United Nations service agency, in fact, the first international service agency with which I am familiar, was commenced, and there began the first effort to ascertain whether the United Nations, which have cooperated so magnificently and successfully in war, can cooperate in peace.

Most of us, I think, have long since become convinced, as illustrated by the passage of the Fulbright and Connally resolutions, that the day of sticking our heads in the sand like an ostrich and hoping and believing that the rest of the world will pass us by unmolested, undisturbed, and unnoticed, has gone forever. The world cannot stand the shock of another such war as this every 25 years, and no individual country can prevent it. It can be prevented only by international, or at least United Nations, cooperation. If we cannot cooperate in this first step, if America will not participate in this first elementary step, a step comparable to taking care of the widow and her children down in my and your little town, I say there is little hope that we may look forward to cooperation in bigger things, the things that really will count in the future of the world and the salvation of the American way of life and the civilization we know.

It has been mentioned that the one, whole, and only purpose of U. N. R. R. A. is to help the liberated peoples—and do not forget the word "liberated"—to help themselves.

Mr. GEARHART. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. I gladly yield to the gentleman from California.

Mr. GEARHART. We have already liberated the Algerians, the Tripolitans, the Sicilians, and the people of southern Italy, and we are feeding them now. We are preventing them from starving. If we can do that now, why do we need this legislation?

Mr. JARMAN. Because they have been paying for it so far, and their funds are not going to last.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. It is with pleasure that I yield to the gentleman from New York.

Mr. WADSWORTH. May I say that the French have paid back to us all the cost of the food and clothing which through lend-lease we delivered in Algeria.

Mr. GEARHART. Is it going to be subject to condemnation that they pay us back? Let us get something back once in a while.

Mr. WADSWORTH. I am praising them for it.

Mr. GEARHART. Let us go on on that basis.

Mr. JARMAN. We are happy to have it paid back, I may say to my able colleague. We are merely answering the gentleman's question.

It should be understood, as has already been said, that U. N. R. R. A. is by no means undertaking the whole job of relief. It is estimated that 90 percent of the relief supplies will either be produced locally or purchased by this international exchange and gold in the possession of occupied countries, to which reference has been made. The Council suggested to members of the unoccupied countries that they contribute 1 percent of their latest known national income—that for the year ending June 30, 1943. This does not apply to the countries just mentioned, by my colleague from California, which have been occupied. Our part of that expense, sad and terrible to say, amounts to the expense of only 5 days of this war. We would much prefer that it be different, but it is costing this country the amount of this authorization each 5 days of war. We of the Committee on Foreign Affairs believe that it is worth while, insofar as finances go only, to extend this war—that is, financially—5 days after its conclusion, because of the tremendous hope for the future of civilization that is held out to us by doing so.

Mr. LEWIS. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. I gladly yield to the gentleman from Ohio.

Mr. LEWIS. I notice that on the first page of the joint resolution three words are stricken out. It states:

> That there is hereby authorized to be appropriated from time to time—

The words "from time to time" are stricken out. Certainly when this bill was drawn it was not contemplated that $1,350,000,000 would be the extent of the amounts we shall be called upon to authorize for appropriation for this purpose.

Mr. JARMAN. Absolutely. It is contemplated that that will be the total. The gentleman will notice that the words "from time to time" have been dropped down three lines from where they are stricken out. It is just a shifting of words. The words now appear in the sixth line.

Mr. LEWIS. Yes, I see that; but certainly that does not mean the same as the way the bill was originally drawn. It was originally contemplated that these appropriations would be from time to time, if I can read the English language.

Mr. JARMAN. I do not believe it has been mentioned here today, but the facts are that the original bill included no amount. It just had the phrase "from time to time," "such amounts as may be necessary," or wording to that effect. On motion of the distinguished gentleman from New York [Mr. WADSWORTH] a maximum amount of $1,350,000,000 was placed in the bill, that being the maximum it is anticipated will be needed. The phrase "from time to time" was retained to indicate that the whole amount will not be appropriated now, but that the aggregate amount will be appropriated from time to time. I think approximately $500,000,000 is what will be first requested to be appropriated for use during the fiscal year ending June 30, 1944. Do not overlook the fact that this $1,350,000,000 is an aggregate, a total authorization, as definitely distinguished from an annual one.

Mr. LEWIS. May I suggest that while it has been stated here that $3,000,000,000 were used to accomplish this same purpose after the First World War, in fact there was only a little more than $1,000,000,000 used by the Hoover committee, as I recall it, and the rest of the $3,000,000,000 went to loans made from time to time, which were supposed to be repaid to the United States, but were never repaid. Is that correct?

Mr. JARMAN. One billion dollars in loans, as the gentleman says, directly for relief purposes, primarily for foodstuffs, and $1,300,000,000 in credits established by the United States Treasury for them in this country for this purpose, of which

total about 10 percent was paid. Then also there was $340,000,000 in gifts from private agencies in this country, and about $37,000,000 in governmental gifts. May I add that we expect private gifts again?

Mr. LEWIS. And the rest of it was canceled.

Mr. JARMAN. Yes.

Mr. LEWIS. But the Hoover committee used a little over $1,000,000,000, did it not?

Mr. JARMAN. I am not sure what the division of the total between the Hoover committee and the other relief organizations was.

Mr. LEWIS. Certainly let me suggest to the gentleman that the devastation caused by this war extends over a far wider scope of territory than the devastation of the First World War. That has already occurred, and, of course, there will be much further devastation. How can it successfully be claimed that $1,350,000,000 is the limit of what we shall be called upon to authorize as our effort to carry out the commitments in this U. N. R. R. A. proposal?

Mr. JARMAN. The gentleman has placed his finger upon the main purpose of this resolution, and particularly the main desirability of it from the standpoint of the United States. The gentleman, who knows I am very fond of him, says, as I said, the need for relief will fade into insignificance when compared with that existing heretofore. The last time we tried to care for it alone, and we did not entirely succeed, of course.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. BLOOM. Mr. Chairman, I yield the gentleman 7 minutes more.

Mr. JARMAN. The last time we tried diligently to do it alone. Our failure and the expense are two reasons which prompt us to wish cooperation this time. We do not want to again attempt to do it by ourselves. This is our part. I believe the gentleman is overlooking those of the other nations, which are, of course, much smaller than ours. The gentleman is also overlooking local contributions, which will be supervised by U. N. R. R. A.—90 percent.

Mr. LEWIS. May I suggest that our contribution is about 60 percent of the total, whatever that total is.

Mr. JARMAN. Of the expense for supplies. I think the gentleman is correct. He is not referring to administrative expenses which are apportioned differently. It is about 60 percent, as the distinguished gentleman says, because that is what our national income justifies as compared with those of other United Nations.

Mr. BLOOM. Sixty percent—1 percent of the income of different nations, but it is not 60 percent of the total expense of U. N. R. R. A.

Mr. JARMAN. Yes, Mr. Chairman, the gentleman really means that it is 60 percent of the 10 percent of the total cost of U. N. R. R. A.

Mr. LEWIS. Then I want to follow that by another question. What is to be the total cost?

Mr. JARMAN. As has been stated several times today—it is approximately $20,000,000,000, which is to be supervised, it is hoped, by U. N. R. R. A., but 90 percent of the total will be supplied locally, or by this international exchange or gold in possession of the countries, U. N. R. R. A. supplying financially only 10 percent, of which 10 percent we Americans supply 60 percent, except as to administrative expenses.

Mr. LEWIS. What, in addition to 60 percent, will be America's proportion of what is it—$20,000,000,000?

Mr. JARMAN. That is all. That is what this resolution authorizes, 60 percent of the 10 percent of total relief to be paid for by U. N. R. R. A., or approximately $1,350,000,000. We do not know whether that will finish the job or not. We sincerely hope it will.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. I gladly yield to my friend, the ranking member of our committee.

Mr. LUTHER A. JOHNSON. The gentleman is aware that, of course, before the Axis Powers acted, some of these countries that had gold reserves took those gold reserves, and they escaped the Axis Powers, so those countries, Belgium, France, Norway, and Holland, have gold in reserve, in exchange, that can be used, and so where those countries have gold reserves they will pay for their own relief, and U. N. R. R. A. will administer it.

Mr. LEWIS. I wondered if the gentleman can tell us the amount of those gold reserves that have escaped the Axis?

Mr. LUTHER A. JOHNSON. I do not know whether that is a military secret or not.

Mr. BLOOM. I can show it to the gentleman.

Mr. LUTHER A. JOHNSON. There may be some question about releasing those amounts, because of conditions over there, but they are very considerable.

Mr. JARMAN. I know my friend the distinguished gentleman from Ohio will not insist on that information under those circumstances.

Mr. MILLER of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. Yes; I gladly yield to my friend, colleague, and comrade from Connecticut.

Mr. MILLER of Connecticut. I have had inquiries from people who are interested in China Relief. They are concerned about the language on page 10 of the bill. The question has been asked by them—although they do not anticipate it would be done—whether under this any organization could say to China Relief, for example, "You cannot go into that." Could that language be interpreted, they being a foreign-relief organization, so that U. N. R. R. A. could say to China Relief, for some reason, or without reason, "You shan't go into a certain area." I cannot see how they could.

Mr. JARMAN. That is what I would say. Whether they could technically do it or not, I cannot conceive that they should, because this organization will need every help that it can get. The main purpose of the language to which the gentleman refers is to permit U. N. R. R. A. to supervise all relief. Its authority to do so will prevent organizations well supplied with funds from procuring more of the short supplies than they are entitled to on the basis of the whole picture. U. N. R. R. A. will supervise that.

Mr. MILLER of Connecticut. I wanted the answer in the RECORD for that purpose.

Mr. ELSTON of Ohio. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. Gladly, to my friend.

Mr. ELSTON of Ohio. I have a very high regard for the opinion of my good friend on matters of this kind, and that is why I ask the question whether or not he knows of any reason why lend-lease funds cannot be used to supplement any appropriations that might be made by virtue of this resolution.

Mr. JARMAN. Why lend-lease cannot be used?

Mr. ELSTON of Ohio. To supply appropriations under this resolution.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield to me there?

Mr. JARMAN. I yield to the gentleman from New York.

Mr. WADSWORTH. Lend-lease operates only on the request of the military authorities. It is a supplement to the Army and the Navy, coming directly behind them. They are really under military control as to what they distribute in the countries of which our armies are in possession.

Mr. ELSTON of Ohio. Is it not a fact that lend-lease funds have been used for foreign relief already?

Mr. WADSWORTH. They have been used on the request of the military commander. They were used in Algeria on the request of General Eisenhower, who wanted instantly to give relief to some of the Algerians, for the benefit of his own troops, so that he would not have behind him a half-starved population.

Mr. ELSTON of Ohio. And that is done by the military only at the request of the military authorities?

Mr. WADSWORTH. Yes.

Mr. ELSTON of Ohio. Then a request of the Commander in Chief would be sufficient?

Mr. WADSWORTH. Yes; I suppose so.

Mr. ELSTON of Ohio. So that the President could allocate funds to supplement appropriations that might be made by virtue of this resolution?

Mr. WADSWORTH. I suppose it could be said that he could do it, but if he should it would be stretching the intent of Congress and the understanding our committee had, that lend-lease appropriations were in support of the armed forces.

Mr. ELSTON of Ohio. It would not be the first time the intent of Congress had been stretched.

The CHAIRMAN. The time of the gentleman from Alabama has again expired.

Mr. BLOOM. I yield 3 additional minutes to the gentleman from Alabama [Mr. JARMAN].

Mr. JARMAN. I want to say in further reply to the gentleman from Ohio, do not overlook the fact that every dollar of that lend-lease money was American money. What we are trying to do is to get away from shouldering the entire

load and have some help in this relief. In this way we will get it.

Now, may I conclude? The administrative expense of lend-lease is contributed to by the United States to the extent of 40 percent instead of 60 percent. But I will not take time to go into that except to say that it results from the fact that those countries which have been occupied also contribute to administrative expense, and to state that other countries have already supplied $700,000 on which U. N. R. R. A. is now commencing to operate. I cannot refrain from joining the gentleman from Ohio [Mr. VORYS] in his reference to the American representatives of U. N. R. R. A. On the council is that able gentleman, Assistant Secretary of State Acheson, who, as you know, was selected as chairman of the first meeting of the council and who very evidently did an excellent job. America's interest, I believe, is in safe hands with Dean Acheson on that council. Then as Director General while he, of course, is a United Nations official and is by no means representing the United States in his capacity as Director General, I am sure that practically all, if not all the members of the committee, gained the same impression as did the gentleman from Ohio, that this distinguished gentleman, able executive, excellent public official, and financial expert of note, is an ideal man to handle the affairs of the United Nations Relief and Rehabilitation Association. May I add that his testimony was that, aside from the humanitarian standpoint, it was very definitely good business policy for the United States. I am confident of your agreement with my opinion that Governor Lehman "knows his business."

Mr. LUTHER A. JOHNSON. Will the gentleman yield?

Mr. JARMAN. I gladly yield to the gentleman from Texas, the ranking majority member of our committee.

Mr. LUTHER A. JOHNSON. With reference to Governor Lehman, the Administrator, I want to corroborate what has been said by the distinguished gentleman from Alabama and also the gentleman from Ohio, that many members of the committee, including myself, had never had personal acquaintance with Governor Lehman until we began consideration of this legislation. I think that every one of those who met him and who heard him and talked with him and who heard him talk before our committee, were convinced of his capability and of his wisdom and of the fact that he was well qualified to do an excellent job as Administrator of this great organization. Of course, we have known Dean Acheson before and I also heartily share you gentlemen's high opinion of him.

Mr. JARMAN. I thank the gentleman. I am sure his opinion is concurred in by all members of what I regard as our excellent committee.

Mr. Chairman, I illustrate the attitude of Director General Lehman, my attitude, and what I believe to be the attitude of the Foreign Affairs Committee, that is that, while the passage of this resolution will not create an utopia, and although we are fully cognizant of the rocky road which confronts it, we are quite optimistic, by quoting from the hearings at the point where inquiry was made of me whether I had any questions to propound to Director General Lehman at the conclusion of his testimony:

Mr. JARMAN. Governor, as you pioneer along this new, broad, and uncharted course, which seems so pregnant with possibilities, your hopes are high, which attitude is shared not only by the membership of this committee but by the whole people of the United States and of the world. I simply wish to indulge the hope that in the final analysis it will develop that your expectations, yes, even your ambitions of this moment, may be abundantly fulfilled.

Governor LEHMAN. Thank you very much.

May I say to you that my hopes are high. I believe that this is a historic undertaking on which we are embarking, and one that has great possibilities, but I have no illusions whatsoever with regard to the difficulties. They will be very great and very numerous. I am very very alive to that fact.

Mr. JARMAN. You will note that my realization of that probability caused me to differentiate between expectations and ambitions. I said "expectations—even your ambitions."

Mr. EATON. Mr. Chairman, I yield 15 minutes to the distinguished lady from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Chairman, we have spent today, one of the 2 days given us, in the discussion of this resolution, which takes the United States for the first time into active participation in world affairs. We will be a part of the international group that want to mend, as much as can be mended quickly, the broken world.

You have already been told that this agreement began in 1941 with the discussions in London, and it grew bit by bit. When finally the United States became part of the objective war, this agreement was entered into. You will recall that last summer I brought it to your attention that such an agreement was under discussion and that the Foreign Affairs Committee was to have hearings with the Assistant Secretary of State. We had those hearings. The Senate had hearings and the changes were made as you have already been informed. I asked you particularly to take the agreement home with you on your holiday and study it, take it to your constituents and let them give you their opinions on it. I am wondering how many of you did so, knowing we are all desperately busy people with each one feeling his own committee work the most important.

We were invited, we members of the Committee on Foreign Affairs, to come to Atlantic City to participate in the plenary sessions. I believe one member went down for the opening; five members went down for the end; and I had the pleasure of going down, sort of midseason, over a week end, when I had opportunity, not to go to the plenary session, but to sit down with the members of the conference, members of the secretariat and some of the observers.

I want to say at this point it would be very difficult to find a more able group of people than were gathered together from our various departments and of the press as members of this secretariat. I am happy to have this opportunity of expressing my appreciation and what I hope might be the appreciation of the House of Representatives for the very splendid type of people chosen and the magnificent service they gave. There was absolutely no suggestion on their part that the hours were long, and sometimes they worked all night and every night they worked very late.

But now I want to go out a little across the world. I do not think it is possible for us to consider this resolution without a background of what has happened to the state of mind and the state of body of the major part of the world. Europe has been decimated. It consists now of nothing but scorched earth and devastated—I was going to say "homes," but there are so few homes left. As the Germans swept across the whole of Europe they left behind them death and destruction. They kept only those things which they themselves wanted to use. They took back to Germany everything they needed, including human beings. They did everything possible to destroy the home, which is the foundation and the central point of living in all free lands. They created a situation such as the world has never seen, of starvation and destitution and horror, of indecency and of vileness. Now, I ask you, how can we who have still plenty to eat in spite of—well, shall I say—the stupidities of some of the things that are being done to us? We still have plenty. We have all the clothes we want. We certainly have all we need. How can we possibly understand the hearts and minds of those people—men, women, and children—who are not just hungry but are starving, and have been for years? Children wandering from one place to another in rags, always cold and wet, or scorched with the sun, from which they have no relief, children banded together for protection, like animals, suspicious and at the mercy of any passing horror. How can we possibly understand? And if we do not understand, how can we move into this picture intelligently and understandingly when we do not know what it is? Our wildest imaginings do not give us the sense of what those people have been suffering, and are suffering today.

We have been the only light in their darkness. As the Germans took over they closed the doors around them, and the only access they had to the world was the little secret short-wave sets whose discovery meant death. At our end were those who sent out short-wave messages in all the languages of the many occupied countries, that were as little candles, little flickers of light in their darkness. They learned to look to America and they still look to America.

Then finally we have sent our men. They know that there are several million of our boys and our girls with them, who have gone there to liberate them, to give them release from the oppressor, from the torture, from the agony. Do you mean to tell me that it is conceivable that we send our soldiers and then say "No; we will not help feed you; feed yourselves, get yourselves upon your own feet!" Do we not want them to want our boys there? Do we not want them to

welcome our soldiers? Do we not want them to open what houses they have and their hearts to our boys? Do we want them to draw away from us, as though we were something strange, impossible creatures without humanity or the milk of human kindness? I cannot believe that of us, nor can I believe that we as a nation and those of us who are here representing the people of this Nation, are going to be so short-sighted as to believe that to refuse this help, to refuse to be a party to giving them seeds to plant, to give them the little they need so that they can lift themselves up—I cannot believe that that sort of limitation is America, nor that it is the best for America, nor the right for America.

It is my conviction that America had better be very wise and look ahead, yes, look very far ahead. Do we want to be welcomed 10 years from now? Do we want friends across the Atlantic and the Pacific, or do we not? Are we so arrogant that we think we can live alone?

That is going to be an isolationism such as has never been in all the wide world! We will be so isolated that the cold of it will be unbelievable. I say to you that if we fail to continue to be a light in their darkness, the future will find us in a position where it will not be a question whether they need us; it will be that we shall need them! I cannot believe this Congress will be so short-sighted. I cannot believe that the people of this country will want to do anything less for themselves and the future than to play a vital, living, vivid part in this, our first venture into international responsibility. We are a young Nation. We are just children. Of course, we are going to make mistakes—dreadful ones. We are going to beat our heads against the wall because of some of them. We here in Congress cannot control the personnel; we cannot control the administration of this thing, but we can watch both and we can say to those responsible right here and now, "You be careful, because you are going to be held responsible. It is up to you to do this thing right. It is up to you to see to it that the name of America spells peace, that it spells relief, that it spells help, so that you can help yourself, you nations across the sea."

It seems to me that our obligation to our own children is so great that we should not hesitate an instant, regardless of the implications that are in the very words of the agreement and of our resolution. Of course, there are political implications. If you read the testimony you will find that I tried to follow that thought through; that I tried to seek it out so that we would not go into this thing blind to the fact that there are political implications. I say to you now, that unless there is very careful administration, very wise administration, we can readily be accused of having set up something quite appalling; something that would be against, rather than in the interests of, freedom. But in this resolution, in the agreement itself, you will find words that say, "There shall be no political use made of these supplies."

I asked the same questions of the Director General, not in the same words, as I had heard asked of the Assistant Secretary, whether he felt that we could keep free of political implication. He said it was the point and purpose of U. N. R. R. A. to keep free of them, and he proposed to do so to the fullest degree possible. Of course, it is possible that because the signatory nations, the fact that the signatories that represent the occupied countries are the governments-in-exile. There were no others. That does not mean that a new government may not be set up by these countries once they are free. I pursued that thought in my questioning, asking what would occur in such a case. It was explained that it is customary—and I am sure you knew it as I did—that when a government changes there is an interval before the new government receives recognition. In that interval there might be a serious relief situation. I asked the Director General if he thought that relief could be continued through that interval. His reply was to the effect that he would do everything possible that it should be so, emphasizing the fact that U. N. R. R. A. had nothing to do with governments, with their acceptance or their rejection.

Now, my point in this is very simple. I believe we of this Congress should support this resolution, but I believe we should do it with our eyes wide open. I believe that we have a great responsibility to open them wider every day. It would be quite possible for us to say blindly, "Yes; this is wonderful. We want to be a part of an international group" and let it go without examining into it. I do not consider that the way for us to function, nor do you.

I believe it to be my duty as a member of this Committee on Foreign Affairs to advise this Congress that there are political implications that we must watch; that there are possibilities of maladministration which may increase. But I believe also that the intent and purpose of the 44 nations is to see to it that politics, political pressures, the attempt to foist a government onto a people that no longer wants it, or insist upon a new government being accepted by the people, is not the meaning of U. N. R. R. A. I believe it is necessary that we recognize that fact here and now.

I believe it might be less embarrassing to the President if he were not given this money, because we shall hold him responsible if we give it to him, and we shall hold him responsible if there is any finagling politically. We shall have the right to, more, we shall have the duty. I think it is quite possible he would be in a far more secure position if the State Department, as has been suggested, or the Treasury Department, be given this money to use for U. N. R. R. A. I hope there will be very serious consideration given this by the House. I think, as I say, that it might be a far less embarrassing situation for the President of the United States or for any to whom he may delegate this job.

We have been told that F. E. A. would be given the job. I would like to protest, as a previous speaker has done, that it seems unwise to me to choose the latest mushroom baby of a war government and give it such far-reaching authority, such a truly terrible responsibility in the new, wide world, because what we do is going to make such a difference. If U. N. R. R. A. fails—and it will not fail if we do our duty in the right way, but if it should fail—there could be chaos in the world because it is that immediate moment after the arms are laid down when the Army says to U. N. R. R. A.: "Now, come in and take these people to your heart and save them." It is that moment that is of such great importance.

Mr. VORYS of Ohio. Mr. Chairman, will the gentlewoman yield?

Mrs. BOLTON. I yield.

Mr. VORYS of Ohio. The suggestion was made earlier this afternoon that U. N. R. R. A. was created in some way or other to help Uncle Joe Stalin. Is it not true that the situation in which communism grows and flourishes is an atmosphere of starvation, disease, misery, and the chaos caused by the first three and that U. N. R. R. A. and its relief work will tend to make an atmosphere where communism will not flourish?

Mrs. BOLTON. As I read history, revolutions, chaos, and anarchy of every kind grow best in a soil of starvation and suffering. In a well-administered U. N. R. R. A. I believe there is opportunity to bring to the world at the most critical moment in history that which will make possible the beginnings of a new world. Let us safeguard it—yes—but let us not fail to take our responsibilities within the great family of nations, true to our dreams of freedom and the light that is America.

The CHAIRMAN. The time of the gentlewoman from Ohio has again expired.

Mr. BLOOM. Mr. Chairman, I have no more speakers at this time.

Mr. Chairman, I move the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and Mr. MCCORMACK having resumed the chair as Speaker pro tempore, Mr. HAYS, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration House Joint Resolution 192 to enable the United States to participate in the work of the United Nations Relief and Rehabilitation Organization, had come to no resolution thereon.

PERMISSION TO ADDRESS THE HOUSE

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent that following the other special orders previously agreed to, I may address the House for 10 minutes today.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

MUSTERING-OUT PAY

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. LANE. Mr. Speaker, yesterday the House by a vote of 387 for and none against accepted your Military Affairs Committee bill to provide for mustering-out payments to members of the armed forces. Under the provisions of the House bill, the maximum amount to be paid for persons eligible would be $300. Under the provisions of Senate bill 1543, the maximum to be paid would be $500. In that respect and in other provisions of the House bill there are major differences. Many of your Members of the House on yesterday are recorded as voting for the committee bill knowing full well that the maximum sum was insufficient and inadequate.

Members of the Lemke committee, consisting of 51 Members of your House, unanimously approved a maximum of $700. With this in mind and realizing that a committee of conference of the two branches will be appointed to confer on these differences in the bill, I sincerely hope that the Members of the House appointed by you, Mr. Speaker, will lend all their efforts to a maximum payment of $500 as a compromise between the House committee bill and the so-called Lemke bill.

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Michigan [Mr. LESINSKI] is recognized for 30 minutes.

THE SOLDIERS' VOTE BILL

Mr. LESINSKI. Mr. Speaker, the membership of the House has been advised that some time during the next week the House will consider the soldiers' vote bill.

As a member of the Committee on Election of President, Vice President, and Representatives in Congress, I signed the minority report to accompany S. 1285.

I sincerely trust that each Member of the House will give careful study to both the majority and minority reports relative to this legislation.

The majority report was prepared by the ranking majority member of the committee, the gentleman from Mississippi [Mr. RANKIN], and in his report he states that it will enable every qualified voter in our armed forces to vote by absentee ballot for State, county, and other local officials, as well as President, Vice President, United States Senators, and Representatives in Congress.

He also states that as a rule men and women in the service are more interested in voting for their friends and relatives and members of their immediate families who are running for local offices than they are in voting for national officials.

Frankly, I do not believe that the men and women in our armed forces would prefer to vote for State, county, and local officials in preference to national officials.

In fact, in off-election years we find that only 50 percent of the people vote—and lots of times even less than that. However, when national elections are held we find that at least 80 percent of the people are voting and that the national candidates—by far—receive a larger number of votes than the State, county, and local officials. Therefore, the argument that the soldier would prefer to vote for his friends, relatives, and members of his immediate family running for local offices does not, in my opinion, hold water.

We can only judge the future by the past, and experience, after all, is the best teacher, and on the basis of the number of votes cast in Presidential years in contrast to off-election years, the truth is that when national elections are held there is a far greater number of votes cast than in other elections.

Take, for instance, the total number of votes cast in the first district of Mississippi in 1942 for Representative in Congress—we find that there was only 7,079 votes cast for the gentleman from Mississippi [Mr. RANKIN], although the 1940 census figures for that district disclose that the district has a population of 263,367, and in that congressional district in the 1940 election—the Presidential election year—there was a total of 19,330 votes cast for the gentleman from Mississippi [Mr. RANKIN].

The figures I have just quoted establish the truth—at least insofar as the First District of Mississippi is concerned—as to the total number of votes cast in a Presidential year and the small number cast in off-election years.

Therefore, I submit to the Members of the House that the majority report, insofar as it states that the men and women in our armed forces would prefer to vote for State, county, and local officials in preference to national officials, is a misstatement of the truth and facts.

There is a difference between giving lip service to our veterans and the members of our armed forces and giving real service to the members of our armed forces. If we really want to give the members of our armed forces the right to vote, we must follow the advice that has been given us by the War and Navy Departments, and provide a simplified, uniform ballot distributed by the Federal authorities, with the customary local authorities counting and tabulating the votes of their respective soldier voters.

It has been estimated that 1 out of every 10 voters in a Congressional District is now in our armed forces—on that basis, there would be at least twenty-six or twenty-seven thousand soldier votes in the First District of Mississippi, and with the poll-tax restriction removed, and if ballots were placed under Federal supervision in the hands of the voters of that congressional district, even though only one-half of them voted, it could easily change the results of the election on the basis of the total number of votes cast in the last election.

The gentleman from Mississippi has taken the floor and accused Members wrongly of hampering action on this bill, and loudly declares that he wants the soldiers to have their vote. Why, then, is he covering up the weaknesses of this legislation?

The truth is, if the gentleman from Mississippi and the Members of this House really want the soldier to vote, you will support the Green-Lucas-Worley bill—and if you do not want the soldier to vote, you will then support S. 1285, as amended. Regardless of how loudly the gentleman from Mississippi—either on the floor of this House or by radio—declares he is in favor of the soldier vote, the true facts do not bear out his statements because it will be an utter impossibility to handle it through the States.

I believe that the members of our armed forces should be given the opportunity to exercise the right to vote and preserve those ideals for which they are fighting. If the members of our armed forces can be sent to the far-flung battlefields of this global war and be trusted to fire the guns, they certainly can be trusted to mark the ballot, and if they are good enough to fight and die for democracy, they are certainly good enough to vote in a Federal election. The members of our armed forces are fighting as American units and it is, in my opinion, the sacred duty of this Congress to provide them with a means of voting under Federal supervision.

We have been told by both the Army and Navy that it would not be possible for them to handle ballots containing the vast number of names necessary for State, county, and local officials; and then, too, some of the States under their constitutions do not permit absentee voting, and there is not sufficient time remaining to change the State constitutions. The distinguished gentleman from Virginia [Mr. FLANNAGAN] dealt with that in detail in his very forceful address on January 11, 1944.

The Members who signed the minority report do not want to take away from the members of our armed forces the right to vote a State ballot, and the bill introduced by the chairman of the committee, the gentleman from Texas [Mr. WORLEY], on January 17, 1944, numbered H. R. 3982, specifically provides that nothing in his bill shall be deemed to restrict the right of any member of the armed forces of the United States to vote in accordance with the laws of the State of his residence.

I am not a lawyer, but I do know that this House, under the authority granted by the Constitution, enacted into law the Ramsey bill, which was approved on September 16, 1942, and is known as Public Law No. 712 of the Seventy-seventh Congress. That law provided the means by which the men and women in the armed forces could cast an absentee vote, and it specifically outlawed the poll tax as a prerequisite for voting in Federal elections by any members of the armed forces who were otherwise qualified to vote. It also provided that a member of the armed forces desiring to vote was required to request a war ballot from the secretary of state of his State of residence, using a postal-card form supplied by the Army and Navy. Under this system, in 1942, when there was approximately 4,000,000 persons in our armed forces, the committee was informed that only 73,589 applications were received and that only 28,051 votes were cast.

It, therefore, follows that the only logical solution is to provide a uniform national ballot, and the Worley bill, H. R. 3982, in my opinion, contains the only effective provisions that will give to the

men and women in our armed forces of voting age the opportunity to exercise their right of franchise. If Congress had the right back in 1872 to enact legislation that provides that national elections shall be held on the first Tuesday after the first Monday in November, and if they had the right to enact the Ramsey bill into law in 1942, it would follow as a logical conclusion, as a matter of common sense, that the Congress does have the right to remove the barrier that exists between the members of our armed forces and the ballot box in their home precinct.

The newspaper correspondents writing from overseas tell us in their columns that the members of our armed forces desire to vote in the national elections this year, and from the tone of the columns I have read I have come to one conclusion—they are interested only in the national election. If the members of our armed forces desire to express their choice as to who shall be their national officials, I submit it is the duty of the Congress to provide them with the means to exercise their right to vote for the principles for which they are fighting, and I sincerely trust that this House—when the soldier vote is under consideration—will substitute the Worley bill, H. R. 3982, for S. 1285, as amended.

The provisions of the Worley bill, if adopted, will secure for the members of our armed forces an adequate servicemen's absentee voting privilege.

PARTICIPATION OF UNITED STATES IN UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland [Mr. D'ALESANDRO]?

There was no objection.

Mr. D'ALESANDRO. Mr. Speaker, the United Nations are fighting for freedom and democracy as outlined in the Atlantic Charter.

Men, women, and children of Poland, Czechoslovakia, Holland, Belgium, Norway, Jugoslavia, Greece, and other small nations, are cruelly starved, abused, and mistreated by the Nazi hordes.

Among the great tragedies of mankind, few have equaled the ordeal of the children murdered by the Nazis. Their treatment of innocent children will be remembered for centuries to come.

Their dire plight should evoke not only our deepest sympathy, but also our fullest help. The victims of war must be fed as soon as possible. Chaos and anarchy, caused by human suffering, would endanger all of us. Permanent reconstruction of devastated areas and the reestablishment of currencies, are different types of problems and can be met later, but relief from suffering, food, clothing, shelter, and recovery of their health, must be taken care of immediately.

In the name of humanity, I appeal to the membership of this House to pass favorably the legislation before us. We, as a God-fearing Nation, must carry out the precepts of our Heavenly Father, to feed the hungry and clothe the naked. By doing this we will be helping to pave the way for a real and lasting peace.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. WRIGHT] is recognized for 20 minutes.

THE SOLDIERS' VOTE BILL

Mr. WRIGHT. Mr. Speaker, the grapevine in the House recently has indicated that many Members hope to avoid a roll-call vote on the real issue presented by the soldiers' voting bill. They rely upon the rules of the House which, designed to protect the minority party, may, under the unusual legislative situation, be used to hide from the people how the Members ballot upon this important question. Let me recite briefly the background.

In the Committee for the Election of President, Vice President, and Representatives in Congress, the chairman, the gentleman from Texas [Mr. WORLEY], sponsored a bill which would have provided Federal machinery to give the servicemen a practical opportunity of voting. Ordinarily it might be assumed that this bill, with the sponsorship of the chairman and the support of the majority membership of the committee, would be reported out to the House. But several members of his party joined with the solid Republican minority to report out a bill which, although piously approving of the right of the soldiers to ballot, frustrated any practical chance they might have of voting by leaving the arrangements for the vote to the conflicting laws of the 48 States. This second bill is currently before the Rules Committee. Under the usual rule granted by the Rules Committee two roll calls would be in order—that upon the motion to recommit and that upon final passage. It is to be presumed that the Worley bill, sponsored by the chairman, will be offered as a substitute upon the floor. This will, however, be in Committee of the Whole where no roll-call votes may be had. Should the substitute bill be defeated by a voice vote in the Committee of the Whole, it will be finally lost for when the committee arises and the House resumes its deliberations no roll-call vote can be asked for upon a defeated amendment. The motion to recommit gives no aid to the proponents of the Worley bill for it has always been held to be first available to the minority party and, as I have said, the minority members of the House Committee on Elections are opposed to the Worley bill. A straight motion to recommit, which presumably will be offered by one of them, would not give an opportunity to the House to express itself upon the fundamental question in this case. A vote on final passage does not pose the question between a Federal ballot and an ineffective State ballot, but rather the question as to whether the Members wish or not the servicemen to have the right to vote at all. It is thus seen that the real question in the case will never be passed upon by a roll-call vote. Members who would not like to be recorded as being opposed to an effective soldiers' voting bill can defeat the Worley amendment in committee and avoid placing their position on record before their constituents and before the country.

Should the House adopt this procedure and, as I say there is considerable conversation that such is the hope of some of its Members, in my mind it will be a cowardly strategy to employ and one which will reflect discredit not only upon the Members who are unwilling to be recorded but upon Congress itself. We must be branded before the public as an assembly of buck passers and legislative "milk-toasts" if we shirk our responsibility in this vote. No Member has control of the vote of another Member. If some feel the Worley bill to be unnecessary or unconstitutional, even though I completely disagree with their position, I must respect them if they stand up openly and support their position on a roll call but I certainly think that we owe it to the people and to the servicemen to express ourselves unequivocally and as a matter of permanent record.

There is a sound reason for the provisions of the usual rule from the Rules Committee of which I have spoken. It was designed to protect the minority party but where, as in this case, several members of the majority have joined with the minority party and reported out their own bill, there is no reason why the question to recommit should be granted to those who are really in favor of the bill. Those who favor the Worley bill should likewise be granted a motion to recommit and to report back the Worley bill forthwith. Thus a record vote could be obtained. There is one chance we have to avoid this injustice and to redeem the House from the criticism which will surely be made—that we are dodging important issues and not playing fair with our soldiers. The Rules Committee should grant a rule allowing an additional roll call—that upon the Worley amendment. This procedure would be unusual but it is not unprecedented. As the House remembers, it was employed at the time of the controversy upon the Ruml plan. I understand that such a rule was likewise granted in the case of a bill sponsored by the gentleman from Texas [Mr. PATMAN]. I hope that every Member, regardless of his vote and party, will support such a rule. It is only common fair play. In case this rule is not granted, and some of the Members are thus able to shirk their obligation, I think that the public should know the facts and it is for this reason I have addressed the House.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. EBERHARTER] is recognized for 10 minutes.

ACCOMPLISHMENTS CONTRASTED WITH BUNGLING

Mr. EBERHARTER. Mr. Speaker, probably never before since man started to record the progress of life and civilization has history marched with such giant strides. But, in this breathless, headlong march of events, this acceleration of the usual plodding progress of history, it is pretty easy to become be-

wildered, a trifle surfeited perhaps, and even a bit jaded.

Epic events as a steady day-to-day diet make tough going for our mental digestive systems. It is inevitable and understandable that it becomes exceedingly difficult to appraise accurately the deep and lasting worth and import of each historic happening. But difficult as it is, it is wise, indeed almost obligatory, that we particularly try to make such an appraisal; that we take stock; that we put a fair yardstick to the measurement of our accomplishments and our progress.

In my humble judgment, now, this very day, is a proper time for such a stock taking. Recently, the final period has been put to another tremendous chapter in the history of this war. This newest chapter came to its close within the past month, and the ending, thanks to a benevolent Providence, is a happy ending.

I refer, gentlemen, to the recent return—in safety, in good health, and in justified good spirits—of our Commander-in-Chief, President Franklin D. Roosevelt.

I dare say it is now quite generally known that the Commander-in-Chief has been on a little business trip; that amongst other people he met and did business with were Winston Churchill, Chiang Kai-shek, and a Mr. Joseph Stalin.

Many of the military plans made in those momentous meetings in Cairo and Teheran, and the times and dates when those plans will begin to unfold, must remain in the safety of strict military secrecy until that secrecy is broken, not by words, but by earth-rocking action. We know how dearly certain men in Berlin—or what remains of Berlin—and Tokyo would love to know what was said and decided in those meetings, not, I feel fairly sure, that the knowledge would greatly comfort them. But we also know that we have no intentions of feeding their hunger for this knowledge by too much questioning at this time, or too deep probing, or even the innocent pastime of speculation.

Yes, we all know that for the time being, and every indication is that the time will not be long, these things of military value to the enemy must remain secret. Even if they were known, even if the world knew every minute fact of each meeting, it would still be impossible to assess the full weight in world affairs of those meetings. Time alone can make a proper assessment of the place of events in the over-all pattern of history.

Time alone can provide the perspective that enables us to weave an event with what went before it and what followed it. Only then, when it becomes a link in the chain of history, can we evaluate it properly. But we need not wait and should not wait to get our perspective clear on what went before those meetings, on the events and progress that culminated inevitably in the meeting of the minds and the persons of the four greatest leaders in the world today. In connection with this, it is particularly fitting that recent history be reviewed, for the picture has been getting blurred and the perspective has been getting fuzzy, the public understanding of the scope and progress of this war has been getting considerably frayed at the edges.

This we do know—that the historic conferences fit into a pattern of accomplishment and wisdom that has already made this war known as America's best-run war. Yes; it is already an established historical fact that this is our best-managed and most efficiently run, most brilliantly fought war in our whole history as a nation. It is good that it is, because it is also the greatest trial in our whole history as a nation. It is our best-run war on the far away battlefields that are stretched across the world. It is also our best-run war here at home. Practically no one will deny the superb job that has been done on the military and diplomatic fronts away from our shores.

The news and the concrete accomplishments do not permit of such denial. Neither does the overwhelming pride that the American people have in these accomplishments permit of their criticism. But here at home a well-organized and lavishly financed campaign of detraction has been hard at work trying to make the home front—the folks here at home—believe that the same American leaders who admittedly are directing things so efficiently and brilliantly in Italy, England, Asia, India, on the Atlantic and the Pacific, and in the air over Europe, cannot handle things properly in San Francisco, Brooklyn, Kennebunkport, and Amarillo. And especially not in Washington. Well, maybe Washington is the toughest battleground of all, but it seems to me quite a lot is being accomplished even here.

I understand a highly paid publicity man even worked out a strategy for this campaign of detraction, a strategy revolving around the use of the theme word "bungling," the idea being to mess up things here at home by trying to convince the public that everything is wrong, all sacrifices and inconveniences unnecessary, every effort toward the successful prosecution of the war a bungling effort. I must say I cannot admire the patriotism of a man who would undertake such an assignment at this time and evolve such a strategy. A noble fellow! I also cannot admire the patriotism of those who carry out this strategy, who furnish the money for it, and who broadcast it.

But, fortunately, it is not going to work. The American people can be confused and befuddled for a while. It is possible for clever people to organize clever strategy—especially when they have millions to put behind that strategy—to pull the wool over the public eye. But the bungling campaign shows definite signs of having become a bit of a bungle itself. It does not make sense to the average sensible person that the same leadership could operate so brilliantly abroad and bungle everything it put its hands to here at home.

I did not invent the idea that this is America's best-run war, or even the phrase. As a matter of fact, no Democrat invented it. To my knowledge, the first person to use it publicly was a Republican who once ran for the office of Vice President of the United States on the Republican ticket. He is still a Republican—but he has withdrawn from the political battle for the time being to devote himself whole-heartedly to the much larger and more vital battle that his country is engaged in. I refer to Secretary of the Navy Frank Knox. Mr. Knox, to my knowledge, was the first person to declare this America's best-run war.

We have had brilliant leadership and leaders in the Pacific, in Australia, in the Solomons, in the Gilberts, in the Aleutians, in Africa and Italy, in England, over Europe, and in the incredibly successful battle of the Atlantic against the submarine menace.

We have had brilliant leadership and leaders who have solved the fantastically difficult problem of supplying these many armies and men over miles of hostile water, and through miles of hostile air.

We have had brilliant leadership and leaders to work with industry and labor in attaining the greatest production record of all time—a production record that not so many months ago was deemed so impossible that our enemies had high hopes and our friends great apprehensions. We have had brilliant leadership and leaders in the tough, knotty fight against inflation and in the preserving of equality in the distribution of necessarily scarce goods here at home. These leaders have been drawn from every segment of American life and from all shades of political belief. No one political party, no one economic stratum, no one classification of American life can claim credit for all or even most of it. That is the way it should be. That is the way a democratic war, a people's war, an American war, should be run. And that, it should be remembered, is the way President Roosevelt has chosen to run this war. Let us not lose sight of the fact that he is the Commander-in-Chief. He is the Commander-in-Chief of the Army and the Commander-in-Chief of the Navy. He is the Commander-in-Chief—of the war front and the home front and the diplomatic front. He is the leader of the leaders.

He is the Commander-in-Chief of America's best-run war. We deeply, warmly, affectionately welcome his return to active duty after his slight illness following his recent arduous and historic journey, and we give sincere thanks that he came back safely to continue as our Commander-in-Chief until America's best-run war ends with America's best-planned peace.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 470. An act to implement article 28 of the Convention signed at Geneva on July 27, 1929, relating to the use of the coat of arms of the Swiss Confederation for commercial or other purposes; to the Committee on Foreign Affairs.

ADJOURNMENT

Mr. RAMSPECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 43 minutes p. m.) the House adjourned until tomorrow, Friday, January 21, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON BANKING AND CURRENCY

The House Committee on Banking and Currency will meet at 10:30 a. m. on Friday, January 21, 1944, to consider the bill H. R. 3873, introduced by Mr. PATMAN.

COMMITTEE ON THE PUBLIC LANDS

The hearings on H. R. 2596, to protect naval petroleum reserve No. 1 will be continued on Friday, January 21, 1944, at 10:30 a. m.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold hearings at 10:30 a. m. on Tuesday, January 25, and Wednesday, January 26, 1944, on H. R. 2701, H. R. 3012, H. R. 3446, and H. R. 3489.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 3, 1944, at 10 a. m., on H. R. 2809, to amend section 511 of the Merchant Marine Act, 1936, as amended.

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of subtitle "Insurance of Title II of the Merchant Marine Act, 1936." as amended.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1007. Report on the disposition of certain papers by certain agencies of the Federal Government. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1008. Report on the disposition of certain papers by certain agencies of the Federal Government. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 1009. Report on the disposition of certain papers by certain agencies of the Federal Government. Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SAUTHOFF:

H. R. 4025. A bill relating to the tax liability of members of the armed forces for taxable years beginning prior to their entering such forces; to the Committee on Ways and Means.

By Mr. PETERSON of Florida:

H. R. 4026. A bill to provide that veterans of the Second World War upon separation from the land or naval forces be furnished with certain information with respect to their national service life insurance, and for other purposes; to the Committee on World War Veterans' Legislation.

H. R. 4027. A bill to amend section 4, Public Law No. 198, Seventy-sixth Congress, to authorize certain hospitalization of retired officers and enlisted men of the armed forces who are peacetime veterans; to the Committee on World War Veterans' Legislation.

By Mr. WORLEY:

H. Res. 403. Resolution making S. 1285, a bill to facilitate voting, in time of war, by members of the land and naval forces, members of the merchant marine, and others, absent from the place of their residence, and for other purposes, a special order of business; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BECKWORTH:

H. R. 4028. A bill for the relief of John Burl Townsend; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4427. By Mr. HERTER: Petition signed by sundry residents of Newton, Mass., favoring the passage of House bill 2082, to prohibit the manufacture, sale, and transportation of intoxicating liquors during the present war and for several months thereafter; to the Committee on the Judiciary.

4428. By Mr. MOTT: Petition signed by Rev. R. T. Cookingham, of Monroe, and 29 other citizens of Benton County, Oreg., urging enactment of House bill 2082; to the Committee on the Judiciary.

4429. By Mr. SCHIFFLER: Petition of Mary B. Cunningham and other residents of Chester, W. Va., urging passage of House bill 2082; to the Committee on the Judiciary.

4430. By Mr. SMITH of Wisconsin: Petition of the Department of Agriculture of Austin, Tex., relative to subsidies; to the Committee on Agriculture.

SENATE

FRIDAY, JANUARY 21, 1944

(Legislative day of Tuesday, January 11, 1944)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, in the creative faith by which we really live we come to Thee, who art the source of all excellence, with the assurance that in Thy sight Thy children under all skies have a value and a worth independent of any earthly allegiance. The very justice and social welfare we are here as public servants to preserve, promote, and protect is rooted and grounded in Thy sovereignty. Against the debasing idolatry of the god-state which, instead of altars of prayer, rears prisons of the mind and heart, we have pledged our all. Even as we face the forces of evil with the sword of our material might we know that more vital than earthly armament, if we are to be the instruments of Thy purpose, is the putting on of the whole armor of God; for only as we put on that shining mail can we fight and pray for the peace and good will of the world-wide family of God.

In this Thy glorious day we commit our cause, our allies, our country, and ourselves into Thy hands, praying that, unworthy though we be, Thou wilt use us to defeat the defiling blasphemies which defy Thy kingdom, keeping us brave, nerving us for sacrifice, and crowning our effort at last with the triumph of the high aims for which we fight—the establishment of a brotherhood of nations where justice and truth and freedom shall be secure in all the earth. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, January 20, 1944, was dispensed with, and the Journal was approved.

READING OF WASHINGTON'S FAREWELL ADDRESS

The VICE PRESIDENT. Pursuant to the order of January 24, 1901, the Chair designates the Senator from Utah [Mr. THOMAS] to read Washington's Farewell Address on February 22, next.

NOTICE OF HEARING ON NOMINATION OF STERLING HUTCHESON TO BE UNITED STATES DISTRICT JUDGE, EASTERN DISTRICT OF VIRGINIA

Mr. KILGORE. Mr. President, as chairman of the Subcommittee of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a public hearing will be held on the 28th day of January 1944, at 10:30 a. m. in the Senate Judiciary Committee room, upon the nomination of Sterling Hutcheson, of Virginia, to be United States district judge for the eastern district of Virginia. At that time and place all persons interested in the nomination may make representations.

NOTICE OF INTENTION TO ADDRESS THE SENATE

Mr. GUFFEY. Mr. President, I wish to give notice that next Monday, or at the first session of the Senate after the conclusion of the consideration of the pending tax bill, I shall make a few remarks in reply to the address made yesterday by the senior Senator from Nebraska [Mr. BUTLER].

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Radcliffe
Andrews	Guffey	Reed
Austin	Gurney	Revercomb
Bailey	Hatch	Reynolds
Bankhead	Hawkes	Robertson
Barkley	Hayden	Russell
Bilbo	Holman	Shipstead
Bone	Johnson, Colo.	Stewart
Brooks	Kilgore	Taft
Buck	La Follette	Thomas, Idaho
Burton	Langer	Thomas, Okla.
Bushfield	Lodge	Thomas, Utah
Butler	Lucas	Tobey
Byrd	McCarran	Truman
Capper	McClellan	Tunnell
Caraway	McFarland	Tydings
Chavez	McKellar	Vandenberg
Clark, Mo.	Maloney	Van Nuys
Connally	Maybank	Wagner
Danaher	Mead	Wallgren
Davis	Millikin	Walsh, Mass.
Downey	Moore	Walsh, N. J.
Eastland	Murdock	Wheeler
Ellender	Murray	Wherry
Ferguson	Nye	White
George	O'Daniel	Wiley
Gerry	O'Mahoney	Willis
Gillette	Overton	

Mr. BARKLEY. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], and the Senator from South Carolina [Mr. SMITH] are necessarily absent.

The Senator from Alabama [Mr. HILL] is detained on public business.

The Senator from Florida [Mr. PEPPER] is absent because of a slight cold.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] and the Senator from Iowa [Mr. WILSON] are absent because of illness.

The Senator from Minnesota [Mr. BALL], the Senator from New Hampshire [Mr. BRIDGES], and the Senator from Maine [Mr. BREWSTER] are necessarily absent.

The VICE PRESIDENT. Eighty-three Senators have answered to their names. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

COMPENSATION OF SPECIAL ATTORNEYS, ETC., DEPARTMENT OF JUSTICE

A letter from the Attorney General, transmitting, pursuant to law, a report showing the special assistants employed during the period from July 1, 1943, to January 1, 1944, under the appropriation "Compensation of special attorneys, etc., Department of Justice" (with an accompanying report); to the Committee on the Judiciary.

ANNUAL REPORTS, UNITED STATES PUBLIC HEALTH SERVICE

A letter from the Acting Administrator of the Federal Security Agency, transmitting, pursuant to law, the combined annual reports of the United States Public Health Service covering the period from July 1, 1941, through June 30, 1943 (with an accompanying report); to the Committee on Finance.

REPORT ON THE ACTIVITIES OF THE SMALLER WAR PLANTS CORPORATION

A letter from the Chairman of the War Production Board, transmitting, pursuant to law, the ninth report of his operations under the act to mobilize the productive facilities of small business (with an accompanying report); to the Committee on Banking and Currency and ordered to be printed.

REPORT OF FEDERAL SURPLUS COMMODITIES CORPORATION

A letter from the Administrator of the War Food Administration, transmitting, pursuant to law, the report of the Federal Surplus Commodities Corporation for the fiscal year ended June 30, 1943 (with an accompanying report); to the Committee on Agriculture and Forestry.

NAMES AND COMPENSATION OF MEMBERS AND EMPLOYEES, FEDERAL POWER COMMISSION

A letter from the Chairman of the Federal Power Commission, transmitting, pursuant to law, a statement showing the names and compensation of members and employees of the Commission as of June 30, 1943 (with an accompanying report); to the Committee on Commerce.

PERSONNEL REQUIREMENTS OF A DEPARTMENT AND AN ADMINISTRATION

Letters from the Under Secretary of the Interior, transmitting, pursuant to law, an estimate of personnel requirements for the quarter ended December 31, 1943, for certain bureaus and offices of the Department, and also from the Administrator of the War Shipping Administration, transmitting, pursuant to law, revised estimates of personnel requirements for the quarter ending March 31, 1944 (with accompanying papers); to the Committee on Civil Service.

REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—REPORT ON PENALTY MAIL (S. DOC. NO. 147)

The VICE PRESIDENT laid before the Senate a letter from Mr. BYRD, chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, transmitting, pursuant to law, an additional report of the joint committee on the subject of penalty mail, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. BYRD. Mr. President, I ask unanimous consent that the report of the Joint Committee on Reduction of Nonessential Federal Expenditures, on the question of penalty mail, just laid before the Senate, be printed in the body of the RECORD, and also as a Senate document.

The VICE PRESIDENT. Is there objection?

Mr. HAYDEN. Mr. President, let me ask the Senator from Virginia why it is necessary, in view of the shortage of paper, to print the report both in the body of the RECORD and as a public document?

Mr. BYRD. It is an important matter. The report is on a question which was referred to the committee by the Committee on Appropriations, with respect to an investigation of penalty mail. The report is not long, and I think it should get all the publicity possible.

Mr. HAYDEN. If it were printed as a document it could be sent to the Committee on Appropriations, but to print it both as a document and in the RECORD seems to me an unnecessary expense to the Government.

Mr. CLARK of Missouri. Mr. President, it seems to me there is a perfectly valid explanation. So far as Senators are concerned, particularly, the most convenient way for them to examine a report, or an amendment, or anything of the kind, is to read it in the RECORD. So far as the public at large is concerned, when constituents write in and ask for a report or a statement, it is much easier to send to the Document Room and have it sent than to clip it out of the RECORD.

Mr. HAYDEN. Ordinarily we do not print such a report as a document and in the RECORD.

Mr. BYRD. If it were not of sufficient importance I would not ask to have it printed in the RECORD and as a document.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia?

There being no objection, the report was ordered to be printed and to be printed in the RECORD, as follows:

REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—PENALTY MAIL

REPORT TO THE PRESIDENT OF THE UNITED STATES, THE VICE PRESIDENT OF THE UNITED STATES, PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

In accordance with title 6 of the Revenue Act of 1941, Public Law 250, Seventy-seventh Congress, an additional report herewith is presented by the Joint Committee on Reduction of Nonessential Federal Expenditures.

Introductory statement

Section 204 of the Treasury and Post Office Departments Appropriation Act, 1944, approved June 30, 1943, provided the following:

"The Joint Committee on Investigation of Nonessential Federal Expenditures is hereby directed to make a study of the problem of penalty mail in all of the departments and branches of the Government, with a view to eliminating unnecessary volume and reducing costs, and shall report its findings and recommendations by bill or otherwise to Congress not later than the first day of the next regular session of the Seventy-eighth Congress. The departments and agencies of Government shall furnish such information and detail such personnel as may be requested by the committee to assist in its investigation."

Accordingly an investigation was initiated by the committee, and hearings were held on October 27, 1943. The committee is appreciative of the splendid cooperation of the Bureau of the Budget and Post Office Department in making available the necessary data upon which this report is based.

The report will be confined to a discussion of "penalty mail," which is official mail originating in the executive departments and agencies.

Increases in the amount of penalty mail

The following table shows for the years 1934 through 1943 the number of pieces of penalty mail, the weight of such mail, and the estimated revenue at regular postage rates which this mail would have brought the Post Office Department:

TABLE I.—*Penalty matter (exclusive of Post Office Department)*

	Penalty mail	
	Pieces	Pounds
Fiscal year—		
1934	528, 272, 050	80, 875, 988
1935	622, 550, 939	84, 983, 288
1936	667, 475, 745	90, 809, 704
1937	740, 287, 213	96, 160, 181
1938	882, 352, 057	94, 551, 521
1939	967, 583, 181	93, 168, 643
1940	995, 571, 096	103, 244, 823
1941	1, 118, 461, 730	150, 987, 345
1942	1, 516, 015, 444	236, 529, 015
1943	1, 956, 073, 568	295, 711, 589

TABLE I.—*Penalty matter (exclusive of Post Office Department)*—Continued

	Estimated revenue at regular postage rates		
	Regular rates	Registry	Total
Fiscal year—			
1934	$22, 893, 584	$201, 298	$23, 094, 882
1935	28, 418, 484	2, 863, 116	31, 281, 600
1936	29, 697, 013	2, 539, 256	32, 236, 269
1937	32, 625, 126	1, 456, 801	34, 081, 927
1938	34, 166, 571	1, 524, 236	35, 690, 807
1939	36, 408, 851	1, 822, 274	38, 231, 125
1940	39, 905, 033	1, 628, 477	41, 533, 510
1941	49, 020, 190	2, 537, 306	51, 557, 496
1942	67, 334, 355	4, 589, 767	71, 924, 122
1943	103, 485, 392	16, 694, 664	120, 180, 056

It is expected that during the fiscal year 1944 over 2,000,000,000 pieces of penalty mail will be handled by the Post Office Department. As can be seen from the above table the number of pieces of penalty mail originating in the departments and agencies has more than tripled since 1934. The Budget Bureau estimates that the cost to the Post Office Department of handling penalty mail in 1940 was $13,000,000, and that the cost will be over $30,000,000 in 1943. The war activities of the Government have been responsible for a large portion of the increase in penalty mail over the past 3 years. The following table shows the number of pieces of penalty mail for which certain war activities have been responsible during the fiscal year 1943.

TABLE II [1]

Activity	Pieces of penalty mail
Selective Service	222, 000, 000
Allotments to dependents and bonds mailed (armed forces)	80, 000, 000
War Savings bonds	75, 000, 000
War Production Board (forms and questionnaires)	600, 000, 000
Other war agencies (forms and questionnaires)	14, 000, 000
Invoices and disbursements (armed forces)	19, 000, 000
Tax forms and invoices	234, 000, 000
Treasury disbursements	44, 000, 000
Total	1, 288, 000, 000

[1] Budget Bureau figures.

Thus 1,280,000,000 pieces, or about 60 percent, of the approximate 2,000,000,000 pieces of penalty mail reported by the Post Office Department are directly connected with war activities. The remainder of the penalty mail, approximately 40 percent or about 800,000,000 pieces, is the result of a continuation of normal peacetime nonwar Federal activities. Since this 40 percent of the current total nearly equals the total of all penalty mail in 1940, it is clear that the conversion from peacetime to war activities in the Federal Government has not had its counterpart in the field of mail originating in the departments and agencies of the Federal Government.

Methods of control

Testimony adduced at the hearings, and facts uncovered during the investigation, reveal that the problem of the excessive use of the penalty mailing privileges must be attacked from two directions. First, it is necessary to curtail the printing and processing of Government publications, forms, and questionnaires; particularly those not directly concerned with war activities of which there are still too many. Second, it is necessary to provide a better control over the procedures used in sending that penalty mail which is deemed to be absolutely necessary. In commenting on this the Postmaster General made the following statement:

"No doubt governmental departments and agencies generally consider all their penalty mailings to be essential and also no doubt the cost to them is a factor which they consider, but the important items of cost, namely, that of transportation, handling and delivery, are ones with which they are not concerned, since these items are not borne by them. It might well be that if they were charged with this element of cost it would affect materially the decision as to essentiality of the material to be distributed."

On February 11, 1943, the committee issued a report on the number of forms and questionnaires issued by the Federal Government to the public (S. Doc. No. 4, 78th Cong.), and recommended that immediate steps be taken by the Bureau of the Budget to curtail their use to the greatest extent possible. Some progress has been made along this line through a more careful review of all Government forms, questionnaires, publications, and periodicals. In this connection the Director of the Bureau of the Budget stated the following:

"There is evidence of control and administrative examination of mailing lists in some of the agencies. Care is exercised in many agences to subdivide the lists as far as possible to enable the agencies to make a finer selection of material to be distributed. In most agencies names are being placed on lists only upon direct request; the agencies report that lists are being circularized periodically and that the names of all persons not expressing a desire to remain on the list are usually removed. The frequency of circulation varies from once every 6 months to once each year. In several departments, the control and actual maintenance of mailing lists have been placed in 1 unit, while in others they are operated by the several bureaus. All departments and agencies report that substantial reductions have been made in the number of names on the lists. For example, in the Office of War Information, 61 lists containing 22,000 names were eliminated, and other lists involving 34,000 names were reduced to 27,000. In spite of these improvements in the control over mailing lists, the Director of the Budget is of the opinion that a more complete control can and should be established."

However, from testimony at the hearings it was revealed that the contents of only a very small percentage of the 2,000,000,000 pieces of penalty mail are subject to the review of the Bureau of the Budget. For example, there is the great amount of official correspondence and myraid of administrative forms and publications which emanate from the various Government departments and agencies from both their central and field offices.

The committee finds that the departments and agencies do not exercise sufficient care to make certain that only essential material is sent through the mails. The Director of the Bureau of the Budget states:

"The principal control over the volume of penalty mail is being exercised through the supervision of the printing and processing of materials going into the mails, but there is room for further improvement in these practices."

The committee has found that several departments and agencies have established various methods of control over material sent through the mails, whereas many have not. The committee advocates that all departments and agencies of the Government establish adequate central controls over the distribution of all material sent through the mails. Further, each department and agency should report semiannually to the Budget Bureau and the Congress the titles and number of all their circulars, pamphlets, posters, periodicals, and other publications sent to the public.

Bulk shipments of undated matter and material which may be shipped by freight, express, or truck to field distribution points should never be sent under the penalty mailing privileges.

Seventy-pound weight limit in Washington, D. C.; 4-pound weight limit outside Washington, D. C.

Present postal regulations prescribe a 70-pound penalty mail weight limit at Washington, D. C., and a 4-pound limit in the field. In the past this difference has encouraged certain departments and agencies to send material from the field by common carrier to their Washington, D. C., offices for reshipment via penalty mail under the larger 70-pound limit. However, the committee has been notified that this practice has been discontinued to some extent. Because of the decentralization of many Federal activities to the field the distinction between the 70- and 4-pound weight limit serves no useful purpose today, and should no longer be made. All departments and agencies, except the War and Navy Departments, the Selective Service System, and the Treasury Department, should be restricted to a 4-pound penalty mail weight limit both in Washington, D. C., and in the field, and should be required to pay postage to the Post Office Department for official mail weighing in excess of 4 pounds, or be required to ship the material by common carrier, freight or express—whichever is the most economical. To this end, the Postal Laws and Regulations might well be revised to place a universal weight limit of 4 pounds on all penalty mail, with the exceptions noted above, until such time as the committee's first recommendation is carried into effect.

H. R. 2001—A bill to require departments, agencies, and independent establishments in the executive branch of the Government to pay postage on official mail matter

During the course of the investigation the committee received many suggestions on how to reduce the excessive amounts of penalty mail. The most worth while of these is H. R. 2001, a bill introduced by Congressman THOMAS G. BURCH of Virginia, chairman of the House Committee on the Post Office and Post Roads, which provides that all departments and agencies shall be required to pay the full rate of postage from their appropriations for their official use of Government mails. The penalty-mailing privileges would be abolished as such, and would be replaced by special stamps and stamped envelopes proposed by the Postmaster General, and by the use of permit numbers and metering machines under the supervision of the Post Office Department. This would necessitate a specific appropriation by Congress to each department and agency for the expense incurred in using the mails. Thus, in providing a greater control over the use of the mails, there is no question but that certain advantages would accrue to the Government. These are:

(1) Less penalty mail would be sent by the departments and agencies, and the heavier material would be sent via the less expensive means of carrier, express, or freight.

(2) The more effective control over penalty mail would result in economies.

(3) Since a specific allocation of funds would be made to each department and agency for the payment of postage, the administrators in the departments and agencies would be compelled to establish effective operational controls over the distribution of printed and processed materials to keep within the limits of funds allowed for this purpose.

However, according to the departments and agencies, there would be certain disadvantages in requiring them to pay postage. These are:

(1) Additional personnel would be required to maintain the necessary records and provide for safekeeping of accountable property.

(2) Simplified procedures which now exist for handling bulk mailings, established by cooperation between the Post Office Department and the agencies, would be impractical.

(3) Postage meters, scales, and other facilities would require the use of critical war materials.

The committee finds that the advantages of H. R. 2001 far outweigh the disadvantages. The committee is convinced that there is an excessive nonessential use of the penalty mailing privileges by the departments and agencies, and that the passage of legislation which would serve to reduce this use would be a step toward more efficient management and control in the Federal Government. However, the committee believes that during wartime exceptions should be granted for the following agencies: War Department, Navy Department, Treasury Department, and the Selective Service System.

In addition, the committee believes that were more effective controls exercised by the departments and agencies over the publication and processing of materials to be sent through the mails better results would be obtained.

Conclusions

1. The committee finds that there is a need for more adequate records concerning the volume and methods of shipment of penalty mail both from Washington and the field. Although certain agencies had some reports on the volume of penalty mail of their agencies, in most cases whenever reports were available they were inadequate.

2. The committee finds that under present conditions the Post Office Department makes contracts for the supplying of penalty envelopes for all Government departments and agencies. It will, for instance, make a contract based on supplying a hundred thousand penalty envelopes of a certain size. There is nothing, however, to prevent the direct purchase of millions of these envelopes by a department or agency, and such purchases are now made. Any department or agency also may print or cause to be printed its own penalty labels, or to affix penalty indicia on mailable matter.

3. The committee finds that under existing procedures it is possible for an agency to place an order directly with a contractor for penalty mail envelopes far in excess of the quantity for which the contract was originally negotiated. Such action often results in the Government paying much higher unit prices than would have been necessary if the contract had originally been negotiated for the larger quantity by a central purchasing agency.

4. The committee finds that there exists an illogical weight distinction between penalty mail originating in Washington, D. C., and elsewhere, and that this weight distinction has resulted in large shipments of penalty mail from the field to Washington, D. C., in order to take advantage of the higher 70-pound limit at Washington, D. C.

5. The committee finds that no record is now being maintained to show the rapidly increasing volume of circular publications, posters, etc., mailed without being enclosed in penalty envelopes, the penalty indicia merely being printed, mimeographed, or otherwise placed directly on the mailing pieces.

Recommendations

The committee recommends that the penalty-mail privileges of the departments and agencies of the Federal Government be abolished as such, and that the Congress enact legislation which would provide that the departments and agencies reimburse the Post Office Department at regular postage rates, or upon a cost-ascertainment basis, from their regular appropriations, for their use of the mails. However, for the duration of the present war only, exceptions should be made for the following departments and agencies: War Department, Navy Department, Treasury Department, and the Selective Service System.

Between now and the time the above recommendation is executed, the committee recommends:

1. That the privilege of sending penalty mail weighing in excess of 4 pounds free of postage from Washington, D. C., or elsewhere, be abolished, and that the Postal Laws and Regulations be revised to restrict the shipment by mail of a maximum of 4 pounds of a particular item of penalty mail to a single addressee in any one day from any part of the United States. However, exceptions should be made for the following departments and agencies: Treasury Department, War Department, Navy Department, and the Selective Service System.

2. That each department and agency be encouraged, under rules and regulations promulgated by the Bureau of the Budget and Post Office Department, to establish a recording procedure, as simple as possible, that will enable the Federal Government to have more accurate information regarding the use of penalty mail.

3. That the Post Office Department be empowered to revise its present contracting procedure for the purchase of penalty envelopes, labels, post cards, or penalty indicia so that the Postmaster General shall be the only Government contracting agent for penalty envelopes, labels, post cards, or other penalty indicia.

4. That the Post Office Department shall report quarterly to the Congress and the Bureau of the Budget the number of all such penalty envelopes purchased, and also the number of labels or other indicia used by the various departments and agencies or bureaus or subdivisions thereof.

5. That the Post Office Department shall determine the volume and established cost of handling by the Postal Service of penalty mail by classes, mailed by each department and agency of the Government, which shall be reported quarterly to the Congress and the Bureau of the Budget.

6. That the Post Office Department cost-ascertainment procedure be amplified to determine the volume of penalty mail by departments and agencies; whereas now it is determined by the Government as a whole.

7. That the indicia showing the penalty mail privilege be placed on official mail matter by Government departments and agencies only under such rules as the Postmaster General may prescribe, and that the amount of mailings under such indicia be included in the quarterly reports to Congress and the Bureau of the Budget on penalty mailings.

8. That the Bureau of the Budget shall report semiannually to the Congress the titles and number of all their pamphlets, posters, periodicals, and other publications sent to the public by the Federal Government.

BUREAU OF THE BUDGET,
Washington, D. C., January 21, 1944.

Hon. HARRY F. BYRD,
Chairman, Joint Committee on Reduction of Nonessential Federal Expenditures, Senate Office Building, Washington, D. C.

MY DEAR SENATOR BYRD: I have reviewed the draft of the committee's report on the subject of penalty mail and I am generally in agreement with the conclusions and recommendations. However, I have reservations as to the desirability of removing the penalty mailing privilege from departments and agencies prior to the cessation of the present war.

Whether the requirement that departments and agencies pay postage will involve additional administrative costs and will require additional manpower is a question that has not been resolved. It seems to me that it should be answered before any final decision is made on removing the penalty mailing privilege.

Very truly yours,

HAROLD D. SMITH,
Director.

JANUARY 21, 1944.

Hon. HARRY F. BYRD,
Chairman, Committee on Reduction of Nonessential Federal Expenditures, Congress of the United States, Washington, D. C.

MY DEAR MR. CHAIRMAN: Reference is made to the proposed additional report of the Joint Committee on Reduction of Nonessential Federal Expenditures with respect to penalty mail, which you forwarded with your letter of January 13, 1944, for comment, suggestions, and approval.

There are undoubtedly some classes of penalty mail which could be curtailed or entirely eliminated without adversely affecting the Government's operations. With respect to mail of this character I am in accord with the committee's views that some savings could be realized through the establishment of more effective controls.

However, I am not prepared at this time, without detailed analysis and study of all the factors involved, to agree with the recommendation that the penalty mail privileges of the departments and agencies of the Federal Government be abolished, as such, and that the Congress enact legislation which would provide that the departments and agencies reimburse the Post Office Department at regular postage rates or upon a cost-ascertainment basis. It is conceivable that additional costs might be imposed which would far outweigh any economies that could be achieved by reduced mailings. It would seem, therefore, that before any far-reaching change of this character is effected, there should be a very thorough investigation made to determine whether such change would in fact result in economies to the Government as a whole, and for this reason I believe an opportunity should be accorded the several departments and agencies to submit their views on the proposal.

I will be glad if you will include these comments with the committee report.

Very truly yours,

H. MORGENTHAU, JR.,
Secretary of the Treasury.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A petition of sundry citizens of Oshkosh, Wis., praying for the enactment of legislation providing for food subsidies; ordered to lie on the table.

By Mr. GREEN:

A resolution of the General Assembly of the State of Rhode Island; to the Committee on Education and Labor:

"Resolution 22

"Resolution urging the Senators and Representatives from Rhode Island in the Congress of the United States to bring their influence to bear that action may be taken by the Federal housing authorities to grant some form of priority to the immediate families of men and women in the service of the armed forces endeavoring to find residence in Rhode Island in the quarters of the housing projects developed by the Federal housing authorities in this State

"*Resolved*, That the Senators and Representatives from Rhode Island in the Congress of the United States be, and they are hereby, earnestly urged to bring their influence to bear and to work in an effort that action may be taken by the Federal housing authorities to grant some form of priority to

the immediate families of men and women in the service of the armed forces endeavoring to find residence in Rhode Island in the quarters of the housing projects developed by the Federal housing authorities in this State; and be it further

"*Resolved*, That duly certified copies of this resolution be transmitted by the secretary of state to the Senators and Representatives from Rhode Island in the Congress of the United States."

REPORT OF SPECIAL COMMITTEE ON FOREIGN OIL POLICY TO PETROLEUM INDUSTRY WAR COUNCIL

Mr. MOORE. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred a report of the Special Committee on Foreign Oil Policy to the Petroleum Industry War Council, dated January 10, 1944, together with a resolution adopted by the committee on December 9, 1943.

There being no objection, the report and resolution were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

REPORT OF SPECIAL COMMITTEE ON FOREIGN OIL POLICY TO THE PETROLEUM INDUSTRY WAR COUNCIL, JANUARY 10, 1944

The committee has carefully considered the problem of foreign oil developments and has reviewed the document entitled "A Foreign Oil Policy for the United States," prepared by the Foreign Operations Committee, and recommends to the Petroleum Industry War Council the approval of the following report, viz:

1. That the oil resources of the world can best be developed by private enterprise under a free economy.

2. That a foreign oil policy should be established at once by the United States.

3. That such a policy should involve strong support by our Government to our nationals who are willing and able to play an important role in the development of the oil resources of the world.

4. That our Government should not participate either directly or indirectly in the ownership or operation of foreign properties.

5. That the report of the Foreign Operations Committee is a sound and constructive presentation of the opinions held by this committee.

That report outlines the factors that create an international oil problem; emphasizes the special interest of the United States in oil; presents in some detail the principles that should underlie a sound foreign oil policy; and outlines those aspects of the problem that require immediate attention as well as those which should be dealt with under a long-term policy. The report vigorously presents the advantages of private enterprise in foreign oil development, points to the great achievements already made by American nationals in this field, and gives convincing arguments to show that direct or indirect participation by the United States Government in foreign oil developments will hamper the diligent and efficient prosecution of such developments, will be a long step away from democratic procedure, and will lead to endless political and international complications.

The committee finds itself in accord with the substance of the report and endorses its findings as expressed in sections I to V, inclusive.

With regard to section VI which gives the design of a proposed international oil compact, the committee has not completed its study and expresses no opinion at this time. It feels that no immediate action on this particular point is required, as the nature and scope of this compact will in any event postpone its implementation until the world is again at peace.

The committee urges that the report of the Foreign Operations Committee be given the widest publicity both within the oil industry and among citizens in general. These matters concern not only the oil industry but the entire Nation.

Adopted January 12, 1944.

PETROLEUM INDUSTRY WAR COUNCIL.

REPORT OF SPECIAL COMMITTEE ON FOREIGN OIL POLICY TO THE PETROLEUM INDUSTRY WAR COUNCIL, DECEMBER 9, 1943

Your committee has examined the report of the Foreign Operations Committee of the Petroleum Administration for War and endorses the policies set forth therein, but desires more time for study and a specific recommendation on foreign policy which will be presented to the Petroleum Industry War Council at its January meeting.

The committee recommends to the council the adoption of the following resolution:

"Whereas in recognition of the fact that private capital and competitive enterprise have developed and will continue to develop vast foreign oil reserves as well as a great domestic oil industry which constitute a great and indispensable bulwark for national defense: Be it

"*Resolved*, That the Petroleum Industry War Council recommends to the Petroleum Administrator for War that the immediate war necessity and the continuing necessity for the acquisition, exploration, and development of foreign oil reserves by our nationals makes it imperative that our nationals be afforded all possible diplomatic protection in foreign lands; be it further

"*Resolved*, That a foreign oil policy of the United States should have the support of the American people as well as the support of the American oil industry. It should extend to our nationals, operating in foreign countries, the encouragement and effective assistance of the American Government in their foreign oil exploration, development, or operation; be it further

"*Resolved*, That the United States Government should under no circumstances acquire title or ownership or directly or indirectly engage in foreign oil exploration, development, or operation."

Adopted December 9, 1943.

PETROLEUM INDUSTRY WAR COUNCIL.

FOREIGN OIL POLICY OF THE GOVERNMENT—RESOLUTION OF PETROLEUM INDUSTRY WAR COUNCIL

Mr. MOORE. Mr. President, I ask unanimous consent to present a resolution adopted by the Petroleum Industry War Council and to have it printed in the RECORD and properly referred.

There being no objection, the resolution was received, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Whereas on December 11, 1943, the board of directors of the Independent Petroleum Association of America adopted the following resolution:

"Whereas private capital, individual initiative, and free competitive enterprise have achieved the highest degree of development in exploration, production, refining, marketing, and transportation in the oil industry, and in the advancement of the associated sciences, resulting in constantly improving quality, and in reasonable prices to the consuming public in the United States; and

"Whereas the helpful functions of government are recognized in the promotion of conservation, through those governments having jurisdiction, in the prevention of waste, and in the scientific ascertainment of consumptive demand; and

"Whereas in the foreign field, private enterprise has extended the sphere of American industrial power and prestige in the discovery and development of oil reserves with substantial benefits to the United States Government, and to its nationals, without the involvement of the United States Government as such, and without creating the hostility of friendly nations through the attempted impairment of their sovereignty by the intervention of the United States Government in their internal affairs; and

"Whereas Government control, whether effectuated through Government monopoly, Government expropriation, or through the nationalization of petroleum has hampered, obstructed, and restricted petroleum industrial development in other countries as compared with, and measured by the achievements of private capital, private initiative, and private management in the United States; and

"Whereas foreign explorations, production, transportation, and refining of petroleum has been dependent, to the greatest extent, upon the advances mad by the petroleum industry in the United States in petroleum production and refining technology, and in the improvement made in the art of oil finding, and in the use of American manufactured equipment and supplies; and

"Whereas no major development in the history of the oil industry throughout the world has resulted from purely governmental activity, comparable to the progress made in the industry by private capital and private enterprise; and

"Whereas national defense and national welfare and friendliness between nations are best promoted and served by the extensive and efficient development of petroleum through the media of private capital, private initiative, and private management in a free competitive system susceptible of quick mobilization for national service; and

"Whereas a virile, dynamic domestic oil industry in the United States, supported by the legitimate diplomatic aid of the Government of the United States to its nationals engaged in foreign operations under established international law constitutes the most indispensable and effective bulwark of national defense: Therefore be it

"*Resolved by the Independent Petroleum Association of America*, That—

"(1) The Government of the United States of America be, and it is hereby petitioned, to establish and maintain a consistent foreign oil policy—

"(a) by giving necessary and legitimate diplomatic support, under the principles of international law, to its nationals engaged in foreign oil operations; and

"(b) by fostering the private enterprise of its nationals in foreign exploration, production, transportation, refining, and marketing of petroleum and its products; and

"(c) by the establishment of a cardinal principle in such foreign oil policy of the Government of the United States that the Government itself will not directly or indirectly engage in foreign oil ownership, exploration, development, or operation, either in its sovereign or proprietary capacity, or through the media of ownership in corporations or other agencies engaged in the petroleum industry."

Whereas the Special Committee on Foreign Oil Policy of the Petroleum Industry War Council are in full accord with the principles as set forth in this resolution as evidenced by its report to the Council, dated January 10, 1944: Be it

Resolved, That the Petroleum Industry War Council approves the declaration of principles expressed in the foregoing resolution.

Adopted January 12, 1944.

PETROLEUM INDUSTRY WAR COUNCIL.

RESOLUTION OF MERIDEN CENTRAL LABOR UNION—NATIONAL HOME FOR JEWS IN PALESTINE

Mr. MALONEY. Mr. President, I ask unanimous consent that there may be in-

serted in the body of the RECORD, and appropriately referred, a letter which I have received from Mr. Frederick L. Neebe, secretary, the Meriden Central Labor Union, Meriden, Conn., embodying a resolution adopted at a meeting of that organization held on December 3, 1943, urging "that the Balfour Declaration be fully implemented" and "that the right of the Jewish people to a national home in Palestine be reaffirmed."

There being no objection, the letter embodying a resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

THE MERIDEN CENTRAL LABOR UNION,
Meriden, Conn., January 11, 1944.

Hon. FRANCIS MALONEY,
Senate Office Building, Washington, D. C.

DEAR SENATOR MALONEY: By instruction of the Meriden Central Labor Union, I am sending you herewith copy of resolution adopted at the meeting held on December 3, 1943. This resolution follows along the lines adopted by the convention of the American Federation of Labor at Boston, Mass., on October 8, 1943:

"Whereas newspaper dispatches from Europe and the documented reports of the State Department tell a horrible story of the atrocities to which the conquered peoples of Europe have been subjected. In Czechoslovakia the destruction of Lidice was but a symbol of the calculated plans of the Nazis to break the spirit of an entire nation. In Poland the best minds of the country, the leading spirits of all classes, the leaders of the labor movement, have been executed as part of the planned Nazi policy to leave the Poles a people without leadership and without direction. In Holland the Nazis loosed their bombs on Rotterdam after the city had surrendered, and thousands of women and children were butchered to strike fear into the hearts of their fighting men. Today Nazi soldiers are bayoneting Italian civilians on the streets of Italian cities to satisfy their lust for revenge against their former ally; and

"Whereas horror piles upon horror. Terror is the lot of all; and

"Whereas it has been reserved for the Jewish population of occupied Europe to be marked for mass extermination. History knows no parallel to the bestial cruelties by which the Nazis are carrying out their resolve to destroy the entire people. Herded into walled ghettos, they are denied food and drink until life departs from their bodies. Crowded into specially constructed gas chambers, they are asphyxiated to death by their Nazi executioners. Hunted like animals through the streets, they are shot down or clubbed to death when their torturers have tired of their sport; and

"Whereas the world has seen more than 3,000,000 Jews in occupied Europe starved, hunted, gassed, clubbed, and machine-gunned. Today there remains but a tiny remnant of an ancient people in lands where their fathers and forefathers have lived for centuries; and

"Whereas the conscience of the civilized world recoils with horror at the fiendish crimes perpetrated by the Nazis on a defenseless people; and

"Whereas civilized humanity owes it to its own conscience to undo, so far as can be undone, the inhuman plans of the Nazi barbarians and to save those who can still be saved from the fate that has been suffered by 3,000,000 of their people; and

"Whereas, to this end, the American Federation of Labor calls upon the United Nations to take immediate steps to rescue the remaining Jews of occupied Europe. We call upon the United Nations, and our own country, to provide for them temporary havens in their territories. We urge that where immigration restrictions impede the work of rescue they be temporarily lifted, and that in our own country quotas be enlarged where necessary so that those Jews who can still be snatched from the bloody hands of the Nazis may find a temporary resting place until the war is over, when they may once more take up their abode in their native lands; and

"Whereas we urge that our Government in the meanwhile, together with the governments of our allies, warn the men by whose orders these inhuman deeds have been perpetrated that they will be treated as outlaws from humanity, and outcasts from the world; and that they will be punished for their crimes against the helpless and the downtrodden; and

"Whereas the Nazis, as part of their plan for world domination, have introduced into Europe a calculated chaos. They have uprooted millions of Frenchmen, Norwegians, Hollanders, Belgians, Russians, and Poles from their homeland. They have looted everything movable in every land where they have set their heel. Victory will not be complete until the monstrous skein of planned chaos is unraveled. The United Nations, as the trustees for the conscience of civilization, must resolve that these millions shall return to their homes, shall recover their property, shall be able once more as free men to live on the fruits of their toil. And precisely because the Nazis spent their greatest efforts on the uprooting and extermination of the Jews above all other peoples, the United Nations must make a special effort to foil the Nazi plans, and enable the Jews, who have suffered most at the hands of the Nazis, to return to their former residences and occupations, with all their political, economic, and civil rights restored; and

"Whereas when all this has been done, when charity and kindness and human decency have bound up the wounds left by our enemies, there will still be those among the Jews who will have no home, no nation, to which they can return. The American Federation of Labor has in the past expressed its profound sympathy with the national aspirations of the Jewish people. And today, more than ever, the American Federation of Labor calls upon the world to fulfill its long-standing pledge to the Jewish people by enabling them to build up their own homeland, and by opening wide the doors of Palestine to the victims of the Nazi terror; and

"Whereas the American Federation of Labor has observed with admiration the reconstruction of the Jewish homeland since the Balfour Declaration recognizing the special claim of the Jewish people to the soil of Palestine. It has watched with pride the great role played in the upbuilding of Palestine by the forces of organized labor there; and

"Whereas the world is fortunate that there exists a Jewish homeland, whose sons stood at the gateway of the East and held it against the Nazi war machine until the full forces of the United Nations could be brought to bear to expel the Germans from Asia and Africa. It is fortunate that there will exist tomorrow a Jewish commonwealth to which may turn those victims of Nazi oppression who have no other homeland: Therefore, be it

"*Resolved*, That the American Federation of Labor urges upon our Government and upon the Government of Great Britain, which has a special responsibility in the matter, that the Balfour Declaration be fully implemented, that the right of the Jewish people to a national home in Palestine be reaffirmed, and that every aid and encouragement be given to enable the victims of Nazi persecution to settle upon their ancient soil and make it bloom once more as it did in the days of the prophets."

FREDERICK L. NEEBE,
Secretary, the Meriden Central Labor Union.

WHAT PRICE GOOD NEIGHBORS?—EDITORIAL FROM THE PHILADELPHIA INQUIRER

Mr. DAVIS. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred an editorial entitled "What Price Good Neighbors?" from the Philadelphia Inquirer of this morning.

There being no objection, the editorial was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

WHAT PRICE GOOD NEIGHBORS?

It's about time that more authoritative answer than those of Vice President WALLACE and Senator MCKELLAR were made to Senator BUTLER's charges of extravagant spending by the United States Government in Latin America.

If Senator BUTLER is anywhere near right in his reiterated declaration that our expenditures, commitments, and extensions of credit south of the border for a 3-year period amount to close to $6,000,000,000, most American taxpayers will demand to know what, in the name of all that's sensible, the long-term cost of the good-neighbor policy is going to be.

The worst of it is that, with a suspiciously pro-Axis Argentine Government apparently seeking to form a strong anti-United States bloc in South America, it looks as if the good-neighbor policy is being taken for a ride at this country's expense.

Yet, when Senator BUTLER, a persistent Republican from Nebraska, first aired his alleged findings of costly boondoggling and waste in South America the loudest voice heard in reply was that of Vice President WALLACE, who almost tearfully apologized to our Latin American friends for the Nebraskan's rude aspersions.

The next loudest voice was that of Tennessee's MCKELLAR, who insisted that total expenditures in Latin America were only $2,207,000,000, of which $1,400,000,000 was for war purchases by the United States. Nelson Rockefeller, Inter-American Affairs Coordinator, meantime had put the figure at less than $600,000,000.

Now Senator BUTLER has submitted to the Senate an itemized account to back up his accusation that in the last 3 years the United States Government has poured at least $5,733,953,543 into Central and South America, and Senator MCKELLAR has returned to the fray to declaim that BUTLER's charges tend to damage the good-neighbor policy.

Who is right in all this? How much have we spent and promised to spend in Latin America? What's our money being spent for down there? What's it doing to the good-neighbor policy? Just what, precisely, is the condition of the good-neighbor policy now?

These are questions which a good many Americans would like to have answered, not by angry Senators hurling charges and countercharges across the Senate floor, but by cool, unimpassioned investigators.

If the American Government has been trying to buy Latin America's undying friendship by tossing money around like nobody's business, our people should know about it.

If, as has been asserted by some, we have spent stupendous sums on thousands of mechanical sewing machines for natives who prefer to sew with a shark's tooth; on stocking Venezuelan lakes with game fish; on buying farms for deserving folk in Honduras, and on other heart-warming but not imperative projects, American taxpayers ought to be given the down-to-earth facts.

Senator BUTLER's provocative revelations are the result of a personal inquiry made during a tour taken at his own expense. Various congressional agencies have made

stabs at checking his data, but to little purpose. Why hasn't there been a formal congressional investigation of the charges?

Certainly BUTLER is right in his blunt assertion that "money will not buy good will" and that we ought to call a halt on extravagance and develop a policy "that will be sound good neighbor."

Before the good-neighbor policy is shot to pieces by pro-Axis factions in South America who don't appreciate Uncle Sam's loose-fingered ways with money, Congress should order a thorough, searching analysis of Senator BUTLER'S accusations, with no account books or witnesses barred.

NATIONAL WAR SERVICE

Mr. DAVIS. Mr. President, the Senate Military Affairs Committee is now holding hearings on the matter of a national service act, the enactment of which was requested by the President in his recent message to the Congress.

A recommendation of this nature is indeed a matter of serious concern to all the American people, and I know that the members of the Military Affairs Committee are conscientiously seeking all valid and worth-while information pertinent to that subject, in order that they might adopt a course supported by the vast majority of the American people. I am therefore requesting, Mr. President, that an editorial which appeared in the Pittsburgh Post-Gazette under date of January 21 entitled "The Free Labor of Freemen" be printed at this point in the RECORD as a part of my remarks, and that it be referred to the Military Affairs Committee for their consideration and study. The Post-Gazette is a reliable and sound organ of America's free press, and I feel that this editorial reflects substantially the popular feeling in the State of Pennsylvania with respect to the pending legislation.

I might add that, judging from the considerable quantity of mail which has come to my office on this subject, a large number of people are opposed to the enactment of any legislation of this type at this late date.

In addition, Mr. President, while much has been said to the effect that the servicemen themselves favor the enactment of this legislation, the mail which I have received directly or indirectly from men in the armed forces does not bear out this contention.

Certainly the soldiers on the fighting fronts are definitely opposed to work stoppages and strikes in American war industries, for they feel, and rightly so, that they should have the full help and support of every person here on the home front. I have long maintained that there is no possible justification for a strike or a work stoppage during these times of crisis, and I believe, Mr. President, that the administration has sufficient authority at the present time to prevent such disturbances, if that authority were used properly and on time. I am convinced that the vast majority of the American people are doing their utmost to hasten the day of our total victory and the early return of our sons and brothers from the fighting fronts of the world, and I am convinced that the enactment of legislation of this type would not serve effectively to hasten that day.

The VICE PRESIDENT. Is there objection to the request of the Senator from Pennsylvania?

There being no objection, the editorial was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

THE FREE LABOR OF FREEMEN

In his testimony before the Senate Military Affairs Committee, Secretary of War Stimson presented three arguments for a national service law, unpopularly called a Draft-Labor Act. He said that soldiers overseas are "bitterly resentful" of strikes and labor unrest, that the war machine is in danger of missing the 1944 production goals because of manpower shortages, and that the public favors such a measure. None of the arguments seems to have impressed Congress, which he said needs impressing.

His first and third arguments are not directly related to the second nor practically pertinent in themselves. Granted that our soldiers are bitterly resentful of strikes, just as are most people at home, do they have any clearer idea of how a National Service Act would work than the rest of us, and would they saddle the whole Nation with further regimentation simply to get even with those unions which violated their no-strike pledge? Making the doubtful assumption that the public favors such a measure, how many people know to what extent a sweeping law they don't understand can solve economic problems they don't understand?

What soldiers think and what the public thinks about wartime strikes has little to do with the shortage of manpower in aircraft, coal-mining, lumbering, and ball-bearing plants. If the primary purpose of a National Service Act is to fill these gaps, why didn't President Roosevelt say so when he proposed the law, and why doesn't Mr. Stimson explain which workers would be drafted for these jobs and how their sacrifice would be equalized, both with the men in the armed services and with other workers—the bulk of them, according to the President's own words—left in their old jobs at the highest wages in history?

Had a National Service Act been proposed 2 years ago, or even 1 year ago, as we have said before, we believe the American people would have accepted it gladly, because they did and they do want to pull their own individual weight in this war. Brought forward at this time, however—after mine strikes and steel strikes and the threat of a railroad strike—it looks too much like another stopgap remedy for the labor troubles Mr. Roosevelt brought on himself, and the country, by trying to play cagey politics with the war effort. That is precisely why the public, having watched his stabilizers consistently give in to the strikers' demands, questions the advisability of giving the President greater authority to use or not use at his discretion in an election year.

As for Mr. Stimson's fear that the home front is "on the point of going sour" with "a system of anarchy" taking form, may we point out that in this war for human freedom free men have proved its worth in peace and war.

There have been strikes, inexcusable strikes, which we have condemned as severely as anybody else. In spite of them, our Army is the best equipped in the world, and our allies are better equipped than they otherwise would be, because the free workers of America, under a system of relatively free enterprise, have poured a steady stream of ships, planes, tanks, guns, food, and supplies across the seas. Before tampering with that system still further in an attempt to correct its strike defect, the American people, as loyal as ever to the democratic principles they are fighting and working to save, will have to be convinced that any other system could work as well.

Certainly they will hesitate to give arbitrary power over their lives to administrators whose reason for asking it is that they can't trust the people.

REPORT OF COMMITTEE ON EDUCATION AND LABOR

Mr. THOMAS of Utah, from the Committee on Education and Labor, to which was referred the bill (S. 1633), to amend the act entitled "An act to provide for the training of nurses for the armed forces, governmental and civilian hospitals, health agencies, and war industries, through grants to institutions providing such training, and for other purposes," approved June 15, 1943, so as to provide for the full participation of institutions of the United States in the program for the training of nurses, and for other purposes, reported it without amendment and submitted a report (No. 633) thereon.

WARTIME METHOD OF VOTING BY MEMBERS OF ARMED FORCES—REPORT OF PRIVILEGES AND ELECTIONS COMMITTEE

Mr. GREEN. Mr. President, by direction of the Committee on Privileges and Elections, as the result of the meeting held yesterday afternoon, I have been instructed by a vote of 12 to 2 to report back from that committee, with an amendment, the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting in time of war by members of the land and naval forces absent from the place of their residence, and for other purposes, and to submit a report (No. 632) thereon.

The VICE PRESIDENT. Without objection, the report will be received and the bill will be placed on the calendar.

REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation three lists of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted reports thereon pursuant to law.

JOINT RESOLUTIONS INTRODUCED

Joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WHEELER:

S. J. Res. 109 (by request). Joint resolution extending the period for the acquisition by the Railroad Retirement Board of data needed in carrying out the provisions of the railroad retirement acts; to the Committee on Interstate Commerce.

(Mr. MOORE (for himself and Mr. BREWSTER) introduced S. J. Res. 110, which was referred to the Committee on Interstate Commerce, and appears under a separate heading.)

LIQUIDATION AND DISSOLUTION OF PETROLEUM RESERVES CORPORATION

Mr. MOORE. Mr. President, I ask unanimous consent, on behalf of the Senator from Maine [Mr. BREWSTER] and myself, to introduce a joint resolu-

tion. I believe from the character of the resolution that it might be referred either to the Committee on Interstate Commerce or the Committee on Foreign Relations.

The VICE PRESIDENT. Without objection, the joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 110) to liquidate and dissolve Petroleum Reserves Corporation, a Government corporation, introduced by Mr. MOORE (for himself and Mr. BREWSTER), was read twice by its title and referred to the Committee on Interstate Commerce.

SERVICE MANUAL FOR THE USE OF VETERANS AND THEIR DEPENDENTS—REVISION AND REPRINT OF DOCUMENT

Mr. BONE submitted the following resolution (S. Res. 242), which was referred to the Committee on Printing:

Resolved, That Senate Document No. 96, Seventy-seventh Congress, first session, entitled "A Service Manual for the Use of Veterans and Their Dependents," be revised to date and reprinted with corrections, and that 5,000 additional copies be printed for the use of the Senate Document Room.

FULL EMPLOYMENT—ADDRESS BY THE VICE PRESIDENT

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an address on the subject Full Employment, delivered by the Vice President before a luncheon meeting of the Committee for Political Action of the C. I. O., at New York City, on January 15, 1944, which appears in the Appendix.]

FOREIGN POLICY—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address on foreign policy, broadcast by him over Wisconsin radio networks, which appears in the Appendix.]

FINANCING SMALL BUSINESS AFTER THE WAR—ADDRESS BY SENATOR TAFT

[Mr. TAFT asked and obtained leave to have printed in the RECORD an address entitled "Financing Small Business After the War," delivered by him at the Boston City Club, Boston, Mass., January 14, 1944, which appears in the Appendix.]

THE FARM SITUATION

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD a letter from W. A. Cochel, editor of the Weekly Kansas City Star and three editorials from that newspaper on the farm situation, which appear in the Appendix.]

VOTES FOR SOLDIERS

[Mr. TUNNELL asked and obtained leave to have printed in the RECORD an article entitled "Soldiers in Italy Ask Right to Vote," from the UE News of January 22, 1944, which appears in the Appendix.]

JOHN R. STEELMAN, DIRECTOR, UNITED STATES CONCILIATION SERVICE

[Mr. BANKHEAD asked and obtained leave to have printed in the RECORD an article by John Temple Graves, published in the Birmingham Age Herald of December 8, 1943, relating to the work of Dr. John R. Steelman, Director of the United States Conciliation Service, which appears in the Appendix.]

BILLION-DOLLAR WATCH DOG—ARTICLE FROM THE READER'S DIGEST

[Mr. HATCH asked and obtained leave to have printed in the RECORD an article entitled "Billion-Dollar Watch Dog," from the Reader's Digest of September 1943, which appears in the Appendix.]

EXCERPTS FROM EIGHTH ANNUAL REPORT OF THE SOCIAL SECURITY BOARD

Mr. WAGNER. Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks portions of the Eighth Annual Report of the Social Security Board, dealing with the all-important problems of health protection and unemployment insurance, as a part of a unified program of social security for the post-war period.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

HEALTH AND MEDICAL CARE

Our country may well take pride in its progress during the past half century in extending the average length of life and raising standards of physical well-being. We may be proud also of the Nation's total resources for the prevention and care of sickness—organized public health services, splendidly equipped hospitals, and skilled medical practitioners and technicians. In combination with the relatively high levels of living achieved by the American population as a whole, these resources have served to make the health and life of the average man more secure than that of his parents or grandparents. Failures, however, to assure healthful growth and development among even the generations now young are evident in many ways, among them the record of the first 3,000,000 men examined for selective service. Though these men were in the ages 21–36 and their average age was 26, half failed to meet the physical and mental requirements of the system for general military service, while about one-fourth could not qualify for even limited service. Of the 900,000 who were thus disqualified, at least 200,000 had defects which were considered easily remediable. Among a large group of 18- and 19-year-old registrants, about 25 percent were rejected on physical or mental grounds. Rejection rates reflected economic handicaps. Among boys classified as farmers, the rate was about 40 percent, and among emergency workers and the unemployed, nearly 38 percent, while for those classified in skilled occupations and professional and semiprofessional services, only about 20 percent were rejected for these reasons. Though standards for military service were more rigorous than those required in many civilian activities, prevalence of physical defects among this cross section of the young adult population has serious implications for individual and social security.

DIFFERENCES IN THE EXTENT OF HEALTH PROTECTION

Average achievements in health security have little meaning to a particular individual; what matters to him is his own chance to live a full life unhampered by sickness or incapacity. The average conceals the fact that in all parts of the country there are groups whose chances of survival are no greater than those which existed in the United States 60 years ago. Some places in the United States, especially rural areas, are almost without access to modern facilities to prevent and cure sickness.

Progress in improving health and longevity has come largely through organized measures for curbing or eradicating hazards of whole communities—that is, through public health and sanitary provisions to safeguard water and milk supplies and prevent or control communicable diseases such as typhoid fever, diphtheria, tuberculosis, and malaria. Sickness and death rates from causes such as these make it clear, however, that there still remains a tremendous weight of preventable or curable sickness and postponable death which could be lifted through the use of measures long since established as appropriate functions of public health and medical services.

In these as in other fields of public action, striking variations arise from differences in public and personal resources. A baby's chance to survive the first year of life, for example, was nearly three times as good in the best State in 1942 as it was in the State where the infant mortality rate was highest. The death rate from tuberculosis ranges, among the States, from 79.1 per 100,000 of population to 16.2, excluding States in which facilities for the care of that disease have attracted patients from other areas. While climatic and other differences enter into comparisons such as these, a major underlying factor is the discrepancy in the funds made available by States and localities to carry on widely accepted public-health functions needed to prevent and care for sickness within their borders. Recognition of this situation was made in the provision of Federal grants for public health and maternal and child health and welfare under the Social Security Act, administered, respectively, by the United States Public Health Service and the Federal Children's Bureau. At the end of nearly 8 years, however, these measures had not yet proved sufficient to remove the handicaps of wide geographic areas and certain groups in all areas.

Within localities, moreover, sickness varies according to income level. The chance for health, and even for survival, is least among the poor. The general death rate among boys and men of working age has been found to be nearly twice as high for unskilled laborers as for professional men or proprietors, managers, and officials. Wage earners in nonrelief families with annual incomes of less than $1,000 were found to have, on the average, nearly twice as many days of disability during a year as those in families with $3,000 or more. Families on relief reported nearly three times as many days of disability per person as were reported for persons in families with incomes of $3,000 or more. Children in relief families lost nearly a third more time from school or play because of illness than those in families with moderate or comfortable means. It is of little use to argue whether sickness and premature death are more often the cause or the result of poverty; in either case, it is necessary to stop the down-spiral likely to end in demoralization and dependency.

Public-health programs for the prevention and control of communicable diseases have wiped out or relegated to an unimportant place many ailments which once were leading causes of sickness and death. Success has been greatest in the acute ailments of childhood and youth. Increasing proportions of the babies born in the last half century or more have gained a chance to live to old age. Except for accidental injuries, the leading causes of death are now the slowly crippling diseases of middle age and old age, often ushered in by long periods of increasing disability. The attack on these forms of ill health cannot be made by mass methods, such as chlorinating a water supply to eradicate typhoid fever. To prevent and curb such causes of disability and death requires the highly individualized services of physicians, technicians, and laboratories. These services are necessarily expensive. They are, moreover, the forms of medical care for which American families typically pay, when they receive them, as individuals. The direction of progress in health security in the United States lies increasingly in insuring that all groups in the population

can get for the prevention and care of sickness whatever medical care they need, not only as members of communities but also as individuals.

COSTS OF MEDICAL SERVICES

The largest part of the Nation's total bill for health and medical care is paid directly by families. In 1942, government—or the population as a whole as taxpayers—paid about 20 percent of the total, exclusive of the cost of medical care for the armed forces. Philanthropy and industry combined accounted for probably not more than 5 percent of the total. About three-fourths of the total paid in a year comes directly from family pocketbooks, and of this sum a very large part is paid by the families which suffered serious illnesses. Serious sickness is likely to make inroads upon family resources through temporary or prolonged loss of earnings and increases in costs of food and household services, as well as in terms of medical bills. The major part of the support of measures for security in life and health in the United States thus falls fortuitously upon households when they are least able to pay for it. The care a family receives depends in considerable part upon its income. Despite all the public provisions for medical care and the care given through philanthropy and the unpaid services of physicians and others, low-income families receive, on the average, much less care than those in better circumstances, though their needs for care are greater.

From the standpoint of the family which suffers serious illness, adequate medical care must nearly always be expensive. For the country as a whole, costs are not such a problem. It is estimated that about $4,500,000,000 was spent in 1942 in the United States for medical care and public-health services. This was a very small fraction of the Nation's income. Among individual families the average outlay was relatively small, not more than 3, 4, or 5 percent of annual income. If 1942 followed the pattern of an earlier prosperous period for which detailed studies are available, low-income families, which have the greatest need for care and receive the least, spent a somewhat larger proportion of their annual income for medical services than the well-to-do.

The problem of medical bills arises from the fact that they are unlike any other basic item in the family budget. No family can set aside 4 or 5 or even 10 or 20 percent of income for a given year and know that it will be enough to meet medical bills. For the individual family, medical costs are unpredictable and largely uncontrollable. In any given year, medical needs will confront some families with economic disaster and others with a burden which can be met only by sacrifice of other essentials, but no one can predict which families these will be. Over the cycle of a generation, few households escape a year or more in which illness brings heavy or crushing costs, but none can select for sickness the year when they are best able to pay for what they need.

THE NEED FOR SECURITY IN HEALTH

In the opinion of the Social Security Board, the lack of adequate measures to cope with sickness and disability represents the most serious gap in provisions for social security in the United States. This lack affects all areas in the country, all age groups, and nearly all income levels. Compensation for wage losses arising from temporary or prolonged incapacity to work would help employed persons and their families to maintain their financial independence when they suffer these involuntary reductions in earnings. It cannot be expected, however, that replacement of a part of customary earnings would be effective in enabling the population to meet the additional costs that are due to or associated with sickness of the worker or members of his family, or to meet needs for care which now are unmet.

Gaps and inadequacies in existing measures for public health and the lack of systematic provisions for assuring access to medical services for all persons who require care inevitably cast direct or indirect burdens on all other branches of the social-security program. These gaps and inadequacies are reflected in costs of relief, in unemployment or underemployment—to which, in ordinary times, the worker in substandard health is particularly liable—and in earlier retirement than many persons would choose if they were physically able to continue work. The goal of full employment implies not only job opportunities but also opportunities for all to achieve and maintain the health and vigor without which the individual cannot work effectively. The Social Security Board believes that provisions for health and medical care have an important place in any comprehensive and adequate program of social security.

A BASIC MINIMUM PROGRAM OF SOCIAL SECURITY

The purpose of a comprehensive program of social security is simple. Basically it is to enable the working population to maintain economic independence throughout the cycle of family life by distributing the return from labor over the periods in which breadwinners can earn and those in which they cannot. At any one time contributions made by the many who are subject to the risk are available to compensate the relatively few who at that time are suffering its impact. In addition, there must be systematic measures to assure the subsistence of persons who have not been able to share in social-security provisions based on work or who have met with extraordinary individual catastrophes.

It is not the aim of social security to provide a lifetime bonus. Social insurance represents, rather, a safeguard against economic hazards besetting the long road of self-support and family support, which is arduous and risky for most in any working generation. Among workers, as among a party of mountain climbers, some at any moment will have a secure foothold, while others, except for the safety rope, would slip to disaster. Some persons in each generation are not able to share in gainful work while some others at any given time will not have acquired an insurance stake commensurate with their individual needs. For these public assistance, representing the effort of the entire population, provides a secondary safeguard to the maintenance of personal and social integrity.

The major functions of a program of social security are therefore to cope with wage losses arising from the interruption or cessation of earnings and to remedy deficiencies in the personal resources of individuals who lack the means of subsistence. Rights to insurance stem from the individual's previous participation in work; rights to assistance, from his current need. Since capacity and opportunity to work are the foundation of both individual and national security, public measures to prevent and care for sickness and to assure access to jobs are essential to organized programs of social security.

The existence of opportunities for work is governed, of course, by basic economic factors beyond the scope and control of the social-security system. Insurance and assistance payments facilitate the smooth and orderly operation of economic forces by augmenting purchasing power when and where it is most needed. A comprehensive and flexible system of social security thus enables individuals and aids communities and the Nation as a whole to adjust to the changes and dislocations which are inherent even in progress. When disaster threatens the system is all the more necessary.

Progress under the Social Security Act has been more substantial than its proponents would have dared to predict 8 years ago. The provisions of law and the process of administration have been tested through an arc of widely differing economic conditions in years of depression, recovery, and war. The objectives of the program have been found in accord with the traditions and desires of the American people. Nearly all the principles incorporated in the original law and the 1939 amendments have proved sound and workable. On the other hand, certain minor provisions have been found cumbersome or defective, and experience has demonstrated one major fault in the design of the program. Certain gaps in its provisions, recognized and postponed for later action by those who were responsible for the formulation of the program, have become increasingly evident as it has developed.

No one can doubt that victory will bring sharp and sudden changes in all the factors in American life with which the social security program is concerned. Whether that time comes sooner or later it is now none too soon to design and implement the social-security provisions which will be needed during the demobilization of war industry and the armed forces, later readjustments to peacetime conditions, and the more remote future. If the program is to fulfill the anticipations and expressed desires of those who look to it—on battle fronts abroad and in homes and factories within our own borders—such consideration is needed now. The following pages outline in brief and general terms the areas in which, in the opinion of the Board, the program must be extended, changed, or implemented if it is to play its part now and in the years just ahead.

SOCIAL INSURANCE

A comprehensive system of social insurance would include provisions to compensate part of the involuntary loss of earnings experienced by the working population for any common reason beyond the control of individual workers. Such reasons may be grouped into those which cause prolonged or permanent loss of earnings—old age, death, and permanent disability of the wage earner, and those which cause more or less temporary interruption of earnings—unemployment and sickness. An approach to both types of risks is made under the Social Security Act through the provisions for old-age and survivors insurance and for unemployment compensation. In the opinion of the Board, the existing measures need revision and extension. The act contains no provision for offsetting wage losses due to sickness and disability except those incurred in old age.

UNEMPLOYMENT INSURANCE

The course of events since Pearl Harbor has emphasized what had become increasingly evident in prior years—that employment and unemployment are no respecters of State lines. When the social security program first came under discussion, it was argued that establishment of State systems for unemployment compensation would afford an opportunity for experimenting in different types of unemployment insurance and for adapting State systems to the widely varying economic conditions of the different States. It was also pointed out that the Federal-State system itself should be regarded as an experiment. Both the present world situation and the results of 4 years' full operation of all State programs now make it urgent to evaluate experience.

Serious administrative complexities are inherent in the present basis of operation because of the duplication of effort on the part of various Federal and State agencies concerned with the collection of contributions and maintenance of wage records for social insurance purposes. The multiple system of tax collection is unduly costly in

terms of public expenditures and expenses of employers for tax compliance. Nearly all establishments are subject to Federal contribution for old-age and survivors insurance, the Federal unemployment tax, and contributions under one or more State unemployment compensation laws. On the other hand, some small employers are not subject to the Federal unemployment tax, though liable for Federal old-age and survivors' insurance contributions and unemployment contributions under State law. A few are subject only to the last and not to any Federal tax. When an employer is taxable by both Federal and State governments, the respective coverage does not necessarily relate to the same employees or the same amounts of wages. An interstate employer may be required to make reports to several different States on different forms, under different instructions, and at different rates. He may not be sure in which State a worker is covered. Triplicate tax collections must be made—by the Federal Government for the two Federal insurance taxes and by the State unemployment compensation agencies. Duplicating wage records are necessarily maintained by the Federal Government for purposes of old-age and survivors insurance and by the State unemployment compensation agencies.

Difficulties and conflicts in administration also result from the present division of responsibilities for unemployment insurance between the Federal Government and the States. Federal grants to States under the Social Security Act supply the total costs of "proper and efficient administration" of State laws. The State agency is responsible for administering the State law; it spends Federal money without responsibility for providing the funds. The Social Security Board must ascertain that the funds have been used in accordance with the terms of the Federal law, yet it lacks authority to prescribe methods which have proved economical and efficient without infringing on the responsibility of the State. Appropriate discharge of the responsibility of one agency almost inevitably conflicts with the responsibility possessed by the other.

Of greater importance is the increasing evidence that the Federal-State system results in great diversity in the protection afforded against the risk of unemployment. Development of unemployment insurance under the 51 separate laws of the States and Territories has resulted in serious discrepancies in the adequacy of the provisions for unemployed workers in various parts of the country. It has also resulted in a segregation of insurance reserves under which there is a possibility that some States may become insolvent while other States have unnecessarily large reserves. The variations in contribution rates now permissible under the Social Security Act through State provisions for experience rating place disproportionate burdens on employers in interstate competition and set a penalty on the efforts of any particular State to improve its benefit standards and a premium on measures to restrict payments to workers.

In the opinion of the Social Security Board, these and other discrepancies, complexities, and lacks in the existing Federal-State program all lead to a single conclusion—that the origin and character of mass unemployment and of measures to combat it are such that responsibility for unemployment insurance cannot safely be divided among 51 separate systems. Evidence accumulates daily on the extent to which the tides of employment and unemployment are governed by Nation-wide or world-wide conditions. The conditions of employment within the United States are and will be governed largely by circumstances which only the Federal Government can influence—for example, policies concerning the cancelation of war contracts and demobilization of the armed forces. Because of the differences in size and economic structure, the States are not equally sound financial units for unemployment insurance purposes. To insure payments of benefits to qualified unemployed workers in any part of the country, reserves segregated in 51 funds must be far larger, in the aggregate, than would be necessary if the total were available to pay benefits wherever the claims originated.

The early discussion of adapting unemployment insurance to the particular conditions of a State overlooked the fact that variations in wage scales, types of industry, risks of unemployment, and other important factors are at least as great within States as among the 51 jurisdictions participating in the present program. A national system under which benefits are a proportion of wages, as is the case under the Federal old-age and survivors insurance system, effects an automatic adjustment of benefit payments to differences in pay scales in different areas. Present differences among the States in coverage, benefit provisions, and assets available for benefits bear little consistent relation to underlying economic differences.

The Board therefore is of the opinion that administration of unemployment insurance should be made a Federal responsibility in order to gear unemployment compensation effectively into a comprehensive national system of social security. Only Nation-wide measures to counter unemployment can be effective when the need arises for swift and concerted action to harmonize insurance activities with national policy during the change-over of our economic system to peace. At that time, any need for quick and unforeseen changes obviously can be met far more effectively by Nation-wide policy and by a single act of Congress than through the action of 51 administrative agencies and the necessarily cumbersome process of amending as many separate laws.

Even if the special stresses of post-war years were not impending, the Federal-State basis of the unemployment compensation program would have merited reconsideration and revision at this time. The actual course of its operation during a relatively favorable period of years has given no indication, in the opinion of the Board, that it possesses the advantages which it was hoped thus to achieve; on the contrary, experience has marshaled impressive evidence of its flaws and shortcomings. Incorporation of unemployment insurance in a unified national system of social insurance would result, the Board believes, in a program far safer, stronger, and more nearly adequate from the standpoint of unemployed workers and the Nation, and would permit more economical and effective methods of administration.

LOSSES AND COSTS OF DISABILITY

Loss of earnings from permanent and total disability has been widely accepted in other countries, and under retirement plans in this country, as a risk paralleling loss of earnings in old age. The worker who is permanently disabled in youth or middle age is in very much the same situation as the worker incapacitated by age, except that his need for insurance may be even greater because he has had less time to accumulate savings while his responsibilities for family support are likely to be greater. The Board recommends that insurance against permanent total disability be incorporated in the Federal system of old-age and survivors insurance and extended to all covered by that system under provisions, including benefits to dependents, which would follow the general pattern of this Federal program.

Cash benefits for temporary sickness and the early period of disabilities which may later prove permanent would strike at another serious cause of poverty and dependency. The Board believes that such provision is a feasible and needed adjunct to the social security program. Compensation of disability would be most effective and also most readily administered if provisions for both types of benefits were coordinated, so that the worker who had received the maximum number of weeks of benefits for temporary disability and was still incapacitated could continue to receive compensation, with appropriate adjustment of levels of benefits to the duration of disability. A unified system of disability compensation merits careful consideration.

Costs of medical care, as has been pointed out, are a peculiarly appropriate field for insurance provisions, since the problem does not lie in the average annual cost but in the uneven and unpredictable incidence of a risk to which nearly all the population is subject. These costs, as well as losses of earnings, constitute an important direct factor in causing dependency. Moreover, there is impressive evidence that the barrier of currently meeting costs of medical care keeps many individuals from receiving services which might prevent or cure sickness and disability and postpone death. From the standpoint of the general welfare and of safeguarding public funds for insurance, assistance, and public services provided in dependency, the Board believes that comprehensive measures can and should be undertaken to distribute medical costs and assure access to services of hospitals, physicians, laboratories, and the like to all who have need of them. For all groups ordinarily self-supporting, such a step would mean primarily a redistribution of existing costs through insurance devices. It should be effected in such a way as to preserve free choice of doctor or hospital and personal relationships between physicians and their patients, to maintain professional leadership, to ensure adequate remuneration—very probably, more nearly adequate than that in customary circumstances—to all practitioners and institutions furnishing medical and health services, and to guarantee the continued independence of nongovernmental hospitals.

THE NEED FOR PRESENT ACTION

The security of a people rests upon all measures which enable individuals to live out their lives with personal satisfaction and independence—both those which protect the integrity and progress of the Nation as a whole and those which assure individual opportunities for health, education, work, and personal freedom. The area of responsibility delegated to the Social Security Board is a small, though basic, part of this whole. The proposals here outlined represent, in turn, a practicable minimum basis for equipping our social insurance and public assistance programs to play their part in the years just ahead.

It goes without saying that the American people prize most the security wrung from work and individual effort. Such effort and public and private action to assure the utmost expansion of work opportunities have been assumed throughout the preceding discussion as the foundation of all systematic measures for social security. These measures constitute, on the one hand, a device to aid the orderly progress of economic development and, on the other, a means of caring for economic casualties. It would be as unrealistic to assume that such casualties will be lacking in the better peace we hope to achieve after this war as it would have been to send out our armed forces without provision for the men who are wounded or become sick or disheartened under the stress of battle. As in a campaign of war, so in the campaign against insecurity it is not always possible to tell just where or when the greatest stress will come. We do know, however, the nature of the dangers which confront us and the general character of the weapons we can bring to bear

against them. To fail to have such weapons in readiness is to invite needless suffering and disillusionment among the millions in our fighting forces, our factories, farms, mines, shops, and homes.

In the opinion of the Board, the present time is singularly auspicious for strengthening and extending our system of social insurance and assistance. With employment and earnings at record levels, millions of workers can and want to contribute toward making better provision for future contingencies in the form of social insurance against sickness, disability, unemployment, and old age. For many older workers, such an opportunity may not come again. The additional savings which workers could make now in the form of social insurance contributions are of particular importance, since for those who suffer the risk, the protection of insurance is far greater than that which they can make for themselves through individual savings, while all have potential protection. By creating a reservoir of future purchasing power, to be drawn upon where and when it is needed, the extension of social insurance to additional groups of workers and additional risks would add substantially to the Nation's resources for weathering the inevitable readjustments of the post-war years. At the same time, increases in insurance contributions would lessen current inflationary pressures. The adjustment to higher contribution rates on the part of employers can be made far more readily now than at any time during the past decade and more or, so far as can be foreseen, in the years just following the war. A unified social insurance system would provide a comprehensive and flexible means of coordinating policy and action in this field with other governmental measures and with national programs of business and industry in effecting the transition to peace. It would make it possible for workers and employers to underwrite future contingencies which otherwise will have to be met, in many cases, through emergency aid.

At the same time, provisions to ensure adequate assistance to persons in need are urgently required. It is not now available in all parts of our country in even this period of wartime activity, and the end of the war may find many States hard-pressed to alleviate distress in communities and among groups whose way of life is suddenly changed. The recommendations of the Board envisage, primarily, methods of helping to improve levels of assistance in States which have small economic resources and to give the assistance program a needed flexibility through Federal grants to States for general assistance. These measures, the Board believes, are a necessary adjunct to even a comprehensive and well-established social insurance system. They are the more necessary in view of the fact that, at best, a considerable part of our population has had little or no opportunity to acquire any insurance rights to cover the economic risks common among workers' families, while the post-war readjustment will bring many additional problems.

It was not until 4 years after the Social Security Act became law in 1935 that unemployment insurance was in effect in all States in the Union, and more than 4 years before the first old-age benefits were payable. Wage records had to be set up, reserves accumulated, and an administrative organization established. After some 8 years, not all States yet have all three assistance programs in operation. The process of establishing social provisions which affect the lives of millions of people is necessarily slow if progress is to be sound, well-considered, and economical. At the present time, the social security program is the richer for the past years of effort and has resources in experience, training, organization, and methods tested by actual operation. Even so, however, it will take time to effect whatever provision the Congress finds desirable to correct past deficiencies and strengthen the program to meet future stresses. Whether one believes that the war will end in 1 year or 5, the time in which to build a stronger system of social security is short, in view of the character of the changes, and readjustments we confront as individuals and as a people.

THE REVENUE ACT

The Senate resumed the consideration of the bill (H. R. 3687) to provide revenue, and for other purposes.

Mr. GEORGE. Mr. President, I ask that the Senate now proceed to the consideration of the renegotiation title of the tax bill, beginning on page 154.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will state the first amendment under title VII.

The CHIEF CLERK. On page 155, it is proposed to strike out lines 10, 11, and 12, as follows:

(B) The terms "reprice" and "repricing" include a determination by agreement or order under this section of a fair price for performance under a contract or subcontract.

Mr. GEORGE. Mr. President, that language is stricken out because repricing is considered in a separate title to the bill.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The next amendment in title VII will be stated.

The CHIEF CLERK. On page 155, in line 16, after the word "excessive", it is proposed to strike out the words "for the work and articles furnished."

Mr. GEORGE. Mr. President, that amendment is intended as a clarifying amendment only.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The next amendment in title VII will be stated.

The CHIEF CLERK. On the same page, in line 21, it is proposed to strike out the word "raw."

Mr. GEORGE. That is a clarifying amendment, Mr. President.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The next amendment in title VII will be stated.

The CHIEF CLERK. On the same page, in line 24, after the word "production" and the comma, it is proposed to strike out "and."

The amendment was agreed to.

The next committee amendment was, on page 156 in line 1, after the word "war", to strike out "earnings" and to insert "earnings, and comparison of war and peacetime products."

Mr. GEORGE. That is a peacetime amendment, Mr. President, to which there is no objection.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

The next amendment to title VII will be stated.

The CHIEF CLERK. On page 156, after line 13, it is proposed to insert the following:

(vii) financial problems in connection with reconversion;

(viii) whether the profits remaining after the payment of estimated Federal income and excess profits taxes will be excessive.

Mr. GEORGE. Mr. President, the committee is offering an amendment to that amendment, which I will ask to have stated.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The CHIEF CLERK. On page 156, line 14, it is proposed to strike out "financial."

Mr. GEORGE. That word, Mr. President, is stricken out by order of the committee. In determining excessive profits the committee required two factors to be considered which were not in the House bill. One factor to be considered was financial problems in connection with reconversion, and while this factor was not in the House bill, it was actually covered in the House report. Your committee believes that the word "financial" ought to be stricken, and the amendment to the amendment is offered for that purpose.

Mr. TRUMAN. Mr. President, is it in order now to call up the substitute which I offered, and which now lies on the table.

Mr. GEORGE. I think it would be in order, I will say to the Senator from Missouri.

Mr. TRUMAN. Mr. President, I ask that the substitute amendment offered by me on behalf of myself and the Senator from New Mexico [Mr. HATCH] be now considered. It was submitted on January 19. In it a specific plan is outlined for reserves for reconversions. The amendment is a substitute for certain language in the committee amendment which is now pending.

The VICE PRESIDENT. The proper order is first to dispose of the amendment to the committee amendment offered by the Senator from Georgia, and then to take up the substitute offered by the Senator from Missouri on behalf of himself and the Senator from New Mexico [Mr. HATCH].

Mr. GEORGE. The Senator from Missouri is not objecting to striking out the word "financial"?

Mr. TRUMAN. No, Mr. President.

The VICE PRESIDENT. Without objection, the amendment offered by the Senator from Georgia on behalf of the committee, to the pending committee amendment, is agreed to.

Mr. TRUMAN. Mr. President, I move then to strike out lines 14 and 15 on page 156, and that in lieu thereof there be substituted the language of the amendment offered by the Senator from New Mexico [Mr. HATCH] and myself on January 19.

The VICE PRESIDENT. The amendment offered by the Senator from Missouri on behalf of himself and the Senator from New Mexico [Mr. HATCH] will be stated.

The CHIEF CLERK. It is proposed to strike out lines 14 and 15 on page 156——

Mr. TRUMAN. And to substitute the amendment offered by the Senator from New Mexico and myself. The last print of the amendment is the print of January 19.

Mr. GEORGE. Mr. President, I request that the clerk state the amendment.

The VICE PRESIDENT. The amendment offered by the Senator from Missouri on behalf of himself and the Senator from New Mexico will be stated.

The CHIEF CLERK. On page 156, it is proposed to strike out lines 14 and 15, and in lieu thereof to insert the following:

SEC. 131. Reconversion reserve.

(a) Deduction for reconversion reserve: Section 23 (relating to deductions in computing net income) is amended by inserting after section 23 (y) the following:

"(z) Deduction for reconversion reserve:

"(1) In general: The amount of the reconversion reserve, if the taxpayer elects in his or its return to take such deduction.

"(2) Definition: For the purpose of this code, reconversion reserve means an amount determined by the taxpayer not exceeding 20 percent of the taxpayer's net income computed without the benefit of this subsection."

(b) Reconversion reserve bonds: This code is amended by adding a new subtitle at the end thereof, as follows:

"SUBTITLE G—RECONVERSION RESERVE BONDS

"SEC. 6000. Payment for reconversion bonds.

"Every taxpayer who elects to take a deduction for reconversion reserve under section 23 (z), shall, in the same manner and at the same times as though it were part of the tax, pay to the United States an amount equal to the amount of such deduction.

"SEC. 6001. Issue of reconversion bonds.

"(a) Issue of bonds: Within 3 months after the payment by a taxpayer of the amount required by section 6000 to be paid, the Secretary of the Treasury is authorized and directed to issue to and in the name of the taxpayer bonds of the United States in an amount equal to such amount paid by the taxpayer under section 6000.

"(b) Terms and maturity of bonds: The bonds provided for in subsection (a) shall be issued under the authority and subject to the provisions of the Second Liberty Bond Act, as amended, and the purposes for which bonds may be issued under such act are extended to include the purposes for which bonds are required to be issued under this section. Such bonds shall be payable on demand at any time to and including but not after the last day of the eighteenth month beginning after the date of cessation of hostilities in the present war, shall bear no interest, shall be nonnegotiable, and shall not be transferable by sale, exchange, assignment, pledge, hypothecation, or otherwise, except to a successor as defined in subsection (c). Such bonds shall be designated as reconversion bonds. If not redeemed by the maturity date fixed in this subdivision, said bonds shall become null and void and of no value.

"(c) Definition of 'successor': For the purposes of this section, the term 'successor' means such person or persons who succeed, either directly or through one or more other persons, to ownership of property of the taxpayer, as the Secretary may by regulations prescribe.

"(d) Date of cessation of hostilities in the present war: As used in this section, the term 'date of cessation of hostilities in the present war' means the date on which hostilities in the present war between the United States and the Governments of Germany, Japan, and Italy cease, as fixed by proclamation of the President or by concurrent resolution of the two Houses of Congress, whichever date is earlier, or in case the hostilities between the United States and such governments do not cease at the same time, such date as may be so fixed as an appropriate date for the purposes of this section.

"SEC. 6002. Special rules.

"(a) Increased net income: If the taxpayer pays a deficiency in tax as a result of an increase in net income, then the amount of the reconversion reserve, the amount payable by the taxpayer under section 6000, and the amount of bonds to be issued under section 6001, may be increased accordingly, at the election of the taxpayer upon notice given in such form and within such time as the Secretary may by regulations prescribe.

"(b) Decreased net income: If an overpayment of tax resulting from a decrease in net income is refunded or credited to the taxpayer, then the reconversion reserve shall be decreased by such sum, if any, as shall be necessary to bring it within the 20-percent limitation imposed by section 23 (z), and the taxpayer shall be entitled to demand and receive payment of an amount of the bonds previously issued as provided in section 6001, equal to the amount of such decrease in the reconversion reserve, without including such amount in gross income as provided in section 22 (m).

"(c) Reconversion bond proceeds included in gross income: Section 22 is amended by inserting after section 22 (l) the following:

"'(m) There shall be included in gross income the principal amount of reconversion bonds (issued under section 6001) paid to the taxpayer during the taxable year, except in the case referred to in section 6002 (b) (relating to decreases in net income).'

"(d) Effective date: The amendments made by this section shall be applicable with respect to taxable years beginning on and after January 1, 1943."

Mr. TRUMAN. Mr. President, on Friday of last week, I read into the RECORD a complete explanation of the proposed amendment offered on behalf of the Senator from New Mexico [Mr. HATCH] and myself. It proposes to give the taxpayer permission to set aside, out of his gross taxes, 20 percent of the gross tax amount which he would pay in the years 1942 or 1943, and to put that amount into nonnegotiable, non-interest-bearing bonds—he could make use of an amount up to 20 percent for that purpose—to be used exclusively for reconversion after the cessation of hostilities.

We made a survey of approximately 100 companies. We have had replies from approximately 86 of them, as I recall, in which replies it is stated that they are going to need funds amounting all the way from $150,000,000 down. More than half of them did not know what they would need or whether they would need anything.

The amendment simply would give the taxpayer the option to set aside a reconversion fund if he so desired. It would leave the money in the Treasury of the United States; and if it were not used for the purpose for which it was intended, it would go back into the Treasury.

The tax collector would not lose any funds because of the amendment, except if the taxpayer decided that he needed a certain amount of money for reconversion purposes, up to 20 percent of the gross taxes during these taxpaying years, he could use it for those purposes after the cessation of the war. If he did not use it, as I say, it would go back into the Treasury, and would stay there. If he did use it, it would help in a situation in which we are all interested, so that he would have a fund which would help him in the reconversion process during the years following the war.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. TRUMAN. I yield.

Mr. TAFT. Let me inquire whether the Senator estimates what the reduction of taxes in the year 1944 would be, if the amendment were agreed to.

Mr. TRUMAN. There would not be any, because the money would stay in the Treasury, anyway, unless it were used for the purpose described.

Mr. TAFT. Perhaps the Senator misunderstands me. As I understand the amendment, the result would be that a corporation could deduct up to 20 percent of its gross income, to be used for post-war reserves.

Mr. TRUMAN. At the option of the taxpayer. But as a result of a survey of more than 100 companies, with returns coming from more than 86 of them, more than half of them said they did not know whether they would need such a reserve, or, if they did, how much they would need. The amendment would give them a chance to use such a reserve if they should need it.

Mr. TAFT. Yes. But, on the other hand, I notice that the amendment provides for the deduction of 20 percent of net income, which, as so figured, would be used as reconversion reserves.

Mr. TRUMAN. No, Mr. President; I think the Senator misunderstands the amendment. The taxpayer would be allowed to deduct 20 percent of the amount of the tax which he would pay for those years, not 20 percent of his income.

Mr. TAFT. Twenty percent of the amount of the tax?

Mr. TRUMAN. Yes; 20 percent of the amount of his tax, not 20 percent of his income.

Mr. TAFT. Then, of course, he would not pay so large a tax.

Mr. TRUMAN. Of course not; but practically all Members of the Senate are endeavoring to arrive at some means of providing for reconversion.

Mr. TAFT. I ask the Senator if he can inform us what is his estimate of the amount of the tax the taxpayers would not pay?

Mr. TRUMAN. If every taxpayer who had been in war work were to take advantage of the situation provided by the amendment, for reconversion purposes, the result probably would amount to a billion or two billion dollars. I have made no estimate regarding it.

Mr. TAFT. Mr. President, I myself would estimate that in the year 1944 it would mean a possible loss of taxes to the Federal Government of $3,500,000,000. Some of that would be recovered after the war, of course. However, the net result—and I assume that the amendment now under discussion is the printed amendment which was submitted by the Senator on January 19——

Mr. TRUMAN. That is correct. It was rewritten to comply with the tax set-up.

Mr. TAFT. The amendment would allow the additional deduction of net income, as follows:

The amount of the reconversion reserve—

Which is defined as—

Reconversion reserve means an amount determined by the taxpayer not exceeding 20 percent of the taxpayer's net income computed without the benefit of this subsection.

The total income of all corporations in 1944 is estimated to be $25,000,000,000, so

that the total deduction from income which might be made under the Senator's amendment would be $5,000,000,000. Of course, I do not know whether the total deduction would be made. The Senator has said he does not think the total amount would be availed of. But I think it would be availed of by every company which could possibly avail itself of it because presumably after the war the tax rate will be lower.

So if $5,000,000,000 should be deducted from the net income, inasmuch as the average rate at which corporations are paying today is approximately 70 percent, the maximum actual reduction in taxes which would show up in the present budget of the account of receipts and disbursements of the Government would be $3,500,000,000. That is approximately a billion and a quarter dollars more than the whole amount of taxes which will be produced by the pending tax bill. I do not see how we could make that change in our current set-up, and have any tax bill left. I have no doubt the Treasury would far prefer to have the tax bill vetoed, and disposed of in that way, rather than to have it result in a net reduction of a billion and a half dollars in taxes.

Mr. TRUMAN. Mr. President, the Senator from Ohio and nearly everyone else with whom I have been in touch have been endeavoring to find some means of meeting the reconversion problem which will have to be faced after the emergency of the war period is over. Some practical way must be found by which to meet it. The amendment reported by the Finance Committee virtually would set up another tax authority in respect to the renegotiation of contracts. I do not think any other tax authority in addition to the one we have should be set up; and I think a commonsense approach to this whole matter will convince the Senator, if he will carefully study the amendment the Senator from New Mexico and I have offered, that it is an approach which can be made without costing the Government an unconscionable amount of money, either in taxes or in any other way. I do not agree with the Senator's statement that we would lose a great deal of money by the program suggested by the amendment.

Mr. TAFT. Mr. President, will the Senator further yield?

Mr. TRUMAN. I yield.

Mr. TAFT. I quite agree with the Senator about renegotiation, although I do not care to enter into a discussion of it at the present time. But I do not think the statement that corporations will have no reserves left for postwar conversion is quite correct. Even after paying the very heavy taxes we have levied, corporations made a net income of $5,000,000,000 or $6,000,000,000 in 1937 or 1938.

Mr. TRUMAN. How many corporations have a net income of $5,000,000,000 or $6,000,000,000?

Mr. TAFT. I am speaking of all the corporations in the United States.

In 1942, even after the payment of taxes, the corporations had still remaining $8,500,000,000.

In 1943, it is estimated they will have $9,350,000,000, after taxes.

In 1944, it is estimated they will have $10,400,000,000.

I am not quite certain whether those figures take into account the increase in corporation taxes which will be imposed by the pending bill.

Nevertheless, there is an answer to that, which is that some of the funds are invested in additional land. That is quite true. Of course, a great deal of those funds is not in the form of cash, but largely in the form of corporation accounts receivable as against the Government, or in inventories, or in other current items. It is vitally important that the Government set up a method for the termination of contracts, so that all such assets will be converted into cash immediately after the war. But even if they are converted into cash immediately after the war, I do not think the amount of the net profit actually invested in bricks and mortar is such that it will very materially reduce those sums.

I realize that I am speaking in averages, but the Senator is also speaking in averages. I feel that it is vitally important that corporations have sufficient cash after the war to go ahead. I feel that it is vitally important that we provide the methods by which they can finance their post-war operations.

Mr. TRUMAN. Not only corporations but partnerships and individuals ought to be taken care of.

Mr. TAFT. It seems to me that the result of the tax law is such that most corporations will have reserves without the additional provision made by the Senator's amendment.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. TRUMAN. I yield.

Mr. DANAHER. I should like to understand fully the proposal of the Senator from Missouri. I find myself presently disconcerted by what I think he said to the Senator from Ohio. As I understood the Senator from Missouri, he said that 20 percent of the tax would be available for the purpose of reconversion.

Mr. TRUMAN. That is correct.

Mr. DANAHER. The language of the amendment which is before the Senate provides that the taxpayer may take, in non-interest-bearing, nonnegotiable bonds, 20 percent of his net income computed without the benefit of this section.

Mr. TRUMAN. He may set aside that amount in non-interest-bearing, nonnegotiable bonds, the money for which remains in the Treasury all the time. When he takes it out for the purpose of reconversion, it goes back into his income for the particular year, within 18 months after the conclusion of hostilities, and he must pay a tax on it if he does not use it for reconversion, the same tax he would otherwise have to pay anyway.

Mr. DANAHER. Does the Senator contemplate that the taxpayers' net income would be computed before or after paying the corporation income tax?

Mr. TRUMAN. Net income, of course, is after he has paid his taxes, and after renegotiation. Net income means just what it says—after he pays his taxes.

Mr. DANAHER. After taxes?

Mr. TRUMAN. Yes.

Mr. DANAHER. And after renegotiation?

Mr. TRUMAN. Yes. That is his net income. It can not be computed in any other way.

Mr. DANAHER. There are many ways of computing it. The term "net" may mean before taxes, and hence be net subject to tax.

Mr. TRUMAN. That is not the intention.

Mr. DANAHER. I merely wished to find out what the Senator had in mind.

Mr. TRUMAN. I had in mind an approach to reconversion which would work practically without costing the Federal Government anything in taxes if the funds were not used for the purposes intended.

Mr. DANAHER. We are all sympathetic with the desire of the Senator from Missouri to provide some post-war reconversion fund. It is one of the most important problems confronting the Finance Committee.

Mr. TRUMAN. That is correct.

Mr. DANAHER. It has been discussed in every possible phase. I am merely seeking to understand what the Senator is driving at. I thank the Senator.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. TRUMAN. I yield.

Mr. HATCH. I should like to say a word in response to some of the questions which have been asked about this plan.

This plan is not original with either the Senator from Missouri or myself. In fact, I do not know who originated it. It is the result of study by a number of persons. At the time our committee was studying the whole subject of renegotiation this plan was submitted. We had discussed other plans. We realize, as I think everyone else realizes, that the problem of reconversion is a most serious one, and that we ought to take whatever proper and legitimate steps we can take now to provide for some method of reconverting from a wartime to a peacetime economy.

After considerable study we concluded that this plan offered the most feasible, practical, and almost automatic, self-executing method that has been suggested.

Briefly, the plan would permit the taxpayer to take 20 percent of his total tax payment in nonnegotiable bonds. By that method the Government would actually receive the cash from the taxpayer. The Government would have the benefit, for the war effort, of the cash paid during the designated period of time. The taxpayer would receive nonnegotiable bonds up to 20 percent of this tax, which he would have to surrender for redemption within 18 months after the cessation of hostilities. If he did not do so, automatically, the money and the bonds would become the property of the United States. The taxpayer would have no further claim to them. But if the bonds were redeemed and the taxpayer took the cash within the period of

18 months, the money would have to be used for reconversion purposes. It would have to be accounted for in his tax return for that period. If it were used for purposes of reconversion, as expenses, of course the taxpayer would be entitled to a deduction; but if it were not used for that purpose, he would pay a tax on it in that year, at whatever rate might be effective.

There is one danger in the plan. The Senator from Ohio [Mr. TAFT] mentioned it a while ago. The Government might lose some money by this process. If in that year, whenever it might be, the tax rates were lower than they are now, then the taxpayer who did not use the money for reconversion purposes would get the benefit of the lower rate.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. TRUMAN. I yield.

Mr. TAFT. Of course there is one further condition. Not only would the taxpayer pay a lower tax if the tax rates were lower, but if he should not happen to make any profit that year—which is exceedingly likely—he would not have to pay any tax at all, and he would never have to pay a tax on the reconversion fund. Presumably his profits will be very much smaller after the war, and therefore he may not have to pay any tax at all.

Mr. HATCH. Under the terms of the amendment, this sum would have to be returned for taxation.

Mr. TAFT. Yes; but suppose the taxpayer had a net loss that year, which is more than probable. The year after the war, when reconversion is in progress, a taxpayer may have no actual business while he is reconverting. Consequently he will have a loss, and he will be able to balance the proceeds of the bonds against the loss, and will not have any tax at all to pay.

Mr. HATCH. The Senator from Missouri has just suggested, while the Senator from Ohio was speaking, that if the taxpayer had a loss he certainly would need the reserve at that time to keep him in business and keep from going broke. It might be very beneficial to the Government to have him do so.

The Senator has pointed out two dangers, namely, the possibility of entire loss of income, so that no tax would be paid, and the further possibility of a reduced rate. Those are really the only two dangers.

In my judgment, this plan provides a method which does not require any large organization in the revenue department. It is automatic and self-executing, and I think it is worthy of most serious study by this body. The Senator from Missouri and I first suggested it last September in some remarks on the floor of the Senate. At that time it was thought that, being a revenue measure, it should originate in the House, so we did not offer it. We offered it as an amendment to the revenue bill.

I think it is of first importance to devise some feasible, practicable plan. This is the best one we have found.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. TRUMAN. I yield.

Mr. DANAHER. Of course, there is this to be said: I believe the Senator will concede that at the present time the Government's need for revenue is desperate. If we withdraw from taxes and from present use by the Government a large sum of money, in the post-war period, when corporations are unable to earn anything comparable to what they now earn, the Government will still confront the problem of funding the demands for reconversion.

Mr. HATCH. The Senator must bear in mind that this plan is altogether optional with the taxpayer. It has been suggested that every taxpayer would take advantage of it. I am not so sure that that would be the case. The study which we have made of the various companies does not indicate that it would be. I think the Sun Oil Co. replied that it did not think it would need any money at all for post-war reconversion. General Motors, Ford, and others will need great sums. I am not sure that every corporation would take advantage of it, because it does have its dangers as well as its advantages to the taxpayer.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. TRUMAN. I yield.

Mr. FERGUSON. Could individuals take advantage of this provision?

Mr. TRUMAN. It is for the benefit of all taxpayers.

Mr. FERGUSON. Would it be possible for an individual who wanted to reduce his tax in some future year to take advantage of this provision even though he did not intend to reconvert from a war to a peacetime operation, and thereby, as the Senator from Ohio [Mr. TAFT] has pointed out, benefit by avoiding payment of any tax because of a loss in that year, or a reduced tax because of the change in the tax rate? Is there that loophole in the amendment?

Mr. TRUMAN. I do not think so. I think that unless he used the reconversion bonds for the purpose for which they were intended, he would lose the whole amount because it would remain in the Treasury. He would have to use it within the 18-month period immediately following cessation of hostilities.

Mr. FERGUSON. Would he have to demonstrate to the Government before receiving the money that he intended to use it for reconversion to peacetime industry or would he receive the money anyway?

Mr. TRUMAN. It is the period of use which determines. There is nothing in the amendment which would force him to use the money for reconversion.

Mr. FERGUSON. Must he demonstrate to the Government that he is going to use it for reconversion, or may he obtain the money and then make a return showing that he has or has not used it for that purpose?

Mr. HATCH. He first obtains the money and then makes the return.

Mr. FERGUSON. He first obtains the money and then makes the return showing whether or not he has used it for reconversion?

Mr. HATCH. If the money is not used for reconversion purposes, he must pay a tax in the full amount.

Mr. FERGUSON. If he received the money in that particular year.

Mr. HATCH. Yes.

Mr. FERGUSON. So that would allow an individual to reduce his tax. If he had a large income tax this year and he anticipated that during the 18 months after the war he would have a small income, he would benefit under this provision.

Mr. HATCH. It could work out that way and it might work out the other way. It would be a matter of speculation.

Mr. TRUMAN. Mr. President, I wish to correct a statement which I made to the Senator from Connecticut a moment ago. I have reread the section and I note that it refers to net income before taxes and before renegotiation. I made an incorrect answer to the Senator and I wish to correct it.

Mr. DANAHER. I thought the Senator meant what he has now stated.

Mr. TRUMAN. That is correct.

Mr. GEORGE. Mr. President, has the Senator from Missouri concluded?

Mr. TRUMAN. I have concluded.

Mr. GEORGE. Mr. President, I prepared a speech for delivery at Chicago and did not deliver it because Pearl Harbor intervened. I canceled the engagement and did not appear there because on that date Japan began her unholy war against us.

I suggested and have repeatedly urged on the Treasury a post-war reserve. I make this explanation because I do not want to oppose what the distinguished Senators have in mind in offering this amendment. I have suggested that in computing his taxable income any taxpayer should have a right to deduct not to exceed 15 percent of his income provided he put it into non-interest-bearing, non-negotiable bonds, and provided, also, he paid a capital-gains tax on the amount deducted. The matter has been discussed frequently with representatives of the Treasury. The Treasury did not approve of it. I still believe that a sound post-war program can be worked out on that basis, and I regret that we have not done so.

However, the proposal contained in the pending amendment strikes me as being quite different because it applies both to individuals and corporations—to all taxpayers. The amount of taxes which it is estimated will be paid this year by taxpayers after the pending bill becomes law is approximately $18,000,000,000 in the case of individuals, and approximately $15,000,000,000 in the case of corporations, or a total of about $33,000,000,000. If the amount on which those taxes are based is reduced by 20 percent it is easy enough to see that the total collections will be reduced by about $6,600,000,000.

It is true that 18 months after the war the taxpayer would make a return on the proceeds of his bond which, in the meantime, would bear no interest. It would be taken up in his ordinary income, and the tax then paid upon it. That would leave the Treasury exposed to the imminent and almost certain danger that the

rates would have changed from the present high rates, and that losses by many taxpayers, both individuals and corporations, would have occurred, the taxpayer passing out of the taxpaying status into a nontaxable status. It would be too hazardous a program to adopt on the basis suggested in this amendment.

The Ways and Means Committee of the House considered the question of post-war reserves. They gave it earnest consideration. In their report they indicate their purpose to pursue the study. I am hopeful that something may yet be adopted before the termination of the war which will be a help to all organizations and individuals in the country by way of post-war reserve. However, I think this amendment would certainly so destroy the revenue from the standpoint of the Treasury as to make the adoption of the amendment most inadvisable, and I therefore oppose it.

I have this to say, Mr. President: It is an absolute necessity that the present high rates come down before the expiration of 18 months after all hostilities have ceased. Otherwise the country will be impoverished. In my opinion there is no shadow of doubt on that question. After the war ends corporations cannot pay a normal tax of 40 percent and an excess-profits tax of 95 percent. Also, there is no chance that the high rates on individuals, reaching 90 percent, can stand without breaking the economy of the country after the war has come to an end. I am not theorizing. I am simply making a statement, and it does not matter to me who takes a contrary view; I know that unless the rates come down we shall have a bankrupt country. Our economy will be shattered to the very bottom. I think all in America, except some people who merely theorize, know it.

Under this amendment the Treasury could be exposed both ways. It would lose taxes for the war years and have bonds outstanding which would have to be paid when the bonds were presented. It is also certain that many of our taxpayers, individual and corporate, will not all be taxpayers 18 months after the war ends. How many of them will be I do not know, but certainly they will not all be taxpayers, and if they have become insolvent and have no taxes to pay except the tax due on these bonds, it is obvious that their taxes will be very greatly reduced. They will be in lower brackets, and the Treasury will suffer an enormous loss.

I want it understood that I have long advocated with all seriousness the principle and the objective involved in the amendment.

Mr. TRUMAN. Mr. President, will the distinguished Senator yield?

Mr. GEORGE. I yield.

Mr. TRUMAN. I am very happy over the attitude of the Senator from Georgia. I want to say that if the country will be busted after this thing is over it seems to me that the creation of a reserve of some size such as we are proposing here would militate toward preventing that very disaster from taking place.

Mr. GEORGE. I think it would.

Mr. TRUMAN. And we could then continue to collect the tax at a rate which would meet the indebtedness of the country.

What the Senator from New Mexico [Mr. HATCH] and I are aiming at is some practical means by which we can accomplish that purpose, because all the corporations, individuals, and partnerships that have been converted from peacetime production to wartime production have had but one customer with an inexhaustible pocketbook. They will not have that customer after the war emergency is over. They will have to convert to peacetime production, and unless they have some means of meeting the reconversion and getting on their feet while their customers are coming back to them we are going to have a bankrupt country.

Mr. GEORGE. What I said about a bankrupt country, Mr. President, was on the theory that the maintenance of inordinately high taxation will break any country after the war is over. I have the utmost sympathy with the objective of the amendment, but I think it would be unwise to adopt it.

I did not finish all I intended to say about the House committee's program. It is intended that the question of reserves will be given further study, and it is hoped that during this year provision may be made for the setting up of reserves, but, on the basis here suggested, I think it would be too hazardous an undertaking. I hope the amendment will not be agreed to.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Missouri [Mr. TRUMAN] on behalf of himself and the Senator from New Mexico [Mr. HATCH]. [Putting the question.] The Chair is unable to determine from the volume of the response whether the "ayes" or the "noes" have it.

Mr. TRUMAN. I ask for a division.

Mr. GEORGE. Let us have a division. That is the best way to settle it.

On a division, Mr. TRUMAN'S amendment was rejected.

The VICE PRESIDENT. The question is on the committee amendment as amended.

Mr. ANDREWS. I have an amendment which I ask to have stated.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. On page 156, after line 18——

Mr. GEORGE. Mr. President, we have not taken up that amendment as yet.

The VICE PRESIDENT. Will the Senator from Florida withhold his amendment for a moment? The question is on agreeing to the committee amendment as amended.

The amendment as amended was agreed to.

The VICE PRESIDENT. The clerk will state the next amendment of the committee.

The LEGISLATIVE CLERK. On page 156, after line 15, it is proposed to insert:

(viii) whether the profits remaining after the payment of estimated Federal income and excess-profits taxes will be excessive.

Mr. GEORGE. I desire to make a brief statement. Another factor which your committee thought might well be considered in arriving at excessive profits is whether the profits remaining after the payment of estimated Federal income and excess profits taxes will be excessive.

While your committee did not believe it is mandatory upon the Board or the court to determine excessive profits after payment of estimated Federal income and excess-profits taxes, it is believed that the fact that a contractor does have to pay heavy income and excess-profits taxes is a factor which the Board or the courts might want to consider in reviewing its final result.

It is not meant by such provision that the Board or the courts must always leave a profit after taxes which the contractor earns in the pre-war years.

In short, Mr. President, this amendment simply means that in reviewing the final result, the Board shall give some consideration to whether or not the amount of profits left after taxes are excessive under all the circumstances.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 156, line 16.

The amendment was agreed to.

The LEGISLATIVE CLERK. On the same page, at the beginning of line 19, to strike out "(vii)" and insert "(ix)."

Mr. ANDREWS. Mr. President, my amendment comes in at that point.

The PRESIDING OFFICER. The amendment offered by the Senator from Florida will be stated.

The LEGISLATIVE CLERK. On page 156, after line 18, it is proposed to insert the following:

(ix) upon request of the contractor or subcontractor, the losses sustained by such contractor or subcontractor in the performance of work or furnishing of supplies for or to any department, agency, or bureau of the Government, whether or not such department, agency, or bureau is specifically mentioned in this act: *Provided, however,* That such losses shall be confined to losses sustained since April 28, 1942.

Mr. ANDREWS. Mr. President, that amendment is independent of the committee amendment which is above in paragraph (viii). I assume that the Senate will want to dispose of paragraph (viii) before it takes up my amendment. In other words, the committee amendment to paragraph (viii) is now before the Senate. The amendment I offer follows that and has nothing to do with (viii).

The VICE PRESIDENT. Subdivision (viii) has already been agreed to, and the question is on the amendment of the Senator from Florida.

Mr. ANDREWS. Mr. President, I should like to make a brief explanation of the reason I think the amendment ought to go into the bill at this place.

It is my belief that the amendment to the renegotiation title of the bill which I have just submitted should be adopted in order to cure and prevent injustices arising from the failure of the Board to consider and allow for losses sustained by contractors on contracts with agen-

cies other than those specifically mentioned in the bill.

For example, under contracts with the War Department a contractor erects buildings on a War Department reservation. Under contracts with the Federal Housing Authority the contractor erects buildings on the same or another War Department reservation. On the War Department contracts, the contractor realizes a profit, whereas on the Housing Authority contracts, he suffers a severe loss, which loss was admittedly not his fault, or due to his negligence.

In determining alleged excessive profits on the War Department contracts, the Board refuses to consider and allow for the losses on the Housing Authority contracts, on the ground that it is without authority to do so because the Housing Authority is not one of the agencies mentioned in the law. And the Board refuses to make these adjustments, notwithstanding the fact that under the law as it exists, the Board enjoys broad discretion in the matter of the factors which it may consider and apply in determining excessive profits.

Assuming, for example, that the Board determines excessive profits of $100,000 on War Department contracts and the contractor suffered a loss of $100,000 on Housing Authority contracts, it would be unfair for the Board to recoup $100,000 on the War Department contracts and to leave the contractor with his loss of $100,000 on the Housing Authority contracts. Such a result is patently unjust, in that the United States will get the buildings erected for the War Department at cost-plus profit, as determined by the Board, and it will get the buildings erected for the Housing Authority at less than cost, and to the contractor's severe loss. Such a result is indefensible in that it makes of the United States a profiteer under the protection of a right to avoid excessive profits on its war necessities while making excessive profits because of the very same war conditions.

The bill now sets forth certain factors which the Board must consider in reaching its determination of excessive profits. Among such factors is factor ix on page 156 of the bill, which provides that the Board must consider such other factors the consideration of which the public interest and fair and equitable dealing may require. To some it might appear that said factor ix would afford ample authority to the Board to consider and allow for the losses on the Housing Authority contracts in reaching its determination as to excessive profits on the War Department contracts. But the bill, like the law, does not mention the Federal Housing Authority as well as many other agencies and departments of the Government. Since the Board, notwithstanding the broad discretion enjoyed by it under the law as it stands, holds that it is without authority to consider losses sustained on contracts with agencies which are not mentioned in the law, it seems clear that it will refuse to consider such losses as a factor under the bill, and for the same reason.

Assuming, however, that the Board will, when the bill shall be enacted, consider such losses under "factor ix," or one of the other factors, it is rather certain that it will not consider such losses incurred prior to the enactment of the bill or, at least, prior to July 1, 1943.

The amendment I offer contains the words "upon request of the contractor or subcontractor" merely to place the burden on the contractor to present and prove such losses so to be considered by the Board. It further provides for the consideration of such losses incurred since April 28, 1942, because that is the date of the original Renegotiation Act; because it insures against any contention that Congress did not intend the relief to be retroactive; and because it is not conceivable that Congress ever really intended, or that it now intends, that such losses should not be considered and allowed for in reaching a determination of excessive profits.

Mr. President, I think I have explained the reasons why my amendment should be agreed to. In my opinion it would be only a matter of justice to adopt the amendment. If Senators desire, I can point to a particular instance where the situation I have been discussing prevailed. A contractor entered into a contract to construct buildings under one authority on a reservation for the Army, and on another portion of the same reservation another building for another agency. In one instance he incurred a severe loss, through no fault of his own. It was because he could not get material, the Government did not grant him priorities for material, and because, as a result of the Government changing a labor zone, labor conditions were made different in that section of the country. Yet when the authorities came to settle with the contractor they said, "You will have to take your losses on one contract and make out with what you made on the other." Contractors cannot remain in business, and the Government cannot obtain the services of people, if that kind of a policy is to be pursued.

Mr. President, I ask that the amendment be agreed to.

Mr. GEORGE. Mr. President, I must oppose the amendment, and I merely have this to say about the matter. Contracts made with the Housing Authority by contractor A, let us say, are not subject to renegotiation. The amendment would permit such a contractor, if he also had a contract with the War Department which is subject to renegotiation, to ask that losses incurred by him under his contract with the Housing Authority be considered in the renegotiation. It is, of course, a one-way street, because a contractor would never ask to have his contract with another agency of the Government, which is not subject to renegotiation, considered, unless he suffered a loss. While it may seem unjust on the face of it for a contractor who has a contract with the War Department, let us say, which is subject to renegotiation, and who sustains a serious loss on a contract with another Federal agency which is not subject to renegotiation, not to have that fact taken into consideration, yet it would not be fair to adopt such an amendment as that proposed unless all the profits, as well as the losses, under a contract made with an agency whose contracts are not subject to renegotiation, were subjected to renegotiation.

Mr. President, I hope the Senate will not agree to the amendment.

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). The question is on agreeing to the amendment offered by the Senator from Florida [Mr. ANDREWS].

The amendment was rejected.

The PRESIDING OFFICER. The clerk will state the next amendment in title VII.

The LEGISLATIVE CLERK. On page 157, line 6, after the words "opinion of", it is proposed to strike out "The Tax Court of the United States" and insert "the Court of Claims."

Mr. TRUMAN. Mr. President, on page 156, line 19, there is a subsection marked "(ix)." I ask unanimous consent that I may offer a clarifying amendment, by adding at the end of the amendment the words "which factors shall be published in the regulations of the Board from time to time as adopted."

Mr. President, one of the great complaints of contractors, and of others who have had contracts to be renegotiated, has been that they did not know what the regulations were or what the situation was with regard to the fact that they had to be renegotiated, and they could not get the information. The War Department and the Navy Department have books several inches thick containing their regulations, but they are marked "secret," and no one can look at them. The amendment I am offering would give everyone a chance to see what the regulations may be, and what he may be up against when his contract has to be renegotiated. It would take much of the fire out of the complaints about renegotiation. I ask unanimous consent that the amendment be considered at this time.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 156, in line 21, after the word "requires", it is proposed to add, "which factors shall be published in the regulations of the Board from time to time as adopted."

The PRESIDING OFFICER. Is there objection to consideration of the amendment? The Chair hears none. The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. TRUMAN].

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will restate the committee amendment on page 157.

The CHIEF CLERK. On page 157, line 6, after the words "opinion of", it is proposed to strike out "The Tax Court of the United States" and insert "the Court of Claims."

Mr. GEORGE. Mr. President, under the House bill court review was granted in a de novo proceeding before The Tax Court of the United States. The committee has substituted the Court of Claims for The Tax Court of the United States to handle this proceeding. Some objection was made by the Treasury, and the Department of Justice, and the War Department, to conferring jurisdiction of renegotiated cases to The Tax Court of

the United States. It was contended that to confer such jurisdiction upon The Tax Court might seriously interfere with the handling of tax cases by that court, particularly the relief cases under section 722 of the Internal Revenue Code relating to excess-profits taxes. The committee proceeded on that view. The Court of Claims, at the request of the contractor or subcontractor, is required to furnish a statement of its determination of the facts used as a basis therefor and of its reasons for such determination. It is simply a substitution of the Court of Claims for The Tax Court.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. TRUMAN. Mr. President, I should like to offer an amendment to the provision under consideration.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 175——

The PRESIDING OFFICER. An amendment on page 175 is not now in order. The Senate is engaged in considering amendments on page 157.

Mr. GEORGE. Yes, Mr. President; the Senator's proposed amendment comes at a later point in the bill.

Mr. TRUMAN. I thought the amendment dealing with the Court of Claims was under consideration. I wish to offer an amendment to appear at the proper place in the bill dealing with the Court of Claims, and to make a statement with respect to it, if the Senator from Georgia will allow me to do so.

Mr. GEORGE. Yes, Mr. President. I do not know where the proposed amendment would come in.

Mr. McKELLAR. Mr. President, will the Senator from Missouri read his proposed amendment? It seems to me the statement with respect to it should be made more specific. I think by all means the taxpayer should have a right to go to court under certain circumstances.

Mr. TRUMAN. I agree with the Senator.

Mr. McKELLAR. The Government ought to have exactly the same right. I think the statement with respect to the amendment should be a little more specific. I should like to have the clerk read the amendment so we may know with what it deals.

Mr. TRUMAN. Mr. President, I am informed by the Senator from Wisconsin [Mr. LA FOLLETTE], who is a member of the Finance Committee, that my amendment belongs at a later point in the title, but I shall be glad if the Senator from Georgia will permit the amendment to be read, and that I may make a brief statement with respect to it when we come to the place in the bill where it belongs.

Mr. GEORGE. Mr. President, I have no objection to the amendment being stated. I have not seen it.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 175, line 1, after the words "Court of Claims", it is proposed to insert the following: "to set aside the determination and."

On page 175, lines 2–7, it is proposed to strike out the following:

> Upon such filing such court shall have exclusive jurisdiction, by order, to finally determine the amount, if any, of such excessive profits received or accrued by the contractor or subcontractor, and such determination shall not be reviewed or redetermined by any court or agency.

And to insert in place of that language the following:

> Such petition shall constitute the exclusive method of review of such order and upon the filing thereof such court shall have exclusive jurisdiction by order finally to determine the amount, if any, of such excessive profits received or accrued by the contractor or subcontractor; such determination shall be subject to appellate review as in the case of other decisions of the court, but shall not be reviewed or redetermined by any other court or agency; and no suit brought for the purpose of restraining a renegotiation or the enforcement thereof, or the withholding or recovery of any amounts pursuant thereto, or for the purpose of compelling any action in disregard of a renegotiation shall be maintained in any court, nor shall any renegotiation be set aside or disregarded in any suit or action in any court. The Court of Claims shall not set aside the determination made in the order unless it first appears that one or more material facts stated pursuant to subsection (c) (1) as the basis therefor are wrong or that the determination is based on one or more errors of law. If the determination is set aside by the court, the court shall determine the amount of excessive profits.

On page 175, line 14, after the phrase "shall not", it is proposed to insert the following: "except as hereinbefore provided."

Mr. TRUMAN. Mr. President, the Senator from New Mexico and I——

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. TRUMAN. I yield.

Mr. WALSH of Massachusetts. Will the Senator wait until we reach the amendment on the page of the bill on which the Senator's amendment would come, because the subject is very important? Other amendments must be considered before we reach the amendment with which the Senator's amendment deals, and we will be in much better position to deal with the Senator's amendment if it comes in its regular order.

Mr. TRUMAN. I shall be very glad to wait until we come to the point at which my amendment applies.

Mr. BARKLEY. Mr. President, if the Senator is willing to wait until the amendments offered by the committee shall have been agreed to seriatim it would result in a more orderly procedure.

Mr. TRUMAN. I am sorry I brought the amendment up at this time. The Senator from Georgia spoke of the court, and for that reason I thought it proper to present my amendment.

The PRESIDING OFFICER. The clerk will state the next committee amendment in title VIII.

The LEGISLATIVE CLERK. On page 157, line 9, after the words "opinion of" it is proposed to strike out "The Tax Court of the United States" and insert "the Court of Claims."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The clerk will state the next committee amendment.

The CHIEF CLERK. On page 157, line 16, after the words "opinion of" it is proposed to strike out "The Tax Court of the United States" and to insert "the Court of Claims."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The next committee amendment will be stated.

The CHIEF CLERK. On the same page, line 19, after the word "subcontract" and the period it is proposed to strike out "No commission, percentage, brokerage, or contingent fee paid or payable by a contractor with a department to any person for or in connection with the soliciting or securing by such person of a contract with a department shall be allowed as an item of cost, unless such person is a bona fide established commercial or selling agency maintained by the contractor for the purpose of securing business. Except as otherwise provided in the foregoing provisions of this paragraph" and to insert "notwithstanding any other provisions of this section."

Mr. GEORGE. Mr. President, the committee amendment which should now be considered is merely to strike out certain language of the House bill beginning in line 19 on page 157.

Mr. LA FOLLETTE. Mr. President, if the Senator will yield——

Mr. GEORGE. I yield.

Mr. LA FOLLETTE. The amendment as now represented is an amendment to strike out and insert, and it would seem to me that the amendment should be agreed to in that form.

Mr. GEORGE. There is no subsequent language proposed in lieu of the language stricken out. The language proposed to be inserted relates to an altogether different subject matter.

Mr. LA FOLLETTE. Yes, but I understood the clerk read the amendment as an amendment to strike out and insert.

Mr. GEORGE. I am now asking, Mr. President, that the amendment be considered as an amendment to strike out, because that is what it is.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 157, after the word "subcontract" and the period in line 19, it is proposed to strike out the following: "No commission, percentage, brokerage, or contingent fee paid or payable by a contractor with a department to any person for or in connection with the soliciting or securing by such person of a contract with a Department shall be allowed as an item of cost, unless such person is a bona fide established commercial or selling agency maintained by the contractor for the purpose of securing business. Except as otherwise provided in the foregoing provisions of this paragraph."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. GEORGE. Mr. President, the next amendment then is the new lan-

guage proposed to be inserted in line 2, page 158.

The PRESIDING OFFICER. The amendment of the committee will be read.

The CHIEF CLERK. On page 158 in line 2, it is proposed to insert "Notwithstanding any other provisions of this section."

Mr. GEORGE. I do not believe there is any objection to that amendment.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment in title VII.

The CHIEF CLERK. On page 158, line 3, after the word "items" it is proposed to strike out "of the character allowed" and insert "allowable."

Mr. GEORGE. Mr. President, on behalf of the committee I offer an amendment on page 158, line 4, before "allowable" to insert "estimated to be."

Mr. President, that is a committee amendment made for the obvious purpose of making it possible to close renegotiation of any contract without having to wait for final tax determination, and it is simply an estimate to be made by the renegotiators of the tax item which is allowable as a cost item.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered on behalf of the committee, to the committee amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The next committee amendment in title VII will be stated.

The CHIEF CLERK. On page 158, line 7, after the word "subcontracts" it is proposed to insert the following: "(or, in the case of the recomputation of the amortization deduction and in the case of carry-overs and carry-backs, allocable to contracts with the Departments and subcontracts)."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GEORGE. Mr. President, I send to the desk an amendment which should properly be considered at this point. The amendment is to the House text. I offer the amendment and ask to have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 158, beginning with line 15, it is proposed to strike out down to and including line 2 on page 159 and insert:

(5) The term "subcontract" means—

(A) Any purchase order or agreement to perform all or any part of the work, or to make or furnish any article, required for the performance of any other contract or subcontract; or.

Mr. GEORGE. Mr. President, that amendment, which was agreed to by the Committee on Finance, and which the chairman was instructed to offer on the floor of the Senate, would restore the provision of existing law; that is to say, it would restore the definition of subcontracts which now appears in existing law. This particular item has been a controversial one and was not offered by the Senate Finance Committee or in committee. It has been a House provision from the beginning, and is now; but the committee is proposing to strike it and to return to the definition of subcontracts contained in existing law. Of course, that would have the effect of throwing the issue into conference.

Mr. DANAHER. Mr. President, I wonder if the reading clerk read from the printed text of an amendment which came to us this morning. Because in line 1 of the amendment the definition would purport to apply to "subcontractor", and it should not. I should like to know what the amendment does say.

Mr. GEORGE. I think that was corrected, I will say to the Senator from Connecticut. The amendment I sent to the desk did correct that technical error.

Mr. DANAHER. I thank the Senator.

The PRESIDING OFFICER. The Chair understands that the correction has been made in the amendment as stated.

The question is on agreeing with the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee in title VII.

The CHIEF CLERK. On page 160, after line 7, it is proposed to strike out:

(A) which is not specially made to specifications furnished by a Department or by another contractor or subcontractor.

The amendment was agreed to.

The next amendment of the committee was, on page 161, in line 20, after the numerals "1943", to insert "and involving an estimated amount of more than $100,000."

The amendment was agreed to.

The next amendment was, on page 161, in line 23, to strike out "to repricing, and."

The amendment was agreed to.

The next amendment was, on page 162, line 5, after the word "subcontract", to insert "described in subsection (a) (5) (A) involving an estimated amount of more than $100,000, and in each subcontract described in subsection (a) (5) (B) involving an estimated amount of more than $25,000."

The next amendment was, on page 162, in line 11, to strike out "to repricing, and."

The amendment was agreed to.

The next amendment was, on page 162, in line 17, after the word "profits", to strike out the comma and "or any amount in excess of the fair price under the subcontract determined as a result of repricing."

The amendment was agreed to.

The next amendment was, on page 162, line 24, after the word "subcontract", to insert: "described in subsection (a) (5) (A) involving an estimated amount of more than $100,000, and in each subcontract described in subsection (a) (5) (B) involving an estimated amount of more than $25,000."

The amendment was agreed to.

The next amendment was, on page 163, line 24, after the word "which", to strike out "this subsection" and insert "subsection (c)"; in line 25, after the word "provisions", to strike out "required by", and insert "specified in"; and on page 164, line 2, after the word "to", to strike out "this" and insert "such."

The amendment was agreed to.

The next amendment was, on page 164, line 17, after the word "profits", to strike out "realized or likely to be realized" and insert "received or accrued"; and, in line 24, after the word "with", to strike out "The Tax Court of the United States" and insert "the Court of Claims."

The amendment was agreed to.

Mr. GEORGE. Mr. President, I send to the desk an amendment which I offer and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 165, line 5, after the word "year", it is proposed to insert "(or such other period as may be fixed by mutual agreement)."

Mr. GEORGE. Mr. President, the amendment is a clarifying one which would give the Board authority to determine excessive profits on the basis of the fiscal year of the contractor or on the basis of such other period as may be fixed by mutual agreement.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. TRUMAN. Mr. President, I had a proposal which I should like to offer, if I may obtain unanimous consent to do so. The amendment I would offer would come in on page 165, in lines 15 and 16. The amendment is merely a clarifying one. Lines 15 and 16 on page 165 read, "The amount of excessive profits, whether such determination is made by order or is embodied in an agreement."

I desire to change the language, so as to read "profits, by order and not by agreement."

I offer that amendment.

Mr. GEORGE. Mr. President, not having seen the amendment, I ask to have it stated by the clerk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 165, lines 15 and 16, it is proposed to strike out "profits, whether such determination is made by order or is embodied in an agreement" and in lieu thereof to insert "profits, by order and not by agreement."

Mr. TRUMAN. Mr. President, I should like to offer a brief explanation. Then, if the Senate sees fit to allow the language to be changed as I have proposed, it can do so.

The purpose of this amendment is to limit the requirement imposed by that section—that the Board furnish a statement of the facts and reasons for its determination—to those cases in which a unilateral determination is made. It seems to me reasonable and desirable to require such a statement when the parties are not able to agree. I see no reason for requiring the additional paper work in cases of bilateral agreements. Indeed, to require such additional work

in cases of bilateral agreements might well interfere with the war effort. It is a basic principle of renegotiation that contractors whose performance has been less efficient than that of their competitors should be cut down to a lower figure of profit than that allowed to their efficient and economical competitors. Yet, if the management were required to take a written statement back to the stockholders to the effect that their profits had been cut down because they had done a poor and inefficient job, it is apparent that such management would have to appeal from such a determination in order to save their own jobs. They would have to spend their time fighting the Price Adjustment Board, instead of continuing to fight the war. It surely was not the intent of the Senate Finance Committee to bring about such a result.

I hope the Senator will permit that amendment to go to conference.

Mr. GEORGE. Mr. President, that amendment was offered yesterday in an effort to compose all our differences. It was voted down by the committee, and I think for very substantial reasons. It seems to me that the contractor is entitled to a statement. It may or may not aid him in reaching an agreement with the department. It certainly is not an unreasonable burden to put on the department to say that it shall give the contractor a simple statement, although he may subsequently, after studying the statement, reach an agreement with the department. I hope the amendment will not be agreed to, because it was affirmatively rejected yesterday by the Finance Committee.

Mr. TRUMAN. Mr. President, as I understand, unanimous consent is required for the consideration of the amendment.

The PRESIDING OFFICER. Does the Senator request unanimous consent that the amendment be considered?

Mr. TRUMAN. I do.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri?

Mr. GEORGE. Mr. President, I have no objection to the consideration of the amendment, although I do not wish to consider any other amendments until we complete the committee amendments. However, inasmuch as it has been presented, I have no objection to its consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the amendment offered by the Senator from Missouri [Mr. TRUMAN]? The Chair hears none.

The question is on agreeing to the amendment offered by the Senator from Missouri.

The amendment was rejected.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, on page 165, line 22, after the word "used", to strike out "as evidence or otherwise considered by The Tax Court of the United States in connection with its determination of excessive profits" and insert "in the Court of Claims as proof of the facts or conclusions stated therein."

The amendment was agreed to.

The next amendment was, on page 166, line 3, after the word "by", to strike out "The Tax Court of the United States" and insert "the Court of Claims"; in line 9, after the word "Departments", to strike out "and subcontracts"; in line 11, after the word "contractor", to strike out "or subcontractor"; in line 16, after the word "contractor", to strike out "or subcontractor"; in line 21, after the word "from", to strike out "such" and insert "the"; in the same line, after the word "contractor", to strike out "or subcontractor"; on page 167, line 4, after the word "paragraph", to strike out "or pursuant to subsection (f)"; in line 10, after the word "shall", to strike out "transfer to the Treasury, from appropriations of his Department, to the credit of miscellaneous receipts an amount equal to the amount so withheld or credited by him" and insert "certify the amount thereof to the Treasury and the appropriations of his Department shall be reduced by an amount equal to the amount so withheld or credited. The amount of such reductions shall be transferred to the surplus fund of the Treasury"; and in line 17, after the word "In", to strike out "determining the amount of any excessive profits to be eliminated hereunder" and insert "eliminating excessive profits."

The amendment was agreed to.

The next amendment was, on page 167, line 25, after the word "commenced", to strike out "by the Board."

The amendment was agreed to.

The next amendment was, on page 168, line 2, after the word "accrued", to strike out "or more than 1 year after the statements required under paragraph (5) are filed with the Board, whichever is the later."

Mr. GEORGE. Mr. President, I send to the desk a number of amendments in this particular text, some being amendments to committee amendments and others amendments to the House text. The amendments occur at various places, but they are all related. I should like to make a statement with respect to the amendments.

These are clarifying amendments relating to the statute of limitations. Under the House bill, no proceeding to determine excessive profits could be commenced after the close of the fiscal year in which such profits were received or accrued, or after 1 year following the date on which financial statements required by the Board were filed. Because of the uncertainty as to the type of financial statement and the time within which it must be filed under the House bill, your committee eliminated this second requirement of not commencing the running of the statute until the financial statements were filed. The amendments which I now offer provide for a definite financial statement to be filed with the Board on or before the 1st day of the fourth month following the close of the fiscal year. Therefore, it is believed proper to have the 1-year statute of limitations start running from the date of filing this statement or the close of the fiscal year, whichever is the later, and this amendment so provides.

I may say also that these amendments meet all the objections of the services on this point.

The PRESIDING OFFICER. The first amendment offered by the Senator from Georgia will be stated.

The CHIEF CLERK. On page 168, in the committee amendment proposing to strike out lines 2, 3, and 4, it is proposed to strike out "statements", in line 3, and insert "statement"; and in the same line, before the word "filed", to strike out "are" and insert "is."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia to the committee amendment.

The amendment to the amendment was agreed to.

The amendment to strike out the text, as amended, was rejected.

The PRESIDING OFFICER. The next amendment offered by the Senator from Georgia will be stated.

The CHIEF CLERK. On page 168, in the committee amendment proposing to strike out lines 6, 7, and 8, it is proposed to strike out "statements", in line 7, and insert "statement"; and in the same line, before the word "so", to strike out "are" and insert "is."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia to the committee amendment.

The amendment to the amendment was agreed to.

The amendment to strike out the text, as amended, was rejected.

The PRESIDING OFFICER. The next amendment offered by the Senator from Georgia will be stated.

The CHIEF CLERK. On page 169, beginning with line 15, it is proposed to strike out through line 23 and insert:

(5 (A) Every contractor and subcontractor who holds contracts or subcontracts, to which the provisions of this subsection are applicable, shall, in such form and detail as the Board may by regulations prescribe, file with the Board on or before the first day of the fourth month following the close of the fiscal year, a financial statement setting forth actual cost of production and such other information as the Board may by regulations prescribe. In addition to the statement required under the preceding sentence, every such contractor or subcontractor shall, at such time or times and in such form and detail as the board may by regulations prescribe, furnish the Board any information, records, or data required by the Board. Any person who willfully fails or refuses to furnish any statement, information, records, or data required of them under this subsection, or who knowingly furnishes any such statement, information, records, or data.

Mr. DANAHER. Mr. President, I should like to ask how the text will read, commencing with line 11 on page 2 of the amendment, and then reverting to page 169. Let me point out to the Senator from Georgia that the language in the amendment at the desk, on page 2, line 11, reads:

Any person who willfully fails or refuses to furnish any statement, information, records, or data required of them under this

subsection, or knowingly furnishes any such statement, information, records, or data—

Now, we revert, I assume, to page 169, line 23, which proceeds:

subsection, or who knowingly furnishes any such statement.

And so forth. I think there is something there that needs clarifying.

Mr. GEORGE. Mr. President, there was a clerical error in the amendment as originally submitted. That has been cleared up in the amendment read by the clerk. The Senator is probably looking at the printed amendment, which contains a clerical error.

Mr. DANAHER. May I ask that the clerk read the last four lines of the amendment at the desk?

The PRESIDING OFFICER. Without objection, the clerk will read as requested.

The CHIEF CLERK. Beginning in line 11, the amendment reads as follows:

Any person who willfully fails or refuses to furnish any statement, information, records, or data required of them under this subsection, or who knowingly furnishes any such statement, information, records, or data——

Mr. DANAHER. Where does it go from there?

The CHIEF CLERK. Continuing with the House text in line 24 on page 169—

containing information which is false or misleading in any material respect.

And so forth.

Mr. DANAHER. That is clear.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia.

Mr. ELLENDER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. ELLENDER. What has become of the text on page 168, in lines 2, 3, and 4? Has that been stricken from the bill?

The PRESIDING OFFICER. The Senator from Georgia offered an amendment to the committee amendment, which was agreed to, and the committee amendment proposing to strike out the text, as amended, was rejected.

Mr. GEORGE. Originally the language was stricken from the bill by the committee amendment, but now a substitute amendment, revising the language, has been agreed to.

Mr. ELLENDER. As I understand, the language has been reinstated.

Mr. GEORGE. Yes; with the amendments heretofore agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment under title VII.

The next amendment was, on page 171, line 14, before the word "members", to strike out "five" and insert "six"; in line 25, before the word "one", to strike out "and"; and on page 172, line 3, after the word "Finance", to strike out "Corporation" and insert "Corporation, and one shall be an officer or employee of the War Production Board and shall be appointed by the Chairman of the War Production Board."

The amendment was agreed to.

The next amendment was, on page 172, line 18, before the word "members", to strike out "Three" and insert "Four."

The amendment was agreed to.

Mr. GEORGE. Mr. President, there is an amendment which should be made at this time on page 173. I send forward the amendment and ask to have it stated.

The PRESIDING OFFICER (Mr. ELLENDER in the chair). The amendment will be stated.

The CHIEF CLERK. On page 173, in line 9, after the word "duty", it is proposed to strike out "(except the power, function, and duty to review orders determining excessive profits)."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Georgia.

The amendment was agreed to.

Mr. GEORGE. Mr. President, I send forward another amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 174, beginning with the comma in line 3, it is proposed to strike out down to and including the period in line 13, and insert:

The Board may review any determination by any such officer, agency, or division on its own motion, or in its discretion at the request of any contractor or subcontractor aggrieved thereby. Unless the Board upon its own motion initiates a review of such determination within 60 days from the date of such determination, or at the request of the contractor or subcontractor made within 60 days from the date of such determination initiates a review of such determination within 60 days from the date of such request, such determination shall be deemed the determination of the Board.

Mr. GEORGE. Mr. President, under the House text any contractor may, upon request, have his case reviewed by the War Price Adjustment Board. Your committee believes that this might result in throwing a considerable burden on the main board, and that if contractors or subcontractors were given the right to have their cases considered in the Court of Claims in a de novo proceeding, a second administrative review would not be necessary. Accordingly, it is provided that the Board may review the determination on its own motion, or in its discretion, at the request of any contractor or subcontractor aggrieved thereby.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia.

The amendment was agreed to.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment was, on page 174, line 21, after the word "subcontractor", to strike out the comma and "or by an order of the Secretary under subsection (f) determining a fair price,"; and in line 25, after the word "the", to strike out "Tax Court of the United States" and insert "Court of Claims."

The amendment was agreed to.

The next amendment was, on page 175 in line 5, after the word "subcontractor", to strike out "or the fair price, as the case may be,"; in line 9, after the word "Board", to strike out the comma and "and may determine a fair price either less than, equal to, or greater than that determined by the Secretary"; and in line 12, after the word "the", to strike out "Tax Court" and insert "Court of Claims."

The amendment was agreed to.

Mr. TRUMAN. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. TRUMAN. May I ask the able Senator from Georgia if this is the proper time for me to call up the Court of Claims amendment which I offered some time ago?

Mr. GEORGE. Mr. President, I have departed from the original request as to the consideration of amendments, but in order that what the committee has done may receive anything like a view at a glance, so to speak, I am now compelled to ask that the committee amendments be first acted upon.

Mr. TRUMAN. I do not want to interfere with orderly procedure. I was merely inquiring of the Senator if consideration of my amendment would now be satisfactory.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 184. An act to provide for the presentation of silver medals to certain members of the Peary Polar Expedition of 1908–9;

S. 653. An act for the relief of Johnny Newton Strickland;

S. 1090. An act for the relief of John Henry Miller, Jr.;

S. 1488. An act to authorize the Secretary of the Interior to convey to Jose C. Romero all right, title, and interest of the United States in a certain described tract of land within the Carson National Forest, N. Mex.

H. R. 3741. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; and

S. J. Res. 108. Joint resolution making an appropriation for contingent expenses of the Senate.

THE REVENUE ACT

The Senate resumed the consideration of the bill (H. R. 3687) to provide revenue, and for other purposes.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, on page 175, in line 13, after the word "profits", to strike out the comma and "or to determine the fair price,"; in line 15, after

the word "Board", to strike out "or the Secretary, as the case may be"; in line 16, after the words "proceeding de novo" and the period, to strike out:

For the purposes of this subsection the court shall have the same powers and duties, insofar as applicable, in respect of the contractor, the subcontractor, the Board and the Secretary, and in respect of the attendance of witnesses and the production of papers, notice of hearings, hearings before divisions, review by The Tax Court of decisions of divisions, stenographic reporting, and reports of proceedings, as such court has under sections 1110, 1111, 1113, 1114 1115 (a), 1116, 1117 (a) and (b), 1118, 1120, and 1121 of the Internal Revenue Code in the case of a proceeding to redetermine a deficiency. In the case of any witness for the Board or Secretary, the fees and mileage, and the expenses of taking any deposition shall be paid out of appropriations of the Board or Department available for that purpose, and in the case of any other witnesses, shall be paid, subject to rules prescribed by the court, by the party at whose instance the witness appears or the deposition is taken.

And insert:

The Court of Claims is authorized to prescribe such rules of practice and procedure as it deems necessary to the exercise of its powers under this subsection. Whenever the court makes a determination with respect to the amount of excessive profits it shall, at the request of the contractor or subcontractor, as the case may be, prepare and furnish such contractor or subcontractor with a statement of such determination, of the facts used as a basis therefor, and of its reasons for such determination.

The amendment was agreed to.

The next amendment was, on page 176, in line 19, after "(2)", to strike out the comma and "or an order of the Secretary under subsection (f)."

The amendment was agreed to.

Mr. GEORGE. Mr. President, I send forward an amendment and ask to have it stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Georgia.

The CHIEF CLERK. On page 176, beginning in line 25, it is proposed to strike out "whether or not such determination is" and insert "which is not"; and on page 177, beginning with "If" in line 24, strike out down to and including the period in line 4 on page 178.

Mr. GEORGE. Mr. President, under the House text the contractor or subcontractor is given the right to commence a de novo proceeding in the Court of Claims with respect to a fiscal year ending before July 1, 1943, whether or not an agreement has been entered into with a department. Your committee is of the opinion that the contractor or subcontractor should not be given the right to a court proceeding where his case has been closed by agreement. Accordingly, the right of court review is closed by agreement. The provision to which this amendment is offered was a House provision and was not originally amended by the Senate Finance Committee. However, on yesterday the committee decided to offer this amendment so that the matter could be opened in conference.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Georgia, which, without objection, will be considered en bloc.

The amendments were agreed to.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment was, on page 177, line 5, after the word "the", to strike out "Tax Court of the United States" and insert "Court of Claims"; in line 15, after the words "with the", to strike out "Tax Court of the United States" and insert "Court of Claims", and in line 21, after the numerals "1943", to strike out "(other than the amendment inserting this paragraph)" and insert "which are not made applicable as of April 28, 1942, or to fiscal years ending before July 1, 1943."

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

The CHIEF CLERK. On page 178, after line 5, after "(f)", it is proposed to strike out:

(1) Whenever, in the opinion of the Secretary of a department, the price under any contract with such department or subcontract which affects such department exceeds a fair price, the Secretary may require the contractor or subcontractor to negotiate to fix a fair price thereunder. If an agreement is not reached, the Secretary by order may fix the price which he determines to be a fair price for performance under such contract or subcontract after the date of the order. Any such agreement or order may prescribe the period during which the price so fixed shall be effective, and may contain such other terms and conditions as the Secretary deems appropriate. In determining a fair price under this subsection, the Secretary shall take into consideration all of the factors to be considered in determining excessive profits under subsection (a) (4) (A) of this section, and such other factors as he deems appropriate.

(2) Upon the making of an agreement or order under the subsection, the Secretary may—

(A) withhold from amounts otherwise payable to the contractor or subcontractor any portion of the contract price in excess of the price so fixed; or

(B) direct the contractor or another subcontractor to withhold for the account of the United States from amounts otherwise due the subcontractor any portion of the contract price in excess of the price so fixed.

(3) Where a contractor or subcontractor holds two or more contracts or subcontracts the Secretary, in his discretion, may exercise the authority conferred by this subsection with respect to some or all of such contracts and subcontracts as a group.

(4) The authority and discretion herein conferred upon the Secretary of each department may be delegated in whole or in part by him to such individuals or agencies as he may designate in his department, or in any other department with the consent of the Secretary of that department, and he may authorize such individuals or agencies to make further delegations of such authority and discretion.

And insert:

For repricing of war contracts, see title VIII of the Revenue Act of 1943.

The amendment was agreed to.

Mr. GEORGE. I send forward an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 179, beginning with line 24, it is proposed to strike out down to and including line 4 on page 180, and, in lieu thereof, to insert the following:

(h) This section shall apply only with respect to profits derived from contracts with the departments and subcontracts which are attributable to performance prior to the termination date. For the purposes of this subsection—

(1) The profits derived from any contract with a department or subcontract which shall be deemed "attributable to performance prior to the termination date" shall be those determined by the Board to be equal to the same percentage of the total profits so derived as the percentage of completion of the contract or subcontract prior to the termination date; and

(2) The term "termination date" means—

(A) December 31, 1944; or

(B) If the President not later than December 1, 1944, finds and by proclamation declares that competitive conditions have not been restored, such date not later than June 30, 1945, as may be specified by the President in such proclamation as the termination date; or

(C) If the President, not later than June 30, 1945, finds and by proclamation declares that competitive conditions have been restored as of any date within 6 months prior to the issuance of such proclamation, the date as of which the President in such proclamation declares that competitive conditions have been restored;

except that in no event shall the termination date extend beyond the date proclaimed by the President as the date of the termination of hostilities in the present war, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. GEORGE. Mr. President, I send to the desk another amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 180, beginning with the first word "or", in line 23, it is proposed to strike out down to and including the word "harvested" in line 1 on page 181, as follows: "or any contract or subcontract for canned, bottled, or packed fruits or vegetables (or their juices) which are customarily canned, bottled, or packed in the season in which they are harvested."

Mr. GEORGE. Mr. President, it was agreed yesterday that that language should be eliminated from the bill. The committee amendment which follows relates to the portion of the House text stricken out.

The PRESIDING OFFICER. Without objection, the amendment of the Senator from Georgia proposing to strike out, beginning in line 23, page 180, is agreed to.

The committee amendment on page 181, line 1, will be stated.

The CHIEF CLERK. On page 181, after the word "harvested", in line 1, it is proposed to insert "or any contract or subcontract for a canned, bottled, packed, or processed dairy product or any product the principal ingredient of which is a dairy product."

Mr. LA FOLLETTE obtained the floor.

Mr. CONNALLY. Mr. President, will the Senator from Wisconsin yield?

Mr. LA FOLLETTE. I am glad to yield.

Mr. CONNALLY. Referring to the language on page 181 in italics, reading "or any contract or subcontract for a canned, bottled, packed, or processed dairy product", and so forth, why is it proper to do what that language provides as to dairy products and then strike out the language as to other canned products?

Mr. LA FOLLETTE. The purpose of this amendment is to take the entire proposition to conference, and this is the only way by which it can be achieved—namely, to strike out the House language and insert the committee amendment all of which will be in conference. It was for the purpose of having it all in conference that this action was taken.

Mr. CONNALLY. Very well.

Mr. BYRD. Only a portion of the House language is stricken out.

Mr. LA FOLLETTE. That is correct.

Mr. BYRD. I ask that the clerk read that again.

Mr. LA FOLLETTE. After the word "market" on line 23, page 180, it is proposed to strike out the remainder of the House language on that page and a portion of the sentence including the word "harvested" in line 1 on page 181, and then to insert the matter in italics which will have the effect of throwing both the House provision and the Senate action in conference for further consideration.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The clerk will state the next amendment of the committee.

The CHIEF CLERK. On page 181, line 11, before the word "saps" it is proposed to insert "natural resins."

The amendment was agreed to.

The CHIEF CLERK. On the same page after line 18, it is proposed to insert "(E)"——

Mr. TYDINGS. Mr. President, to the amendment which the clerk is about to read I should like to offer an amendment after he states it.

The PRESIDING OFFICER. The committee amendment will be stated.

The CHIEF CLERK. On page 181, after line 18, it is proposed to insert:

(E) any contract or subcontract with a common carrier for transportation, or with a public utility for gas or electrical energy, when made in either case at published rates or charges filed with, or fixed, approved, or regulated by, a public regulatory body, State, Federal, or local; or.

Mr. TYDINGS. Mr. President, I should like——

The PRESIDING OFFICER. The clerk has not finished the reading of the amendment as the Chair understands.

Mr. TYDINGS. I thought he had finished it. At any rate he finished the portion in which I am interested.

Mr. President, I should like to offer an amendment to the committee amendment on page 181, line 21, after the words "electrical energy" to insert "or communications services."

The reason I am offering that amendment is that all public utilities regulated by States ought either to be excluded or included. I understand other amendments will be offered to this section which will seek to modify or to limit some of the things which are set forth, but, regardless of how it may be modified or changed, certainly it seems to me that the situation ought to be a uniform one and that whatever applies to certain public utilities ought to apply to them all. In that spirit I offer the amendment and hope that it will meet the approval of the Senate.

The PRESIDING OFFICER. The amendment offered by the Senator from Maryland to the amendment of the committee will be stated.

The CHIEF CLERK. In the committee amendment on page 181, line 21, after the words "electrical energy", it is proposed to insert "or communications services."

Mr. LA FOLLETTE. Mr. President, I should like to make it clear to the Members of the Senate that the pending committee amendment—and I include of course the one offered by the senior Senator from Maryland [Mr. TYDINGS]—was not involved in any of the numerous conferences and negotiations of the Finance Committee concerning the renegotiation title to the pending bill. In the committee I strenuously opposed the amendment proposed by the committee and served notice at that time that I would oppose the amendment on the floor.

I have conferred with officials of the Federal Power Commission, who are responsible for the renegotiation of electrical and other contracts, and, in my opinion, especially since the action of the Finance Committee yesterday in including practically everybody and every type of commodity and article within purview of the statute of renegotiation, it is not a sound proposal to exclude contracts for utility services which the Government had to enter into because of the necessity of the war emergency.

Mr. TYDINGS. Mr. President, will the Senator from Wisconsin yield to me?

Mr. LA FOLLETTE. I yield.

Mr. TYDINGS. I take it the Senator is addressing his remarks to the entire amendment. Am I correct in that?

Mr. LA FOLLETTE. Yes; but if the amendment is to go into the bill I do not want to see it broadened.

Mr. TYDINGS. If the Senator will allow me, I should prefer to withdraw my amendment, and have the Senator make his fight on the committee amendment. Of course, if it is knocked out, there is no purpose in my offering the amendment.

Mr. LA FOLLETTE. Whatever course the senior Senator from Maryland desires to take is entirely agreeable to the Senator from Wisconsin.

Mr. TYDINGS. I withdraw the amendment, until the Senate takes a position on the matter, and if it is adverse, then, of course, there is no use offering the amendment, but if it is to be retained, then it should include all the utilities.

The PRESIDING OFFICER. The senior Senator from Maryland withdraws his amendment.

Mr. LA FOLLETTE. Mr. President, I wish to reiterate what I stated at the outset. If there ever was any justification for this amendment it seems to me it has gone by the board, now that the Senate Finance Committee and the Senate have decided to eliminate the amendments which would have excluded thousands of items and other component materials and parts going into war matériel. The cost of the power in producing a tank, a plane, or in producing aluminum is just as much a component part of the cost of the product as are the materials which go into it. In my opinion there is no more excuse for eliminating from renegotiation a utility contract which was entered into under the exigencies and pressures of the war necessity and emergency than there would be to eliminate a commodity which goes to make up the final product which is used by the men in the armed services.

The contention will be made here, I assume, as it was in the committee, that there are regulatory bodies constituted under State law which have general supervision over public utility rates and charges; but these are exceptional types of contracts. They are contracts in which 1,000 kilowatts or more of electric energy is being furnished. These are contracts in which the utilities provided additional facilities, and the procurement officials were under the same pressure, they were under the disadvantage of the same lack of experience, as they were when they contracted for tanks, machine guns, trucks, and all the other thousand-and-one items which are being produced for war.

Mr. President, it is not possible to state precisely in dollars and cents the effect of the proposed exemption as related to war contracts for electricity and gas. Only the major electrical contracts, 1,000 kilowatts and over, of the principal procurement agencies, and only a relatively small part of the war contracts for natural and manufactured gas, have been filed with the Power Commission.

It is almost impossible, without detailed investigation, to determine whether the rate in any particular contract is a public rate filed with or regulated by a public regulatory body. A few facts will, however, indicate the enormous size of the Government's obligations for such utility service, and the vital importance of reviewing and, where necessary, renegotiating such contracts to eliminate unreasonable and excessive profits.

In response to a directive of the President dated October 22, 1942, to the Federal Power Commission and to the various war power procurement agencies, there have been filed with the Commission for review 880 major contracts for the purchase of power for war plants and establishments, each involving 1,000 kilowatts of demand or over. I ask that a copy of this order be inserted at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit A.)

Mr. LA FOLLETTE. Mr. President, the four agencies covered by the existing renegotiation statute—the War Department, the Navy Department, the Reconstruction Finance Corporation, and the Maritime Commission—have filed 758 such contracts, and the remaining agencies, such as the F. H. A., the F. W. A., and others, 122 contracts. These are all contracts in which the Federal Government is the purchaser, or has assumed an obligation to guarantee payment thereof.

In other words, Mr. President, these are only contracts which the Government itself or its agencies have made directly with the private utility corporations, or are instances in which the Government has guaranteed the payment of the contract involved.

Since the review of these contracts was undertaken pursuant to the President's directive, the rates and charges in 156 contracts have been analyzed and, after proper adjustments, approved by the Federal Power Commission as of November 27, 1943. Of the contracts approved, 127 were new contracts, and 29 renegotiations of existing contracts.

As a result, more than $3,000,000 a year, representing excessive profits inherent in the rates offered by the utilities for these loads, have been saved to the Government. In addition, excessive profits of approximately $5,000,000 in nonrecurring charges were eliminated from payments on facilities and penalties for contract cancelation, and so forth.

These 156 contracts represent an annual power bill of $45,000,000, and a use of electric energy of almost 9,000,000,000 kilowatt-hours. I realize that when we are dealing with billions of dollars this total sum may not seem to be so significant; but it is just as important, if by renegotiation we are to undertake to prevent excessive or exorbitant war profits, to prevent them in those instances where private utility companies have contracts which produce such profits as those, as to prevent them in the production of any item or article or implement which is utilized in connection with our war effort.

Mr. WALSH of Massachusetts. Mr. President, will the Senator from Wisconsin yield?

Mr. LA FOLLETTE. I yield.

Mr. WALSH of Massachusetts. As I understand the figures given in the statement by the Senator, the very existence of the renegotiation law has permitted better terms in the contracts made by certain agencies of the Government with these utilities, and, independent of what renegotiation has recaptured in the way of excess profits, it has resulted in savings to the Government.

Mr. LA FOLLETTE. I think that is true, but the point I was trying to make was that the agencies have already renegotiated 29 contracts which were in existence. The President's directive has given them the authority also to approve new contracts which are entered into following the issuance of his Executive order. But the amendment which was sponsored by the junior Senator from Maryland in the committee is designed to eliminate from renegotiation public utility contracts wherever rates and charges are promulgated by or filed with a State regulatory body. So far as I know, it will include all the States of the Union. In short, it is a naked proposition to eliminate from renegotiation the contracts which the Government or its subsidiary corporations have entered into directly with the private utility companies and those contracts in which the Government has guaranteed the payment to the utility companies.

Mr. WALSH of Massachusetts. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. WALSH of Massachusetts. The Senator referred to a $3,000,000 saving. How was that obtained?

Mr. LA FOLLETTE. I said that, in addition, excessive profits of $5,000,000 in nonrecurring charges were eliminated from payments on facilities and penalties for contract cancelation. Many of the utility companies contracted either with the Defense Plant Corporation or with corporations which were furnishing war materials, to supply additional facilities as well as current, and it has been found that, so far as they have gone, $5,000,000 has been saved in that field alone.

Now I am not charging that the public utilities were out to gouge the Government any more than I charge that the typical war contractor was out to gouge the Government. The fact is that no one knew in the hurly-burly, hectic days of converting this country to war what it would cost to turn out articles of war, and the load factors in these public utility contracts were so high that the experience of the utility companies and the State commissions did not extend to contracts of this magnitude. So they have already discovered excessive profits. But if the Senate should agree to the amendment adopted by the committee and sponsored by the Senator from Maryland, in the face of the record that already by agreement the utilities have been induced to reduce their rates, by one fell swoop the action of the Senate would exempt from renegotiation other contracts in which there are excessive profits.

It might as well be said, Mr. President, because an article had been furnished as a component part of a tank, and it was found on renegotiating some of the contracts that an exorbitant profit already had been made, which the manufacturer himself had admitted and agreed to with the renegotiation agency, that now, in the face of that situation, it would be decided not to renegotiate any more of those contracts.

Mr. President, my contention is, and I shall show that in the first place, the State utility commissions are not primarily interested in the problem of the Government in this situation; and, in the second place, I shall show that only six of the States have empowered their utility commissions to force public utility corporations to make refunds. My own State is one of those that does not give this power to its commission, and that was because of an obvious theory. The theory was that the commission was to be put under all possible obligation to arrive at a fair and reasonable rate in the first instance, and many persons who are students of public utility legislation agree that it is a mistake to give a commission the power to make refunds because then it has less pressure upon it to arrive at a fair and reasonable rate in the first instance.

There is now in active progress the review of 123 contracts involving energy use of 7,000,000,000 kilowatt-hours a year and annual bills of $46,000,000. That is already in progress. I reemphasize the fact that the present statute and the Executive order do not give the power of renegotiation over contracts unless they have been entered into directly with the Federal Government, or unless the Federal Government has undertaken to pay the cost of the electricity. But if the Senate shall adopt the amendment proposed by the Senator from Maryland, which is endorsed by the committee, it will result in stopping the Federal Power Commission from renegotiating 123 contracts which are now in progress, involving 7,000,000,000 kilowatt-hours a year and annual bills of $46,000,000.

How will Senators justify that, Mr. President, in the light of the fact that we are proposing to leave the renegotiation statute unimpaired insofar as concerns its jurisdiction over every other item, article, and element of cost in producing tanks, machine guns, small arms, planes, and ships, and all the other things that are being used by the men in the armed services of the United States? Will Senators do it simply on the ground that there are 48 public utility commissions in the United States, only 6 of which have authority under their own statutes to force a public utility to regurgitate any of its profits even if they found them to be excessive? But with the manpower shortage, which has hit every public utility commission in the United States, just as it has hit every other arm of State and Federal Governments, the commissions today are overburdened with work in discharging their primary responsibility and their sole responsibility under their State statutes as written, namely, to provide fair and reasonable rates to residential, to commercial, and to industrial users.

Mr. President, the State utility commissioners have no primary interest in the problem which the Government confronts. The experience of the Commission with the 156 contracts which have been approved and the 123 now in active progress conclusively indicates that excessive profits on war contracts exist in substantial amounts. This experience likewise makes it possible to estimate the amount of such excessive profits that can be expected to be found in the remaining contracts which have already been executed and may be subject to renegotiation.

There is a total of 530 such contracts on file with the Commission, of which the four renegotiating agencies, War, Navy, R. F. C., and Maritime Commission, have 448. These contracts include an estimated annual bill for power of over $157,000,000. Those are only contracts, I reiterate, in which the Federal Government has entered into a direct contract with the utility through a subsidiary cor-

poration owned by the Government, or in which the Federal Government has agreed to pay the bill to the utility company. They represent an annual use of electricity—mark these figures, Mr. President—in excess of 28,000,000,000 kilowatt-hours, and an estimated demand in excess of 4,000,000 kilowatts. It can be reasonably expected, on the basis of past experience, that excessive profits of approximately $8,000,000 annually are represented in the rates incorporated in these contracts, in addition to $9,500,000 of excessive nonrecurring charges for facilities, and so forth.

A detailed analysis of the savings which have been secured and may be expected from the readjustment and the renegotiation of major war power contracts by the Federal Power Commission in cooperation with the principal procurement agencies is available, and will be of interest to the Senate. Therefore, I ask unanimous consent to have it printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. WALSH of New Jersey in the chair). Without objection, it is so ordered.

(See exhibit B.)

Mr. LA FOLLETTE. Thus, Mr. President, in 880 war power contracts filed with the Commission there is represented an annual cost to the Government of approximately $250,000,000. Even in this day of expenditures of billions of dollars, I claim that sum is not "hay."

Including the excessive profits already eliminated in the 156 contracts approved by the Commission, the total excessive profits involved may be expected to exceed $12,000,000 a year, and the excessive nonrecurring charges may be expected to amount to approximately $15,000,000.

In other words, Mr. President, although it is proposed to eliminate these contracts from renegotiation as if they were contracts upon which performance might be concluded, yet these are continuing contracts which in all probability will go on to the end of the war.

Particular attention is directed to the fact that the $250,000,000 is an annual payment and the $12,000,000 is an annual excessive profit. Thus, if the war eventually lasts 4 years, the total payments under these contracts may reach $1,000,000,000. Likewise, the excessive profits are cumulative, and during such a period may reach $48,000,000.

Mr. President, I digress long enough to say that I do not think the amendment would be of any service to the public utility corporations. I think they are in the same boat with any other producer or manufacturer. If the theory of renegotiation is sound, in order to prevent industrial producers from obtaining excessive or exorbitant profits out of the war, it is sound that the utility companies should not do so. There has not been a scintilla of evidence before the Senate Finance Committee, or, so far as I know, before the House committee—although I can speak with authority only so far as the Senate Finance Committee is concerned—to justify the amendment. There is not a scintilla of evidence to show that in the renegotiation of these contracts the Federal Power Commission has injured a single utility corporation.

Mr. President, in the face of that kind of a record, is the Senate going to place itself in the position of saying that, merely because there are 43 State utility commissions in the United States—State utility commissions which, I reiterate, are not equipped to handle or primarily interested in handling this problem—there shall be eliminated from renegotiation these utility contracts under which, as has been demonstrated, because of the exigencies of the conditions under which they were negotiated in the first place, excessive profits or exorbitant profits have been found to exist? The Senate will be flying in the face of the whole record if it agrees to the amendment.

These excessive profits and charges are largely due to improper and incorrect application of published rates to loads for which such rates were never designed or intended. That is the milk in the coconut, Mr. President. The proposal here is that, because a State utility commission in the rightful discharge of its responsibility under State law has fixed fair and reasonable rates for commercial, residential, and industrial users in peacetimes, therefore, merely because those rates are in existence, they should be applied to these enormous contracts for extraordinary utilization of public utility services, with an enormous load factor involved.

Mr. President, there is a great difference, so far as economic result is concerned, in producing 1,000 items which go into a war machine, and perhaps involve the return of a reasonable and fair profit, and in furnishing for the same price 200,000 of those items, with the resultant return of an excessive and exorbitant profit. That is exactly what happened and exactly what will happen. The Government will never get back a penny of such excessive profits if we agree to the Radcliffe amendment; because, as I shall show, in some cases these load factors are enormous. The load is a primary load, not a fluctuating load. It is a load which goes on, in many instances, 24 hours a day, 7 days a week. The load is a superprofitable one. There is nothing like it in the experience of the private utility companies or in the experience of the Commission.

I point out again, Mr. President, that in the United States there are only six State utility commissions which have the power to make any of the utilities disgorge any of these excessive profits, even if they took their time, and turned their attention away from their sole obligation under the statute of fixing fair and reasonable rates for commercial, residential, and industrial users, in order to go into the matter and ascertain the situation.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. VANDENBERG. I do not know why the State utility commissions should have any great interest in endeavoring to delve into such situations, because never before have there been, and never again will there be, any such enormous load contracts.

Mr. LA FOLLETTE. Mr. President, I think the Senator is 100-percent correct, because, as I have said before, and I now repeat, the State utility commissions do not have any concern with these questions. The matter of excessive profits on such contracts is solely of concern to the Government, in the case of contracts in which the Government is a direct party to the contract, or contracts under which the Government underwrites the payment to the utility companies.

A rate which may be reasonable when applied to a plant operating with a 1,000 kilowatt load, operating 8 hours a day, becomes absurd, fantastic, and extortionate when applied to a great war plant with a 25,000-kilowatt load, operating 24 hours a day, 7 days a week, and in many instances 365 days a year. It does not require an expert on utility rates, or an expert on anything else, to understand that if we apply the rate for a 1,000 kilowatt load to a 25,000 kilowatt load, there will be exorbitant profits. Yet if we follow the recommendations of the Senator from Maryland and the Finance Committee, we shall be eliminating such contracts from renegotiation.

All the loads involved in these war-power contracts are large. The load factors generally are abnormally high, due to 24-hour plant operation. Even the minimum-sized, 1,000-kilowatt demand established by the Commission for filing under the President's directives would be considered a large load on any utility system in the country, and for some systems this minimum size would be larger than the largest industrial load previously handled on the system.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. SHIPSTEAD. Does the Senator mean to contend that these huge contracts are let without a proper rating of load with relation to price, or price with relation to load?

Mr. LA FOLLETTE. These contracts were entered into under the same conditions as the contracts for war material were entered into. They were entered into at a time when the Government was more concerned with getting the products than with the prices paid for them. But we enacted a renegotiation statute as a means of remedying any erroneous procurement procedures which have been indulged in because of the exigencies and necessities of that critical hour in our war experience. No rates were published, as provided for in this amendment, because in many instances the highest load factor established under those rates was far below anything a commission had ever fixed; and because often the contracting officers for the Government said, "We do not have time to go into this thing; we will just take the lowest published rate." Because the published rates were applied to those contracts in many instances, and have already revealed excessive profits, which the utilities have agreed are excessive, and for which they

have made refunds, I am strenuously objecting to this amendment.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. FERGUSON. Was there any evidence before the committee that the several public utilities had in mind these particular contracts when they fixed the rates?

Mr. LA FOLLETTE. No; there was no evidence before the committee at all to justify doing anything about this. This was done in executive session. But, as the Senator knows, the fact is that when the war started loads of this size were not in the experience of either industrialists or commissions, and so the published rates have nothing to do with enormous prime load factors such as are involved in this situation.

Mr. FERGUSON. Then we can assume that the contracts entered into were not such contracts as the public utility commissions were intended to regulate.

Mr. LA FOLLETTE. That is true. The published rates were never designed to cover such contracts. Before I finish I shall show the Senator a load factor which he will immediately recognize as something extraordinary.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. VANDENBERG. I do not believe it would be possible for a commission to establish a standard rate for the kind of loads that are involved in this situation. I do not believe there is any way to arrive at a just result except by negotiation.

Mr. LA FOLLETTE. I think the Senator has made a very important point. The published rate must apply to every consumer who falls within the category of a consumption established. But these are special cases. They do not look at any contract for less than a 1,000-kilowatt load, and many of these contracts are for enormously greater loads. We can find out whether the charge is excessive or not only after we have had experience. We can go back and renegotiate the contract. I reiterate, Mr. President, that there was not one scintilla of evidence before the committee to justify this proposal, and there has been no presentation of any facts to show that any private utility company has been injured or aggrieved by the renegotiations which have already taken place.

Mr. BURTON. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. BURTON. I was absent during a portion of the Senator's statement. The language of the amendment is:

> (E) Any contract or subcontract with a common carrier for transportation, or with a public utility for gas or electrical energy, when made in either case at published rates or charges filed with, or fixed, approved, or regulated by, a public regulatory body—

As I understand, many charges are filed with regulatory bodies which are not regulated, fixed, or approved. This language would let them out from under renegotiation if the rate were merely filed. Is that not correct?

Mr. LA FOLLETTE. The Senator is correct. All they would have to do would be to file the rate with a commission somewhere, and they would be out from under renegotiation before the commission had time to turn around and look at it.

Mr. RADCLIFFE. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. RADCLIFFE. In many cases, when such rates are filed they stand unless disapproved. That particular language has reference to transportation rates.

Mr. LA FOLLETTE. Not the way it is written.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. GEORGE. The language relates only to the transportation of passengers or freight. I offered that amendment myself. It appeared in the hearings before the committee that the War and Navy Departments do not undertake to renegotiate contracts made with any railroad, commercial air line, or other utility, when such rates are fixed. I offered that amendment to relate only to transportation, because I had a statement, which I regarded as authentic, to the effect that the method of fixing rates, for example, on the commercial air lines is merely to file a schedule of rates. If no objection is made, the rates finally become effective.

Mr. LA FOLLETTE. The Senator may have intended it to apply only to transportation——

Mr. GEORGE. I did.

Mr. LA FOLLETTE. I refer to the Senator's judgment. However, the way the language is drafted, it would appear to me otherwise, because it reads:

> Any contract or subcontract with a common carrier for transportation, or with a public utility for gas or electrical energy, when made in either case at published rates or charges filed with, or fixed, approved, or regulated by a public regulatory body.

Mr. GEORGE. It applies only in transportation cases. The draftsman simply merged the sections.

Mr. LA FOLLETTE. Whatever he did, the end result accomplished was to apply the provision to both transportation and other public utilities.

Mr. GEORGE. That may be so; but that was done by the drafting service. They were in separate sections.

Mr. LA FOLLETTE. I am not questioning the Senator's position on the matter, but that is the result.

Mr. GEORGE. I think the Senator will find, however, that there are no filed rates which become applicable in any case except in the case of transportation companies. I do not believe that gas and electric companies are regulated merely by permitting them to file their rates. That practice obtains only so far as transportation is concerned.

Mr. LA FOLLETTE. An examination of the 48 State statutes will reveal that they do permit rates to be filed.

Mr. GEORGE. That may be; but I was advised to the contrary. I simply wished to explain that that language is now applicable to all utilities, whereas it was originally intended to apply only in the case of transportation.

Mr. LA FOLLETTE. As I recall, the Senator's statement is 100-percent correct; but the way it came from the committee it applies to both.

Mr. GEORGE. That happened in the drafting.

Mr. LA FOLLETTE. The largest single contract is that for the New York aluminum plant of the Defense Plant Corporation, which uses in excess of 2,000,000,000 kilowatt-hours annually, costing approximately $12,000,000.

I venture the assertion that there is no similar contract anywhere else in the United States, and to apply the published rate to this company and let them out from renegotiation would result in excessive profits which I do not believe any Senator would care to try to justify on this floor.

Mark this: This single load is more than the total energy requirements of the Wisconsin Electric Power Co., which serves the cities of Milwaukee, Racine, Kenosha, and surrounding areas in Wisconsin, comprising one of the highly industrialized sections of my State. This one contract in New York is for more energy than is required in all those important industrial cities in the State of Wisconsin. Yet, because the New York Commission has published some rates dealing with peacetime situations, the Senator from Maryland would eliminate that and all these other contracts from renegotiation.

The New York contract involves the use of more electric energy than is produced in any one of 20 States, including such States as Colorado, Florida, Kansas, Maine, Oklahoma, and Rhode Island. This one plant is taking more power than is produced in any one of those States. Does any Senator believe there is a published rate to cover it?

Other war power contracts, some of which involve possible renegotiation, provide for the purchase of enormous quantities of energy, ranging from 300,000,000 to more than 1,000,000,000 kilowatt hours a year, with annual charges of millions of dollars. Even the small war plant contracts of, say, 5,000 kilowatts, cover the purchase of as much electricity as is consumed by the residential consumers of cities with 100,000 population, if not more.

In normal times, industries having loads of the magnitude involved in these war contracts seldom, if ever, purchased their power under published rates. It has been established procedure for industries considering the location of an industrial plant of the size of these war loads to undertake negotiations with two or more utility companies for a rate contract. In many States the rates finally agreed upon by the industry and the utility are not required to be published, but are usually incorporated in special contracts which may or may not be filed with the State commission.

When negotiating contracts for the purchase of large blocks of power, prospective industrial consumers have always used the competitive threat of installing their own power-generating facilities in lieu of purchasing service from

the utility. Such alternative, of course, could not be used either by industry or by Government during the war, due to the lack of critical materials for such generating facilities.

In other words, normal factors of competition, or the normal effects of the possibility of a huge user of industrial power to establish its own plant, was a factor in negotiating the contract. Those factors are out now, and were out at the time the contracts were entered into, because of the shortage of critical materials.

Obviously, also, the normally protracted peacetime negotiations of such contracts, usually requiring the use of consultants and detailed cost studies, could not be undertaken by the Government during the early part of the defense and war program. It was entirely natural, therefore, for the various war agencies to concentrate upon getting immediate service at any cost, rather than risk delay in production because of excessive rates. But the contracts that were made should now be reexamined, and, when necessary, renegotiated. They should not be eliminated from renegotiation by an act of the Senate without a scintilla of evidence before the Finance Committee to justify it.

Even where the utilities have published rates applicable to loads of the sizes created by these war establishments, such rates under war conditions may substantially exceed the costs of service, plus a reasonable profit. This arises from the fact that today the utilities are generating and selling proportionately more electric energy from their facilities than was ever contemplated under normal operating conditions.

In other words, the prime demand upon the utilities has been stepped up, and it is the primary load factor that represents the cream of the business. That is the lush business of a utility. The secondary power is the power which is always sold cheaply. But it is the prime load which is the one which produces the greatest return. Because of expenditures of billions of dollars all over the United States the demand upon utility companies has risen to such a point that their primary load factors have reached a level which was not contemplated at the time the published rates were promulgated.

The addition of these large war loads has thus served to bring substantial amounts of additional revenue not anticipated when the published rate schedules were designed. This condition reduces the cost of the product or service. The situation in all respects is similar to the lower unit costs experienced by general manufacturing and industrial concerns during the war as a result of their operating at full capacity and for long hours. Consequently, review and renegotiation of electric utility contracts, even when made at established rates, is just as necessary as for other war contracts.

Furthermore, the fact that a rate is published or filed with a State utilities commission does not necessarily mean that such rate has been approved or analyzed by the Commission or its staff.

In the 156 contracts approved by the Commission, it has accepted the application of the lowest published rates where they properly fitted the conditions of the load involved and were found to be consistent with the utilities' costs plus a reasonable profit.

In other words, where the published rates promulgated by the Commission have been found to be equitable and applicable, the Commission has not disregarded them. They have done so only in cases where there was excessive profit, or where there was a huge load factor due to war. That is the milk in the coconut, Mr. President.

Many war loads were doubled or tripled in size after the contract was signed, or even after service had been taken for a year or more. These changed conditions may easily make the rate established in the original contract excessive for the increased loads, and consequently make it necessary for the original contract to be renegotiated.

Senators are all familiar with the war plants which have grown by leaps and bounds. Some of them have been trebled in size. It must be clear that the original rate fixed for the original unit of the plant on a load factor which has trebled or quadrupled is bound to result in exorbitant profit. Yet the amendment now before the Senate would prevent the Government from renegotiating such a contract and perhaps get back these excessive, extortionate profits. Such an adjustment would conform with common peacetime practice of utility companies in the handling of smaller industrial loads served under published rate schedules when the load characteristics change and make a lower rate applicable. The Government should not be denied the normal privilege of changing rates when loads and other controlling conditions change. Yet that is what will be done if this amendment should be adopted.

Published rates are usually fixed by State utility commissions in the field of domestic and commercial use, as a result of periodic rate proceedings; but utilities are constantly making and filing special rates and contracts for service to their large industrial customers. Similarly, while service and rates to domestic and commercial users may be subject to close regulation by State commissions, this is not usually true with respect to large power rates and rates to Government establishments. Utilities, with the general approval of State commissions, have always operated on the principle that rates for large power loads must be fixed at that level, above out-of-pocket costs, necessary to get the business and that, through this practice, the general public, as represented by the small domestic and commercial users, is benefited. Thus, regulation in the generally accepted sense does not apply to the rates of these war power contracts.

The strongest reason for not exempting utility contracts from Federal statutory renegotiation lies, however, in the fact that only 6 of the 48 States have public-service commissions equipped with the necessary legal authority to order the refunding of such unjust and excessive overcharges as may have been levied by electric utilities under existing contracts. In other words, in only 6 States are the commissions empowered to require refunds. Forty-two State commissions do not have such power. Yet it is sought here to justify eliminating these contracts which are already shown to be producing excessive or exorbitant profits, when 42 States in the Union cannot do anything to protect the Government even if they wanted to.

It is obvious that if, as there is strong reason to believe, many of the 530 existing war power contracts contain rate provisions which are not in accord with the lowest published schedules, the Government clearly should be entitled to refunds representing the amount of the excessive and improper over-charges. Similarly, if the Government has made excessive payments for the special facilities required to render service, it should be able to recover the amount of the excess.

But a careful examination of the State statutes indicates that only six of the States—Arizona, California, Maine, New Hampshire, Pennsylvania, and Washington—have created utility commissions endowed with the necessary authority to determine the amount of such past over-charges and require the utility to refund the amount of the excess.

Nor should it be forgotten that eight of the States, in all of which important war plants and establishments are located, do not have State commissions with authority to regulate electric utility rates and charges.

It is, therefore, clear that the State utility commissions generally do not possess the statutory authority necessary to enable them to assist the Federal Government in the recovery of excessive charges, even if existing contracts should be proved to contain rates and other provisions which such commissions would determine to be unreasonable.

The necessity for statutory authority to renegotiate war power contracts and require refunds of past excessive profits has been repeatedly demonstrated by the experience of the Commission to date with these contracts. This experience has revealed that changes in the contract rates, terms, and conditions have been necessary in four out of five contracts reviewed, and refunds have been required in a number of them. Among these cases may be cited the following examples:

In December 1942, two shipyards, one of which was privately operated and the second operated by the Maritime Commission, were combined as to electrical service and both operated by the Maritime Commission. These shipyards, located in Portland, Maine, are served by the Central Maine Power Co. A review of the contracts and load conditions in 1943 revealed that no recognition had been given to the application of a proper rate to the combined loads and that not only was a substantial refund due to the Government but that the rate for the future should also be lower. Numerous conferences with the utility representatives brought no results. It was only after the utility company was advised

that, unless a settlement was made in this matter, the contract would be referred to the Renegotiation Board of the Maritime Commission for action that the utility company agreed to refund to the Government $244,000, representing the excessive charges from December 1942 to December 1943. The lower rate will represent a future saving to the Government of approximately $270,000 a year on service to these two shipyards alone. Yet, if this amendment shall be adopted, the renegotiation of these contract situations will be prevented.

Fort Eustis, Langley Field, Fort Monroe, Camp Pickett, Fort Belvoir, and Camp Patrick Henry are all served by the Virginia Public Service Corporation. The War Department had paid for the installation of the facilities necessary to provide service to these establishments. An analysis of the situation revealed that the company was using some of these facilities for general system service, that other charges made were unreasonable, and that the rate charged for service was excessive. In other words, the Government paid for the facilities for these camps, put up all the money, and yet it was found that the company was using a part of the facilities installed and paid for by the Government to supply its private consumers. While the War Department had exempted these contracts from renegotiation, the case was taken up with the company, which has been cooperating with the Commission in other matters. At a recent conference, the company agreed to refund approximately $110,000, reduce rates to the camps that will lower the cost of energy by $100,000 annually, in addition to making other changes in the contract that will save the Government $46,000. If the company had resisted making the refunds and rate reductions thus determined to be just and reasonable, the War Department's exemption of these contracts from statutory renegotiation, or the adoption of the Radcliffe amendment, would permit the company to continue to make excessive profits on these war loads. This is an exceptional case and it is reasonable to expect that the great majority of the utilities, or their controlling holding companies, in the absence of statutory renegotiation authority, will resist making refunds or reducing rates to Government war plants and establishments.

Of course they will. If the Senate takes action to strike down the power of the Government in this field, of course they will resist renegotiation of their contracts and the refunding of exorbitant and excessive profits.

Mr. AIKEN. Will the Senator from Wisconsin yield?

Mr. LA FOLLETTE. I am glad to.

Mr. AIKEN. I assume the Senator is talking about paragraph (E), on page 181?

Mr. LA FOLLETTE. Yes.

Mr. AIKEN. The language is "any contract or subcontract with a common carrier for transportation," and so forth. Does that cover any regular steamship line? Does it include any of the contracts with steamship lines which have regular routes and run on regular schedules?

Mr. LA FOLLETTE. I do not think it would, though I am not positive. I know that the inclusion of the words "common carrier" was intended to apply only to the railroads, but whether the language as drafted covers all other public utilities, I could not answer.

Mr. AIKEN. This would apply only to railroads and utilities?

Mr. LA FOLLETTE. Public utility companies and natural gas companies.

The Federal Power Commission's experience in the analysis and adjustment of the hundreds of electric utility contracts for service to Government war plants and establishments indicates that adoption of the proposed amendment exempting the greater number of such contracts from statutory renegotiation would be unfortunate and inequitable.

Mr. AIKEN. Would the amendment cover trucking companies and bus companies?

Mr. LA FOLLETTE. I think it would.

Mr. AIKEN. If it covered bus companies, there would be no renegotiating of the terms of their contracts?

Mr. LA FOLLETTE. No.

Mr. AIKEN. I have heard there was some difficulty in the matter of bus transportation at certain camps on the Atlantic coast. In case unsatisfactory contracts were made, such as at Bainbridge, Md., would this provision of the bill prevent the renegotiation of such contracts?

Mr. LA FOLLETTE. It would, unless the contract was made at published rates or at rates filed with the Commission. Of course, to my mind that does not eliminate the difficulty in the situation the Senator points out, because my whole contention is that the published rates were never designed to cover the present extraordinary conditions of war.

Mr. MAYBANK. Mr. President, will the Senator be good enough to explain to me what are "published rates"? The public power companies, for instance, have one rate for one and another for another, all agreed upon with the war industries that have developed. On the other hand, the Charleston Navy Yard makes a long-term contract with the power company in Charleston, which in turn buys from the State-owned public utility, which was built at public expense. I have been unable, through the Federal Power Commission or otherwise, to ascertain what a published rate is. If the Senator will explain that to me, I shall appreciate it.

Mr. LA FOLLETTE. I assume it means the rates which are published by the State utility commission, the standard rates. It is the defect of this amendment. The standard rates applicable to normal peacetime consumption of residential or commercial or industrial users are not designed to take care of these huge load factors of prime demand, and that is where the excessive profit comes in, if the contract has been negotiated in the first place at a published rate.

The Senator probably was not in the Chamber at the time, but I pointed out that one aluminum plant in New York is consuming more power than is produced in any one of 20 States in the Union. Of course, there was not any published rate which would apply to an extraordinary situation of that kind. This contract produces $12,000,000 a year to the utility.

Mr. MAYBANK. Would the Senator term that a special rate?

Mr. LA FOLLETTE. No; I am talking about the effect of the amendment. A Senator who votes for this amendment votes to apply the published rate. All the contractor has to do in order to get from under renegotiation is to enter in at a published rate, or one which has been filed, even, and not published by the State utility commission.

Mr. MAYBANK. I may say to the Senator that I have no intention of voting for the amendment.

Mr. LA FOLLETTE. I am delighted to hear that.

Mr. MAYBANK. But I should like to have someone answer the question I asked, to which the Senator so ably replied, but his reply was not a complete explanation, because there are special rates between defense plant corporations and this company and that company and the other company in the South. Many of the companies are owned in Wall Street, and there are special rates all the way down.

Mr. LA FOLLETTE. Yes; and if the amendment shall prevail, although those contracts were made by subsidiaries of the Government itself, the contracts cannot be renegotiated, provided the contract terms are made under published rates, or even rates which are specially filed with the commission of South Carolina. The commission would not even have to pass on them or approve them.

Mr. MAYBANK. That was my understanding.

Mr. RADCLIFFE. Will the Senator from Wisconsin yield?

Mr. LA FOLLETTE. I yield.

Mr. RADCLIFFE. The Senator will recall that a few moments ago the Senator from Georgia explained the use of the word "filed." I think his explanation was very clear and very definite. If the Senator from Wisconsin thinks that additional language is necessary to carry out the point which the Senator from Georgia made, I am sure the Senator from Georgia would agree to it.

Mr. LA FOLLETTE. I am opposed to the whole amendment, and I do not believe that a majority of the Senate of the United States will go on record to eliminate these public utilities from negotiation of these extraordinarily profitable contracts merely because there are some States which have regulatory State commissions, which are not primarily interested in these Government contracts.

It is not their job to perform this function. It is their job to see that the residential consumer, or the ordinary commercial or industrial user, gets a fair and reasonable rate, but the power demands we are now discussing are huge and they are prime demands. I keep reiterating that, because that is where the profit is in the utility business, that is, in the prime load. Some of these loads run 24 hours a day, 7 days a week, 365 days in the year. Yet, under the amendment of the Senator from Maryland, merely because a State promulgated or published a rate schedule sometime in the past, all these contracts would be eliminated from renegotiation, providing the contractors

conformed to a published rate, or one filed with the commission.

Mr. MAYBANK. Mr. President, I might add that there is a 100-percent load factor in the war organizations to which I have referred, 24 hours a day.

Mr. LA FOLLETTE. Yes; and that is where the utilities make the money.

Mr. MAYBANK. Of course, the State authorities cannot adjust the negotiations that were carried on between the Federal Power Commission, the Defense Plant Corporation, the public-utility companies in New York and elsewhere, clear on down into the smaller communities of the South and West, or wherever they may be.

Mr. LA FOLLETTE. The Senator is as correct about that as anyone could be.

Furthermore, the amendment would greatly interfere with the adjustment of rates and charges in contracts the final terms of which have not yet been agreed upon. It would unjustly discriminate against utilities whose war-power contracts have already been properly adjusted or renegotiated, and would unjustly enrich the utilities which have refused or resisted readjustments. In other words, there are companies which come in and, in a patriotic way, say "We did not know how much this was going to cost. It is more energy than we ever furnished to one consumer before in our existence. We did apply an excessive rate to this. We have an excessive profit, and we are perfectly willing to agree to it." They are the ones who will be penalized, but the recalcitrants who refuse to make any adjustments will be let out in the clear, if we adopt the amendment.

Mr. MAYBANK. Will the Senator yield further?

Mr. LA FOLLETTE. I yield.

Mr. MAYBANK. Permit me to say again that I thoroughly agree with the Senator that there are some very excellent power companies in my section of the country who have gone along 100 percent in the war. On the other hand, there are some companies, now in receivership, once owned by the Hopson group, still in Federal receivership, and what I want to do is to protect the good companies. We have good companies. Then, too, no one group should be exempted.

Mr. LA FOLLETTE. I am not entering any indictment of the utility business, or the people engaged in it. So far as I know, they have done a good and patriotic job, just as the great majority of those engaged in industry have. But now, after the Senate Finance Committee's action on yesterday, we have a bill before us in which it is proposed to maintain the renegotiation statute. The exemption of standard commercial articles has been eliminated. Retroactive provisions, so far as opening up agreements already entered into have been eliminated. Nearly all contractors will be renegotiated except the private utility companies. And this, Mr. President, is to be justified on the false doctrine of States' rights. It has no more to do with States' rights than it has to do with affecting the end of the war. States' rights are not involved here.

Mr. MAYBANK. Mr. President——

The PRESIDING OFFICER (Mr. ELLENDER in the chair). Does the Senator from Wisconsin yield to the Senator from North Carolina?

Mr. LA FOLLETTE. I yield.

Mr. MAYBANK. I should like to make the observation that, as the distinguished Senator from Wisconsin knows, I believe in State's rights.

Mr. LA FOLLETTE. Yes.

Mr. MAYBANK. But today in Washington there are representatives from my State trying to settle between the Federal Power Commission and the Defense Plant Corporation questions with respect to what charge should be made for electricity upon the largest industrial developments in South Carolina engaged in connection with the war.

Mr. LA FOLLETTE. Yes. It is not the responsibility of the State commission. I repeat now what I said earlier, that the State commissions, to my certain knowledge, because of what I know about the Wisconsin commission, are in dire straits so far as manpower, experts, technicians, and legal staffs are concerned.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. TYDINGS. May I ask the Senator if the renegotiation phase of these power contracts deals only with that part or type of contract which has to do with the Federal Government, or whether it deals with the rates generally as divorced from the Federal Government contracts?

Mr. LA FOLLETTE. It deals with contracts entered into directly by the Reconstruction Finance Corporation, or any of the other agencies, or those contracts in which the Federal Government has agreed to pay the cost of electrical energy.

Mr. TYDINGS. And it stops there?

Mr. LA FOLLETTE. It stops there.

Mr. President, as I said a moment ago, it has been attempted to justify this amendment on the false doctrine of States' rights; that renegotiation of public utilities is an interference on the part of the Federal Government with the jurisdiction of the State utility commissions. I deny all such contentions. I say, in the first place, that the State utility commissions do not have primary responsibility for this task. Their job is to see that there are fair and reasonable rates fixed for private consumers under ordinary circumstances. Secondly, they are handicapped because they have suffered an attrition of their manpower just as every other State and local agency has suffered it. Third, these are extraordinary contracts in which the cost of electrical energy is just as much a cost of the aluminum as the clay, or the bauxite, or the labor, or the machine tools, or anything else that goes into it. It is proposed to say to the men who now are flying planes on the battle front, when they come home, "Oh, yes, we renegotiated the cost of the bauxite, we renegotiated the cost of the aluminum, we renegotiated the cost of the engines, we renegotiated the cost charged by the instrument makers and the tire makers, but we adopted an amendment to eliminate from renegotiation the cost of the electrical energy which went into the making of the aluminum of which the planes were built." Does that make sense? Is it justified? I say "No"; and, Mr. President, I want a record vote on this amendment.

Mr. President, I wish to say in conclusion that I do not believe the adoption of the provision in question would be beneficial to the State commissions. I do not believe its adoption would be beneficial to the power companies. It is quite as important that the men and women who come back from overseas service cannot point the finger at utility companies and say, "They made blood money out of this war" as it is that they cannot point the finger at any other manufacturer or producer of service which has gone into the production of our war matériel.

EXHIBIT A

On October 22, 1942, the President also sent to Leland Olds, Chairman of the Federal Power Commission, a letter and outline of procedure, the texts of which follow:

"I would like the Federal Power Commission, after consultation with the procurement agencies and the War Production Board, to establish the procedure, outlined in the attached memorandum, to effectuate the policies set forth in my letter of September 26, 1942, addressed to the War Department, Navy Department, Maritime Commission, Defense Plant Corporation, Federal Housing Agency, and the War Production Board.

"OUTLINE OF PROCEDURE FOR PURCHASE OF POWER FOR WAR PLANTS AND ESTABLISHMENTS

"1. Each agency directly or indirectly responsible for power procurement to designate a power procurement officer to handle all contracts and arrangements for electric power as hereinafter provided.

"2. Each agency to direct its representatives to report promptly to the power procurement officer each proposed procurement of power, in excess of a reasonable minimum, which involves Government approval or any Government obligation. Such reports to include all essential facts in accordance with forms approved by the Federal Power Commission.

"3. Power procurement officers to refer such reports promptly to the Federal Power Commission, together with proposed contracts, for determination whether cheaper power supply is available and, if so, how it can be delivered. Federal Power Commission to issue necessary orders after consultation with War Production Board as to priorities and allocations.

"4. Federal Power Commission to determine whether proposed rates and conditions are reasonable and, if unreasonable, to fix proper terms and otherwise cooperate with power-procurement officers in effectuating arrangements necessary for securing power on best possible terms.

"5. Review and renegotiation of existing contracts to be in accordance with above procedure."

EXHIBIT B

WAR POWER CONTRACTS—SUMMARY OF SAVINGS EFFECTED BY FEDERAL POWER COMMISSION IN COOPERATION WITH PROCUREMENT AGENCIES AND ESTIMATES OF ANTICIPATED SAVINGS THROUGH CONTINUING REVIEW AND RENEGOTIATION

I. Summary of savings—contracts, reviewed, readjusted, and approved

Demand—kilowatts	1,233,137
Annual use—1,000 kilowatt-hours	8,628,187
Annual charges	$45,557,712

I. Summary of savings—contracts, reviewed, readjusted, and approved—Continued

Annual savings to government: [1]	
Rates	2,767,059
Fuel and other clauses [2]	259,005
Total	3,026,064
Other savings—nonrecurring:	
Nonrefundable connection charges	491,750
Initial demand charges	215,141
Total	706,891
Contingent savings: [1 3] Cancelation or refundable connection charges	4,317,283

II. Estimated anticipated savings—contracts not yet reviewed or approved

Demand—kilowatts	5,225,000
Annual use—1,000 kilowatt-hours	35,500,000
Annual charges	$206,000,000
Annual savings to Government	9,500,000
Contingent and nonrecurring savings	11,000,000

[1] Does not include estimated savings of $1,084,737 in rates and $724,981 in facility costs for 64 War Department contracts now being processed by the Commission.

[2] Based on first year's operations.

[3] Based on cancelation at end of 2-year period.

Mr. RADCLIFFE. Mr. President, I rise in support of the committee amendment which I had suggested and advocated in committee. I wish to say a word in regard to the history of this situation. When the emergency price control bills were passed there was express language incorporated in them which exempted any such regulation of rates. When the Renegotiation Act was passed it contained no such language, but there was a provision that Federal departments could exempt certain contracts from regulation. In accordance with that idea the War Department issued an order which is in substantial accordance with the language of the amendment we have before us now as the committee amendment. That order provided that there should not be renegotiation of rates of utilities and certain other kinds of companies. The Navy Department has followed out the same policy.

Mr. President, it is always possible when considering a matter of general policy to take up certain special instances and cite them as reasons why a general policy should be followed, and I respectfully suggest that in this case we have decidedly a matter of general policy and that a very serious one.

There is another phase of history involved here. What has been the history of the last 50 or more years as to rate regulation? It has been decided, whether wisely or not, that there should be a certain regulation of utility and other kinds of corporations. Statutes have been passed, organizations have been created, which for years and years have functioned on that basis. The theory has been that these questions of rates and regulations are so intricate and so involved that special machinery should be set up to consider them, and that then action should be taken deliberately as the circumstances would seem to warrant in any particular case.

Mr. President, it is a little broader than that. The Senator from Wisconsin stated a little while ago that this provision has nothing whatever to do with States' rights. I cannot agree with that statement. We know, of course, that there are some regulations which lie within the power of State bodies and not of the Federal Government. We do have, and we should retain even in wartimes, a proper respect and regard for the distinctions between the Federal Government and the State governments. What would happen if the amendment were to be defeated and a policy based upon its defeat be carried out? It would mean that the renegotiation board—it is not a public service body, nor is it, I assume, equipped with any special facilities—would attempt to take up for renegotiation very intricate contracts involving rates. A careful study of the whole situation would be necessary. I do not know whether or not the board has experts who are qualified for that purpose. If not, I assume such experts could be found, but the fact remains that very far-reaching and very difficult problems are involved.

Mr. President, the suggestion has been made that such careful studies are not at all necessary; that the matter can be settled around the table. That all that is necessary to be done is for certain officials of the Government and certain representatives of the power companies to get together and sit around the table and decide questions. Is that the way that grave factual matters should be settled? That is not the way your utility rates are selected. In a State where there is a regulation of rates there is a careful study made by experts, as there should be, of the facts involved, and then a decision is reached, based upon that study.

Suppose the policy which the Senator from Wisconsin enunciated were followed? What would be the result? In many cases we would have the Federal Government doing something which, according to law, is clearly within the province of the State governments. Assuming that there is not a constitutional objection in the way, what situation do we reach? Does it mean that the renegotiation board shall supersede all powers of the States in regard to these particular matters? Does it mean that the Federal and State jurisdictions are coordinate? Does it mean that the Federal board is an appellate court? Can we see ahead of us anything but confusion if we inject a board, giving it duties and responsibilities, or rather attempting to give it duties and responsibilities, which by law and by practice for years and years have been exercised by other bodies, whether State, Federal, or local? No one can foresee the difficulties which may arise. We cannot foresee what constitutional questions might become involved, or what confusion might result. All of us are agreed that the Federal Government should save everything that it is possible to save. The present time is one when economy is necessary, and every proper step should be taken with respect to anything which will result in economy, provided such steps are taken in a proper way.

Let me remind the Senator from Wisconsin that there are some exemptions from renegotiation; the pending amendment and amendments previously agreed to today are not the only exceptions.

No one would say that even in furtherance of a war policy the Government should get a cut rate. The Government is entitled to the same rate any individual has, no more and no less. Of course, if there is a graduated scale—and in certain cases there should be a graduated scale—that is a different proposition.

I take the position, and I urge it as strongly as I can, that the Federal Government does not have the right to insist that it be preferred over anyone else. It is not entitled to a cut rate. It is entitled to the same consideration, and no more, which any individual or corporation receives.

Let me give an illustration of what might happen. The Senator from Wisconsin has pointed out certain large contracts. But that is not all the story. This power to regulate might theoretically affect almost any consumer in the United States. At least, that is a possibility. Let me explain what I mean by that. The Renegotiation Board would not be infallible. Certainly, if the members of the Board were to sit around a table and consider such matters, as has been suggested, and if in inadequate proceedings attempts were made to solve questions which are based on grave and complicated factual matters, certainly that would not be the proper way for the Board to proceed. But no matter what its method might be, regardless of whether or not it took action only after careful and involved study, it has vastly important decisions to reach. Let us assume that the Board had the facilities with which to make all these involved and highly intricate studies, and let us assume that after making such investigations it reached a certain conclusion. Let us assume that it then decided to reduce the rate by one-half or one-third. We know that electric power or any other product of a utility costs money to produce. There is of course some point below which the rate cannot be reduced without involving serious loss to the company itself.

Let us assume that in the case under consideration the Board, believing that it was doing what was best, regardless of what its methods were—and I assume it would want to use sound methods—came to the conclusion that the rate should be reduced by one-half, one-third, or one-tenth of what it was. What would be the result? The result might very well be that every other consumer would have to pay an additional amount to even up for the cut rate to the Government. Why not? Someone must carry the load and all of it.

Mr. VANDENBERG. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Does the Senator from Maryland yield to the Senator from Michigan?

Mr. RADCLIFFE. I yield.

Mr. VANDENBERG. I do not understand that the system would operate in any such manner at all. We are considering the renegotiation of the profits made under a contract. If the operation is conducted at a loss, there would be nothing to renegotiate.

Mr. RADCLIFFE. Mr. President, I say to the Senator that that question is a more intricate one than it may seem on its face. What are the profits? In the case of a utility company serving both corporations and individuals, how is it possible to ascertain, without a careful study and analysis of the general operations of the company, what the contract in question should cost? That question could not be decided with respect to just one contract, nor could the proper apportionments be made, without going into the whole question of rates and the general operations of the company.

I have never had any connection with a utility company as an officer, stockholder, or in any other capacity except as a purchaser of power. My experience with utility companies has not been an intimate one. But my understanding is that the study as to what should be proper rates involves many facts. I have seen studies made requiring months and months and months of time. My belief is that a guessing policy would be required, unless intricate and prolonged studies were made before rates were authorized. If the corporation rates determined after an inadequate study should happen to be less than sufficient to pay for the cost of operation of the company, the other consumers would have to pay higher rates, in order to prevent a loss to the company which, it might be, should not be endured.

Mr. President, I am as heartily in favor as is anyone of anything which would save money to the Government; and the Government should economize whenever feasible. But because certain rates which someone may think too high or too low are in effect, must we strike down the legal and business standards which have been in existence for 50 years? May we say to the States, "Your power is superseded and overthrown. Whether we have any constitutional authority or not, we are going to brush you aside." Certainly not.

If the rates under consideration are not regulated by the Federal Government or by the States or by any other local or public authority, then everything I have said would not apply, and there would be a full and complete right of the Federal Government to renegotiate. But in cases in which a system has been set up and a practice established, based, as I have said, upon the experience of 50 more years, I feel that the policy should not be set aside except in a lawful manner. I feel that we should not take a step which leads to confusion.

Let me cite the illustration of a rate for power furnished within a State, and regulated by the State board, whatever it might be. Suppose the Federal board were to step in and say, "We are going to regulate the rate." Suppose the State board did not agree to have that done. Suppose the State board later saw fit to establish a rate of its own. What would stop the board from doing so? The rate would be established according to law. Furthermore, in many cases it is illegal for a State board to discriminate in its dealings with customers, except according to graduated scales. In such case would or should the State board sit by and see something illegal done?

Certainly we may assume that the boards are made up of men just as honest and just as conscientious as the men who would be on the Federal board. Suppose a State board honestly believed that the rates were incorrect, and suppose it started proceedings to investigate the situation, and subsequently directed that the rates be set aside. Should anyone criticize the State board for doing so? What else should it do?

Mr. President, I am questioning the wisdom of needlessly attempting to brush aside standards and practices which have existed for many years, of attempting to say to the Federal Government, "Step in and handle this job, although by law and custom the power is in the State."

Right here I desire to take serious exception to the doctrine, if it is advocated by anyone, that it is within the province of the Federal Government to step in and assume functions performed by a State whenever the Federal Government thinks the duties are not properly performed by the State. If that were proper, it would be equally proper for a State to step in, whenever it thought the Federal Government was not doing a proper job, and to assume Federal functions.

Mr. BONE. Mr. President, will the Senator yield?

Mr. RADCLIFFE. I yield.

Mr. BONE. Is it the view of my able friend, the Senator from Maryland, that the regulatory systems to which he has referred, which go back 50 years or more, have served adequately to protect both the public's and the security holders' interests? I do not so read the record, in the light of the Federal Trade Commission's investigations of utility companies, including such outfits as Middle West Utilities. I think one of the Middle West Utilities cases ultimately wound up, after the company had been touted as one of the greatest business institutions in the world, by having a $1,000 bond produce 80 cents for the investors.

In many cases the regulatory commissions failed to protect investors. Probably $2,000,000,000, $3,000,000,000, and more was lost in the crash of these companies under State regulations.

I will go a step further. We have heard much about taxation. I am frank to confess that I cannot understand why this body or the other House should single out power companies for some specially tender sort of treatment. Today the position of the private power utilities of this country is that they should be—and they probably will be—permitted to pass on to the consuming public every penny of taxes they pay, so that they, in the war crisis, with the life of the Republic at stake, will be collecting from the consuming public every penny of corporate taxes they pay to the Government; and at the same time they will boast, through high-priced advertising, that they are great war taxpayers. That is the most monstrous piece of buffoonery I have ever seen, and I have been in public life for a long time.

I think the time has come for us to be a little realistic about this thing and stop making private power companies sacrosanct. They are not. In my judgment, State regulation has a great many disadvantages which have been revealed by the cold, hard, practical experience of those who have dealt with that problem.

Forgive me, if I take a moment more. I have seen rate bases set up. I do not know whether my able friend has seen that process. I have seen engineers reach into metaphysical realms and produce phantom values and pump them into a rate base on which the innocent and outraged public had to pay dividends.

In my section of the country a great Army base was getting power from my city at the rate of about 4 mills a kilowatt-hour. Three or four years ago I asked the War Department to give me a breakdown of the figures which the Federal Government was paying private power companies for power in Army bases. Those prices run up to 10 cents a kilowatt-hour. That thing would go on today, if there were not a check on it.

These utilities have no right to take advantage of the Government because a State regulatory body is sloppy or careless in its work. In a crisis in which we are using up the lives of our boys there is no private business under the flag that is entitled to special consideration. A contract is a contract. If there is too much profit being derived from a Government contract, it is being sweated out of the Federal Government, and in turn we are sweating it out of the taxpayers with bills such as this.

I am sorry if I have taken too much of the Senator's time. I do not like to see a blanket defense of State regulatory systems on the theory that they fully defend the public interest. Frequently they do not defend the public interest. The public interest has been outraged by many of the solemn decrees of State regulatory bodies dealing with valuations and rates.

Mr. RADCLIFFE. Mr. President, I appreciate the comments of the Senator from Washington. I know that this is a subject to which he has given very careful consideration. I am not attempting to make any defense of State regulatory bodies. To my mind that is not the issue before the Senate. If we feel that State regulatory bodies are not doing their job, there are ways to deal with that subject, by constitutional amendment or otherwise. If we feel that State regulation is not adequate—and let me say, in many respects, at least, it has been sufficient—we should not get at this matter in a casual, indirect manner. We should go about it in an orderly way and overhaul and change our regulatory law and practices both as to the Federal and State Governments. But it should be done in a proper way, and not through the back-door method that is here proposed.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. RADCLIFFE. I yield.

Mr. WILEY. I am sorry that I am not a member of the Finance Committee. Perhaps I should rejoice that I am not.

I did not hear the entire discussion, but from what I have heard, I have understood that the situation might be concretely put in this way:

Let us assume that a utility company serves 1,000,000 people, and that a reasonable net return on its investment would be $1,000,000, and that rates are fixed accordingly by the States. A great emergency arises. War comes, and the Federal Government needs more power in order to keep its war facilities in operation. It furnishes some of the money to the power company, and as the result of an investment, let us say, of $5,000,000 or $10,000,000, on the basis of the old rate there is a return to the company of $1,000,000. We then have a return of $1,000,000 which comes from the people it formerly served, and a return of $1,000,000 from its Government facilities. Everyone will recognize that the extra return of $1,000,000 is excessive. As I understand my colleague, his thought is that with respect to the contract which is made with the Government, which provides a return of $1,000,000, which is excessive, the Government should have the right to renegotiate the contract, but not to interfere with the rates which were previously in existence, which yielded the other $1,000,000 return.

Mr. RADCLIFFE. Let me ask the Senator from Wisconsin how it would be possible to renegotiate any contract, involving a return payment to the Federal Government, without automatically lowering the underlying rates. The final figure which is insisted upon by the Government and so fixed by it must be based upon some kind of rates. It follows by inference that the renegotiation leading to collection by the United States Government would contemplate a lower rate as a basis. It must be a lower rate, because a certain amount of power is furnished, a definite lower amount of money is received. So it is in final analysis merely a matter of computation as to what is the rate which the utility actually secures.

Mr. WILEY. If it is necessary to do that, then I think the Senator's conclusion is correct. The question in my mind is whether it is necessary to affect the rates which the ordinary citizen is paying, when it can be determined that an extra profit of $1,000,000 has been derived from the utilization of the extra investment. It seems to me that that is a separate contract which might well, as a war measure, be considered in connection with other matters to be renegotiated.

Mr. RADCLIFFE. The Senator must bear in mind that if that were done, the amount finally fixed upon might represent a rate which would be below cost of production. Unless the investigation is made on a very exhaustive basis, the members of the board who make such an examination must indulge in a certain amount of speculation; and it is clearly possible that the figure which they insist upon may rest upon such a rate which is below cost of production. The Senator realizes, of course, that that is clearly possible. In that event, who would really pay the difference, the company or the other consumers?

Mr. WILEY. I cannot agree with the Senator's assumption, because, taking the concrete example which I cited, in the first instance we assume that $1,000,000 is a fair return on the investment of the company as it was before the war. Because of additional facilities the company contracted with the Government, and, because of increased volume, made an extraordinary amount on the additional investment. The question in my mind is whether or not in wartime it is equitable and fair that such a contract be renegotiated. If such renegotiation calls for the establishment of new rates all along the line, then I think there is something to the point which the Senator makes. But I do not think that is necessary, any more than it would be necessary in the case of merchandise.

Mr. RADCLIFFE. Of course, the Senator realizes that in any study of that sort consideration and attention must be given to all of the operations of the company. We must bear in mind the hundreds of thousands of consumers who use the service. I do not see how we can say entirely definitely, "This much of the cost applies only to contract of the Federal Government. and we do not need to give any consideration to the other operations of the company, and their results." We must consider the operations of the company as a whole. Otherwise, it is a piece-meal job, an incomplete job, and a sloppy job in some respects.

If the whole theory of regulation is wrong, if the Senator from Washington [Mr. BONE] is correct, that the regulation of these companies should not be by State governments, that is a matter properly to be taken up through direct legislation, whether by constitutional amendment or otherwise.

Possibly the Senator from Wisconsin could suggest some proper way in which these specific contracts which he cites could be handled satisfactorily to him. But merely because we have certain instances in mind, we cannot know, until there is an exhaustive study, whether or not the profits are too large from the contracts under consideration. I do not feel that that is a justification for pushing aside the whole system of Federal, State, and municipal regulations which we have built up for years, and which are based very largely upon constitutional guaranties. If we wish to do it, let us do it in an orderly way, and not in this way.

Mr. BONE. Mr. President, will the Senator yield?

Mr. RADCLIFFE. I yield.

Mr. BONE. I do not want either of us to misunderstand the other. I take it that the pending tax bill is a war measure. It has nothing to do with creating or destroying any existing system of regulation. It is merely a measure designed to capture some more money for the Federal Government. It is not intended or designed to be a permanent institution. This bill does not upset State legislation or abolish it. It is merely a means by which we capture some more money for the Federal Government.

Mr. RADCLIFFE. Let me repeat the statement I made a moment ago. Suppose such negotiation were carried out, and the State regulatory body should consider it to be improper. What could it do, or what ought it to do?

Mr. BONE. The Senator may assert that it is not the most logical argument, but I know that many persons considered their rights to be invaded when their boys were taken for military service. Let me say to my distinguished friend that I regard the right of a man to own and control his own body as just as sacred a right as any property right under the American flag.

If this country has the moral, constitutional, and legal right to take the body of a boy and use it up to defend and preserve the Union, it certainly has every moral right to take the profits of any man, no matter whence they may be derived, or how he secures them. Those profits are no more sacred than are the lives of boys who are going to die by the thousands, and possibly hundreds of thousands. It is that moral view which impels me to say what I have said to the Senator.

It is very understandable why we do not stand up and denounce such use of a boy's body, because everyone knows that is one of the terrifying and necessary aspects of war. But I hear continually the defense of property, and we are setting it up against the life of the boy who is dying to defend that very property. Mrs. Bone and I can sleep on two little cots or a pallet of straw in one room if we thereby help to save the Republic. I for one weary of hearing the continual defense of profits as against the lives of boys who have died to save our system. Never again will they know the sweetness of the flowers and the beauty of the sunshine. I cannot understand why we should care too much what we do with men's profits in this hour of supreme peril for the Republic. We say on this floor, and every publicist in America is continually pointing out, that a great tragedy may overwhelm this Republic. If we lose this war everything worth while which has been accumulated for us since the birth of the Republic will be destroyed and lost. The Republic will perish.

Why should we be so thin-skinned in taking mere profits? We are not taking the corpus of property; only profits. These profits are certainly no more sacred than the boy who gives his last full measure of devotion in a swamp or on a blazing desert. There are moral considerations wrapped up in this bill.

Mr. RADCLIFFE. I agree with the Senator in general principle as to our primary duty to members of our armed forces.

Mr. BONE. I cannot see this problem in any way except perhaps as a shrinking on our part from doing everything which is necessary to save this Republic in its hour of deadly peril.

Mr. RADCLIFFE. I entirely agree with the general statement of the Senator from Washington. It is a humane

and patriotic doctrine. But how far would the Senator carry it? Would he brush aside State governments?

Mr. BONE. I would carry it far enough to save the Union. It cost the lives of a vast army of men at one time to save this Union.

Mr. RADCLIFFE. Would the Senator act on the principle that the end so justifies the means that any means used to secure the desired end would be justifiable? Of course not. There is a proper way to handle this matter. If we wish to change our general policy, let us take it up in an orderly and legal way. The Senator and I will make any sacrifice necessary to save our boys. We will push anything aside. But while doing so we should bear in mind that if there is another way of getting what we desire, we should not rush headlong into something when an orderly policy otherwise is available and sufficient.

Mr. BONE. Mr. President, I will not permit myself the luxury of such adjectives as "headlong" because our boys are now rushing headlong into the very mouth of hell itself. They are not asking any questions. They are rendering up their young lives to save this country. They are giving up their lives to save this utility property. Is such property more sacred than the lives of our boys? Yet we devote hour after hour on this floor to discussions about the right to have profits, and I think that at times the emphasis may be almost indecent. It transcends a man's capacity to understand it, because publicists, ministers, Members of the Senate, and Members of the House, and literally everyone in the country is pointing out that America stands at the crossroads of destiny, and the Republic itself may collapse if we do not win the war.

If that be true—and I think it is true—it seems to me that my view is well grounded. I have friends in my State who would like to have me propose amendments to this bill to exempt many enterprises from the scope of this bill. But they know that the war must be won.

Mr. RADCLIFFE. The reason for this proposal I think is perfectly obvious. There are many industries which have not been regulated and controlled as has been done in the case of utilities. The point I am making is, When we have set up a system and it has worked, why not stand by it? If we wish to change it, let us do so in a regular and orderly way.

A moment ago the Senator stressed consideration of human lives rather than of property. Why not consider both if feasible and desirable? I assume that a proper sense of patriotism will permit us, so far as it is possible to do so, to give consideration even to property rights. We need to do so. I do not feel we should turn our back on property rights irrespective of what may be necessary, merely because a voice has suggested such disregard, alleging unnecessarily, patriotism as the pretext. We should analyze and ascertain what is the proper way and the necessary way to preserve and protect property rights for ourselves and, of course, for the returning members of our armed forces.

Mr. BONE. There should be a proper balancing of sacrifices, some standard by which we can measure the sacrifice of men and property.

The veterans' organizations have repeatedly sent to Members of this body their requests—and I wish to use the language as near as I can recall it—that we "draft property as we draft men." There are Senators now sitting in this Chamber who are quite familiar with that plea. The veterans' organizations have said, "We demand that you draft property as you draft men." We know that under the Constitution that cannot be done, but as the able Senator knows, the only way that such a draft could be resorted to would be by taking profits. It would do no good to take a generator, for example. It could be taken, but that would not stop the war or win it. The profits, however, can be utilized to make more sure and certain a victory in war. The use of those profits should be as unstinted as the use of a boy's body. For that position I offer no apology to any man. I know we will pay a frightful price to win the war. I was one Member of this body to serve on the Munitions Committee, and my service on that committee led me to desire a system of taxation which would pay off the war as nearly as possible while we were fighting it. A man like Mr. Barney Baruch was not at all backward in making such a suggestion. We cannot do it with the present expenditures, but the principle is sound.

There is no reason for allowing certain people to escape the burdens which rest on other people. A man operating an aluminum plant has just as much right to have excessive profits as has the owners of a power utility. When distinction is made arising out of some of the obligations which the Senator has suggested, a distinction is made between those enterprises in the matter of war burdens.

Mr. RADCLIFFE. I agree with the Senator as to certain general principles. Possibly such operations should be regulated by the Federal Government. But such a plan is not before us. We have operated for years on another basis. The question is, If there is to be a change, how should it be made? Will we make the shift of policy in a well-considered, reasonable, and orderly way or by one which will certainly tend to lead to confusion?

I am quite confident that if the Senator from Washington were a member of a regulatory body in the State of Washington and he believed that the Federal Government was transgressing upon his authority as such State official he would feel it his duty to raise objections in a suitable way and to press them if necessary by court proceedings.

I do not know what the result will be if we upset what has been established for years and create some kind of coordinate or appellate body, even if not a body to supersede entirely the State regulatory bodies. Suppose both Federal and State boards claim jurisdiction and act accordingly. I think the point is a very serious one. There are ways by which the Government can be protected, but I decry and regret the attitude that because we are at war we must disregard constitutional prerogatives and constitutional requirements when it is not necessary for us to do so.

Mr. LA FOLLETTE and Mr. BONE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Maryland yield, and, if so, to whom?

Mr. LA FOLLETTE. I thought the Senator had concluded.

Mr. RADCLIFFE. I do not desire to tire the Senate with a restatement of the many points upon which I have touched. I shall be very glad to try to answer any questions. I simply wish to state, in conclusion, that I am heartily in favor of anything that will save money; I am heartily in favor of anything that will help our soldiers, as the Senator from Washington has suggested; but I do not feel there is justification for the proposal, and I do not see the reason why we should at one fell swoop attempt to put aside the Constitution, for that is what it amounts to. That is potentially the case, and if that is potentially the case, we must regard it as binding upon us.

Mr. LA FOLLETTE. Mr. President, I have previously stated that I would ask for a yea-and-nay vote, but the chairman of the committee has suggested that we might take a preliminary test of the sense of the Senate on a viva voce vote. I am willing to do that.

I should like to say, in conclusion, Mr. President, that it would not be my interpretation that the rejection of this amendment would alter or change any of the rules and regulations which have been issued by the various renegotiating agencies.

Mr. GEORGE. Mr. President, I am very glad the Senator from Wisconsin has made that statement, because, as all members of the Finance Committee know, certain of the services have adopted regulations under which they do not enter upon the renegotiation of some utility contracts, and the elimination of this amendment would not have any effect on the existing regulations.

Mr. LA FOLLETTE. That is my interpretation of the situation. May I say, Mr. President, that I hope the committee amendment will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

Mr. WILEY. Mr. President, may I ask my colleague a question?

Mr. LA FOLLETTE. Certainly.

Mr. WILEY. Is it his understanding that those who want the amendment rejected should vote "nay" and those who do not want it rejected should vote "yea"?

Mr. LA FOLLETTE. That is correct, but I repeat that I hope the amendment will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was rejected.

The PRESIDING OFFICER. The next committee amendment will be stated.

The LEGISLATIVE CLERK. At the top of page 182, it is proposed to insert:

(F) any contract or subcontract for the making or furnishing of a standard commercial article; or.

Mr. GEORGE. Mr. President, on behalf of the Finance Committee I ask that the committee amendment in lines 1 and

2, which has just been stated, be not agreed to. We will have to deal with these matters as we come to them in order to effectuate the final action of the committee.

The PRESIDING OFFICER. Without objection, the amendment is rejected.

The next committee amendment will be stated.

The LEGISLATIVE CLERK. On page 182, after line 2, it is proposed to insert:

(G) any contract with a Department, awarded as a result of competitive bidding, for the construction of any building, structure, improvement, or facility; or.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. GEORGE. Mr. President, I ask that the Senate next consider the amendment on page 184, from line 3 to line 6, and on behalf of the committee I ask that this amendment, which has been reported by the Finance Committee, be rejected. That will have the effect of restoring the House provision.

Mr. TRUMAN. Mr. President, may I offer an amendment to the amendment on page 184, beginning in line 3 and extending to line 6?

Mr. GEORGE. If the Senator will allow me to get through the committee amendments, I will go back and open up anything that may be desired.

Mr. TRUMAN. I thank the Senator.

The PRESIDING OFFICER. Without objection, the committee amendment on page 184, from lines 3 to 6 is rejected?

Mr. GEORGE. Now, Mr. President, I offer an amendment.

Mr. McKELLAR. Mr. President, before we leave the committee amendment to subsection (D), which has just been stricken out on page 184, may I ask the Senator if that carries out the recommendation of the committee agreed to yesterday?

Mr. GEORGE. Yes; and the rejection of the amendment restores the House provision. It gives discretionary, not mandatory, power in the reviewing board to exempt standard commercial articles.

Mr. McKELLAR. I understand that as a result of the action of the Senate the provision will be left as it appears in the House text.

Mr. GEORGE. It will remain as it appears in the House bill; and as it conforms to existing practice, so I am advised.

Mr. McKELLAR. I thank the Senator.

Mr. GEORGE. Now, Mr. President, I send to the desk an amendment to come in on page 182.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 182, before line 3, it is proposed to insert the following:

(F) Any contract or subcontract for durable machinery, tools, or equipment used in processing an article made or furnished under a contract with a department or subcontract but which is not incorporated in or as a part of such article. For purposes of this subparagraph the term "durable machinery, tools, or equipment" means machinery, tools, or equipment ordinarily having a useful life of more than 10 years; or.

Mr. GEORGE. Mr. President, this amendment speaks for itself. It provides a mandatory exemption in the case of "any contract or subcontract for durable machinery, tools, or equipment used in processing an article made or furnished under a contract with a department, or subcontract, but which is not incorporated in or as a part of such article. For the purpose of this subparagraph the term 'durable machinery, tools, or equipment' means machinery, tools, or equipment ordinarily having a useful life of more than 10 years."

This is the amendment in which the senior Senator from Massachusetts and the Senator from Ohio were interested, and the committee approved it.

Mr. McKELLAR. Will the Senator let me say that I am quite sure the committee recommendation will be agreed to, but the Senator would not feel offended, would he, if I should vote against it?

Mr. GEORGE. Oh, no; because, after all, it is the committee's action. I did not propose the amendment originally or at this time, but it was deemed to be a sound amendment, for the reason that in the case of durable goods the machine-tool makers, so to speak, are using up their market over a long period of years. In other words, many tools, many machines, many articles of equipment which are now produced for war purposes, with variations or changes, and in many instances without variation or changes, will be in actual use, say, for 15 years longer. So it was thought proper that that fact, that is the blocking of their own market, should be taken into consideration and that such contracts should not be renegotiated because the products they are making now will flood their markets after the war. That is my understanding of the reason back of the amendment.

Mr. McKELLAR. I understand that, but I wonder if probably the makers of the machine tools have not taken that into consideration in fixing their prices to the Government for the manufacture of the articles.

Mr. GEORGE. I do not know as to that; I cannot answer that question.

Mr. TAFT. I should simply like to say that they were renegotiated in 1942, and if they did take that into consideration, the prices were reduced in 1942, and in 1943 the Government had information to require the lower prices under the pricing agreement.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment.

Mr. GEORGE. Mr. President, the able senior Senator from Florida is in the Chamber. The next amendment is on page 182, begins in line 6, and goes through line 10.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 182, after line 5, it is proposed to insert a new paragraph, as follows:

(H) any contract or subcontract for an article made or furnished in obedience to a directive of the War Production Board, and at or below a maximum price established and in effect under the Emergency Price Control Act of 1942, as amended; or.

Mr. GEORGE. Mr. President, the committee desires that this amendment be disagreed to. That is the result of the action of the committee yesterday. The committee wishes to say, however, that this provision is difficult of interpretation, and it may extend the scope of the exemption from renegotiation to profits which should not be exempt. We have had a great deal of difficulty ascertaining precisely how the amendment would apply. The committee is of opinion that it should not be included in the bill, that it would be a mistake to include it.

I understand the senior Senator from Florida desires to offer a substitute for the amendment, and I should be very glad to have him do so at this time.

Mr. ANDREWS. Mr. President, I ask that my amendment be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. In lieu of the committee amendment, on page 182, beginning with line 6, it is proposed to insert the following:

(H) any contract or subcontract for an article made or furnished in obedience to an allocation order of the War Production Board specifically addressed to the maker or furnisher and directing him to supply such article to a specifically named purchaser, and at or below a maximum price established and in effect under the Emergency Price Control Act of 1942, as amended: *Provided*, That the provisions of this paragraph shall not apply to products of facilities financed by, leased from, or managed by or for the United States; or.

Mr. ANDREWS. Mr. President, I should like to state the purpose of the amendment. It seems to confuse some of the members of the committee.

The essential principle which paragraph (H) is intended to make effective is that a maker or furnisher is not responsible for a contractual relation between himself and government which is created by an act of government over which he has no control and against which he has no recourse. He should not be placed in a status where he is classifiable as a contractor or subcontractor merely by fiat.

For these reasons, and since the provisions of the bill would otherwise operate to cause certain directives of the War Production Board to arbitrarily place the recipient in the status of a contractor, paragraph (H) exempts from the renegotiation provisions of the bill any contract or subcontract created by such a directive.

The paragraph is not intended to exempt contracts or subcontracts arising out of the ordinary priority or controlled-material orders as such but only those contracts or subcontracts arbitrarily created by allocation orders which are specifically addressed to a maker or furnisher to supply a specifically named purchaser, nor is it intended to apply to

the products of facilities owned or controlled by government.

The essential provision would be retained, and the paragraph further clarified if the following revised wording were substituted:

(H) any contract or subcontract for an article made or furnished in obedience to an allocation order of the War Production Board specifically addressed to the maker or furnisher and directing him to supply such article to a specifically named purchaser, and at or below a maximum price established and in effect under the Emergency Price Control Act of 1942, as amended: *Provided*, That the provisions of this paragraph shall not apply to products of facilities financed by, leased from, or managed by or for the United States; or.

I had hoped that the Senate would approve the amendment as presented by the Committee on Finance, but since I offered it the committee has decided not to approve paragraph (H). Therefore I have offered a substitute, in order to clarify the paragraph, which seems to have been confusing.

I should be very happy to see the substitute amendment agreed to as paragraph (H) of the revenue bill. I certainly do not wish to be arbitrary about it, and I do not think I have been. I believe the amendment has great merit, and I fear we will regret it if we do not adopt it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. ANDREWS] in the nature of a substitute for the amendment of the committee.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the committee.

The amendment was rejected.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee.

The next amendment was, on page 182, line 12, after the word "subcontract", to strike out "exempted from the provisions of this section, or", and in line 14, before the word "by", to strike out "apply," and insert "apply".

The amendment was agreed to.

The next amendment was, on page 182, line 17, after "(C)", to strike out "and (E)" and insert "(E), (G), (H), and (I)."

The amendment was agreed to.

The next amendment was, on page 182, line 23, after the word "to", to strike out "or" and insert "and", and on page 183, line 1, after the word "to", to strike out "or" where it occurs the first time and insert "and."

The amendment was agreed to.

The next amendment was, on page 184, after line 2, to strike out:

(D) any contract or subcontract for the making or furnishing of a standard commercial article, if, in the opinion of the Board, normal competitive conditions affecting the sale of such article exist.

The amendment was agreed to.

The next amendment was, on page 184, after line 21, to strike out:

(J) Nothing in sections 109 and 113 of the Criminal Code (U. S. C., title 18, secs. 198 and 203) or in section 190 of the Revised Statutes (U. S. C., title 5, sec. 99) shall be deemed to prevent any person by reason of service in a Department or the Board during the period (or a part thereof) beginning May 27, 1940, and ending 6 months after the termination of hostilities in the present war, as proclaimed by the President, from acting as counsel, agent, or attorney for prosecuting any claim against the United States: *Provided*, That such person shall not prosecute any claim against the United States (1) involving any subject matter directly connected with which such person was so employed, or (2) during the period such person is engaged in employment in a Department.

The amendment was agreed to.

The next amendment was, on page 186, line 5, after the words "Effective date," to strike out:

The amendments made by subsection (b) shall be effective only with respect to the fiscal years ending after June 30, 1943, except that (1) the amendment inserting subsection (b) in section 403 of the Sixth Supplemental National Defense Appropriation Act of 1942, shall be effective 30 days after the date of the enactment of this act, and (2) the amendments adding subsections (e) (2) and (f) to said section 403 shall be effective from the date of the enactment of this act, and (3) the amendments inserting subsections (i) (1) (C) and (l) shall be effective as if such subsections had been a part of section 403 on the date of its enactment.

And insert:

The amendments made by subsection (b) shall be effective only with respect to the fiscal years ending after June 30, 1943, except that (1) the amendments to subsection (a) (5) (A) of section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, and the amendments inserting subsections (i) (1) (C), (i) (1) (D), (i) (1) (H), (i) (1) (I), (i) (3), and (k) in section 403 of such act shall be effective as if such amendments and subsections had been a part of section 403 of such act on the date of its enactment, and (2) the amendments adding subsection (d) to section 403 of such act shall be effective from the date of the enactment of this act.

Mr. GEORGE. Mr. President, I have an amendment to the committee amendment on page 186, which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment to the amendment.

The LEGISLATIVE CLERK. In the committee amendment on page 186, beginning with the word "the" at the end of line 18, it is proposed to strike out down to and including the word "and" on line 21, and, in line 23, to strike out "such act" and insert "the Sixth Supplemental National Defense Appropriation Act, 1942."

The PRESIDING OFFICER. Without objection, the amendment to the amendment is agreed to.

Mr. LA FOLLETTE. Mr. President, is that the amendment striking out the language from the end of line 18 down to and including the word "and" in line 21?

Mr. GEORGE. That is correct.

The PRESIDING OFFICER. That is the amendment just agreed to.

The question is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee.

The LEGISLATIVE CLERK. On page 187, after line 2, it is proposed to insert a new title, as follows:

TITLE VIII—REPRICING OF WAR CONTRACTS

SEC. 801. Repricing of war contracts.

(a) As used in this section the terms "Department," "Secretary," and "article" shall have the same meanings as in subsection (a) of the Renegotiation Act.

(b) When the Secretary of a Department deems that the price of any article or service of any kind, which is required by his Department or directly or indirectly for the performance of any contract with his Department, is unreasonable or unfair, the Secretary may require the person furnishing or offering to furnish such article or service to negotiate to fix a fair and reasonable price therefor. If such person refuses to agree to a price for such article or service which the Secretary considers fair and reasonable, the Secretary by order may fix the price payable to such person for furnishing such article or service after the effective date of the order, whether under existing agreements or otherwise. The order may prescribe the period during which the price so fixed shall be effective and such other terms and conditions as the Secretary deems appropriate.

(c) Any person aggrieved by an order fixing a price under this section may sue the United States in any appropriate court. In such suit, such person shall be entitled to recover from the United States the amount of any difference between (1) fair and just compensation for the articles and services furnished under the terms of the order and (2) the price fixed for such articles and services by the order; but if the prices so fixed by the order are found to exceed fair and just compensation for such articles and services, such person shall be liable to the United States in such suit for the amount of this excess. Any such suit shall be brought within 6 months after the order by the Secretary on which it is based, or after the expiration of the period or periods specified in such order, whichever last occurs. Such a suit shall not stay the order involved.

(d) Any person who willfully refuses or fails to furnish any such articles or services at the price fixed by an order of the Secretary in accordance with this section shall be guilty of a violation of section 9 of the Selective Training and Service Act of 1940 and shall be subject to all of the penalties therein described, and the President shall have power to take immediate possession of the plant or plants of such person and to operate them in accordance with said section 9.

(e) The authority and discretion herein conferred upon the Secretary of each department may be delegated in whole or in part by him to such individuals or agencies as he may designate in his department, or in any other department with the consent of the Secretary of that department, and he may authorize such individuals or agencies to make further delegations of such authority and discretion.

SEC. 802. Effective date.

(a) Section 801 shall be effective from the date of the enactment of this act.

(b) Section 801 shall not apply to any contract with a department or any subcontract made after the date proclaimed by the President as the date of the termination of hostilities in the present war or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier.

Mr. McKELLAR. Will not the Senator from Georgia explain that? I did not know about it.

Mr. GEORGE. The repricing title?

Mr. McKELLAR. Yes.

Mr. GEORGE. Mr. President, I believe this to be a most important provision in the bill. Under the Renegotiation Contracts Act and under directives issued to them, the services may have the power to reprice any article that is purchased by them. Probably that power derives more directly and concisely from the Second War Powers Act. But there was a confusion existing in the House bill because both the recapture of excessive profits and the repricing provisions were included under the same section, and there was an effort to apply the same limitations and restrictions and standards and factors to repricing that were applicable in the case of recapture of excessive profits. Many of these factors were not applicable to repricing.

During the consideration of the bill, I think at my suggestion, probably one of the very few amendments that I offered, I asked that the repricing provisions in the recovery section of excessive profits be taken out, and that this new title be inserted in the bill.

Mr. President, it simply authorizes the Secretary of any of the departments to price an article for which a contract has been made if he finds that the price paid is in excess of a fair and reasonable price, and that becomes binding on the contractor. But the contractor has the right in any competent court to sue for what he himself alleges and is able to show is a fair and reasonable price for his article. If he declines to proceed, then under this provision, in conformity with the general powers given in the Second War Powers Act, and other legislation, the department could take over the plant and operate it anyway.

I think the Senator will find that the services believe that this is going to be most helpful, and that it will enable them, through procurement and through the exercise of the power given under this new title, to expedite the effort to ascertain that a fair price is paid for the article.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. CAPPER. Mr. President, I am aware of some of the difficulties of writing and operating any law designed to allow fair profits to firms holding Government war contracts, and at the same time to prevent "blood profiteering" by other contractors more interested in profits than in the welfare of their country.

I am aware that some few concerns may be able, with the assistance of able lawyers and skillful accountants, to show that the present Renegotiations Act may have worked an injustice in their particular cases. But at the same time, I think we have been justified in insisting that no amendments to the Renegotiations Act which will take away from the Government the power to protect the taxpayer and the soldier against exorbitant wartime profits from war contracts should be adopted. All of us can remember the righteous indignation we felt, and the country felt, over the 23,000 millionaires created by the First World War. That must not happen again. I do not believe it will happen again if the bill now before us for a vote becomes a law. If it does, God help the men in Government who permit it—and God help American business, also, when the people in their wrath try to correct such a condition. Angry people are not too careful whom they hit, when once they are aroused to action.

Wartime profits of 25 percent, 50 percent, 100 percent, even as high as 300 to 400 percent, after Federal taxes, certainly cannot be justified. Such profits—and they are known to have been made in the past—are outrageous. Certainly the Government must have necessary power to renegotiate such contracts and bring them down to some reasonable and fair basis.

When one considers also that in many instances these huge profits have been made on Government money, not on the contractors' own investment, it is plain that severe and fair action should be taken to correct this situation. I believe the amendments offered by the committee are most helpful in that direction.

At the same time, of course, Congress must protect all individuals and corporations against arbitrary and capricious decisions by Government agencies. But it is my opinion that in the main the amendments agreed to by the committee afford this reasonable protection, considering that this is wartime. Of course, I never would grant such broad powers, admittedly subject to grave abuse, to any Government agency in peacetimes. But neither would such "sight unseen" contracts ever be written by a Government agency in peacetimes.

I find myself in general agreement with the findings of the members of the committee signing the report, and shall support their recommendations accordingly.

Mr. President, I agree with the committee that this legislation should protect against the mistakes of World War No. 1. I agree that the coverage of renegotiation powers should be as broad as possible. It is just as bad to profiteer in the manufacture of articles produced both in war and peace times as it is to profiteer in articles made only for war purposes. We must even risk occasional injustices through giving the renegotiation authority power to cut through red tape and arrive at conclusions fair to both the Government and the contracting agency. The power to reprice as well as to renegotiate on the basis of past performance must be included. I believe there is general agreement on this point. Frankly, I am convinced that the majority redefinition of subcontracts to these subcontractors, as had been proposed, would lead to excessive refunds running into the hundreds of millions of dollars, through the retroactive provisions of the section as originally presented to the Senate.

I shall support the bill, believing that the recommendations presented in the committee report, if enacted into the law, will afford the maximum protection to soldiers and taxpayers, and the minimum opportunity for arbitrary action by Government agencies conducting renegotiations.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The CHIEF CLERK. On page 189, after line 2, it is proposed to insert:

SEC. 802. Effective date.

Mr. DANAHER. Mr. President, before the amendment is stated, let me ask the Senator from Georgia if he will entertain at this time a proposed amendment on page 187, after line 2, before we leave this particular portion of the bill?

Mr. GEORGE. On page 187?

Mr. DANAHER. Yes; after line 2. What I have to offer deals entirely with this particular section relating to renegotiation.

Mr. GEORGE. Yes; I would be glad to do so.

Mr. DANAHER. Mr. President, I send forward an amendment and ask that it be stated.

The PRESIDING OFFICER. Without objection, the amendment will be stated.

The CHIEF CLERK. On page 187, after line 2, it is proposed to insert:

(e) State taxes: In determining excessive profits under the Renegotiation Act, for fiscal years ending prior to July 1, 1943, amounts paid prior to such determination with respect to taxes imposed by any State, Territory, or political subdivision thereof, which are measured by income shall to the extent so paid be allowed as items of cost.

Mr. DANAHER. Mr. President, briefly, by way of explanation, I should say that the matter has been considered in committee, and yet we did not take formal action on it. The logic of those who would oppose this amendment is unanswerable. But as a practical matter, a very different situation is presented. The effective date under the committee amendment with reference to all of subsection (b) with respect to renegotiation is July 1, 1943, with certain exceptions which are carefully noted.

Mr. President, men did business in 1942 and 1943 having no idea of the effect of renegotiation on that business. States collected income from the contractors, and in many cases apportioned that income under their own laws to State instrumentalities which by law were entitled to receive the income from those States. As a practical administrative matter, for us not to permit States to treat as paid and for the renegotiators not to grant as an item of cost, the State taxes which in fact the contractors have paid, will throw a very great many States into a degree of confusion which really is indescribable.

The proposal does not bear markedly in my State. Legislation to meet the needs of the situation was there adopted. On the other hand there are so many States which are adversely affected that unless we take some remedial step of this character I fear injustice will result.

The National Association of Tax Administrators consists of the tax commissioners of the 48 States. As its chairman at the present time Connecticut's very able tax commissioner, Walter W. Walsh, prepared a memorandum, a copy of

which I have in my hand. Appearing in behalf of the State tax administrators he points out in this memorandum a few salient facts which it seems to me, for the record, should be called to the attention of the Senate.

Unless we shall adopt the amendment now proposed—

The budgetary and fiscal policies of the various States will have been unwarrantably interfered with in that although future treatment of tax refunds is defined with certainty under the House bill, nothing has been done to relieve the States of administrative and fiscal burdens with respect to the handling of renegotiated contracts prior to the effective date of the new law.

Again, Mr. President—

The methods by which renegotiated contracts have been handled, particularly with regard to the utter lack of uniformity of treatment in requiring tax refunds to be made by the States, has left them in a position where they are unable to ascertain how much of their revenue received from corporate taxes is available for their needs, or how much of the amount so received will be subject to refund.

Most of the 32 States having income or franchise taxes already have provisions for refunds required by adjustments resulting from field examinations but practically none of the States have provided for a sufficient reserve to take care of the refunds which will be occasioned through the process of renegotiation.

Among the States, Mr. President, which have already, pursuant to long-standing statutes, allocated the distribution of corporate taxes, are Colorado, Iowa, Massachusetts, New York, Oregon, Wisconsin, Minnesota, South Carolina, and Utah. In those States corporate taxes are allocable not only to certain local towns and counties, but for school and old-age assistance purposes. Consequently, Mr. President, where the tax in fact has been paid and the State has received it, and thereafter allocated it as its statute required, a veritable local tax shambles might be created unless we take some practical measures to relieve them against such possibility.

Inequalities have existed and will continue to exist between the States which are affected by renegotiation. Some States, seven or eight in number, have refused to recognize renegotiation and, therefore, do not refund to the contractor any taxes which have been paid on earnings, later determined by renegotiation to represent excessive profits.

Thus, the State which permits a refund to protect its contractors is penalized by so doing, whereas other States which have refused to recognize renegotiation are greatly benefited through their increased tax receipts. It can readily be seen, therefore, that new legislation will have to be adopted by these States which have failed to recognize renegotiation under the terms of the House bill, or chaos will most surely follow.

By this amendment we are providing for definitive action and are making it possible to achieve some repose, and properly so, in the light of the language which appears on page 186, with respect to the effective date. The pending amendment would in effect simply treat as closed those tax transactions which in fact were closed, and as to which payment had been made, prior to June 30, 1943. I need not go further into the matter, I feel. I have said enough to indicate the nature, the extent, and the scope of the problem. I hope, Mr. President, that the amendment will be agreed to.

Let me say simply in conclusion that the States which will be adversely affected unless we agree to the amendment are Kentucky, Wisconsin, Colorado, Montana, Alabama, North Carolina, Maryland, Vermont, Kansas, Mississippi, South Carolina, New York, and, I think, Georgia.

Mr. LA FOLLETTE. Mr. President, before the amendment is voted on, I should like to have the Senate fully understand the implications of its adoption. The amendment would require the reopening of all the agreements which already have been arrived at by the agencies renegotiating contracts—and such agreements are numbered literally by the thousands—because it has been the universal policy of the renegotiating agencies to deny the allowance of this item.

The Senator from Connecticut has said a shambles might be created insofar as the States are concerned. Mr. President, the amendment, if agreed to, might makes a shambles of all the work which has been done in thousands of cases by the renegotiating agencies, and in the long run it would be at the expense of the Federal Government.

I say there is not a State in the Union which has not had its revenues coming from tax structures existing at the time tremendously increased because of the enormous magnitude of the war spending program. In some States, contracts have been piled on contracts, until their entire economy has become involved in war business. That has increased the revenue of every one of the States.

After renegotiation and after the contractor has acknowledged in an agreement with the Government that his profits were excessive, and has agreed to refund them, or has refunded them, to the Federal Government, to say, as the amendment proposes, that, despite the fact that the profits were excessive, the States are entitled to take their cut before the Federal Government receives the full benefit of the renegotiation, is, it seems to me, a very strange proposal.

As a matter of fact, Mr. President, these profits were never properly arrived at. They are the result of the haste in the procurement procedure, in the fixing of prices for articles or other commodities which have proved, after experience, to be excessive and to produce exorbitant profits.

It is well known that many of the States of the Union never before have had in their treasuries such great surpluses as they have today. Senators are familiar with the fact that the State of New York has just had, or is in process of having, a special session of its legislature, and that its legislature recently enacted a law freezing in the Treasury of the State of New York $140,000,000 of surplus, to be held there for purposes of the post-war period.

The Senator has mentioned my own State. I say, Mr. President, that in Wisconsin the yield from the income taxes and from other corporate taxes has exceeded the wildest dreams the estimators had at the time when they made their estimates predicated upon peacetime yields. The Federal Government, as everyone knows, is in great difficulty insofar as its receipts and expenditures are concerned. I mean that huge deficits are piling up day after day. Yet it is proposed here, in behalf of the States which have benefited revenue-wise, from the Government's expenditures for war, that when a contractor had acknowledged in an agreement with the Government that he had made excessive profits, and was ready to refund them, the State would say, "Oh, no; wait a minute. Before the Federal Government has the full refund, we want our cut out of it."

Mr. President, I cannot believe that the Senate or the Congress, charged with the responsibility of doing all in its power to protect the Federal fiscal situation in this grave emergency, will yield to any such importunities and to any such proposition as is involved in the amendment.

Therefore, Mr. President, I hope the amendment will be rejected. With all due respect to my esteemed friend the Senator from Connecticut [Mr. DANAHER], I say that I regret that I cannot agree with him about the amendment, even though my own State is involved. But I do not think the proposition can stand analysis. The only argument which could be made for it is that, as a practical proposition, it is desired to relieve the States of some difficulty. But what would we do to the renegotiation agencies of the Government if we forced them to reopen all the closed agreements, and to readjust those agreements, in order that the States might have their "cut" of profits which were never rightfully earned?

Mr. DANAHER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. ELLENDER in the chair). Does the Senator from Wisconsin yield to the Senator from Connecticut?

Mr. LA FOLLETTE. I yield.

Mr. DANAHER. I am certain the Senator is acting under a misapprehension in thinking that the closed agreements would be reopened. They would not be. We had that matter before the committee, and we had the assistance of Mr. Stam's analysis in that respect. I am certain the Senator will recall his advices that the closed agreements would not be opened.

Mr. LA FOLLETTE. Mr. President, the Senator's amendment is prospective insofar as it concerns the denial to the States of any right to the excessive or exorbitant profits, but the amendment would be retroactive insofar as concerns the closed agreements. One of the things the committee did was to refuse to reopen the closed agreements, even to give the contractors or subcontractors the right to go into court and obtain a review of the determination. I am certain I am correct about that. I have just conferred with representatives of the renegotiating agencies, and have been informed that under the very language which is proposed in the amendment they would be forced to open up thousands of agreements, because it has been the universal

policy of all the renegotiating agencies to deny this appeal on the part of the States.

Therefore, the agreements having been closed on that ground, obviously they would have to be reopened, if the Senator's amendment were to prevail.

Mr. TAFT. Mr. President, I do not agree at all with the Senator from Wisconsin. The actual condition is that in 1942 a great many companies operated perfectly properly. Their profits were not necessarily excessive under any standard anybody had established. They made their returns. They figured out what their net income was. They then paid their taxes in 1942 to the various States, based on their net incomes.

Afterward as it developed the Federal Government came along and said, "Here, ycu have to pay back to us a lot of money." To do so would reduce the companies' net incomes, on the basis of which they had already made tax payments to the States. The Federal Government said, "You must get that back from the States. That is none of our concern. We will not allow you credit for the sums you paid to the States under a misapprehension. We will only allow you a proportion of it, a reduced amount of the net income which we think you will have after we take the money away from you by means of renegotiation. You must get the rest of it from the States."

As a matter of fact, many States do not provide for refunds under such conditions. They cannot be obtained unless the States enact special laws allowing special claims. I think the States should do so if we do not do anything about it. After all, renegotiation has taken away from these companies large amounts. It seems to me to be impractical, and an unreasonable requirement to say to the companies, "You must reopen your relations with the States and get the money back in that way." For the year 1942, I cannot see why it is not a very much simpler matter to permit the States to keep those taxes and reduce the amount of the renegotiation payments by such amounts.

With respect to the retroactive provision, I am not quite certain what that provides, but on principle, and as a practical matter, it seems to me that that is the best way to treat it. After all, we are getting money that was brought in only by the renegotiation statute, under an extraordinary procedure. Most of the companies did not realize that it was as extensive as it proved to be when they completed the year 1942. It seems to me to be perfectly reasonable to leave this as it stands, and not require the companies to get the money back from the States, under machinery which is often defective, and which is certainly very complicated in a large number of States.

Mr. BARKLEY. Mr. President, my State, through an organization of State revenue departments, has brought this matter to my attention. I had a conference yesterday with a gentleman from Connecticut, I believe, who is here representing the various State revenue departments. I was not convinced by his statement. He made a perfectly clear statement, but it did not convince me, and I am not yet convinced—although my mind is open on the subject—that we ought to take money out of the Treasury of the United States and make refunds to corporations or individuals for taxes paid into the State treasuries, which would probably not have been paid if the renegotiation had taken place prior to the time the tax had to be paid to the State. That is what this amounts to, if I correctly understand it. Is that the correct interpretation?

Mr. DANAHER. Mr. President, let me say to the Senator that it is the intention of the draftsmen of this amendment that in cases in which renegotiation has not been concluded, and in which in fact hitherto, and prior to renegotiation, the contractor had paid his State taxes, the moneys so paid to the States shall be treated as an item of cost, whether the cases arise in Kentucky, Pennsylvania, or any other State.

Mr. BARKLEY. What it amounts to is that out of the Treasury of the United States a corporation will be reimbursed for what it has paid into the State treasury.

Mr. DANAHER. No.

Mr. BARKLEY. Why not, if it is reopened, so that it is treated as an item of cost in 1942, or at any time prior to July 1, 1943? If it is to be treated as an item of cost in any settlements which have been made up to that time, so that the amount that would have been deducted is different, I do not see how it results in anything else except the Federal Government reimbursing the corporation after the renegotiation has been terminated, with the amount which the State received, and which it would not have received if a smaller amount had been the basis of the State income tax.

Mr. DANAHER. I think we can state it in another way. In 1942 the A corporation was a contractor with the Government. It performed its contract, and when it came to the Renegotiation Board, the Renegotiation Board said:

> The amount which you have paid to the State of Kentucky—or the State of Connecticut—as a tax on your earnings, to the amount which we now say were "excessive profits" will not be allowed to you as an item of cost. We, the renegotiators for the Government, will not allow as an item of cost the amount of a tax which the State has already collected on that part of your income or earnings which we say constituted "excessive profits."

The State already has the money. It is not a question of refunding anything to the State in that respect.

Mr. BARKLEY. I probably misstated what I had in mind. It is a refund to the corporation, and not to the State, the State already having received the money.

Mr. DANAHER. Yes.

Mr. BARKLEY. Assuming that the same corporations will continue to do business in the States, what is to prevent the States from making a sort of nunc pro tunc allowance in the future calculations of State taxes based upon the fact that it received more money than the actual net income for a previous year justified?

Mr. DANAHER. On all business from July 1, 1943 forward, the State can do so. For example, on income-tax returns to be filed in 1944, on 1943 business, it can do so, because the tax has not yet been paid. But on all the taxes which were paid to the States prior to the close of the fiscal year ending June 30, 1943, the States cannot adjust the payment. In fact, in many instances the money has been expended by the States.

Mr. BARKLEY. That may be true; but suppose that in some States, in calculating the amount of tax for 1943, the State should agree that in 1942 the taxpayer paid a tax on more income than he actually had, as developed by renegotiation. Why should not the State make an offset in 1943 taxes in order to adjust an overpayment in 1942?

Mr. DANAHER. That is a perfectly fair question. I assume that in my State and in a good many other States the State authorities have done and will do that very thing. But there are yet other States which have not done it and cannot do it with respect to the closed years.

Let me say further to the Senator that some of these renegotiation agencies have hitherto—at least during 1942 and part of 1943—actually allowed as a cost those taxes which were paid to the States. It is only within the past few months that there has been anything like a uniform policy with reference to this whole business, and consequently, once uniformity of treatment was established, everyone knew where he was and was able to adjust himself. I am talking about those cases which were in fact closed and in which payments were in fact made before June 30, 1943.

Mr. BARKLEY. In other words, it seems to me that the retroactive feature of this amendment—and the Senator will correct me if I am mistaken—would operate in this way: The cases which have been closed, and in which too much was paid to the State, would be reopened, and the taxpayers would be allowed credit for the overpayment to the State, which means that the money must be paid out of the Federal Treasury. That is correct, is it not?

Mr. DANAHER. I do not understand that there would be any payment out of the Federal Treasury, but rather that the Price Adjustment Board, in the renegotiation——

Mr. BARKLEY. If the corporation were still doing business and had a contract which had to be renegotiated, it might be taken into consideration in the renegotiation. But if the corporation involved is already through with the Federal Government, if its contract has terminated and it has no current business, if the case is reopened to make this allowance, it must be paid out of the Treasury, as I see it.

Mr. DANAHER. This is the way the thing shapes up in my mind: As I have already frankly and candidly stated, I can understand how it is possible to make plenty of arguments against the amendment. I said that before the Senator entered the Chamber. However, I am trying to deal with a practical situation.

Mr. BARKLEY. I am not making arguments against it. I am trying to find out the facts.

Mr. DANAHER. My good friend from Wisconsin [Mr. LA FOLLETTE] made an excellent argument against it. I saw that

he had half risen to his feet to resume, so I headed him off.

Mr. LA FOLLETTE. The Senator's efforts will be unavailing. [Laughter.]

Mr. DANAHER. Mr. President, I think we ought to take this matter to conference. I think that between now and conference time we shall have an opportunity to look into the question of exactly how many contracts, if any, would be reopened, or how many refunds would be made from the Treasury. I do not believe there would be any. I have not had the benefit of consultation with the officers of the Price Adjustment Board, as the Senator from Wisconsin says he has had—and, of course, I believe him—but I have consulted with Mr. Sham, chief of our joint staff, and with the legislative draftsman, both of whom assure me that there need not be the reopening which the Senator from Wisconsin fears.

Mr. LA FOLLETTE. I do not know who gave the Senator that assurance.

Mr. GEORGE. Mr. President, I should like to clarify one point. This amendment does not open up any case that has actually been settled. It could have no application except to the pending cases for years prior to July 1, 1943, which would mean the fiscal year 1942. We never open up an agreement or anything of that kind unless there is an express provision in the statute to do so. The amendment could only have application to those unsettled cases where actual payments have been made to the State. It would not have any effect on the fairness or unfairness of the proposal as between taxpayers. I think it is clear that the amendment itself would not open up any closed agreements, or any agreements.

Mr. DANAHER. I thank the Senator from Georgia, and I yield the floor.

Mr. LA FOLLETTE. Mr. President, the amendment reads:

> In determining excessive profits under the Renegotiation Act, for fiscal years ending prior to July 1, 1943, amounts paid prior to such determination with respect to taxes imposed by any State, Territory, or political subdivision thereof, which are measured by income, shall to the extent so paid be allowed as items of cost.

I dislike to disagree with the distinguished chairman of the Finance Committee.

Mr. GEORGE. No; Mr. President, I should like to be understood about the matter. The amendment contains the words "in determining excessive profits." If the profits have been determined and settled it would be necessary to go far beyond the provisions of the amendment to open up any agreement of that kind. The amendment is not a committee amendment, as the Senator knows.

Mr. LA FOLLETTE. Mr. President, perhaps the Senator is correct, but I think the language is subject to other interpretation. I also wish to point out that the argument made here is that it will be some trouble for the States to take care of the corporate taxpayers who have paid income taxes upon profits which they subsequently admitted were excessive, and were willing to refund to the Government. I ask: In this hour of our trial, at a time when the Congress has labored for months and brought forth a mouse so far as revenue requirements of the Government are concerned, and at a time when the States have benefited tremendously from enormous expenditures by the Federal Government for war purposes, who is in a better position to enact special legislation? This is special legislation. It is designed to take care of the State's problem for the State. Mr. President, when a State such as New York has $140,000,000 surplus which has been frozen for the duration of the war, and when the treasuries of States such as mine and other States are bulging with revenues because of war expenditures to an extent never known before in their history, upon whom should we place the burden of passing legislation to take care of the situation?

I also point out that in the end the money will come out of the Treasury of the United States in the sense that the Treasury will not receive dollars which the corporation has agreed represent excessive profits because the States have clamped down upon them before the Federal Government gets the money.

Mr. President, in the light of all the circumstances and facts I think this is really an outrageous proposal. It seems to me that when we look at the total picture involved in the amendment, we must realize that this is an unreasonable request on the part of the States which today are in better financial condition than they have ever been in all their history, and when the Federal Government is in the dire position of having to impose through this bill taxes which under no other circumstances would any Senator rise on the floor to justify. When we impose a retail-sales tax of 20 or 25 percent on any article we are imposing an indefensible rate of taxation. We do it because we are pressed for revenues. Now States which are rolling in wealth and surpluses due to war expenditures are asking the Federal Government to take care of a problem which they should take care of themselves, at a time when they are financially in a very much better position to take care of it than is the Federal Government which is running up a deficit of billions of dollars every year.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. BARKLEY. If this amendment is to be adopted I think it ought to be changed at least to the extent of clarifying its intention so far as past closed renegotiated cases are concerned. In order that I may contribute a little to that clarification I move that in the first line of the amendment the word "determining" be stricken out and in its place there be inserted the words "future determination of", so that it will read:

> (e) State taxes: In future determination of excessive profits under the Renegotiation Act, for fiscal years—

And so forth. That would eliminate the possibility of going back to these cases which have already been closed, either by agreement or order, and reopening them on the question of State taxes, so that it might be interpreted to mean that the corporation or individual should be reimbursed for the payment of State taxes out of the Treasury when the contract had already been negotiated and closed.

We have amended this measure so as not to reopen any of those cases and I do not wish to see them reopened so far as payment of State taxes is concerned. The Senator from Connecticut has said it is not his intention to do that. In order that his intention may be integrated with the amendment, I offer the amendment to amend in the way which I have stated. I am not committing myself one way or the other if the change should be agreed to.

Mr. GEORGE. Mr. President, I think it would be better to say "pending and unclosed negotiations for this past year," instead of "future determination."

Mr. BARKLEY. Well, it is future determination of the excess profits. The determinations are to be made in the future. That, of course, would apply to pending cases.

Mr. GEORGE. If the amendment is agreed to it can go to conference.

Mr. BARKLEY. Yes.

Mr. GEORGE. I have this trouble in mind concerning the amendment, and I do not know whether I have made myself plain about it or not. As between the taxpayer who does not receive the benefit that this amendment would give him, and the taxpayer who has not yet concluded the negotiation, an inequality would be created. Maybe every case should stand on its own bottom, but it would result in some inequality of treatment between taxpayers beyond any doubt. If the amendment is agreed to of course it ought to be very thoroughly examined in conference although I think perhaps the language suggested by the Senator would be sufficient on that point.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Kentucky [Mr. BARKLEY] to the amendment of the Senator from Connecticut [Mr. DANAHER].

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from Connecticut, as amended.

Mr. BARKLEY. Mr. President, am I correct in my understanding that the Senator from Connecticut said that the words "or accrued" in the third line have already been eliminated?

Mr. DANAHER. I so stated, so that I would not run into the argument made by the Senator from Wisconsin, but I ran into it anyway.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Connecticut, as amended. [Putting the question.]

Mr. DANAHER. I ask for a division.

Mr. LA FOLLETTE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is the demand for the yeas and nays seconded?

The yeas and nays were not ordered.

Mr. BARKLEY. I think there ought to be a quorum call first.

Mr. LA FOLLETTE I suggest the absence of a quorum.

Mr. DANAHER. Mr. President, will the Senator withhold the suggestion of the absence of a quorum?

Mr. LA FOLLETTE. For what purpose?

Mr. DANAHER. To the end that we may have a test on a division.

Mr. LA FOLLETTE. No, I want Senators to go on record. I want to find out whether we are going to protect the Treasury of the United States at this time, or whether we are going to enact a piece of legislation to benefit the State treasuries which are bursting with surpluses.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	O'Daniel
Andrews	Green	O'Mahoney
Austin	Guffey	Overton
Bailey	Hatch	Radcliffe
Bankhead	Hawkes	Reed
Barkley	Hayden	Revercomb
Bilbo	Hill	Reynolds
Bone	Holman	Russell
Brooks	Johnson, Colo.	Shipstead
Buck	Kilgore	Stewart
Burton	La Follette	Taft
Bushfield	Langer	Thomas, Utah
Butler	Lodge	Tobey
Byrd	Lucas	Truman
Capper	McCarran	Tunnell
Caraway	McClellan	Tydings
Chavez	McFarland	Vandenberg
Clark, Mo.	McKellar	Wallgren
Connally	Maloney	Walsh, Mass.
Danaher	Maybank	Walsh, N. J.
Davis	Mead	Wheeler
Eastland	Millikin	Wherry
Ellender	Moore	White
Ferguson	Murdock	Wiley
George	Murray	Willis
Gerry	Nye	

The PRESIDING OFFICER. Seventy-seven Senators having answered to their names, a quorum is present. The question is on the amendment offered by the Senator from Connecticut [Mr. DANAHER], as amended.

Mr. LA FOLLETTE. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. DAVIS. I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. In his absence, not knowing how he would vote, I withhold my vote. If permitted to vote, I should vote "yea."

Mr. BANKHEAD. I have a general pair with the senior Senator from Oregon [Mr. MCNARY]. Not knowing how he would vote if present, I withhold my vote.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Texas [Mr. O'DANIEL], the Senator from South Carolina [Mr. SMITH], and the Senator from Indiana [Mr. VAN NUYS] are necessarily absent.

The Senator from Florida [Mr. PEPPER] is detained because of a slight cold.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

The Senator from Texas [Mr. CONNALLY], the Senator from California [Mr. DOWNEY], the Senator from Iowa [Mr. GILLETTE], the Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] are detained in Government departments on matters pertaining to their respective States.

Mr. THOMAS of Utah. I have a general pair with the Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the Senator from New York [Mr. WAGNER]. I am not advised how either Senator would vote if present.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] and the Senator from Iowa [Mr. WILSON] are absent because of illness.

The Senator from Minnesota [Mr. BALL], the Senator from Maine [Mr. BREWSTER], and the Senator from New Hampshire [Mr. BRIDGES] are necessarily absent.

The Senator from South Dakota [Mr. GURNEY] and the Senator from Wyoming [Mr. ROBERTSON] are unavoidably detained.

The result was announced—yeas 25, nays 48, as follows:

YEAS 25

Bailey	Gerry	Revercomb
Bilbo	Hawkes	Taft
Brooks	Lodge	Thomas, Idaho
Buck	Maloney	Tobey
Burton	Millikin	Walsh, N. J.
Bushfield	Moore	Wherry
Butler	Overton	Willis
Danaher	Radcliffe	
George	Reed	

NAYS 48

Aiken	Hayden	Nye
Andrews	Hill	O'Mahoney
Austin	Holman	Reynolds
Barkley	Johnson, Colo.	Russell
Bone	Kilgore	Shipstead
Byrd	La Follette	Stewart
Capper	Langer	Thomas, Utah
Caraway	Lucas	Truman
Chavez	McCarran	Tunnell
Clark, Mo.	McClellan	Tydings
Eastland	McFarland	Vandenberg
Ellender	McKellar	Wallgren
Ferguson	Maybank	Walsh, Mass.
Green	Mead	Wheeler
Guffey	Murdock	White
Hatch	Murray	Wiley

NOT VOTING 23

Ball	Downey	Robertson
Bankhead	Gillette	Scrugham
Brewster	Glass	Smith
Bridges	Gurney	Thomas, Okla.
Chandler	Johnson, Calif.	Van Nuys
Clark, Idaho	McNary	Wagner
Connally	O'Daniel	Wilson
Davis	Pepper	

So Mr. DANAHER'S amendment, as amended, was rejected.

The PRESIDING OFFICER. The Chair desires to call the attention of the Senator from Georgia to the fact that the amendment in section 802, page 189, has not as yet been acted upon. It has been stated, but not voted upon.

Mr. GEORGE. I should like to have the amendment acted on.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 189, beginning on line 3.

The amendment was agreed to.

Mr. GEORGE. Now, Mr. President, I send to the desk an amendment and ask that it be stated, and I shall then offer a short explanation.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 167, line 5, after the word "recovered," it is proposed to insert "from amounts previously expended from appropriations from the Treasury."

Mr. GEORGE. Under subsection (c) (1) all moneys recovered by way of repayment or suit shall be covered into the Treasury as miscellaneous receipts. This provision, it is pointed out, should not apply to contracts of the Defense Plant Corporation, Metals Reserve Company, and other corporations which operate on borrowed funds and not on appropriations. Their recoveries should be retained and disposed of in accordance with their corporate procedure.

The amendment is offered for that purpose.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia.

The amendment was agreed to.

Mr. GEORGE. Mr. President, I send forward another amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

Mr. GEORGE. Mr. President, the amendment is somewhat lengthy, and I think it will enable the Senate to understand it better if I make a word of explanation of it in advance. The amendment is suggested by the Treasury. It is an amendment which should be agreed to, and if anything else is needful in connection with the amendment it can be arranged in conference.

Mr. President, this amendment deals with the credit for income taxes paid upon excessive profits subsequently recovered through renegotiation. Under section 3806 as it now stands a contractor who has been "renegotiated" is permitted to reduce the amount of profits he must return to the Government, or the amount which will be withheld from him, by the amount of the income taxes theretofore paid upon such profits. This provides an equitable adjustment and obviates the need for many tax refunds.

However, as a result of the cancelation of 1 year's tax liability by the Current Tax Payment Act, the operation of section 3806 as to the years 1942 and 1943 may not be satisfactory in all cases. In some instances a credit will have been allowed for taxes that have subsequently been canceled and therefore should not have been allowed. In other cases, the credits now provided will not be sufficient to prevent hardship upon contractors. For example, if a contractor's income for 1942 was high and his 1943 income much lower, renegotiation may reduce his 1942 income so that the tax paid for 1942 prior to enactment of the Current Tax Payment Act may exceed the 1943 liability to which it is applied. In such and other similar cases an additional credit should be provided to reduce the repayments of excessive profits by the amount of the overpayment of 1943 income tax.

While administrative disposition might be made of the matter under present law, the proposed amendment will clarify this type of situation, in a manner consistent with present administrative procedures in renegotiation, by providing in effect that the credits allowed under section 3806 are to be increased or decreased wherever necessary to meet the effects of the application of the Current Tax

Payment Act. Accordingly, the provision does no more than to continue the present policy of section 3806 with specific provision for the adjustments required by reason of the cancelation of 1 year's tax liability. It will serve to avoid the possible uncertainties that might arise were the matter left as it now is to administrative solution. The Treasury and the service departments have recommended its adoption.

The amendment is lengthy, but I have tried to explain its purpose as briefly as possible.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following:

SEC. —. Certain credits of individuals with respect to renegotiation of war contracts or disallowance of reimbursement.

Section 3806 (b) (relating to credit against repayment on account of renegotiation or allowance) is amended by renumbering paragraphs (2) and (3) as paragraphs (3) and (4) respectively and inserting after paragraph (1) the following new paragraph:

"(2) Special Rules as to Individuals for 1942 and 1943.—In the case of an individual subject to the provisions of sections 58, 59, and 60 of chapter I and to the provisions of section 6 of the Current Tax Payment Act of 1943—

"(A) No credit shall be allowed under paragraph (1) of this subsection for any amount by which the tax for the taxable year 1942 under chapter 1 is decreased by the application of paragraph (1) or paragraph (2) of subsection (a). If, contrary to the foregoing provisions of this subparagraph, any part of the amount shown on the return as such tax for the taxable year 1942 or any part of an amount assessed as such tax for such year or as an addition to such tax is credited against excessive profits eliminated for such year or against an amount disallowed for such year, the individual shall pay into the Treasury an amount equal to the amount of such credit, and if such amount is not voluntarily paid, the Commissioner shall, despite the provisions of the Current Tax Payment Act of 1943, collect the same under the usual methods employed to collect the tax imposed by chapter 1. For the purposes of this section the amount required by this subparagraph to be paid into the Treasury shall be considered as an amount of excessive profits eliminated for the taxable year 1942, or an amount disallowed for such year, as the case may be; and, despite the provisions of the Current Tax Payment Act of 1943, the payment of such amount shall not be considered as payment on account of the tax or estimated tax for the taxable year 1943.

"(B) In the case of a renegotiation with respect to the taxable year 1942 which is made after the enactment of the Current Tax Payment Act of 1943 and prior to the date on which the individual files his return for the taxable year 1943 and with respect to which payment or repayment of the excessive profits eliminated or any part thereof is deferred by agreement, if the amount shown as the tax on the return for the taxable year 1943 reflects the application of paragraph (1) of subsection (a) with respect to the taxable year 1942 and is computed in accordance with the provisions of section 6 of the Current Tax Payment Act of 1943, there shall be credited against the excessive profits eliminated for the taxable year 1942 the amount by which the sum of the estimated tax previously paid for the taxable year 1943 and the payments on account of the taxable year 1942 which are treated as payments on account of the estimated tax for the taxable year 1943, exceeds the amount shown as the tax on the return for the taxable year 1943: *Provided*, That the amount allowable as a credit under the foregoing provisions of this subparagraph shall not exceed (i) the amount of credit of overpayment of tax provided for in the agreement deferring payment or repayment of excessive profits eliminated or (ii) the amount of excessive profits eliminated for the taxable year 1942 which, at the time the credit is allowed, have not been paid or repaid to the United States or an agency thereof or applied as an offset against other amounts due the individual. If any credit is allowed under this subparagraph, no other credit or refund under the internal revenue laws shall be made on account of the amount so allowed with respect to the taxable year 1943. Any credit of overpayment of tax allowed pursuant to the agreement deferring payment or repayment of excessive profits eliminated shall be considered as a credit allowed under this subparagraph.

"(C) Except as prevented by the provisions of the foregoing subparagraph (B), there shall be credited against the amount of excessive profits eliminated for the taxable year 1942 the amount by which the tax for the taxable year 1943 as computed under section 6 of the Current Tax Payment Act of 1943 is decreased by reason of the application of paragraph (1) of subsection (a) with respect to the taxable year 1942; and there shall be credited against the amount disallowed for the taxable year 1942 the amount by which the tax for the taxable year 1943 as computed under section 6 of the Current Tax Payment Act of 1943 is decreased by reason of the application of paragraph (2) of subsection (a) with respect to the taxable year 1942.

For the purposes of the foregoing provisions of this paragraph, the terms 'taxable year 1942' and 'taxable year 1943' shall have the meanings assigned to them by section 6 (g) of the Current Tax Payment Act of 1943."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia.

The amendment was agreed to.

Mr. GEORGE. Mr. President, I send forward a number of clerical amendments made necessary by reason of other amendments already agreed to. It will be necessary in connection with them to reconsider the action by which some amendments have been agreed to, in order that they may be amended.

The PRESIDING OFFICER. The amendments will be stated en bloc.

The CHIEF CLERK. On page 168, in line 3, it is proposed to strike out "are" and insert "is";

On page 168, in line 7, it is proposed to strike out "are" and insert "is";

On page 182, in line 3, it is proposed to strike out "(G)" and insert "(F)";

On page 182, in line 11, it is proposed to strike out "(I)" and insert "(G)";

On page 182, in line 17, it is proposed to strike out "(E)", "(G)", "(H)", and "(I)", and insert "(F), and (G)";

On page 184, in line 7, it is proposed to strike out "(D)" and insert "(E)"; and in line 12, to strike out "(E)" and insert "(F)";

On page 186, in line 22, it is proposed to strike out "(i) (1) (H), (i) (1) (I)" and insert "(i) (1) (G)."

On page 187, line 1, after "subsection (d)" it is proposed to insert "and (e) (2)."

The PRESIDING OFFICER. Without objection, the votes by which the amendments proposed to be amended were agreed to will be reconsidered, the amendments proposed will be agreed to, and the amendments, as amended, are agreed to.

Mr. GEORGE. Mr. President, I believe that completes the committee amendments. If any committee amendment has been overlooked, I would appreciate it if Senators would bring it to my attention at this point.

The PRESIDING OFFICER. The bill is still open to amendment.

Mr. McCARRAN. Mr. President, earlier today I called an amendment to the attention of the Senator from Georgia, and notwithstanding the fact that we had passed the place in the bill where it would be applicable, I understood that he would not attempt to foreclose consideration of it. I now ask that the amendment be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 38, line 4, it is proposed to insert the following:

(y) (2) Deferred maintenance deduction—Carriers: The deduction for deferred maintenance provided in section 128 (B).

On page 67, line 1, it is proposed to insert the following new section:

SEC. —. Chapter 1 is amended by inserting after section 128 the following new section:

"SEC. 128 (B). (a) Deferred maintenance deduction—Carriers: In computing the net income of any carrier subject to the Interstate Commerce Act, there shall be allowed as a deduction, in addition to deductions otherwise provided for in this chapter, the amount which such carrier shall, pursuant to authorization of the Interstate Commerce Commission, accrue in its maintenance reserve account to provide for the cost of maintenance and repairs which it is unable to undertake or complete in any taxable year beginning after December 31, 1942: *Provided*, That United States Treasury securities shall be set aside and held by the taxpayer in a face amount at all times not less than the balance in said maintenance reserve account: *Provided further*, That expenditures subsequently made on account of any maintenance or repairs for which accruals have been made in said reserve account shall be charged against said account and shall not be deductible in the determination of net income, except to the extent provided in subsection (b) hereof.

"(b) The deduction provided in subsection (a) of this section may be taken in any taxable year beginning after December 31, 1942, but may not be taken in any taxable year beginning after December 31 in the year in which the President shall issue his proclamation declaring the war to be at an end. Any amount remaining in the maintenance reserve account on December 31 of the fifth year following the year in which the President shall issue his proclamation as aforesaid shall be included in the gross income of the taxpayer in the fifth year following the issuance of such proclamation and shall be taxed at the rate or rates applicable to the last year or years in which an equivalent amount of deduction was allowed, with interest at the rate or rates borne by the Treasury securities remaining in the taxpayer's treasury. Upon inclusion of such remaining amount in its gross income, any expenditures subsequently made on account of deferred maintenance and repairs shall be deductible under section 23 (a), and the taxpayer shall be relieved of

any further obligation to hold Treasury securities under the provisions of paragraph (a) of this section."

Mr. McCARRAN. Mr. President, with reference to the amendment I have just offered, and which has been read by the clerk, it will not be gainsaid that the common carriers and transportation lines of the country have during the past 2½ years or thereabouts been deprived of the opportunity to obtain parts and repair equipment for their transportation facilities. The bus lines and truck lines of the country have been running on the ragged edge for a year or more. The railroads have been taxed to the limit to find parts or parts of parts or spare parts to keep their equipment in operating condition. That is due to the fact that the War Production Board, in looking to the welfare of the prosecution of the war, has seen fit to limit the use of metal in every respect, so that parts for repair, improvements, and construction have been denied the common-carrier lines.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. CLARK of Missouri. In addition to what the Senator has suggested as to the difficulty of obtaining parts for replacements and maintenance let me say that, if the equipment used on the transportation system had been taken out of operation for the period of time necessary in order to have made the replacements and maintenance repairs which ordinarily would have been made, it would have meant a complete breakdown of the transportation system. So, from every standpoint, it is necessary for the carriers to obtain the parts.

Mr. McCARRAN. What the Senator from Missouri has said is correct. No agency or no group of which I know, save and except the young men and young women of the country, have contributed more to the drive in this war than have the transportation agencies. That being true, we know that their equipment has deteriorated. Is it not right and proper that the carriers be permitted now to lay aside that which the Interstate Commerce Commission would permit them to lay aside, so that when the war is over they may have a fund, audited, controlled, regulated, and prescribed by the Interstate Commerce Commission, which will enable them to repair their equipment and set it to rights again?

Mr. REED. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. REED. I am in entire sympathy with the purpose of the amendment offered by the Senator from Nevada. All of us are familiar with the transportation agencies of the country, and I think we know that the railroads in particular have been unable to obtain either the materials or labor required in order to keep their plants in proper condition. Certainly they should be allowed to take out of their current income an amount sufficient to do this work when the materials and the men are available. That is especially true when all the deductions made and all the money deducted will be under the supervision, scrutiny, and rules of the Interstate Commerce Commission.

I certainly hope the amendment offered by the Senator from Nevada will prevail.

Mr. McCARRAN. Mr. President, in the drafting of the amendment, I have gone a little further by way of providing what I thought was protection, in that I have made provision that the amounts allowed to be deducted, and which would be subject to supervision by the Interstate Commerce Commission, should be invested in United States Government bonds, and held in that form; and that if the repairs and replacements were not carried out in 5 years, then the tax must be paid, and the bonds would become the property of the Government.

I shall not take the time of the Senate to discuss the amendment further. I think it has merit, and I submit it to the Senate with the hope that the Senate will agree to it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada.

Mr. GEORGE. Mr. President, this matter has had consideration, indeed, very serious consideration, on several occasions at the hands of the Finance Committee. In lieu of having provision made for deferred maintenance, the Finance Committee first gave up its own ideas and favored a provision for inventory reserves or deferred maintenance reserves. We have adopted what has become known to taxpayers generally as the net loss carry-back, or the unused credit carry-back.

We have the situation that if a railroad company runs into the red during the first year after the termination of the present war, it may expend money for deferred maintenance and may go back and apply such loss against its income for the previous 2 years. That arrangement is not altogether satisfactory to the railway companies, although many of them like it. There is, however, one feature of that provision which yet remains to be studied, and which should be studied in connection with a bill to be taken up after this bill is out of the way. I refer to the carry-back of expenses incurred, whether there has been any loss incurred or not. The Treasury representatives spoke of that principle this year, and indicated sympathy with it, but we have not had the opportunity fully to explore it. Therefore, I hope that the pending amendment will not be adopted at this time, not because of any general disagreement with its objective but because a different method of treatment is now in the revenue act. I think it would be improper and harmful to consider a special provision which might be applicable only to railroad corporations and a few others, without saying what similar or comparable treatment should be given in other cases, to which this amendment would not apply.

Mr. McCARRAN. Mr. President, I do not wish to be at all captious in reply to the remarks of the able Senator from Georgia, but promises by the Treasury Department seem to be the last things carried out. The Treasury representatives are usually promising and they are usually studying. That is about all the taxpayer gets out of it. The Treasury Department is again studying and promising.

To my way of looking at it, we have here a very simple way of dealing with a factual condition. The bus lines, the truck lines, the railroads, and other common carriers of this country have undoubtedly, to the knowledge of every Member of the Senate, been deprived of the opportunity to keep their equipment in proper shape because of the stringency of war and because of the regulations imposed upon them by the War Production Board. It seems to me to be a simple matter. I cannot see why it should be complicated at all, or why, under the regulations of the Interstate Commerce Commission, which are now the law, the carriers should not set aside that which will rehabilitate them when the war is over.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. McCARRAN].

The amendment was rejected.

Mr. TRUMAN. Mr. President, as we went through the bill, when the committee amendment on page 184, lines 3 to 6, was rejected, I asked the Senator from Georgia if I might offer a clarifying amendment, and he asked me to defer offering the amendment.

Mr. GEORGE. Mr. President, I ask unanimous consent that the vote by which the committee amendment on page 184, after line 2, was rejected, be reconsidered so that the amendment of the Senator from Missouri may be offered.

The PRESIDING OFFICER. Without objection, the vote by which the committee amendment on page 184, after line 2, was rejected, is reconsidered.

Mr. TRUMAN. Mr. President, the amendment I am now offering has to do only with lines 3 to 6, inclusive, in the committee amendment on page 184. I ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Missouri will be stated.

The CHIEF CLERK. On page 184, line 5, in the committee amendment, after the word "Board" it is proposed to strike out "normal competitive conditions affecting the sale of such article exist" and insert "competitive conditions affecting the sale of such article are such as will reasonably protect the Government against excessive prices."

Mr. TRUMAN. Mr. President, the discretionary exemption provision respecting standard commercial articles has been returned to the bill, just as it came from the House, and I think, in the form in which it is now, it never will be used. I am suggesting that the Government be protected against abnormal prices by adding my amendment, and I hope it will be agreed to.

Mr. GEORGE. Mr. President, as I understand, the Senator is not proposing to change the discretionary power lodged in the Board of Review?

Mr. TRUMAN. Not at all. I am simply making it a little clearer.

Mr. GEORGE. I can see no objection to the amendment. At least I shall be

glad to take it to conference and examine it there.

Mr. TRUMAN. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. TRUMAN] to the committee amendment on page 184, after line 2.

The amendment to the amendment was agreed to.

The amendment to strike out the text as amended was rejected.

Mr. TRUMAN. Mr. President, I now offer an amendment relating to court review, which was read at the wrong point in the bill earlier in the day, and which the Senator from Georgia asked to have deferred.

The PRESIDING OFFICER. The amendment offered by the Senator from Missouri will be stated.

The CHIEF CLERK. On page 175, line 1, before the word "for", it is proposed to insert "to set aside the determination and."

On page 175, lines 2 to 7, it is proposed to strike out the following:

Upon such filing such court shall have exclusive jurisdiction, by order, to finally determine the amount, if any, of such excessive profits received or accrued by the contractor or subcontractor, and such determination shall not be reviewed or redetermined by any court or agency.

And to insert in lieu thereof the following:

Such petition shall constitute the exclusive method of review of such order and upon the filing thereof such court shall have exclusive jurisdiction by order finally to determine the amount, if any, of such excessive profits received or accrued by the contractor or subcontractor; such determination shall be subject to appellate review as in the case of other decisions of the court, but shall not be reviewed or redetermined by any other court or agency; and no suit brought for the purpose of restraining a renegotiation or the enforcement thereof, or the withholding or recovery of any amounts pursuant thereto, or for the purpose of compelling any action in disregard of a renegotiation, shall be maintained in any court, nor shall any renegotiation be set aside or disregarded in any suit or action in any court. The Court of Claims shall not set aside the determination made in the order unless it first appears that one or more material facts stated pursuant to subsection (c) (1) as the basis therefor are wrong or that the determination is based on one or more errors of law. If the determination is set aside by the court, the court shall determine the amount of excessive profits.

And on page 175, line 14, after the words "shall not" it is proposed to insert "except as hereinbefore provided."

Mr. TRUMAN. Mr. President, I should like to make a brief statement with respect to this amendment.

With respect to court review of renegotiations, the Finance Committee's recommendation appears on the surface to differ from the House bill only in one substantial way. It changes the forum from The Tax Court to the Court of Claims. The Finance Committee's recommendation and the House bill alike provide that the proceedings shall begin all over again and that the tribunal shall make a complete redetermination on the basis of proceedings that would probably resemble the trial of a major rate case. But the change of tribunal represents a really fundamental change of concept. The Court of Claims is a real court whose decisions are subject to review on certiorari by the Supreme Court in the same way that decisions of the circuit courts of appeals, for example, are reviewed. The Supreme Court has recently described The Tax Court, on the other hand, as not a court at all but an administrative tribunal. *Old Colony Trust Co.* v. *Commissioner* (279 U. S. 716). The changing of its name from Board of Tax Appeals to Tax Court was purely a nominal change which did not affect its jurisdiction, powers, or status.

Thus the House bill did not actually give the contractor his day in court. Insofar as the Finance Committee's proposal gives the contractor his day in court, I know of no one in the Senate who disagrees with it. If the representatives of the executive branch of the Government act on erroneous facts or misinterpret the law, the contractor should have a right to obtain correction in court. I think that is what the Finance Committee wanted to give him. If that is what it had in fact done I would have no quarrel with it. What the Finance Committee has done, however, is to provide a wholly new and lengthy proceeding that may interminably delay the correction of real error. It would give the contractor not his day in court, but 10 or 20 years in court; and it does not follow that if a day in court is good, 10 or 20 years is infinitely better.

I do not think it was appropriate to provide that proceedings should start from scratch, just as though nothing had happened in the administrative agency, and the whole job of determining excessive profits was up to the court. Renegotiation is, by nature, an administrative function. There must be opportunity to consider informally numerous complex factors bearing upon a fair result, and there must be opportunity to negotiate across the table about them. Many considerations affecting a final conclusion are necessarily developed by a process of negotiation and not by adjudication.

When the results of such a process are brought under judicial scrutiny, it is a proper function of the court to find out whether the complainant has been really hurt by something that was improperly done. It is not its proper function to try to do the job all over again, encumbered by formal procedures, strict rules of evidence, legal standards of proof, ending in the substitution of judicial judgment and discretion for that theretofore exercised by responsible executive officials. The procedures and traditions of the courts do not equip them to do such a job either as expeditiously or as well as the informed and responsible administrator.

The courts should be available to provide relief, and expeditious relief, if the administrative officials have made material errors of fact or of law. But that is quite a different thing from asking the courts to redo the job. Under the bill proposed by the Finance Committee, the Court of Claims is open not only to those who have been hurt through failure of the executive to do its job right, but equally to those with respect to whom the executive has done its job fairly and well. Contractors or their counsel may believe that the court would have a more liberal philosophy than the executive as to excessive profits by reason of being further removed from the grim realities and needs of wartime production. This belief might be particularly justified if the delay of court review should postpone final determination until after hostilities have ceased.

So viewed, a proceeding in the Court of Claims may appear to many to be an attractive gamble, in which the cost of a lawsuit is hazarded against the chance of obtaining a substantial reduction in the amount of profits found to be excessive. Or corporate officials may be under pressure from certain groups of stockholders to pursue, as far as possible, any opportunity to retain larger portions of war profits. These conditions open up a rich field for litigious counsel to exploit. If it is exploited in substantial measure it will be many years before the aftermath of renegotiation is brought to an end. The court will be occupied in reviewing administrative philosophy rather than administrative error, and those contractors who may really have been hurt by errors of fact or law will be required to wait until their turn is reached in the process of grinding through the overloaded docket of the court.

I propose that a contractor who claims to have been hurt by a unilateral determination of excessive profits shall be given an opportunity to show in court that the determination was based on facts which, in one or more material respects, were clearly wrong, or that some error of law was involved in the determination. If he cannot show that the determination was wrong in any such respect, he should not be permitted to burden the court and the Government, or to stand in the way of other claimants who may have a real grievance. The Congress should not invite him to play the hope that the court may be more generous with him on those matters of judgment in which it is always improbable that any two men would arrive at exactly the same figure. There are bound to be factors entering into a final determination of excessive profits upon which there would be variances between the judgments of any two equally honest, able, and fair men, neither of whom would assert that the other was wrong.

The process of negotiation in the executive branch affords ample opportunity to thrash out such matters, to produce facts, figures, arguments and counterarguments, and the final judgment that is made is the upshot of this whole process. If at the conclusion of the process the contractor's only quarrel with the result relates to these matters upon which fair and reasonable men are bound to differ in their judgments, he does not have a quarrel which is appropriately resolved in the courts. Nor can he fairly ask that the time and energy of the court be diverted from the rectification of real grievances to the redoing of a job that has already been properly done.

Let us, then, give the dissatified contractor his day in court. But let us not

have a duplication of all that has gone before. This law has as a primary purpose the discouragement of waste and inefficiency. Let us not have undue waste and inefficiency in its administration. In short, let us have court review only where the contractor can satisfy the court that the determination is based upon material errors of fact or law.

Mr. McKELLAR and Mr. CLARK of Missouri addressed the Chair.

The PRESIDING OFFICER. Does the junior Senator from Missouri yield, and, if so, to whom?

Mr. TRUMAN. I yield first to the Senator from Tennessee.

Mr. McKELLAR. Mr. President, I am frank to say that I believe there should be in the bill a provision which would enable a contractor to go into court. I believe that every Senator will agree with me in that statement. I have not heard any objection to it. But, after reading the bill, I doubt if it contains that exact provision. I am not sure that the provision proposed by the junior Senator from Missouri is exactly the correct approach. But, at any rate, adoption of the Senator's amendment would have the effect of sending the matter to conference, and I am sure the conferees would work it out on a basis which would be satisfactory to everyone. It seems to me that a court provision should be in the bill. I am not opposed to it; I am very much in favor of it. However, I should like to have the matter go to conference so that a proper provision may be worked out.

Mr. TRUMAN. That is exactly what I am asking for.

Mr. McKELLAR. I have the greatest confidence in the chairman of the Committee on Finance and in the conferees. I am quite sure that if the necessary language could be agreed to so that we could send the court provision to conference, it could be worked out in a manner satisfactory to every Senator now in the Chamber.

Mr. OVERTON. Mr. President, will the Senator from Missouri yield?

Mr. TRUMAN. I yield.

Mr. OVERTON. I understand that the contention made by the Senator from Missouri is that under the provisions of the bill as now before the Senate the court would undertake to try these cases de novo. In other words, the court would undertake to perform exactly the functions which the Board originally performed, and therefore the findings of the Board would have no effect and no influence whatever upon the decision of the court. As the Senator has said, the court would undertake to try the case all over again from scratch.

Mr. TRUMAN. That is correct.

Mr. OVERTON. From the experience I have had in the courts, I take it that such a trial would last much longer than would a renegotiation proceeding. I rose to ask the Senator this question: Exactly what effect would his amendment give to the findings of the Board? Would it make out a sort of prima facie case, and then would the contractor reply?

Mr. TRUMAN. That is exactly correct. That is substantially what is intended. The contractor would have the right to appeal to the board which would be set up.

Mr. CLARK of Missouri. Oh, no, no.

Mr. GEORGE. Oh, no; that right is to be taken from him. The Senator's amendment would rob the contractor of any right to appeal from a decision of some field aide. The Senator's amendment would leave the contractor without any day in court.

Mr. TRUMAN. No. Mr. President, as I understand——

Mr. GEORGE. I shall not quibble about this matter, but unless the citizens of this country can have an honest day in court, I do not care whether we have any law on renegotiation or not.

Mr. TRUMAN. I am trying to give them that right.

Mr. GEORGE. No; the Senator's amendment would rob them of their day in court.

Mr. TRUMAN. My understanding is that the contractor has a right to appeal to the board.

Mr. GEORGE. No; he has not. We have taken that right away from him. He may appeal if the board is willing.

Mr. TRUMAN. Does he not have a right to appeal if the board believes he has a reasonable case on which to base his appeal?

Mr. GEORGE. They have asked us not to put that burden on them, because they do not want another administrative review.

Mr. TRUMAN. Does not the contractor also have the right to go to court if there is error of fact or law?

Mr. GEORGE. Yes; he can go to court, and the burden is on him to show that some error of law has been committed in the administration of a purely arbitrary, discretionary statute, the like of which has not been written into our law before.

Mr. TRUMAN. The necessity for the renegotiation law was to reach excess profits while the excess profits were fresh in the minds of the contractors and the minds of those who let the contracts.

Mr. GEORGE. I am telling what it is; it is purely a discretionary act. The renegotiators can state whatever they desire to state. No standards are set up in the act which are binding upon them. It is purely a discretionary law. It gives them authority to look at the case and say, "We think you have received excess profits of so much, and we are going to take them away from you," and the Senator proposes to make their judgment final.

Mr. TRUMAN. Oh, no.

Mr. GEORGE. Oh, yes; the Senator does.

Mr. TRUMAN. I think the Senator is entirely mistaken.

Mr. GEORGE. The Senator is proposing precisely what has been done under 40 New Deal acts since the party came into power, where the judgment of the administrative agency cannot be upset, save for arbitrary or capricious action or fraud.

Mr. TRUMAN. That has been eliminated from my amendment. It gives the court the right of review on the facts, if there is fault, or of law, if there is fault in the legal end of it.

Mr. GEORGE. Who is to decide the facts in a discretionary proceeding, when there is not even a trial, when the renegotiators do not even let the contractors know under what rules their contracts are renegotiated?

Mr. TRUMAN. If the Senator will recall, I offered an amendment earlier in the consideration of the bill which would give the contractor a perfect right to know the rules under which he is operating.

Mr. GEORGE. Such as are published?

Mr. TRUMAN. Yes.

Mr. GEORGE. But they do not have to publish them.

Mr. TRUMAN. The amendment requires their publication.

Mr. CLARK of Missouri. Mr. President——

The PRESIDING OFFICER. The Senate will proceed in order. The junior Senator from Missouri has the floor.

Mr. CLARK of Missouri. Will my colleague yield?

Mr. TRUMAN. I yield.

Mr. CLARK of Missouri. I think it is only fair to say that the only question in issue in this matter was whether, if we are to allow a court review, there should be a requirement that a record be kept by the renegotiation board, and that an appeal be allowed on that record, or whether we should allow a trial de novo. Unless we have one or the other of those procedures, such a right of review as my colleague has suggested is merely a farce, a denial of any day in court, because they have nothing to go upon, while at the same time making the statement that we are giving them a day in court.

I talked with the officials of the Renegotiation Service with great interest, I examined a great many of their cases, and I believe that in the main they have reached very fair results. I asked them whether they would rather keep a record, in the way that any regulatory body is required to keep a record, of the ordinary case for appeal, or whether they would rather have a trial de novo. They said they would rather have a trial de novo, that it would upset their whole procedure to make them keep a record. Judge Patterson himself told me that, so far as clogging the courts with trials de novo was concerned, he believed that if we preserved the right of the Government to counterclaim in these proceedings, the first four or five contractors who appeared in any court claiming they had been unfairly dealt with were likely to be charged such an exorbitant amount on a counterclaim that it would tend to deter others.

My colleague is suggesting not a day in court, for if there is not a record and not a trial de novo, a man never gets a right to try his case. So far as I am concerned, I would rather strike out the whole provision for court review than have a fake court review provision, which I think this amendment would bring about.

Mr. TRUMAN. I do not think there is anything in the amendment which would prevent a review of the main facts, and

the court taking into consideration the work the board had done.

Mr. CLARK of Missouri. How would the court find out what the board had done? The board will not keep a record. I have talked with the responsible authorities of the Renegotiation Board about as much as has the young man who is advising my colleague about the matter.

Mr. TRUMAN. The Senator's colleague has been sitting in on all the hearings.

Mr. CLARK of Missouri. I think Judge Patterson knows something about this subject. Those gentlemen say it would be much better to have a trial de novo than for them to have to keep records, and that unless there is a trial de novo and a record kept there is no way to preserve the court review.

Mr. STEWART. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. STEWART. I make the point of order that the Senate is not in order.

The PRESIDING OFFICER. The Senate will be in order. Does the junior Senator from Missouri yield, and if so, to whom?

Mr. TRUMAN. I yield to the senior Senator from Louisiana [Mr. OVERTON].

Mr. OVERTON. Mr. President, I rose about 30 minutes ago to get some information, and I have not as yet received it. What I wish to ascertain is exactly what is the authority and jurisdiction of the court under the bill as presented by the Finance Committee? Does it start and try a case de novo, right from scratch, just as though no renegotiation had taken place, or whether there had been an agreement or had not been an agreement? Does the court then become the adjudicating body, instead of the agency, and is whatever the agency has done brushed aside? Are all the provisions of the contract gone into by the court? Is evidence submitted under rules of court procedure, and does the court arrive at a conclusion as to how much the contractor should be paid, and how much deduction, if any, should be made from the contract price? May I ask the Senator from Georgia to advise me, if the Senator from Missouri will yield?

Mr. TRUMAN. I am glad to yield.

Mr. GEORGE. Mr. President, the House and Senate provisions as to the jurisdiction of the reviewing tribunal did not materially differ, but the House placed the jurisdiction in The Tax Court.

Mr. OVERTON. Just what is the function of the court?

Mr. GEORGE. We took the matter out of The Tax Court on the earnest insistence of the Treasury and these other departments. I should prefer that it be in The Tax Court, to be perfectly frank, but we acquiesced in the request.

The court reviews, in a de novo proceeding, the facts and any pertinent matter in any renegotiation case, having the power to increase the amount of excessive profits found by the Board or by the renegotiating officer, or it may find the same amount, or lower it. It has full power. The Government has the right of counterclaim. In fact, that is what it comes to.

No appeal is provided in the first instance for the contractor as a matter of right to the War Price Adjustment Board. That has been eliminated. The field examiner, or the field man, can call on a contractor to come in and bring his books. He looks them over, he makes a decision, and he says, "I think you have made so much excess profit." The contractor has no right to have that reviewed by the Board in Washington. The Board may review it, and probably will in some instances, because it wishes to have uniformity of decision. The right of appeal is to the Court of Claims, under the amendment we have adopted, and the proceeding is de novo. The proceeding is de novo because there is no trial of any description by the field examiner, or necessarily by the Board of Review, because it is a discretionary matter. We have not set up standards. The matter is simply one of judgment.

We have said that we give an impartial body the authority and jurisdiction to see that fair treatment has been accorded.

Mr. OVERTON. There will probably be endless litigation unless we place some provision in the bill providing that some administrative tribunal's decision shall constitute prima facie proof, which can be attacked in court. If we undertake to lodge the authority in a court—the Court of Claims in this case—to try a case of this character, go into all the facts, and determine the price the contractor ought to receive, there will be interminable litigation. It seems to me that the Court of Claims would be loaded down with cases which it would take them years finally to determine.

Mr. GEORGE. I do not think so, Mr. President. We took the jurisdiction out of The Tax Court at the earnest insistence of the Treasury, because the Treasury did not want it to interfere with ordinary tax matters. We had to find some court. It is true that the Court of Claims is a court of law, but it is also true that it handles some administrative matters. It has power to appoint commissioners to assemble the facts. We have not permitted cases upon which an agreement is reached to go to the court. We provide review in unilateral cases only.

Mr. McKELLAR. That was the matter concerning which I wanted to ask the Senator. The appeal is taken from the final order of the Board.

Mr. GEORGE. That is correct.

Mr. McKELLAR. In other words, it is not an attempt to substitute the court for the Board at all except by way of appeal.

Mr. GEORGE. The appeal is taken from the order of the Board.

Mr. TRUMAN. Mr. President, may I ask the Senator if it is not true that if no agreement is reached—and it takes two parties to reach an agreement——

Mr. GEORGE. Oh, yes.

Mr. TRUMAN. The contractor still has the right of appeal.

Mr. GEORGE. He has no right of appeal to the War Price Adjustment Board. His case may be settled in the field. He can go to the Court of Claims when he cannot reach an agreement with the services.

Mr. TRUMAN. The Board must state the reason for issuing the order when issuing the order, and if the facts are not correct, the contractor has a right of appeal. If the law is violated, the contractor has the right of appeal. That is granted in the amendment I offer, and I will stick to that.

Mr. GEORGE. The Senator is now talking about a purely discretionary statute. The Senator is not talking about a law which requires certain things to be done. He is talking about a statute which simply provides, "You can have renegotiators, and in their discretion they can fix the amount of money that is to be taken back from the taxpayer."

The Senator from Missouri is not as familiar with what is going on as the Finance Committee is.

Mr. TRUMAN. I agree with the Senator, because that is the committee's business.

Mr. GEORGE. The committee was urged not even to permit the contractor to have a plain statement of fact as to why the Board decided the case against him.

Mr. TRUMAN. I am against such practice, and my amendment would take care of that.

Mr. GEORGE. Wait a moment, please. Let me explain to the Senator how arbitrary this thing is and how entirely it is left to the discretion of the renegotiators. They wanted us to strike from the bill the simple requirement that the Board set forth the facts and the reasons for its determination. That has no probative value. It can be received only in the Court of Claims for informational purposes. The services objected to this statement being used for evidentiary purposes.

There is another thing which the Senator does not know. Those agreements which have been closed by contract are closed under an agreement which is marked "restricted" on every page by the renegotiators.

Mr. TRUMAN. But that is not the amendment I offered earlier today making such things public property and open to everyone.

Mr. GEORGE. No.

Mr. TRUMAN. That was the intention of the amendment.

Mr. GEORGE. No; the Senator's amendment does not do that. I am telling the Senator that this is an arbitrary act. The matters are placed in the hands of a board or its delegated agents, and the board can in its own discretion say how much shall be taken away and how much shall be left. We may assume that the renegotiators are fair-minded men; that they are intelligent gentlemen. Most of the men I have met and have had an opportunity to speak to are fair-minded; they are intelligent; they are very honorable. I am not criticizing them. Nevertheless they are charged with the exercise of a discretion, and no standards are provided in the act. Some directives are placed in it now. They are, however, only directives. The House decided, through its committee, that

there should be some court review. They wanted The Tax Court to make the review. I have explained why the Senate committee did not take The Tax Court. If the Senator could have standards placed in the act and detailed findings of facts and conclusions of law provided for, he would perhaps set up the right procedure. But this is not required.

The contractor can carry his case to the Court of Claims, and there is no way to make the proceeding in the Court of Claims anything but a de novo proceeding, because it is bottomed as the exercise of discretionary powers. This is not much of a review, but if the Senator's amendment is adopted, there will be no review under a discretionary statute.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. WHEELER. A short time ago I read the amendment which the Senator from Missouri has offered. I am not familiar with the statute or with the proceedings. Am I to understand that the Board is obliged to make a finding of fact, and set forth its finding of fact?

Mr. CLARK of Missouri. No, it does not have to make any finding at all, and will not.

Mr. WHEELER. Of course, that alters the situation.

Mr. CLARK of Missouri. There is no record at all by means of which the case can be taken up in court.

Mr. WHEELER. None at all?

Mr. CLARK of Missouri. No; no record at all.

Mr. WHEELER. No findings of fact?

Mr. CLARK of Missouri. No. Merely the award.

Mr. WHEELER. I did not understand that.

Mr. TRUMAN. Mr. President, the Senator from Georgia would seem to indicate that I desire to have the contractors drawn and quartered. What I want to do is to prevent having the contractors drawn and quartered. I do not want any implication made to the effect that I do not want to have the contractors receive a just and a square deal. Neither do I want to have develop after this war a situation similar to that which developed after the last war, when we found that unconscionable profits were made on war contracts. I think the figures will justify the actions taken thus far by the renegotiators, and I believe that when a complete survey of the situation is made we shall find that most of the contractors feel they have had a reasonably fair and just deal.

What I am endeavoring to prevent is having an unconscionably long and cluttered-up court review, and having done over again what the Senator has said has been done—the honest and creditable job done by men who have been trying to take care of the interests of the country as a whole.

I now yield the floor.

Mr. CLARK of Missouri. Mr. President, so far as the work of the Renegotiation Board is concerned, I completely agree with what the Senator from Georgia has said, that their procedure has been arbitrary in the extreme; it represents bureaucracy pure and undefiled.

On the other hand, in respect to the results actually achieved, I think there has been a remarkably meritorious performance. I have taken the trouble to examine approximately 150 of the most bitterly contested cases. While possibly there may be grounds for some differences of opinion, I believe that in the main the results which have been achieved are fair to the contractors. In some cases I believe they are more than fair. I have examined such cases as the Timken-Detroit Axle Co. case and the machine-tool case at Cleveland, and some of the other more bitterly controverted cases.

The only question here presented, Mr. President, is whether the companies are to have a court review, and, if they are to have a court review, whether they shall have a bona fide court review, or some sort of process by which a man may never have his day in court. It seems to me to be perfectly plain that either a record must be kept in the hearing below—the hearing before the Board—on the basis of which an appeal may be taken, and during which hearing certain standards are set up and maintained, so that the reviewing court will be able to tell whether proper legal standards have been observed, or else a trial de novo must be had. If neither one nor the other of those is had, the parties will not be able to have a bona fide court review, and they will not have a day in court at all.

I think it would be much stronger and franker for the Congress simply to strike out any provision for court review, and say, "No; this is a bureaucratic process; this is an arbitrary process. We do not intend to give anyone a day in court at all. This is an arbitrary process, necessary as a war measure, for the purpose of keeping down profits." I think it would be much stronger and franker for the Congress to take such a position rather than to say, "We are going to provide for a court review; everyone will have his day in court," and then provide no effective basis for obtaining a court review and a day in court.

Mr. McKELLAR. Will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. McKELLAR. I wish to say that I thoroughly believe there should be a bona fide, honest court review. I believe it would be better to have the Board keep a record of the facts, and make a finding of facts, and to provide for appeal from that. I think that would be the quicker and the better way. I simply wish to ask the Senator what he thinks about that.

Mr. CLARK of Missouri. I will say to the Senator from Tennessee that that was my original impression. I always think it is better to keep a record, and then have a review on the record.

But the administrative officers who appeared before our committee, from Judge Patterson down, pointed out that the keeping of a record would result in slowing down and bogging down the whole renegotiation system. They said they would much prefer to have a proceeding de novo in some court, rather than to have the Board keep a record. I became convinced that probably their position was correct.

Frankly, I had started out with the idea that the easiest thing to do would be to compel the Board to keep a record, and to set up certain standards of procedure, so that a court could determine whether the proper standards had been observed—which is all anyone wants to have done, rather than to have the court determine whether certain weight had been given to them.

But, as I say, Judge Patterson told me frankly that if we let them have a trial de novo and provided for the right of the Government to file a counterclaim, and gave the court jurisdiction to reduce the compensation, as well as to add to it, he did not believe any of them would go through the process. I believe that would be the case. It does seem that we must do either one or the other.

Mr. McKELLAR. Mr. President, that is why I thought that any amendment which would result in having the whole matter taken to conference would bring about that kind of procedure. I think the Senator was correct in the first instance when he thought the Board should keep records of these matters, and should form its judgment on that basis.

Mr. CLARK of Missouri. Mr. President, I say to the Senator from Tennessee that so far as I am concerned, so far as my individual vote as one Senator is concerned, I do not intend to vote for any provision which would lead a man to believe that he would be given his day in court, but which in the same motion really would result in snatching it away from him. That is what I believe the amendment provides for.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. WHEELER. I thoroughly agree with the Senator's first proposition. I think standards should be set up. Records should be made, I believe, in disputed cases. It might be possible to settle many of them without any dispute whatsoever. But when there is a dispute about the matter, the Board should keep a record on the basis of which the Congress itself, if it desired to look into the matter, would have something to consider. If no record is kept, and if the whole matter is simply left to a renegotiator, one man, who will have the responsibility of settling claims involving millions of dollars, just so surely as that is done, will scandals and charges of scandals against the renegotiators creep in, just as occurred after the last war.

In my judgment the procedure set forth here will lead to scandals. I believe that boards should be created, standards should be set up, and findings of fact should be made. From such findings of fact, appeals should be made to the courts, as provided for in the amendment which has been offered. I think any other procedure is a dangerous one.

Mr. CLARK of Missouri. Mr. President, I will say to the Senator from Montana that that was my original opinion; but I became convinced, from the actual procedure, that the establishment of a record, as in the case of ordinary regulatory bodies, possibly would be so cumber-

some as to impede the whole process of renegotiation. I reluctantly decided to favor the only alternative which would afford a court review, which was to afford a trial de novo.

So far as I am concerned, Mr. President, I should prefer to strike out the whole section relative to court review, rather than to provide for a fake court review, such as I believe would be provided under the section.

Mr. WHEELER. Mr. President, I believe the court would be clogged; because I know of many cases which have been pending in the court of appeals and have dragged along there for years. That court will be clogged unless, it seems to me, some standards are set up under the law, and the making of findings of fact is provided for.

Think of the billions of dollars that will be involved under the renegotiation of contracts. As I understand the matter, one man will pass upon the renegotiation. One negotiator might agree to one thing, another negotiator might agree to something else, and another might agree to something else. To a large extent, one man will have the "say" as to whether millions of dollars should be paid back to the Government or whether they should not be paid back. I think it is an outrageous procedure not to have standards set up and not to have a record of the facts kept.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I shall yield in a moment.

First, let me say to the Senator from Montana that I think it is only fair to state that an examination of the actual determinations in the most bitterly controverted cases—I have records on 150 of them, I suppose, in my file downstairs, and except for the necessity of disposing of this measure promptly, I should be glad to get them and to read the records in some of those cases—shows that no substantial injustice has been done, except possibly in some unusual case.

Even if we provide for a review—which, after all, would set up a way by which a court could review an administrative decision, and would also permit the Government to make a counter claim—I do not believe any large number of persons would go into the Court of Claims, certainly not enough to clog the administration of justice.

Although I started out on the basis on which the Senator from Montana has started, I have reluctantly come to the conclusion that the easier horn of the dilemma is to provide for a trial de novo, rather than to provide for the keeping of a record.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. HATCH. I rise because I have been confused by the various statements which have been made. Like the Senator from Louisiana, I did not favor the idea of a trial de novo in the Court of Claims.

Mr. CLARK of Missouri. I did not either, originally.

Mr. HATCH. And substituting the judgment of the court and its discretion for that of the administrative body. I approved the amendment. It seemed to me that the amendment which the Senator from Missouri offered was getting at something to which probably all of us object. I think we all have the same objective.

I notice the following language in the amendment:

The Court of Claims shall not certify the determination—

That is, the determination made against the contractor—

unless it first appears that one or more material facts stated pursuant to subsection (c) (1) as the basis therefor are wrong.

I was puzzled by that statement. I turned to the committee amendment itself. I should like to know whether I am correct. I am seeking information.

The language on page 165, line 14, is:

Whenever the Board makes a determination with respect to the amount of excessive profits, whether such determination is made by order or is embodied in an agreement—

I am told that was stricken—

with the contractor or subcontractor, it—

That is, the Board—

shall, at the request of the contractor or subcontractor, as the case may be, prepare and furnish such contractor or subcontractor with a statement of such determination, of the facts used as a basis therefor, and of its reasons for such determination.

Does not that almost amount to requiring the Board to make a finding——

Mr. GEORGE. That is not a detailed statement of fact at all. It is not intended to be.

Mr. HATCH. It strikes me that that almost amounts to a finding of fact, or a conclusion of law by the Board. The amendment of the Senator from Missouri merely says that the decision shall stand unless the court finds that the statement is wrong, or that there has been an error of law—I presume such as is suggested in the language which I have read. I am not so clear about it.

Mr. CLARK of Missouri. Mr. President, let me say to my friend from New Mexico that the meaning which the Senator suggests for this provision was that which was very strongly advocated by a number of members of the committee; that is, the maintenance of a record, as in a rate case or utility case, so that the court could look at the record and ascertain whether the commission or regulatory body below considered certain elements, and in general what weight it gave to them. That was precisely what the renegotiation authorities said would hamstring the whole renegotiation system and completely destroy it. So as an alternative, the committee finally—I believe reluctantly—decided on a court review de novo. The language which the Senator has just read simply means that there shall be a statement issued in the most general terms. I think that was agreed to by every member of the committee. If any member of the committee has a contrary opinion, I should be glad to hear from him. All that means is that there shall be a general statement that certain general elements were considered. It seems to me that the net result of the amendment proposed by my colleague—and I have great respect for his judgment and for the opinion of the Truman committee—would be simply to throw the burden of proof on the appellant, without giving him any method whatever to sustain the burden of proof. It seems to me that would be the situation, as a practical legal matter. I have tried a great many rate cases. I have sat on both sides of the table.

Mr. BARKLEY. At the same time? [Laughter.]

Mr. CLARK of Missouri. Not at the same time; but in my experience I have been on both sides of the table, representing both public and private interests.

Mr. HATCH. Mr. President, I should like to have the Senator explain what effect that language has. I have read it hurriedly. It seems to me that perhaps we have builded better than we knew.

Mr. GEORGE. Mr. President, the statement referred to cannot be offered in evidence. The Government itself asked us to exclude it from evidence altogether. We simply said that it might be offered as informative. It has no probative value. It is like the statement which the Commissioner of Internal Revenue issues when the Bureau of Internal Revenue makes an assessment against a taxpayer. It sends him a notice saying, "We have assessed you so much."

Mr. HATCH. It might be well if the whole thing were stricken out.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. TRUMAN].

The amendment was rejected.

The PRESIDING OFFICER. The bill is still open to amendment.

Mr. BARKLEY. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Kentucky will be stated.

The CHIEF CLERK. At the end of page 148, after the amendment of Mr. GEORGE heretofore agreed to, it is proposed to insert:

SEC. 515. Amendment of the Settlement of War Claims Act, 1928.

All payments authorized and directed in paragraphs (9) and (10) of subsection (c) of section 4 of the Settlement of War Claims Act of 1928, as amended, to be made in respect of awards of the Mixed Claims Commission shall be made in full in the order of priority of the said paragraphs and shall have priority over any other payments authorized or directed in paragraphs (8) to (13), both inclusive, of said subsection.

The Secretary of the Treasury is authorized and directed to deposit in the German Special Deposit Account created under the provisions of section 4 of the Settlement of War Claims Act, as amended, all sums the payment of which was postponed pursuant to Public Resolution No. 53 of the Seventy-third Congress (48 Stat. 1267); all moneys deducted by the Treasury for administrative expenses of the office of the former Alien Property Custodian in excess of the sums expended for such purpose; and all interest deposited by the German Government on its bonds (46 Stat. 500) and now held in blocked accounts.

Mr. BARKLEY. Mr. President, this has nothing to do with the tax bill. It is an amendment of the War Claims Act of 1928, which rearranges the priorities set out in the present law, and gives American claimants priority over German claimants in the payments out of the fund created under that act.

I ask the Senator from Georgia if he will consent that this amendment may go in the bill and go to conference. I will say frankly that the Treasury has been unable to give me exact information with respect to the effect of the amendment. If, when the conferees shall have met, it is impossible to obtain accurate information, I will not press the amendment, but I think it should go into the bill so that an effort may be made to work it out in conference.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. McKELLAR. As I understand the amendment does not create priorities as between American citizens?

Mr. BARKLEY. Not at all.

Mr. McKELLAR. It is only in favor of American citizens; but as between American citizens, it sets up no priorities?

Mr. BARKLEY. It sets up no priorities among American citizens, but gives American citizens priority over German nationals in the distribution of the fund.

Mr. GEORGE. Mr. President, I should like to make a statement.

I have no objection to taking the amendment to conference. I have had a conference with the Treasury representatives. Mr. Bell advises me that he doubts whether full information can be assembled by the time the conferees meet. With the understanding that if we have not the information, so as to give us an opportunity to see just what the effect of the amendment will be, we will not be pressed in conference, I shall be very glad to accept it.

Mr. BARKLEY. I appreciate that. I am familiar with Mr. Bell's statement that up to now the Treasury has been unable to secure accurate information. It may involve an examination of the old files of the Alien Property Custodian's Office. There are difficulties connected with it, but if we are not able to resolve those difficulties by the time the conferees reach the provision I will not press the amendment.

Mr. BONE. Mr. President, what is the Senator's proposal?

Mr. BARKLEY. The proposal is to rearrange the priorities in the matter of payments under the War Claims Act of 1928, so as to give American citizens priority in payment over German citizens.

Mr. BONE. Against what fund?

Mr. BARKLEY. Against the funds set up in the War Claims Act of 1928, out of property in part derived from the sale of German property as a result of the last war.

Mr. BONE. It is impossible for us to pass upon a matter of that kind without knowing exactly——

Mr. BARKLEY. I appreciate that; and it is for the purpose of having a little time to look into it that I stated that if we are not able to obtain accurate information by the time the conferees reach that point, I will not press the amendment.

Mr. GEORGE. Mr. President, the Senator from Kentucky has correctly stated what apparently is the whole effect of the amendment, except that it also provides for replenishing the fund.

Mr. BARKLEY. Yes.

Mr. GEORGE. That is incidental, however.

Mr. BARKLEY. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. BARKLEY].

The amendment was agreed to.

Mr. WALSH of Massachusetts. Mr. President, rather than make an extended speech at this late hour, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks certain memoranda containing information with regard to various aspects of the subject of renegotiation of war contracts.

There being no objection, the memoranda were ordered to be printed in the RECORD, as follows:

AMENDMENTS FAVORABLE TO CONTRACTORS TO WHICH THERE HAS BEEN RAISED NO SUBSTANTIVE OBJECTIONS

HOUSE BILL

1. The separation of over-all renegotiation and repricing.

2. Creation of a joint board.

3. The exemption of agricultural products. (Departments object to inclusion of canners.)

4. The exemption of contracts with charitable, educational, or religious institutions.

5. The exemption of subcontracts under exempt prime contracts or other exempt subcontracts.

6. The increase of the specific exemption from $100,000 to $500,000 of renegotiable volume.

7. The discretionary exemption of standard commercial articles upon the restoration of competitive conditions.

8. The discretionary exemption of any contracts or subcontracts where effective competition exists.

9. The allowance of a fair cost at the exemption line for raw materials and agricultural products in the case of integrated producers.

10. The provision for a redetermination of excessive profits by The Tax Court of the United States. (Changed by Senate Finance Committee to Court of Claims.)

11. Provision requiring renegotiation on the basis of fiscal periods rather than by individual contracts except in extraordinary cases.

12. The setting up of a list of factors to be considered in determining excessive profits.

13. The requirement that the contractor be furnished a statement setting out the facts used as a basis for the determination and the Board's reasons for the determination. (Departments request limitation to cases where no agreement has been reached.)

14. The setting of an earlier date for the termination of renegotiation. Under the existing law renegotiation continues for 3 years after the war. Under the House bill it terminates with the end of the war.

SENATE FINANCE COMMITTEE

15. The exemption of construction contracts awarded as a result of competitive bidding.

16. The clearer separation of the renegotiation and repricing provisions.

17. The exemption of contracts and subcontracts with certain public utilities and common carriers.

18. Making retroactive the amendments exempting agricultural products, contracts with charitable, religious, and educational institutions, subcontracts under exempt prime contracts, and the amendment providing a fair cost allowance at the exemption line for raw materials and agricultural products in the case of integrated producers.

COMPLAINTS AGAINST THE LAW

There are two sources of particular complaint:

1. The man who has a sufficient amount of dollars left of paper profits, but where these profits are invested in fixed assets of various kinds and he is left short of cash with which to pay his taxes and to refund excessive profits. Illustration of this would be in the case of a small company up near Philadelphia, which had some $10,000 of capital which went into the war effort. It borrowed $50,000 and bought $50,000 of machinery and equipment. With that machinery it did a total business in 1942 of $735,000, all subcontracts, on which it made a profit of $435,000. The Board reviewed this case and recommended the refund of $400,000 out of the $435,000, leaving the company with $35,000 profit on $335,000 of business after deducting the $400,000 price reduction or supplying over 10 percent on a very simple manufacturing operation. And of course this $35,000 represented over 300 percent on the capital with which the man started in business, and after deduction of salaries of some $50,000 to the promoter and his principal associate. Now the refund of this $400,000 in terms of cash couldn't be made by this particular manufacturer without liquidating some of his inventory or selling some of his machinery that he had purchased and he was not in a financial position to make this refund.

There are dozens of cases of that character on varying scales where the man has taken a much larger portion of his war profits and invested them in expansion of his plant and found himself frozen. The renegotiators have recognized this situation and have in some cases arranged for a loan through the War Production Board, or in certain cases have arranged for the acquisition by the Government of fixed assets originally acquired by the contractor, or for V-loans to the contractor.

Plans are also being worked out with the cooperation of the R. F. C. to provide for loans on facilities purchased for Government work where the obligation of the contractor would be limited to the value of the facility itself. In other words, a mortgage without an accompanying bond.

2. The other class of cases where complaints are filed are as follows: In a limited class of cases where the increase in value of business has been relatively small, for example from 100 percent to 200 percent, increase in value of business, and with generally increase in net profits before taxes of from 200 percent to 300 percent, the increase in the tax rate is such that the contractor has less net profit after taxes than he made during his normal or base period years. These cases are relatively small in number. They include such companies as General Motors, du Pont, United States Rubber, Goodrich, and a number of other large, well-established companies that did not increase their volume and did not increase their margin of profit to a degree sufficient to balance the additional burden of greatly increased war taxes. In addition to these larger companies, there are a number of smaller companies of which a box company in Baltimore is a typical example. In this case, the contractor's average earnings in the base period on approximately a million dollars a year of business amounted to $100,000 per year. As a result of the war, his volume increased to approximately $2,-

000,000, and his profit went from $100,000 to $250,000, an increase not only in the amount of profit, but also in the rate of profit. However, his net profit in 1942 after payment of 90 percent tax on his additional increased earnings was substantially the same as it was during the base period years.

In renegotiation, the Board took the position that the additional business which he did as a direct result of the war should be done at a slightly lower margin of profit than he had realized on the business in peacetime and suggested a modest return of excessive profits. This particular contractor objected very seriously, on the ground that he couldn't have made excessive profits when the dollars he had left after payment of taxes were no more than average earnings in these years.

HISTORY ON PRICE CONTROL AND RENEGOTIATION

Since the birth of this country the control of war profits has been a burning problem.

In 1777 George Washington wrote a letter to the President of Congress in which he said:

"The matter I allude to is the exorbitant price exacted by merchants and vendors of goods for every necessary they dispose of. I am sensible the trouble and risk in importing give the adventurers a right to a generous price, and that such, from the motives of policy should be paid; but yet I cannot conceive that they, in direct violation of every principle of generosity, of reason and of justice, should be allowed, if it is possible to restrain 'em, to avail themselves of the difficulties of the times, and to amass fortunes upon the public ruin * * *."

In the First World War Congress tried to curb war profiteering by enacting a high excess-profits tax and by providing for a cost-plus-a-percentage-of-cost contracts. It is unecessary to dwell at length on the dismal failure of these two provisions. Merchants of death became an all too familiar phrase following the 1918 armistice. There were long investigations. There was the revelation of scandalous profits. There were demands that the munitions industry be nationalized. There was the campaign of American Legion to take all the profits out of war. There were the 1924 planks in both the Democratic and Republican platforms to take all the profits out of war. There were 168 bills and resolutions introduced in the Congress to equalize the burdens of war or—to put it bluntly—to rid the Nation of the war profiteer.

Five Presidents endorsed universal service and elimination of war profiteering. Here are some newspaper comments that appeared between the two great World Wars.

First, an editorial that says:

The Senate Munitions Committee has conclusively shown that profits were the cause of the World War. This committee has also proven that Government owned and operated munitions plants and navy yards could produce all of the munitions and armaments needed for adequate national defense at a saving of many millions of dollars to the taxpayers each year, and at the same time remove the danger of death merchants' inspired and conspired wars."

The following is an excerpt from Capper's Weekly of October 3, 1936, captioned "War profits become war debts."

"The prize of war—profits by the hundreds of millions and billions—goes to the munitions makers, and to the international bankers."

Newspaper cartoonists also treated the matter. A typical one by Talburt showed a huge money bag labeled "Profits." On it stood a bloated frock-coated manufacturer labeled "Munitions racketeer" holding another money bag labeled "Bribes" and a sheaf of papers labeled "War propaganda." He was shown staring into the muzzle of a huge cannon labeled "Demand for Government manufacture of munitions." Talburt labeled his cartoon "I wonder if it's loaded."

It still is loaded. If the Government countenances with war profiteering in this war, the cannon will go off.

Within a few months after Pearl Harbor the Nation was again hearing of war profiteering, of fabulous salaries paid to executives and their secretaries out of war profits. War-profit control bill No. 169 was introduced by Congressman CASE, designed to limit profits on all war contracts to 6 percent. Immediately the National Association of Manufacturers started a campaign against this limitation, calling it a strait jacket for industry. The War and Navy Departments, too, and the Maritime Commission feared that if this bill were adopted it would prove a strait jacket which might bankrupt some manufacturers whose products are essential to the prosecution of the war.

At the same time the National Association of Manufacturers was employing a firm to conduct a survey of public opinion regarding war profits. This survey showed that 70 percent of the people of the country thought at that time that the industry was war profiteering.

And what was public opinion regarding restrictions of war profits? On April 4, 1942, the American Institute of Public Opinion released the result of a poll on this question: "It has been suggested that Congress pass laws regulating business firms and profits to a much greater extent. Do you approve or disapprove of this?" The vote of those with opinions on the question (89 percent of the total) was as follows: Approve regulation—77 percent; disapprove—23 percent. Said Mr. George Gallup in connection with this poll: "The truth is that the American public wants an all-out war effort in which everybody from the topmost business executive to the lowest worker is required to make whatever sacrifices are needed, no matter how much it may interfere with cherished principles."

Finally, on April 28, 1942, the War Profits Control Act became effective.

As to why the services are interested in controlling inflation and war profiteering, the answer is simple. High prices stretch to the very front fighting lines on land and on sea. They affect the living standard of the people at home whose sons are fighting. Profiteering has a demoralizing effect upon both the home front and on the war fronts. And maintenance of civilian morale and soldier morale is essential to the successful prosecution of the war.

Over the years—indeed, over the centuries—peoples have struggled to devise means to take the profits out of war. Our Government finally worked out a procedure—not ideal, perhaps, but the best developed so far—to take the profiteering out of war. If this is abandoned or emasculated, the country will be turning its back on very real progress and returning to the era of "merchants of death." It would mean betraying the 10,000,000 men who have been drafted to make every sacrifice known to man.

If control of profiteering is emasculated, if merely the semblance is retained, it will be a terrific blow to the system of private enterprise after this war. For a return of war profits to contractors who have already given them up and failure to control future war profits adequately will not go unavenged by the people.

ENGLISH SYSTEM OF WAR-PROFIT CONTROL

Those who complain about renegotiation and who contend that high taxes will prevent war profiteering would do well to consider alternatives to renegotiation.

Prior to the enactment of what is now known as the Renegotiation Statute in April of 1942 serious consideration was given to placing all war business in a profit strait jacket. A bill to limit war profits to 6 percent had already passed the House by an overwhelming vote. It was never clear as to whether this 6 percent would be before or after taxes or whether it would be on earnings or on net worth. The assumption, however, is that it would be before taxes and would be based on earnings. This conclusion is drawn from the fact that the somewhat similar Vinson-Trammell Act was on this basis.

One proposal actually made in Congress was to limit war profits to only 2 percent—again presumably on sales and before taxes.

After several years of war, during which it experimented with target prices and other schemes, England adopted a unique system but one which would be much harsher on American industry than our present system of renegotiation. It is based on detailed post-costing, which is to say that accountants are constantly swarming through the plants of British war manufacturers. Any system requiring a large army of auditors and accountants would in itself create a problem in this country. With our manpower shortage, we simply do not have enough trained men to do a thorough and detailed post-costing job. Moreover, American industry, even now, is complaining about the number of Government accountants with whom it must deal.

Another aspect of the English system as described in the London Economist of November 6 last is an ingenious formula based primarily on funds employed in connection with the completion of a given contract. In considering the question of a fair return the British have always tended to place emphasis on invested capital, whereas in America we have placed the emphasis on sales.

In the control of war profits the British are running true to form by setting as a fair rate 7½ percent on employed funds or employed capital, "as the yardstick for the riskless costed contract with firms which are considered reasonably efficient." This would sound like cost-plus-a-percentage of cost, but it is to be borne in mind that the 7½ percent is not on cost nor on sales but is on funds employed in the business. This excludes funds represented by idle plants and funds invested in bonds which are simply sitting in the contractor's vaults.

As an incentive to encourage war contractors to increase their efficiency, the British permit additional profits ranging up to 2 percent of sales. This means that the contractor must in effect apply to the government for additional reward for efficiency. He may be awarded a fraction of 1 percent on sales or more—but in no event more than 2 percent.

On government plant and facilities the return to the contractor in England is one-eighth of the return on his own funds employed in turning out war material. That is, he gets one-eighth of 7½ percent on the value of government plant and facilities or a return of slightly less than 1 percent. If the contractor has been awarded as much as 2 percent on his sales of war products turned out by his own plant and facilities, this means that he also gets one-eighth of 2 percent on the volume of sales he turns out with government plant and facilities or one-quarter of 1 percent of such sales.

A little simple mathematics will indicate that this formula provides a very modest return indeed. And it is to be emphasized that all of this is before taxes. As stated by the issue of the London Economist of November 6, the committee of public accountants has reported that profits on costed contracts passed by the Ministry of Supply for 730 firms over a period of 5 months was 9.68 percent on an effective capital of £240,000,000 and equivalent to 6.6 percent on a production cost of about £350,000,000. This means a profit before taxes of about £23,000,000, which is only about 6.2 percent on sales.

"In 1941," says the Economist, "a group of aircraft, engine, propeller and turret firms, employing £50,000,000 of capital and managing £12,500,000 of capital invested by the Government, made a profit of 4.41 percent on a turn-over of £150,000,000. The rate of profit on their own capital was 12.82 percent, and the fee for managing government capital was 1.65 percent on that capital. Corresponding figures for 1942 are not yet available but are expected to show a lower rate of profit."

Clearly by comparison with contractors in England, where there has been longer experience in attempts to control war profits, the American manufacturer fares extremely well after renegotiation.

WHY TAXES CAN'T DO THE JOB OF RENEGOTIATION

It is widely believed that the high excess profits taxes effectively preclude war profiteering.

In World War No. 1 relatively high excess profits taxes were adopted with the view to preventing war profiteering. These taxes went as high as 80 percent in the top bracket. They were not successful in doing the job. About 20,000 millionaires were created by the last war.

It may be said that the excess-profits tax—especially the one proposed in the new tax bill—is higher than the one prevailing in the last war. Even with this higher tax, excessive profits would be realized on a scandalous scale were it not for renegotiation.

However, there is another aspect of trying to let taxes do the job of preventing war profiteering. In wartime it is imperative to encourage efficiency of production. Efficient production means the economical use of manpower, facilities, and materials, all of which are scarce. It is only human nature when the Government is paying 80 percent of the bill to be careless about costs—to be inefficient in the use of manpower, materials, and facilities. High taxes, therefore, encourage waste. Renegotiation of contracts, however, assures recovery of excessive profits while leaving a profit incentive and a reward for efficiency and economical operation. As the Special Committee Investigating the National Defense Program reported, "The renegotiation procedure can serve a vitally important function in the war effort—the double-barreled function of first keeping over-all war costs at a minimum consistent with the continuance of the American system of free enterprise, and, second, providing effective incentives to war contractors to keep their production at maximum and their costs at minimum levels."

Now as to examples of flagrant war profiteering of the type that can be prevented by renegotiation but cannot be prevented by taxes, unless they are very close to 100 percent.

The minority views presented to the Senate include an appendix listing an even 200 companies, and certain data for each company. These data are, first, net earnings after taxes for the base period—1936 through 1939; second, net earnings after taxes and, third, the percent earned after taxes by each company on its value at the beginning of its 1942 fiscal year based on its own record—in other words the percent earned on net worth. Again, all of these data are after taxes. Forty of these companies who have had war contracts with the Government show over 100 percent earned after taxes in 1942 on the net value of these companies as shown by their books. The highest percent earned by the companies listed is 965 percent and there are several companies that have earned in excess of 500 percent.

These cases have been solely selected from among cases which are in process of renegotiation by the War Department. Similar cases are contained in the files of the Navy and Treasury Departments, the Reconstruction Finance Corporation, the Maritime Commission, and the War Shipping Administration.

A few significant increases in after-taxes earnings bear on this subject. The first company on the list which had earnings in the base period increased its profits in 1942 3.6 times the average earnings for the 1936–39 period. This increase is relatively modest compared with others. No. 5 on the list shows an increase of more than 10 times; No. 7 of more than 11 times; No. 10 from a deficit increased its profits to close to a million dollars; No. 11 shows an increase of more than 14 times; No. 12 of more than 40 times. The after-taxes earnings of No. 33 increased from an average of $750 in the base period to $181,000. This is approximately 240 times. The after-taxes earnings of No. 38 increased from $7,000 in the base period to $1,035,000 in 1942. This is something like 147 times. Among the companies which, on the average, had a deficit during the base period is one which, as a result of the war, had a 1942 net profit after taxes of $1,748,000. Another with a base-period deficit completed business in 1942 with a profit after taxes of $4,375,000. Another went from an average deficit to an after-taxes profit of $15,516,000. Still another went from an average deficit to $33,820,000. Purely as a result of the war, these companies were able to turn their after-taxes deficits into handsome after-taxes profits.

Another group of companies had no base period operations for comparison because they were formed in recent years. One of these had a 1942 after-taxes profit of $1,353,000, and another an after-taxes profit of $5,964,000.

These cases, which could be multiplied many times, seem to indicate conclusively that taxes will not do the job of eliminating war profiteering.

I. RENEGOTIATION AFTER TAXES

One addition to the renegotiation statute appearing in the Senate finance bill prescribes that to the list of factors to be given consideration in the determination of excessive profits shall be added the following language: "Whether the profits remaining after payment of estimated Federal income and excess-profits taxes will be excessive."

This raises two questions. First, what, precisely, does this language mean? Second, if it means that renegotiation shall be on "an after-taxes basis," is the provision sound and wise?

As to the first question, does the language mean that renegotiation shall be on "an after-taxes basis"? If it does mean this, why doesn't it say so? These words are ambiguous. They will provide lawyers with a source of heated argument and therefore hamper the whole process of renegotiation by putting it in the debating-club category. Administration of any law is either difficult or expeditious depending in large measure on the clarity of the law. To ask a department to administer a law which is ambiguous is placing an undue burden on that department. Here is a law being administered by six departments. True, there is a Joint Price Adjustment Board to resolve questions of policy and interpretation. The joint Board was set up to attain greater uniformity of administration. Congress is rightly insistent upon maintenance of uniformity of administration. But by this ambiguous language the departments are being impelled into legal debates as to what is meant. Congress is rightly insistent upon the expeditious completion of renegotiation so that uncertainty on the part of contractors can be dispelled rapidly as to each fiscal year on which they are subject to renegotiation. But by this ambiguous language contractors and their counsel would be encouraged to a debate with the administrators as to the interpretation of this language, assuming that the administrators themselves succeed in figuring out what is meant.

And to what avail is this? Is this language proposed because its proponents are hesitant to spell out in unmistakable terms what they mean? Is it proposed because they hope, with this cloudy verbiage to befog the whole issue of renegotiation? Is this part of the emasculation? Is it part of the plan to retain the semblance of keeping faith with the taxpayers of the Nation and the men who are fighting for its life while actually betraying them by making it impossible for the Government to eliminate war profiteering?

The issue of renegotiation must be met head-on. Either renegotiation is desired or it isn't. Either it is to be facilitated or it isn't. If renegotiation in some form or other is desired, if it is to be facilitated, the departments must be given the best possible instrument—a law which is unmistakable in its mandate to them. Insofar as this part of the law is concerned, certainly, the whole process of curbing war profiteering might be hamstrung.

Now as to the second question. If this language does mean that renegotiation is to be only after taxes, how wise, how sound is such a proposal?

First, how wise? This is part of a revenue bill. But if renegotiation after taxes means what it seems to mean, what is being proposed is that the Government pay the taxes of war contractors—that the Government invite them to evade their just burden of sharing the cost of the war—a burden which everyone else must share. This tax bill would simply set up a tax-evasion mill.

However, if the departments are asked to renegotiate on the basis of after taxes, the right and duty given solely to Congress is abdicated—the right and duty to say what, under a given set of circumstances, the taxpayer's share of the support of the Government is to assume. If, on their own initiative, the departments had originally adopted an after-taxes basis of renegotiation, there would have been real cause for complaint by Congress. Under such a system they would have usurped the prerogative of Congress. For such action would have been tantamount to dealing in a black market of taxes. What does renegotiation after taxes mean, precisely? Doesn't it mean that special allowance is to be made for the taxes a firm would normally pay? Doesn't that in turn mean that the renegotiator simply gives the wink to the contractor across the table and says: "Looks as though Congress dealt you a raw deal on this tax schedule. Looks as though Congress sort of stuck you. But don't worry, pal; we'll fix that. Before this stupid war came along, before Congress said we had to dig down into our jeans to pay for it, in the good old days when taxes were only about 12½ percent, you used to make a profit after taxes of 10 cents on every dollar of sales. Now, in 1942, your sales jumped eight times, to be sure, and your costs per dollar of sales went way down because of the increased volume. But, poor soul, your tax base is simply terrible. Congress thought it was smart when it worked out the tax base schedules, but we'll fool them. We'll leave you with your 10 cents of profit on every dollar of sales after taxes. That means only about 50 cents on every dollar of sales before taxes, and fixes it so that even though your volume is up, and your dollar tax is somewhat greater, you really make out pretty well. Don't say anything, pal, but we sliced the daylights out of your competitor, Smith & Jones, because his taxes were pretty low. He had a high tax base. We fix the taxes corporations have to pay to suit ourselves. This is the tax-evasion mill."

Yes; had they adopted this policy, the departments would have gone beyond the limits of their authority.

One thing that must be remembered is that this is not a taxing, nor a revenue-raising measure. It is a pricing statute. It might

be called a hindsight-pricing statute. In peacetime, competition forces reasonable pricing. In wartime, there is no such thing as competition when the Government needs all of everything it can get. Industry is on a monopolistic basis. The law of supply and demand is cut in half and becomes only the law of demand. Normal economic forces no longer apply. Renegotiation is a substitute for them—a substitute designed to bring down prices prospectively or retrospectively to a point where—were real competition still in effect—they would promptly descend anyway. Rates of utilities and railroads—in themselves monopolies—are regulated. This is regulating rates charged by industries which are monopolies for the time being. They couldn't be regulated in advance. Nobody knew what costs of new articles and costs of old articles made in unprecedented volume might be. The crying need was for matériel of war. The cost be damned. Now that there has been a chance to get organized, attention is being paid to cost—still on the first year of war production—even though this is the third year of war. New items are being constantly developed. If American inventive genius is what everyone knows it to be and hopes it will continue, new items to whip the enemy will continue to be developed. The country continues to need this hindsight-pricing statute. Moreover, American businessmen—in their own reasonable interests—are concerned about all sorts of contingencies and in their pricing to the Government still insist on providing for all manner and sorts of contingencies. But who knows whether these contingencies will develop? For this sort of situation, there is still need of a hindsight-pricing statute.

No, this is not a revenue measure but a pricing measure. And as such, there is a close relationship between the original price and the adjusted price. But that relationship disappears entirely if in the original price the contractor's tax base is to be ignored but in the final adjusted price it is a factor to be considered. Why ignore it in the first instance and consider it in the second? And to argue that it should be considered in the first instance would be to argue that our entire system of procurement should be revolutionized. Arguing that the tax base should be considered in the adjusted price is fundamentally just as revolutionary. Either argument is merely saying: Mr. Contractor, please post a large sign over your plant stating what your tax base is. This will give contracting officers the tip-off as to what prices to give you for your products.

Incidentally, too, it will give the tip-off to your employees as to how they are to bargain with you and to your customers and to your suppliers. This system of procurement, of pricing on the basis of a supplier's tax, if pursued to the ridiculous but logical extreme, would be like asking procurement officers suddenly to carry on their dealings in the Chinese language.

Finally, there is the question of uncertainty. As though there were a law prohibiting them from volunteering for renegotiation—from having that aching tooth yanked out, contractors have complained that they are being left uncertain as to their profits. But what of the long period of waiting, of uncertainty if renegotiation is to be on a basis of "after taxes"? Any number of corporations file requests to defer their income tax returns for many months after the end of their fiscal years. As taxes become more complicated, and the task of the Bureau of Internal Revenue more arduous, many returns will not be audited for several years after the end of the corporation's fiscal years. Then there will be a further waiting to determine the effect on the after-tax income of the carry-back-of-losses provision. To hear contractors wail about the need for reconversion reserves, the losses they are going to be able to carry back will be stupendous. So they wait around for that determination. And finally, years later—years of nights when contractors have trembled in the dark of their uncertainty—renegotiation can finally commence. If this is to be the system, the present price adjustment boards should be disbanded and called back—if they will come—in 1946 or 1947 or maybe later after the final audits are in and the last tax adjustments have been made.

No; if this language means what it seems to say, then it should be said point blank. But if it means what it seems to say, it would be better if it were not said at all. For it is not wise for Congress to abdicate its taxing power, nor is it sound to do part of procurement on a before-tax basis and another part on an after-tax basis and—into the bargain—to impose even greater uncertainty upon contractors than that of which they already complain. In writing a revenue bill, creation of a tax-evasion mill defeats the original intent. In dealing with procurement, uniformity straight across the board is imperative, with the same rules fixed to apply both to original pricing and subsequent repricing.

II. RENEGOTIATION AFTER TAXES

A proposed change in the renegotiation statute would prescribe that in the determination of excessive profits consideration be given to whether or not "profits remaining after payment of estimated Federal income and excess-profits taxes would be excessive."

If this means that renegotiators are to make adjustments for the impact of income and excess-profits taxes which would fall on a war contractor, it means abrogation of the carefully determined tax schedules worked out by Congress. It would mean, in effect, that just because one company had a higher tax than another it would be paid a higher price for its products than the other.

What, actually, would be done in renegotiating certain cases?

Here is a company that in 1942 made $213,000 after taxes and after renegotiation. Two hundred and thirteen thousand dollars does not seem like a great deal of money for a company that has made an important contribution to the war effort. Some people might say that this could not conceivably represent excessive profits. But what are the rest of the facts? Its sales volume increased by more than 20 times over the average level of the base peace years, 1936–39. Its profits before taxes increased almost 40 times. Its profits before taxes represented 34 cents on every dollar of sales. The question is whether such a picture represents excessive profits.

As a matter of fact, this company was renegotiated and returned to the Government $460,000. Even after renegotiation, the company's profits before taxes was $388,000—almost 40 times the average of the 4 base years. After both renegotiation and taxes, the company still had a net profit of more than 8 times the average in the peacetime base years and more than 40 percent of the value of the company at the beginning of 1942, as shown by its records (net worth). This company has no reconversion problem as its products are the same as before the war. Salaries and dividends have increased substantially.

Another company—American Tube Bending Co.—complained before the House Ways and Means Committee about renegotiation. Without renegotiation, this company would have made only $130,000, after taxes. Would this be regarded as excessive? It represented only about four and one-half times the peacetime average of $29,000, after taxes. Without other facts, however, can it be determined whether the company earned excessive profits?

As a result of the war, sales ballooned nearly 11 times the peacetime average. Profits before taxes were nearly 13 times as much—$473,000—compared with $37,000. These results were achieved after deductions from profits of salary increases for the 2 owner-executives, 1 of whom took $79,000 in 1942, against $29,000 in 1941. These results were achieved during a year when the company repaid a $25,000 mortgage and paid $57,000 on its stock, 90 percent of which was owned by the same 2 officers. Operating results show a profit of more than 15 cents on every dollar of sales from war business. Such a ratio may not seem high, but even after renegotiation and taxes the profit was 43 percent on the value of the company at the beginning of 1942, as shown by its records—net worth. When this return on net worth is compared with the less than 3 percent return before taxes on money which the people are being asked to loan to the Government in the prosecution of the war, the profits seem inordinate. Before renegotiation, but after taxes, the profit represented more than 67 percent of the net worth of the company at the beginning of the year.

Were this change put into effect, what would be done in the case of a manufacturer of valves, fittings, and heating apparatus which is now engaged in turning out the same products for war purposes? Its sales volume increased only about two and one-half times over the average of the base years and net profits, after taxes, were only about twice those of the base period. On the surface, this would not seem like a startling example of war profiteering. It is conceivable that no renegotiation would be indicated if only those earnings after taxes were to be considered.

Looking under the surface of these facts, however, it is learned that the company agreed to the refund of $4,250,000 regarded as excessive. While sales volume increased only two and one-half times, profit before taxes—largely as a direct result of the war—increased six times. Indeed, this company had slightly more nonrenegotiable business in 1942 than it had in its base period. Its renegotiable business was slightly more than its nonrenegotiable and thereby represented pure velvet in terms of volume. On this increase of sales, profits before taxes increased six times. On renegotiable business alone the company made before taxes about three times what it made in its average base peacetime year. In peacetime it made an average of about 7 cents on every dollar of sales, while on renegotiable business alone in 1942 it made over 18 cents on every dollar of sales. Profits on renegotiable business were scaled down to 14 cents on every dollar of sales. Such a profit would seem to represent a liberal return to the company and a reasonable deal for the Government.

The question of whether or not renegotiation should be after taxes involves the fundamental problem of whether companies are to be allowed and even encouraged to avoid paying the taxes which Congress said should apply to them.

FAIRNESS OF RENEGOTIATION BOARDS

Many loose charges have been made about renegotiation being arbitrary or unfair. These charges are wholly unfounded. The hearings before the Truman committee, the House Naval Affairs Committee, and the House Ways and Means Committee entirely failed to support any accusation of arbitrary action. While contractors have taken exception to the renegotiation law and to the findings of the Board, no contractor has testified that the Board was arrogant or high-handed or tyrannical or that he was harassed and placed under duress by the Board. On the contrary, contractors have frequently spoken of the high caliber of men who serve on the Price Adjustment Board and the courteous treatment they received.

The Truman committee investigated the administration of the law and its report contains the following statements:

"The administration of the renegotiation law during the first 10 months of its existence has been characterized by two significant accomplishments: (1) The assembly in Government of an unusual group of able,

conscientious, and patriotic lawyers, accountants, and businessmen as administrators of renegotiation" (p. 2, S. Rept. No. 10, pt. 5).

The House Naval Affairs Committee investigated the administration of the law and its report contains the following statement:

"It would be unfair to the price adjustment boards not to refer to the fact that, without exception, every business executive who appeared before the committee whose companies had been renegotiated had nothing but praise for the fair and equitable treatment which they had received from the price adjustment boards. They had no quarrel with the boards as such, or with their members; such complaints as they had were directed to provisions of the law which particular contractors deemed unfair or inequitable. We, too, were impressed by the members of the boards who appeared before us, by the sense of fairness and the feeling of responsibility to both the public and industry which they exhibited, and by the careful reasoning upon which their judgments apparently rested" (p. 17, H. Rept. No. 733).

The minority report of the House Naval Affairs Committee contains the following statement:

"No representative of industry who appeared before the committee had any criticism to offer with respect to the personnel of the various price adjustment boards, or to the manner in which they had handled any of the actual conferences with the contractors. It appears that the personnel of the price adjustment boards have performed a difficult task in a highly exemplary manner. For this performance of duty high praise is deserved" (p. 63, H. Rept. No. 733).

The following are some of the statements made by contractors who appeared before the Naval Affairs Committee during its hearings June 10 to 30, 1943, inclusive:

John B. Hawley, Jr., Northern Ordnance, Inc., Fridley, Minn.:

"Members of the Price Adjustment Board have my absolute respect; they worked hard on my case, and I mean they worked diligently to get every nickel back for the Government, realizing they would be severely criticized by the committee if they underdid it, and I wouldn't pay it if they overdid it. * * * It has been a question of very close understanding between us and the Board and I want to compliment them on their hard work" (p. 664).

Lewis H. Brown, president, Johns-Manville Corporation, New York City:

"I have personal acquaintance with some of the Board members. I have not met the men with whom my own company has been in renegotiation, but I am informed that they are men of high ability. In my spare time as industrial adviser to the Chief of Ordnance I have had opportunity to observe the character of the Ordnance negotiating officials. I say without hesitation that I do not know a more able and devoted body of officials anywhere in the Government service, in or out of uniform" (p. 539).

J. F. Metten, chairman of the Board, New York Shipbuilding Corporation:

"As far as I am concerned, the Board did a good job. They sent qualified people up to the yard, and of course this is a highly technical and very much involved subject—these changes—and they got the information in detail from the yard and we went down there before them and discussed various points. Of course you never agree on everything, but on the whole we felt that they had been fair and impartial" (p. 562).

C. B. Lanham, Ohio Nut & Washer Co., Steubenville, Ohio:

"We originally had had some misgivings as to how the renegotiations would be conducted. * * * However, in our case we were agreeably relieved to find the Board and Commander Whyte were so able and competent and to have them deal with us in such a fair manner" (p. 602).

Roger Williams, executive vice president, Newport News Shipbuilding & Drydock Co.:

"Our case has been pending since early in January before the Price Adjustment Board, and we have dealt with the Price Adjustment Board only, and we didn't wish to have our hearing here appear as a court of appeals in that case. We wished to handle it independently because we have every confidence in the fairness and integrity of the Navy Price Adjustment Board and have no reason to complain of their action to date" (p. 763).

Roscoe Seybold, vice president and comptroller, Westinghouse Electric & Manufacturing Co.:

"The Board, after reviewing all the information that had been given, told us the amount they felt should be returned as excessive profits. We felt that we had very fair treatment, that we were dealing with businessmen who had the interests of the Government at heart, and at the same time felt the necessity of protecting industry so that they could carry on in war production" (p. 745).

C. R. Tyson, secretary-treasurer, John A. Roebling's Sons Co., Trenton, N. J.:

"Although the renegotiation resulted in a substantial reduction in our 1942 profits, we do not regret having proceeded as we did. Nor does the Roebling Co. have any quarrel with the principle and objectives of the renegotiation statute as administered by the Navy board in our case. Throughout the period of renegotiation, our relations with the representatives of the Navy board were cordial, and we were impressed with their conscientiousness and desire to accord us the most intelligent and considerate treatment" (p. 755).

George R. Gibbons, senior vice president, Aluminum Co. of America, Pittsburgh, Pa.:

"If disciplined, we felt perhaps we had been disciplined by a considered agent of the Government. We found that the Government was intensely desirous of ascertaining the true situation. We felt that they were moved by no considerations outside of the law and the regulations which had been issued under the law" (p. 769).

Francis A. Callery, vice president, Consolidated Aircraft Corporation, San Diego, Calif.:

"I have had a great deal of experience with the Price Adjustment Board of the Navy. I have had many meetings with them. I have gotten to know the members of the Board well. Without exception, they are able, experienced, sincere, and patriotic men. In my many meetings they have invariably dealt with me with courtesy and with patience. Naturally, we have had had many differences of opinion. We still have on general policy matters, but we have a mutual respect for the other's point of view" (p. 779).

Ralph E. Flanders, president, Jones & Lamson Machine Co., and Bryant Chicking Grinder Co., Springfield, Vt.:

"I just want to put in here the fact that we were treated like gentlemen by gentlemen in renegotiation. They had a job to do; the job was a difficult one; they had no precedents. We were the first manufacturers to go through with it, and they did their duty as they saw it, and we did ours as we saw it" (p. 895).

The following are some of the statements of witnesses who appeared before the Ways and Means Committee during its hearings September 9 to September 23, 1943:

Ellsworth C. Alvord, representing the United States Chamber of Commerce, Washington, D. C.:

"The Under Secretaries of War and the Navy, the Chairman of the Maritime Commission, the members and the staffs of the various types of Government boards are men of high integrity. Many of them I know personally and have known personally for many years. I have the highest respect for them. I do not and would not question their sincerity of purpose or motive. They are just as interested in the preservation of our system of free enterprise as I am. I am confident they are doing the best possible job on attempted recapture of so-called excessive profits through renegotiation procedure under the present law" (p. 502).

L. Y. Spear, president, Electric Boat Co., New London, Conn.:

"I deem it proper and in order before proceeding to specific suggestions and comment to state that in all of the dealings of my company with the Navy Price Adjustment Board, we have found its members conscientious, fair-minded, and reasonable from the point of view of their responsibilities under their interpretation of the law. They have seemed to be anxious to arrive at a solution which would be deemed reasonable by us and have consistently treated us with extreme courtesy and afforded us full opportunity to present our side of the case" (p. 575).

FACTORS CONSIDERED IN DETERMINING WHETHER EXCESSIVE PROFITS HAVE BEEN REALIZED

The following statement taken from the joint statement by the War, Navy, and Treasury Departments and the Maritime Commission on the purposes, principles, policies, and interpretations under the Renegotiation Act are illustrative of the general principles followed in determining excessive profits:

"In considering whether costs or profits on war contracts are excessive, the price-adjustment boards are guided by the following broad principles:

"(a) That the stimulation of quantity production is of primary importance.

"(b) That reasonable profits in every case should be determined with reference to the particular performance factors present without limitation or restriction by any fixed formula with respect to rate of profit, or otherwise.

"(c) That the profits of the contractor ordinarily will be determined on his war business as a whole for a fiscal period, rather than on specific contracts separately, with the possible exception of certain construction contracts. Fixed-price contracts are negotiated separately from fees on cost-plus-fixed-fee contracts.

"(d) That as volume increases the margin of profit should decrease. This is particularly true in those cases where the amount of business done is abnormally large in relation to the amount of the contractor's own capital and company-owned plant and where such production is made possible only by capital and plant furnished by the Government.

"(e) That in determining what margin of profit is fair, consideration should be given to the corresponding profits in pre-war base years of the particular contractor and for the industry, especially in cases where the war products are substantially like pre-war products. It should not be assumed, however, that under war conditions a contractor is entitled to as great a margin of profit as that obtained under competitive conditions in normal times.

"(f) That the reasonableness of profits should be determined before provision for Federal income and excess-profits taxes.

"(g) That a contractor's right to a reasonable profit and his need for working capital should be distinguished. A contractor should not be allowed to earn excessive profits on war contracts merely because he lacks adequate working capital in relation to a greatly increased volume of business.

"In determining the margin of profit to which a contractor is entitled, consideration is given to the manner in which the contractor's operations compare with those of other contractors with respect to the applicable factors. Among such factors taken into consideration when applicable are the following:

"(a) Price reductions and comparative prices.

"(b) Efficiency in reducing costs.

"(c) Economy in the use of raw materials.

"(d) Efficiency in the use of facilities and in the conservation of manpower.

"(e) Character and extent of subcontracting.

"(f) Quality of production.

"(g) Complexity of manufacturing technique.

"(h) Rate of delivery and turn-over.

"(i) Inventive and developmental contribution with respect to important war products.

"(j) Cooperation with the Government and with other contractors in developing and supplying technical assistance to alternative or competitive sources of supply and the effect thereof on the contractor's future peacetime business.

"Consideration is also given to possible increases in cost of materials, imminent wage increases, and the risks assumed by a contractor such as inexperience in new types of production, delays from inability to obtain materials, rejections, spoilage, 'cut-backs' in quantities, and guaranties of quality and performance of the product. It is also recognized that a contractor whose pricing policy results in comparatively reasonable profits is entitled to more favorable treatment than a contractor whose pricing policy results in a large amount of unreasonable profits unless this is attributable to reduced costs rather than overpricing. The contractor who maintains only a reasonable margin of profit is subjected to the risks incident to the performance of a fixed-price contract, while the contractor who practices overpricing usually has taken few, if any, of such risks. In the latter case the profit of the contractor should be adjusted in the direction of the fee that might have been allowed under a cost-plus-fixed-fee contract for the production of similar articles.

"The contractor in every instance is given ample opportunity to develop and present facts with respect to all of the above factors and to any other factors which in his particular case may be relevant to the contractor's over-all quality of performance, upon which his profit reward is based."

These factors are weighed by businessmen who, after a review of them, exercise their judgment and determine what in their opinion constitute excessive profits. It is a conclusion arrived at not as the result of any arbitrary or rigid formula, but in the light of the facts of the particular case.

In this connection it should be pointed out that every member of the Board is given a thorough indoctrination course with the main Board in Washington before he is permitted to participate in any case. Initially every case was handled in Washington, and it was only after the securing of men possessed of requisite business judgment that cases were assigned to the regional boards for renegotiation. Furthermore, all cases are reviewed by the Washington Board. This assures a uniformity of result without losing the benefit of elasticity of judgment.

Thus, in one industry, the Army allowed as an average 11.56 percent of sales and the Navy 12.07; in a second industry the Army allowed 11.14 percent, the Navy 12.19 percent; in a third industry the Army allowed 11.17 percent, the Navy 11.23 percent; and in a fourth industry the Army allowed 7.71 percent and the Navy 8.67 percent. These figures clearly refute any contention of disparity of treatment between the War and Navy Departments.

The constant search for a formula to determine excessive profits is easily understandable. It is an attempt to simplify something that is not susceptible of simplification. The elimination of excessive profits is a complicated problem, and experience has failed to produce any simple formula that is a complete solution to the problem. An examination of the cases handled by the Navy board will bear this statement out. The board has not arrived at any workable formula, nor has Congress in the years past with its fixed profit limitations. It is as impossible to lay down a formula for elimination of excessive profits as for an artist to give you his formula for painting pictures.

At the time of the enactment of section 403 in its original form, Congress had before it two bills, both providing for a fixed formula: H. R. 6790, providing for a limitation of profits to 6 percent of cost, and the so-called Case amendment to the appropriations act, of which section 403 subsequently became a part. Mr. CASE's amendment was initially introduced as section 402 (a) and provided for a limitation of 6 percent of cost. In the Senate this was amended and a schedule was substituted ranging from 10 percent on the first $100,000 down to 2 percent for so much of the contract price in excess of $50,000,000. Both of these flat formulas were rejected and section 403 adopted. In this connection I would like to read a statement of Secretary Knox before this committee on April 14, 1943, in opposition to H. R. 6790. He said, in part:

"It therefore seems to me that we have two major problems: First, the determination of when profits are or will be excessive—that is the determination of a proper standard; and, second, the discovery of an effective means to prevent profits exceeding such standard. Both problems are extremely complicated. I doubt whether any general rules can be laid down which will fairly apply to all cases. War contracts vary widely in substance and form. Some contracts involving large sums of money may be performed over relatively short spaces of time and with relatively small capital investment; other contracts involving the same sums of money may require several years for performance and also large capital investment. One hundred million dollars of airplanes can be produced much more rapidly than a battleship costing a similar sum. A fair profit under a contract of $100,000,000 performed within 1 year with a minimum capital investment seems to me to be quite different from a fair profit to be allowed on a contract for the same amount of money, completed over a period of 3 or more years and requiring a larger permanent capital investment.

"In determining what profits are excessive we also must consider the treatment fairly to be accorded industries whose plant facilities and working capital are supplied by the Government. Clearly an industry supplying only management should not receive the same profit, whether considered as a percentage of the contract price or as an amount in dollars, as an industry supplying management, working capital, and plant.

"The degrees to which the Government may supply working capital and plant will vary widely, and any treatment of excessive profits must make allowance for such variations. I think we all agree that any profit not really earned, no matter how small, is excessive. The effect of increased volume must also be studied. Profits increase and costs decrease as volume swells. Increased efficiency of operation gained by experience brings about the same result. It is often difficult to make allowances for such factors in advance. The elimination of unnecessary steps and the adoption of short-cuts cannot be foreseen. Costs and profits seemingly reasonable at the start of a contract often become unreasonable after volume and experience have increased. It therefore seems to me that a limitation of profits to a percentage of the contract price does not take into account all the factors which are involved in the different cases."

We must bear in mind that Secretary Knox was speaking with respect to a statute proposing a flat profit limitation of 6 percent. He was afraid, and quite properly so, that such a limitation would work inequities and force contractors into cost-plus-a-fixed-fee contracts, with increasing cost to the Government, in order to counterbalance their ceiling on profits with a floor on losses. He realized that increased costs might be more detrimental to the Government than increased profits.

Thus it would appear that Congress has given due consideration to the so-called formula method of handling excessive profits and rejected it as being inadequate and unsatisfactory.

A similar conclusion must be reached with respect to the statement that the excess-profits tax—which means nothing more than the establishment of another formula—can do the job. The recent report of the Truman committee succinctly answers this point:

"Taxes alone will not do the job because (a) higher corporate-tax rates are likely to encourage higher costs and discourage economical production; (b) no scheme of taxation has been devised which is sufficiently flexible to provide an incentive for efficient low-cost production; (c) a profit percentage which would fairly reward one war contractor with one type of financial structure would bankrupt a second contractor with a different financial set-up, and would provide inordinately excessive profits for a third contractor with a still different financial problem."

No less an authority than Senator GEORGE made the following comment on the floor of the Senate during the course of the argument on the passage of the act initially:

"I have given a great deal of study to the subject and I have reached the conclusion that through excess-profits taxes alone, as we have approached that problem, we cannot completely answer the question of exorbitant profits on war contracts."

It is true that the various price adjustment boards have made mistakes and that they do not have the certainty of a fixed formula to guide them. The mistakes and lack of certainty, which will become less and less as the boards have more experience, will produce fewer mistakes and inequities than a fixed formula. In any event, the guaranty of certainty is not an end in itself and is far less important than the satisfaction of the requirement that, in the public interest, excessive profits upon war contracts be recaptured. War profits are not certain as to time or amount. They are sporadic and irregular, differing widely as between industries and members of the same industry. The absence of certainty and the presence of flexibility and elasticity is not a defect, but an aid in the solution of the troublesome problem of both the recapture of excessive profits and the assurance of a fair return under all circumstances to all war contractors.

MARITIME COMMISSION ADJUSTMENT BOARD

Examples of high increase in dollar profits in 1942 over the base period, along with high percentage earned on net worth in 1942

[All before renegotiation]

Company	Net earnings after taxes		Percent earned on net worth, after taxes, 1942
	Base period	1942	
1	535	23,344	55.9
2	15,000	149,494	27.7
3	1,500	64,000	58.0
4	Deficit	395,000	311.3
5	16,000	465,000	97.6
6	488,000	1,320,000	19.6
7	120,000	1,165,000	20.7
8	Deficit	642,000	14.9
9	Deficit	96,000	86.7
10	509,000	1,112,000	25.7
11	Deficit	153,000	18.6
12	20,000	789,000	121.2
13	61,000	244,000	34.6
14	2,000	254,000	38.9
15	93,000	250,000	13.2
16	Deficit	376,000	32.9
17	Deficit	210,000	135.0
18	Deficit	209,000	524.2
19	22,000	125,000	46.1
20	60,000	379,000	109.7
21	Deficit	1,603,000	64.5
22	Deficit	2,591,000	60.6

Examples of high increase in dollar profits in 1942 over the base period, along with high percentage earned on net worth in 1942—Continued

[All before renegotiation]

Company	Net earnings after taxes		Percent earned on net worth, after taxes, 1942
	Base period	1942	
23	Deficit	263,000	60.5
24	11,000	246,000	38.4
25	39,000	214,000	39.0
26	48,000	150,000	15.7
27	(1)	179,000	23.7
28	553	324,000	131.1
29	2,000	119,000	43.3
30	(1)	100,000	26.9
31	(1)	147,000	40.0
32	(1)	470,000	49.4
33	(1)	1,447,000	45.7
34	(1)	945,000	263.6

[1] Base period figures not available.

For examples of high increase in dollar profits presented by the United States Army Adjustment Board, see minority report of the Finance Committee on the subject of renegotiation of war contracts.

Examples of high increase in dollar profits presented by the Navy Price Adjustment Board are found on page 197 of the CONGRESSIONAL RECORD of January 14, 1944.

Mr. WALSH of Massachusetts. Mr. President, before the final vote is taken, I should like to say a word in reference to the chairman of the Finance Committee [Mr. GEORGE] and the attitude of the members of the Finance Committee in their consideration of this important subject.

It is unnecessary to remind Members of the Senate of the difficulties involved, and the complex problem with which we have had to deal in the matter of modifying or changing the existing renegotiation law. It has been tiresome, troublesome, and annoying to all of us. The subject is of such unusual public interest that it has resulted in some of the members of the committee being accused of being favorable to war contract profiteers, and others of being hostile to war contractors.

I wish to say that during all the negotiations in the committee the patience and the leadership of the chairman of the Finance Committee have been fine. The members of the committee had various differences of opinion concerning many of the important features of the law. We voted separately on various amendments. We voted our convictions.

However, after all amendments had been acted upon, some of us thought that the number of amendments which had been agreed to by the committee really nullified the effectiveness of the law. Upon request, the chairman of the committee conferred with those who had widely different views, and called the committee together for further deliberation. We were able to harmonize and bring together, after long study and heated discussions, our divergent views so that all Members, when we finally reported to the Senate, became united and there was general agreement that the amendments proposed finally by the committee were in the best interests of the Government and were fair to the contractors doing war work.

By reason of the fact that some of us felt it our duty to file minority views calling attention to the danger of nullifying this law, it may be possible that some persons, for political or other reasons, may construe that as a reflection upon the judgment and leadership of the chairman and other members of the Finance Committee. I wish to challenge that. I want to say that no Member of this body has been more desirous of enacting a law which will safeguard the interests of the country and be fair to the contractors than has the chairman of the Finance Committee.

As one who joined in filing minority views I wish to emphasize that every member of the committee has a higher respect than ever—if that could be possible—for the chairman of the committee in his willingness to compromise differences of opinion and reach a fair and just decision that would make the renegotiation law an effective instrument in eliminating excessive war profits during the war.

The law is arbitrary. This is necessary if the taxpayers' interests are to be safeguarded during the expenditure of these vast, heretofore unheard of expenditures. The drafting of human life is arbitrary. War necessarily means the abandonment of normal conditions and peacetime safeguards. Under war conditions, with the sacrifices of life and limb of our youth and the sufferings of their kin, we would be insensible of our primary obligations to them and all our citizens to permit excessive profiteering by those who furnish these weapons and supplies to carry on the war. How to do this and do as little injustice as possible is no easy task. After all, all legislation is a matter of compromise. The chairman of the committee showed the magnanimous spirit which we should all display under such circumstances.

Mr. President, I merely wish to say that we owe a real debt of gratitude to the fine judicial qualities of the chairman of the Finance Committee, for the leadership which he has manifested, for his fairness, for his insistence upon what he believes to be right, and for his capacity to follow his conscientious convictions and yet respect the views of others, and to realize that in the last analysis all legislation must be a matter of compromise.

The reason why we are united and why this bill will be passed without any objection is the spirit of leadership which the chairman of the Finance Committee and the united patriotic purpose all its members have manifested. I know I express the sentiments of every member of the committee when I say that we are grateful to him, and that the people of the country owe him a debt of gratitude for his leadership in helping to solve this involved, complicated, and difficult problem, as well as for his leadership in so many other serious tasks which he has had to perform as chairman of this important committee. The happy result of these deliberations is that a real, serious effort has been made to prevent excessive profit making in the future days of this war and to give approval of the services already rendered to accomplish this purpose.

The PRESIDING OFFICER. The bill is before the Senate. If there be no further amendment to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

Mr. DANAHER. Mr. President, the Senator from Georgia will recall that I discussed with him the offering of an amendment which would appear on page 148, after line 25, as follows:

SEC. —. Captal-stock tax terminated.

The capital-stock tax imposed by section 1200 of the Internal Revenue Code shall not apply to any taxpayer in respect of the year ending June 30, 1944, or any succeeding year.

SEC. —. Declared value excess-profits tax terminated.

And further:

The declared value excess-profits tax imposed by section 600 shall not apply to any taxpayer in respect of any income-tax taxable year ending after June 30, 1944.

The Senator from Georgia will recall the witnesses who appeared before the committee emphasizing how unfair this particular tax is. Actually it constitutes a guessing game. It is impossible for small businesses, particularly, without large accounting systems, to estimate exactly what their situation is to be. The result is that while the Government receives a large amount of money, it receives it at the expense of corporations which simply cannot possibly estimate correctly. In that situation the Senator from Georgia has expressed to me a real degree of sympathetic consideration, and I think I may fairly say that he shares my attitude with reference to this proposal.

On the other hand, he has told me that an administrative bill will be brought forward in the spring, and that when it comes along some effective relief can be administered with reference to cases such as these two amendments would reach. In the light of his representations to me along those lines I am not now pressing for action on the amendments.

I ask the Senator from Georgia if I have not sufficiently recapitulated our discussion.

Mr. GEORGE. The Senator has. For a long time I have believed that our capital stock tax should be repealed. I think I may say that the Secretary of the Treasury has the same view. However, at this time there would be an actual loss of revenue unless something were substituted. In fact, I am sure that on more than one occasion the Secretary of the Treasury has expressed himself as being in favor of repealing this tax.

Mr. DANAHER. Mr. President, I thank the Senator from Georgia. In the light of his present observations and my own comment on the subject, which is sufficiently explanatory, I believe, of how we both feel about the matter, I will not offer the amendment. However, I want the RECORD to show the situation.

Mr. GEORGE. Mr. President, if there are no further amendments to be offered, I wish to express my appreciation to the distinguished senior Senator from Massachusetts [Mr. WALSH], who has spoken of my participation in the formation of

this bill. The bill does not provide for the amount of money which the Government needs, or the amount of money for which the President has asked. However, the troublesome part of the bill related to the renegotiation of war contracts. I have never favored the making of exorbitant profits by anyone during the war period.

Let me say, Mr. President, that when the excess-profits tax was being formulated I sat up nights with the late Senator Pat Harrison, then the chairman of the Committee on Finance. We earnestly sought, through the joint committee staff and through the Treasury, to find a way to differentiate in the excess-profits levies between war profits and profits made in ordinary civilian operations. We were advised that that could not be done. We stated at that time that we wanted a very high tax on war profits. We started in with an excess-profits tax of 35 to 60 percent in the high brackets. We have carried that up to the flat tax of 90 percent, and in the particular bill now pending we are carrying the excess-profits tax up to 95 percent. Ninety-five percent is, under our tax laws, 100 percent, in effect, and substantially in all cases where the average earning base is used as a credit for excess-profits tax purposes.

I very well recall that when the bill for repeal of the Vinson-Trammell Act, which limited war profits, was presented to this body as an administration proposal, I had very grave doubts about it. I think the RECORD will show that I so expressed myself. Now I think that the excess-profits tax, plus the normal and surtax rates, plus the individual income taxes which are imposed on all individual incomes in this country, fairly well take care of the vast majority of cases.

The renegotiators themselves—and I wish to reiterate what I have heretofore said—that I found them to be honorable men, of high purpose—told me that 60 percent of contracts are not renegotiated, taking them by and large. It must be borne in mind that that 60 percent is based upon those contracts which were made immediately after Pearl Harbor, because in the renegotiation of war contracts I do not believe 1942 business has yet been closed. So that we have no view of the 1943 contracts in the contracts which are being made today. But if 60 percent of all contracts have been cleared by the Renegotiation Board, it certainly indicates that the extreme cases which have come to light do not represent, by and large, the attitude of all American businessmen.

Mr. President, despite all the shortcomings of business, and all the shortcomings of certain labor leadership, I believe that American labor and American industry have done a great job, and I do not believe that the motivating force back of the great accomplishment in this war effort has been profits, and profits only. That motive has entered into many cases, unquestionably. I have myself known of some cases in which outrageous profits have been claimed, and in some instances received. I have examined many cases which were brought to my attention in which I thought the renegotiators had acted fairly and honorably. I have seen cases where there has been a very arbitrary course of conduct on the part especially of some of the field men, who have approached citizens as if they were dishonorable, and activated by improper and unpatriotic motives. I have seen such cases, and I have examined into such cases, and they should not occur.

I have the hope that what we have done in the pending bill, in the repricing title, together with the court review provision, will result in a better program in the future on the part of procurement officers of the Government than has existed in the past, which I say without any reflection on them, and I trust they will be able to do a better job in curbing excess war profits which are unreasonable, or even approach the point where any fair-minded person can say that the profits are unreasonable.

While that is true, I can never lose sight of another fact; that is, if there are casualties on the home front, if there are smokeless stacks, if the machinery is silent, if we have destroyed the machine so that when our men come back from the war and come back from war-producing plants they will engage in a fruitless search for jobs, our society will face its supreme test. What will it profit America if she encompasses marvelous attainments all round the globe and yet loses her own soul?

Mr. President, if there are no further amendments to be proposed, I ask that this formal order be made, that the bill be printed with the Senate amendments numbered; that in the engrossment of the amendments of the Senate the Secretary of the Senate be authorized to make such changes in section, subsection, and paragraph numbers and letters, and cross references thereto, as may be necessary to the proper numbering and lettering of the bill; that the Secretary of the Senate make proper amendment to the table of contents to make the table conform to the bill, and that all changes in the table of contents be treated as one amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Georgia? The Chair hears none, and it is so ordered.

The question is now on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The PRESIDING OFFICER. The bill having been read the third time, the question now is, Shall the bill pass?

The bill H. R. 3687 was passed.

Mr. GEORGE. Mr. President, I move that the Senate insist on its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. GEORGE, Mr. WALSH of Massachusetts, Mr. BARKLEY, Mr. CONNALLY, Mr. LA FOLLETTE, Mr. VANDENBERG, and Mr. DAVIS, conferees on the part of the Senate.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to consider executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. ELLENDER in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WHEELER, from the Committee on Interstate Commerce:

Joseph B. Eastman, of Massachusetts, to be Interstate Commerce Commissioner for the term expiring December 31, 1950 (reappointment); and

Harry H. Schwartz, of Wyoming, to be a member of the National Mediation Board for the term expiring February 1, 1947 (reappointment).

By Mr. STEWART, from the Committee on Interstate Commerce:

John L. Rogers, of Tennessee, to be Interstate Commerce Commissioner for the term expiring December 31, 1950 (reappointment).

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

THE NAVY

The legislative clerk read the nomination of Don P. Moon to be rear admiral.

Mr. WALSH of Massachusetts. I ask that the nomination be confirmed.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. BARKLEY. I ask unanimous consent that the President be immediately notified of all confirmations of today.

The PRESIDING OFFICER. Without objection, the President will be forthwith notified.

LEGISLATIVE PROGRAM

The Senate resumed the consideration of legislative business.

Mr. LUCAS. Mr. President, I rise for the purpose of making an inquiry, through the majority leader, as to what the nature of business will be on Monday next, if the Senate meets then.

Mr. BARKLEY. Mr. President, I have talked with the Senator from Illinois privately about that matter, and I have advised him that I am not ready to answer that question, and I am not

ready to answer it publicly now. I wish to say frankly that there are two important bills in which the time element is significant—the subsidy bill and the soldiers' vote bill. Both bills are on the calendar. The subsidy bill reached the calendar first. It had been my intention upon the conclusion of the consideration of the tax bill to proceed to the consideration of the bill reported from the Committee on Banking and Currency, extending the life of the Commodity Credit Corporation and dealing with the question of subsidies. The bill has come to the floor in such shape that the question of subsidies will have to be fought out here. The time element in that bill is that the life of the Commodity Credit Corporation will expire on the 17th of February unless its life is renewed before that time. There are difficulties connected with that legislation which must be ironed out in conference or on the floor of the two Houses, depending upon the type of bill the Senate passes.

Also, with respect to the soldiers' vote bill, the element of time enters into the calculation, for the reason that on February 3, if no change is made in the law, under existing law the War Department must send out some 13,000,000 notices and cards of information.

Later on, if in the next 30 or 60 days a new law should be enacted, an entirely different kind of card must be sent out to the men and women in the services. So it is important that the War Department, the Navy Department, and all the agencies know exactly what they are to do in order to administer as soon as possible any law which may be passed.

I have stated to many Senators, including the Senator from Illinois [Mr. LUCAS], the Senator from Ohio [Mr. TAFT] and other Senators, that I am not ready to say now what the program shall be. I wish to confer with as many Senators as I can between now and Monday, to see which bill should be taken up first. I am not at this time in a position to indicate my own opinion.

Mr. LUCAS. Mr. President, I wish to express my thanks to the Senator for the very able explanation of the two important bills which are now pending before the Senate. The explanation thoroughly satisfies the Senator from Illinois. I hope in the meantime that we shall be able to take up the soldiers' vote bill on Monday in preference to the subsidy bill.

Mr. BARKLEY. Mr. President, I appreciate the very intelligent interest the Senator from Illinois has shown and the hard work he has done toward a solution of this problem. It is one of the most important questions facing Congress. I have found in mixing among the people in my own State and in other States that there is no subject which they are discussing more universally than the question of if and how we are to provide methods by which the soldiers and sailors and others in the armed services shall vote. I personally have great sympathy for the Senator's desire, but I do not wish at this time to say dogmatically and without reservation what the course shall be.

Mr. LUCAS. Mr. President, I thoroughly appreciate the position the Senator is in. I simply wish to make one further observation with respect to the two measures now pending before the Senate. From my knowledge of the legislation involving the right of the soldiers, sailors, and marines to vote under a uniform Federal ballot, I am very confident that within 2 days' time we would be able to get a vote in the Senate on the pending bill. Some 3 weeks or more ago, all the controversial measures in the pending bill were debated upon the floor of the Senate for a week.

The Senator from Illinois and the Senator from Rhode Island [Mr. GREEN] have taken every amendment that was agreed to in the Senate, such as the amendment dealing with the ballot commission, the amendment offered by the Senator from Ohio [Mr. TAFT], as revised by the Senator in connection with the War Department, and we have placed those amendments in the pending bill just as they are. In fact, we have further stripped the Commission of any powers other than ministerial, even though by implication there might have been some powers contained in the original bill.

From my conversations with Members on the floor of the Senate, and in view of the thorough understanding and knowledge which everyone has of the pending bill, I believe that within 2 days' time we can dispose of it. I do not believe we are going to be able to dispose of the subsidies bill in so short a time, from what I understand with respect to controversy existing in connection with it.

Mr. President, I hope the majority leader and the minority leader will be able to agree to take up the soldiers' vote bill first, and dispose of it within that short time, and then go from it to consideration of the subsidy program.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. Let me make an observation, and then I shall be glad to yield. I understand that many, if not most, of the controversial features of the former bill which was defeated by adoption of a substitute have been eliminated from the new bill. Members have come to me from both sides of the Chamber, some who are members of the Committee on Privileges and Elections, and others who are not members of the committee, and have stated that they now are in favor of the bill reported by the committee. Some of them are rather enthusiastically in favor of it. That is a circumstance which ought to militate toward prompt action on the measure in the Senate. There are other Senators, however, who entertain a different view.

I now yield to the Senator from Ohio.

Mr. TAFT. Mr. President, so long as the Senator from Illinois has expressed an opinion, I wish to state that, in my opinion, it will take a full week to debate again the soldiers' voting bill. The Senate has already passed the soldiers' vote bill. It has gone to the House. The House committee has reported it. It will be considered by the House on Wednesday. The bill in its original form has been defeated in the Senate. The bill has gone to the House, and the House committee has acted. It seems to me to be a most extraordinary procedure now to propose that the Senate take time from very necessary legislation on other subjects to go back over the whole ground and again take up the same questions which were previously raised.

Mr. President, I feel that exactly the same issues are involved in the bill now proposed as were involved in the previous bill. None of the controversial issues have been removed. We are going to have the same debate on the constitutional issue. I personally expect to make a much stronger presentation of the constitutional issue than I made previously. The assumption that the bill is going to take only 2 days is certainly a gratuitous assumption, and one which none of us can be certain of.

Mr. BARKLEY. Mr. President, of course, we all realize that in the Senate no one can safely assume that any sort of measure can be passed very rapidly if Senators do not desire to see it enacted rapidly. I do not know whether the House is going to take up the bill on Wednesday. That may depend on whether the Rules Committee reports a rule making it in order on Wednesday. I have no information on that subject. I hope that by Monday we will be a little out of the fog with respect to the matter, so as to proceed one way or the other.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WHITE. I am quite happy that the Senator from Kentucky has not pressed the matter to a conclusion this evening. One of the great difficulties is that none of us has as yet seen the bill which has been reported, in the precise draft in which it will come to the Senate floor for consideration.

I had rather assumed that perhaps the objections had been removed, but I also knew there were serious objections on the part of some Members of the Senate with respect to both constitutional provisions and detailed and practical considerations which the bill raises.

I think the Senator from Illinois will be disappointed in his hope that the bill will be disposed of in 2 days; but I recognize that the matter is one which must be considered at some time.

Mr. BARKLEY. Mr. President, I appreciate the attitude of the Senator from Maine. I had no purpose at any time to move for consideration of the bill today, or to move that it be made the unfinished business. The whole matter will go over until Monday.

Mr. LUCAS. Mr. President, will the Senator further yield?

Mr. BARKLEY. I yield.

Mr. LUCAS. I rose only to seek information. I did not desire to press any point.

Mr. BARKLEY. I understand that the Senator from Illinois had no purpose to press for action of any sort today.

Mr. LUCAS. No; not at all. I was anxious to ascertain just what would be the business, if any, which the Senate would take up on Monday, because I am quite interested in having a uniform Federal ballot for the members of the armed forces, both those in this country

and those outside the continental limits of the United States.

I am very much interested in the short discussion had with my able friend, the Senator from Ohio. I am glad to know he will make a constitutional argument, because he supported my bill before, and I know he will do so again if he makes the kind of argument he has said he will make. I should be glad to listen to him for several days if he discusses the constitutionality of the question.

However, when the Senator from Ohio says the procedure is an extraordinary parliamentary one, I must say that the Senator is not familiar with the precedents. I have gone into that question rather thoroughly, and I believe I know what I am doing, from a parliamentary angle, in connection with attempting to get the bill before the Senate again. There is one precedent after another for taking up a bill in such a way, and there is nothing extraordinary about it.

Senators will be able to debate the bill for a week, I suppose. That will be perfectly all right with me, if that is their desire. However, I say in all sincerity that we debated the amendments for one full week. We debated the provisions relative to the ballot commission for 2 days. We debated for 2 days the Taft amendment relative to publicity and political propaganda. With all due deference to what the Senator from Ohio has said, let me say that in the bill I have placed the amendments just as the Senate agreed to them. So, why there should be a week of debate, unless Senators desire to discuss the constitutionality of the matter at this time—and I admit it was not discussed very much before, but probably should have been—is another question.

I thank the Senator from Kentucky for giving me an opportunity to speak at this time.

Mr. BARKLEY. Mr. President, during the previous proceedings on the subject the Senator from Ohio made a very strong constitutional argument. If he desires to make another one with respect to this bill, I am sure it will be well worth listening to.

Mr. LUCAS. Yes, Mr. President; and I shall be right at the Senator's feet when he makes his argument. I, too, am sure it will be well worth listening to.

ADJOURNMENT TO MONDAY

Mr. BARKLEY. I move that the Senate adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 6 o'clock and 13 minutes p. m.) the Senate adjourned until Monday, January 24, 1944, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 21 (legislative day of January 11), 1944:

DIPLOMATIC AND FOREIGN SERVICE

Charles E. Hulick, Jr., of Pennsylvania, to be a Foreign Service officer, unclassified, a vice consul of career, and a secretary in the Diplomatic Service of the United States of America.

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

TO BE LIEUTENANT GENERALS

Maj. Gen. George Grunert, United States Army, now invested with rank and title of lieutenant general by virtue of his assignment to command the First Army.

Maj. Gen. Walter Bedell Smith (lieutenant colonel, Infantry), Army of the United States.

TO BE MAJOR GENERALS

Brig. Gen. Howard Calhoun Davidson (colonel, Air Corps), Army of the United States.

Brig. Gen. Walter Ernst Lauer (lieutenant colonel, Infantry), Army of the United States.

Brig. Gen. John Edwin Hull (lieutenant colonel, Infantry), Army of the United States.

Brig. Gen. Allison Joseph Barnett (lieutenant colonel, Infantry), Army of the United States.

Brig. Gen. Fay Brink Prickett (lieutenant colonel, Field Artillery), Army of the United States.

Brig. Gen. Philip Hayes (colonel, Field Artillery), Army of the United States.

Col. Virgil Lee Peterson, Corps of Engineers, now the Inspector General, with rank of major general.

Brig. Gen. Clarence Hagbart Danielson (colonel, Adjutant General's Department), Army of the United States.

Brig. Gen. Arthur Riehl Wilson (lieutenant colonel, Field Artillery), Army of the United States.

TO BE BRIGADIER GENERALS

Col. Walter Wood Hess, Jr. (lieutenant colonel, Field Artillery), Army of the United States.

Col. John Alexander Samford (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Willis McDonald Chapin (lieutenant colonel, Coast Artillery Corps), Army of the United States.

Col. John Nicholas Robinson (lieutenant colonel, Infantry), Army of the United States.

Col. Arthur Edmund Easterbrook (major, United States Army; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Henry Hutchings, Jr. (lieutenant colonel, Corps of Engineers), Army of the United States.

Col. Herman Feldman (lieutenant colonel, Quartermaster Corps), Army of the United States.

Col. Leonard Louis Davis (lieutenant colonel, Coast Artillery Corps), Army of the United States.

Col. Robert Oliver Shoe (lieutenant colonel, Infantry), Army of the United States.

Col. Joseph Ignatius Martin (lieutenant colonel, Medical Corps), Army of the United States.

Col. Edward Fuller Witsell, Adjutant General's Department.

Col. George Maurice Badger (lieutenant colonel, Coast Artillery Corps), Army of the United States.

Col. Earl Maxwell (major, Medical Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. John Reynolds Hawkins (major, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Ralph Hamilton Tate (lieutenant colonel, Chemical Warfare Service), Army of the United States.

Col. William Seymour Gravely (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Col. Lester DeLong Flory (lieutenant colonel, Coast Artillery Corps), Army of the United States.

Col. Guy Blair Denit, Medical Corps.

Col. Laurence Bolton Keiser (lieutenant colonel, Infantry), Army of the United States.

Col. Thomas Sherman Timberman (major, Infantry), Army of the United States.

Col. William Elbridge Chickering (lieutenant colonel, Adjutant General's Department), Army of the United States.

Col. Edward Raynsford Warner McCabe, United States Army.

Col. Davis Dunbar Graves (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Harry Frederick Meyers (lieutenant colonel, Coast Artillery Corps), Army of the United States.

Col. James Edward Moore (major, Infantry), Army of the United States.

Lt. Col. Paul Lewis Ransom, Infantry.

Col. Arthur Henry Rogers (lieutenant colonel, Infantry), Army of the United States.

Col. Earl Walter Barnes (major, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Clarence Henry Schabacker (lieutenant colonel, Coast Artillery Corps), Army of the United States.

Col. Robin Bernard Pape (major, Coast Artillery Corps), Army of the United States.

Col. Roy Eugene Blount (lieutenant colonel, Cavalry), Army of the United States.

Col. Milton Orme Boone (lieutenant colonel, Quartermaster Corps), Army of the United States.

Col. Michael Frank Davis (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Col. Edgar Erskine Hume, Medical Corps.

Col. Thomas North (lieutenant colonel, Field Artillery), Army of the United States.

Col. Robert Tryon Frederick (captain, Coast Artillery Corps), Army of the United States.

Col. Otto Lauren Nelson, Jr. (major, Infantry), Army of the United States.

Col. Frederic Bates Butler (lieutenant colonel, Corps of Engineers), Army of the United States.

Col. William Ayres Borden, Ordnance Department.

TO BE MAJOR GENERAL

Col. John Francis Williams, Field Artillery, National Guard of the United States, now Chief of the National Guard Bureau of the War Department, with rank of major general.

TO BE BRIGADIER GENERALS

Col. Ralph Maxwell Immell (brigadier general, Adjutant General's Department, National Guard of the United States), Army of the United States.

Col. Thomas Francis Farrell (lieutenant colonel, Engineer Reserve), Army of the United States.

Col. Thomas Oates Hardin (temporary lieutenant colonel, Army of the United States), Army of the United States, Air Corps.

IN THE NAVY

Capt. Campbell D. Edgar, United States Navy, to be a commodore in the Navy, for temporary service, while serving as commander, transports of an amphibious force, to rank from the 17th day of September 1943.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 21 (legislative day of January 11), 1944:

IN THE NAVY

TEMPORARY SERVICE

Don P. Moon to be a rear admiral in the Navy.

POSTMASTERS

LOUISIANA

Edith W. Ott, Fisher.

Anatole E. Ayo, Jr., Lockport.

HOUSE OF REPRESENTATIVES

FRIDAY, JANUARY 21, 1944

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father, King eternal, when we remember and meditate on Thy mercies our hearts are filled with peace and praise; our thoughts turn to this new day with its opportunities and privileges. Thy venerable Word presents the loftiest wisdom, and by experience we have learned the broad difference between good and evil. In the rough ways of this world, in hard conditions, in disasters and untold misery, we pray Thee to keep us steadfast in the faith, secure in Thy fatherly care.

Thy hand, O Lord, has been in the founding and in the fortunes of our democracy; enable us each day to honor it for its ideals and principles and to stand in awe of it as an instrument of Thy holy purpose. We bless Thee for the devoted souls which are contributing to our national life. Let us not wait on destiny to perpetuate their memory and emulate their virtues, who by their travail in battle lines, factory, mines, and shop are using their strength as a patriotic trust on the altar of our country; bless them richly and abundantly is our prayer. May we all in high and humble places think and plan together for the good and perpetuity of our Republic. Be pleased to strengthen the bonds of loyalty and fidelity between every section of our great land to the blessing of all mankind. In Christ our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

SPEECH BY HON. SAM RAYBURN BEFORE UNITED STATES CONFERENCE OF MAYORS ON NECESSITY FOR SPECIAL CONGRESSIONAL COMMITTEE ON POST-WAR FACT FINDING AND OTHER PROBLEMS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include in my remarks a speech made on January 20 by the distinguished gentleman from Texas [Mr. RAYBURN] before the United States Conference of Mayors in Chicago.

The SPEAKER. Is there objection?

There was no objection.

[Mr. McCORMACK addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of income-tax simplification.

The SPEAKER. Is there objection?

There was no objection.

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address I delivered on Thursday, January 20, before the Wholesale Drygoods Institute, at their seventeenth annual convention in New York City, N. Y.

The SPEAKER. Is there objection?

There was no objection.

Mr. KIRWAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a speech delivered by Mr. L. A. Beeghly at Youngstown, Ohio, January 15, 1944.

The SPEAKER. Is there objection?

There was no objection.

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Washington Post of January 21, 1944.

The SPEAKER. Is there objection?

There was no objection.

SOLDIER VOTE

Mr. SULLIVAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. SULLIVAN addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. HARTLEY. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a letter I have addressed to Admiral Land, and also a poem by Martin M. Clifford, of Jersey City.

The SPEAKER. Is there objection?

There was no objection.

Mr. DOUGLAS. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from Collier's magazine.

The SPEAKER. Is there objection?

There was no objection.

Mr. HESS. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD the proceedings before the Naval Affairs Committee yesterday at the unveiling of a portrait of its chairman, the gentleman from Georgia [Mr. VINSON]. I understand the cost will exceed the allowable cost, and I ask unanimous consent that it may be included notwithstanding.

The SPEAKER. Notwithstanding, the extension may be made, without objection.

There was no objection.

Mr. WELCH. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and include therein a telegram received by me from Edward S. Gorrell, president of the Air Transport Association of America, with reference to the Lea aviation bill, and my answer thereto.

The SPEAKER. Is there objection?

There was no objection.

DISPOSITION OF SURPLUS PROPERTY

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include therewith a letter from the Navy Department.

The SPEAKER. Is there objection?

There was no objection.

[Mr. ANDERSON of California addressed the House. His remarks appear in the Appendix.]

SOLDIERS' VOTE

Mr. SCRIVNER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. SCRIVNER addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. CARLSON of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a statement I have prepared and delivered yesterday on post-war corporation taxes.

The SPEAKER. Is there objection?

There was no objection.

Mr. MUNDT. Mr. Speaker, during the course of my remarks in Committee of the Whole, this afternoon, I expect to have occasion to include certain newspaper comments and quotations. I now ask unanimous consent that they may be included as a part of those remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therewith a brief broadcast given by Robert St. John, over the N. B. C., on December 8, 1943.

The SPEAKER. Is there objection?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to include in the RECORD, a letter from J. B. Hutson, president, Commodity Credit Corporation, submitting an outline of three subsidy programs now under operation.

The SPEAKER. Is there objection?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to include in my remarks on the bill under consideration today, a part of a statement on food by Karl Sax.

The SPEAKER. Is there objection?

There was no objection.

Mr. SUNDSTROM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include the citations which have been awarded to Maj. Jay Zeamer, Jr., one of the most decorated men in our country.

The SPEAKER. Is there objection?

There was no objection.

VETERANS' LEGISLATION

Mr. BARDEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. BARDEN. Mr. Speaker, with further reference to House Resolution 29, the resolution which will come up on Monday, under a discharge petition, there is possibly some need for a resolution to clarify the jurisdiction of committees handling veterans' affairs. And it is regrettable that the Rules Committee, or the appropriate committee, did not bring such a resolution to the floor, that could be handled just as the House sees fit, instead of a resolution that cuts across other committees, and with which I do not believe some of the organizations

backing it are in full accord. Frankly, I do not believe that the veterans' organizations or anyone else would care to withdraw the present post-war educational program, which is being handled by the Committee on Education from that committee. Yet I am inclined to think that House Resolution No. 29 would do it.

As a veteran and a member of the American Legion, as one who has always been interested in the affairs of the Legion and its legislative program, I think the Legion has properly been interested in objectives and results. I question very seriously the wisdom of the American Legion entering into a fight over the internal organization of this House. I think it is a mistake and unwise, and it is my hope that some way can be determined whereby the post-war educational program, as recommended by the President and as it is being worked out by the Committee on Education, can be handled by the Committee on Education. The President's message and the educational bill referred to were both referred to the Committee on Education and I think that is the proper place for them. For many, many years the House of Representatives has referred matters relating to education to this committee. The legislation referred to will not only affect veterans but will affect the conduct and operation of every educational institution in America. That being true, the question resolves itself into an educational problem rather than just a veterans' problem. As chairman of the Committee on Education, I am naturally interested in preserving the jurisdiction given it by the House.

The SPEAKER. The time of the gentleman from North Carolina has expired.

REPUBLICAN NATIONAL COMMITTEE CHAIRMAN SPANGLER

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, on January 10 I made the statement on the floor of the House, among others, that the Republican national chairman, Mr. Spangler, was unintentionally an asset to the Democratic Party.

Yesterday the Washington Post, one of the leading Republican newspapers of the country, in an editorial, referring to Mr. Spangler, said:

> He has lost few opportunities, however, to make himself an asset to the Democrats.

Further, the editorial stated:

> At the very least the Democrats ought to offer him a retainer.

Mr. Speaker, tomorrow the Democratic National Committee is meeting here in Washington. Because of the tremendous, although unintentional, aid given to their party by Mr. Spangler, it might be well for the Democratic National Committee to give consideration to the proposal of this leading Republican newspaper that a retainer be offered to Mr. Spangler, provided, of course, he continues as active in the future as he has been in the past.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

SOLDIERS' VOTE

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. VURSELL addressed the House. His remarks appear in the Appendix.]

CALL OF THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present.

Mr. RAMSPECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 6]

Allen, Ill.	Hare	Norton
Baldwin, N. Y.	Harness, Ind.	O'Leary
Bender	Harris, Va.	O'Toole
Brumbaugh	Hébert	Pace
Buckley	Heffernan	Phillips
Burchill, N. Y.	Hendricks	Pracht
Butler	Horan	Randolph
Byrne	Jackson	Rivers
Canfield	Jeffrey	Rockwell
Cannon, Fla.	Jones	Satterfield
Capozzoli	Keefe	Schwabe
Celler	Kefauver	Sheridan
Courtney	Kelley	Simpson, Ill.
Dawson	Kennedy	Slaughter
Dickstein	Kleberg	Smith, Maine
Dingell	Klein	Snyder
Dirksen	Kunkel	Somers, N. Y.
Domengeaux	LaFollette	Stewart
Durham	LeCompte	Sumners, Tex.
Ellsworth	Luce	Taber
Fish	Lynch	Thomas, N. J.
Fitzpatrick	McKenzie	Treadway
Ford	Maas	Weichel, Ohio
Furlong	Magnuson	Weiss
Gale	Maloney	Wene
Gallagher	Manasco	West
Gamble	Miller, Pa.	White
Gerlach	Morrison, La.	Winter
Granger	Morrison, N. C.	
Green	Mott	
Hall, Leonard W.	Myers	
	Newsome	

The SPEAKER. On this roll call 336 Members have answered to their names. A quorum.

Further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter written by me to the Secretary of War.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

Mr. BLOOM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 192, to enable the United States to participate in the work of the United Nations Relief and Rehabilitation organization.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 192, with Mr. O'NEAL in the chair.

The Clerk reported the title of the joint resolution.

Mr. BLOOM. Mr. Chairman, I yield 7 minutes to the gentleman from North Carolina [Mr. BURGIN].

Mr. BURGIN. Mr. Chairman, to my way of thinking, there is nothing about this resolution or the organization known as U. N. R. R. A. which is difficult to understand. The background and the main features of the resolution have been explained by other Members, but I wish to call attention to the fact that 43 nations have joined with us in forming the U. N. R. R. organization. They have agreed on the broad principles underlying the effort that will be made to relieve the suffering and dislocation of peoples in the liberated areas. The American people have always responded to distress signals and this is a distress call.

It is recognized by people everywhere that after this war there will be literally millions of people hungry, suffering, diseased, and dislocated.

The agreement made by the 44 nations, which is embodied in this resolution for the information of the Congress, provides for each nation's contribution to the organization, and our contribution will be 1 percent of our national income for the year 1943. Of course, this measure is only an authorization, and any appropriations made under it will have to come from the House Appropriations Committee. By making a contribution to this organization we lay the basis for the peace that we hope and pray will soon come.

The resolution, as I view it, is not complicated. The agreement that is put into the resolution is put there for our information, but has nothing to do with what we are passing on. The main thing that we are doing in this resolution is to authorize that so much money may be appropriated for the operation of this relief program, after the armies have left the country where they are fighting, and have liberated those peoples. There is no need for me to argue the necessity for this program. We may argue about the amount, but I think the amount will be inadequate in the long run. However, we are not authorizing more than $1,350,000,000. That is the limit. We have written it into the resolution, that it shall not exceed that amount. The Committee on Appropriations will finally have the say, and this House will have a further say, as to how much of that $1,350,000,000 will be appropriated for this purpose.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. BURGIN. Yes.

Mr. LUTHER A. JOHNSON. When hostilities cease, is it not true also that our own Nation will be benefited by this relief of these stricken people, and that it is necessary, not only for their welfare to prevent chaos over there but for our own, that this be done?

Mr. BURGIN. Undoubtedly. I agree with the gentleman and I think moreover that if we did not do our part in

this crisis it would be detrimental to our spiritual welfare.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. BURGIN. Yes.

Mr. BONNER. Just how far—and what is the intent under this resolution—are we to go in the matter of reconstruction, that is in the reconstruction of historical landmarks, municipal industries, national industries, in these foreign countries?

Mr. BURGIN. I do not know that I can give positive assurance, but as far as I am concerned, and I think that is the view of the committee, reconstruction, as used in the resolution, will be a very small part—only that part necessary for relief.

As a member of the Committee on Foreign Affairs, I believe that U. N. R. R. A., headed by that distinguished American, Herbert H. Lehman, former Governor of New York, will be administered in a very careful and businesslike manner. Our representative on the central committee of the Council is Mr. Dean Acheson, Assistant Secretary of State, also an outstanding American.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. BURGIN. Yes.

Mr. BLOOM. So far as the word "reconstruction" is concerned, I call attention to section 3 of the joint resolution, and section 3 is the only part of this agreement or resolution where the word "reconstruction" has been used. If the gentleman will permit, for the information of the gentleman from North Carolina [Mr. BONNER], I shall read section 3.

Mr. BURGIN. I yield.

Mr. BLOOM. Section 3 reads as follows:

> In the adoption of this joint resolution the Congress expresses its approval of and reliance upon the policy adopted by the United Nations Relief and Rehabilitation Administration at the first session of the Council, summarized in paragraph 11 of Resolution No. 12, and reading as follows:
>
> "11. The task of rehabilitation must not be considered as the beginning of reconstruction—it is coterminous with relief. No new construction or reconstruction work is contemplated, but only rehabilitation as defined in the preamble of the agreement. Problems, such as unemployment, are important, but not determining factors. They are consequences and, at the same time, motives of action. The Administration cannot be called upon to help restore continuous employment in the world."

Now, that is expressing the views of the Committee on Foreign Affairs as to what this agreement and this resolution is supposed to call upon the Administration to do. Furthermore, it gives notice to the Comptroller General that if any funds are used for any other purposes except as expressly provided for in section 3, they are not to be approved.

Mr. BURGIN. I thank the gentleman from New York.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLOOM. Mr. Chairman, I yield 5 additional minutes to the gentleman from North Carolina.

Mr. BURGIN. The Administrator gave us definite assurance that his conception of U. N. R. R. A. would be temporary relief—to help people help themselves. It would take a year or maybe longer to put seed in the ground, raise a crop and harvest it, depending on the weather and a number of other things. The amount of money that U. N. R. R. A. would spend would necessarily have to be limited to temporary relief for 20,000,000 people in Europe and, perhaps, twice that many outside of Europe. It is a stupendous undertaking. The amount we may be called upon to appropriate, I admit, is a lot of money, but there is a lot of suffering and there will be more of it. After the last war, as was brought out in the hearings before our committee, the contribution of our Government was more than $3,000,000,000 for relief in the war-stricken countries of Europe after World War No. 1 and this amounts to far more than the U. N. R. R. A. program will cost.

So from a humanitarian standpoint, from the standpoint of our own safety, from the standpoint of the peace of the world, it is imperative that we start on it now rather than to wait until the end of the war when chaos will reign over there. Because millions of people will start going somewhere if they are liberated. They will start going back to their homes. There may be disease, such as typhus and other diseases among them, all kinds of disease. This organization will attempt to segregate them until they can be examined and sent back to their people and provide for some way to live and make a crop or make a connection with their former positions.

So, by and large, in a project of this magnitude, we can all pick flaws and say that this is an entering wedge or the camel is getting his nose in under the flap of the tent. But I call attention to the fact, as was suggested by the distinguished Member from New York [Mr. WADSWORTH], the aggregate appropriation was left open in the original bill.

Mr. DURHAM. Will the gentleman yield?

Mr. BURGIN. I yield.

Mr. DURHAM. At the present time we are training so-called Government military people to go into these occupied countries after we have once gone in and taken possession. Did the committee give any thought to using this personnel that has been trained at great expense to the War Department and the country?

Mr. BURGIN. The personnel will be recruited by the Administrator.

Mr. DURHAM. What cooperation are they going to work with; with this government military control?

Mr. BURGIN. They will not work at all until the military control is out of the territory.

Mr. DURHAM. That personnel is going to be trained and is being trained at great expense. At the present time we have 10 schools in this country today training these people.

Mr. BURGIN. But they go into the territory while the Army is there.

Mr. DURHAM. That is true.

Mr. BURGIN. This organization will not go into the territory until the Army vacates. But by and large it is an undertaking which we cannot neglect. We stayed out of the last peace organization of the world and it is my firm conviction this action has had a lot to do with the war we are in now. We cannot have peace in the world without America participating in it. We cannot have the U. N. R. R. A. and cannot have a relief program that will amount to anything without our contribution.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EATON. Mr. Chairman, I yield 15 minutes to the gentleman from South Dakota [Mr. MUNDT], a member of the Committee on Foreign Affairs.

Mr. MUNDT. Mr. Chairman, in considering the adoption of this Joint Resolution 192, this Congress is considering a highly important piece of legislation and is being asked to do three separate things which we should keep in mind, I believe, as we examine the various ramifications of this bill.

In the first place we are being asked to approve of the findings which were made at the Atlantic City Convention which gave birth to an organization which has come to be known as U. N. R. R. A.

In the second place we are asked to adopt a policy of wartime and post-war international cooperation with other members of the United Nations from the standpoint of providing relief to the unfortunate people of the nations requiring assistance.

In the third place we are being asked to provide a considerable sum of money in order to do our part in implementing this relief program.

Before discussing the bill in detail I want to make my own position crystal clear. While this legislation was not reported out of the Committee on Foreign Affairs by a unanimous vote, since there were several who either voted against it or refrained from voting, I want to say openly that I was one of those who voted in the committee to report the bill favorably.

I want to say, however, that while voting to report the bill out favorably, I was one of those who signed or endorsed or approved the committee report which accompanies the bill. I might say a word or two about that at this time.

I had several reasons for not putting my personal stamp of approval on that committee report, despite the fact I was in favor of the legislation and voted in favor of reporting it out. Fundamentally, my reason for opposing the committee report, or not approving the committee report, I should say, is that it seems to me the report seeks to paint too rosy a picture of U. N. R. R. A. and what it is likely to do. I think, consequently, it lacks candor, because it fails to present both sides of the question and tends to make Congress and the country believe that everything hoped for in U. N. R. R. A. is a foresworn reality. I might just illustrate that by pointing to a statement or two in the committee report which made it impossible for me to approve of the report in the form in which it is printed.

Page 335, for example, of the committeee report, if you will turn to it, and it is in the back of the hearings avail-

able to each of you, contains the following statement:

U. N. R. R. A. is the first civilian operating agency of the United Nations. Its organization is simple and workable.

As a matter of fact, its organization is not simple. Its organization is complex. It is in fact very complex. I think its organization is necessarily complex. I know of no simple form in which it could be put, but I for one have refused to sign my name to a report which would mislead the American people, who have not had an opportunity to consider it carefully, into thinking this is a simple piece of legislation. Such is definitely not the case and the report is in error in so describing it.

Let me illustrate just how unsimple it actually is. I refer to the debate of yesterday at page 478, where the gentleman from Illinois [Mr. MASON] asked a question of the distinguished gentleman from New York [Mr. BLOOM], chairman of our committee, in which he referred to the text of the U. N. R. R. A. agreement, printed in the bill, and wanted to know whether it was a treaty or an agreement, and whether, if the Congress passed this bill, it approved of the text. The gentleman from New York [Mr. BLOOM] said, "Yes; that is right." That was a definite and specific answer to a direct question; but on page 480 the persistent gentleman from Illinois [Mr. MASON] a few minutes later asked identically the same question of the distinguished gentleman from Ohio [Mr. VORYS], and the gentleman from Ohio [Mr. VORYS] said it was not correct, and that passage of this bill did not denote approval of the U. N. R. R. A. text. Consequently this legislation cannot be very simple when two distinguished gentlemen, good students of the legislation, who sat through all the committee hearings, give answers directly opposite to each other. I, for one, refuse to tell the Congress and the country that legislation is simple which is as complex as that.

Further, on page 338 of the report is another statement to which I cannot give approval, because it says:

The victims of war must be fed as soon as possible. Chaos and anarchy caused by human suffering would endanger us all.

I agree with the facts of those two sentences, but I disagree with the finding in the committee reports which, based on this statement, would exclude India, the greatest sufferer of them all, from coming within the confines of the bill. I shall have something more to say about that a little later on.

On page 339, the committee report says:

U. N. R. R. A. is an agency limited to the job of relief. It cannot recognize or refuse to recognize governments nor engage in political activities or decisions.

U. N. R. R. A. simply cannot help itself from engaging directly or indirectly in politics in the occupied countries. I grant that U. N. R. R. A. will not go out and recognize or fail to recognize governments, but by withholding food to one segment or another in Yugoslavia or Poland, or simply by its donation of this food, it is necessarily going to strengthen the hands of one faction or another. So, automatically, it is involved in politics. I do not have any remedy for that fact, but I do find criticism with a report which says it cannot have anything to do with politics when by its very operation it must aid or discourage one political faction or another. Shakespeare knew the answer to that when he said, "Methinks my lord protests too much." Obviously, U. N. R. R. A. has to be a part of the whole international political set-up. In my opinion, the country and the Congress should not be deluded on that point.

Further on page 339, the report says:

The need for relief is the only criterion which has been accepted to guide relief distribution, and extensive steps have been taken to see that this standard is fulfilled.

That is not a statement of fact, because if relief were the only criterion the relief would go to whatever countries among our United Nations that required it. It would go to India. But India has been excluded. Other criteria are included in the factors determining the distribution of relief, perhaps necessarily so, but they are there, and the report should not tell the Congress that relief is the only criterion.

Consequently, I say I cannot join with those of my colleagues who enthusiastically place their stamp of approval on this committee report.

I am, however, in favor of this legislation. I cannot support the flowery promises and fulsome praise found in the report, but I shall support the legislation because I feel its merits outweigh its weaknesses and it has both. I am one of those, Mr. Chairman, who recognizes the responsibility this country has for working with other nations to help eliminate distress and suffering and pestilence growing out of the war. I am one of those who believe that U. N. R. R. A., if properly administered, and if adequately safeguarded by the Congress, can make a very definite contribution to mankind at this crucial hour. I believe this for several reasons.

In the first place I consider this really a noble experiment, a great experiment in humanitarianism. And it is an experiment and nothing more, but I consider it a noble experiment made from the best of intentions by the best intenders in the world.

In the second place, I favor this legislation because it provides a laboratory experiment whereby the members of the United Nations ultimately can get actual experience in working together on a collective civilian enterprise; in doing a specific job in a definite manner by cooperative action. I believe in the theory of learning to do by doing, and consequently I favor this legislation for that additional reason.

Mr. COURTNEY. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield.

Mr. COURTNEY. Did not the gentleman subscribe to the report of the committee.

Mr. MUNDT. The gentleman did not subscribe to the report of the committee. The answer is "No."

Mr. COURTNEY. Did the gentleman raise any objection to the report in the committee?

Mr. MUNDT. If the gentleman had been listening he would have heard several objections that I have just raised to the committee report.

Mr. COURTNEY. I mean in the committee.

Mr. MUNDT. I will not yield any further to the gentleman at this time.

Mr. COURTNEY. The gentleman did not make any criticism whatsoever.

Mr. HOFFMAN. Mr. Chairman, the regular order.

Mr. MUNDT. Would the gentleman like me to tell the Congress who wrote the committee report?

Mr. HOFFMAN. Yes.

Mr. MUNDT. I am asking the gentleman from Tennessee [Mr. COURTNEY].

Mr. COURTNEY. No. I am asking another question.

Mr. MUNDT. I am not going to answer the gentleman's question a second time, but I am asking him if he will ask that other question.

Mr. COURTNEY. The gentleman on the floor of the House is making some question about the committee report.

Mr. MUNDT. Very definitely so.

Mr. COURTNEY. But he did not do it in the committee. The gentleman did not make any objection to the report itself in the committee.

Mr. MUNDT. I am making my objection to the report here and now. I know of no better and no more public place to do so. If you want to ask me the other question I shall answer it. Otherwise, I do not yield any further.

Mr. COURTNEY. Is the gentleman in favor of the bill?

Mr. MUNDT. I have said that I am in favor of the bill. If the gentleman had been listening he would have heard me say that. When I was interrupted by the gentleman I had just given my second reason for approving it; but I am not in favor of the committee report, and I do not blame the gentleman for not asking the other question I suggested.

Mr. CASE. Will the gentleman yield?

Mr. MUNDT. I do not yield any further at this time.

Mr. AUGUST H. ANDRESEN. Who wrote the report?

Mr. MUNDT. I do not yield further at this time.

My third reason for favoring House Joint Resolution 192 is that while it is costly, compared to ordinary figures, although it does involve $1,300,000,000, it is not costly from the standpoint of its comparison with the cost of war. Its cost would be about what it would cost to run the war for 5 days. I believe the Congress and the country, which is spending untold billions, which we must spend in order to win the war, can afford to appropriate 5 days of war expenditures on a program like this with the hope that it will help out with relief and strengthen the base upon which a permanent peace must be built.

There are several amendments which I believe this Congress should consider carefully from the standpoint of making this legislation more workable, from

the standpoint of Congress better measuring up to its responsibilities in this world-wide situation.

One of these amendments is the matter of establishing a time limit. The Assistant Secretary of State, Mr. Acheson, suggested that a time limit might be all right, but that it should not be less than 2 years. Whether it is 18 months, 2 years, or 36 months, whatever it is, I think the Congress in adopting this legislation—and I believe we should adopt it and I am in favor of it—should put some kind of a time limit on it. I do not think we should set up this administration to run on ad infinitum, into perpetuity. Sometime, some place, somewhere, there should be a termination of it, in my opinion. As written at present, there is no renewal date or terminal point on this authorization and legislation whatsoever.

Second. I think the Congress should look well to the financial limitations of this authorization. If a reasonable time limitation is placed on it, perhaps the $1,300,000,000 top asked in the legislation is sufficient as a matter of financial limitation. If it is going to run on in perpetuity, however, I think a more reasonable and modest initial appropriation should be made for this purpose, so that the authorities of U. N. R. R. A. will be forced to come back to the Foreign Affairs Committee to get added authorization on the basis of the job which we hope will have been well done up to that point. Either by a time limit of some kind, by a financial limitation, or by both, I believe Congress should keep some control over the direction and the activities of U. N. R. R. A. In no other way can Congress fulfill its responsibilities to the people of this Republic in insisting that U. N. R. R. A. conform with the purposes outlined for it in this bill.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. In just a minute.

In the third place, I think that if Congress can—I am not sure that it can—if Congress can figure out some way that we can amend this resolution to be sure that more of the funds and more of the benefits are used for food, shelter, clothing, and medical relief per se and less of the funds for continuing rehabilitation and reconstruction measures—if somebody can figure out a good amendment in that direction, I say it should be carefully considered. The committee discussed it, the committee tried to figure one out, but the committee has succeeded only in reporting an amendment that after all is simply a reiteration of language used earlier in the bill in the first instance.

Fourth. I think that Congress should seriously consider amending this legislation in order to take out a rather strange quirk of language legerdemain by which India becomes the only member of the United Nations in serious distress which is excluded from the benefits accruing from the act. This is true despite the fact that India is being asked to appropriate $35,000,000 for the support of U. N. R. R. A. We have the definition of terms relayed to us by the Assistant Secretary of State, Dean Acheson, himself, that India shall not be eligible to obtain any of the benefits from U. N. R. R. A.

I now yield to the gentleman from Pennsylvania.

Mr. WRIGHT. I am rather curious as to why the gentleman wishes to include India. I am referring to page 2, line 9, which seems to limit this relief to those areas which are liberated by the armed forces of the United Nations as a consequence of the retreat of the enemy. The gentleman does not suggest that India is occupied by the enemy.

Mr. MUNDT. I have the question; now let me answer it. The gentleman was reading from the preamble. If he will turn the page he will find that this relief was supposed to go—and I read from subsection (a) of section 2 of the bill on page 3——

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. EATON. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I shall be happy to yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. If the gentleman will yield, I will let him have 5 minutes of the time that has been assigned to me.

Mr. MUNDT. I thank the gentlewoman from Massachusetts very much.

The CHAIRMAN. The gentleman from South Dakota is recognized for 8 additional minutes.

Mrs. ROGERS of Massachusetts. Does the gentleman care to yield at this point or would he prefer to yield later?

Mr. MUNDT. I was cut off as I was about to read a paragraph. After I have finished I shall be pleased to yield. I am reading now subsection (a): The purposes of this act were:

> To plan, coordinate, administer, or arrange for the administration of measures for the relief of victims of war in any area under the control of any of the United Nations through the provision of food, fuel, clothing, shelter, etc.

I believe the gentleman from Pennsylvania will agree with me that that automatically would include India. It does not include India, however, according to an interpretation relayed to us by the State Department because it appears there is a conflict of language between the preamble and this section. There is a conflict of language there and consequently the definition—and let me point out that the definition has not been made by our Department of State, the definition appears no place in print in the resolutions adopted at Atlantic City—has been accepted by U. N. R. R. A. authorities that India is ineligible for benefits and relief. The State Department cannot provide you any written evidence anywhere of the author of this definition, but it was generally understood at Atlantic City, so I am told, that because of this conflict India is "included out." Thus from what one might describe as a source representing "diplomatic anonymity" comes the heart-rending report that India's suffering people are beyond the pale insofar as U. N. R. R. A. is concerned.

I now yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. A great deal is being said about humanitarian measures. Certainly it would not be humane to go into these countries and try to reeducate them in any form of religion that they do not like. They have a right to their own kind of education, they have a right to their own kind of religion. If under U. N. R. R. A. it should be attempted to reeducate them, to change their religion, it would be in the nature of Hitlerism. That is what Hitler is doing.

Mr. MUNDT. I thoroughly agree with the gentlewoman that neither this country nor U. N. R. R. A. should go into foreign countries and try to change their religion or try to inculcate any "isms" or doctrines alien to them.

Now, Mr. Chairman, I shall have to proceed for a time, if I may, although, first, I must yield to my colleague from South Dakota, because it would appear that there were disunity in our delegation did I not do so.

Mr. CASE. I merely wanted to give the gentleman an opportunity to answer the question he suggested the gentleman from Tennessee [Mr. COURTNEY] asked him if he desired the answer, Who wrote the report?

Mr. MUNDT. I have no desire to answer the question unless it is asked by the gentleman from Tennessee who interrogated me and who is a member of our committee. I asked him if he wanted to ask me the question who wrote the report. If he wants to ask that question I will be glad to answer it; otherwise I am precluded from doing so since it would involve revealing information given out in an executive session of our committee. Now, I should like to continue to develop for a while this strange relationship existing between U. N. R. R. A. and India.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I really have not time.

Mr. HOFFMAN. I just wanted to find out what was back of that curtain of secrecy. Who wrote the report?

Mr. MUNDT. I do not yield, Mr. Chairman; and Mr. Chairman, I ask now that I be not further interrupted, for my time is fast running out.

The CHAIRMAN. The gentleman declines to yield further.

Mr. MUNDT. I think that excluding India from relief is wrong, and the only way by which she is being excluded is by a tortured definition conceived by an anonymous somebody behind a curtain of secrecy up at Atlantic City.

It is wrong in the first place, psychologically, because the Indians in this war are our allies. There are 400,000 Indian soldiers fighting with our boys in Italy and throughout the world. It was an Indian corps that captured the greatest single individual captive of this war, General Von Arnheim in north Africa. I think it is psychologically wrong to omit a great and active ally like India from the benefits of U. N. R. R. A. The Japanese propaganda minister could ask for no better propaganda for effective use in India. She is threatened with invasion, her troops are fighting by our side, she is a great base for military prep-

aration, our own troops are billeted there at this moment, yet she is excluded from the benefits although she is asked to contribute. I am not giving you my own opinion solely on that, Mr. Chairman, but I am going to read to you now a part of an editorial which appeared in the November 30 edition of the Hindustan Times, one of the three or four largest newspapers published in India. That newspaper published in India says this:

The Bengal famine has at least been attributed in part to the loss of Burma and supplies from that country, and is India to be victimized for it without being technically called a victim of Axis agression? India has borne the burden of war—and there is no use raising technical questions about the nature of that participation. Her soldiers have won resounding victories in Africa and Italy; she is now the base for the reconquest of Burma and as a base she has had to strain her resources to keep Allied armies supplied. Under the U. N. R. R. A. agreement India can remain starved while Burma must be relieved. Were it not too tragic, it would be utterly farcical.

This is being read by the people of India. It is the editorial opinion of people who are our partners in this war and in whose towns and cities American service men and women are now employed. The propagandists from Tokyo who are inflaming the people because of this distinction have easy work when the Indians themselves resent the special and peculiar treatment accorded their crying needs for food and especially for medicine. I think you will agree with me that Congress should so act now that it at least make a recommendation that when the Council meets next in May it consider the possibility of including India as far as funds and facilities permit in the benefits available from the U. N. R. R. A.

In the second place I think it is unwise and unjust and unwarranted to exclude India for military reasons. We are helping the people in Sicily and Italy because Sicily and Italy are a base for military operations, if you please. India is also a base for military operations, military operations into Burma, military operations into the whole southern Pacific area, military operations to help China, and to destroy Tokyo. It is destined to become increasingly important as the defeat of Germany becomes more imminent and as we have to fight the final stages of the war in the southern Pacific. How can we on the one hand through U. N. R. R. A. make relief available to peoples participating in the way of furnishing a military base in Italy and Sicily and on the other hand tell the Indians that unfortunately they should be "included out" because of somebody's definition?

Let me point out furthermore that there are almost a million refugees from Burma in India at the present time who under the terms of this act become eligible for the benefits of U. N. R. R. A., but whose hosts and neighbors, the Indians, equally hungry, starving from the same lack of food, dying from the very same diseases, are excluded from the benefits. Would that make for good relations? Does that make for simplicity of operation? Does that make for the simple workable arrangement which the committee report claims U. N. R. R. A. enjoys?

I want this act to create good will. I want this act to relieve suffering. I want this act to be devoid of all discrimination. I want this act to be free from any imputations as to race, color, religion, politics, nationality, geographical location, or preferential status.

The $1,300,000,000 which is asked is, if you please, more money than the United States has ever yet been able to save in any 1 year in its history. Think of that. The most we have ever saved as a Republic has been in 1920 when as a Nation we saved $1,184,116,007 which was that year applied to the reduction of our national debt. So $1,300,000,000 is not small change. A billion three hundred million dollars is an important sum of money when we think of it in terms of collecting the money from our taxpayers rather than the ease with which modern Congresses pass multi-billion-dollar appropriation bills.

Here in Congress, we sometimes seem to lose our sense of perspective in money matters because we deal in such astronomical sums. Someone even referred to a billion three hundred million as a "modest sum." Mr. Chairman, modest or immodest, it amounts to about $10 for every man, woman, and child in the United States or to a payment of $50 for the average family of five. I mention this, Mr. Chairman, not because I am unwilling to have the United States underwrite this much of the world-wide relief program to follow this war and to be administered through U. N. R. R. A., but I mention it because it seems in my mind to underscore and emphasize the importance of this Congress making sure that this expenditure result in the relief of human suffering, in the nondiscriminatory aid of misery among our allies wherever it is found, and in the increase of the good will which we all hope people throughout the world have for the United States. I beg of this House to support an amendment which will make this possible, which will make India and any other people among the United Nations who suffer distress as victims of war eligible for the benefits of U. N. R. R. A. insofar as funds and facilities permit. Let us treat our equally good friends everywhere with equal respect, with equal charity, and with equal justice in traditional American manner regardless of race, color, or previous condition of servitude.

Mr. Chairman, may I refer those of you primarily interested in insisting on a policy of equal consideration for equal suffering as a guiding principle for U. N. R. R. A. to the CONGRESSIONAL RECORD for December 21, 1943, starting on page 10989, where I went into this matter in some detail. May I also suggest that you read the hearings on House Joint Resolution 192 which you have before you starting on page 273 and continuing for some 10 pages. In those hearings you will find the situation concerning India developed rather fully.

Some Members have asked where they can find evidence that India is not eligible under present circumstances to receive relief through U. N. R. R. A. It is possible some Members may argue that India is not excluded, that India will receive benefits, that India is not being asked for $35,000,000 in contributions and being told in advance that relief will not return to her to give succor to Indian sufferers in India. Let there be no mistakes about the facts, Mr. Chairman. Let the record be clear. Let us proceed with a full knowledge of the situation as it is. Let me, to that end, give you the direct quotation from Assistant Secretary of State Dean Acheson, speaking as the American member on the Council of U. N. R. R. A. The evidence is crystal clear. Turn, if you will, to page 199 of the hearings and look at the paragraph on the bottom of that page. I shall read it, now, for the benefit of Members who may not have the hearings before them, and I shall also read the first four sentences at the top of page 200. Here are the words of Dean Acheson himself, in phrases so clear and so candid that they remove all doubt about the relationship of India and U. N. R. R. A.:

In correspondence which I had on the subject as chairman of the council during the time I was chairman, I expressed the view that the geographical scope of U. N. R. R. A. activities is limited to areas which have been liberated from army occupation and that therefore at the present time India does not come within the scope of U. N. R. R. A. activities.

Now, Mr. Chairman, let me read the first four sentences of the testimony appearing on the top of page 200 which immediately follows the remarks I have just quoted by Mr. Acheson. They read as follows:

Mr. MUNDT. Which summarizes itself, as I understood it, to mean that India will not be one of the beneficiaries of U. N. R. R. A., is that correct?

Mr. ACHESON. If you are talking about the same sort of distress which now exists in India you are correct.

Mr. MUNDT. That is right.

Mr. Chairman, I want to emphasize right here a fact that Mr. Acheson made clear in later testimony and on which he has given me his personal assurance in private conversation, later, that in the foregoing statements he was not defining the limitations of U. N. R. R. A. with respect to India in terms of the policies proposed or recommended by the State Department of the United States but that he was simply relaying to the Foreign Affairs Committee the position and the definition generally accepted at Atlantic City by the delegates to the U. N. R. R. A. organization meeting. He was merely giving us the statement of the facts as they are and the definition by which India was left out of the relief picture without either putting his own stamp of approval or disapproval on the matter.

Thus the picture is clear. Unless Congress takes some step to recommend inclusion of India to the next council meeting of U. N. R. R. A. which will be held next May, India will remain in the incongruous and unconscionable position of being a contributor to U. N. R. R. A.'s budget but being ineligible for U. N. R. R. A.'s benefits. I do not propose to

make our approval of House Joint Resolution 192 contingent upon a reservation that India must be included, but I do propose that this House should adopt an amendment to House Joint Resolution 192 which would make clear our recommendation that insofar as funds and facilities permit—no further and no less—India should be made eligible for assistance from U. N. R. R. A. even though the present enemy attacks made upon her are in the form of occupation of her normal bread basket and by bombs dropping on her cities from the air rather than by the actual marching of enemy troops through her fields and in her cities. I shall offer such an amendment on Monday next.

In this connection, Mr. Chairman, I shall include with my remarks at this point, under permisison previously granted me by the House, the full text of the editorial appearing in the Hindustan Times for November 30, 1943, nearly a full month before I first called this bizarre business to the attention of the House on December 21. I hope Members will read this editorial over carefully with the full appreciation of the fact that it is published by an ally of ours in this war, by a fellow member of the United Nations, and by people in whose country our American troops are now encamped as a base for military operations essential to the winning of the war against Japan.

May I also suggest that in reading this editorial, Members give special heed to the following points:

No. 1. That to the people suffering in India, Sir Girja Shankar Bajpai, who will be quoted I am sure by Members unfriendly to my proposal as being entirely satisfied with India's exclusion, failed to reflect their true attitude. That is found in the first paragraph of the editorial.

No. 2. That what the Hindustan Times refers to as technical objections and what I have termed "a most unfortunate and tortured definition" in an attempt to reconcile a conflict between the preamble and article 1 of the Agreement do not appeal to the Indians of India as being good and sufficient grounds for excluding them from the benefits of a U. N. R. R. A. to which they are being asked to contribute generously. This is found in paragraph 2 of the editorial.

No. 3. I have previously quoted from paragraph 3 to show the bitter feeling of loneliness which India feels at being excluded from U. N. R. R. A.'s benefits.

No. 4. The final paragraph of this editorial contains this curt criticism reflecting the public opinion in India. "The first big organization for world cooperation is beginning its work as a colossal hoax." Mr. Chairman, those are not nice words to come from a member of our United Nations, and those are not lovely sentiments to be shared by the people in whose land so many American soldiers are now housed. If U. N. R. R. A. is to create good will rather than ill will—and that is what we all hope U. N. R. R. A. will produce—it is important that we remove from U. N. R. R. A. any basis for ill-feeling by a mighty and a proud people whose misfortunes are great, whose contributions to the war are prodigious, whose friendship is essential in this drive for victory, and whose cause for disappointment is obviously existent under the prevailing definition for circumscribing the benefits to flow from U. N. R. R. A.

Mr. Chairman, I shall now insert the complete text of the editorial in the RECORD at this point:

[From the Hindustan Times, New Delhi, India, of November 30, 1943]

TEXTS AND PRETEXTS

While Vice President WALLACE has characterized as a "shocking slur" Senator BUTLER'S criticism of American expenditure in Latin America and high dignitaries of the Church are praying in England for our salvation, India has met with her first rebuff at the hands of the U. N. R. R. A. Even Sir Girja Shankar Bajpai should be knowing it. If he does not, the fact that the 44 nations which signed the agreement have decided to be blind to the harrowing facts of famine in India does not absolve even a Bajpai of his blindness. Relief and rehabilitation are in no way connected with politics except the politics of hunger, and none of the delegates to the U. N. R. R. A. could have feared that by rushing to the relief of Bengal he would be recognizing a single political fact. Certain facts are, however, indisputable. India has signed the agreement, subject to the approval of the legislature. India will have to pay for it, the principal aim is to give relief to liberated areas, 44 countries have decided to pool together their resources in giving that relief, and India needs relief at this moment.

Technical objections have been raised by both Dean Acheson, the Chairman of the Council of the U. N. R. R. A., and Colonel Llewellin, the British delegate, that the Indian famine is "not within the competence of the Council to discuss at this session." These objections are primarily based on the assumption that India has not been a victim of Axis aggression. It would be difficult to find a parallel for this purblind adherence to the letter of a declaration in an age of broken pacts. Mr. Roosevelt himself interpreted its terms broadly as the utilization of "the production of all the world to balance the want of the world." But others more loyal to literal renderings prefer to stick to the patent text of the preamble which says that "immediately upon the liberation of any area, the population thereof shall receive aid for relief from their sufferings in the form of food, clothing and shelter, aid in the prevention of pestilence, and the recovery of the health of the people." Mr. Roosevelt subsequently used the phrase "victims of German and Japanese barbarism," without intending to narrow down the construction of the preamble.

Is it contended that victims of Axis aggression would exclude, shall we say, victims of Allied advances? If there were to be a famine in the Azores, would it be a responsibility only of the Portuguese or the British or the Americans? The Bengal famine has at least been attributed in part to the loss of Burma and supplies from that country, and is India to be victimized for it without being technically called a victim of Axis aggression? India has borne the burden of the war—and there is no use raising technical questions about the nature of that participation. Her soldiers have won resounding victories in Africa and Italy; she is now the base for the reconquest of Burma and as a base she has had to strain her resources to keep Allied armies supplied. Under the U. N. R. R. A. agreement India can remain starved while Burma must be relieved. Were it not too tragic, it would be utterly farcical. The Atlantic City charter would be more infructuous than the Atlantic Charter.

The Council of the U. N. R. R. A. has, of course, the pretext that the Indian famine is purely a pathological problem for the British Government. That Government is watching—maybe with concern or maybe with disdain—the helplessness of the Indian Government. That the Indian Government, composed as it is at present, is not any nearer a solution of the problem does not appear peculiar to the motley crowd in Atlantic City. Sir Girja Shankar Bajpai has evidently not told them that shipping space is not available even to make use of offers of help. Nor are the other delegates in a mood to take the risk of telling some home truths to the major nations represented on the Council of the U. N. R. R. A. The Indian delegate is unwilling to bring the matter up; why should others? The Chinese delegate is reported to be willing to give India's case favorable consideration and press for discussion in the Council and so also are the delegates of Australia, New Zealand, Chile, Mexico, and South Africa. As Sirdar J. J. Singh, president of the Indian National Congress in the United States, who has taken an active and vigilant part in this matter, has stated, the delegates to the U. N. R. R. A. should bear in mind the possible psychological reaction in India to the fact that while India is to contribute to the relief of other countries, she herself is not to receive consideration. Even the central legislature, moribund as it is, will have to bear this in mind.

Colonel Llewellin has tried to dispose of the matter cursorily by reminding himself that it has been already announced in Parliament that arrangements have been made to ship as much grain to India as it is possible to transport and handle for the remainder of the year, and that in any case a resolution passed by the Council of the U. N. R. R. A. would not mean practical help. This is not facing the facts. Mr. Roosevelt, in his eloquent address to the representatives of the 44 nations, declared that it was a matter of enlightened self-interest, of military and strategic necessity to give relief to countries liberated from the Axis yoke, and only a desire to ignore one of the ugliest facts in the British Empire can inspire the argument that the relief of Bengal is not a strategic necessity. If the U. N. R. R. A. agreement does not admit this interpretation, then it is time the declaration is differently—and more worthily—worded. It is perhaps useless to remind even ourselves that India was often the first country to think of going to the relief of distress anywhere in the world.

The United States, whose soldiers have been billeted in this country for so long, has, as Mr. William Fisher, the American journalist, stated in an article in Life, a special responsibility in the matter. Mr. Fisher makes the obvious suggestion that a dozen ships temporarily diverted from elsewhere and shuttled between India and Australia would have an immediate effect in relieving the famine. That such suggestions should pass unheeded is a matter which the U. N. R. R. A. can take cognizance of. We are, perhaps, talking too much of gruesome realities and too little of the complexity of committee work and the domination of the Big Three or Big Four. The first big organization for world cooperation is beginning its work as a colossal hoax and there is the prospect of relief being in the end left only to A. M. G. O. T. and advisory commissions. World pools look inherently, and tragically enough for India, connected with politics. Is it our misfortune the Allies have failed in every test applied by India? The situation in Atlantic City seems to be that there is a fear that, if the U. N. R. R. A. takes up Indian famine, it might be impinging on British responsibility for the safety and welfare of India. That may lead to the recognition of certain other facts. Whatever

Mr. Roosevelt might say, there is no freedom from fear among the delegates of the U. N. R. R. A. In their fear of ugly facts they prefer to go about in blinkers.

Mr. Chairman, I have no desire to belabor the RECORD with overwhelming evidence to establish the point for which I plead. However, a quotation or two from the American press might be in order. Under permission secured earlier today, therefore, I now call attention to an exhibit in the form of a news story from the New York Post of November 27, 1943, written by staff correspondent William O. Player, Jr. The news story is short and it speaks for itself. It might be appropriate, however, to high-light two rather significant points.

No. 1. The news story throws some additional light upon why the people of India do not share Sir Girja Bajpai's enthusiasm for the arrangements by which U. N. R. R. A. fails to provide any relief to India and why they are disappointed over his failure in not having India made eligible for consideration in this world-wide relief program.

No. 2. I call your attention to the statement of Dr. T. F. Tsiang, the Chinese delegate to the Atlantic City U. N. R. R. A. conference. Dr. Tsiang states he would favor relief for Bengal—the most seriously stricken Province of India. Mr. Chairman, thus not only the people of India, but the Chinese delegate to the U. N. R. R. A. conference, representing the other great Asiatic ally which we have in the Pacific, would look with approval upon any action taken by this Congress to extend the consideration to India which seems so amply indicated by both logic and facts. I now call your attention to this news story from the New York Post:

STARVING INDIA STALKS RELIEF COUNCIL'S HALLS

(By William O. Player, Jr.)

ATLANTIC CITY, November 27.—Starving India's right to aid from the United Nations Relief and Rehabilitation Administration which until now only the New York Post and the India League of America has actively defended—has suddenly flared into one of the most burning issues of the U. N. R. R. A. council meeting here.

It was forced into the open at a press conference held yesterday by Sirdar J. J. Singh, president of the India League of America, who, brushing aside the diplomatic delicacies which had previously balked discussion, bluntly asserted:

1. That Sir Girja Bajpai, official U. N. R. R. A. delegate of the Indian (British) Government, had failed in his responsibility to the Indian people by not going ahead and presenting his country's case to the council, regardless of what the outcome might be.

2. That Sir Girja privately took the position that it would be unwise to make any request on India's behalf unless assured in advance it would be granted.

3. That in view of Sir Girja's actions, the Indian Legislature—unrepresentative of the people as it might be in many respects—quite possibly would refuse to ratify India's participation in U. N. R. R. A. at all.

SOUNDS OUT SENTIMENTS

Singh, who has been here since Wednesday, quietly sounding out the sentiments of U. N. R. R. A. officials and delegates, admitted some of the officials seemed convinced that famine conditions in India didn't come within the legal scope of the Washington agreement.

On the other hand, though, he reported finding deep sentiment for India's plight among a number of delegations, particularly the Chinese. Singh's reference to the Chinese was the stroke that really started the ball rolling, because the Chinese delegate, Dr. T. F. Tsiang, soon afterward issued a formal statement saying that, though he regarded the question of jurisdiction one for the council to decide, he nevertheless had assured Singh that:

"If the question of relief in Bengal should be raised in the council, it would receive my personal favorable consideration."

Mr. Chairman, I shall call the attention of the Congress to but one other news story or editorial statement from the many appearing in American newspapers. I refer now to an article appearing in the New York newspaper PM, and signed by I. F. Stone. I think Members of this House realize that I do not ordinarily string along with PM and that PM does not ordinarily string along with me, so that makes matters even. However, I believe the following news report merits being brought to the attention of the Congress and the country. It is not very long, so I shall include its text in full at this point in my remarks. I believe Members will find the final three paragraphs of the article especially illuminating and thought-stimulating. News item from PM:

THE U. N. R. R. A. AND INDIA

ATLANTIC CITY.—"Have you ever been to India?" the British delegate asked, with the air of a man who has scored a crushing point. I had to confess that I had never been to India. And I can't read a word of Sanskrit.

We managed to write of British heroism in 1940–41 without having been in London during the "blitz." Is starvation so esoteric that we cannot comment on the famine in Bengal without a Cook's tour of India?

India's position at the U. N. R. R. A. (United Nations Relief and Rehabilitation Administration) conference here and U. N. R. R. A.'s position on India breed embarrassing questions. There are United Nations represented here and Associated Nations. France is an Associated Nation, its national committee being but imperfectly recognized. India has full status as a United Nation. And her delegation has agreed with the others on the principle that each shall contribute 1 percent of her national income to feed the people of liberated areas.

This agreement is subject to approval by each nation "in accordance with its constitutional processes," a phrase intended for dulcet effect on the ears of our Congress. The Indian delegation is understandably worried about the moment when, back home, someone says, "Why didn't U. N. R. R. A. do something about our own starving people? Why the one-way bargain?"

I can imagine nothing more likely to infuriate Indian opinion than the request that India be asked to make a large contribution to relief for the hungry elsewhere while no attention is paid to her own. That should certainly be suki-yaki for Japanese propaganda.

There are answers, of course, but they won't read well in Urdu or Hindustani. U. N. R. R. A. was set up to feed people in liberated areas—and India, as the preferred circumlocution goes, is not an area to be freed from Axis domination. It is outside the scope. It is not in the agenda. (Pontius Pilate should have had an agenda.)

While not as satisfying as a bowl of rice it may be of some comfort to hungry Indians to know that they did not occasion the slightest breach of diplomatic decorum.

"Chin up, old fellow," one can hear a returned Indian delegate explain to an emaciated untouchable in the streets of Calcutta, "we saved the agenda."

The agenda and the realities are not in accord. Why do we feed the people of southern Italy? Because that is the base from which our Army is moving north and we cannot have that base disorganized by starvation. Why should we feed the people of Bengal? Because that is one of the Anglo-American bases for the push into Burma.

India has plenty of money. Financially she has done well in the war. Her sterling balances are enormous. But you cannot eat sterling.

U. N. R. R. A., without stepping outside that sacred scope and sanctified agenda, could pass a resolution asking the Combined Shipping Board to make some extra tonnage available for foodstuffs to India.

"That," said the British delegate, "would only be a gesture." It need not be. The American and British Governments run the Combined Shipping Board, and if they want to send extra food to India they can—even though it mean that some of us get along without a third cup of coffee.

I am told that the Japanese have been dropping tiny packets of rice on Bengal. Of course, this is propaganda. But possibly better propaganda than posters on the "four freedoms," including freedom from want. A few shiploads of food would be better than either, and I still hope U. N. R. R. A. will take steps to send them before it adjourns on Wednesday.—I. F. Stone.

Mr. Chairman, let me make one other point, and I am through. From the very beginning one of the strong arguments made on behalf of U. N. R. R. A. by Mr. Acheson, Mr. Crowley, Dr. Sayer, and other witnesses before our committee was that the operation of U. N. R. R. A. would eliminate competition in the markets of the world by which individual countries would try to outbid each other in a frantic effort to get food and supplies for their post-war needs. It was a persuasive and plausible argument. It seems logical that one organization, if it buys for all, can better utilize the surplus supplies of the world than if each country must buy for itself in a race against time and diminishing supplies in order to avoid starvation, pestilence, and human misery. However, it should be apparent to all Members that when a great country like India is excluded from the benefits of U. N. R. R. A. it established a competitor of vast size in the markets of the world. Either India will compete with U. N. R. R. A. for medicine, supplies, and food wherever it is available, or, while barring India's present needs from consideration, U. N. R. R. A. will determine for India how much she will be permitted to buy and thus insult will be added to injury and ill will will be pyramided upon India's present sense of loneliness.

In two different places on page 475 of yesterday's RECORD the gentleman from New York [Mr. WADSWORTH], who is one of the foremost advocates of U. N. R. R. A. in this House, stressed this freedom-from-competition argument in convincing terms. Let me read you both of his statements in their entirety. They are as follows, in response to interrogatories by the gentleman from Minnesota [Mr. ANDRESEN]:

Mr. AUGUST H. ANDRESEN. Can any of those countries which have dollar exchange buy

anything here in the United States, or in any other country, with that exchange that might be delivered to them outside of U. N. R. R. A.?

Mr. WADSWORTH. Will the gentleman yield?

Mr. BLOOM. I yield.

Mr. WADSWORTH. One of the purposes of this agreement is to prevent the countries that have money competing against each other in the world markets for supplies, and thus the country with the most money would get the most supplies and result in starving out a country with less money. Under this agreement all procurement of supplies must be with the approval of the joint organization which is charged with the duty of seeing to it that the available supplies are honestly and equally distributed, even though in many cases the country to be benefited will pay for it herself.

Mr. AUGUST H. ANDRESEN. Then U. N. R. R. A. will control all exports to those countries of essential and other commodities?

Mr. WADSWORTH. When the supplies are finally procured, wherever they are procured, anywhere in the world, their distribution will be seen to by the central organization charged with the duty of seeing that it is done fairly, and stop competition between nations.

One does not have to be the second cousin to a lexicographer, Mr. Chairman, to understand the import of those statements, as they may full well work out for India. At least insofar as purchases outside of the United States and the United Kingdom are concerned—certainly for purchases in such neutral countries as Turkey and Argentina—India must either do one of three things: First, compete with U. N. R. R. A. and thus upset one of the basic reasons for U. N. R. R. A.; second, keep out of the market and thus aggravate her own serious shortcomings, especially in the fields of medicine and skilled medical and nursing talent; or, third, silently and patiently hope that while India is prevented by "anonymous definition" from being eligible for relief from U. N. R. R. A. she will in some way be given a few crumbs of comfort from a table which at best is unlikely enough to have supplies sufficient for all the guests for whom chairs are already conveniently placed and place cards conspicuously arranged. Neither alternative is very inviting. Much more inviting, in my opinion, would be the recommendation by this Congress that the U. N. R. R. A. council next May redefine its relationship to India so that at least her needs will be surveyed and her condition recorded and so that the world's distress can be included in a common poll insofar as the United Nations are concerned and then such relief as funds and facilities permit be made available to the deserving people in the distressed areas of India, more especially those of great military significance to our common cause.

Mr. Chairman, I submit that such a recommendation by this House and such action by the next U. N. R. R. A. Council will help make U. N. R. R. A. workable. It will help end confusion and competition. It will avoid any basis for a feeling that discrimination has entered a field where only charity and human kindness should parade. It will increase good will in an area where it is most important in this war. It will pay dividends in humanity and it will reap dividends in kindly treatment and acceptance for our troops in India. It will be a great victory in our psychological war against the Japanese and deprive them of one of their greatest propaganda weapons. It will win the plaudits of our gallant Chinese allies. It will pool in one place the existing famine and pestilence problems of those of our United Nations with the greatest victims of this war and provide an opportunity for surveying the picture as a whole and meeting the problem insofar as we are able.

Finally, it will not add to the financial burdens of U. N. R. R. A. since India has the resources to pay for her relief, but it will round out its program so that especially the medicine, the nursing and medical talent, and the equipment so badly needed to stop death by disease in India can be distributed in its fair share to Mother India. Mr. Chairman, kind words, pious phrases, futile hopes, and adjectives of sympathy will not suffice to strengthen the sinews of war and increase our bonds of friendship with India, but appropriate action on our part on Monday by appropriate amendment to House Joint Resolution 192 will do the job. Let us meet this challenge squarely and wisely act when opportunity presents itself on Monday next.

Mr. EATON. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Chairman, some of the most important features of this legislation have already been discussed rather thoroughly and very ably, and I find it difficult to add much more to this discussion without being guilty of what might be called repetition to a certain degree. The committee has had recited to it the background of this proposal and the steps which were taken in drafting it; that is, the international agreement culminating finally in its being approved by the accredited representatives of the 44 governments, including our own.

Perhaps the committee will bear with me a moment in my endeavor to portray some of my own thinking on this thing since I first heard of the proposal. As I do that may I say that my thinking about it ran closely parallel to that of several members of the Committee on Foreign Affairs.

When we first heard of it one consideration seemed to us of great importance and that was that whatever the agreement should seek to accomplish it should not in any fashion whatsoever destroy the independent action of the United States with respect to the support of the undertaking and that the exercise of independent action by the United States should, of course, reside in the Congress of the United States. I think it is fair to say that that was our first concern.

Our next concern was, having entered into an agreement the conduct of the undertaking should not be distorted into something which from the practical standpoint would be nearly impossible and from other standpoints highly objectionable. That is, we hoped it would not be expanded for use in what might be termed an international world-wide W. P. A. I know those two features were in my mind when I first heard of it and I know they were in the minds of my colleagues on the Committee on Foreign Affairs. So that when this thing was first brought to us in tentative form in an informal conference, at which all of the members were present from time to time, and in a series of conferences, our inquiries and insistence were directed along the lines I have just now indicated.

In certain respects the original tentative draft was not sufficiently explicit in our view to make it certain that in the furnishing of contributions the Congress of the United States should have the final and determining say in the matter. Second, it was not sufficiently explicit with respect to the type of work which the so-called U. N. R. R. A. was to perform.

I have been in the Congress 24 years all told, or nearly so, and have served upon a good many committees in both the Senate and the House. I think I am justified in saying to this body here this afternoon that never have I served on a committee which has received more intimate and candid and frank cooperation from an executive department as the Foreign Affairs Committee in our long, long sessions on this bill. The men who came before us from the very beginning made no attempt to conceal, no attempt to paint glorious pictures, made no attempt to evade our questions, and, as a matter of fact, upon more than one occasion expressed sympathy with our suggestions. A similar experience, I am told, was had by the Senate Committee on Foreign Relations with these same representatives from the State Department, except that the Senate Committee on Foreign Relations went further than we did and were justified in so doing because in that committee due consideration was given to the difficult question of whether or not this instrument should take the form of a treaty or the form of an executive agreement.

If you will read the address of Senator VANDENBERG, of Michigan, delivered on October 27, 1943, found on pages 8801 and 8802 of the CONGRESSIONAL RECORD, you will find coming from him a description of their deliberations upon this question and amongst others there is the statement that the original draft, tentative in form, was couched in language which in the judgment of that subcommittee of the Foreign Relations Committee did make it a treaty and the suggestions with respect to that part of this problem coming from the Senators, of course by informal action but nevertheless described in Senator VANDENBERG'S speech, resulted in the language of the agreement being changed to such an extent that those Senators who had studied this thing from the beginning were satisfied that in its amended form it was acceptable as an executive agreement.

In the last draft which was finally adhered to by the 44 nations, language was contained as contrasted with the original language, or the language of the ten-

tative draft, which made it perfectly clear that no member-government, including of course the United States, could be held to any commitment with respect to the making of contributions and that whatever contributions should be made by any member-government would be made in accordance with its usual constitutional processes.

We were delighted when we found that stated so explicitly in the final draft. Also in the final draft we found the functions of U. N. R. R. A. explained with greater clarity so as to make it clear to the satisfaction of nearly all of us on the committee, perhaps not to the complete satisfaction of every single member, making it clear that speaking generally U. N. R. R. A. was to undertake a temporary relief, not long-time reconstruction or construction.

The general purposes and objectives of U. N. R. R. A. are contained in the first section of the agreement which is found on page 2. That is the foundation section upon which all the rest of the agreement rests and which governs and must govern if they are faithful to their undertaking and their understanding with us on the whole performance.

Several questions were asked about the committee report, one by the gentleman who preceded me. I do not know who wrote the tentative report that was submitted to the committee. I know this, however, that we took that tentative text and in three executive sessions lasting a total of 9 hours your Committee on Foreign Affairs went over every single sentence of it and changed it dozens and dozens of times, eliminating this, that, and the other and inserting things of our own authorship.

For example, the first paragraph in this report was inserted by your committee, and the author of that paragraph is the gentleman from Ohio [Mr. VORYS]. We thought that that was a proper introduction to the report in general, to indicate what this was all about. I will not take the time of this committee to go through the pages of that report. I have a criticism to make of it, that it is too long. I doubt if there are 40 Members of the House who have yet read it from beginning to end. I could point out that there are things in it which might be of interest which were inserted by the committee to make certain what the interpretation of your Committee on Foreign Affairs was with respect to this international agreement.

Again, on page 4 we find this short paragraph which we inserted:

It should be emphasized at this point that a study of the international agreement and the proceedings of the Council at Atlantic City—

I should say that several members of the committee went to Atlantic City and listened in to the best of their ability—

makes it clear that each member government retains for itself the right to govern its participation in the undertaking in accordance with its usual constitutional procedures. Obviously this means that, in the case of the United States, its appropriations and contributions must be authorized by the Congress and approved by the President.

A commitee report is fairly influential in the interpretation of an act. The courts have often held it so.

To make more certain of the understanding or interpretation of the Congress should it pass this authorization resolution, we proposed as a committee amendment section 3, which is found on page 15, and which has already been read to the Committee of the Whole by the chairman of the committee, the gentleman from New York [Mr. BLOOM]. We lifted that language right out of the official resolution passed by the Council at Atlantic City and made a part of their official records. By lifting it out of their own resolution and putting it into ours, we give notice to all persons concerned that the Congress of the United States in authorizing appropriations to implement the agreement relies upon what the Council of this international organization have already decided would be their policy.

Mr. CASE. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from South Dakota.

Mr. CASE. With respect to the authorization of appropriations, would the gentleman as a member of the Committee on Foreign Affairs feel that the committee or the heads of U. N. R. R. A. would be warranted in assuming that they should make commitments if this resolution passes in its present form that would incur obligations resting upon the United States in the amount of $1,350,000,000, prior to and without the passage of any appropriation by the Congress?

Mr. WADSWORTH. No, I do not think they would.

Mr. CASE. In other words, the gentleman thinks they should not make commitments in advance of or in excess of any actual appropriations made by the Congress?

Mr. WADSWORTH. Yes; and they have not done so. There has been a rumor to the effect that they have already begun to buy supplies. That is not true. They have made some estimates as to what they may need at the beginning of this work and have tried to identify the places where those supplies may be found if and when the appropriations are made for their purchases. That is all.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. Mr. Leo Crowley appeared before your committee and in his statement indicated that he would handle the funds the United States would appropriate for our part in this agreement. Does the gentleman feel that it is quite certain that Mr. Crowley will be in charge of the funds? I may say the reason for asking this question is that personally I have a very high regard for Mr. Crowley and believe he will see that the interests of this country are made secure in the handling of this money, and that it will not be dissipated in a world-wide W. P. A. or some other scheme that would be injurious both to the people and to the country. I should like to know the gentleman's opinion of Mr. Crowley and his handling of the matter.

Mr. WADSWORTH. Mr. Crowley appeared before the committee and was questioned concerning the actual administration of the activities to be conducted in the United States.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. EATON. Mr. Chairman, I yield 8 additional minutes to the gentleman from New York.

Mr. WADSWORTH. Mr. Chairman, it is quite impossible to trace in the time allowed the machinery which is proposed to be employed by the agencies of the Government of the United States in filling the requests of U. N. R. R. A. after appropriations have been made. We have no final, definite announcement that Mr. Crowley and the F. E. A. will do the business operating of this undertaking in the United States. We were told that it is highly probable that the administration of it to that extent would be put under F. E. A.

We discussed at some length whether it would not be wiser for the Congress in authorizing this appropriation to specify an existing agency of the Government and name it in the resolution as the one which shall administer this undertaking in the United States. The committee has left the resolution without such a specification, leaving it to the President, in effect. An amendment will be offered, I believe, by the gentleman from Ohio [Mr. VORYS] confining the administration of it to one particular, permanent, founded-upon-congressional-law department, such as the State Department or the Treasury Department. Some of us believe it might be wiser to select a department which has had long, long experience, which stands on a legal foundation and is not merely a device to meet the war emergency, but which is, as we all know, to continue after this war as a steady, permanent agency of the Government. I do not think that the issue, as far as this House can decide by amendment, is really vital to the underlying, fundamental problems represented in this joint resolution.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I wish to ask two questions which have a relation to the $1,350,000,000. If I understand the general approach, the committee's report on pages 11 and 12 sets forth the general financial plan. That appears to be based on our national income. Will this $1,350,000,000 be an annual contribution or an over-all contribution, and if the $1,350,000,000 is the United States' portion of the financial plan, does this not commit the Congress to appropriating the $1,350,000,000, and thereby make practically meaningless the proposition, "As the Congress may determine from time to time to be appropriate"? In other words, are we not committing ourselves first to $1,350,000,000, based upon

the financial arrangement in the agreement which has been made? Would that be fair?

Mr. WADSWORTH. Not quite that. In my view, and in the view of at least a majority of our committee, this is an announcement by the Congress to the effect that under no circumstances, unless some future Congress changes the whole picture, will the Congress of the United States appropriate more than $1,350,000,000. It does not promise that the Congress will appropriate the whole of that sum, but no more than that sum, unless they come back and persuade a future Congress to amend that limit.

Mr. CRAWFORD. That goes directly to the second part of my question. I refer to page 12 of the committee report. As I understand that language, an agreement has been reached, that is, minds have met on the proposition, that we will pay let us say 1 percent roughly, or $1,350,000,000; so, it seems to me that therein we commit ourselves to $1,350,000,000. We make a commitment of that amount.

Mr. WADSWORTH. I cannot see it quite that way, as I have said. Mind you, that formula of 1 percent of the national income is a formula which does not have a binding effect upon any one of the 44 nations. And I think I ought to say at this point, that in our long discussions, which started away back last June, and also in conversations which I have had with people who have studied this thing, including people in the State Department, and some foreign representatives, I was very pleasantly surprised to encounter amongst other nations an insistence that there shall be nothing in this agreement that bound them without their consent. They were just as determined as are our people that they shall not be committed helplessly and hopelessly; and many of the suggestions for clarifying this agreement—that is, the first tentative draft—in this respect came from those nations, who wanted it clearly understood that they could not be dragooned by this international organization. They contributed a good deal of the spirit of liberty and the preservation of sovereignty in the drafting of this agreement.

Mr. CALVIN D. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. Yes.

Mr. CALVIN D. JOHNSON. I notice that in section 3 it says:

> In the adoption of this joint resolution the Congress expresses its approval of and reliance upon—

And so forth. And then, running down to paragraph 11 we find the following language:

> The task of rehabilitation must not be considered as the beginning of reconstruction—it is coterminous with relief.

As I understand it, in the restoration of essential facilities that would mean the repair of water mains, or any of the essential services for carrying on. It would also mean that we would not be morally binding ourselves in the beginning of the reconstruction period that we stay there as long as necessary because this sets forth that it is coterminous with relief. Is that your understanding?

Mr. WADSWORTH. No, it is not. We had quite a discussion yesterday about this word "coterminous." In our discussions it was made clear that this is an emergency relief measure. When you go into an interpretation of "rehabilitation" you mention water supply. As a matter of fact, this is the way it is working practically. The Army lands at Naples and drives the Germans back. Naples is a wreck. The water supply has been interrupted, not all destroyed. It has been blown up here and there, the main lines. The docks are all blown up, ships are sunk in the harbor. The streets are full of rubble, and the very first thing the Army engineers do, and the British engineers, is to mend, or toggle up, the waterworks, the electric light plants, so that they can get water and light, and then clear away the rubble and toggle up the docks, not permanent reconstruction. The armies will do most of that, as they go through. They have to. If a bridge is blown up, the British or American Army engineers are not going to wait for U. N. R. R. A. to come along and mend the bridge. Great heavens! The engineers are going to mend it with anything that they can lay their hands on. It is rehabilitation and incidentally benefits the civilian population.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. BLOOM. Mr. Chairman, I yield to the gentleman from New York 10 minutes more.

Mr. ROWE. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. May I develop this a moment, this matter of emergency rehabilitation or repair, because I think we ought to get the matter pretty well understood. You cannot draft and put into a statute a definition, a rigid definition, which will distinguish relief and rehabilitation. You have to follow a policy, rather, and be faithful to your policy, with occasionally some little departure from it. We have the right to learn something from our experience also. When our people and the British went into north Africa, lend-lease followed along with the Army, on the request of General Eisenhower, and distributed food to the natives. That was primarily a military measure. General Eisenhower did not want to have half-starving and perhaps an unruly and disorderly people in the city of Algiers, or in Oran behind his troops—give them food, or even chewing gum, if that will help keep them quiet. Those things were done. Undoubtedly some windows were put into houses that had been blown out, and perhaps a house or a cellar had a shed roof put over it. That is rehabilitation, temporary, toggle-up repairs—anything to get things in reasonably decent order so that the war may go on. And as it turned out, as I indicated in a colloquy yesterday with the gentleman from California, the French paid us back every dollar of it. The last payment, I noticed in a dispatch from Algiers, amounted to $15,000,000. They had the money, they did not have the supplies there when our troops landed. U. N. R. R. A. is supposed to go along after the Army's needs have been taken care of, and not before, because this agreement says, in effect, that U. N. R. R. A. goes into operation only when the military authorities in the recovered, formerly occupied, territory give the signal, and not before. But things are bound to overlap, and you cannot draw a rigid line to separate them. The thing is emergency relief, and we tried to make that plain.

Mr. ROWE. Pursuing the question of the gentleman from Michigan [Mr. CRAWFORD] with reference to the payment of $1,350,000,000, and assuming that it is a promise to commit ourselves to that extent, I ask this question: If the Congress does not appropriate the money in different amounts, and at any time when needed as it proceeds, it refuses to keep exactly on schedule until the total amount of $1,350,000,000 is appropriated, does that constitute our withdrawal from the Corporation?

Mr. WADSWORTH. It does not. We cannot be expelled. We may withdraw ourselves in accordance with the withdrawal provision in the international agreement. Several countries, I do not know how many, will not be able to live up to that 1-percent formula. For example, Greece will not be able to live up to it. What kind of income did Greece have in 1943? Greece is just a wreck. It could probably contribute very, very little until the work gets along a little and people begin to get on their feet in Greece. Then perhaps they will come in a little bit. But in the beginning Greece has to have relief from other nations that have got the money. There is a good deal more money available for this than the $1,350,000,000. Some of these nations now occupied by Germany have large gold balances abroad and under the agreement and understanding reached by the Council at Atlantic City, they must pay for their own relief as long as those funds last. That is not part of the appropriations to be made to U. N. R. R. A.

Mr. MICHENER. Will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. MICHENER. Mr. Chairman, as I interpret this bill, it does primarily two things. First, it approves this agreement. Then it limits in this part of the agreement included in the bill the appropriations to the amount authorized. Now, calling the gentleman's attention to article VIII, page 13, subsection a, line 23, "Amendments involving new obligations for member governments shall require the approval of the Council by a two-thirds vote and shall take effect for each member government on acceptance by it."

Query: Does that provision authorize the Council to change, modify, extend, or limit the agreement as embodied in this bill? If so, will any action on the part of Congress be necessary before that changed agreement is binding upon the United States?

Mr. WADSWORTH. That paragraph "a" which the gentleman from Michi-

gan has just read, refers, of course, as you see, to amendments which might be proposed in the future involving new obligations to be undertaken by the signatory governments. It says "new obligations." Now let us suppose that the Council, by two-thirds vote, proposes to change the plan. That amendment cannot take force and effect upon us until the Government of the United States says "Yes."

Mr. MICHENER. Will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. MICHENER. Question: Who is the Government of the United States? Who makes that decision?

Mr. WADSWORTH. In my humble judgment, in that case it is the President of the United States. He is the executive officer at the head of this Government who signs this agreement. In that sphere he is the Government of the United States.

Mr. MICHENER. I quite agree with the gentleman. Then the answer is that the Council does and can change the entire agreement, providing the President approves of any changes without any action from the Congress.

Mr. WADSWORTH. I have no such information. Congress can still decline to appropriate even when the change has been assented to by our President.

Mr. MICHENER. The only thing we have to do with it is to deny appropriations.

Mr. WADSWORTH. And that stops the whole thing. And if the Congress of the United States is not competent in its wisdom to take care of the interests of the United States, we would better adjourn.

Mr. CALVIN D. JOHNSON. Will the gentleman yield for one further question?

Mr. WADSWORTH. I yield.

Mr. CALVIN D. JOHNSON. I have felt, as an individual, that the Army has been doing an excellent job in the rehabilitation work it has carried on in the occupied countries, as it has driven the enemy back. What would be the gentleman's thought in having this organization placed directly under the control of our Army as a civilian branch, so to speak, following through, so the overlapping would be eliminated? Now, you stated a moment ago—and I will be frank on this—that the organization was to get Greece on its feet. Many of us fellows in Congress are fearful that some of those nations overseas will get too much "grease" on their hands if we do not have the Army watching them. I would like to see the Army as the administrative force directing the civilian branch, such as U. N. R. R. A. Would that be possible, in your opinion?

Mr. WADSWORTH. U. N. R. R. A., by the very nature of the case, must be a civilian organization. You must remember it is an international organization. I do not think you could ask all the armies of the United Nations——

Mr. CALVIN D. JOHNSON. No; our Army operating our part.

Mr. WADSWORTH. Well, our part—our part is the contribution of money or supplies acquired in this country. And we will acquire some of it from other countries. We do that through our civilian agencies, like the War Food Board or the W. P. B. or the Treasury Department, as, perhaps, the gentleman from Ohio [Mr. VORYS] is going to suggest, and those supplies, when procured, are turned over to the international organization to be distributed in such fashion that all the recipient nations shall be treated fairly and decently.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BLOOM. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS of Ohio. Mr. Chairman, I have requested this time from the Democratic majority so we can hear wisdom from a distinguished Republican statesman, Senator VANDENBERG. I want to read from the speech, to which reference has been made by the gentleman from New York [Mr. WADSWORTH], in the CONGRESSIONAL RECORD of October 27, 1943, at page 8802. I quote from Senator VANDENBERG's speech, as follows:

> Senator VANDENBERG. The executive and State Department at first announced that the relief- and rehabilitation-draft agreement would be executed by executive agreement. It was to be done exclusively by the administrative arm of the Government, without reference to Congress.
>
> I challenged that interpretation of the situation by a resolution which requested the Senate Foreign Relations Committee to inquire into the question whether or not the relief and rehabilitation draft rose to the dignity of a treaty. The committee immediately considered the matter and subsequently appointed a subcommittee on the subject. I think it was very clearly the opinion of the committee that as originally drawn the relief and rehabilitation draft agreement did involve practically illimitable obligations on the United States almost in perpetuity, and that as drawn it was a treaty or should have been. Certainly it was not an obligation such as could be concluded merely by executive agreement.
>
> Thereupon a special subcommittee of the Senate Foreign Relations Committee and two Under Secretaries of the Department of State undertook to rewrite the draft agreement so as to eliminate from it those illimitable commitments which carried it into the realm of a treaty, and which brought it back into what we thought was the realm of an agreement. We succeeded in rewriting it to a point where it is now literally nothing more than the authorization of appropriation, and there is no commitment in the text to anything except the expenditure of such moneys as are specifically appropriated from time to time by Congress for this purpose. Furthermore, the agreement itself will be textually included within the measure providing for the authorization of the appropriations.
>
> I was convinced in the first instance that the relief and rehabilitation agreement should have been a treaty. The President was convinced that he could proceed by executive agreement. There we have the two extremes of the possibilities. We have rewritten the text so that, in my opinion and in the opinion of the State Department, we can now proceed on the basis of joint action by the two Houses, by action which is less than treaty action, because the text itself has become merely the authorization of an appropriation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EATON. Mr. Chairman, I yield 5 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I wish to point out to the distinguished gentleman from New York [Mr. WADSWORTH], the sentence on page 8, "The agreement does not authorize or contemplate any project involving control of educational policies in liberated territories." I would like to have that provision placed in the authorization, that no money shall be used for the control of educational policies, also adding the words "or involving control of religious instruction." I tried to secure an acceptance in the Committee of those amendments but it was voted down. I think there is grave danger if U. N. R. R. A. should undertake educational activities in those countries, with the power of appropriating money to persons there to enforce any unwelcome type of education or any type of unwelcome religion upon those poor people.

We know what has happened in Norway, where Hitler has tried to impose his religious ideologies and his teachings. We know what has happened in other liberated countries. Nothing of that sort should happen under U. N. R. R. A., and I think there should be a prohibition written into the law against the use of any of this money for those purposes. The power of the purse is great. U. N. R. R. A. will have great power. That power must be used wisely to feed and clothe and prevent suffering, not to take away people's liberty and freedom of thought and action. I would like to say also that I am working out an amendment which will provide that the money and supplies will be distributed through our military personnel, rather than civilian personnel. It has worked well through the military personnel thus far, and I should like to continue it.

Mr. CASE. Mr. Chairman, would the gentlewoman yield for the purpose of directing an inquiry to the gentleman from New York [Mr. WADSWORTH]?

Mrs. ROGERS of Massachusetts. I yield.

Mr. CASE. In the light of the reply of the gentleman from New York, to the gentleman from Ohio, and the gentleman from Michigan, it would appear that the President might accept for the Government of the United States obligations under amendments that are adopted by a two-thirds vote of the council. The gentleman from New York said in reply to one question that of course, the Government of the United States might withdraw; but under the paragraph for withdrawal, I read:

> Such notice of withdrawal shall take effect 12 months after the date of its communication to the Director General, subject to the member government having met by that time all financial, supply, or other material obligations accepted or undertaken by it.

Now, does that not mean that the President may accept obligations, which the Government of the United States will be bound to comply with financially before it can withdraw, regardless of

what money may have been appropriated by the Congress?

Mr. WADSWORTH. In my humble judgment, nations need not withdraw in order to escape the meeting of an obligation put upon it as a result of that amendment. It might simply refuse to appropriate the money, and it could not be expelled from the organization. It comes back eventually to the Congress in every single instance.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. LUTHER A. JOHNSON. With reference to the question asked by the gentleman from Michigan in regard to the provision which says that by a vote of two-thirds of the countries a change can be made in the law of the council, I want to call attention to the practical effect of the likelihood of that not happening unless we want the change made. Each country has one vote, and we have in the Americas 21 American Republics, 20 of which are cooperating. We have the Philippines, in addition to that. So we will always have 50 percent of the votes, and they could never get a two-thirds vote to change it unless we were agreeable.

Mrs. ROGERS of Massachusetts. It is impossible to be sure of cooperation of all the countries and republics mentioned.

Mr. CASE. I wonder if the gentleman from Texas means to imply that we carry all those votes in the pocket of Uncle Sam.

The CHAIRMAN. The time of the gentlewoman from Massachusetts [Mrs. ROGERS] has expired.

Mr. BLOOM. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. FORD].

Mr. FORD. Mr. Chairman, it is my purpose to discuss, briefly, as is my custom, Joint Resolution 192, dealing with United Nations Relief and Rehabilitation Administration.

My discussion will not in any great degree deal with the merits of this resolution. Its merits are obvious to every man and woman in the United States who can and does project his thinking beyond the end of his or her nose.

My remarks shall be directed primarily to that group of chronic isolationists who just cannot see that if world order is to be even approximately restored that the outmoded philosophy of isolationism must be scrapped.

This benighted group will, in the course of the debate, inject constitutional questions. The opening gun of this group is advocacy of the immemorial right of the other body to pass on any agreement that is made with other nations. I think their contention falls flat by reason of the fact that this resolution comes from the other body. If, in the judgment of that body, this was a matter of ratification by a two-thirds vote, that method of dealing with it would have been followed.

Failing in making their constitutional argument prevail they will, I am sure, attempt by trick and device in the form of a series of apparently plausible amendments, to emasculate the resolution to such an extent that it will be totally ineffective for the purpose intended.

A study of the individual Members, who shall attempt to vitiate and emasculate this resolution, will disclose that they are composed of that group who because of their isolationist convictions opposed every effort on the part of this House to place this Nation in a sound defensive and offensive position before Pearl Harbor.

It looks to me as though, not satisfied with the havoc they wrought heretofore, they are now determined to carry their stupid and silly—to be charitable—opposition into the post-war situation, and so, by their insistence on isolationism, to completely disrupt all efforts to win the peace as well as the war.

As to the winning of the war, we as a nation owe them nothing. While they have voted for appropriations, they have been busy issuing statements and indulging in carping and disruptive criticism that have beyond question of doubt rendered it more difficult for those wholeheartedly engaged in the war effort to achieve the end that we should all desire, namely, the securing of victory.

This statement is made merely for the purpose of asking Members of this body to carefully scrutinize the basis and character of the opposition to this resolution. It behooves every Member of this body to study this resolution. It will involve the expenditure of in excess of a billion dolars. Each Member will have to decide whether he believes this expenditure is warranted in the light of the tragic situation that has developed as a result of this global war.

Personally, I believe the resolution will be a step in the direction of laying the foundation of a lasting peace. I may be wrong. I have no criticism of those who disagree with me on that point, provided their disagreement is not based on the erroneous idea that because this resolution is favored by the Commander in Chief of the armed forces it must necessarily be lacking in merit.

The principal opposition that has so far developed has come from that group who have heretofore been vociferous in their demand that we ignore the affairs of the rest of the world—from that group who declared that we were immune from attack by any nation in the world. If their judgment as to the value of this proposal is no better than their pre-war judgment, I submit that they are not the group that should dictate or direct our activities in either the conduct of the war or in the post-war activities.

Mr. BLOOM. Mr. Chairman, the first thought in my mind is to relieve the situation and eliminate the misunderstanding with regard to the writing of the committee report on House Joint Resolution 192 and how it was written. I think it is necessary since so much suspicion has been brought into the debate with reference to the writing of the report, that the Committee should know just what happened.

I would like to say to the Committee, Mr. Chairman, that unfortunately, as the members of the committee know, during most of these hearings, the clerk of the committee, Mr. Boyd Crawford, was at home ill with pneumonia. At one time, everyone in the office was home ill. They were all sick. While Mr. Crawford was away, I requested the State Department to give me some help.

I said, "We have to go along with the work, which everyone knows, with reference to a report of this kind, and I must have something to keep me informed as to what is happening from day to day, during all these hearings."

Mr. Crawford's illness kept him away practically all the time and he was able to return only in time to assist with the work in the executive sessions after the close of the public hearings. So I received a statement summarizing what had happened during the hearings. I had the Government Printing Office put it up in galley form. I called a meeting of the committee after we had voted to report this bill out for the purpose of writing the report. That is what the meeting notice sent to the committee members said. We came together in executive session to write this report. We went over the tentative draft of the report from beginning to end. Every suggestion was made. The gentlewoman from Massachusetts [Mrs. ROGERS] was not present, but she had suggested that she wanted something in the report with reference to education. So on page 8 of the report, in the center of the fifth paragraph, you will find this:

> The agreement does not authorize or contemplate any project involving the control of educational policies in liberated territories. The program of U. N. R. R. A. is a relief program—

And so forth. As the gentleman from New York [Mr. WADSWORTH] has stated, the preamble to the report was written by the gentleman from Ohio [Mr. VORYS]. Every suggestion that was made for 3 days was voted upon and considered in executive session.

I do not think it is fair for anyone to cast suspicion about the writing of this report. The Foreign Affairs Committee of the House of Representatives wrote this report. If anyone wanted to object to anything in the report or to file minority views, it was his privilege to do so.

Mr. BUFFETT. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. I shall be glad to yield.

Mr. BUFFETT. On page 4 there is a section of a letter from Hon. Cordell Hull, which starts out like this:

> The broad plans growing out of the Moscow Conference, which the Congress has so warmly endorsed—

Did this Congress ever endorse the plan of the Moscow Conference?

Mr. BLOOM. That has nothing to do with it. Let us get down to the bill. There are a few other things that are more important than that.

Mr. HOFFMAN rose.

Mr. BLOOM. I hope the gentleman from Michigan [Mr. HOFFMAN] will let me finish.

Mr. HOFFMAN. I was just listening, lost in admiration.

Mr. BLOOM. Come right over here and take a seat.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

I think it is vastly more important whether this Congress endorsed that Moscow agreement——

Mr. BLOOM. Mr. Chairman, I have not yielded.

The CHAIRMAN. Does the gentleman from New York yield to the gentlewoman from Illinois?

Mr. BLOOM. No; I have said I wanted to proceed.

The CHAIRMAN. The gentleman declines to yield.

Mr. BLOOM. Mr. Chairman, on this Indian question, I am in great sympathy with India; we all are, but I want to call the attention of the Committee at this time to what is already in the report. The Indian agent general to the United States, Sir Girja Shankar Bajpai, speaking as a member of the council from India at the conference at Atlantic City made a statement which is on page 203 of the State Department document publication No. 2040, Conference Series 53, which is referred to on page 4 of the committee report. India is a signatory of this agreement. On page 202 of the same document you will find a statement on the subject of India by Assistant Secretary of State Dean Acheson. Let me read their statements.

Mr. Acheson said:

The active cooperation of the 44 United and Associated Nations to bring help to their neighbors has been demonstrated here. It is a tribute to our solidarity and a guaranty of success. It is of special significance that no individual burdens, however grievous, have served to make a breach in this solidarity. Take the case of India. She is afflicted today with widespread distress due to insufficiency of food over large areas, caused by the war, distress in which, I am sure, we all feel profoundly for her people. But her special situation has not prevented her from joining in our work here. We are grateful for this token of her cooperation and devoutly hopeful that, through the efforts of all those who are now engaged in the task, the ravages of famine and disease may swiftly be brought under effective control.

In reply Sir Girja said:

Mr. Chairman, I shall crave your indulgence for one brief moment, to thank you for your reference to my country and to wish U. N. R. R. A. the fullest success in its beneficent and pressing task of carrying succor to those whose heroic and steadfast resistance has lent to the concept of liberty a new glory and to the spirit of liberty a new meaning.

Mr. HOFFMAN. Mr. Chairman, inasmuch as the chairman of the committee asked me a while ago——

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Michigan?

Mr. BLOOM. I yield.

Mr. HOFFMAN. The gentleman asked me—not that I might have something in mind——

Mr. BLOOM. No, no, no; go right ahead.

Mr. HOFFMAN. Not having anything in mind, but having had the help of the gentlewoman from Illinois [Miss SUMNER], she asked the gentleman when it was that the Congress endorsed, or rather concurred in this statement on page 4:

The broad plan growing out of the Moscow Conference which Congress has so warmly endorsed.

The gentlewoman wanted to know and she authorized me to ask the gentleman from New York when Congress endorsed that—the House? When did the House endorse it?

Mr. JARMAN. Mr. Chairman, will the gentleman yield?

Mr. McMURRAY. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. I have plenty of help now.

Mr. HOFFMAN. I would just like to have the answer of the gentleman who rose to help the gentleman from New York.

Mr. BLOOM. Please do not sit down, because I will answer the question.

Mr. HOFFMAN. I will probably have to before I get any real results.

Mr. BLOOM. Did not the Senate endorse it in their resolution?

Mr. HOFFMAN. I asked when the House endorsed it. I realize the gentleman is guided largely by what the Senate does, but there are some of us who have an independent opinion.

Mr. BLOOM. Did the gentleman read "The House endorsed it" or "The Congress endorsed it"?

Mr. HOFFMAN. It reads "Congress," but am I to accept the Senate as the Congress?

Mr. BLOOM. I am trying to explain to the gentleman. The gentleman does not let me answer. The Congress——

Mr. HOFFMAN. The Congress, the whole body.

Mr. BLOOM. The Congress consists of both branches, the Senate and the House. When the statement reads "Congress endorsed it" any branch of it, the Senate or the House, that is evidently what was meant; it might mean either.

Mr. HOFFMAN. The gentleman means that a part is equal to the whole?

Mr. BLOOM. I wish the gentleman would not interrupt; I want to proceed in an orderly way.

Mr. HOFFMAN. Will the gentleman tell me when the House endorsed that Moscow Conference?

Mr. BLOOM. That I do not know.

Mr. HOFFMAN. I did not think the gentleman did.

Mr. JARMAN. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. I yield to the gentleman from Alabama.

Mr. JARMAN. Further replying to the gentleman from Michigan, bear in mind that this is a letter from the Secretary of State. Please also bear in mind that the other body, as I understand, practically endorsed, in fact did endorse, the Moscow agreement in the Connally resolution; you will also recall, Secretary Hull came here at the invitation of the entire Congress and was given an ovation shortly after his return from Moscow.

Mr. HOFFMAN. Was that an endorsement?

Mr. JARMAN. As I understand it that is the first time a Cabinet officer has ever been so honored.

Mr. HOFFMAN. It is only his view.

Mr. JARMAN. He was given a real ovation. I imagine had I been in his place I would have considered that invitation and that ovation an endorsement by the Congress.

Mr. HOFFMAN. That may have been interpreted as one purpose of the applause, but the applause might have been for other purposes also.

Mr. BLOOM. I decline to yield further.

Mr. JARMAN. I just assumed it was an endorsement and presume Secretary Hull did.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. I cannot yield.

Mr. SMITH of Ohio. I want to correct a misstatement that has been made.

The CHAIRMAN. The gentleman from New York declines to yield.

Mr. BLOOM. Mr. Chairman, I had just called attention to the two statements, one by the Indian agent to the United States and the other by Assistant Secretary of State Dean Acheson on the Indian question.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. Not until I have completed my statement.

Mr. Chairman, the Indian question is also dealt with in full in the letter written by the gentleman from South Dakota [Mr. MUNDT] to Assistant Secretary of State Dean Acheson which appears on page 275 of the hearings, and in Mr. Acheson's reply, which appears on page 276. All of these questions were considered day after day. If the membership wants to understand the Indian question—and we are all in sympathy with India; there is no question about that at all, we all would like to do something—I ask them to read the testimony on the pages I have indicated. It is not very long, but I do not want to take the time now to read it. You will then find out what the situation is. India has funds today in foreign exchange that she may use if it is necessary for her to buy anything.

For the information of the committee I wish to call attention to a news release of the British Information Services dated Washington, D. C., January 10, 1944, reading as follows:

THIRTY-SEVEN FOOD SHIPS REACH INDIA IN 3 MONTHS

Seven ships bringing 43,000 tons of wheat reached India in the month of December 1943 alone, 30 wheat ships arrived in October and November, and further shipments are expected there shortly, British Information Services announced today on the basis of advices to the Indian Agency General in Washington from New Delhi.

Food shortages in Bengal are now practically over except in remote areas, and the Indian Army, in cooperation with the civil authorities, is energetically combating disease which followed the famine, latest reports from the Government of India say.

The Government of India has arranged to import into Bengal from overseas and other Indian areas 646,000 tons of food grains during 1944 to implement its decision to relieve

the Bengal government of the responsibility of feeding the city of Calcutta and its environs.

Striking facts show the extent of work done by the Indian Army in Bengal. Army transport has covered 130,000 miles, delivering thousands of tons of food. An Indian battalion has, in the districts of Khulna, Barisal, and Dacca, mobilized river transport to take tons of rice to outlying villages.

Transport bottlenecks are being eliminated. In 1 day alone 5,000 tons of foodstuffs were handled in Calcutta. Civil storage depots are being constructed and Army Nissen huts will help solve the storage difficulty in the districts.

Work is now directed toward completing food relief in outlying areas, fighting illness, providing thousands of blankets and clothing, and building up food reserves.

Drums and posters are used to announce to villagers the opening of new military hospitals. Already thousands of malaria cases have been treated and thousands of cholera inoculations and vaccinations have been carried out. In this fight field ambulance units are establishing hospitals and issuing new clothing to those patients who need them.

RECORD RICE CROP FORECAST

India's total rice crop this year is expected to be a record one, greater than any produced during the last 10 to 15 years, and will, it is believed, exceed 28,500,000 tons. Every Province in India will share in the increase, Bengal leading with a 16-percent increase in acreage and 45 percent in production. Assam comes next with 3 percent in acreage and 10 percent in production, as against the all-India figures of 6 percent and 16 percent, respectively. Bengal should have a rice crop of 9,700,000 tons and the final forecast may even show a crop of over 10,000,000 tons.

Unfortunately, however, the agreement is worded in such way that no country, not even England, although England has been bombed and other countries may be bombed and destroyed, can get relief through U. N. R. R. A. unless they are occupied. The agreement is very brief and very plain on this point. I quote from page 2, line 7:

Being United Nations or being associated with the United Nations in this war,

Being determined that immediately upon the liberation of any area by the armed forces of the United Nations or as a consequence of retreat of the enemy the population thereof shall receive aid and relief from their sufferings, food, clothing—

And so forth. According to the agreement, they must be an occupied area. To my way of thinking—and I believe I am right—to amend the resolution with respect to India would put her in no different position than she is today, because she has the foreign exchange to pay for it. But U. N. R. R. A. will pay for any displaced people in India who must be transported, say, back to China, or to some other country that has been occupied by the enemy.

The representative of India signed this agreement at the White House. He went to Atlantic City, and I believe he was there all the time. He is a gentleman who on former occasions appeared before the Foreign Affairs Committee, a very highly cultured, educated gentleman. He signed this document. The document is signed by him, and up to now, I do not know but I have not heard any real protest of any kind. If you were to do anything at all, how are you going to help India by inserting anything in this resolution?

Mr. MUNDT. Will the gentleman yield?

Mr. BLOOM. No.

Mr. HOFFMAN. Will the gentleman yield to me?

Mr. BLOOM. Mr. Chairman, I decline to yield. I have been very fair yesterday and today.

Mr. MUNDT. The gentleman used my name. Now he declines to yield.

Mr. BLOOM. The gentleman mentioned my name, too.

Mr. HOFFMAN. Mr. Chairman, a point of order. The gentleman speaks so infrequently that I insist we have order so we can hear him now.

Mr. WHITE. Will the gentleman yield to me at the proper time?

Mr. BLOOM. I decline to yield.

Mr. WHITE. I said "at the proper time."

Mr. BLOOM. No.

Mr. WHITE. Mr. Chairman, if he does not yield to anybody I suggest the absence of a quorum.

The CHAIRMAN. Does the gentleman make the point of order that a quorum is not present?

Mr. WHITE. Mr. Chairman, I make that point of order. I mean it and I want it in the RECORD.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and nineteen Members are present, a quorum. The gentleman from New York [Mr. BLOOM] is recognized.

Mr. BLOOM. Mr. Chairman, I do not want to repeat what I have said. If anyone can show me any way that they can amend this agreement that will be beneficial, all right, because whatever we do here in amending this agreement must go back and the amendment must be approved by the other 43 nations.

Mr. MUNDT. I will accept the challenge of the gentleman. Will he yield?

Mr. BLOOM. No. I stated I would not yield. I want to finish my statement.

Mr. MUNDT. I just wanted to show the gentleman how that could be done.

Mr. BLOOM. After I get through I will be very glad to try to answer questions. The gentleman refused to yield to me after he mentioned my name. Let us play the game fairly. I have not a prepared speech. I am trying to give you some information. The committee is entitled to it.

Mr. Chairman, if anyone can show me any way whereby this agreement can be amended that would really mean something, not this shadow-boxing, gestures, "I want to be a great humanitarian," which does not mean a thing. Do not try to give the message out that, "I want to save the people of India." Let us be sincere and honest about this thing.

Mr. MUNDT. Will the gentleman yield? He is now questioning my sincerity.

Mr. HOFFMAN. And your honesty.

Mr. BLOOM. Mr. Chairman, I am not questioning the sincerity nor honesty of my esteemed colleague from South Dakota. I refuse to yield.

Mr. HOFFMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLOOM. Mr. Chairman, I do not yield for a parliamentary inquiry. I do not yield for that purpose.

Mr. HOFFMAN. Does not the gentleman yield for a parliamentary inquiry?

Mr. BLOOM. No. Please let me finish.

Mr. HOFFMAN. Mr. Chairman, I make the point of order that the gentleman's words be taken down, those words he said where somebody lacked a sincerity of purpose.

Mr. BLOOM. I did not say that.

The CHAIRMAN. Of what words does the gentleman complain?

Mr. HOFFMAN. Where the gentleman from New York said that someone advocating aid to India was proceeding, as I gathered it, for a personal reason and he said the Member lacked sincerity and was dishonest or something of that kind.

The CHAIRMAN. The Clerk will report the words objected to.

The Clerk read as follows:

Mr. BLOOM. Mr. Chairman, if anyone can show me any way whereby this agreement can be amended that would really mean something, not this shadow boxing, gestures, "I want to be a great humanitarian," which does not mean a thing. Do not try to give the message out that "I want to save the people of India." Let us be sincere and honest about this thing.

The CHAIRMAN. The Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'NEAL, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration House Joint Resolution 192 to enable the United States to participate in the work of the United Nations Relief and Rehabilitation organization, certain words used in debate were objected to and, on request, were taken down and read at the Clerk's desk, and that he herewith reported the same to the House.

The SPEAKER. The Clerk will report the words taken down.

The Clerk read as follows:

Mr. BLOOM. Mr. Chairman, if anyone can show me any way whereby this agreement can be amended that would really mean something, not this shadow boxing, gestures, "I want to be a great humanitarian," which does not mean a thing. Do not try to give the message out that "I want to save the people of India." Let us be sincere and honest about this thing.

The SPEAKER. The Chair, having listened to this language read twice, would fear that if he held that these words were violative of the rules of the House, we might find ourselves one of these days in the situation where debate in the House would be very restricted. The Chair cannot see anything in these words that would impugn the motives or question the honesty of any Member of the House, and therefore holds that they do not violate the rules.

Mr. HOFFMAN. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN. I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. RAMSPECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 7]

Allen, Ill.	Hall,	Mott
Anderson, Calif.	Leonard W.	Myers
Baldwin, Md.	Hare	Newsome
Baldwin, N. Y.	Harness, Ind.	Norton
Barry	Harris, Va.	O'Connor
Bender	Hébert	O'Leary
Bradley, Pa.	Heffernan	O'Toole
Brumbaugh	Hobbs	Pace
Buckley	Jackson	Ploeser
Burchill, N. Y.	Jeffrey	Pracht
Burdick	Johnson, Ward	Ramey
Butler	Jones	Randolph
Byrne	Keefe	Rivers
Canfield	Kefauver	Rockwell
Capozzoli	Kelley	Sabath
Celler	Kennedy	Satterfield
Clark	King	Scanlon
Courtney	Kinzer	Sheridan
Cullen	Kleberg	Simpson, Ill.
Dawson	Klein	Smith, Maine
Dickstein	Kunkel	Somers, N. Y.
Dliweg	LaFollette	Sumners, Tex.
Dirksen	Lambertson	Sundstrom
Domengeaux	Lane	Taber
Eberharter	LeCompte	Thomas, N. J.
Fay	Luce	Treadway
Fish	Lynch	Vursell
Fisher	McKenzie	Weaver
Fitzpatrick	Maas	Weichel, Ohio
Ford	Magnuson	Weiss
Furlong	Maloney	Wene
Gallagher	Manasco	West
Gamble	Mason	Winter
Gerlach	Merritt	Worley
Granger	Miller, Pa.	Zimmerman
Green	Morrison, La.	
Gross	Morrison, N. C.	

The SPEAKER. On this roll call 319 Members have answered to their names. A quorum is present.

The Committee will resume its session.

Further proceedings under the call were dispensed with.

The CHAIRMAN. The gentleman from New York [Mr. BLOOM] is recognized.

Mr. BLOOM. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Chairman, this is a very important measure which the House is considering, and a measure which should challenge the serious consideration of every Member of the House, because it has to do with our own welfare and the welfare of the world.

If there is one thing that the American people are united upon it is that we must win the war, and we must win the peace. The adoption of this resolution is designed to assist in attaining both of those goals.

The Committee on Foreign Affairs has been giving consideration to this subject for nearly a year. In addition to that, we have had the benefit of testimony from people in the conquered countries since the war first began September 1, 1939. I think the House should give our committee credit for at least knowing something of the background and of the necessity for this legislation. It is designed to bring temporary relief to the peoples in the occupied countries immediately upon the cessation of hostilities.

I wish the Members of the House could have heard the various witnesses from all of the occupied countries who have appeared before our committee from time to time in executive session. Then they would realize the gravity and the seriousness of the situation that prevails in those occupied countries. If the Members did not hear it yesterday, I trust they will all read the very fine statement made by the gentlewoman from Ohio [Mrs. BOLTON] when she recounted some of the sufferings and some of the hardships that have been endured by those people in the occupied countries. Their food has been stolen and taken from them to Germany. Their clothing has been stolen. They have been driven from home. Today, in Europe, there are 20,000,000 people who have been carried from their own countries to other countries. More than half of that number are now in Germany—carried there by the German Government. When hostilities cease this suffering which they have been enduring will be aggravated in a way because there will be no civil authorities to control, because their governments have been driven into exile, and there will be desperate need of food and clothing and medicine. Unless that is furnished, and furnished promptly when hostilities cease, or when a country ceases to be occupied by the enemy, there will be chaos raging in those countries that will affect not only them but that will affect us and will affect the entire civilized world.

The question of how to deal with that problem is one that I think should challenge the consideration of the House. I believe that the plan which has been worked out between the State Department in cooperation with our committee and the Foreign Relations Committee of the Senate, is the best way by which it can be done. In effect, it is this: It does not establish a world-wide W. P. A. for relief. It simply means this, and that is all this resolution means: It means that if you adopt this resolution this Government and this Congress will be authorized from time to time to make appropriations by which this food and clothing, medicine, fuel, and temporary shelter may be furnished to the people of the occupied countries when they are evacuated. It does not mean that this international organization is going to come to us and say, "Give us this and give us that." They are going to make their requests to the various governments and each government's own agency will determine whether or not they can meet the call. U. N. R. R. A. will not say, "You must give us this." U. N. R. R. A. will only make requests of the various governments. That is the way the agency representing our Government will carry this out; if money has been appropriated by Congress it will secure, if it can, such food as we can spare and such money as we can spare if requested by U. N. R. R. A.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. Not right now. Let me first get this picture into your minds.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLOOM. Mr. Chairman, I yield the gentleman from Texas 5 additional minutes.

Mr. LUTHER A. JOHNSON. As I was saying, this involves a large sum of money for this purpose, but as has already been pointed out, U. N. R. R. A. is only furnishing about 10 percent of the total needed and that will be expended, because many of those liberated countries have gold reserves. Before the invasion of those countries, Belgium, Holland, France, and Norway were able to get their gold reserves out of the country. So they have large sums of money that can and will be used for this matter of relief. The funds which U. N. R. R. A. has will only supplement and buy for those countries where they do not have gold reserves with which to buy themselves.

Now, Mr. Chairman, this plan has been worked out carefully. At this meeting at Atlantic City, where 44 of the Allied countries met, every phase of the operation of this plan was gone into in detail. That meeting was in session for about 3 weeks. It was my privilege and pleasure to be there at some of the sessions. The representatives from the various countries were of the highest type. They were the best people in those countries. They carefully worked out this plan, and they are to be commended for doing an excellent job.

We know that this relief is going to be needed, not only for those people, but for our own sake. We know that in the last war we had to spend large sums of money for this very purpose. We spent more than $3,000,000,000 in the last war for this purpose. Under this plan we will spend in the aggregate not exceeding $1,350,000,000. Why? Because in this plan all of the other countries will contribute to the fund. And, by reason of this organization being set up early, we will be prepared to do it more efficiently and more effectively, and a single organization like U. N. R. R. A. will prevent duplication, which would result if the countries attempted relief separately.

Someone has said, "Why, do it now." We must get this machinery set up. We must get the organization ready to function, because no one knows when the end of the war will come. As each country is liberated there will be need for these funds. It is imperative that we should act and act promptly in providing the funds.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. Not yet. Please let me finish.

I think this is important, not only for the purpose sought to be accomplished by the resolution, but I think it is vitally important with reference to our program and our procedure and the attitude which this Government is going to take in this great war toward the other nations of the world.

We have spent $300,000,000,000 in this war and this will only be a small percentage of the total amount that we have spent. It is an amount that has to be spent in the completion of this war and the restoration of peace.

Mr. Chairman, let me say that if this House does not adopt this resolution we might as well say to the world—and we thereby do say to the world—that notwithstanding we adopted the Fulbright resolution by an overwhelming majority to cooperate with the other nations of the earth in trying to preserve peace—if we fail to adopt this resolution we will be saying to the country and to the world and to our allies that we did not mean what we said in the Fulbright resolution—if we refuse to cooperate with our allies in furnishing some temporary relief to these conquered and occupied countries we might as well stop thinking about preserving peace and the Fulbright resolution would mean nothing, and nothing could be done toward taking any international action with reference to the preservation of peace. It is vitally important to let the world know and to let our allies know that we are going to cooperate with them in trying to give this temporary relief, and we shall not isolate ourselves from the other nations of the earth.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. STEFAN. The gentleman indicated that during the last war we spent something more than $3,000,000,000 on a similar proposition. I am sure we want to do something to relieve the suffering of the world. The thing of first importance now however is to get clear in our minds what we are doing. This $1,350,000,000 is not per year, is it?

Mr. LUTHER A. JOHNSON. No; no, that is the total amount.

Mr. STEFAN. And it can be expended for goods or given as money.

Mr. LUTHER A. JOHNSON. That is right.

Mr. STEFAN. Our surplus food and materials could be used for this purpose?

Mr. LUTHER A. JOHNSON. Yes. That amount is the total, and no money can be spent until it is appropriated by Congress, and the Committee on Appropriations, of which the gentleman is a member, will first pass upon appropriations as they are made.

Mr. STEFAN. Then, too, this is merely an authorization; the Appropriations Committee may cut or increase.

Mr. LUTHER A. JOHNSON. Absolutely; the Appropriations Committee will pass upon it before anything is done, and then Congress will vote upon the appropriation bill.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. EATON. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. JONKMAN].

Mr. JONKMAN. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan [Mr. CRAWFORD] may extend his own remarks at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CRAWFORD. Mr. Chairman, insofar as the economic bill of rights assumes that the world has enough for everyone if we give it a global New Deal, there are shoals ahead. Despite protests that no role of Santa Claus is intended, an indefinite extension of U. N. R. R. A. may result from encouraging other nations to higher living standards than can be sustained. I submit for those who are interested, the greater part of an article which appeared in the Scientific Monthly by Dr. Karl Sax, of Harvard University:

POPULATION PROBLEMS OF A NEW WORLD ORDER

(By Karl Sax)

Promises of an abundant life and freedom from want for all peoples of all nations seem to be made with no consideration of agricultural production or population pressure. The universe may be expanding, but this world is not, and already many parts of the world cannot support the existing populations at much more than a subsistence level. Man lived and multiplied on this earth for 500 centuries before the population reached 850,000,000 people, but at the end of 1 additional century the world population had doubled. During the recent past the world population has been increasing at the rate of 1 percent a year, a rate which would nearly double the present population before the end of this century. There are now 40 persons per square mile of land area in the world. The population density of the United States is almost exactly that of the world as a whole. Some parts of the world have high population densities; other areas are sparsely populated. In some areas the populations are growing rapidly, while in other regions the population is at a stationary level. It is the differential population growth and density in various parts of the world that present difficult problems in establishing global unity so essential to world peace and security.

I

It is estimated by competent authorities that about 2½ acres of arable land are needed to provide a human being with essential food, clothing, and other necessities. The total area of all cropland in the world is about 4,000,000,000 acres, according to Dr. H. H. Bennett, head of the United States Soil Conservation Service. The world population is now over 2,000,000,000, so that the cultivated land per capita is only 2 acres. There is more land that can be cultivated in many parts of the world, but most of it can be farmed only with diminishing returns or at a much greater cost of production. Many regions of the world are already overpopulated on the basis of domestic agricultural production. With the exception of Russia, practically all the nations of Europe and Asia are no longer able to produce enough food to maintain adequate nutritional standards. The population of large parts of Asia manages to live on less than 1 acre of arable land per capita, but the masses do little more than survive and many do not even do that very long. Millions of acres have been exhausted by continued cultivation and erosion, and no new acres are available in these densely populated areas. The answer to the population problems of Europe and Asia would seem to be the proper distribution of either the populations or the food supplies of the world, but in practice this solution is not at all simple.

When population pressure exceeds the food supply, as it does in many parts of the world, there are several paths of escape. The overcrowded nations of Europe have followed three methods. Industrialization and modern methods of transportation have enabled these nations to maintain populations whose food requirements exceed their own agricultural production by importing food in exchange for manufactured products. Population pressure also has been relieved by the migrations of the people of Europe to the new nations of the Americas, Australia, and Africa. These 2 methods are possible only when other parts of the world can still support larger populations or can produce a surplus of food products. The third method followed by the peoples of Europe, in spite of legal and religious bans and the exhortations of priests and politicians, is the artificial reduction of the birth rate. Most of the European countries have reduced their birth rates during the past 50 years from over 30 per 1,000 to less than 20 per 1,000. In fact, many of these countries—England, Germany, France, Austria, and the Scandinavian nations—have had birth rates below replacement levels, and nearly all the others are rapidly approaching a stationary or diminishing level of population. Of the countries of Europe, only the Slavic nations have anything approaching the natural birth rate of 40 per thousand, and only Russia has agricultural resources to support a much larger population. As the socio-economic conditions improve in Russia, her birth rate too will decline.

Population pressure in Asia is even greater than it is in Europe, but the nations of Asia have found no satisfactory solution. More than half of the world population lives in Asia, with little relief from population pressure by migration, industrialization, or birth control. Only Japan has developed industries sufficient to permit her to import a considerable part of her food supply. Industrialization and aggression have enabled Japan to double her population during the past 50 years, but the increase is maintained only by low standards of living and long working hours. China and India have birth rates considerably higher than Japan's 30 per thousand, but their populations have grown more slowly, because these countries have been unable to provide for a rapidly growing population. The Malthusian law operates with little restraint in continental Asia. Population has increased faster than food supply and has been held in check only by famine, pestilence, and natural catastrophes.

Can the people of Asia meet the problems of population pressure? What are the prospects of increased food supply, migration to sparsely populated regions of the world, or reducing birth rates to the level of agricultural production?

Food production in Asia cannot be increased appreciably. Most of the agricultural land already is in cultivation and, owing to intensive cultivation, produces more per acre than our farm land. The farms are small, averaging 2⅞ acres in Japan, 3⅛ acres in China, and a little more in India. Three-fourths of the population derives a living from agriculture. Modern agricultural methods would result in little increased production, although they would release many people for the development of essential industries.

Industrialization of Asia can increase the food supply only so long as other nations are able to produce a surplus of agricultural products. The leading food exporting countries are Russia, Argentina, Canada, and Australia. Russia, with her resources and modern methods of farming can export large quantities of food after the war, but if her

birth rate remains at 40 per thousand, Russia will, in another generation, require all the food she can grow. Improved socio-economic conditions in Russia probably will reduce the birth rate, but this will be offset by higher living standards. Argentina is able to export a third of the food she produces, and Canada one-fifth. Europe alone will require most of the exports of both Australia and Canada. These and other food exporting countries can supply a considerable agricultural surplus for some years, but most of them are growing rapidly and will have little surplus food for export in another generation.

Emigration offers little hope for Asia, because most of the other regions of the world are already populated or controlled by the white races. It seems improbable that Australia, Canada, the United States, and the countries of South America will welcome large numbers of Asiatics with any greater enthusiasm in the future than they have in the past. Most of these nations will acquire their own optimum populations in a relatively short time, without the questionable benefits of Asiatic immigration. Certainly there is no moral reason why those nations which restrain their birth rates to improve their standards of living should provide for the surplus populations of other countries which breed without consideration of the economic and social consequences.

Invasion of neighboring countries, already overpopulated, provides no more lebensraum for the invader unless the peoples of the conquered nation are exterminated. Such a practice cannot be tolerated in a civilized world. Nor is there any biological justification for the myth of racial superiority, which has been used by the Nazis as an excuse for their attempts to enslave or exterminate neighboring peoples and racial elements of their own population.

Let us assume that we can help feed and industrialize Asia and increase the standard of living. So long as birth rates of 40 to 50 per thousand persist, the population will increase just as fast as food supplies and medical science will permit. The only rational solution of population pressure in Asia is the reduction of the birth rate. But among both nations and individuals the practice of birth control tends to be limited to the more fortunate socio-economic groups. The social and economic conditions in Asia would seem to preclude any general practice of birth control, unless recent advances in contraceptive methods make birth control more generally available and practicable than is now the case.

II

Many misguided optimists believe that there will always be enough for all regardless of the number of people who occupy the earth. Such optimism is not limited to newspaper columnists, such as Dorothy Thompson, who assures us that there is enough for all in this world of modern science. J. D. Bernal, a reputable English scientist, suggests that if we could convert coal and limestone into food materials "we should have enough food for a population thousands or millions of times that which exists at present." An increase of 1,000 times would establish a population density of 40,000 persons per square mile of land surface of the world, while an increase of a million times would mean that there would be less than 1 square foot of land area available for each person. Nor is Bernal's faith in agricultural science shared by those who know something about the subject. It is true that England can support 1 person per acre of cultivated land, but it can be done only by intensive cultivation, liberal use of fertilizer, an exceptionally favorable climate, and a low standard of living for a large part of the population. Her agricultural index of productivity is 177 compared with the world average of 100, but this does not mean that the rest of the world can reach England's level of productivity.

It is true that science has made almost incredible contributions in the field of communication, transportation, production, and labor-saving machinery. Scientists will continue to work miracles for the benefit of mankind, but it is improbable that they can do much to increase agricultural production. During the past 50 years, plant breeding, crop rotation, the use of fertilizers, pest and disease control, and the use of modern agricultural machinery have increased yields per acre by as much as 40 to 60 percent in the United States. This is a remarkable increase, but it has been almost completely offset by the deterioration of the natural soil fertility and by new problems in pest and disease control. According to the United States Department of Agriculture Yearbook for 1938, we are little more than maintaining crop yields at a stationary level in spite of remarkable advances in agricultural science. The same trend is true in other countries. Some nations have higher yields per acre than we do, but largely because of more intensive cultivation and less production per man. The American farmer cultivates an average of 20 acres; in Belgium one man cultivates only 5 acres; and in China the average area cultivated per man, or woman, is less than 1 acre. One-fifth of our population can produce sufficient essential food with a surplus for the "ever normal granary," but in China three-fourths of the workers are engaged in farming and produce only enough food for minimum needs, with little or no surplus for lean years. Whenever a large proportion of the population is required to produce the food supply, the standard of living for all is maintained at low levels. We could produce more food by more intensive cultivation and by using more submarginal land, but this could be done only by lowering the living standards of the entire population.

Since the world population density is approximately that of the United States, a further examination of our population and our resources is of particular interest. The United States is well endowed with natural resources for a high degree of industrialization and has large areas of fertile land for agricultural production, but in normal times we just about balance food imports with food exports and ship to foreign countries only about 10 percent of our American-grown food. We can produce more food but not enough to feed many more people either here or abroad. According to the United States Department of Agriculture Yearbook, the present cropland area is somewhat more than 400,000,000 acres, but of this area about 60 percent is subject to erosion under current agricultural practices, or is too poor to farm at a profit. Half of this land subject to erosion or too poor to farm profitably should be retired from cultivation. Of the land not now in cultivation, less than 50,000,000 acres should be used. Thus if we include all cropland of any value which can be maintained in cultivation, the total is about 370,000,000 acres or less than 3 acres per person. At present, we use over 3 acres of arable land per person, and still we do not provide adequate food for a large part of our population. According to the Food Nutrition Board of the National Research Council, our pre-war diet was deficient by the following amounts: fresh vegetables 59 percent; milk 45 percent; citrus fruits and tomatoes 28 percent; beans, peas, and nuts 25 percent; eggs 17 percent; and meat, poultry, and fish only 4 percent. Cereals were adequate, and there was an excess of fats and sugar. The deficiency of protective foods is largely a problem of economics, but these foods are expensive to produce and distribute.

There may be a temporary solution of the food problem, without relying on the chemists to produce food from air, sawdust, and coal. Our normal diet consists of about 40 percent animal products—meat, eggs, milk, and cheese. It requires six to eight times as much land to produce food in the form of meat and milk as it does to produce the basic cereal and legume crops. The reduction of animal products in our diet would release more of the basic food crops for human consumption. Recent work done at the Massachusetts Institute of Technology seems to show that the basic cereals and legumes, fortified with essential minerals and necessary vitamins, can provide an adequate diet without meat and milk or even without fresh vegetables and fruit. Such a diet would be as satisfactory as that enjoyed by the European peasant or the Asiatic coolie, although it might be more monotonous. In normal times this basic diet should be supplemented with the usual foods we enjoy, but in an emergency it would provide more food for more people.

Actually there is little need for the Occidental peoples to look forward to synthetic food supplies or a cereal diet. Their growth rate is becoming adjusted to agricultural resources, and with few exceptions those countries with limited resources have reached a stationary or diminishing population. Recent trends in the United States indicate that our populaton will be stabilized at about one hundred and sixty million. It is only in the Asiatic countries that population pressure is likely to exceed any possible increase in food production. Is the Occidental world going to adopt Oriental standards of living in order to feed and industrialize the peoples of Asia? It seems premature to speak of raising the standards of living for all races, when even the richest Oriental nations are unable to provide a reasonable standard of living for a large part of their own populations. During the past year the exportation of only 6 percent of our food supplies to our allies and increased consumption of food by our war workers and soldiers have led to a food shortage in spite of the fact that we had bumper crops in 1942.

III

The decline in birth rates in the western world has done much to reduce population pressure, but it has raised other problems which threaten the internal security of these nations. The threat which disturbs political and religious leaders is the fear that their nation or their sect will be submerged by more rapidly breeding nations or religious groups. France is often cited as the horrible example of the consequences of birth control. France has long had an approximately stationary population, but in the years before the present war France had a higher stabilized rate of natural increase in population than did Germany, England, or the Scandinavian countries. If all the countries of Europe had reduced their birth rates when France did, there would have been little excuse for more lebensraum. If manpower were the determining factor in war, a population race between France and Germany would mean the defeat of France, simply because Germany has resources to support a larger population, just as Russia is destined to control all of Europe if she so desires. In a peaceful world there would be no need for expansion of population to the limits of subsistence, and each nation could maintain an optimum population level in accord with adequate living standards for all. Even in a world at war, a large population does not necessarily imply military might. China has at least five times as many people as Japan.

In all countries in which the practice of birth control is prevalent, the differential birth rate between the different economic and

educational classes is a matter of considerable concern. The situation in the United States is typical of most occidental nations. According to Lorimer et al., in Foundation of American Population Policy, the urban white families with annual incomes of over $3,000 had a reproductive index of only 0.46, while those with earned incomes of $1,000 a year or less had about twice as many children. But the only class which exceeded replacement levels in 1935 were those on relief, with a reproductive index of 1.43. Does this trend indicate that we are approaching the conditions of a termite society in which a specific caste is maintained only for the purposes of reproduction? Even in normal times the third of our parents least able economically to raise and educate children produces two-thirds of our future generation. The same trend is found in relation to education. College graduates have relatively few children, as indicated by their reproductive index of 0.57, but those with less than a seventh-grade education have had a reproductive index of 1.18. Fortunately, our rural population has a considerably higher birth rate than our urban groups.

* * * * *

Why do those who are least able to feed, clothe, and educate children have much higher birth rates than the more able, or more fortunate, members of society? The late Dr. Raymond Pearl, of Johns Hopkins University, has provided the answer based upon a survey of more than 30,000 women in urban maternity hospitals in the United States. Differences in birth rates among the various racial, economic, educational, and religious groups are due almost entirely to differences in the prevalence and effectiveness of the practice of artificial contraception, and to a minor degree to differences in age of marriage and the practice of criminal abortion. Among the rich and well-to-do, 83 percent of the mothers with more than one child practiced contraception, while among the very poor classes only 35 percent used, or attempted to use, contraceptive methods. Pearl's detailed records show that these poor mothers had large families due primarily to ignorance of contraceptive methods and to irresponsibility, rather than to a desire for many children. This conclusion is supported by a survey made by the Ladies' Home Journal, in which it was found that practically all married couples want children and that nearly all want more than one, but that relatively few want more than four.

* * * * *

Both nations and families are confronted with the same problems. If they have more children than they can feed and educate, they are doomed to lower living standards and higher death rates and are handicapped in economic and cultural development. But if they do curtail birth rates they are in danger of being overrun by the unrestricted breeding of their neighbors. The logical solution would seem to be the control of birth rates in accord with the national or family resources. At the same time, every effort should be made to insure equal opportunity for all. Only with equality of opportunity can the inherent capacities of all individuals be fully developed.

The history of both empires and families seems to show that a relatively high degree of culture and economic success tends to be followed by degeneration or extinction, just as in evolutionary history those species which developed a high degree of specialization often failed to survive, while more degenerate or more aggressive species survived and flourished. Evolution does not guarantee progress, but only change. Man has been able to control his environment to a remarkable degree, and there is no reason why he should not be able to control his social evolution. But it cannot be done by abandoning rational thought and reverting to mysticism. We need more of the scientific method, particularly in the field of social relations and human conduct.

The CHAIRMAN. The gentleman from Michigan [Mr. JONKMAN] is recognized for 10 minutes.

Mr. JONKMAN. Mr. Chairman, I shall support and vote for the passage of House Joint Resolution 192. In doing so I am fully conscious that our contribution of $1,350,000,000 of the total $2,000,000,000 to $2,500,000,000, is a burdensome addition to our rapidly mounting and staggering national debt, which has now risen to approximately $200,000,000,000.

It is said that this contribution is less than half the amount we contributed for relief after the last war which was in the sum of $3,242,000,000. This organization has been referred to as a world community chest, but it must be borne in mind that we are not the wealthy unit in the family of nations that we were at the end of the last war. At the end of the last World War our national debt was less than $26,000,000,000, representing less than one-twelfth of our national wealth and less than one-third of our national income at that time.

On the other hand, it is estimated that before we are through with this war our national debt may amount to three hundred billions of dollars, equal to our entire national wealth; equal to the entire assessed value of our real estate and all other tangible property, and this national debt will amount to three or four times our annual national income. In this financial situation we may well pause and consider before making such a contribution even though it is for such a laudable, constructive, and humanitarian purpose. Our financial position as compared with that in the 1920's is far too precarious for such expenditures unless made only for the most necessary human needs.

However, it is my conviction that we cannot escape the responsibility of not only participation, but leadership in amelioration of the dreadful aftermath of this war in the liberated areas when the firing ceases. It has been estimated that when that firing ceases, the war will have cost our Nation, as I have said before, over $300,000,000,000 of which some $70,000,000,000 at least will have been contributed in the nature of lend-lease to other nations. The relief and rehabilitation program in the stricken countries constitutes a necessary concomitant and mopping up process of the war. Our proposed contribution is but a small fraction of that amount and represents a sum equal to the cost of carrying on the war for a period of only 5 days.

I have been heartened by the sound and conservative, and it seems to me well organized, plan of the United Nations Relief and Rehabilitation Administration. There are those who believe that the United States should undertake this tremendous task independently and alone; that our Nation should not bind itself to the other nations of the world in this enterprise. They harbor the theory that we will lose control and can be outvoted, and so forth, and in this way be forced into a program of expenditure far beyond our means and expectation. However, it seems to me that the contrary is true; that the participation by the other nations for the relief of the stricken countries in liberated areas would prove a brake and a restraining influence on the undertaking.

To my way of thinking, the United States is the only nation in the world that has been obsessed with the spirit of playing Santa Claus. Were we to go this program alone, other nations would have no interest in whether this relief is undertaken on a sound and conservative basis, or in a display of prodigality and glorified W. P. A. They might even be the passive recipients of its bounties. Under the joint agreement, however, all the other nations take a part; it is their money that is being spent as well as ours. Knowing that excess spending will have to be borne in part by them will have a tendency to keep the program on a relief basis which after all is the only basis upon which it can attain success and accomplish the desired objective.

The fact that the United Nations Relief and Rehabilitation Administration has set this goal, namely, to confine its objectives to relief and this goal only, is further grounds for confidence in the administration and approval of this undertaking. Unless this program and objective is strictly adhered to, it will not only fail but may involve expenditures and waste of moneys in huge and illimitable proportion. Unless we confine relief to helping people only to help themselves, any amount of funds we may pour into these areas will be of no avail, and in the second place we would be unable to raise enough money to go around as it would amount to boondoggling in certain areas and perhaps still intense suffering in others. It is, therefore, reassuring that not only the administration itself in its program of action, but the Director General, Governor Lehman, have expressed themselves forcibly as determined to keep the program of action within the confines of such relief as is necessary to the people in stricken areas to help themselves.

It is true that there is great danger of inability to mark the line of demarcation between relief and rehabilitation, and I believe that the Director General is deeply conscious of this difficulty. There will of necessity be some succor which will be overlapping from strict relief into the category of rehabilitation. Nevertheless I am impressed with the conviction that both the Director General and the Administration will make a determined effort to confine all and any rehabilitation to such as is only incident to relief and avoid substantive rehabilitation as such. As has been said, there may be cases where temporary repair of a railroad to transport relief material or rehabilitating a coal mine to obtain needed coal, and similar acts of rehabilitation may be found necessary in order to carry out the relief program. If such action is confined to those cases where it is strictly incident to relief, it would not transcend what I believe the American

people wish to be done for these stricken countries. We will of necessity have to lodge certain discretion in this respect in the administration and rely on the power of appropriations to prevent abuse of this discretion.

Another restriction which recommends the program is that relief will be confined to liberated areas or countries which have been liberated from occupation except insofar as it is necessary to carry on operations in enemy or ex-enemy territories in case of epidemics or disease or other impelling considerations. There may be and actually are other nations or areas properly the subject of relief but only very indirectly as a result of the war. These are from the very nature of the undertaking not included. The purpose of the United Nations Relief and Rehabilitation Administration is solely to afford relief and relief only in the war-stricken and war-ridden countries as they are liberated, and relief to any other country, however urgent or appropriate and meritorious, is not within the scope of the Administration. For instance, the famine in India, while an indirect result of the war because of inability to obtain shipping—India having sufficient exchange to purchase supplies—would have to be met by agencies other than the United Nations Relief and Rehabilitation Administration.

Again, as has been said repeatedly, it is estimated that the stricken peoples in the liberated areas will be able to furnish their own subsistence to the extent of 90 percent, and the United Nations Relief and Rehabilitation Administration will confine itself to the 10 percent more or less which would suffer untold hardships unless they receive relief from outside sources.

Another encouraging consideration is that the authorization of $1,350,000,000 constitutes not an initial authorization, but is on the contrary the sum estimated to do the job and to cover our entire contribution to the program. It was also estimated by the director general that the duration of the program would not exceed 2 years after the cessation of hostilities, and that it should be done in that period of time to be successful. While of course this is no guaranty that this amount will do the job in the time prescribed, I believe that the Administration is sincere in making this assertion, and it is some assurance of the scope and extent of our contribution to this inescapable task.

To these few examples might be added others on which I base my conviction that the member governments have done not only a satisfactory but a splendid job in the organization of the United Nations Relief and Rehabilitation Administration at Atlantic City. They have set up a program which, considering the magnitude of the task before them, is sound, conservative, and, I believe, practical. For instance, I have heard members, and it seems to me rightfully, criticize the use of the word "rehabilitation" in the Administration's title, with the suggestion that it should be eliminated. It must be borne in mind that this was the name adopted by the Administration on November 9 last, and is therefore not subject to amendment by the Congress; and the point I wish to make is that regardless of the possibility or probability of grandiose plans on the part of the originators of the United Nations relief and rehabilitation idea, the delegates or representatives of the United Nations, in their deliberations, resolutions, and plan of action, whittled it down to a concept strictly of relief to the exclusion of reconstruction and even rehabilitation except insofar as the latter may be necessary and incidental to relief for the stricken nations.

It is true that there is much that must be left to the discretion of the Council, the Central Committee, and the Director General, but this lies in the very nature of the undertaking. It is my conviction, therefore, that the right reserved to the member governments to be the sole judge as to how far they will implement their membership with appropriations is a sufficient safeguard against any runaway abuse of this discretion and power. If the ideals and objectives as expressed in the administration's resolutions and program of action are carried out and adhered to, I believe we will meet a desperate and appalling situation with an intelligent, conservative, and workable remedy.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. JONKMAN. I yield.

Mr. O'HARA. We have before us this picture: That we do not know when we shall be able to furnish relief to these occupied countries so desperately in need of assistance. In all candor, does the gentleman have any doubt that this appropriation for U. N. R. R. A. is merely the opening appropriation?

Mr. JONKMAN. My honest opinion is just to the contrary, that this $1,350,000,000 constitutes the over-all expense of the undertaking. It must be remembered that U. N. R. R. A. will deal only through recognized governments of liberated nations, or recognized authorities in those nations, and that wherever there is exchange or even local currency those nations will be obliged to pay for their supplies in the local currency or exchange, as the case may be; in other words, U. N. R. R. A. will act only through the government authorities and only in exceptional instances directly with the people. In that way much of this will constitute a revolving fund that can be used for other U. N. R. R. A. purposes. It is true, of course, if they take in local currency they could use it only in buying supplies and sending those perhaps to some other liberated territory, but nevertheless I think there is going to be a great deal of salvage in the way of recovery for supplies furnished which will replenish the revolving fund.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. JONKMAN. Gladly.

Mr. STEFAN. In the hearings was there developed any information as to the approximate administrative cost of this program? What percentage of this appropriation will be represented in administration and how much will be actually expended for food, clothing, medical supplies for the suffering peoples in occupied countries after they are liberated?

Mr. JONKMAN. That, of course, was made the matter of a separate contribution. The sum of $10,000,000, it is estimated, will take care of the administrative costs and will be a special contribution made by the United Nations for the purpose of administration.

Mr. STEFAN. Then $10,000,000 will cover all the administrative expenses? Is that an annual expense?

Mr. JONKMAN. That I am not so confident about as I am that the two and one-half billions will cover the undertaking.

Mr. COLE of Missouri. Mr. Chairman, will the gentleman yield?

Mr. JONKMAN. Gladly.

Mr. COLE of Missouri. Can the gentleman tell us why the American Red Cross and the International Red Cross and such other established relief agencies were excluded from participating in this program?

Mr. JONKMAN. When that query was first broached early in the summer of last year, the idea occurred to me that this could be done by the American Red Cross, but, after giving it some thought, I came to the conclusion that, after all, the American Red Cross and the International Red Cross are incorporated under certain perpetual principles. For instance, it is obliged to give succor to the enemy, if you want to take it that way, as well as to the Allies. There would, in the first place, be that difference. The Red Cross, of course, is supported by individual contributions to a large extent. In addition to that, during the hearings we were officially—or, if not officially, then semiofficially—apprised of the fact that the Red Cross felt that it could not handle this and should not handle this. Whether that is official—I said semiofficial—it was at least brought to our attention in the committee hearings in such way that I accepted it as an answer.

Mr. COLE of Missouri. If the American Red Cross cannot, what about the International Red Cross?

Mr. JONKMAN. The International Red Cross too is pledged to help friend and foe alike. U. N. R. R. A. is confined to the occupied territories of the allied nations.

Mr. COLE of Missouri. Could this amount we are asked to appropriate be supplemented by individual contributions? For instance if I had a hundred dollars I wanted to spend in one of these countries for the relief of the hungry and suffering, if this bill is passed that would be impossible, would it?

Mr. JONKMAN. My understanding is that you can. In contributing and cooperating you can even define as to what it shall be used for. For instance, if you want to give to Greece or Jugoslavia, that would be considered, but if you were to put too many conditions on it, for instance, that it should be given only to those under 12 years old, that might be considered a restriction too minute and you would have to waive it, but you could make contributions.

Mr. COLE of Missouri. How about the Red Cross supplementing U. N. R. R. A.?

Mr. JONKMAN. I think U. N. R. R. A. will cooperate with the Red Cross. It seems to me there was some discussion about that in the hearings.

Mr. CURTIS. Will the gentleman yield?

Mr. JONKMAN. I yield to the gentleman from Nebraska.

Mr. CURTIS. This bill does not propose to give any relief to the civilians of enemy countries after the war, does it?

Mr. JONKMAN. Except insofar as might be necessary in adjacent territories where, for instance, there were epidemics or disease of some kind and it became necessary to overlap. It is my understanding this is confined to liberated territories.

Mr. CURTIS. You would not include Finland, for instance, in the category of liberated countries?

Mr. JONKMAN. Finland has not been invaded in this war, if my memory serves me well. In other words, this is confined to war-stricken territories as they will be liberated from occupation by the enemy.

Mr. CURTIS. I would like to ask the gentleman as a member of the committee to tell me what is meant by the words "any area" found in line 12, page 10? Does "area" mean any country and if it does not, what does it mean?

The CHAIRIMAN. The time of the gentleman has expired.

Mr. EATON. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. JONKMAN. I think that is put in there merely to prevent overlapping. For instance, there may be activities by, we will say, a country such as France in a territory, that is area, covered by U. N. R. R. A.

Mr. CURTIS. Is "area" synonymous with "country"?

Mr. JONKMAN. Not necessarily.

Mr. CURTIS. What does it mean?

Mr. JONKMAN. The words explain themselves. When U. N. R. R. A. is working in any area it shall be the exclusive agency within that area in order to prevent duplication.

Mr. CURTIS. Would "area" include several countries?

Mr. JONKMAN. It might. If they were working in several countries they would be excluded from there.

Mr. CURTIS. Then I would like to have the gentleman state whether "area" would include part of enemy territory?

Mr. JONKMAN. I do not suppose we would have absolute jurisdiction over that. Of course, it must be remembered that U. N. R. R. A. works only in conjunction with the military authorities as they evacuate areas and especially if they are still covering certain territory.

Mr. CURTIS. Could Europe be considered as one area?

Mr. JONKMAN. I think the gentleman is carrying his question to an absurdity.

Mr. CURTIS. No; I am not carrying it any place. I want to know what the committee's idea is.

Mr. JONKMAN. I do not think the language of the bill or the agreement had that in mind. It was provided that in certain areas where U. N. R. R. A. was working no other agency should work. At least unless it cooperated with U. N. R. R. A. I do not know that we could prevent that from other nations, and the term area must be applied as the occasion arises.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. JONKMAN. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. On page 296 of the hearings, Resolution No. 1 of the first session of the council will be found in which there is a description of the areas in which the administration will operate. There is a very full description of what those areas are and I commend that to the gentleman's study.

Mr. COLE of Missouri. Will the gentleman yield further?

Mr. JONKMAN. I yield to the gentleman from Missouri.

Mr. COLE of Missouri. One thing has bothered me from the very first time this bill was brought to my attention. On this Council of members of U. N. R. R. A., is it not a fact that Britain will have six votes? That is, the British Empire will have six votes and the United States will have only one vote?

Mr. JONKMAN. In effect, I think the record discloses that situation.

Mr. COLE of Missouri. Any amendment, according to the definition in the bill, may be agreed to by a simple majority, and if I remember correctly, in certain cases by a two-thirds majority?

Mr. JONKMAN. By a two-thirds majority, but such vote is not binding on any member government without its acceptance.

Mr. COLE of Missouri. And the United States would have only one vote?

Mr. JONKMAN. That is correct.

Mr. COLE of Missouri. Therefore, if the Council of U. N. R. R. A. decided to amend this whole set-up, the United States would have only one vote, and although that one vote was cast against it the law that we are passing today could, in effect be amended. Is that correct?

Mr. JONKMAN. The gentleman must recall what the gentleman from New York [Mr. WADSWORTH] said. That is, by this whole thing we are doing nothing until we make appropriations and we are doing practically nothing except by making appropriations. We are not bound to any further extent than the appropriations actually made.

Mr. STEFAN. Not in this bill. In this bill you are merely making an authorization.

Mr. JONKMAN. I mean that in the United Nations agreement, we make no commitment whatsoever, nor in this authorization. It is only when an appropriation is made that we are bound to the amount of the appropriation and nothing more than that.

Mr. STEFAN. If the gentleman will permit me to interrupt, should some member on that commission have six votes to our one, after all, this resolution would have to be supplemented by money or goods and certainly we could withhold appropriations, could we not?

Mr. JONKMAN. Yes.

Mr. O'HARA. Will the gentleman yield?

Mr. JONKMAN. I yield to the gentleman from Minnesota.

Mr. O'HARA. In response to the question of the gentleman from Missouri, the gentleman has admitted that by entering this U. N. R. R. A. set-up, they can change the law of the Congress upon this subject?

Mr. JONKMAN. Not necessarily. We must remember that the United Nations relief and rehabilitation agreement was made without the consent or concurrence of Congress because, as we heard this afternoon, it was considered to be in the category of an Executive agreement that could be so made.

Mr. O'HARA. As I understood the gentleman's answer to the question asked by the gentleman from Missouri, the gentleman stated that U. N. R. R. A. could change the agreement which we enter into by passing this law?

Mr. JONKMAN. With the President's concurrence. I think that modification should go in. But just as the agreement per se does not commit us in any way, this would be true of an amendment until implemented by an appropriation. In other words, the U. N. R. R. A. agreement, any amendments, and this bill amount to nothing until an appropriation is made, and even then we are committed only for the expenditure of that appropriation, nothing more.

Mr. O'HARA. But that is the situation; is it not?

Mr. JONKMAN. Yes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EATON. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. Mr. Chairman, there is one feature of this bill which I doubt anyone can defend successfully, and that is its discriminatory character.

It is rather incongruous and foreign to the beneficent and altruistic intentions of the act that we should entirely exclude from its benefits a worthy people who have been friendly to America and who have rendered valuable assistance to the cause of the United Nations—the people of India.

Some of our citizens may have doubts as to how far we should use our means to assist the world after the war is over, seeing that we will have our own tremendous problems of rehabilitation right here at home, but I think that every fair-minded person will say that U. N. R. R. A. should not be a closed corporation. It should not pick favorites. It should not discriminate among equally worthy friendly nations, giving to some and denying to others.

The United States is a great democracy founded on the ideal of equality. The founding fathers denounced special privilege as the greatest of all evils in government.

It does violence to our splendid traditions to stop our democracy at the water's edge. In dealing with equally deserving foreign nations under this bill we should not make fish of one and fowl of another.

The gentleman from South Dakota [Mr. MUNDT] has an amendment he intends to offer that would wipe out this discrimination. I commend it to every Member of this House. Its text is as follows:

In expressing its approval of this act, it is the recommendation of Congress that insofar as funds and facilities permit any area important to United Nations military operations which may be stricken by famine or disease shall be included in the benefits available through the United Nations Relief and Rehabilitation Administration.

In my opinion, this amendment is anchored in sheer justice.

Mr. EATON. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. DAY].

Mr. DAY. Mr. Chairman, this joint resolution presents the most flagrant violation of the Constitution that has been presented to the Congress by the New Deal administration. Violations of the Constitution at the hands of this administration have grown so frequent and so violent that they are positively immoral, and are so regarded by millions of our citizens. The great loss in popularity which the New Deal has suffered is due in large part to the utter disregard of established law. These departures have been constant and unbroken, furnishing a clear pattern of the gross evils arising from a studied attempt to change our form of government. This is the great issue of today and will be the determining factor in defeating the New Deal next November.

U. N. R. R. A. resolution is not just a mere measure for the relief of the suffering peoples in foreign lands. It is admitted that "U. N. R. R. A. is an international body formed by 44 nations." The agreement constituting U. N. R. R. A. has no standing under the Constitution and could not be submitted to the Senate for approval. It was an impeachable offense to have even signed it.

This joint resolution is presented to us at this time as an "authorization for an appropriation" to the President for such sums, not to exceed $1,350,000,000 in the aggregate, as the Congress may determine from time to time to be appropriate for participation by the United States in the work of U. N. R. R. A. But it does not stop there. The contract, or agreement, is set forth in full in the resolution, and then follows section 3, reading, in part, as follows:

In the adoption of this joint resolution the Congress expresses its approval of and reliance upon the policy adopted by the United Nations Relief and Rehabilitation Administration at the first session of the Council.

This section changes the entire character of the joint resolution from that of mere authorization for an appropriation to the advice and consent of the Congress upon a question of foreign policy. Clearly, the House of Representatives has no such constitutional power, and this section is in direct violation of article II, section 2, of the Constitution, reading, in part, as follows:

He—

The President—

shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

The agreement establishes an international government consisting of 44 nations, and in the Council it is expressly provided that "each member government shall name 1 representative" and that each member government shall have 1 vote. This means that the Congress is asked to ratify and confirm an agreement made entirely by an executive department and committing the United States to the approval of an internationally formed policy with only 1 vote out of 44 in the governing Council of this international body. Furthermore, it is expressly provided in article VIII of this agreement that its provisions may be amended as follows:

Amendments involving new obligations for member governments shall require the approval of the Council by a two-thirds vote, and shall take effect for each member government on acceptance by it.

Mr. COLE of Missouri. With reference to the words "shall take effect for each member government," does not the language earlier in the bill in effect designate the President of the United States as the member government, as he is the one who entered into this agreement?

Mr. DAY. No. There was an acceptation here a while back that it would not be the President, but there is nothing in this bill and there is no warrant in law, and the fact that they have come to the Congress and asked for an authorization would lead logically to the fact that the same body would have to give the authority. I think we would have to pass upon it.

And then follow these words:

Amendments involving modification of article III, or article IV, shall take effect on adoption by the Council by a two-thirds vote, including the votes of all the members of the Central Committee.

A careful reading of the agreement reveals that article III covers the creation of the Council and its organization and article IV covers the creation of the Director General and defines his powers. The Central Committee mentioned in article VIII, is composed of the representatives of China, the Union of Soviet Socialist Republics, the United Kingdom, and the United States of America. Up to this point it would appear that the United States could not be committed to any new obligations without their consent. But article VIII does not stop there, for in its last paragraph it contains the words:

Other amendments shall take effect on adoption by the Council by a two-thirds vote.

This provides a wide latitude for amendments without the consent of the United States and by its terms 30 nations combined together could involve this Nation to such an extent that a cause of war could easily be occasioned. We could easily be at the mercy of the Soviet Union, which will be the dominant power in Europe and perhaps in Asia. The United Nations consist in large part of the British Dominions and the governments in exile. The Soviet Union from all present indications will completely absorb these governments in exile as they have Poland. Dare we rely on only one vote in such an international council when the right to amend the underlying agreement is practically unlimited? Can we withdraw from such an international body without giving deep offense to the overpowering Soviet Union? Would this not amount to a gross betrayal of our gallant sons who are fighting and dying to preserve this great Republic?

In the pamphlet issued by Food For Freedom, Inc., an organization which has promoted U. N. R. R. A., there are 20 questions and answers and it is of vital importance that we call attention to the following:

18. What is the relationship between U. N. R. R. A., which is an international organization, and the United States agencies concerned with foreign affairs? In the relief and rehabilitation field all foreign operations will be carried out by the United Nations organization and the foreign operations of the United States agencies in this field will end.

This means the end of the American Red Cross, and could very seriously hamper the American Army in the field.

19. Will joining U. N. R. R. A. involve the United States in entangling alliances?

U. N. R. R. A. is in no sense a system of world government. Individual countries make their own decisions as to their part in the operation of the plan. It is not a political alliance. It is temporary and limited in nature. It will encourage the United States to agree to membership in some form of world government only if our citizens become convinced that it is to our national interest to join with other nations in the common solution of world problems other than relief and rehabilitation. No commitment of such action is made by the participation of the United States in U. N. R. R. A.

This is a positive admission by the proponents of U. N. R. R. A. that it is a world government so far as relief and rehabilitation are concerned. How can the Congress of the United States by a joint resolution of both Houses of the Congress place the United States in a world government when even a treaty cannot do this?

It is time for the American people to realize that no international agreement or treaty can change the character of this Government. The Constitution of the United States ordained and established a republic and there is no authority to place this Republic in a United Nations world government, even to the extent of relief and rehabilitation. For we cannot overlook the fact that in the agreement constituting U. N. R. R. A. there is the right of amendment to extend far beyond mere relief and rehabilitation and into full world government. I desire to call attention to the unanimous decision of the Supreme Court of the United States in the historic case of *Geofroy* v. *Riggs* (133 U. S. 258, 267), in which the opinion was written by Mr. Justice Field and establishing forevermore this fundamental principle:

The treaty power, as expressed in the Constitution, is in terms unlimited except by those restraints which are found in that instrument against the action of the Government or of its departments, and those arising from the nature of the Government itself and of that of the States. It would not be contended that it extends so far as to authorize what the Constitution forbids, or a change in the character of the Government

or in that of one of the States, or a cession of any portion of the territory of the latter, without its consent.

We have heard a great deal about the creation of a world super state, world government, one world and union now and many enthusiastic internationalists seem to be laboring under the false impression that it is merely a matter of passing an act of Congress to place the Republic of the United States permanently in such a world government. This fallacious reasoning does violence to every principle and concept of our American constitutional system and it is high time that this fallacy be exposed. Let it be understood once and forever that our form of government cannot be changed by any act of our people or by any act of any of the three great departments of our Government. The Constitution of the United States can be amended according to its terms but there are limitations as to the extent of such amendments. In article V of the Constitution the method of amendment is outlined and it takes a vote of two-thirds of both Houses of Congress or two-thirds of the legislatures of the 48 States and ratification of the legislatures of three-fourths of the States or by conventions in three-fourths of the States. But it is expressly provided that no amendment can be adopted depriving any State without its consent of its equal suffrage in the Senate.

It is well understood in American constitutional law that the Constitution creates a Federal Government with fixed and limited powers and that all powers "not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively, or to the people." Article I, section 3 of the Constitution provides:

The Senate of the United States shall be composed of two Senators from each State.

It will thus be seen that no representative designated in any U. N. R. R. A. agreement can have any legislative authority over the people of the United States or of any of its property or territory and that Congress has no authority to create any council or central committee. Such designations are absolutely foreign to this Republic. There is no sanction under the established law of the United States which has existed unbroken for over 150 years to approve any such international body. For it must be conceded that if the Senate of the United States by treaty cannot change the character of this Government, certainly a joint resolution of both Houses cannot do so. It is a monstrous proposition and should not receive any consideration short of contempt at the hands of the Members of this Congress, who have taken a solemn oath to support and defend the Constitution of the United States. Any Member of Congress voting for such a measure will be retired by the people when they understand the facts.

I take this occasion to appeal to the President of the United States and those in authority to cease and desist from any further attempts to subvert the Constitution of the United States. Our people are becoming restless and discouraged. The constant proposals which undermine the very character of this Republic are weakening our national morale and causing disunity. We face a great crisis. It will require every ounce of strength of all of our people to win the victory which we deserve. This is a political year but we must not play politics at the expense of overthrowing this Republic by internal discord. The American people are patient and loyal and are willing to make every sacrifice for the common good to win this war. But they are forever determined that they will not surrender the liberty ordained and established by the Constitution of the United States and they want no part of any world government, world superstate, one world, or union now. And they are sick and tired of secret arrangements and slick subversions that undermine our great charter of freedom. This joint resolution is a vicious attempt to edge us into a world government and has no bearing on the vital problem of winning the war. The Army has not asked for U. N. R. R. A. The hearings are silent upon any such testimony. General Marshall did not ask for it. Nor did Secretary Stimson. This is not a war measure. It is a political move to involve us in world government. We can supply all needed relief as we have done with a generous hand in the past. No Member can ever justify a vote for a measure so plainly in direct repudiation of the welfare and integrity of the United States of America.

Mr. EATON. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. BRADLEY].

Mr. BRADLEY of Michigan. Mr. Chairman, we have a very important piece of legislation under consideration at this time. It is basically of importance because we know not how many more similar Executive agreements may be brought before this body for ratification and appropriation. As usual this forerunner, of what I predict will be many more similar requests for American largess, is presented to us not only as a necessity of war but also as a great humanitarian measure.

Now let me say at the outset that no one can deny the desirability, even the military necessity, for the immediate rehabilitation of the liberated peoples. No one can deny the importance of gaining as soon as possible the good will of the peoples of the presently conquered nations. No one can deny the sound fundamental reasoning that the sooner these conquered nations are rehabilitated, the sooner they can become prosperous, the sooner the entire world will recover from the effects of this gruesome struggle and the sooner the entire world, including ourselves, will financially benefit therefrom. No one can deny the possibility of pestilence invading a liberated, starving nation, but only a fool can insist that such pestilence must be avoided in order to protect the health of any Allied troops that might occupy that area for police or administrative purposes, when one considers for one moment the remarkable medical records that have been made by our Army medical authorities in this war. And, in passing, it might be well to note the measure before us provides that the U. N. R. R. A. cannot enter previously occupied territory unless and until the military authorities have in effect evacuated and have permitted them to follow in.

My objection to this legislation, Mr. Chairman, is founded not on its aims, not on its ideals, it is founded rather upon its method of presentation. It is founded upon its possible unconstitutionality, it is founded upon its possible future implications and obligations for our country, and it is founded upon the fact that I ask—as do so many other millions and millions of our people, just how much longer can we continue to impose an ever increasing strangling debt upon our future generations—the sons and daughters of those who are fighting today to preserve America for Americans and do their part in restoring this world to a world of peace?

Mr. Chairman, throughout all the decades of time from its very birth, this Nation has been known as a humanitarian nation. Never has it failed to meet its world-wide responsibilities in this regard. There are those who still would cast scorn upon those of us who believe in America first; there are those who would call us isolationists. I challenge them to point out any instance in the history of this Nation when humanitarian principles were involved or relief or succor desired for anyone in need that this Nation, through its patriotically inspired and quasi public or private institutions, such as the Red Cross, the Quakers, and other religious organizations, failed to meet their responsibilities in bringing aid, comfort, and relief to those who had suffered some grievous injury. That can and should be done again in this very instance by means of popular contribution on the part of the American people who can afford it rather than through the means of governmental largess at the expense of our future taxpayers. Yet this legislation prohibits such voluntary help, except under strict control of the director of U. N. R. R. A.

Let us consider the history of this particular legislation. Let us go back a bit further and give some thought to the international policies of our Nation and the statesmanship emanating from our great State Department, operating under this New Deal.

The New Deal came into power in 1933. Hitler came into power in 1935. How many of the Members of this House recall the devious machinations of this administration and the State Department during those long-ago days of the Neutrality Act, when the President was to be called upon to deny shipments of instruments of war to either of the belligerents at war? Do you remember that for some strange reason, possibly emanating from No. 10 Downing Street in London, the President denied that a state of war existed between China and Japan and so we proceeded to supply arms and munitions to both. We continued to ship

scrap iron, high-octane gasoline, lubricating oils to Japan right up to the last. In fact, it has been said that on the very day Pearl Harbor was attacked, at least two ships were then on the west coast taking on gasoline and oil for Japan. Why? Well, did it ever occur to you, Mr. Chairman, that certain interests in this country were making pretty handsome profits out of the delivery of those war materials to Japan?

On the other hand, how many of you recall that when the Russians invaded Finland, it was again determined that a state of war did not exist and we sent help to our then friends—the courageous Finns—that little nation which even today—even while she is in the international doghouse—has never failed to meet her financial obligations to this country. Even then we sent her arms and equipment and aircraft, aircraft taken from our own marine flyers right here in the District of Columbia, who later so courageously defended Wake Island. And again I ask you, How many of you recall a statement made on the floor of this House, I believe in 1940, by the esteemed gentleman from New York, Mr. DANIEL REED, that it was American, British, and French capital that was primarily responsible for, and a contributing factor in, the rearmament of Germany and the creation of the Frankenstein monster, Adolf Hitler? The gentleman from New York [Mr. REED] made that charge right on the floor of this House and he made a further charge that there had been an international agreement reached after a conference in London that there was to be a phony war staged in Europe as a result of which England, France, and Germany would control the entire continent of Europe, and would seek to control the markets of the world, in order to freeze us out. The gentleman from New York made those accusations on the floor of this House, stating at the time that they were a matter of record in the files of our State Department here; and so far as I know, I have never heard either of those charges successfully refuted on the floor of this House. The point I am making in bringing up this past history is the fact that our diplomats or statesmen in our State Department knew what was going on in the world, or should have known, and, having known, our policy should have been to prevent this war and we had it within our power to do so.

Well, we can all remember that after this war started with the invasion of Poland by Germany and Russia, that time the President finally decided that there was a war going on and that, therefore, under the Neutrality Act, all belligerents could expect no help from this country until we lifted the arms embargo. Then we can all remember that it was a case of giving Britain the tools and she would come and get them and do the job. Then we can all remember that it was not long before this Nation was flooded with a campaign slogan that "Britain delivers the goods." Then we can all recall that it was not long afterward that we began to take the famous steps "short of war" and how often it was stated—again and again—on this floor that those steps short of war were the surest way to keep out of war.

Who can fail to remember the campaign of 1940? "I hate war. Again and again, your boys will never be sent to die on foreign fields." Yes, that cry was uttered over and over again not only by one candidate for the Presidency but by his opponent, and we were told later that perhaps that might have been campaign oratory.

Well, now let us see if the State Department is running true to form in this instance and let us look at the history of this particular legislation and then see whether or not you feel this is the way to accomplish these admittedly desirable humanitarian results?

Mr. Chairman, as was stated here yesterday by the eminent gentleman from New Jersey, this program of the U. N. R. R. A. was started in England in September 1941 when a meeting was held in St. James's Palace with representatives of the various exiled governments. Both the Soviet Government and ourselves were represented at that meeting; we by an observer only. The Soviets did not join the committee then formed, because it was British dominated. From that meeting came the Inter-Allied Committee on Post-War Requirements and, in order to have a secretariat which could get to work on the actual problems, the British Government created a bureau, entirely British, headed up by Sir Frederick Leith-Ross, who had also been selected as chairman of the Inter-Allied Committee. This committee proceeded to get facts, although it was handicapped by not only lack of funds but the fact that the exiled governments were pretty well disorganized and their available records were very scanty indeed.

Also, as was stated here yesterday, one of the reasons this organization got under way was the fact that it had been learned that certain of the exiled governments were employing their funds to purchase and store up in South-American countries certain supplies which they would need for their own rehabilitation in the post-war world; and it was embarrassing the over-all war effort to have these certain commodities removed from the market and put into storage.

After we had entered the war, following Pearl Harbor, we, of course, had a full representative on the committee and thenceforth proceeded seemingly to take the lead in working out some more satisfactory United Nations formula or agreement.

As is customary in the operations of our State Department, the first thing we did was to send to Britain to bring them over here to establish our State Department's policy for us. Consequently, Sir Frederick Leith-Ross was brought over here for a matter of several months and in cooperation with our State Department, and doubtless taking the lead in those discussions, we began to draft some sort of a workable agreement to which the other nations could conform.

Then we sent out a call inviting delegates from the 44 nations allied directly or associated with us in opposition to the Axis—to enjoy the bounty of the United States at our famous resort in Hot Springs, Va. This meeting was, of course, called the International Food Conference and was held during the last 2 weeks of May of last year. As is rather well known to this House, the gentleman from Ohio, Dr. SMITH, and myself rather unofficially attended that conference. We found that our Government had taken over the facilities of the Homestead Hotel in Hot Springs and for a nominal sum of $5 per day—paid by their governments—these international delegates enjoyed the bounty of the United States for which presumably our Government—just as did the gentleman from Ohio, Dr. SMITH, and myself—paid the usual rate of $14 per day. And I might add, we paid ours out of our own pockets so the Government is out nothing as far as we are concerned.

We had a very interesting time and we saw very many interesting things and met many interesting people. We found among other things on our arrival that for some strange reason, not now apparent in this debate, the press of the United States had been denied access to this International Food Conference. They were quartered outside as if they were some scourge to be avoided. This was a mistake in State Department, or perhaps White House, policy that was later freely admitted. One of the news correspondents who arrived at the meeting was surprised on his drive down to run across a newspaper distributor from that section of Virginia, the rear end of whose car was jammed with current newspapers returned to him by the hotel newsstand under the excuse that they could not be sold. We quickly ascertained that no newspaper was displayed on that newsstand whose editorial opinions or whose headlines seemed offensive to this administration. Such papers as the Chicago Tribune, Washington Times-Herald, and New York Journal-American for some reason could not find their way to the newsstand. Later they did, to the ratio of possibly six Chicago Tribunes to perhaps 100 Chicago Daily Suns banked on top of the poor little Tribune.

Meanwhile our State Department, presumably with the cooperation of Sir Frederick Leith-Ross, had been working diligently and they had brought forth a tentative document setting up the United Nations Relief and Rehabilitation Administration. The Honorable Dean Acheson, Assistant Secretary of State, brought that document down to Hot Springs while Dr. SMITH and myself were present. Previous to that this tentative draft had been submitted to the President of the United States for his perusal and he had called a meeting, attended by leaders of both parties of the House and Senate and Secretary Hull and Governor Lehman, who had been selected by the President to preside on this forerunner of a possible world super state. Mr. Acheson likewise attended and at that time, in the presence of that august body, he went over a tentative outline of this proposal. He did not read it word for word, but he did give that

gathering the general idea and on completion of that meeting at the White House immediately started for Hot Springs. No one can convince me otherwise but that this so-called Food Conference was called for the particular purpose of presenting this preliminary draft to the nations present. Frequently it has been said here that there was nothing undercover about this entire transaction. Mr. Chairman, that is a misstatement of fact to which the gentleman from Ohio will voice his approval. There was nothing open and aboveboard about that obviously British dominated meeting at Hot Springs that we could discover. It was all covered by a smoke screen of obscurity.

It is true that on June 10, 1943, the State Department issued a release to the newspapers of this Nation, not only issuing a statement in connection with this U. N. R. R. A. program, but likewise submitted to the press the tentative draft that had been submitted at the Hot Springs meeting, and it had issued this release, as Mr. Acheson stated, because they had benefited by the unfortunate experience which they had had at the Food Conference. For some strange reason, with one or two minor exceptions, the press of this Nation missed this release and did not give it the publicity it deserved. Now, bear in mind that was June 10 that that release was issued. Shortly thereafter some of the Members of our esteemed House Committee on Foreign Affairs met informally off the record with Mr. Dean Acheson to have him explain this program to them.

As a result of this meeting on July 7, 1943, the chairman of this great committee called the committee together and had the Honorable Dean Acheson present and suggested to our esteemed gentlewoman from Ohio—

Mrs. BOLTON, will you kindly explain to the committee your idea of the purpose of the meeting this morning?

At which time the gentlewoman from Ohio [Mrs. BOLTON] suggested that perhaps the committee would be interested in having Mr. Acheson explain to that committee the program which had been submitted almost 2 months earlier to the United Nations Food Conference at Hot Springs. That, Mr. Chairman—July 7, 1943—is the first time our House Foreign Affairs Committee met to have this program explained to them, and it was then, and only then, that our State Department had come to the Congress of the United States with a program to which this country had already been committed insofar as the State Department could commit it. And so, Mr. Chairman, much as I respect and admire my good friend, the chairman of this committee, I must say that when—if I understood him correctly yesterday—he sought to give out the impression that this legislation before us, with its agreement for the United Nations Relief and Rehabilitation Administration written into House Joint Resolution 192—and which it states on line 10 of page 1 was "established by an agreement concluded by the United Nations and associated governments on November 9, 1943"—is directly the result of the work of his committee or of the Senate committee or a combination of both, I cannot conclude that such is the case. I have carefully gone over the bill before us and I find it almost identical with the program submitted to the Hot Springs Conference, which was read and explained line by line to the Foreign Affairs Committee on July 7, 1943. Mostly minor changes therein have been made, presumably at the request of some of the smaller powers to diminish some of the powers of the central committee, composed of the four larger nations, and the escape clause in article X added. If that was brought about by the committee it deserves our thanks. The deviltry, if any, had been done. We had been committed in principle almost 2 months earlier. To those who would deny this, let me ask this one question: How can any responsible government, a presumably responsible official of a government, submit a proposed agreement in writing to a conference of 44 nations without itself immediately assuming not only its responsibility therefor but its commitment to enter into the proposed agreement?

Now some interesting things developed at that meeting of the committee with Dean Acheson. Among them was established the birthright for the famous Fulbright resolution. The esteemed gentleman from Arkansas questioned the advisability, or desirability, of the State Department's proceeding that far with a commitment on the part of the United States without some authorization from Congress. The gentleman from Arkansas [Mr. FULBRIGHT] recognized that we had been, or at least would be, committed to, at least on good faith, participate in such an organization. He asked quite pointedly whether all that was left for the Congress to do was to appropriate the funds requested in this bill. Mr. Acheson did not dodge the issue but admitted frankly that the Congress had been bypassed to some extent but that, controlling as it presumably does the purse strings of this country, as provided in the Constitution, we would not need to participate effectively if we did not appropriate the money. That truly was quite a concession, but Mr. Acheson did confide that it would be indeed embarrassing if we did not contribute. It was then that the gentleman from Arkansas [Mr. FULBRIGHT] suggested that in order at least to save face, perhaps, it should support the State Department in further negotiations on this program as well as in making future international commitments by adopting some simple resolution to be passed by the Congress, and which resolution I interpreted, at the time when I voted against it, would give carte blanche authority to the State Department or to the Chief Executive to proceed at will in future circumvention of the House and Senate, to say nothing of the Constitution.

Mr. Chairman, the way this thing has been handled, and armed with the authority of the Fulbright resolution, there is not the shadow of doubt in my mind but that we might possibly conclude a peace treaty without the advice and consent of the Senate of the United States as provided in the Constitution, which we have all taken an oath to uphold and defend. And I might say in conclusion, Mr. Chairman, that at that historic meeting on July 7, 1943, even my good friend the chairman of the Committee on Foreign Affairs himself was inclined to voice considerable indignation at the fact that the State Department should proceed in the drafting and in the securing of the acquiescence of our United Nations to a program as comprehensive as this without having previously brought the matter before his committee, as it properly should have been, and before the similar committee of the Senate. The chairman of this great committee pointed out distinctly that too frequently it has been the policy of the State Department to bypass the duly elected congressional bodies of this Nation when policies such as this are being established, and then bringing them in—and then only hurriedly—before the Appropriations Committee with a blanket request for an appropriation for something which had never been before a legislative committee and on which no hearings had been held and no constitutional legislative authorization been had. The chairman of this committee was absolutely right in his stand. I am pleased to say that the Assistant Secretary of State, Mr. Dean Acheson, agreed with him. But I repeat, Congress was not taken into consideration in advance on this measure; it will probably and undoubtedly not be taken into account on future measures. Again and again we will be handed a pig in a poke with an implied commitment already made; and we will lose faith and lose face with the nations of the world unless we acquiesce in, and support, the commitments already made by a group of pseudo statesmen who have proven themselves totally incapable of matching wits with the statesmen of world politics.

I agree with the statement made by the gentleman from New York [Mr. FISH], and I join with him in admiration of Mr. Winston Churchill. I join with him in admiration of Mr. Josef Stalin. I join with him in admiration for Gen. Chiang Kai-shek. I join with him in admiration of these three men because they are everlastingly steadfast in putting the interests of their own nation first. With Mr. Churchill it is England first; with Stalin, Russian interests have never been known to suffer; and with Chiang Kai-shek it is China first, last, and always. It is about time that somebody in this country gives some little thought to America first. Let us quit this game of international ring-around-the-rosy. Let us give some thought to the fact that Uncle Sam is now expending more money on the war effort than all the other nations of the world combined. Let us give some thought to the fact that we are draining our Nation's natural resources faster than all the other nations of the world combined. Let us give some thought to the fact that money does not grow on trees here or anywhere else. Let us give some thought to the post-war program of relief and rehabilitation in our own country, among our own return-

ing soldiers after this war shall have been won. Let the cost of rehabilitating the devastated nations come out of the voluntary contributions of those, who, following the precepts of our own history, will at the conclusion of this war seek to profit from their participation in the rehabilitation of the devastated nations and, lastly, let us assume a realistic foreign policy in the future that will protect this Nation forevermore from any threats of involvement in foreign wars and in the prevention of the use of American dollars in the creation of any more Frankensteins like Hitler and Tojo, in order that they may again be turned loose on a peaceful world in order that some of these selfish individuals can prosper by the war emergency created thereby.

Mr. BLOOM. Mr. Chairman, I yield 10 minutes to the gentleman from Arkansas [Mr. FULBRIGHT].

Mr. FULBRIGHT. Mr. Chairman, during the debate in this House yesterday, the various members of the Committee on Foreign Affairs explained in detail the functions and the purposes of this resolution. I doubt that I can add anything of value to what has been said. Furthermore, the report of the committee hearings contains an exhaustive, detailed account of all that has been done or is contemplated in this resolution.

Some 4 months ago this Congress, by the significant majority of 360 to 29, approved the basic policy that this Nation should henceforth participate with the other nations of the world in an effort to achieve a just and lasting peace. Since that declaration, three great conferences have been held by the four most powerful nations of the world. A start has been made toward the goal of international cooperation for the maintenance of peace. I recognize, of course, that these are only the first gropings of a tortured and suspicious world, and that the road to peace is going to be much longer and, in an entirely different sense, even more difficult of attainment than is a military victory in this war. It will be a long, evolutionary process, made up of many mistakes and constant differences of opinions, yet I still think that the urge to peace is so strong and the alternative so disastrous that eventually our reason will triumph over our prejudices and emotions.

This bill we are now considering is the first concrete, specific step to be taken by this Congress in carrying forward our determination to participate with the other peace-loving nations in a common undertaking. It has been suggested here that after the last war, under the direction of Mr. Hoover, we did a good job of relief on our own and without all this bother of a cooperative organization and, therefore, why should not we do the same now. Several reasons were pointed out why circumstances require this approach this time, but I think perhaps the most persuasive reason of all is that if our policy, henceforth, is to be that of cooperation with other nations to keep the peace, then why not start to cooperate at the first opportunity. The very fact that this is a cooperative venture of 44 nations is one of its principal virtues. If we can make a success of this effort, we will have learned not only that the other peoples of the United Nations are after all pretty decent, just as we are, but also we will have demonstrated to ourselves and to the world that we are capable of intelligent cooperation with other nations. This will be an invaluable experience when we come to the much more difficult questions inherent in the problem of cooperation in the political and economic fields. In other words, I might say this is our first lesson preparatory to vastly more difficult tasks which all of us know lie ahead, and which we should not put off considering until they are upon us.

Let us assume, for the purpose of illustration, that this organization works satisfactorily to all concerned. Is it not quite possible that, with perhaps only slight alterations, this same kind of organization could be adapted to the broader problems of the control of force and prevention of aggression? In any case, to me one of the principal merits of this bill is that it does create a cooperative organization through which 44 nations will meet, discuss and make decisions for the welfare of all. In the adoption of this bill, there is no risk whatever to our independence of action and the cost is only what ordinary humanity will demand, and about what we will pay, even though no commitment to do so is made.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. FULBRIGHT. Yes.

Mr. MUNDT. I think the gentleman has put his finger on one of the most appealing arguments in behalf of U. N. R. R. A.—it certainly has been one of the arguments that influenced me—and that is that it provides a convenient working opportunity to experiment in collaboration, and that is one reason why, in addition to relief, I would like to see India included so that she may have with us that experience in collaboration.

Mr. FULBRIGHT. I thank the gentleman.

Yesterday one of the opponents of this bill stated that its passage will be a great victory for Stalin. I was unable to follow the reasoning by which this remarkable conclusion was reached. I will confess that I agree that Mr. Stalin, if asked, probably would favor this bill for the same reasons that our committee favors it, which is the future stability and peace of the world. The Russian Government has, of course, as everyone knows, signed this agreement. If the Russians were primarily interested, as was implied, in imposing communism upon the whole of Europe, they undoubtedly would oppose this bill. Communism or fascism, in fact any violent change in the established order, does not generate and spread among a people adequately fed and treated with justice. Hitler knew that his new order would never be accepted by a decent world, and that is one reason why he proceeded to use unprecedented savagery to reduce the conquered peoples to such abject desperation that they would accept anything. Likewise, if Stalin was primarily interested in promoting communism throughout the world, rather than peace, he would have nothing to do with a plan to bring help to the starving and helpless people of Europe. On the contrary, he would seek to further their misery, knowing full well that out of their confusion and helplessness they would naturally turn to communism as they have done before. I think that Russia's support of this organization is in itself evidence that, first and foremost, Stalin is interested in the establishment of order and peace in the world so that his own country may have an opportunity to develop and prosper.

A further reference was made yesterday by a different speaker to the effect that Mr. Stalin and Mr. Churchill were interested, first, last, and all the time, in the welfare of their own countries and that our only standard should be our own welfare. The implication of these remarks, as delivered, was that neither of those two gentlemen is, nor should we, be interested in any kind of international organization. I accept the standard that we should primarily be interested in our welfare and that Stalin and Churchill are interested in theirs. That is certainly my interest in this matter. I reach, however, from this premise exactly the opposite conclusion from that of my colleague.

It so happens, I believe, under conditions existing in the world today, and in view of the terriffic destruction of modern war, that the selfish interests of all three of these great countries demand that something be done to prevent the recurrence of total war. If Stalin and Churchill are half as smart as my colleague implies, I am confident that they are not as shortsighted in evaluating the true interests of their countries as he would lead us to believe. If we but grant that there is such a thing as enlightened, farsighted self-interest as opposed to the hand-to-mouth, day-to-day, narrow selfishness of the emotionally unstable, then I think we could agree that it is self-interest, enlightened self-interest, which motivates Stalin, but that that self-interest demands a lasting peace, and a lasting peace means peace with justice.

I do not think for a moment that Stalin is a do-gooder or philanthropist. I do think he is a highly rational man with the ability to evaluate the future. He foresaw, for example, the present war better than did this Government and, without his foresight and ability to prepare for what he saw, we would be in a sorry plight today.

The danger to the peace of the world and to our own prosperity is not the cold, rational self-interest of Stalin and Churchill. The real danger is the muddle-headed emotionalism of pseudo patriots who think by appealing to the petty and shortsighted selfishness of human beings, they are preserving a world that has already vanished. If a better world is to be created out of this terrible mess we are in, reason and foresight and national self-interest must guide us and not our prejudices and emotions.

It seems to me that the fact that we have never before followed a certain policy or procedure is not a sufficient reason for not doing so now. I cannot see why some of those who have influenced our policy in the past can, in view of the

present condition of the world, be very proud of it today. Why cannot we admit that perhaps we have been slow to adjust ourselves to modern conditions and have made mistakes? As someone has said; "All men make mistakes, but only fools persist in them." I do not, by any means, imply that our unilateral relief in Europe after the last war was in itself a mistake. I think our policy of political isolation was. This resolution is a real step along the road of rectifying that mistake.

In conclusion, may I say that I think one of the principal reasons why it is difficult for us to bring ourselves to assume our proper share of the responsibility for the affairs of this world is the fact that it is almost beyond the powers of any of us truly to visualize, to appreciate, to feel the enormous power and significance of this great country of ours. Each of us in this House, as individuals, represent such a small portion of this Nation that we cannot help but compare our own districts to the world and feel that the world expects too much of us. But if we are to continue as a great nation, we must, through some means, realize that we are, one might say, not just one nation. We are 48 nations, many of which are individually far wealthier than the vast majority of the 44 signatories to the U. N. R. R. A. agreement. Not only are we rich and powerful but our success in self-government and our traditional abhorrence of aggression by violence has given us a unique power of moral leadership among the nations of the world. If we could but know our power and then wield it boldly and courageously instead of timidly and apologetically, I am confident that there are few things we could not, together with our allies, accomplish. I shall support this resolution, and I sincerely hope that this House will show to the world that our recent declaration of policy was not just a pious platitude.

Mr. BLOOM. Mr. Chairman, I yield now to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, I support this resolution wholeheartedly. I ask unanimous consent to extend my remarks in the RECORD at this point.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MURDOCK. Mr. Chairman, I am supporting this resolution wholeheartedly for reasons many of which have been explained by others, and for which I will take only a limited amount of time to explain further. On September 20 last year when the Fulbright resolution was before the House I spoke in favor of it and voted for it with the hope that it would help to prevent the recurrence of another war such as this. Early in November on the eve of the signing of an international agreement among the 44 United Nations to care for the relief and rehabilitation of Europe, I said:

> At the close of the World War, I remember that America furnished relief and much rehabilitation to Europe, some of which found its way directly or indirectly into rearmament. I saw a generation of young people grow up in poverty in this land of abundance as a result of our national folly after that war. Most of our sons now dying on the battle fronts of the world to save us a second time from savagery have already twice been the victims of America's blunderings. Do we want another "lost generation" now in the nursery to starve through their teen-age years before being fed to the cannon of the third world war?

It might seem that I am inconsistent in the attitude expressed on September 20 and on November 8, with reference to this relief work in Europe. I assure you that I am not inconsistent. I have already assured the gentleman from Arkansas [Mr. FULBRIGHT] that I appreciate his contribution, and have all along supported it as I understood his intention, being cautious that our efforts shall not be misdirected so that undesirable results could flow from our charitable actions.

Having just listened to the gentleman from Arkansas [Mr. FULBRIGHT], author of the resolution which the House adopted overwhelmingly on September 20, I want to compliment him again and praise his efforts on this commendable work. As he has just told us, the move we are considering today in this resolution is the beginning step for our Nation in international cooperation. If we take this first step in practical cooperation cautiously, I think it certainly is a step in the right direction. The gentleman from Arkansas may well be proud that it is the outgrowth of the resolution which bears his name. Of course, he may be justly proud of the part he has had to play as a member of the committee which initiates such legislation.

As I indicated in the House on December 6, I have been giving thought to many proposals for an effective and lasting peace. Such is the great desire of all of us, and it is a weighty and binding obligation imposed upon us as a sacred trust, if we are not to break faith with those who die in this global war. It is futile to think of a sensible plan for an enduring peace without thinking of a feasible and constitutional way of adopting such a plan. If this is a good plan for world wide relief, embodied in House Joint Resolution 192, as a beginning step, possibly additional steps leading to that enduring peace may be taken the same way this is taken. I am sure it can be done constitutionally and within the limits of our solemn obligation which we took on becoming Members of Congress.

Much has been said here about constitutional method of our international relations. There are those who read the treaty-making provision in the Constitution and hold that international agreements must be adopted by the treaty-making process. I do not subscribe to that view. I maintain that the Constitution makers intended more than one method of providing legally for agreements between nations into which our Government enters as a party, and that the treaty-making provision is only one of these methods. I have studied American history enough to know that two methods have been used.

I maintain that the admission of Texas, a sovereign republic and an independent nation, as a State into this union by joint action of both Houses of Congress was as constitutional as though it had been admitted by treaty arrangement. Not only is it just as constitutional but it is more democratic to have the Nation's will expressed by a majority vote in both Houses of Congress than it is to have the Nation's will thwarted by about a one-third vote in only one House of Congress.

Assuming, Mr. Chairman, that the will of a majority of our citizens can be legally expressed by this method of legislation, and I believe it can, and that the heartfelt wishes of the American people can be properly carried out with prudence in cooperation with the other nations, each doing its fair part, I believe that this measure will save the war-torn world from chaos, will alleviate untold suffering, and lay the basis for an enduring peace. I furthermore believe that the same process carried a step further will enable America to do her part wisely to rehabilitate a devastated world in a practical way while at the same time enforcing the freedom from war which we have twice had to finish.

In carrying out this peace program I want it done in such a way as not to make the American people the scapegoat and not to victimize American children now in the nursery, as was done before. History must not repeat itself in this respect, as could be done and might be done. By repeating the follies of the twenties the children of today could be also victimized twice by being deprived of what they should have during their teen-age years and then being called upon to die for their country in about 20 years from now. That is the thing we must not permit to happen again. These children must inherit peace and security instead of an increasing hazard.

Mr. BLOOM. Mr. Chairman, I yield 10 minutes to the gentleman from South Carolina [Mr. RICHARDS].

Mr. RICHARDS. Mr. Chairman, I am not going to be so presumptuous as to assume that I can add anything of much weight to what has already been said. I do want to touch by way of reiteration on a few of the points already made by those who favor this legislation. Let us boil this thing down to just a simple formula. There is no use making anything complicated about it. This whole thing boils down to just two or three questions, and if we can resolve the doubt in our minds as to those questions I think we can very easily vote for the legislation. A good many points have been raised against the resolution; three or four of them are of some importance, and I shall direct a few of my remarks to them. However, no question has been raised in the first instance as to the need for help by the distressed peoples of the earth today, particularly the victims of war. There is need there, we all admit. Very well, let us start from that basis. There is an obligation on the part of somebody. There is an obligation on the part of the nations of the earth to do something about it.

That is elementary and I am sure we will all get together there. I am sure, too, that we will all get together on the proposition that the United States

should help. That is in line with the history of the United States. She always has heeded the cry of distressed and suffering peoples.

Mr. O'HARA. Will the gentleman yield?

Mr. RICHARDS. I yield.

Mr. O'HARA. Does the gentleman know of any country in the world that has been more generous in answering the cry of distressed humanity in any part of the world than the United States of America?

Mr. RICHARDS. I know of no country that has been more generous, just as the gentleman has stated. That is why we well know we are going to be generous in this instance.

Now the question is, How are we going to go about it? During the last World War, or just shortly after it, we gave, as has beeen said here time and time again, and I reiterate, we gave about three or four billion dollars to relief. Take the picture and the problem then and compare it to what the problem is now and just ask the question, Are we going to do that much, or are we going to do more, and is the responsibility of this Nation and other nations of the world greater today than it was in 1919? In 1919, or shortly after the First World War, Denmark had not been overrun; Norway had not been overrun; Holland had not been overrun; part of Belgium had not been overrun; France had not been overrun; Italy had not been overrun; China had not been overrun; thousands and thousands of islands in the Pacific had not been overrun.

This bill provides a mechanism for relief to be carried to the victims of war and aggression as we liberate these and other areas. We have a more gigantic problem today than we ever had before. That is agreed. How are we going to go about it? Is the United States going to be Santa Claus again and let the other nations of the earth say "There is rich Uncle Sam. He can shoulder the burden"? Are we going to shoulder the entire responsibility as we did during the last war, not only in the matter of a relief contribution of three or four billions but also billions and billions of dollars poured out as loans on which we never received a cent?

Now, the United States of America, as the gentleman from Ohio has said, has been a leader in the community-welfare plan. That plan has been successful in every hamlet, in every city, in every State of the United States that has tried it. The community plan seeks to equalize the individual burden. U. N. R. R. A. seeks to equalize the national burden.

Members have questioned the amount that the United States is going to contribute. It has long been a principle of our system of taxation that ability to pay should be the basis of taxation. We have a progressive system of taxation—income tax. That question came up at Atlantic City. The 1 percent, based on national income in 1943, seems to be a very fair proposition, particularly insofar as the United States is concerned, because it does not progress into the higher brackets where the United States, the Nation that has got the highest income of any nation on the face of the earth, has to pay more in proportion. Now, if anybody has a kick about that, it seems to me it should be some of these poor nations down in South America. That is the way it looks to me. Some have said, "I am against this bill because I am for the United States first." All right, take it from the standpoint of the United States alone. I am willing for the bill to stand or fall on that premise.

This bill is a good bill for us from the standpoint of the military. We are performing major war operations all over the world today. We are recapturing territory overrun by the enemy every day. Our military leaders are crying for some organization to come and take charge of this territory as they retake it, and help clean it up and let the military go ahead and fight and win this war. The military wants this bill, but let it be understood that U. N. R. R. A. will not take charge of any recovered territory unless and until the military asks it to go in. This organization must cooperate with the military in its operations. It is certainly a military advantage for us to provide contentment and peace and satisfaction and quiet instead of chaos behind our fighting lines, sometimes only 2 or 3 miles away. The $1,350,000,000 authorized here as the United States' contribution to U. N. R. R. A. amounts to the current cost of 5 days of this war. This Congress knows the War Department could come up here through the Committee on Military Affairs and ask us now to give General Eisenhower or General Clark $1,350,000,000 to support his secondary lines and we would give it to him without question. We have done it again and again. This $1,350,000,000 is just as important to the success of our arms as some of the billions we have appropriated for the Army and Navy themselves.

How about the economic side of the question? In looking forward we must remember that we will have a lot of young men coming back after this war is won and lots of young boys and girls in this country now who are too young to go to war who are looking toward the horizon of the future. The good will which we shall have created by approval of this bill will provide a fertile field for the youth of America.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLOOM. I yield 5 additional minutes to the gentleman from South Carolina.

Mr. RICHARDS. Now, you cannot do business with a ruined country. You cannot do business with a disillusioned people. You cannot grow crops in a field that is not fertile. That is all there is to it. There are some farmers here who know that if a man's farm has been devastated by flood or otherwise and the man has not a dollar to spend upon it to produce another crop you are going to reach down in your pocket and furnish him the money for the seed in order that he may do business with you and pay you what he already owes. That is elementary.

Mr. CALVIN D. JOHNSON. Will the gentleman yield?

Mr. RICHARDS. I yield.

Mr. CALVIN D. JOHNSON. The gentleman knows that there is an old saying in this country that a burned child stays away from the fire. You cited a moment ago the experiences we had following the last war, in which we were so generous but had been insulted when we tried to recover some of the assistance we had given in the form of loans. What lesson in history would you cite in order for us to believe we would obtain the benefit you cite by giving this assistance to them?

Mr. RICHARDS. We have never before tried an international community welfare plan of joint responsibility and joint action.

This is a new departure. Never in the history of the world have 44 nations sat down together and agreed to give, in proportion to what each has, for relief of those less fortunate.

Now, consider this bill from a political standpoint, if you please. One Member yesterday said something about it furthering Stalin's desire to control Europe. I do not put much faith in that contention. The things that will help out Stalin's movement and the Communist ideology in the liberated areas are disease, hunger, and nakedness. If we do nothing for these people, then will the man on horseback ride, whoever he may be.

Now, there has been raised here a question as to whether the President could pledge United States participation in U. N. R. R. A. by Executive agreement.

The gentleman from California [Mr. GEARHART] says U. N. R. R. A. is in reality a treaty and, insofar as United States participation is concerned, must be ratified by two-thirds vote of the Senate. I am willing to admit that there is no very clear line between Executive agreements and treaties. Presidents have differed about it and Congresses have differed about it. One of our great Presidents said that an Executive agreement was only an understanding that went out of force and effect when the President making it went out. I did not agree with that viewpoint. The able gentleman from California [Mr. GEARHART] took the position that Executive agreements with foreign nations are treaties. If that is the case, then every agreement signed by our President with the representatives of other nations must go to the Senate for confirmation and approval by a two-thirds vote.

Mr. GEARHART. Will the gentleman yield?

Mr. RICHARDS. I yield.

Mr. GEARHART. Evidently, the gentleman did not listen to my statement. What I said was: All agreements are treaties and all treaties are agreements. I never contended that it is necessary to send all of them to the Senate. There are certain kinds of Executive agreements or treaties that do not have to be sent to the Senate. Those that are made by the Chief Executive under his specific powers conferred upon him by the Constitution, and those that are made pursuant to direction from the legislative branch of the Congress do not have to go to the Senate and do not have to be ratified. The agreement under consideration does not fall in either category and should, therefore, be sent to the Senate.

Mr. RICHARDS. If I misunderstood the gentleman, or misquoted him, I beg his pardon. The RECORD of yesterday will speak for itself. I do want to say that since the inception of our Government our Executives have entered into many treaties and many executive agreements with other governments. The line of demarcation between the two has never been entirely clear. Our Constitution deals with the subject only very briefly, so there is a large field left for common sense.

If an Executive agreement is not sufficient in the present instance, then many of our Presidents have been woefully mistaken. There have been about 1,200 Executive agreements in the history of our country, many of them not previously authorized by Congress. In this case the evidence shows that the President of the United States has tried to be absolutely fair with the Congress, both before and since he signed the U. N. R. R. A. agreement. That is as fair a test as any. I challenge any man in reading back over the history of treaties and Executive agreements to find one instance where the Executive has been fairer, has tried harder to bring the legislative into his confidence than has been done in this instance. Senator VANDENBERG admitted that. The Foreign Relations Committee of the other body seems to be satisfied on that subject, and the other body is always jealous of its treaty-ratification rights and powers. Why should this House object to being brought into the confidence of the Senate and the Executive. If this agreement were a treaty we would have no say-so about it other than to appropriate money to carry out its terms. Before the master agreement was made this House was consulted. After it was made they asked us to come to the meeting at Atlantic City. Now we are passing on an authorization for participation. Someone has raised objection to the master agreement being made a part of the bill. It was placed there solely for the information of Members of the House and Senate, for no other purpose. I am informed that Senator VANDENBERG insisted on that.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. EATON. Mr. Chairman, I yield 10 minutes to the distinguished constitutional authority from California [Mr. GEARHART].

Mr. GEARHART. Mr. Chairman, I took an oath when I became a Member of this body to protect and defend the Constitution of the United States. Though I know there are some who may believe profoundly that I am in this instance mistaken in my interpretation of that great document, it will be my earnest endeavor to make good on that pledge.

Since this administration has been in power there has been a noticeable change in its attitude toward the document which constitutes the fundamental law of our great country. As time has moved on it has become increasingly apparent that the administration has grown bolder in its profession of a new interpretation of old provisions of the Constitution, provisions which, in their most casual reading, seem so plain as to be beyond discussion or debate. As it gains courage in its new beliefs, in its pursuit of its false gods, we are treated to more bypassing, more burrowing under, more skipping around, more hopping over of its plainest provisions than anyone raised in the tradition of the Constitution could believe possible. While the deviation from time-honored interpretation is always accompanied by protestations of the noblest of purposes, in the end is ever revealed the ignoble objective—the avoidance of a plain mandate of the Constitution, a "scrapping" of that which was intended to be the fundamental law of the land.

Now, we find ourselves toying with words, dealing in sophistries and very fancy definitions in an effort to distinguish so-called executive agreements from that which we in the days gone by have known as treaties.

Let me assure you, my friends, that every international understanding is a treaty, that every international understanding is an agreement. It makes no difference whether you call them agreements or treaties or conventions or concords, or covenants, or by any other name which one might use to describe a meeting of the minds of persons who are negotiating in behalf of governments. They are all international agreements, nothing more, nothing less. But I have never contended and I do not contend now that it is necessary to submit every international understanding, whether called Executive agreement or treaty, to the Senate for its advice and consent.

The President of the United States has the right to make international agreements in respect to the carrying into effect every responsibility that the Constitution reposes in him. True, they are few in number, but in respect to them he can make agreements and he does not have to submit them to the Senate of the United States.

There is another kind of agreement which he can negotiate and not have to submit to the Senate for ratification. The agreements in this classification are those which are executed under a preceding authorization from the legislative branch of the Government. Directives of this kind, theoretically at least, constitute the Chief Executive the agent of the legislature and that which he does is in reality its act. But every other kind of agreement, every other one that is consummated with another country, must be submitted to the Senate for its advice and consent. In this category is the agreement, a copy of which is set forth in the joint resolution under consideration.

A moment ago, I called attention to what has been described as a marked change of attitude toward the treaty-making prerogative, a change which has occurred in the last 12 years, during which this administration has been in power. Why this change has occurred men may differ, but the impartial observer, I am quite sure, would attribute it to the attitude of the Chief Executive himself. Just how important does the President regard constitutional law? Just how binding upon his conscience are its terms? Perhaps I should not assume to say on my own responsibility.

In order that his views in respect to the inviolability of the Constitution of the United States and the obligation of citizens to support and defend it be made clear, permit me to quote that which he had to say in a letter he wrote way back in 1935 to the Honorable Samuel B. Hill, then a Representative from the State of Washington. These were his words:

> I hope your committee will not permit doubts as to constitutionality, however reasonable, to block the suggested legislation.

It is from that expression that all these weird constitutional theories have flowed, those fantastic theories which have found expression in this resolution which is under consideration today. Such an expression of light regard of constitutional restraints was bound to be reflected in the thinking of subordinate administration officials, in the writings of those who hold high official responsibility under him.

Mr. Chairman, a distinguished member of the State Department, one, it is quite evident, who has been influenced unduly by the President's expressed disrespect for that which true constitutionalists have ever regarded as sacred, a Mr. Wallace McClure, wrote a book, a book upon which was conferred the high title "Democratic Procedure Under the Constitution," a book in which he discusses the question as to what shall be done with the functions of treaty making by consent of the Senate as prescribed by article II, section 2, of the Constitution.

He reveals quite methodically and in no uncertain terms his antipathy for the constitutional methods of validating international understandings, proclaiming his approval of the one-man method as opposed to the joint-action method in which the Executive and the Senate participate, condemning the latter as:

> The undemocratic control of the treaty-making power by a minority of the Senate—

which, he asserts—

> contributed to irresponsibility—

in government and constituted the very—

> antithesis of democracy.

Just how the totalitarian action of one man is more democratic than is action in which elected representatives of the people participate is not by him made clear.

As a dogmatic conclusion to his constitution defying argument he asserts:

> That for controversial international acts the Senate method may well be quietly abandoned and the instruments handled as Executive agreements.

In a grandiose concession to the sensibilities of others, he observes in a spirit of finality that perhaps no harm would result from the submission to the Senate of—

> Large numbers of purely routine acts about which no public opinion exists and no question as to their acceptability arises.

That, Mr. Chairman, is the all-time low to which our constitutional treaty-making power has fallen in the estimation of those who head this administra-

tion. It is that depth from which the American people must rescue it. Will their chosen representatives in the Congress of the United States remain silent in a crisis such as this?

And it might well be added, since it might be regarded as significant, that the author of that book and those quotations to which I have just referred, the Honorable Wallace McClure, has been duly rewarded. As soon as that book was released he was promoted, and a short time thereafter repromoted—lifted out of a position of obscurity in the State Department, elevated to a position of high eminence, holding today one of the highest responsibilities in the Foreign Service.

But there are others, some who are held in high esteem—persons whose love of country and respect for its institutions cannot be brought into question—who do not share the views of our present Chief Executive or his promotion-seeking apologist.

As a contrast to the views of the President, let me quote——

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. GEARHART. Mr. Chairman, may I have some additional time?

Mr. EATON. I am sorry; I cannot yield or I would impinge on eternity.

Mr. GEARHART. Can the gentleman from New York let me have any additional time?

Mr. BLOOM. I am sorry, but I have none available.

Mr. GEARHART. I know how sorry the gentlemen are. Unfortunately, I am against the resolution. Passing strange how much time there is for those who are for it.

Mr. BLOOM. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. GORE].

Mr. GORE. Mr. Chairman, today and also on yesterday the propriety and constitutionality of this measure was questioned on the grounds that this United Nations' agreement constituted, or was tantamount to, a treaty which must be submitted to the Senate for ratification by a two-thirds majority. Had this interpretation, sincerely entertained I am sure, been less narrow, more in conformity with facts, and less violative of fundamental concepts of popular government, I would not venture to counter the assertion.

But, Mr. Chairman, at a time in world history when democracy and the institutions of freemen are under the severest attack since our young Republic blazed the trail of freedom, whatever instrumentality or method tends to enable the people to consolidate their control over an important function of their government, and to emancipate governmental procedure from undemocratic encumbrances that make them less able to perform the people's will is a matter of supreme importance. This is particularly true of a democratization of United States foreign affairs.

We must remember that the procedure of ratifying treaties by a two-thirds vote of the other body of Congress was adopted at a time when the United States was a weak and isolated Nation, and that this method of giving a veto to a minority of one branch of Congress has, in the past, made the conduct of our foreign affairs difficult, and reliance upon this undemocratic procedure now, in regard to this particular legislation, as well as the broader field of constructing the peace structure, would leave us impotent to act by majority will in adapting ourselves to a rapidly changing world, much less to lead it.

As for me, I hope that this Nation will never again be at the mercy of a minority of only one branch of Congress in a matter so supremely important as the conduct of the Nation's foreign affairs, mistakes in which may mean the difference between war and peace.

In other words, I am hoping that we will travel the road to a people's peace, and we may be sure that if our part in the peace arrangement is to be permanent it must be rooted in popular will. No President or party can, for very long, lead where the people and the Congress will not follow.

What we, as representatives of the people, must do is to see to it that the people, through all their representatives, have a part in building our international understandings, and that each measure be subject to majority will. Control of foreign policy by a minority of only one House of Congress, instead of furthering popular control, thwarts it.

And, Mr. Chairman, it is highly important to realize at this particular time when the pattern of the future is being made, that binding international agreements and understandings can be made without the consent of a two-thirds majority of the other body of Congress.

True, treaties, as such, must be consented to by two-thirds of the other body. But, fortunately, our international understandings do not have to be in the form of treaties. They may, with equal force and effect in so long as they are supported by the people and their Government, take the form of agreements and be approved, formally or by implementation, by ordinary majorities of both the House and Senate.

I concede that the procedure by which this program of relief and rehabilitation is being democratically formulated is not expressly spelled out in the Constitution. But, on the other hand, I submit to you that it is not prohibited by, nor violative of, the Constitution. The same is true of judicial review of congressional acts. Where in the Constitution is the judicial branch expressly given authority to declare invalid or unconstitutional an act of Congress? Yet, this has come to occupy an ace position in our constitutional scheme of things. Where, then, is the sound reason to question a similarly sound development through precedent and historical usage of a procedure for fuller legislative participation in the formulation and conduct of the Nation's foreign policy?

Without going into a highly technical argument, which time would not now allow, permit me to say that in my humble opinion this procedure is firmly established in precedent, historical usage, and political concept.

Far from being an innovation, as some have seemed to imply, the United States has made more than a thousand international agreements that have not required ratification by two-thirds of the Senate. Fact is, the number of such agreements far exceeds the number of treaties in our history.

Nor is this the first time that the procedure, requiring ratification by two-thirds of the Senate, has appeared unworkable. Indeed, this procedure, whereby the policy of the minority, not the majority, prevails has been almost always unworkable in crucial tests throughout our history. For example, a treaty for the annexation of Texas failed of ratification by the necessary two-thirds majority. The President later submitted it as an agreement and it was approved by an ordinary joint resolution which requires only a simple majority of both houses.

For another example, two treaties were submitted to the Senate for the annexation of Hawaii. Neither was even acted upon. Finally, annexation was accomplished by joint resolution passed by both Houses.

In fact, had it been necessary for all our foreign agreements and policies to be ratified by a two-thirds vote of the Senate, the foreign affairs of the United States could not have been successfully conducted. Many of our most popular and beneficial foreign policies have not required ratification by two-thirds of the Senate. For instance, take the lend-lease program, certainly a milestone in foreign policy. It requires continued support of Congress, to be sure, but not two-thirds of the Senate. For another example, take the neutrality legislation of the last decade, an important if unfortunate foreign policy. The Monroe Doctrine, too.

Even George Washington, a month after the Constitution was signed in Philadelphia, wrote a friend:

> I am mistaken if any man, bodies of men, or countries, will enter into compact or treaty, if one of the three is to have a negative control over the other two, but granting that it is an evil it will infallibly work its own cure.

It is really hard to see how majority action by both Houses of Congress, whether in giving expression to the people's will beforehand or in final approval of peace agreements, can be reasonably opposed. To do so, one must contend that every objector should be equal to every two advocates. It would be to argue for minority rather than majority control of a question of supreme importance to the people, which is the case almost nowhere else in our system.

Minority control gives a field day to partisanship. It literally puts an administration at the mercy of its political enemies in treaty-making. We all know that, under our two-party system, one of the principal roles of the opposition party is to oppose. And our past political history teaches us that when there is a promise of reasonable political capital, opposition generally becomes virulent. Is not this one question that can be placed above the murk and mire of partisan politics? If we are to win the

peace, I think it must be by the same earnest, patriotic, nonpartisan endeavor by which we are now winning the war.

This is one pitfall we can and must avoid. It would be a ring in our nose at a time when we must seek our security in bringing about results rather than in merely preventing action—the result of the two-thirds rule.

Whether we want it or sought it, the responsibility is ours to help lead the world in a cooperative effort to preserve the future peace. To deny this responsibility is to disclaim any concern for a peaceful and orderly world. And failure to act will be even more disastrous than action.

May we continue to move forward cooperatively, democratically toward a people's peace.

Mr. EATON. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Chairman, we in the House are considering how to bring to the suffering peoples of Europe and other countries relief from hunger and want. The one big underlying thing that you and I will have to remember is that something other than money, even billions of dollars, is necessary before our wishes to help out these unfortunate peoples can be fulfilled.

That something is food, an abundance of food, produced here in the United States of America. If we do not produce that abundance of food, our own people will require for their own needs all that we do grow ourselves. There will be no excess, unless that abundance of food is produced, to ship abroad and whether or not we authorize the appropriation of hundreds of millions of dollars in this bill, the purpose of this legislation will be entirely thrown out of the window if the farmers of America cannot for any reason bring out from the good earth of this Nation that enormous quantity of grains and food that we must have.

In September 1942, some of you may remember, I made a speech to this House calling attention to the difficulties under which farmers of our country were laboring at that time. You will perhaps recall the auction notices shown to you that day and the prediction made by myself at that time. "We may have enough food today, but how about tomorrow."

Fourteen months later on November 30, the privilege was accorded me to again address the House on this subject urging the allocation of more steel by the War Production Board for the manufacture of farm machinery and farm implements. That particular speech was followed up by introduction in the House on December 3, 1943, of House Joint Resolution 201, which simply directs the War Production Board to allocate for this year's use an amount of steel equal to not less than 125 percent of the steel used for the manufacture of farm machinery and farm implements for domestic use in the calendar year 1940.

I have requested of the chairman of the Committee on Agriculture that hearings be held upon this resolution as soon as possible. The gentleman from Oklahoma [Mr. WICKERSHAM] and the gentleman from North Dakota [Mr. LEMKE] have kindly cooperated with me in calling a meeting of our farm-machinery committee for next Friday morning at 10:30 a. m. in the caucus room of the Old House Office Building. To that meeting each and every Congressman interested in the production of food in America is invited to come.

Mr. Chairman, we see that Mr. Donald Nelson, Chairman of the War Production Board, revealed in the last few days that certain civilian requirements can be taken care of now and that the critical need for steel, aluminum, and certain other materials is now on the decline as far as the actual war effort is concerned. If this is the fact, I certainly think that we should put every ton of steel that we possibly can spare and other critical materials that are not needed into the manufacture of farm machinery for the production of food, not next year, but this year. We cannot begin too quickly with this.

Yes, Mr. Chairman, we note in the press that there is a possibility of steel being given for the construction of 900,000 baby buggies. Very desirable as these undoubtedly would be, it seems to me that it is far more essential that the farmers be given the farm machinery to produce food for these babies instead. It appears we are about to use our surplus steel for post-war purposes when I think we should be using it to win the war. In other words, help supply the shortage in farm machinery, needed to produce the food to win the war.

We also note by press releases yesterday that a new major drought may be on its way in the Midwest. We hear that 50 percent of the winter-wheat acreage in certain portions of Nebraska is already wiped out. Surely, while we are debating a bill here for the relief of starving people in other countries, now is the time to see that our own farmers can produce every ton of that food that they are more than anxious to produce if we will only see that they get the machinery to do so. Congress will fail in its responsibility to the Nation if this is not done, and done quickly.

You all know without my telling you how the farms of America have been stripped of every surplus man who could possibly be spared and that these men have gone into the armed services of the United States of America. In certain portions of our country, as many of our Members from rural districts can testify, there is a desperate need even today for additional labor. We can help to replace that labor by seeing to it that the farmers obtain right away in time for this year's production of food every possible farm implement that can be manufactured. Yes, and manufactured before July 1, 1944.

If food is not to be considered as a munition of war it would be idle for me to stand here today and ask that a further part of our precious supply of steel or critical materials be allocated for the manufacture of farm machinery, but food is definitely a very important munition of war. Surely, if necessary to do so, we can give an additional one-half of 1 percent of our steel production for this absolute necessity of life.

What I am saying today is not critical of anybody, of any bureau, of any party. It is my hope that this much needed legislation, House Joint Resolution 201, can be enacted into law as soon as possible so that our people here in the East will perhaps not want for food themselves a year from now and so that our Nation can ship much abroad for those who need it badly. You Members from the industrial areas are just as vitally interested in this as we from the great producing areas, yes, more so.

You all know what happened to your flocks of hens and to your dairy cattle because of the lack of corn last summer and fall. We had sufficient corn back in my area but very little to spare you, too, much as we did want to give you part of it.

We can well see today how the production of meat will go down disastrously in this Nation this year because of grave mistakes in judgment. The production of hogs will shortly hit the skids downward. The refusal of our Government to hold a floor under hog and egg production will react badly on this year's production of these major requirements for our tables.

Let us try now to do what we can to cure these mistakes and remove the dread possibility of there perhaps not being enough food for our own people, let alone the starving children of Europe. Now is the time to give the farmer encouragement—give him the tools to work with—give him farm machinery to replace his men who are necessarily gone to the front. Let us not have it said here, in regard to the production of food, of milk for babies, of bread for starving children in Europe, "Too little and too late."

Mr. LUTHER A. JOHNSON. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, the primary duty of Congress to the men who are now fighting this war and to our Nation as a whole is for us to do everything we can to build a firm and lasting peace after this war is over and to try to make such contributions as we can in any way available to us to the preservation of free institutions in the nations of the world.

Ever since long, long ago a primitive tribe, whose fields had for some reason failed to yield a harvest, crossed the mountain range or the desert between themselves and some other tribe and attacked them in order to gain the food they needed, hunger and want have been causes of war and conflict.

After this war there will be a situation in the world of greater devastation, of greater human misery, of greater human need for the very basic necessities of life, and of greater danger of widespread disease than has perhaps ever existed before in the history of the world.

It seems to me perfectly clear that for the American Congress to fail to adopt the measure we have before us would be a mistake of most abysmal consequence. I cannot but believe that there is one development that will be more necessary

than anything else in the world after this war, and that is a revival of the spiritual forces among people throughout the world. Unless there can be a vision on the part of people in our own country and in other countries of what human life is capable of, unless action can be based upon the fundamental principles that have come down to us through the ages from the founder of the Christian religion, I cannot see how we are going to face successfully the problems of the world. Therefore, it seems to me utterly inconceivable that the American Congress, having presented to it here in our own House of Representatives the opportunity to pass upon a matter of foreign policy where our willingness to lend some aid to starving and destitute people is the real issue, should fail to approve the expenditure of some $1,350,000,000 as a maximum, if necessary, in order to do our part for the relief of human need.

In the time that remains to me, I want to speak about the manner in which this job should be done. It is altogether possible that, granting the absolute necessity for relief and rehabilitation, in the attempt to carry it out serious mistakes could be made. There are one or two fundamental principles that must be observed. The first is that insofar as humanly possible, people should be helped to help themselves, and the economy and the life and activities within these devastated nations should be builded up from within by the people there themselves. So far as possible, direct relief should be avoided except for the necessary supplying of food and medical supplies in the beginning. The second principle is that insofar as possible, we should avoid the administration of this relief in any nation either by foreigners or by individuals or groups within those nations who might be ambitious to promote themselves and who might take advantage of opportunity to control relief administration to feather their own nests.

I have a concrete proposal I want to lay before the House, and it is briefly this: In all parts of the European Continent there has been developed in recent years a pattern of cooperative enterprises growing up out of the everyday problems and experience of the people of these nations. Some of these are cooperatives of farmers, some are cooperatives of city folk. These cooperatives have been engaged in the business either of purchasing, distributing, and selling foodstuffs, clothing, and similar items, in the production of farm commodities, in the production and distribution of feed and fertilizers and supplies. There is a whole structure of cooperative distributive machinery, not in the hands of any ambitious politician but in the hands of the people themselves, right in each community, established through the years, and these people have demonstrated their ability to meet together the everyday problems of life. In Denmark there are 550,000 consumer cooperative members and 100,000 farmer cooperative members. In Norway there are 196,000 consumer cooperative members and 60,000 farmers in the farm cooperatives. In Holland there are 260,000 in the consumer cooperatives and 112,000 in the farm cooperatives. In Belgium there are half a million consumer and 115,000 farm cooperative members. In France there are 1,600,000 in the consumer cooperatives and 500,000 in the farm cooperatives, making a total of nearly 5,000,000 families in the Atlantic nations alone who through the years have had the things they needed distributed or purchased through these cooperatives. What better way of handling this problem of relief and rehabilitation could be found than by using this already existing cooperative system of distribution? These people are dealing with their own people, their primary principle has been self-help, their primary experience has been doing business on the basis of group loyalty, and in cooperation, dealing with the everyday problems of business and life. How much better if the work of this United Nations Relief and Rehabilitation could come through the grass-roots' folk in these devastated nations and thus make possible from the very beginning the rebuilding of the economic structures of those countries.

Mr. ROWE. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. Yes.

Mr. ROWE. And upon which the primary interest is service, economically, to the people.

Mr. VOORHIS of California. That is correct. That is the only reason that these organizations exist at all. It further has been suggested by no less a magazine than Fortune, that in solving the problem of those properties seized by the Germans in these occupied areas, no better solution could be had than for these properties to be turned over under some proper arrangement to some of these cooperatives for operation, directly ministering to the needs of the people. If we want to avoid any possibility of political difficulty in the rehabilitation of these nations, this is the way to do it, for the primary principle of these cooperators through the years has been that their organization is nonpolitical.

Mr. COLE of Missouri. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. Yes.

Mr. COLE of Missouri. But the provision of U. N. R. R. A. which prevents any foreign or any other relief agency from participating in this program prevents these people the gentleman is talking about from administering any relief or giving relief.

Mr. VOORHIS of California. I do not believe so. I hope I am correct.

Mr. LUTHER A. JOHNSON. Oh, the gentleman from Missouri is wrong about that. It would not prevent their participation.

Mr. VOORHIS of California. As I understand it, the agreement provides that the Administration shall have the power to "designate agencies" in any country "to perform any local act appropriate to its objects and purposes." I particularly looked that up, and believe that under that language it would be altogether possible for the cooperatives of the Scandinavian countries, or for the cooperatives of France or Yugoslavia, Poland or Holland to be designated as agencies for the carrying out of this rehabilitation purpose.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. EATON. Mr. Chairman, I now yield to the gentleman from Michigan [Mr. WOODRUFF].

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Mr. WOODRUFF of Michigan. Mr. Chairman, I read an article in the New York Times which gave such a horrible picture of conditions in that part of Italy occupied by American and British troops, that I believe we who are, after all, collectively to some extent responsible, should know the facts and thus gain an understanding of what we can do about our present and future obligations. We know, of course, that an adult doing normal work needs somewhere between 2,500 and 3,000 calories of food a day to maintain normal body weight. Also, he will starve if, over a period of time, he gets less than 1,500.

In that part of Italy which at present is occupied by American and British troops, there are living some 10,000,000 or more people. Most of them are small farmers and workers, of that kind which it has become customary to refer to as the common man. Mr. Harold Callendar, the author of the article I refer to, tells us that our experts with the Allied Military Government figure on an absolutely necessary average diet for these millions of people of 1,789 calories, barely above the 1,500 minimum. Of these 1,789 calories, not less than 1,006 calories must be shipped to Italy, since only 783 calories can at present be obtained locally. It is, indeed, a practical question that we now face. The Italians, like citizens of other occupied areas, seem to take the attitude that those foreigners who have occupied their country by force, and who have destroyed their means of livelihood, carry the full responsibility. Mr. Callendar adds that this is not the Allies' view. It is, of course, obvious that if the fate of the nations into whose country our armies move is wholesale starvation, in addition to complete destruction of their homes and means of existence, then a cry of wrath is likely to rise against us. Yet most of the destruction of necessities and all of the looting has been wrought by the Nazi armies while they occupied Italy and as they retreated.

Mr. Callendar has figured out that in order to feed the Italians in that southernmost part of Italy now occupied by our troops, it will require nearly 100,000 tons of foodstuffs monthly. Now, if you look at a map of Europe indicating the area occupied by the Germans, and compare it with that small strip of land we have so far been able to wrest from them in southern Italy, you will realize that as our invasion armies move forward toward Berlin, we shall be confronted with problems of saving so many millions—even hundreds of millions—of people from famine that I am at a loss to see how America can possibly assume

even a major share of such a responsibility. We, in the United States, are not brutes. We always have had a warm heart and a generous attitude toward the people in distress everywhere in the world.

But we in this country are only 130,000,000. We still live fairly well on the rations allotted us from the products of our farms. We also have to supply our British friends and our Russian allies with a good share of their daily bread, and we do that gratis, in the form of gifts under lend-lease. Assuming that we could tighten our belts still further, how many millions of additional people do you think we could feed with American wheat and milk, meat and sugar? How many millions could we clothe and shelter? Surely not a population far bigger than our own. Yet so many, believing the extravagant promises being made by our representatives, will stretch out their hands toward us begging for their daily bread of which they will be deprived by military operations. I wish I could give you a satisfactory solution to that question, but I admit that I stand appalled before such a problem. Certainly no such solution is offered in the bill now before us, under the provisions of which it is proposed to not only feed all these millions, but also to rehabilitate their waterworks systems, their power plants, their industries, indeed, their entire economy, the cost of which will be fantastic. Notwithstanding the statements of the proponents of this measure that we are to bear only our fair share of this expense, we all know, if our previous experience teaches us anything, that in the last analysis it will be the American people, the American taxpayer if you please, who will bend his back in hard labor for generations to come to liquidate this expense.

One good rule is expressed in those wise words, "Charity begins at home." I hope the war will not finally inflict upon our people the indescribable misery of famine. I hope we may be spared from those tribulations which are afflicting, and perhaps for years to come will afflict, every nation in the Old World. But if we are to embark upon a program of rehabilitating half the world, I am not so sure that we may not eventually be confronted with domestic problems of so serious a character that we may not surmount them and retain our present form of government and all the wonderful things which have made us great.

Irresponsible propagandists promise us the marvels of a post-war world. I do not see why we should fool ourselves or let them fool us. The post-war world is not going to be a marvelous world. The post-war world will be a very sick world, and it will be a very poor world. It will be a world in which we shall face a great many heartbreaking problems, such as the care of those who will become terribly incapacitated during the war; problems of helping our millions of soldiers to make the difficult readjustment from military life to peaceful employment. We are spending more than all other warring nations combined, and when our wars in both Europe and Asia are ended, we will be burdened with a debt of probably four hundred billions, a debt greater than that of all other nations combined. We shall face the tremendous problem of resettling large parts of our population now camped around the war plants. And most difficult of all we shall face the problem of cleaning the hearts of our youth who, in so many cases, will tend to drift, deprived of the greatest asset in life—the memories of a happy childhood home with mom and dad.

Only a sound America can help lead the rest of the world back to sanity. Therefore America's problems must receive first consideration. Those are the responsibilities we first must meet. We will feed the starving, yes; but further than that we must not, we cannot, go, without inviting destruction. We cannot help a world in chaos by going down into chaos with it. Nobody is saved by everybody being starved. We may as well recognize the horrible tragedy we shall face, that America cannot produce enough of the vital necessities of life to go around for all the world. It is impossible to let loose a destruction of a magnitude such as we are now witnessing, and expect, or hope, that the nations will escape the dreadful hardships and suffering.

Many Americans like to think of this war as a war of liberation. That is our only possible excuse for being involved. Altruistically inclined as we are, we like to believe our boys will be welcomed as liberators in all the oppressed countries.

In desperate times such as those we are now experiencing, in times of scarcity and deprivation, there is one problem more important than any other, and that is that more and ever more food and other consumers' goods be produced in every part of the world. Every conceivable effort must be made to once more put our Nation, and all other nations, to work to produce those commodities which together give us the material basis for a decent standard of living. We cannot wait until a clumsy bureaucracy acts. We cannot depend upon incompetent and inefficient boards and bureaus. We cannot depend upon power-lustful politicians who are seeking to use hunger and suffering as the means of making whole peoples do their bidding. It is the American farmer, the American laborer, the manufacturer and the businessman who must do the job for America; on the hundreds of thousands of independent and enterprising individuals will rest the hope for the future in this country, as the future of other countries will rest with their farmers, their laborers, their manufacturers, their businessmen, and their enterprising individuals.

The salvation of humanity lies neither with the politicians nor with the preachers of utopia, but with the men and women everywhere in the world who have the spirit of enterprise required to get back to the hard work of remaking a destroyed civilization. And each nation must, for the most part, do that for itself. America, even with the modest assistance we would receive from others, cannot feed, clothe, and rehabilitate the whole world.

Mr. Chairman, unless the resolution before us is amended to radically reduce the commitments of this country I shall vote against it.

Mr. EATON. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. CALVIN D. JOHNSON].

Mr. CALVIN D. JOHNSON. Mr. Chairman, I am one of those individuals who would predict the future by checking the past, and a review of the history of Europe from the Dark Ages to the present day does not justify our entrance into this agreement under the terms that are now drawn. The history of Europe is one of continual strife among its divided people and at no time during the past 1,000 years has there been a period when relief would not be needed by one of its countries. We are to be a partner in U. N. R. R. A. Forty-four nations will join us as copartners. Let us face realities, however. When $2,000,000,000, as is now proposed, is contributed, our share will be $1,350,000,000; the other 43 nations will contribute the remaining $650,000,000. We will contribute 75 percent of the total and have one forty-fourth of the control. Even the major board comprised of the 4 leading powers will outnumber this country 3 to 1.

I am fearful that we are establishing another world-wide W. P. A. I am of the opinion that this legislation should be returned to committee and amended, so that the appropriation for its operation would be made directly to the Army of the United States. It should be accountable to that branch of service for all its actions and all appropriations by the Congress should be made to the Army, under whose direction U. N. R. R. A. would operate.

By such a method of administration it would be impossible for professional social workers to become entrenched and endeavor to rehabilitate the world. Through a spirit of Christian charity we in America are anxious to help Europe to help itself. However, we do not intend to make continuous appropriations that the people of Europe may live in ease and indolence, as was advocated by the social element in control of relief in this country a few short years ago.

Let us make this organization accountable to our armed forces and its leaders, who are hard-headed practical soldiers, who believe in assisting people to assist themselves, and will not be swept away by emotional theorists. If we are to foot the bill of this world-wide relief program, our interests should be safeguarded. The Army will afford us that protection. I shall vote to give it to them, as I do not want to see the day when the letters "U. N. R. R. A." mean Unlimited, Nefarious, Relief, Racket Association.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EATON. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. HERTER].

Mr. HERTER. Mr. Chairman, I have a particular interest in this bill, for the reason that during the last war I saw the Belgian relief in occupied Belgium when I was in charge of our legation which stayed in Brussels during the

occupation by Germany for the express purpose of protecting, together with the Dutch and the Spanish, the relief operation. Later I happened to have the privilege, a rather painful one, of being, I think, the first of the Allies to go into Germany after the collapse of Germany and the surrender of Germany, and had some opportunity to see the chaos wrought by a nation in collapse.

Later, in the summer of 1922, I spent a number of months in Russia during a period when millions, literally millions, of people had died of starvation. With those three experiences I saw something of the starvation and hardship that comes as the aftermath of war. I saw some of the mechanism of relief and something of the organization that is required to cope with the problem.

The resolution before us deals with a given purpose. It deals with a mechanism to meet that purpose and it deals with an amount of money to implement that mechanism. I cannot believe that there is any man on either side of the aisle who questions the purpose of this resolution. That purpose is one of emergency relief. I cannot conceive of a single boy in our armed forces wanting to leave the continent of Europe or the continent of Asia with a feeling that he had freed a people from the yoke of the enemy, only to let them die from starvation or disease. I cannot believe that they would stand for that. That purpose could be enlarged, but the time is too short.

As far as the mechanism is concerned, that mechanism has been worked out by 44 nations, spending weeks of time trying to arrive at the best that they could devise for a cooperative working agreement. May I say here that during the time I was associated with the American relief enterprises during the last war it was necessary for us to set up the European Relief Council, of which I happened to be executive secretary, because it was essential to coordinate the work there even of the American organizations. Now, unless we are going to do the job wholly alone, it is essential to set up a mechanism to coordinate the work of the different nations. While many of us might have objections to certain phases of this mechanism as it was set up, on the whole, it was created, so far as the American side is concerned, with a good deal of advice, and acceptable advice, on the part of responsible Members of Congress. Every step in its creation was fully made known to the Members of the Congress. At every stage Members of the Congress had the right to voice their objections. It has now met the approval of the 44 nations. It has been formulated as a document. It is something that we here cannot any longer control. Whatever our minor objections may be, in my opinion, it is an acceptable mechanism.

Mr. LUTHER A. JOHNSON. Will the gentleman yield?

Mr. HERTER. I yield.

Mr. LUTHER A. JOHNSON. In view of the gentleman's experience in the administration of relief during the last war, does he not think that this agency would be far preferable than for the different countries to have their own relief agencies, in that it will eliminate duplication and simplify and make more effective the administration of relief, rather than to have each country send in its own relief organization?

Mr. HERTER. I wish I could answer the gentleman at length. The answer simply is "Yes."

Mr. LUTHER A. JOHNSON. I thank the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EATON. I yield 1 additional minute to the gentleman from Massachusetts.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. HERTER. I yield.

Mrs. ROGERS of Massachusetts. I know that the gentleman will agree with me that those men fighting across the seas, fighting for freedom of education and religion, would want to go along with the authorization providing that freedom of religion and freedom of education will be allowed to go on in those countries and that U. N. R. R. A. shall not impose its religion or any other religion than that which any particular country wants.

Mr. HERTER. My answer to that very simply is this: The make-up of U. N. R. R. A. is one that is going to be scrutinized by every one of the 44 nations participating in it, even in a small degree. We have, perhaps, the major participation through the Director General. But I am not afraid of that organization attempting any religious domination or any political domination. There are other instruments that are created for the purposes of trying to reach political agreements. Insofar as political policies toward these nations are concerned, that will not be the concern of U. N. R. R. A.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EATON. Mr. Chairman, I yield to the last speaker, the gentleman from Ohio [Mr. SMITH], 5 minutes.

Mr. SMITH of Ohio. Mr. Chairman, in obedience to my oath to uphold the Constitution of the United States, I must vote against this resolution. This measure violates the basic principle of the Constitution, the very sovereignty of the United States. It vests in an international body power to legislate for our country.

The measure would further take away powers which the Constitution vests exclusively in the Congress and hand them over to the executive branch of the Government.

On November 9, 1943, representatives of 44 nations at a meeting in Washington signed what is called agreement for United Nations Relief and Rehabilitation Administration. President Roosevelt signed as the representative of the United States.

Fourteen of the signatories entered reservations with their names. The reservations in most cases stipulate that action by the legislative bodies of the countries concerned is necessary to make the agreement binding upon them. In a few cases the reservations stipulate that further action is necessary by certain other governmental bodies of the countries concerned to make the agreement binding upon them.

President Roosevelt signed without any reservation. As Chief Executive of the Government of the United States, he assumed absolute power to make the agreement binding upon it. He did not consider congressional action necessary to make the agreement binding upon our Government. This point is borne out by certain language in the agreement, which reads as follows:

> The governments or authorities whose duly authorized representatives have subscribed hereto * * * have agreed as follows:
>
> There is hereby established the United Nations Relief and Rehabilitation Administration.

The House Foreign Affairs Committee accepted this view in reporting out House Joint Resolution 192, which contains the following language:

> *Resolved, etc.*, That there is hereby authorized to be appropriated * * * for participation by the United States * * * in the work of the United Nations Relief and Rehabilitation Administration, established by an agreement concluded by the United Nations and associated governments on November 9, 1943.

Therefore, wherever the word "government" or "member government," as it pertains to the United States, is used in the text of the United Nations Relief and Rehabilitation agreement it refers specifically and exclusively to the President of the United States. Here is one of the key points in the consideration of this resolution. It must be kept in mind constantly to grasp the full import and implications of House Joint Resolution 192.

What does the United Nations Relief and Rehabilitation Administration propose to do? Does the President have legal authority to bind the Government of the United States to the proposals and undertakings that are projected in the agreement which sets up this international organ?

The agreement for creating a United Nations Relief and Rehabilitation Administration would establish a global—the word "global" was used by delegates at the Atlantic City conference—program of relief and rehabilitation for the war-stricken peoples of the Allied countries which have been overrun by the Axis Powers. The preamble of the agreement provides for—

> Aid and relief from their sufferings, food, clothing and shelter, aid in the prevention of pestilence and in the recovery of the health of the people, and that preparation and arrangements shall be made for the return of prisoners and exiles to their homes and for assistance in the resumption of urgently needed agricultural and industrial production and the restoration of essential services.

In a convention held at Atlantic City by representatives of the member countries which had signed the agreement for establishing a United Nations Relief and Rehabilitation Administration, this program as outlined in the preamble of the agreement was elaborated, in part, as follows:

> Resolution 12
>
> Rehabilitation supplies are to consist of materials, such as raw materials, machinery,

and spare parts needed to enable a recipient country to produce and transport relief supplies for its own and other liberated territories; and, within the scope of the administration, the rehabilitation of public utilities and services, so far as they can be repaired and restored to meet immediate, basic needs, such essentials as light and water, power, transportation, and communication. These needs include rehabilitation of essential relief industries, such as those which provide food, shelter, clothing, medical supplies.

Raw materials may be supplied by (a) the liberated country in which the industry is situated and in which the materials are to be used, (b) another liberated country, or (c) any other country. The task of the administration in cases (a) and (b) should be the rehabilitation of the raw material producing industries such as coal mines, mineral mines, construction materials industries, etc. * * *

It is recommended that pools be created of materials such as processing materials, machine tools, mobile power units, maintenance equipment, industrial machinery of both standard and special types, and spare parts. * * * assist liberated areas in restoring the transport and communications system to satisfactory working conditions; it should also help to restore equipment, repair shops, workshops, shipyards, etc. It is recommended that a pool of transportation equipment both fixed and mobile should be created either from stocks manufactured overseas or in Allied or neutral countries * * *.

It is recommended that the requirements for raw materials, machinery, spare parts, and processing materials should be established within each country and that a definite order of priority be established taking into consideration: (a) Technical factors, such as, on the one hand, the necessity of restoring the public services (gas, water, electricity), and, on the other, the needs of various types of consumer goods; (b) social factors such as the necessity of providing reemployment; (c) temporary economic factors such as scarcity of certain raw materials and shipping.

Resolution 13

In the relief period priority in the rehabilitation of essential shelter or accommodation in the liberated areas should be given to: hospitals and schools; habitations for homeless persons, especially for workers engaged in essential public services and in industries having high priority in relief, as well as for farmers and agricultural workers.

Where it may be necessary, however, there should be imported construction tools such as hand tools, building supplies and equipment, including excavating machinery * * *.

* * * Accommodation of a more permanent, though not necessarily final character, for persons who cannot be returned to their homes either because their homes have been destroyed or because these are in territories still occupied by the enemy * * *.

* * * Pools of building materials shall be promptly created so that advance arrangements can be made for the accommodation of farmers and agricultural workers.

* * * Accommodation or shelter for workers in the food processing industries should be provided.

Resolution 14

* * * A program of operations covering proposed activities of the Administration in connection with relief and rehabilitation including the care and transportation of displaced persons. This program may cover the entire period of contemplated operations of the administration, or any part thereof. The operating program shall serve as a guide to the activities of the Director General, but, except as provided in article IV, paragraph 2 of the agreement, shall not limit his action when the situation requires other action.

Resolution 26

That the Council hereby creates standing technical committees on: agriculture, displaced persons, health, industrial rehabilitation, welfare.

Resolution 27

That the functions of the standing technical Committee on Agriculture shall be * * *.

To formulate proposals on technical policies in regard to agriculture, fisheries and food production and the rehabilitation of the industries concerned therewith and related subjects * * *.

Resolution 30

That the functions of the standing technical Committee on Industrial Rehabilitation shall be:

To advise the Council, the Central Committee and the Director General as to the nature of and scope of problems in fields relating to the rehabilitation of public utilities and services, to the rehabilitation of industries producing urgently needed goods, and to rehabilitation supplies in areas in which the administration will operate.

To formulate proposals on technical policies relating * * * to the rehabilitation of industries producing urgently needed goods, and to rehabilitation supplies.

Resolution 31

That the functions of the standing technical Committee on Welfare shall be:

To advise the Council, the Central Committee, and the Director General as to the nature and scope of welfare problems * * *; including the direct provision to victims of war of relief through other than normal economic channels of distribution; emergency measures for the care of children, expectant and nursing mothers, the aged and disabled, and other victims of war.

From this it is seen that there would be practically no limit to the variety and scope of the functions that could be performed under this scheme—from setting up a soup kitchen to the construction of a railroad.

Section 3 of the resolution is in my opinion a rather sorry and fatuous gesture to assuage the fear that a reading of the list of undertakings of this projected program is bound to produce in the minds of many. The section referred to reads as follows:

In the adoption of this joint resolution the Congress expresses its approval of and reliance upon the policy adopted by the United Nations Relief and Rehabilitation Administration at the first session of the Council, summarized in paragraph 11 of resolution No. 12, and reading as follows:

"11. The task of rehabilitation must not be considered as the beginning of reconstruction—it is coterminous with relief. No new construction or reconstruction work is contemplated, but only rehabilitation as defined in the preamble of the agreement. Problems, such as unemployment, are important, but not determining factors. They are consequences and, at the same time, motives of action. The Administration cannot be called upon to help restore continuous employment in the world."

If the language in this section makes any sense, I cannot see it. It seems to be an attempt to make the reader believe that rehabilitation is something altogether different than can be found in any dictionary, something different from what every man, woman, and child knows it to be, indeed something different than the Atlantic City conference said it was out of the corner of its mouth. I cannot believe that language like this belongs in any Federal statute.

The agreement provides for a global bureaucracy—a Council, consisting of a representative and an alternative representative from each member country; a Central Committee of the Council, which shall consist of the representative of China, the Union of Soviet Socialist Republics, the United Kingdom, and the United States of America, and a Director General presiding; a Committee of the Council for Europe and a Committee of the Council for the Far East.

Resolutions Nos. 18 and 19 passed by the Atlantic City conference provide—

Resolution 18

That the Committee of the Council for Europe shall consist of the members of the Council or their alternates representing Belgium, Czechoslovakia, the French Committee of National Liberation, Greece, Iceland, Luxembourg, The Netherlands, Norway, Poland, the Union of Soviet Socialist Republics, the United Kingdom, and Yugoslavia * * * and in addition the members of the Council or their alternates representing Brazil, Canada, and the United States of America.

Resolution 19

That the Committee of the Council for the Far East shall consist of the members of the Council or their alternates, representing Australia, China, the French Committee of National Liberation, India, The Netherlands, New Zealand, the Philippine Commonwealth, the United Kingdom, and the United States of America.

The United Nations Relief and Rehabilitation program would provide relief in the form of food, clothing, shelter, medical care, welfare, preparation and arrangements for the return of millions of prisoners and millions more of exiles to their homes, reemployment, and so forth in the countries in Europe and the Far East which have been partially or wholly overrun by the enemy, covering an area in excess of 13,000,000 square miles—not counting north Africa and numerous other areas—or more than four times the size of the United States; to a population in excess of 850,000,000, or more than six times that of the United States.

In addition it would undertake to rehabilitate the raw material-producing industries, railway and other transportation facilities, communication facilities, electric power producing and distributing facilities and other public utilities, fisheries industries, and practically every industrial plant and facility which has been wholly or partially destroyed by the war on the entire globe. Estimates of the destruction of these facilities have been given which run into the hundreds of billions of dollars.

It is estimated the program would cost the United States $1,350,000,000. In terms of sound finance and enlightened self-interest this is a huge sum of money. Judged by the standard of spending that has been followed by the administration in the last 10 years, it is of course piddling. If this scheme is put into operation and costs us 10 or more times $1,-

350,000,000, surely no one should be surprised. The limitation to this amount which is provided in the resolution cannot in the light of past experiences have much meaning. When the amount had been used up, more funds would be requested. Once this scheme were in operation, as is the nature of all political machinery, it would develop powerfully impelling forces for its own perpetuation and expansion.

Where is the legal authority for the action the Chief Executive has taken in writing the agreement with 43 other nations to set up this international scheme for war and post-war relief and rehabilitation which is to cost the United States $1,350,000,000 to begin with and which can run into many billions more? I do not believe the Executive has any legal authority to bind the United States to this unusual and grandiose proposal from the standpoint of the cost that would devolve upon our people. I do not believe there is anything in the Constitution or the Federal statutes which gives him this right. I think this action taken by the Executive goes clear outside and far beyond his functions and duties in carrying on the foreign policies of the United States as provided for under the Constitution.

Not only from the standpoint of the enormousness of the program and the huge costs involved has the Executive exceeded his constitutional prerogative but also from the point of view of other unusual and clearly anomalous provisions that are set out in this so-called agreement, I refer particularly to article VIII in the agreement. This article provides for amendments to the agreement, three in number. It says:

> The provisions of this Agreement may be amended as follows:
> "(a) Amendments involving new obligations for member Governments shall require the approval of the Council by a two-thirds vote and shall take effect for each member Government on acceptance by it."

Remember that we said at the outset that the term "Government" or "member Government" used in the agreement, as pertains to the United States, has reference to the Chief Executive only and does not include the Congress. Therefore, under this provision the Executive would have absolute power to bind the United States to new obligations in the scheme. As indicated heretofore, the obligations attaching to the United States that are contained in the agreement come under the heads of relief and rehabilitation. The terms "relief" and "rehabilitation" can certainly be interpreted broadly and made to include a vast field of activities. Under "a" of article VIII, however, distinctly new obligations could be added. For example, the President might under this provision have power to enter into an agreement with the other nations whereby the United States could make loans for relief and rehabilitation.

Section b of article VIII reads as follows:

> Amendments involving modification of article III or article IV shall take effect on adoption by the Council by a two-thirds vote, including the votes of all the members of the Central Committee.

Under this provision, articles III and IV of the agreement could be amended by the Council and the central committee alone. The President's acquiescence would not be required nor of course would that of the Congress. With respect to the point I am making now, the contents of articles III and IV of the agreement and the possible effects any amendments thereto might have are wholly immaterial. It is sufficient to point out that the international body would have the power under this provision to effectuate amendments to articles III and IV without the consent of either the Executive or the Congress.

Section c of article VIII reads as follows:

> Other amendments shall take effect on adoption by the council by a two-thirds vote.

Under this provision amendments could be made to the agreement without even the support of any representative of the United States whatever. Thus, the power to effectuate other amendments to the agreement for the establishment of a United Nations Relief and Rehabilitation Administration would be placed entirely in the hands of foreign nations. The term "other amendments" could certainly be interpreted so as to make it include a great many things. It would open the door for a lot of new functions and undertakings. Though this is exceedingly important, it is not the main point I wish to bring out here. What is of more importance is that this provision would give over to the international body the power to alter and amend the agreement without the consent of the United States—yes, even against our will.

Up to now I have spoken only of the agreement signed by the President and the other 43 nations for the creation of the United Nations Relief and Rehabilitation Administration. I have discussed only the provisions and constitution of that agreement as such and standing by itself. Now I shall discuss that agreement, not as such but as in integral part of House Joint Resolution 192. There is a clear distinction between the agreement as such and its embodiment in the resolution. Of what does this distinction consist?

I have stated that I do not believe the President had any legal authority to sign the agreement and bind the people of the United States to the costs and sacrifices that would be involved in it. I am certain the President had no legal authority to bind the United States to the provisions contained in article VIII; namely, to hand over to an international body the power to alter the agreement without the consent of Congress. But pass House Joint Resolution 192 and you will have made the agreement into substantive law and you will have given specific legal sanction to the President's action in entering into this agreement. Pass this resolution and you will have established a procedure which can be used by the present as well as future Chief Executives for creating other international agencies. Pass this resolution and you will have set a dangerous precedent. Right now two other international schemes are in process of development by the administration. I refer to the proposal for a United and Associated Nations Stabilization Fund, which would involve an initial gold liability by the United States of $2,344,000,000; and to the proposed international bank for reconstruction and development, which would involve an initial gold liability by the United States of an additional $3,300,000,000. As I shall show later, these other two international schemes are of the same pattern as this proposal for a United Nations Relief and Rehabilitation Administration.

What the Congress is really being asked to do here is to pass a law which contains specific provisions to hand over to an international body the power to amend the very law we are being asked to pass. Pass this law and you will have given over to an international body the power to make laws for the United States of America with or without the consent of the President, any representative we might have on that body, and the Congress of the United States being in any event precluded from having anything to say about it.

Pass this proposed resolution and you will have violated the fundamental principle of the Constitution of the United States, which vests in the Congress the sole and absolute power to act as the representative of the people. Pass this law and you will have violated the principle of sovereignty of the United States. You will have established the principle of the superstate. If you believe the welfare of our people and the destiny of our Nation are safer in the hands of Ethiopia and Mexico and Russia, then you should vote for this resolution. If, on the other hand, you believe the welfare and destiny of our people will be safer if left in our own hands you will vote against this resolution.

The argument is being made that through the United Nations relief and rehabilitation set-up the other nations would help to bear the cost of the program, that the United States would not have to bear the cost alone as it did in World War No. 1. There is nothing in this resolution which binds any other government but the United States itself to provide funds for relief and rehabilitation. The conference at Atlantic City in the form of a resolution set a figure of 1 percent of the national income—on the basis of the 1943 income—of each member country whose home territory has not been occupied by the enemy as its share of the contribution to the program. It is my understanding that a number of countries who signed the agreement have already indicated their unwillingness to subscribe that amount. Russia, Norway, the Netherlands, Belgium, France, Czechoslovakia, Greece, and Yugoslavia in the European area, and China and other territories in the far eastern area, have been wholly or in great part overrun by the enemy. All of these countries would be recipients of relief and rehabilitation under this scheme. The population of the countries

who would be recipients of relief and rehabilitation is more than 850,000,000. The population of the countries outside of the United States who would be supposed to furnish relief under this program is perhaps less than 200,000,000.

Furthermore, what about lend-lease? How much of the relief and rehabilitation that would be provided by any and all of the countries other than the United States would be supplied directly or indirectly through our lend-lease program? Keep in mind that practically all the countries joined in this global rehabilitation program are either recipients of lend-lease or eligible for lend-lease. Consider also the two other agencies that are being proposed to finance the greater portion of the world with United States capital—the United and Associated Nations Stabilization Fund and the International Bank for Reconstruction and Development. These two schemes are being set up on the basis of an initial gold liability by the United States of more than $5,600,000,000. Here would be two more large sources from which the other nations who have subscribed to this relief and rehabilitation plan could draw funds to meet their contribution. When all the circumstances are taken into consideration, it is seen that the contribution it is alleged they would make would be largely imaginary.

Yet with the United States furnishing the vast bulk of the funds if not nearly all of them, the control of the scheme would be given over to the foreign nations. On the Central Committee we would have 1 vote in 4 and on the Council 1 in 44.

A very serious question arises in connection with this proposed program that I feel certain the House Committee on Foreign Affairs has not adequately considered. That question is, Where would we get the money? We would get it by having the Government print it. There is no other possible way to raise the funds that are proposed for this program. The present amount of Federal taxes collected plus all the Government securities that are being sold to the public falls far short of meeting Government costs. This state of affairs is revealed in the figures showing the amount of Government obligations held by the commercial and savings banks of the country.

On June 30, 1943, the total amount of deposits in all banks was $96,329,000,000. On the same date, according to information supplied me by the Federal Reserve, all banks held $57,748,000,000 in United States Government obligations. In other words, 60 percent of the bank deposits represented Government printed or fiat credit dollars. This situation presents a dangerous menace to this country. Eventually its deleterious effect will manifest itself either through outright drastic inflation of prices or more drastic regimentation of our people, or what is more likely, both. This enormous volume of fiat credit threatens to destroy the value of every investment, savings account, insurance policy, social-security account, and pension. It is a threat to the value of every dollar invested in Government bonds. Many soldiers have invested their earnings in Government bonds. I personally know some who are putting all of their savings into these bonds. I want my record to show that I have tried to do everything I possibly can to protect their value. Even if this program should cost the United States no more than $1,350,000,000, because all of it would have to be produced by fiat, this would be bound to have some effect on the value of the dollar. But should the United Nations Relief and Rehabilitation Administration go the way nearly all of the other political machinery that has been set up has gone, its effect upon the value of the dollar would become exceedingly great. The Commodity Credit Corporation started with a few million dollars. It now has a capitalization of $3,000,000,000. The Reconstruction Finance Corporation started with $500,000,000 and now has a capitalization of $12,000,000,000 or more. Lend-lease started with $7,000,000,000 and within 27 months reached the figure of more than $60,000,000,000.

I have stated the passage of this resolution would establish a dangerous precedent; that it would legally validate the action of the President in signing with the other nations for the creation of a world-wide rehabilitation program; that this would then become the basis upon which the present Executive, as well as future Executives, could promulgate other global schemes. I mentioned specifically that it could become a precedent for the establishment of the administration's proposals for a United and Associated Nations' Stabilization Fund and an International Bank for Reconstruction and Development, which I also stated project an initial gold liability for the United States of more than $5,600,000,000.

Anyone who wishes to see the similarity of the pattern of these proposals to that embodied in House Joint Resolution 192 can do so by referring to the speech I made on the British scheme to secure control of United States gold stocks November 1, 1943. In that speech I described somewhat in detail the scheme for setting up the United and Associated Nations Stabilization Fund. An examination of the plan for an International Bank for Reconstruction and Development that is being promulgated by the administration shows it to be of the same design as that of the United and Associated Nations Stabilization Fund. All three of these schemes have the following in common: The United States would put up the bulk of the funds; the control would be so arranged as to place the United States in the minority; the United States would obligate itself definitely—few, if any, of the other countries would really obligate themselves definitely. The United and Associated Nations Stabilization Fund proposal is like this proposal for a United Nations Relief and Rehabilitation Administration in that it vests in the international body power to alter laws enacted by the Congress. There are many other features common to all of these proposals. All three embrace the principle of an international or superstate. Indeed, the proposal contained in this resolution cannot be understood without also understanding these other two proposals, because each is only part of a larger whole.

Now there are strong indications that the President intends to sign agreements with the other forty-odd nations for the creation of a United and Associated Nations Stabilization Fund and an International Bank for Reconstruction and Development, and then come to the Congress for legal validation of his actions, just as he has done in the case of the United Nations Relief and Rehabilitation Administration. Therefore if House Joint Resolution 192 passes, a powerful precedent will have been created for the Executive to drive through Congress the other two proposals mentioned. To establish a precedent for the creation of these other agencies would in my opinion be a wrong of the gravest sort, which I am sure our people would disapprove if they knew the facts.

The claim has been made that certain countries who would be recipients of relief under this proposed program would be able to pay for it. Some of the countries in western Europe have been referred to here. It is true that Belgium, The Netherlands, Norway, and perhaps France still have comparatively large gold reserves which presumably they might use to pay for relief. Certainly with respect to some of these countries they have no free gold that could be used for the purchase of relief supplies. The gold they hold is pledged against notes and demand liabilities. But suppose it were decided that those countries would nevertheless use some of their gold holdings to pay for relief supplies. Does the United States want more gold? Or would it be decided that those countries must send their gold holdings to the gold-poor countries for relief supplies? And what would happen to the economies of Belgium, Norway, France, and so forth, should they use up any great portion of their gold holdings for purchases of relief supplies? Would not their economies be greatly weakened by that sort of procedure? These are not questions that can be passed off with a wave of the hand. They are serious, very serious, questions. They go to the very root of the matter.

This whole proposal is in my opinion wrong. This measure should be defeated in toto and referred back to the Foreign Affairs Committee with instructions to write a new measure and to confine it entirely to relief in the form of food, clothing, and the absolute essentials of life, along the lines undertaken by our country in World War No. 1. Provisions should be made whereby the United States would at all times keep complete control over all of the funds the Congress appropriates. Furthermore, the bill should provide for all purchases of supplies made with our own money to be spent in the United States. We need to do this to maintain employment of our own people.

There is a growing conviction among the people throughout the country that their officials in Washington are giving their country away. Indeed, if I sense the situation correctly, they are becom-

ing depressed over this state of affairs. They want it stopped. They want their Representatives in Congress to give a little more thought to the welfare of the people of the United States and a little less to that of foreign countries.

Mr. BLOOM. I yield 2 minutes to the gentleman from North Carolina [Mr. FOLGER].

Mr. FOLGER. Mr. Chairman, I have been insulted only one time since I have been in Washington, and that was today. A newspaper reporter who, I thought, was very well acquainted with me, asked me how I was going to vote on this resolution. Of course, I am going to vote for it. I am going to vote for it unreservedly and without any hesitation or mental reservation at all, unamended, unless it be to make it more powerful in its implications and possibilities. We have, Mr. Chairman, the grand and noble situation of 44 nations signing and saying they are determined that immediately upon the liberation of any area by the armed forces of the United Nations or as a consequence of retreat of the enemy, the population thereof shall receive aid and relief from suffering. We propose to go in behind these armies of occupation which have liberated these people who have been dragged through hell almost, as was described by the noble woman from Ohio [Mrs. BOLTON] and as was actually seen and observed by that splendid gentleman from Massachusetts [Mr. HERTER] who just spoke to you.

I cannot see that we may be allowed to insist so strongly that our soldiers continue to fight and die for a just and lasting peace, unless we are going to pass a resolution like this.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. FOLGER] has expired.

Mr. BLOOM. Mr. Chairman, that concludes all the requests for time to speak on the resolution.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Resolved, etc., That there is hereby authorized to be appropriated from time to time to the President such sums, as the Congress may determine to be appropriate for participation by the United States (including contributions in funds or otherwise and all necessary expenses related thereto) in the work of the United Nations Relief and Rehabilitation Administration, established by an agreement concluded by the United Nations and Associated Governments on November 9, 1943, reading as follows:

"AGREEMENT FOR UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

"The Governments or Authorities whose duly authorized representatives have subscribed hereto,

"Being United Nations or being associated with the United Nations in this war,

"Being determined that immediately upon the liberation of any area by the armed forces of the United Nations or as a consequence of retreat of the enemy the population thereof shall receive aid and relief from their sufferings, food, clothing and shelter, aid in the prevention of pestilence and in the recovery of the health of the people, and that preparation and arrangements shall be made for the return of prisoners and exiles to their homes and for assistance in the resumption of urgently needed agricultural and industrial production and the restoration of essential services,

"Have agreed as follows:

"ARTICLE I

"There is hereby established the United Nations Relief and Rehabilitation Administration.

"1. The Administration shall have power to acquire, hold and convey property, to enter into contracts and undertake obligations, to designate or create agencies and to review the activities of agencies so created, to manage undertakings and in general to perform any legal act appropriate to its objects and purposes.

"2. Subject to the provisions of article VII, the purposes and functions of the Administration shall be as follows:

"(a) To plan, coordinate, administer or arrange for the administration of measures for the relief of victims of war in any area under the control of any of the United Nations through the provision of food, fuel, clothing, shelter and other basic necessities, medical and other essential services; and to facilitate in such areas, so far as necessary to the adequate provision of relief, the production and transportation of these articles and the furnishing of these services. The form of activities of the Administration within the territory of a member government wherein that government exercises administrative authority and the responsibility to be assumed by the member government for carrying out measures planned by the Administration therein shall be determined after consultation with and with the consent of the member government.

"(b) To formulate and recommend measures for individual or joint action by any or all of the member governments for the coordination of purchasing, the use of ships and other procurement activities in the period following the cessation of hostilities, with a view to integrating the plans and activities of the Administration with the total movement of supplies, and for the purpose of achieving an equitable distribution of available supplies. The Administration may administer such coordination measures as may be authorized by the member governments concerned.

"(c) To study, formulate and recommend for individual or joint action by any or all of the member governments measures with respect to such related matters, arising out of its experience in planning and performing the work of relief and rehabilitation, as may be proposed by any of the member governments. Such proposals shall be studied and recommendations formulated if the proposals are supported by a vote of the Council, and the recommendations shall be referred to any or all of the member governments for individual or joint action if approved by unanimous vote of the Central Committee and by vote of the Council.

"ARTICLE II

"Membership

"The members of the United Nations Relief and Rehabilitation Administration shall be the governments or authorities signatory hereto and such other governments or authorities as may upon application for membership be admitted thereto by action of the Council. The Council may, if it desires, authorize the Central Committee to accept new members between sessions of the Council.

"Wherever the term 'member government' is used in this Agreement it shall be construed to mean a member of the Administration, whether a government or an authority.

"ARTICLE III

"The Council

"1. Each member government shall name one representative, and such alternates as may be necessary, upon the Council of the United Nations Relief and Rehabilitation Administration which shall be the policy-making body of the Administration. The Council shall, for each of its sessions, select one of its members to preside at the session. The Council shall determine its own rules of procedure. Unless otherwise provided by the Agreement or by action of the Council, the Council shall vote by simple majority.

"2. The Council shall be convened in regular session not less than twice a year by the Central Committee. It may be convened in special session whenever the Central Committee shall deem necessary, and shall be convened within thirty days after request therefor by one-third of the members of the Council.

"3. The Central Committee of the Council shall consist of the representatives of China, the Union of Soviet Socialist Republics, the United Kingdom, and the United States of America, with the Director General presiding, without vote. Between sessions of the Council it shall when necessary make policy decisions of an emergency nature. All such decisions shall be recorded in the minutes of the Central Committee which shall be communicated promptly to each member government. Such decisions shall be open to reconsideration by the Council at any regular session or at any special session called in accordance with Article III, paragraph 2. The Central Committee shall invite the participation of the representative of any member government at those of its meetings at which action of special interest to such government is discussed. It shall invite the participation of the representative serving as Chairman of the Committee on Supplies of the Council at those of its meetings at which policies affecting the provision of supplies are discussed.

"4. The Committee on Supplies of the Council shall consist of the members of the Council, or their alternates, representing those member governments likely to be principal suppliers of materials for relief and rehabilitation. The members shall be appointed by the Council, and the Council may authorize the Central Committee to make emergency appointments between sessions of the Council, such appointments to continue until the next session of the Council. The Committee on Supplies shall consider, formulate and recommend to the Council and the Central Committee policies designed to assure the provision of required supplies. The Central Committee shall from time to time meet with the Committee on Supplies to review policy matters affecting supplies.

"5. The Committee of the Council for Europe shall consist of all the members of the Council, or their alternates, representing member governments of territories within the European area and such other members of the Council representing other governments directly concerned with the problems of relief and rehabilitation in the European area as shall be appointed by the Council; the Council may authorize the Central Committee to make these appointments in cases of emergency between sessions of the Council, such appointments to continue until the next session of the Council. The Committee of the Council for the Far East shall consist of all the members of the Council or their alternates, representing member governments of territories within the Far Eastern area and such other members of the Council representing other governments directly concerned with the problems of relief and rehabilitation in the Far Eastern area as shall be appointed by the Council; the Council may authorize the Central Committee to make these appointments in cases of emergency between sessions of the Council, such appointments to continue until the next session of the Council. The regional committees shall normally meet within their respective areas. They shall consider and recommend to the Council and the Central Committee policies with respect to relief and rehabilitation within their respective areas. The Committee of the Council for Europe

shall replace the Inter-Allied Committee on European Post-war Relief established in London on September 24, 1941, and the records of the latter shall be made available to the Committee for Europe.

"6. The Council shall establish such other standing regional committees as it shall consider desirable, the functions of such committees and the method of appointing their members being identical to that provided in Article III, paragraph 5, with respect to the Committees of the Council for Europe and for the Far East. The Council shall also establish such other standing committees as it considers desirable to advise it, and, in intervals between sessions of the Council, to advise the Central Committee. For such standing technical committees as may be established, in respect of particular problems such as nutrition, health, agriculture, transport, repatriation, and finance, the members may be members of the Council or alternates nominated by them because of special competence in their respective fields of work. The members shall be appointed by the Council, and the Council may authorize the Central Committee to make emergency appointments between sessions of the Council, such appointments to continue until the next session of the Council. Should a regional committee so desire, subcommittees of the standing technical committees shall be established by the technical committees in consultation with the regional committees, to advise the regional committees.

"7. The travel and other expenses of members of the Council and of members of its committees shall be borne by the governments which they represent.

"8. All reports and recommendations of committees of the Council shall be transmitted to the Director General for distribution to the Council and the Central Committee by the secretariat of the Council established under the provisions of Article IV, paragraph 4.

"ARTICLE IV

"The Director General

"1. The executive authority of the United Nations Relief and Rehabilitation Administration shall be in the Director General, who shall be appointed by the Council on the nomination by unanimous vote of the Central Committee. The Director General may be removed by the Council on recommendation by unanimous vote of the Central Committee.

"2. The Director General shall have full power and authority for carrying out relief operations contemplated by Article I, paragraph 2 (a), within the limits of available resources and the broad policies determined by the Council or its Central Committee. Immediately upon taking office he shall in conjunction with the military and other appropriate authorities of the United Nations prepare plans for the emergency relief of the civilian population in any area occupied by the armed forces of any of the United Nations, arrange for the procurement and assembly of the necessary supplies and create or select the emergency organization required for this purpose. In arranging for the procurement, transportation, and distribution of supplies and services, he and his representatives shall consult and collaborate with the appropriate authorities of the United Nations and shall, wherever practicable, use the facilities made available by such authorities. Foreign voluntary relief agencies may not engage in activity in any area receiving relief from the Administration without the consent and unless subject to the regulation of the Director General. The powers and duties of the Director General are subject to the limitations of Article VII.

"3. The Director General shall also be responsible for the organization and direction of the functions contemplated by Article I, paragraphs 2 (b) and 2 (c).

"4. The Director General shall appoint such Deputy Directors General, officers, expert personnel, and staff at his headquarters and elsewhere, including field missions, as he shall find necessary, and he may delegate to them such of his powers as he may deem appropriate. The Director General, or upon his authorization the Deputy Directors General, shall supply such secretariat and other staff and facilities as shall be required by the Council and its committees, including the regional committees and subcommittees. Such Deputy Directors General as shall be assigned special functions within a region shall attend meetings of the regional standing committee whenever possible and shall keep it advised on the progress of the relief and rehabilitation program within the region.

"5. The Director General shall make periodic reports to the Central Committee and to the Council covering the progress of the Administration's activities. The reports shall be made public except for such portions as the Central Committee may consider it necessary, in the interest of the United Nations, to keep confidential; if a report affects the interests of a member government in such a way as to render it questionable whether it should be published, such government shall have an opportunity of expressing its views on the question of publication. The Director General shall also arrange to have prepared periodic reports covering the activities of the Administration within each region and he shall transmit such reports with his comments thereon to the Council, the Central Committee and the respective regional committees.

"ARTICLE V

"Supplies and resources

"1. In so far as its appropriate constitutional bodies shall authorize, each member government will contribute to the support of the Administration in order to accomplish the purposes of Article I, paragraph 2 (a). The amount and character of the contributions of each member government under this provision will be determined from time to time by its appropriate constitutional bodies. All such contributions received by the Administration shall be accounted for.

"2. The supplies and resources made available by the member governments shall be kept in review in relation to prospective requirements by the Director General, who shall initiate action with the member governments with a view to assuring such additional supplies and resources as may be required.

"3. All purchases by any of the member governments, to be made outside their own territories during the war for relief or rehabilitation purposes, shall be made only after consultation with the Director General, and shall, so far as practicable, be carried out through the appropriate United Nations agency.

"ARTICLE VI

"Administrative expenses

"The Director General shall submit to the Council an annual budget, and from time to time such supplementary budgets as may be required, covering the necessary administrative expenses of the Administration. Upon approval of a budget by the Council the total amount approved shall be allocated to the member governments in proportions to be determined by the Council. Each member government undertakes, subject to the requirements of its constitutional procedure, to contribute to the Administration promptly its share of the administrative expenses so determined.

"ARTICLE VII

"Notwithstanding any other provision herein contained, while hostilities or other military necessities exist in any area, the Administration and its Director General shall not undertake activities therein without the consent of the military command of that area, and unless subject to such control as the command may find necessary. The determination that such hostilities or military necessities exist in any area shall be made by its military commander.

"ARTICLE VIII

"Amendment

"The provisions of this Agreement may be amended as follows:

"a. Amendments involving new obligations for member governments shall require the approval of the Council by a two-thirds vote and shall take effect for each member government on acceptance by it;

"b. Amendments involving modification of Article III or Article IV shall take effect on adoption by the Council by a two-thirds vote, including the votes of all the members of the Central Committee;

"c. Other amendments shall take effect on adoption by the Council by a two-thirds vote.

"ARTICLE IX

"Entry into force

"This Agreement shall enter into force with respect to each signatory on the date when the Agreement is signed by that signatory, unless otherwise specified by such signatory.

"ARTICLE X

"Withdrawal

"Any member government may give notice of withdrawal from the Administration at any time after the expiration of six months from the entry into force of the Agreement for that government. Such notice shall take effect twelve months after the date of its communication to the Director General subject to the member government having met by that time all financial, supply or other material obligations accepted or undertaken by it."

Mr. BLOOM. I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'NEAL, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration House Joint Resolution 192, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that I may be permitted to revise and extend my remarks and include therein several papers that I received, to which reference was made in my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LEA] may extend his own remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection?

There was no objection.

(By unanimous consent, Mr. BULWINKLE and Mr. WILLEY were granted permission to extend their own remarks in the RECORD.)

Mr. COMPTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter from a constitutent and also an ar-

ticle by the Hartford Courant of recent date.

The SPEAKER. Is there objection?

There was no objection.

THE NEW DEAL

Mr. CALVIN D. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. CALVIN D. JOHNSON. Mr. Speaker, a few days ago the press carried an announcement. In that announcement it was inferred that the New Deal is dead and the faithful were called upon to bury it, to which suggestion America says "Amen." I predict, however, that its stench will linger long after its interment and that its ghost will forever haunt the memory of those who gave it birth. Mr. Speaker, I feel that the demise of the New Deal can be likened to Mark Twain's answer to a false report of his own death, "It is grossly exaggerated."

My reason for this conclusion is that I was one of those millions of Americans who recently sat before a radio and was enthralled as a melodious, comforting voice unfolded before me a beautiful word picture of Utopia. A Utopia wherein is established a new bill of rights. A Utopia under which a new basis of security is established for all, regardless of station, nation, race, or creed. A Utopia first painted in word pictures by the same voice 12 years ago and subsequently retouched in each succeeding election year, and now it is brought forth in all its scintillating splendor for a fourth time.

As the speaker continued, I recalled his promises of yesteryear, their meaning identical with those of today.

"The right to a job, food, clothing, and a decent living; the right of every family to a home, good health, and a good education."

Mr. Speaker, there is not a Member of the Congress who will deny these needs; neither is there a man in this House who can deny the 10 years of futile effort spent by this administration endeavoring to establish them.

To these rights pledged individuals here at home who are now prospering under a false wartime economy has been added the ideology of the "four freedoms" and the Atlantic Charter, guaranteeing security to the entire world.

Beautiful thoughts, the thoughts of a dreamer, voiced in a world of reality where the changing classes of divided people have fought incessantly since the dawn of history and will, in my opinion, continue to fight until the end of time. Voiced in a world where nothing of any value was ever produced which was not the result of the sweat and toil of some one's hands. Thoughts voiced in a nation that has reached the pinnacle of world domination, not through flowery promises or painted word pictures but where continuous progress has been made through three centuries because individual initiative has been encouraged and protection was given to free enterprise.

As in all other New Deal word pictures painted during the passing years, there was a surprise. The sensational was again invoked, this time in the form of a National Labor Conscription Act. In other years it was changing Thanksgiving or drowning the pigs.

I do not place the responsibility for New Deal failures upon the shoulders of true Democrats, although many have acquiesced by their silence to certain of its acts. I do not blame them, because the history of their party is long and glorious. Its record is one of loyalty and adherence to the principles of our Constitution. The history of the New Deal is brief and shadowy and its record toward our Constitution is one of abrogation and disregard.

Mr. Speaker, I charge that there is no sincerity in this request for national labor conscription. If there was it would have been made long ago. I contend that we have passed the manpower crisis. The War Manpower Commission has revised downward its figures of employment needs by hundreds of thousands. We are closing steel mills and banking blast furnaces. We are closing aluminum plants and even munitions industries. I charge that the suggestion of national labor conscription is only one segment of a carefully coordinated program, another segment being the proposed Federal-controlled soldier vote.

Recent history has proven that neither individual nor States' rights mean anything in the opinion of political schemers. Party perpetuity means everything. New Deal schemers realize that 10,000,000 soldier votes will control the elections. They also realize that bungling on the home front has caused a loss of confidence in the administration. Therefore, the soldier overseas must be impressed. Their votes must be won. How to win them was one problem. What psychology to use to win them was another. As a solution, the insincere suggestion of national labor conscription was evolved. Political schemers realize that not only the President, but each soldier, hates war. While intensely patriotic and willing to die for their flag and their country, they still remember the cozy homes where sumptuous meals were served them by loving home folks, they remember the movie on the corner where they spent many pleasant evenings, and they recall a thousand pleasures which they no longer enjoy.

The soldier resents strikes and labor bickerings and condemns them. Whether he swelters in the jungles of New Guinea, shivers on the icy slopes of Attu, or crouches in a fox hole in Italy, he lambastes those not doing their part to win this war.

In this state of mind political schemers realize that soldiers are ripe for suggestions. The only news they receive other than letters from home is that which the Office of War Information decides to give them. They are under the leadership of the Commander in Chief and they must be impressed with his sincerity, so with a grandiloquent gesture, national labor conscription is advocated. Advocated, I charge, insincerely, and advocated for no reason except to impregnate the mind of the soldier whose vote is sought, with the belief that the administration is behind him and must force labor to back him also. I consider this inference a reflection on the patriotism of the American worker. In my opinion the contribution of American labor to the war effort has been magnificent. They have given freely of their sons, their sweat, and their dollars. They have performed miracles in production that were never before equaled in world history and I consider this suggested legislation an insult to their patriotism.

I charge that the thought behind this suggestion is that the man in the trench will be convinced by the gesture and support the administration for a fourth term.

Post cards with which to carry on a Federal controlled soldier vote were printed months ago. The blank ballot scheme was evolved later and frantic efforts are now being made to pass it in absolute violation of States' rights. Every Member of this Congress wants the soldier granted the privilege of voting, but they want his vote to be cast according to the Constitution of these United States. The suggested program, although well oiled, has struck a snag. That snag is a bulwark of men in this Congress who think for themselves and are trying to preserve for posterity at least some semblance of the constitutional government inherited from their fathers. It will, I hope, strike a similar snag overseas when our soldiers question its sincerity. If the future may be predicted by judging the past, they can profit by the lesson learned by their fathers through the so-called Economy Act.

I believe that the National Labor Conscription Act and the blank-ballot soldier vote program, along with the renewed promises of a Utopia now broadened to encompass the entire world, are definitely part of a fourth-term program. I brand it as a typical brain-truster scheme. It is a shrewd piece of political chicanery and was evolved by as smart a group of political schemers as ever perpetuated themselves in office by depleting a Federal Treasury. It is typically New Deal.

Various methods have been used to influence the American public in election years by this administration. It has caused strikes and fomented trouble by alining class against class. It has bought votes with W. P. A. jobs and through subsidies attempted to influence industry and agriculture. It has packed our courts and depleted our Treasury. It has deliberately built up sensations and created crises to impress the voters. Such an incident was exemplified in the recent railroad wage dispute in which the stage was deliberately set for the seizing of the rails. This "comedy of errors" reminded me of the old-time melodrama of the silent

movies in which the hero saved the beautiful maiden by dragging her from the rails at the last instant before the train rushed by. In this farce, the hero seized the rails instead of the maiden.

The New Deal leaves an unenviable record, one never before approached by any regime in world history and one that in the future will be condemned as bitterly by Democrats as by Republicans. As the reverberations of its last struggles echo through these legislative halls, I seem to hear a voice that now belongs to the ages whisper:

You can fool some of the people some of the time, and some of the people all of the time, but you can't fool all of the people all of the time.

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. LESINSKI] is recognized for 1 hour.

JURISDICTION OF COMMITTEES OVER VETERANS' LEGISLATION—HOUSE RESOLUTION 29

Mr. LESINSKI. Mr. Speaker, by reason of a sufficient number of signatures being secured to Discharge Petition No. 8, I have been informed that the House will consider next Monday House Resolution 29, which was introduced by the gentleman from Mississippi [Mr. RANKIN], the chairman of the Committee on World War Veterans' Legislation.

This resolution, if adopted by the House, will give legislative jurisdiction to the Committee on World War Veterans' Legislation which rightfully belongs to the Committee on Invalid Pensions, of which I am chairman.

The resolution is a direct infringement upon the established jurisdiction of the Committee on Invalid Pensions, which is the oldest pension committee of the Congress of the United States, having been first established in 1813 as the Committee on Pensions and Revolutionary Claims.

This jurisdictional dispute did not arise in the Committee on Invalid Pensions, and I will briefly outline the history of this attempted infringement upon the legislative jurisdiction of the Committee on Invalid Pensions.

Shortly after the *Panay* incident, in the early part of the Chinese-Japanese War, the Committee on Invalid Pensions began a study relative to the payment of pensions to those that were disabled during active service in our armed forces under conditions simulating war. As this study progressed the *Reuben James* and the *Greer* were destroyed during the so-called shooting war on the Atlantic prior to our entry into the war. This study covered a period of more than a year, and the committee was ably assisted by the Departments of War, Navy, United States Coast Guard, and the Veterans' Administration, and as a result of hearings and conferences, by direction of the committee, I introduced in the Seventy-seventh Congress House bill 6009 on November 12, 1941. That bill had for its objective the payment of wartime rates for disabilities resulting from injury or disease received in line of duty, first, as a direct result of armed conflict, or, second, while engaged in extra-hazardous service, including such service under conditions simulating war, or, third, while the United States is engaged in war.

The House passed this bill on December 9, 1941, which was the very next day after Congress declared war on the Japanese Government, and it was subsequently acted upon by the Senate, and approved by the President on December 19, 1941. It is now known as Public Law No. 359, Seventy-seventh Congress. That was the original pension bill for this war, and because of the thoroughness of the study of our committee and the care taken in drafting the legislation, it is considered by the Veterans' Administration as one of the finest pieces of pension legislation ever placed on the statute books, and the Veterans' Administration has had no difficulty in administering its provisions.

At the time the House passed that bill there was no thought on the part of the membership as a whole that the Committee on Invalid Pensions did not have under the provisions of the House rules complete jurisdiction over pension legislation for the present global war. However, 3 days after the House approved my pension bill the distinguished chairman of the Committee on World War Veterans' Legislation introduced on December 12, 1941, House Resolution 387, which had for its purpose the transfer of jurisdiction over the present global war to the Committee on World War Veterans' Legislation. The introduction of that resolution by the chairman of the Committee on World War Veterans' Legislation was of itself a recognition of the fact that jurisdiction over the present war did not then nor does it now exist in the Committee on World War Veterans' Legislation, and that is why we have under consideration today House Resolution 29.

In order to protect the rights of the Committee on Invalid Pensions, by direction of the committee I introduced a resolution, and hearings were held in February 1942 on these resolutions by the Committee on Rules. Neither one of the resolutions were reported by the Rules Committee, and I was informed by the chairman and other members of the committee, as were members of my committee who accompanied me when we appeared before the Rules Committee, that the House rules, as promulgated by the Rules Committee and amended on January 3, 1939, as to the jurisdiction of the several pension committees were plain and that the Committee on Invalid Pensions had jurisdiction as to the pension legislation of the present war as well as all other wars of the United States except as specified in the rule—namely, the Spanish-American War, the Philippine Insurrection, the Boxer Rebellion, and the World War.

The matter of the committee jurisdiction laid dormant for quite some time, and when it again became a matter of discussion in regard to certain legislation that had been introduced near the close of the Seventy-seventh Congress, I, by direction of the committee, introduced another resolution which incorporated the change of the committee name to the Committee on Veterans' Affairs, which had been suggested by a member of the Rules Committee to former Representative Secrest, of Ohio, who was then a member of the Committee on Invalid Pensions, and who has since resigned from Congress, and is now on active duty with the Navy. The name, Committee on Invalid Pensions, is a misnomer under present conditions, and the name of the committee should be changed, as its present name had its origin by reason of the fact that when the committee was created to handle pension claims based upon service rendered during the Revolutionary War and our early wars—pensions were paid only to those who were invalids, as the result of service-incurred disabilities.

On the opening day of the present Congress, I reintroduced my resolution and it was numbered House Resolution 14, and I, and other members of the Committee on Invalid Pensions, appeared before the Rules Committee on March 2, 1943, and hearings were held on both my resolutions—House Resolution 14—and House Resolution 29—and to the best of my knowledge, final action was never taken by the Rules Committee on either House Resolution 14 or House Resolution 29. This jurisdictional dispute is before the House by reason of the fact that a sufficient number of signatures was placed on Petition No. 8 which discharged the Committee on Rules from the further consideration of House Resolution 29.

The jurisdiction of the three pension committees of the House is outlined in rule XI, clauses 24, 25, and 40.

The House rules, insofar as they refer to the Committee on Invalid Pensions under the provisions of rule XI, clause 24, are as follows:

To the pensions of all the wars of the United States and peacetime service, other than the Spanish-American War, Philippine Insurrection, Boxer Rebellion, and World War; to the Committee on Invalid Pensions.

The fine print that appears beneath clause 24 of the rule, states:

This committe was first established in 1813 as a Committee on Pensions and Revolutionary Claims. Its name and jurisdiction have been changed to suit varying conditions.

The rule was amended on January 3, 1939 (76th Cong., 1st sess.), increasing this committee's jurisdiction so as to include the pensions of all the wars of the United States and peacetime service other than those stated in the rule.

In addition to the established legislative jurisdiction of the Committee on Invalid Pensions under the provisions of rule XI, section 45, it is 1 of the 11 committees of the House, that is privileged to report at any time on general pension bills. No other committee of the House having jurisdiction over pension legislation has this privilege under the provisions of the House rules. The term "general pension bills" is construed to mean bills or legislation general in character such as extending the provisions of the pension laws to an additional class as distinguished from bills of private character. That privilege alone by the senior pension committee of the House is of the utmost importance in considering

veterans' legislation which would necessitate the committee going before the Committee on Rules and taking up the time of the Rules Committee, as well as that of the House, to get a special rule to have considered by the House a general pension bill.

The House rules insofar as they refer to the Committee on World War Veterans' Legislation under rule XI, clause 40, is as follows:

To war-risk insurance of soldiers, sailors, and marines, and other persons in the military and naval services of the United States during or growing out of the World War, the United States Veterans' Bureau, the compensations, allowances, and pensions of such persons and their beneficiaries, and all legislation affecting them other than civil service, public lands, adjusted compensation, and private claims—to the Committee on World War Veterans' Legislation.

The fine print beneath the rule in regard to the historical background of the Committee on World War Veterans' Legislation is as follows:

This committee was established January 18, 1924 (68th Cong., 1st sess.), and its jurisdiction was enlarged so as to include the pensions of World War veterans and their beneficiaries on January 3, 1939 (76th Cong., 1st sess.).

The Committee on World War Veterans' Legislation was established at the request of the American Legion and the leaders of those who participated in the World War, supported by their friends both in and out of Congress.

The Congress has defined the beginning and ending of the World War insofar as it refers to pensions and compensations. It covers a period from April 6, 1917, to November 11, 1918, except that as to service in Russia the ending date is April 1, 1920. The law further provides that if a veteran enlisted on or after November 12, 1918, and prior to July 2, 1921, and had prior service between April 6, 1917, and November 11, 1918, it is to be considered World War service for compensation and pensionable purposes.

This present global war by no stretch of the imagination can be considered World War service; the adversaries are not the same and the theater of activities is not similar. The World War was fought mostly in Europe, whereas the present global war is what its name signifies—globular in nature—and its activities extend to all parts of the world. The instruments of destruction have been so far advanced by modern science that there is no comparison either in the number of persons involved in the present conflict or the extent and means of operation.

Prior to the establishment in 1924 of the Committee on World War Veterans' Legislation, bills affecting World War veterans and their dependents were handled by the Committee on Interstate and Foreign Commerce—in fact, I have been informed that our distinguished Speaker introduced the first World War veterans' legislation and it was handled by the committee of which he was then a member, and later chairman, the Committee on Interstate and Foreign Commerce—the Committee on Ways and Means handled the original insurance legislation for World War veterans and also handled the adjusted compensation—better known as the bonus. The legislation giving preference to World War veterans and their dependents was handled by the Committee on the Civil Service, and the original rehabilitation bill for World War veterans was handled by the Committee on Education. The Committee on Public Buildings and Grounds handled the legislation with reference to the veterans' hospitals and facilities, and other committees of the House have handled legislation that has been of great benefit to World War veterans. It was the so-called Economy Act and the regulations promulgated thereunder that provides the present high rates for wartime disabilities to our veterans and their dependents—this is the basic law—the legislation was handled by the Committee on Ways and Means. The Emergency Officers' Retirement Act was handled by the Committee on Military Affairs—as was the Selective Service Act of both the World War and the present global war—and the mustering-out pay bill was also handled by the Committee on Military Affairs. In fact, if you will make a study of the legislation that has been reported by the Committee on World War Veterans' Legislation, you will find that it has been primarily concerned with the consideration of legislation amending basic laws and adding additional provisions.

It was not until the Seventy-sixth Congress that the House rules were changed to give the Committee on World War Veterans' Legislation jurisdiction over pensions for World War veterans and their dependents. The rule was changed because during the Seventy-fifth Congress, when the late Congressman Gasque of South Carolina was chairman of the Pensions Committee, that committee held hearings and reported a bill proposing to grant pensions to World War veterans. The Pensions Committee considered that bill because of the interpretation placed upon the words "compensation" and "pensions." If my memory serves me right, that bill was sponsored by the Veterans of Foreign Wars. It was but natural for the Committee on World War Veterans' Legislation to resent this attempted infringement by the Pensions Committee upon the jurisdiction of their committee, and it is but natural that the members of the Committee on Invalid Pensions resent the attempted infringement upon the established jurisdiction of the Committee on Invalid Pensions at this time.

The Committee on Invalid Pensions has no desire—nor has it attempted—to take jurisdiction from another committee. The committee asks only to retain jurisdiction over legislation for a group of veterans which clearly comes within the established jurisdiction of the Committee on Invalid Pensions under the present House rules, and as I have heretofore stated, it was the Committee on Invalid Pensions that reported the first legislation that was enacted into law that provided monetary benefits for the veterans and dependents of veterans of this war.

The membership of the Committee on Invalid Pensions is thoroughly familiar with the problems of veterans and dependents of veterans and among its present membership are past officers and members of all the leading veterans' organizations. The members of the Committee on Invalid Pensions are very conscientious in their work and their deliberations, and ample time is afforded to witnesses and those interested in legislation to present their views. It has never been the policy of the Committee on Invalid Pensions to rush through legislation and that is why Public Law 359 of the Seventy-seventh Congress, the first pension law for the present global war, has been considered as a model piece of legislation from the standpoint of administration.

We hear a great deal today and there have been several Members of the House who have made speeches on this floor in regard to the delay in the adjudication of veterans' claims. All of us realize that there have been a tremendous number of casualties, as well as disabilities in our armed forces. In fact, I have been told that it is estimated that at the present time approximately 75,000 persons are being discharged monthly from our armed forces. Of the number of persons already discharged from the armed forces since the beginning of this war, approximately 500,000 persons have been discharged on certificates of disability. The Veterans' Administration has received approximately 200,000 claims to date. In view of the tremendous amount of work in the Veterans' Administration, they have need for approximately 8,000 additional employees to handle the current work. In view of this deluge of work, I am of the opinion that the Veterans' Administration has done remarkably well with its present limited personnel, and I have been informed that they have adjudicated 145,000 of the 200,000 claims filed incident to the present war. However, the Veterans' Administration is behind approximately 75,000 claims and they are receiving them at the rate of 30,000 per month and adjudicating them at the rate of 15,000 per month. A part of the delay in the adjudication of pending claims in the Veterans' Administration can be placed right on the doorstep of the Committee on World War Veterans' Legislation. That committee held hearings on May 13, 1943, on certain bills and reported H. R. 2703. This bill reported by that committee and passed by the House under suspension of rules on June 21, 1943, and was finally approved on July 19, 1943, is now known as Public Law No. 144, Seventy-eighth Congress.

This was supposed to be a uniform pension law, and the legislation not only pertains to veterans of the World War but also veterans of the Civil War, the Indian Wars, the Spanish-American War, the Philippine Insurrection, and Boxer Rebellion, and all veterans who rendered service during peacetime, as well as during any uprising, campaign, expedition, or insurrection—it is all-inclusive as to service rendered by veterans. Inasmuch as the Committee on

World War Veterans' Legislation under the House rules has jurisdiction only over the period of the World War, this legislation was a direct infringement upon the established jurisdiction of not only the Committee on Invalid Pensions but the Committee on Pensions as well. This legislation was rushed through, and has caused such a confusion in the adjudication of claims in the Veterans' Administration that they have not as yet been able to issue instructions and regulations covering certain sections of the law. In fact, although it was enacted into law on July 19, 1943, the first instructions were not issued by the Veterans' Administration until August 12, 1943, and that pertained only to the definition of the term "child." The bill was so far-reaching that the Veterans' Administration had to ponder as to the effective dates of awards and evaluation of disability pursuant to sections 16 and 17 of the bill, and it was not until December 6, 1943, that they issued a service letter—mind you, not a regulation or instruction, but a service letter—in regard to those sections.

As I have heretofore stated, this law, Public Law No. 144 of this Congress, had for its purpose to make uniform the rates payable to veterans and dependents of veterans, but the language of the law was so confusing to the personnel of the Veterans' Administration—it changed so many definitions and commencing dates that were neither explained in the committee report or on the floor of the House—that the regulations and instructions issued to the personnel of the Veterans' Administration are not clear, and the Solicitor's office of the Veterans' Administration has been deluged with requests from the adjudication services for interpretations and decisions which has resulted in a bottleneck in the Solicitor's office since July 19, 1943, the date of approval of Public Law No. 144. This has delayed action in many of the pending claims in the Veterans' Administration. It cannot all be laid, as many would have you believe, to a shortage of personnel in the adjudication services or a shortage of doctors for the various rating boards or because of decentralization from the central office to field offices.

Contrast that with the smoothness and efficiency with which the Veterans' Administration was able to issue instructions and regulations on Public Law No. 359, of the Seventy-seventh Congress, and was the first pension law for the veterans of this global war—in fact, it even provided wartime rates for the maneuvers on land and sea which were under conditions simulating war, as well as the so-called shooting war on the Atlantic prior to our declaration of war on Japan.

I am sure that no one could question that the membership of the Seventy-eighth Congress is veteran-minded and has a sincere and conscientious desire to do everything possible for the best interests of all veterans of all our wars and their dependents, as well as men and women now in our armed forces. However, House Resolution 29 is not a cure-all, but will only cause a greater state of confusion.

The distinguished gentleman from North Carolina [Mr. BARDEN], the chairman of the Committee on Education, in his remarks on this floor, Wednesday, January 19, called the attention of the House to the fact that House Resolution 29 would come up for consideration next Monday, and that there had been referred to his committee a message from the President dealing with the question of the post-war educational program for men in the service and directed the attention of the Members to the fact that the last line of House Resolution 29 states "all legislation affecting veterans." His remarks indicate he is of the opinion that if House Resolution 29 is adopted, it would cause greater confusion because of the fact that much of the legislation going through this House during the next 2 or 3 years will affect our veterans.

There have already been bills referred to the Committee on World War Veterans' Legislation that deal directly with the problems of labor, and, in my opinion, those bills should have been referred to the Committee on Labor.

If you read the provisions of House Resolution 29 carefully, you will find that, if adopted, it will make the Committee on World War Veterans' Legislation a major committee, and it will have almost exclusive jurisdiction over all veterans' legislation other than civil service, public lands, and adjusted compensation, which is the so-called bonus of the World War, and which, under the present House rules, properly comes within the jurisdiction of the Committee on Ways and Means.

Mr. Speaker, since the date that petition No. 8 was placed on the Speaker's table, I have been deluged with letters and telegrams from State officers of the American Legion, the Veterans of Foreign Wars, as well as other veterans' organizations in my State and the officers of the local posts in my congressional district. I have been informed that other members of the Committee on Invalid Pensions, as well as other Members of the House, have been likewise deluged with letters and telegrams. The very tone of the letters and telegrams disclose that the writers have not been presented with the complete picture.

I have for the past 2 years written many letters to the Speaker, as well as to the chairman of the Rules Committee in regard to bills which have been referred to the Committee on World War Veterans' Legislation, which in my opinion were a direct infringement upon the established jurisdiction of the Committee on Invalid Pensions. As I have heretofore stated, I personally appeared before the Rules Committee, both in this Congress and last Congress, and presented the views of the Committee on Invalid Pensions, relative to this attempted infringement upon the established jurisdiction under the rules of the House. When I was home during the holidays I personally talked with the commanders of several of the veterans' organizations in my district and they frankly told me that they did not know what this jurisdictional controversy was all about and that they had sent the letters and telegrams at the insistence of the State adjutant and letters they had received from national officers in Washington.

Mr. Speaker, in my opinion, the veterans of this war are going to be no different than the veterans of other wars. There is no question in my mind that when this war ends the veterans will form their own organizations just like the veterans of other wars, and, just like the veterans of the World War under the leadership of the American Legion, the veterans of this global war will, no doubt, petition Congress for their own veterans' committee to deal with their own problems.

I realize that under present conditions honorably discharged veterans are joining existing organizations. However, the number of persons in our armed forces in this global war is far greater than any other war in which this country has ever participated, and, in my opinion, the veterans of this war will no more perpetuate by their membership now-existing organizations, with the exception of the Veterans of Foreign Wars, which was founded in 1899, than have veterans of prior wars desired to perpetuate the veterans' organizations in existence when they were discharged. In the light of past experience, it has always been the policy of war veterans to form their own organizations for the specific war in which they rendered service.

I therefore appeal to the Members of this House not only in fairness to those young men who are in our armed forces at the present time but those splendid young ladies who are serving in the WAC's, WAVES, SPARS, and MARINES, and the members of the Committee on Invalid Pensions who are thoroughly familiar with the problems of the veterans and their dependents, that the status quo of the present pension committees of the House be retained, and that you do not next Monday support this attempted infringement upon the jurisdiction of the senior pension committee of the House—the Committee on Invalid Pensions. The very fact that it took 218 signers to petition No. 8 to bring House Resolution 29 to the floor of the House for consideration and the fact that that resolution was introduced by the gentleman from Mississippi [Mr. RANKIN], the chairman of the Committee on World War Veterans' Legislation, is of itself a recognition of the fact that jurisdiction over the present global war does not presently exist in the Committee on World War Veterans' Legislation.

This jurisdictional controversy resolves itself into a singleness of issue: Shall the Committee on Invalid Pensions, the senior pension committee of the Congress, retain jurisdiction over legislation for a group of veterans and their dependents for which present House rules specifically provide it has jurisdiction, or are you going to take away from the oldest pension committee of the House its seniority rights and delegate them to the junior pension committee?

I appeal to the membership of this House, in view of the facts I have just stated, that when House Resolution 29 comes before this body for consideration on Monday, January 24, that you do not

adopt same and that you permit the present pension committees to retain their status quo as to legislative jurisdiction.

SPECIAL ORDER

The SPEAKER. Under the previous order of the House, the gentleman from North Carolina [Mr. FOLGER] is recognized for 15 minutes.

Mr. FOLGER. Mr. Speaker, I ask unanimous consent that the special order I have for today may be transferred to Monday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ORDER OF BUSINESS FOR WEEK OF JANUARY 24

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, can the majority leader tell us what the program will be for next week?

Mr. McCORMACK. On Monday we will take up the discharge petition on the motion to discharge the Committee on Rules from further consideration of the Rankin resolution. Debate on the motion to discharge is limited to 20 minutes. If the motion to discharge is adopted, the question then will come on consideration of the resolution.

The next order of business will be the continued consideration of the bill under consideration.

If the Committee on Rules reports out a rule on the soldiers' vote bill it is the intention to bring that bill up if the Senate does not begin debate on a bill reported out of committee yesterday.

Mr. MARTIN of Massachusetts. Would that make any difference? The Senate has already passed one soldiers' vote bill.

Mr. McCORMACK. Frankly, I do not know; but without definitely committing myself it might make some difference to have that bill under debate in the Senate and a similar bill under debate in the House. From information I have received I doubt that the Senate will start debating that bill, but should it do so on Monday or before we call the bill up here there is a probability that we would withhold consideration until we saw what happened in the Senate on the bill reported out yesterday.

The independent offices bill is expected to be reported from the Committee on Appropriations and that will be ready Thursday. If the soldiers' vote bill is taken up it will immediately follow disposition of that bill.

EXTENSION OF REMARKS

Mr. McMURRAY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and to include therein an article by Irving Brandt.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WORLEY. Mr. Speaker, I ask unanimous consent that on Tuesday next, after the disposition of the legislative business of the day and other special orders, I may address the House for 1 hour.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting therein a letter received from Leo T. Crowley, Administrator of the Foreign Economic Administration, correcting a misunderstanding created throughout the country as a result of a misstatement made in connection with the purchase of cloth for certain purposes in French North Africa.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. LANHAM, for 2 days, on account of official business.

To Mr. KEEFE, for today, on account of illness.

ENROLLED BILLS SIGNED

Mr. KLEIN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 3741. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 184. An act to provide for the presentation of silver medals to certain members of the Peary Polar Expedition of 1908–9;

S. 653. An act for the relief of Johnny Newton Strickland;

S. 1080. An act for the relief of John Henry Miller, Jr.;

S. 1488. An act to authorize the Secretary of the Interior to convey to Jose C. Romero all right, title, and interest of the United States in a certain described tract of land within the Carson National Forest, N. Mex.; and

S. J. Res. 108. Joint resolution making an appropriation for contingent expenses of the Senate.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 23 minutes p. m.) the House, pursuant to its previous order, adjourned until Monday, January 24, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE PUBLIC LANDS

The hearings on H. R. 2596, to protect Naval Petroleum Reserve No. 1, will be continued on Monday, January 24, 1944, at 10 a. m.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold hearings at 10:30 a. m. on Tuesday, January 25, and Wednesday, January 26, 1944, on H. R. 2701, H. R. 3012, H. R. 3446, and H. R. 3469.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Tuesday, January 25, 1944, at 10 a. m., the purpose of which will be to consider the civil-aeronautics law as related to the American merchant marine, the development of foreign commerce, and the protection of the national security of the United States.

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 3, 1944, at 10 a. m., on H. R. 2809, to amend section 511 of the Merchant Marine Act, 1936, as amended.

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of subtitle "Insurance of Title II of the Merchant Marine Act, 1936," as amended.

COMMITTEE ON FLOOD CONTROL

SCHEDULE OF HEARINGS ON FLOOD CONTROL BILL OF 1944 BEGINNING TUESDAY, FEBRUARY 1, 1944, AT 10 A. M.

The Flood Control Committee will conduct hearings on flood-control reports submitted by the Chief of Engineers since the hearings conducted in June 1943 and on amendments to existing law. The committee is definitely committed to the view that flood-control projects for post-war construction will be among the most satisfactory public works, and the committee plans an adequate backlog of sound flood-control projects available following the war.

1. Tuesday, February 1: Maj. Gen. Eugene Reybold, Chief of Engineers, will open the hearings with any statements and recommendations he desires to submit covering national flood control and the projects that should be included in the bill to be reported, especially as they are related to national defense and as they will be important following the war to provide sound flood-control projects and desirable public works, and he will supplement his statements submitted to the committee in June 1943 with any recommendations he cares to submit following the said hearings and following the passage of the Emergency Flood Control Act authorizing an appropriation of $10,000,000 for the repair, restoration, and strengthening of levees and other flood-control works passed July 12, 1943. General Reybold will be followed by Maj. Gen. Thomas M. Robins, Assistant Chief of Engineers, and by Col. George H. Goethals, Chief, River and Harbor Flood Control Branch, Office of the Chief of Engineers, who will attend the hearings and will furnish the members of the committee in detail any and all information respecting any and all projects on which favorable reports have been submitted by the Chief of Engineers since June 1943. The district engineers and the division engineers have furnished to the Chief of Engineers data and information covering floods since June 1943 which will be submitted to the committee. It is probable that Brig. Gen. M. C. Tyler, president of the Mississippi River Commission, and the division engineer of the lower

Mississippi Valley Division, and Col. Miles Reber, former division engineer, Missouri River Division, Omaha, Nebr., will appear before the committee with respect to projects along the lower Mississippi River and its tributaries and the Missouri River and its tributaries before the hearings are concluded.

2. Wednesday, February 2: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the Pacific Northwest region, including the Willamette River and the Columbia River and tributaries; proponents and opponents of projects along the Milk River, Mont., the Knife River and tributaries, N. Dak., the Boyer River and tributaries, Iowa, Red Lake River and tributaries, Minn.; proponents and opponents of projects along the Rio Grande River and tributaries, Colo.; proponents and opponents of projects along other rivers in the Western Rocky Mountain region including the States of Colorado and Montana.

3. Thursday, February 3: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Soil Conservation Service, Department of Agriculture and proponents and opponents of projects on rivers flowing into the Gulf of Mexico west of the Mississippi River, including the Trinity River in the State of Texas.

4. Friday, February 4: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects along the upper Mississippi River and tributaries, including the Illinois River and tributaries, the Great Lakes region; and proponents and opponents of projects along Bear Creek, Colo.; Missouri River and tributaries at the Kansas Citys, Mo. and Kans.; Nishnabotna River, Iowa and Mo.

5. Tuesday, February 8: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the Los Angeles area along the Sacramento River and tributaries and along the San Joaquin River and tributaries.

6. Wednesday, February 9: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Bureau of Reclamation, and proponents and opponents on projects along the Kern River and tributaries in the Kern River area and along the Kings River and tributaries in the Kings River area, and including other streams in the San Joaquin Valley.

7. Thursday, February 10: Continuation of the projects discussed on February 9.

8. Friday, February 11: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief Engineers, and proponents and opponents of projects in the upper and lower Ohio River and tributaries, including Salt River at Taylorsville, Ky., the Potomac River and tributaries, the New England region including the Connecticut and Merrimac Rivers, and the Middle Atlantic region, including New York, Pennsylvania, and New Jersey, and the South Atlantic region including rivers flowing into the Atlantic Ocean and Gulf of Mexico east of the Mississippi River.

9. Tuesday, February 15: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, General M. C. Tyler, president of the Mississippi River Commission and division engineer, and proponents and opponents of projects along the lower Mississippi River and tributaries including the Red, Arkansas, including Arkansas River, Conway County, Ark., and Purgatoire (Picket Wire) River, Colo., the White, St. Francis, and Yazoo Rivers.

10. Wednesday, February 16: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Col. Miles Reber, former division engineer, Missouri River Division, Omaha, Nebr., and proponents and opponents of projects along the Missouri River and tributaries.

11. Thursday, February 17: Continuation of the projects discussed on February 16.

12. Friday, February 18: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in other regions in the United States.

13. Tuesday, February 22. Representatives of the Department of Agriculture, the Weather Bureau, Bureau of Reclamation, and other governmental agencies.

14. Wednesday, February 23. Senators and Representatives in Congress.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1096. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Executive Office of the President, Executive Mansion and Grounds, in the amount of $10,000, for the fiscal year 1944, to remain available until expended (H. Doc. No. 147); to the Committee on Appropriations and ordered to be printed.

1097. A communication from the President of the United States transmitting a draft of a proposed provision pertaining to existing appropriations of the War Department for rivers and harbors, designed to make available unobligated balances of such appropriations for the maintenance of an extension of the Cuyahoga River Channel, Cleveland Harbor, Ohio (H. Doc. No. 148); to the Committee on Appropriations and ordered to be printed.

1098. A letter from the Under Secretary of the Interior, transmitting copies of requested changes in personnel ceilings for the quarter ended December 31, 1943, for various bureaus and offices of this Department; to the Committee on the Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MURDOCK: Committee on Indian Affairs. H. R. 3865. A bill to reserve certain public-domain lands in the State of Arizona for addition to the Havasupai Indian Reservation, and for other purposes; without amendment (Rept. No. 1010). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MAAS:

H. R. 4029. A bill to provide titles for heads of staff departments of the United States Marine Corps, and for other purposes; to the Committee on Naval Affairs.

By Mr. VINSON of Georgia:

H. R. 4030. A bill to amend the act approved March 2, 1895, as amended; to the Committee on Naval Affairs.

By Mr. COFFEE:

H. R. 4031. A bill to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. D'ALESANDRO:

H. R. 4032. A bill to transfer property owned by the United States, known as Reservation Sixteen, in the District of Columbia, to the Providence Hospital; to the Committee on the District of Columbia.

By Mr. BURCH of Virginia:

H. R. 4033. A bill relating to the use of the penalty mail privilege; to the Committee on the Post Office and Post Roads.

By Mr. TOLAN:

H. J. Res. 224. Joint resolution to authorize the construction of temporary buildings on the Capitol Plaza Grounds; to the Committee on Public Buildings and Grounds.

By Mr. COFFEE:

H. Res. 404. Resolution to investigate the effect upon the country of the centralization of heavy industry in the United States; to the Committee on Rules.

By Mr. JARMAN:

H. Res. 405. Resolution authorizing the printing of a revised edition of House Document No. 285, Seventy-eighth Congress, first session, entitled "Handbook for Servicemen and Servicewomen, World War No. 2, and Their Dependents," with corrections as a public document, and for additional copies thereof; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DWORSHAK:

H. R. 4034. A bill for the relief of Charles E. La Vatta; to the Committee on Claims.

By Mr. EBERHARTER:

H. R. 4035. A bill for the relief of Ensign Robert S. Zeidman; to the Committee on War Claims.

By Mr. GOODWIN:

H. R. 4036. A bill for the relief of John H. Bonney, the legal guardian of Daniel R. Bonney, a minor; to the Committee on Claims.

By Mr. HARTLEY:

H. R. 4037. A bill for the relief of the City Service Transit Co.; to the Committee on Claims.

By Mr. TOLAN:

H. R. 4038. A bill for the relief of Joseph W. Steel; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4431. By Mr. DAY: Petition of more than 800 voters of the State of Illinois, registering their disapproval of House bill 2861 or Senate bill 1161, known as the Wagner-Murray-Dingell social-security bill; to the Committee on Ways and Means.

4432. By Mr. ENGEL of Michigan: Petition of Milo Colburn and 37 others, opposing the payment of subsidies; to the Committee on Agriculture.

4433. By Mr. O'LEARY: Petition of Frank Mikulas, opposing prohibition legislation; to the Committee on the Judiciary.

4434. By Mrs. SMITH of Maine: Petition of Gedeon Pelletier, of Lewiston, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4435. Also, petition of the Elks Club, of Lewiston, Maine, protesting against consider-

ation by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4436. Also, petition of Leo Lebrun, of Rockland, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4437. Also, petition of George Thibodeau, of Lewiston, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4438. Also, petition of Joseph F. Currier, of Rockland, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4439. By Mr. FORAND: Resolution of the City Council of the City of Providence, R. I., opposing the enactment of House bill 2082, a bill to reduce absenteeism, conserve manpower, and speed production of material necessary for the winning of the war; to the Committee on the Judiciary.

4440. Also, joint resolution of the General Assembly of the State of Rhode Island, requesting the Senators and Representatives from Rhode Island in the Congress of the United States, to use their earnest efforts to have enacted into law a satisfactory measure to authorize the erection of a permanent United States veterans' hospital in the State of Rhode Island; to the Committee on World War Veterans' Legislation.

4441. By Mr. SCHIFFLER: Petition of the secretary of the legislative committee of Local Union No. 1248, Congress of Industrial Organizations, City Bank Building, Wheeling, W. Va., urging the passage of the Green-Lucas soldier vote bill and the defeat of the Eastland bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4442. By Mr. ENGEL of Michigan: Petitions signed by Fred Kundrata, chairman of the legislative committee of the Muskegon Trades and Labor Council, Muskegon, Mich., and 76 others, favoring the subsidy program; to the Committee on Banking and Currency.

4443. By the SPEAKER: Petition of the city clerk of Boston, Mass., petitioning consideration of their resolution with reference to national lottery; to the Committee on the Judiciary.

SENATE

MONDAY, JANUARY 24, 1944

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God our Father, Thou hast housed us in a universe where all is love yet all is law. Morning by morning, Thou bringest Thy judgments to light and we behold both Thy goodness and Thy severity. In devastating events Thy wayward children are reaping the bitter harvest of Thy broken laws. The penalties which wreck our world are telling us that in Thy all-embracing love there are rays of wrath as well as of mercy. In a rocking and reeling earth Thou art teaching us by tragedy that every purpose and policy that is alien from love and based on selfishness is already sentenced to death, because it is resisting the supreme power.

As we see the tragic consequence of our self-will which spoils the splendor of life for others, of our complacent acquiescence of privilege which robs others of their birthright, give us honesty to see and face our sins against our own souls, against our fellowmen, and Thee. Across the havoc of our selfishness may we find a path of discipline and sacrifice leading to a penitent peace that will be a Land of Beginning Again, where with chastened hearts we may build a new home for Thy children after the pattern of Thy purpose and Thy law. We ask it in the dear Redeemer's name. Amen.

ATTENDANCE OF SENATORS

ALBERT B. CHANDLER, a Senatof from the State of Kentucky, D. WORTH CLARK, a Senator from the State of Idaho, and ELLISON D. SMITH, a Senator from the State of South Carolina, appeared in their seats today.

THE JOURNAL

Mr. BARKLEY. I ask unanimous consent that the Journal of the proceedings of the last session of the Senate be approved without reading.

Mr. TAFT. Mr. President, reserving the right to object, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Ferguson	Nye
Andrews	George	O'Daniel
Austin	Gerry	O'Mahoney
Bailey	Gillette	Overton
Ball	Green	Radcliffe
Bankhead	Guffey	Reed
Barkley	Gurney	Revercomb
Bilbo	Hatch	Reynolds
Brewster	Hawkes	Robertson
Bridges	Hayden	Russell
Brooks	Hill	Scrugham
Buck	Holman	Shipstead
Burton	Johnson, Colo.	Smith
Bushfield	Kilgore	Stewart
Butler	La Follette	Taft
Byrd	Lodge	Thomas, Idaho
Capper	Lucas	Thomas, Okla.
Caraway	McCarran	Thomas, Utah
Chandler	McClellan	Truman
Chavez	McFarland	Tunnell
Clark, Idaho	McKellar	Tydings
Clark, Mo.	Maloney	Vandenberg
Connally	Maybank	Wallgren
Danaher	Mead	Wheeler
Davis	Millikin	Wherry
Downey	Moore	White
Eastland	Murdock	Willis
Ellender	Murray	Wilson

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Washington [Mr. BONE], the Senator from New York [Mr. WAGNER], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

The Senator from Florida [Mr. PEPPER], the Senator from New Jersey [Mr. WALSH], and the Senator from Indiana [Mr. VAN NUYS] are detained because of slight illnesses.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from New Hampshire [Mr. TOBEY] is absent on public business.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

Mr. BARKLEY. Mr. President, I renew my request that the Journal of the proceedings of the last session of the Senate be approved without reading.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Journal of the proceedings of the calendar day Friday, January 21, 1944, is approved.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on January 21, 1944, that committee presented to the President of the United States the following enrolled bills and joint resolution:

S. 184. An act to provide for the presentation of silver medals to certain members of the Peary Polar Expedition of 1908–9;

S. 653. An act for the relief of Johnny Newton Strickland;

S. 1090. An act for the relief of John Henry Miller, Jr.;

S. 1488. An act to authorize the secretary of the Interior to convey to Jcse C. Romero all right, title, and interest of the United States in a certain described tract of land within the Carson National Forest N. Mex; and

S. J. Res. 108. Joint resolution making an appropriation for contingent expenses of the Senate.

MESSAGES FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the joint resolution (S. J. Res. 108) making an appropriation for contingent expenses of the Senate.

FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Foreign Relations:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State, showing all receipts and disbursements on account of refunds, allowances, and annuities for the fiscal year ended June 30, 1943, in connection with the Foreign Service retirement and disability system as required by section 26 (a) of an act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor, approved February 23, 1931, as amended.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 24, 1944.*

[Enclosure: Report concerning retirement and disability fund, Foreign Service.]

PROHIBITION OF LIQUOR SALES AROUND MILITARY CAMPS—ADVERTISEMENT OF ALCOHOLIC BEVERAGES—PETITIONS

Mr. BURTON. Mr. President, I present for appropriate reference petitions of sundry citizens of Springfield and New

Carlisle, Ohio, praying for the enactment of Senate bill 860, to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States; Senate bill 569, to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages, and for other purposes, and Senate bill 682, to prohibit the paid advertising of alcoholic beverages by radio in certain circumstances, and for other purposes.

The VICE PRESIDENT. The petitions presented by the Senator from Ohio will be referred to the Committee on Military Affairs.

FEDERAL AID FOR EDUCATION—LETTER FROM SUPERINTENDENT OF SCHOOLS AND RESOLUTION OF BOARD OF EDUCATION, SIMSBURY, CONN.

Mr. MALONEY. Mr. President, I ask unanimous consent that there may be inserted in the body of the RECORD and appropriately referred a letter which I have received from Mr. Henry James, superintendent of schools, Simsbury, Conn., and a resolution adopted by the Simsbury Board of Education disapproving the bill (S. 637) to authorize the appropriation of funds to assist the States and Territories in more adequately financing their systems of public education during emergency, and in reducing the inequalities of educational opportunities through public elementary and secondary schools.

There being no objection, the letter and resolution were referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

SIMSBURY PUBLIC SCHOOLS,
Simsbury, Conn., January 20, 1944.

Senator FRANCIS T. MALONEY,
Washington, D. C.

DEAR SENATOR MALONEY: I am enclosing copy of a resolution passed by the Simsbury Board of Education at its last regular meeting supporting the stand you took in regard to Senate bill 637.

We are of the opinion that you will probably be swamped with petitions and letters from various educational groups in the State urging you to vote in favor of the passage of this bill.

Regardless of the action of the Connecticut Association of School Superintendents and the Connecticut State Teachers Association there are still rugged individualists, perhaps in a minority, who believe that we should pay our own way from local funds and not expect a hand-out from the Federal Government.

Respectfully yours,

HENRY JAMES,
Superintendent of Schools.

Whereas the Simsbury Board of Education does not approve of Senate bill 637, Federal subsidy of education, because it believes—

1. That education is not a Federal function.

2. That Federal aid for education will destroy local self-government in education and eventually result in Federal control: Be it

Resolved, That the action of Senator JOHN A. DANAHER and Senator FRANCIS T. MALONEY in voting against this bill be endorsed, and that they be encouraged further to oppose any attempt to have this bill passed at this session of Congress; and be it further

Resolved, That a copy of this resolution be sent to each respective Senator from Connecticut and one copy spread upon the minutes of the meeting of the Simsbury Board of Education.

ORGANIZATION OF THE CONGRESS—EDITORIAL FROM WASHINGTON POST

Mr. MALONEY. Mr. President, I also ask unanimous consent that there may be inserted in the body of the RECORD, and appropriately referred, an editorial from the Washington Post of yesterday, Sunday, January 23, 1944, entitled "Study of Congress."

I present this article in connection with Senate Concurrent Resolution 23, which I submitted on November 9, 1943, and which was referred to the Senate Committee on Rules.

There being no objection, the editorial was referred to the Committee on Rules and ordered to be printed in the RECORD, as follows:

STUDY OF CONGRESS

Congress has reacted very slowly to the efforts to modernize its machinery and reorient it in our present system of big government. All the outstanding reforms suggested by Members and critics of Congress are yet to be accomplished. Yet the American Political Science Association's Committee on Congress believes that changes are on the way. In its third progress report the committee points out that modernization of Congress is now a topic of widespread discussion. There is a growing awareness that Congress will have to improve its methods of operation if it is to remain a great democratic legislature in the complicated post-war era. "Its ability to play its role successfully," as the committee points out, "will depend upon its willingness to appraise and modify not merely its internal machinery, methods, and customs, but the whole question of its place in our scheme of government, including its relations with the Executive, on the one hand, and with the people, on the other."

The committee visualizes Congress declining in public esteem and leadership if it attempts to carry its colossal burden of work without modernizing its machinery. That could mean only further shifting of responsibility and power to the President. Even if Congress goes half way with the reformers, it will have a difficult time arresting the decline of its powers. Mr. George B. Galloway and his fellow explorers in the wilderness of congressional custom, tradition, seniority, and habit do not want to stop at the half-way mark. They are urging Congress to reappraise the whole problem of a representative legislature "in an era of wide and expanding Federal powers."

What the experts seem to be saying is that Congress will have to modernize its own machinery or surrender more of its policy-making functions to the bureaucrats. Now, that is precisely what Congress wishes to avoid. So it should have the greatest possible interest in strengthening its own ability to act in the public interest. A few alert Members are working persistently toward this end, among them Representatives DIRKSEN, KEFAUVER, and MONRONEY, Senators LA FOLLETTE, MALONEY, and others. Some of them have proposed admirable specific reforms, such as a question period in the House for the heads of executive departments and the development of congressional research staffs. But by all odds the most hopeful measure on this subject is the Maloney-Monroney resolution to create a joint committee on ways and means of improving the organization and effectiveness of Congress.

In fairness to itself, we believe, Congress should hasten to get this study under way. The country cannot be saved from the extremes of bureaucracy merely by hampering the President. Nor can it substitute positive and constructive policies for the present planless muddling on the domestic front unless Congress itself is organized to function as a modern, responsible policy-making body. We think it is time for Congress to take a long and critical look at itself, and the best possible beginning would be the designation of a handful of its most alert and forward-looking Members to launch such a study.

CONSUMER FOOD SUBSIDIES—RESOLUTION BY BELLVIEW GRANGE NO. 1655, FREDONIA, KANS.

Mr. CAPPER. Mr. President, I have just received copy of a resolution, adopted by Bellview Grange No. 1655, Patrons of Husbandry, Fredonia, Kans., which I believe is of interest in connection with the legislation to extend the life of the Commodity Credit Corporation. I read the resolution, which was formally approved January 12, 1944:

Resolved, That Bellview Grange goes on record as being opposed to subsidies and special crop parity payments for agriculture, but rather is in favor of fair prices which will guarantee cost of production and a fair profit for all farm commodities.

The resolution is certified by W. L. Fields, master, and Mrs. Marie Myers, secretary, of Bellview Grange.

I do not intend at this time to enter into a discussion of the consumer food subsidies; but I should like to say that I consider the consumer food subsidy program a most dangerous one for the Government to adopt.

In the first place, subsidies lay the groundwork for more inflation; they are not a brake against inflation at all. The reason is simple, and easily understood. Price inflation is caused by an increase in spending power going into a market where there is no corresponding increase in the supply of goods, or where there is a lesser supply of goods. The consumer food subsidy increases purchasing power; it does not increase production of commodities.

In the second place, it is thoroughly unsound to educate consumers to expect the Government to help pay their grocery bills, especially at a time when the national income is the highest on record; when wages and industrial incomes are the highest on record; when the percentage of the consumer's dollar spent for food—21 cents on the dollar—is the lowest in recorded history of this country. If it is necessary for the Government to subsidize the grocery bill under these conditions, what will be the situation when the national income drops, when there is unemployment? Can any administration drop the food subsidies, once they are firmly established?

In the third place, it is unfair to the generation of men and women in the armed services to load on them the cost of food consumed by war workers at home when the war workers are getting the highest salaries and wages and net incomes they ever have received. The idea of drafting men to fight for their country, and then creating a situation whereby when they come back to civil life they will have to help pay the grocery

bills of civilian workers—plus interest—is thoroughly repugnant to me.

In the fourth place, I hate to see this country turned into a Nation of Treasury subsidy addicts. Subsidies are a habit-forming economic drug, in my judgment.

Mr. President, I request that the resolution be appropriately referred.

The VICE PRESIDENT. The resolution presented by the Senator from Kansas will be referred to the Committee on Banking and Currency.

COMPLAINTS OF FARMERS — LETTER FROM HENRY FIELD

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred, a letter I have just received from Henry Field, of Shenandoah, Iowa, where he operates radio station KFNF and several other concerns.

Mr. Field is in as close touch with the farmers of the Corn Belt as anyone I know. He writes me what they are telling him, and I believe it is worth the while of every Senator to read his interesting and informative letter.

There being no objection, the letter was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

SHENANDOAH, IOWA, *January 18, 1944.*

Senator ARTHUR CAPPER,

Senate Office Building, Washington, D. C.

FRIEND CAPPER: At my desk here in the seedhouse I meet literally hundreds of farm men and women every day, and lots of them sit down at my desk and tell their troubles. I seem to be a very popular "wailing wall" for the farm folks.

I think it would interest you to know just what their particular troubles are at this time. I know that unasked advice is worth just about what it costs, which is nothing at all, but I am going to take a chance on it and stick my neck out by offering a little free advice.

They seem to have two outstanding troubles just now. I don't know whether you would call them particularly troubles, but anyway things they are inclined to do a lot of grumbling about, and things that they wish you, or some other smart man, would fix up.

First and foremost is the strike situation. They are intensely bitter about strikes. I don't think I have ever seen them as bitter about anything as they are about industrial strikes right now. They have been working long hours in all kinds of weather, often as much as 14 or 16 hours a day, and that includes everybody on the place from 10-year-olds to 80-year-olds with no chance to get help from the outside, or if they do get help it's a pretty poor class of help, something that the industrial centers won't have at any price. They get no 40-hour week, nor any time-and-a-half overtime, nor double time for Sunday, and then to hear about these strikes in the industrial centers, it makes them see red, or some other dangerous color, and they are going to go all out for anybody who will show some signs of cracking down on that situation and will have the nerve to go ahead with it.

Their other main trouble is this terribly complicated income-tax form, which they have just received within the last few days. I don't see how they are ever going to get it filled out correctly. They are perfectly willing to pay an income tax, and they would do it cheerfully if there was some more simple and clear way to figure it out. To try and figure out one of these present tax forms is enough to drive a man crazy, and it's going to be a very real and increasing source of irritation and resentment. They are going to blame it mostly on Congress, too. I realize, of course, that the Treasury Department and a lot of other people are mixed up in it, but they blame it mostly on the Congress, and it's you fellows who are going to catch the seven kinds of hell they are going to give you about it. There are several other sore spots, but these two are the real urgent ones right now.

The egg price situation and the hog situation are getting worse all the time, and are liable to move up along with these two before the next 2 months are over, but that's another story.

Now, I don't suppose that anything can be done about these troubles, but I just thought I would tell you about them.

Yours truly,

HENRY FIELD.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

(Mr. BREWSTER introduced Senate bill 1662, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

By Mr. MCCARRAN:

S. 1663. A bill to amend the Civil Service Retirement Act of May 29, 1930, with respect to the credit to be allowed for military or naval service performed after September 16, 1940, and prior to the end of 6 months after the termination of hostilities in the present war; to the Committee on Civil Service.

By Mr. DOWNEY:

S. J. Res. 111 (by request). Joint resolution to authorize the equitable adjustment of the wages and salaries of employees of the United States; to the Committee on Civil Service

DEFERMENT OF REGISTRANTS ENGAGED IN TIMBER OR PULPWOOD LOGGING OPERATIONS

Mr. BREWSTER. Mr. President, I introduce for appropriate reference a bill to amend the Selective Training and Service Act of 1940, as amended, to defer registrants engaged in timber or pulpwood logging operations, and I ask unanimous consent that a brief statement relating to the bill may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill (S. 1662) to amend the Selective Training and Service Act of 1940, as amended, to defer registrants engaged in timber or pulpwood logging operations was read twice by its title and referred to the Committee on Military Affairs.

The statement presented by Mr. BREWSTER in connection with the bill is as follows:

CRITICAL SHORTAGE OF PULP AND PAPER PRODUCTS IMMINENT

From available information there is every indication that before the end of 1944 the country will be faced with a paper and paperboard shortage which will be catastrophic. Sixty percent of the paper and paperboard manufactured in this country has wood pulp as its principal fibrous constituent. Wood pulp is manufactured from pulpwood, and the principal difficulty confronting the pulpwood consuming industries is the shortage of manpower in the woods which has resulted from the induction of trained woodsmen into the armed forces and the diversion of woods workers into various important industries, such as shipbuilding, airplane construction, and other similar industries.

During the year 1943 pulpwood inventories in the hands of consuming mills were decreased by approximately 25 percent and are now at a dangerously low level. Pulpwood received by the mills during 1943 was some 2,400,000 cords or 15 percent below the quantity received in 1942. More important, however, is the fact that according to reliable information available to me the pulpwood cut during 1943, which will comprise the bulk of the wood delivered during 1944, was some 30 percent below the quantity cut in 1942.

The situation varies between regions but is serious in all. In the Pacific Northwest several of the large market pulp mills which produce over 50 percent of the wood pulp available to the United States market have been down for many months. In the southern region, which is the center of the great kraft paper and board industry, many mills were forced to operate during the summer of 1943 at low operating ratios due to the shortage of wood, and in the Northeast and Lake States regions, where current wood operations are respectively 32 percent and 25 percent below operations in 1942, many mills are operating only part time. All of this adds up to a greatly reduced production of wood pulp at a time when Government, military, and essential civilian requirements for paper are at or near the highest level in the history of this country.

In an effort to conserve the use of wood pulp and pulpwood, practically all users of paper are subject to use limitation orders issued by the War Production Board. Newspapers, magazines, and other papers have been cut back in their use approximately 25 percent and this, if continued, constitutes a serious threat to our American free press. Over-the-counter items such as toilet tissues, paper towels, napkins, and similar sanitary grades of paper are in an increasingly tight situation. The consumption of wrapping paper, bags, and other mechanical papers has already been drastically reduced and further reductions are in prospect. A conservation program directed at Government, military, and industrial and household consumption of paper has been launched on a Nation-wide scale, but the saving in wood pulp accomplished through this measure will offer no adequate solution to this problem.

Every effort has been made to alleviate the manpower shortage in the woods by the use of prisoners of war, by the utilization of farmer-operated pulpwood and by other expedients. These measures have been only moderately successful, and it appears to be essential that Congress enact legislation and that the War Manpower Commission and the Selective Service System promptly issue appropriate regulations which will result in returning manpower to the woods.

CONTINUATION OF COMMODITY CREDIT CORPORATION—AMENDMENT

Mr. BUTLER submitted an amendment intended to be proposed by him to the bill (H. R. 3477) to continue the Commodity Credit Corporation as an agency of the United States, to revise the basis of annual appraisal of its assets, and for other purposes, which was ordered to lie on the table and to be printed.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES—AMENDMENTS

Mr. OVERTON submitted three amendments, and Mr. EASTLAND (for himself, Mr. MCKELLAR, Mr. MCCLELLAN,

Mr. BANKHEAD, Mr. RUSSELL, Mr. OVERTON, Mr. BYRD, and Mr. BAILEY) submitted an amendment intended to be proposed to the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, which were severally ordered to lie on the table and to be printed.

CONTINUATION OF AUTHORITY FOR GENERAL SURVEY OF INDIAN CONDITIONS

Mr. THOMAS of Oklahoma submitted the following resolution (S. Res. 243), which was referred to the Committee on Indian Affairs:

Resolved, That Senate Resolution 79, agreed to February 2, 1928, and continued by subsequent resolutions, authorizing the Committee on Indian Affairs, or any subcommittee thereof, to make a general survey of the condition of the Indians in the United States, hereby is continued in full force and effect during the Seventy-ninth Congress.

CONTINUATION OF SENATE SPECIAL SILVER COMMITTEE—GOLD AND SILVER PRODUCTION

Mr. THOMAS of Oklahoma submitted the following resolution (S. Res. 244), which was referred to the Committee on Banking and Currency:

Resolved, That Senate Resolution 187, agreed to August 16, 1935, as amended by motion on January 16, 1939, increasing the membership of the committee to nine Senators instead of five, and as further amended by Senate Resolution 261, agreed to June 29, 1942, authorizing a special committee of nine Senators, to confer with the Secretary of the Treasury relative to the administration, and the economic and commercial effect in the United States and abroad, of the Silver Purchase Act of 1934 (48 Stat. 1178), and to make a full and complete investigation with respect to the production, or the lack of production, of gold and silver in the United States and its Territories, etc., hereby is continued in full force and effect during the Seventy-ninth Congress.

"BOONDOGGLING, CHAPTER 2"—EDITORIAL FROM THE OMAHA WORLD-HERALD

Mr. WHERRY. Mr. President, I have in my hand an editorial entitled "Boondoggling, Chapter 2," from the Omaha (Nebr.) World-Herald of January 21, 1944. The basis of the editorial was, of course, the speech of the senior Senator from Nebraska [Mr. BUTLER], which he delivered in the Senate Chamber a few days ago. I should like to have the editorial printed in the body of the RECORD.

BOONDOGGLING, CHAPTER 2

To substantiate his earlier charges of boondoggling by the United States in South and Central America, Senator BUTLER has presented to the Senate an auditor's report by James A. Councilor & Co., certified public accountants of Washingon, D. C.

The report does not pretend to be complete because, as the Senator says, "the sums of public money for which no public accounting is made are too vast. The technique of concealment is too well developed." But it does show that the expenditures, obligations, commitments, encumbrances, authorizations, loans, and extensions of credit by the United States for the years 1942, 1943, and 1944 have now reached a total of at least $5,733,933,534—without including the Canal Zone, Puerto Rico, the Virgin Islands, or any other Territory of the United States.

The total is mighty close to the round sum of $6,000,000,000 first mentioned by the Senator, which administration spokesmen branded as 95 percent inaccurate.

No one would be so foolish as to intimate that all of the six billions, more or less, was wasted. Considerable sums were spent for military installations and other legitimate war purpose. But some of the items listed fill the reader with wonder. For example, these:

The $778,982,997 advanced by the Export-Import Bank for various items, including financing handicraft projects and hat-manufacturing aid.

The $75,000 put up for an experimental station in Ecuador, including recreational facilities, tennis courts, and swimming pool.

The $28,200 for the Mexican fishery mission.

The $12,500 to record folk music in other American republics.

The $10,900 to survey collections of Latin-American music and preparation of bibliographies.

The $29,000 for a guide to official publications of Latin America.

The $39,993 for preparation of a handbook of the South American Indians.

Not to mention the $100,000 for a convention for the promotion of inter-American cultural relations.

And ever so many more.

A good-neighbor policy? Maybe it is. But perhaps ordinary, hard-working citizens may be pardoned if they ask if this is the sort of thing President Roosevelt has in mind when he advocates a New Deal for the whole, wide world.

OUR DIPLOMATIC ARM—EDITORIAL FROM WASHINGTON POST

Mr. GILLETTE. Mr. President, under date of January 22, there appeared in the Washington Post a very interesting editorial entitled "Our Diplomatic Arm." While I am not in agreement with some of the criticism contained in the editorial and directed toward the reorganization of the State Department, yet there are some challenging and thought-provoking statements in the editorial, and I ask unanimous consent that it be printed in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OUR DIPLOMATIC ARM

Questions which are left in the wake of the Pravda article will not down. They have to do as much with American as with Russian policy. After the Moscow and Teheran Conferences the American public were given the impression that no misunderstandings on war or peace policy were left among the Allies. On this score the returning conferees filled the country with exhilarating confidence. The Allies "agreed on every point concerned with the launching of a gigantic attack on Germany" and with the treatment of Germany. They likewise agreed on the basic principles governing the peace. Without a doubt, Pravda has overclouded both claims. With a jolt the public now realizes that the basic principle of any relations has been endangered, namely, faith. At any rate, within less than a month of the conclusion of the Teheran parley the relations between Britain and America on the one hand and the Soviet Union on the other have become confused.

What seems to have happened at Teheran is that Britain and America listened to Marshal Stalin's reiteration that the carving of his western frontier was not susceptible of discussion. The settlement was to be bilateral between Russia and the country concerned. We were left with the choice either of accepting or rejecting this stand. Evidently we did neither, but heard out the man in the Kremlin, who doubtless thought the issue had been disposed of. The issue, however, came up almost before the conferees had gotten home. And Moscow saw the Polish Government in exile talking it over with the British. It found itself put on the spot by the possibility of a public proffer of good offices from both Britain and America. We would venture the guess that Stalin imagined that at Teheran he had excluded such third-party intermeddling. The guess is also justifiable that we came back from Teheran with the same hope with which we went there, instead of translating it into a policy, say, local settlement.

Thus the confusion is all around. The moral is that we must iron out a policy on the specific problems in our foreign affairs as they are now envisaged. Otherwise the existing confusion will be dangerously compounded. We could ourselves think up Mr. Hull's 30 or 40 problems which he, but nobody else, has remitted for post-war consideration. For instance, the attitude of the Soviet Union over its western frontiers is likely to be repeated over its eastern frontiers. We must at least be prepared for that contingency. If we are any judge, Manchuria may become a problem child among the big powers, as Poland now is. From the standpoint of individual security Moscow has just as much reason to roll back the far eastern map as to roll back the eastern European map. It is all very well to entertain a hope that maybe Russia will consider future problems in terms of collective security. We must be prepared to consider what shall be done if she doesn't, and to argue our case into a common policy when the time comes for discussion. In other words, an American policy must be developed on the whole subject of the Russian frontier, among other subjects.

This brings us to the problem of the reorganization of our diplomatic machinery to cope with our constipation in respect to policy. A new world is being created de novo. One of the chief artificers is the United States. And this titanic task requires new staff work—just as the military effort required new staff work. It was fantastic to think that we could win the war with our peacetime General Staff. What has happened in this respect is a vast recruitment of expert personnel in the armed services and in the Office of Strategic Services topped by the Joint Chiefs of Staff Committee. That reorganization is helping us win the war. It was imaginatively and audaciously conceived. And Congress backed it with ample funds. The same metamorphosis on our diplomatic front is required in connection with the problem of winning the peace. What happened last week end at the State Department, however, was reorganization by way of phony finagling. The furniture inside was shifted around, and post-war advisory committees were set up in public though they had already been established in private.

The sequence of all good staff work, as we have found in military matters, is intelligence planning operations. Intelligence is an internal function. But there is no sign in the present plan that the State Department has gone outside its present ranks for the recruitment of experts, as the military have done. Planning may or may not be the function of the new advisory committees. We are in some doubt about this. The word "advisory" reminds us of the decoration in nomenclature that adorns the letter paper of eleemosynary institutions. Planning, not advisory, committees are what

we ourselves had suggested in our various pleas for reorganization. And the planners should be thoroughly representative of the country's best brain power, of course, but also of the legislative as well as the executive branch. After all, this new world we are called upon to build will one day have to be underwritten in the Senate. As Senator WILEY, with whose ideas on this subject we have often expressed agreement, has said, the Senate is lacking at present a liaison in information, let alone in planning. Operations, of course, can be guided by our experienced Foreign Service officers. Little expansion is needed in operations, though there should be more recognition of the new realities of diplomacy. The rapidity of modern communications is enabling governments more and more to bypass the diplomatists in the field. Thus the need for operational strength has shifted from the periphery to the center.

The urgency of a real reshuffle in the diplomatic arm in this dynamic world is acknowledged even in traditional Britain. There the liveliest discussion is going on around a proposal to set up a ministry of foreign policy, with separate departments for the day-to-day conduct of diplomacy, for overseas trade, for information. Each of these departments would be as big as the old Foreign Office. There is nothing phoney about the proposals which the British are now discussing. Theirs are new, thoroughgoing, up to date. On the contrary, our country seems to be content with puttering with the same pattern. That is what the reorganization plan amounts to. It shows that the State Department is still tied to a dead-and-gone world in which even the submission of its own too small budget is regarded as slightly humiliating.

The subject is important enough to warrant the President in appointing a commission to study it and make recommendations, instead of letting it be handled by Foreign Service officers passing around fancy charts. How urgent is the need for the modernizing, strengthening, and rationalizing of our diplomatic arm is highlighted by the present crisis in eastern Europe. The people know nothing about our policy in the matter. They have had fine words, and these are now sounding hollow as they collide with harsh realities. We shall find wisdom if we begin with realities both in the formulation of policy and in the means of prosecuting it.

HIGH FINANCE—EDITORIAL FROM THE WASHINGTON POST

[Mr. McKELLAR asked and obtained leave to have printed in the RECORD an editorial entitled "High Finance," published in the Washington Post of January 22, 1944, which appears in the Appendix.]

VOTES FOR SOLDIERS

[Mr. LUCAS asked and obtained leave to have printed in the RECORD several editorials relating to votes for soldiers, which appear in the Appendix.]

AN INTERNATIONAL OFFICE FOR EDUCATION—ARTICLE BY GEORGE JOHNSON

[Mr. HATCH asked and obtained leave to have printed in the RECORD an article entitled "An International Office For Education," by George Johnson, which appears in the Appendix.]

NEW SLOGAN, NEW NAME—LETTER FROM ALVIN C. DICKOVER

[Mr. HOLMAN asked and obtained leave to have printed in the RECORD a letter from Alvin C. Dickover, published in the Portland (Oreg.) Journal of January 14, 1944, which appears in the Appendix.]

A ROAST IN EVERY POT—EDITORIAL FROM THE PORTLAND OREGONIAN

[Mr. HOLMAN asked and obtained leave to have printed in the RECORD an editorial entitled "A Roast in Every Pot," from the Portland Oregonian of January 19, 1944, which appears in the Appendix.]

THE ACOUSTICS OF THE SENATE CHAMBER

[Mr. TUNNELL asked and obtained leave to have printed in the RECORD a communication from a Washington resident dealing with the acoustics of the Senate Chamber, published in a recent issue of the Washington Star, which appears in the Appendix.]

THE GOOD-NEIGHBOR POLICY IN LATIN AMERICA — ARTICLE BY FRANK C. WALDROP

[Mr. WILLIS asked and obtained leave to have printed in the RECORD an article entitled "Snagged By the Record," written by Frank C. Waldrop, and published in the Washington Times-Herald of January 21, 1944, which appears in the Appendix.]

THINGS TO BE AVOIDED—LETTER FROM HERBERT WRIGHT TO THE NEW YORK TIMES

[Mr. DANAHER asked and obtained leave to have printed in the RECORD a letter entitled "Things to Be Avoided," written by Herbert Wright and published in the New York Times of January 23, 1944, which appears in the Appendix.]

THE CALENDAR

The VICE PRESIDENT. Morning business is concluded.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the calling of the calendar be dispensed with.

Mr. TAFT. Mr. President, I object.

The VICE PRESIDENT. Objection is made by the Senator from Ohio.

Mr. BARKLEY. If the calendar is to be called, Mr. President, I ask unanimous consent that the call begin where we left off previously, which would be Calendar No. 585, at the top of page 7, of the calendar.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky.

Mr. TAFT. Yes, Mr. President; I object. It seems to me that at the beginning of the session we ought to go back and call the entire calendar.

Mr. President, I do not want to be captious, but the rules of the Senate provide that the calendar should be called every Monday. It seems appropriate that it should be called every Monday, instead of being called at times when many of the Senators do not know that it is to be called. There are some important measures on the calendar which have been there since December, which I think should be considered, and I believe it would be agreeable to all concerned that they be considered. So I object.

Mr. BARKLEY. Mr. President, I appreciate the enthusiasm of the Senator from Ohio with respect to the calling of the calendar on Monday. The Senator has been a Member of this body for nearly 6 years, and I do not recall that he has ever heretofore objected to dispensing with the call of the calendar. I thoroughly understand the object of the Senator's objection. It is not his interest particularly in the calendar, but it is a desire to postpone or to bring about a parliamentary situation whereby the motion to take up the soldiers' voting bill may be postponed. I think the RECORD ought to show that this is the first time the Senator from Ohio has ever objected to dispensing with the call of the calendar, and that he is doing it at this time in order to avoid a motion being made during the 2-hour morning period to proceed with the consideration of the soldiers' voting bill.

The VICE PRESIDENT. The clerk will call the first bill on the calendar.

Mr. TAFT. Mr. President, of course the rules of the Senate provide for the calling of the calendar. It does not seem to me that any Senator needs any excuse for asking that it be called. Certainly one of my purposes is to make the motion to take up the soldiers' bill debatable, which I think is a worthy purpose, because when the Senate has passed one bill on the same subject, and the subject is presented again, certainly the question whether we shall take up the time of the Senate again with the same subject should be debated. I see no reason for believing that the calling of the calendar will not be concluded before 2 o'clock so that the motion will not be debatable after it is concluded, but neither do I see any reason to set aside the regular procedure of the Senate provided in the rules in order to make the motion not debatable.

Mr. BARKLEY. The Senator is within his rights in objecting to the request I made. I simply wish the RECORD to show why the Senator has objected, and I assume from the Senator's remarks that he intends to oppose a motion to take up the bill even if it is made before 2 o'clock.

The VICE PRESIDENT. The clerk will call the first bill on the calendar.

BILLS AND OTHER MEASURES PASSED OVER

The bill (S. 40) to provide that the term of the Governor of Puerto Rico shall expire upon the enactment of this act and at the end of each 2-year period thereafter, was announced as first in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 403) for the relief of certain claimants who suffered losses and sustained damages as a result of the campaign carried out by the Federal Government for the eradication of the Mediterranean fruitfly in the State of Florida, was announced as next in order.

Mr. VANDENBERG. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 675) to amend the Selective Training and Service Act of 1940, as amended, so as to extend the benefits of the Employees' Compensation Act, to conscientious objectors, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 19) to amend the act of July 3, 1926, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in claims, which the Crow Tribe of Indians may have against the United States, and for other purposes," was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 168) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in any and all claims which the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation in Montana, or any tribe or band thereof, may have against the United States, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 409) authorizing the Arapahoe and Cheyenne Indians or any band thereof to submit their claims against the United States to the Court of Claims, and for other purposes, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 670) conferring jurisdiction upon the Court of Claims to hear and determine the claims of the Prairie Band or Tribe of Pottawatomie Indians of Kansas and Wisconsin against the United States, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 445) authorizing an appropriation for payment to the Osage Tribe of Indians on account of their lands sold by the United States was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 23) authorizing the western bands of the Shoshone Nation of Indians to sue in the Court of Claims, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 205) conferring jurisdiction upon the District Court of the United States for the Southern District of Florida, to hear and render judgment upon claims for damages resulting in the improvement of the Intracoastal Waterway, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 875) to provide for the preparation of high school students for wartime service, was announced as next in order.

Mr. BARKLEY and Mr. TAFT. Over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 26), authorizing the President to proclaim the Sunday before Memorial Day as a day for memorial services for deceased firemen, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 249) providing for taxation by the States and their political subdivisions of certain real property acquired for military purposes, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1106) to prohibit the allowance of credit in computation of lump-sum payments to Air Corps Reserve officers, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 25) proposing an amendment to the Constitution of the United States granting equal rights to men and women, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 1120) to amend an act entitled "An act to provide for the posthumous appointment to commissioned or noncommissioned grade of certain enlisted men and the posthumous promotion of certain commissioned officers and enlisted men," approved July 28, 1942, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1088) to amend the Agricultural Act of 1938, as amended with respect to the sale of cotton held by or on behalf of the United States, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (H. J. Res. 108) commemorating May 15, 1943, as the anniversary of the inauguration of airmail service, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 1046) to repeal section 2 of the act entitled "An act for the preservation of American antiquities," approved June 8, 1906, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 683) to provide for the recognition of the services of the civilian officials and employees, citizens of the United States engaged in and about the construction of the Panama Canal, was announced as next in order.

Mr. BYRD. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1257) authorizing wartime construction and operation and maintenance of reclamation projects, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1272) to amend section 313 of the Federal Corrupt Practices Act, 1925, as amended, for the purposes of making the provisions of such section prohibiting political contributions apply equally to labor organizations and management organizations, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 54) authorizing the President of the United States of America to proclaim October 11, 1943, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The joint resolution will be passed over.

The joint resolution (S. J. Res. 82) to create the War Shipping Field Service was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 865) suspending for the duration of the war the limitations upon the compensation of certain retired personnel employed by the Government was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 7) making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other elections for national offices was announced as next in order.

Mr. BARKLEY and Mr. RUSSELL. Over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 195) requesting an investigation concerning Government property and materials no longer needed for war purposes was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 1323) for the relief of Mrs. Margaret M. Ross was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 1388) to authorize the acceptance of donations of land for the construction of a scenic parkway to provide an appropriate view of the Great Smoky Mountains National Park was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 3428) to amend sections 6, 7, and 8 of the act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska" was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1232) to provide equitable compensation for useful suggestions or inventions by personnel of the Department of the Interior was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 866) to fix the compensation of registers of the district land offices in accordance with the Classification Act of 1923, as amended, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1335) to amend the act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain, as amended," was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1418) to provide for the adjustment of maximum prices on milk, and for other purposes, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1326) for the relief of Charles A. Straka, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1399) for the relief of Frank Knowles, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 3189) for the relief of Thomas Lewis, was announced as next in order.

Mr. McCARRAN. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 550) for the relief of Mrs. Renzie Graham, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 616) for the relief of Mrs. Mary Vullo, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1433) for the relief of Clarence A. Giddens was announced as next in order.

Mr. DOWNEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1484) for the relief of Walter Eugene Hayes was announced as next in order.

Mr. HILL. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1112) for the relief of Taylor W. Tonge was announced as next in order.

Mr. DOWNEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 2340) for the relief of the Postal Telegraph-Cable Co. was announced as next in order.

Mr. DOWNEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 3076) for the relief of the legal guardian of Arthur J. Martin, Jr., a minor, was announced as next in order.

Mr. DOWNEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 1311) for the relief of Dan Crotts was announced as next in order.

Mr. DOWNEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 480) for the relief of Francesco P. Mastrilli was announced as next in order.

Mr. DOWNEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 2131) for the relief of Henry Angell was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 556) for the relief of Pedro Jose Arrecoechea was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 850) for the relief of George M. Louie was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 1467) to record the lawful admission to the United States for permanent residence of Rev. Julius Paal was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 429) authorizing the President of the United States to award posthumously in the name of Congress a medal of honor to William Mitchell was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1340) to establish a sanitary code governing the operation of restaurants in the District of Columbia was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 2697) to provide for the disposal of materials or resources on the public lands of the United States which are under the exclusive jurisdiction of the Secretary of the Interior was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 324) to place postmasters at fourth-class post offices on an annual salary basis and fix their rate of pay and provide allowances for rent, fuel, light, and equipment, and fix the rates thereof, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 2836) to grant increases in compensation to substitute employees in the Postal Service, and for other purposes, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1546) to amend an act relating to the incorporation of Providence Hospital, Washington, D. C., approved April 8, 1864, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1554) to amend the act entitled "An act to change the name of Conduit Road in the District of Columbia," approved March 4, 1942, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 2199) to amend an act entitled "An act in relation to taxes and tax sales in the District of Columbia," approved February 28, 1898, as amended, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1579) to amend the act entitled, "An act relative to restrictions applicable to Indians of the Five Civilized Tribes in Oklahoma," approved, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1421) making certain regulations with reference to fertilizers and nursery stock or seeds that may be distributed by agencies of the United States was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1102) for the relief of Helene Murphy was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 3261) to amend the act of April 29, 1943, to authorize the return to private ownership of Great Lakes vessels of 1,000 gross tons or less, and for other purposes, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The joint resolution (S. J. Res. 78) to provide cash awards to personnel of the Maritime Commission and the War Shipping Administration for useful suggestions to improve administration of their activities was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The joint resolution will be passed over.

The bill (S. 1029) to provide for regulation of certain insurance rates in the District of Columbia and for other purposes was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1028) to amend the Fire and Casualty Act of the District of Columbia, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1428) to amend the provisions of the act authorizing payment of 6 months' death gratuity to widow, child, or dependent relative of officers, enlisted

men, or nurses of the Navy or Marine Corps, and for other purposes, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1517) for the relief of Staff Sgt. Marion Johnson, United States Marine Corps, and Sgt. George B. Kress, United States Marine Corps Reserve, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1542) to provide for reimbursement of certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire at Davisville, R. I., was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1589) for the relief of C. Guy Evans, Garland Mineral Springs, Index, Wash., was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 2976) to grant military rank to certain members of the Navy Nurse Corps was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 3605) to provide for reimbursement of certain Navy personnel and former Navy personnel for property lost on Long Island, Alaska, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 3606) to provide for the reimbursement of certain Navy and former Navy personnel, for personal property lost at the Norfolk Navy Yard, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 3607) to provide for reimbursement of certain Navy and former Navy personnel for property lost at Camp Bradford, Va., was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 3760) authorizing the President to present in the name of Congress, a Distinguished Service Medal to Lt. Gen. Thomas Holcomb, United States Marine Corps, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 149) to fix a reasonable definition and standard of identity of certain dry milk solids was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

RELIEF OF STARVING PEOPLES OF EUROPE

The resolution (S. Res. 100) favoring action looking to relief for starving peoples of Europe was announced as next in order.

Mr. TAFT. Mr. President——

Mr. BARKLEY. Over.

Mr. TAFT. Mr. President, Senate Resolution 100, which has been reported by the Committee on Foreign Relations, provides for a request of the Secretary of State to take up with the British Government and other governments the question of providing food for the children in occupied democracies. In particular, the resolution mentions Belgium, Norway, Poland, the Netherlands, Greece, Yugoslavia, Czechoslovakia, and other countries. When the time comes I desire to have the resolution amended by having occupied France included among the countries to which the resolution would apply.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. TAFT. I am sorry, but at present I cannot yield.

Mr. CONNALLY. I merely wish to inquire what resolution the Senator has been discussing. Is it Senate Resolution 100?

Mr. TAFT. Yes; Senate Resolution 100.

Mr. President, the testimony showed clearly that the children in these countries have been receiving only from one-third to one-half——

The VICE PRESIDENT. Does the Senator from Ohio desire to make a motion that the Senate consider the resolution despite the objection of the Senator from Kentucky?

Mr. TAFT. I did not hear any objection. The Senator did not rise from his seat, and, so far as I know, no objection was made to consideration of the resolution.

Mr. BARKLEY. Mr. President, I followed the custom of the Senator from Ohio by objecting from my seat. But if the Senator desires to have the formalities observed, I will——

Mr. TAFT. Mr. President, I think I have the floor.

The VICE PRESIDENT. The Senator has the floor. Objection has been made to the present consideration of the resolution. If the Senator wishes to proceed, the proper order is for the Senator to make a motion to have the Senate consider the resolution.

Mr. TAFT. No; Mr. President, I raise the parliamentary question of whether objection was made. I heard someone say "Over." No Senator rose from his seat, and, so far as I know, I did not know that any official objection had been made.

The VICE PRESIDENT. The Chair heard the objection.

Mr. TAFT. Then, the resolution will go over.

Mr. President, I think the RECORD might show that the Senator from Kentucky, in order that the question of the Senate considering the soldiers' voting bill may not be debated by the Senate, is objecting to the consideration of measures of obvious merit. For instance, he has objected to consideration of a measure providing for posthumous award of a Medal of Honor to Billy Mitchell; he has objected to measures the merit of which is without doubt, to which there is no real objection in the Senate—all for the parliamentary purpose of shutting off debate in the Senate of the United States on the question of whether, once having disposed of a measure which was debated before the Senate for 10 days, the Senate shall again consider it.

Mr. BARKLEY. Mr. President, all the measures to which the Senator from Ohio has referred can be taken up during the debate on the bill to which he has referred, that is to say, the soldiers' voting bill. I did object to the present consideration of Senate Resolution 100, for the same reason that I objected to having other measures taken up now in order to consume time so that the Senator from Ohio might debate interminably the question whether the Senate would take up a bill which would grant to the soldiers and sailors of the United States the right to vote.

I had assured the authors of the resolution that at an early date, and whenever practicable, it would be my purpose to have the Senate consider and dispose of the resolution. However, I am sure all Members of the Senate know why the Senator from Ohio is now insisting on consideration of the resolution, when even the author of the resolution is not insisting on its present consideration. He is doing so as a means of postponing consideration of the other measure.

The VICE PRESIDENT. Objection having been made to the present consideration of Senate Resolution 100, the resolution will be passed over.

The next measure on the Calendar will be stated.

PRESERVATION OF JEWS OF EUROPE

The resolution (S. Res. 203) favoring the appointment of a committee to formulate a plan to save the Jews of Europe from extinction by Nazi Germany was announced as next in order.

Mr. BARKLEY. Over.

Mr. GILLETTE. Mr. President, will the Senator defer his objection to present consideration of Senate Resolution 203, Calendar No. 634, until I make a very brief statement regarding it?

Mr. BARKLEY. I shall be glad to do so.

Mr. GILLETTE. Mr. President, Senate Resolution 203 is a measure favoring the appointment of a committee to formulate a plan to save the Jews of Europe from extinction by Nazi Germany. It would provide for exploring the possibility of saving the remnants of the Jewish people in Europe, where it is reported that some 2,000,000 of them have been exterminated under a well-devised and well-thought-out plan promulgated by the Hitlerian regime. The resolution was unanimously reported from the Senate Committee on Foreign Relations. It has been placed on the Senate calendar.

I am very pleased to announce what probably has been noted by most Members of the Senate in the press reports of yesterday and today, that late Saturday the President, in almost exact compliance with the request contained in the provisions of the resolution, created a board composed of diplomatic, economic, and military experts, and in doing so used almost the same language as that contained in the resolution.

In view of the fact that the President has taken such action, Mr. President, there is little reason or point, as I see it, in pushing the consideration of the resolution. While I have not talked to the cosponsor of the resolution, I shall at this time, on my own responsibility, move that the resolution be stricken from the calendar.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Iowa.

The motion was agreed to.

CALL OF THE ROLL

Mr. TAFT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	George	Murray
Andrews	Gillette	Nye
Bailey	Green	O'Daniel
Bankhead	Guffey	O'Mahoney
Barkley	Hatch	Overton
Bilbo	Hawkes	Radcliffe
Brewster	Hayden	Reed
Bridges	Hill	Revercomb
Brooks	Holman	Reynolds
Buck	Johnson, Colo.	Robertson
Burton	Kilgore	Russell
Bushfield	La Follette	Shipstead
Butler	Lodge	Stewart
Capper	Lucas	Taft
Caraway	McCarran	Thomas, Idaho
Chandler	McClellan	Thomas, Okla.
Chavez	McFarland	Truman
Clark, Mo.	McKellar	Tunnell
Connally	Maloney	Wallgren
Danaher	Maybank	Wheeler
Davis	Mead	Wherry
Downey	Millikin	White
Ellender	Moore	Willis
Ferguson	Murdock	

The VICE PRESIDENT. Seventy-one Senators have answered to their names. A quorum is present.

PRINTING OF MATTER IN THE RECORD

Mr. DANAHER. Mr. President——

Mr. BARKLEY. Mr. President, I wish to state that I shall object to the consumption of time by putting anything more in the RECORD until we have reached a later point in our proceedings. I make that statement because I wish to be impartial to all Senators who may make such requests.

Mr. DANAHER. Mr. President, in yesterday's New York Times, on the editorial page, there appeared a letter dated Washington, January 19, 1944, written by Prof. Herbert Wright, who is professor of international law at Catholic University. The letter entitled "Things To Be Avoided" deals with a most important subject, and is so factual, informational, and meritorious, that I ask unanimous consent that it be printed in full in the Appendix of the RECORD.

Mr. BARKLEY. Mr. President, for the present I am compelled to object. Later I shall not object.

CONTINUATION OF CALL OF THE CALENDAR—BILLS AND RESOLUTIONS PASSED OVER

The VICE PRESIDENT. The clerk will proceed to state the next business on the calendar.

The bill (H. R. 2924) to give effect to the provisional fur seal agreement of 1942 between the United States of America, and Canada, to protect the ful seals of the Pribilof Islands and for other purposes was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The resolution (S. Res. 198) to investigate war contracts, the termination of war contracts, and related problems, was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The resolution will be passed over.

The resolution (S. Res. 136) increasing the limit of expenditures for the holding of hearings by the Committee on the Judiciary in respect to judicial nominations was announced as next in order

Mr. BARKLEY. Over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (H. R. 3408) to amend chapter 7 of the Criminal Code was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1227) to amend section 1 of the act providing punishment for killing or assaulting of Federal officers was announced as next in order.

Mr. BARKLEY. Over.

The VICE PRESIDENT. The bill will be passed over.

CONTINUATION OF COMMODITY CREDIT CORPORATION

The bill (H. R. 3477) to continue the Commodity Credit Corporation as an agency of the United States to revise the basis of annual appraisal of its assets and for other purposes was announced as next in order.

Mr. BARKLEY. Let the bill go over.

Mr. TAFT. Mr. President, I move that the Senate proceed to the consideration of House bill 3477, Calendar 641, notwithstanding the objection.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Ohio [Mr. TAFT].

Mr. TAFT. I ask for the yeas and nays on the motion.

The yeas and nays were ordered.

Mr. LUCAS. I suggest the absence of a quorum.

Mr. BARKLEY. Mr. President, we have just had a quorum call. Let us vote on the motion.

Mr. LUCAS. Mr. President, I withdraw the request.

Mr. BUSHFIELD. Mr. President, may we have a statement of the question on which the vote is about to be taken?

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Ohio [Mr. TAFT] that the Senate proceed to the consideration of House bill 3477, Calendar 641, a bill to continue the Commodity Credit Corporation as an agency of the United States, to revise the basis of annual appraisal of its assets, and for other purposes. The motion is to proceed to the consideration of the bill notwithstanding the objection of the Senator from Kentucky [Mr. BARKLEY.]

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BRIDGES. I have a general pair with the Senator from Utah [Mr. THOMAS]. I transfer that pair to the junior Senator from New Hampshire [Mr. TOBEY], who if present would vote, as I shall vote. I am therefore free to vote, and vote "yea."

Mr. McCARRAN. I announce that my colleague, the junior Senator from Nevada [Mr. SCRUGHAM] is absent because of illness. If present he would vote "nay."

Mr. BANKHEAD. I have a general pair with the Senator from Oregon [Mr. MCNARY]. I transfer that pair to the Sentor from Virginia [Mr. GLASS]. I am not advised how either Senator would vote if present. I vote "yea."

Mr. REED (after having voted in the affirmative). I have a general pair with the Senator from New York [Mr. WAGNER]. I transfer that pair to the junior Senator from South Dakota [Mr. GURNEY] and allow my vote to stand. I am advised that the Senator from South Dakota would vote "yea," if present.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. BYRD], the Senator from Mississippi [Mr. EASTLAND], the Senator from Rhode Island [Mr. GERRY], the Senator from Maryland [Mr. TYDINGS], the Senator from New York [Mr. WAGNER], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent. I am advised that if present and voting, the Senator from New York [Mr. WAGNER], the Senator from Maryland [Mr. TYDINGS], and the Senator from Massachusetts [Mr. WALSH] would vote "nay."

The Senator from Idaho [Mr. CLARK] and the Senator from Utah [Mr. THOMAS] are detained in Government departments on business pertaining to their respective States. I am advised that if present and voting, the Senator from Utah [Mr. THOMAS] would vote "nay."

The Senator from Florida [Mr. PEPPER], the Senator from New Jersey [Mr. WALSH], and the Senator from Indiana [Mr. VAN NUYS] are detained because of slight illnesses. I am advised that if present and voting, the Senator from Florida, the Senator from New Jersey, and the Senator from Indiana would vote "nay."

Mr. WHITE. The Senator from Vermont [Mr. AUSTIN] is absent because of illness.

The Senator from North Dakota [Mr. LANGER] is absent from the city on official business.

The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from New Hampshire [Mr. TOBEY] is absent on public business.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The result was announced—yeas 33, nays 38, as follows:

YEAS—33

Aiken	Davis	Reed
Bankhead	Ferguson	Revercomb
Brewster	Hawkes	Robertson
Bridges	Holman	Russell
Brooks	Lodge	Shipstead
Buck	McClellan	Taft
Burton	Millikin	Thomas, Idaho
Bushfield	Moore	Wheeler
Butler	Nye	Wherry
Capper	O'Daniel	White
Danaher	Overton	Willis

NAYS—38

Andrews	Green	Maybank
Bailey	Guffey	Mead
Barkley	Hatch	Murdock
Bilbo	Hayden	Murray
Caraway	Hill	O'Mahoney
Chandler	Johnson, Colo.	Radcliffe
Chavez	Kilgore	Reynolds
Clark, Mo.	La Follette	Stewart
Connally	Lucas	Thomas, Okla.
Downey	McCarran	Truman
Ellender	McFarland	Tunnell
George	McKellar	Wallgren
Gillette	Maloney	

NOT VOTING—25

Austin	Johnson, Calif.	Vandenberg
Ball	Langer	Van Nuys
Bone	McNary	Wagner
Byrd	Pepper	Walsh, Mass.
Clark, Idaho	Scrugham	Walsh, N. J.
Eastland	Smith	Wiley
Gerry	Thomas, Utah	Wilson
Glass	Tobey	
Gurney	Tydings	

So, Mr. TAFT's motion was rejected.

CONTINUATION OF CALL OF THE CALENDAR—BILLS PASSED OVER

The VICE PRESIDENT. The clerk will proceed to state the next business on the calendar.

The bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, was announced as next in order.

Mr. BARKLEY. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1633) to amend the act entitled "An act to provide for the training of nurses for the armed forces," was announced as next in order.

Mr. BARKLEY. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

That completes the calendar.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES

Mr. BARKLEY. Mr. President, I move that the Senate proceed to consider Calendar No. 642, Senate bill 1612.

The VICE PRESIDENT. The clerk will state the bill by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes.

Mr. TAFT. Mr. President——

The VICE PRESIDENT. The motion is not debatable.

Mr. TAFT. I merely wish to give notice that after the hour of 2 o'clock I will again move to take up the Commodity Credit Corporation bill.

The VICE PRESIDENT. The pending motion is not debatable. The question is on agreeing to the motion of the Senator from Kentucky.

The motion was agreed to, and the Senate proceeded to consider the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, which had been reported from the Committee on Privileges and Elections with an amendment to strike out all after the enacting clause and to insert new matter.

The VICE PRESIDENT. The amendment reported by the Committee on Privileges and Elections will be stated.

The CHIEF CLERK. On page 26, after line 2, it is proposed to insert:

That Public Law No. 712, Seventy-seventh Congress, be amended by inserting after the enacting clause the words "Title I" and by striking out sections 3 to 15, inclusive, and inserting in lieu thereof the following:

"UNITED STATES WAR BALLOT COMMISSION

"SEC. 3. (a) There is established a United States War Ballot Commission (hereinafter referred to as the Commission), which shall be composed of four Commissioners, who shall be appointed by the President, by and with the advice and consent of the Senate, to serve a term which shall not exceed the duration of the war and 6 months thereafter. Two Commissioners shall be members of the political party casting the largest popular vote and two Commissioners shall be members of the political party casting the second largest popular vote for Presidential electors in the most recent Presidential election. Such Commissioners shall be appointed from lists of not less than six nominees submitted by the national committees of the respective political parties. Vacancies in the Commission shall be filled in the same manner as the original appointments, that is, from lists of not less than three nominees for each such vacancy submitted by the national committees of the respective political parties. No Commissioner shall hold or be a candidate for any elective public office. The Commission shall elect from among its members a Chairman and Vice Chairman. Each Commissioner shall receive as compensation $25 for each day in which he is actually engaged in performing the duties of his office and shall also be reimbursed for any necessary expenses incurred in the performance of his duties. The vote of a majority of all the Commissioners shall be necessary to a decision by the Commission on any matter.

"(b) The Commission is authorized to appoint, without regard to the Civil Service Act, rules, and regulations, an Executive Director and such other officers, employees, or agents as may be necessary for the performance of its duties under this act. The Commission may receive assistance from other Federal departments and agencies in carrying out the purposes of this act.

"(c) It shall be the duty of the Commission, in performing its functions under this act, to consult with representatives of the War and Navy Departments and the War Shipping Administration and with State officials. As soon as practicable after any election to which the provisions of this title apply, the Commission shall report to the Congress on the administration of this act, including the number of ballots received by the Commission and transmitted to the secretaries of state of the several States, and the reports received by the Commission from such secretaries of state. Any Commissioner disagreeing as to the contents of the report may set forth his separate views."

Mr. LUCAS. Mr. President, I rise for the purpose solely of discussing the amendment as read by the clerk, and to advise the Senate that the language of the amendment is word for word the same as the language of the bill which the Senate passed several weeks ago. Members of the Senate will recall that we debated for 2 days the type, kind, and form of a ballot commission which would be set up to prepare and distribute the uniform ballot to those fighting in our armed forces.

Mr. TAFT. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. TAFT. Are we now considering the entire bill or the amendment?

The VICE PRESIDENT. The committee amendment consists of one amendment in the nature of a substitute.

Mr. TAFT. The clerk did not read all of the amendment. He read only through section 3.

Mr. LUCAS. The clerk read every word of the section.

Mr. TAFT. I thought he read only through section 3.

Mr. LUCAS. He did read through section 3 down to section 4. The language read comprises an amendment to Public Law No. 712, which is the present basic law on the subject.

Mr. TAFT. I wish to know if we are considering the whole bill as one amendment or considering it section by section?

The VICE PRESIDENT. The clerk will continue the reading of the committee amendment.

The Chief Clerk resumed reading the committee amendment and read as follows:

SEC. 4. (a) The foregoing provisions of this act——

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LUCAS. Under the rules do I not have the right, at the end of the reading of a section of the bill, or at any other time at which I can obtain recognition from the Chair, to make an explanation?

The VICE PRESIDENT. The amendment in the nature of a substitute is treated as one amendment to the bill.

Mr. BARKLEY. It is frequently treated as the text and is subject to amendment section by section as if it were the original text.

Mr. TAFT. I have no objection to the Senator doing as he suggests. I was only making an inquiry. I did not understand whether it was all to be read as one amendment or whether the Senator desired to have a section read and then comment upon it and then have another section read and comment upon it before any action was taken on it. If that is his desire, it is perfectly agreeable to me.

Mr. LUCAS. My only thought was that perhaps if I commented briefly on

the section while Senators were on the floor it would give them knowledge of what the committee has done. I do not care to debate it long, but it did seem to me that it might be well at the particular point to advise the Senate with respect to the amendment.

Mr. TAFT. I have no objection to that, if it is understood that it is all one amendment, and will not be acted upon until the reading is completed.

The VICE PRESIDENT. The Chair understands that is the general procedure.

Mr. BARKLEY. And with the understanding that the amendment, while it is a complete substitute for the original text, will be treated as if it were the original text and subject to amendment section by section.

The VICE PRESIDENT. That is correct.

The clerk will continue reading the committee amendment.

The Chief Clerk read as follows:

(b) As used in this act—

1. the term "members of the merchant marine of the United States" means persons employed as officers or members of crews of vessels documented under the laws of the United States and persons enrolled for such employment with the War Shipping Administration, but does not include those in service or enrolled for service on the Great Lakes or the inland waterways;

2. the term "United States," used geographically, includes only the territorial limits of the several States of the United States and the District of Columbia.

Mr. LUCAS. Mr. President, I desire to go back for a moment to section 3 and to state that that section, which has just been read by the clerk, is in the exact language adopted by the United States Senate a few weeks ago when we debated for some 2 days the question of how the ballot commission should be created and how it should function after it was created. It will be recalled that we on this side lost by one vote. In rewriting the bill we have taken the ballot commission as suggested by those on the opposite side of the aisle, and have made no change. We still leave the ballot commission in the hands of the two principal political parties of the country. The names of six men are to be submitted by the chairman of one party and the names of six men are to be submitted by the chairman of the other party, and then the President of the United States is to select two from each list, and the four thus selected are to constitute the ballot commission.

The VICE PRESIDENT. The clerk will continue reading the committee amendment.

The Chief Clerk resumed and concluded the reading of the amendment reported by the committee, as follows:

OFFICIAL FEDERAL WAR BALLOTS, ENVELOPES, AND EXPLANATIONS

SEC. 5. (a) The Commission shall cause to be prepared and printed for use in voting in general elections under this title an adequate number of official Federal war ballots. Each ballot shall be printed in the following form insofar as the offices enumerated are appropriate to the particular election:

OFFICIAL FEDERAL WAR BALLOT

Instruction: To vote, write in the name of the candidate of your choice for each office or write in the name of his political party—Democratic, Republican, Progressive, or other.

ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

(A vote for President includes a vote for Vice President of the same party)

Write in the name of your choice for President or the name of his party _____

UNITED STATES SENATOR

(Only if a Senator is to be elected in your State)

Write in the name of your choice for Senator or the name of his party _____

REPRESENTATIVE IN CONGRESS FOR YOUR DISTRICT

Write in the name of your choice for Representative in Congress for your district or the name of his party _____

REPRESENTATIVE AT LARGE IN CONGRESS

(Only in the States entitled thereto)

Write in the name or names of your choice for Representative at Large or the name of his party _____

(Vote for one or two as the case may be)

A vote by party designation shall be deemed to be a vote for the candidate of that party by name. A vote for a Presidential candidate by name shall be deemed to be a vote for the candidates for Presidential and Vice Presidential electors of his party. No ballot shall be invalid by reason of mistake or omission in writing in the name of the candidate or his political party where the candidate or party intended by the voter is plainly identifiable. Where, because of any defect in marking, a ballot is held invalid as to any particular candidate for office, it shall remain valid as to the other candidates for office.

(b) The Commission shall also cause to be prepared and printed an appropriate number of official inner envelopes for use in sealing the official Federal war ballots. Each envelope shall be gummed ready for sealing. Upon one side of the envelope shall be printed:

OFFICIAL FEDERAL WAR BALLOT FOR GENERAL ELECTION

Name of voter _____
(Print your name plainly here)

Home residence:
Street and number (if any) or rural route _____
(Print street and number or rural route plainly here)

City or town (if any) _____
(Print city or town plainly here)

County _____
(Print county plainly here)

Upon the other side of such envelope shall be printed the following oath, at the top of which shall be set forth the date of the election:

OATH OF ELECTOR FOR VOTING IN THE GENERAL ELECTIONS TO BE HELD IN 1944

I do hereby swear (or affirm) that—

(1) I am a citizen of the United States;

(2) The date of my birth was_____;

(3) For _____ years preceding this election my home residence has been in the State of _____;

(4) For _____ years preceding this election my home residence has been in the (city, town, or village) of _____ in the county of _____ at (street and number, if any, or rural route) _____;

(5) I am (check appropriate blank)—

(a) in the armed forces of the United States _____ ( );

(b) in the merchant marine of the United States _____ ( );

(c) serving with the American Red Cross ( ), the Society of Friends ( ), the Women's Auxiliary Service Pilots ( ), or the United Service Organizations ( ), outside the United States, and am attached to and serving with the armed forces of the United States;

and that I have not voted and do not intend to vote in this election at any address other than the above; and that I have not received or offered, do not expect to receive, have not paid, offered, or promised to pay, contributed, offered, or promised to contribute to another, to be paid or used, any money or other valuable thing as a compensation or reward for the giving of a vote at this election, and have not made any promise to influence the giving or withholding of any such vote; and that I have not been convicted of bribery or any infamous crime, or, if so convicted, that I have been pardoned or restored to all the rights of a citizen, without restriction as to the rights of suffrage.

_____
(Voter must write his usual signature here and oath must be administered and attested)

Subscribed and sworn to before me this _____ day of _____, 194__.

_____
(Commissioned, noncommissioned, or petty officer not below the rank of sergeant or its equivalent, or other person authorized to administer and attest this oath)

(c) The Commission shall also cause to be prepared and printed an appropriate number of official outer envelopes for use in returning to the Commission official Federal war ballots and official inner envelopes. Upon such outer envelope the following shall be printed:

Free of all postage
including air mail
(Official Federal war ballot)

To the United States War Ballot Commission:

For transmission to the secretary of state of the State shown below:

Voter's home residence:
Street and number (if any) or rural route__
_____
(Print clearly)

City or town _____
(Print clearly)

County _____
(Print clearly)

State _____
(Print clearly)

(d) Ballots and envelopes for use outside the United States shall be suitable for air mailing.

(e) The Commission shall also cause to be prepared and printed an adequate number of copies of explanations of voting procedure for use in accordance with the provisions of this title.

(f) Where the Secretary of War or the Secretary of the Navy determines that the transmission abroad of any material required to be prepared and printed by the provisions of this section is inexpedient because of transportation difficulties or for other reasons arising from the conduct of the war, the Commission is authorized to arrange for such material to be printed outside the United States.

BALLOTING

SEC. 6. (a) Any person voting under the provisions of this title shall privately mark the ballot, place it in the official inner envelope, and securely seal the same. He shall then fill in and subscribe the oath printed upon the official inner envelope. After the oath has been duly attested, the voter shall then place the official inner envelope in the official outer envelope provided for the return of the ballot to the Commission and

shall deliver it to a person designated by proper authority to receive executed ballots for transmission to the Commission.

(b) Any commissioned, noncommissioned, or petty officer not below the rank of sergeant or its equivalent in the armed forces of the United States and any member of the merchant marine of the United States designated for this purpose by the Administrator of the War Shipping Administration is authorized to administer and attest such oaths as are required by this title. All such oaths shall constitute prima facie evidence that the voter is qualified to vote, unless the statements contained in such oath indicate the contrary.

ADMINISTRATION

SEC. 7. (a) The Secretaries of War and Navy shall be responsible for the administration of this title with respect to members of the armed forces and civilians attached to and serving with the armed forces and entitled to vote thereunder. The Administrator of the War Shipping Administration shall be responsible for the administration of this title with respect to members of the merchant marine of the United States entitled to vote thereunder.

(b) In each year in which a general election for Senators and Representatives in Congress is to be held, the Commission shall furnish well in advance of the election an adequate number of ballots, envelopes, and copies of explanations of voting procedures to the Secretaries of War and Navy and to the Administrator of the War Shipping Administration.

LISTS OF CANDIDATES

SEC. 8. The secretary of state of each State shall furnish the Commission such information as the Commission shall request for compiling a list of candidates and their parties in any general election for President and Vice President or for Senators and Representatives in Congress. The Commission shall transmit to the Secretaries of War and Navy and the Administrator of the War Shipping Administration, at such times as it deems to be appropriate for balloting under this title, lists of candidates compiled from the information so received, even if incomplete. The Secretaries of War and Navy and the Administrator of the War Shipping Administration shall, in ample time for balloting under this title, transmit such lists to all units of the armed forces and to members of the merchant marine of the United States, to the extent that such transmission is practicable and compatible with military operations. Incomplete lists of candidates so furnished, or failure to furnish such lists, shall be no bar to balloting under the provisions of this title. No list of candidates furnished under this title shall include information as to a candidate other than his name, address, party affiliation, and office for which nominated.

DISTRIBUTION AND COLLECTION OF BALLOTS FOR MEMBERS OF THE ARMED FORCES AND OTHERS

SEC. 9. (a) The Secretaries of War and Navy, insofar as practicable and to the fullest extent compatible with military operations, shall cause ballots, envelopes, explanations of voting procedure, and lists of candidates to be distributed to members of the armed forces, and to civilians attached to and serving with the armed forces and entitled to vote under this title, in ample time to insure an opportunity to vote in general elections under this title and shall cause executed ballots to be collected and transmitted to the Commission.

(b) Wherever practicable and compatible with military operations, the appropriate commanding officer shall be required—

(1) to designate a balloting day for voting in general elections which shall be, whenever possible, after he has received a list of candidates from all States, but which shall not be later than the date which the Secretary of War or the Secretary of the Navy, as the case may be, may fix for the area in which his command is located as the latest date which will afford a reasonable opportunity for the return of executed ballots;

(2) to cause lists of candidates to be posted and otherwise made available at conspicuous and convenient places prior to and on the balloting day and to cause copies of explanations of voting procedure and all other necessary information to be furnished to members of his unit and civilians attached to and serving with such unit and entitled to vote under this title;

(3) on the designated day to cause ballots and envelopes to be distributed, to provide a convenient place for marking them in secret, and to cause executed ballots to be collected and delivered for transmission to the Commission;

(4) to assume general responsibility for assuring that every person in or attached to and serving with his unit, who is entitled to vote under this title, has an opportunity to vote;

(5) to destroy, as soon as practicable after the balloting day, all official Federal war ballots in his custody remaining unused.

DISTRIBUTION AND COLLECTION OF BALLOTS FOR THE MERCHANT MARINE

SEC. 10. The Administrator of the War Shipping Administration shall cause ballots, envelopes, explanations of voting procedure, and lists of candidates for voting in general elections to be made available to members of the merchant marine of the United States upon request. The Administrator shall provide a convenient place for marking such ballots in secret, and shall cause executed ballots to be collected and delivered to the Commission or to appropriate representatives of the War and Navy Departments for transmission to the Commission. The Secretaries of War and Navy shall arrange, so far as practicable, for the receipt of such ballots and their transmission to the Commission together with the ballots of members of the armed forces. The Administrator may delegate to the Secretary of War or the Secretary of the Navy, with the consent of such Secretary, any function of the Administrator under this title.

PRIORITIES

SEC. 11. The Secretaries of War and Navy and other appropriate authorities shall take all steps necessary to give to the transmission and delivery of ballots and communications under this title priority over all unofficial communications and priority over official communications except where, in the judgment of the appropriate military and naval authorities, such priority would interfere with the effective prosecution of the war. Ballots cast outside the United States shall be transmitted by air, wherever practicable and compatible with military operations.

TRANSMISSION

SEC. 12. The Commission, upon receiving any ballot cast under this title, shall promptly transmit it to the secretary of state of the State of the voter's residence who shall at an appropriate time transmit it to the appropriate election officials of the district, precinct, county, or other voting unit of the voter's residence. No person other than such appropriate election officials shall open any official outer or inner envelope purporting to contain a ballot cast under this title.

REPORTS

SEC. 13. (a) The Secretaries of War and Navy and the Administrator of the War Shipping Administration shall report to the Commission on balloting under this title, including the number of ballots distributed, received, and transmitted to the Commission, together with any comments thereon or explanation thereof.

(b) The Commission shall prepare a statement of all ballots received and transmitted to the various secretaries of state. Each secretary of state shall prepare a report of all ballots received by him and transmitted to the various election officials, and within 30 days after the last day for counting absentee ballots in any election in which ballots are cast under the provisions of this title, each secretary of state shall transmit such report to the Commission.

VALIDITY OF BALLOTS

SEC. 14. (a) The Commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States. Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

(b) No official Federal war ballot shall be valid if—

1. the voter has also voted in person or by absentee ballot in accordance with the procedure provided by State law; or

2. the date of the oath of elector is later than the date of the holding of the election; or

3. such ballot is received by the appropriate election official of the district, precinct, county, or other voting unit of the State of the voter's residence later than the date of the holding of the election, except that any extension of time for the receipt of absentee ballots permitted by State laws shall apply to ballots cast under this title.

(c) All ballot envelopes received by a secretary of state at a date or time too late for proper delivery, and all ballot envelopes not delivered to polling places or to the proper officials shall not be opened but shall be endorsed with the date of reception and shall be retained by the secretary until the time has expired for contesting the election, when they shall be destroyed without examination.

VOTING SAFEGUARDS

SEC. 15. Every individual concerned with the administration of this title shall take all necessary steps to prevent fraud, to protect voters against coercion of any sort, and to safeguard the integrity and secrecy of ballots cast hereunder.

PENALTIES

SEC. 16. The provisions of State and Federal law prohibiting offenses against the elective franchise shall apply in the case of elections and voting conducted pursuant to the provisions of this title: *Provided, however,* That no act done in good faith by a member of the armed forces of the United States, in the exercise of his judgment as to what was practicable and compatible with military operations, shall constitute a violation of any such provision of law.

APPROPRIATE STATE OFFICIALS

SEC. 17. Wherever, in any State, an official other than the secretary of state is the appropriate State official to carry out any function vested in the secretary of state under this title, the term "secretary of state" shall mean such other official.

OFFICIALS AND AGENCIES TO ACT FOR SECRETARY OF STATE

SEC. 18. Each secretary of state may utilize the services of such State and local officials and agencies for such purposes and to such extent as he may deem appropriate in the exercise of his powers and duties under this title.

ACT TO BE LIBERALLY CONSTRUED

SEC. 19. The provisions of this act shall be construed liberally in order to effectuate its purposes.

TITLE II

VOTING UNDER STATE LAW FOR STATE AS WELL AS FEDERAL OFFICERS

Post cards

SEC. 201. In order to afford an opportunity for members of the armed forces to vote for Federal, State, and local officials and to utilize States absentee balloting procedures to the greatest extent possible, the Commission shall cause to be printed and delivered to the Secretaries of War and Navy an adequate number of post cards for use in accordance with the provisions of this title. The Secretaries of War and Navy shall, wherever practicable and compatible with military operations, cause such post cards to be made available, at appropriate times, upon request, to members of the armed forces located within the United States and, where State procedures can be effectively employed, to members of the armed forces located in other places.

Upon one side of the post card shall be printed the following:

Secretary of state or other appropriate official within the State of _____

Being in the armed forces of the United States, I hereby request an absentee ballot to vote in the coming _____ (primary, general, or special) election.

(1) I am a citizen of the United States.

(2) The date of my birth was _____.

(3) For _____ years preceding this election my home residence has been in the State of _____.

(4) For _____ years preceding this election my home residence has been in the (city, town, or village) of_____ in the county of _____ at (street and number, if any, or rural route) _____.

(5) My voting district to the best of my knowledge is _____.

(6) My choice of party primary ballot is _____.

(Fill in only in case of primary ballot)

Please send the ballot to me at the following address:

_____.

_____

(Print your name plainly above)

_____

(Write your usual signature above)

Subscribed and sworn to before me this ____ day of _____, 194___.

_____

(Commissioned officer writes here his name and rank)

Upon the other side of the post card shall be printed the following:

Free of postage including air mail (war ballot)

Secretary of state of _____,

_____,

(City)

_____.

(State)

FUNCTION OF POST CARDS

SEC. 202. Such post cards (and post cards provide under sec. 3 of this act prior to its amendment) may be used, if State law permits, as applications for ballots under State absentee balloting laws, as applications for registration under State absentee balloting laws, or as sources of information to implement State absentee balloting laws. No voter shall be precluded from voting under the provisions of title I of this act by reason of any post-card application made under this title, unless such voter casts an absentee ballot.

INFORMATION REGARDING EECTIONS

SEC. 203. The Commission shall, at appropriate times, furnish the Secretary of War and Navy with any information received from a secretary of state as to the dates of elections in such State, including general, special, and primary elections. The Secretaries of War and Navy shall, whenever practicable and compatible with military operations, cause such information to be made available to members of the armed forces.

COOPERATION WITH STATES

SEC. 204. The Secretaries of War and Navy shall, so far as practicable and compatible with military operations, take all reasonable measures to facilitate delivery and return of absentee ballots mailed to members of the armed forces pursuant to the laws of the several States.

TITLE III

MISCELLANEOUS

Authorization for appropriations

SEC. 301. (a) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

(b) The Commission shall certify to the Secretary of the Treasury for payment in advance or otherwise such sums as it estimates to be necessary to compensate State or local agencies for administrative expenses incurred under title I of this act. The Secretary of the Treasury, through the Division of Disbursement of the Treasury and prior to audit or settlement by the General Accounting Office, shall pay the sums so certified. The use of such sums shall be properly accounted for, and any part in excess of that used to meet such administrative expenses shall be returned to the United States upon the demand of the Commission.

(c) The transmission of all communications under titles I and II shall be free of postage, including air-mail postage, in the United States mails.

VOTING UNDER STATE LAW PERMITTED

SEC. 302. Nothing in this act shall be deemed to restrict the right of any member of the armed forces of the United States or of any other person to vote in accordance with the law of the State of his residence.

SEPARABILITY

SEC. 303. If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the validity of the remainder of the act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

AMENDMENTS TO ACT OF AUGUST 2, 1939, AS AMENDED

SEC. 304. The act of August 2, 1939, entitled "An act to prevent pernicious political activities," as amended (U. S. C., 1940 ed., title 18, secs. 61–61t; Supp. II, title 18, secs. 61h, 61u), is hereby amended by adding thereto the following new sections:

"SEC. 22. It shall be unlawful for any officer of, or person employed in, the executive branch of the Federal Government, or any agency or department thereof, including the Army and Navy, to deliver or present or cause to be delivered or presented to persons in the armed forces of the United States any general communication, Government magazine, Government newspaper, motion-picture film, or other literature or material, or to make, or cause to be made, and broadcast to the armed forces of the United States, paid for in whole or in part with Government funds, or sponsored by the Government or any agency or department thereof, including the Army and Navy, and containing political argument or political propaganda of any kind designed or calculated to affect the result of any election for President, Vice President, Presidential elector, Member of the Senate, or Member of the House of Representatives, except that—

"(1) nothing in this section shall prohibit the rebroadcast over Government-controlled radio stations of any political address, but equal time must, if requested, be given for such purposes to representatives of each political party which polled at least 10 percent of the votes cast in the most recent Presidential election;

"(2) nothing in this section shall prevent the distribution to members of the armed forces of books, magazines, and newspapers which have a general circulation in the United States, or of servicemen's magazines or newspapers, such as Yank and Stars and Stripes, or the presentation to members of the armed forces of motion-picture films, radio broadcasts, or rebroadcasts; but—

"(a) the list of such magazines and newspapers of general circulation shall be determined in accordance with the preference of the members of the armed forces in some reliable method to be determined by the Secretary of War and the Secretary of the Navy;

"(b) any such books of general circulation hereafter purchased shall be selected from a list of books, not containing political argument or political propaganda of any kind designed or calculated to affect the result of any election for the Federal offices abovementioned, approved by a nonpartisan committee of civilian publishers and librarians which is not financed by the Government or by political parties; and

"(c) such motion-picture films, radio broadcasts or rebroadcasts, and servicemen's magazines or newspapers, sponsored or paid for by the Government, shall be nonpartisan and nonpolitical: *Provided*, That this subparagraph shall not prohibit or curtail impartial coverage or presentation, as news or information, of public events and persons in public life: *And provided further*, That if in any issue or presentation space or time is allotted to editorials, columns, or other argumentative matter supporting a political party which polled at least 10 percent of the votes cast in the most recent Presidential election, an equal amount of space or time shall be allotted in the same issue or presentation to similar matter concerning each such other political party.

"(3) nothing in this section shall prevent the sending of any letter, communication, magazine, newspaper, or other literature by any individual, corporation (other than a Government-owned or Government-controlled corporation), or political committee to any member of the armed forces, addressed personally to such member of the armed forces, and paid for by him, or by the individual, corporation, or committee sending the same.

"SEC. 23. It shall be unlawful for any censor or other officer, employee, or member of the executive branch of the Government, including the Army and Navy, to censor any letter, communication, magazine, newspaper, or other literature referred to in paragraph (3) of section 22 of this act, for the purpose of removing therefrom any political argument, political propaganda, or other political matter, except to the extent that such argument, propaganda, or other matter contains information which may be of value to the enemy in their prosecution of the war.

"SEC. 24. Any person who violates the provisions of section 22 or section 23 of this act either within or outside of the United States shall upon conviction thereof be fined not more than $1,000 or imprisonment for not more than 1 year, or both."

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. DOWNEY in the chair). The Senator will state it.

Mr. McCLELLAN. Is the substitute being treated as one amendment?

The PRESIDING OFFICER. The substitute is treated as one amendment,

and is now open to amendment, the same as the original bill.

Mr. McCLELLAN. Can amendments be offered to any part of the substitute at any time while it is open to amendment?

The PRESIDING OFFICER. Yes.

Mr. TAFT. Mr. President, may I ask the Senator from Illinois [Mr. LUCAS] to explain in what respect this bill differs from the bill which was before the Senate previous to the time the Senate substituted for it the Eastland amendment?

Mr. LUCAS. I shall be glad to explain to the Senator from Ohio the difference between this bill and the bill which the Senate passed a short time ago, known as the Eastland-McKellar-McClellan bill. Everyone knows that the substitute bill which was in charge of the Senator from Mississippi [Mr. EASTLAND] merely referred the whole issue back to the States.

Mr. TAFT. Mr. President, will the Senator yield a moment?

Mr. LUCAS. Yes.

Mr. TAFT. I was not asking that question. I asked the Senator to explain how the bill now before the Senate differs from the original committee bill, as it was amended, at the time when the Senate voted it down and before it adopted instead of the Eastland amendment.

Mr. LUCAS. I understand the Senator. I started earlier in today's session to explain the provision with respect to the ballot commission. I will say to the Senator from Ohio and other Members present that the provision dealing with the ballot commission, as it now appears in this bill, is exactly the same as the provision in the measure which was passed by the Senate some 3 weeks ago. The Senator will recall that we had some 2 days' debate upon that issue, and those who advocated a ballot commission composed of six members to be appointed by the chairman of the Republican Party and six members to be appointed by the chairman of the Democratic Party prevailed by one vote. In rewriting the provision the sponsors of this bill have used the exact language as it was in the measure which the Senate passed. In other words, the provision with respect to the ballot commission, as it now appears in the proposed new legislation, is in the exact language which was submitted to the Senate by those on the opposite side of the aisle. The Senate will recall that we had a rather lengthy debate upon that question, and that the present form prevailed, as I recall, by one vote. In order to eliminate any question now, because time is of the essence in connection with this measure, the sponsors of the pending bill forgot all about the original proposition whereby the President of the United States should appoint all four of the commissioners, two to be Republicans and two to be Democrats, and have accepted the philosophy of those on the opposite side of the aisle with respect to the ballot commission. There is no change in that, and that is a very important matter, as I see it.

Mr. President, under the new bill we leave sections 1 and 2 as they are in Public Law 712. Section 1 deals with registration; section 2 deals with the poll tax. That is the law of the land as it now exists. Under this amendment we have stricken from Public Law 712 sections 3 to 15, inclusive, and substituted in lieu thereof the amendment which the clerk has just read.

Section 102 of the original bill, which we debated here before the Eastland measure was substituted for it, contained this provision, under the title "Voters Eligible Under This Title":

(b) (1) In time of war, notwithstanding any provision of State law relating to the registration of qualified voters, every individual specified in subsection (c) who is absent from the place of his voting residence but otherwise eligible to register and qualified to vote in any election for United States Senators and Representatives in Congress shall be entitled to vote for such officers in accordance with the provisions of this title.

Then we also struck out paragraph 2, as follows:

(2) In time of war, notwithstanding any provision of State law relating to the registration of qualified voters, every individual specified in subsection (c) who is absent from the place of his voting residence but otherwise eligible to register and qualified to vote in any election for electors of President and Vice President of the United States, shall be entitled to vote for such electors in accordance with the provisions of this title.

We also struck out section 103, under the heading "Payment of poll tax not required." That section provided:

SEC. 103. No individual specified in section 102 (c) shall, in time of war, be required, as a condition of voting in any election for electors for President or Vice President, or for Senator or Member of the House of Representatives, to pay any poll tax or other tax or make any other payment to any State or political subdivision thereof.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. TAFT. As I understand, however, although that is taken out of the pending bill, the pending bill leaves in the provision of the bill passed last year, which reads as follows:

No person in the military service in time of war shall be required as a condition of voting in any election for President, Vice President, elector for President or Vice President, or Senator or Member of the House of Representatives to pay any poll tax or other tax or make any other payment to any State or political subdivision thereof.

So really there is no difference, as I understand the two bills, between the pending bill and the bill the Senate had before it last year, so far as payment of the poll tax is concerned.

Mr. LUCAS. The only difference, as I see it, I may say to the Senator from Ohio, is simply that under the pending bill all we are doing is simply amending basic law, which the Congress has passed and the President has signed. Instead of attempting to rewrite the provisions with regard to registration and the poll tax, we leave them just as it is under the basic law, and we start from section 3 to amend.

Mr. TAFT. So, in substance, the bill now pending will create, when it is passed, the same law that the bill we debated and passed last year created.

Mr. LUCAS. In the pending measure we do nothing which affects sections 1 and 2 of Public Law 712. That is the law at the present time. All we attempt to do is to move on from that point, and to create the mechanics necessary to make the law effective to the end that the men and women in the armed forces, wherever they may be serving, shall have an opportunity to vote. We leave those two sections just as they are. One deals with registration and the other deals with the poll tax.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. LUCAS. I will yield, unless the Senator from Ohio desires to ask a further question.

Mr. TAFT. Mr. President, there has been some talk to the effect that the pending bill is a compromise measure; but I cannot see any difference whatever between the pending bill and the bill the Senate rejected when it adopted the Eastland amendment, in December last. I have not been able to find from anything the Senator has said that there is anything new in the pending bill, anything which has not already been turned down by the Senate.

Mr. LUCAS. Of course, the Senator has not examined the bill very carefully; otherwise he could not have reached that conclusion. Because, in addition to that, we have in the bill, in section 14, a provision dealing with the validity of ballots, and in that section we definitely state—and this is one of the material changes made in the pending bill, as compared to the other one—as follows:

VALIDITY OF BALLOTS

SEC. 14. (a) The Commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States. Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

Mr. President, the record of the hearings before the Committee on Privileges and Elections show that in my testimony before the committee I took the same position as I take now, namely, that there is only one group of individuals that ultimately can make the determination with respect to the validity of the ballots. We never intended at any time that the ballot commission should count or canvass the ballots which came under the provisions of the uniform Federal ballot law.

Mr. TAFT. Mr. President, will the Senator further yield?

Mr. LUCAS. I shall yield in a moment. There is only one group of individuals that can do that, and in the pending measure we have attempted to write into the law a provision which will cover that matter so there can be no question about it. There is only one group that knows whether John Jones, of the third ward in Havana, Ill., is a qualified voter. That group is made up of the election officials there. So when

a ballot finally returns to the election officials of the particular precinct or ward where the voter resides those who have charge of the election machinery there are the only ones who can determine the validity of the ballot. We have made that clear in this provision.

Furthermore, Mr. President, another material change which brings us within the parliamentary rule making it permissible to bring the pending bill on the floor of the Senate is that under the old bill, which was introduced and debated in the Senate for a week, provision also was made that after the election officials received the ballots from the secretary of state, it became necessary for the election officials to make a report as to the number of ballots received, the number counted, and also whether there were any irregularities or errors which had crept into the election, and that report would be made by the election officials to the secretary of state, and the secretary of state then would report to the ballot commission, and the ballot commission would report to Congress.

The last step has now been removed. Under the terms of the pending bill, once the ballot gets into the hands of the election officials of the precinct in which the voter resides, that is the end of the matter, insofar as the Federal authority is concerned; the Federal Government would have no power to deal with that ballot afterwards; and whatever the election officials do under section 14 with respect to that ballot would be final, unless there were fraud or intimidation or coercion or some other type of malfeasance growing out of the election, and upon which a contest might be raised.

Now I yield to the Senator from Ohio.

Mr. TAFT. Mr. President, it seems to me, as I remember the debate on the last bill, that we eliminated all provisions which might even be construed as giving the ballot commission power to pass on the validity of a ballot. The bill which was rejected contained, as I recall, in substance, exactly the same provision, that the validity of the ballot was to be determined by the local election officials.

I agree that there is in the bill provisio: for the one change, namely, that as to the elimination of the reports; but that is the only change of any substance I can discover.

Mr. LUCAS. Mr. President, let me say to the Senator that it is a vital change; because there are those who feared that, once those in a precinct made a report to the secretary of state, and then to the ballot commission, in a close election that might finally find its way into the hands of Congress. In order to eliminate that uncertainty, that last step was removed.

Mr. TAFT. Mr. President, will the Senator yield for a moment further?

Mr. LUCAS. I yield.

Mr. TAFT. It does not seem to me to have been entirely removed; because in section 13 (b) provision is made:

(b) The Commission shall prepare a statement of all ballots received and transmitted to the various secretaries of state. Each secretary of state shall prepare a report of all ballots received by him and transmitted to the various election officials, and within 30 days after the last day for counting absentee ballots in any election in which ballots are cast under the provisions of this title, each secretary of state shall transmit such report to the Commission.

So there still would be a report from the secretary of state, as I understand the provisions of the bill.

Mr. LUCAS. That is correct, and I think it is a very admirable provision. In other words, the secretaries of state would have nothing to do with respect to the counting or canvassing of the ballots. All they would do would be to receive, segregate, and transmit the ballots to the various election officials in the counties in which the voters reside. It would seem to me to be worth while to make provision at least to have the ballott commission and the country to know how many votes the secretaries of state received and how many votes were transmitted. It does not seem to me to be particularly important that they know where they were transmitted. That information would come back to the ballot commission, and we would at least have sufficient knowledge to be able to know whether the secretary of state transmitted the ballots in the proper way, in accordance with what Congress intended. That act is purely an administrative one. It would mean absolutely nothing, other than to have the Congress know whether the secretary of state did pass along the ballots. That is about all there is to the provision. Candidly, I am not very much interested in even that phase of the measure; but I believe it helps remove a little more administrative responsibility from the Army and from the ballot commisison, to have the ballots transmitted directly to the secretaries of state, and then have them segregate them and send them on.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. OVERTON. The provision in reference to the validity of ballots is not so very clear, as to whether the validity of the ballot is to be determined by State law or not. The provision is that—

Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

That relates to the canvassing, counting, and certification of votes, but it does not deal with the qualification of the voter. It contemplates the vote cast, the vote in the ballot box, whether the voter be qualified under State laws or not, and then it proceeds to state that after the votes are cast they shall be canvassed, counted, and certified according to the State law. What I wish to ask the Senator is whether it is the intention to provide that the qualifications of voters shall be determined by the laws of the State in which the vote is cast.

Mr. LUCAS. Let me say to my able friend from Louisiana that the first part of section 14 provides:

The commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States.

It seems to me that is very clear. That is the first part of section 14.

Mr. OVERTON. Determined according to what? It ought to read "such determination shall be made in accordance with State law."

Mr. LUCAS. I presume that the duly constituted election officials in the Senator's parish, or in my particular precinct, are acting under State laws.

Mr. OVERTON. Why presume that they will follow the State law? We have here a proposed Federal statute, which contemplates that the soldiers shall be permitted to vote. The ballot is all arranged for them. All they have to do is to mark it and send it in.

Mr. LUCAS. I have no objection to what the Senator is trying to do. I think this section absolutely covers it. So far as we might question whether or not an election official has the power under the State law to count the vote, we might question the same thing under any vote for any Federal official. The States are merely acting in conjunction with the Federal Government in holding any Federal election. I undertake to say that under section 1 of article IV of the Constitution the Federal Government, if it so desired—at least so far as Senators and Representatives are concerned—could set up its own election machinery, have its own polling places, its own election officials and judges, and say to the States, "You hold your election on another day, and we will hold ours on this day." I have often wondered why the States did not ask the Federal Government for an appropriation of some kind to help them carry on the Federal elections, which they have been doing all these years at the expense of the States, really at the expense of the towns where the election is held.

Mr. OVERTON. If that be the intention of the Senator from Illinois, then I take it he would have no objection to an amendment on page 39, line 9, after the words "such determination shall be made" to insert "in accordance with State law."

Mr. LUCAS. "Shall be made by the duly constituted election officials——"

Mr. OVERTON. "Shall be made in accordance with State law." That is the determination as to the validity.

Mr. LUCAS. I do not think I would have any objection to that. However, I want to consider it carefully.

Mr. OVERTON. Then I offer that amendment, if I may.

Mr. LUCAS. I should like to give it a little thought and consideration before it is adopted.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. TAFT. Of course, that would be entirely inconsistent with the provisions of sections 1 and 2 of the existing law, which are:

SECTION 1. In time of war, notwithstanding any provision of State law relating to the registration of qualified voters, every individual absent from the place of his residence

and serving in the land or naval forces of the United States, including the members of the Army Nurse Corps, the Navy Nurse Corps, the Women's Navy Reserve, and the Women's Army Auxiliary Corps, who is or was eligible to register for and is qualified to vote at any election under the law of the State of his residence, shall be entitled, as provided in this act, to vote for electors of President and Vice President of the United States, United States Senators, and Representatives in Congress.

SEC. 2. No person in military service in time of war shall be required, as a condition of voting in any election for President, Vice President, electors for President or Vice President, or for Senator or Member of the House of Representatives, to pay any poll tax or other tax or make any other payment to any State or political subdivision thereof.

So it seems to me that it is perfectly obvious that this section does not mean anything. If the Senator is willing to say "in accordance with State law" he then nullifies sections 1 and 2 of the act.

Mr. LUCAS. The Senator is absolutely mistaken.

Even if I should accept the amendment, I would not nullify sections 1 and 2 of the present law, Public Law 712. All we deal with there is registration and the poll tax. We do not deal with, and never have attempted to go into, the basic qualifications of a voter as laid down by the States. I contend with all seriousness that the question of registration is not a basic qualification.

Mr. TAFT. Madam President, will the Senator further yield?

The PRESIDING OFFICER (Mrs. CARAWAY in the chair). Does the Senator from Illinois yield to the Senator from Ohio?

Mr. LUCAS. I yield.

Mr. TAFT. There is, however, a fundamental question involved, and that is, Can the canvassing board, in a district in Louisiana, we will say, throw out a vote because the voter has not registered in accordance with the laws of the State of Louisiana? Perhaps he does not meet the educational requirements, or has not registered to show that he meets them, or has not paid the poll tax.

Mr. LUCAS. What might be construed with respect to registration in one section of the country might be determined by the courts to be different in another section of the country. I honestly believe and sincerely state that section 14 in the amendment which was read by the clerk is sufficient to satisfy all that the Senator from Louisiana has in mind. I wish to think about his amendment. I do not think I would object to it, although I should like to think about it.

Mr. OVERTON. Madam President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. OVERTON. My purpose is to do away with the provision in the existing law with reference to poll tax and registration. I was about to suggest another amendment, and that is that the qualifications of the voters shall be determined by State law. I think that would settle that question.

Mr. LUCAS. I will not agree to eliminate sections 1 and 2 of the basic law; but I am willing to go as far as anyone possibly can go in order to do what I think is accomplished under section 14.

Mr. OVERTON. Then, this is all beautiful phraseology, but does not mean anything in the face of existing law, unless we undertake to modify the existing law.

Mr. LUCAS. We have on the statute books the registration law and the poll tax law, enacted by the Congress and signed by the President. That is the situation as the Senator knows.

Mr. OVERTON. Does it all sum up to this, that it would still be left to the States to determine the qualifications of the voters?

Mr. LUCAS. I have never said that the basic qualifications should be determined by any agency except the States. They are the only ones who can determine it. The Congress has nothing to do with that.

Mr. OVERTON. Then there should be no objection to inserting an amendment.

Mr. LUCAS. There may not be, but I will not accept it until I take a look at it.

Mr. OVERTON. Let me suggest another amendment, while I am on my feet, if the Senator will yield for that purpose?

Mr. LUCAS. I am delighted to yield to the Senator from Louisiana.

Mr. OVERTON. After line 15, and before line 16, on page 39, I suggest inserting: "The qualifications of the voters shall be determined by State law."

Mr. LUCAS. Will the Senator be kind enough to restate his first amendment?

Mr. OVERTON. On page 39, line 9, my amendment would make the language read:

Such determination shall be made in accordance with State law.

The next amendment is on page 39, after line 15.

Mr. WHERRY. Mr. President, where would that be in the bill?

Mr. LUCAS. It would follow line 15.

Mr. OVERTON. The Senator is correct, it would follow line 15.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. VANDENBERG. I should like to submit a problem to the able Senator from Illinois which is disturbing me very much. It is with respect to some things which have happened since we dealt with the previous Lucas-Green bill. The Senator knows that I supported that bill. I supported a Federal ballot as assurance against the absence of effective State absentee ballot provisions.

Since the first Green-Lucas bill was defeated many of us have gone back to our States and urged the completion of effective arrangements for the transmission of absentee State ballots to our service men and women. For example, in the State of Michigan, the Governor has called a special session of the legislature, which will meet in a few days. At that time in all probability the voting calendar will be moved forward so that we can deliver a complete absentee State ballot for transmission to our armed forces probably not later than August 15.

All things being equal, I assume that every Senator will agree that it is preferable for the soldier to be given a State ballot if it can reach him, because the State ballot affords him total suffrage, whereas the Federal ballot affords him only partial suffrage.

But what I wish to call to the attention of the Senator from Illinois, and about which I invite his comment, is the fact that it seems to me the text of the pending bill almost deliberately justifies the Secretaries of War and Navy in discriminating against the transmission of State absentee ballots. My belief in that respect is based on the fact—and I call it to the Senator's attention—that the language on page 37, in section 11, regarding the transmission of the Federal ballot, establishes priorities and most emphatically tells the Secretaries that it is their business to get the Federal ballots into the hands of the troops. But when we go to page 44, section 204, covering the transmission of State ballots, all that is said is:

The Secretaries of War and Navy shall, so far as practicable and compatible with military operations, take all reasonable measures to facilitate delivery and return of absentee ballots mailed to members of the armed forces pursuant to the laws of the several States.

It seems to me that that language by itself would operate as a discrimination against the transmission of State ballots. But it does not stand alone. In this interim the Secretary of War and the Secretary of the Navy have issued instructions to the Council of State Governors, and, among other things, they asserted on September 30, 1943, that the total weight of covering envelope, enclosed outer envelope and inner envelope, ballot, and voting instructions, would not exceed eight-tenths of an ounce, whereas, for example, the ballot in the city of Detroit weighs 2 ounces. So far as I can discover there is no State absentee ballot which weighs as little as eight-tenths of an ounce.

So, Madam President, I seem to be confronted with the fact that the text of the bill apparently discriminates against the transmission of State ballots. Certainly it does not offer the same guaranty of the transmission of State ballots as is offered for the transmission of Federal ballots. So the text of the bill not only apparently discriminates against State ballots, but we are told by the Secretary of War and the Secretary of the Navy that all State ballots weigh too much to be transported by any method.

I ask the able Senator from Illinois for his comment upon that challenging situation. The Senator will understand that it has nothing to do with my feeling toward the Federal ballot, but I do want the State ballot to be delivered to every soldier who can receive it, because that is the only way in which he can obtain his total suffrage.

Mr. LUCAS. Madam President, I appreciate what the Senator has in mind, and I also appreciate the fine work which he has consistently done in behalf of the uniform Federal ballot. I know exactly what he is thinking about. I also know that millions of persons are wondering whether or not they cannot have a complete ballot covering all the State officials in the same way we are trying to provide for Federal officials by the Federal ballot. I wish it could be done. If it could be

done, there would be no reason for bringing on the floor of the Senate the bill which is now sponsored by the Senator from Rhode Island [Mr. GREEN] and myself. That is the primary and basic reason for this proposed legislation. We cannot furnish to the troops in every part of the world all the different types and kinds of ballots which are required by the 48 States, which have enacted 48 different kinds of election procedures. The Army and Navy have made a careful analysis of the laws of the 48 States. They have definitely stated that they cannot do it.

Mr. VANDENBERG. They cannot do what?

Mr. LUCAS. They cannot transmit to the men overseas ballots from every State in the Union. For example, take Illinois. There are 102 counties in my State. In voting for State officials I wish to vote for my sheriff because he is one of the most important officials in my county. In order to insure the privilege of voting, it would be necessary to have 102 ballots coming from Illinois alone. Of course, all those ballots will have names upon them. The State set-up will be used. How are we going to supply 700,000 boys from Illinois with 102 different kinds of ballots?

Mr. VANDENBERG. I think it would be easy.

Mr. LUCAS. I should like to have the Senator tell me why?

Mr. VANDENBERG. Because it does not at all involve the procedure about which I am talking. If a service man or woman abroad sends a postal-card ballot to the secretary of state asking for an absentee ballot from his or her county, the secretary of state sends it to the county in which the member of the military service is registered, and in turn the service man or woman receives it precisely as he or she receives any other piece of mail.

Mr. LUCAS. How will the service man or woman receive the ballot when some States provide for less than 20 days and some States for only 12 days under the absentee-voting law?

Mr. VANDENBERG. I do not know. I have spoken of the State of Michigan. We are going to the extreme of calling the legislature together to accommodate ourselves in this situation.

Mr. LUCAS. I congratulate the Senator on that score.

Mr. VANDENBERG. Yes; but it will do no good, apparently, in view of the prohibition which is in front of us.

Mr. LUCAS. Oh, it will do a tremendous amount of good in removing the restrictions with respect to absentee-voting laws, in respect to registration and other conditions other than qualifications. West Virginia recently passed a law which allows 89 days from the time the soldier requests a ballot for the clerk to send the ballot to him and have it returned. I do not say that the ballot will go by air mail. The Army cannot take it by air unless we stop the war. The Army cannot take these ballots by the ton from every State of the Union. What was done in West Virginia was to give the soldier as many days as possible for him to receive a State ballot wherever he might be serving.

In addition to that, they did the sensible thing of saying that on the first day of the 89 days the father or the mother or the sister or the next of kin could go to the county clerk and say, "Here is the name of my son, John Jones, who is serving in England. I want to make an application for a ballot for him." There are going to be thousands upon thousands of West Virginia soldiers who will vote under that plan. If the ballots do not go by plane, they will go by ship, and they will get back by ship in the 89 days' time.

Mr. VANDENBERG. Still the Senator, I think, does not answer my question.

Mr. LUCAS. I will come to the Senator's question and answer it. It has been stated definitely over and over again, among others, by Mr. Stimson in his report, joined in by the Secretary of the Navy, that they can take to every battle-front in the world one ballot, and one only, in one general election. That is his statement. I do not know upon whom we are going to rely if we cannot rely upon the Army and Navy with respect to the administrative difficulties which are involved in attempting to place State ballots with candidates from Governor down to sheriff in the hands of every individual in the armed services of his country. The military services cannot do it, though they will make every effort possible, and if it is possible to transmit the ballots they will do it. As soon as the States remove these restrictions, a greater opportunity will be afforded, whether the ballots go by air mail or by ship or what not; but it would break down the services completely if they were required to transmit all these ballots to every section of the world. Transportation and other facilities are not available for them to do it.

Mr. VANDENBERG. I follow the Senator's argument, but it seems to me that his compliment to the State of Michigan, for example, and to the State of West Virginia, for putting their absentee ballot laws in workable order for this purpose, turns to ashes on his lips when in the next breath he says that the ballots cannot be transmitted. What is the use of fixing this thing up if the net result is that there is no transportation available?

Mr. STEWART. Madam President, will the Senator from Illinois allow me to answer the Senator from Michigan?

Mr. LUCAS. I will yield to the Senator for that purpose.

Mr. STEWART. The Senator from Michigan evidently was not following the Senator from Illinois.

Mr. VANDENBERG. I was following him as closely as I could.

Mr. STEWART. Probably the Senator from Michigan was ahead of him.

Mr. LUCAS. He usually is.

Mr. STEWART. The Senator from Michigan is rather a fast-moving Senator.

I desire to call attention at this juncture to the fact that Colonel Cutler testified before the Privileges and Elections Committee to two pertinent and practically controlling situations with respect to the delivery of the ballots to the soldiers. In the first place, he said that the average weight of the absentee ballot of the various States, because it is transmitted in a large envelope, usually with a return envelope, and so forth, is about 3 ounces, and under the method employed for sending V-mail that 3 ounces would displace about 1,200 V-mail letters. He stated also that the most precious morale factor now is considered by both Army and Navy to be the ability of the Army to get V-mail letters from their family and friends delivered to the soldiers, and that in the European theater they are now unable to deliver half of the letters that reach the New York Post Office within a given time, a period of 2 or 3 weeks, as I recall his statement. Carrying it out as a matter of mathematics, if one 3-ounce absentee ballot displaces 1,200 V-mail letters when they are unable to deliver half of those now sent, with four or five million soldiers and sailors overseas, the Senator can see the seriousness of the situation.

Mr. TAFT. Madam President, will the Senator from Illinois yield to me for a moment to comment on what the Senator from Tennessee has said?

Mr. STEWART. Let me finish, please.

Mr. LUCAS. I yield further to the Senator from Tennessee.

Mr. STEWART. Confronted and faced with the absolute impossibility of delivering ballots to soldiers under such a plan it seems to me that we are confronted with the duty, then, of working out if we can something practical or simply dropping the matter. That is the way I look at it. I want to have the Congress take action which will enable the soldiers and sailors to vote.

The absentee ballot laws of the States require personal delivery to the soldier of the letter which is sent to him from the State. The over-all changes of address, so to speak, of the soldiers each day are in excess of 10,000 that are in this country and abroad, altogether, and God knows how rapid the changes will be when the invasion begins if it begins as we expect and hope it will next summer. So the military services are confronted, Colonel Cutler says, with another obligation it is practically impossible for them to perform, namely, personal delivery of ballots to the soldiers.

This bill contemplates the shipping of the ballots in bulk; that is, as I understand, simply by post cards, with no name on them. They do not become individual votes until they are signed by the soldiers themselves. Those are two reasons, if the Senator from Michigan please, that are most convincing to me.

The Army and Navy say absolutely that they cannot deliver these ballots, and that is why I am persuaded strongly on the side of this amendment. On a previous occasion I voted for the Eastland-McClellan-McKellar amendment. I voted for it with the statement that if it failed, I would vote for the bill anyway, because I am anxious to see an opportunity afforded for the soldiers and sailors to vote. I think it is a morale-building factor.

Mr. VANDENBERG. Mr. President, will the Senator from Illinois permit me to ask the Senator from Tennessee a question?

Mr. LUCAS. I yield for that purpose.

Mr. VANDENBERG. I fully understand the attitude of the able Senator from Tennessee. I agree that there ought to be a Federal ballot; there is no question about that; but I also continue to be incorrigible in my feeling that the only way a soldier can get total suffrage is on the State absentee ballot. It seems to me that the Senator from Tennessee is saying to me that title III of the bill is mere camouflage and superfluity, and it seems to me he is saying to me that I am recommending sheer nonsense to the Governor and to the Legislature of Michigan when I suggest that they go to the trouble of changing their entire election system so as to provide absentee ballots for Michigan soldiers. Is that what the Senator is saying to me?

Mr. STEWART. I will say to the Senator from Michigan that it seems to me that the soldiers are not going to vote if we do not pass this bill.

Mr. VANDENBERG. What does the Senator answer to my other question? Is title III merely language without any validity or force?

Mr. STEWART. Certainly not.

Mr. VANDENBERG. It is if the thing works as the Senator describes it.

Mr. STEWART. I was describing the transportation of State ballots, following the testimony of Colonel Cutler before the Committee on Privileges and Elections on the 20th of this month.

Mr. LUCAS. Madam President, the Senator from Michigan knows that recently 33 States in the Union had 30-day absentee-voting laws. In 14 of those States 5 mail services were necessary before a ballot could be cast.

Mr. VANDENBERG. I come from the enlightened State of Michigan.

Mr. LUCAS. I understand that, but there are other States in the Union besides the State of Michigan. The Senator does a magnificent job in taking care of Michigan, but there are some other States the legislatures of which have not seen fit to remove the restrictions which were adopted in peacetime and which have no application whatsoever to those who are serving in the armed forces, especially those overseas.

Mr. VANDENBERG. Granting all that, may I ask the Senator one question?

Mr. LUCAS. I will ask the Senator to wait just a moment.

Mr. VANDENBERG. Very well.

Mr. LUCAS. It is absolutely impossible for the Army and the Navy, even if they were to be given plane priority to carry the State ballots, to comply with the complicated machinery that is set up in 33 of the States. On that account alone, they could not get the ballots to the soldiers and back, even if they desired to do so. Until Illinois recently amended its law with respect to registration, there was not a single United States soldier coming from Illinois, serving outside the continental limits of the United States, who would have had an opportunity to vote, even if he had been given all the plane priorities upon which the Congress could legislate. That is the point I am making. In other words, until the legislatures of all the States which have not removed the restrictions meet and remove them, there is nothing the Army and Navy can do about the matter. They could not deliver the ballots even if they desired. But the soldiers should be given opportunity to vote, and the legislatures should pass laws to make it easy for someone at home to make the application for the soldiers, rather than to require the serviceman in New Guinea, who is out there fighting for his life and yours and mine, to assume the initiative. So far as the State ballot is concerned, someone at home should be able to make the application. Everything possible should be done to give the soldier an opportunity to vote.

I undertake to say that the Army and Navy are sincere in what they are attempting to do. They have definitely stated that it would break down transportation, that it would almost stop the war, if they had to deliver all the ballots from the 48 different States under the 48 different procedures they have. This is what they say:

> Voting for servicemen in wartime depends on practical considerations relating to military operations, duties, means of communication, etc. To the extent that overseas voting is dependent on air carriage of material by the services, it is subject to three factors beyond control—weather, war, and plane space.

Mr. President, that applies to the uniform Federal ballot also. There is a remote possibility that even the uniform Federal ballot, because of those factors, will not reach all the men, or perhaps a great portion of them, but there is only the slightest possibility, if we start dealing with the 48 States, that any of the ballots will ever reach the front line or the training centers outside the continental limits of the United States, due to the very things we are discussing here.

I read further from the statement of the services:

> The effectiveness of any wartime serviceman voting law turns, not on the willingness of the services to cooperate, but on their capacity to carry it out. The services summarize below certain practical points which bear upon their ability to give effect to absentee-voting procedure.
>
> The War Department and Navy Department do not advocate or oppose any particular voting legislation.

I wish to emphasize that, and make it perfectly clear. They have never advocated or opposed any legislative proposal that has been introduced by any Member of Congress. They have been charged with many things, but the charges are untrue, so far as the testimony shows. I am not referring to anyone on the floor of the Senate when I make that statement. I undertake to say that those in control in the services are just as much interested in trying to do something to afford the men in the service an opportunity to vote as is any other individual, and much more than some.

Mr. VANDENBERG. Will the Senator yield further?

Mr. LUCAS. I yield.

Mr. VANDENBERG. I am not charging the War and the Navy Departments with anything except this, that if their letter to the Council of State Governors on December 30 shall be adhered to, no State ballot will be transported overseas for soldiers and sailors to use in spite of title III.

Mr. LUCAS. Oh, yes.

Mr. VANDENBERG. And title III thereupon becomes mere window dressing.

Mr. LUCAS. The Senator is absolutely wrong about that.

Mr. VANDENBERG. That is what I am trying to find out about.

Mr. LUCAS. The Senator is absolutely incorrect upon that score. I again refer to the laws of West Virginia. I do not know whether it is true of any other State, but I know that when the Legislature of West Virginia recently enacted an 89-day provision, and provided that the father or the mother, the brother or the sister, or other next of kin, could go to the county clerk and make an application for the ballot, under that 89-day provision thousands of servicemen in England, in Hawaii, in Alaska, and at many other spots, will have opportunity to get ballots, because, even if the ballot has to go by boat, 89 days is a considerable time. No one need tell me that under this provision we are not encouraging and aiding voting by servicemen, because we want them to vote. I wish it were possible for every soldier to vote for every candidate, from the President down to sheriff, but because of the State laws as they are at the present time, it is impossible to get the ballots to them.

Mr. VANDENBERG. What good does it do the State of Michigan to change its State law if, after we change the law, the War and Navy Departments will not take our ballot because it weighs over eight-tenths of an ounce?

Mr. LUCAS. They will take the ballot, in my humble opinion. Where the serviceman makes request for a ballot, it will go, the same as any other piece of mail. That is what Colonel Cutler said. What they are telling us is that if we want to get any plane priority in connection with the ballots, the States would better cut the ballots down to the size indicated.

Mr. MOORE. Mr. President——

Mr. VANDENBERG. Just a moment. I think probably our ballots will go by boat cargo, the same, I suppose, as all the Government publications about which we have heard, the pamphlets about Victory, and the Terms of Ultimate Victory, and the United States Navy, and a lot of things which are not quite as valuable as ballots.

Mr. GUFFEY. Mr. President——

Mr. VANDENBERG. I do not include the Senator from Pennsylvania in anything I am saying.

How about getting the State ballots back, Mr. President? We can get them over to the men, let us say, by ship. We cannot have the same service the Federal ballot has; the State ballot has to go by ship instead of air. But how about getting it back? Are we not at least entitled to have it brought back by air?

Mr. LUCAS. It cannot be done under the facilities of the Army and Navy, and for another reason. The ballot the Senator is now discussing is filled out by the individual. That ballot goes to Africa, let us say. We do not know when the ballot will get there.

Mr. MOORE. Will the Senator yield?

Mr. LUCAS. In a moment. We do not know when the ballot will reach Africa. We do not know where the soldier will be when the ballot arrives. No one knows how much time will elapse before the ballot is voted. In other words, every individual has to stand on his own; he has to assume the initiative. Under the State law he has to go somewhere and execute the ballot in secret.

I do not know how the State law would cooperate with the Federal Government along that line. I presume the States have provided, and must provide, through their legislatures that the serviceman would have a right to go before a noncommissioned or commissioned officer and swear to his qualifications. If the States do not change their laws, some of the boys will have quite a hard time finding a notary public among the Arabs in northern Africa. Many of the State laws provide that one who votes an absentee ballot must swear to it before a notary public. All those questions arise when we attempt to say that the servicemen should vote through the State process.

Mr. VANDENBERG. I agree that all those questions arise, but even if they are all favorably resolved, I do not see what difference it will make if the Secretary of War and the Secretary of the Navy are going to put suffrage on a weight basis from now on.

Mr. LUCAS. The Senator may call it on a weight basis if he desires. They are putting it on a military basis, if you please. They are putting it on the basis of it being impossible to do what the Senator from Michigan says he believes they should do. As one who has been interested in this question for some time, what am I to believe with respect to this subject when the Army and Navy tell me and tell the committee that they do not have the plane space in which to handle what the Senator from Michigan is attempting to say they should handle? I am sure the Senator does not want to interfere with the war effort in any way in connection with the ballots.

Mr. VANDENBERG. The Senator is correct.

Mr. LUCAS. I am sure the Senator wants the letters coming from and going to the soldier and his folks to continue to travel by boat or plane, or however they can be carried. Colonel Cutler testified that in the event they attempted to do what the Senator now says they should do, there would be some 6 or 8 months when the boys would not receive a single letter from home, and would not be able to send a single letter back from the front to their families. That is quite a problem. Letters are the greatest builders of morale on the fighting front, and I am not willing to say that we should insist on legislating to the end that the Army and Navy shall do what is suggested, when they say definitely that they cannot do it. We would thereby perpetrate a fraud, so to speak, upon the soldiers who hope for an opportunity to vote, and also upon the folks at home who want their loved ones who are in the armed forces to have the opportunity of voting some kind of a ballot.

Mr. VANDENBERG. That is precisely the point. I do not want to perpetrate a fraud on the people at home who may be led to believe that title III amounts to something when apparently it does not.

Mr. LUCAS. I do not agree with the Senator at all.

Mr. HATCH. Mr. President——

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Does the Senator from Illinois yield to the Senator from New Mexico?

Mr. LUCAS. I yield to the Senator from New Mexico.

Mr. HATCH. I wish to say on that particular point—and I must confess that I have not studied the bill, and was not able to be present at the committee meeting—that title II seems to me——

Mr. VANDENBERG. It is title III. State voting.

Mr. HATCH. I am referring to the title which provides that the rights of the voters shall not be restricted. The State of Michigan, if it so desires, can call its legislature into session.

Mr. VANDENBERG. We have done that.

Mr. HATCH. And can pass such absentee law as it desires.

Mr. VANDENBERG. We shall do that.

Mr. HATCH. Providing for total suffrage.

Mr. VANDENBERG. We shall do that.

Mr. HATCH. There is nothing in this measure which would prevent the State of Michigan from doing that.

Mr. VANDENBERG. That is where I disagree with the Senator, because I think that when the measure deliberately uses totally different language when instructing the War Department and the Navy Department with respect to the transmission of ballots, Federal and State, as it does, it puts us on notice that the State ballots are not to be transmitted, in view of the statements made officially by both Departments that such ballots cannot be transmitted.

Mr. HATCH. Mr. President, my thought is that the State of Michigan would be deprived of the advantages given the Federal ballot under this particular bill, but the State of Michigan could still make its own arrangements, send its absentee ballot by regular mail to the soldier, wherever he might be, who could vote and have it returned. The only thing the State of Michigan needs to do is to provide ample time so it can be done. There is nothing in this measure which would prohibit or prevent the State of Michigan from doing it, but the State of Michigan would be deprived, if it has an excessively heavy ballot, of having the advantage of the transportation and the cooperation of the Army.

Mr. VANDENBERG. I entirely agree with the Senator that there is nothing textually in this bill which deprives the State of Michigan of the opportunity of sending an absentee ballot through the mail and waiting for a soldier to send it back through the regular, ordinary mail. But I submit that when the question of a voting calendar is concerned, all that we can do back in the States—and Michigan is only one of several States which are making this very earnest effort—the only thing we can do is to get our ballots ready, say by the middle of August, so as to give ample time for the procedure. It seems to me that when we have done that, we should not confront what apparently is a statutory discrimination against State ballots. Obviously we do confront such a situation in the text of this bill, particularly as it is illuminated by the very significant observations contained in the regulations of the War Department and the Navy Department. I do not think that is fair.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield to the Senator from Kentucky.

Mr. BARKLEY. It seems to me that under title II the language goes about as far as it could go in making it the duty of the Secretary of War and the Secretary of the Navy to transmit the ballots, insofar as practicable and compatible with military operations. The Senator from Michigan does not want them to go beyond that.

Mr. VANDENBERG. The Senator perhaps has not been present during all the discussion——

Mr. BARKLEY. Yes; I have been.

Mr. VANDENBERG. Has the Senator read the language which describes the duties of the Secretaries with respect to the Federal ballot on this same score?

Mr. BARKLEY. Yes; I have.

Mr. VANDENBERG. It is a totally different sort of construction.

Mr. BARKLEY. Let us assume that it is the Federal ballot which we are making it their duty to administer as a sort of priority. If it does have that effect there must be, and in my judgment there is, reason for it. I do not know whether it will be possible—I do not suppose anyone knows whether it will be possible—for all these ballots, both State and Federal, to be taken to the soldiers and sailors wherever they may be around the world. If there are transportation facilities enough to get both State and Federal ballots to the soldiers, we might assume that many of the soldiers and sailors would receive two ballots, one of which would be a Federal ballot and one of which would be a State ballot. On the State ballot would be the names of all the candidates for local offices as well as the Federal candidates for office. On the Federal ballot would be only the candidates for Federal offices. The serviceman would have his choice as to which of the ballots he would vote. He would not vote both of them. If he did they would not both be counted.

Mr. VANDENBERG. If the Senator will permit me, I do not think the serviceman will ever receive the State ballot.

Mr. BARKLEY. I do not agree with the Senator from Michigan. It may be entirely possible that the soldiers will never receive State ballots from many States because there will not be enough time elapsing between the date when the requests are made and the date of the election to enable them to receive the ballots. Under the terms of the pending measure they would receive the Federal ballots, and to that extent, which is as far as we can go, I imagine, they would be reenfranchised, to the extent that they could vote for Federal officers.

Mr. VANDENBERG. That is the reason I am in favor of the Federal ballot by way of assurance.

Mr. BARKLEY. Yes. So that this measure seems to me to offer assurance that where the physical difficulties in the way of getting the State ballot to the soldiers are insurmountable, they will have the Federal ballot which they can exercise, because its transmission probably will be more rapid. It might be lighter in weight. Various equations enter into the possibility of the Federal ballot reaching the soldier and his casting his vote under it.

I agree with the Senator from Illinois that there are many States which have not as yet shortened, and may not in any way shorten, the period of time; and if some of them do not shorten it, I imagine that there will not be enough time for the soldier in New Guinea or in Australia or even in Italy to get his request home for a ballot before the election has taken place.

Mr. VANDENBERG. I agree with all that. There ought to be a Federal ballot to meet that situation. What I am complaining about is that all the States have been put on notice that if they will have special sessions of their legislatures——

Mr. LUCAS. Who put them on notice?

Mr. VANDENBERG. The Senate of the United States, by the action it took in the passage of the Eastland, and so forth, bill.

Mr. LUCAS. That might be. I am not saying that is not so—but the Senator from Illinois was not a party to that misapprehension. The only thing I have ever said, and I said it 4 months ago, is that the people, in my judgment, if they really understood this matter, would applaud any Governor who would call a special session for the sole purpose of removing restrictions and conditions which make it absolutely impossible for a soldier even in this country to vote by an absentee ballot. That is all I said. The only reason for the legislation now before the Senate is because of the very condition about which the Senator from Michigan is now complaining.

Mr. VANDENBERG. I understand that fully. The fact remains that certainly the Governors and legislatures of the States were put under a period of heavy pressure and argument from countless different sources during the last few weeks and month or two to get their States in position to provide early absentee-ballot laws for their service men and women.

What I am now complaining about is that when my State, among others, goes to that extreme—and we are very happy to do it because we believe in it—we should now confront such a situation that apparently all this effort, or most of it, is to be invalid and futile——

Mr. LUCAS. No.

Mr. VANDENBERG. Or at least that there is to be no guaranty that the State ballot is to have comparable consideration with the Federal ballot.

Mr. LUCAS. I agree with the last statement made by the Senator. The State ballot will not have a comparable position with the Federal uniform ballot; and if it did have, the legislation now proposed would never have been introduced in the Senate of the United States. That is the real purpose of it. It is because of all the reasons which have been assigned by the Army and the Navy with respect to the complications which are involved in attempting to get a State ballot to the soldiers everywhere in the United States and in all parts of the globe that the Federal ballot measure is with us. The Senator is constantly making the argument that we have here from the beginning been striving to provide a uniform Federal ballot. He sets forth the view that the States do not know what they are doing with respect to calling special sessions of their legislatures and that they are calling them under some sort of a delusion that they are going to get ballots to the soldiers everywhere through plane priority. I undertake to say there never has been anything in the legislation which would cause any Governor to call a special session with the understanding that he was going to get the State ballots placed on the same basis as the Federal ballots.

Mr. VANDENBERG. Mr. President, can the Senator tell me whether anyone ever heard, until December 30, of any proposal to limit the transportation of State ballots to those of a weight of eight-tenths of an ounce?

Mr. LUCAS. That may be true; I do not know whether the Army and the Navy had made a thorough and exhaustive study and search with respect to all the ballots which would be required in connection with elections in all the States and all the counties and all the cities in which the population is 25,000 or over. The Census Bureau of the Department of Commerce recently said that—

> In 1942 elections in the United States for Federal, State, county, and municipal offices in cities having a population of over 25,000 were held on 99 different dates; that is to say, elections for the above offices occurred somewhere in the United States on 1 day out of every 4 days throughout the year.

It can readily be seen how administratively impossible it would be for the Army and the Navy to carry out effectively such enormous responsibilities, in view of the fact that elections are being held somewhere in this country every 4 days. If they are to do it for one, they must do it for all. The only way to meet the situation is to have the uniform Federal ballot, and the only reason why the bill for the uniform Federal ballot is before the Senate today is because of what was said in the Department of Commerce report and because of what the Army and the Navy said.

Let me read a statement from the Secretary of War and the Secretary of the Navy:

> The War Department believes that it is its duty to call these practical difficulties to the attention of the Congress. It would endeavor, to the best of its ability, to administer whatever laws the States might enact pursuant to congressional recommendation. But the exigencies of war circumscribe cooperation. With but a single law to administer, involving a single air-carriage of lightweight ballots in bulk overseas and a single air-carriage of such ballots in bulk back to America, the accomplishment of servicemen voting outside of the United States remains only a possibility. Anything more onerous than such a procedure would be, to the extent of its burden in space, time, and diversity, a more remote possibility.

Mr. VANDENBERG. Mr. President, let me ask the Senator one other question, and then I shall subside, at least temporarily. On page 37, the language in respect to the transportation of the Federal ballot reads as follows:

> SEC. 11. The Secretaries of War and Navy and other appropriate authorities shall take all steps necessary to give to the transmission and delivery of ballots and communications under this title priority over all unofficial communications and priority over official communications except where, in the judgment of the appropriate military and naval authorities, such priority would interfere with the effective prosecution of the war.

In other words, it remains completely and totally discretionary.

Mr. LUCAS. That is correct.

Mr. VANDENBERG. Why is not the Senator willing to apply precisely the same language and the same discretion to the State ballots?

Mr. LUCAS. It gets right back to the point the Senator is discussing: It cannot be done. I am not going to be a party to legislation which will say to the States, "Well, there is this possibility, and you can depend upon me to do everything I can do to see that the Army and the Navy carry this out."

Mr. VANDENBERG. Mr. President, let me inquire as to what the Senator is now saying. Is he saying that there is no hope for the delivery of State ballots?

Mr. LUCAS. I just now read the statement to the Senator, and it cannot be read too many times. It is the statement of the position of the Army and Navy:

> Anything more onerous than such a procedure would be, to the extent of its burden in space, time, and diversity, a more remote possibility.

The Army and the Navy said that in the first instance there is a possibility that they cannot even make delivery of the uniform Federal ballots, but that anything more onerous than that would make it a remote possibility. I take the same position in view of the statement which has been made time after time by the experts from the Army and the Navy who have made a particular study of this matter.

Mr. VANDENBERG. Then title II is equally remote and equally improbable of any hopeful or effective use; is not that true?

Mr. LUCAS. Insofar as section 11 is concerned—the section dealing with priorities—it does deal with the Federal ballot. That does not mean that the Federal ballot is going to have plane priority. If the Congress of the United States sees fit to pass the uniform Federal ballot law, within the next 30 days, those ballots could go out in bulk. Because they are uniform, they could go everywhere, and the same ballot would apply to the soldier in New Guinea and to the soldier in Africa. It would not be necessary to take those by plane priority. But as to the ballots themselves, after they are executed, we do ask that they be brought back by plane priority. The Senator will remember that under the bill a certain day is set aside for the soldiers to vote, in whatever area they may be training or fighting. Then the ballots will be collected, and all coming from that area will be placed in a bag and sent back by plane to the United States.

Mr. VANDENBERG. Mr. President, I am sure the Senator will agree that we want to be frank with the States about this matter.

Mr. LUCAS. I want to be frank with the States, and I have tried to be frank with the States from the beginning. If the States could have done the job, there never would have been any Federal legislation before us. Candor is the real reason for Federal legislation.

Mr. VANDENBERG. Mr. President, will the Senator be kind enough to be frank, and to state what his message is to the Governor and the Legislature of Michigan, respecting any advantage they may hope to obtain by way of amending the Michigan absentee voters' law so that Michigan servicemen and servicewomen will be able to have the advantage of total suffrage? Will the Senator state to them now, through me, in the RECORD, what use there is in having any Michigan legislative action taken upon this problem, and what advantage we might hope to have accrue therefrom?

Mr. LUCAS. I am not familiar with the election laws of the State of Michigan; and until I make an examination of those election laws, I will say frankly to the Senator, I do not think I would be competent to advise the Governor and the Legislature of Michigan what they could do in the way of amending the State laws so as to help in the present situation.

However, I did write a letter to the Governor of my State, making certain suggestions, saying that I thought the legislature could pass certain laws which would give the servicemen serving in continental United States an opportunity to vote for everyone on the ticket; and I commended the Governor of Illinois for calling the legislature into session in order to have it remove the unusual restriction which requires five mail services before a man can vote an absentee ballot. In Illinois, a man could not vote an absentee ballot if he were serving at Camp Meade, Md., for instance, unless there were five mail services within a period of 30 days.

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BROOKS. The restrictions the Senator speaks of have now been removed by the legislature of Illinois.

Mr. LUCAS. The Senator is correct.

Mr. BROOKS. And if the Army and Navy authorities had not made an arbitrary ruling about what weight of ballots they would carry, the soldiers would have the maximum opportunity for complete suffrage, would they not?

Mr. LUCAS. I would not say the maximum opportunity for complete suffrage, because we are dealing with 48 States——

Mr. BROOKS. I am talking about the State of Illinois, and the sons and daughters of Illinois. Would not they, under our law, have the maximum opportunity if there were not that restriction on the weight of ballots?

Mr. LUCAS. No; I would not say so. I would not say that the 45-day limitation adopted by the State legislature was sufficient. In my letter to the Governor I recommended that 60 days be the minimum. I also recommended to the Governor that the father, mother, brother, sister, or next of kin be allowed to make the application immediately, as was done in the State of West Virginia. Until that kind of legislation is enacted in each State, as I see it there will not be the maximum opportunity for those men to vote in the coming election.

Mr. BROOKS. Mr. President, will the Senator further yield?

Mr. LUCAS. I shall yield in a moment. The Army and Navy have definitely stated that they cannot handle the ballots from every State in the Union. We have 102 counties in Illinois. We have 102 different kinds of tickets in Illinois. If the Army and Navy are going to carry State ballots in the same manner as they carry the uniform Federal ballot, they will have to carry 102 Illinois ballots to every camp in this country and every camp overseas. No one knows where the 700,000 or 800,000 boys are serving. The letters written some time ago by the Secretary of War and the Secretary of the Navy stated that they will not give the names, serial numbers, and military addresses of servicemen voters. They will give no data as to military or naval establishments at which servicemen voters of the States are located. So when we are attempting to deal with a uniform Federal ballot—a uniform write-in ballot—it is an entirely different problem from dealing with 102 different ballots with the names printed on them. In the State of Illinois there would be 102 different ballots, to be sent to every camp in this country and every camp overseas, because we do not know where the boys are serving. In order not to miss any of them, the ballots would have to be sent everywhere.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. KILGORE. Is it not a fact that under the present system, with the men moving about so rapidly, even if a directory were prepared, the directory would be out of date before it was received?

Mr. LUCAS. The testimony showed that 60 days would be required before a directory could be prepared giving the addresses, and that, at the end of the 60 days, from 600,000 to 800,000 would have moved from where they were when the cataloging process was started. Every day 10,000 men are moving to new locations. All one has to do is to get on a train and see the number of servicemen coming and going everywhere.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. TAFT. I should like to examine the statement that the Army and Navy cannot transport these ballots abroad. I have been told, and I think the reports show, that by next November there will be approximately five and a half million men abroad. Assume that of the five and a half million men, 4,000,000 will vote. I think that is a very liberal allowance, because many of them are not qualified, or may not desire to vote. Certainly 4,000,000 would represent the maximum which would apply for State ballots. Assume that the ballots weigh 2 ounces each, which, I understand, is about an average for State ballots. There would be 250 tons of ballots. I challenge the assertion of the Army and Navy that they cannot carry by air 250 tons of ballots. I am told that today nearly 10,000 tons are being carried by air over the "hump" in China, the most difficult place in the world for flying. Now, in order to conduct an election they cannot carry 250 tons by air.

Furthermore, is it not true that, so far as the European theater is concerned, where far more than half the men are serving, the ballots could go by boat and return by boat, if the States would allow 60 days for the ballots?

Mr. LUCAS. That is the point I have been making right along. If the States will allow sufficient time, there is no doubt that a great number of the servicemen will have an opportunity to vote.

Mr. TAFT. Every State that I know of is prepared to change the dates of its primaries, and do anything to give the men 60 days, so as to make sure the ballots are delivered. I do not see how the State of West Virginia can allow 89 days unless it is willing to assume that the President is to be nominated for a fourth term at the Democratic convention. On the basis of that assumption, it can print the ballots 89 days in advance. Otherwise it cannot.

Mr. LUCAS. Mr. President, I should like to continue to talk about the bill rather than politics.

Mr. TAFT. Aside from that question, if the States will enact laws allowing 60 days, the ballots can be printed as soon as the Democratic candidate is nominated. In Ohio we are about to enact such a law. Our ballots can be printed the moment the Democratic candidate is nominated. So far as the State of Ohio is concerned, State nominations are made in May. I cannot understand why those ballots cannot be taken by boat to the whole European and African theater, thereby reducing the 250 tons to 100 tons. I cannot see why the Army and Navy cannot carry 100 tons by air to the Pacific area and other parts of the world.

The truth is that from the beginning the Army and Navy have been determined to have Federal ballots. They have been determined not to have State ballots. Every statement they have made has been to that effect. This week the statement made to the House committee by the Secretary of War is distinctly in that direction. I do not wish to call it a partisan statement, but it is a statement in favor of one kind of measure before Congress as opposed to another kind being considered by the House committee.

Mr. LUCAS. Mr. President, I hope the Senator will not take any more of my time. I hope he does not consider Secretaries Knox and Stimson as partisans, unless he is talking about Republicans.

Mr. TAFT. In my opinion Secretaries Knox and Stimson are today working for a fourth term. I say that in the most kindly spirit. It is only natural that men who have the responsibility which they have are convinced that their continuance in office after the next election is essential to the welfare of the world and of this country.

Mr. BARKLEY. Mr. President, is the Senator from Ohio going to try to convince the people of Ohio that his presence here is equally indispensable?

Mr. TAFT. I think it is perfectly natural on their part. I only say that they have assumed a partisan position in connection with this bill, and that I do not believe what they say regarding the inability of the War and Navy Departments to transmit the ballots to soldiers throughout the world.

Mr. FERGUSON. Mr. President——

Mr. LUCAS. Mr. President, I will not yield further.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. EASTLAND. Mr. President, will the Senator yield to me so that I may submit an amendment?

Mr. LUCAS. I yield for that purpose.

Mr. EASTLAND. Mr. President, on behalf of myself, the Senator from Tennessee [Mr. MCKELLAR], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Louisiana [Mr. OVERTON], the Senator from Alabama [Mr. BANKHEAD], the Senator from Georgia [Mr. RUSSELL], the Senator from Virginia [Mr. BYRD], and the Senator from North Carolina [Mr. BAILEY], I submit an amendment and ask that it lie on the table and be printed.

The PRESIDING OFFICER. The amendment will lie on the table and be printed.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. LUCAS. No; I decline to yield.

Mr. FERGUSON. I should like to explain the history of this section.

Mr. LUCAS. Let me say a word in reply to my distinguished friend from Ohio, who has brought the political issue into this discussion. I wish to say a word or two about Secretaries Stimson and Knox.

Mr. OVERTON. Mr. President, will the Senator yield to me so that I may submit an amendment?

Mr. LUCAS. I yield.

Mr. OVERTON. I submit an amendment which I ask to have lie on the table and be printed.

The PRESIDING OFFICER. The amendment submitted by the Senator from Louisiana will lie on the table and be printed.

Mr. LUCAS. Mr. President, I am shocked at the statements made by the very distinguished Senator from Ohio. The Senator from Ohio is on record as being in favor of the original bill which was introduced by the Senator from Rhode Island [Mr. GREEN] and myself.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LUCAS. In a moment. The Senator has already consumed a great deal of my time.

Mr. TAFT. That statement is not true.

Mr. LUCAS. Did not the Senator vote for my bill?

Mr. TAFT. I voted against the Eastland amendment, but if the Eastland amendment had failed I had another proposal, which I intended to offer as an amendment to this bill. I never stated that I was in favor of the Senator's bill, nor am I on record to that effect.

Mr. LUCAS. Perhaps I should be corrected. The Senator did vote against the Eastland amendment. I had a right to assume that he was voting along statesmanlike lines, but perhaps I am mistaken.

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me for a moment?

Mr. LUCAS. I am glad to yield to my good friend the Senator from Missouri.

Mr. CLARK of Missouri. I merely wish to express my indignation at the idea that the Senator from Ohio would charge Stimson and Knox with being members of the Democratic Party.

Mr. LUCAS. That was what I was about to address myself to for a moment. I regret that I am compelled to talk about that issue. I did not think we would have to discuss it. I barely know Colonel Stimson. I do know Colonel Knox very well. Since I have been in the Senate, I have never yet heard anyone on the Republican side of the aisle, so far as I can remember, commend either one of these men for leaving responsible private positions and coming to Washington in the greatest crisis the country has ever faced to attempt to do a conscientious piece of work in behalf of their country. I have no brief for either one of these men. They owe me nothing and I owe them nothing. However, I believe I recognize patriots when I see them. I undertake to say that Henry Stimson is one of the great patriots of the Nation. He had vision and "guts" to back up what he saw coming in the long ago. If we had followed his advice back in 1931, we might not be debating today in the United States Senate on the right of soldiers to vote. For the Senator from Ohio to rise on the floor of the Senate and make the charge that Mr. Stimson and Mr. Knox are campaigning for the fourth term is purely political poppycock of the highest type, and he knows it.

Mr. BARKLEY. Mr. President, I should like to amend the Senator's statement by saying that it is of the lowest type. [Laughter.]

Mr. LUCAS. The Senator may be correct; whether high or low it is still political poppycock.

Mr. President, the soldiers' voting bill, for some cause or other, has reached the point where some individuals are willing to charge other individuals with almost anything if they can throw up a smoke screen as to their real reason why they are not going to vote for the Lucas-Green bill. That is the truth of the matter. I have been charged with almost everything by certain persons, as well as a segment of the press, with respect to my attitude and my interest in this bill. I am in the same class as Knox and Stimson. I am in pretty good company, too. I am glad to be so classified.

Mr. President, last summer I made an examination of what had happened to Public Law 712, insofar as the men and women in the armed services having an opportunity to vote was concerned, and discovered that only 28,000 of the potential number in the Army of 5,000,000 had really cast their ballots. It was at that time that I came back to Washington and started to do some research work in connection with how the mechanics of Public Law No. 712 could be amended in order to give the servicemen an opportunity to vote.

Last July I made the statement in Chicago that every man on every ship, on every island, and on every continent, yea wherever he was fighting, should have a real opportunity to vote, and I have never made any change in that statement. I make no change today, and I care not whether the sentiment of the soldiers and sailors is Democratic or Republican. I care not whether they are against Knox or Stimson or for them. I care not whether they are in favor of the President of the United States, or opposed to him. They have a God-given right under the Constitution to exercise their franchise.

If, Mr. President, the long arm of Uncle Sam can reach out and literally pick up a boy from my home town and transport him overnight to England, to Africa, or to Guadalcanal, there to die for you and me while we stand here and debate this issue in the Senate, then I undertake to say that Uncle Sam must endeavor to get the ballot to that boy. All I have attempted to do from the inception of this proposed legislation was to make the law easier to comply with, and to make an unworkable law workable, if you please.

That is why I am now interested in this bill. Let it be understood, I am not going to start writing my fellow officers in the service. I am not going to start writing men in the National Guard in Illinois who are fellow officers of mine, many who are now serving overseas, to find out if they want to sneak around and take a little sample poll as to how the boys are going to vote. I will leave it to Mr. Harrison Spangler to take a poll of the vote of the boys.

Yes, Mr. President, we have been charged with politics in connection with this bill. Who is playing politics when the Senator from Ohio rises and belittles Colonel Knox and Colonel Stimson? Then Spangler comes along with his secret vote of the boys overseas. Oh, he is interested in a representative principle of government. He is not interested in seeing how the boys would vote over there. If we take Mr. Spangler's statement that 56 percent of the boys over there are going to vote Republican, the doubting Senators on the Republican side of the aisle should vote accordingly. It will please Spangler, their national chairman.

Mr. President, I am sick and tired of individuals charging indirectly and with innuendo that somebody is trying to do something about the fourth term. Let Senators on the other side keep on fooling around with this bill in the way they are doing, and I will guarantee that Mr. Roosevelt will be reelected for a fourth term. Let them keep on laying blocks and rocks in the path of the men in the armed forces, and they will finally find out what is going to happen. They are doing everything possible to aid the Democrats as a result of the delaying tactics which they have been using here in connection with this bill.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. VANDENBERG. Is the Senator referring to my discussion this afternoon?

Mr. LUCAS. No.

Mr. VANDENBERG. I have been interrogating most of the afternoon.

Mr. LUCAS. There is not a chance that I would so refer to the discussion of the Senator from Michigan, because he is as fair a man as there is in this Chamber. I never have any argument with him. He is always friendly and always seeks information.

Mr. TAFT. Mr. President, does the Senator care to have me interrupt him at this point?

Mr. LUCAS. Mr. President, I shall be glad to be interrupted. However, I do not want a speech.

Mr. TAFT. Only on the main bill. I wish to call the Senator's attention to the fact that we passed a bill. I invite his attention to the fact that his friends in the House of Representatives have done everything they can possibly do to delay and prevent the enactment of the bill. The bill was reported by the House committee and is now before the House. The very effort made here to bring this bill up is an effort to delay the enactment of a soldiers' voting bill. It is not a question of whether the soldiers should vote or not; it is a question of whether the soldiers are to be given the opportunity to vote by State ballots or by Federal ballots.

Mr. President——

The PRESIDING OFFICER. Does the Senator yield further to the Senator from Ohio?

Mr. LUCAS. I do not yield further, because the Senator has not asked a question.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. FERGUSON. I wish to assure the Senator that I am in favor of the Federal ballot bill, as I declared in the Committee on Privileges and Elections.

Mr. LUCAS. I know the Senator is in favor of such a ballot, and I appreciate his help. He has been in favor of the Federal uniform ballot all the time.

Mr. FERGUSON. I should like to explain the theory of the particular provision now under discussion.

When the original bill was before the Senate last December, I proposed an amendment to cure what I considered a defect in the bill. The amendment provided that steps be taken to assure that the State ballot would be carried to the soldiers and brought back as the Federal ballot would be.

After conference with Colonel Cutler, I decided that it was the opinion of the representatives of the Army that the provision could not be carried out, and so that the public and the States might not be misled, I did not call up that particular amendment. But when the bill came before the Committee on Privileges and Elections the second time I again proposed the identical amendment. It was then that we took testimony to decide whether or not the amendment could be inserted in the bill, and, if it could be, whether it could be fairly administered. After hearing the testimony, I came to the conclusion that it was not possible to administer it, but that if such an amendment were put in the bill the Army and Navy would at least attempt to effectuate it to the best of their ability. So it is because of that condition that we have the difference between the Federal ballot and the State ballot. One difficulty is that the Federal ballot shall have priority over official as well as unofficial mail. The other is that on page 44, beginning with line 4, this provision is found:

> The Secretaries of War and Navy shall, so far as practicable and compatible with military operations, take all reasonable measures to facilitate delivery and return of absentee ballots mailed to members of the armed forces pursuant to the laws of the several States.

Colonel Cutler, in his testimony, was frank to say that if we incorporated in the bill the same provision with reference to State ballots which was adopted in relation to the Federal ballot we could not hope that it would be taken care of in the same way. I think he had a proper and adequate explanation for his statement so far as the Army and Navy are concerned. I believe the morale of the boys at the front would be much higher if they were able to get mail promptly from their parents and families back home. It was for that reason that we adopted the provision found in the bill. I think it is clear in the bill that the Army and Navy do not intend to use the same means and facilities, that is by air, in transporting the State ballots as they do in transporting the Federal ballots. I think the bill so shows upon its face. It clearly shows that they will do what they can, what is practicable and compatible with military operations; but I still think that several States should see to the enactment of laws that will give as much time as possible, so that the State ballots may be transported by boat or other means rather than by air mail. While we should not hold out too much hope that they will be transported to the soldiers and returned, yet if the war is going well with us as we hope it will, then the State ballots will go across and will be returned.

I think this section clearly indicates to each State that it is really their duty in order that soldiers who are their citizens may vote State ballots, to advance their primary dates and allow at least 65 days between the dates when the ballots are printed and the time when they shall be returned to be counted.

That, I think, is a fair history of this provision. I believe it means just what it says, that while the Army and Navy will not lay aside priority on their official mail and priority on the Federal ballot, they intend to use what facilities they have to see that the State ballots are cast. I wanted this statement to appear in the RECORD so that each State will feel that it has something to look forward to if it will advance the dates and put its election laws in proper order. I can only recommend to the States that they do their very best to keep the size and weight of their State and local ballots to the lowest minimum so that the Army and Navy may be able to transport them with the least possible weight, thus permitting them to transport more munitions at the same time the ballots are being transported.

Mr. BARKLEY. Mr. President——

Mr. LUCAS. Mr. President, before yielding, I wish to compliment the Senator from Michigan upon the very clear-cut statement he has made with respect to that very important and vital issue. I now yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, I appreciate the frank statement the Senator from Michigan has made of his attitude in this matter. What he has said and the situation which he has described make it imperative that the States facilitate with all possible speed the printing and handling and readiness of their ballots so that they may be transported by whatever method is practicable to the soldiers wherever they may be.

Mr. FERGUSON. That is true.

Mr. BARKLEY. So that they may exercise the right of voting for all candidates locally as well as nationally, if they want to do that.

Mr. FERGUSON. That is also correct. It was with that idea that I wanted to get the floor in order to explain the real meaning of this provision so that the States would not feel that there is no chance of their soldiers voting for State officers.

I think we must all recognize, as the Army and Navy recognize, that the boys and the men at the front must receive mail in the regular channels so far as their families are concerned, because it is essential to take care of their morale; but we must do all we can to see that as many State ballots as possible are sent to the soldiers and sailors at the front and elsewhere. That was the thought I had in mind, and I hope that every State of the Union will do all it can to have the

men at the front vote not only for Federal officials but for State officials, because our Government goes right down into the lowest office at home as well as to the top offices in Washington.

Mr. WHERRY. Mr. President——

Mr. LUCAS. I yield to the Senator from Nebraska.

Mr. WHERRY. I thank the Senator from Illinois for his statement and explanation. The State Legislature in Nebraska has not as yet convened. It is waiting to hear what procedure it should adopt in order to enact a ballot law which will correspond with the Federal act and provide the most feasible way for Nebraska soldiers to vote.

I voted for the Eastland amendment to the original soldiers' voting bill, not because of the question raised as to the qualifications of electors, since every State has already taken care of that, but because it seemed to me the original bill did not provide opportunity to vote for local tickets from Governor down when it was providing for a Federal ballot. I think I understand, from the explanation made this afternoon, the difficulties involved.

There is a question I should like to ask the Senator from Illinois if he will be kind enough to answer. I do not want to keep him on the floor any longer than he wishes but inasmuch as he has suggested the advisability, insofar as possible, of permitting fathers and mothers or the next of kin to make application for absentee voters, and since I was not present when the Senator made answer to the so-called Danaher amendment, in view of the fact that this is a question of transportation and it is admitted, apparently, by both sides of the aisle that there will be some doubt whether or not there will be any local candidates voted for at all, because of the inability to transport ballots, what would be the objection, if the Senator cares to answer the question, to taking the next step and letting the next of kin be given power of attorney and permitting the father or mother to vote for the soldier so as to eliminate all difficulty as to transportation. If the Senator can briefly answer the question, I shall appreciate it.

Mr. LUCAS. I shall be glad to try to answer as best I can. My only thought with respect to having the father or mother or next of kin make application for a ballot had to do with the matter of expedition. It would take off the soldier the responsibility of assuming the initiative in the first instance to write for the ballot. He is a busy man. He may be out in the field for 10 days on maneuvers, or he may be in the front line for 3 or 4 days, and when he comes back he wants a rest and does not want to spend time writing home for a ballot. That was the main reason, I think, for West Virginia enacting its law, and I think it is a very good provision which should be followed by other States, because every father or mother or next of kin has the address and serial number of their soldier relative and they would be sufficiently interested to make application on the first day.

Now, with respect to voting by proxy; in my judgment the very heart of suffrage is violated when voting by proxy is permitted—and that was the primary reason I was against the amendment of the Senator from Connecticut—because if there are 11,000,000 men in the service and 8,000,000 of them vote by proxy 8,000,000 other people will be looking over their shoulders, so to speak, and seeing exactly where the cross mark is made. The Senate went into that on a previous occasion, and I do not care to discuss it at this time. But those are the two basic reasons why I cannot support the Danaher amendment.

When the original V-mail provision was before the Senate a bit of secrecy was violated in connection with the V-mail in the first bill. I was charged at that time, as a result of the V-mail provision, with being in a conspiracy to steal the soldiers' votes, so we eliminated that. I do not wish to be charged by someone with a conspiracy in regard to the soldiers' vote bill, and I am afraid I should be if I supported the Danaher amendment.

Mr. TUNNELL. Mr. President, will the Senator from Illinois yield?

Mr. LUCAS. I yield.

Mr. TUNNELL. It seems to me, from statements which have been made on the floor of the Senate today, that a misunderstanding might prevail with reference to the attitude of the War and Navy Departments. My understanding is that the Army and the Navy have both expressed their desire to do everything they can to forward the movement to enable the servicemen to vote. Is not that true?

Mr. LUCAS. There is no doubt about it.

Mr. TUNNELL. With regard to State elections, as well as Federal elections?

Mr. LUCAS. That is correct.

Mr. TUNNELL. They have never said they would not do what they were directed to do in the way of facilitating voting, but they have said there were some things they did not believe they could do.

Mr. LUCAS. The Senator is correct.

Mr. TUNNELL. I have not known of anything which the Secretary of the Navy or the Secretary of War has said which would justify anyone standing on the floor of the Senate and stating he did not believe him.

Mr. LUCAS. We trust them with the lives of our boys; we trust them with the very existence of the Nation. We should be able to trust the ballots with Henry Stimson and Frank Knox. These 11,000,000 soldiers have this Nation in their hands right at this hour. They have the lives of 137,000,000 people of America in their hands, and they are being directed by Secretary Stimson and Secretary Knox, and by General Marshall and Admiral King.

Stimson and Knox would have nothing to do with the distribution of the ballots. It would all be done through officers under them, and as a Democrat, and as as an American vitally interested in everything that is going on in this world at the moment, I am willing to trust and have faith in men such as Henry Stimson and Frank Knox. I am willing to place my confidence in men such as Marshall and King. God knows they have done a great job since December 7, 1941, and if the American people do not have faith and confidence in the military and naval men on whose training and education at West Point and Annapolis we have spent literally billions of dollars, over many years past, then the home front is likely to break in twain. If they cannot do the job, then God help us, insofar as saving America is concerned.

Mr. TUNNELL. I will ask the Senator whether he has seen or heard anything from the Secretary of War or the Secretary of the Navy or the War Department or the Navy Department, indicating that there is any attempt on their part to play petty party politics with the pending bill.

Mr. LUCAS. I have not seen anything from either one of those Departments other than zealous industry and honest work. The men who have come before our committee representing those Departments are as fine gentlemen as I have ever seen before any committee of which I have been a member since I have been in the United States Congress. Colonel Cutler is former corporation counsel of the city of Boston. He came to Washington as a civilian to do a job in our war effort, and he has put in hours and hours and days and days in connection with our bill, and all its ramifications and technicalities, and he is one of the officers upon whom we are depending. He is a Republican from Massachusetts, not a Democrat.

Then there is Captain Ramsey, of the Navy Department, who has been all through the naval operations in the southwest Pacific in this war. He was before us representing the Navy Department in connection with the legislative proposal we are considering.

Those men have definitely testified time and time again that they are not interested in any particular bill, that they will attempt to administer, to the best of their skill and ability, with the facilities at their command, any law which Congress may enact, but they do point out certain things which cannot be done. Whom are we to believe? Are we to take the statement of a Senator who pulls out of thin air 250 tons or 150 tons of shipping with respect to transporting the ballots, or are we to take the word of these men, who know something about the situation?

Mr. TUNNELL. The Senator heard Colonel Cutler tell the Committee on Privileges and Elections that the Army and the Navy would do everything in their power to facilitate State voting as well as Federal voting, did he not?

Mr. LUCAS. He made it most emphatic.

Mr. BONE. Mr. President, will the Senator from Illinois yield?

Mr. LUCAS. I yield.

Mr. BONE. I am curious about one aspect of the bill, which has to do with the mechanics of the measure. It seems to me there is likely to be a lag between the soldier actually voting and the reception of the votes in the States and the counting of the votes. I was wondering whether the bill provides any sort of dead line, so that votes arriving late, or later than some definite period, would be counted. I can easily imagine such a

situation arising that perhaps thousands of votes would come in after some proscription in the bill which sets up a dead line. I wondered how that was worked out.

Mr. LUCAS. Let me say to the able Senator from Washington that in our proposal we state definitely that the votes must be in the hands of the State election officials in accordance with the laws of the particular States. In other words, some States will count absentee ballots 3 or 4 days after they arrive, while others provide they must be in the hands of the election officials a day in advance of the election, others on the day of the election. Whatever the State laws provide, we have cooperated along that line. We want the States to say whether a ballot is legal. Of course, if the ballot arrives late, it would not be counted. Does that answer the Senator's question?

Mr. BONE. It does. I was constrained to inquire about the matter because I heard an amusing story a few days ago, which was probably just a story, about an Army officer who had not heard from his wife for 3 months, and who had been reading about the delays and about the enormous piles of mail on the docks. So he wrote his wife saying he was going to get a divorce from her for forgetting him. He got his letter off to his wife, and the next day received 50 letters from her. They had been in transit, probably, for 3 or 4 months. That is merely a humorous story, but it illustrates what I have in mind, that, due to frequent and vexatious delays of mail, some of these soldier votes might not get back to the States for a month after the date designated for counting them, and it would work a hardship on soldiers who had really tried to vote.

Mr. LUCAS. I agree with the Senator in that. The Senator is now discussing the State ballot——

Mr. DANAHER. Mr. President, I am always glad to listen to the Senator from Illinois, but I cannot hear what he is now saying.

Mr. LUCAS. I am sorry. Insofar as the uniform Federal ballot is concerned, as provided in the bill, that ballot is carried direct to the field where the soldier is either fighting or training. The votes are gathered up, after the soldiers execute them in secrecy, and are returned under plane priority. They come directly back to the war ballot commission, and the testimony shows that there is not a place where the men are fighting or training where the ballots cannot be delivered, with plane priority, in from 4 to 6 days.

Mr. BONE. I think the drafters of the bill have wrapped up in it provisions which seem adequately competent to accomplish the purpose in mind. Perhaps I should not have raised the issue at all.

Mr. LUCAS. The Senator is correct in raising the issue, and I am glad to give him the answer.

Mr. BONE. I am interested only in according the soldiers the opportunity to vote. They are being shot at and killed. I myself am not much concerned with the mechanics of the bill, but I do want to see the right of the soldier to vote assured. I see the bill has been broadened so that provision can be made also for the soldiers voting for State officials.

Mr. LUCAS. That is what we have been talking about. The provisions of the bill do not go quite that far; but it does encourage State officials to change their laws, to remove the restrictions and regulations and conditions which now exist in the State laws so as to make it easier to send the ballots from the State and have them returned.

Mr. BONE. I submit that we cannot legislate concerning State voting, but wherever we can facilitate it I think it is a splendid idea to do so.

Mr. LUCAS. And we encourage it. We can do nothing about it under the Constitution other than to encourage it.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. DANAHER. With reference to the subject which has been under discussion concerning cooperation with the States, under title II, I should like to call the Senator's attention to page 32, lines 7 to 13. I will ask a question with respect to that subject now. The provision reads:

(f) Where the Secretary of War or the Secretary of the Navy determines that the transmission abroad of any material required to be prepared and printed by the provisions of this section is inexpedient because of transportation difficulties or for other reasons arising from the conduct of the war, the Commission is authorized to arrange for such material to be printed outside the United States.

Now, is it not possible that in an attempt to cooperate with the States we might hold out to them by a provision of this title, title I, that if they have their ballots in readiness, have a mat, if you like, all prepared to be distributed to the various theaters of war, under the language of the bill on page 32, in lines 7 to 13, which I have just read, the material with reference to State ballots could be printed?

Mr. LUCAS. I will say to the Senator that I agree that if that could be done it ought to be done, but as a practical proposition it simply will not work. Take, for instance, the Senator's own State of Connecticut. Let us assume we are going to say to the soldiers now in London that we will print a mat, and inform them of the names of all the candidates who have been nominated in the primary, and whose names are on the ticket. There will be a long ballot. It will be necessary to get that ballot to every camp outside the continental limits of the United States and to every camp within the United States, because no one knows where the Connecticut soldiers are located. I merely mention that to the Senator to show him how impracticable it would be to do that sort of thing.

With respect to a uniform Federal ballot, that is a different proposition. The ballot means just what it says. It is a uniform Federal ballot. It is a write-in ballot. It does not make any difference where it is sent; it is going to apply to the soldiers alike everywhere.

Mr. DANAHER. I have in mind that it is entirely possible that in north Africa between now and, say, September 1, or August 15, printing presses which are already there, which are already printing materials which are being distributed among the armed forces, could in turn be utilized for the printing of at least a uniform Connecticut ballot. Could not such a thing be done; and if so, in view of the fact that a great many soldiers will not be eligible to vote, anyway, and a great many more will not do so, the matter of transmission or returning the executed ballots would not present any such problem as getting blank ballots to them?

Mr. LUCAS. Would the Senator want the Army and the Navy to do that for the State of Connecticut and not for the other States?

Mr. DANAHER. I am asking if it is not feasible for lists of nominees to be prepared? I am sure that in any event Yank, or Stars and Stripes, or any of the other Government publications will be carrying lists of nominees. Surely by August 15 we will know whether it is RAYBURN or WALLACE who is running for Vice President.

Mr. LUCAS. Perhaps we will know whether Mr. DANAHER, of Connecticut, is running for Vice President at that time. I say that in all seriousness. If I were a Republican I would support the Senator.

Mr. DANAHER. Not on the Democratic ticket. There is no doubt about that question.

Mr. LUCAS. No. I know exactly what the Senator wants to do, and I wish it could be done. I have said from the beginning that I wish that every soldier, wherever he serves, may have the ballot so as to enable him to vote for candidates for every office from sheriff up to President of the United States. I think the office of sheriff and all others are important. I know the office of President of the United States is the most important of all. It simply cannot be done, however, in my opinion, and I base that opinion upon the testimony of the experts who have appeared before our committee from time to time.

Mr. DANAHER. Mr. President, will the Senator yield further?

Mr. LUCAS. I am glad to yield.

Mr. DANAHER. Is there anywhere in the bill a provision that before a voter may vote for a party by party designation, the party must have polled a certain percentage of the vote at the last Presidential election.

Mr. LUCAS. I think that such a provision is in the bill, I may say to the Senator.

Mr. DANAHER. It seems to me there is something to that effect in the bill, but at the moment I do not recall where it is. I think a party has to have 10 percent of the total vote cast at the last Presidential election in order to qualify by party designation. Does that conform to the Senator's recollection?

Mr. LUCAS. I think that is correct. I am sure it was in the first bill, and I think it is in the pending measure.

Mr. DANAHER. I think it is. Mr. President, I should now like to call the Senator's attention to page 29, and I will read:

OFFICIAL FEDERAL WAR BALLOT

Instruction: To vote, write in the name of the candidate of your choice for each office

or write in the name of his political party—Democratic, Republican, Progressive, or other.

What is the Progressive Party to which the Senator's bill refers? I notice that the word "Progressive" was not in the Green-Lucas bill on which the Senate acted heretofore. It never appeared in any draft of the Green-Lucas bill. How does it get into the present bill?

Mr. LUCAS. It got into it through an amendment.

Mr. DANAHER. Whose idea was it to put the word "Progressive" in the measure?

Mr. LUCAS. I am not sure that I remember, but I do not see why the Senator should object. There are some very fine people in this country who belong to the Progressive Party, and have come to the Congress under the "Progressive" label.

Mr. DANAHER. Where can the Senator find a Progressive candidate who polled even as much as 1 percent of the total vote cast at the last Presidential election?

Mr. LUCAS. I do not know. It may be that the 10-percent provision was taken out of the bill.

Mr. DANAHER. Is it by any chance in there in honor of the distinguished Secretary of the Navy, Mr. Knox, who, in 1912, was known as a Progressive?

Mr. LUCAS. I do not know about that.

Mr. DANAHER. Or would there be any thought on the part of whoever placed it in the measure that perhaps the vote would be divided on that ground?

Mr. LUCAS. If Republican Senators desire to talk about Col. Frank Knox, who, in 1912, rode with the Rough Riders under Theodore Roosevelt, very well. I cannot help it if certain Republicans do not like the fact that Frank Knox was a Progressive, and that he went along with Theodore Roosevelt, one of the great Americans of all time.

Mr. DANAHER. No, Mr. President; I am talking about the "rough rider" who put the word "Progressive" in the bill.

Mr. LUCAS. There has been a great deal of talk about Frank Knox. Apparently some Republicans do not like Frank Knox, and I do not quite understand their attitude. There are many who think that because Frank Knox and Henry Stimson have come to Washington and served in this great emergency under a Democratic administration they have committed political treason. As I said a moment ago, I have yet to hear a single Senator on the Republican side of the aisle rise to his feet and make a commendatory speech in favor of either of these two great Americans.

Mr. DANAHER. Will the Senator——

Mr. LUCAS. Just a moment, please.

Mr. DANAHER. I thought the Senator had concluded. Pardon me.

Mr. LUCAS. I have yet to hear any Senator on the Republican side of the aisle make a commendatory speech in favor of two great Americans who in my humble judgment have given up much in order to serve their country in time of war. Notwithstanding that, we find this constant political skirmishing by the Republicans themselves against two of the outstanding Republicans in the Nation today.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER (Mr. McFARLAND in the chair). Does the Senator from Illinois yield to the Senator from Kentucky?

Mr. LUCAS. I yield.

Mr. DANAHER. Mr. President, will the Senator yield to me in view of——

Mr. LUCAS. I shall yield to the Senator from Connecticut in a moment.

Mr. BARKLEY. Even if it be true that Colonel Knox strayed away from the Republican fold in 1912 as a Progressive, did not the Republican Party forgive him in 1936 by nominating him for Vice President on the ticket with Alf Landon?

Mr. LUCAS. Yes; I have heard about that.

Mr. BARKLEY. Yes. It seems to be, as the Senator from Illinois has said, political treason for a Republican, no matter how patriotic he may be, to accept office under a Democratic administration, but, on the other hand, it is the height of patriotism and statesmanship for a Democrat to change his political garments overnight and receive the nomination as Republican candidate for President of the United States.

Mr. LUCAS. That is correct; and I am not so sure that he is not going to be the nominee again, the way things are going. I, too, recall something about the 1940 campaign. I know that Colonel Knox, during the 1940 campaign, in editing the Chicago Daily News, notwithstanding he was Secretary of the Navy, supported Wendell Willkie for President against Franklin D. Roosevelt. But President Roosevelt did not remove him from the Cabinet because of that.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CLARK of Missouri. The Senator from Illinois certainly is not bragging about that; is he?

Mr. LUCAS. I am not bragging about it; I am merely referring to the fact. That is all. I believe in fair play. I believe in giving men their just due, whether they are Democrats or Republicans, in the crisis through which we are all passing at the present time.

Mr. TAFT. Mr. President, if the Senator will yield, let me say that, as I recollect my statement, it was merely that those gentlemen were working for a fourth term. Does the Senator say it is an insult to someone to say he is working for a fourth term?

Mr. LUCAS. Oh, Mr. President, I know all about how the Senator operates. He is not fooling anyone.

Mr. TAFT. That is all I said about those gentlemen. I have great respect for their ability. I merely say that in connection with this particular measure they have taken part in a partisan way as between the advocates of the different bills. I do not refer to political party; I do not mean Republicans or Democrats. I mean there is a fundamental difference as to the kind of ballot. They have taken a position as to that legislative question, and I think their position is a distinctly prejudiced one.

Mr. BARKLEY. Mr. President, if the Senator will yield to me, let me say that I merely wish to observe that, while it is not an insult to accuse anyone of being in favor of a fourth term, the Senator from Ohio meant it as an insult, as applied to either Colonel Knox or Mr. Stimson.

Mr. LUCAS. I do not think the Senator from Ohio would hesitate to insult either Colonel Knox or Mr. Stimson, judging from what I have heard him say in the past.

Mr. TUNNELL. Mr. President, if the Senator will yield to me, let me say that I think the Senator from Ohio seems to know more about the matter than does either one of the gentlemen to whom he has referred.

Mr. LUCAS. That is what it amounts to, that he has better information than has either Mr. Stimson or Colonel Knox. I remember another Senator who said he had better information than was had in the State Department about the possibility of having war break out in Europe. We all remember how wrong he was.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. DANAHER. Would the Senator object to our including at that point the words "Communist or Socialist"?

Mr. LUCAS. If the Senator desires to include the words "Communist or Socialist" he can offer such an amendment, and we will take it up when the time comes.

Mr. DANAHER. Will the Senator object to it?

Mr. LUCAS. The Senator can offer it; I will not say now whether I would or would not object to it. But if the Senator desires to offer an amendment with respect to the Communist Party, that is all right with me.

Mr. DANAHER. I thank the Senator.

Mr. LUCAS. I yield the floor.

Mr. TAFT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ferguson	O'Daniel
Andrews	George	O'Mahoney
Bailey	Gillette	Overton
Ball	Green	Radcliffe
Bankhead	Guffey	Reed
Barkley	Gurney	Revercomb
Bilbo	Hatch	Reynolds
Bone	Hawkes	Robertson
Brewster	Hayden	Russell
Bridges	Hill	Shipstead
Brooks	Holman	Smith
Buck	Kilgore	Stewart
Burton	La Follette	Taft
Bushfield	Lodge	Thomas, Idaho
Butler	Lucas	Thomas, Okla.
Byrd	McCarran	Thomas, Utah
Capper	McClellan	Truman
Caraway	McFarland	Tunnell
Chandler	McKellar	Tydings
Chavez	Maloney	Vandenberg
Clark, Mo.	Maybank	Wallgren
Connally	Mead	Wheeler
Danaher	Millikin	Wherry
Davis	Moore	White
Downey	Murdock	Willis
Eastland	Murray	
Ellender	Nye	

Mr. WHITE. Mr. President, the Senator from Vermont [Mr. AUSTIN] has been compelled to absent himself because of illness.

The PRESIDING OFFICER. Seventy-nine Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 3687) to provide revenue, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DOUGHTON, Mr. CULLEN, Mr. COOPER, Mr. DISNEY, Mr. KNUTSON, Mr. REED of New York, and Mr. WOODRUFF of Michigan, were appointed managers on the part of the House at the conference.

METHOD OF VOTING BY MEMBERS OF ARMED FORCES

The Senate resumed the consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting in time of war by members of the land and naval forces absent from the place of their residence, and for other purposes.

Mr. DANAHER. Mr. President, I offer an amendment on page 29, in the portion after line 8, after the word "Republican", to insert "Socialist, Communist."

The PRESIDING OFFICER. The Chair advises the Senator that there is already an amendment pending.

Mr. DANAHER. Mr. President, what is the amendment pending?

The PRESIDING OFFICER. The pending amendment is the amendment offered by the Senator from Louisiana [Mr. OVERTON], which will be stated.

The CHIEF CLERK. On page 39, line 9, after the word "made", it is proposed to insert "in accordance with State laws", so as to read: "shall be made in accordance with State laws by the duly constituted election officials."

And so forth.

Mr. BARKLEY. Mr. President, there was some confusion. May the amendment be stated again?

The PRESIDING OFFICER. The amendment will be again stated.

The CHIEF CLERK. On page 39, line 9, after the word "made", it is proposed to insert "in accordance with State laws", so as to read: "shall be made in accordance with State laws by the duly constituted election officials."

And so forth.

Mr. BARKLEY. I do not know that there is any objection to that.

Mr. GREEN. I do not see any objection to it.

Mr. TAFT. Mr. President, I think it would be unfortunate if this amendment were adopted without an understanding of its full significance. Of course, it nullifies sections 1 and 2 of Public Law 712, which is proposed to be amended by the pending bill.

It will be noted that the bill does not make any provision with regard to registration or payment of the poll tax. Instead, it leaves standing sections 1 and 2 of Public Law 712. Those sections read:

SECTION 1. In time of war, notwithstanding any provision of State law relating to the registration of qualified voters, every individual absent from the place of his residence and serving in the land or naval forces of the United States, including the members of the Army Nurse Corps, the Navy Nurse Corps, the Women's Navy Reserve, and the Women's Army Auxiliary Corps, who is or was eligible to register for and is qualified to vote at any election under the law of the State of his residence, shall be entitled, as provided in this act, to vote for electors of President and Vice President of the United States, United States Senators, and Representatives in Congress.

In other words, in section 1 we set aside the State laws with regard to registration.

Section 2 reads as follows:

SEC. 2. No person in military service in time of war shall be required, as a condition of voting in any election for President, Vice President, electors for President or Vice President, or for Senator or Member of the House of Representatives, to pay any poll tax or other tax or make any other payment to any State or political subdivision thereof.

The intention of the pending amendment was clearly stated by the Senator from Louisiana [Mr. OVERTON]. It provides that the determination of the validity of the ballots shall be made in accordance with State laws. In other words, it would restore all the registration laws of the States. At least that is the intention of the Senator. The amendment would result in a very ambiguous law. I think before we vote on the amendment we ought to know whether it is proposed to set aside State registration laws, or whether it is not proposed to set aside State registration laws.

Mr. GREEN. Mr. President, in view of the explanation of the Senator from Ohio I think the Senate should understand that the adoption of this amendment would be very much the same thing as voting against the bill itself, because the two principal things which stood in the way of voting by men in the armed services, apart from the qualification of voters, were the election requirements of registration and of paying a poll tax.

The theory on which the whole bill is based is this: The Federal Government, under its general war powers, has taken men from their homes and sent them overseas. By that act on the part of the Government they are prevented from exercising their right of voting, a fundamental privilege of citizenship which distinguishes this Government from the governments against which we are fighting. If, according to our theory, the Government has the right to take these men away from their homes, it has no right, if it can avoid doing so, to prevent them from exercising the right of voting. So this bill was drafted and introduced in order to restore that right to them. It should never have been taken away. But if it is unconstitutional to restore this right to them, it is equally unconstitutional to draft them and send them overseas.

That being the theory of the bill, it is obvious that the elimination of the provisions of sections 1 and 2 of Public Law 712 means not only the defeat of the bill, but that the situation of the men in the armed forces so far as voting is concerned will be worse than it is under the existing law, because the proposed law would prevent from voting all men who had not registered according to the local law, and it would prevent from voting those who had not paid their poll tax.

The law exempts men in the armed services from paying property taxes and other taxes. The payment of the poll tax is put on a par with the payment of other taxes. If they are not obliged to pay their poll tax, and no provision is made whereby they can be made to pay it while they are in the armed services, why should we say that nonpayment of the tax should prevent them from exercising the right of voting?

So the theory of the bill is that these are conditions of voting prescribed by the States. The bill would not relieve the soldier or sailor from the obligation to pay his poll tax. It would simply say that payment of the poll tax shall not be made a condition of voting.

It is the same with registration. The bill would not do away with the registration laws of the States. It would simply say that in those cases in which the Federal Government has prevented a voter from registering, he does not have to register. Otherwise he is prevented from voting.

So I regret to say that we cannot comply with the suggestion of the Senator; but at the same time, to show that there is no prejudice on our part, Senators will notice that in the last three pages of the bill we have another provision, for which the Senator argued on the floor of the Senate in the previous debate.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. REVERCOMB. The pending bill, which is known as the Green-Lucas bill, amends Public Law 712. Is that not correct?

Mr. GREEN. That is correct.

Mr. REVERCOMB. And it takes the place of Public Law 712, except for sections 1 and 2 of that act. Is that not correct?

Mr. GREEN. That is correct.

Mr. REVERCOMB. Sections 1 and 2 of the existing law, Public Law 712, provide that men in the armed forces may vote, regardless of whether they are registered or whether they have paid their poll tax. Is that not correct?

Mr. GREEN. That is correct.

Mr. REVERCOMB. So if the Green-Lucas bill is enacted as written, there will still be in the law the provisions of sections 1 and 2 of Public Law 712; and under the Green-Lucas bill, if enacted into law, a member of the armed forces may vote whether or not he is registered or whether or not he has paid his poll tax.

Mr. GREEN. That is correct, provided he has the qualifications laid down by State law.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. BARKLEY. I merely wish to call the attention of the Senator from Rhode Island to the fact that one of the original purposes of the law which Congress

enacted in 1942 was to obviate the necessity for registration, in order that members of the armed forces might vote. The amendment pertaining to the poll tax was an amendment offered and adopted on the floor of the Senate.

Mr. GREEN. That is very true.

Mr. BARKLEY. So if this language is adopted, it seems that it will effect the repeal of those two provisions in the present law, which were enacted by both Houses in a preceding session.

Mr. GREEN. If I may put it in another way, the pending bill does not attempt to change the purposes of the original law, which is now on the statute books. That law, so far as its purposes are concerned, was approved by the Senate and House and signed by the President and is now the law of the land. However, its mechanics were found to be faulty. We trusted too much to the provisions of State laws. We thought, erroneously, that those laws would provide the soldiers with the opportunity to vote. However, experience has shown that it was not feasible to do so under those laws. Therefore, the bill attempts to improve and correct existing law in the mechanics of voting, and only in the mechanics.

Any Senator who believes that the mechanics are improved by the proposed law can vote for it with a clear conscience, even if he did not approve of the original law. In the original law we tried to adopt the provisions of the State laws. In this bill we have tried to adopt the State laws so far as feasible, but not to the extent of preventing soldiers from voting, as happened quite generally in the last election. All the constitutional questions which are now raised were then raised and argued. Despite the objections made, and the dire prophecies of what would happen, nothing of the kind took place.

Mr. MOORE. Mr. President, will the Senator yield?

Mr. GREEN. I shall be through in a moment and then I shall be glad to yield.

As I said, nothing of the kind took place. Some of the soldiers voted, but only a very small percentage—approximately 28,000—in spite of the cooperation of the Army and Navy in getting the ballots to the soldiers.

Therefore, we have attempted to perfect the mechanics, so that not only may we say, as we did in 1942, "We have given you the right and the opportunity to vote," but may say "You are going to be able to vote." We do not want to have a law on the statute books which merely gives the soldiers the right to vote and yet denies them the right to exercise the privilege.

That is the fundamental difference between the bill heretofore passed by the Senate and the bill we are considering at this time. The bill which was previously passed in effect said to the soldier and sailor, "Yes, we recognize your right to vote. We have recommended to the States that you be given the right to vote." However, in view of the advice given us by the Army and the Navy we find that it does not mean anything. Anything? It means very little. Under it very few soldiers and sailors could vote. The pending bill would give many more of them the right to vote. It would not give that right to every one of them but to most of them. That is the reason why I am advocating the changes in the mechanics of the existing law.

I now yield to the Senator from Oklahoma.

Mr. MOORE. I think the Senator has made it very clear that Public Law 712 would be repealed by the pending bill only insofar as the administrative features of the law are concerned. Sections 1 and 2 of Public Law 712 waive the qualifications which may be imposed by the States, such as registration and the payment of a poll tax.

Mr. GREEN. Only with respect to those two.

Mr. MOORE. Only with respect to those two. Very well. There is another provision of the pending bill which would make the election officers of the States the sole judges of the validity of the votes cast after they had been returned to the precinct officers.

Mr. GREEN. The Senator is correct.

Mr. MOORE. If the precinct officers who are to pass upon the validity of the vote were to hold that a vote was invalid for the reason that the voter was not registered, they would be violating Public Law 712. That is true, is it not?

Mr. GREEN. That is correct.

Mr. MOORE. It would also be true that if the precinct officials held that because a voter had not paid a certain tax imposed upon him he was not eligible to vote, they would be in violation of the Federal law.

Mr. GREEN. That is correct.

Mr. MOORE. Very well. Then why would the Senator expect an election official, in passing on the validity of a ballot, to take the chance of violating a Federal statute?

Mr. GREEN. In the first place, there are no penalties attached to such violations.

Mr. MOORE. There is none in this bill, but there are penalties provided in other laws which would make the action to which I have referred a grave offense. Would not the election officials be precluded from passing on the validity of a ballot which came into conflict with the first two sections of Public Law 712?

Mr. GREEN. I think the Senator will agree with me that as a matter of practice the local official or whoever was counting the ballots and passing on their validity would have the advice of the attorney general of the State.

Mr. MOORE. The attorney general is an officer of the State. The attorney general of the State of Maryland, for example, who passed on the Green-Lucas bill, which is exactly the same bill that we have before us today, held that that bill violated the Constitution of the United States. The Senator from Rhode Island has today asserted that the proposed law is constitutional only insofar as it comes within the war powers of the Congress. Am I correct in my statement?

Mr. GREEN. The Senator is quite incorrect. I have never made such a statement.

Mr. MOORE. I beg the Senator's pardon. I thought the Senator did make such a statement.

Mr. GREEN. I did not say it was constitutional only for that reason.

Mr. MOORE. I am sorry if I misunderstood the Senator.

Mr. GREEN. I remind the Senator that when the question was previously under debate in the Senate—it has been debated for a long time—I made an argument on the constitutionality of these provisions of the law. I cited authorities at length. The Senator will recall that I also explained to him privately why I regarded the provisions to be entirely constitutional. Yet, notwithstanding both those facts, the Senator rose on the floor of the Senate and stated that he had not heard a single Senator state on the floor of the Senate that he believed the bill was constitutional.

Mr. MOORE. Mr. President, I have not yet heard it, and I do not hear it now.

Mr. GREEN. I am sorry. Apparently we do not speak the same language.

Mr. MOORE. I do not wish to have any misunderstanding about it. I understood that those who asserted that the bill did not violate the Constitution of the United States based the assertion upon the war powers of the Congress. Am I correct or incorrect in that regard?

Mr. GREEN. I said that it could be defended on that ground, but I did not say it could be defended on that ground alone.

Mr. MOORE. Does the Senator now say that the bill is constitutional?

Mr. GREEN. I certainly believe it to be constitutional or I would not have introduced it.

Mr. MOORE. The Senator has never argued for the constitutionality of the bill.

Mr. GREEN. I argued it at length on a previous occasion, and the Senator will find the argument set forth in the CONGRESSIONAL RECORD.

Mr. MOORE. Then I stand corrected.

Mr. GREEN. If it were not that I dislike to waste the time not only of the Senate but of the country, in repeating endlessly arguments which have been made before, I should be very glad again to discuss the question. I do not like to repeat the argument for the benefit of one Senator, but, if other Senators desire to have me restate it, I shall do so with pleasure.

Mr. MOORE. Will the Senator now say that in the discussion of Public Law 712, which was enacted in the Seventy-seventh Congress, the constitutionality of this provision was satisfactorily asserted?

Mr. GREEN. Yes; I do so state.

Mr. MOORE. I searched the RECORD on that point and tried to collect the authorities and statements made in connection with it. I did not find a single solitary statement of the nature referred to by the Senator made in the discussion on the floor of the House or on the floor of the Senate.

Mr. GREEN. The bill which became law was introduced in the House by Representative RAMSAY and in the Senate by myself. It first passed the House, and when it came to the Senate was referred

to the Committee on Privileges and Elections, of which I am chairman. Because I cared more about having the bill promptly become law than I did about having my name attached to it, the committee reported it to the Senate with my consent and advice for passage by the Senate. In both the Senate and the House the question of constitutionality was raised.

Mr. MOORE. I ask the Senator if I am mistaken in thinking that in the Privileges and Elections Committee the question of constitutionality had been submitted to the committee. Am I correct about that?

Mr. GREEN. To what committee?

Mr. MOORE. To the Committee on Privileges and Elections, where this measure was being heard.

Mr. GREEN. If I remember correctly it was, but we have no record of the debate in the committee.

Mr. MOORE There was no record filed with the report of the Committee on Privileges and Elections on Public Law 712. I never knew whether the constitutionality of the measure was discussed, and there is no way to find out except to ask the Senator who is the author of the bill. I understand the Senator's answer is that the bill having passed both Houses of Congress and having been approved by the President its constitutionality was determined by that fact.

Mr. GREEN. I did not say it was determined, but I said the opinion of the House and the Senate as to its constitutionality was shown by that fact.

Mr. MOORE. Then, I should like to ask one other question, which has been discussed at some length. In the recent hearings before the Committee on Privileges and Elections with reference to the transmission of Federal ballots and the ballots of the States, we got the information from the Army and Navy that the Federal ballots could be pretty certainly carried to the soldier voters and returned for counting, but there was a very remote possibility that the State ballots could be.

Mr. GREEN. There was a much greater possibility that the Federal ballot would be, because it was a small ballot, printed on thin paper, weighing very little, uniform in size, could be carried in bulk, and, to that extent, would take up much less space in a plane and make much less weight on a plane. For that reason there was much more likelihood that it could be sent over to the soldiers. That was one reason. Another reason was that it could be sent well ahead, months before the election, whereas the State ballots had to be sent at a later time, in individual packages, weighing more, taking up more space, and being harder to handle.

Mr. MOORE. It was developed that one Senator, the Senator from Utah [Mr. MURDOCK] asked the question, if it was not a deception on the States, in view of the testimony of the Army and Navy, to give the States any encouragement that they could have their ballots sent to the soldiers.

Mr. GREEN. I think that Colonel Cutler, although he was asked that question several times, always replied that he would not say that it was of no use or that it was futile, but he said that it would increase the probability that a certain number of men in the armed forces would not get the additional privilege of voting.

Mr. MOORE. I think he made it pretty plain and I think factual that it was next to impossible—a physical impossibility—and would be a tax upon the mailing facilities to transport the State ballots. Am I correct in that?

Mr. GREEN. He said it would be very difficult; that he could not hold out any hope that the State ballots could reach all the soldiers; but that he would not go to the extreme of assenting to the proposition that therefore it was futile for the States to change their laws, because, in the first place, it would benefit at least those in the armed forces who would probably be within the limits of the continental United States, and, secondly, it would also help the others, although not to such a large extent.

Mr. MOORE. The inference would be then, from the testimony of the Army and Navy that the importance of the Federal ballot was such that they could give priority to that ballot, but that the State ballot was unimportant and no such priority was to be given it.

Mr. GREEN. There was no such testimony given.

Mr. MOORE. I say that was the inference.

Mr. GREEN. No such testimony was given. There was no discussion of the relative importance of the two. It was simply that the one was a lightweight, small ballot that could be sent in bulk and at one time, months before the election, while the other had to be sent in large, heavy packages, as the ballots themselves were heavy, and contained a great many names, and had to be sent at a great many different times and at a time nearer the election than the Federal ballot would have to be sent. There was no discussion whatever about the relative importance of the Federal and the State ballots.

Mr. MOORE. Certainly the Senator will admit, will he not, that the importance of the Federal ballot was such as to give it priority over certain other mail, while the State ballot was not accorded that priority privilege?

Mr. GREEN. That was very true, but not for the reason the Senator states; not because it was more important, but because the mechanical provisions were entirely different and were more favorable in the case of the Federal ballot than in the case of the State ballot.

Mr. MOORE. I thank the Senator.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. DANAHER. I thank the Senator. I should like to ask him if he knows of any reason why we cannot properly amend title I so as to make it possible for the State of Connecticut to cause its overseas ballots to be printed in England, to be distributed among the soldiers in England who are from Connecticut, and who thereafter can send their ballots back in the regular way the Federal ballots themselves would be transmitted.

Mr. GREEN. That again raises the question, and properly so at this time, of State rights. If the Federal Government is to print State ballots——

Mr. DANAHER. I did not say the Federal Government; I said the State of Connecticut would do it.

Mr. GREEN. I do not see any reason why the State of Connecticut cannot pass any law it pleases to enact.

Mr. DANAHER. Can we not properly amend this bill so as to provide that if the State of Connecticut causes overseas ballots to be printed in England, the Federal facilities will bring them home after the soldiers vote them.

Mr. GREEN. I do not see any objection to that if it is not covered by the language of the bill.

Mr. DANAHER. I am talking about title I. I want to place such a provision in title I so that the Army and Navy would be bound to bring our ballots home and could not refuse to do so.

Mr. GREEN. It would be illogical in title I because that refers to the Federal ballot, but I do not see why there could not be an appropriate provision at the appropriate place to accomplish the end the Senator suggests.

Mr. DANAHER. Then we could do it with reference to the north African theater and again with reference to the Australian theater.

Mr. GREEN. I should like to have the opinion of those who will be responsible for carrying out its provisions as to the feasibility of the proposal but, speaking for the coauthors of the bill, the Senator from Illinois [Mr. LUCAS] and myself, I cannot see any objection to it.

Mr. DANAHER. Mr. President will the Senator yield further?

Mr. GREEN. I yield.

Mr. DANAHER. Has the Senator seen the release put out by the War Department under date of November 24, 1943, dealing with its administration of Public Law 712?

Mr. GREEN. I have read so many pieces of literature on the subject that I do not know that I recall the particular one.

Mr. DANAHER. Then let me identify it for the Senator. In it the War Department very proudly and very properly announced that as of November 24, 1943, they had already distributed to every camp in the United States and in every theater of war abroad the Louisiana ballots required for voting in the Louisiana primary of January 18 and, I think, February 14, 1944. The announcement further went on to say that every Louisiana soldier in the armed services who was qualified under the laws of Louisiana to vote would be enabled thus to vote and that the ballots had been distributed sufficiently in advance so that no man need be deprived of the opportunity to exercise his franchise in the primaries in Louisiana this spring. That was, of course, of great importance, and in States where primaries, in fact, determine the election it is actually the real exercise of the franchise itself.

In addition to that let me go further. The War Department went on to say that it was equally prepared to render an identical service in all other State

primaries between February and October 1944. Did the Senator see that release?

Mr. GREEN. I did not.

Mr. DANAHER. It is a very important one, and I commend it to the Senator's attention.

Now I should like to ask the Senator only one other question. He has made reference to the fact that in 1942 only some 48,000 votes were cast.

Mr. GREEN. Twenty-eight thousand.

Mr. DANAHER. Twenty-eight thousand. I should like also to refresh the Senator's recollection that the bill of that year was approved by the President on September 12, and the election came on November 3. The implication would be made that the 1942 act, Public Law 712, is not feasible of operation. Any such imputation certainly collides with the fact contained in the announcement of the War Department to which I have just made reference. Above all, let me call the attention of the Senator from Rhode Island to a letter from Henry L. Stimson, Secretary of War. I read from page 7058 of the CONGRESSIONAL RECORD for September 8, 1942:

> The War Department is opposed to the authorization of voting by members of the armed forces serving outside the continental limits of the United States or in Alaska.

That was the first flat statement made by the Secretary of War. In that connection, the chairman of the Ballot Commission of the State of New York wrote to me to the effect that the War Department and the Navy Department refused to take the ballots of the New York Ballot Commission overseas, and I do not doubt that it was in line with Mr. Stimson's then announced policy.

Mr. Stimson further said:

> Indeed the time is now so short that there is a grave question that the various operations essential to carrying out the provisions of the bill could be completed so that the executed ballots would be in the hands of election officials of the various districts or precincts or counties of the voters' residences by the time the polls are closed.

So, there was a reason, namely, the shortage of time, as to why the 1942 act was not going to be operative, in view of the flat and unqualified opposition of the Secretary of War himself.

But the Secretary continued, in his letter to the Speaker of the House:

> The question of providing a means for members of the military forces to vote in time of war is an old one. Under date of April 17, 1918, the then Acting Secretary of War, Hon. Benedict Crowell, wrote the Secretary of the Navy as follows:
>
> "After a most careful consideration of this entire matter, the War Department is of the opinion that it is neither advisable nor desirable to allow soldiers in the theater of war to vote. Their votes cannot be taken without seriously interfering with the military efficiency of our fighting forces."

It is important to note that Secretary Stimson in 1942 was adopting that particular language and calling it to the attention of the Speaker of the House of Representatives with reference to then pending Public Law No. 712. I omit some other matters, and point out this language in the letter:

> The War Department's objections to the bill for the reasons stated apply only to the inclusion of the members of the armed forces serving outside the continental United States, including Alaska.
>
> Respectfully,
>
> HENRY L. STIMSON,
> *Secretary of War.*

In the light of that, I know the Senator from Rhode Island would not wish to leave with his colleagues the thought that the 1942 act was operative outside the United States, in view of the position taken by the Secretary of War.

Mr. GREEN. No; I do not wish to leave that impression. I think the deduction to be drawn from what the Senator from Connecticut has read is that a great deal was learned from that experiment, if we may call it such. We learned that the law could be executed, and that the Army and the Navy could undertake to do it, if not in the way that was suggested then, that they would make an effort to do it. Furthermore, it was applicable then to the United States, even according to the Secretary. And we must remember that there were about half as many in the service then as there are now. So a very small percentage of the men then in the services in the United States actually voted.

In view of all these experiences, in view of the very fact that we did have the law, we learned a great deal, and we have attempted to incorporate what we have learned in the bill which is now before the Senate, as a result of the former experiences, although, as the Senator from Connecticut well points out, the number of men voting would have been very much larger had the bill been passed sooner.

Mr. DANAHER. Will the Senator yield further?

Mr. GREEN. I yield.

Mr. DANAHER. Of course, we must not lose sight of the fact that the 1942 law, Public Law 712, is the law at this moment. It was the law also on November 24, 1943, when the War Department issued the release to which I have called the Senator's attention, in which the War Department said that all facilities for voting in the Louisiana primaries had already been provided in every theater of war abroad and at every camp in this country. So that obviously if the will to make it work exists, the way can be found to do it.

Mr. GREEN. Apparently the will to make it work exists, from what the Senator himself has shown.

Mr. DANAHER. I think so.

Mr. GREEN. In that he differs from the Senator from Ohio.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. GREEN. I yield for a question; yes.

Mr. ELLENDER. It may be that the able Senator has already partially answered the question I am about to ask him in response to questions put by other Senators.

Under section 14 (a) the commission created under the pending bill would have no power to pass upon the validity of the ballots, but that function would be left to the duly constituted election officials of each voting unit of the several States. The question is, To what extent can these officials—the election officials—compel compliance with State laws when passing upon the validity of the ballots cast in pursuance to the bill, should it become law?

Mr. GREEN. In view of the criticisms which were made in the Senate when the soldiers' vote bill was under discussion a short time ago, it was decided to be best to relieve the war ballot commission of all except purely administrative functions.

In the first amendment that was proposed by the Senator from Illinois [Mr. LUCAS] and myself the war ballot commission was given other functions. They had to review the reports which were made by the various secretaries of state, and draw their own deductions, holding them up to possible penalties if they had not complied with the law as the war ballot commission construed it. They could make reports and recommendations to the Congress in such cases. But all that is stricken out. They have no function left except to collect the necessary information as sent to them by the secretaries of state, have the ballots printed and sent to the Secretaries of War and Navy, and the others, at the appropriate times, for distribution to the armed forces.

Mr. ELLENDER. I understand all of that, Senator. The question I have asked is, To what extent can the election officials provided for in section 14 (a) compel compliance with their respective State laws in respect to the validity of the ballots cast in pursuance to the pending bill should it become law?

Mr. GREEN. The pending bill does not deal with that subject. It is left entirely to the officials.

Mr. ELLENDER. The Senator is in error. The bill does deal with the subject. It is left to the officials provided for in the bill as he has indicated. Now, to be more specific, would the election officials have to take into consideration whether or not a poll tax had been paid, whether the soldier was properly registered under the State law, and other qualifications of a like nature in passing upon the validity of the ballots?

Mr. GREEN. Is the Senator asking my personal opinion?

Mr. ELLENDER. The Senator is the author of the bill and I would like to have his views as to the provisions of the bill.

Mr. GREEN. I do not think it is open to any other construction, but so many misconstructions are placed on the language of a bill nowadays, that I want to play safe. I believe they would pass on all qualifications of a voter. But I do not consider the time of the payment of a poll tax, or the fact of registration, a qualification.

Mr. ELLENDER. I thank the Senator. I am glad that he takes the position that the election officials would have the right to pass on all qualifications. That is my construction of the language and I doubt the necessity of more clarifying language.

Mr. REVERCOMB. Will the Senator from Rhode Island yield?

Mr. GREEN. I yield.

Mr. REVERCOMB. The enactment of the pending bill would not repeal section 1 of Public Law 712, I believe we all agree. Is not that correct?

Mr. GREEN. I did not understand the Senator's statement.

Mr. REVERCOMB. The enactment of the bill now pending, the Green-Lucas bill, would not repeal section 1 of Public Law 712?

Mr. GREEN. The Senator is correct.

Mr. REVERCOMB. I wish to read section 1 of Public Law 712. It provides:

> In time of war, notwithstanding any provision of State law relating to the registration of qualified voters, every individual absent from the place of his residence and serving in the land or naval forces of the United States, including the members of the Army Nurse Corps, the Navy Nurse Corps, the Women's Navy Reserve, and the Women's Army Auxiliary Corps, who is or was eligible to register for and is qualified to vote at any election under the law of the State of his residence, shall be entitled, as provided in this act, to vote for electors of President and Vice President of the United States, United States Senators, and Representatives in Congress.

In other words, that language provides that even though one be not registered, under the existing Federal law—and it would continue to be the law if this bill should be enacted—such person may have the right to vote, even though he be not registered. Is that correct?

Mr. GREEN. That is correct.

Mr. REVERCOMB. Very well. Under the pending bill there is another provision to the effect that the local election board in each of the States, where the individual would ordinarily vote were he at home, may pass upon the question of whether or not he is qualified to vote, and have his vote or ballot counted. Is that correct?

Mr. GREEN. That is correct.

Mr. REVERCOMB. Very well. Now suppose in a State which requires registration of a voter in order that he may vote, a soldier who is not registered casts a vote, and it is sent back to his voting place in the State, what will the election officer do with that ballot?

Mr. GREEN. He should count it. What he will do with it I do not know.

Mr. REVERCOMB. He should count it under the Federal law, should he not?

Mr. GREEN. Yes.

Mr. REVERCOMB. But suppose the State law under which he acts provides that no one can vote unless he is duly registered, is the election official going to violate the law of his State?

Mr. GREEN. I do not think the Senator poses the question as it should be. It is not a question whether the official violates the State law. The question is whether that law has not been superseded by the Federal law. Where a State constitution and the Federal Constitution come into conflict, or where a State law and a Federal law come into conflict, the Federal Constitution or the Federal law prevails. The official does not violate a State law, because it has been modified or repealed by the Federal law, provided it is constitutional. So there is no violation of a constitution, there is no violation of a State law, if officials follow a Federal law which is passed constitutionally.

Mr. REVERCOMB. Suppose, however, that, as the officers of many States feel, and as the Representatives in this body from some of the States feel, any act of Congress with respect to the qualification of a voter is invalid, does not the situation I have presented to the Senator raise a conflict between the Federal law and the State law when a State officer is obliged to pass upon the question?

Mr. GREEN. No; because the requirement of registration is not a qualification of a voter. It is a condition attached to voting. That a voter must be of a certain age, of a certain sex, and have a certain amount of property—those are qualifications. But the mere fact that the man must do a certain thing before he votes, by going to a certain place, or within a certain hour, and write his name on a certain form—that is a condition of voting, and not a qualification. A man may be qualified to vote and not comply with the conditions of voting. But he still has the qualifications of a voter. He is qualified to vote, but he does not vote.

Mr. REVERCOMB. The same view is taken by the able Senator upon the question of the payment of poll tax, is it not?

Mr. GREEN. The same view; yes.

Mr. REVERCOMB. However, the able Senator is expressing his own personal view on a subject concerning which there is great difference of opinion, even in the Senate.

Mr. GREEN. I think my view is well fortified by constitutional authority.

Mr. REVERCOMB. Let us suppose a State requires registration of a voter. Suppose when a soldier's ballot comes back it is found he has not registered. This is a qualification for voting. Many persons, including Senators, take that view. Suppose that soldier's vote is thrown out. I ask the Senator, if we ship abroad ballots in bundles and basketfuls, and scatter them among the servicemen, leading them to believe that they have a right to vote, asking them to vote, and have their votes cast, and then have the ballots brought back here, and under the authority of the provisions of the bill before us the ballots are thrown out at the voting place—if such a thing were done, would not a great wrong be done to the soldiers and the sailors of this country?

Mr. GREEN. I disagree with the Senator. I think a great wrong would be done to the soldiers and sailors if the ballots were not counted. But the wrong would not be done by those who pass the law or by those who administer the law; it would be done by those who refuse to comply with the law in the local precincts and decline to count the ballots.

Mr. REVERCOMB. Is not the wrong done when we pass a law under which such a situation may arise?

Mr. GREEN. If Congress passes a law dealing with manslaughter, and someone kills another, is anyone of those who passed the law guilty of the manslaughter? The person who violates the law is guilty of manslaughter.

Mr. REVERCOMB. I do not think that is applicable in this case at all.

Mr. GREEN. If the soldier casts his ballot and the Federal Government brings it home and says it should be counted, the man who refuses to count it is the guilty party.

Mr. REVERCOMB. Why do we not say to the soldiers: If you who, under the laws of your State, are qualified to vote, and wish to vote, will make an application for a ballot it will be sent to you? I may say that a law containing such a provision was passed in the State of West Virginia this month, after the legislature of the State had notice served upon it, by action of this body, that the State would be called upon to see that the soldiers and the sailors who went forth from it would have an opportunity to vote. Anyone in the State of West Virginia may now go to a county clerk and say to him, "I want a ballot sent to this soldier at his request." That request may be made 89 days before the election is held, and the ballot is mailed to the soldier. That ballot is not one of a great number scattered all over the world. The ballot is not carried in bundles or in baskets or bags and distributed generally. The ballot goes directly to a soldier. He is the only one who sees it. He votes it. It is his vote, and it is returned directly by mail. Why cannot the Congress enact a law of that kind?

Mr. GREEN. It would remedy the situation very little. The same physical difficulties would still remain. The ballots would have to be sent, though not in bulk. One type of ballot is very light in weight, and takes very little space. The other type is bulky and heavy. Each State ballot must be sent to a different address. Instead of being sent by air mail, it would have to be sent by ship. If sent by ship the time limit would probably have to be very much longer than that computed in the tables which calculate the time it takes for air mail to go back and forth, and provide only 1 day at each end, 1 day for the soldier to comply with the provisions concerning the ballot, and 1 day for the secretary of state to comply with sending the soldier the ballot.

The physical difficulties are very great even when we make the balloting as simple as possible. This bill makes the balloting as simple as possible. It makes the transmission as simple as possible. Only two transmissions are involved, one to the soldier and one back from the soldier, whereas almost all the State laws provide for the three transmissions, and a number of them provide for five transmissions. The Senator's suggestion would reduce the difficulty. Instead of three transmissions, there could be two if a relative applied to the secretary of state for a ballot. If that were regarded as a legal request for a ballot, the secretary of state could then send it to the soldier individually. But even then the ballot might not reach the individual. The servicemen are moving around constantly. From the time the application is made to the time the ballot reaches the soldier he may move three or four times. By the time the ballot reaches him the election may have been held. But in the other way the ballots are sent wherever there are soldiers, and so the ballot will reach the individual soldier very much sooner.

Mr. REVERCOMB. That soldier would get the ballot which is sent directly to him with the same certainty that he would receive his mail which is sent him,

and it would come back with the same certainty, would it not?

Mr. GREEN. I will give the Senator a little illustration. I sent Christmas cards to several soldiers. Some of the cards have come back to me, after having traveled around for a month. Some day, no doubt, others will come back to me after having traveled around. The reason for that is that men change their locations and the mail does not catch up with them.

Mr. REVERCOMB. I realize that what the Senator says is absolutely correct; that there would be a number, no doubt, who would not receive their ballots because of being transferred from their last known addresses. However, I wonder if it would not be a safeguard to the ballot of the soldier if he received it direct himself, instead of the ballots being sent to some outpost and handed out to the men?

It has been testified before the committee, I may say to the Members of the Senate, including the distinguished chairman of the Committee on Privileges and Elections, whom I am now addressing——

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. GREEN. In a moment, Mr. President. I hope the Senator from West Virginia will not forget he is supposed to be asking a question, not addressing the Senate.

Mr. REVERCOMB. I ask the Senator to let me conclude my statement. It has been clearly brought out here that the ballots would go with the same certainty that letters would go.

Mr. GREEN. I do not think so.

Mr. REVERCOMB. Undoubtedly there would be some who would not receive them.

Mr. GREEN. I disagree with the Senator's premise. The ballots would not go with the same certainty that letters would go.

Mr. REVERCOMB. Why not?

Mr. GREEN. Most of the mail which the families at home send to the soldiers and most of the mail which the soldiers send back goes by V-mail. The ballots would not go by V-mail.

Mr. REVERCOMB. There is no reason in the world why the ballots cannot be transported if it is important to the soldiers to be able to vote; and I grant that the soldiers should have the opportunity to vote. But it has been stated here and before the committee that it is entirely possible that, even under the plan proposed by the able senior Senator from Rhode Island and the able Senior Senator from Illinois in their bill, some soldiers may not be reached by the ballots proposed under the provisions of the pending bill. We are told that the authorities will do the best they can under the provisions of the pending bill to see that the ballots reach the soldiers, but that it is entirely possible that many soldiers will not vote, even under the plan proposed by the pending measure.

Mr. GREEN. That is very true. The point is to determine under which of the plans most of the soldiers probably would have an opportunity to vote. The overwhelming evidence from those who know best about the matter, those who have made a study of it, those who have had experience with it once before, is that under a plan such as that proposed in the pending bill the soldiers would have much more likelihood of voting than they would have under the other plan, under which they would have very little opportunity to vote.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. GREEN. I previously promised to yield to the Senator from Utah. Therefore, I yield now to him.

Mr. MURDOCK. Mr. President, I desire to make a statement with respect to what has been said by the Senator from Rhode Island and the Senator from Louisiana with respect to the powers of local election judges in passing on the validity of the ballots. It is true that under sections 1 and 2 of Public Law 712 Congress has in a sense said that when the Federal Government places the uniform of his country on a soldier and sends him abroad or sends him out of his native State, and thereby precludes him from having an opportunity to vote, the fact that he wears the uniform of an American soldier is a sufficient registration to enable him to vote, so far as the Congress of the United States has anything to say about the matter. We also say, in section 2, that if the soldier wears the uniform of the United States, and if he is on one of the battlefields somewhere in the world, fighting to preserve this Government, the prerequisite of paying a poll tax in order to cast a valid vote in a State which requires its payment shall not be effective. That is in substance what sections 1 and 2 of Public Law 712 do.

As I understand the positions of the distinguished senior Senator from Rhode Island, and the coauthor of the bill, the distinguished senior Senator from Illinois, it is their purpose, insofar as it can be accomplished by Federal law enacted by the Congress, to eliminate every existing barrier which would prevent the soldiers of this country from voting.

Mr. GREEN. That is correct.

Mr. MURDOCK. That being true, if and when Congress passes the pending bill, it would say to the soldiers that, insofar as it is within the power of Congress to do so, Congress has eliminated the barriers which might preclude their voting in the next general election.

Then, in section 14 of the pending bill, under the heading "Validity of ballots," we say to the States and to the election judges in the voting precincts, "You are the sole judges of the validity of these ballots."

So, if the local election judges, who are made the sole and ultimate judges of the validity of the ballots, according to the provisions of the bill, say to the soldiers of the United States, "Because you have not registered, your vote will not be counted," or "Because you have not paid your poll tax, your vote will not be counted," we, as the Congress, will have said to the States and to the local judges, "If you want to take that responsibility you may do so under this act."

Mr. GREEN. That is very true. Thus, in the various measures which the legislatures of the States might pass, there would be provision for penalties against local officials or others who did not comply with the Federal law.

Mr. MURDOCK. If the Senator will yield to me further, let me say that the able junior Senator from West Virginia asked the Senator from Rhode Island what would be the judgment of a local judge of elections. Has a Senator of the United States the power to guess what a local election judge would do? All we can say in the bill is that the responsibility for invalidating a ballot cast under the law will rest upon the shoulders of the local judge.

Then the Congress will have done all within its power to remove these barriers; and the responsibility of validating the ballots, once the bill is passed, will rest where it should rest—with the local election judges.

Mr. President, if the Senator will yield to me a little longer, let me point out that I do not see how the most ardent advocate of States' rights can find any fault with the bill, when he reads it and finds that the ultimate responsibility for invalidating a ballot still will rest where it should rest, and where it now rests under the laws of every State—on the judgment and in the discretion of the local election judges. The pending bill would not change those laws even by the crossing of a "t" or the dotting of an "i." They would still remain as they are.

Mr. GREEN. I thank the Senator from Utah for his clear exposition of the subject. I would only add the further thought that if the bill provided for penalties, if it undertook to keep the local, State, or district officials up to their duty, there would be even more criticism of the bill than there now is. In view of past experience, I expected that the bill would be criticized both for what it has in it and for what it does not have in it. If the bill were changed around, vice versa, it still would be criticized. There are some who, because the bill cannot be made perfect, want to emasculate it, rather than to have anything at all constructive passed.

Mr. KILGORE and Mr. REVERCOMB addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Rhode Island yield, and, if so, to whom?

Mr. GREEN. I have already yielded once to the junior Senator from West Virginia [Mr. REVERCOMB], so I think I should yield now to his colleague.

Mr. KILGORE. Mr. President, I simply wish to ask the Senator from Rhode Island if it is not a correct interpretation of the bill to say that it would pass on that responsibility to the States, and would say to them, "You should make it possible for the soldiers to vote. If the regular mail does not catch up with individual soldiers, we will provide them with an opportunity to cast their ballots. We are correcting the mistake we made a short time ago, when we said to the individual States, 'It is your job to provide a way by which these men can vote. We pass on to you the responsibility for making that provision.'"

In other words, we would give back to the soldier the right of which we deprived

him when we sent him away from home to a place where he could not register for voting. So far as the election for Federal officials is concerned, we would give to the local election boards the responsibility of determining, under State law, the validity of the ballots.

Mr. GREEN. The statement the senior Senator from West Virginia has made is very clear and accurate.

Mr. President, I desire to present the thought that in various titles of the bill provision is made for two methods of voting: One, by a Federal ballot limited, naturally, to voting for Federal officers; the other, by a State ballot which would apply to the election of State officials. The preference throughout is given to the State ballots; but there would be a great many States, I am afraid, with respect to which the State ballots would not be effective. Even if the law is adequate, the physical difficulties are very great. I think the Senator from Illinois, the coauthor of the bill, brought out that point very clearly when he used as an illustration the situation in Illinois. In the State of Illinois there are 102 different ballots.

Since we do not know where a serviceman from one of those balloting districts may be located, a ballot for him will have to be sent to every place in the world where there are any soldiers at all. Otherwise he may not have an opportunity to use the ballot. If we multiply the number of States by the number of districts in the States, and if we multiply again, as we shall have to, by the number of ballots, the total becomes astronomical. Under the law billions of ballots would theoretically be necessary. We cannot guess where the men in the armed forces are going to be, so we shall have to provide a ballot for every district in the United States, of which, as I recall, there are some 7,000. We shall have to supply 7,000 different ballots, and enough of each ballot for all the men in the service wherever they may be.

Mr. REVERCOMB. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Does the Senator from Rhode Island yield to the Senator from West Virginia?

Mr. GREEN. I yield.

Mr. REVERCOMB. In connection with the time element in getting the ballots to the soldiers abroad, I have before me the testimony given before the committee presided over by the able Senator. I find that to transport a ballot by air mail both ways from a central point in the United States, say Springfield, Ill., to various points where our soldiers and sailors may be, requires the following times: To north Africa, 22 days; to Europe, 37 days; to the Pacific, 43 days; and to the Far East, 52 days. In other words, that is the limit of time necessary to transport that ballot two ways by air mail.

Mr. GREEN. I do not think that is the limit of time. That is the quickest possible time, which is very different.

Mr. REVERCOMB. I do not so understand.

Mr. GREEN. I think that time allowance provides for the actual transmission and allows 2 days at each end of the transmission. I believe the Senator will find that the testimony so shows.

Mr. REVERCOMB. I made the statement that the various times which I have indicated are for transmission by air mail. That statement has been questioned. It is said that that does not contemplate transportation by air mail. Does the Senator recall what kind of transportation is contemplated by the figures which I have given?

Mr. GREEN. I did not comment on the kind of transportation. The Senator said that those figures represented the limit of time. I said that they represented the quickest possible time, and not the slowest time.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. GREEN. I will ask the Senator to take his turn.

Mr. TAFT. That includes the time from the time the ballot starts until it gets to the secretary of state.

Mr. GREEN. Mr. President, I have not yielded to the Senator from Ohio.

Mr. REVERCOMB. I desire to check the record in that connection, because it has been called to my attention that the figures which I have given do not represent air-mail transportation, but other kinds of transportation.

Mr. GREEN. That is correct.

Mr. REVERCOMB. Air-mail transportation would be very much quicker.

I should like to make a further statement with respect to the subject which the Senator and I discussed a few moments ago. I believe it has been stated, or rather inferred, by the Senator from Utah, that it is not incumbent upon Congress to enact laws dealing with what a State may or may not do. However, it is certainly incumbent on us, and it is a duty which we owe to every citizen, and particularly to the men in the armed forces, not to enact a law which would be futile, or would work a great wrong by holding out to a member of the armed service a ballot and saying to him, "You may cast your vote," and then saying, in the same law, that it may be taken back home, where he would want to vote, and thrown out by the local election board under the authority of this law. If we are to give him the vote—and it should be given if we can protect it—at the same time we give it to him there are two things which we ought to protect. The first is the right to express his own choice without interference. The ballot ought to go to him, and into the hands of no one else. Secondly, the ballot ought to be counted. No one ought to have the right to throw it aside.

Mr. GREEN. I do not think it makes any difference how many hands it passes through before it is marked. It is very important that it should not be tampered with after it is marked. Every precaution is taken in the bill to see that from the time the man marks it in secret and seals it in the envelope, it is not opened, and that there is no opportunity to tamper with it until it is counted on election day with other ballots which are cast.

Mr. REVERCOMB. This bill would invite the soldier to cast his vote, and put a ballot in his hands. We should do that without saying to him, "You should not vote unless your are qualified to vote under the laws of the State of your residence." It is proposed to say to him, "Go ahead and cast your vote; but when it gets back home, Congress has authorized the State or local election boards to throw it out." It is proposed to say to the local election boards, "It is up to you to count this vote or not to count it." Would not such a law invite millions of contests all over the country?

Mr. GREEN. Congress says nothing of the kind. Congress does not say to the local officials, "You may count this vote or not, as you like." Congress leaves to the local officials the decision as to whether or not it can legally be counted. If it is legally cast, it ought to be counted. If it is not legally cast, it should not be counted. Congress expects the local officials to count the ballots, and expects the States to see that the laws are enforced; but it is not the business of Congress to see that State laws are enforced.

Mr. REVERCOMB. Congress would leave it to the States to enforce the laws; but Senators are not willing to entrust to the States the issuance of the ballots directly to the soldiers.

Mr. GREEN. If there is cooperation from the States, the ballots will be counted. If there is not cooperation, we cannot expect any of such laws to work unless we send in armed forces to compel the State authorities to count the ballots. So far as I know, no one is proposing to do that. I do not propose it. I believe the States will cooperate, and will see that the ballots are counted.

Mr. REVERCOMB. The able Senator will recall the language of the bill. It leaves it up to the precinct, county, or district voting board to rule on whether or not a ballot which is brought there to be placed in the ballot box shall be counted.

Under the present law, sections 1 and 2 of which would remain intact if the pending bill were enacted, one need not register in order to vote. I believe that almost every State in the Union requires a voter to be registered. We knew that when we enacted the law. In the bill we say that the local election board shall pass upon the validity of the ballots, knowing, when we vote for the bill—if we do vote for it—that the election officers, under the laws of their own State, must throw a ballot out if a voter is not registered. Does the Senator think that is fair to the members of the armed forces?

Mr. GREEN. I think the provision is a proper provision; but if the Senator does not think so he may offer an amendment to give this authority to the war ballot commission rather than to the local officials.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. BARKLEY. A little while ago I stated what we were seeking to do in the enactment of the proposed law. The Government of the United States has taken these men beyond the jurisdiction of any election board within a State, and beyond their own ability to register as a

qualification or regulation. Whether registration be regarded as a fundamental qualification or a mere regulation is not material. We undertake to cure that defect and to bridge that gap by saying that, so far as voting for President, Vice President, and Members of Congress is concerned, that requirement is to be waived. The members of the armed forces may vote without registering. We do not attempt to say that they may do so in State or local elections, because we do not assume any jurisdiction over such elections. At least up to the present time we have not done so.

In addition to registration there are many regulations, qualifications, or requirements under State laws, which may affect a man's vote. There are many such requirements or regulations even in States which do not have a poll tax. There are many details which may cause a local election board or precinct officers to throw out a ballot. If it is improperly marked, for example, or if it is marked in two places, or in such a way that the intent of the voter is not evident, it may be thrown out. The question may arise as to whether the voter has removed from one precinct to another, or whether he has resided in the State for the length of time required by law. There are many such regulations.

So far as voting in Federal elections is concerned, last year we enacted a law waiving the requirement of registration, simply because we have made it impossible for members of the armed services to register. That law ought not to be nullified by anything we do in connection with the pending bill.

The same observations apply to the requirement for payment of a poll tax. I do not wish to enter into a discussion of the merits of that question; but we have nullified the ability of members of the armed forces to qualify under that requirement in any State in which payment of a poll tax is required.

If by this bill, or any amendment to it, we say that notwithstanding last year we agreed to waive these two requirements in Federal elections, and we are now going to take it back and say that we are not going to waive them, and if some local election officer of a precinct should decide that the law which we pass is unconstitutional and therefore he will not count the ballot, I doubt very much if we have done the soldier any good in the way of allowing him to vote. That is what it would amount to. There are many things which this language may mean. It might leave to the local precinct officer the right to determine the validity of a vote. But I doubt very seriously if we should leave to the precinct officer in Lang's precinct in McCracken County, where I vote, the right to say whether an act of Congress is constitutional, and deny the soldier who returned his ballot to the precinct the right to cast his vote. I do not understand that the amendments contemplate that a local election officer shall have the right to pass upon the question of the validity of an act of Congress. If that is what they mean I shall vote against them. I do not think we ought to hold out hope to the soldier in one hand and by the other hand take it away from him.

Mr. GREEN. Mr. President, I should like to make an additional comment on the clear remarks of the able Senator from Kentucky.

The powers to which reference has been made would be definitely taken away from the commission. Because of the criticism on the floor of the Senate that the commission would be a political body—though I do not see how it could be—we wanted to make it purely administrative in dealing with the ballots. It would have nothing to do with passing upon the validity of the ballots. The determination of validity has to be vested in some authority somewhere. If we take it away from the ballot commission, the proper place to put it is with those who count the ballots. However, if Senators think that it should be placed elsewhere, I do not know where they would prefer to have it placed. As I said earlier to one of the Members, if it is the wish to amend the bill so as to take the determination away from the local State officials and place it again with the ballot commission, I shall make no protest.

Mr. CONNALLY. Mr. President, if the Senator wishes to amend his bill, some of the rest of us will amend it also.

Mr. GREEN. I do not favor such action.

Mr. CONNALLY. The Senator is cosponsor of the bill. He had better stick by it.

Mr. GREEN. I should prefer to see the bill passed in its present form. It has been worked on for a long period of time. If we change it in one place we might necessarily change the theory on which the bill is based. I reiterate—and I cannot do it too often—that this bill merely seeks to change the machinery of casting the ballots. It has nothing to do with sections 1 and 2 of the present law, which are left intact. In other words, if Senators believe that the machinery provided by this bill will result in giving the ballot to more soldiers and sailors than would result under the old law, it seems to me that they should favor the bill. If, however, for some reason which I cannot understand, they believe the old law is better in that respect, then they should vote against the bill. Does this bill provide to more soldiers the opportunity to vote than does the existing law? That is the issue before the Senate.

Mr. BROOKS and Mr. TAFT addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Rhode Island yield, and if so to whom?

Mr. GREEN. I yield first to the Senator from Illinois.

Mr. BROOKS. Mr. President, I should like to have the Senator comment on this situation: Very recently Illinois convened a special session of its legislature. It amended the law so that the 800,000 soldiers, sailors, marines, and other members of the armed services, citizens of Illinois, will be given at least a greater opportunity to vote for State candidates, as well as for Federal candidates, than they would have had under the old law.

A question which arose in the minds of some members of the Illinois Legislature pertained to the subject of the postage to be used by the county clerks in sending out approximately 800,000 ballots should they be requested. In reading section 204 on page 44 of the pending bill I find the following language:

> The Secretaries of War and Navy shall, so far as practicable and compatible with military operations, take all reasonable measures to facilitate delivery and return of absentee ballots mailed to members of the armed forces pursuant to the laws of the several States.

Then on page 45, in subsection (c) the language reads as follows:

> The transmission of all communications under titles I and II shall be free of postage, including air-mail postage, in United States mails.

I wonder if that provision would cover a State ballot sent out by a county clerk in response to a request from an individual soldier if the soldier did not use the post-card which is mentioned in the bill. Will the Senator give me his interpretation of the language to which I have referred?

Mr. GREEN. I think it would cover postage on any communication which was sent officially.

Mr. BROOKS. Any communication sent officially. In other words, the county clerks should perhaps have the right—and maybe we should provide for it either by a separate bill or by an amendment to the pending bill—to mark the envelope, as shown by the example on page 43 of the bill, "Free of postage, including air mail (war ballot)." Would not an amendment of that nature to the bill be a wise one?

Mr. GREEN. I do not believe it is necessary. I think the situation is already covered. If we start to enumerate, we will find many different things to enumerate. I think that the situation to which the Senator refers is clearly covered by the language in subsection (c), on page 45 of the bill, which reads:

> The transmission of all communications under titles I and II shall be free of postage, including air-mail postage, in the United States mails.

The Senator read the section and observed that the word "communications" is specifically stated.

Mr. BROOKS. Then, in the Senator's judgment, any mark on the envelope containing a ballot being sent to a soldier showing that it was from an official would be sufficient.

Mr. GREEN. I think so, if it is sent in his official capacity.

Mr. BROOKS. I imagine that it should be marked "War ballot," or something of that kind. Would the Senator object to an amendment specifically covering that point?

Mr. GREEN. The trouble is that in mentioning one specific case we are apt by implication to exclude other similar cases.

Mr. BROOKS. I do not think this would be in merely one case. It could cover all county clerks or officials all over the United States.

Mr. GREEN. In some States the official who would handle the ballots would not be the county clerk.

Mr. BROOKS. I am referring to the proper official who would mark the ballots "Official war ballots."

Mr. GREEN. I am in sympathy with the object of the Senator from Illinois, and I should be glad to see any amendment which the Senator cares to offer.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. TAFT. Does the Senator have any precedents or any case in which ballots have been used in this country without the names of the candidates being printed upon them?

Mr. GREEN. No; but in almost all cases the voter has the power to write in the names of candidates.

Mr. TAFT. I know that he has the power to write in the names of candidates. However, they are seldom elected.

Mr. GREEN. There is no way to provide for it, because in most cases they do not know who the candidates are.

Mr. TAFT. So we are actually proposing to give power to vote to persons who do not know who the candidates are.

Mr. GREEN. That is correct.

Mr. TAFT. We are being asked to give ballots to persons to vote merely by writing in "Democrat" or "Republican" without knowing who the candidate is, and when the candidate actually might be a thief, or someone who had been in jail, and we would have no means of finding out about it.

Mr. GREEN. Yes; or he might even be in the Senate.

Mr. TAFT. He might even be in the Senate. Is it not unique under our system of democratic government to propose a ballot on which no names are printed, and as to which there is no assurance that the voter has ever heard of the persons who are actually running for office?

Mr. GREEN. Well, the candidate probably is in many cases better off if the voter has not heard of him.

Mr. TAFT. Mr. President, the Senator is attempting to be facetious, but it seems to me that to talk about giving the soldier the kind of ballot proposed in the pending bill would not be giving him the right to vote at all.

Mr. GREEN. Perhaps the Senator from Ohio would prefer to defer the marking of the ballots at Guadalcanal until 10 days before election, because in many States the candidates would not be known until then.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. VANDENBERG. I notice that the official Federal war ballot provided on page 29 of the bill provides for writing in the name of the voter's political party, "Democratic, Republican, Progressive, or other." If any minor party is to be identified textually, should not all the other minor parties be identified?

Mr. GREEN. To be frank, the reason for the provision was that all parties represented in the Senate were included.

Mr. VANDENBERG. Speaking quite seriously, I should think it might result in some miscarriage of a soldier's ballot, because there could be a Progressive ballot in only one State.

Mr. GREEN. That is true, but if we started to include all the parties which claim the right to appear on any ballot throughout the country, we would have quite a long list.

Mr. VANDENBERG. I agree.

Mr. GREEN. If we omitted any party represented in the Senate, we would also be criticized.

Mr. VANDENBERG. There is no Senatorial election in Wisconsin this year, is there?

Mr. GREEN. The bill is to cover not only this war; this is to apply during any war. It may be good for the next war, though I do not like to contemplate the possibility of there being another.

Mr. VANDENBERG. That would be away up in the sixth or seventh or eighth term. [Laughter.]

Mr. GREEN. I hope it will be as far off as that.

Mr. MILLIKIN. Mr. President, will the Senator from Rhode Island yield?

Mr. GREEN. I yield.

Mr. MILLIKIN. I did not quite catch the Senator's answer to what struck me as a very important question posed by the distinguished majority leader, the Senator from Kentucky [Mr. BARKLEY]. His question was, if I understood it correctly, whether a precinct election judge would have the right to throw out one of the Federal ballots; and I did not catch the Senator's answer.

Mr. GREEN. If the Senator will refer to the bill, page 39, section 14, he will find the answer. I explained why that provision was inserted. We start with the negative because so much criticism was made of the War Ballot Commission having power to investigate the propriety of ballots being thrown out or counted. The bill provides:

> The Commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States. Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

I added, in my comment, that I hoped that the various States would pass the necessary enabling legislation and provide the necessary penalties for breach of observance of its provisions.

Mr. MILLIKIN. I had understood the distinguished majority leader to observe that he could not be for the bill if it empowered an election judge of his precinct in Kentucky to throw out a ballot of the kind provided for.

Mr. BARKLEY. What I said was that I would not vote for any amendment to the bill. I am for the bill as it has been written; I am studying the amendments which are now pending. I did not mean, by my comment, to include the bill as it is.

Mr. MILLIKIN. Under the bill as it is, would a precinct election official have the right to toss out a ballot if he thought it were invalid?

Mr. GREEN. I do not concede the moral right.

Mr. LUCAS. Will the Senator from Rhode Island yield?

Mr. GREEN. I yield.

Mr. LUCAS. I do not concede that the election precinct official would have the right, upon his own initiative, to toss out a ballot. I undertake to say that the ballot provided for will be in the same category with any other absentee ballot, and if someone in an election precinct challenges one of these ballots, just as any other ballot is challenged, it would be necessary for someone to make out a case for him, with an affidavit. Merely for an election-precinct official to say the ballot is illegal because it is a Federal ballot, and in his opinion is unconstitutional, would be beyond his power, in my opinion. In other words, we definitely say in this section that—

> Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

Mr. MILLIKIN. Let us make a specific case out of it, if the Senator does not mind. My State has a law which prohibits voters from voting by party. We have to vote for persons in Colorado. Assuming one of the ballots came into X precinct, and the soldier had voted by party instead of by person, as we are required to vote in Colorado, and suppose someone challenged the vote, the election judge, I assume, under the answers which have been given, would toss out the ballot.

Mr. GREEN. He would not, as I assumed in a previous discussion during the debate, if the attorney general instructed him that the Federal law was to be obeyed, wherever it abrogated the State law.

Mr. MILLIKIN. The Attorney General of the United States?

Mr. GREEN. No; the attorney general of the State.

Mr. MILLIKIN. Of course, the opinion of the attorney general of a State is an opinion, it is not the law of the State.

Mr. GREEN. No; but I think any official who was guided by it and acted accordingly would probably be exempt from any penalty.

Mr. MILLIKIN. Furthermore, there is no compulsion on the attorney general of any State to give an opinion.

Mr. GREEN. No; that is left to the States. States' rights are recognized.

Mr. MILLIKIN. Then I understand the Senator's answer to be that in a case such as the one I have suggested, if a challenge were made at the precinct, the election judge could refuse to count the vote, and that would be subjected to our whole contest procedure, if someone wanted to contest it?

Mr. GREEN. Certainly.

Mr. LUCAS. Will the Senator from Rhode Island yield?

Mr. GREEN. I yield.

Mr. LUCAS. I think the Senator is correct in the event the challenge is made and is not overcome——

Mr. MILLIKIN. Yes.

Mr. LUCAS. By a proper affidavit, as could be done in the election precinct under the election laws, for instance, of my own State. But if a challenge is made in a local election precinct of one of these uniform election ballots, and the challenge is sustained by the local election officials, then the ballot will not be counted, and it would be a question later on for the courts to determine whether or not the ballot was legal.

Mr. MILLIKIN. And is it not true that, by that process, extending that sort of challenge and contest all over the United States, there might be built up an aggregate contest that might throw the election in doubt?

Mr. LUCAS. The Senator is now speculating.

Mr. MILLIKIN. Of course.

Mr. LUCAS. I wish to make this statement very emphatically with respect to speculation as to what is going to happen in this precinct or that precinct throughout the United States, I am more interested for the moment in giving the franchise to the soldiers than I am in speculating as to what is going to happen in the future. I think the important thing for the Senate to consider now is whether or not we are to give the right of franchise to the soldier, to be exercised in a uniform Federal ballot wherever he may be training or fighting.

I am not worrying now about what is going to happen in the precincts in my State. I do not know anything about the Senator's State, but I undertake to say that if the election officials in my State refused to count a soldier's ballot, but counted the ballot of some fellow at home, there would be a riot in my community that night; and I will guarantee it, if I am there.

Mr. MILLIKIN. If I may say so, I am interested in not having riots in connection with our elections. I am interested in having certainty in the results in connection with them. I am interested in having the soldiers vote. In my State, on the 27th of this month, we are to have a special meeting of the legislature to give them the right to vote. So in my State the question as to whether we are or not in favor of the soldier voting does not arise. We are all in favor of his voting, and we are going to give him the means of voting.

Mr. LUCAS. I congratulate the Senator upon that, and if they follow through with what the Senator is suggesting, then the query he propounded in first stating the hypothetical case he submitted will be out the window, because no doubt the legislature is going to meet for that purpose along with others.

Mr. MILLIKIN. It is entirely possible that some Federal ballots might come in on the basis here proposed, and some of our State absentee ballots might not come in, so there would be a dual system of law to enforce, that set up by the special session of the legislature, and that set up by the Congress, and every election judge would have the problem of deciding how to administer the dual system of law.

Mr. LUCAS. I am satisfied, from what the Senator has said, that the people of his State are just as patriotic as those of any other section of the Nation——

Mr. MILLIKIN. That goes without saying.

Mr. LUCAS. And desire to do the very thing we are discussing, that is, ultimately to put the local State machinery in such shape that the soldiers can vote, and that the local election officials will count the votes.

I feel so keenly about this thing that I am not willing to speculate on a lot of intangibles that may happen in the future with respect to this matter. I do not know about them; but I do know that we are close to the brink of saying here in the Congress of the United States that we are not going to give the soldiers the right to vote, and if we pass a law other than what is before us, that objective will be accomplished. We cannot leave the matter to the States. Such action would be absolutely negative; it would be meaningless. I insist with all the sincerity I possess that unless we do something to give the servicemen the opportunity to vote, in view of what has transpired here in the last 60 days, we are literally going to shatter the morale of the men who are fighting the war, and I say that we may thereby extend the war as a result. That is how far I am willing to go. I have never been so serious with respect to a proposition in my life as I am with respect to this representative piece of legislation which goes to the very grass roots of democracy.

Mr. MILLIKIN. The Senator, if he will yield, has given his own legislation a good certificate of character. He has proscribed me in my speculations, but indulges in the rankest speculations himself. He is speculating on riots, he is speculating on morale and that its destruction may lose us the war. His whole mind on the subject is in a ferment of speculation, and I do not begrudge him the right to speculate. I hope he will not begrudge me the right to speculate.

Mr. LUCAS. No; but the Senator has a different basis for his speculation. He is speculating on two things for the moment. He is speculating on whether or not he is going to vote for the bill, and he is using the speculation of the future with respect to whether or not the votes are going to be counted in attempting to justify his position. He is attempting to tell the people of this country that there are going to be many contests and there is going to be a great deal of turmoil and chaos throughout the land. It is possible that what the Senator says is true. I will not say that there will not be a number of contests. There are contests all over the country at all times over this election or that. But what I am saying is that the immediate question we have to decide is whether or not we are going to make it possible, by proper legislation, for the service men and women to vote.

Mr. MILLIKIN. Well, that, in relation to this bill, might be the purest type of speculation.

Mr. LUCAS. The Senator may call it pure if he wants to. I have another name for it.

Mr. BARKLEY. Mr. President, I should like to speculate about when the Senate can quit for the day.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. TYDINGS. I was going to say that I believe the point made by the Senator from Colorado, namely, that the Federal ballots do not contain party voting privileges, might be considered. I have no desire to attack the bill. I think it is a greatly improved bill, but I do present this thought: In the State of Maryland, for example, one cannot run in two primaries at the same time, as can be done in other States. One must run as a Democrat, or as a Republican, or a Socialist. There is no way by which one can run on more than one party ticket, even though everyone were satisfied to have it done. Our laws further provide, and it has been settled policy in the State, that a blanket ballot cannot be voted, that is, that a party ballot cannot be voted. Each block must be voted separately. If an individual desires to vote all Democratic, well and good.

I am simply suggesting to the authors of the bill, in the best of spirit, that it may be that the law in my State, as in Colorado, for example, will not be changed, and it certainly would be too bad to pass a Federal law which for any reason might bear the stigma of not being legal, even though the charge were not sustained. I suggest to the two authors of the bill that the more we can do to eliminate every chance of a charge of illegality, the more service we will render to the soldiers who are going to cast the ballots. The more we leave the question of legality in doubt, the greater harm there will be, because riots might occur, and all kinds of charges might be made.

I therefore respectfully suggest to the authors of the bill—and I do not ask them for any decision tonight—that I do not believe their position would be at all weakened if the provisions for party voting were eliminated from the bill. Certainly the individual could still vote on the party plane if he wanted to, or he could split his ticket if he wanted to. If that were to happen in the State of Maryland, under the present law, the only votes that would be counted would be those cast for President and Vice President. There would be no count of the votes for Senator and Members of the House. Perhaps the legislature will change the law. I do not know about that. But why not pass a law in such a fashion as to conform, wherever we can, with the laws of the States themselves? I simply submit that thought to the two authors of the bill in order that they may reflect upon it, and see if they cannot arrive at some conclusion.

Mr. GREEN. I may say a word or two in answer to the Senator from Maryland. That question was very carefully considered before the provision for party voting was adopted. The reason for adopt-

ing the provision is that it will prove absolutely impossible, in view of the laws of the different States, to inform a great many of the soldiers in distant quarters of the world who the candidates are. It would be better if they knew who the candidates were. But if they cannot find out, a provision is made whereby as soon as candidates are nominated the information is sent to the war ballot commission, and the ballot commission sends it overseas as quickly as possible, and it is posted in the camps. Of course, the men would rather know who the candidates are, but if they did not know, they would rather vote for their party than not vote at all.

I cannot accept the suggestion of the Senator from Maryland that where there is a conflict between laws of the United States and the laws of Maryland there should be any doubt as to which would prevail.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. BREWSTER. I wonder if the Senator has given consideration to the situation in the State of Maine, where we elect our Representatives in September. Will the bill cover that situation?

Mr. GREEN. I do not understand to what situation the Senator refers.

Mr. BREWSTER. We have an election in September for our Representatives in Congress, but not for President. The President is voted for in November. Is the election in September for Representatives in the State of Maine provided for in the bill?

Mr. GREEN. It is contemplated that the blank ballots will be sent overseas a couple of months before the election.

Mr. BREWSTER. That will not be early enough.

Mr. GREEN. The ballots could be sent 3 months before the election is held, I suppose. The Senator does not think the State of Maine would change the election date and thus cease to be the barometer of the Nation, does he?

Mr. BREWSTER. I do not think we would want to disappoint the Senator by casting down his hopes. We are, however, really faced with a dilemma. In Maine we vote for President in November, and for Representatives in Congress in September. Under the terms of the bill, as I understand, the men overseas—and we have a good many of them—could not split their ballots.

Mr. GREEN. I am afraid then the special election might be in the category of the primaries held in the South.

Mr. BREWSTER. It is not a special election. It is a general election which we have held from time immemorial. The rest of the country has changed, but Maine remains the same as always. We hold our election in September.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. BARKLEY. Of course, it would be possible for a ballot simply containing the names of the men who are candidates for Representatives to be sent to the soldiers, and to let them vote that ballot in September. They would probably be entitled to another ballot containing the names of the candidates for President and Senator. Does Maine vote for Senator in November or September?

Mr. BREWSTER. No vote will be had for Senator this year. This year we vote for candidates for the House in September.

Mr. BARKLEY. There are two separate elections held practically 2 months apart. It seems to me there would be no difficulty in getting a ballot to the soldiers containing the names of the candidates to be voted for in Maine in September, and a ballot to be voted in November.

Mr. BREWSTER. The bill as now drawn certainly would not contemplate such a situation.

Mr. GREEN. No; it contemplates the shipment of one kind of ballot for one election.

Mr. BREWSTER. Mr. President, would the Senator or whoever assisted him in drafting the measure give consideration to whether it could be made possible for servicemen from Maine to participate in the election, without regard to how they might vote?

Mr. GREEN. Let me ask the Senator to give consideration to having the State of Maine change the date of its election, so as to have it in accord with the dates of election in the other 47 States. If we desire to have uniformity with respect to the election, that would be a good example.

Mr. BREWSTER. In the first place, Mr. President, we would have to have a meeting of the State legislature and would have to persuade the citizens of Maine that such a provision was wise. In Maine we do have the situation that the weather becomes somewhat inclement in November. I think that is one of the reasons, aside from our being a barometer State, for our having the election in September.

Mr. BARKLEY. The snow is just as deep in November, whether one is voting for President or a Member of Congress.

Mr. TYDINGS. And the snow falls alike on the just and the unjust.

Mr. BREWSTER. That situation occurs only once in 4 years, and then we dig them out. But I am sure the Senator does not mean to imply that he would bring pressure of that kind, that in order for the people of Maine to enable their soldiers to vote they must change the date of the Maine election.

Mr. GREEN. I was merely asking the question.

Mr. BREWSTER. I am quite sure what the Senator suggests is not practicable. Regardless of whether an appropriate amendment were offered providing that Members of Congress, who are recognized as Federal officials, might be voted for, under our law I think we could almost qualify if we could have the ballots transmitted and if a 30-day provision were made.

Mr. GREEN. There is a provision under which everything will be done that can be done to cooperate in getting the ballots there.

Mr. BREWSTER. Yes; if we could get the postal cards—personally, I thought that was the happiest solution—to the troops by the 1st of July, so that they could get back here in time, that would take care of the matter. Under the mailing arrangements with which I am familiar, because I have a boy in the service, I think we could get the ballots over and back in time.

Mr. GREEN. I think it should be possible to do so by July, unless a threatened filibuster takes place.

Mr. BREWSTER. Would the Senator consider an amendment which would bring the soldier voters from Maine within the purview of the Federal ballot law?

Mr. GREEN. I doubt very much whether that would be feasible. Inquiry would have to be made all over the world, because no one knows where the Maine boys are. Probably they are scattered all over the world.

Mr. BREWSTER. Yes; they are.

Mr. GREEN. Provision would have to be made for a separate ballot. If the ballots came back from various places all over the world, the ballots cast by Maine soldiers would have to be sorted and distributed later.

Mr. BREWSTER. Would the Senator say that under the provisions of the pending bill the Maine soldiers would not be able to take advantage of that provision?

Mr. GREEN. The Senator has said that in Maine there will not be an election for Senator this year; is that correct?

Mr. BREWSTER. That is correct.

Mr. GREEN. I think we could make special effort to see that the Maine soldiers received their ballots in time to be able to return them in time.

Mr. BREWSTER. I do not think they could be counted, because ballots returned in September would not be eligible to be counted in the November election.

Mr. GREEN. Oh, no; there would have to be separate ballots.

Mr. BREWSTER. So the Maine soldiers would either lose their vote in September or their vote in November.

Mr. GREEN. I am afraid the Senator misunderstood me. I meant one ballot would be the ballot for President and Vice President and the other would be the ballot for State representatives.

Mr. BREWSTER. I am sure the Senator recognizes the right to vote for Federal officials, with respect to the vote for whom, as I understand the matter, we are to vote in connection with the pending bill.

Mr. GREEN. That is correct; but there is the choice of voting by State ballot or by Federal ballot. In this case it seems to me the Maine soldiers could well choose the State ballot.

Mr. BREWSTER. They would if they could get it.

Mr. GREEN. That is the trouble. The Army and Navy will facilitate the shipment of the ballots.

Mr. BREWSTER. Would they be given the same right-of-way as the right-of-way given the Federal ballots?

Mr. GREEN. I do not know; I should have to take up that matter with the Departments.

Mr. BREWSTER. Will the Senator state the position of the Departments?

Mr. GREEN. They said it was impracticable to do so for all the States. Whether they would be able to do so for Maine, inasmuch as Maine stands in a unique position in this respect, I do not know.

Mr. BREWSTER. I think we should not give the country the impression, on account of any of the considerations the Senator has suggested here today, that Maine is being discriminated against.

Mr. GREEN. Apparently the Nation already has discriminated against Maine, 47 of the States having abandoned the Maine custom of having two elections.

Mr. BREWSTER. They still permit us to vote; they have done so up until the present. This is the first time in 12 years that it has been proposed that the people of Maine—particularly the Maine soldiers—should not have the same opportunity to vote that the people of other States have. I am sure that upon further examination the Senator will not want to have such a suggestion go forth.

Mr. GREEN. I want the Maine soldiers to vote, regardless of whether they vote right.

Mr. BREWSTER. Yes; I am sure that is so. I hope the Senator will give consideration—that is why I brought up the matter so late in the day—to whether some appropriate provision which would bring the Maine soldiers within the purview of the law may be made.

Mr. GREEN. I will confer with the department heads.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. TUNNELL in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. HATCH, from the Committee on Public Lands and Surveys:

Abe Fortas, of Tennessee, to be Under Secretary of the Interior.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

INTERSTATE COMMERCE COMMISSION

The legislative clerk read the nomination of Joseph B. Eastman, of Massachusetts, to be Interstate Commerce Commissioner for the term expiring December 31, 1950.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of John L. Rogers, of Tennessee, to be Interstate Commerce Commissioner for the term expiring December 31, 1950.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

NATIONAL MEDIATION BOARD

The legislative clerk read the nomination of Harry H. Schwartz, of Wyoming, to be member of the National Mediation Board for the term expiring February 1, 1947.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the postmaster nominations are confirmed en bloc.

Mr. BARKLEY. I ask that the President be immediately notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

That completes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 26 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, January 25, 1944, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 24, 1944:

THE JUDICIARY

UNITED STATES JUDGE

ANTHONY J. DIMOND, of Alaska, to be United States district judge for the third division of Alaska, vice Hon. Simon Hellenthal, term expired.

UNITED STATES ATTORNEY

Lynn J. Gemmill, of Alaska, to be United States attorney for the first division of Alaska, vice Hon. William A. Holzheimer, retired.

UNITED STATES MARSHAL

Norris Metzger Thomas, of South Carolina, to be United States marshal for the eastern district of South Carolina, vice William F. Burguson, deceased.

CHIEF JUSTICE, SUPREME COURT OF PUERTO RICO

Martin Travieso, of Peurto Rico, to be chief justice of the Supreme Court of Puerto Rico, vice Emilio del Toro Cuevas, resigned.

DISTRICT COURT OF THE VIRGIN ISLANDS

Herman E. Moore, of Illinois, to be judge of the District Court of the Virgin Islands of the United States. (Judge Moore is now serving in this post under an appointment which expired August 4, 1943.)

UNITED STATES PUBLIC HEALTH SERVICE

The following-named officers for promotions in the Regular Corps of the United States Public Health Service:

William S. Hotchkiss, from assistant surgeon to passed assistant surgeon, effective from January 13, 1944.

William H. W. Komp, from senior sanitary engineer to sanitary engineer director, effective from January 21, 1944.

Richard T. Page, from assistant sanitary engineer to passed assistant sanitary engineer, effective from February 21, 1944.

Mark D. Hollis to be temporarily promoted from sanitary engineer to senior sanitary engineer effective from January 1, 1944.

Norman L. Zwickel to be temporarily promoted from assistant dental surgeon to passed assistant dental surgeon, effective from January 1, 1944.

Avery B. Wight to be temporarily promoted from assistant surgeon to passed assistant surgeon, effective from December 1, 1943.

Bryan A. Dawber to be temporarily promoted from passed assistant surgeon to surgeon, effective January 1, 1944.

Byron J. Olson to be temporarily promoted from passed assistant surgeon to surgeon, effective January 1, 1944.

Harold R. Sandstead to be temporarily promoted from passed assistant surgeon to surgeon, effective from January 1, 1944.

IN THE NAVY

Capt. Joseph J. Clark, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 23d day of April 1943.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 24, 1944:

INTERSTATE COMMERCE COMMISSION

TO BE INTERSTATE COMMERCE COMMISSIONERS

Joseph B. Eastman
John L. Rogers

NATIONAL MEDIATION BOARD

TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD

Harry H. Schwartz

POSTMASTERS

LOUISIANA

Willie A. Dearman, Delhi.
Pauline M. Netterville, Newellton.

MASSACHUSETTS

Theresa K. Larkin, Haydenville.
Newell A. Ritchie, North Billerica.
Brantson K. Fuller, South Easton.
Annie W. Baker, South Yarmouth.

MISSISSIPPI

Victor L. Welleman, Stoneville.
Daniel Clarence Selby, Tinsley.

NEW JERSEY

Reva Hilborn, Clarksboro.
Leon A. Dolan, Ogdensburg.
I. Morgan Lewis, Rocky Hill.
Matilda E. Lyster, Thorofare.
Sara Gertrude Boland, West Berlin.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 24, 1944

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, our Father, to Thee we offer our tributes of praise and gratitude. As life is brief like the evening vapor and the dew on the morning, it is also sacred and full of immortal values. We pray that the hidden forces of our beings may come forth in the urgency of great duties and in the joy of great purposes. As the battle is not to the swift nor to the strong, arm us with that spirit that dares to conquer.

Gracious Lord, in the turmoil that surges through this anxious world we would learn to trust Thee and so live that Thy grace would help us to perform even humble service and the homely tasks. So strengthen us that we shall be able to carry our labors cheerfully, standing courageously and strive lawfully, thus being worthy of our country's call. We pray for the unvoiced Americans who never hear the sound of praise nor will never see their names chiseled on a crumbling stone. O remember this nameless multitude whose lives are scant and severe; bow down, O heavens, and come to these hearts that are bearing the magnitude of their care. We rejoice that Thou art still in this latter world; sweeten their toil into a song of thanksgiving that they are a power eternal in the hearts and homes of men. To the glory and honor of our Saviour's name. Amen.

The Journal of the proceedings of Friday, January 21, 1944, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On January 18, 1944:

H. R. 3691. An act to permit the construction, maintenance, and use of certain pipe lines for steam-heating purposes in the District of Columbia.

On January 20, 1944:

H. R. 2207. An act to amend the Nationality Act of 1940; and

H. R. 3611. An act to authorize the appointment of court reporters in the district courts of the United States, to fix their duties, to provide for their compensation, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 3687. An act to provide revenue, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GEORGE, Mr. WALSH of Massachusetts, Mr. BARKLEY, Mr. CONNALLY, Mr. LA FOLLETTE, Mr. VANDENBERG, and Mr. DAVIS to be the conferees on the part of the Senate.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

Mr. RANKIN. Mr. Speaker, under rule XXVII of the House, I call up the motion to discharge the Committee on Rules from further consideration of House Resolution 29.

CALL OF THE HOUSE

Mr. SABATH. Mr. Speaker, this is an important matter. There is not a quorum present, and I make the point of order a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

Mr. RANKIN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 8]

Allen, La.	Gamble	Murphy
Baldwin, Md.	Granger	Myers
Bell	Green	Newsome
Boykin	Gross	Norton
Bradley, Pa.	Hare	O'Leary
Camp	Harness, Ind.	Outland
Carrier	Hobbs	Ploeser
Clason	Jackson	Pracht
Curley	Jones	Randolph
Dawson	Jonkman	Scanlon
Dirksen	Judd	Scrivner
Domengeaux	Kleberg	Sheridan
Douglas	Lanham	Smith, W. Va.
Ellsworth	Luce	Sullivan
Fellows	McKenzie	Sumner, Ill.
Fish	Maas	Weiss
Fitzpatrick	Magnuson	West
Ford	Morrison, La.	Winter
Gale	Morrison, N. C.	

The SPEAKER. Three hundred and sixty-nine Members have answered to their names. A quorum is present.

Further proceedings under the call were dispensed with.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The SPEAKER. The Clerk will report the resolution (H. Res. 29).

The Clerk read as follows:

Resolved, That clause 40, rule XI, of the Rules of the House of Representatives of the Seventy-seventh Congress, be amended to read as follows:

"40. To insurance of soldiers, sailors, and marines, and other persons based upon active military and naval service in the armed forces of the United States, during or growing out of the World War or World War No. 2; the compensations, allowances, and pensions of such persons and their beneficiaries, and all legislation affecting them other than civil service, public lands, adjusted compensations—to the Committee on World War Veterans' Legislation."

The SPEAKER. Under the rule the gentleman from Mississippi [Mr. RANKIN] is recognized for 10 minutes.

Mr. RANKIN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this resolution was introduced a little more than a year ago, on January 6, 1943. We were unable to get it reported from the Rules Committee. I am reliably informed the Committee on Rules never had a chance to vote on it. It was never laid before them for a vote. Therefore it was petitioned out. Two hundred and eighteen Members of this House signed a petition bringing it before the House at this time. The object of it is to straighten out the jurisdiction of veterans' legislation in order that we may proceed in an orderly way in developing legislation concerning the veterans of World War No. 2, just as we have with reference to veterans of World War No. 1. There are three slight amendments which I propose to offer. The rule refers to the Seventy-seventh Congress, because it was really written before the rules of the Seventy-eighth Congress were adopted. I expect to offer an amendment to correct that error. Also, after the words "World War" I expect to offer an amendment to insert "I," and after "World War II," "United States Veterans' Administration," to make it conform to the present rules of the House. This will give the Veterans' Administration the same jurisdiction of legislation concerning veterans of World War No. 2 as it now has of the veterans of World War No. 1.

Mr. MAY. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. MAY. Of course, I am interested in knowing that the resolution does not, in any way, affect the jurisdiction of the Committee on Military Affairs of the House. I would like to ask the gentleman this question. Where will the dividing line be between the jurisdiction of one committee and the other? In other words, would it not be at the point where the soldier leaves the service and becomes a veteran?

Mr. RANKIN. Yes. It would be just exactly where it is now. As it affects veterans of World War No. 1. It will not affect the present jurisdiction of the Committee on Military Affairs.

Mr. DONDERO. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. DONDERO. Does this take away from the Committee on Education all matters of legislation affecting the education of veterans?

Mr. RANKIN. This takes away only jurisdiction of legislation that would belong to the Committee on World War Veterans' Legislation affecting veterans of World War No. 1. I cannot yield further. I think that is a complete answer to the gentleman's question.

Mr. Speaker, there is legislation being introduced that ought to go to the Committee on World War Veterans' Legislation, which is being sent to other committees. As a result you are getting into a jam on veterans' legislation. For instance, an insurance bill was tacked on as an amendment in the Senate that went to a House committee that did not want it. In that bill they left out what I consider to be the most important part of the legislation. There is other legislation being introduced and sent to other committees which ought to go to the Committee on World War Veterans' Legislation. This resolution has the approval of the veterans' organizations. Every one of the major organizations affecting World War veterans has come to us and asked for this change of the rule in order that we might work out an orderly procedure with reference to hospitalization, insurance, rehabilitation, compensation, and treatment for widows and orphans of the men who are killed in this war or died of service-connected disabilities, or who suffer disabilities.

For that reason we have asked for the passage of this measure.

Mr. McGREGOR. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. McGREGOR. To what committee would the bill with reference to the soldiers' vote be referred, had this legislation been in effect?

Mr. RANKIN. What committee got it as it was?

Mr. McGREGOR. I believe the Committee on Expenditures in the Executive Departments or to the Committee on Election of President, Vice President, and Representatives of Congress.

Mr. RANKIN. The bill went to the Committee on Election of President, Vice President, and Representatives of Congress. This rule would not affect that legislation.

The SPEAKER. The gentleman has consumed 5 minutes.

Mr. RANKIN. Mr. Speaker, I reserve the balance of my time.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Michigan [Mr. LESINSKI], chairman of the Committee on Invalid Pensions, which was established in 1813.

Mr. LESINSKI. Mr. Speaker, I am opposed to the provisions of House Resolution 29 because if it is adopted it will be a direct infringement upon the established jurisdiction of the Committee on Invalid Pensions, of which I am chairman.

The Committee on Invalid Pensions is the oldest pension committee of the Congress and was first established in 1813 as a Committee on Pensions and Revolutionary Claims.

It was a bill from the Committee on Invalid Pensions passed by this House the very next day after war was declared on Japan—and now known as Public Law 359 of the Seventy-seventh Congress, approved December 19, 1941—that provided the first monetary benefits for the veterans of this war and their dependents, and the rates provided in that legislation reported by the Committee on Invalid Pensions were equal to the rates provided for veterans of other wars. There has been pension legislation passed by this House since that date purporting to be beneficial to the veterans of this war, but the truth is that it did not increase the monetary benefits for the veterans of this war 1 cent. It has only provided additional benefits for the dependents of veterans of all wars. Pension legislation considered by this House since the enactment of Public Law No. 359 has been sponsored by powerful now existing organizations and had for its objective the securing of greater benefits for veterans of other wars, and at the same time use their organizations as a vehicle to secure members who have been discharged from this war and thereby perpetuate their organizations.

I have only been a Member of Congress since 1932, but during that time I have supported all legislation beneficial to the veterans. I have been informed by Members who have been here for many more years than I that this is the first time that veterans' organizations have endeavored to dictate the internal organization of this House. Heretofore, the objectives of veterans' organizations—insofar as congressional activities are concerned—was to secure legislation that was beneficial to our veterans and their dependents. This activity on the part of veterans' organizations in swamping Members of Congress with letters and telegrams is far afield, in my opinion, of the purposes for which they were incorporated. Their efforts in this instance is to bypass the powerful Committee on Rules and revamp the rules of this body and dictate what committee shall consider veterans' legislation.

When I was home for the holidays I made it a point to talk with the leaders of veterans' organizations in the city of Detroit and in the Detroit area; and, incidentally, in my congressional district I have the largest V. F. W. post in the world; and since I was elected to Congress I have had the wholehearted support of all the veterans' organizations in my congressional district. These leaders informed me that they frankly did not understand this jurisdictional controversy and that the letters and telegrams that they had sent to Washington, urging Members to sign discharge petition No. 8 and support House Resolution 29, had been sent by them only upon the insistence of their State and National officers.

The distinguished gentleman from North Carolina in speeches delivered on the floor of the House last Thursday and Friday directed the attention of this body to how far-reaching House Resolution 29 would be if adopted. In the press, on the radio, and in current magazines there has been much about the veterans' omnibus bill. The gentlewoman from Massachusetts made a statement in regard to this bill on the floor of this House on Tuesday, January 18, and inserted the bill in the RECORD at the conclusion of her remarks—you will find it on page 360, and it goes over to page 364. Just take a look at that bill as printed in the CONGRESSIONAL RECORD and you will find that its provisions directly infringe upon what has heretofore been the established jurisdiction of not only the Committee on Invalid Pensions, but the Committee on Pensions, the Committee on Labor, the Committee on Education, the Committee on Military Affairs, the Committee on Naval Affairs, the Committee on Public Buildings and Grounds, the Committee on Banking and Currency, the Committee on Ways and Means, and even the Committee on Agriculture. In fact, if you adopt this resolution, I do not see how you can prevent the Committee on World War Veterans' Legislation from taking jurisdiction over the soldiers' vote bill. In view of the fact that this House for the next 2 or 3 years will be engaged in considering much legislation beneficial to our veterans, we may as well do away with all other committees of the House and give exclusive jurisdiction to the Committee on World War Veterans' Legislation.

I say to you, ladies and gentlemen of the House, if you read carefully House Resolution 29 in its present form you will have to admit that it is one of the cleverest pieces of drafting that has ever been presented to this House. The very closing sentence—line 9—contains these words, "and all legislation affecting them." It was that phraseology that the distinguished gentleman from North Carolina [Mr. BARDEN] referred to last Thursday and Friday in his remarks on this floor.

The Invalid Pensions Committee is 131 years old, and among its present members are past officers of all of the leading veterans' organizations of this country. The rule of this House in regard to the jurisdiction of the Invalid Pensions Committee is found in rule XI, clause 24, and states that it has jurisdiction over all the wars of the United States and peacetime other than the Spanish-American War, the Philippine Insurrection, the Boxer Rebellion, and the World War, and the fine print beneath the rule states that the rule was amended on January 3, 1939, Seventy-sixth Congress, increasing the committee's jurisdiction so as to include all of the wars of the United States and peacetime service other than those stated in the rule. That language is plain, and the very fact that we have before us today House Resolution 29 is of itself recognition of the fact that jurisdiction over this present war has not and does not presently exist in the Committee on World War Veterans' Legislation, which was established in 1924 to handle pension legislation based upon the period of the World War. There is another reason why the Committee on Invalid Pensions, the senior pension committee of the House, should retain its present jurisdiction—under rule XI, section 45, it is one of the 11 committees of the House that is privileged to report at any time on general pension bills. That privilege no other pension committee of the House has, and it is of the utmost importance, because it does not make it necessary for the Invalid Pensions Committee to go before the Rules Committee and consume the time of that committee of the House to get a special rule when they report a general pension bill.

There is no question that the membership of the Seventy-eighth Congress are veteran-minded and have a sincere desire to do everything possible in the best interests of our veterans, and I appeal to the Members of this House that they permit the Committee on Invalid Pensions to retain the jurisdiction that is rightfully theirs. I ask that the status quo of the committees remain, because if you adopt House Resolution 29 you will cause untold confusion in the procedure of this body because it is so far-reaching that it infringes upon the legislative jurisdiction of many committees. Therefore, in fairness to all concerned, I ask the Members of this House not to adopt House Resolution 29.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. RANKIN. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I have never signed a petition to discharge the Rules Committee from consideration of a bill because I do not approve of that method of legislating. I have not signed this petition, but I expect to vote for this discharge motion. In doing so I think I am doing that which the veterans' organizations think is the best thing to do. They should know.

I want to say just a word about the consideration of this resolution before the Rules Committee. The Rules Committee had nothing against or for either of these resolutions, the one by the gentleman from Mississippi [Mr. RANKIN] or the one by the gentleman from Michigan [Mr. LESINSKI]. The Rules Committee considered for a long time the advisability of consolidating all of these committees into one committee—consolidating every committee that dealt with this type of legislation. There are several of them. Personally, I think that is what should have been done. Unfortunately, we never reached that point, and hence this discharge resolution.

I shall vote for this discharge because I think that, as between the two committees, this is the proper place for that legislation to be referred.

I would like to say also that I know of no committee which has at its head a more able, a more capable member than the gentleman from Mississippi, my colleague [Mr. RANKIN]. He has the interests of the veterans at heart at all times.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. RANKIN. Mr. Speaker, I yield 1 additional minute to the gentleman from Mississippi [Mr. COLMER] that he may yield to the gentlewoman from Massachusetts.

Mr. COLMER. I yield.

Mrs. ROGERS of Massachusetts. The gentleman does it because he feels the veterans will receive their benefits much more expeditiously; it will be very much easier for the Veterans' Administration to go ahead with legislation that is passed and the veterans will get their money, insurance, and benefits more directly. That is what we all want.

Mr. COLMER. I still think it would have been better had all these committees been consolidated into one; but as between the two committees I think I have already answered the gentlewoman's question.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield.

Mr. COOLEY. Can the gentleman advise the House as to whether or not this resolution will be subject to amendment?

Mr. COLMER. I would say it would not be unless the Chairman yielded for that purpose.

Mr. COOLEY. Does the gentleman understand that that is in the discretion of the Chairman?

Mr. COLMER. I do.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. SABATH. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina [Mr. BARDEN].

Mr. BARDEN. Mr. Speaker, until just recently the Committee on Education has been going about its work just as it has done since 1867. We are not apprehensive that any resolution might take from that committee a bill which the committee had been very diligently working on dealing with the post-war educational program. In the last week it was called to our attention that this resolution which was filed with the Rules Committee possibly a year or a year and a half ago has now found its way to the floor, but I understand in view of the fact that it followed that procedure it comes to the floor under a proposition where you must take it or leave it. I am informed by the House Parliamentarian—I was informed last week and have just been informed again—that this resolution is not subject to amendment.

Let me say to the gentlemen who are interested in this resolution that this is a rather far-reaching resolution. It refers to all legislation affecting veterans. I am quite sure every Member of this House and certainly those who have served here over any period of years know there is no possible way to set up committees of this House without having some interlocking or overlapping, and to keep that straight it has very wisely been placed in the discretion of the Speaker, the presiding officer.

I am not disturbed about the Legion's coming in on the floor of this House and attempting to take part in the internal organization of this House. The American Legion is a great organization. I have been a member of it for a long time. I love it, it has done a grand work, but they are primarily and essentially interested in results, not in the internal organization of this House. This Congress has stood solidly with the American Legion and they should be proud of the record they have made, but their success should not lead them into the hazardous channels of interfering with the jurisdiction of committees in this House. Perhaps there should be some clarification between the Pensions Committee and the Veterans' Affairs Committee, but by this one stroke the Committee on Education at one fell swoop becomes a bystander, and the first to come out with a black eye by being deprived of the education program it has been handling. As I mentioned a moment ago, the Congress authorized the organization of the Legion. We are not going to invade the Legion and instruct it how to set up its committees.

I hope this House in its wisdom, if it writes a rule, will have the opportunity of writing the rule they want and not have to swallow so much at one gulp. There is considerable question in my mind as to whether or not it can or will be effective. For the reason that it seeks to amend the rules of the Seventy-seventh Congress, which closed prior to the opening of the Seventy-eighth Congress, and as previously mentioned the resolution is not subject to amendment.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. COOLEY. Mr. Speaker.

The SPEAKER. For what purpose does the gentleman arise?

Mr. COOLEY. To propound a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOLEY. I wish to be advised for my own information and for the information of the House as to whether or not this resolution will be subject to amendment in the event of an affirmative vote on the motion to discharge. There seems to be some uncertainty about it.

The SPEAKER. The Chair will read the rule, which is very clear:

> If the motion should prevail to discharge the Committee on Rules from any resolution pending before the committee the House shall immediately vote on the adoption of said resolution, the Speaker not entertaining any dilatory or other intervening motions except one motion to adjourn.

Mr. SABATH. That is on the resolution itself, Mr. Speaker.

The SPEAKER. On the resolution itself.

Mr. COOLEY. My parliamentary inquiry was about the resolution after the discharge of the committee.

The SPEAKER. That is exactly what the Chair was reading. It reads: "On the resolution." When the House votes to discharge the committee then the resolution is before the House for a vote.

Mr. COOLEY. Under the general rules of the House providing for an amendment; or am I mistaken?

The SPEAKER. This is not under the general rules of the House; this is under the discharge rule.

Mr. BARDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARDEN. Then my statement in the well of the House a minute ago that this resolution was not subject to amendment was correct; was it not?

The SPEAKER. It was correct under the strict construction of the rule.

Mr. COOLEY. Mr. Speaker, with the permission of the Chair, I should like to invite the attention of the Chair to a provision contained in chapter 5 of rule 24, which provides:

> If the motion prevails to discharge one of the standing committees of the House from any public bill or resolution pending before the committee it shall then be in order for any Member who signed the motion to move that the House proceed to the immediate consideration of such bill or resolution, such motion not being debatable; and such motion is hereby made of high privilege, and if it shall be decided in the affirmative the bill shall be immediately considered under the general rules of the House and if unfinished before adjournment of the day on which it is called up it shall remain the unfinished business until it is fully disposed of.

If it is going to be considered under the general rules of the House it occurs to me it will be subject to amendment.

The SPEAKER. It is not considered under the general rules of the House; and, further than that, a legislative committee is not being discharged. The Committee on Rules is not a legislative committee.

The Chair is going to hold that the resolution is not subject to amendment within the rule we are operating under today. We must do it according to the special rule adopted for discharge.

Mr. EBERHARTER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. EBERHARTER. The Chair has just ruled that this resolution is not amendable. The resolution calls for an amendment of the rules of the Seventy-seventh Congress. Inasmuch as this is the Seventy-eighth Congress, should this resolution be passed it would have no effect whatsoever on the rules of the Seventy-seventh Congress. Is that correct?

The SPEAKER. The Chair would not be called upon to rule whether a matter was consistent.

Mr. EBERHARTER. Mr. Speaker, there is the question of jurisdiction, as to whether or not this Congress has the right to amend the rules of the Seventy-seventh Congress. This is an entirely different Congress.

The SPEAKER. Should a question of that kind ever arise the Chair would pass upon it at the time.

Mr. GIFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GIFFORD. Do we not at the beginning of a new Congress always adopt the rules of the previous Congress?

The SPEAKER. That has been the custom, but the Chair remembers and the Chair believes the gentleman himself probably recalls that it has not been done at all times.

Mr. JARMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JARMAN. In view of the fact that this resolution refers to pension and different types of legislation and they to "all other legislation affecting veterans except civil service, public lands, and adjusted compensation" I wish to ask if it is not a fact that the discharge of the committee and the adoption of this resolution would result in the reference to the Committee on World War Veterans' Legislation of all legislation, since I can conceive of little legislation which will not affect veterans, except that pertaining to civil service, public lands, and adjusted compensation?

Mr. RANKIN. Mr. Speaker, if the Chair will permit, let me say that that is exactly the language that was in the rule with reference to veterans of the First World War. This will not conflict with the Committee on Military Affairs.

The SPEAKER. The gentleman from Illinois [Mr. SABATH] is recognized.

Mr. SABATH. Mr. Speaker, two resolutions have been introduced to amend the rule, House Resolution 14, by the gentleman from Michigan [Mr. LESINSKI] and House Resolution 29, by the gentleman from Mississippi [Mr. RANKIN]. The Committee on Rules held several hearings and heard testimony of these gentlemen and others who appeared in behalf of the respective resolutions and came to the conclusion that the question of jurisdiction could wait until the boys started coming home as under our present rules the committee headed by the gentleman from Mississippi [Mr. RANKIN] considered legislation pertaining to veterans of World War No. 1.

I am inclined to believe as has been stated by the gentleman from Michigan [Mr. LESINSKI] and the gentleman from North Carolina [Mr. BARDEN] that the passage of this resolution will infringe upon the jurisdiction of the Committee on Invalid Pensions which, under the existing rules of the House, has jurisdiction of veterans' pensions of all wars and peacetime service, excepting the Spanish-American War, the Philippine Insurrection, the Boxer Rebellion, and World War No. 1. It may also infringe on the jurisdiction of the Committee on Pensions, Committee on Military Affairs, Committee on Naval Affairs, Committee on Ways and Means, Committee on Education, and the Committee on Public Building and Grounds. I wish to assure the House there is nothing personal in this matter to me, but I think as was stated by several Members appearing before the Committee on Rules that the matter should be held in abeyance until a representative number of members of the present armed forces should return and opportunity given them to voice their views.

A majority of the members of the committee thought that the veterans of World War No. 2 might desire to also have a committee, and, consequently, in order to avoid further controversy and to await expression from the veterans themselves, the Committee on Rules postponed consideration. But consideration has been given by means of a discharge petition. Personally, I think the resolution should not be passed today. We should wait until the next session when the boys come home and give them a chance to say who they want to control the legislation pertaining to them.

Mr. COX. Will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Georgia.

Mr. COX. The gentleman has given the House a correct picture of the situation that prevailed in the Rules Committee. We did not come to any definite conclusion. It was, however, the feeling of the committee that there was need for legislation, but because of disinclination to offend members of the committees having a conflict of interest or conflicting claims of jurisdiction over matters affecting veterans' legislation the Rules Committee took no action.

The gentleman is probably right if I understood him to say that maybe this is a matter which the House should review in its entirety and that there should be offered to the House for its consideration some legislation looking to the revamping of the two committees and setting forth clearly the jurisdictions of these committees. I oppose discharging the Rules Committee, but if it is discharged I will vote for the adoption of the Rankin resolution.

Mr. SABATH. My colleague, the gentleman from Georgia, has clearly explained the situation which confronted the Committee on Rules. Not only the two committees—the Committee on Invalid Pensions and the Committee on World War Legislation—were involved in the question of jurisdiction, but also the Committee on Pensions. The Committee on Rules sought several times to come to some determination of jurisdiction but in the end a majority of the members deemed it wise and prudent to defer action, as I have stated, to wait until the boys returning from service would have a voice in the matter.

Mr. Speaker, I feel that at this time when there are so many important measures before the House that we should not waste time and can easily wait a short time when we will be in position to confer with many members of the armed forces who have been mustered out and are being mustered out from day to day. Those of us who were here in 1918 and 1919 recall that we gave consideration to the recommendations of the men who served in World War No. 1, and I respectfully submit that the veterans of World War No. 2, of whom there will be three or four times as many, should not be denied the opportunity to give recommendations on legislation which will affect them.

The SPEAKER. The time of the gentleman has expired.

Mr. JARMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JARMAN. I stated a parliamentary inquiry a moment ago. I do not believe the Speaker ruled on it. Shall I repeat the parliamentary inquiry?

The SPEAKER. The Chair remembers the parliamentary inquiry and is compelled to say to the gentleman from Alabama that as bills are submitted reference would have to be made under the rules of the House.

The Chair does not want to decide at this time that he would be compelled to refer all legislation of that kind and character to this committee. A great many times bills are introduced having three or four subjects in them and there may be a choice of which committee should have jurisdiction.

Mr. JARMAN. That would still be true after the passage of this resolution?

The SPEAKER. That is correct.

Mr. RANKIN. Mr. Speaker, I yield 1 minute to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, every Member of the House has pledged himself or herself to the prompt and adequate care of the veterans. The Committee on World War Veterans' Legislation was created in 1924 at the request not only of the American Legion but of all veterans' organizations, and all veterans. I was not in Congress at that time but I saw hundreds of veterans in and out of hospitals. The gentleman from Mississippi spoke of the fact that the totally disabled of World War No. 2 cannot receive insurance for themselves which is manifestly unfair and must be rectified. That was because some legislation went to another committee for action. Many benefits have been very much delayed for the veterans because different committees have handled the legislation. It is the wish of the veterans and their families that one committee have jurisdiction of veterans legislation just as World War No. 1 vet-

erans wanted it—in one committee. That committee can act expeditiously. Other committees that have handled veterans' legislation have had other measures to consider and some veterans legislation has been delayed as a result, and has thereby caused suffering and hardship to the men and women of our armed forces.

The SPEAKER. The time of the gentlewoman from Massachusetts has expired.

Mr. RANKIN. Mr. Speaker, in reply to the gentleman from Michigan [Mr. LESINSKI] and in reply to other Members who have spoken on that subject, let me say that the World War Veterans Committee has never desired to take over legislation concerning Civil War pensions, and for that reason we did not ask for the consolidation of these committees.

In reply to the inquiry by the gentleman from Kentucky [Mr. MAY] may I say that this will not conflict with the jurisdiction of his committee at all. These men are not veterans as long as they are in the service, and as long as they are in the service the gentleman's Committee on Military Affairs has jurisdiction over their say.

Mr. Speaker, this rule was prepared and introduced before the rules of the Seventy-eighth Congress were adopted. The Seventy-eighth Congress adopted the rules of the Seventy-seventh Congress and they are the rules we are trying to amend. We could not change the resolution after the bill was filed.

The SPEAKER. All time has expired. The question is, Will the House discharge the Committee on Rules from further consideration of Resolution 29.

The question was taken; and on a division (demanded by Mr. EBERHARTER), there were—ayes 201, noes 47.

So the motion to discharge the Rules Committee was agreed to.

The SPEAKER. The question is on agreeing to the resolution.

Mr. MARCANTONIO. Mr. Speaker, against the motion to agree to the resolution I make the point of order that this House has not the power and authority to pass any resolution amending the rules of the Seventy-seventh Congress. This resolution reads as follows:

Resolved, That clause 40, rule XI, of the rules of the House of Representatives of the Seventy-seventh Congress, be amended to read as follows—

And so forth. I make the point of order that this is the Seventy-eighth Congress and it has no authority to change the rules of the Seventy-seventh Congress. Those rules have been superseded by the rules of the Seventy-eighth Congress. The best that can be said for the resolution is that it is meaningless.

The SPEAKER. The Chair is prepared to rule. The Chair rules as he indicated awhile ago that that is a matter for the House itself to pass upon, not the Chair.

The question is on agreeing to the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

Mr. RANKIN. Mr. Speaker, since this resolution was introduced before the rules of the Seventy-eighth Congress were adopted, I ask unanimous consent that the title be amended to read "Seventy-eighth Congress" instead of "Seventy-seventh Congress."

Mr. MARCANTONIO. I object, Mr. Speaker.

Mr. RANKIN. Then Mr. Speaker, I move that the title be amended to read "Seventy-eighth Congress" instead of "Seventy-seventh Congress." This is the will of Congress, and it is the will of an overwhelming majority of the Congress. On that motion, I move the previous question.

Mr. SABATH. Mr. Speaker, is that motion in order?

Mr. RANKIN. Yes, it is in order.

The SPEAKER. The Chair is going to determine what is in order here today.

Mr. RANKIN. I insist on my motion, Mr. Speaker.

Mr. EBERHARTER. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. EBERHARTER. I make the point of order that the motion is not in order at this time. It is not according to the rules of the House.

The SPEAKER. The Chair sustains the point of order.

FOREIGN SERVICE OF THE UNITED STATES
(H. DOC. NO. 383)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying documents, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I transmit herewith a report by the Secretary of State, showing all receipts and disbursements on account of refunds, allowances, and annuities for the fiscal year ended June 30, 1943, in connection with the Foreign Service retirement and disability system as required by section 26 (a) of an act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor, approved February 23, 1931, as amended.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 24, 1944.*

[Enclosure: Report concerning retirement and disability fund, Foreign Service.]

JANUARY 20, 1944.

The PRESIDENT,
The White House.

The PRESIDENT: The undersigned, the Secretary of State, has the honor to lay before the President a report, showing all receipts and disbursements on account of refunds, allowances, and annuities for the fiscal year ended June 30, 1943, in connection with the Foreign Service retirement and disability system, as required by section 26 (a) of an act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor, approved February 23, 1931, as amended.

Respectfully submitted.

CORDELL HULL.

[Enclosure: Report concerning retirement and disability fund, Foreign Service.]

Foreign Service retirement and disability fund—Statement of receipts and disbursements, fiscal year 1943

RECEIPTS

Congressional appropriation	$630,800.00
Transfers from appropriations on account of mandatory deductions from salaries:	
Salaries, Department of State, 1943	4,805.00
Salaries of Ambassadors and Ministers, 1943	14,500.00
Salaries, Foreign Service officers, 1943	213,935.00
Salaries, Foreign Service officers, 1941	36.36
Salaries, Foreign Service officers, 1942	6.67
Salaries, Foreign Service officers, 1936	120.00
	233,403.03
Voluntary deductions from salaries	29,354.52
Deposits by officers for service credit:	
Henry M. Bankhead	480.00
Clarence C. Brooks	1,500.00
A. Bland Calder	600.00
Thomas S. Campen	120.00
DuWayne G. Clark	495.94
Frederick J. Cunningham	120.00
Basil D. Dahl	240.00
Walter J. Donnelly	720.00
Charles H. Ducoté	600.00
Wilson C. Flake	120.00
Bartley P. Gordon	2,048.23
John P. Hoover	121.12
Morris N. Hughes	35.77
Elizabeth Humes	1,200.00
Frederick D. Hunt	440.54
Easton T. Kelsey	74.22
Boaz Long	5,332.31
R. D. Longyear	4,775.03
H. Coit MacLean	2,000.00
Lester DeWitt Mallory	510.37
Edward D. McLaughlin	1,635.00
John R. Minter	632.43
Kathleen Molesworth	894.63
Albert E. Pappano	128.08
Guy W. Ray	90.00
James T. Scott	2,498.67
Charles W. Smith	28.26
Loyd V. Steere	600.00
Milton Patterson Thompson	63.94
William Witman 2d	120.00
	28,224.54
Interest on investments	242,978.75
Total receipts	1,164,760.84

DISBURSEMENTS

Annuities:	
Philip Adams	1,653.36
Walter A. Adams	1,255.11
Knox Alexander	1,054.92
Julean Arnold	5,282.64
Franklin B. Atwood	1,324.08
Henry H. Balch	3,231.12
Herbert C. Blair	750.00
William A. Bickers	2,367.00
Maxwell Blake	5,758.92
Robert Woods Bliss	6,000.00
Frank Bohr	1,849.92
John L. Bouchal	859.68
Walter F. Boyle	3,296.16
Robert R. Bradford	1,249.92
Austin C. Brady	3,113.04
Norton F. Brand	924.48
Homer Brett	4,077.00
Lawrence P. Briggs	2,566.08
William W. Brunswick	1,767.48
George A. Bucklin	3,815.16
Anne S. Buffum	643.44
Alfred Theodore Burri	1,710.24
Ralph C. Busser	3,193.08

Annuities—Continued.	
Charles R. Cameron	$4,720.80
Wilbur J. Carr and estate (Cr.)	61.43
James G. Carter	1,356.84
George E. Chamberlin	3,535.08
William E. Chapman	2,346.00
Harold D. Clum	3,168.00
Arthur B. Cooke	2,026.08
Harris N. Cookingham	2,910.00
Alexander P. Cruger	2,172.24
Edwin S. Cunningham	5,460.00
John K. Davis	2,124.35
Leslie A. Davis	2,876.28
Claude I. Dawson	4,603.92
Fred Morris Dearing	4,374.96
Carl F. Deichman	4,595.16
José de Olivares	597.00
Maria T. de Olivares	540.00
Charles L. De Vault	1,439.40
Alfred W. Donegan	4,008.96
W. Roderick Dorsey	3,709.32
William F. Doty	2,299.92
Edward A. Dow	2,840.04
Maurice P. Dunlap	3,233.44
Alexander V. Dye	3,205.80
John W. Dye	1,066.08
Charles C. Eberhardt	5,849.76
Clement S. Edwards	1,743.48
Elizabeth L. Engdahl	537.72
Augustin W. Ferrin	2,210.40
Cornelius Ferris	3,337.68
Fred D. Fisher	2,430.00
Ray Fox	1,024.92
Leys A. France	1,074.96
Robert Frazer	982.32
John A. Gamon	3,106.68
Arthur Garrels	5,420.76
Laura Garrety	392.37
William P. Garrety and estate	170.75
Hugh S. Gibson	6,000.00
Herndon W. Goforth	553.53
Herbert S. Goold	1,407.64
Louis H. Gourley	585.00
Stuart E. Grummon	1,131.84
Louisa H. Gunther	2,420.64
Arminius T. Haeberle	4,622.16
Albert Halstead	3,600.00
Margaret M. Hanna	2,942.83
Ernest L. Harris	4,579.08
Charles M. Hathaway, Jr.	4,745.40
William W. Heard	2,836.08
Robert W. Heingartner	2,764.08
P. Stewart Heintzleman and estate	1,295.00
Oscar S. Heizer	2,954.52
Herbert C. Hengstler	4,875.48
Calvin M. Hitch	2,451.84
Philip Holland	3,350.70
Charles L. Hoover	3,395.88
Catherine Horton	600.00
George Horton estate	38.92
Fay Durham Hosmer	1,183.42
William H. Hunt	2,400.00
John P. Hurley	1,485.90
Carlton Bailey Hurst	4,644.24
George N. Ifft	1,896.60
Ernest L. Ives	4,502.16
Jesse B. Jackson	3,308.16
Douglas Jenkins	5,004.00
Wilbur Keblinger	4,518.96
Leo J. Keena	758.72
Francis B. Keene	2,646.24
Graham H. Kemper	4,055.52
Olive Parr Knabenshue	2,016.00
Anne Howard Lay	304.20
Samuel T. Lee	3,848.64
Walter A. Leonard	4,545.00
Marion Letcher	3,706.32
Will L. Lowrie	3,513.72
Clinton E. MacEachran	3,635.16
David B. MacGowan	2,363.40
John H. MacVeagh	1,474.92
Alexander R. Magruder	4,487.28
O. Gaylord Marsh	3,633.24
Eugene A. Masuret	1,637.16
Ferdinand L. Mayer	4,615.92
Lester Maynard	3,238.92
William J. McCafferty	$1,200.00
Andrew J. McConnico	2,622.00
Carl D. Meinhardt	1,980.00
Hugh S. Miller	1,965.72
Lilla Cabot Moffat	946.07
Maxwell K. Moorhead	3,211.80
Josephine A. Murphy	1,453.44
David J. D. Myers	2,769.36
Edward I. Nathan	2,724.96
Edwin L. Neville	5,733.96
John Ball Osborne	4,189.44
Hoffman Philip	6,000.00
William Phillips	2,783.22
George H. Pickerell	2,410.08
Harold Playter	1,275.12
John R. Putnam	4,560.72
Bradstreet S. Rairden	1,662.48
Hugh F. Ramsay	354.60
Bertil M. Rasmusen	1,474.20
Gabriel Bie Ravndal	5,400.00
Horace Remillard	1,631.60
William H. Robertson	3,937.44
William W. Russell	3,658.44
Emil Sauer	4,554.00
Walter H. Schoellkopf	2,169.96
George E. Seltzer	2,562.00
Robert Peet Skinner	4,999.92
Fred C. Slater	1,417.44
Alexander K. Sloan	1,374.96
Addison E. Southard	403.08
Carl Ober Spamer	1,556.04
Elizabeth Squire	1,294.92
Frederick A. Sterling	4,375.08
Francis R. Stewart	2,412.84
Laurits S. Swenson	4,633.32
Merritt Swift	1,650.00
Alfred R. Thomson	3,042.36
Ralph J. Totten	5,820.00
Roger Culver Tredwell	3,527.64
Egmont C. Von Tresckow	1,579.92
Craig W. Wadsworth	2,835.12
Ernest A. Wakefield	1,800.00
Alexander W. Weddell	3,060.16
Post Wheeler	4,561.44
Mabel P. Williams	600.00
Charles S. Wilson	6,000.00
Hugh R. Wilson	5,766.60
G. Carlton Woodward	1,566.24
Romeyn Wormuth	1,918.08
Harriet S. Wright	2,499.96
William J. Yerby	2,400.00
Bartley F. Yost	2,828.40
James B. Young	3,239.28
Total	442,100.75
Refunds:	
Walter A. Adams	2,102.31
Carl H. Boehringer	4.89
Edward Caffery	4,413.04
Albert H. Cousins, Jr.	2,373.47
John P. Hurley	2,876.60
George Bliss Lane	2,051.37
Frank C. Lee	9,068.75
Gregor C. Merrill	1,260.25
J. Loder Park	2,474.30
E. Edward Schefer	1,048.70
Winthrop R. Scott	5,856.04
Oscar S. Straus, 2d	160.93
Elwood Williams 3d	196.10
David Williamson	4,400.62
Total	38,292.37
Cost of additional investments less value of investments redeemed	673,000.00
Total disbursements	1,153,393.12
Balance in fund exclusive of investments, June 30, 1942	19,402.83
Face value of investments, June 30, 1943	6,115,000.00

RECAPITULATION, FISCAL YEARS 1925 TO 1943, INCLUSIVE

Receipts:	
Congressional appropriations	$4,512,000.00
Transfers from appropriations on account of mandatory deductions from salaries	3,410,934.46
Voluntary deductions from salaries	81,798.09
Deposits by officers for service credit	386,291.38
Interest on investments	1,821,948.61
Miscellaneous	931.65
Total receipts	10,213,904.39
Disbursements:	
Annuities	3,610,094.02
Refunds	468,008.02
Miscellaneous	1,399.52
Cost of additional investments less value of investments redeemed	6,115,000.00
Total disbursements	10,194,501.56
Balance in fund exclusive of investments, June 30, 1943	19,402.83
Face value of investments, June 30, 1943	6,115,000.00

NATIONAL AGRICULTURAL JEFFERSON BICENTENARY COMMITTEE

The SPEAKER. Pursuant to the provisions of Public Law No. 196, Seventy-eighth Congress, the Chair appoints as members of the National Agricultural Jefferson Bicentenary Committee the following Members of the House: Messrs. FLANNAGAN, KLEBERG, COFFEE, HOPE, and GILCHRIST.

REVENUE BILL

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3687) to provide revenue, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The SPEAKER appointed the following conferees: Messrs. DOUGHTON, CULLEN, COOPER, DISNEY, KNUTSON, REED of New York, and WOODRUFF of Michigan.

EXTENSION OF REMARKS

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a copy of the program of the ceremonies attendant upon the dedication of the J. William Ditter Memorial Chapel at the Naval Air Station, Willow Grove, Pa., on yesterday, January 23, and of the addresses made by myself and my distinguished colleague, Hon. CHARLES A. PLUMLEY, of Vermont, at those ceremonies.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MANASCO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include

therein an address I delivered at the mayors' conference at Chicago on the 21st of January.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ZIMMERMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Washington Post of today, and further to extend my own remarks and include therein a resolution from the Constitutional Convention of Missouri, now in session at Jefferson City, urging giving our soldiers the right to vote.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. POULSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two editorials.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by my colleague, the gentleman from New Hampshire [Mr. MERROW].

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article from the Soo Evening News about the remarkable record achieved at the Soo locks last year.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BUSBEY. Mr. Speaker, I ask unanimous consent that on Wednesday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 30 minutes on the subject of the new rationing tokens.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

EXTENSION OF REMARKS

(Mr. MANSFIELD of Montana, Mr. TAYLOR, Mr. COCHRAN, Mr. VURSELL, and Mr. ARENDS asked and were given permission to extend their own remarks in the RECORD.)

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD two articles from the Philadelphia Record, one by Samuel Grafton and one by Charles Fisher, and I further ask unanimous consent to extend my own remarks and include therein an editorial that appeared in the Manzanar Free Press on January 1, 1944.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. COFFEE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a copy of a speech by the Honorable M. J. Coldwell, member of the Canadian Parliament.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GORDON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a timely article on Poland by Raymond Leslie Buell, which appeared in the New York Times on January 21, 1944.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today, and also to extend my own remarks in the RECORD and include therein two short articles from a newspaper and one editorial.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a very interesting and instructive article by the majority leader, the gentleman from Massachusetts [Mr. MCCORMACK], which appeared in the Postmasters Gazette, and further to extend my remarks and include therein a resolution adopted by the Department of Massachusetts, Disabled American War Veterans.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LARCADE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD with respect to the soldiers' mustering-out pay bill vote, and further to extend my remarks and include therein an editorial from the Washington Post.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from ex-Senator Owen to the Secretary of State.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOPE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein some resolutions recently adopted by the Kansas State Board of Agriculture.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein newspaper articles.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two occasions, and in one to include an editorial and in the other an article from a newspaper.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JUDD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a telegram from the Minnesota United Nations Committee in favor of U. N. R. R. A.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MCLEAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

Mr. BLOOM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for further consideration of the joint resolution (H. J. Res. 192) to enable the United States to participate in the work of the United Nations Relief and Rehabilitation organization.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 192, with Mr. O'NEAL in the chair.

The Clerk read the title of the joint resolution.

The CHAIRMAN. When the Committee rose on Friday last, the first section of the joint resolution had been read. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: On page 1, line 3, strike out the words "from time to time."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 1, line 4, after the word "'sums", insert "not to exceed $1,350,000,000 in the aggregate."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. COURTNEY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee.

Mr. COURTNEY. Mr. Chairman, I had expected to discuss some features of the resolution now under consideration last week. If my colleagues will forgive me for injecting here a very intimate matter, any duty assigned to me in recent days has been difficult of performance. I have been grievously laboring under recent advice that a favorite nephew of ours, to whom I was deeply devoted, a first lieutenant in the Air Force, Troop Transport Command, in the South Pacific area, was dead of burns received in line of duty. Yesterday, at his former home in Chicago, memorial exercises were held so that his parents and other kin might say farewell to him with some degree of finality. That was all they could do. They did not have and will not have his body, to lower into a grave with the customary appropriate exercises. It will remain forever in some spot, perhaps unmarked, far across the waves of the wide Pacific. Just a few sacred hymns, a few prayers, and the book of his life was closed to family and friends alike. Gone in his early twenties, just out of college, with so little of life behind him and so much of life to live. We had him with us in our home here in Washington just a few short months ago. We took him to places of interest about the city, to the massive buildings that serve the various departments of our Government. He had a camera with him, and I remember with what interest he took pictures of buildings here and there, and sent them home to be put in a scrap-book, to see and see again in the years to come. We did not dream that in those very hours the moving finger was writing already that he was not destined to see his pictures again, but that he was to die that the very permanency of those institutions, housed within and typified by these edifices, might remain.

On reflection over the week end, however, I came to the conclusion that I cannot let our proceedings under the resolution now being considered to be closed and sealed without some notation of my ideas upon the same being recorded, because to my mind the resolution under consideration has a direct relation to this boy's death and to that of the thousands of others of our boys who, like him, will not return to us when these days of tragic emergency are passed and the lights come on again all over the world.

They will die to reclaim the countries of the world from the tyranny of the arrogant conquerors, Japanese and Nazi alike. These conquerors created in these invaded lands a situation vividly expressed on Thursday last by the distinguished gentlewoman from Ohio [Mrs. BOLTON]:

A situation such as the world has never seen, of starvation and destitution and horror; of indecency and violence; little children wandering from one place to another, in rags, always cold and wet, or scorched with the sun; children banded together for protection, like animals, suspicious and at the mercy of any passing horror. Our widest imagining does not give us the sense of what these people have been suffering and are suffering today.

Yes. In truth, the Four Horsemen of the Apocalypse are riding furiously through Europe and Asia today.

These boys of ours are dying in driving the conquerors out. This bill is to enable us to give aid and succor to the helpless people as they are liberated, give them a chance to regain their way of life again. In short, to effectuate the very purpose for which the blood of our blood is being spilled, and the flesh of our flesh is going to premature graves.

I know that as this bill is being offered, millions in China, in Europe's ghettos, concentration camps, and Gestapo prisons, and in all the vast underground of the conquered areas, having known for years only the tread of enemy's boots, will be overjoyed to see the sure and certain signs of a great international army of relief following on the heels of the fleeing persecutors.

The word "UNRRA," that we have heard so often on the floor of the House in the last few days, as has been aptly said, "is a strange new word in the world's vocabulary, but one full of hope to the world."

A great deal has been said on the floor of the House about the fact that India is not included in the scope of the proposed program. India is a vast and mysterious country, of which we know little, with problems and perplexities with which we are not acquainted. There is hunger and suffering there, of course, but so there is in Cuba perhaps, in the South American countries, and in countries all over the globe, not directly caused by the war. To include suffering humanity everywhere, in this program, would so dissipate its resources as to destroy the objective for which U. N. R. R. A. was conceived, namely to bring aid to liberated countries. All this is fully explained in the published hearings. In a letter written by the Honorable Dean Acheson to the gentleman from South Dakota [Mr. MUNDT] set out on page 276 of the document, there is this language:

I wish to assure you at the outset that I fully share the sympathy which you and your colleagues in the House of Representatives have expressed for the victims of the terrible starvation conditions in Bengal and other areas in India. In drafting the agreement for U. N. R. R. A., the purpose was * * * to confront a problem unprecented in the history of the world in its magnitude and tragedy, namely, that of dealing with the appalling barbarities which have been inflicted upon the oppressed peoples of the occupied countries of Europe and Asia by the efficient ruthlessness of the Nazi and Japanese military machines. * * * To prepare effectively it was necessary to define the objectives. To make U. N. R. R. A. responsible to relieve all suffering everywhere, traceable to the war, would lead to the depletion of its resources and purposes quite beyond those which it was organized to perform, without hope of achieving the fundamental objections. (Hon. Dean Acheson, Assistant Secretary of State, who presided over the first session of the U. N. R. R. A. Council at Atlantic City.)

This matter was all threshed out at the meeting of the Council in Atlantic City, and the member of the Council from India evidently understood and appreciated that it was not feasible for relief to India to be included in this program. The session concluded with this statement from him just prior to adjournment:

Mr. Chairman, I shall crave your indulgence for one brief moment to thank you for reference to my country and to wish U. N. R. R. A. the fullest success in its beneficent and pressing task of carrying succor to those whose heroic and steadfast resistance has lent to the concept of liberty a new glory and to the spirit of liberty a new meaning.

Mr. Chairman, the history of this proposed legislation, the cost of same to our country, the details of its administration, and the extent and limits to which it proposes to go have been discussed fully by many members of our committee and are set out fully in the committee report. It is not necessary for me to repeat that our country's contribution to the cost of the program amounts to $1,350,000,000—1 percent of our national income for last year, an amount that equals the cost of the prosecution of the war for 5 days only, a total insignificant in comparison to the ends to be achieved. After the last war, in aid to Belgium and other countries, our country subscribed twice this amount, or 4 percent of its national income for the year 1919. The 44 nations participating in this program, each of which pledges its proportionate part of the expense in what, in the last analysis, is an international community chest, do not surrender their sovereignty, but merely agree to work together for the benefit of the millions who have suffered most in the war. So that, without going again into these details, I would prefer to make these general observations: I have been a rather obscure member of the Committee on Foreign Affairs for nearly 5 years, and claim no credit for the recent accomplishments of the committee. I am, however, deeply proud of my association with it because I believe that it is, somewhat slowly perhaps, but surely and certainly, aiding Congress in forging for this country a real and well-defined foreign policy. In March 1941 this committee brought to the House the lend-lease bill, a development in our foreign policy through which the United Nations pooled their economic resources for winning victory at a time when the day seemed dark indeed and the course long and hard. As has been aptly said, "the battle which took place in this arena during the first months of 1941 was one of the decisive battles of this war." Lend-lease provided not only an essential pattern for victory; it provided also the pattern by which victory was to be achieved, the pattern of the United Nations.

Last year this committee brought to the House the Fulbright resolution, in form and language perhaps one of the simplest resolutions ever to be submitted to this body, but in purpose and effect as important and far reaching as any ever to be considered. While in somewhat different language, the same idea went into legislation in the Senate, and our country is on record as favoring the creation of appropriate international

machinery, with power adequate, to establish and maintain a just and lasting peace among the nations of the world, and as favoring the participation of the United States therein.

Under the theory of the legislation based upon that idea, there is presented a pattern for peace, a pattern that will lead us away from the selfish isolationism that followed the last war and will insure that our dead in this war will not have died in vain.

The resolution that the committee brings you at this time is to supplement and strengthen that pattern for peace and give our Nation, with 43 others, the right and privilege of answering in the affirmative that age-old question: "Am I my brother's keeper?" But, after all, in helping others, we help ourselves. It was well said at the meeting of the council in Atlantic City that the moral and spiritual foundation of this legislation can be best expressed in the poet's words:

> Any man's death diminishes me
> Because I am involved in mankind
> And therefore never send to know
> For whom the bell tolls.
> It tolls for thee.

Mr. Chairman, it has been well said that there are no atheists in fox holes, and as truly said that the most religiously inclined of our servicemen are those stout and valiant men of the air, who soar into the blue, venturing death each moment. And as Members of Congress deliberate and legislate in these trying and heartbreaking days, I do not believe that there are atheists here.

In contemplating this legislation that will help save from further suffering and starvation the people of 35 nations and hundreds of islands overrun by the Axis powers these 6 years past, in which were living over five hundred million people, these verses from the twenty-fifth chapter of St. Matthew came to my mind:

> I was an hungered and ye gave Me meat; I was thirsty and ye gave Me drink; I was a stranger and ye took Me in; naked and ye clothed Me; I was in prison and ye came unto Me.
>
> Then shall the righteous answer saying: Lord, when saw we Thee an hungered and fed Thee, or thirsty and gave Thee drink? When saw we Thee a stranger and took Thee in, or naked and clothed Thee? Or when saw we Thee sick or in prison and came unto Thee?
>
> And the King shall answer and say unto them: Verily I say unto you, inasmuch as ye have done it unto one of the least of these, My brethren, ye have done it unto Me.

Mr. FISH. Mr. Chairman, I have an amendment to the committee amendment.

Mr. BLOOM. Mr. Chairman, I make the point of order that the committee amendment has already been agreed to and the gentleman's amendment comes too late. There are two committee amendments.

The committee amendment to section 1 on line 3 has been read and agreed to, and the committee amendment on page 1, line 4, inserting the words "not to exceed $1,350,000,000 in the aggregate" has already been agreed to.

The CHAIRMAN. The gentleman from New York [Mr. BLOOM] is correct. The amendment has been read and agreed to and is not subject to amendment. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 1, line 6, after the word "determine", insert the words "from time to time."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. FISH. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment by Mr. FISH: On page 1, line 5, after the figures and words "$1,350,000,000 in the aggregate" insert "of which 90 percent shall be spent for the purchase of farm products and other supplies in the United States."

The CHAIRMAN. The gentleman from New York [Mr. FISH] is recognized for 5 minutes:

Mr. FISH. Mr. Chairman, the amendment that I have offered is a very simple amendment. It has one main purpose, and that is that 90 percent of this huge sum of money that we are authorizing in this bill, to the amount of $1,350,000,000, shall be spent for agricultural products and other supplies in the United States. This is nothing new to the proposal. When the Congress passed the Red Cross bill and provided for an authorization of $85,000,000, it likewise provided that the entire $85,000,000 should be spent exclusively in the United States. This is not temporary legislation going over a few months, but it may continue for a few years. It is the American taxpayers' money that is being spent, and I do not think that people from the Farm Belt want to go back home and say they have voted $1,350,000,000 for relief in foreign lands and have not protected American interests to the extent at least that our own money be spent in America to buy supplies here, whether they are agricultural, medicinal, clothing, fuel, or other needed supplies. The amendment has no partisan significance whatever. It is a pure American amendment, consistent with precedents of the past.

I recall to the House that we are now struggling to provide additional taxes. The President asked for $10,000,000,000, and Congress could find only two billion and a quarter dollars, and yet we are about to appropriate $1,350,000,000 for relief in foreign countries. I am merely proposing that 90 percent of this money be spent to purchase supplies in our own country. Some of our own people are asking for consumers' benefits and subsidies to the amount of $1,500,000,000. So far, that has been turned down. Yet there are those in the House who would authorize the appropriation of this vast sum with no limitation whatever as to where the money will be spent or even confining it to food, clothing, fuel, and medicinal supplies and not for rehabilitation and reconstruction.

I call attention to the fact that now we have a debt of approximately $200,000,000,000. Probably if the war continues for another year, we will have a national debt of $300,000,000,000, with interest charges of about $6,000,000,000 a year, fixed charges, and with $2,000,000,000 more for veterans that will make a fixed interest indebtedness of $8,000,000,000 a year. And we are coming here and asking the Congress to authorize an appropriation of $1,350,000,000. All I am trying to do in this particular amendment is to provide that at least 90 percent of the money be spent in this country for the benefit of our own wage earners in industries and on the farms and in the mines. If this were to be spent within the next month probably it would not be necessary, but nobody can tell when these countries will be liberated. It may go over 6 months or a year. We may have ample supplies when the war is won in Europe. We have already reached the peak of production here, or will in a few months' time, and after that we may again be confronted with unemployment in the United States, and we may have millions of soldiers coming home to join the army of unemployed as well as our factory workers, who may then be out of work and yet you oppose my amendment that this money shall be spent in America for American products and to provide employment for our own people.

No one can say that we will not have 20,000,000 unemployed by the end of 1945.

I am in favor of substantial appropriations to feed the starving and to clothe the destitute in war-torn Europe and to furnish them with medicinal supplies, fuel, and the necessities of life but not one dollar for rehabilitation or reconstruction. We did not start this European war and although I am glad for humanitarian reasons to vote for hundreds of millions to provide bread, fats, and milk for the starving people, particularly the women and children, I see no reason to build or rehabilitate textile factories or any other factories in Europe when we are facing national bankruptcy in America.

Mr. ZIMMERMAN. Will the gentleman yield?

Mr. FISH. I yield.

Mr. ZIMMERMAN. I am interested in agriculture as much as anybody in this House. I would like to ask the distinguished gentleman from New York this question. You do not think that the Committee on Appropriations that will deal with these appropriations from year to year will have the opportunity, and that they will be the proper committee to place a limitation on any sum of money that is appropriated from year to year or from time to time to carry out the purposes of this bill?

Mr. FISH. I will say to the gentleman, the Committee on Appropriations will have no authority under the law whatever to limit these appropriations. All it can do is make appropriations. It cannot say that a dollar shall be spent in America or how it shall be spent—that is the function of the legislative committees of the House.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. HOFFMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman has been recognized. Does the gentleman from Texas yield for a parliamentary inquiry?

Mr. LUTHER A. JOHNSON. Not right now.

Mr. Chairman, this amendment ought not to be adopted. I believe that if the gentleman who offered the amendment had been a member of the Committee on Foreign Affairs that considered this legislation for the weeks and months that we have considered it, and if he knew all the conditions and methods of operation, he would not have offered the amendment. The purchase of supplies in this country and what this country will furnish will be determined not by U. N. R. R. A., but by officials of our Government. There will be no disposition to not furnish anything that our part consists of where it can be had in this country without jeopardizing our stock supplies of what we need in this country.

In other words, Mr. Chairman, when U. N. R. R. A. makes a call upon the United States for a contribution either in money, funds, or in goods, that request has to clear through the agencies of the United States Government to determine whether or not we can, without jeopardizing or hurting our own stock supplies, furnish the materials, and if we cannot do it, it will not be furnished. It is contemplated that a large percentage of what the United States contributes either in goods or in money will be purchased in this country. But it would be foolish to put in a strait jacket such as this amendment would do, the question of how and what percentage should be purchased in this country.

Mr. Chairman, the amendment should be defeated.

Mr. Chairman, I yield back the balance of my time.

Mr. HERTER rose.

The CHAIRMAN. For what purpose does the gentleman from Massachusetts rise?

Mr. HERTER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. EATON. Mr. Chairman, will the gentleman yield?

Mr. HERTER. I yield.

Mr. EATON. Mr. Chairman, it so happens that the gentleman who is now about to address us is the only Member of this House who has had long and varied experience in relief work after the First World War, since he was a high official in all the work that this Nation did. Therefore I ask unanimous consent that at this point he may have an additional 5 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Chairman, reserving the right to object——

The CHAIRMAN. The gentleman from Massachusetts is recognized for 5 additional minutes.

Mr. HOFFMAN. Mr. Chairman, I say, reserving the right to object.

The CHAIRMAN. The Chair waited a sufficient time and did not hear any objection.

Mr. HOFFMAN. Well, I was on my feet, Mr. Chairman.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 5 additional minutes.

Mr. WHITE. Mr. Chairman, reserving the right to object, I wonder if——

The CHAIRMAN. The gentleman from Massachusetts has been recognized. Does the gentleman from Massachusetts yield to the gentleman from Idaho?

Mr. HERTER. I yield.

Mr. WHITE. I will ask my question at the proper time.

Mr. HERTER. Mr. Chairman, the only reason I am rising in opposition to this amendment is that I think the gentleman who offered the amendment has a misconception as to the actual nature of a relief operation as provided for under the U. N. R. R. A. agreement, and as is required by the circumstances which I think we have to visualize, both on the continent of Europe and possibly in parts of Asia in the event of the cessation of hostilities.

We are still unclear as to the nature of progress in the Pacific war. But insofar as Europe is concerned, we face two possibilities. The first is that we shall liberate these countries, piece by piece, and U. N. R. R. A. will be called on to come in only when the military says the time is ripe for a civilian organization to administer relief behind the lines. If that particular situation should exist, I suspect that the sum of money that is provided for in this bill will never be utilized to the full, or nearly to the full, by U. N. R. R. A., because the major portion of this bit-by-bit relief operation will have to be done as a matter of military necessity by our military forces.

The second possibility, the one which I think we all hope for, is that there will come a sudden defeat of Germany and a collapse of the Central Powers, in which event there will be a sudden and very great over-all relief problem, a problem that will be directly connected with universal chaos on most of the continent of Europe. Should that happen, and at the moment it seems a most likely thing to happen, what are the actual processes of relief? What has to be done? Obviously No. 1 is to have supplies readily at hand and accessible. The second is to have transportation to get them where they are needed. In the sum of money that is provided for in this bill, which is merely a maximum amount to which specific limitations can be considered at the time the actual appropriation comes before the House, it is provided that all gifts in kind shall be credited against that amount which represents the maximum liability of this country. Now, if we actually got into a sudden large relief operation, which would be essential in the event of the collapse, just as important as foodstuffs would be the question of transportation. In fact, without adequate transportation, all the food we could ship into central Europe or eastern Europe would be worth absolutely nothing. The transportation problem is going to be the most crucial and most vital, because, as I think every Member of this House knows, transportation facilities have already deteriorated terrifically. In the event of a collapse there is likely to happen exactly what happened in the last war. The entire transportation system will go to pieces. What then would be the major contribution that this country would be called upon to make from the point of view of this emergency relief? It would be to furnish transportation. It would be the obvious thing for the U. N. R. R. A. to call on the United States Army to release to it as quickly as possible the maximum number of trucks that could be made available to distribute foodstuffs throughout the chaotic regions. Every truck so turned over would be credited against this maximum commitment which the United States is being called on to make in this bill. The same is true of every pair of shoes that would be provided. It is true of every bit of cloth or material and of uniforms and of field kitchens and of medicines.

The material which the Army is collecting in north Africa and elsewhere for military purposes will, at the time of the collapse, represent surplus goods which this country will not want to bring back to the United States in ships. We will want to use those ships to bring the boys back. The surplus material will no longer be required for carrying out the war. I do not think anybody in this Chamber would want to see us use shipping to bring second-hand trucks, second-hand field kitchens, or surplus shoes, clothing, medicines, and things like that back to this country. The greatest utility for this material would be to finish the job that the military boys have done, namely, make the liberation of those people a reality, so that they do not die of starvation, do not die of disease, after they have been liberated. This military equipment can be used for that purpose, and every bit of it so turned over would be credited against the maximum figure that is specified in this agreement.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. HERTER. I yield.

Mr. AUGUST H. ANDRESEN. I am glad to have the gentleman's explanation and to get the gentleman's point of view. Would the gentleman point out where there is anything in the agreement that provides for a credit against the appropriation of these items the gentleman has mentioned?

Mr. HERTER. I would be glad to give my understanding of the answer to that question and I am sure a member of the committee would be glad to confirm it, namely, that all gifts in kind are to be credited against the quota of any nation, and to be credited at such a valuation or figure as that nation itself puts on the particular article that is turned over.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. HERTER. I yield.

Mr. WRIGHT. An explanation of your experience with the transportation problem after the last war might be interesting, your experience of being forced to operate a railroad in relief after the last war, in order to get food and provisions to the starving people of Europe.

Mr. HERTER. I think what the gentleman is referring to is two separate things. Immediately after the armistice in the last war, the American Relief Administration, which was then by unanimous consent the organization charged with the primary responsibility of trying to maintain some order in central Europe, borrowed from the United States Army, 1,100 Army officers. They immediately proceeded to almost every vital center in central and eastern Europe, with the primary purpose of trying to keep transportation moving. Later, in 1922, when the American Relief Administration and the European Relief Council went into Russia, the primary problem again was transportation. Some 200 American boys were in there and there were 750,000 Russians working under them. Their problem was to keep a completely disorganized railroad system moving, a job which they did, considering their experience and the untold difficulties, with remarkable skill.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HERTER. I yield.

Mr. VORYS of Ohio. The gentleman is also on the Republican Food Committee and has given great study to that subject. Is it not true that in general we have more foreign exchange than we have surplus food, and there might arise instances where we would rather spend more than 10 percent of our money buying food from Argentina to ship abroad rather than to continue under rationing for a longer period in this country, so that we could send our own food abroad.

Mr. HERTER. I agree entirely with the gentleman, that to put ourselves in a strait jacket so that we had to supply a great bulk of food for this relief operation would be very foolish on our own part. We do not know whether we are going to face a crop failure in the United States next year or not. We do not know whether Argentina will produce a large crop. We do not know what the situation will be in Australia, New Zealand, Canada, or other places.

Mr. ROLPH. Mr. Chairman, will the gentleman yield?

Mr. HERTER. I yield.

Mr. ROLPH. The gentleman has made a very interesting statement of his position with reference to this amendment. Would the gentleman favor rephrasing those words to say, "or American-produced goods"?

Mr. CRAWFORD. That is in there already.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CRAWFORD. Mr. Chairman, I move to strike out the last word.

Mr. HOFFMAN. Mr. Chairman, I have a preferential motion which is at the Clerk's desk.

The CHAIRMAN. The gentleman from Michigan [Mr. HOFFMAN] offers a preferential motion, which the Clerk will report.

The Clerk read as follows:

Mr. HOFFMAN moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. HOFFMAN. Mr. Chairman, this method of gaining the floor to speak on this bill is employed because no other was available.

Without in any way criticizing the discretion of the gentleman from New Jersey [Mr. EATON], who is the ranking minority member of the committee and who had control of the time during 2 days of general debate, the opponents of it could not, except in a few instances, get time except to extend their remarks in the RECORD. The next time that procedure is followed by the ranking minority member, it will be my purpose to claim a question of personal privilege and take 1 hour, so we might just as well know that there should be a fair division of the time hereafter or Members will be forced to protect themselves by every available procedure.

STILL HYPNOTIZED

Although the voters at the 1942 elections repudiated the New Deal—lock, stock, and barrel—and although the voters in a Democratic Pennsylvania district cast 57 percent of their votes in repudiation of the New Deal, and in another, a Republican district in the same State, by 83 percent of the votes cast said they wanted none of it, some Democrats for political reasons, and some Republicans because they have been intimidated by the Winchells of the administration and because they may be afraid of accusations of disloyalty, still, when it comes to foreign policy, continue to be led around by the nose by the New Deal foreign policy.

The President realizes the people are sick of the New Deal, and this was conclusively shown when he indicated not so long ago that he wanted a new slogan for the pending campaign. He served notice that during the pending campaign he was burying the slogan, "The New Deal", adopting the one of "Win the War."

That has been the slogan of the American people ever since the 7th day of December 1941, and even Franklin Delano Roosevelt cannot monopolize it.

That the New Dealers merely wish to have the term forgotten for the duration of the campaign is shown by the statement of Vice President WALLACE last Saturday night when he said:

Roosevelt, God willing, will in the future give the New Deal a firmer foundation than it has ever had before. So, on with the New Deal.

In view of the election returns, just why Republicans, or Democrats, for that matter, should be afraid of another smear campaign is beyond my comprehension. The Communists, the New Dealers, the smear artists; certain publications, among which we found the New Republic, the Daily Worker, the Chicago Sun, New Masses, and a host of pamphlets and books, and a few radio scandalmongers like Winchell, ever since before the November elections of 1942 right down to the present moment, have been engaged—and they will continue to be engaged—in a vicious, lying campaign, charging a lack of patriotism and loyalty to all those who vigorously and effectively oppose the New Deal, the overthrow of our Government, either by force or by subterfuge; who believe in America, and who insist that we, as do Stalin and Churchill, think and act first in the interests of our own country.

After the last war this country spent some $2,000,000,000 in relieving the unfortunate people of Europe in war-stricken areas. That money was spent without criticism by one of the outstanding statesmen of that day and of today, Herbert Hoover. It was spent so efficiently, so effectively that no one criticized.

A similar situation confronts us today. Herbert Hoover is still alive; still ready and willing, we may all assume, to repeat his magnificent work in feeding the hungry of the world. But this administration will have none of it. Fearful that Hoover might do the job efficiently and so earn some measure of credit for himself and incidentally for the political party to which he belongs, the President will not avail himself of Hoover's acknowledged talents. Nor will he entrust the expenditure of this billion, three hundred and fifty million dollars, for which he is asking, to a commission made up of American citizens intent upon American interests.

With the idea of a super United States of the world, a super world government, in the back of the minds of the New Dealers, they are determined that every possible use shall be made of every situation to further union now or some similar plan.

Until our Constitution has been superseded by a world agreement; until our flag has been hauled down and some international rag run up in its place, those who would, as they said, remake America, will never be satisfied, will never cease to charge all who oppose them with disloyalty.

The Republican Party having announced that it would collaborate with other nations in restoring and maintaining peace, the New Dealers and the internationalists brazenly assume that collaboration means, so far as we are concerned, follow along. They have as their motto the words of the old song, "Where He leads me, I will follow," and they damn all who do not choose to follow the broad and easy way which leads to destruction.

This pending measure is entirely unnecessary. It is the opening wedge which will let through for years to come

a stream of gold collected from the already overburdened taxpayer. It is another step toward the surrender of a portion of our sovereignty; toward the subordination of our interests to the plans and the purposes of a group of foreign power politicians.

So far as I know, no one objects to the giving of any reasonable aid to those who are in need of food or clothing. There is no reason, however, why we should spend money which may be needed, which will be needed, to care for, to hospitalize, to rehabilitate, our returning veterans—use that money to rehabilitate people in other countries.

What we are asked by this bill is not to appropriate the $1,350,000,000 to be spent under the supervision of Americans for relief, but to appropriate that sum to be spent by an international organization in which sit 44 representatives of 44 nations, and where we shall have one of 44 votes.

That money is to be used not only for relief, but, under the terms of the bill, it is to be used for rehabilitation—rehabilitation of people and of nations.

Just why we should continue to place the interests of the people of other lands before the welfare of our own is a question which is puzzling many of our citizens. Many of our citizens have had their businesses, their means of livelihood, destroyed by this war. They have taken their losses uncomplainingly and they cannot understand why the businesses, the cities, the nations, across the sea should be restored, rehabilitated, by funds to which they have contributed by their tax payments.

In my humble judgment the money which we appropriate to feed and to clothe people whose countries have been overrun and are now occupied by Hitler or by Japan should be spent by and under the direction of an American or an American commission.

I shall not vote to give billions of dollars to any group of foreigners to spend as they may wish; to spend so that the recipients of those funds can come in competition with the American wage earner or the American businessman.

When this administration asks for money to be used where needed to relieve suffering and to be spent under American supervision, my vote shall be cast in favor of the needed appropriation.

That the people know what is going on here in Washington and that they are resentful of the fact that still, on occasion, like sheep we follow the New Deal leadership, is evident from the attached editorial from the Westmoreland Observer of January 13, 1944, published at Greensburg, Pa. That editorial reads:

IT DOES MAKE YOU LAUGH

A New Dealer sees a Republican stick his head out of his storm cellar to sniff the political wind, and shouts "isolationist." The Republican quickly ducks back in his hole. This illustrates the gutless state of mind of the Republican Party.

In conceding a half-hearted endorsement of the Roosevelt-New Deal foreign policy, and trying to fit it, as a plank, into the Republican Party, only reveals to American voters the utter decadence of the party and disgusts millions of citizens who would like a chance to vote on this issue.

Why is it that the Republicans cannot, or will not, take a stand on this issue in opposition to the New Deal? Why do Republicans take the charge of lying down, that they are responsible for this war by their "isolationist" policies when there is not a particle of truth in the charge?

Did not the Republican Party do everything it was reasonably possible to do in the way of international pacts and agreements to insure world peace? Do present-day Republicans not know the history of their party in foreign affairs when it was in power after the last war? What was "isolationist" about their foreign policy?

What did the New Deal do from 1933 to the outbreak of the war in Europe in 1939 to preserve world peace? Certainly the policy of the New Dealers didn't keep us out of war. Did they not promise that their policy, and only their policy, would keep our boys from again being sent to die on foreign soil. Did it? The New Dealers had their own way right down to Pearl Harbor.

Now, why was the fleet tied up at Pearl Harbor, a perfect target for an attack? Was it the Republicans who kept it tied up there, and the air force stationed there asleep? Would the Japs have attacked Pearl Harbor if the fleet had been out in deep water, stripped for action? And why have the commanders of the Army and Navy in charge at Pearl Harbor not been brought to court martial, and all those responsible for that major tragedy exposed?

Well, by the way they are acting, you'd think it was they.

And finally, the New Dealers, feeling that they have the Republicans on the run on foreign policy, are heaping it on. They are promising the people everlasting peace; they say they know how—but they are not telling—and of course, the Republicans are too mealy-mouthed to ask them. But the American people know about the pledges and promises made by the New Dealers. And everybody in America knows—except, of course, the Republican leaders—that Mr. Stalin and Mr. Churchill are going to have something to say about the kind of peace that will be established after the war is won.

And there are plenty of signs that it is not going to be anything like what the New Dealers are attempting to tell the American people it will be. But the Republicans—oh, what's the use—they need an undertaker, not a Presidential candidate.

I cannot agree with the Westmoreland Observer that the Republicans need an undertaker, unless, by that statement, the editor means that the Republicans intend to bury the New Deal and need one for that purpose. However, in my opinion, the New Deal will bury itself.

Nor should the Republican leaders be criticized too much because they have not been more actively opposed to the New Deal. Some of us have fought the New Deal from the beginning right down to the present moment and look at what we got—abuse all the time, charged with disloyalty most of the time, and the people, until November 1942, on every occasion expressing their approval of the New Deal.

Leaders have been a little slow to catch up with some of the opposition to the New Deal. But the people themselves—editors especially—have been somewhat lukewarm; not overly aggressive in criticizing this administration and its policies. Perhaps that was due to a large extent to the fact that we are at war and all wish to proceed cautiously.

Let us hope that, once more and soon, all will be devoted to the defeat of our enemies; the reestablishment of a constitutional form of government here at home.

The Government has men in the armed forces who have been especially trained for administrative duties in conquered lands and those men rather than a group like U. N. R. R. A. should be charged with the expenditure of any funds appropriated by Congress.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BLOOM. I do not know whether the gentleman from Michigan desires to withdraw his motion or not. If not, I want to oppose him at the proper time.

The CHAIRMAN. Does the gentleman from New York seek recognition on the motion at this time?

Mr. BLOOM. Not at this time.

The CHAIRMAN. The gentleman from New York [Mr. REED] is recognized.

Mr. REED of New York. Mr. Chairman, this proposed U. N. R. R. A. is an anti-Christian approach to a traditional Christian problem. I am sure that the overwhelming sentiment of the American people, true to a long and honorable tradition, is favorable to rendering aid to the sick, hungry, and suffering men, women, and children of Europe and Asia. I dare say that of the 2,000,000,000 people in this world, that of this number the 700,000,000 adherents of the Christian faith wish to give concrete expression to that faith by rendering aid and mercy to the suffering, hungry victims of this devastating war. Believing, as I do, that such is the sentiment of the Christian people everywhere, I stand ready at any and all times to vote the necessary funds to the extent that reasonable assurance can be given that such funds will be used for the high and noble humanitarian purpose which our traditionally generous people have in mind.

I do not intend to permit myself, under the pressure of the hysteria of the moment, to give support to legislation clothed in the habiliment of human sympathy as a means of obscuring from public view the world political power Frankenstein concealed within.

It is not the amount of money involved in this bill that is important just now because it is a matter of recorded history that as a nation drifts and finally faces insolvency the most plentiful and cheapest product of that nation at such a time is money. This Nation is surfeited with money, borrowed money. In every step taken by the New Deal in its all-inclusive program of enforced scarcity, money is the one thing that has become increasingly and dangerously plentiful.

Is it necessary to set up this U. N. R. R. A. machinery for becoming entangled in a new world order of power politics to effectively distribute $1,350,000,000 to starving men, women, and children throughout Europe and Asia? Are there no existing Christian organizations with long and honorable records of humanitarian achievement, fully equipped in every way to administer the desired relief? Of course there are such organizations, ready and prepared to act. They are now operating in the field. What is wrong with the National Red

Cross, the Society of Friends, and others? Who objects to utilizing the facilities and personnel of these great agencies of mercy?

I will tell you who they are: They are the alien-minded power politicians who seek to build a new world order, who see in this fund of $1,300,000,000 and other billions to follow the very elements of political domination of starving populations. No tears will be shed over the ghastly victims of starvation by those who will control the organization set up by this legislation. The alien-minded manipulators of our declarations of policy do not favor, but instead desperately fear, the adoption of a plan by which distribution of food and clothing will be made by Christian agencies. What has been the excuse given by some of our allies in justification of letting little innocent, starving, pot-bellied, moaning babies starve? Why, they say: "What if the Nazis should steal it and thus prolong the war?" But does the evidence show that this danger exists? Dr. Howard E. Kershner, director of relief in Europe from 1939 to 1942 for the American Friends Service Committee, stated that not a mouthful of food sent to the people in other occupied countries ever reached the mouths of the enemy. Does not our State Department bear witness to the fact that the enemy forces or populations have never had access to the 19,000 tons of food going to Greece each month?

This piece of legislation, like so many New Deal proposals, has set forth in it a worthy objective, but concealed within its provisions are commitments to further alien intrigues in the field of world power politics.

The printed pages of the hearings on this resolution (H. J. Res. 192) are as barren of facts pertinent to the real issues involved as the Sahara Desert is destitute of fertile soil and moisture to produce food.

It was not until pressure was applied to Russia that she let her people know that help was being furnished to her by the United States. If the United States is to raise the morale of Europe and Asia through benefactions, then let it be distributed through the channels of charitable agencies already organized and equipped to render such a service and do it free from political manipulation on the part of any one or all of our allies. I am not in favor of voting $1,300,000,000 under the alien terms of this resolution to enable any part of the fund to be used to undermine the Christian concept of religion. I do not believe it will be sacrilegious or unpatriotic to show some concern now and then for the welfare and protection of our own people, especially when passing on these potential post-war hand-out proposals.

With an estimated future debt of from $300,000,000,000 to $500,000,000,000, and a post-war peacetime Budget of from $20,000,000,000 to $30,000,000,000, our appropriations for world-wide charity must have some limit if this Republic is to survive the drain that will be made upon it.

I want to say further that this war will not end famine, pestilence, revolutions, nor war. There will still be the menace to this Republic from within and from without from the impact of fascism, communism, or collectivism in one form or another. There will be unemployment here and abroad and political master minds will be on hand to play upon the discontented and the revolutionaries. The witches' kettle of class hatred will be well stirred as a means to political power.

Let us not by this unwise, un-American legislation arm the international political manipulators with an instrumentality of power with which they can exercise control of life and death over the starving victims of war.

The CHAIRMAN. The time of the gentleman from New York has expired.

All time on the preferential motion has expired.

The question is on the motion of the gentleman from Michigan.

The motion was rejected.

Mr. EATON. Mr. Chairman, I rise in opposition to the amendment proposed by the gentleman from New York.

The CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. EATON. Mr. Chairman, I would not take this time except for two reasons: First, the statement of the gentleman from Michigan that I have 7 sons. I greatly regret I have but 1. I have 7 of my family in this World War. One nephew was killed bombing over Germany; another, bombing over Holland, was shot down and is now a prisoner in a German camp; I have 1 grandson in Italy this minute on the firing line; I have another grandson in the marines, and the others are scattered in the Pacific and on various fronts. I wish to God I had 25 of them instead of 7. I wish I were young enough to go myself, but there seems to be plenty of fighting right here.

Second, I had no idea that I was so absolutely unfair until the gentleman drew my portrait as being unfair in the allocation of time in the debate on this bill. I gave out the time on one principle only, the famous principle of seniority. As fast as gentlemen asked me for time I put their names down and called them in that order. If those who were opposed were slow getting in their requests for time, that is not my fault, but I humbly apologize because were I able, I would gladly have impinged upon eternity to give everybody a chance to "blow off."

Now, Mr. Chairman, I want to say one word about these amendments and I ask you to listen to me. We stand at this moment in the most fateful hour in human history. For the first time in history, 44 nations of the world are clinging together to save freedom for mankind. When this war is over we shall have a shattered world and it will be absolutely necessary to rebuild a civilization on a world basis. This bill is the first attempt on the part of 44 nations to unite in some world program of cooperation and collaboration for the relief of distress and anguish, and for that reason I am in favor of it. We will make mistakes, there will be wastage, there will be stupidity, there will be selfishness, there will be failures due to human frailty, but it is our first attempt to meet the challenge of the new age and I hope and pray that the Members of this great body will not hamstring this legislation by a lot of useless amendments. Rather, let us face the fact that this is primarily an attempt, as suggested by the gentleman from South Dakota on Friday last, to achieve in some real degree cooperation and collaboration among the nations of the world. Personally, I hope with all my heart that with this beginning we may finally evolve a world civilization based upon freedom, justice, and humane good will.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I was rather sorry to hear my good friend the gentleman from New York [Mr. REED], for the first time since I have been a Member, use Christianity as a reason for not voting for a bill. It happens that I am a communicant of the Catholic Church and a Christian. I had an idea that if Christianity were going to be injected into this debate it might be as an argument for the proposal certainly not as an argument against it. In any event, it is the first time I have ever heard any Member go so far as to inject the great truths and influences of Christianity and of all the creeds that constitute Christianity as a reason for voting against any legislation.

We should not fail to grasp the requirements of our present or future position or to comprehend the probable current of international affairs.

The United States has played a unique and vastly important part in its lifetime in the history of nations.

We have territory, natural wealth which we have developed, and we have liberty. Today we are the greatest Nation in the world, with the opportunity of leadership and with the world looking to us for right leadership.

The rest of the world realizes that our greatness and wealth are not the result of aggression, conquest, or spoliation. We do not possess our strength and our greatness in consequence of a series of aggressive conquests against our weaker neighbors. And the world knows that. That is a prominent reason why the United States in addition to its power, strength, and greatness, will exercise powerful influence among the other nations of the world, if we exercise our leadership for future world order to prevent the probability of another world disorder in the not too remote future.

There is no question but what the great majority of our people want our Government to act in accordance with the highest ethical motives upon which national actions can be based. Our people realize we have the opportunity and responsibility, consistent with our national and individual interests, to assume a leadership that will engrave our national name foremost on history's roll.

The passage of this bill will be a marked contribution toward that end.

This bill is a war measure.

This bill is also a humane measure.

It is for our national interest to enact this bill into law.

This bill is not only consistent with our national interest, but its passage will constitute a nobility of action on our part that the people in conquered lands and elsewhere will appreciate and which—while we do not intend it as such—will pay us big dividends later on.

If I know the sentiments and the soul of the American people at all, there is one thing I do know and that is that the American people prefer a generous part devoid of gain and even entailing loss, as one able writer said some years ago "to one which they know beforehand spells selfish aggression or selfish conservation."

In conclusion, may I say that the amendment offered by the distinguished gentleman from New York, if adopted, will not be for the best interests of our country. Certainly it is sending a message to the other countries of the world that instead of this great Nation, based upon its national interest, doing things from an unselfish angle, under the guise of assuming our proper leadership, if we adopt this amendment we are sending a message to the other nations of the world that the greatest nation in the world is thinking of selfish rather than an unselfish leadership.

The CHAIRMAN. The time of the gentleman has expired.

Miss SUMNER of Illinois. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I wish to offer a motion to recommit this U. N. R. R. A. measure.

Our ally, Stalin, is waging war valiantly, but his way of governing people is neither Christian, nor American, nor just. This measure offers him and his European political machine the chance to sin all the sins ever committed in the name of charity.

It is urged that unless you vote for this camouflaged weapon of destruction you will be taken for an isolationist and thereby hurt yourself or your party in the next election. Of all the sniveling, hypocritical, and fallacious arguments, that one is the ultimate. It is not even smart leadership.

Surely millions of dollars have been spent for propaganda to make the word "isolationist" hated by Americans. That money has been wasted. In 1940—until after the election—who was the loudest isolationist in America? The candidate for President who got elected. He said it—"again and again." Remember?

Who will be elected President in 1944? The candidate who seems less likely to give the country away. The isolationist. It's in the air. You can feel it in your bones.

If you adhere sternly to our sterling American principle, what do you care what they label you? To the extent that isolationism means following the traditional principles of foreign policy laid down by our first and greater President, George Washington, every American worth the name should today be a fighting isolationist. To those principles, followed more or less faithfully for over a century, we Americans owe all that we have and all that we hope to have—all the spiritual and temporal power which have made America a legend of godlike stature throughout the world.

What are those traditional principles? Expressed in Washington's Farewell Address, they all boil down to one word—"justice"—justice to all at home and abroad. It is justice which says, as Washington did, that we should defend America. That we should be friendly to all nations, but that we should not involve America in international alliances, hates, or partialities which may lead to wars not necessary to the defense of America.

It was not merely because of American power but also because they expected us to adhere to American principles that Europeans urged America to rescue them from Hitler. Why is it, then, that people all over Europe today are asking, "If you didn't come to rescue us from dictatorship, what are you fighting for?"

The growing resentment is not due to so-called isolationism, but to the way we have forsaken the primary American principle of justice, oft called isolationism. No believer in traditional principles—no isolationist—has been permitted to control or influence our policies. If traditional American principles had been followed, punishment of the Japs who attacked us would have been swift and certain. The British Admiral Mountbatten would not have been given the American men and supplies which our greatest American military genius, General MacArthur, says he needs to defeat the Japanese.

If the traditional American principles had been followed at Moscow, Moscow would not have been another Munich.

Stalin helped Hitler start this war. The war he helped start boomeranged and he himself was attacked. We owe him nothing except respect for not folding up and for fighting magnificently instead in self-preservation. While owing him no more than respect, America gave lavishly of supplies and men and donated a second front which fought his enemy, Hitler, all the way across Africa up to Rome.

At Moscow, however, Stalin demanded more than he had the right to ask or America had the right to give. We had no right to give him Poland or any other countries in Europe. In addition, we promised him another second front consisting mostly of Americans because the British still have some sense left. His gratitude, we are told, was charming, but how will he feel when, after building him up as successor to Hitler, the same people urge America to go to war for the same reasons for which they urged us to fight Hitler? Does Stalin today have the same respect for our country as he would have if at Moscow and Teheran we had adhered religiously to our American principles and kept our self-respect?

It is not yet too late to remedy our colossal blunder. It has been revealed by a competent Washington reporter that in England there is such opposition to the Moscow appeasement that Mr. Churchill has urged reconsideration for the agreements and unless he succeeds his ministry may fall. But what is America doing about it? Our State Department minces. Our Congress considers this U. N. R. R. A. bill, which would make us accessory after the fact to the unjust Moscow concessions. Shall we boast of relieving European victims of cruel dictatorship and pass a measure which will help give Europe another cruel dictator?

International cooperation, good fellowship, charity. Those are traditional American principles, but without justice what do they amount to? It is not isolationism, but the weird, opportunistic, unjust blunders of internationalists which are turning the age-old dream of universal lasting peace into a nightmare, a tower of Babel, a confusion of empty words and promises. The first step toward universal brotherhood and peace is justice—traditional American justice. If and when America begins once more to stand for justice at home and abroad we can resume our march of progress toward a higher stage of civilization.

Mr. IZAC. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I am glad of the opportunity this legislation provides for the Congress to embark on a policy of collaboration and cooperation with all of our brethren in the family of nations. The idea of our shutting ourselves up in a shell, of trying to ring the United States in a shield of steel, and thus maintaining our peace and prosperity and security, is an exploded theory. We tried the noble experiment of neutrality but it just would not work because other nations were not of the same mind. And it must be evident to everyone today that our country cannot exist a virile and prosperous land with all the rest of the world in turmoil and the peoples in distress.

Somewhere in this debate it has been argued that the Constitution does not permit us to function in the way this legislation provides: that this is a treaty and therefore the House of Representatives can have no part in these proceedings; that it is the function of the Senate alone to ratify such a step.

It may be true that the framers of the Constitution did not specifically countenance such international collaboration, and it is true that George Washington warned against entangling alliances. But was not that due principally to the fact that they could not have foreseen the advances that were to be made in reducing the effects of time and space on this terrestrial globe? I am inclined to believe so. With the development of radio, of the airplane, of moving pictures, and of so many other inventions time and space have almost been annihilated. And the result has been to bring us daily into close and intimate contact with all the people of the world. It has lessened the effect on our national existence of the presence of the two broad oceans that bathe our shores. And so whether we like it or not we must face the realities that these changes have brought. Unless we do, we encourage and perpetuate the discords that once again may bring to our children all the horrors of an all-out war. Surely after the experiences of the past few decades

we can see the dangers inherent in a rejection of the idea of collaboration.

Why, therefore, cannot this Congress, acting as the legislative body of a sovereign state, enunciate and inaugurate a policy that can only redound to our credit, that can only result in good to all mankind and that without which the sorely stricken people of other lands may be held interminably in the misery and despair in which they are now plunged? What is unconstitutional about that?

There are some who say, "Let us measure this legislation by the yardstick of what is best for America." Here is my answer. The effort to eliminate future wars is the finest service we of the Congress can perform for the benefit of the people we represent. I know of no better way to start on the road toward that goal than by the adoption of a policy of friendly cooperation with our neighbors. I believe I speak the sentiments of the people of my district when I say that to help rehabilitate stricken regions, to feed the starving, to clothe and assist the despairing mothers and children and old men, to help heal the wounds of war—and to do all this in unity of thought, of purpose, and of action with all the friendly nations of the earth should be our first step toward the goal of enduring peace for which we strive.

This bill is that first step and so I support it with hearty approval and urge its passage without delay.

Mr. TABER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I have felt for a long time that when and if we moved into occupied territory it was up to the United States to meet its fair share of the responsibilities of temporarily feeding those people who are distressed as a result of the German occupation, but I have felt that we should do that in a very careful way. We should not do such things as to create enormous stock piles at the present time which will upset our supply of goods and our market for goods. We should not do it in such a way that it will interfere with our prosecution of the war. We should do it in some way so that it may be coordinated. We should not make the messes that the Board of Economic Warfare made and that the War Food Administration has made with reference to some of its stock piles, nor should we do it in the way that some of the lease-lend operations have been conducted along that line.

Before anyone starts on this kind of a job it will be necessary and it should be necessary for them to come before the Committee on Appropriations and disclose the entire picture, showing where they expect to get their supplies, how much they expect to need, and how much they intend to operate, so that the whole of these operations can be coordinated and we can control them. Unless we do that we shall have a lot of trouble.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. The words uttered by the gentleman I think are wise ones. It is the purpose of U. N. R. R. A. to do that very thing in the very way the gentleman states. In other words, when a request is made of our Government for any material or food or money, it will first have to clear agencies here and then go before the Committee on Appropriations, which will get the entire picture as to the amount, the set-up, and how it will affect us, before we give them anything.

Mr. TABER. I understand that that is the set-up here, and I understand that these people would be expected to come and justify what they were going to do, and that it would not be necessary to give them more funds than they could operate with for a convenient length of time, whatever seemed in the judgment of the Congress at the time to be a fair amount and a fair provision.

This bill as it comes before us suggests an authorization for contributions by the United States. We must remember that. Under this resolution and in this resolution and in the appropriations that we make, we can control nothing whatever in any way except just the part that the United States contributes. In other words, the constitution of U. N. R. R. A. is so set up that we are not passing on that constitution at this time but we are simply authorizing an appropriation for the purpose of carrying out the provisions of that constitution of U. N. R. R. A. If we place a limitation on what shall be done here with the money that we contribute, that limitation does not apply to contributions from other sources, and while those other sources may be of a small nature, compared to ours, a good many of them, nevertheless a great many of the operations that perhaps we might have in mind in the limitation, can be covered by the funds contributed from other sources, without any restraint from us, and we must remember that.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. TABER. Mr. Chairman, I ask unanimous consent to proceed for 5 minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mrs. ROGERS of Massachusetts. Is it not true that the military is doing a very good job in areas today that they have gone into? They are absolutely fair, they are giving great satisfaction I understand in the country where they are.

Mr. TABER. I expect that that is so. However, I understand that the Army does not want to have charge of that operation beyond the scale that is necessary for control of those regions from a military standpoint.

Mrs. ROGERS of Massachusetts. We had no testimony to that effect before our committee. I asked the last day that more witnesses be called to testify. I wanted the Army and the Navy, and the Department of Agriculture and others to appear before us, but the motion was voted down. I would like to have a report and some testimony from them before us.

Mr. TABER. I asked the Army themselves about that, and that is the answer that I received.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. AUGUST H. ANDRESEN. In the first place does the gentleman understand that the Appropriations Committee will appropriate the entire amount called for in this resolution at one time?

Mr. TABER. I would not think so, I would not expect so. There is no reason why we should do that.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. BLOOM. It was contemplated in the hearings that the first appropriation to be asked for up to the end of this fiscal year would be $500,000,000.

Mr. TABER. That sounds like a rather liberal amount for the amount of time available between the passage of this bill and the end of the fiscal year, but it would be up to the Congress to consider, when we come to that stage.

Mr. AUGUST H. ANDRESEN. We recognize that within a few months the gentleman from New York will be the new chairman of the Committee on Appropriations, and with his statement to me that they are going to examine carefully every item provided for the appropriation, I am convinced that the gentleman and his committee will do a good job and see to it that the money is not wasted.

Mr. TABER. The Congress can be assured that the investigation as to each request for an appropriation will be most carefully and thoroughly noted. I recognize the obligation that is on the United States. On the other hand, I recognize the obligation that the Congress owes to the American people to see that we do not overstep. I may say this, that as to any item that is under consideration at any time, under the rules of the House, an amendment would be in order that would prevent the use of any of our funds that might be under consideration for appropriation at any time, for any particular purpose. On the other hand, we may as well face the facts. A limitation on what can be done with our contribution will not limit what can be done with contributions that are made from other sources than the United States.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. LUTHER A. JOHNSON. I think that is a correct and wise statement. In other words, if we do not have that limitation, then this international organization might tell us what we have to do. We want to leave it to each country to say what they would do, and our Appropriations Committee will be our clearing house which will determine what we must contribute.

Mr. TABER. And what attitude we shall take with reference to the funds we contribute.

Mr. LUTHER A. JOHNSON. That is correct.

Mrs. ROGERS of Massachusetts. In the hearings Mr. Lehman said that he

was the creature of U. N. R. R. A. and he would have to do whatever U. N. R. R. A. told him to do.

Mr. TABER. If we appropriate funds with restrictions on them, he would have to respect that limitation, insofar as it related to those particular funds.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. O'CONNOR. Mr. Chairman, I move to strike out the last four words. In principle I am for this legislation. I think it is the duty of this country to assume its proportionate share of the burdens of trying to take care of those in difficulty and distress.

I want to state at the outset that I am not opposed to the feeding and clothing of genuinely needy people of the various foreign countries, but I maintain that such a program should be consistent with our ability to do so. And for that reason I feel that the $1,350,000,000 which this bill calls for, as our share in the work of the United Nations Relief and Rehabilitation Administration, is altogether too much.

We have been accustomed here of late to thinking in terms of billions. We had better start thinking in terms of what we can do. The gentleman from South Dakota, Congressman MUNDT, in general debate on this bill, made a very significant statement when he said the amount mentioned in this bill is only equal to the most this Government has ever been able to save in 1 year at any time before we got into this war.

As I understand it, the national income was the basis for each country's share of the total amount. Well now, it is certainly unfair to take our national income now as the basis for our share. Our national income now is nearly 100 percent above normal. Yes; but you say, "Is that not also true of our allies who will be contributing on that basis?"

The answer is, "Absolutely not." Our volume of production is far greater than any of our allies. In other words we are contributing more in materials to the war effort than any other nation. Therefore, our national income is greater. I, therefore, think that this amount should be materially reduced, say to about $250,000,000, and I am so offering that as an amendment. Congress will be in session and if more is actually needed let it be the duty and responsibility of a future Congress to decide how much more shall be authorized and appropriated. Then, too, there are other aspects of this manifest policy of assuming the lion's share of the burden.

There is a grave danger in such a proposal that for the most part has, I think, been overlooked. You all remember, I am sure, with what scorn and condemnation this Nation was looked upon after the last war when it became apparent that Uncle Sam was not Uncle Santa and that we were going to expect compensation for goods purchased by foreign nations during the war. Well, I maintain that just that is going to happen again—history repeats itself surprisingly.

In the first place, I am sure you have all heard the expression, "The quickest way to lose a friend is to lend him money." You also know it to be a truism that once you start giving something to somebody for nothing and then discontinue the practice you have made an enemy. Well, that is what is going to happen to us. The day we stop loaning, lending, and giving we are once again going to become the second most hated Nation on this earth.

Another thing we should not overlook is the fact that it is unwise for our own security and our own welfare to commit this country to any definite financial outlay for the benefit of Europe while not knowing the demands that are going to be made upon the United States Treasury for relief, unemployment, rehabilitation, and so forth, at the close of this war. There are hundreds of thousands of soldiers who will return incapacitated in mind or body, or both, who will be unable to care for themselves and who will have to be cared for. Think of the additional hospitals required to provide for these men.

We must not lose our senses. If we consult our heart we would help everyone but somewhere along the line we must consult our mind. We are the representatives of the people and as our leader, the lovable and able gentleman from Massachusetts [Mr. MCCORMACK], has frequently said, "our position is one of trust." We must stand between the people and disaster or else we are not fulfilling our duty. I am willing to help any nation when I can see that we are in a position to help, which at the moment seems to me a long way off. The war is not over. The end cannot be seen, or even predicted with any degree of certainty.

We have a normal earning power in the United States of around $76,000,000,000, although this is now up to $142,000,000,000 in 1943—the national debt is now one hundred and seventy and eight-tenth billion dollars. While our national income was around $76,000,000,000 our taxes were around $3,000,000,000 and are now $18,000,000,000 as against the $142,000,000,000 income. President Roosevelt this week submitted to Congress a budget calling for an expenditure during the next fiscal year of just about one hundred billions. That brought the total of actual or contemplated spending under his administration to three hundred and seventy-eight billions. Of next year's appropriations, more than ninety billions will be for war, bringing the total for that purpose to two hundred and ninety-two billions. The public debt by the end of the fiscal year is expected to be two hundred and eighty-five billions, or $1,984.62 for every man, woman, and child in the country. The carrying charge of the debt would be about five billions annually, or about $38.46 annually for every person. So that you can see that we have not only saddled ourselves but unborn generations with an enormous debt.

There will be a terrific let-down here in our own country after this war and at the rate we have been and are pouring out our own wealth and resources to the other nations of the world, we may find that, like a too generous blood donor, we have ended up with so much of our wealth and natural resources gone that a serious set-back will follow.

I think, like a prudent housewife, that we should first decide what we can further spare, what other nations are supplying as their share, and then decide how far we can go along the lines we are now pursuing without bringing our own house down upon us.

Mr. FISH. Will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. FISH. The gentleman from West Virginia [Mr. SCHIFFLER], a member of the committee, I think had intended to offer an amendment to reduce the amount by half, namely, to $675,000,000. I do not see him on the floor. But I do not see why the gentleman from Montana does not offer that amendment.

Mr. O'CONNOR. I am going to offer such an amendment.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. AUGUST H. ANDRESEN. The amount authorized in this bill is based on 1 percent of the national income made in a war year largely as a result of Government expenditures.

Mr. O'CONNOR. Absolutely.

Mr. AUGUST H. ANDRESEN. It seems to me that they should take a normal year to find out what the national income was then.

Mr. O'CONNOR. Exactly. The gentleman was never sounder in his life, and he is usually pretty sound except when it comes to politics. He is sound enough to be on this side of the aisle.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CELLER. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. CELLER. Mr. Chairman and members of the Committee, I wish to offer my sincere congratulations and praise to the President and to the State Department for their announced setting up of a War Refugee Board to take action for the immediate rescue from the Nazis of as many as possible of the persecuted minorities of Europe. This War Refugee Board, comprised of Secretaries of State, War, and Treasury, has been asked by the President to cooperate fully with the United Nations Relief and Rehabilitation Administration. The President stresses, says the White House statement, "that it was urgent that action be taken at once to forestall the plan of the Nazis to exterminate all the Jews and other persecuted minorities in Europe." We had at Evian a conference back in 1938 for the rescue of refugees. We had a Bermuda conference last year. Unfortunately those two conferences involved blueprints, surveys, plans, explorations, but no action. Whatever relief there was you could have put into a very tiny capsule. Now there will be a repetition of those two failures unless the President and the State, War, and Treasury Departments appoint to the War Refugee Board a personnel and aides who are liberal and courageous in their outlook and who are generous-hearted, and who are saturated with the knowledge of oppressed peoples and who,

above all, recognize "the soft, sad music of humanity." One of the reasons why unfortunately those two prior conferences did not emerge successfully was due to a certain unfortunate attitude on the part of some of the men in the State Department, who guided more or less the views of one delegate. Luckily the man particularly who is in charge of refugees and visas in the State Department, and who directed the Bermuda policies, is on his way out. It augurs well, therefore, that this new Refugee Board will be unaffected and not influenced by this particular gentleman. Eight valuable years have been lost since Evian. In the meanwhile over 3,000,000 Jews have been slaughtered in "Festung Europa," but only after they have gone through the most excruciating pain and torture. For these 8 years we have been repeatedly told only through victory can we achieve rescue of refugees. Meanwhile millions are dead and dying. The dead need no rescue. The disembodied spirits need no passports. Just think what could have happened during those 8 years if those conferences had been successful, if there had been a real desire and intention and will to help, to rescue.

Now for 10 years the Jews have been singled out as a special target of Nazi ruthlessness and brutality. Hitler has vowed to make Europe Judenrein—free of the Jews—a people selected for annihilation and torture only because they were born of the race of the prophets. While we in the United States adhere to the tradition of equality, it is no act of discrimination to point out the urgency of the problem of the Jewish people in Nazi-controlled Europe. While we have not wished to view Jewish refugees and potential refugees as different from others, that difference has been thrust upon us. The lot of other persecuted minorities is not comparable in horror, ferocity, and destruction to that of the people of the race of Abraham, Isaac, and Jacob.

The Dutch merchant, the Belgian peasant, the Norwegian farmer, all have the opportunity of life and labor, brutal as it may have been. When liberation with Allied victory comes, all others will savor the lifting of oppression, the freedom to return to life and liberty, save the Jews. Others have at least a shred of hope of survival, but the Jews are in a death chamber.

The statement of the President setting up the new War Refugee Board happily recognized the especially tragic plight of the Jew. The President appreciates that extraordinary efforts may be required in order to aid and help Jews now in the Nazi charnel house.

The War Refugee Board is presided over by the Secretaries of War, Treasury, and State. These men cannot do the real work, the spade work, required. They can initiate broad policies. Thus the laboring oar must be held by an executive director and a staff of assistants. Such personnel must be carefully selected. They must be impressed with the fiascos of Evian and Bermuda so that there shall be no repetition thereof. Otherwise we shall merely have a mere rearrangement of old desks and chairs in the same office. To vary the simile, we would have the same ineffectual medicine in the old bottle with a new label.

At Bermuda, Palestine was eliminated from the agenda as a possible haven for the oppressed Jews. Our representatives at Bermuda slavishly followed the dictates of our State Department, which in turn swallowed hook, line, and sinker the policy laid down by the British Foreign Office. I hope and pray the new set-up will not, as did our Bermuda delegates, shy away from Palestine like frightened horses. If it does it is doomed to failure from the very start. The War Refugee Board must demand the abrogation of the nefarious White Paper of 1938 which would preclude Jewish immigration into Palestine after March 1944. Palestine, frankly, is the only country where the Jews are not unwanted. It would be catastrophic if the door were to be closed and Palestine liquidated as a national homeland for the Jews.

If the War Refugee Board has the will to achieve, it will afford rescue and set up havens, including Palestine, so that the hapless and hopeless Jews may be spirited out of the Festung Europa and placed in camps in Palestine and in neutral lands. It can set up an underground railway, as was done prior to and during the Civil War when Negroes were borne from the South to the North.

It can issue a solemn warning to Rumania, Hungary, Bulgaria, and Petain's Vichy France that they will be held accountable and strictly responsible for each and every potential refugee deported from their lands into enforced slavery and death in Nazidom. Such a warning should have a desirable effect. It may cause the saving of thousands of Jews by prevention of deportation into Poland and other hell holes.

The short-wave radio can be used to sound these warnings. The O. W. I., the Vatican, the International Red Cross—all will cooperate.

Concentration camps of mercy and salvation could be established under United Nations auspices in Spain, Portugal, Switzerland, Turkey, and other neutral countries, as well as in north Africa. Many refugees are already in these lands but more could be made to come and thus end their misery and suffering from Nazi jackals. These reservations or camps of mercy would become temporary havens for these unfortunate victims of Nazi terror, until permanent homes through repatriation, immigration, and transfers to friendly countries can be effected. As the older refugees are taken and evacuated from these reservations, room would be made for the rescue of newcomers from the Nazi charnel house.

If Palestine is made available—not by will of an Arab majority, but as matter of right, in accordance with the Balfour declaration which was approved and accepted by our own country—thousands upon thousands will manage to escape to it. No matter where the Nazis happen to hold the Jews, they will sever the bonds and destroy the locks that hold them, if they realize that Palestine will receive them. They will make an anabiosis to Palestine from anywhere in Festung Europa. Be the trek ever so long and arduous, they will make it. The psychological pull or tug upon their hearts will encourage them to bear and sustain all hardships on the way and they will come "singing in Zion." All this and more the members and personnel of the War Refugee Board must be made to understand and appreciate. The spiritual values of Palestine as a haven cannot be underestimated.

Mr. CRAWFORD. Mr. Chairman, I offer an amendment to the amendment of the gentleman from New York.

The Clerk read as follows:

Amendment offered by Mr. CRAWFORD: After the word "supplies", insert the word "produced."

Mr. FISH. Mr. Chairman, I accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan to the amendment offered by the gentleman from New York, which the gentleman from New York accepts.

The amendment to the amendment was agreed to.

Mr. CRAWFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. CRAWFORD. Mr. Chairman, I wish to speak now in favor of the amendment offered by the gentleman from New York [Mr. FISH] as it has been amended. This amendment would provide that 90 percent of the $1,350,000,000 would be spent for agricultural goods or other products produced within the United States. If I understood the gentleman from Ohio [Mr. VORYS], he made the statement a while ago to the effect that we are long on exchange and short on goods.

If that is true, I wish the gentleman from Ohio [Mr. VORYS] would explain to us why the gold stocks of the Treasury have declined about three-quarters of a billion, say, in the last 12 months if it was not because we were unable to supply offsetting exchange.

I think it is evident to anybody who wants to think for 2½ minutes, that we are not long on foreign exchange today. We are buying the goods of the nonwarring world. As an illustration, the other day we purchased 4,000,000 tons of the 1944 crop of sugar from Cuba. We are purchasing agricultural and pastoral products in Cuba and other Latin-American countries by millions of tons in our effort to keep their economy balanced. What we are going to do with these agricultural goods that we are piling up, I do not know, unless we use them in this country, and take our goods to send away as exports so as to make an opening for the imports here in the United States.

I cannot figure out what you are going to do with American agriculture in the post-war period with all the reserve stocks of imported goods plus our increased production. So, I favor the Fish amendment. If we could get the Fish

amendment incorporated in this bill I could support the bill. But otherwise, I do not now see how I could support it.

Another point is this: Take the hundreds of millions of pounds of wool that we have stacked up in this country, which we have purchased from other countries. What are you going to do with that wool unless we ship our wool out to take care of this situation by making room for the imported wool? You have from forty to sixty billion dollars' worth of surplus war material which you will have to deal with at the end of this war. There will probably be in that inventory two or three billion dollars worth of foodstuffs produced in this country. What are you going to do with those stocks of foodstuffs? Give it away in addition to this $1,350,000,000 or will part of that money—the $1,350,000,000—be used to purchase from the Treasury Department, or some other department, some of that war reserve foodstuff produced in this country, and send it away? Just what are you going to do with the enormous local and foreign stocks of foodstuffs we are building up as reserve supplies along with our postwar excess production?

Here is the State Department putting on a program every Saturday night, selling ideas to the people of this country. To my amazement, this last Saturday night, they proposed to the people of this country that we are unwilling to accept payment for the goods and credits which we extend to other countries, the State Department thereby building up an argument to reduce tariffs, and thus tear down the protection for American labor and agriculture. But now, unless you adopt the Fish amendment, you even go so far as to say that you cannot, through U. N. R. R. A., give away your own goods; that you have got to furnish the money to buy the goods from some other country, so that you can give that away instead of giving away your own goods. Have we reached the point where it is utterly impossible for us to think in terms of the interests of the people of the United States? I think it is time for us to ask questions like that. People in my district are asking me questions like that. Yesterday afternoon I had the pleasure of spending most of the afternoon with six or seven members of the armed forces of this country, men and women. I wish you could have heard some of the questions they asked me about what they called the silly things that Congress is doing. This bill in its present form is one of them. I can mention one or two others that we will have to deal with in a few days.

So, I am ready to vote now emphatically, on a roll call, or otherwise, to support the Fish amendment, so that we can in some way control how some of this money embraced in the $1,350,000,000 is to be spent. When we can spend it for some of the goods which our increased labor supply and our increased mechanical equipment, and increased application of fertilizer applied to our farms, so as to give our people some jobs in the postwar period—if we can use some of that money for that purpose, what sin is there in doing that?

Mr. Chairman, the proponents of this bill and the bill itself—considering the manner in which it has been presented together with its wording and general background—to me present an enigma. I simply refer to the debate of the members of the committee and the amendments which they are offering and the remarks they are making about the bill on and off the floor. Just why all the obscurity and ambiguousness in the bill, the hearings, and the debate. Look at the appendix in the hearings and read the background and give a simple explanation if you can. Just what part is this so-called relief plan to play in postwar international power politics? When we authorize a post-war one and one-third billion dollars to be spent and all in advance we should know what we are doing. Some members of the committee want to materially alter the bill; others want to recommit it; others seem doubtful about this great experiment we are about to launch. If we had the money with which to pay the bill that would be so different to our present situation. It is almost impossible for me to accept the bill as anything less than a part of the general over-all power politics approach in which we have become so deeply involved and on this question I should like to submit for the RECORD this interesting statement by Mr. A. K. Chesterton of London, England, and taken from the Liberal Advocate, this observation being here submitted for reference only and to show what the other fellow is thinking and saying. A lot of bold promises are being made these days but some time we shall have to face the ways and means of financing all these promises. When that day arrives, our young people will have something to say about the matter as they will then have more years on their shoulders and my guess is that they will disapprove many of the promises the Congress and the administration have approved.

TWO KINDS OF POWER POLITICS

(By A. K. Chesterton)

President Roosevelt's statement that after the war small nations shall enjoy equality with large nations, and be left free from outside interference subject to their good behavior, has doubtless warmed the hearts of all those charming people in this country who believe that the world is governed by lofty phrases.

Mexico, some South American republics, and even states much farther afield, however, will have heard the pronouncement with considerable skepticism. They know from their own experience that "good behavior" on their part is not taken to mean that Ecuador, let us say, will obligingly refrain from launching upon an invasion of the United States. They know that in the ruthless school of world affairs exemplary conduct consists in small nations—and, for that matter, nations not so small—spurning to hold any too dogmatic ideas on such matters as oil, or gold, or on the acceptance or repayment of international debt.

President Roosevelt must know this as well as anybody, just as he must know that if he were to make that knowledge public, or take a single step toward smashing the dictatorship exercised by expert capitalism, his job would be placed in the direct jeopardy. And not only his job, if the fate of more than one American President may be taken as a precedent.

Power politics in the international field are of two main kinds: the open and brutal aggression of Hitler and his armies, and the hidden and more subtle direction of affairs by the power of money. Hitler can and must and shall be smashed by force of arms, but who is to smash the other and more insidious foe?

President Roosevelt must answer this question before his guaranty to the smaller nations can amount to anything more than pious moonshine.

And, like unto Baldwin, President Roosevelt's lips are sealed.

It stands to reason that, so long as financial interests dominate the international position within the great nations, they will retain the power to cross national frontiers and control the internal position within the smaller nations. It is they who are the assessors of good behavior and it is they, in the last resort, who call upon the governments of the great nations they control through usury to apply the stick.

The remedy? There can be, at any rate at the start, no remedy on international lines, since the representatives of the nations which had not first put down financial brigandage at home would be the brigands themselves, through their nominees. The present vicious circle would be perpetuated. What is required, therefore, is for national governments to control their own finances—a step impossible to take until they have first cut adrift from the international financial system which, in turn, cannot be achieved until they have reduced international trade to a quid pro quo trade in genuine surpluses, after maximal national production has, as far as possible, met the requirements of maximal national demand.

When that has been done, and only when that has been done, it will be possible for nations both large and small to consider themselves, without undue self-flattery, to be in effective control of their own destinies.

Mr. WADSWORTH. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think I can say I have the interest of the United States at heart just as deeply as the gentleman from Michigan [Mr. CRAWFORD].

The proposal is that the Congress shall say that of all the money authorized under this resolution, 90 percent must be expended in the purchase of goods produced in the United States. I am wondering if that will always be in our interest. I have grave doubts about it.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. VORYS of Ohio. Under the amendment the gentleman just put in we could not even dispose of this surplus which has been imported into this country.

Mr. WADSWORTH. And already paid for under other appropriations. It would tie them up and make them ineligible.

Mr. CRAWFORD. Will the gentleman yield?

Mr. WADSWORTH. May I finish, please? I only have a short time.

Now, the gentleman from Michigan referred to wool. It may be that we have a surplus of wool. But how about poultry products? Poultry products may very possibly be one of the elements in our contribution. Under this amendment we must spend 90 percent of our poultry purchases out of this fund.

Take dairy products. Will anyone deny that today there is a scarcity of milk or butter?

I think we would better go pretty slow before we run the risk of imposing continued rationing on the people of the United States by a mandatory provision saying "you must spend 90 percent of all your money in the purchase of our supplies." It is a pretty difficult thing. Now, as a matter of fact, as this thing is set up, U. N. R. R. A. makes its request. It goes to the Committee on Appropriations. The Committee on Appropriations sends for W. F. A. and for W. P. B. and examines those and other governmental agencies as to what they have to say as to the available supplies of this or that or the other article in the United States. It might turn out that they are asking too much of us in one item, or two items, or five items. The Committee on Appropriations will go into that. If our governmental agencies and our Committee on Appropriations take note of that and find that the request in certain directions is too extreme, too great a strain on our resources and hurts our own people, then U. N. R. R. A. must ask Canada to come in and take part of it, or Australia, or Brazil. We are masters of this thing from the beginning to the end. But if you put in a rigid amendment like this we are not the masters.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BLOOM. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I move to strike out the last two words.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Miss SUMNER of Illinois. Mr. Crowley admitted in the hearings that the United States has no veto on the power of U. N. R. R. A. to levy on American supplies. He answered the question asked by the gentlewoman from Ohio [Mrs. BOLTON].

Mr. AUGUST H. ANDRESEN. I thank the gentlewoman from Illinois for her contribution.

When we analyze this legislation to see where U. N. R. R. A. is going to get its supplies, we must necessarily look over the whole world, and we find there are a few limited countries that have surplus food products.

The main supplier is the United States. The second one is Canada, on a limited number of grains. The third one is Australia, and New Zealand may have a little essential food to supply the rest of the world. Possibly Brazil, with some native-grown products. Argentina is not in among the 44 United Nations, so apparently nothing will be secured from Argentina.

Mr. WADSWORTH. But purchases may be made in Argentina.

Mr. AUGUST H. ANDRESEN. I note that the State Department is about to put sanctions on Argentina, or they are threatening sanctions, so I doubt very much if any of this money will be spent in Argentina.

So the main supply will come from the United States. The percentage advocated by the gentleman from New York, 90, to be spent here in this country may be too high; I do not know, but I think since we are appropriating most of the money and since we are supposed to supply a large percentage of the products as well, a large percentage of the money should be spent in this country with the American people. I am therefore supporting the gentleman's amendment.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. CRAWFORD. The gentleman comes from one of the greatest butter States in the Union. How much butter is in storage at the present time?

Mr. AUGUST H. ANDRESEN. Approximately 235,000,000 pounds, according to the best figures we can get hold of.

Mr. CRAWFORD. Suppose the war should stop within 90 or 120 days; what would happen to the butter price?

Mr. AUGUST H. ANDRESEN. It would probably be cut in two. The bottom would drop out of it because of the surplus.

Mr. CRAWFORD. What would happen to labor, the manufacturers of mechanical equipment and employees generally engaged in connection with the production of these products if there is not an export market for the agricultural surplus?

Mr. AUGUST H. ANDRESEN. Unless it could be absorbed by the home market we would pile up such tremendous surpluses in the United States that it would break the market. I want to say this; that the people from the cotton areas of the country should be interested in this amendment because cotton has now gone on a domestic basis and when the war stops, unless there is some outlet for relief purposes for the cotton produced in this country, we shall be left here with possibly fifteen to twenty or thirty million bales of cotton.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. No; I have only 5 minutes.

Mr. Chairman, I am supporting this resolution with the hope that it will be distributed for relief purposes among the needy peoples of the world, especially in those countries that are being retaken from the Central Powers. I do not anticipate that one single group of people are going to have the benefit of all of this relief. I think all races, creeds, and nationalities should share alike, whether they be Jew, Gentile, Protestant, or Catholic, in the relief dispensed by U. N. R. R. A. So, having in mind that we are to help these needy peoples and doing our good Christian duty, I am supporting the resolution on that theory.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I am sorry; I cannot. As I have said, this is to be for these people irrespective of race or religion. No one particular group is going to be singled out for relief that is dispensed by U. N. R. R. A.

The American people have always been generous in giving aid to people in need in all parts of the world. I believe that most Americans want us to do our full share in providing temporary relief for the starving people of enemy occupied countries, as these countries are recovered from our enemies. But, in making commitments to other countries, we must not overlook our primary obligation to first consider the welfare of American citizens.

I would prefer to have the funds authorized for relief, in this resolution, spent through the Red Cross or some other American agency. U. N. R. R. A. is a political international organization clothed with tremendous power; subject to power politics and domination by larger nations and by power groups within the respective countries wherein relief is to be given. Those who dispense the relief food and other necessities under U. N. R. R. A. are in a position to force hungry and sick people to submit to their will in order to secure aid. Power politics can only lead to another war, and should have no place in a relief picture.

In supporting this authorization for relief of destitute people in occupied countries, I want it clearly understood that I am unalterably opposed to setting up a world-wide W. P. A. The relief provided should be given to all destitute persons, irrespective of creed, color, or race. All requests for funds by U. N. R. R. A. must be scrutinized by the Appropriations Committees of Congress before approved, and none of the funds provided are to be used against the interests of the people of the United States, our form of government, or standard of living.

I am supporting this authorization purely on the basis of providing temporary relief for destitute people in countries occupied by our enemies. When other world-wide legislative proposals are submitted to Congress, I will consider each one on the basis of what is best for the interests of the American people. Such a yardstick will be my test for support or opposition to every proposal. With me the future welfare of the American people will always come first.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New York, as amended by the gentleman from Michigan.

Mr. FISH. Mr. Chairman, I ask unanimous consent that the amendment may again be read.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FISH as amended by the amendment offered by Mr. CRAWFORD: On page 1, line 5, after the figures "$1,350,000,000 in the aggregate" insert "of which 90 percent shall be spent for the purchase of farm products and other supplies produced in the United States."

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. FISH) there were—ayes 60, noes 83.

Mr. FISH. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. FISH and Mr. BLOOM.

The Committee again divided; and the tellers reported that there were—ayes 78, noes 135.

So the amendment was rejected.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I offer an amendment, which I have at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mrs. ROGERS of Massachusetts: Strike out all after the enacting clause and insert: "That there is hereby authorized to be appropriated from time to time such sums as Congress may determine to be necessary, to the Army and Navy, for use of military governments established in occupied countries for the adequate conduct of relief and rehabilitation and related necessary activities. A complete record shall be maintained by each military government of all expenditures and submitted to Congress in semiannual reports of the Army and Navy, whichever the case may be."

Mrs. ROGERS of Massachusetts. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Massachusetts [Mrs. ROGERS]?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Chairman, for quite a long time now I have enjoyed the honor of associating and working with many Members of this House. In committee and on the floor our activities have penetrated many problems—large problems which have faced the country. Many times we have stood together. Sometimes we have disagreed. During this time we have become acquainted with the fundamental views of one another; our ideas regarding government; our respect and loyalty for the Constitution; our philosophy of life and freedom. It is a long path we have traveled. As I stand here today, at this milestone along the road of our country's destiny, I want all of you to know the feeling in my heart. There is no group of men and women anywhere in the world for whom I have greater admiration, and greater respect. Over and over again you have shown your faith, loyalty, and love for your country. Again and again you have shown your Americanism. Your judgment and decisions always have been made on the basis of what is best for the country. Disagreement and debate over the best road for the Nation to follow is most beneficial to the country. It is the American way and America always gains by this procedure. Diversity of view is helpful in a free country. There is no injustice or dishonor in disagreement which is directed toward finding a wise road for our country during these dangerous, tragic days.

Here today, however, there is no disagreement among the Members regarding the necessity and desirability of relief for the people who have been stricken and left helpless through the operation of war. There is very little disagreement among our people throughout the Nation regarding the question of relief. It is the natural impulse and desire of every good American citizen to see that every worthy, hungry human being is fed and adequately clothed. We are willing to go even further, to any reasonable extent, to aid any such individual to help himself, reconstruct his approach to the problems of earning a livelihood, and maintaining himself and those who are dependent upon him. The call of the hungry and distressed touches the heartstrings of all our people throughout this Christian land. Our people not only want to respond and are willing to respond but demand that we respond. The Christian legions of the American people never have turned their backs to the needs and suffering of others, regardless who they are or where they may be. The Armenian massacre and the Japanese earthquake stand out in the near background. The question facing us here today, however, is not whether or not we shall respond to these demands of humanity, in all parts of the world, but rather is solely the question of what machinery we will use and what methods we will employ to render the most effective and efficient relief service. This question of method is most serious—yes; perhaps more serious than most of us realize. The method of administration and distribution of relief is the issue on which there is justification for disagreement regarding this proposed legislation. There are millions of Americans concerned with the method rather than the fact of relief.

It is their money that is to be used. It is their taxes which are to be increased to finance relief. It is the American people who will provide the money and goods for relief. Do not be mistaken about this fact. The parliament or legislature of no other country has appropriated any funds either for direct relief, or for relief by U. N. R. R. A. The American people, therefore, are tremendously concerned about the supervision of these funds. They want to know who it is that is actually and really trusted with the administration and supervision of relief throughout the entire project, all the way down the line to the persons actually making the distribution. They want to know how these funds are to be utilized. They want to know where and from whom goods are purchased and the prices paid. They do not want any millionaires made out of relief paid for with American dollars. They want to feel certain that those really in need are adequately cared for. They do not want any partiality shown any group because of race, color, or creed. Certainly every Member of this House must have the interest and benefit of the American people in their hearts, and controlling their views and action. There is no greater responsibility than our responsibility to the American people. We are their representatives, their servants in the functioning of their Government.

It should be borne in mind that the method—the machinery set up in this proposed legislation—takes the whole question of the participation and operation of our country's relief objectives completely out of the direct control of this Government. As soon as the membership here appropriates the billion or billions requested as America's share, according to this legislation—and we do not know how many billions it will be—our Government will cease to have even a scintilla of authority over its use. The institution set up to have control is U. N. R. R. A., an international organization, presumably representing the various United Nations in handling of relief. The administrative decisions made will be the decisions of this international body and not the decisions of this Government. This international body completely divorces the administration of relief from military operations, while at the same time it has the authority to step right into the midst of important and vital military activities.

As an international body, and presumably the agency of all of the United Nations concerned, it can approach its task in the war zone with such apparent authority that it is reasonable to expect dangerous and embarrassing clashes with the military administration inevitably will result.

It has been stated that ample and extensive hearings were held by the Committee on Foreign Affairs regarding this proposed international plan. The report of the distinguished chairman of committee accompanying House Joint Resolution 192, on page 3, at the bottom of the page, states the following witnesses were heard by the committee in favor of the resolution. Dean Acheson, Assistant Secretary of State, Francis Bowes Sayre, Assistant to the Secretary of State, both identified with U. N. R. R. A.; Hon. Leo T. Crowley, Administrator of the Foreign Economic Administration; and Oscar S. Cox, the general counsel of the Foreign Economic Administration. The Honorable Herbert H. Lehman, Director General of U. N. R. R. A., was invited by the committee to discuss purposes and policies. All of these five distinguished gentlemen are personally identified and associated with U. N. R. R. A. One gentleman appeared in opposition, our distinguished colleague from Ohio, Representative SMITH. The gentleman from Illinois [Representative DEWEY] ably presented his own plan. There were no no other officially called witnesses. In view of the effect this legislation might have on military plans and operations, certainly the Members of the Congress should have the views of General Marshall, Admiral King, General Vandegrift, and any other military specialists designated by these men. Suppose General Marshall were of the opinion this legislation might interfere with the activities of military government and civil affairs. Would you still vote for it? Suppose Admiral King considered the legislation from an operational viewpoint and was of the opinion it greatly duplicated military plans regarding relief in occupied areas already in operation. Would you still vote for it? Suppose General Vandegrift should be of the opinion that the administration of relief involved important military factors, and therefore should be adminis-

tered by military authority. Would you still vote for it?

Suppose General MacArthur should hold the view that no international authority should be set up at this time, having authority to act without consulting the military and civil affairs government, under his authority and responsible to him. Would you still vote for this legislation? Suppose General Eisenhower should state that he was opposed to any action at this time that would interfere with military government plans for relief. Would you still vote for this resolution? Suppose General Clark desired to administer all relief in the countries occupied by his army and responsible to his command. Would you still vote for this resolution? Suppose General Stillwell, for many reasons, desired certain authority over the relief function—or suppose General Montgomery stated he would control relief distribution in areas under his command. Would you still vote for this legislation?

Has the Secretary of War, the Secretary of the Navy, or the military authorities in Great Britain, Russia, and China expressed their views about this method of administering relief by an international body having no responsibility to them? None of these officers or officials, having the enormous responsibility of winning this war, has expressed any opinion regarding this legislation. Would not you as Members of Congress, however, like to know their views? If they considered this resolution untimely now, certainly most of the membership would support them by voting against or postponing action at this time. If they approved, certainly every Member here would vote for this resolution. Perhaps they would consider it "superduper" and unnecessary. Before making such an important decision, would not it be wise to know the views of the military men, who know all of the ramifications of the problem?

The establishing of relief functions under the complete control and authority of the international body of U. N. R. R. A. clearly ignores the function of relief activities, in connection with other vital military operations and responsibilities. U. N. R. R. A. duplicates and interferes with the relief plans of the United States Army and Navy. These plans already are in operation. An examination of the scope of U. N. R. R. A. operations as defined in the agreement, and a careful reading of the United States Army and Navy Manual of Military Government and Civil Affairs, precisely discloses this duplication and interference. The agreement defines the scope of U. N. R. R. A. as—

Being determined that immediately upon the liberation of any area by the armed forces of the United Nations or as a consequence of retreat of the enemy the population thereof shall receive aid and relief from their sufferings, food, clothing and shelter, aid in the prevention of pestilence and in the recovery of the health of the people, and that preparation and arrangements shall be made for the return of prisoners and exiles to their homes and for assistance in the resumption of urgently needed agricultural and industrial production and the restoration of essential services.

In other words, as soon as any area is occupied by Allied armies, U. N. R. R. A. can begin operations. U. N. R. R. A. even has the authority to return prisoners and exiles—certainly a completely military function. In article 1 of the agreement, U. N. R. R. A. is directed—

To plan, coordinate, administer, or arrange for the administration of measures for the relief of victims of war in any area under the control of any of the United Nations through the provision of food, fuel, clothing, shelter and other basic necessities, medical and other essential services; and to facilitate in such areas, so far as necessary to the adequate provision of relief, the production and transportation of these articles and the furnishing of these services.

Notice this article of the agreement states, "any area under the control of any of the United Nations." Also notice it states food, fuel, clothing, shelter, medical services, and their production and transportation. Now let us turn to the United States Army and Navy Manual of Military Government and Civil Affairs. On page 11, in paragraph k, is found the following:

The basic economic policy of United States military government is twofold: First, to revive economic life and stimulate production in order to reduce to a minimum the needs of the area for United States and Allied assistance and to develop the area as a source of supply for further operations, and second, to use available goods and services as efficiently as possible for the satisfaction of military and civilian needs. Corollaries of this basic policy include the following:

An equitable distribution of necessities, such as food, fuel, medicine, and clothing, should be instituted as quickly as possible. To this end it will be necessary to reestablish to some degree at least, public utilities, transportation, communications, and trade. It will often be necessary to enforce controls, which may or may not be the same as those in effect before occupation, over various aspects of economic life, including prices; over marketing by rationing, by measures to bring hoarded goods out of hiding, and by suppression of black markets; over imports and exports; over money and banking.

Here under the Army-Navy plan your attention is again directed to food, fuel, medicine, clothing, necessities, and their production and transportation, as well as adequate control over other related factors.

The military government has authority to take steps to put into immediate effect plans for the rehabilitation of production; the development of agriculture; the protection of health; the respect for religious customs and organizations; establishment of freedom of speech and press; the abolition of discriminatory laws relating to race, color, creed, or political opinions. The military government cannot show any partiality toward any group of persons or any particular race. It is obliged to treat all of the people on the same basis.

There is no limit to the time of occupation and administration of the military government. It may remain in operation as long as conditions require. It is responsible, not to an international body of carefully selected persons such as is U. N. R. R. A.; it is responsible to General Marshall and Admiral King. They are highly competent officers of the United States—competent, indeed, to delegate to highly trained American officers of military government the administration and supervision of relief in occupied areas.

It is clearly evident from this comparison that there is a complete duplication by U. N. R. R. A. of plans and activities of the United States Army and Navy already in operation. The Army and Navy have worked out a definite and concrete plan for the care of relief and all of the related problems. This plan constitutes a carefully integrated part of military operations. Why is there any need for placing this "superduper" international group in authority over them and interfering with their plans and activities?

The establishment of U. N. R. R. A. authority over relief will interfere tragically with the operation of relief machinery already set up by the Army and the Navy. A divided command is no command. A divided authority is no authority. A divided administration is inefficient, resulting in no administration. Certainly no Member of this House would intentionally vote for legislation at this time that would not only be embarrassing to our military commands, but would cause them to greatly change plans, long developed and in operation. In view of these facts I submit to you that the U. N. R. R. A. legislation is most untimely now.

To make certain the reality of relief I offer two alternatives:

First. The acceptance of this amendment by this House and thereby stand by the Army and Navy, by authorizing the appropriation of the necessary funds to adequately finance relief and related problems through the United States military government.

That there is hereby authorized to be appropriated from time to time such sums as Congress may determine to be necessary, to the Army and Navy, for use of military governments established in occupied countries for the adequate conduct of relief and rehabilitation and related necessary activities. A complete record shall be maintained by each military government of all expenditures and submitted to Congress in semi-annual reports of the Army and Navy, whichever the case may be.

Second. If the membership fails to support this amendment, the House is obligated, not only to the Army and Navy but to the American people, to recommit this resolution to the Committee on Foreign Affairs for further consideration. This action would provide the time for the officers in command of the Army and Navy, or such officers they might designate, to appear and express their views to the committee regarding the administration of relief and regarding this resolution. This Congress cannot afford to gamble the destiny of this Nation by any action which interferes with the military plans of officers and men shouldering the weighty responsibility of winning this war. Their views must be known for the benefit of this Congress regarding this legislation and for the benefit of the American people.

The CHAIRMAN. The time of the gentlewoman from Massachusetts has expired.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I ask unanimous consent to proceed for 10 additional minutes.

Mr. LUTHER A. JOHNSON. Reserving the right to object, Mr. Chairman, we have a number of other amendments to consider and we have spent quite a bit of time on amendments heretofore. I hope the gentlewoman will not insist upon asking for additional time.

Mr. FORD. I object, Mr. Chairman.

Mr. LUTHER A. JOHNSON. Mr. Chairman, may I inquire if further debate is desired on this amendment? If we could, I should like to dispose of this amendment. Does anyone else want to speak on this amendment?

The CHAIRMAN. No one is on his feet seeking recognition.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think the amendment would have been subject to a point of order, but we did not see proper to make it because we wanted the matter presented to the Committee.

The purpose of the joint resolution is to enable the United States to participate in the work of the United Nations Relief and Rehabilitation organization. The amendment offered by the distinguished gentlewoman from Massachusetts [Mrs. ROGERS] eliminates any participation whatever in this organization and simply authorizes an appropriation to be made to the War and Navy Departments to administer relief in these stricken areas.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. It does not seem to me that the matter is not germane.

Mr. LUTHER A. JOHNSON. I did not make the point of order, I am merely calling attention to it.

Mrs. ROGERS of Massachusetts. We certainly can appropriate our own money to be spent in any way we wish.

Mr. LUTHER A. JOHNSON. This resolution was brought up for one purpose and that only, to authorize participation in this organization, whereas the amendment takes us away from that entirely and simply authorizes an appropriation for the War and Navy Departments.

Mrs. ROGERS of Massachusetts. My understanding is that it is primarily for relief.

Mr. LUTHER A. JOHNSON. I am not going to argue that.

Mrs. ROGERS of Massachusetts. I feel that my amendment would bring the relief to the people. The Army and Navy today are operating in the war zones very satisfactorily. They are absolutely fair in their administration of it.

Mr. LUTHER A. JOHNSON. I understand the position of the distinguished gentlewoman. This is the situation. The War and Navy Departments cannot carry on this relief when hostilities cease and when these countries are evacuated. They are doing it now while it is being carried on in a military way, but they do not want and they state that they would not want to do this work. It has to be done immediately after the military authorities evacuate this territory. U. N. R. R. A. will not operate in any of those countries until the military authorities invite them to come in and say, "We are ready to turn it over now." It would be entirely impractical, Mr. Chairman, to do it as suggested in the amendment and I trust that the amendment will be defeated.

Mr. FOLGER. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from North Carolina.

Mr. FOLGER. Is it not provided in this joint resolution that immediately upon taking office they shall in conjunction with the military and other appropriate authorities take the necessary action?

Mr. LUTHER A. JOHNSON. That is true. They will cooperate with the military authorities and they will not come in until the military authorities invite them in.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Massachusetts.

The amendment was rejected.

Mr. VORYS of Ohio. Mr. Chairman, I offer an amendment. This amendment is in two parts. Although the second part of it is an amendment to the second section of the bill, I ask unanimous consent that both parts may be read at this time.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. VORYS of Ohio:

On page 1, line 4, strike out the word "President" and insert "Department of State."

On page 14, line 25, insert, after the word "expended", the words "by the Department of State."

On page 15, line 1, strike out the word "President" and insert "Department of State."

Mr. VORYS of Ohio. Mr. Chairman, this amendment would provide for handling the appropriations for U. N. R. R. A. through the State Department. I believe I have demonstrated that I am a friend of U. N. R. R. A. I want it to succeed. I want the contributions of the United States controlled by some statutory agency. The United States member of the U. N. R. R. A. council is an Assistant Secretary of State. I want him responsible to Congress as to whether U. N. R. R. A. is living up to its obligations and I want him responsible for carrying out any obligations to U. N. R. R. A. which the Congress undertakes.

In the State Department appropriation for this current year are the appropriations for 26 different international bodies to which we already belong, including the Pan American Union, International Trade-Mark Bureau, International Labor Office, and various international commissions. It is the job of the State Department to see whether these bodies are performing their obligations under the various agreements and then to see that we perform ours.

The State Department should have this job for us under the U. N. R. R. A. agreement.

The big objections to this come from the State Department. Mr. Hull does not want the assignment because he does not want a big, new, administrative job. There are three good answers to these objections. First, this job is unprecedented in our Government, as well as the State Department. Someone will have to learn how to do it wisely. Second, if it is done wisely, it will not be a big administrative job. Every agency needed to screen and procure and coordinate the supplies we furnish is already in existence and need not be duplicated. My third answer to Mr. Hull's objection is this: I am delighted to find in Washington an official who is not seeking to increase the size and the power of his department. That is a reason why I want the Department of State to have this job, and I feel confident that Secretary Hull will not refuse to perform any duties assigned him by law.

In the organization of the Department of State, announced a week ago, he has an Office of Economic Affairs.

We want U. N. R. R. A. handled by an old-line statutory agency that will continue in existence in the post-war period, not by a 4-months' old war baby which may be seeking a new line of activity to perpetuate itself into the peace period. F. E. A. is the successor of O. E. W., which was the successor of B. E. W., which caused the big fight between Vice President WALLACE and Secretary Jones. F. E. A. also has lend-lease and O. F. R. A. and a few other odds and ends and a staff of over 4,000. It is intended as a war agency. There has certainly been war in it, as well as outside it. If you study the report and the hearings, you will find that F. E. A. is not intended to have a thing to do with U. N. R. R. A., except to coordinate and correlate and expedite and generally "kibitz" and throw red tape around. U. N. R. R. A. goes to the combined boards for supplies. The United States representatives on these boards must give their consent. The procurement of the supplies is through War Food Administration, for food, War Production Board and Treasury Procurement. U. N. R. R. A.'s head offices will be in Washington. The Director General is an American. The administrative staff is largely taken over from O. F. R. A. They know their way around Washington. They do not need chaperones. If our existing American agencies decide that it is in the interest of America to let them have some supplies, they do not need another new agency playing a little international politics with our supplies. All necessary double-checking can be done by the State Department, which is already in this picture and which is by Executive order responsible for the policies of F. E. A. If some of the F. E. A. staff are needed in the State Department for this new job, they can be transferred by Executive order.

The President will, of course, have the controlling, Executive power, and responsibility for our share in U. N. R. R. A. When Congress selects a statutory department to perform an additional func-

tion of government, instead of voting a blank check to the President, this is no slight to the President. It is merely the regular way in which Congress should perform in making laws. There is enough responsibility to go around for both the Executive and the Congress in making U. N. R. R. A. work. Both the President and the Congress can unite in selecting the President's Department of State to discharge the grave responsibilities placed upon it by the Executive and the Congress.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. Yes.

Mr. WRIGHT. The gentleman is showing his appreciation of the forbearance of the State Department by making them do this job, whether they want it or not.

Mr. VORYS of Ohio. That is correct. I am glad to find some bureaucrats who say they do not want a job. They are the ones I am looking for, and when the State Department has 26 different appropriations for international bodies to administer, I want them to do this job, even though they are modest in not claiming to be seeking it.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I rise in opposition to the amendment. I believe that relief should be administered by the military authorities. They are doing a fine piece of work in various countries and territories today. They are respected, they are liked, and they are wanted. No person from the war zones testified before us, no one from the Army or the Navy, yet I was wondering how the House would feel if General Eisenhower were here to testify and stated he did not want U. N. R. R. A. to interfere with military relief and rehabilitation. Can you not see how difficult it would be, if his men of the Army were administering relief, and U. N. R. R. A. came into the area and administered another form of relief? U. N. R. R. A. holding the purse strings would have financial control and would create a dislike of the Army that was trying to maintain fair and orderly procedure. It has been said on the floor that the Army does not want to undertake further relief and rehabilitation. I suggest we should find out the plans and activities of the military government of the Army and Navy before passing this resolution.

U. N. R. R. A. is a direct duplication of what the Army is doing today under its military and civil governments in occupied countries. U. N. R. R. A. clearly ignores the function of relief activities in connection with other military operations and responsibility.

U. N. R. R. A. duplicates and interferes with the plans f relief and rehabilitation of the United States Army and Navy. Such interference can prove to be a very dangerous procedure. The military plans are already in operation. A careful reading of the United States Army and Navy Manual of Military Government and Civil Affairs discloses this duplication and interference.

The Army and Navy provided their officers with highly competent special training in the laws and procedure of military government and civil affairs. These officers are extremely well trained for their assigned duties. Military government may remain in occupied areas for several years. I wish to remind the House that this war has not yet been won.

Mr. WOODRUFF of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, when we are paying our taxes this year, every one of our tax dollars is used for the purpose of giving away, to present and prospective friends abroad, American goods and services, including 9 percent of all the food produced in this vast country of ours. Practically all other Government expenditures for the prosecution of the war and for our elaborate administration at home is paid from borrowings which have brought our national debt to staggering heights. I will give you some figures compiled by the Library of Congress which will give you an idea of where we are going. The per capita public debt—and this includes the debt of the Federal Government only—the obligation resting on every one of us—man, woman, and child—a few months ago stood at $935, whereas the average Britisher carries only a load of $164. Our total debt, when these figures were compiled, stood at $143,000,000,000. Since then it has risen by twenty more billions. But compare this figure of $143,000,000,000 with the total debt of all our allies, which aggregates only $126,000,000,000. In other words, we in this country carry a much heavier burden than all our allies together, including Great Britain and Russia. It is not less revealing that the total debt of the Axis Powers was only $92,000,000,000—two-thirds only of what has been piled up on this patient, far too patient, generous, far too generous, Nation of ours.

Now, I, for one, and I am sure that every one of the Members of the House agrees with me, do not want our foreign economic policy conducted in such a way that this country be bled white; be bankrupted; be left in such an economic position at the end of this war, that it will be unable to recover; unable to compete on the world's markets with other nations, which we have helped to maintain, at our expense, a more favorable economic position than our own. I deeply regret that those responsible for our economic foreign policies have conducted the affairs of this country in such a way that when it happens to be revealed under what conditions our gifts are presented, and in which way they are used, such information arouses deep and just resentment on the part of our people.

I want to tell you about some of the schemes which are now under development in Washington to further expand our economic activities abroad. On September 25 the President created an Office of Foreign Economic Administration, headed by Mr. Leo Crowley. This new Office is created to centralize the activities formerly carried on by the Offices of Lend-Lease Administration under Harry Hopkins and latterly Edward H. Stettinius, foreign relief and rehabilitation operations under Herbert Lehman, and Economic Warfare under Vice President HENRY WALLACE. At the same time, Governor Lehman was appointed a special assistant to the President in transition to the job as director of the proposed United Nations Relief and Rehabilitation Administration. At the same time, also, a number of gentlemen were appointed as heads of interdepartmental committees in the Office of Foreign Economic Coordination of the Department of State. The object of these committees is to provide assistance in the economic rehabilitation of the East Indies, of Malaya, of Belgium, of Luxemburg, of the Netherlands, of Scandinavia, and so forth. To complete this over-all picture of foreign economic engagements, all the United Nations met on November 9 and signed the agreement for a United Nations Relief and Rehabilitation Administration, incorporated in the bill before us. Unless we Members of this House watch carefully and register our opposition, this will develop into a "United States World W. P. A. Unlimited" with us footing all the bills.

Many of us view with anxiety the tremendous problems this country is going to face when the war ends; when the 10,000,000 or more soldiers return; when the war plants close their doors, most of them forever, some of them to be reconverted to the production of civilian goods. We fear that we shall face problems which will require the utmost in sacrifice on the part of every one of us to prevent a complete economic collapse. We all feel keenly that the men and women who left their homes, their jobs, their studies and education to spend years of their youth fighting in all parts of the globe and on the seven seas are entitled to all the help and assistance we can possibly give them. Even so, we shall never be able to compensate them for their sacrifices.

This Nation has always been generous. We have always been happy to give a helping hand to people in distress without regard to nationality, race, or creed. However, at the end of a long war, that for years has taxed the resources of every participant to the breaking point, there will be little difference between the victor and the vanquished as far as wealth is concerned. Every belligerent nation, victor and vanquished alike, will face a superhuman task of rebuilding what has been so thoroughly devastated. I wish I could see how we may live up to our responsibilities right here at home, and I am sure I cannot see how we shall be able to help all the other peoples put their countries in order, any more than I can see how they can help us, except that we may all exchange our goods and services under fair conditions, and thereby mutually benefit one another. But to do that we need no international political administration, but enterprising and alert businessmen in the foreign field. When one studies the agreement, one cannot help wondering whether this proposed relief administration will not be operating under a false flag. There is, a provision in this bill that no private relief organization shall be permitted to operate in any area where our international administration is active. In other words, such activities as are now undertaken by the Swedes to feed Norwegian

children; to receive starved Finnish children in their homes; to maintain asylums for war orphans in France and Belgium, may no longer be permitted. I fail to see the moral right of any individual, any organization, any government, to prevent individuals anywhere from exercising their right and obligation to feed the hungry and to aid the destitute. If this project, which our Government is proposing, was truly philanthropic, every prospective recipient of help would, of course, be thankful and more than willing to cooperate. As a matter of fact, the attitude of the governments of the countries which certainly need relief, such as the small European states under German occupation, is far from enthusiastic. It is frankly reported that "some of them are to send delegates rather more in a spirit of acquiescence than enthusiasm," that "the Atlantic City talks to follow the signing of the agreement will be fated to go down in history as a painful memory among the small nations." I have quoted from a London cable to the New York Times of October 9.

In days so serious as those we are living through, at times when only a small minority of the afflicted humanity can get even their daily bread, in a period of history when the great commandment of love your neighbor is more forceful than ever, I should hate to see the Government of this country confuse philanthropy with politics. As I see it, as many Americans see it, and as many foreigners see it, this proposed relief administration is nothing but an attempt to establish a new international administration on the pattern of the late League of Nations with new and appropriate provisions for establishing the four big powers as an economic supergovernment of the world under American direction. When such an organization is established in a limited field of apparently benevolent activities, it will be so easy to expand its scope to deal with more and more problems of the post-war world. I warn you now to be on your guard. Many interests are striving for power at our expense, and at the expense of an afflicted humanity. It is time that we return to the simple duties and to the simple virtues. It is time to keep a watchful eye on those who, professing charity, promote selfish interests; it is time that we reject those who try to substitute power politics for true democracy. It is time that we revive the virtue of charity, realizing that charity begins at home.

Mr. BLOOM. In answer to the point raised by the gentleman from Michigan [Mr. WOODRUFF] if the gentleman will refer to the selected documents of the first session of the U. N. R. R. A. Council at Atlantic City, I would like to read what it says with reference to the resolution relating to welfare services and voluntary relief agencies. I would like to say at this time that the gentleman referred to Sweden. Of course, Sweden does not come into this operation. It would not come in at any time, because it is not an occupied territory. The U. N. R. R. A. only calls for countries that have been occupied, such as Italy and France. Further answering the gentleman I would like to read from the selected documents as follows:

Resolved, The welfare service administered by or in cooperation with the Administration shall be provided without discrimination because of race, creed, or political belief.

Now, this is the part I would like to have the gentleman understand:

(2) That it shall be the policy of the Administration to enlist cooperation and seek participation of appropriate foreign volunteer relief agencies to the extent that they can be effectively utilized in relief activities for which they have special competence and resources, subject to the consent and regulations of the Director General in accordance with article 4.

I do not know whether that answers the gentleman in full or not, but I have been reading from the selected documents of the Atlantic City Conference.

Mr. ROWE. Will the gentleman yield?

Mr. BLOOM. I yield.

Mr. ROWE. Is there any power in the proposed organization to exclude anyone who may interest himself in private charity?

Mr. BLOOM. No.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. BLOOM. I yield.

Mr. AUGUST H. ANDRESEN. A good many people in this country have contributed funds for various countries now occupied and those funds are here in the United States because of inability to spend the money or to send things to those people. Now, is it my understanding that each individual organization which has raised this money will not be permitted to spend it unless they spend it through U. N. R. R. A.?

Mr. BLOOM. I do not know, but I would like to answer that question in this way. U. N. R. R. A. is specifically set up so as not to allow one country or one people to control supplies going into any country. In other words, it is not just the country that has money that can get the supplies. Greece may not have anything, but she will get the same consideration that France or Holland or any other country gets which has the money. That is the principle and that is the objective of U. N. R. R. A.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield further?

Mr. BLOOM. I yield.

Mr. AUGUST H. ANDRESEN. Then I understand that the people that have money are not getting anything from U. N. R. R. A.?

Mr. BLOOM. Oh, no, no; your understanding is wrong.

Mr. AUGUST H. ANDRESEN. I would like to have it cleared up.

Mr. BLOOM. The people that have the foreign exchange or the money, such as Holland or England or France, will have to pay for what they get up to the value of their dollar exchange until their resources have been exhausted. But the country that has no foreign exchange or any gold or anything to pay for it, will come in on the same proportionate share as the other countries will come in. Do I explain that?

Mr. AUGUST H. ANDRESEN. The purpose of the fund is to put up the money to see that they can be on an equality basis with other countries that do have the money?

Mr. BLOOM. Yes.

Mr. MASON. Will the gentleman yield?

Mr. BLOOM. I yield.

Mr. MASON. How do you explain this statement on page 10 of the bill?

Foreign voluntary relief agencies may not engage in activity in any area receiving relief from the Administration without the consent of and unless subject to the regulation of the Director General.

Mr. BLOOM. It is just to keep it under the control of the Director General and prevent waste and duplication. As I said, there must be some control. There is no question about it. That is all it is there for.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, the pending amendment is the one offered by the gentleman from Ohio [Mr. VORYS] which changes the language of the resolution where the authorization is made for the appropriation to be made to the President of the United States and substitutes in lieu of "President" the words "Department of State." In other words, it leaves to the Department of State rather than to the President of the United States, the Executive head, the appropriations to be made and expended in this country.

Our committee gave very serious consideration to this proposal contained in the gentleman's amendment, but did not accept it. There are several reasons why the amendment should not be adopted, and I earnestly hope that it may be defeated. No one has a higher regard for the Department of State and its great Secretary, Cordell Hull, and Dean Acheson, Assistant Secretary of State, who is in charge of the Economic Division of the Department of State, than I; it is not because of feeling of unfriendliness for them or lack of admiration of the Department of State that I cannot support the amendment offered by the gentleman from Ohio [Mr. VORYS], but because I feel it would be a mistake to take it from the Executive head of the Nation and delegate it to a subagency, especially in view of the fact that the Department of State does not want this power. The Department of State does not want the job. Secretary Hull advised our committee, and I think wisely so, that the Department of State is not an administrative agency and that he did not want it lodged there. The Department of State is a policy-making agency of the Government. It has no set-up within it to administer a fund of this kind. It has no organization of that kind. The administration is a business task. It would be an innovation to turn it over to the Department of State for administration. Secretary Hull does not want it. Dean Acheson, his assistant, does not want it. Reasons were given which I think should be convincing, why

it would be unwise to vest this power in that Department.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. LUTHER A JOHNSON. I yield.

Mr. VORYS of Ohio. Does not the gentleman feel it would be within the spirit of recent events to draft a prominent Democrat, like Secretary Hull, for the job? Is not this the time when we draft unwilling people to serve?

Mr. LUTHER A. JOHNSON. Yes. I would not be opposed to drafting anyone, especially the Secretary of State, Cordell Hull, for whom I have the highest admiration, but I believe when you draft anybody you ought to find out whether or not he qualifies for the job. Secretary Hull has a pretty big job and it is growing bigger all the time. His Department has a great responsibility in dealing with problems growing out of this war with reference to our relation to other countries. I think it would be not only unfair to him, but unfair to us to put this added burden on that Department.

Mr. FORD. Will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. FORD. Would we not be creating an entirely new bureau, which my friend is opposed to?

Mr. LUTHER A. JOHNSON. Well, I do not want to get into a debate about bureaucracy, because it is a question that always brings a lot of talk. I want to get the minds of Members down to the practical side of this question. It is a question of what is the best and wisest way to administer this fund.

The Department of State is simply one of the executive branches of the Government, and as was explained by other Members who have explained the operation of this bill, I think the distinguished gentleman from New York [Mr. TABER] explained that the various agencies will go through them and it will clear through the Committee on Appropriations. The President of the United States is at the head of all those agencies, whereas the Secretary of State is only the head of those matters that pertain to our policy with reference to other countries. So it would not be practical.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. LUTHER A. JOHNSON. May I have 2 additional minutes?

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. LUTHER A. JOHNSON. I say then because the Department of State does not have the machinery with which to do it, because it would not be the logical way to handle it through that Department, rather than the President who has command of all these various agencies, and if the President can find some agency which is better equipped he will delegate this power to that agency, another power to another agency, and another power to still another agency, and we should have at the head of all those agencies the head of the Government, the President of the United States. I do not like to oppose the gentleman from Ohio [Mr. VORYS], because he has shown a fine spirit of cooperation on this important measure. I think this is about the only time he has gone wrong on this bill, so far as I know. I think the gentleman's amendment, when you consider it in the light of its administration, would be a mistake. I, therefore, sincerely hope the House will reject the amendment.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, one of the curses of our present situation is that we have too many agencies meddling into this picture. We have the B. E. W., which blew up. Now its functions have finally been transferred to F. E. A. We do not want to create an additional agency as we go to this operation. The organization of U. N. R. R. A. has already been set up. If this bill is passed, just as it is, the President will set up a new agency to handle this picture. On the other hand, if we do it in the simple, ordinary, and orderly way, he will delegate this function of handling the contribution of the money to U. N. R. R. A. to the State Department, and let the State Department handle the foreign affairs, just as it is supposed to. I am not in favor of subterfuges, and creating additional agencies where it is not necessary. I hope the House will get together and adopt this amendment and clear up this situation and put an end to the confusion.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. LUTHER A. JOHNSON. The gentlemen speaks with a great deal of assurance that the President is going to set up a new agency to administer this. I have had no such information.

Mr. TABER. Only from the set-up and the looks of things. That is the way it looks. I have no authority to speak for the President, but going by past performances and all that sort of thing, I want to avoid confusion, and I want to keep the foreign affairs in the State Department where they belong.

The CHAIRMAN. The time of the gentleman from New York has expired.

The question is on the amendment offered by the gentleman from Ohio [Mr. VORYS].

The question was taken; and on a division (demanded by Mr. BLOOM) there were ayes 102 and noes 87.

Mr. BLOOM. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The Committee again divided; and the tellers reported that there were—ayes 116, noes 102.

So the amendment was agreed to.

Mr. O'CONNOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR: On page 1, line 5, after the words "not to exceed", strike out "$1,350,000,000" and insert "$675,000,000."

Mr. BLOOM. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLOOM. Mr. Chairman, I call attention to the fact that the committee amendment has already been approved.

The CHAIRMAN. Does the gentleman from Montana desire to be heard on the point of order?

Mr. O'CONNOR. Mr. Chairman, my amendment changes the amount.

The CHAIRMAN. Does the gentleman desire to be heard further on the point of order? If not, the Chair is prepared to rule.

The amount is fixed in the bill. The gentleman's amendment comes too late. The point of order therefore is sustained.

Mr. O'CONNOR. Mr. Chairman, I ask unanimous consent to return to that part of the bill.

The CHAIRMAN. The gentleman from Montana asks unanimous consent to return to that section of the bill for the purpose of offering an amendment. Is there objection?

Mr. BLOOM. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. O'CONNOR. Mr. Chairman, I ask to be heard on the point of order.

The CHAIRMAN. The point of order has been decided. The gentleman from Montana was given an opportunity to be heard but did not avail himself of it.

Mr. SMITH of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Ohio: Strike out all after the resolving clause and insert in lieu thereof the following: "There is hereby authorized to be appropriated the sum of $250,000,000 to be expended under the direction of the President for the furnishing of food, clothing, medicine, and other absolute essentials of life, to relieve starvation and suffering among individuals in those countries which have been overrun by, or have directly suffered from hostile action of, the enemies of the United Nations in the present war."

Amend the title so as to read: "Joint resolution to authorize the appropriation of $250,000,000 for use in relieving starvation and suffering in countries which have been overrun by, or have directly suffered from hostile action of, the enemies of the United Nations in the present war."

Mr. LUTHER A. JOHNSON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I make the point of order that the amendment is not germane to the pending resolution. The pending resolution is to enable the United States to participate in the work of the United Nations Relief and Rehabilitation organization. The gentleman's amendment simply authorizes an appropriation to be made to the President for a certain character of relief and not within the purview of the pending resolution as stated in its preamble.

The CHAIRMAN. The Chair is prepared to rule.

The amendment offered by the gentleman from Ohio appropriates money for purposes of relief. The Chair feels that it is in line with the general purposes of the bill and overrules the point of order.

The gentleman from Ohio is recognized for 5 minutes in support of his amendment.

Mr. SMITH of Ohio. Mr. Chairman, the amendment I am offering would substitute for the pending resolution a simple, straightforward appropriation measure. It would provide for an appropriation of $250,000,000 to be used by the President to purchase food, clothing, medicines, and the other necessaries of life for the starving peoples of the war-stricken areas. It would not authorize the use of funds for any rehabilitation purposes, as is provided for in the resolution.

Mr. Chairman, members of the Foreign Affairs Committee have in the debate on this resolution made rather strong claims that their committee has given long and deep study to this proposal. We are asked to believe that they have gone into all phases of it with great thoroughness. It seems to me, however, that at least one important consideration has been left out of their deliberations entirely; namely, the wherewithal with which to pay for their scheme.

Where is the money to come from to pay the cost of this gigantic undertaking? This question has not been considered either in your committee deliberations or by any of the members of your committee who have spoken in the House on the proposal. Yet, this is a vital question. Indeed, I think it is the most vital one.

I know it is difficult, if not impossible, to get many Members interested to any great extent in this phase of the subject. The attitude of mind of so many of us seems to be to even avoid having this question brought up. The Congress has become so habituated to spending without regard either as to the amount or the eventual means of payment that it seems we have become utterly blind to the ultimate consequences that must result from this state of mind.

The one and only source from which the means can come to pay for this undertaking is the Government printing press. There just is no other source from which to obtain it. Taxation and the sale of bonds to private investors together are wholly inadequate to meet Government costs. The acquisition of Government securities by the banking system is wholly a process of creating credit dollars by fiat. It is true inflation, since it involves the creation of additional fiat currency.

Sooner or later the effects of this spending policy must manifest themselves. All experience without exception teaches us to expect those effects to be greatly injurious to our economy. The volume of fiat credit dollars is already large. In June of last year total deposits in all the banks was roundly $96,500,000,000. More than $57,000,000,000, or about 60 percent, of that amount consisted of Government printed or fiat dollars. This involves only Government securities acquired by the banking system and does not involve an additional amount of bank credit which comes within the classification of fiat credit.

Indeed, the course we are pursuing is in substance identical with that which was followed by Germany and which led her into financial disaster. It is the same road that was taken by France under the misguidance of John Law in 1719 which brought great disaster and hardship upon that nation. We are going the way of France in the nineties of the eighteenth century which plunged her into utter ruin and from which she probably never fully recovered.

If I did not believe that there is yet time to in great measure save our country from the evil effects of the course we are pursuing, I should not now be making this plea. I do believe we could still do much to avert trouble if we would but firmly set ourselves to the task of stopping all spending that is not absolutely necessary to the winning of the war to maintain the true functions of Government, and to confine what aid we can give to the war-stricken peoples to the essentials of life.

Under the circumstances our aim should be to avoid undertaking any relief program which has even the possibilities in it of launching our Nation upon a world-wide W. P. A., as this proposal certainly has. We will have to help the starving peoples of the war-stricken countries as much as we possibly can, but let us confine our aid to the essentials of life, food, clothing, medicines, and so forth, as we did in the other war. That program operated successfully. It did not involve the creation of an international bureaucracy. It did not have in it the dangers of overexpansion and wasteful spending which the United Nations Relief and Rehabilitation proposal has. We should aim at giving the most needed help. We should avoid altogether creating the gigantic international political machinery which this proposal would embrace.

Mr. JENKINS. Will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from Ohio.

Mr. JENKINS. Is it not true that those who are opposed to this proposition in principle but are willing to grant some relief, under the parliamentary situation the only chance they will have to vote that way is to vote for the gentleman's amendment?

Mr. SMITH of Ohio. The gentleman is absolutely correct.

Mr. Chairman, a few days ago when the gentleman from New York told us how this committee considered every phase of this proposed piece of legislation I heard him say that India had gold enough to pay for her relief supplies. Can the gentleman tell us something about the status of gold with respect to India?

Mr. BLOOM. Yes; I can.

Mr. SMITH of Ohio. Please do so.

Mr. BLOOM. I would like to say I am very glad the gentleman asked that question.

At the beginning of the war, in September 1939, the Reserve Bank of India, which is the central bank of India, reported that it held in gold about $133,000,000 and in sterling balances—in dollar equivalent—a little less than $2,000,000.

In the latest statement available, that of December 3, 1943, they report that their gold reserve is unchanged but that the Reserve Bank of India owned more than $2,000,000,000—in dollar equivalent—of sterling balances.

These foreign-exchange assets represent only the holdings of the Government of India and they do not include private holdings of gold, sterling balances, or other foreign-exchange assets. India evidently does not hold any significant amounts of dollars at the present time.

This information was taken from the weekly statement of the Reserve Bank of India for the dates mentioned.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Ohio. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio [Mr. SMITH]?

There was no objection.

Mr. SMITH of Ohio. Mr. Chairman, answering the gentleman from New York [Mr. BLOOM], chairman of the House Foreign Affairs Committee, I should like to say that if he will read the Indian laws relating to gold-reserve requirements as security for demand liabilities in the form of circulating notes, the nature of the sterling assets she owns, and so forth, he will see that India has no free gold for export.

The latest figure I have on the gold holdings of India is that furnished me by the Federal Reserve, which is $274,000,000 as of August 1943. India requires a 40-percent gold, or gold and gold-exchange reserve, as cover for her circulating notes. By "gold exchange" is meant exchange which is payable on demand in gold. It is true India owns $2,000,000,000, or more, of English sterling. But English sterling is not convertible into gold on demand, in the sense the term "gold exchange" is supposed to be taken, and in which it is used in the Indian law.

Indeed, one of the very purposes of the proposed international stabilization fund is to bolster the value of English sterling, and with United States gold. If you will look into the matter you will discover that India's gold holding is short by more than $600,000,000 for her note cover. Hence she does not have a dime in gold to export for any relief or other supplies.

I have heard statements by members of the Foreign Affairs Committee about certain other countries having gold assets to pay for relief supplies. First, those countries who have gold or other means to pay for their needs cannot truly be considered as coming under this proposed program. It was my understanding that the United Nations Relief and Rehabilitation program was to provide charity only.

Some of the western countries of Europe were mentioned as having gold to pay for relief. If you will take the trouble to examine the situation in those countries you will find that in nearly all of them the same condition will be found as we mentioned in the case of India. In those countries you will find their gold holdings nearly all pledged as cover for demand liabilities.

No, the Committee on Foreign Affairs did not even make a pretense of finding

out how the program would be financed. All it considered was the spending part. I urge upon you to support my amendment so that we may avoid the danger of setting up a global W. P. A. which inheres in this resolution. By supplying only the necessaries of life, as we did in the other war, we can avoid that danger and hold the cost to a minimum.

Mr. WHITE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am very much interested in the discussion that has just taken place with reference to the monetary situation in India. I should like to tell the gentleman from New York that the most shameful manipulation of money is going on in India and in the Orient today. I should like to tell the gentleman from New York that the British Government for India has just debased the Indian rupee and cut its silver content in half—by minting rupees of 50 percent silver and 50 percent alloy, and made the 92.5 grains of pure silver no longer legal tender, thereby cutting down the purchasing power of Indian money, when they came to deal with this country, in half.

I should like to tell the gentleman from New York that, if he will read the bulletin that came to his desk the other day from the National City Bank of his own city, he will find that gold today is worth $63 an ounce in India. I should like to tell him that gold is worth in Cairo more than $60 an ounce. I should like to tell him that down in Buenos Aires gold is worth about $44 an ounce.

We are printing money by the bale here and sending it by airplane to China, where they have the most horrid inflation today.

Talk about relief. May I suggest that the learned gentleman from Ohio [Mr. SMITH] get the facts on this money question and the relief situation.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. WHITE. I yield to the gentleman from Michigan.

Mr. CRAWFORD. If gold is selling for $68 to $70 per ounce in Cairo and Bombay, what does that mean in the way of discount of American currency?

Mr. WHITE. It means that American currency is being discounted.

Mr. CRAWFORD. About 50 percent.

Mr. WHITE. We have a stabilization fund of $2,000,000,000, but it does not operate to stabilize the currency in face of this inflation.

Mr. CRAWFORD. That is right.

Mr. WHITE. A man in India may have gold at $64 an ounce when it is $35 an ounce here, but what can he buy with it? Why are the people in India starving by the hundreds of thousands when their money has such purchasing power? The most shameful manipulation of money is going on in the Orient and India today that the world has ever seen.

Mr. KEEFE. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I have tried to listen with some care to the debate on this resolution. As one Member of Congress, I think I reflect the attitude of the majority when I say that we want to do the right thing in this matter. I for one want to be sure that when I cast my vote I am doing it in line with good conscience and my responsibility in view of the present-day situation, but I confess that I am somewhat troubled about this situation. The distinguished gentleman from Ohio has given this Congress something to think about.

We used to have a Member of the House who would stand here and ask, "Where are you going to get the money?" and do it every day, and people laughed at him. Now we have reached a point where there does not seem to be any thought given to the question of how we are going to keep on financing this ever-increasing and ever-continuing deficit that faces our Nation.

Let us see where we stand. According to the most recent Treasury estimate, the national debt will be $197,000,000,000 by the end of this present fiscal year, and according to the Budget estimate just submitted by the President it will be $257,000,000,000 by the end of the next fiscal year, and no end is in sight at all. Plan after plan after plan after plan is visualized to spend billions and billions and billions more. You tell me where we are going and where the people of this country are ultimately going to get the money to finance all these programs.

God knows we want to be in the show. God knows the people of America want to be a part of this cooperative effort. God knows we want to do something for the distressed and starving people of these occupied areas. But have these great benefactors of mankind forgotten that we have people here at home, the aged people of this country who are starving, and the white-collar classes, who are suffering today in this country?

Do you realize that every trust fund of this Government has its funds now invested in United States Government bonds, that the funds of the old age and survivors insurance, the funds of unemployment compensation, the funds of the National Service Insurance Act, the United States Civil Service employees retirement funds, the railroad retirement funds, the Canal Zone retirement funds, and the funds of every other trust fund are loaded up to the hilt and to the limit with United States Government bonds?

Do you realize that today, with the deposits of this Nation $107,000,000,000, according to the most recent figures of the Treasury Department, 53.8 percent of the deposit liabilities of all the banks are invested now in United States Government bonds?

Do you realize also that the Federal Reserve banks have over $7,202,000,000 invested in United States Government bonds, and that the people are going to continue to invest? But I am wondering whether, when the emotionalism of war is over, we are going to be able to continue on and on and on with these bond drives, to continue to sell bonds. I am wondering who is going to buy the bonds to be redeemed by the millions of people who will want to spend their money when this war is over.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. KEEFE. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KEEFE. Mr. Chairman, I am one of those who have confidence in our country. I am not selling my country short. I believe we can ultimately work ourselves out. I am not one of those who believe we are going to repudiate this bond issue, nor am I one of those who believe we are going to pay it off with worthless money. We are going to pay it off with confidence, work, production, and the restoration of the wealth that we have been compelled to expend in our war effort. But I am just wondering if we are going to continue on and on and on, and, if there is going to be no end to these programs for the expenditure of billions of dollars, just how we are going to continue to finance it. That is a question that is worrying me, and I know it is worrying the people of this country. They are beginning to wonder how we are going to be able in the post-war period to maintain our economy and to continue to pay the taxes that are necessary to maintain that economy in the post-war period. They are beginning to wonder how we can continue to plan and plan and plan these huge expenditures in the post-war period with apparently no thought being given to how we are going to raise the money that we propose to expend.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. Yes.

Mr. FORD. Suppose the war goes on for 5 years. We will have to keep appropriating, will we not?

Mr. KEEFE. Yes; and asking that question does not relieve my concern, I will say to the distinguished gentleman from California. He happens to be one of those gentlemen, from his general attitude as manifested on the floor, who apparently is not concerned. I am one of those who is concerned. I know that we have got to go on. I know that we will have to spend untold billions yet before this war is won, but I say to the gentleman that that fact that I say it will, and that I shall vote to spend to win this war, does not relieve me of the ultimate concern as to what is going to happen to the economy of this country, because of these expenditures, and I think it is high time when we are passing on an authorization measure, authorizing an appropriation of $1,350,000,000, that this Committee give some particular serious thought now as to whether or not we are not overstepping the bounds, or whether or not the distinguished gentleman from Ohio is not right in offering the simple resolution that he has offered to restrict the present amount to $250,000,000.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. Yes.

Mr. FORD. Well, the proposition is that this money is to be used to rehabilitate the overrun countries.

Mr. KEEFE. No; that is not the proposition at all, and if the gentleman states that it is to rehabilitate these countries, then he has not read the bill or heard the argument.

Mr. FORD. I have read the bill and that is exactly what it proposes to do.

Mr. KEEFE. Because in the very last paragraph it clearly states the contrary of what the gentleman has announced.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. Yes.

Mr. O'CONNOR. I am impressed with what the gentleman is saying about appropriating billions of dollars. I have an amendment which I tried to get in here to reduce the amount to just one-half, but due to a new method of strategy employed by the committee, we were denied the opportunity of voting upon the $1,350,000,000.

Mr. KEEFE. The gentleman has an opportunity to vote now when we vote on the amendment of the gentleman from Ohio.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. FORD. Mr. Chairman, I move to strike out the last word. I have very little to say any more than this, that the amendments that are being offered to this measure, almost any amendment that is offered and agreed to, excepting one or two for the operation of it, will vitiate it in its entirety. These amendments to me smell like stale Munich beer, and they also smell like stale rice and rotten fish from Tokyo, and that is exactly what I mean. Hitler and Hirohito must laugh when they hear these arguments. We are asked here for a sum of money to go into Europe, Asia, or wherever we have to go and rehabilitate those people who have been overrun by the Nazis, by the Japanese, by Hirohito and Hitler, and you are coming in here and trying to cut it down to a mere pittance, and I think it is unworthy of the House of Representatives to stand here and try to accomplish a thing of that kind. To me, and I am entitled to my opinion, it smells of isolationism under the guise of economy. Just as the Guam fortification was defeated on the same plea.

Mr. VOORHIS of California. Mr. Chairman, I move to strike out the last five words. I would like to pick up this discussion where it was left by the gentleman from Wisconsin [Mr. KEEFE] if I may. I feel it is true, as my colleague from California [Mr. FORD] in rather picturesque words has said, that we cannot view this problem of relief after a war of this kind from any small or partisan, narrow or selfish point of view. I do not know whether we have spent more money on the war than was necessary. War is an expensive proposition at best. It may be that some of the expenditure could have been saved. It does not seem to me, in view of the magnitude and terrible destruction of the war, that $1,350,000,000 is in any way out of line with what human need will be. If there is one thing above all that men in the armed forces expect of us it is that we prevent another war like this from visiting this world. If we are even to start on that task everything in our power must be done to prevent hunger or disease or pestilence after victory has at last been won. We are going to have to spend money for food and medical supplies and other things, for these poor people and I do not think that $1,350,000,000 is too much for the United States to contribute.

But this does not alter the concern expressed by the gentleman from Wisconsin a bit, except that I would say that this amount of money is on all fours with the war appropriations, and it is just as necessary as war appropriations if our objectives are the ones that we talk about. We do have to spend money to win this war and we may have to spend it to combat the utter destitution that may follow it in many parts of the world.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. Yes.

Mr. KEEFE. Will the gentleman explain what funds have been used to rehabilitate the people of north Africa in the liberated areas and what funds are being used and under what auspices are the funds disbursed, that are being expended now to take care of the people in liberated areas of Italy and Sicily?

Mr. VOORHIS of California. In north Africa, I understand, there are funds which in part have been repaid by the French. I am informed that they have made a good deal of repayment of the money we have expended. The money that is in circulation in Italy, if that is what the gentleman has reference to, is to furnish a needed circulation medium to facilitate the exchange of goods there, and, incidentally, it is working, and goods are being exchanged, and that is the exact purpose of money anyway, according to my view.

We have an unbalanced budget now, and we are piling up a huge debt, to which there must be an answer. I tried to answer that in a book which I sent to every Member of Congress. The fact is that even if you reduce the war expenditures as much as you can without depriving our Army and Navy of all they might possibly need to win this war, you still have to have much heavier taxes than now, if you are going to even come anywhere near to paying for this war currently. I am one who believes taxes should be levied in accordance with our Nation's needs. We have not done that and the new tax bill does not help. Mr. Speaker, one-third of that national debt that we have contracted in this country ought never to have been debt at all. That portion of the debt has been piled on the American people only because the Government of the United States has turned over to the private banks the power to create money, which power by the Constitution is reposed exclusively in the Congress. Whenever Government bonds have been sold to banks for new demand deposits written on their books for the purpose of buying the bonds we have been exchanging the credit of the American people for the credit of private banking institutions, and have permitted them to use the Government bonds to secure the very credit they created with which to purchase them. I am not talking about the sale of bonds to an individual, a bank, or a corporation, when that person or corporation gives up money it already possesses to pay for the bonds. That is all right. It is not inflationary. Nor does the citizen who buys a bond create the money to buy it with. On the contrary he gives up part of his money to the Government.

I am only saying that the people of America ought not to have their debt increased by a thin dime when new money is created. And I am saying that as to one-third of our present debt that is exactly what has happened. Well over $50,000,000,000 of our national debt today consists of "debt that ought not to be debt" as I call it in my book, Out of Debt, Out of Danger. We are paying interest today on $50,000,000,000 of our own Nation's credit, yet it is called national debt. Correction of this one wrong would help a lot. But there can be no doubt that we shall have to bear heavy taxation in the future and our Nation's capacity to pay those taxes is going to depend directly upon the degree to which full production and full employment and abundant creation of wealth is maintained in America.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. VOORHIS of California. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. VOORHIS of California. The possibility of making good the appropriation asked for or authorized in this bill, the possibility of paying for the war, the possibility of solving the debt problem, above all, the possibility of having good jobs for returning soldiers—all these depend and the whole future of America depends upon our keeping our farms and factories and mines and mills busy with production in the years after this war is over. But goods are not long produced without a market demand for them. And therefore the high national production which we must have depends upon whether or not we maintain a full home market for the goods we can and must produce in this country.

Furthermore—and I come back now to the remarks of the gentleman from Wisconsin—we must have a way of doing that, a way of assuring that full home market without further increase in the public debt. I do not agree, on the one hand, with people who give the people of this Nation the impression that by cutting down on appropriations for some bureau in the Department of Agriculture or for some other purpose that we can lift the huge burden of debt that the war is bringing upon us. Saving we should make wherever it does not cripple necessary work, but save as we may on non-war expenditures the difference will not be great. Neither do I agree with those who say the national debt does not make any difference; that we can go on and on increasing it, because we owe it to ourselves; for the ownership of Government

bonds is becoming more concentrated every day.

I think the truth lies between those two extremes. In the brief time that is permitted to me today I want to say this. The American people do have to have a way after this war of earning their way out of debt. They have to see clearly how their financial problem can be met. And a fundamental part of enabling our Nation and people to earn their way out of debt after this war is to credit the Nation as a whole rather than to the banking system alone the economic benefit from the creation of money which is called for by the entire business life of this Nation when its capacity to produce is increased. Today the United States does not get that benefit.

Our Nation is compelling itself to borrow at interest from a private banking system every dollar that is called for of additional circulating medium as a result of increased production. There, to me, is the key to the possibility of our sustaining a full demand for the goods that our industry and agriculture can produce in the future without further increasing the public debt. If we can stabilize this debt after the war is won we can handle it. We can pay it off. We can reduce it, provided in the future expansion of the Nation's power to produce is reflected on the books of account of this Nation and is entered as a credit instead of a debt. Credits are created today on the books of the Federal Reserve banks or on the books of private commercial banks of this country and for those credits we exchange interest-bearing Government bonds. All I want to see is that those credits shall be created originally not on private bankers' books, but on the books of either a publicly owned central bank of issue, which the Federal Reserve banks can readily be made, or on the books of the Treasury of the United States itself.

This should be done only under authority from Congress which would provide by statute that there could never be inflation nor deflation of the purchasing power of money in America. Control and use of the power to create money in balance with production can prevent deflation. Fearless use of taxation—a good deal more fearless use than we are now making—is the only basic cure for inflation.

Mr. KEEFE. Will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. KEEFE. I want to say to the distinguished gentleman from California that if the remarks which I made served no other purpose than to prompt the discussion which has now taken place on the floor, it has added a great contribution to the information that this Congress ought to have. I compliment the gentleman from California on the very studious and fine presentation that he has just made.

Mr. VOORHIS of California. I am very much obliged to the gentleman.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mrs. ROGERS of Massachusetts. I would like to say to the gentleman, and I think he knows that our Army is in occupied countries and in the liberated areas, why have a duplication of appropriations? Why have an appropriation upon an appropriation? There is no need for that. We are all for relief.

Mr. VOORHIS of California. Simply because I do not believe this is a job we ought to ask the military to perform.

Mrs. ROGERS of Massachusetts. They are doing it today.

Mr. VOORHIS of California. I think they have a big enough job already.

Mr. WHITE. Will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. WHITE. The gentleman knows we recently passed an appropriation bill for a large amount of money and we recently had a budget submitted to us for $100,000,000,000 for 1 year.

Mr. VOORHIS of California. That is right.

Mr. WHITE. Computed at the rate of 3 percent, as the gentleman from California suggested, on that debt in another 5 years we would have $3,000,000,000 a year added to the national debt as an interest charge on the national debt every year. Do you think the American people can stand for that?

Mr. VOORHIS of California. I do not know. I most earnestly hope the war will not last for 5 more years. I believe, as I have said, that the all-important thing is for us to have a method whereby we can assure our producers of a full market for all they can produce and to be able to do this without further increases in the debt. America can manage. She can meet and solve her problems if she maintains full production and if her people see hope ahead. It is that hope—a way out—a solution of the problem, however great, that I seek to give.

The CHAIRMAN. The time of the gentleman has expired.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I move to strike out the last section. I am delighted that the gentleman from Wisconsin made his able and very illuminating address. It is a very persuasive argument for the amendment I just presented to the House. With its well-trained personnel and carefully considered plans, some of which are now in operation, the military governments of the Army and Navy can administer relief at the least possible expense to the people not only of this country but also of the occupied and liberated countries. The appropriation of billions for U. N. R. R. A., is not only a duplication of expense but also a duplication of administration. The Committee on Foreign Affairs did not call witnesses from the War Department or Navy Department. No officer or official representing the military government was asked to testify. They know something about relief for they are now administering it in liberated areas of north Africa, Sicily, and Italy. Military government is doing a magnificent job in these areas of relief and rehabilitation. Why should we finance this "superduper" council, responsible to no government, to go into these areas and duplicate this work and in many instances interfere with the work of the military government? This extravagant and needless duplication of expenditure could have been worked out in the committee, but the committee refused to continue the hearings and call well-informed witnesses on the subject of relief. Personally interested witnesses were the only ones called. They knew little of the real job to be done. I know of no other case in my many years of public service when a committee has so denied the request of a senior member. Such action was highly unwarranted. It is very bad leadership. As a result I have been forced to present this duplication of relief work being done and planned by the military government here in open forum for the consideration of the entire Congress. There is no limit to the time of occupation and administration of the military government. It may remain in operation so long as conditions require. It is responsible, not to an international body of carefully selected persons such as the U. N. R. R. A. It is responsible to General Marshall and Admiral King. They are highly competent officers of the United States. Competent, indeed, to delegate to highly trained, American officers of military government, the administration and supervision of relief in occupied areas.

It is clearly evident there is a complete duplication by U. N. R. R. A., of plans and activities of the United States Army and Navy already in operation. The Army and Navy have worked out in minute detail plans for the supervising of relief and all the related problems. These plans constitute a carefully integrated part of military operations. Why is there any need for placing this "superduper" international group in authority over them and interfering with their plans and activities?

Certainly no Member of this House would intentionally vote for legislation at this time that would not only be embarrassing to our military commands, but would cause them to greatly change plans, long developed and in operation.

I would remind the House under the military and civil government in occupied territories or in liberated territories, the War and Navy Departments of Military Government are obligated to see that there is no interference with the education of the people, with the religious training of the people, with the political desires of the people. The people are permitted to have their own religion and their own type of education. I have an amendment that I am going to introduce for acceptance in this resolution on this subject. It is extremely important.

Certainly in these days of enormous expenditures, no person, no Member of the House of Representatives, has any right to unnecessarily increase the burden of relief, burdens which not only the people, the mothers and fathers of veterans must pay, but also the veterans themselves, the very men giving their lives to the country now and their children must pay for generations and generations to come. My amendment did

not carry in the House of Representatives. I am hoping it will be considered by the Senate. The Senate Foreign Relations Committee will have exhaustive hearings, I am very sure, upon this matter. I do not believe for 1 minute that any member of the Committee on Foreign Relations will fail to call before it those officers in the Army and the Navy that are assigned to the duties of relief and rehabilitation in occupied countries and in liberated areas. I believe every Member here is searching his soul to find the right thing to do. I have at least raised my voice in protest in open forum here in this House against this special method of administering and supervising relief. I want to be certain relief is wisely and impartially distributed.

The CHAIRMAN. The time of the gentlewoman has expired.

Mr. BLOOM. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 5 minutes.

The CHAIRMAN. Is there objection?

Mr. REED of New York. Mr. Chairman, I object.

Mr. RICHARDS. Mr. Chairman, I rise in opposition to the amendment.

Mr. BLOOM. Mr. Chairman, will the gentleman yield for a moment?

Mr. RICHARDS. I yield.

Mr. BLOOM. If I amend my request to make it 10 minutes, will the gentleman object?

Mr. REED of New York. If I am recognized, I will not object.

Mr. BLOOM. Yes. That is the reason I amended it.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BLOOM]?

There was no objection.

Mr. RICHARDS. Mr. Chairman, it is very, very important that we keep our feet on the ground. I am in full sympathy with the remarks made by the gentleman from Wisconsin [Mr. KEEFE], as to the gravity of the financial condition of the United States. I know that we have a great national debt. I know that the coming generations have got to pay it. I am worried about it just as the gentleman is worried about it. But, Mr. Chairman, we are engaged in a great war. I want to remind the House of the fact that if General Marshall came before the Military Affairs Committee tomorrow and asked for $100,000,000,000 to help win this war he would get it without a dissenting vote. That is how patriotic this House is. Now that being the case, what about this $1,350,000,000? What about it? It is true it will add to the national debt, but in my considered, conscientious opinion, this $1,350,000,000 is just as necessary for the winning of the war and the preservation of the peace in an orderly world as any $1,350,000,000 we have appropriated for the Army and the Navy. Why? Do you think the boys who are fighting in Italy, and the generals who are leading them can win our battles there with a disorganized population behind them? With disease, hunger, and lack of clothing and shelter rampant? They cannot do it, and they do not want to do it, and they want some civilian agency of the government of the United Nations of the world to take over and handle that situation.

This U. N. R. R. A. will not come into any area until the military says it is the wise thing to do and that they want it to come in. It will follow the military. Therefore, it is necessary from a military standpoint, to keep at least $1,350,000,000 in this bill.

How are you going to pay this national debt of ours without an orderly world? And how are you going to have an orderly world after this war unless we are able to put the distressed and famine-stricken people of the earth upon their feet in order that we may do business with them. You cannot do it.

The gentleman from California [Mr. VOORHIS] has talked about maximum production, and we must have it. We must have the greatest markets this country ever knew, in order to pay the debts that we are now saddling on coming generations.

Now, what about the disillusioned people of the earth when they see that the nations which are able to do it will not help them to get on their feet? What are they going to do? They are going to do just exactly what the gentleman from Ohio said the other day. That is, they will turn to the man on horse back. Then where will be the United States and its ability to pay the obligation, which in order to fight this war, we have already saddled upon coming generations? This $1,350,000,000 is the minimum. I am surprised that any Member would get up on this floor, after we have appropriated all these billions of dollars for this war, and say "We will cut off our noses in order to spite our faces and we will not appropriate $1,350,000,000." We will not be alone but joined with 43 other nations to help the helpless all over the world in proportion to the means and responsibility of each nation. This appropriation is necessary to enter a world organization which will blaze a new path of international cooperation. It is necessary for the military welfare of our country. It is necessary from the standpoint of political stability in this world. It is necessary in order that we may speed the wheels of progress throughout the world and keep the markets of the world open. It is necessary in order that this debt, which we have saddled upon our children and our grandchildren eventually may be paid.

The CHAIRMAN. The time of the gentleman from South Carolina [Mr. RICHARDS] has expired.

Mr. REED of New York. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I understand when I was absent from the House engaged in conference on the tax bill, the very distinguished leader from Massachusetts [Mr. MCCORMACK] made some observations in regard to a speech which I made on the floor, in which my friends tell me he intimated that I was interfering with the Christian people and their purposes insofar as this legislation is concerned.

I want it definitely understood, and I have said it before on the floor of this House, that I owe allegiance to no country except to the United States of America. I am more interested in what comes out of this war than I am about ordinary observations on this floor.

What I was trying to do was to point out that you have scrambled a great humanitarian process with certain economic problems that are going to plague us abroad in the future. When I say "economic problems," remember that the European countries each year for 20 years have had government doles of some kind or other unemployment insurance, or what not, for 60,000,000 people. That is what they faced during a period of peace. I do not propose to support any legislation on this floor that is going to put into the hands of the ruler of any country, any dictator, whether he is an ally now or not, the power of saying to the subjected country of which he has control, "You will not get food for your babies or for yourself, unless you vote as I want you to vote in this plebiscite."

I am trying to prevent the Christian faith being attacked, possibly destroyed, by Communists.

The gentleman from Massachusetts [Mr. MCCORMACK] said on November 1, 1939:

> Within the past few weeks, there came from Moscow itself the admission that Catholic priests were murdered, with the lying statement that they were resisting the Communist army. They were murdered in Christian Poland for the same reason that they have been murdered for 20 years in Soviet Russia, priests, ministers and rabbis, because they were messengers of God, doing the work of God on earth.

I would call the attention of the House to the fact that when the State, Commerce, and Justice Department appropriation bill for 1941 was under consideration on February 7, 1940, which was to provide for the salaries of ambassadors and ministers, the distinguished gentleman from Massachusetts [Mr. MCCORMACK] offered an amendment to strike out the words "Union of Soviet Socialist Republics."

That shows that he then felt, as he must feel now, that the Christian organizations should still fear the attitude of Communist countries toward Christian churches and organizations in this country and in foreign countries.

These funds with which it is proposed to feed the destitute of Europe and Asia, which is under consideration today, should be handled, as I have said before, by the Christian organizations now operating and prepared to operate, wherever there are hungry and starving people to be fed. The money should not be made available to dictators, to make as a condition precedent to feeding those people, their willingness to sacrifice their independence, and support of a Communist regime. That is his indictment. I am trying to save the Christian religion all over the world from having to be dominated or disturbed by the work of this communistic society. I do not propose by my vote to put any implement of domination in their hands to carry on their subversive activities here, and we know

they will do it. What I want to do is to put these funds, if we are going to legislate this way, into the hands of the services of the Christian organizations of this and other countries now organized, now in the field ready to carry on this work. Let us separate and unscramble this from the economic situation of drilling oil wells and building factories to compete with this country after the war. So I say to the gentleman from Massachusetts that every word I have said here is in the interests of the Christian faith and its organizations.

The CHAIRMAN. The time of the gentleman from New York has expired.

All time has expired. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. SMITH of Ohio) there were—ayes 76, noes 120.

Mr. SMITH of Ohio. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. SMITH of Ohio and Mr. BLOOM.

The Committee again divided; and the tellers reported that there were—ayes 72, noes 138.

So the amendment was rejected.

Mr. BLOOM. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'NEAL, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration House Joint Resolution 192 to enable the United States to participate in the work of the United Nations Relief and Rehabilitation organization, had come to no resolution thereon.

PERMISSION TO ADDRESS THE HOUSE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that on Wednesday, January 26, after the disposition of legislative business and the other special orders on the Speaker's desk the gentleman from Texas [Mr. PATMAN] may address the House for 40 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FOLGER. Mr. Speaker, I ask unanimous consent that the special order I have for this afternoon may be transferred to Wednesday, January 26.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address by the President of Metal Trades Department of the American Federation of Labor.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address by Governor O'Conor and also a statement showing things expected of the various States, and a resolution received from the American Legion on the soldiers' vote.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein three editorials.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made this afternoon and to include a small part of the hearings, the report and also a letter from the State Department.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts [Mrs. ROGERS]?

There was no objection.

H. R. 4040

Mr. CARLSON of Kansas. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD on a tax bill I introduced today.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. CARLSON]?

There was no objection.

Mr. CARLSON of Kansas. Mr. Speaker, the country is demanding action by Congress looking to the simplification of our complex and bewildering income-tax law and returns.

On December 21, 1943, I placed in the CONGRESSIONAL RECORD a statement making certain suggestions for simplifications. Following the disposition of the pending tax bill I feel that this subject should be made the first order of business by the House Ways and Means Committee.

In order to bring the matter to a head, I am today introducing a bill designed to streamline the individual income-tax law and returns. My measure is based on the suggestions outlined in my December 21 statement, and is offered simply as a basis for discussion, and not with the idea that it is the last word on the subject. It would bring about the following salutary changes:

First. Provides for only one tax on personal incomes, with a single base and a single set of rates and exemptions, through merger of the Victory tax with the regular income tax.

Second. Eliminate the necessity of filing returns in the case of persons whose tax liability is substantially withheld at the source, but permit returns to be filed at the taxpayer's option. This would benefit 30,000,000 taxpayers and in general cover those who are not now required to file declaration of estimated tax.

Third. Permit the use of the short form of return by taxpayers with up to $5,000 gross income. Limit is $3,000 in present law.

Fourth. Bring about drastic simplification of both the short form and the long form of return.

Fifth. Give taxpayers until January 15 following the close of the taxable year in which to file an amended declaration of their estimated tax and thereby avoid penalty for any underestimate. This will eliminate the guessing contest in the present law which has resulted in so much irritation and confusion.

The elimination of the Victory tax through merger with the regular income tax requires the increase of the existing surtax rates by approximately 3 points in each bracket, in order to preserve relatively the same total burden as at present. For the same reason, it is necessary to fix the married exemption at $1,100, as compared with the present $624 exemption under the Victory tax and the $1,200 exemption under the regular income tax. The $500 exemption for single persons and the $350 exemption for each dependent would not be changed under my bill.

While the elimination of the Victory tax, with its extremely low exemption for married persons and heads of families, will free a large number of small taxpayers from tax, there is no way to really simplify the law and the returns without taking this step. I believe it was a mistake, in the first place, to have levied an income tax on a married man with a gross income of as little as $625 a year. From the revenue standpoint, the total tax paid by this group was not a very large percentage of the total, being only $300,000,000 of the total personal income-tax burden of $17,000,000,000.

This potential loss of revenue would be offset in part by the reduction of the married exemption under the regular income tax to $1,100 and the remainder by readjustments in the surtax rates.

In order to have a single tax base, to which both the normal and surtax will apply, it is necessary to abandon the so-called earned income credit provided by existing law. The pending revenue bill already contains a provision repealing this credit, which is not of substantial benefit to taxpayers in any case.

It is my purpose to also provide for a single-rate schedule, rather than continue the present normal tax-surtax combination, but it appears to be necessary to maintain this distinction in the law in order not to lose the surtax on income from partially tax-exempt United States bonds, which by their terms are exempt from tax except "graduated additional income taxes, commonly known as surtaxes." However, under the terms of my bill, the Commissioner of Internal Revenue would be directed to combine the two sets of rates on the returns, instructions, and work sheets with appropriate credit for partially tax exempt bond interest.

My bill does not make any change in the present withholding provisions, although some adjustment may be necessary or desirable in any final legislation dealing with income-tax readjustments, so as to eliminate overwithholding or underwithholding. Also, study should be given to making more adequate allowance under withholding for contributions, taxes, interest payments, alimony

payments, and so forth, since overwithholding will defeat the purpose of eliminating the return requirement.

I propose to give study to two further simplification changes which I hope may be worked out in the near future. One of these contemplates the adoption of a system of graduated withholding, so that the full liability of all taxpayers, substantially all of whose income from salary and wages, may be withheld at the source and the need for filing returns eliminated. The other change would involve the use of the short form of return in the case of gross incomes of from $5,000 to possibly $10,000. For the present, however, the use of the short form by persons with gross incomes up to $5,000 will take care of the great mass of taxpayers.

It is my earnest hope that the Ways and Means Committee will give prompt attention to the whole subject of simplification including the consideration of House Joint Resolution 211 which I introduced on January 10 for the establishment of a Federal Tax Commission to streamline and simplify the entire Federal tax structure. Immediate action along this line is imperative.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend the remarks I made late this afternoon and to include excerpts from a speech of December 7, 1940.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

THE REELECTION OF FRANKLIN D. ROOSEVELT FOR A FOURTH TERM

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. LAMBERTSON]?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, now that the Democratic National Committee insists on the fourth term, permit me to express this observation: If the American people elect Franklin D. Roosevelt for the fourth term they are insuring the extension of the emergency to 5 years from right now, because the Congress must repeal the emergency and he will probably control one-third of the Senate sustaining a veto. He will never give up any power. He will make horseplay out of it like he is doing with the tax bill, the soldiers' vote bill, and the bill banning subsidies, when there is a clear majority against him in both Houses in each case. The President intends to be President as long as he lives and the national emergency will last as long as he is President. If people want their boys and girls to stay in uniform and on foreign fields, even if hostilities cease, if they want rationing to continue and multiply, bureaus to continue and multiply, they should make this thing possible.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker. I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech made on January 22 by the gentleman from Texas [Mr. RAYBURN].

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. MCCORMACK]?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address recently made by Donald M. Nelson, the cost of which is, according to the estimate of the Public Printer, $112.50. I ask that the speech may be printed notwithstanding the estimate.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. MCCORMACK]?

There was no objection.

WITHDRAWAL FROM FILES OF CERTAIN AFFIDAVITS AND PAPERS

Mr. SHAFER. Mr. Speaker, I ask unanimous consent to withdraw from the files of the House of Representatives affidavits and papers filed in support of private bill H. R. 1467, Seventy-sixth Congress, first session.

The SPEAKER. Has any report been filed on the bill?

Mr. SHAFER. The bill has been withdrawn.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. SHAFER]?

There was no objection.

The SPEAKER. Under previous special order of the House, the gentleman from Connecticut [Mr. TALBOT] is recognized for 12 minutes.

PALESTINE

Mr. TALBOT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include two resolutions as a part of my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. TALBOT]?

There was no objection.

Mr. TALBOT. Mr. Speaker, the subject I wish to speak upon today should not be controversial. There should be no disagreement on either side of the aisle. In every American city today, organizations are being formed to bring relief to the persecuted Jews of Europe. These organizations contain the names of our most representative citizens of every race and creed. Nor am I unmindful of the boast of Hitler, made in his New Year's Day radio speech, that he would exterminate every Jew in Europe before he gave up the reins. I am also reminded that within the past week, the Foreign Relations Committee of the Senate, by unanimous resolution, has advocated instant relief for these peoples.

Mr. Speaker, the question of the plight of the Jews of Europe has been discussed on the floor of this House before. If I bring it up again at this time, it is because the one practical, immediate step which can be taken to save the millions of Jews still left in Europe is shortly to be prohibited. It is because the Chamberlain White Paper of 1939, which goes into effect on March 31, 1944—just 66 days from now—would bar all new Jewish immigration into Palestine—the one country which is anxious to receive the shattered remnants of European Jewry.

At this very moment millions of oppressed and persecuted Jews are imploring the civilized world to provide them with a means of escape from their Axis inquisitors. German troops take time off to murder every surviving Jewish person as they fall back to the borders of pre-war Germany, and it has become increasingly apparent that it will take too long for any new agency to do an effective job of saving these hapless people. In order that they may be rescued, the existing machinery simply must be made to work. I propose to explain the nature of that machinery and to show how it can be made to work.

There exists at the present time in Palestine an internationally assured homeland for the Jewish people. It would seem, therefore, logical that Palestine should be the country to absorb the bulk of the millions of Jews now knocking on the doors of the nations of the world. Half a million Palestinian Jews are eager to receive their downtrodden brethren. They have stated many times their spiritual and economic preparedness to absorb the great mass of European Jewish refugees.

This Palestinian offer is reinforced by some of the most sacred covenants of our time. A brief survey of the historical facts pertaining to the establishment of the Jewish homeland will serve to spotlight the responsibility of the United Nations toward the Jewish people and its homeland.

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. TALBOT. I yield to the gentleman from Idaho.

Mr. WHITE. Would the gentleman consider the possibility of establishing a Jewish homeland in the Western Hemisphere, on the coast of Peru? On the Pacific side is a plain there where it does not rain but it is very fertile. By bringing the waters from the head of the Amazon it would make it very valuable land. There are 100 square miles in there of what is the most fertile lands in the world, in one of the finest climates in the world.

Mr. TALBOT. I may say before I complete my statement I think I will cover the whole situation.

Mr. WHITE. I have been trying to find time to make the necessary investigation. As chairman of the Committee on Irrigation and Reclamation of the House, I am going to propose a project for the establishment of the Jews in Peru at a point that is not now inhabited. It is one of the finest countries in the world, if they only had water. It seems to me the Jews should look into the possibilities of that project.

Mr. TALBOT. Mr. Speaker, 25 years ago Britain issued the famous Balfour Declaration, which pledged that government's aid in the establishment in Palestine of a national home for the Jewish people. That declaration was published to the world, with the full approval of all the Allied Powers then engaged in the

First World War, and with the encouragement and support of the United States. It gave promise of the fulfillment of an age-old Jewish dream. That pledge was strengthened when the terms of the Balfour Declaration were incorporated into the peace treaty, with the aid and approval of President Woodrow Wilson. The mandate for Palestine was conferred upon Great Britain by the 52 nations of the League of Nations. England became the trustee for the establishment of a Jewish national home in Palestine. At that time, Wilson, Lloyd George, Smuts, Churchill, and many others prophesied that when continued immigration gave Jews the sanction of numbers, a Jewish commonwealth would rise on the banks of the Jordan.

Mr. Speaker, in 1922 the House of Representatives and the Senate of the United States, by unanimous vote, adopted a joint resolution favoring the establishment of the Jewish homeland in Palestine. Two years later, a special treaty between England and the United States gave reenforced American sanction to the mandate for Palestine. I should like to call one clause of that treaty in particular to your attention. It reads:

> Nothing in the treaty shall be affected by any modifications which may later be made in the terms of the mandate, unless such modifications shall have first been assented to by the United States.

The United States has never relinquished that right. Every American President, from Woodrow Wilson to Franklin D. Roosevelt, has reaffirmed and declared as traditional policy of the United States with regard to Palestine—the restoration of the Jewish national homeland.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. TALBOT. I yield to the gentleman from New York.

Mr. CELLER. I am sure the gentleman will also point out that the so-called MacDonald White Paper of 1939 violates the very treaty to which the gentleman has referred.

Mr. TALBOT. That is correct, and I will point that out.

Mr. CELLER. Further, our administration, including our State Department, has seen fit to remain silent in the face of that violation.

Mr. TALBOT. That is correct.

Mr. Speaker, our support of that Jewish homeland 25 years ago was more than an act of decency. It was an act of faith. And the developments of the past twenty-odd years have proved that our faith was not misplaced. Jewish Palestine has grown from a tiny settlement to a thriving modern community of over half a million. Its pioneers have transformed wasteland into rich fields and orchards; its workers and teachers have brought life not merely to the half-million Jews who came there, but also to those millions who, throughout the most terrible persecution in all history, have been sustained only by the hope of being able to reach their homeland.

Palestine exists today as the one active and loyal ally of the United Nations in the Middle East. The Jews of Palestine have created an oasis of militant democracy in a desert of indifference and animosity.

The full story of Palestine Jewry's contribution to the war remains to be told, and it is imperative that the facts be made known now. Here is part of that story:

Jewish Palestine has sent 30,000 volunteers into direct action against the Axis. Thirty thousand, out of a total Jewish population of about 550,000, is the equivalent of a voluntary enlistment of 8,000,000 in the United States. And despite the fact that Jews constitute but one-third of the Palestine population, a full 75 percent of the volunteers are Jews.

The Palestinian Jewish troops have left their dead on every Mediterranean and Middle Eastern battlefield. They were the suicide units who fought in Eritrea, the stevedores who, in Winston Churchill's words, "unloaded history" in Tunisia, the engineers who manned General Montgomery's fortifications and transportation systems when the Eighth Army was engaged in the crucial Battle of Egypt.

Mr. Speaker, there are now over 2,000 Palestinian Jewish girls driving trucks which ferry supplies from north African ports to inland bases.

Moreover, since the outbreak of war, the citizens of the Palestine home front have upped their industrial production threefold. Jewish factories working three shifts a day, produced $42,000,000 worth of vital war materials in 1942.

Despite the acute farm-labor shortage occasioned by the unprecedented number of Jews who have joined the forces and entered war plants, Palestine has made great strides toward agricultural self-sufficiency. It has doubled both the area under irrigation and the crop yield.

Mr. Churchill has said that a people is entitled to its freedom to the extent that it fights for it. The Jews of Palestine are fighting. They are fighting not only for their own lives and rights, but also for the lives and rights of the millions of European Jews who are unable to defend themselves. They are fighting in the common struggle to protect the rights of all people in all lands.

And what is more—they have gone all-out in this war despite the existence of a document which, if implemented, will freeze them into a permanent minority in their own homeland. That document, the Palestine White Paper, penned by Prime Minister Chamberlain's colonial office in 1939, would slam the doors of Palestine in the faces of all Jewish immigrants on March 31. It was issued to appease those Arabs who had been stirred up against the British and the Jews by the Nazis and the Fascists. It rewards Britain's enemies and penalizes her best friends in the Middle East.

Mr. DICKSTEIN. Mr. Speaker, will the gentleman yield?

Mr. TALBOT. I yield to the gentleman from New York.

Mr. DICKSTEIN. I am in full accord with the gentleman's statement and am very grateful for his fine remarks, but I call his attention to the fact that Palestine could not absorb all of the persecuted Jews who are doomed to die unless something is done by the Allied Nations. I have introduced House Joint Resolution 154 to admit temporarily into this country only for the duration of the war a number of people who are physically, mentally, and morally good. Can the gentleman speak on that question, too, and state whether he would be willing to go along to the extent of admitting a number of those people to this country as well as to other Allied counties in order to save them?

Mr. TALBOT. At the outset of my remarks I mentioned that all over this country today there are organizations consisting not only of Jewish people but of Catholic priests, Protestant ministers, bishops, and others of our finest people, representative of our citizenry, who are deeply interested in this matter.

The SPEAKER. The time of the gentleman from Connecticut has expired.

Mr. TALBOT. Mr. Speaker, I ask unanimous consent to proceed for 2 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. TALBOT. Mr. Speaker, Britain is today one of the leaders of the United Nations. Together with our own Government, she gave to the peoples of the world the Atlantic Charter. It is incongruous that a nation which proclaims that all men in all lands should live in peace and security should at the same time admit authorship of the infamous white paper. It is almost incredible that the Jewish national homeland, so solemnly pledged to the Jewish people by Great Britain, should be the one place on this earth, outside of Axis-dominated countries, where Jews are to be barred, simply because they are Jews.

I believe that the present leaders of the British Government are aware of that incongruity. They were not responsible for the promulgation of the white-paper policy, but they are responsible for its continuation. Five years ago, in parliamentary debate on that subject, Mr. Churchill rose in the House of Commons to denounce the white paper in the most vigorous language. He called it a breach and repudiation of the Balfour Declaration and of England's sacred obligation as the mandatory power entrusted with the establishment of the Jewish national homeland and the close settlement of Jews on Palestine's soil. Mr. Churchill now has an opportunity which comes to few leaders against an injustice—the chance to implement his words with concrete actions.

We in America have both the legal right and the moral duty to strongly urge that the British Government should do this. There should be no question here of embarrassing an Allied nation. This business of the white paper is not a delicate controversial issue in which we dare not engage; for it is the existence of the white paper which creates controversy and not the effort to combat it.

Immigration into Palestine is vital to the lives of millions of people, and its discussion cannot be postponed indefinitely. As cosigners of the 1924 treaty with Britain, we in the United States must see to it that the mandate of Palestine and the Balfour Declaration are fulfilled.

LADIES AUXILIARY,
CONGREGATION SONS OF ISRAEL,
Derby, Conn., January 13, 1944.

Twenty-six years have elapsed since the issuance of the Balfour Declaration by the British Government. This statement pledged the reestablishment of a national home for the Jewish people in Palestine and was endorsed by 52 nations of the world, including the United States. In that time the Jewish people have demonstrated by its zeal, its efforts, and its accomplishments that it stands ready to continue its progress in one of the greatest colonization achievements of modern times.

At times when the tortured, homeless Jews of Europe look to Palestine as their last hope of refuge, the very existence of the national homeland is being threatened. Under the terms of the Palestine White Paper, issued by the Chamberlain Government in 1939, Palestine is to be closed to Jewish immigration on March 31, 1944. This is a clear repudiation of a promise undertaken before the world and written into international law. This White Paper has been condemned by the Permanent Mandates Commission of the League of Nations as being contrary to the spirit of the Balfour Declaration: Wherefore be it

Resolved, That we, the members of the Ladies Auxiliary earnestly appeal to the Government of the United States to take all necessary and appropriate action to insure the complete withdrawal of the Palestine White Paper of May 1939 with its unjustifiable restrictions on immigration and land settlement. We ask that Palestine be opened wide to Jewish immigration and that it be reconstituted as a Jewish commonwealth so that the Jewish people, with all others, may share in the just and lasting peace which we pray will result from this struggle.

MRS. PHILIP BRESLOW,
President.
MRS. ALEXANDER LANDER,
Secretary.

CONGREGATION BETH-EL,
Ansonia, Conn., January 20, 1944.

In 1917 the British Government, through the instrument of the Balfour Declaration, guaranteed to the Jewish people a national Jewish homeland in Palestine, with the assurance that Great Britain would do all in her power to facilitate the undertaking. This agreement was endorsed by 52 nations, including the United States. On the basis of this promise, the Jewish people have built in Palestine a thriving and prosperous community out of waste desert lands.

The MacDonald White Paper, issued by the Chamberlain government in 1939, is a betrayal of Britain's promise. This paper, which will go into effect April 1, 1944, cuts off all Jewish immigration into Palestine and restricts land sales to Jews.

At a period when, more than ever, millions of destitute Jews look to Palestine as their only refuge, the white paper constitutes a flagrant breach of faith: Therefore be it

Resolved, That we, the members of the Congregation Beth-El, urge the Government of the United States to use such influence as will cause the British Government to withdraw in its entirety the Palestine White Paper of May 1939. We ask that the gates of Palestine be opened wide to Jewish immigration, that the immigration quota be based on the absorptive capacity of Palestine, and this to be judged by the Jewish Agency of Palestine, that Palestine be reconstituted as a Jewish commonwealth. We call upon the Government of the United States to demonstrate its belief in the sanctity of international word by acting to uphold the promise made by Great Britain, the United States, and 50 other nations.

OSCAR COHEN,
President.
MORRIS DELLIN,
Secretary.

EXTENSION OF REMARKS

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made on the joint resolution under consideration this afternoon and include therein a short editorial.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. Under a previous order of the House, the gentleman from New York [Mr. CELLER] is recognized for 30 minutes.

ENTRANCE OF REFUGEES INTO THE UNITED STATES

Mr. CELLER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein an aide memoire prepared for me by the American-Jewish Conference on Jewish Refugees between 1933 and 1943, inclusive.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, Mr. Breckenridge Long, Assistant Secretary of State, appeared before the House Foreign Affairs Committee on November 26, 1943, and testified concerning House Resolution 350 and House Resolution 352. His testimony has been printed, and in reading that testimony I find therein so many faults and errors with reference to the subject matter of the resolutions in question that I deem it incumbent to point them out and highlight them. They indicate a culpability that cannot go by unnoticed. They must be corrected, because they caused grave and erroneous impressions in the minds of the committee members, and false notions in the minds of the public generally. They seem to indicate not only a lack of appreciation of the subject matter of the resolutions but seem to indicate that the gentleman, in questions in his testimony, went pretty far afield in his desire to bolster his forced and false conclusions. A little research would have told him of his blunders. He deserves condign criticism. It indicates that he is no longer entitled to hold sway over refugees and visas. For example, he said, in his testimony as it appears on page 32, as follows:

> We have been interested in refugees, and I think there has been some indisposition on the part of some officers to accept a thought that the American Government ought to specialize and make it particularly direct that we are interested only in the Jews. We have felt from the start that we could not exclude other persons from our governmental and official activities.

On page 45 appears the following as Mr. Long's testimony:

> The State Department's policy, I think, must be that we cannot exclude persons from our sympathy and our sympathetic attention if they are not Jews.

No one asked Mr. Long or anyone connected with the State Department to exclude non-Jews. I think it is degrading and shameful that an official of our administration should imply, much less aver, that we intend to withhold aid from non-Jews. We are in favor of aid to all persons, but beyond that, and not as a substitute, we want a special and an extraordinary aid concomitant with especial and extraordinarily cruel treatment of Jews and all others threatened with death. No minority people are treated as cruelly as the Jew. All others are in a prison, but the Jew is in a death chamber. All others may with victory ultimately breathe free, but the Jew is in a charnel house—most of them already are in a sepulcher.

The gentleman from California [Mr. ROGERS], who is present in the Chamber, has offered one of the aforesaid resolutions providing extraordinary treatments for those who are being extraordinarily and cruelly treated. It calls for the establishment of a special board appointed by the President to find havens and refuge for the victims of Nazi tyranny. The President in his wisdom Saturday last, by Executive directive, set up the War Refuge Board, similar to the authority the gentleman from California [Mr. ROGERS] advocated, and the President stressed in an accompanying statement to his directive the very details that are embodied in the so-called Rogers resolution, and he asked directly and by inference that especial treatment be accorded the Jews, who are being heinously tortured and pillaged and plundered by Hitler and his Quislings.

Further, on page 22 of the testimony of Mr. Long we find the specific statement:

> The point is made that the historic attitude of the United States in providing a haven to the oppressed has not been stopped. The State Department has kept the door open. It is perfectly screened. The door is open. * * * There are vacancies on the list of quotas.

That is an astonishing statement and does not square with the facts. The "door is not open." It is on a tiny, a very tiny crack. For example, fewer immigrants entered during the past fiscal year than entered during the last 80 years. Not since 1863 have less immigrants come to our country. At a time when mass murders in Festung Europa were greatest, in 1943, when the doors of refuge should have been kept open, they were deliberately, practically closed. Only 5.9 percent of all immigrants admissible came in in that year. Nobody is asking for any change in the immigration statutes. We are asking changes in the impossible conditions and cruel, cold-blooded regulations that are laid down as to "screening" by the Department of State, and particularly by Mr. Long.

However, because of the richly deserved criticisms brought against Mr. Long, I am happy to state that those in authority in the Department of State are about to decree that Mr. Long shall no longer be in charge of refugees and visas. As proof positive of the blunder made by Mr. Long when he undertook to state what he thought was the attitude of the State Department with reference to ref-

ugees, we find a member of the Cabinet in a different Department, Mr. Biddle, the Attorney General, taking issue with him. Mr. Biddle emphatically and scorchingly took issue with Mr. Long. You can see how serious was the mischief. It is rare that a Cabinet officer challenges the statement of any Assistant Secretary. It is only done when a serious and dreadful error has been made.

Mr. Long has sought to give the impression that we had received in 10 years 580,000 immigrants and that most were Jewish refugees. The 580,000 mentioned by Long include visas authorized for quota, nonquota persons, and those in transit. Often a visa authorized is not issued. One issued is frequently not even used. Mr. Long, without even so much as "by your leave," bunched transients, visitors, and nonquota entrants and ordinary immigrants with refugees. He thus gave the impression that we gave sanctuary to 580,000. That was utterly false. Mr. Biddle explained that within the last 10 fiscal years the average number of quota and nonquota immigrants was only 26,647, although the annual quota was 153,774, and that in the year ending June 30, 1943, only 23,725 persons entered the country, 13,000 of them being nonquota. Mr. Biddle added:

During the same 10-year period the annual average number of persons emigrating from the United States was 24,000, leaving a net increase of 23,287 immigrants. Moreover, while in 1920 the aliens constituted 6.9 percent of the population in the United States, at the present time they comprise little more than 3 percent of the population.

In contrast to Mr. Long, Mr. Biddle gives facts, not fancy.

It is one thing for the Congress to pass acts with reference to immigration, and it is another thing for those in charge of the administration of the statute so to administer it as to deny the intent of Congress as embodied in the statute. Mr. Long, for example, set up all manner and kinds of conditions and restraints with reference to the applications for entering of immigrants, and among them he said that no one shall be permitted entrance if the person intending to enter has relatives in Axis-controlled Europe, and he laid down as a condition precedent to entrance that the Interdepartmental Visa and Control Committee cannot permit entry if the intended immigrant has such a relative in Nazi-controlled Europe. Ipso facto, that regulation cut off well-nigh 90 percent of all potential refugees from Europe. Be advised that most refugees have some relatives in Axis-controlled Europe. That regulation in and of itself cut down immigration to the bone. Mr. Long had the hardihood to say that he was still adhering to the historic attitude of the United States as a haven for the oppressed. Frankly, the Statue of Liberty in New York Harbor is supposed to hold up a light beside a golden door to welcome the tempest-tossed of all lands. If Mr. Long has his way, that light will have to be blotted out and the Statue of Liberty can no longer welcome in immigrants to this country.

Mr. Long ruled that the Interdepartmental Visa Control Committee could not give a reason for rejection of an application for a visa for a refugee. It takes months for applications to be acted upon. Five departments must report on each sponsor and each immigrant, whether the latter be in Europe or in this country or wherever he may be. The Departments involved are the State, War, Navy, and Justice Departments, and the F. B. I. Each Interdepartmental Visa Committee is composed of representatives from each of these five entities. It takes at least 6 months before the investigation is completed. A hearing is held. The sponsor for the immigrant or his lawyer appears and pleads. It takes months for a decision to be reached. Then no reason is given for a rejection of the application. If national security is involved, of course, no reason should be given, but if that is not the case, why should not a reason for the turn-down be set forth so that, if possible, the causes of refusal of entrance might upon a renewed application be removed.

Further, no application can be renewed until 6 months have elapsed. If finally, in many instances the application, after all these vicissitudes, is granted, it is granted for a corpse. In every court a reason is given for an adverse decision. But before Mr. Long and his setup everybody is kept in complete darkness. Furthermore, 50 percent of the judgments of the Interdepartmental Committees, the visa-control committees, have been reversed by the Presidential Board of Appeals, clearly indicating that in at least 50 percent of the cases which were controlled by Mr. Long, he was wrong, and that the application should have been granted and not turned down. These appeals consume more valuable time. Meanwhile Hitler's hangmen do not wait.

Mr. Long testified as follows, also on page 22:

Mr. LONG. In December 1941 most neutral shipping disappeared from the seas. Prior to that there had been neutral shipping, and some American ships have been running; but as of that time there was practically nothing. There are today a few little Spanish and a few little Portuguese vessels which are coming in here, and the State Department continues to issue visas to refugees. We are issuing visas to the extent of about 100 a week.

Mr. MUNDT. The limitation of 100 per week is now imposed by the shipping limitations rather than by any limitations of the State Department as to the number of visas available?

Mr. LONG. The movement of the people has stopped.

That statement does not square with the facts. Mr. Long is wrong when he says that visas were being issued to the extent of about 100 a week, which would make 400 a month. In truth and in fact, visas were issued at the rate of only about 200 a month. Now as to shipping space, or ships, Spanish and Portuguese vessels are now calling regularly at ports all along the Atlantic coast and there are many others. I went to the trouble of examining Lloyds Register of Ships and I also have before me an excellent report of the World Jewish Congress, entitled "Neutral Shipping Facilities" by Avram A. Juditch, member of the Yugoslav Jewish Representative Committee. I gather, therefrom, that aside from ships coming from Argentina and to the United States and going from the United States to the Argentine, and the same with Chile, I find that there were 25 passenger ships of various tonnages available, plying across the Atlantic between the United States and Spain, 16 Swedish ships, 11 Portuguese ships, and 12 Turkish ships. Those ships could have carried thousands of refugees into the United States if they were otherwise admissible, so that when Mr. Long says there was no shipping space, he does not know what he is talking about or deliberately did not deal with the truth, in either of which events it is a sad commentary on affairs as conducted by Mr. Long as head of the Visa and Refugee Division of the State Department. That is not all. I went to the trouble of examining Lloyds Register of Shipping with reference to cargo ships. Mr. Juditch likewise presents interesting data on cargo ships. The ships that I spoke of before, 16 Swedish ships, the 25 Spanish ships, and the 11 Portuguese ships, were passenger-bearing vessels. There were several hundred cargo vessels that were plying the Atlantic during the time in question, owned by Argentina, Chile, Portugal, Spain, Sweden, Switzerland, and Turkey—a veritable bridge of ships in the registry of neutral countries, and those intended immigrants would have been only too happy to sleep even on a board on a cargo vessel. Many cargo vessels carry passengers or can be made to do so. So that there could have been thousands more of refugees brought into this fair land of ours, even on cargo ships. The Long attitude said "No." The Long gates are down. The Long door is closed.

Remember this is the same Mr. Long who called the Italian conquest of Ethiopia, "the fruitable harvest of Mussolini enterprise."

STATEMENT BY THE COMMISSION ON RESCUE OF THE AMERICAN JEWISH CONFERENCE

* * * * *

I

In presenting statistics on the number of refugees admitted into the United States, Mr. Long gave the State Department's total—580,000 in a 10-year period—of visas issued, quota, nonquota, and even transit. Let us dwell a bit, again, on these figures. I must set the record completely straight.

To whom were these visas issued? Mr. Long's testimony tended to create the erroneous impression that all 580,000 were Jews. Of the 580,000 visas issued, only 476,930 were used by immigrants. Of the latter, about 250,000 were refugees from Hitlerism, and not all of them were Jews. Furthermore, it should be pointed out that during the same period, 87,634 aliens were deported from this country, thus reducing further the total number of immigrants accrued in the 10 years under consideration.

The official figures of the Immigration and Naturalization Service reveal that in the period between January 1, 1933, and June 30, 1943, the number of Jews who came in under national quotas totaled 166,843. The total number of Jews admitted on emergency visas was 43,089, but some of these were included in the 166,843, since they later reentered

under the national quotas. These totals include Jewish immigrants from all over the world, some of whom were not refugees from Hitler.

II

The restrictions on immigration imposed by the State Department are a definite hindrance to the rescue program. In the past year, only 5.9 percent of the immigrants permitted under the quota law were admitted. This is due, in part to the elaborate "screening" process established by the State Department. We agree that every precaution must be taken in the interests of security to prevent the admission of enemy agents, but existing procedure is needlessly cumbrous. In other countries refugees are admitted, interned, and released after complete investigation. A harsh and unjustifiable rule of the Visa Division weighs very heavily against the admission of persons with near relatives in Axis Europe. This serves to bar admission to many people in need of a haven.

* * * * *

IV

Mr. Long has released the text of the mandate of the Intergovernmental Committee now functioning in London, and declared that according to this mandate, the Committee was given "plenary authority to do whatever they can within and without Germany and the occupied territories." This statement has been widely interpreted to mean that the Committee is empowered to deal with all phases of the problem of rescue, including direct negotiations with Germany for the release of Jews and other persecuted peoples.

But Mr. Long's interpretation has now been termed "absolutely incorrect" by the headquarters of the Intergovernmental Committee in London, according to cable dispatches. Patrick Malin, American vice director of the Intergovernment Committee, denied that the Committee mandate can be interpreted to mean, as Mr. Long said, that the Intergovernmental Committee has been given "the authority to do whatever it can within and without Germany and the occupied territories." Mr. Malin pointed out that the mandate was extended specifically with respect to persons and not countries.

In view of these contradictory interpretations, we urge immediate clarification of the situation. Confusion and conflict of opinion at this late date are inexcusable.

The failure to rescue Jews from the Balkan countries was not attributable entirely to the opposition of the Nazis, as Mr. Long's testimony has indicated. It is known that red tape and delay on the part of the British authorities were responsible for the fact that full advantage was not taken of all the opportunities presented.

Mr. Speaker, at this point I desire to offer the Aide-Memoire of the American Jewish Conference, which I adverted to heretofore, and for which I have received unanimous consent to include in the RECORD as my own remarks:

AMERICAN JEWISH CONFERENCE—RESEARCH DEPARTMENT—AIDE-MEMOIRE ON JEWISH REFUGEES, 1933–43

CONTENTS

I. Displacement of Jewish population in Europe

What happened to the 8,250,000 Jews who in September 1939 lived in the countries now dominated by the Axis? Refugees, evacuees, and deportees. Countries of immigration which admitted refugees and evacuees. Countries to which Jews have been deported by the Nazis.

II. Jewish immigration into the United States

General immigration, quota and non-quota. Jewish immigration, number of refugees. Unfilled quotas. Emigration from the United States. Ratio of Jewish immigrants to Jewish population.

III. United States visa procedure in wartime

Application for visas (Form BC). Consideration of applications by Government agencies. Criteria for admission of aliens in wartime. Preparation of application. Primary committee. Advisory approval, period of validity. Review of application by interdepartmental visa review committee. Board of appeals. Application of aliens of enemy nationality. Suspended cases. Quota year.

IV. Comments on visa procedure

Filing of application often delayed on account of difficulty in obtaining information from applicant abroad. Latest changes in BC form complicate procedure. "Hostage angle" handicaps approval. Occupational experience interpreted as "useful to war effort." Applicants from Spain and Portugal have to account for the manner in which they reached those countries. Refugees not in "acute danger" denied visas. Internees in camps cannot obtain visa unless they reach consulate, but cannot be freed unless they obtain visa.

AMERICAN JEWISH CONFERENCE—AIDE-MEMOIRE ON JEWISH REFUGEES, 1933–1943

I. DISPLACEMENT OF THE JEWISH POPULATION IN EUROPE

Since the advent of Hitler in 1933, and particularly since the outbreak of war in 1939, the Jewish population in every European country has been displaced from its original habitation by voluntary emigration, evacuation, or deportation. For purposes of our present analysis, all those who have escaped the Nazi dominated and occupied countries, are classified as refugees (including evacuees); all others are deportees. The latter category embraces those who have been deported from one country to another (in Nazi Europe) or from one place to another within the limits of the same country. It should further be noted that the classification of "refugees" does not include the Jewish immigrants from eastern Europe or other countries prior to the Nazi occupation of these countries.

The following table gives the country of origin of refugees and deportees:

TABLE I.—*Jewish refugees and deportees, 1933–43, classified by category and country of origin* [1]

Country	Refugees (including evacuees)	Deportees		Total
		From one country to another	Within the limits of the same country	
All countries	2,391,000	665,000	2,205,000	5,261,000
Poland	525,000	----------	2,000,000	2,525,000
Union of Soviet Socialist Republics	1,200,000	----------	----------	1,200,000
Germany	285,000	160,000	----------	445,000
Austria	100,000	20,000	----------	120,000
Rumania	100,000	185,000	----------	285,000
France	30,000	70,000	100,000	200,000
Protectorate	25,000	30,000	40,000	95,000
Slovakia	10,000	60,000	20,000	90,000
Lithuania	10,000	----------	30,000	40,000
Latvia	15,000	----------	15,000	30,000
Belgium	25,000	50,000	----------	75,000
Holland	25,000	80,000	----------	105,000
Yugoslavia	8,000	25,000	----------	33,000
Greece	3,000	10,000	----------	13,000
Bulgaria	----------	10,000	----------	10,000
Other European countries	30,000	5,000	----------	35,000

[1] From Jewish Refugee, by Kurt R. Grossman and Arich Tartakower (in manuscript) to be published by the Institute of Jewish Affairs, American and World Jewish Congress, ch. X, table I.

It appears from this table that 5,261,000 Jews, out of a total of 8,250,000 Jewish population in the same area in 1939, have been uprooted from their original homes. The refugees who escaped Nazi dominated and occupied European countries have found their way to various parts of the world to countries of immigration overseas, to the interior of U. S. S. R. and to neutral countries in Europe.

The following table gives the distribution of these refugees (and evacuees) in the various free countries:

TABLE II.[1]—*Jewish refugees, 1933–43, classified by country of immigration (and asylum)*

All countries	2,421,000
U. S. S. R.	1,800,000
United States	190,000
Palestine	120,000
England	65,000
Switzerland	16,000
Spain	[2] 12,000
Argentina	50,000
Brazil	25,000
Chile	14,000
Bolivia	12,000
Uruguay	7,000
Other Latin American countries	20,000
China	25,000
South Africa	8,000
Australia	9,000
Canada	8,000
Other countries	40,000

[1] Tables II and III are compiled on the basis of data in Jewish Refugee, ch. X.

[2] It is estimated that only some 2,300 Jewish refugees have remained in Spain, as of Jan. 12, 1944 (JTA News Jan. 13, 1944).

The number of Jewish refugees in the U. S. S. R. comprises 1,200,000 Soviet citizens of White Russia, the Ukraine, and parts of other previously occupied territories, and 600,000 from eastern Poland and the Baltic States which were occupied by the Red Army in 1939. Those refugees were evacuated by the Soviet authorities into the interiors of Asiatic Russia.

The number of refugees admitted to the United States (190,000) is calculated on the basis of the total Jewish immigration to this country less that which came from Canada, Poland, Rumania, Lithuania, and Hungary prior to the war. (The figure 190,000 includes some 25,000 nonimmigrants who came in on temporary visas, as visitors, etc.)

The number of refugees who entered Palestine (120,000) is only part of the total Jewish immigration into that country during the same period, which was about 300,000.

Sweden should be added as a country of refuge, as it is giving asylum now to some 12,000 Jewish refugees from Denmark and other parts of Europe.

In Portugal many Jewish refugees are in transit, leaving there some 500 to 600 at a time.

Hungary has recently admitted several thousand Jewish refugees who escaped from Poland through the "underground."

TABLE III.—*Jewish deportees (including refugees trapped in occupied territories), according to country of deportation (including deportees within the limits of their own country)*

All countries	2,840,000
Poland	2,600,000
Occupied Soviet territory	[1] 50,000
France	55,000
Belgium	30,000
Holland	35,000
Other European countries	70,000

[1] This figure is indeterminate, as it may vary in tens of thousands.

With the exception of Poland and the occupied parts of the U. S. S. R., to which deportees from all countries were taken, the

countries mentioned in this table harbored refugees from central, eastern, and western Europe who were trapped by the Nazi occupation.

II. JEWISH IMMIGRATION INTO THE UNITED STATES, 1933–43 [1]

1. General immigration

The total number of alien immigrants entering this country from June 30, 1933, to June 30, 1943 (10 years) was 476,930. Of these, 292,882 were quota immigrants. The total quota for the same period was 1,537,740. This means that less than one-fifth of the quota was actually admitted to this country. (Quota immigrants are classified according to country of birth.) It should be pointed out, that of the total annual quota allotted to all counries, 55 percent is allocated to Great Britain, Northern Ireland, and the Irish Free State, and about 16 percent to Germany and Austria. Poland receives 4 percent; Italy, 3.7 percent; France and Sweden, 2.1 percent each; the other countries, 1 percent or less each.

2. Jewish immigration

The total number of Jewish immigrants entering the United States during the same 10-year period was 165,756. To this may be added 43,089 nonimmigrants who were admitted on temporary visas. (Some of these nonimmigrants changed their status as immigrants after reentering the country on permanent visas.) Out of this total of 208,845, about 190,000 were refugees. (See previous section, table II and explanation.)

3. Unfilled quotas

Unfilled quotas for all countries in the past 10 years totaled 1,244,858. Unfilled quotas during the same period for 20 countries now Axis dominated or occupied, totaled 341,567.

From June 1933 to June 1939, when emigration from Germany and Austria was still possible on a large scale, the United States admitted from those countries only 78,009 quota immigrants (of which 55,550 were Jews), i. e., less than half of the admissible quota. The admissible quota for the same period for Germany and Austria was 27,370 per year, or a total of 164,220 for the 6-year period.

In 1943, the total quota immigration into the United States was 9,045, or 5.9 percent of an admissible quota of 153,774. Even counting all immigrants—quota and nonquota—admitted to this country in 1943, the total was only 23,725, which was the lowest number since 1862.

4. Emigration from the United States

During the same period (1933–34) 243,965 legal alien residents of the United States left the country. Of these, 2,161 were Jews. Thus, the total net immigration (quota and nonquota) to this country for the past 10 years was 232,965, while the net Jewish immigration (immigrants and nonimmigrants) was 206,684.

5. Ratio of Jewish immigrants to Jewish population [2]

The Jewish immigrants who entered the United States in the past decade (208,845) constituted only 4.1 percent of the Jewish population in this country (estimated at 5,000,000) and about 2.5 percent of the total Jewish population (8,250,000) that lived in 1939 in the European countries of emigration, now dominated by the Axis. Compared with other countries of immigration and refuge, this is the lowest ratio. England, for example, having admitted 65,000 Jewish refugees, increased its Jewish population by 21.7 percent. Similarly, the 16,000 Jewish refugees in Switzerland constitute 8.6 percent of the local Jewish population; in Argentina, 23.2 percent; Australia, 37.5 percent; South Africa, 8.8 percent; Canada, 5.2 percent.

The following table presents an analysis of the annual quota for each country of emigration, the number of quota immigrants admitted to the United States, and the number of registered applicants for visas.

TABLE IV.[1]—*General and Jewish quota immigration into the United States, June 30, 1933–June 30, 1943*

SELECTED COUNTRIES NOW UNDER AXIS DOMINATION

Country of birth	10-year quota	Total general, 1933–43	Total Jewish, 1933–43 [2]	Registered applicants as of Jan. 1, 1939 [3]
All countries	1,537,740	292,882	165,756	513,528
Total, 20 countries	571,070	229,503	149,231	447,275
Belgium	13,040	3,488	1,471	2,701
Bulgaria	1,000	616		1,418
Czechoslovakia	28,740	13,549	7,052	36,868
Danzig	1,060	503		497
Denmark	11,810	1,989	55	3,327
Estonia	1,160	481		1,828
France	30,860	7,402	2,095	4,731
Germany	259,570	121,454	97,321	240,748
Austria	14,130	1,848		
Greece	3,070	3,051	117	3,267
Hungary	8,690	6,374	4,117	24,842
Italy	58,020	21,149	953	4,047
Latvia	2,360	1,170		797
Lithuania	3,860	2,217	1,696	5,696
Luxemburg	1,000	300		
Netherlands	31,530	4,541	1,489	1,440
Norway	23,770	2,979	31	13,716
Poland	65,240	29,151	27,741	78,409
Rumania	3,770	3,310	2,719	16,072
Yugoslavia	8,450	3,931	453	6,961
Other countries, Jewish immigration, 1,921.				

[1] Source: Releases of the Immigration and Naturalization Service, U. S. Department of Justice. (Information supplied by the National Refugee Service.)

[2] Includes quota and nonquota alien immigrants (by country of birth).

[3] Registered applicants for visas at the United States consulates abroad. Information supplied by Hicem, according to United States Consular Service reports.

III. UNITED STATES VISA PROCEDURE IN WAR TIME [3]

(a) Application for visas

Alien applicants desiring visas to the United States—whether for permanent immigration, preference quota, temporary, or transit—must have BC forms filed in their behalf with the Visa Division of the United States Department in Washington, D. C.

Form BC, issued by the Visa Division (second revision, July 1, 1943), is 50 inches in length (four legal-size sheets printed on both sides) and contains all questions pertinent to information required by the State Department regarding the alien applicant.

(There are some categories of aliens for whom no BC form may be required, such as native-born citizens of independent countries of the Western Hemisphere, British native-born subjects, citizens of Canada or Newfoundland, persons entitled to nonquota status except enemy aliens, etc.)

Part B of Form BC is to be filled out by the alien applicant or by an American sponsor who is most familiar with his personal history and background. Each applicant over 18 years of age must fill out a separate form (B). Part C is to be filled out by the financial sponsor. Each alien must have two sponsors. If the sponsors, or the alien applicant (if he happens to be in this country), wish to appear for a hearing before the Interdepartmental Visa Review Committee, they must file an application for such a hearing (Form IVRC–1) together with the BC form. Witnesses (may be citizens or aliens) who know the applicant's life history may also appear for a hearing, upon filing a notice of appearance at the same time as the sponsors.

(b) Administrative procedure in the Visa Division

1. Consideration of Applications by Four Bodies Possible

Under the authority vested in the Secretary of State by the President's proclamation of November 14, 1941, restricting entry into and departure from the United States of all persons, the Visa Division has set up a series of steps by which applications of aliens are given careful consideration and review, to insure the interests of the United States during this national emergency.

Applications may be considered by four instances: First by a primary committee, next by an interdepartmental visa review committee, then by the board of appeals, and last by the Secretary of State, who has final authority.

2. Criteria for Admission of Aliens in Wartime

Among the classes of aliens deemed prejudicial to public interest, there is one group of aliens having close relatives in enemy countries. It is considered that since the relatives are kept as hostages by the enemy, the alien immigrant might be forced to engage in activities in the United States of America which might be detrimental to our country. However, the regulations make it clear that this factor is to be considered along with other evidence and should not be cause for denial to enter.

Emphasis is now placed on the probability of the alien being of benefit to our country, especially in defense work.

Close relatives—parents, husband, wife, children—in this country are also considered as factors favorable for admission of aliens, since the reunion of families is regarded as beneficial to the morale of the American citizens, or residents, involved.

3. Preparation of Application for Primary Committee

Form BC must be filed in six copies with the Visa Division of the State Department. After ascertaining the sponsor's financial adequacy, a copy of the form is sent to the investigating agencies: The Immigration and Naturalization Service, F. B. I., Military Intelligence, Naval Intelligence, and the State Department. It usually takes from 3 to 6 weeks for the reports to come from these agencies. An examiner then prepares the material for the Interdepartmental Visa Committee, known also as the Primary Committee.

4. Action by the Primary Committee

The Primary Committee consists of one representative from each of the departments mentioned in the preceding paragraph. If the case is approved—i. e., advisory approval is granted—it is forwarded to the consul abroad for action. If the consul—who has final decision in granting a visa—is satisfied as to the applicant's eligibility, he requests a quota number from the State Department in Washington. The latter cables a quota number, or sends it air mail, if one is available. If the consul disapproves, the case is referred back by him to the State Department for further consideration.

5. Period of Validity of Advisory Approval

An advisory approval is valid for 6 months. If the applicant did not obtain his visa by that time, for whatever reason, the sponsor has to apply for an extension, indicating his continued interest in the applicant and ability to support him.

[1] Sources: Jewish refugee: National Refugee Service; interpreter releases, published by Common Council for American Unity.

[2] Source: Jewish Refugee, ch. X, table IV.

[3] According to Interpreter Releases, published by Common Council for American Unity, volume XX, No. 40, October 29, 1943. A Summary of Visa Procedure in Wartime, by Cecilia Razovsky Davidson.

6. Interdepartmental Visa Review Committee

This committee, consisting of representatives of the same departments as those of the Primary Committee, reviews the cases of applicants rejected by the Primary Committee. It conducts hearings, at which the sponsors or/and other witnesses may appear. The decision is made on the basis of the information in the record and the testimony of the witness. If this committee disapproves the case, it goes automatically to the Board of Appeals. (No appeal to the Board is necessary.)

7. President's Board of Appeals

The Board of Appeals consists of two members appointed by the President, who are not supposed to represent any branch or agency of the Government. Their decision is based on the evidence of the record and witness submitted by the previous two committees. The board may ask these committees for additional investigation and data. The approval of the Board may be reversed by the Secretary of State, who has final authority. If the application is denied by the Board of Appeals, it may be renewed by the same or different sponsors after 6 months. The entire original procedure has to be started over again, as if it were a new case.

8. Applications of Aliens of Enemy Nationality

All applications for aliens of enemy nationality, whether natives, citizens, subjects, or denizens of enemy countries, must be considered by the Primary Committee, the Interdepartmental Visa Review Committee, and even if approved by these two bodies, they must also be considered by the Board of Appeals. (Enemy countries are Germany, Italy,[4] Japan, Bulgaria, Hungary, and Rumania.)

9. Suspended Cases

Visa applications of aliens now residing in enemy territory—where there is no American consular service—are held in suspense in the State Department or at American consulates abroad. After the territories are freed the applications will have to be renewed. If, however, the applicant can reach an American consul before the 6 months of validity expire, he may obtain his visa.

10. Annual Quota

The annual quota for a given country extends only for 1 fiscal year and may not be carried over to a succeeding year. If an applicant who has received a visa, having been assigned a quota number, is unable to sail within the fiscal year of his quota number, he forfeits his visa and has to apply to the consul for a new one. It should be noted that the quota number is assigned to the applicant upon the issuance of the visa.

IV. COMMENTS ON VISA PROCEDURE[5]

1. Filing of application

Since the BC form must be filed with the Visa Division in Washington (and not with the consulate abroad), much precious time may be lost in obtaining the necessary information from an alien applicant who is abroad. Very often the American sponsor who files the application is not familiar with the numerous details of the alien's life history required to be filled out in form BC. In some cases due to communication difficulties, such information may never be obtained.

[4] Italy, having been recognized by the United States of America, Great Britain, and Soviet Russia, as a cobelligerent, is no longer regarded as an enemy alien for purposes of selective service in this country. However, the State Department has not yet issued any statement with regard to immigration from Italy.

[5] Source: American Jewish Congress.

2. Changes in Form BC (made July 1, 1943)[6]

When the BC form was revised by the State Department on July 1, 1943, the following important changes were made, which complicate the procedure:

(a) The question (No. 15, part B) as to the applicant's "places of previous residence (city and country)" requires "giving approximate dates since age of 14 years." In the former BC form only a 10-year period was requested.

(b) The sponsor must now indicate his occupation and his residence for the past 10 years instead of 5 years. The sponsor is required to give more specific information in regard to his American citizenship and must answer questions (Nos. 25 to 28, part B) about his own political thinking and attachment to the United States Constitution.

3. Hostage angle

Section 7 of this application deals with "close relatives in countries other than the United States." This section has proved to be a serious handicap in the consideration of many cases because the Visa Division still takes into consideration the so-called hostage clause. This means that the applications of people who have relatives in any one of the Nazi-occupied countries are usually refused. Quite frequently this is the only cause for refusal.

4. Occupational experience

Question No. 9 (part B) dealing with "occupational experience" is frequently interpreted by the Visa Division as requiring such occupational experience as may be regarded "useful to the war effort of the United States." Such an interpretation is, of course, not professed publicly, but numerous inquiries along these lines lead to the conclusion that this is a criterion frequently employed in determining the fitness of an applicant for admission into the country. It serves to disqualify many applicants who are either professionals or have been merchants in Europe.

5. Refugees in Spain and Portugal

There was a time when applications submitted on behalf of people in Spain and Portugal were given preferred consideration. This policy has changed completely in the past 3 months. Relatives who now appear at hearings before the Interdepartmental Visa Review Committee are now questioned in detail as to "how the applicants got to Spain," although members of the committee know what is common knowledge to everybody—that these people succeeded in getting into Spain from France by escaping over the Pyrenees. In this connection another question put by the committee is with regard to the applicant's stay in Spain. Again it is common knowledge that people who escape into Spain are arrested and interned at Camp Miranda or put into prisons. Many of them are released afterward as the result of persistent efforts on the part of friendly governments and private relief organizations. Nevertheless, the committee insists on asking the sponsors details concerning the release of the applicant. Inevitably most of these questions must go unanswered, since the people who appear at the hearings usually know nothing or very little about the efforts in Spain. The failure, however, to answer these questions produces an unfavorable impression on the committee, resulting very often in a refusal of the application.

6. Refugees not in "acute danger"

Two other considerations militate against the granting of visas. The first is a criterion entitled "Not Being in Acute Danger." This applies to people in such countries as Spain, Portugal, Tangier, Jamaica, Cuba, and other Latin-American countries. It is, of course, true that such people may not be in danger of extermination. Many of them, however, have relatives in the United States whom they naturally wish to join, or generally are anxious to begin life anew in America as contrasted with the rather hopeless existence that most of them lead in places like Jamaica, Tangier, etc. In most instances these people have no possibility of earning a living in these places, since many of them are detained in camps. Furthermore, if these refugees could leave for the United States, they would make room in these places for others to come in, yet their applications for visas are in most cases refused.

[6] Source: National Refugee Service.

7. Internees cannot reach consulates

The second consideration is that the Department of State refuses to consider visa applications for refugees who are interned in camps in Mauritius, Cyprus, etc., which are under British rule. The attitude of the Visa Division is that it cannot act on these applications so long as these people are not released unconditionally from their internment so that they may appear at the consulates in person. On the other hand, the British Government will not release these people unless they show valid visas for another country. The result is a vicious circle. It should be noted that the Jewish refugees in Mauritius were deported there in 1940, after they had tried to enter Palestine without certificates. Many of them have families in the United States who are anxious to bring them to this country. To date their applications have not been acted upon for the reasons indicated.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that on Wednesday next after disposition of business on the Speaker's table I may address the House for 20 minutes.

The SPEAKER. Is there objection?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. RAMSPECK, for the remainder of the week, on account of important business.

To Mrs. NORTON, for an indefinite period, on account of illness.

BILL PRESENTED TO THE PRESIDENT

Mr. KLEIN, from the Committee on Enrolled Bills, reported that that committee did on January 22, 1944, present to the President, for his approval, a bill of the House of the following title:

H. R. 3741. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

ADJOURNMENT

Mr. ROGERS of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 41 minutes p. m.) the House adjourned until tomorrow, Tuesday, January 25, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON ROADS

The Committee on Roads will meet at 10:30 a. m. in room 1011, New House Office Building, to consider H. R. 3912,

on Tuesday, January 25, and Wednesday, January 26, 1944.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold hearings at 10:30 a. m. on Tuesday, January 25, and Wednesday, January 26, 1944, on H. R. 2701, H. R. 3012, H. R. 3446, and H. R. 3489.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Newsprint Subcommittee of the Committee on Interstate and Foreign Commerce, at 10:30 a. m., Tuesday, January 25, 1944.

Business to be considered: Open hearings on newsprint problems.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Tuesday, January 25, 1944, at 10 a. m., the purpose of which will be to consider the civil-aeronautics law as related to the American merchant marine, the development of foreign commerce, and the protection of the national security of the United States.

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 3, 1944, at 10 a. m., on H. R. 2809, to amend section 511 of the Merchant Marine Act, 1936, as amended.

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of subtitle "Insurance of Title II of the Merchant Marine Act, 1936," as amended.

COMMITTEE ON THE PUBLIC LANDS

The hearings on H. R. 2596, to protect Naval Petroleum Reserve No. 1, will be continued on Thursday, January 27, 1944, at 10:30 a. m.

COMMITTEE ON FLOOD CONTROL

SCHEDULE OF HEARINGS ON FLOOD CONTROL BILL OF 1944 BEGINNING TUESDAY, FEBRUARY 1, 1944, AT 10 A. M.

The Flood Control Committee will conduct hearings on flood-control reports submitted by the Chief of Engineers since the hearings conducted in June 1943 and on amendments to existing law. The committee is definitely committed to the view that flood-control projects for post-war construction will be among the most satisfactory public works, and the committee plans an adequate backlog of sound flood-control projects available following the war.

1. Tuesday, February 1: Maj. Gen. Eugene Reybold, Chief of Engineers, will open the hearings with any statements and recommendations he desires to submit covering national flood control and the projects that should be included in the bill to be reported, especially as they are related to national defense and as they will be important following the war to provide sound flood-control projects and desirable public works, and he will supplement his statements submitted to the committee in June 1943 with any recommendations he cares to submit following the said hearings and following the passage of the Emergency Flood Control Act authorizing an appropriation of $10,000,000 for the repair, restoration, and strengthening of levees and other flood-control works passed July 12, 1943. General Reybold will be followed by Maj. Gen. Thomas M. Robins, Assistant Chief of Engineers, and by Col. George H. Goethals, Chief, River and Harbor Flood Control Branch, Office of the Chief of Engineers, who will attend the hearings and will furnish the members of the committee in detail any and all information respecting any and all projects on which favorable reports have been submitted by the Chief of Engineers since June 1943. The district engineers and the division engineers have furnished to the Chief of Engineers data and information covering floods since June 1943 which will be submitted to the committee. It is probable that Brig. Gen. M. C. Tyler, president of the Mississippi River Commission, and the division engineer of the lower Mississippi Valley division, and, Col. Miles Reber, former division engineer, Missouri River division, Omaha, Nebr., will appear before the committee with respect to projects along the lower Mississippi River and its tributaries and the Missouri River and its tributaries before the hearings are concluded.

2. Wednesday, February 2: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the Pacific Northwest region, including the Willamette River and the Columbia River and tributaries; proponents and opponents of projects along the Milk River, Mont., the Knife River and tributaries, N. Dak., the Boyer River and tributaries, Iowa, Red Lake River and tributaries, Minn.; proponents and opponents of projects along the Rio Grande and tributaries, Colo.; proponents and opponents of projects along other rivers in the western Rocky Mountain region, including the States of Colorado and Montana.

3. Thursday, February 3: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Soil Conservation Service, Department of Agriculture and proponents and opponents of projects on rivers flowing into the Gulf of Mexico west of the Mississippi River, including the Trinity River in the State of Texas.

4. Friday, February 4: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects along the upper Mississippi River and tributaries, including the Illinois River and tributaries, the Great Lakes region; and proponents and opponents of projects along Bear Creek, Colo.; Missouri River and tributaries at the Kansas Citys, Mo. and Kans.; Nishnabotna River, Iowa and Mo.

5. Tuesday, February 8: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the Los Angeles area along the Sacramento River and tributaries and along the San Joaquin River and tributaries.

6. Wednesday, February 9: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Bureau of Reclamation, and proponents and opponents on projects along the Kern River and tributaries in the Kern River area and along the Kings River and tributaries in the Kings River area, and including other streams in the San Joaquin Valley.

7. Thursday, February 10: Continuation of the projects discussed on February 9.

8. Friday, February 11: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the upper and lower Ohio River and tributaries, including Salt River at Taylorsville, Ky., the Potomac River and tributaries, the New England region, including the Connecticut and Merrimac Rivers, and the Middle Atlantic region, including New York, Pennsylvania, and New Jersey, and the South Atlantic region, including rivers flowing into the Atlantic Ocean and Gulf of Mexico east of the Mississippi River.

9. Tuesday, February 15: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Gen. M. C. Tyler, president of the Mississippi River Commission and division engineer, and proponents and opponents of projects along the lower Mississippi River and tributaries including the Red, Arkansas, including Arkansas River, Conway County, Ark., and Purgatoire (Picket Wire) River, Colo., the White, St. Francis, and Yazoo Rivers.

10. Wednesday, February 16: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Col. Miles Reber, former division engineer, Missouri River division, Omaha, Nebr., and proponents and opponents of projects along the Missouri River and tributaries.

11. Thursday, February 17: Continuation of the projects discussed on February 16.

12. Friday, February 18: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in other regions in the United States.

13. Tuesday, February 22: Representatives of the Department of Agriculture, the Weather Bureau, Bureau of Reclamation, and other governmental agencies.

14. Wednesday, February 23: Senators and Representatives in Congress.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1099. A letter from the War Food Administrator, transmitting the report of the Federal Surplus Commodities Corporation for the fiscal year ended June 30, 1943; to the Committee on Agriculture.

1100. A letter from the Administrator of Veterans' Affairs, transmitting a draft of a proposed bill to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of Guy F. Allen, Chief Disbursing Officer; to the Committee on Claims.

1101. A letter from the Archivist of the United States, transmitting report on records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

By Mr. MURRAY of Tennessee: Committee on the Post Office and Post Roads. H. R. 4033. A bill relating to the use of the penalty mail privilege; without amendment (Rept. No. 1011). Referred to the Committee of the Whole House on the state of the Union.

Mr. PETERSON of Florida: Committee on the Public Lands. H. R. 7956. A bill for the protection of the water supply of the city of Sitka, Alaska; with amendment (Rept. 1012). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H. R. 4039. A bill authorizing the Secretary of War to conduct a preliminary examination and survey of Pillar Point at Half

Moon Bay, San Mateo County, Calif., and for other purposes; to the Committee on Rivers and Harbors.

By Mr. CARLSON of Kansas:

H. R. 4040. A bill to provide for the simplification of the individual income tax; to the Committee on Ways and Means.

By Mr. BUFFETT:

H. R. 4041. A bill to amend the act relating to the construction and maintenance of a bridge across the Missouri River at or near Nebraska City, Nebr.; to the Committee on Interstate and Foreign Commerce.

By Mr. FLANNAGAN:

H. R. 4042. A bill to amend the act of September 16, 1942, which provided a method of voting in time of war by members of the land and naval forces absent from the place of their residence, and for other purposes; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. GATHINGS:

H. R. 4043. A bill to provide for the sale of surplus war materials in small units after the present war, to grant veterans preferential rights to purchase such materials, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. HAGEN:

H. R. 4044. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon claims of Indians whose nations, tribes, or bands formerly were members of what was sometimes known as the Northern Indian Confederacy, and for other purposes; to the Committee on Indian Affairs.

By Mr. LUDLOW:

H. R. 4045. A bill to authorize the issuance of drill sergeant's medals; to the Committee on Military Affairs.

By Mr. BEALL:

H. R. 4051. A bill to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans; to the Committee on World War Veterans' Legislation.

By Mr. HAYS:

H. R. 4052. A bill to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans; to the Committee on World War Veterans' Legislation.

By Mr. LANE:

H. R. 4053. A bill to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans; to the Committee on World War Veterans' Legislation.

By Mr. LARCADE:

H. R. 4054. A bill to extend the times for commencing and completing the construction of a bridge across the Calcasieu River at or near Lake Charles, La.; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of California:

H. R. 4055. A bill to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans; to the Committee on World War Veterans' Legislation.

By Mr. STEARNES of New Hampshire:

H. R. 4056. A bill to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans; to the Committee on World War Veterans' Legislation.

By Miss STANLEY:

H. Con. Res. 65. Concurrent resolution to establish a joint committee on post-war planning; to the Committee on Rules.

By Mr. SUMNERS of Texas:

H. Res. 406. Resolution authorizing the Committee on the Judiciary to investigate the official conduct of Albert W. Johnson and Albert L. Watson, district judges of the United States District Court for the Middle District of Pennsylvania; to the Committee on the Judiciary.

H. Res. 407. Resolution to provide for expenses of investigation authorized by House Resolution 406; to the Committee on Accounts.

By Mr. COLMER:

H. Res. 408. Resolution to create a special committee on post-war economic policy and planning; to the Committee on Rules.

By Mr. JOHNSON of Oklahoma:

H. Res. 409. Resolution creating a select committee on post-war planning; to the Committee on Rules.

By Mr. RANKIN:

H. Res. 410. Resolution to amend clause 40, rule XI, of the rules of the House of Representatives of the Seventy-eighth Congress; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LEONARD W. HALL:

H. R. 4046. A bill for the relief of Leo Gottlieb; to the Committee on Claims.

By Mr. LUDLOW:

H. R. 4047. A bill for the relief of Marie Vickers and Irene Outten; to the Committee on War Claims.

By Mr. PETERSON of Florida:

H. R. 4048. A bill for the relief of Daniel S. Bagley, Jr.; to the Committee on Claims.

By Mr. REES of Kansas:

H. R. 4049. A bill for the relief of Alfred F. Ross; to the Committee on Claims.

By Mr. PETERSON of Florida:

H. R. 4050. A bill for the relief of Leo Edward Day and Phillip Tamborello; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4444. By Mr ANGELL: Petition of certain citizens of Portland, Oreg., asking for legislation to formulate a plan to save the surviving Jewish people of Europe; to the Committee on Immigration and Naturalization.

4445. By Mr. DIMOND: Petition of sundry citizens of Alaska, urging the passage of House bill 2082; to the Committee on the Judiciary.

4446. By Mr. FORAND: Resolution of the city council of the city of Providence, R. I., requesting the Members of Congress representing the State of Rhode Island to sponsor and promote the necessary legislation to the end that a veterans' hospital be erected within the State of Rhode Island; to the Committee on World War Veterans' Legislation.

4447. Also, resolution of the General Assembly of the State of Rhode Island, urging the Senators and Representatives from Rhode Island in the Congress of the United States to bring their influence to bear that action may be taken by the Federal Housing authorities to grant some form of priority to the immediate families of men and women in the service of the armed forces endeavoring to find residence in Rhode Island in the quarters of the housing projects developed by the Federal Housing authorities in Rhode Island; to the Committee on Appropriations.

4448. Also, resolution of the General Assembly of Rhode Island, protesting to the Congress of the United States against the enactment of pending House bill 2082 and any legislation having as its purpose any prohibition of the manufacture or the sale or the transportation of intoxicating liquors for beverage purposes; to the Committee on the Judiciary.

4449. Mr. GOODWIN: Resolution of the executive committee of the Disabled American Veterans, Department of Massachusetts, with reference to hospitalization, adopted January 8, 1944, at Boston, Mass.; to the Committee on World War Veterans' Legislation.

4450. By Mr. HAGEN: Petition of Bert Berg, Mary L. Burgland, and 24 other petitioners, all from Thief River Falls, Minn., urging passage of the Townsend bill, H. R. 1649, as a contribution to America's post-war future; to the Committee on Ways and Means.

4451. Also, petition of Mr. and Mrs. Andrew Hanson and Mr. and Mrs. Elias Angell, and 22 petitioners, all from Thief River Falls, Minn., urging the passage of House bill 1701, a bill to protect and enhance the social-security benefits to all persons inducted into the military service, and to provide a cushion for post-war conditions; to the Committee on Ways and Means.

4452. By Mr. LUDLOW: Petition of sundry citizens of the city of Indianapolis, Ind., favoring Senate bill 860; to the Committee on the Judiciary.

4453. By Mr. McGREGOR: Petition of the membership of the Baptist Church in Pike Township, Tunnel Hill, Ohio, urging enactment of House bill 2082, to prohibit the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

4454. Also, petition of the membership of the Creek Church, Pike Township, Frazeysburg, Ohio, urging enactment of House bill 2082 to prohibit the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

4455. By Mr. MOTT: Petition signed by Albert Schiermeister, of Lillamina, Oreg., and 52 other citizens of the State of Oregon, urging enactment of House bill 2082 and Senate bill 860; to the Committee on the Judiciary.

4456. By Mr. ROLPH: Resolution 3725, of the city and county of San Francisco, series 1939, relative to payment of taxes on Government property in city and county of San Francisco; to the Committee on the Public Lands.

4457. Also, petition of the Pile Drivers, Bridge, Wharf and Dock Builders, Local Union 34, of California, at San Francisco, to assure a vote in 1944 to all members in the armed forces; to the Committee on Elections.

4458. Also, resolution of the San Francisco Typographical Union, No. 21, opposing the inclusion in the new tax bill of provision requiring labor unions to file financial statements with the Treasury; to the Committee on Ways and Means.

4459. Also, resolution of the city and county of San Francisco Board of Supervisors, adopted January 10, 1944, commending the Senate Committee on Education and Labor for making inquiries into the problems of the white-collar workers; to the Committee on Education.

4460. Also, resolution of the United Office and Professional Workers of America, at San Francisco, Calif., urging speedy enactment of the bill which provides for the setting up of a bipartisan Federal commission to arrange and carry through voting by men and women in the service; to the Committee on Election of President, Vice President, and Representatives in Congress.

4461. By Mr. SCHIFFLER: Petition of Seymour Shaw, president, B'nai B'rith, Wheeling Lodge, No. 615, and 84 members, of Wheeling, W. Va., urging that appropriate action be taken to insure the withdrawal of the Palestine White Paper of 1939 in its entirety; that the terms of the Balfour Declaration and the Palestine mandates be implemented and carried out faithfully to the end; and that Palestine may continue to remain open to unrestricted Jewish immigration, etc.; to the Committee on Foreign Affairs.

4462. Also, petition of Mrs. W. A. Cole and other residents of Elm Grove, W. Va., urging the passage of House bill 2082; to the Committee on the Judiciary.

4463. By Mrs. SMITH of Maine: Petition of Wilfred Cote, of Augusta, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4464. Also, petition of Robert Baitler, of Randolph, Maine, and other citizens, protesting against the consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4465. Also, petition of E. C. Jones, of Washington, Maine, and other citizens, protesting against the consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4466. Also, petition of Albert Ducharme, of Lewiston, Maine, and other citizens, protesting against the consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4467. Also, petition of Rosario Houle, of Lewiston, Maine, and other citizens, protesting against the consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4468. By Mr. TREADWAY: Petition of sundry citizens of Berkshire County, Mass., urging the enactment of legislation to permit members of the armed forces to vote in the coming national election; to the Committee on Election of President, Vice President, and Representatives in Congress.

4469. By Mr. WEAVER: Petition of the Pearce-Young-Angel Co., Asheville, N. C., and sundry other persons of western North Carolina, opposing the enactment of House bill 2082, known as the Bryson bill; to the Committee on the Judiciary.

4470. By Mr. WELCH: Resolution No. 3783, adopted by the San Francisco Board of Supervisors on January 10, 1944, commending the Senate Committee on Education and Labor for making inquiries into the problems of the white-collar workers; to the Committee on Labor.

4471. By Mr. CHURCH: Petition of officers and employees of the Bastian-Blessing Co., of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4472. Also, petition of Z. Goldman and 38 other citizens of Waukegan, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4473. Also, petition of Joseph F. Hein, of Chicago, and other citizens of Illinois, protesting against the enactment of prohibition legislation; to the Committee on the Judiciary.

4474. Also, petition of W. E. Flesch and other citizens of Illinois, protesting against enactment of prohibition legislation; to the Committee on the Judiciary.

4475. Also, petition of A. E. Ladish, of Wilmette, and other citizens of Illinois, protesting against the enactment of House bill 2082, the Bryson bill; to the Committee on the Judiciary.

4476. Also, petition of Walter H. Rudolph, of Chicago, and other citizens of Illinois, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4477. Also, petition of Stanley Lee and other citizens of Illinois, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4478. Also, petition of C. B. Zeller, of Chicago, and other citizens of Illinois, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4479. Also, petition of Frank P. Speecher and other citizens of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4480. Also, petition of Max I. Nevis and other citizens of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4481. Also, petition of the Lincoln Park Post, No. 3564, Veterans of Foreign Wars, of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4482. Also, petition of the Budlong District Post, No. 837, American Legion, of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4483. Also, petition of W. J. Mailhoit and other citizens of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4484. Also, petition of the W. A. C. Social Club of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4485. Also, petition of James Marcinkus and other citizens of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4486. Also, petition of Stanley Zack and other citizens of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4487. Also, petition of Edward J. Dougherty and other citizens of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4488. Also, petition of the Saltimieras Radio Club of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4489. Also, petition of the American Lithuanian Service Mothers of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4490. Also, petition of the American Legion, North Center Post, No. 356, of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4491. Also, petition of G. Miller, of Chicago, and other citizens of Illinois, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4492. Also, petition of Max G. Schucorlein and other citizens of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4493. Also, petition of Florabelle Meyer and other citizens of Chicago, Ill., protesting against enactment of prohibition legislation; to the Committee on the Judiciary.

4494. Also, petition of Anne Hennigan and other citizens of Chicago, Ill., protesting against enactment of prohibition legislation; to the Committee on the Judiciary.

4495. Also, petition of Mrs. E. Kelley and other citizens of Illinois, protesting against prohibition legislation; to the Committee on the Judiciary.

4496. Also, petition of Catherine Keefee and other citizens of Chicago, Ill., protesting against prohibition legislation; to the Committee on the Judiciary.

4497. Also, petition of Mildred Wilson-Porteous and other citizens of Chicago, Ill., protesting against enactment of prohibition legislation; to the Committee on the Judiciary.

4498. By Mr. BLOOM: Petition of the American Labor Party, signed by Martin Scher, legislative chairman, ninth assembly district, New York City, containing resolutions regarding pending legislation which were adopted at a meeting sponsored by the American Labor Party Clubs of the seventh, ninth, and eleventh assembly districts of New York City; to the Committee on Election of President, Vice President, and Representatives in Congress.

4499. By the SPEAKER: Petition of Mrs. J. C. Foose, of Williamsport, Pa., and sundry citizens, petitioning consideration of their resolution with reference to House bill 2082; to the Committee on the Judiciary.

4500. Also, petition of the National Association for the Calling of a United States Constitutional Convention, New York, N. Y., petitioning consideration of their resolution with reference to the soldier-vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4501. Also, petition of the building and construction trades department, American Federation of Labor, Washington, D. C., petitioning consideration of their resolution with reference to the so-called locality wage boards, to the Committee on Military Affairs.

4502. Also, petition of the clerk of the county of Ottawa, State of Michigan, petitioning consideration of the resolution with reference to House bill 3420; to the Committee on Interstate and Foreign Commerce.

4503. Also, petition of the city clerk of Milwaukee, Wis., petitioning consideration of the resolution with reference to the soldier-vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4504. Also, petition of the American Free World Association, New York City and Washington, D. C., petitioning consideration of their resolution with reference to the Green-Lucas soldier-vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

SENATE

TUESDAY, JANUARY 25, 1944

(Legislative day of Monday, January 24, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal God, we thank Thee that Thou hast set eternity in our hearts. Our fleeting day is but a gleam of light between two walls of darkness; yet while it is called day we walk unafraid because Thou art our Father, and the darkness and the light are both alike to Thee.

An empty seat in this Chamber speaks this morning of a lonely place against our national sky. The sudden passing of a highly trusted and respected colleague and a great-souled public servant reminds our saddened hearts that in the midst of life we are in death.

From all the illusive shows of sense we turn to the refuge of Thy overshadowing presence, Thou who are our center and our rest, our shelter in the stormy blast, and our eternal home. Inspire and guide with Thy spirit these Thy servants, the few among the many lifted to high pedestals of influence and responsibility, to the end that they may

be found faithful stewards of the Nation's trust. By their sincerity, integrity, and wisdom may they be led to decisions that shall heal the wounds and bridge the gulfs of these embittered days. May all that is said and done here hasten the glad time when mercy and truth shall be blended into divine harmony, and righteousness and peace shall kiss each other in a world of brothers. In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, January 24, 1944, was dispensed with, and the Journal was approved.

DEATH OF SENATOR FREDERICK VAN NUYS, OF INDIANA

Mr. WILLIS. Mr. President, I have a most distressing duty to perform respecting my late colleague.

Senator FREDERICK VAN NUYS has fallen—a casualty of heroic devotion to America. He truly gave his life for our country, because his labors have been arduous and unceasing, especially in recent weeks.

His sudden and untimely death has come as a great shock to all his colleagues, and saddest emotions choke the words of those to whom he had endeared himself. His sudden death has cast a pall of sadness over the Capitol.

Senator VAN NUYS gave a full lifetime of valuable service to the State of Indiana and to our Nation. His whole career can be characterized as one of fearless and courageous effort for the highest principles of government. Time and time again he risked his political life to stand for those things which he believed to be right and in accord with the foundation principles of our Government. His constituents honored that record by repeated calls to public service.

Senator VAN NUYS was truly a son of Indiana. He was born in Falmouth, Ind., and was a graduate of Earlham College, from which institution he also received the honorary degree of doctor of laws in 1938. Having graduated from the Indiana Law School, he began practicing law in Shelbyville, Ind.; was prosecuting attorney of Madison County, 1906–10; member of the Indiana Senate, 1913–16; president pro tempore of State senate, 1915; United States attorney for the district of Indiana, 1920–22; elected to the United States Senate on November 8, 1932; reelected November 1938. He was for a period chairman of the Democratic State committee.

He married Marie Krug, and they have one son, William Van Nuys, who is serving in South America as an ensign in the United States Navy.

In the United States Senate he has been noted for his unswerving devotion to the finest principles of statesmanship. At the time of his death his most responsible position was that of chairman of the Judiciary Committee, to which he gave honorable, efficient, and tireless service until the day of his death. A great statesman has fallen; the Nation mourns. The hearts of the people of Indiana, who honored and loved him, are heavy with the sorrow of a great loss.

Mr. President, I offer the resolution which I send to the desk, and which I ask to have read and considered.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 245) was read by the legislative clerk, considered, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. FREDERICK VAN NUYS, late a Senator from the State of Indiana;

Resolved, That a committee of 10 Senators be appointed by the President of the Senate to take order for superintending the funeral of the deceased Senator;

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The VICE PRESIDENT. The Chair will appoint the committee provided for in the second resolving clause at a later time.

Mr. BARKLEY. Mr. President, I would not want the occasion to pass without a word in tribute to our late colleague.

In one of his eloquent addresses the great agnostic Robert G. Ingersoll said that "Life is a narrow vale between the cold and barren peaks of two eternities." Those of us who profess and believe in the faith of our fathers do not accept any such definition of life. I have never believed, and do not now believe, that the past to which Ingersoll referred as one of the "cold and barren peaks" can properly be so described. I prefer to believe in the inscription engraved over one of the entrances to the Archives Building in Washington, "What's Past is Prologue." All the past has led up to this hour; all the achievements, all the sacrifices, all the burdens, all the travail of mankind from the day of the creation until this moment have led up to our present state of human existence. I do not believe that the past constitutes a "cold and barren peak," nor do I believe that the future is such a peak.

No one has ever returned to advise mankind what the future holds; no one knows what the future has in store for any of us, as a race or as individuals; but I should be pessimistic indeed if I believed that after all the sacrifice, the loyalty, the devotion, the innate goodness of man in this world, he must journey toward a "cold and barren peak" representing his future life. I do not believe that. I do not think mankind believes it.

So, as we pay tribute today to our departed friend, we feel, as we must feel, that his toil, his energy, his industry, his honesty, his integrity, his high devotion to duty, public and private, have not led him and do not lead him into a barren, cold future. There is a greater reward than that for those who serve God and mankind.

Mr. President, in the loss of FRED VAN NUYS I feel a peculiar grief. Although on occasion we did not agree about public matters, there was an intimate relationship between him and me and between his family and mine. A more devoted, a more charming, a more loyal, a sweeter-natured companion than Mrs. Van Nuys never blessed the life of any man. It so happened that she arrived in Arizona only yesterday on a brief visit or vacation. She had hardly reached her destination before the word of her husband's death came.

I mourn FRED VAN NUYS as a Senator. I mourn him even more as a friend. I share the sorrow that I know is felt by all his colleagues at this sudden bereavement. I am certain that all Senators, indeed, all who knew him, join in expressing deep sympathy to his family and his friends.

We will cherish his memory, and I am sure that ample reward will be received by his spirit, in the mansions not made with hands, for the contribution he has made in the service of his country, and of mankind, and of his God.

Mr. DANAHER. Mr. President, because of illness which occasions the temporary absence of the senior Senator from Vermont [Mr. AUSTIN], who is the ranking minority member of the Committee on the Judiciary, it falls upon me humbly to say a word concerning our beloved chairman.

For the 5 years it has been my privilege to serve on the Committee on the Judiciary I have come to know Senator VAN NUYS with an intimacy born of constant association. In the last 3 years of that service, throughout which he has been the chairman of the committee, we who have worked with him have found him courageous, generous, and considerate. Learned in the law, and steeped in its traditions, he adhered constantly to the principles of the law, and to the lessons gleaned in the great experience he had had in its practice, as in the Committee on the Judiciary we labored with the affairs coming before us in due course.

We mourn FRED VAN NUYS. It is with the deepest sense of personal loss that I learned of his decease, for I held him in great affection. We who have been privileged most intimately to collaborate with him realize how greatly he will be missed in committee and in the Senate, indeed our country and his State are the poorer for his passing.

Mr. DAVIS. Mr. President, I was deeply shocked this morning to learn of the sudden death of my colleague and long-time friend, FREDERICK VAN NUYS.

I have known Senator VAN NUYS for more than 40 years. I recall when he first began the practice of the law in Madison County, Ind. I remember him almost from the time of his first case, for I was an officer of the county where he practiced. He began the practice of the law in the early 1900's, and I watched him develop and grow in stature through the numerous party and public offices which he filled so effectively and well.

Senator VAN NUYS served successively as prosecuting attorney of Madison County, as a member of the Indiana State Senate, as president pro tempore of that body, and as United States attorney for the district of Indiana, before coming to the Senate of the United States. The high type of service which he rendered

here is well known and appreciated by all who had the privilege and pleasure of working with him.

Mr. President, it is difficult for one to speak at a time such as this, but I know that in the passing of FREDERICK VAN NUYS Indiana has lost a great and noble son, and the people of America have lost a capable and sincere public servant. I know that the memory of FREDERICK VAN NUYS will live in time long after we who knew him and walked these halls with him shall have gone to our final rest.

Mr. HATCH. Mr. President, as one of the majority members of the Committee on the Judiciary of the Senate I can not let this occasion pass without saying at least a word in personal tribute of my own to our friend and colleague who has suddenly passed away. I served with Senator VAN NUYS on the Committee on the Judiciary ever since I have been in the Senate, first as members together on the committee, and later I served under him after he became chairman.

Throughout the years, we have had in the Committee on the Judiciary some rather sharp differences over questions of great importance. Some of those issues arose while Senator VAN NUYS was chairman of the committee, and I wish to say that throughout the years I never saw any bitterness on his part; I never saw him, as chairman of the committee, attempt to force his own views on the other members. Always he presided in a calm, dignified, statesmanlike manner, seeking to have the committee itself function as a committee, and as such to pass upon the many important questions which came before it.

Mr. President, serving with such a man one naturally forms a deep and personal attachment for him. I count his passing this morning a personal loss. I mourn with his family and his friends.

Mr. CONNALLY. Mr. President, I am sure every Senator who had any personal contact whatever with our late distinguished friend who has passed away, the Honorable FREDERICK VAN NUYS, feels a very deep sense of personal grief and loss at his untimely death.

As a member of the Committee on the Judiciary, of which he was a most efficient and able and courteous chairman, I desire to say a brief word. As a former chairman of that committee I was associated with him for a number of years. I pay tribute not only to his ability as a lawyer, but to the high degree of courage he never failed to exemplify. On a number of issues of very great importance he took his political life in his hands, and stood with firmness for convictions which he entertained.

Personally and socially he was of a most delightful nature. It was my privilege to be in his home. I know that he had a beautiful and ideal home life. He was a party man, with many years of distinguished service in his State before he came to the Senate. At one time he was Democratic State chairman. He served with rare distinction as Federal district attorney during the Wilson administration. He came to the Senate with a ripe experience at the bar, with a high conception of public duty, and in the chairmanship of the Committee on the Judiciary he displayed fine traits of courage, of ability, and of courtesy to every member of the committee. They will long remember his services and will enshrine his memory in their most treasured recollections.

Mr. O'MAHONEY. Mr. President, these are not mere formal and empty words that have been uttered here today in tribute to Senator VAN NUYS. Every one of them is true; every one of them is applicable to this great man who has passed from among us. I should not now attempt to add my inadequate tribute if it were not for the fact that throughout his service as chairman of the Committee on the Judiciary I not only served with him on that committee, but also was privileged to be his seat mate here upon the floor of the Senate. I had opportunity to know intimately how his mind acted, not only upon the questions which arose in the committee, but upon the controversial issues which were precipitated upon the floor.

When in the future I shall think of FRED VAN NUYS—and I shall think of him many times—I shall think of ability and integrity, I shall think of patience and tolerance, I shall think of modesty and simplicity, I shall think of courage and conviction, I shall think of a great man who came up through the various steps of political and public life, and who measured up to all the standards of statesmanship.

Mr. WILLIS. Mr. President, as a further mark of respect and esteem for our deceased colleague, I now move that the Senate stands in recess until 12 o'clock noon tomorrow.

The motion was unanimously agreed to; and (at 12 o'clock and 24 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, January 26, 1944, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 25, 1944

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

With the assurance of Thy Fatherly love, blessed Lord, we come to Thee in prayer. Faith in Thee gives us strength to rise above conflicting confusions into the presence of Thy guiding light. Thou dost prepare a way for the wise purpose and for the resolute endeavor and use, of helpful service for our fellowmen. Hold and shield us from the gnawing thoughts of no vision, no task accomplished, and opportunities lost; grant that our understanding may not be eclipsed by hesitation nor fear.

Heavenly Father, help us to seek those large wonders which stir men's minds and arouse them to expectancy so that our feet shall be swift to run and our hands eager to work in the service of mutual helpfulness. As we pause our memory is on the throne of our being and we rejoice in the gentleness of our mothers, the strength of our fathers, and in the fidelity of our sons and daughters. We trust that we are truly grateful for home, its sweet influence, for its gracious restraints, and for its compulsions which are as the arms of the Lord. Holy Spirit, fill our minds with pure thoughts and our hearts with beautiful intentions and let our conceptions of duty be so strong and deep that they shall be as the voice of God. In the name of our Saviour who spake as never man spake. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had adopted the following resolution (S. Res. 245):

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. FREDERICK VAN NUYS, late a Senator from the State of Indiana;

Resolved, That a committee of 10 Senators be appointed by the President of the Senate to take order for superintending the funeral of the deceased Senator;

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased;

Resolved, That as a further mark of respect to the memory of the deceased, the Senate do now take a recess until 12 o'clock noon tomorrow.

MUSTERING-OUT PAY—CONFERENCE REPORT

Mr. MAY submitted a conference report and statement on the bill (S. 1543) to provide for mustering-out payments to members of the armed forces, and for other purposes, for printing under the rule.

MRS. LOUISE CALLOWAY

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts I present a privileged resolution (H. Res. 411), and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That there shall be paid out of the contingent fund of the House to Mrs. Louise Calloway, widow of Roger M. Calloway, late an employee of the House, an amount equal to 6 months' salary compensation at the rate he was receiving at the time of his death, and an additional amount not to exceed $250 toward defraying funeral expenses of the said Roger M. Calloway.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

ADDITIONAL FUNDS FOR DIES COMMITTEE

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COCHRAN. Mr. Speaker, many Members of the House have asked me when the resolution providing for an additional appropriation for the Dies committee would be called up. The Committee on Accounts this morning directed that a resolution be reported to the House providing for $75,000 additional funds. If the Speaker grants

recognition tomorrow morning the resolution will be presented.

EXTENSION OF REMARKS

(Mr. WICKERSHAM and Mr. ALLEN of Louisiana asked and were given permission to extend their own remarks in the RECORD.)

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD on three separate subjects: In the first to include resolutions adopted by American Legion Post, No. 15, of Lawrence, Mass.; second, to include an article by Phillip Burke; and, third, to include a radio address made by the gentleman from Massachusetts [Mr. MCCORMACK], the majority leader of the House, over Station WNAC on January 5, 1944.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to insert therein two short editorials.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered recently by the gentleman from New Jersey [Mr. POWERS].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. POULSON. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein two letters.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from a distinguished resident of my district.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE SOLDIERS' VOTE

Mr. BONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BONNER. Mr. Speaker, I received a V-mail letter from a soldier in Italy, a resident of my congressional district in North Carolina, who worked in Washington for 5 or 6 years and cast several absentee ballots in the State of North Carolina while he was employed here at the Capital. I should like to read one paragraph of this V-mail letter:

> Tell your fellow Members there to get together and pass a suitable soldiers' vote bill. Quite a few of us would like to have a hand in the coming election, but the voting should be made simple and easy, because the average soldier does not have the time or patience to cut through a lot of red tape.
>
> Corp. KERMIT A. COWAN,
> *Company C, Seven Hundred and Ninety-fourth R. T. N., A. P. O. 400, Care Postmaster, New York, N. Y.*

Mr. Speaker, the State of North Carolina has a most liberal absentee voting law for men and women in the services. Yet this soldier knows by experience it is not sufficient. The Worley bill will afford just what he asks for.

CALENDAR WEDNESDAY BUSINESS

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent that business in order on tomorrow, Calendar Wednesday, may be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SOLDIERS' ABSENTEE VOTING BILL

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN. Mr. Speaker, in reply to the gentleman from North Carolina [Mr. BONNER] let me say that if the bill passes which we have reported from the Committee on the Election of the President, Vice President, and Representatives in Congress, these men in the armed forces will get to vote for everything from President to constable, and can do their own voting without being harrassed by a lot of political commissars running around trying to tell them how to do it.

We have no right to set aside the Constitution as the Green-Lucas or the Worley bills provide.

Justice Davis of the Supreme Court of the United States, in an opinion handed down shortly after the Civil War, said:

> The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine involving more pernicious consequences was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism.

If you want to destroy the Constitution of the United States, the Lucas-Worley bill will help you do it.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. ANDERSON of New Mexico. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ANDERSON of New Mexico. Mr. Speaker, some of the Members have prepared and are circulating a pledge designed to take the first step to compel a record vote on the Worley bill. We will ask for the yeas and nays when the previous question is moved in the House on the adoption of the rule on the soldier-vote bill, and we will then vote "nay" so that, in the event the previous question is defeated, the gentleman from Texas, Chairman WORLEY, can then move to amend the rule to insure a separate record vote on the Worley bill, H. R. 3982.

Thirty Members signed such a pledge last evening, and many more are signing today. Members of the armed forces can thereafter tell by this early roll-call vote on the previous question which Members of this House genuinely favored a uniform Federal ballot as the surest method of giving the vote to those who fight our battles all over the world.

EXTENSION OF REMARKS

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief article from the Highland Recorder, on the subject of investment in the markets.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. ROBERTSON]?

There was no objection.

THE SOLDIERS' VOTE

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. WRIGHT]?

There was no objection.

Mr. WRIGHT. Mr. Speaker, in answer to the gentleman from Mississippi, may I say that the bill which has been reported by the elections committee will give a right to vote only to the soldiers who live in those States that take appropriate action to amend their election laws and get the ballots over to the soldiers in time for them to vote.

The Worley bill will not only give the theoretical right to vote to the soldier but it will give him the opportunity to vote, and it is the only method by which an opportunity to vote will be given. My mail from constituents and servicemen convinces me that this is one of the most burning public questions before the House. America is looking to the Congress to see whether or not we are going to use the Constitution of the United States as an instrument to frustrate the opportunity of our servicemen to cast their ballots.

The SPEAKER. The time of the gentleman has expired.

SIMPLIFIED TAX RETURNS

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. ARENDS]?

There was no objection.

Mr. ARENDS. Mr. Speaker, the question of simplification of income-tax returns needs the attention of Congress. On yesterday I placed in the RECORD, page A352, a letter from one of my constituents who has worked out a simplified method that I think should have the attention of the House. I trust the members of the Ways and Means Committee will take time to look it over. I am not sure that it is the solution, but, at least, it is a suggestion toward getting some simplification.

Mr. KNUTSON. Will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Minnesota.

Mr. KNUTSON. I may say to the gentleman that the distinguished Member from Kansas [Mr. CARLSON] intro-

duced a tax bill on yesterday that I think very well answers the question.

Mr. ARENDS. I am very glad to hear that.

The SPEAKER. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include certain correspondence on the oil situation.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made yesterday on the pending bill and to include therein certain quotations.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

THE SOLDIERS' VOTE

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. EBERHARTER]?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, I see by the press that Wendell Willkie made a statement that he would not wish to be elected President unless all the members of the armed services have the chance to exercise the elective franchise, and he does not believe it is possible as a practicable matter to do this under State statutes.

It is now time for other Presidential candidates, to inform the public as to whether they favor the enactment of a genuine soldiers' vote bill, such as the Worley-Green-Lucas bill, or the inocuous and spurious Rankin-Eastland bill.

Also, the soldiers, sailors, and marines will want to know and they will remember in the future, how each Member of Congress votes as between the genuine and the counterfeit.

Mr. RANKIN. Will the gentleman yield?

Mr. EBERHARTER. I yield to the gentleman from Mississippi.

Mr. RANKIN. Let me say to the gentleman from Pennsylvania that Mr. Willkie used the "power-trust method" of control. He is not used to elections at all. He reaches down and controls by the "power-trust method." That is the way he hornswoggled the Republican Convention into nominating him for President in 1940.

Mr. EBERHARTER. At least he is in favor of a genuine soldiers' vote bill, and not a spurious, counterfeit measure.

Mr. RANKIN. I am sure the gentleman is not going to follow Mr. Willkie and the Power Trust.

The CHAIRMAN. The time of the gentleman has expired.

SIMPLIFIED TAX RETURNS

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. SPRINGER]?

There was no objection.

Mr. SPRINGER. Mr. Speaker, the people throughout the country are greatly distressed since they have received the Federal income-tax forms, which are the most complicated and confusing tax forms that have been issued from the Treasury Department. The average citizen cannot know anything whatever about that complicated instrument without securing expert legal advice on the subject, and in many instances the legal advice is inadequate to lend material assistance to the taxpayer. These returns must be simplified. They must be made simple and easy of preparation, so that the average citizen may, upon receipt of the form, make out his own tax return, file it, and pay his taxes. The tax return which has been submitted to the taxpayers of this Nation are so complicated, confusing, and ridiculous that even the so-called tax experts are confused over them.

It is a sad commentary for the Members of Congress to know that the Treasury Department of our Government would issue such a confusing form upon which these tax returns must be made. From the forms submitted it appears as if those in the Treasury Department have attempted to make the present form both confusing and complicated and impossible of understanding and interpretation. If the Treasury Department is incapable of preparing a simplified and understandable income-tax return form, then those in charge should step aside and let someone do this job who knows how, and who will handle this matter in a common-sense manner, having regard for the taxpayers of our country.

PERMISSION TO ADDRESS THE HOUSE

Mr. GILCHRIST. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. GILCHRIST]?

There was no objection.

[Mr. GILCHRIST addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. FULBRIGHT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas [Mr. FULBRIGHT]?

There was no objection.

THE SOLDIERS' VOTE

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Arizona [Mr. MURDOCK]?

There was no objection.

Mr. MURDOCK. Mr. Speaker, I have just received from the Secretary of State of Arizona copy of a proposed bill to be laid before an extra session of my State, if and when such a session is called. This proposed bill would change the date of our primary elections and such other proper, necessary, accompanying changes during the war. I cite this merely to show the interest of the people of Arizona officially as well as my own personally. Many persons in Arizona have written me earnestly concerning the soldier vote.

My people are extremely anxious that the privilege of voting be made possible and extended in a practical way to every member of the armed forces. This move at home is an evidence of a desire to cooperate on the part of my State with the Federal Government in making the soldier ballot a possibility and effective.

Mr. O'CONNOR. Will the gentleman yield?

Mr. MURDOCK. I yield to the gentleman from Montana.

Mr. O'CONNOR. May I say to the gentleman that I agree with the statement he has made. My people in Montana feel the same way about the matter of the soldiers voting as the people in Arizona.

Mr. MURDOCK. I think it is a matter of cooperation between the States and the Federal Government to make it possible and effective. One of the several soldier-vote bills introduced recently, the revised Worley bill, is designed to encourage and facilitate such cooperation. That legislation would enable soldiers from such States as have cooperated to vote the full local, State, and Federal ballot. The Worley bill as law would furnish our soldiers a "short ballot," which is all that Congress may furnish—only in those few cases, if any, where a State has not made the necessary provisions as my State plans.

The SPEAKER. The time of the gentleman from Arizona has expired.

EXTENSION OF REMARKS

Mr. THOMASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein copy of a law of May 9, 1919, passed by the Legislature of Texas on the question of soldiers, sailors, and marines voting without the necessity of paying a poll tax.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. THOMASON]?

THE SOLDIERS' VOTE

Mr. THOMASON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. THOMASON]?

There was no objection.

Mr. THOMASON. Mr. Speaker, I concur in the statement just made by my distinguished colleague from Arizona. I assume every Member of this House is in favor of the soldiers, sailors, and marines voting. It seems to me now to be largely a question of method and procedure.

I happened to have been speaker of the Texas House of Representatives in 1919 when President Wilson sent word to Texas and all the States that men in the armed services should vote. There was a special session of the Legislature of Texas called by Governor Hobby, which convened on May 5, 1919, and was in session 4 days. A bill was passed unanimously by the Senate and House of Representatives of the State of Texas, becoming law on May 9, 1919, permitting every honorably discharged soldier, sailor, or marine of World War No. 1 who had a legal residence in Texas to vote without having paid the poll tax then required by the laws of the State of Texas. I might add that pursuant to that law the soldiers, sailors, and marines of World War No. 1 did vote in Texas for the years 1919 and 1920 without the payment of a poll tax and, so far as I know, the constitutionality of that act was never questioned.

This is no time to get technical. This is no time to impose restrictions and make procedure so cumbersome that it will deprive the soldiers of their right and privilege of voting. Let every Member read the statements of the Secretary of War and Secretary of Navy in the report. Someone well said, "the right to vote follows the flag." I am actively supporting the Lucas-Worley bill. I am placing the Texas law in the Appendix of the RECORD, and I think every Member, and especially those from poll-tax States, will find it interesting and informative.

EXTENSION OF REMARKS

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from one of my constituents.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. ELLIOTT addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MAAS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from a soldier.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. CLASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from a local church paper.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SIMPLIFICATION OF TAX RETURNS

Mr. CLASON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CLASON. Mr. Speaker, on yesterday there was brought to the attention of all Members of Congress the program introduced by the gentleman from Kansas [Mr. CARLSON] seeking to secure a simplification of the present tax laws as well as a simplification of the present tax returns.

I am hearing, as I know every other Member must be hearing, from people in all walks of life. Those who have to make out the short forms are complaining that the forms do not give them an opportunity to tell about their incomes and to claim their exemptions. Those who have to make out the longer forms cannot possibly do it themselves. The result is that we find that an entirely new group is growing up in the United States, that of specialists in making out Federal tax returns. It has got so that no lawyer feels capable of making out a return for a client any more. I hope the gentleman from Kansas [Mr. CARLSON] will receive the earnest support of every Member of Congress in his effort. It is the duty of this Congress to initiate a study of our tax problems at once. Thereafter, at the earliest possible date, such legislation should be enacted as is necessary to simplify our tax structure. One result to be sought is the preparation of a tax return which the ordinary taxpayer can make out without the aid of a lawyer or accountant and which permits him to set forth accurately all of the figures which relate to a proper return of his income.

SOLDIERS VOTING

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MILLER of Nebraska. Mr. Speaker, good government begins at home. The closer we can keep the Government to the people and keep officials responsible to the electorate the better the type of government.

The Worley-Lucas bill being sponsored by the administration merely gives the military personnel a one-third of the ballot. It gives them the right to vote for just those men who want to live in Washington. To me this is repulsive. I am surprised that the New Deal supporters on the floor of this House seem determined to prevent the soldier from having a 100-percent ballot, and I mean by that the right to vote for his own county officials, the State officials, and constitutional amendments in his own State. Certainly he should have this right if we are to continue to have good government at home.

Is it possible that the administration wants to control the Federal voting and ballot through a commission so as to manipulate some of the results? Can anyone tell me why they feel the soldiers should not have the right to vote for his neighbors, friends, and the folks in his own county and State?

A number of States are now having a special session of their legislatures in order to make some minor adjustments in the law which will make it easier for the soldiers to vote. Nebraska, my State, can do this easly with a short session of our unicameral legislature.

We hear the excuse that it will be impossible to get the ballots sent overseas. That, of course, is not true. We have ample airplanes and pilots who can facilitate the transportation of these ballots.

I am sure, Mr. Speaker, that when this House adopts a voting measure that the people of the country will want our military personnel to have the right to vote for the county and State and Federal offices with a ballot which will be accepted and constitutional in his home State. We should adopt nothing short of a full ballot if we are to continue good government at home.

The SPEAKER. The time of the gentleman from Nebraska has expired.

Mr. McMURRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. McMURRAY. Mr. Speaker, it is very important for everyone in this House to understand that the Worley bill contains every provision for a State ballot that is contained in the so-called committee bill, with improvements, and that there is offered also in the Worley bill an additional opportunity to vote only if the soldiers do not vote their State ballots. If they vote their State ballots, their so-called Federal ballots are invalidated. It ought to be clearly understood by every Member of the House that every encouragement to the voting of State ballots is provided for in title II of the Worley bill.

SIMPLIFICATION OF TAX STRUCTURE

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ROBERTSON. Mr. Speaker, the Democratic members of the House Committee on Ways and Means are just as eager as any other member of the committee or this House to seek a simplification of our tax structure. It is the purpose of the chairman of that committee to commence work on such a program at the earliest possible date.

I may say, incidentally, that on February 1, 1943, I proposed a simplification program which included a simple pay-as-you-go plan. That plan was adopted by the House but turned down by the Senate, and the House then ratified the complex Senate pay-as-you-go plan.

Nearly a year ago I said that if we adopted a simple pay-as-you-go plan, it could be followed by a unification of the rates and a plan that would eliminate the necessity for the filing of at least 30,000,000 income-tax returns. I can assure the House that tax simplification will be tne first job to be tackled by our committee this year.

THE SOLDIER-VOTE BILL

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VURSELL. Mr. Speaker, as a member of the House Committee on Elections, may I say that all of us know there never has been any intention on the part of those who back the Federal ballot, the War Ballot Commission bill, to give the soldiers a chance to vote a complete ballot. The Worley bill is only the "come-on." It is the reception room of the main auditorium, because the bill that is being considered in the Senate and the fight that is being made against our committee bill amending S. 1285 is the excuse that the Army and Navy cannot transport the ballots. If the committee bill fails the Worley bill will give place to the vicious Senate bill. They propose to hold the elections early in the military camps in the States and overseas, and foist this deception of a ballot upon the soldiers and prevent them from voting the whole ballot.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, I rise for the purpose of asking when the rule on the Rankin bill, which was reported out last Friday, will be presented to the House. Unless that rule, which is a wide-open rule, so the House can do what it wishes on the bill, is presented to the House today, it will be impossible to bring it up unless we suspend the rules tomorrow. The distinguished gentleman from Massachusetts, the majority leader, announced to the House, in absolute good faith, I know, that he proposed as far as it was in his ability to bring up the Rankin bill when the pending U. N. R. R. A. bill was disposed of, which will probably be today. May I ask the majority leader if he will use his influence to have that rule presented so that we can bring up the Rankin bill for consideration tomorrow under an open rule. I think it is only fair to the House that, after having all these promises given and after the Committee on Rules has reported a rule that no one Member, the chairman or anybody else, should carry the rule around in his pocket to be called up at his own convenience, and thus hold up this important legislation.

CALL OF THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following members failed to answer to their names:

[Roll No. 9]

Baldwin, Md.	Jackson	Rockwell
Bell	Jennings	Schuetz
Capozzoli	Jones	Schwabe
Dirksen	Kleberg	Scrivner
Fitzpatrick	Luce	Sheridan
Ford	McKenzie	Treadway
Gamble	Magnuson	Weiss
Granger	Morrison, La.	Wene
Halleck	Norton	West
Harness, Ind.	O'Leary	Wigglesworth
Herter	Outland	Winter
Hobbs	Ploeser	Zimmerman
Holmes, Mass.	Ramspeck	

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. No business can be transacted yet; a quorum has not been developed.

On this roll call 390 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

TIME WITHIN WHICH RULE MUST BE FILED AFTER ADOPTION BY COMMITTEE ON RULES

Mr. RANKIN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Mississippi rise?

Mr. RANKIN. To propound a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. Mr. Speaker, on day before yesterday the Committee on Rules voted, I understand unanimously, to report to the House a rule on the soldiers' vote bill, S. 1285. This rule has not been reported to the House.

My parliamentary inquiry is whether if the chairman of the Committee on Rules declines further, or delays further, to report this rule to the House so we may proceed with this legislation, some other member of the Committee on Rules may do so without a resolution.

I may say to the Chair that it is my definite understanding that unless the chairman of the Committee on Rules does report it, a motion will be in order under the privilege of the House to require the resolution to be brought to the floor of the House, but what I am trying to find out is whether or not some other member of the committee would have the right to report this rule and let us proceed with the legislation.

The SPEAKER. The rule provides that the Committee on Rules shall present to the House reports concerning joint resolutions and other business within 3 legislative days of the time when ordered reported by the committee.

The Chair does not feel it necessary at this time to answer the parliamentary inquiry further because the Chair believes that action will provide the answer.

Mr. RANKIN. I hope so.

Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. Mr. Speaker, I did not get the significance of the Chair's statement that action will provide the answer. Does that mean that the rule will be reported?

The SPEAKER. The Chair does not feel obliged to answer the parliamentary inquiry further at this time. If the rule were not filed at the end of the third day another situation would be presented.

Mr. RANKIN. Then, as I understand it, if the rule is not reported within 3 days after it is ordered reported by the Committee on Rules some other member of the committee would have the right to report it.

The SPEAKER. The Chair does not feel called upon to answer that parliamentary inquiry at this time.

Mr. TABER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TABER. Does the fact that the rule has not been filed mean that a new practice has been inaugurated of carrying rules around in somebody's pocket?

The SPEAKER. The Chair knows nothing about any practice being established, and recognizes the gentleman from New York [Mr. BLOOM].

PARTICIPATION OF THE UNITED STATES IN THE UNITED NATIONS RELIEF AND REHABILITATION ORGANIZATION

Mr. BLOOM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 192, to enable the United States to participate in the work of the United Nations Relief and Rehabilitation organization.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 192, to enable the United States to participate in the work of the United Nations Relief and Rehabilitation organization, with Mr. O'NEAL in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Section 1 of the bill is still open for amendment.

Mr. SMITH of Ohio. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Ohio: On page 13 strike out all beginning with the word "article" in line 19 down to and including the word "vote" in line 8 on page 14.

Mr. SMITH of Ohio. Mr. Chairman, I ask unanimous consent to revise and extend my own remarks and to proceed for 4 additional minutes.

Mr. BLOOM. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from New York reserves a point of order on the amendment.

The gentleman from Ohio asks unanimous consent to revise and extend his own remarks and to proceed for 4 additional minutes. Without objection it is so ordered.

There was no objection.

The CHAIRMAN. The gentleman from Ohio is recognized for 9 minutes.

Mr. SMITH of Ohio. Mr. Chairman, article VIII should be stricken from this resolution. It is an anomalous provision and wholly unconstitutional.

I do not believe the writers of the Constitution intended that the President should in the exercise of his duties in carrying out the foreign policies of this Nation have the authority to bind it to an undertaking such as this resolution proposes. Except in the prevailing atmosphere of dissolute spending it is unlikely any Chief Executive of the United States would have attempted to do such a thing.

Section a of article VIII provides:

Amendments involving new obligations for member governments shall require the approval of the Council by a two-thirds vote and shall take effect for each member government on acceptance by it.

This means that the President could, without any authority from Congress sign an agreement with the other nations which would bind the United States to further undertakings than those involved in the present resolution, relief and rehabilitation. What those obligations might be no one can tell. One can, however, have some idea by looking at the agreement which the President signed for pooling our oil resources with those of other nations, which action was based on the so-called master agreements, which in turn are based on the Lend-Lease Act. I do not believe the President should be given specific legislative authority to do what this provision would allow him to do. Furthermore I think it is wrong to give legislative sanction to his signing the agreement which would bind us to this program. The cry of the country already is that the Executive has too much power. This would add greatly to the power which he already holds. It would reduce still further what power is left to the Congress.

Sections b and c would distinctly vest in the international body the power to actually amend the law which we are now asked to pass, this House Joint Resolution 192. Article b reads as follows:

Amendments involving modification of article III or article IV shall take effect on adoption by the council by a two-thirds vote, including the votes of all the members of the central committee.

Under this provision articles III and IV could be amended without even the consent of the Chief Executive as well as the Congress. It should be noted that our member on the Council and the central committee would be a part of the international organization. He would not be a part of our governmental structure.

Section c of article VIII provides:

Other amendments shall take effect on adoption by the Council by a two-thirds vote.

Here not even the vote of our representative on the Council would be required for effectuating amendments to this law we are now in the act of passing. Only a two-thirds vote of the members of the Council would be required. And what might these other amendments be? Who knows? In the psychology of rapidly expanding Presidential and diminishing congressional power, and with the ever-increasing concern by the forces now in control of our Government for the welfare of other nations at the expense of our own, which now prevails, the term "other amendments," as well as the other provisions in article VIII could and likely would operate to fan the flames which are now burning out our Constitution, if not our very sovereignty as well.

I have already pointed out that the passage of this resolution, and particularly article VIII contained in it, would establish a dangerous precedent, that this could be used to force through Congress the passage of laws to establish a united and associated nations stabilization fund and an international bank for reconstruction and development as is being proposed by the administration. I should like to repeat that there are strong indications that the administration intends to sign with the other nations for the establishment of these two agencies and then come to Congress for appropriations to carry out those schemes just as he has done in the case of the United Nations Relief and Rehabilitation agreement and procedure. I am warning the Congress and country of the dangers of these international monetary proposals. Our people would never consent to their going through if they understood them.

The United States has the enviable record of never having defaulted on any of its international agreements. But the administration in power is now in the process of engaging the United States in international commitments which our Nation may not be able to fulfill. There is, after all, a limit to what the American people can do and will do. We should take timely warning of this.

Mr. BLOOM. Will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from New York.

Mr. BLOOM. I would like to call the attention of the gentleman to page 14, lines 1 and 2, which state, "and shall take effect for each member-government on the acceptance by it." Nothing can take effect until that member-government, any of the 44 member-governments that have signed this agreement, has accepted it; nothing can take effect until the member governments agree to it, which answers the gentleman.

Mr. SMITH of Ohio. Tell the Congress what the term "member government" in subsection a of article VIII means.

Mr. BLOOM. Well, "member government" is the President and the Congress of the United States. That is the Government.

Mr. SMITH of Ohio. The gentleman says the term includes the Congress of the United States?

Mr. BLOOM. It has got to be accepted by the President.

Mr. SMITH of Ohio. Let us be clear. Do not try to equivocate. Does this mean the President alone or does this mean the President and the Congress or does it mean the Congress alone? Let us have a definite answer.

Mr. BLOOM. The Congress has to appropriate, that is right.

Mr. SMITH of Ohio. I am not talking about the appropriation at all. I am talking about the meaning of the term "member government" in subsection a of article VIII.

Mr. BLOOM. The President of the United States must agree to this, and sign it.

Mr. SMITH of Ohio. The gentleman means to say that the term "member government" refers specifically to the President of the United States and to no one else?

Mr. BLOOM. No, no.

Mr. SMITH of Ohio. To whom does it refer?

Mr. BLOOM. Our constitutional government, the constitutional processes of our Government. It has got to be accepted that way, whatever the constitutional processes will be. That is the way it has got to be done.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Ohio. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio [Mr. SMITH]?

There was no objection.

Mr. SMITH of Ohio. Mr. Chairman, this is an important question, and the chairman of the Committee on Foreign Affairs is equivocating. I want to state to the House, and settle once and for all, that this means the President of the United States exclusively. That is written into this bill. If you will refer to page 1 of this bill, you will note this language:

Resolved—

And so forth—

in the working of the United Nations Relief and Rehabilitation Administration established by an agreement concluded by the United Nations and associated governments on November 9, 1943.

Established by the United Nations and associated governments, as this language applies to the United States, can mean only that the President was considered as representing the United States with absolute power to bind the United States

to the agreement. So that the term "member government" in subsection "a" of article VIII means, in effect, the President of the United States, and it does not include the Congress.

Miss SUMNER of Illinois. Will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. On page 14 it says that, "Other amendments shall take effect on adoption by the Council by a two-thirds vote." Among those other amendments is article V, which maintains our constitutional rights.

Mr. SMITH of Ohio. Certainly.

Miss SUMNERS of Illinois. So that article V, which maintains our constitutional rights, can be voted down and voted out by the Council by a two-thirds vote without the consent of the United States?

Mr. SMITH of Ohio. This resolution provides for international legislation, and therefore partakes of a superstate.

Miss SUMNER of Illinois. They can lift our constitutional rights right out without our consent.

Mr. SMITH of Ohio. That is correct.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, the question raised by the amendment offered by the gentleman from Ohio [Mr. SMITH] was thoroughly discussed and considered by the Committee on Foreign Affairs. I have here an excerpt from that testimony. There is quite a bit of it. It is in the published hearings.

Dean Acheson was questioned closely with reference to this very matter. The language that is desired to be stricken by the amendment, article VIII, was inserted not to give more power but to reserve more power to our Government. As Mr. Dean Acheson, Assistant Secretary of State, who knows more about what is contained in that agreement than anyone else and who is thoroughly familiar with it, said, that provision, article VIII, was specifically inserted in the agreement in order to make it clear that U. N. R. R. A., which is a service agency for the administration of such relief measures as the Government may choose to provide for the liberated areas should not in exercising its functions as such service agency impose any new obligations on the member-governments without going through the appropriate constitutional processes of such governments. In other words, this is a limitation and a restriction simply to call attention to what had already been written in there that the duly constituted processes and authorities of the Government should determine any changes to be made. That was written into the agreement after consultation with our committee and with the Senate Foreign Relations Committee in order to safeguard that very thing, the sovereignty and independence of our Government.

Mr. Chairman, the truth is that we cannot change here the terms of the agreement by a vote of Congress, and this amendment would be futile if it were adopted because you cannot change the agreement of 44 countries. The text of the agreement is set forth in the resolution for information only.

I am going to ask the chairman of the Committee on Foreign Affairs to withdraw the point of order so we can have a vote on this amendment, which is not necessary, because nothing can be done until the Congress authorizes an appropriation, and, as stated by the gentleman from New York [Mr. TABER] yesterday the Appropriations Committee can put any limitation it wants and that committee will do it; so the amendment is futile; you cannot change by this amendment the agreement of 44 countries, and I sincerely hope the amendment will be rejected.

Mr. BLOOM. Mr. Chairman, I withdraw my reservation of a point of order and ask for a vote.

Mr. VORYS of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, may I remind the Members of the House what has just been said? This amendment is absolutely futile. It would be just as impossible for Congress to amend the fact that a certain document, which I presume is now in the archives of the Secretary of State, signed by 44 nations, does have in it an article VIII as it would be for the Congress at this time to pass an amendment changing the words of the Declaration of Independence or the almanac or striking out certain letters in the dictionary. It is impossible for the House to change the fact that this international agreement has article VIII in it, and that is what the amendment attempts to do.

As to the substance of article VIII, the way in which the 44 nations have agreed that the agreement they have made can be amended, this has been thoroughly discussed during general debate and under the 5-minute rule. It has been pointed out that no change affecting the rights of our Government or the obligations of our Government can be made without the approval of our Government through its constitutional processes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEMKE. Mr. Chairman, I move to strike out the last two words, and ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. BLOOM. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. LEMKE. I yield to the gentleman from New York.

Mr. BLOOM. Mr. Chairman, I should like to see if we cannot agree upon some limitation of time for debate on section 1. I ask unanimous consent that all debate on section 1 and all amendments thereto close in 1 hour.

Mr. GEARHART. I object, Mr. Chairman.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I move that all debate on this section and all amendments thereto close in 1 hour.

The question was taken; and, the Chair being in doubt, the Committee divided; and there were—ayes 75, noes 28.

So the motion was agreed to.

Mr. GEARHART. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GEARHART. Is the 10 minutes that was granted the gentleman from North Dakota before the limitation was placed on debate included within the hour?

The CHAIRMAN. It is not included within the 1-hour limitation.

Mr. LEMKE. Mr. Chairman, a great deal has been said about our not being able to change or amend this resolution because 44 nations have agreed to it. We can, however, preserve our own self-respect and the integrity of our own Government, and it is about time, if agreements have been made without congressional or constitutional sanction, that we serve notice on these nations and on the world that such agreements are not binding upon the United States of America.

The truth is, the 44 nations that we are told agreed to the provisions of this resolution have not unqualifiedly agreed. Six of these 44 nations are already objecting to the amount that their governments are supposed to contribute, while 14 of them have signed the agreement with reservations to the effect that they could not enter into a binding agreement without legislative approval or sanction from their own governments.

After listening for 3 days to the debate on this resolution I have been forced to the conclusion that I cannot conscientiously vote for it and be intellectually honest with myself. We took an official oath when we were sworn in as Members of Congress that we would uphold the Constitution against all enemies, foreign or domestic. I believe this resolution to be unconstitutional, and I intend to keep my oath to uphold the Constitution.

I cannot accept the theory that the Constitution can be forgotten when it serves our purpose. I cannot accept the sentiment expressed here that the Senate is to pass upon the constitutionality for us. It is true that the Senators also took the oath, but that does not authorize you to violate the oath you took. If you believe that this resolution is unconstitutional, it is your duty to oppose it and not try to get around the Constitution by camouflaging it.

I agree with you that all agreements are not treaties, but, all treaties are agreements. The difference between an agreement—a contract—and a treaty is this. An agreement may be made between individuals and corporations or between individuals and corporations on one side and nations on another. Those are contracts and agreements. But, all agreements, no matter by what name you call them, made between sovereign nations are treaties and must under the Constitution, until we change it, be approved by two-thirds of the Senate present and voting.

Let us not insult our own intelligence by saying this is not a treaty, but an Executive order. An Executive order

can only be made pursuant to the Constitution and the laws under the Constitution. An Executive order is not an agreement. It is an edict by the Chief Executive authorized by the law and permitted under the provisions of the Constitution.

We are told by the distinguished gentleman from Texas that the Foreign Relations Committee has determined the constitutional question. I am sorry, but the Foreign Relations Committee cannot assume responsibility for my oath of office to uphold the Constitution. I am responsible only to my own conscience and not to the desires or the momentary impulses of the Committee on Foreign Relations. They, too, took an oath of office to uphold the Constitution and they may satisfy themselves with a peculiar kind of reasoning that this resolution is constitutional.

I say deliberately that not only the executive branch of our Government, but we, the legislative, as well as the judiciary branch are out of step with public sentiment and public opinion. The people demand that all three branches of their Government once more respect the Constitution. We all know that in time of war the military arm must have full and complete control of military operations, but a declaration of war does not abolish Congress nor abrogate the Nation's laws. It does not set aside the Constitution.

I repeat that in recent years all three branches of our Government have flaunted the Constitution. We have attempted through legislative enactment and through Executive and administrative orders and directives to impose upon our people unconstitutional restrictions and requirements. We are about to do it again.

I am further opposed to this resolution because it gives another blank check of $1,350,000,000 to the Executive. A blank check with which to create an international W. P. A. Nearly every Member on this floor has given lip service to the effect that we have issued too many blank checks, that we had too many alphabetical set-ups like the O. P. A. and others that have not only not helped the war effort but hampered it. The people have taken us at our word and have repudiated this system in recent elections, and yet here we are now about to create an international W. P. A.

Again we are called upon to pay 60 percent of the amount to be spent by this international W. P. A., while the other 44 nations are to pay only 40 percent, and this includes Great Britain, who controls one-fourth of the world's territory, as well as Russia.

There is no necessity for such a set-up. We are all for feeding and taking care of the starving, but this can best be accomplished through the International Red Cross and through the Army itself; and if you want an alphabetical set-up, then through lend-lease. Why create a new set-up? It is no excuse to say that the International Red Cross nor the Army do not wish to do it. That is not for them to say. That is the prerogative of Congress and the Executive.

We are not only for feeding the hungry in Italy who opposed us—one of the Axis that caved in—but we would feed, by force if necessary, the 3,000,000 starving children of France, Norway, Poland, Czechoslovakia, and others that, for some unknown reason, we are standing by and permitting to die from starvation.

However, let us remember that, whatever we do, charity begins at home. I note that the Senate has nipped off another $100 from the mustering-out pay of our discharged veterans. Billions for foreign people, but $200 for the discharged veterans. That will, unless you are careful, become the slogan of this Congress.

We have about reached the limit of our financing other nations. When this war ends our Government will owe over $300,000,000,000. We, 135,000,000, possessing less than 10 percent of the world's resources, will owe more than all the other nations together—more than the over 2,000,000,000 that possess 90 percent of the world's resources.

I cannot accept the erroneous theory that if we keep our factories running at full blast for other nations—exhausting our own resources—will bring permanent prosperity. It will bring poverty, death, and destruction. You cannot eat your cake and still have it. That is as true in national affairs as in personal affairs. You cannot give away your wealth and still possess it. Thus we see, in place of being the richest Nation on the earth if the test is that of indebtedness, we are the poorest Nation on earth.

Again our tax burden is greater than that of any other nation. The per capita tax in the United States, including Federal, State, and local, is $357, as against Great Britain's $291. We have gone the limit in taxation and bond drives. Let us not wreck the Nation by creating international W. P. A. organizations.

I know that these sentiments are pro-American. Why should not we be pro-American. Churchill is pro-British, Stalin is certainly pro-Russian with a vengeance, Chiang Kai-shek is pro-Chinese. Permit me to assure you that our soldiers and veterans are pro-American with a vengeance. That sentiment is burned deep in the heart, the soul, and the conscience of every true American.

Mr. PLUMLEY. Mr. Chairman, I would be much more concerned with respect to the magnitude of the amount referred to in this bill, and with respect to our contribution to the cause of relief and rehabilitation, were it not for the facts, namely:

First. This is a relief and rehabilitation measure to authorize—not to appropriate.

Second. Before one cent is contributed it must be appropriated. Before one cent is expended the expenditure of that one cent will have to be justified else the Appropriations Committee will not appropriate one penny.

Third. As an authorization bill the constitutionality of the act is not an issue; and were it, that question is not involved now.

Fourth. This is not a blank check—obviously.

Fifth. One billion three hundred and fifty millions is the total limitation which may never be reached, and cannot be exceeded under this act.

It never will be reached unless the reason therefor can be justified, and if so justified we would be slackers not to do our part to save the world, post-war—for relief and rehabilitation.

Mr. GEARHART. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. The Chair recognizes the gentleman from California.

Mr. GEARHART. Mr. Chairman, if I am correct in my understanding of the joint resolution we now have under consideration, its purpose is to set up an international organization to dispense relief in the countries which have been or hereafter will be liberated by Allied military might.

If that is the purpose—and, I think, all will agree that it is—the legislation, it would seem, is entirely unnecessary.

Already Allied arms have liberated Morocco, Algeria, Tunisia, Tripoli, Sicily, and the southern part of Italy.

In all of these liberated countries, relief is now being efficiently administered in accordance with local necessities—this under legislation already enacted and with funds already appropriated.

If the legislation is entirely unnecessary, then, why the legislation? This, indeed, is a pertinent inquiry.

The answer is manifest, or, should be, to anyone who has followed the trend of events these last few years.

It is legislative precedents that the proponents of the joint resolution are seeking—not all of the proponents, for, most of them, are still among the uninitiated, still thinking in terms of relief, still pursuing that humanitarian impulse so commendable in all human beings.

Precedents! What precedents? Ah, therein lies the rub.

One is the Panamanian Compact, negotiated by the President, not submitted to the Senate.

Another is this U. N. R. R. A. internation concord of 44 nations, the joint resolution now under consideration, negotiated by the President, not submitted to the Senate.

The first has already been approved by the Congress in a joint resolution which ignored the plain mandate of section 2 of article II of the Constitution.

That is now a precedent.

When the joint resolution under consideration is passed, the Constitution will have been again bypassed, a second precedent will have been established.

Another international understanding will have been unconstitutionally assented to by the Congress, every Member of which has taken a solemn oath to uphold not only the Constitution as an entirety but every part and portion thereof, including section 2 of article II.

With these two precedents—and a few more, perhaps—the foundation will have been firmly laid for the great triumph over constitutionalism—the submission to the Congress of the great treaty of

peace in the form of a joint resolution—a treaty negotiated by one man, not by the Chief Executive by and with the advice and consent of the Senate but by the totalitarian action of the President alone, the Constitution notwithstanding.

Mark my words! That, colleagues, is my prediction of that which is being planned for us. That, sirs, is the unhappy implication of this day's proceedings. Watch, gentlemen, for the great treaty of peace, for, indeed, it will be one that will represent the will and desire and overweening ambitions of but one man—the President of the United States.

This is totalitarianism on the march.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. SMITH of Ohio) there were—ayes 24, noes 78.

So the amendment was rejected.

Mr. BUSBEY. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BUSBEY: Strike out all after the resolving clause and insert in lieu thereof the following:

"That there is hereby authorized to be appropriated such sums, not to exceed $1,000,000,000 in the aggregate, as the Congress of the United States may determine from time to time to be appropriated, and such sums to be used for relief among the populations of areas liberated by the armed forces of the United Nations. Such sums shall be administered solely by the American Red Cross, using the facilities of their international organization.

"SEC. 2. The American Red Cross shall submit to Congress quarterly reports of expenditures made under any such appropriations.

"SEC. 3. Relief shall be defined as aid in furnishing food, clothing, shelter, the prevention of pestilence and recovery of health of the peoples of the liberated areas."

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Mr. BUSBEY. Mr. Chairman, this is a very simple amendment. There has been a great deal of talk during the last 3 days in regard to how relief to the liberated countries should be administered. There has been a great deal of talk as to precedents in administering relief. I submit to the House the fact that in my estimation there is only one organization in the entire world which is qualified to administer relief on such a broad scale and only one organization that has trained, qualified personnel. I refer to the Red Cross. The American Red Cross, through its International Red Cross and cooperating agencies, certainly are in a position to administer this fund. I have heard no serious question raised during this debate as to the need of helping these people. I am sure we all want to do everything within our power to assist the needy in these liberated countries. Therefore, our problem resolves itself into the question, What is the best agency to administer this fund?

We have plenty of precedent for my resolution, because the Seventy-seventh Congress appropriated $85,000,000 for exactly this same purpose, namely relief in these foreign countries, to be administered, if you please, by the American Red Cross. According to the figures given to me yesterday by the American Red Cross, they have already expended $79,000,000 of this appropriation. Approximately $15,000,000 has been expended in England; $13,000,000 in Russia; $5,000,000 in China; $11,000,000 in France; and the remainder in smaller amounts in various countries. This naturally raises the question in our minds, if the Seventy-seventh Congress appropriated $85,000,000 for this program, why then should the Seventy-eighth Congress start off on another program to authorize appropriations for a new organization such as U. N. R. R. A.? The proponents of this resolution say, "This provides for rehabilitation as well as relief and the Red Cross only administers relief; they are not organized to take care of rehabilitation." That is true.

I maintain that rehabilitation is a program distinct and separate from relief, but there is no reason why an organization set up to take care of rehabilitation could not cooperate wherever possible and necessary with the Red Cross in their relief work. For example, the Army does an entirely different type of fighting than the Navy, nevertheless they cooperate wherever necessary to obtain their objective.

Let us do relief work under a relief organization, and rehabilitation work under a rehabilitation organization.

Under House Joint Resolution 192, which sets up the U. N. R. R. A. organization, as well as authorizing an appropriation of $1,350,000,000, it will be necessary to recruit and train entirely new personnel to work under Gov. Herbert H. Lehman, Director General of U. N. R. R. A. Why approach this problem from such an impractical viewpoint, when the American Red Cross already has experienced, well-trained, and qualified personnel already in the field doing the relief work that is proposed under this resolution?

I regret very much that nowhere in the hearings—and I have read them very carefully—do I find a word of testimony from a representative of the American Red Cross in regard to their equipment to do this work; nor do I find a single word of testimony as to how this problem could be handled, from the greatest recognized authority in the world for handling relief, the Honorable Herbert Hoover.

Under House Joint Resolution 192 we are authorizing an appropriation of $1,350,000,000 of the $2,000,000,000 to be subscribed by the various United Nations capable of paying their assessments. I am very much afraid that under this plan many of the nations which might be entitled to relief under U. N. R. R. A. will feel that they did not receive their fair share, and in return the United States of America will be blamed.

I believe it far better that the Congress appropriate the entire amount and keep it under our supervision to distribute as we think best than vote to create an agency such as U. N. R. R. A.

Mr. Chairman, in the interests of humanity and the welfare of the starving and needy peoples of the world, I sincerely trust the House will adopt my amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROBSION of Kentucky. Mr. Chairman, I arise in support of the amendment offered by the gentleman from Illinois to House Joint Resolution 192 now before us. This is a very direct and simple amendment. It authorizes the Congress from time to time to vote such sums as it may deem necessary but not to exceed in all $1,000,000,000, for the relief of needy people in the war-stricken areas, and to place the sums so voted in the hands of the Red Cross to be distributed by it. This plan could be easily administered.

Almost every man, woman, and child in the Nation knows about the Red Cross and the efficient services it has rendered through the years to needy people in our own country and throughout the world. In my opinion it is the greatest humanitarian organization ever created by man. It has brought relief to more needy people than any other organization created in the history of the world. It may be very well called the mother of charity, and the greatest handmaid of religion. No other organization has had as much experience or greater success, or is more free from graft in administering to the needy of our own country and the world. The American people and people everywhere have faith in this great humanitarian organization. It cooperates with other great humanitarian and philanthropic relief organizations. It is free from politics and selfish interests. It has but one purpose and that is to aid the needy and distressed without regard to race, creed, color, or politics. It has a personnel made up of able, competent, experienced men and women of proven character and ability in this special kind of service. If the bond and tax money of the American people is to be used for this high and noble purpose, what an inspiration it would be to them to know that the Congress has charged this great institution to administer these funds. It will not be the first time that the Red Cross has been called upon to distribute relief to needy people in many parts of the world, but I am afraid the New Deal administration will not accept this amendment. They have been now for days, with whip and spur, trying to force through the Congress House Joint Resolution 192 without the crossing of a "t" or the dotting of an "i."

WHAT IS HOUSE JOINT RESOLUTION 192?

This resolution, as submitted to the House by the Foreign Relations Committee headed by the gentleman from New York [Representative SOL BLOOM], contains 15 printed pages, and it undertakes to have the Congress approve the action taken by 44 nations on November 9, 1943. The President appointed representatives for the United States, and 43 other nations did likewise. They met and agreed to this plan and to form a Council and a Central Committee to carry out the plan. The Council is made up of 44 members, 1 from each of the 44 nations. The Central Committee is made up of 4 members, 1 each from China, Russia, the United Kingdom of Great Britain, and the United States, and the person in charge is the Director General. Two billion dollars is to be expended. The United States is pledged to contribute one billion three hundred and fifty million of this two million. This gives the President a blank check for this sum. The United States has but one vote on the Council, the United Kingdom of Great Britain has one vote, and then each of her five daughters on the Council, New Zealand, Australia, Canada, India, and the Union of South Africa, has one vote each on the Council, and so does Ethiopia, Haiti, Costa Rica, Iceland, Egypt, and many other small countries. A majority vote, and in some cases a two-thirds vote, controls as to many of the acts of this Council. We have 1 of the 44 votes on the Council. We have one vote, as has China, Russia, and the United Kingdom of Great Britain on the Central Committee, and a majority vote and sometimes a two-thirds vote controls, except if we should be dissatisfied with the Director General, we could not get rid of him unless China, Russia, and Great Britain should join us—it must be unanimous.

This Director General with his extraordinary powers to appoint Deputy Directors General, specialists and other officeholders throughout the world might be entirely satisfactory to China, or to Russia, or to Great Britain, or all of them, but we could not remove him and would have to continue to foot a large part of the bill unless all three of these other nations agreed with us. These other 43 nations, I am advised by a member of the Foreign Relations Committee, and others, have promised to pay six hundred and fifty million to this fund, and I am also advised that 6 of these nations have definitely stated that they would not pay anything, and 14 others have signed this agreement with the reservation that this agreement must be approved by their respective governments. Of course, many of these nations will not pay anything, and our Uncle Sam with only 1 vote out of 44 on the Council, and 1 vote out of 4 on the Central Committee, will pay from 60 to 75 percent of the expense of this undertaking. These delegates from the 44 nations that established the United Nations Relief and Rehabilitation Administration—U. N. R. R. A.—and committed our country to this world-wide program, completely ignored our Constitution and the Congress. We have been told that we would not be obligated for more than one billion three hundred and fifty million, but we accept this statement from the Administration with a grain of salt. There is no time limit fixed for this glorified world-wide W. P. A. If we do become involved with these 43 other Nations and the New Deal administration is continued in power with its persistent squandering of the American people's money, additional billions will be called for and granted by the New Deal. Their great fundamental policy has been and is to tax and tax, spend and spend, and to elect and elect.

This big set-up with this large sum of money under control of ex-Governor Lehman of New York, President Roosevelt's personal and political friend, as Director General would fit nicely into the President's plan to secure a fourth term and to play world-wide, international power politics. How many loyal new dealers will receive fat jobs under this political set-up? How much of this relief money will be used to aid one faction or another in the various countries of Europe, Asia, and Africa in securing or compelling submission to the will of our ambitious President, or in the fight for control of continental Europe between Russia and Great Britain after the war? Will they say to the needy factions or people of the various countries—"fall in line with our plans or no relief" as they did with W. P. A., N. Y. A., and other relief money, to play politics and continue themselves in power in this country?

DIRECTOR GENERAL ALMOST UNLIMITED

This Director General is delegated tremendous powers under article IV of the resolution, as follows:

> The Director General shall appoint such Deputy Directors General, officers, expert personnel, and staff, including field missions, and he may delegate to them such of his powers as he may deem appropriate.

Under this resolution the Director General can give authority to these Deputy Directors General in various parts of the world and clothe them with authority to appoint other officers and buy and provide facilities. It will be a world-wide organization.

Because some of us favor amendments to this resolution and carry on these activities within the Constitution of the United States and safeguard the United States and prevent the use of these funds for political purposes in this country or to interfere with the governments, the religions, and education of the peoples of the other 43 countries of the world and limit this money solely and only for the relief and rehabilitation of needy people, we likely will be accused of not being in sympathy with the principles of the Good Samaritan. I have observed two groups of philanthropists. One group out of the bigness and greatness of their hearts give unselfishly and generously of their services and their money to help needy people. The other group is ever ready to pledge the services and money of others to aid the needy and, at the same time, keep their eyes on the advantages that they themselves might receive. This latter group, under the New Deal administration, has been busy for many years in spending the bond and tax money of the American people for political purposes and for their own selfish advantage. Philanthropy and generosity in the use of other people's money are manifest to keep themselves in power.

The records of investigation committees of the House and Senate and things occurring before our very eyes have established the attitude of this administration beyond question. In my own State of Kentucky, W. P. A., N. Y. A., and old-age-pension relief were employed in flagrant violation of law to promote the political fortunes and to continue in power New Deal officeholders, and it is little wonder that many others and myself look with suspicion on this set-up and are anxious to avoid the use of these funds to meddle in the political, religious, and educational affairs of our own country and the other countries of Europe, Asia, and Africa. Relief benefits should go to the needy without partiality, favoritism, or political consideration. I have in the past and shall continue to prevent favoritism, partiality, and partisanship in administering relief funds to the needy. I am supporting this amendment in the hope that it may be adopted and whatever sums we appropriate for the relief of the needy people of Europe, Asia, and Africa, such funds will be administered honestly, fairly, and with the sole purpose of aiding the needy.

We are disturbed by the language in article IV, page 10 of this resolution, which is as follows:

> Foreign volunteer relief agencies may not engage in activities in any area receiving relief from the Administration—
>
> Meaning the Relief and Rehabilitation Administration—
>
> without the consent and subject to the regulations of the Director General.

As I understand this language, the Red Cross, the Society of Friends, the Polish Relief, and scores of other great philanthropic and charitable organizations cannot continue to assist in relief to these needy people in the various countries of the world until and unless Mr. Lehman, the Director General, gives them the authority to do so. This provision clearly indicates to me that this United Nations Relief and Rehabilitation Administration, that bears the initials U. N. R. R. A., proposes to dominate the relief field in all the countries of the world. This will prevent all of these relief organizations like the Red Cross from participating in this program without the consent of Mr. Lehman and his organization. If the various needy countries of the world do not step along as the U. N. R. R. A. directs they may be cut off from relief from all sources. The New Deal is running true to form here. They insist upon taking the bond and tax money of the people and make themselves the Good Samaritan. That means more power, more influence for the New Deal. But what a blow this proposal must be to these volunteer relief organizations and the millions of wonderful men and women who have been giving and desire to continue to give their services and their resources to the aid of needy people.

ARE WE DOING OUR SHARE?

It is stated in the bill that U. N. R. R. A. is to furnish food, clothing, shelter, prevent pestilence, recover the health of the people, provide for the return of prisoners and exiles to their homes, aid agricultural and industrial production, and the restoration of essential services such as railroads and other transportation facilities, power, light, heat and water plants, and so on. There have been brought to this country about 600,000 refugees and according to a new board recently created by the President, there will be brought to our country perhaps a million or more refugees. There are literally millions of prisoners, exiles and refugees scattered all over the world, and tens of millions of people will come within this relief and rehabilitation program. It is not likely that our country will get any part of the relief. It is likely that nearly all of the 43 other countries will demand and receive this relief. There are those who assert that this is a small sum. It really represents $10 for every man, woman and child, and $45 on an average for every family in the United States. We must borrow the money to carry on this program, which will increase our national debt and our already heavy taxes. Hundreds of millions of dollars have been contributed by the churches and the people of America for relief in these same countries. President Hoover headed a great organization that proposed to feed the starving and needy children of France and other occupied countries, but President Roosevelt, bowing to the wishes of Great Britain, refused to permit this private charity to be carried on. It was said that the Germans might get part of it, on the other hand, our Government and Mr. Hoover were assured that such would not be the case.

The Congress has already voted sixty-five billions under lend-lease for aid to these countries. We have three and one-half million square miles of the earth's landed surface. The other 43 countries joining in this agreement have over 70,000,000 square miles of the earth's landed surface. We have about 135,000,000 people, the other 43 nations have nearly 2,000,000,000. We have not been niggardly in dealing with the other people of the world in relief or in our war effort. By the end of the next fiscal year, according to the statement of the President, we will have spent nearly four hundred billion for this war and our national debt will be two hundred and fifty-eight billion. The American people annually now will pay approximately $43,000,000,000 in various kinds of Federal taxes and revenues. We have more men in our armed services than either Great Britain or China, and the administration has already agreed that we will furnish about 73 percent of the men who will make the great and bloody assault on Europe from the western front. Great Britain's budget this year is twenty and one-half billion, Russia is spending approximately fifteen billion annually, China less than five billion. We are spending more than one hundred billion. Great Britain's national debt has increased since 1938 forty-five billion, ours has increased one hundred and forty-five billion. We are spending more than twice as much on this war as Great Britain, Russia, China, and all the Allied Nations together.

I am wondering if our Government is not overliberal in all of these matters. If this resolution is adopted, we will put up somewhere from 65 to 75 percent of the relief and rehabilitation money. We are always talking about when our boys come home. Will they come home to a bankrupt country, involved in the quarrels and disputes of nearly every other country of the world? Heavy debts are burdens on the individual, city, county, State, and Nation. They are great handicaps to opportunities. I want our country to do its full share to win the war and in helping needy people. At the same time, let us not entirely bankrupt our own country and put a burden on our returning defenders and their children, and their children's children through the next 50 to 100 years. After all, we are the sworn officers representing the people of the United States, and as such I consider it my sworn duty to help protect our own country and look out for the welfare and interests of our own people. Like Premier Stalin and Prime Minister Churchill, I feel that we are doing nothing more than right to place the welfare of our own country first.

In every congressional district in the United States there are thousands of needy widows, orphan children, and needy aged, and many of these are disabled veterans and the widows and dependents of deceased veterans. If we look around in our own congressional districts we will be surprised to see the number of people who are greatly in need of food, shelter, clothing, and medical care. When the soldier muster-out pay bill was up, many of those who are insisting on giving the full amount provided in this resolution to the needy people of other countries, vigorously fought every effort to increase the muster-out pay of our defenders to the sum voted in the Senate. That measure is now before the conference committee of the House and Senate, and I am advised that they will likely cut it a half a billion more. They will save about half enough in the muster-out pay that should go to our own defenders to pay the sum provided in this bill. The House and the Senate have passed a new tax bill. It is now before the conferees and it will raise about two billion seven hundred million. The amount provided in this resolution will take up one-half of that sum of increased taxes. However much we should like to take care of the entire world, the American people cannot carry such a burden and save our own country. If we follow the program of the administration, there will be set up a world-wide W. P. A. Its main purpose will be to glorify and give world-wide power to President Roosevelt and to promote his ambitions here and throughout the world. We must use our heads as well as our hearts. We must not forget that we are merely the servants who speak, act, and vote for the American people. We are spending their tax and bond money, not our own.

I shall vote to reduce this authorization substantially, and let us see how this money is handled. It represents the hard-earned dollars, the bond and tax money of the American people, and if it is handled honestly and efficiently and used for the purposes for which it is authorized, then we can add to that sum if necessary. I shall vote for an amendment to limit the time that this relief and rehabilitation is to be carried on. This Nation cannot do away with W. P. A. in this country and at the same time establish a world-wide W. P. A. in 43 other countries. I voted for an amendment to require that a part of this money be spent for farm products and other commodities of this country that may be used in relief. Perhaps before the year is over millions of American boys will be coming back home, producing on the farms, in the factories, shops, and mills, and our first and great concern is to provide business opportunities and jobs for them. This amendment was defeated, and if this amendment to place this money in the hands of the Red Cross and other established agencies is defeated, I shall be compelled to vote against the bill. I desire to give all relief we can afford, but the American people cannot carry indefinitely the load of the world.

Mr. DAY. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I believe a proper respect for this legislative body requires that we stop for a moment and take our bearings and find just where we stand. Without any disrespect to the learned members of the Committee on Foreign Affairs of the House of Representatives, I believe we find ourselves at this moment in a very sorry predicament. At one of the most vital parts of this whole resolution that we are asked to adopt, they do not seem to know or agree on just what it means. Yet it is of such vital importance that it came up here upon the motion of the gentleman from Ohio [Mr. SMITH]. Now I call your attention to the fact that one of my colleagues, the gentleman from Illinois [Representative MASON], asked the chairman of the committee, the gentleman from New York [Mr. BLOOM], on last Thursday, the following question:

> Mr. MASON. The text of the U. N. R. R. A. agreement as printed in the bill, regardless of whether it is a treaty or an agreement, if this resolution is passed by the Congress and adopted, then becomes a substantive part of the law and whether it is a treaty or an agreement, it is then approved by the Congress; is that not right?
>
> Mr. BLOOM. That is right.

Then further on in the RECORD, on page 480 of the proceedings of the same day, the gentleman from Illinois [Mr. MASON] again asked that same question of the gentleman from Ohio [Representative VORYS], of the House Foreign Affairs Committee. He asked the question as follows:

> Mr. MASON. I want to ask the gentleman the same question that I asked the chairman of the committee. The fact that the text, you might say, of U. N. R. R. A. is incorporated in this bill, whether it is an agreement or whether it is a treaty, makes no difference, if this resolution is passed, then

does that mean that that text is adopted as part of the substantive law of this land?

And the gentleman from Ohio [Mr. VORYS], of the Committee on Foreign Affairs, replied:

In my opinion it is not.

That is just contrary to the position taken by the gentleman from New York, [Chairman BLOOM].

It is no more a part of the substantive law—

Stated the gentleman from Ohio [Mr. VORYS]—

than if the Lord's Prayer or some other document were quoted in a statute. It appears in the text; it is there, but it is not a part of the substantive law.

Where do we find ourselves today?

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. DAY. No, I cannot; the gentleman has his own time.

We are up against this situation: The President makes what he calls an Executive agreement with 44 other nations and yet he comes to us and says: "We want you to make an appropriation so we can carry out that relief and rehabilitation program." But he does not stop there. This resolution goes beyond a mere authorization, because in the words of the chairman of this committee they put the whole contract in the resolution and make it a substantive part of the law. If it could become a substantive part of the law it becomes a part of the supreme law of the land, just like a statute or a treaty. Nevertheless, the lower House of Congress, in the consideration of this resolution, is asked to do away with the constitutional requirement which makes it necessary that all treaties which become a part of the supreme law of the land be concurred in by the Senate by a two-thirds vote.

Here is the danger in this, and I pray you to consider it: This is not international relief, this is not a war measure; this is a constitutional question, and the day will come when it will rise up to plague you. The resolution provides that the President is the only one who can sign amendments to this contract. The time will come when the President may make an amendment contrary to the wishes of Congress or the wishes of the country, an amendment going beyond mere relief and rehabilitation, and he will not come back to this body again for authority. It is a constitutional question, and raises a serious danger.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. JENSEN. Mr. Chairman, I wish to be heard on the amendment.

The CHAIRMAN. Debate was limited on the amendment and the gentleman's name does not appear on the list of those seeking recognition.

All time on this amendment has expired.

Mr. BUSBEY. Mr. Chairman, I ask unanimous consent that the amendment may be again read.

The CHAIRMAN. Without objection, the Clerk will again read the amendment.

There was no objection.

The Clerk again read the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. BUSBEY) there were—ayes 69, noes 91.

Mr. BUSBEY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. BUSBEY and Mr. BLOOM.

The Committee again divided; and the tellers reported that there were—ayes 71, noes 123.

So the amendment was rejected.

Mr. O'CONNOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR: On page 1, strike out all after the resolving clause and insert in lieu thereof the following: "There is hereby authorized to be appropriated the sum of $675,000,000 to be expended under the direction of the President for the furnishing of food, clothing, medicine, and other absolute essentials of life, to relieve starvation and suffering among individuals in those countries which have been overrun by, or have directly suffered from hostile action of, the enemies of the United Nations in the present war."

Mr. O'CONNOR. Mr. Chairman, on yesterday I tried to amend the amount mentioned in the authorization in this resolution. Now, here is the record:

Committee amendment: On page 1, line 4, after the word "sums", insert "not to exceed $1,350,000,000 in the aggregate."

There was not a word of discussion, not a word of debate, not a word came from any member of the committee showing that this amount was necessary to carry on the program.

I want to tell you Members, and I ask you to weigh these words, if we are not careful this Congress will be known throughout the country as a spendthrift Congress. On that record alone, when the people get a whack at us, without a word of debate, without a word of explanation we saddle upon the people of this country $1,350,000,000, Mr. Chairman, I am fearful they will clear this Chamber on that record alone.

This is a new procedure. I take my hat off to the distinguished chairman of the Committee on Foreign Affairs as a strategist because the very gravamen of the resolution was the amount and the amount comes in here as a committee amendment, slipped through without a word. It is new procedure.

Let us get down to brass tacks. The trouble with this Congress is that it has been talking in terms of billions of dollars until we have got the habit. I represent 360,000 people who have to make their own living, farmers and laboring people, and it is out of these kind of people that this money will come. We are saddling not only upon this generation but future generations $1,350,000,000 without a word of explanation.

Let us turn the pages over and get toward the end of the book to where the war is over and the boys come home. Many of them are going to come home with their eyes out, many of them are going to come home with their legs off, and their arms off, mentally deranged, too. Our hospitals are going to be filled. We will not have enough hospitals. We will have to provide and care for the wounded boys. We have no idea what our needs will be. Take a look in the future before you commit yourself to $1,350,000,000 on a new venture.

Let us find out what is going to be done with this money. The sum of $675,000,000 is not hay. It is enough to start with.

The distinguished gentleman from South Dakota made a statement here the other day in the course of general debate that we ought to keep ringing in our ears. He stated that this resolution calls for $1,350,000,000—more than this Nation has ever been able to save in 1 year. Yet, Mr. Chairman, without a word of debate, it is written into the bill and sent through the House.

Mr. SAUTHOFF. Will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Wisconsin.

Mr. SAUTHOFF. I am in favor of the gentleman's amendment. I would like to point out that with the $258,000,000,000 indebtedness, it means $7,650 for every family of four people. The interest alone is $150 a year.

Mr. O'CONNOR. Why, of course. May I say, Mr. Chairman, if there is a record vote on this amendment, I doubt if there would be a vote against it.

Mr. WADSWORTH. Will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from New York.

Mr. WADSWORTH. I am not sure I understand the gentleman's amendment accurately.

Mr. O'CONNOR. It is to cut the amount in half.

Mr. WADSWORTH. Does it not also substitute the gentleman's language for the whole of the first section?

Mr. O'CONNOR. To some extent; but owing to the way the committee amendment for $1,350,000,000 was slipped in, we have to resort to doing something indirectly that we cannot do directly.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Montana [Mr. O'CONNOR].

The question was taken; and on a division (demanded by Mr. SAUTHOFF) there were—ayes 51, noes 106.

So the amendment was rejected.

Mr. SMITH of Ohio. Mr. Chairman, I have three amendments to offer. These amendments individually strike out the three sections in article VIII which comprise the amendment that I offered some time ago. I am going to ask unanimous consent that these amendments be considered together and that they may be read together so as to conserve time.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio [Mr. SMITH]?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. SMITH of Ohio: Beginning on page 13, strike out all of the language contained in line 23 down to and including line 2, page 14.

On page 14, strike out all of the language contined in lines 3, 4, 5, and 6.

On page 14, strike out all of the language contained in lines 7 and 8.

Mr. SMITH of Ohio. Mr. Chairman, I made this request because I do not want to take any more time of the Members than may be necessary. The amendments, of course, will be voted down. I anticipate that. Nevertheless, I want to make my record clear.

It has been contended by some of the members of the Committee on Foreign Affairs that the striking out of article VIII would be a futile gesture, that it would not mean anything, which is not true. It may be possible that the President had power under the Constitution to sign the agreement. That is one thing. But the inclusion of that agreement in this resolution puts the stamp of approval of the Congress upon the act of the President in signing that agreement. That cannot be disputed.

Those of you who are in a mood of giving over to the Chief Executive more and more power and taking the powers which the Constitution vests in Congress more and more away from the Congress should vote against my amendments. Those of you who do not believe the Executive should be given any more power, and believe it is our responsibility to conserve what little power is left in the Congress, should vote for my amendment.

Mr. Chairman, I want to answer a statement made by the gentleman from New York [Mr. WADSWORTH] on the floor a few days ago.

I inquire of the gentleman from New York whether he made the statement that if the Congress no longer has the power to control appropriations it should abdicate and go home, or words to that effect?

Mr. WADSWORTH. The witness is willing to answer without fear of incriminating himself. The gentleman from New York does not question the power of Congress to control appropriations. The gentleman from New York did state that if the Congress is not able to exercise the power in its wisdom, it had better go home.

Mr. SMITH of Ohio. I want to comment on that statement. If the Congress is not wise enough and courageous enough to control the public purse, the remedy is not for Congress to go home, but to reform its ways.

The gentleman from California has raised the question as to whether this proposal should not come within the scope of treaty-making. I am not so concerned about that, although it is important. I am not an attorney and cannot debate that point. All I am pleading for now is that we do not give the Executive any more power than he has. A member of my party said to me, "You are against this because of the man who now occupies the White House. If we had a man of our own choice there, you would not be against it." That is not my position. If Governor Bricker is elected President of the United States the next time, or if any other man on the Republican ticket is elected President, provided I am then a Member of this body, I shall take exactly the same position I am now taking should legislation such as this come before this body.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusets. Is it not also true that no one from the Treasury Department was called to testify before the Committee on Foreign Affairs, only people employed by U. N. R. R. A?

Mr. SMITH of Ohio. That is correct.

There is no question but what the State Department handed this resolution to the Congress practically on a platter. I know something about the history of this resolution. It was written largely at Hot Springs. That is where it had its inception. It is out of Hot Springs the principles involved in this joint resolution grew. I want to say a word about the Hot Springs Food Conference. I was there for 8 days. Do you know what most of the foreign delegates at Hot Springs thought international cooperation meant? I will tell you. They thought it meant getting something from Uncle Sam for nothing.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from Missouri.

Mr. SHORT. In order to keep the record straight, we might say that the egg was laid at Hot Springs, Va., but it was hatched over at Atlantic City.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. SMITH of Ohio) there were—ayes 41, noes 93.

So the amendments were rejected.

The CHAIRMAN. Are there further amendments to section 1?

If not, the Clerk will read.

The Clerk read as follows:

SEC. 2. Amounts appropriated under this resolution shall be expended under the direction of the President pursuant to section 1 hereof. The President shall submit to the Congress quarterly reports of expenditures made under any such appropriations and of operations under the agreement.

Mr. VORYS of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VORYS of Ohio:

On page 14, line 25, insert after the word "expended" the words "by the Department of State."

On page 15, line 1, strike out the word "President" and insert "Department of State."

Mr. VORYS of Ohio. Mr. Chairman, this amendment is simply to amend section 2 to conform to the amendment already made to section 1. It will make section 2 read as follows:

Amounts appropriated under this resolution shall be expended by the Department of State under the direction of the President pursuant to section 1 hereof. The Department of State shall submit to the Congress quarterly reports of expenditures made under any such appropriations and of operations under the agreement.

The adoption of this amendment is necessary to make the two sections conform.

Mr. BLOOM. Mr. Chairman, I make the point of order against the amendment that we are not yet considering section 2.

The CHAIRMAN. The Clerk has read section 2, and the amendment is in order. The point of order is overruled.

The question is on the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

Mr. JENSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

On page 15, after line 3, insert the following:

"The Appropriations Committee of the House of Representatives shall employ an experienced auditor and other necessary personnel whose duty it shall be to examine the books, files, papers, and accounts of U. N. R. R. A. and all official documents pertaining to expenditures made by U. N. R. R. A. from funds appropriated in accordance with this authorization. Said auditor shall make a comprehensive report of same to the full Committee of Appropriations quarterly, or at such other times as said committee may direct."

Mr. COCHRAN. Mr. Chairman, I make the point of order against the amendment that it is not germane to the joint resolution.

This resolution, Mr. Chairman, authorizes the expenditure of money for the United Nations relief and rehabilitation organization to be handled, as the resolution has been amended, by the State Department. This amendment seeks to give a legislative committee of this House the power to employ an experienced auditor and other necessary personnel to examine the books, files, papers, and so forth, of U. N. R. R. A. As I understand the resolution, it requires a report to the Congress. The Committee on Appropriations has control over the appropriations. This is simply an authorization. If it is desired to place any limitations upon the appropriations, they should be on that bill, not this resolution.

The CHAIRMAN. Does the gentleman from Iowa desire to be heard on the point of order?

Mr. JENSEN. I do, Mr. Chairman, in order to make a few remarks.

Of course, I anticipated that a point of order would be raised against my amendment, especially since my very good friend, the distinguished chairman of the Committee on Accounts, who is on the floor, has opposed the organization of an examining staff for each subcommittee of appropriations proposed in H. R. 325, which I introduced during the first session of the Seventy-eighth Congress.

Members of the House know that this is a very necessary amendment to this resolution. Of course, I had hoped a point of order would not be raised. Almost everybody who has talked for this bill has said that this is purely an authorization and that the Committee on Appropriations must appropriate the money before any money can be expended for U. N. R. R. A. That is all well and good, but we all know that in 98 cases out of 100 an authorization means an appropriation so a great responsibility rests on the shoulders of members of the Committee on Appropriations. I am sure that every member on that committee and I think every Member of Congress would like to know

what, where, and how the money is being spent during the time it is being spent.

Mr. EBERHARTER. Mr. Chairman, the gentleman should address himself to the point of order.

The CHAIRMAN. Is the gentleman from Iowa speaking to the point of order?

Mr. JENSEN. I will, Mr. Chairman, in due course.

The CHAIRMAN. If the gentleman will confine his remarks to discussing the point of order, the Chair will be glad to hear him.

Mr. JENSEN. My primary purpose of making these remarks I have is to point out the responsibilities which rest on every member of the Appropriations Committee in seeing to it that the least possible waste of funds is avoided, so that the starving, sick, and suffering people of the invaded nations might get the fullest possible benefit of this legislation. I shall continue to press for enactment of my bill H. R. 325 to accomplish the desired purpose of cutting out the disgraceful waste still going on in most every New Deal agency of government.

Mr. Chairman, I am not going to argue on the point of order, because I think in all honesty and fairness that it is subject to the point of order.

The CHAIRMAN. The Chair is ready to rule. The Chair sustains the point of order.

If there are no other amendments to section 2, the Clerk will report the Committee amendment.

The Clerk read as follows:

Committee amendment: On page 15, after line 3, add a new section as follows:

"SEC. 3. In the adoption of this joint resolution the Congress expresses its approval of and reliance upon the policy adopted by the United Nations Relief and Rehabilitation Administration at the first session of the Council, summarized in paragraph 11 of Resolution No. 12, and reading as follows:

" '11. The task of rehabilitation must not be considered as the beginning of reconstruction—it is coterminous with relief. No new construction or reconstruction work is contemplated, but only rehabilitation as defined in the preamble of the agreement. Problems, such as unemployment, are important, but not determining factors. They are consequences and, at the same time, motives of action. The Administration cannot be called upon to help restore continuous employment in the world'."

Mr. BUFFETT. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BUFFET: On page 15, after line 3, insert:

"SEC. 3. Appropriations hereunder shall be made exclusively from a special fund in the United States Treasury which shall be known as the United Nations Relief and Rehabilitation Fund. Such fund shall consist of amounts received from the sale by the United States Treasury of special bonds to be known as United Nations Relief and Rehabilitation Bonds, which shall be issued subject to the provisions and limitations of the Second Liberty Bond Act, as amended, and which shall be sold only to individuals."

Mr. EBERHARTER. Mr. Chairman, I make the point of order that the amendment offered by the gentleman is impossible of performance under the powers of Congress; that is, it proposes to set up a special fund from which shall be paid the amounts appropriated by the Committee on Appropriations. It is not germane to the bill.

Mr. BUFFETT. Mr. Chairman, will the gentleman reserve his point of order?

Mr. EBERHARTER. I shall be glad to reserve the point of order.

The CHAIRMAN. The gentleman from Nebraska is recognized for 5 minutes.

Mr. BUFFETT. Mr. Chairman, every legislative authorization really has two parts, first, how is the money to be obtained, and second, how the money should be spent. This Congress has spent the better part of 4 days arguing the second half of this proposal. I want to take 5 minutes to discuss the first half.

I am reminded of the old proverb: "He who pays the fiddler calls the tune." The logic of that proverb is unassailable, and the amendment I have proposed is a step in that direction. It simply proposes that the American people who must pay the fiddler be taken into partnership in the administration commitments to U. N. R. R. A. As a matter of fact, this amendment does not permit the American taxpayer to call the tune, but it will permit him to hear the tune while it is being played.

The humanitarian purposes of U. N. R. R. A. appeal to all Americans regardless of party or political belief. No one will quarrel with U. N. R. R. A.'s stated purpose. However, this proposition comes to this body under strange circumstances. For 2 long years, there has been a policy of brutal indifference by the Governments of Britain and the United States to the starving millions of occupied Europe. There has been a steady refusal of the governing United Nations to even let these tragic peoples be helped by others, so that by the blockade we have been building cemetery populations in France, Belgium, and other occupied countries. Has the refusal to allow aid to these sufferers been based on the fact that our borrowed bank roll could not be used to rule that assistance program?

U. N. R. R. A. seems to be a proposal of great merit. I proposed this amendment so that this cause would necessarily be taken to the American people who must finance it. Let these funds be raised by the earmarked sale of bonds to individuals—bonds backed by the full faith and credit of the United States. This way the financing would be done directly with the people who must pay the bill and without inflationary effects.

Unless the funds for U. N. R. R. A. are raised by the sale of bonds directly to individuals, here is $1,350,000,000 of inflation. The Government seized the railroads of the United States ostensibly to stop a so-called inflationary outlay of probably considerably less than 100 millions.

An America enslaved and ruined by inflation cannot be a big brother to the rest of the world. My amendment would eliminate the serious inflationary aspects of this proposal.

This administration is pleading for the people of America to buy bonds to finance the war and stop inflation. Let this Congress keep faith with these patriotic citizens. Finance U. N. R. R. A. by bonds sold to individuals for this specific purpose and put this great relief project on a straight-forward on-the-level financial basis from the beginning.

A refusal to finance this program by direct bond sales means the advocates of U. N. R. R. A. either lack confidence in the merit of their program or lack faith in the American people.

Each Member of this House should have more than a technical answer to this question before he votes for U. N. R. R. A.

Mr. Chairman, I have no quarrel with the purpose of this bill. I have worked for the relief of the starving children of Europe and have been given the brush-off. I believe in help for these stricken peoples.

Despite administration bungling in similar programs such as the W. P. A., South America, and so forth; despite their proven record of incompetence, still I would vote for this proposal, but I will not vote for it unless it is honestly and directly financed by identified bond sales to individual Americans for this specific purpose.

In an America, already bleeding from the wounds of wartime inflation, how the money is obtained is at least as important as how it is spent. This Congress owes it to the American people to rediscover this great truth, forgotten for the past 11 years.

The CHAIRMAN. Does the gentleman from Nebraska desire to be heard upon the point of order?

Mr. BUFFETT. No.

Mr. HOFFMAN. Mr. Chairman, I desire to be heard upon the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Michigan.

Mr. HOFFMAN. Just to make the suggestion that the fact that this proposed amendment is impossible of performance is no reason why it should be held out of order, because we have had much legislation of that kind which has been adopted. Further, I submit that it is germane, because it is a limitation on the source from which the money would be derived.

The CHAIRMAN. The Chair is ready to rule. This is a matter which has to do under the amendment with the issuance of bonds, which is certainly not germane to this or to any other part of the bill. The Chair, therefore, sustains the point of order.

The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. MUNDT. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. MUNDT: Add a new section at the end of the joint resolution to be known as section 4, and to read as follows:

"In expressing its approval of this joint resolution, it is the recommendation of Congress that insofar as funds and facilities permit, any area important to the military operations of the United Nations which is stricken by famine or disease may be included in the benefits to be made available to the United Nations Relief and Rehabilitation Administration."

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. Yes.

Mr. BLOOM. Mr. Chairman, I have asked the gentleman to yield, that I may say to him that I have no objection to that amendment.

The CHAIRMAN. Does the gentleman from South Dakota desire to be heard upon his amendment?

Mr. MUNDT. Yes; I desire to explain it to the House.

The CHAIRMAN. The gentleman from South Dakota is recognized for 5 minutes.

Mr. MUNDT. Mr. Chairman, this amendment has been discussed at considerable length by the present speaker on December 21—starting on page 10989 of the RECORD—and again on January 21—beginning on page 548 of the RECORD. I appreciate the statement of the gentleman from New York [Mr. BLOOM] that the committee now has no disagreement with it. I will explain it very briefly, therefore, since I think some members of the Committee who may be considering whether or not to vote for U. N. R. R. A. may be influenced to vote for U. N. R. R. A. when they recognize one of its objections has been erased by this amendment.

The situation I am seeking to correct by this amendment grows out of the conflict in definitions existing between the preamble of the bill and article 1. Under the preamble of the bill, as written, relief, under U. N. R. R. A., is available only to nations which have been liberated and available to people only in liberated areas. According to article 1 of the bill, however, it is available to victims of war in any area under the control of the United Nations. Obviously some definition had to be arrived at in Atlantic City as to how those two statements should be interpreted. Therefore the definition was accepted at Atlantic City and publicized in the press that under those two interpretations India would be excluded from the benefits of U. N. R. R. A. This was in my opinion an unfortunate interpretation. And the declaration encompassed in my amendment would eliminate that unfortunate situation.

I want to say briefly why I think we are all interested in seeing India, and perhaps other areas of vital importance to military operations, included. Here we have on this map which I have displayed in the well of the House the Burmese border and the Indian border, and here we have American and Chinese troops striving, under General Stilwell, to get over to the Burma Road, fighting along with some of our Indian Allies. Down here we have British, American and Canadian troops, with Indian troops, trying to take Akyab which is to be a base to enable us to get down to Rangoon.

In these three provinces of India, Assam, Bihar, and Bengal, we find a great population which has just been undergoing a serious famine and where they are now under the scourge of disease and pestilence, sweeping over India and jeopardizing the health and lives of American troops now stationed in this section of India.

Consequently, whatever U. N. R. R. A. can do insofar as funds and facilities permit, to eliminate this disease and this unfortunate situation, will help in our action against Japan by strengthening India and giving assistance to the people working along with our troops. It will also safeguard the lives of American and English troops.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to my chairman for a question.

Mr. BLOOM. Of course, I do not want the impression to get out that the amendment which is agreed to, from your explanation, is confined to India. I would like to have the gentleman explain this amendment that he offered and to explain that it embraces any area where the same conditions exist throughout the world; is that correct?

Mr. MUNDT. That is exactly correct.

Mr. BLOOM. So I would like to get away from the impression that it is limited to India alone.

Mr. MUNDT. If a similar situation should affect, for example, China or Africa, or any other place in the world, of importance to our military operations, then U. N. R. R. A. steps in with their assistance and this provides a very important additional reason, in my opinion, why members of the committee should vote for U. N. R. R. A., because it is of assistance not only after the military operations, but if they are called upon by the military, it is of assistance at the time the military operation is taking place or being planned.

Mr. BLOOM. Mr. Chairman, will the gentleman yield for one further question?

Mr. MUNDT. I yield.

Mr. BLOOM. This is merely a recommendation or a suggestion that whenever these conditions exist, U. N. R. R. A. should take cognizance of them if it is possible to do so?

Mr. MUNDT. The gentleman is correct. It is a recommendation by the Congress of the United States.

Mr. RIZLEY. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield.

Mr. RIZLEY. I commend the gentleman upon the amendment he has offered, but I am wondering whether this amendment does not modify the agreement that has been heretofore entered into between the 44 nations.

Mr. MUNDT. No; there is nothing we can do to specifically modify that agreement. As has been stated many, many times, the agreement is encompassed in the bill. My amendment expresses the conviction and desire of the American Congress on behalf of the American people that India and other similar areas will be made eligible for the benefits of U. N. R. R. A. We want to make its benefits available to areas of military importance wherever they are, and it does not in any way modify the text of the original agreement. Only U. N. R. R. A. itself can do that either by amendment at the next council meeting or by a modification of the prevailing definition with relationship to India.

This recommendation which we make is wise from a military standpoint, as I have pointed out. It is wise from a psychological warfare standpoint, because the Japanese have been trying to poison our allies in India by making them believe we do not care for their needs. This will belie that propaganda. It is wise from the standpoint of being practical, because it will enable U. N. R. R. A. to go into India with medicine and medical assistance, which is highly essential. India's big need of the moment is not so much for ships and food, nor is it a need for financial help; rather it is a need for medicine, for medical services and nursing talent, for health-protecting and health-preserving equipment. This medicine and this personnel can be flown to India by plane so my amendment provides a practical way of giving relief to India.

Finally, this amendment is wise from the standpoint of justice and equity. It removes the last vestige of discrimination from the operations of U. N. R. R. A. We who fight to promote justice and equity throughout the world cannot blind ourselves to the importance of practicing now the precepts which we promise for the future. Expressions of sympathy and pious adjectives are all right in their place but they will not relieve the current suffering in India. However, U. N. R. R. A. has that power and it will have that possibility if we today manifest the will by the adoption of my amendment as a part of this resolution.

Mr. Chairman, in terms of aid to our war effort and the saving of lives of American troops as well as in terms of creating good will in India and defeating the current Japanese propaganda in that area of the world, I submit that the amendment I have proposed will do more good than all of the other features of U. N. R. R. A. combined. I hope the amendment will be adopted by a strong vote and if it is I am confident that the other body of this Congress will see that it remains as a part of this joint resolution.

Mr. MANSFIELD of Montana. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I am sorry that we cannot see our way clear to aid the children in the occupied countries. They have been crying out to us for aid over the years of this war, but because of the blockade imposed against Europe we are unable to send the necessary food and materials to them.

I am hoping that U. N. R. R. A. will be the medium to send food and medicine to the children so much in need. I am also hoping that the administration of this relief will be of assistance in safeguarding our soldiers in occupied countries from disease and pestilence and all the other myriad evils which attend war on a scale such as this.

There are many questions in my mind at the moment.

There is the matter of an appropriation, a huge one even if it is only 1 percent of an unnatural fiscal year; there is the matter of administration and all its problems; and there is the matter of humankind—the little people—who need

help badly and who have no place and no one to turn to for succor. There is the question of laying the foundation for a permanent peace so that these barbaric struggles will be done away with and our sons and daughters given a chance to enjoy the decency and security which is theirs by right.

Mr. Chairman, the question of India is a vital one for the United Nations today. In my opinion we would be doing a disservice to the Allied cause if we refuse to recognize the need now for relief in that country. We are all well aware—in spite of censorship restrictions—of the terrible famine there. While conditions have been ameliorated in that stricken country, the need for relief is still acute.

In considering India we know that it is a difficult and complex area to understand. However, we must realize that some 350,000,000 people live there. Those people are human beings—they eat, live, breathe, and have the same emotions that we have. Potentially, they can be our friends or our enemies. We have the history—the recent history—of the Burmese, Thailanders, and other Asiatic peoples turning against us, not because we did not understand them so much as because they understood us better. Imperialistic policies are things of the past and will no longer work because peoples, all over, have seen the evils which develop in connection with them.

A spirit of nationalism is sweeping the Far East and we cannot—and must not—ignore it. Under U. N. R. R. A., an international organization, the United Nations will have a right and an interest in India's affairs. We want her help—in manpower, in material, and in her effect on other people's thinking in the East. We have the opportunity now to show to these downtrodden and oppressed people that we are their friends. If we do not grasp it they may well become—to a greater and more menacing degree—our mortal enemies.

We have in excess of 100,000 troops in India. They are dissatisfied and discontented. They know there is a war on and they want to fight it, get it over with, and come home. However, they are being kept in India awaiting developments and while there, they are witnessing at first hand the distressing conditions affecting the native population. What are they thinking about when they witness this unnecessary starvation, malnutrition, and disease? They are thinking of the same things that we are discussing here this afternoon. They know they can do nothing to better the lot of those people but they do know that we can. What is the use of preaching about the "four freedoms" if we do not mean what we say?

India is important in this war because it is the gateway to China and Burma. With a friendly population at our back we will be helped tremendously in our reconquest of Burma and our reopening of transportation outlets into China. We will have more tools and a better spirit to aid us. If we extend relief under U. N. R. R. A. to India we will strengthen our hand in the Far East and give hope to other subject populations. If we ignore India and her legitimate pleas, we are helping to sow a whirlwind which we will reap someday.

The choice, and the responsibility, of helping India become our real friend and possible ally, rests, I believe, with U. N. R. R. A. This Congress, by its actions now can either hinder or advance the cause of the United Nations and our ultimate victory in the Fast East.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. MANSFIELD of Montana. I yield.

Mr. VOORHIS of California. I just want to thank the gentleman for his very effective speech and to say I am personally very glad the Committee has accepted the amendment of the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FISH. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I had intended, under section 1, during the hour that was allotted for consideration, to offer the following amendment but was called away to the Rules Committee on a matter of importance to the House. I knew, anyhow, that my amendment would not have been adopted. In view of what the gentleman has just said, I would like to read the amendment and then make a few comments and observations on it.

Page 1, line 5, after the words "$1,350,000,000 in the aggregate", insert "of which $100,000,000 shall be made available to furnish food and medical supplies to the starving children of the occupied nations of Europe."

That is what the gentleman who just spoke referred to. I doubt if we had had a vote we could have passed the amendment. The greatest crime against humanity, civilization, and Christianity is the mass starvation of hundreds of thousands, and maybe millions of innocent young children in the occupied nations, and we with all the food have so far failed to do anything to relieve this starvation in France, Belgium, Norway, Holland and Poland, and in the other occupied countries. We have been unable to persuade the British Government to relax the blockade in order to save the lives of those young, innocent children who had nothing whatever to do with bringing on the war. Hundreds of thousands, and probably millions, of them are dying right now of starvation with bloated stomachs and in terrible agony and from such diseases as rickets and tuberculosis and other dread diseases, and the Congress of the United States has not yet done one thing to relieve that horrible situation and to save the youth of occupied Europe from dying of starvation and disease.

I am informed the other body has passed a bill in the Committee on Foreign Relations by a unanimous vote, making money available for that purpose. I hope that when it comes here it will be reported to the House by unanimous vote and that the vote of the Congress will be unanimous, so that we will place our moral influence, the moral influence of a great Christian nation, behind a demand that these helpless and innocent children be saved from further starvation and death as a result of a war that they had nothing whatever to do with bringing on, but are merely the unfortunate victims of it.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Mr. BLOOM. The gentleman stated that when that resolution comes over here he hopes it will be passed unanimously. It cannot come over here, unfortunately, because it is a simple Senate resolution; it is not a joint resolution or a concurrent resolution.

Mr. FISH. Then, if it is necessary I hope the gentleman's committee will act.

Mr. BLOOM. I will be very glad to; and our committee has acted very promptly on all such matters.

Mr. FISH. You have all seen these advertisements in the newspapers of Washington, New York, and other cities: "Don't let Hitler destroy a generation of children."

That is the issue. I am sorry we did not have a vote on it in the House. I regret I was called away; nevertheless, I felt that I ought to make some remarks about it and with the hope that this body or the Senate or the entire Congress combined would pass a resolution making it possible to send food and medical supplies to these starving children as long as this war lasts. I am sorry the gentleman from Montana, who is a member of our committee, did not offer the resolution himself.

Mr. SHORT. Because of the character of the resolution, the gentleman realizes that we cannot vote on that proposition, because of the very character of the resolution under consideration, the framework and machinery.

Mr. FISH. I realize that, and the gentleman is quite right; it was all but impossible to write amendments that would be germane to the pending U. N. R. R. A. bill. I had a pretty cunning amendment providing for relief to the children in the occupied nations but the time has passed for offering it.

Mr. SHORT. That is the fault of the resolution.

Mr. FISH. I understood the obstacles and difficulties, but I think we might have gotten around them and regret that the Members of the House could not vote on it.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. JENNINGS. Mr. Chairman, I seek recognition on the amendment.

The CHAIRMAN. The gentleman from Tennessee is recognized for 5 minutes.

Mr. JENNINGS. Mr. Chairman, I can understand how Members of Congress recoil from the setting up of another alphabetical agency, and I am not moved in my support of this resolution by the idea that we are the richest nation in the world. Perhaps we are, but we are on the road to what will verge ultimately on, if not bankruptcy, at least exceedingly hard times.

This resolution authorizes the appropriation of the total sum of $1,350,000,000. That is more than half the money that is now proposed to be raised by the tax bill which has just been finished in the Senate. I am a realist. I am for this resolution for the reason that it sets

up machinery and provides for cooperation between this Nation and the 43 other nations which are parties to this agreement to feed the hungry, clothe the naked, and give succor to those who are dying in the occupied countries of Europe. It in a sense is a war measure. Thousands of our boys and girls are in these occupied countries. They are of the flower of our youth. They are our bravest, our strongest, and our best. I know and we all know that pestilence follows in the wake of famine. I read in today's paper the startling and distressing statement that in the great country of Greece 900,000 of those heroic people have already died from starvation. I never look at a well-clothed, well-nourished baby in this land of ours that I do not visualize a starving infant at the withered breast of a starving mother in one of these occupied countries. And then again it is not only a war measure, it is a measure of enlightened selfishness. This world is a small world; distance has been telescoped, and I hope to see the day come as a result of this war when there shall have been established throughout the world a just and lasting peace and when these nations that are now broken with the plowshare of grief and the devastation of war shall again tread the paths of peace and productive industry. They will be our friends. I say, therefore, it is a measure of enlightened selfishness. It is not only a war measure, it is a measure that translates into practical activity the principles of the Christian religion. It is a measure that translates into action the Golden Rule. For these reasons, and for others I could enumerate, I shall support it. In this country there are thousands of Greeks who are loyal American citizens, whose boys and relatives are fighting all over the world in our behalf. In this Nation there are thousands of Italians whose relatives and whose boys are fighting in our behalf. In this Nation there are thousands of Poles, than whom there is no more heroic people in all the annals of time, fighting on behalf of our cause. I do not want to turn my back on them. Then, in addition to all I have said, the finest expression of the humane and Christian principles undertaken to be set in motion by this measure was uttered by Him who spake as never man spake, when He said:

34. Then shall the King say unto them on His right hand, Come ye blessed of My Father, inherit the kingdom prepared for you from the foundation of the world.

35. For I was an hungered, and ye gave Me meat; I was thirsty, and ye gave Me drink; I was a stranger, and ye took Me in.

36. Naked, and ye clothed Me; I was sick, and ye visited Me; I was in prison, and ye came unto Me.

37. Then shall the righteous answer Him, saying, Lord, when saw we Thee an hungered, and fed Thee? or thirsty, and gave Thee drink?

38. When saw we Thee a stranger, and took Thee in? or naked, and clothed Thee?

39. Or when saw we Thee sick, or in prison, and came unto Thee?

40. And the King shall answer and say unto them, Verily I say unto you, Inasmuch as ye have done it unto one of the least of these My brethren, ye have done it unto Me.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. STEFAN. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, I feel that I personally know something of the suffering of the people who are in foreign countries overrun by war. I have seen the suffering of the people of China and the Far East, and also in other countries. The people of the United States have in the past contributed much toward the alleviation of such suffering. The food from Nebraska farms has gone to nearly every country in the world in the past to help feed the hungry. I have read carefully all of the hearings on this resolution. It has as its purpose our participation with 40 or more other governments in a program to help feed and provide medicine to hungry and sick people in countries from which the enemy has been driven. The Allied armies are doing this work now as a war measure, and as I understand it, they will continue doing this until the time when war conditons make it possible for this civilian organization to step in. During and after the last war, the Unted States did most of the contributing. I am told that after the last war the people of the United States spent close to $3,000,000,000 on world relief. In this program 40 or more other governments will participate in the expense. I feel that the committee should have gone further into world relief in which the people of the United States have already participated. I find nothing in the hearings regarding the large amounts of money already collected from the people of the United States by the 124 various organizations which have been collecting money for world relief. Every Member of the House should have in his or her possession now a copy of the President's War Relief Control Board report, dated January 1, 1944, which gives the names of these 124 registered organizations which, since 1939, collected close to $120,000,000 for relief in foreign countries.

The report gives detailed figures of amounts collected, amounts distributed, and the cost of administration and funds spent for publicity, affairs, and campaigns.

This report shows conclusively that the American people have been very generous in their contributions for the relief of suffering people all over the world. The committee should have included some of this information in its report, so that the world may know and the people of our country would know just how much has already been subscribed here for world relief. The report shows a great sympathy on the part of the American people for the sufferings of others. American people have been liberal in their giving, as shown by this report. My purposes in bringing up this matter now is to learn what will happen to these organizations which are now collecting money here and how their work will be affected by U. N. R. R. A. Will they continue their work? Will they supplement U. N. R. R. A.? Will the new organization absorb these 124 organizations or will they work through U. N. R. R. A.?

Here are a few figures on what people of the United States have already voluntarily contributed. Of course, this is not the entire total, but the figures show how the United States contributions have increased:

1939	$2,488,587
1940	18,002,110
1941	28,901,522
1942	31,133,524
1943	38,794,412

Mr. JARMAN. Will the gentleman yield?

Mr. STEFAN. I yield to the gentleman from Alabama.

Mr. JARMAN. In reply to the gentleman I may say that the Committee on Foreign Affairs did take those questions seriously into consideration and it is provided and expected that U. N. R. R. A. will receive not only appropriations from the 44 United Nations, but appropriations from private sources and also from organizations such as the gentleman mentioned. The gentleman will understand that those are private organizations and, of course, this legislation does not eliminate them, but they will function in cooperation with and under the supervision of U. N. R. R. A.

Mr. STEFAN. I am not opposed to those organizations. I merely wonder what will become of them.

Mr. JARMAN. The committee agrees with the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SCOTT. Mr. Chairman, I move to strike out the last six words.

Mr. Chairman, I take the floor at this time merely to say that I will support this bill. I believe it to be the only sound, workable method which we have been able to devise under all of the circumstances, although I would have preferred greater consideration and a greater use of the private agencies of the country, particularly of the American Friends Service Committee and the American Red Cross. However, I will support the bill, and I will also support the amendment to include India offered by the gentleman from South Dakota [Mr. MUNDT].

Mr. McCORMACK. Mr. Chairman, I move to strike out the last seven words.

Mr. Chairman, when the bill comes up in the House a separate vote will be demanded on the Vorys amendments. I hope when that vote is taken the House will consider the seriousness of just what those amendments do unless they are defeated.

This is an agreement between 44 nations. The President of the United States, whoever he might be, is the one that the other nations of the world look to in their direct dealings with our Government. I am not talking about a particular President; I am talking about whoever might occupy the office of the presidency of the United States. The Committee of the Whole has stricken out the word "President" wherever it appears in the bill and has substituted therefor the words "Department of State."

Mr. VORYS of Ohio. Will the gentleman yield for a correction?

Mr. McCORMACK. I will be glad to.

Mr. VORYS of Ohio. On page 14 the words "under the direction of the President" were left in the bill, so that the President is left with complete charge of U. N. R. R. A. except that it is carried on through the Department of State appropriations. Line 25, therefore, as now amended will read:

Shall be expended by the Department of State under the direction of the President pursuant to section 1 hereof.

The President's authority and his great responsibility is still admitted in the bill.

Mr. McCORMACK. Mr. Chairman, in answer to the gentleman, let me call attention to what we have done. On page 1 of the bill as reported there are the words "There is hereby authorized to be appropriated to the President such sum." The word "President" has been stricken out and the words "State Department" inserted in lieu thereof, so that it will read:

There is authorized to be appropriated to the State Department,

Over on page 14:

The amounts appropriated under this resolution shall be expended by the State Department under the direction of the President.

The President is the one that other nations deal with, the President is the one supposed to make the report, the President is the one who makes the recommendations to Congress as to any future appropriations that might be necessary in relation to the conduct or the operation of U. N. R. R. A.; the President is also the head of the executive branch of the Government, and while I know it is not intended as such, there might be a misconstruction placed on the adoption of this amendment, and that is it is intended as a slap against the President of the United States. I do not think this House wants to do that or intends to do that.

I am speaking to the House and to the Committee of the Whole not in relation to any particular President. I would be on this floor if anyone else were President. If the man occupying the White House had been the nominee of the Republican Party, after all he would be elected and he is my President.

This bill relates to our foreign affairs. It is definitely linked up with the conduct of our foreign affairs and it will play an important part in the future foreign policy of our country. It is inescapable. I know my distinguished friend from Ohio—and I have profound respect for him—had no such intention, but people also construe from results and the construction not only here but abroad might be one, and properly one, that we would regret later on. As I said, I would be appealing to the House to change its action no matter who might be President. I do not want to be put in the position of opposing, but I ask the House to change upon reconsideration its action when we get into the House, and I say that no matter who might occupy the Presidency of the United States.

This bill is definitely linked around the Chief Executive of our country. He is the one who signed the agreement. It affects 43 other nations. There is not much more argument I can make except to appeal to your reason that when we go back into the House, and let us pause for a moment between now and then. I appreciate the significance of the act that we did. Do not let that middle aisle separate us on this important matter. I am sure that between now and the time the vote is taken, upon reconsideration, that the calm, considerate judgment of the Members of the House will be to strike out the amendment that was adopted in the Committee of the Whole, leaving it as it was before, in the hands of the President of the United States.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. Chairman, I ask unanimous consent that the amendment be read again.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota [Mr. MUNDT].

There was no objection.

The Clerk reread the Mundt amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. MUNDT].

The amendment was agreed to.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mrs. ROGERS of Massachusetts: On page 15, after line 18, insert a new section to be known as section 5:

"No part of the relief herein authorized shall be used for the control of the educational policies or control of religious teachings."

Mrs. ROGERS of Massachusetts. My amendment provides that none of the money appropriated can be used to control educational policies or to control religious teaching in occupied countries. Mr. Chairman, it does not seem to me there should be any objection to having this section added to the bill. I love my religion, I know what it would mean to me if I felt it was being interfered with, and I respect the religion of every other person. People should be allowed to pursue their religion as they wish. Our Constitution guarantees freedom of religion for America. Are we going to appropriate funds to be used to take this right away from others?

Under the U. N. R. R. A. agreement, it would be possible for persons administering U. N. R. R. A. to try to control the educational policies and religious activities in the occupied countries. Certainly we should not approve any such control.

The following, Mr. Chairman, is part of a letter from the Assistant Secretary of State and the United States member of the U. N. R. R. A. Council:

JANUARY 22, 1944.

MY DEAR MRS. ROGERS: In connection with the consideration of House Joint Resolution 192, you have asked me to write to you as to the participation by the United Nations Relief and Rehabilitation Administration in religious teaching and training.

In this connection you may recall our discussions at the hearings on the resolution concerning the extent to which U. N. R. R. A. would engage in educational work. In answer to your question on this point, I stated that the only mention of the subject of education in connection with U. N. R. R. A. is in paragraph 4 of section 2 of resolution 1, adopted by the Council at Atlantic City, where it is provided that among U. N. R. R. A.'s functions will be that of assistance in the procurement of material equipment for the rehabilitation of educational institutions. This provision was inserted in the resolution at the suggestion of the member of the Council for China, and it was at no time intended that U. N. R. R. A.'s functions in this field would go beyond the assistance in the procurement of material equipment for the rehabilitation of institutions nor that it would be part of the functions of U. N. R. R. A. to engage in educational work per se.

* * * * *

The question of U. N. R. R. A.'s participation in religious work has never, so far as I know, been discussed in connection with this organization, and I can assure you that it will be no part of U. N. R. R. A.'s functions to engage in any activities of any kind in the way of religious training or teaching.

Sincerely yours,

DEAN ACHESON,
Assistant Secretary.

This letter is not enough. Mr. Acheson is only one member of the Council. U. N. R. R. A. will have great power in occupied and liberated areas. My amendment safeguards the people in those areas. It should pass. We want no part of financing a particular kind of teaching for political purposes and a particular form of religion.

We must remember that the people in these occupied areas have been forced to go to schools they do not like. They have not been allowed to pursue their religious activities. They have been living in fear. Although the areas have been liberated, when this U. N. R. R. A. group comes in these persecuted persons will still live in fear. Our own member of the Council has assured me that it is not anticipated to control education or religion, but the Council has not said that. It is not in the agreement and it is not in this resolution. I want to make sure that this prohibition against any such control is in this authorization. Our men and women today are working and fighting for freedom of education, freedom of religion and freedom from dictatorship. I can see every reason why this amendment should be adopted.

Mr. SMITH of Ohio. Mr. Chairman, I rise in support of this amendment. This is a sound proposal and should receive the support of every Member of the House. Now, when so much is being done by so many governments throughout the world to educate the people in the thousand and one ideologies that are floating about, a safeguard such as is proposed here is in order. If this amendment is adopted, I hope the word "education" will be made to include all propaganda such as our own Government is now putting out to reeducate the farmers and all other groups. I have followed the work of the National Resources Planning Board and read its voluminous reports. One of its main objectives is to get control of the educational system of this country.

Mr. OUTLAND. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from California.

Mr. OUTLAND. The gentleman referred a moment ago to the National Resources Planning Board. Is the gentleman aware that that particular board was killed by the action of this House several months ago?

Mr. SMITH of Ohio. Yes, the gentleman from Ohio knows all about that, but the spirit still lives. The machinery for the promotion of the objectives of the Planning Board is also still in existence.

Mr. OUTLAND. The gentleman mentioned that the National Resources Planning Board was trying to control education. Can the gentleman tell us where in that report that statement was made?

Mr. SMITH of Ohio. Yes. I cannot give the gentleman the exact page, but if he wishes me to put it in the RECORD I shall certainly do so.

Mr. OUTLAND. I shall be happy to have it there.

Mr. SMITH of Ohio. If the gentleman had read those reports, he would not have asked that question.

Mr. OUTLAND. I have read them as much as has the gentleman.

Mr. SMITH of Ohio. For proof of my statement that the administration is attempting to get control of the educational system through such agencies as the National Resources Planning Board, I respectfully refer the gentleman to a speech I made on the floor February 8, 1943, particularly page 719 of that day's RECORD.

Miss SUMNER of Illinois. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, some Members seem to think that this money will not be used to change religion and education. I want you to look at this evidence used in our own country, which was handed to me by a well-known writer on foreign affairs. It goes to show how our own American people are being hoodwinked by the vast propaganda machine operated through remote control by Stalin.

The Chetniks, you will recall, are the official army of the Yugoslav Government, which our American Government promised to return to power after the war as a reward for joining the Allies. The Partisans, you recall, are Stalin's military organization. Here is a photostatic copy of a photograph appearing in an article in the highly reputable New York Times. It shows the picture of a Yugoslav soldier in his uniform. It was published in 1941. It calls him a Chetnik soldier and tells how he is dying for his country.

Here, on December 22, 1943, 2 years later, they use the same photograph and call him a founder of the Partisan movement, which he could not have been if he was a Chetnik in 1941. They have not even changed his Chetnik cockade. If he were a Partisan in this picture he would be wearing a hammer and sickle.

That is propaganda. The propaganda takes one hero and, when the party line changes, the propaganda changes the headlines under the hero. That is the way they treat the heroes of yesterday.

I know many of the Members of this Congress, plenty of them, are well aware that this is a deadly bill. I know that you fear to vote against it because of the label of charity it bears. It is not charity. It may feed some people, but it provides for the starving people of Europe, the starving children of Europe, another war for them to fight.

When the American people know the truth, they have a mighty common sense, which is wiser than any officers they ever elect. Today they know they are not being told the truth, they know they do not have the whole truth, and they want you, their elected officers, regardless of risks, to find out the truth for them and vote your own convictions.

Mr. RICHARDS. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I hope very much the Committee will not adopt this amendment. It was brought up in the Committee on Foreign Affairs, and, according to my recollection, the question was thoroughly thrashed out there, and I believe there was but one vote for the proposal.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. The gentleman is incorrect. There were numerous votes for the proposal, and there was not very long to discuss it. I wish the Committee would accept it. I can see no harm in the amendment. Many of you want U. N. R. R. A. passed. This strengthens the measure. I do not see why you are afraid to put it in. We have no right to control their religion or education. It is protection to these poor persons and to our own country. We want our religion. They have a right to theirs.

Mr. RICHARDS. These are my reasons: The agreement itself specifically states what U. N. R. R. A. is going to do. These funds are to be used for the provision of food, fuel, clothing, shelter, and other basic necessities.

If you are going into the negative angle of this thing and say that we shall not help educate people, then you must go into the question of what education really is. If you say there shall be no religious activities in U. N. R. R. A., you suggest without foundation that religious activities are intended. It would be just as well to go ahead and say you cannot use any of these funds to pay Hirohito's salary, or you cannot use any of these funds to promote the Communist ideology, or you cannot use any of these funds to do this, that, or the other. So you are opening up a dangerous field there. I think it would be extremely wise for the House of Representatives to hew to the words mentioned in the agreement itself, "through the provision of food, fuel, clothing, shelter, and other basic necessities."

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Massachusetts.

The question was taken; and on a division (demanded by Mrs. ROGERS of Massachusetts) there were—ayes 69, noes 109.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I demand tellers.

The CHAIRMAN. The gentlewoman from Massachusetts demands tellers. As many as are in favor of taking the vote by tellers will rise and stand until counted. [After counting.] Five Members have risen, not a sufficient number, and tellers are refused.

So the amendment was rejected.

Mr. MUNDT. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MUNDT:

Add a new section at the end of the joint resolution, to be known as section 5, to read as follows:

"The authorization contained in this joint resolution shall expire at the conclusion of 2 years following the termination of hostilities on all fronts, unless specifically extended by an act of Congress."

Mr. MUNDT. Mr. Chairman, throughout the discussion in the committee and throughout the debate in the House we have been considering this legislation as emergency legislation. All of the Government witnesses have insisted that this is intended only as emergency legislation. It is not the intent that it shall be all-time, permanent, continuing legislation, therefore, but, as the resolution now stands, there is no termination date, as there is in most emergency legislation which we have passed during this war emergency.

For that reason, my amendment will simply spell this out as emergency legislation, the same as has been done in other emergency acts. The expiration date is a reasonable one, as the State Department suggests in the hearings, and is appropriate. Mr. Acheson suggested 2 years, and my amendment provides that 2 years after the conclusion of hostilities the authorization contained in House Joint Resolution 192 shall automatically expire.

Mr. PHILLIPS. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. Yes.

Mr. PHILLIPS. All of the people to whom I have spoken who represent these countries feel that one growing season is all that is needed to help these people help themselves. Does the gentleman not think that 2 years is too long?

Mr. MUNDT. The information before the committee was that one growing season was sufficient, insofar as crops are concerned, but that another year is probably needed to provide for the harvesting, distribution, and allocation of those crops, and the utilization of them. That is the reason for suggesting 2 years instead of 1, but they did anticipate the use of one growing season.

Mr. PHILLIPS. And the gentleman is making it 2 years from the end of war?

Mr. MUNDT. Two years from the end of hostilities.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. Yes.

Mr. BLOOM. There does not seem to be any objection to this amendment on the part of the Committee. The amendment is satisfactory to the Committee.

Mr. MUNDT. I thank the gentleman. This will simply identify House Joint Resolution 192 as a piece of emergency legislation and take it out of the category of continuing legislation.

As I stated in my discussion on January 21, this amendment to establish a 2-year time limit, following hostilities, retains in the hands of Congress where it belongs the decision as to whether anything permanent should be developed out of U. N. R. R. A. Unless Congress renews the authorization by specific act of Congress, the program will end with the expiration date which this amendment writes into the bill. As the bill now reads, it contains no expiration date but its passage would stretch the authorization to perpetuity and create an authority with all the permanence and finality of the Constitution of the United States or the Declaration of Independence. Such is not the intention of the committee nor the desire, I am sure, of the Congress and the country. By writing in the self-contained date of expiration contained in my amendment, Congress will be meeting its obligation by labeling as emergency legislation something which has come to us as emergency legislation and which is needed to meet emergency conditions. I am glad that the chairman of the committee [Mr. BLOOM] has expressed his approval of the amendment and I trust it will have the emphatic approval of the Congress.

Mr. VORYS of Ohio. Mr. Chairman, I desire recognition at this time.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio, a member of the committee.

Mr. VORYS of Ohio. Mr. Chairman, I rise to state to the Committee of the Whole, my deep disappointment that the majority floor leader, the gentleman from Massachusetts [Mr. MCCORMACK], has sought to inject a partisan note into this debate, where none was intended, has sought to make the matter a test of party strength, where none was intended, has sought to make an amendment which provides that "amounts appropriated under this resolution shall be expended by the Department of State, under the direction of the President," in some way a slight to the President. Throughout this debate, I have attempted to show that I was interested in getting ahead with this colossal task of making U. N. R. R. A. work, making it successful, and I have repeatedly risen to oppose amendments offered by those of my party when I felt they would not be helpful to the beneficent purpose we have in mind. And now at this stage of the legislation, to have a party challenge thrown into it, is to me very disappointing. When we leave this as we do in the resolution, as written, under the amendment which the Committee of the Whole has adopted, we are leaving it specifically under the direction of the President, and we are saying this—that Congress is tired of voting blank checks, that Congress is assuming its duties in this undertaking, which may last into the years—2 years after hostilities have subsided all over the world—into peacetime, that Congress is simply assuming its regular function of saying what department under the Executive should have charge of the appropriation. When the Congress takes that action, to call that a slap at the Chief Executive, to say that that would embarrass the functioning of U. N. R. R. A., to say that when we put it in the Department under the President, where the American member of the Council is located, and in the department that right now administers 26 appropriations for international bodies—to say that that in some way would inject a partisan note into it, is something that at least I oppose, and deny. I deny that that was the intention, and I aver that the very words of the resolution before us deny any such intention. Our endeavor all the time has been to keep this above partisanship, and keep it on a high level.

Mr. MCCORMACK. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. Yes.

Mr. MCCORMACK. Will the gentleman please call attention to any remarks that I made along partisan lines? I particularly paid my respects to the gentleman from Ohio. If I made any appeal along partisan lines, I have no knowledge of it, and I did not intend it, and I am sure if the gentleman will read my remarks in the RECORD tomorrow he will see that I refrained from making any utterance which might be remotely considered as partisan.

Mr. VORYS of Ohio. Oh, I just heard the remarks made by the distinguished gentleman from Massachusetts, and the gentleman's appeal was that we should strike down this amendment because it was intended as a slight to the President.

Mr. MCCORMACK. The gentleman misquotes me. If I am not mistaken I said that might be construed as such. There is a big difference between the word "intend" and that it might be construed as such.

Mr. VORYS of Ohio. Any argument before this body that implies that a provision that appropriations should be expended under the direction of the President could be considered as a slight to him, in view of what I said in my remarks yesterday, when I urged that of course we would not and could not take from the President his high duty and responsibility under this resolution—any attempt to say that such an implication could be construed into this amendment, or my remarks or vote in Committee of the Whole, in my judgment I respectfully submit is a partisan appeal.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I shall support this resolution, even though it calls for an authorization of more funds than I can understand could possibly be demanded. I want to say to the House, however, that as applications are made for funds that they will be given the most sincere and thorough consideration in the Committee on Appropriations, and I do not believe that any funds will be reported out by that committee which will not bear the test of keenest analysis. Nor do I believe that funds will be provided by that committee which are designed for any purpose other than real relief.

With reference to the amendment that was offered by the gentleman from Ohio [Mr. VORYS] and adopted by the House, providing that the funds should be made available to the Secretary of State, the intolerable confusion that has resulted from the creation of so many agencies handling matters that have to do with foreign affairs was the thing that inspired me to support that amendment. I felt that if we did not make this provision, there would be created another agency. The State Department has, from time immemorial, been the representative of this Government in the handling of foreign affairs. Everyone throughout the world will know that and does know it, and it is the natural thing to do, rather than the unnatural thing to do.

I hope that the Congress will keep that amendment, which represents the natural thing to do, in the bill.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think that my colleague from Ohio [Mr. VORYS], was unduly alarmed and unjustified in the attack which he made upon the majority leader of the House, the gentleman from Massachusetts [Mr. MCCORMACK]. I heard the speech of the distinguished majority leader, and I do not think that it is susceptible of the construction placed upon it by the gentleman from Ohio. There was no attempt, either expressed or implied, to inject into it any partisan politics, and he was only defending the position which I think is the right one, that so far as this bill is concerned, there should be, and is, no politics in it. And there has not been any partisan politics all the way through, and there should be none. To adopt this amendment embraced in the Vorys amendment takes away from the Chief Executive of the Nation the power that is vested in the Chief Executive under the Constitution and which, under this bill, should be so vested.

Mr. MCCORMACK. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. MCCORMACK. When I refreshed the recollection of my friend from Ohio, I recall that I said I would be taking the position I did without regard to who occupied the position of President of the United States.

Mr. LUTHER A. JOHNSON. That is right. The gentleman said there was no politics in it. He was speaking of the President as the head of the Nation. Let me say this: There seems to be some misapprehension that if this amendment is not adopted there will be a new agency set up. The converse of that proposition is true. If this is turned over to the Department of State, there will have to be a new agency then set up within the Department of State. They will have to go about the administration of a business matter which the State Department is unprepared to deal with and never has dealt with. The Secretary of State, Cor-

dell Hull, has begged our committee and has also, since the adoption of this amendment yesterday, expressed his great hope that the House would not adopt that resolution, because this Department is so busily engaged now in dealing with important matters of policy that he does not want to go into any matter with reference to the administration of a business matter, and this will be such a business matter.

With reference to whether or not there shall be a new agency, let me call your attention to the fact that if you do not want to create any new jobs, do not set up a new agency; vote down this amendment for this reason. We have now in the Federal Economics Administration the Lend-Lease. Lend-Lease has the machinery, and they have the personnel that can do this very work. If you leave it with the President, naturally he will place it there where the machinery already is, whereas if you leave it to the Secretary of State there is apt to be another agency set up.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. KEEFE. When the gentleman speaks of the F. E. A., I believe it is, that is the agency headed by Mr. Leo Crowley; is that right?

Mr. LUTHER A. JOHNSON. It is.

Mr. KEEFE. Am I correct in the assumption it is the understanding of the committee that, in the event the Vorys amendment is not adopted, the administration and allocation of those funds will be under the direction of Mr. Crowley as the appointed agent of the President?

Mr. LUTHER A. JOHNSON. I did not say that, but I suppose the President will use that agency and he will use other agencies. He will not use only one agency.

Mr. KEEFE. As a matter of fact, is not the situation, as it is set up now, so that Mr. Crowley is to handle this situation?

Mr. LUTHER A. JOHNSON. I think he would be a very good man to handle it. His organization and machinery is already there. I think the President would use him and his agency, because that would be logical, since F. E. A. already has the machinery and the personnel to handle it.

Mr. KEEFE. I think it is a good place for it to go if Mr. Crowley is going to handle it himself.

Mr. LUTHER A. JOHNSON. I will say to the gentleman that he has the organization there already. I thank the gentleman for his contribution and his commendation of Leo Crowley, which I think is deserved.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. McCORMACK. May I call the attention of the Committee to the basic question involving the powers of the President of the United States? Assuming that those Members who fear another agency do not want to have one, that is no reason for striking out "the President," when we know it naturally and properly belongs there. The proper amendment would have been to provide "to existing agency or agencies." Then you would have left it with the President, but it would have to be done through an existing agency or agencies instead of striking out "the President" and substituting a specific agency. This is a serious question. It does not involve any particular President, but the President of the United States. I ask the House on this fundamental question to realize what we are doing before the act is consummated.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. TABER. Is it not a fact that the American member of the council of U. N. R. R. A. is Mr. Acheson, Assistant Secretary of State, who is already in the State Department, and that he would be the natural person to administer it?

Mr. LUTHER A. JOHNSON. Mr. Acheson is the member representing us on U. N. R. R. A. and he is a very able man. He does not want it in the State Department. He so testified before our committee, and he came here yesterday and asked me to have the House to take out the Vorys amendment because he thought that the Department of State would not be the proper place to administer it.

Mr. MORRISON of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. MORRISON of North Carolina. Mr. Acheson was in charge of it and and he was placed in charge by the President of the United States, was he not, instead of this Congress?

Mr. LUTHER A. JOHNSON. Yes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota.

The amendment was agreed to.

Mr. BLOOM. Mr. Chairman, I ask unanimous consent that all debate on amendments to the bill be concluded in 15 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. REES of Kansas. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. REES of Kansas. Mr. Chairman, this bill provides for the authorization of the expenditure of $1,350,000,000 as our share of contribution to the U. N. R. R. A. to be used for relief, rehabilitation, and reconstruction for people of countries when relieved from Axis domination. Forty-four countries, including England and Russia, are included in this group. The United States has agreed to furnish 50 percent of the funds.

Personally, I think India or at least that part where our armies are now located should be included under this bill. As a matter of fact, India is furnishing $35,000,000 of the funds. She is entitled to benefits under this proposal to take care of her own starving people, especially in the vicinity of Burma.

Mr. Chairman, I have always felt the United States could accomplish much in reaching a more friendly understanding with the occupied countries of Europe and could do a real humanitarian act by contributing food, clothing, and medical assistance, especially to starving women and children in these countries. I am in favor of contributing as much money as we can afford for this purpose.

Mr. Chairman, when it comes to a question of rehabilitation and reconstruction, we should think carefully with respect to using our funds for that purpose. Of course, we could use money to clear away debris and give people a chance to obtain shelter, but to go on an extended program in an attempt to rehabilitate and rebuild for millions of people in foreign countries is too much for us to undertake.

Mr. Chairman, no nation in the world has been as generous to distressed humanity and to victims of misfortune as America. I am sure the American people want to do their share in helping the unfortunate and distressed in the Axis-oppressed countries of the world.

Mr. Chairman, the post-war world will be a distressed and a poor world to rehabilitate and to rebuild. It will be a gigantic problem. Let me say again, I think the American people would like to do their part.

Mr. Chairman, while we perform these great humanitarian acts, we must also realize there are responsibilities here in America that must be met. We must recognize, after all, the tragedy that America cannot produce enough of the vital necessities of life for the whole world. Mr. Chairman, while we are considering this legislation today, it is well for us to take stock of our own position and move cautiously with respect to the question of rehabilitation, restoration, and rebuilding in other countries of the world.

Mr. Chairman, I am informed there are further and additional plans under consideration. For example, I am advised our Government is giving consideration to sponsoring a great extensive agricultural program in Europe and Asia. I do not know the details of such plan or program, but if followed through it involves the expenditure of tremendous sums for which we would be responsible. Then, we have looming in the not too far distant future, a plan for a great international bank with a capitalization of more than $20,000,000,000. One of these days we will have to determine how much stock we are going to be asked to take in that institution, and how much credit we will be expected to extend.

Mr. Chairman, as soon as this great struggle is over—and we hope and pray that it may not be too long—we will have tremendous rehabilitation and other problems of our own. We must take care of the millions of men and women in our armed forces. We must provide hospitalization and support for those who are incapacitated and jobs for those who can work. We must see that those who have been employed in our war industries are given a chance for employment. There are many other problems that will need to be worked out.

Mr. Chairman, I am in favor of reasonable expenditures to feed the starving and to clothe and provide medical help for the destitute people of Europe, but I do not think we ought to go on an extended program of rebuilding and rehabilitating the factories and plants in Europe when we are going to have all we can possibly do to get our own country on nearly an even keel.

Mr. FISH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FISH: On page 15, after the Mundt amendment, add a new section to be known as section 6: "No funds authorized or provided for in this bill shall be used for rehabilitation or reconstruction."

Mr. FISH. Mr. Chairman, I believe that most Members of the House are in favor of that part of the bill that provides relief such as foodstuffs, medical supplies, fuel and the necessities of life. On the other hand, I believe that if you had a secret roll call, most Members of the House would be opposed to establishing a gigantic world-wide W. P. A. with our money for reconstruction or rehabilitation, and they are almost synonymous. There is a distinction without a difference. There is the difference between tweedledee and tweedledum. The bill speaks of rehabilitation, but "rehabilitation" as worded in this bill can well be construed to be "reconstruction." It can well mean the building, repairing, and reconstructing of factories in Europe and of textile mills, as one member of the Committee on Foreign Affairs testified before the Committee on Rules.

As it stands today unamended this bill, if passed in its present form, can well be and will be a gigantic glorified W. P. A. on a world-wide basis with our money. That is the one thing the American people do not want. I do not care whether they are Democrats or whether they are Republicans or whether they come from the North or South, East or West. They want to feed the starving and to clothe them and give them fuel and medicinal supplies, but do not want to enter into a great, vast housing plan in Europe with the money of the American people. I hold in my hand an article from the New York Times of November 26, 1943, dated at Atlantic City when this whole matter was being considered. The article is headed, "Vast housing job studied by U. N. R. R. A.". Under this bill as written, of course, the U. N. R. R. A. propose to go into a vast housing job to shelter millions and millions of people in Europe, when in Washington you read in today's paper that there is a serious and deplorable slum situation existing in our own back yard for which Congress is responsible. The wretched slum conditions exist in many American cities, yet we propose in this U. N. R. R. A. bill to rehabilitate Europe with hundreds of millions of dollars that will come out of the pockets of the burdened and already groggy American taxpayers.

The President of the United States stated that one-third of our people are ill-fed, ill-housed, and ill-clothed; yet we have written into this bill the power through rehabilitation to use our money on a great W. P. A. program all over the world. The U. N. R. R. A. will not, as the gentleman from New York [Mr. TABER] suggested, come to the Committee on Appropriations only for relief funds, nor can he, as he said, deal out only appropriations for relief but under the law must also provide appropriations for rehabilitation. Most of us are for relief, food, bread, milk, fats, and so forth; what I am trying to do is to have a vote on cutting out all semblance of rehabilitation and reconstruction, not to spend 1 dollar to build even a chicken coop in foreign nations with our money. That is the simple purpose of this amendment. If the resolution goes through unamended then the reaction against this bill as our citizens begin to find out that it is a glorified W. P. A. will spread over the country and the Members of Congress will be on the defensive when the people back home find out how their money is being spent. It will be said that we voted these huge sums for factories and housing and other buildings and lowered the standard of living of our own wage earners in America. So I offer this amendment as a matter of principle. I will not take further time because I know full well it will not be adopted, but I wanted to give the membership an opportunity to vote out all semblance of rehabilitation and reconstruction. I wish the amendment might be approved. If it is not approved this bill will be considered throughout the country as a world-wide glorified W. P. A. and once again the American people will become an international Santa Claus for foreign nations at a time when our national debt is mounting to $250,000,000,000 and our Nation is approaching national bankruptcy.

The CHAIRMAN. The question is on the amendment of the gentleman from New York.

The amendment was rejected.

Mr. CALVIN D. JOHNSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CALVIN D. JOHNSON: On page 15, add a new section as follows:

"No program of relief or rehabilitation or policy contemplated or proposed by U. N. R. R. A. shall be placed into operation, without it having first been submitted for approval to the Chief of Staff of the Army of the United Nations in charge of the area in which U. N. R. R. A. proposes to operate."

Mr. CALVIN D. JOHNSON. Mr. Chairman, my purpose in submitting this amendment is that I feel there should be a closer cooperation between U. N. R. R. A. and the armed forces of our Allied armies. It will be recalled that at the close of the last war approximately $4,000,000,000 worth of supplies, such as materials of all kinds and foods was sold to the government of France. Although France was unable to pay for these materials the point I am bringing out is that these supplies were left over and available in Europe at the close of hostilities. The same thing will follow the cessation of hostilities in this war.

We will have on hand, when the war is over, billions of dollars worth of goods of all kinds, both at home and abroad, which could be used in carrying out a program such as is outlined by U. N. R. R. A. As an illustration of surplus goods, may I cite you the instance of the sale in Detroit of several hundred thousand dollars worth of surplus machinery for a price so ridiculously low that criticism was voiced throughout the Nation.

This legislation permits the payment of our share either in cash or in kind and I am in favor of the use of this surplus material by the Army in making our payment.

I also wish to call the attention of the House to the fact that this legislation creates a golden opportunity for the setting up of a world-wide W. P. A. I predict that U. N. R. R. A., unless it is forced to submit to the Army all its policies and programs and obtain approval prior to there being placed in operation, that it will become a Mecca for all the broken-down social workers in the world. This element has ever believed that money comes as manna from heaven and that the supply is unlimited.

I believe that by making this organization accountable to the Army that we can prevent this. I believe that we have enough hard-headed, practical soldiers in the Army to prevent the setting up of relief Utopias by this misguided group. The actions of many Members of this Congress are motivated by the spirit of Christianity to assist the peoples of Europe. It is our desire, however, to assist them only to help themselves. I predict that unless this safeguard is taken and control remain with our armed forces, that the letters U. N. R. R. A. will mean "Universally Nefarious Relief Racket Administration." I believe that if this amendment is adopted, we can save the American taxpayer hundreds of millions of dollars through the use of surplus war materials and by taking advantage of the proven knowledge and administrative ability of our military leaders. If this amendment is adopted, I shall support this legislation, as I am confident, with its adoption it will be impossible to create through U. N. R. R. A. a world-wide W. P. A. project.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. CALVIN D. JOHNSON) there were—ayes 47, noes 110.

So the amendment was rejected.

Mr. SMITH of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Ohio: On page 15, after line 18 add a new section to be designated section 6 to read as follows:

"This act shall expire on January 1, 1946."

The CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes.

Mr. SMITH of Ohio. I shall not take 5 minutes in which to discuss this amendment; it speaks for itself.

The adoption of this amendment would put the Executive on definite notice that we intend this to be strictly a temporary or emergency measure.

Mr. WHITE. Mr. Chairman and members of the Committee, in order that you may have before you the plan to be

followed by the Rehabilitation Administration in disbursing the money that people of this country are called upon to contribute by the appropriation to be authorized by this bill, there is presented for your consideration the resolution that has been adopted by the U. N. R. R. A., taken from page 299 of the hearing of the Committee on Foreign Affairs:

APPENDIX I

The work of the U. N. R. R. A. Council was done in the first instance by four main committees and their subcommittees.

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The Resolutions on Policy are contained in the following Appendix.

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RESOLUTIONS ON POLICY OF THE FIRST SESSION OF THE COUNCIL

PART I—GENERAL POLICIES

* * * * *

Resolution 2

A resolution relating to nondiscrimination

(Reception No. 299)

Resolved—

1. That, in any area where relief and rehabilitation operations are being conducted through the employment, in whole or in part, of the Administration's resources, relief and rehabilitation in all its aspects shall be distributed or dispensed fairly on the basis of the relative needs of the population in the area, and without discrimination because of race, creed, or political belief.

2. That, in determining the relative needs of the population, there may be taken into account the diverse needs caused by discriminatory treatment by the enemy during its occupation of the area.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. SMITH].

The question was taken; and on a division (demanded by Mr. SMITH of Ohio) there were—ayes 23, noes 108.

So the amendment was rejected.

Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. O'NEAL, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration House Joint Resolution 192, to enable the United States to participate in the work of the United Nations Relief and Rehabilitation organization, reported the same back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. BLOOM. Mr. Speaker, I demand a separate vote on the Vorys amendments, and ask that they be considered en bloc.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendments on which a separate vote is demanded.

The Clerk read as follows:

Amendments offered by Mr. VORYS of Ohio:

On page 1, line 4, strike out the word "President" and insert the words "Department of State."

On page 14, line 25, insert after the word "expended" the words "by the Department of State."

On page 15, line 1, strike out the word "President" and insert the words "Department of State."

The SPEAKER. The question is on agreeing to the amendments.

The question was taken; and the Chair being in doubt, Mr. BLOOM asked for the yeas and nays.

The yeas and nays were ordered.

The Clerk called the roll; and there were—yeas 175, nays 217, not voting 35, as follows:

[Roll No. 10]

YEAS—175

Allen, Ill.	Goodwin	Miller, Conn.
Andersen, H. Carl.	Graham	Miller, Mo.
	Grant, Ind.	Miller, Pa.
Anderson, Calif.	Griffiths	Monkiewicz
Andrews	Gross	Mott
Arends	Gwynne	Mruk
Arnold	Hagen	Mundt
Auchincloss	Hale	Norman
Baldwin, N. Y.	Hall, Edwin Arthur	Phillips
Barrett		Pittenger
Bates, Mass.	Hall, Leonard W.	Plumley
Beall		Poulson
Bender	Hancock	Powers
Bennett, Mich.	Hartley	Pracht
Bennett, Mo.	Heidinger	Ramey
Bishop	Herter	Rankin
Blackney	Hess	Reece, Tenn.
Bolton	Hill	Reed, Ill.
Bradley, Mich.	Hinshaw	Reed, N. Y.
Brehm	Hoeven	Rees, Kans.
Brown, Ohio	Hoffman	Robsion, Ky.
Brumbaugh	Holmes, Wash.	Rockwell
Busbey	Hope	Rodgers, Pa.
Butler	Horan	Rohrbough
Canfield	Howell	Rowe
Carlson, Kans.	Jeffrey	Schiffler
Carrier	Jenkins	Schwabe
Carson, Ohio	Jennings	Scott
Carter	Jensen	Shafer
Case	Johnson, Anton J.	Short
Chenoweth		Simpson, Ill.
Chiperfield	Johnson, Calvin D.	Simpson, Pa.
Church		Smith, Maine
Clason	Johnson, Ind.	Smith, Ohio
Clevenger	Johnson, J. Leroy	Springer
Cole, Mo.		Stanley
Cole, N. Y.	Johnson, Ward	Stockman
Compton	Judd	Sumner, Ill.
Crawford	Kean	Sundstrom
Cunningham	Kearney	Taber
Day	Kilburn	Talbot
Dondero	Kinzer	Talle
Douglas	Knutson	Taylor
Dworshak	Kunkel	Thomas, N. J.
Eaton	LaFollette	Tibbott
Ellis	Lambertson	Towe
Ellsworth	Landis	Troutman
Elston, Ohio	LeCompte	Vorys, Ohio
Engel, Mich.	LeFevre	Vursell
Fellows	Lewis	Wadsworth
Fenton	McCowen	Weichel, Ohio
Fish	McGehee	White
Fuller	McGregor	Wigglesworth
Gale	McLean	Willey
Gallagher	McWilliams	Wilson
Gavin	Maas	Wolcott
Gerlach	Martin, Iowa	Wolfenden, Pa.
Gifford	Martin, Mass.	Wolverton, N. J.
Gilchrist	Mason	Woodruff, Mich.
Gillette	Merrow	
Gillie	Michener	

NAYS—217

Abernethy	Bloom	Burchill, N. Y.
Allen, La.	Bonner	Burdick
Anderson, N. Mex.	Boren	Burgin
	Bradley, Pa.	Byrne
Angell	Brooks	Camp
Baldwin, Md.	Brown, Ga.	Cannon, Fla.
Barden	Bryson	Cannon, Mo.
Barry	Buckley	Celler
Bates, Ky.	Buffett	Clark
Beckworth	Bulwinkle	Cochran
Bland	Burch, Va.	Coffee
Colmer	Izac	Peterson, Fla.
Cooley	Jarman	Peterson, Ga.
Cooper	Johnson, Luther A.	Pfeifer
Costello		Philbin
Courtney	Johnson, Lyndon B.	Poage
Cox		Price
Cravens	Johnson, Okla.	Priest
Crosser	Kee	Rabaut
Cullen	Keefe	Randolph
Curley	Kefauver	Richards
Curtis	Kelley	Rivers
D'Alesandro	Kennedy	Rizley
Davis	Keogh	Robertson
Dawson	Kerr	Robinson, Utah
Delaney	Kilday	Rogers, Calif.
Dewey	King	Rogers, Mass.
Dickstein	Kirwan	Rowan
Dies	Klein	Russell
Dilweg	Lane	Sabath
Dingell	Lanham	Sadowski
Domengeaux	Larcade	Sasscer
Doughton	Lea	Satterfield
Drewry	Lemke	Sauthoff
Durham	Lesinski	Scanlon
Eberharter	Ludlow	Sheppard
Elliott	Lynch	Sikes
Ellison, Md.	McCord	Slaughter
Engle, Calif.	McCormack	Smith, Va.
Fay	McMillan	Smith, W. Va.
Feighan	McMurray	Smith, Wis.
Fernandez	Madden	Snyder
Fisher	Mahon	Somers, N. Y.
Fitzpatrick	Maloney	Sparkman
Flannagan	Manasco	Spence
Fogarty	Mansfield, Mont.	Starnes, Ala.
Folger		Stearns, N. H.
Forand	Mansfield, Tex.	Stefan
Ford	Marcantonio	Stevenson
Fulbright	May	Stewart
Fulmer	Merritt	Sullivan
Furlong	Miller, Nebr.	Sumners, Tex.
Gathings	Mills	Tarver
Gearhart	Monroney	Thomas, Tex.
Gibson	Morrison, La.	Thomason
Gordon	Morrison, N. C.	Tolan
Gore	Murdock	Vincent, Ky.
Gorski	Murphy	Vinson, Ga.
Gossett	Murray, Wis.	Voorhis, Calif.
Grant, Ala.	Myers	Walter
Green	Newsome	Ward
Gregory	Norrell	Wasielewski
Hare	O'Brien, Ill.	Weaver
Harless, Ariz.	O'Brien, Mich.	Welch
Harris, Ark.	O'Brien, N. Y.	Wene
Harris, Va.	O'Connor	Whelchel, Ga.
Hart	O'Hara	Whitten
Hays	O'Konski	Whittington
Hébert	O'Neal	Wickersham
Heffernan	O'Toole	Winstead
Hendricks	Outland	Worley
Hoch	Pace	Wright
Holifield	Patman	Zimmerman
Hull	Patton	

NOT VOTING—35

Andresen, August H.	Harness, Ind.	O'Leary
	Hobbs	Ploeser
Bell	Holmes, Mass.	Ramspeck
Boykin	Jackson	Rolph
Capozzoli	Jones	Schuetz
Chapman	Jonkman	Scrivner
Dirksen	Kleberg	Sheridan
Disney	Luce	Treadway
Elmer	McKenzie	Weiss
Gamble	Magnuson	West
Granger	Murray, Tenn.	Winter
Halleck	Norton	Woodrum, Va.

So the amendment was rejected.

The Clerk announced the following pairs:

General pairs:

Mr. Schuetz with Mr. Ploeser.
Mr. Sheridan with Mr. Halleck.
Mr. Bell with Mr. Jones.
Mr. Weiss with Mr. Elmer.
Mr. Hobbs with Mr. Dirksen.
Mr. Woodrum of Virginia with Mr. Holmes of Massachusetts.
Mr. Capozzoli with Mr. Scrivner.
Mr. Magnuson with Mr. Jonkman.
Mrs. Norton with Mrs. Luce.
Mr. O'Leary with Mr. Winter.
Mr. Chapman with Mr. Harness of Indiana.
Mr. Disney with Mr. Gamble.
Mr. Kleberg with Mr. Rolph.
Mr. Ramspeck with Mr. Treadway.
Mr. Granger with Mr. August H. Andresen.

The result of the vote was announced as above recorded.

The SPEAKER. The question now comes on the third reading of the joint resolution.

The joint resolution was ordered to be read a third time and was read the third time.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I offer the following motion to recommit, which I send to the desk.

The SPEAKER. Is the gentlewoman opposed to the joint resolution?

Mrs. ROGERS of Massachusetts. I am.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. ROGERS of Massachusetts moves to recommit the bill to the Committee on Foreign Affairs with instructions to that committee to report the same back to the House forthwith, striking out the figures "$1,350,000,000" on line 5, page 1, of the resolution, and insert in lieu thereof the figures "$700,000,000."

Mr. BLOOM. Mr. Speaker, on that I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the motion to recommit.

Mr. HOFFMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 131, nays 261, not voting 35, as follows:

[Roll No. 11]

YEAS—131

Allen, Ill.	Gilchrist	Norman
Allen, La.	Gillette	Norrell
Andersen, H. Carl	Gillie	O'Connor
	Graham	O'Hara
Andresen, August H.	Grant, Ind.	O'Konski
	Griffiths	Pace
Arends	Gross	Peterson, Ga.
Arnold	Gwynne	Philbin
Barrett	Hall, Edwin Arthur	Phillips
Bennett, Mich.		Plumley
Bennett, Mo.	Heidinger	Rankin
Bishop	Hess	Reed, Ill.
Bradley, Mich.	Hill	Reed, N. Y.
Brehm	Hoeven	Rees, Kans.
Brooks	Hoffman	Rizley
Brown, Ohio	Hope	Robsion, Ky.
Brumbaugh	Horan	Rockwell
Buffett	Howell	Rodgers, Pa.
Busbey	Hull	Rogers, Mass.
Butler	Jenkins	Russell
Carlson, Kans.	Jensen	Sauthoff
Carrier	Johnson, Anton, J.	Schiffler
Carson, Ohio		Schwabe
Carter	Johnson, Calvin D.	Shafer
Case		Short
Chenoweth	Johnson, Ind.	Simpson, Ill.
Church	Johnson, Ward	Smith, Ohio
Clevenger	Keefe	Smith, Wis.
Cole, Mo.	Kinzer	Springer
Compton	Knutson	Stefan
Cox	Lambertson	Stevenson
Cravens	Landis	Stockman
Crawford	LeFevre	Sumner, Ill.
Curtis	Lemke	Talbot
Disney	Lewis	Talle
Dworshak	Ludlow	Tibbott
Ellis	McCowen	Vursell
Elmer	McGehee	Welchel, Ohio
Elston, Ohio	McGregor	Whelchel, Ga.
Engel, Mich.	McWilliams	White
Fellows	Maas	Wilson
Fish	Martin, Iowa	Wolcott
Gathings	Mason	Wolfenden, Pa.
Gavin	Miller, Nebr.	Woodruff, Mich.
Gearhart	Miller, Pa.	
Gibson	Murray, Wis.	

NAYS—261

Abernethy	Angell	Barry
Anderson, Calif.	Auchincloss	Bates, Ky.
Anderson, N. Mex.	Baldwin, Md.	Bates, Mass.
	Baldwin, N. Y.	Beall
Andrews	Barden	Beckworth
Bender	Gregory	Murphy
Blackney	Hagen	Myers
Bland	Hale	Newsome
Bloom	Hall, Leonard W.	O'Brien, Ill.
Bolton		O'Brien, Mich.
Bonner	Hancock	O'Brien, N. Y.
Boren	Hare	O'Neal
Boykin	Harless, Ariz.	O'Toole
Bradley, Pa.	Harris, Ark.	Outland
Brown, Ga.	Harris, Va.	Patman
Bryson	Hart	Patton
Buckley	Hartley	Peterson, Fla.
Bulwinkle	Hays	Pfeifer
Burch, Va.	Hébert	Pittenger
Burchill, N. Y.	Heffernan	Poage
Burdick	Hendricks	Poulson
Burgin	Herter	Powers
Byrne	Hinshaw	Pracht
Camp	Hoch	Price
Canfield	Holifield	Priest
Cannon, Fla.	Holmes, Wash.	Rabaut
Cannon, Mo.	Izac	Ramey
Celler	Jarman	Randolph
Clark	Jeffrey	Reece, Tenn.
Clason	Jennings	Richards
Cochran	Johnson, J. Leroy	Rivers
Coffee		Robertson
Cole, N. Y.	Johnson, Luther A.	Robinson, Utah
Colmer		Rogers, Calif.
Cooley	Johnson, Lyndon B.	Rohrbough
Cooper		Rolph
Costello	Johnson, Okla.	Rowan
Courtney	Judd	Rowe
Crosser	Kean	Sabath
Cullen	Kearney	Sadowski
Cunningham	Kee	Sasscer
Curley	Kefauver	Satterfield
D'Alesandro	Kelley	Scanlon
Davis	Kennedy	Scott
Dawson	Keogh	Sheppard
Delaney	Kerr	Simpson, Pa.
Dewey	Kilburn	Slaughter
Dickstein	Kilday	Smith, Maine
Dies	King	Smith, Va.
Dilweg	Kirwan	Smith, W. Va.
Dingell	Klein	Snyder
Domengeaux	Kunkel	Somers, N. Y.
Dondero	LaFollette	Sparkman
Doughton	Lane	Spence
Douglas	Lanham	Stanley
Drewry	Larcade	Starnes, Ala.
Durham	Lea	Stearns, N. H.
Eaton	LeCompte	Stewart
Eberharter	Lesinski	Sullivan
Elliott	Lynch	Sundstrom
Ellison, Md.	McCord	Taber
Ellsworth	McCormack	Tarver
Engle, Calif.	McLean	Taylor
Fay	McMillan	Thomas, N. J.
Feighan	McMurray	Thomas, Tex.
Fenton	Madden	Thomason
Fernandez	Mahon	Tolan
Fisher	Maloney	Towe
Fitzpatrick	Manasco	Troutman
Flannagan	Mansfield, Mont.	Vincent, Ky.
Fogarty		Vinson, Ga
Folger	Mansfield, Tex.	Voorhis, Calif.
Forand	Marcantonio	Vorys, Ohio
Ford	Martin, Mass.	Wadsworth
Fulbright	May	Walter
Fuller	Merritt	Ward
Fulmer	Merrow	Wasielewski
Furlong	Michener	Weaver
Gale	Miller, Conn.	Welch
Gallagher	Miller, Mo.	Wene
Gerlach	Mills	Whitten
Gifford	Monkiewicz	Whittington
Goodwin	Monroney	Wickersham
Gordon	Morrison, La.	Wigglesworth
Gore	Morrison, N. C.	Willey
Gorski	Mott	Winstead
Gossett	Mruk	Wolverton, N. J.
Grant, Ala.	Mundt	Wright
Green	Murdock	Zimmerman

NOT VOTING—35

Bell	Jackson	Schuetz
Capozzoli	Jones	Scrivner
Chapman	Jonkman	Sheridan
Chiperfield	Kleberg	Sikes
Day	Luce	Sumners, Tex.
Dirksen	McKenzie	Treadway
Gamble	Magnuson	Weiss
Granger	Murray, Tenn.	West
Halleck	Norton	Winter
Harness, Ind.	O'Leary	Woodrum, Va.
Hobbs	Ploeser	Worley
Holmes, Mass.	Ramspeck	

Mr. BREHM changed his vote from "nay" to "yea."

The Clerk announced the following pairs:

On this vote:

Mr. Scrivner for, with Mr. Capozzoli against.

Mr. Jones for, with Mr. Jonkman against.

General pairs:

Mr. Schuetz with Mr. Ploeser.

Mr. Sheridan with Mr. Halleck.

Mr. Hobbs with Mr. Dirksen.

Mr. Woodrum of Virginia with Mr. Holmes of Massachusetts.

Mrs. Norton with Mrs. Luce.

Mr. O'Leary with Mr. Winter.

Mr. Chapman with Mr. Harness of Indiana.

Mr. Ramspeck with Mr. Treadway.

Mr. Bell with Mr. Chiperfield.

Mr. Weiss with Mr. Day.

Mr. Kleberg with Mr. Gamble.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. BLOOM. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The Clerk called the roll; and there were—yeas 338, nays 54, answered "present" 1, not voting 34, as follows:

[Roll No. 12]

YEAS—338

Abernethy	Cooper	Gossett
Allen, Ill.	Costello	Graham
Allen, La.	Courtney	Grant, Ala.
Andersen, H. Carl	Crosser	Grant, Ind.
	Cullen	Green
Anderson, Calif.	Cunningham	Gregory
Anderson, N. Mex.	Curley	Gross
	Curtis	Gwynne
Andresen, August H.	D'Alesandro	Hagen
	Davis	Hale
Andrews	Dawson	Hall, Edwin Arthur
Angell	Delaney	
Arends	Dewey	Hall, Leonard W.
Auchincloss	Dickstein	
Baldwin, Md.	Dies	Hancock
Baldwin, N. Y.	Dilweg	Hare
Barden	Dingell	Harless, Ariz.
Barrett	Domengeaux	Harris, Ark.
Barry	Dondero	Harris, Va.
Bates, Ky.	Doughton	Hart
Bates, Mass.	Douglas	Hartley
Beall	Drewry	Hays
Beckworth	Durham	Hébert
Bender	Eaton	Heffernan
Bennett, Mich.	Eberharter	Hendricks
Bennett, Mo.	Elliott	Herter
Blackney	Ellison, Md.	Hess
Bland	Ellsworth	Hill
Bloom	Elston, Ohio	Hinshaw
Bolton	Engel, Mich.	Hoch
Bonner	Engle, Calif.	Hoeven
Bradley, Pa.	Fay	Holifield
Brehm	Feighan	Holmes, Wash.
Brooks	Fellows	Horan
Brown, Ga.	Fenton	Howell
Brown, Ohio	Fernandez	Hull
Bryson	Fish	Izac
Buckley	Fisher	Jarman
Bulwinkle	Fitzpatrick	Jeffrey
Burch, Va.	Flannagan	Jenkins
Burchill, N. Y.	Fogarty	Jennings
Burdick	Folger	Jensen
Burgin	Forand	Johnson, Ind.
Butler	Ford	Johnson, J. Leroy
Byrne	Fulbright	
Camp	Fuller	Johnson, Luther A.
Canfield	Fulmer	
Cannon, Fla.	Furlong	Johnson, Lyndon B.
Cannon, Mo.	Gale	
Carson, Ohio	Gallagher	Johnson, Okla.
Carter	Gathings	Johnson, Ward
Case	Gavin	Judd
Chenoweth	Gerlach	Kean
Church	Gifford	Kearney
Clark	Gilchrist	Kee
Clason	Gillette	Keefe
Cochran	Gillie	Kefauver
Coffee	Goodwin	Kelley
Cole, N. Y.	Gordon	Kennedy
Compton	Gore	Keogh
Cooley	Gorski	Kerr

Kilburn	Murray, Wis.	Slaughter
Kilday	Myers	Smith, Maine
King	Newsome	Smith, Va.
Kinzer	Norman	Smith, W. Va.
Kirwan	Norrell	Snyder
Klein	O'Brien, Ill.	Somers, N. Y.
Kunkel	O'Brien, N. Y.	Sparkman
LaFollette	O'Connor	Spence
Landis	O'Neal	Springer
Lane	O'Toole	Stanley
Lanham	Outland	Starnes, Ala.
Larcade	Patman	Stearns, N. H.
Lea	Patton	Stefan
LeCompte	Peterson, Fla.	Stevenson
LeFevre	Peterson, Ga.	Stewart
Lesinski	Pfeifer	Sullivan
Lewis	Philbin	Sumners, Tex.
Ludlow	Pittenger	Sundstrom
Lynch	Plumley	Taber
McCord	Poage	Talbot
McCormack	Poulson	Talle
McCowen	Powers	Tarver
McGregor	Pracht	Taylor
McLean	Price	Thomas, N. J.
McMillan	Priest	Thomas, Tex.
McMurray	Rabaut	Thomason
McWilliams	Ramey	Tibbott
Madden	Randolph	Tolan
Mahon	Rankin	Towe
Maloney	Reece, Tenn.	Troutman
Manasco	Rees, Kans.	Vincent, Ky.
Mansfield, Mont.	Richards	Vinson, Ga.
	Rivers	Voorhis, Calif.
Mansfield, Tex.	Robertson	Vorys, Ohio
Marcantonio	Robinson, Utah	Wadsworth
Martin, Iowa	Rockwell	Walter
Martin, Mass.	Rodgers, Pa.	Ward
May	Rogers, Calif.	Wasielewski
Merritt	Rohrbough	Weaver
Merrow	Rolph	Welchel, Ohio
Michener	Rowan	Welch
Miller, Conn.	Rowe	Wene
Miller, Mo.	Russell	Whitten
Miller, Nebr.	Sabath	Whittington
Miller, Pa.	Sadowski	Wickersham
Mills	Sasscer	Wigglesworth
Monkiewicz	Satterfield	Willey
Monroney	Sauthoff	Wilson
Morrison, La.	Scanlon	Winstead
Morrison, N. C.	Schiffler	Wolfenden, Pa.
Mott	Schwabe	Wolverton, N. J.
Mruk	Scott	Worley
Mundt	Sheppard	Wright
Murdock	Sikes	Zimmerman
Murphy	Simpson, Pa.	

NAYS—54

Arnold	Gearhart	Phillips
Bishop	Gibson	Reed, Ill.
Boren	Griffiths	Reed, N. Y.
Bradley, Mich.	Heidinger	Rizley
Brumbaugh	Hoffman	Robsion, Ky.
Buffett	Hope	Rogers, Mass.
Busbey	Johnson,	Shafer
Carlson, Kans.	Anton J.	Short
Carrier	Johnson,	Simpson, Ill.
Clevenger	Calvin D.	Smith, Ohio
Cole, Mo.	Knutson	Smith, Wis.
Cox	Lemke	Stockman
Cravens	McGehee	Sumner, Ill.
Crawford	Maas	Vursell
Day	Mason	Whelchel, Ga.
Disney	O'Brien, Mich.	White
Dworshak	O'Hara	Wolcott
Ellis	O'Konski	Woodruff, Mich.
Elmer	Pace	

ANSWERED "PRESENT"—1

Lambertson

NOT VOTING—34

Bell	Hobbs	Ploeser
Boykin	Holmes, Mass.	Ramspeck
Capozzoli	Jackson	Schuetz
Celler	Jones	Scrivner
Chapman	Jonkman	Sheridan
Chiperfield	Kleberg	Treadway
Colmer	Luce	Weiss
Dirksen	McKenzie	West
Gamble	Magnuson	Winter
Granger	Murray, Tenn.	Woodrum, Va.
Halleck	Norton	
Harness, Ind.	O'Leary	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Bell for, with Mr. Lambertson against.
Mr. Schuetz for, with Mr. Jones against.
Mr. Capozzoli for, with Mr. Scrivner against.

General pairs:

Mr. Weiss with Mr. Ploeser.
Mr. Sheridan with Mr. Halleck.
Mr. Hobbs with Mr. Dirksen.
Mr. Woodrum of Virginia with Mr. Holmes of Massachusetts.
Mrs. Norton with Mrs. Luce.
Mr. O'Leary with Mr. Winter.
Mr. Chapman with Mr. Harness of Indiana.
Mr. Ramspeck with Mr. Treadway.
Mr. Kleberg with Mr. Gamble.
Mr. Celler with Mr. Jonkman.
Mr. Magnuson with Mr. Chiperfield.

Mr. LAMBERTSON. Mr. Speaker, I have a pair with the gentleman from Missouri, Mr. BELL. I voted "nay." I withdraw that vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

POST-WAR ECONOMIC POLICY AND PLANNING COMMITTEE

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 408), which was referred to the House Calendar and ordered printed:

Resolved, That there is here established—

(a) A special committee to be known as the Committee on Post-War Economic Policy and Planning (hereinafter referred to as the "special committee").

(b) The special committee shall be composed of 12 Members of the House of Representatives, 7 from the majority and 5 from the minority, appointed by the Speaker of the House.

(c) It shall be the duty of the special committee to investigate all matters relating to post-war economic policy and problems; to gather information, plans, and suggestions from informed sources with respect to such problems; to study the plans and suggestions received; to report to the Congress from time to time the results of findings made and conclusions reached. It is the sense and purpose of this resolution to make accessible to the Congress, through the special committee, the most complete information respecting post-war economic policy and post-war problems that is available, to the end that Congress may be advised respecting those problems and in a position to formulate solutions with respect to them which will result in the greatest contribution by the Congress to achievement of a stable economy and a just peace. It is intended that full authority to accomplish this general purpose shall be granted by this resolution.

SEC. 2. The special committee, or any subcommittee thereof, shall have power to hold hearings and to sit and act at such places and times, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. Subpenas may be issued under the signature of the chairman of said committee, and may be served by any person designated by him.

SOLDIER-VOTE BILL

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 412), which was referred to the House Calendar and ordered printed:

Resolved, etc., That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 1285, to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed four hours, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Election of President, Vice President, and Representatives in Congress, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order as a substitute amendment for the Senate bill the provisions contained in H. R. 3982. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

PROGRAM FOR THE REST OF THE WEEK

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MICHENER. Mr. Speaker, I do this for the purpose of asking the distinguished majority leader what the program will be for the rest of the week.

Mr. McCORMACK. The following matters will be brought up, but I am not stating them in the order in which they may be considered:

The conference report on the mustering-out pay bill.

A resolution relating to the Dies committee, which I understand is an appropriation of additional money for that committee.

The Colmer resolution to establish a post-war economic policy and planning committee.

House Resolution 406, from the Committee on the Judiciary, authorizing that committee or a subcommittee thereof to inquire into and investigate the conduct of two judges of the United States District Court for the Middle District of Pennsylvania.

On Thursday and Friday there will be general debate on the independent offices appropriation bill, and on Monday that bill will be finished.

On Tuesday the soldiers' vote bill will be taken up.

Mr. MICHENER. The soldier-vote bill will not come up until Tuesday?

Mr. McCORMACK. On Tuesday.

Mr. MICHENER. I thank the gentleman.

EXTENSION OF REMARKS

(Mr. ROBSION of Kentucky asked and was given permission to revise and extend his remarks in the RECORD.)

ABROGATE THE CHAMBERLAIN WHITE PAPER

Mr. ROLPH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend

my remarks and include therein a resolution.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROLPH. Mr. Speaker, many communications reach my desk from San Francisco urging abrogation of the Chamberlain White Paper. The purport of all is that the doors of Palestine be opened to Jews escaping the death trap of Europe. What a travesty on justice that the Jews alone should be under restriction from freely entering Palestine.

The situation confronting the Jewish populations in Nazi-controlled Europe is tragic beyond description. Their plight is pathetic; it is distressing—over 1,000,000 slain. One finds it hard to realize that such a condition can prevail in our so-called enlightened twentieth century. But we are facing actualities, not theories. Has the world forgotten lessons taught in the Sermon on the Mount?

Temple Sherith Israel is one of the pioneer Jewish congregations in San Francisco. Members of Temple Sherith Israel always take an active part in every move for the betterment of San Francisco and of San Franciscans. The Men's Club of Temple Sherith Israel passed a resolution on January 18, 1944, which I desire to read as part of my remarks:

Whereas the White Paper issued by the British Government in May 1939 under the leadership of Prime Minister Chamberlain stops the immigration of Jews into Palestine after March 31, 1944, and imposes unfair restrictions on the rights of Jews in Palestine; and

Whereas the ruthless persecution of the Jewish people in Europe and the resultant existence of hordes of refugees in Nazi-occupied countries has clearly demonstrated the need for a haven for the large numbers who have become homeless because of this persecution; and

Whereas such White Paper is a vestige of an appeasement policy which has been repudiated by Great Britain under the leadership of Winston Churchill and by the other United Nations; and

Whereas the terms of said White Paper in closing immigration constitute a flagrant breach of the provisions of the mandate accepted by Great Britain as to Palestine, which provisions were approved by the Congress of the United States together with 52 nations; and

Whereas millions of lives are now dedicated to assure the preservation of freedom for all peoples, and equality of rights throughout the world: Now, therefore, be it

Resolved by Temple Sherith Israel Men's Club, That it calls upon the present Government of Great Britain to abrogate immediately and before the effective date of March 31, 1944, the White Paper and that it requests the Government of the United States through its State Department, its Senate, and its House of Representatives to urge that the doors of Palestine may be kept open for free entry of Jews into that country and that there shall not be any restrictions on the opportunity for land purchase or colonization in Palestine; and be it hereby further

Resolved, That a copy of this resolution be forwarded forthwith, over the signature of the president and recording secretary of Temple Sherith Israel Men's Club, to His Majesty's Embassy, at Washington, D. C., to Hon. Cordell Hull, Hon. Hiram W. Johnson, Hon. Sheridan Downey, Hon. Richard J. Welch, and Hon. Thomas Rolph.

Witness our hands this 18th day of January 1944.

HARRY THOR,
President.

Attest:

EDWARD N. JACKSON,
Recording Secretary.

EXTENSION OF REMARKS

Mr. ANDERSON of New Mexico. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement and the names of Members signing that statement.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the pen of Mark K. Edgar, of the Grosse Pointe News.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ROGERS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two editorials, one from the Washington Post and one from the Washington News.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

VOCATIONAL TRAINING OF DISABLED VETERANS

Mr. STEARNS of New Hampshire. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. STEARNS of New Hampshire. Mr. Speaker, of the various legislation that Congress has passed in the interest of veterans, there is none that is more constructive than that which provides vocational training, enabling disabled veterans to find their place in the national life. I recently had occasion to compare the allowances made under the present law with those granted to veterans of the last war. To my surprise, I discovered that these allowances are actually less in many cases, despite the increased cost of living.

I have therefore introduced a bill increasing those allowances to a level more nearly in accord with current conditions. Under this the amount payable to a single veteran without dependents would be $100 per month; a wife and no child, $135 per month; a wife and one child, $145 per month; each additional child, $5 per month; no wife and one child, $130 per month; each additional child, $5 per month; dependent mother or father, $120 per month; for each parent, no specific rate; aggregate limitation, none.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. STEARNS of New Hampshire. Yes.

Mr. McCORMACK. Personally, I think the gentleman has put his finger on the difficulty in connection with vocational training. We are paying less to those in vocational training in this war than in the World War. I congratulate the gentleman for the contribution that he is making. In my opinion, that should be corrected as soon as possible.

Mr. STEARNS of New Hampshire. I thank the gentleman from Massachusetts.

I feel sure that this legislation will receive the approval of the House once the facts are called to its attention. My purpose in speaking of it now is to urge immediate action. This is not a problem of the future—these men are on our hands now. As of December 31, no less than 26,125 veterans had been determined to have vocational handicaps. Of these, only about 5,000 have applied for vocational training. Too many of them are accepting jobs in war production which will expire at the end of the present crisis, and leave them without the training which would fit them for some permanent employment. The increase in allowances provided in my bill should be at least some slight added inducement to these men to avail themselves of this service.

A bill to revise the rates of pension to veterans while pursuing vocational training under part VII of veterans regulation No. 1 (a), as amended

Be it enacted, etc., That so much of paragraph 3 of part VII of veterans regulation No. 1 (a), as amended by the act of March 24, 1943, Public Law No. 16, Seventy-eighth Congress, as precedes the proviso, is hereby amended to read as follows:

"3. While pursuing training prescribed herein, and for 2 months after his or her employability is determined, each veteran, if entitled to monthly pension in a lesser amount, shall be paid increased pension which when added to the amount of pension to which he is otherwise entitled will aggregate an amount of pension equal to (1) $100 per month if the veteran is single, without dependents; (2) $120 per month if the veteran has a wife, child, or dependent parent, plus (a) $15 per month if there is a wife, but no child, (b) $25 per month if there is a wife and one child, with $5 per month additional for each additional child, (c) $10 per month if there is no wife but one child, with $5 per month additional for each additional child."

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks and include an Associated Press dispatch. Also I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

GENERAL LEAVE TO PRINT

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members be allowed 5 legislative days in which to extend their remarks on the United Nations Relief and Rehabilitation resolution.

The SPEAKER. Is there objection?

There was no objection.

ORDER OF BUSINESS

Mr. FISH. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. FISH. Mr. Speaker, the chairman of the Rules Committee has just submitted to the House a rule for the consideration of the soldiers' vote bill. We were assured by the majority leader a few days ago that if this rule were presented, he would bring the bill up immediately following the U. N. R. R. A. resolution. That was a public statement made by the gentleman from Massachusetts in reply to my own request for information as to when the soldiers' vote bill would be brought up in the House.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. McCORMACK. Will the gentleman indicate where, and quote the gentleman from Massachusetts?

Mr. FISH. To that extent. If the gentleman wishes to change his mind——

Mr. McCORMACK. I do not change my mind.

Mr. FISH. I do not want to quibble about it. I will take his word—whatever he says.

Mr. McCORMACK. Let me read from the RECORD. On page 589 of the RECORD of January 21, Friday last, I announced the program for this week. At that time I said:

The next order of business will be the continued consideration of the bill under consideration.

That was a bill that was being debated, following the Rankin resolution, changing the rules of the House. Then I said:

If the Committee on Rules reports out a rule on the soldiers' vote bill, it is the intention to bring that bill up if the Senate does not begin debate on a bill reported out of committee yesterday.

Then the gentleman from Massachusetts [Mr. MARTIN] interrupted and said:

Would that make any difference? The Senate has already passed one soldiers' vote bill.

To which I answered:

Frankly, I do not know; but without definitely committing myself it might make some difference to have that bill under debate in the Senate and a similar bill under debate in the House.

I think that comment is very clear.

Mr. FISH. I am not questioning the remarks of the gentleman in answer to the minority leader, the gentleman from Massachusetts [Mr. MARTIN]. I refer to another time, when the gentleman replied to my own question that the soldiers' vote bill would follow immediately after the U. N R. R. A.

I shall consume the remainder of my time to state that the minority Members are ready and have been willing right along to bring this controversial issue regarding the soldiers' vote before the House under an open rule, so that the Members could present their amendments and let the House determine what action it wanted to take. We have no responsibility or power to expedite consideration of the soldiers' vote bill. The responsibility rests upon the Democratic majority for blocking and delaying consideration of this important war measure under an open poll.

The SPEAKER. The time of the gentleman from New York has expired.

LEAVE TO ADDRESS THE HOUSE

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes on the completion of other special orders today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. WHITE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD at the point where the debate closed today in the Committee of the Whole, and include a resolution from the hearings on the joint resolution.

The SPEAKER. Is there objection?

There was no objection.

THE SOLDIERS' VOTE

The SPEAKER. Under special order of the House heretofore made, the Chair recognizes the gentleman from Texas [Mr. WORLEY] for 1 hour.

Mr. WORLEY. Mr. Speaker, I ask unanimous consent that tomorrow, after the other special orders, I may be permitted to address the House for 1 hour.

The SPEAKER. Is there objection?

There was no objection.

Mr. WORLEY. I yield my time today.

UNUSED APPROPRIATIONS FOR MILITARY DEPARTMENT

The SPEAKER. Under previous special order of the House, heretofore made, the Chair recognizes the gentleman from Pennsylvania [Mr. SNYDER].

Mr. SYNDER. Mr. Speaker, on November 18, 1943, I reported to the House that of currently available appropriations for the Military Establishment, the War Department Subcommittee of the House Committee on Appropriations had ascertained that $13,163,519,000 had been placed in Bureau of the Budget reserve, and that in all probability that vast amount would remain unobligated as of the end of the current fiscal year, which ends next June 30.

I explained at that time why that money would go unused, and I stated that the War Department would continue to relinquish additional amounts when and as circumstances should so warrant.

I wish now to repeat that my subcommittee was advised this morning that it now appeared that that $13,163,519,000 will be increased by $14,214,877,000, or to $27,378,396,000.

Generally speaking, the additional amount is responsive to considerations not unlike those which yielded the first amount. Briefly, they are:

1. Reduction in military personnel	$5,461,000
2. Reduction in requirements	3,190,485,000
3. Price reductions	10,916,000,000
4. Miscellaneous	102,931,000
Total	14,214,877,000

As I said when I reported on this matter back in November, these unused funds, since they will not be obligated, although their obligation was intended and definitely indicated when they were made mean "that our ultimate debt will be diminished by a corresponding amount, and hence our tax levies over the years will be to that extent lightened."

However encouraging this information may be, it offers no sound basis for an immediate lessening of the tax load. Our public debt has reached such huge proportions—and it is daily growing—that, in my judgment, it would be folly not to tax to the utmost during this period of wide employment and high wages and large war profits in order that it may more quickly be brought and held within reasonable bounds. We owe that to our men and women of the armed services. It is a major part of our responsibility to see that their national house is in order when their war job is done.

In conclusion, Mr. Speaker, I should like to present as a part of my remarks the statement made to my subcommittee today upon this subject by Brig. Gen. George J. Richards, United States Army, Budget officer of the War Department General Staff. General Richards' statement was presented with the approval of Lt. Gen. J. T. McNarney, Deputy Chief of the War Department General Staff.

STATEMENT OF BRIG. GEN. GEORGE J. RICHARDS, UNITED STATES ARMY

You will recall that on November 3, 1943, in response to your inquiry, the Secretary of War advised you that it had been found practicable to transfer to the Bureau of the Budget Reserve $10,943,519,000. Your subcommittee thereupon conducted hearings for more than 3 days, beginning November 15, during which you reviewed the major portion of the War Department's program. As a result of these hearings, the War Department consented to increase the $10,943,519,000 already in the Bureau of the Budget Reserve, by an additional $2,220,000,000, making a grand total of $13,163,519,000 in Bureau of the Budget Reserve.

The ability of the War Department to place these funds in Bureau of the Budget Reserve was due largely to the fact that the international situation had improved so much between July 1, 1943, the day the Military Appropriation Act for 1944 was passed, and the time of your hearings, November 15, 1943. During that period the strategic commitments of the United States had so changed for the better that the Chief of Staff, General Marshall, had been able to reduce the proposed size of the Army from 8,248,000 to 7,700,000 officers and men; and the rate of airplane construction had been lower than anticipated. Moreover, the carryover from the previous year had been $2,600,000,000 greater than anticipated. These and other related factors enabled the War Department to release the $13,163,519,000 to Bureau of the Budget Reserve.

The major categories into which this amount could be subdivided were:

Reduction in military personnel	$1,946,039,000
Curtailment of the armament and equipment program, including the Air Corps	9,629,275,000
Price reductions	1,500,000,000
Miscellaneous	83,205,000
Total	13,163,519,000

PRESENT BUDGETARY CONDITION

The War Department has continued the study of its program and can report to you that at the moment it appears that some

$27,378,396,000 will be available for reappropriation at the end of the present fiscal year, as shown on the attached table.

Of this amount, $12,819,760,000 was due to reductions in requirements, $12,416,000,000 to price reductions, $1,951,500,000 to the reduction in military personnel (pay, travel, clothing, subsistence, etc.), and the remaining $191,136,000 to miscellaneous projects.

Comparing these figures with the ones given you on November 15, it is noted that the anticipated savings due to reduction in military personnel remains almost the same. The $102,931,000 increased savings in miscellaneous projects is due almost entirely to the fact that certain expected contingencies probably will not arise. With minor exceptions, the $3,190,485,000 increased savings in requirements, is due largely to reductions in the ordnance program, while the very material savings of $10,916,000,000 because of price reductions, concern the Army Air Forces, the Ordnance Department, and the Signal Corps.

REDUCTION IN REQUIREMENTS

Of the increased savings in requirements, the major portion is due to cut-backs in the ordnance program. Shifts in the grand strategy of the war and the emphasis on different theaters of operation affected the quantities and types of weapons and ammunition which were needed. This resulted in many reductions in the Army supply program upon which the 1944 estimates were based. Among the largest reductions were over 12,000 tanks, over 2,000 90-millimeter antiaircraft guns, over 6,000 76-millimeter guns, and billions of rounds of small-arms ammunition.

PRICE REDUCTIONS

As to price reductions, including funds recovered by renegotiation, they are distributed largely between the Signal Corps, the Ordnance, and the Army Air Forces. In the Signal Corps, price reductions have been even more favorable than anticipated. Actual prices paid during this fiscal year show a savings of from 15 to 20 percent on the estimates. In some instances the savings have been very striking. This is particularly true in the case of radio crystals where a reduction of as much as 60 percent has been effected, and in certain special radio equipment not heretofore manufactured. These price savings have been due in part to the economies resulting in quantity production; and from repeat orders, since engineering development, special equipment and tooling costs were absorbed in the initial contracts.

In the Ordnance Department, the experience of contractors in manufacturing ordnance and the elimination of high-cost producers has resulted in savings of billions of dollars.

As to the Army Air Forces, they have a number of letter contracts outstanding on a cost-plus-a-fixed-fee basis. The latest unit price on these products are lower than when the letter contracts were sent out. When these letter contracts are converted to formal approved contracts, the lower unit prices will prevail. Thus a considerable amount of money will be saved.

The same unit price differential prevails in a number of formal cost-plus-a-fixed-fee contracts now in force. The lower price will be effective as soon as the legalistic problems in connection with the fixed fee are solved.

It is also estimated that considerable savings will result from Army Air Forces fixed-price contracts being renegotiated.

From time to time new contracts for airplanes, engines, and spare parts are being let. The unit prices under these contracts are considerably lower than those which prevailed when the estimates for fiscal year 1944 were submitted.

That is a brief summary of our prospective savings as they appear today. Please be assured, however, that the War Department will continue the intensive study of its program so that economy will prevail wherever possible in financing the costs of this stupendous world struggle.

Funds for reappropriation, June 30, 1944

	As reported to your committee Nov. 5, 1943	As reported Jan. 25, 1944	Increase
Reduction in military personnel	$1,946,039,000	$1,951,500,000	$5,461,000
Reduction in requirements	9,629,275,000	12,819,760,000	3,190,485,000
Price reductions	1,500,000,000	12,416,000,000	10,916,000,000
Miscellaneous	88,205,000	191,136,000	102,931,000
Total	13,163,519,000	27,378,396,000	14,214,877,000

FOOD

The SPEAKER. Under special order heretofore made, the Chair recognizes the gentleman from Minnesota [Mr. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I asked for this time to discuss the food situation. Due to the lateness of the hour and the fact that the gentleman from Massachusetts [Mr. WIGGLESWORTH] has promised me time on Friday next, when the independent offices appropriation bill is under consideration, I yield back my time.

SPECIAL ORDER

The SPEAKER. Under special order heretofore made, the Chair recognizes the gentleman from Illinois [Mr. VURSELL].

Mr. VURSELL. Mr. Speaker, due to the lateness of the hour I yield back my time.

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. LANE] is recognized for 10 minutes.

SOLDIER VOTE

Mr. LANE. Mr. Speaker, let us put first things first. It is not alone the fact that we at home want our soldiers and sailors to exercise their fundamental right to vote. They, sacrificing all for our democratic way of life, they with a far greater right to be heard, want it.

In peace, the routine of voting is a simple procedure. In war, with millions of men outside the country, their right to vote is beset with countless obstacles. Men from different communities and different States are intermingled in the same units and these units in turn are scattered, as no military force was ever before scattered, all around the globe.

It is our responsibility, without equivocation or delay, to solve this question: To what practical degree will they be able to vote this year?

When we were treacherously attacked, the Nation organized to fight for its survival. In that process, all of the citizens had to cooperate for the common cause. Business was mobilized; labor was harnessed; agriculture was called upon for greater efforts; and every citizen had to forego peacetime rights and privileges as we girded to defend ourselves. We did not, and we could not rely upon a voluntary army or navy. No State armies were possible because war demands a centralized control. To win, we had to subordinate individual liberties to group necessities.

Outside circumstances forced this discipline upon us. We could not repeal the scientific barbarism striking at us with peacetime niceties. We had to sacrifice. But in sacrificing, we sought to retain as many of our rights as were consistent with the military and naval imperatives of the hour.

And so today, for our men and women in the armed services, we must preserve what we can of the essence of voting, rather than lose all in paralyzing technicalities.

Let us not have a repetition of the 1942 experiment. The Congress then passed legislation which sought to provide a method of voting for our soldiers and sailors. Out of 5,000,000 men in service at the time, only 28,000 war ballots met the requirements. The mechanics of the present law which some Members wish to retain are wholly inadequate because, clinging stubbornly to the pattern of States' rights, they become unworkable in this emergency.

Election procedures in and within the 48 States are intricate and overlapping. For instance, my congressional district embraces parts of two counties, yet those two counties must have separate lists for the county candidates. This is further broken down into smaller legislative districts for the State government. Absentee voting rules are complex and varying. Registration and poll-tax requirements cause additional delays.

In 40 of our States, the legislatures will not be in session before January 1945. Special sessions would have to be called to enact special legislation, but we have no guarantee that the several States will do this in time for the plan to be workable. Such indirect and cumbersome machinery will thwart the very purpose we seek to achieve.

Are we to quibble over constitutionality when insistence on that point will deny to 5,000,000 of our men who will be overseas by November a fundamental liberty? Daniel Webster once advised us that the Constitution is a flexible instrument designed to meet new and challenging conditions. We are not asking for a basic change in the political functioning of our Nation. In this emergency, which is an exception to the general rule, we want to preserve the substance of American democracy, even if we must suspend the form. To insist upon all when we can't have all, would create in the public eye a picture of Congress fiddling while our boys burn.

The injection of States' rights into this discussion is a diversion, intended to confuse the issue. It will fail of its purpose because it will not hold up to the realism demanded by a nation that is

fighting for its life. The American public will have little patience with an obvious attempt to deceive them.

In this emergency, most of us have been called upon to sacrifice. Now it is the turn of the States. The bill establishing State control of the voting by our armed forces is unworkable. That was proved in 1942. The Federal ballot bill, though limited as to the number of offices to be voted upon, is workable. Jealous though we may be of the sovereignty of our respective districts and subdistricts, let us frankly acknowledge that this is an emergency measure, which will not jeopardize the American way of government.

The office of Chief Executive in time of war is doubly important. It is the symbol of our unity and determination. It has great prestige value before the world. That office must not be repudiated. Any failure of the American political system to work in time of stress, any inability on its part to give to the men and women fighting for it, a chance to participate in the vote for leadership, will expose us to the mockery of our enemies.

If this unfortunate event should happen, I can imagine Herr Goebbel's chuckling over the propaganda line we have voluntarily given to him. I can see the Nazi press proclaiming in screaming headlines: United States election machinery breaks down; soldiers denied right to vote, democracy fails to meet crisis; armed forces insulted; Congress split.

The practical solution of this problem lies in passage of the Worley bill which provides for a uniform Federal ballot, with permissive use of State ballots. But it must be done in time.

Secretary of War Stimson has warned us that overseas mail to the service men and women may be delayed seriously if the armed forces are required to give travel priority to State balloting material.

Simplicity is the need if our efforts are to be effective. Our first consideration must be to get the ballots out to the men and back in time. Nonpartisan committees will determine what ballots are valid and countable. The whole procedure must be streamlined in order to be efficient.

We do not hear much from our soldiers overseas; they are too busy fighting to write. But they are thinking and watching to see if we safeguard their rights in a straightforward manner. The challenge is for us to meet this emergency condition in the same direct manner as they are meeting and mastering emergency conditions.

In this hour of stern realism, there is so little time for shadow-boxing. We cannot have all the guaranties and complex procedures of a peacetime election. Circumstances have altered the case.

We are faced with two alternatives: First, to pass legislation whereby our service men and women have the practical opportunity to vote for candidates for the Presidency and the Congress, even though they are obliged, because of emergency restrictions, to forego the hundreds of lesser offices; or, second, to pass legislation that, insisting entirely on the technicalities of States' rights, loses, in effect, the serviceman's right to be heard at all.

Even as our soldiers and sailors fight, we stand on trial before them on an issue directly and exclusively concerning them.

Let us prove our good faith.

The Worley bill, designed to give our 5,000,000 men and women overseas the opportunity to pass judgment on our leadership, deserves our immediate and sincere consideration. In this supreme test we must shorten our lines and prove that democracy can and will work. It will hearten our people at home; it will be a source of pride and satisfaction to our men and women at the front and it will prove conclusively to the world that democracy is a genuine expression of the people's will even under the most difficult of all conditions, the terrible stress and strain of war.

The time is short.

The issue: "To what practical degree will we, the Congress, enable our men and women overseas to vote this year?"

The answer: Passage of the Worley bill.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HOBBS (at the request of Mr. MANASCO), for an indefinite period, on account of illness.

THE LATE SENATOR FREDERICK VAN NUYS

Mr. LUDLOW. Mr. Speaker, it is with genuine sadness that I announce to the House the death of an honored son of Indiana and a valued servant of the Nation, United States Senator FREDERICK VAN NUYS. The news of his death swept over the capital like wildfire this morning and it came as a tremendous shock to friends and associates with whom he was in conversation only a day or so ago and who noticed that he apparently was in his usual good health, except for a slight cold. He was found dead this morning at 5 o'clock at his home.

A touch of pathos was added to the untimely tragedy of the Senator's death by the fact that Mrs. Van Nuys was in Arizona when it occurred. She left Tucson by plane at 12: 30 o'clock today and funeral arrangements will await her return. Burial will be at Anderson, Ind., amid the surroundings of the Senator's early political and professional triumphs.

In his passing death has again found a shining mark. In Indiana his name was a synonym for honor and honesty. A Democrat, fundamentally grounded in the philosophy of Jefferson, he was, above all, a consecrated servant of the people. He had but one purpose and that was to do right, and he held to that purpose with inflexible determination.

In his earlier years he served as a public prosecutor and as United States attorney for the district of Indiana. He was a great lawyer, whose professional talents were recognized by his appointment to the high position of chairman of the Senate Judiciary Committee. As a Senator he was a worthy successor of Hendricks, of Fairbanks, Ralston, and Kern, and other illustrious Hoosiers who preceded him to "that bourne from which no traveler returns."

At a later time I shall have more to say about this distinguished son of Indiana.

Mr. Speaker, I yield to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, I wish to join with our distinguished colleague from Indiana in paying this tribute to the memory of Senator FREDERICK VAN NUYS. For many years I have known FREDERICK VAN NUYS. He was a loyal friend of mine. He was born in the county in which I now reside. There he attended the public schools. He was the son of a doctor and resided in the small village of Falmouth, Ind. I was greatly shocked when I heard of the very untimely death of Senator VAN NUYS. His service during his span of life has been outstanding. As a citizen and as a friend he was one of the most outstanding in our community. He was loyal as a friend and he was constant in his citizenship.

FRED VAN NUYS was a great lawyer. He served as prosecuting attorney of Madison County, and it was when he was occupying that high office that I first became acquainted with him. I was then engaged in the practice of law and we had tried at that particular time when he was prosecuting attorney many cases in which we were both involved. Later he was appointed as United States district attorney for the district of Indiana. He served in that capacity capably, faithfully, and well. Following his services as United States district attorney he came to the United States Senate, and his service in that great legislative body has been outstanding. As chairman of the Committee on the Judiciary in the Senate of the United States, his services have been great and of lasting benefit to the people of this great Nation. During these days of national peril, Mr. Speaker, we can ill afford to lose a great man such as Senator FREDERICK VAN NUYS was. I observe from the CONGRESSIONAL RECORD that on Friday last he responded to the last roll call in the United States Senate. His death was untimely. FREDERICK VAN NUYS was a great American. I can say of him as was once said of one of the great heroes, "This was a man."

Mr. LUDLOW. Mr. Speaker, I yield to the gentleman from Indiana [Mr. GILLIE].

Mr. GILLIE. Mr. Speaker, it is with a deep sense of sorrow and loss that I join here today in paying tribute to my colleague from Indiana, FREDERICK VAN NUYS, a great American and an outstanding Hoosier, whose death came with such surprising suddeness this morning.

FRED VAN NUYS served in the United States Senate for 11 critical years as the representative of all the people of Indiana. He served with courage and distinction. He was a Democrat, but he was a slave to no man or no party, paying allegiance only to what was best for America.

I have known FRED VAN NUYS by reputation for more than 30 years, but my personal acquaintance with him dates back only to 1939 when I first came to Congress. As a freshman Congressman I visited Senator VAN NUYS, and I remember to this day my conversation with him. He was cordial and kindly. Although we were of opposite political faiths, he

told me, "One Hoosier always helps another. You must always feel free to call on me and consult me."

The faults of our brothers we write upon the sands,
Their virtues upon the tablets of love and memory.

I am sure that I express the sentiments of all who are present today, and those Members who are not here, when I say that we will enshrine the virtues of FRED VAN NUYS in our minds henceforth, with keenest appreciation of his worthiness. He was the embodiment of those stalwart characteristics that have gone into the building of a great Nation.

Indiana has lost a loyal son. On behalf of the people of Fort Wayne and the Fourth District, I extend the deepest sympathy to Mrs. Van Nuys and her son and the friends and relatives of this fine American.

Mr. LUDLOW. Mr. Speaker, I yield to the gentleman from Indiana [Mr. GRANT].

Mr. GRANT of Indiana. Mr. Speaker, in the untimely passing of FREDERICK VAN NUYS, our senior Senator from Indiana, that State has lost one of its most distinguished sons and our Nation one of its outstanding statesmen. Senator VAN NUYS served in the United States Senate for more than 11 years, the last few of which he occupied the important post of chairman of the Senate Judiciary Committee. He was a life-long Democrat, a firm believer in the principles of Thomas Jefferson, but, like every citizen, he was first of all a thorough American. He spent all his life in politics, which, in the last analysis, is the essence of good government, and it is especially true with us because our two-party system is the essence of free representative government.

Mr. Speaker, we join with our colleagues and the people of Indiana in extending to his family and his host of friends our deepest sympathy.

Mr. LUDLOW. Mr. Speaker, I yield to the gentleman from Indiana [Mr. WILSON].

Mr. WILSON. Mr. Speaker, it was with the deepest sorrow that I learned of the death of my good friend and colleague the Honorable FREDERICK VAN NUYS. In his passing Indiana and the Nation have lost a great statesman and leader and I feel that I have lost one of my greatest friends. He was ever cooperative and helpful to me as a new Member of the House. My heartfelt sympathy goes out to Mrs. Van Nuys and her son.

Mr. LUDLOW. Mr. Speaker, I yield to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, the State of Indiana and the Nation mourns the sudden passing of the distinguished senior Senator from the State of Indiana, the Honorable FREDERICK VAN NUYS.

Since graduating from the Indiana Law School in 1900, Senator VAN NUYS has devoted most of his life to the public service of his county, State, and Nation. He has been prosecuting attorney, State senator, United States attorney, and served as United States Senator since March 4, 1933. As chairman of the Senate Judiciary Committee, he has occupied a high position in the councils of our national Congress. His life has been devoted to the service of his country and his relatives and friends can be proud of the outstanding ability and talent he has displayed in his numerous public trusts.

When the great and loving heart of Senator FREDERICK VAN NUYS throbbed for the last time this morning, Indiana and the United States Senate sacrificed to eternity and immortality one of its most illustrious sons. His life enriched the human race, his death makes poorer all mankind. He was an affectionate, devoted husband, a faithful, loved, and loving friend. He was brilliant in intellect, great in sympathy, and grand in soul. He was a patriot who loved principle more than beauty, a statesman who worshiped at the shrine of truth; a humanitarian who burned incense on the altar of the universal good.

The Nation mourns his passing.

Mr. LUDLOW. Mr. Speaker, I yield to our beloved majority leader, the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. McCORMACK. Mr. Speaker, I join with the Indiana delegation in expressing keen regrets at the passing on of this distinguished son of Indiana. While his passing constitutes a great sorrow to the people of Indiana it also constitutes a great loss to the Nation. Born and bred in Indiana and a son of that State, the character of service the late Senator VAN NUYS rendered commanded the attention and respect of the people of the entire country.

To his widow and son I know I speak the sentiments of all Members of the House in conveying to them our profound sorrow in their bereavement.

Mr. LUDLOW. Mr. Speaker, I send a resolution to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution (H. Res. 414), as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. FREDERICK VAN NUYS, a Senator of the United States from the State of Indiana;

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator;

Resolved, That a committee of eight Members be appointed on the part of the House to join a committee appointed on the part of the Senate to attend the funeral.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

The SPEAKER. The Chair appoints the following committee on the part of the House: Messrs. LUDLOW, HALLECK, MADDEN, HARNESS of Indiana, WILSON, GRANT of Indiana, GILLIE, and WALTERS.

The SPEAKER. The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect to the memory of the deceased the House do now adjourn.

The resolution was agreed to; accordingly (at 6 o'clock p. m.) the House adjourned until tomorrow, Wednesday, January 26, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON ROADS

The Committee on Roads will meet at 10:30 a. m. in room 1011, New House Office Building, to consider H. R. 3912, on Wednesday, January 26, 1944.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold hearings at 10:30 a. m., on Wednesday, January 26, 1944, on H. R. 2701, H. R. 3012, H. R. 3446, and H. R. 3489.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the committee at 10 a. m. on Wednesday, January 26, and Thursday, January 27, 1944, for consideration of post-war plans, to be held in the caucus room, Old House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the newsprint subcommittee of the Committee on Interstate and Foreign Commerce, at 10:30 a. m., Thursday, January 27, 1944, Business to be considered. Open hearings on newsprint problems.

COMMITTEE ON THE PUBLIC LANDS

The hearings on H. R. 2596, to protect Naval Petroleum Reserve No. 1, will be continued on Thursday, January 27, 1944, at 10:30 a. m.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 3, 1944, at 10 a. m., on H. R. 2809, to amend section 511 of the Merchant Marine Act, 1936, as amended.

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of subtitle "Insurance of Title II of the Merchant Marine Act, 1936," as amended.

COMMITTEE ON FLOOD CONTROL

SCHEDULE OF HEARINGS ON FLOOD CONTROL BILL OF 1944, BEGINNING TUESDAY, FEBRUARY 1, 1944, AT 10 A. M.

The Flood Control Committee will conduct hearings on flood-control reports submitted by the Chief of Engineers since the hearings conducted in June 1943 and on amendments to existing law. The committee is definitely committed to the view that flood-control projects for post-war construction will be among the most satisfactory public works, and the committee plans an adequate backlog of sound flood-control projects available following the war.

1. Tuesday, February 1: Maj. Gen. Eugene Reybold, Chief of Engineers, will open the hearings with any statements and recommendations he desires to submit covering national flood control and the projects that should be included in the bill to be reported, especially as they are related to national defense and as they will be important following the war to provide sound flood-control projects and desirable public works, and he will supplement his statements submitted to the committee in June 1943 with any recommendations he cares to submit following the said hearings and following the passage of the Emergency Flood Control Act authorizing an appropriation of $10,000,000 for the repair, restoration, and strengthening of levees and other flood-control works passed

July 12, 1943. General Reybold will be followed by Maj. Gen. Thomas M. Robins, Assistant Chief of Engineers, and by Col. George H. Goethals, Chief, River and Harbor Flood Control Branch, Office of the Chief of Engineers, who will attend the hearings and will furnish the members of the committee in detail any and all information respecting any and all projects on which favorable reports have been submitted by the Chief of Engineers, since June 1943. The district engineers and the division engineers have furnished to the Chief of Engineers data and information covering floods since June 1943 which will be submitted to the committee. It is probable that Brig. Gen. M. C. Tyler, president of the Mississippi River Commission, and the division engineer of the lower Mississippi Valley division, and Col. Miles Reber, former division engineer, Missouri River division, Omaha, Nebr., will appear before the committee with respect to projects along the lower Mississippi River and its tributaries and the Missouri River and its tributaries before the hearings are concluded.

2. Wednesday, February 2: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the Pacific Northwest region, including the Willamette River and the Columbia River and tributaries; proponents and opponents of projects along the Milk River, Mont.; the Knife River and tributaries, North Dakota; the Boyer River and tributaries, Iowa; Red Lake River and tributaries, Minnesota; proponents and opponents of projects along the Rio Grande and tributaries, Colorado, proponents and opponents of projects along other rivers in the western Rocky Mountain region, including the States of Colorado and Montana.

3. Thursday, February 3: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Soil Conservation Service, Department of Agriculture, and proponents and opponents of projects on rivers flowing into the Gulf of Mexico west of the Mississippi River, including the Trinity River in the State of Texas.

4. Friday, February 4: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects along the upper Mississippi River and tributaries, including the Illinois River and tributaries, the Great Lakes region; and proponents and opponents of projects along Bear Creek, Colo.; Missouri River and tributaries at the Kansas Citys, Mo. and Kans.; Nishnabotna River, Iowa and Mo.

5. Tuesday, February 8: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the Los Angeles area along the Sacramento River and tributaries and along the San Joaquin River and tributaries.

6. Wednesday, February 9: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Bureau of Reclamation, and proponents and opponents on projects along the Kern River and tributaries in the Kern River area and along the Kings River and tributaries in the Kings River area, and including other streams in the San Joaquin Valley.

7. Thursday, February 10: Continuation of the projects discussed on February 9.

8. Friday, February 11: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the upper and lower Ohio River and tributaries, including Salt River at Taylorsville, Ky., the Potomac River and tributaries, the New England region, including the Connecticut and Merrimac Rivers, and the Middle Atlantic region, including New York, Pennsylvania, and New Jersey, and the South Atlantic region, including rivers flowing into the Atlantic Ocean and Gulf of Mexico east of the Mississippi River.

9. Tuesday, February 15: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Gen. M. C. Tyler, president of the Mississippi River Commission and division engineer, and proponents and opponents of projects along the lower Mississippi River and tributaries including the Red, Arkansas, including Arkansas River, Conway County, Ark., and Purgatoire (Picket Wire) River, Colo., the White, St. Francis, and Yazoo Rivers.

10. Wednesday, February 16: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Col. Miles Reber, former division engineer, Missouri River division, Omaha, Nebr., and proponents and opponents of projects along the Missouri River and tributaries.

11. Thursday, February 17: Continuation of the projects discussed on February 16.

12. Friday, February 18: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in other regions in the United States.

13. Tuesday, February 22: Representatives of the Department of Agriculture, the Weather Bureau, Bureau of Reclamation, and other governmental agencies.

14. Wednesday, February 23: Senators and Representatives in Congress.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1102. A letter from the Secretary, United States Maritime Commission, transmitting the report of the United States Maritime Commission for the period ended June 30, 1943; to the Committee on the Merchant Marine and Fisheries.

1103. A letter from the Chairman, War Production Board, transmitting the ninth report on the operations of the Chairman of the War Production Board; to the Committee on Banking and Currency.

1104. A letter from the Secretary of the Treasury, transmitting an itemized report of transactions for account of the Pershing Hall memorial fund; to the Committee on Expenditures in the Executive Departments.

1105. A letter from the Chairman, United States Maritime Commission, transmitting report of contracts entered into or modified under authority of Public Law 46, Seventy-seventh Congress, for the period beginning October 1, 1943, and ending December 31, 1943; to the Committee on the Merchant Marine and Fisheries.

1106. A letter from the Chairman, Smaller War Plants Corporation, transmitting a copy of the personnel requirements of the Smaller War Plants Corporation for the third quarter of the fiscal year 1944; to the Committee on the Civil Service.

1107. A letter from the Chairman, Federal Power Commission, transmitting a statement showing the names and compensation of the members and employees of the Federal Power Commission as of June 30, 1943; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COCHRAN: Committee on Accounts. House Resolution 411. Resolution granting a gratuity to Mrs. Louise Calloway; without amendment (Rept. No. 1014). Referred to the House Calendar.

Mr. SCANLON: Committee on Immigration and Naturalization. H. R. 3722. A bill to amend section 342 of the Nationality Act of 1940 in respect to fees for the issuance of certificates of arrival; without amendment (Rept. No. 1019). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 412. Resolution for the consideration of the bill S. 1285 to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes; without amendment (Rept. No. 1020). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 408. Resolution to create a Special Committee on Post-War Economic Policy and Planning; without amendment (Rept. No. 1021). Referred to the House Calendar.

Mr. SUMNERS of Texas: Committee on the Judiciary. House Resolution 406. Resolution authorizing the Committee on the Judiciary to investigate the official conduct of Albert W. Johnson and Albert L. Watson, district judges of the United States District Court for the Middle District of Pennsylvania; without amendment (Rept. No. 1022). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MASON: Committee on Immigration and Naturalization. H. R. 768. A bill to authorize the cancelation of deportation proceeding in the case of Frank Durante and wife, Maria Durante, and five children, namely: Paul Durante, Alfred Durante, Anthony Durante, Henry Durante, and Patsy Durante; with amendments (Rept. No. 1015). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 1643. A bill for the relief of Mary Lovis Elliott; with amendment (Rept. No. 1016). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 2787. A bill for the relief of Phyllis Lee; without amendment (Rept. No. 1017). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 2789. A bill to permit the naturalization of Peter Henry Buck; without amendment (Rept. No. 1018). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. RANKIN:

H. R. 4057. A bill to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans; to the Committee on World War Veterans' Legislation.

By Mr. PRICE:

H. R. 4058. A bill to provide a method of voting for members of the armed forces of the United States; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. RANDOLPH:

H. R. 4059. A bill to amend an act entitled "An act to empower the Commissioners of the District of Columbia to convey land" (approved April 28, 1922); to the Committee on the District of Columbia.

H. R. 4060 (by request). A bill to remove certain restrictions relating to the appointment of retired commissioned officers to civilian positions, and for other purposes; to the Committee on the Civil Service.

By Mr. VINSON of Georgia:

H. R. 4061. A bill authorizing appropriations for the United States Navy for additional ship-repair facilities, and for other purposes; to the Committee on Naval Affairs.

By Mr. BARRY:

H. R. 4062. A bill to reduce the rate of interest on obligations of home owners to the Home Owners' Loan Corporation; to the Committee on Banking and Currency.

By Mr. PETERSON of Florida:

H. R. 4063. A bill authorizing the appointment of optometrists as commissioned officers in the Medical Corps of the Army and the Medical Corps of the Navy; to the Committee on Military Affairs.

By Mrs. ROGERS of Massachusetts:

H. R. 4064. A bill to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans; to the Committee on World War Veterans' Legislation.

By Mr. WALTER:

H. R. 4065. A bill further defining the number and duties of criers and bailiffs in United States courts and regulating their compensation; to the Committee on the Judiciary.

By Mr. STEARNS of New Hampshire:

H. R. 4066. A bill to revise the rates of pension to veterans while pursuing vocational training under part VII of Veterans Regulation No. 1 (a), as amended; to the Committee on World War Veterans' Legislation.

By Mr. CANNON of Florida:

H R. 4067. A bill authorizing and adopting a project for the improvement of Miami Harbor, Fla.; to the Committee on Rivers and Harbors.

By Mr. McMILLAN:

H. R. 4068. A bill to amend an act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920; to the Committee on the Civil Service.

By Mr. JARMAN:

H. Res. 413. Resolution authorizing the printing of a revised edition of House Document No. 285, Seventy-eighth Congress, first session, entitled "Handbook for Servicemen and Servicewomen of World War Nos. 1 and 2 and Their Dependents," with corrections, as a public document and for additional copies thereof; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GILLETTE:

H. R. 4069. A bill granting an increase of pension to Nelle G. Eckman; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4505. By Mr. ANDREWS: Resolution adopted by the Niagara Frontier Cooperative Milk Producers Bargaining Agency, Inc., of Buffalo, N. Y., protesting against subsidies, and also a communication from the Newfane Grange, No. 1159, of New York State; to the Committee on Banking and Currency.

4506. Also, resolution adopted by the Buffalo New York Junior Chamber of Commerce, urging the adoption of legislation in simple and workable form which would permit men and women in the armed forces to vote in the 1944 elections; to the Committee on Election of President, Vice President, and Representatives in Congress.

4507. By Mr. CHURCH: Petition of Elizabeth Pratt and 17 other citizens of Evanston, Ill., favoring House bill 2082, to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war, by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

4508. By Mr. FITZPATRICK: Petition signed by members of the servicemen's mothers organization of Allerton Avenue, Bronx, New York City, N. Y., urging the immediate passage of the Green-Lucas servicemen's absentee vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4509. Also, petition signed by members of the Bronx County New York State American Youth for Democracy, urging the passage of legislation which will guarantee the right of servicemen to vote in the 1944 elections; to the Committee on Election of President, Vice President, and Representatives in Congress.

4510. By Mr. GRAHAM: Petition of the Pennsylvania State Grange, assembled in seventy-first annual session at Williamsport, requesting the Office of Price Administration to remove the ration point requirements on surplus meats, thus permitting the consumer to take advantage of the lower price already established by Office of Price Administration and thereby relieving the producer, processor, and the storage firms; to the Committee on Agriculture.

4511. By Mr. HEIDINGER: Communication signed by Alvin Crawford and Ruby Lewis, president and executive chairman, respectively, of the Lincoln Parent-Teachers Association, Harrisburg, Ill., favoring the passage of House bill 2849; to the Committee on Education.

4512. Also, resolution of the Parent-Teachers Association of the Logan School, Harrisburg, Ill., presented by Luther Armistead, president, and Ada P. Cable, secretary, in support of House bill 2849; to the Committee on Education.

4513. Also, resolution of the Parent-Teachers Association of McKinley School, Harrisburg, Ill., presented by H. G. Hess, president, and Lou Ellen Reeves, secretary, in support of House bill 2849; to the Committee on Education.

4514. By Mr. HOLMES of Washington: Petition of sundry citizens of Pomeroy and Yakima, Wash., urging passage of House bill 2082, to prohibit manufacture, sale, or transportation of alcoholic liquors for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

4515. By Mr. KELLEY: Petition of the Westmoreland County Federation of Women's Clubs, opposing House bill 1742; to the Committee on Military Affairs.

4516. By Mr. KENNEDY: Petition of the New York Typographical Union, No. 6, concerning the shortage of printing paper; to the Committee on Ways and Means.

4517. Also, petition of the American Federation of Labor, concerning the National Service Act; to the Committee on Military Affairs.

4518. Also, petition of the New York State Federation of Labor, opposing the Wadsworth-Austin bill; to the Committee on Military Affairs.

4519. By Mr. LARCADE: Petition of sundry citizens of the Seventh Congressional District of Louisiana, protesting against prohibition legislation; to the Committee on the Judiciary.

4520. By Mr. KUNKEL: Petition of over 700 signers of Dauphin and Cumberland Counties opposing House bill 2082 (the Bryson bill) in order to prevent a rise in absenteeism in our war-production plants which would be caused by the emergence of racketeers and bootleggers; to the Committee on the Judiciary.

4521. By Mr. POULSON: Petition of Frank E. Kergman and others, urging the passage of the Bryson bill, H. R. 2082, prohibiting the manufacture, sale, or transportation of alcoholic liquor in the United States for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

4522. By Mr. ROLPH: Resolution of the California Cattlemen's Association, adopted in convention at San Francisco, December 9, 1943, relative to the production of meat animals; to the Committee on Banking and Currency.

4523. By Mr. THOMAS of New Jersey: Petition of the Bergen County Jewish Youth Federation, Hackensack, N. J., in connection with a demand that Great Britain rescind and revoke its Palestine White Paper; to the Committee on Foreign Affairs.

4524. Also, petition of the National Council of Jewish Juniors, Hackensack, N. J., in connection with a demand that Great Britain rescind and revoke its Palestine White Paper; to the Committee on Foreign Affairs.

4525. Also, petition of Temple Beth Israel of Maywood, N. J., in connection with a demand that Great Britain rescind and revoke its Palestine White Paper; to the Committee on Foreign Affairs.

4526. Also, petition of the Ivrios Club of Hasbrouck Heights, N. J., in connection with a demand that Great Britain rescind and revoke its Palestine White Paper; to the Committee on Foreign Affairs.

4527. Also, resolution adopted by the City Council of the City of Garfield, N. J., protesting against the Palestine White Paper of May 1939, and urging the fulfillment of the Balfour Declaration so that the Jewish people may continue the upbuilding of the great commonwealth whose foundations they have laid; to the Committee on Foreign Affairs.

4528. By Mr. SCHIFFLER: Petition of A. F. Hanes and other citizens of Chester, W. Va., urging the passage of House bill 2082; to the Committee on the Judiciary.

4529. By Mrs. SMITH of Maine: Petition of Lenand LePage, of Lewiston, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4530. Also, petition of Emery Lebel, of Auburn, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4531. Also, petition of Louis Gilbert, of Augusta, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4532. Also, petition of A. F. Ouellette, of Lewiston, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4533. Also, petition of Albert A. Maheux, of Lewiston, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

SENATE

WEDNESDAY, JANUARY 26, 1944

(Legislative day of Monday, January 24, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou Shepherd of our souls who dost neither slumber nor sleep, we are the people of Thy pasture and the sheep of Thy hand: Make our hearts to hear Thy voice and answer to our name when Thou callest, so that no lurking peril may be able to pluck us out of Thy hand.

We come not asking Thee for the vain trifles we may want with our selfish desires but, rather, seeking to put ourselves in such relationship with Thee that Thou canst do in and for and through us what Thou dost want in this desperately needy generation. Lift us, we beseech Thee, above the pettiness of group pride. Deliver us from the shibboleths and prejudices of class and party. Strengthen us to endure with unwavering trust whatever of grief or loss or pain allegiance to our just cause may bring. Even in anxieties that wring our hearts, open our eyes to Thy purposes beyond this war. Keep us from the fatal sin of failing the cause we fight to save. Knowing that we are forgiven only as we forgive, may we fight without hatred, resist without bitterness, and at the end triumph, if Thou dost so grant, without vindictiveness. We ask it in the Name above every name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, January 25, 1944, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. Frederick Van Nuys, late a Senator from the State of Indiana.

The message announced that the House had passed a joint resolution (H. J. Res. 192) to enable the United States to participate in the work of the United Nations relief and rehabilitation organization, in which it requested the concurrence of the Senate.

NOTICE OF HEARING ON NOMINATION OF MARTIN TRAVIESO TO BE CHIEF JUSTICE, SUPREME COURT OF PUERTO RICO.

Mr. ANDREWS. Mr. President, as chairman of the subcommittee of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a public hearing will be held on the 3d day of February 1944, at 10:30 a. m., in the Senate Judiciary Committee room, upon the nomination of Martin Travieso, of Puerto Rico, to be chief justice of the Supreme Court of Puerto Rico. At that time and place all persons interested in the nomination may make representations.

NOTICE OF HEARING ON NOMINATION OF HERMAN E. MOORE, OF ILLINOIS, TO BE JUDGE, DISTRICT COURT OF THE VIRGIN ISLANDS

Mr. ANDREWS. Mr. President, as chairman of the subcommittee of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a public hearing will be held on the 3d day of February 1944, at 10:30 a. m., in the Senate Judiciary Committee room, upon the nomination of Herman E. Moore, of Illinois, to be judge of the District Court of the Virgin Islands of the United States. At that time and place all persons interested in the nomination may make representations.

NOTICE OF HEARING ON NOMINATION OF ANTHONY J. DIMOND TO BE UNITED STATES DISTRICT JUDGE, THIRD DIVISION OF ALASKA

Mr. MURDOCK. Mr. President, as chairman of the subcommittee of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a public hearing will be held on the 5th day of February 1944, at 10:30 a. m., in the Senate Judiciary Committee room, upon the nomination of ANTHONY J. DIMOND, of Alaska, to be United States district judge for the third division of Alaska. At that time and place all persons interested in the nomination may make representations.

NOTICE OF HEARING ON NOMINATION OF LYNN J. GEMMILL TO BE UNITED STATES ATTORNEY, FIRST DIVISION OF ALASKA

Mr. MURDOCK. Mr. President, as chairman of the subcommittee of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a public hearing will be held on the 5th day of February 1944, at 10:30 a. m., in the Senate Judiciary Committee room, upon the nomination of Lynn J. Gemmill, of Alaska, to be United States attorney for the first division of Alaska. At that time and place all persons interested in the nomination may make representations.

WAR REFUGEE BOARD

Mr. WAGNER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the President's Executive order, and accompanying release, establishing a war refugee board, together with a statement thereon by the American Jewish Conference, duly constituted representative of American Jewry.

The Executive order effectuates the policy of this Government "to take all measures within its power to rescue the victims of enemy oppression who are in imminent danger of death and otherwise to afford such victims all possible relief and assistance consistent with the successful prosecution of the war." The President has thus established all possible American machinery to develop and carry out measures for the rescue, transportation, maintenance, and relief of the victims of Axis oppression, and to establish havens of temporary refuge for such victims.

As the world has learned to its horror, the main weight of Axis fury has fallen upon the Jewish population of Europe, which is marked for extermination by Hitler's butcher battalions. To these unfortunate victims, and to the other millions of every nationality, race, and creed who live under Axis rule, this action by the President of the United States comes as a beacon of hope and a promise of succor. May God speed the work of the War Refugee Board, and all agencies and governments cooperating in its work of mercy, rescue, and resettlement.

There being no objection, the Executive order and accompanying release and statement were ordered to be printed in the RECORD, as follows:

JANUARY 22, 1944.

The President today, by Executive order, set up a War Refugee Board, consisting of the Secretary of State, the Secretary of the Treasury, and the Secretary of War, to take action for the immediate rescue from the Nazis of as many as possible of the persecuted minorities of Europe—racial, religious, or political—all civilian victims of enemy savagery.

The Executive order declares that "it is the policy of this Government to take all measures within its power to rescue the victims of enemy oppression who are in imminent danger of death and otherwise to afford such victims all possible relief and assistance consistent with the successful prosecution of the war."

The Board is charged with direct responsibility to the President in seeing that the announced policy is carried out. The President indicated that while he would look directly to the Board for the successful execution of this policy, the Board, of course, would cooperate fully with the Intergovernmental Committee, the United Nations Relief and Rehabilitation Administration, and other interested international organizations.

The President stated that he expected to obtain the cooperation of all members of the United Nations and other foreign governments in carrying out this difficult but important task. He stated that the existing facilities of the State, Treasury, and War Departments would be employed to aid Axis victims to the fullest extent possible. He stressed that it was urgent that action be taken at once to forestall the plan of the Nazis to exterminate all the Jews and other persecuted minorities in Europe.

It will be the duty of a full-time executive director of the Board to arrange for the prompt execution of the plans and programs developed and the measures inaugurated by the Board.

The Executive order follows:

"EXECUTIVE ORDER ESTABLISHING A WAR REFUGEE BOARD

"Whereas it is the policy of this Government to take all measures within its power to rescue the victims of enemy oppression who are in imminent danger of death and otherwise to afford such victims all possible

relief and assistance consistent with the successful prosecution of the war:

"Now, therefore, by virtue of the authority vested in me by the Constitution and the statutes of the United States, as President of the United States and as Commander in Chief of the Army and Navy, and in order to effectuate with all possible speed the rescue and relief of such victims of enemy oppression, it is hereby ordered as follows:

"1. There is established in the Executive Office of the President a War Refugee Board (hereinafter referred to as the Board). The Board shall consist of the Secretary of State, the Secretary of the Treasury, and the Secretary of War. The Board may request the heads of other agencies or departments to participate in its deliberations whenever matters specially affecting such agencies or departments are under consideration.

"2. The Board shall be charged with the responsibility for seeing that the policy of the Government, as stated in the preamble, is carried out. The functions of the Board shall include without limitation the development of plans and programs and the inauguration of effective measures for (a) the rescue, transportation, maintenance, and relief of the victims of enemy oppression, and (b) the establishment of havens of temporary refuge for such victims. To this end the Board, through appropriate channels, shall take the necessary steps to enlist the cooperation of foreign governments and obtain their participation in the execution of such plans and programs.

"3. It shall be the duty of the State, Treasury, and War Departments, within their respective spheres, to execute at the request of the Board, the plans and programs so developed and the measures so inaugurated. It shall be the duty of the heads of all agencies and departments to supply or obtain for the Board such information and to extend to the Board such supplies, shipping, and other specified assistance and facilities as the Board may require in carrying out the provisions of this order. The State Department shall appoint special attachés with diplomatic status, on the recommendation of the Board, to be stationed abroad in places where it is likely that assistance can be rendered to war refugees, the duties and responsibilities of such attachés to be defined by the Board in consultation with the State Department.

"4. The Board and the State, Treasury, and War Departments are authorized to accept the services or contributions of any private persons, private organizations, State agencies, or agencies of foreign governments in carrying out the purposes of this order. The Board shall cooperate with all existing and future international organizations concerned with the problems of refugee rescue, maintenance, transportation, relief, rehabilitation, and resettlement.

"5. To the extent possible the Board shall utilize the personnel, supplies, facilities, and services of the State, Treasury, and War Departments. In addition, the Board within the limits of funds which may be made available, may employ necessary personnel without regard for the civil-service laws and regulations and the Classification Act of 1923, as amended, and make provisions for supplies, facilities, and services necessary to discharge its responsibilities. The Board shall appoint an executive director, who shall serve as its principal executive officer. It shall be the duty of the executive director to arrange for the prompt execution of the plans and programs developed and the measures inaugurated by the Board, to supervise the activities of the special attachés, and to submit frequent reports to the Board on the steps taken for the rescue and relief of war refugees.

"6. The Board shall be directly responsible to the President in carrying out the policy of this Government, as stated in the preamble, and the Board shall report to him at frequent intervals concerning the steps taken for the rescue and relief of war refugees and shall make such recommendations as the Board may deem appropriate for further action to overcome any difficulties encountered in the rescue and relief of war refugees.

"FRANKLIN D. ROOSEVELT.

"THE WHITE HOUSE, *January 22, 1944.*"

AMERICAN JEWISH CONFERENCE WELCOMES NEW WAR REFUGEE BOARD

The American Jewish Conference last night expressed "its profound appreciation" to President Roosevelt for his Executive order establishing a War Refugee Board, which will take action for the immediate rescue from the Nazis of as many as possible of the persecuted minorities of Europe.

"The action taken by our President promises life to people who were otherwise doomed to destruction and will be welcomed by millions of Americans who have been deeply concerned with this pressing problem," the conference said.

The conference's commission on rescue had asked the Government to establish this interdepartmental Board "so that specific rescue proposals could be centralized and their execution implemented with the greatest possible speed and effectiveness," and representatives of the commission have been negotiating with Government officials to that end for some time, the statement said.

The conference said that, based on recent reports from Europe disclosing the feasibility of rescue efforts, Mr. Herman Shulman and Rabbi Irving Miller, of New York, had submitted a number of concrete and specific plans dealing with the feeding and evacuation of Jews in Nazi-occupied territory.

They presented these to Government officials in behalf of the conference commission on rescue.

"The conference, representing the organized responsibility of the American Jewish community, will place at the disposal of the new War Refugee Board the services of its commission on rescue and will make every possible contribution to facilitate the work of the new agency," the statement said.

Co-chairmen of the American Jewish Conference are Dr. Israel Goldstein, of New York; Mr. Henry Monsky, of Omaha, and Dr. Stephen S. Wise, of New York.

The conference statement follows:

"The American Jewish Conference expresses its profound appreciation to President Roosevelt for his Executive order establishing a War Refugee Board, which will take action for the immediate rescue from the Nazis of as many as possible of the persecuted minorities of Europe.

"The commission on rescue of the conference, which was established to coordinate rescue work in behalf of American Jewish organizations, had asked our Government to create this interdepartmental Board so that specific rescue proposals could be centralized and their execution implemented with the greatest possible speed and effectiveness. To accomplish this result, representatives of the conference have been in negotiation for some time with officials of the State, Treasury, and other Departments.

"A program for the rescue of the surviving Jews of Europe from extermination at the hands of Hitler was submitted to the Bermuda Conference by Jewish organizations last spring. In September the American Jewish Conference, meeting in New York, renewed the pleas of the American Jewish community for early action by our Government and the United Nations.

"As the Nazis now face military defeat, Hitler has made it clear that he will wreak vengeance upon the Jews still in his power. He has vowed their complete destruction. The need for an intensification of rescue efforts is apparent if Jews are to escape extermination.

"Recent reports from Europe relate that many Jews can escape the Nazi terror and find a refuge in neutral states. In addition, the position of the Jew in certain satellite countries may change for the better as these countries realize the inevitability of Hitler's defeat.

"Prompt and vigorous action on the part of the United Nations to take advantage of this changing situation may result in the salvation of countless numbers more.

"Based upon these reports, which have come to the conference and its constituent agencies from abroad and through the underground, Mr. Herman Shulman and Rabbi Irving Miller, of New York, representing the American Jewish Conference, have submitted to Government officials a number of concrete and specific plans dealing with the feeding and evacuation of Jews in Nazi-occupied territory.

"The conference, representing the organized responsibility of the American Jewish community, will place at the disposal of the new War Refugee Board the services of its commission on rescue and will make every possible contribution to facilitate the work of the new agency. The action taken by our President promises life to people who were otherwise doomed to destruction and will be welcomed by millions of Americans who have been deeply concerned with this pressing problem."

JANUARY 23, 1944.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT, laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF THE WAR OVERTIME PAY ACT OF 1943

A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to amend the War Overtime Pay Act of 1943, relating to the payment of overtime compensation to Government employees, and for other purposes (with an accompanying paper); to the Committee on Civil Service.

REPORT OF UNITED STATES MARITIME COMMISSION ON CONTRACTS ENTERED INTO OR MODIFIED

A letter from the Chairman of the United States Maritime Commission, transmitting, pursuant to law, a report of contracts entered into or modified under authority of Public Law 46, Seventy-seventh Congress, for the period beginning October 1, 1943, and ended December 1, 1943 (with an accompanying report); to the Committee on Commerce.

REPORT OF UNITED STATES MARITIME COMMISSION

A letter from the Secretary of the United States Maritime Commission, transmitting, pursuant to law, the report of the Commission for the period ended June 30, 1943 (with an accompanying report); to the Committee on Commerce.

PERSONNEL REQUIREMENTS OF A DEPARTMENT, COMMISSION, ETC.

Letters transmitting, pursuant to law, estimates of personnel requirements for the quarter ending March 31, 1944, for the Department of the Interior, the United States Civil Service Commission, and the Smaller War Plants Corporation (with accompanying papers); to the Committee on Civil Service.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of the Departments of War, Justice, Navy (2), and Labor; and the National Archives (2) which are not needed in the conduct of business

and have no permanent value or historical interest, and requesting action looking toward their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

FEDERAL BALLOTS FOR SOLDIERS—PETITIONS FROM DETROIT

Mr. VANDENBERG. Mr. President, I desire formally to present on behalf of my colleague [Mr. FERGUSON] and myself petitions which are at the clerk's desk. They were gathered by various groups in the city of Detroit. Forty-five thousand signatures are requesting the Federal ballot for soldiers. I ask that the text of one petition be printed at this point in the RECORD and that the petitions be appropriately referred.

There being no objection, the petitions were ordered to lie on the table and the text of one of the petitions was ordered to be printed in the RECORD, as follows:

To the Congress of the United States:

Whereas the right of all American citizens to vote is a sacred function of our democracy; and

Whereas over 11,000,000 American men and women, now in the armed services of our Nation, must be given every opportunity to exercise that right in the national elections in November 1944: Therefore

We, the undersigned, who have sons or daughters, husbands, wives, sweethearts, brothers or sisters in the armed forces, hereby petition the Congress of the United States to grant, without qualification, the opportunity to vote to our service men and women and to vote for Federal jurisdiction of such voting without the complications arising from State election procedure.

CONSUMER SUBSIDIES—PETITIONS

Mr. VANDENBERG. Mr. President, I also formally present petitions with 250,000 signatures in favor of consumer subsidies. I ask that the text of one petition regarding consumer subsidies be printed in the RECORD, and that the petitions be appropriately referred.

There being no objection, the petitions were ordered to lie on the table and the text of one of the petitions was ordered to be printed in the RECORD, as follows:

SUBSIDIES TO CONTROL PRICES AND INCREASE FOOD PRODUCTION

To the Congress of the United States:

Whereas subsidies are necessary to roll back and control prices; and

Whereas control of prices is necessary to prevent inflation; and

Whereas subsidies will act as an incentive to the farmers to increase the food production: Therefore

We, the undersigned, hereby petition the Congress of the United States to approve subsidies and vote down H. R. 3477 which prohibits subsidies by any Government agency.

PROHIBITION OF LIQUOR TRAFFIC DURING THE WAR—MEMORIALS FROM WISCONSIN

Mr. LA FOLLETTE. Mr. President, I present for appropriate reference certain memorials signed by sundry citizens of Wisconsin remonstrating against the enactment of any prohibition legislation and ask that the heading of one of the memorials may be printed in the RECORD.

There being no objection, the memorials were referred to the Committee on the Judiciary, and the heading of one of the memorials was ordered to be printed in the RECORD, as follows:

PROTEST AGAINST PROHIBITION

JANUARY 17, 1944.

We are against prohibition. We do not want it to happen here again. We, the undersigned American citizens of the State of Wisconsin, protest against the Bryson bill (H. R. 2032) or any bill like it, which would deprive any part of the American people of the right to enjoy the use of alcoholic beverages as they are made today.

Sponsored by:

EMIL SIEVERT,
Merrill, Wis.

TAX ON OLEOMARGARINE: NEED FOR PROTEIN MEAL — RESOLUTIONS BY KANSAS STATE DAIRY ASSOCIATION

Mr. CAPPER. Mr. President, I received copy of the resolutions adopted a few days ago by the Kansas State Dairy Association at its annual meeting in Topeka, Kans., on January 12, in which the members of this association go on record in their opposition to pending legislation which would benefit the oleomargarine manufacturers at the expense of the butter producers. Also a resolution which asks that sufficient quantities of high protein meal in primary form be made available to the dairy industry. I ask that these resolutions be printed in the RECORD and appropriately referred.

There being no objection, the resolutions were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Whereas the oleomargarine manufacturers have through a united effort endeavored to take over the natural market of butter, at the same time the Federal Government has commandeered large quantities of butter for lend-lease purposes and for use of the Army and Navy and those invalided home from the war, and these efforts have been resisted by our Senators and Congressmen: Be it

Resolved, That this association extend to Senator CAPPER, Senator REED, and Congressmen LAMBERTSON, WINTERS, REES, HOPE, CARLSON, and SCRIVENER our most sincere thanks for the splendid, successful fight they have made in the interest of the general public welfare and Kansas dairymen.

Whereas it has become increasingly difficult to purchase vegetable protein meals in primary form which are so necessary for the economical production of dairy products needed to meet the goals set by the War Food Administration: Therefore be it

Resolved, That the W. F. A. take such steps as may be necessary to make available to the dairy industry sufficient quantities of high protein meal in primary form to meet the needs of the industry.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McKELLAR, from the Committee on Appropriations:

H. J. Res. 208. Joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1944; with amendments (Rept. No. 634).

By Mr. McCARRAN, from the Committee on the District of Columbia:

S. 1641. A bill to amend the Code of the District of Columbia providing for the sale of fish of the shad or herring species, and for other purposes; without amendment (Rept. No. 635);

S. 1657. A bill to amend an act entitled "An act to empower the Commissioners of the District of Columbia to convey land" (approved April 28, 1922); without amendment (Rept. No. 636);

S. 1658. A bill to extend for 1 year the date of termination of Public Law 22, dated April 1, 1943, entitled "To provide for a temporary increase in compensation for certain employees of the District of Columbia government and the White House Police Force"; without amendment (Rept. No. 637); and

H. R. 3916. A bill to permit the construction and use of certain pipe lines for pneumatic tube transmission in the District of Columbia; with amendments (Rept. No. 638).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. REED:

S. 1664. A bill to reestablish the Federal Home Loan Bank Board, to re-create the offices of the members of said Board, and to transfer functions of the Federal Home Loan Bank Administration from the National Housing Agency to said Board, and for other purposes; to the Committee on Banking and Currency.

By Mr. ELLENDER:

S. 1665. A bill to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of Guy F. Allen, chief disbursing officer; to the Committee on Claims.

By Mr. GURNEY:

S. 1666. A bill for the relief of Leonard Larson; to the Committee on Claims.

By Mr. CLARK of Missouri:

S. 1667. A bill to amend section 42 of title 7 of the Canal Zone Code; to the Committee on Interoceanic Canals.

By Mr. WALSH of Massachusetts:

S. 1668. A bill authorizing appropriations for the United States Navy for additional ship repair facilities, and for other purposes; to the Committee on Naval Affairs.

By Mr. REYNOLDS:

S. 1669. A bill to clarify the law relative to allowances for mileage of graduates of the United States Military Academy and transportation of their dependents on assignment to their first duty station and to the mileage allowance of persons entering the United States Military Academy as cadets; to the Committee on Military Affairs.

(Mr. THOMAS of Utah introduced Senate bill 1670, which was referred to the Committee on Education and Labor, and appears under a separate heading.)

By Mr. BAILEY:

S. J. Res. 112. Joint resolution authorizing and directing the Fish and Wildlife Service of the Department of the Interior to conduct a survey of the marine and fresh-water fishery resources of the United States, its Territories and possessions; to the Committee on Commerce.

ADULT EDUCATION EXTENSION PROGRAM

Mr. THOMAS of Utah. Mr. President, I ask unanimous consent to introduce, for appropriate reference, a bill to promote the welfare of the people by establishing a publicly supported adult education program stemming from the State universities and land-grant colleges, and so forth.

There being no objection, the bill (S. 1670) to promote the welfare of the people by establishing a publicly supported adult-education program stemming from the State universities and land-grant colleges, by setting up a college and university adult education extension program separate from but supplemental to the cooperative agricultural extension service authorized by previous acts, thus making broadly available to community groups and individuals the full educational resources and research findings of these public institutions of higher learning, was read twice by its title and referred to the Committee on Education and Labor.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 192) to enable the United States to participate in the work of the United Nations relief and rehabilitation organization was read twice by its title and referred to the Committee on Foreign Relations.

CONTINUATION OF COMMODITY CREDIT CORPORATION—AMENDMENT

Mr. O'MAHONEY submitted an amendment intended to be proposed by him to the bill (H. R. 3477) to continue the Commodity Credit Corporation as an agency of the United States, to revise the basis of annual appraisal of its assets, and for other purposes, which was ordered to lie on the table and to be printed.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES—AMENDMENTS

Mr. REVERCOMB submitted an amendment intended to be proposed by him to the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. HOLMAN submitted an amendment intended to be proposed by him to the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, which was ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. HOLMAN to the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, viz: At the proper place in the bill insert the following: "*Provided*, That the President by the exercise of this authority shall be deemed to disqualify himself thereby from being a candidate for any office to be affected by the administration of this act, should the President become disqualified from exercising the authority granted to him under this act, then and in that event, the ex-President of the United States who has most recently served as President shall exercise every and all authority which otherwise is granted the President under the language of this act."

FEDERAL REGULATION OF IMMIGRATION—ADDRESS BY SENATOR HOLMAN

[Mr. HOLMAN asked and obtained leave to have printed in the RECORD a radio address on the subject of Federal regulation of immigration delivered by him on Monday, January 24, 1944, which appears in the Appendix.]

FARM PRICES, FARM INCOME, AND PRICE CONTROLS—LETTER FROM CHESTER BOWLES

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a letter addressed to him by Chester Bowles, Administrator of the Office of Price Administration, relative to farm prices, farm income, and price controls, which appears in the Appendix.]

RED CROSS ACTIVITIES OF, AND TRIBUTES TO, MABEL T. BOARDMAN

[Mr. WALSH of Massachusetts asked and obtained leave to have printed in the RECORD a sketch of the activities of Miss Mabel T. Boardman in the American Red Cross and a brief summary of tributes paid to her, which appear in the Appendix.]

TEXT OF RESOLUTION ADOPTED BY DEMOCRATIC NATIONAL COMMITTEE

[Mr. TUNNELL asked and obtained leave to have printed in the RECORD the text of the resolution offered by Senator GREEN and unanimously adopted by the Democratic National Committee on January 2, 1944, which appears in the Appendix.]

THE SERVICE VOTE, EDITORIAL FROM NEW YORK HERALD TRIBUNE

[Mr. GREEN asked and obtained leave to have printed in the RECORD an editorial entitled "The Service Vote," published in the New York Herald Tribune of January 25, 1944, which appears in the Appendix.]

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 386)

The VICE PRESIDENT. The Chair lays before the Senate a message from the President of the United States, which will be read.

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	Overton
Andrews	Green	Pepper
Bailey	Guffey	Radcliffe
Ball	Gurney	Reed
Bankhead	Hatch	Revercomb
Barkley	Hawkes	Reynolds
Bilbo	Hayden	Robertson
Bone	Hill	Russell
Brewster	Holman	Shipstead
Bridges	Johnson, Colo.	Smith
Brooks	Kilgore	Stewart
Buck	La Follette	Taft
Burton	Langer	Thomas, Idaho
Bushfield	Lodge	Thomas, Okla.
Butler	Lucas	Thomas, Utah
Byrd	McCarran	Tobey
Capper	McClellan	Truman
Caraway	McFarland	Tunnell
Clark, Idaho	McKellar	Tydings
Clark, Mo.	Maloney	Vandenberg
Connally	Maybank	Wagner
Danaher	Mead	Wallgren
Davis	Millikin	Walsh, Mass.
Downey	Moore	Wheeler
Eastland	Murdock	Wherry
Ellender	Murray	White
Ferguson	Nye	Willis
George	O'Daniel	Wilson
Gerry	O'Mahoney	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Nevada [Mr. SCRUGHAM] is detained on official business.

The Senator from Kentucky [Mr. CHANDLER] and the Senator from New Mexico [Mr. CHAVEZ] are detained on public business.

The Senator from New Jersey [Mr. WALSH] is absent because of a slight illness.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The Senator from Vermont [Mr. AUSTIN] is absent as a result of illness.

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

The clerk will read the message from the President of the United States.

The legislative clerk read as follows:

To the Congress of the United States:

The American people are very much concerned over the fact that the vast majority of the 11,000,000 members of the armed forces of the United States are going to be deprived of their right to vote in the important national election this fall, unless the Congress promptly enacts adequate legislation. The men and women who are in the armed forces are rightfully indignant about it. They have left their homes and jobs and schools to meet and defeat the enemies who would destroy all our democratic institutions including our right to vote. Our men cannot understand why the fact that they are fighting should disqualify them from voting.

It has been clear for some time that practical difficulties and the elements of time make it virtually impossible for soldiers and sailors and marines spread all over the world to comply with the different voting laws of 48 States and that, unless something is done about it, they will be denied the right to vote. For example, the statutes of 4 of the States permit no absentee voting at all in general elections. Eleven other States require registration in person in order to be able to vote. Others permit absentee registration; but in some instances the procedure is so complicated and the time is so limited, that soldiers and sailors in distant parts of the world cannot practically comply with the State requirements.

But even if the registration requirements were met, there are still innumerable difficulties involved. For example, Pvt. John Smith in Australia, and his brother, Joe, who is on a destroyer off the coast of Italy, who think they are entitled to vote as well as to fight, find that they have to write in and ask the appropriate public official in their own State for absentee ballots. In every State those ballots cannot even be printed until after the primary elections—and in 14 States the primaries do not take place until September. In due time the ballots are printed—but they cannot always be sent out immediately, since in about half the States the absentee ballots cannot be mailed until 30 days or less before

the election. Weeks after they are mailed out they reach John Smith in Australia and Joe aboard his destroyer. Even assuming that John and Joe, in the meantime, have not been transferred to another station or ship or have not been wounded and sent to hospital, it is doubtful whether the ballots will get back in time to be counted. If they have been moved, as is very likely, the ballots may not even reach them before election day.

In 14 States the procedure is even more time-consuming and cumbersome—for instead of writing for an official ballot John and Joe must first obtain special application forms for official ballots which must be received and filled out and returned before the ballots themselves are even mailed to them.

The Congress in September 1942 took cognizance of this intolerable situation facing millions of our citizens, and passed a Federal absentee balloting statute (Public Law 712). That law did three things: It provided for a Federal ballot to be prepared by the States; it abrogated State requirements for registration and poll-tax payments insofar as they apply to members of the armed forces and it required the War and Navy Departments to distribute postal cards to members of the armed forces with which they might request Federal absentee ballots from their State election officials.

The Federal law was a slight improvement in that it provided absentee voting procedures in those cases where there had been no action by the States. It also eliminated some of the strict procedural requirements contained in many of the State laws. The great defect in that statute, however, was that it still involved a time lag so that the voter might not receive his ballot in time to return it to be counted. This defect is inherent, and cannot be avoided, in any statute under which the forwarding of ballots for distribution must wait until the candidates have been selected in the primaries, or which requires correspondence between the local election officials and soldiers and sailors who may be transferred or moved at any minute. If any proof were necessary to show how ineffective this Federal statute was—the fact is that out of 5,700,000 men in our armed forces at the time of the general elections of 1942, only 28,000 servicemen's votes were counted under the Federal statute.

The need for new legislation is evident if we are really sincere, and not merely rendering lip service to our soldiers and sailors.

By the 1944 elections there will be more than 5,000,000 Americans outside the limits of the United States in our armed forces and merchant marine. They, and the millions more who will be stationed within the United States waiting the day to join their comrades on the battle fronts, will all be subject to frequent, rapid, and unpredictable transfer to other points outside and inside the United States. This is particularly true in the case of the Navy and merchant marine, components of which are at sea for weeks at a time and are constantly changing their ports of entry and debarkation.

Some people—I am sure with their tongues in their cheeks—say that the solution to this problem is simply that the respective States improve their own absentee ballot machinery. In fact, there is now pending before the House of Representatives a meaningless bill passed by the Senate December 3, 1943, which presumes to meet this complicated and difficult situation by some futile language which "recommends to the several States the immediate enactment of appropriate legislation to enable each person absent from his place of residence and serving in the armed services of the United States * * * who is eligible to vote in any election district or precinct, to vote by absentee ballot in any general election held in his election district or precinct in time of war." This "recommendation" is itself proof of the unworkability of existing State laws.

I consider such proposed legislation a fraud on the soldiers and sailors and marines now training and fighting for us and for our sacred rights. It is a fraud upon the American people. It would not enable any soldier to vote with any greater facility than was provided by Public Law 712, under which only a negligible number of soldiers' votes were cast.

This "recommendation" contained in this piece of legislation may be heeded by a few States but will not—in fact, cannot—be carried out by all the States. Two States would require a constitutional amendment in order to adopt a practical method of absentee voting, which is obviously impossible to do before the November elections. Only a handful of the States, nine, will have legislatures regularly in session this year; and to date only eight other States have called special sessions of their legislatures for this purpose.

Besides, the Secretary of War, who will have the bulk of the administrative responsibility for distributing and collecting the ballots, has stated: "No procedure for offering the vote to servicemen can be effectively administered by the War and Navy Departments in time of war unless it is uniform and as simple as possible. Especially is this true with regard to the voting of persons outside the United States. * * * An army engaged in waging war cannot accommodate that primary function to multiple differences in the requirements of the 48 States as to voting procedure."

I am convinced that even if all the States tried to carry out the recommendations contained in this bill, the most that could be accomplished practically would be to authorize the Army and Navy to distribute and collect ballots prepared by the States in response to post-card requests from servicemen—the very procedure set forth in Public Law 712, which has been such a failure.

What is needed is a complete change of machinery for absentee balloting, which will give the members of our armed forces and merchant marine all over the world an opportunity to cast their ballots without time-consuming correspondence and without waiting for each separate State to hold its primary, print its ballots, and send them out for voting.

The recent bills proposed by Senators GREEN and LUCAS and by Congressman WORLEY—S. 1612, H. R. 3982—seem to me to do this job. They set up proper and efficient machinery for absentee balloting. These bills propose that blank ballots on special paper suitable for air delivery be sent by the War and Navy Departments to all the fronts and camps and stations out in the field well in advance of election day. Immediately after primary elections are held, the names of the various candidates would be radioed or wired to the various military, naval, and merchant-marine units throughout the world—on the high seas, on every front, and at every training station. The lists of candidates would then be made available to the voters, and the ballots would be distributed for marking in secrecy. But even if the candidates' names had not been made available in an area in time to allow the ballots to be sent back to the United States, the voters could cast their votes by designating merely the name of the party of the candidates they desired to vote for. The voting date would be fixed in each area in sufficient time to get the ballots back home before election day, even if the actual names of the candidates had not been received in that particular area. The ballots would be collected and transmitted back to the United States by the quickest method of delivery, for forwarding to the appropriate State election officials.

Each State, under these bills, would determine for itself whether or not the voter is qualified to vote under the laws of his State. Each State would count the ballots in the same way in which it counts the other ballots that are cast in the State. The sole exceptions would be those conditions of registration and payment of poll tax which could not be satisfied because of the absence of a voter from his State of residence by reason of the war. Those conditions were abrogated by the Congress when it passed the existing Federal absentee balloting law—Public Law 712.

There is nothing in such a proposed statute which violates the rights of the States. The Federal Government merely provides quick machinery for getting the ballots to the troops and back again. Certainly it does not violate States' rights any more than Public Law 712, which was passed by a substantial majority of the Congress in September 1942, and which specifically provided that no member of the armed forces had to register or pay a poll tax in order to vote in a Federal election. It is no more violative of States' rights than the Soldiers' and Sailors' Civil Relief Act, which the Congress passed in October 1940—more than a year before the war began.

It is true that these bills do not provide a simplified method of voting for State and local officials. The Congress has not the same authority to provide a simplified voting procedure for the thousands of State and local candidates that

it has for Federal candidates. Nor would it be practicable to do so. The inclusion of all the State and local candidates would increase the size and weight of the ballot so as to make air delivery a physical impossibility. Furthermore, the transmission and distribution of names of the many thousands of State and local candidates throughout the United States to each voter in every military and naval unit and merchant ship raise insuperable difficulties.

Since these bills provide that if any voter wishes, he may use the procedure of his own State for absentee balloting, he is given, to the extent that there is any possibility of doing so, an opportunity to vote for State and local candidates. In fact, since they provide for a post card system to implement the State laws, each voter is given at least as great an opportunity to vote for State and local candidates as he would have under any legislation.

The inclusion of other groups of voters who are engaged abroad in war work of various kinds would be desirable. But as to members of our armed forces and merchant marine, I deem the legislation imperative.

Our millions of fighting men do not have any lobby or pressure group on Capitol Hill to see that justice is done for them. They are not ordinarily permitted to write their Congressman on pending legislation; nor do they put ads in the papers or stimulate editorial writers or columnists to make special appeals for them. It certainly would appear unnecessary that our soldiers and sailors and merchant marine have to make a special effort to retain their right to vote.

As their Commander in Chief, I am sure that I can express their wishes in this matter and their resentment against the discrimination which is being practiced against them.

The American people cannot believe that the Congress will permit those who are fighting for political freedom to be deprived of a voice in choosing the personnel of their own Federal Government.

I have been informed that it would be possible, under the rules of the Congress, for a soldiers' vote bill to be rejected or passed without any roll call, thus making it impossible for the voters of the country—military or civilian—to be able to determine just how their own Representative or Senator had voted on such a bill.

I have hesitated to say anything to the Congress on this matter for the simple reason that the making of these rules is solely within the discretion of the two Houses of the legislative branch of the Government. I realize that the Executive as such has nothing to do with the making or the enforcement of these rules. Nevertheless there are times, I think, when the President can speak as an interested citizen.

I think that there would be widespread resentment on the part of the people of the Nation if they were unable to find out how their individual representatives had expressed themselves on this legislation—which goes to the root of the right of citizenship.

As I have said this is solely a legislative matter, but I think most Americans will agree with me that every Member of the two Houses of Congress ought to be willing in justice "to stand up and be counted."

FRANKLIN D. ROOSEVELT.
THE WHITE HOUSE, *January 26, 1944.*

The VICE PRESIDENT. The message will lie on the table and be printed.

METHOD OF VOTING BY MEMBERS OF ARMED FORCES

The Senate resumed the consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting in time of war by members of the land and naval forces absent from the place of their residence, and for other purposes.

Mr. TAFT obtained the floor.

Mr. DANAHER. Mr. President, will the Senator yield to me for a few moments?

Mr. TAFT. I yield.

Mr. DANAHER. I thank the Senator.

Mr. President, on Monday, I made reference to a release from the War Department which had been given to the press under date of November 24, 1943. On page 619 of the RECORD discussion of the matter appears. At that time I did not have the release with me. In fact, I had read it many weeks before. Some of the facts regarding it I did not recall.

I now have a copy of the War Department's release which was issued under date of November 24, 1943. I ask unanimous consent that it be printed in full in the RECORD at this point.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

INSTRUCTIONS GIVEN LOUISIANA SOLDIERS WHO DESIRE TO VOTE IN PRIMARIES

Provisions for making application for absentee ballots for all Army personnel whose voting residences are in Louisiana, and who desire to vote in that State's primary elections on January 18, 1944, and February 29, 1944, were announced today by the War Department.

Soldiers may apply for absentee ballots, either in accordance with Louisiana law, or by mailing to the secretary of state of Louisiana the postage-free post card applications for ballots which are provided by the War Department. These post cards already have been supplied to military installations in the United States and to units in theaters of operation overseas.

Blank absentee ballots for the Louisiana primaries will be ready early in December for mailing to military personnel who apply. In order to be counted, the executed ballots must be received in Louisiana before the polls open on the primary day.

Commanding officers have been instructed by the War Department to call the Louisiana primaries to the attention of all soldiers whose voting residences are in Louisiana in time to permit the mailing of applications for ballots, the return of the ballots to applicants, and the mailing of ballots by voters in time for them to be counted as valid.

Primaries in other States will be held during the months of April through October. Information concerning absentee voting by military personnel in other primary and general elections will be furnished by the War Department at an appropriate later date.

Mr. DANAHER. Mr. President, yesterday Colonel Cutler, from the War Department, to whom apparently had been assigned the matter of collaboration with the committee as to the War Department's duties and administration under the proposed legislation, came to see me and told me that a circular, No. 304, had been issued by the War Department under date of November 22, 1943. It was with reference to that circular that the release I just described was issued. I had never heard of the circular, and was very happy to receive a copy of it from Colonel Cutler. I ask unanimous consent that the circular may be printed in full in the RECORD at this point.

There being no objection, the circular was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
Washington D. C., 22 November 1943.

CIRCULAR NO. 304

1. Election: 1. During 1944, the general election and many primary elections will be held. Except in Louisiana, State primaries will be held during the months April through October. For the present, Circular No. 321, War Department, 1942, as amended by section I, Circular No. 324, War Department, 1942, and section V, Circular No. 156, War Department, 1943, remain in effect as to voting by personnel of the armed forces.

2. *a.* The specific information in *b* below with respect to the Louisiana primaries for State and local offices is published for the guidance of all concerned and will be brought promptly to the attention of all members of the armed forces whose voting residence is in Louisiana.

b. The Louisiana primaries for State and local offices will be held: First primary, 18 January 1944; second primary, 29 February 1944. Soldiers' applications for absentee ballots will be received at any time. Blank absentee ballots will be ready early in December 1943 to mail to soldiers who apply. In order to be counted, soldiers' executed absentee ballots must be received in Louisiana before the polls open on the primary day.

3. Soldiers having voting residence in Louisiana may apply for absentee ballots either in accordance with Louisiana law or by mailing to the secretary of state of Louisiana the postage-free post-card application referred to in section V, Circular No. 156, War Department, 1943. These post cards have already been supplied to posts, camps, and stations in the United States and to units in theaters of operation. If post cards are not available, soldiers may use the text thereof, as prescribed in Circular No. 321, War Department, 1942, for an application by letter.

4. The attention of commanding officers is directed to the necessity of bringing the subject of these primaries to the attention of soldiers whose voting residence is in Louisiana in time to permit the mailing of applications for ballots, the return of ballots to applicants, and the mailing of ballots by voters in time for them to be counted as valid.

5. Information regarding other primary and general elections will be furnished at an appropriate later date.

[A. G. 014.35 (20 November 43).]

* * * * *

By order of the Secretary of War:

G. C. MARSHALL,
Chief of Staff.

Official:

J. A. ULIO,
Major General,
The Adjutant General.

Mr. DANAHER. Mr. President, one interesting thing about the circular which it seems to me might properly be read as I go along, is paragraph 4:

4. The attention of commanding officers is directed to the necessity of bringing the subject of these primaries to the attention of soldiers whose voting residence is in Louisiana in time to permit the mailing of applications for ballots, the return of ballots to applicants, and the mailing of ballots by voters in time for them to be counted as valid.

I end the quotation at that point, in order to state that apparently it was contemplated by the War Department that commanding officers in the various camps and theaters of war should call the existing law and the opportunities under it to resort to absentee voting to the attention of soldiers whose voting residence is in Louisiana.

Mr. President, Colonel Cutler further advised that he had prepared a memorandum with reference to the Louisiana State primaries to be held on January 18 and February 29, 1944; and that memorandum, dated January 25, 1944, he furnished to me. I think Colonel Cutler's entire position should be made available to the Senate, through the medium of the RECORD; and I ask unanimous consent that Colonel Cutler's memorandum, as he furnished it to me, also be printed in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT ACTION IN REGARD TO LOUISIANA STATE PRIMARIES ON JANUARY 18 AND FEBRUARY 29, 1944

1. In line with its policy to assist and encourage servicemen to vote, insofar as practicable and compatible with military necessity, the War Department on November 22 published W. D. Circular No. 304 (copy attached) to advise soldiers having voting residence in Louisiana of their opportunity to vote under State law in the Louisiana State primaries on January 18 and February 29, 1944. The Navy published similar information at about the same time.

2. These Louisiana primaries (which are for State offices only) are the only primaries held in 1944 prior to April. Hence, they were separately treated.

3. The Army and Navy intend to publish similar information from time to time concerning other primaries later to be held.

4. The information so published in no way indicated that either the Army or Navy could undertake to supply ballots of a particular State to soldiers of a particular State. It stated that uniform post-card applications had been printed and were available all over the world for use by soldiers who wished to use them in making application for Louisiana ballots for these primaries. Louisiana will accept these post cards as applications for State absentee ballots.

In other words, the circular merely advised the soldiers to apply for State ballots by uniform post-card applications. This is the "Title II" procedure under the Green-Lucas bill now under debate. The Army and Navy intend insofar as practicable and compatible with military operations to aid in voting under State procedures.

5. The Army and Navy have repeatedly made plain that they cannot undertake to distribute to servicemen of a given State the particular application form or the particular ballot of that State. Such an undertaking is an administrative impossibility:

(a) Servicemen from all States will be found in any fair-sized unit or ship, all over the world. The Army and Navy cannot carry to each such unit a sufficient number of ballots for each State to meet the estimated potential from each State in each such unit or ship. Nor can the Army and Navy accurately identify in advance, in wartime, how many servicemen from each State are in each such unit or ship. In the Army alone there are 10,000 changes of duty status a day.

(b) Furthermore, each State has as many different ballots as there are different voting entities in that State. Thus, in Massachusetts, a ballot for a Worcester voter is very different from a ballot for a Boston voter.

6. This administrative difficulty was pointed out in the joint report of the Secretaries of War and Navy, November 13, 1943, to the chairman of the House committee, on House Concurrent Resolution 49 (the earlier House counterpart of the Eastland-McClellan-McKellar bill), as follows:

"The War and Navy Departments have heretofore expressed the belief that, in regard to one general election, they may be able, in bulk, to distribute, collect, and return uniform air-mail ballots. But it is doubtful whether air-mail facilities would permit the distribution, collection, and return of millions of ballots for primaries and elections separately mailed over a period of several months. Nor could this practical problem be solved by the several States providing to the services, at one given time, sufficient quantities of their ballots for bulk distribution and collections. The proposed resolution implies that each State will wish its citizens in the services to vote its particular ballot, which will bear the names of candidates. Because in almost every large unit in the Army and Navy there are citizens of many States, the services would be required to transmit to each such unit a sufficient quantity of ballots from each State to accommodate an estimated potential from each State in such unit. Air-mail facilities could not sustain such a burden. Nor would it be feasible, by reason of military security and necessity, to solve this problem by requiring the Army and Navy to identify in advance the number of voters from each State in each such unit throughout the world. An equally impracticable solution would be the use of State ballots in blank, supplemented by lists of names of candidates to be voted upon, because of the tremendous volume of candidates involved in all the Federal, State, and local primaries and elections in 1944.

ROBERT CUTLER,
Colonel, G. S. C.

Mr. DANAHER. I thank the Senator for yielding to me.

TRAINING OF NURSES FOR THE ARMED FORCES AND OTHER SERVICES

Mr. THOMAS of Utah. Mr. President, will the Senator from Ohio yield to me?

Mr. TAFT. I yield.

Mr. THOMAS of Utah. Will the Senator yield in order that I may make request to have the Senate proceed to the consideration of a necessary measure?

Mr. TAFT. I yield.

Mr. THOMAS of Utah. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Senate bill 1633, Calendar No. 643.

Mr. WHITE. Mr. President, will the Senator indicate what the measure is, so that we may have an understanding of it?

Mr. THOMAS of Utah. The bill proposes an amendment to the Nurses' Educational Training Act which merely makes it possible for the student trainees to do the second year of their training work in Federal hospitals. It was assumed that the students would naturally move into the Federal hospitals when the time came for such training. However, due to certain other legislation and certain rules which have been prescribed by the departments, the amendment is necessary in order that the plan may work out. I am sure there can be no objection to the bill.

Mr. WHITE. As I understand the amendment proposed by the bill, it would facilitate the implementation of the nurses' educational training bill which the Congress passed some time last summer or spring; is that true?

Mr. THOMAS of Utah. That is true. The Navy Department and other departments are asking for the trainees, but they cannot proceed without the passage of the bill.

The VICE PRESIDENT. The bill will be read by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1633) to amend the act entitled "An act to provide for the training of nurses for the armed forces, governmental and civilian hospitals, health agencies, and war industries, through grants to institutions providing such training, and for other purposes," approved June 15, 1943, so as to provide for the full participation of institutions of the United States in the program for the training of nurses, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act entitled "An act to provide for the training of nurses for the armed forces, governmental and civilian hospitals, health agencies, and war industries, through grants to institutions providing such training, and for other purposes," approved June 15, 1943 (Public Law 74, 78th Cong.), is amended by striking out, in section 7 thereof, the words "is authorized to procure and provide insignia" and inserting in lieu thereof the words "is authorized, without regard to section 3709 of the Revised Statutes, to procure and provide uniforms and insignia"; and by adding at the end of such act the following new sections:

"SEC. 11. (a) The head of any department, establishment, or other Federal agency is hereby authorized to request and accept transfers of student nurses, transferable pursuant to subsections (e) and (f) of section 2, to any Federal hospital operated by his agency in the continental United States, exclusive of Alaska, and to provide for the continued training of such student nurses requisite to graduation: *Provided*, That the period of training in no case shall extend beyond the period required for graduation by the institution from which the student nurse was transferred, but may be terminated at any time prior thereto as the interests of the service may require.

"(b) During the period of such training student nurses shall be entitled to a stipend at such uniform monthly rate as may be prescribed by the President, and shall be entitled to (1) travel expenses as authorized by the Subsistence Expense Act of 1926, as amended,

including travel incident to their initial transfer and in returning to the location from which transferred upon completion or termination of the period of training; (2) quarters, subsistence, and laundry (including laundering of uniforms) while at Federal hospitals; and (3) necessary medical and hospital care in Federal hospital facilities: *Provided,* That no student nurse receiving a stipend, fixed pursuant to this section, shall be entitled to any overtime or additional compensation under the War Overtime Pay Act of 1943. The appropriate appropriations of the agencies concerned are hereby made available for the purposes of this section.

"(c) Should any student nurse so transferred and in training suffer disability or death while in the performance of duty, she or her dependents shall be entitled, under the same conditions and to the same extent, to the benefits which are provided for civil employees of the United States by the act of September 7, 1916, as amended (39 Stat. 742; 5 U. S. C. 751–793).

"SEC. 12. The Surgeon General shall designate distinctive insignia to be worn by nurses who have been graduated pursuant to training received under this act and who in accordance with their undertaking are engaged in essential civilian nursing services for the duration of the present war. Such insignia and the uniforms and insignia designated by the Surgeon General in accordance with section 2 to be worn by student nurses receiving training and courses under plans approved pursuant to this act, or any distinctive part of such insignia or uniform, or any insignia or uniform any part of which is similar to a distinctive part thereof, shall not be worn by any unauthorized person, under the penalties provided by the act of June 3, 1916 (39 Stat. 216, as amended; 10 U. S. C. 1393), for the unlawful wearing of the uniform of the United States Army, Navy, or Marine Corps."

METHOD OF VOTING BY MEMBERS OF ARMED FORCES

The Senate resumed the consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting in time of war by members of the land and naval forces absent from the place of their residence, and for other purposes.

The VICE PRESIDENT. The pending question is on agreeing to the amendment proposed by the Senator from Louisiana [Mr. OVERTON] to Senate bill 1612, on page 139, line 9, after the word "made", to insert "in accordance with State law."

Mr. TAFT. Mr. President, I offer an amendment in the nature of a substitute, and ask that it lie on the table, and also ask that copies of it be distributed to the Members of the Senate.

The VICE PRESIDENT. The amendment will lie on the table, and copies will be distributed.

Mr. TAFT. Mr. President, I think I may say that the amendment which I have just offered certainly is very much the same as the proposed legislation respecting which the President has said in his latest message to the Congress:

> I consider such proposed legislation a fraud on the soldiers and sailors and marines now training and fighting for us and for our sacred rights. It is a fraud upon the American people. It would not enable any soldier to vote with any greater facility than was provided by Public Law 712, under which only a negligible number of soldiers' votes were cast.

Mr. President, I, as one of those who have proposed the State-voting method, resent the statement by the President of the United States that the action which I propose to have the Congress take is a fraud. It is not a fraud. In my opinion, it is the proper way to provide for voting by the soldiers; and it will provide for voting by the soldiers, and the House bill will provide for voting by the soldiers. In fact, I think it is most unfortunate that the President of the United States has seen fit again to intervene in a legislative matter, and, in his intervention, to use language which is a direct insult to the Members of this body and a direct insult to the Members of the House of Representatives. At a later time I shall deal with the various statements which were made in the President's message, some of which are not true, others of which are, of course, argumentative, and, I think, unsoundly argumentative.

Mr. President, I desire to discuss the amendment in the nature of a substitute which I have proposed to the pending bill. First, I think we might recall something of the history of this legislation. On September 16, 1942, only about 6 weeks before the congressional election, Congress passed a soldiers' voting bill. It was passed hurriedly, without much consideration. Many persons did not know about it. It was not extensively used. It did not provide a Federal ballot, except as the secretary of state might see fit to print it, and he had the power to add all the State officials to that ballot. So, as he would certainly have added those officials, it would be in fact a State ballot, and not a Federal ballot.

On Monday the Senator from Connecticut referred to the reasons why that law was not used. It was not a failure, as stated in the message of the President. The President said it provided for a Federal ballot, which is not in substance true. It required the War and Navy Departments to distribute postal cards. The postal cards were not printed until shortly before the election. The evidence is that while few servicemen voted, no effort was made to have them vote at that time. In fact, at that time the position of the Army was very adverse to voting at all, because, as the Senator from Connecticut pointed out yesterday, in August the Secretary of War had said that the War Department was opposed to the authorization of voting by members of the armed forces serving outside the continental United States or in Alaska.

That was the position the Secretary of War took when the President was not running for a fourth term. His position today, when the President is running for a fourth term, is the exact opposite of what he had to say a year and a half ago, when there was only a congressional election.

Mr. President, this law was enacted, and then in June 1943, some Members of the Senate became dissatisfied with the law. They thought that a State ballot was not sufficient. They were not satisfied to have the States conform their laws to Public Law No. 712. They had had no time to do so in September 1942, but they were all preparing to do so. Many had done so, but for some reason the administration insisted that that was not sufficient, that there must be a Federal ballot, of which 10,000,000 were to be broadcast throughout the world. A regiment of 2,000 men would receive 2,000 ballots, and the men could vote on a certain day. Those ballots were bobtail ballots, with no names on them, and nothing beyond Federal officers.

That bill was considered by the Senate in November and December. We all remember the debate. The Senate took the position that many features of it were grossly unfair and unreasonable, and designed to carry out a policy which might lead to undue influence on the soldiers. The bill was extensively amended. Finally the Senate voted to adopt the Eastland amendment, which said, in effect, "After all, we disapprove of a Federal ballot. We feel that the ballots should be State ballots." That is the fundamental issue before the Senate, and the issue which we have been considering throughout.

The Eastland version of the bill was passed on December 7. It went to the House and was considered by the House committee. A large majority of the House committee reported the bill favorably, with extensive amendments and improvements. On January 17, last week, the Rules Committee of the House approved the submission of that bill to the House of Representatives, over the strenuous opposition of the administration, and over the strenuous opposition of the chairman of the Rules Committee. Now, when it would normally come up in the House today, it has been postponed and stalled by the action of the Speaker and the majority leader. It has been postponed until next Tuesday, with the idea that before that time we may pass some other bill.

That is the legislative history. It seems to me to be an extraordinary situation. The Senate has taken a position; the House committee has taken a position; and if we pass this bill and send it to the House, and the House passes the other bill and sends it back to us, we shall become involved in a perfectly useless legislative procedure which may delay everything for months. It may seriously interfere with the right to vote, which the soldiers desire to have and are entitled to have. We might far better do nothing, and leave the situation as it is under Public Law 712. I believe the soldiers could vote satisfactorily under Public Law 712, although I question the constitutionality of some of its provisions. At least, it would be better than a complete stall and uncertainty, while no State legislature could possibly tell what action it ought to take before the middle of March or April. No one would be certain what could be done. The State legislatures must know at once what kind of a Federal law is to be enacted. If we should become involved in a fight with the House of Representatives and no bill were passed, the House would be perfectly reasonable in saying, "You sent your first bill over and we passed it. We are not going to consider some other bill now." It seems to me

that the only result would be confusion and interference.

The new bill which has been presented to this body by the committee was widely advertised in the newspapers as being a compromise bill. Mr. President, it is not a compromise bill. It is exactly the same bill which was before the Senate and which was rejected by the Senate when it adopted the Eastland amendment. There is no difference between the two measures. The same ballot commission is provided for, and the same form of ballot. There is the same suspension of registration and poll-tax laws.

Apparently there is an effort to appease Senators who feel strongly, as I do, that the States ought to pass on the question of elections, by inserting section 14 (a), which reads as follows:

SEC. 14. (a) The Commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States. Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

In effect, that is exactly the same provision which was in the bill which was previously before the Senate. In the first draft of the bill there was a provision that the United States War Ballot Commission should have something to say about the validity of the ballots. The Senate struck out that provision long before it reached the question of considering the Eastland amendment, so it was not then in the bill.

The pending bill adopts sections 1 and 2 of Public Law 712. Those two sections very clearly provide that in time of war any provision of State law relating to the registration of qualified voters shall be suspended, and that no person in the military service shall be required to pay a poll tax.

That is the Federal law, and that means that the State officials must regard the Federal law in counting the ballots. There seems to me to be an attempt to say to the States, "We are providing for a Federal ballot, but if you do not want to count the ballot, you do not have to count it." This is not a compromise bill. State officials are bound by Federal law if the law is valid—and presumably we would not enact a law unless we thought it was valid. State officials are bound by Federal law in determining whether or not to permit ballots to be counted. State officials can be taken to court, and the Federal law can be invoked by anyone who wishes to invoke it. Anyone can file charges against the election officials if they refuse to count a ballot under a valid Federal law. The idea that we can provide for a Federal ballot, and at the same time say to the State officials, "Do not worry; you may not like this, but you do not really have to count these ballots," is simply not true.

If it were true, it would be a fraud on the soldiers. It would be a far greater fraud than anything else in the whole bill, because it would be representing to the soldier that he could vote, and then saying to the officials, "You do not have to count the votes." That is a dilemma which is inescapable.

The fact is that this would be a Federal law. It would provide for a Federal ballot. Of course, the State officials would count the Federal ballots. Who else but the State officials could count them? Of course they would count them; but they would have to count them under the Federal law; and they would have to count them regardless of registration. They can only determine—as they could determine if the men were at home—whether or not the voters are 21 years of age, and whether or not they are citizens of the United States.

There is one other thing in the bill which is said to be a compromise, and that is the alternative provision for State voting. I believe that anyone who listened yesterday to the debate between the Senator from Michigan and the Senator from Illinois must have come to the conclusion that that section is purely window dressing. There will be no voting by State ballot if we provide a Federal ballot. Even the direct statement of the Senator from Illinois, which I read from the RECORD of January 24, 1944, is clear upon that point. He stated as follows:

It has been stated definitely over and over again, among others, by Mr. Stimson in his report, joined in by the Secretary of the Navy, that they can take to every battle front in the world one ballot, and one only, in one general election.

I assert that that is a clear statement that they propose to take only one ballot. Since the Federal ballot will be printed and distributed months ahead of the election—it can be done next month so far as that is concerned, and probably would be—certainly, the one ballot that will be sent to the soldiers is the Federal ballot. Every obstruction possible has been put in the way of any alternative voting under State ballots.

I do not wish to go into the question, but all that is necessary is to refer to the debate of Monday last. It will be concluded that the only ballot which is to be given to the soldier is the Federal ballot. The pending bill is not a compromise on that question.

It provides for a 100-percent Federal ballot. It is exactly the bill which the Senate has already rejected. There is one minor change. There has been an elimination of the requirement which was in the former bill, that reports be made by local election officials. That is the only change of any importance, and it is not very important, as I see it.

Mr. President, the amendment in the nature of a substitute which I intend to offer when the time arrives, and which I believe is on the desks of Senators, proposes that in lieu of the Federal ballot we set up a ballot commission and give it the duties which are prescribed under the pending bill. My own difficulty with the Eastland amendment and with the House bill is not the State ballot, but the fact that no agency would be provided to work with the States in order to assure that the State ballots would be taken care of and transported to the places where they should go. I think there should be a definite Federal authority concerned with that job. I have added the following duties to the function of the Federal ballot commission:

(d) It shall be the duty of the Commission to arrange with the Postmaster General that all absent voters' ballots mailed to members of the armed forces overseas be sent to designated central post offices where they can be properly sorted and given special attention for transmission direct to the units or ships or localities where the addressees are stationed, to the end that they reach their destination at the earliest possible date. It shall further be the duty of the Commission to make such arrangements with the Post Office Department that ballots returned from overseas reach the appropriate secretary of state at the earliest possible moment. The Postmaster General of the United States is directed to cooperate in every way with the war ballot commission, the War and Navy Departments, the War Shipping Administration, and State officials to secure the most complete and the most prompt delivery and return of ballots.

I agree that if we merely ship a great number of ballots throughout the world they may wander around and many of them may not reach their destination. But every ballot will be marked "Absent Voter's Ballot, Free" and will be transported free of postage. If every ballot is sent to a central point, and a Federal agency undertakes to rearrange the ballots and put all ballots going to one unit or locality into a special bundle, and if special priority is given to that bundle in transporting it abroad, it will result in cutting down tremendously the cost and the amount of time required to reach soldiers throughout the world.

Furthermore, I provide in my amendment as follows:

(e) It shall be the duty of the Commission to communicate immediately with State officials and advise them fully with regard to the preparation of State laws in accordance with the recommendations of section 2 hereof, and containing such other features as may be desirable to facilitate the voting provided for in this act.

The officials of a number of States have waited to see what we are going to do. We should have some Federal body which can tell the secretaries of state in effect, "This is what you should do if you want to get your ballots to the servicemen abroad." The States will be only too glad to adopt those provisions.

Sections 2 and 3 of my amendment are substantially the same as the language of the House bill as amended, which is the Eastland amendment as amended by the House Committee on Elections. It provides a general expression in favor of voting, and directs that certain definite recommendations be made to the States for State legislation.

It provides for elimination of registration. It provides for acceptance of the post-card application which any soldier may send in under the provisions of Public Law 712. I understand that ten or twelve million such post cards have already been printed. They are all ready to be distributed around the world,

and they can be distributed within 30 days after this bill is passed.

My amendment then recommends that the States enact laws providing that the receipt of the post card alone shall be sufficient authority to send to a soldier an absentee voter's ballot. As I have said, ten or twelve millions of these post cards have already been printed and are ready to be sent out under the provisions of Public Law 712.

Secondly, it is recommended in subsection (b) on page 6 of my amendment that the secretary of state of each State promptly send the post cards to the election officials so that a ballot may be supplied.

Third, it is recommended that the State officials mail the ballots promptly.

Fourth, it is recommended that the ballots be marked "Official election ballot," so that special attention may be given by the war ballot commission. It is also recommended that the absentee voter's ballot be made available at least 45 days prior to the general election in 1944, and that changes be made in the State primary laws or otherwise, if that be necessary.

It is further recommended that the several States reduce the weight and bulk for air transport so that the ballots may be as light as possible.

Section 3 of the amendment provides that the Secretary of War and the Secretary of the Navy shall transmit the ballots as rapidly as possible, and that they shall be given every priority which can be given to them.

In section 4 (a) I insert the following language taken from the former bill:

> The commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this act.

That language is the same as contained in the section which I read in the Green-Lucas bill.

Section 5 provides for free air-mail postage.

In section 7 there is provided a general penalty clause taken from the Green-Lucas bill. Section 8 is the nonpropaganda amendment which was once adopted by the Senate and is contained, I believe, in all the bills upon this subject.

Mr. President, the theory of the amendment is that the only correct ballot is a State ballot; that the only real ballot is a State ballot, and that the Federal Government should do everything it possibly can do to facilitate the transmission of ballots to the soldiers.

I have no doubt that every important State will take action to meet the requirements of the situation. Ohio is prepared to do so. Some of the States have already taken action. Many of them are waiting to ascertain what Congress expects them to do, and what is necessary, so that the ballots may be forwarded to the soldiers. I venture to say that no State will refuse to make whatever change in its laws may be necessary in order to transport the ballots abroad.

Mr. President, the real issue in this whole fight is whether we shall have the Federal anonymous bobtail ballot which is provided for in the Green-Lucas bill, or whether we shall have a real ballot, the kind of a ballot which the soldier has always voted. It has been said that by giving the soldiers the State ballot we deny them the right to vote. I resent that implication. We are doing everything possible to give them the right to vote, but the kind of vote which we are asked to give them in the Green-Lucas bill would be no vote whatever.

I should like to read from a statement on the subject made by a very distinguished former Democratic Governor, Mr. Charles Edison, of the State of New Jersey. Governor Edison has the respect, I believe, of everyone, but he apparently would be included under the President's general charge that those in favor of a State ballot are trying to put a fraud over on the soldiers by adopting the State ballot. Mr. Edison said:

> Any proposal that members of the armed forces be restricted to voting only for candidates who seek posts in Washington is repugnant. Such a restriction on the exercise of the franchise by service men and women would only be a slight improvement over denying the right to vote altogether. They must have the opportunity, even as you and I have, to vote for a Governor, a sheriff, an assemblyman, and other State and local offices.
>
> The relative importance of the office to be voted for makes no difference at all, when one talks of a man's right to vote. That concerns merely the intensity of the individual's desire to exercise his rights more in one case than the other.
>
> There are many others, in and out of the service, who are vitally concerned with who is to represent them in their State legislature, for example, or as Governor or mayor. There are many who are quite as much concerned with exercising their right to vote on public questions, such as the revision of the constitution in New Jersey, as they are over Congressmen or other Federal officials.
>
> Again I say, the only real question is, How to make it easiest for the members of the armed forces to cast legal and complete ballots?

Mr. President, the kind of ballot it is proposed by the bill to give the soldiers is in no way a real ballot. There has been no such ballot in the history of the United States. I ask, Mr. President, at this point in my remarks that a copy of that ballot be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The ballot is as follows:

OFFICIAL FEDERAL WAR BALLOT

Instruction: To vote, write in the name of the candidate of your choice for each office or write in the name of his political party—Democratic, Republican, Progressive, or other.

ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

(A vote for President includes a vote for Vice President of the same party)

Write in the name of your choice for President or the name of his party_____

UNITED STATES SENATOR

(Only if a Senator is to be elected in your State)

Write in the name of your choice for Senator or the name of his party_____

REPRESENTATIVE IN CONGRESS FOR YOUR DISTRICT

Write in the name of your choice for Representative in Congress for your district or the name of his party_____

REPRESENTATIVE AT LARGE IN CONGRESS

(Only in the States entitled thereto)

Write in the name or names of your choice for Representative at Large or the name of his party _____

(Vote for 1 or 2 as the case may be)

Mr. TAFT. There are no names on the ballot whatsoever. The soldier in the case of Presidential candidate may vote either a name or he may write in a party. For Senator he may do the same thing; for Member of the House of Representatives he may do the same thing, and for Representative at Large he may do the same thing. This is to be a uniform ballot. I have no doubt that in the State of Maine, for instance, where no Senator is up for election this year, there will be thousands of votes cast for a Democrat for Senator in Maine. Is that a reasonable kind of a ballot? Many States will find themselves with thousands of votes for nonexistent candidates for Representative at Large because there is a blank on the ballot for that office, and men are not going to stop to find out whether there is a candidate running. Unfortunately, it does not make much difference to most servicemen whether there is a Senator running in their particular State, and they are not going to stop even to find out whether a Senator is running, but they are going to vote Democratic or Republican for a nonexisting candidate.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Oregon.

Mr. HOLMAN. In my State every name voted for would have to be tabulated and counted, and if the space were blank and a voter should vote his individual notions, there would be thousands upon thousands of names voted for, which would make the task of enumerating the votes cast very difficult, make the election returns very cumbersome, and cause indefinite delay.

Mr. TAFT. I agree entirely with the Senator from Oregon, but I should like to call the attention of the Senate further to how, under this proposed Federal ballot, the machinery is really going to work, how the election is going to be held.

Section 9 provides that after the ballots are distributed—and they may be distributed next month, as I say—

> (b) Wherever practicable and compatible with military operations, the appropriate commanding officer shall be required—

To do what?—

> (1) to designate a balloting day for voting in general elections which shall be, whenever possible, after he has received a list of candidates from all States, but which shall not be later than the date which the Secretary of War or the Secretary of the Navy, as the case may be, may fix for the area in which his command is located as the latest date which will afford a reasonable opportunity for the return of executed ballots.

Now as to the time of the election, if the Secretary of War and the Secretary of the Navy act as they have been acting up to date, they may say it will be necessary to have the election 2 months in advance of the election in November; the soldiers may be required to vote on

the 31st day of August, we will say, particularly in the more distant sections. They do not have to wait for a list of candidates. Under this bill, the Secretary of War and the Secretary of the Navy can set the election day even before there is any list of candidates available, and even if the list of candidates had arrived, what good would it do the soldiers? They see "Third Congressional District of Oregon, Mr. So-and-So and So-and-So." The chances are that not one out of ten knows whether he is in the Third Congressional District of Oregon or the Fourth Congressional District or the Second Congressional District. The list of names does not mean anything. When he gets the list of names he is absolutely and completely in the dark. He does not know who the candidates are. Conceivably, just conceivably, he may know the names of a few Senators, although I should think even that knowledge would be limited to a very small percentage of the total of those who are voting. Certainly they will not know their Representative in Congress. So we have here a completely anonymous vote for Members of the House of Representatives.

When it comes to the President, the situation is different; in fact, my opinion is that this bill has been gotten up so that the election of President may dominate the election for Congress, because, of course, the soldiers will know the name of Roosevelt and they will probably know the name of the Republican candidate, as it will be in the newspapers, but they will not know anything about the candidate for Senator and Member of the House of Representatives.

Mr. President, that is not a democratic form of voting. For years many States have been doing all they can to prevent having a straight party ballot. The State of Massachusetts provides that there shall be no party ballot whatever. The voter simply sees the name, and after the name perhaps the word "Democrat."

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from New Hampshire.

Mr. BRIDGES. In the Senator's judgment, are not a large percentage of the men who are serving today in the Army and Navy of such age that they probably fail to remember any other President than Franklin D. Roosevelt as a result of his 11 years' service to date?

Mr. TAFT. All I can say is that he will have a tremendous advertising advantage over whoever may be his opponent.

Mr. BRIDGES. How would the Senator class the message sent to the Senate today? Would he not take that as a sort of official announcement of Mr. Roosevelt's fourth-term candidacy?

Mr. TAFT. Yes; but, if the Senator will allow me, I think the fourth-term candidacy was announced for all practical purposes even before the message was sent to the Senate.

Mr. President, we have been trying to get the people to vote for men, to vote for them because of their records, because of their ability, and even because of their names, if you please. Now we wipe all that out and say to the soldiers, "You have got to vote Democratic or Republican."

I do not know how early this election will be held, but the issues will not be presented. It is going to lie within the discretion of the Secretary of War and the Secretary of the Navy to choose a particular time when they think the sentiment of a particular section of the country will be favorable to the side they may wish to favor. They can pick out a time for the elections, and then what happens?

The commanding officer is:

(2) to cause lists of candidates to be posted—

If he has them; he may not have them—

and otherwise made available at conspicuous and convenient places prior to and on the balloting day and to cause copies of explanations of voting procedure and all other necessary information to be furnished to members of his unit and civilians attached to and serving with such unit and entitled to vote under this title.

It sounds harmless "to cause copies of explanations of voting procedure" to be posted, but when that kind of thing is done in the Army in effect it is an order. Here comes the commanding officer's order: "Voting will be held on such and such a day. These are the instructions that you are to follow." It is in effect an order to the men to go to the polls on that date.

(3) On the designated day to cause ballots and envelopes to be distributed, to provide a convenient place for marking them in secret, and to cause executed ballots to be collected and delivered for transmission to the Commission.

In short, Mr. President, 10,000,000 servicemen are to be marched up to the polls, just as the W. P. A. workers were marched to the polls in some of the elections held in the past. The servicemen are to be marched up to the polls and handed a bobtail Federal ballot, with no names on it, and they are to be told in effect, "Vote this ballot."

If there is a State ballot, the ballots come in one at a time. When a soldier receives the ballot, it is a familiar document to him. He may know the election officials who sign his notice. The soldier takes it into his tent, looks it over, sees the names of some old friends on the ballot, and exercises the right of suffrage in the manner in which people have exercised it throughout the United States for many years. One reason why I think we should have a State ballot is that there would be on the ballot names of people the voter would know, and he could choose between them.

Even so, he would be handicapped, and the reason why many soldiers will not vote, if the method provided in the House bill is pursued, is that they will not know the issues at home; they will not know the men for whom they are supposed to vote; and, therefore, they will feel they should not vote, or they will not be interested. Many of them will not even ask for absent voters' ballots because they will not feel that they are qualified to vote. But that is no reason for excluding them. They should be given the right to vote, and certainly they should be given such a ballot as will enable them to know the candidates who are running for office, to vote for all the candidates, and to see the whole political picture at home, in their own village, or on the farm from which they come, so that they may vote with some intelligence and with some interest.

Mr. President, the proposal before the Senate of course would exclude in many cases the possibility of an independent running. We are familiar with the case in New York in which a man named Aurelio was nominated for the bench by both the Democratic and Republican parties. Both parties tried to get his name off the ticket, but his name was on the ballot already, so an independent undertook to run. No independent would be allowed to run under the form of ballot now proposed. No independent could ever be heard of, his name would not be on the ballot.

Let us take a case in California. Suppose a Democrat carries both the Democratic and Republican primaries, but the Republicans feel later that the issues have changed between the time of the primary and the time of the election so that they desire to put up a man. He would have to run as an independent against the candidate who had the two nominations. The soldiers could not vote for him; they would not know he was running. If they voted "Democratic" or "Republican," the one who got the nomination in both primaries would get the votes. There is a complete and arbitrary exclusion of everything, in effect, except voting Democratic or voting Republican, or voting Communist or voting Socialist, if you please.

Mr. President, in my opinion the proposed ballot is unfair to all sitting Representatives and Senators. The strength of the propaganda which is now being disseminated in behalf of the bill in my opinion is largely exerted to defeat Congress. Those behind it are the same ones who want to wipe out this Congress. The name of a Congressman who is sitting is known, his name appears every day in the papers, he has made a good record, and naturally he gets more votes than the one who has not made any record, or who perhaps has been in before and has been defeated. The man who is in has the advantage of his name being known, or at least his name is much more likely to be known. But if the only thing a soldier knows is the name of the President, he then votes "Democratic," which is the natural thing to do if one desires to vote for the Democratic candidate for President, and if he does not know who the Democratic candidates for Representative and Senator are, he votes "Democratic." So far as I am concerned, I do not know whether President Roosevelt will run ahead of his ticket, as he has in the recent elections, but undoubtedly those who drafted the pending bill think he will, and they think that will pull through those running on the ticket with him.

The genera effort is to subordinate the Congress to the Executive. Congress is

a coordinate body, but the only interest of those who prepared this bill is in the election of the President, and the effort is to subordinate the election of Representatives and Senators to the Presidential election.

At this point I should like to call attention to a letter from the National Grange dated January 24, addressed to Members of Congress. The letter reads:

We regard this bobtail Federal ballot as a wholly unwarranted and gratuitous slap at the dignity and sovereignty of the States, which is resented by those who believe in our dual system of government.

Any State that has not already acted should without delay take proper steps to facilitate soldier voting. Holding elections is a State and not a Federal function. The Federal Government has no more right to conduct an election than the States have to coin money. Any ballot issued by the Federal Government would, therefore, be spurious and counterfeit. It might invalidate the whole election. However, the Federal Government should cooperate in distributing and collecting the ballots among those who are in the armed forces.

Just because we are at war is no reason why the Constitution should be nullified or evaded in this or any other respect.

That is the sentiment of the National Grange, the representative of millions of farmers in the United States.

Mr. LUCAS. Mr. President——

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Does the Senator from Ohio yield to the Senator from Illinois?

Mr. TAFT. I yield.

Mr. LUCAS. The Senator realizes, does he not, that the National Grange was the only witness appearing before the Committee on Privileges and Elections and testifying against the pending bill?

Mr. TAFT. But they are now included in the general list of defrauders under the terms of the President's message.

Mr. President, in my opinion the bill is unconstitutional. I do not see any manner in which its constitutionality can be upheld. I quite agree that that applies also to the provisions of Public Law 712. The fact was not called to the attention of the Senate at the time that measure was before us. It was not discussed, so far as I know. I did not notice or even think about the point when the bill was under consideration.

I think we could perhaps provide some such ballot as that proposed for the election of Senators and Representatives, but not for Presidential electors, or for the election of the President of the United States. The Constitution provides very clearly that—

The executive power shall be vested in a President of the United States—

And—

each State shall appoint, in such manner as the legislature thereof may direct—

Each State shall appoint, in such manner as the legislature thereof may direct—

a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress.

It then proceeds:

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

The electors meet usually on a day in January, after the election. The only power given to Congress regarding the election of electors for the Presidency is that "Congress may determine the time of choosing the electors." That is the only function the Congress has in the matter.

Mr. President, that is particularly significant, because when we come to the choosing of Senators and Representatives, we find that there is a very different provision.

That matter is dealt with in section 4 of article 1 in which it is said:

The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

I take it that that provision referred to election of Senators by the legislature, and Congress could not tell the legislature where it should meet. But Congress could make or alter regulations relating to the times, places, and manner of holding elections for Senators and Representatives.

The question whether the poll tax is a qualification, and all that, raises some doubt about the validity of the provisions of the measure for electing Representatives and Senators, but I submit there can be no doubt about the inability of Congress to regulate a Presidential election in any manner except as to fixing the day on which the election shall be held. Not only is there no provision for Congress to do it, as I have pointed out, but the provision is that each State shall appoint, "in such manner as the legislature thereof may direct," a number of electors.

Mr. President, there could not be clearer language. There is no possible way that I can see by which the Congress has anything to say about how Presidential electors shall be elected.

The attempt by the committee, when the bill was previously before the Senate, to make its provisions constitutional, rests upon the war powers. The argument made by the committee in its report is rather tenuous in behalf of the constitutionality of the measure. The report states:

This bill is not a general bill operative in peacetime, but is limited to wartime. It is clear that both Public Law 712 and S. 1285 are within the war powers of Congress under the Constitution.

Mr. President, so far as I know Congress has no such war power.

Having determined that deprivation of the political rights of those in the armed forces would seriously impair their morale and that the more effective prosecution of the war requires that political rights shall not be lost by reason of war service, Congress may properly act to protect those political rights. Pursuant to the same determination, other democratic countries have established effective means of taking the votes of their servicemen during the time of war.

Of course, the answer to that statement, Mr. President, is that the other democratic countries do not have our Constitution.

In the Soldiers' and Sailors' Relief Act the Congress passed a comprehensive measure to protect the pecuniary rights of members of the armed forces. The same considerations justify protection of their political rights.

Thus, Mr. President, the issues which would arise with respect to the rights of Congress in time of peace do not arise with respect to this measure under the war powers.

Mr. President, if Congress has some power outside the Constitution to conduct elections in a manner different from that which the Constitution prescribes, then there is no limit to what Congress may do. Congress may say just as well that it is impossible to reach all these men; therefore they are deprived of their political rights; therefore we must not have any elections this year; therefore we can put off this election until next year or for a couple of years until the war is over.

There is no implied war power to modify the express provisions of the Constitution as to the times and the manner in which men should be elected. There simply is no such constitutional doctrine. There is no right to change the provisions for choosing electors in such manner as the legislatures of the States shall prescribe. If we want to act constitutionally we must proceed in the way it is proposed to proceed in the substitute I have submitted. We can help, we can do everything to suggest to the legislature what it should do, and there is every reason to think the legislature will do it, but we cannot usurp the powers of the legislature to prescribe the times and manner of holding elections for Presidential electors.

Mr. WHITE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	Overton
Andrews	Green	Pepper
Bailey	Guffey	Radcliffe
Ball	Gurney	Reed
Bankhead	Hatch	Revercomb
Barkley	Hawkes	Reynolds
Bilbo	Hayden	Robertson
Bone	Hill	Russell
Brewster	Holman	Shipstead
Bridges	Johnson, Colo.	Smith
Brooks	Kilgore	Stewart
Buck	La Follette	Taft
Burton	Langer	Thomas, Idaho
Bushfield	Lodge	Thomas, Okla.
Butler	Lucas	Thomas, Utah
Byrd	McCarran	Tobey
Capper	McClellan	Truman
Caraway	McFarland	Tunnell
Clark, Idaho	McKellar	Tydings
Clark, Mo.	Maloney	Vandenberg
Connally	Maybank	Wagner
Danaher	Mead	Wallgren
Davis	Millikin	Walsh, Mass.
Downey	Moore	Wheeler
Eastland	Murdock	Wherry
Ellender	Murray	White
Ferguson	Nye	Willis
George	O'Daniel	Wilson
Gerry	O'Mahoney	

The PRESIDING OFFICER. Eighty-six Senators have answered to their names. A quorum is present.

Mr. TAFT. Mr. President, the present provision of the Constitution which shows so clearly that there is no possible constitutional basis for having Congress provide the method by which Presidential electors may be elected is specifically given by the Constitution to the States. The constitutional provision is that—

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors.

The only power given to Congress is to determine the time of choosing the electors.

Mr. President, if that constitutional provision can be set aside under some specious theory of war powers, then we can set aside the election; we can make any change we think is necessary in time of war; we can continue indefinitely the term of the President of the United States.

That is not the intention. The war powers do not give Congress any power to change the term, change the method of election, or do anything which is specifically conferred by the Constitution upon the States.

If we conduct this election, and if the result of the election is determined by these votes, and if the question of invalidity is raised, and goes to the courts, we shall face again one of the most serious emergencies, one of the most serious crises that a republic can face—a contested national election which may lead to civil war. In other countries it has led to civil war. In this country, in the Hayes-Tilden controversy, we were very close to civil war; and if Mr. Tilden had not voluntarily withdrawn, no one can tell what would have happened in 1876 in the United States.

Now we are to face this problem right in the midst of a tremendous world war, a tremendous war to which we should devote our entire effort; and the entire morale of the people and the morale of the soldiers are likely to be destroyed by an internal contest as to who was legally elected President of the United States. We do not want to have any doubts. If the procedure is seriously doubtful, we do not want to use it. We ought to proceed in a constitutional way. We should avoid the catastrophe of having an election contest in time of war.

Mr. President, there is only one argument against the proposal I have presented, against the bill which was passed by the Senate, the bill which was approved by the Elections Committee of the House of Representatives, the bill in favor of which I understand there is a clear majority of 50 or 60 in the House of Representatives, if the leaders would stop stalling, and would let the bill come to a vote there.

There is only one possible argument against it. That statement is not my statement, but is the statement of the Senator from Illinois [Mr. LUCAS]. On Monday he said:

> I also know that millions of persons are wondering whether or not they cannot have a complete ballot covering all the State officials in the same way we are trying to provide for Federal officials by the Federal ballot. I wish it could be done. If it could be done, there would be no reason for bringing on the floor of the Senate the bill which is now sponsored by the Senator from Rhode Island [Mr. GREEN] and myself—

If it can be done.

The one argument against the State ballot is that it cannot be done. The only witnesses who claim that it cannot be done are the Secretary of War and the Secretary of the Navy. The only testimony relating to the subject which comes from the Army is that "We cannot do it. We cannot take State ballots abroad." I think Congress itself can pass upon that kind of a question of fact. We know the facts. We know whether it is possible to take State ballots to soldiers.

A day or two ago I had something to say about the actual weight of ballots. It is said that the ballots are too heavy, and cannot be taken by air, and that they cannot be delivered to the soldiers in time except by air.

Incidentally, none of these arguments applies to persons voting in this country. If the Senator admits that the only reason for not using State ballots is that they cannot be delivered to the soldiers, that argument certainly does not apply to camps in the United States, because we certainly can get absentee ballots to soldiers in the United States. There is no time-limitation factor, and there is no space factor. We can deliver ballots to them without the slightest difficulty. On the basis of the Senator's own argument, certainly all persons in the United States ought to be exempted from the provisions of the bill and they ought to vote under State ballots.

But how about the men abroad? By November 1 there may be as many as 6,000,000 men in the armed forces outside the United States. I do not know. No one knows; but we have had various figures which indicate that. I suppose that if there were 6,000,000 men there would probably be not more than 4,000,000 applications for State ballots, because many of the men are under the voting age. There must be several million men in the armed forces who are under age. A considerable proportion of the 6,000,000 would be under age.

Suppose 4,000,000 ballots were involved. I checked with the secretary of state of Ohio, and he tells me that in Ohio the absentee voter's ballot, prepared and ready for mailing, weighs 2 ounces. The Senator from Illinois [Mr. BROOKS] tells me that he has checked very carefully the Illinois ballot and that the Illinois ballot weighs considerably less.

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BROOKS. During the recent meeting of the special session of the legislature of Illinois, for the information of the legislature the general ballot of 1942 was weighed, and it was found that the whole State ballot, with the sheet of instructions, the envelope in which it was to be returned, and the heavy manila envelope in which it was sent out weighed a total of 1.2 ounces. It is believed that if it is necessary the weight of the entire absentee ballot in Illinois can be reduced to eight-tenths of an ounce. In any event, it is planned to reduce it to not more than 1 ounce. Certainly a 1-ounce ballot can be delivered to the members of the armed forces anywhere in the world.

Mr. TAFT. I thank the Senator from Illinois. That is the general testimony. The average weight of absentee voters' ballots is about 2 ounces. However, the statutes today require the use of very heavy paper. The general testimony is that the weight of the ballot can be reduced to 1 ounce, and that the various legislatures which are meeting can bring about that change if it is necessary to make a change in the statute.

Assume that the average weight is 2 ounces. That would mean 8 ballots to the pound. It would mean that 4,000,000 ballots would weigh 500,000 pounds, or 250 tons for all ballots to all parts of the world. If the weight could be reduced to 1 ounce, the total weight would be only 125 tons to all parts of the world.

Of course, if the ballots can be shipped by boat, there is no objection whatever on the score of weight. To most of our troops ballots could be shipped by boat. Think for a moment. The President of the United States left this country and went to Teheran and came back in 35 days, which included the time consumed by all the conferences which he held. It is reported that he went over the Atlantic both ways in a speedy cruiser, that he did not fly, as he had done before. Certainly if the President and literally tons of generals and admirals can be transported to Teheran and back in 35 days, we can take a few tons of ballots to Teheran and back in 35 days. That represents about the maximum distance. India is slightly farther away, but not a great deal farther than Teheran. That is about as far as it would be necessary to send any ballots.

In connection with the Christmas mail for the boys last year, the Army announced that it would be prepared to take 10,000,000 packages weighing 5 pounds each, which represents a total of 50,000,000 pounds, or 25,000 tons of packages. On October 15 last year the New York office announced that eight and a half million packages had left the port of New York alone, and that 4,000,000 more were expected to go within a few days. That is a total of twelve and a half million packages, representing a weight of 31,250 tons, shipped by boat. Of course, if the ballots can be transported by boat, there is no question of the possibility of delivering them.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. HOLMAN. The department of the Army known as the Department of Special Services, or the morale branch

of the Army, is spending $30,000,000 a year for various kinds of publications which are being distributed to soldiers all over the world. I believe that the tonnage of these shipments could be curtailed so that shipping space could be found for sending ballots to soldiers in the normal, constitutional way.

Mr. TAFT. I certainly see no reason why all soldiers in the European, African, and Italian theaters could not get their ballots by mail. There is no reason why a special steamer could not be sent with the ballots, if that is necessary. They could be collected in New York. The largest ships make the trip in about 5 days. Convoys make it within 10 days. There certainly is no earthly reason I can see why we should have to fly these ballots over the Atlantic.

If 250 tons represents the total weight, I believe that at least 150 tons could be handled in that manner. That would leave 100 tons. As I understand, one of the large cargo planes carries a cargo of about 5 tons. It would require 20 such planes to transport the entire load which must be flown. I believe that all the ballots could be delivered to Alaska by boat. If the weight of the ballot were reduced to 1 ounce, the total weight of ballots to be transported by air would be 50 tons, which is the cargo load of 10 planes.

Mr. President, if this matter is as important as it is represented to be—and I believe it is—and if soldiers should have the right to vote, certainly the Army and Navy could find the planes to take the ballots abroad. Last month we produced approximately 8,000 planes. I have no doubt that there are all sorts of things in the Army service which could be temporarily laid aside. Of course, there are many essential things which must come first—those things dealing directly with fighting on the various fronts—but I venture to say that there are hundreds of thousands of tons of material which could be delayed in order that 50 tons of ballots might reach members of the armed forces throughout the world.

Mr. President, judging from the testimony given by representatives of the Army and Navy, and the way in which the two departments have acted, the truth is that they do not want to take State ballots to the soldiers. They have raised every possible objection to doing so. They are determined against such a ballot. In 1942 Secretary Stimson said that the War Department was opposed to any authorization of voting by members of the armed forces. That was a year and a half ago. He now takes the position that it is an absolute war essential that the men be given the right to vote, and that they be given the right to vote by a particular method, in which they can be lined up and marched to the polls.

Mr. President, I have before me a list of the average air carriage time from Springfield, Ill., to various points throughout the world. The longest time required for any such point is 29½ days, perhaps to Murmansk and return. I ask unanimous consent that the list be printed in the RECORD at this point as a part of my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Location of soldier desiring to vote and average air carriage time to Springfield, Ill., 1 round trip

	Days
(a) Alaskan area:	
Nearest	10
Farthest	13
(b) Pacific area:	
Nearest	14
Farthest	26
(c) Canal Zone	7½
(d) Caribbean area:	
Nearest	8
Farthest	12
(e) South Atlantic area:	
Nearest	10
Farthest	12
(f) Middle East area:	
Nearest	14
Farthest	16
(g) Persian Gulf area	18
(h) Far East area:	
Nearest	26
Farthest	32
(i) Mediterranean area:	
Nearest long haul	18
Nearest short haul	13½
Farthest long haul	22
Farthest short haul	17½
(j) North Atlantic area:	
Nearest	9½
Farthest	29½

Mr. TAFT. Mr. President, it seems to the claim that this cannot be done is simply not founded on fact. A few days ago I questioned the good faith of the Army. The representatives of the Army come in and take a position for one measure as against another measure. They pay no attention to the constitutional questions involved. They pay no attention to the question of the form of the ballot. They do not care. But, they take a strong position for one bill and an equally strong position against another, on the sole ground, apparently, that they claim they cannot transport the State ballots abroad. It will be a little more trouble to do so. But, if these ballots are gathered up by the post-office officials and sorted out so that the ones which are to be sent to Europe may be put together, and put on the fastest ship which can be used to take them to Europe, and every other locality dealt with in the same way, I see no reason whatever why every soldier should not receive a ballot requested by him of his election officials back home, and have the right to vote it as one votes a ballot containing names of candidates for every office to which the voter is entitled to vote.

Mr. President, with the addition of the last message from the President, the pending bill is now the subject of perhaps the greatest pressure propaganda this Congress has met. It is interesting to me to note from where the pressure is coming. In the first place, it comes from the C. I. O. political action committee. When I was at home during Christmas I was called upon by a committee of five gentlemen representing the C. I. O. political action committee. They spent more than half their time in urging the Federal ballot. The C. I. O. does not care about the Federal ballot. They are interested only in the election. They are interested in the effect which the ballot will have upon the election. I have before me the C. I. O. News of January 17. There is contained in it an article which states as follows:

Action: Wires and letters and delegations should pour in on both Representatives and Senators to push for a uniform, Federal system of service voting, including merchant seamen, with penalties to prevent State officials from refusing to count the ballots after they're in.

Speed is vital, since the poll-tax-reactionary Republican gang is hoping to rush these "compromise measures" through as early as possible, before the public indignation gets any higher. There is also a strong danger that the House Rules Committee will put a gag rule on the Eastland-McClellan bill to prevent amendments. This should be protested as strongly as possible.

Well, they have protested all right. We have all received letters, telegrams, and delegations. Although I have talked to two C. I. O. delegations I have declined to see three more simply because I have not had the time to go over the same arguments with them.

The article states:

Wires, letters, and delegations should pour in on both Representatives and Senators to push for a uniform Federal system.

Although in my opinion it was unnecessary, Mr. Hillman, the head of the C. I. O. political action committee, even felt called upon to telegraph the Postmaster General, Mr. Frank Walker, who is also chairman of the Democratic National Committee. He said:

We believe that the reaffirmation at this time of your unequivocal support for a uniform, simple Federal ballot, administered by a bipartisan Federal ballot commission, would do much to reassure the families of our heroic servicemen.

The C. I. O. political-action committee is the author of various publications. I have before me one called Keeping Score To Win the War—the Record of Congress and What To Do About It.

Then in the usual propaganda-smear style there is printed the record of every Senator during the past year on various matters in which the C. I. O. has some interest. If they like the way a Senator has voted they put a plus mark near his name, and if otherwise, they put a minus mark. They have announced that they will, and they are now engaged in trying to, purge from the House—and I believe from the Senate also—every Member who voted for the Smith-Connally Act. They are interested in purging Congress.

Mr. President, when I try to figure out the reason for the tremendous propaganda which is taking place to force us to do something against the Constitution, to force us to adopt a form of ballot which will be contrary to every principle of American democratic government, I can only account for it in one way. These persons must feel that such form of Federal ballot would result in the election of the President for a fourth term, and in the defeat of a very considerable number of the present Members of Congress. They may be right in that assumption or they may be wrong. However, I can understand what their feeling is. They know that they have lost at

home. They know that in the United States proper the New Deal and the President will be overwhelmingly defeated. And so they hope that they may turn to the servicemen abroad who are not thoroughly familiar with conditions at home. More than that, they hope that if the proposed form of ballot is adopted, and millions of the ballots are sent all over the world, that when the soldiers are lined up and marched into polling booths 2 months, or 40 days, or 30 days before election, perhaps a psychological condition can be created in which there will be an overwhelming vote for the side for which they wish the soldiers to vote. Such a thing may happen to a great body of men who are off by themselves. We cannot tell. I think those who may hope for such a situation to arise are mistaken. I think that when the men have the opportunity to vote they will return to their original feelings which they had in the United States before they left. I think we will find that most of them will vote as the people are voting back home. However, I do not know. I know that the C. I. O. and the other fourth-termers think there is a chance for a sweep in their direction.

The C. I. O. political action committee does not care about the effect on labor; it is not a C. I. O. affair. It has nothing to do with labor unions. If the C. I. O. were placed on a ballot sent to the servicemen against someone else—and I should like to have the C. I. O. on the other side of the question from the side I am on—I have no doubt that so far as the C. I. O. is concerned the vote among the servicemen would be five or six to one against the C. I. O.

This is not a C. I. O. matter. This is a fourth-term matter. This is the manner in which the C. I. O. hope to rescue the cause in which they are interested. Of course, the only reason for setting up the C. I. O. political action committee was to secure a fourth term. Are they correct or not? I do not know. Yet, it seems to me that it would be violating every constitutional procedure to set up a method of election in which some mass psychology could be used. The proponents of the bill know that the Government has complete control of all propaganda which reaches the soldiers. They know that everything going abroad can do so only through the channels which are approved of here in Washington. The newspapers Yank and Stars and Stripes, are really edited from Washington. During the First World War the editors conducted the papers abroad very much as they pleased. Nobody paid any attention to them. Today the newspapers are said to be edited here and their news is written here in the United States.

I do not believe that the objects of the C. I. O. of which I have spoken can be accomplished, but I believe I have given the only explanation which can be made of the tremendous propaganda which the C. I. O. political action committee is undertaking to disseminate.

I have before me a book entitled "Labor Political Action—Back Bullets With Ballots." It is a general attack on Congress.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Oregon.

Mr. HOLMAN. The C. I. O. has undertaken to find a candidate to oppose me on account of my vote on the Connally bill and for my general attitude intended to promote the war effort, rather than cater to the political support of the strike masters. It is commonly reported in my State that the strike masters and the racketeers of labor have set aside approximately $40,000 as a campaign contribution for the purpose of encouraging a candidate agreeable to their purposes to oppose me in the coming election, and that they have been running up and down my State looking for such a willing candidate. I understand that one of the New Dealers here, claiming to be a Republican, is in a favorable frame of mind to accept their campaign contribution, their support, and their dictation.

Mr. TAFT. The C. I. O. has a right to do anything it pleases. I know many C. I. O. members who do not agree at all with the kind of action that is being taken by the leaders of the Congress of Industrial Organizations and by C. I. O. political committees. But when they come here and put on a tremendous propaganda against us in connection with the pending voting bill it certainly is fair for us to examine the motives behind their action. I have no doubt that it is a political motive, one for which they think at least there is a chance and a possibility of success. They have not seen the soldiers; they cannot be certain; but we are creating a condition in which they think mass psychology can bring a one-sided vote. The Secretary of War and the Secretary of the Navy can name particular dates; they can pick in each area the dates when the election will be held. They can have it held just after a great victory or they can have it held just before what may prove to be a questionable operation. They can prepare the men in such a way as they see fit. They can emphasize the prestige of the President in the election. But the possibility of Senators and Congressmen reaching those men is nil. The Republican candidate for President presumably will be able to present his views. Under the amendment I offer, he can have a political broadcast, but so far as you and I, the Members of this body, are concerned, and so far as the candidates of the House of Representatives are concerned, there is not the slightest possibility that we or they can present to the servicemen the arguments for our election. In one way or another, the C. I. O. material will get across to the soldiers, but I do not know any way by which I can combat it or explain or defend the votes I have cast. That is the condition we are creating. In my opinion Congress is practically being asked to commit suicide, to abandon its independence, and to subject the voting for Congress to the voting for the Chief Executive.

Mr. President, I cannot say how strongly I feel on this subject; I cannot say how thoroughly convinced I am that the only kind of ballot that ought to be given the soldiers is the same kind of ballot they have always had, a real ballot. I cannot say how strongly I feel about the propaganda that is being spread around.

I may add that the Daily Worker and the Communist group are conducting this same kind of propaganda that is being conducted by the C. I. O. The Communist Party National Committee has decided, as we know, to abolish itself as a political party. In effect, the Communist Party has decided to consolidate itself with the fourth-term movement and turn itself simply into a propaganda agency. The Communist Party is urging in every number of the Daily Worker and every number of the New Masses the passage of this bill and urging their readers to send telegrams and letters to the Members of this body.

I have a copy of PM, which in effect is a Communist paper, so to speak—the uptown Communist paper—of December 15, saying:

> PM readers are urged to write or wire any or all members of this committee—

That is the House Elections Committee—

> asking them to join with EUGENE WORLEY in his plan to wage an uncompromising battle against the Senate's mockery of the soldier-vote legislation.

We have propaganda from every administration columnist and every administration radio commentator, and we now have it all backed up by the President's message, the like of which for bitterness and for impugning the motives of those who oppose him I have never seen.

Mr. President, I desire to submit my own amendment, but I do not want to insist upon the exact terms of the amendment. The issue here is a question of a ballot; the issue is whether we are going to send the soldiers and sailors a State ballot, a ballot to which they are entitled, or whether we are going to give them a Federal bobtail, anonymous ballot, a ballot on which the name of no Member of the House or Senate ever appears. The question is whether there shall be an election in which no Member of the House and no Senator can appeal to the servicemen to vote for him or state any reasons why they should vote for him; an election in which he is utterly losing all the advantage of any good work he may have done; an election in which the voters are asked to go back to a plan which is thoroughly discredited in every democracy, that of voting for men they do not know, whose names they do not know, simply by indicating on the ballot whether they, the voters, are Democrats or Republicans.

In effect what is handed the servicemen is nothing in the world but a Gallup Poll preference, and they are going to treat it in just about the same way they treat a Gallup Poll preference, the kind of poll Mr. Gallup takes on a question such as "Are you going to vote Democratic next time or Republican?" Nobody cares much. Perhaps the soldier has not made up his mind, or does not

look upon it seriously, and the soldiers are not going to look upon this vote as anything serious. In my opinion they are simply going to vote because they are required to vote. They are going to vote even though they do not want to vote because they may not think or know enough about the subject to vote. Frankly, I do not know what may happen, but I do know that we would be perpetrating an unconstitutional, undemocratic ballot on both the soldier, the candidate, and the American people.

Mr. LUCAS. It always amuses me, Mr. President, to hear those who are attempting to obstruct a measure of this kind rely upon the Communists, the C. I. O., and other organizations to aid them in their cause. Everyone knows that those are the old red herrings which have been drawn across the trail in the Senate of the United States for a long, long time.

On Monday I placed in the CONGRESSIONAL RECORD some editorials that strongly favor the bill now pending before the Senate. There was one from the Stars and Stripes entitled "Bullets and Ballots." Notwithstanding what the able Senator from Ohio said about the material that appears in the Stars and Stripes being written in Washington, D. C., the Senator from Ohio is just as mistaken in that statement as he is in about 50 percent of the statements he has been making on the floor of the Senate today. The truth of the matter is that Stars and Stripes and Yank and all the other service papers are absolutely controlled by the men themselves. They edit the newspapers, they get out the news, they have their own reporters, and when the Senator from Ohio says that Washington, D. C., prepares the statements for these papers, he does not know what he is talking about. The Stars and Stripes is not a communistic newspaper. It is very much American.

The Washington Star, another very fine and conservative newspaper, which everyone knows is not communistic in any way, recently published a fine editorial entitled "A Sound Compromise."

The St. Louis Post-Dispatch is one of the outstanding newspapers in this country, and it contained an editorial, which I placed in the RECORD, entitled "What New Objections?" I imagine that after they hear what the Senator from Ohio said today they will have another editorial on "More Objections."

I have here also an editorial from the Richmond (Va.) Times-Dispatch headlined "Simpson, Knox, and the vote." The Times-Dispatch is hardly a communistic newspaper.

Here is a very fine editorial from the Washington Post entitled "Congressional Duty." There is also one from the Louisville Courier-Journal entitled, "A Nightmare for Senators." I doubt if anyone would say that any of those newspapers have any communistic tinge whatsoever.

Mr. GREEN. Mr. President, will the Senator from Illinois yield?

Mr. LUCAS. I am glad to yield.

Mr. GREEN. I wonder whether the Senator intentionally or unintentionally omitted the "communistic" New York Herald Tribune.

Mr. LUCAS. I was just about to come to that. I hold in my hand an editorial from the bible of the Republican Party, the Herald Tribune of New York, and for the benefit of the Senator from Ohio, who apparently does not keep up with what the Herald Tribune is saying—and there may be a very good reason for that—I shall read exactly what they said on yesterday:

THE SERVICE VOTE

When the Senate moved yesterday to reconsider its action of last month killing the Federal service-vote bill, it was bowing to the force of a popular sentiment which simply will not permit this matter to be shelved in political and parliamentary evasions. No doubt it would be much more comfortable and convenient for everyone if the whole embarrassing business could just be put quietly away somewhere and forgotten.

That is exactly what the Senator from Ohio wants to do. He just wants to shelve this proposal somewhere in a pigeonhole here in the Capitol, and forget it, because the whole trend of his speech was one of fear, fear of what the boys overseas are going to do. Yet if Mr. Spangler is correct in the poll which he took in England, the Senator should not have any fear at all, because, according to that, 56 percent of the boys are going to vote the Republican ticket.

The editorial in the Herald Tribune continues:

Then there are three obvious reasons why this question must be faced and settled in a straightforward fashion, but it cannot be put away because the basic issues involved are too plain and too compelling.

Mr. BARKLEY. Will the Senator from Illinois yield?

Mr. LUCAS. I yield.

Mr. BARKLEY. Does the Senator know whether in the poll taken by Brother Spangler the names of any candidates were on the ballots which these boys voted, or whether they voted as to whether they would be Democratic or Republican?

Mr. LUCAS. I know of no names on the ballot. In fact, the taking of the poll has been shrouded in mystery. Mr. Spangler, in the Chicago meeting, started to give the press a lot of information about it, but he got his foot in his mouth, and began to cover up. He did not realize he was violating the Army regulations in taking the poll. A man holding the responsible position filled by Mr. Spangler should have known that; but he did not.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. TAFT. Frankly, I see no reason why he should not take the poll. I should like to read the Senator a letter from Mr. George Gallup, in which he says he took a poll of soldiers——

Mr. LUCAS. I do not yield for a speech, because if I yield to the Senator he usually proceeds for about 7 minutes, and while he usually makes a statement of interest, I have already listened to him throughout the afternoon——

Mr. TAFT. I would have been glad to yield to the Senator during my remarks.

Mr. LUCAS. I did not care to interrupt the Senator. I am answering him now, in my own time.

The Herald Tribune article proceeds:

There are three obvious reasons why this question must be faced and settled in a straightforward fashion. The first is the deep popular feeling that a man who is drafted to fight for his country should not thereby be deprived of all his constitutional rights to have a voice in its affairs. The second is the very practical reason that an electoral decision as important as that now impending should not be left open to any possible question on the ground that ten-million-odd citizens were in effect disfranchised.

That is exactly what the Senator from Ohio wants done.

And the third reason is perhaps the most important of all. Whether the servicemen intend to vote in any great numbers or not, there is a good deal of accumulating evidence that they value the right to vote. They are already sufficiently critical of the home front.

And this should please the Senator:

They are already too much imbued with the notion that politicians, labor magnates, and armchair patriots in general have sent them out to do the dying while themselves conducting business and pleasure as usual at home. The servicemen are beginning to make their right to a vote into a kind of test question.

That is correct, Mr. President. The editorial continues:

These are the three chief reasons for political action. If the statesmen had faced up to them more honestly to begin with, they would not have involved themselves in their present difficulties, confusions, and contradictions. But to this newspaper it still does not seem too late for a frank and rational solution.

That is correct; and I regret to find the senior Senator from Ohio here today adding confusion and chaos to an already uncertain situation.

The editorial concludes:

Stripped of its ulterior and legalistic complications, the present issue seems to come down largely to a technical one. According to the Secretary of War, it is not physically possible to transmit all primary, local, and State ballots without interfering with the prosecution of the war. Apparently, it is possible to transmit a simple Federal ballot for Federal offices; while the revised Green-Lucas bill, under which the Federal Government would take such a vote but leave it to State law and State authorities to accept or reject it, offers a clearly constitutional means of doing so. If this is the practical situation the conclusion is inescapable: It is to provide for the Federal ballot, leaving the States as free as they now are to distribute and receive State and local ballots within the normal limits of the military postal services. If it is practical to provide something more than this, Congress should be able quickly to ascertain the fact; if not, this is a reasonable minimum. The one thing which is not allowable is simple obstruction and evasion.

Obstruction and evasion are the watchwords of the opposition to the bill introduced by the Senator from Rhode Island and myself.

Mr. President, I wish to read, in addition, a very splendid editorial from the Atlanta Journal, published in Georgia:

IT IS UP TO CONGRESS

The right of citizens in our armed services to vote is undebatable and undisputed. But unless Congress provides means of distributing and returning the ballots, that right will become merely a shadow as far as this year's elections are concerned. The problem of getting the ballots to millions of soldiers, sailors, and marines scattered around the world is obviously beyond the power of the individual States to solve. Georgia, through the prompt action of its Governor and general assembly, has done its best to safeguard the suffrage rights of its own citizens in far-away camps and on overseas battle fronts. But this best cannot suffice without Federal assistance.

It is up to Congress to determine whether some 11,000,000 Americans in the armed forces shall be guaranteed or denied the ballot in this year's highly important elections. So far Congress has trifled with its responsibility. The Senate has passed a bill which evades the vital issue by tossing the whole question into the laps of 48 different States; and the measure approved last week end by the House Elections Committee, 7 to 5, is equally fatuous. Surely, the Congress is not so wanting in resourcefulness as to be unable to devise a Federal plan that will insure the rights of servicemen and women without infringing on the prerogatives of the States. The time grows short as millions who are risking their lives for our country are in danger of losing their votes.

Mr. President, At this very moment I have on my desk not less than 50 editorials from every section of this land, asking the Congress of the United States to give the men and women in the armed services wherever they may be serving, an opportunity to vote on a uniform Federal ballot.

I wish to take a moment of the time of the Senate to answer the argument of the Senator from Ohio with respect to the constitutionality of the bill. It is admitted by the Senator from Ohio that under section 1 of article IV of the Constitution the Congress has the right to provide the manner and means of holding a Federal election, insofar as the election of United States Senators and Members of the House is concerned. I take it there is no question about that.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. TAFT. There is, of course, the question whether the suspension of the registration requirements of the State and the suspension of the poll tax fall within the power of Congress. Of course, considerable debate is taking place with respect to the matter of the poll tax. I simply call attention to the fact that that is not admitted. I am not urging that point because I think the other point is more important.

Mr. LUCAS. Mr. President, I wish seriously to discuss before the Senate the legal authorities as an answer to the challenged constitutionality of the measure, insofar as it applies to the electors for President of the United States:

Article II, section 1, of the Constitution, provides the following:

"Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress."

* * * * *

"The Congress may determine the time of choosing the electors, and the day on which they shall give their vote, which day shall be the same throughout the United States."

Unlike the provisions of article I relating to congressional elections, article II does not deal specifically with elections or the manner of holding them. Article II entrusts to the State legislatures the choice of the manner of appointing Presidential electors; that choice might lie among such alternatives as selection by the legislature, election by Statewide popular vote, election by districts, or even appointment by the Governor. But article II deals with fundamentals, not details. It represents one of the great compromises of the Constitution, and was adopted in the closing sessions after protracted debate, during which every variety of mode of selection of the President was actively considered. Indeed, the Convention had previously approved election of the President by Congress, and, subsequently, by electors appointed by the State legislatures (The Warren, Making of the Constitution, 1937 ed., p. 357). The problem which was resolved by article II is strikingly revealed by the description in *McPherson* v. *Blacker* (146 U. S. 1, 28):

"The Journal of the Convention discloses that propositions that the President should be elected by the 'citizens of the United States,' or by the 'people' or 'by electors to be chosen by the people of the several States,' instead of by the Congress, were voted down, as was the proposition that the President be 'chosen by electors appointed for that purpose by the legislatures of the States,' though at one time adopted. And a motion to postpone the consideration of the choice 'by the national legislature,' in order to take up a resolution providing for electors to be elected by the qualified voters in districts, was negatived in Committee of the Whole. Gerry proposed that the choice should be made by the State executives; Hamilton, that the election be by electors chosen by the people; James Wilson and Gouverneur Morris were strongly in favor of popular vote; Ellsworth and Luther Martin preferred the choice by electors elected by the legislatures; and Roger Sherman, appointment by Congress. The final result seems to have reconciled contrariety of views by leaving it to the State legislatures to appoint directly by joint ballot or concurrent separate action or through popular election by districts or by general ticket, or as otherwise might be directed."

Mr. ANDREWS. Mr. President, will the Senator yield?

Mr. LUCAS. Yes.

Mr. ANDREWS. The Constitution provides for no other way to vote for the President of the United States, except through electors. Four other methods, as the Senator has suggested, were undertaken to be placed in the Constitution, but it was finally decided to adopt the method of choice through electors.

Mr. LUCAS. Yes. I have read the different methods debated by the framers of the Constitution in the Convention, and it was finally decided to adopt the method which now appears in the Constitution. I was merely giving the Senate some of the history of this particular provision which is extremely interesting.

Mr. ANDREWS. Yes. I wish to ask the Senator a question.

In paragraph 2 of section 1 of article II of the Constitution we find this language:

Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress.

Under the form of ballot provided in the bill before the Senate, servicemen may vote by writing in the name of the President.

Mr. LUCAS. That is correct.

Mr. ANDREWS. The vote may also be had by writing in the name of the party, I believe. The ballots furnished by States would contain the name of each candidate for Presidential electors. On the Florida State ballot eight Presidential electors will be voted for, as there is one elector for each of the two Senators and one for each of the six Representatives. Thus the Democrats will vote for eight and probably the Socialists will vote for eight, and the Republicans will vote for eight electors by name.

I am wondering if confusion will not result from the Senator's proposed ballot inasmuch as the servicemen could not vote directly for electors but would cast their ballot by merely writing in the name of the President on the ballot or by writing in the name of the party. What I say is intended as a friendly suggestion. The ballot which will be sent out by the various States for the November election will not be so very long. A primary ballot, as the Senator knows, is a rather large sheet and may be too bulky to send by air mail in the short time required, but the ballot for the general election should not be too bulky to send out.

Mr. LUCAS. The bill in reality does not affect the general election in Florida, because the primary really determines who shall be elected to office. The Senator's State is so overwhelmingly Democratic that whoever wins in the primary really has won in the final election. It is seldom that a Republican runs in the Senator's State, as I understand.

Mr. ANDREWS. Republicans do occasionally run in our State. I simply do not wish to have election contests ensue. It is true that the second primary held in my State is practically a final vote. We are also anxious to make a good showing in all general elections. But, speaking particularly of the November election, I cannot see why it would be impractical to transmit the ballot already prepared by the States through the same channels as provided for the Federal ballot recommended in the pending bill. Our soldiers could then vote for all officers by name, as has always been their custom.

Mr. LUCAS. I wish it could be done. We went over that matter Monday in the Senate; and if the Senator will take the time to read the testimony of Colonel Cutler in the hearings, he will find how difficult it will be for the 48 States, with 48 different methods of voting, to transport all their ballots throughout the world in the coming election without absolutely breaking down the war effort. I am sure the Senator does not want to do anything which is incompatible with military operations.

Mr. ANDREWS. Not at all. I am very much in sympathy with what the Senator is trying to do.

Mr. LUCAS. I know the Senator is, and I appreciate it.

Mr. ANDREWS. For several years I was assistant attorney general in my State, and I had to formulate the ballot for the elections, and I therefore had considerable experience.

Mr. LUCAS. The Senator was a good assistant attorney general, and a good judge in his State.

Mr. ANDREWS. At least two embarrassing contests arose in Florida. A painting hangs to the left of the entrance door to the East Senate gallery which reminds us of Florida's trouble in 1876. It is entitled "The Florida Case." Florida lost her electoral vote. I am anxious that there shall not be a contest over the next important election, and also hope that the election may not be thrown into the House of Representatives. I wish to make a suggestion in respect to the matter. The ballots for the general elections will be prepared by the States, and if the bill now under consideration is passed, there will be another or additional Federal ballot. So the serviceman will perhaps receive two ballots for Federal offices. The two ballots will be sent to him, one by the secretary of state of his home State, through the same facilities, because they must if possible go to the men in the armed forces. I wonder if confusion would not result through two ballots being sent to the servicemen.

Mr. LUCAS. We have provided in the pending bill that in the event the serviceman should inadvertently vote both ballots, the uniform Federal ballot which we are now seeking to provide for, would become null and void, and that the State ballot should prevail. The bill makes such provision, and there can be no question about it.

Mr. ANDREWS. Suppose the serviceman should vote both ballots?

Mr. LUCAS. I just referred to that. In the event the serviceman should vote both ballots inadvertently, no penalty would be attached.

The only thing that could happen would be that if both ballots were returned to the precinct in which the Senator resides, let us say, the judges in that election would say that the Federal ballot was void, and would not count it, but would count the State ballot. That is provided for in the bill.

Mr. ANDREWS. Mr. President, let me make one further suggestion. Of course, the primaries are mentioned in the bill. My State and other States will want help along that line. It looks to me as if it would be easier for 48 States, with officers who are accustomed to the system, to be working on one subject, and to transmit the ballots directly from the 48 different States, and place them in the hands of the Secretary of War and the Secretary of the Navy, to be transmitted directly to our boys in foreign service. It seems to me that the 48 States could do that in a better way than could the Secretary of War and the Secretary of the Navy, if they tried to do it themselves, and avoid delays likely to occur here in Washington.

Mr. LUCAS. Mr. President, I do not want to go over the entire ground with the Senator; but let me say that if the Army and the Navy say it cannot be done, upon whom are we to rely?

Mr. ANDREWS. Of course, that is also true. It is just as important that the vote that is cast can legally be counted.

Mr. LUCAS. I do not know of anyone else upon whom we could rely in that connection. I want every serviceman who is a resident of my county to vote for sheriff of the county or for county clerk, if it is possible to have that done, and I want each serviceman of every other county of my State, and of all counties of all the States, to vote for his county officers. But in Illinois there are 102 counties, and it would be necessary to have 102 separate ballots, and to transmit 1 of them to every Illinois soldier, wherever he might be, anywhere in the world. It is impossible to do that. I wish it could be done. However, that is the reason for the pending legislation.

Mr. ANDREWS. I realize that. Nevertheless, I think that is where a great deal of the trouble will arise. If it is possible to transmit to the members of the armed forces everywhere in the world the ballots and all the directions and pamphlets mentioned here, I believe it will be possible to transmit the State ballots to them.

Mr. LUCAS. The only things that will be sent will be the name and the address, together with certain instructions which possibly will be cabled or radioed.

Mr. ANDREWS. And certain literature.

Mr. LUCAS. No; in the Taft amendment, it is specifically provided that no literature may be sent.

Mr. ANDREWS. I hope the plan will work.

Mr. LUCAS. I hope so, too. I am certain it will—at least no better plan has been offered.

Mr. ANDREWS. I have my doubts about it; but I am going to assist the Senator and his committee in every way I can.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. LUCAS. I yield for a question.

Mr. BUSHFIELD. I was not able to hear the distinguished Senator's full explanation of the bill, as he made it on Monday. I should like to call his attention——

Mr. LUCAS. Mr. President, I wonder if the Senator will wait until I conclude stating my thoughts regarding the constitutionality of the question. Then I shall be glad to yield to him.

Mr. BUSHFIELD. Very well.

Mr. LUCAS. Mr. President, I wish to say a word with respect to write-in ballots. There has been some question as to whether such can be done. In my State numerous officials, even including judges, have been elected by means of write-in ballots. I recall one election in which 16,000 ballots were written in, the write-in candidate being successful.

As was recognized in the case of *Newberry* v. *United States* (256 U. S., 232, 255)—

> Congress clearly exercised its power to regulate the matter of holding an election when it directed that voting must be by written or printed ballot or voting machines.

The foregoing quotation is from page 154 of the Newberry case decision.

Let me return to the Blacker case, from which I just read an excerpt dealing with what the framers of the Constitution had to contend with when they finally wrote into the Constitution the present provision dealing with how the electors should be chosen.

My statement is that in the light of the background of the Blacker case, it cannot be said that the framers of the Constitution were addressing themselves to the functioning of whatever system the States might adopt for Presidential electors, as distinguished from the basic determination of what the nature of the system should be. So to conclude would be to disregard the admonition of the Supreme Court in the *Classic case* (314 U. S., 299, 316) to read the words of the Constitution—

> not as we read legislative codes which are subject to continuous revision with the changing course of events, but as the revelation of the great purposes which were intended to be achieved by the Constitution as a continuing instrument of government.

Assuming the State decision in favor of popular election of electors, which now uniformly prevails, the language of the Constitution would be read with "stultifying narrowness," if taken to preclude congressional action under independent constitutional powers, to implement and make effective the system of popular choice.

The foregoing is taken from the Classic case.

Nor was the explicit grant of power to Congress to determine the "time of choosing electors" intended to exclude Federal authority in all other respects. This clause was contained in the draft reported by the Committee on Postponed Matters, which was in substance approved by the Convention. The clause provoked no discussion, although an amendment was adopted providing that the election should be on the same day throughout the United States. The purpose of the clause was to prevent intrigue in connection with Presidential elections. By this means, James Wilson explained to the Pennsylvania convention, "We avoid corruption"—avoiding it by holding the election all over the United States on the same day.

Thus, the two relevant clauses in article II—giving to the States the power to choose the manner of appointing electors, and to Congress the power of fixing the time—dealt, respectively, with the basic methods of choice of electors and with an obvious danger to the integrity of the electoral machinery. In the debates the clauses in article II were not made the subject of comparison or contrast with the provisions in article I dealing with congressional elections.

Whatever may be thought of these historical considerations, the Supreme

Court in the case of *Burroughs and Cannon* v. *United States* (290 U. S. 534), determined that the power of Congress over the functioning of Presidential elections is not limited to the designation of the time therefor. There the Court sustained the application of the Corrupt Practices Act to Presidential elections. Thus, the power to fix the time of the elections, which was conferred in order to prevent corruption, does not exhaust the measures open to Congress even for that purpose. In that case the Court took broad ground, maintaining that the proper functioning of the electoral machinery in Presidential elections is as legitimate a concern of Congress as the functioning of congressional elections.

Those are the words of the Supreme Court of the United States. This is what the Court further said:

> The President is vested with the Executive power of the Nation. The importance of his election and the vital character of its relationship to and effect upon the welfare and safety of the whole people cannot be too strongly stated.

That quotation is from page 545. I read further:

> Congress, undoubtedly, possesses that power, as it possesses every other power essential to preserve the departments and institutions of the general government from impairment or destruction, whether threatened by force or by corruption.

If a Presidential election may be protected from destruction, which is what the Court held in the Burroughs case, in my humble opinion, it may also be protected from the distortion which would be caused by the enforced absence of a substantial body of the electorate.

Here is the point in connection with the last statement, Mr. President: We have political distortion, which is common knowledge to everyone, as we realize that some 11,000,000 men and women are in the armed forces of their country—11,000,000 men and women who literally have been lifted from their homes and scattered to the four corners of the earth, without their sanction. The Army and the Navy discipline all those persons. The Army and the Navy feed them all. The Army and the Navy do not ask Alabama or Illinois or North Carolina whether they are willing to have those men and women taken from the States. They take them because it is war. Here is a political distortion which is apparent on its face, wherein some 8,000,000 or 10,000,000 persons, constituting approximately one-fifth or one-sixth of the entire electorate, are denied the right of full franchise unless we provide some method for them to vote, through a uniform Federal ballot.

Mr. BRIDGES rose.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LUCAS. I do not say that some of them will not vote, but I say that under most of the State laws as they exist at the present time—and the Senator from New Hampshire knows it as well as I do—very few men from the States will have an opportunity to vote under present restrictions and conditions, which were placed upon the statute books for the problems of peace, and not the problems of war.

Mr. BRIDGES. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. WALLGREN in the chair). Does the Senator from Illinois yield to the Senator from New Hampshire?

Mr. LUCAS. I yield.

Mr. BRIDGES. Would not the Senator like to have as effective and honest a ballot as possible for the soldiers to cast their vote?

Mr. LUCAS. I certainly would. I have never had any other thought.

Mr. BRIDGES. I recognize that. I am merely asking the Senator a question. On the so-called bobtailed ballot which the Senator is discussing, and which is one of the problems here in controversy, why would it not be possible to have at least the names of the candidates for President? Can the Senator give me one reason why they should not be printed on the ballot?

Mr. LUCAS. If we are to have a Federal ballot, it must be a uniform ballot.

Mr. BRIDGES. Would not the same candidates for President be candidates all over the United States?

Mr. LUCAS. The Senator asked me a question. If he is going to put words in my mouth, I cannot do anything about it.

Mr. BRIDGES. I beg the Senator's pardon.

Mr. LUCAS. I am merely trying to answer the Senator's question.

If we are to have a uniform Federal ballot, let us have a uniform Federal ballot. If we are to put the names of candidates for President on the ballot, candidates for the Senate will want their names on the ballot, and candidates for the House in the various congressional districts will want their names on the ballots. Candidates for Representative at Large will also want their names on the ballot. The moment we do such a thing, we get back into the same difficulties as are involved in connection with State ballots. On the ballot for the election of Senators, there would be the names of one-third of the membership of the Senate. There would be the names of candidates from every congressional district in the United States, as well as the names of candidates for Representative at Large. That would not give us a uniform ballot.

I do not know who is to be the candidate for President. I do not know whether I am to be a candidate for the Senate or not. It would be to my advantage, if I were a candidate, to have my name on the ballot.

Mr. BRIDGES. It certainly would.

Mr. LUCAS. I think it would be to my advantage, but I am not asking for that advantage. I want to give the soldiers something in the form of a uniform ballot, something we know we can have delivered, executed, and returned to the precinct where the soldier resides, and properly counted. If the Senator can figure out any better way, I should be glad to hear from him. As I have said from the beginning, that is the way we might like to do it, but no one has yet shown me a better method than the one proposed.

The clumsy method which the Senator from Ohio [Mr. TAFT] has suggested today puts us back where we were before, in connection with the States' rights situation. I maintain that it cannot be done, and that we cannot fool anyone with that kind of a move. No matter what happens to the proposed legislation, the soldiers in this country and abroad are far ahead of the Congress on the question which we are now debating. Senators may talk about the Constitution if they wish. They may wrap themselves in the folds of that old document on the floor of the Senate, and cry out, "We are violating the Constitution." My answer to that is, "Tell that to the Marine at Tarawa. Tell it to the soldier who lost an arm over in Italy. Tell it to the sailor who is convalescing in the South Pacific, who lost a leg at Guadalcanal." They do not understand why the Congress of the United States cannot find some way, under the uniform method which was pointed out today in the Herald Tribune, which I know the Senator reads daily, and to which he subscribes most of the time. I think he will subscribe to that editorial. It states exactly what ought to be done. It advises us to quit evading and stalling, and enact some kind of legislation as soon as possible. That is the sum and substance of it.

Mr. President, one further word on the Constitution, and then I shall be through. Chief Justice Hughes, in Two Hundred and Ninetieth United States Reports, at page 426, discussed the war powers. The Senator from Ohio blandly says he does not know of any war powers which Congress has. Congress declared war. Congress enacted the Selective Service Act. Congress can tell the farmer how much he is to get for his grain. Congress can tell almost anyone in this emergency just what he may and may not do. We have done it consistently under the war powers. It could not be done in peace. Chief Justice Hughes, in this most comprehensive opinion, said of the war powers:

> It is a power to wage war successfully (290 U. S., at 426).

Whatever is necessary to wage war successfully will be done upon the home front as well as the military front.

> But the constitutional sanction involved here is only an application to the war power of an established principle. It is a principle which enables Congress to deal with dislocations caused or threatened by an exercise of any granted power.

There is a fine comparison with what was done not long ago by the Congress of the United States in the devaluation of the gold content of the dollar.

The Court said:

> Thus, when the Congress devalued the dollar under its monetary powers, it was at liberty to deal with the resulting dislocation of the domestic economy which would be caused by the enforcement of gold clauses in private, State, and municipal obligations. *Norman* v. *B. & O. Railroad Co.* (294 U. S. 240, 315). In the present situation there is a dislocation in the most literal sense, caused by

compulsory military service and the pressing need for members of the merchant marine and other civilians overseas.

That is what I spoke about a moment ago.

Congress may deal with this dislocation in the sphere of the political structure as it dealt with the threatened dislocation of the economic structure consequent upon devaluation.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BRIDGES. Does the Senator believe that the President's message today on this subject is purely a patriotic message in the interest of soldiers' voting, or does he take it as a declaration of candidacy for a fourth term, and a very clever way of presenting his own candidacy?

Mr. LUCAS. Of course, the Senator has his own opinion on that. I know how partisan my good friend from New Hampshire is. I do not berate him for being partisan. That is perfectly all right. But if the President of the United States should say to someone, "Next Saturday is going to be Saturday" certain individuals would say "He is a candidate for the fourth term because he made that statement." Not long ago the President of the United States sent to the Congress the most courageous message that was ever sent here in an election year.

Mr. BRIDGES. What message was that?

Mr. LUCAS. I am talking about the message in which he urged Congress to raise $10,000,000,000 in taxes. He said there would be no further increases in prices, no further increases in wages and profits, and urged the enactment of a national service act, which was in the teeth of the labor unions of this country.

Mr. BRIDGES. Why does not the President live up to that message or go down the line for it?

Mr. LUCAS. He must have Congress with him to raise taxes and enact a national service act. The Senator is not going to vote for $10,000,000,000 in taxes.

Mr. BRIDGES. I certainly would if they were fair taxes. When a tax such as the sales tax is proposed, combined with other taxes, where is the President of the United States? He is running in the opposite direction.

Mr. LUCAS. I did not raise this question. The Senator raised it. I am merely trying to answer him.

After the President sent to Congress this courageous message, the most courageous message I have ever seen since I have seen a Member of Congress, some Republicans said, "This is his platform for the fourth term." If he is a candidate for the fourth term, and if that is his platform for the fourth term, it is a most unusual one. I am certain the Senator from New Hampshire would not use it as his platform for a third term.

Mr. BRIDGES. The Senator is not so naive as to believe that the President is going to get behind the program advocated in that message.

Mr. LUCAS. If the Senator wishes to charge the President with humbuggery, he may do so.

Mr. BRIDGES. I am not charging him with humbuggery.

Mr. LUCAS. That is the implication. That is all I can make out of it.

Mr. BRIDGES. I do not have any reason to believe that the President, based upon his past record, is going through with the program proposed in his message.

Mr. LUCAS. Of course he is not going through with it, because Congress is not going to implement the program. That is as I see it. I do not think that a national service act can be passed, and I know we cannot raise $10,000,000,000 in taxes.

I believe we will limit profits, but I am not so sure the Senator wants to do that, in connection with renegotiation. I think he would like to have some of the contractors continue to make profits. I do not know about that. I do not want to go into that subject, but the Senator has raised the question. I do not want to talk about the fourth term. I want to talk about whether or not we will give the soldiers an opportunity to vote, and that is all I am interested in at the moment.

Mr. BRIDGES. If the Senator wishes to give them an opportunity to vote in the best way possible, why not go as far as possible in providing a regular ballot? Why not put the name of the candidate for President on the ballot?

Mr. LUCAS. The Senator cannot fool me as to his position in this matter. I have seen him on the floor of the Senate for the last 4 or 5 or 6 weeks with respect to this bill, and I know what he is trying to do.

Mr. BRIDGES. What am I trying to do?

Mr. LUCAS. The Senator is trying to kill the uniform Federal ballot. The Senator does not want the soldiers to vote. Am I correct about that?

Mr. BRIDGES. Oh, no; I want them to vote, but I want them to vote fairly, and I want the election to be conducted in a sound manner.

Mr. LUCAS. Will not the Senator trust the officers of the Army?

Mr. BRIDGES. Allow me to give the Senator an example. He has mentioned soldiers who are in far-away lands. I have a son who has been fighting in the Pacific for the past year. He knows what the fighting was at Tarawa. Let me tell the Senator this: The only President whom that boy can remember—and he has been in overseas service for nearly a year, and in active service nearly 2 years—is the present President of the United States, Franklin D. Roosevelt. If he is given a blank ballot to vote and the present incumbent is the only President he has heard of in the last 11 years, and the name of the other candidate is not available to him, how can he intelligently cast his vote?

Mr. LUCAS. He still could vote the Republican ticket, and I do not think he would vote any other ticket. All he would have to do would be to write in the word "Republican."

Mr. BRIDGES. Oh, no; many millions of boys will cast their vote on the basis of having the Roosevelt name in their minds.

Mr. LUCAS. I think they would be voting correctly if they voted for their Commander in Chief, Mr. Roosevelt.

Mr. BRIDGES. I know, and that is what the Senator would attempt to have them do.

Mr. LUCAS. No; I do not care how they vote, and I am sincere when I say that. If Mr. Spangler's polls showed 70 percent Republican and 30 percent Democratic, the Senator from Illinois would still be on his feet fighting for a basic representative principle of government which goes to the very grass roots of democracy. That is what I am fighting for.

Mr. BRIDGES. I want the soldiers to vote, and I want the best and fairest ballot which it is possible to obtain.

Mr. LUCAS. So do I. If the Senator will get one that is better than the present one, I will be in favor of it.

Mr. BRIDGES. Very well, but let us have as many names as it is possible to put upon the ballots.

Mr. LUCAS. If the Senator believes that he will hurt the candidacy of Mr. Roosevelt if he should be a candidate by putting his name on the ballot as a candidate, he is barking up the wrong tree.

Mr. BRIDGES. I certainly wish to have the ballot balanced by also having the names of Republican nominees for President and Vice President on the ballot.

Mr. LUCAS. I would not seriously object if it can be done and the Congress wishes to have the names put on. I would not object to that. I only say that when that is done we start discriminating against the other men who are going to run for Congress and for the United States Senate.

Mr. BRIDGES. The Republican National Convention is to be held in June. Instead of stalling along so far as the Democratic National Convention is concerned, why not hold it in June and let us get the names of the Democratic nominees placed before the voters overseas?

Mr. LUCAS. I am merely a Senator. I have nothing to do with that.

Mr. BRIDGES. The Senator quoted from the speech of the President. The Democratic Party has just elected a new chairman, who is a fine fellow personally. But a word from the President made him chairman and it can, if the President wishes to do so, bring about holding the Democratic National Convention in June rather than in July. The decision was left to the Democratic chairman. If the Senator wishes to give soldiers the right to vote and get the names of the candidates on the ballot, let the Democratic National Committee call the convention in time. Why put it off?

Mr. LUCAS. I am obtaining a great deal of fine information from my good friend. He gives me more credit than I deserve. It would seem that the Senator has been in contact with some of the Democrats.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BARKLEY. Mr. President, if the theory of the Senator from New Hampshire is correct that the earlier the nominations are made the more likely the

soldiers are to know who the candidates are, he ought not to complain if the Republican Party nominates its candidate for President in June if we do not nominate ours until July or August.

Mr. BRIDGES. I want the Democratic candidate to be an official nominee. We all know who he is going to be.

Mr. BARKLEY. He will be official when we vote for him.

Mr. BRIDGES. I know that.

Mr. BARKLEY. The Senator is contributing his own information. He is not contributing anything to the soldier. The Senator says he knows who the candidate will be. I have no doubt that the soldier will find out in due time also.

Mr. BRIDGES. Well, the Senator knows.

Mr. BARKLEY. Very well; what if I do?

Mr. BRIDGES. The Senator has been told, has he not?

Mr. BARKLEY. I have not been told, but I may tell the Senator. [Laughter.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1543) to provide for mustering-out payments to members of the armed forces, and for other purposes.

METHOD OF VOTING BY MEMBERS OF ARMED FORCES

The Senate resumed the consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting in time of war by members of the land and naval forces absent from the place of their residence, and for other purposes.

Mr. OVERTON. Mr. President, I wish to speak on the amendment which I have offered and which is now pending before the Senate. In his message which was read this morning the President declared—

> The men and women who are in the armed forces left their homes and jobs and schools to meet and defeat the enemies who would destroy all our democratic institutions, including our right to vote. Our men cannot understand why the fact they are fighting should disqualify them from voting.

That same thought has been expressed and reiterated time and again during the course of this debate and was urged during last December when we had before us for consideration the other bill for which the Eastland bill was substituted. We frequently read the same contentions in the editorial columns of the press and in letters addressed to us by many of our constituents. There is quite an appeal in that suggestion.

Speaking for myself, I am very much in sympathy with it. We should undertake to do all that we can legally, constitutionally, to permit the men and women in our armed forces to cast their ballots. The pending bill undertakes to do that in title I. It creates a United States War Ballot Commission. That Commission would be charged with the duty of collecting ballots, forwarding them to the soldiers, and giving the soldiers the opportunity to vote those ballots and have them returned to proper election authorities. When we have done that, when we have brought the ballot to our armed forces and provided for their return, we have done about all that we can constitutionally do. We have met the situation under which the service men and women have left the precincts in which they cast their ballots, and have become scattered throughout the United States and in foreign lands. We have undertaken so far as we can go to overcome an unavoidable situation by affording opportunity to our soldiers and sailors to cast their ballots. Now when we do that, I think we are discharging our full duty, and no objection can be raised to it. But in the pending bill and the bill which the Senate voted upon last December, which was presented by the Committee on Privileges and Elections and which was defeated, because the Eastland substitute bill was adopted by a majority vote of the Senate—in the pending bill and in the legislation which we adopted in 1942, we have undertaken to do something that goes over and beyond our duty to convey the ballots to the soldiers, collect the ballots after they have been voted, and return them to the proper election officials.

An attempt has been made to muddy the waters. Controversial issues and controversial provisions have been inserted in the previous legislation, and now are being sought to be retained in the pending legislation; which, in my humble judgment, are wholly unnecessary.

It seems to me that those who are so anxious—and I am one of them—to see to it that our soldiers and sailors have the opportunity to vote should undertake to free such legislation from questions concerning which the minds of men may honestly differ and which may bring about the very defeat of the laudable purpose which the President of the United States and we have in mind.

Take, for instance, Mr. President, the poll-tax provision which was inserted in the act of 1942. Before I comment on that, let us see how that bill passed the Senate and when it passed the Senate. That bill came up for a vote in the Senate, according to my recollection—and I think I am absolutely correct—after a number of weeks of recess by agreement; that is to say the Senate did not actually and formally recess, but it was understood that no controversial measures would come up, no quorums would be called, and the Senators could go home or elsewhere and enjoy a much needed rest. That gentleman's agreement began on August 6, 1942, and continued to August 25, 1942. On August 25, the very first day when the Senate reconvened to transact business, the soldiers' vote bill was presented to the Senate. Many Senators had not returned at that time. I was not here. I did not vote upon the passage of the bill, and 43 other Senators were not here and did not vote upon the bill. There were only 47 yeas for the bill, and there were 44 who did not vote. So I do not think the action of the Senate on August 25, 1942, properly reflected the actual view and sentiment of the Senate in respect to legislation of this character.

The last expression of the Senate was in December of last year, when a bill very similar to the bill now proposed by the Committee on Privileges and Elections, and sponsored by the Senator from Illinois and the Senator from Rhode Island, was submitted to the Senate. On that bill there was real debate and real discussion, and the bill was thrown out the window, and in lieu of it there was adopted a substitute bill, which today represents the last expression of the view of the United States Senate.

Mr. MURDOCK. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. JOHNSON of Colorado in the chair). Does the Senator from Louisiana yield to the Senator from Utah?

Mr. OVERTON. I yield.

Mr. MURDOCK. I hesitate to interrupt the Senator, but I should like to inquire if he has the votes which were cast at that time conveniently at hand so that he can give us the figure of the number of Senators who voted for it?

Mr. OVERTON. For the substitute bill?

Mr. MURDOCK. Yes.

Mr. OVERTON. I am sorry, I have not those figures at hand.

Mr. MURDOCK. I was wondering if that bill passed by as large a vote as Public, No. 712, in the Seventy-seventh Congress, passed.

Mr. OVERTON. There were 47 votes cast for Public, No. 712. I inquire of the Senator from Mississippi how many votes were cast for his substitute last December?

Mr. EASTLAND. There were 42 for the substitute and 35 against it.

Mr. MURDOCK. Mr. President, will the Senator from Louisiana yield to me for a further question?

Mr. OVERTON. I yield.

Mr. MURDOCK. If the Senator takes the position that the 47 votes cast by the Senate for Public, No. 712, did not represent the majority view of the Senate at that time, then I ask how the Senator can conclude that 42 votes, which was the number by which the Eastland amendment carried, reflected at that time the majority vote of the Senate, because it represented 5 votes less than the vote cast for Public Law 712.

Mr. OVERTON. Because the bill in 1942 was taken up and passed on the same day with 44 Senators absent. The substitute bill of last December was passed by the Senate after a number of days of debate and a thorough discussion and a complete understanding of the legislation proposed by the Senator from Mississippi and others who joined in the introduction of the substitute, and it was discussed by them and by the proponents of the committee bill.

Mr. EASTLAND. Mr. President, will the Senator yield there?

Mr. OVERTON. I yield.

Mr. EASTLAND. As I remember the figures, there were only 18 Senators absent when the substitute was adopted,

whereas there were 40-odd absent when Public Law 712 was adopted.

Mr. OVERTON. I thank the Senator for his contribution. I think certainly everyone will agree that the vote last December more accurately reflected the view of the Senate than did the vote in 1942 on the bill which was then passed.

Mr. PEPPER. Mr. President, will the able Senator suffer a comment?

Mr. OVERTON. I yield.

Mr. PEPPER. I am sure the Senator has verified the dates mentioned in his remarks, but I had the impression that considerable time was spent in hearings on Public Law 712 before the committee, because I know I went before the committee myself in respect to the anti-poll-tax amendment. I certainly had the impression that the anti-poll-tax amendment lay upon the desks of Senators for quite a time. I was the author of it, and I am sure it was printed. I thought it was on the desks of Senators at least more than 1 day. I may be in error in that, but I certainly thought it was.

Mr. OVERTON. We did not reconvene for the transaction of business until the very day when the bill of 1942 was passed, I am informed by the officials of the Senate who looked up the data for me a while ago.

Mr. President, there was injected into the bill the anti-poll-tax provision. What in the name of high heaven was the necessity of inserting an anti-poll-tax provision in the soldiers' vote bill?

Mr. PEPPER. Would the Senator like to have me try to answer?

Mr. OVERTON. I will let the Senator do so in his own time, but I should like to present my own argument.

Mr. PEPPER. I thought the Senator put his argument in the form of a question.

Mr. OVERTON. It was a rhetorical question I was propounding, and not one addressed to the able Senator from Florida. I repeat, rhetorically speaking, what in the wide world was the necessity of inserting a poll-tax provision in the soldiers' vote bill?

What are the poll-tax States. Look them over. There is not a single chance in the wide world of any one of those poll-tax States voting any other than the Democratic ticket.

Virginia is one State. Does anyone believe that in the coming election the State of Virginia, a rock-ribbed Democratic State, will vote any other than the Democratic ticket?

North Carolina is next in line. Does anyone believe that North Carolina will go Republican in the fall elections this year?

Mr. TAFT. The Senator knows it has gone Republican in past years.

Mr. OVERTON. Thank God, that day is past. [Laughter.] There is no chance of it doing so again.

Mr. STEWART. Mr. President, I wish to supplement the answer to the Senator from Ohio by saying that some States have gone wrong in times past.

Mr. OVERTON. South Carolina is next in line. Who believes South Carolina will vote any other than the Democratic ticket, regardless of who may be named by the Democratic or Republican Party?

Georgia is next. What chance is there of Georgia going other than Democratic?

Then there are Alabama, Mississippi, and Texas. Texas did go Republican once, but it will not go Republican in the 1944 election.

Mr. VANDENBERG. Mr. President——

The PRESIDING OFFICER (Mr. WALLGREN in the chair). Does the Senator from Louisiana yield to the Senator from Michigan?

Mr. OVERTON. I yield.

Mr. VANDENBERG. I suppose the Senator is proceeding on the theory, however, that the southerner was correct who one day said that if the North did not quit voting Democratic, it would ruin the country. [Laughter.]

Mr. OVERTON. Mr. President, there is only one other poll-tax State, and I shall call on the senior Senator from Tennessee [Mr. MCKELLAR] and the junior Senator from Tennessee [Mr. STEWART] to speak for that State, as to whether there is any chance of its going Republican in the fall of 1944. I have mentioned all the others except the State of Tennessee. I ask the senior Senator from Tennessee whether there is any chance of that State going Republican.

Mr. MCKELLAR. In my judgment, it will go overwhelmingly Democratic.

Mr. OVERTON. What says the junior Senator from Tennessee?

Mr. STEWART. The senior Senator from Tennessee is eminently correct, of course. So far as I can recall, it has gone wrong only about twice.

Mr. OVERTON. Then why encumber such a legislative proposal with an anti-poll-tax provision? What is the sense of it? I think I know what the purpose is, and I shall undertake in a moment to tell what I think the purpose is.

Mr. BRIDGES. Mr. President, will the Senator from Louisiana yield?

Mr. OVERTON. I yield.

Mr. BRIDGES. The Senator has gotten some very interesting testimony from the Senators from Tennessee as to how that State would go. Why does he not call upon all the Senators for testimony as to how their States will go? He might obtain some very illuminating figures and predictions.

Mr. OVERTON. I am talking about the poll-tax States.

Mr. BRIDGES. Oh!

Mr. OVERTON. I am confining my argument to the utter futility of putting an anti-poll-tax provision in the bill.

Mr. EASTLAND. Will the Senator yield?

Mr. OVERTON. I yield.

Mr. EASTLAND. Is it not a fact that most of the States the Senator has mentioned have already waived the poll-tax prerequisite, so far as the members of the armed services are concerned?

Mr. OVERTON. I think the Senator is correct.

Mr. EASTLAND. And that the others are in process of doing so?

Mr. OVERTON. That is correct.

Mr. EASTLAND. I should like to ask the Senator a further question. Does he not believe that when the franchise laws of the South are nullified, the reconstruction era is brought back to the South?

Mr. OVERTON. I agree with the Senator.

What about the poll-tax bugaboo? One does not have to pay a poll tax in person. A soldier over in Italy does not have to come back to Texas to pay his poll tax. He can send the money with which to pay it, his father can pay it for him, his mother can pay it for him, his brother can pay it for him, any member of his family, any friend, or any politician can pay it for him—and many of the politicans do so; hence there is no trouble about the soldier qualifying by paying the poll tax.

Mr. DAVIS. Mr. President, would the Senator have a soldier, after he had received the ballot, disqualified from sending the ballot in because he had not paid his poll tax?

Mr. OVERTON. In other words, would I want him to vote according to the Constitution, or would I want him to vote contrary to the provision of the Constitution? That is rephrasing the Senator's question. I want the soldier to cast a constitutional ballot. The Senator agrees with me, I suppose, and wants him to cast a constitutional ballot.

As the Senator from Mississippi has pointed out, many of the States already have enacted legislation absolving those engaged in the armed forces from any obligation to pay a poll tax as a prerequisite to voting. The Senator is more familiar with that subject than I am. I do not know how many such States there are, but there are some which have taken that action.

Why, then, inject this useless, wholly unnecessary provision about poll taxes, which can affect only solidly Democratic States? The purpose is the same, in my opinion, as that which underlay the old anti-poll-tax bill, which keeps bobbing up from time to time. It is an effort on the part of a majority of the Congress to assume the authority of prescribing the qualifications of electors for Senators and Representatives, as well as of President and Vice President, in the various States of the Union.

The original anti-poll-tax bill was merely intended as an entering wedge to subvert the constitutional authority vested in the States under section 2 of article I, to prescribe the qualifications of electors for Members of the House of Representatives, and other provisions of the Constitution with reference to Senators.

It is an undertaking to put the nose of the camel under the tent. This provision was inserted in the soldiers' vote bill because the soldiers' vote bill has, and very properly so, a patriotic appeal to the Members of Congress, and the thought back of it must have been that if we can get this provision in a soldiers' vote bill, then we will have established the precedent when the war is over and the peace comes, by virtue of which we can have an anti-poll-tax provision applying to all elections.

Mr. PEPPER. Mr. President, will the Senator yield to me for a question?

Mr. OVERTON. I yield.

Mr. PEPPER. Did not Public Law No. 712, to which the able Senator is now addressing himself, also dispense with the requirement of registration by the soldiers in the States?

Mr. OVERTON. I am going to reach that point presently.

Mr. PEPPER. It did, did it not?

Mr. OVERTON. Yes. What do Democratic States such as Florida, which is going Democratic in 1944, expect from an anti-poll-tax provision?

Mr. PEPPER. Is it not entirely proper, in the opinion of the able Senator from Louisiana, for the Federal Government, which takes a man away from his home and sends him far away, in his own country or beyond the seas, to exercise its power to excuse him from the nonperformance of an act which is usually performed by him personally, such as registration and the payment of a poll tax?

Mr. OVERTON. The Senator is speaking about a poll tax?

Mr. PEPPER. The law does both.

Mr. OVERTON. We will reach the matter of registration in a moment. We are now speaking about a poll tax. First, the Senator assumes something that does not exist. He says, "Does not the Congress have the right to exercise its power?" The Congress has no power to prescribe the qualifications of electors. That is the power which is delegated under the Constitution to the States. I know the Senator differs with me in respect to that question.

Mr. PEPPER. Does the Senator mean to imply by that statement that he regards the provisions of Public Law No. 712 as unconstitutional?

Mr. OVERTON. I do.

Mr. PEPPER. Then those provisions have no effect in the law, and there is no use to do anything else about the matter.

Mr. OVERTON. Yes; and I wish to remove them from the legislation.

Mr. PEPPER. The Senator's amendment, as I read it, addresses itself to page 39 of the bill.

Mr. OVERTON. Yes; the Senator is correct.

Mr. PEPPER. The elimination of registration and the elimination of the payment of poll tax were accomplished by Public Law No. 712, which is already on the statute books. This measure does not have anything to do with that. It seems to me the Senator would have to repeal Public Law No. 712 to accomplish the objectives he has in mind. Yet if he says the provisions are unconstitutional there is no need to try to strike them from the statute book.

Mr. OVERTON. The Senator means, to repeal sections 1 and 2?

Mr. PEPPER. The provisions that deal with dispensing with registration and the payment of the poll tax.

Mr. OVERTON. I have an amendment to repeal sections 1 and 2, which I have not offered as yet.

Mr. PEPPER. Is the Senator trying to achieve that result with this amendment, or what does the Senator have in mind with respect to it?

Mr. OVERTON. I will read that amendment in a little while, and discuss it. I wish to discuss what led up to this legislation. Take the question of registration. In a great majority of the States it is not necessary to register in person. A soldier who is abroad can register. A soldier can register from anywhere in the United States. Anyone in the armed forces can take advantage of State laws to register. I think there are only 11 States which require registration in person. In respect to those 11 States, first, many of the soldiers had an opportunity to register in person, either before they were inducted into the service or after they had been inducted into the service and returned home on leave of absence or furlough. That removes a great many from consideration. Then the different States are enacting laws, and probably most of them, if not all of them, will enact laws before the time comes for voting, which will relieve the men and women in the armed forces from the necessity of registering in person, that is in those States which require such registration. They will go further and probably relieve them of the necessity of registering at all. Registration is based on educational qualifications. And certainly it would not be considered by anyone who understands the Constitution that an educational test cannot properly be regarded as a qualification to vote under the Constitution.

Mr. PEPPER. Mr. President, will the Senator again yield?

Mr. OVERTON. I yield.

Mr. PEPPER. Am I correct in understanding the Senator to say that registration is based upon educational qualifications?

Mr. OVERTON. Very largely.

Mr. PEPPER. I was not aware of that. I am sure it is not true in my State. One simply has to be of a certain age, and not to have been convicted as a criminal, or, if so, to have been restored to full civil rights, and so forth. I do not know about the educational qualification.

Mr. OVERTON. I do not know what the law of Florida is. In Louisiana and in many other States I understand that in order to register one may be subjected to an educational qualification and an educational test.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. EASTLAND. In the State of Mississippi educational qualification is part of a man's qualifications to vote, because he must register before an official of the State who is designated for that purpose, and must be able to read or interpret a section of the Constitution which is read to him at the time he registers.

Mr. OVERTON. We have a similar provision in the law of the State of Louisiana, and I have no doubt there are similar provisions in the laws of many of the other States.

Mr. President, let us be perfectly frank about the matter. In Mississippi and Louisiana, down in the Solid South, we have got to retain our constitutional rights to prescribe qualifications of electors, and for what reason? Because we are bound to maintain white supremacy in those States.

Mr. EASTLAND. Does the Senator think that this bill would tend to tear down white supremacy?

Mr. OVERTON. It would. If the Federal Government should propose to invade the rights of the States to prescribe qualifications of the voters, if the Federal Government were to say to the States of Mississippi, South Carolina, Florida, Texas, and others, "You cannot prescribe the qualifications of the voters; we will prescribe their qualifications; we deny you the right to require registration; we deny you the right of prescribing educational tests; we deny the poll-tax provision; we deny this, and we deny that, and we assume the authority to abolish all those safeguards which you have undertaken to throw around white control of your local governments." We cannot, we shall not, Mr. President, submit to such action.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. WHEELER. As I understand, the provisions of the bill permit, as I think they should permit, any soldier to vote, whether he is colored or white, if he is in the armed services. The provisions of the bill permit that to be done, as I understand?

Mr. OVERTON. Yes; they permit the soldiers to vote.

Mr. WHEELER. The provisions of the bill permit them to vote?

Mr. OVERTON. Whether they have paid a poll tax or whether they have registered.

Mr. WHEELER. Whether they have paid a poll tax or not?

Mr. OVERTON. In other words, it does not repeal existing law on that subject.

Mr. WHEELER. The bill does permit them to vote regardless of whether they have paid poll tax?

Mr. OVERTON. Yes.

Mr. WHEELER. In my State, for instance, the soldiers are permitted to vote regardless of whether they are registered.

Mr. OVERTON. Yes.

Mr. WHEELER. Is it the Senator's contention that it should not be so?

Mr. OVERTON. No. It is my contention that it should very properly be so. But the Senator's State should enact the law, and Louisiana should enact the law dealing with the matter. Louisiana requires no poll-tax payment as a prerequisite of voting.

Mr. WHEELER. I think many of the servicemen who want to vote are as much interested in local elections as in national elections. Many of them are more interested in the election of sheriff than in election of Representatives or Senators or President.

I wish it were possible to provide that the servicemen could vote for candidates for all offices. I realize that it is very difficult to make such provision. I wished to ascertain the Senator's idea with respect to whether a provision should be placed in the measure to the effect that a soldier could not vote unless he paid the poll tax.

Mr. OVERTON. We should not say, "You cannot"; we should not say, "You can." That is my thought about it.

Mr. WHEELER. Of course, under the soldiers' voting law, as I read it, there is no question, in my judgment, that a man can vote regardless of whether he pays the poll tax.

Mr. OVERTON. We undertake to assume the authority to regulate the qualifications in two particulars of the voters in the several States. We say, "Whether your State law prescribes a poll tax or not, we say you can vote without a prepayment of poll tax; and whether your State law requires registration, or educational tests as a basis for registration, we say that without any registration you can vote."

I am perfectly willing—do not misunderstand me—that in this war everyone in the armed forces anywhere, who has been called away from his home by reason of the war effort, should be permitted to vote without registration, without prepayment of poll taxes. But I want my own State of Louisiana to say so. I want Montana to say so. I want Wyoming to say so. I want Kentucky to say so. I do not want the Congress of the United States to assume a constitutional authority which it does not possess, and which will rise up in the future as a precedent to throw down the barriers we and our fathers before us have built up through the years in order to preserve our racial integrity and our racial sovereignty.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. BARKLEY. Regardless of the size of the vote on Public Law 712, passed in 1942, and the relative size of the vote in the Senate last December, it is now the law, under Public Law 712, admitting its constitutionality—which I believe the Senator from Louisiana does not do—that members of the armed forces may vote for President, Vice President, and Members of the Congress without registering. That is the law.

Mr. OVERTON. That is correct—that is, it is the Federal law.

Mr. BARKLEY. Yes; it is the Federal law, assuming its constitutionality and legality.

Mr. OVERTON. Yes.

Mr. BARKLEY. Of course, the same applies to the poll tax, but we need not go into detail as to that matter, because the registration is more universal than is the poll tax, because it applies in only a few States.

But the effect of the Senator's amendment, and the intention he has in offering it, is to nullify effectively that part of the present law, so that if his amendment should be agreed to, a ballot cast by a soldier who is unregistered in any State, although otherwise qualified to cast a ballot, would be illegal.

Mr. OVERTON. Let us phrase it in another way. What I want to do is to give every soldier the right to vote as the Constitution of the United States prescribes, namely, under the qualifications which the States prescribe for electors for the most numerous branch of the legislature. That is all.

Mr. BARKLEY. I understand that. The effect is that if in any State there is no legislation waiving registration, then if the Senator's amendment were agreed to, the soldiers from that State, and in the service, no matter where, would not be permitted to vote by absentee ballot.

Mr. OVERTON. That is correct. Why do we not appeal to the States? Are we to be told that the Congress of the United States is more patriotic than are the people of the various States? Does the Senator from Kentucky think that the people of Kentucky are less patriotic than the Members of the Senate or the Members of the House of Representatives? If they are just as patriotic as we are, and if they are actuated by the same desires as actuate us, they can assemble their legislature and in a constitutional way provide for soldiers' votes. The cost of such sessions will be trivial in comparison—to use the phraseology which is frequently used upon the floor of the Senate—with the great sacrifices our soldiers are making.

Can it be said that the people of Louisiana, the people of Kentucky, the people of Texas, the people of Ohio, or the people of Wisconsin will not undertake to respond to that patriotic appeal, and to waive such obstructions to voting by soldiers?

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. BARKLEY. The Senator asked whether I thought the people of Kentucky were less patriotic than the Members of Congress or anyone else. Of course, I do not. But the situation in Kentucky—I mention this since the Senator has asked about it—is that during the last war the Legislature of Kentucky enacted an absentee voters' law for the benefit of the men and women in the armed services. That law was in operation for approximately 4 years. I myself cast a ballot by mail, as a citizen and voter of the State of Kentucky.

At the end of approximately 4 years of the operation of that law, a lawsuit was instituted to enjoin its enforcement or its observance or administration, on the ground that it was unconstitutional. Four out of seven members of the court of appeals, considering a motion to dissolve the injunction, held that it was unconstitutional because the constitution of Kentucky required the voter to mark his ballot at the polling place. The four words "at the polling place" were the words on the basis of which the Supreme Court of Kentucky declared that law unconstitutional. Since that time there has been no additional legislation on the subject.

Mr. OVERTON. Mr. President, let me inquire whether in the face of that decision the State of Kentucky has changed that provision.

Mr. BARKLEY. I admit with regret that the legislature never submitted an amendment to the constitution. The legislature is now in session and will submit an amendment to the constitution.

Mr. OVERTON. Certainly.

Mr. BARKLEY. But under that provision the people cannot vote on the amendment until 1945, because under our constitution amendments can be submitted only at a certain time, and only a certain number of amendments can be submitted, and they can be voted upon only in a general election, which is an election for members of the legislature of the State of Kentucky. So they cannot even vote on the amendment until 1945.

At this time the legislature is giving consideration to the question whether it can write a statute which would in effect abrogate the constitution by providing some other way for the polling place to be established, so that the soldier or sailor could vote at the polling place. Whether that can be done I, myself, am not sure. But if we must await a constitutional amendment, not only will our soldiers and sailors not be able to vote in 1944 but they will not be able to vote in 1945, because the people could not vote on the amendment to the constitution until November 1945, and it would be necessary to wait until the legislature met in 1946, until the legislature could pass a bill of that nature.

Mr. OVERTON. I understand the situation. I think there are only two States in the Union—the President says there are only two; I think they are New Mexico and Kentucky—which probably cannot act through their legislatures and have a constitutional convention and give it carte blanche to amend such provisions.

Mr. BARKLEY. In those States the same thing happens which frequently happens in States where the court declares an act of the legislature unconstitutional. Legislatures are not always prompt to enact legislation designed to cure constitutional defects.

Mr. OVERTON. That is very much to be regretted, but it is better that Kentucky and New Mexico should suffer than that the Constitution of the United States should bleed.

Mr. BARKLEY. I do not agree with the Senator's theory that the Constitution would suffer under the proposed legislation. I believe it to be constitutional. If I did not, I would not support it.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. PEPPER. I was about to ask the Senator if there has not been an election since the enactment of Public Law 712.

Mr. OVERTON. Yes.

Mr. PEPPER. Has the Senator found that the operation of that law, dispensing with the requirement of registration and the payment of the poll tax, has operated to impair white supremacy in the South?

Mr. OVERTON. To what election does the Senator refer? We had a primary election in Louisiana. My son is in the Navy. He voted on January 18. He wrote and received a State ballot, marked it, and sent it back.

Mr. PEPPER. The able Senator from Mississippi intimated that Public Law 712, so far as it dispensed with the re-

quirement for registration and payment of the poll tax, was destroying or impairing white supremacy in the South. I inquire whether or not that has been the experience under the law so far.

Mr. OVERTON. It will not be destroyed in one fell swoop. The poison is slow in its operation, but none the less deadly. The Senator's forebears had to go through that fight. There was a time when it was necessary for a Democrat in the South to sleep with a shotgun at the head of his bed. The Senator does not recall it, but his forebears went through that experience. We do not want to go back to those days. We do not want to establish any congressional precedent which would enable the Federal Government to seize control of our elections.

Mr. President, I wish to address myself particularly to the amendment which I have offered.

On page 39 of the bill, in section 14 (a), it is provided as follows:

The Commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title.

Of course, that is correct. Everyone will subscribe to that declaration.

Then the bill proceeds as follows:

Such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States.

That refers to the determination of the validity of the ballots. It shall be made by the duly constituted election officials in the various States. When I read that provision I thought it was a very close approach to writing into the law the very thing which I am now advocating; that is, recognition of the authority of the States over elections and qualifications of voters. I was reinforced in that view by the statement made by the Senator from Illinois [Mr. LUCAS] when on last Monday the bill was taken up and he was explaining it to his colleagues. I asked the Senator from Illinois to yield, and I said to him:

The provision in reference to the validity of ballots is not so very clear, as to whether the validity of the ballot is to be determined by State law or not. The provision is that:

"Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable as the votes cast within its borders are canvassed, counted, and certified."

That relates to the canvassing, counting, and certification of votes, but it does not deal with the qualification of the voter. It contemplates the vote cast, the vote in the ballot box, whether the voter be qualified under State laws or not, and then it proceeds to state that after the votes are cast they shall be canvassed, counted, and certified according to the State law. What I wish to ask the Senator is whether it is the intention to provide that the qualifications of voters shall be determined by the laws of the State in which the vote is cast.

To which the Senator from Illinois replied:

Mr. LUCAS. Let me say to my able friend from Louisiana that the first part of section 14 provides:

"The commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States."

It seems to me that is very clear. That is the first part of section 14.

Mr. OVERTON. Determined according to what? It ought to read "such determination shall be made in accordance with State law."

What I had in mind, Mr. President, and what I now have in mind, is that we lodge the authority in local election officials to determine the validity of the ballot; but when we undertake to lodge that authority in them, we ought at least to give them some rule to go by. We ought to give them some law to go by. It was my suggestion, and it was in line with my interpretation of the Federal Constitution, that that determination should be made in accordance with State law. Therefore I suggested to the Senator from Illinois that the provision ought to read "such determination shall be made in accordance with State law."

The Senator from Illinois said:

Mr. LUCAS. I presume that the duly constituted election officials in the Senator's parish, or in my particular precinct, are acting under State laws.

What did the Senator from Illinois mean? Certainly the inference there is that when this authority is given under section 14 (a) to the local election officials to determine the validity of the ballot, they would be guided by State law. That was the interpretation which the Senator from Illinois placed upon it. I quote again:

Mr. LUCAS. I presume that the duly constituted election officials in the Senator's parish, or in my particular precinct, are acting under State laws.

That was in answer to my question, in effect, as to what law would control. I said that the provision ought to read "such determination shall be made in accordance with State law."

That was the answer which the Senator from Illinois gave me.

I read further from the CONGRESSIONAL RECORD for Monday, January 24, 1944:

Mr. OVERTON. Why presume that they will follow the State law? We have here a proposed Federal statute, which contemplates that the soldiers shall be permitted to vote. The ballot is all arranged for them. All they have to do is to mark it and send it in.

Mr. LUCAS. I have no objection to what the Senator is trying to do. I think this section absolutely covers it.

I offered my amendment. Apparently the Senator from Illinois agreed with me. Apparently he thought it was unnecessary, because the bill as it now reads vested the authority in the local election officials to pass on the validity of the ballots in accordance with State law. I wished to remove any possible obscurity from the statute, and therefore I offered that amendment on page 39, line 9, after the word "made" to insert "in accordance with State law" so as to read:

Such determination shall be made in accordance with State law by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States.

It is in line with the reasoning of the Senator from Illinois, and it is in line with the Constitution.

Mr. President, I wish to say this in conclusion: If the Constitution is not followed in this bill so that the constitutional authority vested in the States shall determine the qualifications of electors, I cannot support the bill. I am frank to say that if this amendment shall not be adopted I will support the substitute amendment of the Senator from Ohio or some other substitute.

I have a very earnest desire to insure that our soldiers shall be permitted to vote. I believe that many of them could vote now without any further legislation by the States. As I have said, my son voted in the last primary election. I am satisfied that a great many others from Louisiana who are in the armed forces also voted. I am willing to do everything which we constitutionally can do to have the ballots prepared, get them to the members of the armed forces, and give them an opportunity to vote and send the ballots back to the election officials.

Mr. MOORE. Mr. President, will the Senator yield?

Mr. OVERTON. I will yield in a moment.

However, Mr. President, I am not willing to lay down a precedent which is contrary to the Constitution of the United States—according to my interpretation of it—that in the future will arise to plague those of us who live below the Mason and Dixon's line.

I now yield to the Senator from Oklahoma.

Mr. MOORE. The effect of the amendment submitted by the Senator from Louisiana would be to repeal in toto all of Public Law 712, would it not?

Mr. OVERTON. It would not repeal all of Public Law 712. It would, in my opinion, repeal sections 1 and 2 of the law.

Mr. MOORE. On page 26 of the pending bill there appears the following language:

That Public Law No. 712, Seventy-seventh Congress, be amended by inserting after the enacting clause the words "Title I" and by striking out sections 3 to 15, inclusive, and inserting in lieu thereof the following—

Namely, the Green-Lucas bill.

Mr. OVERTON. Yes; the Senator is correct.

Mr. MOORE. This amendment, containing the words "inserting in lieu thereof," that is, title I, would include in the repeal all the sections from 3 to 15, inclusive. That is what it amounts to, as I understand.

Mr. OVERTON. The pending bill would repeal everything in Public Law 712 from section 3 to section 15, both inclusive, but would leave intact sections 1 and 2, which sections relate to poll tax and registration. If my amendment shall be adopted, in my opinion it will by clear implication repeal sections 1 and 2. It will render them nugatory and with no further effect.

Mr. MOORE. I thank the Senator.

Mr. OVERTON. If there is any objection to the particular phrasing of my amendment I have another one which I have presented to the Senate and asked to have printed, which would specifically insert the numeral 1 in lieu of numeral 3 and would operate as a repeal of sections 1 to 15, both inclusive.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. McCARRAN. I invite the Senator's attention to section 14 and ask that he consider it in the light of his very able discussion.

It has been stated that it is thought that section 14 on page 39 meets the objections which the Senator would reach by his amendment. It reads as follows:

SEC. 14. (a) The commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States. Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

I assume that the Senator does not believe that the language of the section which I have read meets objection which his amendment would reach.

Mr. OVERTON. The Senator is correct.

MUSTERING-OUT PAY FOR MEMBERS OF THE ARMED FORCES — CONFERENCE REPORT

Mr. JOHNSON of Colorado submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1543) to provide for mustering-out payments to members of the armed forces, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That (a) except as provided in subsection (b) of this section, each member of the armed forces who shall have been engaged in active service in the present war, and who is discharged or relieved from active service under honorable conditions on or after December 7, 1941, shall be eligible to receive mustering-out payment.

"(b) No mustering-out payment shall be made to—

"(1) any member of the armed forces who, at the time of discharge or relief from active service, is receiving base pay at a higher rate than the base pay of the third period as prescribed in section 1 of the Pay Readjustment Act of 1942, as amended;

"(2) any member of the armed forces who, at the time of discharge or relief from active service, is transferred or returned to the retired list with retirement pay or to a status in which he receives retirement pay;

"(3) any member of the armed forces for any active service performed prior to the date of his discharge or relief from active service on his own initiative to accept employment or, in the case of any member so relieved from active service, for any active service performed prior to the date of his discharge while in such inactive status, unless he has served outside the continental limits of the United States or in Alaska;

"(4) any Air Corps Reserve officer who is entitled to receive a lump-sum payment under section 2, as amended (55 Stat. 240), of the Act of June 16, 1936;

"(5) any member of the armed forces whose total period of service has been as a student detailed for training under (A) the Army Specialized Training Program, (B) the Army Air Forces College Training Program, or (C) any similar program under the jurisdiction of the Navy, Marine Corps, or Coast Guard;

"(6) any member of the armed forces for any active service performed prior to the date of his discharge from such forces for the purpose of entering the United States Military Academy, the United States Naval Academy, or the United States Coast Guard Academy;

"(7) any member of the armed forces whose sole service has been as a cadet at the United States Military Academy or the United States Coast Guard Academy, or as a midshipman at the United States Naval Academy, or in a preparatory school after nomination as a principal, alternate, or candidate for admission to any of said Academies; and

"(8) any commissioned officer unless he is discharged or relieved from active service within three years after the termination of the present war as proclaimed by the President.

"SEC. 2. (a) Mustering-out payment for persons eligible under section 1 shall be in sums as follows:

"(1) $300 for persons who, having performed active service for 60 days or more, have served outside the continental limits of the United States or in Alaska.

"(2) $200 for persons who, having performed active service for 60 days or more, have served no part thereof outside the continental limits of the United States or in Alaska.

"(3) $100 for persons who have performed active service for less than 60 days.

"(b) Each person eligible to receive mustering-out payment under subsection (a) (1) shall receive one-third of the stipulated amount at the time of final discharge or ultimate relief from active service; and the remaining amount of such payment shall be paid in two equal installments—one month and two months, respectively, from the date of the original payment. Each person eligible to receive mustering-out payment under subsection (a) (2) shall receive one-half of the stipulated amount at the time of final discharge or ultimate relief from active service; and the remaining amount of such payment shall be paid one month from the date of the original payment. Each person eligible to receive mustering-out payment under subsection (a) (3) shall receive the stipulated amount at the time of such discharge or relief from active service.

"SEC. 3. Any member of the armed forces entitled to mustering-out payment who shall have been discharged or relieved from active service under honorable conditions before the effective date of this Act shall, if application therefor is made within two years after the date of enactment of this Act, be paid such mustering-out payment by the War Department or the Navy Department, as the case may be, beginning within one month after application has been received and approved by such department: *Provided*, That no member of the armed forces shall receive mustering-out payment under this Act more than one, and such payment shall accrue and the amount thereof shall be computed as of the time of discharge for the purpose of effecting a permanent separation from the service or of ultimate relief from active service.

"SEC. 4. If any member of the armed forces, after his discharge or relief from active service, shall die before receiving any portion of or the full amount of his mustering-out payment, the balance of the amount due him shall be payable, on appropriate application therefor, to his surviving spouse, if any; and if he shall leave no surviving spouse, then in equal shares to his child or children, if any; and if he shall leave no surviving spouse or child or children, then in equal shares to his surviving parents, if any: *Provided*, That no payments under this Act shall be made to any other person.

"SEC. 5. (a) Mustering-out payments due or to become due under this Act shall not be assignable and any payments made to or on account of a veteran hereunder shall be exempt from taxation, shall be exempt from the claims of creditors, including any claim of the United States, and shall not be subject to attachment, levy, or seizure by or under any legal or equitable process whatever either before or after receipt by the payee.

"(b) The Secretary of War and the Secretary of the Navy shall make such regulations not inconsistent with this Act as may be necessary effectively to carry out the provisions thereof, and the decisions of the Secretary of War and the Secretary of the Navy shall be final and not subject to review by any court or other Government official.

"SEC. 6. As used in this Act—

"(a) The term 'member of the armed forces' means any member of the Army or Navy of the United States, the United States Marine Corps, the United States Coast Guard, or any of their respective components, and any member of the Women's Army Auxiliary Corps who was discharged under honorable conditions on account of disability.

"(b) The term 'spouse' means a lawful wife or husband.

"(c) The term 'child' includes (1) a legitimate child; (2) a child legally adopted; and (3) a stepchild, if, at the time of death of the member of the armed forces, such stepchild was a member of the deceased's household.

"(d) The term 'parent' includes father and mother, stepfather and stepmother, and father and mother through adoption.

"SEC. 7. Appropriations for the Army and Navy, and the several components thereof, respectively, shall be available for the payments provided by this Act and necessary administrative expenses. There are hereby authorized to be appropriated such additional sums as may be necessary to carry out the provisions of this Act. Amounts expended hereunder shall be included in the annual reports to the Congress by the departments concerned.

"SEC. 8. This Act may be cited as the 'Mustering-Out Payment Act of 1944.'"

And the House agree to the same.

ROBT. R. REYNOLDS,
ELBERT D. THOMAS,
EDWIN C. JOHNSON,
WARREN R. AUSTIN,
STYLES BRIDGES,
Managers on the part of the Senate.

ANDREW J. MAY,
R. EWING THOMASON,
MATTHEW J. MERRITT,
JOHN M. COSTELLO,
DEWEY SHORT,
LESLIE C. ARENDS,
CHAS. H. ELSTON,
Managers on the part of the House.

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent for present consideration of the conference report.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

Mr. WHITE. Mr. President, reserving the right to object, may I ask the Senator if the report has been signed by all the conferees?

Mr. JOHNSON of Colorado. It has been signed by all conferees of both the House and the Senate.

Mr. WHITE. The minority conferees and the majority conferees as well?

Mr. JOHNSON of Colorado. It has been signed by all the conferees of both minority and majority.

Mr. McCARRAN. Mr. President, reserving the right to object, I should like to ask the Senator from Colorado what conclusions were finally reached with regard to mustering-out pay?

Mr. JOHNSON of Colorado. The conclusions finally reached with regard to mustering-out pay were to make $300 mustering-out payments to any member of the armed forces who has seen 60 days or more of foreign service; $200 to any member of the armed forces who has served more than 60 days, with all of his service in the continental United States—service in Alaska being considered the same as foreign service—and $100 mustering-out pay to each member of the armed forces who has served for less than 60 days. This act does not provide for payments to any member of the armed forces who at the time of his discharge was receiving base pay at a higher rate than the base pay of the third period.

Mr. McCARRAN. That is, any inductee or volunteer who had been sworn into the armed forces and immediately mustered out would receive a mustering-out pay of $100.

Mr. JOHNSON of Colorado. That is correct, as to members given an honorable discharge, and as to members who have not applied for an occupational discharge. A few other categories of the armed forces do not receive mustering-out pay.

Mr. McCARRAN. Regardless of what time he may have spent in the Army, if the serviceman had served overseas for any length of time he would receive $300 on being mustered out.

Mr. JOHNSON of Colorado. Yes; if he had served more than a total of 60 days, either in continental or in foreign service. It is inconceivable that any member of the armed forces would have any foreign service until after he had served at least 60 days.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

There being no objection, the report was considered and agreed to.

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent for the present consideration of a Senate concurrent resolution to correct a typographical error in the conference report which has just been considered and agreed to.

The PRESIDING OFFICER. The resolution will be stated.

The resolution (S. Con. Res. 31) was read as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate is authorized and directed, in the enrollment of the bill (S. 1543) to provide for mustering-out payments to members of the armed forces, and for other purposes, to strike out the word "one" where it appears in the proviso in section 3 thereof and insert in lieu thereof the word "once."

Mr. WHITE. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. WHITE. I understood the Senator to say that the resolution was for the purpose of correcting a typographical error in the conference report, and for that purpose only.

Mr. JOHNSON of Colorado. The Senator is correct. The word "once" is misspelled. The "c" was left out and we wish to restore it.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (S. Con. Res. 31) was considered and agreed to.

METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES

The Senate resumed the consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes.

Mr. STEWART. Mr. President, I desire to speak briefly on the pending legislation, the soldiers' vote bill, but before doing so, I wish to take notice of a statement in the President's message to the Congress this morning, which I think is exceedingly unfortunate. Discussing the soldiers' vote legislation the President says:

> I consider such proposed legislation a fraud on the soldiers and sailors and the marines now training and fighting for us and for our sacred rights. It is a fraud upon the American people.

The President was referring, as I understand, to the bill which was passed by the Senate in December and which is now pending in some form in the House of Representatives, possibly before a committee, or possibly it has been recently reported to the House; I am not sure of the actual legislative status of the bill.

I think the statement I have quoted is most unfortunate. I am prepared now to say that I shall support the pending measure, the so-called Green-Lucas amendment or bill, but I voted for the bill which passed the Senate in December to which I understand the message to refer, and I do not consider that I perpetrated a fraud on the American people or that other Members of the United States Senate perpetrated a fraud upon the people of America.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. BARKLEY. I appreciate the feeling of the Senator from Tennessee in regard to the use of the language to which he has referred in the President's message. I am satisfied that no one in the United States has greater respect personally for the Members of the Senate and the House of Representatives than has the President. What he was talking about and what he had in his mind was the effect of the bill which the Senate passed and which is now before the House of Representatives.

I am satisfied that the President did not mean to create the impression that individually Members of the Senate had deliberately or intentionally perpetrated a fraud on the American people, but that the effect of the legislation was to hold out a hope to the people and the armed forces that could not be realized and fulfilled, and therefore it was a false hope. That is the sense in which the President used that language. We all know that in writing documents, letters, or other papers we have our own way of expressing ourselves. If the Senator from Tennessee had been writing that he would have expressed it, no doubt, in different language.

Mr. STEWART. And probably made it much worse.

Mr. BARKLEY. But I am sure that I put the proper interpretation on the use of the words in the President's message. He had no Senator in mind or in view, but considered that the effect of the legislation with which he was disagreeing was to hold out a false hope to the soldiers, and, therefore, in that way it worked what we might say was deceit upon them, because it was a sort of electoral mirage because of which the soldier got the idea he could vote when perhaps, under the bill, he would not be able to do so.

I am frank to say that I entertain the same view of the bill that was passed by the Senate. I did not believe that under it, because of its unworkability, the soldiers and sailors could vote. I voted against it for that reason; but, of course, in voting against it I did not entertain the idea in any way that any Senator here or all of us together had intentionally or deliberately worked a fraud upon the American people. I do not think the President meant his statement in that sense at all.

Mr. STEWART. I thank the Senator for the explanation, and I hope it is correct. I cannot conceive of the President of the United States having any intention or purpose to reflect, either directly or indirectly, upon the integrity of any Member of this body.

I agree with the Senator that the bill which was passed appears now to be unworkable, and that is the reason I have been seeking during this entire month some means or method that would satisfy my mind and which might make it possible for the millions of men and women in the armed forces to vote.

Mr. President, the Green-Lucas bill now before the Senate is an amendment to the soliders' vote bill passed in September 1942 and now known as Public Law 712. It amends that law principally in two respects. First in importance, it provides that the validity of the serviceman's ballot shall be judged only by local election officials. This retains for the county and State officers of election in every State the control of that question. Second, the amendment provides a more practical and workable method of handling the ballots of the servicemen,

insuring better opportunity for them to cast their vote in due time.

The first Green-Lucas bill, which was rejected by the Senate last December, was amended by the Eastland amendment which gave to each State the right and full responsibility of controlling absentee balloting by servicemen. I supported that amendment, although had it failed I would have voted for the bill as introduced, because I am anxious that we do all in our power to give the soldiers fighting in this war the opportunity to vote. The Green-Lucas amendment now before the Senate, however, should be much more acceptable to Senators from the Southern States who have always strongly supported the idea of State control of elections.

We are now confronted, however, with the proposition that the Eastland amendment presents a plan impossible of performance. The President in his message to Congress on January 11 said concerning the soldiers' vote:

Our armed forces are valiantly fulfilling their responsibilities to our country and our people. Now the Congress faces the responsibility for taking those measures which are essential to national security in this the most decisive phase of the Nation's greatest war.

Several alleged reasons have prevented the enactment of legislation which would preserve for our soldiers and sailors and marines the fundamental prerogative of citizenship—the right to vote. No amount of legalistic argument can becloud this issue in the eyes of these 10,000,000 American citizens. Surely the signers of the Constitution did not intend a document which, even in wartime, would be construed to take away the franchise of any of those who are fighting to preserve the Constitution itself.

Our soldiers and sailors and marines know that the overwhelming majority of them will be deprived of the opportunity to vote if the voting machinery is left exclusively to the States under existing State laws—and that there is no likelihood of these laws being changed in time to enable them to vote at the next election. The Army and Navy have reported that it will be impossible effectively to administer 48 different soldier-voting laws. It is the duty of the Congress to remove this unjustifiable discrimination against the men and women in our armed forces—and to do it as quickly as possible.

The Secretary of War and the Secretary of the Navy have stated that they would do all in their power to help carry out the will of Congress in respect to soldier voting, but they point out that the Eastland amendment, or bill, referred to as S. 1285, as it passed the Senate on December 5, 1943, cannot be complied with.

The War Department wrote a letter on January 11 last which was read before the Committee on Privileges and Elections by Colonel Cutler on January 20.

I wish to call the wording of this letter specifically to the attention of the Members of the Senate. It shows, as I see it, the absolute impossibility of compliance with the law as it now stands. This is the letter:

The War Department has already indicated, in connection with a prior version of S. 1285, that it may be possible, weather and military conditions permitting, in respect to one election, to carry in bulk by air, overseas and back, within a short time ballots which are uniformly light in weight and small in size. But the War Department does not believe that such expeditious carriage can be made a matter of daily routine over several months or weeks, as would be required to meet the provisions of the laws of the different States. Nor can any assurance be given in advance that recent average time of air carriage for mailed material can be regularly maintained in respect to many individual mailings of State balloting material over several months or weeks, or that the volume of what is now being carried by air can be increased or even maintained.

The effective operation of a voting procedure predicated on daily, uninterrupted air carriage overseas and back by the Army of masses of State absentee balloting material is dependent on three factors beyond control: weather, war, and plane space.

Unfavorable flying conditions may at any time interrupt for considerable intervals the carriage of any air mail to one or more theaters. When flying is resumed, the carriage of urgent military material and personnel must, for manifest military reasons, take precedence over mail. The Army does not operate, like the Post Office, as a regular carrier of mail. The primary requirement of waging a victorious war obviously determines whether any space in any military plane will be available to carry any mail.

The War Department is now bending every effort to fly to and from the front as much home mail as possible. It regards the receipt of such mail overseas and at home as the most important morale factor in the war. At the present time, there is not available sufficient plane space to carry all the letters to and from home.

As more men go overseas, the volume of this vital home correspondence will increase, further taxing air facilities.

Listen to this:

The bulk of a single average State absentee ballot, plus envelopes and voting instructions (averaging 3 ounces altogether) would by its size and weight displace over a thousand V-mail letters in microfilm. If this displacement were multiplied several million times, in two separate air carriages, over a period of several weeks or months, the most important of all morale factors would be dangerously prejudiced.

Although it may be possible to fly mailed material to a given theater in accordance with the average time recently obtaining (as, for example, 10 days from the Atlantic seaboard to the Mediterranean theater), the finding of the individual addressee in that theater may take many days.

It is an unrealistic appraisal of war conditions to assume that the serviceman addressee can always be found and can act within a few days.

The War Department letter continues:

A dozen or so States now require a special form of application for ballot and their voting procedures entail a minimum of four air carriages, apart from the transmission of the initial post card. Even where only two air carriages, in addition to the initial post card, are involved, there can be no assurance that the War Department will be able in wartime to air-carry all individual State ballots overseas, locate the servicemen addressees, and air-carry the executed ballots back to the postal authorities in the United States, within a few weeks.

The War Department believes that it is its duty to call these practical difficulties to the attention of the Congress. It would endeavor, to the best of its ability, to administer whatever laws the States might enact pursuant to congressional recommendation. But the exigencies of war circumscribe cooperation. With such a single law to administer, involving a single air carriage of lightweight ballots in bulk overseas and a single air carriage of such ballots in bulk back to America, the accomplishment of servicemen voting outside of the United States remains only a possibility. Anything more onerous than such a procedure would be, to the extent of its burden in space, time, and diversity a more remote possibility.

It was further stated that in one of the principal theaters of war the Army is now able to carry only a little over half the air mail material which it receives from the United States to be carried there.

Thus, to repeat, it is a physical impossibility for the soldiers on foreign soil to be allowed the privilege of voting if the ballots are to be sent to them from the various States. We are therefore confronted by a practical choice of passing a law which will permit serviceman-voting, or simply letting the matter drop where it is.

I am as much concerned over the rights of the States of this Union as is anyone. I want to preserve them just as earnestly as anyone; especially do I think that the elective franchise should be controlled by the States. But we are now at war with several foreign powers. We were attacked suddenly and without warning by the cowardly Japanese on December 7, 1941, and are now engaged in a struggle of defense which has become world-wide. American men and women are in every theater of war in the world—they are there by the millions, wearing the uniform of their country and fighting an enemy which seeks our destruction. These men and women of America but yesterday were civilians engaged in peaceful pursuits of a happy life here in a great land. They were farmers, mechanics, clerks, lawyers, doctors, students. They were exercising the full rights of citizens of the United States of America, and among those rights was the right of suffrage.

Perhaps when he received his draft notice one young man was on his way to the courthouse in his home county, going there for the purpose of registering or paying his poll tax so that he might vote in an approaching election. Of course, when his country called, he turned aside from his routine and peaceful mission. He forgot to register; he forgot to pay his poll tax; he hurriedly prepared to answer his call and don the uniform of a soldier to go out and fight for his country, believing that those who remained at home would carry on the business of government and protect his rights and interests.

We are therefore confronted with the very vital and inescapable problem of making it possible for these soldiers—who are not professional soldiers at all but are civilians, as I have said, from every walk of life—to exercise their political and civil right of casting a ballot for President of the United States and for the Members of both Houses of Congress.

There are approximately 10,000,000 of these American citizens in the armed forces of our country at this moment. They want to vote; they want the right to vote especially for the Members of the Congress and for President of the United

States. As a matter of fact, most of us have talked with soldiers and have received letters from soldiers requesting the right to vote, and asking that we aid in making it possible for them to do so. They want to vote because they are American citizens; they want a voice in electing their representatives in Congress; they want a voice in electing their President, their Commander in Chief, if you please. If they do not have a right to select their own Commander in Chief, who can say that others should have that right?

Is it undemocratic to say that they should not be allowed to select their own leader? They want to vote because that is the way a democratic government is maintained, because it is one of the inherent rights of the citizens in this democracy. They want to vote because they are concerned about conditions here at home. They are concerned with the home-front morale, if you please. They want to vote because they are concerned about certain activities taking place on the home front.

They want to vote because they are concerned about the type of men who represent them in national affairs. They want to vote to make secure and certain their line of supply—to secure their families against inflation—to secure their Government against selfish pressure groups. They want to vote because their very lives may depend upon it.

I have talked with a great many servicemen about this question, and so have other Members of the Congress, and if the right to vote is not granted them, and the means of doing so made possible, it may seriously affect their morale. Everyone knows, especially do the military authorities know, that the effectiveness of any army rests fundamentally on morale. The serviceman must feel that he is fighting for a cause that is worthy, and that his efforts are being appreciated by the people of his country.

I have already stated that the American is not a professional soldier. He is a peace-loving person who enjoys the rights and liberties which have been preserved to him by the sacrifice and courageous endurance of his forebears and for these rights and liberties he will fight. But his arm will not be strengthened by the knowledge that we here at home are about to deny him one of the most important of these rights—namely, a feasible means for exercising his franchise.

Let me further remind Senators—and may they never forget it—it is we who put these men, our fellow citizens, on the battle fronts. It was not the State authorities, but we who put them there through our declaration of war under the war powers of our Constitution, and it is our inescapable obligation to take practical action, to take every possible action to preserve to them their rights and privileges of citizenship.

I turn, therefore, to the war powers provision, article I, section 8, of the Constitution of the United States, which gives to the Congress of the United States the right to enable the soldier to vote under such terms as are provided in the Lucas-Green amendment. This article of the Constitution reposes in Congress, among other things, the power to declare war and to make all laws which shall be necessary and proper for carrying into execution such power.

In a speech delivered by the Honorable Charles Evans Hughes, for many years Chief Justice of the United States and now retired, at the fortieth annual meeting of the American Bar Association, held at Saratoga Springs, N. Y., in September 1917, on the subject of War Powers Under the Constitution, he stated in part:

> The power to wage war is to wage war successfully. The framers of the Constitution were under no illusions as to war. They had emerged from a long struggle which had taught them the weakness of a mere confederation, and they had no hope that they could hold what they had won save as they established a Union which could fight with the strength of one people under one Government entrusted with the common defense. In equipping the National Government with the needed authority in war, they tolerated no limitations inconsistent with that object, as they realized that the very existence of the Nation might be at stake and that every resource of the people must be at command.

In discussing the war powers of Congress, Willoughby, on the Constitution of the United States, volume 3, second edition, paragraph 1033, at page 1568, has the following to say in part:

> The constitutional power given to the United States to declare and wage war, whether foreign or civil, carries with it the authority to use all means calculated to weaken the enemy and to bring the struggle to a successful conclusion. When dealing with the enemy all acts that are calculated to advance this end are legal. Indeed, the President in the exercise simply of his authority as Commander in Chief of the Army and Navy, may, unless prohibited by congressional statute, commit or authorize acts not warranted by commonly received principles of international law; and Congress may by law authorize measures which the courts must recognize as valid even though they provide penalties not supported by the general usage of nations in the conduct of war.
>
> Even in dealing with its own loyal subjects, the power to wage war enables the Government to override in many particulars private rights which in time of peace are inviolable.
>
> In *Miller* v. *United States* (11 Wall. 268) the Court had before it certain confiscation acts, enacted by Congress during the Civil War and with reference to the prosecution of that war. These acts, the majority of the Court held valid as prescribing legitimate modes or means of carrying on the war. In the course of its opinion the Court said: "Of course the power to declare war involves the power to prosecute it by all means and in any manner in which war may be legitimately prosecuted."

This language the Court has repeated, in substance, in later cases.

> In *Littlejohn & Co.* v. *United States*, to the contention that it was unconstitutional for Congress to provide, as it had provided by joint resolution of May 12, 1917, for the seizure and confiscation of enemy ships in its harbors in time of war, because such seizure and confiscation was not warranted by generally recognized international law and practice, the Court said: "It is unnecessary to consider how far the ancient rules of international law concerning confiscation of enemy property have been modified by recent practices. In the absence of convention every government may pursue what policy it thinks best concerning seizure and confiscation of enemy ships in its harbors when war occurs."
>
> In *Central Union Trust Co.* v. *Garvan*, the Court assumed without argument the validity of the Trading with the Enemy Act of October 6, 1917, providing for the seizure in wartime of property supposed to belong to the enemy.
>
> Other illustrations of war legislation by Congress during the World War were the regulation of the price of fuel, the enforcement of Nation-wide prohibition, the commandeering of ships, the commandeering of various factory products, and the taking over for operation by the Government of the telegraph and railway lines of the country.
>
> While, in general, it may be said that, in time of war, Congress has a practically unfettered constitutional discretion as to the means it will select for the successful prosecution of the war, and therefore, may do many things which it could not constitutionally do in times of peace, and especially with regard to disregarding the ordinary distinction between State and Federal functions. (As to Federal regulation of intrastate commerce in time of war, see *Northern Pacific R. Co.* v. *No. Dakota* (250 U. S. 135).)

Let me repeat, Mr. President, that under the war powers provision of the Constitution of the United States Congress has a practically unfettered constitutional discretion as to the means it will select for the successful prosecution of the war.

What are we considering here? We are considering a proposition which affects our own soldiers. For the reasons I have mentioned they want to vote. The most precious thing, so military leaders tell us, which military authorities nurse, is the fundamental of the higher morale in the Army. Did they not so indicate the other day when they testified before the Committee on Privileges and Elections on the bill, when they said they did not want to displace any more V-mail than it was necessary to displace because they considered the receiving by the soldiers overseas of letters from the families back home the greatest morale factor which exists at the present time.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. MURDOCK. As I recall, the Senator was present at the last meeting of the Committee on Privileges and Elections, and I believe he listened to the testimony of Colonel Cutler. Was there anything at all in the statements made by Colonel Cutler or in his demeanor or presentation of evidence which would indicate to the Senator that he was desirous of doing anything except carrying out the will of Congress relative to providing the soldiers an opportunity to vote?

Mr. STEWART. No; there was nothing. To the contrary, he said—and a moment ago I read from his letter which was presented before the Committee on Privileges and Elections—that it was now the purpose, and would continue to be, of all the armed forces—of the War Department, and even of the Navy, he said; and he referred to a captain in the Navy who was present—to undertake to carry out any law Congress enacted in this particular. But he said he considered it their duty to tell us

they had made a survey of all 48 States of the Union, and had found approximately 40 different laws in the 48 different States, and that as a practical proposition it was an absolute impossibility to comply with all those laws. That is the thing which convinced me.

There is no need, as I see it, for me to continue to butt my head against a brick wall, when the wall will not give way an inch. My head simply will not stand it.

Mr. MURDOCK. Mr. President, will the Senator further yield?

Mr. STEWART. I yield.

Mr. MURDOCK. I think I should also observe—and I believe the distinguished junior Senator from Tennessee will agree with me—that Captain Ramsay, of the Navy, also was present at the meeting, and endorsed everything Colonel Cutler said.

Mr. STEWART. Yes; he did.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. MAYBANK. In connection with the discussion had between the distinguished junior Senator from Tennessee and the distinguished junior Senator from Utah relative to what was said at the committee meeting, let me point out that the colonel said he had nothing to do with respect to State supremacy regarding elections. I wonder if the Senator will be willing to have section 14 (a) of the bill printed at this point in the RECORD, or, if he prefers, at the conclusion of his remarks?

Mr. STEWART. I am perfectly willing to have that done. Probably it would be better to have it printed at the conclusion of my remarks. I think it proper to have it printed in the RECORD.

Mr. MAYBANK. Then, Mr. President, I ask unanimous consent that at the end of the excellent presentation by the distinguished junior Senator from Tennessee the section entitled "Validity of Ballots" be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. STEWART. Mr. President, I was digressing from the main theme of my remarks. I continue the quotation from Willoughby on the Constitution of the United States:

> While in general it may be said that in time of war, Congress has a practically unfettered constitutional discretion as to the means it will select for the successful prosecution of the war and, therefore, may do many things which it could not constitutionally do in times of peace, and especially with regard to disregarding the ordinary distinction between State and Federal functions—

Mr. President, at this point let me digress again long enough to say, if I may repeat merely for emphasis, that therefore the Congress may do many things which it could not constitutionally do in times of peace, especially with regard to disregarding the ordinary distinction between State and Federal functions. We have always considered, and I still consider, the right to vote as being a State function. I would not desert that position now or at any other time if to do so would be to take a permanent step. I am justifying the taking of such a step at this time—and I believe I have justified it in my own mind—on the basis of the right of Congress, under the war powers or war authority granted by the Constitution, to pass a law which will give the very simple right to vote to the men and women whom we take out of the ordinary walks of life and send abroad to fight the battles which will save this Nation. That is all I am appealing for. To do so is a duty and responsibility resting upon us; and, as I see it, we cannot escape it. I believe we have that right. I have other cases on the subject, to a few of which I desire to call attention, which I believe distinctly and definitely make this right clear, and which show, it seems to me, that the duty is one which rests upon our shoulders.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. KILGORE. The system of absentee voting within the States was designed to take care of the business trips of their citizens who left the States on their own accord. Is not that correct?

Mr. STEWART. Yes. I believe that some of the laws which I examined say, "When the voter is absent on business."

Mr. KILGORE. Yes. It was for their own convenience.

However, the soldiers and sailors—the men and women in the armed forces—are absent from their States, not at their own convenience, but for the safety of the Government. In other words, we have suspended the ordinary system. The State system would not be superseded, because it is based on normal voting, not on the conditions under which we take the men and women away from their homes, without their permission, will, or consent, and deprive them of the normal opportunity to vote.

Mr. STEWART. I think that is a timely observation. However, I call attention to the fact that the measure now pending provides that the soldiers and sailors may vote under State laws, if any exist, and if they are feasible and practicable of operation.

Mr. KILGORE. Certainly, if it can be done. But the pending measure will take care of the very large group of persons who will not be able to vote under the State laws.

Mr. STEWART. If the Army says, "We cannot take State ballots to the boys and return them within a reasonable length of time," do we not have to take the Army's word?

The bill would simplify the means of voting. As I understand the matter, airplanes would not even have to be used. There would be ample time to have the ballots transported by ship. The ballots could be sent to the Mediterranean, to the South Seas, to the Pacific, where there is no telling how many of our soldiers and sailors have been killed during the time I have been addressing the Senate. The ballots could be transported in bulk by ship. In other words, large packages of ballots, printed in blank, could be transported in bulk. The individual ballots, as transported, would not be printed with the individuals' names. It would not be necessary to locate each individual man. It would not be necessary to locate any particular private or lieutenant or colonel. It would not be necessary to seek out the individual voter, as must be done under the State laws. To attempt to do so would be to make it absolutely impossible to deliver the ballots to the soldiers. Under the pending bill it would be necessary only to transport the packages of ballots printed in blank. There would be no identification on them until the individual soldiers filled out their own ballots and signed their names to them. Then the ballots would be sent back to this country, to be distributed by the United States Government as the agent of the local election authorities in South Carolina, in Tennessee, in New Mexico, in Rhode Island, and in all the other States in the Union. The United States Government would deliver the ballots to them, so that the soldiers could vote for their Members of Congress and for their own Commander in Chief.

As has been said, the method proposed by the bill is purely a temporary expedient. I have never liked the word "expedient"; it seemed to me to be a weak word. But call it that if you will. The proposal is purely a temporary one, justified only under the authority of the war powers conferred under the Constitution, which give, as I see it, the right to this body and to the body at the other end of the Capitol to pass laws which will make it possible to deliver ballots to the soldiers of America.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. MAYBANK. In keeping with the question asked by the distinguished senior Senator from West Virginia, let me inquire whether it is not true that in many States if a person is indisposed or has some slight illness he will be sent an absentee ballot, under the provisions of the present law, whereas a soldier who may be in a hospital in a foreign land will have no opportunity whatsoever to vote, under the laws now existing.

Mr. STEWART. Yes; it would be impossible for the ballot to reach him. That is the point which has impressed me in this connection more than anything else has done, and, as I have said, has caused me to seek some method by which we might make voting by soldiers possible and practicable.

Mr. MAYBANK. In other words, a person who is indisposed at home can vote, but a soldier who is in a foreign land, ready to give his life for those back home, cannot vote.

Mr. STEWART. That is correct. He is too far away. The ballots could not be delivered to him in the ordinary way.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. LUCAS. One other observation which I desire to make is that, in view of the fact that the Secretary of War and the Secretary of the Navy, Mr. Stimson and Mr. Knox, have been referred to by the Senator from Ohio during the

debate, the Senator knows that not a single Member of the Senate has ever said anything but the best about General Marshall and Admiral King. Everyone knows that under the military and naval strategy of those two estimable gentlemen we have carried on to one glorious victory after another. Undoubtedly the servicemen have complete confidence in those two officials, and the American people have complete confidence in them. In my humble judgment, the ballots which are sent to our men under the leadership of Admiral King and General Marshall are going to be sent in a fair and equitable manner, without the slightest attempt at coercion or intimidation of any kind. When it comes to the matter of intimidation or coercion, I would rather take a chance on having the soldiers' vote, wherever they may be, under the direction of Army officials than to take a chance on their voting in their home precincts. We would come nearer to getting an honest vote from the soldiers as a class than we would in the case of any other single group in the United States, in the opinion of the Senator from Illinois.

Mr. STEWART. I do not believe there is anything to fear so far as honest administration is concerned.

To take up the thread of thought again, let me read from Willoughby on the Constitution of the Unitd States:

> The Congress of the United States has the power, under the War Powers Act, to disregard the ordinary distinctions between State and Federal functions.

That is what I was talking about—disregarding the ordinary distinctions between State and Federal functions, and pushing them aside temporarily. The right of suffrage and the holding of elections have been State functions, and always have been so considered in peacetime. There has been talk of encroachment, but in peacetime I would not advocate the enactment of a law of this kind at all. I think that under the war powers in the Constitution it is absolutely justified.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. MAYBANK. I thoroughly agree with the Senator; but it is still a State function, if section 14 (a) relating to the validity of the ballot, means anything; and I commend those on the committee who put that section in the bill to protect the States.

Mr. STEWART. That is a saving clause which is highly satisfactory to all of us, especially those of us from the South.

Mr. MAYBANK. That is correct.

Mr. STEWART. I made that observation earlier. Now, of course, I am undertaking to make a brief legal argument on the single proposition that the Congress of the United States has the right, under the war powers granted by the Constitution, to enact such a law, which would supersede all existing State laws.

As an illustration, Willoughby cites a case occurring in North Dakota, in connection with the regulation of intrastate commerce, relating to shipments made between two towns within the borders of the same State. No one would think of advocating such regulation of intrastate commerce in peacetime, within the borders of the State. But because it was necessary, under the war powers of the Constitution the court upheld the right in the case of *Northern Pacific Railway Co.* v. *North Dakota* (250 U. S. 135). In a portion of that opinion the court said:

> The complete and undenied character of the war power of the United States is not disputable.

Continuing with the quotation from Willoughby:

> It nonetheless remains true that the express constitutional limitations upon the powers of Congress are not, for the time being, in abeyance. Thus, for example, the provisions regarding due process of law, the making of compensation for private property taken for a public purpose and, in general, the prohibitions of the first 10 amendments to the Constitution remain in force. And in all cases, the right remains in the courts to determine whether acts sanctioned by Congress have, in fact, any possible relation to the successful prosecution of the war.

Of course, it is a matter for the courts to determine.

> The waging of war is, in its essence, an exercise of "police power," and, as such, the end will, in all reasonable cases, justify the means.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. MILLIKIN. Of course, the Senator will recall the provision in article II, that the manner of the appointment of electors for President shall be in the hands of the State legislatures.

Mr. STEWART. Yes.

Mr. MILLIKIN. Is that an express provision?

Mr. STEWART. As the Senator knows, that has been a matter of controversy in a good many States. My State of Tennessee, for example, for a long time clung to the idea that the names of the electors for President should be set out separately and individually on the ballots, and each one marked with an "X" after his name. Now, if I correctly recall—and I am speaking from memory with regard to a statute of my own State—while we print the names of the electors on the ballot, 1 mark after the entire list of names requires that the ballot be counted for all 12.

Mr. MILLIKIN. Does not that come about because of the fact that the States, under the Constitution, expressly have the right to prescribe the manner in which electors shall be appointed?

Mr. STEWART. I do not know that I would go that far.

Mr. MILLIKIN. If that authority under the Constitution does not exist, then the State is doing something which is not authorized.

Let me add a further observation. Certainly that provision of article II is express, if by "express" we mean something that is spelled out in the English language.

Mr. STEWART. Yes.

Mr. MILLIKIN. If that be true, then under the authorities which the Senator has been reading we have no right to violate that provision.

Mr. STEWART. If I may repeat what Willoughby has said with relation to war powers—

> The waging of war is, in its essence, an exercise of "police power," and as such the end will, in all reasonable cases, justify the means.

The writer proceeds to state that whether these powers are in Congress is subject to review by the courts.

Mr. MILLIKIN. I thought I heard the Senator read something very definitely to the effect that if the power is express we cannot disturb it on the ground that we are exercising war powers.

Mr. STEWART. I shall be glad to read that portion again:

> "The complete and undenied character of the war power of the United States is not disputable." It nonetheless remains true that the express constitutional limitations upon the powers of Congress are not, for the time being, in abeyance.

Is that what the Senator had in mind?

Mr. MILLIKIN. That is it exactly. With that as a premise, I am suggesting that article II of the Constitution, which gives the States the power to determine how the electors shall be appointed, is an express provision, and therefore cannot be violated by Congress.

Mr. STEWART. I make a distinction between an express provision and an express limitation. The case to which I referred related to the first 10 amendments, which were express limitations upon the powers of Congress.

Mr. MILLIKIN. Mr. President, will the Senator further yield?

Mr. STEWART. I yield.

Mr. MILLIKIN. The precise part of article II to which I was referring is as follows:

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress—

And so forth. That part of article II was not affected by the twelfth amendment which changed the next paragraph of the article.

Mr. STEWART. Does the Senator construe that to be an express limitation or an express provision?

Mr. MILLIKIN. I would construe it as a grant of authority to the legislature, and a limitation upon Congress not to violate it.

Mr. STEWART. A limitation in what way?

Mr. MILLIKIN. A limitation which arises out of the express grant of the power to the legislature.

Mr. STEWART. I do not have the bill open before me. I am sure the Senator has studied the form of the ballot. It provides, I believe, that the name of the voter shall be written upon it, and that he shall also write his party choice for President of the United States. Is that not correct? I do not have the exact page before me. It also provides that he shall write in the names of the Senators and Representatives.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. MAYBANK. Is it not a fact since the Constitution was first adopted, and changed from time to time, that the legislatures of most States have their laws with respect to who shall be the electors and who shall not be the electors? The Senator spoke of Tennessee.

Mr. STEWART. There is a method provided in the ballot.

Mr. MAYBANK. In South Carolina there is provision for the Democratic Party and the Republican Party with regard to the names that shall be placed on the ballot, and those names represent, as the section states, the Senators and Representatives in the proportion allotted by the Congress.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. MILLIKIN. Section 5 of the pending bill provides:

> A vote by party designation shall be deemed to be a vote for the candidate of that party by name.

Mr. STEWART. That is correct.

Mr. MILLIKIN. The language continues as follows:

> A vote for a Presidential candidate by name shall be deemed to be a vote for the candidates for Presidential and Vice Presidential electors of his party.

Mr. STEWART. How would that language contravene the provisions read by the Senator?

Mr. MILLIKIN. That, I submit, is prescribing the manner for the appointment of electors. Under article II that is committed to the State legislatures.

Mr. STEWART. I submit to the Senator that it does not contravene the provisions of article II read by the Senator. I do not think it contravenes the provisions at all.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. MAYBANK. Is it not a fact that the Georgia Legislature has met and changed its law? Is it not a fact that the Legislature of West Virginia has convened and taken action? Is it not a fact that other legislatures are in session now in an endeavor to adjust some of these matters? All we are trying to do under the pending bill is to make it possible, in cooperation with the Army and the Navy, to have the ballots sent to the men in the service. Determination with respect to validity of the ballots is provided for in section 14 (a) of the bill, which reads:

> The commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States.

I do not know the view of the distinguished Senator from Illinois on this point, but does he not believe that other States will pass conforming legislation, as the State of Georgia did in the very short session of its legislature?

Mr. LUCAS. Mr. President, I regret that my attention was diverted while the able Senator from South Carolina was speaking.

Mr. MURDOCK. Mr. President, will the Senator from Tennessee yield?

Mr. STEWART. I yield.

Mr. MURDOCK. I should like also to have the attention of the distinguished Senator from Colorado.

Is not this the answer to the question asked by the Senator from Colorado? If anything in the proposed legislation violates any constitutional right of the State, then, of course, insofar as it does violate such right it will not be considered to be effective by the judges of election?

Mr. MILLIKIN. That is correct.

Mr. MURDOCK. I believe that the Senator from Colorado has asked a very important question. I think the answer to it is that if the pending bill contravenes in any way the constitutional right of a State as prescribed in the Constitution, then certainly the bill must give way to the constitutional provision.

Mr. MILLIKIN. Mr. President, I agree completely with the Senator, but I suggest that the effect of that is that throughout the Nation, wherever the laws of the States do not conform to the constitutional provision in article II of the Federal Constitution, there will be a vast number of ballots thrown out, and that may throw the election into a contest.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. MURDOCK. I think that what the Senator from Colorado has said is very true. The Federal Congress has done all it can do, in my opinion, when it passes this bill and says to our soldiers, "The very fact that you are wearing the uniform of your country—the very fact that you are carrying a gun on the battlefields of the world for the preservation of the Union—is sufficient registration and sufficient qualification to entitle you to vote." Having said that, we have exhausted, as I see the picture, our right to make it possible for the soldier to vote. Having done that, if the local judges of any State of the Union wish to take the responsibility of throwing out the ballot of a soldier because it does not conform to the registration act of his State, all well and good. However, Mr. President, I doubt that an election judge will be found in the entire United States who will take the responsibility on his shoulders of throwing out the ballot of a soldier who is at the battle front fighting to preserve the Union.

I thank the Senator from Tennessee for yielding to me.

Mr. MILLIKIN. Mr. President, will the Senator from Tennessee yield to me?

Mr. STEWART. I yield.

Mr. MILLIKIN. I merely want to add one thought. I believe it would be very calamitous if that question were posed in the precincts of a large number of States of the country. I think it would lead to internal dissension. It would divide our people at home, and the election would be thrown into Congress for contest, and we would not even know who would be qualified to sit in judgment in the contest.

Mr. MURDOCK. Mr. President, my answer to the Senator is that I am willing to take my chances and let the soldier vote.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. HATCH. Mr. President, I suggest that I have heard a great many fears expressed on the floor of the United States Senate concerning the bill which we are debating. I have never heard of any bill in connection with which there has been so much timidity and fear expressed as has been expressed in connection with giving to the soldiers of this country the right to exercise the suffrage.

A terrible fear has just been expressed here that a contest may occur somewhere. Mr. President, I express a fear today based on the attitude of the Senate and of the House of Representatives, if you please, that by our technical objections, by our quibbling, not a single soldier will be permitted to cast a vote in the next election.

I have heard questions raised with regard to article II pertaining to the electoral college. Does any Senator submit that that provision of the Constitution has been complied with in the last hundred years of the existence of this country?

Mr. MILLIKIN. Will the Senator yield?

Mr. HATCH. I do not have the floor, but I yield, with the consent of the Senator from Tennessee.

Mr. MILLIKIN. I submit it has been complied with in the last hundred years in every national election we have had. The only votes which are counted here to determine who shall be President and Vice President are votes cast by electors.

Mr. HATCH. I have been a Presidential elector myself, and if the Senator is naive enough to say that the electoral college selects the President of the United States, and has done so, he has not acted as an elector, as I have.

Mr. MILLIKIN. I am naive enough to say that the only ballots which come here to be counted to determine who shall be the President and the Vice President are the ballots cast by the members of the so-called electoral college.

Mr. HATCH. I suggest to the Senator that he make the argument to the soldiers serving in the Army of the United States.

Mr. MILLIKIN. I am willing to make the argument to the soldiers serving, because I do not consider that I am helping the morale of the soldiers serving if I do unconstitutional things. In my own State we are preparing to give them the right to vote. We are under way right now.

Mr. HATCH. I am delighted to hear that.

If I may interrupt the Senator from Tennessee, let me add one word more about States' rights. The Senator directed his attention to the laws he has read and the constitutional authorities, showing that under the exercise of the war powers expressly conferred, under the power to declare war, the Federal Government can suspend the operation of other State laws which are just as sacred to the rights of the States and individuals as the right to vote.

I need not recall to the minds of Senators the laws we have passed, and the laws other Congresses have passed, which have been upheld as a valid exercise of the wartime powers. One comes to my mind just now, the Sailors' and Soldiers' Relief Act. That law gives the Government the right to go into the States and suspend the processes of the State courts. Is there anything more sacred than the right of a State to conduct its courts, to render judgments, and enforce the processes of its own courts? Could any right be greater or more sacred than that? Yet the Congress of the United States, in order to protect the soldiers whom they had taken out of the States, enacted laws which literally suspended the rights of the States to enforce judgments.

Mr. MILLIKIN. Will the Senator yield?

Mr. HATCH. In a moment. Those laws have been upheld as valid and as constitutional, as a valid exercise of the powers of the Federal Congress to protect the civil rights of soldiers and sailors. And that was rightfully done, although at the time the cry of unconstitutionality against that law went up all over the land.

Mr. President, I say that the political rights of the soldiers, their political right, for instance, to cast their ballots, are just as sacred as civil rights. It is the duty of the Congress to enact legislation to protect the soldiers' political rights, even as we have already enacted legislation protecting their civil rights.

Mr. MILLIKIN. Mr. President, will the Senator from Tennessee yield?

Mr. STEWART. I yield.

Mr. MILLIKIN. I challenge the distinguished Senator from New Mexico to cite a single act of Congress which has been sustained as constitutional, in the name of an emergency, which contravenes an express provision of the Constitution of the United States to the contrary.

Mr. HATCH. Why does the Senator want to multiply them?

Mr. MILLIKIN. Multiply what?

Mr. HATCH. The Senator wants other cases. If one is good, why do we have to cite one or two or three or four more? Perhaps I did not understand the challenge.

Mr. MILLIKIN. The Senator either did not understand my challenge, or I did not make it clear. I shall try to make it clear.

The Senator has cited an instance in which he says some emergency Federal legislation had overridden State rights. I challenge the Senator to cite any case in which, in the name of emergency powers, an express provision of the Constitution has been overridden.

Mr. HATCH. An express provision of the Constitution was overridden in the Soldiers' and Sailors' Relief Act, in that all powers not granted under the Federal Constitution to the Government are reserved to the States, and under that express provision the rights of the States to conduct their own courts are expressly reserved for them, as expressly as if they had been written.

Mr. MILLIKIN. I do not recall anything in the Constitution which expressly provides that the right to pass legislation respecting relief for soldiers and sailors is confined exclusively to the State governments.

Mr. HATCH. There is not anything in the Constitution that says that.

Mr. MILLIKIN. That is the point, there is no express provision which has been overridden.

Mr. HATCH. I still am sorry, but I do not follow the Senator from Colorado, probably due to my own inability.

Mr. STEWART. Mr. President, there is a difference between express provisions and express limitations.

Mr. PEPPER. Mr. President, if the Senator from Tennessee will yield, certainly there is an instance of what would normally be called an impairment of a contract which a State had a right to enforce when the Federal jurisdiction is not properly invoked, and the Federal jurisdiction steps in and supervises the contract and sustains the power of the court to enforce it. The very essence of the dual system of government is that the State sovereignties have superior jurisdiction over that kind of a case. Yet the Federal Government steps in and refuses to allow the State sovereignty to exercise the power.

Mr. MILLIKIN. To what amendment of the Constitution is the Senator referring?

Mr. PEPPER. It is inherent in the nature of the dual system of government that the States have a right to enforce obligations between their citizens.

Mr. MILLIKIN. Yes.

Mr. PEPPER. And when the Federal Government says that A cannot enforce his contractual right against a soldier in a State court, due to the prohibition of a Federal act, that certainly is the Federal Government stepping in and staying the hand of a State sovereignty about a matter exclusively within its jurisdiction.

Mr. MILLIKIN. What amendment of the Constitution expresses the prohibition to which the Senator is referring?

Mr. PEPPER. Of course, section 9 of article I provides that no State shall pass any law impairing the obligation of a contract, and the fifth amendment, in the same substance, prohibits the Federal Government doing certain things without due process of law.

Mr. MILLIKIN. The fifth amendment is not a prohibition against the impairment of a contract except as the impairment is also involved in due process of law. The fifth amendment, as the Senator well knows, is a prohibition against the Federal Government, whereas the fourteenth amendment is a prohibition against State governments.

Mr. PEPPER. It is also true that under the dual system of government, the State government has jurisdiction over the enforcement of contractual obligations between its own citizens, or other citizens, where the case is not removed to the Federal court. There is certainly a right which the State has which is protected by the constitutions of the States, and normally is protected by the Federal Constitution. Yet the Federal Government steps in, in an emergency, and says that that machinery may not be employed, that those rights may not be enforced. The arm of State sovereignty is stayed.

Mr. MILLIKIN. I am suggesting that the prohibition of interest to the distinguished Senator is in the fourteenth amendment, and that the fourteenth amendment operates against the States and not the Federal Government.

Mr. PEPPER. Before the able Senator takes his seat, with the indulgence of the generous Senator from Tennessee, let me ask the Senator from Colorado what express prohibition he has in mind.

Mr. MILLIKIN. The express prohibition I have in mind is in article II of the Constitution, which provides that the manner of appointing electors for Presidential and Vice Presidential candidates shall be determined by the State legislatures, an express provision if English language can be used to fashion an express provision. This bill violates that.

Mr. PEPPER. In the first place, Mr. President, under the Federal Constitution, the times, places, and manner of holding elections is put within the jurisdiction of the Congress, and in the Classic case the Chief Justice went a very long way in indicating the plenary character of this Federal power pertaining to elections.

Mr. MILLIKIN. If the Senator will allow me to interrupt, to keep the discussion on the point, I am not talking about the times, places, and manner of holding elections; I am talking solely about the manner of appointing electors.

Mr. PEPPER. According to the Classic case, the time, and place, and manner of elections go far enough to cover the points the Senator has suggested.

Mr. MILLIKIN. On the contrary, I respectfully suggest that the Constitution itself provides the exception on which the Senator is relying.

Mr. PEPPER. In the next place, if it is suggested that the poll tax constitutes a prohibition under the qualifications clause of the Constitution, it has always been my opinion, and I think it will some day be held by the Supreme Court to be the law, that when Congress prohibits the charging of the poll tax it is not denying the right of the States to prescribe qualifications; it is simply prohibiting the imposition of conditions precedent contrary to civil rights.

Mr. MILLIKIN. I respectfully suggest that has nothing to do with the limited point I have expressed, that article II of the Constitution leaves to the State legislatures the exclusive right to determine the manner of electing electors for President and Vice President.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. STEWART. I will yield in a moment, if the Senator please. I address myself to the Senator from Colorado. The Senator referred to the fifth amendment to the Constitution. Does the Senator recall the incident in which the Japanese in California raised the question that the President had no right to issue the Executive order which prescribed a certain area as a military area, and applied a curfew law to those of

Japanese birth? Does the Senator remember that case?

Mr. MILLIKIN. I remember it.

Mr. STEWART. Of course, the fifth amendment to the Constitution expressly provides that a person's liberty, property, and so forth, cannot be taken away without due process of law.

Mr. MILLIKIN. I think that due process of law has sometimes been construed to be due process of law according to the facts and circumstances existing at the time, and the Supreme Court in that case said that the emergency was so great, that the possibilities of invasion and sabotage were so imminent as to validate the measure on a temporary basis.

Mr. STEWART. The measure before us is of a temporary nature.

Mr. MILLIKIN. As I recall, three of the Supreme Court Justices filed supplemental opinions making it very clear that as soon as the immediate urgency of those measures has expired, the measures may not continue to be valid against the entire class reached by them.

Mr. STEWART. Yes. One of the dissenting opinions, I believe, stated that the Court wanted it understood that it was not surrendering rights to the military, and so forth. But the point I am making is that the fifth amendment to the Constitution is an express provision. In the case in question, as the Senator will remember, the Supreme Court in an opinion by Mr. Justice Stone justified the Executive order strictly under the war powers of the Constitution. I have quoted that opinion in my memorandum. So there is one case in which an express provision of the Constitution was overridden.

In my opinion, I will say to the Senator—and the Senator has brought up a question which occurred to me—the distinction lies between an express provision in the Constitution and what we sometimes call an express limitation in the Constitution.

Mr. MILLIKIN. Perhaps there is a distinction in the Japanese case, and it may come to this: The fifth amendment prohibits violation of the due process. Due process is rather a dimensionless right which can be construed in the light not only of the traditional due process——

Mr. STEWART. It is in a way like the police power.

Mr. MILLIKIN. That is correct. But may be construed, also, in the light of current necessities, and current conditions, and current background. That, I suggest, is quite different from violations of words in the Constitution which spell out in unmistakable terms a definite right.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. PEPPER. In reading the provision of the Federal Constitution which guarantees trial by jury it will be found that there is no exception to show that that provision is not applicable to a soldier in the military service. From a reading of the language of that constitutional provision it would seem that no citizen of the United States—and the soldier is a citizen—could have his liberty taken away from him except by due process of law, by trial by jury, by presentment by a grand jury, although in another part of the Constitution we have a right to create an army, and so forth.

Mr. MILLIKIN. I think that the last statement gives the answer.

Mr. PEPPER. Yes; that is implied. It is one of those things we understand. It is an implied authority which pertains to those in the military or naval service. Yet on the face of it the trial of a soldier which takes place by court martial, or other than by a jury, would seem to be in violation of that provision.

Mr. MILLIKIN. I respectfully suggest that the Senator has answered the question himself when he points out that the Constitution expressly gives Congress the right to raise armies, and expressly gives Congress the right to establish rules and regulations for their government.

Mr. PEPPER. That is exactly the contention we make in the present case. Although the Constitution says what the Senator has quoted with respect to electors, yet the Constitution just as expressly and just as clearly gives the Federal Government the right to wage war. It gives the power to the country and to the Government of the country necessary to wage war. So that is a power which I say by analogy is granted. In one part of the Constitution there is a power granted by implication, but nevertheless real, to do the things which might appear to be in conflict with the provisions of the Constitution, of which the Senator has spoken.

Mr. MILLIKIN. I suggest the rule is rather well established that an express provision of the Constitution cannot be overcome by an implied provision.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. LUCAS. I wish to ask a question of the Senator from Colorado. The Senator said that his State was going to amend its law in such a way that the soldiers from the State of Colorado would be able to obtain ballots. How are the soldiers to obtain the ballots?

Mr. MILLIKIN. We are going to permit the soldier, or his parents, or anyone who lives in his residence, commencing February 1, to request that he receive an absent voter's ballot. As soon as the ticket is known, the ballot will be mailed to the soldier.

Mr. LUCAS. That is fine so far as a soldier in the United States is concerned. How is the soldier outside continental United States going to get his ballot?

Mr. MILLIKIN. The existing election laws will be so modified as to allow what the State thinks is sufficient time for the ballot to be sent to the soldier, to be marked and returned.

Mr. LUCAS. Who is going to carry the ballot to the soldier? Is some election commissioner in the Senator's State going to take the ballot to the soldier?

Mr. MILLIKIN. No, no. I suppose the mails will be operating between Colorado and the fighting fronts.

Mr. LUCAS. But who carries the mails? That is the point about the matter.

Mr. MILLIKIN. I hope the Congress will provide that the Government shall see to the carrying of the mails.

Mr. LUCAS. Oh, yes.

Mr. MILLIKIN. Exactly. Certainly Congress should so provide. Congress should provide that the soldiers have a prior right to get the ballots, second only to urgent military business.

Mr. LUCAS. That is all right, but the point I am making is that the State of Colorado, standing alone, does not have a Chinaman's chance to get a ballot anywhere other than through the mails.

Mr. MILLIKIN. I quite agree with that.

Mr. LUCAS. And it will be necessary to call on the Federal Government to cooperate in order to get the ballot to the soldier.

Mr. MILLIKIN. I agree. I do not know that we have to call on the Government especially, but it would be better if the Federal Government should require the giving of expedited attention to the ballots from the States.

Mr. LUCAS. No; I am talking about States' rights. Those who stand on States' rights say the States should do this. The States did it in the Civil War. The States did set up their own commissions, under proper legislative authority. They sent their commissioners to the fields where the soldiers were, and there they held elections and brought back the returns. But now the States must depend upon the Federal Government in order to do what the Senator from Colorado says should be done. That is the kind of cooperation we want to have between the State and the Federal Government. The Federal Government is willing, under all the testimony adduced, to do everything possible to get the soldiers' ballot out of Colorado, and back to Colorado so that it may be properly counted. But the Government officials say they cannot take all the ballots. They say it is impractical, under the laws of the 48 States, to do what the Senator says ought to be done, and which I agree should be done if it could be done. Some States may not cooperate. Some States may still have the 20-day absentee law or the 30-day absentee law and the 5 mail services. We cannot speculate as to whether the legislatures will hold special sessions and will cure all these defects. We know there will not be any uniform law which will affect all 48 of the States. We must depend on what the Army and the Navy say with respect to that, and then do the best possible thing, which is to enact a uniform Federal ballot for the men overseas, who never will see any ballot unless we provide that kind of ballot for them. If we do that, I undertake to say that if the Federal Government cooperates with Colorado in getting the State ballots to the servicemen, the State should cooperate with the Federal Government in attempting to get the Federal ballots back to the States. This matter is a traditional comity which has been going on for 150 years.

In this great emergency as a result of which millions of men, as has been said time and time again, have literally been picked up from their homes and transferred 2,000 or 3,000 miles away, Congress must find a way, under the Constitution, to enable them to vote.

I recall that in 1932, during another great emergency, the Supreme Court and the Congress found a way, under the welfare sections and the interstate commerce clause, to do certain things which many around the Capitol said could not be done because they were unconstitutional. Unconstitutional. Mr. President, I have heard that word used very frequently since I have been in Congress. I revere the Constitution of the United States. There is scarcely a controversial measure that comes before the Congress which is not said to be unconstitutional. Let the courts finally determine that question in this great emergency, and do not let Congress say to the soldiers, sailors, and marines who are fighting all over the world that, "because it is unconstitutional, I am not going to send you a ballot; I just cannot do it, under the Constitution." They do not appreciate that.

I thank the Senator for yielding to me.

Mr. MAYBANK. Mr. President, will the Senator from Tennessee yield so that I may ask the Senator from Illinois a question?

Mr. STEWART. I yield.

Mr. MAYBANK. I should like to remind the Senator from Illinois, with reference to the matter of States' rights, in which I believe, as he does, that during the banking holiday and during the terrible depression in March 1933, when the President of the United States ordered the banks closed, he ordered the State banks, as well as the national banks, closed, for the general welfare. Am I not correct about that?

Mr. LUCAS. There is no doubt about that. And they closed.

Mr. MAYBANK. That is correct.

Mr. LUCAS. Thank God for the banking moratorium the President declared at that time. Because of the great emergency, he had the banks in all the States closed, regardless of whether he had the power to do so.

Mr. MAYBANK. Yes; and the States cooperated.

Mr. LUCAS. Yes; the States cooperated, of course.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. MILLIKIN. I should like to make a few remarks in reply to the remarks made by the distinguished senior Senator from Illinois.

In the first place, I cannot let the Senator give the impression that the Federal Government does a favor to the State when it carries its soldier mail. The Federal Government receives from the people of the States the money with which it carries the mail from the people of the States to the soldiers, and it is sustained entirely by the tax money of the people of the States.

Mr. LUCAS. I am talking about ballots, not mail.

Mr. MILLIKIN. That is what the people are paying their taxes for—so that they can have services of that kind.

It is the duty of the Government to carry those ballots and to give them preference over everything except the most urgent military matters.

I thank the Senator for being so generous in yielding.

Mr. STEWART. Mr. President, I was about to say that we went a little far afield during the recent discussion. I enjoyed it, and was glad to have the interruption.

Returning to the proposition the Senator from Colorado and I were discussing, relative to the question whether an implied provision of the Constitution would override an express provision of the Constitution, I desire to call the attention of the Senator from Colorado to the following provisions under the war-powers section of the Constitution, which is section 8:

The Congress shall have power—

And so forth—

to declare war—

And so forth. Then, the last provision, which I believe is provision No. 18 or No. 20, reads as follows:

to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

Those are two express provisions. First, the power to declare war, and the other provisions akin to it, such as the power to maintain a navy, and so forth; second, the power to pass any sort of law which is necessary to carry into force and effect any of the powers which are enumerated. That is an express provision, as I see it, and one which would thoroughly justify the passage of the Green-Lucas bill.

I want to make my position clear to the Senate, if I can do so. I maintain that that express power would fairly justify the passage of the Green-Lucas bill as a war measure, as an emergency proposition; because we have reached the point where we definitely know that the members of the armed forces will not have the ballots sent to them from the States, since the War Department has said it is impossible to transport them. Therefore, in the exercise of our discretion—such discretion as is imposed in the Congress by the Constitution—under these war powers, because we are in a great emergency, as the Senator said with respect to the moving of the Japanese from California, we can invoke the power granted by the last provision relative to war powers, and can pass any law necessary to enforce and carry out the war powers section if we determine that the morale of the Army demands the passage of such a law. The question is one of morale, and it is most important to any Army that the standard of morale be high. If we exercised that discretion and passed such a law, would not the Senator think we would have express authority to do so under the war-powers provision?

Mr. MILLIKIN. No, Mr. President. I am sorry to have to disagree with the distinguished junior Senator from Tennessee. It is difficult to draw the line between where we must stop in expanding our war powers and where we must respect other express provisions of the Constitution. No one yet has drawn a line. There are areas of doubt. But no one has ever suggested that we can carry those war powers so far as to impair any essential part of the structure of the Constitution. My memory may be playing me false, but I think that if the Senator will reread the article written by Mr. Justice Hughes, to which the Senator referred a while ago, he will find that, or the equivalent of that, stated in it.

The business of voting for a President, the business of voting for a Member of the House of Representatives, the business of voting for a Senator, the sanctity and the legitimacy of that process, go to the heart of our system of government, are a part of the essential structure of our system of government. I say we can no more impair that than we can sit here and pass a law deposing the President of the United States, if we thought him unworthy as Commander in Chief or President in time of war. We can no more do that than we can pass a law that there shall be two supreme courts, in the face of the constitutional provision for only one. That, Mr. President, is what I mean.

Mr. STEWART. Mr. President, the Senator has been making an excellent argument which would apply with force and effect in times of peace. But in times of war all the traditional thoughts or traditional ways of thinking and methods of living are completely overturned and upset. I believe that we have in this country a Constitution which is flexible enough, under the democracy of which we are so proud, to meet any sort of emergency, under any sort of conditions.

Mr. President, perhaps I had better proceed with my statement, which I almost forgot.

Mr. MILLIKIN. Mr. President, will the Senator let me interrupt him long enough to thank him for his courtesy and patience in permitting my interruption?

Mr. STEWART. I am glad to have the Senator's thoughts on this question. Quoting further from Willoughby on the Constitution:

The power to wage war carries with it the authority not only to bring it to a full conclusion but, after the cessation of active military operations, to take measures to provide against its renewal. As the court said in *Stewart* v. *Kahn* (11 Wall. 493), "The measures to be taken in carrying on war and to suppress insurrection are not defined. The decision of all such questions rests wholly in the discretion of those to whom the substantial powers involved are confided by the Constitution."

That is, the decision as to what measures we shall enact which are necessary to help win the war. It was testified before the Privileges and Elections Committee that the morale factor was the most fundamental of all. Everyone knows that it is. Everyone knows that an army which has an uncertain or weak

morale will not be a victorious army in the field. Everyone knows the dangers which would lurk in such a condition and would surround such an army. They are fraught with possibilities which I could not describe.

The Privileges and Elections Committee heard the testimony of men from the Army and Navy. They continued to speak about morale, and insisted to us that they did not want any laws enacted which would interfere with or interrupt the carrying of the V-mail to the soldiers from their families here because of the precious morale factor involved.

So this body is left with the discretion to work out what kind of measures we think ought to be enacted which will aid in winning the war.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. TYDINGS. If the Congress were to enact a law providing that the ballot shall be 4 inches wide and 6 inches long, and the provisions of several State laws provided that the ballot should be 12 inches wide and 24 inches long, it might be argued that the Federal Government had no right to dictate the size of the State ballot. But if after such a law were enacted by Congress, the States should then rewrite their laws to conform with the national law, certainly there would be no conflict between the two, and the provisions of both laws could be carried out. The Senator will concede that, will he not?

Mr. STEWART. I concede that.

Mr. TYDINGS. It seems to me that what is involved is this: Let us assume for the sake of argument that the points made by the Senator from Colorado [Mr. MILLIKIN] are good. Now let us suppose that we dictate the type of ballot, the time, the names of candidates, and everything else in a Federal law. If the States do not conform to that law the whole thing will break down anyway. But if the States do conform to that law, we have taken a devious and somewhat questionable method to achieve a desirable result. Therefore, if we should enact such a law, and all the States should change their laws to conform to the national law, the thing would work. But if we do not enact some law, even if it is unconstitutional, the thing will not work. So it seems to me that we are in the position that if we enact the Green-Lucas bill and the States conform to its provisions, all the constitutional questions will eventually solve themselves. Without conceding the force of the arguments of the Senator from Colorado, certainly if the States conform to the Federal law, the whole question of illegality or unconstitutionality will be pretty nearly laid at rest. It is that particular idea, along with the general improvement in the constitutional provisions of the new Green-Lucas bill, which inclines me to give it my support, because I believe the States would enact laws, if their constitutions permit it, which would bring the State laws into harmony with the Federal law. Thus, even though the Federal law were unconstitutional and were so held in the future, in effect we would have achieved the result by the method we are employing.

Mr. STEWART. I thank the Senator.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. HATCH. If I correctly understand the Senator from Maryland, what he is suggesting by way of argument is that perhaps the Congress ought to take into consideration the situation in our armed forces, as described by our officials of the Army and Navy, with respect to the administration of the law.

Mr. TYDINGS. They have told us the only way it can be administered.

Mr. HATCH. The Congress might enact legislation in accordance with that theory as a pattern.

Mr. TYDINGS. Such legislation might be unconstitutional.

Mr. HATCH. But if the States really desired to cooperate, the States which were in a position to do so could adopt that pattern for their own laws, and thereby entirely remove any question of constitutionality.

Mr. TYDINGS. The Senator has stated it correctly. If the States should fail to act, it might be said that the Federal law was either insufficient or unconstitutional.

Mr. HATCH. It would be up to the courts to decide.

Mr. TYDINGS. But if the States do act, all questions are removed.

Mr. HATCH. I wish to make one further observation in line with what the Senator has said. Without this pattern—if we may call it such—established by the Congress, there would be no uniform design by which all the States could bring their laws into accord.

Mr. TYDINGS. The Senator states the situation correctly. If the Senator from Tennessee will yield to me for a moment longer, the ideal way would be to draw up a pattern and to request each State to adopt it. Let us assume that all 48 States should adopt it. Then we could enact Federal-enabling legislation. Unfortunately, the practical situation is that the States will not do it until we do something formal here.

Like the Senator from Colorado [Mr. MILLIKIN] I believe that we cannot violate the express provisions of the Constitution, either in time of war or in time of peace. Assuming that we do violate them, if the States afterward conform to the Federal law, the question of illegality will never arise. If they do not conform, the soldiers will not have the opportunity to vote, even with the law, and they would not have it without the law.

Mr. STEWART. Mr. President, does the Senator see a conflict between two express provisions of the Constitution?

Mr. TYDINGS. I do not wish to enter into a legal argument, but inasmuch as I have been asked the question, I will make an observation. In my opinion, no express and clear provision of the Constitution can be set aside by act of Congress, either in time of war or in time of peace, for this reason: If we can set aside one provision, we can set them all aside, and have no Constitution. We can extend the term of a President or of a Senator to 8 years, or decree that, in the public interest, there shall be no elections. When we start that, we end with nothing.

In the celebrated case of Ex parte Finnegan the court specifically said that the Constitution is a shield and buckler in time of peace as in war. But I go further than that. I do not like to vote for something the constitutionality of which is in doubt; but so long as the qualifications of voters are left to the States, the point raised by the Senator from Colorado will in my judgment eventually be eliminated, because, in my opinion, the States themselves will change their laws to conform with the provisions of the Green-Lucas bill; but if they do not change them, I think the arguments of the Senator from Colorado deserve very much weight. However, it is my belief that with the natural desire of everyone to give the soldiers a vote, the procedure which we are about to employ will eventually dissipate the unconstitutional efforts which we might be accused of making, and in the end we would arrive at sound law, with one qualification. That statement would not apply to the States which did not enact such legislation in conformity with the Federal provision which we have under consideration.

Mr. STEWART. The Senator is no doubt familiar with the 18 or 20 different war powers given to the Congress in the Constitution, the last of which I read a few moments ago.

Mr. TYDINGS. I understand that. Among those powers is the authority to maintain a navy.

Mr. STEWART. The Constitution gives us the power to enact laws to carry out those powers.

Mr. TYDINGS. That is true.

Mr. STEWART. Is not that an express provision of the Constitution?

Mr. TYDINGS. It is; but let me say to the Senator that no one power in the Constitution authorizes Congress to violate any other power.

Mr. STEWART. Which one would the Senator follow?

Mr. TYDINGS. There is no conflict. I am not referring to all the points which have been raised. I am referring merely to one illustration. In my judgment, section 1 of article II of the Constitution, where it provides that the electors shall have the qualifications requisite for the electors of the most numerous branch of the State legislature, clearly touches a matter of States' rights. The pending bill provides that that express provision of the Constitution shall not be violated; that the ballots shall be counted by the State officials. If we assume that the argument of the Senator from Tennessee [Mr. STEWART] is sound, we say in effect that one provision of the Constitution is stronger than another. I believe the courts would be very liberal in passing on the constitutionality of an act in time of war.

However, that is not what I rose to discuss. I merely wanted to make the observation that if we pass a law which is merely directory in its ultimate objec-

tive, and the States conform to it by State law, we have eliminated largely the question of constitutionality. I believe the States will conform to what we pass when we tell them what the conditions are.

Mr. PEPPER. Mr. President, will the Senator from Tennessee yield to me for a moment?

Mr. STEWART. I yield.

Mr. PEPPER. Apropos of what the Senator from Maryland [Mr. TYDINGS] has said, I think it is admittedly clear that what he has stated is true so far as it relates to the Federal official.

Tomorrow I shall propose, for whatever value it may have, a suggestion that the Federal ballots may be lengthened by the ballot commission to an extent which would permit the serviceman—with the authorization of the States—to write upon the ballot the name of the officer, State, county, or local, for whom he desires to cast his vote, and then make it the duty of the ballot commission to transmit information to the soldier as to who are the candidates in the State, local, and county elections, just as they transmit information as to who are the candidates for President, Vice President, Senator, and Representative. If the State, having the uniform ballot which it may adopt, namely, the Federal ballot lengthened, chooses to authorize its soldier citizens to use such ballot, it may do so. The same ballot would carry the vote of the soldier for Federal and for local officials. I am confident that such a plan can be worked out.

Mr. STEWART. I thank the Senator.

Mr. President, quoting from the annotated edition of the Constitution of the United States of America, revised and annotated in 1938, I cite the following powers of Congress under the war-powers provision of the Constitution of the United States, namely, the powers referred to in section 8:

> The term "to declare war" necessarily connotes "the plenary power to wage war with all the force necessary to make it effective."

Several cases are cited, to one or two of which I should like to refer. The first case is *United States* v. *Macintosh* (283 U. S. 605, 622 (1931)). I cite also *American Ins. Co.* v. *Canter* (1 Pet. 511, 542 (1828)).

The authority conferred by this clause extends to all legislation necessary to the prosecution of the war with vigor and success. It is not limited to operations in the field and the dispersion of the enemy, but carries with it the power to prosecute war to a termination, and to guard against its renewal. It includes the authority to use other means besides those indicated by the terms of the grant, and contemplates all means and any manner in which war may be legitimately prosecuted. All acts tending to lessen an adversary's strength are lawful—*Ex parte Milligan* (4 Wall. 2, 139 (1866)). See also *Stewart* v. *Bloom* (11 Wall. 493, 507 (1871)); *Legal Tender Cases* (12 Wall. 457 (1871)); *White* v. *Hart* (13 Wall. 646 (1872)); *Raymond* v. *Thomas* (91 U. S. 712, 715 (1876)); *Young* v. *United States* (97 U. S. 39, 60 (1878)); *Ford* v. *Surget* (97 U. S. 594, 605 (1878)); *Civil Rights Cases* (109 U. S. 3, 18 (1883)).

The power carries with it the power to acquire territory by conquest. (See *Sere* v. *Pitot*, 6 Cr. 332 (1810).) But a war declared by Congress is not to be presumed to be waged for the purpose of conquest; and territory is to be considered as added to the United States only by action of the treaty-making power or the legislative authority. Conquered territory while in possession of the military forces is a part of the United States as against any foreign nation, but is not a part of the Union within the meaning of the customs laws. (*Fleming* v. *Page*, 9 How. 603 (1850). See also *Castillero* v. *United States*, 2 Black 17, 355 (1863).)

Congress cannot under this clause declare war against a State of the Union or any number of such States (*Prize Cases*, 2 Black 635, 668 (1863). See also *Norris* v. *Doniphan*, 61 Kentucky 385, 391 (1863).) But it is not deprived of its war powers when the necessity for their exercise is called out by insurrection and civil war—*Tyler* v. *Defrees*, 11 Wall. 331, 345 (1871).

Power exercised by Congress for the prosecution of war has been upheld under this clause in specific cases as follows:

First. Draft laws: Civil War—See *Kneedler* v. *Lane*, 45 Pa. 238 (1863). World War—*Arver* v. *United States*, *Selective Draft Law Cases*, 245 U. S. 366 (1918); *Cox* v. *Wood*, 247 U. S. 3 (1918).

Second. The confiscation acts of 1861 and 1862—12 Statutes 319, 589, *Miller* v. *United States* (11 Wall. 268 (1871); see also *Kirk* v. *Lynd* (106 U. S. 315 (1883)). A mere declaration of war does not ipso facto work a confiscation of enemy property; a positive law passed by Congress is necessary—*Brown* v. *United States* (8 Cr. 110, 123 (1814)); *Conrad* v. *Waples*, (96 U. S. 279, 284 (1878)).

Third. The act emancipating the slaves of persons aiding in the rebellion, 12 Statutes 591, section 9—see *Buie* v. *Parker* (63 N. C. 131 (1869)).

Fourth. Act of 1864, 13 Statutes 123, suspending the statutes of limitation of actions—*Stewart* v. *Bloom* (11 Wall. 493 (1871)). See also *Mayfield* v. *Richards* (115 U. S. 137 (1885)).

Fifth. Acts of Congress authorizing condemnation of land for monuments, and so forth. on the battlefield of Gettysburg were upheld as germane and appropriate to the exercise of the war-making power, especially in view of the fact that they plainly tended to enhance the love of the citizen for his country, and quicken his motives to defend it—*United States* v. *Gettysburg Electric R. Co.* (160 U. S. 663, 681 (1896).

Sixth. The provisions of the Volstead Act (41 Stat. 305) extending the scope of the wartime prohibition act to include malt liquors of one-half of 1 percent alcoholic content, whether in fact intoxicating or not. *Hamilton* v. *Kentucky Distilleries & W. Co.* (251 U. S. 146 (1919)); *Ruppert (Jacob)* v. *Caffey* (251 U. S. 264 (1920)).

Seventh. In taking over and operating the railroad systems of the country the United States did so in a sovereign capacity, as a war measure, "under a right in the nature of eminent domain"—*Du Pont de Nemours Powder Co.* v. *Davis* (264 U. S. 456, 462 (1924)).

Section 8 of article 1 of the Constitution of the United States grants to Congress power in 20 particular instances and after granting this power, concludes by stating:

> To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

Thomas James Norton's The Constitution of the United States, Its Sources and Application thus comments upon the general grant of power above referred to:

> This clause has been aptly described as the most solid and essential work done by the Constitutional Convention. It made a constitution adaptable to unforeseen conditions and serviceable for all time. * * * Experience under the Articles of Confederation had made this clause so plainly desirable that hardly any contention was raised by it in the Constitutional Convention. It neither grants a new power nor enlarges any of the others. Under the ordinary rules of interpretation, what is stated in this clause would be implied had the language been omitted.

I now desire to call the attention of the Senate to a case decided by the Supreme Court of the United States on June 21, 1943. This case, Hirabayashi against the United States, involved an American citizen of Japanese ancestry who was convicted in the district court for violating the act of Congress of March 21, 1942, which makes it a misdemeanor knowingly to disregard restrictions made applicable by a military commander to persons in a military area prescribed by him as such, or as authorized by an Executive order of the President. The appellant, Hirabayashi, raised the question that he should not be required, simply because he was of Japanese ancestry and resided in a certain military area, to be within his place of residence between the hours of 8 p. m. and 6 a. m. He raised the question that this Executive order and law was unconstitutional and was a discrimination between citizens of Japanese ancestry and those of other ancestry.

The court, in confirming the conviction of this man, upheld the law and Executive order under the war power of the Constitution as set out in article I, section 8, thereof, and from the opinion I quote the following:

> The war power of the National Government is the power to wage war successfully. It extends to every matter and activity so related to war as substantially to affect its conduct and progress, and is not restricted to the winning of victories in the field and the repulse of enemy forces, but embraces every phase of the national defense, including the protection of war material and members of armed forces from injury and from the dangers of sabotage and espionage which attend the rise, prosecution, and progress of war.

It must be remembered that the war powers in the Constitution of the United States are like all other matters contained in that document, that is, they are powers that were given to the Federal

Government by the various States of the Union. It would be a futile thing, of course, for a State to undertake to declare war. That authority, that right, that duty, that power, is imposed upon the Central Federal Government by the Constitution of the United States, and, in acting under such power, the Federal Government, of course, acts for all of the States at the same time.

In waging this war the servicemen who are fighting on the far-flung fronts of the world must depend upon the Congress of the United States to pass the necessary legislation to raise the taxes which support it, and to do all the other things which are necessary from the legislative standpoint to see the war through to a successful conclusion. Only the Congress of the United States can do these things. The States cannot do them, and it is a perfectly natural thing that the serviceman should be interested in those who serve in the national Halls of Congress, and want to do his part to see to it that men serving here are of the type and character fully and completely to back him up while he is waging the war and is absent from home. He is also interested, as I have already said, in selecting his commander in chief because he certainly wants someone in that capacity who is in sympathy with the things he has been sent out to do, one who is capable of helping to plan the war, and who has the courage and fortitude to see that it is carried on to a successful conclusion, and that while it continues the armed forces may have everything that is necessary with which to wage it.

The selection of the Members of Congress and the Commander in Chief of the armies is a proper part of the prosecution of this war, and it is a function the servicemen have a right to perform, as a matter of both law and logic.

Of course, I am talking about a law that will continue only for the duration of the war. This is something we would not undertake in peacetime. It is justified only as a war emergency. There can be no more important contribution to the winning of the war than the maintenance of the high morale of the American service men and women.

I repeat this about the morale of the service men and women because I think that is the primary test which we apply to the validity of this soldiers' vote bill. I think the Government of the United States, through its constituted authority; that is, the Congress, owes a duty to the service men and women to pass this bill. I think this duty is a high moral duty, and I think that if we neglect the duty, and do not make it possible for them to have the right to vote in the coming elections of this year, we will have committed a definite sin of omission.

In the morning papers there appears an article quoting the Secretary of War, the Honorable Henry L. Stimson, who says that it is necessary for the Congress to pass legislation to draft labor. He refers to the same Congress which is now considering the soldier vote bill. The Secretary says he believes a national-service law would produce these results:

First, by clarifying the patriotic duty of the individual worker and at the same time imposing appropriate legal sanctions to encourage the performance of such duty, it will minimize the calling of strikes. At the same time it will reduce absenteeism and the shocking excess of turn-over of labor in many of our great war industries. These are evils which an antistrike law alone would not touch.

Second, it will remedy the grave sense of injustice which the armed forces now feel has been practiced against them.

Third, it will increase effectiveness in production, not only in keeping men in necessary jobs but also in finding men for particular jobs where they are especially needed, rather than leaving the choice to chance. In the week ending last night, there were no less than 22 strikes in progress in the United States in war plants producing such vitally needed material as airplane and tank parts, machine tools and jeeps, aviation gasoline, cable and wire, of which we are critically short, head nets and mosquito bars, which protect our soldiers in the southwest Pacific against malaria. During that week, because of these strikes, approximately 135,000 man-days of war production were lost, being the equivalent of nine divisions gone A. W. O. L. for one day.

I am calling attention to the statement of the Secretary of War for several reasons. First, he emphasizes the need for the law and says that the strikes which have been taking place in this country are endangering Army morale and threatening to prolong the war. He states that the Army feels a grave sense of injustice at these practices. It is quite possible that this outraged feeling on the part of the men in the armed forces to which the Secretary of War refers can be relieved by preserving to the servicemen the right to cast their ballots for those who would participate in the passage of laws which the Secretary advocates.

I think we have delayed this matter long enough. I believe the time has come for quick action. This is another test for democracy in action and may be pointed to as an illustration of such by both its friends and its enemies; its friends, who claim that it can and will function; its enemies, who say that it will falter and fail. We have the power to provide the means by which the serviceman can vote. It lies latent in the Constitution, and I think it is time to release that power and put it to a practical and prompt use.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. MAYBANK. The substance of the last few remarks the Senator made, as I understood them, was that certain of those who would strike and certain of those who would create turmoil in this country, were against the bill. In other words, if they knew the soldiers had the right to elect certain public officials, the morale of the Army itself would be stronger. Am I wrong in that?

Mr. STEWART. I was quoting a statement issued by the Secretary of War this morning, wherein he said that at this time 22 strikes were in existence throughout the country, and that within the past week the loss as a result of strikes had been the equivalent of 135,000 man-days. The Secretary says that affects the morale of the Army. My statement was that if we passed the pending bill, and gave the members of the armed forces, the soldiers, sailors, marines, members of the Air Corps, and others, both men and women, the right to vote, it might appease their feelings, and make them realize that we at least are giving them an opportunity to register disapproval of the kind of act the Secretary condemns.

Mr. MAYBANK. At least those who are giving their all might register their disapproval against those on the home front today who are not back of the soldiers. I do not know that it would appease them but it would certainly give them the right to express their opinions. The Senator and I voted for all the antistrike laws which have been proposed. I am glad the Senator brought this point out, and I am glad he called attention to the statement of the Secretary of War.

Mr. STEWART. I thank the Senator.

EXHIBIT A

VALIDITY OF BALLOTS

SEC. 14. (a) The Commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States. Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

(b) No official Federal war ballot shall be valid if—

1. the voter has also voted in person or by absentee ballot in accordance with the procedure provided by State law; or

2. the date of the oath of elector is later than the date of the holding of the election; or

3. such ballot is received by the appropriate election official of the district, precinct, county, or other voting unit of the State of the voter's residence later than the date of the holding of the election, except that any extension of time for the receipt of absentee ballots permitted by State laws shall apply to ballots cast under this title.

(c) All ballot envelopes received by a secretary of state at a date or time too late for proper delivery, and all ballot envelopes not delivered to polling places or to the proper officials shall not be opened but shall be endorsed with the date of reception and shall be retained by the secretary until the time has expired for contesting the election, when they shall be destroyed without examination.

COMMITTEE TO ATTEND THE FUNERAL OF THE LATE SENATOR VAN NUYS

The PRESIDING OFFICER (Mr. WALLGREN in the chair). The Chair has been requested by the Vice President to announce the membership of the committee on the part of the Senate, to take order for superintending the funeral of the late Senator Frederick Van Nuys, of Indiana, as follows:

The Senator from Indiana [Mr. WILLIS], the Senator from Montana [Mr. WHEELER], the Senator from Nevada [Mr. MCCARRAN], the Senator from Oregon [Mr. HOLMAN], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Colorado [Mr. JOHNSON], the Senator from Michigan [Mr. FERGUSON], the Senator from Arizona [Mr. MCFARLAND], the Senator from Utah [Mr. MURDOCK],

and the Senator from Nebraska [Mr. WHERRY].

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE—WITHDRAWAL OF A NOMINATION

The PRESIDING OFFICER (Mr. MILLIKIN in the chair) laid before the Senate a message from the President of the United States withdrawing the nomination of John W. Lunday, Jr., to be postmaster at Biloxi, Miss., which was ordered to lie on the table.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. REYNOLDS, from the Committee on Military Affairs:

Sundry officers for appointment, or appointment by transfer, in the Regular Army; and

Sundry officers for temporary appointment in the Army of the United States, under the provisions of law.

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

Capt. Campbell D. Edgar, United States Navy, to be a commodore in the Navy, for temporary service, while serving as commander transports of an amphibious force, to rank from the 17th day of September 1943.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

DEPARTMENT OF THE INTERIOR

The legislative clerk read the nomination of Abe Fortas to be Under Secretary of the Interior.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the postmaster nominations are confirmed en bloc.

That completes the Calendar.

Mr. BARKLEY. I ask unanimous consent that the President be immediately notified of all confirmations of today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 56 minutes p. m.) the Senate took a recess until tomorrow, Thursday, January 27, 1944, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 26 (legislative day of January 24), 1944:

DEPARTMENT OF THE INTERIOR

Abe Fortas, of Tennessee, to be Under Secretary of the Interior.

POSTMASTERS

ARKANSAS

Mrs. Archie Beard, Barling.
William M. Dickens, Bigelow.
Robert H. Bridger, Brookland.
John M. Simmons, Harrisburg.
Kathryn Arnold, Midland.
Edna M. Brown, Peach Orchard.
Edith L. Armstrong, Pea Ridge.
Lady E. Weatherton, Pottsville.

CONNECTICUT

Bruce B. Randall, Bridgewater.
Robert J. Boyd, South Kent.
Ralph A. Booth, Stafford.

ILLINOIS

Chris R. Leins, Danville.
Charles L. Altman, Edgewood.
Clayton B. Faber, Genoa.
David H. McClugage, Peoria.

MICHIGAN

David E. Visnaw, St. Clair Shores.
George Q. Brace, Sparta.
Edwin T. Nyquist, Vestaburg.

MONTANA

William E. Conn, Forsyth.
Knute E. Johnson, Ronan.

NEBRASKA

Grade H. Smith, Bennet.
James M. Timmons, Eustis.
Bertha P. Palmer, Fairfield.

NEW MEXICO

Denzel L. Lee, Dexter.

NEW YORK

Clyde M. Johengen, Collins.
Charles J. Jones, Garnerville.
Mary T. Mushier, Rocky Point.
Anne N. Cisler, Stillwater.

NORTH CAROLINA

Robert M. Kiser, Bessemer City.

OREGON

Henry R. Crawford, Salem.

TENNESSEE

Edgar M. Quisenberry, Atoka.
Joseph L. Arrington, Cordova.
Percye E. Beard, Kingston Springs.
Edgar D. Robinson, Lancaster.
Bertha M. Cooper, Powell Station.

TEXAS

Aileen M. Greer, Chireno.
Lenore H. Boothe, Gonzales.
Allen A. Collet, Handley.
Tempest Adams, Skellytown.
Myrtle B. Clark, Vidor.

VERMONT

Annie J. Graiff, Readsboro.

VIRGINIA

Hugh E. Love, Boissevain.
Annie G. Davey, Evington.
Emily B. Chinn, Hague.
Charles M. Saunders, Milford.
Indiana B. Poindexter, Morrison.
W. Roger Burgess, Mount Crawford.
Dewey B. Bennett, Ringgold.
Anna R. Brown, Woodlawn.

WEST VIRGINIA

Eleanor M. Lantz, Blacksville.
Charles Pelfrey, Fort Gay.
Eddith Fox, Gilbert.
George L. Carlisle, Hillsboro.

WISCONSIN

Cora J. Sorenson, Mount Horeb.

WITHDRAWAL

Executive nomination withdrawn from the Senate January 26 (legislative day of January 24), 1944:

POSTMASTER

MISSISSIPPI

John W. Lunday, Jr., to be postmaster at Biloxi in the State of Mississippi.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JANUARY 26, 1944

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Father of infinite love, we pray for the mind and heart that cheerfully accepts the eternal truth that Thy presence is in this world; O save it from the goading fears which hover about it. When we think of war, its unspeakable sorrows mock us; when at the bedside of its innocent victims, it taunts us; and when we put away in helpless mercy its slain, it stares at us. O give us more power and grace to contend valiantly against such an appalling evil born of the selfish pride and conquest of wicked men.

We pray for our children with their trustful hearts and open gaze; O God, enable us to maintain those institutions that shall bestow upon them the blessings of free and democratic government. Mercifully remember all who are toiling through the watchful, unrewarding years and keep our land free from the subtleties, the inertia, and from the ambitions of unpatriotic men. Let us be deeply conscious not only of our own needs but of the needs of others, as joy and growth are the fruits of serving and giving. We pray for the stability of character and for the repose of mind that teach us how to do Thy will on earth as it is done in heaven. O God, we are facing an anguished world with engaging and momentous problems at home.

We beseech Thy guidance and direction to be with our President, our Speaker, the leaders, and the Members, that all things may be done according to the precepts of wisdom and understanding. In the name of Christ, our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

PERMISSION TO ADDRESS THE HOUSE

Mr. BURDICK. Mr. Speaker, I ask unanimous consent that on tomorrow after disposition of all business on the Speaker's desk and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota [Mr. BURDICK]?

There was no objection.

INDEPENDENT OFFICES APPROPRIATION BILL—1945

Mr. WOODRUM of Virginia, from the Committee on Appropriations, reported the bill (H. R. 4070) making appropriations for the Exectuive Office and sundry independent executive bureaus, boards, commissions and offices, for the fiscal year ending June 30, 1945, and for other purposes (Rept. No. 1023), which was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. CASE reserved all points of order.

PERMISSION TO ADDRESS THE HOUSE

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD and to include therein two clippings.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BULWINKLE]?

There was no objection.

[Mr. BULWINKLE addressed the House. His remarks appear in the Appendix.]

BROTHERHOOD WEEK

Mr. KLEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KLEIN. Mr. Speaker, the week of February 20–26, 1944, has been dedicated to Brotherhood Week. I have been asked by the National Conference of Christians and Jews, Inc., to reproduce in the CONGRESSIONAL RECORD the message of President Roosevelt on the opening of Brotherhood Week.

With regard to the National Conference of Christians and Jews, Inc., I may say that it was founded in 1928 for justice, amity, understanding, and cooperation among Protestants, Catholics, and Jews. It seems to me that if more people would realize the real meaning of the word "brotherhood," perhaps after victory is achieved we may really know what it means to have the "four freedoms."

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, the gentleman from North Carolina, our gallant major, may have been right in criticizing the chairman of the Republican committee, but there is a reason for that statement by the chairman. It may be that the chairman had in mind Mr. Willkie, and if he did he surely was mistaken, because I do not believe we could win with him. "Just anybody." Maybe he was thinking of Harry Hopkins or Ickes, or somebody like that. We do not know what was in his mind. I am thoroughly convinced that if Republicans are to have a chance we shall have to do some work on our side, and I for one propose to do it and not go along and follow this administration all the time, as some folks do. We know that no one can win against President Roosevelt if he gets through that soldier vote bill for which he is lobbying that you are weeping and crying over, to give the soldiers a chance to vote. If you can manipulate that thing so you can cast the votes of several million men who are in the armed services, of course we cannot win. But give us an honest election anywhere and we will do the same thing the voters did up in Pennsylvania, 83 percent in one district; 54 percent in a Democratic district in the same State. Why cry about the soldiers' right to vote and then refuse as the administration has up to this time to bring the legislation to the floor of the House.

THE SOLDIER-VOTE BILL

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include therein a letter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

[Mr. ARENDS addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter I have received from D. D. Dowds, county agricultural agent, Urbana, Ohio.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BISHOP. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by Gov. Dwight H. Green, of Illinois, on Monday, January 10, in Chicago, at a meeting of the Republican National Committee.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SUNDSTROM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement of objectives of the Essex County Council of Churches.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by Dr. Edward Hughes Pruden, of Washington, and further to extend my remarks and include therein a brief article from the Trades and Labor News.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

THE SOLDIER-VOTE BILL

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, the Green-Lucas bill and the Worley bill provide an expeditious and certain method to enable all service men and women to cast a ballot in the next general election, which will be reasonably certain of being counted. In each bill two alternatives are offered. Service men and women can exercise their right to vote for candidates for national office. Facilities will be provided whereby the transmission of these ballots will be expedited, subject only to the exigencies of military operations. The other alternative enables service men and women to cast a ballot for candidates, for National, State, county, and local offices. In the event both alternatives are exercised, provision has been made whereby the State ballot will be given precedence. The Army and Navy Departments, who are successfully directing the operation of the war, have indicated that it is impossible to assign sufficient personnel and physical facilities to provide the means whereby the members of the armed forces may exercise their right to vote under peacetime conditions.

Members of Congress owe a duty to those who are fighting to preserve our way of life, to enact legislation that will enable them to cast ballots under either or both alternatives, so that every reasonable assurance will be given to them that their voice in government is recognized.

I believe that every serviceman and servicewoman should be able to cast a ballot which would be actually counted. The Green-Lucas bill and the Worley bill so provide. I will cast my vote for either bill.

EXTENSION OF REMARKS

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article on national old-age pensions by William H. McMasters.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. COFFEE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

[Mr. COFFEE addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution of the Free Farmers of Minnesota.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial commenting on a speech delivered by our Congressional candidate for President.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two separate occasions.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

VOTING BY MEMBERS OF THE ARMED FORCES

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, it seems that no one knows where Chairman Spangler got his information as to how the soldiers were going to vote. If my memory serves me right, I heard one of the five Senators who were on that world tour of the battle fronts say that when they left Washington Senator MEAD of New York was very enthusiastic that the soldiers must all vote, but when they came home he had cooled off. Maybe Mr. Spangler got his information from Senator MEAD, and if he did, maybe it is quite authentic.

THE SOLDIER-VOTE BILL

Mr. ANDERSON of New Mexico. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. ANDERSON of New Mexico. Mr. Speaker, I am sorry that it was not possible yesterday to get an opportunity to ask every Member of the House whether or not he wished his name signed to a pledge to permit the soldiers to vote under a uniform Federal ballot. I have been asked this morning by the distinguished chairman of the Committee on Appropriations [Mr. CANNON] to add his name to the list, and requested to do that also by the gentleman from Missouri [Mr. COCHRAN]. By mistake, the name of the gentleman from Rhode Island [Mr. FORAND] was left off yesterday's list, but he signed the pledge, as have the gentleman from Oklahoma [Mr. BOREN], the gentleman from Pennsylvania [Mr. WEISS], the gentleman from California [Mr. ELLIOTT], the gentlemen from New York [Mr. BLOOM, Mr. CULLEN, and Mr. CAPOZZOLI], the gentlemen from North Carolina [Mr. BURGIN, Mr. WEAVER, and Mr. DURHAM], and the gentleman from Utah [Mr. GRANGER]. If others wish their names on the list, and they will advise me, I shall be glad to revise the list at a later date and welcome them to this group.

MUSTERING-OUT PAY

Mr. BOREN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

[Mr. BOREN addressed the House. His remarks appear in the Appendix.]

SALE OF DEFENSE-HOUSING DEVELOPMENT

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, in this morning's Times-Herald, and also in the Washington Post, there is an article stating that the United States is selling all defense-housing developments in and around Washington. In my opinion it would also be a very appropriate time right now to sell them throughout the United States, providing that those who are renting them continue to rent them at the present rate until the war is over. There are ample funds in the hands of insurance companies, of mortgage companies, and private investment companies and individuals to take care of a situation of this kind. Now is the time to allow people to buy homes for themselves if they wish, and now is the time for the Government to get such funds as it has invested in housing projects.

By allowing individuals, investment companies, life insurance companies, and mortgage companies to so invest funds we will thereby further curb inflation.

EXTENSION OF REMARKS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

THE SOLDIERS' VOTE—IOWA LEGISLATURE IN SPECIAL SESSION

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, it pleases me to announce to the membership that the Legislature of the State of Iowa is convening today in special session, called by the Governor, for the purpose of amending State election laws so that our soldiers from the State of Iowa will be enabled to vote, regardless of where they are, in elections for National, State, and county officers, including both the primary and the general election.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. CUNNINGHAM. Yes.

Mr. RANKIN. In reply to what was said by the gentleman from Michigan [Mr. HOFFMAN] under this bill (S. 1285) passed by the Senate and amended by the House Committee on Election of President, Vice President, and Representatives in Congress, every man and woman in the service can vote and their votes will be counted by their local election holders at home. This idea that people can get any advantage under that bill is all bunk.

It is the only way I see to afford these men and women in our armed forces to vote in a legal, constitutional election.

MUSTERING-OUT PAY

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. GEARHART. Mr. Speaker, when a person enters the service, either by induction or through enlistment, he has very little, if anything, to say in respect to where he shall serve or what the nature of his service shall be. Those decisions are made for him by high military or naval authorities. It is positively unfair to draw any distinctions to the disadvantage of millions of our boys which are based alone upon place or character of service in formulating a discharge-pay policy. Therefore I feel constrained to announce that I shall oppose the conference report on the mustering-out pay bill, when it is offered for consideration later in the day.

Mr. GILCHRIST. Mr. Speaker, will the gentleman yield?

Mr. GEARHART. Yes.

Mr. GILCHRIST. Is it within the compass of the conference committee to amend that bill to $200 for those who served within the United States? Was that a proposition submitted to the conference? As I understand it, it was not, and that neither the House bill nor the Senate bill presented that idea.

Mr. GEARHART. I do not know how this utterly unwise formula reached the conference or what considerations persuaded the conferees to accept it. Its legitimacy might well be questioned. But it is the result—unequal, unfair, unjust, outrageous, as it undoubtedly is—that I am opposed to.

THE SOLDIERS' VOTE

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. WRIGHT. Mr. Speaker, the gentleman from Michigan [Mr. HOFFMAN] stated a few moments ago that if the Worley bill be enacted into law, there will not be any chance of defeating Mr. Roosevelt for the Presidency. I am inclined to agree with him, because the Worley bill is the only bill under which a considerable number of soldiers will

get to vote. I feel certain that the soldiers are for Mr. Roosevelt. They admire his leadership, and they want him in there until the war is over.

The gentleman from Michigan said one thing which I did not particularly care for and I hope that he did not mean it the way it sounded. He left the inference with the House that the Secretary of War and the Secretary of the Navy, and the high ranking officers of our Army and Navy, are engaged in a gigantic conspiracy to defraud the voters of this country, and to reelect Mr. Roosevelt by dishonest means. I am sure that even partisanship and misguided enthusiasm would not lead the gentleman to make such an outrageous charge. I shall endeavor to be charitable and place that construction upon his remarks which I have suggested.

EXTENSION OF REMARKS

Mr. SULLIVAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a newspaper release.

The SPEAKER. Is there objection?

There was no objection.

GENERAL MACARTHUR

Mr. HAYS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. HAYS. Mr. Speaker, 64 years ago today a baby boy was born in the city of Little Rock, Ark. The mother was an attractive young woman and the father was a popular Army officer, Capt. Arthur MacArthur. They named the boy Douglas.

The people of his birthplace, my home city, have preserved the building in which he was born and have named the park in which it stands, MacArthur Park.

He graduated in 1903 at West Point, the No. 1 honor man of his class. After distinguished service in World War No. 1, in which he was twice wounded and cited for extraordinary heroism he became the head of the Military Academy in 1919, the youngest officer ever to have that honor, and in 1930 was appointed Chief of Staff, the only Chief of Staff in history whose father had held the same post. The people are aware of his heroic service at Corregidor, of his dramatic movements since the fateful day of its surrender, and of the tremendous responsibilities that rest upon him in this crucial hour. With full confidence in his devotion to these duties and in his brilliant military leadership, we entertain no doubt about the destiny of our forces under his direction. His old schoolmate, Colonel Cocheu, spoke for us when he said in a recent speech at the University of Tennessee, "When ordered to leave Corregidor, it is reported that he said he would come back. In nearly 45 years of intimate acquaintance I have always found that when he said he was going to do a thing, he has done it, and nothing has caused him to swerve from such determination."

It would hardly be appropriate, considering his grave tasks, to say to General MacArthur "happy birthday," but we do salute him this morning, and with high esteem bid him and his gallant men Godspeed.

EXTENSION OF REMARKS

Mr. WEISS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a newspaper article.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANGELL. Mr. Speaker, yesterday I was granted unanimous consent to extend my remarks and include certain matter. I have been informed by the Public Printer that it exceeds the usual amount, and that it will cost $270. I ask unanimous consent that it may be printed nevertheless.

The SPEAKER. Is there objection?

There was no objection.

Mr. TOWE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a newspaper article.

The SPEAKER. Is there objection?

There was no objection.

MUSTERING-OUT PAY BILL

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. GAVIN. Mr. Speaker, yesterday we voted $1,350,000,000 for U. N. R. R. A.

Today we shall be asked to raid our soldiers to pay for it.

We will be asked to reach down into the pockets of our fighting men, and grab $1,000,000,000 for this global relief deal.

The conference report on mustering-out pay is to be debated today.

It cuts a billion dollars out of the woefully small mustering-out pay bill passed by this House.

It does that by putting a ceiling of $200 on the mustering-out pay of two-thirds of our armed forces. This House voted $300 for all of them over 60 days. But the conferees slashed that by $100 for every man who, through no fault of his, does not see overseas service.

That is a billion dollar cut.

I do not believe this House will vote to rob our fighting men to pay for any world-wide project to take care of all comers of the earth. It is true some relief must be given but not at expense of the American soldier who needs our help as much as the other people of the world.

This report must be sent back to conference.

U. N. R. R. A. AND THE MUSTERING-OUT BILL

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the gentleman from California [Mr. GEARHART] and the gentleman from Pennsylvania [Mr. GAVIN] are absolutely right in saying that a man serves where he is ordered to serve. In the Navy a man is penalized if he is forced to stay in this country so far as the service part is concerned. Both Army and Navy receive greater pay abroad. In the Navy, officers and men are more apt to be promoted when they have sea duty. Many ask for sea duty who are not assigned to it even if they ask for it. Two blows were struck at the veterans yesterday. One was in refusing to cut the $1,350,000,000 appropriation to $700,000,000 for U. N. R. R. A., the larger sum being unnecessary at this time, and the second was when our veterans who are going to pay the bill for U. N. R. R. A. in the last analysis, and their children and their children's children, were cut under the conferees report on the mustering-out pay bill. This is an unjust double strike against the veterans. I hope the conference report will be voted down. The May bill which passed the House is a much more equitable bill and I believe we can insist upon its passage. This conference report discriminates against the men and women who have to serve in this country through no fault of their own. It discriminates against certain officers. If the conference report is voted down, then the House can instruct the conferees to further insist on the provisions of the mustering-out pay bill which the House passed some time ago. I believe the Senate conferees will accept that.

The SPEAKER. The time of the gentlewoman from Massachusetts has expired.

DON'T SELL THE SOLDIERS SHORT

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. VURSELL addressed the House. His remarks appear in the Appendix.]

ANNIVERSARY OF BIRTHDAY OF WILLIAM MCKINLEY

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. JENKINS. Mr. Speaker, the congressional delegation from Ohio every year for the last 15 or 20 years has observed McKinley's birthday on the floor of the House by some Member making an address or in some other appropriate manner. McKinley's birthday is January 29. Since this date comes on Saturday this year we have decided to observe it tomorrow. The Speaker has kindly consented to recognize the gentleman from Ohio, Congressman JEFFREY, to make an address tomorrow the first thing after the 1-minute speeches have been concluded. The gentleman from Ohio [Mr. JEFFREY] is a splendid speaker and has been a profound student of the life of Mr. McKinley.

Anyone especially interested in the life and activities of Mr. McKinley will at that time have an opportunity to revise and extend his remarks in the RECORD.

McKinley's favorite flower was the red carnation. In Ohio many people wear this flower on his birthday. We usually distribute red carnations in the House on these observations and we will have a supply in the cloakroom for anyone who might wish to wear one.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House on Monday next at the close of other business for 20 minutes.

The SPEAKER. Is there objection?

There was no objection.

MUSTERING-OUT PAY

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I do not think any blow was struck against the veterans when we provided for taking care of need and distress throughout the world after this war has been won. Indeed, I think it is part of their job of establishing a firm peace. On the other hand, I do not believe in any cut below the $300 figure the House provided for mustering-out pay, and I shall so vote on the matter today. I want to say further, in my judgment if we are to do justice by those men now in the armed forces, it is incumbent upon us to provide the simplest and most direct method of getting ballots to them that we can conceive. I earnestly hope that that is what is going to be the outcome of this legislation with regard to the soldiers' vote.

The SPEAKER. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. SASSCER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein a speech by the Honorable John Reilly.

The SPEAKER. Is there objection?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein a speech made on December 10, by the distinguished gentlemen from Arkansas [Mr. FULBRIGHT].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

TAXING MARSHALL FIELD'S ESTATE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include therein a letter addressed to the Attorney General.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. RANKIN addressed the House. His remarks appear in the Appendix.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—ABSENTEE SOLDIERS' VOTE (H. DOC. NO. 386)

The SPEAKER laid before the House the following message from the President of the United States, which was read by the clerk and, together with the accompanying papers, referred to the Committee on Election of President, Vice President, and Representatives in Congress, and ordered to be printed:

To the Congress of the United States:

The American people are very much concerned over the fact that the vast majority of the 11,000,000 members of the armed forces of the United Sates are going to be deprived of their right to vote in the important national election this fall, unless the Congress promptly enacts adequate legislation. The men and women who are in the armed forces are rightfully indignant about it. They have left their homes and jobs and schools to meet and defeat the enemies who would destroy all our democratic institutions including our right to vote. Our men cannot understand why the fact that they are fighting should disqualify them from voting.

It has been clear for some time that practical difficulties and the element of time make it virtually impossible for soldiers and sailors and marines spread all over the world to comply with the different voting laws of 48 States and that unless something is done about it, they will be denied the right to vote. For example, the statutes of 4 of the States permit no absentee voting at all in general elections. Eleven other States require registration in person in order to be able to vote. Others permit absentee registration; but in some instances the procedure is so complicated and the time is so limited, that soldiers and sailors in distant parts of the world cannot practically comply with the State requirements.

But even if the registration requirements were met, there are still innumerable difficulties involved. For example, Pvt. John Smith in Australia and his brother Joe, who is on a destroyer off the coast of Italy, who think they are entitled to vote as well as to fight, find that they have to write in and ask the appropriate public official in their own State for absentee ballots. In every State those ballots cannot even be printed until after the primary elections—and in 14 States, the primaries do not take place until September. In due time the ballots are printed—but they cannot always be sent out immediately, since in about half the States the absentee ballots cannot be mailed until 30 days or less before the election. Weeks after they are mailed out, they reach John Smith in Australia and Joe aboard his destroyer. Even assuming that John and Joe, in the meantime have not been transferred to another station or ship, or have not been wounded and sent to hospital, it is doubtful whether the ballots will get back in time to be counted. If they have been moved, as is very likely, the ballots may not even reach them before election day.

In 14 States the procedure is even more time-consuming and cumbersome—for instead of writing for an official ballot, John and Joe must first obtain special application forms for official ballots, which must be received and filled out and returned, before the ballots themselves are even mailed to them.

The Congress in September 1942 took cognizance of this intolerable situation facing millions of our citizens and passed a Federal absentee-balloting statute (Public Law 712). That law did three things: It provided for a Federal ballot to be prepared by the States; it abrogated State requirements for registration and poll-tax payments, insofar as they apply to members of the armed forces, and it required the War and Navy Departments to distribute postal cards to members of the armed forces with which they might request Federal absentee ballots from their State election officials.

The Federal law was a slight improvement, in that it provided absentee-voting procedures in those cases where there had been no action by the States. It also eliminated some of the strict procedural requirements contained in many of the State laws. The great defect in that statute, however, was that it still involved a time lag, so that the voter might not receive his ballot in time to return it to be counted. This defect is inherent and cannot be avoided in any statute under which the forwarding of ballots for distribution must wait until the candidates have been selected in the primaries, or which requires correspondence between the local election officials and soldiers and sailors who may be transferred or moved at any minute. If any proof were necessary to show how ineffective this Federal statute was—the fact is that out of 5,700,000 men in our armed forces at the time of the general elections of 1942, only 28,000 servicemen's votes were counted under the Federal statute.

The need for new legislation is evident if we are really sincere—and not merely rendering lip service to our soldiers and sailors.

By the 1944 elections there will be more than 5,000,000 Americans outside the limits of the United States in our armed forces and merchant marine. They and the millions more who will be stationed within the United States waiting the day to join their comrades on the battlefronts, will all be subject to frequent, rapid, and unpredictable transfer to other points outside and inside the United States. This is particularly true in the case of the Navy and merchant marine, components of which are at sea for weeks at a time and are constantly changing their ports of entry and debarkation.

Some people—I am sure with their tongues in their cheeks—say that the solution to this problem is simply that the respective States improve their own absentee-ballot machinery. In fact, there is now pending before the House of Representatives a meaningless bill, passed by the Senate December 3, 1943, which presumes to meet this complicated and difficult situation by some futile language which—

recommends to the several States the immediate enactment of appropriate legislation to enable each person absent from his place of residence and serving in the armed services of the United States * * * who is eligible to vote in any election district or precinct, to vote by absentee ballot in any general election held in his election district or precinct in time of war.

This recommendation is itself proof of the unworkability of existing State laws.

I consider such proposed legislation a fraud on the soldiers and sailors and marines now training and fighting for us and for our sacred rights. It is a fraud upon the American people. It would not enable any soldier to vote with any greater facility than was provided by Public Law 712, under which only a negligible number of soldiers' votes were cast.

This recommendation contained in this piece of legislation may be heeded by a few States but will not, in fact, cannot, be carried out by all the States. Two States would require a constitutional amendment in order to adopt a practical method of absentee voting, which is obviously impossible to do before the November elections. Only a handful of the States, nine, will have legislatures regularly in session this year; and to date only eight other States have called special sessions of their legislatures for this purpose.

Besides, the Secretary of War, who will have the bulk of the administrative responsibility for distributing and collecting the ballots, has stated:

> No procedure for offering the vote to servicemen can be effectively administered by the War and Navy Departments in time of war unless it is uniform and as simple as possible. Especially is this true with regard to the voting of persons outside the United States. * * * An army engaged in waging war cannot accommodate that primary function to multiple differences in the requirements of the 48 States as to voting procedure.

I am convinced that even if all the States tried to carry out the recommendations contained in this bill, the most that could be accomplished practically would be to authorize the Army and Navy to distribute and collect ballots prepared by the States in response to post-card requests from servicemen—the very procedure set forth in Public Law 712, which has been such a failure.

What is needed is a complete change of machinery for absentee balloting, which will give the members of our armed forces and merchant marine all over the world an opportunity to cast their ballots without time-consuming correspondence and without waiting for each separate State to hold its primary, print its ballots, and send them out for voting.

The recent bills proposed by Senators GREEN and LUCAS and by Congressman WORLEY, S. 1612, H. R. 3982, seem to me to do this job. They set up proper and efficient machinery for absentee balloting. These bills propose that blank ballots on special paper suitable for air delivery be sent by the War and Navy Departments to all the fronts and camps and stations out in the field, well in advance of election day. Immediately after primary elections are held, the names of the various candidates would be radioed or wired to the various military, naval, and merchant-marine units throughout the world—on the high seas, on every front, and at every training station. The lists of candidates would then be made available to the voters, and the ballots would be distributed for marking in secrecy. But even if the candidates' names had not been made available in an area in time to allow the ballots to be sent back to the United States, the voters could cast their votes by designating merely the name of the party of the candidates they desired to vote for. The voting date would be fixed in each area in sufficient time to get the ballots back home before election day, even if the actual names of the candidates had not been received in that particular area. The ballots would be collected and transmitted back to the United States by the quickest method of delivery, for forwarding to the appropriate State election officials.

Each State, under these bills, would determine for itself whether or not the voter is qualified to vote under the laws of his State. Each State would count the ballots in the same way in which it counts the other ballots that are cast in the State. The sole exceptions would be those conditions of registration and payment of poll tax which could not be satisfied because of the absence of a voter from his State of residence by reason of the war. Those conditions were abrogated by the Congress when it passed the existing Federal absentee-balloting law (Public Law 712).

There is nothing in such a proposed statute which violates the rights of the States. The Federal Government merely provides quick machinery for getting the ballots to the troops and back again. Certainly it does not violate States' rights any more than Public Law 712, which was passed by a substantial majority of the Congress in September 1942, and which specifically provided that no member of the armed forces had to register or pay a poll tax in order to vote in a Federal election. It is no more violative of States' rights than the Soldiers' and Sailors' Civil Relief Act, which the Congress passed in October 1940—more than a year before the war began.

It is true that these bills do not provide a simplified method of voting for State and local officials. The Congress has not the same authority to provide a simplified voting procedure for the thousands of State and local candidates that it has for Federal candidates. Nor would it be practicable to do so. The inclusion of all the State and local candidates would increase the size and weight of the ballot so as to make air delivery a physical impossibility. Furthermore, the transmission and distribution of names of the many thousands of State and local candidates throughout the United States to each voter in every military and naval unit and merchant ship raise insuperable difficulties.

Since these bills provide that if any voter wishes, he may use the procedure of his own State for absentee balloting, he is given, to the extent that there is any possibility of doing so, an opportunity to vote for State and local candidates. In fact, since they provide for a post-card system to implement the State laws, each voter is given at least as great an opportunity to vote for State and local candidates as he would have under any legislation.

The inclusion of other groups of voters who are engaged abroad in war work of various kinds would be desirable. But as to members of our armed forces and merchant marine, I deem the legislation imperative.

Our millions of fighting men do not have any lobby or pressure group on Capitol Hill to see that justice is done for them. They are not ordinarily permitted to write their Congressman on pending legislation; nor do they put ads in the papers or stimulate editorial writers or columnists to make special appeals for them. It certainly would appear unnecessary that our soldiers and sailors and merchant marine have to make a special effort to retain their right to vote.

As their Commander in Chief, I am sure that I can express their wishes in this matter and their resentment against the discrimination which is being practised against them.

The American people cannot believe that the Congress will permit those who are fighting for political freedom to be deprived of a voice in choosing the personnel of their own Federal Government.

I have been informed that it would be possible, under the rules of the Congress, for a soldiers' vote bill to be rejected or passed without any roll call, thus making it impossible for the voters of the country—military or civilian—to be able to determine just how their own Representative or Senator had voted on such a bill.

I have hesitated to say anything to the Congress on this matter for the simple reason that the making of these rules is solely within the discretion of the two Houses of the legislative branch of the Government. I realize that the Executive as such has nothing to do with the making or the enforcement of these rules. Nevertheless, there are times, I think, when the President can speak as an interested citizen.

I think that there would be widespread resentment on the part of the people of the Nation if they were unable to find out how their individual representatives had expressed themselves on this legislation—which goes to the root of the right of citizenship.

As I have said, this is solely a legislative matter but I think most Americans will agree with me that every member of the two Houses of Congress ought to be willing in justice "to stand up and be counted."

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 26, 1944.*

Mr. MARTIN of Massachusetts and Mr. MAY rose.

The SPEAKER. For what purpose does the gentleman from Massachusetts rise?

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. The Chair will not recognize any other Member at this time for that purpose but will recognize the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. Mr. Speaker, I appreciate the generosity of the Chair.

I take this minute, Mr. Speaker, because I want to make a unanimous consent request and I think it should be explained.

I agree with the President that there is immediate need for action on the soldiers' vote bill. A good many of us have been hoping we could have action for the last month. To show our sincerity in having action not next week but right now, I ask unanimous consent that the House immediately take up the bill which is on the Union Calendar known as S. 1285, the soldiers' voting bill.

The SPEAKER. The gentleman from Massachusetts was not recognized for that purpose.

The Chair recognizes the gentleman from Kentucky.

MUSTERING-OUT PAYMENT ACT OF 1944

Mr. MAY. Mr. Speaker, I call up the conference report on the bill (S. 1543) to provide for mustering-out payments to members of the armed forces, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1543) to provide for mustering-out payments to members of the armed forces, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That (a) except as provided in subsection (b) of this section, each member of the armed forces who shall have been engaged in active service in the present war, and who is discharged or relieved from active service under honorable conditions on or after December 7, 1941, shall be eligible to receive mustering-out payment.

"(b) No mustering-out payment shall be made to—

"(1) any member of the armed forces who, at the time of discharge or relief from active service, is receiving base pay at a higher rate than the base pay of the third period as prescribed in section 1 of the Pay Readjustment Act of 1942, as amended;

"(2) any member of the armed forces who, at the time of discharge or relief from active service, is transferred or returned to the retired list with retirement pay or to a status in which he receives retirement pay;

"(3) any member of the armed forces for any active service performed prior to the date of his discharge or relief from active service on his own initiative to accept employment or, in the case of any member so relieved from active service, for any active service performed prior to the date of his discharge while in such inactive status, unless he has served outside the continental limits of the United States or in Alaska;

"(4) any Air Corps Reserve officer who is entitled to receive a lump-sum payment under section 2, as amended (55 Stat. 240), of the Act of June 16, 1936;

"(5) any member of the armed forces whose total period of service has been as a student detailed for training under (A) the Army Specialized Training Program, (B) the Army Air Forces College Training Program, or (C) any similar program under the jurisdiction of the Navy, Marine Corps, or Coast Guard;

"(6) any member of the armed forces for any active service performed prior to the date of his discharge from such forces for the purpose of entering the United States Military Academy, the United States Naval Academy, or the United States Coast Guard Academy;

"(7) any member of the armed forces whose sole service has been as a cadet at the United States Military Academy or the United States Coast Guard Academy, or as a midshipman at the United States Naval Academy, or in a preparatory school after nomination as a principal, alternate, or candidate for admission to any of said Academies; and

"(8) any commissioned officer unless he is discharged or relieved from active service within 3 years after the termination of the present war as proclaimed by the President.

"SEC. 2. (a) Mustering-out payment for persons eligible under section 1 shall be in sums as follows:

"(1) $300 for persons who, having performed active service for 60 days or more, have served outside the continental limits of the United States or in Alaska.

"(2) $200 for persons who, having performed active service for 60 days or more, have served no part thereof outside the continental limits of the United States or in Alaska.

"(3) $100 for persons who have performed active service for less than 60 days.

"(b) Each person eligible to receive mustering-out payment under subsection (a) (1) shall receive one-third of the stipulated amount at the time of final discharge or ultimate relief from active service; and the remaining amount of such payment shall be paid in two equal installments—one month and two months, respectively, from the date of the original payment. Each person eligible to receive mustering-out payment under subsection (a) (2) shall receive one-half of the stipulated amount at the time of final discharge or ultimate relief from active service; and the remaining amount of such payment shall be paid one month fram the date of the original payment. Each person eligible to receive mustering-out payment under subsection (a) (3) shall receive the stipulated amount at the time of such discharge or relief from active service.

"SEC. 3. Any member of the armed forces entitled to mustering-out payment who shall have been discharged or relieved from active service under honorable conditions before the effective date of this Act shall, if application therefor is made within two years after the date of enactment of this Act, be paid such mustering-out payment by the War Department or the Navy Department, as the case may be, beginning within one month after application has been received and approved by such department: *Provided*, That no member of the armed forces shall receive mustering-out payment under this Act more than once, and such payment shall accrue and the amount thereof shall be computed as of the time of discharge for the purpose of effecting a permanent separation from the service or of ultimate relief from active service.

"SEC. 4. If any member of the armed forces, after his discharge or relief from active service, shall die before receiving any portion of or the full amount of his mustering-out payment, the balance of the amount due him shall be payable, on appropriate application therefor, to his surviving spouse, if any; and if he shall leave no surviving spouse, then in equal shares to his child or children, if any; and if he shall leave no surviving spouse or child or children, then in equal shares to his surviving parents, if any: *Provided*, That no payments under this Act shall be made to any other person.

"SEC. 5. (a) Mustering-out payments due or to become due under this Act shall not be assignable and any payments made to or on account of a veteran hereunder shall be exempt from taxation, shall be exempt from the claims of creditors, including any claim of the United States, and shall not be subject to attachment, levy, or seizure by or under any legal or equitable process whatever either before or after receipt by the payee.

"(b) The Secretary of War and the Secretary of the Navy shall make such regulations not inconsistent with this Act as may be necessary effectively to carry out the provisions thereof, and the decisions of the Secretary of War and the Secretary of the Navy shall be final and not subject to review by any court or other Government official.

"SEC. 6. As used in this Act—

"(a) The term 'member of the armed forces' means any member of the Army or Navy of the United States, the United States Marine Corps, the United States Coast Guard, or any of their respective components, and any member of the Women's Army Auxiliary Corps who was discharged under honorable conditions on account of disability.

"(b) The term 'spouse' means a lawful wife or husband.

"(c) The term 'child' includes (1) a legitimate child; (2) a child legally adopted; and (3) a stepchild, if, at the time of death of the member of the armed forces, such stepchild was a member of the deceased's household.

"(d) The term 'parent' includes father and mother, stepfather and stepmother, and father and mother through adoption.

"SEC. 7. Appropriations for the Army and Navy, and the several components thereof, respectively, shall be available for the payments provided by this Act and necessary administrative expenses. There are hereby authorized to be appropriated such additional sums as may be necessary to carry out the provisions of this Act. Amounts expended hereunder shall be included in the annual reports to the Congress by the departments concerned.

"SEC. 8. This Act may be cited as the 'Mustering-Out Payment Act of 1944'."

And the House agree to the same.

ANDREW J. MAY,
R. EWING THOMASON,
MATTHEW J. MERRITT,
JOHN M. COSTELLO,
DEWEY SHORT,
LESLIE C. ARENDS,
CHARLES H. ELSTON,
Managers on the part of the House.

ROBERT R. REYNOLDS,
ELBERT D. THOMAS,
EDWIN C. JOHNSON,
WARREN R. AUSTIN,
STYLES BRIDGES,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1543) to provide for mustering-out payments to members of the armed forces, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause. The committee of conference recommends that

the Senate recede from its disagreement to the amendment of the House, with an amendment which is a substitute for both the Senate bill and the House amendment, and that the House agree to the same.

Except for the differences noted in the following statement, the conference substitute is the same at the House amendment.

Section 1 (a) of the House amendment provides that members of the armed forces (with certain exceptions set forth in subsection (b)) who shall have been engaged in active service in the present war and are discharged or relieved from active service "under conditions other than dishonorable" on or after December 7, 1941, shall be eligible to receive mustering-out payment. The conference substitute strikes out the words "under conditions other than dishonorable" and substitutes in lieu thereof the words "under honorable conditions". This change conforms to section 1 of the Senate bill and follows the usual policy of the Congress with respect to the granting of benefits to former members of the armed forces.

Section 1 (b) (3) of the House amendment provides that no mustering-out payment shall be made to any member of the armed forces (unless he has served outside the continental limits of the United States or in Alaska) for any active service "performed prior to the date of his discharge or relief from active service to accept employment". This language precludes receipt of mustering-out payment by any such member of the armed forces whether or not he was discharged or relieved from active service on his own initiative. A comparable provision in section 1 of the Senate bill denied mustering-out payment only to those members of the armed forces who were discharged or relieved from active service "solely on their own initiative for occupational reasons". The conference substitute, while retaining the language of the House amendment, adds the words "on his own initiative".

Section 2 (a) of the House amendment provides mustering-out payment in the amount of $300 for members of the armed forces who have performed active service for 60 days or more and in the amount of $100 for members of the armed forces who have performed active service for less than 60 days.

The conference substitute provides for mustering-out payment as follows:

(1) $300 for members of the armed forces who have performed active service for 60 days or more, if any part of such service was performed outside the continental limits of the United States or in Alaska;

(2) $200 for members of the armed forces who have performed active service for 60 days or more, if no part of such service was performed outside the continental limits of the United States or in Alaska;

(3) $100 for members of the armed forces who have performed active service for less than 60 days.

This change conforms to the principle of the Senate bill of basing the amount of mustering-out payment not only on the length of service but also on whether the service was performed outside the continental limits of the United States or in Alaska or whether it was performed within the continental limits of the United States (excluding Alaska).

Section 2 (b) of the House amendment provides (1) that any person entitled to mustering-out payment in the sum of $300 shall be paid such sum in three equal monthly installments, the first payment being made at the time of final discharge or ultimate relief from active service; and (2) that any person entitled to receive mustering-out payment in the sum of $100 shall be paid such sum at the time of final discharge or ultimate relief from active service. The conference substitute retains these provisions and in addition provides that the person entitled to mustering-out payment in the sum of $200 shall be paid such sum in two equal installments, one payment at the time of final discharge or ultimate relief from active service and one payment 1 month from the date of the original payment.

Section 3 of the House amendment provides that a member of the armed forces entitled to mustering-out payment who shall have been discharged or relieved from active service under honorable conditions before the effective date of the act must apply for such payment within 1 year after such date. Section 3 of the Senate bill contains no such limitation. The conference substitute allows 2 years within which such application may be made.

Certain minor clarifying changes are made by the conference substitute in the definition of the term "member of the armed forces" contained in section 6 (a) of the House amendment, but there is no change in substance.

A. J. MAY,
R. EWING THOMASON,
MATTHEW J. MERRITT,
JOHN M. COSTELLO,
DEWEY SHORT,
LESLIE C. ARENDS,
CHARLES H. ELSTON,
Managers on the part of the House.

Mr. MAY. Mr. Speaker, I yield 3 minutes to the gentleman from North Dakota [Mr. LEMKE].

Mr. LEMKE. Mr. Speaker, I hope that the House will vote this report down. I am not going to appeal to the emotions of the Members, but I am going to appeal to their common sense of fairness and decency—to their conscience.

Yesterday we voted $1,350,000,000 to be used in foreign nations. I still feel that "charity begins at home." I feel that we owe something more substantial to our veterans—to the protectors of this Nation—than a measly little $100 if they have been in service for less than 60 days and $200 if they have been in a year or 18 months or more, and $300 for oversea service.

These men gave up their life's work when they were inducted for the time being. We should, at least, try to give them an opportunity to exist while they are trying to adjust themselves back into their life's work. Why always so generous with something abroad and so niggardly with something at home?

If we vote this resolution down, then, unless the chairman of the committee makes the motion, I shall make the motion that we insist further upon the provisions of the House bill as passed. And I would suggest to our good-natured chairman of the Military Affairs Committee that he then use his good office to get the conferees to bring in a report as follows: $100 mustering-out pay for all and an additional monthly payment of $50 to each veteran for each month that he served in the armed forces up to 8 additional months.

That will not be new legislation. That will give to the veterans the House minimum of $100 plus $50 a month for each month's service up to the maximum allowed in the Senate bill, $500. Surely we ought to be willing to do that much for our veterans.

Again, if we vote this report down, may I ask the chairman to also strike paragraph No. 3 out, which excludes the veterans over 38 years of age from any mustering-out pay. This provision is brutal and cruel. I am sure the Members of this House would like to see that done, and I am sure it would meet with universal approval.

Mr. LEMKE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a short telegram from the American Legion.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota [Mr. LEMKE]?

There was no objection.

The telegram referred to follows:

WASHINGTON, D. C., *January 25, 1944.*
Hon. FRED E. BUSBEY,
Washington, D. C.:

American Legion suggests provisions muster-out bill as agreed upon by Senate-House conference committee yesterday are inequitable. True muster-out pay recognizes no difference between foreign and domestic service. Legion has case of World War No. 2 dischargee with 4 years' service in continental United States discharged for injuries incurred in training resulting in loss both hands and one eye. According to conference report he would be entitled to $200 muster-out pay whereas one with few weeks' service overseas would get maximum $300. We recommend the principle of graduated pay according to length of service embodied in the Legion's omnibus bill, S. 1617.

WARREN H. ATHERTON,
National Commander,
ROBERT W. SISSON,
Chairman,
National Rehabilitation Committee,
FRANCIS M. SULLIVAN,
Executive Director,
National Legislative Committee.

Mr. MAY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Speaker, I notice that the conference report eliminates the amendment proposed by me and accepted by the committee when the bill was before the House changing the words "under honorable conditions" to the words "under conditions other than dishonorable." I ask the chairman of the Committee on Military Affairs now whether or not he thinks that something ought to be done about that situation in view of the numerous circumstances under which blue discharges are issued to servicemen for reasons which were no fault of their own?

Mr. MAY. The gentleman from California will recall, of course, that I had no objection to his amendment when it was offered, but there was strong protest from the Department and from the Senate conferees on the question. We changed it to read "discharge from the service under honorable conditions," the objections being that it has been the practice and custom of the War Department to grant these to men who were not discharged under honorable conditions for a long period of years.

Mr. HINSHAW. Would the gentleman's committee be willing to entertain proposed legislation which would provide for correcting the situation in which some of these blue discharges are issued?

Mr. MAY. I am quite sure the committee will give consideration to any suggestion that the gentleman cares to

make. If he wants to introduce a bill, we will not be disposed to deny him a hearing on anything that has justice attached to it.

Mr. HINSHAW. May I ask the chairman of the Committee a question concerning the proposed new section 2 (a) where it allows $300 for persons who performed active service outside the continental limits of the United States or in Alaska? Does that mean that a person who served in Alaska will not be entitled to $300?

Mr. MAY. It means he will be entitled to it.

Mr. HINSHAW. How about a person who served in Canada?

Mr. MAY. He would not be entitled to it.

Mr. HINSHAW. What would he be entitled to?

Mr. MAY. Two hundred dollars if he served more than 60 days and $100 for less than that.

The SPEAKER. The time of the gentleman has expired.

Mr. MAY. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma [Mr. WICKERSHAM].

Mr. WICKERSHAM. Mr. Speaker, the report of the conferees on the mustering-out pay bill should not be adopted because it fails to provide a reasonable amount. It does not provide as much as the House bill, much less as much as the Senate bill.

I voted for the provisions of the Lemke amendment, which provided a fair amount of mustering-out pay, based on length of service. After this was voted down I voted for the House bill; however, I will not vote for the adoption of the conference report.

When these 11,000,000 servicemen come marching home it will be difficult for them to understand the reasons for reducing the amounts provided in the Senate and House bills. When these men return they will face one of the following situations:

First. They will return to jobs which were difficult to obtain in the first place. In many instances the jobs will not be there because of decreased business due to cessation of hostilities, or due to the fact that smaller businesses were forced out of business.

Second. They will return to farms where supplies, implements, and farm equipment will be difficult to obtain for a year or more because of the scarcity thereof.

Third. They will return to establish their own businesses, having to build up inventories, train new help, acquaint themselves with new merchandise and new merchandising methods, establish new credit, and, above all, secure new the time the servicemen gave up their businesses to enter service.
customers or the return of those lost at

Fourth. They will have to reestablish their domestic life. Many single men who decide to marry will be faced with the fact that they will not have sufficient funds to start a happy home or business.

The provisions of the conference report would barely provide sufficient funds to outfit servicemen in civilian clothes and provide a month's room and lodging while they hunt a job.

Mr. MAY. Mr. Speaker, this report is a unanimous report, signed by all the conferees on the part of the House and on the part of the Senate. However, I made an error in one answer I gave to the gentleman from California [Mr. HINSHAW] a moment ago when I said that those serving in Canada would receive $200. If they served in Canada that would be foreign service and, therefore, they would receive $300.

Mr. HINSHAW. On the other hand, as I read the matter contained herein, if he served in Alaska he would not receive $300 but would receive $200 if he served over 60 days, is that correct?

Mr. COSTELLO. It reads, "continental limits of the United States." Alaska is included in the continental limits of the United States, and that is the reason for the specific mention of Alaska as being outside the continental limits of the United States. So if he served in Alaska he does receive $300.

Mr. HINSHAW. I understand now.

Mr. ROLPH. Will the gentleman yield?

Mr. MAY. I yield to the gentleman from California.

Mr. ROLPH. The conference report specifies $100 for 59 days of service and $200 for service of 2 months or over and $300 for service outside the United States. As the gentleman knows, I have been particularly interested in this legislation and have been advocating higher rates. As I understand it, two-thirds of the 1,000,000 men and women who have already been discharged will come under the $200 rate. Unquestionably the gentleman and his colleagues have some estimate as to how a person can get readjusted on $200 and I would like to get some definite information as to how that is possible.

Mr. MAY. Most of those people are already readjusted because they were let out of the service to take a job that was immediately available at higher wages, in many instances far beyond anything they had ever had before.

Mr. O'HARA. Will the gentleman yield?

Mr. MAY. I yield to the gentleman from Minnesota.

Mr. O'HARA. I want to ask the gentleman, Why make a distinction between payment to overseas veterans and veterans on this side? They all go where they are sent. In the last war when we had the $60 discharge payment there was no distinction made as to overseas veterans and veterans within the continental limits of the United States.

Mr. MAY. The gentleman will recall that I argued all the time while the bill was under debate in the House that this was simply mustering-out pay, that it should not be confused with adjusted-compensation legislation and in that proposition when it does come up, which it surely will, we ought to consider then length of service, character of service, and many other considerations that would make a distinction between men serving in the foreign service and those serving in the continental United States. Let me go a little further.

When we came to that question in the conference, the Senate was perfectly adamant on the proposition, insisting that we recognize the principle of distinction between foreign service and domestic service in this report, and we could not secure their agreement to the report otherwise. That is how the $200 payment came into the picture.

Mr. THOMAS of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield to the gentleman from New Jersey.

Mr. THOMAS of New Jersey. Does not the gentleman believe that, in view of the fact that every member of the Committee on Military Affairs held out for $300 regardless of whether or not a soldier was overseas, and that this House voted unanimously for $300, we should now turn down this conference report?

Mr. MAY. We should not turn it down. We should adopt it as it is.

Mr. THOMAS of New Jersey. The conferees went one way, and they went absolutely opposite to the way the members of the Committee on Military Affairs felt and to the way the House voted.

Mr. MAY. The gentleman knows there has been a regular insistence for weeks on getting this matter disposed of. I was taken to task in the public press because I happened to go home on account of the death of a member of the family. I was lied about by certain press reporters. I was maligned and criticized unjustly. As the gentleman knows, since he was a participant in the consideration of this legislation, I brought it out as quickly as I could. It is now here, and I do not want to delay it any further.

Mr. THOMAS of New Jersey. I am in favor of not delaying it, but at the same time I am in favor of bringing out a report that is in line with the way the House voted and in line with the way the members of the Committee on Military Affairs felt about it.

Mr. MAY. If the conferees on the part of the House could have had their way about it, they would have brought back the identical bill, word for word, letter for letter, that the House passed; but when you get in conference you have to give and take, and we were up against an adamant group of conferees who insisted very strongly on the principle of recognizing a distinction between domestic and foreign service.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. The Senate bill provided $500 for more than 18 months' service, either at home or overseas; did it not?

Mr. MAY. I think that is correct. It provided that the highest payment should be $500. I do not recall the particular period of service it covered.

Mr. ROBSION of Kentucky. I have received a number of telegrams from veterans' organizations objecting to this distinction in regard to mustering-out pay as between those who served in this country and those who served overseas. What is the justification for that distinction? As we passed the bill, no such distinction was made.

Mr. Speaker, among the telegrams that I received from veterans' organizations expressing opposition to this conference report was the following telegram from Hon. Warren H. Atherton, national commander, Robert W. Sisson, chairman, national rehabilitation committee, and Francis M. Sullivan, executive director, national legislative committee of the American Legion:

WASHINGTON, D. C., *January 25, 1944.*
Hon. JOHN M. ROBSION,
Washington, D. C.:

American Legion suggests provisions muster-out bill as agreed upon by Senate-House conference committee yesterday are inequitable. True muster-out pay recognizes no difference between foreign and domestic service. Legion has case of World War No. 2 dischargee with 4 years' service in continental United States discharged for injuries incurred in training resulting in loss of both hands and one eye. According to conference report he would be entitled to $200 muster-out pay, whereas one with few weeks' service overseas would get maximum $300. We recommend the principle of graduated pay according to length of service embodied in the Legion's omnibus bill S. 1617.

WARREN H. ATHERTON,
National Commander,
ROBERT W. SISSON,
Chairman,
National Rehabilitation Committee.
FRANCIS M. SULLIVAN,
Executive Director,
National Legislative Committee.

The mustering-out pay as it passed the Senate provided for graduated pay ranging from $100 for less than 60 days' service, to $500 for the longest period of service. The House Military Affairs Committee amended the Senate bill and provided for $100 for less than 60 days' service and $300 for service exceeding 60 days. On the floor of the House a number of amendments were offered to increase the mustering-out pay to those who had more than 60 days of service. I supported these amendments as I did not feel that we should be niggardly in providing means for our veterans to get started again in civil life, but these amendments were defeated, and the bill as passed by the House provided for a minimum of $100 and a maximum of $300. On a roll call the House bill received the unanimous vote of every Member present. Now this conference report fixes the minimum at $100 and the maximum at $300, but cuts those who had service in this country for 60 days or more down to $200. The conference report is another cut for the mustering-out pay of veterans of this war, and while it may save several hundred millions, yet it would be a hardship on these discharged veterans. I thought it should be increased instead of cut down. On yesterday, the House voted one billion three hundred and fifty million for relief for people in foreign countries. Heretofore the Congress has actually appropriated and given contractual authority and power to the President to spend under lend-lease far more than sixty-five billion to aid people in foreign countries, and because of this reduction of mustering-out pay I feel compelled to vote against the adoption of this conference report.

Mr. MAY. The justification is that the Senate would not agree to anything but that, and the conferees on the part of the House had to yield.

Mr. ROBSION of Kentucky. Does the gentleman feel that this is the best compromise that could be had?

Mr. MAY. This is the only one we could get.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. ROLPH. Mr. Speaker, I demand a division.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I make the point of order that a quorum is not present, and object to the vote on the ground that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 276, nays 103, not voting 48, as follows:

[Roll No. 13]

YEAS—276

Abernethy	Cox	Hale
Allen, Ill.	Crawford	Hall,
Allen, La.	Crosser	Edwin Arthur
Anderson, Calif.	Cullen	Hall,
Anderson, N. Mex.	Cunningham	Leonard W.
	D'Alesandro	Hancock
Arends	Davis	Hare
Baldwin, N. Y.	Dawson	Harless, Ariz.
Barden	Delaney	Harris, Va.
Barrett	Dewey	Heffernan
Barry	Dickstein	Heidinger
Bates, Ky.	Dies	Hendricks
Beckworth	Dilweg	Hess
Bender	Dingell	Hoch
Bennett, Mich.	Disney	Hoeven
Bennett, Mo.	Domengeaux	Horan
Bishop	Dondero	Howell
Blackney	Doughton	Jarman
Bland	Douglas	Jenkins
Bloom	Drewry	Jensen
Bolton	Durham	Johnson,
Bonner	Dworshak	Anton J.
Boykin	Eaton	Johnson,
Brehm	Eberharter	Calvin D.
Brooks	Elliott	Johnson,
Brown, Ga.	Elmer	J. Leroy
Brown, Ohio	Elston, Ohio	Johnson,
Brumbaugh	Engel, Mich.	Luther A.
Bryson	Fay	Johnson,
Buckley	Feighan	Lyndon B.
Buffett	Fellows	Johnson, Ward
Bulwinkle	Fenton	Kean
Burch, Va.	Fernandez	Kearney
Burchill, N. Y.	Fitzpatrick	Kee
Burgin	Flannagan	Kefauver
Butler	Fogarty	Kennedy
Byrne	Folger	Keogh
Camp	Forand	Kerr
Cannon, Fla.	Ford	Kilburn
Cannon, Mo.	Fuller	Kilday
Capozzoli	Fulmer	Kinzer
Carlson, Kans.	Gale	Kirwan
Carrier	Gallagher	Klein
Carson, Ohio	Gibson	Knutson
Case	Gifford	Kunkel
Chenoweth	Gillette	Landis
Chiperfield	Gillie	Lanham
Church	Gordon	Larcade
Clark	Gore	LeCompte
Clason	Gorski	LeFevre
Clevenger	Gossett	Lesinski
Cochran	Graham	Lewis
Cole, N. Y.	Granger	Lynch
Colmer	Grant, Ala.	McCord
Compton	Green	McCormack
Cooley	Gregory	McCowen
Cooper	Griffiths	McKenzie
Costello	Gross	McLean
Courtney	Gwynne	McMillan
McMurray	Pracht	Stanley
Madden	Price	Starnes, Ala.
Mahon	Priest	Stewart
Maloney	Rabaut	Stockman
Manasco	Ramey	Sullivan
Mansfield, Tex.	Randolph	Sumner, Ill.
Marcantonio	Reed, Ill.	Sumners, Tex.
Mason	Reed, N. Y.	Sundstrom
May	Richards	Taber
Merritt	Rivers	Talle
Merrow	Rizley	Tarver
Michener	Robertson	Taylor
Miller, Mo.	Robinson, Utah	Thomas, Tex.
Miller, Pa.	Rodgers, Pa.	Thomason
Mills	Rohrbough	Tibbott
Monroney	Rowan	Vincent, Ky.
Mott	Rowe	Vinson, Ga.
Mruk	Russell	Vorys, Ohio
Murdock	Sabath	Vursell
Newsome	Sasscer	Wadsworth
O'Brien, Ill.	Satterfield	Ward
O'Brien, Mich.	Schwabe	Wasielewski
O'Brien, N. Y.	Sheppard	Weaver
O'Neal	Sheridan	Weichel, Ohio
O'Toole	Short	Whelchel, Ga.
Pace	Sikes	Whitten
Patman	Simpson, Ill.	Whittington
Patton	Slaughter	Wilson
Peterson, Fla.	Smith, Maine	Winstead
Peterson, Ga.	Smith, Ohio	Wolcott
Pfeifer	Smith, Va.	Wolfenden, Pa.
Philbin	Smith, W. Va.	Woodruff, Mich.
Pittenger	Snyder	Woodrum, Va.
Plumley	Somers, N. Y.	Worley
Poage	Spence	Zimmerman
Powers	Springer	

NAYS—103

Andersen, H. Carl	Hart	Outland
	Hartley	Phillips
Andresen, August H.	Hays	Poulson
	Hill	Rankin
Angell	Hinshaw	Reece, Tenn.
Arnold	Hoffman	Rees, Kans.
Auchincloss	Holmes, Wash.	Robsion, Ky.
Bates, Mass.	Hull	Rogers, Calif.
Beall	Jeffrey	Rogers, Mass.
Boren	Jennings	Rolph
Bradley, Mich.	Johnson, Ind.	Sauthoff
Bradley, Pa.	Johnson, Okla.	Scanlon
Burdick	Judd	Schiffler
Busbey	Kelley	Scott
Canfield	LaFollette	Shafer
Carter	Lambertson	Simpson, Pa.
Coffee	Lane	Smith, Wis.
Cole, Mo.	Lemke	Stearns, N. H.
Cravens	Ludlow	Stefan
Curley	McGregor	Stevenson
Day	McWilliams	Talbot
Ellis	Mansfield, Mont.	Thomas, N. J.
Ellison, Md.		Tolan
Ellsworth	Martin, Mass.	Towe
Engle, Calif.	Miller, Conn.	Troutman
Fish	Miller, Nebr.	Voorhis, Calif.
Fisher	Monkiewicz	Walter
Furlong	Morrison, N. C.	Weiss
Gathings	Mundt	Welch
Gavin	Murray, Wis.	Wene
Gearhart	Myers	Wickersham
Gerlach	Norman	Willey
Gilchrist	Norrell	Wolverton, N. J.
Goodwin	O'Connor	Wright
Hagen	O'Hara	
Harris, Ark.	O'Konski	

NOT VOTING—48

Andrews	Holmes, Mass.	Murphy
Baldwin, Md.	Hope	Murray, Tenn.
Bell	Izac	Norton
Celler	Jackson	O'Leary
Chapman	Jones	Ploeser
Curtis	Jonkman	Ramspeck
Dirksen	Keefe	Rockwell
Fulbright	King	Sadowski
Gamble	Kleberg	Schuetz
Grant, Ind.	Lea	Scrivner
Halleck	Luce	Sparkman
Harness, Ind.	McGehee	Treadway
Hébert	Maas	West
Herter	Magnuson	White
Hobbs	Martin, Iowa	Wigglesworth
Holifield	Morrison, La.	Winter

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Schuetz for, with Mr. Magnuson against.

Mr. O'Leary for, with Mr. Jackson against.

General pairs:

Mr. Hobbs with Mr. Ploeser.
Mr. Celler with Mr. Dirksen.
Mr. Hébert with Mr. Holmes of Massachusetts.
Mr. Ramspeck with Mr. Grant of Indiana.
Mr. West with Mr. Scrivner.
Mr. Sparkman with Mr. Wigglesworth.
Mr. Bell with Mr. Keefe.
Mrs. Norton with Mrs. Luce.
Mr. Fulbright with Mr. Halleck.
Mr. Lea with Mr. Curtis.
Mr. Izac with Mr. Maas.
Mr. King with Mr. Treadway.
Mr. Chapman with Mr. Hope.
Mr. McGehee with Mr. Jones.
Mr. Morrison of Louisiana with Mr. Herter.
Mr. Baldwin of Maryland with Mr. Jonkman.
Mr. Holifield with Mr. Harness of Indiana.
Mr. Murphy with Mr. Martin of Iowa.
Mr. Kleberg with Mr. Andrews.
Mr. Murray of Tennessee with Mr. Winter.
Mr. Sadowski with Mr. Rockwell.

Mr. MURRAY of Wisconsin changed his vote from "yea" to "nay."

Mr. BEALL changed his vote from "yea" to "nay."

Mr. HORAN changed his vote from "nay" to "yea."

Mr. SCOTT changed his vote from "yea" to "nay."

Mr. RANKIN changed his vote from "yea" to "nay."

Mr. REES of Kansas changed his vote from "yea" to "nay."

Mr. WOLVERTON of New Jersey changed his vote from "yea" to "nay."

Mr. LEWIS changed his vote from "nay" to "yea."

Mr. WOODRUFF of Michigan changed his vote from "nay" to "yea."

Mr. MCGREGOR changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The doors were opened.

EXTENSION OF REMARKS

Mr. MANSFIELD of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a speech I made over the radio last night.

The SPEAKER. Is there objection?

There was no objection.

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to revise and extend the remarks that I made today and to include therein a telegram from the American Legion and some other data.

The SPEAKER. Is there objection?

There was no objection.

(By unanimous consent, Mr. LANE was granted permission to revise and extend his own remarks in the RECORD.)

ANSWERING WALTER WINCHELL'S ATTACK

Mr. RANKIN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. Mr. Speaker, in the Daily Mirror, a paper of general circulation published in New York City, on Tuesday, January 25, is an article written by one Walter Winchell, whose real name, I understand, is Lipschitz. In attempting to smear me he makes this statement:

One of the colyum's pals went into the Royal Shirt Shop. He saw a skull (with a bullet hole right in the middle) and blood all around it. Beneath—a photostat copy of a citation from Admiral Halsey to Sgt. Harold Segal. Our friend asked the shop owner how come. "Sergeant Segal," was the answer, "is my son. He shot down 10 Jap planes in the South Pacific. He received the Purple Heart and the Navy citation. I hear he is to be decorated with the Distinguished Flying Cross. He sent the Jap skull as a souvenir." We wish you'd clip and mail this story to Congressman RANKIN at the House of "Reprehensibles," Washington, D. C. "Reprehensible" RANKIN was the Congressman who recently ridiculed Jewish names signed to protests over the plan to rob the soldier of his vote. RANKIN is a leader of that racket. In ridiculing the Jewish names, this "punk" RANKIN toyed with the name Segal—with the same spelling—and grimaced, laughed, and otherwise made fun of "peculiar Americans with such a name as Segal."

All of which is a deliberate falsehood. You note he calls this the "House of Reprehensibles."

What I did was to insert in the RECORD some names of people who had written me about pending legislation. I did not know whether they were Jews or gentiles, and did not care. My hat is off to Sergeant Segal, or to anyone else, whether he is a Jew or a gentile, who is now in the Army fighting the battles of this war, but I have not the language to express my contempt for these slime mongers who are trying to destroy confidence in the Congress of the United States.

I received more than 25 copies of that editorial from various people over the country this morning, and for that reason I have taken this time in order to call the attention of the House to it. It is one of the most outrageous slurs that has been made since Drew Pearson and Robert S. Allen attempted to smear the Supreme Court of the United States with that book called The Nine Old Men. Of all the outrages ever perpetrated up to that time that book, attempting to destroy the confidence of the American people in the highest court of the land, was to me the last word in infamy; and this slur of Winchell's—or Lipschitz's—is right along with it.

This is the kind of stuff that is being published in PM, the uptown edition of the Communist Daily Worker, which is being run by men of the Winchell type. In my opinion, Walter Winchell and PM are doing the Jewish people more harm than any other two outfits in America. I said something to a Jewish friend of mine the other day about Walter Winchell.

"Well," he said, "He is a 'kike'."

I asked: "What is a 'kike'?"

He said: "A 'kike' is a Jew that is so detestable that the other Jews are ashamed of him, the gentiles despise him, and the intelligent Negroes have contempt for him."

Now, Mr. Speaker, we have a terrible responsibility as Members of this Congress. We are doing the best we can to legislate for the American people, and I am wondering if a certain element of the press and the radio, including the Blue Network broadcasting system, is going to be continuously used to besmirch and discredit the Members of this House and of the United States Senate. What are we coming to? This is the element that has brought trouble on their race all over the world, just as they are doing here. They have been publicizing, magnifying and misrepresenting an incident that took place in the House 2 or 3 years ago when a Member who happened to be of Jewish extraction died of a heart attack shortly after he had made a short speech replying to something I had said. They have attributed his death to me. I had no more to do with it than you did. Now they have got out some material and I understand they are propagandizing it over the Blue Network radio system accusing me of being pro-Nazi and repeating the story of this man's death. Can you think of anything more vicious or more loathsome? I have been outspoken against Hitler and Mussolini from the very beginning. The sooner we clean them out and destroy Japan the better it will be for civilization. We are going to win this war, but we are not going to let this crowd of Communists undermine and destroy the confidence of the American people in the Congress or in the Government of the United States.

They accuse us of trying to rob the soldiers of the right to vote. That is a vicious falsehood. We are trying to make it possible for them to vote in a legal constitutional election for everything from President down to constable.

They say we southern Democrats and northern Republicans who are thus trying to make it possible for the soldiers to vote are in an unholy alliance.

It is not an unholy alliance when Members of Congress vote together to support the Constitution of the United States, or to maintain those institutions our fathers founded.

They made another false accusation against me the other day which was published in some of the Jewish newspapers, I believe in the Jewish War Veterans' paper. I am sure they were misinformed. They probably got their information from PM, or from Walter Winchell. They accused me of attacking the Jews when I read those names into the RECORD. As I said, I never mentioned the Jews in that connection. I did not know whether they were Jews or not. But this man does not represent the decent Jews of America; and neither does PM. The decent Jews would not be out persecuting white gentiles throughout the country. That is what this Walter Winchell is doing and that is what this PM is doing, persecuting white gentiles, if you please, at a time when their boys are bleeding and dying on every battle front in the world. They are stirring up dissension throughout the country, and using PM and the radio to do it with. How long do you suppose the American Congress is going to submit to that kind of conduct?

I am not anti-Semitic; I have nothing against the Jews as such. These fellows

prate about anti-Semitism, while they are attacking and smearing gentiles throughout the country. The better element of the Jews are worried to death because of their activities. They seem to be of the old Trotsky faction that got control in Russia shortly after the revolution, and have been trying to get the upper hand in this country all these years.

They are dissatisfied with Stalin now, because Stalin has become the most powerful figure in Europe and he is driving out that element that drenched Russia's soil in innocent blood. Twenty years ago when Lenin and Trotsky came into power, after the revolution, Trotsky filled the commissar posts, and when Lenin died he thought he was going to become the dictator, the Czar, so to speak. Stalin beat him to the draw, they selected Stalin as their leader, and he ran Trotsky out of the country. Trotsky came over to Mexico and continued his revolutionary activities against Stalin as well as in this country.

During the time Trotsky was in power in Russia he closed every Christian church in that country, killed preachers and priests, turned their cathedrals into museums and had a streamer drawn across the front gates of Moscow bearing the legend: "Religion is the opium of the people."

Stalin is a gentile and Trotsky was a Jew. Stalin was educated for the priesthood. The Bible says teach a child the way he should go and "when he is old he will not depart therefrom." It was but natural, therefore, that when Stalin came into power and got rid of the Trotsky crowd he should open the churches and restore freedom of worship.

Trotsky and his crowd had murdered millions of Christians in Russia.

When Stalin came into power he still had those Trotsky commissars to contend with. But when he got into this war and was able to organize his army things began to change. The men in the army said, "Get these commissars out of here," just what Stalin wanted them to say, and he took every last one of them out. Up to that time the officers had no insignia on their shoulders or sleeves. They were just comrade somebody in the Russian Army. The commissars were over them. Up to that time Stalin had not won a battle; but when he got rid of those commissars and said to his general and to his fighting men, "We are going to depend on you," the Russian Army really began to "go places." He restored the insignia from lieutenant general down to corporal. Eddie Rickenbacker said when he was here the other day that he had never seen such a change in an army—that it was one of the most snappy, the most enthusiastic, and efficient armies of fighting men in the world.

Stalin not only did that, but he changed some more of Trotsky's crazy stuff. He reopened the churches and tore down that streamer across the gates of Moscow. During Easter of last year there was the greatest attendance in the Christian churches in Moscow there had been in 25 years.

In addition to that Trotsky had organized the Comintern to foment revolution throughout the world, and his agents began to organize throughout the United States. It seems to me that in these attempts to smear Congress and to smear and malign decent Americans I can see and hear in the voice of Walter Winchell the echo of Trotsky, and I can see it in these unjust attacks that are made in PM.

Stalin broke up the Comintern. He said:

> We are no longer afraid of the rest of the world. We are now convinced that we can get fair treatment at the hands of our allies.

He broke up the Comintern, he reopened the churches, restored rank and discipline in his army, and introduced the incentive payment plan among the men who work in his factories. A man is paid now according to what he does and today Russia is winning victories, and restoring confidence throughout the world.

I know there was resentment in Russia. I knew it at the time, and I said so then, 25 years ago when the Allies cut off Lithuania, Esthonia, and Latvia and part of Poland from Russia without her consent. I said then that it would bring trouble some day. But, thank God, our differences with Russia have been ironed out, and her soldiers are fighting the same battles in eastern and northern Europe that our men are fighting in southern and western Europe. Some people are saying they are afraid Russia will become the great power of Europe. Suppose she does, what business is it of ours? That territory belongs to Russia, let her have it.

I call attention to the fact that this crowd of Communists in the United States who have been following the Trotsky line all these years, trying to foment revolution, not only in this country but also in Russia, had planned to asassinate or overthrow Stalin. He caught them and shot about half of them and sent the rest to jail. One of them got loose and came over here. His name, I believe, was Krevitski. I heard him testify before the Dies committee. Mr. Krevitski was not shocked at all for the Christians he and his crowd of Trotskyites had killed. But he was miserably disturbed because Stalin had caught on to their conspiracy and had broken it up with firing squads.

Two years ago they sent a couple of Communists named Erlich and Alter over there to stir up trouble for Stalin at the time when the battle of Stalingrad was going on. I read into the RECORD the message or the report of the Russian Government. Stalin caught them, but released them in response to appeals from certain prominent individuals in this country. They went right back to their revolutionary tactics. This time Stalin caught them and shot both of them.

That is the element that is continually attempting to smear and besmirch Members of the Congress of the United States and to refer to Congress as the "House of Reprehensibles." To show that that was no accident, he used the word "Reprehensibles" twice.

I could not refrain from bringing this proposition to the attention of the House. I do not believe there is a man in Congress who is not anxious for us to win this war and get our boys back home. There is not a man in this House who does not want the soldiers to vote or is not willing to support any measure that will be most effective, legally and constitutionally, in bringing that condition about; but if we are going to be maligned in this way over the radio and through the press, it is about time that the Congress wake up and do something about it.

Mr. SHERIDAN. Will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Pennsylvania.

Mr. SHERIDAN. I assume the gentleman wants to be fair. Is there anything reprehensible in the name Lipschitz?

Mr. RANKIN. I did not catch the gentleman's question.

Mr. SHERIDAN. Is there anything reprehensible in the name Lipschitz?

Mr. RANKIN. I would not think so, not any more than there is in the name Winchell, now. I may say further I am a little skittish about a man who has his nose manicured, his face lifted, his name changed, and then goes on the radio to try to smear somebody else.

Mr. SHERIDAN. Should not the gentleman disclose for the information of the House the circumstances under which Mr. Winchell uses the name Winchell?

Mr. RANKIN. I do not care to go into that. I am not interested in it. I am not even interested in the circumstances under which it became Lipschitz.

Mr. Speaker, I have been a Member of this House for many years. I have taken more abuse probably than any other man here. I am taking more abuse now. These Communists are accusing me of not wanting the soldiers to vote. Who in this House is more entitled than I am to the confidence of the servicemen of the United States?

I walked down in this well in 1933 and protested against what I considered the drastic and unmerciful provisions of the Economy Act as they applied to our disabled veterans. I was abused for that. Many of those poor boys died of the shock in their beds the night they heard of the passage of that bill. I have helped to override the veto of every President from Harding to Roosevelt on veterans' legislation.

I have fostered legislation to give compensation to the widows and orphans of our deceased veterans, to increase the compensation to the disabled men and to make it possible for the ones who are fighting now to be properly cared for when they return. I joined with the lady from Massachusetts [Mrs. ROGERS] in forcing a meeting of the Veterans' Committee, even before I became chairman, in order that we might increase the hospital facilities for the ex-servicemen of the United States.

It was my amendment that raised the base pay of the men now in our armed forces to $50 a month. In my fight for

that increase I was opposed by some of the same stalwarts who are now posing as the real friends of the servicemen. I raised their base pay then, and I expect to do everything I can to see that they are given employment, even if we have to take some of these loud-mouthed individuals off the pay roll who are parading about with the cloak of patriotism wrapped around them while dodging the draft.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from New York.

Mr. REED of New York. The gentleman omitted telling us what he did in regard to the legislation with reference to rehabilitation of the crippled.

Mr. RANKIN. Yes, I fought, and the gentleman from New York fought with me, back many years ago for the rehabilitation of these wounded men, these crippled men, veterans as well as non-veterans, in order that they might be able to earn a decent living.

I do not have to get somebody with a foreign name, or anyone else to vouch for my patriotism. My people came to this country more than 200 years ago. They came here to get away from such as this. They have fought in every war we have ever had. They are now in this war on every front. I think I have said to you before that one of my great-great-uncles was Col. David Crockett, who once served in this House and who gave his life at the Alamo that Texas might be free.

This is my country. They can turn all the Walter Winchells and all the Red writers in PM they want to on me, they can turn all the fiends of falsehood and abuse they want on me, but they cannot frighten me.

If I have my way we will fight this war to a victorious conclusion, until we crush Germany and destroy Japan; and when the boys come home they will find the same flag flying at the same place and above the same institutions they enjoyed before they left here.

While they are fighting to defend this country abroad, we will see that its sacred institutions are not destroyed by subversive influences at home.

COMMITTEE ON POST-WAR ECONOMIC POLICY AND PLANNING

Mr. SABATH. Mr. Speaker, I call up House Resolution 408, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there is here established—

(a) A special committee to be known as the Committee on Post-War Economic Policy and Planning (hereinafter referred to as the "special committee").

(b) The special committee shall be composed of 12 Members of the House of Representatives, 7 from the majority and 5 from the minority, appointed by the Speaker of the House.

(c) It shall be the duty of the special committee to investigate all matters relating to post-war economic policy and problems; to gather information, plans, and suggestions from informed sources with respect to such problems; to study the plans and suggestions received; to report to the Congress from time to time the results of findings made and conclusions reached. It is the sense and purpose of this resolution to make accessible to the Congress, through the special committee, the most complete information respecting post-war economic policy and post-war problems that is available, to the end that Congress may be advised respecting those problems and in a position to formulate solutions with respect to them which will result in the greatest contribution by the Congress to achievement of a stable economy and a just peace. It is intended that full authority to accomplish this general purpose shall be granted by this resolution.

SEC. 2. The special committee, or any subcommittee thereof, shall have power to hold hearings and to sit and act at such places and times, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. Subpenas may be issued under the signature of the chairman of said committee, and may be served by any person designated by him.

Mr. SABATH. Mr. Speaker, later I shall yield 30 minutes to the gentleman from New York. I now yield to the gentleman from Mississippi [Mr. COLMER] to offer an amendment.

Mr. COLMER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLMER:

On page 1, line 5, strike out "twelve" and insert "sixteen."

On page 1, line 6, strike out "seven" and insert "nine."

On page 1, line 7, strike out "five" and insert "seven."

On page 2, line 14, after "thereof" insert "appointed by the chairman."

The amendment was agreed to.

Mr. SABATH. Mr. Speaker, this is a resolution creating a committee on post-war economic policy and planning. The resolution reported by the Committee on Rules provided for a committee of 12 members, but agreement has been reached by which the number constituting the committee has been increased from 12 to 16 members. I am of the opinion that is the wish of the leadership of the House, and it is satisfactory to me.

This resolution is one of many such resolutions that have been introduced and have been pending before the Committee on Rules for some months. All the gentlemen who introduced similar resolutions were accorded an opportunity to appear before the Committee on Rules; namely, the gentleman from Florida [Mr. HENDRICKS], the gentleman from New York [Mr. FISH], the gentleman from Illinois [Mr. DEWEY], the gentleman from Georgia [Mr. PETERSON], the gentleman from Texas [Mr. POAGE], and the gentleman from Florida [Mr. SIKES]. The gentleman from Illinois [Mr. DIRKSEN] was also invited, but was not present.

All the gentlemen who appeared, after they had read and familiarized themselves with the provisions of the resolution introduced by the gentleman from Mississippi [Mr. COLMER] withdrew their resolutions and joined in the request of the gentleman from Mississippi that his resolution be reported. Consequently, that resolution was reported by the Committee on Rules, and by a unanimous vote.

I presume there is no objection on the part of anyone, because this is an important matter and should receive real consideration in order that a real survey of post-war planning may be made and evidence obtained to enable us in the near future to legislate intelligently for the best interests of the Nation. While I appreciate the appointment of such a committee will be beneficial and helpful, I feel that the matter of greatest importance now is the winning of the war and the securing of a permanent peace. Had I known before of the unanimity of opinion and support that exists today for the creation of such a committee, earlier consideration would have been given. I cannot help but feel that it would be for the best interests of the Nation if similar cooperation and united action would prevail on other legislation, and I know that this committee will diligently function and serve to aid in reconstruction and rehabilitation, as well as to safeguard the economic conditions of our country, so that when the millions of members of our armed forces will have returned, they will find sufficient employment at good wages has been provided for them. However, I do not feel that we should deprive them of a real opportunity of casting their votes at the next election and hope that the Congress will soon make proper provision for the exercise of this high privilege.

Mr. Speaker, I now yield 10 minutes to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, before discussing this resolution, as important as it is, I desire to go on record to the effect that I am not one of those wishful-thinking Americans who believe that these wars which are being waged against us by our enemies in every part of the globe have been won. I still entertain the same opinion which I have advanced ever since the dastardly attack by the Japanese at Pearl Harbor that this is to be a long, hard, and bitter war of tremendous sacrifice. We in this country must fully realize the fact that the war is not yet won and that complete victory over the Germans and Japanese is still, and will continue to be, our primary objective until the day of eventual unconditional surrender of these enemies of civilization and Christianity. But the duty of preparing now in time of war for the peace that is to follow is just as important and as mandatory upon the Congress of the United States as it was the duty of the Congress to prepare in time of peace for the war that we are now waging. But bearing in mind always that our first objective is to win the war, we can be happy in the thought that ultimate victory is as assured as the obvious fact that the lightness of day follows the darkness of night.

RECORD OF ACHIEVEMENT

Despite the fact that our production of war materials essential to the successful conduct of this global war has been interrupted to some degree by the greed of minor segments of our people, which

is incident to the frailty of human nature, our record of achievement has been nothing short of miraculous. Recovering immediately from the stunning blow dealt us in an element of surprise and infamy at Pearl Harbor, the American people quickly, systematically, and comprehensively planned and put into effect the greatest production of planes, guns, ships, munitions, and other materials of warfare the world has ever witnessed. And today, looking back, we view this record of conversion of the economy of this great peacetime Nation into a Nation of total war production with justifiable pride of accomplishment. For today America has achieved the goal sought of becoming the world arsenal of democracy. The materials of warfare which it is producing and delivering have turned the tide of aggression of our enemies into a receding tide of retreat and ultimate defeat.

ORGANIZATION FOR THE PEACE

As foreboding as the task ahead appeared to be of the conversion of our peacetime economy to that of an all-out war production, the problem of reconversion of this great machine back from wartime to peacetime economy is no less awesome in its approach. For in setting up and operating the machinery of the peacetime conversion there will be none of the glamour, the patriotic emotion, and the human thrill that characterizes the preparation and execution of our war effort. But if we fail to meet the challenge, chaos, disruption, and disorder will surely follow. We must prepare; we must organize; we must plan; we must exercise the same degree of patriotism in preparing for the peace that symbolizes our war effort.

PEACTIME ORGANIZATION

Mr. Speaker, as a veteran of World War No. 1, and not unmindful of the post-war problems that followed the signing of the armistice of that other World War, along with other Members of both bodies of the Congress, I introduced a resolution (H. Res. 151) nearly a year ago to set up a congressional committee to study these problems. For you and I have fresh in our minds the orgy of speculation and inflation into which the country was plunged and which resulted in the inevitable economic debacle of the depression of the early 1930's. Still fresh in our minds is the spectacle of the bread lines, the jobless, the hungry, and the homeless. We recall only too vividly that many of our veterans of 1917–18, who had bared their breasts to the enemy at the Argonne, Chateau Thierry, and Belleau Wood to perpetuate the ideals of the country which they loved better than life itself, were forced to become vendors of apples and newspapers on the street corners of our great metropolitan centers, while others walked unceasingly down God's dusty highways seeking the jobs that were not to be found. While at the same time hundreds of thousands of war workers, rudely separated from a wartime economy, were suffering from the ills of idleness and unemployment. This was not in accord with the wishes of a grateful American people. It rather was the result of a lack of organization and coordination of government and private industry. It was the culmination of a short-sighted policy of governmental inactivity and industrial lack of planning and greed. Both governmental agencies and private enterprise must see to it that this black page of our country's history is not repeated at the conclusion of this war.

The resolution which I introduced is now before you in amended form. I have no pride of authorship. Many resolutions of similar import by outstanding Members of both branches of the Congress have been introduced. We, the proponents of this type of legislation, all share alike in the authorship of this resolution and the responsibility which it entails. The problems of post-war planning and organization are awesome to contemplate and all-embracing in their scope. Personally, I confess that I approach the subject with some misgivings but with full realization of the task ahead. No one man and no selected group of men are alone competent to successfully deal with the subject. If our efforts are to prevail, they will succeed only by the coordinated and wholesome efforts of the whole people. These problems must be approached with open minds and without partisanship; they must be met with the same degree of patriotism with which we are now waging the war. They cannot be approached either from the standpoint of the New Deal or the anti-New Deal. They are neither Democratic nor Republican problems. Neither can they be solved by labor on the one hand nor industry on the other. The views of all segments of our people must be heard and considered; and out of the whole picture thus presented a united, sane, simple, and patriotic program must be weaved. For I have enough faith in the American people, who have already demonstrated that they can meet the problems of war, to believe that they can, with equal success, cope with the problems of the peace that follows.

In the words of you, Mr. Speaker, discussing this matter in the able and timely address which you recently made to the mayors of this country assembled in Chicago:

> The essential thing is to get the greatest possible number of public officials, businessmen, agricultural and labor leaders attacking the problem simultaneously and in a coordinated manner. Obviously the 435 elected Representatives in the House constitute a most appropriate agency of the Federal Government from that standpoint.

And again, in your words, Mr. Speaker:

> We are endowed, by nature and by our capabilities, with everything needful for maintaining a high rate of employment in the United States after this war. There is no reason under this sun why our people should not enjoy more goods and services than they have ever known before. If we can be prosperous in wartime, we can be prosperous in peacetime. If we can employ our people to forge the weapons of war, we can employ them to make the instruments of peace. If our national income can be higher than ever in time of war, it can be high in time of peace. That is what the people will expect of us—you and me.

Mr. Speaker, as I see it, the purpose of the committee to be appointed by you is to assimilate the facts, to study the problems, and to make the necessary recommendations to the Congress and to the country. Surely the committee to be appointed by you will have a tremendous task and a high degree of responsibility. Unlike other committees it will not be an investigatory one. It will not seek, I am sure, the headlines. Its efforts will be devoid of sensation. Its plain, mandatory duty will be to assimilate facts and make recommendations. Its compensation as a contributing factor to our Nation's post-war progress will come only from a sense of a duty well performed. And its success or failure will depend largely upon the degree of cooperation of our Federal, State, and local officials and the heads of industry and labor. For in our complex civilization it is essential that all of these factors be coordinated into one smooth-working process. And to that end we now seek the cooperation of the Members of this House who speak for 130,000,000 American people.

Specifically, but not to the exclusion of other fields of exploration, this committee should seek facts and figures and make recommendations on the following vital post-war factors:

First. Equitable termination of war contracts.

Second. Disposition of surplus war commodities and Government-owned plants in a manner to protect the Government and prevent the flooding of domestic markets.

Third. Insure the continuation of free enterprise and bring about, so far as possible, a cessation of wartime regimentation of the people.

Fourth. Maintenance of the standard of the American way of life.

Fifth. New markets, both foreign and domestic, for increased production.

Sixth. Problems of demobilization and effect on unemployment.

Seventh. Reemployment of demobilized soldiers and war workers.

Eighth. Public works—Federal, State, and local—to the extent necessary to absorb the slack in employment by private industry.

Ninth. Careful analyzation of Federal statutes to determine which will retard and which will aid successful post-war conversion.

Tenth. Generally to study the problems and make recommendations for the reconversion of a highly geared war machine enonomy to a peacetime basis with a minimum of governmental direction.

Mr. ROLPH. Mr. Speaker, will the gentleman yield?

Mr. COLMER. Yes.

Mr. ROLPH. The gentleman mentions as one of the jobs that his committee will handle, the sale of surplus material and plants.

Mr. COLMER. That is correct.

Mr. ROLPH. The Banking and Currency Committee is currently holding hearings on a bill introduced by a Member of this body, the chairman of the

Small Business Committee, to handle that very problem.

Mr. COLMER. Yes; I am sure that the gentleman will agree with me that there ought to be some centralized committee to study all these problems. Of course, the gentleman understands that this committee which is proposed to be set up will not be a legislative committee, but will be a fact-finding committee, and therefore will have no power of legislation.

Mr. ROLPH. Personally, I think that the sale of surplus materials is of itself a very different proposition from post-war planning, and I think if the gentleman's committee will confine itself to post-war planning it will have a tremendously important job.

Mr. COLMER. I think the gentleman is correct from his point of view, but it is one of the elements of post-war planning.

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. COLMER. Yes.

Mr. WHITTINGTON. In connection with the disposal of surplus war property, it might be kept in mind that the question of the disposal of Government property is important, and that this House last June passed a bill for the disposal of surplus property. That bill involved a great many matters, resulting from the abandonment and repeal of emergency legislation, and has never yet been passed by the other body.

Mr. COLMER. Which emphasizes the fact and the point I just made, that we have got to make a study of all of these problems relating to post-war matters.

Mr. DEWEY. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to my distinguished colleague who has long manifested such keen interest in this important subject.

Mr. DEWEY. I thank my colleague. I would like to say on the matter of disposition and disposal in the post-war period of surplus material that it is not only the matter of its distribution here in the United States, but it may become part of the policy of distributing it in foreign countries and financing it into foreign countries in connection with their rehabilitation, and taking it off the market here. So I think it is a broad subject and I agree with my distinguished colleague that it has to be studied in the broadest manner.

Mr. COLMER. This, sirs, is a broad picture of the duties of the Congress in its approach to the problems of the post-war period. It is not a comprehensive picture. We do not know the answers. We propose to study and learn as we go forward. The job ahead of us can and will be done.

Today American boys are facing the enemy and dying in every part of the globe. They are fighting and dying to make secure the freedom and sacred rights of constitutional government left us as a glorious heritage by our founding fathers. Those of them whom the gods of war spare to return have the right to expect a continuation of the American way of life. And, more than that, they have a right to expect the opportunity of employment. You and I as their Representatives in the Congress must not fail them. If we fail to meet the challenge, if we allow the specter of depression to arise once more the fault will be ours, and their victory will be a hollow one.

Mr. Speaker, I have an abiding faith in the American people. I have unlimited faith in our men who wear the uniform of this glorious Republic. Moreover, I have boundless confidence in the Congress of the United States—the bulwark of the people's liberty, the only barrier between freedom and dictatorship. As a representative of the people of this great Nation, I believe that we are going to win the war and the peace.

The SPEAKER pro tempore. The time of the gentleman has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent that on Monday next, after the regular order of business, I may have permission to address the House for 30 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

COMMITTEE ON POST-WAR ECONOMIC POLICY AND PLANNING

Mr. SABATH. Mr. Speaker, I yield 30 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, this is one of the most important and far-reaching resolutions that has ever been presented to this House or almost to any Congress. Our first objective, in which we are all united, Democrats and Republicans and the entire American people alike, is to win the war as quickly as possible with the least possible casualties and to bring our soldiers home. Our next great objective is to obtain and secure a permanent and lasting peace. Our third objective is contained in this resolution, and that is to provide jobs for some 11,000,000 soldiers who will be returning home and many more millions of American wage earners who will be demobilized from our factories and our mines once victory has been won.

The purpose of this resolution is to create a special committee of the House to make a survey, study, and research to ascertain the facts and to find what can be done to achieve a stable post-war economy that will provide jobs for American wage earners through legislation in the Congress of the United States. This resolution is a necessity due to the action of the Congress itself in abolishing the National Resources Planning Board. Therefore, unless we are to be justifiably criticized by the public for shirking our responsibilities and our legislative duties, we are bound to create this special committee, to assume the responsibility for post-war economic policy and planning as part of our legislative functions. The problems of converting industry from war to peace operations are staggering and may well involve the preservation of our American system of free enterprise based upon private initiative and reasonable profits that has made this Nation the greatest and freest nation in the world.

I want to take this opportunity to commend the Speaker of the House, Hon. SAM RAYBURN, for his leadership in helping to bring up this resolution for the consideration of the House and likewise the minority leader, the gentleman from Massachusetts, JOSEPH MARTIN, who a long time ago appointed a special committee of his own party to study post-war problems. Under the very able leadership of the Speaker, the minority leader, and the gentleman from Mississippi [Mr. COLMER], who sponsored the resolution, it comes before the House as a nonpartisan measure and without any opposition at all.

We have been criticized in the past and probably justly so, in the Congress for not being streamlined, for not assuming our responsibilities to study and prepare the way for post-war planning and legislation and for permitting young, radical lawyers to frame our legislation for us and then pass it through Congress without amendments. That procedure has passed, and I hope for good, and the Congress will from now on legislate on its own initiative as a separate and independent branch of the Government.

This resolution aims simply to set up a special committee of the House of Representatives to study the entire post-war economic policy and planning for the United States for the benefit of all the American people, including those engaged in industry, agriculture, mining, commerce, and in both small and big business. If the Senate wants to have the same kind of committee, that is their privilege. There are those who thought there ought to be a joint committee, but many opposed that suggestion as being impracticable, and it was felt that a simple resolution creating a special House committee would accomplish a better job. I agree with that conclusion, that it is far more practical, efficient, and workable to have a separate House committee.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. SABATH. I presume the underlying reason for our failure to agree to a joint committee was because the House had passed in the last session a bill providing for the disposition of surplus property which it is of the utmost importance should be disposed of in a most efficient manner and the other body has, up to this date, failed to act. So we do not know, really, what they intend to do or whether they are really in favor of such investigation as this resolution of the House demands.

Mr. FISH. I thank the gentleman for his contribution.

Mr. Speaker, I use the words advisedly, and repeat them, I believe this resolution to be one of the most important and far-reaching to come before the House of Representatives. It may even have to do with the preservation of our American system of free enterprise and possibly our American way of life and standard

of wages and of living. I believe we could all agree that we may be confronted with the problem of finding jobs for some 10,000,000 unemployed veterans when they come home and certainly an equal number of wage earners now engaged in the war effort. The other day I mentioned that post-war unemployment may amount to 20,000,000. Others have mentioned 30,000,000. Naturally, it is the duty of Congress, free from partisanship, to help solve these post-war problems by research and study at the present time and give the benefit of those facts and recommendations to the party leadership of the next Congress, whether Republican or Democratic, so that they can immediately put into effect legislation that would help solve the all-important question of post-war unemployment. The House cannot afford to remain silent about such a vital and staggering problem. It is inevitable and if we permit chaotic unemployment conditions to exist after this war, we may lose our entire system of free enterprise and maybe our own political institutions as well, and be faced with dictatorship, national socialism, or communism.

This is an important resolution and if the special committee created by it performs its duties as intended by the House and as set forth in the resolution, under the able leadership of my colleague from Mississippi [Mr. COLMER], it may be the means of saving American institutions both economic and political. It is certainly the greatest issue that this Nation is confronted with after winning the war and securing a just and lasting peace.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from New York.

Mr. TABER. I want to call attention at this time to this situation—and it does not seem to have been considered by most of the people who are considering post-war planning: The most serious situation we are going to have to face after the war is the backlog of repairs—repairs to everything—buildings, roads, highways, sewers, streets, water systems, and everything else—the backlog of empty shelves, the backlog of no automobiles, that is going to absorb, in the first flush of the period after the war ends, all of the labor that is available. Your post-war problem of employment is going to be heaviest a year and a half or two years after the end of the war, and you can muss it all up if you try to get too many projects or too much new construction in the beginning.

Mr. FISH. Let me say to the gentleman I quite agree with him; but, on the other hand, we have almost reached the peak of production in this country. Probably within 6 months' time we will be on the down grade. Already we have tremendous overproduction in aluminum, in tools, in copper, and in other war-needed commodities. We do not have to wait for 6 months, even. We have it now. It is about time we began this study. If I have any criticism of this resolution at all, it is that it should have been brought up a year ago. It is essential now that we study and prepare a program for constructive legislation to promote an expanding economy to provide for post-war opportunities for work and a high standard of living.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. FISH. Mr. Speaker, I yield myself 2 additional minutes.

I had not intended to refer to myself, but I offered practically an identical resolution a year ago, on February 25, 1943. We should have adopted it at that time. Naturally, I knew and everybody else knew that a resolution of that nature and importance introduced by a member of the minority, would not be adopted. Thank God the majority side has brought it in now before it is too late, so that we can start right in trying to solve the all-important question of post-war employment and the conversion of our war industries to peacetime production on a large scale.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. DONDERO. In connection with what the gentleman from New York [Mr. TABER] has already said, there has been a survey made in this country by a national organization, showing that $15,000,000,000 of consumer goods will be needed when this war ends, which will in some way help the post-war problem that your committee is considering.

Mr. FISH. Why does not the gentleman say that the American people will immediately need 10,000,000 automobiles from Detroit and vicinity, which he so well represents?

Mr. DONDERO. Well, that was bound up in that statement.

Mr. FISH. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I think it is a splendid idea to have this committee. Has there been any estimate made as to what it would cost to make a thorough investigation?

Mr. FISH. I do not believe any estimate has been made, but I can express my views. The National Resources Planning Board, which made a research along these lines, received an appropriation of between $800,000 and $1,000,000 annually from the Congress for their research. Of course, the Congress has no idea of appropriating any such sum. I have not heard anybody discuss how much will be needed, but I know the Members of Congress will give every cent that is needed, on both sides of the aisle. But it certainly will not be any such sum as that.

The SPEAKER pro tempore. The time of the gentleman from New York has again expired.

Mr. FISH. I yield myself 1 additional minute, Mr. Speaker.

Mr. ROBSION of Kentucky. Is it contemplated that this will lead to the introduction of legislation?

Mr. FISH. This special committee is not a legislative committee. It only has the right to submit the facts to the House with recommendations, but not to introduce bills as a legislative committee. However, individual members of the special committee can introduce bills and then they will go to the regular legislative committees for consideration and action.

Mr. ROBSION of Kentucky. Well, it contemplates the finding of facts and making recommendations for legislation?

Mr. FISH. That is right.

Mr. TABER. Will the gentleman yield?

Mr. FISH. I yield.

Mr. TABER. I would not want anybody to think I was opposed to the resolution because of what I said, or the things I called attention to, but I would like to have the committee consider the whole basic problem and the time when the break is going to come, rather than to let the country go off half-cocked. That is the situation I desired to call attention to.

Mr. FISH. I imagine the committee has just that one objective; that is, to try to obtain, after this war is over, a balanced economy and provide a stable economy so that our American wage earners and veterans returning home may have jobs. That is the purpose of this committee, and the committee should report back to Congress the result of its research and any information that may enable the Congress to pass appropriate and suitable legislation to help solve our vital post-war economic problems, to reorient our domestic economy, and also to help determine our place in world economy.

The SPEAKER pro tempore. The time of the gentleman from New York has again expired.

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Speaker, I want to say very emphatically that I am in favor of this resolution. As I stated in the Committee on Banking and Currency, the other day, the morning after our Speaker had delivered his great address in Chicago, on January 20, I am in favor of this resolution. I wish to congratulate our Speaker for having made that statement at that time and for having facilitated the bringing of this resolution to the floor.

I wish to read one brief quotation from what our Speaker said in his address at Chicago:

> We are endowed by nature and by our capabilities with everything needful for maintaining a high rate of employment in the United States after this war. There is no reason under the sun why our people should not enjoy more goods and services than they have ever known before. If we can be prosperous in wartime we can be prosperous in peacetime; if we can employ our people to forge the weapons of war we can employ our people to make the instruments of peace; if our national income can be higher than ever in time of war it can be higher than ever in time of peace. That is what the people will expect of you and me.

Mr. Speaker, if I had spent years trying to put down in a few words my own philosophy of our economy I could not have expressed it any better than the Speaker did when he made that statement in Chicago. That is what I believe

in. If we resort to Government pump priming after this war is over in order to bring employment and create artificial buying power then I shall be ashamed of the people of the United States.

I have confidence in the gentleman who I understand will be the chairman of this committee. I refer to the gentleman from Mississippi [Mr. COLMER]. I know also that the Speaker will put around him a group of men from this House who can do this job. I know that throughout this country there are a great many city managers, mayors, and heads of business, small, medium, and large, who are now ready to turn information over to this committee. This means that the committee can proceed to function without any undue delay. I congratulate the Committee on Rules in bringing this resolution to the House, and I join with all those who have participated in getting it thus far.

Mr. ROLPH. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from California.

Mr. ROLPH. Does the gentleman suggest that the Members of the House communicate with their districts asking that these post-war planning projects be presented to the committee at this time?

Mr. CRAWFORD. I think that would be an appropriate thing for them to do and, as a matter of fact, in my district I have already had a meeting with the State, county, and city officials; so we have our part of it under way.

Mr. ROLPH. In my city they have a very definite plan, what is called a workpile plan, a very intelligently thought-out plan. They are just waiting for an opportunity to present that plan to the proper governmental agency to have it considered.

Mr. CRAWFORD. We hear talk of a back-log demand for $15,000,000,000 of consumers' goods. Let me say to you we shall need a minimum of $90,000,000,000 worth of consumer durable and nondurable goods per annum. Let us not get our ideas fixed on $15,000,000,000. In order to take care of our post-war obligations it will require an income in this country of not less than $135,000,000,000 per annum at today's price level. If we are to work out from under these debts and commitments we have made it will take an income of not less than $135,000,000,000. We should proceed to open plants and to build new plants if necessary to turn out the goods that will be needed to remove the fear of want from our people.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. VOORHIS of California. I just want it to be plain that Los Angeles has not been behind San Francisco in this matter and that a great deal of work has been done in our section of California also in an effort to try to look forward to meeting this problem.

Mr. CRAWFORD. I am sure that is the case all over the United States.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Speaker, appropos of the pending resolution I wish to call attention to the fact that on November 9, 1943, I made the following remarks in the House of Representatives:

> Mr. Speaker, I desire to give notice that beginning on the 23d of this month the Committee on Public Buildings and Grounds will start hearings with reference to certain features of post-war planning. I think a great deal of economy can be effected in taking care of unemployment after the war if we have information, discussion, and deliberation with reference to various plans that may be suggested. The municipalities in many instances are quite willing to bear their own expense with reference to the necessary reconstruction and rehabilitation. We do not want to have a long period of idleness as we did after the last war, when we were paying out money for projects which were of no permanent value.

Pursuant to the statement which I then made, the Committee on Public Buildings and Grounds began those hearings on the date specified. We have been conducting hearings with reference to various phases of post-war planning 3 days each week since that time. We have had many industries represented by people of national importance giving their ideas and their plans and the factual information that will be helpful. We have these hearings scheduled until a little after the middle of February. So when and if this committee is appointed for which this pending resolution provides there will already be a great mass of interesting and informative data that can be used by this committee. We are trying in the hearings which we are conducting not to overlook any phase of post-war planning insofar as it concerns the Federal Government, the State governments, the municipal governments, industry, labor, and the various other organizations in this country; and so I may say for the Committee on Public Buildings and Grounds that in very large measure we have anticipated and have been carrying out the purpose of the present resolution. I hope there will be no unnecessary duplication of effort, inquiry, and investigation with reference to the data we have already available and other data which will soon become available through the hearings we are holding 3 days each week.

I think it important to make this statement in order that it may be generally known that, in accordance with the suggestions made in my remarks of November 9 last, the Committee on Public Buildings and Grounds has been accumulating and assembling information with reference to these various phases of post-war planning.

Mr. Speaker, I yield back the remainder of my time.

Mr. FISH. Mr. Speaker, I yield such time as he may desire to the gentleman from Iowa [Mr. HOEVEN].

Mr. HOEVEN. Mr. Speaker, every farsighted individual in the land will admit that next to defeating our enemies the most important task facing the country today is post-war planning in the domestic field. There is no proposition which has provoked so many wise words and so little action to date. The lack of foresight or the seeming desire just to do nothing has been appalling. Unless something is done soon it may again be a case of "too little and too late."

It will be impossible to convert the Nation from a wartime basis to a peacetime basis overnight. It will take a lot of careful planning and the time to begin planning is right now.

Several Government and private agencies are nibbling at the subject and all we hear from behind closed doors is the specter of another glorified W. P. A. and some revolutionary monetary schemes. The Department of Commerce is making some surveys. The Brookings Institution experts are at work. Industrialists, manufacturers, bankers, and insurance men are all perspiring over the problem but the fact remains that today, after 2 years of war, not a single one of these agencies or groups, including the United States Government, has done a bit of realistic work.

Many charts and tables of statistics have been presented which only emphasizes the gravity of the problem. It is high time we began to find the answer. This resolution is the first constructive plan of operation that has been presented to the Congress to date. Post-war domestic planning is not a matter for private interests to work out though we welcome their cooperation. It is primarily the duty of the Government and the administration to present an over-all plan and pattern. Several years ago a measure for post-war planning was introduced in the Congress which was generally approved. It provided for a Presidential appointment of a committee of 15—5 from Congress, 5 from the executive departments, and 5 from business and industry—to study post-bellum problems.

I understand that this proposal was pigeonholed in committee where it still rests in peace and slumber to this day.

There is always the problem of long-range planning in any form of economic activity, but our immediate problem is planning for the day when our millions of fighting men return from war. We must put aside remote dreams of the future to prepare now with what we have to create the new world to which our soldiers will return. The problem of gradual demobilization of our armed forces will be a serious one. We readily understand that industry cannot absorb all of the men at once. This will create unrest among the troops. Letters from boys overseas today indicate that recommendations to stall demobilization to permit gradual absorption into industry is making no hit with them. The boys want to get home without delay after the war. They will take their chances on jobs. Armistice Day in 1918 found me in France, and I well recall that my most cherished desire when the war suddenly ended on that day was to get back home as quickly as possible. I imagine that human nature has not changed much in 25 years.

Now, I appreciate the fact that post-war domestic planning is a tremendous

undertaking because it involves so many problems in so many fields. In the field of air transportation, for instance, the demands for tomorrow can only be met by immediately and energetically planning to absorb those young men trained by war in aviation skills. An over-all but regulated expansion will be needed with new routes and new types of service prepared now and held ready to go into effect as our soldiers are demobilized. Otherwise, we shall have to say, "Wait a while, we will need you later." That means charity, relief, disillusionment, bitterness—all the old evils again, all the evils against which we must plan and must prepare.

The men who today are fighting on the battle fronts of the world do not want relief or Government hand-outs when they come home. They want jobs and a home and security—all the things they have given up. Regardless of when the war will end, our greatest responsibility as to winning the war is to plan now to win the peace at home.

The Selective Service Act, which provides for a return to former jobs, should be strictly enforced, possibly through a newly created reemployment division within the selective system. Opportunities for continuing education to those who gave up their schooling to go to war should also be considered.

Millions of men and women now working in war plants will be thrown out of work almost overnight when peace comes. The Government should plan now for the placing of dislocated war workers on new jobs in business and industry. New industries and processes must be developed and the Government can help in this development to give work to its citizens. Full employment of labor may mean a broad public-works program. If so, let us plan something now. There is a vast and untapped source of socially profitable employment in such public projects as, first, the modernization of our transportation system; second, the further development of our electrical resources; third, a further irrigation, clearance, draining, and improvement of our lands; fourth, conservation, including oil conservation, reforestation, and fire control; fifth, flood control; sixth, highway development; seventh, construction of public buildings; eighth, slum clearance and reconstruction of our cities. In all these ventures the Government should cooperate with State and local governments.

The farmer earns his bread by the sweat of his brow. His labor is essential to the production of the Nation's food. His income is largely beyond his control. For the farmer a post-war program should include, first, a fair price for his goods in the market place equaling the cost of production plus a reasonable profit; second, a continuous improvement of highways, of the educational system in farm districts and of community help, housing, and recreational facilities; third, the encouragement of bona fide farmers' cooperative enterprises in the buying of farm requirements and the selling of agricultural goods; fourth, the development of Government import and export boards to facilitate and regulate the international flow of farm products; fifth, means to advance his knowledge of scientific farm practices, to procure better machinery, and to improve the soil.

The Government has of necessity been in business during the war. Will it seek to stay in business after the war? In short, is Government going into competition with private industry? The Government does not have to make a profit to survive. Private industry does. So one of the great post-war problems presents itself. What is the Government going to do with Government-owned plants and Government-owned machinery? The commonly called private enterprise or free competition system has provided the highest standard of living in the world. This high standard cannot be maintained and improved unless the highest possible levels of employment and productivity are obtained during the post-war period. In order to bring this about industry must fully understand the viewpoint and problems of labor and labor must secure a clearer picture of the functions and responsibilities of industry. We must best do our utmost to help preserve all the good things and eliminate all the evils in the only system of national economy that has proven its merits by its accomplishments.

All of these things mentioned cannot be done in the twinkling of an eye. The Congress knows of the problems which will confront the Nation in the post-war world. The new committee proposed by this resolution will give these matters careful and prompt attention, I am sure. The responsibility is upon our shoulders. Will the Members of this House accept the challenge, not when the war ends, not 6 months from now, but this very day?

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. VOORHIS], author of a similar resolution.

Mr. VOORHIS of California. I am in favor of the passage of this resolution, for I have been urging the creation of a committee of this kind not for 1 year or 2 years but for more than 3 years. The first resolution presented to the House on the matter was mine.

On January 10, 1941, I introduced my first resolution to set up a national commission to prepare for the time when this war might be over and when it would be necessary for us to go back to a peacetime economy. Hearings were held on that measure that year by the Committee on Labor, and it was favorably reported to the House, but no further action was taken on it. I am glad, indeed, to support the resolution of my colleague the gentleman from Mississippi [Mr. COLMER], and I hope, as he stated, that it will pass unanimously.

My own view of the matter was a little bit different insofar as the make-up of the body to do this work was concerned, for I conceived then, as I do now, that this is a national problem and not just a Government problem. My resolution would have set up a national commission consisting of 10 Members of Congress, 3 representatives of industry, 3 of labor, 3 of agriculture, 3 from the churches, 3 from veterans' organizations, 3 from cooperatives, and 1 or 2 from other groups, in order that we might include in the make-up of such a group a whole cross section of our national life. I still hope that in the work of this committee it will be possible to draw upon the experience, advice, and help of all kinds of people. I have confidence this will be done, because to me the greatest job of political, economic, and social—yes, and spiritual—reconstruction that any people has ever been called upon in all history to do is going to face us in America after this war is over. As somebody has said, in commenting upon the return of 11,000,000 men from winning this war, the answer to them had better be ready, and it had better be good.

Unemployment is not going to be tolerated after this war, and we have our choice, as I see it, of either developing in democratic fashion a constructive program which will preserve the structure of freedom and at the same time give a basis for full employment, full production, and decent security to the people or else facing alternatives that I do not want to mention now. Members know what they are, and they are not happy ones for our country.

The magnitude of this task can perhaps be realized when I say to you that several years ago the best students of the problem said that the maximum productive capacity of this Nation was $90,000,000,000 of wealth per year. Today we are producing $150,000,000,000 in wealth, with a great section of our population withdrawn from the possibility of producing at all. After this war, if we are to carry our national debt and pay it out, if we are to provide jobs for these returning fighting men we talk about, we are going to have to have a buying power among our people, a market here at home, Mr. Speaker, which will be commensurate with the ability of this Nation to produce goods and services. That to me is pretty close to the key of the problem.

I mention only one specific thing I believe this committee should give attention to. After the last war there was brought about in the year 1920 a deliberate deflation of the supply of currency and medium of exchange in this Nation that brought farm prices to about one-half of their former level in a period of a brief 8 months. Such a thing must not happen again. There is no reason for it to happen and it must not be allowed to happen.

Mr. ROWE. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Ohio.

Mr. ROWE. There is no question but that the two basic elements necessary to that program that the gentleman outlines is a little unselfishness and an assurance of the privileges of equality.

Mr. VOORHIS of California. I think the gentleman is quite correct. Indeed, I think most problems of humanity could be solved if every group and every individual viewed life from a purely unselfish

point of view. So far as it is possible for us to exert our influence in that direction we must do it. I believe that as to every single group in this Nation, as to industry, as to labor, as to agriculture, as to every group in this country, there has to be a realization on the part of those groups that this problem of America cannot be solved in exactly the way that anyone would demand or like, but that there has to be a meeting of the minds and a commitment to the general welfare of the Nation on the part of all.

The SPEAKER. The time of the gentleman has expired.

Mr. SABATH. Mr. Speaker, I yield such time as he may desire to the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Speaker, labor unionism, private industry, and committees appointed by the Chief Executive of this present administration, have for many, many months been giving consideration to the problem of planning now for the economy of the post-war era. If I were to be critical of the body to which I belong I would perhaps say that we have been long overdue in acting on such a proposal as is here presented.

Mr. Speaker, we have a definite responsibility, as legislators, to lay down insofar as we are now capable the pattern upon which we can build an abundance and a certain sustained prosperity for the well-being of our people in the transitional period that will be so crucial immediately after this war ends. I have given much study to this subject, and I ask unanimous consent to include as a part of my remarks comment made in an address I delivered in Chicago before the convention of the American Road Builders Association, on the subject After Victory—What? on May 6, 1943.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There was no objection.

The matter referred to follows:

America at war is a nation fighting for peace. We do not seek the empty fruit of military conquest or the cruel subjugation and exploitation of weaker peoples. We are fighting to make this world a better place in which to live, to make peace and security possible for every nation of the earth, and, above all, to make certain that our own country will always be a land of freedom, abundance, and opportunity.

Our war will not be won on the day when some gallant American doughboy throws a leg over Hirohito's throne. Nor will we win it on the inevitable day of unconditional surrender of the Axis, not even when the last cringing criminal has been tried and punished. Victory will be ours only when we have achieved the objectives for which we are battling when the giant factories now producing munitions of war are humming with peaceful production, when our returning soldiers have been demobilized and given good employment on our farms and in our factories, when there is a job for every man who desires to work, and the dignity and liberty of every person are secure.

We are told that this is no time for post-war planning; that we must gain the military victory first and then think of peace; that it is impossible to make post-war plans today because we do not know how long the struggle will last; that planning is futile when we do not know how long the struggle will last; that planning is futile when we do not know what nations, in post-war alinement, will be friend or foe. To these well-meaning but misguided critics I reply:

The most critical period confronting us today is the period of transition from total war to the paths of peace. Whether the war lasts for 1 or 10 years, whether the conference table leaves us surrounded by friends or alone in a jealous world, our major problems will be the same. Factories representing the investment of many billions must be converted from war to peace; 20,000,000 war workers must be placed in peacetime pursuits, a transition which may require the mass migration of millions of people; 10,000,000 returning soldiers must be absorbed by our civilian economy; several million casualties will require care and rehabilitation; war-broken homes will call for restoration; disrupted channels of distribution must be replaced or restored; balance must be maintained between the cancelation of billions in war contracts and the pent-up demand for new homes and radios and other products of peace which are no longer being manufactured. If we fail in this transition, if inadequate planning brings us collapse and chaos, if we lose those precious human values for which our men and women are fighting and dying, we shall have lost the war just as surely as though Tojo made good his fantastic boast and dictated peace in the White House. It is imperative, therefore, as a vitally important part of our war effort, that we consider today the post-war world which is waiting for us in the tremendous future, and that we be ready for the final battle of civilization, the battle which will begin in earnest on the day the cannon cease to fire.

Mr. FISH. Mr. Speaker, I yield such time as he may desire to the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Speaker, I am glad that the House is taking affirmative steps to provide for post-war economic planning. The resolution now before us, House Resolution 408, has for its purpose the appointment of a special committee, to be known as the Committee on Post-War Economic Policy and Planning, composed of 12 members, 7 from the majority side of the House and 5 from the minority, appointed by the Speaker. It is conceded by all that a major problem facing us, secondary only to that of winning the war, is protecting the financial structure of our Government and keeping our American way of life unimpaired during the war, so that when the ten or twelve million servicemen shall be demobilized and the twenty to twenty-five million civilians released from war work that they may all be reabsorbed into our economic structure. This resolution has for its purpose that objective, and I hope that it will receive the unanimous support of the House.

CONFERENCE REPORT ON MUSTER-OUT PAY

Mr. Speaker, I want to take this occasion to set forth briefly the reasons which impelled me to vote "no" on the conference report No. 1013 to accompany S. 1543, which was passed by the House today. This report had for its purpose providing for mustering-out payments to members of the armed forces. A schedule of payments was agreed upon by the House when the measure was before us, but the other body and the members of the conference committee have materially reduced the amount of the payment in some cases to these members of the armed forces when they shall be mustered out. I believe that it is unwise to be parsimonious with these men and women who are sacrificing not only their time and their occupations, but placing their lives even in jeopardy to bring victory to our cause in the great struggle in which we are engaged. I have the firm conviction that we should make every endeavor to curtail every item of expense both non-war and for war that is possible without crippling our national war efforts. However, economy in this respect should not begin in the small stipends provided for our servicemen on being mustered out from the service. I believe that the report should have been rejected, sent back to the conference committee for revision in line with the recommendations in the American Legion's omnibus bill S. 1617, and in accordance with the recommendations of the national officers of the various veterans' groups as set forth in the following telegram which I received today. Mr. Speaker, for these reasons and others I voted "no" on the conference report.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein a telegram.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

The matter referred to follows:

WASHINGTON, D. C., *January 25, 1944.*

Hon. HOMER D. ANGELL,
Washington, D. C.:

American Legion suggests provisions muster-out bill as agreed upon by Senate-House conference committee yesterday are inequitable. True muster-out pay recognizes no difference between foreign and domestic service. Legion has case of World War No. 2 dischargee with 4 years' service in Continental United States discharged for injuries incurred in training resulting in loss both hands and one eye. According to conference report he would be entitled to $200 muster-out pay whereas one with few weeks' service overseas would get maximum $300. We recommend the principle of graduated pay according to length of service embodied in the Legion's omnibus bill, S. 1617.

WARREN H. ATHERTON,
National Commander,
ROBERT W. SISSON,
Chairman,
National Rehabilitation Committee.
FRANCIS M. SULLIVAN,
Executive Director,
National Legislative Committee.

Mr. FISH. Mr. Speaker, I yield 3½ minutes to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, at the outset of my remarks I wish to say that I am wholeheartedly in favor of this resolution creating a special Committee on Post-war Economic Policy and Planning. During the holiday recess I had the privilege of sitting in and also speaking to a called meeting of interested parties and officials of the Cass County district commissioners, Cass County War Board, Cass County Agricultural Conservation Association, Extension Service, Soil Conservation Service, at which time the following post-war plan

was submitted by the officials of the above-named organizations and same was unanimously approved.

A motion was then unanimously adopted to call another meeting inviting all interested parties of the Seventh Iowa District to attend. On January 17 this district meeting was held and the following resolution was adopted.

Mr. Speaker, I am quite certain that every county in the State of Iowa will indorse this resolution and I sincerely hope that other States will follow suit, not only in the farm sections but industrial centers as well, for certainly it will benefit industry, farmer, and labor alike. I shall consult with the Committee on Post-war Planning, Soil Conservation, and Department of Agriculture officials, as well as any and all interested people before I introduce a bill to accomplish the desired purpose. I will welcome the counsel of my colleagues. The time allotted to me does not permit me to speak further at this time, but I shall do so at an early date.

Mr. Speaker, I ask unanimous consent to include the letters and resolutions referred to in my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. JENSEN]?

There was no objection.

The matter referred to follows:

Mr. JENSEN: Enclosed you will find an outline of the suggested plans for post-war work in the conservation of Cass County's greatest resource, the soil. We will all have many hardships to endure before the time will arrive when the plans for post-war will be needed. It is very important that when that time does arrive, a sound program carefully planned is ready to be put into operation immediately.

When our men return from the armed forces we should be prepared with constructive employment which will utilize the skills and training they have been given and provide interesting work close to their homes until they are established in civilian life. A large supply of earth-moving equipment is now used by the Army which will be of no further use after the war. This equipment could do a peacetime job for future generations by converting hillside gullies, which are growing deeper and more numerous each year, to grassed waterways. Terraces constructed would protect slopes from sheet erosion.

The enclosed plan was approved by a committee appointed by the Cass County Soil conservation district. We are presenting this plan for your serious consideration.

Sincerely yours,

CLARENCE PELLETT,
Chairman.

[Enclosure]

SUGGESTED POST-WAR PLAN FOR EMERGENCY SOIL CONSERVATION WORK, CASS COUNTY, IOWA

1. SURVEY OF SOIL CONSERVATION WORK NEEDED IN CASS COUNTY

This plan was made by taking a careful survey on 11 representative farms to determine the work needed within the next 3 to 5 years. These 11 farms were checked carefully from the plans made in cooperation with the district, and in addition a field check and tour was made by men representing the following organizations: Cass County district commissioners, Cass County War Board, Cass County Agricultural Conservation Association, Extension Service, Soil Conservation Service, and other interested individuals. After checking the 11 representative farms, the estimate for the county was made in proportion to the acreage in the 11 farms and the total acreage in Cass County.

A. Work immediately available for post-war period

	Quantity of work needed	Man-days labor required
1. Number of feet of hillside gullies needing control on average Cass County farm (156 acres).	4,656 feet	
2. Total miles of gullies needing work (dams or sloping and seeding) on 2,244 Cass County farms.	1,981 miles	24,108
3. Total miles of terraces	870 miles	17,712
4. Total available now		41,820
5. Time required for 52 men to complete above work.		3 years

B. Additional work needed over long-time program which may or may not be adapted to an emergency program

1. Fencing	355,177 rods	25,250
2. Permanent structure, concrete, etc.	984 structures	78,720
3. Total miles of terraces	1,740 miles	25,424

2. SUGGESTED METHOD OF OPERATION

A. District commissioners be assisted by one assistant commissioner in each township. Township commissioner (keyman) assume the responsibility of assisting the foreman in determining the schedule of work in each respective township.

B. Work group to consist of three men as follows:

1. First man—foreman or contact man—to organize work, lay out work, supervise crew, determine with the help of the township assistant commissioner the farms to receive work. Qualifications: leadership ability, experience in contacting, and a knowledge of farming.

2. Second man—skilled tractor operator. Qualifications: past experience in the operation of heavy equipment.

3. Third man—assistant operator or blade operator. Qualifications: experience in tractor operation not essential.

C. Mechanic—mechanical help sufficient to maintain equipment (probably four mechanics with mobile repair shop truck and/or other transportation facilities).

D. Equipment required:

1. Each work group of three men to be equipped with tractor, grader bulldozer, scraper, and jeep. The work group of three men with equipment to be assigned to one township. For Cass County this would employ 52 men and 16 complete sets of equipment. In addition, four mobile machine shop trucks would be needed to service and repair equipment. The number of work groups could be increased or decreased as necessary requiring only an adjustment in the work area assigned to them.

3. QUALIFICATIONS FOR EMPLOYMENT

A. Preference given World War No. 2 veterans.

B. Preference to home county servicemen.

C. Local district has authority to hire and discharge men.

D. Wage paid equal to competing jobs requiring equal skill.

4. METHOD OF HANDLING FUNDS FOR EMPLOYMENT, REPAIRS, SUPPLIES, ETC.

A. First method:

1. Equipment assigned to district commissioners.

2. Men employed by district commissioners.

3. Funds allotted to district commissioners.

B. Second method:

1. Equipment assigned to Soil Conservation Service.

2. Funds allotted to Soil Conservation Service, U. S. D. A.

3. Expenses and pay roll paid by Soil Conservation Service.

C. Cooperator's contribution:

1. On per-hour basis to cover cost of operation and labor.

2. Could be deducted from A. A. A. payment.

Approved by the Cass County soil conservation district commissioners.

CLARENCE PELLETT,
Chairman.

DECEMBER 29, 1943.

ATLANTIC, IOWA, *January 19, 1944.*

Hon. BEN F. JENSEN,
Congressman, Iowa Seventh Congressional District, Washington, D. C.

DEAR SIR: On Monday, January 17, the chairman of the district commissioners, the Farm Bureau president, and the extension directors from all counties in the Seventh Congressional District were invited to Atlantic to discuss a post-war plan.

The resolution attached was adopted by the group and it was the desire of the group that others in Congress receive a copy. We are sending all copies to you so that you may distribute them to the best advantage.

A committee consisting of one man from each county was also appointed to assist further in supplying any information you may need in the development of this plan.

Very truly yours,

CLARENCE A. PELLETT,
Chairman of the Cass County Soil Conservation District.

[Enclosure]

SUGGESTIONS TO AID IN THE SOLUTION OF OUR POST-WAR ECONOMIC PROBLEMS

The Honorable BEN F. JENSEN: We as citizens of the Seventh Congressional District wish to petition you as our Representative in Congress to present to the Congress of the United States the necessity of post-war planning whereby our native sons who are now in the service may have gainful employment in their home county helping to build a greater and stronger nation through the use of the valuable machines that the United States Government will possess following the close of the war. We have a great need for soil conservation, not only to give these boys employment but to preserve the greatest natural resource of the Nation. Constructive work of this kind would help to build a greater nation and preserve our soil for future generations. We have the soil-conservation-district set-up, with valuable assistance given by technicians. We will have the ex-servicemen available after the war. We will have jeeps, trucks, tractors, and much other valuable machinery which our agricultural land needs to stop erosion and the loss of fertility.

Whereas the conclusion of World War No. 2 will necessitate a rapid reconversion of American industries and enterprise to peacetime pursuits, our main object is to provide in a post-war world gainful and useful work for our ex-servicemen, and we believe that many thousands can be employed in their own home community at work they understand by the use of surplus machinery useless to the Army, which should not be scrapped or sold but rather used on agricultural land to establish soil-conservation practices. Thus this large quantity of machinery would be permanently eliminated from trade channels and competition with the industrial-production output. The field for production of new equipment would be stimulated rather than hampered. Factories, mines, and industry would spend

full time on production to replace the depleted supply of machinery for civilian use. The use of surplus war machinery in this manner will contribute most effectively to insuring the permanency of the fundamental source of new wealth, the soil. This is the best security for returned service men and women; and

Whereas it is considered imperative that immediate action be taken to have the plan herein contemplated ready for operation when the first men are discharged from the service: Now, therefore, be it

Resolved by the undersigned groups and individuals of the Seventh Congressional District, That they hereby petition the Congress of the United States of America to, at the present session, enact legislation to enable the foregoing program as suggested, or such portion of it as shall be deemed feasible, to be put into operation, and to that end we do petition our Representative in Congress, the Honorable BEN F. JENSEN, to introduce in the Congress legislation to that effect, or to collaborate wit hany other interested Members of Congress in the introduction of such legislation, and to use all proper means at his command to secure the passage of such legislation.

I, Clarence Pellett, presiding at the postwar planning meeting called at Atlantic, Iowa, January 17, 1944, do hereby certify that the above and foregoing resolution was duly adopted and a copy thereof ordered sent to the Honorable BEN F. JENSEN.

CLARENCE A. PELLETT.

Mr. FISH. Mr. Speaker, I yield 3½ minutes to the gentleman from Illinois [Mr. DEWEY].

Mr. DEWEY. Mr. Speaker, it is the greatest credit to the leadership of this House that the pending resolution is before us today. I heartily support it and, as other speakers have stated, I hope it will be agreed to unanimously.

We are approaching a period of shift and change. Industry in this country has done a wonderful job in carrying out the requirements of our war effort, and I would like to bespeak the same praise for labor which, too, has done a wonderful job. But the time is going to come when the inspiration of patriotism and war will be taken away and it will be necessary to have somewhere a forum in which agriculture, industry, and labor may present and coordinate their ideas as to the best method of shortening the transitional period back to full peacetime production.

I cannot help but believe that a committee such as is proposed by this resolution can serve the purpose of such a forum, and with good will we can go through the transitional period to full employment in quick time. Therefore, I am heartily in favor of this resolution and hope it will have the unanimous support of the membership.

The SPEAKER. The time of the gentleman has expired.

Mr. FISH. Mr. Speaker, I yield 4½ minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, on May 2, 1938, the President said he had a profound respect for and devotion to the democratic legislative processes. "The continuing fairness of that legislative process is the foundation of enduring democracy," he said. On September 1, 1940, he said that he did not want to state his position on legislation then pending because he made it a rule not to state his position while measures were still before Congress.

Therefore, it was with not a little amazement that I listened to the reading of this message today. It was with more amazement that I listened to a statement in the first paragraph which is not true. I will read it for you:

> Our men cannot understand why the fact that they are fighting should disqualify them from voting.

The fact that our men are fighting does not disqualify them from voting. If they cannot vote, it is because they are too far away or because the ballots cannot be gotten to them, not because they are fighting. No American ever was and never will be disqualified from voting because he is fighting for his country. The Commander in Chief—and the President did speak as Commander in Chief when he sent this message—knows better than that, or he should at least know better than that, and those who write his messages should not put him in the position of making a statement of that kind.

The President has had considerable to say in years gone by about lobbying and about demagoguery. His message should be read with that in mind. I note that the gentleman from Illinois [Mr. SABATH] is listening. Let him read that message tonight two or three times and then come back and tell us tomorrow how much of each there is in it. The President is engaging in lobbying activities by sending up here a message affecting legislation. Not long ago he said he would not interfere with the legislative processes of Congress, yet here he comes with a message and in this message he charges the Congress and the respective States with fraudulent conduct. Think of it.

Here on the second page he says this:

> Some people—I am sure with their tongues in their cheeks—say that the solution to this problem is simply that the respective States improve their own absentee-ballot machinery. In fact there is now pending before the House of Representatives a meaningless bill—

A bill which the Senate passed and also a bill similar to the one passed by the Senate are before us.

Who is this man sitting in the Executive Mansion who has the right to charge the Members of Congress who have acted upon legislation with putting out a meaningless bill, a bill which is fraudulent? He will have his hands full if he attends to his executive duties and keeps his nose out of constitutional congressional business.

And how is he speaking?

> As their Commander in Chief, I am sure that I can express their wishes in this matter and their resentment against the discrimination which is being practiced against them.

Yes, he is Commander in Chief. He is also a fourth-term candidate. He seems impatient because so far he is a candidate. His message reads like one from a dictator.

There is no discrimination practiced against the men in the service.

I take it that every man in this House wants the men in the service to vote, but we want them to vote upon all elective offices. We want a constitutional ballot and election—not a stuffed ballot box. We do not want a ballot which has at the top of it, "Vote for President," and perhaps "Your Commander in Chief." That would be a fine kind of a ballot handed the servicemen.

The President closes the last paragraph on the second page of his message by writing:

> This "recommendation" is itself proof of the unworkability of existing State laws.

The recommendation is found in the bill passed by the Senate.

Now, the President knows very well that the duty of defining the qualifications of the electors rests upon the States and the States, as such, have the power to, and undoubtedly will, enact legislation which will enable every qualified man and woman in the service to vote if the Federal Government will assume the obligation of getting the ballots to and from the places where the men and women are stationed.

Simple legislation, making it obligatory upon the Federal Government and its agencies to distribute and then to collect ballots authorized by the respective States will enable the soldiers to vote.

My own suggestion is that the States each enact a simple law requiring the preparation and the delivery to an authorized Federal agency of both primary and, later, general election ballots addressed to every qualified voter in the service of the United States and who is stationed beyond the continental limits of these United States; that this Congress without delay authorize the Army and the Navy to receive those ballots, to transport and deliver them and, after they have been voted, return them to the States for counting.

Of the Senate bill and apparently of the bill reported out by the House committee by a vote of 7 to 5, the President, in the first paragraph on page 3 of his message, writes:

> I consider such proposed legislation a fraud on the soldiers and sailors and marines now training and fighting for us and for our sacred rights. It is a fraud upon the American people.

There is no justification whatever for that statement. Such legislation is not a fraud upon those in the service, nor is it a fraud upon the American people.

The President does not add to national unity when he charges that legislation proposed by a congressional committee, that legislation which has passed the Senate, is a fraud upon our people or those in the service.

When, over the radio, the people in foreign lands learn that the President of the United States has charged the Senate with having perpetrated a fraud upon the people of the United States, is charging that the lower House now proposes to perpetrate a like fraud, what

will they think of the people's representatives? Will they not say, "There is an example of the democracy, of the freedom, which the President says should be carried to the four corners of the world"?

On page 3 of his message, the President calls attention to a statement made by the Secretary of War as to the difficulty of delivering the ballots to those in the service. Beyond question, there will be great difficulty. But the Secretary of War has been able to transport the men. He should be able to get the ballots to them and back home from them.

The armed forces have been able to transport Mr. Willkie, Mrs. Roosevelt, and various others to foreign lands and to bring them safely home. Hardly a week goes by but our Government transports to some foreign country some individuals for propaganda purposes. If propaganda and individuals disseminating it can be transported by the armed forces, there should be no difficulty in getting the ballots to those in service.

The President concludes his message with the statement that he realizes—

> That the Executive as such has nothing to do with the making or the enforcement of these rules. Nevertheless, there are times, I think, when the President can speak as an interested citizen.

Inasmuch as the President is not only an interested citizen but an interested candidate, we should no doubt listen to him and we should make it doubly certain that the interested citizen-candidate does not, while posing as Commander in Chief, unduly and improperly influence those who are entitled to vote.

Do not forget, the President also claims the right to speak as Commander in Chief, for, on page 4, we find this language:

> As their Commander in Chief, I am sure that I can express their wishes in this matter and their resentment against the discrimination which is being practiced against them.

Once more, the President oversteps. No discrimination is being practiced against the servicemen. If the President had given the word last week, legislation enabling the service men and women to vote would have passed the House. But he has sat back and his administration—at least, his leaders here in Congress—have prevented this legislation coming to the floor.

The facts and the circumstances and the President's message indicate that he is apparently more interested in the form of the legislation than in the abstract right to vote.

The President takes a last slap at Congress by concluding his message with this paragraph:

> As I have said, this is solely a legislative matter but I think most Americans will agree with me that every Member of the two Houses of Congress ought to be willing in justice "to stand up and be counted."

Never have I been unwilling to stand up and be counted. Congress itself was not unwilling to stand up and be counted, when the President vetoed the Connally-Smith bill; and let me call your attention to the fact that the President who now expresses such great solicitude for the men in the service; who addresses them as Commander in Chief, while calling attention to their right to vote in connection with his own election, is the same individual who, as President of the United States, vetoed the act of Congress which gave the soldiers their bonus. At that time, two-thirds of both branches of the Congress stood up and were counted in overruling that veto.

Was the message a message in behalf of those in the service? Or was it, and is it, a message in behalf of the fourth-term candidate? Read it and judge for yourself, for the facts demonstrate beyond argument that the Republican minority, as well as a large group of Democrats, are and have been anxious to pass legislation which would enable the servicemen to vote, not only for President but for every candidate seeking office, while the administration is chiefly concerned with the election of a President, Senators, and Congressmen.

Mr. SABATH. Mr. Speaker, I yield to the gentleman from New York [Mr. KLEIN] to submit a unanimous-consent request.

Mr. KLEIN. Mr. Speaker, I ask unanimous consent that in pursuance of the remarks I made this morning I be permitted to extend my remarks in the Appendix of the RECORD and include therein the President's message on Brotherhood Week.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SABATH. Mr. Speaker, the gentleman from Michigan [Mr. HOFFMAN], as is his usual custom to oppose, for political reasons, anything and everything the President may say or do, criticized the message of the President. He does not seem to recognize the fact that under the Constitution the President has not only the right but the duty to recommend to the Congress what legislation should be enacted. Such criticism, being manifestly unfair, only bears out the prejudice expressed in the statement he made earlier in the day when he stated that he and other Republicans should continue in their efforts to try to elect someone to succeed President Roosevelt. However, he made it clear that he is opposed to Mr. Willkie, and so am I, and a large majority of the American people. I know that the people, regardless of criticism and fault-finding, will insist and demand the reelection of President Roosevelt, who in intelligence, ability, courage, and patriotism, stands head and shoulders above any Republican who has or will be mentioned as a candidate.

Mr. Speaker, may I answer the gentleman from New York [Mr. FISH], who is fearful of the future of free enterprise, by saying that never before in the history of our country have industry and the people enjoyed freer enterprise and freer action than under this administration. Surely, he and those who are clamoring for free enterprise must realize in their hearts, if they have any, that business has not been restricted and has been free, but many in big business have abused that freedom. They consist of that kind who are interested in more and more profits, and I realize that they will be seeking greater profits after the war. However, I know that they are in the minority and the attacks on this score only come from those who are seeking to create prejudice against the administration because they are obliged to comply with the laws we have passed. They should desist in their unfair tactics. I agree with the gentleman from New York on one point—namely, the winning of the war, but I also believe that our plans should be formulated to bring about a lasting peace and to safeguard our future economic conditions. There is no one under whose leadership that could be best accomplished but under the leadership of our great President, Franklin D. Roosevelt.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Pennsylvania.

Mr. WRIGHT. May I read article II, section 3, of the Constitution?

He—

Meaning the President—

> shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient.

I believe the President was thoroughly within his rights in sending this message to Congress today.

Mr. SABATH. That is what I stated. Of course, what the gentleman has read makes it much clearer.

As to the statement of the gentleman from Michigan [Mr. CRAWFORD], I am satisfied that after the war conditions will change, but I am absolutely certain that we shall be able to continue successfully to provide employment for all those who will be released from our armed forces. As to the amount of national income mentioned by the gentleman, we know that in 1932 the national income was $40,000,000,000. It is now between $135,000,000,000 and $140,000,000,000, and I honestly believe that the national income will continue for years to come close to these figures. I do know that if we are united, if we work in the interest of our Nation, prosperity will be ours, people will be employed, and, due to the friendships we have made with other nations, we shall be able to continue to supply not only our needs but the needs of the world, which will help us to keep our men employed.

Mr. Speaker, I yield to the gentleman from Mississippi [Mr. COLMER] to offer an amendment.

Mr. COLMER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. COLMER:
> On page 1, line 5, strike out "sixteen" and insert "eighteen."
> In line 6, strike out "nine" and insert "ten."
> In line 7, strike out "seven" and insert "eight."

The amendment was agreed to.

Mr. SABATH. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 408, Seventy-eighth Congress, the Chair appoints as members of the Special Committee on Post-War Economic Policy and Planning the following Members of the House: Mr. COLMER, Mississippi, chairman; Mr. COOPER, Tennessee; Mr. THOMASON, Texas; Mr. WALTER, Pennsylvania; Mr. ZIMMERMAN, Missouri; Mr. VOORHIS, California; Mr. MURDOCK, Arizona; Mr. LYNCH, New York; Mr. O'BRIEN, Illinois; Mr. FOGARTY, Rhode Island; Mr. FISH, New York; Mr. GIFFORD, Massachusetts; Mr. REECE, Tennessee; Mr. WELCH, California; Mr. WOLVERTON, New Jersey; Mr. HOPE, Kansas; Mr. WOLCOTT, Michigan; Mr. DEWEY, Illinois.

THE DIES COMMITTEE

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts, I submit the following privileged resolution (H. Res. 415), and ask its immediate consideration.

The Clerk read as follows:

Resolved, That the further expenses of conducting the investigation authorized by House Resolution 282 of the Seventy-fifth Congress, and continued under House Resolution 26 of the Seventy-sixth Congress, House Resolution 321 of the Seventy-sixth Congress, House Resolution 90 of the Seventy-seventh Congress, House Resolution 420 of the Seventy-seventh Congress, and House Resolution 65 of the Seventy-eighth Congress, incurred by the special committee appointed to investigate un-American activities in the United States and related questions, acting as a whole or by subcommittee, not to exceed $75,000, in addition to sums heretofore made available, including expenditures for the employment of experts, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof, and approved by the Committee on Accounts.

The SPEAKER. The question is on agreeing to the resolution.

Mr. MARCANTONIO. Mr. Speaker, I would like to make a short observation.

Mr. COCHRAN. Mr. Speaker, permit me to say just a word and then I shall be very glad to yield to the gentleman from New York. This committee was set up in the Seventy-fifth Congress. Its activities were continued in the Seventy-sixth, Seventy-seventh, and the Seventy-eighth Congresses, and present authority expires January 3, 1945. The House passed the resolutions continuing the committee on every occasion after they had been presented by the Committee on Rules. As has been stated time and again, the Committee on Accounts is nothing but an agent of the House handling and auditing the contingent fund.

I stated in presenting the resolution that I was directed to do so by that Committee on Accounts. Since this so-called Dies committee has been in existence, including the amount provided for here, $625,500 has been voted for its expenses. There is now a balance of $2,976, not enough to pay the expenses for this month. I have always tried to hold the expenses of select committees to the lowest amount possible.

I might further say that this amount of $75,000 is a compromise. The Dies committee met and unanimously, with one reservation, directed the chairman of the committee to appear before the Committee on Accounts and ask for $75,000. Two weeks ago I was advised a request would be made for $150,000. The compromise is for one-half that amount.

The committee is carrying on its activities; it now has 14 employees. How active it will be in the future I do not know. I do think, however, the House should know that while the chairman of the committee, the gentleman from Texas [Mr. DIES], said that he hoped that it could operate for the year with this amount of money, no definite promise was made. In fact, there was a reservation that if any big investigation broke that required a great deal of investigation and long hearings they would probably be required to have more money. I hope not. This is a matter for the House to determine. I yield now to the gentleman from New York [Mr. MARCANTONIO] for an observation.

Mr. MARCANTONIO. Mr. Speaker, I have consistently opposed this Dies resolution and appropriations, and have stated my reasons on every occasion. Today I oppose this appropriation not only for the reasons I have heretofore advanced but also for the additional reason that under present conditions, critical conditions, national and international, in which our country finds itself, this committee's actions will not be to her best interests. I submit that on the basis of the past and present record of this committee, it will contribute only to disunity and confusion, and therefore I shall vote against the resolution.

Mr. COCHRAN. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider the vote by which the resolution was agreed to was laid on the table.

THE SOLDIER VOTE

Mr. WORLEY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. WORLEY. Mr. Speaker, the election of 1944 is only 10 months away. Whoever the candidates are, however, the issues are drawn, whoever the victors may be, no one can have the slightest doubt that this will be one of the most important elections ever held in the United States. Our people will choose a President and Commander in Chief; they will choose a Vice President; they will choose the Members of the House of Representatives and a third of the United States Senate. It is almost inevitable that these Federal officials to be chosen in 1944 will determine the future of the Republic in the most troublesome period of readjustment that the world will have ever known. By the time the election is held as many as 12,000,000 men and women, almost a quarter of the normal electorate, may be members of the armed forces. Of these millions, as many as half may be in service overseas—somewhere in the Pacific, in Asia, Africa, or in Europe. These 12,000,000 citizen-soldiers are for the most part qualified voters under the laws of their respective States. They have the basic qualifications prescribed by State law for participation in the choice of Presidential electors. They have the qualifications prescribed by State law for electors of the most numerous branch of their State legislatures, and, therefore, have the right under the Constitution of the United States to vote for representatives in Congress and for United States Senators. I think you will agree with me when I say that their fellow citizens at home are united in the determination that they shall have the opportunity as well as the right to vote.

Mr. Speaker, this is not an issue on which the country is divided or on which political parties can afford to divide. Sometime, and I hope it will be soon, these millions of men and women in uniform will be coming home. They will come with many questions on their lips about the conduct of the home front during their absence. Many of these questions will be exceedingly difficult to answer. But for the sake of the country as a whole, I hope that the administration then in office, whatever it may be, and the Members of this House and of the Senate, whoever they may be, will not be confronted by the question: "Why did you conduct a national election without giving us a chance to vote?" Will any National Government have the strength requisite for the perilous times that lie ahead, if it is chosen without the participation of the men who are fighting this war? Will any Congress feel free to call itself representative of the people, if the members of the armed services had no part in the election of its Members? Will any political party have the presumption to claim the allegiance of the ex-serviceman of tomorrow if it fails to protect the franchise of the serviceman of today? These are questions which the country answers with a single voice. The men and women in the armed services must have a practical, effective opportunity to exercise their right to vote in the election of 1944.

I am fully prepared to assume that the Members of Congress are as united as the people whom they represent, in their recognition of this basic objective. On this assumption, the issue before us is one of means and not of ends. Broadly speaking, the question is whether Congress or the States or both shall take the necessary steps to enable the serviceman to cast his vote. The bill passed by the Senate relegates the matter to the States. Those who sponsor it here contend that the States can and will take the necessary legal steps and perfect the necessary machinery. My position is that while Congress should give every encouragement and lend every assistance to the utilization of State procedures, we must also provide an alternative Federal

procedure that will fill in the gaps wherever State procedures fail. The difficulty of using State procedures is so great, the obstacles to perfecting them are so many and the contingencies of remedial legislation are so clear—that, I confidently assert, a substantial proportion of the men and women in the service will not be able to vote unless we adopt a Federal plan. Since the time is now approaching when the House must reach a decision on this vital issue, I wish to present as simply as I can the considerations that point to this conclusion and support the bill I introduced on January 17, H. R. 3982.

First. State absentee voting laws are inadequate to enable the serviceman to vote. No one who has any knowledge of the subject will seriously contend that State absentee voting laws as they stand today are sufficient to permit absent voters in military service to cast their votes. The difficulties have been pointed out repeatedly, but I shall summarize them again:

1. In a few States there either is no provision for absentee voting—Kentucky and New Mexico—or none in general elections—Mississippi and South Carolina—or provision is made only for persons who are within the State—Minnesota.

2. The usual absentee voting law requires a series of communications between the voter and State election officials. At the least, three steps are necessary. The voter must apply for a ballot, the ballot must be sent to him, and he must return it by mail. In some States two additional steps are necessary: Before he can apply for a ballot the voter must first apply for an official application which must be sent to him and which he must return by mail.

3. In most States, the time within which these various steps must be taken is far too short to permit the procedure to be employed by millions of men in the service. The time within which the application must be received and the ballot sent out and returned is in the majority of States less than 30 days. However satisfactory this may be in the case of a voter stationed in the United States who receives his regular mail and whose post is not shifted during the crucial weeks involved, it takes no argument to show that these time schedules simply cannot be met in the case of servicemen scattered throughout the world.

4. In many States the absentee voting procedure is available only to persons who are registered voters and in some registration must be renewed at each election by personal appearance within the State. These are requirements that obviously cannot be met by hundreds of thousands of servicemen, and especially by those who have attained voting age since they entered the service.

These are not arguable matters. They are simple propositions of fact which anyone who cares to do so may determine for himself.

Second. State laws cannot be made sufficiently effective to eliminate the necessity of Federal action. Those who argue that voting procedure for members of the armed forces should be left entirely to the States usually admit that present State laws are ineffective. They contend, however, that the States will enact adequate legislation between now and election day. The only way to appraise the validity of this proposition is to consider what the States can do and what they cannot do.

1. According to my present information legislative sessions have been called—California, Colorado, Connecticut, Georgia, Iowa, Illinois, Kentucky, Michigan, Mississippi, New Jersey, New York, Rhode Island, South Carolina, Virginia, West Virginia, Wisconsin, Louisiana, Arizona, and Nebraska—or will probably be held—Maine, Delaware, Maryland, Ohio, Oklahoma, Washington—in 26 States. Needless to say, we have no assurance that such sessions will be called in the other 22 States or that satisfactory legislation will be enacted in the States in which sessions are held.

2. The difficulty, however, cuts deeper than the question whether State legislative sessions will be called in all of the States. Where such sessions are called, the legislature can and should eliminate or simplify registration requirements, and dispense with poll-tax payment and similar artificial bars to voting by men in the service of their country in time of war. The legislature can and should eliminate the necessity of a formal application for a ballot. These things can generally be done with relative ease, but this is not enough to meet the practical necessities of the situation. The time problem to which I have already referred must also be met, and it is at this point that the real difficulties arise.

3. The military authorities have estimated in a memorandum to the Council for State Governments that were State ballots to be distributed to servicemen inside the United States by mail they must be available for forwarding at least 30 days before the election; and that for distribution to servicemen outside the United States by air mail they must be available for distribution at least 45 days before the election.

To meet these time factors, it is not enough for State legislation to expand the time periods within which applications must be received and ballots forwarded and returned, though such action is necessary in almost every State. It is also necessary that the ballots be printed before they can be distributed by mail. Before the ballots can be printed the nominations must be closed. But in 14 States nominations are not determined by primary elections until September 12 or later—Arizona, Colorado, Louisiana, Massachussets, Michigan, Minnesota, Mississippi, New Hampshire, New York, South Carolina, Utah, Vermont, Washington, Wisconsin—and in two of these—Louisiana and Utah—they are not finally determined until October. Will those States be prepared to alter the dates of their primaries in order to permit the ballots to be printed and available for distribution within these times?

More than this, everyone concedes that distribution of ballots to servicemen overseas is entirely impracticable unless such distribution is accomplished by air mail. In the same memorandum the Army and Navy authorities disclose that voting material for mailing to servicemen outside the United States, including the ballot, envelopes, and instructions, cannot be carried by air mail if its average total weight exceeds eight-tenths of 1 ounce or if the average outer dimensions of the covering envelope exceed 4⅛ by 9½ inches in size. These rigorous limitations on size and weight are necessary because State absentee ballots will be mailed out at various times, addressed to individual voters, and will necessarily be carried as a part of the Army and Navy's regular air mail. Millions of large packages of ballots and voting material, such as the typical absentee ballot now employed in any large State, would displace so much regular mail between fighting men and their folks at home that the services could not possibly agree to carry them by air without grave and unjustifiable impairment of military and civilian morale. According to the War and Navy Departments, an absentee ballot weighing as little as 3 ounces would displace more than 1,000 V-mail letters in microfilm. Will it be practically possible, especially in the larger States, to devise a ballot small enough in size and light enough in weight for carriage by air mail? According to an editorial in the New York Herald Tribune of December 16, 1943, the list of candidates in New York State prepared by the State war ballot commission was a book of 900 printed pages. Will it be possible for a State like New York, with the number of State officials selected at a general election, to prepare a ballot and voting material that can be carried by air mail to servicemen overseas? If not, if ballots must be carried to and from the overseas voter by ordinary mail, is it not perfectly evident that the time periods cannot practically be expanded sufficiently or the ballots printed and ready for distribution early enough to enable the overseas voter to vote?

4. Finally, it is estimated that there are 10,000 changes of duty station each day in the Army alone, not to speak of the inevitable motion of naval personnel and the inevitable irregularity in the delivery of naval mail. Is it not perfectly plain that even if the States can devise an otherwise suitable procedure, thousands upon thousands of qualified voters would lose their opportunity to vote under State procedures because of changes in their duty stations between the time when their addresses are filed with the State officials and the time when their ballots would normally be received? We all know the kind of war this is and the way it has to be fought. It is fast and mobile and changing. A soldier or sailor may be in California 1 week and in the Pacific the next. He may be in north Africa when he applies for a ballot and in Italy before the ballot can reach him. He may be in England today and in France tomorrow. In the case of the Navy, mail communication with the men at sea is subject to special contingencies; a man serving on a destroyer in the Pacific cannot count on maintaining a steady corresponding with his secretary of state or with anyone else.

These are the unalterable facts of the matter, and they seem to me to indicate beyond all possible doubt that however much the States may improve their absentee-voting procedures, a very substantial number of servicemen will inevitably be deprived of an opportunity to vote unless Congress provides an alternative plan calculated to meet the irreducible obstacles which State procedures must otherwise face. I say now as I have said before that I earnestly hope that the States will do everything that can be done to develop and perfect their absentee-voting procedures for men in the armed services. I say with all candor that I believe a constructive result has been achieved by those who have advocated reliance upon State procedure insofar as they have stimulated the States to reexamine their absentee voting laws with a view to their improvement. But in the light of the facts as I see them I cannot say that it is possible for the States to accomplish the result alone. I cannot find that the practical difficulties I have enumerated have anywhere been satisfactorily met, or that the advocates of exclusive reliance upon the States have advanced any plan for their solution.

Third. Public Law 712 enacted in September of 1942 offers no practical assistance. While this act abrogates registration and poll-tax requirements for qualified voters in military service, the procedure that it prescribes otherwise suffers from the same defects and encounters the same difficulties as the absentee balloting laws of the States. It requires an application for a ballot to be sent to the Secretary of State and the forwarding and return of the ballot by mail. It does not enlarge the time period within which this must be done. It does not provide any machinery for printing the ballot before the dates when the candidates are known. The act expresses the judgment of Congress that it would be unconscionable and undemocratic if the millions of men and women drawn from their home communities for service in the Army and Navy were to be deprived by the fact of their service of the opportunity that they would otherwise have to vote. It expresses our recognition that Federal action is necessary to overcome the obstacles engendered by the facts of the situation and by State law. But it fails, as experience has shown, to provide an effective procedure to implement our determination that soldiers and sailors who are qualified voters shall have an actual opportunity to vote.

Fourth. If I am right in this analysis of the situation, and if I am in error I hope that I will be shown where my error lies; what is the appropriate solution? What action, if any, should Congress take pursuant to its wartime responsibilities? Is it sufficient for us piously to resolve that the States should enact legislation designed to solve a problem which we know the States, however willing they may be, cannot possibly fully solve? Is it sufficient for us to leave upon the Federal statute books an act designed to afford an opportunity for men and women in the armed services to cast their votes when we know that the act fails to afford a machinery by which this objective can be achieved? I say that the reasonable escape from this web of difficulties lies neither in Federal action alone nor in State action alone, but rather in a combination of both. Let the States do everything they can to improve their absentee-voting laws and to adapt them to the situation of the men in the armed forces. Let the Congress do everything it can to assist in the utilization of State procedures to the largest possible extent. Specifically, let us provide for the distribution among members of the armed forces of applications for State ballots, let us authorize the carriage of State ballots free of postage, including postage for air mail. Let us direct the War and Navy Departments to cooperate to the extent that they reasonably can in the utilization of State procedures. Let us agree that State procedures have the important advantage of including State as well as Federal officials and assimilate the military voter more closely to other voters in the State. But let us also recognize that with the best will in the world the States cannot as a matter of cold, practical fact fully accomplish the objective by State action alone. Recognizing this, shall we by our inaction permit those members of the armed forces who are beyond reach of State procedures to lose the opportunity to exercise their franchise while they are fighting to preserve our own? Is it not a more reasonable view of the matter to say that Congress should act to protect the franchise of those soldiers and sailors whom the States may be unable to reach? That, I earnestly submit, is the position we should adopt. We should do everything we can to promote the use of State procedures. At the same time, we should provide an alternative plan that will function where State procedures fail.

State procedures will fail, as I have previously shown, wherever their present imperfections are not remedied by State legislation, or even if the best possible legislation is enacted in every State, wherever the State ballot is too cumbersome to permit of speedy air-mail distribution or where the voter is beyond reach of timely mail. These are the contingencies which Federal legislation should be designed to meet. Wherever the voter cannot receive a State ballot in sufficient time by mail, there is only one way he can be protected by Federal action, that is to provide for the printing of blank ballots which can be distributed to the four corners of the earth long in advance of the election, even before the candidates are chosen. Since the candidates will not be known at the time the ballots are printed and distributed, the ballot itself must be separated from the machinery for advising the voter of the names of the candididates. When the candidates are known, their names can be transmitted separately to every place within reach of radio communication subject only to the necessities of war. When the voter comes to mark his ballot, the names wherever possible will be there. Executed ballots can then be collected by the Army and Navy and speedily returned by a single mass air-mail carriage for distribution to the several States. Such a procedure must be simple and uniform in order to be effective. It must be limited to Federal officials, if for no other reason, because it would not be practically possible to transmit the thousands upon thousands of names of candidates for State office or to prepare a blank ballot upon which State offices are included. It must be limited to general elections because it is not practically possible to go through this extraordinary procedure at varying times throughout the year when primaries and special elections are held. And finally, since all communication is subject to the exigencies of war, the form of the ballot should be such that those men who may not receive the names of candidates may express their preference, if they choose to do so, by party designation. I ask you if you were in Guadalcanal and neither a State ballot nor the names of Federal candidates could be brought through to you in regular course, whether you would think it fairer of the country you were fighting to defend if you were deprived entirely of your opportunity to vote or if you were permitted to express your choice by party if you so desired.

Fifth. These are the fundamental principles of my bill, and I submit that the principles are sound. Title II provides for the implementation of State voting procedures. Anyone who casts a State ballot cannot validly vote under the Federal plan. But title I provides a Federal ballot calculated to meet the situation where State procedures cannot be used. All that the Federal Government does is to prepare and distribute the ballots, collect the executed ballots, and provide for their distribution to the election officials of the voter's State. Except for registration and poll-tax requirements abrogated by Public Law 712, with which I do not deal, the voter must be qualified under the law of his State to vote for Presidential electors, Representatives in Congress, and United States Senators. Unless he is so qualified, he is not entitled to have his ballot counted. The ballot is marked in secret by the voter in the field and is forwarded in two envelopes, neither of which may be opened by anyone until it reaches the local election officials in the several States. Whether or not the voter possesses the requisite voting qualifications is to be determined solely by the duly constituted State election officials of the several States, authorized by State law to make that determination in all other cases. No Federal official, no State official other than the ordinary judges of elections, has anything whatsoever to do with determining whether or not a particular voter utilizing this procedure possesses the qualifications requisite to voting under the laws of the State of his residence. All that the Federal Government does is to provide for the printing, distribution, collection, and forwarding of ballots and, subject to what Congress has already done with respect to registration and poll-tax payments, to

accord the ballot legal validity if the voter is found by his State election officials to possess the requisite voting qualifications.

I submit that this is a reasonable solution of the problem before us. I submit that it accords full scope to the potentialities of the States for improving their absentee voting procedures at the same time that it safeguards the rights of the soldier or sailor who cannot utilize State procedure, however perfected it may be. I submit that the proposal safeguards the constitutional position of the States in defining the qualifications of voters and the traditional position of the States in the conduct of Federal elections.

Sixth. It has been said that Federal action to safeguard the right of qualified servicemen to vote exceeds the powers of Congress under the Constitution. I wish to address myself briefly to this point.

1. To begin with, I have said and I say again that so far as constitutional questions are concerned, no issue is presented here that was not deliberatively determined when the Seventy-seventh Congress by an overwhelming vote enacted Public Law 712, the existing soldiers' voting law. In the debate on that measure objections were made both to the power of Congress to establish a system of absentee balloting for members of the armed forces during time of war, and as to the suspension of registration and poll-tax requirements of State law. There certainly can be no constitutional difference between directing the secretaries of state of the several States to prepare and distribute a prescribed Federal ballot, as we did in the 1942 act, and providing for distribution of the ballot by the Army and Navy and return of the executed ballot to the secretaries of state. Nothing in my bill repeals either the registration or the poll-tax question. Unless and until a proposal is made to repeal sections 1 and 2 of the act of 1942, I do not see how these questions are presently involved. All that I purport to do is to substitute for the ineffective mechanical provisions of Public Law 712 a new machinery for the distribution and return of service ballots calculated to achieve the end involved. My position is, in short, precisely that taken by Senator CARTER GLASS in the following explicit words—CONGRESSIONAL RECORD, December 13, 1943, volume 89, page 10567:

> I wrote with my own hand the suffrage clauses of the Virginia Constitution, but inasmuch as the Congress more than a year ago, in what is now known as Public Law 712, specifically provided that no member of the armed forces was to be compelled to register or to pay a poll tax in order to vote, I cannot see that the rights of the States are either jeopardized or in any way involved in the present controversy.

I know that you share my feeling that no more distinguished or venerable authority could possibly be quoted on an issue of this kind.

2. While I think it is a sufficient answer that the constitutional question is not involved, I am not content to rest my position on that ground. If the question of constitutionality is to be reconsidered, I think it should have the same answer on the merits that was given in 1942.

Under article I, section 2, and the seventeenth amendment, the States determine the qualifications requisite for voting in congressional and senatorial elections by fixing, subject to the fourteenth and fifteenth amendments, the qualifications of electors of the most numerous branch of the State legislature; only persons who possess the latter qualifications are entitled, under the Constitution, to participate in the election of the Congress. But under article I, section 4, of the Constitution the power of Congress to regulate the "time, place, and manner" of holding congressional and senatorial elections is coextensive with the power of the States. Acting under these provisions, broad powers have been exercised by Congress, and their exercise sustained by the Supreme Court, *Ex parte Siebold* (100 U. S. 371); *Ex parte Yarbrough* (110 U. S. 651); and see *United States* v. *Classic* (313 U. S. 299). Whether some of us like those decisions or not, they have been the law of the land for 50 years. Even with respect to Presidential elections, where article II, section 1, provides that each State shall appoint its Presidential electors in such manner as the legislature thereof may direct, Congress has assumed to legislate against corruption, intimidation, and fraud in voting for Presidential electors, and its power in this respect has been sustained by the Supreme Court, *Burroughs and Cannon* v. *United States* (290 U. S. 534). Whether these electoral powers would be sufficient in time of peace to sustain legislation prescribing a Federal ballot in Federal elections it is entirely unnecessary for us to consider. Whether these electoral powers would in time of peace sustain provisions like those of Public Law 712 abrogating registration and poll-tax requirements is equally beside the point.

This bill does not involve the ordinary electoral powers of Congress. It is a war measure, resting upon the war power and exclusively concerned with the protection of the rights of servicemen and the maintenance of their morale. It is by its own terms and by the theory on which it is based limited to the duration of the war. I claim, and I claim only that the war powers of the Congress of the United States, by common consent the greatest of all powers granted to the Federal Government, are broad enough to sustain its enactment.

What is the war power? Chief Justice Stone has expressed its scope, quoting an earlier statement by Chief Justice Hughes, in the following broad terms—*Hirabayashi* v. *United States* (320 U. S. 81, 93):

> The war power of the National Government is "the power to wage war successfully." (See Charles Evans Hughes, War Powers Under the Constitution, 42 A. B. A. Rep. 232, 238.) It extends to every matter and activity so related to war as substantially to affect its conduct and progress. The power is not restricted to the winning of victories in the field and the repulse of enemy forces. It embraces every phase of the national defense, including the protection of war materials and the members of the armed forces from injury and from the dangers which attend the rise, prosecution, and progress of war.

Acting under these powers we have not heretofore hesitated to enact legislation which involves interference with matters otherwise beyond our competence or otherwise reserved to the several States.

In the Soldiers' and Sailors' Civil Relief Act—United States Code, title 50, section 51, appendix—we have provided for the stay of actions involving persons in military service and for tolling State statutes of limitations in actions brought by or against persons in service during the period of their service. We have forbidden eviction of the dependents of soldiers and sailors except under stated circumstances. We have limited judgments on installment contracts and the foreclosure of mortgages. We have limited the sale of the serviceman's property to enforce the collection of taxes and assessments. These are all matters otherwise reserved to the States by the tenth amendment. These are all matters which we would not undertake to touch except in the exercise of our war power. Does anyone contend that the Soldiers' and Sailors' Civil Relief Act is an unconstitutional invasion of the rights of the States or that it transcends the powers of Congress?

We have authorized the President to provide for the censorship of communications passing between the United States and any foreign country—section 303 of the First War Powers Act, U. S. C., title 50, section 618, appendix. We have authorized him to requisition materials needed for the defense of the United States—U. S. C., title 50, section 721, appendix. We have authorized him to grant priorities in the delivery of material under Army and Navy contracts, over all deliveries for private accounts or for export—Second War Powers Act, section 301, U. S. C., title 50, section 633, appendix. We have authorized him to provide for the arrest and detention of enemy aliens—Revised Statutes, section 4067, U. S. C., title 50, section 21—and for the seizure of enemy property—Trading With the Enemy Act of 1917 as amended by section 301, First War Powers Act. We have authorized him to take possession of plants and facilities in which strikes threaten to interrupt war production, and we have forbidden, under criminal penalties, the fomenting of strikes when the Government has assumed possession. We have ratified the President's Executive order authorizing the military authorities to prescribe regulations with respect to the civilian population in military areas and have provided punishment for violations of such military orders—act of March 21, 1942, Public, No. 503, Seventy-seventh Congress. Acting under this authority the entire Japanese population, citizens as well as aliens, has been evacuated from the west coast. We have placed the entire economy including wages and prices under the control of the Federal Government. Are these matters which would be within our powers in time of peace or which Congress would assume to deal with except under the war power?

Nothing illustrates the point more clearly than the wartime Prohibition Act, enacted by Congress during the First World War, providing national prohibition before the adoption of the eighteenth amendment. This legislation was sustained by the Supreme Court under the power of Congress to increase war efficiency—*Hamilton* v. *Kentucky Distilleries Co.* (251 U. S. 146); *Jacob Ruppert* v. *Caffey* (251 U. S. 264). Yet no one contended that such legislation would have been authorized in time of peace in the absence of constitutional amendment.

If these things can be done by Congress under its war power, representing as they do matters otherwise reserved to the States or forbidden entirely under the fifth and fourteenth amendments, how can it be said that Federal action necessary to prevent the disfranchisement of qualified voters in the armed services exceeds the powers of Congress?

So much for the authority of Congress acting under the war power to prescribe a form of ballot which may be used in voting for Federal officials by qualified electors in the armed services who are beyond reach of State absentee voting procedures. I come now to the provisions of sections 1 and 2 of the act of September 16, 1942, abrogating registration and poll-tax requirements prescribed by State law insofar as they condition service voting.

With respect to registration requirements, it is enough to say that many State courts themselves do not ordinarily treat registration as an element of the "qualifications" of "electors" in the constitutional sense. The issue has come up in States in which voting qualifications are prescribed by the State constitution and may not be enlarged by legislation, as well as in other ways. The answer has been, as it was given many years ago by Judge Cooley—see Constitutional Limitations, eighth edition, volume 2, pages 1368–1370—that registration laws entail a regulation of voting procedure, valid if they afford a reasonable opportunity for qualified electors to vote. They do not themselves prescribe qualifications—see cases collected in ninety-first American Law Reports, page 349. I have no doubt at all that this is the correct interpretation of "qualifications" as the word is used in article I, section 2, and the seventeenth amendment. Registration is no more a qualification of voters than is the requirement that voters appear at designated places during designated hours. It involves not the right to vote, but the manner of establishing the right.

With respect to poll taxes, and it is important to keep in mind that this is a question that arises in only a few of the States, I admit that the issue is closer. Many people believe that like registration requirements, payment of the poll tax, where that is a prerequisite to voting under State law, is a condition as distinguished from a qualification. But even if we grant that it is a qualification, reserved under article II for the determination of the States, is it not also true that a State law fixing qualifications in a way that is deemed by Congress to interfere with the prosecution of the war must yield to the superior determination of Congress in the exercise of the war power? The exaction of the poll tax operates with special harshness upon members of the armed forces whose compensation is limited by Congress.

What do you think is the effect upon the discipline and morale of the armed forces if the exercise of their privilege of voting is made to depend on the inequalities of State laws with respect to financial exactions at the same time their pay is governed by uniform Federal law? It is a general principle of constitutional law as old as *McCulloch* v. *Maryland* (4 Wheat. 316) that the States in the exercise of their reserved legislative powers may not obstruct the performance of Federal functions, in this instance the effective prosecution of the war. Viewed in this light, what is the possible constitutional difference between providing, as we have in the Civil Relief Act, that a soldier shall not lose his house for nonpayment of State taxes and providing that he shall not lose his right to vote because of nonpayment of State poll taxes? In each case the matter, in my opinion at least, is beyond the competence of Congress under any but the war power. In each case there is involved an intrusion in a field ordinarily reserved to the States. In each case what sustains congressional action is the judgment that the action is necessary for the protection of the men in uniform, the effective prosecution of the war, and the prevention of tragic dislocations incident to the prosecution of the war. I say that the power that has drawn the manhood and womanhood of our country from every State, which has called upon them to give their blood in every corner of the earth that this Nation may survive as an indestructible union of indestructible States, is adequate to protect these men and women of the armed services against the loss of their franchise for nonpayment of poll taxes in the most important Federal election to be held in the course of their lives. If, in the judgment of the House, I am wrong in this view let us meet the issue directly by repealing section 2 of Public Law 712 or by providing for the payment of poll taxes out of Federal funds. Do not jeopardize the rights of servicemen generally because this special question arises in a few of the States.

Seventh. The bill that I introduced on January 17 makes every reasonable concession to the critics of proposed Federal legislation. It does not touch the power of the States to prescribe the qualifications of voters. It does not touch the authority of State officials to adjudicate the voter's qualifications and determine the validity of his ballot. It does not alter the ordinary procedure for passing upon election contests. It eliminates the controversial war ballot commission and vests all administrative responsibility in the War and Navy Departments. Finally, the bill contemplates that every possible effort will be made to use State absentee balloting procedures wherever such procedures can be used. The more perfect the procedure developed by any particular State the more assurance there is that its citizens will be able to vote the regular State ballot. All that my bill does is to insist that the qualified serviceman who cannot be reached by State procedures shall, nonetheless, have a chance to cast his vote. That, I submit, is an irreducible minimum. I refuse to say to the men and women in the armed forces that Congress will do nothing to protect their franchise where State procedures fail. I refuse to say to the soldiers and sailors overseas that the Constitution of the United States, which is strong enough to put them in uniform and place them under the fire of the enemy, which enables us to remove them from the civil courts and subject them to military law, is too weak to empower the Congress of the United States to protect our fighting men against the loss of their right to vote.

Can we, as Members of the highest and most powerful legislative body in the Nation, refuse to exercise the power we undeniably possess, and thereby fail to protect their rights, even as they fight to the death to defend us and our rights?

UNITED STATES DISTRICT JUDGES ALBERT W. JOHNSON AND ALBERT L. WATSON

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent for the present consideration of House Resolution 406, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the Committee on the Judiciary is authorized and directed, as a whole or by subcommittee, to inquire into and investigate the official conduct of Albert W. Johnson and Albert L. Watson, district judges of the United States District Court for the Middle District of Pennsylvania, to determine whether in the opinion of said committee the said judges or either of them have been guilty of any high crime or misdemeanor which in the contemplation of the Constitution requires the interposition of the constitutional powers of the House. Said committee shall report its findings to the House, together with such resolutions of impeachment or other recommendations as it deems proper.

SEC. 2. For the purpose of this resolution the committee is authorized to sit and act during the present Congress, at such times and places in the District of Columbia and elsewhere, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, to administer the customary oaths to witnesses, and to take such testimony as it deems necessary.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. GRAHAM. Mr. Speaker, I reserve the right to object, though I do not intend to. Will the gentleman please explain the resolution?

Mr. SUMNERS of Texas. Mr. Speaker, I assume that the resolution is self-explanatory. I may say to the Members of the House that it is the usual form of resolution that has been reported by the Committee on the Judiciary to the

House in those instances where the Committee on the Judiciary is convinced that conditions obtain in a Federal court which require an investigation of the facts. As the Members of the House know, under the allocation of responsibility, that responsibility is, under the rule and practice of the House, allocated to the Committee on the Judiciary. I hope it will not be necessary to go very much into the details, but I may state, however, for a good while complaints have been coming from the middle district of Pennsylvania to individual Members of the House and to the chairman of the Committee on the Judiciary of the House with reference to judicial conduct in that district. Comparatively recently the judicial council of the third circuit, which you know is composed of the circuit-court judges of that circuit, has unanimously adopted a resolution asking the Department of Justice to conduct an investigation with reference to the conduct of bankruptcy business in that district.

The resolution of the judicial council of the third circuit reads, in part, as follows:

Whereas it appears from the report that there have been irregularities in the conduct of bankruptcy business in that district which should be further investigated: Now, therefore, be it

Resolved by the judicial council of the third circuit, That the Attorney General of the United States be, and he hereby is, requested to make a thorough and complete investigation of the conduct of proceedings under the Bankruptcy Act by the district court for the middle district of Pennsylvania and by its officers and appointees, including receivers, trustees, and their counsel, in order to determine whether they or any of them have been guilty of either administrative irregularities or criminal conduct.

Of course, the jurisdiction under the rules of the House and the practice of the Committee on the Judiciary, aside from reporting to the House legislation which it may feel is desirable, has to do with the initiation of the exercise of the impeachment powers of the House of Representatives and of the Senate. After full consideration of the facts as they have come to us, and a consideration of the circumstances which obtain, it is the unanimous judgment, I believe, of the Committee on the Judiciary that a condition obtains in the middle district of Pennsylvania which requires an investigation of that condition by the Committee on the Judiciary. This resolution is submitted to the House for the purpose of procuring the authority of the House to conduct that investigation.

Mr. HANCOCK. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from New York.

Mr. HANCOCK. The charges of judicial misconduct in the middle district of Pennsylvania have been persistent and serious and numerous. As the chairman of the Committee on the Judiciary has just pointed out, there has been a request by the judicial council for an investigation. The judicial council, as I understand it, consists of the members of the circuit court. Is that correct?

Mr. SUMNERS of Texas. That is correct.

Mr. HANCOCK. That is a pretty high source. A charge coming from that source cannot go unnoticed. All of us who are familiar with the charges have come to the reluctant conclusion that there must be an investigation in justice, not only to the litigant, but to the judges themselves.

Mr. SUMNERS of Texas. I thank the gentleman very much for his contribution.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. Under previous order of the House the gentleman from Illinois [Mr. BUSBEY] is recognized for 30 minutes.

RATION TOKEN PROGRAM NEEDS INVESTIGATION

Mr. BUSBEY. Mr. Speaker, for more than a month I have hoped it would not be necessary for me to make this speech. But when I read in the CONGRESSIONAL RECORD of last Thursday, January 20, 1944, a reply made by Mr. Chester Bowles, Administrator of the Office of Price Administration, on the subject of ration tokens, to Mr. Charles Gordon, managing director of the American Transit Association, I decided it was my duty to inform the Congress of the facts in the controversy that has been going on regarding the new ration-token program to be put into effect on February 27 next.

I feel most certain, Mr. Speaker, that after Members have heard the facts they will agree that this entire program should be thoroughly investigated, and a report of the findings be made available to every Member.

I want to make it clear that I have not at any time opposed the ration-token program as such, but I do oppose the high-handed manner in which the size of these ration tokens was decided upon, and the manner in which the contract to manufacture the tokens was awarded by O. E. M. If this contract were subject to review by the General Accounting Office, I am confident it would be immediately canceled. It smells to high heaven.

The last two sentences of Mr. Bowles' letter, which was dated January 13, 1944, were as follows:

But as far as the size of the tokens is concerned, that is a closed issue. No amount of controversy will change the decision.

This attitude, Mr. Speaker, along with all the facts surrounding the token program, is another example and further proof as to why the people of the United States are so thoroughly disgusted with the way the Price Control Act has been administered by the bureaucrats of the O. P. A. After all, this is neither Russia nor Germany yet, and there is no good reason why Chester Bowles, or any other appointed official, should take such a dictatorial attitude.

Inasmuch as I believe I am the only Member of Congress who has, shall we say, lived with this token program even before the O. P. A. had definitely decided to go ahead with it, I think I am the only Member qualified at this time to advise the Congress about some of the things that have been taking place. I assure you the story regarding the ration tokens I am about to tell is not a pleasant one, and I do not take any pride in telling it.

Nevertheless, the story is nonetheless amazing, and is one I believe should not be withheld any longer. I might add that the only reason I have not told it sooner is that until I read Mr. Bowles' reply to Mr. Gordon, I still had hoped something could be worked out whereby O. P. A. would rescind their order to go ahead with their program to have manufactured and put into circulation 2,000,000,000 of the nuisance-size ration tokens.

Mr. Speaker, in addition to the tremendous amount of inconvenience and harm this nuisance-size token will cause, I believe you should be apprised of the following facts.

After nearly 4 months of conferences beginning in June 1943 between officials of the O. P. A. and representatives of industries that would be affected by tokens, an understanding was reached by all parties concerned whereby the ration tokens to be used would be of 0.888 inch in diameter. Release O. P. A. 3305 of October 13, 1943, confirmed this by stating that the contract for 900,000,000 tokens 0.883 inch in diameter had been awarded.

While even this size would likely cause some damage, nevertheless the industries affected were willing to absorb any loss that might occur. Furthermore, the officials of O. P. A. in charge of the rationing program promised the industries concerned that if the O. P. A. contemplated any change in the size of the tokens to be used, the industries would be notified in order that they might have an opportunity to state their objections to any proposed change.

Mr. Speaker, you can imagine, in view of this promise, the amazement of everyone concerned, when the first knowledge they received of any change in the size of ration tokens was when they received a letter from O. P. A. dated November 22, 1943, stating that within the last 2 or 3 days the decision has been made to change the size of the ration tokens to 0.642 inch.

This notification of change in size of token was not mailed from Washington until 5 days after the final decision was made. No opportunity was given to the affected industries to be heard prior to the making of this decision, in total disregard of the promise given. This smacks of dictatorship.

An analysis of the record discloses that O. P. A. in awarding the contract relied entirely upon the representation of the token manufacturer that the new tokens would not injure the industries, and yet no such protective provision was placed in the contract.

Now, Mr. Speaker, I desire to call to your attention an entirely different phase of this ration-token program, one that has never been discussed publicly

by anyone up to now. This phase has to do with the estimates of the number of ration tokens needed, and the conditions under which the contracts to manufacture both the 0.888 size as well as the 0.642 size tokens were made.

On September 18, 1943, the Budgeting, Accounting, and Fiscal Control Division, known as the Central Administrative Services, of the Office for Emergency Management, sent out an invitation to bid on rationing tokens, to 104 concerns in the United States. The specifications in this invitation to bid asked for bids on a quantity of 900,000,000 tokens of a molded plastic material of a diameter of 0.900 inch, and a thickness of 0.105 inch. There was also provided in the invitation to bid an opportunity to submit bids on an alternate material other than that specified. One very significant fact I desire to call to your attention at this point, is that at no place in the 20-page invitation to bid was there any provision for the bidder to submit a bid on any size other than that specified, namely, 0.900 in diameter and 0.105 in thickness.

On October 10, 1943, the bids were opened. There was not one company of the entire 104 that had submitted a bid in conformity with the specifications as set forth in the invitation to bid. There was, however, a bid received, and only 1 bid, to make the 900,000,000 tokens out of a very critical material, vulcanized fiber, submitted by the Osborne Register Co., of Cincinnati, Ohio, to be of a thickness of 0.050, which is less than half the thickness of 0.105, as specified in the invitation to bid.

On the strength of the bid submitted by the Osborne Register Co., which was not in accordance with the specifications of the invitations to bid, and without ascertaining what concerns in the United States were equipped to make fiber tokens, and without getting a single competitive bid on fiber tokens, an order to manufacture 900,000,000 ration tokens was given to the Osborne Register Co., at $1.44 per thousand, or a total amount of $1,296,000.

Mr. Speaker, the fact that there exists an agency of our Government which does business on a basis such as this, is in itself sufficient cause for a congressional investigation. But wait, you have heard only part of the story.

After this contract was let, someone in O. P. A. decided they would need not 900,000,000 ration tokens, but 2,000,000,000 of them. This necessitated getting a release from the War Production Board of more than twice as much of this very critical material, vulcanized fiber, as was originally obtained. It was when the War Production Board notified the Office of Price Administration that it was impossible to allocate additional fiber to make tokens, that the decision to reduce the size from 0.900 to 0.642 was ordered by O. P. A., without consulting a single individual connected with the industries that would be affected, and in total disregard of their promise to notify them.

It was not bad enough for the Central Administrative Service Division of O. E. M. to let the original contract under the conditions they did, but they turned right around a little more than a month later, and gave the Osborne Register Co. a new contract for 2,000,000,000 of the smaller-sized tokens, without receiving competitive prices, at $1.19 per thousand, or $2,380,000. Think of that. Letting a contract for more than two and a third million dollars without obtaining one competitive bid.

I think you will agree this was bad enough; but wait until you hear this. No one in O. E. M., O. P. A., or W. P. B. could show me a single piece of paper of any kind on which there appeared any figures from the Osborne Register Co., or any other concern, to ascertain whether or not $1.19 per thousand was a fair price, or an excessive price, for manufacturing these tokens.

Mr. Speaker, I am sure by this time this question is in all your minds, What if the Osborne Register Co. does make a huge profit under this contract, will not the Government recover these excess profits when they renegotiate the company under the renegotiation law?

This contract, I have been advised, Mr. Speaker, cannot be renegotiated, because it is not considered a war contract, and therefore does not come under the Renegotiation Act. Therefore, in that event, regardless of how much money the Osborne Co. might make, the Government cannot recover a single penny under the Renegotiation Act.

Another phase of this picture that should by all means be considered in an investigation of the ration-token fiasco is how it was finally decided to use vulcanized fiber for these tokens and why the company that first brought to the attention of O. P. A. the possibility of using vulcanized fiber, the Green Duck Co., of Chicago, Ill., was given no consideration or opportunity to bid after the decision was made to manufacture the tokens of vulcanized fiber.

As a matter of fact, an investigation will reveal that the Green Duck Co. did more work in the nature of research and compilation of data for the War Production Board and the O. P. A. on this particular material, vulcanized fiber, than any other token manufacturer in the United States. While the contract to manufacture fiber tokens was not let until October 12, 1943, the Green Duck Co. was certainly discouraged when they received a letter under date of August 18, 1943, signed by Mr. D. P. Morgan, Director of the Chemicals Division of the War Production Board, in which he gave the following reasons why, in their opinion, it would be inadvisable to use vulcanized fiber, namely:

First. The military requirements are taking almost the entire production of the fiber industry.

Second. It would be physically impossible for the vulcanized fiber industry to produce the required amount of vulcanized fiber even though all other commitments were deferred.

The third reason was the ease with which ration tokens made of fiber could be counterfeited.

Less than 2 months later, regardless of this warning, the contract was let for vulcanized fiber tokens.

While it will be admitted by officials of the War Production Board that vulcanized fiber is not as critical at present as it was last August, at the same time they will admit they cannot guarantee that the market for vulcanized fiber due to military requirements might not be very tight at most any time in the future.

Mr. Bowles' letter of January 13 points out some of the critical uses of fiber, in the war effort, and since the ration token program will require a large production for replacements, the entire program may collapse unless some other material is adopted for tokens.

This naturally brings up the question of what other materials could have been used, and were considered, at the time the ration token program was adopted by the Office of Price Administration.

It is a well-established fact that there is available a large surplus of secondary aluminum in this country, that could have been used for these tokens. I must admit I do not see eye to eye with O. P. A. in their reasoning for not using secondary aluminum.

Mr. Bowles also stated in his letter of January 13:

> Finally, Secretary Morgenthau objected to our use of metals, which finally barred them from consideration. We therefore turned to fiber.

Probably Secretary Morgenthau did object to aluminum being used, but so far in my investigation no one has shown me that he ever made a formal objection. I doubt very seriously if this was the real reason for turning to fiber.

In fact, one individual who would not give me permission to use his name, led me to believe that one of the reasons the War Production Board might object to the use of secondary aluminum to make these tokens, was the fact that they would be severely criticized by the housewives of the United States, for using this material, after everyone had been asked to contribute their aluminum pots and pans to the aluminum scrap drives we have had throughout the country.

Another reason that the O. P. A. will give for not using secondary aluminum for tokens is the time element involved in getting into production. They certainly have had ample time to get into production even with the use of secondary aluminum, because the token program was originally discussed as far back as in 1942, and here it is 1944, and it was definitely decided to use tokens more than 6 months ago.

Quoting again from Mr. Bowles' letter of January 13:

> The result was that after careful consideration of all factors we decided upon tokens 0.050 inch thick and 0.642 inch in diameter, stamped out round.

Does Mr. Bowles want us to believe that to disregard the Green Duck Co. of Chicago, which first brought to the attention of the O. P. A. and the W. P. B. the possibilities of using fiber, and which at no time was considered or consulted

in any way, shape, manner or form, regarding tokens of a thickness of 0.050 inch, is to be judged careful consideration.

Mr. Bowles also stated:

The tokens decided upon have now been in production for a considerable period.

That statement is true, but that does not give the reader the whole story.

On December 14, 1943, before the Osborne Co. had reached substantial production on the small-sized tokens, a meeting was held in the office of Col. Bryan Houston, Deputy Administrator in charge of rationing, in the Office of Price Administration, which was attended by Colonel Houston and three of his assistants, representatives of the industries that would be adversely affected by this small token, and myself.

At this meeting, a practical demonstration using actual machines was given, showing the harm that this small-sized token would do to various locks and automatic machines, after which Colonel Houston definitely promised to stop the program of manufacturing the small-sized tokens.

As further proof of Colonel Houston's sincerity in keeping his word, the Office for Emergency Management, who let the contract with the Osborne Register Co., was contacted by Mr. Durant Rose, Director, Business Services Division of O. P. A., who asked O. E. M. to send word to the Osborne Co. to immediately stop production on these tokens. O. E. M. then advised Mr. Rose that they could not stop or cancel the contract unless they had written authority signed by Chester Bowles, or someone who was authorized to issue cancelations of contracts.

Mr. Rose even went so far as to dictate such an order, but we all know now he could not get it signed. So, when Mr. Bowles states that the manufacture of tokens has been going on for some time, I respectfully submit, Mr. Speaker, the manufacture of this nuisance-sized token could have been stopped at the very beginning and before so many hundreds of millions of them were already made.

Again, in Mr. Bowles' letter of January 13 he stated:

Since the tokens are red and blue in color and made out of fiber, they have no resemblance to money or to metal tokens.

Mr. Bowles might be interested to know that representatives of both the transit industry and the O. P. A. made numerous street car and bus rides in Washington on December 22 and 23, and were successful in many instances in using the red or blue tokens as a fare without detection.

The next statement in Mr. Bowles' letter of January 13, to which I wish to call your attention, is entirely misleading.

He says:

We adopted the present program after considerable correspondence and several conferences with the interests you represent and with vending-machine distributors and users. The decision was made after careful consideration of all factors in the problem.

Mr. Speaker, as I previously pointed out in these remarks, during last spring and the early part of the summer of 1943, representatives of the O. P. A. met with those from the industries and did work out together the size of these tokens, to be 0.888; but I defy Chester Bowles or anyone else to prove that a single person connected with the industries that would be affected was notified, advised, or had any knowledge whatsoever to the effect that the tokens to be issued to the public were going to be of a size 0.642 in diameter, until after the contract for 0.642 tokens was awarded.

Mr. Speaker, the people of this country are loyal and patriotic, and are exceedingly anxious to do everything they possibly can to cooperate and sacrifice for the winning of the war at the earliest possible date. But it is against this continual bungling, and the way the laws are being administered by the bureaucrats in the various agencies of our Government, that they raise their voices in protest, and rightfully so.

None of us is perfect; we all make mistakes; but it is this attitude of the public and industry be damned, we are going ahead with the program even though we are wrong, that has brought about so much opposition to the O. P. A.

Mr. Speaker, you will note how I have refrained from going into any details in these remarks regarding the damage, harm, and inconvenience the nuisance-size tokens will cause the transit industry, the vending-machine industry, and the public. In fact, a great many tests have been made throughout the country that prove conclusively that a tremendous amount of harm will be caused by the new-size tokens.

If the O. P. A. continues to refuse to change the size of the tokens back to the size originally adopted in October, which can be done without interference with the token program by immediately starting the production of the 0.888-inch token to replace the nuisance-size one as rapidly as possible, I predict that all of us will be flooded with protests based on the experiences of various concerns and individuals.

If this happens, I guarantee you, I will be back with the next chapter of this story. This is not the end, but just the beginning of the nuisance-size ration token story, unless the O. P. A. admits its error and takes prompt steps to correct it.

I am now asking that a congressional investigation be made of this entire ration-token program. I shall be only too glad to furnish to the committee making such investigation a considerable amount of information and facts which lack of time here today has prevented me from giving you.

Mr. Speaker, it is high time the people of this country are being told at least some of the truth of what is going on here in Washington, and some of the mistakes that are being made.

Mr. PATMAN. What will be the total cost of these tokens? Can the gentleman give us that information?

Mr. BUSBEY. The total cost of the initial contract was $2,380,000.

Mr. PATMAN. Was that for the larger size?

Mr. BUSBEY. I wish also to add that there will be additional cost because the replacement program calls for approximately 10 percent per month and there has already been allotted approximately 100,000 pounds of this material per month to June 30 to take care of that replacement.

Mr. PATMAN. Is the gentleman talking about the larger size or the smaller size?

Mr. BUSBEY. The smaller size is the contract that is being worked on at the present time.

Mr. PATMAN. In other words it will be between two and three million dollars. Would that be a fair statement?

Mr. BUSBEY. I predict that before the entire program is completed it will exceed $3,000,000 by a very substantial amount.

Mr. PATMAN. Will the gentleman answer this question? What business interests did the gentleman refer to when he said that O. P. A. conferred with the businesses and industries affected?

Mr. BUSBEY. I referred to the telephone companies, the transit companies, the people that manufacture and distribute candy-vending machines, gum-vending machines, cigarette-vending machines, and like industries. May I say at this time, although Mr. Bowles mentioned the slot-machine industry in one of his releases, at no time in this entire program of discussion in reference to these ration tokens has the slot-machine industry or the so-called pinball industry been in this picture.

Mr. HOFFMAN. Will the gentleman yield?

Mr. BUSBEY. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Is the gentleman going to yield back the balance of my time pretty soon?

Mr. BUSBEY. I yield back the balance of the time to the gentleman.

Mr. PATMAN. Will the gentleman yield for one more question?

Mr. BUSBEY. I yield to the gentleman for a question.

Mr. PATMAN. The gentleman recognizes there is another side to this question, and I hope he will stay because I want to answer him. I have time to answer the gentleman after he finishes.

Mr. BUSBEY. May I say to the gentleman from Texas, it will be impossible for me to stay. That is the reason the gentleman from Michigan [Mr. HOFFMAN] let me go ahead of him. At some time next week I will be very glad to answer the gentleman from Texas, however.

Mr. MILLER of Connecticut. Will the gentleman yield?

Mr. BUSBEY. I yield to the gentleman from Connecticut.

Mr. MILLER of Connecticut. If Mr. Bowles is so confident that none of these tokens will be used illegally, I wonder if he would be willing to reimburse any of these companies out of his personal funds if these tokens are taken by the companies? I do not want them reimbursed out of the taxpayers' money, however.

Mr. BUSBEY. I am sure the gentleman from Connecticut is very sure that

Mr. Bowles will never agree to anything like that.

The SPEAKER pro tempore. The time of the gentleman has expired.

Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized.

Mr. PATMAN. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. PATMAN. Mr. Speaker, the other day when the gentleman obtained permission to address the House I had understood he was going to be critical of this program. I thought he had attacked the program and for that reason, having kept up with the program, I asked permission to proceed immediately after the gentleman in order that I might try to answer him. Of course, I shall not object to the gentleman from Michigan proceeding. I am always glad to hear him. There is nothing personal in this, but in view of the fact I was to speak immediately after him on the subject on which he is talking, I hope that the Chair and the gentleman from Michigan will agree that I may speak now. I do not expect to use the 40 minutes.

Mr. HOFFMAN. I am sorry this matter arose, but it came about in this way.

Mr. PATMAN. I did not know about it.

Mr. HOFFMAN. Mr. Speaker, this afternoon I was requested to say something on the message that the President sent down here, so I very gladly proceeded to say I would. I just got started on my 4½ minutes, when along came the gentleman from Illinois [Mr. BUSBEY], who said he wanted to go to Chicago to speak tomorrow. He wanted to know if I would let him go ahead. I do not care whether any of us speak; does the gentleman?

Mr. PATMAN. Yes; I do. You know, there is another side to what the gentleman said and I do not want that information to go out to the country unanswered.

Mr. HOFFMAN. How would it be if you spoke when you got ready and just put your remarks in following his?

Mr. PATMAN. The point of order is this was done without my knowledge or consent.

Mr. HOFFMAN. Well, Mr. Speaker, I make the point of order a quorum is not present. We will adjourn and all go home and get a good night's sleep.

Mr. MILLER of Connecticut. Will the gentleman withhold that a minute?

Mr. HOFFMAN. Yes; for the present.

PERMISSION TO ADDRESS THE HOUSE

Mr. MILLER of Connecticut. Mr. Speaker, I ask unanimous consent that on Monday next after all special orders have been concluded, I may be permitted to address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut [Mr. MILLER]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I withdraw the point of order if the gentleman wants to speak.

The SPEAKER pro tempore. The gentleman from Michigan withdraws his point of order. The gentleman from Michigan has been recognized under a previous special order for 15 minutes. Does the gentleman from Michigan yield to the gentleman from Texas to proceed ahead of him?

Mr. HOFFMAN. Mr. Speaker, I have never been able to do the gentleman a favor before, and I never may be able to do so again, so I yield to him.

Mr. PATMAN. Mr. Speaker, I will not take it on the basis of a favor. I had the time in my own right.

Mr. HOFFMAN. As the gentleman's constitutional right, I yield to him.

The SPEAKER pro tempore. Under previous special order, the gentleman from Texas is recognized for 40 minutes.

NEW O. P. A. TOKENS WILL SAVE STORES OF COUNTRY $70,000,000 ANNUALLY

Mr. PATMAN. Mr. Speaker, the gentleman from Illinois has sharply criticized the Office of Price Administration for the fact that it changed its original plans to produce tokens with a diameter of eighty-eight one-hundredths of an inch, and instead is producing tokens with a diameter of six hundred and forty-two one-thousandths of an inch. I think the House deserves to have a statement of the reasons which led the Office of Price Administration to make this change.

The gentleman from Illinois is quite right that originally it was the intention of the Office of Price Administration to produce tokens in the larger size. Originally, too, it was thought that 900,000,000 tokens would meet the needs. Further field investigation indicated, however, that 2,000,000,000 tokens would be needed. When the Office of Price Administration asked for an allocation of vulcanized fiber for such a number of tokens, the War Production Board stated that it could not be provided in time to permit use of tokens by February 27, when the housewives of the country switch from one ration book to the other. Some 70 percent more vulcanized fiber is required to make 2,000,000,000 tokens in the eighty-eight one-hundredths of an inch size than to make them in the smaller size. To have adopted the larger size would have meant postponement of the benefits of tokens for at least 17 weeks.

This necessitated a decision by the Office of Price Administration. The agency could, first, abandon the token program altogether; second, postpone it for 17 weeks; or third, change to smaller-sized tokens. Mr. Bowles was unwilling to abandon tokens because of their very great benefits. The food-rationing system has put a tremendous burden upon the 450,000 grocery and meat stores of the Nation, many of them small independent stores, in whom, as chairman of the Small Business Committee of the House, I have a very great interest. Each of these 450,000 stores has had to devote many hours each week to ration-stamp auditing. Merchants and their wives have had to work evenings and Sundays at the task. In all the food stores in the country, millions of man-hours have been spent each month on this accounting. It is estimated that it is costing the stores at the rate of $70,000,000 or more annually. Tokens will eliminate over 60 percent of all ration stamps and provide the merchants with only one denomination instead of four to count. It is estimated that they will save the food stores $2,000,000 and probably as much as $3,000,000 a month. Having found a way to relieve the merchants of such a burden, Mr. Bowles was unwilling to abandon or delay the enjoyment of these benefits.

Tokens also will eliminate the need for frequent issue of ration books, and every time one is eliminated it will save the taxpayers $1,500,000 in printing and handling costs. It will save also 3,000,000 ton-miles in transportation and millions of man-hours to over 200,000 volunteer workers, spent distributing ration books, to say nothing of time, gasoline, and tires saved housewives calling for them.

Mr. Bowles was unwilling to abandon or postpone the enjoyment of these benefits for 17 or more weeks. So he ordered a reduction in the size of tokens from 0.88-inch to 0.642-inch, so that takens could be put into use by February 27.

It was known that 0.88-inch tokens might cause trouble to some operators of some commercial slot devices. It was known that tokens of the 0.642-inch size might cause trouble to other such operators, probably a somewhat larger number. But there was no size token below 1 inch that might not cause trouble to some operators of some commercial slot devices.

After investigation, O. P. A. decided that these possible troubles were considerably exaggerated, and not to be compared with the known and certain losses to the food merchants every month that tokens were delayed.

Approximately 80 percent of all the commercial slot devices in use in the country have mechanical rejectors. That narrows to only 20 percent the devices where trouble is possible. In a great portion of the 20 percent, however, no difficulties will be caused by tokens of the 0.642-inch size. Finally, a great many of those where difficulties are possible, are used in the presence of bus or streetcar operators where detection of tokens used in place of money is easy. Neither in appearance nor in feel do the tokens bear any resemblance to coins. It is clear, therefore, that the tokens can possibly cause trouble in only a very small percentage of the commercial slot devices in the Nation.

Now let us turn to possible misuses of the tokens. Since the tokens cannot, under any conditions, be confused with coins, there is no danger of their being used by any but dishonest persons. This brings us down to a very small percentage of the total population. In the next place, we have to find among dishonest people a much smaller number who do not need their tokens for the purchase of essential foods. This further reduces the danger of improper use of tokens. Next, dishonest persons who do not need their tokens for the purchase of food, must find one of the few slot devices not equipped with technical rejectors and in which 0.642-inch tokens can be used. Finally, they must find

such a device not used with an operator present. By process of elimination, it is clear, therefore, that the risks of improper use of ration tokens is very small.

When one balances this slight problematical risk against the fact that the food stores of the Nation are spending $2,000,000 or more a month in needless food-stamp auditing, and the other great benefits of tokens, it is clear that Mr. Bowles had no choice in the matter.

He showed both foresight and wisdom in introducing the tokens, and he showed good judgment in refusing to delay the benefits of the plan for 17 or more weeks, because of the problematical disadvantages of the tokens in the size selected to a limited number of traction companies and other commercial slot-device operators.

Speaking for the great number of small grocery and meat stores of the country, I want to say that, in my opinion, Mr. Bowles deserves the commendation of the House for his stand in this matter.

I ask unanimous consent, Mr. Speaker, to enter in the CONGRESSIONAL RECORD a letter dated January 17, 1944, from the gentleman from Illinois, to Mr. Durant Rose, and a reply dated January 24, 1944, from the Price Administrator. I ask unanimous consent also to enter in the RECORD two wires, one dated January 11, 1944, and addressed to Walter F. Straub, Director, Food Rationing Division, Office of Price Administration, from R. M. Keifer, secretary-manager of National Association of Retail Grocers; and the other dated January 11, 1944, addressed to the same gentleman from J. Frank Grimes, president, Independent Grocers Alliance. These make clear the great benefits of tokens to the grocers of the Nation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas [Mr. PATMAN]?

There was no objection.

The matter referred to follows:

CHICAGO, ILL., *January 11, 1944.*

WALTER F. STRAUB,
Director, Food Rationing Division, O. P. A.:

It has come to my attention that certain interests are now attempting to delay inauguration of tokens in rationing program. Sincerely hope nothing will be allowed to interfere with starting of tokens on date set. Entire food distribution industry spent many months in discussions with ration division, final result being approval of token plan. Approximately four hundred thousand retail grocers affected. They have had tremendous amount of detail and work to handle ration stamps which new token method will relieve. Do not permit such a carefully worked out and overwhelmingly approved plan to be nullified by objectors not engaged in food distribution.

J. FRANK GRIMES,
President, Independent Grocers' Alliance.

CHICAGO, ILL., *January 11, 1944.*

WALTER F. STRAUB,
Director, Food Ration Division,
Office of Price Administration,
Washington, D. C.:

Consumer interests must be uppermost in all our considerations. If there is still shortage of certain commodities and ration program must carry on, then ration-token program should be rapidly advanced and manufacture of tokens must soon be completed. Checking with retailers, particularly large numbers of small businesses who have lost most of their experienced personnel, they feel that if ration programs are to continue, tokens will be material time-savers. We must consider that time is now too short to complete another book of ration stamps. Consumer interests must supersede any possible selfish interests of specialty groups, but we urge that if consumer rationing is still necessary then the interests of the more than six hundred thousand retailers be considered secondary only to those of our entire country's consumers.

R. M. KEIFER,
Secretary-Manager,
National Association of Retail Grocers.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 17, 1944.

Mr. DURANT ROSE,
Director, Business Services Division,
Office of Price Administration,
Washington, D. C.

DEAR MR. ROSE: Confirming our conversation of last Friday, and in accordance with the understanding had with Colonel Bryan Houston, I shall appreciate it if you will make the following information pertaining to the blue and red tokens the O. P. A. contemplates putting into general use on February 27 available for my personal examination, not later than January 20. I also ask that you telephone me when the following outlined correspondence and other data is ready for me to examine.

1. Copy of original contract with the Osborne Register Co.

2. All papers and correspondence with Osborne Register Co. pertaining to the amount paid for the expense of tooling up for the larger tokens, as well as all papers pertaining to the contract for the .642 tokens.

3. All correspondence between the O. P. A., Osborne Register Co., and W. P. B., as well as the suppliers of vulcanized fiber. Be sure and include in this correspondence that which relates to the quantities and priorities on the fiber—first, on the 900,000,000 tokens, and next on the 2,000,000,000 tokens.

4. All correspondence with all companies capable of making fiber tokens.

5. All data pertaining to the research done by O. P. A. in determining what material should be used for tokens.

In addition to the above, I shall appreciate having information in reply to the following questions:

A. Why was the change in size made, and what were the terms of the renegotiation which resulted in a smaller token?

B. What are the details of the calculations leading to an original quantity of 900,000,000 tokens?

C. What are the details of the calculations leading to the estimate of 2,000,000,000 tokens under the second contract?

D. What assurance, if any, either in writing or orally, did anybody from Osborne Register Co. give O. P. A. to the effect that tokens of a diameter of .642 inch would not interfere with the operation of any coin vending machine, or fare boxes, in the country?

E. What representations did anybody from Osborne make to O. P. A., either in writing or orally, with respect to their manufacture of a .642-inch fiber token either for sales tax tokens or for copy script?

F. When did the Osborne Register Co. start actual production on the .888 tokens?

G. How many .642 tokens were completed by December 14, 1943, when members of the various industries that would be affected by the small tokens, as well as myself, met with Colonel Houston, yourself, Mr. Kershaw, and Mr. Burdick?

H. When the O. P. A. decided to go ahead with the program to use vulcanized fiber for their tokens, how many companies were asked to bid on the vulcanized-fiber material, and their names?

I. In accordance with your replacement program of 10 percent of the original order of 2,000,000,000 tokens, namely, 200,000,000 per month, what assurances have you from W. P. B. that they will release enough of this material to fulfill your requirements?

J. Have the new requests for bids on these replacement tokens actually been sent out?

K. If they have, please give me dates and names of companies to whom requests for bids were sent.

L. In the new requests for bids, what materials are being specified to the manufacturers?

M. At the meeting in Colonel Houston's office on December 14, at which I was present, Colonel Houston assured us that he would not go ahead with the program of manufacturing .642 tokens. Please furnish me with the name or names of the people who countermanded this promise and decided to go ahead with the program of manufacturing .642 tokens, in spite of the tremendous amount of harm that will be caused when this size of the tokens are put in circulation.

N. In view of the fact the .642 tokens will cause so much damage, inconvenience, and loss of revenue, wouldn't it be possible to start manufacturing a token in accordance with the original size agreed upon, namely .888, and replace the smaller tokens with the larger ones as rapidly as possible?

If a program of this kind could be worked out at this time, there might be a possibility of eliminating much opposition that is bound to arise as soon as the smaller tokens are put into distribution.

O. In view of the fact that men in the O. P. A. spent approximately 4 months in working out with members of the industries which would be affected by small tokens, a size acceptable to the industries, namely .888 in diameter, please advise me who the individual or individuals were who arbitrarily changed the size to a .642 without consulting anybody in the industries.

Inasmuch as this is a matter of major importance, I trust to have your immediate cooperation in making the information available to me.

Very truly yours,

FRED E. BUSBEY.

OFFICE OF PRICE ADMINISTRATION,
Washington D. C., January 24, 1944.

The Honorable FRED E. BUSBEY,
House of Representatives.

DEAR MR. BUSBEY: Replying to your letter of January 17 addressed to Durant Rose, of my staff, I am glad to provide the following information.

A. The size of the ration tokens was changed from 0.88 to 0.642 inch in diameter, because not to have made the change would have meant postponing the benefits of tokens several months. There was not enough vulcanized fiber, the War Production Board informed us, to permit manufacture of 2,000,000,000 tokens in the 0.88-inch size for use by February 27th the date when the brown stamps in War Ration Book No. 3 would be exhausted, and consumers would begin to use red stamps in War Ration Book No. 4.

It takes 70 percent more vulcanized fiber to make tokens in the 0.88-inch size than to make them in the 0.642-inch size and, considering the great quantity of vulcanized fiber required to produce 2,000,000,000 tokens, use of 0.88-inch tokens would have meant several months delay in getting the required number to put the plan into effect.

Sufficient vulcanized fiber could not be made available because it was used in the manufacture of "stop nuts" for airplanes, supplementary gasoline tanks for fighter planes, ammunition cases, and for many other war uses.

On February 27, as stated, brown stamps in Ration Book No. 3 would be exhausted and red stamps in Ration Book No. 4 would go into use. There were advantages in putting the plan into effect when consumers were thus shifting from one ration book to another, and another such shift would not occur for several months. That, however, was not the principal reason for opposing delay. The principal consideration was that for many months the 450,000 food stores of the Nation had carried a tremendous burden of ration stamp accounting. Several hours each week in each store were devoted to the task. In all food stores millions of man-hours were spent in such accounting each month. It was estimated that it was costing the stores at the rate of about $70,000,000 annually. Tokens would eliminate over 60 percent of all stamps and provide the merchants with only one denomination instead of 4 to count. They would save food stores not less than $2,000,000 and probably as much as $3,000,000 a month. Having found a way to relieve the merchants of so much of this great burden, I was unwilling to delay the plan. That was the primary reason we changed token size. Nothing has occurred since to make me think it was not a wise decision.

B–C. The quantity of tokens required was extremely difficult to determine. It could not be decided by a mathematical computation because of the many variable factors with respect to which there was no basis of experience to serve as a guide. We had been rationing food for several months, and in the course of time had accumulated considerable data on buying habits under the ration stamp plan. The extent to which these buying habits would be changed by shift to tokens, however, could not be determined with any degree of certainty. We naturally wished to be as economical of money and critical material as possible, but at the same time we were aware of the disastrous consequences if the supply of tokens ran out. We initially determined to contract for 900,000,000 tokens to be available at the inception of the plan, with a clause in the contract permitting the purchase of up to 10 percent of this amount each month for the balance of the fiscal year. This provision for replacements was intended to take care of the loss from worn-out, mislaid, and hoarded tokens.

Reports from our own field staffs and from trade associations, chain stores, and others, satisfied us that the number of tokens had to be materially increased in order to avoid an unwarranted risk in break-down of the plan. We thought it likely that there would be a peak demand for tokens at the start, arising from a desire of housewives to turn stamps into the more convenient tokens. Another large demand might occur at the end of each ration period, since the tokens carry over into the next period while stamps do not. We realized that the whole rationing system would be thrown into disorder if only 10-point stamps were available to housewives, yet grocers were unable to get tokens to make change. We could not run the risk of having that happen. I am convinced that the order of 2,000,000,000 tokens will prove to have been justified when the tokens go into use. In fact, some of our people feel that even 2,000,000,000 tokens will not be enough and we are continuing our study of the situation. Should it turn out that we have more tokens than are immediately needed, we can reduce replacement orders. That, however, is far wiser than to run the risk of being caught with an inadequate supply.

D. Mr. M. P. Pfeil, president of the Osborne Register Co., stated on several occasions that although he had made 80 percent of all tokens distributed during the past 20 years and millions of tokens with a diameter of approximately 0.642 inch, he never had received a single complaint from any source.

E. Mr. Pfeil also stated that he had made and still is making fiber tokens of approximately 0.642 inch for hundreds of customers and that they are being used as scrip in many States. In West Virginia, alone, he stated, he has 600 customers for tokens of approximately this size.

While Mr. Pfeil's statements were reassuring to us, they were not the thing which determined our final decision. That was the shortage of vulcanized fiber, the absence of any size below 1 inch that would not operate or clog the use of some telephones or other commercial slot devices, the necessity of having tokens large enough to be handled by merchants and the public, and the positive benefits the tokens will bring.

F. We are informed that the Osborne Register Co. produced only samples of the 0.88-inch diameter tokens. It never began real production of tokens of this size.

G. Mr. Pfeil advised us on December 15, that at least 150,000,000 tokens had been completed and that vulcanized fiber had been partially processed for approximately 1,000,000,000.

H. Bids and award of the contract were handled by the Office for Emergency Management. We think it appropriate that you depend upon them primarily for information on the number of bidders, bids submitted, and the award of the contract.

I. Availability of fiber for the replacement program is assured by Mr. C. Rector, Chief of the Plastic Section of the War Production Board. He stated, "It should be possible, depending upon a number of mills, for O. P. A. to obtain 100,000 pounds per week until June 30, 1944." That would make 90,000,000 tokens with a diameter of 0.642 inch each week and meet our estimated needs.

J. It is expected that requests for bids on replacements will be mailed out on or about January 25, 1944, by the Office for Emergency Management, which invites bids and places orders.

K. We think it would be more appropriate for you to get information regarding bids and bidders from the Office for Emergency Management, which is charged by Congress with handling all such matters for the war agencies.

L. The materials named in the new specifications for bids are vulcanized fiber or any other material other than metal.

M. It is true that on December 14 Colonel Houston stated that he would not go ahead with the plan to manufacture 0.642-inch tokens. The colonel, however, was not the only person on our staff concerned with the problem. Others felt that such a decision would be most unwise. After discussion we all agreed that the demonstration put on in Colonel Houston's office and the evidence presented there were not conclusive. I, therefore, decided to make further inquiry and in the meantime to continue production. There was a penalty clause attached to the producer's contract, calling for forfeiture of $1,000 a day for late deliveries, and production would have been difficult to stop without considerable negotiation. Moreover, I was not convinced that it should be stopped.

After getting some additional information and weighing all the factors, I became convinced that while some operators of commercial slot devices would experience some difficulties through persons using ration tokens in place of money, the danger had been considerably exaggerated. About 80 percent of all commercial slot devices are equipped with rejector mechanisms. A great many of the remaining 20 percent are used where an operator can see the money or tokens deposited, and our tokens bear not the slightest resemblance to money. In only a small percent of all commercial slot devices are our tokens likely to cause trouble, as far as we have been able to determine.

In the next place, since our tokens do not look or feel like money, there is no likelihood of their being used in place of money, save by persons who are dishonest. Fortunately most persons are honest. But there is an additional deterrent to use of our tokens in place of money in commercial slot devices, that will stop even most dishonest persons from making such use of them. This is the fact that the tokens are needed to get essential food. This gives them a value as real as that of money and will greatly restrict their use, even by persons who are dishonest.

To have a ration token used in a commercial slot device in place of money, one needs first to find a dishonest person. Next one needs to find a dishonest person who does not require the token for the purchase of food. Next one needs to find one of the small percentage of commercial slot devices in which ration tokens can be used or will cause trouble. Finally, one needs to find such a device where no operator is present. With all these eliminations, it becomes clear that ration tokens are not likely to cause very much trouble.

On this point the following item appearing in the January 5 Boston Post is reassuring:

"Those new tokens—smaller than a dime and red and blue in color, which O. P. A. plans to put into every housewife's handbag by February 27, will not concern the Elevated, although a protest has been made at Washington about them by the American Transit Association.

"They will not work the turnstiles and being bright in color will not fool the men and women who watch the 'hoppers' in rapid transit stations, an 'El' spokesman said last night. He added:

"Furthermore, those tokens will be worth something for food, and we do not believe anyone will be tossing them around."

Had there been some alternate size for our tokens that could have been adopted without delay, we certainly would have favored it. But there was no such size. In fact, there is no token diameter under 1 inch which will not activate or gum up some commercial slot devices somewhere. The 0.88-inch size will do so. And when one goes below that in order to save fiber board, one gets into the area of coins, where difficulties are increased, until one gets down to the 0.65-inch size, which is almost the equivalent of our 0.642-inch tokens. Below our size it is not practical to go, because of handling and counting difficulties.

Required to go below 0.88-inch tokens by the fiberboard supply situation, if we were to prevent several months of delay; finding no size below it which would not cause someone some trouble; and being convinced that the probable use of tokens in commercial slot devices was considerably exaggerated, we decided to go ahead with the 0.642-inch tokens.

The final decision was between problematical losses to a few operators of commercial slot devices and certain losses of between $2,000,000 and $3,000,000 a month to the 450,000 food stores of the country, continuing for as many months as the introduction of tokens was delayed. The food store proprietors already had been carrying this great load patiently for many months. I decided the issue in their favor.

As a matter of courtesy we should have called in the traction companies and vending machine operators, informed them of our decision, told them why it was made, and listened once more to their arguments. That we did not do so was an oversight which I regret. So far as I can see, however, the only result would have been an expenditure

of time and money on their part and ours, with no change in the final result. No other decision than that made was possible, without several months of delay in the use of tokens and, in view of their great benefits, I would not have been willing to postpone their use.

In addition to eliminating over 60 percent of all ration stamps and making great savings to 450,000 food merchants in ration stamp auditing, tokens will eliminate the need for printing two or three ration books a year, and every time printing and distribution of a book is eliminated it saves $1,500,000. It saves also more than 3,000,000 ton-miles of transportation and millions of man-hours for more than 200,000 volunteer workers; to say nothing of the time of millions of housewives spent going to get the ration books.

Tokens will be a boon to housewives also by making it unnecessary for them to bother with four different denominations of stamps. They will enable mothers to send children to stores to shop without entrusting them with valuable ration books.

Finally, tokens will help eliminate the rush, at the end of each rationing period, to buy goods not immediately needed.

When I balanced all these benefits against problematical losses to a limited number of commercial slot-device operators, and when I realized that returning to 0.88-inch tokens not only would have resulted in several months of delay but would not have eliminated troubles of all commercial slot-device operators, there was only one decision I could make. No facts since presented would have led me to make any other decision.

Nobody can foresee all the problems of a program of such magnitude. We are going to watch developments closely and if unexpectedly serious abuses appear we will be prepared to take prompt measures to counteract them.

I accept, however, full responsibility for the action taken.

N. It is not practical to change replacements to the 0.88-inch size, because of a continuing shortage of vulcanized fiber. But even if this were not so, the move would not be desirable for these reasons: (1) Two sizes of tokens in circulation would confuse the public; (2) counting and handling of two sizes by merchants would be difficult and complicated; (3) there still would be plenty of 0.642-inch tokens available for any dishonest person not needing them for ration purchases, to use in commercial slot devices; (4) tokens of the 0.88-inch size also can be used in some telephone and other commercial slot devices. Even if the above facts were not true, shortage of vulcanized fiber still would make tokens of the 0.88-inch size impractical.

O. Answers to previous questions have made it clear, I believe, that no one was arbitrary in the decision reached. I accept full responsibility for it and am glad to say that it was concurred in by all members of my staff immediately concerned with the program.

Sincerely,

CHESTER BOWLES,
Administrator.

Mr. PATMAN. May I state here, Mr. Speaker, that the gentleman from Illinois admits that the whole contract for these tokens is about $2,000,000 and not in excess of $3,000,000, and he would have the Office of Price Administration delay the wonderful benefits of these tokens in order to make some adjustment about the kind of materials to be used, which would mean that the program would be indefinitely delayed. Even if it were delayed only the 17 weeks which would be necessitated by using the larger size instead of the smaller size, that means that during these 17 weeks the grocers of the country, the 450,000 grocery stores only, would have to expend as much as $10,000,000 of their own money to wait for an investigation to determine whether or not these particular tokens should be used. About $70,000,000 a year will be saved to the businesses of this country by the use of the tokens. Then, to think about delaying the program and stopping it just for the purpose of determining whether or not this fellow got the contract and the other fellow should have gotten it hardly makes sense, I believe.

CHESTER BOWLES DOING GOOD JOB

I join the gentleman in the hope that every regulation that can be removed is removed, every regulation that can be made simpler and easier to understand and observe is made that way. I think Mr. Chester Bowles has done more in that direction than any other administrator I know of in our Government. He has certainly worked diligently and carefully and vigorously to that end. We should work with him and cooperate with him and encourage him rather than try to disturb him and confuse him and intimidate him by investigations when he is doing something that in this case will save business and the industrial people of this Nation as much as $70,000,000 a year.

I am not apprehensive that these tokens will be used for money. In the first place, it is highly problematical and speculative that a device could be found where they could be used, in view of the fact that so many of these machines have rejectors. But these tokens have a real value, a definite value of their own. People are not going quickly to use tokens that are worth a lot in order to save a few cents. These tokens have a value. For that reason, the danger of their being used in slot machines or in mechanical coin devices is certainly diminished.

The gentleman mentioned that he was disgusted with the way the bureaucrats were administering O. P. A. It is true that they have had a lot of hard regulations. They are annoying, they are confusing. I heard one man say, "Yes, I do not like these regulations. They are disturbing to me. But I would a whole lot rather try to make out these forms and comply with these regulations than try to learn that Jap language that we would probably have to learn if we yielded to Tojo."

These regulations are made by people, human beings, and as long as they are, mistakes are going to be made. A certain number of mistakes were expected to be made. Doubtless some mistakes were made in the rationing program and in the point system. If they were, this is a long step in the direction of correcting some of those major mistakes that many people think were made.

In the administration of O. P. A. and the War Production Board, the other agency about which we hear so much talk in the form of criticism and complaints, that agency is made up of just human beings without reference to political party. I know, at least, I have reason to believe, that there are more people in key positions in the O. P. A. that are members of the Republican Party than there are that are members of the Democratic Party. There are more in W. P. B. in key positions who are members of the Republican Party than there are Democrats. I am not complaining about that. Perhaps that is as it should be; they were not paying any attention to politics. That is the way they should have selected them.

There is another reason why most of them are Republicans. Most of the wealthy people of our country, the big businessmen, are Republicans. We know a majority of them are. When you need people to come to Washington to serve in some capacity, advisory, key position, or otherwise, in some governmental department, you cannot find some small businessman to come here. He has his hands full taking care of his own business. He does not have any assistant to step into his shoes and take his place and carry on his business. But the big businessman has. He has a man next to him who knows just as much about the business as he does himself, and it is an easy matter for him to come to Washington and be patriotic and serve his country, and let the people who have been running the business continue to do so. That is the reason that so many of the big fellows are here, and because there are more big fellows in the Republican Party, naturally, that party gets more people in the key positions. If it was a question of politics, and I say it is not politics, it occurs to me that the members of the Republican Party would be in a better position to correct it than the members of our own party; but it is not a question of politics. They are all doing their best. They have a difficult job to do, and we must expect them to make mistakes. In the O. P. A. we have 8,000,000 different commodities that the O. P. A. is dealing with. You cannot deal with millions of commodities without making a lot of mistakes, so the point is, let us expect them, and let us expect that they will be corrected as quickly, when discovered, as possible. That is exactly what Mr. Bowles is trying to do. He is trying to correct those mistakes that have been made. So I respectfully suggest to you that consideration be given to the fact that Mr. Bowles is doing a good job, that he is not entitled to be investigated for something about which he has no control, the letting of contracts, and he should not be intimidated by the Congress or abused by the Congress, but he should be encouraged and commended for doing a better and better job every day.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

EXTENSION OF REMARKS

Mr. BENDER. Mr. Speaker, I ask unanimous consent that my colleague, the gentleman from Michigan [Mr. BRADLEY] be permitted to extend his own remarks and include a statement of the

opportunities of the Upper Peninsula of Michigan, for better facilities.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix.

The SPEAKER pro tempore. Is there objection?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. BELL (at the request of Mr. GIBSON), for an indefinite period, beginning Monday, January 24, 1944, on account of illness.

To Mr. KEEFE (at the request of Mr. MURRAY of Wisconsin), for 1 day, on account of illness.

ADJOURNMENT

Mr. PATMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 25 minutes p. m.) the House adjourned until tomorrow, Thursday, January 27, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the committee at 10 a. m. on Thursday, January 27, 1944, for consideration of post-war plans, to be held in the caucus room, Old House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the newsprint subcommittee of the Committee on Interstate and Foreign Commerce, at 10:30 a. m., Thursday, January 27, 1944.

Business to be considered: Open hearings on newsprint problems.

COMMITTEE ON THE PUBLIC LANDS

The hearings on H. R. 2596, to protect Naval Petroleum Reserve No. 1, will be continued on Thursday, January 27, 1944, at 10:30 a. m.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 3, 1944, at 10 a. m., on H. R. 2809, to amend section 511 of the Merchant Marine Act, 1936, as amended.

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of subtitle "Insurance of Title II of the Merchant Marine Act, 1936," as amended.

COMMITTEE ON FLOOD CONTROL

SCHEDULE OF HEARINGS ON FLOOD CONTROL BILL OF 1944, BEGINNING TUESDAY, FEBRUARY 1, 1944, AT 10 A. M.

The Flood Control Committee will conduct hearings on flood-control reports submitted by the Chief of Engineers since the hearings conducted in June 1943 and on amendments to existing law. The committee is definitely committed to the view that flood-control projects for post-war construction will be among the most satisfactory public works, and the committee plans an adequate backlog of sound flood-control projects available following the war.

1. Tuesday, February 1: Maj. Gen. Eugene Reybold, Chief of Engineers, will open the hearings with any statements and recommendations he desires to submit covering national flood control and the projects that should be included in the bill to be reported, especially as they are related to national defense and as they will be important following the war to provide sound flood-control projects and desirable public works, and he will supplement his statements submitted to the committee in June 1943 with any recommendations he cares to submit following the said hearings and following the passage of the Emergency Flood Control Act authorizing an appropriation of $10,000,000 for the repair, restoration, and strengthening of levees and other flood-control works passed July 12, 1943. General Reybold will be followed by Maj. Gen. Thomas M. Robins, Assistant Chief of Engineers, and by Col. George H. Goethals, Chief, River and Harbor Flood Control Branch, Office of the Chief of Engineers, who will attend the hearings and will furnish the members of the committee in detail any and all information respecting any and all projects on which favorable reports have been submitted by the Chief of Engineers since June 1943. The district engineers and the division engineers have furnished to the Chief of Engineers data and information covering floods since June 1943 which will be submitted to the committee. It is probable that Brig. Gen. M. C. Tyler, president of the Mississippi River Commission, and the division engineer of the lower Mississippi Valley division, and Col. Miles Reber, former division engineer, Missouri River division, Omaha, Nebr., will appear before the committee with respect to projects along the lower Mississippi River and its tributaries and the Missouri River and its tributaries before the hearings are concluded.

2. Wednesday, February 2: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the Pacific Northwest region, including the Willamette River and the Columbia River and tributaries; proponents and opponents of projects along the Milk River, Mont.; the Knife River and tributaries, North Dakota; the Boyer River and tributaries, Iowa; Red Lake River and tributaries, Minnesota; proponents and opponents of projects along the Rio Grande and tributaries, Colorado; proponents and opponents of projects along other rivers in the western Rocky Mountain region, including the States of Colorado and Montana.

3. Thursday, February 3: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Soil Conservation Service, Department of Agriculture, and proponents and opponents of projects on rivers flowing into the Gulf of Mexico west of the Mississippi River, including the Trinity River in the State of Texas.

4. Friday, February 4: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects along the upper Mississippi River and tributaries, including the Illinois River and tributaries, the Great Lakes region; and proponents and opponents of projects along Bear Creek, Colo.; Missouri River and tributaries at the Kansas Citys, Mo. and Kans.; Nishnabotna River, Iowa and Mo.

5. Tuesday, February 8: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the Los Angeles area along the Sacramento River and tributaries and along the San Joaquin River and tributaries.

6. Wednesday, February 9: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Bureau of Reclamation, and proponents and opponents of projects along the Kern River and tributaries in the Kern River area and along the Kings River area and tributaries in the Kings River area, and including other streams in the San Joaquin Valley.

7. Thursday, February 10: Continuation of the projects discussed on February 9.

8. Friday, February 11: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the upper and lower Ohio River and tributaries, including Salt River at Taylorsville, Ky., the Potomac River and tributaries, the New England region, including the Connecticut and Merrimac Rivers, and the Middle Atlantic region, including New York, Pennsylvania, and New Jersey, and the South Atlantic region, including rivers flowing into the Atlantic Ocean and Gulf of Mexico east of the Mississippi River.

9. Tuesday, February 15: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Gen. M. C. Tyler, president of the Mississippi River Commission and division engineer, and proponents and opponents of projects along the lower Mississippi River and tributaries including the Red, Arkansas, including Arkansas River, Conway County, Ark., and Purgatoire (Picket Wire) River, Colo., the White, St. Francis, and Yazoo Rivers.

10. Wednesday, February 16: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Col. Miles Reber, former division engineer, Missouri River division, Omaha, Nebr., and proponents and opponents of projects along the Missouri River and tributaries.

11. Thursday, February 17: Continuation of the projects discussed on February 16.

12. Friday, February 18: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in other regions in the United States.

13. Tuesday, February 22: Representatives of the Department of Agriculture, the Weather Bureau, Bureau of Reclamation, and other governmental agencies.

14. Wednesday, February 23: Senators and Representatives in Congress.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1108. A communication from the President of the United States, transmitting a supplemental estimate of appropriation, in the amount of $1,618,000, for the Department of State, for the fiscal year 1945, in the form of an amendment to the Budget for said fiscal year (H. Doc. No. 388); to the Committee on Appropriations and ordered to be printed.

1109. A communication from the President of the United States, transmitting a proposed contract authorization for the Navy Department in the amount of $130,000,000 and draft of a proposed provision pertaining to naval appropriations for the fiscal year 1944 (H. Doc. No. 389); to the Committee on Appropriations and ordered to be printed.

1110. A letter from the Under Secretary of the Interior, transmitting copies of estimates of personnel requirements covering the quarter ending March 31, 1944, for the bureaus and offices of the Department of the

Interior; to the Committee on the Civil Service.

1111. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated September 8, 1943, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Purgatoire (Picket Wire) River, including Long's Canyon, Colo., authorized by the Flood Control Acts approved on June 22, 1936, and June 28, 1938 (H. Doc. No. 387); to the Committee on Flood Control and ordered to be printed, with two illustrations.

1112. A letter from the Acting Administrator, Federal Security Agency, transmitting the combined annual reports of the United States Public Health Service covering the period from July 1, 1941, through June 30, 1943; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WOODRUM of Virginia: Committee on Appropriations. H. R. 4070. A bill making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1945, and for other purposes; without amendment (Rept. No. 1023). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Virginia: Fourth intermediate report of the Select Committee to Investigate Executive Agencies, pursuant to House Resolution 102, to investigate executive agencies; without amendment (Rept. No. 1024). Referred to the Committee of the Whole House on the state of the Union.

Mr. COCHRAN: Committee on Accounts. House Resolution 415. Resolution providing additional funds for the Special Committee to Investigate Un-American Activities in the United States and related questions; without amendment (Rept. No. 1025). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LAMBERTSON:

H. R. 4071. A bill to reestablish the Federal Home Loan Bank Board, to recreate the offices of the members of said Board, and to transfer functions of the Federal Home Loan Bank Administration from the National Housing Agency to said Board, and for other purposes; to the Committee on Banking and Currency.

By Mr. WEISS:

H. R. 4072. A bill to grant commissions in the Army of the United States to members of the local selective-service boards; to the Committee on Military Affairs.

By Mr. WINSTEAD:

H. R. 4073. A bill to provide that national service life insurance, whether heretofore or hereafter applied for, shall be effective as of the date of application therefor; to the Committee on World War Veterans' Legislation.

By Mr. EDWIN ARTHUR HALL:

H. Res. 416. Resolution requesting the railroads to lower the cost of food to all members of the armed forces; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HART:

H. R. 4074. A bill for the relief of the estate of William Sandlass; to the Committee on Claims.

By Mr. REECE of Tennessee:

H. R. 4075. A bill granting a pension to Verna Barnes; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4534. By Mr. BRUMBAUGH: Petition of Charles E. Young and 300 other residents of the Twenty-third Congressional District of Pennsylvania, urging the defeat of the Bryson bill, H. R. 2082, or any similar legislation; to the Committee on the Judiciary.

4535. By Mr. BUFFETT: Communication of a member of the Pearl Harbor Chapter, American War Dads, Omaha, Nebr., urging Congress to do all in its power to secure immediately such action as will provide adequate aid and assistance to those who are being honorably discharged, for medical reasons, from the war service in all of its several branches; to the Committee on Military Affairs.

4536. By Mr. GOODWIN: Petition of Charles W. Howard, of Malden, Mass., for redress of grievances for the wrongs now being perpetrated by the Office of Price Administration in the Rent Control Division; to the Committee on Banking and Currency.

4537. Also, petition of Charles W. Newcomb, of Malden, Mass., for redress of grievances for the wrongs now being perpetrated by the Office of Price Administration in the Rent Control Division; to the Committee on Banking and Currency.

4538. By Mr. GRAHAM: Petition of 40 residents of Harrisville and Grove City, Pa., requesting the enactment of House bill 2082; to the Committee on the Judiciary.

4539. By Mr. HEIDINGER: Communication signed by Roy T. Smith and G. R. Wallace, president and secretary, respectively, of the Golconda Community High School Board; H. G. Kluge and J. P. Willis, president and secretary, respectively, of Golconda Grade School Board; Erple F. Boos, of the Golconda Rotary Club; and Glenn C. Smith, farm adviser of Pope-Hardin County, Golconda, Ill., favoring the passage of House bill 2849; to the Committee on Education.

4540. Also, communications from Eva J. Wasson and Wilma W. Wagley, school teachers of Golconda, Ill., favoring the passage of House bill 2849; to the Committee on Education.

4541. By Mr. HOEVEN: Petition of Rev. R. J. Ongna and 92 other residents of Orange City, Iowa, and vicinity, urging enactment of House bill 2082, the Bryson bill, prohibiting the manufacture and sale of alcoholic liquors during the war period; to the Committee on the Judiciary.

4542. By Mr. MARTIN of Iowa: Petition of sundry citizens of Muscatine, Iowa, protesting against the enactment of House bill 2082 and any other legislation which may be proposed to bring about partial or national prohibition; to the Committee on the Judiciary.

4543. Also, petition of sundry citizens of Cedar Rapids, Iowa, protesting against the enactment of House bill 2082, and any other legislation which may be proposed to bring about partial or national prohibition; to the Committee on the Judiciary.

4544. By Mr. SCHIFFLER: Petition of Richard McCausland and other residents of the Wheeling-West Liberty area, West Virginia, urging passage of the Green-Lucas bill for the soldiers' vote; to the Committee on Election of President, Vice President, and Representatives in Congress.

4545. By Mr. SMITH of West Virginia: Petition of the Charleston Zionist District, Charleston, W. Va., representing 350 members, that all appropriate action be taken to insure the withdrawal in its entirety of the Palestine White Paper of 1939, and urging that Palestine be opened to Jewish immigration, and that the terms of the Balfour Declaration and the Palestine Mandate be carried out faithfully; to the Committee on Foreign Affairs.

4546. By Mr. THOMAS of New Jersey: Resolution of the Hackensack Hebrew Institute, Hackensack, N. J., urging the President of the United States and all other governmental officers and persons having jurisdiction in the premises to insist and demand that Great Britain rescind and revoke its said Palestine White Paper, and that further demand be made upon Great Britain to give full and complete effect to the terms and conditions of its mandate covering Palestine, to the end that Palestine be constituted into a Jewish commonwealth, without restrictions and in accordance with the spirit, intent, and purpose of the Balfour Declaration; to the Committee on Foreign Affairs.

4547. By the SPEAKER: Petition of O. C. Provost, protesting against the suppression of the O. C. system of automatic power, offered to the Government in March 1942; to the Committee on the Judiciary.

4548. Also, petition of the Committee on International Trade, Advertising Club of New York, petitioning consideration of their resolution with reference to foreign credits; to the Committee on Ways and Means.

SENATE

THURSDAY, JANUARY 27, 1944

(Legislative day of Monday, January 24, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, we would lift our gaze from the valley of the daily round to the far horizon of our fairest dreams, from the tyranny of drab details to the shining splendor of the Heavenly Vision to which we dare not to be disobedient.

Grant us such a revealing view of our distraught world and its aching need as shall make us glad and eager sharers with Thee in its redemption from all that scatters horror and havoc on the good earth. If we fail at first to reach our goals, let not the sting of defeat chill our spirits. If we win the conqueror's palm, let not victory spoil the music of an humble heart. If any despitefully use us and even betray our trust, let not hatred for any man twist our souls. In a world where the mystic loveliness of dawns and stars is always mocking the darkness and declaring that the night is not eternal, lead us through the passing shadows to the break of a fadeless day. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, January 26, 1944, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	George	O'Mahoney
Andrews	Gerry	Overton
Austin	Green	Pepper
Bailey	Guffey	Radcliffe
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hill	Shipstead
Brewster	Holman	Smith
Bridges	Johnson, Colo.	Stewart
Brooks	Kilgore	Taft
Buck	La Follette	Thomas, Idaho
Burton	Langer	Thomas, Okla.
Bushfield	Lodge	Thomas, Utah
Butler	Lucas	Tobey
Byrd	McCarran	Truman
Capper	McClellan	Tunnell
Caraway	McFarland	Tydings
Chandler	McKellar	Vandenberg
Clark, Idaho	Maloney	Wallgren
Clark, Mo.	Maybank	Walsh, Mass.
Connally	Mead	Wheeler
Danaher	Millikin	Wherry
Davis	Moore	White
Downey	Murdock	Willis
Eastland	Murray	Wilson
Ellender	Nye	
Ferguson	O'Daniel	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

The Senator from New Mexico [Mr. CHAVEZ] is detained on public business.

The Senator from New York [Mr. WAGNER] is necessarily absent.

The Senator from Iowa [Mr. GILLETTE] and the Senator from New Jersey [Mr. WALSH] are detained because of illness.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from Kansas [Mr. REED] and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The VICE PRESIDENT. Eighty-five Senators have answered to their names. A quorum is present.

BOARD OF VISITORS TO THE UNITED STATES COAST GUARD ACADEMY

Mr. BAILEY. Mr. President, as chairman of the Committee on Commerce I announce the appointment of the senior Senator from Missouri [Mr. CLARK] and the junior Senator from Maine [Mr. BREWSTER] as members of the Board of Visitors to the Coast Guard Academy.

RELIEF FOR PEOPLES AND CHILDREN OF NAZI-DOMINATED EUROPE—PETITION FROM VERMONT

Mr. AUSTIN. Mr. President, I ask unanimous consent to present and to have appropriately referred a petition from members of the Mission Circle and friends of the United Churches of South Royalton, Vt., giving their support to Senate Resolution 100, which would provide for the shipping of food through the blockade to feed the children of Belgium, Holland, Norway, and France.

The VICE PRESIDENT. Without objection, the petition will be received and lie on the table.

FORT ETHAN ALLEN, VT.—RESOLUTION BY HOWARD PLANT POST, NO. 782, VETERANS OF FOREIGN WARS, BURLINGTON, VT.

Mr. AUSTIN. I also ask unanimous consent to have printed in the RECORD and appropriately referred the resolution adopted by Howard Plant Post, No. 782, Veterans of Foreign Wars of the United States, of Burlington, Vt., at a regular meeting held December 7, 1943, advocating that in the event that Fort Ethan Allen is definitely closed as an Army post it be made available to the Veterans' Administration for a Veterans' Administration facility or hospital.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Whereas Howard Plant Post, No. 782, Veterans of Foreign Wars of the United States, of Burlington, Vt., at their regular meeting held on Tuesday night, December 7, 1943, adopted the following resolution:

"Whereas definite information and clearly published in our local newspaper that Fort Ethan Allen, Vt., is to be closed as a Regular Army post and that we of the Veterans of Foreign Wars of the United States have in our ranks men who have served for 30 years and are now retired, who look forward to the said Fort Ethan Allen for their ration if some of them who are and still have their retired pay come to the post, would in our opinion feel the effects; and

"Whereas an enormous amount of money has been spent in new construction at Fort Ethan Allen: It is hereby

"*Resolved*, That Howard Plant Post, No. 782, Veterans of Foreign Wars, does hereby voice its opposition to the closing of Fort Ethan Allen and in the event that said Fort Ethan Allen is definitely closed as an Army post, that said Fort Ethan Allen be made available to the Veterans' Administration for a Veterans' Administration facility or hospital, especially in view that Burlington, Vt., is located where there is a college of medicine, known as the University of Vermont, together with its excellent staff of medical instructors and a number of high-ranking physicians and surgeons who could be called upon for consultation aid; be it further

"*Resolved*, That a copy of this resolution be sent to the following: Hon. Warren R. Austin, United States Senator, of Vermont; Hon. George D Aiken, United States Senator, of Vermont; Hon. Charles A. Plumley, Representative to Congress from Vermont; Hon. William H. Wills, Governor of Vermont; Hon. Henry L. Stimson, United States Secretary of War; Harry Pratt, department commander of the Veterans of Foreign Wars; R. B. Handy, Jr., Kansas City 2, Mo., adjutant general and quartermaster; Omar B. Ketchum, Tower Building, Washington, D. C., national legislative representative."

Dated at Burlington, Vt., this 7th day of December A. D. 1943.

NAPOLEON N. LABOMBARD,
Commander, Chairman,
LOUIS P. GUTCHELL, *Quartermaster,*
H. L. WISMAN, *Adjutant,*
GEORGE M. FARRINGTON,
Junior Vice Commander,
LEO F. LATOUR, *Placement Officer,*
BENJAMIN BOYD, *Service Officer,*
Howard Plant Post, No. 782, Veterans of Foreign Wars of the United States.

RELIEF OF AND BENEFITS FOR VETERANS—RESOLUTION BY YANKEE DIVISION VETERANS' ASSOCIATION, DEPARTMENT OF CONNECTICUT

Mr. MALONEY. Mr. President, I ask unanimous consent that there may be printed in the body of the RECORD and appropriately referred a letter embodying a resolution which I have received from Clarence A. Roys, department secretary, Yankee Division Veterans' Association, Department of Connecticut.

There being no objection, the letter embodying a resolution was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

YANKEE DIVISION VETERANS' ASSOCIATION,
DEPARTMENT OF CONNECTICUT,
January 24, 1944.

Hon. FRANCIS MALONEY,
United States Senate,
Washington, D. C.

DEAR SENATOR MALONEY: At its regular monthly meeting on January 9, 1944, this department adopted the following resolution:

"*Resolved*, That we, the members of the Yankee Division Veterans' Association, Department of Connecticut, deplore the fact that recently discharged veterans of the United States armed services are failing to get the relief they need and we urge that the Congress take the necessary action to insure these veterans reemployment, rehabilitation, hospitalization, and compensation, and that copies of this resolution be sent to all Connecticut Members of Congress."

Respectfully,

CLARENCE A. ROYS,
Department Secretary.

SUBSIDY PROGRAM—RESOLUTIONS OF CARROLL COUNTY (N. H.) FARM BUREAU

Mr. TOBEY presented a letter from the president of the Carroll County Farm Bureau, Conway, N. H., together with resolutions of the resolutions committee of that farm bureau, which were ordered to lie on the table and to be printed in the RECORD, as follows:

CARROLL COUNTY FARM BUREAU,
Conway, N. H., January 24, 1944.

Hon. CHARLES W. TOBEY,
Washington, D. C.

DEAR SENATOR TOBEY: At the last meeting of the Carroll County Farm Bureau executive board it was voted to send you a copy of the resolutions pertaining to subsidies. These resolutions were passed at the annual farm bureau meeting last November 1, 1943. This vote was taken after serious consideration of the matter by the board, and a general discussion of the subsidy program as it is working out on milk. The resolution is as follows:

"*Resolved*, That Carroll County Farm Bureau recommends that the New Hampshire Farm Bureau go on record as being positively and emphatically opposed to subsidies as a cure to the farm problem of producing, at a profit, the Nation's food supply in the war emergency."

We hope you will give this matter your serious consideration, as we feel that it is the wrong solution to the existing problem.

Very truly yours,

E. G. FOSS, *President.*

The report of the committee on resolutions for Carroll County Farm Bureau consisted of the following suggestions for consideration and action at the annual meeting of the Carroll County Farm Bureau Federation:

"1. *Resolved*, That Carroll County Farm Bureau recommends that the New Hampshire Farm Bureau go on record as being positively and emphatically opposed to subsidies as a cure to the farm problem of producing, at a profit, the Nation's food supply in the war emergency.

"2. *Resolved*, That the New Hampshire Farm Bureau express appreciation to the State board of education, to the superintendents, teachers, and pupils of the schools of the State, and other patriotic citizens for

their timely assistance in harvesting the crops of New Hampshire.

"3. *Resolved,* That it become the policy of the New Hampshire Farm Bureau to submit all future resolutions, which are intended by it to become the policies of the New Hampshire Farm Bureau, to all county farm bureaus 1 month before their respective annual meetings, so that there will be time for reasonable consideration of these measures before they become the definite policies of the New Hampshire Farm Bureau, as adopted by its executive board. Also, all county farm bureaus should, as soon as possible, after consideration of their own resolutions, submit them to the other county farm bureaus, so that a uniform policy can be obtained with the popular support of our farm people. Each county farm bureau should include, with the notice of its annual meeting, a copy of all resolutions that have been approved by its executive board for consideration at that meeting; and should state that these resolutions do not preclude any resolution that any member may wish to submit from the floor at said meeting.

"4. Whereas present mixed feeds are inferior to the extent that the productive efficiency per animal unit has been drastically lowered, due to reduction or elimination of essential ingredients: Be it

"*Resolved,* That the Carroll County Farm Bureau recommends that, if possible, the mixed-feeds standards and ingredients be restored to pre-war standards and that necessary rationing of mixed feeds be on the basis of the quantity allocated to each farm without sacrifice of quality.

"We believe that this policy would raise the productive efficiency per animal unit without the loss of food production for the war effort.

"5. Whereas the present high point value of butter, and its inclusion in the group with meat and fats, severely hampers the sale by small producers and tends to promote unequal distribution and the use of butter substitutes;

"We believe that the New Hampshire Farm Bureau should cooperate with other farm organizations to have butter put at the same point value as its substitutes or freed from ties with any other food products.

"6. Whereas adequate farm production can be had only by deferment of agricultural workers under the Selective Service System;

"We believe all farm organizations should unite to ask the National Government to commend them for their patriotic self-sacrifice in continuing to provide the food necessary to win the war."

REPORTS OF COMMITTEE ON CLAIMS

The following reports of a committee were submitted:

By Mr. ELLENDER, from the Committee on Claims:

S. 1334. A bill for the relief of J. C. and Vassie Lee Davidson; with an amendment (Rept. No. 639);

H. R. 213. A bill for the relief of Edward H. Smith; without amendment (Rept. No. 640);

H. R. 399. A bill for the relief of John Sims; without amendment (Rept. No. 641); and

H. R. 3504. A bill for the relief of Wade Bros., a partnership composed of M. J., G. W., and Ovid Wade; without amendment (Rept. No. 642).

By Mr. CAPPER, from the Committee on Claims:

H. R. 1594. A bill for the relief of Peter A. Gawalis; with an amendment (Rept. No. 643);

H. R. 1872. A bill for the relief of J. E. McCoy & Son; without amendment (Rept. No. 644); and

H. R. 2075. A bill for the relief of Charles R. Hooper; without amendment (Rept. No. 645).

By Mr. EASTLAND, from the Committee on Claims:

S. 1358. A bill for the relief of Nels J. Pedersen; without amendment (Rept. No. 646); and

H. R. 1637. A bill for the relief of Fred Hunter; with an amendment (Rept. No. 647).

By Mr. ROBERTSON, from the Committee on Claims:

S. 1409. A bill for the relief of Howard L. Pemberton; with amendments (Rept. No. 648);

H. R. 2690. A bill for the relief of Oswald L. Sawyer; without amendment (Rept. No. 649); and

H. R. 3153. A bill for the relief of the estate of Jennie I. Weston, deceased; without amendment (Rept. No. 650).

By Mr. WHERRY, from the Committee on Claims:

H. R. 1442. A bill for the relief of Lafayette Gibson; without amendment (Rept. No. 651); and

H. R. 1854. A bill for the relief of Ethel Cohen; without amendment (Rept. No. 652).

By Mr. TUNNELL, from the Committee on Claims:

H. R. 1047. A bill for the relief of the State of Oregon, Department of Forestry of the State of Oregon, and certain organized protection agencies in the State of Oregon for protection of unappropriated public-forest lands intermingled with Oregon and California lands from July 1, 1938, to June 30, 1939; with an amendment (Rept. No. 653).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BILBO:

S. 1671. A bill to amend section 13 (c) of the Fair Labor Standards Act of 1938 so as to exempt employment in connection with handling, packing, or storing agricultural commodities from the child-labor provisions of such act; to the Committee on Education and Labor.

By Mr. ANDREWS:

S. 1672. A bill for the relief of Mrs. St. Claire Livingston Dodd; to the Committee on Military Affairs.

METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES—AMENDMENTS

Mr. BALL submitted an amendment, and Mr. BUSHFIELD submitted several amendments intended to be proposed to the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, which were severally ordered to lie on the table and to be printed.

CONTINUATION OF COMMODITY CREDIT CORPORATION—AMENDMENT

Mr. EASTLAND (for himself and Mr. McCLELLAN) submitted an amendment intended to be proposed by them, jointly, to the bill (H. R. 3477) to continue the Commodity Credit Corporation as an agency of the United States, to revise the basis of annual appraisal of its assets, and for other purposes, which was ordered to lie on the table and to be printed.

FUNERAL EXPENSES OF THE LATE SENATOR VAN NUYS

Mr. WILLIS submitted the following resolution (S. Res. 246), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. Frederick Van Nuys, late a Senator from the State of Indiana, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

JACKSON DAY DINNER ADDRESS BY THE VICE PRESIDENT

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD the address delivered by the Vice President at the Jackson Day Dinner in Washington, D. C., January 22, 1944, which appears in the Appendix.]

NATIONAL SERVICE LEGISLATION—ADDRESSES BY SENATOR AUSTIN AND REPRESENTATIVE WADSWORTH

[Mr. AUSTIN asked and obtained leave to have printed in the RECORD radio addresses delivered, respectively, by him and by Hon. JAMES W. WADSWORTH, a Representative in Congress from the State of New York, on proposed national service legislation, which appear in the Appendix.]

CONDITION OF JEWISH PEOPLE—ADDRESS BY SENATOR MEAD

[Mr. MEAD asked and obtained leave to have printed in the RECORD an address delivered by him before Zionist district of the five towns and Far Rockaway at Lawrence High School, Lawrence, Long Island, on January 25, 1944, which appears in the Appendix.]

ADDRESS BY SENATOR TUNNELL BEFORE THE DEMOCRATIC NATIONAL COMMITTEE

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD the address delivered by Senator TUNNELL before the Democratic National Committee at the Mayflower Hotel, Washington, D. C., on January 22, 1944, which appears in the Appendix.]

FARM CONDITIONS AND INCOME TAXES—LETTER FROM E. C. BROOKENS

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a letter addressed to him by E. C. Brookens, of Westmoreland, Kans., on the subject of farm conditions and income taxes, which appears in the Appendix.]

ROLE OF BRITAIN, RUSSIA, JAPAN AND AMERICA IN ASIA—ADDRESS BY HARRY PAXTON HOWARD

[Mr. LANGER asked and obtained leave to have printed in the RECORD an address entitled "Britain, Russia, Japan, and America's Role in Asia," delivered by Harry Paxton Howard before the Community Church Forum in New York City on January 9, 1944, which appears in the Appendix.]

RETURN TO CIVILIAN USE OF PALM BEACH HOTEL—ARTICLE FROM PM

[Mr. LANGER asked and obtained leave to have printed in the RECORD an article published in PM, issue of January 23, 1944, dealing with the return to civilian use of the Breakers Hotel at Palm Beach, Fla., which appears in the Appendix.]

INCOME TAXES—ARTICLE BY WESTBROOK PEGLER

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article on the subject of income taxes, by Westbrook Pegler, which appears in the Appendix.]

RELIEF AND REHABILITATION OF DEVASTATED NATIONS—ARTICLE BY CONSTANTINE BROWN

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article on

the subject of U. N. R. R. A., by Constantine Brown, published in the Washington Star of January 25, 1944, which appears in the Appendix.]

EUROPEAN POWER POLITICS—CASUALTIES IN ARMED FORCES

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article discussing European power politics, published in the United States News, and an article relative to American casualties in the war, published in the Washington Star, which appear in the Appendix.]

RAILWAY LABOR AGREEMENTS—LETTER FROM B. M. JEWELL

Mr. TRUMAN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, not in the Appendix, a letter from Mr. B. M. Jewell, chairman of the 15 cooperating railway labor organizations, relative to the agreement which was finally reached by those organizations.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FIFTEEN COOPERATING RAILWAY LABOR ORGANIZATIONS,
January 20, 1944.

HON. HARRY S. TRUMAN,
Senator of Missouri,
Washington, D. C.

DEAR SENATOR TRUMAN: By instructions of the chief executives of the 15 cooperating railway labor organizations, we enclose copy of the agreement of January 17, 1944, settling the dispute which we have had with the carriers handling approximately 96 percent of the traffic of the country. This is the subject matter which was dealt with in Senate Joint Resolution 91, introduced by you, and which was passed by the Senate by a vote of 74 to 4.

These 15 chief executives desire in this manner to express to you their sincere appreciation for the work done and the support given in connection with the passage of Senate Joint Resolution 91.

It is our understanding that the Interstate and Foreign Commerce Committee of the House of Representatives is preparing to report to the House certain amendments to Senate Joint Resolution 91 which are, we understand, intended to make the Railway Labor Act, as amended, workable under existing conditions.

It is very necessary, indeed, that additional legislation be passed if the Railway Labor Act is to function as the Congress originally intended it should, and in due time we hope that you will assist in this matter.

Sincerely yours,

B. M. JEWELL, *Chairman.*

This agreement made as of the 17th day of January 1944 at Washington, D. C., by and between the participating carriers listed in appendixes (A), (B), and (C), attached hereto and made a part hereof, and the 15 cooperating railway labor organizations, signatory hereto, acting for the employees as described in said appendixes, witnesseth:

It is agreed that:

SECTION 1. The agreement between the parties, dated at Washington, D. C., August 7, 1943, is hereby canceled with the same force and effect as though it had never been executed.

SEC. 2. The wage increases, to be effective February 1, 1943, as recommended by the special emergency board (consisting of Judges Shaw and Mitchell and Colonel Clophane) in its report to the President of the United States, dated November 4, 1943, which were not disapproved by the Director of the Office of Economic Stabilization, are hereby ratified by the parties hereto. These increases shall be applied as follows:

All hourly, daily, weekly, monthly, and piece-work rates of pay for employees covered by this agreement will be increased in the following amounts per hour applied so as to give effect to the increases in pay irrespective of the method of payment:

All wages less than 47 cents per hour to be increased 10 cents per hour.

All those receiving 47 cents and less than 57 cents per hour to be increased 9 cents per hour.

All those receiving 57 cents and less than 70 cents per hour to be increased 8 cents per hour.

All those receiving 70 cents and less than 80 cents per hour to be increased 7 cents per hour.

All those receiving 80 cents and less than 90 cents per hour to be increased 6 cents per hour.

All those receiving 90 cents and less than 97 cents per hour to be increased 5 cents per hour.

All those receiving 97 cents and over per hour to be increased 4 cents per hour.

The increases provided for above shall be applied as follows:

(a) Hourly rates: Add the appropriate amount of increase per hour to the existing hourly rates of pay.

(b) Daily rates: Determine the equivalent hourly rate by dividing the existing daily rate by the number of hours comprehended by the daily rate. The amount of increase applicable to the hourly rate thus obtained, multiplied by the number of hours comprehended by the daily rate, shall be added to the existing daily rate.

(c) Weekly rates: Determine the equivalent hourly rate by dividing the existing weekly rate by the number of hours comprehended by the weekly rate. The amount of increase applicable to the hourly rate thus obtained, multiplied by the number of hours comprehended by the weekly rate, shall be added to the existing weekly rate.

(d) Monthly rates: Determine the equivalent hourly rate by dividing the existing monthly rate by the number of hours comprehended by the monthly rate. The amount of increase applicable to the hourly rate thus obtained, multiplied by the number of hours comprehended by the monthly rate, shall be added to the existing monthly rate.

(e) Piece work: Adjustment of piece-work rates of pay shall be based on the amount of increase applicable to the basic hourly rate for the class of work performed. Where piece-work rates of pay are in effect on carriers having special rules as to the application of any increase, or decrease, in such rates, such rules shall apply. In the absence of any definite rule governing, the equivalent of the increase applicable to the basic hourly rate for the class of work performed shall be added to the unit piece-work price.

(f) Redcaps: Rates of pay, or guaranties, for redcaps will be increased by an amount corresponding to the increases applicable to basic hourly rates, and this amount will be multiplied by the number of hours paid for, and this sum will be added to the earnings of redcaps regardless of the method of determining their earnings.

(g) Minimum daily increases: The increases in rates of pay described in paragraphs (a) to (f), both inclusive, shall be not less than eight times the applicable increases per hour for each full-time day of 8 hours, required to be paid for by the rules agreement. In instances where under existing rules agreement an employee is worked less than 8 hours per day, the increase will be determined by the number of hours required to be paid for by the rules agreement.

(h) Insofar as concerns deductions, which may be made from the rates resulting from the increase herein granted, under section 3 (m) of the Fair Labor Standards Act of 1938, they may continue to be made to the extent that such deductions were being legally made as of August 31, 1941.

(i) The increase in wages provided for in this section shall be computed in accordance with the wage- or working-conditions agreement in effect between each carrier and each labor organization of employees, and in instances where fixed daily, weekly, or monthly rates are paid for all services rendered, the increase in wages shall be applied in such manner as will give effect to the number of hours used in fixing said rates and to the equivalent hours for special allowances included in said rates. Special allowances not included in said rates will not be increased.

(j) All employees who were on the pay roll of the carrier on February 1, 1943, or who were hired subsequent thereto, regardless of whether they are now in the employ of the carrier, shall receive the amounts to which they are entitled under this agreement. Overtime hours will be computed in accordance with the individual schedules for all overtime hours paid for.

SEC. 3. The graduated scale of wage increases prescribed in section 2 hereof shall be increased by supplementary increases of those sums which, when added to the said graduated scale, will produce total increases of—

(a) 11 cents per hour for those employees who, under the recommendations of said Board, received an increase of 10 cents per hour;

(b) 10 cents per hour for those employees who, under the recommendations of said Board, received an increase of 9 cents per hour; and

(c) 9 cents per hour for all other employees covered by this agreement.

The said supplementary increases to be applied effective December 27, 1943, in the same manner (except as to effective date) as set forth in section 2 hereof.

SEC. 4. The supplementary increases provided for in section 3 hereof shall be paid as the equivalent of or in lieu of claims for time and one-half pay for time worked over 40 hours per week; and shall be paid until proclamation by the President of the United States or declaration by the Congress of the cessation of hostilities and thereafter until changed in accordance with the Railway Labor Act, as amended. This section, agreed to in time of war, shall be without prejudice to the right of either party after the expiration of the date above stated to seek a change in the agreement which is now made with respect to such supplementary increases, in accordance with the provisions of the Railway Labor Act, as amended. Overtime compensation shall continue to be computed and paid in accordance with the provisions of existing agreements and the rules now governing overtime payments shall remain in effect subject to the right of either party to seek any change in or supplement to such rules, provided that no request for overtime penalty pay shall be sought during such period for any hours worked solely because they are worked in excess of 40 per week.

SEC. 5. This agreement shall become effective as provided therein when necessary governmental approval is secured.

SEC. 6. This agreement is subject to approval of courts with respect to carriers in the hands of receivers or trustees.

SEC. 7. This agreement is in settlement of the disputes growing out of the notices served on or about September 25, 1942, by the labor organizations on the carriers listed in appendixes (A), (B), and (C), attached hereto and made a part hereof, and of the claims of the employees for time and one-half pay beyond 40 hours per week as described in section 4 hereof; and shall be construed as a separate agreement by and on behalf of each carrier party hereto and its employees represented by each labor organization as heretofore stated; and, subject to

the provisions of section 4, shall remain in effect until changed or modified in accordance with the provisions of the Railway Labor Act, as amended.

Signed at Washington, this 17th day of January 1944.

For the participating carriers listed in appendix (A): H. A. Enochs, chairman; C. A. Gill; T. M. Forning; G. J. Ray; J. W. Smith; C. W. Van Horn. For the employees represented by the participating labor organizations: International Association of Machinists, by H. J. Carr; International Brotherhood of Boilermakers, Iron Ship Builders and Helpers of America, by J. A. Franklin; International Brotherhood of Blacksmiths, Drop Forgers, and Helpers, by Roy Horn.

For the participating carriers listed in appendix (B): D. P. Loomis, chairman; L. L. White; J. W. Green; J. Y. McLean; J. G. Torian. For the employees represented by the participating labor organizations: Sheet Metal Workers' International Association, by L. M. Wicklein; International Brotherhood of Electrical Workers, by J. J. Duffy; Brotherhood Railway Carmen of America, by Felix H. Knight; International Brotherhood of Firemen and Oilers, Round House, and Railway Shop Laborers, by George Wright; Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express, and Station Employees, by George M. Harrison; Brotherhood of Maintenance of Way Employees, by E. E. Milliman; the Order of Railroad Telegraphers, by V. O. Gardner; Brotherhood of Railroad Signalmen of America, by A. E. Lyon.

For the participating carriers listed in appendix (C): J. N. Parrish, chairman; C. W. Miller; W. H. Lassiter; C. S. Cannon; R. V. Halsey. For the employees represented by the participating labor organizations: National Organization Masters, Mates, and Pilots of America, by James J. Delaney; National Marine Engineers' Beneficial Association, by Samuel J. Hogan; International Longshoremen's Association, by Joseph P. Ryan; Hotel and Restaurant Employees' International Alliance and Bartenders' International League of America, by Edward Flore; B. M. Jewell, chairman, Fifteen Cooperating Railway Labor Organizations, president, Railway Employees' Department, American Federation of Labor.

SHORTAGE OF FREIGHT CARS FOR TRANSPORTATION OF GRAIN

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD 3 telegrams sent to me dealing with the matter of sending 200 grain cars a day to Canada to bring wheat into this country from Canada. I may say that these telegrams state that our elevators in North Dakota are plugged with wheat, 1 elevator alone, the Farmers' Elevator at Arthur, N. Dak., being plugged with 215,000 bushels of grain.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

ROCKLAKE, N. DAK., *January 24, 1944.*

Hon. WILLIAM LANGER,
United States Senate:

We are opposed to sending 200 grain cars a day to Canada. We need them here. Practically all elevators in North Dakota blocked. Kindly give us all the help you can in this matter.

Yours truly,
OSBORNE MCMILLAN ELEVATOR CO.,
C. A. OLSON, *Agent.*

REGENT, N. DAK., *January 24, 1944.*

Senator LANGER,
Washington, D. C.:

Five elevators in this town. This corporation operates 3 of the elevators, shipped 8 cars the past week, 2 cars on for Regent, tonight we will get 1. This corporation needs 4 cars per day for the next 3 weeks to keep these elevators open for business. We are paying insurance on grain in houses and interest on borrowed money, holding contracts for 100,000 bushels of grain to be shipped out as soon as cars are available. Your help in securing boxcars will be greatly appreciated.

REGENT COOPERATIVE EQUITY EXCHANGE.

MINNEAPOLIS, MINN., *January 24, 1944.*

Hon. WILLIAM LANGER,
United States Senate,
Washington, D. C.:

Farmers Elevator Co., Arthur, N. Dak., plugged with 215,000 bushels grain.

ATWOOD LARSON CO.

Mr. LANGER. I also ask unanimous consent, Mr. President, to have inserted in the RECORD three letters dealing with the same subject, from Hatton Farmers Elevator Co., of Hatton, N. Dak.; from Slope Seed Association, of Dickinson, N. Dak., and from Northwest Country Elevator Association, of Minneapolis, Minn.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

HATTON FARMERS ELEVATOR CO.,
Hatton, N. Dak., January 19, 1944.

Hon. WILLIAM LANGER,
Washington, D. C.

MY DEAR MR. LANGER: This grain-box shortage in North Dakota is a bad one; starting July 1, 1943, we have never had enough grain cars to take care of our business.

We are calling on you to do something for us. At this time we are overdrawn $150,000 with our commission firms; we are paying large insurance bills every month, due to cash grain we have on hand and have paid for and can't get our money on depcsit; we pay the firms 5-percent interest on overdrawn accounts.

At this writing we have cash grain on hand that we have paid for as follows:

	Bushels
Wheat	102,000
Durum	5,000
Oats	5,000
Barley	12,000
Rye	1,400

Total cash grain on hand to ship today 127,400 bushels. This will take 64 big 100-capacity cars and last week all we got was 1 flax car and 4 old coal box not fit for grain.

Kindly arrange to do something for all grain men in your good State of North Dakota.

HATTON FARMERS ELEVATOR CO.,
S. E. OLSON, *Manager.*

P. S.—We have 200,000 bushels or more in the country to come in at this time.

SLOPE SEED ASSOCIATION,
Dickinson, N. Dak., January 22, 1944.

Senator WILLIAM LANGER,
Washington, D. C.

DEAR MR. LANGER: I am in receipt of your telegram in acknowledgment of my letter to you of recent date.

For your information I might say that I drove from Bismarck to here yesterday. The Slope Grain & Feed Co., at Mandan, with a capacity of around 70,000 bushels, had on hand only 5,000 bushels of cash wheat, 2,000 bushels of stored wheat, and a carload of oats, and had a big car loading of the wheat on hand. I then came west and every elevator, starting at New Salem, was completely blocked, up to and including Dickinson. From telephone conversations I note that this condition is true to west to the State line. The Killdeer line is also blocked with the exception of Zap and Beulah. These two points have large lignite mines and the boys are able to pick out some of the better coal cars for grain shipments.

The weather is unusually mild for this time of the year. In fact we have had warm and balmy weather for the last 2 weeks, and the farmers are pressing the elevators for unloading. The Northern Pacific from Mandan west is practically getting no cars at all, and I hope that you will keep everlastingly after the O. D. T. to get some grain cars for us in this area.

Yours truly,

P. N. HAAG.

NORTHWEST COUNTRY
ELEVATOR ASSOCIATION,
Minneapolis, Minn., January 21, 1944.

Hon. WILLIAM LANGER,
United States Senate,
Washington, D. C.

DEAR SIR: Under date of January 12, 1944, we sent you a wire protesting the O. D. T. order requiring that 200 grain cars per day be sent to Canada. We notice a press release in the Minneapolis Morning Tribune of January 19, 1944, which reads in part as follows:

"Clark (manager of the closed-car section of American railroads) and Aydelotte (Deputy Director, O. D. T.) testified that the order diverting the 200 cars to Canada took into consideratiton a pool of 25,000 idle boxcars in the East which could be utilized for grain."

We certainly had no idea that any such number of cars were idle anywhere and we call this to your attention with the idea that through your influence some of these idle cars might be diverted to the Northwest where they are so badly needed.

Yours very truly,

R. G. CARGILL, Jr.,
President.

WOMEN WORKERS AND PROPOSED NATIONAL SERVICE LEGISLATION

Mr. REYNOLDS. Mr. President, one of the representatives of the War Department who appeared before the Military Affairs Committee of the Senate has just called my attention to a letter addressed to me as chairman of that committee, dated January 24, 1944, by Miss Grace A. Thomas, a teacher in the division of languages and literature of Elmira College, at Elmira, N. Y. I ask unanimous consent that the letter be printed in the RECORD at this point as a part of my remarks. The letter deals most intelligently with the subject of national service as it relates to the women of America and, in passing, it makes mention of the fine work which has been likewise done by the women of Great Britain and Russia.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ELMIRA, N. Y., *January 24, 1944.*

Senator REYNOLDS,
Senate Office Building,
Washington, D. C.

MY DEAR SIR: There is one aspect of national service that I, as a woman hearing other women's opinions, should like to bring to your attention.

One of the strongest motives for action among women who are not very secure in their social status is the desire to do the correct thing and to refrain from doing what would seem to endanger their social standing. Also, others who do not care so much for their prestige feel self-conscious and hesitant to do the unusual.

It seems to many of us who have been studying the results of these human frailties that perhaps some such reasons are back of the shortage of women workers in some of our war industries.

It seems to us that some sort of national ruling would very easily dispel this false notion of losing social caste and would do much to put all women on an equal footing—contingent only upon eligibility.

I may not have made myself clear, but it troubles me to realize that English and Russian women are doing so much more to share the burden of the war than American women are, and the great potential woman-power of our country is distracted by too diverse opinions.

We are a pampered lot! Think this over, sir, and see whether you do not agree with me. I know it is a complicated matter. I do want this side of the question to be considered, however.

Very sincerely yours,

GRACE A. THOMAS.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES

The Senate resumed consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes.

Mr. BARKLEY. Mr. President, I do not know at this juncture how many Senators desire to address the Senate on the pending bill, or how many amendments may be offered. I do express the hope that we may dispose of the bill today, and I shall give the reason for this statement. I am not making a request, but I urge Senators to keep in mind that as everyone knows, a committee of the Senate will leave Washington tonight to attend the funeral of our late colleague the Senator from Indiana, Mr. Van Nuys. Ten members of the Senate are on that committee. I am sure those Senators want to be present when the bill is voted upon and when any amendments to it are voted upon. That situation would make it embarrassing to try to dispose of any of the amendments tomorrow. We all know that Saturday is a bad day for the transaction of important business in the Senate. That brings about further delay.

Mr. President, I hope Senators will, so far as possible, restrain themselves with regard to the length of addresses they wish to make on the subject. I think everyone understands the issue involved, what it is and will be when we vote, and I do hope that Senators will facilitate as much as they can an early vote upon amendments and upon the measure itself.

Mr. WHITE. Mr. President, will the Senator yield to permit me to make an observation with respect to what he has just said?

Mr. BARKLEY. I yield.

Mr. WHITE. I share with the Senator from Kentucky the desire to facilitate legislation, but I think the hope that there may be a vote on the bill today is without warrant. A number of amendments are to be offered, and I believe that probably at least half a dozen Senators on this side of the aisle desire to speak either on the pending amendment or on amendments to be offered.

My thought is that we ought not to hold a session tomorrow if 10 Senators are away on official business, and, of course, I always doubt the wisdom, except in case of extreme emergency, of holding Saturday sessions, because Saturday is the one day to which we can look forward for opportunity to clear our desks of the accumulated matter of the week. My thought about the situation is that the first day on which a vote can be had is Monday. I offer that suggestion for whatever it may be worth.

Mr. BARKLEY. Appreciating what the Senator from Maine has said, that still does not nullify my hope that Senators will be as self-restrictive as possible, and that they will impose a sort of a self-rationing upon the length of their speeches, if not upon the number. I do not want to cut any Senator off from any legitimate argument that may be made for or against the measure or any amendment, but I do hope that we may dispose of the measure at as early as possible a date, so we can begin considering other legislation which is awaiting our attention.

The VICE PRESIDENT. The pending question is on the Overton amendment providing for the insertion of the phrase "in accordance with State law" after the word "made" in line 9 on page 39.

Mr. CAPPER. Mr. President, I have just received a letter from Mr. Fred Brenckman, Washington representative of the National Grange, which comes so close to expressing my own views on the pending legislation regarding votes for soldiers overseas, that I wish to read it to the Senate.

All of us want each soldier to be assured of the opportunity to cast his ballot for Federal, State and local officers; but some of us cannot see the desirability, to put it mildly, of bypassing the provisions of the Constitution which attempt to guarantee the control of elections by local and State election boards. I will admit that the pending bill is not so bad as the original measure introduced in the Senate, but it leads in the same direction; it would be a step along the dangerous road toward Federal control of elections.

True, it is done in the name of the war emergency. But I am growing chary, almost suspicious, of these continuing and persistent attempts to take advantage of every emergency, even at times to the point of encouraging and even creating emergencies, for the purpose of centralizing control of the American people in Washington. These soldiers are citizens; it is no favor to them to take from the citizen any of his rights and transfer those rights into power for the central Government, even though it be done in the name of justice for the soldiers. I read Mr. Brenckman's letter as follows:

THE NATIONAL GRANGE,
Washington, D. C., January 24, 1944.

The National Grange is heartily in favor of giving all qualified voters in the armed services of the country, whether stationed at home or overseas, an opportunity to cast their ballots in the coming Presidential election. Not only should they be permitted to register their choice in the filling of Federal offices, but they should have a chance to vote in such State and local elections as may be held.

We are aware that some of the advocates of a bobtail Federal ballot derisively say that those who want the servicemen to have a chance to vote in State and local affairs are asking that they be given the right to vote for dog catcher. We regard this as a wholly unwarranted and gratuitous slap at the dignity and sovereignty of the States, which is resented by those who believe in our dual system of government.

Any State that has not already acted should without delay take proper steps to facilitate soldier voting. Holding elections is a State and not a Federal function. The Federal Government has no more right to conduct an election than the States have to coin money. Any ballot issued by the Federal Government would, therefore, be spurious and counterfeit. It might invalidate the whole election. However, the Federal Government should cooperate in distributing and collecting the ballots among those who are in the armed forces.

Just because we are at war is no reason why the Constitution should be nullified or evaded in this or any other respect. As Associate Justice David Davis said in handing down the decision of the Supreme Court in the historic Milligan case soon after the close of the Civil War:

"The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism."

The sound and enduring principles so manfully expounded by Justice Davis in the Milligan case, three-quarters of a century ago, apply with particular force to the questions involved in polling the soldier vote, and we are persuaded that Congress and the country as a whole would do well to be guided by them.

Sincerely yours,

FRED BRENCKMAN,
Washington Representative.

Mr. TAFT. Mr. President, yesterday during the speech by the Senator from Illinois [Mr. LUCAS] he referred to the question of taking polls among soldiers, and implied that there was something immoral or illegal in taking such polls. I wish to read a letter from Dr. George Gallup, of Public Opinion, who has published a number of polls taken among the soldiers, and who on December 27 wrote me as follows:

DEAR SENATOR TAFT: The poll report to which you refer, "An Appraisal of the Political Situation," was based upon our regular survey of the voting population on the question:

"Which party would you like to see win the Presidential election next year, the Republican or the Democratic?"

The Senate will note that the poll question is very much the same kind of question the soldiers would be asked on the anonymous ballot.

I read further from Dr. Gallup's letter:

This particular report was based upon interviews with 10,000 people throughout the country.

Our figures on the soldier vote were based upon interviews with soldiers in this country and in England. Obviously, it is impossible to obtain an accurate cross section of the soldier vote because it is impossible to interview soldiers in war zones. For this reason, our figures were reported as an estimate and not as a finding from a cross-section survey. We have found that the soldier vote doesn't differ markedly from the vote of other young men in the same age brackets who are not in the Army.

Mr. President, after referring to the C. I. O. propaganda on the bill I also referred to the Communist Party, but I did not have all the documents. I now call attention to the Daily Worker of Monday, January 17, in which it is said, regarding the pending bill:

Increased pressure is needed. It should be directed at your Representatives in both the Senate and the House, and particularly at Congressman MARTIN and Senator MCNARY, Republican leaders in the House and Senate, respectively.

Mr. President, I also call attention to an article appearing in the New York American under date of December 26, 1943, reading as follows:

SOLDIER-VOTE SURVEY STAGED BY YOUNG REDS

The Young Communist League, now operating under the name American Youth for Democracy, has staged a Nation-wide propaganda campaign among the servicemen in 16 major cities, it was learned today.

Members of the "red" youth group, stationed at railroad terminals, canteens, and other places where soldiers and sailors gather, have conducted a survey on the servicemen's absentee vote and have talked with more than 7,000 boys in the armed forces.

Boasting the success of this survey under which the Communist propaganda campaign was camouflaged, the young Communists claim that their girl organizers worked in squads in talking to servicemen and found only 244 out of 7,098 polled were opposed to the Lucas absentee bill.

Here we have a poll not only on a general question, but on a particular measure.

The article continues as follows:

At the New York canteen, it was learned, more than 30 young Communist League members, all of them girls, talked to 900 soldiers and sailors.

I also call attention to an article appearing in the Southern Patriot, of Nashville, Tenn., reading as follows:

REMEMBER THEIR NAMES

These are the men who voted to kill the Federal soldier-vote bill—

The article is referring to the vote for the Ellender amendment. Of course, it did not kill the soldier-vote bill at all—

and thereby to prevent millions of American fighting men from voting in 1944 elections.

Of course, that is not true. The article then says:

Preserve this list—

Then are listed the names of the Democratic Senators who voted for the Eastland amendment and the Republican Senators who voted for it.

The Southern Patriot is operated in Nashville by Mr. James A. Dombrowski, who is or was a member of the League for Industrial Democracy, and who, according to the Daily Worker, on March 5 wrote a letter to the President asking him to defend the rights of the Communist Party in the United States, and who himself is a Communist.

So, Mr. President, the propaganda which has been conducted by the C. I. O. is also being conducted today by the Communist Party.

Mr. MILLIKIN. Mr. President, there has been much argument to the effect that the morale of our fighting forces is tottering into a collapse for the want of our hurried acceptance of the bill which is here pending. We may assume that many servicemen want to vote; but considering that only a few days have passed since the breath of life was first spanked into this particular bill, it cannot be assumed that any serviceman in foreign service knows anything of the details of this bill or is panting for its particular benefits. It is not safe to assume that because this bill mentions servicemen and deals with ballots for them, it is a morale-improving measure. It is not to be assumed that our servicemen either expect us to violate the Constitution of the United States which they are fighting to preserve, or that their morale will be improved if we do so.

The ballot specified in section 5 (a) of the bill includes the instruction that the voter shall write in the name of his choice for each office or write in the name of his party, and that a vote for President is a vote for the candidate of the same party for Vice President. Further along in the same section of the bill—section 5 (a)—it is provided that—

A vote by party designation shall be deemed to be a vote for the candidate of that party by name.

Immediately thereafter in the same section 5 (a) it is provided that—

A vote for a Presidential candidate by name shall be deemed to be a vote for the candidates for Presidential and Vice Presidential electors of his party.

The part of article II, section 1, of the Constitution remaining effective after the adoption of the twelfth amendment includes a reservation to the legislatures of the States of the right to prescribe the manner of the appointment of Presidential and Vice Presidential electors.

The twelfth amendment provides that the electors shall vote by ballot for President and Vice President, and that the voting for these offices shall be by distinct ballots, and that distinct lists shall be kept of those persons voted for as President and for those persons voted for as Vice President.

The fourteenth amendment provides, among other things, that if the male inhabitants of any State, being 21 years of age and citizens of the United States, are denied the right to vote or to vote at any election for the choice of electors for President and Vice President, or if that right is abridged, the basis of representation of the offending State shall be reduced in the manner therein provided.

It seems clear that since the twelfth amendment of the Constitution provides who shall have the right to vote for Presidential and Vice Presidential candidates, and since by that amendment such persons are limited to the Presidential and Vice Presidential electors, the provision in the bill that a vote by party designation shall be deemed to be a vote for the candidate of that party by name, is a violation of the Constitution, and is invalid.

The provision that a vote for a presidential candidate by name shall be deemed to be a vote for the candidates for Presidential and Vice Presidential electors of his party, violates the right vested in the State legislatures under the already noted provisions of article II of the Federal Constitution, to control the manner of appointing electors.

Moreover, it may be argued that if a State under the fourteenth amendment is to give a voter the right to vote for electors for President or Vice President or suffer the penalties therein prescribed, a Federal ballot designed to be effective in the States which does not contain the names of electors is inconsistent with and violates the spirit of the fourteenth amendment.

Let me emphasize that we are not concerned here with whether the States might provide the same things validly in their own election laws. It may well be that since the States have control of the manner of appointing electors, they, for example, have the right to deem a vote for a person or for a party to be a vote for certain electors. Here we are talking about a Federal ballot, and, as already stated, the Federal Government does not have control over the appointment of electors; that right has been reserved to the State legislatures by article II of the Federal Constitution.

Yesterday the able junior Senator from Tennessee [Mr. STEWART] made the most that can be made for the validity of the proposed Federal ballot. He rested his case on the constitutional war powers of the Congress. He argued that Congress, in the exercise of these powers, can set aside the express words of article II of the Constitution, which reserves to our State legislatures the manner of appointing Presidential and Vice Presidential electors.

Most respectfully I would answer the Senator today in effect as I answered him yesterday: that the voting and election processes prescribed by the Federal Constitution are an essential part of our system of government, are an essential part of the basic structure of our Constitution; that their observance is the prerequisite to our lawful right to be here and to act as a Congress, are a prerequisite to the President's lawful right to occupy his office and to be Commander in Chief of our military forces; that no matter what peacetime constitutional rights may have been overridden in the name of war powers, I have found no precedent for overriding, in the name of those powers, any essential part of the essential structure of our Constitution, of our system of government.

If I were presented with such a precedent, then so far as I am concerned in the performance of my duties here, I most regretfully and humbly would have to ignore it. If we can override one part of the essential structure of our system of government, we can override all of it. We could depose the President by a leg-

islative act. We could abolish elections. We could abolish the Supreme Court. We could provide for more than one Supreme Court. Under theories of that kind we arrogate to ourselves unlimited power unrestrained by anything.

My oath, as I see it, is a personal one. Its obligations cannot be delegated to any court, or to any public official, or to any other person or interest. To me, the conclusion is inescapable that when Congress overrides the voting and the election processes expressly committed by the Constitution to the States, it is acting as a revolutionary usurper—not as a constitutional legislative body.

Let me now give attention to other features of the bill which might bear on the morale of our servicemen. The bill provides for the designation of a day and place when and where the men of a command will assemble and mark their ballots.

Generally speaking, in a sizable combat unit in an active theater of war, about one-third of the unit is engaged in front-line fighting. The rest of the unit is in support and in reserve. Troops in support and in reserve are often under enough fire to require their undistracted attention to the security problems at hand. There is no time for politics—no time for marking ballots.

The one-third of the men in such combat units who at any given time are actually at grips with the enemy, who are moving ahead, or who are holding their ground under fire, the actual fighting men, cannot by reason of the very nature of their task, be assembled en masse to vote at any particular place on any one balloting day.

Obviously, to try to get the votes of those men, representing about one-third of all of our combat troops, on any single balloting day, would be to invite military disaster. It is doubtful whether our enemies would cooperate in such diversions from the grim business at hand. To set up a series of balloting days, in order to catch these fighting men when they have returned to rest areas from the front lines, assuming that a series of balloting days is authorized under the bill for any particular command, would involve time lags that would defeat the alleged time-saving merits of the bill.

Would the morale of the men actually fighting and therefore unable to participate in a balloting day be improved by the knowledge that under the mechanics of this bill they had been deprived of the opportunity to vote in what might be a close election, while those who by pure chance, under the rotation methods in practice in the field, happened on balloting day to be in rest areas or in exceptionally inactive sectors, and thus did have the opportunity to vote?

The scheme of this bill while producing the collection of a large number of ballots on balloting day, and thus enabling the concentration in specially allocated homeward-bound planes of the large numbers of ballots so collected, also carries with it concentrated risks. Perhaps it puts too many eggs in one basket.

The disruptions to communications due to battle hazard, to the natural confusions of war, due to storm and flood and often to human error, are well known. The loss of a single plane, jammed full with the ballots of a large command, gathered together on balloting day under the mechanics of this bill, might decide a national election. Would the servicemen welcome a system, would their morale be stimulated by a system which would hazard so much on that which is so unpredictable and uncontrollable?

If such a ballot-packed plane were to fail to get back to the United States, would that improve the morale of the servicemen who had executed those ballots?

Under this particular bill, the Secretary of War, the Secretary of the Navy, the War Ballot Commission, and the secretary of state of each State have certain accountability here at home as to ballots passing through their hands. But the bill is devoid of any definition of duty on anyone in the combat areas to account for ballots received, destroyed, mutilated, or even for executed ballots to be returned the United States.

Servicemen qualified to vote at home, familiar with our election processes, recalling the care which is taken to protect elections against fraud and inefficient administration, may well take a doubtful view, far from helpful to morale, of the well-meant but slack, fraud-inviting provisions of this particular bill.

If frauds on any scale should develop in our theaters of war, under the administration of the scheme of this bill—and remember we are talking about many millions of human beings not all of whom are free from the frailties that beset mankind—would that help the morale of our servicemen?

In many places large numbers of American troops will serve under commanders who are citizens of foreign countries, but who, nevertheless, under this bill will be charged with important administrative duties and discretions. They will be responsible for the dissemination of information, for maintaining standards of fairness in dissemination of information, for the collection and transportation of marked ballots, for the establishment of balloting days, for the time and place of balloting days, and so forth.

Regardless of the efficiency or good intentions of such a commander, assuming, as I think we are well warranted in assuming, that such a commander would make a good-faith effort to discharge the duties prescribed by this act, please ponder the consequences, please ponder the morale problem, if ballots in such a command, regardless of the reason, were not gathered, or if they were lost or delayed in transmission, or if they failed to get into the ballot boxes at home on time.

An organized, formal balloting day in any command in the theaters of war and the preparations for it would carry with it, and would focus all of the agitations, excitements, disputes, and dissensions which often accompany our elections at home. Surely it will not be argued that anyone under this bill would be deprived of the right to proselyte his cause, to champion his party, or his candidate. If it is to be a free American balloting day, our servicemen will be entitled to air their views to their comrades in arms, and to try to convert others to their ways of thinking. Or will the sponsors of the bill join in its condemnation by arguing that under their plan our servicemen must reach and vote their conclusions in silence?

Because of wounds left by the exercise of freedom of speech which, of course, is an essential part of an American election, every election in peacetimes leaves lingering and often unhealable disunities. Would such disunities, provoked and focused by balloting days in combat areas in the midst of war, aid the morale of our fighting men? Where men must work so closely together as fighting teams, might not the accentuated political disunities resulting from the balloting day mechanics of this bill lead to widespread military disunty?

The campaign would involve the selection of a Commander in Chief and the qualifications of the present Commander in Chief would be the prinpical issue. The enlisted man in the Army takes an oath as follows:

> I, _____, do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America; that I will serve them honestly and faithfully against all their enemies whomsoever, and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to the Rules and Articles of War.

Article of War No. 62 provides:

> Any officer who uses contemptuous or disrespectful words against the President, Vice President, the Congress of the United States, the Secretary of War, or the Governor or legislature of any State, Territory, or other possession of the United States in which he is quartered shall be dismissed from the service or suffer such other punishment as a court martial may direct. Any other person subject to military law who so offends shall be punished as a court martial may direct (June 4, 1920, ch. 227, subch. II, sec. 1, 41 Stat. 801; U. S. C., title 10, sec. 1534).

Article of War No. 63 provides:

> Any person subject to military law who behaves himself with disrespect toward his superior officer shall be punished as a court martial may direct (June 4, 1920, ch. 227, subch. II, sec. 1, 41 Stat. 801; U. S. C., title 10, sec. 1535).

Article of War No. 90 provides:

> No person subject to military law shall use any reproachful or provoking speeches or gestures to another; and any person subject to military law who offends against the provisions of this article shall be punished as a court martial may direct (June 4, 1920, ch. 227, subch. II, sec. 1, 41 Stat. 805; U. S. C., title 10, sec. 1562).

Is there any way by which we can bring together our servicemen on a balloting day and at the same time assure free speech and the avoidance of words which might be regarded as contemptuous or disrespectful against the President, the Vice President, the Congress of the United States, or the Secretary of War?

In the free play of highly desirable, robust political discussion, would it be possible to avoid conduct by some of our servicemen that could be construed as

disrespectful toward a superior officer? The officers will also be marking their ballots. Will they be under any gag rule? Will it be possible to avoid the use of "reproachful speech or gestures"?

Instead of doing something which the proponents of the bill contend will please our servicemen, may we not be imposing a cruel conflict of loyalties upon servicemen who will be regimented to mark their ballots on balloting day, who might under the circumstances, and under the oath which they have taken, prefer not to vote at all? Who would prefer not to be singled out and marked of record as nonvoters?

Would the morale of our servicemen be improved by organized balloting days under which noncommissioned and commissioned officers would be striving in the interests of their efficiency records for a 100-percent vote in their units? Could unfair, coercive, morale-destroying pressures be avoided? Remember, please, that there are men in the military forces who are not averse to preferment and some of them might not be over-reticent in the display of favor-winning virtues.

Reflection on such matters raises the deeper question whether it is ever desirable to turn over to the military an important part of the administration of the election processes of a free people.

I respectfully suggest it would be better to leave the matter to our State absentee ballot laws. My own State, I am proud to say, is in the vanguard of those States which recognize their responsibilities and which are amending their laws so as to give their servicemen a fair opportunity to vote.

True, the State procedures will vary. They will not have the organizational smoothness of the pending bill. But there is much virtue in that. The company mailman will deliver the ballot direct to the serviceman when he is in position to receive it. The serviceman will be able, without any kind of duress or embarrassment, to vote as he pleases in his own self-secured privacy and under the guidance of his own uncontrolled conscience, or he will be able to refrain from voting without any embarrassment, if that be his choice.

This method obviates undue concentration of ballots in planes in flight and at loading points, and at transfer points, and thus avoids undue concentration of the hazards of wholesale destruction of ballots.

This method protects the serviceman against regimentation in political matters. It avoids the morale-destroying disunities which might develop in a battlefield balloting day. It permits of a vote on all offices from top to bottom, rather than those appearing on the proposed inadequate, bob-tailed strictly Federal ballot. It avoids grounds for contesting the results of our next national election.

In the debate on this bill and on the original Lucas-Green bill we have been told again and again that it is essential to the morale of our service men and women that they be given the opportunity to vote. It was said Monday that their morale will be shattered if they are not given the opportunity to vote. If this be correct, the servicemen and all those at home who correspond with them and the Secretary of War and the Secretary of the Navy will be glad to see the State ballots receive expedited transportation priority over other mail not militarily urgent. With such priority there should not be much difficulty in securing timely distribution and return of the ballots of our servicemen.

Mr. MURDOCK. Mr. President, I do not intend to hold the Senate very long by the remarks which I propose to make on the pending bill, but I do desire to address myself to the amendment offered by the distinguished Senator from Louisiana [Mr. OVERTON].

I am always impressed, Mr. President, by the remarks of the distinguished junior Senator from Colorado [Mr. MILLIKIN] and have been ever since he came to the Senate of the United States. I think, without doubt, that it is conceded today among his colleagues that he is one of the outstanding constitutional lawyers in the Senate of the United States. I am sorry that I did not hear more of his remarks today than I did hear, but, if I understand the remarks of the distinguished Senator correctly, it seems to me that we could apply the same logic to elections within the boundaries of the United States. If we cannot trust the soldiers on the battlefields of the world under the supervision of their commanding officers intelligently to cast their ballots in an election, then I wonder how we can trust the average voter within the United States.

It is true there will be some inconvenience, it is true that the voting may have to be continued over several days; but, Mr. President, if the soldiers of this country are to vote in the approaching election, we are told by the Secretary of War and by the Secretary of the Navy, that, under the most favorable conditions, it is only a possibility, and, furthermore, a very remote possibility, that they will be able to vote if we should attempt to arrange for their voting through the 48 different States.

I have read the report of the Secretary of War and the report of the Secretary of the Navy; I heard the evidence of Colonel Cutler and Captain Ramsey, and they told us it was their sincere purpose and desire to make it possible for every soldier in the United States Army and every sailor in the United States Navy and every member of the Marine Corps to vote in the next election. They told us what great barriers must be overcome in order to allow our soldiers and sailors and marines and members of the merchant marine to vote. Time and again during the evidence of Colonel Cutler I tried to get him to agree with me that, under the evidence that was before us and under the statements of the Secretaries of War and Navy, it probably was futile for the States to try to conform to the conditions necessary in order that our soldiers and sailors might vote, and time and again he refused to make such an admission. Time and again he said "We are here to try to work out the problem, to endeavor to help Congress and the 48 States of the Union, to come to a conclusion, to reach such a decision as will enable the soldiers and sailors and other members of our armed forces to vote in the approaching election."

I was surprised yesterday when I heard the distinguished Senator from Ohio [Mr. TAFT], as I understood him, accuse those two Secretaries of unfairness because they had stated that they favored one proposition as against another, and because they said that it would be far more possible for soldiers to vote under the Green-Lucas bill or under a Federal ballot system than it would be under the laws of the 48 States.

On this very vital and crucial question I ask Senators where must Congress go, where can it go, for information except to the Military Establishments of the Government?

The distinguished Senator from Ohio said this is a matter that Congress should decide, and, as I understood him, that we know more about it than do the military authorities of the United States; but if anything has been evidenced, Mr. President, during the discussion of this question it is that we in the Senate of the United States and the Members of the House of Representatives know very little about the terrific barriers that must be overcome in order to transport to all theaters of military operations throughout the world sufficient ballots to allow our soldiers and sailors and members of the Marine Corps to vote. In my opinion, there is just one place to go in order to obtain the correct information, and that place is the Secretary of War and the Secretary of the Navy. If we cannot depend on the information we get from them in this matter then I wonder where we will get reliable information. To accuse those men, either directly or impliedly, of desiring to do anything except to make it possible for the members of our armed forces to vote, in my opinion is very unfair.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. TAFT. Do we not recognize certain established facts; for instance, that a boat can go across the Atlantic in a week, that a boat can come back across the Atlantic in a week, that the distribution of mail at this end and the other end might conceivably take 2 weeks more? Cannot we ourselves, so far as the soldiers in Europe are concerned, see that the ballot is delivered to them in a month and returned in a month? Are not those perfectly simple facts?

Mr. MURDOCK. I am perfectly willing to agree that if we look at the matter as the Senator does, it is a very simple fact, it is nothing out of the ordinary, for six or seven million soldiers to vote on the battlefield, that it is going to be no more difficult than merely depositing ballots in the mail, and that then we can sit down and think that we have done the job, and tell the soldiers that they are all going to vote in the election.

Mr. TAFT. Will the Senator yield for a moment?

Mr. MURDOCK. But after listening to the testimony that has been submitted

to the Committee on Privileges and Elections, I say that no fair-minded man, no reasonable man, can come to any conclusion except that if we do not handle the matter according to the instructions and the recommendations of the Secretary of War and the Secretary of the Navy, we are holding out a delusion and perpetrating a fraud on the soldiers and sailors of the United States when we tell them that there is any possibility of their voting in the coming election.

Mr. TAFT. Will the Senator yield now?

Mr. MURDOCK. I yield.

Mr. TAFT. Of course, I disagree absolutely with the Senator.

Mr. MURDOCK. I know the Senator does.

Mr. TAFT. In my opinion, the Federal ballot here presented is the fraud, and not the procedure I suggest. But what I cannot understand is, where the evidence is. All that is said is that we cannot do what is suggested, that we cannot do it. Those making that assertion do not explain why they cannot gather up State ballots.

Mr. MURDOCK. Oh, yes; they do explain why they cannot.

Mr. TAFT. No, they do not.

Mr. MURDOCK. They give the information in concrete figures, as the Senator will find if he studies the evidence. They tell us that one 3-ounce ballot sent by a State will displace from 1,000 to 1,200 Victory-mail letters. They also tell us that the most important thing in connection with this whole question is the maintenance of morale of our soldiers and sailors on the battle fronts of the world. They also tell us that another very important thing is to maintain the morale of the people at home, and that there is nothing more conducive to the maintenance of that morale on the battle fronts and the morale at home than an interchange of letters between soldiers and sailors and their parents, relatives, and sweethearts. They tell us that if we handle the matter according to the method by which the distinguished Senator from Ohio wants it handled, we will displace hundreds of millions—I think the figure even went into the billions—of V-mail letters.

Mr. TAFT. Will the Senator yield at that point?

Mr. MURDOCK. I yield.

Mr. TAFT. In the first place, they say it would take so much to carry a 3-ounce ballot. That, of course, shows their preliminary prejudice, because the evidence is that ballots generally weigh about 2 ounces, that in many States they weigh less than that, and that they can be reduced to 1 ounce. That simply shows the approach of the Army in desiring not to do the job.

In the second place, they talk about the morale of the soldiers and the letters. If casting the ballots is the most important thing in maintaining the morale of the soldiers, mail should be displaced so far as that is concerned. But what evidence is there that the ballots would displace mail? As a matter of fact, so far as Europe is concerned, ballots sent by boat will not displace mail. We have steamer after steamer, we are shipping millions of tons, we are sending well over a million tons a month, so that if the ballots can be carried by steamer, the whole argument falls to the ground.

Mr. MURDOCK. Oh, yes; but there is the "if" there. I say to my colleague from Ohio that there is the "if." I heard the Senator make the same argument yesterday he is repeating now, and I still prefer to go to the Secretary of the Navy and the Secretary of War for my information on this question, rather than to depend on the information of the distinguished Senator from Ohio.

Mr. TAFT. Will the Senator yield for another question?

Mr. MURDOCK. No; I think at this time I shall not yield.

Mr. TAFT. I assure the Senator this will be the last question.

Mr. MURDOCK. Very well; the Senator is always fair, and I yield to him.

Mr. TAFT. So far as two-thirds of the American soldiers in the European theater are concerned, there has been no evidence that the mail cannot be transported by boat, and it cannot be denied that it can be transported by boat.

Mr. MURDOCK. Of course, it cannot be denied that it can be transported by boat, if we can anticipate and be sure that the States will act in time; but the evidence before our committee was that, with the present laws of the 48 States, there was only the remotest of possibilities that soldiers could vote if they depended on the present laws of the 48 States of the Union.

The Senator says we are not talking about a 3-ounce ballot; that we are talking about something else, a 2-ounce ballot, or a 1-ounce ballot. The evidence before the committee was that the average State ballot weighs 3 ounces, and, of course, even if it is reduced from 3 ounces to 2 ounces, or from 3 ounces to only 1 ounce, we still have the great big "if" that the matter cannot be handled that way.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. MURDOCK. In just a moment. It has been charged again today by the Senator from Ohio that the War Department and the Navy Department have approached this question with prejudice, that they are unfair; but anyone who listened to Colonel Cutler and to Captain Ramsey when they testified a few days ago could have come to only one conclusion, and that is that all in God's world they want to do, so far as they possibly can, is to carry out the mandate of Congress and the mandates of the 48 States of the Union. They want the soldiers to vote. They want to do everything within their power to make that at least a reasonable possibility; but just the moment they come to a conclusion that is not in line with the thinking of the distinguished Senator from Ohio and some other Members of the Senate, then they are immediately accused of prejudice and unfairness; it is charged that they favor the Democratic Party, or the President of the United States, against the Republican Party.

I now yield to the Senator from Arizona.

Mr. McFARLAND. Is it not a fact that the servicemen are being moved from month to month and week to week, and day to day, and, in addition to the size of the ballot, has not the War Department a problem in finding the servicemen to whom to present the particular county ballots they would be called upon to cast?

Mr. MURDOCK. The evidence on that question is that in every 60-day period there are 600,000 changes of address occurring among the armed forces of the United States; 600,000 every 60 days. The evidence is that the departments do not maintain rosters here which would give the addresses of the millions of men in our armed forces daily. They tell us such a procedure is wholly impossible, that it simply cannot be done. That is another reason, they say, why there is a far greater possibility of soldiers and sailors voting under the Federal ballot plan, as proposed by the Green-Lucas bill, than under the laws of the 48 States.

The senior Senator from Ohio was very critical yesterday in his address, about the fact that the President had sent a message to Congress on this very important question. I believe it was high time the President did speak out. I realize that the Senator from Ohio, from a political standpoint, does not like the present President of the United States, and there are many other Senators on his side who, from the political angle, do not like Franklin D. Roosevelt.

Mr. President, I do not blame them for it. If there is one name in the United States today of which they can be fearful, if there is in the United States today a political record of which they should be fearful, it is the record which has been made by the present incumbent of the White House. I do not wonder that they quake and tremble whenever he speaks. I do not wonder at the fact that every time his name is mentioned they want to pin onto him the C. I. O., and communism, and everything else they can think of. But I call their attention to the fact that they have been doing that ever since 1932, and ever since that date the President has always been able to overcome the aspersions cast upon him and the arguments made against him, and it is my opinion, Mr. President, that in the coming election he will do it once more. So I do not blame them for criticizing the President for sending the message to Congress. I do not blame them for becoming frightened every time he speaks either through a message or over the radio systems of the United States.

Coming now to the amendment offered by the distinguished Senator from Louisiana [Mr. OVERTON], we find on page 39 of the bill, under the heading "Validity of ballots," what, in my opinion, is and should be a reasonable and satisfactory answer to the most ardent advocate of States' rights in connection with Federal elections. We find language in that section as follows:

> The Commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title.

The Federal agency proposed to be created by the bill is by that language absolutely denied the right or the power or the jurisdiction to pass on the validity of any ballot cast under the provisions of the bill. The next clause in this section of the bill is:

> Such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States.

Could language be plainer, Mr. President? Could language be more emphatic in devolving upon and clothing the local election judges with jurisdiction on the question of validity of ballots, than the language we find right here in the bill? Yet that, Mr. President, is not satisfactory. It still seems that some advocates of States' rights want something more in there than has been written into the bill.

The right to vote for Federal officials, for Senator, for Representative, for Vice President, and for President, stems directly from the Federal Constitution. It does not come from the several States, but comes directly from the Constitution of the United States.

The qualifications of electors in all elections in which Federal officials are elected, are provided for in the Constitution of the United States. The method of selecting the electoral college, or the Presidential electors, is set out in the Constitution of the United States. Every vote that is cast or that will be cast in the election of Representative, Senator, Vice President, and President will be cast under the provisions of the Constitution of the United States. The right to vote for elective Federal officials by every voter in the United States stems from the Constitution of the United States. Still we have some Senators with us today who are very critical of the fact that the Congress wants to say something about making it possible for soldiers and sailors to vote for these Federal officials in the coming election.

The amendment offered by the distinguished Senator from Louisiana, on page 39, in section 14, line 9, after the word "made," provides for the insertion of the words "in accordance with State law." What is the intention of the Senator from Louisiana in seeking to put that language into the bill? I ask the Senator, does he want to exclude the Constitution of the United States? Does he want to exclude the very statute that will make it possible for soldiers to vote if the bill is enacted into law? Does he, by the language of his amendment, want to exclude the State constitutions, and when the local judges pass on the validity of the ballot which comes to them, does the Senator want them to read that language and construe it to mean that they look only and exclusively to the State law in determining the validity of the ballots?

If that is the intention of the Senator from Louisiana and he is correct in his position, then I do not understand the constitutional system of the United States. It is my understanding that the Constitution is the supreme law of the land, and that no statute, no law anywhere written in the United States can contravene the Constitution of the United States.

If the Senator from Louisiana wants to exclude everything but State laws, then certainly the Congress of the United States should not stultify itself by joining in any such suggestion.

Mr. REVERCOMB. Mr. President——

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Utah yield to the Senator from West Virginia?

Mr. MURDOCK. I yield.

Mr. REVERCOMB. I am very much interested in the point the Senator is discussing, which is that the State boards or State election officials shall pass upon the ballots after they have been cast. I call the Senator's attention to the following language on page 39 of the bill:

> The Commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title.

Then this language follows:

> Such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States. Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

Does not that language place the power in the election boards which sit in the States to receive the ballots in the States, to pass upon the validity of the ballots?

Mr. MURDOCK. Absolutely.

Mr. REVERCOMB. The language does give that power?

Mr. MURDOCK. In my opinion the language is very plain, very emphatic, and could not be plainer or more emphatic than it is in conferring upon the local judges the absolute and ultimate power and judgment with respect to the validity of every ballot that comes to them.

Mr. REVERCOMB. Mr. President, will the Senator yield for a further question?

Mr. MURDOCK. Yes.

Mr. REVERCOMB. If that be correct, and a ballot has been given to a soldier in some foreign field, and he has been led to believe that he is casting a vote for candidates in the election, and the ballot comes back to the State, and the local board passes upon it, and says "under the laws of this State that soldier is not registered here and we cannot count his ballot"; then has not a great wrong been done to the soldier?

Mr. MURDOCK. I think not. My answer to the Senator is that we in Congress are limited in our powers under the Constitution. We can do only so much. We cannot go beyond the constitutional limitations which have been placed around us. The States are limited also. Their legislatures cannot do anything with reference to Federal elections and the election of Federal officials except as they have been authorized by the Constitution or as they reserved such power at the time the Constitution was written.

But my answer to the Senator is that if the soldiers and sailors in our armed forces should vote—and I most emphatically declare that they should—then, as a Senator of the United States, I am unwilling to leave any stone unturned, I am unwilling to leave any barrier standing, which might deprive any soldier or sailor of the opportunity to cast his vote. I am quite cognizant of the fact that if we pass the pending bill—and it is my hope that we will—when the ballots come to the local election judges they may challenge some of them, just as they may challenge ballots cast in person. The challenge against such ballots may be upheld by the local judges, and certain ballots of the soldiers and sailors of that precinct may be thrown out. What Congress can do, and all it can do, is to exhaust every remedy available to it. In doing that we shall have done our duty. Then if the 48 States of the Union, or any one of them, do not wish to conform to what Congress has done, and if their local election judges under the laws of the land, including the State laws, wish to throw out the ballots of some of our soldiers and sailors, that responsibility will be theirs, not ours.

I might also say to the distinguished junior Senator from West Virginia that there is not a doubt in my mind but that every ballot cast by a soldier or sailor in the armed forces will be counted by the local election judges. The patriotism of the Members of the Senate, the patriotism of the Members of the House of Representatives, and the patriotism of those in various other governmental agencies has been mentioned. I still have a great deal of confidence in the patriotism and loyalty of the people at home, and their absolute devotion to our men who today are on the battlefields all over the world fighting to preserve those very homes, the Union, and the Government under which we live. I have no doubt about what the local election judge will do, and I have no doubt that if all State legislatures which could act on the question did act on it, they would as nearly as possible have the legislative action they took conform to the provisions of the bill which is pending in the Senate today, if it is finally passed.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. REVERCOMB. The Senator has made a statement that we will have performed our duty when we pass such a bill as the pending one; but the Senator has already admitted that if the Senate passes the pending bill, although it will have voted to give the soldiers an opportunity to vote, some of the soldiers' ballots will be thrown out. Will the Senator still think we shall have performed our duty, if such a situation develops?

Mr. MURDOCK. Absolutely. I still have in mind the fact—and there is no way by which we can eliminate it or eradicate it—that our Constitution provides for a dual system of government; that we have our 48 sovereign States, and we have the great, sovereign Federal Union. I still wish to respect and be cognizant at all times of the fact that the Federal Government should not and

cannot encroach upon the constitutional rights of the States, nor can the States encroach upon the constitutional prerogatives of the Federal Government. Being limited, as we are, in our own spheres, if we are confronted with the fact that we can go only so far in respect to the matter of providing an opportunity for the members of our armed forces to vote, I say that our duty is to use every power we have, to take advantage of every opportunity afforded us, in order to provide an opportunity for the members of the armed forces to vote. Having done that, we have not fooled the soldier, we have not fooled the sailor, but we have told them, as we should tell them, that we have done everything we could do to make it possible for them to cast their ballots.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. DANAHER. I have very great regard for the opinion of my able friend the junior Senator from Utah. In connection with the point to which he has been addressing himself, I wish he would turn to page 39 of the bill.

Mr. MURDOCK. I have that page before me.

Mr. DANAHER. Let me point out to the Senator that, commencing in line 6, we read:

> The commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States.

Now I ask the Senator to notice in line 11 the following:

> Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner—

And so forth. Does the Senator from Utah find in his mind any distinction between the use in line 8 of the expression "ballots cast," and the use in line 11 of the expression "votes cast"?

Mr. MURDOCK. No, Mr. President; I would say that it is my humble opinion that the two terms are synonymous.

Mr. DANAHER. Does the Senator from Utah believe there is no attempt in the use of the language in line 11 to distinguish between the determination of the validity of a ballot, on the one hand, and the manner of counting, certifying, and canvassing votes, on the other hand?

Mr. MURDOCK. I may say to the Senator that a ballot is something which is tendered by the individual elector to the proper judge of elections. Probably up until the time when it is placed in the ballot box it is only a ballot. When all the mechanics of handling the ballot have been performed and the ballots are taken out of the ballot box and placed before the judges for counting, and the counting begins, then probably they are votes, and no longer ballots. I can see that perhaps the distinction can be made that up to a certain point they are only ballots, and that they are not votes until they are counted, canvassed, and so forth. I think that distinction is a rather technical one. It is my opinion that as the terms "ballots" and "votes" are used, they are synonymous, or at least they are intended to be synonymous. But I can see that probably it is more appropriate to use the word "votes" in line 11, and that probably that is the proper use of the word, rather than to carry the word "ballots" all the way through.

Mr. DANAHER. Mr. President, does not the Senator recognize in lines 8 and 9 that "determination of the validity of ballots cast under the provisions of this title" shall be made by the duly constituted election officials, on the one hand; while "votes cast," as referred to in line 11, "shall be canvassed, counted, and certified" in the manner provided within the State for the canvassing, counting, and certification of the votes? I feel certain there must be some intended distinction between the two terms, and I wondered if the Senator had developed any.

Mr. MURDOCK. Certainly I cannot think there is any ulterior motive in that connection.

Mr. DANAHER. I would not have the Senator use the words "ulterior motive" as an inference from anything I have said. I do not think there is any ulterior motive. But I do think the draftsman had some distinction clearly in mind; and what it is I should like to determine.

Mr. MURDOCK. This is the first time that that particular question has been called to my attention. I can readily see that there is probably a distinction between ballots and votes. They are not votes until they are counted. They are ballots up until that time. As I understand, the election laws of the several States, after they once go into the ballot box, there is nothing that can keep them from being counted. As they are taken out of the ballot boxes, of course, they are counted; but the challenge to the validity of the ballot must come before it is placed in the ballot box.

Mr. DANAHER. Mr. President, will the Senator further yield?

Mr. MURDOCK. I am always glad to yield to the Senator.

Mr. DANAHER. I thank the Senator. If ballots cast under the provisions of this title are to have their validity determined by the duly constituted election officials, as this language reads, does the Senator understand from the use of such language that such determination by the officials named is to be final?

Mr. MURDOCK. Yes; I should say so.

Mr. DANAHER. Does the Senator understand that in the event of an election contest there would be a review in the courts of the States?

Mr. MURDOCK. Yes.

Mr. DANAHER. Or by the Congress, if the contest should pertain to a Member of the House or Senate?

Mr. MURDOCK. When I say "final," I mean that it is final so far as placing the ballot in the ballot box and counting by the local judges are concerned. Of course, if there is to be a contest in respect to the election of a Senator, ultimately the Senate will be the sole judge of that contest, as the House is the sole judge of a contest with respect to a House Member. In the case of some other official the contest might go to the courts. But it seems to me that the language of the bill is wholly sufficient, and sufficiently comprehensive to place on the shoulders of the local judges the power and discretion to say whether a ballot is valid or invalid. When the Congress has gone that far has it not conformed to the State election laws so far as it is possible for us to do it?

It was stated here yesterday, in the highly intelligent discussion between the Senator from Colorado [Mr. MILLIKIN] and the Senator from Tennessee [Mr. STEWART] that the method of selection of Presidential electors is, by the Constitution, delegated to the legislatures of the several States. In my opinion that is a direct provision of the Constitution. Although I may find myself in disagreement with the distinguished Senator from Tennessee, it is my opinion that even in time of war we cannot, by an implied power, change the terms of a direct provision of the Constitution. I believe that my answer to the distinguished Senator from Colorado was the correct answer—that when the ballots are tendered to the local judges of election in Georgia, Michigan, Colorado, or Connecticut they may say, "These ballots do not conform to the State laws," and invalidate them for that reason. If the provisions of sections 1 and 2 of Public Law 712 should be held to be in conflict with the constitutional rights of a State, then I say that those provisions of Federal law must give way to the constitutional right of the State. I am reluctant to make that statement because of the very able argument made by my colleague from Tennessee yesterday, but I am in agreement with the Senator from Colorado that even in time of war we cannot, by statutory enactment, undo, overthrow, or violate a direct provision of the Constitution of the United States.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. VANDENBERG. I wish to ask the Senator's opinion regarding another phase of the ballot. The Senator is a very distinguished member of the committee which heard the evidence and developed the text. The Senator will understand, by way of preface, that I voted in favor of the Federal ballot, and I shall continue to do so, because I consider it to be essential in assurance, if, as, and when State absentee ballots fail. Does the Senator agree with me, as an abstract proposition, that the State absentee ballot is the preferable ballot for the soldier, if, as, and when it can reach him, inasmuch as it is his only opportunity to enjoy complete suffrage? Does the Senator agree with that as an abstract proposition?

Mr. MURDOCK. I should say that if we could eliminate all the barriers and inconveniences, it is my opinion that elections should be carried on in the normal way in which they have always been carried on.

Mr. VANDENBERG. The State ballot is the only complete ballot which the soldier could have.

Mr. MURDOCK. Up to this time, so far as I know, the only method of voting for both Federal and State officials is the method provided by the several States. However, I wish to make this further observation: Whatever provisions, methods, and mechanics have been evolved by the several States in the election of Federal officials stem from authority granted by the Constitution of the United States.

Mr. VANDENBERG. That is a totally different question from the one I am coming to.

This bill, in title II, assumes to recognize that the State absentee ballot has a place in this formula.

Mr. MURDOCK. If a soldier votes by a State absentee ballot, that takes preference over the Federal ballot.

Mr. VANDENBERG. That is correct. My question is this: Does the Senator think, from what he heard in committee, that the State absentee ballots will reach the soldiers in any substantial degree and be returned, and serve the function which we wish they might serve?

Mr. MURDOCK. I will say to the distinguished Senator from Michigan that time and again in the interrogation of Colonel Cutler I asked this question: "Should we not tell the several States of the Union that it is wholly futile for them to try to have our soldiers vote by the method of State ballots?"

Mr. VANDENBERG. That is what I wish to know.

Mr. MURDOCK. He said, "Absolutely no; it is not futile." Every time I asked him the question, he replied more emphatically, and said that it was not futile. He said that it was only a possibility that they could vote under the Federal ballot, and that it was a much more remote possibility that they could do so under State ballots. But he would not agree with me that it was futile for the States to try to have the soldiers vote through State ballots. Time and again, with all the sincerity of purpose of which he was capable, Colonel Cutler said that the War Department and the Navy Department were anxious, willing, and desirous to do everything they possibly could to see that State ballots got to the soldiers and sailors of the United States.

Mr. VANDENBERG. That is what I am coming to. As I understand, in spite of the obvious preference of the War Department and the Navy Department for the Federal ballot, for physical reasons, and despite the fact that they express exceeding doubt as to the extent to which State ballots can ultimately be used, the Senator does not believe that they are so set in this opinion that they will neglect any opportunities to make the State ballots available.

Mr. MURDOCK. I am sure what they want to do is to get the ballots to the servicemen if they possibly can.

Mr. VANDENBERG. I hope that may be emphasized, because I am afraid I have rather drawn the conclusion from some of the statements which I have heard that State absentee ballots are being dismissed as so much freight, and that it would be merely good luck if any such thing were successfully handled. If in connection with a State ballot the departments would make a deeply earnest effort, the same kind of an effort which they would make with respect to a Federal ballot, then I am bound to concede that they would confront greater obstacles in connection with the State ballot, and I have no complaint. However, I should like to be sure that we will start on an equality of intent, sympathy, willingness, and purpose to deliver the State ballots and bring them back insofar as it is practicable to do so. Does the Senator think that would be the attitude of those in charge of the matter.

Mr. MURDOCK. Mr. President, if I am any judge of the English language, if I am any judge of the demeanor of men, my answer is in the affirmative.

Mr. VANDENBERG. I am very glad to hear the Senator make that statement.

Mr. MURDOCK. However, I say further to my distinguished friend that Colonel Cutler has stated and emphasized that the most important thing in our armed forces today is morale. When he appeared before the committee he made it plain that the most important item in the maintenance of morale is the receipt of letters from home; from fathers and mothers, from sisters and brothers, and other relatives, and from sweethearts. While I do not think it was stated, it is my opinion that Colonel Cutler and other Army officials believe that the mail coming from home is really more important tc the soldier than the casting of a vote. That is my construction and deduction from statements which were made before the committee, and not the direct statements of Colonel Cutler or Captain Ramsey.

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. BROOKS. Carrying forward the discussion which was participated in by the distinguished Senator from Michigan, if the officials are to make any comparable effort to get the State ballots to the members of the armed services they could accomplish that result by utilizing approximately 11,000,000 post cards which are already printed. They could transport them in bulk and distribute them to the soldiers wherever they now are, and let the soldiers return them to their secretaries of state. As I understand, the Federal ballot will be sent in bulk and made available to the soldiers abroad.

Mr. MURDOCK. That is correct.

Mr. BROOKS. If the authorities in charge of the matter intended to make a comparable effort in connection with the State ballot they could distribute the post cards well in advance so that the soldiers could apply for their State ballot well in advance of the election.

For example, the State of Illinois, pursuant to the terms of the bill which Congress passed last December, recently called a special session of the legislature and enacted into law a provision that any relative, kin, or friend, who applied could receive an application and mail it to the soldier. We advanced our date of filing for all offices and provided that ballots in Illinois would be ready in 45 days. That was the figure given by Colonel Cutler, of the War Department, as representing ample time. So, if the soldiers could have those post cards in the near future and a comparable effort were made by the War Department to advise the soldiers of them, the soldiers from Illinois who wanted to utilize the method now provided for them could certainly have their applications in and could receive a State ballot.

If the Senator from Utah will indulge me a moment further, I should like to say that I agree with what he has said with regard to mail from home. Mail from home is essential, and I may call to his attention that the distinguished Senator from Michigan [Mr. VANDENBERG], in my name, offered the original amendment on the floor of the Senate which would provide free postage to our servicemen all over the world, and the amendment was adopted by the Senate. I agree that the soldiers want to receive mail from home. They also want a home ballot if the chance can be given to them to receive it. They will wish to vote for their Governor and their State legislators. The majority of the soldiers serving America today never saw Washington. They never walked into the chambers or around the halls of the Capitol. However, they do know their home legislators, and they know their Governor at least by name. I think they ought to be allowed to receive a home ballot. If the War Department is instructed, as the Senator from Michigan tried to provide by amendment to the pending bill, that ballots from home shall have the same priority as the Federal ballot, then and not until then will I believe there is an honest intent on the part of the Federal administration to give the soldiers an ample opportunity to receive their home ballots.

Mr. MURDOCK. I cannot be responsible, of course, for what the able Senator believes. The only thing I can be responsible for is to give him my judgment as to what Colonel Cutler meant when he was before our committee. If he meant anything he meant what he said, and that was that the War Department and the Navy Department would do everything within their power, compatible with military operations, to carry the ballots which they might be called upon to carry.

Adverting for a moment to the argument which the able Senator from Illinois has made with respect to the desire of the soldier to vote for the sheriff of this county, for the county commissioner at home, and for his State legislators, allow me to say that he has made reference to the fact that the soldiers do not know anything about Washington and that they have never been in Washington. However, it is my humble opinion that they will come to Washington when this war is over, and that they will come to know more about Washington than they have ever known in the past. I believe that the ultimate thing in which they are interested today is what is going on in Washington, and not what is going on in the States. In my opinion they are perfectly willing to leave the people at home in charge of the State government and know that it will be taken care of. But today their very lives, their whole existence is controlled

by Washington. Where they go, what they do, and what they have to do it with depends on the wisdom and the farsightedness of the Congress of the United States. They are also interested in knowing who for the next 4 years after January 1 next, during the remainder of the war and carrying it through to victory, will be their Commander in Chief. What does the State government today have to do with the soldier in Europe? What does the State government have to do with the soldier who is in the Southwest Pacific? Absolutely nothing at all. However, we here in Washington have in our hands the lives of every soldier, sailor, and marine. What they do, how they do it, and with what they do it depends on what we do in Washington. Certainly they are more entitled to vote for Federal officials, and in my opinion they are more interested in who is going to conduct the affairs of the Federal Government which has charge of their lives and controls their lives while they are soldiers and sailors, than in the officials of the States.

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. BROOKS. I think the argument advanced by the distinguished Senator from Utah emphasizes an idea which I believe to be quite prevalent today. Some people in Washington think that only what Washington does helps the soldier. The munitions do not come from Washington. They are made by the hands of persons who reside in the States.

Mr. MURDOCK. I realize that.

Mr. BROOKS. And they are paid for by the persons in the States. The families of those soldiers reside in the States, and the men are interested in their States, in their homes, their counties, and in the things which are closest to their hearts. It is true that they would like to have something to say about who will be President, and for that reason the Senator ought at least to be willing to put the names of the candidates on the ballot.

Let me say further that when a soldier walks up to the line and is about to make the supreme sacrifice he is thinking about his country. It is not fair to ask him to write in a name against his Commander in Chief. It is not fair to submit that situation to him as he walks up there when he is about to make the supreme sacrifice. Send him the V-mail ballot, the ordinary ballot containing the names of candidates for sheriff and for Governor of his State, as well as for President of the United States, and let him fill out the ballot in accordance with his choice.

But if a blank is sent to him and he intends to vote against his Commander in Chief he has got to write another name in. I think it is not fair to ask a serviceman to do that when he is serving his country and his flag thousands of miles from home.

Mr. MURDOCK. My answer to the Senator is that I am afraid that there are too many Senators in this distinguished body who are thinking more about who is going to be elected next fall, than they are about getting the ballots to the soldiers and sailors and making it possible for them to vote. I have thought many times since this debate started, weeks and weeks ago, that that devil, Hitler, in Germany, must be amused at what is going on in the Congress of the greatest democracy in the world. He must get a smile out of the fact that there are many Members of the United States Senate who do not think the soldiers and sailors of the United States have the intelligence and the education to cast an honest and an intelligent ballot because they are overseas fighting. I do not agree with that type of philosophy.

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. MURDOCK. I do not yield further at this time. I do not agree with the philosophy of the Senator from Illinois that the soldiers and sailors on the battle front are as much interested in State governments as they are in the Government that controls their lives, the Government that reached out into the remotest corners of the United States and put a uniform on them and a gun in their hands and told them to go over there and fight this war through to victory.

It is my opinion that the servicemen on the fighting front are more interested in achieving victory than they are in either Federal ballots or State ballots. What they want to do is to achieve victory and return to their homes in the several States. That is what they are most interested in, but for some reason or other, the Congress of the United States, and probably wisely so, has determined that they shall have a chance to vote, and in that judgment and that agreement I concur. I also concur with those who believe that if the soldiers are to vote the manner of their voting must be handled in the speediest and most expeditious way possible; and in determining what is the speediest and the most expeditious way for the soldier to vote I want to go to the War Department and to the Navy Department, and ask, "Mr. Secretary Knox and Mr. Secretary Stimson, will you tell us what we can do in the Congress to make it possible for the sailors and soldiers of the United States in the theaters of war to vote?" And after they have told me, with all the sincerity and all the honesty at their command then I am not going to quibble on the Senate floor about State and Federal ballots; I am not going to quibble about the fact that the sailors and soldiers might not know who is the Democratic candidate or the Republican candidate. I am not going to quibble about the fact that the President we have today, who was elected by the people and who is the Commander in Chief of our armed forces, may have some advantage over a new candidate That is something that cannot be eliminated unless we can turn back the pages of history and even my Republican friends in their apparent zeal in this direction have been unable to accomplish this.

What we have got to do in the Senate today is face a fact and not a theory, and that fact is given to us by the officials of the War Department and the Navy Department that it is only a possibility at best that the soldiers and sailors may vote at all. If it is only a possibility at best that they may vote at all, then I am going to take the method, I am going to take the means and the way that the War Department and the Navy Department recommend in order to make it possible for them to vote. I am not going to come to the conclusion that there might be a riot on some battlefield about elections. I believe that the dignity of America continues to abide with the soldiers and the sailors throughout every theater of war. I think that the calm intelligence that is always prevalent in almost every corner of the United States in elections is going to be prevalent at the polling places of the soldiers.

I do not look for riots; I do not look for any great interference with any battle or any military operations. I have absolute confidence that the men serving under Marshall, the men serving under King will be supervised in such a way that nothing but their own conscience will accompany them into the polling places. I have full confidence that that great general, the Chief of Staff of our Army, will be just as anxious to see that the soldiers vote and vote the way that they should vote, alone with their own consciences, as I am anxious that a similar condition shall prevail here in the United States.

Mr. BROOKS. Will the Senator yield now?

Mr. MURDOCK. I yield.

Mr. BROOKS. I merely want to make sure that the Senator did not misunderstand what I said. I want him to understand that we in Illinois would like the soldiers to vote, and we have gone to great effort by calling a special session of our State legislature to change our whole law and advance all the dates in accordance with the testimony of the War Department that 45 days would afford ample time.

Now we have done that. We not only want the servicemen to vote for Federal officers, but we want to give them a chance to vote for all officers, including those of the States. So any charge or any insinuation that the junior Senator from Illinois does not want the soldiers to vote will not stand.

I helped recommend to my State government, and was influential, I hope, to some degree, that a special session of the legislature be called so that the servicemen would have the right and opportunity to vote in the American way, according to the American standard, according to the fundamental procedure which has enabled the United States to become the greatest country in the world. All I am saying now is that if the great administration we are talking about will do the job and get the ballots to servicemen, then they will have a chance to vote under their State ballots, as has been made possible by the State of Illinois.

Mr. MURDOCK. And this great Government of ours will do that if the Senate and the House of Representatives will come to a conclusion and tell the Army and Navy what they want done.

Is there anything in this bill, may I ask the distinguished Senator from Illinois, that precludes in the slightest what the State of Illinois means to do in having Illinois voters on the battle fronts vote for the State ticket? The very bill itself says that if a soldier votes a State absentee ballot, it takes preference and precedence over the Federal ballot provided in the Green-Lucas bill. What more could be done by us than to give preference and precedence to the State ballots, if and when they are voted and reach the election places?

Mr. BROOKS. Mr. President, will the Senator yield there?

Mr. MURDOCK. I am glad to yield.

Mr. BROOKS. There is only one more thing to do, and that is to give the State ballot the same priority by air that is given to the Federal ballot. Then the servicemen will have their equal chance; but that is not in this bill, sir.

Mr. MURDOCK. It is in the bill.

Mr. BROOKS. Oh, no; I am sorry.

Mr. MURDOCK. I am sorry, too, that the Senator evidently is not fully informed; but I know the bill provides that, insofar as it is compatible with military operations, the War Department and the Navy Department shall carry State ballots if directed to do so. Of course, if the War and Navy Departments determine that it is not compatible with military operations to carry the State ballots, and that the only way to permit the servicemen on the battle fronts to vote is by giving preference to the Federal ballot, as provided in the pending bill, then I hope no Senator on the other side will say that that preference should not be given.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. HOLMAN. It seems to me the difficulty centers around the fact that the Commander in Chief of the Army is himself a candidate for the Presidency. If he would eliminate himself from that advantageous or unfair position, I think debate on the pending bill would cease. In order to bring about the elimination of the President himself, the Commander in Chief, as a candidate, I have offered an amendment, which is lying on the desk, to insert at the proper place in the bill the following language:

Provided, That the President by the exercise of this authority—

That means the conducting of the election; the President, a contestant in the election, is naming the umpires of the election, the conductors of the election—

Provided, That the President——

Mr. MURDOCK. Mr. President, I do not yield for a reading of the amendment. The Senator can quote that in his own time.

I wish to answer the Senator by saying that I know it is the prayer in his heart, and it is the prayer in the heart of every other good, old, stand-pat Republican in the United States today, and has been ever since 1932, that Franklin Delano Roosevelt would eliminate himself from politics, and give them at least the shadow of a chance to bring in the Grand Old Party again. But I say to them today that, in my opinion, the American people, certainly the great mass of them, want Franklin D. Roosevelt to continue as President of the United States, notwithstanding the prayer of Mr. Spangler. The American people still want Roosevelt.

[Manifestations of approval and disapproval in the galleries.]

The PRESIDING OFFICER (Mr. HATCH in the chair). Under the rules of the Senate, there must not be any demonstrations in the galleries of any kind, either of approval or disapproval. The occupants of the galleries will please observe the rules of the Senate.

Mr. MURDOCK. Mr. President, it is my opinion that the great masses of the American people, looking at the military achievements of the United States Army, the United States Navy, and the United States Marine Corps, looking at the achievements of industry in the building of airplanes, in the building of tanks, in the production of munitions, in the construction of ships, still want Franklin D. Roosevelt to go on until the unconditional surrender of Germany and Japan is a reality.

Mr. VANDENBERG. Will the Senator yield?

Mr. MURDOCK. I yield.

Mr. VANDENBERG. I was wondering what the connection was between what the Senator is now saying and the absentee voters' law. [Laughter.]

Mr. MURDOCK. I admit that there is not much.

Mr. VANDENBERG. I thought there was not any, but the Senator is beginning to make me think that perhaps there is.

Mr. MURDOCK. I admit that there is not any connection between them, but, for the life of me, I cannot see why, every time one of my colleagues on the other side of the aisle rises to discuss the crucial question before us, he cannot forget that Franklin D. Roosevelt is in the White House and that he might be a candidate in the coming election. I did not inject President Roosevelt's name into my argument. I did make a few comments, in opening my statement, in answer to the distinguished senior Senator from Ohio [Mr. TAFT]. I never mentioned the President again until his name was brought into the debate by the distinguished Senator from Oregon [Mr. HOLMAN]; but so long as I am a Member of the United States Senate, whenever the name of Franklin D. Roosevelt is brought into the debate, I shall be found, with the little ability I have, defending him and defending his administration from the time he came into the White House right up to the present moment.

It is my opinion that the very delay in the enactment of the soldiers' voting measure, the very delay in passing this important legislation, is due to the fact that Franklin D. Roosevelt is in the White House and that he might be a candidate in the coming general election. That is what the Senator from Oregon admitted, that is what he said, and to prevent that is the purpose of his amendment.

Why cannot we, as Senators leave Roosevelt in the White House, why can we not ignore the fact that under our Constitution he must continue as the Commander in Chief of the armed forces until some other President succeeds him? Why can we not discard that argument and that fact, and settle down to the question of how we can expedite the voting of soldiers on the fighting fronts of the world? That is what I should like to see done today, and I think that, once we do that, then, in our wisdom, we will pass the right type of legislation. Regardless of what it is, even if it is something which those on the Republican side want, and they have the votes to pass it, I shall be satisfied; but I do not think that we should be constantly bickering about the fact that Roosevelt may be a candidate in the coming election.

Mr. LUCAS. Madam President——

The PRESIDING OFFICER (Mrs. CARAWAY in the chair). Does the Senator from Utah yield to the Senator from Illinois?

Mr. MURDOCK. I yield.

Mr. LUCAS. I merely wish to point out, as one of the coauthors of the bill, that never on the floor of the Senate have I mentioned the name Roosevelt in connection with the debate until it was mentioned on the opposite side of the Chamber. The individual who raised all the hullabaloo about a fourth term was my very good friend, the senior Senator from Ohio [Mr. TAFT]. He was the one who raised the fourth-term issue, and when the Senator from Michigan suggests that what the Senator from Utah is saying has nothing to do with the absentee voting bill, I agree, but, on the other hand, I do not know of a single Democrat on this side of the aisle who ever mentioned the name of Roosevelt until Senators on the opposite side brought the fourth term into the debate. It was brought in in a most ignominious and blunt way by the senior Senator from Ohio, and then the Senator from New Hampshire [Mr. BRIDGES] yesterday saw fit to question me, with one barrage after another, about the fourth term.

I do not care anything about the fourth term, I do not care whether Roosevelt is a candidate or not, so far as the voting bill is concerned. What I should like to do is to get along with the pending measure, to the end that we may have a vote, in order to ascertain whether the Members of the United States Senate and the Members of the House of Representatives desire to pass a bill of some kind which will give a fair opportunity for the men and women in the armed forces to cast their ballots.

Yesterday, when the Senator from Ohio saw fit to say that the men in the Army would be herded into the camps and voted, just as though they were under Nazi rule, I resented it, but I have said nothing about it until this time. Does the Senator think that would be done under the States' rights provision? If they are voted through the States, as some want to have done, the same officers overseas will acknowledge the ballots and take the attestations of the oaths of qualification, just as they would under the Federal ballot plan. The same officers of the Army, whether in the United States of America or outside the continental limits of the United

States, would take the attestations of the oaths. They are the officers who would have control of the ballots, if that is what the Senator from Ohio had reference to and they would have that control whether we adopt a uniform Federal ballot plan or whether we adopt the States' rights plan.

For myself I wish it were possible for every individual candidate, from the candidate for Governor down, to be voted for by every member of the armed services. God knows we have had enough testimony on the subject to show that it cannot be done. The point I am making is, however, that whether one form of ballot or the other form of ballot is cast, the same officers will have control of the ballots. If officers coerce and intimidate and raise hell in behalf of a Democrat, as some Senators think they will, they are going to do it whether the uniform Federal ballot is voted or whether the States' rights ballot is voted. There will be no difference.

The Senator from Ohio [Mr. TAFT] yesterday made this statement:

> The Secretary of War and the Secretary of the Navy can name particular dates; they can pick in each area the dates when the election will be held. They can have it held just after a great victory or they can have it held just before what may prove to be a questionable operation. They can prepare the men in such a way as they see fit.

Oh, Madam President, what a speech for a United States Senator to make about our officers who are in charge of the men that are defending the United States of America, defending our very precious lives here in the United States Senate—to say that those in charge would drag the men and herd the men into a booth and compel them to vote the way the officers wanted them to vote! It is the most ridiculous and asinine and absurd statement any Senator has ever made since I have been in the United States Senate. Statesmanship! Statesmanship! Why, any member of the board of supervisors in my county, Democrat or Republican, has more statesmanship and more respect for the officers who are handling the greatest war in all civilization than has the Senator from Ohio. Shame on you!

Mr. HATCH. Madam President, will the Senator yield?

Mr. MURDOCK. Yes; I yield to the Senator from New Mexico.

Mr. HATCH. I arose only for this purpose: I was presiding a moment ago when the Senator from Oregon [Mr. HOLMAN] rose in his seat and made a declaration the like of which I have never heard on the floor of the United States Senate. He said this, Madam President, and wherever the record of this debate is read, wherever the history of this debate is written, I want his words literally written just as he said them. He said—

> If Franklin D. Roosevelt will eliminate himself as a candidate, this debate will end.

In other words, Madam President——

Mr. HOLMAN. Will the Senator yield?

Mr. HATCH. The opposition is not to this bill. The opposition and the dilly-dallying tactics are not to the measure that we debate. The opposition, the Senator from Oregon says, is against Franklin D. Roosevelt, and let that record be written where every American citizen and every American soldier can read it.

Mr. HOLMAN. Madam President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. HOLMAN. I should like to be quoted correctly and completely. This idea of quoting just a word or two and setting up a straw man and knocking him down! It is absolutely unfair for the Commander in Chief of the Army to be a candidate in an election conducted under his supervision.

Mr. CHANDLER. Madam President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CHANDLER. I would not be too distressed about the statement of my friend the Senator from Oregon. I should like to ask him, if his party had a President who had been in office three times, and showed no disposition to get out, would he want him to get out if he had a chance to get in again? I do not blame those on the other side of the aisle for objecting to the President, because I think, if the bill shall pass, he will probably have an advantage, and anyone who does not see that is sort of foolish. But the soldiers want to vote, and we ought to pass a law here which will give them the opportunity to cast a vote. The States cannot provide that opportunity. If I thought the States could do it, 48 of them, I would support a measure by which that could be brought about. But I am positive the States cannot do it. The Federal Government itself is faced with almost insuperable obstacles, and many individuals in the armed services will probably never get a ballot, but, in my opinion, the best way to accomplish this, if it can be accomplished at all, is through the bill offered by the Senator from Illinois [Mr. LUCAS] and its cosponsor, the Senator from Rhode Island [Mr. GREEN]. The Senate should do the best it can to get a ballot in the hands of every soldier, no matter where he is, even though the Senate does not succeed in doing so. It should do the best it can. I should like to have the Federal ballots go to the soldiers. I should like to have the State ballots go to the soldiers. I should like to hear the Secretary of War and the Secretary of the Navy say that they would not only take the Federal ballot to the soldier but they would also take the State ballot to the soldier, and that they have the transportation facilities to carry them. If we do that, then if objections are made when the ballots are returned, or if they are lost, or something else happens, only the good Lord above can control that situation.

Madam President, I want to support my friend the Senator from Utah in his statement that we ought to act quickly; we ought not to fuss about it.

> If it were done when 'tis done, then 'twere well
> It were done quickly.

If the President were of the party of the Senators on the other side, we on this side probably would not want him to stay in office, especially if he should want to stay as long as our man seems to want to stay. He does not seem to have any disposition to get out. If the Senators on the other side had their man in office, they probably would not want him to get out, especially if they thought they could win if he stayed in. [Laughter.]

I thank the Senator from Utah.

Mr. MURDOCK. I am always happy to yield to the Senator from Kentucky.

Madam President, what we have seen here on the floor today and what we saw yesterday indicates—what? In my humble opinion, it indicates that probably here in the Senate we are more interested in the political aspects of the soldier's vote than we are in the substantial aspect that as a soldier citizen of this democracy he has a solemn right to vote.

What I want to do is to see that the soldier exercises, so far as possible, that solemn God-given right in a democracy of voting. The sooner we can come to a vote on the question—although my prolonged argument this afternoon is not conducive to that end, I will admit—but the sooner we can come to a vote on this question and tell Hitler and tell Tojo and the rest of our enemies that we are united here in the greatest democracy in the world not only in bringing about their unconditional surrender but also in bringing about the possibility of allowing our men in uniform to vote wherever they are, the better it will be.

Madam President, I hope that in the remainder of the time I shall occupy I may say a few words with respect to the amendment offered by the distinguished Senator from Louisiana. As I have stated, I believe the language contained in section 14 does give the State election officials the right ultimately to pass judgment on the validity of the ballots which come to them. If we adopt the amendment offered by the Senator from Louisiana, what do we do? What is the purpose of the amendment? As I understand the purpose of the amendment offered by the Senator from Louisiana, it is that all laws except the State laws be excluded in the determination by the local election judges of the validity of the ballots which come to them. There is not a Member of the United States Senate for whom I have a more profound respect than the Senator from Louisiana. If I were asked to name some of the great constitutional lawyers of the Senate I believe the Senator from Louisiana would be among the very first chosen by me.

I have listened to every debate on a constitutional question in which the Senator from Louisiana has participated since I have been a Member of the Senate, and I have never failed to be highly interested and greatly informed by what he has said. But I cannot understand why, in connection with the consideration of a bill of this kind, he desires to exclude the Constitution of the United States and to exclude from the consideration of the local judges the various Federal statutes applicable, and also any other laws which may be applicable to the election situation. Certainly the distinguished senior Senator from Louisiana does not take the position that, under the present language of the pending bill, the State laws will not be considered by the local judges. If the State

laws are to be considered by them, certainly they should be considered along with the Constitution of the United States and the Federal statutes. I state again that it is my opinion that if any constitutional provision protecting a State in its rights insofar as the conduct of elections is concerned is infringed by the language of the pending bill, then the language of the bill must most certainly give way to the express provision of the Constitution. But can the Congress of the United States stultify itself by providing for the exclusion from consideration by the local election judges of the provisions of the Constitution? Can we exclude from their consideration the very law which provides for the casting of a Federal ballot, and which makes it possible for our soldiers and sailors to cast their ballots? I say that if the language of the bill attempted in any way to throw out the State laws, I would not support it. However, it does not do so.

What does the bill provide, and what did Congress provide in sections 1 and 2 of Public Law 712? In substance, section 1 provided that notwithstanding the registration laws of any State, a man in the uniform of the United States—a soldier, sailor, or marine, regardless of where he may be—can vote for Federal officials. In section 2 we provided that notwithstanding the laws of any State, a soldier, sailor, or marine can vote, regardless of the fact that his State requires the payment of a poll tax, even though he has not paid it.

If either one of those provisions, or both of them, infringe or violate the constitutional rights of a State in respect to the setting up of qualifications of electors or in connection with conducting elections, then, in my opinion, those provisions of Federal law must be controlled by the Constitution. That being so, when we place the responsibility, power, and duty of ultimately judging the validity of the Federal ballots on the local, county, or precinct judges, do we not place in their power and discretion the judgment and decision as to whether those ballots shall be counted?

When we do that, what are the rules of the game? The rules of the election are, first, in connection with the election of Federal officials, the Constitution of the United States, from which stems the right to vote for Federal officials. Does any Member of the Senate wish to exclude the application of the constitutional provisions, the very provisions providing for the right of the citizens of the country to vote for Federal officials? I am sure no Member of the Senate desires to take such a position.

Then we come to the next step, the Federal statutes. What are the provisions of the Federal statutes with reference to voting for Federal officials? We find them already enacted in Public Law 712, to which I have referred. We also will find them in the pending bill, if and when it is passed by the Congress and is approved by the President. So the election judges will also have to take into consideration the provisions of Public Law 712 as they now exist, and also the provisions of the pending bill, if and when it becomes law. That is the second step in the consideration by the local judges.

The third step is the constitution of the individual State wherein the election judges are officiating.

The fourth step is the consideration of the State laws controlling, in connection with the other laws, the election in which those judges are officiating.

What more can any State ask us to do than to provide that type of procedure in the handling of elections?

I think one of the greatest advocates of States' rights who ever sat in the Senate of the United States is the distinguished senior Senator from Virginia [Mr. GLASS]. With his own hand he wrote into the constitution of Virginia the suffrage features, and referred to them as discriminatory, and stated in that convention, "We were sent here to discriminate. Our very purpose here is to discriminate." He ended by saying, "We shall discriminate."

They discriminated against large segments of the Virginia population by the poll-tax provision. But we find that so great a States' rights advocate as he, that Senator to whom the majority of the Members of the Senate probably would refer to as one of the greatest statesmen who sits among us, has stated his position regarding the Green-Lucas bill. I wonder what my friends from the South—and I have the utmost respect and utmost friendship for every one of them—think of the statements of the senior Senator from Virginia regarding the Green-Lucas bill. Let me read his statement and see what he has said notwithstanding the fact that with his own hand he wrote the Virginia constitutional provision regarding which he said he was in the Virginia Constitutional Convention to write for the purpose of discrimination. Here is what the senior Senator from Virginia said regarding the Green-Lucas bill. His letter is addressed to the Honorable SCOTT LUCAS, United States Senate, Washington, D. C., and is dated December 8, 1943:

UNITED STATES SENATE,
COMMITTEE ON APPROPRIATIONS,
December 8, 1943.

Hon. SCOTT LUCAS,
United States Senate,
Washington, D. C.

MY DEAR SENATOR LUCAS: I have been and still am in favor of giving our armed forces, away from home in the Federal service, the right to vote in Federal elections for Federal officers, under Federal authority and responsibility; and I was in favor of the bill reported after due hearings and consideration by the Senate Committee on Privileges and Elections, and I was also in favor of it without any emasculating amendment. I am writing this brief note to you, both to keep the record straight and to inform my constituency.

I wrote with my own hand—

I ask the Senators who voted for the Eastland amendment and Senators who today are against the pending bill because of some States' right or because of the poll-tax provisions in their State constitutions or State statutes, to give close attention to what the Senator from Virginia said in the next paragraph—

the suffrage clauses of the Virginia Constitution, but inasmuch as the Congress, more than a year ago, in what is now known as Public Law No. 712, specifically provided that no member of the armed forces was to be compelled either to register or pay poll tax in order to vote in a Federal election I cannot see that the rights of the States are either jeopardized or in any way involved in the present controversy.

Should this matter arise again in the Senate, I hope that you will see that I am properly paired in favor of the soldier vote.

Sincerely yours,

CARTER GLASS.

What greater testimony do Senators want than that, coming from the man who claims the authorship of the suffrage provisions of the constitution of Virginia? He states that in his opinion what we did in Public Law 712, and what is intended by the pending bill, do not in any way prejudice State rights or infringe upon constitutional rights.

In my opinion that is a complete answer to the delay, the argument, and the eloquence which have characterized this debate in an effort to turn this matter over to the States, when the two Departments concerned, to which we must look for advice, tell us that if the voting is to be carried out in that way, there is only the remotest possibility that soldiers may enjoy the privilege of voting.

I have before me a V-mail letter from Staff Sgt. Irving Stroh, headquarters, Sixty-second Fighter Wing, A. P. O. 525, care of Postmaster, New York. This is what a soldier on the fighting front says about this question. Perhaps the Senate is interested in what this sergeant has to say on this question. I quote from the letter:

We, the soldiers who are now in Italy, are 100 percent in favor of the Green-Lucas bill. We are a United States army, fighting for the United States of America and not for any particular State. We want a Federal law to give us a chance to vote the easy way, and not leave us to the individual States with their inadequate laws and delaying difficulties.

The State laws may be all right for the people living there, but not for the soldier. In our battalion we have soldiers from practically every State in the Union. Can you imagine what percentage will actually vote if each soldier has to proceed through the various methods, most of them not even knowing the requirements of their respective States? The process takes months and we have little time to spare. Some of us did not vote in the November elections because the ballots did not reach us until the elections were over.

The coming Presidential election is very important to us. We have to be sure that the proper leaders are elected. Why not let the soldiers vote by V-mail? Don't they trust us or are some politicians afraid to let us vote? The soldiers on the front want to fight and they want to vote. They say in effect, "We on the front are determined to use bullets and ballots. Bullets against the Germans and Japs; ballots against the reactionaries and obstructionists at home. We want a quick victory here and a progressive victory at home." Signed—there follows 43 signatures by soldiers from 43 different States, for which I have no room.

Tell the Congressmen that they're unquestionably putting themselves on record for or against us servicemen, despite the size of the bonus they may vote us later, and we'll have votes some day.

I believe, Madam President, that is the opinion of a soldier who wants to vote, and who knows that there is probably only one way possible to him, and that is by provisions such as are contained in the Green-Lucas bill or some similar bill.

Mr. REVERCOMB. Madam President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. REVERCOMB. Do I correctly understand that that letter is from abroad, from beyond the boundaries of this country?

Mr. MURDOCK. Yes. As I understand, it is from Italy.

Mr. REVERCOMB. What is the date of the letter?

Mr. MURDOCK. It is dated "1/4/44."

Mr. REVERCOMB. That is the fourth of this month. I believe the question is asked in the letter why the soldiers cannot vote by V-mail. Is not that question asked in the letter?

Mr. MURDOCK. That question is asked.

Mr. REVERCOMB. That is a very important inquiry. I do not see why they cannot vote by V-mail, by having the ballots sent directly to them, and returned directly here. The Green-Lucas bill does not provide for such voting.

Mr. MURDOCK. The Green-Lucas bill provides what, in my opinion, and in the opinion of the War and Navy Departments, is the only feasible way for them to vote.

All we do by the first two sections of Public Law 712 is to say to the soldiers of the United States, "When you don the uniform of this country, shoulder a rifle and go forth to defend the Union and preserve the very Government which sends you, that is sufficient registration to entitle you to vote for Federal officials."

Does any Senator disagree with that? Will any Senator rise in his place and say that a soldier who is willing to make the supreme sacrifice, and who has been drafted by his country, as is true in millions of cases, is not entitled to vote for a Federal official? If any Senator takes that position, I hope he will rise at this time and make it clear that he does so. That is one of the provisions of Public Law 712 which will still be in existence after the passage of the Green-Lucas bill.

Section 2 of Public Law 712 provides that notwithstanding the requirement on the part of any State that a soldier must pay a poll tax to vote, such requirement shall be ineffective so far as the election of Federal officials is concerned.

There may be Senators who will rise and say that a soldier serving his country who has not paid the poll tax should not vote, but I doubt it. If there are such Senators, I have not heard them speak up to this time. Hon. CARTER GLASS says that notwithstanding the fact he was the author of the suffrage provisions in the Virginia Constitution, he does not consider the provisions of Public Law 712 as violative of that constitution.

Madam President, if this great Federal Government of ours, which has the right to reach out into the remotest homes in the country and take a man out of his environment and surroundings and put the uniform of a soldier on him and tell him that as a citizen of this democracy he must fight to preserve it, will not also say that so far as Congress is concerned that man is entitled to vote, I shall be very much surprised. That is all that is proposed in the pending bill. I believe that when we put a uniform on a man and tell him to go out and face the guns, bullets, and tanks of the enemy, the least we can do is to see that so far as Congress is concerned, that entitles him to vote.

If those provisions of the Federal statute conflict with the constitutional rights of the States, and the local judges of election are willing to assume the responsibility of throwing out the ballots of the soldiers and declaring them invalid because the soldiers have not paid a poll tax, or have not registered, then that is their solemn responsibility and not the responsibility of Congress. When we do all that we can within our power to make the voting of soldiers possible, then in my opinion we have exhausted our power, we have done our duty, and if the State officials wish to assume responsibility for undoing what the Congress has done, that is their business and not ours.

Although the amendment of the Senator from Louisiana is very brief, and on its face may appear to be a fair one, I hope it will be rejected, and that when the local election judges pass upon the question of the validity of the ballots the Constitution of the United States and the Federal statutes will not be excluded.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. McLeod, one of its clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 31), as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate is authorized and directed, in the enrollment of the bill (S. 1543) to provide for mustering-out payments to members of the armed forces, and for other purposes, to strike out the word "one" where it appears in the proviso in section 3 thereof and insert in lieu thereof the word "once."

METHOD OF VOTING BY MEMBERS OF ARMED FORCES

The Senate resumed the consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting in time of war by members of the land and naval forces absent from the place of their residence, and for other purposes.

Mr. REVERCOMB obtained the floor.

Mr. REYNOLDS. Madam President, will the Senator from West Virginia yield to me so that I may ask consent to have several matters printed in the RECORD? It will not take more than 5 minutes.

Mr. REVERCOMB. I yield to the Senator for that purpose.

(Mr. REYNOLDS asked and obtained leave to have several matters printed in the RECORD, which appear elsewhere in the RECORD under the appropriate headlines.)

Mr. REYNOLDS. Madam President, I shall take just 1 minute more, which is all the time I wish to take on the pending bill.

I exceedingly regret that we become a little excited about the bill at times, and that some feel that perhaps others are not proceeding as rapidly as they should in making provision for soldiers to vote. I wish to say that, regardless of what our division of opinion may be, I know that every Member of this body desires that soldiers shall be given the right to vote. I want the soldiers to vote. All we have to do is to ascertain the proper form of ballot to provide them the opportunity. I may offer an amendment or two to the pending bill, but even if they are not agreed to I shall vote for the bill. I wish to see the vote on the bill come as soon as possible, because the longer we delay its passage the more criticism there will be, on the ground that we do not desire that the soldiers shall have the privilege of voting.

Mr. REVERCOMB. Madam President——

Mr. REYNOLDS. I wish to vote, and I know the distinguished Senator from West Virginia does, and that we all wish to vote.

Mr. REVERCOMB. Madam President, I yielded to the distinguished Senator from North Carolina for the purpose of inserting some matters in the RECORD, and I must hold my distinguished colleague to that purpose. I assume that the Senator from North Carolina has now concluded.

Mr. REYNOLDS. Have I consumed 5 minutes?

Mr. REVERCOMB. Yes.

Mr. REYNOLDS. Then, I shall not take any more time. I thank the Senator.

Mr. REVERCOMB. Madam President, the debate on the important subject before the Senate has now proceeded through the course of a week. There have been some digressions from the bill before the Senate. Subjects not germane to the issue have been talked about from time to time. From the wailing of some of my friends across the aisle it would seem that someone has trod upon the sacred toes in the White House. I assure you, Madam President, that it is my intention to stick strictly to the text of the pending bill, and to discuss the subject at hand. It is a serious question. It is one which deserves serious thought and serious discussion.

Two main purposes must be considered if we are to be fair in the enactment of legislation upon this subject. The first is to give to the soldier the right to vote. The second is to see to it that that right is saved to him and protected for him, so that he himself, even if he be but a private or a seaman in the forces of this country, may vote his own convictions and be undisturbed in voting them.

I hope that as this debate proceeds, we are going to consider the content of this

bill with fairness and with candor. The name which may be given to a law does not give it character; it does not really and truly tell the facts about it; it is but a label. I wish to say to my colleagues of the Senate that only may we come to a fair conclusion upon this subject by considering the content of the bill however good its name might be. Here in a time of war there is no name that could be given legislation that would be so appealing to the people and arouse their feeling and stir their imagination to a greater degree than the name "Soldiers' vote bill"; but you and I cannot act only upon a name given to pending legislation. We must examine its content. We must do so in duty to the people who are affected by it, the men in the armed services, as well as the country at large. With that in view, let us proceed to a consideration of it. Unless we adopt that plan in regard to this measure, by whatever name it may be called, we are going to do a wrong to the men in the armed services.

This subject has been discussed from several viewpoints and it would be useless to indulge in repetition. I want to hasten a vote, and I shall confine myself, if you please, to subjects that are germane to the legislation being considered and acted upon.

We must consider what is offered in the pending legislation, or we will be sold a bad bill of goods under a good label. We are not going to fool the men in the service. We might fool them now by giving them the name of a bill but we would not fool them later when they find out what is done under the bill. Then they will be ready to act, and, in my opinion, they will be justly angered at what may be done if this bill is passed in its present form.

I want to take up first the method—and I wish that every man in the service might hear what I have to say, and to read it, if you please, as to the method that is to be used in holding elections under the pending Green-Lucas bill.

So that my own views may not be entirely relied upon, I take the record here, and turn to the testimony by representatives of the Army and Navy as to how they are going to conduct an election under the Green-Lucas bill. On page 174 of the record of the transcript, page 91 of the printed hearings, this question was asked:

Senator REVERCOMB. Colonel Cutler, I do want to ask this question, and ask you to give us an answer, because it would be a matter of great interest to me, I am sure.

You have been very helpful to us today—I know you have to me. Will you please state in detail the method of voting of a soldier under the Green-Lucas bill, or a similar bill, starting with the Army receiving the ballots and carry through in detail each step, and also state the rank of the person—the soldiers who handle those ballots—until it gets to the private in the service, and who handles it on its return to this country?

Will you give us a detailed explanation of that?

I want to say in fairness to Colonel Cutler that he testified fairly and openly answered the questions which were directed to him in the committee. The record I am reading from is the testimony given by the representatives of the War Department and Navy Department before the committee of the Senate that first considered the bill.

To the question I have read Colonel Cutler answered:

Colonel CUTLER. Well, Senator, that is a large order because you have embraced an administrative procedure which the Army would adopt only if and when it is sure that this law will be enacted, but naturally we have given a lot of thought to this subject, and without coming to definite conclusions I suppose you mean to recite the steps as we would now see them under such a Federal law.

Senator REVERCOMB. Yes.

Colonel CUTLER. The Army would receive the Federal ballots in sufficient quantities to distribute to all members of the armed forces and to certain civilians who are under the jurisdiction of the Army, with probably a very wholesome overage for loss and spoilage, and so forth.

We would expect to distribute these blank ballots by cargo ships well in advance—and by that I mean a number of months—of the general election, so that they would be spotted throughout the world in depots available for further distribution, much as we have spotted the post cards all over the world where they are held for requisition by the different commanders.

Senator BUTLER. By cargo boat or by plane?

Colonel CUTLER. By boat because there is no urgency for carriage.

I repeat his testimony—

By boat because there is no urgency for carriage. Then we have the problem of the list of candidates which are prescribed in the law. We have felt it would be unwise to attempt, as each primary is held, to cable or radio the names of the candidates who have been nominated at that primary because 48 lists delivered over a period of 6 months are apt to get mislaid, so when you want to use them they are unavailable. We think it preferable to pick up all of the primaries held by the middle of August and distribute the list of all the candidates nominated thereat at that time.

Then we would have an intermediate distribution, picking up the primaries up to September, that is from August 15, when there is a great likelihood that we could get those names out in time, and then as to the last primaries, which come in the last part of September, to cable, as those primaries are held, the names out, so they will be added on, and thus supplement the lists already sent.

Now, we have the lists of candidates to distribute into the several score command A. P. O.'s. Of course, it is much easier at home, so I am not thinking what we would do at home. Here it would be done through the service commands.

We have the ballots in blank spotted in various depots through the 35 command A. P. O.'s. The next thing, of course, is to get them down to the voting unit. That will be the task of the theater commander, who will know the disposition of his troops and the size of his elements and where they are likely to be. Probably the Secretary of War, working with the Air Transport Command and the Army Postal Service, would name a day before which balloting is to take place in each theater, and then leaving the exact balloting day to the local commanders to decide.

Mr. HOLMAN. Mr. President, may we have better order in the Senate?

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The Senate will please be in order.

Mr. REVERCOMB. I continue to read, Mr. President, from the testimony given by Colonel Cutler before the committee, showing how the election would be held:

Obviously, we are not going to name the balloting day for the whole Army, and have everybody knock off, because such a fact would be very desirable for those on the other side to know. There must be a maximum of flexibility in the time of balloting.

The distribution of the ballots in blank and the lists will go down to the low unit, the company, probably the company unit or the regimental unit. Where you have small detached units, of course, they will have to be treated separately, in giving them the material.

As to the officer who will be in charge of the balloting, that depends on so many factors that it is hard to state. I am sorry to state that there are a number of units in the Army now where we might not find any officers to supervise the balloting or to do anything else. This law provides, as do some of the other bills, that noncommissioned officers may supervise and take oaths. That really has to be done in the overseas operational theaters unless you are going to disfranchise some, because in some units the officers are killed and if those boys are going to vote they have to have a noncommissioned officer to act.

We shall have to follow the plan which is implicit in the voting provisions of the proposed act. The soldier must have a place where he can mark his ballot so no one can see what he is doing. His oath must be taken by an officer or a noncommissioned officer, and then he seals the ballot in the presence of such officer, and the ballot will be collected.

It would certainly be advisable, we think, although no great amount of thought has yet been given to this, to collect in a given area the ballots from the various units in that area that have been executed and then plan ahead a bulk transmission of the ballots in that area to the postal authorities in the United States.

Of course, we carry them no farther than the seacoast.

Senator REVERCOMB. Colonel, that is very interesting. The smallest unit, perhaps, that would vote would be the platoon, would it?

Colonel CUTLER. I should think that was fair; yes, sir.

Senator REVERCOMB. And a sergeant would be in charge of that platoon?

Colonel CUTLER. It might be a sergeant or it might be a junior officer. The Navy will have more problems than the Army, I think, in things like that.

Senator REVERCOMB. I want to get the detailed method.

Colonel CUTLER. It might well be a noncommissioned officer; yes.

Senator REVERCOMB. It might be a noncommissioned officer in charge of a platoon, and he would hold virtually an election there for the platoon.

Colonel CUTLER. He would distribute the ballots, he would make available the list of candidates, he would be responsible for providing a place where the men could vote in secret, and taking their oath and sealing the ballots in the envelopes.

Mr. President, that is the method that has been outlined by the colonel who represented the War Department, and it sounds like a very reasonable way, as a plan. But I call attention to the fact that the whole plan under which action

must be taken, if the pending bill does become law, will be to send to Italy, to Sicily, to Australia, to the islands of the South Pacific, great bulks and bags and baskets of ballots, to be distributed among the soldiers there, among the naval units, some placed on board ship, for elections to be held. In the last analysis, we have here for Congress to pass on the problem and the proposition of the Army and the Navy of this country holding elections.

Let me say, in candor, that I will take second place to no man in the Congress or in our country in my respect for the Army and for the Navy, in my respect for their personnel, and particularly in my respect for those boys who have been taken out of their homes, and their lives molded from civilian life into the hardened lives of soldiers and sailors, but I have not yet reached the point where I am willing to turn over to the Army and Navy of this country the civil functions of government. I have not reached that point, however magnificent they have been in fighting the battles of this country, in defending our shores.

Oh, I know a great appeal has been made here by those who advocate the bill that if we can take the boy from his home and put him in the Army or the Navy, and put him under the guidance of officers, surely we can just let this Green-Lucas bill pass, and let the Army hold an election for that soldier and the Navy for the sailor.

The serviceman does not vote as a soldier, he does not vote as a sailor, he votes as a citizen of the United States. Let us in fairness consider what his situation is. Let us be realistic about this. That soldier is being realistic. He is facing the greatest realism of his existence, he is facing the realism of life and death, and let us stop this Pollyanna talk, and stop wrapping the flag around ourselves and stop talking about what a beautiful thing we are going to do. In truth, if this bill is enacted into law in its present form, we will have done a very great wrong to the men in the service.

A sergeant is going to hold the election for a platoon. That sergeant is under a lieutenant, and the lieutenants are under captains.

Mr. President, I feel that I can speak with realism. I served in the last war in the ranks in the Army of our country. Forget mere candy-coated phrases, this flying of the flag. I know what actually happens. I do not want any soldier in whom I am interested voting under the eye of the sergeant of his platoon, or the lieutenant or the captain of his company. The men in the armed services are no different from men in civil life. Oh, yes, they are a little different, for they must become hardened in life in order to make good soldiers. Discipline and organization are necessary in order to carry on the war, but discipline and organization whereby men command others to do things have no place in the casting of ballots in the elections of this country.

Mr. President, I want to be realistic about this. Time after time soldiers and sailors of our forces have said to me that if they are going to vote in elections held under officers, commissioned or noncommissioned, they do not want the vote. Some may say that is a great reflection on the Army. No, it is not. We pass laws for the protection of the civilian, we pass laws to insure that his ballot shall not be unfairly influenced in the elections we hold. Is it a reflection upon the civilians of America that we have such laws? Is not the soldier, is not the sailor, is not the man of the rank and file entitled to the same protection accorded the man in civil life?

I am talking realities, Mr. President, I am talking about what will happen, I am talking for the soldier's protection. I want him to have the vote, and there is a way in which we can give it to him, but I do not want elections being held where men cannot in secret, actual secret, vote their own ballots.

There is a way in which that may be accomplished; indeed, two ways have been suggested time and again to those of us who are considering the pending bill. The first way is to send the ballot direct to the soldier, deliver it into his hands, just as we deliver a V-mail letter. I am less concerned than some others about the form of the ballot. I do not think the proposed ballot is good, but I am very much more concerned about the freedom of the soldier to express his own choice. He cannot do it under the pending bill, as a practical matter, and I find it is impossible to change or budge the advocates of the bill from the proposition that elections are to be held in foreign lands, on the battlefields, if you please, where those men live, not as civilians, not with the freedom we have here, or the freedom they had at home, but where they live every hour of the 24 under commands and orders.

Is it conceivable that anyone can believe that day in and day out he is a soldier or a sailor, complying with the commands and orders, and then when the election is held in the field he is no longer under command of anyone? No, Mr. President, that is absurd. The man in the service does not have the freedom which the man in civil life has. That is undeniable. It is sheer foolishness to talk about his freedom and the secrecy of his vote. It is sheer foolishness to think that men who give commands are not going to have their views in the Army with respect to who should be elected and express those views. It is not a question of who the candidate might be, or to what party he belongs. I am speaking from a purely nonpartisan standpoint. The individual is bound to know about the candidate and to have his views.

I beg of Senators again, and I repeat, be realistic about this matter. That is the only way in which we can be fair to the men in the service. Do Senators suppose for a moment that a captain in the Army is not going to have his views with respect to who ought to be elected, and if he has those views do Senators for a moment think that he will not express those views and make them manifest? Do Senators think for a moment that a lieutenant or a sergeant or a major, or any officer in command, would not make manifest his views as to who should be elected? And if that be done, where do Senators place the old doughboy, the boy down the line? Do Senators think he is going to be free to voice his choice there under the eyes of a sergeant who is conducting an election for his platoon? Let us be fair about the matter.

Mr. CLARK of Missouri. Mr. President——

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Missouri?

Mr. REVERCOMB. I yield.

Mr. CLARK of Missouri. Does the Senator from West Virginia believe that the private soldier would be controlled with respect to such a thing as his right of suffrage by his company commander, or his platoon commander, or his regimental commander? The Senator has been a soldier himself. So was I. I was once in command of an infantry regiment. Had we had the right to vote, as I felt we should have had at that time, and as I think all the men in my command felt we should have had, it would never have occurred to me that I had the slightest right to influence any of the men in my regiment. I am certain I would not have done it, and if I had, I am sure they would have resented it to the same extent that we resented some of the things that General Pershing did.

If the Senator will recall, before the A. E. F. came home there was some scuffling and debate between the Democratic Party and the Republican Party as to whether General Pershing was a Republican or a Democrat, with the idea that one or the other of the parties might nominate him for President. When the A. E. F. returned home they found that if either party had nominated Pershing for President he would have received about 2,000,000 votes against him.

Mr. President, I do not believe that any generals, or colonels, or captains, or majors, or sergeants can control the votes of the American soldiers.

Mr. REVERCOMB. Mr. President, I want to answer the first question asked by the Senator. Of course, I have a very high regard for the man in the ranks, and I am quite sure that if the able Senator from Missouri were an officer he would not do anything which he felt would have an unfair influence. But it is simply beyond the realm of all reason and sound judgment for me to take the position and to say that those in charge of the election in the field, officers or noncommissioned officers, or whatever they may be, if they have views with respect to any candidate, would not give voice to such views. And if he expresses his choice, do you think those under him will not feel bound to follow him? I expect the Senator knows about these things. I doubt if General Pershing knew about kangaroo courts, but we had them, and they were very effective, were they not?

Mr. CLARK of Missouri. Yes; but when the soldiers came to vote, they had a very definite impression with respect to General Pershing, and I have in mind that the soldiers who are engaged in the present war would have an extremely definite impression concerning their own

rights and concerning the effort of any sergeant, or lieutenant, or captain, or major, or colonel who undertook to control them.

Mr. REVERCOMB. Undoubtedly they would resent it very much. I agree with the Senator. But resenting it would not prevent control over them. They must not be placed in the position where group elections are held, where they are not free, and where anyone could say to them, "You do so-and-so," knowing that they would respond or else take the consequences under their superior officers.

Mr. GREEN. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. EASTLAND in the chair). Does the Senator from West Virginia yield to the Senator from Rhode Island?

Mr. REVERCOMB. I yield.

Mr. GREEN. Does this belief on the part of the Senator in the influence which a commanding officer has over the soldiers affect his confidence in the report which Mr. Spangler made as to some of his officer friends in the poll which he instituted?

Mr. REVERCOMB. I do not know about that. I have given no thought to it. Mr. Spangler made an inquiry. I know that the Senator from Rhode Island and other Senators have denounced it, and I know that the Senator from Rhode Island wrote a letter to the Secretary of War which he introduced into the CONGRESSIONAL RECORD, and from whom he received a reply, which the Senator also introduced into the RECORD. The Senator in his letter asked for an investigation of the fact that Mr. Spangler had inquired of some officers in the Army as to how they were going to vote. That makes me think, if I may say so to the Senator: that if the chairman of a political party or anyone interested in an election should ask some officers "How are the men going to vote?" and because of such an inquiry an investigation should be demanded, as it was in the case referred to by the Senator, then God help the men who voted against the orders of those in power or in command. They would be investigated; yes, something even worse than investigation would be handed out to them.

Mr. GREEN. My question was whether that fact shook the confidence of the Senator from West Virginia in the report which Mr. Spangler made. Mr. Spangler stated that some of his officer friends had caused a poll to be instituted among the men under them, and he gave the result of that poll. If the Senator believes that those men would be influenced by their officers in casting a secret ballot—and the ballot provided for must be secret, according to the provisions of the measure—how much more likely are they to be influenced when they are simply asked oral questions by their officers, the results of which are reported to Mr. Spangler, the officers' friend.

Mr. REVERCOMB. I will say to the able Senator that I doubt not that, if the ballots are put out for general distribution around over the world, simply to be handed out to the men, the men are going to be more than asked questions. Not in all circumstances, perhaps, but I believe that men are just as human in the Army as they are in civil life; and if they are interested in a candidate, whomever the candidate may be, whatever party he may belong to, they are going to want as many votes cast for that candidate as they can get.

I know that the argument has been made here that this ballot is going to be in charge of Admiral King and General Marshall. That is going far afield. To me that argument seems absurd. Admiral King, of course, is a clean man. General Marshall is not going to try to affect the election. But those gentlemen are here in Washington. They are not in the thousands and thousands of places today where the soldiers and sailors are located. They may have the highest intentions, as you and I would have, but I say that you are not guarding the ballots of the common soldier and the sailor by practical measures; and that is necessary. Those boys are entitled to that protection.

Mr. GREEN. But the draft of the law we are discussing provides that the officers shall on the designated day cause ballots and envelopes to be distributed, to provide a convenient place for marking them in secret, and to cause executed ballots to be collected and delivered for transmission to the Commission. And the ballot, after being marked in secret, must be enclosed by the soldier in an envelope, and the envelope sealed, not to be opened again until it is opened by the precinct official on election day.

Mr. REVERCOMB. Yes; that is what we wish.

Mr. GREEN. Now, just because the ballot passes through the hands of a commanding officer, is he to be suspected of using his influence with the soldier? How about the V-mail ballot which is sent him? That ballot must pass through the hands of an officer before it is delivered to the soldier, and affords the same opportunity for advice and influence to be exercised.

Mr. REVERCOMB. If the ballot were placed directly in the hands of the soldier by V-mail, so that the soldier would receive it just as he would receive a private letter, and would go off by himself and fill it in, seal it, and send it back, I do not believe it would be subject to the abuse to which it would be subject if it were taken by means of group voting.

Mr. GREEN. Then let me ask whether the confidence of the Senator has been shaken by the poll conducted among the officers at Mr. Spangler's request?

Mr. REVERCOMB. No; not at all.

Mr. GREEN. It is not shaken?

Mr. REVERCOMB. No; not at all.

Mr. GREEN. Then why should the Senator's confidence in the election be shaken, when it is to be conducted under much safer conditions?

Mr. REVERCOMB. Because I say to the Senator from Rhode Island, although I appreciate all his fine ideals about this matter, nevertheless—and I say this as an ex-soldier and as one who has a feeling for the man in the ranks himself—I know what the factual situation will be. I do not believe it will be any different today than it was 25 years ago, and I believe that when anyone in authority wants anything done in the ordered life of a soldier—which necessarily must be ordered—it will be carried out.

Now, proceeding to another thought regarding the bill, let me say that I know that we are subjected to pressures. We receive petitions. The people of the country will always have the right to petition their Congress, I hope. But let me point out that with respect to the Green-Lucas bill, many of those who sign the petitions do not know the contents of the bill. I am convinced that many of the people of the country do not know what the provisions of the bill are. All they hear is the excellent name given to the bill—"A soldiers' voting bill."

Mr. President, my appeal today is made because the bill is not fair to the soldier. There are only two ways that I see by which it can be made fair. They are either to mail a ballot directly to the soldier, through the mails, just as he is sent a letter, and let him mark it himself, and return it; or, as was suggested on the floor of the Senate in the course of the debate held last December, let the soldier execute a power of attorney to some member of his family back home, authorizing that member of his family to go to the voting place and cast his ballot for him under the same circumstances under which civilian ballots are cast, and under the same protection.

Those are the means I urge upon the Senate. I urge the Senate to consider those means; because not only will they give the soldier a ballot, but they will give him the assurance that he may vote his own convictions and may exercise the privilege of making his own choice, undominated and uncommanded by anyone.

One other feature of the proposed bill which I desire to discuss, Mr. President, and to which I wish to invite the attention of the Senate, is that the ballots are to be sent all over the world in great bales and bundles, and are to be distributed in the manner which I have pointed out by reading the testimony taken before the committee. A ballot is to be handed to each soldier. Believe me, Mr. President, whether the soldier wants to vote or not, when a superior officer hands him a ballot, he is going to vote some way. He will be led to believe that he will be voting, and that the ballot he marks will be counted back home. Then, buried in the middle of the bill we find the following language which I shall read. Let us remember that first the boy will have cast his ballot, and he will have been invited to do so by the Government of his country, and he will have been led to believe that his ballot will be counted when it gets back home to the local voting place. Then, down in the middle of the bill, we find the following language:

> The commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title.

Now we are passing on the question of the validity of the ballots the boys will vote. Mark this, Mr. President:

> Such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States.

In other words, the Federal Government will pass out the ballots and will tell the boys, "you have an opportunity to vote. You shall vote." But the ballots will be sent back to the States, where the local election officials will be able to throw out any of them. When we are passing this law, Mr. President, we know as we sit here that nearly every State in the Union has a registration law which will not permit a person to vote unless he has registered. Some States have a poll-tax law, and require the payment of a poll tax by any person who wishes to vote. I always have believed that to be wrong. My own State does not have such a requirement. But my State has a registration law, and I do not know of a State in the Union which does not require registration in order to keep its voting clean, so that only qualified persons may vote, and so that those who are not qualified to vote will not vote. When we sit here with knowledge of that fact, Mr. President, knowing that those laws are in existence in the States, and with one hand we cast and sow these ballots among our soldiers all over the world, and with the other hand we write into the bill a provision that the ballot can be canceled when it gets back home, I say we are doing the soldiers and the sailors the dirtiest trick which could be perpetrated upon them.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. EASTLAND. Is it the Senator's construction of section 14 (a) of the bill that the local election officials will have sole authority to decide whether they will count the votes? Or is it the Senator's judgment that their authority to determine the validity of the ballots will be governed by the provisions of this bill and by the provisions of Public Law 712?

Mr. REVERCOMB. It would be impossible to have clearer language, I will say to the Senator, than the language which is used in the bill:

> Such determination—
>
> Speaking of the validity of the ballots—
>
> shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States.

I do not see how we could put into the bill clearer language. It means that the local officials alone would determine the validity of the ballots when they reached home.

Mr. EASTLAND. I will say to the Senator that if I thought that was the proper construction of the section I should be tempted to support this bill. But in making a reasonable construction, any court would attempt to harmonize the provisions of such a law with any other law already existing, or would attempt to harmonize the provisions of this bill which is an amendment to Public Law 712 with sections 1 and 2 of that act.

Mr. REVERCOMB. That is correct.

Mr. EASTLAND. When the provisions of both laws were not in conflict, the court would enforce both of them. If they were in conflict, a court's rule of construction would be that the last-enacted law would control.

Where can there be a conflict between section 14 of this bill and sections 1 and 2 of Public Law 712 which outlaw registration and the poll tax?

Mr. REVERCOMB. There is a direct conflict. The present law known as Public Law 712, by sections 1 and 2 provides that, notwithstanding any State law, even though the soldier be not registered, or even though a State law requires the payment of a poll tax, the soldier may vote regardless of such State law.

Mr. EASTLAND. That is correct.

Mr. REVERCOMB. Sections 1 and 2 of Public Law 712 are not mentioned, Mr. President, anywhere in the bill, but they remain the law, because they are expressly not repealed.

Mr. EASTLAND. That is correct. They remain the law.

Mr. REVERCOMB. Yes; they remain the law. Then we are confronted with the language which I have read from the bill itself, providing that the local board shall determine the validity of the ballot. That local board consists of local State officers, sworn to act according to the laws of their State. We have there the making of the greatest conflict possible.

Mr. EASTLAND. I thoroughly agree with the Senator about the conflict, but I submit to the Senator that the determination of the validity of the ballots by the local election officials, as provided in this bill, is governed and controlled by the first and second sections of Public Law 712 and the provisions of this bill. I further submit that a State election official who would refuse to count a vote because the State law as to registration and the payment of a poll tax had not been complied with could be indicted and tried and, if convicted, could be sentenced to the Federal penitentiary.

Mr. REVERCOMB. It seems to me that the able Senator from Mississippi has surrendered his views as to who may fix the qualifications of a voter. I have always thought that the able Senator held the view that the State, and not the Federal Government, may fix the qualifications of a voter.

Mr. EASTLAND. Absolutely. No authority but the States can define the qualifications for electors.

Mr. REVERCOMB. If that is the law, and if that is a sound position, how could anyone be indicted and tried?

Mr. EASTLAND. When it comes to indictment and trial, I have found that in many instances the law was a secondary consideration. I have in mind especially the indictment and trial of several prominent persons in my State this year.

I think it is unfair to place that responsibility on the local election officials and ask them to run the risk of obeying the State law rather than the Federal law, because someone would certainly attempt to find a way to subject them to trial.

The argument is used that no penalty is provided by the bill. I do not think that argument is sound, because if sections 1 and 2 of Public Law 712 are constitutional and legal, a violation of either of those sections would certainly be a violation of law, subjecting the offender to indictment.

Mr. REVERCOMB. Let me say to the Senator from Mississippi that if his view is correct, the bill is even worse than I said it was, because not only would it deprive the soldier of his vote and result in his vote being thrown out after he had marked his ballot but the local election officials would be put in jail.

Mr. EASTLAND. Let me say to the distinguished Senator from West Virginia that I think the correct rule of construction is that the court would attempt to harmonize the two provisions. I do not see a conflict between section 14 (a) of the bill and sections 1 and 2 of Public Law 712, of which this bill is an amendment. If the judgment of the local precinct election officials as to the validity of the ballot is to be the sole basis of determination, then why was it necessary to place section 14 (b) in the bill? Section 14 (b) provides that under three conditions enumerated in that subsection the Federal war ballot will be invalid. Does not the Senator realize that the judgment of the precinct officials would be subject to the provisions of section 14 (b) of the bill? If his judgment is not subject to those provisions, then why place them in the bill?

Mr. REVERCOMB. Certainly they would be governed by those provisions.

Mr. EASTLAND. If that is correct, would not sections 1 and 2 of Public Law 712 govern them in their determination of the validity of the ballot?

Mr. REVERCOMB. The State law would govern them, because they are State officers. If the Senator is correct in his interpretation as to who may prescribe the qualifications for voting, we have a conflict in the pending bill, which is one reason why it should not be passed. We have a situation whereby we provide that a man in the armed services may vote regardless of the qualifications in the State as to registration or payment of a poll tax. Then, on the other hand, we place upon the local State election boards the sole responsibility for determining whether or not he may vote in the State. Why does the board exist? The board exists to see if the voter is a qualified voter under the State law. The bill would create a situation which would bring about contest after contest throughout the country. That is one of the more dangerous features of the bill. It would either destroy the vote of the soldier after we ask him to cast it, or create a conflict which would be bound to result in contests throughout the country.

It has been very ably stated before this body that this is not the time, during a war, to have contests in election cases. Such contests could bring about an internal break-up and civil strife more quickly than anything else that could be dreamed of if a situation were created in which ballots, and particularly the ballots of men in the service, could be contested and thrown out.

Mr. EASTLAND. Let me say to the Senator that, so far as the poll tax and registration requirements are concerned, in my judgment, in a few weeks most of the so-called poll-tax States, including my own State, will have voided those provisions so as to give soldiers the opportunity to vote. However, under the

Constitution of the United States that is solely the responsibility of the States, and we will handle it in our own way, without taking orders from the Federal Government and without the intervention of the Federal Government.

Mr. REVERCOMB. The able Senator has said that the States will take orders under sections 1 and 2 of Public Law 712.

Mr. EASTLAND. The determination of the validity of the ballot by the election officials is subject to the provisions of Public Law 712, and would be subject to the provisions of this bill if it were enacted into law.

Mr. MOORE. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield to the Senator from Oklahoma.

Mr. MOORE. I think the Senator from Mississippi is absolutely correct in stating that sections 1 and 2 of Public Law 712 are the law of the land. If the pending bill were enacted into law, of course there would be a conflict between sections 1 and 2 of Public Law 712 and the provision in the bill that the precinct election officers may determine the validity of the vote; but, certainly, as was stated on the floor of the Senate yesterday, that does not mean that the precinct officers may pass upon the constitutionality of sections 1 and 2 of Public Law 712. Under the language of the bill the States are given the authority to pass upon the validity of the vote. However, I am definitely of the opinion that no election officer would take the chance of violating an act of Congress on the ground that it was unconstitutional. As was stated repeatedly on the floor of the Senate yesterday by proponents of the bill, of course we do not expect the election officers to pass upon the constitutionality of the law. As the Senator from West Virginia has said, there is a direct conflict, which makes the bill more dangerous than he has construed it to be.

Mr. REVERCOMB. I thank the Senator from Oklahoma for his views. They are somewhat more extreme than mine. I believe that there is a conflict. I believe that when the State election officers pass upon the ballots, they will pass upon them under the State laws under which they act. As a result, many soldiers' ballots will be thrown out. Certainly the bill is left open to that construction. If it is not open to that construction, then, as stated by the Senator from Oklahoma, the bill is even worse, because it is invalid to begin with, in compelling a State to accept an act of Congress fixing the qualifications of voters.

Mr. President, I have discussed the pending bill upon two items included in it. Other Senators will wish to discuss these features of it. I shall listen to them with interest.

It seems to me that from a practical standpoint we must do more than "lip service," to use the language of a recent Presidential message. We must do more than put a label on a bill and call it a soldiers' vote bill, when we know that in its practical application members of the armed forces would be deprived of their independence to vote the way they wish to vote.

I urge upon the Senate consideration of this matter in a realistic light. I urge upon it to consider the matter earnestly. I urge upon it to consider the amendment offered here which would permit the sending of ballots directly to the men in the service, just as a letter would be sent to them, and allow the ballot to be returned, regardless of its form, in the same way that the soldier would mail back a letter. I assert that by that method only will we protect the soldier in his right to vote his ballot unmolested. I further assert that if we pass the pending bill in its present form we will make the soldier subject to the orders of his superiors when he votes, just as he is necessarily subject to their orders in the conduct of the war. That is a practical view, and I believe it is a correct one. When this war has come to an end, unless we take a practical view, it will be found that in spite of all the beautiful ideas we hear expressed as to how the problem shall be handled, in reality the results will not be what we have been promised.

There is another method which I have mentioned, namely, that of the soldier sending a power of attorney to the mother, father, wife, or some other person, to vote for him at home. That would take care of the question concerning weighty mail.

I have proposed, and will submit at the proper time, an amendment, Mr. President, which would require the ballots to be placed directly in the hands of the soldiers. It would require that they be sent to them by mail, and that the man himself shall return the ballot. It would end and do away with any idea of elections held in foreign countries under the auspices of the Army and Navy. I hope that we will consider this in the light of what is best and right for the man in the armed service, so that he will receive the ballot, and having received it, will vote his own vote and the vote will be counted. By such a process there would be avoided a situation which would permit a great fraud to be perpetrated upon him under the guise of a soldiers' vote bill. Let it in truth be a soldiers' vote bill and not the proposed measure, which, I submit, Mr. President, is wrong. It will perpetrate a great injustice upon the men in the service.

I have no misgiving whatsoever about my position in this matter. I hope Senators will pardon me when I say that I feel confident that every man taken out of the State which sent me here, and who is now in the armed services, knows that I am going to do what is right for him. His father, mother, wife—some of those fathers my former comrades in arms—also know that I shall do so. I have no misgiving about it. However, I do have a great apprehension, Mr. President, that under the pressure which has been brought here, the Congress may pass a bill with a fine name attached to it, a bill which will be absolutely devoid of real substance. That is the danger which lurks here.

I hope that none of us will be subject to pressure, that none of us will fail to do what we feel earnestly is right, even though in the midst of the debate and the consideration of this question the Chief Executive of the country does something unheard of before, namely, attempts to place the pressure of his office upon this body.

Let me say that the Congress of the United States, the direct representative of the people, must stand as independent as any other branch of the Government; must not submit to pressure from the President or any other source—must do what it believes to be earnestly right. When the Executive says that those who may oppose him on this bill commit a fraud upon the country, I say to you, Mr. President, that when this whole case of the Government of our people is summed up I am perfectly willing to submit the issue of fraud to the people of the country and let them determine who has committed the fraud upon them. The people are beginning to learn when fraud upon them has been and is being committed and the gravity is upon the President and not upon the Congress.

Let us proceed, though, with care, with fairness, and with candor, upon this bill, bearing in mind that the two main objectives of such legislation are first, to give the soldiers and sailors and marines the right to vote; and, secondly, to protect for each of them the right to vote his own will and choice.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield to the Senator from Rhode Island.

Mr. GREEN. In the early part of his interesting address the able Senator from West Virginia read from two pages of the testimony given by Colonel Cutler before the Committee on Privileges and Elections.

Mr. REVERCOMB. The Senator is correct.

Mr. GREEN. However, he stopped at the most interesting spot. I should like to read the following questions and answers which I think it would have been well if the Senator himself had read. After I have concluded reading them I should like to propound to the Senator a question.

The testimony to which I refer reads as follows:

Senator REVERCOMB. From what you have described here, there would be perhaps 5,000,000 American soldiers voting at elections held in Italy, Sicily, Australia, the islands of the South Pacific, and other places occupied by our troops. Is that correct?

Colonel CUTLER. Yes, sir. That is the system which has been followed in the laws of Australia and New Zealand and Canada. I am not sure about the Union of South Africa, because it is so long since I have studied that law, but I think they have a different plan. Voting on the spot is the foreign nations' plan in general. They had more detailed provisions than we did, but the voting was done on the spot.

What I have read will be found in the middle of page 93 of the hearings.

Mr. REVERCOMB. Yes. I see that some words have been changed from the original transcript. I ask the Senator to proceed.

Mr. GREEN. I may add, perhaps on the basis of my own information, that what Colonel Cutler said is also true about the Union of South Africa, al-

though at the time the colonel seemed to be uncertain. The question I wish to propound to the Senator is this: Since this form of election has proved to be a success in Australia, New Zealand, Canada, and South Africa, may we not assume that it would be successful with us?

Mr. REVERCOMB. I am not aware of the fact that it is a success, or that the testimony to which the Senator refers contains the word "success." The colonel said the method was used in those countries. With reference to its success, I do not know. With reference to what the officials of those countries have done with it, I do not know. However, I am not willing to change the American form of government so as to follow in any particular that of Australia, New Zealand, Canada, or any other government.

Mr. GREEN. However, the forms of government of the countries to which I have referred are more nearly like our form of government than are those of any other nations in the world; are they not?

Mr. REVERCOMB. I do not know about any other nations in the world. I believe Australia is a crown colony and a member of the British Empire. I would not say that its Government is similar to ours.

Mr. GREEN. I did not say it is similar to ours; I said that it was more nearly similar to ours.

Mr. REVERCOMB. However similar it may be, I will say to the able Senator that I am not willing to accept the governments of those countries in place of the Government of the United States.

Mr. GREEN. No one would propose such a course, but is it not true that the fact that all four of those governments have used the method in connection with their elections which is here proposed is some evidence to warrant our concluding that it would be worth while trying by us?

Mr. REVERCOMB. I am advised by Colonel Cutler that this plan has been established in the places named by the Senator. How long it has been used and with what success, he does not state, nor do I know.

Mr. BUSHFIELD obtained the floor.

Mr. WHITE. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HAYDEN in the chair). Does the Senator from South Dakota yield for that purpose?

Mr. BUSHFIELD. I yield.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Butler	Gerry
Andrews	Byrd	Green
Austin	Capper	Guffey
Bailey	Caraway	Gurney
Ball	Chandler	Hatch
Bankhead	Clark, Idaho	Hawkes
Barkley	Clark, Mo.	Hayden
Bilbo	Connally	Hill
Bone	Danaher	Holman
Brewster	Davis	Johnson, Colo.
Bridges	Downey	Kilgore
Brooks	Eastland	La Follette
Buck	Ellender	Langer
Burton	Ferguson	Lodge
Bushfield	George	Lucas
McCarran	Overton	Tobey
McClellan	Pepper	Truman
McFarland	Radcliffe	Tunnell
McKellar	Revercomb	Tydings
Maloney	Reynolds	Vandenberg
Maybank	Robertson	Wallgren
Mead	Russell	Walsh, Mass.
Millikin	Shipstead	Wheeler
Moore	Smith	Wherry
Murdock	Stewart	White
Murray	Taft	Willis
Nye	Thomas, Idaho	Wilson
O'Daniel	Thomas, Okla.	
O'Mahoney	Thomas, Utah	

The PRESIDING OFFICER. Eighty-five Senators have answered to their names. A quorum is present.

Mr. BREWSTER. Mr. President, will the Senator from South Dakota yield?

Mr. BUSHFIELD. I yield.

Mr. BREWSTER. I appreciate the Senator's courtesy in yielding. I desire to clarify in the RECORD the situation as to the possibility of Maine servicemen being permitted to vote. The Senator from Rhode Island very kindly offered to secure a statement regarding the matter, and if he is prepared to report at this time as to whether or not it is going to be feasible for them to vote, I should appreciate his presenting the statement.

Mr. GREEN. Mr. President, I am glad to report. I took the matter up with the War and Navy Departments, and as a result present the following statement:

1. Maine servicemen will vote in the September elections for State and local offices and Congressmen by making application for a State absentee ballot, and by executing and returning such ballot to the secretary of state of Maine. This is the procedure provided in title II of the Green-Lucas bill. Such State absentee ballots are available ununder Maine law on August 1—42 days before the September 11 election. Under title III of the Green-Lucas bill, the applications and ballots will be carried air mail free, and the services, so far as practicable and compatible with military operations, will take all reasonable measures to facilitate the return of the absentee ballots—just as they will for the absentee ballots of all other States.

2. The interval of 42 days should be enough to enable all Maine servicemen in the United States to vote by absentee State ballot. As to Maine servicemen overseas, the Army and Navy will try to carry such State balloting material by air, if air mailed; but such carriage in wartime must obviously be subject to weather, military operations, and the availbility of plane space.

3. For overseas voters, how can the services reasonably be asked to do more while actively engaged on fighting fronts throughout the world?

4. The Army and Navy should not be required to give priority to any State ballot material over home mail. State balloting material is bulky. It requires more than one carriage.

Mr. BREWSTER. Does the Senator know what they mean by that, that it requires more than one carriage?

Mr. GREEN. Yes. That means the ballot goes from the United States to the soldier and from the soldier back; and usually there are three carriages, because generally an application for ballot has to be mailed. That is what they mean. The statement continues:

To give priority to one State would require giving priority to all States. Such priority for all States would undoubtedly mean curtailment or cessation of home mail delivery to servicemen abroad and to families at home over considerable periods of time. Such a result would seriously hurt morale. The soldiers and sailors overseas do not wish to have the receipt of their home mail interfered with.

5. Maine servicemen will not vote in the September election under title I procedure provided by the Green-Lucas Act. That procedure is possible of accomplishment for overseas voting because it provides for one uniform election (as well as for small-size, lightweight ballots and bulk carriage over and back). The administration in wartime of voting under title I cannot be extended to more than one election. For that reason the primaries, falling on different days, throughout many months, and the Louisiana (April 18). and Maine (September 11) elections were necessarily not included.

The business of the Army and Navy is to wage war. They cannot undertake too many other burdens without interference with the war effort. They cannot undertake a separate election for Maine voters without prejudicing the opportunities of the voters in all other States to vote in one uniform election under title I.

6. Title I of the Green-Lucas bill is intended to apply to the general elections on November 7 in the several States.

Mr. BREWSTER. Then, as I understand, it will not be possible for the soldiers in the service from the State of Maine to have the benefit of the Federal ballot in September?

Mr. GREEN. Not in September, but they will have it in November.

Mr. BREWSTER. And the Senator understands that it is at the September election that we elect our Representatives in Congress?

Mr. GREEN. Yes; but that is not the time when the voters in Maine cast their ballots for President and Vice President.

Mr. BREWSTER. The Senator feels that it is satisfactory to confine it, so far as Maine is concerned, exclusively to the election of President and Vice President?

Mr. GREEN. I do not think it is satisfactory, but it is the best that can be done.

Mr. BREWSTER. The Senator is referring, then, to proceeding under title II of the Green-Lucas bill?

Mr. GREEN. For the September election; yes.

Mr. BREWSTER. That is substantially the same as provided under existing law, Public Law 712?

Mr. GREEN. Yes; practically the same.

Mr. BREWSTER. And that is what the President yesterday characterized in the following language:

I consider such proposed legislation a fraud on the soldiers and sailors and marines now training and fighting for us and for our sacred rights. It is a fraud upon the American people.

Does the Senator subscribe to that language?

Mr. GREEN. It misleads the American people, to a certain extent. The distinction between the Maine election, as 1 election, and the principle applied to all the States, is obvious. It may be possible to do for 1 State in September but would not be possible to do for 48 States in November. It would be practically impossible to do it, perhaps not impossible, but very difficult to do it wholly. It might be done in part. One of the principal reasons—and I think the President cited it in his message—was that the time was too short.

Forty-two days is longer than the time provided in most of the States.

Mr. BREWSTER. Would the Senator be agreeable to giving priority to the mailing of the Maine ballots?

Mr. GREEN. I have no personal opinion about it, but as a result of conferences, and information supplied by the departments, they say they are willing to do all they can to expedite it, but they cannot agree to give priority, for the reasons already suggested.

Mr. BREWSTER. How do they determine that the soldiers and sailors overseas do not wish to have the receipt of their home mail interfered with? How do they arrive at the conclusion that the mail is more important than the ballots?

Mr. GREEN. I do not know that they put it that way.

Mr. BREWSTER. That is what they say in the statement the Senator just read. The Senator does not know the basis on which they arrive at that conclusion, does he?

Mr. GREEN. I do not.

Mr. BREWSTER. In all frankness, would that not suggest to the Senator that someone's wish is father to his thought?

Mr. GREEN. It did not suggest that to me.

Mr. BREWSTER. Does the Senator think they really surveyed the wishes of the soldiers at the front, in order to ascertain whether they wanted the mail or the ballots?

Mr. GREEN. Generally speaking, if the Maine situation should apply to all the 48 States, it might interfere with the home mail entirely, that is, it might be that for a month or more no home mail could be sent in either direction. That is the testimony.

Mr. BREWSTER. I should certainly want considerable evidence on that point. But I will leave the matter with this statement. The Senator says that, so far as Maine is concerned, soldiers can avail themselves only of title II of the bill?

Mr. GREEN. They can avail themselves only of title II of the bill for the September election.

Mr. BREWSTER. I thank the Senator. The President has characterized that as a fraud on the soldiers and a fraud on the American people.

Mr. GREEN. I do not think he has done that at all. He has so characterized the act as applied to the Nation as a whole.

Mr. BUSHFIELD. Mr. President, I did not yield in order that Senators might enter into a debate on this subject, much as I respect them. The Senator from Maine asked me to yield so he might have an explanation from the Senator from Rhode Island.

Mr. BREWSTER. I do not wish to intrude on the Senator's courtesy. I very much appreciate his yielding. I think we have the record sufficiently clear as to what the Senator from Rhode Island is ready to agree.

Mr. BUSHFIELD. Mr. President, we have had 2 or 3 days of most interesting debate on one of the most important matters that has come before the Senate at this session. Extremely divergent views have been expressed by different Members of the Senate, and some little heat has been engendered a time or two during the debate.

I recall that more than once on the other side of the Chamber reference has been made to what Republican National Committee Chairman Spangler has said or done. I know nothing about the matter except what I have read in the newspapers. Again today reference was made to the same thing. I presume Mr. Spangler did make some inquiries, because every American is interested in the subject of what the soldiers are thinking about. I know that Dr. Gallup has conducted a poll, but I have heard no Senator criticize him for doing so. I have no doubt that our good friend Harry Hopkins has conducted a poll so that he has some idea what the voters overseas intend to do. But we have not criticized that. He is entitled to do it, as every American is entitled to do it.

Mr. President, at the beginning of my very brief remarks I wish to remind Senators of this, which is more or less trite, but nevertheless true, that the Presidency of the United States is the greatest prize in the world. I speak not of it in a political sense at all. It is the greatest prize because of the honor connected with it, because of the great service that can be rendered to the people of the United States by the one who holds the office. All of us are human. It is not at all strange, Mr. President, that queries arise in men's minds about what certain moves are for, or in what they may result if they are made.

Last month the Senate passed a soldiers' voting bill. I did not vote for it. I was not upon the floor at the time the bill was passed, or in the city. Had I been here, I probably would have voted for it. But a substantial majority did vote for it. The bill provided what the Members of the Senate thought at that time was the best and most available way to handle the matter, if I may judge from the fact that a majority of the Members voted in favor of the measure. The bill is now pending in the House of Representatives. It has been there for a month past. Yet before the House has had time to pass upon that measure, to decide whether it is good or bad, or whether they want to approve it or reject it, we start another measure through the mill here in the Senate in an attempt to pass second legislation upon the same subject. Mr. President, I wonder why there is all this hurry about crowding something which has already been determined by the Senate.

Mr. President, the one thing which concerns me more than anything else—and that is the point to which I direct my few remarks today—is that repeatedly from across the aisle in the Senate, repeatedly day after day in the newspapers of the Capital, and repeatedly over the radio in the Capital City, we hear remarks and see statements printed to the effect that because certain Members of the United States Senate desire to discuss and consider and debate the bill now before us we are obstructionists, we are trying to prevent something being done in behalf of all the millions of soldiers.

I take direct issue with such a statement, and with the statement made by the President himself, as well as by other agencies; I take direct issue with the statement now or hereafter, that anyone in this Chamber is trying to obstruct anything. I believe I can say without successful contradiction, Mr. President, that there is not a Senator sitting on the Senate floor who is not wholeheartedly in favor of the soldiers and sailors of this country being given an opportunity to vote. It is not a question of anyone obstructing or holding back or preventing. I become weary of hearing these fellows cackle about the reactionary Republicans trying to prevent the soldiers from obtaining the vote. That is not true; it is not founded upon fact; and it is done for only one purpose, which is to create the impression in the public mind, and in the minds of the soldiers, that the Republican Party is opposed to granting the vote to servicemen. The few remarks I shall make today will be directed to that subject.

Mr. President, yesterday there ensued quite a lengthy discussion upon constitutional questions, and the very distinguished and able and likable Senator from Illinois [Mr. LUCAS] made this statement, according to the RECORD of yesterday:

> No matter what happens to the proposed legislation, the soldiers in this country and abroad are far ahead of the Congress on the question which we are now debating. Senators may talk about the Constitution if they wish. They may wrap themselves in the folds of that old document on the floor of the Senate and cry out, "We are violating the Constitution."

Mr. President, I submit that is beside the point wholly. It has nothing whatever to do with the debate which is progressing steadily in this body. I like and respect the Senator from Illinois, and I do not believe that upon more mature thought he would have used exactly the language he used in the statement he made on the floor yesterday.

Mr. President, I cannot see anything harmful; I cannot see anything obstructionist in discussing the Constitution of the United States. I have been taught, and all my life I have believed, that everything we have in this country, every achievement we have made is based upon that Constitution and its provisions. So I do not see any particular use of wrapping the old document around you and waving your arms and talking about patriotism. We are all patriots. I have a son in the service, as most of the other Senators have. I am as deeply concerned and interested as is any other Senator concerning the war. I want to have it won and as quickly as we can win it, but I do not believe that now or ever legitimate, careful consideration and debate on the floor of the Senate of important measures represents obstructionism or can be honestly termed as such.

Mr. President, the impression I received from the remarks made by the distinguished Senator from Illinois yesterday was that the Constitution was something which could be tossed out the window if it got in the way. The Senator did not use just those words, but that is the impression I gained from his remarks. It reminds me of the time a few years ago when the New Deal was in its heyday and before it started down the skids. People used to say in my section of the country when the Constitution was mentioned, "Oh, you cannot eat the Constitution." It is true. You cannot eat the Constitution. But, Mr. President, the Constitution of the United States is the thing which has enabled you and me and every other American for the last 150 years to eat, even if we cannot eat the document itself.

I am reminded also—and this is along the line of the same pattern which has been followed for 11 years—of the letter which the incumbent in the White House wrote to a Representative a few years ago in which he said he hoped the Representative would vote for a certain bill regardless of the question of its constitutionality. That is the type of pattern we have had before us for 11 years. We are here on the Senate floor to maintain and support and defend the Constitution because of what it means to us.

Mr. President, our forefathers 150 years ago decided that the time was ripe in this country to form a government of the people, so they assembled the best minds of that day from all the Thirteen Colonies, and prepared what is now known as our Constitution. Under that Constitution, Mr. President, we have achieved more progress, we have achieved a higher standard of living, we have achieved greater and more widespread education, we have accumulated more personal or tangible wealth than any other nation, or any other people that ever lived upon this globe. I am not ready to scrap that Constitution. I am not ready to take it lying down when someone says, "Toss the Constitution out of the window if it gets in your way." I do not believe the Senate is ever going to do such a thing.

Mr. President, I desire to call the attention of the Senate to a few statements which were made yesterday in the message from the President of the United States which was submitted to the Congress and was read in this Chamber. I desire to call the attention of the Senate also to the message which the President submitted to the Senate and the House in September 1942, in which he directed Congress to enact on or before October 1, certain legislation which he demanded, or he would take the matter in his own hands and would pass the legislation by Executive order. That matter is fresh in the minds of the people of America. The Congress did very promptly what the President demanded, so there could be no question about it. The law was passed.

Yesterday the most amazing message which ever came before Congress in all its history, or which ever was given to the American people, was delivered to it by the President of the United States. I shall refer to a few of the statements made in the message. On page 1 of the message I find the following statement:

> In every State those ballots cannot even be printed until after the primary elections.

Mr. President, what is there about that which is strange? For 50 years we have been building up the Australian ballot system in this country. Through experience and trial and error we have provided regulations and limitations upon the use of the ballot until we have obtained an almost perfect voting system. In the early days in the West, from which I come, no thought at all was given to the practice of slipping outside the door of the balloting place and handing a $2 bill to a henchman who would go in and vote as the person who handed him the $2 suggested. Today all that has been abolished. Today, under the Australian ballot system, we have an almost airtight and perfect voting system, regardless of what particular party happens to be in control of the office. That is the result of 50 years of experience, of trial and error. How could the ballots be printed before the primary elections were held? The only way in God's world to print the ballots is to wait until the names which are to go on the ballots are known. Every State of the Union, with the exception of one or two, holds primary elections. The names of the candidates are not known, and it is impossible to print the ballots, until the nominations are made.

Mr. President, here is another statement from the President's message:

> If any proof were necessary to show how ineffective this Federal statute was—the fact is that out of 5,700,000 men in our armed forces at the time of the general elections of 1942, only 28,000 servicemen's votes were counted under the Federal statute.

In the first place, Mr. President, at the election time in 1942, probably not over half a million voters were outside the territorial limits of the United States. The others were within the territorial limits of America. Every State of the Union, with the exception of two, has an absentee voters' law. Every one of the men in the camps in this country—a number probably in excess of 5,000,000—had an opportunity to vote if he desired to do so. Why did so many of them not vote? At that time we had not reached the state of intensity and bloodiness of the war which we have now reached. Why did so many of the men in the armed forces not vote? It was not because of the difficulties in connection with the ballot. It was not because of the difficulties with respect to the Federal statute. No, Mr. President; the President of the United States has misconceived what are the facts in this case, or he has arrived at an incorrect interpretation of them. Only 28,000 of our men in the armed forces voted at that time, not because of the difficulties in connection with the opportunity to vote which was provided for them, but merely because the others did not care anything about voting at that time.

I do not mean to imply that they do not care today. One of the principles of this Government, from its very foundation, has been that every man, and now every woman, has the right to vote. We are all in favor of that. We are all opposed to any infringement of that right. The men and women in the service, wherever they may be, have that right; and we must find a means of enabling them to exercise that right intelligently and without too much difficulty.

Mr. President, I now read another statement contained in the message of the President, and call it to the attention of the Senate—a few words very similar to words which have appeared in many Presidential messages I have read during the last 10 years:

> Some people—I am sure with their tongues in their cheeks—say that the solution to this problem is simply that the respective States improve their own absentee ballot machinery. In fact, there is now pending before the House of Representatives a meaningless bill passed by the Senate December 3, 1943, which presumes to meet this complicated and difficult situation.

The Chief Executive went on to say—and this is the most astounding, the most amazing statement, coming from a President, which is found anywhere in American history:

> I consider such proposed legislation a fraud on the soldiers and sailors and marines now training and fighting for us and for our sacred rights. It is a fraud upon the American people. It would not enable any soldier to vote with any greater facility than was provided by Public Law 712.

Mr. President, I have always understood—and the Constitution upholds me in the belief—that the Congress of the United States passes the legislative acts of this country. I have always understood that the Chief Executive's duty is to execute the laws the Congress passes. I have always understood that there is a distinct division between the judiciary, the legislative, and the executive. Now, for the first time in 150 years, we have a Chief Executive who tells the American people and the men and women in the armed forces that the Senate and the House of Representatives have perpetrated a fraud upon the American people and upon the soldiers of our Army and the sailors of our Navy. For the first time, I say to the Members of the Senate, we have that amazing spectacle confronting us. I say again, as was said yesterday, that it is a gross insult to the Members of this body and to the Members of the House of Representatives and to the American people.

Mr. President, just how the omnipotence of the occupant of the White House can determine, over the mere minds of 96 United States Senators, that this piece of legislation, passed after weeks of consideration and debate, is a fraud is something beyond me; and I have an idea that the American people themselves will be asking some questions about the decision made by the Chief Executive.

I read another statement appearing in the message from the President:

> I am convinced that even if all the States tried to carry out the recommendations contained in this bill, the most that could be

accomplished practically would be to authorize the Army and Navy to distribute and collect ballots prepared by the States in response to post-card requests.

Mr. President, if the soldiers get the ballots what does it matter how they get them? I cannot follow the reasoning behind that argument.

Again, Mr. President, the message of the President contains the following statement:

> Since these bills provide that if any voter wishes, he may use the procedure of his own State for absentee balloting, he is given, to the extent that there is any possibility of doing so, an opportunity to vote.

Why was not the President fair in his statement to the Senate and to the House of Representatives and to the people of the country? He knows, as every Member of the Senate knows, that the Secretary of the Navy and the Secretary of War have, following his orders, stated openly that they were opposed to giving priority to the mails carrying State ballots.

Further along in the President's message we find the following:

> Our millions of fighting men do not have any lobby or pressure group.

That is amazing language, Mr. President; but I am wondering what the group that is following the lead of this message of the President is, if it is not a pressure group, one more powerful and more influential than any other could be.

Later in the President's message we find the following statement:

> As their Commander in Chief, I am sure that I can express their wishes in this matter and their resentment against the discrimination which is being practiced against them.

Once again, Mr. President, I not only resent but I deny the statement that any discrimination is being practised against the members of the armed forces. I say that that statement is used by the Chief Executive—and I say this advisedly—for no other purpose than to create in the minds of the American people and in the minds of the members of the armed forces the impression that the Republican side of the Senate, at least, is opposed to giving the soldiers the vote.

I repeat that there is not a Republican in the Senate, there is not a Democrat in the Senate, and there is not a Member of the House of Representatives, who does not wish with all his heart to devise some plan that will work.

Mr. President, here is some more amazing language:

> The American people cannot believe that the Congress will permit those who are fighting for freedom to be deprived of a voice in choosing the personnel of their own Federal Government.

Mr. President, no one in America is trying to deprive the men in the service of that right. I say that that statement is a misrepresentation, which can have only one effect.

The last amazing thing which I find in the message is this:

> I have hesitated to say anything to the Congress on this matter for the simple reason that the making of these rules is solely within the discretion of the two Houses of the legislative branch of the Government. I realize that the Executive as such has nothing to do with the making or the enforcement of these rules.

To which we all agree.

> Nevertheless, there are times, I think, when the President can speak as an interested citizen.
>
> I think that there would be widespread resentment on the part of the people of the Nation if they were unable to find out how their individual Representatives had expressed themselves on this legislation—which goes to the root of the right of citizenship.

In the last paragraph he says:

> Every Member of the two Houses of Congress ought to be willing in justice to "stand up and be counted."

Mr. President, what reason or excuse is there for the use of such language to Members of Congress by the Chief Executive? They have shown no disposition to avoid standing on their feet and being counted. They have shown no disposition to avoid solving this problem as quickly and effectively as possible; and yet the American people are told, by implication, that we in this Congress are afraid to stand on our feet and be counted, and want to sneak out the side door.

Mr. President, it seems to me that the bill in its present form is indefensible. I wish to call the attention of the Senate to two or three things.

I refer first of all to pages 38 and 39 of the bill. Section 12 on page 38 provides as follows:

> SEC. 12. The commission, upon receiving any ballot cast under this title, shall promptly transmit it to the secretary of state of the State of the voter's residence who shall at an appropriate time transmit it to the appropriate election officials of the district, precinct, county, or other voting unit of the voter's residence. No person other than such appropriate election officials shall open any official outer or inner envelope purporting to contain a ballot cast under this title.

Section 14 on page 39 provides as follows:

> SEC. 14. (a) The commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States. Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper convassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

Let us go back to page 30, where the form of the ballot and the form of oath of the voter are shown. Yesterday I tried for half an hour to obtain the floor to ask this question: How do the authors of the bill expect the election officials, by mind reading, hypnotism, or some other fantastic scheme, to determine what is the precinct of the voter who is casting his vote? Yet the ballot cannot be counted or examined by the election officials until and unless it reaches the soldier's home precinct. In my own county there are 45 precincts in one county. There are more than 4,000 in the State. If these ballots are to be sent back to the Governor of the State, the secretary of state, or even the county auditor, how are any of those officials to determine from what precinct the voter comes? It simply cannot be done. Not a single ballot sent back without the name of the precinct would ever find its way to the place where it could be counted. The provisions of the bill would involve a great deal of waste motion.

Mr. President, I expect to offer amendments in connection with some of these features of the bill. I invite attention to page 33 of the bill. The language beginning in line 3 reads as follows:

> After the oath has been duly attested, the voter shall then place the official inner envelope in the official outer envelope provided for the return of the ballot to the commission and shall deliver it to a person designated by proper authority to receive executed ballots for transmission to the commission.

There is a provision in the bill to the effect that the commission may name any assistants it desires to carry out the provisions of the act. As an extreme illustration, suppose the commission should decide to name Harry Hopkins to carry out the provisions of the act? Does anyone suppose that we would stand for that? In my judgment, the bill should be amended to designate the individual who is to handle the ballots.

I invite the attention of the Senate to page 34, subsection (b) of section 7, lines 3 to 6 inclusive, which read as follows:

> In each year in which a general election for Senators and Representatives in Congress is to be held, the commission shall furnish well in advance of the election an adequate number of ballots, envelopes—

And so forth. Mr. President, the way the bill is drawn, it would run on forever. I think it should be amended to cover only the year 1944.

On page 40, I invite the attention of the Senate to section 16, which reads as follows:

> SEC. 16. The provisions of State and Federal law prohibiting offenses against the elective franchise shall apply in the case of elections and voting conducted pursuant to the provisions of this title: *Provided, however,* That no act done in good faith by a member of the armed forces of the United States, in the exercise of his judgment as to what was practicable and compatible with military operations, shall constitute a violation of any such provision of law.

Those two sentences contradict each other and vitiate any effect they might otherwise have.

Mr. President, I intend to propose, and now send to the desk, certain amendments covering the ideas which I have outlined. I ask that they lie on the table and be printed.

The PRESIDING OFFICER. Without objection, the amendments will lie on the table and be printed.

Mr. BUSHFIELD. Mr. President, to sum up very briefly, every Member of the Senate and every Member of the House is just as anxious as every other Member to enact some legislation which will solve this difficulty. A number of plans are now under consideration, submitted either as substitutes or amendments. I urge Members of the Senate

to get together, dispense with acrimonious debate, and try to settle this question so that members of the armed forces may vote.

SUPPLY AND DISTRIBUTION OF FARM LABOR FOR 1944

Mr. O'DANIEL obtained the floor.

Mr. McKELLAR. Mr. President, will the Senator yield to me for the purpose of propounding a unanimous-consent request?

Mr. O'DANIEL. I yield.

Mr. McKELLAR. I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to consider House Joint Resolution 208.

The joint resolution makes an appropriation to assist in providing for the supply and distribution of farm labor for the calendar year 1944.

As Senators will recall, last year a bill was passed by Congress which provided for the procurement of local labor in various communities throughout the country in which there was a great need for additional labor. Provision was also made for bringing into the country approximately 50,000 laborers from Mexico, Haiti, and several other countries. That law expired at the end of 1943. By joint resolution it was continued for the month of January, and it will expire again on next Monday unless the pending joint resolution shall be passed.

The House of Representatives passed a measure which was somewhat different from the bill passed last year. The bill of last year provided that the War Food Administration should have control of the money. The House passed a measure this year taking what is known as the foreign labor portion away from the War Food Administration and putting it into the hands of the Farm Extension Service. When the measure came over to the Senate much testimony was taken, and the Senate committee came to the conclusion that the plan adopted last year, with one exception to which I shall refer in a moment, had been very successful. It has been quite expensive, of course, but naturally any plan involving the bringing into the country of foreign labor would be very expensive. However, the Senate committee took the position that the plan had been successful last year, and that it should be continued along the lines of last year, and not be put into the hands of the Farm Extension Service.

Mr. President, the principal reason which impelled the Senate committee to reach that conclusion is that the Farm Extension Service representatives appeared and they said that they did not want it. Under those circumstances, the present managers of the plan having made a fair success of it last year, the Senate committee, by a fair majority, put back the plan as it was last year.

However, an exception was made. Colonel Bruton, who was the head of the activity, had set up 7 regional offices which were maintained in full-time operation. The work involved is seasonal. It seemed to the committee that to maintain 7 regional offices which employed at all times in the neighborhood of 800 or a thousand men, was an expensive operation. It was very wasteful. The situation was called to the attention of Colonel Bruton, who admitted that maintenance of some of the offices was ill-advised, and would be discontinued. However, the committee thought that all the offices should be abolished for this reason.

Take the State of California, for example. Out of a total number of approximately 50,000 or more laborers brought here, 37,500 were employed in the Los Angeles district. If there were ever a place where there should have been a regional office, almost any person would say that Los Angeles was the place where it should have been located. However, instead of placing it there the agency placed it at San Francisco, 500 miles away. The system was exceedingly expensive.

Mr. President, ordinarily I am very much in favor of the Farm Extension Service. I think it is one of the most valuable services we have in connection with farming. The only reason why I was willing to go along with the arrangement which the committee has reported is that the Farm Extension Service did not want the responsibility, and the land-grant colleges, which are so intimately connected with the Farm Extension Service, did not want it. Those who had charge of the activity last year made a success of it, and we thought that the plan which would place a limitation upon regional offices should be adopted. The joint resolution could then go to conference and there we would be enabled to work out the best plan.

We must pass the joint resolution this afternoon. I assume that we will not be able to pass it at any other time between now and next Monday.

Mr. LA FOLLETTE. Mr. President, I should like to propound a question to the Senator bearing on that point. I should like to ask him whether, if his unanimous-consent request should be agreed to, he would expect us to pass the joint resolution this evening.

Mr. McKELLAR. Yes; we would hope to pass it this evening.

Mr. LA FOLLETTE. It seems to me that there are several important matters involved in the joint resolution, and that the Senate should have an opportunity to consider them. That, obviously, will not be possible this evening.

Mr. McKELLAR. I do not know of any serious contention concerning anything which appears in the joint resolution. Its provisions must be worked out in conference. I should be glad to have the Senator state some of the objections to the joint resolution which he may have in mind.

Mr. LA FOLLETTE. I should like to have some information about the amendment at the bottom of page 13. I have always had a serious question in my mind as to the policy adopted in section 4 (a), which would practically freeze any worker in a county unless he could obtain permission of the county agent to leave the county.

Mr. McKELLAR. If the Senator will permit me to interrupt him, I will ask the senior Senator from Arizona [Mr. HAYDEN]——

Mr. LA FOLLETTE. I do not wish to enter into a debate about the matter.

Mr. McKELLAR. The Senator from Arizona will give the Senator the information which he requests.

Mr. LA FOLLETTE. I know that, but I am trying to list a few of the items for which the Senator asked, which I think should have the consideration of the Senate. It is now 5 o'clock, and, as usual at this hour of the day, many Senators, believing that no votes would be taken today, have returned to their offices. It seems to me that if the Senator will permit this joint resolution to be made the unfinished business, and take it up tomorrow, we could make greater progress than we can now make. I am not seeking to delay the measure, and I wish to help the able acting chairman of the committee to proceed as rapidly as may be possible, and to save as much time as can be saved.

Mr. McKELLAR. The present law will expire on Monday next, and the Senator is familiar with the holding of conferences between the two Houses. Unless the objections which he has in mind are very urgent and necessitous I hope the Senator will allow the joint resolution to be passed and go to conference. I shall be very happy to have the Senator appear before the conferees when the matter is considered by them.

Mr. LA FOLLETTE. Mr. President, some of these matters would not be in conference if the joint resolution were passed in the form in which it has been reported by the committee. I have in mind, for example, a committee amendment in which, I have been advised by his secretary, the senior Senator from California [Mr. JOHNSON] is interested. I have some material here which was furnished me by his able secretary. It would take me a little time to go into it.

I am not seeking to delay consideration of the joint resolution. I am not responsible for the legislative program, but it seems to me that this is a subject which is of some importance. I do not know what the decision of the Senate will be on some of the items, but it appears to me that the matter is of sufficient importance so that there should be a quorum present, and we should have a chance to debate the joint resolution on its merits. As the Senator knows, even the Members who are now present in the Senate will become very impatient if the debate runs on for any length of time, and a Senator who may desire to press some amendment will not have a chance, because the remaining Senators will wish to join the others who have gone to their offices.

I do not wish to make an unreasonable request, and I wish to cooperate with the able Senator from Tennessee in every way I possibly can, but the Senator will realize, of course, that I am somewhat handicapped. I have been engaged practically all day in the conference on the tax bill, and I confess I have not had the time to go into the matter we are now discussing as thoroughly as I should

like to do. I do not wish to throw any obstruction in the Senator's way, or cause any delay. I always desire to cooperate with him whenever I can.

Mr. McKELLAR. The Senator is very kind, I know, but I very much fear that it will be difficult even to get the joint resolution passed if we do not bring it up until next Monday. The Senator knows the situation in the Senate, and we have only until next Monday to act. If we have to wait until then, it will be difficult to secure final action on the measure. If the Senator objects, of course there is nothing I can do.

Mr. LA FOLLETTE. I do not want it left that way, Mr. President. I hope I can persuade the Senator from Tennessee that my request is not unreasonable.

Mr. McKELLAR. I realize that it is not unreasonable.

Mr. LA FOLLETTE. It would pain me very much to have to object to anything asked for by the Senator from Tennessee.

Mr. BARKLEY. Let me suggest to Senators that there will be a session tomorrow, so that the matter can be taken up at that time.

Mr. McKELLAR. Can we get unanimous consent to have it taken up now, and the pending business temporarily laid aside?

Mr. LA FOLLETTE. Speaking for myself, I should have no objection to the pending business being temporarily laid aside, and the joint resolution brought before the Senate, with the understanding that if that shall be done, we will then recess until 12 o'clock tomorrow.

Mr. McKELLAR. Of course, the Senator from Texas has the floor.

Mr. WHITE. Mr. President, I am not a member of the subcommittee which considered the bill, and I have only the most general knowledge of it. I undertook during the day to contact some of the minority members of the subcommittee, and I think I should say that, so far as I was able to learn, there is no opposition on their part to consideration and passage of the joint resolution. I think the suggestion the Senator from Wisconsin has made is probably the most sensible, in view of the circumstances.

Mr. McKELLAR. Under the circumstances, Mr. President, I shall modify my request by asking unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of House Joint Resolution 208, and leave it in that position, so that it will be the first business tomorrow morning.

The PRESIDING OFFICER (Mr. MAYBANK in the chair). The clerk will state the joint resolution by title.

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 208) making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1944.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee? The Chair hears none, and it is so ordered.

ISSUES CONFRONTING THE NATION

Mr. O'DANIEL. Mr. President, 16 days ago the President of the United States delivered a message to the Congress on the state of the Nation, a very important document. Today we have laid aside consideration of the five points recommended by the President in that message, and instead we are witnessing a political debate in the Senate. It looks as if since the 11th of this month some new ailment has attacked the state of the Nation which the President had not noticed at that time.

I do not know whether this serious ailment of the Nation has been discovered by the new chairman of the Democratic National Committee, but it has been discovered by someone, and it has resulted in a message from the President of the United States on the so-called soldiers' voting bill.

Mr. President, the so-called soldiers' voting bill has always been a puzzle to me, from the standpoint that I have found no one in the Senate opposed to the soldiers voting; in fact, I have heard of no one anywhere who objects to the soldiers voting. Personally, I am wholeheartedly in favor of all the members of our armed forces having the right and opportunity to vote, and I believe every Member of Congress feels the same way. Therefore, there must be some other motive for bringing a bill of this nature before the Congress at this time.

My experience as a boy on the ranch gave me some valuable knowledge, which has been very useful to me as a United States Senator. Heretofore I have told some of the stories relating to my ranch life. On the ranch we dealt with all kinds of animals. We had horses, donkeys, cattle, calves, and many other kinds of animals, and we learned to discover the motives of those animals by what they did, rather than by what they said. That experience has been very useful to me as a Senator.

Inasmuch as there appears to be no objection whatever to soldiers voting, it seems to me as if possibly the bill which is under consideration shows the desire of some folks to get the soldier's vote more than their desire to see that the soldier gets to vote. This reminds me of calf-weaning time on the ranch. For instance, every time we would want to wean calves we would put them in one corral and the cows in another. The calves did most of the bawling, because they wanted to get the milk. The cows made a little fuss but not very much. That appears to be the case with the soldiers' voting bill, there is a lot of bawling going on by those who would like to get the soldier's vote, and we do not hear very much from the soldiers. Yesterday we heard some of that bawling from one of the hardest-to-wean calves we have on the whole ranch. I do not know whether that calf can ever be weaned from wanting votes.

Every Member of the Senate is here by virtue of the voting laws of the State from which he came. The States so far have been able to formulate their own constitutions and their own laws. So far as I am concerned, although I do object to the poll tax, and objected to it when I was Governor of Texas, and recommended that it be abolished, it is still a prerequisite to voting in Texas, and I accept it as such. I recognize that the State of Texas has the exclusive right to formulate its own voting laws, and inasmuch as I am here by virtue of the laws and constitution of the State of Texas, I do not intend to take part in any proposal which would indicate that I thought the United States Congress had the right to change the laws of Texas, or of any other State in this Union. That is a right which I believe belongs to the State. At this time I desire to discuss some of the really important issues confronting this Nation.

Mr. President, our Nation is now in the third year of the present World War. Our one main objective is to win the war at the earliest possible date. I believe that our people are united 100 percent in the war effort. The Congress has supported our Commander in Chief almost unanimously on every war measure he has submitted, and that applies to Republicans as well as Democrats. Personally, I have voted for every measure recommended by the Commander in Chief which I considered to be strictly a war measure, and I expect to continue that policy. While we all agree that our main objective is to win the war as quickly as possible, we do not always all agree on domestic problems. It is highly important that we all be ever vigilant on the home front to make sure that the freedom and democracy, which our millions of brave sons are fighting and dying to defend and preserve, do not disintegrate and disappear here at home while they are away. Hence, in discussing some vital subjects today, I wish to have it distinctly understood that I am discussing domestic matters and not discussing the conduct of the war.

For some time it has been quite obvious that the thinking people of the United States have been greatly concerned about the dangerous threat to the orderly progress of the war effort because of strikes and other labor disputes which have cut down the production of urgently needed war weapons and materials. Recently we have had statements from those in high authority that strikes and threats of strikes here in America have delayed the war effort and probably have resulted in a continuation of the war for many months longer than otherwise would have been necessary. This will cost the lives of perhaps many thousands more of our brave sons in the armed services. This is a shocking condition, and I think it is high time that someone speak out boldly and tell the full, unvarnished truth about labor leader racketeering which has caused this condition, and just who is to blame for it. That I intend to do, let the chips fall where they may.

To lay the foundation for a full and complete discussion of the labor situation, I must first say a few words about the President's message on the state of the Union, delivered to the Congress January 11. In that message the President made five recommendations to the

Congress. The fifth recommendation was as follows:

A national service law—which, for the duration of the war, will prevent strikes and, with certain appropriate exceptions, will make available for war production or for any other essential services every able-bodied adult in this Nation.

The President then made this statement:

These five measures together form a just and equitable whole. I would not recommend a national service law unless the other laws were passed to keep down the cost of living, to share equitably the burdens of taxation, to hold the stabilization line, and to prevent undue profits.

By that statement it will be seen that the fifth recommendation made by the President is highly important, in fact so highly important that it really constitutes his sole recommendation, because the other four recommendations are only part of a "just and equitable whole," and he does not want the national service law unless we also enact the other four laws he recommended. In considering strikes and labor conditions we must then consider all five measures, because they all five constitute "a just and equitable whole." Let us therefore consider briefly the first four recommendations before we analyze and discuss the all-important fifth recommendation, dealing with strikes and labor on the home front.

His first recommendation reads as follows:

A realistic and simplified tax law—which will tax all unreasonable profits, both individual and corporate, and reduce the ultimate cost of the war to our sons and our daughters.

Inasmuch as the Federal tax burden of the American people has increased 700 percent while national income payments have gone up only 100 percent, it seems to me that Congress has already been passing some very realistic tax laws. I have heard no complaint from the taxpayers about Congress having failed lately to pass realistic tax laws. If it is a sincere desire of the administration to send to Congress a recommendation for a realistic tax bill from the standpoint of producing real revenue, and not realistic from a political standpoint, it should not send us a bill that is labeled and stamped all over from the first page to the last page as Campaign Document No. 1 for the reelection in 1944. Furthermore, if the administration is sincerely interested in collecting more money by taxation, it is difficult to understand why it approved the tax bill passed last year which canceled over $6,500,000,000 of accrued income taxes due the Government by political war contractors, war profiteers, and others.

The President's No. 2 recommendation was for Congress to continue the law for renegotiation of war contracts, which he says "will prevent exorbitant profits and assure fair prices to the Government," and he adds: "For 2 long years I have pleaded with the Congress to take undue profits out of war."

Mr. President, in my opinion this plan to renegotiate contracts is a slipshod trick which places in certain agencies of the Federal Government the power to make war millionaires out of their political friends and to punish their enemies. A more positive and fair way to prevent war contractors from making millions out of war contracts is to enact legislation that will recover all their war profits, large or small, by a 100-percent excess war-profits tax. That kind of law would apply to everybody, whether they be friends or foes of the administration. I stated in the very beginning on the floor of this Senate that I believed the way to control inflation, as well as the way to get the money to pay the cost of the war, was by limiting corporations and individuals to the standard of earnings which they had already established prior to the time when we entered the war; because it was my thought then, and it is my thought now, that no one should be allowed to make any profit out of the war and that all—100 percent—of excess earnings which are due to the war should be recovered by the Government, in the form of excess war-profits taxes. But Congress did not see fit to follow that course of procedure, so we are now going merrily on, making war millionaires by the score and getting the Government in debt head over heels to boot.

Right here let me remind the Senate that this increasing public debt is not a sudden sickness caused by the war. It is a chronic ailment of the present administration which started long before the war was declared. The records show that the public debt of this Nation has increased every year from 1932 to December 7, 1941, all of which years were peacetime years, before we got into the war. The war simply enabled the present administration to continue its regular spendthrift debt-increasing policy at greater speed.

I believe it is perfectly apparent that when I advocate that our Government recover every dollar of war profits by enacting a 100 percent excess war-profits tax, I am holding no brief for get-rich-quick war profiteers who are trying to enrich themselves while our brave sons are fighting and dying on foreign soil. I also want to make it perfectly plain that I am holding no brief for the so-call d wealthy people of this Nation with large incomes, upon whom have been imposed such high income taxes that in some cases they almost amount to confiscation of property. It is already too late for anybody to hold any brief for the citizens in the higher-income brackets. They are doomed through the actions of a demagogic, socialistic, soak-the-rich policy of this spendthrift administration. The personal welfare of the individuals now included in the high-income bracket group is not the thing that causes me alarm. The welfare of the people in the low-income brackets is what gives me grave concern, because they are being slowly led to slaughter by the same rope that was used to lead the people in the higher-income brackets, and they are certain to suffer the same fate. The thing that causes me alarm is that this sort of ever-increasing taxing philosophy in running its course will wreck the whole economic fabric of our Nation, adversely affecting all of our people, both rich and poor. When those in the top-income brackets and those in the middle-income brackets are taxed to the limit of their earnings all additional taxes must then be collected from the individuals in the lower-income brackets. Unless this policy is changed and something is done to start us in the opposite direction, we cannot long continue as a democratic nation of free individuals conducting free private enterprise. Incidentally, it is quite evident to me, at least, that the only way the people of this Nation can stop this spending and taxing race that is leading us to financial destruction is to change the public officials who are in control, because the whole bone and sinew of those who are guiding our ship of state now feed on their favorite food of spend and spend and spend, and tax and tax and tax, and elect and elect and elect.

There used to be an old saying in this country about certain thrifty, industrious husbands who were always broke because their wives threw more out the back door than they could carry in at the front door. That seems to apply now to our Government. These Government appropriators and spenders, in both the legislative and executive branches of our Government, seem to be shoveling the money out the back door of the United States Treasury faster than the taxpayers can carry it in at the front door. Everybody knows that the only practical way to stop taxing is for our public officials to stop useless appropriating and useless spending. We must not stint one dollar on necessary expenditures for the prosecution of the war, but we are carrying on a lot of useless domestic government spending which could be stopped, thereby saving the taxpayers millions of dollars.

It seems to me that what we should do now is to cut absolutely to the bone all expenditures that are not necessary to the war effort, and to abolish governmental departments that are not contributing to the war effort, and then deflate all of our war millionaires by passing a 100-percent excess war-profits tax and making it retroactive to the date of Pearl Harbor. I, for one, believe that when we consider the method by which taxes are being applied, the 700 percent increase we have already imposed is about the limit unless the Administration is ready to forget about the election in 1944.

We have already gone about the limit in taxing those in the high-income brackets, because the tax rate in most of the higher brackets has reached the point where it has removed the incentive for business to continue to do all the work and take all the risk, and give from 40 to 90 percent of the net earnings to a silent partner—this spendthrift dynasty which is in control of our Government. This gang of vote-thirsty professional politicians may keep on trying to deceive the rank and file of the common citizens of moderate means into believing that all the taxes will be foisted onto the rich, but they are about to reach the end of their rope on that kind of demagoguery. The rank and file of our common

citizens of moderate means and those who live from day to day on their weekly wages will soon come to the sorry realization of the fact that for 11 years they have been led by false leaders into a state of almost utter financial helplessness. They will realize that there are two shifts of this financial wrecking crew. One might be called the day shift. It taxes them while they are awake. The other might be called the night shift. It borrows and piles up a huge public debt on them while they sleep. From 1932 to 1941, inclusive, the taxing shift of this financial wrecking crew collected from the citizens of this Nation—and spent every dollar of it—the tremendous sum of $44,285,014,561. During the same period of time, 1932 to 1941, in addition to what they received as taxes and spent, the borrowing shift borrowed and spent the enormous sum of $32,177,434,267, or a total of $76,462,448,828. All that, Mr. President, was before we got into the war. So when anybody talks about some social gains that have been made during the past ten or eleven years, let us also remember that the cost of such gains is over $76,000,000,000.

The continuation of that kind of policy could lead to only one end eventually, and that is the utter destruction of our system of free private enterprise, which is the chief support of our democratic form of government. The continuation of that kind of policy kills individual incentive by limiting or abolishing profits, and thereby closes forever the highway of individual progress for the ambitious boys and girls of this Nation who are gifted with vision, ability, and courage but lack money and influential friends. Under that policy attractive business opportunities will no longer exist for the rank and file of the poor people and middle-class people of this Nation; instead they can only look forward gloomily to having centralized Government planners give them a number and regiment them to a bench, desk, or shovel on some W. P. A. Government project. Even if the war should end tomorrow and if post-war spending, taxing, and borrowing should be continued in the immediate pre-war tempo, the same dark future would confront the great rank and file of the people of this Nation. It is a policy that is wrong. It is a fundamental condition which we must face and correct. This Nation must completely reverse its immediate pre-war policy of ever-increased spending, ever-increased taxing, and ever-increased borrowing, or our people must be prepared to give up our American form of democracy.

Going into the war in that crippled financial condition, with a national debt which amounts to an average debt of about $8,000 for every family in America, makes our present financial condition infinitely more dangerous. Yes, the people will realize that this stupendous public debt is the debt of the rank and file of the poor people of this Nation, because almost all of the income of the rich people is already being taxed away from them by the Government. When this awakening comes, the false leaders of the last 11 years who have been doing a tight-rope walking stunt, using our rapidly increasing national debt as a balancing pole and claiming it was self-balancing, because we owed it only to ourselves, may take a tumble and find a harder landing place than a net. Yes, Mr. President, the wrath of a deceived and misguided people is mightier than the strength of Samson; and when they start to tear down the pillars of this temple of fickle financing, woe unto those builders of the temple who have lingered within too long.

The President's third and fourth recommendations dealt with the payment of about 1 percent of our war cost, or approximately $1,000,000,000 per year, on roll-back food subsidies to hold food prices up for the farmers and down for the consumers, and dealt with reenactment of the Stabilization Act of 1942. The Congress was told that we cannot have the cost of living controlled by wishful thinking. With that statement I am in full agreement. If, when the present administration started out on a plan to control the cost of living, it had at that time frozen the prices of commodities and frozen the wages, all at the same time, some progress might have been made. It may be good politics to constantly fight to hold down food prices to consumers and constantly give way to organized minorities demanding wage increases, but I do not believe it is good economics, and I do not think it will result in actually controlling the cost of living. Now we face a situation in which all elements of cost have gone up in many lines of business, and most definitely they have increased within the field of agriculture, but we are told that the farmer must not be allowed to increase the price of food unless the increase is paid for by Government subsidy, and that the Government must step in at this time and become Santa Claus and pay a part of the grocery bills for our consuming people. In other words, the dying dynasty proposes to keep both producer and consumer voters punch drunk on subsidies until after the next general election, and do it on borrowed money which our brave soldiers who are now fighting on foreign soil must help pay back after they win the war and return home.

Figures given out in November by the Bureau of Labor Statistics showed that weekly earnings in the durable-goods manufacturing industries in this country have increased 92.7 percent above the January level of 1939, and that weekly wages in the non-durable-goods manufacturing industries during the same period increased 57.7 percent. These figures issued by the Bureau of Labor Statistics also show that if we take all manufacturing plants as a whole and adjust the increased earnings to the increase in cost of living, we find that the increase in earnings has gone up 48.5 percent more than the increase in the cost of living has risen during this same period. But notwithstanding this fact, we are told that if prices of food go up, wages must go up. Well, now, I ask the question, When the level of wage increases in all industries is now up 48.5 percent more than the cost of living, why is it inevitable that there must be further wage increases if the cost of living is allowed to rise? If the statement were made accurately I think it would be that the Government for so long has aided, abetted, and pampered some labor-leader racketeers in this country until today they are telling the Government what it must do, rather than have the Government tell them what they must do.

Let us now consider the all-important part of the President's message in which he recommended the passage of a National Service Act as a means of controlling strikes and insuring that all of our citizens would do everything they could do to promote the war effort.

My position with reference to the whole problem involving labor has been made clear on the floor of the Senate and to the Nation at large on many occasions. On August 4, 1941, I introduced in the Senate a bill which I had, as Governor of Texas, recommended to the Texas Legislature, and which I had signed after it had been enacted by that body. That bill was intended to discourage strikes in this Nation. As testimony to its effectiveness, I am proud to say that since its enactment in Texas we have had no strikes of any consequence in that State. It curbed the labor-leader racketeers in Texas, and enabled the honest working men and women to stay on their jobs and produce the war materials so badly needed for our fighting men. The bill which I introduced in the Senate has been held in the Senate Judiciary Committee since the day it was introduced, and has never been permitted to come to the floor of the Senate for a vote, except at times when I offered it as an amendment to other bills. During this long period of time strikes have been flourishing at a rapid rate in the war industries of this Nation, thus slowing down our war effort and seriously retarding the progress of our fighting men on the battle fronts. I am fully convinced that if that measure had been enacted at that time, we would have had very few strikes in the Nation during this serious war crisis. Ever since that time I have consistently been working for laws that would curb racketeering in labor, and I intend to keep on trying to get Congress to pass reasonable and adequate labor laws that will be fair to laboring people, a protection to the public, and of benefit in speeding up the war effort.

Being interested, as I am, in the Constitution of the United States and the Bill of Rights, both of which documents have for the past 11 years been considered somewhat out of date, here in Washington, I was very much interested in the enumeration of some additional rights to which the American people are entitled in the years to come. But some rights which are guaranteed in the Constitution and in the Bill of Rights, this administration is famous for ignoring. One of those is the American citizen's God-given right to work. Yes, I am interested in seeing that the rights of our soldiers and sailors, when they return from foreign battlefields, are protected. I am interested in seeing that the rights

of all American citizens are protected. Some time ago I introduced a joint resolution providing for an amendment to the Constitution of the United States to guarantee protection of the right to work. I am hopeful now that as people begin to talk about the Constitution again, as they begin to talk about the Bill of Rights, possibly some interest may develop in the adoption of this constitutional amendment. When our soldiers return from battle, where they know they were short of some things they needed, and find out that their fathers were not permitted to work in the factories where those same things were made, without paying some big labor boss from $25 to $150 for their right to work in that factory, you can look for trouble. Then, when those soldiers find out that the closed shop which set up these labor-leader racketeers in this disgraceful business was permitted by Congress and the President, you can look for more trouble.

When any government by law and edict sets up a racket whereby big labor bosses can force honest, free American citizens to pay for their God-given right to work, or else be refused a job, as this administration has done in supporting the closed shop, it has, in my opinion, reached a new low in government, and is unfit to be called a free democracy.

I am not yet ready to say whether or not I shall vote for the particular national-service law that may be ultimately placed before the Senate, because I know that legislation is not always what it seems to be. There are some things about a national-service act that I would want to know before I decided whether I would or would not vote for it. One thing I would want to know would be this: If the Government exercises the right to draft citizens of the United States and put them in war plants, will the Government continue the present policy, which it has followed in many cases, of requiring the citizens it places in those war plants to join the proper union, and requiring the employer to check-off the union dues?

If we are to have a national-service act, and if we are to use as a reason for it the argument that the rank and file of the people should be made available for service in industry on the same basis that our boys are made available for service in the Army, I want to see the bill, and I want to see whether or not it actually provides for doing that. As I understand the Army regulations, there does not have to be any collective bargaining in the Army; the soldiers do what they are told to do, or they are called before a court martial. I am wondering whether, when we are called on to vote on a national-service act, it will provide that the citizens shall do what they are ordered to do by the Government, or whether it will provide that they shall do what a big labor boss, through a plan of collective bargaining, decides that he wants them to do, after they have been forced to pay a fancy fee to the labor boss.

To be entirely frank, Mr. President, I am somewhat suspicious in advance that there is no intention to disturb in any way, shape, form, or fashion the boss rule of the labor racketeers which has already brought this country to the dangerous condition it faces today.

Mr. President, I have heard a great deal said to the effect that the people of this Nation are complacent about this war. I have traveled about the country to some extent, and I have received quite a number of letters from the good people in my State and in other States; and I have failed to find much complacency among the people, certainly not among people who have their boys in this war. I have heard of no farmers going on strike. I have heard of no mothers and housewives going on strike. I have heard of no so-called white-collar workers going on strike. To tell the truth, I have heard of very few workingmen going on strike, except where they have been ordered to do so by their big, fat-salaried, racketeering bosses who, from the swag they extract from the pay checks of the honest workingmen, by and with the consent of Congress and the President, make such liberal campaign contributions to keep their friends in office and to defeat those who did not vote as the labor leaders dictated.

"Oh," some Senator may say, "we will tell them we passed a law requiring labor unions to report to the United States Treasury the amount of money they collected by this racket, and what they did with the money." The soldiers who have waded through mud and swam through fiery seas will not consider that little slap on the wrist very much punishment for the labor racketeers. Then the soldiers will read the labor leaders' statements that they were setting aside $700,000 of that money to spend in political campaigns to reelect their friends and defeat those who voted against certain labor legislation, and they will know what the labor leaders did with their money without having Congress pass a law to find out.

Many of the boys who are overseas in the military service already know about the deplorable strikes, slow-downs, and other labor-leader devices that are slowing down production in this country. Let me quote from a letter written by one of these soldiers in Italy:

> None of these men are seeking pity or charity. What they want is a fair chance when they return. The man who is on the front lines fighting foot-by-foot, up these rugged cliffs, through driving rain and mud, seeing his buddies bleed and die to drive the enemy back, does not react favorably to the absurd attitude that the labor unions are taking in regard to strikes. I am sorry we cannot take labor leaders causing all those strikes on a front-line reconnaissance where he would have to duck in foxholes filled with mud and slime to save his hide from snipers and machine guns, to say nothing of the artillery and the air raids. He would have something else to think about rather than stirring up strife and trouble in our United States. I believe that the red-blooded Americans will be able to take care of the strikers and labor racketeers when we get back. We cannot believe that they represent any decent spirit of Americanism. Our homes, our families, our churches, and our country represent more than anything on earth, and we will fight there as well as here to protect these priceless heritages.

Mr. President, when our Nation is in peril and our brave sons are fighting and dying on the battle fronts to save America, the badge of American citizenship gives nobody the right to strike on the home front. It seems to me that instead of enacting a national-service law and putting our entire civilian population in uniform and giving each of them a number, as is done in Communistic nations, in order to stop a few racketeering labor bosses from calling strikes which slow down our war effort, it would be more simple to pass a law which provides the same penalty for anybody who goes on strike in wartime as that which applies to our soldier boys who would go on strike on the battlefield.

The Congress of the United States has the exclusive right to enact laws to govern our people. We have enacted laws to stop murdering, kidnaping, and highjacking, and providing penalties severe enough to discourage people from committing such acts. Why, when our boys are dying on foreign battlefields to defend and preserve our Nation, do we fail to enact laws which would prevent strikes and slow-downs in factories producing the weapons our fighting men need for the protection of their very lives and the saving of our Nation?

Mr. President, it seems to me that with all the various agencies and commissions which have already been built up to control manpower and to control labor relations, if we are now going to start out on a brand new course by establishing a national service system, the first thing we ought to do is to abolish all the other agencies which have been established to handle the labor situation, and which have failed to get results. By Executive order the President established the War Manpower Commission, the War Labor Board, and numerous other boards to deal with labor. I think it would be highly desirable for us to have another Executive order or law abolishing all of these boards.

The Congress of the United States, with the President's approval, enacted a National Labor Relations Act, but I believe it has been the worst administered piece of legislation ever put on the statute books of this country. I think it is time to repeal this law. We were told in the message of the President that the war effort was being retarded because of the fact that the lobbyists representing special interests were filling the hotel lobbies and cocktail lounges of Washington and sabotaging the war effort. I have only one observation to make in connection with this matter and that is that I think the fundamental principles of constitutional government have been sabotaged in Washington for the past 11 years and that most of the sabotage has been done by Communists and fellow travelers who were on the Government pay roll.

So far as representatives of special interests in Washington are concerned, I believe that if the people of the United States would accept the constitutional amendment which I proposed in the Senate some days ago, which would provide that no man may serve in the

United States Senate or in the House of Representatives or in the President's office for a period of more than 6 years, they would thereby guarantee that at all times they would be ruled by people who were fresh from the people and who knew the will, the wants and the needs of the people, and that such a situation would mitigate the harm that comes from long service and association in Washington with those in our executive department of government and in our legislative department of government.

I am in full agreement with the idea that it is time to forget about the election in 1944 and to do everything possible to see that we have 100-percent support of the American people in the war effort. But the history of what has gone on here in Washington for the past 11 years proves beyond question of doubt that during these years the foundation was laid for the major difficulties which we now face in our domestic affairs. Many conservative, well-informed persons believe that the present administration has for so long allowed the big labor bosses to write their own ticket and to dictate the laws that they want and the method by which these laws must be administered, that there is grave fear in the minds of many of our citizens that the situation which has been built up has resulted in creating in America a labor dictatorship which today is more powerful than the Government itself. However, I am convinced that nothing can be done to dethrone the labor-leader domination of this Government until after the next general election.

I think it is timely to review briefly the events which have placed the country in the condition which it now occupies. Why is it that at this time, when we are engaged in a war to preserve this Nation, when our boys are fighting on foreign battlefields to maintain our liberties and our homes, the Government itself is actually afraid to apply the force necessary to apply in order that strikes in war industries may be stopped and the labor situation may be corrected?

I think the responsibility for the present labor situation rests upon the Congress of the United States and upon the President of the United States. For 11 years the executive department of this Government, and to a large extent the Congress of this Nation, have been the subservient slaves of the labor racketeers and the labor bosses. What is the record which the President and Congress have made on this problem of labor?

We have on the statute books of this Nation at this time the National Labor Relations Act. Under the operation of this act, what is the record? Those who read the record of the investigation of the Smith committee know what the record is. It is a record of the National Labor Relations Board utilizing the power and authority of the United States Government to coerce employers and to give to organized labor practically anything it asks for. This measure laid the foundation for absolutely breaking down the authority of management to control and direct its own plants. If I wished to take the time, I could fill the RECORD with many cases to justify this statement. Let me refer specifically to one case which is very recent. This case was reviewed by the United States Supreme Court on January 18 last year.

It was the case of the National Labor Relations Board against the Indiana & Michigan Electric Co. The summary of the evidence presented in this case shows that after the officials of the labor union had actually been convicted in the courts of the State of Michigan of dynamiting the property of this company and using force, violence, and coercion, after it had been proved that this violence, force, and coercion were paid for by the officials of the labor union out of the treasury of the labor union, the Labor Board still ordered the employer to do business with the labor union as the representative of his employees.

Under the operation of the National Labor Relations Act, organized labor has used it as a means to coerce employees to force them to become dues-paying members of labor unions throughout this Nation. These are obvious and known facts. They have been known to the country ever since the law was given any practical application. I say that the Congress of the United States is responsible for this situation, for the reason that the Congress has not taken any action either to repeal or modify this law.

Day in and day out, the National Labor Relations Board has continually said, and is still continuing to say to employers throughout the country that they may not even discuss with their employees matters pertaining to the organization of the employees.

On the 15th day of February of last year I introduced three bills in the Senate. One of the bills seeks to amend the National Labor Relations Act so as to restore to the employer the right of free, open discussion with his employees on all matters pertaining to labor relations, so long as the employer does not seek to use coercion. Another amendment which I sought to make to this law at that time was to provide that the Board shall have no authority to order the reinstatement of employees or to order back wages for an employee when the employee has willfully engaged in violence or unlawful destruction and seizure of property. I sought at the same time to add to the National Labor Relations Act a provision which would not only make it unlawful for an employer to seek to coerce employees into joining or not joining a labor union, but to provide that the application of force, violence, and coercion on the part of any person or any labor organization shall be unlawful.

I am not complaining about the fact that these bills have never been given any attention in the Senate, but I merely refer to this matter to show that obviously there does not exist at this time a belief that these fundamental rights of the employer and the employee should be protected by law. In other words, by inaction the Congress of the United States has left the Wagner labor law to be administered by partisan boards which have proved beyond any question of doubt that they are simply agents of the labor bosses throughout the United States to try to aid them to unionize industry in America, whether or not the employees or the employer wish the employees to be unionized.

It is not strange to me, in the light of these facts, that the labor situation in the United States has reached its present state, nor is it strange to me that many of our thoughtful citizens today actually believe that we cannot at this time correct these conditions, because of their belief that organized labor has today grown to such a place of authority and power that it can defy and continue to defy the United States Government itself.

Let us consider some other things which have brought about this labor situation. Let me call attention to the fact that when the Assistant Attorney General of the United States sought to prosecute some of the vast combinations of labor, led by some of the high-powered labor racketeers, the Supreme Court of the United States held that under the law as it now exists, labor could not be prosecuted for violating the antitrust law, even though it was proved that labor representatives were guilty of entering into agreements which had no proper place within the field of the efforts of organized labor. In other words the Assistant Attorney General of the United States was told by the Supreme Court that even though labor unions enter into agreements to restrict production, even though they enter into agreements which violate the general public interest, they cannot be prosecuted under the antitrust laws of this Nation. In other words, organized labor stands as a separate and favored class not responsible to law, as are other citizens of this country.

Let me at this time call attention to another fact. Some time ago Representative HOBBS, of Alabama, had passed through the House and sent to the Senate a bill which simply provided that when any individual or any group of individuals seeks to take the property of another and appropriate it to their own use, they shall be guilty of robbery. Senators know that the occasion for the passage of this piece of legislation in the House was the fact that the Teamster's Union in New York actually took control of all transportation entering the city of New York; they required people who were hauling produce into New York to place union drivers on their trucks before they would be allowed to enter the city and unload their produce. The record shows that force and violence were resorted to; and on some occasions the truck drivers who would not willingly acquiesce in the union demand had their trucks taken away from them and the produce on the trucks destroyed. The payment of union dues was forced, even though no service was rendered.

The Hobbs bill was passed by the House of Representatives and was sent to the Senate. It has only one objective, and that is to provide that when robbery is committed, that is, when the property of one person is taken away from him without his consent, the guilty person or agency shall be subject to prosecution under the law of the land, whether it be

a labor union, an individual, or some other organization. If I am correctly informed, this bill still slumbers peacefully in some Senate committee.

Not long ago every power of the Nation was being put behind the project to construct a big pipe line from Texas to the East to carry oil to relieve the situation which had occurred on the Atlantic coast due to the menace of submarines, and for ocean shipment to our armed forces in North Africa. While this was going on a situation developed in Missouri in which a labor union undertook to force the employees of a contractor who was working on the line to join his labor union. Some Texas boys who were working on this job were sent to the hospital because of injuries inflicted when the only crime they had committed was to continue to work to get this job done after they had been ordered by the union bosses to stop work. When this situation developed I called it to the attention of the Senate and the Attorney General of the United States, but nothing was done about it. It seems that no department of the Government was interested in asserting the right of these workmen to continue to work without the fear of force and violence.

To summarize very briefly the situation which we face at this time, it is simply this: The Congress of the United States, under the leadership of the President, enacted the National Labor Relations Act. This act sets up a dictatorship of the labor racketeers in the United States. It has been administered and it is being administered as a purely partisan measure under which no rights of the employer are ever respected. The result has been absolutely to break down discipline and to break down the authority of the employers in the industries throughout the country. The Supreme Court of the United States has said that regardless of what kind of combination labor may enter into to restrict production and to limit the rights of our citizens to buy in a free market, labor organizations are not subject to prosecution under the laws of this Nation. But nothing has been done by Congress to correct this defect in the law.

The Supreme Court of the United States has held that the teamsters' union in New York could not be held to be violating the law when they were forcing business to take nonunion drivers off trucks and substitute union drivers for them.

When the first coal strike in the United States was threatened, the American people were told by the President of the United States that regardless of any emergency he would never agree to use the Government of the United States to force men to belong to a labor union whether they wanted to or not—in other words, to force the closed shop. But what happened? The labor conciliator resigned from his position so that his decision could not be construed as the decision of the Government, and as a result of his decision the closed shop was enforced in the coal-mining industry. In that instance we had an example of government by subterfuge.

The National War Labor Board was established to control labor during the war period. The Board laid down certain fundamental policies by which it said it would be governed. One of these policies was that the Board would not take up any case and act on it while employees were out on strike, because the Board reasoned that if it did, it would be allowing the Government to be coerced into action. But when the employees in the steel industry went on a strike a few days ago the Board did exactly what it had said up to that time it would not do. It did so after the President of the United States had himself violated the very principle which had been laid down by the Board.

This is the background of the history of what we have done in the field of labor relations in this country for the past 11 years. Is it any wonder that we find in this country today thousands upon thousands of our citizens who believe that the power of organized labor has been built up to the point where it is greater than the power of government itself?

Of one thing I am certain: If we expect to preserve democratic government in this country, if we expect to preserve free enterprise, we must put on the statute books of this Nation and in the Constitution some fundamental legislation which will be fair to all our people. We must enact laws the result of which will be to make every man, whether or not he is a member of a labor union, responsible for his unlawful acts. We must write into the Constitution some guaranties of the rights of all our people; and the Congress of the United States must cease to be the subservient slave of the executive department of government, and enacting all types of labor legislation which it is ordered to enact. The very fact that we stand today in a situation where the Government itself is afraid to challenge the power and force which labor has built up is certainly sufficient reason to prove that this is a dangerous force. I, for one, believe that Members of Congress who wrote this legislation, and the President who has appointed the men to administer these laws, stand jointly responsible for the grave labor situation which faces this Nation today and which threatens our whole war effort.

In conclusion, Mr. President, let me say, as I have always made clear, that when I speak of labor-leader racketeers I do not in any manner refer to the great rank and file of honest, hard-working people who belong to unions. I am not opposed to labor unions if they are organized and conducted on an honest, democratic basis. I believe in the right of labor to organize. I believe in the right of labor to bargain collectively. I believe in the right of labor to strike in peacetime, if necessary, and I believe in labor's right to picket peacefully. I have always encouraged an ever-increasing higher standard of living for those who toil, and have never complained of any working man or woman receiving too much wages. The thing I am condemning is the tactics employed by the domineering labor-leader racketeers who would use laboring people as pawns to enhance their own fame and financial condition. I wonder, Mr. President, whether all the people of this Nation fully realize the shocking fact that during the past 11 years labor-leader racketeers have been given the unlimited power to tax the honest working people of this Nation. The power to tax is the power to destroy. During the past 11 years the Congress and the President have enacted legislation and promulgated rules which have given to labor-leader racketeers unlimited power to tax the honest working people of this Nation and enabled them to rob honest working people of their right to resist the tax if they work in closed-shop industries. To state the case boldly and bluntly, it might be said that the President, with the aid of a "yes-man" Congress, has traded off the American workingman's God-given freedom-to-work birthright for a mess of reelection pottage. I hope that the American people will think this matter through. I hope the American people figure out who it is that has created this situation. I hope that in 1944 the voters of this Nation will conduct a complete and thorough housecleaning in Washington to the end that we may again have a government of the people, by the people, and for the people, and not a government of, by, and for labor-leader racketeers.

There has been much effort in this country to fix the entire responsibility for the very unfortunate labor situation which the Nation faces on the big labor bosses of this country. Certainly I have no alibi to offer for those men, nor would I for one minute seek to remove from them their just portion of the responsibility for the situation which we now face; but, on the other hand, there is one thing that I wish to stress: The President and the Congress stand responsible in the eyes of the people of this Nation for legislation which has been enacted during the past 11 years, and which has built up the power of these labor-union bosses. That is where the people put the blame, and that is where the blame rightfully belongs. Not only is this true, but it is also true that the general labor policy which has been promulgated and supported by the executive department of this Government since we entered the war has been conducive to the building up of a power in the hands of organized labor which it is dangerous for any group to have. I believe that the statutes of this Nation should make it a felony for any man to use force and violence to prevent another man from engaging in a lawful vocation. I believe the Constitution of the United States should outlaw the closed shop and should guarantee both the right of labor to organize and to bargain collectively and the right of the individual to work. I believe the Wagner labor law should be so amended as to protect the fundamental rights of the individual citizens of this country and at the same time protect the employers of this country in exercising their legal rights in the management of their affairs. I believe that this law should be administered by a board which recognizes itself as an agency of the Federal Government to serve all the people, and

not as an agency to aid the big labor-union bosses to get a strangle hold on industry throughout this Nation and to force employees into labor organizations. I believe that 11 years of the subservient policy of the Government to the dictates of labor bosses has laid the foundation and cornerstone for the trouble which we now face; and I do not believe that the situation will be improved until the fundamental errors which I have mentioned are corrected. I believe that the greatest job facing the American people in 1944 is to elect a President and Members of both Houses of Congress who will join in an effort to correct these fundamental troubles. I urge all Senators who are interested in correcting labor troubles to urge the Senate committees which are holding my bills and other bills dealing with this subject to bring those bills out of committee and before the Senate for immediate consideration and action.

Mr. President, I ask unanimous consent that the bills which I have mentioned be printed in the CONGRESSIONAL RECORD immediately following these remarks.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 189

A bill making unlawful the use of force or violence, or threats thereof, to prevent or attempt to prevent any person from engaging in any lawful vocation

Be it enacted, etc., That it shall be unlawful for any person by the use of force or violence, or threat of the use of force or violence, to prevent or to attempt to prevent any person from engaging in any lawful vocation.

SEC. 2. It shall be unlawful for any person acting in concert with one or more other persons to assemble at or near any place where a labor dispute exists and by the use of force or violence, or threat of the use of force or violence, prevent or attempt to prevent any person from engaging in any lawful vocation, or for any person to promote, encourage, or aid any such assemblage at which such force or violence, or threat thereof, is so used. As used in this section, the term "labor dispute" shall have the meaning assigned to it in section 2 (9) of the National Labor Relations Act.

SEC. 3. Any person who violates any provision of this act shall, upon conviction thereof, be imprisoned for not less than 1 year nor more than 2 years.

SEC. 4. If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the validity of the remainder of the act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

Senate Joint Resolution 4

Joint resolution proposing an amendment to the Constitution of the United States, relative to freedom to work

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the conventions in three-fourths of the several States:

"ARTICLE—FREEDOM TO WORK

"SECTION 1. No person shall be denied employment because of membership in or affiliation with or resignation from a labor union, or because of refusal to join or affiliate with a labor union; nor shall any corporation or individual or association of any kind enter into any contract, written or oral, to exclude from employment members of a labor union or persons who refuse to join a labor union, or because of resignation from a labor union; nor shall any person against his will be compelled to pay dues to any labor organization as a prerequisite to or condition of employment.

"SEC. 2. The Congress shall have power to enforce this article by appropriate legislation."

S. 726

A bill to amend the National Labor Relations Act

Be it enacted, etc., That section 8 of the National Labor Relations Act is amended by adding at the end of such section a new paragraph to read as follows:

"(6) Nothing in this Act shall be construed as preventing the employer from expressing his opinion concerning any matter affecting the relationship between employer and employee. The employer shall be free to state to his employees his opinion and preferences concerning any labor organization, or organizations, seeking to secure the right to represent his employees and such right shall include the right of the employer to free and open discussion of all the issues involved: *Provided*, That the employer in such discussion shall not threaten to deprive his employees of any rights which they have under the law."

S. 727

A bill to amend the National Labor Relations Act

Be it enacted, etc., That so much of the first sentence of section 8 of the National Labor Relations Act as precedes paragraph (1) of such section is amended to read as follows:

"SEC. 8. It shall be an unfair labor practice for an employer, a labor organization, or an officer, member, or employee of a labor organization, or any other person or persons—."

S. 728

A bill to amend the National Labor Relations Act

Be it enacted, etc., That paragraph (3) of section 2 of the National Labor Relations Act is amended by striking out the period at the end of such paragraph and inserting in lieu thereof a colon and the following: "*Provided, however*, That the Board shall have no power to order the reinstatement of an employee or order payment of back wages to an employee where the employee has willfully engaged in violence or unlawful destruction or seizure of property in connection with any labor dispute or in connection with any effort to organize the employees of said employer; nor shall any employer be required to accept as a collective bargaining agency to represent his employees any person or organization that has willfully engaged in violence or unlawful destruction or seizure of property in connection with any labor dispute or in connection with any effort to organize the employees of said employer."

S. 191

A bill relating to the hours of employment, compensation, and conditions of employment of employees engaged in interstate commerce or the production of goods for such commerce or employed in the performance of any Government contract

Be it enacted, etc., That the Fair Labor Standards Act of 1938 be amended as follows: At the end of the act, insert the following: "That during the wars in which the United States is engaged no employer shall enter into any contract or arrangement, or enforce or carry out the provisions of any contract or arrangement, which provides that with respect to employees engaged in interstate commerce or in the production of goods directly or indirectly for such commerce, or engaged in performing work under any contract with the United States, there shall be any discrimination against any person because he is or is not a member of a labor organization. No employer who violates the provisions of subsection (a) of this section shall, for a period of 2 years after such violation occurs, be eligible to enter into any contract with the United States; and no officer or agency of the United States shall enter into a contract with any such employer during such 2-year period. The Secretary of Labor shall keep the various contracting officers and agencies of the United States informed as to the names of employers who are ineligible by reason of this section to enter into contracts with the United States."

S. 190

A bill to amend certain provisions of law relating to overtime pay, and for other purposes.

Be it enacted, etc., That section 7 of the Fair Labor Standards Act of 1938 is amended to read as follows:

"SEC. 7. Every employer shall pay to any of his employees who are engaged in commerce, or in the production of goods directly or indirectly for commerce, compensation at the same rate for all hours worked by such employee during any pay period."

SEC. 2. Until the termination of the wars in which the United States is now engaged, (a) no provision of Federal or State law which limits or restricts hours of employment shall be applicable with respect to employees of any contractor who are engaged in the performance of work directly or indirectly necessary for the fulfillment of any contract between such contractor and the United States, and (b) no provision in any contract heretofore or hereafter made with the United States restricting or limiting the hours of employment of employees employed under or in connection with such contract, and no penalty or forfeiture for violation of any such provision, shall be enforceable by any officer or agency of the United States.

SEC. 3. The act entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," approved June 30, 1936, is amended by adding at the end of the first section thereof the following new paragraph:

"(f) When the wage rates for regular hours of employment have been determined for the purposes of this Act, the same hourly wage rates shall apply with respect to all hours worked during any day or workweek or other work period in employment with respect to which wages are determined under this section."

Senate Joint Resolution 86

Joint resolution proposing an amendment to the Constitution limiting the tenure of office of President and Vice President of the United States and Members of Congress to 6 years and imposing limitations on the appointment or election of certain persons to office

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. The term of office of each President of the United States and of each Vice President of the United States elected after the date of this article takes effect shall be 6 years; and no person who shall have served as President or Vice President shall be eligible for election to the office of President or the office of Vice President.

"SEC. 2. No person shall be eligible for election or appointment to the office of Senator or Representative in Congress for any term which, if served by such person, would cause the aggregate service of such person as a Member of either or both the Senate and the House of Representatives to exceed 6 years.

"SEC. 3. Nothing contained in section 1 or section 2 of this article shall be construed to prevent any person who may hold the office of President, Vice President, Senator or Representative in Congress, during the term within which this article is ratified from holding such office for the remainder of such term.

"SEC. 4. No person shall be appointed to any civil office under the authority of the United States who holds, or who shall have held within 5 years next preceding the date of such appointment, the office of Senator or Representative in Congress or of judge of any court under the authority of the United States, but nothing contained in this section shall be construed to prevent the appointment or assignment of a person who holds the office of judge of a court under the authority of the United States, to the office of judge of any other court under the authority of the United States.

"SEC. 5. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress."

VOTES ON SOLDIERS' SUFFRAGE BILL DURING ABSENCE OF SENATORS

During Mr. O'DANIEL's remarks the following occurred:

Mr. WHERRY. Mr. President, will the Senator yield for a moment?

Mr. O'DANIEL. I would rather conclude my statement before yielding.

Mr. WHERRY. I desire to ask the majority leader a question. The question is what protection some Senators will have tomorrow in the event we leave on the funeral train to go to Indiana to attend the funeral of our late colleague, Mr. Van Nuys. I wish to know what protection the Senators who leave on that train will have with respect to votes taken on amendments to the soldiers' voting bill.

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Nebraska for that purpose?

Mr. O'DANIEL. I will yield for that purpose if the colloquy may be placed following the conclusion of my remarks.

Mr. WHERRY. I do not wish to interrupt the Senator's statement. I am sorry to be obliged to ask him to yield, but a number of Senators are scheduled to leave Washington on a train which departs at 6:20 p. m.

Mr. President, I wish to make it perfectly clear in the RECORD that the junior Senator from Nebraska wants to stand up and be counted on the soldiers' vote measure. The President issued such a challenge to the Members of the Senate. He said, "Stand up and be counted on the floor of the Senate."

There are many amendments to the soldiers' voting bill. One amendment was presented a moment ago by the junior Senator from Minnesota [Mr. BALL]. Which amendment is controversial and which amendment is not controversial I do not know, but I say that I should like to vote and have my vote appear in the RECORD on every amendment to the bill. I want to have the chance to vote.

On the other hand, our departed friend, the late Senator from Indiana, who was chairman of the Committee on the Judiciary, was one of the best friends I have had since coming to the Senate, and I appreciated the relationship which existed between us. I should like to do him the honor of attending his funeral. But I want to know from the majority leader that I perfectly understand him to say to me that in the event we leave for the funeral, and if a recess is taken until tomorrow, there will not be a vote on any one of the amendments to the bill, because I want to go on record and vote for or against every amendment.

Mr. BARKLEY. Mr. President, I suppose the question propounded to me by the Senator from Nebraska implies that what I told him in private conversation carries no weight with him unless it appears in the RECORD. I told the Senator from Nebraska, and I have told all other Senators, that those who are on the funeral committee are perfectly safe to go; that there will be no vote taken on any amendment, unless it be a mere clerical correction of some kind—and I doubt if even such action would be taken except by unanimous consent.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WHERRY. I did not doubt the word of the distinguished senior Senator from Kentucky. In fact, when he told me that, I said, "Thank you."

I went to the minority leader to find out if he had understood the same thing I understood from the Senator from Kentucky. The minority leader, the senior Senator from Maine, said he did not understand that I would be protected so that I could vote on all amendments to the bill. I say this so there will be no misunderstanding. I do not know whether the Senator from Kentucky and the minority leader had such an understanding. I wish to know whether, if an amendment is advanced tomorrow, and if a vote is had on it, we shall have an opportunity to vote on it, regardless of whether the Senator from Kentucky says it is controversial or not.

Mr. BARKLEY. The Senator from Nebraska and all other Senators will be given an opportunity to vote on the amendments which will be offered, whether offered tomorrow or whether they are now pending. I thought I had that understanding with the Senator from Maine.

Mr. WHERRY. I thought I had such an understanding with the Senator from Kentucky; but the Senator from Maine evidently did not have the understanding that I had with the Senator from Kentucky when I talked to him privately.

Mr. BARKLEY. Well, I hope there will be no misunderstanding about the understanding.

Mr. WHITE. Mr. President, whatever was said is entirely satisfactory to me. I believe no advantage is to be gained by reviewing the conclusions which each of us reached. I believe the Senator from Kentucky now has clearly stated what the situation is and what will be faced tomorrow.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. WHITE. I yield.

Mr. WHERRY. Am I to understand that if any amendment is brought up tomorrow, the Senator from Maine will object, so as to protect those of us who have gone to the funeral of the late Senator Van Nuys?

Mr. BARKLEY. Mr. President, if the Senator from Maine does not object, I shall, if that will satisfy the Senator from Nebraska.

Mr. WHERRY. That will satisfy me perfectly. I simply want to make sure that that statement is in the RECORD.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES

The Senate resumed consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes.

Mr. GREEN. Mr. President, from time to time during the debate on Senate bill 1285, the so-called soldiers' vote bill, questions of constitutionality of various sections have been raised. From time to time I have attempted to answer those questions; but it seems to me, since the debate has been so prolonged and these questions have arisen so intermittently, that it might be well to file a memorandum showing consistently the constitutional grounds to justify the bill now before the Senate. For that reason I ask unanimous consent to incorporate in the RECORD as a part of my remarks a memorandum on the constitutionality of the various provisions of the bill.

Mr. MALONEY. Mr. President, reserving the right to object, some time ago objection was made by a Senator to the inclusion of such a statement as a part of a Senator's remarks, the obvious reason being that statements which are not made on the floor of the Senate are made without the opportunity of refutation of any arguments therein made. I am sure the able Senator from Rhode Island wishes to conform to a practice which was at that time reestablished. I think the RECORD should know that the memorandum is not actually a part of the Senator's remarks, but that it is published in connection with his remarks.

The PRESIDING OFFICER (Mr. BILBO in the chair). The Chair understands that the memorandum submitted by the Senator is a statement which he wishes to have published following his remarks. It will appear in the RECORD in different sized type.

Mr. MALONEY. That is what I understand. I am sure that is what the Senator from Rhode Island wishes, but that is not quite what he proposes.

Mr. GREEN. That is entirely agreeable to me.

The PRESIDING OFFICER. That is the form in which it will appear in the RECORD, whether or not the Senator offers it in that form.

Mr. WHITE. Mr. President, the practice of including in the body of the RECORD matter not spoken on the floor of the Senate is one of doubtful propriety, but the rule has been honored more in the breach than in the observance. I should like very much to have a return to the old practice, which was that there should be included in the body of the RECORD only those things spoken or read by Senators on the floor.

Mr. MALONEY. Will the Senator yield?

Mr. WHITE. I yield.

Mr. MALONEY. There is no impropriety in the request of the Senator from Rhode Island [Mr. GREEN].

Mr. WHITE. I did not hear his request.

Mr. MALONEY. I was merely trying to make the RECORD clear. The Senator from Rhode Island did not want it to appear that the matter he was offering was a part of his remarks, and I wanted to clarify the RECORD by stating that it would appear in different type. That would be in conformity with the custom which has been heretofore followed.

Mr. WHITE. That is entirely satisfactory to me.

Mr. GREEN. I should like to have the memorandum appear in the body of the RECORD. It would be for the convenience of other Senators, and it would save me reading it. It will be much more easily understood if it is read than if it is heard, being in the form of a brief. If there is any objection I shall read it.

Mr. MALONEY. I am glad it is being placed in the RECORD.

The PRESIDING OFFICER. If the Senator wishes to have the statement appear in the RECORD following his remarks, it will appear in the form of a statement, in different sized type; and it will be so understood.

Mr. GREEN. I so understood.

The PRESIDING OFFICER. Anyone reading the RECORD will then see that the matter was not spoken but was put in as a statement.

Mr. WHITE. I have no possible objection to anything which the Senator from Rhode Island says or proposes. It is worthy of the attention of all Members of the Senate.

Mr. GREEN. I thank the Senator.

(The memorandum presented by Mr. GREEN and ordered printed in the RECORD is as follows:)

MEMORANDUM ON CONSTITUTIONALITY OF S. 1285

The bill provides a method of absentee balloting in elections of Presidential electors, United States Senators and Representatives in Congress which is made available to members of the armed forces, the merchant marine (other than in inland waters) and certain civilians overseas, absent from their States of residence in time of war. It provides, in substance, for the preparation and distribution of a uniform ballot for the offices in question, to be marked by the voter in private, sealed and sent to the various secretaries of State for canvass and count in the same manner, so far as practicable, as votes cast within the State. The bill dispenses with the necessity of registration and the payment of a poll tax but persons entitled to vote must be otherwise eligible to register and qualified to vote under the law of the States of their residence.

I. PREVIOUS DETERMINATION OF CONSTITUTIONAL ISSUES BY CONGRESS

S. 1285 is a revision of Public Law 712 of the Seventy-seventh Congress. At the time of the enactment of the present statute objections to its constitutionality were raised in Congress. These objections challenged generally the power of Congress to legislate with respect to absentee voting for Federal officers by members of the armed forces. They challenged specifically the provisions of the bill dispensing with State registration requirements and poll taxes. The challenges were determined by Congress in favor of the validity of the bill. It seems clear that there is nothing in S. 1285 to alter the conclusion that Congress reached at that time on the major issues involved. Where the present law directs the secretaries of State to prepare and issue a prescribed form of ballot, S. 1285 provides for preparation and distribution of the ballot by other agencies and their transmission to the secretaries of State. This is a distinction without constitutional significance. So, too, is the proposed extension of the benefits of the act to members of the merchant marine and civilian employees overseas. It is unnecessary, therefore, to do more than to restate the constitutional principles already accepted by Congress in the enactment of the present law.

The constitutional bases for the legislation are found in the war powers and the electoral powers of Congress.

II. THE WAR POWERS OF CONGRESS

Congress may, assuredly, conclude that the more effective prosecution of the war requires that political rights shall not be lost by reason of military and other war service. Congress may properly act to prevent members of the armed forces from being relegated to a condition of second-class citizenship. Civil rights of members of the armed forces are protected in various respects by the Soldiers' and Sailors' Relief Act, which had its counterpart in the First World War. Political rights are no less within the protective power of Congress.

The war power is doubtless the most comprehensive of all national powers. As Mr. Chief Justice Hughes has said, "It is a power to wage war successfully." (290 U. S. at 426.) But the constitutional sanction involved here is only an application to the war power of an established principle. It is a principle which enables Congress to deal with dislocations caused or threatened by an exercise of any granted power. Thus, when Congress devalued the dollar under its monetary powers, it was at liberty to deal with the resulting "dislocation of the domestic economy" which would be caused by the enforcement of gold clauses in private, State and municipal obligations. *Norman* v. *B. & O. Railroad Company* (294 U. S. 240, 315). In the present situation there is a dislocation in the most literal sense, caused by compulsory military service and the pressing need for members of the merchant marine and other civilians overseas. Congress may deal with this dislocation in the sphere of the political structure as it dealt with the threatened dislocation of the economic structure consequent upon devaluation.

It is worth observing, moreover, that the present measure is in the tradition of cooperation between State and National Governments. The States have prescribed qualifications for voting; Congress is endeavoring to translate those qualifications into effective employment. Experience has shown that the States acting alone cannot devise a practicable method of doing so, in view of the control by the National Government over the discipline and activities of the armed forces, the difficulties of communication and the necessity of simplicity and uniformity in the method of taking the soldiers' and sailors' vote.

III. THE ELECTORAL POWERS OF CONGRESS

Additional constitutional foundation for the legislation is furnished by the electoral powers of Congress. These are contained in article I, section 4; article I, section 2; the seventeenth amendment; and the "necessary and proper" clause of article I, section 8. As the provisions differ with respect to congressional and Presidential elections, these will be discussed separately.

A. As applied to elections of United States Senators and Representatives in Congress

Article I, section 4, provides:

"The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators."

The seventeenth amendment, in providing for popular election of Senators, left intact, if indeed it did not extend, the power of Congress over the manner of holding elections for Senators; a proposal to confide such power solely to the States was rejected when the amendment was voted by Congress. (See *Newberry* v. *United States*, 256 U. S. 232, 252–253.) Thus for present purposes elections for Representatives and for Senators stand on the same footing.

It is well settled that Congress, under article I, section 4, may in a variety of ways regulate the manner of holding congressional elections. These regulations have included the furnishing of supervisors and the safeguarding of the right of voters freely to cast their ballots and have them counted. (*Ex parte Siebold*, 100 U. S. 371; *Ex parte Yarbrough*, 110 U. S. 651; *United States* v. *Mosley*, 238 U. S. 383.) And, as was recognized in *Newberry* v. *United States* (256 U. S. 232, 255) "Congress clearly exercised its power to regulate the manner of holding an election when it directed that voting must be by written or printed ballot or voting machines, c. 154, 30 Stat. 836." A mechanism for absentee balloting is, manifestly, equally within the power of Congress. Indeed, so far as article I, section 4, is concerned, the power of Congress is at least coextensive with the power of the States, since as was recognized in the opinion of Justice Pitney in the *Newberry* case (256 U. S. 232, 280–281) and that of Chief Justice Stone in the *Classic case* (313 U. S. 299, 315) it is from article I, section 4, and not from their inherent power that the States derive whatever authority they have over congressional elections.

Additional electoral powers of Congress are derived from article I, section 2, which provides that the electors in each State for the House of Representatives "shall have the qualifications requisite for electors of the most numerous branch of the State legislature." The seventeenth amendment makes similar provision with respect to electors for Members of the Senate. While the States thus have the power indirectly to establish the qualifications for voting at congressional elections, the right of voters qualified to elect members of the State legislature to participate as voters in a congressional election is a Federal constitutional right. This proposition was thus put by the Court in *United States* v. *Classic* (313 U. S. 299, 315):

"Obviously included within the right to choose, secured by the Constitution, is the right of qualified voters within a State to cast their ballots and have them counted at congressional elections . This Court has consistently held that this is a right secured by the Constitution."

Since the right is one secured by the Constitution, Congress has the power, and indeed the duty, of protecting that right. The court said in *Logan* v. *United States* (144 U. S. 263, 293):

"Every right, created by, arising under or dependent upon, the Constitution of the United States, may be protected and enforced by Congress by such means and in such manner as Congress, in the exercise of the correlative duty of protection, or of the legislative powers conferred upon it by the Constitution, may in its discretion deem most eligible and best adapted to attain the object."

It is firmly established that Congress may protect the right against interference by violence or corruption, *United States* v. *Mosley* (238 U. S. 283). But obviously violence and corruption do not mark the limits of the congressional power of protection. If the right is rendered empty by requirements of registration, physical presence, and the like, at a time when the compulsion of military service renders these requirements impractical of satisfaction, Congress may transform the abstract right into a reality by practical measures which enable the qualified electors to cast their votes.

B. As applied to Presidential elections

Similar considerations sustain the application of the bill to the election of Presidential electors, though different electoral provisions are involved. Presidential elections are treated in article II, section 1 of the Constitution, which provides:

"Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress.

"The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States."

The twelfth amendment does not affect the foregoing provisions.

Unlike the provisions of article I relating to congressional elections, article II does not deal specifically with elections or the manner of holding them. Article II entrusts to the State legislatures the choice of the manner of appointing Presidential electors; that choice might lie among such alternatives as selection by the legislature election by Statewide popular vote, election by districts, or even appointment by the Governor. But article II deals with fundamentals, not details. It represents one of the great compromises of the Constitution, and was adopted in the closing sessions after protracted debate, during which every variety of mode of selection of the President was actively considered. Indeed, the Convention had previously approved election of the President by Congress, and, subsequently, by electors appointed by the State legislatures. See Warren, Making of the Constitution ((1937 ed.) 357–366, 523–524, 621–624, 628–631). The problem which was resolved by article II is strikingly revealed by the description in *McPherson* v. *Blacker* (146 U. S. 1., 28):

"The Journal of the Convention discloses that propositions that the President should be elected by 'the citizens of the United States' or by the 'people,' or 'by electors to be chosen by the people of the several States,' instead of by the Congress, were voted down, (Jour. Con. 286, 288; 1 Elliot's Deb. 208, 262) as was the proposition that the President should be 'chosen by electors appointed for that purpose by the legislators of the States,' though at one time adopted. (Jour. Con. 190; Elliot's Deb. 208, 211, 217.) And a motion to postpone the consideration of the choice 'by the national legislature,' in order to take up a resolution providing for electors to be elected by the qualified voters in districts, was negatived in Committee of the Whole (Jour. Con. 92; 1 Elliot's Deb. 156). Gerry proposed that the choice should be made by the State executives; Hamilton, that the election be by electors chosen by the people; James Wilson and Gouveneur Morris were strongly in favor of popular vote; Ellsworth and Luther Martin preferred the choice by electors elected by the legislature; and Roger Sherman, appointment by Congress. The final result seems to have reconciled contrariety of views by leaving it to the State legislatures to appoint directly by joint ballot or concurrent separate action or through popular election by districts or by general ticket, or as otherwise might be directed."

In the light of this background, it cannot be said that the framers were addressing themselves to the functioning of whatever system the States might adopt for Presidential electors, as distinguished from the basic determination of what the nature of the system should be. So to conclude would be to disregard the admonition of the Supreme Court in the classic case (313 U. S. 299, 316) to read the words of the Constitution "not as we read legislative codes which are subject to continuous revision with the changing course of events, but as the revelation of the great purposes which were intended to be achieved by the Constitution as a continuing instrument of government." Assuming the State decision in favor of popular election of electors, which now uniformly prevails, the language of the Constitution would be read with "stultifying narrowness" (id. 320) if taken to preclude congressional action under independent constitutional powers, to implement and make effective the system of popular choice.

Nor was the explicit grant of power to Congress to determine the "time of chusing the Electors" intended to exclude Federal authority in all other respects. This clause was contained in the draft reported by the Committee on Postponed Matters, which was in substance approved by the convention. The clause provoked no discussion, though an amendment was adopted providing that the election should be on the same day throughout the United States. (2 Farrand, Records of the Federal Convention, 494, 518, 573, 598). The purpose of the clause was to prevent intrigue in connection with Presidential elections; by this means, James Wilson explained to the Pennsylvania convention, "we avoid corruption." (2 Elliott's Debates, 512.) Thus the two relevant clauses in article II—giving to the States the power to choose the manner of appointing electors, and to Congress the power of fixing the time—dealt, respectively, with the basic methods of choice of electors and with an obvious danger to the integrity of the electoral machinery. In the debates the clauses in article II were not made the subject of comparison or contrast with the provisions in article I dealing with congressional elections.

Whatever may be thought of these historical considerations, the Supreme Court in *Burroughs and Cannon* v. *United States* (290 U. S. 534), determined that the power of Congress over the functioning of Presidential elections is not limited to the designation of the time therefor. There the Court sustained the application of the Corrupt Practices Act to Presidential elections. Thus the power to fix the time of the elections, which was conferred in order to prevent corruption, does not exhaust the measures open to Congress even for that purpose. In that case the Court took broad ground, maintaining that the proper functioning of the electoral machinery in Presidential elections is as legitimate a concern of Congress as the functioning of congressional elections. "The President is vested with the executive power of the Nation. The importance of his election and the vital character of its relationship to and effect upon the welfare and safety of the whole people cannot be too strongly stated" (p. 545). "Congress, undoubtedly, possesses that power, as it possesses every other power essential to preserve the departments and institutions of the general Government from impairment or destruction, whether threatened by force or by corruption." See also section 1 of the Hatch Act (18 U. S. C., sec. 61).

If a Presidential election may be protected from destruction, it may also be protected from distortion which would be caused by the enforced absence of a substantial body of the electorate.

In the Burroughs case the Court was forced to rely on the general protective powers of Congress. It found no barrier in article II. In the present situation, with that barrier removed, the war powers of Congress are brought into operation. So long as Federal action is not precluded by the provisions of article II, as the history of the provision suggests and the Supreme Court has held, the war powers of Congress, implemented by the power of Congress under article I, section 8, "to make all laws which shall be necessary and proper for carrying into execution" those powers, amply sustain the provisions of the bill applicable to Presidential electors.

IV. ISSUES RAISED BY SPECIFIC PROVISIONS OF THE BILL.

1. Qualifications of voters

Under article I, section 2, of the seventeenth amendment, voters in Congressional and Senatorial elections must have "the qualifications requisite for electors of the most numerous branch of the State legislature." By the same token, voters in Presidential elections must, under article II, be qualified under State law to vote for Presidential electors to be appointed by their respective States. The bill does not conflict with these provisions in dispensing with registration and payment of poll tax as conditions of voting.

(a) Registration

Unlike the requirements of residence, literacy, age, and the like, registration does not constitute a measure of the voter's capacity or fitness. It is rather a procedural requirement and has aptly been termed a "condition" as distinguished from a "qualification." Thus State courts, in considering whether a registration requirement unlawfully enlarges State constitutional qualifications for voting, have generally held that registration is not a qualification within the meaning of State constitutions. See 2 Cooley, Constitional Limitations ((8th ed.) 1368–1370). Registration is no more a qualification of voters than is a requirement that the voters appear at designated places during designated hours. Nor is it material that a particular State may call the requirement of registration a qualification for voting. The meaning of "qualifications" as the word is used in the Constitution of the United States is not to be referred to the definition of that term in particular State laws. In the constitutional sense "qualifications" must have a uniform meaning independent of State usage, as the Supreme Court, in *Hawke* v. *Smith* (253 U. S. 221), held of the term "legislatures" as used in article V describing the amending process.

Not only is this the view that Congress has taken of the matter in enacting the present law, but it is a view taken by the House of Representatives as long ago as the Spanish-American War. On June 10, 1898, by a vote of 198 to 40, the House passed a bill (H. R. 10550, 55th Cong., 31 CONGRESSIONAL RECORD 5618) to enable soldiers to vote in the field in congressional elections. The adjournment of Congress 2 weeks later prevented consideration of the bill in the Senate before the end of the war.

(b) Poll tax

Similarly, the payment of a tax as a condition of voting is not, in the constitutional sense, a qualification of voters. The poll tax is a tax rather than a means of classifying voters on the basis of financial stability. The poll tax sustained in *Breedlove* v. *Suttles* (302 U. S. 277), was characterized as a tax the collection of which was aided by exacting

payment before registration for voting (pp. 282–283). Because the exaction operates with special harshness upon members of the armed forces, whose compensation is limited by Congress, they may be relieved of this means of enforcement, just as the Soldiers' and Sailors' Civil Relief Act relieves against certain forms of summary execution. This result has special justification if Congress is of opinion that it would be inimical to the discipline of the armed forces if their privilege of voting were to depend on the inequalities of State laws with respect to financial exactions while their compensation is governed by uniform Federal law.

2. Conflict with Federal functions

To these considerations it may be added that were a State to define the qualifications of voters in such a way as to disfranchise the members of the armed forces of the United States, the constitutional validity of the definition would necessarily be open to grave question. For in defining qualifications, as in other respects, State action is subject to the limitations embodied in the equal protection clause of the fourteenth amendment (see *Pope* v. *Williams*, 193 U. S. 621, 632–634) and the general principle, derived from the Constitution as a whole (*McCulloch* v. *Maryland*, 4 Wheat. 316), that the States may not discriminate against activities of the Federal Government or obstruct the performance of its functions. The same principle that invalidates an exercise of the taxing power of the States when it conflicts with Federal functions would invalidate an exercise of the electoral powers of the States entailing a similar conflict. Given the conclusion of Congress that the loss of political rights by members of the armed forces would impede the prosecution of the war, a contrary provision of State law would necessarily be deprived of vitality by the supremacy clause of article VI. This too appears to have been the conclusion of the House of Representatives in passing the soldiers' voting bill of 1898. The present bill does not, however, go this far. Except for the registration and poll tax provisions discussed above, the bill is limited by its own terms (sec. 102 (b)) to voters who are eligible to register and qualified to vote under their State law.

EXECUTIVE SESSION

Mr. BARKLEY. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. CONNALLY, from the Committee on Foreign Relations:

John Campbell White, of New York, now Ambassador Extraordinary and Plenipotentiary to Haiti, to be Ambassador Extraordinary and Plenipotentiary to Peru.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The PRESIDING OFFICER (Mr. BILBO in the chair). If there be no further reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. BARKLEY. I ask that the nominations in the Army be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the Army nominations are confirmed en bloc.

THE NAVY

The legislative clerk read the nomination of Campbell D. Edgar to be commodore in the Navy.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. BARKLEY. I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and the Senate (at 5 o'clock and 43 minutes p. m.) took a recess until tomorrow, Friday, January 28, 1944, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 27 (legislative day of January 24), 1944:

IN THE ARMY

APPOINTMENTS IN THE REGULAR ARMY

To be first lieutenants, Medical Corps

James Archibald Bell
Jules John McNerney
William Beverly Virgin

To be chaplains, with rank of first lieutenant

Marvin Earl Utter
Verne Henry Warner

To be first lieutenant, Dental Corps

James Walter Bernhard, Jr.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

To Adjutant General's Department

Lt. Col. Thomas Francis Keefe
Maj. Charles Metz Seebach

To Finance Department

Lt. Col. Harold Stuart Ruth
First Lt. Joseph Henry Wiechmann

To Ordnance Department

Capt. John Frederick Thorlin

To Coast Artillery Corps

Second Lt. George Thomas Mehalko.

To Infantry

First Lt. Robert George Fergusson
Lt. Col. Albert Gillian Kelly
Capt. Shelby Francis Williams
First Lt. Russell Melroy Miner

To Corps of Engineers

Second Lt. Joseph Wentworth Hartman

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

To be lieutenant generals

George Grunert
Walter Bedell Smith

To be major generals

Howard Calhoun Davidson
Walter Ernst Lauer
John Edwin Hull
Allison Joseph Barnett
Fay Brink Prickett
Philip Hayes
Virgil Lee Peterson, now the inspector general with rank of major general.
Clarence Hagbart Danielson
Arthur Riehl Wilson
John Francis Williams

To be brigadier generals

Walter Wood Hess, Jr.
John Alexander Samford
Willis McDonald Chapin
John Nicholas Robinson
Arthur Edmund Easterbrook
Henry Hutchings, Jr.
Herman Feldman
Leonard Louis Davis
Robert Oliver Shoe
Joseph Ignatius Martin
Edward Fuller Witsell
George Maurice Badger
Earl Maxwell
John Reynolds Hawkins
Ralph Hamilton Tate
William Seymour Gravely
Lester DeLong Flory
Guy Blair Denit
Laurence Bolton Keiser
Thomas Sherman Timberman
William Elbridge Chickering
Edward Raynsford Warner McCabe
Davis Dunbar Graves
Harry Frederick Meyers
James Edward Moore
Paul Lewis Ransom
Arthur Henry Rogers
Earl Walter Barnes
Clarence Henry Schabacker
Robin Bernard Pape
Roy Eugene Blount
Milton Orme Boone
Michael Frank Davis
Edgar Erskine Hume
Thomas North
Robert Tryon Frederick
Otto Lauren Nelson, Jr.
Frederic Bates Butler
William Ayres Borden
Ralph Maxwell Immell
Thomas Francis Farrell
Thomas Oates Hardin

IN THE NAVY

TEMPORARY SERVICE

Campbell D. Edgar to be a commodore in the Navy, for temporary service, while serving as commander transports of an amphibious force, to rank from September 17, 1943.

POSTMASTERS

GEORGIA

Rossie Harrison, Martin.
William D. Bennett, Molena.
Richard A. Lawson, Morven.
John W. Dugger, Oliver.
Laura B. Roberts, Pooler.
Lela B. Richardson, Riceboro.
William E. Fitts, Rocky Ford.
John S. Farrar, Scottdale.
Lonnie L. Crow, Statham.
Seaborn G. Jones, White Plains.
Jewell J. Bailey, Whitesburg.
Ralph J. Chandler, Winterville.

KANSAS

Beulah M. Warner, Carbondale.
David Basye, Coats.
Dyarl L. Newkirk, Elk City.
Otto B. Critchfield, Mission.
George E. Bartlett, St. John.

MINNESOTA

Earl J. Baker, Dundas.
William J. Janssen, Jr., Mountain Lake.

MISSOURI

Grover C. Hayes, Anderson.
Lee Dickson, Carrollton.
Neil Henderson, Lilbourn.
James Russell Howerton, Noel.
William I. McDougall, Purdy.
Eugene T. Craig, Summersville.

HOUSE OF REPRESENTATIVES

THURSDAY, JANUARY 27, 1944

The House met at 12 o'clock noon.

The Reverend James Shera Montgomery, D. D., offered the following prayer:

Thy throne, O God, is forever and ever; the scepter of Thy kingdom is a scepter of righteousness. How beautiful upon the mountain are the feet of Him that bringeth good tidings, that publisheth peace, that bringeth good tidings of good, that publisheth salvation, that saith unto Zion, Thy God reigneth.

The heavens declare the glory of God and the firmament showeth His handiwork. Day unto day uttereth speech and night unto night showeth knowledge. There is no speech nor language where their voice is not heard. Their line has gone out through all the earth and their words unto the end of the world. The law of the Lord is perfect, converting the soul; the testimony of the Lord is sure, making wise the simple. The statutes of the Lord are right, rejoicing the heart; the commandment of the Lord is pure, enlightening the eyes. The fear of the Lord is clean, enduring forever. The judgments of the Lord are true and righteous altogether and in keeping of them there is great reward.

O fortify us with the teaching of Thy wisdom; may it maintain our honor and clothe us with righteousness. As its chantings were made by earth's immortals, grant that their love and law may be revealed around the world. To the blessed glory of our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a bill and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1633. An act to amend the act entitled "An act to provide for the training of nurses for the armed forces, governmental and civilian hospitals, health agencies, and war industries, through grants to institutions providing such training, and for other purposes," approved June 15, 1943, so as to provide for the full participation of institutions of the United States in the program for the training of nurses, and for other purposes; and

S. Con. Res. 31. Concurrent resolution authorizing a change in the enrollment of Senate bill 1543, the mustering-out pay bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1543) entitled "An act to provide for mustering-out payments to members of the armed forces, and for other purposes."

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agency:

Department of Justice.
Department of Labor.
Department of the Navy.
Department of War.
The National Archives.

RESIGNATION FROM COMMITTEE ON INSULAR AFFAIRS

The SPEAKER. The Chair lays before the House the following communication:

WASHINGTON, D. C., *January 26, 1944.*
Hon. SAM RAYBURN,
Speaker of the House of Representatives, Washington, D. C.

MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Insular Affairs.

Respectfully submitted.

RALPH E. CHURCH.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION FROM COMMITTEE ON THE MERCHANT MARINE AND FISHERIES AND COMMITTEE ON PATENTS

The SPEAKER. The Chair lays before the House the following communication:

WASHINGTON, D. C., *January 27, 1944.*
Hon. SAM RAYBURN,
Speaker, House of Representatives.

DEAR MR. SPEAKER: I respectfully tender my resignation as a member of the Committee on the Merchant Marine and Fisheries and the Committee on Patents, effective at once.

Cordially yours,

HUGH D. SCOTT, Jr.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION FROM THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

The SPEAKER. The Chair lays before the House the following communication:

WASHINGTON, D. C., *January 27, 1944.*
The Honorable SAM RAYBURN,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on Interstate and Foreign Commerce, effective as of today.

Respectfully,

HARVE TIBBOTT.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

ELECTED TO COMMITTEES

Mr. MARTIN of Massachusetts. I offer a resolution (H. Res. 417), which I send to the desk.

The Clerk read as follows:

Resolved, That the following-named Members be, and they are hereby, elected members of the standing committees of the House of Representatives, as follows:

Committee on Appropriations: HARVE TIBBOTT, of Pennsylvania.

Committee on Interstate and Foreign Commerce: HUGH D. SCOTT, Jr., of Pennsylvania.

Committee on Naval Affairs: JAMES V. HEIDINGER, of Illinois.

Committee on the Post Office and Post Roads: CHESTER O. CARRIER, of Kentucky.

Committee on the Merchant Marine and Fisheries: RALPH E. CHURCH, of Illinois.

Committee on Roads: HADWEN C. FULLER, of New York.

Committee on the Census: HADWEN C. FULLER, of New York.

Committee on Pensions: CHESTER O. CARRIER, of Kentucky.

Committee on the Territories: D. EMMERT BRUMBAUGH, of Pennsylvania.

Committee on Patents: D. EMMERT BRUMBAUGH, of Pennsylvania.

The resolution was agreed to.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include a statement I received from the Postmaster General.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ABSENTEE SOLDIERS' VOTING

Mr. KELLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KELLEY. Mr. Speaker, the American people will not tolerate our denial of a proper mechanism to enable the members of the armed forces to vote while absent from home.

Who has a better claim to the right of the ballot than the men who, for the preservation of the right of the ballot, bare their breasts to enemy bullets? The status and the welfare of these men and women is the responsibility of the Federal Government—the President, Vice President, and Members of Congress. Why should they be denied the right to choose those who would serve them and be responsible for their welfare and their destiny? Must they place their lives in the hands of officials chosen for them? Will they have no voice in the selection?

Shall we really be a democracy-at-war—all of us choosing our leaders together, or shall we be a government whose leadership is chosen for some of us?

Pennsylvania is a typical example of a State setting up the form and the procedure to make it most difficult—or even impossible in most cases—for the soldier or sailor to cast a ballot. It is the material without the substance—an anomaly. It is a poor gesture by a State that pretends to have the best interest of its sons and daughters at heart.

But we can provide a way for these soldier votes to be cast and to be counted, and the people of this country know that we can do it, and the men and women in the services know that we can do it. And they will know, if we fail, that we have deliberately disfranchised those whose welfare and interests are most intimately bound up in the decisions of the public servants to be chosen in the election this year.

The SPEAKER. The time of the gentleman has expired.

JEWISH NATIONAL HOME IN PALESTINE

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WRIGHT. Mr. Speaker, the resolution introduced today by myself and the gentleman from Connecticut [Mr. COMPTON] constitutes a restatement of the established American policy relative to the Jewish national home in Palestine, as declared by the Sixty-seventh Congress, through the adoption of the Palestine resolution in 1922. It is in harmony with the ideals for which this war is being fought.

The tragedy of Jewish homelessness in Europe as intensified by the Nazi persecution, makes it imperative on the part of the United Nations to deal effectively with this grave human problem. After the victory, there will be hundreds of thousands of Jews in Europe for whom it will be necessary to find a place of shelter.

The country most available to receive this large number of destitute people is Palestine, where the Jewish pioneers, as a result of their own achievements and sacrifices, have prepared the Jewish national home to absorb these victims of Nazi oppression. The very designation of Palestine as a Jewish national home connotes the freedom of entry of Jews into Palestine as a matter of right. This is a basic attribute of a homeland.

It is worthy of mention that the Jewish community of Palestine has rendered magnificent service to the cause of the United Nations through the work of its factories, the produce of its farms, and the volunteer service of 30,000 of its young men in the armed forces of Great Britain, as members of General Montgomery's heroic Eighth Army.

In speaking of Palestine, President Roosevelt said:

> Two decades have witnessed a remarkable exemplification of the vitality and vision of the Jewish pioneers in Palestine. It should be a source of pride to Jewish citizens of the United States that they, too, have had a share in this great work of revival and restoration.

The adoption of this resolution will be a source of comfort to all nations who are now crushed under the heel of the Nazi tyrant.

To the Jews of Europe the adoption of this resolution will give renewed hope and faith.

EXTENSION OF REMARKS

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therewith a treatise on World Organization in the Post-War World, by Judge John J. Parker. The Public Printer estimates the cost to be $247.50. Notwithstanding that I ask unanimous consent that it may be included.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BULWINKLE. Mr. Speaker, I wish to speak on the remarks made by the gentleman from Michigan [Mr. HOFFMAN] on yesterday.

I was surprised that any man would rise on the floor of this House and say, "We know that no one can win against President Roosevelt if he gets through that soldier vote bill for which he is lobbying, that you are weeping and crying over, to give all soldiers a chance to vote."

Ah, Mr. Speaker, who is the gentleman from Michigan speaking for? Later, on yesterday, he said he was requested to speak also against the President's message. Why does he not stand upon the floor and say who he is speaking for? It is up to him sometime to do that, and to let this House know whether he is speaking for his party or who in the world he is speaking for.

The SPEAKER. The time of the gentleman from North Carolina [Mr. BULWINKLE] has expired.

PERSONAL PRIVILEGE

Mr. HOFFMAN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state the ground for the question of personal privilege.

Mr. HOFFMAN. Mr. Speaker, in the Daily Worker, of January 18, 1944, under a Washington date line, appears this statement:

> The Republican National Committee refused today to comment on the fact that one of its leading Congressmen is advocating overthrow of the Government to end the war.
>
> Asked whether Harrison Spangler, chairman of the national committee, would care to comment on Representative CLARE E. HOFFMAN'S seditious statements, a spokesman said: "There would be no comment on that."

Further in the article, appears the following:

> Representative CLARE E. HOFFMAN, Fascist-minded Congressman from Michigan has called for an armed march upon our Nation's capital.
>
> Thus, this notorious friend of every Fascist and appeaser in the country finally publicly acknowledged that he stands for the violent overthrow of our Government in a speech he made before a group of local businessmen in Niles, Mich.

The foregoing charges the Representative of the Fourth Michigan District is a Fascist; that he advocates the overthrow of the Government by force; that he made seditious statements, all of which reflect upon the integrity, patriotism and official capacity of the Representative of the Fourth Michigan District, raise a question of personal privilege.

The SPEAKER. The Chair recognizes the gentleman from Michigan.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein certain newspaper articles, letters, and comments.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, in answer to the gentleman from North Carolina [Mr. BULWINKLE] who just addressed the House, permit me to say that I am speaking for myself, and yesterday I was speaking for myself and for millions of Americans who will read the President's message of yesterday, in which he charged the Senate with having perpetrated a fraud upon the American people and the House with proposing to do so. I am speaking for those, too, who during the November election and subsequent elections, registered their lack of confidence in the national administration. I am speaking for those who resent the idea conveyed by the President's message that either the Senate or the House, should attempt to perpetrate a fraud and deprive the people in the service of the right to vote. As a matter of fact, if I am able to judge correctly, the Republicans have wanted to extend to the service men and women the right to vote, not only for a President, or one who addresses the Congress as Commander in Chief and who says he is speaking for the servicemen, but they want the people in the service to have the right to vote for every officer, State and national, who will be elected in November 1944.

It is a strange thing, to me it appears to be part of a smear campaign, when a message comes up here and in so many words tells us that we, as representatives of the people, are trying to deceive them. If the administration wants the people in the service to vote, then why was it that for the past week or more the leaders on the majority side have failed to bring out proposed legislation which when adopted would permit them to vote? The thing is not as complicated as they would have us believe.

In my own State there will be a special session of the legislature the last of this month. All the States need to do—and the responsibility is on the States—all the States need to do is to pass legislation requiring the State election officials to prepare the ballots, and then place upon the Army and the Navy the responsibility of sending those ballots, one for every qualified voter in every State, to the place where that individual is serving, and let that individual vote. Then let the Army and Navy pick them up and return them to the secretaries of state of the various States, and let them be counted.

In answer to the statement that the Army and Navy cannot handle the ballots, I call attention to the fact that they are able to handle tons of propaganda. They are able to handle Willkie buttons. They are able to handle administration propaganda. They are able to take the

First Lady, Wendell Willkie, and no one knows how many others, across and back safely, and there is no reason why they cannot transport these ballots, if they want to.

Now, coming to this article—and I am only taking this time today, not that I care especially about the charges they make against me but to point out the trend of the propaganda which will be used against a majority of the Members of Congress. My home folks, knowing me, will judge me, and that is sufficient. I am taking this time because I wish to call the attention of every Member on the minority side and a great many on the majority side to the fact that the smear campaign which began prior to the 1942 November elections is being carried on today. If there is a Member of this House who is unaware of what is happening, then it is just too bad for him. We know now that the C. I. O. has publicly announced that it has a million or more to spend to elect those who will be servants to it, to represent it in the Senate and in this body. We know that last year the A. F. of L., meeting in national convention in New Jersey, passed a resolution in which, after stating that it had $5,000,000 in War bonds, said that it had $4,000,000 in cash, it authorized the executive committee to spend such portion of $4,000,000 as they deemed necessary to defeat the Members of Congress, including those who voted—and there were two-thirds of them in both the House and the Senate—for the Smith-Connally bill.

Now the Congress has barred contributions by banks and by various other organizations, and yet Lee Pressman, counsel for the C. I. O., states that the Smith-Connally bill, which the Congress passed to prevent contributions by a labor organization, does not touch that organization and it can spend any amount in campaign activities. In my State, Michigan, we are limited to an expenditure of $2,500; yet in can come the C. I. O. and the A. F. of L. and spend thirty or forty or fifty or a hundred thousand dollars, and they can misrepresent, as they have done, to their hearts' content. That is their claim.

The Daily Worker complains because it said I advocated a march on Washington in a speech made at Niles, Mich. I will put that speech in the RECORD. If it is seditious, if it is improper, any Member of the House can ask that it be stricken from the RECORD and will learn whether it is or not. It is strange, it is more than strange, that the Daily Worker, the official organ of the Communist Party, a party which Attorney General Biddle said advocated the overthrow of the Government by force, which was in violation of the law, I say it is more than passing strange that a publication of that organization should find fault because I advocated a march on Washington. They have been advocating for years the overthrow of this Government by force. I never advocated the overthrow of this Government by force or by ballot. Now, listen to what I said. The overthrow of the Government? I have long, in fact from the first day I came here, advocated the overthrow of this administration by every conceivable constitutional process, and I expect to advocate it as long as I am here or until it is overthrown. There is a distinction which the new dealers and the Communists fail to make between Government and administration. This is my Government, but it is not my administration—not by any means. What was it that I said at Niles, and what did the radio gossiper say? I will give you what he said and what I said, so you may judge how that gentleman by innuendo and insinuation attempts to charge Members of Congress with disloyalty.

WINCHELL CONDEMNS PLEA FOR ALL-OUT WAR EFFORT

With the production and the transportation of the munitions of war upon which the lives of our fighting men and women depend imperil l by threats of strikes in the steel industry and on the railroads; with the Army called out to take over the railroads, on January 3, speaking before the Rotary Club at Niles, Mich., I made a plea for a united and all-out effort in support of those who are fighting this war.

During that talk I said:

Now, to the man about to die on the battlefields it matters not at all whether his death is caused by the threat of a strike, by the bungling policies of the administration—

Now get this one—

or by the indifference of Congress—

And I am a Member of Congress and I am referring to myself—

or the American people.

The indifference of the American people.

The day is here when the American people by a march on Washington, by the use of the armed forces, which are in this country, must, if either be necessary, put an end to—

What? Government? Administration? Oh, no:

Put an end to playing at war here at home.

Playing at war here at home. There has been too much of it. Continuing:

Common decency requires that we either get into this war wholeheartedly and with singleness of purpose or get out of it.

Who is there who cannot go along with that statement?

Common decency requires that we either get into this war wholeheartedly and with singleness of purpose or get out of it.

Is there any use of sending them across if we do not support them? And later on I called for an all-out effort. That is one of the statements with which Winchell finds fault.

Lacking common decency, the peddler of salacious gossip, Walter Winchell, who is angered because he thinks that disclosures about him and his broadcasts made by me on the floor of the House in Washington had something to do with the Navy's action in stripping him of his Navy uniform, in a broadcast on January 16, sought to convey the impression that I was disloyal, avoiding, however, the direct charge which would make him and his sponsor, the Jergens Co., liable to a court action for slander.

Winchell said, and I quote from a copy of his broadcast furnished by the Blue Network:

According to the Niles, Mich., Daily Star of January 4, 1944, Congressman CLARE HOFFMAN, of Michigan, spoke before Rotarians and some other people. He attacked the so-called horseplay in Washington and is reported to have suggested a way to put an end to it. If Congressman HOFFMAN was not misquoted, that newspaper reports that he stated as follows in part and in the headlines, quotes, "The day is here when the American people must, by a march on Washington, or by the use of the armed forces, if it be necessary, put an end to the playing at war at home." End quotes.

Ladies and gentlemen, Adolf Hitler, too, would like to see people marching on Washington, but whoever marches on it will first have to march over the dead bodies of 11,000,000 young Americans now in our uniforms. If Mr. HOFFMAN thinks that armed forces should march on Washington for any reason, it is a confession, I think, that it is too much for him. It would be simpler for the voters in Michigan to keep the Congressman at home. And, unlike the method reportedly suggested by Congressman HOFFMAN, this one is constitutional. Which is more dangerous to the United States, a Mussolini who asked Italians to march on Rome, or a Congressman who suggests to Americans to march on Washington? Mr. HOFFMAN was among others who 1 year ago attacked me for questioning the judgment of the American electorate. In my opinion, if Congressman HOFFMAN said that, the House of Representatives should expel him. And the Department of Justice should act with the Espionage Act at once.

Ladies and gentlemen, the following is the Espionage Act, section 33, title 15, United States Code. It provides that, quotes: "Whoever, when the United States is at war, shall willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States, or promote the success of its enemies, shall be punished by a fine of not more than $10,000 or imprisonment of not more than 20 years, or both." End quotes. Sections 31 and 32 of the Espionage Act relate to obtaining information respecting the national defense with intent or reason to believe that the information is to be used to the injury of the United States or to the advantage of any foreign nation. I respectfully submit that again to you, sir, Mr. Biddle, the Attorney General of the United States.

Winchell's argument and that of others of his ilk runs like this: You like a chocolate soda. Some chicken thief in your town likes a chocolate soda. So you are a chicken thief.

Winchell says that because Hitler would like to march on Washington and because I suggested a march on Washington, I am a Hitlerite. Hitler would march on Washington to overthrow our Government. I would have loyal citizens march on Washington to restore the Government to the people; to meet their Congressmen and their Senators—yes; and a few bureaucrats—face to face, and tell them in no uncertain terms that the people are tired of having those who do not believe in the Constitution, in

the American way of life, in policy-making positions in the Federal Government, on the Federal pay roll.

Winchell speaks over the radio, peddling dirty gossip, making false charges of disloyalty. Hundreds of others, including, on occasion, your humble servant, speak over the radio. But it does not follow that all or any of the rest of us peddle gossip or make false charges.

Read that broadcast and what I said at Niles, and you will note how absurd is the impression Winchell sought to create. As will be seen, the sedition statutes quoted by Winchell have no application to anything I said, and Winchell need not bother to give advice to Attorney General Biddle. Biddle can read the whole thing in the CONGRESSIONAL RECORD.

There has been in the past many a march on Washington. In fact, returning to Washington from the summer recess, one of the first sights that greeted me was the march of 100 or more rabbis in their long, flowing, black robes as they passed before the Capitol. They also marched on the White House, unsuccessfully seeking an interview with the President.

More than once the C. I. O.—at one time boasting of 300 lobbyists—has marched on Washington. Delegations of women, Gold Star Mothers, have done the same. The small businessmen marched on Washington and packed the House caucus room, which holds almost 500 people. There they presented in no uncertain terms their views, their demands.

Various groups time and again have packed the halls of congressional office buildings to present, as they have a right under the Constitution, their pleas.

A march on Washington by the farmers, by taxpayers, to present their views to stubborn and unheeding bureaucrats or Representatives is a constitutional right and will so continue as long as this is a Government of, by, and for the people.

And as for the use of force, time and time again the armed forces of the United States have been used to restore law and order. I recall one instance in 1937 when our then Governor was in daily communication with the President of the United States, and the National Guard to the number of more than 3,000 was called out. To restore order? No, no; to protect the C. I. O. and the Communists who had seized and taken possession of factories and business places in the State of Michigan. And they did it, the armed forces of the United States. There is a statute of the United States which not only permits but makes it the duty of the President of the United States to call out the armed forces—to call out the armed forces to restore law and order—and time and time again he has failed to do it. It was Governor Davey, of Ohio, who had to call out the State troops to restore order in Massillon, Niles, and Akron, Ohio, and it was the citizens of Monroe, Mich., who restored order and prevented the armed mob from taking possession of their city back in 1937.

Advocate the use of force? I certainly do. For what purpose? To maintain in this country order, to guarantee to every American citizen the right to work, the right to earn a livelihood. I say that the statute which directs that the President shall follow that course should be employed, especially when we are at war.

Into my office this morning came a boy from my own home town whom I have known since the day he was born. He is just back from a trip across the sea on a destroyer convoying our ships carrying supplies across the Atlantic and also into the Mediterranean. He has seen his buddies within 200 yards of him blown into bits and a ship sunk with half of the crew. What do you suppose that young man thinks? What do you suppose he thinks when he learns that here at home the President of the United States, and the Congress for that matter, if you want to put it that way, permits these strikes which interfere with production, that we permit those strikes to go on, as you know they do, day after day, interfering with the supplying of munitions that these young men need?

Many conversant with what is going on here in Washington have long been convinced that this administration has not wholeheartedly and with a singleness of purpose directed the Nation's ability and resources toward the winning of the war. There has been too much politics and it still continues. There has been too much coddling of Communists in Government positions, of racketeers who have hindered production of war materials. I can cite dozens of such instances.

As for the suggestion that the armed forces here at home be used, if necessary, to end interference with the war effort, I might note that the President himself, on the 27th of December, ordered the Army to take possession of the railroads. I might call attention to the fact that we have a Federal statute which not only empowers but directs that the President use the armed forces of the Nation and of the States to maintain order, prevent riots which interfere with production.

I stand on what I said. I repeat it. I but express the sentiments of the overwhelming majority of our people, of those who have sent their sons, their brothers, and their husbands to die if necessary in defense of this Government, when I say, "Common decency requires that we either get into this war wholeheartedly and with singleness of purpose or get out of it."

Winchell himself would do well if he would cease hurling charges of disloyalty at those who are doing their utmost to defeat our enemies; if he would himself begin to devote his talents—whatever they may be—to the winning of the war. His own conduct forced him out of the Navy uniform. If he has any sense of decency left, he should quit stirring up class hatred, creating dissension and, for one period of his life, tell the truth, if that be possible.

The text of what I said at Niles, Mich., on the 3d of January is given herewith, so that everyone may judge for himself as to the propriety of the plea I made:

MEN WILL DIE

Because of greed and selfishness, political ambition and desire for power, because the people have trusted their Representatives, who through indifference or lack of courage have failed to act effectively, because we are not infallible, thousands—yes, perhaps hundreds of thousands—of American men and some women will die unnecessarily. Some—an increasing number—forgetting the sacrifices which are being made by those at the front, look upon the high prices which they receive for the things which they have to sell, upon the big checks in the pay envelope, as a good thing, a thing to which they are entitled.

There is loud and continued talk about the sacrifices to be made here at home. As a cold, hard fact, few, if any, real sacrifices are made here. Few indeed are the people who lack food, shelter, or clothing sufficient for their needs.

The desire to avoid sacrifice, the determination to improve one's financial welfare, his economic position, recently reached a stage where more than a million men by vote announced that if their demands were not met by December 31, they would tie up the Nation's transportation system.

In wartime a man in a war area engaged in transporting supplies to the front lines who refused to pass along the ammunition, the food, or anything else that was vitally needed by the men in the trenches, would be shot. Here at home the transportation system is as much a necessary part of the battle as is the supply line on the front.

Railway men, members of the brotherhood, have told me that a strike was never intended, that the threat of a strike was used to give prestige and power to brotherhood officials bargaining with the administration. The railway brotherhoods number too many men, have been too well regarded in this country, to justify indulgence in idle threats. Even though no strike was intended, the threat of a strike gave the opportunity for altogether too much Axis propaganda to justify its making.

It is astounding that such a threat should be made, for a strike of any duration would not only cause our men to die at the front, to lose the battle, but it would bring famine and starvation to our cities; and many a railway man's family is dependent from day to day upon transportation for the food it eats, for the fuel to keep it from freezing.

Many people believe, and no doubt correctly, that a strike by the railway men never was intended; that it was made to force the hands of the administration. In fact the heads of three brotherhoods—that of the firemen, the conductors, and the switchmen—insist that the unions were not to blame for the threat. They issued a statement in which they said:

"Had the administration permitted this case to have taken its orderly course," they said in a statement, "in all probability a satisfactory settlement could have been worked out. If this situation has had any effect upon the war or offers any psychological comfort to Hitler the labor unions are not responsible."

Said Senator JOHNSON, a Democrat, of Colorado:

"The seizure of the railroads certainly is a severe blow to the war effort of the United Nations, but the responsibility for it must be squarely placed where it belongs—on the shoulders of the administration. This matter was bungled by the administration as was the recent coal miners' controversy."

The threat to tie up the Nation's transportation system grew out of the President's labor policy, a policy characterized by statements meaning one thing and by a course of action which means the opposite. For example, on the 14th day of November 1941, he loudly proclaimed that no man would be

forced to join a union in order to work in defense of his country. The President said that such action either on his part or on the part of Congress would be like that of Hitler.

Nevertheless, he forthwith appointed an arbitration board, which decided, and which he knew would so decide, that in order to dig coal men must join John L. Lewis' organization and pay tribute to it, and that decision of the President's hand-picked arbitration board came on the 8th day of December—less than a month after he had characterized such action as that of a Hitler.

The Railway Brotherhood had been promised an increase in pay, yet the President's spokesmen denied that increase. Then came the threat to strike and the seizure of the railroads, not by the brotherhoods, but by the President.

All too many of the President's moves create a situation which enables him to seize private property, which many of us now think is one of the roads which he is following to a complete over-all dictatorship.

Now to the man about to die on the battle front it matters not at all whether his death is caused by the threat of a strike, by the bungling policies of the administration, or by the indifference of Congress or the American people.

The day is here when the American people, by a march on Washington, by the use of the armed forces which are in this country, must, if either be necessary, put an end to "playing at war" here at home. Common decency requires that we either get into this war wholeheartedly and with singleness of purpose or get out of it.

We have drafted, we have taken from their homes, in some instances, from their wives and their children, forced into the armed service, millions of young men. Some of them we have sent across the sea; more than a hundred thousand have died, hundreds of thousands of others have lost arms, or legs, eyesight, or hearing; some have been sent mental wrecks to their homes or Government institutions. All this we have done because it was said our land would be invaded and overrun unless we fought the enemies abroad and because we were told it was our duty to carry the "four freedoms" throughout the world.

Having sent these young men and these young women to fight and to die while we live in comfort here at home and, then, on farm, in mill, mine, factory, or on the railroad, or in any occupation in which we may be engaged, refuse to do our utmost every day of the week is to admit that we are deserters to the cause for which they are fighting.

It is time, yes, long past time for those of us who remain here at home to get into this fight. All too long the business of this Nation has been permitted to remain in the hands of some who do not believe in this country, nor in its form of government.

In the early days of the New Deal its spokesmen announced that business was to be destroyed, that America was to be remade, and the hope was expressed that the remaking might be as painless and as bloodless as possible.

Fearful of harsh words, afraid of false charges of disloyalty, all too many of the American people have sat back and watched the wreckers work their will on the institutions of this country.

Prior to the election of 1942, individuals high in administrative circles, publications financed, some of them, by inherited wealth and others from sources as yet unknown, attacked the patriotism, the loyalty, the honesty, and the sincerity of more than 100 Members of Congress. Those charges were not only false but they were known to be false, maliciously false, and the purpose for which they were made, that is, the destruction of the confidence of the people in their chosen representatives, was well known.

The Department of Justice, the F. B. I., both were used in an attempt to destroy the peoples' confidence in the Congress and in a free press. That campaign of vilification directed at the undermining of our form of government received a set-back in the November 1942 elections. Shortly, however, it was revived and over the radio and in a certain section of the press it was renewed and ever since has been carried on with ever-increasing force.

Newspapers such as the Chicago Tribune, the New York Daily News, the Washington Times-Herald, which have ventured to follow the policy of Churchill and Stalin in demanding that the interests of their own country be considered, have been charged with a lack of patriotism.

Two great labor organizations demanded the defeat of two-thirds of the Members of Congress because of the passage of the Connally-Smith bill, which was designed to aid in the war effort, lessen the number of strikes, bring about harmony between employees and employers.

Paid hack writers, one of them a foreigner, with seven aliases, a man who admitted that he had contributed editorially to several antisemitic publications, wrote a book and by associating the names of publications and individuals with known and convicted enemies of our country, sought to brand loyal, patriotic citizens with disloyalty.

To our shame be it said that educated, thinking people, reading some of these books, some of these publications, failing to take the time to analyze what they read, have been misled by a skillful grouping of the patriotic with the disloyal.

Political issues designed to catch the vote of groups and classes have been raised and at times when a sensible, patriotic American, with sound judgment, exposed the purpose and opposed the move, he was branded as a traitor to his country.

As an example, note the present legislative situation with reference to the voting privilege sought to be made available to men in the service. A bill was introduced in the Senate which would have permitted men in the armed service to vote for candidates for President, Vice President, Senators, and Representatives, but for no one else. The whole machinery for carrying on that election under that scheme was to be placed in the hands of a candidate for office—the President of the United States. That fact and that argument is sufficient to brand it as a fraud, as an attempt to steal an election. That charge was made openly on the floor of the Senate by members of the Democratic Party.

The opposition to that bill proposed that the States, which, under the Constitution, are given the authority to fix the qualifications of electors provide the procedure which would permit the men and women in the service to vote not only for Federal officials but for State and county officials, for every official to be elected at the coming November election. It supplemented that method by providing that the Federal authorities, the Army, and the Navy, should get the ballots to and from the service men and women. Yet the administration and some of the organizations which are back of it politically have the effrontery to insist that those of us who want the servicemen to be given a full and a fair opportunity to vote, if they so desire, seek to deprive them of an opportunity to vote.

Again those who oppose subsidies are charged by the administration spokesmen and political allies of the administration with seeking to raise the cost of living, just because subsidy opponents will not give to the administration billions of dollars to be handed out to special groups in return for political support.

Day after day propaganda is given out which would lead those reading the press to reach the conclusion that the war is all over, that the victory has been won and that soon the boys will be coming home. If victory does come unexpectedly, all can survive that news; no loyal, patriotic citizen will be disappointed or grieved. But victory will not be won by fireside chats, nor the meetings of the "big three" or the "big four." Victory in this war will be won, as it has been won in every war throughout history, by the killing, the maiming, the suffering of hundreds of thousands of common men, men who will die in unnamed places, lie in unmarked graves.

Once more let it be said that we either get into this war—all of us, in every possible way—or get out of it. Being in it, all we can do is to get in with everything we have and without further delay. No longer is there time for strikes, for slow-downs, for work stoppages, for anything else other than a complete dedication, consecration, on the part of each and every one of us to the effort to win. A realization of what is before us is necessary to shock us out of our complacency.

On the 20th of October, last, Maj. Gen. George Strong, who was Assistant Chief of Staff (G–2), by means of charts, pictures, and a narrative of facts, put before the House of Representatives the then existing military situation. His report covered 13 pages of typewritten material. It is too long to read, but the copy which I hold in my hand any of you may examine at your leisure. It will be sufficient at this time to say that that report shows that the Germans and the Japs were stronger then in both armed divisions and in materials than they were a year ago.

That statement may seem unbelievable, but that is the substance of his report given to the Members of Congress; and remember, he was introduced and vouched for by General Marshall himself.

With the foregoing facts in mind, it is evident that no longer should any single patriotic American remain silent to any charge of disloyalty, to any incident of nonproduction, to any failure on his part or on the part of anyone else to do all that can be done to support those at the front.

It is time that we here at home no longer remain silent when our motives or our patriotism are questioned, that we show to those who are fighting our battles abroad that we here at home can and will fight, and that we meet the charges and the activities of those who do not believe in this country, who maliciously lie about the words and the actions of patriotic citizens.

Let us drag out into the open from their hiding places in the cities of this country those who with pen or by speech, or over the air, create disunity. Let us make them prove their charges or be known for what they are, originators and distributors of hatred and disunity.

Let us get this issue of who is and who is not loyal out in the open where all can see, where the people can judge and where those who are creating disunity will pay the penalty.

Just what is there in the foregoing plea that Winchell or anyone else should criticize?

That Winchell today no more understands the thinking of patriotic Americans than he did when after the last election, November 1942, he denounced as damned fools those millions of Americans who voted for the successful candidates, is shown by the reaction of the Young

Republicans in the Fourth Congressional District of Michigan to Winchell's broadcast.

A news item from the Niles Daily Star reads as follows:

BERRIEN YOUNG G. O. P. NAMES OFFICERS, ASSAILS WINCHELL

Electing new officers and assailing Walter Winchell for his attack on Congressman CLARE HOFFMAN, the Berrien County Young Men's Republican Club this week reorganized with a view of meeting the requirements of a campaign year.

New officers are: President, Eldon Steinke, St. Joseph; first vice president, Thomas DeRosa, Coloma; second vice president, Samuel Nicosia, Coloma; secretary, William Bravender, Benton Harbor; and treasurer, Harold Behlen, Benton Harbor.

Lt. Webster Sterling, of the United States Army, a former Benton Harbor attorney, was elected honorary president, and Lt. Willard J. Banyon, of the Army Air Force, a former St. Joseph attorney, was elected honorary secretary. The men, who held the same offices before going into the Army, will retain these titles until they return from service.

"SAWDUST SAILOR"

The anti-Winchell resolution reads:

"It is resolved by the Young Republicans of Berrien County who express their appreciation to the manufacturers of Jergen's lotion for keeping that admiral of the airways, that sawdust sailor, Walter 'Windy' Winchell, on the air lanes.

"Winchell's stench gas attacks on that great American and true friend of the people, Congressman CLARE HOFFMAN, of the Fourth Congressional District of Michigan, in 1942, undoubtedly helped Mr. HOFFMAN to win by the largest majority that this popular Congressman has ever enjoyed.

"The Young Republicans of Berrien County hope that the manufacturers of Jergen's lotion will keep the land-locked admiral on the air all during the year 1944 so as to insure a tremendous Republican majority this fall; be it further

"*Resolved*, That the secretary send a copy of this resolution to the manufacturers of Jergen's lotion."

From the Westmoreland Observer, Greensburg, Pa., comes the following:

[Editorial]

WALTER LIPSCHITZ, ALIAS WINCHELL, NOTORIOUS SABOTEUR OF NATIONAL UNITY, SPANKED BY MICHIGAN CONGRESSMAN

Walter Lipschitz, alias Winchell, the New Deal's dirtiest and most widely publicized smear artist, has been attacking the loyalty of every prominent patriotic American in public life and out who has opposed the administration's machinations and schemes to rule this country under a dictatorship.

Lipshitz, alias Winchell, since Pearl Harbor, has singled out those Senators and Congressmen, who opposed the New Deal's provocative foreign policy and were castigated as isolationists before we entered the war, for his vile personal attacks.

Winchell's methods are by slimy innuendos to associate the names of patriotic Americans with notorious Nazi sympathizers and German bundists, if one of these Americans had ever spoken from the same hall in which the infamous German Bund had at some time held a meeting. Lipshitz, alias Winchell, associates the two incidents as if they were one, and that the American was a speaker for the Bund, although the fact invariably is that the two incidents were separated by months or years, and that the American addressed a 100-percent American audience.

Or he may mention the fact that a notorious bundist was present in the audience at which one of the American Senators or Congressmen spoke, which is intended to give the careless reader or listener the impression that the meeting was under the auspices of the subversive group.

Congressman CLARE E. HOFFMAN (Republican, Michigan) is one of Winchell's main targets for his dirty mud slinging. This is perhaps because in the 1942 congressional elections, Winchell and his New Deal gang put everything they had in money and dirt on the line to defeat Mr. HOFFMAN.

They failed dismally. Mr. HOFFMAN won his most overwhelming victory at the polls. So incensed was Lipshitz, alias Winchell, over the failure of the voters to pay any attention to his smears that he called a majority of American citizens "damned fools" on his radio handwash program.

Of course, everyone knows that aside from his New Deal smear assignment, Winchell's principal stock in trade is sniffs from public toilets and peeps through hotel bedroom keyholes, for which a certain segment of our population makes it possible for him to extract more than $100,000 a year.

But just because Congress adjourned Mr. HOFFMAN took time out of important business to inform the country through the CONGRESSIONAL RECORD—and this is the only means Congressmen have of defending themselves from vile attacks by the New Deal smear corps—just what an unmitigated fibber Lipshitz, alias Winchell, is, and how dirty and nasty his general commentary. The Michigan Congressman did a workmanship job on this radio polecat.

Oh, yes; this is a smear campaign, make no mistake about that. Here is one from the Washington Daily News of January 25: "Ex-Bundists Join Peace Now, Agitating Parleys with the Axis," and on down through the article.

It states that press releases were prepared by Miss Clara Studer. I do not know who she is. She is said to be the daughter of the editor of a newspaper. She put out a handbill. Then O'Donnell printed part of that in the Washington Times-Herald. I inserted O'Donnell's article, or part of it, in the CONGRESSIONAL RECORD. It is entitled, so the Washington News says, "Cold Chronological Record of Fickle American Fancies." The article is in the Appendix of the RECORD at page A4338, entitled "We Have Loved Everyone." That is what the caption says, and here is what I put in the RECORD:

WE HAVE LOVED EVERYONE

(Extension of remarks of CLARE E. HOFFMAN, of Michigan, in the House of Representatives, Monday, October 18, 1943)

Mr. HOFFMAN. Mr. Speaker, from the Washington Times-Herald of October 11 comes the following of our love and hate record as compiled by one of the numerous organizations now sending propaganda to Congressmen. It reads:

"1755 (French and Indian War): We loved the British and hated the French.

"1776 (American Revolution): We loved the French and hated the British.

"1799 (sea battles with France): We hated the French.

"1812 (War of 1812): We loved the French and hated the British.

"1846 (Mexican War over Texas): We loved the southerners and hated the Mexicans.

"1861–64 (Civil War): Britain aids the South; we hated the southerners and the British.

"1898 (Spanish-American War): We hated the Spanish.

"1899 (conquest of the Philippines): We hated the Chinese and the Filipinos.

"1900 (Boxer uprising in China): We loved the Japanese and hated the Chinese.

"1904 (Russo-Japanese War): We loved the Japanese and hated the Russians.

"1914 (Allies in World War No. 1): We loved the Japanese and the Russians.

"1914 (marines land at Vera Cruz): We hated the Mexicans.

"1914 (beginning of World War No. 1): We loved the British and French and hated the Austrians and Germans.

"1915 (Italy joins Allies): We loved the Italians.

"1916 (Pershing invades Mexico): We hated the Mexicans.

"1917 (Allies in World War No. 1; Russian Bolshevik revolution): We loved the Japanese and the Chinese, but not the Russians.

"1918 (our troops invade Russia): We loved the Italians and hated the Russians.

"1927 (United States bombards Nanking): We loved the Japanese and hated the Chinese.

"1935 (Italy invades Ethiopia): We hated the Italians.

"1936 (Communists despoil China): We loved the Chinese and hated the Russians.

"1939 (beginning of World War No. 2): We loved the British and French and hated the Germans and Russians.

"1939 (Russia invades Finland): We loved the Finns and hated the Russians.

"1941 (Russia fights Germany and Finland): We loved the Russians and hated the Finns.

"1941 (war with Japan): We loved the Filipinos and hated the Japanese.

"1941 (World War No. 2): We loved the British, Chinese, Dutch, Russians and hated the Germans, Italians, and Japanese.

"1942 (despite Vichy regime): We loved some French and hated others.

"1942 (Allies in World War No. 2): We loved the Mexicans and other Latin Americans.

"1943: We love the Chinese, try to love Russians, British.

"1944 and afterward: Shall we continue our tragically fatal, shifting friendships and hatreds? Or shall we abandon our futile and suicidal opportunism and begin now to cooperate constructively with the peoples of all countries in building a better world together?"

The list omitted Italy, which we are now expected to love, probably because it was compiled prior to Italy's surrender.

May I most humbyly suggest that we begin to love America and that when we take the pledge to the flag, as we do so often, we mean it; that we remain constant in our love of America, loyal to our pledge to her.

The people of every other country think first of their native land. Some here in America seem to think first of every land other than the one in which they were born or which they have adopted—America.

If that is talking about peace, I do not understand the English language. Nowhere at any time have I said or written one single word which could be construed as advocating peace now. In fact, I have studiously refrained at all times from commenting in any way upon the conduct of the war because it is a subject about which I know nothing. I have refrained at all times from saying when or how we should make peace. The only thing I have ever said is that I hope before the war is over it will be possible to blast the Japanese Empire off the map so that we will have no further trouble with them. Yet, here is a Washington newspaper which comes along and by innuendo charges that I am one of those who is advocating peace now. Nothing could be further from the truth.

The method that paper followed is the same as that followed by Winchell.

Two years ago the New Republic, New Masses, the Daily Worker, the Chicago Sun, PM, and some other magazines, and the C. I. O., by the circulation of a 4-page and a 12-page circular in my district from house to house, which circulars contained the most scurrilous charges, sought to elect their candidate. The verdict of the people at that time should have taught the people like Winchell a lesson. The November elections should have created in their minds at least the suspicion that maybe they were not the sole possessors of loyalty and patriotism. Yet, they continue.

Let me go back again. You gentlemen can sit here in all of your complacency—you may say, "Well, HOFFMAN stuck his neck out. Look what he is getting. It serves him right." Sure, I stuck my neck out on behalf of the ordinary, common, everyday American citizen, and I am going to keep on doing that until I am defeated or the situation remedied. But let me tell you something. You are going to get a dose out of the same bucket of mud. Do not think you are not, because you will never be able to please the C. I. O. long.

If you will pardon a personal reference, over on this side sits a Member from Maine, a Republican Member. With all respect and admiration, may I say she went out 100 percent with the C. I. O. Now they have a candidate in against her. Why? Because she did not do something they wanted? Oh, no. She did not think of something else before they did, that is all, and they want their own man here.

I can point to Member after Member on the Republican side who went along with labor organizations, and I make no charge that they did so for any reason other than that they believed in the legislation for which they voted, but they went along; yet, misused and abused as I was in the campaign of 1942, one of my Michigan colleagues got it a whole lot worse than I did, and he voted with them.

You cannot gain anything by licking the soles of their boots. You will not gain anything by it. They are against you and they will continue to be against you just as long as you retain your independence and self-respect. I know Members on the majority side who went along, and they are going to have smear opposition.

My point is this. Why not get into this thing, carry this battle to them, and show them whence comes the money that is back of these different smear propagandists? What is their purpose? What is it they want to do? Of course, we know what the C. I. O. wants. They want a labor government in which they shall control all legislation. If we are chumps enough or if we are indolent and indifferent enough to sit here and let those organizations build up campaign funds of millions of dollars, to use that money to defeat us, then we do not deserve reelection.

Mr. Speaker, I am now beginning my tenth year in this House. In that short time I have come in contact with many of the Members of Congress. I have differed violently with them on many an occasion. I have had many a warm argument with Members of this House; in fact, I have an argument almost all the time. It is a sort of a continuous performance. It is unfortunate, perhaps, that I feel that way. But I have been told that it takes all sorts of people, with all sorts of ideas, even if they are rather crazy, to make up a world and get it so that it rolls along on an even keel.

Permit me to say in conclusion that during all the time I have been in this House I have never at any time found reason to charge any Member with a lack of ability or sincerity, or with a lack of patriotism or loyalty to his Government. Never have I found reason to believe that any Member of this body has followed a course which did not express his true convictions, his desire to serve his country.

It is time that we legislate so that those who libel and slander good citizens can be sued in any jurisdiction where their broadcasts are heard or their statements read.

MUSTERING-OUT PAY BILL

The SPEAKER. Without objection, the House will consider Senate Concurrent Resolution 31.

There was no objection.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate is authorized and directed, in the enrollment of the bill (S. 1543), to provide for mustering-out payments to members of the armed forces, and for other purposes, to strike out the word "one" where it appears in the proviso in section 3 thereof and insert in lieu thereof the word "once."

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from committee:

JANUARY 24, 1944.

The Honorable SAM RAYBURN,
Speaker, the House of Representatives,
United States Capitol,
Washington, D. C.

DEAR MR. SPEAKER: Please accept my resignation as a member of the Interstate and Foreign Commerce Committee of the House.

With warm personal regards,

Very sincerely,

DONALD L. O'TOOLE.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

PALESTINE

Mr. COMPTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore (Mr. MILLS). Is there objection to the request of the gentleman from Connecticut?

There was no objection.

[Mr. COMPTON addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. ALLEN of Louisiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution passed by the Women's Patriotic Conference on National Defense a few days ago in Washington.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief telegram.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

"THE RETORT COURTEOUS"

Mr. MASON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MASON. Mr. Speaker, neither the President of the United States, nor the Commander in Chief, nor an interested citizen is justified in suggesting to the Nation that this Congress is either unwilling or afraid to stand up and be counted. The record of this Congress disproves that suggestion.

The President, when he called the Senate bill now pending before the House "a meaningless bill" containing "futile language," while at the same time asserting that S. 1612 and H. R. 3982 "set up proper and efficient machinery for absentee balloting," simply placed his opinion against the opinion of many Members of Congress, if not the majority of Congress.

But when the President plainly insinuates that because "our fighting men do not have a lobby or pressure group on Capitol Hill to see that justice is done for them" he impugns the motives of the Members of Congress, and undermines the confidence of the people in the legislative branch of the Government. The record of this Congress on increased pay for soldiers and mustering out pay disproves this insinuation.

It is unfortunate to say the least that such an unwarranted and ill-tempered message was ever sent to the Hill by the Chief Executive.

EXTENSION OF REMARKS

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a communication I have received from a farm organization in my district.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CLASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Springfield Union of January 22, 1944.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I have a special order for next Monday. I ask unanimous consent that it be extended to 30 minutes from 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

WAR DAMAGE INSURANCE

Mr. CLASON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CLASON. Mr. Speaker, it will soon become time to pay another premium on our war-damage insurance policies. It has already been brought to the attention of the American public that there is no real likelihood of any bombing raids in the future along our coasts. That has been stated by high Government officials. All the lights are on again along the Atlantic coast which formerly were dimmed or out altogether. For that reason, I would ask the Committee on Banking and Currency, as soon as it is possible to do so, to take under consideration two propositions. One of them would be to continue the present policies in force for the duration of the war with the understanding that no further premiums will be asked of the policyholders. The second proposition would be for the committee to consider what measures are necessary to preserve carefully the reserves and the assets of the War Damage Corporation with a view to the just distribution of them among the policyholders at the earliest possible date. These premiums today represent an added burden on the home owners and property owners of America at a time when their tax loads are extremely heavy. Congress should act promptly in lifting this burden from their backs.

EXTENSION OF REMARKS

Mr. ANDERSON of New Mexico. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein certain lists of names.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ANDERSON of New Mexico. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I be permitted to address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

EXTENSION OF REMARKS

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent that in the remarks I make today, I be permitted to extend my remarks by the inclusion of certain tables furnished by the Maritime Commission and other official sources, and also extracts from the committee hearings, and several letters and newspaper articles relative to the matter under discussion.

The SPEAKER pro tempore. Is there objection?

There was no objection.

THE SOLDIERS' VOTE BILL

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. GAVIN. Mr. Speaker, I would like to call to the attention of the House the fact that further delay on the part of the Congress to consider the soldier vote bill may bring about a critical situation that will cause great confusion.

As a member of the Presidential Electors Committee, I might say that no meetings were held from the latter part of November until January 12, even though a great many members of the committee were anxious to meet and discuss a soldier vote bill.

Some time ago I noticed a newspaper dispatch that stated five Republican members of the committee were trying to block soldier-vote legislation. The House knows where the responsibility rests.

We have also had an exhibition of the dilatory tactics of the chairman of the Rules Committee delaying the consideration of this legislation, and it now looks as though the committee bill, S. 1285, will not come up before the House until next week.

I want to call your attention to section 3 of Public Law 712, enacted in 1942, which states:

> In each year in which an election for Senators and Representatives in Congress is to be held, such post cards shall be made available on February 1, or as soon thereafter as practicable, and from time to time thereafter, prior to the holding of the election.

Now, if the War Department follows this law, it will be necessary for them to start to distribute the post cards so that the soldiers can secure a ballot, and I am of the opinion that it will cause much confusion unless immediate action is taken to bring this Senate bill, S. 1285, immediately before the House for consideration.

EXTENSION OF REMARKS

Mr. WEISS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD——

Mr. RANKIN. Mr. Speaker, I reserve the right to object. Before the gentleman from Pennsylvania puts anything into the RECORD, I desire to call attention to the fact that he is quoted as making a speech at Cleveland in which he reflected on the membership of this House. I read now from the Associated Press dispatch, dated January 26:

> Representative SAMUEL A. WEISS (Democrat), of Pennsylvania, declared last night: "If the (Washington) grand jury that indicted 30 for traitorous acts recently had gone another step they would have indicted 3 Members of Congress." Representative WEISS did not identify the Congressmen.
>
> In an address before the Temple Men's Club, WEISS termed "blocs fighting for selfish ends" within Congress as constituting the biggest obstacle to prosecution of the war, and added "certain blocs in Congress are a hotbed of fascism."

Mr. Speaker, that is one of the greatest insults to Congress I have ever read.

If the gentleman from Pennsylvania made those statements, it is one of the greatest insults to the Members of this House that has ever been offered by one of its Members.

Mr. WEISS. Read the whole article, I did not say that. You can make any statements you want to on your time. You have been saying many things on the floor of the House without giving the other fellow a fair chance to answer and I know you do not mean to do it.

Mr. RANKIN. All right.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

Mr. RANKIN. Mr. Speaker, I object until he brings forth that speech in Cleveland.

Mr. WEISS. I can tell it to the gentleman if he will give me the time.

Mr. RANKIN. I want to see the transcript and I am willing to withdraw it if the gentleman denies he made the statement.

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include a letter from the Quartermaster General.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. ANDERSON of California. Also, Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include a speech delivered by Admiral H. G. Bowen.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. J. LEROY JOHNSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a digest of the California election law pertaining to soldiers.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. GWYNNE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an editorial.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. REECE of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks on the civil aviation bill and include an editorial from American Aviation.

The SPEAKER pro tempore. Is there objection?

There was no objection.

WASTE IN PAPER

Mr. GROSS. Mr. Speaker, I ask unanimous consent to speak for 1 minute and revise and extend my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. GROSS. Mr. Speaker, some months ago when I declared war on waste and coined that now nationally adopted slogan, "Lick your platter clean," General Somervell immediately came along and promised to put into effect certain economies in the Army, in order to conserve food. He has done that, and it has been very effective. Now the War Food Administration is telling us that cartons are going to be in tremendous demand, and that we are going to be short of shipping cartons in the months that lie ahead. I know businessmen who are spending their good money to put labels on every carton used by them, urging the people to handle and open carefully in order that they may be reused, and yet I am informed that the Army is burning all cartons. There is no use of boys and girls collecting paper while the Army is destroying paper, and I am calling on General Somervell now to put on a campaign in the Army camps so as to have these cartons saved, that we may continue to have newsprint and paper supplies. If the Government and its various branches want the Congress to continue to appropriate the taxpayers' money they should put into effect economy wherever possible. I have visited Army supply depots and they have enough men standing around who should be doing this work. To burn cartons is just as wasteful as to burn lumber. There is little encouragement to buy bonds when essential material is being purposely destroyed.

THE SOLDIERS' VOTE

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

[Mr. ARENDS addressed the House. His remarks appear in the Appendix.]

FARM MACHINERY

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, tomorrow morning at 10:30 o'clock in the caucus room of the Old House Office Building, a lot of us who are interested in trying to get a further allotment of steel for farm machinery are going to have a session with implement manufacturers of America. I extend to each and every Member who is interested in trying to help the farmers get this additional machinery, needed for the production of food, an invitation to attend. Perhaps you will be able to do a lot of good. Remember, tomorrow, at 10:30 o'clock a. m., in the caucus room of the Old House Office Building.

BLOCS IN CONGRESS

Mr. WEISS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. WEISS. Mr. Speaker, I have always believed in and have practiced fair play. The gentleman from Mississippi [Mr. RANKIN] saw fit to read an article from an Associated Press report that reflects not only on my integrity but also the integrity of this entire legislative body. I never made the statement in Cleveland, or anywhere else, that this Congress is a hotbed of fascism. That is a dastardly statement and I would not abuse the trust placed in me by making such a statement. When the forum following my address asked me what I thought of the gentleman from Ohio, Congressman FEIGHAN, and the gentlewoman from Ohio, Congresswoman BOLTON, I gave them both the highest praise. In informal discussion, they asked me what I thought of the gentleman from Ohio, Congressman GEORGE BENDER, the gentleman from Ohio, Congressman ROWE, and the gentleman from Ohio, Congressman CROSSER. I could not give them anything but the highest compliments as able statesmen. I said there were certain blocs in Congress who were opposing subsidies, and that a ban on subsidies would lead to inflation, which in turn would affect the successful prosecution of the war.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Speaker, I have no desire to do the gentleman from Pennsylvania [Mr. WEISS] an injustice. He did not deny the most vicious part of the article, as I understood him, because that article quotes him as saying that there are Fascist blocs in Congress. What he ought to do is to get a transcript of that speech, and bring it here, if he has been misquoted. I was quoting from an Associated Press article, and I am told by Members of the House that it appeared in the Washington Evening Star yesterday. If he is misquoted, let him bring in a transcript of that speech and if he did not reflect on the membership of this House I shall be the first to exonerate him; but I say now that any man who goes out and besmirches Congress in these times of war, when every Member of Congress is doing his best in this struggle—and 9 out of 10 of them having members of their families in the war—any Member who does that is rendering a serious injustice, not only to the Congress, but to the people of the country.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. MAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MAY. Mr. Speaker, I am not going to address the House, but I am going to propound a straight and direct question to the gentleman from Pennsylvania [Mr. WEISS]. Did the gentleman from Pennsylvania [Mr. WEISS] say in that speech that the grand jury of the United States District Court down here should indict three Members of Congress?

Mr. WEISS. I would not know who the three Members would be. I never made that statement.

Mr. MAY. Did you ever make any statement similar to that?

Mr. WEISS. Here is what I said. I can recall the statement: They recently indicted 30 seditionists in Washington, and if SAMMY WEISS had permitted his frank to be used with speeches distributed by Nazi agents throughout the country the grand jury would no doubt have gone a step further and had me indicted.

Mr. MAY. Did you make the statement that three Members of Congress should be indicted?

Mr. WEISS. I would say, on my oath, I did not, and I absolutely deny it.

Mr. RANKIN. Will the gentleman from Kentucky ask the gentleman from Pennsylvania if he made the statement about Fascist blocs in Congress?

Mr. WEISS. No, sir. I never made that statement.

Mr. MAY. That is all.

Mr. WEISS. My integrity is all I have and I think my word of honor means something.

Mr. GORE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. GORE. This is a matter which has come up suddenly. I do not know what the gentleman from Pennsylvania said. I read the article. It sounded bad, but I think that all of us should reserve judgment until the gentleman from Pennsylvania can take the floor, on a point of personal privilege, I am sure if he desires, and make a full explanation and delineation of his statement. I know the distinguished gentleman from Mississippi, as he said to me a minute ago, has no desire whatever, to do an injustice to any man. I believe all of us should reserve judgment until our colleague from Pennsylvania takes the opportunity soon, I hope, to fully outline what he has said.

Mr. RANKIN. That is what I want to do. I want to get a full report of that speech. I do not want to do anyone an injustice.

INTERNAL REVENUE DEPARTMENT CLASSES FOR WAR WORKERS TO HELP ON INCOME-TAX RETURNS

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. FEIGHAN. Mr. Speaker, Thomas M. Carey, Collector of Internal Revenue for the Eighteenth Ohio District, at

Cleveland, has inaugurated a plan whereby many hours of work will be saved and applied to the war effort. The plan, which is working very successfully in Cleveland, and which has been adopted by many other Internal Revenue collectors throughout the country, provides a training school in which the qualified personnel of the Internal Revenue Department conduct classes attended by employees of plants and factories, instructing them in the preparation of individual income-tax returns. Those attending these classes are selected from the plants, and trained so that they may help their fellow employees prepare their income-tax returns. Members of industry and labor, chambers of commerce, and the bar associations are cooperating wholeheartedly in this undertaking. The execution of this plan is already lightening the heavy burden upon the Internal Revenue Department, and at the same time facilitating the filing of individual returns. It is estimated that in the Eighteenth Ohio District, under this plan, 300,000 workers who might otherwise have to take at least half a day off, will have their income-tax returns made out in less than one-half hour, thus conserving approximately 150,000 days' work in the production of materials so necessary in the prosecution of the war.

Mr. Carey and the Internal Revenue Department are to be congratulated for originating and putting into effect this successful plan.

The SPEAKER pro tempore. The time of the gentleman has expired.

ABSENTEE SOLDIERS VOTING

Mr. ROWE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. ROWE. Mr. Speaker, it has been said in the recent past with reference to the ability of the air transport to take to the different Army posts the larger of the two ballots that have been much discussed here that perhaps the air transport could not accommodate that burden. It may be enlightening to us to know that 6 percent of the total freight imported into this country in 1943 came in by air. The total amount of weight estimated in the longer ballots is about 200 tons. That constitutes less than 1 percent of the amount that was transported abroad and brought back in 1943.

The SPEAKER pro tempore. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. CRAVENS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include an editorial.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SHAFER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks and insert in the RECORD an editorial from the Sullivan County Republican, by David A. Kyle.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks by including in the RECORD an article from the New York Times to the effect that the American Federation of Labor urges a reconstruction committee by Congress which is the very thing we did yesterday.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

ANNIVERSARY OF WILLIAM McKINLEY'S BIRTHDAY

The SPEAKER pro tempore. By direction of the Speaker, and without objection, the Chair now recognizes the gentleman from Ohio [Mr. JEFFREY] for 10 minutes to speak on the anniversary of the birthday of President McKinley.

There was no objection.

Mr. JEFFREY. Mr. Speaker, it is fitting even in this time of war-born emergency that the House should pause in its labors to pay tribute to the life of one of America's leaders on the eve of the anniversary of his birth. It is peculiarly fitting since this man attained to greatness on the floor of this very Chamber and because he led this Nation through the trials and travail of war. To serve is the hallmark of the great. He who would be great among you must be your minister, and he who would be chiefest among you must be servant of all. Few men in the history of our Nation have obeyed this command to the degree exemplified by the life of William McKinley. Few have rendered the last full measure of devotion as did he. In private and in public life, in peace and in war, he devoted himself to the service of others. As a frail youth of 18 and somewhat handicapped by sickness and ill health, William McKinley was teaching school in Ohio. One afternoon he returned from a neighboring town to his own community in which he lived and saw a crowd of horses and buggies and people in front of the old Sparrow House. On the balcony of that hostelry was the leading citizen of the community and he was making a fiery speech. Enthusiasm ran high. Fort Sumter had been fired upon. The call to the colors had been sounded by the President. As the result of that speech, man after man walked down and volunteered his services in the forces of the Union, ignorant alike of the hardships and perils which awaited. Not so William McKinley. He returned to his home, kept his own counsel, and then on the second morning following that address he informed his mother that he was leaving to join the Union forces. He was mustered in at Camp Chase, near Columbus, Ohio, as a private. William McKinley rapidly rose to the rank of sergeant. In 1862, at the battle of Antietam, he was commissioned as a commissary sergeant. The fighting began early and it lasted throughout a long, hard day. McKinley organized his men. But not satisfied to remain safely behind the lines, he hitched a pair of mules to a wagon and took hot coffee and food through the swamps and over shell holes throughout the entire day, even into the battle line itself. As a result of that service he was given a promotion to a commissioned rank, that of second lieutenant. To do the allotted job was never enough. He must travel the extra mile and perform the extra duty which courage and a sincere desire to serve inspired. It is significant, too, that in 1864, at the battle of Cloyd Mountain, the Union forces were forced to retreat. William McKinley was serving Major Hayes as a young staff officer. It soon became apparent that a regiment stationed at the right, down in a wooded valley, had not received the order and would be annihilated. The major glanced at McKinley without a word, and McKinley in turn, without a word, mounted his horse. There was no time for stealth. To get word to the beleaguered regiment meant a wild ride through open country in the face of shot and shell.

Through some miracle both rider and horse arrived unscathed, and an orderly retreat was begun by that regiment as well.

For that act, William McKinley was again promoted, this time to the rank of captain.

In 1865, more than a million men were mustered out of the Army. Necessarily, few bore the rank of major. This erstwhile frail and sickly youth of 18, now become a robust man of 22, old beyond his years by reason of hardship and responsibility, without family or influence, without special friends or special training, was mustered out a major, recognition of his intelligent service and his willingness not only to do his duty, but to go that extra mile and perform that extra duty, which his devotion to his country and to his fellow man always commanded.

As you know, at the close of the war, William McKinley returned to his home and studied law. On his admission to the bar, he moved to Canton, Ohio, where he was elected prosecuting attorney, and established himself and a flourishing legal practice in that community. He became interested in the political life of the community, as was natural for one who had his ready self-expression, and his genuine fondness of people. Then he was elected to this body.

I think it is generally recognized that his greatest achievements were performed on the floor of this House. I think it is fair to say that no one who served here and later attained to the Presidency ever so indelibly left the imprint of himself and his personality as did this man who attained the chairmanship of the powerful Ways and Means Committee. In the convention of his party in 1888 he led the Ohio delegation

which was pledged to Senator John Sherman. He made the nominating address, and by his eloquence attracted the attention of the other delegates. When the balloting began someone cast a vote for McKinley. McKinley mounted a chair and in a ringing voice demanded that none who would not dishonor him should cast a vote for him, and thereby cast suspicion upon his loyalty and his integrity. That act and his work and position in this House, which had already made him a marked man, subsequently worked in his behalf when, as Governor of Ohio, he was an avowed candidate for the Presidency.

At that time Mark Hanna made a trip east to measure sentiment of other party leaders. He returned and reported to McKinley the price of support which was demanded by some. To a man in public life, no prize can equal that of the Presidency of the United States. But McKinley, after listening to Mark Hanna, walked over and put his hand on his shoulder and said, "Mark, some things come too high in this world, including the Presidency of the United States."

The promises were never given.

Perhaps the greatest single contribution of William McKinley, outside of his work in this House, was his effort to remove the sectionalism and bitterness which had been engendered by the Civil War, and still persisted. Another martyred President had said "Let us bind up the Nation's wounds." This he sought to do both by word and deed. McKinley, himself a soldier, knew the gallantry of the men in gray.

It is interesting to know that during his first term as President he made a pilgrimage into the deep South and spoke on every occasion, as was his custom. Some of his political advisers had advised him to go West as a more fruitful source of future political support. But again, ever submerging his selfish personal interest, McKinley did that which he thought was for the best interest, not of one section, but of the Nation as a whole.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. JEFFREY. I yield.

Mr. RANKIN. I dislike to interrupt the gentleman from Ohio, because he is making a very splendid address.

But I do want to say that Members on this side of the aisle join in paying reverence to the memory of our former President, William McKinley.

His death was one of the greatest shocks the people of the South ever had, because in him they had found a man who, while he did not agree with them politically, manifested a deep and abiding sympathy for their welfare. He was a great humanitarian, he was a great patriot, he was a great statesman, and a great American.

"His life was gentle and the elements so mixed in him that nature might stand up and say to all the world, 'This was a man.'"

Mr. JEFFREY. I thank the gentleman for that contribution.

I would like to add two more episodes in this brief time. The stories concerning McKinley's devotion to his invalid wife are legion. It is well-known that regardless of whether the call was from a minister of state, or from a foreign diplomat, when Ida McKinley's need required, he dropped everything to serve her. Someone else has said that the unfailing courtesy and consideration which dignified McKinley's relationship with everyone throughout his long life was but the bloom of the unselfish service which he rendered to his invalid wife.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. RANKIN. I ask unanimous consent that the gentleman from Ohio may proceed for 5 additional minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. JEFFREY. Then may we come down to the time when William McKinley left for Buffalo. His first term in office had been a stormy one, but after that term had been concluded and he entered his second, the entire horizon seemed cloudless. The country was prosperous. A majority of the Members of Congress were of his political faith and were working in complete harmony with him. The war had ended in victory which had enhanced the prestige of this Nation and its Chief Executive. McKinley wanted to go to see that exposition. As he said, "I want to see this milestone in the progress of the country."

Repeatedly he had been warned about submitting his person to public receptions of that nature, but as was his nature, he always replied with the question, "Who would want to harm me?" His great soul, incapable of planning harm to another, in turn refused to believe that another could plan harm to him. But a crazed mind controlled the trigger of an assassin's gun, and McKinley was stricken.

In peace as in war, he had rendered the last full measure of devotion. Surely no man hath greater love than this—that he lay down his life for those whom he served. Surely, he was chiefest of all, even, as in his day, he was the servant of all.

Mr. NORRELL. Mr. Speaker, will the gentleman yield?

Mr. JEFFREY. I yield.

Mr. NORRELL. I wish to compliment the gentleman upon his fine address. It was my privilege about a week ago to pass by the birthplace of William McKinley in Ohio. As the grandson of a southern Confederate soldier who lost his life in the conflict, I could not help but feel I was upon hallowed ground, certainly in the presence of the birthplace of one of the greatest, if not the greatest, statesmen this country has ever known. I wanted the gentleman from Ohio to know how the South feels truly toward William McKinley.

Mr. JEFFREY. I thank the gentleman very much.

Mr. McGREGOR. Mr. Speaker, will the gentleman yield?

Mr. JEFFREY. I yield.

Mr. McGREGOR. I simply want to congratulate my colleague and my personal friend from Ohio for his splendid address on this memorable day.

Mr. JEFFREY. I thank the gentleman from Ohio.

The SPEAKER pro tempore. The time of the gentleman from Ohio has again expired.

Mr. JENKINS. Mr. Speaker, I ask that the gentleman from New Jersey [Mr. McLEAN] may be permitted to extend his remarks immediately following the address made by my colleague, the gentleman from Ohio [Mr. JEFFREY].

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. JENKINS. Mr. Speaker, I also ask unanimous consent that any other Member wishing to make comment on the life, character, and achievements of this distinguished Ohioan may be permitted to extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to insert in the RECORD a discourse by the eminent and accurate Mr. Cedric Foster, radio commentator, with regard to the present relations between Russia and Poland and a discussion of the boundary dispute, delivered over the Mutual Network through Station WNAC on Sunday, January 16, 1944.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

INDEPENDENT OFFICES APPROPRIATION BILL, 1945

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4070) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1945, and for other purposes; and, pending that, I ask unanimous consent that general debate on the bill shall continue throughout the afternoon, the time to be equally divided between the gentleman from Massachusetts [Mr. WIGGLESWORTH] and myself.

The SPEAKER pro tempore. The gentleman from Virginia asks unanimous consent that debate on the bill continue throughout the afternoon, the time to be equally divided between himself and the gentleman from Massachusetts. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Virginia.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4070, the independent offices appropriations bill, 1945, with Mr. WHITTINGTON in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself 15 minutes.

The CHAIRMAN. The gentleman from Virginia is recognized for 15 minutes.

Mr. WOODRUM of Virginia. Mr. Chairman, the independent offices bill, which is presently before the committee, I am very happy to say, comes with a unanimous report of the Appropriations Subcommittee on Independent Offices that considered the bill and with a committee amendment which will be offered in connection with the Home Owners' Loan Corporation. I think there is no controversial item in the bill insofar as our subcommittee is concerned. The fact that we come with a unanimous report and with little contest, however, does not minimize the importance of the bill, not only on account of the large sum of money it contains but on account of the fact that it provides for so many of the independent establishments of the Government many of which are vitally and directly connected with the war.

The pending bill contains a total of $8,500,590,352. The amount appropriated for these establishments for the present fiscal year was $2,873,507,799. You can see at once, therefore, that there is a tremendous increase in the bill over the amount appropriated for the current fiscal year. I want to analyze this increase for just a moment.

The increase is largely accounted for in three items in the bill: First, the construction fund of the Maritime Commission, which is increased over the current fiscal year by $5,476,220,000. This is for the construction of ships by the Maritime Commission. The need for this large sum of money comes because of their greatly expanded and greatly stepped up program for the construction of vessels. In connection with this the committee was told by Admiral Land that for the current fiscal year there would be 19,000,000 tons of shipping. That was for 1943. For 1945 they will provide 21,700,000 tons of shipping. Perhaps you will get a better idea of what the shipping program means if it is stated in another way. Today we are building ships at a rate in excess of five per day. At the peak of the program in 1945 it will be at the rate of one ship every 4 hours. The building of ships takes money and we provide in this bill cash and contractual authority for the Maritime Commission who are acting in collaboration and conjunction with the Chiefs of Staff in building these ships for the purpose of carrying troops, supplies, cargoes, and ships which after the war will be ready to carry the merchandise of America in what we hope will be a favorable world trade.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. VORYS of Ohio. Are these ships of a type that will be able to compete in world trade or are they of the ugly-duckling type?

Mr. WOODRUM of Virginia. Originally we built a good many ships of the ugly-duckling type. Then we passed to the Liberty ship. Present emphasis is being placed entirely on the Victory ship.

Mr. BLAND. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. BLAND. The Liberty ship was the ugly-duckling type. Now they are concentrating I understand on the Victory ship which is a much faster ship.

Mr. WOODRUM of Virginia. The Victory ship as I understand—and I wish to be corrected by my colleague the gentleman from Virginia, who is chairman of the Committee on the Merchant Marine and Fisheries and knows so much about the program—the Victory ship will equal in every respect or perhaps surpass the best any other nation will have. Does the gentleman agree with my statement?

Mr. BLAND. Yes.

Mr. VORYS of Ohio. Could the gentleman say approximately what the tonnage of the Victory ship is?

Mr. WOODRUM of Virginia. Not offhand, but they are large ships. Can the gentleman from Virginia [Mr. BLAND] tell us?

Mr. BLAND. I cannot state the tonnage right now.

Mr. VORYS of Ohio. Is it 17,000?

Mr. WOODRUM of Virginia. Seventeen knots is the speed.

Mr. BLAND. Yes; 17 knots and it will probably be a little higher tonnage than the ugly duckling.

Mr. WOODRUM of Virginia. The hearings show that the average tonnage of the Victory ships is 10,500.

As I have said, $5,476,220,000 of the increase over the amount appropriated for the current fiscal year is for the Maritime Commission, to be used entirely for shipbuilding. If the turn of the war should indicate that we could scale that down it will be done, but as they see it now the $5,476,220,000 will take the full building facilities of the United States for that period.

Mr. DONDERO. Mr. Chairman, will the gentleman yield for a question?

Mr. WOODRUM of Virginia. I yield.

Mr. DONDERO. How many ships does that contemplate in number? Can the gentleman give the House any information on that?

Mr. WOODRUM of Virginia. Under the long-range construction program, for which we are appropriating in this bill, the commission has completed 1,145 ships to June 30, 1943, at a total estimated cost of $2,526,150,535. As of July 1, 1943, 2,992 ships were under construction or contract at a total estimated cost of $7,840,370,525. Under the new program contracts for 2,359 ships have been or are to be awarded at a total estimated cost of $6,111,931,627. The over-all totals are 6,496 ships to be constructed at a cost of $16,478,452,687.

Under the present program we are turning out about 166 ships a month.

The next large increase in this independent offices bill is in the Veterans' Administration; $361,142,500 is carried in the bill for the Veterans' Administration over and above the amount carried for the current fiscal year for this activity. I think we can readily understand of course why an increase in appropriations for the Veterans' Administration is necessary. That includes $164,000,000 for administrative expenses which includes the cost of operating the 45 hospitals, the 42 combined facilities, 10 regional offices, 6 homes, 2 supply depots, and the cost of travel, the examination of beneficiaries, repairs and alterations, and all and sundry such expenses of the Veterans' Administration. There is an increase, also, for pensions and compensations of $65,252,000, for adjusted compensation payments of $9,000,000, and an item of $500,000,000 which represents the Federal Government's contribution to the national service life-insurance fund. You may be interested to know that as of November 30, last, the Veterans' Administration had more than 13,400,000 applications for policies in the national service life-insurance fund. This indicates that our armed services are availing themselves of the opportunity to take advantage of this very favorable life insurance which is provided for them. The estimated amount of insurance represented by these applications is in excess of $97,000,000,000. I have an idea that if you put all the life-insurance companies in America together they would not approximate a life-insurance picture comparable to that which has been set up in the Veterans' Administration for the armed services.

You may be further interested to know that General Hines told us this fund is set up on an actuarial basis and that it will be self-sustaining, except, of course, as to the extra war hazard. Where men are lost in the war, of course, that hazard will be paid out of the Federal Treasury; otherwise that insurance, which undoubtedly will be kept up by these men who return from service through the rest of their lives, will be self-sustaining.

Mr. MILLER of Connecticut. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Connecticut.

Mr. MILLER of Connecticut. Are the funds of the National Insurance Act and the old war-risk funds intermingled?

Mr. WOODRUM of Virginia. They are not. They are kept in separate funds. There are funds in here for the old war-risk insurance to the extent of $19,794,000, but they are kept entirely separate because, as the gentleman knows, they are on an entirely different basis.

Those two items aggregate $5,837,000,000 of the amount of increase in this bill. Then we have in addition to that $47,000,000 for overtime, what we have called overtime pay, which is in reality the increase in salaries which we have provided for Federal employees. It is a misnomer, in my opinion, to call it overtime, but that is what the Congress has been pleased to call it. It is additional pay for the Government employees who received this increase.

To recapitulate, briefly, in making an over-all comparison between the fiscal

years 1944 and 1945, you will find by taking out the 1945 total increases for the Maritime Commission and the Veterans' Administration totaling $5,837,000,000, that the bill is still $210,000,000 under the 1944 appropriation total. However, if we deduct nonrecurring items appropriated for 1944, for which there is no corresponding figure for 1945, including $50,000,000 for war public works, $150,000,000 for war housing, $17,000,000 for construction for the National Advisory Committee for Aeronautics and $7,000,000 for Puerto Rico relief, making a total of $224,000,000, it will be seen that the bill on that basis is $14,000,000 in excess of the 1944 appropriation. Finally, if we take into consideration the matter of overtime, which is contained in the pending bill, in the amount of $46,000,000, and for which no comparable sum is contained in the 1944 total, you will see that there is, on a comparable basis, a net reduction of approximately $33,000,000 under the 1944 appropriation.

This is a small amount in a bill of this size, but we think it shows that the committee has tried and the committee did try to hold down expenses and to keep them at an absolute minimum.

I want to comment just briefly on two or three of the cuts that were made in the bill. The bill is cut $23,531,957 below the budget estimate, most of which is in two large reductions. One reduction was made in the administrative expenses of the Maritime Commission. We cut $10,000,000 in the administrative expenses of that Commission. That is a pretty drastic cut. I want to be frank and say I do not know whether all of that cut will stick, but we hope it will. The Maritime Commission, if a provision in this bill is passed, will have $29,130,000 available for administrative expenses during the present fiscal year. They asked for an increase of nearly $11,000,000 on the theory that this whole program would reach a maximum if the funds were provided in 1945. If it does, that agency may need additional administrative expenses. But the committee felt we would give them a strong incentive to cut down their administrative expenses and we made that curtailment in the administrative expenses of that agency to the extent indicated.

We also cut $10,000,000 off the road fund for access roads. Access roads, as you know, are the roads provided for just exactly what the word implies, to give access to war industries and war installations. The committee felt that by July 1, 1944, the situation with reference to war installations would be so well stabilized and established that there would be very little need for continuation on the present scale. The budget estimate was for $50,000,000 for access roads. We thought we were rather conservative when we took only $10,000,000 out of that. We left them $40,000,000. Perhaps we could have taken half of it, but we took only $10,000,000.

A substantial cut was made in the Federal Communications Commission. There will probably be some discussion on that and I think I will take just a moment or two to discuss it with the committee. The committee will find in the report which bears my name, as chairman of the subcommittee, that I refer to the Federal Communications Commission and state that of the total reduction of $1,654,857, $1,000,000 has been specifically applied to that part of the work of the Commission relating to war activities, which, in the opinion of the committee, should be performed by the War and Navy Departments. The justification for the action of the committee was based on a letter signed by the Joint Chiefs of Staff to the Secretary of the Navy suggesting that that work could be performed more effectively by the armed forces and on a joint letter signed by the Secretary of War and the Secretary of the Navy, addressed to the President, transmitting the letter of the Joint Chiefs of Staff. That was the verdict of the majority of the committee, but our committee is unanimous in what we bring in here. I think I can say, without divulging any secrets of the committee that may be objectionable to my colleagues, that in executive session of the committee there was a difference of opinion amongst those members. I happened to be on one side and all the rest of them on the other side, which always makes me doubt whether I am right or wrong. Anyway my Democratic colleagues and my Republican colleagues did not agree with me.

Here is the situation: However we may feel about the Federal Communications Commission, however we may feel about some of its personnel, they are performing a very, very vital war function. It is true that the Joint Chiefs of Staff under date of February 1, 1943, addressed a communication to the Secretary of the Navy in which it was suggested that certain functions presently being performed by the Federal Communications Commission should be withdrawn from it and given to the armed services, that the armed services could better perform those functions and do it more efficiently and with a greater degree of security. You will find the letters I have referred to on pages 16 and 17 of the committee report, if you wish to refer to them. The letter from the Joint Chiefs of Staff is a very strong one.

That letter was transmitted to the President. The President considered the matter, and investigated it, but did not act on the recommendation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield myself 10 additional minutes.

Mr. Chairman, after going into the matter, the President in his wisdom considered that these functions ought to be continued in the Federal Communications Commission and those functions have continued in that agency. The budget estimate presently before the committee and before Congress called for these functions to continue in the Federal Communications Commission, and so far as I know officially with the acquiescence and approval of the armed forces.

It has been suggested that when the President says a thing should be done the armed forces must acquiesce, that perhaps there may be some element of official coercion or duress; but that is merely an assumption, it is merely a suggestion. There is certainly nothing before the committee that indicated this arrangement which is now going on, by which the Federal Communications Commission is performing these services, is not in every way satisfactory to the armed forces. But, as I say, the majority of the committee thought otherwise and they reported the bill taking a million dollars of that fund out of the bill, which means, if it stays out, some provision will have to be made somewhere for the armed forces to take that work over.

I acquiesce in the judgment of the committee and I expect to make no contest on the floor of the House against the majority opinion of the members of the committee. On some other matters they did the same thing. Their judgment was one way and some of the rest of us the other. But we have tried in this committee to compose our differences, feeling that we are in a better position to pass on these facts than most of you gentlemen who have other duties to perform. The committee is in accord and that is the way the matter will stay in the House.

Mr. VOORHIS of California. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from California.

Mr. VOORHIS of California. Was there any evidence to the effect that the Federal Communications Commission is not doing a good job?

Mr. WOODRUM of Virginia. I may say to the gentleman that the only evidence there was, and it is very, very emphatic, was the strong letter of the Joint Chiefs of Staff, and a joint letter from the Secretaries of War and Navy transmitting it, which is still there, and we have heard nothing to the contrary. If they have ever changed their minds they have not said so and I think they ought to do so. That is the way the matter is left. I can understand how a Member of Congress may assert and say that if the Joint Chiefs of Staff had been convinced they were wrong in that letter they ought to say so, but they have not said so, so far.

Mr. VOORHIS of California. But aside from that, as far as any evidence before the committee is concerned, there is nothing that would indicate that the Communications Commission was falling down on the job?

Mr. WOODRUM of Virginia. Nothing whatever.

Mr. CASE. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from South Dakota.

Mr. CASE. In further response to the question raised by the gentleman from California, I think his attention should be invited to this very clear statement in

the letter to the Secretary of the Navy by the Joint Chiefs of Staff, which concludes:

The result that the attempted duplication by the Federal Communications Commission of work that is being more effectively done by the military has in fact endangered the effectiveness and security of military radio intelligence.

I cannot read that in any other sense than saying that it was the judgment of the Joint Chiefs of Staff that the attempted duplication by the Federal Communications Commission has in fact endangered the effectiveness and security of military radio intelligence.

Mr. WOODRUM of Virginia. Of course, my colleague will remember that chronologically after that letter the President considered the matter and decided otherwise, and as far as we know the Joint Chiefs of Staff acquiesced in it. It seems to me that the matter is left in a very unsatisfactory situation. If the Joint Chiefs of Staff made a strong recommendation like that, and it was decided they were wrong and the President was right, then they ought to say so.

Mr. CASE. My point in interrupting was merely to point out that there was evidence before the committee on the point. This was not an arbitrary action of the majority members of the committee. They did not reach out in thin air and grab it.

Mr. WOODRUM of Virginia. The only evidence the committee had was the letters I have referred to.

Mr. CASE. It was rather a formidable piece of evidence.

Mr. WOODRUM of Virginia. A very formidable piece of evidence; I agree to that.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Kentucky.

Mr. MAY. First of all, may I compliment the gentleman and his committee on their fine attitude on the subject of this particular recommendation, and may I add that I have had some dealings with the subject myself; but does not the gentleman believe the committee is right in taking the position that it did, for the very good reason that if it were not for the fact that the contrary position was taken by their Commander in Chief on this unchallenged and unquestioned recommendation of the Joint Chiefs of Staff, all of whom are men of conviction and courage, they would still stand on it? The fact that they have not changed their attitude in the face of the attitude of the President is conclusive to me that they still believe what they said.

Mr. WOODRUM of Virginia. I think it is capable of that interpretation, no doubt about it.

Mr. Chairman, there are many agencies in this bill. I do not want to consume unnecessary time. As we go on with the debate and as we come to the consideration of the bill under the 5-minute rule, there will undoubtedly be some questions about these agencies. For the present, I yield back the remainder of my time.

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, this bill, as has been pointed out, carries approximately $8,500,000,000, of which approximately $8,000,000,000 is accounted for by appropriations for the United States Maritime Commission and the Veterans' Administration. This item has been reduced by approximately $23,532,000 by your committee. It also carries authorizations for the National Housing Administration and T. V. A. out of funds available from other sources, amounting to about $38,000,000, and your committee has reduced this figure by about $194,000.

In addition, there is something over a billion dollars in contract authorizations for the Maritime Commission and the Inter-American Highway, and about $1,833,000,000 in permanent appropriations. The grand total is just over $11,462,000,000.

I think some of the items might have been reduced further, notably the item in respect to the Home Owners' Loan Corporation, which has not been reduced at all. I understand that a committee amendment will be offered with respect to the latter, which, if accepted, will reduce the item by about $500,000.

What I want to speak about particularly today is certain evidence developed in respect to two or three of the agencies in this bill, because I think it is extremely important that it should be called to the attention of the House.

UNITED STATES MARITIME COMMISSION

I want to speak first about the United States Maritime Commission, for which approximately six and three-fourths billions of dollars is carried in the bill.

Broadly speaking, this appropriation is based on the philosophy of all-out production with everything we have for the next 18 months. This should produce at least some 30,000,000 tons of shipping to put us well ahead of where we were at the outbreak of the war. Broadly speaking, the United Nations have not lost any ground despite sinkings since the outbreak of the war.

The record indicates 4,137 ships constructed or under construction as of June 30, 1943, and 2,359 ships to be contracted for thereafter under an over-all contract authorization of about $16,927,000,000. All appropriations are expected to be obligated by contract by June 30, 1944.

The committee has allowed the full construction request, reducing the request for administrative expenditure, however, from $40,000,000 to $30,000,000, or about $1,000,000 more than available for the current fiscal year, feeling that in view of the fact that the peak in construction has already been reached, the increase of 33 percent in regard to administrative expenditure is not justified.

The record of construction of ships in this country since the war broke out has been a tremendous record. I have paid tribute before and I pay tribute now to the workers in our shipyards, and to all those who have made this construction possible.

As a member of your Appropriations Committee, however, charged with responsibility in respect to appropriations in this field, I feel it my duty to refer again to financial matters with respect both to the Maritime Commission and the War Shipping Administration, since the work of the two agencies is so closely interrelated.

The people of this country, I am sure, are willing to pay every dollar essential to the war effort. On the other hand, the people are demanding the elimination of waste and extravagance and, Mr. Chairman, there appears to be mounting evidence, in the absence of explanation, of gross waste and extravagance in the field now under discussion.

If you will read the hearings and the testimony given by the General Accounting Office, you will notice that the Comptroller General made some investigations of both agencies during the fiscal year 1943, and that he says he found many irregular practices, some due in no small part to the failure of the United States Maritime Commission to issue proper instructions and to exercise the degree of administrative control ordinarily required in the handling of Government business and the expenditure of public funds.

Specifically he found:

Failure to account properly for receipts from revenue-producing activities, such as housing, cafeterias, transportation facilities, etc.; abnormal increase in salaries of officers and employees of contractors operating under Government contracts; reimbursement of improper expenditures, such as for lectures on human engineering, excessive rentals, bonuses to officials and employees, cost of yard publications; assignment of contractors' employees for duty in Commission offices, thereby circumventing administrative salary limitations as well as placing such employees in a position of checking their employer; payments for land in excess of the appraised value thereof; excessive purchases of steel; excessive rentals on equipment under rental-purchase agreements and the release thereof when only small amounts remained to be paid in order to acquire title; purchases of automobiles without regard to the statutory limitations as to the amounts paid; excessive cost of telephone services and the personal use thereof; inadequate safeguard of Government property; failure to transmit all contracts to the General Accounting Office as required by law; failure to maintain adequate inventory of steel, equipment, and other supplies received at various shipyards, or to maintain proper records of transfers of such material between shipyards; the use of a cost-plus-percentage-of-cost form of contract in violation of law; excessive over-all or composite hourly billing rates for ship repairs, due in part to direct charges, also in part to overhead, thereby duplicating amounts by which the composite billing rate was based to the extent of such inclusion.

In the matter of ship charter, the Comptroller General refers not only to "the exorbitant Red Sea charters" but to the fact that existing rates, both time and bareboat, are high.

In respect to insurance, he states that the rates established for insurance purposes appear to be excessive, permitting owners to receive more if ships are lost than if requisitioned. He characterizes this practice as "wasteful of the public

money" and adds that he disapproves of the practice and has so advised the War Shipping Administration.

For a year or more, Mr. Chairman, I have attempted to obtain rather detailed information from the Maritime Commission and the War Shipping Administration. I have not received all of the information which I have requested. Much of it has been incomplete. I have received a lot of statistical matter, however, and call your attention particularly to one document which I have here, furnished by the Maritime Commission.

You will note that it is about 8 by 10 inches, about an inch thick, and that it has some 70 pages, most of them doubled over, of figures. It is entitled "Special Report on (1) Large Vessels Purchased, (2) Estimated Charter-Hire Payments, and (3) Insurance Placed Covering Period July 1, 1941, to December 3, 1942."

A detailed analysis is, of course, impossible in the limited time available. From this document and other information from official sources, however, I have had certain tables prepared, and under leave to extend my remarks I propose to insert the tables and allow them largely to speak for themselves.

I have a table, for example, on vessels purchased by the Maritime Commission or the War Shipping Administration.

Large vessels purchased by the Maritime Commission, July 1, 1941, to Dec. 31, 1942

	Built	Construction cost	Prices paid by companies	Year bought	Book values (Commission order No. 24)	Prices paid to Commission [1]	Dates purchased by Commission
American President Lines:							
Cleveland	1921	$6,437,147.13	$1,125,000.00	1925	$160,928.68	$800,000.00	July 7, 1941
Pierce	1921	6,559,364.88	1,125,000.00	1925	163,984.12	800,000.00	July 31, 1941
Taft	1921	6,121,549.88	1,125,000.00	1925	153,038.75	800,000.00	June 17, 1941
Total [1]		19,118,061.89	3,375,000.00		477,951.55	2,400,000.00	
Waterman Steamship Corporation:						*Prices paid by Commission*	
City of Alma	1920	1,707,349.69			42,683.60	660,300.00	Dec. 6, 1941
Dynastic	1919	[2]				656,250.00	Mar. 7, 1942
Marina Paskova	1919	[2]				607,800.00	
Raphael Semmes	1920	1,641,830.63			41,045.75	723,600.00	Nov. 14, 1941
Total						2,707,950.00	
Southern Pacific Co. (Morgan Line): [3]							
El Almirante	1917	[2]				486,595.00	June 26, 1941
El Capitan	1917	1,267,836.52			32,445.90	486,595.00	Do.
El Estero	1920	[2]				406,765.00	July 14, 1941
El Isleo	1920	[2]				406,765.00	July 2, 1941
El Lago	1920	[2]				406,765.00	June 26, 1941
El Mundo	1910	[2]				325,745.00	July 9, 1941
El Occidente	1910	[2]				325,745.00	July 7, 1941
El Oriente	1910	[2]				325,745.00	June 26, 1941
Total						3,170,720.00	
American Export Lines: [4]							
New Orleans	1920	1,983,981.19			49,599.52	47,903.55	May 10, 1941
Sawolka	1920	1,908,141.80			47,703.50	47,703.55	July 11, 1941
Unicoi	1920	1,906,612.16			47,665.30	47,665.30	Apr. 3, 1941
Ward	1921	1,901,947.59			47,548.70	52,284.74	June 18, 1942
Total		7,700,682.74			192,517.02	195,557.14	
Matson Navigation Co.:							
Mana	1920	1,048,669.86			26,166.00	352,800.00	Dec. 31, 1941
Maui	1917					900,000.00	Dec. 3, 1941
Noggin	1919	1,976,555.01			49,413.00	[5]	Dec. 19, 1942

[1] $2,400,000 has been paid to the Commission by the War and Navy Departments for these 3 vessels.
[2] Not available.
[3] On Jan. 13, 1944, the Comptroller General reported to Congress that the Commission had made excessive overpayments to this company in the acquisition of 10 cargo vessels in 1941.
[4] It is understood that prior to the outbreak of this war, the Commission sold certain old vessels to the Alcoa Steamship Co., A. H. Bull Steamship Co., Waterman Steamship Corporation, and American Export Lines with a covenant reserving the right in the Commission to repurchase the vessels at the prices for which they were sold, and that as to the vessels mentioned, the right to repurchase was exercised against American Export Lines only. This would explain the low prices as compared with those paid Waterman. (See hearings before House Merchant Marine and Fisheries Committee on the report of the Comptroller General in the Waterman case, pp. 193–194.)
[5] Just compensation.

Numerous vessels purchased by the Commission for the account of the Army and Navy have apparently not been included in the data furnished.

Members of the committee will note particularly the purchase price of $2,400,000 for three old vessels built back in 1921 which were sold back in 1925 for $3,375,000, and which had a General Accounting Office book value of about $478,000.

I have a table of vessels chartered and insurance paid by the Maritime Commission or the War Shipping Administration:

Estimated charter-hire payments (July 1, 1941, to Dec. 31, 1942), insurance placed, etc.

	Built	Construction cost	Dates of charters	Charter rates paid	Estimated charter earnings	Book values (Commission order No. 24)	Insurance placed	Insurance paid (?)	Purchase prices paid Government by companies	When bought by companies
American President Lines:										
President Buchanan	1920	$4,117,495.01	Mar. 12, 1942	[1] $1,045.33	$287,954.15	$102,937.38	$1,263,960.00		$550,000.00	1924
President Coolidge	1931	7,871,971.84	Dec. 31, 1941	[1] 3,038.71	896,419.45	[2] 2,440,356.00	[3] 7,000,000.00	(?)	5,333,334.00	1931
President Fillmore	1920	4,078,153.38	Feb. 9, 1942	[1] 1,045.33	319,869.33	101,953.38	1,263,960.00		550,000.00	1924
President Grant	1921	4,231,543.19	Mar. 4, 1942	[1] 1,120.35	317,761.36	105,788.57	1,265,280.00		550,000.00	1924
President Johnson	1904		June 30, 1942	[1] 1,208.27	424,762.07		1,865,160.00			
President Madison	1921	4,115,137.70	Sept. 6, 1941	[1] 1,086.93	430,869.83	102,878.40	1,260,120.00		550,000.00	1924
President Taylor	1921	4,308,694.33	Dec. 6, 1941	[1] 1,086.93	164,126.43	107,717.35	1,260,906.00		550,000.00	1924
President Tyler	1920	4,110,857.19	Jan. 9, 1942	[1] 1,045.33	351,776.90	102,771.42	1,263,960.00		550,000.00	1924
Total		32,833,852.64			3,193,539.52	3,064,402.50	16,443,345.00		8,633,334.00	
Waterman Steamship Corporation:										
Topa Topa	1920	1,935,561.62	Mar. 3, 1942	[4] 40,308.72	208,849.66	48,439.00	[5] 840,866.25	In suit	75,294.00	1929
Andrew Jackson (ex Salam)	1920	1,527,665.55	Feb. 24, 1942	[4] 32,850.00	164,886.63	38,191.62	(5)		96,000.00	1940
Antinous	1920	1,631,004.36	Apr. 14, 1942	[4] 42,933.60	218,997.44	40,775.10	[5] 868,320.00	In suit	86,436.00	1929
Arizpa	1920	1,529,223.33	Jan. 24, 1942	[4] 38,054.32	401,963.29	38,230.57	704,320.00		79,236.00	1929
Bayou Chico	1920	1,686,182.66	Feb. 24, 1942	[4] 32,850.00	287,634.64	42,154.57	(5)		147,000.00	1940
Beauregard (ex Yapalaga)	1920	1,482,019.16	Apr. 7, 1942	[4] 32,850.00	261,045.00	37,050.48	(5)		153,000.00	1940

See footnotes at end of table.

Estimated charter-hire payments (July 1, 1941, to Dec. 31, 1942), insurance placed, etc.—Continued

	Built	Construction cost	Dates of charters	Charter rates paid	Estimated charter earnings	Book values (Commission order No. 24)	Insurance placed	Insurance paid (?)	Purchase prices paid Government by companies	When bought by companies
Waterman Steamship Corporation—Continued.										
Bellingham	1920	$1,958,809.65	Mar. 16, 1942	[4] $39,396.36	$229,377.21	$48,970.00	$783,843.75	[6]	$87,864.00	
Gateway City	1920	1,428,627.24	Apr. 2, 1942	[4] 38,066.98	310,797.51	35,715.68	705,111.25		79,236.00	1929
Hastings	1920	1,688,235.84	May 6, 1942	[4] 40,685.08	313,613.48	42,205.88	[3] 821,792.50	In suit	76,842.00	1929
Krofesi	1920	1,419,693.63	Apr. 11, 1942	[4] 38,252.04	297,136.82	35,418.14	785,662.50			
Lafayette (ex *Dryden*)	1919	1,768,163.16	Apr. 22, 1942	[4] 44,960.00	338,809.89	44,204.08	843,000.00	(?)	52,025.00	1933
La Salle	1920	1,731,028.62	June 10, 1942	[4] 32,850.00	152,505.00	43,275.71	[5]			
Lawrence	1919	825,272.07	May 29, 1942	[4] 23,730.00	162,473.94	20,661.80	315,000.00			
Luca	1919		Feb. 19, 1942	[4] 37,350.00	388,440.00		647,625.00			
Maiden Creek	1919	1,881,600.18	June 25, 1942	[4] 38,786.04	228,778.95	47,040.00	817,688.00		74,425.00	1929
Wacosta	1920	1,469,477.14	Feb. 26, 1942	[4] 38,034.28	235,812.53	36,736.92	703,067.50		79,366.00	1929
Warrior (ex *John J.*)	1920	1,630,913.39	Apr. 28, 1942	[4] 51,292.00	40,336.00	40,772.80	961,725.00	In suit		
West Kyska	1918	2,006,807.48	Feb. 18, 1942	[4] 36,888.00	384,864.80	50,170.18	636,000.00		76,320.00	1929
West Madaket	1918	1,903,874.80	Feb. 17, 1942	[4] 37,292.55	390,328.62	47,596.87	[3] 642,975.00	In suit	77,157.00	1929
Yaka	1920	1,473,384.72	Mar. 1, 1942	[4] 38,020.62	281,264.00	36,834.00	[3] 702,214.00	do	79,236.00	1929
Total		30,977,544.60			5,763,855.41	774,443.40	11,779,210.75		1,355,437.00	
American Export Lines:										
Examelia	1920	1,463,055.42	May 14, 1942	[4] 34,834.80	168,368.20	26,576.00	660,600.00		$58,800.00	1925
Excello	1919	1,708,232.40	Jan. 5, 1942	[4] 34,834.80	357,637.20	42,705.00	600,600.00		58,687.50	1925
Exchester	1919	1,457,959.38	Aug. 14, 1942	[4] 35,600.00	109,040.00	36,449.00	640,000.00		58,800.00	1925
Executive	1920	1,421,633.91	Mar. 26, 1942	[4] 34,834.80	301,849.92	35,041.00	600,600.00		58,687.50	1925
Exford	1919	2,063,061.15	Mar. 3, 1942	[4] 34,834.80	325,834.65	51,577.00	600,600.00		22,543.00	
Exilona	1919		Feb. 14, 1942	[4] 34,834.80	351,042.46		600,600.00			
Exmouth	1920	1,424,542.99	Apr. 22, 1942	[4] 34,834.80	272,512.68	35,613.00	600,600.00		58,687.50	1925
Expositor	1919		Feb. 6, 1942	[4] 34,834.80	242,353.84		600,600.00			
Total		9,538,485.25			2,128,638.95	237,961.00	4,844,200.00		316,205.50	
Alcoa Steamship Co.:										
Alcoa Banner	1919	1,341,921.53	Feb. 22, 1942	[4] 34,800.00	203,400.00	33,548.04	600,000.00			
Alcoa Cadet	1919	1,266,079.85	Feb. 23, 1942	[4] 34,800.00	142,767.71	31,651.99	585,000.00			
Alcoa Cutter	1918	2,189,213.11	June 1, 1942	[4] 35,600.00	239,500.00	54,730.33	640,000.00			
Alcoa Guard	1918	1,265,018.50	July 27, 1942	[4] 34,800.00	170,421.77	31,625.46	585,000.00			
Alcoa Leader	1919	1,808,412.51	Dec. 31, 1941	[4] 34,800.00	430,676.77	46,710.31	600,000.00			
Alcoa Mariner	1919	1,881,662.20	June 17, 1942	[4] 32,850.00	86,976.65	47,041.59	[3]			
Alcoa Master	1919	1,861,915.41	May 30, 1942	[4] 34,800.00	236,045.95	46,547.88	600,000.00			
Alcoa Pilot	1919	1,264,503.07	July 10, 1942	[4] 34,800.00	180,922.58	31,612.58	585,000.00			
Alcoa Rambler	1919	2,212,914.34	Feb. 14, 1942	[4] 32,850.00	322,914.06	55,497.85	[3]			
Alcoa Ranger	1919	1,726,325.23	Mar. 2, 1942	[4] 34,800.00	92,085.89	43,158.14	600,000.00			
Alcoa Scout	1919	1,279,103.17	Nov. 9, 1941	[4] 34,800.00	389,524.26	31,977.58	585,000.00			
Alcoa Trader	1920	1,475,380.49	May 23, 1942	[4] 34,800.00	219,753.14	36,884.51	600,000.00			
Alcoa Transport	1918	733,849.48	July 17, 1942	[4] 20,475.00	50,664.61	18,346.00	238,000.00			
Alcoa Voyager	1919	2,077,639.19	July 4, 1942	[4] 32,850.00	144,886.05	51,940.87	[3]			
Total		22,353,929.08			3,010,539.44	561,273.04	6,418,000.00			
Luckenbach Steamship Co.:										
Andrea Luckenbach	1919	2,727,698.31	Jan. 26, 1942	[4] 60,896.60	646,427.19	68,192.45	1,274,580.00			
Edward Luckenbach	1916		Mar. 3, 1942	[4] 51,540.00	189,517.41		1,041,250.00			
F. J. Luckenbach	1917		Dec. 4, 1941	[4] 48,518.40	576,906.69		981,920.00			
Harry Luckenbach	1919	3,152,202.35	Apr. 20, 1942	[4] 51,140.00	408,055.87	78,805.00	1,034,450.00			
Horace Luckenbach	1919	2,194,387.63	Feb. 14, 1942	[4] 46,813.20	465,517.65	54,861.00	947,410.00			
J. L. Luckenbach	1919		Feb. 6, 1942	[4] 50,202.60	517,554.22		1,016,005.00			
Jacob Luckenbach	1918	1,779,474.82	Jan. 27, 1942	[4] 46,400.00	493,071.73	44,437.00	870,000.00			
Julia Luckenbach	1917		Feb. 3, 1942	[4] 51,450.00	535,880.99		1,041,250.00			
Katrina Luckenbach	1918		do	[4] 48,518.40	502,592.86		981,920.00			
K. I. Luckenbach	1918		Feb. 6, 1942	[4] 48,518.40	452,054.09		981,920.00			
Lena Luckenbach	1920	1,637,207.16	Feb. 4, 1942	[4] 43,259.10	434,888.04	40,332.00	844,080.00			
Lewis Luckenbach	1919	2,726,842.66	Feb. 2, 1942	[4] 60,789.10	625,440.21	68,171.00	1,272,330.00			
Lillian Luckenbach	1919		Apr. 29, 1942	[4] 50,202.60	386,241.28		1,016,005.00			
Mary Luckenbach	1919		Feb. 5, 1942	[4] 36,400.00	265,306.64		679,745.00			
Mathew Luckenbach	1918	2,845,172.65	do	[4] 45,680.00	468,520.96	71,129.00	856,500.00			
William Luckenbach	1913		Feb. 3, 1942	[4] 45,784.20	493,272.26		926,585.00			
Total		17,063,075.58			7,461,248.09	425,926.45	14,914,261.00			
Lykes Bros. Steamship Co.:										
American Press	1920	1,344,428.60	Mar. 9, 1942	34,800.00	334,936.40	33,610.00	599,925.00			
Chester Valley	1919	1,500,738.69	May 6, 1942	[4] 34,800.00	252,367.49	37,518.00	599,925.00		40,075.00	1933
City of Joliet	1920	2,033,403.04	Feb. 20, 1942	[4] 40,000.00	103,317.61	50,835.00	738,075.00		49,205.00	1933
City of Omaha	1920	2,019,861.59	Mar. 11, 1942	[4] 40,000.00	342,971.77	50,496.00	738,075.00		49,205.00	1933
Cripple Creek	1919	1,941,732.71	May 25, 1942	[4] 40,000.00	111,509.12	47,543.00	728,025.00		48,535.00	1933
Effingham	1919	1,966,849.35	[8]		326,300.72	48,020.00	727,050.00	Lost $727,050	48,470.00	1932
Genevieve Lykes	1919	896,990.52	May 7, 1942	[4] 22,882.50	176,802.00	22,424.00	303,750.00			
Hybert	1920	3,005,355.00	Mar. 6, 1942	[4] 40,000.00	152,606.25	75,083.00	738,075.00		49,205.00	1933
Margaret Lykes	1919		May 26, 1942	[4] 27,750.00	190,893.12		450,000.00			
Meanticut	1921	1,952,682.67	Mar. 20, 1942	[4] 38,897.95	360,447.47	48,817.00	702,975.00		46,865.00	1933
Narbo	1920	1,971,419.86	May 21, 1942	[4] 39,018.30	276,904.04	49,285.00	705,150.00		47,010.00	1933
Nashaba	1921	1,879,875.26	June 5, 1942	[4] 38,798.35	256,942.25	46,996.00	701,175.00		46,745.00	1933
Nemaha	1920	2,009,543.06	Mar. 5, 1942	[4] 40,000.00	350,752.16	50,239.00	738,075.00		49,205.00	1933
Nishmaha	1919	1,940,887.60	June 5, 1942	[4] 39,059.80	257,445.79	48,522.00	705,900.00		47,060.00	1933
Scottsburg	1919	2,202,631.79	Apr. 12, 1942	[4] 48,996.00	102,981.60	55,065.00	918,675.00			
Syros	1920	2,001,144.78	Jan. 23, 1942	[4] 37,800.00	155,000.00	50,029.00	738,075.00		49,205.00	1933
Tillie Lykes	1920	896,483.86	May 26, 1942	[4] 23,419.25	45,126.00	22,412.00	310,875.00			
Velma Lykes	1920	898,264.00	May 10, 1942	[4] 23,165.00	18,531.96	22,457.00	307,500.00			
Volunteer	1918	2,151,566.67	Nov. 28, 1941	[4] 48,585.00	636,463.50	53,689.00	948,000.00			
Western Queen	1918		May 29, 1942	[4] 37,250.00	255,859.59		646,050.00		43,070.00	1933
Winston Salem	1920	2,027,863.21	Apr. 14, 1942	[4] 40,000.00	342,666.61	50,697.00	738,075.00			
Total		34,641,722.26			5,055,825.45	863,737.08	13,783,429.00		613,855.00	
Grace Line, Inc.:										
Caciqua	1918	1,153,448.71	June 6, 1942	[4] 24,001.20	161,209.90	28,836.21				
Chipana	1920	1,103,228.16	July 1, 1942	[4] 26,775.00	139,381.15	27,580.70	382,500.00			
Falcon	1919		May 31, 1942	[4] 23,871.25	185,002.19		316,875.00			
Lara	1919	1,340,690.47	June 12, 1942	[4] 23,871.25	152,378.18	33,517.26	316,875.00			
Santa Elna	1933	4,217,294.37	Jan. 3, 1942	[1] 2,114.96	734,948.60	[2] 1,406,000.00	5,335,000.00			
Santa Isabel	1031	2,393,566.30	July 11, 1942	[4] 45,985.03	220,821.50	958,000.00	[4]			
Santa Lucia	1933	4,214,598.95	Feb. 27, 1942	[1] 2,103.69	647,936.00	[2] 1,549,376.00	5,335,000.00	$3,802,091.21		
Santa Maria	1921	1,734,290.49	Oct. 10, 1942	[4] 45,600.64	92,166.62	43,357.26	[4]			
Santa Monica	1902		Mar. 25, 1942	[4] 47,252.33	425,309.26		[4]			

See footnotes at end of table.

Estimated charter-hire payments (July 1, 1941, to Dec. 31, 1942), insurance placed, etc.—Continued

	Built	Construction cost	Dates of charters	Charter rates paid	Estimated charter earnings	Book values (Commission order No. 24)	Insurance placed	Insurance paid (?)	Purchase prices paid Government by companies	When bought by companies
Grace Line, Inc.—Continued.										
Santa Paula	1932	$4,192,839.45				[2] $1,258,000.00	$5,335,000.00			
Santa Rosa	1932	4,210,312.31	Jan. 3, 1942	[1] $2,132.91	$677,198.93	[2] 1,264,000.00	5,335,000.00			
Susan B. Anthony	1930	3,449,267.25	Feb. 28, 1942	[1] 1,930.13	584,829.39		5,335,000.00			
Total		28,009,536.46			4,021,182.24	6,568,667.43	27,691,250.00			
Matson Navigation Co.:										
Kahuka	1920	1,998,189.19	May 6, 1942	[4] 37,931.00	50,574.70	49,954.00	685,500.00			
Kaimoku	1919	1,992,104.35	Jan. 7, 1942	[4] 39,134.50	234,821.11	49,802.00	707,250.00			
Kohala	1919	1,886,516.89	Mar. 15, 1942	[4] 35,389.56	284,785.48	47,162.00	613,222.50			
Liloa	1918	1,840,395.07	Mar. 14, 1942	[4] 36,105.00	265,129.94	46,010.00	622,500.00			
Manukai	1921		Feb. 16, 1942	[4] 57,176.10	600,349.05		1,217,581.00			
Mariposa	1931	8,373,000.00	Dec. 30, 1941	[4] 3,567.00	1,233,671.50	[2] 2,791,000.00	7,000,000.00			
Monterey	1932	8,118,262.00	Dec. 1, 1941	[1] 3,363.00	1,325,022.00	[2] 2,977,000.00	7,000,000.00			
Makiki	1917	2,674,616.41	Feb. 16, 1942	[4] 37,853.10	323,167.05	66,865.00	695,381.00			
Makua	1920		Feb. 9, 1942	[4] 26,512.50	224,330.81		378,750.00			
Manukai	1921		Feb. 14, 1942	[4] 57,167.90	604,074.20		1,217,069.00			
Total		26,883,083.91			5,145,925.84	6,027,793.00	20,137,253.50			
United States Lines:										
Chagres	1919		June 8, 1942	[4] 37,157.70	251,433.77		640,650.00			
Wakefield (ex *Manhattan*)	1932	10,667,000.00	June 6, 1942	[1] 2,100.00	428,400.00	[3] 3,688,838.00	10,000,000.00	In suit		
Mount Vernon (ex *Washington*)	1933	10,342,929.41	June 6, 1942	[1] 2,131.90	444,904.13	[3] 3,447,643.00	10,000,000.00			
Total		21,009,929.41			1,124,737.90	7,136,481.00	20,640,650.00			

[1] Day.
[2] Estimated.
[3] Lost.
[4] Month.
[7] Just compensation.

[6] The *Bellingham* was originally sold by the Government to the Tacoma-Oriental Line for $87,864, and was later resold to Waterman for an unknown amount.
[7] The *Lafayette* was originally sold by the Government to Lykes Bros. Steamship Co. for the amount shown.
[8] Red Sea 1 voyage paid.

The charters provide that the Government will assume war risk insurance on chartered vessels, and that interest at 3 percent shall be paid on the stipulated amount beginning 120 days after loss.

The above headings "Book Value per Commission General Order No. 24" mean that the values shown have been determined in accordance with said general order, on the basis of a 20-year life. Under the formula the book value for a vessel is: Its cost to the owner, plus improvements, if any, less depreciation over a 20-year period, and without any enhancement due to the causes necessitating its taking, namely, the present war. The Comptroller General takes the position that this is true both in respect to purchase and insurance.

In amounts designated "(Est)" in the "Book values" column, depreciation is estimated since it is not known on what dates insurance applied.

Recapitulation.—Vessels chartered, insured, etc.

	Construction costs	Estimated charter earnings	Book value (Commission order No. 24)	Insurance placed	Purchase prices paid Government by companies
American President Lines	$32,833,852.64	$3,193,539.52	$3,064,402.70	$16,443,345.00	$8,633,334.00
Waterman Steamship Corporation	30,977,544.00	5,763,855.41	774,443.20	11,779,210.75	1,355,437.00
American Export Lines	9,538,485.25	2,128,638.95	237,961.00	4,844,200.00	316,205.00
Alcoa Steamship Co	22,353,929.08	3,010,539.44	561,273.64	6,218,000.00	
Luckenbach Steamship Co	17,063,075.58	7,461,248.09	425,926.45	14,914,261.00	
Lykes Bros. Steamship Co	34,641,722.26	5,250,014.21	863,737.08	13,783,420.00	613,855.00
Grace Line, Inc	28,009,536.46	4,021,182.24	6,568,667.43	27,691,250.00	
Matson Navigation Co	26,883,083.91	5,145,925.84	6,027,793.00	20,137,253.50	
United States Lines	21,009,929.41	1,124,737.90	7,136,481.00	20,640,650.00	
	223,311,158.19	37,099,681.60	23,660,684.90	136,651,590.25	

Attention is directed to the fact that 112 vessels, most of them over 20 years of age, having an original construction cost of about $223,000,000, and a General Accounting Office book value of less than $24,000,000, were chartered to earn, in a period of 18 months, over $37,000,000, and were insured in an amount of more than $136,651,000.

Mr. BLAND. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. BLAND. The matter to which the gentleman refers is included in the report of the Attorney General, and they were investigated by the Merchant Marine and Fisheries Committee—the Waterman and the Tampa matters. The report is now pending and is being investigated by the Merchant Marine and Fisheries Committee.

Mr. WIGGLESWORTH. Is the gentleman asking a question?

Mr. BLAND. I asked if this were included in those subjects of investigation because the Committee on Merchant Marine and Fisheries held a most careful examination and investigation and is submitting all of its conclusions.

Mr. WIGGLESWORTH. I will say to the gentleman that the tables are based on a great many ships from a good many lines. Whether these the gentlemen refers to are included I am not at the moment certain. The tables will, I think, speak for themselves.

Mr. BLAND. The gentleman knows that the Committee on Merchant Marine and Fisheries is going into all of these subjects as closely as it can, with the limited facilities as to accountancy.

Mr. WIGGLESWORTH. I hope this presentation may be helpful to the committee.

Mr. BLAND. It will be considered by the Committee on Merchant Marine and Fisheries in view of the statement made by the gentleman from Massachusetts and will be given careful consideration by the War Shipping Commission and by the Maritime Commission as well as by the committee.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. O'BRIEN of New York. I was very much interested in the statement made by the gentleman, particularly when he stated that there have been gross discrepancies detected in the spending of money by the Merchant Marine. Further supplementing the remarks of our distinguished chairman, the gentleman from Virginia [Mr. BLAND], a report has been gotten up by the committee which I do not believe the gentleman has seen, but I believe will prove to be beneficial in the event he wants to avail himself of it. This is a report concerning the Waterman and the Tampa situation. I think it would be most clarifying in the event these figures had been obtained prior to getting out this report. I merely make that suggestion.

Mr. WIGGLESWORTH. I am merely trying to suggest a general picture based on figures largely presented to me by the Maritime Commission and the War Shipping Administration. I think the general picture should be explored.

Mr. O'BRIEN of New York. I hope the gentleman takes that as a contribution, and not as a critical expression. We very thoroughly appreciate that and these inconsistencies will be gone into very carefully, and the chairman as well as every other member of the committee feels that should be done.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. COLE of New York. Can the gentleman inform the committee of the terms under which new ships built by the War Shipping Administration are turned over for use by foreign countries?

Mr. WIGGLESWORTH. Does the gentleman mean to foreign countries?

Mr. COLE of New York. Ships built by the United States through the Maritime Commission or the War Shipping Administration are being turned over for use by foreign countries, as, for instance, Great Britain.

Mr. WIGGLESWORTH. I do not think that I can give the gentleman very specific information. Some ships have, of course, been made available under lend-lease.

Mr. BLAND. I have inserted into the RECORD a letter from the Maritime Commission as to the terms. Certainly it may be said that title is retained to all these vessels. They are only under charter.

Mr. WIGGLESWORTH. I also have a table in respect to the Red Sea charters, which I will insert at this point. It will be noted that some 81 vessels with a depreciated value of about $8,256,000 apparently earned some $26,878,000 profits in a matter of a few months.

Admiral Land told us adjustment is being sought in this connection, but to date there have been only two companies that have repaid anything, the aggregate being something like $310,000.

[From CONGRESSIONAL RECORD, Mar. 30, 1943, p. 2711]

Red Sea Charter profits

Name of owner	Number of vessels	Number of voyages	Depreciated value of vessels	Net profit
American Export Lines [1]	6	6	$232,000	$1,572,000
American Foreign Steamship Corporation	2	2	896,000	481,000
American-Hawaiian Steamship Co	10	10	479,000	3,097,000
American Presidents Line [1 2]	2	3	307,000	814,000
Atlas Trading Corporation	1	1	[3]	57,000
Boyd, Weir & Sewell, Inc	1	1	[3]	385,000
Calmar Steamship Corporation	7	8	695,000	2,640,000
Isthmian Steamship Co	6	7	1,590,000	2,529,000
Luckenbach Steamship Co., Inc	10	12	1,427,000	3,890,000
Lykes Bros. Steamship Co., Inc.[1]	4	4	187,000	1,318,000
Matson Navigation Co.[1]	4	4	238,000	995,000
McCormick Steamship Co.[1]	2	3	146,000	743,000
R. A. Nicol, Agent	6	6	[3]	1,662,000
Norwegian Shipping & Trading Mission	1	1	[3]	367,000
Shepherd Steamship Co	1	2	167,000	498,000
Sudden & Christian	1	1	[3]	270,000
Union Sulphur Co	1	2	[3]	364,000
Waterman Steamship Co.[4]	12	12	855,000	3,733,000
Weyerhaeuser Steamship Co	4	5	1,037,000	1,463,000
Total	81	90	8,256,000	26,878,000

[1] These companies or their affiliated companies were subsidized under the 1936 act.
[2] The Maritime Commission owns 90 percent of stock of this company.
[3] Not known.
[4] This company was subsidized under the 1928 Shipping Act.

NOTE.—Some, if not all, of the other companies listed above have received aid in some form under the 1928 or the 1936 acts in the way of tax-exempt profits, long-term credit at low rates of interest, purchased Government tonnage at small percentage of its construction cost to Government, etc.

Under date of August 2, 1943, the Comptroller General had the following to say to Admiral Land, Chairman, Maritime Commission:

Examination of the statement reveals that of the 81 privately owned vessels which performed 90 voyages, 64 of the vessels which performed 71 voyages were formerly owned by the United States.

There is transmitted herewith a statement prepared from available data showing results of the transactions as related to the 64 vessels, briefly summarized as follows:

Amount received by the Government from sales of the 64 vessels	$15,480,458.32
Depreciated value (1941)	5,157,777.60
Insured for	61,192,300.00
Voyage profit paid by United States on 71 voyages (average 186 days)	20,917,067.50
Voyage profit per dead-weight ton per month	5.51

Mr. BLAND. Will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. BLAND. I just want to call to the attention of the gentleman that even this morning there was a meeting on the subject of Red Sea charters by a subcommittee of which the gentleman from New Jersey [Mr. HART] is chairman. That matter is being fully gone into and the committee takes pride in having been effective in securing $310,000. We are still following it up.

Mr. WIGGLESWORTH. I understand a subcommittee of the Committee on the Merchant Marine and Fisheries held extensive hearings on this subject sometime ago. To date however I have seen neither published hearings nor any report. I am glad to hear the committee intends to follow the matter up.

Mr. BLAND. I will be glad to submit what we have. There was an investigation also as to the earnings up to a period fairly recent. I think the stock earnings of the company were held up for a while.

Mr. WIGGLESWORTH. Mr. Chairman, I have also a table which deals with vessels traded in for credit under section 510 of the Merchant Marine Act.

Waterman Steamship Corporation and Pan-Atlantic Steamship Co. (subsidiary) turned in for credit under section 510, Merchant Marine Act, 1936, as amended

Name of vessels	Dates built by Government	Deadweight tons	Construction cost to Government	Date sold by Government	Sales price	Date reacquired by Government	Value under Commission Order No. 24	Credit allowance under sec. 510
West Kyska [1]	1918	8,480	$2,006,807.48	September 1931	$76,320.00	July 1943	$50,170.00	$500,000.00
Lafayette	1919	11,240	1,768,163.16	April 1932	52,025.00	do	44,200.00	676,000.00
Kofresi [1]	1919	7,999	1,881,600.18	September 1931	70,425.00	do	35,492.00	685,700.00
Gateway City [1]	1920	8,804	1,428,627.24	do	79,236.00	do	35,715.00	686,900.00
Arizpa [1]	1920	8,804	1,529,223.33	do	79,236.00	do	38,230.00	686,900.00
Pan Gulf	1918	8,594	2,249,620.43	March 1929	57,000.00	September 1943	56,240.00	841,000.00
Panama City	1920	7,667	1,660,776.73		57,502.50	do	41,519.00	548,000.00
		61,688	12,524,818.55		471,744.50		301,566.00	4,385,550.00
Average per deadweight ton			203.00		7.65		4.90	71.10

[1] Operated under mail contract, Merchant Marine Act, 1928.

Red Sea voyages—lease lend (before trade in)

Name of vessel	Revenues	Expenses	Voyage profit	Profit per dead weight per month
West Kyska	$594,761	$243,422	$351,339	$6.41
Lafayette	590,237	293,532	296,705	4.57
Gateway City	400,863	209,029	191,834	3.78
Total	1,585,861	745,983	839,878	5.15

The committee will note that seven vessels over 20 years of age sold by the Government as far back as 1929 for about $470,000 and having a General Accounting Office book value of about $301,000 were accepted against a credit of $4,385,000, or thereabouts.

Mr. O'BRIEN of New York. Will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. O'BRIEN of New York. Is the gentleman familiar with the details associated with that transaction?

Mr. WIGGLESWORTH. I may not be. If there is an explanation I hope it will be furnished.

Mr. O'BRIEN of New York. They will be furnished.

Mr. WIGGLESWORTH. I requested of the Commission information as to agency fees. That information has not

been furnished in detail. It does appear, however, on page 781 of the hearings that from January 1 to June 30, 1943, 65 agents operated 1,339 vessels at a cost to the War Shipping Administration of about $18,555,000.

A year ago the Comptroller General indicated that he was making no less than 27 investigations into transactions in this general field. A good many of them, I think, had to do with the Red Sea charters and have to some extent at least been taken up with the Merchant Marine and Fisheries Committee. There are seven other major investigations, however. Three of them have been concluded and reports made to the House.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 20 more minutes.

No action has apparently been taken as to the other four investigations for reasons unknown.

It was only a few days ago that report No. 3 was made to Congress with respect to the Morgan line. I have not seen the report, but according to the press it dealt with 10 ships purchased by the Commission from 17 to 30 years old and the Comptroller General stated there was "evidence indicating that the Commission had utterly disregarded its responsibility to Congress and to the taxpayers by pursuing a course of action which was unsound and improvident at the very outset and which could lead only to waste and extravagance of public funds."

Recently the W. S. A. asked for an increase in their force of inspectors, the reason given being that there has heretofore been an improper control over repair work. It was estimated that a saving of not less than $50,000,000 a year should be possible.

The record also indicates that the accounting work for the two agencies is very much in arrears, particularly with respect to the W. S. A.

The general picture suggested, Mr. Chairman, in the absence of explanation, regardless of differences between lawyers, is a picture, to my mind, of gross waste of the people's money. I think it is a picture that demands both investigation and explanation. I am glad to hear that the standing committee of the House feels it is making headway in this field. If that committee is too busy, it seems to me by all means we should set up a special committee to cover the field thoroughly and in detail.

No one, I am sure, least of all those in charge of the Maritime Commission and the War Shipping Administration, wants to see a repetition of the waste and scandals in shipping circles such as existed after the last war, which existing legislation was designed to prevent.

At this point, Mr. Chairman, I shall insert three further tables from the CONGRESSIONAL RECORD bearing on the earnings of various shipping companies, together with an article from the Times-Herald of October 13, 1943, based on a letter from the Comptroller General to the gentleman from Ohio [Mr. JONES], appearing in the Appendix of the RECORD at page A4195 and other Government records:

[From the CONGRESSIONAL RECORD of Mar. 2, 1943, p. 1464]

List of operating subsidy contractors, showing operating results under permanent agreements to Dec. 31, 1941

Period	Contractor	Schedule	Total subsidy accrued (1)	Total profit (2)	Recapture accrual (3)	Net profit to contractor (4)	Dividends paid to stockholders
1938–41	American Export Lines, Inc.	5-a	$5,084,756.13	$23,419,348.44	[1] $5,084,756.13	$18,334,592.31	$1,962,687.50
1940–41	American Mail Line, Ltd.	5-b	710,446.73	3,681,780.94	None	[2] 2,011,655.77	103,337.00
1938–41	American President Lines, Inc.	5-c	8,598,917.56	13,493,216.82	6,631,850.22	6,861,366.60	0
1940–41	American South African Line, Inc.	5-d	365,698.31	4,701,771.11	[1] 365,698.31	[2] 4,253,889.62	435,318.00
1938–41	Grace Line, Inc.	5-e	4,269,350.79	10,495,924.17	2,839,696.20	[2] 7,415,474.16	7,010,300.00
1938–41	Lykes Bros. Steamship Co., Inc.	5-f	5,612,050.45	15,112,581.35	[1] 5,612,050.45	9,500,530.90	3,385,000.00
1938–41	Mississippi Shipping Co., Inc.	5-g	1,701,939.39	6,826,752.64	[1] 1,701,939.41	5,124,813.23	1,287,000.00
1938–41	Moore-McCormack Lines, Inc.	5-h	3,898,227.89	24,971,412.17	3,267,543.91	[2] 16,346,211.26	1,304,375.00
1938–41	New York & Cuba Mail Steamship Co.	5-i	1,690,686.98	2,277,989.38	668,130.54	[2] 1,594,562.01	125,000.00
1938–41	The Oceanic Steamship Co.	5-j	2,456,636.00	3,955,784.95	386,891.20	3,568,893.75	0
1938–41	Seas Shipping Co., Inc.	5-k	1,107,937.96	9,078,788.51	[1] 1,107,937.96	7,970,850.55	125,506.00
1938–41	United States Lines Co.:						
	(1) Operating-differential subsidy agreement, dated Dec. 31, 1937	5-l	6,008,232.91	4,928,093.09	834,861.49	4,093,231.60	1,912,729.88
	(2) Charter party agreement, dated Sept. 27, 1939	5-m	245,180.65	1,247,038.87	None	[2] 642,105.93	0
	(3) Charter party agreement, dated Mar. 1, 1940	5-n	980,565.04	6,491,707.72	66,888.81	3,894,156.61	0
	Total		42,730,626.79	130,682,235.16	28,568,244.63	91,612,334.30	17,651,253.38

[1] 50 percent of the profits in excess of 10 percent of the capital employed in business exceeded this amount, but the total subsidy accrued is the maximum amount that can be recovered.

[2] When the sum of columns (3) and (4) is less than column (2), the difference is made up of "additional charter" hire (sec. 709 (a)) accruing to the Commission annually, as follows:

American Mail Line, Ltd.*	$1,670,125.17
American South African Line, Inc.*	82,183.18
Grace Line, Inc.*	240,753.81
Moore-McCormack Lines, Inc.*	5,357,657.00
New York & Cuba Mail Steamship Co.*	15,296.83
United States Lines Co., charter party dated Sept. 27, 1939*	604,977.94
United States Lines Co., charter party dated Mar. 1, 1940*	2,530,662.30
Total	10,501,656.23

The amount of "Recapture accrual" is payable to the Commission at the end of a 10-year period or upon termination of the contract. The actual amount of recapture apparently depends upon the status of "Capital reserve funds" and the "Special reserve funds" at the time of termination of the subsidy contracts or at the end of any 10-year period. (See secs. 606 and 607 of the Merchant Marine Act, 1936 as amended.)

*These companies had charter contracts where the recapture clause was not applied as the provision was omitted from the contracts.

Balances on deposit as of Dec. 31, 1941, in capital and special reserve funds

Name of company	Deposits			Withdrawals—mortgage payments and down payments on vessels	Balance on deposit Dec. 31, 1941	Recapture of excess profits and additional charter hire accrued to Commission
	Profits—subsidized operations	Proceeds of sale of vessels, depreciation accruals, and profits, other operations	Total			
American Export Lines, Inc.	$20,955,554.52	$5,567,567.32	$26,523,121.84	$12,521,164.75	$14,001,957.09	$5,084,756.13
American Mail Line, Ltd.	1,777,173.80		1,777,173.80		1,777,173.80	1,670,125.17
American President Lines, Inc.	12,839,645.80	4,225,839.66	17,065,485.46	11,648,189.36	5,417,296.10	[1] 6,631,850.22
American South African Line, Inc.	4,210,447.15	3,055,513.50	7,265,960.65	2,317,423.77	4,948,536.88	447,881.49
Grace Line, Inc.	8,011,057.35	10,125,076.27	18,136,133.62	8,109,030.04	10,027,103.58	3,080,450.01
Lykes Bros. Steamship Co., Inc.	12,694,782.00	17,764,139.33	30,458,921.33	18,220,760.88	12,238,160.45	5,612,050.45
Mississippi Shipping Co.	6,008,633.49	3,008,828.51	9,017,462.00	3,489,110.60	5,528,351.40	1,701,939.41
Moore-McCormack Steamship Co.	17,039,922.99	9,816,429.59	26,856,352.58	18,923,884.31	7,932,468.27	[1] 8,625,200.91
New York & Cuba Mail Steamship Co.	1,185,939.64	3,072,625.10	4,258,564.74	3,371,132.57	887,432.17	683,427.37
Oceanic Steamship Co.	3,998,923.81	4,642,153.67	8,641,077.48	4,090,500.00	4,550,577.48	386,891.20
Seas Shipping Co.	8,656,837.43	1,759,777.78	10,416,615.21	4,835,415.77	5,581,199.44	1,107,937.96
United States Lines Co.:						
Operating-differential subsidy agreement dated Dec. 31, 1937	2,965,739.41	9,771,866.77	12,737,606.18	6,615,602.45	5,188,549.47	4,037,390.54
Charter party agreement, dated Sept. 27, 1939	123,991.51		123,991.51			
Charter party agreement, dated Mar. 1, 1940	339,180.40	173,873.83	513,054.23	1,570,500.00		
Grand total	100,807,829.30	72,983,691.33	173,791,520.63	95,712,714.50	78,078,806.13	39,069,900.86

[1] Accruals for account of the Commission exceeds balance on deposit.

Name of company	Capital employed [1]		Dividends paid 1938–41 (inclusive)	Earnings and profits deposited in reserve funds, free of all Federal taxes	Mortgage and cash payments paid on vessels built or purchased, withdrawn from tax-free reserve funds, which legislation makes tax-free	Balance of earnings and profits in reserve funds free of all Federal taxes, Jan. 1, 1942
	1938	1941				
Moore-McCormack Lines	$16,346	$8,433,961	$1,304,375	$26,856,352	$18,923,884	$7,932,468
American Export Lines	2,473,225	13,667,860	1,962,687	26,523,121	12,521,164	14,001,957
Lykes Bros. Steamship Co	3,874,378	8,777,996	3,385,000	[3] 30,458,921	18,220,760	12,238,160
Grace Line, Inc	7,306,357	15,954,434	7,010,300	[4] 18,136,133	8,109,030	10,027,103
Mississippi Shipping Co	2,161,526	4,454,239	1,287,000	9,017,462	3,489,110	5,528,351
Seas Shipping Co	100,815	2,895,434	125,506	10,416,615	4,835,415	5,581,199
American South African Line	1,442,291	4,254,049	435,318	7,265,960	2,317,423	4,948,536
American Mail Line, Ltd	1,300,043	2,115,262	103,337	1,777,173	0	1,777,173
American Presidents Line [5]	0	2,295,163	0	17,065,485	11,648,189	5,417,296
United States Lines	8,247,584	5,279,294	1,912,729	12,737,606	6,615,602 / [2] 1,570,500	6,122,003
Oceanic Steamship Co	6,853,956	8,875,584	0	[4] 8,641,077	4,090,500	4,550,577
New York & Cuba Mail Steamship Co	1,669,484	3,821,358	125,000	4,258,564	3,371,132	887,432
Total	35,446,005	80,824,634	17,651,252	173,154,469	[2] 95,712,714	79,012,255

[1] Financial data from statements of contractors, unaudited by Maritime Commission.
[2] Does not include payments to and profits of contractors through proposed changes in sec. 902.
[3] Represents, in part, earnings from unsubsidized operation, $11,100,282, authorized by Commission.
[4] Represents, in part, earnings from unsubsidized operations, authorized by Commission.
[5] The Maritime Commission owns 90 percent of the stock.

[From the Washington Times-Herald of October 13, 1943]

SHIP DEAL MAY COST TAXPAYERS THIRTY-SIX MILLION MORE

(By Willard Edwards)

Amid the furor aroused yesterday in Congress over the disclosure that a steamship company made a 3,000-percent profit on an obsolete vessel at the taxpayers' expense, additional facts of an equally startling nature regarding the same company's operations were brought to light.

This new evidence showed that the Lykes Bros. Steamship Co., which ran a $48,470 investment in the tramp steamer S. S. *Effingham* into a profit of $1,439,559, including War Shipping Administration insurance of $727,050 when the tub sank at sea in 1942, was started on a $115,000 shoestring in 1918 and has already realized more than $32,000,000 from its shipping connections with the Government.

MORE PROFITS INDICATED

Capping these revelations was the discovery that the company would stand to collect an additional profit of $36,000,000 if it were permitted to collect an insurance profit of $700,000 on each of 52 obsolete vessels which it bought from the Government, as was the case of the S. S. *Effingham*.

In making known the huge profits reaped from the 9,694-ton freighter, Representative ROBERT F. JONES, Republican, of Ohio, told the House that the case was only one of dozens in which shipping companies have enriched themselves through contracts and insurance deals with Uncle Sam with the taxpayer footing the bill.

Here is the revealing story of the Lykes Bros. Steamship Co.'s growth under the beneficent policies of the United States Shipping Board, the Post Office Department, and the Maritime Commission:

The company commenced business as an operator of United States Shipping Board tonnage in 1918, on a gross commission basis, with net assets, or invested capital, of $115,000. Without the stockholders investing any additional capital in the company, other than profits left in the business, the company and its associated or affiliated companies by June 30, 1935, realized from its Government shipping connections the sum of $6,625,000 before income tax, or $5,891,000 after income taxes.

52 VESSELS PURCHASED

In March 1944 the company purchased 52 vessels built during World War No. 1 for the sum of $2,462,000. The construction cost of these vessels was $98,000,000. Thus, the purchase price averaged around $5.04 a dead-weight ton, or approximately 2½ percent of the construction cost.

When the sale of those vessels was made, a mail contract (No. 57) was simultaneously awarded to the company by the Post Office Department. The total mail pay under the contract from its inception until it was canceled June 30, 1937, was approximately $10,000,000.

After June 30, 1937, the company operated its several foreign-service trade routes under an operating subsidy agreement, awarded pursuant to the 1936 Maritime Act, and realized from those operations a total of $15,000,000 in profits which are tax free under a special provision of the 1936 act except for amounts paid out in dividends.

The company received some additional easy money in Red Sea contracts when it garnered a net charter hire of $1,318,000 on four vessels, with a depreciated or residual value of $187,000, which made one voyage each to the Red Sea area.

The total of these transactions, since the company was started on a $115,000 investment in 1918, is $32,209,000.

These figures do not take into account profits, reported to be enormous, under additional mail contracts which do not appear to be a matter of public record. Nor do they include as profits the amount gained by the company when it bought the 52 vessels which originally cost $98,000,000 to build, for less than $2,500,000.

CIVIL SERVICE COMMISSION

I want to speak about the evidence in connection with another agency. I refer to the Civil Service Commission, and more particularly its investigative work in the field of loyalty.

The general impression has prevailed and various agencies have attempted to create that impression, I think, that most if not all applicants for positions on the Federal pay rolls are carefully examined on the score of loyalty by the Civil Service Commission. This is not the fact. What are the facts, as developed by the record?

In the first place, it appears from January 1, 1940, to November 23, 1943, almost 3 years, the Commission investigated only 185,509 persons, having a backlog of 58,469, or a total, roughly, of 243,000 cases as against 5,000,000 placements. That is, less than 5 percent were examined.

In the second place, it appears that only such personnel is examined as the Commission is required to examine under individual contracts concluded with the several agencies of Government.

In the third place, it appears that the Commission has little or nothing to do with appointments overseas. Generally speaking a person can be given a job overseas and the Commission has nothing to do with either loyalty or salary.

In the fourth place, it appears that of the regular investigations made, only 4 percent were made before the individuals were actually put on the pay roll.

In the fifth place, it appears that delays have been tremendous in certain cases.

In the sixth place, it appears that in the period of a year between July 1942 and August 1943, over one-third of the recommendations of ineligibility on account of lack of loyalty by Commission examiners were overruled by the Commission.

Finally, Mr. Chairman, there appears a most alarming picture, to my mind, in connection with the so-called "flags" used by the Civil Service Commission.

These flags, we are advised, are used when derogatory information is found about an individual after he has been cleared by the Civil Service Commission; after he is on the pay roll of some agency; after the Commission has lost its jurisdiction for the time being. The derogatory information is summarized and sent to the employing agency, and a flag is put up in the Commission's files in case, for example, an employee tries to transfer, when the jurisdiction of the Commission reasserts itself. We are told there are no less than 90,000 of these flags flying at the present time. No wonder the Commission itself is dissatisfied.

Now, both on the floor and elsewhere, reference has recently been made to instructions issued by the Commission to its regional directors, under date of November 3 last. Those instructions, as the Members will recall, provide, among other things, that under no circumstances shall Civil Service Commission investigators ask an applicant any questions involving applicant's sympathy with the Loyalists of Spain, with the Abraham Lincoln Brigade or any other

Spanish relief groups; or ask a husband any questions about his wife, or vice versa; or inquire into the type of reading matter, including specifically the Daily Worker and all radical or liberal publications; or inquire about any so-called mixed parties; or ask anything regarding membership or interest in the Lawyers' Guild, the Civil Liberties Union, the League of Women Shoppers, the Harry Bridges Defense Committee; or any questions regarding political philosophy. The instructions appear in full at page 1077 of the hearings.

The record indicates that these instructions constitute merely a reaffirmation of existing policy; that they have the present endorsement of the Commission, and that the Commission has never barred anyone from service in the Government solely because of membership in any one of the organizations mentioned in these instructions.

All I can say, Mr. Chairman, is that personally I should hate to be an investigator, seeking results which I believe to be vital to the Nation, under such prohibitions as are embodied in the instructions referred to. I do not think they are conducive to maintaining the morale of the investigators, and I do not think they are conducive to carrying out the congressional intent.

The whole picture, to my mind, is unsatisfactory. The Commission does not begin to cover the field that it ought to. It operates far too slowly and it is operating under conditions which in my judgment make effective and comprehensive work impossible.

I sincerely hope that the committee which is now preparing to investigate these conditions will develop them fully and in detail, because the matter, in my judgment, is of vital importance to the Nation in this time of national peril.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. TABER. I have heard rumors that there was somebody screening out the investigators' reports on those who are reported to be subversive by the investigators, so that those who are totally disloyal to the Government may be put on the rolls. I get this from all over the country. It is creating a tremendous lot of dissatisfaction amongst the public, because they like to see those who are on the Federal pay roll loyal to the Government of the United States. I have been very much disturbed in hearing these things about the Civil Service Commission.

Mr. WIGGLESWORTH. I can say to the gentleman from New York, in that connection, that the record indicates that in the summer of 1941, a change in procedure was made at the Commission, whereby recommendations from the Commission's investigators were sent through a new link, or set-up of three individuals, called, I think, the Loyalty Board. Whether that is the explanation or not, as I have already indicated, in respect to some 299 recommendations of ineligibility on the score of lack of loyalty by the Commission's investigators, in the space of a year, 102 were overruled after they left the investigators and before they left the Commission.

Mr. TABER. In other words, this board is allowing people to go on the pay roll who do not have any business there?

Mr. WIGGLESWORTH. It looks to me like a very high percentage of overruling.

FEDERAL COMMUNICATIONS COMMISSION

Mr. Chairman, I think I ought to say a few words with reference to the Federal Communications Commission and the reduction in its request, which has already been referred to by the distinguished gentleman from Virginia [Mr. WOODRUM].

The request of the Commission, $8,371,700, was, I think, the largest request in its history, and compares with a request for the fiscal year 1940 of $1,830,000. This request was made despite the fact that the record indicates a reduction in the cost of operation during the past year of several hundred thousand dollars and despite the fact that there are now 127 vacancies in the authorized pay roll of the Commission.

Your committee has made a total reduction in the request of something over $1,650,000, partly in respect to the request for the Budget and personnel set-ups, partly in respect to the Federal broadcasting intelligence service, and partly in respect to the Radio Intelligence Division.

The agency sought to more than double its set-up in respect to personnel and budget, heading up the two agencies with $6,500 employees, as compared with $2,300 and $3,200 employees that have been responsible for the work heretofore. The committee has made a moderate reduction, about 20 percent, in respect to each of those requests.

For the Foreign Broadcasting Intelligence Service, which was started with the President's emergency funds in the amount of $150,000 in 1941, the agency requested $1,863,000 and a total personnel of 447. This was $40,000 more than allowed for the current year.

The request was made despite the fact that the record indicates the financial requirements have been leveling off, the foreign short- and medium-wave programs have been at their peak, that work abroad is in large measure under the military or under O. W. I., supervised by the military, and that a declining interest in military and economic intelligences to be obtained is admitted.

Much of the material collected by this bureau is turned over to O. W. I., which in turn releases it to the press and broadcasting stations. Evidence before the select committee investigating the Commission would indicate that a lot of this is duplication and material which could be otherwise obtained.

Much of the material collected by this agency goes to other agencies of the Government which the Commission says desire to receive the material. Evidence before the select committee both on and off the record raises a very grave question as to the value of this service. Representatives of several agencies have gone so far as to state that in their opinion it is absolutely valueless, the material finding its way almost immediately into the waste basket.

It is true that the Commission has offered certain letters indicating approval of the work done in this field. It is also true that a former officer of this Division of the Commission testified before the select investigating committee that some letters at least had been solicited with a view to bigger and better appropriations. In my judgment a material slash in this request is justified.

For radio intelligence work which was also set up by emergency funds of the President back in 1941 to the extent of $1,600,000, the request was $1,960,000.

Evidence before the select investigating committee tends to indicate that a large portion of this work has been sheer duplication, and as the chairman of the subcommittee, the gentleman from Virginia [Mr. WOODRUM], has indicated, the Army and Navy have been of the opinion that all the equipment and personnel in the radio-intelligence field should be transferred to the Army and Navy and be under military control.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 10 additional minutes.

Committee action has been taken with a view to bring this result about. The committee reduced the request by $1,000,000 on the theory that ample is left for carrying on any activities that might be properly classified as peacetime activities. Personally I think that more than enough has been left for these activities.

I am not going to take the time to read the letters, but under leave to extend my remarks I am going to insert at this point in the RECORD so that the Members may read them in full, a letter addressed to the Secretary of the Navy under date of February 1, 1943, signed by Admiral Leahy on behalf of the Joint Chiefs of Staff; a proposed Executive order attached to that letter; and the letter of February 8 signed by Secretary of War Stimson and Secretary of the Navy Knox addressed to the President of the United States.

LETTER IN RE TRANSFER OF RADIO INTELLIGENCE ACTIVITIES TO THE ARMY AND NAVY

Letter dated February 1, 1943, on the letterhead of the Joint Chiefs of Staff, addressed to the Secretary of the Navy, Washington, D. C.:

MY DEAR MR. SECRETARY: In response to your memorandum to the Joint Chiefs of Staff, dated September 11, 1942, on the subject of responsibility for the conduct of security of military communications activities, the Joint Chiefs of Staff have had made a thorough and comprehensive study of the problems referred to therein, in which full consideration has been given to the views of the military and naval commanders in the field who are charged with responsibility for military action based on radio intelligence. A summary of the findings is given in the following paragraphs:

In general, radio intelligence is the method of determining the enemy's plans and dispositions through observation of his radio communications. The facilities used for this

are also used to assist our own forces through monitoring of communications channels to enforce security standards and to render assistance to our own craft.

Both the Army and Navy are engaged in radio intelligence and related activities. In addition, the Federal Communications Commission has set up an elaborate system of its own which is engaged in—

(a) the location of enemy units at sea and abroad;

(b) the interception of enemy army, navy, and diplomatic traffic;

(c) the location of clandestine stations;

(d) the giving of bearing aids to lost planes;

(e) the maintenance of a marine watch at distress frequencies; and

(f) the monitoring of military radio circuits. These activities of the Federal Communications Commission are constantly expanding and are a substantial drain upon available material and personnel.

Radio-intelligence activities of the Federal Communications Commission tend to be less and less useful as the art progresses. This is due to integration into proper radio-intelligence systems of large quantities of secret military information accumulated through special processes by the armed forces, including exchanges of military information with our allies, knowledge of present and proposed disposition of forces, and other special information which for obvious reasons cannot be disseminated to an agency such as the Federal Communications Commission.

Moreover, information obtained by the Federal Communications Commission through its own radio-intelligence activities is not, in the military sense, secure, due to inherent tendencies toward publicity of Federal Communications Commission activities, use of nonsecure methods of reporting and correlation, and the necessarily close relationship of the Federal Communications Commission military intelligence activity with other phases of the agency's work.

Because of the essential differences between military and Federal Communications Commission standards and methods it has not been possible to integrate their information, with the result that the attempted duplication by the Federal Communications Commission of work that is being more effectively done by the military has in fact endangered the effectiveness and security of military radio intelligence.

In view of the foregoing it is concluded that the better prosecution of the war will be served by terminating all military and quasi-military radio intelligence activities of the Federal Communications Commission and confining such activities to the Army and Navy.

Since the Army's present need for personnel and equipment in the field of radio intelligence is greater than that of the Navy, all of the radio-intelligence facilities of the Federal Communications Commission should forthwith be transferred to the Army entirely. The personnel of the Federal Communications Commission heretofore engaged in radio intelligence should be made available initially as civilian employees of the Army, pending decision by the Army as to which shall be placed in military status, which replaced by military personnel, and which would be best retained in the Army as civilian employees.

The foregoing conclusions are supported by the views of the Army and Navy commanders in the field who are charged with responsibility for military action based on radio intelligence.

The Joint Chiefs of Staff therefore request the Secretaries of War and Navy to join in a recommendation to the President that he transfer to the Army personnel and equipment now used by the Federal Communications Commission in the field of radio intelligence. A proposed Executive order is enclosed.

From the standpoint of the present problem, the promulgation of this Executive order would leave the Federal Communications Commission in the radio field, with the responsibility for monitoring, processing, and disseminating foreign voice, news, and propaganda broadcasts (its Foreign Broadcast Intelligence Service), the monitoring and inspection of stations licensed under the Communications Act of 1934, all necessary licensing procedures, including revocation and suspension, and the institution of prosecutions of licensed stations and operators for violations of treaty, statute, or regulations.

The Army and Navy (in accordance with divisions of function between themselves) would have full and exclusive responsibility for the conduct of military radio intelligence as described in the present report.

Sincerely yours,

WILLIAM D. LEAHY,
Admiral, United States Navy,
Chief of Staff to the Commander in Chief of the Army and Navy.
(For the Joint Chiefs of Staff.)

Proposed Executive order attached:

EXECUTIVE ORDER

TRANSFERRING RADIO INTELLIGENCE FUNCTIONS TO THE WAR AND NAVY DEPARTMENTS

By virtue of the authority vested in me by title I of the First War Powers Act, 1941, approved December 18, 1941, as President of the United States and Commander in Chief of the Army and Navy, it is hereby ordered as follows:

1. All functions, powers, and duties of the Federal Communications Commission in the field of radio intelligence and, particularly in the conduct of direction-finding activities; the location of enemy radio transmissions abroad and at sea; the interception of radio traffic of foreign countries (excluding voice broadcasting); the detection, location, and suppression of clandestine or illegal stations both abroad and within the limits of the United States, its territories and possessions and the areas occupied by its armed forces; the giving of radio and direction-finding navigational aids to vessels and aircraft; the monitoring of United States Army and Navy communications circuits and the maintenance of distress-frequency watches, are transferred to the Departments of War and Navy in accordance with distribution of functions established between them.

2. All records and property (including radio transmitting and receiving equipment) and all personnel of the Federal Communications Commission used primarily in the performance and administration of the functions transferred by this order are transferred to the War Department for use in the performance and administration of functions transferred by this order; but any personnel so transferred who are found by the War Department to be in excess of the personnel necessary for the performance and administration of such functions, powers, and duties shall be retransferred under existing law to other positions in the Government or separated from the service. So far as possible, personnel transferred who are found qualified therefor shall be placed in a military status.

3. So much of the unexpended balance of the appropriations or other funds available, including those available for the fiscal year ending June 30, 1943, to the Federal Communications Commission in the exercise of functions transferred by this order as the Director of the Budget, with the approval of the President, shall determine, shall be transfered to the War Department for use in connection with the exercise of functions so transferred. In determining the amount to be transferred the Director of the Bureau of the Budget may include an amount to provide for the liquidation of obligations incurred against such appropriations or other funds prior to the transfer.

THE WHITE HOUSE, *February —, 1943.*

Letter to the President signed by the Secretary of War, and the Secretary of the Navy, dated February 8, 1943:

The PRESIDENT,
The White House, Washington, D. C.

DEAR MR. PRESIDENT: We join with the United States Chiefs of Staff in recommending that you promulgate the attached Executive order transferring from the Federal Communications Commission to the Department of War certain radio-intelligence functions.

Through radio-intelligence activities, the military forces of the United States and our allies obtain military information of the utmost importance. Radio intelligence is an important military weapon.

Participation by the Federal Communications Commission in radio intelligence should be discontinued, because:

Since radio intelligence develops information as to the movements and dispositions of the enemy, it is essential, for reasons of coordination and security, that there be full military control;

Since the responsibility for military action rests with the armed forces, the responsibility for obtaining the technical information governing that action must also be in the armed forces;

Military activities have been hampered by severe shortages of trained personnel and critical equipment essential to radio intelligence.

The Secretary of the Navy, on September 11, 1942, requested the Joint Chiefs of Staff to study the problem of responsibility and security of radio intelligence. The Joint Chiefs of Staff have made a thorough and comprehensive study, and their response, based on that study, is attached hereto. They, as well as the responsible military commanders, in the field, are of the belief that radio intelligence, the location of clandestine stations, the supervision of military communications security and related activities must, in their very nature, be under the sole control of the military forces.

Enclosed herewith is a copy of a letter from Admiral Leahy recommending this action.

Yours respectfully,

FRANK KNOX,
Secretary of the Navy.
HENRY L. STIMSON,
Secretary of War.

I call attention to the fact that from these letters it appears that the responsible military commanders in the field, the Joint Chiefs of Staff, Secretary Stimson, and Secretary Knox all believe that "radio intelligence, the location of clandestine stations, the supervision of military communications security and related activities must in their very nature be under the sole control of the military forces."

I reemphasize the quotation referred to by the gentleman from South Dakota [Mr. CASE] this morning stated as the deliberate opinion of the Joint Chiefs of Staff after investigating the matter thoroughly from September 1942 to February of 1943:

The attempted duplication by the F. C. C. of work that is being more effectively done by the military has in fact endangered the effectiveness and security of military radio intelligence.

Finally I call attention to the fact that there would no doubt have been available a great deal of corroborating and detailed testimony by high-ranking officers of both the Army and Navy had not their testimony before your Select Investigating Committee been forbidden by the President.

Under date of June 25, 1943, your Select Committee through its counsel requested the appearance of 10 Army officers and 20 Navy officers, requested the production of documents in some 20 categories from the Army and some 25 categories from the Navy, stated specifically that the examination would not call for the disclosure of any secret military information whatsoever, detailed the facts it was desired to inquire into, and stated that these facts had been substantially established through investigation by the Select Investigating Committee.

In due course, Mr. Chairman, the requests were denied in their entirety by letters signed by the Under Secretary of War and the Under Secretary of the Navy by direction of the President on the ground and on the sole ground that the production of the testimony requested would be "incompatible with the public interest."

VETERANS' ADMINISTRATION

I cannot conclude my remarks, Mr. Chairman, without a word in reference to the Veterans' Administration, for which there is provided a total of over $1,259,000,000 as compared with $898,000,000 for the current year, the second largest item in the bill.

There is an inevitable increase all along the line, the principal increases being $250,000,000 in respect to the national service life insurance; $65,000,000 in respect to Army and Navy pensions; $46,000,000 in respect to salaries and expenses; and $9,000,000 in respect to the adjusted-service-certificate fund.

General Hines covers the picture in detail with his usual care, indicating, among other things, steps being taken to advise the veterans of their rights on discharge, to expedite rating and to assure hospitalization, vocational rehabilitation and a helping hand in respect to jobs.

Funds carried in this bill together with supplementary funds anticipated in a deficiency bill in the near future will assure 100,000 beds by July 1, 1945; another 100,000 beds are expected from the Army and Navy at the close of the war; a third 100,000 beds to be constructed in the years after the war. The general states that adequate beds are available under the present program, barring heavy casualties. He does not recommend accelerating the program at this time.

Anyone reading the record will find, I think, a complete answer to the vicious propaganda indicating that the Congress is not prepared to do everything in its power for those bearing the brunt of the war effort in the armed services.

HOME OWNERS' LOAN CORPORATION

Mr. Chairman, I will take just a moment or two before concluding my remarks to refer to the Home Owners' Loan Corporation.

I call your attention to the fact that the agency's request this year is for $9,276,105, compared with $9,581,466 for the current fiscal year; that its request for personnel is 2,904, as compared with 3,237 for the present fiscal year. It still desires to retain 8 regional offices and 22 smaller offices.

The record indicates that the Corporation is in the red to the tune of $65,000,000, that it has sustained a loss of about $254,548,000 on property with a book value of about $821,844,000.

A report on a plan for liquidation is due from the agency by February 1. In my judgment the liquidation which has proceeded to the extent of about 53 percent has not proceeded rapidly enough. I see no reason why private institutions should not take over the mortgages and save the Government the tremendous cost of collecting interest. At this time I think the agency should devote itself to liquidation and not to perpetuation. Private institutions stand ready to cooperate as I have abundant correspondence to substantiate.

I think the Congress should take steps to insure liquidation at the earliest possible moment and I hope the report from the agency will point to the road in that direction.

F. P. H. A., FEDERAL REGISTER, BUDGET BUREAU

In conclusion may I invite the attention of the committee to the testimony of the Federal Public Housing Administration appearing at page 598 of the hearings, particularly to the unit costs of construction presented. I also refer you to the testimony concerning the Federal Register at page 163 of the hearings, particularly to the break-down of 19,000 documents which the Register has published during the first 11 months of this year, documents having general applicability and legal effect, the best possible evidence, to my mind, of government by edict which is ours today. Finally I refer you to the testimony of the Bureau of the Budget appearing on page 958 of the hearings, particularly to the statement that as of October last there were unobligated balances on the books of the various agencies to the extent of $90,000,000,000.

Mr. CLASON. Will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Massachusetts.

Mr. CLASON. I notice in today's paper they speak of the housing projects here in Washington being for sale at half price, while the N. H. A. has indicated it must receive more than half of the cost. Nevertheless, the real estate dealers point out that in order for a private person to own that property, which cost $11,450 a family unit, they would have to get at least $165 a month, while the Government at present is getting $89 a month rent. Do I understand that the Appropriations Committee intends to put more money into these housing units at the present time with full knowledge that the Government will ultimately take a loss of at least 50 percent?

Mr. WIGGLESWORTH. I may say to the gentleman that I think those particular properties are under the Defense Housing Corporation. Speaking generally, there is little or no housing construction in contemplation at the present time. Slum clearance projects have been definitely held up and the war housing program will be completed in the very near future, I think by the middle of the summer. Most of the funds requested here are for management as distinguished from further construction.

Mr. CLASON. If this property is sold the money which comes back as the purchase price will go directly into the Treasury and not into the hands of N. H. A. or some other Government agency to spend again?

Mr. WIGGLESWORTH. Well, as I say, I think these properties come under the Defense Housing Corporation which is in turn a subsidiary of R. F. C.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 2 additional minutes.

Mr. Chairman, eventually, of course, what comes back ought to be reflected.

Mr. CLASON. The gentleman would not expect then under the program as he knows it to have these receipts spent in developing new projects on which the Government would continue to take a loss of 50 percent every time it acted?

Mr. WIGGLESWORTH. Well, control over these Government corporations is a very different matter from control over the housing in this bill. The matter would probably be largely dependent on the discretion of R. F. C. and its subsidiary in the light of available funds.

Mr. CASE. Will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from South Dakota.

Mr. CASE. Is it not a fact that the Congress declined to make appropriations for the Federal Works Agency under the Lanham act in the supplemental or deficiency appropriation bill that was approved shortly before the recess and that out of those funds it had been proposed to construct some facilities for war housing but that money was denied?

Mr. WIGGLESWORTH. The gentleman is correct.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STARNES of Alabama. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. RUSSELL].

Mr. RUSSELL. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. RUSSELL]?

There was no objection.

Mr. RUSSELL. Mr. Chairman, a few years ago I met a young man who lived out in the western part of my district who had come to my home town to attend college. During the time that he stayed there and attended school he made many friends among the students and the citizens, as well as the teachers of the college there, and finished school with high honors.

Soon after war broke out this young man enlisted in the service of his coun-

try and distinguished himself with glory over on Bataan and in the Philippine Islands. During the Christmas holidays, after having been sent back to this country, in a crash out on the west coast this young man, that I learned to know and to love, gave up his life.

I have a letter from Colonel McGaughey, of his home town, publisher of the Albany News, which I would like to read to the House. After addressing me he states:

It has been brought to my attention by a resident of Lubbock that the Government might erect some kind of marker at the grave of Lt. Col. William Edwin Dyess, the hero of Bataan, who was buried in the Albany Cemetery following his death in Hollywood when he crashed his burning plane rather than hit a car.

As you know, Colonel Dyess was one of the outstanding officers on Bataan—and was the last officer in command there, as he led a group into the hills after the surrender and fought on for several days. His pursuit plane group fought in the air until the last plane was unable to take to the air. One of Colonel Dyess' last missions in the air was a bombing attack on Jap ships in Subic Bay, where he blew up a small island with great quantities of ammunition and supplies, sank a destroyer and several small boats. Bombs were tied to his pursuit plane and released over the target. Bombs sank a transport, and evidently damaged the destroyer, which Colonel Dyess proceeded to sink with 50-caliber fire. Following this Colonel Dyess commanded his troops as infantrymen, at one time killing 600 Japs who had landed behind the American lines.

When his story is released, and it should be right now, it will shock the nations as nothing has in this war: The cruelty of the Japs to the prisoners following the surrender of Wainwright. Dyess was one of the few men who escaped a Jap prison camp, and his story of that escape is a real thrill to any red-blooded American; their flight through the islands with the Japs on their heels made a chapter in American annals. The Japs know every move they made and every foot of ground they covered. In fact the escape party marked their trail at times with ambushed, very dead Japs.

About the marker, Albany people would appreciate it because we think Edwin Dyess was made of the stuff heroes are made of. His family, as you know, could have buried him in Arlington National Cemetery, but preferred to have him buried here where he grew up. Any information you can give on this matter will be appreciated.

JOHN H. MCGAUGHEY,
The Albany News.

May I add to that letter that Colonel Dyess received five citations for heroism displayed beyond and above the call of duty, and when his story is released to the American people, I feel that America will appreciate the actions and conduct of this great hero and will, at the proper time, put a marker out there to commemorate and honor the heroism of Colonel Dyess, my friend, who has passed over by giving his all to America.

Mr. DIRKSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. VURSELL].

Mr. VURSELL. Mr. Chairman, diverting from the discussion of this bill for only a few minutes, I want in my humble and feeble way to call the attention of the Members of the House present this afternoon to the message of the Chief Executive of the United States that was read to us yesterday. I think most of the Members were astounded when the Chief Executive dared to take the chance of further dividing the people of this country and the Congress of the United States, who want to cooperate with him in putting the winning of the war first. Talk about unity, and then let a message like that come to the Congress of the United States and to the American people, a message that doubtless will be sent to the soldiers overseas and in the armed forces in this country, attempting to tell them, who are fighting to defend this Nation, that the representatives of the people, the Congress of the United States, has forsaken them, and that the Congress of the United States is delaying action on a bill in order to prevent them from having an opportunity to vote.

His message, when read closely, raises again the question of the intellectual honesty of the one who sent that message. The war effort is being hurt and the war effort will be hurt by that message. The war effort of this country has been hurt by this terrible, infamous, pernicious campaign that has been carried on against the Members of this Congress by Earl Browder, by PM, the uptown edition of the Communist newspaper, by the Communist Daily Worker, by irresponsible radio commentators, and by politicians who want to put the winning of the fourth term ahead of the winning of the war.

Being a member of the committee that drafted this bill, I knew as the members of this committee knew that we would be subjected to this infamy. We had our choice to maintain two objectives in mind, first, to bring to the Congress an honorable and workable approach in an opportunity to give the soldiers the greatest opportunity to vote, and second, to frame that legislation if possible so that when the election was over it would have been held within the framework of the Constitution of the United States and the constitutions of the various States, and a decision would have been made so that this country could go on, whoever might be elected to the Congress and the Presidency, with the winning of the war in an effort to bring it to a successful and early conclusion and to save the lives of as many of our soldiers as possible.

We had the opportunity and we felt we had the obligation to attempt to keep faith with the American people and to attempt to keep faith with the soldiers. We did that. We are proud of that, and we resent the Chief Executive of the United States hurling the charge at the members of the committee and, in my judgment, at the majority of the Members of this body, that the legislation we brought out is a deception and a fraud against the American people and the servicemen of this country.

In my judgment, history will record that few Presidents, in fact, no President, has ever before sunk to the position where he has sent such a message to the people of this country and to the Congress of the United States. I am sorry for the good of this country that the President saw fit to be influenced by those around him to pen that message and send it to the Congress of the United States.

We know, we Members of Congress and the people of this country who have their eyes open and really know, that there has been a studious and constant attempt for the last 10 years to destroy the confidence of the people of this country in the Congress of the United States. Let me tell you that people who are following that line are dealing with fire, they are dealing with the most dangerous thing to the perpetuity of this Union and this Republic, they are pulling the house down upon their own heads, and they are taking a chance on destroying the solidarity of the people and their confidence in Congress, which will pave the way for a break-down in representative government and lead the way to dictatorship in this country.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. VURSELL. I yield to the gentleman from Idaho.

Mr. WHITE. Is it not a fact that the columnists who write for the newspapers and the editorial writers are riding herd on the Congress and trying to force the Congress into the policies and plans they propose? Anyone who has the manhood to stand up they ride down with their columns.

Mr. VURSELL. There is no question about it. The gentleman is right. There has come a time in this country—and as a one-termer, a freshman only, I may be presumptuous in saying this, but I say it from the bottom of my heart—the perpetuity of representative, constitutional government rests with the courage of men in this body to fight off bureaucracy and to fight off the pressure groups of this country. The question is, Are there men and women who are independent enough financially, and who have the courage, to stand by the orderly processes of constitutional government and help keep the ship of state going, not only for our people here but for the men in the services, and for their children to come? The sooner the Congress, individually and collectively, all of them, arrive at that conclusion, the sooner we shall have an opportunity to look into the future with hope and confidence.

The idea of one man assuming to speak for all the soldiers of this country. It is the Congress of the United States that stood by the veterans when the Chief Executive that brought this message to us yesterday ran out on them after the World War, and everyone here knows that. No one has a copyright on the patriotism of the people of this country. When I was home Christmas we received a Christmas telegram that my nephew, a lieutenant, was killed in action at Tarawa. The Members of this House have almost 300 men and women in the service—and I hope Members will pardon this personal reference. I resent the Chief Executive undertaking to say to the people of this Nation and of my home district that I have been a party to bringing a bill on the floor of the House that is false to the people of this country.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. DIRKSEN. Mr. Chairman, I yield the gentleman 5 minutes more.

Mr. VURSELL. The President's argument in this message does not state the whole truth. It is full of half-truths. He talks about the former election law that brought only a few votes back in 1942. That act never had a chance to work. It was placed on the statute books only a few weeks, according to his own statement, before the election. He says that only a few States have cooperated, and by innuendo intends to tell the people they will not, when the fact is that those who are back of the Green-Lucas bill are in a race with the States now to try to put legislation on the statute books that will prevent the States from cooperating and sending the whole ballot to the boys overseas, as our bill provides, that will enable them to vote as they vote at home. These are two of many inconsistencies in the message. There is not a paragraph in that document that tells the whole truth about the situation before the Congress.

Mr. ROWE. Mr. Chairman, will the gentleman yield?

Mr. VURSELL. I yield to the very serious and able gentleman from Ohio.

Mr. ROWE. Inasmuch as we can agree that every Member of this House, and every mother and father of a soldier that participates in this great World War wants the soldiers to vote, and inasmuch as there is more than one way of devising a manner by which they may vote, does it not seem like an ulterior motive when one side will accuse the other, because his particular way is not adopted, of wanting to prevent the soldiers from voting?

Mr. VURSELL. I think the gentleman is correct.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. VURSELL. I am glad to yield to the able and distinguished friend of the servicemen from South Dakota.

Mr. MUNDT. As I read the President's message it seems clear to me that he was trying to make a political proposition out of a highly complicated problem. I have been very busy on other committee matters, as the gentleman well knows, but it seems to me certainly that time is of the essence in the way of making the ballots available to the soldiers. The gentleman from Illinois is a hardworking, well informed, and highly respected member of his committee in charge of that bill. I am wondering what is causing the delay. Rumors were brought in the House that we were to have a chance to vote on this bill immediately after the U. N. R. R. A. bill. Who is causing the delay now?

Mr. VURSELL. I should like to answer that question. Late in November we had this bill before our committee, and attempted to vote it out. We were stopped from voting it out on a point of order. We were never able to get the chairman of the committee to call a meeting of the committee again until after the Christmas holidays. The facts are that those who have been delaying this bill have been delaying it because they want to defeat the will of this House, and the will of the people, as expressed by their Representatives from the 48 States, because they know that this Congress will pass this bill if it comes on the floor of the House, and they have been delaying it, and they are the ones who are back of the delay of the bill.

Mr. MUNDT. Then it is the leadership of the President's own party that is causing the delay?

Mr. VURSELL. That is right. It is obvious to everyone that those in control of the leadership of this House on the majority side, and in the other body, and which has been the rule throughout many years, as I understand, reflect the will of the Chief Executive; so, naturally, he must be charged with delay in this legislation which he charges the Members of Congress are delaying.

Mr. MUNDT. Then I should say that the President's message is rather an eloquent matter of guilty conscience.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. DIRKSEN. Mr. Chairman, I yield the gentleman 5 minutes more.

Mr. VURSELL. Of course, the will of the Chief Executive through the leadership of this House has been eloquently and effectively expressed in their continuous delay and blocking of this House committee bill. Those back of the Green-Lucas bill in the other body and in this body never intend to give the soldiers a whole ballot. They do not want the soldiers to vote in the old American way. They want to give them the short, bobtailed ballot, and they want them to vote blindfolded, so to speak—a ballot with no names on it—and after they are thoroughly propagandized, as they are being propagandized now, and as they are being built up now in their hatred for the Members of Congress, in which they are getting false information weekly about our position, then those in charge will bring them the short ballot, and there will be an election day called, and the battalions will be goose-stepped up to the ballot places to vote, and they will vote the short ballot, for they will not have a chance to vote the whole ballot.

They have never intended them to vote the whole ballot, and the Army and the Navy, if this Green-Lucas-Worley bill goes through, will most likely never make any real effort in my judgment to get the whole ballot to the soldiers overseas. They provide that the same policy shall be carried on in the camps of this country, where they know it is not necessary, and where they know the men under the absentee voting system can get a full and complete ballot if they have the opportunity to get it as our bill provides.

Mr. MILLER of Missouri. Mr. Chairman, will the gentleman yield?

Mr. VURSELL. Yes; I yield to my distinguished colleague from Missouri.

Mr. MILLER of Missouri. It has been charged, and I think properly, that national prohibition was foisted on this country in 1917 and '18 and '19 while a great number of the boys were overseas in World War No. 1. Under the provisions of the Lucas-Worley bill, what provision, if any, is made for the soldier to express himself upon a proposal of local option in his own community?

Mr. VURSELL. There is none whatever. The soldier can only express himself by writing in the name of the President, by writing in the name of the United States Senator, and of the Congressman, if he knows it, and in my judgment this short bobtailed ballot is an insult to the intelligence of the soldiers of this country and they will be deeply resentful if that is all they are allowed to have, which is provided under the Green-Lucas bill.

Mr. MILLER of Missouri. Then under the Green-Lucas bill it will be possible to foist local option upon soldiers from various communities, and they could not be consulted about it or have a voice in it?

Mr. VURSELL. They cannot be consulted. There is no provision under the bill to vote on any local-option question.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. VURSELL. I yield again to the gentleman from South Dakota.

Mr. MUNDT. Do I understand, then, by this so-called shavetailed ballot the President is advocating the soldiers are disfranchised from voting on 75 percent of the candidates that may run, and that they cannot vote for Governor or any of the other officers?

Mr. VURSELL. That is correct.

Mr. MUNDT. I would like to say to the gentleman I recall seeing in the newspapers a number of years ago, I believe, the original form of this bobtailed ballot which was run in Germany, where the voters in Germany were permitted to vote "Ja" or they could not vote. Is there something in the President's program to protect us against that type of thing over here?

Mr. VURSELL. I do not think there is anything in the President's program, or anything in the Green-Lucas bill, that will in any way prevent the false propagandizing of the soldiers if the Green-Lucas bill is passed.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. ROWE. I yield 1 additional minute to the gentleman from Illinois.

Mr. Chairman, will the gentleman yield?

Mr. VURSELL. I yield to the gentleman from Ohio.

Mr. ROWE. Will the gentleman say whether or not this so-called bobtailed ballot you referred to would allow the soldier to pass upon the proposition, if sufficient States would ratify the proposal, to change the Constitution to a limitation of two terms for President of the United States? Would the soldier in that instance have anything to say about changing the Constitution in this ballot?

Mr. VURSELL. The soldier would have nothing to say and no opportunity to say what he has in mind.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. VURSELL. I yield.

Mr. WRIGHT. Does not the Worley bill contain two sections or two titles? The second title gives every opportunity

to the soldier to comply with the State laws and Federal Government that your bill does, and the only thing the Worley bill does in addition is that it brings the ballots to the soldiers which they would not be able to get from the States under the provisions of the Committee bill?

Mr. VURSELL. The only thing the Worley bill does is this. It puts that catch in there to deceive the soldiers because this iniquitous Green-Lucas bill is born of political expediency. It is a deception and a fraud. The President named the wrong bill when he said a certain bill was a deception and a fraud.

It has never been their intention that the soldier shall vote anything but the short ballot and I am sure the gentleman from Pennsylvania knows that without my telling him.

Mr. WRIGHT. If the gentleman will yield for an observation, the gentleman from Pennsylvania disagrees with him.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STARNES of Alabama. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. The gentleman from Illinois [Mr. VURSELL] has made some very intemperate utterances, so intemperate that it seems to me to be about the best illustration I have heard for a long while in support of the old saying, "He who speaks loud seldom says much."

During the course of the gentleman's remarks he talked about "shoving the ballot" under the nose of the soldiers and sailors and that they would have to vote the way they were dictated to vote. If ever there was a reflection upon the man who wears the uniform of this country it is that statement. Every one of those young men, every officer and every person who wears the uniform, is a citizen of the United States. That statement is a serious reflection upon their individual integrity and upon their motives as American citizens in exercising the great right of suffrage. The gentleman has made a lot of serious charges through the use of intemperate language. Probably after he is here a few terms he will learn to temper his thoughts a little more. I wore the uniform in the last war. There were three of us brothers. And millions of others did. I know how I would feel if a soldiers' voting bill were up in the Congress during the last war when I was in the service and if any Member, no matter who he was, made a statement that a ballot could be shoved under my nose and that I could be compelled to vote contrary to my conscience. That is a reflection upon everyone who is in the service today.

Mr. VURSELL. Mr. Chairman, I challenge that statement. The RECORD will not show I made that statement.

Mr. McCORMACK. The gentleman said they would shove the ballot under their noses and he talked about "propagandizing."

Mr. VURSELL. I stand by that.

Mr. McCORMACK. The only inference that can be drawn is that men would be compelled to vote contrary to their consciences. I do not care how a man votes. That is not the question involved here. It is the question of trying to get, to the maximum extent possible, ballots into the hands of the men and women in the service. The bill as reported out of the committee confines it to the States. There are 4 States that have no absentee-voting law at all. Therefore, no one from those States can vote for anybody. There are 14 States that have a primary in September. Unless that is changed between now and then, every person in the service from those States will not be able to vote for State officers or for Federal officers. There are 2 States that require a constitutional amendment to enable even the State ballot to get into the hands of soldiers and sailors. There are other States that have difficulty. The Worley bill provides for a State ballot to be distributed as extensively as possible. I stand for that. It should be done. I will agree with the gentleman from Illinois or anyone else that we should get as many of the State ballots as possible into the hands of those in the service and that the machinery of the Federal Government should be used to the fullest extent to do that. But even with that, with a State ballot only, there will probably not be more than 500,000 out of the 10,000,000 or 11,000,000 who will vote. Men may honestly differ with that and I respect their views in disagreement. Twenty-eight thousand voted the last time. I will agree that the situation was a little more difficult then.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCORMACK. But the purpose of the Worley bill is to get State ballots into the hands of the soldiers and sailors as extensively as possible, and where it cannot be done, to implement it by at least allowing those in the service to vote for candidates for Federal office. We cannot provide for the blanket voting for Governors, and members of State legislatures and county offices in State jurisdictions. If we could, that would be one thing; but we can provide—and I recognize that men honestly differ on the constitutional question and I respect their views—I think to the contrary—we can provide, where we cannot get State ballots in their hands, where State ballots cannot be obtained or distributed, the Federal Government should do everything within its power to get as many State ballots in their hands as possible, and the Worley bill provides for it, that at least those who cannot vote a State ballot for any reason at all, whatever it may be, should be permitted to vote for candidates which the Congress can authorize by law that they can vote for, candidates for the office of President and Vice President and Senators in the States where Senators are to be elected, and for all of the Representatives in Congress.

Mr. MILLER of Missouri. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MILLER of Missouri. May I ask the distinguished majority leader whether or not it would be possible, under Federal law, to punish any offense that is committed in voting for President and Vice President?

Mr. McCORMACK. In a State?

Mr. MILLER of Missouri. No, whether or not there is any Federal offense that takes cognizance of such action.

Mr. MARCANTONIO. Will the gentleman yield?

Mr. McCORMACK. I want to get the gentleman's question right so that there will be a meeting of the minds.

Mr. MILLER of Missouri. I am asking the gentleman whether or not there is anything in the Federal Corrupt Practices Act at the present time which would punish for an offense committed in the election of President or Vice President.

Mr. McCORMACK. In the Federal Corrupt Practices Act?

Mr. MILLER of Missouri. Yes.

Mr. McCORMACK. What has that got to do with this?

Mr. MILLER of Missouri. I want to call the gentleman's attention to the fact that there is no offense that can be committed in voting for President or Vice President. Any unmitigated fraud could be committed and it could not be punished.

Mr. McCORMACK. I do not see where that has any relevancy to the matter I am discussing, or to the legislation that has been under discussion by the gentleman from Illinois.

Mr. MARCANTONIO. Will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MARCANTONIO. As a matter of fact, in 1932 there were several indictments in the United States District Court for the Southern District of New York and they were prosecuted and convictions were obtained for frauds committed in the Presidential election of 1932.

Mr. MILLER of Missouri. But they were under an old statute passed in 1863.

Mr. McCORMACK. Well, this is all very interesting, but I do not see where it is relevant to the bill we are discussing now.

Let us assume for example that a State refused to set up machinery to elect electors for President; refused to set up machinery to elect United States Senators; refused to set up machinery to elect Representatives in Congress; does the gentleman mean to say that the Congress of the United States could not provide for the setting up of machinery for the voters of that State to vote for Representatives in Congress and for electors for the President? Certainly, in this emergency, the Congress of the United States has the power to pass a law giving to those in the service the ability and the authority under law to vote at least for candidates for national office.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Michigan.

Mr. MICHENER. I quite agree with the gentleman as to the last conclusion, but it is ineffective and useless unless it is implemented. I contend, and I think the gentleman will agree with me, there is no possible way whereby a Federal vote

returned to a State may be counted in the total of the elections, or find its way into a State ballot box under Federal law, unless the Federal Government sets up election boards throughout every State in the Union where that is necessary. Is it contemplated by the Worley bill that the Federal Government would set up election boards in the several precincts so that Federal ballots might be counted?

Mr. McCORMACK. Well, I think there is a great deal to what the gentleman says.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. STARNES of Alabama. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. McCORMACK. But there is one further observation I think my distinguished friend from Michigan [Mr. MICHENER] will agree with, and that is the thing we call public opinion. Public opinion, I think, would assert itself in such a convincing manner that the people of the several States would want to have the votes of those in the service counted.

Mr. MICHENER. Will the gentleman yield right there?

Mr. McCORMACK. I yield.

Mr. MICHENER. I think that is true, but that is action by a State. I have gone so far as to write my own State, my own Governor, some time ago, to ask my State and my legislature to amend the law so that if there was a Federal ballot and a State ballot, there would be some place along the line where the two ballots could come together and be counted; because if there is no such action on the part of the States, and if the Federal Government does not establish election boards in every precinct, in every State where no such provision is made, then it is a futility to even talk about a Federal ballot.

Mr. McCORMACK. I think the gentleman from Michigan will agree that no State can take action until they know definitely what the Federal law is going to be.

Mr. WRIGHT. Will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. WRIGHT. The gentleman from Illinois charged that our fight for a uniform ballot was politically motivated. In connection with that, when we were before the Rules Committee trying to get a rule that would bring us a roll-call vote on the uniform ballot, and the so-called State ballot, the gentleman from Illinois opposed such a rule.

Mr. McCORMACK. Well, I leave that.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. GORE. Our distinguished friend from South Dakota [Mr. MUNDT] made a statement which I am sure he did not mean, as it sounded to me or as I interpreted it. I understood him to compare the effort, which is honest on my part, trying to get a ballot to the soldier to facilitate the exercise of his franchise, to the Hitler ballots on which no one could vote except "Ja." If I misunderstood the gentleman, I am sorry. I am sure he did not mean that, if I understood him correctly.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. STARNES of Alabama. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. GAVIN. Will the gentleman yield?

Mr. McCORMACK. Under no conditions, if I had any time, would I refrain from yielding to my friend from Pennsylvania.

Mr. GAVIN. And there is nobody in the world I would rather interrogate than the distinguished, fair gentleman from Massachusetts.

Mr. McCORMACK. There is no one whose interrogation I fear more.

Mr. GAVIN. With that, I will proceed to ask the gentleman whether the Worley bill—if they did have Federal ballots provided, could they be counted by any State, or would it be necessary to count them? The States could accept them or reject them, approve or disapprove. This would be the States' right.

Mr. McCORMACK. I cannot conceive, in answering the gentleman's question, that the people of any State would permit such a situation to exist between now and next November.

Mr. GAVIN. Suppose for the sake of the argument, for instance, the State of Wisconsin, where 40 percent of the vote is represented by the Progressive Party, and they are not considered on the Federal ballot. We recognize immediately that Wisconsin is not going to recognize the Federal ballot. I only cite that as an illustration of the complications that might arise. So the men in the service would actually think they were getting a ballot and could vote, whereas in reality they could not vote at all.

Mr. McCORMACK. In view of the fact that the gentleman referred to Wisconsin, I will yield to another gentleman from Wisconsin to answer that, as I notice he wants me to yield to him.

Mr. McMURRAY. I would like to say to the gentleman who mentioned Wisconsin that 40 percent of the vote in Wisconsin is not Progressive by any kind of a count. Second, that every ballot sent back to Wisconsin, whether it be in Progressive, in Democratic or Republican districts, will be counted, and every vote of every soldier will be counted in Wisconsin. I say that irrespective of the fact that the Republican Party is in control of every State political office. They have the governorship; they have over three-quarters of the offices.

Mr. GAVIN. Is the gentleman speaking for the Governor and the legislature of that State when he makes that statement?

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. McCORMACK. This is so enjoyable, we have created such an atmosphere of good feeling in the matter, let us talk for a while.

Mr. STARNES of Alabama. Mr. Chairman, I yield 2 additional minutes to the gentleman from Massachusetts.

The CHAIRMAN. To whom does the gentleman from Massachusetts yield?

Mr. McCORMACK. I yield to both these gentlemen, the gentleman from Wisconsin and the gentleman from Pennsylvania.

Mr. GAVIN. I may say to the gentleman from Wisconsin that the percentage would not make any difference, whether it was 65 or 40.

Mr. McMURRAY. That is correct.

Mr. GAVIN. Nevertheless the Progressive Party of Wisconsin would not be recognized and its name would not appear on the ballots whatever percentage of votes they might command.

Mr. McCORMACK. Is this colloquy over?

Mr. GAVIN. Yes.

Mr. McMURRAY. No.

Mr. McCORMACK. I yield to my friend from Wisconsin.

Mr. McMURRAY. I do not know what the percentage is. I do not say that is against the gentleman's argument. The party machinery, the political machinery, let us say, the State political machinery in Wisconsin operates fairly and squarely.

Mr. McCORMACK. I understand that the name of the party can be written in anyway; that is my understanding.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MUNDT. I just want to take a very short time to straighten out the worries of my friend from Tennessee. I certainly was not trying to accuse him of foisting any particular short ballot on the American people because I do not know even where he stands on this problem. My comment was—I will repeat it for his benefit—that the only short-tail ballot I had ever seen was in a newspaper depicting the ballot used in Germany where they permitted a vote "Ja" or not at all; and I ask the gentleman if proper precautions are being taken so that would not be done in this country, or if it were done there would also be a square where you could vote "no."

Mr. McCORMACK. I am glad I yielded to my friend so he could clarify the situation.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MARCANTONIO. The gentleman raised the objection that there is no machinery to compel the States to count the votes.

Mr. GAVIN. We are not raising any objections; we are really asking the question.

Mr. MARCANTONIO. I wonder if the gentlemen who have been opposing the recent Worley bill which does not provide machinery for the counting of the ballots will support the original Green-Lucas-Worley bill which would compel the States to count the soldiers' ballots.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. GAVIN. I may say to the gentleman from New York that if the Federal ballot goes through his party would not be represented.

Mr. McCORMACK. Let us not descend to a level of personal attack.

Mr. GAVIN. The American Labor Party would not be on the ballot.

Mr. McCORMACK. The debate has been very interesting so far, but I hope it will not become one of personalities.

Mr. GAVIN. The gentleman's party would not be on the ballot, is what I am trying to point out.

Mr. MARCANTONIO. My party is the American Labor Party.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. STARNES of Alabama. Mr. Chairman, I yield 1 additional minute to the gentleman from Massachusetts.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MARCANTONIO. May I say that my party is the American Labor Party. If we had a dollar for every Republican who has sought our nomination in New York we would have a campaign fund large enough to elect a substantial number of American Labor Party Congressmen.

Mr. McCORMACK. Mr. Chairman, I shall have to decline to yield further.

In conclusion let me say that the gentleman from Mississippi [Mr. RANKIN] has been presenting his views on the merits of the bill he supports. I say that in all fairness. He raises the constitutional question and also the question of States' rights. That is arguing the proposition on its merits. I have no quarrel with any man who argues on the merits. I do not think the gentleman from Illinois intended to make the statement he did, because I believe he did not really mean to leave it—"shove it under their noses."

My reason for taking the floor was not so much to discuss the merits of the two bills as it was to ask that in the future discussion of them let us at least be temperate and confine ourselves to the merits, one side or the other, of both bills.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. DIRKSEN. Mr. Chairman, I yield 20 minutes to the gentleman from South Dakota [Mr. CASE].

LET THE PRESIDENT LEAD WITH TEMPERATE SPEECH

Mr. CASE. Mr. Chairman, I had no intention of discussing the soldiers' vote situation when I asked for time this afternoon. In view of the turn the discussion has taken, however, I do want to make one or two observations.

The distinguished majority leader in his closing statement made a plea for temperate remarks. In all sincerity and with all respect I want to suggest to the majority leader that he convey that suggestion to the Chief Executive of the United States. If the tenor of the debate this afternoon has turned upon some intemperateness supposedly suggested by a remark of the gentleman from Illinois [Mr. VURSELL] let me call your attention to a couple of phrases in the message of the President which was read to the Congress yesterday afternoon, a special message, a message signed by the President at the White House addressed to the Congress in his capacity of President of the United States in which he said:

> The need for new legislation is evident if we are really sincere and not merely rendering lip service to our soldiers and sailors.

As if there were Members, many Members of the Congress, who were not sincere and who render only lip service to the boys, to their own sons or nephews, in fact, who are soldiers and sailors.

And again the President in his message said:

> Some people—I am sure with their tongues in their cheeks—say that the solution of this problem is simply that the respective States—

And so forth. Now, there are many Members who have tried particularly to be temperate in their remarks during the trying times we have passed through the last few years when we have been debating questions involving the safety and security of the United States and I think I can lay claim to being among those Members of this body. I have not indulged in vituperative remarks or in hymns of hate, but I can say today that it has bothered me many times that so many messages of the President have carried phrases like those quoted which imputed a lack of sincerity in those who disagreed with him in any respect.

As I have gone down to the Lincoln Memorial and read the second inaugural address of the martyred President the thing that has impressed itself upon me was the spirit of the great Lincoln. Although they were in a great struggle the people of those times were moderated, led, and inspired by the gentle spirit of a Lincoln who could say that men were fighting on opposite sides yet praying to the same God, and recognize the sincerity even of those who were fighting against the forces he was commanding.

If there was anything it seemed to me this country needed in these trying times it was a leadership that would command unity by the humility of the man who spoke and by the confident yet temperate remarks of his leadership.

Unity is not commanded and will never be produced in this country by name-calling.

Unity will never be produced by proclaiming that all those who are opposed to you take their positions with their tongues in their cheeks, are economic royalists or whatever other title seems to most discredit them at the time.

We can have unity in this country, we can prosecute the war with one mind when there is leadership that respects and directs its appeals to the common sense and the fair-mindedness that exist in the average American citizen.

In the address which was read to us yesterday the President said:

> I consider such proposed legislation—

Referring to these proposals for preserving the right of the soldiers to vote the State ballot—

> a fraud on the soldiers and sailors and marines now dying and fighting for us and all our sacred rights. It is a fraud upon the American people.

He was referring to the proposal that the soldiers and sailors be given an opportunity to vote the State ballot, the complete ballot they would have an opportunity to vote if they were at home.

Now, personally I have not been very well satisfied with either proposal that is before this Congress, either the bobtailed ballot or the mechanics that have been proposed to get the regular ballot to the soldiers and the sailors.

Personally, I have felt that the United States Government as the party which had destroyed the opportunity of a soldier or a sailor to cast a normal ballot had a responsibility for restoring what it had destroyed and should do whatever is necessary to insure an opportunity be given the soldier or sailor to cast the ballot he would have if he were at home.

I want to comment, however, on the President's suggestion of fraud. There could be no greater fraud committed upon the soldiers and sailors, in my humble estimation, than to give them a bobtailed ballot provided through machinery which cannot be recognized under the law or the Constitution governing the duly constituted election officials, hence which could not be counted.

If you say to the soldier or sailor that you are going to give him a ballot to vote that implies the right to have that ballot counted.

I have not gone into the law on this question personally. I merely know what I have read in the newspapers and what I have heard, but I have read and heard that the State of Wisconsin, for instance, has a statutory requirement that the election officials may not count a ballot which has not been provided by the officials of the State of Wisconsin itself. If that be true, then the judges of election in Wisconsin would be guilty of a crime under the laws of their State if they were to count ballots which had not been so provided. Public opinion might want them counted; public opinion would want them counted but that would not protect the election officials who violated the law nor settle the result in close contests.

I have not investigated the constitution of the State of Texas, but I did read the other day in The Window Seat, a column prepared by the Honorable W. D. Jamieson, a former Member of this body, a Democrat from Iowa, which appears in a great many newspapers in this country, that he was surprised to learn that the Constitution of the State of Texas prohibits the counting of absentee ballots, prohibits the counting of any ballots except those that are provided by the State authorities of the State of Texas in the regular way. Further than that, Mr. Jamieson said that the Constitution of Texas provides that that constitution can be changed only by amendments proposed at a regular session of the Texas Legislature, that that regular session has already taken place, so that under the Constitution of the State of Texas there is no way for them to adopt a constitutional amendment that would permit the election officials of the State of Texas to count a ballot provided by any other source than the duly constituted officials of the State of Texas.

I have not investigated those matters myself, as I have stated, but if these things be true, I say there could be no greater voting fraud committed upon the soldiers and sailors than to hand them a bobtailed ballot provided by the Federal Government when the State constitutions and the State laws say those ballots cannot be counted when they come back home.

That would be fraud.

Now, then, let me repeat that I think the responsibility does rest upon us to provide some way for the regularly constituted ballots to get into the hands of every soldier and sailor in order to restore the opportunity which has been destroyed by reason of the Federal service of that man. And no one should be accused of insincerity who seeks to discharge that responsibility.

Mr. MUNDT. Will the gentleman yield?

Mr. CASE. I yield to my colleague from South Dakota.

Mr. MUNDT. At the opening of the gentleman's remarks he stated he was disturbed by the occasional use of intemperate language engaged in by the Chief Executive in addressing Congress, and I share with him that alarm. The gentleman stated that the President had made certain comments in a message which he signed as President of the United States. I have an alarm of mine in connection with this growing out of what seems to me to be an almost prophetic prelude to the time when again in this country we might become accustomed to refer to our Chief Executive with the use of the pronoun "we," because in that message, though it was the President, at one time he referred to himself as speaking for the soldiers and sailors of the country as Commander in Chief, at another place he said he was speaking as the President of the United States, and by a quick change he spoke again as an interested citizen. I simply want to observe that I hope even if the fourth-term drive is successful we shall not once again in this country use the collective pronoun "we" in referring to our ruler.

Mr. BUFFETT. Will the gentleman yield?

Mr. CASE. I yield to the gentleman from Nebraska.

Mr. BUFFETT. With all this machinery that the Federal Government is going to create, what machinery is being created to take to those boys full information about this election, information about both sides of the controversy? No jury would attempt to bring in a verdict without hearing testimony from both sides. The soldiers and sailors have had frequent messages from the President carried by radio all over the world, as well as on his trips. Have there been any messages like that from the opposition party or will there be provision for it? Is that in this bill anywhere?

Mr. CASE. I am sorry, I cannot answer the gentleman's question. I have been working on the independent offices appropriation bill and I am not acquainted with that matter.

Mr. BONNER. Will the gentleman yield?

Mr. CASE. Is the gentleman a member of the committee reporting the voting bill?

Mr. BONNER. Yes.

Mr. CASE. I yield to the gentleman.

Mr. BONNER. The gentleman will will find where any Government agency, radio, or any other means is used to send information to the troops both sides will be given equal time.

Mr. TABER. Will the gentleman yield?

Mr. CASE. I yield to the gentleman from New York.

Mr. TABER. The situation is all messed up and people are beginning to believe right now that that is not what is going to happen because at this time in the official publication, Stars and Stripes, is being carried all the propaganda and all the intemperate language that has been indulged in by the Chief Executive on this and other occasions. That is the reason for the fear of people that there will not be fairness in getting the message across to the soldiers.

Mr. CASE. I appreciate the contribution that the gentleman has made.

Mr. Chairman, I would like now to turn to the bill immediately under consideration, the independent offices appropriation bill. As has been said by the two ranking members on the Appropriations Subcommittee, the distinguished gentleman from Virginia [Mr. WOODRUM] and the distinguished gentleman from Massachusetts [Mr. WIGGLESWORTH], this is the largest of the regular appropriation bills in normal times. It is not as large as the Army or Navy bills under present circumstances. However, this bill has not entirely escaped the impact of war increases. That is particularly true because this bill carries appropriations for the United States Maritime Commission.

The bill as it comes before us proposes to appropriate a total of $8,500,590,352. This is an increase of $5,627,000,000 over the bill of last year, but almost an equivalent amount, in fact a little more than that amount, is included in the bill for new ship construction by the Maritime Commission. The bill carries an increased authorization for the Maritime Commission of $5,700,000,000 approximately, for the building of ships.

VETERANS' ADMINISTRATION

In addition, the bill carries very large items for the Veterans' Administration, to which attention has already been directed. The Veterans' Administration has one increase alone of $250,000,000 for national service life insurance, and $65,000,000 for pensions and compensation. These two items are the increases for the corresponding items in the bill a year ago.

There is another thing which is found all through this bill, and that is the increase due to the War Overtime Pay Act.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CASE. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I notice the gentleman's interest in a medical and nursing service in the Veterans' Administration. Was he satisfied that the Veterans' Administration would secure all the necessary doctors and nurses without having a permanent corps?

Mr. CASE. I may say to the gentlewoman that personally I was not satisfied. We did query General Hines, the head of the Veterans' Administration, as the hearings will show. We had some discussion that was off the record. I think the Administrator testified that under a recent order of the President it was planned to permit doctors who have commissions in the Army or the Naval Reserve to be brought into the Federal service under their commissions and assigned to the hospitals. However, I am informed that in actual practice that is not working out, and for this reason:

An instance was brought to my attention of a dentist who has a commission as a lieutenant colonel in the Medical Corps of the Army. If he went into the Regular service, he would be rated a lieutenant colonel; that is, the Reserve commission he now holds is lieutenant colonel. Under this order, if he continued in his service in the Veterans' Administration, he would be rated there on the basis of a special rating that is assigned to certain grade positions by the Public Health Service and the Veterans' Administration, and the requirement would be that he go in as a captain and serve as a captain. Obviously, it is unfair to that particular man to ask him to serve as a captain when he already holds a Reserve commission as lieutenant colonel.

You multiply that by other cases, and you can see that the present system is not satisfactory.

The reason for trying to have some status established for the doctors and nurses, as I understand, in accord with the bill which the gentlewoman from Massachusetts has introduced, is to make it possible for the Veterans' Administration to preserve an adequate number of doctors and nurses of competent quality to give proper attention to the veterans. Obviously, if they are subject to call into the Army it drains the pool, and the Veterans' Administration loses them; to the proposal for calling them into active duty. But if they are to serve in and be detailed to the Veterans' Administration, in all justice they should be detailed on the basis of the rank they already hold in the Reserve Corps.

Mrs. ROGERS of Massachusetts. Also, it seems to me manifestly unfair to have some of them in the service and some of them out, serving in the same hospital.

Mr. CASE. Yes, it creates a great deal of dissatisfaction and restlessness to have some of the men and women who are either doctors or nurses serving in uniform on the same station where there are civilians occupying the same kind of a position as far as the work they perform is concerned.

Mrs. ROGERS of Massachusetts. To get the best kind of service, you should have a Regular Corps and offer them some inducement to go into it. I know of the gentleman's interest in veterans' matters and it is appreciated by the veterans.

Mr. CASE. I think something should be done along the line of the bill that has been introduced by the gentlewoman

from Massachusetts. I hope she will continue her good efforts in that regard.

Mrs. ROGERS of Massachusetts. As to the N. P. beds, does the gentleman feel that enough of them will be built? As the gentleman knows they require a special type of construction.

Mr. CASE. Yes. If the gentlewoman has an opportunity to look into the hearings, she will note that an item of about $32,000,000 for construction of hospitals, of which thirty million is to be devoted to neuropsychiatric facilities is contemplated, but that that fund is not carried in this bill, due to a budgetary plan to put it into a special supplementary bill.

Mrs. ROGERS of Massachusetts. I found a very overcrowded condition in certain hospitals, which to my mind is very dangerous in nervous and mental cases.

Mr. CASE. The gentlewoman will find in the bill, at about pages 225 to 227, tables showing the proposed increase in new hospitals for that type of patient and in additional beds for the treatment of that condition.

Mrs. ROGERS of Massachusetts. Does not the gentleman feel that the Veterans' Administration ought to be declared a war agency? I have introduced a bill for that purpose. That is the only way the Veterans' Administration can secure priorities and have the Administration second only to the Army and Navy as a war agency.

Mr. CASE. We found that that problem also was creating some trouble for the Veterans' Administration. They found that in the case of certain supplies they did not have a high enough priority to get what was needed. I think they are satisfied that they are getting the medicines necessary, but on other types of supplies they do not have a priority at the present time which gives them all they need for the proper care of veterans.

Mrs. ROGERS of Massachusetts. And they did not have it for the building of hospitals.

Mr. MILLER of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. CASE. I yield to the gentleman from Connecticut.

Mr. MILLER of Connecticut. Are funds carried in this bill for the drawing of plans for new hospital construction? I understand there is no new construction contemplated under this bill.

Mr. CASE. If the gentleman will refer to the hearings at approximately page 225 he will find rather complete testimony as to plans, and as to plans for construction. The Administrator has been directed to survey Army and Navy facilities to see what can be utilized before drawing too many plans for new construction.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. DIRKSEN. Mr. Chairman, I yield 10 additional minutes to the gentleman from South Dakota.

Mr. CASE. If I may, I should like to hurry along a little bit on the bill, with just one further reference to the Veterans' Administration. We discussed with General Hines the problem that has been discussed from this floor many times, that of more rapid rating of the boys who are being discharged from the service. General Hines assured the committee at the time that we had these hearings, which was in early December, that he was taking steps to increase the number of rating boards; also, he was endeavoring to place contact men at points where large numbers of soldiers and sailors were being discharged, with the thought of making known to the men more clearly and rapidly their rights and entitlements under existing law. He told us that he was finding difficulty in securing competent and qualified personnel to man the rating boards that he would like to set up, but that he was working out the problem. Those Members who are interested in this matter will be interested in seeing his statement on that point.

WAR OVERTIME PAY

I was mentioning the increases in the bill and the changes in the bill when the gentlewoman from Massachusetts brought up the question of the Veterans' Administration. I hope every Member of the House will take pains to read carefully the table on war overtime compensation which appears at page 3 of the committee report. He will find that there is a total of over $47,000,000 in this bill for overtime.

If you will also turn to the concluding pages of the report and note the table of increases or decreases, you will find plus signs after many agencies, comparing the appropriation with last year, but out of the 30-odd agencies there are only four where those plus signs represent a real increase of appropriations over last year. In every other case the plus sign is for an amount which is less than the amount of overtime pay required by that agency.

The committee's hands were tied in the handling of this overtime pay. The Congress has passed what is known as Public, 49, the Wartime Pay Act, and this act specifically provided by a mathematical formula a certain increase in pay for work performed in excess of 40 hours per week. Under the authorized interpretation of that, overtime is figured even down to a per diem basis, so that even if an individual does not work 40 hours in a week but works more than 8 hours a day he can get the proportionate increase. Personally, I do not see the logic in that ruling, but it exists.

It was further brought out in the hearings that when the Congress has actually passed a law which prescribes a rate of payment for an employee or officer of the Government the Congress is bound to pay that amount to that individual, or he or she can go into the Court of Claims and secure a judgment against the Government. Consequently, we found ourselves obligated to make these appropriations to cover the estimates for the overtime pay.

It should also be pointed out that the figures which are shown in the totals of the bill for the prior fiscal year do not include overtime pay, because there were no estimates available to the Appropriations Committee a year ago when those bills were passed. In every instance the agencies before us testified that they were keeping track of the overtime and that a supplemental or deficiency bill would be asked before this session is concluded to take care of the deficiencies caused by overtime pay in the current year. Some agencies, a very, very few of them, are attempting to absorb a portion of that overtime through nonappointment when they have lapses by reason of somebody leaving their agency. Only when the supplementary estimates for overtime in the current year are in, will a proper comparison be possible between last year's bill and the one now before us.

I had hoped in the time that I have taken this afternoon to discuss some of the phases of the bill with relation to the Federal Trade Commission, and also I had hoped to discuss the work of the Civil Service Commission, devoted to the procurement of lawyers for the Federal service, and also planning activities, covered by the Bureau of the Budget and other agencies, and in connection with those matters to mention some of the amendments which I may offer when the bill is read for amendment. In connection with each of these matters, I shall ask permission to extend my remarks, when we get back into the House, to include certain documents in illustration of the points that I shall cover in the extension of my remarks.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. CASE. Yes.

Mr. COCHRAN. What impression did the Federal Trade Commission make upon the subcommittee?

Mr. CASE. I cannot speak for the other members of the committee, but for myself I thought that here was a lot of wasted talent. The Federal Trade Commission is an agency developed at a time when it could select its personnel carefully. It is evident from the record that during World War No. 1 they had a great deal to do with the examination of improper prices during wartime, and it also seemed to me that the experience that they had had and the studies they made could well have been used now. They got a little increase, or at least certain funds in the bill were granted to them to start a study of export trade. They received one-half of $71,000 they requested, and they defended that request upon the basis that the antitrust Division of the Department of Justice requested them to make a study of cartels and other things affecting post-war trade conditions of the country.

While the committee was not sold on the idea that they should engage in it on the scale they asked for, in view of the request by the Department of Justice, and the citation of certain specific problems, the committee deemed it desirable to start the work so $35,000 or $36,000 was allowed for that purpose.

Mr. COCHRAN. Was the activity of the Commission, as well as the personnel of the Commission, working in connection with the War Production Board under the Executive order of the President brought out in the hearings, together with the outstanding achievement of the Federal Trade Commission in

making investigations for the War Production Board?

Mr. CASE. Yes, considerable testimony was given upon that, particularly the investigation of violations of priority orders. The gentleman will find a statement on that at about page 445 in the hearings and also an excellent summary of Federal Trade investigations from 1915 down to 1942.

However, I want to say that throughout our hearings I felt that every agency that came before our committee was trying to get into uniform in one way or another. As to the Federal Trade Commission, however, I do feel that there is a lot of wasted talent. They have a very high caliber of personnel and I do not think they have been used to the maximum of their possibilities in the present situation.

Mr. COCHRAN. Of course the gentleman realizes that that organization represents particularly the people of the United States, and that they are protecting the people of that State.

Mr. CASE. Yes.

Mr. COCHRAN. They are protecting the people of the United States from unfair trade practices, from false advertising, and such things. The people of the country are the ones who benefit as the result of their activity.

Mr. CASE. I wish the people of the country could have the benefit of their ability and understanding rather than being forced to accept so much that is decided by men of less experience and judgment in the office of Price Administration which deals in much the same field.

I had intended also to refer to the large expenditures of the Maritime Commission. Personally I was distressed by a great deal of the evidence of carelessness in the early stages of the shipping program. I was particularly distressed the other day when the Comptroller General found the Maritime Commission guilty of paying a great deal more for certain ships than the appraised value of those ships, and particularly, in view of the fact that it had the right to commandeer those ships, and could have taken them for the Government under the War Powers Act. Personally I would like to have seen at least half of the new construction fund asked for by the Maritime Commission made not available for expenditure until the middle of the summer, when we could have a better idea of the outcome of the present war operations and the submarine situation. However, testimony was given by Admiral Land that it was necessary to place orders at the present time so that raw material and interior fittings might be scheduled, and so that the shipyards may continue without interruption until our heavy oversea operations are completed. Also, he said that cancelation clauses were included in all contracts. so that it will be possible for the Government to retrieve unnecessary expenditures, in case conditions change.

The CHAIRMAN. The time of the gentleman from South Dakota has again expired.

Mr. CASE. Mr. Chairman, I yield myself 2 minutes more.

Mrs. ROGERS of Massachusetts. Is the gentleman satisfied now that the Veterans' Administration is securing enough personnel for the rating of cases? I notice that the gentleman asked General Hines if he heard the remarks on the floor made by myself, in which I remember I stated the claims were not rated promptly, and the men were not receiving justice under the laws that we have passed. General Hines said that the board and the hospitals would take care of that. I am finding that there is a shortage in the regional offices, so that the men going to the regional offices are not having their cases rated as they should be. I feel more personnel should be sent there. Many old claims have not been touched.

Mr. CASE. The bill proposes funds for increasing the personnel at the regional offices to handle the problem. General Hines said that he was arranging for additional contact officers, and some of them have already been dispatched to regional offices.

Mrs. ROGERS of Massachusetts. The civil service was to give priority in some cases, but that has not been done.

Mr. CASE. Undoubtedly the procurement of this personnel should be speeded up. The fact is that it is a difficult matter to get an increase of competent personnel to serve on rating boards, at the time we are getting this large bulge of work.

PUBLIC-WORKS PLANNING

Mr. Chairman, it will be remembered that the National Resources Planning Board was abolished last year. As evidence of the coordination that can be accomplished and is being accomplished in the planning of public works, I place in the RECORD the following quadripartite agreement:

PROCEDURE TO INSURE COOPERATION IN THE PREPARATION OF REPORTS ON MULTIPLE-PURPOSE PROJECTS

To permit agencies of the Departments of War, Interior, and Agriculture, and the Federal Power Commission, to cooperate more completely in the preparation of reports on multiple-purpose projects and to correlate the results to the greatest practicable extent, the following procedure is established:

1. When investigations on multiple-purpose projects are ordered by any one of the agencies named above, each of the others will be advised.

2. To insure that prompt contact is established by field offices, whenever the Chief of Engineers, the Commissioner of the Bureau of Reclamation, the Land Use Coordinator of the Department of Agriculture, or the Chairman of the Federal Power Commission shall determine that his organization has a direct responsibility in a project to be investigated by another agency, he shall notify the latter to that effect.

3. In all cooperative projects the field offices will be instructed to communicate and confer with each other to:

(a) Determine what pertinent data is in existence and to arrange for the interchange of such data so as to avoid duplication of effort.

(b) Determine what pertinent data each agency intends to secure for its own purposes and to arrange a schedule which will avoid duplication and facilitate the concurrent submission of reports so far as practical.

(c) Arrange for interchange of information throughout the preparation of reports.

(d) Arrange for conferences between field offices during preparation of reports and when reports are completed and ready to forward. Each office will be authorized to submit its comments on the reports of other agencies, such comments to be forwarded with the reports.

4. Conferences will be held in Washington not less often than once each calendar month between the Chief of Engineers, the Commissioner of Reclamation, the Land Use Coordinator, and the Chairman, Federal Power Commission, or their duly authorized representatives, for the purpose of discussing the results of studies and investigations, adjusting differences of opinion, and promoting ways and means for the implementation of this agreement.

5. All work done by one agency at the request of and for the use of a second agency will be paid for by the latter; all work performed by one agency for its own purposes, even though the resulting data are made available to a second agency, shall be paid for by the former.

6. Information obtained by one agency from another will be treated as confidential until released by the giving agency or until the final report is released.

E. REYBOLD,
Chief of Engineers,
H. W. BASHORE,
Commissioner, Bureau of Reclamation.
E. H. WIECKING,
Land Use Coordinator,
United States Department of Agriculture.
LELAND OLDS,
Chairman, Federal Power Commission.
DECEMBER 29, 1943.

PROCUREMENT OF ATTORNEYS FOR THE FEDERAL SERVICE

Mr. Chairman, under permission granted by the House, I place in the RECORD a letter and certain tables prepared by the Civil Service Commission to answer questions I submitted regarding the operations of the committee on legal personnel, successor to the board of legal examiners which was the subject of controversy last year.

UNITED STATES
CIVIL SERVICE COMMISSION,
COMMITTEE ON LEGAL PERSONNEL,
Washington, D. C., January 22, 1944.

Hon. FRANCIS CASE,
House of Representatives.

Dear Mr. CASE: This is in reply to your letter of January 18, requesting certain information about the legal examining work. I am glad to supply the material requested, which gives, I believe, an accurate picture of the operation of the system which has been in effect.

You desire information on three numbered points. I shall set forth each point as it appears in your letter and follow it with the pertinent material.

1. What do the latest figures show comparatively, on the distribution of legal employment both as to distribution of residence and distribution of college training?

I assume that by college training you have reference especially to law school training, for which figures have been collected. It would be necessary to go to the applications of the individuals approved for appointment in order to compile information concerning undergraduate college work.

The attached tables contain the following data: Tables Ia and Ib, the States of legal residence of persons approved for appointment to attorney positions during the past

year; tables IIa and IIb, the law schools from which these persons graduated; table III, the law schools of persons listed upon the attorney register; table IV, the States of legal residence of these eligibles; table V, the status of the attorney register on December 31, 1943; and table VI, certain comparisons with regard to the geographical distribution of attorneys approved for appointment during succeeding periods, beginning July 1, 1941. Figures for earlier periods are not available, since statistics of appointments to attorney positions were not kept separately before the establishment of the Board of Legal Examiners.

(NOTE.—Only tables Ib, III, IV, V, and VI are placed in the RECORD as they cover the pertinent points involved.)

It should be noted that in distinguishing upon these tables between register appointments and nonregister appointments, the former have been made to embrace all appointments of persons listed upon the lower-grade attorney register, including those to positions in the higher grades for which the use of the register is not required. Table V shows the number of such appointments. The register became effective February 8, 1943.

Table VI is perhaps the most significant with respect to the comparisons you have in mind. The regions which are designated upon it were determined with reference to their significance for the purpose in hand. The Northeastern States, for example, are those within relatively easy reach of Washington, from which attorneys seeking positions in the Government have in the past secured an advantage over others who could not reach the Capital with equal facility.

It is worthy of note that for the States east of the Mississippi River the percentage of eligibles upon the attorney register, shown by smaller regions in the last column, is 66.1 as compared with a population percentage of 68.95 and a percentage of lawyers of 72.04.

For the Western States the corresponding percentages are 33.9, 31.05, and 27.96. The percentages of appointments from the register in the same two regions are 68.3 and 31.7.

There is a variation between population distribution and the distribution of eligibles and of appointees because not all States produced their quotas of qualified eligibles and because the selection and availability of eligibles for appointment are affected, respectively, by the record of their qualifications and by economic conditions, which vary somewhat from State to State.

Tables II and III show a wide distribution of the law schools from which the persons approved for appointment and those listed upon the attorney register have graduated. A considerable number of attorneys who did not attend law school but prepared for the bar in law offices is also shown.

The proportion of attorney appointments going to the graduates of certain leading eastern law schools, which has commonly been thought to be unduly large in the past, has diminished since the legal examining system began operation. The institutions most often mentioned in this connection are Columbia University, Harvard University, Yale University, and the University of Pennsylvania. During the fiscal year 1942 their graduates received 26.6 percent of the approvals for appointment to attorney positions. During the next 6 months the corresponding percentage was 16.2, and it has not varied significantly with respect to nonregister appointments since that time. Of the appointments made from the attorney register during the calendar year just ended, the graduates of these schools received 16.3 percent. The percentage of such graduates upon the register is 13.6 percent. Since these schools, with the exception of Yale, are large in normal times and train a substantial percentage of the Nation's lawyers, the proportion of appointments going to their graduates is not likely to fall greatly below its present level.

2. I would like to know what changes in procedure, if any, are probable or are being practiced by the committee on legal personnel as contrasted with that of the board of legal examiners.

As you know, when the present fiscal year began it became necessary to make some provision for the legal examining work in the absence of an appropriation for the board of legal examiners. In Executive Order 9358, dated July 1, 1943, the President, "pending action by the Congress with respect to the continuance of the board of legal examiners," vested in the Civil Service Commission the entire authority to administer the civil-service laws in their application to attorney positions, giving the Commission full discretion to determine the necessary regulations and procedures, including discretion to follow the provisions of Executive Order 8743, as amended, under which the board of legal examiners had been functioning. The Commission established the committee on legal personnel as an advisory body, replacing the former board.

There are no conflicts of purpose or of fundamental policy between the Civil Service Commission and the board of legal examiners. The board simply developed somewhat different mechanisms from the Commission's for achieving the same ends. The differences from the Commission's methods have been less in wartime than they might have been in normal times. Now that a partial return to normal civil-service procedures is being made, the problem consists of establishing procedures for handling the legal examining work under the Commission's authority which accomplish the same purpose in a manner which fits more closely into the usual civil-service methods but retains the principal values of the board's methods.

In the tentative provision which the Civil Service Commission has made for carrying on the legal examining work there have been the following departures from the arrangements that would have prevailed under the board of legal examiners:

(a) The actual work of administration has been carried on by a legal examining section in the Commission's Examining and Personnel Utilization Division, with responsibility to the chief of the division and, through administrative channels, to the Commission. The chief of the section has been designated executive secretary to the committee. The Commission and its executive officers have, when necessary, determined the actions to be taken in situations that could not be satisfactorily handled under existing regulations.

(b) Civil Service Commission policy as it has developed with reference to certain matters has been applied as a matter of course in the conduct of the legal examining work. For example, the examination for the attorney register has been reopened in the manner prescribed by the Commission to honorably discharged members of the armed forces in the present war and to other veterans possessing disability preference.

Plans for the future conduct of the legal examining work are now being prepared by direction of the Civil Service Commission. Changes from present practice will depend upon the content of these plans as finally approved. The advice of the committee on legal personnel is, of course, being sought.

3. What problems of procedure present themselves if the committee on legal personnel continues to function within the framework of the Civil Service Commission and under the counsel of the advisory committee? Your letter specifies particular questions, relating to the choice between ranked and unranked registers, geographical apportionment, and the observance of veterans' preference, upon which you wish information.

The problems which are of greatest general interest fall into two categories: (a) those relating to registers established by competitive examination for lower-grade positions and (b) those surrounding the selection and examination of attorneys for positions in the higher grades.

a. Problems relating to lower-grade registers:

The present attorney register for lower-grade positions is, as you know, "unranked" in the sense that the names of all the eligibles listed have been certified to appointing officers from the outset, with veterans clearly designated and the duty to prefer them for appointment expressly stated, but with no order of appointment prescribed. "Adjective" ratings of the eligibles as "outstanding," "excellent," "good," and "fair" are, however, supplied; and appointments have in fact gone to those with high ratings in much larger proportion than to those with low ratings.

The register has been limited in size to the number required to fill anticipated vacancies. As required by Executive order, it has been apportioned among the States according to population, insofar as applicants who possessed minimum acceptable qualifications were produced in each of the States by the register examination. Not all applicants who made a minimum qualifying grade upon the written test, which constituted the first part of the register examination, could be considered further in States having a surplus of such applicants. In these States a higher qualifying grade was established. This limitation of the number to be considered further for the register made it possible to extend oral examinations to them by means of volunteer oral examining boards of lawyers.

Veterans' preference operated within each State, through the addition of percentage credits upon the written test, in determining the group to be orally examined. It was also weighed in the consideration of veterans by the oral examining boards. Those preference candidates whose qualifications were satisfactory but not high were afforded increased opportunity in some States and denied it in others as a result of the apportionment principle, to the same extent as other applicants.

The ranked register plan traditionally employed by the Civil Service Commission provides for the listing of eligibles in the order of their examination grades, after prescribed percentage credits have been allowed to veterans, without regard to apportionment. The names of those listed are not made available to appointing officers until vacancies arise. Requests which come from appointing officers for the names of eligibles to fill particular vacancies result in the certification of a limited number of names for each vacancy, in the order of their listing upon the applicable register.

Veterans with disability preference are listed at the head of each register and their names are therefore certified first. The names of other veterans are listed in order of rank among those of the other eligibles. Apportionment of opportunity for appointment among the eligibles from the several States is accomplished by regarding all appointments to the departmental (as distinguished from field) service as a unit and by withholding the certification of names of nonveterans on any register whose States of legal residence already have filled their quotas of appointments as determined on a population basis.

The names of veterans are certified without regard to the condition of the quotas from their States.

The method of certification to the departmental service just described is the method used in filling positions in Washington, D. C. In filling positions in the field service, certification is made from among eligibles residing in the area to be served by the appointee.

For example, if the area to be served by a certain appointee is a particular State, certification is made from among the eligibles residing in that State. Similarly, if the area to be served by the appointee is a region, certification is made from among the eligibles residing within that region.

The foregoing ranked register plan, if applied without modification in building future attorney registers, would work the following changes: (i) abandonment of the apportionment of eligibles upon such registers; (ii) application of the general apportionment of departmental appointments to certifications from the attorney register; (iii) larger numbers to be orally examined in some States, resulting from the application of a uniform passing mark in all of the States to the written portion of the examination; (iv) establishment of a national rank order upon each register based upon mathematical grades; and (v) extension of veterans' preference by the methods generally employed by the Commission, in place of the substituted method used in connection with the unranked attorney register.

Modifications in the ranked register plan may be made if desired in order to preserve an independent apportionment of attorney appointments and to hold the volume of oral examinations to the capacity of volunteer boards. Oral examinations upon the scale of those employed in the legal examining work are an innovation, however; and a decision is called for with regard to the desirability of their retention. The use of a separate apportionment for a particular group of professional appointments is also a departure from previous methods, upon which a judgment must be formed.

b. Selection and examination for higher-grade positions:

It has been contemplated from the beginning that unassembled competitive examinations would be given for vacancies in the higher-grade attorney positions as soon as conditions warranted. This has not been done during the war period because of the tempo of appointments. Instead, appointing officers have been permitted to propose attorneys of their own selection, whose qualifications have then been determined by noncompetitive examinations, frequently including an oral examination by a three-member committee of attorneys. Under this method of selecting attorneys for the higher grades, it is not possible for the Commission to follow the normal procedure for giving effect to veterans' preference in the certification of eligibles for vacancies.

The replacement of this method of determining the qualifications of higher-grade appointees will raise some of the same questions as the determination of a plan for future lower-grade registers: The wisdom of introducing mathematical grading, the feasibility of using volunteer professional examining committees, the desirability of ranking the eligible applicants, and the most feasible method of extending preference to honorably discharged members of the armed forces, their wives, and widows.

I trust the foregoing recital supplies the information which you desire. As a supplement to it, I am attaching, in addition to the tables of figures referred to above, an excerpt from a letter which Mr. John Q. Cannon, long associated with the legal examining work of the Civil Service Commission and a member of the board of legal examiners from the beginning, wrote to Representative DIRKSEN early in 1942 with reference to past and contemplated legal-examining methods. Its statements continue to be pertinent.

Very truly yours,

RALPH F. FUCHS,
Executive Secretary.

TABLE Ib.—*Legal residences of persons approved for appointment, July 1 to Dec. 31, 1943*

State	Non-register	Register[1]	Total
Alabama	4	0	4
Arizona	4	1	5
Arkansas	2	3	5
California	37	10	47
Colorado	3	5	8
Connecticut	9	1	10
Delaware	1	1	2
District of Columbia	14	3	17
Florida	4	4	8
Georgia	8	5	13
Idaho	2	3	5
Illinois	36	13	49
Indiana	11	3	14
Iowa	4	7	11
Kansas	2	6	8
Kentucky	2	3	5
Louisiana	4	3	7
Maine	1	1	2
Maryland	8	3	11
Massachusetts	30	6	36
Michigan	19	6	25
Minnesota	1	5	6
Mississippi	2	1	3
Missouri	14	14	28
Montana	2	1	3
Nebraska	3	1	4
Nevada	0	0	0
New Hampshire	2	2	4
New Jersey	7	6	13
New Mexico	3	0	3
New York	122	33	155
North Carolina	8	3	11
North Dakota	1	0	1
Ohio	26	14	40
Oklahoma	3	2	5
Oregon	5	2	7
Pennsylvania	32	28	60
Rhode Island	1	2	3
South Carolina	2	2	4
South Dakota	1	1	2
Tennessee	8	3	11
Texas	8	6	14
Utah	5	1	6
Vermont	2	0	2
Virginia	11	4	15
Washington	11	2	13
West Virginia	2	2	4
Wisconsin	4	4	8
Wyoming	0	0	0
Puerto Rico	1	0	1
Total	492	226	718

[1] Includes all appointments made from the attorney register regardless of grade and of whether the appointments were required to be so made.

TABLE III.—*Law schools represented on the Federal Attorney Register, July 1, 1943*

Albany Law School	3
American Correspondence School of Law	1
Arkansas Law School	1
Ashville University	1
Atlanta Law School	11
Balboa College of Law	1
Baldwin Wallace University	3
Baylor University	5
Benjamin Harrison University	1
Benton College of Law	1
Birmingham Law School	2
Blackstone College of Law	4
Boston College	3
Boston University	31
Brooklyn Law School	40
Catholic University	2
Centenary College of Law	2
Central Normal College	1
Chicago Correspondence Law School	1
Chicago-Kent College of Law	30
City College of Law and Finance	3
Cleveland Law School	5
College of William and Mary	1
Columbia University	81
Columbus University	7
Cornell University	7
Creighton University	8
Cumberland University	19
Dallas Law School	1
DePaul University	30
Des Moines University	1
Detroit College of Law	10
Dickinson School of Law	7
Drake University	8
Duke University	6
Duquesne University	5
Emory University	2
Fordham University	23
Franklin University	1
Georgetown University	21
George Washington University	29
Gonzaga Law School	4
Hartford College of Law	2
Harvard University	93
Hastings College of Law	7
Highland Park Law School	1
Houston Law School	1
Howard University	4
Indiana Law School	3
Indiana University	13
Jefferson Law School	1
John B. Stetson University	3
John Marshall College of Law (Ill.)	15
John Marshall Law School (N. J.)	4
John Marshall College of Law (Ohio)	3
Jones Law School	1
Lake Erie Law School	1
LaSalle Extension University	4
Lebanon College of Law	1
Lincoln College of Law (Ill.)	1
Los Angeles College of Law	1
Louisiana State University	4
Loyola University (Ill.)	7
Loyola University (La.)	3
Loyola University (Calif.)	3
McGeorge Law School	1
Marquette University	23
Mercer University	1
Mercer-Beasley College of Law	5
Minnesota College of Law	6
Missouri Institute of Accounting and Law	1
Nashville Law School	1
National University	24
New Jersey Law School	15
New York Law School	8
New York University	56
Northeastern University	16
Northwestern College of Law	8
Northwestern University	18
Notre Dame University	3
Ohio Northern University	4
Ohio State University	19
Oklahoma City Law School	1
Pacific Coast University	1
Philadelphia College of Law	2
Portia Law School	2
Presbyterian College of Law	1
Raleigh University	1
St. John's University	24
St. Lawrence University	4
St. Louis University	3
St. Mary's University	1
St. Paul College of Law	13
San Antonio College of Law	2
San Francisco Law School	2
South Jersey Law School	1
South Texas (Y, M. C. A.) School of Law	4
Southeastern University	7
Southern Law School	1
Southern Methodist University	6
Southwestern University	10
Sprague Correspondence School	1
Stanford University	9
Suffolk University	5
Syracuse University	1
Temple University	43
Terrell College of Law	1
Tulane University	10
Tulsa Law School	1
Union College	1
University of Alabama	10
University of Arizona	3
University of Arkansas	6
University of Baltimore	7
University of Buffalo	3
University of California	24
University of Chicago	45
University of Cincinnati	11
University of Colorado	10

University of Dayton	1
University of Denver	8
University of Detroit	2
University of Florida	7
University of Georgia	5
University of Idaho	5
University of Illinois	14
University of Iowa	23
University of Kansas	26
University of Kansas City	12
University of Kentucky	8
University of Louisville	5
University of Maine	1
University of Maryland	13
University of Memphis	4
University of Michigan	48
University of Minnesota	33
University of Missouri	14
University of Mississippi	3
University of Montana	3
University of Nebraska	15
University of Newark	11
University of North Carolina	15
University of North Dakota	8
University of Oklahoma	35
University of Omaha	4
University of Oregon	3
University of Pennsylvania	56
University of Pittsburgh	20
University of Richmond	5
University of San Francisco	1
University of South Carolina	13
University of South Dakota	6
University of Southern California	25
University of Tennessee	6
University of Texas	43
University of Toledo	1
University of Utah	4
University of Virginia	9
University of Washington	12
University of Wisconsin	27
University of Wyoming	4
Valparaiso University	4
Vanderbilt University	9
Wake Forest College	12
Washburn College	6
Washington College of Law	4
Washington and Lee University	2
Washington University	12
Wayne University	8
Weber Law School	1
Western Reserve University	19
Westminster University	1
West Virginia University	7
Willamette College of Law	2
Xavier University	1
Y. M. C. A. Law School, Cincinnati	7
Y. M. C. A. College of Law, Minneapolis	2
Y. M. C. A. Law School, Nashville	3
Yale University	27
Youngstown College of Law	1
None (law office study, etc.)	71
Not recorded	4
Total	1,846

TABLE IV.—*Distribution of eligibles on the attorney register, by States*

Alabama	15
Arizona	11
Arkansas	17
California	131
Colorado	21
Connecticut	31
Delaware	4
District of Columbia	12
Florida	32
Georgia	33
Idaho	11
Illinois	163
Indiana	34
Iowa	45
Kansas	28
Kentucky	22
Louisiana	21
Maine	7
Maryland	35
Massachusetts	86
Michigan	54
Minnesota	61
Mississippi	10
Missouri	64
Montana	15
Nebraska	25
Nevada	2
New Hampshire	10
New Jersey	73
New Mexico	7
New York	234
North Carolina	43
North Dakota	17
Ohio	102
Oklahoma	58
Oregon	16
Pennsylvania	162
Rhode Island	14
South Carolina	16
South Dakota	8
Tennessee	37
Texas	103
Utah	6
Vermont	3
Virginia	26
Washington	21
West Virginia	11
Wisconsin	60
Wyoming	5
Canal Zone	1
Hawaii	1
Total	2,024

TABLE V.—*Status of the attorney register, Dec. 31, 1943*

Number placed on register	1,461	
Number added by supplements	563	
		2,024
Number appointed:		
Within register grades	339	
Above register grades	83	
	422	
Number removed:		
By military service	215	
For other reasons	91	
	306	
		728
Available on register		1,296

TABLE VI.—*Relation of distribution of appointments authorized to population and distribution of lawyers*

States	Percentage of national population	Percentage of lawyers	Percentage of appointments, fiscal year 1942	Nonregister appointments, calendar year 1943		Register [1] appointments, Feb. 8, 1943–Dec. 31, 1943		Percentage on register (as of June 1, 1943)
				Total	Percentage	Total	Percentage	
Northeastern States [2]	32.58	42.77	43.0	619	42.8	171	40.5	34.8
Southeastern States [3]	14.10	8.12	8.3	105	7.3	32	7.6	9.1
North-Central States [4]	22.27	21.15	20.6	325	22.5	85	20.2	22.2
Trans-Mississippi States [5]	20.14	17.11	15.1	203	14.1	83	19.7	22.1
Rocky Mountain States [6]	3.36	2.56	3.8	60	4.2	20	4.7	3.4
Pacific Coast States [7]	7.55	8.29	9.2	132	9.1	31	7.8	3.4

[1] The attorney register was established Feb. 8, 1943.
[2] Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia.
[3] Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee.
[4] Illinois, Indiana, Kentucky, Michigan, Ohio, Wisconsin.
[5] Arkansas, Iowa, Louisiana, Kansas, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Texas.
[6] Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, Wyoming.
[7] California, Oregon, Washington.

NOTES.—Appointments of residents of Territories are not included.

Mr. MARCANTONIO. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? There was no objection.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 10 minutes to the gentleman from New Mexico [Mr. ANDERSON].

Mr. ANDERSON of New Mexico. Mr. Chairman, into the hearings of the Independent Offices Subcommittee of the Committee on Appropriations, there came two or three times a slight reverberation of the Dodd and Watson hearings. It was pointed out that the Federal Communications Commission carried these two men on the pay roll after the time when the Congress ordered them to be removed unless reappointed by the President and that the Federal Communications Commission so carried these men for the sole purpose of providing the basis for a test case against the action of the Congress of the United States.

I have intended for some time to review for the Members of Congress the procedure by which the Federal Communications Commission retained one of these men on its pay roll. Because of the statements which I made on the floor of the House when we were originally proposing the resolution to prevent Dodd and Watson from being employed by the Federal Communications Commission, the Commission decided to hold a hearing on Mr. Dodd. The Commission pointed out that if my charges were correct, Mr. Dodd had deceived his employers and had given a very poor account of himself as a witness.

So the Commission held a hearing. I would have deemed it a pleasure to have been present at that hearing. I understand that the members of the Commission have had quite a good deal to say about the one-sided proceedings held by the Kerr committee at which a person was not confronted by his accusers. He was, however, given a chance to appear for himself. In the Dodd review before the F. C. C., I was in reality on trial by them. I was not confronted by my accusers. I was not even permitted to be present myself. I use that point so that the House may know how interested F. C. C. was in a fair hearing.

It may also interest the House to know that Mr. Dodd was represented at the hearing by Leo J. Linder, of New York. Mr. Linder appears as early as April 1939 on the Lawyers Committee on American Relations With Spain. He is on the letterhead of the United American Spanish Aid Committee. A clipping from the

Sunday Worker for December 14, 1941, reflected that Leo J. Linder, described as being chairman of the legislative council of the New York chapter of the National Lawyers Guild, spoke at a luncheon held in New York City by the National Lawyers Guild on December 13, 1941. The National Lawyers Guild is fully familiar to the membership of this House by reason of previous publicity.

Therefore, I have tried to help you set the stage by giving you the circumstances under which the hearing was conducted and the type of attorney brought to that hearing by Mr. Dodd.

Let me now go down through the official report of proceedings before the Federal Communications Commission, June 29, 1943—which I will hereafter merely call the F. C. C. hearings—and see how effectively Mr. Dodd, and particularly Mr. Dodd's attorney, Mr. Linder, refuted the charges which I made on this floor.

What is the substance of the first item? It had to do with the Conference on Pan-American Democracy and I give it to you exactly as it appears in the letter from Robert D. Leigh, Mr. Dodd's superior, to Mr. William E. Dodd, Jr., under date of May 19, 1943, under which Dodd was to be tried by the F. C. C. Here it is:

Charge 18: In a publication of November 15, 1938, called News You Don't Get, Mr. Dodd signed a call to a Conference on Pan-American Democracy, and on a letterhead of that organization on the following day, was listed as a sponsor of the conference.

Dodd's answer: The person concerned was not William E. Dodd, Jr., but his father.

The accuracy of the foregoing statement was sworn to by you in an affidavit made February 6, 1943. This statement was reaffirmed by you in testimony given on February 24, 1943, before officers of the Federal Bureau of Investigation.

However, it is reported that on April 13, 1943, you testified as follows before the Special Subcommittee on Subversive Activities of the Committee on Appropriations, House of Representatives:

Major ALLEN. Were you ever a member of or connected with an organization known as Conference on Pan-American Democracy?

Mr. DODD. I am on their letterhead, yes. I might explain that my father was on their letterhead as a sponsor, and after his death, to the best of my recollection, I received a letter from that organization, together with their program and it sounded reasonable, and they wanted to know if I desired to replace my father's name on it. Without making any further investigation than reading the program I agreed to it. That was the extent of my participation in the program.

Representative ANDERSON of New Mexico. News You Don't Get was a pamphlet put out by the Conference on Pan-American Democracy. You were identified with that organization, were you not?

Mr. DODD. I am now.

Representative ANDERSON of New Mexico. The Conference on Pan-American Democracy?

Mr. DODD. My father was, also, before he died. He was a sponsor.

Representative ANDERSON of New Mexico. Did you or did your father, then, sign the publication entitled "News You Don't Get"?

Mr. DODD. I don't know.

How does Mr. Dodd disprove the irregularity? Beginning on page 17 of the F. C. C. hearings his lawyer displayed exhibit G which purported to be a letter on the letterhead of the conference—and I want you to note the word "Conference"—on Pan-American Democracy dated March 9, 1939. It lists William E. Dodd as a sponsor of the conference and was addressed to Stonleigh, Round Hill, Va., where the father was living at that time, and perhaps the son was not. There is nothing to show where the son was living at the time the letterhead was printed. There is nothing to show what was in the letter. It might have been an invitation to his father to become a sponsor, but anyway that is exhibit G.

Exhibit H on which he based the next question, was a mimeographed copy of the minutes of the meeting held by the council—and I hope you will note that word "Council"—for Pan-American Democracy on June 9, 1941. Chairman Fly caught the switch for he said immediately. "This is the Council as distinguished from the Conference on exhibit G?" Mr. Dodd then testified that that was the first time he was formally associated with the Council for Pan-American Democracy and he proceeded to prove on pages 18, 19, and 20 that it was only after September 1941 that his name appeared on the letterhead of the Council. Now I let Mr. Dodd keep you straight himself because I cannot do it. I take now some questions and answers from page 21 of the F. C. C. hearings:

Question. Now, did you tell Mr. Graves, for transmission to the Commission, that the person concerned in a call to a conference on Pan-American Democracy in November 1938, was not you, but your father?

Answer. That is correct.

Question. So that the statement you made to the Commission was absolutely true?

Answer. That is true.

Question. Now, when you were questioned by the Kerr committee—and I refer now, Commissioners, to the second page of the charges which contain the quotations from the Kerr committee testimony—you were asked by Major Allen:

"Question. Were you ever a member of or connected with an organization known as Conference on Pan-American Democracy?" And you answered in part as follows:

"I am on their letterhead, yes." Was that statement true?

Answer. That is true.

Question. Now, you further went on to say: "I might explain that my father was on their letterhead as a sponsor and after his death, to the best of my recollection, I received a letter from that organization, together with their program, and it sounded reasonable and they wanted to know if I desired to replace my father on it. Without making any further investigation than reading the program, I agreed to it. That was the extent of my participation in the program."

Question. Was that answer fully true?

Answer. That is true.

The truth is that there is not one semblance of evidence at any stage of the hearings before the Dies committee, before the Federal Bureau of Investigation, before the Kerr committee or before the Federal Communications Commission that Mr. Dodd, Jr., was ever on the letterhead unless he was on it from the very first and unless his name was really the name on it all the time in November 1938. How does he explain it? Well, there was a little leading indulged in by his attorney, and I give it to you from page 22:

Question. Now, according to the transcript of the Kerr committee testimony, Major Allen's question was directed to the organization known as "Conference on Pan-American Democracy." Your answer refers to that conference as an organization with respect to which both your father and you had relations. Do you regard, and did you regard, the conference and the Council on Pan-American Democracy as substantially the same organization?

Answer. Yes.

There you have it—the very simple excuse of saying that he regarded the conference and the council as the same organization. What I wonder is why he didn't produce a letterhead of the council to prove that he was on it. He knew that he was on a letterhead.

Let us look at his alibi: That he regarded and now regards the Conference on Pan-American Democracy and the Council for Pan-American Democracy as substantially the same organization.

I would like to remind this House that Mr. Dodd and his attorney, Mr. Linder, seem to know more about these organizations than does the F. B. I., which spent nearly $300,000 of money supplied by Congress to find out about subversive organizations. I have a document issued by J. Edgar Hoover, Director of the Federal Bureau of Investigation. Its label reads:

Organizations Considered Under Special Laws 135 and 644 of the Seventy-seventh Congress.

You and I know that those were laws designed to check into seditious and subversive organizations. Under date of February 10, 1942, the F. B. I. put into that file a memorandum on the Conference on Pan-American Democracy. It shows that the first conference was held December 17, 1938, and that it voted to form a league for inter-American democracy.

I have gone through the file of the F. B. I. on this conference and another on the Council for Pan-American Democracy. I would say that Mr. Dodd's testimony that they were one and the same thing is about on the par with his other testimony and is a figment of his own imagination without semblance of truth and without foundation in fact.

The F. B. I. on April 8, 1942, put into its subversive file a memorandum on the Council for Pan-American Democracy. It shows that the council was organized by the American League for Peace and Democracy after that organization had been exposed as a Communist-front organization receiving Communist financial support. The officers were completely different from the officers of the Conference on Pan-American Democracy. Clifford T. McAvery was chairman of the council while Gardner Jackson was active in the conference and was head of its panel on labor and civil liberties. The conference was concerned with the fact that most Latin-American countries were not democracies but were partial or total dictatorships. It sought an extension of civil liberties in those nations and espoused a spirit of democracy. It was addressed by such people as Senator Mead of New York, Judge Thurman Arnold and Maj. George Fielding Eliot. The council, on the other hand, owes its origin to quite

a different source. Dr. Franz Boas was honorary chairman. He had been prominent in the Spanish Loyalist cause, in the American Committee for the Defense of Leon Trotsky, and in the World Association for the Advancement of Atheism.

A. G. Isserman was its secretary. He represented it in July 1941 about the time that Dr. William E. Dodd, Jr., says that he put his name on its letterhead. Isserman represented it only a few months before Pearl Harbor at a mass meeting in Harlem, New York, to protest the internment of a man in Jamaica who was stirring up on that island a revolt against the British Government, soon to be our ally in war. Isserman presented the case of Earl Browder in his speech. "Freedom for Browder" was one of the themes of the meeting.

Shame on Mr. Dodd for going into the F. C. C. hearings and saying that these two organizations were substantially the same organization, that one was, and I quote him:

A preliminary organization set up to call a conference on Pan-American problems.

And the other, and I quote him again:

was simply a permanent form that grew out of the Conference on Pan-American Democracy.

His lawyer asked him—and you find this on page 23 of the hearing before the F. C. C.:

It was the same group?

Mr. Dodd answered:

Same group.

His lawyer then asked:

And it was the same organization?

Mr. Dodd answered:

That is correct.

I submit to this House that if he had been under oath, he might have had reason to regret that type of false testimony. The two organizations were completely separate and he knew it.

Let me call your attention to the way in which his employer is misled. Chairman Fly says—and you find this on page 27, line 25, of the F. C. C. hearing of June 29, 1943. I asked:

Did he make clear in his testimony before the committee the difference between the Council and the Conference?

To that Mr. Linder replied—page 28, lines 3 to 9:

Mr. LINDER. Well, I think that there is nothing in the testimony which indicates a demarcation between those names. He has already testified here today that so far as he is concerned, they were one organization, that one was a permanent form of the other which was merely the preparatory or preliminary form of it, that he said that he is on their letterhead now, that his father was the sponsor originally.

My comment on Mr. Dodd's performance as a witness is summed up in the last reference of his attorney before the Commission when he says—page 31, line 21:

Mr. LINDER. As a matter of fact, what he (Dodd) said on the other occasion is so far from being consistent that it is absolutely true.

Or, to quote another charming observation of Mr. Dodd's attorney, this time from page 34, line 5:

Mr. Dodd's answer, so far from being legalistic and precise was the kind of diffused, honest answer that any man would make.

Now let us take up item B from the letter of May 19 to Mr. Dodd. Item B has to do with an earlier letter to the Honorable CLIFTON WOODRUM and Mr. Dodd's answer as follows:

Charge 15: The Daily Worker of February 2, 1938, reported that Mr. Dodd was a speaker at an anti-Nazi rally sponsored by the Community Council for the Defense of American Democracy.

Dodd's answer: This was not Mr. Dodd, but his father, William E. Dodd, Sr.

When Mr. Dodd was before the Kerr committee he was asked whether he had been the speaker or his father. He let us know that he was not certain.

I am convinced now it was his father and that there would have been no confusion if the copy of the Daily Worker had been before the Kerr committee and could have been shown to the witness.

Item C is Dr. Leigh's letter; relates to the coordinating committee to lift the embargo. Here again I think Mr. Dodd's affidavit to the F. B. I. was correct and that his statement to the Kerr committee was confused because the exhibits were not before him as he testified.

In my statement before the House I called attention to the fact that the Coordinating Committee to Lift the Embargo had put out a pamphlet and listed the name of William E. Dodd. I asked him:

Did you say that was you or your father?

Mr. Dodd replied:

I might very well have written it, because I was in favor of lifting the embargo.

Someone may wonder why we asked Dodd about these things or why I did not come to these conclusions before. You should remember that the Kerr committee did not make these charges. They were all in the memorandum which Dodd furnished the F. C. C. and were repeated in the letter sent to the gentleman from Virginia [Mr. WOODRUM] on January 16, 1943, prior to the passage of House Resolution 105 and the formation of the Kerr committee. We examined Mr. Dodd on April 13, 1943. We would have been glad to have had then the testimony that he finally submitted in June to F. C. C. at its hearing, but he gave us nothing.

Now, to come to item D, I quote it in full from the letter of Mr. Leigh to Mr. Dodd:

On January 15, 1943, you furnished information to a Commission official, which was made the basis of the following statement in a letter dated January 16, 1943, from Chairman Fly to the Honorable CLIFTON A. WOODRUM:

Charge 23: The Daily Worker of January 24, 1938, reported that Mr. Dodd attended a party sponsored by the League of Women Shoppers, espousing a boycott against Japanese goods.

Dodd's answer: Mr. Dodd did attend this party, which was a fashion show held in the home of former Governor and Mrs. Pinchot, of Pennsylvania, and was staged by Washington debutantes to publicize fashions in cotton goods.

The accuracy of the foregoing statement was sworn to by you in an affidavit made February 6, 1943. This statement was reaffirmed by you in testimony given on February 24, 1943, before officers of the Federal Bureau of Investigation.

However, it is reported that on April 13, 1943, you testified as follows before the Special Subcommittee on Subversive Activities of the Committee on Appropriations, House of Representatives:

Representative ANDERSON of New Mexico. The League of Women Shoppers—what was your connection with that?

Mr. DODD. I had no connection with that.

Representative ANDERSON of New Mexico. None whatever?

Mr. DODD. No.

Representative ANDERSON of New Mexico. There was some mention of a committee sponsored by the League of Women Shoppers espousing a boycott against Japanese goods. You did not attend that?

Mr. DODD. Not that I recall.

Representative ANDERSON of New Mexico. It was staged at Governor Pinchot's home.

Mr. DODD. That was here in Washington. I know it was my father. I recall now specifically.

* * * * *

Representative ANDERSON of New Mexico. Now, Mr. Dodd, before going further with the list I would like to remind you that Mr. Fly, replying to Mr. WOODRUM, said you did attend the meeting at Governor Pinchot's place. Previously you said you furnished him with information. Now you testified that you did not attend the party.

Mr. DODD. At Governor Pinchot's?

Representative ANDERSON of New Mexico. Yes.

Mr. DODD. I did not attend.

Representative ANDERSON of New Mexico. Mr. Fly, then, is just guilty of a misstatement?

Mr. DODD. I don't know how he could have stated that. There is a possibility of typographical errors.

Representative ANDERSON of New Mexico. He went on to give the description of the party that you had given him.

Mr. DODD. At Governor Pinchot's?

Representative ANDERSON of New Mexico. Yes.

Mr. DODD. I am sorry, but I was not there.

Representative ANDERSON of New Mexico. He was drawing on his imagination?

Mr. DODD. I don't know where he got that.

Representative ANDERSON of New Mexico. Are we to judge the correctness of other things in Mr. Fly's answer by that?

Mr. DODD. I don't think so. I am not impugning Mr. Fly's motives.

Representative ANDERSON of New Mexico. No; I am not trying to impugn his motives. I just want to find out whether Mr. Fly's memorandum is based upon evidence which you furnished him or upon evidence which he got from thin air.

Mr. DODD. I presume it is based on information and on evidence that I furnished him. Not directly. I have never talked to him. This was prepared by one of his secretaries.

On that point, Mr. Dodd is asked—page 48, line 20, of F. C. C. hearings:

Question. The charge is that the Daily Worker of January 24, 1938, reported that Mr. Dodd attended a party sponsored by the League of Women Shoppers espousing a boycott against Japanese goods. Now, according to the answer made by Chairman Fly, you did attend this party which was a fashion show held in the home of former Governor and Mrs. Pinchot, of Pennsylvania, and was staged by Washington debutantes to publicize fashions in cotton goods. Did you tell the Commission that?

Answer. No.

Question. Now, you spoke to Mr. Graves before Chairman Fly sent that letter, didn't you?

Answer. I did.

Question. At the time you spoke to Mr. Graves, Mr. Graves made notes in his own handwriting?

Answer. That is correct.

Question. I show you exhibit D, and I ask you whether exhibit D are the handwritten notes made by Mr. Graves at the time he interrogated you?

Answer. That is correct.

Question. I refer now to page B of Mr. Graves' handwritten notes—and I refer the Commissioners to item W on page B. Item W reads as follows: "League of Women Shoppers, Washington, attends party for boycott Japanese goods January 24, 1938," and then this comment: "Yes, father was speaker." What did you tell Mr. Graves?

Answer. I told him that my father was the speaker at this party or dress fashion show held by the League of Women Shoppers in Washington.

Question. Did you tell him that you were there?

Answer. No.

Commissioner CRAVEN. Let's get that explained. I understood from reading the answers that you read of Mr. Graves' notes that he said he did attend and his father was the speaker. Will you explain that more clearly?

Mr. LINDER. I can't explain it. I have no explanation at all for it.

There is a lot more testimony of that point. Mr. Dodd tried hard to explain how the shorthand notes were in error, that he didn't say it, that he wasn't there, and finally, that the party wasn't even held at the Pinchot home.

But there are two stubborn facts that confront him. One is a statement given to the Federal Communications Commission for its records which he verified before a notary, and in which he said—F. C. C. hearings, page 156 line 12:

Mr. Dodd did attend this party which was a fashion show held in the home of former Governor and Mrs. Pinchot, of Pennsylvania.

He made the same statement under oath to the Federal Bureau of Investigation. If you want proof, summon J. Edgar Hoover before this body. Ask him to bring F. B. I. file No. 101-350, made February 25, 1943. Ask him whether William E. Dodd, Jr., testified under oath on February 24, 1943. Ask him to turn to page 23 of the Dodd file and see if Dodd was not answering to the F. B. I. on the exact charge and if the answer was not identical with the words in the F. C. C. hearings except that there was added a description of the party to show that it was staged by Washington debutantes to publicize fashions in cotton goods. I know how J. Edgar Hoover will testify because I have seen the F. B. I. file and on that page William E. Dodd, Jr., has inscribed his initials after that answer to testify to its correctness.

But he testified to the Kerr committee that he recalled specifically and that he was not there. He went a step further to his employers at the F. C. C. hearing and said he not only wasn't there but that the party was not held at the Pinchot home.

That is the sort of testimony that his attorney terms "diffused honesty." Those are samples of contradictory testimony that his attorney so charmingly said "is so far from being consistent that it is absolutely true."

Now it so happens that the F. C. C. has a mimeoscope which it prepared when all of these people accused by the Dies committee were getting ready to testify and in the section relating to William E. Dodd, Jr., page 5, under the comment on the League of Women Shoppers and the party on the "boycott of Japanese goods," there is this comment:

The Dies committee here refers to a fashion show, held at the home of former Governor and Mrs. Pinchot of Pennsylvania, and staged by Washington debutantes. Its purpose was to publicize fashions in cotton and to promote a boycott of Japanese goods. William E. Dodd, Sr., was one of the speakers. William E. Dodd, Jr., employee of the Federal Communications Commission, was not concerned.

Notice that this language is almost word for word with the Fly letter to the gentleman from Virginia [Mr. WOODRUM] and with the sworn testimony before the F. B. I. except in its statement as to whether Mr. Dodd was or was not there, so there is no possibility of contending that the mimeoscope was not used in both the letter and in preparing to testify before the F. B. I. The only thing that happened was that for some reason the testimony was twisted.

We therefore see that with that positive and absolute statement in front of the F. C. C., the Chairman of that Commission in his letter to the gentleman from Virginia [Mr. WOODRUM] stated just the reverse; that Mr. Dodd went before the F. B. I. and stated the opposite of what was in the mimeoscope pamphlet; but he came before the Kerr committee and denied both the information in the letter of Mr. Fly to the gentleman from Virginia [Mr. WOODRUM] and his own sworn statement to the F. B. I. and reverted to testimony given in the mimeoscope.

Our great difficulty is in knowing which of the diametrically opposed statements under oath was true and which was false swearing. On that sort of mental gymnastics, the Federal Communications Commission washed him and made him pure as snow.

Item E: In item E Mr. Leigh made reference to a charge having to do with the call to the fourth congress of the League of American Writers.

Charge 24: The New Masses of April 22, 1941, reported that Mr. Dodd signed a call to the fourth congress of the League of American Writers.

Mr. Dodd's answer: Mr. Dodd did sign this call.

The letter of Mr. Leigh then quotes the testimony before the Kerr committee, as follows:

Representative ANDERSON of New Mexico. The New Masses reports that you signed a call to the fourth congress of the League of American Writers.

Mr. DODD. I did not sign; no.

Representative ANDERSON of New Mexico. That was your father?

Mr. DODD. No. My father was dead then.

Representative ANDERSON of New Mexico. That was April 22, 1941. You did not sign it?

Mr. DODD. No, sir; I did not.

* * * * *

Representative ANDERSON of New Mexico. And now we come back to the New Masses of April 21, 1941. I asked you if you signed that call for the Fourth Congress of the League of American Writers, or did your father, and you said, "Neither. My father was dead, and I did not sign it." Is that correct?

Mr. DODD. Yes.

Representative ANDERSON of New Mexico. I would like to call your attention to item 24 of Mr. Fly's report. He says you did sign it.

There he is—caught again. One time he says "Yes" and one time he says "No" and both times he is under oath.

How do you suppose he gets around that one? His attorney says on page 69 of the hearings that the Kerr committee record is not complete at the specific page where the interrogation refers to the League of American Writers. That was page 561 of the typed hearings and on page 139 of the printed hearings of the Kerr committee. I give you the somewhat leading questions of Mr. Denny, counsel for the F. C. C.:

Mr. DENNY. It is your recollection, Mr. Dodd, that at that point, this is page 561 and page 562, it is your recollection that at that point you explained to the committee that your name does appear on the call and that what you mean when you say you didn't actually sign it was that you didn't really affix your name to it, but that your name was used and that you never protested?

The WITNESS. That is correct.

Mr. DENNY. Your understanding is that at that point you had explained it but that it does not appear in the transcript?

The WITNESS. That is right.

Then Mr. Dodd's attorney, Mr. Linder, takes up the questioning and I quote from page 70.

Question. Mr. Dodd, on page 562 the interrogation with respect to the League of American Writers occupies two or three questions. The last question was: "That was April 22, 1941. You did not sign it?" Your answer was: "No, I did not."

The next question is:

The issue of the Daily Worker for June 10 and 11, 1938, said you spoke under the sponsorship of the Massachusetts Committee for Concerted Peace Efforts. Would that be correct or not? Is it your statement that before the Congressmen went into the Massachusetts matter there was a full discussion, question and answer, with respect to the League of American Writers?

Answer. That is right. I might add that if there is any reference to that call of the League of American Writers at any other page, the pagination might be wrong, but my point is that somewhere in the transcript they left out my statement on my qualifying statement on the signing of the call.

Mr. DENNY. Which was, while you hadn't actually affixed your signature to it, you never protested it and, therefore, you constructively signed it?

The WITNESS. That is right.

There you have it. When the man testifies under oath to the F. B. I. that he did sign a call and under oath to the Kerr committee that he did not sign it, he reconciles that discrepancy by saying that while he had not actually affixed his signature to it, he never protested it and, therefore, constructively signed it.

But look at page 64 of the F. C. C. hearings and you will find that Mr. Graves does not recall that Mr. Dodd objected. Look at page 91 of the Dies committee transcript. You do not find that Mr. Dodd protested then although

he knew that his name was affixed to the call.

If you will turn to page 93 of the Dies transcript you will see that he claims that he did not know his name was there until the fall of 1942, yet he went to the conference, he saw the call, he saw his sister's name was signed to it, but he did not know that his own name was signed.

Now what was Dodd doing in the answer which he helped the Chairman of the Commission to prepare and which was filed with the gentleman from Virginia [Mr. WOODRUM]? I think Mr. Dodd tells us pretty clearly when he was asked whether he reviewed the affidavit when he signed it. Here is his reply on page 59 of the F. C. C. hearings:

No, I didn't. I simply read it over very quickly and I assumed, because the Commission was working to convince the Appropriations Committee of the House to let off, at least to revise its opinion of some of the charges that were made against Federal employees, and that I accepted it in all good faith as being the fact.

So much for Dodd's testimony before the F. C. C. and his clearance by that deliberative body. The Members of this House appreciate, I am sure, that the inconsistencies that I pointed out in May when this House adopted a resolution to bar him from the public pay roll were but a small part of the evidence against him. This man openly admitted his membership in the American League for Peace and Democracy and other subversive groups. Not only that, time did not permit me to call the whole roll of the instances when he had tried to throw off onto his dead father the responsibility for his own acts.

Take an item from page 23 of the F. B. I. file on him. I use that reference merely because it is the same memorandum that the F. C. C. furnished to the gentleman from Virginia [Mr. WOODRUM] under date of February 3, 1943. It relates to charges 8 and 9. It refers to matter in the New Masses and then carries these words:

Issues of the Daily Worker of February 7 and 8, 1938, mention that he was a speaker at an Aid China rally sponsored by the American League for Peace and Democracy.

Dodd's answer, furnished the gentleman from Virginia [Mr. WOODRUM] and also initialed for the F. B. I., reads:

Actually, these three citations all refer to the same event of October 1, and the person concerned was not William E. Dodd, Jr., but his father.

Now the reference in the Daily Worker of February 7, 1938, concerning William E. Dodd having been a speaker at a China-aid rally on the American League for Peace and Democracy, reads in part, as follows:

William E. Dodd, Jr., son of the recent American Ambassador to Germany, will outline the national China-aid campaign of the league, of which he is chairman.

Diffused honesty. How diffused? If you could look at page 53 of the mimeoscope pamphlet prepared by Mr. Graves, of F. C. C., after interview with Mr. Dodd, you would see that that clearly shows that Mr. William E. Dodd, Jr., spoke at the rally in his capacity as chairman of the China Aid Council, but the memorandum to the gentleman from Virginia [Mr. WOODRUM] and to the F. B. I. is deliberately twisted so that he answers that all three of a group of citations, including this meeting, refer to the same event of October 1, "and the person concerned was not William E. Dodd, Jr., but his father."

So we have some more diffused honesty, some more of the false swearing that his attorney told the F. C. C. "is so far from being consistent that it is absolutely true." He swears it was his father, but the Daily Worker, surely an authority of communistic doings, says it was William E. Dodd, Jr., son of the recent American Ambassador to Germany.

That is the sort of man that the Federal Communications Commission carried on its pay roll for an extra week after the ban placed on him by Congress, and carried him there for the sole purpose of giving him some sort of legal grounds to contest in court his right to continued employment in an office of trust. What do you think of it?

Let me give you one more sidelight: In the same sworn affidavit to the F. B. I., he denies on one page that he spoke at an Aid China rally, sponsored by the American League for Peace and Democracy, and initials that denial, and on another page, commenting on his activities with the American League for Peace and Democracy, he revised the initialed paragraph so it would say he was a paid secretary and as part of his duties "I spoke for them on China relief." He swears he did and he swears he did not. Diffused honesty. It's a wonderful characterization.

This is not an effort to reopen on the floor of this House those matters of conflict and controversy which delayed the appropriation bill a year ago. The Federal Communications Commission looked at Mr. Dodd's testimony and decided that it refuted completely the conclusions which the Kerr committee reached on his case. I think it would be too bad to close the matter officially with that sort of a decision. I think it important to show that regardless of the legal position of the Congress in the entire controversy, the Federal Communications Commission was on the right track when it first determined to remove Mr. Dodd as an improper employee.

Mr. CASE. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. ROLPH].

Mr. ROLPH. Mr. Chairman, I first want to thank the Ohio delegation for this beautiful carnation. Although I did not know President McKinley personally, I did have the privilege, as a small boy, of standing on the sidewalk in San Francisco and cheering as he rode along Market Street. He was very popular in my home city. We hold him in most affectionate memory. It is a privilege to join with Ohio in honoring him on the anniversary of his birthday.

Mr. Chairman, today's mail brings a copy of the San Francisco Examiner of last Sunday. That issue carries the names of the winners of the William Randolph Hearst American history awards. You will remember the Bill of Rights competition, sponsored by the Hearst papers throughout the country. A boy from my congressional district won the first prize. Two other contestants from my district also were amongst the winners. I would like to read their names. First prize of $1,000 in War bonds went to Ernest Page, 16 years old, a senior at George Washington High School at San Francisco. Home address, 700 El Camino Del Mar.

Twenty-sixth prize, Ann Curry, 16, Academy of the Presentation. Home address, 626 Twentieth Avenue, San Francisco.

Thirty-second prize, Richard Cuneo Fox, 16, St. Ignatius High School. Home address, 3501 Fillmore Street, San Francisco.

Congratulations to these three splendid young people. I also desire to congratulate their teachers. Although I only have the name of the history teacher of the George Washington High School, Miss Arline Scharff, I do want to commend her and the other high-school history teachers for the splendid work they are doing.

Reading from the Examiner:

SAN FRANCISCO STUDENT WINNER IN HISTORY CONTEST—BOY REFUGEE FROM NAZIS GETS PRIZE OF $1,000

A 16-year-old San Francisco high-school boy who fled the Hitler tyranny of his native Germany with his parents 7 years ago is the winner of the Nation-wide William Randolph Hearst American history awards.

He is Ernest Page, student at George Washington High School, who earned the honor—and $1,000 in War bonds as first prize—in competition with thousands of other American high-school boys in 13 of America's greatest cities.

HAILED WITH PRIDE

It is the same Ernest Page who 7 years ago, a wide-eyed refugee who could not speak a word of English, arrived here with his father and mother.

He was 9 then. He and his parents had left his birthplace, Cologne, Germany, to find sanctuary and life and liberty and the pursuit of happiness in America.

Here would be no tyranny, but liberty—and an equal chance for every girl and every boy.

The boy learned English, grew tall, worked hard at being an American, that his adopted land might know him with pride.

And today America hails him with pride.

Ernest and his twin brother Charles were graduated from the Alamo School into Presidio Junior High School, then into George Washington High School, where they are now seniors. Their elder sister, Elinor, is now a student at the University of California.

I might say Mr. Chairman, that the parents of this young man have become American citizens. They were both naturalized on December 28, 1942.

With your permission I would now like to read the essay.

When we consider why the Bill of Rights was necessary we must first understand its historical background.

FREEDOMS IMPLICIT

To the framers of our Constitution, it must have seemed obvious that any Government operating according to its provisions would be in itself a guarantee of the personal liberties of the people. That was probably the main reason why they never explicitly stated the freedoms, later embodied in the Bill of Rights, in the Constitution.

Certainly these men, who had been the leaders of their people during the Revolution, had every intention of making the new Government democratic. From the purely selfish viewpoint, it was in their own interest to make it so.

When the Constitution was finally made public, it was met by many Americans with distrust.

It seemed to them to create too strong a central Government. A Government with such powers might take away their liberties again, liberties which they had so dearly won during the Revolution. Then, too, there was the precedent of the British Magna Carta.

LOOKED TO BRITISH

Could the United States not also have a document like that, with a definite statement of rights and privileges of which no authority in the Government could deprive them?

It must be added also that many of the common people of the times were incapable of understanding the Constitution. Others were afraid that it might be construed as meaning that rights, not stated in the Constitution were not protected and therefore subject to violation.

The result of these arguments was the Bill of Rights, the first 10 amendments to our Constitution.

The first amendment is, perhaps, the most important. It guarantees the rights of freedom of religion, freedom of speech, freedom of the press, freedom of assembly, and freedom of petition.

Later amendments protect the right to bear arms, prevent the Government from quartering soldiers in the homes of citizens against their consent, insure them from unwarranted search, excessive fines and imprisonment, and establish their right of habeas corpus, speedy jury trial, and the powers of the States.

IMPLEMENT PREAMBLE

The Constitution and the Bill of Rights have achieved in a great measure, the purposes stated in the preamble.

It was not easy, but our American ancestors succeeded in securing the blessings of liberty to themselves and their posterity.

The five rights guaranteed in the first amendment are now a reality. Every American who makes free use of them, has the duty of using them to their best purpose, of protecting them from abuse or misuse, and of fighting to preserve them from the enemies of democracy.

Each of these freedoms is both a tool and a weapon. A good citizen should use the tool to build a more constructive democracy; he should use the weapon to destroy what he knows to be wrong.

Democracy is the great champion of the common man.

Freedom of petition is her right to ask for her wants.

COLLECTIVE STRENGTH

Freedom of assembly is her power to collect her combined strength and express her combined will.

Freedom of the press is her ability to carry her principles to every home, to spread her doctrine to every corner of the land.

Freedom of speech is her right to tell the common man in the straightforward language which he can understand that he need not be afraid to speak what he wants.

Freedom of religion is the soul of democracy, the principle without which it could not exist.

Today our men are fighting again on foreign fronts. They know, as no others can know, for what they are dying. They know the value of the Bill of Rights.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. ROLPH. I yield.

Mrs. ROGERS of Massachusetts. I am so glad to have the privilege of hearing the very fine speech of your young constitutent. I know how proud you are of him and also how proud they must be of you and how grateful they are when you take an interest in everything they do, not only the young people of your district but all the people of your district. The gentleman is constantly doing things for them and showing his pride in them. I would also like to say to the gentleman that I personally feel very grateful, as I know he is, to Mr. Hearst for the magnificent work he is doing for the veterans.

Mr. ROLPH. I am deeply grateful to the gentlewoman from Massachusetts for her gracious remarks. I want to assure her that I appreciate them deeply.

The CHAIRMAN. The time of the gentleman from California [Mr. ROLPH] has expired.

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and Mr. MILLS having assumed the chair as Speaker pro tempore, Mr. WHITTINGTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill H. R. 4070, the independent offices appropriation bill, had come to no resolution thereon.

RESIGNATION FROM COMMITTEES

The SPEAKER pro tempore laid before the House, the following resignation from committees:

JANUARY 27, 1944.

Hon. SAM RAYBURN,
Speaker of the House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: I hereby submit my resignation from the following committees: Committee on Roads, Committee on the Territories.

Very truly yours,
JAMES V. HEIDINGER,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

EXTENSION OF REMARKS

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent to extend my remarks and include a copy of a letter.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CASE. Mr. Speaker, I ask unanimous consent that in my remarks I made this afternoon in Committee of the Whole I may place certain documents and letters received from various executive agencies, and other material pertaining to the subjects I discussed; and that I may extend my own remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. JUDD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a short letter from my constituent.

The SPEAKER pro tempore. Is there objection?

There was no objection.

SPECIAL ORDER

The SPEAKER pro tempore. Under special order, previously agreed to, the gentleman from North Dakota [Mr. BURDICK] is recognized for 30 minutes.

Mr. BURDICK. Mr. Speaker, I do not want to be the instrument that is going to retain all six Members here for 30 minutes. If you do not hear this speech, you can get some one to read it to you.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. CURTIS. I assure the gentleman I will lose no time in reading it.

Mr. CASE. Will the gentleman yield?

Mr. BURDICK. I yield.

Mr. CASE. Is the gentleman going to proceed? If the gentleman really wanted an audience, we will give him an audience tomorrow afternoon during the regular debate.

Mr. BURDICK. We have the Sergeant at Arms and the pages and the Speaker, and six more, and I think that ought to be enough.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield.

Mrs. ROGERS of Massachusetts. Although the gentleman's audience is small it is extremely appreciative of what he says.

Mr. CASE. Mr. Speaker, will the gentleman yield further?

Mr. BURDICK. I yield.

Mr. CASE. I have just looked around and discovered that the appeal of the gentleman's speech was such that at least twice that number have now entered the Chamber.

Mr. MARTIN of Massachusetts. Everybody here wants to get in.

Mr. GORE. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. GORE. I assure the gentleman that had the membership been aware the gentleman was going to speak it would have been overflowing.

Mr. BURDICK. Does the gentleman mean the Members of the House?

Mr. PRIEST. Mr. Speaker, will the gentleman yield further?

Mr. BURDICK. I yield.

Mr. PRIEST. I hope the distinguished gentleman will proceed because I came back to hear him.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. MURDOCK. I had an engagement at this hour and was about to fulfill it but when I heard the gentleman was to take the well of the House I determined to remain.

Mr. BURDICK. The gentleman can go right ahead and fulfill his appointment.

Mr. HARRIS of Virginia. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. HARRIS of Virginia. I was just on the point of leaving the Chamber when I heard the Speaker announce recognition of the gentleman from North

Dakota. I hope the gentleman will proceed, because I anticipate a great oration.

Mr. BURDICK. I assure the gentleman I will not interfere with what he was intending to do.

Mr. MARTIN of Massachusetts. Does the gentleman want a quorum present?

Mr. BURDICK. No.

Although there is this intense interest in this speech I desire to extend the rest of it in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

HAVE FAITH IN OUR GOVERNMENT

Mr. BURDICK. Mr. Speaker, we see so many news items and hear so many statements made that indicate a faltering faith in our Government, that the time seems opportune to assure these unduly alarmed citizens that all is not yet lost.

The Washington Times-Herald carried an editorial in its January 24 edition, entitled "Not 'Four Freedoms'—Just One" which began with these statements:

> We have a feeling that when this war is over the American people by and large will be panting for just one freedom, not for four.
>
> That freedom will be freedom from unreasonable Federal Government control of every American's private and business life.
>
> We have no such freedom now in wartime. It seems beyond dispute that when we got into the war it was necessary for the Government to take away some of our liberties. A nation cannot fight a first-class war and remain quite as free and easy as it was in peacetime.
>
> But we think we would be fighting this war more effectively, and certainly with more enthusiasm, if the Government had not grabbed most of our traditional liberties and were not now trying to grab the rest of them.

In wartimes restrictions on our individual liberties are necessary—necessary in this war as they have been found necessary in every other war in which this country has been engaged.

We are inconvenienced in the manner in which we obtain food, but that inconvenience would ripen into actual damage if we did not have food restrictions. Only recently a local store charged 20 cents per pound for onions and got away with it for several days before complaint was made. The ceiling price was 8 cents, and here was a merchant—presumed to be patriotic—grabbing 12 cents extra for every pound of onions. Potatoes in the vicinity of Washington were selling at some stores for $8 per hundred, in complete violation of the O. P. A. regulations.

Just where would we be if there were no restrictions? Where would we have been in the last war? Were we not restricted then? Can you not remember that the only sugar we got came in little powder packages, similar to some remedial medicine prescribed by a physician? Could we get all the white bread we wanted? Did we not have to be satisfied with corn bread and poor flour products. Some complained then but all was forgotten when the armistice was signed.

There are other restrictions, too. Almost every vital raw material in this country is under restriction. And as you all know, restriction of these materials means not less production but more—more, in many cases, than the most optimistic experts predicted. Because these materials were allocated under strict central controls, American lives are being saved today. Instead of turning out automobiles and refrigerators, our industrial power is devoted to the production of planes and tanks and guns.

There is not a single liberty mentioned in the Constitution which is not abridged during a war period—not only in this war, but in all wars. What about free speech? Is not it limited now, and should not it be?

We are supposed to be safe in our homes, but in wartimes are we? Suppose your home and lands are necessary for the common defense. Does the Government have to go to court and condemn the property? No; the owner is simply handed a notice to get out within a limited period. Nothing is said about the price. Even those who are thus summarily dealt with make no complaint when they realize that such action is necessary for the protection of the Nation.

In this country we fortunately have political campaigns every 2 years and a national election every 4 years. These elections seem to be coming right along the same as ever, even though we are advised by many, right here in the Nation's Capital, that there will be no more elections. We have been hearing that for a great many years. Well-informed men will tell you that. We are more frequently advised that we are headed for a dictatorship pure and simple, but when we stop to think, we discover that there is no evidence to warrant this observation. Indeed, we do not even have a dictatorship of war—America is one of a handful of nations which continue to hold national elections and which permit to a considerable degree the exercise of democratic prerogatives in its national life.

Others say that we were headed for a dictatorship before the war by the creation of the many relief agencies that were contrived for the protection of business and people without jobs. Just take time to examine the facts in the case. Up to the close of the Hoover administration I never heard a businessman testify that business was in the slightest degree hampered by acts of Congress. Yet it was during this period of unrestriction that our whole business empire crashed, and the day came when not a dollar could be withdrawn from most banks no matter how much the depositor had in the bank.

This was a serious situation—in my judgment, if the circulation of money were stopped in the United States for a week we would have an actual revolution. All banks were closed and reorganized and money started flowing again. Later a depositors' guaranty act was passed, and ever since that time we have had no difficulty in drawing our money from banks, and no fear of making a deposit in a bank known to be guaranteed.

Does anyone want to return to the days of unrestricted banks?

The selling of spurious stock took billions from the pockets of investors. Investment companies, loan and trust companies and holding companies went wild in their unrestricted rampage. When those who had paid in the money found they had been cheated and defrauded, the Securities and Exchange Commission came along and put a stop to that business. Investment companies were compelled to put up reserves in cash to protect their policyholders. Does anyone want to return to the day of the unrestricted investment company?

Ever since 1932 we have been fighting a depression brought about by poor business manipulation following the First World War. The price of farm products in many cases would not pay the threshing bill. The Federal Reserve Board called loans when there was no earthly occasion for it and forced grain and livestock prices down to the value of freight on the products. Millions—at one time 15,000,000—were out of employment. They needed work—they had to have something to eat. Private industry was honest enough to say that they could not employ half of the unemployed even if they could get every relief from restrictions imposed by the Government. We had to create jobs, and various agencies were set up for that purpose. Could this Congress have ignored the situation and saved money for the taxpayers? These millions worked under Government orders and directions. They could therefore be said to be regimented. But how could this matter of supplying food have been handled almost overnight unless it were regulated?

Added to the general havoc of the depression, the people in the Dust Bowl area, for 9 years, had to contend with a force more powerful than any enemy we face today. The usual rains did not come. The grass and crops burned and strong violent winds swept the prairies until green fields and meadows were replaced by sand dunes. This area was large in extent, including Montana, North Dakota, South Dakota, Nebraska, western Kansas, Oklahoma, and Texas. Parts of adjoining States were similarly affected. The inhabitants of these areas could not move out and leave their homes, schools, churches, and villages, for they knew that rains would come again as they always had come. These millions needed help, and the Federal Government gave them relief. Does anyone say now that this Government should have ignored the people? The money which this Government paid out for the support of the people in this great area is coming back as fast as it went out. When the Government financed these great relief agencies, does anyone contend that the Government should not have had some control of the management? Other great areas of the United States were flooded and people lost their homes and in many cases their lives. They had to be reestablished and the Government did it. Do any of you now contend that this should not have been done?

Fighting the depression, sand storms, and floods placed a burden of expense upon this Government that no weak government could hope to undertake. But here we are all safe and sound and in the process of paying back to the

Government the assistance so humanely supplied.

North Dakota was the recipient of generous aid by the Federal Government—generous because the needs of the people were so great. I was instrumental in getting this aid. I secured aid from the Government when there were no appropriations available. Now that we are back in our normal course of farm life, shall I rise up and smite that same Government? Shall I condemn the President and everyone connected with the relief of the people of North Dakota on the theory that we are about to be devoured by a dictatorship?

Many say the farmers were regimented out of existence. There are today millions of farm people who participated in the plans to restore agriculture. They complied with soil-conservation regulations to obtain allotments. In the end they learned better methods of farming, their products brought higher prices, and when good crops came, they were able to get out of debt. They are now independent, and I have not heard a single one of that group complain about regimentation. Many farmers who were forced out of their homes through foreclosure were restaked by a Government agency. They were taken off the streets of cities and placed back on land with their families and thousands of those families do not now owe a cent in the world. They do not complain of regimentation. Other thousands have a fair start and can see their way through clouds of adversity, which is better than the sight of the sheriff headed in their direction to seize their farm home.

When anyone stops long enough in the midst of the clamor of political controversies to think for himself, it should be apparent that we have been fighting hard since 1932—first during the depression and now in a world war. If any regimentation of a serious nature has been put in operation, it was necessary for the well-being and protection of this Republic.

Shall we be confronted with a similar situation again? When this present war closes, is there anyone in this Congress who believes that private business can absorb the unemployed? With the millions coming back from the service and other millions coming from war-production plants, it is self-evident that the Government will have to furnish employment when private business fails to do it. This time, we should plan in advance work that is necessary and lasting, and not be compelled to put men to work at jobs created on the spur of the moment.

Now we are engaged in the greatest war effort this Nation has ever faced. We are in it and there is no turning back. Those who now talk peace at any price are aiding the enemy and not the people of the United States. Any negotiated peace without a victory over our enemies will only provide a breathing spell and our enemies will emerge to fight another war. We should leave no stone unturned to contrive some plan that will stop another world conflagration.

We are waging a tremendous war. Labor has contributed its share, not only in the sweat of toil but in actual casualties far in excess of our losses in the war. Manufacturers as a whole have demonstrated that when put to the test, they can produce. Our war production is a topic of conversation in every nation on earth. We were totally unprepared for war. We were a peace-loving people and thought we would not have to fight. We were separated from war-mad Europe by the Atlantic Ocean and therefore felt safe. I thought so too, but how mistaken I was. When I saw air transports returning directly from the battlefields in Africa with wounded soldiers to be treated in the hospitals along the Atlantic seaboard, I realized how close Africa was. When I read reports of German submarines in the Gulf of Mexico scouting every mile of our Atlantic sea coast and sinking ships within sight of land, I said to myself, "This Atlantic Ocean as a protector just doesn't seem to protect."

We are making monumental progress in this war. We have furnished guns, ships, and food to our allies in stupendous amounts, and have at the same time made a record in land, sea, and air fighting that no one in this country could possibly have imagined when we were stabbed in the back at Pearl Harbor.

When we have made such a contribution to the freedom of the people of the world in production, transportation and in actual fighting, we should not have to contend with all the back-biting going on in this country. Another national political campaign will soon start. I wonder if it is not possible for us to conduct a campaign on the issues involved and avoid the usual back-alley mud slinging?

As I see the situation in this country today we are not headed toward a dictatorship, but with a little judgment, with a little knowledge of our history, with a little tolerance, with full consideration for the views of those who disagree from us, we are moving not into a dictatorship but straight ahead in the perpetuation and protection of the greatest experiment of free government ever known. Here in the United States our Government exists for the people. The people are supreme and if our form of Government is ever changed it will be done by them and not by a dictator.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. GIFFORD (at the request of Mr. MARTIN of Massachusetts), indefinitely, on account of illness.

To Mr. MAAS, until February 7, on account of official business.

To Mr. WASIELEWSKI, for 1 week, on account of official business.

To Mr. ENGLE of California, for the remainder of the week, on account of official business.

To Mr. COLE of New York, indefinitely, on account of official business.

To Mr. HESS, indefinitely, on account of official business.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1633. An act to amend the act entitled "An act to provide for the training of nurses for the armed forces, governmental and civilian hospitals, health agencies, and war industries, through grants to institutions providing such training, and for other purposes," approved June 15, 1943, so as to provide for the full participation of institutions of the United States in the program for the training of nurses, and for other purposes; to the Committee on Interstate and Foreign Commerce.

ADJOURNMENT

Mr. GORE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 22 minutes p. m.) the House adjourned until tomorrow, Friday, January 28, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON ROADS

There will be a meeting of the committee at 10 a. m. on Friday, January 28, 1944, to continue hearings on H. R. 4912.

COMMITTEE OF THE PUBLIC LANDS

The hearings on H. R. 2596, to protect Naval Petroleum Reserve No. 1, will be continued on Friday, January 28, 1944, at 10:30 a. m.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold hearings at 10:30 a. m., on Wednesday, February 2, 1944, on private bills and unfinished business.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 3, 1944, at 10 a. m., on H. R. 2809, to amend section 511 of the Merchant Marine Act, 1936, as amended.

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of subtitle "Insurance of Title II of the Merchant Marine Act, 1936," as amended.

COMMITTEE ON FLOOD CONTROL

SCHEDULE OF HEARINGS ON FLOOD CONTROL BILL OF 1944, BEGINNING TUESDAY, FEBRUARY 1, 1944, AT 10 A. M.

The Flood Control Committee will conduct hearings on flood-control reports submitted by the Chief of Engineers since the hearings conducted in June 1943 and on amendments to existing law. The committee is definitely committed to the view that flood-control projects for post-war construction will be among the most satisfactory public works, and the committee plans an adequate backlog of sound flood-control projects available following the war.

1. Tuesday, February 1: Maj. Gen. Eugene Reybold, Chief of Engineers, will open the hearings with any statements and recommendations he desires to submit covering national flood control and the projects that should be included in the bill to be reported, especially as they are related to national defense and as they will be important following the war to provide sound flood-control projects and desirable public works, and he will supplement his statements submitted to the committee in June 1943 with any recommendations he cares to submit following the said hearings and following the passage of the Emergency Flood Control Act authorizing an appropriation of $10,000,000 for the repair, restoration, and strengthening of levees and other flood-control works passed July 12, 1943. General Reybold will be followed by Maj. Gen. Thomas M. Robins, Assistant Chief of Engineers, and by Col. George

H. Goethals, Chief, River and Harbor Flood Control Branch, Office of the Chief of Engineers, who will attend the hearings and will furnish the members of the committee in detail any and all information respecting any and all projects on which favorable reports have been submitted by the Chief of Engineers since June 1943. The district engineers and the division engineers have furnished to the Chief of Engineers data and information covering floods since June 1943, which will be submitted to the committee. It is probable that Brig. Gen. M. C. Tyler, president of the Mississippi River Commission, and the division engineer of the lower Mississippi Valley division, and Col. Miles Reber, former division engineer, Missouri River division, Omaha, Nebr., will appear before the committee with respect to projects along the lower Mississippi River and its tributaries and the Missouri River and its tributaries before the hearings are concluded.

2. Wednesday, February 2: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the Pacific Northwest region, including the Willamette River and the Columbia River and tributaries; proponents and opponents of projects along the Milk River, Mont.; the Knife River and tributaries, North Dakota; the Boyer River and tributaries, Iowa; Red Lake River and tributaries, Minnesota; proponents and opponents of projects along the Rio Grande and tributaries, Colorado; proponents and opponents of projects along other rivers in the western Rocky Mountain region, including the States of Colorado and Montana.

3. Thursday, February 3: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Soil Conservation Service, Department of Agriculture, and proponents and opponents of projects on rivers flowing into the Gulf of Mexico west of the Mississippi River, including the Trinity River in the State of Texas.

4. Friday, February 4: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects along the upper Mississippi River and tributaries, including the Illinois River and tributaries, the Great Lakes region; and proponents and opponents of projects along Bear Creek, Colo.; Missouri River and tributaries at the Kansas Citys, Mo. and Kans.; Nishnabotna River, Iowa and Mo.

5. Tuesday, February 8: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the Los Angeles area along the Sacramento River and tributaries and along the San Joaquin River and tributaries.

6. Wednesday, February 9: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Bureau of Reclamation, and proponents and opponents of projects along the Kern River and tributaries in the Kern River area and along the Kings River area and tributaries in the Kings River area, and including other streams in the San Joaquin Valley.

7. Thursday, February 10: Continuation of the projects discussed on February 9.

8. Friday, February 11: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the upper and lower Ohio River and tributaries, including Salt River, Taylorsville, Ky., the Potomac River and tributaries, the New England region, including the Connecticut and Merrimac Rivers, and the Middle Atlantic region, including New York, Pennsylvania, and New Jersey, and the South Atlantic region, including rivers flowing into the Atlantic Ocean and Gulf of Mexico east of the Mississippi River.

9. Tuesday, February 15: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineer, Gen. M. C. Tyler, president of the Mississippi River Commission and division engineer, and proponents and opponents of projects along the lower Mississippi River and tributaries including the Red, Arkansas, including Arkansas River, Conway County, Ark., and Purgatoire (Picket Wire) River, Colo., the White, St. Francis, and Yazoo Rivers.

10. Wednesday, February 16: General Reybold, General Robins, Colonel Goethals, other representatives of the Office or Chief of Engineers, Col. Miles Reber, former division engineer, Missouri River division, Omaha, Nebr., and proponents and opponents of projects along the Missouri River and tributaries.

11. Thursday, February 17: Continuation of the projects discussed on February 16.

12. Friday, February 18: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in other regions in the United States.

13. Tuesday, February 22: Representatives of the Department of Agriculture, the Weather Bureau, Bureau of Reclamation, and other governmental agencies.

14. Wednesday, February 23: Senators and Representatives in Congress.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADLEY of Pennsylvania: Committee on Naval Affairs. H. R. 1023. A bill to establish a Chief of Chaplains of the United States Navy; with amendment (Rept. No. 1026). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SPARKMAN: Committee on Military Affairs. S. 872. An act to authorize the President to appoint Frank T. Hines a brigadier general in the Army of the United States; with amendment (Rept. No. 1027). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 4023) granting an increase of pension to Frank M. Young, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WADSWORTH:

H. R. 4076. A bill to provide monetary benefits for certain enlisted men of the Regular Army, Navy, Marine Corps, and Coast Guard discharged for service-connected disabilities; to the Committee on World War Veterans' Legislation.

By Mr. DOUGHTON:

H. R. 4077. A bill to authorize the sale, exchange, or other disposition of certain securities held by the Secretary of the Treasury; to the Committee on Ways and Means.

By Mr. FOGARTY:

H. R. 4078. A bill to provide for advancement in rank for certain World War veterans; to the Committee on Military Affairs.

By Mr. HARLESS of Arizona:

H. R. 4079. A bill to extend the Civilian Pilot Training Act of 1939; to the Committee on Interstate and Foreign Commerce.

By Mr. EBERHARTER:

H. J. Res. 225 (by request). Joint resolution proposing an amendment to the Constitution of the United States to provide for revenue for the Government of the United States and for the general welfare by giving Congress power to levy taxes on land values; to the Committee on the Judiciary.

By Mr. WRIGHT:

H. Res. 418. Resolution relative to the Jewish Home in Palestine; to the Committee on Foreign Affairs.

By Mr. COMPTON:

H. Res. 419. Resolution relative to the Jewish National Home in Palestine; to the Committee on Foreign Affairs.

By Mr. PLUMLEY:

H. Res. 420. Resolution to investigate the question of sufficient legal protection for property and proprietary rights and ownership in original thoughts, conceptions, and ideas in art, literature, science, mechanics, and the pure and useful arts; to the Committee on Rules.

H. Res. 421. Resolution to provide for the payment of expenses of conducting the investigation authorized by House Resolution 420; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of New Mexico:

H. R. 4080. A bill for the relief of certain former employees of the United States Court for China; to the Committee on Claims.

By Mr. MARCANTONIO:

H. R. 4081. A bill for the relief of Harold Smith; to the Committee on Military Affairs.

By Mr. PETERSON of Florida:

H. R. 4082. A bill for the relief of the estate of Eugene Edwin Field; to the Committee on Claims.

H. R. 4083. A bill for the relief of the estate of John Crawford Marston; to the Committee on Claims.

H. R. 4084. A bill for the relief of Claybron Holcomb; to the Committee on Claims.

By Mr. SCHIFFLER:

H. R. 4085. A bill granting a pension to William A. McCans, Jr.; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4549. By Mr. CANFIELD: Resolutions of the New Jersey Water Conservation Committee, opposing the construction of the proposed ship-canal project across New Jersey from Bordentown to Sayreville because of its far-reaching effect on the natural resources of the State; to the Committee on Rivers and Harbors.

4550. Also, resolution adopted by the Board of Chosen Freeholders of the County of Passaic, N. J., calling upon the Government of the United States to take action to ensure the withdrawal in its entirety of the Palestine White Paper of May 1939; to the Committee on Foreign Affairs.

4551. Also, resolution adopted by the governing body of the city of Clifton, N. J., calling upon the Government of the United States to take action to ensure the withdrawal in its entirety of the Palestine White Paper of May 1939; to the Committee on Foreign Affairs.

4552. Also, resolution adopted by the governing body of the city of Passaic, N. J., calling upon the Government of the United States to take action to ensure the withdrawal in its entirety of the Palestine White Paper of May 1939; to the Committee on Foreign Affairs.

4553. Also, telegram from the Meat Cutters Union, local 389, American Federation of Labor of Passaic County, opposing the enactment of the national service law; to the Committee on Military Affairs.

4554. By Mr. CHURCH: Petition of Mrs. W. D. Schermerhorn and 11 other citizens of Evanston and Chicago, Ill., favoring House bill 2082, to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war, by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

4555. Also, petition of Elsie Johnston and other citizens of Chicago, Ill., protesting against prohibition legislation; to the Committee on the Judiciary.

4556. By Mr. EBERHARTER: Petition of J. J. O'Donnell and 2,760 residents of the Thirty-first Congressional District of Pennsylvania and vicinity, opposing House bill 2082; to the Committee on the Judiciary.

4557. Also, petition of E. F. Kredel and 580 residents of Pittsburgh, Pa., and vicinity, opposing House bill 2082; to the Committee on the Judiciary.

4558. By Mr. ENGEL of Michigan: Petition of Ervin Stoevsand, of Custer, Mich., and 33 others, opposing subsidies; to the Committee on Banking and Currency.

4559. Also, petition of Adelaide Zoeller, of Muskegon, Mich., and 19 others, favoring House bill 2082, known as the Bryson bill; to the Committee on the Judiciary.

4560. Also, petition of Rose Brown, of Manton, Mich., and 48 others, favoring House bill 2082, known as the Bryson bill; to the Committee on the Judiciary.

4561. Also, petition of George M. Tyndall, of Branch, Mich., and 17 others opposing subsidies; to the Committee on Banking and Currency.

4562. Also, petition of John Bielcik, of Thompsonville, Mich., and 45 others, opposing subsidies; to the Committee on Banking and Currency.

4563. Also, petition of Fred Kundrata, of Muskegon, Mich., and 112 others, favoring the soldiers' vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4564. Also, petition of Fred Kundrata, of Muskegon, Mich., and 20 others, favoring subsidies; to the Committee on Banking and Currency.

4565. Also, petition of Rev. Otto W. Lamb, of Muskegon, Mich., and 24 others, favoring passage of House bill 2082, known as the Bryson bill; to the Committee on the Judiciary.

4566. Also, petition of Mrs. Charles H. Redman, of Muskegon Heights, Mich., and 39 others, favoring House bill 2082, known as the Bryson bill; to the Committee on the Judiciary.

4567. Also, petition of Vinnie Russell, of Muskegon, Mich., and 62 others, favoring the soldiers vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4568. Also, petition of Mildred Poe. of Lake City, Mich., and 37 others, favoring House bill 2082, known as the Bryson bill; to the Committee on the Judiciary.

4569. By Mr. FITZPATRICK: Petition signed by members of the Bronx County New York State American Youth for Democracy, urging the passage of legislation which will guarantee the right of servicemen to vote in the 1944 elections; to the Committee on Election of President, Vice President, and Representatives in Congress.

4570. By Mr. GWYNNE: Petition of Mrs. F. M. Sorenson, president of the Butler County, Iowa, Women's Christian Temperance Union, and signed by many residents of that county, urging passage of House bill 2082, to prohibit the manufacture, sale, or transportation of alcoholic liquors in the United States during wartime; to the Committee on the Judiciary.

4571. By Mr. HARRIS of Virginia: Eleven petitions of more than 225 citizens of Tidewater, Va., protesting against prohibition legislation; to the Committee on the Judiciary.

4572. By Mr. HEIDINGER: Communication signed by J. P. Willis, superintendent, and 13 teachers of the Golconda public schools, Golconda, Ill., favoring House bill 2849; to the Committee on Education.

4573. Also, communications signed by Agnes V. Sidenes, of New Liberty, and Claude Faulkner, of Eddyville, Ill., school teachers of Pope County, Ill., favoring the passage of House bill 2849; to the Committee on Education.

4574. By Mr. HOCH: Petition of 246 citizens of Berks County, Pa., protesting the passage of House bill 2082, or any similar legislation, designed to prohibit the sale, manufacture, distribution, importation, etc., of alcoholic beverages; to the Committee on the Judiciary.

4575. By Mr. LUTHER A. JOHNSON: Petition of W. K. Rudolph, Jack L. Blanchard, Mrs. Romney Rudolph, Mrs. Irvin Cornwell, Mrs. Jack L. Blanchard, Mrs. Benton Staley, Earl Wilder, and B. A. Staley, all of Waxahachie, Tex., opposing the Wagner-Murray-Dingell bill; to the Committee on Ways and Means.

4576. By Mr. LEWIS: Petition of E. Copeland and 39 other residents of Steubenville, Ohio, and vicinity, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4577. By Mr. ROLPH: Resolution of the Order of Railroad Telegraphers, San Francisco, Calif., opposing the National Service Act; to the Committee on Military Affairs.

4578. By Mrs. SMITH of Maine: Petition of Etienne P. Lesjardin, of Lewiston, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4579. Also, petition of Anthom A. Carmier, of Lewiston, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4580. Also, petition of the Super-Economy Market, Waterville, Maine, and citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4581. Also, petition of Gedeon Pelletier, Lewiston, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4582. Also, petition of Vigile Houle, of Lewiston, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

SENATE

FRIDAY, JANUARY 28, 1944

(Legislative day of Monday, January 24, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou who art man's unfailing friend and his ever-present help, we pray that Thou wilt so expand our minds and hearts that they may be large enough to comprehend the revelations of Thy truth, Thy will, and Thy love.

We humbly confess that we are continually invalidating these revelations by taking counsel with our fears and allowing our spiritual visions to become eclipsed by doubt and despair.

Grant that we may realize that human ingenuity and human resources are merely contingencies and that we must put our trust in the eternal certainties of God.

We pray that faith in the Lord God of hosts may rise up within us and take full possession and guardianship of our bewildered lives.

Lord we believe, help Thou our unbelief. In Christ's name we pray. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, January 27, 1944, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

CALL OF THE ROLL

Mr. LA FOLLETTE. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Eastland	O'Daniel
Andrews	George	Overton
Austin	Gerry	Pepper
Bailey	Gillette	Radcliffe
Ball	Green	Revercomb
Bankhead	Guffey	Reynolds
Barkley	Gurney	Robertson
Bilbo	Hatch	Russell
Bone	Hawkes	Shipstead
Brewster	Hayden	Smith
Bridges	Hill	Stewart
Brooks	Johnson, Colo.	Thomas, Idaho
Buck	Kilgore	Thomas, Okla.
Burton	La Follette	Thomas, Utah
Bushfield	Langer	Truman
Butler	Lodge	Tunnell
Byrd	McClellan	Tydings
Capper	McFarland	Vandenberg
Caraway	McKellar	Wagner
Clark, Idaho	Maloney	Wallgren
Clark, Mo.	Maybank	Walsh, Mass.
Connally	Mead	Wheeler
Danaher	Millikin	White
Davis	Moore	Wilson
Downey	Murdock	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from New Jersey [Mr. WALSH] are absent from the Senate because of illness.

The Senator from Louisiana [Mr. ELLENDER], the Senator from Illinois [Mr. LUCAS], the Senator from Nevada [Mr. MCCARRAN], and the Senator from Wyoming [Mr. O'MAHONEY] are members of the committee attending the funeral of the late Senator Van Nuys, of Indiana, and therefore are necessarily absent.

The Senator from Kentucky [Mr. CHANDLER] and the Senator from Montana [Mr. MURRAY] are detained on public business.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

The Senator from New York [Mr. WAGNER] is necessarily absent.

Mr. WHITE. The Senator from Indiana [Mr. WILLIS], the Senator from Michigan [Mr. FERGUSON], the Senator from Oregon [Mr. HOLMAN], and the Senator from Nebraska [Mr. WHERRY] are in Indiana as members of the Senate committee attending the funeral of the late Senator Van Nuys.

The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from New Hampshire [Mr. TOBEY], the Senator from Wisconsin [Mr. WILEY], and the Senator from Kansas [Mr. REED] are absent on official business.

The Senator from Ohio [Mr. TAFT] and the Senator from North Dakota [Mr. NYE] are necessarily absent.

The VICE PRESIDENT. Seventy-four Senator have answered to their names. A quorum is present.

BOARD OF VISITORS TO THE UNITED STATES COAST GUARD ACADEMY

The VICE PRESIDENT. Pursuant to law, the Chair appoints the Senator from New York [Mr. MEAD] a visitor to the United States Coast Guard Academy.

NATIONAL AGRICULTURAL JEFFERSON BICENTENARY COMMITTEE

The VICE PRESIDENT. The Chair has been informed by the President pro tempore of the Senate that, under authority of Public Law No. 196, approved December 3, 1943, he has appointed as members on the part of the Senate of the National Agricultural Jefferson Bicentenary Committee the following Senators:

The Senator from Kentucky [Mr. BARKLEY], the Senator from Virginia [Mr. BYRD], the Senator from Utah [Mr. THOMAS], the Senator from Oregon [Mr. MCNARY], and the Senator from Maine [Mr. WHITE].

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

LANDS RESERVED WITHIN INDIAN RESERVATIONS FOR POWER SITES, ETC.

A letter from the Acting Secretary of the Interior, reporting, pursuant to law, that no lands were reserved during the calendar year 1943 within Indian reservations valuable for power or reservoir sites or necessary for use in connection with irrigation projects; to the Committee on Indian Affairs.

REPORT OF WAR SHIPPING ADMINISTRATION UNDER PUBLIC LAW NO. 498, SEVENTY-SEVENTH CONGRESS

A letter from the Administrator of the War Shipping Administration, transmitting, pursuant to law, the sixth report of that Administration of action taken under section 217 of the Merchant Marine Act of 1934, as amended, Public Law No. 498, Seventy-seventh Congress (with an accompanying report); to the Committee on Commerce.

REPORT OF BOARD OF DIRECTORS, FEDERAL PRISON INDUSTRIES, INC.

A letter from the Secretary of the Federal Prison Industries, Inc., transmitting, pursuant to law, the annual report of the board of directors of Federal Prison Industries, Inc., for the fiscal year 1943 (with an accompanying report); to the Committee on the Judiciary.

SAFETY OF LIFE AND PROPERTY: REPORT OF FEDERAL COMMUNICATIONS COMMISSION

A letter from the Chairman of the Federal Communications Commission, reporting, pursuant to law, that the Commission has no recommendation to make at this time for new safety legislation of the type referred to under section 4 (k) of the Communications Act of 1934; to the Committee on Interstate Commerce.

ESTIMATES OF PERSONNEL REQUIREMENTS OF TWO OFFICES

Letters, transmitting, pursuant to law, estimates of personnel requirements for the quarter ending March 31, 1944, by the Department of Commerce (War Training Service, Civil Aeronautics Administration), and the Federal Communications Commission (with accompanying papers); to the Committee on Civil Service.

PETITIONS

The VICE PRESIDENT laid before the Senate petitions, etc., which were referred as indicated:

A telegram in the nature of a petition from members of Plumbers and Steamfitters Local Union No. 447, of Sacramento, Calif., praying for the enactment of legislation granting $500 mustering-out pay to members of the armed forces; ordered to lie on the table.

A resolution adopted by the Council of the City of Niagara Falls, N. Y., favoring the enactment of legislation providing a wartime method of voting by members of the armed forces; ordered to lie on the table.

The petition of Mrs. Nannie Nash, of New York City, N. Y., praying for the enactment of legislation providing a wartime method of voting by members of the armed forces; ordered to lie on the table.

BILL INTRODUCED

Mr. HILL introduced a bill (S. 1673) to provide for a national cemetery in Jefferson County, Ala., which was read twice by its title and referred to the Committee on Military Affairs.

READJUSTMENT IN CIVILIAN LIFE OF RETURNING WORLD WAR NO. 2 VETERANS—AMENDMENT

Mr. MCFARLAND. Mr. President, in behalf of myself and the Senator from South Carolina [Mr. MAYBANK] I submit an amendment intended to be proposed by us to the bill (S. 1617) to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans, known as the Legion omnibus bill.

We are all proud of the record of our boys in the service, and recognize that they have been called upon to make great sacrifices. There will be unrest among them when they return from the fox holes, swamps, and deserts. Many will have given the best years of their lives. They have left good homes to fight beasts on the other side under the most trying conditions; their mental and physical strength is being taxed to the uttermost. We cannot expect them to return and be able to take up just where they left off—whether it was at school or at work. They will need assistance which will necessarily have to vary in accordance with their different needs. Some of them will need to return to high school or college; others will want to attend occupational schools; many who have already finished school and are married will need homes; some have left the farm and upon their return will need money with which to purchase equipment. Many had to sell their farm equipment at a great sacrifice when they left to enter the service, and others have had to sell small businesses at sacrifices and will want to start enterprises for themselves upon their return.

Recognizing this problem, the Senator from South Carolina [Mr. MAYBANK] and I, after giving this subject careful study, introduced S. 1495. We feel this bill meets the problem by providing adjusted pay upon discharge in the form of a 10-year bond which may not be cashed for 3 years, except for educational purposes, down-payment on a home, purchase of a farm or farm implements, or for payment on a small business.

This was the first and I believe the most comprehensive bill covering all of these subjects introduced in the Senate. Since that time several bills have been introduced covering various phases of the subject—including the Legion omnibus bill, S. 1617. We feel that the adjusted pay is the best and most practical manner of meeting the problem, particularly for the reason that almost everyone recognizes that there will be adjusted pay. With this thought in mind, we thought we should have legislation giving them the benefit of this adjusted pay at the time they would need it the most for the purposes which I have just outlined. However, we recognize that there are those who feel that the adjusted pay question should wait until the men return from the service. I do not share this view, and feel there would be no better morale builder than the passage of S. 1495; on the other hand, the most important phases of S. 1495 are the educational benefits, the assistance in the purchase of a home, assistance in the purchasing of a farm or farm equipment, also, in the purchase of small businesses. Therefore, we have, in conjunction with the legislative council of the American Legion, taken these most important provisions of S. 1495 and drafted this amendment to S. 1617. The amendment has the backing of the American Legion and will reach the objectives for which we are working. It will give every man in the service an equal opportunity to secure their benefits.

In the event that Senate bill 1617 is favorably reported by the Senate, it is our hope and the hope of the American Legion that this amendment will be adopted.

Mr. President, I ask unanimous consent that the amendment be appropriately referred, printed, and printed in the RECORD following my remarks.

There being no objection, the amendment was referred to the Committee on Finance, and ordered to be printed, and to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. MCFARLAND (for himself and Mr. MAYBANK) to the bill (S. 1617) to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans, viz: On page 9, beginning with line 22, strike out down to and including line 20 on page 16, and in lieu thereof insert the following:

"PART VIII

"1. Subject to the provisions and limitations of this part, any person who shall have served in the active military or naval service of the United States at any time after August 27, 1940, and prior to the termination of the present war, who shall not have been dishonorably separated therefrom, and who shall have been separated therefrom after service of 90 days or more, or shall have been separated therefrom after less than 90 days of service for disability incurred in line of duty, shall, upon application to the Administrator of Veterans' Affairs, be entitled to pursue a course of education or training under this part. Such course of education or training may be any full-time course of education or training (including refresher courses) in any accredited educational or training institution selected by the veteran, if such institution finds the veteran qualified for and accepts him for such course of education or training. No course of education or training under this part in excess of a period of 4 years shall be approved, nor shall any training or education under this part be afforded beyond 6 years after the termination of the present war.

"2. While pursuing a course of education or training under this part, the veteran shall be entitled to a training allowance, to be paid by the Administrator of Veterans' Affairs, which shall be at the rate of $50 a month, except that if the veteran is a man and is married, or is a woman and is married to a husband who is shown to the satisfaction of the Administrator of Veterans' Affairs to be dependent upon her for support, such allowance shall be at the rate of $75 a month.

"3. When any veteran pursues a course of education or training at any institution under this part, the Administrator of Veterans' Affairs shall pay to such institution with respect to such veteran the customary tuition, laboratory, library, and other fees ordinarily paid by or for students at such institution; but such payments shall not include charges for board, lodging, or other living expenses. The Administrator shall not pay any part of such fees which is in excess of a rate equivalent to $300 for an ordinary school year and shall not pay such fees for a period longer than the equivalent of 4 ordinary school years.

"4. When the course of education or training under this part consists of training on the job by an employer, such employer shall be required to submit monthly to the Administrator a statement under oath showing any wage, compensation, or other income paid by him to the veteran during the month, directly or indirectly; and based upon such sworn statements, the Administrator is auththorized to reduce or discontinue the training allowance.

"5. Any person who, while pursuing a course of education or training under this part, is receiving a pension or compensation under other laws administered by the Veterans' Administration, shall be paid only so much of the training allowance provided under this part for any month as will, when added to the pension or compensation, aggregate the training allowance which would otherwise be payable for such month under this part. No person who receives vocational rehabilitation under part VII of this regulation shall be entitled to receive education or training under this part.

"6. Any public or private elementary, secondary or other school furnishing education for adults, any business school, college, vocational school, or other educational institution, and any business or other establishment providing apprentice or other training on the job, shall be deemed to be an accredited educational or training institution for the purposes of this part, if it is found by a board appointed under this paragraph to be qualified and suitable for furnishing education or training under this part, and if it complies with such regulations as may be prescribed by the Administrator of Veterans' Affairs for the proper administration of this part. Such Administrator shall appoint in each State a board of five members, not less than three of whom shall be members of the faculties of educational institutions having educational or scientific courses in advance of the subjects taught in standard high school courses. Each such board shall determine whether or not any institution or establishment in its State in which a veteran desires to pursue a course of education or training under this part is qualified and suitable for providing such education or training; and shall perform such other duties and functions as the Administrator of Veterans' Affairs may prescribe. The members of such board shall not receive any compensation for their services on the board, but shall be reimbursed for all necessary travel expenses and shall receive a per diem allowance of $15 in lieu of subsistence while away from their respective places of residence on business of the board.

"7. In carrying out his powers and duties under this part, the Administrator of Veterans' Affairs—

"(a) May prescribe such rules and regulations as he deems necessary or appropriate.

"(b) May employ such additional personnel and experts as are deemed necessary, and may utilize and extend existing Veterans' Administration facilities and utilize those of any other governmental agency as well as those maintained by joint Federal and State contributions.

"(c) Shall consult with and may utilize the services and facilities of the respective State departments of education of the several States.

"(d) May enter into such agreements or arrangements with public or private institutions or agencies as he finds to be suitable and necessary to accomplish the purposes of this part.

"(e) May accept uncompensated services upon such terms and conditions as he deems proper.

"8. Such rules and regulations of the Administrator may include such rules and regulations as he deems necessary in order to promote good conduct and cooperation upon the part of persons who are pursuing courses of education or training under this part. Penalties for the breach of such rules or regulations may with the approval of the Administrator extend to a forfeiture or discontinuance of any part of the benefits provided by this part."

SEC. 502. Paragraph 1 of part VII of Veterans Regulation No. 1 (a), as amended by Public Law No. 16, Seventy-eighth Congress, March 24, 1943, is hereby amended by deleting the date "December 6, 1941," in the first sentence thereof, and substituting the date "August 27, 1940."

TITLE IV. LOANS FOR THE PURCHASE OF HOMES, FARMS, AND BUSINESS PROPERTY

GENERAL PROVISIONS FOR LOANS

SEC. 600. (a) Any person who shall have served in the active military or naval service of the United States for more than 90 days at any time after August 27, 1940, and prior to the termination of the present war, who is not dishonorably separated therefrom, upon separation from active service shall be deemed to be a veteran eligible for the benefits of this title. Any such veteran may apply to the Administrator of Veterans' Affairs for a loan for any of the purposes specified in sections 601, 602, and 603. If the Administrator finds that the veteran is eligible for the benefits of this title and is in need of such loan, the Administrator shall submit the veteran's application for approval of the loan as provided in sections 601, 602, and 603. When any such loan has been approved as provided in such sections, the loan shall be made by the Administrator of Veterans' Affairs.

(b) The aggregate of all loans made to any one veteran under this title shall be for such amount not in excess of a thousand dollars as may be applied for by the veteran. Any such loan shall bear no interest for the first year after the loan is made, and thereafter shall bear interest at the rate of 3 percent per annum, compounded annually. No guarantor of any such loan shall be required and no security for the loan shall be required except for a lien, which shall be a first lien where no other lien is required in the purchase of such property; otherwise it shall be a second lien.

(c) Any loan made under this title shall be repayable to the Administrator of Veterans' Affairs, and except as otherwise provided in this title, shall be subject to such terms and conditions as may be prescribed jointly by such Administrator and the head of the department or agency to whom the application is submitted for approval of the loan.

PURCHASE OF HOMES

SEC. 601. (a) Any application made under this section for a loan to be used in purchasing residential property shall be submitted to the Federal Housing Administrator for his approval. Such Administrator shall approve the loan if he finds—

(1) that such loan will be used for part payment for such property to be purchased by the veteran;

(2) that such property has been approved for mortgage insurance under the National Housing Act as amended or meets the location and construction requirements for such approval; and

(3) that the purchase price paid, or to be paid by the veteran for such property does not exceed the appraised value thereof as determined by the Federal Housing Administrator.

(b) Any application for a loan under this section for the purpose of paying delinquent indebtedness, taxes, or special assessments, on residential property previously purchased for a home by the veteran shall be submitted to the Federal Housing Administrator who shall approve such loan unless in his opinion such loan is unsound or would not be in the interest of the veteran.

(c) No first mortgage shall be ineligible for insurance under the National Housing Act as amended, by reason of any loan made under this title, or by reason of any secondary lien upon the property involved securing such loan.

PURCHASE OF FARMS AND FARM EQUIPMENT

SEC. 602. (a) Any application made under this title for a loan to be used in purchasing any land, buildings, livestock, equipment, machinery, or implements, to be used in farming operations conducted by the applicant, shall be submitted to the Secretary of Agriculture for his approval of the loan. Such Secretary shall approve the loan if he finds—

(1) that such loan will be used for part payment for real or personal property purchased or to be purchased by the veteran and used in bona fide farming operations conducted by him;

(2) that such property will be useful in and reasonably necessary for efficiently conducting such operations;

(3) that the character, ability, and experience of the veteran, and the nature of the proposed farming operations to be conducted by him, are such that there is a reasonable likelihood that such operations will be successful; and

(4) that the purchase price paid or to be paid by the veteran for such property does not exceed a reasonable appraised value therefor as determined by the Secretary.

(b) Any person who is found by the Administrator of Veterans' Affairs to have served in the active military or naval service of the United States for more than 90 days at any time after August 27, 1940, and prior to the termination of the present war, who shall not have been dishonorably separated therefrom, and who shall have been separated therefrom after service of 90 days or more, or shall have been separated therefrom after less than 90 days of service for disability incurred in line of duty, and who is found by the Secretary of Agriculture, by reason of his character, ability, and experience to be likely successfully to carry out undertakings required of him under a loan which may be made under the Bankhead-Jones Farm Tenant Act, shall be eligible for the benefits of such act to the same extent as if he were a farm tenant.

PURCHASE OF BUSINESS PROPERTY

SEC. 603. Any application made under this title for a loan to be used in purchasing any business, land, buildings, supplies, equipment, machinery, or tools, to be used by the applicant in pursuing a gainful occupation (other than farming), shall be submitted to the Secretary of Commerce for his approval of the loan. Such Secretary shall approve the loan if he finds—

(1) that such loan will be used for part payment for real or personal property purchased or to be purchased by the veteran and used by him in the bona fide pursuit of a gainful occupation (other than farming);

(2) that such property will be useful in and reasonably necessary for the efficient and successful pursuit of such occupation;

(3) that the character, ability, and experience of the veteran, and the conditions under which he proposes to pursue such occupation, are such that there is a reasonable likelihood that he will be successful in the pursuit of such occupation; and

(4) that the purchase price paid or to be paid by the veteran for such property does not exceed a reasonable appraised value therefor as determined by the Secretary.

LEGISLATIVE RULE RELATING TO SUBJECT MATTER OF LEGISLATION AND REVISION OF STATUTES

Mr. ANDREWS submitted the following concurrent resolution (S. Con. Res. 32), which was referred to the Committee on Rules:

Resolved by the Senate (the House of Representatives concurring), That every bill or joint resolution passed by the Congress shall embrace but one subject and matter properly connected therewith, which subject shall be briefly stated in the title of such bill or joint resolution.

SEC. 2. That no law shall be amended or revised by reference to its title only; but in every case the law, as revised, or section, as amended, shall be reenacted and published at length.

INTERVIEW WITH SENATOR SMITH, OF SOUTH CAROLINA, BY JACOB SIMPSON PAYTON

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an interview with Senator SMITH, of South Carolina, under the heading "A Senator remembers," by Jacob Simpson Payton, published in the Christian Advocate of January 20, 1944, which appears in the Appendix.]

SENATOR BUTLER CITES FIGURES—EDITORIAL FROM THE COLUMBUS EVENING DISPATCH

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an editorial entitled "Here's the Proof—Senator BUTLER Cites Figures," published in the Columbus (Ohio) Evening Dispatch of January 24, 1944, which appears in the Appendix.]

NATIONAL SERVICE LAW

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD a letter from Capt. Herman Hirsh, of the Marine Corps, addressed to the Senators from Pennsylvania, regarding a national service law, which appears in the Appendix.]

VOTES FOR SOLDIERS

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD several letters relating to votes for servicemen, which appear in the Appendix.]

JAPANESE MISTREATMENT OF AMERICAN PRISONERS

Mr. McFARLAND. Mr. President, I wish to call the attention of the Senate to the headlines in the morning newspapers. We are saddened by those headlines, which read:

Five thousand two hundred Yank war prisoners killed by Jap torture in Philippines; cruel "march of death" described; other thousands of victims were Filipinos; captives were starved, beaten, bayoneted, shot, and even beheaded, Army and Navy report.

Mr. President, this is just another example of the cruelty and the brutality of the Japanese. It is evidence that the leaders of that race are not fit to govern any people. May God be with the relatives of those brave boys who have made the supreme sacrifice.

The Japs will pay, and pay dearly. Our answer will be in blood, and in the ashes of their cities. Those responsible for this brutality must pay, but God forbid that we would ever resort to such torture, even toward beasts such as these. Let them be lined up and shot, that their feet may scorch in hell, where they belong.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. HATCH. I have asked the Senator to yield because he has discussed a matter which is of vital concern to me. I propose to discuss it further today. I have agreed with the Senator from Tennessee [Mr. McKELLAR], however, not to interrupt consideration of the appropriation bill. As soon as consideration of the bill is concluded, which I hope may be quickly, I wish to make some comments about the atrocities revealed in the morning newspapers.

Mr. McKELLAR. Mr. President, I thank the Senator from New Mexico very much. The joint resolution must be passed by Monday in order that the very necessary work covered by it may be continued.

NATIONAL SERVICE LEGISLATION—LETTER FROM SGT. JOHN O. RANEY

Mr. WHEELER. Mr. President, I have not risen to say anything concerning the matter which was called to the attention of the Senate by the junior Senator from Arizona [Mr. McFARLAND], but I wish to compliment him upon the statement he has made. The only thing I wish to say is that these facts were known sometime ago, and it seems to me the War Department and the Navy Department should have made the report at an earlier time, so that the American people could have known what the facts were.

Mr. President, I hold in my hand a letter written to me by an American boy, a sergeant in the American Army who is with our flying forces in England. He writes me with reference to the legislation which has been proposed by the President and advocated by the Secretary of War, known as the national-service legislation. He writes me as follows:

DEAR SENATOR WHEELER: Although you will no doubt be much too busy to read this, will write it anyway just in case. In our Army paper, the Stars and Stripes, we have been following the debate pro and con on the national-service law and as crew members of the flying forts of the Eighth Air Force we feel we have a right to a few words. We would like to state and we may be quoted—

Mr. President, I read the letter because of that statement; otherwise I would not have quoted it—

That we are firmly against the bill. We do not like the idea of anyone taking our wives, mothers, fathers, sisters, or brothers from the very homes we are fighting for and place them on a farm, ranch, or any other damn place they see fit. We were led to understand that the law in question once caused a civil war and was settled for all time. Frankly, sir, we are sick and tired of hearing a few politicians try to bring slavery back to the United States. If anyone would care to see how miserably that same law has failed in England, tell them to come over. It has ruined thousands of women and broken thousands of homes. We did not want to come over here and do not wish to be here now, but since we must, we will and are doing our best. However, if this bill is passed, I for one am through flying and fighting, for when my Government invades my home, the only thing we have left, there is nothing left to fight for.

Respectfully yours,

Staff Sgt. JOHN O. RANEY,
Three Hundred and Eighty-eighth Bomb Group, Five Hundred and Sixty-third Squadron, A. P. O. 634, care of Postmaster, New York City.

Mr. President, this letter was passed by the British censor, and was passed by the American censor.

When the statement is made by the Secretary of War and by others that unless the proposed legislation is passed the morale of the soldiers will be broken down, it seems to me a letter such as this furnishes ample proof that quite the contrary is true. It is certainly true here in the United States, and it is true apparently among the soldiers fighting overseas.

CANADIAN FARM EQUIPMENT AND MACHINERY

While I am on my feet, Mr. President, I also wish to call the attention of the Senate to a letter which I received from the vice president of an implement com-

pany in Montana. The letter is as follows:

DEAR SENATOR WHEELER: I am attaching hereto a copy of a letter that this firm received today from the Canadian Trade Commissioner, Chicago, Ill. May I direct your attention to the first part of the first sentence of this letter in which it is very specifically and definitely intimated that Canada might be in a position to furnish certain farm implements and machinery for export to the United States in the near future?

It seems mighty queer to me and to a lot of the rest of us Americans that the War Production Board and the War Food Administration are allocating farm equipment for export to Canada and to other British possessions and depriving the American farmer and rancher of equipment that he so badly needs; while at the same time the Canadian manufacturers apparently have a surplus of farm equipment and machinery that they in turn can export to the United States.

I don't care necessarily to have the name of this firm or my own name involved in this, if it can be handled without; but on the other hand, if it is necessary this letter can be used.

It is signed by the vice president of the company.

The letter which the writer received from the Canadian Government Trade Commissioner, Tribune Tower, 435 North Michigan Avenue, Chicago, under date of January 14, 1944, is as follows:

DEAR SIRS: In view of the shortage of farm implements and machinery at this time and the possibility of supplies from Canada in the near future, would you inform me if there would be a market in your territory for importations of Canadian farm implements and machinery. If so, would you advise me of the estimated tonnage or amount that would be marketable.

I would appreciate an early reply at your convenience and thanking you in advance, I am,

Yours faithfully,

H. A. SPENCER,
Acting Canadian Trade Commissioner.

Mr. President, the farmers of the United States have been pleading for farm implements. They have been told not only that they could not obtain farm implements, but as a matter of fact that they should turn in such farm implements as they had on hand which they were not using or which were out of repair, because the Government needed steel and other metals. As the writer of the letter states, we have been exporting farm implements to Canada, and at the same time Canadians are writing asking implement dealers in the United States whether they can sell Canadian farm implements which are manufactured in Canada.

I have written letters to the War Production Board and to the War Food Administration asking them upon what ground they can hold back American farm implements from the farmers of this country and at the same time Canadians can be offering to sell farm implements to the people of the United States.

SUPPLY AND DISTRIBUTION OF FARM LABOR FOR 1944

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

The Senate proceeded to consider the joint resolution (H. J. Res. 208) making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1944, which had been reported from the Committee on Appropriations with amendments.

The VICE PRESIDENT. The clerk will state the first amendment of the committee.

The first amendment of the Committee on Appropriations was, on page 1, line 4, after the word "appropriated", to insert "the following sums, namely" and in line 5, after the word "namely", in the amendment just above stated, to strike out:

The sum of $27,000,000, which sum, together with the amount appropriated in the act of April 29, 1943 (Public Law 45), shall be merged into one fund, to remain available until December 31, 1944, and to be expended by the War Food Administrator (hereinafter referred to as the "Administrator"), appointed pursuant to Executive Order No. 9334, dated April 19, 1943, for assisting in providing an adequate supply of workers for the production and harvesting of agricultural commodities essential to the prosecution of the war, as follows.

The amendment was agreed to.

The next amendment was, on page 2, after line 4, to insert:

TITLE I—DEPARTMENT OF AGRICULTURE

WAR FOOD ADMINISTRATION

For assisting in providing an adequate supply of workers for the production and harvesting of agricultural commodities essential to the prosecution of the war, $35,000,000, which sum, together with the amount appropriated in the act of April 29, 1943 (Public Law 45), shall be merged into one fund, to remain available until December 31, 1944, and to be expended by the War Food Administrator (hereinafter referred to as the "Administrator"), appointed pursuant to Executive Order No. 9334, dated April 19, 1943, as follows:

The amendment was agreed to.

The next amendment was, under the subhead "Payments to States," on page 2, line 22, after the word "need", to strike out "not more than $17,500,000" and insert "not less than $14,000,000 and not more than $18,500,000"; on page 3, line 8, after the word "recruiting", to strike out "(including recruitment within the State of recruitment for employment elsewhere)"; in line 11, after the word "transportation", to strike out "including transportation from State to State and within the State of recruitment for employment elsewhere)"; in line 19, after the word "exceed", to strike out "$200,000" and insert "$100,000"; in line 21, after the word "exceed", to strike out "$40,000" and insert "$20,000"; in line 24, after the word "advances", to strike out the comma and "the repayments from employers for such advances to be credited to the respective funds apportioned to the States"; and on page 4, line 7, after the word "things", to insert "the furnishing."

The amendment was agreed to.

The next amendment was, under the subhead "Expenditure of other funds," on page 4, line 23, after the words "shall be", to strike out "allotted" and insert "available for expenditure"; in line 24, after the word "Administrator", to strike out "to the Office of Extension, War Food Administration, for expenditure, of which not to exceed $200,000 shall be available for administrative expenses in the District of Columbia"; on page 5, line 5, before the word "workers", to strike out "foreign."

The amendment was agreed to.

The next amendment was, on page 5, in line 9, after the word "families", to strike out the comma and the words "while en route, including the furnishing of health and medical services to agricultural workers and their families housed in any labor supply center operated as a part of this program."

Mr. LA FOLLETTE. Mr. President, I should like to be heard briefly in opposition to the committee amendment. As I understand the amendment, its net effect, if agreed to, would be to confine medical services solely to migratory workers who are brought in from some other country and transported or given placement under the program envisioned by the joint resolution. It seems to me it is not a proper policy to grant help and medical care to migrant workers or seasonal workers who are brought from one of our neighboring countries, and to deny it to an American citizen who may have been transported just as far or farther from his home, and who is working side by side with the alien who has been brought in. I am not attempting to raise any invidious issue as between American citizens and aliens; but what I have stated is the net effect of the amendment as I understand it. I am anxious to have the amendment rejected on its own merits. If it be rejected, I wish to offer an amendment on behalf of the senior Senator from California [Mr. JOHNSON], at the request of his State medical association.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. WHITE. I wonder if the Senator's construction can be correct in view of the fact that the amendment on page 5, line 5, striking out the word "foreign," has been agreed to.

Mr. AIKEN. Mr. President, that is what I was about to call to the attention of the senior Senator from Wisconsin. It appears to me that by striking out the word "foreign," the matter referred to has been taken care of.

Mr. LA FOLLETTE. Mr. President, it is my understanding, and I should like to have the acting chairman of the committee correct me if I am mistaken, that on representations from the State Department that the Mexican Government was concerned, to say the least, lest workers from Mexico coming into this country might not have medical and health care, the committee had proposed to amend the joint resolution so that its effect would be to make the medical and health care available to seasonal workers coming into this country from outside the United States, but not available to those transported in the United States who are American citizens.

Mr. McKELLAR. Mr. President, I will state how the question arose. If the Senator will read lines 4, 5, and 6 of the joint resolution as it was passed by the

House, he will observe they read as follows:

The recruiting and transportation of foreign workers and their families and necessary personal property, within the United States and elsewhere.

Many of them bring their families. Certainly the United States Government should not be required to furnish medical attention for their families.

I desire to call the attention of the Senator from Arizona [Mr. HAYDEN] to this matter, and to ask him to state how the provision in the joint resolution would actually operate inasmuch as he has been closely connected with it.

Mr. HAYDEN. Mr. President, if the Senator from Wisconsin will permit me to do so, I should like to say that as the measure was written, the House contemplated that the Federal authorities would handle only foreign workers, leaving everything else to be handled by the extension services of the States. When the Senate just now struck out the word "foreign," it made the bill read so as to cover all workers.

If the Senator will read a little further, he will find that beginning in line 7, provision is made to furnish to workers and their families health and medical and burial services, training, subsistence, allowances, protection, and shelter.

What we were getting away from was the limitation placed by the House as to foreign workers while en route. The House repeated the language. In other words, the House contemplated that the foreign worker would be recruited, and that while he was en route to the State he could receive this service, and that thereafter it would be rendered by the State authority.

We have struck out the word "foreign," and that makes the provision apply to all workers. There is ample authority in the measure to provide health and medical and burial services, training, subsistence, allowances, and so forth, for such workers and their families—that is to say, all workers.

Mr. LA FOLLETTE. Then let me ask, in connection with the amendment which has been brought to my attention by the secretary of the Senator from California [Mr. JOHNSON], whether it is the Senator's interpretation that such services and allowances will be available only to those who have been transported.

Mr. HAYDEN. That is correct, because the joint resolution says:

The recruiting and transportation of workers.

If the worker was recruited and transported, he could get medical service in just the way provided for by the measure as reported from the committee.

What the senior Senator from California desired to do was to provide that a worker who moved from one State to another on his own power, a worker who was not recruited and was not transported, might also receive medical care and attention. I do not see why the Senator cannot offer that amendment without insisting on having the Senate reject the committee's amendment.

Mr. LA FOLLETTE. Yes; I think the Senator has straightened me out on this matter, and that my information was correct insofar as the effect of the measure as passed by the House was concerned, but was not correct insofar as the changes proposed by the Senate committee are concerned.

Mr. HAYDEN. That is correct.

Mr. McKELLAR. Yes; that is correct.

Mr. LA FOLLETTE. I wish to be frank, and to say that I have been tied up with the tax bill conference, and have not had a thorough opportunity to study this matter.

So I think I can wait until the committee amendment with respect to the matter has been disposed of, and then offer the amendment to the House text.

Mr. HAYDEN. Mr. President, I think it would be in order now to offer the amendment the Senator has in mind and we can dispose of it immediately.

Mr. LA FOLLETTE. Then, Mr. President, I offer the amendment, to be inserted at the proper place, and send it to the desk.

Mr. McKELLAR. Mr. President, am I to understand that the Senator has withdrawn his amendment to restore that language?

Mr. LA FOLLETTE. I withdraw the amendment to reject the committee amendment.

The PRESIDING OFFICER (Mr. MAYBANK in the chair). The question is on agreeing to the committee amendment on page 5, beginning in line 9.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the amendment submitted by the Senator from Wisconsin on behalf of the Senator from California [Mr. JOHNSON].

The CHIEF CLERK. On page 5, line 9, after the word "families", it is proposed to strike out the semicolon and insert a colon and the following: *"Provided*, That funds available to the Administrator may be used for providing health and medical services to other migratory workers and their families who have entered the area without recruitment or assistance of any government agency and have engaged in agricultural work and to whom adequate health and medical services are not otherwise available in the area where they are working."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, in connection with the amendment just agreed to, I ask unanimous consent to have printed in the RECORD at this point a letter addressed to the senior Senator from California [Mr. JOHNSON] by the council of the California Medical Association.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CALIFORNIA MEDICAL ASSOCIATION,
San Francisco, October 18, 1943.

The Honorable HIRAM W. JOHNSON,
United States Senator From California,
Senate Office Building,
Washington, D. C.

DEAR SENATOR JOHNSON: This letter is written on behalf of the agricultural workers of California who have been served by the Agricultural Workers' Health and Medical Association in the past. Our attention has been directed to the present situation by the medical members of their board of directors.

Your attention is called to that section of Public Law 45 regarding the migratory agricultural workers and their families who would be eligible for health and medical service.

The present wording of the act is so restrictive that it excludes from medical care all agricultural workers who do not receive their employment as a result of some activity of some of the Government agencies financed by Public Law 45. This means that our own American agricultural workers who have sufficient initiative and ingenuity to develop employment resources of their own are denied medical assistance.

In order to broaden the scope of professional services to be rendered, a proposed amendment to Public Law 45, section 3 (a) (2), has been suggested. The proposed amendment would be as follows * * *:

* * * * * *

The California Medical Association, an organization of some 7,000 licensed physicians and surgeons, through the council, its constituted authority, requests your support of the proposed amendment.

May we express the hope that you will write us in regard thereto? Kindly address your communication to Karl L. Schaupp, M. D., president, California Medical Association, 450 Sutter Street, room 2004, San Francisco 8, Calif.

With thanks for your help in this.

Cordially yours,

THE COUNCIL OF THE CALIFORNIA MEDICAL ASSOCIATION,
KARL L. SCHAUPP, M. D.,
President.
PHILIP K. GILMAN, M. D.,
Chairman.
By GEORGE H. KRESS, M. D.,
Secretary.

Mr. BUSHFIELD. Mr. President, I should like to request information from the Senator from Tennessee relative to the $8,000,000 item mentioned in the report. Will the Senator be kind enough to explain where it is to be allowed and how it is to be spent?

I read from the report:

War Food Administration: Farm labor program, $8,000,000.

I should like to know about about.

Mr. HAYDEN. Mr. President, if the Senator will examine page 1 of the joint resolution, he will find that the amount recommended by the House was $27,000,000. The Budget estimate was $35,000,000. The difference is $8,000,000, and the committee has recommended the Budget estimate.

Mr. BUSHFIELD. I thank the Senator.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment of the committee was, on page 5, in line 15, after the word "advances", to strike out the comma and the words "the repayments from employers for such advances to be credited to the funds available to the Administrator; (4) payments in lieu of taxes on labor supply centers in accordance with the procedure set forth in the act of June 29, 1936 (40 U. S. C. 432); (5) determination and payment of claims (not exceeding $50 in any one case) of workers recruited in foreign countries (a) who, in preparation for transporta-

tion to or from the United States and subsequent failure of such transportation, have suffered losses; or (b) who have been transported to the United States and during said transportation, including embarkation and debarkation, have suffered the loss of or damage to personal effects" and insert "(4) lease, repair, alteration, and operation of labor supply centers and other necessary facilities and services"; and on page 6, line 4, after the word "and", to strike out "(6)" and insert "(5)."

Mr. LA FOLLETTE. Mr. President, I should like to ask the Senator from Arizona whether the amendment as now drawn, if agreed to, would prohibit the construction of any centers?

Mr. HAYDEN. Yes. It does not contemplate new construction.

Mr. LA FOLLETTE. Was there any testimony before the committee that there was any need for such construction?

Mr. HAYDEN. There was the suggestion on the part of Colonel Bruton that he should be permitted to engage in some construction. He said that what bothered him particularly was that there had been a ruling, by the Comptroller General that to move a Civilian Conservation Corps camp from one place to another was new construction.

The committee had so much difficulty with the matter of labor camps, which was one of the main troubles we were trying to avoid, that the committee decided to restore the words in the original law, as it appears this year, and not provide for having anything new started.

Mr. LA FOLLETTE. Would the Senator object to having the word "relocation" inserted, so as to take care of situations in which is is desired to move an old Conservation Corps camp to another place, so that it might be available?

Mr. HAYDEN. We might ask the acting chairman of the committee about that.

Mr. McKELLAR. We might take it to conference.

Mr. HAYDEN. The committee did not want to allow a great number of new camps to be built.

Mr. LA FOLLETTE. Would the Senator be willing to take such an amendment to conference?

Mr. McKELLAR. Would that imply that new camps could be built?

Mr. LA FOLLETTE. No; as I understand, if the word "relocation," were inserted after the comma in line 3, after the word "alteration," that would confine it; but if that is not so, it could be corrected in conference.

Mr. McKELLAR. If it could be confined to the relocation of existing camps, that would be all right; but the committee was opposed to the building of new camps.

Mr. LA FOLLETTE. It has been brought to my attention that under existing decisions they are not even using old Conservation Corps camps, which may go to rack and ruin because they are not used any more, and the facilities are not moved to places where they can be used. If the Senator would be willing to take the amendment to conference, it would throw the matter open to further consideration.

Mr. McKELLAR. We will take it to conference.

The PRESIDING OFFICER. The amendment offered by the Senator from Wisconsin will be stated.

The CHIEF CLERK. On page 6, line 3, in the committee amendment, after the word "alteration", it is proposed to insert "relocation."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin to the committee amendment on page 6, line 3.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The next amendment reported by the committee will be stated.

The next amendment was, on page 6, after line 5, to strike out:

(b) The Administrator may allocate to any State, in the manner provided in section 2, from the amount made available by this section, such funds for labor supply centers and other necessary services and facilities and for the feeding of workers in such centers, as in his judgment may be more advantageously applied by such State for the Federal Government than by direct expenditure by the War Food Administration. He is also authorized, in connection with the purposes of this subsection, to loan to any State any labor supply center and the facilities and equipment thereof, owned by the United States, under such terms and conditions as he may specify.

The amendment was agreed to.

The next amendment was, on page 6, line 18, before the word "Not", to strike out "(c)" and insert "(b)"; in the same line, after the word "than", to strike out "$200,000" and insert "2 percent"; and in line 21, after the word "available", to strike out "for obligation during the calendar year 1944."

The amendment was agreed to.

The next amendment was, on page 7, line 9, before the word "For", to strike out "(d)" and insert "(c)"; in the same line, after the word "this", to strike out "act" and insert "title"; and in line 17, after the word "this", to strike out "joint resolution" and insert "title."

The amendment was agreed to.

The next amendment was, under the subhead "Limitations," on page 8, line 5, after the word "funds", to strike out "herein", and in line 6, before the words "shall be", to insert "in this title."

The amendment was agreed to.

The next amendment was, on page 8, line 14, after the word "funds", to strike out "herein", and in the same line, after the word "appropriated", to insert "in this title."

The amendment was agreed to.

The next amendment was, on page 9, after line 5, to insert:

(c) No part of the funds appropriated in this title shall be used for the establishment or maintenance of regional offices.

Mr. LA FOLLETTE. Mr. President, I should like to ask the acting chairman or the chairman of the subcommittee what the testimony was with regard to regional offices.

Mr. McKELLAR. Mr. President, the testimony was that, without any authority stated in the present law, the practice of setting up regional offices was followed, and that seven such offices were established. The regional offices were established in various parts of the country. For example, in California a regional office was established in San Francisco, 500 miles away from Los Angeles. At one time 37,500 of the foreign laborers were engaged at work in the Los Angeles district. The regional office was of no particular value. It is very expensive to have seven regional offices maintained all the time. Their employees work by the year, and are paid by the year. There is an average of more than 100 employees at each office, employed all the time. The purpose of the joint resolution is largely to furnish seasonal workers in gathering crops, as the Senator knows. The manager, Colonel Bruton, who is apparently a very level-headed man, stated that some of the regional offices should be abolished. He said he thought two of them, beyond any doubt, should be abolished.

Upon reflection, the committee concluded that all of them should be abolished, and that arrangements should be made by which representatives could be employed in the larger districts where it was necessary to have the work done. For example, in the case of the 37,500 foreign workers an additional office must be maintained at Los Angeles anyway. It is now maintained there, and it ought to be there, because of the fact that of a total number of about 70,000 workers, 57,000 were employed in that one district alone.

Mr. LA FOLLETTE. It seems to me that under the terms of the committee amendment no regional offices could be maintained.

Mr. McKELLAR. The term "regional office" has a technical meaning. As the Senator knows, the practice of establishing regional offices has grown up. Every governmental agency whose activities cover the entire country or a large part of it immediately establishes regional offices. No soldiers were used in the State of Georgia, and yet a regional office was established at Atlanta. A very large number of foreign workers were assigned to Florida, but there was no office in Florida. It was necessary to go several hundred miles to a regional office, and to Washington, if there was any difference to be settled.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. LA FOLLETTE. As I understand, the joint resolution applies not only to soldiers, but to all workers, either foreign or domestic, who are transported——

Mr. McKELLAR. From one State to another.

Mr. LA FOLLETTE. All workers who are transported to areas where there is a shortage of labor. As I understand, from the investigations of a committee on this subject, the charts of migration, even

before we began any recruiting and transportation, show that the migratory worker starts in the South early in the winter and moves north on both coasts, and even in the central States. Such workers move north as the seasons change. It seems to me that it would be very difficult to administer this program without some administrative system. The program is almost a year-around affair, because of the changes in season, and because the United States is a slice of a continent, and has such wide variations in climate. In order to coordinate this movement and give service to farmers in various localities at the time when it is needed, it seems to me it would be necessary to have some administrative organization.

Mr. HAYDEN. Mr. President, let me see if we can arrive at an understanding of this matter by way of definition.

Ordinarily a regional office is an office in which policies for a certain region are determined. Colonel Bruton testified before our committee that all policies are fixed in Washington. For example, in the migratory movement of laborers up the Atlantic coast, when their work in Maryland is completed and they are needed in New Jersey, the New Jersey authorities say how many they want, and the Maryland authorities say how many they can release. That is all handled in Washington. A similar situation prevails in connection with the movement from California to Oregon. The determination as to what numbers are needed, and where they shall be moved, is made in Washington. Therefore, it is not necessary to establish permanent offices in Atlanta, Ga., or Philadelphia, Pa., to handle questions of policy.

What the Senator has in mind, to which the committee had no objection, is this: There must be, of course, an operational field unit. If workers are being moved from Maryland to Pennsylvania and New Jersey, there must be an operational field unit to see that the equipment goes along with them, and to handle the movement in the field. That is a field operation, after the policy has been determined. It is not the desire of our committee to prevent anything like that being done, as the acting chairman has explained; but we do not want to have permanent regional offices established, where policies are determined, when such offices may be needed at one time and not at another.

Mr. LA FOLLETTE. Mr. President, as I understand the construction of this amendment, it would not prevent the establishment of whatever operational management offices are necessary in order to effectuate the work of this organization.

Mr. HAYDEN. That is correct.

Mr. McKELLAR. The Senator is exactly correct.

Mr. LA FOLLETTE. With that statement, I am satisfied.

Mr. LANGER. Mr. President, I should like to ask a question. I am not as familiar with this measure as I should be, because I have been engaged in the work of another committee. As I understand, this law was in effect last year.

Mr. HAYDEN. That is correct.

Mr. LANGER. Can the Senator tell me from what countries the foreign workers came?

Mr. HAYDEN. In the greatest numbers they came from Mexico. I cannot tell the Senator offhand exactly how many came from Mexico. It is in the record. The remaining two principal sources are Jamaica and the Bahama Islands. On the Atlantic coast the Jamaicans and Bahamians are used principally. In the Midwest and on the Pacific coast the agricultural laborers came principally from Mexico. There were also some Canadians imported.

Mr. LANGER. Are not the countries from which these laborers have come as interested in winning the war as is the United States?

Mr. HAYDEN. Yes.

Mr. LANGER. What is the logic in our Government, while our soldiers are away fighting for the preservation of those countries importing laborers from those countries to do work in our country?

Mr. McKELLAR. The explanation is that we do not have the necessary number of workers to do the work. If the Senator will read the record he will find that the evidence on that point is overwhelming. During last year the use of foreign labor added enormously to the crop production of the country. The additional production of crops throughout the Nation amounted in value to many million dollars.

I may say to the Senator from North Dakota that in the fruit region adjacent to Los Angeles I understand there are now approximately 7,500 of such workers who are there under the extension of 1 month which we provided for last December in the operation of the law. Their work is very necessary.

A gentleman was in my office yesterday. I do not remember where he came from. Concerning beans he said that, as I recall, 50,000 tons of beans were saved by the help of these workers, and that without them the beans would have been destroyed on the ground or would have rotted in the fields, and would not have been usable as food for mankind.

The farmers who employ the laborers pay them good wages. Their labor is of very great benefit to the war effort in the matter of furnishing food. It is of very great benefit to the farmers of our country wherever the laborers are used. Last year this type of labor was employed in 36 or 37 States. I may say to the Senator that there has been almost universal approval of the work which has been done, and that provision has been made to return the laborers to their respective countries when they are no longer needed. They are not to remain in this country permanently.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. LANGER. Has there been any attempt made to bring Puerto Ricans to this country to do some of the work to which the Senator has referred?

Mr. McKELLAR. I do not know.

Mr. HAYDEN. Mr. President, I can answer the question of the Senator from North Dakota.

A proposal was made to import Puerto Ricans to do industrial labor, such as the maintenance of railroad tracks, and other work of that kind. Difficulty has been encountered in that respect. I will say frankly that one reason why the proposal is made to import aliens for laboring purposes is that we are certain they will return to their respective homes. That is the first thing which is made certain. The alien is fingerprinted, photographed, and thoroughly identified. He is then given a medical examination, and kept under Federal control all the time he is in the United States. A part of his wages in retained. In the case of Mexicans it is 10 percent, and in the case of those coming from the West Indies $1 a day is deducted from the wages, sent home, and deposited in a bank to the credit of the individual. We are not in any way interfering with the firmly established national immigration policy. We are strictly enforcing it. One reason why it costs as much as it does is that we keep tab on every individual as long as he is in the United States, and we make sure that he will return to his home when the emergency is over.

Mr. LANGER. Mr. President, I am not necessarily opposed to the joint resolution; I am merely trying to obtain some information with regard to it.

Mr. McKELLAR. If the Senator will examine the joint resolution, together with a copy of the hearings, I have not the slightest doubt that he will endorse it, because it is a very valuable measure.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. VANDENBERG. I wish to supplement what the able Senator has said. Many of our farmers in Michigan who are producing various fruit crops, and particularly beet crops, would now be out of business without this migratory labor. It is absolutely indispensable.

Mr. McKELLAR. Without such labor, food would be lost.

Mr. VANDENBERG. Certainly.

Mr. WHITE. Mr. President, I wish to bear testimony similar to that offered by the Senator from Michigan [Mr. VANDENBERG]. In my State the movement into this country of Canadian labor to help us harvest our potato crop is indispensable at the present time. Last year in one county of my State we had a crop of approximately 70,000,000 bushels of potatoes. Without this help having been brought in from the outside, millions of bushels of potatoes would have been ruined.

We have a similar situation in respect to our woods operations. There is not available in the State or in the surrounding territory a sufficient number of woodsmen to carry on woods operations and all the industries dependent upon those operations. The pending measure would make it possible to furnish a source of labor supply which is absolutely necessary in the two occupations to which I have referred.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. REVERCOMB. I merely wish to make an inquiry. As I understand, un-

der the provisions of existing law, laborers are brought in from Central and South America and certain other areas.

Mr. McKELLAR. They are all brought from this hemisphere.

Mr. REVERCOMB. Are not some brought from the Bahamas?

Mr. KcKELLAR. Yes.

Mr. REVERCOMB. Under the provisions of the law, they must be native-born. Is that statement correct?

Mr. McKELLAR. I do not know that there is any such requirement in the law, but they are brought only from countries in this hemisphere.

Mr. HAYDEN. They must be native-born when imported. In order to facilitate agricultural employment the law provides that they must be native-born residents of North America, South America, or Central America.

Mr. REVERCOMB. In other words, this country cannot be used as a clearing ground for immigration from other countries.

Mr. McKELLAR. Oh, no. Every precaution in the world has been taken in the joint resolution to guard against laborers being allowed to come into this country in the way referred to by the Senator. They must return to the countries whence they came.

Mr. REVERCOMB. I understand that, but they must be native-born residents of some country in this hemisphere before they are allowed to come into this country.

Mr. McKELLAR. That is correct.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. BUSHFIELD. Referring to the new subsection (c) which we have been discussing, I understood the Senator to say that seven regional offices are involved.

Mr. McKELLAR. That is correct.

Mr. BUSHFIELD. With about 100 employees in each office.

Mr. McKELLAR. The average is more than 100. One thousand three hundred and ninety-six persons are employed outside Washington to administer the law. Most of them are in the regional offices. I will give the Senator the exact number. I refer to the table on page 196 of the hearings where it will be seen that the number of employees at the first office is 101, at the next 153, at the next 62, at the next 78, at the next 78, at the next 72. In San Francisco there are 135 and in Portland, Oreg., there are 62. The total number employed at regional offices is 663.

Mr. BUSHFIELD. When it was decided to abolish regional offices, was it the belief of the committee that the several hundred employees—whatever the exact number may be—would be removed from the pay roll or shunted over into some other department?

Mr. McKELLAR. That would depend on those in control of the organization. I have no doubt that the employees will be moved largely to the places where the work is done. I use Los Angeles as an illustration because every Senator knows that it is the center of a large fruit industry. Instead of being used in San Francisco, the employees will no doubt be moved to Los Angeles.

Mr. BUSHFIELD. I understood the Senator to state that the reason for abolishing the regional offices was in the interest of economy and getting rid of administrative expenses. If those employees are to be simply shunted over into another job, with another name, what will be accomplished?

Mr. HAYDEN. If the Senator will yield to me I think I can explain the situation.

Mr. McKELLAR. I yield.

Mr. HAYDEN. The handling of aliens in the United States is an expensive operation because it is necessary to keep books on each individual alien. That is done in the first place to insure that he will leave the United States when his time is up. We identify him, we fingerprint him, we make that record of him, and keep track of him all the time.

The second reason why it is necessary to keep books with him is, as I have heretofore stated, that a part of his pay is deducted and sent back to his home. In the agreement with the foreign country it is provided that he shall receive the prevailing rate of wages in the area where he is employed and, in order to insure that being done, it is necessary to know about the contract which is made with the farmer who employs him. That involves more bookkeeping. Somebody has to keep that record.

We want to be sure that he is deported after he is through with his work. We have to have the record in order to keep the bargain we made with his government that a part of his pay will be sent home. That has to be done anyway; but what we are trying to get away from is a policy-making office that did not perform these functions, which are required under the agreements with foreign governments.

Mr. BUSHFIELD. I thank the Senator for his explanation, but I want to ask one further question if the Senator from Tennessee will pardon me.

Mr. McKELLAR. Certainly.

Mr. BUSHFIELD. I knew it is necessary and that it has to be done, but the major portion of the work of the regional offices, if I understand their operations correctly, is in dealing with our own people and moving them around, and not so much with the aliens. The aliens are a minority group as compared with all farm labor.

Mr. HAYDEN. The Senator is mistaken about that. The number of aliens brought in last year was between seventy and eighty thousand. We have need this year for twice that many—for 150,000 if we can get them. The actual supervised movement last year from one State to another was only about 20,000, according to the record. What the Senator has in mind is the movement within a State, and that was wholly transferred to the Extension Service in each State. It is not necessary at all to deal with the matter in the regional offices, except to the extent that there has sometimes to be moved from one State to another certain equipment which is needed. There the Federal end of it comes in, but, so far as the handling of intrastate labor is concerned, last year it was completely transferred to the Extension Service in the State, and it operated, I think, successfully, and it does not need extensive Federal supervision.

Mr. BUSHFIELD. What I wanted to know particularly was what is going to happen to the seven or eight hundred employees of the regional offices, and if we are going to save the amount represented by their salaries, or whether they are merely to be assigned elsewhere.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. LANGER. As I understand, we spend approximately $300,000,000 for Puerto Rico to support the population there because it is claimed that the island is over-populated. I want to know what attempt has been made to bring Puerto Ricans to this country to perform farm labor here?

Mr. McKELLAR. There has been no attempt to do that.

Mr. LANGER. In other words, we send them money to support them and then pay laborers from other countries to come here and work for us.

Mr. McKELLAR. We do in this particular instance; yes.

Mr. LANGER. Many Mexicans come to this country to work in the sugar fields of North Dakota, and they have done a good job. Before the war they paid their own expenses to our State, but since the war the Government, apparently, has been paying all the expenses of transportation and everything else.

Mr. McKELLAR. We pay the transportation and then those who employ the imported laborers pay them for their work. It is absolutely necessary. Last year a great many of these workers helped gather the crops in North Dakota, and I am very glad they did because North Dakota aided in the production of food that is so necessary in the war effort at this time. It is somewhat expensive, it is true, but it is absolutely necessary.

Mr. LANGER. Do not any of the foreign countries contribute anything toward the support and the transportation of these workers?

Mr. McKELLAR. No, sir; the Government puts up the money to bring them to the ports of entry and then those who employ them pay them for their work.

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. BROOKS. I should like to record at this time that in the committee I voted against turning all this program over to the War Food Administrator, instead of putting it into the hands of the State extension services. I should like to have it recorded that last year 3,500,000 placements of farm workers were handled by the extension services, and they spent only $5,700,000 out of the $14,000,000 that was made available to them, and they returned the difference to the Treasury. The House joint resolution provided that when the foreign laborers were brought into the States

they would be turned over to the extension services. I still think it would be a good thing to have the measure go to conference with that idea in mind. That will be the case, will it not?

Mr. McKELLAR. Oh, yes; the joint resolution will go to conference in that form.

Mr. LA FOLLETTE. Mr. President, I do not want the impression to be created that the Senate is not supporting the committee in that matter.

Mr. McKELLAR. Of course not.

Mr. LA FOLLETTE. It is one of vital importance. I completely disagree with the statement made by the junior Senator from Illinois. So far as the number of placements is concerned, it is obvious that because the Extension Service had the placements of those who were residents in the county or within the State it naturally made a great many more placements at much less expense, but the foreign laborers represented the difference between success and failure of hundreds of millions of dollars worth of valuable food in this country. They had to be brought in from the outside; they had to be handled in an entirely different way. So I want the RECORD to show that I think the committee was a hundred percent right in the amendment which the Senate has now adopted.

Mr. McKELLAR. I thank the Senator. I had the same idea as the Senator from Illinois entertains when we first began consideration of the matter. I think the Farm Extension Service has done a wonderful work in this country. I think it is one of the best organizations in the Federal service. I have the greatest respect and admiration for it. I think it is doing now a great work. But when the joint resolution came before the Senate committee, Mr. Jones, the War Food Administrator, appeared and testified that his organization did not want it to take the course suggested by the Senator from Illinois. They preferred that it should follow the successful course that was taken last year.

Then, came Mr. M. L. Wilson, head of the Farm Extension Service, and he testified that they did not want to handle the matter. Somehow or other, I do not like to put on a public officer additional duties, particularly such important duties as these, when he himself says that he does not want it. Others said the same thing, and the heads of the land-grant colleges came and testified the same way.

Mr. LA FOLLETTE. Including Dean Martin.

Mr. McKELLAR. Yes, Dean Martin, as the Senator suggests. So, although I had the idea that it might be done more economically and probably just as well or better by the Farm Extension Service, I came to the conclusion that, in view of its success last year along the line that was then adopted, and as we did not intend to make it a permanent organization but only one to operate during the war period, undoubtedly we had better stick to the law as it was last year. The principal reason was that the Extension Service did not want to take it, and the other reason was the success of the undertaking last year.

Mr. LA FOLLETTE. Mr. President, will the Senator yield to me at that point?

Mr. McKELLAR. I yield.

Mr. LA FOLLETTE. If the Senator will permit, I do not wish to take the time to read Dean Martin's statement on behalf of the Land Grant College Association, but it is clear from his statement, which appears at page 142 and following of the record.

Mr. McKELLAR. I hope the Senator will put it in the RECORD.

Mr. LA FOLLETTE. That the Extension Service and the land-grant colleges feel that they are primarily engaged in the field of education, and they do not want this temporary wartime operating job dumped in their laps. I may not use language which the dean would approve, but that is the substance of their statement. I ask that the statement be incorporated in the RECORD at this point as a part of my remarks.

The PRESIDING OFFICER. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY DEAN WILLIAM H. MARTIN, OF THE COLLEGE OF AGRICULTURE, RUTGERS UNIVERSITY, REPRESENTING THE EXECUTIVE COMMITTEE OF THE ASSOCIATION OF LAND GRANT COLLEGES AND UNIVERSITIES

FUNCTION OF EXTENSION SERVICE

The Cooperative Extension Service is a joint activity of the State land-grant colleges and the United States Department of Agriculture. Its purpose, as set forth by the Congress in the basic Smith-Lever Act, is "to aid in diffusing among the people of the United States useful and practical information on subjects relating to agriculture and home economics, and to encourage the application of same." Congress specified further that its work "shall consist of the giving of instruction and practical demonstrations * * * and imparting * * * information. * * *"

Thus the Extension Service from the outset has been construed to be an educational agency, an organic arm of the cooperative educational program originally established with the passage of the Land Grant Act, and now specifically defined to include the fields of resident teaching, research, and extension teaching. The Extension Service personnel is qualified, by training and experience, to work most efficiently in this field. In the judgment of the Land Grant College Association, the best long-time interests of the people will be served by continuing the permanent program of the land-grant colleges within the sphere of activities that may be regarded as purely educational in nature.

COOPERATION OF EXTENSION SERVICE IN WAR EFFORT

Under war conditions, however, it is recognized that the total mobilization of our national resources may require that many individuals and agencies pursue activities lying outside their traditional fields. The land-grant colleges have accepted, and will continue to accept, such extraordinary responsibilities in the field of agriculture as the Congress may feel they are best qualified to bear. It is assumed, of course, that such emergency assignments of responsibilities will carry with them the means with which to fulfill them.

This is a general statement of policy designed to promote the most effective utilization of the facilities of the land-grant colleges in furtherance of the war effort. It is felt that the specific application of this policy to the farm-labor program should be developed by the Congress.

ATTITUDE OF EXECUTIVE COMMITTEE TOWARD TRANSFERRING TO EXTENSION SERVICE HANDLING OF FOREIGN AND INTERSTATE LABOR

The executive committee doubts, however, if the Extension Service is so organized or equipped as to operate effectively in the field of interstate or international movement of farm labor. It also looks with much concern on too close involvement of the county extension agents in matters having to do with agricultural deferments by the selective-service boards. The Extension Service must work amicably with all farmers.

Obviously, the Extension Service is ready and willing to furnish Congress with all available information concerning the requirements for farm labor which must be met to enable farmers to continue maximum production of the agricultural products so necessary to the war effort.

Mr. BROOKS. Mr. President, will the Senator from Tennessee yield?

Mr. McKELLAR. I yield.

Mr. BROOKS. I do not intend to put anything in the RECORD, but I do want the RECORD to show that this is not all one-sided. There were three heads of various State extension services who testified to the absolute essentiality and indispensability of this foreign labor to their successful crop harvesting.

Mr. McKELLAR. That is correct.

Mr. BROOKS. Everyone admits that it is necessary. The question of who handles it is an entirely different problem. The heads of the extension service in Tennessee, in Minnesota, and in Maryland came and testified that there was a duplication of effort, that the farmers in their communities were acquainted with them, that they are in the area the year round, and that the farmers brought all their problems to them, and brought this labor problem to them also. I merely want the RECORD to show that I think the best way to handle the matter is through the Extension Service, and I hope that out of the conference the bill may come back with that provided for.

Mr. McKELLAR. The Senator from Illinois is correct in all he says about the testimony and about his position, which to me has a great deal of merit. The only reason why I approved the amendment is the reason I have given.

Mr. OVERTON. Mr. President, the observation should be made for the RECORD, in connection with the question of foreign labor, that the foreign governments would, I think, much prefer to have an agency directly representing the Central Government rather than several agencies which may be said to be partially Federal, but are mostly State organizations, represented by 48 different agricultural extension agencies throughout the United States.

There will be found in the record of the Senate committee hearings, at page 132, a letter written by our representative in Mexico to the Secretary of State in Washington, showing, in substance, that the Mexican Government views with alarm an undertaking, on the part of the House through the pending bill, to take the authority out of the hands of the Federal Government, and place it in the hands of the State governments.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 9, line 6.

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous provisions," on page 9, line 10, after the word "this", to strike out "act" and insert "title."

The amendment was agreed to.

The next amendment was, on page 9, line 15, after the word "this", to strike out "act" and insert "title."

The amendment was agreed to.

The next amendment was, on page 9, line 18, after the word "this", to strike out "act" and insert "title."

The amendment was agreed to.

The next amendment was, on page 10, line 9, after the word "receipts", to strike out the colon and the following proviso: "*Provided*, That all receipts derived from the furnishing of subsistence to workers shall be credited to the appropriation in section 1 and be available for expenditure by the Administrator for the replenishment of subsistence supplies and for expenses incident to the furnishing of such subsistence."

Mr. LA FOLLETTE. Mr. President, I should like to ask the Senator from Arizona how much was derived from subsistence last year, and to what extent this amendment would curtail the operations.

Mr. HAYDEN. It would not affect it at all. The amendment would merely do away with the revolving fund. We were told in the hearings, if my recollection is correct, that about $12,000,000 was collected from imported labor for meals furnished them. They have to pay for their meals. Under the procedure followed, the $12,000,000 was deposited in the Treasury. The House language, as we interpret it, would make it a revolving fund which could be used over and over again.

Mr. LA FOLLETTE. What I rose to ask was whether the effect of the amendment would be actually to reduce the amount of money available for this work for this year. If it amounts to $12,000,000, which they were able to collect as they went along with the program last year, and then used for further expenditures, it would seem to me—although here again I plead that I am not sufficiently familiar with the matter, for the reasons I have already stated, to speak with authority—that the net effect would be to curtail the operating funds, assuming a program of equal magnitude with that of last year, to the extent of about $12,000,000. Yet I understood the Senator from Tennessee to say that we need twice as many laborers this year as we had last year.

Mr. HAYDEN. The Senator from Tennessee will explain how it is handled in another way.

Mr. McKELLAR. Last year, while we appropriated money for this purpose, none of it was used. The provision was found ineffective, as it was managed. So there is set up this year a different method, which enlarges and increases the work and takes care of it.

Mr. LA FOLLETTE. So, as a matter of fact, the amendment will not result in curtailing the amount of money available for this year's operations, because the funds are put into the general fund, instead of being used as a revolving fund?

Mr. McKELLAR. The Senator is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 10, line 9.

The amendment was agreed to.

The PRESIDING OFFICER. The Clerk will state the next amendment of the committee.

The next amendment was, on page 10, line 18, after the word "this", to strike out "act" and insert "title."

The amendment was agreed to.

The next amendment was, on page 13, line 6, after the word "this", to strike out "act" and insert "title", and in line 7, after the word "this", to strike out "act" and insert "title."

The amendment was agreed to.

The next amendment was, on page 13, line 11, after the word "perishable", to strike out "or seasonal fruits and vegetables" and insert "agricultural products."

The amendment was agreed to.

The next amendment was, on page 13, after line 12, to strike out:

(i) Notwithstanding any provisions to the contrary in the act approved July 12, 1943 (Public Law 132), funds available to the War Manpower Commission for the current migration of Mexican or Canadian nationals under the auspices of the War Manpower Commission for industrial and railroad purposes essential to the war effort, may continue to be expended during the fiscal year 1944.

The amendment was agreed to.

The next amendment was, on page 13, line 20, before the word "This", to strike out "(j)" and insert "(i)"; in the same line, before the word "shall", to strike out "act" and insert "title"; and in line 23, after the word "this", to strike out "act" and insert "title."

The amendment was agreed to.

The next amendment was, on page 13, after line 23, to insert:

(j) If the Administrator finds that there is inadequate farm labor in any area, the Administrator and the agricultural extension service of the land-grant colleges in the respective States are hereby authorized for the purposes of this title, to negotiate directly with the War Department for the utilization of prisoners of war and the emergency use of soldiers of the United States for the production and harvesting of agricultural commodities within the several States upon such terms and conditions as may be mutually agreed upon, subject, in the case of prisoners of war, to the terms of any treaties or international agreements to which the United States of America is signatory and which are now in effect.

Mr. LA FOLLETTE. Mr. President, I should like to obtain information about the reasons for this amendment. As it strikes me at first reading, the amendment would have the effect of treating war prisoners, as a part of the seasonal labor force, differently from the treatment accorded those who are brought in from abroad, and that it would cut off any activity heretofore undertaken by the Administrator and the War Manpower Commission. Am I correct or wrong about that?

Mr. HAYDEN. Essentially, of course, there is a difference between a prisoner of war and a free alien who comes into the country.

Mr. LA FOLLETTE. Certainly; but so far as the total labor supply is concerned, it would seem to me they should all be considered as available, and we should not have more concentration of war prisoners in one place when there is a greater demand for them somewhere else.

Mr. HAYDEN. The complaint made to the committee by the American Farm Bureau Federation was that in a number of instances, where there were available within a State or an area prisoners of war who could do agricultural work, it took so long a time to unwind the red tape and get them that the crops were lost. Instead of having them go around through the War Manpower Commission, and every other agency which has been interested in the matter heretofore, the amendment would provide that if the Administrator felt that there was an inadequate farm-labor supply in any area, then he, or the land-grant college, could go directly to the Army and get the matter fixed up. It would simply cut red tape. That is all it is designed to do.

Mr. LA FOLLETTE. I hope the Senator will make further study of this matter. It struck me that, instead of having the number of war prisoners available considered with the total labor supply, and allocated and sent to places in relatior to the total demand, the net effect of the amendment would be that the war prisoners would be segregated and made available directly to the local communities without the consideration of the over-all problem.

For example, there may be a shortage of labor in one State and there may be a greater shortage of labor in another. It would seem to me that in meeting that problem the war prisoners should be sent where there is the greatest need, rather than segregated and utilized as a separate labor force.

Mr. HAYDEN. If the Senator will permit, that is exactly what we directed the Administrator to do. The amendment provides, "If the Administrator finds that there is inadequate farm labor in any area," and so forth. He finds it in relation to all other areas, which is his business, he being the head of the national organization, and the War Food Administrator. If he finds that there is a shortage in any area, he can go directly to the War Department and say, "You have in this area certain prisoners of war, and we would like to use them." I cannot see any objection to it.

Mr. McKELLAR. Mr. President, let me call attention to the testimony of Mr. O'Neal, head of the Farm Bureau Federation, which appears on page 66 of the committee hearings:

Experience has already demonstrated the need for definite authority to enable the Federal Office of Extension and the State extension offices to negotiate directly with the War Department for the utilization of prisoners of war, and also for the emergency use of soldiers in the production and harvesting of agricultural commodities. At the present time it is necessary to go through a maze of red tape, restrictions, and delays imposed by

the War Manpower Commission and the United States Employment Service. While all this procedure is going on, needed food supplies may be lost. Serious losses have already occurred in some areas.

That is the reason for this provision, and it seems to me to be admirably stated.

Mr. LA FOLLETTE. Mr. President, I am still not convinced, but the matter will go to conference. What I am concerned about is that there shall not be any separate use of the war prisoners in an area simply because there is a shortage there, as against the perhaps more important and urgent need for them somewhere else. It seems to me that this provision for direct negotiation with the War Department separates them and gives them different treatment than is accorded those who are brought in from other countries or are transported in interstate commerce.

Mr. McKELLAR. That may be, but it results in considerable saving of food crops.

Mr. LA FOLLETTE. I hope the Senator will consider this angle of the situation, because it seems to me it would be very unfortunate if what I am apprehensive about should occur.

Mr. McKELLAR. I have no doubt it will be thoroughly gone over in conference.

Mr. OVERTON. Mr. President, it was my experience, in trying to have my own State of Louisiana avail itself of war prison labor last season, especially in the case of the rice crop and the sugarcane crop, that there was considerable delay, and I think if we can have direct negotiation and obtain quicker action it will probably be much better. I am not criticizing anyone. We did receive war prison labor eventually in the sugarcane fields, which practically saved the crop. I think it has been estimated that as much as 50 percent of that crop would have been lost had we not obtained the prison labor. It was of great help in the rice crop also, as well as the cotton crop. I mention the cane and the rice crops because they are both so very essential to the prosecution of the war. But we ought to avoid as much as possible red tape and delays in obtaining the prison labor.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 13, beginning in line 24.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, on page 14, line 12, after the word "This", to strike out "act" and insert "title."

The amendment was agreed to.

The next amendment was, on page 14, after line 13, to insert:

TITLE II—EXECUTIVE OFFICE OF THE PRESIDENT—OFFICE FOR EMERGENCY MANAGEMENT

WAR MANPOWER COMMISSION

Migration of workers: To enable the War Manpower Commission to provide, in accordance with regulations prescribed by the Chairman of said Commission, for the temporary migration of workers from foreign countries within the Western Hemisphere (pursuant to agreements between the United States and such foreign countries) for employment in the continental United States with industries and services essential to the preservation, marketing, or distribution of agricultural products, including the transportation of such workers from points outside the United States to ports of entry of the United States and return (including transportation from place of employment in the United States to port of entry of the United States in any case of default by an employer to provide such transportation to a worker, in which event the employer shall be liable to the United States for the cost thereof), cost of temporary maintenance of workers in reception centers in foreign countries and in the United States, when necessary, reasonable subsistence and emergency medical care of such workers from the time of reporting for transportation to the United States or return to the country of origin until arrival at the destination, necessary assistance to meet emergency health and welfare problems while in the United States, when such assistance is not otherwise available to such persons, and guaranties of employment while in the United States to the extent agreed upon with the foreign country from which the worker is imported, fiscal year 1944, $1,359,200, of which not to exceed $97,200 shall be available for all administrative expenses necessary for the foregoing, including not to exceed $10,000 for temporary employment of administrative personnel outside continental United States, not to exceed $1,000 for printing and binding outside continental United States without regard to section 3709 of the Revised Statutes and section 11 of the act of March 1, 1919 (44 U. S. C. 111), and not to exceed $20,000 for travel expenses: *Provided*, That no transportation of workers shall be allowed hereunder unless the employer and the worker have entered into a contract for employment approved by said Chairman or his designee, and unless said Chairman certifies that reasonably adequate use is being made of local labor supply: *Provided further*, That this appropriation shall remain available after June 30, 1944, for the purpose of fulfilling guaranties and other obligations theretofore incurred with respect to such foreign workers and for all other purposes connected with the protection and ultimate return of any workers theretofore transported: *Provided further*, That no part of this appropriation shall be available for the recruitment or transportation of workers for employment in agriculture: *Provided further*, That the general provisions under the caption "Executive Office of the President—Office for Emergency Management," contained in the National War Agencies Appropriation Act, 1944, and applicable to the constituent agencies of the Office for Emergency Management contained therein shall be applicable to the appropriations to the War Manpower Commission contained in this paragraph.

Mr. HAYDEN. Mr. President, I should like to make an explanation of the amendment. There is a very serious shortage of labor in the woods to cut trees to make wood pulp and to cut timber to make containers for fruits and vegetables. In my own State, in the Salt River Valley, we lost 500 carloads of winter lettuce because the box shook could not be obtained to put the lettuce in boxes and fit them for shipment. Under those circumstances, knowing that to be a fact, and knowing how short paper is for newspapers—I had it all confirmed by a letter from one of the leading agricultural journals of the Pacific coast, which stated that if foreign labor could be obtained that was familiar with working in the woods, it would be a great help. They thought that they knew where such labor was, and on inquiry I found that the place they had in mind was British Honduras.

In British Honduras they have had a large mahogany industry for a long time, and many men skilled in cutting mahogany trees, but the demand for mahogany wood during the war is almost nil. So the British Government took 600 of these British Honduran woodsmen to Scotland, and they have been employed there cutting down a pine forest which grew up since the last war. That operation is about complete and they will soon be on their way back.

A number of other of these woodsmen went from British Honduras to the Panama Canal, and helped to clear the right-of-way for the third set of locks, and that operation is about completed.

So it is known that in that particular area at least 1,500 skilled men could be obtained to go into the woods. The same is true of the tropical forests of Mexico and Central America and other countries.

I took the matter up with the War Manpower Commission and asked, "What is necessary to be done to find this labor?" and this text was submitted, in the form of an amendment, which has been adopted by the committee. The committee has confined it, Senators will observe, to enable the War Manpower Commission to provide for the admission by agreement with foreign governments of their nationals into this country to be employed in the continental United States with industries and services essential to the preservation, marketing, or distribution of agricultural products.

Timber, according to a Federal statute, is an agricultural product. It will be very helpful indeed if this work can be carried on. The difference between the procedure and that with respect to the importation of agricultural labor is that our Government will pay the expenses from the country of origin to a port of entry in the United States. From there the rail transportation must be paid by the employer in the United States. That is what is now being done under the allotment from the President's fund with respect to railroad workers.

There are now about 12,000 Mexicans in the United States employed as track workers, largely by the Southern Pacific and the Santa Fe railroads. They sent down to Mexico their own locomotives and cars because of the lack of equipment, and they have paid all the rail transportation there and back. But it is done under the same basic agreement with which agricultural labor is imported, that is, that they will return when their work is over, they will receive the prevailing rate of wage, and a deduction is made from their wages as in the case of agricultural labor. But the burden of the employer is greater than it is in the case of agricultural labor.

Mr. President, I thought this explanation was due the Senate before the amendment was adopted.

The PRESIDING OFFICER. The question is on agreeing to the committee

amendment beginning in line 14, on page 14.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, I send an amendment to the desk, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 14, after line 11, it is proposed to insert the following new paragraph:

(k) The appropriations and authority with respect to appropriations contained in this title shall be available from and including February 1, 1944, for the purposes respectively provided in such appropriations and authority. All obligations incurred during the period between January 31, 1944, and the date of the enactment of this act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms thereof.

Mr. LA FOLLETTE. Mr. President, I very much regret that I shall have to leave the Chamber. The conferees on the tax bill are meeting at 1:30 and there is one very important amendment coming up there in which I am interested. I had intended to raise some other questions in connection with the joint resolution, but I am unable to do so.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, that completes the amendments.

The PRESIDING OFFICER. The joint resolution is open to further amendment. If there be no further amendment, the question is on the engrossment of the amendments and the third reading of the joint resolution.

The amendments were ordered to be engrossed, and the joint resolution be read a third time.

The joint resolution (H. J. Res. 208) was read the third time and passed.

Mr. McKELLAR. Mr. President, I ask unanimous consent that the clerks may be granted authority to make necessary changes in section numbers.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McKELLAR. I move that the Senate insist upon its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. McKELLAR, Mr. GLASS, Mr. HAYDEN, Mr. TYDINGS, Mr. RUSSELL, Mr. NYE, Mr. LODGE, and Mr. HOLMAN conferees on the part of the Senate.

JAPANESE BARBARISM AND ATROCITY

Mr. HATCH. Mr. President, last night at a late hour I was called over the telephone by one of the press agencies. The representative of the agency read to me a news release issued by the War Department and Navy Department in a joint statement which appears in this morning's newspapers.

Mr. RUSSELL. Mr. President, will the Senator yield to me so that I may suggest the absence of a quorum?

Mr. HATCH. I yield.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Eastland	O'Daniel
Andrews	George	Overton
Austin	Gerry	Pepper
Bailey	Gillette	Radcliffe
Ball	Green	Revercomb
Bankhead	Guffey	Reynolds
Barkley	Gurney	Robertson
Bilbo	Hatch	Russell
Bone	Hawkes	Shipstead
Brewster	Hayden	Smith
Bridges	Hill	Stewart
Brooks	Johnson, Colo.	Thomas, Idaho
Buck	Kilgore	Thomas, Okla.
Burton	La Follette	Thomas, Utah
Bushfield	Langer	Truman
Butler	Lodge	Tunnell
Byrd	McClellan	Tydings
Capper	McFarland	Vandenberg
Caraway	McKellar	Wagner
Clark, Idaho	Maloney	Wallgren
Clark, Mo.	Maybank	Walsh, Mass.
Connally	Mead	Wheeler
Danaher	Millikin	White
Davis	Moore	Wilson
Downey	Murdock	

The PRESIDING OFFICER. Seventy-four Senators have answered to their names. A quorum is present.

Mr. HATCH. Mr. President, I greatly regret that, because of the absence of so many Senators from the city, the attendance of many Senators at committee meetings, and the absence of other Senators from the Chamber because of other official business, a number of Senators are not now on the floor of the Senate. I do not take that position because I want them to hear what I myself have to say, but because I should like to have every Member of the Senate, every Member of the House of Representatives, and every person in public and private life of this country raise his voice in such a protest that it would reach across the ocean into the enemy's land. I discuss today the terrible story of atrocities committed on American soldiers captured on Bataan and Corregidor.

As I said at the beginning of my remarks, Mr. President, I was called last night on the telephone, and that story was related to me. The story I was told over the telephone, and as it appears this morning in the newspapers, was and is a story of brutality and barbarism unequalled in the annals of the history of civilized men or nations. The gruesome details are fully set forth in the joint statement issued by the Army and Navy officials. It reveals the tragedy of 5,200 American prisoners of war killed by torture, by starvation—a story of wanton murder and butchery inflicted by the Japanese not only upon American soldiers but upon Filipino soldiers as well.

I quote from the newspaper story:

During an 85-mile "march of death" which began the day of the surrender on Bataan * * *:

Americans and Filipinos were not permitted to eat food they had with them.

Unbelievable as it may seem, yet the testimony of eye witnesses discloses as true that our soldiers, and the Filipinos also, who happened to have in their possession Japanese tokens or money were executed in the cruel, barbarous, and savage manner of actual beheading. Even the sick and disabled from the hospitals were forced into the marching columns, and those who could not march were shot. When on that 85-mile march of death the pangs of thirst overcame the caution and prudence of American boys, and they dashed to roadside wells, they were shot down and killed in cold blood.

At the end of that long march of death 12,000 prisoners were kept for a whole week without food on a concrete floor about 100 yards square. After 7 days the 7,000 Americans and 5,000 Filipinos were given their first food—1 mess kit of rice and a can of sardines.

Mr. President, the relation of further details of this dastardly treatment accorded our soldiers is unnecessary. Every Senator has read the full story as it appears in the newspapers, and this morning every American has learned of the torture, the cruel and barbarous treatment accorded prisoners of war by the so-called modern Japanese Nation.

Mr. DAVIS. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. DAVIS. I regret that I am required to leave the Chamber in order to attend a meeting in the Ways and Means Committee room of the conferees on the tax bill. I should like to give an expression of my own feeling after reading what appeared in this morning's newspapers. I say that the inhumane and unbelievably barbarous action of the Japanese disqualifies Japan from even being considered one of the civilized nations of the world.

Mr. HATCH. I thank the Senator, and I am in thorough accord with what he has said.

But, Mr. President, the story appearing in the press of this morning is not exactly new to me. It only confirms what I have long dreaded and feared. In that group of American soldiers were many boys from my own State—probably a larger percentage, according to population, than from any other State in the Union. There were men and young men whom I have known, some of them all the years of their lives. Some of those boys I have known since boyhood. I know their fathers and mothers, and count them my close personal friends. With some of the older men I have been associated in business and in friendly and social relations for many, many years. While I have been deeply concerned about the men from every other section of the country, nevertheless, it is but natural that, having had such intimate acquaintance with so many of the men from New Mexico, I have been more deeply concerned, perhaps, with their safety and with their welfare.

At any rate, ever since the fall of Bataan I have tried in every possible way to ascertain what I could about the treatment of those soldiers and have tried to get relief to them and information about them. In various conferences with officials of the various agencies of the Government and of the Red Cross I have received information which

I have not heretofore made public, because I thought it would do no good and perhaps would add further fear and sorrow to the relatives of those men taken prisoner in the Philippines. During these conferences, when I learned that the Japanese people had refused to permit any inspection of or visitation to the prison camps in the Philippines by representatives of neutral nations or by the Red Cross, I was convinced that conditions there were such that the Japanese were afraid to reveal the stark, grim, and naked truth. That truth stands revealed today in a way which shocks and horrifies not only every American, but every decent person throughout the whole civilized world.

Mr. President, the truest possible test of a civilized nation is its treatment of prisoners of war. Always we have known that the uncivilized, the uncultured, the barbarian, has tortured, killed, and cruelly murdered defenseless prisoners taken captive in battle, but as man emerged from the dark ages, from the age of the brute and the beast, when his mind and conscience became awakened to the needless and unjustified torture of helpless captives, he progressed and accorded to prisoners of war that humane treatment which ought to be accorded to those who have laid down their arms and can no longer fight. Mr. President, in the treatment of prisoners lies one of the great advances of civilization; and those peoples and nations which disregarded the civilized rules of decent and honorable treatment of prisoners of war and return again to the barbarous practices of the savage and the uncivilized, demonstrate to the world that the mask of civilization which they present is only a mask and that the thin veneer with which they cover their true natures is stripped and laid aside at the first opportunity and they, the people who do torture, kill, and starve their captives, are, after all, no better than the ancestors of men, who hundreds and thousands of years ago practiced such savage and inhuman methods.

In the story of the three officers, the eye-witnesses, which appears in the newspapers this morning, Japan stands forth in her true colors, as a brutal nation of uncivilized, uncultured, treacherous and deceitful people, a nation which, by its own cruelty, by its own barbarism, and by its own treachery, has forfeited any right to any association with the civilized nations of the world.

For months I have been in contact with members of the Bataan Relief Association. Months ago one of the members of that association prepared a statement on the treatment of prisoners of war by the Japanese, which I had told him I would release to the public at the opportune time. There could be no more fitting time than the present to read verbatim the statement which he prepared last August. I submit his views now to the Senate and to the country, and to the Japanese as well, as the views of the relatives and friends of prisoners captured by the Japanese. These are the views not only of this man, but of all the relatives and friends of prisoners who were captured by the Japanese.

Mr. President, I ask Senators to pay particular attention to this statement, which I read because it comes from a man who has probably as deep concern as it is possible for a man to have, as I shall presently show. I now quote from the statement of this man, a member of the Bataan Relief Association:

Our enemies have made a most grievous mistake—grievous for them. They have taken for granted, most likely as the result of wishful thinking, that we Americans are soft. Their greatest error is their misconception of what activates the motive of being soft, according to their definition of the term. If being the most humanitarian nation on earth is being soft, then we are soft; if extending a helping hand to an honorable fallen foe is being soft, then, again, we are soft, and if moving heaven and earth to see that our fighting men receive humane and dignified treatment from their captors, should they become prisoners of war, is being soft, then, most assuredly, we are soft, and proud of the fact that we are so constituted. We are mighty proud of having these qualities of softness among our most cherished possessions. Why? Because they are the very essentials of the highest degree of modern civilization. No one, more than that, no nation can hope to be considered as even approaching the advanced stages of high civilization unless it is endowed with and abides by these qualities.

It is obvious that, in their interpretation of softness, our enemies have failed to realize that we modern civilized people have the ability to combine humane treatment with the grim determination to be tough—just as tough as any occasion demands. If our foe is tough, we Americans are tougher, and if our foe gets tougher, regardless of how far he goes, we can be and are far more so, the toughest of any nation on earth. Let our foes beware, we are going to win this war. Let their leaders beware, we are going to mete out punishment in a degree corresponding to the extent of their just desserts. That is not vengeance; that is justice.

Among Americans, we recognize no royalty. Every son is entitled to and receives the same degree of respect and affection as any other son. Every son is a prince in his own household. We do not and will not recognize any so-called divine right of kings. We do not pay any attention to what other nations think about this, as it is our prerogative to think and act as we please in this and other matters, such as dealing out justice. That is democracy. If the ruler of a foreign nation, regardless of whether he attains his position by force, duly recognized processes of procedure, or by inheritance, is considered as having the final responsibility in the determination of punishable acts of his subjects, then that ruler must be and will be considered in the punishment meted out for those acts, along with his subjects who actually perform them. He is just as guilty as they are and will be treated accordingly. It will be too late for such a ruler, worshipful though he may have been, to escape the falling leaves from the tree of retribution, as scattered by the winds of justice, which inevitably bring ignominious and dishonorable oblivion. It will be too late that he may have been betrayed and dishonor heaped upon him by his own subjects in the perpetration of acts of barbaric brutality upon their helpless victims. It will be too late to discover that he should have ordered that no such inhumane acts be committed. It was his civilized duty to do so in the beginning and to see to it that he was obeyed even to the extent of demanding extreme punishment for those guilty as the traitors they would have been to him. Any act of cruelty which he could have prevented, and did not, he will be held fully responsible for, while he will be fully compensated for all of his acts of kindness and mercy. Again, this is not vengeance; this is modern civilized justice.

We American people have consistently and insistently demanded that our prisoners of war be treated according to the rules established for their welfare among most civilized nations. We will continue to so demand. On the other hand, America, again in conformance with the rules of most modern civilization, has always tempered justice with mercy. If our boys and men have been properly cared for, then their captors need have no fear; but, if they have not received everything, including humane treatment, to which they are entitled as the "princes" of America, then whoever is responsible is going to pay and pay in direct proportion with the proof of his or their inhumanitarianism.

We American people are determined to see that several things come to pass. We are determined to win this war as soon as possible, but, regardless of whatever it takes and how long it takes, we will win it. We are also determined that punishment shall be meted out to those guilty of perpetrating this worldwide attempt to destroy the very principles of civilization in proportion to their degree of responsibility and whoever they may be.

Finally, we are determined to see that liberty, peace, and justice are reestablished and permanently maintained throughout the world with our fighting men and their comrades, who make it so, receiving the fullest rewards and highest honors for their deeds of valor and their sacrifices. It must be established once and for all that nothing is too good for our heroic fighting men, wherever they may be. It must be firmly and permanently proved that they have not fought, bled, and died in vain. All of this we Americans demand for our men and boys—our "princes" of America.

I have not used the name of the man who prepared the statement, because in his last letter to me he requested me not to do so. In his letter of transmittal, making the request, he concludes with the following statement:

All I am trying to do is to be the kind of an American God intended me to be. If it (referring to the statement) will accomplish anything by including it in the RECORD, by all means do so.

I wish, Mr. President, I had not been requested to refrain from using the name of this man, because no person can feel more deeply, or appreciate more fully, the utter horror and desperation which the story this morning reveals than he and his good wife, because their own son was among the 5,200 mentioned in the newspapers today.

Mr. President, I want the Japanese people to read and heed the words of one American father whose son died a prisoner of the Japanese in the Philippines. I want them to know that the cruel and barbarous treatment accorded American prisoners of war will not intimidate or deter a single American soldier abroad, or a single American at home. I want them to know that for every indignity and cruelty practiced and heaped upon prisoners of war, the American will and the American determination will only grow stronger, and that when they, the Japanese, speak of their determination to fight a hundred years, I say to them in behalf of every American, that this country will fight a thousand years, if necessary, to conclude and subdue a nation which violates every rule of humanity, of decency, and of civilization. This

shall be the answer of all America, and, for that matter, for all the nations of the civilized world, to this story of brutality and inhuman treatment of the defenseless and helpless.

We honor and respect a brave and courageous enemy. We can sit down at the peace table and work with the brave and civilized for a fair, just, and honorable peace. But, Mr. President, we cannot treat with the barbarian or the savage.

If Japan has any hope of a place in the sun, if she has any desire to become a civilized and cultured nation, fit to associate with the other nations of the world, she must instantly reverse her whole trend of warfare. She must subscribe to, and practice without any deviation whatever, all the rules of civilized warfare, and all the rules laid down at the Geneva Convention.

She must treat prisoners of war as we treat prisoners of war. Restrain them from further combat duty, yes; that is in accord with the principles of warfare conducted among civilized peoples. We restrain those we capture and keep them prisoners so they shall no longer engage in combat against us, but we treat them fairly, decently, and honorably. No Japanese prisoners, no German prisoners, and no Italian prisoners of war will receive anything at the hands of the United Nations but just, fair, and decent treatment. We demand from the enemy that kind of treatment for our own soldiers.

Surely, Mr. President, there must be in the Japanese Empire some Japanese persons who sincerely desire to progress and advance with the other civilized nations of the world. There must be some who would like to have commercial and social contact with the other nations when this cruel war is ended. There must be some who abhor the cruel and barbarous practices of which we read today. In those persons, if there be such, lies the hope of the future of Japan.

The world can live without Japan; Japan cannot live without the world. If the short-sighted policies of the Japanese war lords continue to prevail, and if war is continued in the inhuman and uncivilized manner with which the Japanese have thus far conducted it from the day of Pearl Harbor to the tragedy of the "march of death," and perhaps long since, the civilized nations will have but one recourse, namely, to see that when victory comes, as it will eventually come to the United Nations, the Japanese will be forever isolated within the borders and confines of their little islands, and never again allowed any contact with the outside world. Cruel and unchristianlike does this sound? Not at all. We isolate all our own criminals at Alcatraz and keep them there for life. The United Nations can isolate the Japanese on their own islands and keep them there for life, or until that day arrives when Japan voluntarily renounces and forever abandons the deceit, treachery, and inhumanity of the savage and the barbarian. The future of Japan will lie in her own hands; her own conduct will make her own future. If she chooses to live by the sword, then by the grace of God she shall die by the sword.

Mr. President, I wish to say just one more word. Recently, statements have appeared in the press of the Nation about a great movement for peace now—a negotiated peace. In a speech one of the leaders of that movement declared publicly that the Japanese and the Germans were no worse than the British and the Americans. Let every person in this land read the story of the torture and cruelty practiced by the Japanese, and then realize that there is no peace now, there can be no peace now, and that there will be no negotiated peace, or any other kind of peace until the enemies are defeated completely and have unconditionally surrendered.

Mr. BARKLEY. Mr. President, in a brief word I wish to associate myself with other Members of this body, and with all the people of the United States, in condemnation of the incredible acts of that pagan outfit which calls itself the government in Japan.

For many years we have boasted in the United States that it was a great admiral of our Navy, Admiral Perry, in 1854, who removed the veil from Japanese mystery and seclusion and opened Japan to civilization and to the civilized world. Acts such as those about which we have read today make us doubt whether Admiral Perry ever opened Japan to civilization or whether anybody could under any conditions, over any period of years, open up Japan to civilization.

There are no words in the English language in which the condemnation of every patriotic and humane heart can be clothed in expressing not simply resentment, not simply indignation, but a deep revulsion to the brutalities, the cynicism, and the utter indifference of the Japanese Government to all the decencies which are supposed to exist among nations that are entitled to belong to the great family of nations.

We have heard a great deal about punishment of those in Europe who have perpetrated not only the war but those who have perpetrated ruthless murder. We know that millions of Europeans have been murdered by the Fascists and the Nazis, not in warfare, not while in the uniform of their country, but because they belonged to one race or one religion to which they had a right to belong and to adhere.

We have not heard so much up to now about the punishment, the personal and physical punishment, of the war lords of Japan. I am quite certain that neither the American people nor any other people who inhabit any of the United Nations nor any decent or self-respecting people who inhabit any other nation, even an enemy nation, will be satisfied with anything less than the personal punishment of those in Japan who have been guilty ever since Pearl Harbor on the 7th of December 1941, of the unspeakable atrocities of which we have heard and read.

When we have one by one taken from Japan what she has stolen from other nations, when we have driven her war lords back into the war hatchery out of which they have been spawned, I hope that the United Nations will see to it by every method within their power, not only as a punishment for the guilty but as a warning to all future conduct of that sort, that every one of those who have been guilty of these atrocities will be punished as if they had been caught red-handed in murder upon the streets of any of our cities and executed because of their criminal and bestial acts.

Mr. President, a small organization from my own State which belonged to and was a part of our National Guard organization from Harrodsburg, Ky., Mercer County, and other sections but particularly Harrodsburg were caught on Bataan. Some of them were killed before the surrender of Bataan. Those remaining were taken prisoners. I have sought information from the War Department as to the identity of the 5,200 who have been murdered. I have not as yet been able to ascertain their identity. So, I am not able to say whether any of those who were members of this particular organization are included as the victims of this unspeakable, incredible, hellish atrocity of which we have heard and read. As they are my friends and neighbors, I would naturally hope that they had been spared, but of course there is no assurance of that. But if they had been, every one of them, it would not lessen my indignation and my resentment and my feeling of personal outrage that members of military organizations from any other State, who are just as dear to us even as our own neighbors, had been cruelly and brutally treated. Their murder we resent and reproach with the same fervor with which we reproach that of our own neighbors.

So far as I am concerned—and I believe the American people, if they could all speak, would say the same thing—I am impatient for the time to arrive when retribution will be meted out to these heathens, these uncivilized pagans, these brutes and beasts in the form of men, and only in the form of men. We may have to be patient until that hour arrives, but it will arrive, Mr. President, as certainly as there is a God in heaven.

Somewhere in the Bible it is said, "Vengeance is mine. I will repay, saith the Lord"; but I do not think that quotation had any reference to situations such as those which face us as a result of this Japanese horror. I think in that respect we will help the Lord repay in vengeance when the time arrives for us to share in that responsibility, which we will be glad to do.

For the moment that is all I have to say.

Mr. HILL. Mr. President, I simply wish to associate myself with the Senator from New Mexico [Mr. HATCH] and the Senator from Kentucky [Mr. BARKLEY] in their denunciation of the infamy, the outrage, and the unspeakable brutality of the Japanese.

I hope, Mr. President, the day is not far distant when our armed forces, together with those of the Chinese, the Dutch, the Australians, the British, and, when the time is ripe, the Russians, may

hop directly to the islands and to the heart of Japan and bomb and burn and scorch them with fire and teach the Japanese that war is indeed hell in all its fury.

Mr. WHITE. Mr. President, I wish to join with the majority leader, the Senator from Kentucky [Mr. BARKLEY], the Senator from New Mexico [Mr. HATCH], the Senator from Alabama [Mr. HILL], and others who have expressed their horror at the news of this morning. The President of the United States spoke of December 7, 1941, as a day of treachery and of infamy. The word which comes to us today, through the press of America, is proof that the people of Japan with whom we are at war have plunged to new depths of barbarism. There is no example in all the span of time of such a degeneration and such a degradation of a people.

Mr. President, there is in this life a law of compensation, rewards for things well done, and a law of retribution for violence against the laws of man and the laws of God. I join in the hope that retribution will come, not alone to the Army, but to the authorities and to the people of Japan, for their atrocities. I hope retribution will come with a terrible and swift sword, and that it will fall upon all in that nation who are responsible for the events of the last 2 years, culminating in this outstanding breach of every human consideration.

Mr. RUSSELL. The story of the brutal and inhuman treatment of helpless prisoners of war in the Philippines by the Japanese is indeed shocking to anyone who has any civilized instincts. However, I cannot say that this statement of horrors, as terrible as it is, is in any measure surprising to me. As Members of the Senate know, it was my privilege last summer to spend more than 2 months in daily contact with the men of our armed forces in a trip that carried me to every front of this global war.

Anyone visiting the men who are fighting the war against Germany and then moving into the theaters of conflict with the Japanese will be impressed by the striking contrast in the attitude of the troops fighting against Germany as compared with those who have been in action against the Japs. The men who have fought the Germans either from the air or on the ground recognize them as a determined, a ruthless, and a resourceful enemy. Our men have made up their minds to defeat Germany completely. Each day they are tightening the coils which are choking Germany into submission.

Everyone expects to see due punishment meted out to those responsible for the crimes which have been committed by the Nazi leaders in Europe, but the attitude of our soldiers toward his enemy in the field is more or less impersonal. He is regarded as an enemy who is an obstacle to victory, and those enemies must either be killed or captured before victory can be achieved.

Wherever I came in contact with the American soldier who is facing the Jap, whether in China or India or on the islands of the Pacific, a different attitude is found from that which prevails in Europe. Every American soldier who has seen service against the Japs is imbued with such a personal hatred for all Japs that it is almost terrifying.

There is a simple reason for this. The tales of brutality released today are not all of those which must be written in the Book of Doomsday for proper treatment when the hour of retribution finally comes and the Jap war lords are beaten to their knees. The boys in China, in India, on the islands of New Guinea and Guadalcanal, and indeed everywhere the Jap has been engaged in battle, have their own stories of incredible cruelty, some of them even surpassing in horror those related in this statement. Nearly every one of them has heard first-hand accounts of comrades personally known to them who were victims of Japanese bestiality. These men from first-hand contacts known that the Japs are brutish beings without an instinct of humanity, though in human form. The American Indian was called a savage because of his use of the scalping knife and the fiery stake, but he was a chivalrous cavalier when compared to the Japs and their diabolical methods of torturing the sick, the wounded, and the helpless who fall into their hands.

If the Japanese thought to frighten us with their barbarity, they have made a grievous mistake, which will seal their doom. These acts have only increased the fighting spirit of our men, and strengthened their determination to destroy our enemies.

The hope has been expressed here that when the victory is finally won the perpetrators of these atrocities will not be permitted to escape, but that they will be punished for their infamous crimes. Senators need not worry about these crimes being forgotten or forgiven. The men who have carried the battle to the Japs and know the extent of their cruelty will not let us forget or forgive. They will demand vengeance for the blood of their comrades, an eye for an eye and a tooth for a tooth with compound interest.

The American people will not forget or forgive these arch criminals, even in the joy which will accompany the day of peace. We are slow to anger, but the heart and conscience of the American people are so shocked that the cry for vengeance will not still until punishment commensurate with the crime has been visited upon the guilty. To do less would be a breach of faith with the heroes of Bataan who fell in the "March of Death." Without proper punishment for the infamous beheading of the fliers who bombed Tokyo, neither the soul of those heroes nor the conscience of the American people could ever be at peace. Punishment must be had for every drop of blood from the veins of American prisoners, including the wounded and sick, who have been bayoneted or beaten while helpless to defend themselves. We owe this to the memory of those who have died for us on the far-flung fronts of the Pacific. We owe it to those who will return bearing the scars of the wounds sustained in our defense. To do less would dishonor us as a people.

Not only does eternal justice demand retribution and vengeance for these crimes, but, Mr. President, we have a responsibility to the future. The surest way to assure a permanent peace on earth is to make such an example of the brutal and barbarous war lords of Japan that in the future the memory of that example will deter criminals of similar bent for a thousand years from the perpetration of such inhuman acts.

Mr. BURTON. Mr. President, I should like to associate myself with the minority leader and the majority leader and other Senators who have spoken about the terrible news conveyed to us this morning.

The attack on Pearl Harbor united America in a determination to enter the war. The atrocities just reported unite America today in a determination to continue and to win the war, as nothing else could have done. They unite us in a determination to fight the war to complete victory in both hemispheres.

Mr. President, this year, 1944, is the critical year of our generation. We can win in this year, or next, or whenever victory comes, only through united, hard work, united service on the front lines, in the factories, on the farms, in the homes, and in the Congress, wherever we may be. If we are to carry out our obligation, we must lift our daily work at home and here above party, above prejudice, above personalities. If we are to win with a spirit that is worthy of those who serve in the front lines, we must win in a spirit of unity.

We properly dedicate ourselves, therefore, to the winning of the war. But we dedicate ourselves also to something more—to a just and a lasting and a living peace following the war. We will not be doing our duty adequately to the men who fight and win the war unless after the war is won it shall stay won. It is only thus that a repetition of what has just happened in this war can be prevented.

Mr. President, there must be a leadership that will draw us and draw all mankind forward, so that such a thing will not happen again, and so there may be an enduring peace. What we need at this time is a deep faith in our God and a deep faith in the men and the purposes of America. Such a faith, widely shared, will make it impossible for such acts as those just reported to happen again. Such a faith, translated into action, is the necessary foundation of peace on earth.

America is a nation created for service to God and man. Our generation owes it to its forefathers and to its descendants alike to make that purpose secure. It is for us, with the quiet and invincible faith of those who have gone before, and of those who believe deeply in God and man, to dedicate ourselves anew to the purposes of America, that she and her purposes and ideals may endure now and forever.

Mr. BRIDGES. Mr. President, I do not care to take the time of the Senate, but I have listened to the remarks made by the distinguished acting minority

leader and the distinguished Senator from Ohio [Mr. BURTON], as well as several of our associates on the other side of the aisle. I join with them in everything they say about the outrages perpetrated by Japan. It is a shocking thing to the American people to know what actually occurred. I join with them in condemning these atrocities as savagery and barbarism of the worst sort. Let me call the attention of the Senate and of the country as a whole to the fact that in 1937, when I joined with another Senator, a Democrat, Senator Berry of Tennessee, in trying to prevent the shipment of scrap iron and steel to Japan, material which has since been used in killing innocent Chinese and in killing American boys, this administration, then in power, opposed such legislation because they indicated that they did not want to offend Japan. I warned then what might occur, but my warning reached only deaf ears.

Let me also call attention to the fact that down through the years, at the time of the sinking of the *Panay* and other incidents, when I urged a firm and realistic attitude, the same position was taken by this administration—they did not want to offend Japan.

I also call attention to the fact that just a few months ago, when I offered an amendment to cut the appropriation for the Relocation Authority for caring for the Japanese in this country, which amendment was adopted by the Senate with the support of both Republicans and Democrats, this cut was knocked out in conference, and the excuse given was, "We don't want to offend Japan or give Japan excuses. The Japs are savages and torture for enjoyment. They have in the past, and they will continue."

Mr. President, it is about time that the administration and the people of this country should approach this problem from a realistic point of view. We are shocked, we are horrified, at what has happened; but we know it has been going on for some time. When the cut in appropriations to which I referred was under consideration, the misdeeds and outrages which have now been made public had already occurred, and many of us knew in a general way about them. So let us approach things from a realistic point of view from now on. Let us face the situation that confronts Americans who are prisoners of the Japs.

Mr. President, I agree with every Senator present that Japan as a nation should be wiped off the face of the earth, and that those who committed the outrages should be called to account. What the Japs have done is inhuman, and we must pledge ourselves to deal with them accordingly. But it is sad to think that some leaders have catered to the Japs in the past and others generally have countenanced this attitude on behalf of our Government toward Japan. I say to the Senate that if we had had courageous and realistic persons in certain positions of importance over the years past Japan perhaps might never would have gotten into the position of being able to wage the war as she has and in turn to commit the outrages she has committed in the past few months and years.

Mr. President, I am glad our eyes are all opened today, and so let us as a United Nation, regardless of political party, pledge ourselves to wage this war as an American people and Nation until this inhuman treatment inflicted upon defenseless American prisoners of war in violation of all international rules be avenged. Let us not stop until we are in Tokyo and the persons responsible for these outrages pay the penalty.

Mr. MURDOCK. Mr. President, in my opinion, if there ever was a day in American history when there should be absolute unity in the Congress of the United States, it is today. After reading of the atrocities described in this morning's newspapers, it seems to me there should be not the slightest indication of disunity today, but we should be united—all of us. I regret that anything which even smacks of disunity should be pronounced today.

While I am on my feet, Mr. President, and in line with the eloquent statements made by the majority leader, the Senator from Kentucky [Mr. BARKLEY]; the minority leader, the Senator from Maine [Mr. WHITE]; the Senator from New Mexico [Mr. HATCH], the Senator from Ohio [Mr. BURTON], and the Senator from Georgia [Mr. RUSSELL], I wish to say that I am convinced that the barbarians of Japan suffer from the delusion that the rising sun is a protective charm over their lives and island empire, and that so long as the sun rises over Japan nothing harmful can happen to them. It is probably the same kind of charm that we read of in Macbeth. But to the Japanese people, to the Japanese war lords, to Tojo and Hirohito, I say, "Despair thy charm" because some day—and I hope it will be in the not too distant future—a morning will come when the sun will not rise on Japan. The Japanese people will know that a miracle has happened. They will know that their doom has come, for in place of the rising sun they will see the sky fill with clouds of American airplanes in such number, and piloted by Americans of such skill and courage, that the entire sun will be blotted out. On that morning the sun will not rise on Japan, and the bombs that will drop from those American planes will wreak a vengeance on Japan which will satisfy every mother's and every father's heart which has been wrung today by reading of the fiendish atrocities which have been committed on our defenseless sons in the Asiatic and Pacific theaters of war.

EXECUTIVE SESSION

Mr. HATCH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. MCCLELLAN in the chair) laid before the Senate a message from the President of the United States submitting sundry nominations in the Army, which was referred to the Committee on Military Affairs.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

Capt. Joseph J. Clark, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 23d day of April 1943.

By Mr. MCKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

FOREIGN SERVICE

The legislative clerk read the nomination of John Campbell White, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Peru.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. HATCH. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the postmaster nominations are confirmed en bloc.

Without objection, the President will be immediately notified of the nominations this day confirmed.

That completes the Executive Calendar.

RECESS TO MONDAY

Mr. HATCH. As in legislative session, I move that the Senate take a recess until 11 o'clock Monday next.

The motion was agreed to; and (at 2 o'clock and 26 minutes p. m.) the Senate took a recess until Monday, January 31, 1944, at 11 a. m.

NOMINATIONS

Executive nominations received by the Senate January 28 (legislative day of January 24), 1944:

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO ADJUTANT GENERAL'S DEPARTMENT

Lt. Col. Philip Doddridge, Infantry (temporary colonel), with rank from November 29, 1940.

TO CORPS OF ENGINEERS

Second Lt. John Edward Fritz, Coast Artillery Corps (temporary major), with rank from July 1, 1942.

TO INFANTRY

First Lt. Frederick Grinnell White, Coast Artillery Corps (temporary major), with rank from June 11, 1943.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

MEDICAL CORPS

To be colonels

Lt. Col. Joseph Francis Gallagher, Medical Corps, with rank from February 8, 1944.

Lt. Col. John Murray Welch, Medical Corps (temporary colonel), with rank from February 9, 1944.

Lt. Col. Harry Aloysius Bishop, Medical Corps (temporary colonel), with rank from February 9, 1944.

Lt. Col. Luther Remi Moore, Medical Corps (temporary colonel), with rank from February 27, 1944.

To be captains

First Lt. Percy Hall Sutley, Medical Corps (temporary major), with rank from September 6, 1943.

First Lt. Otto Albert Wurl, Medical Corps (temporary major), with rank from February 10, 1944.

First Lt. Raymond Lancing Pendleton, Medical Corps (temporary captain), with rank from February 28, 1944.

DENTAL CORPS

To be colonels

Lt. Col. Thomas Floyd Davis, Dental Corps (temporary colonel), with rank from February 4, 1944.

Lt. Col. John Nelson White, Dental Corps (temporary colonel), with rank from February 7, 1944.

Lt. Col. William Ferdinand Scheumann, Dental Corps (temporary colonel), with rank from February 7, 1944.

Lt. Col. Campbell Hopson Glascock, Dental Corps (temporary colonel), with rank from February 7, 1944.

Lt. Col. William Frederic Wieck, Dental Corps (temporary colonel), with rank from February 7, 1944.

PHARMACY CORPS

To be captains

First Lt. George Henry Wilson, Pharmacy Corps (temporary major), with rank from February 18, 1944, subject to examination required by law.

First Lt. Ernest William Bye, Pharmacy Corps (temporary captain), with rank from February 18, 1944, subject to examination required by law.

First Lt. John Valdo Painter, Pharmacy Corps (temporary major), with rank from February 18, 1944, subject to examination required by law.

CHAPLAINS

To be colonel

Chaplain (Lt. Col.) Frank Pearson MacKenzie, United States Army, with rank from February 28, 1944.

To be captains

Chaplain (First Lt.) James Joseph McMahon, United States Army (temporary major), with rank from January 17, 1944.

Chaplain (First Lt.) Harold Francis Donovan, United States Army (temporary major), with rank from February 3, 1944.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 28 (legislative day of January 24), 1944:

FOREIGN SERVICE

John Campbell White, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Peru.

POSTMASTERS

COLORADO

Glenn F. Frost, Henderson.

IOWA

Stanley G. Douglas, Alden.
Mary Conway, Cylinder.
Emil H. Engel, Dixon.
Georgetta B. Dolezal, Elberon.
Albert C. Oetzmann, Eldridge.
William Molloy, Galva.
Ray A. Fox, Hampton.
Mabel I. Olson, Hanlontown.
Lucille M. Wright, Linden.
Frank L. Ratliff, Lynnville.
Marshall D. Thomson, Oakville.
Jessie W. Hart, Webb.

MAINE

Myrtle S. Hardy, Freedom.

NEVADA

William Harold Morgan, Yerington.

NEW YORK

DeVerne A. Lewis, Canastota.
Thomas M. Townsend, Carmel.
Anson A. La Roue, Harrisville.
Mary A. Jerman, Houghton.
Frances D. McClenon, Jamesville.
Joseph L. McKernan, Lake Ronkonkoma.
William J. Devitt, Montgomery.

HOUSE OF REPRESENTATIVES

FRIDAY, JANUARY 28, 1944

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. MCCORMACK.

The SPEAKER pro tempore laid before the House the following communication which was read:

JANUARY 28, 1944.

I hereby designate the Honorable JOHN W. MCCORMACK to act as Speaker pro tempore today.

SAM RAYBURN.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God of the morning and Father of the night, we praise Thee for Thy kingly salutation which comes ringing down the ages like a melody from other spheres. It has ravished the hearts and strengthened the souls of men and lifted them above the dungeon and the rack. In the present dimness of human history, we pray that America with her wealth, pride, and splendor may make them a complete remedy for the monster cruelties in the breast of this world. How difficult, O God, but Thou dost direct us to love the unloving and to know that life is good by doing good.

Many things are transient and are passing away, yet there is a blossoming in the wilderness untouched and unsmitten by the iniquities of men. By faith and by hope enable us to hold fast to Thee, devoutly waiting for Thy disclosures. Bestow upon us Thine invincible patience and give us a strong, active wisdom in our ministrations. May we be gathered together in unity, in desire, and in common labor for the honor of our great name. Grant that we may not permit pagan savagery to work havoc with our self-control and magnanimity; may we never be paralyzed by disorder or impoverished by lack of confidence and allow no time or strength to be wasted. Help us to approach all problems with thought and quietness and Thine shall be the glory. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

ADJOURNMENT OVER

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina [Mr. BULWINKLE]?

There was no objection.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in two instances and in one to include a resolution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. COCHRAN]?

There was no objection.

JAPANESE ATROCITIES

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts [Mrs. ROGERS]?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the Army and Navy Departments have lifted the ban on the story of the atrocities by Japan committed on our American and Filipino prisoners so the world knows what Japan has done in its barbaric treatment of our prisoners. No civilized nation would do this. Mr. Speaker, I believe that Japan as a nation should be annihilated and should not be allowed to function as a nation again.

The SPEAKER pro tempore. The time of the gentlewoman from Massachusetts has expired.

EXTENSION OF REMARKS

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. EDWIN ARTHUR HALL]?

There was no objection.

Mr. ROBINSON of Utah. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may be permitted to extend his own remarks in the RECORD and to include therein a letter dated January 24, 1944, signed by John H. Fay.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah [Mr. ROBINSON]?

There was no objection.

AIR MAIL FROM OUR SOLDIERS

Mr. COLE of Missouri. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri [Mr. COLE]?

There was no objection.

Mr. COLE of Missouri. Mr. Speaker, there has been much discussion lately about the time required to get ballots to and from the soldiers. In this morning's mail I received an air-mail letter from a soldier who is now serving in China. Of course, I do not know where in China he is located, but I do know that a short time ago he was in India.

This letter is postmarked "United States Army Postal Service, A. P. O. 627, January 18, 1944." It took 10 days for it to come from his location in China to my office in Washington, D. C.

In case any of you would like to check on where this soldier is serving, his name is Corp. Ben W. Morse. His number is 37494896, Twenty-fifth AACS, A. P. O. 627, care Postmaster, New York, and I shall be pleased to have anyone interested examine this letter at any time.

The SPEAKER pro tempore. The time of the gentleman has expired.

JAPANESE ATROCITIES

Mr. MAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

Mr. MAY. Mr. Speaker, at midnight last night a commentator at Station WINX called me to the telephone and asked that I listen to the radio broadcast of a report made by the Army and Navy of the United States with respect to the maltreatment of our prisoners in the Philippine Islands. To my mind that conduct of the militarists of Japan ought to reach the pulse and the feeling of resentment of every American.

That story ought to be told in every hamlet, and it ought to be included in the CONGRESSIONAL RECORD and distributed widely throughout this country. In my judgment, there is nothing in recorded history, not even in the Dark Ages, that will even imitate the atrocious conduct of this mob of savages with which we are engaged in war. I favor the mobilization of every possible unit of the fleets we have and the immediate starting of a movement toward an assault upon Tokyo; and at the end of it, let it be understood that it is blown out of existence.

GOVERNOR EARL WARREN OF CALIFORNIA

Mr. J. LEROY JOHNSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include therein an article from Time Magazine.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. J. LEROY JOHNSON addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article by Walter Lippmann about the Bolivian matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

EMPLOYMENT OF RETURNING SOLDIERS

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, Secretary of the Interior, Mr. Ickes, according to a news item in the January 27 Washington Evening Star, has told the President of a blueprint which he has drawn up for a public-works program for employing returning soldiers. Is this—politically made work—to be the reward for the sacrifices our soldiers are making? Are our soldiers to be disillusioned by learning that while they were away from their country, fighting and dying to save it, that their opportunity for free employment was destroyed?

Is this not slave labor which Mr. Ickes is promising to our returning soldiers? Can it be imagined that men whose free employment has been destroyed by the curse of politics and who have been forced thereby to accept employment such as Mr. Ickes suggests are anything but slaves of the State? I declare this is not what our soldiers are fighting for. They are entitled to something better than this when they return to their homeland. They are entitled to be freemen and to have free employment where they can enjoy the fruits of their own labor and not be regimented into a labor army by the state.

EXTENSION OF REMARKS

Mr. BURCH of Virginia. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article from the Crisfield (Md.) Times.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

(Mr. ANDERSON of California asked and was given permission to extend his own remarks in the RECORD.)

Mr. THOMASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

JAP ATROCITIES

Mr. MILLER of Connecticut. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MILLER of Connecticut. Mr. Speaker, the atrocities announced last night in a joint statement from our War and Navy Departments perpetuated by the Japanese against American and Filipino soldiers will arouse the American people as they have never been aroused before.

I am cutting the story out of the Washington Post of this morning and will have it placed on the walls of my office. Anyone who tries to talk to me about negotiated peace or peace now, will be requested to read that story. Extracts from this authenticated account of Jap brutalities should make an excellent reply to those on the home front who feel that they are suffering undue hardships.

I am at a loss for adequate words to express my true feelings toward those who subjected 12,000 Americans and Filipinos to such brutality. Our answer must be a renewed and greater effort to bring about complete annihilation of the Japanese Empire. We on the home front can make answer in part by buying at least one more War bond this week than we thought we were going to be able to buy.

EXTENSION OF REMARKS

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein resolutions adopted by the Warren F. Hoyle Post, No. 82, of the American Legion, in my district.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial by and a letter from Mr. L. F. Reid, publisher of the Renville Star Farmer, of Renville, Minn., having to do with the poll tax and the ballot.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. WOODRUFF] be permitted to extend his own remarks in the RECORD and include therein some resolutions passed by the Republican conference with reference to the death of Mr. Ditter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MICHENER. Mr. Speaker, I furthere ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution adopted by the St. Louis County Bankers' Association.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article appearing in the Baltimore Catholic Review, and further to extend my remarks and include an editorial from the Baltimore Morning Sun on the soldiers' vote.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in two instances, in one to include an editorial, and in the other to include a brief Associated Press article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HAYS. Mr. Speaker, I ask unanimous consent that on Monday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, the gentleman from North Carolina [Mr. FOLGER] be permitted to address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. OUTLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. OUTLAND. Mr. Speaker, in time of national emergency such as we are now going through, the American people turn to their Congress for leadership and for guidance more than is the case in normal times. They look to us for intelligent, calm advice, free from passion and prejudice. We have the heavy responsibility of weighing tremendous issues, issues which will certainly affect the lives of not only the Americans of this generation, but those of generations yet to come.

In this time of crisis it is up to us to set the example for others in justice, in fair play, and in encouraging a national rather than a sectional point of view. What must the American people think when they read that our President has been denounced and his family unjustly mocked on the floor of this House? What must they think about our American ideals when we devote time here for discussion of things which only serve to create additional disunity; such things as religious differences, racial differences, economic differences? These things should be minimized at all times in a democratic society; in time of war they must be. I sincerely hope, and I know that the great majority of the Members on both sides of the aisle join with me in hoping that in the future we can keep such petty and personal prejudices out of our discussion here, and devote our undivided attention to the tremendous issues that are facing us.

SOLDIER-VOTE BILL

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. DWORSHAK. Mr. Speaker, a few days ago the President, in his letter to Congress, took a great deal of pleasure in pointing out that Public Law 712 of the Seventy-seventh Congress did not stimulate soldier voting, and that only about 28,000 of them took advantage of that particular law. I should like to quote briefly from a dispatch which appeared in the New York Times of September 8, 1942, as follows:

STIMSON FOR LIMITING OF SOLDIER-VOTE BILL—AGAINST APPLICATION ABROAD AS MILITARY IMPEDIMENT

WASHINGTON, September 7.—Secretary Stimson, in a letter to Representative HOBBS, asked today that the soldiers' and sailors' absentee voting bill, now pending, be made to apply to only the forces in the United States and Alaska.

Mr. Stimson said the War Department approved in principle the granting of a vote to every soldier and sailor, but he contended that the shipment of ballots and the handling of voting among units overseas would "impede military functions" and might provide a means for the enemy to gather vital secret information.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. DWORSHAK. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. That was in reference to the bill that was passed by this Congress prior to the 1942 election?

Mr. DWORSHAK. Yes.

PERSONAL PRIVILEGE

Mr. WEISS rose.

The SPEAKER pro tempore. For what purpose does the gentleman from Pennsylvania rise?

Mr. WEISS. Mr. Speaker, I rise to a point of personal privilege. Also, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the Times-Herald.

The SPEAKER pro tempore. The gentleman will state his point of personal privilege. Is there objection to the request of the gentleman from Pennsylvania?

Mr. RANKIN. What is the request?

Mr. WEISS. It is an editorial from the Timer-Herald in regard to a sports hall of fame.

The SPEAKER pro tempore. Is there objection to the unanimous consent request that the gentleman revise and extend his remarks and include an editorial?

There was no objection.

The SPEAKER pro tempore. The gentleman will state his point of personal privilege.

Mr. WEISS. Mr. Speaker, there appeared in an Associated Press report yesterday or the day before the following article:

Representative SAMUEL A. WEISS (Democrat), of Pennsylvania, declared last night: "If the (Washington) grand jury that indicted 30 for traitorous acts recently had gone another step they would have indicted three Members of Congress." Representative WEISS did not identify the Congressmen.

In an address before the Temple Men's Club, WEISS termed "blocs fighting for selfish ends" within Congress as constituting the biggest obstacle to prosecution of the war, and added, "certain blocs in Congress are a hotbed of fascism."

Mr. HOFFMAN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER pro tempore. Evidently there is no quorum present.

Mr. COOPER. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 14]

Anderson, N. Mex.	Gathings	Magnuson
Baldwin, Md.	Gavin	Mansfield, Mont.
Baldwin, N. Y.	Gerlach	Marcantonio
Barry	Gifford	Merritt
Bates, Mass.	Gillette	Morrison, La.
Bell	Gillie	Morrison, N. C.
Bender	Grant, Ind.	Murphy
Bolton	Green	Murray, Tenn.
Bradley, Mich.	Hall, Leonard W.	Myers
Bradley, Pa.	Halleck	Norton
Brooks	Harness, Ind.	O'Leary
Brumbaugh	Hébert	O'Toole
Buckley	Heffernan	Peterson, Ga.
Burchill, N. Y.	Hess	Pfeifer
Busbey	Hobbs	Philbin
Byrne	Hoch	Poulson
Canfield	Holmes, Mass.	Pracht
Capozzoli	Hope	Ramspeck
Carlson, Kans.	Horan	Rees, Kans.
Celler	Jackson	Rockwell
Chapman	Jeffrey	Satterfield
Cole, N. Y.	Jennings	Scanlon
Cullen	Johnson, Ward	Scott
Cunningham	Jones	Scrivner
Curley	Jonkman	Sheridan
Dawson	Kee	Simpson, Pa.
Dewey	Kelley	Slaughter
Dickstein	Kennedy	Somers, N. Y.
Dingell	Keogh	Treadway
Domengeaux	Kirwan	Troutman
Douglas	Kleberg	Vursell
Durham	Klein	Wasielewski
Elliott	Knutson	Wene
Engle, Calif.	Lambertson	West
Fay	Lane	Whelchel, Ga.
Feighan	Luce	White
Fellows	Ludlow	Wilson
Fernandez	Lynch	Winter
Folger	McGehee	Wolcott
Ford	McLean	Wolfenden, Pa.
Gallagher	Maas	
Gamble	Madden	

The SPEAKER pro tempore. On this roll call 302 Members have answered to their names. A quorum is present.

Further proceedings, under the call, were dispensed with.

PERSONAL PRIVILEGE

The SPEAKER pro tempore (Mr. MCCORMACK). The Chair has read the news item referred to by the gentleman from Pennsylvania [Mr. WEISS]. The Chair feels it raises a matter of personal privilege.

The gentleman from Pennsylvania is recognized.

Mr. WEISS. Mr. Speaker, I want to say that I was not responsible for this quorum call. I was satisfied to speak to the group who were assembled here.

I have been charged by my colleague the gentleman from Mississippi [Mr. RANKIN] with statements purported to have been made by me in an address in Cleveland, Ohio, that appeared in certain newspapers. The charges made by my colleague are serious ones, and they directly affect my integrity and that of this legislative body.

Mr. RANKIN. Just a minute; I did not charge the gentleman with anything. I asked him if he made those statements. I did not charge him with making them. I asked him if he did make them.

Mr. WEISS. The gentleman heard my reply on the floor.

Mr. RANKIN. I understand, but I did not charge the gentleman with making them; I asked if he made those statements.

Mr. WEISS. The gentleman heard my reply yesterday on the floor, and I pleaded with you to permit me to reply and you refused.

I delivered an extemporaneous speech. My subject was, Congress—the War and Peace. I began with the lend-lease bill, the repeal of the Neutrality Act, the extension of the Selective Service Act, and so forth. Not wishing to rely on my memory alone in dealing with the laws referred to I had the Library of Congress prepare a digest of the laws passed or considered since I came to this Congress. I referred to prepared notes and am willing to submit them to any Member of the House to read. There were some 20 cards of notes with factual data referring in detail to every vote on major bills and votes on appropriations giving exact amounts which I discussed at this forum.

Let us analyze the article referred to by the gentleman from Mississippi [Mr. RANKIN] that appeared in the newspaper. I am quoted as stating:

Labels Congress the worst obstacle to the successful prosecution of the war.

This statement I deny I ever made in my discussion at Cleveland. I did, however, state this:

Subsidies are one of the most vital issues now confronting the Congress affecting the living conditions of 130,000,000 American people; that soon the extension of credit to C. C. C. will expire and Congress has taken no action because a powerful farm bloc is bitterly opposed to subsidies; that I maintained that if subsidies are banned, prices will skyrocket within a period of 6 months. There will be thousands of demands from labor groups for wage increases and I would support them. With wages chasing prices, inflation, a deadly enemy of our economy, will be upon us. Further, I maintained a ban on subsidies will do more to hinder the successful prosecution of the war than any other understaking by the Congress.

During the course of the forum in answer to a query I informed my audience that contrary to the beliefs and statements of the dictators that democracy was decadent and unable to function in an emergency; I informed them that Congress within an hour voted a declaration of war with Japan with only one opposing vote; that we likewise voted similar resolution against Germany and Italy without any objection or opposition. Congress, rising to the same degree of non-partisanship and statesmanship, authorized appropriations totaling $295,152,690,661.22 up to the end of the first session of the Seventy-eighth Congress to aid in the successful prosecution of the war.

The newspaper further quoted me as stating:

If the Washington grand jury that indicted 30 for traitorous acts recently had gone another step they would have indicted three Members of the Congress.

The above statement was never made by me or anyone in my behalf, nor did I ever authorize anyone to make such a dastardly statement.

I want to say, Mr. Speaker, that the Associated Press reporter admitted to me that they had no one present at the meeting—they got the information from another newspaper report.

Mr. TABER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman from Pennsylvania yield for the purpose of a parliamentary inquiry?

Mr. WEISS. I would rather complete my statement, but will be glad to yield later.

The SPEAKER pro tempore. The Chair is prepared to rule on the point of order.

The gentleman from Pennsylvania is speaking on a question of personal privilege, answering certain statements made in the press, and defending his position. The Chair thinks that thus far the gentleman has complied with the rules.

The gentleman from Pennsylvania may proceed.

Mr. WEISS. There is a further quotation in the newspaper report:

Certain blocs in Congress are a hotbed for fascism.

I vehemently deny making that statement. It was not made by me in my Cleveland address nor was it ever made by me at any place or at any time.

I want to read here some telegrams sent me by some of the finest citizens of Cleveland:

You were quoted as saying that Congress was a hotbed of Fascists and that three Members of Congress should be indicted by the grand jury. I attended this meeting of the Men's Club and know that this statement is untrue.

L. C. HAAS,
Cleveland Heights, Ohio.

I was present at the meeting of the Temple Men's Club on January 25 and did not hear you make any statement that Congress was a hotbed of fascism or that three Members of Congress should be indicted.

HERMAN S. MESHORER.

I heard tonight you accused of saying at meeting of the Men's Club here Tuesday that Congress was a hotbed of fascism and that the grand jury should indict several Members. I was present during your talk and certainly don't recall you saying those things.

JOE HARTZMARK.

Listened to your address at Men's Club meeting Tuesday evening. Did not hear you make reported statements that Congress was hotbed of fascism.

LESTER COLBERT.

I have many other telegrams here from prominent men who were present and heard me and they all say that no such statement or inference was made which would lead the membership to believe that SAM WEISS had said that Congress was a hotbed of fascism.

As I stated on this floor yesterday, any individual who would make a statement of that nature is certainly not worthy of the trust placed in him, nor would he be worthy of the privilege of sitting in these Halls of Congress.

Mr. RANKIN. Will the gentleman yield?

Mr. WEISS. When I complete my statement I shall be glad to yield.

I am pleased to state that these colleagues of mine who know me best say they have never heard me use the word "fascism" in debate, in forum discussion, or in any of my remarks or speeches. I have never make such a reference. The word itself, while an obsession with some people, is not an expression of mine.

The meeting in Cleveland was an open forum, and during the discussion my opinion was asked concerning Congresswoman BOLTON and also Congressman FEIGHAN. I had nothing but highest praise for both Representatives. Later, in informal discussion, I also commented on the excellent representation given Ohio by Congressmen ROWE, BENDER, and CROSSER. I informed the group that Congressman ROWE'S brother was a United Mine Worker, and that Congressman ROWE, together with Congressman BENDER, were real friends of the workers.

May I say to my colleague—very humbly—that I have been in public life for over 10 years. My first venture into public service was as a member of the Pennsylvania State Legislature. I was the first person of my faith ever elected to that office from my district; also, I am the first person of my faith ever to be elected to the Congress of the United States from this same district. My constituency of some 350,000 people, with less than 5,000 of my faith, is an understanding and American-spirited group of people. I am proud of my heritage and they know it. They also know of my athletic background and that, as a football official, my integrity at the high schools, colleges, and in the cities throughout this Nation where I have officiated has never been questioned. And I do not propose to change my course of living at this late stage of the game.

I am an immigrant lad, but I love my country just as dearly as does the gentleman from Mississippi. I am a Jew and proud of my heritage, but nothing transcends my love for my country, the country that guarantees to all of us freedom of religion, to worship as we desire to meet the needs of our souls, freedom of the press, and freedom of speech. No individual or group in this country, including the gentleman from Mississippi, has any priorities on America or its priceless freedom. All of us trace our heritage to some foreign source, including the gentleman from Mississippi.

Mr. RANKIN. Will the gentleman yield?

Mr. WEISS. I will yield later, gladly.

Mr. RANKIN. Why does the gentleman continue to raise the race question?

Mr. WEISS. I will be happy to yield later.

The pioneers of this land, the Pilgrims, Puritans, Huguenots, the Catholics, and the Jews, driven from their homes in foreign lands because of intolerance and persecution, built on these shores a shrine of liberty—which is now being threatened by the forces of dictatorship.

Day in and day out we hear Members of Congress and the press of the country clamor for national unity—our only hope for preserving the freedoms we enjoy. These freedoms and the liberties guaranteed by the Constitution in the Bill of Rights are threatened today by enemies from within who are just as dangerous as any of those from without. Those Americans within our gates who

are spreading falsehoods and arousing suspicion against racial and religious groups in the hope of dividing our Nation into hostile groups, are playing the game with Hitler and his Axis partners. They seek to create confusion and panic so that America may be impotent in the event of attack from without. Like the fifth columnists, this is a new weapon of modern warfare. Freedom is our heritage. To defend freedom is our duty.

Certainly there is no one in this Congress opposed to the free expression of any of its Members on any vital issues affecting the country—even if one must at times criticize a fellow colleague of the House.

I cherish the friendships made in the House and I shall always respect the opinion of my colleagues even though I may disagree with it. To repeat the words of Voltaire, "I do not agree with a word that you say, but I will defend to the death your right to say it."

I feel certain this includes the right to fair criticism with supporting factual data in order to aid in crystallizing honest public opinion among the American people.

While all America cries for national unity, I urge the gentleman from Missippi to memorize and heed the following pledge adopted by the Catholics, Protestants, and Jews at the National Conference of Christians and Jews in New York City in 1938:

> Beneath the torch of liberty,
> We pledge as one, although we're three,
> To keep from this democracy
> Intolerance and bigotry.

Mr. EBERHARTER. Will the gentleman yield?

Mr. WEISS. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. It had not been my intention to say anything on this occasion, but I have known my colleague, the gentleman from Pennsylvania [Mr. WEISS] for a great number of years. I come from the same county in Pennsylvania. The gentleman from Pennsylvania [Mr. WEISS] became generally well known when he was a student at Duquesne University, in Pittsburgh, Pa. He became known as one of the star athletes of that university. Although slight of stature, as you can all see, very light in weight, he nevertheless played so hard, so fast, and so clean that he was recognized not only in western Pennsylvania but all over the country as a fair, clean sportsman.

After he graduated from school he practiced law, and before the courts of Pennsylvania in representing his clients and in his representation to the courts he established a reputation as good as any reputation that has ever been established in the courts of Allegheny County, Pa. From there he went into political life, and, as he said so well, in a district where there are very few people of his faith, he was so well known and made such a reputation that he carried that district by an overwhelming majority, and it is recognized now that there is nobody who can defeat him because of the reputation he has established as being fair, square, tolerant, and a decent American citizen.

For several years he has been called upon to officiate as a referee and as an umpire in football games all over the United States. Why? Because he has that inherent fairness and squareness and honesty, intellectually and otherwise, that is necessary in a person officiating not only in college games but in professional games.

Mr. Speaker, fairness and squareness are matters of habit, and this gentleman has demonstrated all of his life that he has that instinctive habit of fair play. I know that he had no intention whatsoever at any time of saying anything of a disparaging nature against any Member of Congress. I have seen him very closely since he has come to the Congress, Mr. Speaker, and I have often said: "There is one thing about SAM WEISS, and that is he never says anything derogatory about any Member of Congress or any other person, whether it be his political opponent or any other person with whose views he does not agree." He has that reputation with every person and every group that knows him.

Mr. Speaker, this gentleman has been and is being subjected to an indignity by the very repetition on the floor of this House of that item that appeared in the newspaper. He has suffered injury. I know every Member of this House is fair and wants to be fair. I hope and I am sure that after his explanation his word will be believed. It is only my hope that in the permanent RECORD there will be expunged everything that has been said in connection with this regrettable incident.

Mr. WEISS. I thank the gentleman. I am indeed grateful to him.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. WEISS. I gladly yield to the gentleman from Mississippi.

Mr. RANKIN. The gentleman from Pennsylvania has answered the question I asked him on yesterday. I explained to him then that I had no desire to do him any injustice. I agree with him that anybody who would go out and make the statements attributed to him ought to be expelled from Congress. I asked the gentleman if he made the statement that "certain blocs in Congress are a hotbed of fascism." He said he did not make that statement.

Mr. WEISS. That is right.

Mr. RANKIN. I said to him yesterday that if he did not make those statements, what I wanted him to do was to let the House know it, because it was published in an Associated Press article on the day before yesterday. As I said, I have no desire whatever to do the gentleman from Pennsylvania any injustice.

Mr. WEISS. If the gentleman had let me make my statement yesterday, we would not have gone into all that tirade on the floor that occurred and my statement today would not have been necessary.

Mr. RANKIN. I was not the only one engaged in that debate.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. WEISS. I yield to the gentleman from Pennsylvania.

Mr. WRIGHT. I should not like to let this occasion pass without joining with my colleague from Pennsylvania [Mr. EBERHARTER] in testifying before this House to my admiration for the integrity, honor, and truthfulness of the gentleman from Pennsylvania who has just spoken. SAMMY WEISS is known throughout western Pennsylvania as an athlete, a lawyer, a sportsman, a legislator, and as a person who is interested in charities not only of his own faith but those of the Catholic and Protestant religions also. SAMMY WEISS is recognized throughout western Pennsylvania as a square shooter. He enjoys the respect of all the people in that district. I feel as confident that what the gentleman from Pennsylvania says on this floor today is true as if I had been at the meeting in which his speech was misrepresented and had heard his remarks myself.

Mr. WEISS. I am grateful to the gentleman from Pennsylvania.

Mr. KUNKEL. Mr. Speaker, will the gentleman yield?

Mr. WEISS. I yield to the gentleman from Pennsylvania.

Mr. KUNKEL. About 2 weeks ago the gentleman from Pennsylvania made a speech in Harrisburg, Pa. The first thing I knew about his having made that speech was when I began to receive highly pleasant letters telling me first, what a fine speech he had made and secondly, what complimentary remarks the gentleman had made at the two meetings which he addressed about me and about my service in Congress.

I should like to read to you from one of these letters to give an illustration of the reaction that occurred in Harrisburg. This letter was written by Eugene E. Miller, who is also a professional football referee. He was a great athlete at Penn State and a famous college referee also. He was formerly county comptroller of Dauphin County, leading the ticket when the returns were counted. He has taught in the public schools in that county for a great many years, and has the respect of parents and students alike. Today he is principal of the Edison Junior High School. This is a personal letter. If it were not, I should put the whole letter in the RECORD. He writes me as follows:

> Now, I'd like to say a word about SAMMY WEISS, whom I like very much. He did a grand job up here on January 11 at the American Legion dinner honoring our senior high-school football squads, and I wish you'd tell him when you speak with him that quite a number of fellows spoke to me about his fine message. There was no doubt about his attitude toward you in speaking to the people of your community, for he not only said you were a distinct credit to us, but he also told all of the gathering that there was no doubt about your importance in your particular activities in the Congress.

I may add that I have received a number of other letters, which time will not permit me to read, all of which are along the same line. When I was back in Harrisburg after his speech a number of people told me the same thing. While I was not present in Cleveland and cannot testify as to that speech, yet it seems to me that this reaction in Harrisburg has an evidential value in respect to the type of

speech the gentleman from Pennsylvania makes. I welcome the opportunity of making this statement in behalf of my good friend.

Mr. WEISS. I am indeed grateful to the gentleman.

Mr. DILWEG. Mr. Speaker, will the gentleman yield?

Mr. WEISS. I yield to my athletic colleague from Wisconsin.

Mr. DILWEG. Mr. Speaker, I have known the gentleman from Pennsylvania, SAM WEISS, for a period of about 1 year personally, but I have known him many years by reputation. He has much better sense than you ascribe to him, when you think he could possibly make any such remarks. He has never spoken in my presence on the floor of the House or off the floor of the House in any disparaging way about any of his colleagues, to my knowledge. I think it is a dirty shame that the gentleman has to stand before this gathering and suffer from any such intimation.

Mr. WEISS. I thank the gentleman very kindly.

Mr. MILLER of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. WEISS. I yield to the gentleman from Pennsylvania.

Mr. MILLER of Pennsylvania. This is a shining example, Mr. Speaker, of a tempest in a teapot. The gentleman from Pennsylvania [Mr. WEISS] needs no defense from anyone. I saw a shining example of his fairness yesterday when he presided as chairman over a meeting of a subcommittee of the Committee on the Post Office and Post Roads. He is a valiant soul and a valiant friend. He needs no defense from anyone. He is a valued Member of this body.

Mr. WEISS. I appreciate the gentleman's remarks.

Mr. Speaker, I want all of you to know that while I may disagree with you at times, the day I start going into other districts speaking in derogatory terms against any Member of this House, it is then time that I should be unseated myself.

QUESTION OF PERSONAL PRIVILEGE

Mr. HOFFMAN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER pro tempore. The gentleman will state his question of personal privilege.

Mr. HOFFMAN. Mr. Speaker, I read from the newspaper Daily Worker:

> The best seller Sabotage, by Albert E. Kahn and Michael Sayers, says of this notorious speech by HOFFMAN:
>
> "He (HOFFMAN) ordered 145,000 reprints of this Roosevelt Is a Judas speech, and 105,000 franked envelopes to circulate it throughout the country. The chief distributor of HOFFMAN'S scurrilous tirade was Charles B. Hudson, the subversive propagandist of Omaha, Nebr. Hudson, who was subsequently indicted by the Department of Justice on charges of conspiracy to provoke revolt and disloyalty within the United States armed forces, mailed out thousands of reprints of HOFFMAN'S speech in the Congressman's franked envelopes."

I read further:

> HOFFMAN had the gall to declare on the floor of Congress——

The SPEAKER pro tempore. The Chair feels that the gentleman has stated a question of personal privilege. The gentleman is recognized.

Mr. HOFFMAN. Mr. Speaker, no one need be disturbed about the length of time I shall take. Ten or fifteen minutes will be ample, and that time would not be taken by me were it not for some things that were said heretofore by the gentleman from Pennsylvania [Mr. WEISS], who preceded me. I have had no part whatever in this incident which came up yesterday, which has been referred to today, but some good may come out of that incident. It is my hope that it will bring home to every Member of the House the fact that there is altogether too much irresponsible reporting. Just why the American press, which until recent years has always been considered, especially the great news services, as being accurate and fair, should continue to repeat false charges is beyond me. The gentleman from Pennsylvania [Mr. WEISS] was quoted in the press as having made certain statements. So far as I am concerned, and I think so far as the other Members of the House are concerned, when he rose on the floor of the House and said that he did not make that statement, that was and should have been sufficient for all of us.

Mr. ROWE. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Yes.

Mr. ROWE. Just to make this observation, that the gentleman must appreciate the fact that the American press, so far as reporting is concerned, is just as seriously affected, so far as men gathering news is concerned, by the war as is any other industry.

Mr. HOFFMAN. No doubt about that. Ordinarily the reporters are accurate. Mr. Speaker, in the last session of Congress attention was called by me to the fact that the C. I. O. organization referred to a banquet they held downtown, at which certain Members of Congress were present, and made the statement—and it was published in the newspapers—that Members of Congress had received a sum—I do not recall whether $3,000 or $5,000—for voting one way or the other—I have forgotten which way—on the Ruml plan. That statement, within a few days, I think the next day, was called to the attention of the House by me. I requested that we take some action. No action was taken. Subsequently the statement was repeated as having come from one Congressman who was present at that meeting. My point is this: When statements like that are made, especially here in the Washington press, reflecting upon the honesty and the integrity of the people's Representatives, and the men who make them are available, as those men were at that time, they should be called before a committee of this Congress and required, to use a colloquial expression, to put up or shut up. They should be made to give evidence to prove their charge if they can, and if they cannot, then they should be branded as prevaricators. If the false statements are willfully and knowingly made, the makers should be denied the privileges of the House Press Gallery.

So far as the statement with reference to the speech I made, it has been published time and time again, throughout the country. It is said that I made a speech in which I said that the President was a Judas. I never made any such speech.

I did make a speech on the 27th of January 1942, and again on the 30th day of January 1942, in both of which I protested as vehemently as I knew how against the betrayal of this country to an international organization, and I mentioned several persons, one a member of the President's Cabinet and one a member of the United States Supreme Court, whose names were on that literature as being willing to do away with the Constitution of the United States, to do away with the flag of the country and substitute an international constitution and an international flag to take the place of the Stars and Stripes, and I stand on that speech. Not 145,000 copies, but 165,000 copies of the combined and condensed speeches were printed, and I had requests for over 300,000. I say once more that I think it will sometime be a good thing to reprint that speech, just as soon as the war is over and possibly, perhaps, before it is over, so that we can think of our own men, our own country, so that we can get our minds on the war once more.

With Stalin refusing our offer to mediate on the Poland dispute, telling us he will settle that issue himself, with H. G. Wells, of England, writing, as he is reported to have written, saying the three countries have no right to attempt to govern the world, the advocates of union now might well devote their efforts to the winning of the war.

There is a story today in the morning paper about what the Japs have done, are doing to our prisoners of war, and I understand there will be a detailed account in that same newspaper, known as the Chicago Tribune, which seems to have had a monopoly on the original story which has so long been kept from the people by the administration. I hope that every one will read the stories of these atrocities in the Chicago Tribune, and for once we will begin to have the war in mind as the first thing to which we should give attention.

When our minority leader, Mr. Snell, was here, a question arose about the use of the frank.

On November 19, 1937, a letter was written to the then Solicitor of the Post Office Department, Karl A. Crowley, by the then minority leader of the House, Bert Snell. That letter is as follows:

> DEAR MR. CROWLEY: Will you please give me a ruling on the following: Is it legal for a Member of Congress to frank communications, either typewritten or mimeographed, dealing solely with the public business?

In reply, the following was written under date of November 23, 1937:

> The receipt is acknowledged of your letter of November 19, requesting to be advised whether it is legal for a Member of Congress to frank communications, either typewritten or mimeographed, dealing solely with the public business.
>
> It is provided by 39 United States Code 327 that: "The Vice President, Members and Members-elect of, Delegates and Delegates-elect to Congress, and the Resident Commissioners from Puerto Rico and the Philippines, shall have the privilege of sending free through the mails, and under their frank,

any mail matter to any Government official or to any person, correspondence, not exceeding 4 ounces in weight, upon official or departmental business (until the 1st day of December following the expiration of their respective terms of office)."

Your inquiry is accordingly answered in the affirmative.

I later wrote the Office of the Solicitor of the Post Office Department in the following letter:

On page 18519 of the CONGRESSIONAL RECORD of September 14, 1940, I extended my remarks by including an article on the March of Democracy.

If I have copies of these remarks printed by other than the Government Printer and in different type, may I still send them out under my franking privilege?

On the 25th following, my letter was answered in these words:

In answer to your letter of September 21, which the Solicitor has referred to this office, you are advised that the act of Congress of March 3, 1875, embodied in section 669, Postal Laws and Regulations, provides as follows:

"The CONGRESSIONAL RECORD, or any part thereof, or speeches or reports therein contained, shall, under the frank of a Member of Congress or Delegate, * * * be carried in the mail free of postage.'

The place of printing of extracts from the CONGRESSIONAL RECORD or the style of type used does not affect their frankability. In this connection, I may say that when it is desired to send under frank extracts from the CONGRESSIONAL RECORD, the extracts should, in order that their character may be apparent on the face, bear such identifying indicia as will clearly show that they are from the CONGRESSIONAL RECORD.

I say further that not one of the speeches ever made by me was franked out in violation of the law, and Mr. Hudson—and I hope this is the last time I shall be called on to answer that charge—never had my frank for any purpose. That ought to be sufficient. I yield back the remainder of my time.

EXTENSION OF REMARKS

Mr. AUGUST H. ANDRESEN. Mr. Speaker I ask unanimous consent to revise and extend the remarks I am to make this afternoon and include certain extracts and statements.

The SPEAKER pro tempore. Is there objection?

There was no objection.

FEDERAL CONTROL OF INSURANCE

Mr. SABATH, from the Committee on Rules, submitted the following resolution (H. Res. 422), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 3270) to affirm the intent of the Congress that the regulation of the business of insurance remain within the control of the several States and that the acts of July 2, 1890, and October 15, 1914, as amended, be not applicable to that business. That after general debate, which shall be confined to the bill and shall continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

EXTENSION OF REMARKS

Mr. TABER. Mr. Speaker, I ask unanimous consent that the gentleman from Delaware [Mr. WILLEY], former secretary of state of Delaware, may have the privilege of revising and extending his remarks in the RECORD with reference to the 1943 soldiers' vote bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. TABER. Also, Mr. Speaker, I ask unanimous consent that I may be permitted to revise and extend the remarks I expect to make in committee today, and to include certain excerpts from newspapers and periodicals.

The SPEAKER. Is there objection?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks by inserting an address made by Dr. McGowan, in Washington on January 15; also to revise and extend my remarks by placing in the RECORD two articles appearing in the Philadelphia Record in reference to the difficulty of making out the income-tax return.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SADOWSKI. Mr. Speaker, I ask unanimous consent to extend my remarks on two subjects and include resolutions.

The SPEAKER pro tempore. Is there objection?

There was no objection.

INDEPENDENT OFFICES APPROPRIATION BILL, 1945

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 4070) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1945, and for other purposes; and, pending that motion, I ask unanimous consent that general debate on the bill shall continue for 3 hours, the time to be equally divided between the gentleman from Illinois [Mr. DIRKSEN] and myself.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia that general debate on the bill shall continue for 3 hours, the time to be equally divided between the gentleman from Illinois [Mr. DIRKSEN] and the gentleman from Virginia [Mr. WOODRUM]?

There was no objection.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Virginia.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4070, the independent offices appropriation bill, 1945, with Mr. WHITTINGTON in the chair.

The Clerk read the title of the bill.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, the discussion of the Polish-Russian boundary is one of universal interest not only in the United States but throughout the democratic world. The interest is not confined exclusively to Americans of Polish antecedents, nor to any other element of the American people, and discussions are not always free of biased sentiment. I should perhaps say prejudice, or more appropriately, that expressions are frequently made which are predicated upon ignorance and upon a definitely unjustified and anti-Polish viewpoint.

To the uninformed the unfounded, intemperate, and ill-timed expressions of the Russian newspaper Pravda, which is the official organ of the Communist Party and reckoned as the mouthpiece of the Soviet Government, and the caustic and unfriendly expressions of War and the Working Classes, to say nothing of Izvestia, which is the official organ of the Russian Government, might impress many of our people with the justice of the spurious claims of our "converted Russian ally."

In this country it appears that on occasion some individual with the aid of unfriendly press support will undertake to speak with authority, not only for the Americans of Polish antecedents but also for the Polish citizens residing in the homeland, and these expressions so ably press-agented are frequently anti-Polish if not downright pro-Russian and the origin in such instances is apt to be doubtful and certainly not representative of the sentiments of the great mass of Americans of Polish antecedents in the United States, or of the Government in exile, or the people which it represents living in Poland.

I want to read into the RECORD a statement signed by 17 eminent and patriotic Polish educators, each one identified with some outstanding institution of learning. These men are among the foremost in their respective fields, they are of unimpeachable character, and I say to you, Mr. Chairman, that they, if anyone, speak the sentiments of the great bulk of the people of Polish antecedents in this country. While I do not presume to state with authority, I shall say nevertheless that I believe these men, knowing Poland and the Polish people, reflect, too, the overwhelmingly popular opinion of the Poles in the fatherland.

It is plain and evident that this statement is intended to combat and to put in its proper place the erroneous pro-Russian views of Dr. Oscar Lange whom a fractional though vociferous minority seeks to foist on the American public as an authority and as one who reflects the trend in opinion among Americans of Polish antecedents.

I should like to add for the benefit of the Members of the House that Dr. Lange speaks only for himself and to be as charitable as possible toward him,

I should say he speaks with poor taste and with ingratitude whenever he presumes that Americans of Polish ancestry, or the people of Poland, in order to placate Russia, are willing to sacrifice their own bloodstained territory. Certainly the sentiment is well-nigh universal that Poland desires to live in closest friendship and as a good neighbor to Russia but not at a price, not at the expense of jeopardizing her own independence.

The determination of the form of government which the Polish people will eventually choose is something which the Poles insist is their own and exclusive privilege and responsibility. They will not jeopardize the religious life and the freedom of the people because to do so would mean bowing to communism and the permanent establishment of a puppet form of Soviet Government.

The Poles look to the world for support of their attitude in the hope that they may preserve their independence, freedom of conscience, and the right to worship God according to the dictates of their own conscience.

The Polish Government made clear its position and its attitude has been most generous, exemplary in its patience, when it was stated that the boundary question can be solved by mutual consent but cannot be determined on a unilateral basis or imposed by Russia as a conqueror.

The statement to which I referred was prepared by Dr. Jerzy Kaulbersz, of the college of medicine at the Wayne University of Detroit, Mich., and I commend it to the membership for your most earnest consideration.

The statement reads as follows:

The American press reported recently of a new Polish organization, the Kosciusko League, founded in Detroit with the purpose of spreading among the Polish population the idea of an acquiescent attitude toward Soviet Russia. One of two principal speakers at the organizatory meeting was Dr. Oscar Lange, professor of political economy at the University of Chicago.

Dr. Oscar Lange emerged as an ardent follower of Russian claims to eastern Poland on April 29, 1943 (a few days after the rupture by the Soviets of diplomatic relations with Poland), publishing a provocative letter in the New York Herald Tribune, in which Poland's determination to maintain the integrity of her territory was called by him "national hysteria." His suggestions were identical with propositions from the Russian foreign office.

Dr. Lange's opinion is being given widest publicity as that of a Polish scholar and a former member of Krakow University, thus creating a false impression that he reflects the opinion of the Polish scholars. Therefore we, professors and lecturers of the Polish universities, declare that we take most vigorous exception to both his views and his tactics. It is an easy but by no means convincing method simply to accuse people holding other opinions of being Fascists and reactionaries, in order to discredit them in public opinion. But we expected a more impartial and scholarly approach on the part of Dr. Lange who as a lecturer had been associated for a short time with Krakow University. This university had always represented the highest Polish spiritual values, and in the present war nearly all of its members had been deported to the Nazi concentration camps, where many died in consequence of inhuman treatment. We also expected more fairness on Professor Lange's part in dealing with the government of an Allied nation of which he was a citizen until a short time ago.

We all are in favor of cooperation between an independent and democratic Poland and the Soviet Union, and we think that Poland gave ample proof of this being her desire. But to achieve such a cooperation the territorial claims of Soviet Russia must be withdrawn. The Polish-Russian frontier of 1921 had been a frontier of compromise, and as such it had never been questioned by Russia. The Poles are the most numerous there, and except for the time of partitions, these territories belonged to Poland for many centuries not only historically but yet culturally. Large cities in this territory, Lwow (which had never belonged to Russia) and Wilno, are inhabited by an overwhelming majority of pure Poles, and are among the main centers of Polish culture. Many great leaders in Poland's history, and a number of great poets came from eastern Poland.

Poland was first to fight against Nazi domination and has continued this struggle ever since with appalling sacrifices on the home front and abroad. Russia, it should be remembered, joined the United Nations only after being attacked by Germany and after 22 months of collaboration with the Nazis. It would be a great injustice and in disaccord with international morality, should Poland be deprived of any part of her territory in favor of Russia. Political, historical, and cultural reasons speak against it as strongly as the moral principles for which we are fighting this war.

Dr. Henryk Arctowski, Lwow University, Observatory of the Smithsonian Institution; Dr. Gustaw Bychowski, Warsaw University; Dr. Wladyslaw Gorczynski, director, Central Meteorological Institute, Warsaw; Dr. Oscar Halecki, Warsaw University; Dr. Jerzy Kaulbersz, Krakow University, Wayne University; Dr. Andrzej Krzesinski, Krakow University, University of Montreal; Mr. Michal Laskowski, Warsaw Agricultural College, University of Arkansas; Dr. Gustaw A. Mokrzycki, Warsaw Institute of Technology, University of Montreal; Dr. Stanislaw Mrozowski, Warsaw University, Chicago University; Dr. Józef Pawlikowski, Warsaw Institute of Technology, Ecole Polytechnique de Montreal; Dr. Jan H. Rosen, Lwow Institute of Technology, Catholic University of America; Dr. Stanislaw Snieszko, Krakow University, University of Maine; Dr. Wojciech Swietoslawski, Warsaw Institute of Technology, Mellon Institute for Industrial Research; Dr. Jozef Sulkowski, Poznan University; Dr. Boleslaw Szczeniowski, Warsaw Institute of Technology, Ecole Polytechnique de Montreal; Dr. Aleksander Turyn, Warsaw University; and Dr. Florian Znaniecki, Poznan University, University of Illinois.

As further evidence of the attitude of Americans of Polish antecedents, I want to read to you a resolution which was adopted by the executive council and directorate of the Polish Roman Catholic Union of America, having membership in every State of the Union.

This progressive and patriotic organization, I am sure, reflects the opinion of the great bulk of the Polish Americans and I feel safe in saying that it is not only the guide but a reflection of the self-same feeling of the liberty-loving people of America.

This organization is representative of Polonia and is the second largest in America.

I invite your attention while I read the following resolution:

CHICAGO, ILL., *January 25, 1944.*

The following resolution was unanimously adopted at the plenary meeting of the executive council and directorate of the Polish Roman Catholic Union of America, duly held on the 11th day of January 1944, in Chicago, Ill., all of the national officers being in attendance at said meeting:

"Whereas the American press has published under today's date line a news item from London to the effect that the Government of Soviet Russia has formally announced that it will annex the eastern section of Poland, embracing in area approximately one-half of the territory of Poland; and

"Whereas the Government of Soviet Russia asserts that the Polish Government in exile, now located in London, does not represent the will of the Polish Nation, and further charges the Polish Government with incompetency, because of the alleged failure to organize active resistance to the Nazi invader; and

"Whereas the Government of Soviet Russia forcibly and illegally seizes Polish lands, without the consent of the population residing therein, thus undermining the foundation of the future growth and existence of Poland, and thereby assuming a stand, contrary to all principles of democracy and liberty, for which the present war is being fought; and

"Whereas the charges leveled by the Soviet Government against the present Polish Government are untrue, as the Polish Government in London is the sole and constitutional exponent of the will of the Polish Nation, and said Government has taken all steps possible to combat our common foe: Therefore be it

"*Resolved,* That the executive council and directorate of the Polish Roman Catholic Union of America, convened at its plenary meeting in Chicago, Ill., on January 11, 1944, solemnly protests, in the name of its membership composed of Americans of Polish extraction, against the contemplated partition of Poland by Soviet Russia, and supports the stand taken by the Polish Government in London, which is allied with the Government of the United States.

"We place implicit trust in our President, Franklin Delano Roosevelt, and express the firm conviction that he will not permit the Government of Soviet Russia to despoil the Polish Nation, now so terribly tortured and ravaged by the Nazi barbarians."

JAN J. OLEJNICZAK,
President,
STEPHEN S. GRABOWSKI,
Secretary General,
ANTHONY J. KOZUBAL,
Treasurer,
For the Executive Council and Directorate of the Polish Roman Catholic Union of America.

Mr. DIRKSEN. Mr. Chairman, it is my considered opinion that the proposed second Bill of Rights in the President's message is at once one of the most challenging and most provocative things with which the Congress will have to deal in a long time.

I used the term challenging and provocative because it is a goal which can in whole or in part be achieved and maintained only when government pursues a

sound fiscal policy which will make possible a stable national income which will support not only a security program but make it possible for the industry of the Nation to meet the problems with which it will be confronted in the post-war period.

By way of illustration let me begin with the reminder that there is pending before both branches of Congress a unified social-security program which is contained in the Wagner-Murray-Dingell bill. It will be recalled that this extension of the security program, together with the security benefits which are now available, would be provided through a tax of 6 percent on employers and 6 percent on employees.

In addition there will be other administrative expenditures at both Federal and State levels which will in reality make this something more than a 12-percent tax upon that portion of the national income which comes within the provisions of this tax proposal.

It might be quite obvious that any kind of tax upon employer or employee can be fruitful and productive of revenue only if industry earns profits and only as there are jobs from the wages of which the tax on the employee must be paid. This is another way of saying that there must be a stable as well as a high national income if further security programs are to be carried out and the obligations of Government are requited.

But let me pose what I deem to be a very pertinent inquiry. What would happen to the "second bill of rights" as set forth in the President's message to Congress if there were an inadequate number of jobs? What happens to the "second bill of rights" if there is no incentive for industry to attain maximum production of civilian goods when the war is at an end? What happens to the "second bill of rights" if those impelling and very human factors which are at the heart of a free-enterprise system are in any way diminished or destroyed?

As I envision the basic post-war problem which is before us, it addresses itself to two fundamental facts. The first is that we must honorably support the largest debt structure in the history of the Nation. Already it has been intimated in the Budget message to the Congress that at the end of the fiscal year 1945, which to be exact would be June 30, 1945, the national debt is estimated at $258,000,000,000. It has also been estimated that the interest on the national debt for every 365 days will be at least $5,000,000,000, and might be more, depending on what the going rate of interest will be at that time.

Manifestly that is an imperative charge in our fiscal program, because failure to pay the interest on outstanding obligations of the Government would constitute not only repudiation of our obligations, but would end in complete economic chaos and disaster. Carrying the national debt, therefore, is the first realistic imperative with which we are confronted, and there can be no dodging of this responsibility.

Secondly, it will require a high national income to support the estimated public debt and the interest charge thereon. Moreover, it will require a high and stable national income to meet the general obligations of Government as a result of the functions of Government which Congress has legislated from time to time.

These can be met only in the form of taxation and no matter what type of tax is imposed, there must be profits, wages, rewards, and income if those taxes are to prove fruitful. It is but another way of saying that no matter what functions, policies, and programs may be pursued by the Federal Government, they can be continued and maintained only when sufficient revenue is available for that purpose unless we propose to continue on a basis of deficit spending and spend our way into disaster. Federal revenue can only be derived from national income and so it becomes very pertinent to analyze the sources of income upon which we must rely.

In the case of the millions of people who rely upon industry for a livelihood and receive substantial wages for their work, those wages become a source of revenue. When business and industry are operating at a profit, those profits become a source of revenue. There is no other place to go. But jobs are inevitably contingent not only upon the operation of such industry as exists today but upon new industrial enterprises to provide even more jobs than the number which existed in the pre-war period. Our whole hope, therefore, of meeting the impact of the transition from war to peace and of preserving a system of free private enterprise, reposes in the incentives which will make it possible for private enterprise to exist and which serve as an inducement for venture, capital, and adventurous people to go into business and to provide more goods for more people in more places. Industry and business will be energized and stimulated to carry the country to a greater level of prosperity than ever before only in proportion as the incentive of profit and reward and reasonable freedom from burdensome restrictions is preserved.

What, then, are the incentives which not only keep people in business but cause them to venture into business? They must be permitted either as individuals or as corporate entities to retain a sufficient amount of their earnings, to provide working capital, to provide reserves and to provide a profit as a reward for risk and effort. Consider that requirement in the light of our present bewildering and burdensome tax program and policy. In round figures the overall revenue yield of the Federal Government is now about forty-one and one-half billion dollars. In addition thereto another tax bill is pending in Congress which will add another two billion to this total. If this level of taxation is maintained, it means that forty-three and one-half billion dollars will be taken from the national income, exclusive of the amounts which are now taken by States and local subdivisions of government. If the President's recommendations for a tax bill to yield ten and one-half billion dollars were enacted into law, it would mean that Federal revenues would reach the staggering sum of more than $51,000,000,000. This, of course, can be achieved only by higher rates and a broader base so that the rewards from thrift, enterprise, and endeavor will be even more sharply reduced. What, then, becomes of the incentive to venture into business? What, then, becomes of the incentive to remain in business if a reward which is wholly disproportionate to the effort, skill, talent, and risk which must be devoted thereto is the only thing which is left?

It is an open secret that so much of our best industrial brains are today taking a riskless position. Men with ingenuity and mental resource who have capacity for directing all manner of enterprise from which comes jobs are today taking riskless positions because of taxation which to them seems quite oppressive. Capital is taking a riskless position today. The various figures from different departments and agencies indicate too plainly that money is moving into a position where the returns for long-time investment are extremely small. It indicates only too well that safety rather than return has become an impelling consideration.

When our best industrial talent and skill is divested of the incentive to assume hazards and burdens which attend industry and enterprise, when capital markets remain stagnant as they have done for so many years, when the expense and the risk of obtaining capital becomes a genuinely hazardous adventure because of the restrictions, liabilities, and responsibilities which are imposed by the various laws now administered by the Securities and Exchange Commission, when government is so niggardly in providing a pat on the back to industry for a job well done in time of war and has no kind word for every effort which it is already making in meeting the shock from war to peace, one may conclude not only that our free-enterprise system is in danger but that the rewards, the jobs, and the wages upon which we must depend in the post-war period to meet our debt and maintain high national income may not be there in sufficient volume to meet our needs. What, then, becomes of a security program unless that program is carried on by means of deficit spending? What, then, becomes of the second Bill of Rights? Eventually there must be a revamping of the tax structure so that incentives for business and more business, for jobs and more jobs, will be retained. Herein lies the greatest assurance for meeting the enormous fiscal problems which are before us.

Let us then examine the origin of our revenue needs. Pending before us at this very moment is the independent offices appropriations which in round figures proposes appropriations of $8,500,000,000. When these funds are expended they must be offset either by taxes or by borrowings if our fiscal house is to be kept in order. If we must resort to borrowing in order to balance the Federal books those borrowings will be reflected in an increasing national debt. When those funds are expended they will be spent in part for the maintenance of a civil establishment in which there

are nearly 3,000,000 persons on the Federal rolls. In dealing with taxes, national debt, bureaucracy, extravagance, and inefficiency it would be far better if we went back to fundamental causes.

It is nearly a hundred years ago that Henry David Thoreau, the old philosopher who hewed out the great truths in an atmosphere of nature, once observed that for every person who hacks at the roots of evil there are a hundred hacking at the branches. I often wonder whether we have not been hacking at the branches instead of the roots in the many discussions in this Chamber. Expenditures show up in the form of taxes and borrowings, and to diminish the reason for taxes and the reason for borrowings, expenditure must be reduced to an absolute minimum. Here, however, it must be said that every expenditure that is necessary, must be willingly made in the interest of a speedy and complete victory.

The expenditures, however, are but the fruits of functions and activities undertaken by the Federal Government. That is equally true of bureaucracy. Bureaucracy in itself is a result and not a cause. If government did not undertake such a function as is now exercised by the Board of Geographic Names in the Department of the Interior, it is entirely possible that the more than 100 people who are engaged in this activity would not be required and thus both bureaucracy and expenditure would be proportionately reduced. If expenditure were reduced, the need for revenue or the need to borrow would be proportionately diminished. So our examination of this matter must be along fundamental lines and we must examine the activities, functions, and policies of government to determine which are a proper field of Federal activity and which are defensible if we expect to find relief. Perhaps an illustration of this matter is in point.

The bill now before us which makes appropriations for the independent establishments of government makes provision for an agency known as the Securities and Exchange Commission. It was established about 10 years ago and now administers a variety of functions such as the Security Act of 1933, the Trust and Indenture Act of 1939, the Securities and Exchange Act of 1934, the supervision of over-the-counter markets, the inspection of brokers and dealers and a variety of other functions. This agency now employs 1,194 people. Of this number 894 are departmental personnel and the balance are in the field. There you have bureaucracy. But what accounts for the 1,194 people who deal with the business of policing brokers, dealers, and exchanges, the registration of stock issues and the other functions which they manage? It was done in pursuance of a number of pieces of legislation enacted by the Congress.

The bare enactment of a law by this body is of no force and effect until it is administered by some agency. Such an agency must be staffed with a variety of personnel and here we see from cause to effect how bureaucracy springs from Federal activities which have been ordained by the law-making body of this Government.

The personnel employed by Securities and Exchange Commission must be paid. There must be funds for telephone and telegraph service. There must be funds for supplies and those funds derive only from appropriations made pursuant to law by the Congress. Those appropriations must at sometime or other be offset either by taxes or by borrowings. Here again we have cause and effect.

When Congress ordains a function to be administered by some agency of Government, it has so frequently delegated this authority in broad language which permits the making of rules and regulations to carry such an act into effect. Those rules and regulations have the force and effect of law and there one observes the course of cause and effect whereby administrative law and administrative management of the people comes into being. More and more this feature becomes one of the growing issues of the day as people are irritated, vexed, restricted, and disturbed so much by the rules and regulations which have been issued in ever-increasing quantities as a result of that law. Who will assert that we are not today a Nation managed by administrators and officers of Government who are not responsible to the people at the ballot box and who quite often are not too responsive to the needs and the desires of the people? They do not have to appear before the electorate at stated periods and there test out the justice, fairness, and durability of the administrative orders under which the Nation is today being managed.

Obviously, every reasonable person recognizes that in time of war there must be a marshaling of our resources so that we become a militant instrumentality for victory. But the important point is that in the administrative management of all the affairs of people there develops those unnecessary whims and caprices which too often cannot be justified. When that administrative authority is delegated and re-delegated from the top to the bottom until finally it is applied to the people at the grass-root levels, one encounters an invasion of the civil rights of humble people which can only bring about irritation, vexation, and disunity.

Every Member of this House is quite familiar in a first-hand way with the difficulty in controlling and in circumscribing the actions of administrators and in a proper review of their actions.

If the Congress undertakes to abolish a bureau or curtail an appropriation or excise an indefensible activity, it is promptly charged by some with an action which is contrary to the general welfare and the common good.

If it should appear that the courts may stand in the way, then the courts must be bypassed, as was the case when the Congress approved a provision in the Price Control Act under which the validity of an order, a regulation, or a price schedule cannot be passed upon in a State, territorial, or Federal court. Here is an instance where justice is a one-way street. Any citizen, any businessman may be brought into court for a violation of an O. P. A. regulation, but if, on the other hand, a regulation threatens the very business life of an individual, he has no choice save to spend time and money and come to the Nation's Capital in the hope that he can have a hearing in the Emergency Court of Appeals, which is the only tribunal for review under the Price Control Act. If Congress threatens the life or function of an agency and cannot be turned back, then public opinion must be managed to prevail upon the Congress to permit that agency to function, and here we encounter the thousands who are on the Federal rolls today writing releases, issuing bulletins, and preparing radio scripts for the consumption of the country. Finally, to make this pattern of administrative control complete, so many policies are invested with some kind of more significance. You may have observed in the President's message in connection with his proposal for a national service act that it was characterized as a unifying moral force and as an expression of democracy.

Here is the unmistakable pattern of what we have been encountering for the last decade. There has been an adventure of government into many fields of activity which show up in the form of bureaucracy expenditure, debt, taxation, restrictions upon the people, restrictions upon business and a vitiation of States rights. Every activity must be translated in terms of money and so there is before us today another money bill for $8,500,000,000 for which there must be offsetting revenues or borrowed funds which can be derived only from wages, from profits and from rewards.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Yes.

Mr. O'HARA. Does the gentleman feel, as I have felt in the last three or four years, that there has been some deliberate, concerted effort to change our constitutional form of Government, and that one of those changes is to be brought about by the destruction of the confidence of the people of this country in the Congress?

Mr. DIRKSEN. A little later I shall allude to the observations of my friend from Minnesota.

If a managed economy is to continue with all the controls that have already been imposed upon the Nation and if in addition to the many functions and activities which are already undertaken by Government there is to be an extension of such activities, they must obviously be reflected in terms of larger Federal pay rolls, greater restrictions, greater burdens upon industry and business, larger expenditures, higher taxes, and increasing difficulty for our system of free enterprise to assume these burdens and to provide the jobs which must be provided in the post-war period if we are to escape economic and social turbulence. If the jobs are not provided, then what happens to the proposed second Bill of Rights and what happens to our system of free enterprise?

Already there is some hint of what is in the air. There has been much discussion of a post-war program of public

works. It was alluded to in the President's message. If private enterprise is restricted by the difficulties of taxes, slow contract terminations, and Government management to the point where it might fail to produce the number of jobs that are necessary to provide for demobilized men of the armed services and the workers who will be demobilized from war industries, then Government will be expected to step in with a massive public works program which will reach into every community in the land, and which, no doubt, will be administered and controlled from the Nation's Capital.

If the past is any criterion of the future, it will be managed through regional, State, local, and district offices. All these will have to be staffed with personnel. All these will require public funds for their operation. The projects which will be pursued will require substantial funds for their construction and their servicing. The whole pattern of control will doubtless be maintained and once more we encounter the branches rather than the roots in the form of bureaucracy, expenditure, taxation, and debt. The alternative to this, of course, will be the preservation of the free enterprise system with adequate management so that it can operate effectively and produce the rewards, the wages, the jobs, the high and stable national income wherein lies our only real hope.

Such a controlled program will be quite in line with the philosophy which we have been pursuing for a long time and which carries us further and further toward a collective system wherein the individual is submerged. The whole emphasis is upon the collective good in which the individual is but an atom and if his personality and freedom is submerged long enough the appetite for freedom is starved and the interest in a free enterprise system is impaired.

In this connection I noted that not so long ago a very interesting phrase which can be found on page 47 of the Wagner security bill which was introduced on June 3, 1943. It reads as follows:

> In each area the provision of general medical benefit for all individuals entitled to receive such benefit shall be a collective responsibility of all qualified general practitioners in the area who have undertaken to furnish such benefit.

I need not transgress upon your patience by reciting the basic purposes of so many other measures where the collective philosophy is emphasized nor how it will be extended and implemented through burdensome restrictions upon the free enterprise system. That system may then be unable to function as it should in meeting its post-war responsibilities.

In this connection let me ask this question: Can it be said that since 1933 there has been a truly bona fide self-generated boom in this country? As one looks over the years, he is now confronted with the conclusion that we have received economic stimulus from Government programs which have been controlled from the top or from the stimulus of war. Are we now to reconcile ourselves to the conviction that the economic machine of this Nation cannot function unless it is nurtured, stimulated, and controlled by Government activity? If and when that confession is made, it will be disastrous, indeed, to our whole system of free enterprise.

It appears to me that if we are to preserve a free private enterprise system, we must give it a chance. If we are to maintain a high national income in the post-war period, we must give the system a chance to provide jobs. We must preserve the incentives which make that system work. We must preserve the freedom which is an essential part of that system. Undue burdens and controls must be relaxed and must be removed as rapidly as possible. It must be freed from administrative management on the part of government. It must be encouraged by simplification and modification of our tax structure. It must be freed from the blight of bureaucracy. All these obviously stem from greater and greater expansion of Federal activities. Here then is the root where the ax must be laid. A managed economy insofar as I can determine from my reading in history has not once succeeded in 6,000 years. One can examine scriptural history and find no evidence of the success of a managed economy. It either fails or moves on to a form of total government. The effort of Diocletian nearly seventeen hundred years ago is a fair example of how management has been tried long ago. If I remember correctly, he even devised a kind of O. P. A. under which 800 items were under strict control. He was deluded into the belief that it was going to be permanent because it appears that he had ceiling prices engraved on stone but notwithstanding his ability, his force, and his determination, it proved a miserable failure.

The idea of complete management of the affairs of people by government at the top is but a part of the concept of collectivism. For, if it prevails, it will inevitably destroy freedom and despoil the dignity of the individual and individual personality. Freedom is the essence of our free enterprise system under which we have marched to world leadership in a hundred and fifty years.

By way of recapitulation let me, therefore, say that our last and best hope in a world that is engulfed by war and bitterness is the preservation of the free enterprise system, because it represents the best hope of providing the jobs and the stable national income from which we can support the inescapable fiscal obligations which are being piled up to astronomical heights by global conflict.

To preserve that system and give it health and vigor will require encouragement and the maintenance of those incentives upon which it rests.

It must not be burdened into stagnation and decay with taxes, restrictions, centralization of power, arbitrary rulings, the gospel of defeatism, collectivism, and a trend toward total government.

We as a Congress can do much in that direction.

We can carefully scrutinize the authority which we delegate to Federal administrative agencies and provide the limitations under which they operate so that this will remain a nation of law and not of administrative rule.

We can carefully scrutinize every measure which is presented here in order to prevent the complete destruction of State authority and the absolute centralization of power in the Federal Government. We shall encounter that very problem in the proposal now pending before committees of House and Senate to completely federalize the unemployment compensation system. Presently it operates satisfactorily as a dual Federal-State system. If it is nationalized, it will be so much further removed from the grass-roots level and mean one further step toward total power.

We can carefully weigh and value every proposed expansion of Federal power for in so doing, we cannot only hold bureaucracy in check but expenditure of public funds as well, and therefore create the prospect for ultimate tax reduction and the diminution of this burden upon the very source from which post-war jobs are expected.

We can carefully scrutinize every proposal to make certain that the power of the judiciary is not impaired. When there is no longer an opportunity for a citizen to go before a judge and there test out his rights as against government, then indeed has one of the real incentives of free enterprise been destroyed.

We can scrutinize the Federal rolls to determine whether the burden of the Federal pay roll can be reduced and whether greater efficiency can be stimulated. With nearly 3,000,000 persons on the rolls compared with about 900,000 at the end of the last war, here is a fruitful field wherein much work can be done.

We can crusade against the subtle poison of defeatism which is scattered about by those who would like to induce the belief that this Nation has reached maturity and that from now on its resources must be managed from the top with a view to dividing rather than multiplying what we have. What a sad confession on the part of anyone who has reviewed the recent history of this Nation to contend that we have reached the ceiling of achievement and that the only hope of the future lies in dividing what has been accumulated. To them, one is tempted to say, "O ye of little faith."

One need but compare the production of steel and aluminum in 1900 with 1940 or 1943. One need but compare the number of homes wired for electricity in that 40-year period. One need but compare the creature comforts of today with those of two generations ago. One need but compare our standards of living with those of 2 score years ago to ascertain how far we have come.

It is reminiscent of the report made by the Commissioner of Patents to Congress in 1844 and again in 1876 when that worthy agent of the Government advised Congress that there had been such advances in science, commerce, and industry that the future betokened little hope of further advance.

Today, there are too many otherwise intelligent persons who are talking of apple sellers on street corners and of grass growing in the streets. There are too many, especially in government, who believe we have reached the end of the economic trail and that from here on, we can only survive if bright minds, steeped in the collective philosophy are entrusted with the management of our national affairs. I can think of no better way to destroy confidence in the system of free private enterprise than to distill this noxious philosophy to the people to the point where they are persuaded that our economic machine is but a mass of junk and no loner capable of functioning. In this philosophy of defeatism and despair lies the danger of total government. It is time for a note of faith and courage and for the tonic of total good will.

We can do more.

This Congress could appoint a special committee, assisted with experts, to assess and explore the policy and action legislation of the last decade and determine in what respect the courts have been bypassed, the powers of Congress have been indiscriminately handed over, the power of rule and regulation abused, and burdens placed upon the enterprise system which makes it difficult for that system to operate. It is not a case of repealing statutes. It is a case of refining statutes to the point where we can once more say that there is a balanced system of government in the land. I am not insensible of the fact that our course must be forward and upward. There must be ever improved standards for our people. There must be expanded security. There must be greater opportunity. But must liberty and sound government be sacrificed to achieve all these? Will anyone contend that our political and economic system is not sufficiently elastic to provide an expanded pattern of good living without the destruction of the system?

By getting back to the main highway of government, we can best serve our economic future. The best road map I know of in getting to that highway and remaining there is the preamble to the Constitution. It sets forth the purposes for which this Government was ordained and then sets out the structure under which those purposes are to be achieved. It has worked for 150 years. What reason is there to believe it will not continue to work, notwithstanding the dislocations which have sprung from the crucible of war a generation ago and again today?

In my opinion, all this adds up to a vital tradition and a way of life which we call America. It is a faith. It is hard to define. But whether it is consciously defined or not, it is the sustaining force by which we have grown great and is also the sustaining force which is the only comfort of the young Americans in uniform who are on freedom's frontier.

For what do they fight? Is it for buildings or soil or concrete highways or the other physical appurtenances of this land? It is all of these and none of these. It is opportunity, freedom, faith, and continuous tradition which we call "Country." It does not have to be defined. It can be felt. And freedom is the very essence of that vital faith. Without it what else is left?

Out where they are, the novelty of a bomber of a machine gun or a Garand rifle is soon worn off. War becomes a grim and bitter business. The soldier must have a sustaining faith. That faith is his native land. It is the thing to which he wants to return.

When he comes back, he wants to find it pretty much as he left it. He don't want those fundamental things disturbed. He wants a job that is not dominated by a Federal official. He wants a home which is not supervised by a Federal agency. He wants a freedom that is not spotted with controls and regulations from the top. He wants a free opportunity which is not contingent upon the caprice of a governmental official. What irony it would be, if when he returned from the wars and from the crusade for the freedoms, he should find that the one big freedom which he left behind should have been impaired or foreclosed while he was gone.

As Senator O'MAHONEY said some months ago in a Readers' Digest article, "They are making America over and the people won't like it."

To that I answer that we can have progress without destruction. There is upon us a solemn responsibility that we dare not dodge.

In the hearts and minds of people everywhere is a resurgence of the conviction that the system of free private enterprise under which we grew to greatness is our one great hope. It is the heart-line which is the real second front of America.

By placing the ax at the root instead of the branches, by probing deep for the causes from which our present ills spring, we shall find the way to a solution for the problems which lie ahead.

Mr. ROWE. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield for a brief question.

Mr. ROWE. In the very beginning of the gentleman's talk he referred to the Wagner-Murray-Dingell bill and also referred to the 6-percent contemplated increase. Of course, that is only one-half of what is intended to be assessed, 6 percent falling also on industry.

Mr. DIRKSEN. That is correct.

Mr. ROWE. Is it not true that the 12-percent tax actually and finally falls upon the man in the low-income bracket with greatest weight and becomes in a sense a kind of income tax against which he is protesting at the present time?

Mr. DIRKSEN. That is substantially true, because these taxes will be reflected in the goods and services which the consumer must purchase.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Virginia [Mr. BLAND].

Mr. BLAND. Mr. Chairman, I am delighted to have been privileged to hear the splendid speech made by the gentleman from Illinois [Mr. DIRKSEN]. I have nothing to say in reply to that speech. I am in hearty accord with most of the philosophical statements; possibly not always with the conclusions, although that is merely a reservation of caution.

Having to follow the gentleman from Illinois, for a little while reminds me of the closing debate in the life of Patrick Henry. He was a candidate for the United States Senate or for Governor or something. The man to follow him was John Randolph, of Roanoke. An old farmer listening to the address for quite a little while, after Henry had concluded, said, "Tut, tut, tut. It is merely the tinkling of a tin pan after the music of a fine church organ."

As I recall, that was the quotation. I admire the spirit in which the address was presented, which reminds me also of a statement of Patrick Henry, in the convention, when he said:

> I am no longer a Virginian; I am no longer a New Englander; I am no longer a Marylander; I am an American.

I wish sometimes on this floor we could all remember that, and avoid partisan crimination and recrimination and remember we are fighting all for America and the death role that is being made in this Congress.

But, that is not what I came here to speak about. Yesterday one of the members of the committee delivered a speech which commented at times on the very large expenditures of the Maritime Commission and the War Shipping Administration. I feel sometimes myself that possibly waste has existed, but gentleman, they have built the ships, and they carried the guns; they have carried the munitions; they have carried the cargoes, they have carried the men, they are winning the war, and no organization or instrumentality in this country has exceeded the splendid work that the Maritime Commission and the War Shipping Administration has done.

There have been very troublesome problems. Some of those problems have almost killed me and I reckon some members of my committee. Some of them were troublesome compensation problems which we had written into one of the acts. If you gentleman have not undertaken to reconcile legislation such as existed there, you do not know what difficulties we had to meet. It has been difficult to find reconciliation that would permit the Maritime Commission to reduce the cost of these ships on many occasions and conform with the just compensation provision of the Constitution, which neither you nor I can interfere with. We have tried to work out through a council consisting of three of the ablest judges of the United States, a method whereby that might be done. The shipping companies in many cases were willing to go along with a settlement which exceeded the limitations that we had placed on them, but still did conform with the Constitution and the allowances what the courts might possibly have determined to be just compensation. I think considerable patriotism has been shown.

Comments were made in debate as to the investigational work of the Committee on the Merchant Marine and Fisheries. Let me remind you that that committee has jurisdiction not only over the merchant marine and fisheries but also the Coast Guard, the Geodetic Survey, navigation aids, such as lighthouses and buoys, merchant-marine hospitals, and the Panama Canal. It has reported out much legislation and in its investigational capacity there have been made reports dealing with matters that have come from the General Accounting Office. We have tried to be fair. The reports have not always met with the views of the Accounting Office or everyone else, but we have tried to deal with them in a spirit of fairness and justice. Some comment was made that there were other matters that ought to be reported on. Let me tell you that there is in transcript in process of printing and report, to be prepared in the near future, on the matter of charter rates to the Red Sea. It was deemed essential to secure the stock reports of those companies for the last year and they were very late in coming in. There was nothing the committee could do to hurry the reports, and they are essential. Two companies have made refunds since the committee's hearing, the Weyerhaeuser Steamship Co., in the sum of approximately $200,000, and the American President Lines, in the sum of approximately $110,000.

The investigation which was made at South Portland will result in savings very nearly, as I recall, of $5,000,000. The committee has had in all $100,000 for the several years.

Plate-fracture subcommittee—statistics relative to fractures to January 1, 1944, at hand awaiting action by the subcommittee.

Comptroller General's report on Morgan Line—investigation of date under way in preparation for hearing.

Rheem Manufacturing Co.—hearings have been held at which the Maritime Commission and the principal subcontractors have been heard. Hearings of Rheem Manufacturing Co. will occur on February 9.

St. Johns River Shipbuilding Co.—investigation of affairs of the company at the site have been completed and are awaiting hearings.

Subcommittee on Ship Production—report of west coast inspection is in process of preparation.

Many matters have come from the committee to the Congress, and some of its members by reason of physical condition have carried on under great difficulty. I think there has been a remarkable showing.

Sometime ago a speech was made on the floor of the House by one of the Members for whom I hold the highest esteem, the gentleman from Ohio [Mr. JONES], on October 26. That was at the time he introduced a resolution to investigate operations of the United States Maritime Commission and the War Shipping Administration. I have a report that I asked be prepared at that time by the Maritime Commission in comment on and answer to the various charges contained in that speech, some 12 in number.

Mr. Chairman, I ask unanimous consent to insert this memorandum which came to me from the Maritime Commission as part of my remarks on this occasion.

The CHAIRMAN. The gentleman will have to obtain that permission in the House rather than in the Committee of the Whole.

Mr. BLAND. I should have remembered that. I withdraw the request.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. WOODRUM of Virginia. Does the gentleman desire more time?

Mr. BLAND. Perhaps 1 minute.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield I minute to the gentleman from Virginia.

Mr. BLAND. I wish to assure the membership of the House that this legislative committee is as anxious as the members of the Appropriations Committee, and other Members of the House to reduce expenditures, but we are facing a terrific fight in the post-war world when the effort will be made again to drive the American flag from the seas, and, God helping me, they shall not do it.

Mr. DIRKSEN. Mr. Chairman, will the gentleman tell me how the time stands?

The CHAIRMAN. The gentleman from Virginia has remaining 1 hour and 15½ minutes; the gentleman from Illinois, 21 minutes.

Mr. DIRKSEN. Mr. Chairman, I yield to the gentleman from New York [Mr. TABER] 21 minutes.

Mr. TABER. Mr. Chairman, I shall not spend a great deal of the committee's time this afternoon. There are two or three things I wish to speak about; one is this bill. There are some things in it that I believe are provided for rather liberally and can be trimmed some and I hope that when we get to the reading of the bill they may be corrected.

I wish to talk for a moment about a couple of things that are outside the range of this bill. The first is the Office of War Information. Perhaps some of those in the Chamber now will remember that I called attention to certain things when an appropriation for that organization was before the House, and called attention to the way they were operating and to the fact that their broadcasts were not in the interests of our war effort.

At this point I am going to put in the RECORD, in accordance with consent that was granted me in the House, an editorial from this morning's Washington Post entitled "Sherwood's Foresters." The article follows:

SHERWOOD'S FORESTERS

Both the war effort and our good name abroad have hardly been aided by the high-handed and bizarre operations of Robert E. Sherwood's overseas branch of the Office of War Information. The wonder arises over the long tolerance of those operations. One reason is doubtless the bond of friendship existing between writers for the newspapers and writers for the O. W. I. Old colleagues hate to start stone throwing. Moreover, O. W. I. has invoked the aid of newspaper writers, who thereupon feel, in some vague way, that they have an equal stake with staff members in shielding O. W. I. The result is that O. W. I. has not had the criticism which its overseas operations in general deserve. The criticism has mainly been esoteric, restricted to circulation in the black market which, as we have previously shown, prospers on much better news than ever appears on the public counters. Stories of the way the "Ruritanians" must have split their sides over this or that broadcast have become part of the folklore of wartime Washington. Mr. Davis' definitive threat of resignation makes at long last for a show-down.

Fortunately for the war effort, the War Department already has taken measures to protect the war effort from the asinities perpetrated by the O. W. I. broadcast control. The step follows a suggestion which had been made several times in the Post. A psychological warfare branch has been set up, with a unit attached to every army. From now on O. W. I. and O. S. S. in the field will function directly under this unit's instructions, though O. W. I. will be left, of course, to disseminate propaganda over the seven seas from the New York headquarters. Thus the general problem remains. Nor will it necessarily be solved by the resignation of Mr. Davis. For that would be interpreted as a triumph for Mr. Sherwood and a new lease of life for the autocratic Warburg-Barnes-Johnson group which flourishes in New York in consequence of Mr. Sherwood's influence at the White House.

Mr. Sherwood's control over the overseas branch always has been shadowy. So far as we can make out, he descends from his eyrie, where he doubtless contrasts the dreamworld of his plays with the world as it really is, only to sign blank checks of authority to his foresters in the jungle below. What is going to happen to them? Clearly they must be brought under some kind of control. From all accounts they are independent even of the brain trust on Mr. Davis' pay roll in Washington. Here there are real experts who know the countries that we are propagandizing. But the Warburg-Barnes-Johnson satrapy, evidently, are averse from using their material. The reasons seem to be, first, that it is related specifically to the country to be talked to, and, secondly, that facts must be subordinated to opinions. This is one world to the ideology boys in New York in which Arab and Norwegian can be equally appealed to with the same pabulum.

Mr. Sherwood's operations, as we have said before, should be brought under control of the State Department, and more attention should be paid to the foreign correspondents, who, given any kind of access to material, would do a good deal of O. W. I.'s job abroad gratis and, obviously, with far better effect. Mr. Edward Weintal sought to encourage this aid when he acted as liaison officer between the O. W. I. and the foreign correspondents. But for some inexplicable reason Mr. Davis decided to dispense with both him and the job. It may be, in the light of the present ruckus, that the overseas branch had as little use for the foreign correspondents as for the experts in the O. W. I. Perhaps, since the branch acts as if all values had been overturned, it thought of the work of those correspondents as unfair competition.

It is apparent from this article that the foreign branch of the Office of War Information under Mr. Sherwood is utterly worthless and is a liability to our war effort. It is apparent from that article, as I stated on the floor a couple of months ago, that the activities relating to propaganda have had to be taken over by the War Department and that what this outfit does out of New York and what it does in the nature of supplying help for the war effort does not count in the

slightest degree. That feature is bad enough but in addition to that they are following the same thing with reference to their domestic set-up.

I call attention to a letter which the gentleman from Michigan [Mr. LESINSKI] on Wednesday of this week sent to Mr. Davis, Director of the Office of War Information. It appears that Mr. Alan Cranston, Chief of the Foreign Language Division in the O. W. I. has placed on the rolls a man named Adam Kulikowski as a member of the Foreign Language Division in the United States Office of War Information. Mr. Kulikowski is supposed to have ideas contrary to those of the people who believe in the Constitution of the United States. He is charged with having a poor knowledge of Polish and being unable to speak anything better than pigeon Polish, bearing definite trace of Russian grammar, etymology, and syntax. He is stirring up a lot of trouble among the Polish people in the large centers of the United States. Why should the Government of the United States place that kind of a person upon the pay roll to stir up trouble among our people, a man who misrepresents the attitude of the Polish people here in this country?

It has long been known by those who would be frank with the Congress and it has long been said that the Office of War Information is without executive management. It has also been said that that branch of the overseas service under Mr. Sherwood, together with Mr. Barnes, Mr. Johnson, and Mr. Warburg, is not doing a job to help the war effort. It is perfectly apparent that the effort that was made here and which failed to cut $4,000,000 out of the appropriation for this group was clearly in the interest of the war effort and should have been carried. I am in hopes that when we get to considering another bill for the Office of War Information the interests of the United States will come first and that we will not go ahead and appropriate a lot of money for things that are not in the interest of our war effort.

Mr. Chairman, I want to say a word or two about a bill that will be brought before the House on Tuesday next, as I understand it, which would permit the soldiers to vote. Preliminarily, I want to refer to that very intemperate message that came here the other day from the President of the United States. He stated that the bill is a fraud. Personally I resent that kind of an accusation against a responsible and honored committee of this House. The statement was ill-considered, it was not based upon a knowledge of the bill, and evidently not upon the situation existing.

It is perfectly apparent that every Member of this House wants the soldiers to have the opportunity to vote. I want to see such a bill considered, not on the basis of wild statements made either by the President or by any of his supporters or by anyone in opposition to the bill, but entirely upon the merits, and with the idea of working out a bill which will permit the boys who are overseas fighting for us to vote. It is of the utmost importance that we give them that right, it is of the utmost importance that we do it in such a way that their votes can be counted.

What are the constitutional provisions that we are up against and what is the situation with reference to the States? For a moment I wish to read a very few sections, a very few words out of certain sections of the Constitution, with reference to the qualifications of voters.

Article I, section 2, referring to the qualifications of voters for Representatives in Congress states:

> And the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

In order that there may be no misunderstanding and so that it will not be necessary to repeat, I call attention to amendment No. 17 of the Constitution where the same language is provided for the qualifications of those who might vote for United States Senator in each State.

Now I would like to call attention to section 4, article I, reading:

> The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof, but the Congress may at any time by law make or alter such regulations except as to the places of choosing Senators.

There is also this provision, section 5:

> Each House shall be the judge of the elections, returns, and qualifications of its own Members.

That is section 5 of article I.

Article II, section 1, reads in part as follows:

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

Section 2 of amendment XIV perhaps has some bearing on it. It reads as follows:

> Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being 21 years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

These are the sections that I intend to have in the RECORD as a part of my statement.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Nebraska.

Mr. CURTIS. May I call the gentleman's attention to a further sentence in section 1 of article II. The gentleman has read that portion which provides for the selection of electors in the manner prescribed by the legislatures of the several States. Following that there is one other sentence I should like to mention. It is this:

> The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

A similar section with respect to the Members of Congress grants to us authority to legislate with respect to the manner of holding elections, but in the case of a President we are given that authority. The authority does not go as to the manner of holding an election, but merely as to the time of choosing electors.

Mr. TABER. I think that is correct.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Would the gentleman state how he voted on the Ramsey bill that passed a few years ago? That is the bill waiving the payment of a poll tax as a condition precedent to the voting of the men in the service, and also waiving registration.

Mr. TABER. I cannot recall how I voted without having the bill in front of me. Is the gentleman familiar with that?

Mr. McCORMACK. If I did know how my friend voted I would not state it. I thought he might know. However, assuming the argument of my friend is correct, would it not apply equally against that bill, because Congress by that bill waived the necessity of paying a poll tax.

Mr. TABER. If the gentleman will listen a little longer he will see that I am making no argument. I am simply stating facts, and calling attention to certain things that I desire to have in the RECORD for the benefit of the Members when they come to meet this situation. I am not stating a definite position upon anything. I have stated that I felt that for the purpose of considering this legislation which is coming up, as I understand, on Tuesday—if I am not correct on that I should like to be corrected.

Mr. McCORMACK. The gentleman is correct.

Mr. TABER. I felt that these things should be brought to the attention of the Members that they may understand some of the problems we are up against in meeting this legislation.

Mr. McCORMACK. The gentleman knows I have great respect and friendship for him. In view of the gentleman's statement, with his permission I will withdraw the questions I asked.

Mr. TABER. Frankly, I have not taken any definite position as to any specific language or anything of that kind and I do not intend to do so here today. I do intend to call attention, if I have the opportunity, to several things that I feel should be considered and should be met, so that when we give the soldiers the vote that vote can be counted, and its counting can be enforced just as far as it is possible to do

so. That is my object in rising here today. I hope the problem is approached by every Member of the House not with the idea of involving the thing in a lot of preconceived prejudices or with the desire to follow someone, but with the desire to pass a bill which will hold water and give these boys the vote. That is the only thought I have in mind at this time.

Mr. McCORMACK. I think no finer thought could be entertained by any Member or no finer expression could be made than what the gentleman has just stated.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 5 additional minutes to the gentleman from New York.

Mr. TABER. I would hope that this problem would be approached on Tuesday not with the idea of putting the bill through just because it is somebody's bill or because somebody is back of it, but so that our soldier boys may have the right to vote and vote their own convictions, without the least bit of pressure or anything of that kind upon them; and I would hope that everyone here, regardless of the middle aisle, would take that same position.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Mississippi.

Mr. RANKIN. Whether or not the gentleman voted for the bill that was passed a couple of years ago, the mere fact that a man made a mistake and voted for an unconstitutional bill at one time is no reason why he should continue to do the same thing, especially on a bill like this that involves the very existence of States' rights. There is an old saying that while the lamp holds out to burn the vilest sinner may return. We are ready to welcome the gentleman from Massachusetts back into the constitutional fold when we get through winning this battle for States' rights.

Mr. TABER. I do not want to get involved in any discussion along the line of States' rights or anything else. What I want to get to as we approach the problem is this: It is apparent from the sections of the Constitution I have read that the Congress in itself has nothing to do with the qualifications or the counting of the ballots for electors for President. The Congress might have certain jurisdiction, if you so construe the language of these sections, with reference to the voting and to certain qualifications with regard to the office of Senator or of Representative in Congress. Under those circumstances, it looks to me as if it were incumbent upon the Congress to see to it just as far as is possible for us to do that these boys have the right to vote for President. I want to see this thing put up to them, and put up so that it will do some good.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. WRIGHT. Mr. Chairman, like the majority leader, the gentleman from Massachusetts [Mr. McCORMACK], I, too, have great respect for the sincerity of the gentleman from New York, but I think that he will admit that in all questions that confront us there are different ideas as to the constitutional interpretations. The gentleman from Virginia [Mr. FLANNAGAN] to my mind made a fine exposition of the constitutional questions involved, and he relied upon the war powers of the Congress, and points out, justly so, I think, that where they do obtain, they transcend all other provisions of the Constitution, and even transcend State laws and also Federal laws and State constitutions, and he drew an analogy of how in the last war the Congress passed a law reaching into the State courts and stopping actions at law against members of the armed forces, with the idea of protecting their civil rights, something which Congress could have no right to do except under the war powers; and then he argues, and I think rightly so, that if the Congress has a right to protect the civil rights of the armed forces, that political rights rise even higher, and that Congress has a right to control them, and by getting an effective ballot to the soldiers, would not that be a tremendous factor in morale for fighting the war?

Mr. TABER. That is why I want to see an effective ballot sent to them, not one that will not be counted when it gets back home. Perhaps that is not the way to approach the problem——

Mr. WRIGHT. Oh, I think it is, and I think the gentleman's approach is sincere. I am very much interested in what he says.

Mr. TABER. I hope when we get to this situation on Tuesday, that absolute sincerity with reference to the working out of something that will permit these boys to vote will be the thing that we will have in mind, and that we will not be like the country lawyer—be more insistent on our own verbiage than we are on getting somewhere.

Mr. GILCHRIST. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. GILCHRIST. I cannot find out what bill it is that we are going to have before us on Tuesday. I was just in the Clerk's office, and I got an armful of bills on this question. I was told that it would be Senate 1225. Is that the bill? What is the bill that we are going to consider on Tuesday?

Mr. MICHENER. Who is the author of the bill the gentleman has in mind?

Mr. GILCHRIST. They do not know in the Clerk's office.

Mr. CASE. I think the gentleman refers to the bill that is on the House Calendar.

Mr. MICHENER. The rule provides that the committee bill, the report of which was written by the gentleman from Mississippi [Mr. RANKIN] will be brought up for consideration. The minority bill, the so-called Worley bill, will be in order to be offered as a substitute. That is as far as the rule goes. It is a wide-open rule and any amendments that the House desires to offer may be offered.

Mr. CASE. A substitute would be in order?

Mr. MICHENER. Yes; always. It is my own view that the Senate bill probably will be over here and will be in order also as a substitute.

Mr. WOODRUM of Virginia. Mr. Chairman, we have no further requests for time for debate, and I ask that the Clerk read the first paragraph of the bill.

The Clerk read to the end of line 7 on page 1.

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and, the Speaker pro tempore having resumed the chair, Mr. WHITTINGTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 4070, and had come to no resolution thereon.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 208. Joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1944.

The message also announced that the Senate insists upon its amendments to the foregoing joint resolution, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McKELLAR, Mr. GLASS, Mr. HAYDEN, Mr. TYDINGS, Mr. RUSSELL, Mr. NYE, Mr. LODGE, and Mr. HOLMAN to be the conferees on the part of the Senate.

ORDER OF BUSINESS

Mr. MICHENER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MICHENER. I wonder if the Chair could tell us what the program is for next week?

The SPEAKER pro tempore. The bill now under consideration will continue on Monday. It is assumed that the bill will be concluded on Monday. If so, the soldiers' vote bill will be next in order on Tuesday. If this bill be not disposed of on Monday, then it will be disposed of on Tuesday, and the next business in order will be the soldiers' vote bill.

Mr. MICHENER. Then there being 4 hours of general debate on the soldiers' vote bill, probably we will not reach the bill under the 5-minute rule until Wednesday.

The SPEAKER pro tempore. That would be the idea of the Chair; yes. The probability is that Tuesday will be occupied in general debate, and that on Wednesday the bill will be taken up under the 5-minute rule.

EXTENSION OF REMARKS

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent that

the gentleman from Virginia [Mr. BLAND] be permitted to extend his remarks he made today by inserting a brief memorandum in respect to charges made by Representative ROBERT F. JONES in October 1943, regarding the War Shipping Administration.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. HOFFMAN] be permitted to revise and extend all the remarks he made today.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. TABER. Mr. Speaker, I ask unanimous consent that I be permitted to print as a part of my remarks section 2 of the fourteenth amendment to the Constitution.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CASE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DIRKSEN] be permitted to revise and extend his remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

SUPPLY AND DISTRIBUTION OF FARM LABOR FOR 1944

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the resolution (H. J. Res. 208) making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1944, with Senate amendments, disagree to the Senate amendments and ask for a conference.

The Clerk read the title of the House joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none, and without objection appoints the following conferees: Mr. CANNON of Missouri, Mr. WOODRUM of Virginia, Mr. LUDLOW, Mr. SNYDER, Mr. O'NEAL, Mr. RABAUT, Mr. JOHNSON of Oklahoma, Mr. TABER, Mr. WIGGLESWORTH, Mr. LAMBERTSON, and Mr. POWERS.

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on two separate matters, and to include a newspaper editorial.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Mexico [Mr. ANDERSON] is recognized for 30 minutes.

ROLL-CALL VOTE ON THE SOLDIER-VOTE BILL

Mr. ANDERSON of New Mexico. Mr. Speaker, I want to say a few things about the soldier-vote bills in order to try to get them in some permanent form in the RECORD. Some may ask, What can be the significance of a roll-call vote on a move for the previous question when the rule for the soldier vote is under consideration on Tuesday? Some can say, "We do not see how that has any possible significance. We do not understand how you can attribute to it any special importance."

I am reminded at this time of a newspaper story that goes back into my early newspaper experiences. A newspaper in the city of Denver, one that was sometimes greatly interested in getting publicity for itself, got a private tip that the price of milk was to be reduced in the city of Denver a half cent a quart 4 days later. On the following morning it lowered the masthead of the newspaper to print prominently a terrific blast against the milk industry of Denver and said, "We demand that the price of milk be reduced at least a half cent for the sake of the poor children, and if it is not, this paper will tear to shreds the present combination that has been able to preserve artificial prices."

The next day it came out with additional vigorous and violent editorials, and the following day with the same sort of thing. The next morning, of course, the decrease in the price of milk, which was already agreed upon, became effective. That newspaper praised itself to the skies. What ordinarily would have been worth half a stickful on the front page became worth columns of front-page editorial comment. When I reminded one of the men connected with that sheet that they had blown up the story a little bit he said to me, "News is what you make it."

I say to this House that a vote is what you make it and a roll call has the significance that you are able to place behind it and behind the reasons that motivate the Members of the House in asking for it. When Tuesday comes, after an hour's debate upon the rule, the previous question will be moved and in the ordinary fashion of this House the previous question would be ordered without a dissenting word.

But on Tuesday that is not going to be the situation. The chairman of the Committee on Election of President, Vice President and Representatives in Congress will stand and demand a yea-and-nay vote on the question and we are convinced that plenty of people will stand with him to see that there is a yea-and-nay vote. Why does he want a yea-and-nay vote on the previous question prior to the adoption of a rule? Is it only so that the matter can be brought before the House? No; because that is one of the certain ways in which you can get an absolute record vote on this important question. So I say to you, do not pay any attention to what an ordinary roll call on the previous question might mean. There will be significance in this Tuesday vote. It will be built into the significant vote by the people who are demanding that there shall be a clear-cut roll-call vote on the question whether or not there will be a simple, uniform, Federal ballot used in the election by these men and women in the armed services who serve us in all parts of the world.

That is the privilege of any group. That is the privilege of this distinguished body of Congress if it desires. Those of us who are devoted to the principles of the Worley bill have a perfect right to try to make sure there shall be a significant and clear-cut expression on that proposed legislation.

So I say to you that concerning Tuesday next, word can just as well go out now over the country that to vote for the previous question is to vote to prevent a sure record vote on the principles of the Worley bill; and a vote against the previous question is evidence that the Member desires to take the first step to make possible a sure record vote on the question of uniform Federal ballots for our servicemen.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield.

Mr. JENSEN. I am wondering if the gentleman from New Mexico has anybody in mind; that is, any Congressman who is not ready to show his colors on this vote. Does the gentleman have anybody particularly in mind?

Mr. ANDERSON of New Mexico. I can tell better after the roll call on the previous question on Tuesday.

Mr. JENSEN. My fine colleague and able Representative from New Mexico would not infer that there is any Member of Congress who is not ready to vote his convictions at any time on this bill?

Mr. ANDERSON of New Mexico. No; I would not infer there was any Member of Congress not ready to vote his convictions, but I just want to be very sure when the boys who are serving all over the world come home they will be able to look up some record and find who wanted to give them a Federal uniform ballot, because I am afraid, and I will later come to that, I am afraid there will be no assurance that they will get that type of ballot under any other kind of law.

Mr. MONRONEY. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield.

Mr. MONRONEY. I want to commend the gentleman from New Mexico on the gallant fight he has made to bring about a record vote on this vital issue. I would like to say in answer to the question just asked him that many Members on the Democratic side appeared before the Committee on Rules to beg that they be given a chance to go on record on this vital issue. In some manner the record vote was denied in the Rules Committee. We were not given a chance to vote this main question up or down according to our own convictions.

Mr. ANDERSON of New Mexico. I accompanied the gentleman from Oklahoma to the Rules Committee to plead and ask for that opportunity for a sure, clear-cut record vote on that issue.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield.

Mr. MICHENER. I am sure that we all want to be fair about this.

Mr. ANDERSON of New Mexico. Yes; I have tried to be fair.

Mr. MICHENER. The gentleman appeared before the Committee on Rules and the other gentlemen and asked for an open rule. The printed record will so show.

Mr. ANDERSON of New Mexico. If it does, it will be a very bad record, because I did not ask for just that, as the gentleman from Michigan knows.

Mr. MICHENER. If I may be permitted to continue my observation, the gentleman appeared and I asked him if he was asking for an open rule. I understood him to say he was. The majority of the committee asked for an open rule. Then I said, "What the gentleman wants is to go further than an open rule. He wants a special rule. The gentleman does not want a rule under the general rules of the House." You said in substance, "Well, we want an opportunity to assure a record vote, regardless of the rules of the House." Then we discussed motions to recommit. I said to you, and I think you agreed, that under the rule which you have here there can be a record vote.

Mr. ANDERSON of New Mexico. I will agree with the gentleman there can be, but there is not a certainty.

Mr. MICHENER. What I do not want is to have the very fair gentleman from New Mexico inadvertantly imply that the Rules Committee was attempting to do something to prevent a vote under the rules of the House.

Mr. ANDERSON of New Mexico. I just want to say this to my good friend from Michigan. He knows my high respect for him. At no time have I implied any improper action on the part of the Committee on Rules. I did not criticize what the Rules Committee had done. In fact, I never even mentioned the Committee on Rules until he himself mentioned it.

Mr. WORLEY. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield.

Mr. WORLEY. I may say to the gentleman from Michigan, there was no doubt in his mind exactly what kind of rule we desired regardless of the description applied to it. Did not the gentleman know we wanted a rule which would permit us to have a record vote on providing a regular, uniform, Federal ballot along with the State ballot?

Mr. MICHENER. Yes; he took the committee at its word. I said right away I would vote for the open rule asked for under the general rules of the House. Under such a procedure, there can be a vote on every proposal if the House so desired. By voting down the previous question, the House can work its will, and it will work its will.

This rule in no way prevents or can prevent a vote on the Worley bill if a majority of the House wants it, without the arbitrary intervention of the Rules Committee coming in and telling the House that it has to work its will in a peculiar way, figured out and written by the Rules Committee.

Mr. ANDERSON of New Mexico. Now, let me state this so that we understand each other. I am not trying to prevent the House from working its will, but I want that will to be also the will of the American people with reference to soldier voting. I think the mothers and fathers who have sent their boys into the armed services all over the world want those boys to have a vote if those boys want it.

What is going to be the situation before this House? The Rules Committee, although it was asked by the chairman of the Committee on Election of President, Vice President, and Representatives in Congress to grant two roll calls, decided that it was not within the province of the committee, or at least was not the proper action. We called the attention of the Rules Committee many times to the fact that it had happened before, and we called attention to the peculiar circumstances that existed. The rules of this House provide that the minority party shall have the right to make a motion to recommit. What is the action of the minority party on this matter? When the soldier-vote legislation came before the Committee on Election of President, Vice President, and Representatives in Congress, every Republican member of the committee voted against the Worley bill and for the other bill, with the result that the actual minority is represented by the gentleman from Texas [Mr. WORLEY] and if we wanted to be fair we would say, "Yes, representing the minority on this bill, you shall have that right to move to recommit on the grounds you prefer."

But I do not wish to tear down the rules and traditions of this House. I do not want to take away from the minority party the privilege that it has of making a motion to recommit. So rather than attack the action of the Rules Committee, rather than to say it was improper or unjust—because that committee is charged with preserving the traditions of this House—we said, "There is a very simple way, and that is to place on something a significance that it does not ordinarily have, and announce to the country that it will have that significance," and then state it so clearly and so many times before the vote is taken that no one thereafter will be able to deny what the significance of that vote was.

That does not tear down the rules of the House. That lets the chips fall where they belong.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield.

Mr. CURTIS. I would like to have the gentleman's advice with reference to this matter.

Mr. ANDERSON of New Mexico. I would advise my friend to vote for the uniform Federal ballot, because the boys will come home some day and tell you what they wanted.

Mr. CURTIS. All right. Suppose a Member is honestly convinced that the Worley bill will not give the soldiers the right to vote on a ballot that will be counted. I am admitting there is disagreement on that; but if a Member is convinced that the Worley bill will not give the soldier the right to vote a ballot to be counted, should he still vote against the motion for the previous question because of the political significance that you attach to it?

Mr. ANDERSON of New Mexico. I would not ask any man to do that. He could help a lot if he would. I would suggest that the gentleman from Nebraska [Mr. CURTIS] read the Worley bill, and he may then go with us all the way.

Mr. CASE. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield to the gentleman from South Dakota.

Mr. CASE. Personally, I want to express a little regret that we are getting so much heat engendered on the subject, because there are, despite the President's suggestion that people were not sincere in this, and that they were talking with their tongues in their cheeks—there are a great many Members in this House who are sincere and who want the soldiers' vote and want the soldiers to have a ballot to be counted when it comes back home.

Mr. ANDERSON of New Mexico. I grant that.

Mr. CASE. On yesterday I called attention to the fact that a former Democratic Member of this body, Mr. W. D. Jamieson, of Iowa, has called attention to the fact that the Constitution of the State of Texas provides that absentee ballots cannot be counted unless they are provided by the election officials of Texas in a certain way. I do not know whether that is true or not, but Mr. Jamieson in his article said that, and he was surprised to find out that was a fact. The majority leader yesterday suggested various States which did not have provisions for absentee ballots. If we can keep this thing on something resembling a level without heat, it may be possible for a majority of the House to get together and work out a system whereby a ballot can be put into the hands of every soldier that will be counted when it gets back home.

Mr. ANDERSON of New Mexico. That is right, and remembering the contribution which the gentleman from South Dakota has made to this Nation by his simple amendment on renegotiation, I would be the last person in the world to question his motives, whether he votes for or against the Worley bill. He will vote his conscience, and I know it.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield.

Mr. TABER. I was a little disappointed in one thing that the gentleman said. The gentleman said that if we did not vote for a straight out Federal ballot we would feel it when the soldiers came home.

Mr. ANDERSON of New Mexico. I said they would hear from them.

Mr. TABER. Now, I want the gentleman to consider this: Are we going to vote for something because it is right and the right thing to do, that will really give the soldiers a vote, or are we going to vote because we are afraid of our responsibilities? I am going to vote the way I

think I ought to vote, and I do not propose to do it because of fear. I believe that the soldiers, when they come back, will reward the fellow who stood up for what was right.

Mr. ANDERSON of New Mexico. I subscribe to what the gentleman has said. All I meant to say was that when the boys come home they will know then whether they were able to participate in the 1944 elections. They will know whether ballots reached them. There will be no doubt in their minds.

I want to say this: I have a very real reason why I have become so interested in this soldier-vote legislation. It is not that I have a boy in the armed services that I am going to face when he comes back. I have a reason that enters into it that perhaps is peculiar to my State. New Mexico is one of the two States in the Union that has a constitutional bar that will not allow anybody to vote under the bill that is going to be reported to this House. No constitutional lawyer of any standing will stand up and say that under the bill which has been reported out by the majority members of the committee—not the Worley bill but the other bill—that one single New Mexico soldier can vote under that bill.

Why does that concern me? If you read today's paper, you read the horrible story of what happened to the boys in the Philippine Islands and on Bataan. I want to remind this House that the greatest percentage of men on Bataan came from the State of New Mexico. I need not remind this House that one-tenth of all the soldiers on Bataan were from my State with its small population. Five hundred thousand people contributed one-tenth of all the Bataan soldiers to a Nation of 130,000,000 people.

To say to that State that its boys cannot vote is a shame. I am going to do what I can to make it possible that the boys from my State, no matter where they may be, shall have a chance to vote. Constitutional lawyers will tell you that under the provision that says that the Congress has a right to regulate the time, place, and manner of elections for President, Vice President, and Members of Congress, the people of my State may vote, in spite of the peculiar constitutional requirements.

Now, I will be glad to yield to the distinguished minority leader.

Mr. McCORMACK. I think the question asked by the gentleman from Nebraska [Mr. CURTIS] was a very fair one, but I have a different opinion from that expressed in the answer given by the gentleman from New Mexico. I think a Member could have honest convictions, clear convictions, that the bill reported out is for the best interests of those in the service, and still vote against the previous question upon the theory that this is an unusual situation. Certainly it is an unusual exception to the bills that come before the House generally. And in order to afford the membership a clear opportunity to vote one way or the other for both bills, a Member, even in his own conscience feeling that the Worley bill is not the one that we should pass, could then say "I think the Members should be given an opportunity to have a straight vote on it."

We have done that before. It is an exception, of course, I admit a rare exception, but on that theory I believe the gentleman could reconcile his conscience. He has not indicated and I am not stating that he has reached a conclusion.

Mr. CURTIS. Oh, yes; I have a conscience.

Mr. McCORMACK. I am not indicating that the gentleman has reached a conclusion yet on this bill, a judgment; I do not know, but assuming the gentleman's judgment was that he should not vote for the Worley bill I still believe that under the unusual situation he would be justified in giving an opportunity to those in support of the Worley bill to have a straight vote on a second motion to recommit.

Mr. ANDERSON of New Mexico. I thank the majority leader. I was going to deal with that point later. I did not mean to answer the gentleman from Nebraska quite as quickly as it might have sounded. There is a great deal to what the majority leader has said. We should adopt some rule that would give the House the right really to express itself. I submit that the House should have the right to pass on the situation. I do not think it would bother the conscience of the gentleman from Nebraska in the slightest if he voted to give an opportunity on the floor of this House for us to have a direct vote on this question. I admit it is a question on which there are two sides. Some Members with absolute sincerity and the highest integrity could take one position and other Members could take another. I do not question the basis upon which any Member may reach it; I merely ask: Why do we not have a roll call where we can record ourselves and find out after it is over which bill did afford the soldiers an opportunity to vote?

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield.

Mr. TABER. Mr. Speaker, I am going to request the gentleman—I am not going to ask him to develop it here, but I would like for him to put in the RECORD, if he would, at the point where he stated something about what the law was in his own State, if he would put a little statement in that would give us a little clearer picture in the RECORD of what the law is in his State so that we may have an idea for ourselves how that might be handled in a legislative way here.

Mr. ANDERSON of New Mexico. I shall be very glad to do it right now.

Mr. TABER. And how the Federal votes might be counted under the laws of his State.

Mr. ANDERSON of New Mexico. We have a peculiar constitutional provision in our State. At the time New Mexico came into the Union in 1912, there was submitted, prior to its admission to the Union—I may make some mistakes on constitutional law; the gentleman will recognize I am an insurance peddler and not a lawyer—there was a peculiar situation existing.

An attempt was made to put through a constitution which would probably have disfranchised eventually a portion of the New Mexican population on the ground that they could not read and write the English language but who were literate in Spanish, and in order that the right of Spanish-American citizens of that State should never be sacrificed by an English literacy clause there was a provision written into our constitution specifying that that section of the constitution relative to certain voting requirements could never be changed except by a two-thirds vote in every county and three-fourths vote over the State. One year ago, in 1942, an attempt was made in my State to amend that, to give the soldiers the right to vote. The amending resolution, I understand, carried in every county of the State but it did not get a two-thirds vote in all the counties or a three-fourths vote Statewide. The will of the people was that the soldiers should vote, but the peculiar constitutional provision defeated their will. The men who have studied the question—and I do not pose as a lawyer—have decided that it will be permissible to count these soldier votes on the Federal ballot basis under war-power and emergency conditions. We are anxious that the soldiers should vote. It is not a controversial political issue at all. Both parties are in agreement that the soldiers should vote on that type of Federal ballot.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield.

Mr. JENSEN. I know that the gentleman from New Mexico wants to be fair, but I resent any inference that just because I may be in favor of a different bill than the Worley bill I am not in favor of legislation giving an opportunity to vote.

Mr. ANDERSON of New Mexico. I have not implied that, I am sure; I have never implied that, not at all, in my statement. I have not talked about the merits of the bills at all except to suggest that I do want to see a roll call on that issue in the hope that finally we may determine who was right. I do not question anybody's motives; I do not say that a person who is not for the Worley bill is against the soldiers' voting; I do not go that far at all. I simply say that as far as my judgment leads me I think that the soldiers will not receive ballots in time to vote under any other bill and therefore I shall vote for the Worley bill. Any other Member of the House has a right to his own conscience and to his own interpretation of the situation.

Mr. JENSEN. The gentleman has a certain condition in his own State, and, of course, that is the responsibility of his State. In my State the legislature is meeting now to arrange to set up machinery so that the soldiers from the State of Iowa may vote for everybody from President on down.

Mr. ANDERSON of New Mexico. I want to remind the gentleman of the injunction of the Bible to be his brother's keeper and to help my people vote.

Mr. RUSSELL. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield.

Mr. RUSSELL. I want to congratulate the gentleman from New Mexico on his statement that he was interested in the boys from his home State. That is my theory; that is the constitutional theory of the United States; that is the constitutional theory in my State, and I am very anxious to see the boys from Texas vote, but I am frank to say to the gentleman that I cannot agree with him that a short or Federal ballot will give a single boy in New Mexico a legal right to vote for President. On the other hand, in Texas there is a constitutional provision that does not allow them to vote for President but only for electors for the President. In my State, if Congress passes the bobtailed ballot or a Federal ballot at all, it will deprive every boy from my native State of the legal right to vote; in fact, if any of them did vote, they would violate the law in so doing. Not only would it be prohibited by the National Constitution but by the State constitution and by several statutes of that State. So I want to see a ballot that will work with my legislature and give at least 400,000 qualified voters from Texas the right to vote.

Mr. ANDERSON of New Mexico. I recognize that but also disagree on some of these matters.

Mr. CASE. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield.

Mr. CASE. Here we have a perfect illustration of the situation I tried to mention yesterday: That in some States the bobtailed ballot might not be counted; in some other States a ballot might not be counted under some other circumstances. So I have been trying to resolve this thing in my own mind. I am not a member of the committee that has the responsibility of bringing out a bill on this subject; I recognize that; I have not pursued the matter far enough to put this proposal into bill form yet, but even so, in my thinking about it I have asked myself whether it would not be possible for the Federal Congress to pass a law which would say to the States that we have advised the Army and Navy that any ballot to reach all of the soldiers and sailors wherever they may be should get back in ample time to be counted and must be mailed at least 45 days or possibly 60 days in advance of the election; that the Federal Government will see to it, if you place the ballot in an envelope addressed with the name of the soldier or sailor and his Army or Navy serial number in our hands by such and such a date we will add to that his current address as determined by the records in the War and Navy Departments, which will be readily obtainable from the serial number, and we will send that to him so that he will have time to get it back; that if you do not provide us with the envelope with the regular State ballot, we will address an envelope and send him one of these short ballots and that the responsibility for counting such ballots will rest upon the election officials of the several States when the ballot comes back.

The Federal Government, in my opinion, is responsible for destroying the residence of the soldiers and sailors, and because of this should restore that opportunity to the boys. That is not the responsibility of the States; it is our system with post-card requests for ballot and put it in his hands. If the State will provide us with a ballot addressed to him, we will put it in his hands. If the State does not, we will give him a short ballot, and the State officials can count that ballot or not; and such ballots will go to the election officials at home, and it will be their responsibility under their State laws.

Mr. ANDERSON of New Mexico. But one must take into consideration the fact that the Army and the Navy may have something to say about it, and I do not believe our Army and Navy officials feel that voting under a State ballot system with post-card requests for ballots when there are 10,000 status changes a day in our armed forces would be either feasible or certain.

Mr. CASE. I have gone into that matter, too, somewhat.

Mr. ANDERSON of New Mexico. I do not believe it is going to be possible for them to distribute State ballots to all men in distant points, maybe 15 or 20 at some single spot in New Zealand or Iceland or Iran.

Mr. CASE. If they were addressed as I have indicated, each ballot would be simply an individual piece of mail.

Mr. ANDERSON of New Mexico. There has been testimony galore before the committee that it would be physically impossible to handle it that way.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CASE. Mr. Speaker, I ask unanimous consent that the gentleman may have 10 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota [Mr. CASE]?

There was no objection.

Mr. ANDERSON of New Mexico. Mr. Speaker, I would like to have the chairman of the committee having charge of this bill comment on the possibility that the gentleman from South Dakota stated.

Mr. WORLEY. Mr. Speaker, my good friend and colleague from Texas said it could not be legally and constitutionally done, but, as the gentleman from New Mexico pointed out, lawyers often disagree. One statement made by the gentleman from Texas was to the effect they could not cast these ballots constitutionally. Let me remind him when the Seventy-seventh Congress passed a bill, Public Law 712, which waived registration and waived the payment of the poll tax to members of the armed forces if they were otherwise qualified under the laws of that State, that in the State of Texas more than 1,000 of those ballots were counted.

Mr. ANDERSON of New Mexico. They were actually counted? It is like the story of the man who could not be put in jail. He was in jail.

Mr. WORLEY. He was there.

Mr. ANDERSON of New Mexico. The ballots were counted?

Mr. WORLEY. Yes. Under date of January 17, 1944, the Honorable Sidney Latham, secretary of state, in the concluding paragraph of a letter to me stated:

> From what I learn from those who were in the office at the time, the mechanics of this law were exceedingly difficult of administration, and only a small percentage of the votes cast were returned in time to be counted. It is to be hoped that your bill or one of the other pending bills can be so written as to provide a workable method of voting.

Mr. ANDERSON of New Mexico. That is the voice of experience?

Mr. WORLEY. That is the voice of experience.

Mr. WRIGHT. Will the gentleman yield?

Mr. RUSSELL. I want the opportunity to answer the gentleman.

Mr. ANDERSON of New Mexico. Yes, I will give the gentleman the opportunity later. I yield to the gentleman from Pennsylvania [Mr. WRIGHT].

Mr. WRIGHT. Coming back to the Rules Committee, I was with the gentleman from New Mexico and also with the gentleman from Texas, chairman of the committee, and many others of my colleagues. I would not for 1 minute suggest that the Rules Committee was motivated by anything except the proper motives in the rule that it granted; but I do say that committee was overzealous of precedent. I say that the rule we asked for was an unusual rule, but we have an unusual situation. Had the Rules Committee granted the rule asked for by us, which would have provided for two motions to recommit, one to be at the disposal of the minority party and the other to be at the disposal of the Elections Committee, we would not have this fight on the floor. What we are trying to do is to have such a rule as will work the will of Congress, but still give us a direct vote as between the two ballots.

Mr. CHURCH. Will the gentleman yield.

Mr. ANDERSON of New Mexico. I yield to the gentleman from Illinois.

Mr. CHURCH. How much time do you need in New Mexico in order to amend your constitution?

Mr. ANDERSON of New Mexico. You would have to propose an amendment at a regular session of the legislature, which will not be until January 1945. You then cannot vote upon it until November 1946; and there are those of us who hope the war will be over by that time.

Mr. RUSSELL. Will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield to the gentleman from Texas.

Mr. RUSSELL. In answer to what my colleague from Texas said, and his argument, is like the two schoolboys that the teacher caught turning over the outhouse and the justification of one of them was because the other one did it.

I may say to the gentleman the ballot that was sent out at the time he said so was a Texas legal ballot, it was not a Federal ballot. It was a legal ballot of the State of Texas.

Mr. ANDERSON of New Mexico. Can that not be done under title II of the so-called Worley bill?

Mr. RUSSELL. Not under the short ballot, as I stated. The second part of the Worley bill might cover that. I have not studied it closely enough to say. I may also say that Mr. Latham is not the authority down there either of the State of Texas as my colleague said he was. The State through its legislature can waive certain constitutional provisions in this matter in order to make the soldiers eligible to vote but they cannot vote legally that short, bobtailed ballot, because not only does the constitution but the State laws, and if he is a lawyer he knows it, will prevent them from voting it legally. If he wants the soldiers to be outlaws or wants them to vote illegally, they might be able to cast such a ballot.

Mr. ANDERSON of New Mexico. The only thing that refreshes me is to see that lawyers among themselves cannot agree. Those of us who have not had the benefit of legal training are always happy to see such arguments go on.

Mr. DONDERO. Will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield to the gentleman from Michigan.

Mr. DONDERO. It reminds me of the statement that when two honest men disagree they are both right. That was a statement by Henry Clay, I believe.

Mr. ANDERSON of New Mexico. Was not the statement when lawyers disagree the honest man has a chance?

Mr. DONDERO. The founders of our Republic have intentionally placed the machinery of elections under the jurisdiction of the States. Does the gentleman think the Congress can pass a law which will in any way supersede the law of the States other than expedite the passage of the ballots?

Mr. ANDERSON of New Mexico. My friend from Michigan is too fine a scholar not to have read that section of the Constitution which reserves the right to the Congress of regulating the places and manner for holding the election of President, Vice President, and so forth.

Mr. WORLEY. The constitutional argument which is directed against my bill was debated at length in the Congress 2 years ago. It was thoroughly and completely debated in the House and in the Senate. Today that is the law of the land as nearly as the Congress has within its power to say it is the law of the land.

Mr. ANDERSON of New Mexico. Did anybody question it in court?

Mr. WORLEY. No.

Mr. ANDERSON of New Mexico. Did anybody take those thousand ballots of Texas into court?

Mr. WORLEY. No. There were 28,000 ballots cast under the law and presumably any one of the 28,000 could have been taken into court, but none of them were.

Mr. JUDD. Will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield to the gentleman from Minnesota.

Mr. JUDD. What would have happened if they had been contested in court?

Mr. ANDERSON of New Mexico. They would have been found to be constitutional. Is there a man on the floor who would have taken it into court and contested it or do you all know that you passed a thoroughly constitutional law? That was your law 2 years ago.

Mr. CURTIS. Will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield to the gentleman from Nebraska.

Mr. CURTIS. I would like to point out that the constitutional provision to which the gentleman refers and under which the act 2 years ago was passed does not include the provision in regard to the election of a President.

Mr. WORLEY. I beg the gentleman's pardon.

Mr. ANDERSON of New Mexico. Let us get it out and read it. It says election of President, Vice President, and Representatives in Congress. That is what the Constitution provides.

Mr. WORLEY. Does the gentleman mean Public Law 712?

Mr. CURTIS. I am referring to this "times and places" provision and manner of holding elections for Senators and Representatives, which states that that shall be prescribed by the legislatures of the States, but the Congress may at any time pass a law altering such regulations except as to the place of choosing Senators.

Mr. ANDERSON of New Mexico. The difficulty may be that the gentleman is in the wrong part of the Constitution.

Mr. CURTIS. All right. I will read another part.

Congress may determine the time of choosing electors——

Mr. ANDERSON of New Mexico. Let me see that.

Mr. WORLEY. I will show the gentleman the rest of the Constitution.

Mr. ANDERSON of New Mexico. All that I say to my good friend from Nebraska is that he should have borne in mind the illustration when somebody asked, "What is dumber than a dumb Irishman?" And the reply was, "A smart Swede." The gentleman should not ask a dumb Swede, as I admit being, a constitutional question. He is right, and I am wrong about the inclusion of provisions as to the election of President in the Constitution.

Mr. CASE. Will the gentleman yield?

Mr. ANDERSON of New Mexico. I think the gentleman is trying hard to reach a good solution, and I am happy he is taking that position.

Mr. CASE. The question was raised as to the problem of delivery of the ballots. Of course, I would suggest that the date be set far enough in advance so that we can have the agreement of the Army and Navy, and if that date were set far enough in advance it should be just as easy to get one piece of mail to the soldier as it was to get his Christmas packages to him. I am relying on testimony which I have read that the job can be done if the ballots are put into the hands of the Army and Navy at least 45 or perhaps 60 days before. Then if the States have not provided the regular State ballot, I would give him the Federal ballot.

Mr. ANDERSON of New Mexico. There was a lot of testimony before the committee which the gentleman from Texas is far more familiar with than I am to the effect that the Army and Navy has not yet been able to deliver a lot of these Christmas packages and to do many other things, that they were hard pressed to find space for these various things. The testimony of the War Department was that it was much more simple to handle this lightweight ballot than some of these tremendous ballots which the gentleman may be familiar with.

He had before the committee a ballot that was nearly 3½ or 4 feet square, one from the State of Rhode Island. You cannot carry those things by air mail.

Mr. CASE. Did that include only candidates, or did it also include referendums and other such matters?

Mr. ANDERSON of New Mexico. No; it was only for candidates.

Mr. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield to the gentleman from Illinois.

Mr. CHURCH. I commend the gentleman on his efforts here, but I believe he must remember next year and the next year and the next year, and that his efforts at this time will mean that New Mexico will see the necessity of amending its constitution. I believe the gentleman is for constitutional law. He has his own State against him on this constitutional question, I fear. I commend him for trying to get that constitution amended so that we can all get that New Mexican vote in this case.

Mr. ANDERSON of New Mexico. I do not want to amend that provision of the constitution because I never want to disfranchise any of the citizens of my State because of inability to read or write the English language, as long as they are literate in the Spanish language, but I do say that this is a war emergency. Just as in many other things we have war powers and exercise them. We might regard the privilege of voting on the part of soldiers in the armed forces as outside of our constitution and go ahead and take their ballot and leave our good constitutional provision as long as we can.

Mr. CHURCH. Does not the gentleman appreciate that what some of us fear is that Public 712 on a test may be unconstitutional in a vital election?

Mr. ANDERSON of New Mexico. I realize that that is a possibility, but no person or State has tested it yet.

Mr. MONRONEY. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of New Mexico. I yield to the gentleman from Oklahoma.

Mr. MONRONEY. What the gentleman is saying is that the section in his constitution was placed there to prevent the disfranchisement of non-English-speaking citizens.

Mr. ANDERSON of New Mexico. That is right.

Mr. MONRONEY. Is it not quite an irony of the vote that in a world war in which the Federal Government has taken citizens from New Mexico and placed them around the world to fight for the Constitution they should be disfranchised by a legalistic interpretation placed in there by opponents of a soldier-voting act?

The SPEAKER pro tempore. The time of the gentleman from New Mexico has expired.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent that the gentleman be permitted to proceed for 1 additional minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. The gentleman from Oklahoma who just spoke brought something to my mind. I happen to have three nephews from the State of New Mexico, constituents of the gentleman.

Mr. ANDERSON of New Mexico. That is right. They are fine boys, too.

Mr. JENSEN. One of them is on a bomber, dropping eggs on submarines in the South Atlantic, one of them now is across in the Atlantic theater of war, and the other one is on the west coast. I want those fellows to vote.

Mr. ANDERSON of New Mexico. So do I. They will vote a straight Republican ticket, but I want them to vote.

Mr. JENSEN. I want them to vote as much as I want every other soldier to vote.

Mr. ANDERSON of New Mexico. Right.

Mr. JENSEN. I hope we can arrange some kind of a ballot here to give all these boys a chance to vote.

Mr. ANDERSON of New Mexico. I thank the gentleman.

The SPEAKER pro tempore. The time of the gentleman from New Mexico has again expired.

Mr. BONNER. Mr. Speaker, I ask unanimous consent to proceed for 4 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, I have faithfully sat through all the hearings of the Committee on Election of President, Vice President, and Representatives in Congress. I have not had much to say about the bill reported out or the Worley bill. I have listened to the argument in the cloakroom and the argument here on the floor. It is surprising to me that, although the Vursell bill and one section of the Worley bill are practically identical, yet the argument hinges on the Vursell bill versus the Worley bill, and particularly on the section of the Worley bill with regard to what is known as the bobtailed ballot.

I say that the Worley bill gives you all the Vursell bill gives you, and then gives the man in Italy, China, or wherever he may be an absolute assurance that he will cast some kind of a ballot. That is the difference. You just give him all that the Vursell bill gives him, and then give him that much more assurance. If there is any opposition to that, it is hard for me to understand.

The opposition is the question of whether or not one section of the Worley bill is constitutional. I really think—and I will never deal in personalities as long as I stay in this House—that when intelligent men, smart men, get up here and argue and do not point out the real facts in those bills, it means that they evidently did not thumb over the hearings, and they evidently have not carefully read the reports of the Secretary of War or the Secretary of the Navy; and I have confidence in the leadership of our armed forces.

Yesterday, Mr. Speaker, the gentleman from South Dakota [Mr. CASE] was addressing the House. I interrupted him and asked him to yield. He was questioned whether or not fair and equal opportunity would be given to all concerned, and whether or not the ballots would be fairly and properly handled abroad. Much has been said about it. I have talked in private with certain gentlemen on this side about whether or not this election would be fairly and properly carried out. It would certainly shatter my faith if I thought any officer on any foreign front would abuse the privilege that you are about to offer the sons and daughters of America. I just do not believe it.

The gentleman from New York [Mr. TABER] came into the discussion. He seemed to be very much concerned as to the fairness of the distribution of space in Government periodicals to both sides. He mentioned the Stars and Stripes as carrying a lot of propaganda abroad. The Stars and Stripes does not happen to be controlled by the Federal Government. I believe that men on both sides of this aisle will see to it that, just as, under the Radio Act, if time is granted to you time is granted over there, there will be an equal distribution of space.

The gentleman from South Dakota [Mr. CASE] also brought into the discussion the great Abraham Lincoln. He was a great man. The South learned to love him. The South lost its greatest friend in his death. Mr. Lincoln had some difficulty in 1864. The gentleman from South Dakota was discussing the President's message. I do not believe it has been charged that the President ever went so far as to wire any commander of any of our forces, either at home or abroad, about the elections or about voting. But Mr. Lincoln did wire General Grant. He asked him, "Send me what you know of your Army's vote." That was an occasion in 1864 when Mr. Lincoln and Mr. McClellan were candidates, and the South at that time did not have an election.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein an editorial from the Raleigh News and Observer, edited by the honorable Josephus Daniels, Secretary of the Navy during the period of World War No. 1.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The editorial referred to follows:

SOLDIER VOTING IN 1864

There was no Presidential election in the Confederacy in 1864 and therefore no lesson to be learned as to voting by soldiers. In the North, Lincoln and McClellan were the rival candidates and the soldier vote was important then as now. However, the Army there was organized entirely on State lines—unlike the organization of the Army today when in every regiment will be found men from a score of States. Then they fought as State men. Now they fight as United States soldiers. It was comparatively easy then for men to vote on the line of States' rights. Now it is practically impossible.

In 1864 it was said by the supporters of Lincoln, "The soldiers won by a big majority."

Lincoln was not above seeking the soldier vote and keeping in touch with Grant about it. In October he telegraphed Grant that while the outlook was good in Ohio and Indiana, "it was none too good in Pennsylvania." He added, "Send me what you know of your army vote." Just suppose next November Roosevelt was to send such a message to Marshall or Eisenhower.

Lincoln's civilian majority in New York, Pennsylvania, and Connecticut was so slight that it would have been upset if the soldier vote from those States had gone largely anti-Lincoln. In Pennsylvania, Lincoln's civilian majority was only 20,000 out of 573,000 votes cast, and 39,000 additional votes were cast by soldiers, giving him an additional majority of 14,000. In New York, where the soldier votes were not counted separately, Lincoln's majority was less than 7,000 out of 730,000 votes cast.

Samuel Grafton in the Philadelphia Record says that, whereas a few weeks ago the Republican politicians were happy because they thought they had done a smart trick in passing a measure in the Senate that would make it so difficult most soldiers couldn't vote, they now are terrorized because they have been hearing it thunder. The folks back home and the armed forces are demanding a plain and easy way to vote. Mr. Grafton in his article says:

"The Republican Party is finding out that life is real, life is earnest."

With what glee did a majority of the party's Senators help kill the Green-Lucas soldier-voting bill, a bare 6 weeks ago! They never seem to have had a moment of doubt about it. Of course, it was proper to kill the bill; wasn't the big issue States' rights? "The big issue," as Mark Sullivan explained, "is States' rights." Colonel McCormick, of Chicago, thought that the big issue was States' rights. Captain Patterson, of the New York Daily News, also added his opinion that the big issue was States' rights.

The big issue, you see, was States' rights. There was something almost touching in the Republicans' absolute faith that their own special and private language, which they have used so long among themselves in attacking the Federal administration, was also the common language of the country.

This is another case of:

"He digged a pit,
He digged it deep,
He digged it for his brother
To punish his sin
He did fall in
The pit he digged for t'other."

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RABAUT. Mr. Speaker, as a climax to this debate and discussion on the soldiers' vote, I regard it a privilege to ask unanimous consent to extend my remarks in the RECORD and include therein a resolution passed by the Common Council of the City of Detroit asking that Congress act in a proper manner on this question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RABAUT. Mr. Speaker, the soldiers' vote measure is in an odd position here in this House. The bills come from the Committee on Election of President, Vice President, and Representatives in Congress and there was divided opinion in the committee. Seven votes were cast for the Rankin bill and five votes for the Worley bill. The gentleman from Texas [Mr. WORLEY], as you know, is chairman of that committee. We find the majority vote was four Republicans and three Democrats for the Rankin bill and the minority vote was five Democrats for the Worley bill. The gentleman from Texas [Mr. WORLEY], the chairman of the committee, therefore finds himself in a minority position, as a Democrat, on his own committee.

Because of my interest in the right of the soldiers to vote, I appeared before the Rules Committee requesting that a rule be granted to provide an opportunity to the membership of the House to stand up and be counted on both bills, and be counted in such a manner that a roll call would be of record.

Under the rule granted, no matter by what name it is called, no such opportunity is afforded the Members to be recorded and thus the country is denied the knowledge of the positions of the individual Members of this body on this important measure of the soldiers' vote bill.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Speaker, it is quite interesting to hear the gentleman from Michigan [Mr. RABAUT] announce that he was climaxing the debates on this great constitutional question when he took the floor, but after listening to him, I rather think it was a precipitation rather than a climax.

This is one of the greatest constitutional issues that has confronted the American Congress for many a day, and as a Democrat I regret that I cannot agree with the strange message that the President sent here a few days ago upon this subject.

I was astonished to hear the distinguished gentleman from North Carolina [Mr. BONNER] bring Abraham Lincoln into this discussion in the way he did, because Abraham Lincoln said that no Member of Congress had a right to vote for an unconstitutional law. The law they are trying to pass, the Lucas-Worley bill, clearly violates the Constitution of the United States and it violates the constitution of practically every State in the Union.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. Yes.

Mr. BONNER. Who finally settles this question of the constitutionality or unconstitutionality of laws? The gentleman knows who settles it and just because the gentleman says it is unconstitutional, that does not make it so.

Mr. RANKIN. I thought the gentleman knew that the Supreme Court of the United States did.

Mr. BONNER. The way the gentleman speaks, I was under the impression that if he says it is unconstitutional, that settles it.

Mr. RANKIN. Oh, I am surprised that the gentleman from North Carolina does not realize that the Lucas-Worley bill flagrantly violates the Constitution in four places. You do not need a supreme court to tell you that. It has been pointed out to him in the committee and on the floor of this House time and time again. Not only that, but it invades the rights of the States, the very thing the white people of North Carolina have protested against ever since the close of the Civil War. The one thing that the white people of the South have protested against all these decades is the invasion of the rights of the States by the Federal Government under any pretense. That measure would not only violate the Constitution and invade the rights of the State, but it would not afford as many soldiers an opportunity to vote, under the Lucas-Worley bobtailed ballot, as we give them in the ballot sent out by the various States.

I suggest that you gentlemen get the report and read it and see what the Lucas-Worley bill proposes to send these boys. It is an April-fool ballot. When they open it what will they see? Not a name printed on it; not a name of a candidate for the Presidency or the Vice Presidency or the Senate or Representative in Congress. They are not printed on it, and there will be no opportunity to vote for State, county, or other local officers, yet we are told that it is a fraud not to pass it. In my judgment, it would be a fraud if we did pass it.

Let there be no misunderstanding. It would be a violation of the law to vote such a ballot in my State and in many other States. The name of every candidate must be printed on the ballot in Mississippi.

You offer us what we call an Aurelio ballot in this Lucas-Worley bill. They held an election last fall in New York.

The Democrats nominated a man named Aurelio for supreme court judge. The Republicans, thinking that the Democrats knew what they were about, nominated the same man. It was then discovered that he had been handpicked by one of the worst underworld racketeers New York ever had. So the better element of both parties set out to get his name off the ballot. But they could not do it. Then they placed other candidates on the ticket and urged the people not to vote for Aurelio. The people of New York who went to the polls to vote were either too indifferent or too ignorant or too lazy to read the names and vote for the individuals on the ticket. Therefore, they voted straight party ballots and he being on both tickets, they elected Aurelio to the Supreme Court of New York, to preside over the destiny of the good people of that State for 14 years at $25,000 a year. And yet you want to ram down the throats of the rest of the country an Aurelio ballot, and make us accept it in violation of our State laws. I wonder if the President had that election in mind when he spoke of fraud?

What is the gentleman going to say to the people of North Carolina, those people who have fought the battles of democracy since long before the Civil War, if you pass this innocuous Lucas-Worley bill with its April-fool, bobtailed ballot? If they count those ballots, under the law of their State, they are likely to be subject to indictment in the State court, and if convicted sentenced to the penitentiary; and if they do not count them, they would be subject to indictment in the Federal court, to be fined $5,000 or sent to the penitentiary for 5 years. How many people are you going to get in the average State of the South and Southwest to go out and hold elections with that kind of a situation staring them in the face?

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. Yes.

Mr. BONNER. The gentleman says he speaks for the people in North Carolina?

Mr. RANKIN. I did not say I speak for the people of North Carolina.

Mr. BONNER. I regret that I do not have with me the letter which is in my office from the attorney general of North Carolina who has read both ballots, and he says that both ballots will be accepted, either ballot will be accepted.

Mr. RANKIN. I think he is wrong. Besides, I know that other States will not accept them, and therefore, you will be disfranchising every serviceman in my State, every serviceman in Texas, and in many other States. Do you not think that would be a fraud on them?

Mr. BONNER. The gentleman knows that in his bill, as well as in the Worley bill, it is left to the State machinery to see whether the ballot shall be counted.

Mr. RANKIN. It is not. Under the law it is their duty to count the vote as cast.

Mr. MONRONEY. Will the gentleman from Mississippi explain to me how cases such as the Aurelio case, which was a State ballot, would be prevented by the Rankin bill and permitted by the Worley bill?

Mr. RANKIN. Simply because in my State and in many other States a bobtailed ballot whereby you could vote a straight party ticket is illegal. The name of every candidate has to be printed on the ballot. Since this man

Aurelio was nominated on both the Democratic and Republican tickets, they did not take the time to read the names of the men that the decent people of New York were asking them to vote for but just blindly voted the party ticket, and since Aurelio was on both tickets he was elected, as I said, to preside over the destiny of the people of New York at the salary of $25,000 a year for 14 years.

Mr. MONRONEY. That still is a State ballot, as I understand it, and would have gone out to the soldiers under the Lucas-Worley bill?

Mr. RANKIN. No; that is the kind of ballot you are trying to ram down our throats through the Lucas-Worley bill.

Mr. RUSSELL. Will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Texas.

Mr. RUSSELL. May I say to the gentleman from Mississippi, inasmuch as he referred to my native State, to be a legal ballot in Texas it must have printed on it "Legal ballot" and must have been prepared by the State. Unless that legal ballot is voted, the voter who tries to vote anything else violates the law of my State. And I take it this Congress and all good citizens of the United States of America do not want to make outlaws of the citizens of my great State, which, in effect, they would be doing if we had that kind of ballot forced upon us.

Mr. RANKIN. That is right, exactly. Not only that, but you would be disfranchising the men of Texas in the service, and God knows the men of no State in this Union are rendering more glorious accounts of themselves than are the men from Texas.

Mr. RUSSELL. There are 600,000 Texans in the service of our country.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House further for 5 additional minutes, so that I may answer the questions of my distinguished colleagues.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. WRIGHT. I know the gentleman is convinced that he is right and I know he is fearless, as is the gentleman from Texas. Would the gentleman from Mississippi have any objection to having a roll-call vote where the issue is the Worley bill on the one hand and the Senate, or committee bill, on the other?

Mr. RANKIN. I have never known Congress to take a roll-call vote on something not before the House. I never heard of such a suggestion before. I believe in the parliamentary rules in this House.

Mr. Speaker, I did not expect to speak today, but there has been a continuous barrage of attack on the Eastland-Rankin bill which would permit the States to send these ballots and permit the servicemen to vote in a constitutional election.

The opposition raises the time issue. Every State is moving its primaries back for that purpose. Georgia acted first. Mississippi is falling into line and passing her law this week. Iowa and Ohio and other States, Michigan, perhaps, and others, are doing the same thing. They will have ample time to get these ballots to the men in the service and back. By giving them the right-of-way, and giving them free air-mail service, these ballots will go to them—not the bobtailed, April-fool ballot, but a real, honest-to-God ballot, printed by the authorities of the State with the name of every candidate on it, from the President of the United States down to bailiff—and get back in ample time for the election. Then the boys that get that ballot can vote a seeret ballot and send it back and it will be counted. A far greater number of them will vote under that system than would vote if this other ballot was thrust upon them. Besides, the State will count every last one of them.

If you want the service men and women to vote, if you want them all to have an opportunity to vote in a legal, constitutional election, so that they can vote for everything from President down to bailiff, so that those votes will be counted and registered and will really count in the election, then next Tuesday, when this matter comes up, vote to sustain the committee and to pass the Senate bill as amended by the House committee.

Mr. MONRONEY. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. MONRONEY. The gentleman from Mississippi, I know, has been a great fighter for veterans and for servicemen and I wish to compliment the gentleman.

Mr. RANKIN. I thank the gentleman.

Mr. MONRONEY. I did not quite get it clear why the gentleman from Mississippi objects to letting these same soldiers know how each individual Congressman feels on this issue. I did not quite get that clearly.

Mr. RANKIN. The issue is whether or not you are going to let them vote in a legal, constitutional election. Our bill would let them vote in such an election for everything from President to constable.

You do not drag in every bill that somebody proposes, and call the roll on it. You do not call the roll on a bill no committee has ever reported and that is not legally before the House. I have never heard of such a proposition.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. DONDERO. The question I asked a little while ago was substantially this, If a Federal ballot goes back to a State which does not comply with the law of that State, can that State count the ballot?

Mr. RANKIN. No, sir; they would violate the State law. If they do not count it, then all the officeholders who refuse to count it, under the Lucas-Worley bill, would be subject to prosecution in the Federal courts. If they do count it, they are subject to prosecution in the State courts; if they do not count it they are subject to prosecution in the Federal courts. That is the ridiculous situation we would find ourselves in if we passed the Lucas-Worley bill.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. MICHENER. I am not exactly clear as to the mechanics under the Worley bill as to what has been called the bobtailed ballot.

The question I want to ask is this. Up in my district my people do not always vote for the candidates of their own party. Sometimes some Democrats vote for me and some Republicans vote for my opponent.

Under the Worley bill, where you have to vote Republican or Democratic, that would foreclose any Republican voting for my Democratic opponent, and that would foreclose any Democrat in my district from voting for me if that was his will, and it would compel him to vote a straight ticket?

Mr. RANKIN. No; he could write your name in the blank. But you cannot vote that kind of ballot under the laws of many States.

Mr. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. CHURCH. Under the laws of the State of Illinois, unless the names are carefully marked, they are called distinguishing marks and the ballot is thrown out under the decisions of our State.

Mr. RANKIN. That is right.

Mr. Speaker, this pressure that is being brought to bear from outside sources to try to compel the Congress of the United States to call the roll on something that is not before the House and is not in order, is the most unusual procedure I have ever witnessed. I want to say that the hope of the perpetuation of democracy, as we know it, of representative government, lies in the Congress of the United States. I am not willing for anyone else to dictate to us how we shall carry on these proceedings.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House further for 5 additional minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN. I say that with all deference. I have been here for many years. I have fought, as I said, for constitutional legislation in every session in which I have served. We are telling those boys abroad that they are fighting to maintain and to defend the Constitution of the United States, and that they are fighting to maintain American institutions. They do not understand that they are out to try to fight a world revolution. There is no revolution in this country. They are fighting to maintain the institutions we now have. And the ship of state of the United States, as I have said, is the Constitution itself. I have fought with members of the Republican Party all over the deck of that ship

of state during all these years, but never yet have I attempted to shoot the bottom out of the boat—as I believe would be done if we just wiped out those sections of the Constitution and passed an unconstitutional law that would probably bring chaos and confusion in the election this year.

As I said the other day, when these boys come back we want them to find what? Not the broken, dishonored fragment, as Webster said, of a "once glorious Union." Not the wreck of a once glorious and free Republic. But we want them again to behold that gorgeous ensign of this great Republic now known and honored throughout all the world, bearing for its motto no such miserable interrogatory as "What was it all worth," but guaranteeing to them the sacred privilege of living under its ample folds, guarding the same free institutions, and enjoying the same free government they did before this war was declared. That is what they are fighting for.

If we can wipe out one part of the Constitution we can wipe out another. If we have the right to strike down the Constitution as far as this election is concerned, then you have a right to wipe it out as far as any election at all is concerned. We could then call off the election entirely and perpetuate ourselves in office for the duration. It might save me a campaign and campaign expenses, at the expense of my self-respect, my patriotism, and my integrity. God forbid that I should ever stoop to take such a step. If we did that, then all we would have to do would be to extend the duration indefinitely, declare war on Shan G'ri La and keep it going after the boys had whipped Germany and Japan. Then we could stay in office as long as we lived and probably dictate our successors.

No. I am for maintaining the Constitution as it now stands. I am for a constitutional election, and every State in the Union is bending every effort to make it possible for these young men who are fighting for this country, who are fighting for that flag, who are fighting for this Constitution, who are fighting for American institutions to be afforded an opportunity to vote in a constitutional election to carry them on in a constitutional way, and not be required to cast a ballot that might result in their destruction.

The SPEAKER pro tempore. The time of the gentleman from Mississippi [Mr. RANKIN] has again expired.

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MURDOCK. Mr. Speaker, I have just listened, as I always do with rapt attention, to my friend from Mississippi [Mr. RANKIN] in regard to the soldier-vote proposals. I did not hear the earlier discussion so that I heard only his remarks to the effect that we ought to be determined in our action here not by any outside pressure but should follow the rules of the House as to having a roll-call vote.

I agree with the gentleman from Mississippi on that but I must say there have been many times when I would like the membership on record. If the gentleman had reference to someone outside the membership suggesting that we ought to have a roll-call vote on the Worley bill, I must say to him that I have been wishing for a roll-call vote on it specifically when it comes before us next week, because I do not believe, under the rules of the House and the rule as granted, we will have a chance to stand up and be counted without the unusual parliamentary step of voting down the previous question. I am interested in the Worley bill and want a record on it because it seems the best.

I am just as much interested in preserving the Constitution of the United States as any other Member. I took an oath, and I want to observe it. I, too, feel that the States ought to carry on these elections as provided and as has been our constitutional plan. My State, Arizona, contemplates calling a special session of the legislature to provide changes in the date of the primaries and such other accompanying dates as would be logical, in order to give the soldiers a chance to vote a full ballot and not a so-called bobtail ballot. I hope all States can and will do that. It is an expensive proposition, and any State that will call a special session of the legislature to make such election-law change, to make it possible to give members of our armed forces a complete ballot, is doing its patriotic duty, and I hope they will all do it.

I understand from the War Department and the Navy Department that they find it impossible to conduct 48 different elections for State primaries or even provide for carrying the ballots on 48 different dates. Therefore this thing will have to be systematized some way by the States and Nation or the Army and the Navy cannot do this thing and fight a war at the same time.

I cannot quite agree with my friend from Mississippi [Mr. RANKIN] in regard to this matter. Assuming that the State of Arizona moves up its primary from September to July, and sends our entire ballot to the soldiers from Arizona, yet very likely there will be some other States which will not do that. If there are 46 States which make that provision, and cooperate with the Federal law and the Army and the Navy, leaving two States not cooperating, then, of course, the soldiers from those two States would lose their voting privilege this time. But if we pass some such bill as the Worley bill, soldiers from those two States would have at least the opportunity of voting for President, Vice President, Congressmen, and Senators—which is all Congress can give. Consequently, ballots, under the Worley bill or some similar measure, would be extended to all soldiers. But if the soldiers from my State have voted the Arizona ballot, which I hope they will do, they would not vote the Federal ballot, and if two ballots were received from one soldier, I understand the Worley bill would make it unlawful to count the Federal ballot.

I think the Worley bill provides for that degree of cooperation which is vitally necessary in order for us to make it possible for all members of the armed forces from all States to vote. I would like to see that done and I hope for a recorded vote on that specific proposal.

The SPEAKER pro tempore. The time of the gentleman from Arizona has expired.

Mr. RAMEY. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RAMEY. Mr. Speaker, at page 10673 of the RECORD you will find my statement, made in this Chamber on December 14, which is recited in the following words and figures:

> I hope that immediately we may pass the bill or a bill that every man and woman in our armed forces everywhere may vote. I do not care whose name is on the bill. I do not care which political party sponsors the bill. I hope that we will not come to the point where we will wonder what will prevail in this State or in that State as to the method. The big thing is that all servicemen and servicewomen may know now, and that their parents and friends may know that each and every member of our armed forces may vote. They should know it and know it now. Let us not be disturbed as to who may influence the vote. The right to vote is a sacred right and the soldier may be depended upon to do straight voting. He shoots straight. As to how he votes is his own business and he must be allowed to vote.

On the last day of the first session I was pleased with the attitude of the floor leaders, both the majority leader and minority leader. I am still. They were sincere. They said, "I will yield to you, and I will yield to you." There was no Alfonse and Gaston method about it. They both wanted the soldiers to vote. The thing that now confronts us is delay. There are rumors and counterrumors as to the reason for that delay. I believe that everyone has acted in good faith, but we were assured that this matter would be taken up immediately following the recess between the two sessions. May we not have action soon? Some say the delay is due to the Senate. Others say it is because of a subterfuge and political maneuvering. I do not know. But the longer we delay the longer there is going to be a reign of dissatisfaction throughout this entire country because the widespread demand that the personnel of our armed forces be accorded the privilege of participating in the forthcoming elections is real and that demand is inherently right. Our servicemen and servicewomen must be provided with that opportunity. It is our job to do that. Let us do it now.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. RAMEY. I yield.

Mr. JENSEN. Let me say to the gentleman that I read the masterful speech he made on the floor of the House the last day of the last session. I wish only that every American abroad and at home

might read that speech. It was a masterpiece. It showed the statesmanship and fine ability of the gentleman who has just addressed the House.

Mr. RAMEY. I am very grateful for the gentleman's remarks; I appreciate them.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. RAMEY. I yield.

Mr. CURTIS. Does the gentleman know of anyone on either side of the aisle who is trying to deprive any soldier of the right to vote?

Mr. RAMEY. Oh, no; there is nobody that low. I cannot understand why the vote has not been taken yet. I want to know why. We were told we would have it the first day we returned. We new men here returned with the idea it would be voted on that day, for we were told so. See where it put us.

Mr. CURTIS. What we all want to do is that which will make it simplest and at the same time legal.

Mr. RAMEY. To preserve their inherent rights simply and legally.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. RAMEY. I yield.

Mr MICHENER. At the risk of embarrassing the distinguished gentleman from Ohio, may I say to the gentleman from Iowa who has just made an observation that if he lived in proximity to Toledo, Ohio, and knew the reputation of the gentleman from Ohio for making splendid speeches, he would not have been surprised at all when he read that masterpiece.

Mr. JENSEN. I may say to the gentleman that I was not surprised, knowing the gentleman as I have since he has been a Member of the House, but I was very pleased.

Mr. RAMEY. I am so happy to have the approval of the distinguished gentleman from Michigan, who is my neighbor.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

EXTENSION OF REMARKS

Mr. GRANT of Alabama. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. BOYKIN] may extend his own remarks in the RECORD and include therein a letter from the son of Mr. and Mrs. William Busick.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. ROWAN. Mr. Speaker, I ask unanimous consent to extend my own remarks on two subjects: One, a resolution adopted by the Polish Roman Catholic Union of America; and the other a letter from a buck private.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted, as follows:

To Mr. HÉBERT, indefinitely, on account of official business.

To Mr. McCOWEN (at the request of Mr. McGREGOR), for today, on account of official business.

To Mr. GATHINGS (at the request of Mr. MILLS), for today, on account of official business.

ADJOURNMENT

Mr. ROWAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 53 minutes p. m.), the House, pursuant to its previous order, adjourned until Monday, January 31, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE PUBLIC LANDS

The hearings on H. R. 2596, to protect Naval Petroleum Reserve No. 1, will be continued on Saturday, January 29, 1944, at 10:30 a. m.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold hearings at 10:30 a. m., on Wednesday, February 2, 1944, on private bills and unfinished business.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 3, 1944, at 10 a. m., on H. R. 2809, to amend section 511 of the Merchant Marine Act, 1936, as amended.

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of subtitle "Insurance of Title II of the Merchant Marine Act, 1936," as amended.

COMMITTEE ON FLOOD CONTROL

SCHEDULE OF HEARINGS ON FLOOD CONTROL BILL OF 1944, BEGINNING TUESDAY, FEBRUARY 1, 1494, AT 10 A. M.

The Flood Control Committee will conduct hearings on flood-control reports submitted by the Chief of Engineers since the hearings conducted in June 1943 and on amendments to existing law. The committee is definitely committed to the view that flood-control projects for post-war construction will be among the most satisfactory public works, and the committee plans an adequate backlog of sound flood-control projects available following the war.

1. Tuesday, February 1: Maj. Gen. Eugene Reybold, Chief of Engineers, will open the hearings with any statements and recommendations he desires to submit covering national flood control and the projects that should be included in the bill to be reported, especially as they are related to national defense and as they will be important following the war to provide sound flood-control projects and desirable public works, and he will supplement his statements submitted to the committee in June 1943 with any recommendations he cares to submit following the said hearings and following the passage of the Emergency Flood Control Act authorizing an appropriation of $10,000,000 for the repair, restoration, and strengthening of levees and other flood-control works passed July 12, 1943. General Reybold will be followed by Maj. Gen. Thomas M. Robins, Assistant Chief of Engineers, and by Col. George H. Goethals, Chief, River and Harbor Flood Control Branch, Office of the Chief of Engineers, who will attend the hearings and will furnish the members of the committee in detail any and all information respecting any and all projects on which favorable reports have been submitted by the Chief of Engineers since June 1943. The district engineers and the division engineers have furnished to the Chief of Engineers data and information covering floods since June 1943, which will be submitted to the committee. It is probable that Brig. Gen. M. C. Tyler, president of the Mississippi River Commission, and the division engineer of the lower Mississippi Valley division, and Col. Miles Reber, former division engineer, Missouri River division, Omaha, Nebr., will appear before the committee with respect to projects along the lower Mississippi River and its tributaries and the Missouri River and its tributaries before the hearings are concluded.

2. Wednesday, February 2: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the Pacific Northwest region, including the Willamette River and the Columbia River and tributaries; proponents and opponents of projects along the Milk River, Mont.; the Knife River and tributaries, North Dakota; the Boyer River and tributaries, Iowa; Red Lake River and tributaries, Minnesota; proponents and opponents of projects along the Rio Grande and tributaries, Colorado; proponents and opponents of projects along other rivers in the western Rocky Mountain region, including the States of Colorado and Montana.

3. Thursday, February 3: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Soil Conservation Service, Department of Agriculture, and proponents and opponents of projects on rivers flowing into the Gulf of Mexico west of the Mississippi River, including the Trinity River in the State of Texas.

4. Friday, February 4: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects along the upper Mississippi River and tributaries, including the Illinois River and tributaries, the Great Lakes region; and proponents and opponents of projects along Bear Creek, Colo.; Missouri River and tributaries at the Kansas Citys, Mo. and Kans.; Nishnabotna River, Iowa and Mo.

5. Tuesday, February 8: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the Los Angeles area along the Sacramento River and tributaries and along the San Joaquin River and tributaries.

6. Wednesday, February 9: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Bureau of Reclamation, and proponents and opponents of projects along the Kern River and tributaries in the Kern River area and along the Kings River area and tributaries in the Kings River area, and including other streams in the San Joaquin Valley.

7. Thursday, February 10: Continuation of the projects discussed on February 9.

8. Friday, February 11: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the upper and lower Ohio River and tributaries, including Salt River, Taylorsville, Ky., the Potomac River and tributaries, the New England region, including the Connecticut and Merrimac Rivers, and the Middle Atlantic region, including New York, Pennsylvania, and New Jersey, and the South Atlantic region, including rivers flowing into the Atlantic Ocean and Gulf of Mexico east of the Mississippi River.

9. Tuesday, February 15: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Gen. M. C. Tyler, president of the Mississippi River Commission and division engineer, and proponents and opponents of projects along the lower Mississippi River

and tributaries, including the Red, Arkansas River, Conway County, Ark., and Purgatoire (Picket Wire) River, Colo., the White, St. Francis, and Yazoo Rivers.

10. Wednesday, February 16: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Col. Miles Reber, former division engineer, Missouri River division, Omaha, Nebr., and proponents and opponents of projects along the Missouri River and tributaries.

11. Thursday, February 17: Continuation of the projects discussed on February 16.

12. Friday, February 18: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in other regions in the United States.

13. Tuesday, February 22: Representatives of the Department of Agriculture, the Weather Bureau, Bureau of Reclamation, and other governmental agencies.

14. Wednesday, February 23: Senators and Representatives in Congress.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1113. A letter from the president, United States Civil Service Commission, transmitting one set of the Commission's requests for personnel for the third quarter of the fiscal year 1944; to the Committee on the Civil Service.

1114. A letter from the Attorney General, transmitting a draft of a proposed bill relating to escapes of prisoners of war and interned enemy aliens; to the Committee on the Judiciary.

1115. A letter from the War Shipping Administrator, transmitting revised estimates of personnel requirements for the quarter ending March 31, 1944, for the appropriation "War Shipping Administration, maritime training fund," including the summary, the Maritime Training Organization, the Recruitment and Manning Organization, and Maritime Labor Relations; to the Committee on the Civil Service.

1116. A letter from the chairman, Joint Committee on Reduction of Nonessential Federal Expenditures, transmitting, in accordance with title 6 of the Revenue Act of 1941, Public Law 250, Seventy-seventh Congress, a report on penalty mail; to the Committee on the Post Office and Post Roads.

1117. A letter from the Under Secretary, Department of Agriculture, transmitting a draft of a proposed bill to amend the War Overtime Pay Act of 1943, relating to the payment of overtime compensation to Government employees, and for other purposes; to the Committee on the Civil Service.

1118. A letter from the Secretary of War, transmitting a draft of a proposed bill to clarify the law relative to allowances for mileage of graduates of the United States Military Academy and transportation of their dependents on assignment to their first duty station, and to the mileage allowance of persons entering the United States Military Academy as cadets; to the Committee on Military Affairs.

1119. A letter from the Attorney General transmitting a report showing the special assistants employed during the period from July 1, 1943, to January 1, 1944, under the appropriation "Compensation of special attorneys, etc., Department of Justice;" to the Committee on Expenditures in the Executive Departments.

1120. A letter from the Acting Administrator, Federal Security Agency, transmitting a detailed report of the receipts and expenditures made during the fiscal year ending June 30, 1943, from the working capital fund established for the operation of the industrial activities at the United States Public Health Service hospitals, Lexington, Ky., and Fort Worth, Tex.; to the Committee on Expenditures in the Executive Departments.

1121. A letter from the Chairman, Federal Communications Commission, transmitting reports of personnel requirements of the Federal Communications Commission; to the Committee on the Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SABATH: Committee on Rules. House Resolution 422. Resolution for the consideration of H. R. 3270, a bill to affirm the intent of the Congress that the regulation of the business of insurance remain within the control of the several States and that the acts of July 2, 1890, and October 15, 1914, as amended, be not applicable to that business; without amendment (Rept. No. 1028). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FORAND:

H. R. 4086. A bill to create a nonpartisan commission to study the Federal revenue laws with a view to making recommendations for a simplified permanent and consistent tax policy; to the Committee on Ways and Means.

H. R. 4087. A bill to dispense with the requirement of a return of income tax by individuals substantially all of whose tax is withheld at the source; to the Committee on Ways and Means.

By Mr. LEMKE:

H. R. 4088. A bill providing for veterans' rehabilitation, preventing unemployment, chaos, and confusion at the end of the war and promoting individual, productive enterprise by enabling the returned veterans to engage in such enterprises and employ themselves in place of asking for jobs that do not exist; to the Committee on Ways and Means.

By Mr. NEWSOME:

H. R. 4089. A bill to provide for a national cemetery in Jefferson County, Ala.; to the Committee on Military Affairs.

By Mr. CANNON of Florida:

H. Res. 423. Resolution providing for the consideration of House Joint Resolution No. 1; to the Committee on Rules.

By Mr. BULWINKLE:

H. Res. 424. Resolution authorizing the printing of the reports of the War and Navy Departments with regard to Japanese atrocities to American prisoners of war; to the Committee on Printing.

By Mr. JARMAN:

H. Res. 425. Resolution authorizing the printing of the manuscript entitled "Chronology of Major International Events, With the Ostensible Reasons Advanced for Their Occurrence," as a House document; to the Committee on Printing.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Kentucky, memorializing the President and the Congress of the United States to pass an adequate bill to provide the right to vote to all defenders of our country; to the Committee on Election of President, Vice President, and Representatives in Congress.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GOODWIN:

H. R. 4090. A bill authorizing the President to bestow the decoration of the Purple Heart upon Thomas Anthony Deleo; to the Committee on Military Affairs.

By Mr. O'NEAL:

H. R. 4091. A bill granting a pension to Frances Hays Murphy; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4583. By Mr. CHURCH: Petition of K. A. Dwyer, of Chicago, and other citizens of Illinois, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4584. Also, petition of Burclay Liquor Co. of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4585. Also, petition of the Golden Gate Tavern of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4586. Also, petition of C. Keefe and other citizens of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4587. Also, petition of E. Ferrari and other citizens of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4588. By Mr. DOUGLAS: Petition of 40 residents of the Thirty-third Congressional District of New York, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4589. By Mr. ELLIS: Communication signed by J. D. Poindexter, of Wayne, W. Va., with recommendation of the Wayne County Farm Security Administration Committee on the farm-ownership program in Wayne County, W. Va.; to the Committee on Agriculture.

4590. Also, communication signed by S. A. Booth, of Wayne, W. Va., with recommendation of the Wayne County Farm Security Administration Committee in regard to the Tarver amendment to the Bankhead-Jones Farm Tenant Act; to the Committee on Agriculture.

4591. By Mr. BUTLER: Petition of Edward Frederick and 28 other citizens of Buffalo, N. Y., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4592. By Mr. FOGARTY: Memorial of the Rhode Island General Assembly, petitioning the enactment of legislation giving servicemen priority in the purchase of surpluses created by the present war and extending them credit to make such purchases; to the Committee on Military Affairs.

4593. By Mr. GRAHAM: Petition of 1,340 residents of the Twenty-sixth Congressional District of Pennsylvania and vicinity, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4594. By Mr. HEIDINGER: Resolution of the Parent-Teachers Association of the Bayliss School, Harrisburg, Ill., Ira Stilley, president, and Theda Zell Smith, secretary, and presented by Hubert W. Fox, principal, urging the passage of House bill 2849; to the Committee on Education.

4595. Also, communication signed by E. H. Griffith, principal of Joppa Community High

School, at Joppa, Ill., urging the immediate passage of House bill 2849; to the Committee on Education.

4596. By Mrs. NORTON: Petition of the Board of Commissioners of the Town of Irvington, N. J., addressing itself to the President of the United States with the appeal that all appropriate action be taken to insure the withdrawal, in its entirety, of the Palestine White Paper of May 1939, and respectfully urging that the gates of Palestine be opened to Jewish immigration and Palestine be reconstituted as a Jewish commonwealth; to the Committee on Foreign Affairs.

4597. By Mr. SCHIFFLER: Petition of Nathan Harrison, president, and E. S. Horkheimer, corresponding secretary of the Jewish Community Council of Wheeling, W. Va., urging that all appropriate action be taken to insure the withdrawal in its entirety of the Palestine White Paper of 1939, and that Palestine be opened wide to Jewish immigration and the terms of the Balfour declaration and the Palestine mandate be carried out faithfully; to the Committee on Foreign Affairs.

4598. By Mrs. SMITH of Maine: Petition of the Pooler Lunch, Fairfield, Maine, and citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4599. Also, petition of Henry Audette, of Augusta, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4600. Also, petition of James J. Aman, of Lewiston, Maine, and other citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4601. Also, petition of the Mul's Restaurant, Waterville, Maine, and citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4602. Also, petition of the Roy Blair Restaurant, Waterville, Maine, and sundry citizens, protesting against consideration by Congress of the Bryson bill, H. R. 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4603. By Mr. SMITH of Wisconsin: Petition of sundry residents of Monroe, Wis., opposing House bill 2082; to the Committee on the Judiciary.

4604. By Mr. WEISS: Petition of William A. Fisher and 660 residents of the Thirtieth Congressional District of Pennsylvania and vicinity, opposing House bill 2082; to the Committee on the Judiciary.

4605. By Mr. WILLEY: Petition of sundry citizens of the State of Delaware, opposing House bill 2082; to the Committee on the Judiciary.

4606. Also, petition of sundry citizens of the State of Delaware, favoring House bill 2082; to the Committee on the Judiciary.

4607. By the SPEAKER: Petition of the legislative committee, United Federated War Workers Union, Local 105, United Federal Workers of America, Congress of Industrial Organizations, Deep River, Conn., petitioning consideration of their resolution with reference to urging enactment of legislation giving the soldiers and sailors the right to vote; to the Committee on Election of President, Vice President, and Representatives in Congress.

4608. Also, petition of the city clerk, council of the city of Niagara Falls, N. Y., petitioning consideration of their resolution with reference to requesting enactment of legislation for the soldier vote; to the Committee on Election of President, Vice President, and Representatives in Congress.

4609. Also, petition of Frank Nicholas Bellusci, of Hampstead, Md., and sundry citizens of the State of Maryland, petitioning consideration of their resolution with reference to opposition to House bill 2082; to the Committee on the Judiciary.

4610. Also, petition of the deputy city clerk, city of Milwaukee, Wis., petitioning consideration of their resolution with reference to the soldier vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4611. Also, petition of Warren F. Hoyle Post, No. 82, American Legion, Department of North Carolina, petitioning consideration of their resolution with reference to work stoppage in our defense plants and coal mines; to the Committee on Military Affairs.

4612. Also, petition of the manager, Sherman Chamber of Commerce, Sherman, Tex., petitioning consideration of their resolution with reference to rules and regulations staying in the hands of the Interstate Commerce Commission; to the Committee on Interstate and Foreign Commerce.

SENATE

MONDAY, JANUARY 31, 1944

(Legislative day of Monday, January 24, 1944)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou great God of the universe, grant that during this day we may have the constant inspiration and companionship of Thy presence.

We pray that our lives may be characterized by spiritual frontage and that obedience to Thy will may be the supreme desire of our minds and hearts.

We rejoice in the noble heritage which is still ours because of the men and women who are responding so courageously to the call of God and of country.

Help us also to be eager to do our part in hastening the dawning of that glorious day of prediction when the forces of evil shall be forever banished from the earth and the social order shall be in conformity to the Master's ideals of brotherhood and good will among men.

Hear us in the name of the Christ who is the King of kings and the Lord of lords. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Secretary, Edwin A. Halsey, read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., January 31, 1944.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. BENNETT C. CLARK, a Senator from the State of Missouri, to perform the duties of the Chair during my absence.

CARTER GLASS,
President pro tempore.

Mr. CLARK of Missouri thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. LUCAS, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, January 28, 1944, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. LUCAS. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	O'Mahoney
Andrews	Gillette	Overton
Austin	Green	Radcliffe
Bailey	Guffey	Revercomb
Ball	Gurney	Reynolds
Bankhead	Hatch	Robertson
Barkley	Hawkes	Russell
Bilbo	Hayden	Shipstead
Bone	Hill	Smith
Brewster	Holman	Stewart
Bridges	Johnson, Colo.	Taft
Brooks	Kilgore	Thomas, Idaho
Buck	La Follette	Thomas, Okla.
Burton	Langer	Thomas, Utah
Bushfield	Lodge	Tobey
Butler	Lucas	Truman
Byrd	McCarran	Tunnell
Caraway	McClellan	Tydings
Chavez	McFarland	Vandenberg
Clark, Idaho	McKellar	Wagner
Clark, Mo.	Maloney	Wallgren
Connally	Maybank	Walsh, Mass.
Danaher	Mead	Walsh, N. J.
Davis	Millikin	Wheeler
Downey	Moore	Wherry
Eastland	Murdock	White
Ellender	Murray	Willis
Ferguson	Nye	Wilson
George	O'Daniel	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

The Senator from Kentucky [Mr. CHANDLER] and the Senator from Florida [Mr. PEPPER] are detained on public business.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from Kansas [Mr. REED] and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from Kansas [Mr. CAPPER] is absent from the Senate attending the funeral of William Allen White.

The ACTING PRESIDENT pro tempore. Eighty-six Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the joint resolution (H. J. Res. 208) making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1944; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CANNON of Missouri, Mr. WOODRUM of Virginia, Mr. LUDLOW, Mr. SNYDER, Mr. O'NEAL, Mr. RABAUT, Mr. JOHNSON of Oklahoma, Mr. TABER, Mr. WIGGLESWORTH, Mr. LAMBERTSON, and Mr. POWERS were appointed managers on the part of the House at the conference.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORTS OF THE OFFICE OF EDUCATION

A letter from the Acting Administrator of the Federal Security Agency, transmitting, pursuant to law, combined annual reports of the United States Office of Education covering the period from July 1, 1941, through June 30, 1943, including, in manuscript form, a detailed report of the activities of the Office of Education for the fiscal year ended June 30, 1943 (with accompanying reports); to the Committee on Education and Labor.

REPORT OF POTOMAC ELECTRIC POWER CO.

A letter from the president of the Potomac Electric Power Co., transmitting, pursuant to law, the report of that company for the year ended December 31, 1943 (with an accompanying report); to the Committee on the District of Columbia.

REPORT OF WASHINGTON RAILWAY & ELECTRIC CO.

A letter from the president of the Washington Railway & Electric Co., transmitting, pursuant to law, the report of that company for the year ended December 31, 1943 (with an accompanying report); to the Committee on the District of Columbia.

REPORT OF CAPITAL TRANSIT CO.

A letter from the president of the Capital Transit Co., transmitting, pursuant to law, a report covering the operations of that company for the calendar year 1943, with balance sheet as of December 31, 1943 (with an accompanying report); to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution adopted by Knickerbocker Lodge, No. 510, Knights of Pythias, of New York City, favoring the enactment of pending legislation making it unlawful to distribute through the mails any literature containing defamatory or false statements regarding any race or religion in the United States; to the Committee on Post Offices and Post Roads.

By Mr. GREEN:

A resolution of the General Assembly of the State of Rhode Island; to the Committee on Finance:

"House Resolution 578

"Resolution petitioning the Senators and Representatives of this State in the Congress to attempt to secure the enactment of legislation giving servicemen priority in the purchase of surpluses created by the present war and extending them credit to make such purchases

"*Be it resolved*, That the Senators and Representatives from this State in the Congress be and they hereby are respectfully requested to secure the enactment of suitable legislation by the Congress to secure to all honorable discharged veterans of any war in which the United States was or is engaged, priority in purchasing surpluses created by the present war when the United States decides to dispose of the same or any part of them, and to provide Federal credit to enable such veterans to make such purchases; and be it further

"*Resolved*, That a copy of this resolution be certified by the secretary of state and sent by him to each of the Senators and Representatives of this State in the Congress."

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES—PETITIONS

Mr. LUCAS. Mr. President, I ask unanimous consent to present for appropriate reference divers petitions of sundry citizens of Illinois, sponsored by the Ninth Illinois Congressional District Joint Political Action Committee, entitled "Petition To Protect the Citizen Right of Servicemen To Vote."

There being no objection, the petitions praying for the enactment of pending legislation providing a wartime method of voting by members of the armed forces, were received and ordered to lie on the table.

FREIGHT RATES—RESOLUTION BY BOARD OF DIRECTORS OF HARTFORD (CONN.) CHAMBER OF COMMERCE

Mr. MALONEY. Mr. President, I ask unanimous consent that there may be inserted in the body of the RECORD, and appropriately referred, a letter which I have received from Mr. F. A. Farrell, secretary, the Hartford Chamber of Commerce, Hartford, Conn., and copy of a resolution passed by the board of directors of that organization in opposition to several bills enumerated therein "providing for legislative rate making."

There being no objection, the letter and resolution were referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

THE HARTFORD CHAMBER OF COMMERCE,
Hartford, Conn., January 25, 1944.

Hon. FRANCIS MALONEY,
United States Senate,
Senate Building, Washington, D. C.

DEAR SIR: Attached you will find copy of resolution passed by the board of directors of this organization opposing the several bills now before Congress providing for legislative rate making. Reasons for this opposition are outlined therein and we urge that you give them your careful consideration.

These bills are S. 947, S. 1030, S. 1124; H. R. 2378, H. R. 2391, H. R. 2435, H. R. 2436, H. R. 2645, H. R. 2547, H. R. 3172, and H. R. 3183.

Thanking you.

Cordially yours,

F. G. FARRELL, *Secretary.*

RESOLUTION ADOPTED BY THE BOARD OF DIRECTORS OF THE HARTFORD CHAMBER OF COMMERCE AT A MEETING HELD JANUARY 17, 1944

Whereas nowhere in these United States can there be found so small a community so densely occupied with small industries, and whose citizens are so dependent on those small industries for the necessities and happiness of life, as is found in the State of Connecticut; and

Whereas dependent upon transportation not only for the movement of in-bound raw material and out-bound manufactured products but also for much of its food, fuel, and clothing, the cost of that transportation and the relationship of that transportation cost in a manner which will enable these Connecticut industries to successfully compete with similar industries outside of its own borders is of vital importance; and

Whereas the Interstate Commerce Commission is a body of men with great knowledge and understanding of all the factors, complications, and intricacies of rate making; on their own motion or on petition of interested parties and after an open hearing their decisions are rendered; those decisions are based on facts and with full knowledge and understanding; and

Whereas the Interstate Commerce Commission has been established over a very long period; during that time it has won public confidence by its competence and independence; the principle of establishing public-utility rates by independent commissions, such as the Interstate Commerce Commission, has become fixed as a matter of sound public policy: Therefore be it

Resolved, That the board of directors of the Hartford Chamber of Commerce record its opposition to the several bills now before Congress as being undesirable in that they would violate this principle of public policy because they would tend again to make freight-rate relationships a matter of political action and subject to political influence. Defects or faults in the existing rate structure should be left for remedial action to the Interstate Commerce Commission rather than to legislative action; and be it further

Resolved, That a copy of this resolution be forwarded to Connecticut Delegates in Congress and to members of the Senate Interstate Commerce Committee, the House Interstate and Foreign Commerce Committee, members of the New England Governors' Freight Rate Committee, and to chambers of commerce in the principal cities throughout the State of Connecticut.

Attest:

F. G. FARRELL, *Secretary.*

DECLARATION OF POLICY BY TORRINGTON (CONN.) CHAMBER OF COMMERCE

Mr. DANAHER presented a letter from the president of the Chamber of Commerce of Torrington, Conn., transmitting resolutions adopted by that chamber of commerce, which were referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

THE TORRINGTON CHAMBER OF COMMERCE,
Torrington, Conn., January 27, 1944.

Hon. JOHN A. DANAHER,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR MR. DANAHER: We are herewith enclosing a declaration of policy which we believe warrants our endorsement and your serious consideration.

Sincerely yours,

HARVEY C. SMITH,
President.

Resolved, That the Congress be urged to make its declaration of policy operative and that the appropriate governmental agencies incorporate in their planning of foreign air transportation to be operated by the United States flag air carriers, the following basic policies to be established in the world system of air transportation thereunder created:

1. Free and open world-wide competition, subject to reasonable regulation by the appropriate governmental agencies.

2. Private ownership and management of air lines engaged in domestic and foreign operation.

3. Fostering and encouragement by the Government of the United States of a sound world-wide air-transportation system.

4. World-wide freedom of transit in peaceful flight.

5. Acquisition of civil and commercial outlets required in the public interest; be it further

Resolved, That a world-wide system of air transportation should be developed in which open and free competition, reasonably regulated, be given full play. That the air lines

of the United States be permitted to forge ahead under the stimulus of world competition. Their growth should not be strait jacketed by the withering effect of monopoly. Private ownership, with its encouragement of initiative and creativeness, and its attendant rewards for accomplishment should be our undeviating policy; be it further

Resolved, That there should be no delay in the development of world system air transportation policies and the consummation of negotiated arrangements to make them operative.

THE TORRINGTON CHAMBER OF COMMERCE,
HARVEY C. SMITH, *President*,
HERBERT KNAUF, *Executive Secretary*,
EDWIN J. DOWD, *Treasurer*.

RESOLUTIONS BY CONVENTION OF MONTANA WOOL GROWERS ASSOCIATION

Mr. WHEELER presented several resolutions adopted by the forty-third annual convention of the Montana Wool Growers Association held at Billings, Mont., January 6, 7, and 8, 1944, which were referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

PUBLIC LANDS COMMITTEE

POST-WAR PLANNING

Whereas the wool growers of the State recognize the necessity of post-war planning in Montana which must be a sound program to provide employment and stable conditions for our returning soldiers and war-plant workers and develop our many resources; and

Whereas we insist that the cost of any and all such development must be carried by our people, cities, counties, and State, and not subsidized by the Federal Government; and

Whereas we, as stockmen, feel it our duty, and know we are qualified, to assist in such a program: Now, therefore, be it

Resolved, That the Montana wool growers, assembled at their annual convention in Billings, January 8, 1944, direct their officers to appoint a committee of five from their membership to represent the sheepmen of Montana on any State planning board that might be organized for post-war planning in Montana; and be it further

Resolved, That this committee be authorized and instructed to propose and cooperate in only sound practices which will benefit the sheepman, his neighbor, and Montana, and which will make our communities even more substantial for the returning soldier and future generations.

CONSERVATION OF GRASS LANDS

Whereas for many years the stockmen of Montana have conscientiously striven to reseed the abandoned farm lands, and to preserve the natural grasses, in areas which nature has definitely determined best for livestock; and

Whereas now that the price of wheat and the removal of A. A. A. restrictions on the seeding of wheat will encourage the plowing up of such lands for grain production: Now, therefore, be it

Resolved, That the Montana wool growers, ever mindful of the needs of war and sure of the value of their grass for livestock, hereby go on record as opposed to the plowing of any grasslands, natural or reseeded, and from experience determined as range land, and opposed to all loans for such operations.

DISPOSAL OF SURPLUS HORSES

Whereas the number of low-grade horses on Montana range lands is increasing alarmingly, resulting in the loss of valuable grass needed in the production of wool, mutton, and beef; and

Whereas the prosecution of this war requires only a limited number of live horses, but can use horse meat as food the world over; and

Whereas a reasonable price must be paid for slaughter horses to encourage the effort to market them: Now, therefore, be it

Resolved, That the Montana wool growers request the Federal Government to remove any ceiling price on horses, and designate horse meat as necessary food under lend-lease.

FEDERAL SUBSIDIES

Whereas the problem of Federal subsidies is of vital importance to the people of the United States, as it draws from the Government Treasury to reduce the cost of food and other commodities; and

Whereas the people of our country today are well able to pay for the things they need, due to full employment at record wage levels; and

Whereas the present Government wool-purchase program has not drawn upon the Federal Treasury, nor is there in it any subsidy to increase production in an industry already at its peak of production: Now, therefore, be it

Resolved, That the Montana wool growers go on record as opposed to any subsidy program by the United States Government.

CONSOLIDATION OF FEDERAL AGENCIES

Whereas the wool growers of Montana recognize the value of proper range management of Federal range lands as supervised by a Federal agency with cooperation from advisory boards of stockmen; and

Whereas there are now two agencies attempting to administer the open range lands of Montana, outside of the forest reserves, from two separate governmental departments—namely, the Soil Conservation Service of the Department of Agriculture and the Grazing Service of the Department of the Interior; and

Whereas these two agencies have conflicting rules, fees, policies, and repetitious administration, which result in inefficiency, waste, misunderstanding, and confusion: Therefore, be it

Resolved, That the Montana wool growers request of the Federal Government that these two agencies be consolidated under one department and administered with stockmen representation on advisory boards.

TAXATION COMMITTEE

PUBLIC FINANCING

Whereas the State of Montana has greatly reduced its outstanding bond obligations; has had no warrant indebtedness at the end of any years since June 30, 1937; has made substantial reductions in operating costs; and has eliminated the State general-fund property-tax levy; and

Whereas in the past 20 years counties have reduced their total net indebtedness from $27,707,000 to a point where the total amount of cash on hand in all counties June 30, 1943, exceeded all bonds and warrants outstanding by $1,267,000; and

Whereas the net debt of school districts is the lowest in 25 or 30 years, and practically every district is on an operating cash basis; and

Whereas property taxes levied for all purposes in Montana for this year are approximately $7,300,000, or 26 percent less than in 1930: Be it, therefore,

Resolved:

1. That we commend our public officials for the efficient and economical performance of their duties, and express appreciation for State and local tax relief at a time of tremendous wartime Federal obligations.

2. That we urge continued debt reduction, economy, and the restriction of public expenditures in harmony with war conditions.

3. That public services be not expanded beyond the limit of normal revenues to maintain.

4. That plans for post-war public improvements be confined to essential projects and within the financial ability of taxing units to construct and maintain.

MONTANA TAXPAYERS' ASSOCIATION

Your committee desires to commend the Montana Taxpayers' Association for its constructive work in the equalization of assessments and in its excellent program of promoting efficiency of public expenditures and simplification of government structures, and we urge the active cooperation of wool growers throughout the State in this work.

FEDERAL EXPENDITURES

Whereas it is absolutely essential, in this desperate world-wide conflict for the preservation of our lives, our liberties, and our homes, for our country to spend without restraint the money necessary to bring this war to a successful conclusion; and

Whereas the war budget being submitted to Congress this month will boost the total commitments for our part in World War No. 2 to over $400,000,000,000, making it necessary to again raise the statutory debt limit now standing at two hundred and ten billions; and

Whereas by the end of this fiscal year it is estimated that Federal tax collections are scheduled to be at the rate of forty-three billions annually; and

Whereas next to winning the war the maintenance of the solvency of our people and our country is of the greatest importance: Be it, therefore,

Resolved by the Montana Wool Growers Association in a wartime conference at Billings, Mont., January 8, 1944:

1. That we pledge our membership to the payment of whatever wartime taxes are required within our ability to pay and to fully support the Fourth and other War Loan drives.

2. That we are opposed to the continued expenditure of huge sums of money for Federal purposes, neither essential to the successful conduct of the war nor the efficient performance of necessary Federal governmental services, including specifically:

(a) Opposition to capital improvements that can be deferred until after the war, such as H. R. 2208, which appropriates $199,000,000 for a ship canal in anticipation of the next war.

(b) Opposition to an expanded social-security program, as proposed by the Wagner-Murray bill, requiring from wool growers a tax of 7 percent of their estimated income up to $3,000, a pay-roll tax of 12 percent on sheepherders and other employees, and the expenditure of from three to six billions of dollars from the United States Treasury.

(c) Opposition to subsidies to roll back prices and transfer to the United States Treasury a part of the cost of the food civilians eat, thus charging the same to future generations and returning soldiers.

(d) Opposition to other subsidies in the form of Federal grants that threaten our liberty, self-government, and State rights, with money taken from us to be expended for purposes that rightfully are the primary responsibility of the States.

(e) Opposition to the continued employment of approximately 3,000,000 civilians in Government service, when the Byrd committee has recommended a reduction of at least 300,000.

(f) Opposition to the ever-increasing delegation by Congress of authority and control of expenditures to the numerous bureaus and more than 50 Government corporations.

(g) Opposition to the expenditure of huge sums of money in other countries throughout the world for purposes that bear little or no relationship to the conduct of the war.

(h) Opposition to the conversion or retention by the Federal Government of land, improvements, war plants, and war surpluses and urge their return to private ownership and conversion into cash in an orderly man-

ner as fast as such property is not required for our national defense.

3. That we favor the taxation on the same equitable basis of all individuals, partnerships, corporations, and enterprises that compete with each other.

4. That we express to Montana's Senators and Representatives our belief that if economies in Federal expenditures are effected, it will not be necessary to further increase Federal taxes to the extent that the desire and ability of wool growers to produce an essential war material; to own land, sheep, and homes; to meet the inevitable shock of post-war adjustments; and to pay their just share of the cost of the war and of efficient government will be destroyed.

REPORTS OF COMMITTEE ON PENSIONS

The following reports of a committee were submitted:

By Mr. BILBO, from the Committee on Pensions:

S. 662. A bill to authorize pensions for certain physically or mentally helpless children, and for other purposes; without amendment (Rept. No. 654);

S. 693. A bill to amend part II of Veterans Regulation No. 1 (a); without amendment (Rept. No. 655);

H. R. 85. A bill to amend the act of March 3, 1927, entitled "An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes"; with amendments (Rept. No. 656); and

H. R. 2350. A bill to liberalize the service-pension laws relating to veterans of the War with Spain, the Philippine Insurrection, and the China Relief Expedition, and their dependents; with an amendment (Rept. No. 657).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. VANDENBERG:

S. 1674. A bill to amend the act entitled "An act for the relief of Johannes or John, Julia, Michael, William, and Anna Kostiuk," approved August 7, 1939 (with an accompanying paper); to the Committee on Immigration.

By Mr. CHAVEZ:

S. 1675. A bill to authorize the Secretary of Agriculture to sell certain lands in Harding, Colfax, and Mora Counties, N. Mex.; to the Committee on Public Lands and Surveys.

By Mr. WALSH of Massachusetts:

S. 1676. A bill for the relief of Sgt. Maj. Richard Shaker, United States Marine Corps; and

S. 1677. A bill for the relief of Lt. (Jr. Gr.) Newt A. Smith, United States Naval Reserve, for the value of personal property lost or damaged as the result of a fire occurring on August 11, 1943, in quarters occupied by him in the armory of Aviation Free Gunnery Unit, Dam Neck, Va.; to the Committee on Naval Affairs.

By Mr. MEAD:

S. 1678. A bill to extend to assistant postmasters and supervisory employees of the Field Service of the Postal Service overtime payments for service performed daily in excess of 8 hours; to the Committee on Post Offices and Post Roads.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES—AMENDMENTS

Mr. BALL and Mr. VANDENBERG each submitted an amendment intended to be proposed by them, respectively, to the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, which were ordered to lie on the table and to be printed.

THE NEXT STEP TOWARD PEACE—ADDRESS BY SENATOR BURTON

[Mr. BURTON asked and obtained leave to have printed in the RECORD an address entitled "The Next Step," delivered by him before the executive committee of the Inter-American Bar Association and international and comparative law section of the American Bar Association, Washington, D. C., January 28, 1944, which appears in the Appendix.]

DANGERS OF POST-WAR ALLIANCES—ARTICLE BY SENATOR WHEELER

[Mr. WHEELER asked and obtained leave to have printed in the RECORD an article on the dangers of post-war alliances, prepared by him for the St. Louis Star-Times and published on January 24, 1944, which appears in the Appendix.]

LESSONS FROM A HISTORIC DEBATE—ARTICLE BY SENATOR LODGE

[Mr AUSTIN asked and obtained leave to have inserted in the RECORD an article entitled "Lessons From a Historic Debate," by Senator LODGE, published in the New York Times magazine of January 30, 1944, which appears in the Appendix.]

PRESSING ISSUES OF THE DAY—ADDRESS BY CHARLES E. DIERKER

[Mr. THOMAS of Oklahoma asked and obtained leave to have printed in the RECORD an address on some of the pressing issues of the day, delivered by Charles E. Dierker, United States district attorney for the western district of Oklahoma, before the Consolidated Clubs of Holdenville, Okla., on January 28, 1944, which appears in the Appendix.]

LIBERTY AND THE LAW—SERMON BY REV. WILFRID PARSONS, S. J.

[Mr. MEAD asked and obtained leave to have printed in the RECORD a sermon entitled "Liberty and the Law," delivered by Rev. Wilfrid Parsons, S. J., professor of political science at the Catholic University of America, Washington, D. C., at the red mass on Sunday, January 30, 1944, under the auspices of the school of law, which appears in the Appendix.]

ADDRESS BY GEORGE E. STRINGFELLOW, PRESIDENT, KIWANIS CLUB OF NEW YORK CITY

[Mr. MEAD asked and obtained leave to have printed in the RECORD an address entitled "An Idea—Whose Time Has Come," delivered by George E. Stringfellow, president of the Kiwanis Club of New York City, on January 5, 1944, which appears in the Appendix.]

DEMOCRATIC LEADERSHIP AND THE SOLID SOUTH—EDITORIAL FROM THE SHREVEPORT TIMES

[Mr. OVERTON asked and obtained leave to have printed in the RECORD an editorial entitled "Democratic Leadership and the Solid South," published in the Shreveport (La.) Times of January 27, 1944, which appears in the Appendix.]

INTERNATIONAL AGENCY—ARTICLE BY SUMNER WELLES

[Mr. HATCH asked and obtained leave to have printed in the RECORD an article entitled "International Agency," written by Sumner Welles, former Under Secretary of State, and published in the Washington Post of January 26, 1944, which appears in the Appendix.]

EDITORIAL COMMENT ON VOTES-FOR-SOLDIERS LEGISLATION

[Mr. LUCAS asked and obtained leave to have printed in the RECORD several editorials from newspapers published in Ohio commenting on proposed legislation to enable servicemen to vote, which appear in the Appendix.]

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES

The Senate resumed consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purpose.

Mr. TUNNELL obtained the floor.

The ACTING PRESIDENT pro tempore. The Secretary will state the pending amendment.

The CHIEF CLERK. In the amendment of the committee on page 39, line 9, after the word "made", it is proposed to insert the words "in accordance with State law."

Mr. TUNNELL. Mr. President, when the bill now before the Senate was conceived I, as a member of the Committee on Privileges and Elections, had no thought that it could be seriously contested. I believe, as does everyone else, that the right exists in the man in uniform to vote at the coming election. It is not a question as to his right. It is a question as to his opportunity. When the first bill with which I had any connection dealing with the general subject, the lengthening of hours during which voting booths would be open on election day, came before a subcommittee of which I was chairman, we called the chairmen of both national committees before the subcommittee and both chairmen expressed their desire to have every possible opportunity to vote given to the men in uniform. It is somewhat surprising that the matter has become such a source of discussion as it has. Whether it is true or not, people believe that a contest is being waged against giving the soldiers the opportunity to vote.

I have before me a letter from one whose name I shall not divulge for obvious reasons, but I wish to read the letter to the Senate:

Being one who believes that Members of the National Legislature should not be judged for their expert ability to read noisemeters on the lungs of their more vocal constituents, I think my representatives should hear my small voice only on election day. However, I am presently disturbed—I am disturbed by the evident intention of many in the Congress either to disfranchise me for the duration or to make it as difficult as possible for me to cast my vote in the 1944 election.

Disfranchise me? Why? Why, because I am in the Army—in the Army for a second time in a quarter of a century.

Having no idea of the position either of you may have taken—

The letter is addressed both to the junior Senator from Delaware [Mr. BUCK] and myself.

Having no idea of the position either of you may have taken or may intend to take on the pending soldier vote legislation, my address to you jointly is in the hope that Delawareans in Congress will be found insisting upon a record vote on all demagogic

substitutes for or emasculating amendments to S. 1612 and H. 3982.

The Seventy-seventh Congress declared war and some 11,000,000 Americans were drafted to discharge their responsibilities of citizenship by waging that war in defense of some 130,000,000 other Americans. Will the Seventy-eighth Congress? No; it is not possible that any Congress would deny the rights of citizenship to the very citizens whom it has sent in millions on dangerous citizen-duties to every corner of the world. It is unthinkable that citizen soldiers could be made the temporary dupes of such Machiavellian legislation, and it is to be hoped that Delaware's congressional delegation will defend the thousands of Delawareans in uniform against any such trickery.

That, as Senators will grasp, is a letter from one of the boys in uniform.

The present situation with reference to the bill now pending before the Senate is a most peculiar one. Practically everyone who has protested against the passage of this bill has insisted that he is anxious for the servicemen to have the opportunity to vote. Of course, those who are in favor of the pending bill are without question in favor of the servicemen having an opportunity to vote. The only ones about whom the question could arise are those who are opposing the passage of a Federal act permitting the servicemen to have an opportunity to vote.

One of the most peculiar things noticed by me with reference to this debate, and perhaps by other Senators who have been listening to it, is that not a single Senator, so far as I have heard, who has expressed his disapproval of a Federal act, and particularly of the proposed Federal act, has expressed any fear that the servicemen will not be permitted to vote at all. All kinds of fears have been expressed on the floor, but none of them seem to be that the soldiers and sailors may not obtain an opportunity to vote. That is not the type of fear we hear expressed. We hear a good deal about fears that the act might be unconstitutional. We hear expressed the fear that it would be a disappointment to the servicemen who, believing they had an opportunity to vote, might find that their votes were not counted. I have heard no Senator expressing fear or concern with respect to an absolute failure to furnish an opportunity to vote. It is very odd to me that we do not hear such fear expressed. In other words, the fears we hear expressed are entirely with respect to a situation which may arise if we try to give the servicemen an opportunity to vote, but no fear whatever is expressed as to what may happen if the attempt is not made.

Mr. President, what will happen if the servicemen are not permitted to vote? My own fear, which I freely express at this time, is that unless some effort is made on the part of Congress to make it possible for the servicemen to vote they will not be permitted to vote in any great numbers.

The senior Senator from Ohio [Mr. TAFT] stated a few days ago that no evidence had been presented to indicate that the servicemen could not vote under the so-called State ballot. This statement is not correct, for an abundance of evidence was presented on the part of the Army and the Navy that there was exceedingly small opportunity for votes being delivered and counted if the State method were relied upon.

Mr. President, there is no question that there will be difficulty in counting individual ballots. A difficulty exists with respect to doing that. But the Senator from Ohio says there is no evidence to indicate that the servicemen could not vote under the so-called State ballot. The Senator was not a member of the Committee on Privileges and Elections and he did not hear the evidence, and therefore, according to him, there was no evidence. He concludes that the committee did not take the trouble to take testimony. I do not know just what kind of evidence would satisfy Senators who take this position.

The Senator from Ohio says he does not believe the Secretary of War and the Secretary of the Navy when they say that the State system of voting will not work. If those two eminent gentlemen are not to be believed by the Senator, the chances are that no evidence could be obtained that would be satisfactory to the Senator, but the very fact that he says he does not believe them indicates that there has been evidence. The trouble is that he does not believe the evidence. The chances are that no evidence which could be obtained, unless favorable to his view, would be accepted by the Senator from Ohio and those who think as he does on this question.

The physical difficulty connected with State voting or with any system of voting by which an actual ballot from each precinct from which servicemen come must be delivered are enormous. As I recall, there are about 3,000 counties in the United States. I know that in my own county there are 24 precincts or voting districts. Each of the ballots is marked for the particular division. My recollection is that in Philadelphia County, in the State of Pennsylvania, there are more than 1,200 precincts. So the number of ballots necessary under the State ballot system is tremendous. The idea of 1,200 different kinds of ballots from 1 county, when there are 3,000 counties in the United States, is something which in itself presents a great physical difficulty when it comes to the delivery of the ballots. When we remember that there are approximately 3,000 counties, and that from every one of the voting precincts there are boys in the service, and that each one of those precincts—not alone each county, but each precinct—must have ballots delivered to the boys, we can appreciate the difficulties.

The ballots are distinctly marked. The number of the congressional district or the number of the precinct is shown. There are probably 20,000 different kinds of ballots which would have to be correctly delivered from the various precincts in the United States to men who might attempt to vote.

There was much testimony before the committee as to the physical difficulty involved in the delivery of the ballots themselves. But that is not the only difficulty. There is the matter of the selection of the ballot and the accurate delivery thereof. If this were all the difficulty, the Herculean task might be accomplished. However, according to many of the proposed State systems, there must be a request on the part of the serviceman for a ballot. This request must travel from the serviceman to some place in his State. The ballot must then be sent from the State to the serviceman, in one of the hundreds of locations in which servicemen are placed in the foreign service. We are told that the positions of those men are changing at the rate of 10,000 a day. So the absolute impossibility of any assurance of the delivery of John Jones' ballot to John Jones in the particular location in which he is placed, in Africa, Asia, or Europe, at once becomes apparent. The correct ballot must be sent to him. It must be properly marked by him, and must make the return trip to his State by election day in order to be counted.

The matter of delivery is a serious one, as testified to by representatives of the Army and Navy. Those men were as fair as any witnesses I have ever heard giving testimony. At no time did they suggest that they did not want to deliver the ballots. They spoke of the difficulty and the practical impossibility of the delivery of the ballots in anything like an accurate manner, and within the time available. The actual carrying of several million post cards and ballots necessary in this transaction is an enormous task for the Army and Navy, and particularly for the Air Forces of the United States.

In addition to the difficulties which have been mentioned, there is the fact that many of the States do not provide for the printing of the ballots until a few days before election. In my State certificates of nomination may be filed and amended until 20 days before the election. Before the ballots can be sent out, they must be printed for every election district in the State, because there will be applications for ballots in every political division in the State. The printing of the ballots cannot be begun until 20 days before election. At least 10 days will be required for printing the ballots. The result is that in my State the sending of the applications, the sending of the ballot to the man at the front or in the service overseas, and the return of the ballot must be done within 10 days.

The good faith of the Secretary of War and the Secretary of the Navy has been questioned.

Mr. MOORE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. WALSH of New Jersey in the chair). Does the Senator from Delaware yield to the Senator from Oklahoma?

Mr. TUNNELL. I yield.

Mr. MOORE. I should like to ask the Senator if his State of Delaware is not now contemplating the calling of a special session of the legislature?

Mr. TUNNELL. I have not heard of it.

Mr. MOORE. For the information of the Senator, the Governor of the State of Delaware has stated that a special session of the legislature is contemplated.

Mr. TUNNELL. A message was received by the Committee on Privileges and Elections to the effect that the State of Delaware was awaiting the result of the Federal move for a ballot. That is as much as I know. I think that is as far as the situation will have progressed by election day, if the Senator wishes my opinion.

I will deal with that subject now. In our State the Governor and a legislature which suited him from a partisan standpoint have provided that neither the names of Presidential nor Vice Presidential candidates nor the names of the electors shall appear on the State ballot in Delaware. There is provision for a State ballot, apparently with the hope that people will not vote for candidates for the Presidency or Vice Presidency. Those are the only candidates proposed to be voted for on the other ballot. There is absolutely no excuse for such a proposal if the desire is to have people to vote. That applies not only to the men in the service but to the voters residing in the States as well.

The veracity and good faith of the Secretary of War and of the Secretary of the Navy have been questioned on the floor of the Senate. I do not concede that their veracity or good faith is any better known to those who attack them, or that those who attack them have greater knowledge of the Secretary of War and of the Secretary of the Navy than have the rest of us. I do not know whether I ever met the Secretary of War. I have met the Secretary of the Navy a number of times. I have never obtained the impression, either from the public press or from my contacts with them, or from my knowledge of what they have done, or of their successful conduct of the war, that they—the Secretary of War and the Secretary of the Navy—are men whose good faith can be questioned, or that their veracity is in doubt. The good faith of both has been questioned on the floor of the Senate, I think without cause. Personally I have absolute faith in the honor and truthfulness of these men who for many years have occupied outstanding positions in American life. It must give Hitler and Hirohito much pleasure to read the statements of Members of the Senate of the United States that our Secretary of War and our Secretary of the Navy are so partisan that they cannot be believed in the statements they make with reference to their official conduct and duties.

It is contended that the Secretary of War and the Secretary of the Navy are partisans. I do not know of what party. They were selected for their present positions because they were outstanding members of the opposition party. At least I was so told. I think they are outstanding men. My information is that the Secretary of War was for some years a member of the Cabinet of various Republican Presidents. My understanding is that the Secretary of the Navy was recognized by the Republican Party by being nominated as a candidate for Vice President. I do not think they can be such bad persons, Mr. President; I think they must be pretty good men, and I do not believe that the very fact they held the positions to which I have referred should be held against them. I believe that in this time of war they are patriots. I presume they are still Republicans. I believe it is consistent to be both. On what theory these attacks are made I have been unable to learn.

I do not know how the men in the service are going to vote. There are those who seem to believe that the vote of the serviceman will favor the present administration. I do not know whether it will or not. I would favor a Federal voting bill if I thought it would. I would favor it if I thought a majority of the soldiers would vote the Republican ticket. I do not know how they will vote, and I do not care to know. I simply know that they are American citizens, and I believe their votes will probably be for the various candidates in much the same proportion as the votes cast by civilian voters.

Mr. Spangler has told us that preliminary polls—just when they were taken or where we are unable to say—indicate that 56 percent of the men in the military service will vote the Republican ticket. A few weeks ago I heard a Senator on the opposite side of the aisle make the statement that, in his opinion, 70 percent of the servicemen would vote the Republican ticket. Republican Senators may be trifling with victory. They may need 56 percent of the soldier vote; they may need 70 percent of the soldier vote in order to elect Mr. Willkie, Mr. Dewey, Mr. Stassen, or some other person of equal prominence. It appears to us on this side of the aisle that Senators on the other side of the aisle are not taking seriously the predictions of partisan enthusiasts. Do they not want to insure their victory, the victory which these gentlemen say is sure?

It is to be regretted that the attitude of Members of Congress should now be swayed by the belief that some particular candidates might be benefited by the soldier vote. One Senator, whose flair for truth seemed to be greater than his confidence in party predictions, has said that if the President of the United States will remove himself as a possible candidate for the Presidency this debate will end. That is a wonderful assurance. According to the statement of the Senator from Oregon [Mr. HOLMAN], that one question has all to do with the continuation of this debate. It is not a question of the constitutionality of the pending bill; it is not a question of whether the soldier is to be disappointed; it is not a question of whether the ballots will reach him; it is a question of whether the President of the United States is to get the benefit of the soldier vote. That statement is very refreshing.

With the frankness which is sometimes associated with extreme youth, the Senator not only has suggested that the removal by the President of himself as a presidential candidate would end the debate, but he has proposed a bill by which the President of the United States would be precluded from even being a candidate. I think that is a wonderful suggestion. If by enacting a law we are to preclude persons from being candidates for office, perhaps we might consider a bill to preclude certain persons from being candidates for the Senate and House of Representatives. If this theory of government is a good one, such a bill might be introduced either here or in Oregon, prescribing the class of persons who may be considered as candidates for the Senate. If we can preclude certain persons from being candidates, I respectfully suggest to the Senator from Oregon that we might be able to enact a bill which would name the person who should be Senator from Oregon, or from any other State.

Mr. President, we are told that the framers of our Constitution did not make such a provision as the one now proposed for the very reason that it was believed that there might arise such an occasion as the present one when a great proportion of Americans believe that, because of his experience and because of his peculiar fitness, the present occupant of the White House may be the one upon whom a majority of the people will rely during this emergency. So the framers of the Constitution did not see fit to preclude by constitutional provision the man whom the people might want.

Mr. President, the amendment offered by the junior Senator from Oregon is intended to go further than the framers of the Constitution believed advisable, and much further perhaps, than the Senator fears the American people may go at this time.

However, the method proposed by the amendment would be a most delightful one—one of the most delightful I have ever heard expressed—for settling political questions. What is the use of voting? What is the use of having servicemen vote? What is the use of having anyone vote? Let us pass a bill to correspond to the amendment proposed by the Senator from Oregon, and let the Senate of the United States decide the election. That seems to be the theory. Let us pass a law prohibiting the election of those we do not desire to be elected. That seems to be the theory. That is one of the fears, apparently, of the Senator from Oregon.

I am rather surprised that in a republic it should be found necessary to develop the idea of preventing the holding of office by particular candidates. I am particularly disappointed that our friends consider it necessary to have such a bill passed or to suggest the passage of such a bill in connection with the casting of votes by our boys who are in the military service. The present suggestion is the resort of desperation. Not only does the Senator from Oregon fear that the American voters may vote but he fears that they may vote for a person whom the junior Senator from Oregon does not desire to have elected. Therefore, he takes the position that a provision such as the one he has suggested must be written into the law.

The only serious question before the Senate of the United States at this time is whether it will pass a bill permitting servicemen to vote at all. Oh, Mr. President, we are told that the State method is so much better than the Federal method. We are told that under the State method the servicemen will be able

to vote for all officers. Then why not pass the bill providing for the Federal ballot; and the Senators who fear the Federal ballot will be at liberty to encourage the passage in their States of State laws providing for voting.

The bill provides that the Federal ballot shall be void if the serviceman has not voted a State ballot. Is not the Senator's question answered by that provision? Is not his alarm unnecessary? The Senator told us that the State ballot would be voted. Then let it be voted. Those of us on this side of the aisle are not objecting to having such a vote cast. We are not objecting to that system. We do not believe the State ballot would be voted and delivered, because we believe that in the case of other States there are objections similar to those which arise in my own State.

However, Mr. President, if the Senator from Oregon is correct in his position that State ballots can be voted and will be voted, then let the States pass laws providing for State ballots. We do not believe that under the State ballot system the servicemen's votes would be returned in time to their respective States. We do not believe it would be possible to have that done. In saying that, we are not attacking either the veracity or the good faith of the Secretary of War or the Secretary of the Navy. There has been no statement on the part of either the Army or the Navy that the Army and the Navy will not cooperate not only with each other but with the American people in order to have the servicemen vote. A statement has been made that the Secretary of War and the Secretary of the Navy do not believe it is possible for the servicemen to vote on the basis of using the State ballots. I go further than that, and say that, although the junior Senator from Oregon suspects the Secretary of War and the Secretary of the Navy, there may be suspicion that some of the same feeling which has been manifested here may prevail in the minds of certain State officers, and it is possible that certain State officers may have fears, and persons entertaining those fears may finally reach the point at which the Senator from Oregon arrived when he feared the vote for the President of the United States.

In my own State, in 1940, we had a taste of just that desire. We had an absentee ballot law. One county officer in Kent County, Del., was elected by the vote of the absentee soldiers. Our courts threw out the votes of our absentee soldiers, and counted in the partisan opponent of the successful nominee, by throwing out the soldiers' votes. In my opinion the servicemen from Delaware have not the slightest chance of voting under any State system which could be promulgated by the State of Delaware between now and the November election. Under the present system in Delaware, no oversea serviceman would have any serious opportunity to vote. There would have to be three passages of mail from the serviceman to the State—in other words, the sending of the postal by the soldier, the mailing of the blank ballot to the soldier, and the return of the ballot from the soldier to the State. All that would have to occur within approximately 10 days. No one believes that voting under those conditions would be possible. Those of us who know the situation do not believe that the voting opportunities would be improved by the passage of any law by the State of Delaware between now and November.

Mr. President, in some States there are voting machines in which no paper ballots are voted. Personally, I think it will take more than the statement of Senators on the floor of the Senate that they are anxious to have servicemen vote to satisfy the servicemen, if the votes of these protestants are against the Federal ballot bill, and if events at the November election show that the servicemen could not vote because there was no Federal ballot. These men have been sent from their homes into foreign countries. They have been sent where they cannot vote unless they receive some help from us. But we are told on the floor of the Senate that the pending bill is unconstitutional. Mr. President, where is the constitutional Federal ballot law which Senators opposed to the pending bill suggest? Is there some bill which they can suggest which will meet the Federal requirements or the requirements of the Federal Constitution? Is there any proposition coming from those who oppose this bill as to a kind of Federal ballot they will support? I do not mean such a recommendation as we passed here a few weeks ago, which simply recommended what the States should do. We can find a person on the corner who will make a recommendation, but the State authorities are not compelled to act on it, and we know that in many States the necessary legislation will not be passed. If a Federal bill meeting the objections of those who oppose the pending bill can be written, let them write it. If it cannot be written, let us admit that the Constitution of the United States is a failure.

I can see how in a State where these votes are not pivotal it really makes little difference so far as the actual result is concerned; but there are many States of the Union where the soldier vote may be pivotal. Therefore, Mr. President, I ask those who oppose this bill what have they to suggest. I have not heard any suggestion that would make it possible for the servicemen to vote if the Federal ballot system could not be employed.

If our boys can be taken and sent to the far corners of the earth with no opportunity to express themselves by the ballot, and if our Constitution will not permit the passage of laws which will enable them to have the opportunity to vote, our Constitution has for the first time in its existence totally failed. We can take the boys and send them across the seas, we can take from them the opportunity which they have as citizens of the United States, but the Constitution will not permit us, we are told, to remedy that defect.

Where are those elastic provisions by which the Constitution of the United States is to be made to fit the problems that meet us? We are told that the Constitution of the United States, adopted during a former generation, is the marvel of the world because it enables us to solve such problems; but if an amendment to the Constitution is necessary, let us find out by an honest effort to give the boys the ballot.

Which is going to cause the loss of morale to a greater extent in the American Army—the refusal of the Congress to pass a sensible law providing for their voting, or throwing out their votes by a court after the servicemen have attempted to vote according to a law which we have passed? I am in favor of giving them the opportunity and let the States or the Court have the opportunity to pass on the question whether American soldiers and sailors can be deprived of their opportunity to participate in the Government. Common decency, it seems to me, demands that we try to maintain their rights.

We are told that the serviceman has a right to vote; we are told that the State can give him that opportunity. We do not object to the States giving him the opportunity to vote. Do those who oppose this bill object to his Nation trying to give him the opportunity to vote if the State from which he comes does not make such provision, as many of the States cannot and will not do?

Many Senators are honestly disturbed about States' rights. I sympathize with their position in this respect. The Senator from Louisiana [Mr. OVERTON] told us a few days ago that he came from a State where to be a Democrat made it necessary to carry a shotgun to bed with him. I come from a State where Democrats were once forbidden and prevented from voting by troops sent by the Federal Government to the polls, and Democrats were ordered away from the polling places. So I know what the States' rights question is, and I am in sympathy with maintaining the rights of the State.

When it comes to States' rights, Mr. President, there is another right which has not been suggested, so far as I know. I refer to the right of a State to have its citizens vote. It is the right of every State of the Union to have its servicemen vote. The State's rights to deprive him of his vote is not the only right of government involved. Not alone is the serviceman entitled to his vote but the United States is entitled to have all its citizens given the opportunity to vote.

This is a fundamental right. The United States will within the next few months decide on its government which will determine the policy of the United States for the next 25 and perhaps 50 years. Are the people of this Nation entitled to have their soldier boys participate in that decision? Is there not a right of the Federal Government and a State right that those boys be given that opportunity? Is this a government of the people, by the people, and for the people, or is it a government of a part of the people, by a part of the people, and for a part of the people?

Ten million men in the service represent approximately one-fifth of the number who voted at the last Presidential election. The people of the Nation are entitled to have an election at which five-fifths of its voters have an opportunity to vote.

To those who say that they want the servicemen to vote, I suggest that we give them both a State and a Federal law. It will not be contended seriously that we have the right or the duty here to provide for the balloting for State candidates. If Senators opposed to the pending bill are correct in their contention that the Federal Government cannot even provide for the Federal vote, if they are sincere in their desire to have the servicemen vote, let them go ahead and pass State ballot laws, but do not try to obstruct the Federal attempt to give the soldier a right to vote for Federal officers by the Federal machinery of government.

We on this side of the aisle will assist in the enactment of State laws regulating voting not only for Presidential candidates but for Members of Congress as well. Perhaps in some of the States even the Presidential electors will be put on the ballots. In our State they are not. We have a special ballot for that purpose.

The Senator from Oregon has thrown the constitutional arguments out the window. He said the debate would end with the removal of a particular individual as a candidate for the Presidency, or one who might become a candidate. Constitutional questions are out, quibbling questions as to slights to soldiers are out. It is not a question, after all, of any real objection to anything, but a question of who possibly might be a candidate for the Presidency.

I am glad the Senator from Oregon spoke out. We have heard fears expressed of pretty nearly everything, but the Senator from Oregon gave us the truth; he told us the real fear, a fear that the servicemen may vote for the present President of the United States.

Apparently the prediction which the Senator from Connecticut [Mr. DANAHER] made a few weeks ago is not taken seriously, namely, that 70 percent of the men in the service would vote the Republican ticket, in his opinion. This matter is not being taken seriously, at least by those who take the position announced by the Senator from Oregon, who do not want the servicemen to vote for the President of the United States. They seem to say, "You can rely on our votes for what you say are constitutional acts, yes, and we are going to stop the debate, no matter if the pending measure is unconstitutional, if the President will only withdraw. We will withdraw any talk to the effect that this is unfair to anybody else, if you will withdraw the name of the President of the United States."

No matter what their desires may be, the people of the United States are entitled to have a voice in naming their candidate for the Presidency, especially at a time when great international questions are to be settled. At a time when the future of the world may depend upon the attitude of the United States in the next few months, we are entitled to the best we have, we are entitled to those with experience in governmental matters, who have proven not only their ability, but their loyalty to the great cause in which we are now striving, the cause which will place the democracies of the world in such a condition that they may have something to say as to their governments.

Mr. President, we are entitled to have at the peace table the best we have. We should not be represented at the peace table by those without experience, without judgment, and without any particular ability. We do not know who would be selected by either party, but we are entitled to have the members of the two parties pick out the best men in the United States. We are entitled to have those men voted for, and we are entitled to have the servicemen, who have been taken from their homes and scattered to the far corners of the earth, given an opportunity to help themselves, to help their States, to help their Nation, and to help the world in the preservation of democracy throughout the world.

SENATOR FROM INDIANA

Mr. WILLIS. Mr. President, I present the credentials of Hon. SAMUEL D. JACKSON, appointed by the Governor of Indiana to be Senator from Indiana to succeed the late Frederick Van Nuys.

The VICE PRESIDENT. The clerk will read the credentials.

The legislative clerk read as follows:

CERTIFICATE OF APPOINTMENT

To the President of the Senate of the United States:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Indiana, I, Henry F. Schricker, the Governor of said State of Indiana, do hereby appoint SAMUEL D. JACKSON a Senator from said State in the Senate of the United States until the vacancy therein, caused by the death of Frederick Van Nuys, is filled by election as provided by law.

In testimony whereof I have hereto set my hand and caused to be affixed the Great Seal of State. Done at the city of Indianapolis, State of Indiana, this 28th day of January in the year of our Lord 1944 and of the Independence of the United States.

By the Governor:

HENRY F. SCHRICKER,
[SEAL] *Governor.*
RUE J. ALEXANDER,
Secretary of State.

The VICE PRESIDENT. The credentials will be placed on file.

Mr. WILLIS. Mr. President, the Senator-designate is present, in the Chamber, and is prepared to take the oath of office.

The VICE PRESIDENT. If the Senator-designate will present himself at the desk, the oath of office will be administered to him.

Mr. JACKSON, escorted by Mr. WILLIS, advanced to the Vice President's desk; and, the oath prescribed by law having been administered to him by the Vice President, he took his seat in the Senate.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on January 28, 1944, the President had approved and signed the following acts:

S. 184. An act to provide for the presentation of silver medals to certain members of the Peary Polar Expedition of 1908–9;

S. 653. An act for the relief of Johnny Newton Strickland; and

S. 1488. An act to authorize the Secretary of the Interior to convey to Jose C. Romero all right, title, and interest of the United States in a certain described tract of land within the Carson National Forest, N. Mex.

WARTIME METHOD OF VOTING BY MEMBERS OF ARMED FORCES

The Senate resumed the consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting in time of war by members of the land and naval forces absent from the place of their residence, and for other purposes.

Mr. DANAHER. Mr. President, I send to the desk an amendment to lie on the table. At the appropriate time I shall offer it, but because of the parliamentary situation, I cannot offer it at this time. However, by having it lie on the table now, it is available for distribution, for a print has been made.

The PRESIDING OFFICER (Mr. MURDOCK in the chair). The amendment will be received, and lie on the table.

Mr. EASTLAND. Mr. President, it had been my hope that a compromise bill could be worked out which would settle the present controversy. It had been my hope that a constitutional measure could be worked out that would protect the States and would protect the South. In my judgment the pending bill does not meet the test. In fact, a section in the bill known as section 14 (a), which it is alleged leaves the determination of the validity of the ballots to the local election officials, is claimed to be a compromise measure which would protect the States. Section 14 (a) of the bill, the so-called compromise measure, the States' rights measure, the measure which it is said will protect the South, I submit is utterly unconstitutional and absolutely void, and I wonder why it was written in an unconstitutional and void manner. The section provides:

SEC. 14. (a) The commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States. Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

Mr. President, what would we do if we enacted this section? First, the Congress of the United States would be telling local election officials, or attempting to empower local election officials, and attempting to authorize local election officials, to pass on the validity of ballots tendered them under the proposed law. In the next sentence the Congress of the United States would be telling those officials that those votes should be canvassed, counted, and certified in each State as were the votes cast under the laws of the States.

Article II of the Constitution of the United States provides that Presidential electors shall be appointed by the States as the legislatures thereof may direct.

The Congress of the United States has utterly no authority to delegate to or empower local officials to do anything. We have nothing in the world to do with the election machinery in the States for the appointment of Presidential electors. That matter is solely within the duty and within the power of the individual States, and when the Congress of the United States attempts to instruct or to empower local election officials to judge the validity of a ballot tendered them to be voted for Presidential electors, it is acting beyond its constitutional authority.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. MILLIKIN. Are we not in effect trying to delegate our own duty to thousands and thousands and thousands of election officials throughout the country?

Mr. EASTLAND. I agree with the Senator, but as I see the measure we have no duty, we have no power, we have nothing in the world to do with the machinery in the States for determining the validity of ballots for presidential electors.

Mr. MILLIKIN. Mr. President, will the Senator yield further?

Mr. EASTLAND. Yes.

Mr. MILLIKIN. I mean we have the duty ourselves to judge the constitutionality of measures which are before us.

Mr. EASTLAND. That is correct. We have before us an alleged compromise measure. The compromise provision has been placed in it, we are told, in order to protect the South. That provision is utterly void. It is not worth the paper it is written on. We have before us the same kind of measure that confronted the Senate in December and was defeated by this body. Let us be frank about this matter. I submit that it is not a compromise. It is a surrender. I submit that the rights of the States are not protected.

Mr. President, I come from a southern State. I am proud of the South. I know that in opposing this measure I speak the sentiments of the State of Mississippi and of the South, and I know further that I speak the sentiments of the hundreds of thousands of young men from Mississippi and the South who today wear the uniform of their country. When they return to take over they desire more than anything else to see the integrity of the social institutions of the South unimpaired. They desire to see white supremacy maintained. Above all things they do not desire to see the election laws of the South or the powers of the States in defining the qualifications of electors tampered with. Those boys are fighting to maintain the rights of the States. Those boys are fighting to maintain white supremacy and the control of our election machinery.

Mr. MILLIKIN. Mr. President, will the Senator again yield?

Mr. EASTLAND. I yield.

Mr. MILLIKIN. May I remind the distinguished Senator that the provision in the Federal Constitution on which he bases his argument is one of the most deliberately inserted provisions in that great document. The States at the time the Constitution was being made were very fearful that there would be a growing concentration of power in Washington until the sovereignty which they wanted to retain to themselves under the Constitution would be impaired, and so this particular provision was deliberately inserted in the Constitution in order to protect the rights of the States in those matters.

Mr. EASTLAND. I thank the distinguished Senator from Colorado for his contribution. I consider the Senator from Colorado one of the ablest constitutional lawyers in the country, and I am sure that he agrees with me that this compromise State-rights section in the measure is utterly unconstitutional, void, and will not protect the South.

Mr. MILLIKIN. Mr. President, I would not be responsive to normal sensibilities, I would certainly be lacking in appreciation if I did not thank the distinguished Senator for the compliment which he has paid me, but I do not pretend to be a constitutional lawyer at all. However, I believe I can read the English language, and if I see express words in the Constitution the meaning of which cannot be twisted, it seems to me that they form a mandate to us.

Mr. EASTLAND. I agree with the Senator.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. WHERRY. I should like to ask the able Senator from Mississippi if I understand his viewpoint to be that we do not have the constitutional authority under Public Law 712, sections 1 and 2, to pass on to the States the right to perfect machinery in a Federal way which now is in the hands of the States. Is my understanding correct?

Mr. EASTLAND. No.

Mr. WHERRY. What is the Senator's interpretation?

Mr. EASTLAND. As I stated, section 14 (a) provides, among others, two things: First, the Congress attempts to authorize the local election officials to determine the validity of a ballot.

Mr. WHERRY. That is a violation of a constitutional right which we now have?

Mr. EASTLAND. Yes. That is the first thing. The second is that Congress authorizes local election officials to count and certify these war ballots. The point is that under article 2 of the Constitution Congress has no power to do any such thing.

Mr. WHERRY. In effect the first two sections, 1 and 2 of Public Law 712, would be in conflict with section 14, subsections (a) and (b), if the measure before us should be adopted? Is that correct?

Mr. EASTLAND. I do not think so, I will say to the Senator, but a little later I shall discuss the matter at length. I do not know.

Mr. WHERRY. In the Senator's discussion will he answer this question for me? In the event the pending bill is adopted, and with it we adopt section 14, subsections (a) and (b), and those provisions are in conflict with the provisions of Public Law 712, does the Senator feel that subsections (a) and (b) would be interpreted as the law governing the States, in view of the fact that they are contained in the law which was passed last, and would be in full force and effect, rather than Public Law 712, sections 1 and 2?

Mr. EASTLAND. I think so.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield to the Senator from Tennessee.

Mr. McKELLAR. I have listened to the colloquy between the Senator from Colorado [Mr. MILLIKIN] and the Senator from Mississippi [Mr. EASTLAND] on the constitutional question. I think both Senators are entirely correct. That is further attested by the fact that our country has been in existence for about 155 years, and the construction they have placed on the constitutional provision has been the uniform construction on that provision of the Constitution from the beginning of our Government until this good hour.

Mr. EASTLAND. I thank the Senator.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. WHERRY. I appreciate the statement made by the Senator from Tennessee. That is not the point I am interested in at this time. What I should like to know it this: In the event the pending bill becomes law, will the guiding provisions, section 14, subsections (a) and (b), be the ones which will be followed by the States, and if they are, and if the States carry out the letter of the law, and they throw out all the ballots in question, would Congress then hold that the States' interpretation in that respect had been correct, or would Congress hold that the States had no right under the Constitution to do it in the first place, and might we not have a series of contested elections as the result?

Mr. EASTLAND. I think a great number of ballots are going to be thrown out in the South, to be perfectly frank about the matter. The Senator from Mississippi agrees that they should be thrown out. Congress has passed Public Law 712. I think this act is unconstitutional. The argument is used that if the act is unconstitutional, the local election officials, under their oaths, must obey the Constitution, and throw out the ballots. But then, Mr. President, if that is done there will be a contest here in Washington. In my State if there are 80,000 votes which are not counted, and there is a contest over seats in Congress, I do not think Congress would say it has passed an unconstitutional measure. I do not think that Congress would say that it stultified itself and passed a measure which it had no right to pass. I think the Congress would be bound to say that Public Law 712 is constitutional, that the votes should have been counted under the provisions of that law. The Senate and the House are the sole judges of the seats of their Members, and I believe southern Senators and Representatives would be denied their seats.

Mr. WHERRY. Mr. President, will the Senator yield for one more question?

Mr. EASTLAND. I yield.

Mr. WHERRY. I do not wish to break into the Senator's address; but if a voter in Alabama voted according to the provisions of the measure now before the Senate, and his ballot came back, and the State officials threw it out, because they have the determining voice with respect to the validity of the ballots——

Mr. EASTLAND. Well, do they?

Mr. WHERRY. Then, they would encourage someone to deny that such procedure would have been right in the first place. Is that correct?

Mr. EASTLAND. I am going into the whole matter a little later. I will tell the Senator that I think the provisions of Public Law 712 and the provisions of the pending measure must be construed together. I thoroughly agree with the able Senator from Utah [Mr. MURDOCK] when he said in his speech the other day that the local election managers must consider sections 1 and 2 of Public Law 712 in judging the validity of ballots.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. BUSHFIELD. I should like to call the attention of the Senator to the same provision which he has been discussing, namely, section 14 (a). The first clause of the first sentence reads as follows:

> The Commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title.

That is the first clause.

The second clause reads as follows:

> Such determination shall be made by the duly constituted election officials of the appropriate districts.

And so forth. I should like to ask the Senator's viewpoint regarding this question: Is not section 14 merely a reassertion of the States' rights, rather than an attempt to set up something which did not previously exist?

Mr. EASTLAND. No, Mr. President; I think the last clause of the first sentence and, I think, the second sentence are clearly unconstitutional because the Federal Government is attempting to empower local election officials to judge the validity of ballots cast and is directing that they be counted, canvassed, and certified. In the case of Presidential electors we have no such right. We do not have anything to do with the appointment of Presidential electors. The machinery to do this and every decision that must be made is entirely in the hands of States. The Federal Government has nothing to do with it.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. BUSHFIELD. I grant the Senator's position. But granting that the Federal Government has no power to say to the States that they shall canvass the votes, can the Congress add anything to the constitutional power and position of the States by saying, "You can canvass those votes," when they already have that power?

Mr. EASTLAND. Mr. President, the Senator is absolutely correct.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. WHEELER. A moment ago the Senator from Nebraska [Mr. WHERRY] asked the Senator from Mississippi whether, if the constitutional argument is correct, the States would not have the right to throw out any ballot which was not cast in accordance with the State laws. Of course, if that theory is correct, we would be encouraging voting by people who, under the State laws, or under the Constitution, would not have a right to vote. Is not that true?

Mr. EASTLAND. That is absolutely true. I will say in connection with that point, that I do not read from section 14 (a) that the judgment of the local election managers as to the validity of a ballot would be exclusive. I think their judgment will be controlled by the law, by both the Constitution of the United States, by the State laws, and by Public Law No. 712. I think they must determine the validity of the ballots in accordance with the law which sets down the rule or the pattern which they must follow. I think that in case they should arbitrarily refuse to count a great number of votes, as they would do, we in Washington would have trouble, and some of those men—our election officials in Mississippi—might be indicted in the courts. I am afraid of that, and I do not think it is just and right to place that responsibility upon them.

Mr. BUSHFIELD. Mr. President, will the Senator yield to me?

Mr. EASTLAND. I yield.

Mr. BUSHFIELD. If I understand the Senator's explanation relative to the determination as to what ballots should be counted, must not the determination be made under the Federal law, rather than under the provisions of the State law?

Mr. EASTLAND. I think the officials would be entitled to take both of them into consideration. I think sections 1 and 2 are unconstitutional and void. If a contest occurred because 80,000 votes were not counted in my State, I do not see how the Congress or the Senate of the United States could say that we have stultified ourselves, that we passed a law which is unconstitutional and then give a man his seat in the Senate. We would certainly be consistent, I think, if the situation developed that, under the State law, the poll tax and registration requirements were not met, the United States Senate might have to refuse a southern Senator a seat in this body. The Senate would do this because its own standards set up in Public Law No. 712 had been violated.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. OVERTON. I agree with the Senator from Mississippi that section 14 (a) is unconstitutional in all its provisions, in the sense that the Congress of the United States has no authority whatsoever to prescribe what shall be valid ballots and what shall be invalid ballots.

Mr. EASTLAND. Mr. President, the Senator is exactly correct, and he has expressed the matter much better than I could.

Mr. OVERTON. Or who shall determine the validity of the ballots. That is a matter which is to be determined by State law—both the matter of the election of Senators and Representatives and the matter of the selection of Presidential Electors. The Senator is correct in that regard.

Therefore, even the apparently innocuous provision in the first line of section 14 (a), which reads—

> The commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title—

is unconstitutional for the reason that Congress has not authority to lodge the determination of the validity of the ballots in either the commission or in any other authority. It is innocuous because it is denying an authority which Congress does not possess. So in the end it does not amount to anything.

But the next clause—

> such determination shall be made by the duly constituted election officials—

is intended in all probability, as the Senator has well pointed out, to give as the guiding rule to the local election officials both the Federal law—the act of 1942—as well as the State law, so that if one votes without the prepayment of a poll tax or without registration, his ballot shall be counted.

It seems to me that the amendment I suggested meets the views of the Senator from Mississippi. That is this:

> Such determination shall be made in accordance with State law by the duly elected officials.

Mr. EASTLAND. Mr. President, I think that amendment would certainly help the bill.

Mr. OVERTON. I thank the Senator.

Mr. EASTLAND. And I shall support it.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. BUSHFIELD. The point which still troubles me is with respect to who shall make the determination, and under what rules of procedure shall it be made? If it is made under the Federal law—Public Law 712 or some other act of Congress—or if it is made under the laws of Mississippi or of South Dakota, that will be extremely vital. I should like to know who would make the determination, and under what law or regulation it would be made. For instance, the proposed Federal ballot provides for really nothing more than a scrap of paper upon which, so the bill says, someone shall write in the party name or the candidate's name. In every State of the Union—I imagine it is true in the Senator's State, as it is true in my State—a ballot of that kind is absolutely void, and would not be counted, because a voter cannot write on a ballot with a pencil or pen. The name

of the candidate or the party must be printed on the ballot by the election officials.

Mr. EASTLAND. That is the law in Mississippi.

Mr. BUSHFIELD. We are proposing to do something in violation of the State law. That is why I think it is so important to determine who will determine the validity of the ballot, and upon what basis or foundation that determination will be made.

Mr. EASTLAND. As I have stated to the able junior Senator from South Dakota, I think the election officials would have to take into consideration Federal Law 712. And because of this I am against the bill. This is not a compromise measure.

Mr. OVERTON and Mr. MURDOCK addressed the Chair.

The PRESIDING OFFICER (Mr. JACKSON in the chair). Does the Senator from Mississippi yield, and if so, to whom?

Mr. EASTLAND. I yield first to the able senior Senator from Louisiana.

Mr. OVERTON. Mr. President, let me add the thought: Unless, of course, the amendment I have suggested is adopted.

Mr. EASTLAND. That is correct.

Mr. OVERTON. Then the validity of the ballots could be determined only by State law. That would refer to Presidential electors; it would refer to Members of the House of Representatives; and it would refer to Senators.

Mr. EASTLAND. That is correct.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. MURDOCK. After listening to the distinguished junior Senator from South Dakota, who has pointed out what is required by State laws to be printed on our ballots, let me call to the Senator's attention the fact that the great war the world is now fighting is a very extraordinary event. We cannot meet extraordinary events such as global wars with elections as usual, and allow our soldiers to vote, any more than we can meet the demand for munitions, tanks, ships, and so forth by business as usual. Being confronted by the extraordinary situation of millions of our men in foreign countries fighting the battles of this country, if they are to vote Congress must provide the means of doing so, and must meet an extraordinary situation by extraordinary means.

Of course, if we were considering the ordinary election, there would be no reason for the bill now before the Senate. But we do not face that situation. As I stated the other day, Congress is attempting to meet the situation by Federal legislation; but, having in mind the constitutional provisions with reference to the States having control of the counting of ballots, and so forth, in section 14 (a) we say that the States shall be the ultimate judges of the validity of the ballots. If I correctly understand the Senator's argument and the argument of the Senator from Louisiana [Mr. OVERTON], it seems to me that Senators who are against that provision in the bill are afraid to allow their local election judges to look at the ballots in the light of the Constitution of the United States, in the light of the Federal statutes, and in the light of State laws. It seems to me that no Senator should wish to take the position that he is afraid to allow his local election judges to look at the ballots, having in mind not only the Constitution of the United States and the Federal statutes but also the constitutions of the several States and the State laws. If we do that, and say to those judges, "We want you to determine the validity of these ballots, having in mind all the laws of the land, beginning with the Constitution"——

Mr. EASTLAND. Mr. President——

Mr. MURDOCK. Let me finish.

Mr. EASTLAND. The Senator is setting up a straw man and proceeding to knock him down.

Mr. MURDOCK. If the local judges are to be given authority to decide that the ballots are not valid under State law, is the Senator afraid that they cannot make that decision, and that they will not make it?

Mr. EASTLAND. No. I am not afraid they will not make that decision, I know what decision they will make. I know that they will not count the ballots. I know that they must take into consideration Public Law 712, as the Senator has said, and I am afraid some of them might be indicted. We have had perfectly outrageous indictments brought against citizens of my State.

The Senator says that we cannot do business as usual in time of war and devise a method by which the soldiers can vote. I agree with him. We certainly should not have politics as usual in time of war and that is what we have here. Sections 1 and 2 of Public Law 712 are nothing but politics, aimed at the South. If this is a sincere attempt to work out a soldiers' vote bill, what is the objection to the amendment of the Senator from Louisiana? It would meet the constitutional test and would result in putting a ballot in the hands of the soldier.

Mr. MURDOCK. Mr. President, will the Senator further yield?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Utah?

Mr. EASTLAND. I yield.

Mr. MURDOCK. The answer is this: How in the name of conscience can the Congress of the United States write a Federal statute and tell the judges of the election, who have jurisdiction to pass upon the ballots, "You shall not consider the Constitution of the United States and the statute which Congress has enacted"? How we can do that is a mystery to me.

Mr. EASTLAND. Of course, the Constitution of the United States must be considered. All the State statutes and the State election machinery are in conformity with the Constitution of the United States. This is more. This is an attempt to tear down the South. To get the Negro vote in the North.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. TYDINGS. I have been trying to follow the argument. I do not see how there would be any difference in the construction of section 14 (a), whether we leave out "in accordance with State law" or put it in, for the very obvious reason that every election official in every State is sworn to uphold and carry out the election laws of the State. Therefore, it seems to me that a sham battle is being fought. If we insert "in accordance with State law," that is the way the election officials will determine the question. If we leave it out, they will determine it in the same way.

Mr. EASTLAND. When the election official judges the validity of a ballot, he is a Federal official exercising a Federal function, which has nothing to do with his duties as a State election official.

Mr. TYDINGS. I am not disputing that; but I am trying to get some light on the pending amendment. It seems to me that whether the words are inserted or left out, the election official must count the ballots in accordance with State law, because the very next sentence reads:

> Votes cast under the provisions of this title shall be canvassed—

That is, looked at and examined—

> counted—

That is, put down on one side of the issue or the other—

> and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

Therefore, if I go home and vote, my vote will be canvassed, counted, and certified in accordance with the State laws of Maryland, as will every vote cast by a soldier which comes back to my precinct to be counted.

Mr. EASTLAND. That is after the ballot is put into the box. First, the election official must judge the validity of the ballot, and then put it in the box. He must first judge the qualification of the voter.

Mr. TYDINGS. No; that is not true.

Mr. EASTLAND. After it is in the box, when the box is opened, it is then canvassed, counted, and certified along with other votes.

Mr. TYDINGS. That is not true in my own locality. As to the validity of the ballot, no one knows whether the ballot is a good ballot or a bad ballot until it comes out of the ballot box, when the box is opened.

Mr. EASTLAND. That is not the law in my State. The voter's qualification must be adjudged before the ballot goes in the box.

Mr. TYDINGS. Then, it can be seen whether the ballot is properly filled out, whether the number is on it, whether it is signed by the judges of elections, and so forth.

I wish to strengthen the law in any way I can; but as I see it, whether we insert the words "in accordance with State law" or leave them out, the validity of the ballot will be judged, and the ballot will be counted, canvassed, and cer-

tified by the election officials in each State in accordance with State law.

Mr. EASTLAND. The qualifications of the voter are determined before the ballot is placed in the box, and that is exactly what we are arguing about.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. WHEELER. I voted against the Eastland amendment the last time, on the ground that while I questioned the constitutionality of the proposed law, I wished to give the soldiers the benefit of every doubt, and I was not sure.

I believe that this provision ought to be cleared up one way or the other. We cannot simply say to the election officials, "You must follow the law in general." Everyone knows that the average election official—perhaps not in the South, but in my State, and in most of the other States—will count the ballots which go into the ballot box. He will not throw them out after they are cast by the servicemen, because he knows that he would be severely criticized. On the other hand, if they are thrown out in the South, great confusion will be caused, and there will be many contests over the election of Senators and Representatives.

Mr. EASTLAND. Yes; I agree with the Senator.

Mr. WHEELER. It will cause confusion from one end of the country to the other. We ought to make up our minds whether or not to say that the ballots are to be counted in accordance with State law. I will not vote for any measure which would throw the whole election machinery of the United States into confusion at such a time as this, when we know that a contested election for President, Senators, and Representatives would be the worst possible thing that could happen to the Republic at this time.

Mr. EASTLAND. I thoroughly agree with the Senator. We are told that section 14 (a) means that the ballots shall be counted under State law, and that the States shall define the qualifications of voters. Others say this is not the case. As a matter of fact, it is not the case. Why not put it in the bill exactly what we mean? If that is what we mean, why not say so frankly? If we do not mean that, let us say that we do not mean it.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. I think the Senator from Montana is absolutely correct. A ballot may be valid in all other respects except as to the qualifications of the man who casts it.

It is said in section 14 (a) of the pending bill that the local election officials shall have the right to determine the validity of the ballot. However, the right to determine the qualification of the voter is not given. That is the issue. If we are to count the ballots according to State law, sections 1 and 2 of Public Law 712 have no effect in my State because the Constitution of my State says that no man shall be allowed to vote unless he has paid a poll tax.

What state of confusion are we creating? Section 14 (a) of the pending bill as now written provides that the election officials shall canvass, count, and certify the votes in accordance with the State law; that they shall be the judges of the validity of the ballots; but it does not give them the right to determine the qualification of the men casting the ballots. We are creating a state of confusion—a situation which will make it impossible for many election officials to comply with this bill if it becomes enacted into law—and at the same time carry out the oath which the officials take to serve as election judges and officials under the laws of their State. We will make criminals out of them in one way or another if we do not write into the bill a provision clearing up this question. If we are to give them the right to determine the validity of the ballot under the Constitution, as I interpret it, we are compelled also to give them the right to determine the qualification of the voter.

Mr. EASTLAND. Mr. President, I assert that so far as the State of Mississippi is concerned, we have fully and finally determined that we shall master our own destiny, that we shall maintain control of our own elections, and our election machinery, and that we will protect and preserve white supremacy throughout eternity. I shall not cast a vote for any bill which would to the least extent tear down those safeguards. I am placing my opposition to this bill on that ground. I will stand there until doomsday, and I know that I am backed by the men in the armed services from Mississippi and from other States of the South. I know it from the hundreds of letters which I have received from those soldiers giving their views on this matter.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. LUCAS. I agree with the Senator from Arkansas that in the event the amendment offered by the Senator from Louisiana should become the law, it would absolutely nullify section 1 of Public Law 712 dealing with registration, and would also nullify section 2 of Public Law 712 dealing with the poll tax. Those are the two sections of the present law which Congress enacted in 1942.

Furthermore, if we should adopt the amendment providing that the determination of the validity of the ballots shall be made in accordance with State laws, I call attention of the Senate to what seems to me to be a very important point. The validity of the ballots is to be determined in accordance with State laws. Every State legislature has prescribed the form, size, type, and character of ballot which must be used in the particular State. If that kind of a provision is put into a bill here I undertake to say that when an election judge gets the Federal ballot he will say, "This is another scrap of paper, and does not comply with what is prescribed by our State legislature with respect to the proper form and type of ballot." In other words, the legislature—probably each and every one—has prescribed that the names of the President, the Senators, and other candidates, shall be printed on the ballot. If we do not comply with that provision the election official, under the Overton amendment, would be compelled to throw out the ballot. That situation would apply not only to Mississippi, but to Montana, Illinois, and every other State.

Mr. EASTLAND. Yes, Mr. President, but the States desire to cooperate and to remove the little mechanical and technical differences which it is necessary to remove. They will do that if we give them a chance to do it, instead of destroying the election safeguards and the Constitution of the United States.

When I read statements of the C. I. O. political action committee, statements in the Daily Worker, the Communist newspaper; statements made by the National Association for the Advancement of the Colored Race, and all those radical and communistic organizations, I know—and I know the Senator from Illinois is perfectly innocent of any such intention—that the purpose of those organizations is to take over the election machinery of this country and give us permanent Federal control of elections.

Mr. LUCAS and Mr. TYDINGS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Mississippi yield, and if so to whom?

Mr. EASTLAND. I yield first to the Senator from Illinois.

Mr. LUCAS. Of course, I cannot follow the Senator's argument when he brings in the Communists and the C. I. O. any more than I could follow the senior Senator from Ohio [Mr. TAFT] a few days ago when he dragged that "red herring" across the trail approximately a dozen times. The question is whether or not we want the soldier to vote, and whether or not we can lay down the mechanics by which he can vote by amending the basic law, which is Public Law 712. There are other States of the Union besides Mississippi which would like the soldiers to be given an opportunity to vote, just as the Senator from Mississippi would like to have the soldiers from his State given the opportunity to vote.

Mr. EASTLAND. Public Law No. 712 was aimed at only the Southern States.

Mr. LUCAS. The Senator from Mississippi was not a Member of this body when the law was passed. Only five Senators voted against it.

Mr. EASTLAND. Yes, but they voted against the antipoll tax and the anti-registration amendments. Sections 1 and 2 of Public Law 712 are aimed at only eight States.

Mr. LUCAS. Oh, no.

Mr. EASTLAND. Those States themselves will correct the requirements for registration and the payment of poll taxes. My State has already done so. The Federal Government has no right to dictate to us what we must do in that regard.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. LUCAS. I should like to have the Senator allow me to complete my statement.

Mr. EASTLAND. I beg the distinguished Senator's pardon.

Mr. LUCAS. I do not wish to take the time of the Senator to make a long address. What I wish to say is not in the nature of a question, but more in the nature of an observation. There is no question—and I get back to the heart of this whole bill—that this amendment and the amendment offered by the Senator from Mississippi which will be presented if the Overton amendment fails, as I hope it will—cut the life out of this measure. They would remove the registration and poll-tax provisions from Public Law 712. The question of registration exists all over the nation. It does not apply to only 8 States. There are 2,000,000 boys who became 21 years of age since the war started, and since they went into the service, who will be denied the opportunity to vote.

Mr. EASTLAND. Mr. President, right on that point——

Mr. LUCAS. Mr. President, I will take my own time if the Senator insists on interrupting me.

Mr. EASTLAND. I yield.

Mr. LUCAS. I am merely pointing out that registration is one of the things we are asking to have repealed. Section 2 of the bill pertains not only to the question of a poll tax but of registration as well. If we eliminate that section we deny the right to vote to approximately 2,000,000 boys, according to the best estimates, who have become 21 years of age since the war started. They have had no opportunity to register, and would be disqualified from voting unless the State legislatures met and repealed the registration requirements which now exist. Not all the States will do that. At least we cannot speculate on them doing so. Those are two things which the Overton amendment would do. No one will seriously challenge the fact that it would repeal sections 1 and 2 of the law. In addition to that, it would absolutely nullify the Federal ballots from top to bottom. In my opinion no State official can successfully challenge that statement.

Mr. EASTLAND. I agree with the Senator, and so far as registration is concerned, it is merely the question of the mechanical means of qualifying a voter in most States, and it can certainly be worked out by the States. They have shown every disposition to do that, and I think the legislature of the distinguished Senator's State has already done it.

Mr. LUCAS. Since the Senator has referred to what the legislature of my State has done, I will talk about that before I get through.

Mr. WHEELER. Mr. President——

Mr. EASTLAND. I yield to the Senator from Montana.

Mr. WHEELER. Mr. President, I do not agree, as the Senator knows, with reference to the use of the poll tax. I have been opposed to it. But I do want the soldiers to vote.

Mr. EASTLAND. I agree with the Senator. I, too, want them to vote. I want them to cast a legal ballot, and I insist the States must be protected.

Mr. WHEELER. I have heard much said about the soldiers' vote. I wish to say that I am extremely doubtful as to how the soldiers will vote. Many Democrats who think they are going to vote Democratic, perhaps, are going to have a sad awakening. However that may be, whether the servicemen are going to vote Democratic or whether they are going to vote Republican, is not a matter which ought to concern us in the slightest degree. What ought to concern us is what we shall do and can do under the Constitution of the United States of America to enable the servicemen to vote.

When it is said that because we are at war we can tear down the Constitution of the United States, I care not who says it, whether it be the President of the United States, the Communists, or Democrats, or Republicans, I must decline to accept such a view. Our servicemen, we are told, are fighting for the "four freedoms" all over the world. They are fighting, not for dictatorship, whether in Germany or Russia or Italy or some other country, but to preserve and set up democracy all over the world. Under the guise of doing that, and because we are in a time of war and are fighting for democracy, there are many persons in this country who want to tear down the Constitution of the United States.

The question that concerns me is whether we can give the servicemen the right to vote when they have not registered or when they have not done this or have not done that, without violating the Constitution of the United States. It ought to be clear whether or not they are to have the right and under the Constitution can have the right to vote regardless of registration, regardless of State laws, or whether they are to have the right to vote according to the State laws under the Constitution.

If the States do not comply with the law the responsbility is not upon the Congress. The responsibility is upon my State, it is upon the State of Mississippi, it is upon the State of Illinois, and not upon the Congress of the United States. When the President says "stand up and be counted," what he ought to be doing and what everybody else ought to be doing is to appeal to the Democratic governors of various States to call their legislatures into session, for most of the States where the legislatures are not being called into extra session are Democratic. We ought to appeal to and urge upon every single State of the Union to pass laws to permit the servicemen to vote. Many of the servicemen, let me say, are more interested in voting for the sheriff, the county clerk, and the recorder than they are in voting for United States Senator. They are more interested in voting for the local officers because their immediate lives are more affected by such officers. Go into any community in the United States when an election for Senator is held and if there is not a sheriff to be elected, the Senatorial candidate will get less votes. That is for the reason that the sheriff affects the voters more in their immediate lives, so, and in many instances, they do not think Senators and Members of the House of Representatives amount to as much as the sheriff.

What bothers me is, first, Can the Congress repeal State laws under the Constitution? If it can, then I am perfectly willing to vote to allow the servicemen to vote, but if I come to the conclusion that the Congress cannot do it without violating the Constitution, then no Senator who has taken an oath to uphold the Constitution has any right to vote to change the law, war or no war.

Mr. McCLELLAN and Mr. TYDINGS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Mississippi yield; and if so, to whom?

Mr. EASTLAND. I yield first to the Senator from Arkansas.

Mr. McCLELLAN. I should like to ask the Senator from Montana in view of his statement, with which I fully agree, if we can do what is proposed in this bill with respect to abrogating by Federal statute State constitutions, can we not also go a step further in this measure and reduce the age requirement for voting and let every soldier in uniform vote?

We hear much said here about doing this in the name of war, doing it for the soldier who has been taken away from his home and sent forth to fight the battle for freedom and democracy throughout the world, and yet we will not give him the right to vote if he is under legal age. Who of the Senators favoring this bill has offered an amendment to it to give two and a half million soldiers who are under 21 years of age the right to a voice in their government? They have never had that right up until now. They have been taken from their homes without ever having a voice or representation in this Government except through the votes of their fathers and mothers. They are bleeding and dying just as are the soldiers 21 years of age and older. If we are going to take the responsibility for tearing down State barriers, of removing constitutional limitations under which the States have operated according to the provisions of the Federal Constitution, if we are ready to take that move today, then I say to every Member of the Senate and every Member of the House of Representatives we ought to go further and provide that every one in our armed forces shall have the right to vote irrespective of age. Let us not discriminate against two and a half million boys who have been taken from their homes, who never had a right to vote, who to date have had no voice in the election of those who administer the affairs of state, who have had no voice in the selection of the Commander in Chief and will have none under this bill if enacted without the amendment I suggest.

The question resolves itself down to this: Are we to maintain constitutional government, or are we ready to tear it down? If we are going to tear it down, I want to go far enough so that my 18-year-old boy can vote, and your 18-year-old boy can vote. If we are going to take him from his home and place him on the altar of sacrifice in order to

save the country in this war exigency or war emergency, God knows the blood of a boy 18 years old is just as precious as that of a boy who is past 21.

We are told their fathers and mothers can represent them in the exercise of their franchise. So can the fathers, mothers, wives, and sweethearts represent the boys 21 years of age and older. The line of demarcation cannot be drawn there. This is said to be a war measure. If the right to vote is imperative in war for the morale of our millions of fighting men on the battlefield, then it is imperative to the morale and is an act of justice to the boys under 21 years old who have been taken from their firesides and homes, from their schools, from their opportunities, in order to fight for their country. I say they, too, should have a voice as to who shall represent them in the National Congress and also who shall be their Commander in Chief while they continue to serve on the fields of battle.

Mr. EASTLAND. Mr. President, I thoroughly agree with the distinguished Senator from Arkansas. If Congress is ready to fix the qualifications of the electors and control the election laws of the country and say what those laws should be, I am willing to join him in an amendment of that nature.

Mr. TYDINGS. Mr. President——

Mr. EASTLAND. I yield to the Senator from Maryland.

Mr. TYDINGS. Of course the Congress cannot lower the age requirement. That can only be done, as we all know, by the constitutions and people of each State. But what I rose——

Mr. EASTLAND. What does that amount to when we are asked to pass a bill such as that now pending, which destroys the State constitutions, State statutes, and State voting machinery?

Mr. TYDINGS. Let me go on and say that the Senator from Arkansas in his last remark, but not in the ones preceding, used the expression that the Congress ought to give the States the right to pass on the qualifications of voters. Of course, if Congress were to do that it would be silly, because Congress can no more give to the States the right to pass on the qualifications of the voters than it can take that right away from the States, because the Constitution is very clear on that point. Section 2 of article I says:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

The seventeenth amendment likewise provides, as to elections for United States Senators, that all those who vote for United States Senators must have the same qualifications possessed by voters who vote for members of their own State legislatures. As the qualifications of those who vote for the members of their own State legislatures are fixed by the laws of the States, obviously those who vote for United States Senators or Members of the House of Representatives must have the same State qualifications. I know the Senator from Arkansas did not mean the interpretation which might be put on his words, for I am sure he agrees that Congress can neither give nor take away the right of each State, in accordance with the provisions which I have just read.

Therefore, even if we insert the words "in accordance with State law" or leave out the words, or say "according to the Mohammedan religion," or "according to the rules and rites and privileges of the Fiji Islands," that will not change the Constitution, and it will not change the right of every State, through its election officials, to pass on the validity of the ballot, when the qualifications of the man who casts it are an essential and inseparable part of the ballot's validity.

Therefore, Mr. President, it seems to me that it is a question of tweedledee and tweedledum whether we insert it or whether we leave it out. The State law is supreme, and the philosophy of the new Green-Lucas bill concedes that in section 14 (a), where it specifically provides that the validity of a ballot shall be entirely within the judgment of the election officials of the precinct, county, or election district of each State in the Union.

Mr. McCLELLAN. Mr. President——

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Does the Senator from Mississippi yield to the Senator from Arkansas?

Mr. EASTLAND. I yield.

Mr. McCLELLAN. I think my views are absolutely in accord with those of the distinguished Senator from Maryland. I do read in the bill an effort to take away from the States the right to determine the qualifications of their voters.

Mr. TYDINGS. Will the Senator permit me to interrupt him at that point?

Mr. McCLELLAN. Certainly.

Mr. TYDINGS. I do not care how much language is inserted, that right of the State cannot be taken away or added to. No one has any authority to do that, and therefore every one, including the authors of the bill, knows that the validity of the ballot is entirely a matter within the ken and control of the election supervisors in each precinct.

Mr. McCLELLAN. Mr. President, I call the attention of the Senator from Maryland to the President's message, in which he said:

> Each State, under these bills—
>
> Referring to the Lucas bill in the Senate and the Worley bill in the House of Representatives—
>
> would determine for itself whether or not the voter is qualified to vote under the laws of his State.

Then he proceeds:

> The sole exceptions would be those conditions of registration and payment of poll tax which could not be satisfied because of the absence of a voter from his State of residence by reason of the war.

I call the attention of the distinguished Senator to the fact that the President of the United States thinks we can make exceptions.

Mr. TYDINGS. I do not read the language in that way. I think that was more of a request, or an entreaty. What the President did say, as the Senator just quoted him, and as the Senator from Rhode Island said in his bill, and as the Senator from Illinois, the coauthor, has said in his bill, and what everybody on this floor knows to be the case, was that the States are the absolute and only judges, through their election officials, of the validity of the ballot, and part of the validity depends on the qualifications of the man who casts the ballot. Therefore, as the President and both the authors of the bill have conceded, that point seems to me to be of no consequence. Whether we insert the provision in the bill or leave it out, that is the way it will be done, and no one disputes that.

Mr. EASTLAND. Let me say to the distinguished Senator from Maryland that the authors of this bill have not conceded that. If I understand them, they rely on section 122 of Public Law 712, which repeals the poll tax and registration requirements of the States.

Mr. OVERTON. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield.

Mr. OVERTON. According to the argument of the Senator from Maryland, it would be perfectly proper for us to include any provision which he would deem to be unconstitutional, because it would be ignored. That is not the way to legislate. We should legislate in accordance with the Constitution of the United States.

Mr. EASTLAND. We should say what we mean in a bill.

Mr. OVERTON. We should say what we mean, and when we undertake to lay down a rule to be followed by local officials in determining the validity of a ballot, we should say what the rule is, and that is what we do when we say "in accordance with State law."

The Senator from Maryland says, "But why put it in, because it is in the Constitution?" Yet the President of the United States says we should provide certain exceptions to the rule, and the Senator from Illinois says that if the amendment should be agreed to it would nullify sections 1 and 2 of the act of 1942.

Mr. EASTLAND. The distinguished Senator from Louisiana knows that the South is under attack today, and no constitutional scruples have prevented an anti-poll-tax bill, which we all admit is unconstitutional, being passed through the House and being approved by the Committee on the Judiciary of the Senate.

Mr. TYDINGS. Mr. President, I do not want the Senator to labor under the impression that I am advocating that legislation should not be carefully drawn.

Mr. EASTLAND. I am not laboring under that impression.

Mr. TYDINGS. The burden of my argument was that even if it is incorrectly drawn, even if it is unconstitutionally drawn, no matter what it may provide, it is no good unless it conforms to the source of all congressional power, which is the Constitution of the United States.

The point I was making was that whether we insert the language or do not insert it, we can take nothing away from nor confer anything on the States of the Union in violation of the Constitution of the United States.

Mr. McKELLAR. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield.

Mr. McKELLAR. I wish to ask a question for information. I felt very kindly toward the amendment of the Senator from Louisiana [Mr. OVERTON], but I am wondering how in practice it could be worked out. For instance, let us assume that 50,000 soldiers from Maryland are going to vote.

Mr. TYDINGS. They would be good men.

Mr. McKELLAR. Suppose 50,000 Maryland men now in the Army vote and send in their ballots, under the terms of the bill, to the local districts in Maryland for counting. How in the name of heaven could the local officials tell who had and who had not voted in accordance with the laws of Maryland? What troubles me is, What effect would such an amendment have? For the life of me I cannot see how the local election officials could possibly ascertain which voters had voted a legal ballot and which ones had not voted a legal ballot. Therefore they would have to count them all. Is not that true?

Mr. EASTLAND. That might be true.

Mr. OVERTON and Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Mississippi yield and, if so, to whom?

Mr. EASTLAND. I yield to the Senator from Louisiana.

Mr. OVERTON. I should like to answer the Senator's inquiry.

Mr. McKELLAR. I hope the Senator will do so.

Mr. OVERTON. Under the provisions of the bill as it reads, specifically under section 14 (a), we undertake to confer authority on the local election officials to determine the validity of the ballots. Under the argument of the Senator from Tennessee, how are the election officials to determine the validity of the ballots? How are they to do it under section 14 (a)?

Mr. McKELLAR. I do not think they can, and for that reason I intend to vote against it.

Mr. OVERTON. The Senator from Tennessee knows that in every election that is held the validity of ballots is determined, in Tennessee, in Louisiana, and in all other States, under State law, and the election officials are governed by the State laws. All my amendment seeks to do is to declare specifically that they shall continue that practice and determine the validity of the ballots under State laws.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. McKELLAR. I believe the Federal Government has no authority whatsoever in the selection of electors to vote for President and Vice President of the United States. Therefore since the Congress under the Federal Constitution has no authority to handle elections, it is manifest it cannot convey that authority in part or in whole to any other body, State or Federal.

Mr. EASTLAND. I will say to the distinguished Senator from Tennessee that, in my judgment, even under the Overton amendment Congress would not have the constitutional authority to tell the State of Tennessee that the election officials in Tennessee shall judge the validity of Tennessee ballots by Tennessee State law.

Mr. McKELLAR. I agree with the Senator entirely. That is exactly the point I have made.

Mr. EASTLAND. I think the amendment will improve the bill, but I think the bill would still be unconstitutional though the Overton amendment were contained in it.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. HATCH. I merely rise to answer what the Senator from Tennessee has said, not in disagreement with him but to point out how, in my opinion, if we shall adopt the amendment which requires the judging of the validity of the Federal ballot by State officials, I do not believe a single Federal ballot will be counted in any State in the Union, for this reason, among other reasons——

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. McKELLAR. That is just where we differ. I think they will all be counted.

Mr. HATCH. Let me explain my position. Let us say that a man who has paid his poll tax, who has registered, who has complied with the State law, is serving overseas and votes the Federal ballot, and the ballot is returned to the State to be judged under existing State laws, what do we find under existing State laws? We find in practically every State in the Union, in the first place, a form of ballot prescribed, set forth in the statute. The form or general directions are given in the constitutions of some States, but every State has the form specified in the statute. Senators will find in every State that I know of—and I made research into the matter, looking into the laws of Mississippi, Louisiana, and some other States—a positive command by the legislature that no other form of ballot shall be cast, counted, or canvassed. Although a man might be qualified under the State law from the standpoint of registration and payment of poll tax and all other requirements, yet if the ballot is to be judged by the existing State laws the ballot would be thrown out, and no soldier could vote. That is the reason I oppose the amendment, because if the Federal ballot is to be cast and voted it ought to be counted.

Mr. EASTLAND. I see the point of the distinguished Senator's argument, but I think that is a mechanical matter which the States will gladly work out.

Mr. HATCH. It will require new legislation in every State in the Union.

Mr. EASTLAND. Mr. President, in reply to what the distinguished Senator from Maryland [Mr. TYDINGS] said, I know that Congress cannot pass any law which would deprive any State of its right to define the qualification of its electors. I know that any such attempt would be void. But I know that the Supreme Court of the United States has the last guess as to whether an act we passed does that or not. I am not willing that the Court should pass on these matters. I think the Congress of the United States should say what it means, should write it in plain English, should adopt the Overton amendment, and then there will be no cause or ground for further controversy. There would then be no cause to go to court to clear up the cloudy, confused sections in this bill.

Mr. MILLIKIN. Mr. President——

The PRESIDING OFFICER (Mr. ELLENDER in the chair). Does the Senator from Mississippi yield to the Senator from Colorado?

Mr. EASTLAND. I yield.

Mr. MILLIKIN. First, I should like to remind the distinguished junior Senator from Mississippi that the Supreme Court, in the Green case, in, as I recall, one hundred and thirty-four United States Reports, definitely and specifically said that the matter of the appointment of electors is entirely within the control of the States, and is beyond the control of the Federal Congress.

Let me remind the Senator further that this provision in article II is so firmly embedded in the Constitution, so thoroughly means what it says, that in the early years of this country the electors for President were actually appointed in a number of States by the legislatures in the same way that the legislatures for many years appointed Senators. The only reason that a counting judge or a local election official can look at a ballot is by virtue of State legislation—when the State legislature, pursuant to its authority under the United States Constitution has passed a law which brings duties in the matter down to the precinct election judges and election officials. Except for such law of a State legislature the local precinct election officials have nothing to do with the process for the selection of electors for President and Vice President. For that reason I respectfully suggest that the provisions in the bill—and most respectfully I suggest that the amendment of the Senator from Louisiana [Mr. OVERTON]—are prescribing things which are futilities, which are gratuities. The local election officials will have no authority to consider the ballots proposed by this bill unless their State legislatures specifically give them that authority.

Mr. EASTLAND. I thank the distinguished Senator from Colorado for his contribution.

Mr. President, we are told by some that the local election managers shall have sole discretion and sole authority in determining the validity of ballots tendered them under this measure. The distinguished Senator from Utah [Mr. MURDOCK] made a very profound and able speech on this subject on the 27th day

of January, which was last Thursday. He set down the rules which I think would be incumbent upon the local election officials in determining the validity of the ballots tendered them under this measure, and I quote from the RECORD the statement of the distinguished Senator from Utah:

> Then we come to the next step, the Federal statutes. What are the provisions of the Federal statutes with reference to voting for Federal officials? We find them already enacted in Public Law 712, to which I have referred. We also will find them in the pending bill if and when it is passed by the Congress and is approved by the President. So the election judges will have to take into consideration the provisions of Public Law 712 as they now exist, and also the provisions of the pending bill if and when it becomes law. That is the second step in the consideration by the local judges.

Mr. President, I thoroughly agree with the distinguished Senator's interpretation. He is one of the leading proponents of this measure, and because I do agree with him I am against the bill unless the Overton amendment is adopted, and frankly I do not know how I would cast my vote if that were done.

It is claimed by some of the proponents of the bill, as I have previously said, that the local election managers shall have sole and supreme authority to pass on the validity of the ballots. I do not think that claim is tenable. In my judgment the Federal law will govern them in making their decision. The law sets down the pattern, and they must obey the law when they judge the validity of the ballot. If they had sole and supreme authority they could count the vote of one who is 18 years old, they could count the vote of one who is 19 years old, they could count a ballot tendered them by a man who is not a citizen of the United States. They cannot do this, of course. Certainly, they must follow the law, and the law will control them in making that decision—that is Public Law 712, sections 1 and 2 of which are utterly unconstitutional and are obnoxious to the people of my State.

Mr. President, if the power of the local election officials is absolute, then why put section 14 (b) in the bill? Section 14 (b) begins by providing that—

> No official Federal war ballot shall be valid if—

Who will say that that provision will not govern and control the local election officials in judging the validity of the ballots? If their judgment is to be supreme, if they are to have the sole authority in the matter, then why put section 14 (b) in the bill and set up three conditions under which a Federal war ballot would not be good?

It is said that there is a conflict between section 14 (a) and sections 1 and 2 of Public Law 712, and that because section 14 (a) would be the last enacted it would repeal sections 1 and 2 of Public Law 712. I do not subscribe to that view for a moment. I do not see where there is a conflict; because the courts in passing on this bill which would if enacted be an amendment of Public Law 712, would under the proper rule of construction harmonize those two provisions, and would say that, first, the poll tax was out—if they thought it constitutional—and, second, that the State registration requirement was out—if they thought it constitutional—and that the judgment of the local managers in passing on the validity of the ballots was subject to the provisions of sections 1 and 2 of Public Law 712.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield.

Mr. MILLIKIN. Is it entirely convenient for me to interrupt the Senator now?

Mr. EASTLAND. Yes.

Mr. MILLIKIN. Mr. President, I should like to read from the case of In re Green, which appears in one hundred and thirty-four United States Reports, beginning at page 377. The case is rather brief; and, with the Senator's indulgence, I should like to read all of it.

Mr. EASTLAND. I am glad to have the Senator do so.

Mr. MILLIKIN. The statement of facts is as follows:

> This was a writ of habeas corpus, granted upon the petition of Charles Green, by the Circuit Court of the United States, to the sergeant and jailer of the city of Manchester in the State of Virginia, who justified his detention of the prisoner under a judgment of the hustings or corporation court of the city, sentencing him to be imprisoned in the city jail for 5 weeks and to pay a fine of $5, upon his conviction by a jury on an indictment charging him with unlawfully, knowingly, corruptly, and with unlawful intent, voting at an election held in that city for a Representative in Congress and for electors of President and Vice President of the United States on November 6, 1888, being disqualified by a previous conviction for petty larceny.
>
> By the Code of Virginia of 1887, general elections are held throughout the State on the fourth Tuesday in May, and on the first Tuesday after the first Monday in November, in each year, for all officers required by law to be chosen at such elections respectively, section 109; persons convicted of bribery at an election, embezzlement of public funds, treason, felony, or petty larceny, are disqualified to vote, section 62; elections are by ballot containing the name of all persons intended to be voted for and designating the office of each, section 122; Members of the House of Representatives of the United States are chosen by the qualified voters of the respective congressional districts at the general election in November 1888, and in every second year thereafter, section 52; electors for President and Vice President of the United States are chosen by the qualified voters of the State at the election held on the first Tuesday after the first Monday in November 1888, and on the corresponding day in each fourth year thereafter, or at such other time as may be appointed by Congress, sections 54, 55; and any person who shall knowingly vote in any election district in which he does not reside and is registered, or vote more than once at the same election, "or, not being a qualified elector, vote at any election with an unlawful intent," shall be punished by imprisonment in jail not exceeding 1 year, and by fine not exceeding $1,000, section 3851.
>
> The circuit court was of opinion "that the United States courts for this district have sole and exclusive jurisdiction to hear and determine the matters and things alleged in the bill of indictment found in the said hustings court of Manchester, upon the ground that the acts of Congress in such case made and provided (Rev. Stat., secs. 5511, 5514), have defined the offense charged in the said indictment and prescribed the penalty therefor, and that the United States courts have sole and exclusive jurisdiction thereof, and that the said hustings or corporation court of Manchester had no jurisdiction of the matters and things charged in the said indictment against the said Charles Green," and therefore adjudged that the prisoner be discharged. The respondent appealed to this court. * * *
>
> Mr. Justice Gray, after stating the case as above, delivered the opinion of the Court.
>
> In this case, as in Loney's case, just decided (ante, 372) the question presented is whether the courts of the State of Virginia had jurisdiction of the charge against the prisoner. But that is the only respect in which the two cases have any resemblance.
>
> By the Constitution of the United States, the electors for President and Vice President in each State are appointed by the State in such manner as its legislature may direct; their number is equal to the whole number of Senators and Representatives to which the State is entitled in Congress; no Senator or Representative, or person holding an office of trust or profit under the United States shall be appointed an elector; and the electors meet and vote within the State, and thence certify and transmit their votes to the seat of government of the United States. The only rights and duties, expressly vested by the Constitution in the National Government, with regard to the appointment or the votes of Presidential electors, are by those provisions which authorize Congress to determine the time of choosing the electors and the day on which they shall give their votes, and which direct that the certificates of their votes shall be opened by the President of the Senate in the presence of the two Houses of Congress, and the votes shall then be counted (Constitution, art. II, sec. 1; amendments, art. XII).

Mark this, please:

> The sole function of the Presidential electors is to cast, certify, and transmit the vote of the State for President and Vice President of the Nation. Although the electors are appointed and act under and pursuant to the Constitution of the United States, they are no more officers or agents of the United States than are the members of the State legislatures when acting as electors of Federal Senators, or the people of the States when acting as electors of Representatives in Congress (Constitution, art. I, secs. 2 and 3).

Then, going on with some further discussion with reference to Federal legislation and constitutional provisions, the Court said:

> Congress has never undertaken to interfere with the manner of appointing electors, or, where (according to the now general usage) the mode of appointment prescribed by the law of the State is election by the people, to regulate the conduct of such election, or to punish any fraud in voting for electors; but has left these matters to the control of the States.

I omit another paragraph, and then read—

> The question whether the State has concurrent power with the United States to punish fraudulent voting for Representatives in Congress is not presented by the record before us. It may be that it has.

Please mark this:

> But even if the State has no power in regard to votes for representatives in Congress, it clearly has such power in regard to

votes for Presidential electors, unaffected by anything in the Constitution and laws of the United States—

I repeat—

unaffected by anything in the Constitution and laws of the United States; and the including, in one indictment and sentence, of illegal voting both for a representative in Congress and for Presidential electors, does not go to the jurisdiction of the State court, but is, at the worst, mere error, which cannot be inquired into by writ of habeas corpus.

This case, as I understand, has never been modified or reversed by the Supreme Court.

Mr. EASTLAND. Of course, that governs the controversy now pending in the Senate.

Mr. MILLIKIN. Exactly.

Mr. EASTLAND. Mr. President, it has been said that because Public Law 712 is already on the statute books, even though it is unconstitutional, we should proceed to enact this bill, and that an unconstitutional measure already on the statute books would not make the pending bill unconstitutional; that that is no reason for our opposition to this bill. I submit that Public Law 712 is a punitive measure aimed at southern customs and laws. We have taken the stand that no one but the States shall define the qualifications of electors, and I am unwilling to vote for machinery which would put into force the obnoxious provisions of Public Law 712.

The great argument, Mr. President, for a Federal ballot has been the time element. It is said that we must have a uniform ballot and a light ballot that can be voted overseas and sent back, and that that is the sole reason for the bill. As I understand, practically everyone admits that a State ballot is preferable, if practicable. The Overton amendment would remove certain objections. We would still have the Federal ballot. The provisions of this bill which it is alleged saves time, and are the only reason for the enactment of this measure, would still be in the bill. It would be a step toward making the bill constitutional and save every good feature of this measure.

It is said that there is a desire to give the soldier the vote. If it is our sincere desire to give him the vote, the only way we can do so is by enacting a constitutional measure. I submit that the adoption of the Overton amendment would still leave in effect every feature that would facilitate getting the ballots back to the States to be counted before election. In addition, it would be a step toward making the bill constitutional and giving the soldier a legal, valid ballot.

Mr. President, I dislike to disagree with my party leadership in connection with the pending bill. I wish I could support the bill. Next to preserving the election safeguards of the South, more than anything else I desire to see the Democratic Party retained in power. I think the Democratic Party can better conduct the war and write the peace than the Republican Party. I wish we were presented with a measure free from such attacks and one which would preserve our qualifications and safeguards for the conduct of our elections. I would certainly like to support such a bill.

I do not like to disagree with the Democratic Party but today the South is under attack by radical organizations which are attempting to strike down our voting laws. They are attempting, through Federal machinery, to control our elections. They have sworn to place ballots in the hands of individuals who do not possess the legal qualifications under our laws. In my candid judgment there is an attempt to tear down our social institutions and to force upon us the doctrine of social equality. Because I am convinced that these radical organizations, including the Communist Party, are intent on doing that, I cannot compromise, I cannot give an inch when we are considering such a fundamental question as the right of control of our most sacred institution—nullify our election laws and bring back the reconstruction era to us. If we enact this bill, with sections 1 and 2 of Public Law 712 still the alleged law of the land, we create a precedent which strikes down two of our safeguards, and we set a precedent for Federal control of elections. I cannot go in that gate. I cannot take one step which would endanger the racial integrity of the South.

Mr. VANDENBERG. Mr. President, I want to state very briefly my position upon this issue. It will require only a moment. With the greatest respect for the conscientious views of my colleagues who disagree with me upon this subject, I favor a Federal ballot for the accommodation of any soldier or sailor who cannot be reasonably sure of being served by a State ballot. Since the State ballot cannot be certain to function overseas, even when a State makes every maximum effort to this end, I shall continue to vote for a Federal ballot as the only available, final insurance that all of our soldier sons and service daughters are protected against a default in this supreme privilege of the citizenship to which they are giving the last full measure of devotion.

But, Mr. President, I want first to be sure that we neglect no effort to make State ballots available. A State absentee voter's ballot is the better ballot for a serviceman, if it can reach him and if he can get it back in time. It is a better ballot because it is a total ballot, and its use offers the soldier or the sailor the only way in which he can enjoy his total right of suffrage and be certain that his ballot will be counted.

Therefore, in my view, the primary emphasis in meeting this problem should be upon State ballots. The primary effort should be to encourage the States to make State ballots available, and to insist that Federal facilities be used, so far as possible, to transmit, deliver, and return these State ballots. I shall offer one further amendment in this behalf.

Before doing so, however, I want to make three things plain in respect to my attitude.

First. Although I support a Federal ballot as our final reliance, I dissociate myself completely from the tirade and anathema—headlined by the recent intemperate message of the President of the United States—which are aimed at the motives of those who have opposed the Green-Lucas bill. I do not believe they had their "tongues in their cheeks." I do not believe they were engaged in "fraud." I do not believe they were "merely rendering lip service to our soldiers and sailors." In my view, such charges are unjust, unfair, and improper reflections upon the legislative integrity as I know it to exist. A defense of constitutional convictions, Mr. President, is the highest characteristic of sound and indispensable public service. I shall always honor it whether I agree with its conclusions or not. We have fallen upon evil days when any other rule obtains. I am supporting a Federal ballot in spite of and not because of the Presidential message.

Second. I am supporting a Federal ballot, as our final reliance where State ballots cannot serve, regardless of its effect upon the outcome of the next election. Here, again, I decline to assess motives. I do not know how the service men and women will vote. I cannot say that I do not care. But I can say that it is none of my business in connection with the pending bill. My job ends, for the time being, when I do my part in making their ballots possible. There will be other forums in which I can challenge the "candidate in chief" when the time comes—and the time will come.

Third. It seems clear to me that we must have a Federal ballot as a supplement to State absentee ballots no matter how much we protect the latter if our sole objective is that tens of thousands of the sacrificial fighting corps of this Republic are not to be disfranchised at the very moment when they are earning their right to a ballot at a price beyond any possible price that we pay here at home. It seems clear to me that State absentee ballots alone cannot meet the problem which we confront. Some States have no such laws. Some States are prohibited by their constitutions from enacting such laws. Even States which perfect their State absentee voting laws, as my own State of Michigan will do this week, may confront unavoidable exigencies of time and transportation which will jeopardize, if they do not nullifiy, their worthiest intentions.

Furthermore, since all State ballots must go by letter mail to individual addresses, the State ballot may never catch up with the soldier on the move, particularly in the battle zones. I cannot close my eyes to these facts of life. It seems to me, therefore, that the Federal ballot is indispensable as final suffrage insurance.

It is entirely possible that the amendment submitted by the able Senator from Connecticut [Mr. DANAHER] may cover the precise formula to which I am subscribing. I have not yet had an opportunity to study it to that final end, but fundamentally I am asserting a position which supports a Federal ballot in situations in which a State cannot function, because I conceive it to be our

inescapable obligation to make a total ballot opportunity available to all who are in the armed services.

But, Mr. President, having made these three basic points, I return to my basic theme that we should make every possible effort to reach the Army and the Navy with real ballots, traditional ballots, ballots in the American pattern, total ballots, ballots sure to be counted, ballots which do not keep the word of promise to the ear and break it to the hope. There is only one such ballot—a State absentee-voters ballot.

I regret that the President, the War Department, the Navy Department, and the pending bill give such obvious and emphatic priority to Federal ballots, although I am frank to recognize that there are some physical arguments on their side. I think these difficulties have often been exaggerated. It was less than 2 years ago that this same War Department and this same Secretary of War were saying officially that soldiers should not vote at all. They have progressed mightily in their thinking since that zero hour. They have reached a point where they are now prepared heartily to cooperate in the transmission, delivery, and return of Federal ballots. All I am asking is that they shall give equal effort, so far as the different circumstances will permit, and not just lip service—to borrow a Presidential phrase—to the transmission, delivery, and return of State ballots.

It is to this phase of the bill that I wish to address an amendment. I realize that I am only adding words and that, in the final analysis, we are still at the mercy of the administrators. But the words at least raise the importance of the State ballot to dignity comparable to that of the Federal ballot, in the bill's instructions to those who will administer this trust.

Mr. President, I offer an amendment, which I ask to have printed and lie on the table, in the nature of a substitute for section 204 on page 44 of the bill. This matter was substantially canvassed at length on the first day of the debate, and I shall review it only briefly.

The language of the provisions in title I governing the transmission of Federal ballots is totally different from the language in title II, relating to the transmission of State ballots. I concede that the total language used in section 7 on page 33, governing the transmission of Federal ballots is not literally applicable in all instances to the State ballots, because the State ballots go in individually addressed envelopes to the soldier voters, whereas the Federal ballots travel in bulk. But with that exception, I am asking that the Secretaries of War and Navy and the related authorities be instructed to give the same dignity to the importance of the transmission, delivery, and return of State ballots as they are instructed to give to the importance of the transmission, delivery, and return of Federal ballots.

I repeat that I concede that the State ballot is at a physical disadvantage because of the fact it has to go individually to its recipient. But in spite of that disadvantage it seems to me that the language used in the bill as reported by the committee fails to put upon the War Department and the Navy Department an appropriate and adequate obligation to leave no possible, reasonable effort unmade to see that State ballots reach their target.

Mr. President, I am offering the following language as a substitute for section 204 on page 44 of the pending bill:

The Secretaries of War and Navy and other appropriate authorities shall, so far as practicable and compatible with military operations, take all reasonable measures to facilitate transportation, delivery and return of absentee ballots mailed to members of the armed forces pursuant to the laws of the several States, whether transmitted by air or by regular mail. Ballots cast outside the United States shall be returned by air, whenever practicable and compatible with military operations.

Mr. President, I have discussed this amendment with the senior Senator from Illinois [Mr. LUCAS], who is in charge of the bill on the floor; and it is my understanding that at an appropriate time the amendment will be accepted.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

OPERATIONS UNDER, AND FUNDS APPROPRIATED TO, THE WORK PROJECTS ADMINISTRATION

The PRESIDING OFFICER (Mr. ELLENDER in the chair) laid before the Senate the following message from the President of the United States, which was read by the Chief Clerk, and, with the accompanying report, referred to the Committee on Appropriations:

To the Congress of the United States:

As required by the provisions of the Emergency Relief Appropriation Act, fiscal year 1943, I present herewith a report of the operations under funds appropriated to the Work Projects Administration of the Federal Works Agency by the Emergency Relief Appropriation Acts, fiscal years 1942 and 1943.

This report contains summary and detailed statements of expenditures made and obligations incurred by classes of projects and amounts as of November 30, 1943; and a brief statement of operations of the Work Projects Administration to the end of the fiscal year 1943.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 27, 1944.*

JOHN HENRY MILLER, JR.—VETO MESSAGE (S. DOC. NO. 149)

The PRESIDING OFFICER laid before the Senate the following veto message from the President of the United States, which was read by the Chief Clerk, and, with the accompanying bill, referred to the Committee on Claims and ordered to be printed:

To the Senate:

I return herewith, without my approval, S. 1090, a bill for the relief of John Henry Miller, Jr.

This enactment would authorize and direct the Secretary of the Treasury to pay to John Henry Miller, Jr., of Staunton, Va., the sum of $135 in satisfaction of his claim against the United States for accumulated leave to which he was entitled and had not used prior to his resignation as deputy clerk of the United States District Court for the Western District of Virginia.

At the present time there is no general provision of law authorizing the payment to Government personnel of the commuted value of annual leave not taken by them before separation from the service. The Annual Leave Act of March 14, 1936 (49 Stat. 1161), which controls the leave rights of Federal personnel, consistently has been construed as making a grant of leave in kind only—that is, as conferring a right to be absent from duty for a prescribed period without loss of pay, only when the employee retains during that period a status as one of the "civilian officers and employees of the United States."

While I favor the enactment of general, nonretroactive legislation that would provide in all cases for the payment of the commuted value of unused leave, I do not think I would be justified in approving this legislation which would confer upon a particular employee a benefit which has been denied to many other former employees similarly situated.

Until the enactment of general legislation for this purpose, I shall feel obliged, as I felt obliged with respect to the similar bills of the Seventy-seventh Congress, H. R. 5938 and S. 2099, to withhold my approval of special legislation for the relief of individual former employees.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 31, 1944.*

EXECUTIVE INTERFERENCE WITH THE LEGISLATIVE PROCESS

Mr. GILLETTE. Mr. President, on Wednesday last, January 26, the President transmitted to the Congress a remarkable document in the form of a Presidential message. At the time when this document was read in the Senate, I felt impelled to make certain comments in the way of animadversion and criticism. I postponed making those comments because I feared that they might be made at a time when my hasty resentment would induce criticisms which mature thought and consideration might prove to be unjust. I have taken advantage of the intervening time and have given careful and prayerful thought to what I am about to say. Nothing could be further from my thoughts than to do or say anything here or elsewhere that is unjust to any man; but I am serving in this body under an oath to protect and defend the Constitution of the United States.

In common with millions of fellow Americans, I have, times without number, been grateful in my thinking to those farsighted Constitutional fathers who set up for us the carefully balanced and coordinated association of powers promulgated by means of our Federal Constitution. Conceiving this balanced trinity to be the cornerstone of our America, I have ever been alert in both private and public life to the implication of any action, statement, or purpose

which seemed to threaten that delicate balance of relationship. On this floor, I have strenuously opposed measures which I believed would constitute an encroachment by the executive branch on the field and functions of an untrammeled judiciary. On and off this floor I have time and time again strongly opposed what I conceived to be attempts by the legislative agencies to interfere in matters of Executive function, control, and discretion. I have on many occasions, by word and vote, supported nominations sent here by the Chief Executive of which I personally disapproved; I have supported them because of my deep conviction that the President's choice should be confirmed unless there appeared to be clear abuse of discretion or unmistakable evidence of unfitness or turpitude on the part of the nominee. I have opposed legislative proposals which seemed to me to have a tendency toward denying the Executive proper freedom of action in his administrative functions. I have once and again voiced on this floor my protest against what has appeared to me to be unwarranted interference by the Executive with legislative fields of responsibility. In connection with the President's message of last Wednesday, I am constrained once more to voice my concern and my strong protest against what I firmly believe to be improper interference by the Executive arm during the consideration of legislation under the constitutional duty of the Congress.

The first paragraph, the first section of the first article of the Federal Constitution states clearly and without restriction or limitation the prime requisite of representative government. This requisite is that there must be defined unmistakably where shall be lodged the power to enact the laws under which our people are to be governed. This first statement of the Constitution is couched in these words:

> All legislative powers herein granted shall be vested in a Congress of the United States.

No language could be more crystal clear; no language could be more explicit; no language could be more simple—"all legislative power"—not limited; not restricted; not to be exercised coordinately or jointly with any other agency of the Government. There can be no doubt that it was the intention of the writers of the Constitution that the people of this great Nation should not be held amenable to any laws except those promulgated through representatives of their own choosing and under the plenary grant of legislative authority stated in the first sentence of article I.

What legislative function, then, is assigned to the Chief Executive in the drafting and enacting of laws? None whatever, either by expression or by implication. There are two duties, purely administrative, with which the President is charged. One of these antedates the consideration of legislative proposals and one is the certifying act which finally confirms the legislative action, as ready for administration. Section 3 of article II deals with this first administrative duty, when it provides:

> He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient.

It was not so many weeks ago that I rose in the place I now occupy to protest vehemently against the reading by an officer of the Senate of a letter from the President addressed to the Vice President and containing matter of argument on a legislative proposal then in hearing and debate in the Senate. It was not the first time that such a thing had occurred. No authority exists in the Constitution or elsewhere for the President to inject his opinions and views into a debate on this floor through the medium of a letter to its Presiding Officer and presented by that officer. I then stated that I would make a point of order against an attempted repetition of such action. There has been no repetition so far as I know. The provision of the Constitution which I have just quoted does not provide for communications of that kind with one of the bodies of the Congress.

The President may and must send messages from time to time to the Congress on the state of the Union. In the letter to which I have just referred, the President was expressing opposition to legislation here under debate. The provision of the Constitution to which I have just referred does not contemplate a message of opposition to pending legislation, even in the way of a formal message to the Congress. Such opposition can be expressed by refusal to sign the enacted proposal if and when it comes before him for its administrative consummation. But he can properly recommend in a formal message to the Congress measures "as he shall judge necessary and expedient" to meet the needs that he has outlined in his message on the state of the Union.

Nothing could be further from the purpose of the writers of the Constitution than that this provision for informative messages on the state of the Union should be interpreted as a right to participate in a debate on a measure pending before the Congress of the United States. That is exactly what the so-called message of last Wednesday was, I presume, designed to do, and I believe that there is nothing unfair in such a presumption.

I have no quarrel with the Chief Executive as to his views on the pending legislation which is now under discussion in both branches of the Congress. As a matter of fact, I supported the original Green-Lucas proposal for a soldiers' ballot, and I expect to support the one which those Senators have presented and which is now pending for further action by the Senate. But it is for the Congress to consider and take such legislative action as the majority of both bodies shall determine. It is the Members of the Congress who have the right to become participants in the debates on this and other legislative measures. In conformity with this right, the Senate of the United States by a majority vote on the 3d day of last December passed a bill and messaged the bill to the House of Representatives. I opposed the substituted bill when the roll was called in the Senate, but a majority of my colleagues supported it, and it is now under debate and consideration in the other House and has not yet reached the Chief Executive in any form. Yet in his message of last Wednesday, the President makes this comment, not by way of a veto message but by way of comment on a matter now under debate in the other branch of the Congress:

> In fact, there is now pending before the House of Representatives a meaningless bill passed by the Senate December 3, 1943, which presumes to meet this complicated and difficult situation by some futile language. I consider such proposed legislation a fraud on the soldiers and sailors and marines. It is a fraud upon the American people.

Is there any Senator who, by any stretch of the imagination, considers such language a message to the Congress on the needs and state of the Union? The President then proceeds in this same document very cogently to argue the questions now pending before the Congress. This action does not meet with my approval simply because I am in accord with the views which he there expresses. I am protesting and shall continue to protest against such methods by any Chief Executive seeking to participate in the purely legislative functions of the United States Congress. He doubtless is "an interested citizen," but interested citizens can enter the debates in the Congress by petitions to their representatives here, and not through the medium of a reputed message on the state of the Union.

I shall not comment on the imputations contained in some portions of the President's message that the Members of the Congress are not alive to securing all basic rights of those in our armed services and that he, as Commander in Chief, was compelled to enter the debates to secure these rights. My purpose is to assert that neither as President nor as Commander in Chief nor as an interested citizen has the Chief Executive the right to enter into the arguments on the floor of the Congress when the Members of the Congress are exercising the purely legislative functions with which they have been clothed by the constitutional provision conferring upon them all legislative power.

If and when the Congress of the United States has completed its deliberations and agreed upon the form of a legislative proposal, it goes to the President for his signature. He can consummate the act by affixing that signature; he cannot change or alter it by the addition or deletion of a letter or punctuation mark. If he chooses not to make such consummation by the affixing of his signature, he can return it to the Congress with his reasons for not so doing, or he can neglect to sign the bill and permit it to become law without the signature.

That, Mr. President, is the sole and only right which the Chief Executive of the United States has in connection with deliberation upon and the formulation of the words and phraseology of legislation by the Congress for the people of

the United States. He is a great and dynamic leader, and the Nation's people have three times chosen him to represent them in all Federal executive functions. They have elected us of the Senate and House of Representatives to sole legislative authority and responsibility.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES

The Senate resumed the consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes.

Mr. LANGER. Mr. President, I have been listening with rapt attention to the debate on Senate bill 1612, which is a bill to amend the act of September 16, 1942, which provided a method of voting in time of war by members of the land and naval forces absent from their places of residence, commonly known as the soldiers voting bill and the Green-Lucas bill. The purpose of this measure is to provide simple means of giving to all the men and women of our armed forces, more than 11,000,000 of them, the right to express their choice in the election of President, Vice President, United States Senators, and Members of the House of Representatives.

Mr. President, some of my colleagues argue that our soldiers can only be given that right by the States, that although the Federal Government had the right to conscript them for military service, without State approval, it lacks the constitutional power, after having taken them from their homes and loved ones and scattered them to battlefields all over the world, to provide means by which their right to cast a ballot can be exercised. Others of my colleagues are just as certain that it is a matter falling within the constitutional powers of the Congress. I stand with the last mentioned group.

I have not the least doubt about the constitutionality of the bill if it shall be enacted, because away back in 1919, at the time when the United States Government, during World War No. 1, took over the railroads, and the Director General of the railroads fixed freight rates in North Dakota, my State, on intrastate traffic, I, as attorney general, believed, as a great many of my colleagues now believe, that the United States Government had no authority to do such a thing, and, in my opinion, the act was unconstitutional. Acting upon that assumption, I, as attorney general of the State, brought a lawsuit, which was the case cited by the distinguished junior Senator from Tennessee [Mr. STEWART], the case of Northern Pacific Railway Co. et al. against State of North Dakota on the relation of Langer, Attorney General, reported in Two Hundred and Fifty United States Reports, page 135.

In that case, Mr. President, the Supreme Court, with Chief Justice White writing the decision and with Justice Brandeis assenting in a separate opinion, held unanimously that the Federal Government had the right to fix transportation rates within the borders of our State. If during World War No. 1 the United States Government could take over the railroads and fix rates which were in violation of those fixed by the State of North Dakota, certainly, I maintain, the bill we are now considering is constitutional.

Mr. President, some of my colleagues fear that the enactment of the Green-Lucas bill will inure to the benefit of the Democratic Party. Others of my colleagues fear that the enactment of the Green-Lucas bill will interfere with the disfranchising laws in effect in certain States. These groups are therefore endeavoring to amend the bill or substitute some other measure which will, in their opinion, meet their objections. To me, Mr. President, it makes no difference what party or what candidate will benefit by the pending measure. I am perfectly willing to abide by the judgment of the men and women who are suffering the tortures of hell that the sacred right which we are now debating shall survive.

Mr. President, during the campaign which resulted in my election to this body I repeatedly stated that, while keenly aware of the legislative responsibility of the Senate, whenever I believed the President was right I would vote to uphold the President, and when I believed the President was wrong I would vote against him. That promise has been religiously kept.

A few days ago the President of the United States, in the exercise of his constitutional right, sent a message to the Congress in which, among other things, he said:

> The American people are very much concerned over the fact that the vast majority of the 11,000,000 members of the armed forces of the United States are going to be deprived of their right to vote in the important national election this fall, unless the Congress promptly enacts adequate legislation. The men and women who are in the armed forces are rightfully indignant about it. They have left their homes and jobs and schools to meet and defeat the enemies who would destroy all our democratic institutions, including our right to vote. Our men cannot understand why the fact that they are fighting should disqualify them from voting.

The President further said:

> Some people—I am sure with their tongues in their cheeks—say that the solution to this problem is simply that the respective States improve their own absentee ballot machinery. In fact, there is now pending before the House of Representatives a meaningless bill passed by the Senate December 3, 1943, which presumes to meet this complicated and difficult situation by some futile language which "recommends to the several States the immediate enactment of appropriate legislation to enable each person absent from his place of residence and serving in the armed services of the United States * * * who is eligible to vote in any election district or precinct, to vote by absentee ballot in any general election held in his election district or precinct, in time of war." This recommendation is itself proof of the unworkability of existing laws.
>
> I consider such proposed legislation a fraud on the soldiers and sailors and marines now training and fighting for us and for our sacred rights.

Mr. President, on this question I stand with the President. I believe he is right; that his message was justified, and I commend him for his courage in frankly setting forth his views upon this question.

I might add, in addition to what the distinguished junior Senator from Mississippi said about half an hour ago, if I had my way, regardless of age, every soldier and sailor should have the right to cast a vote, and his vote should be counted.

Mr. President, I believe that every one of our soldiers and sailors, regardless of his color, his creed, his race, or his origin, and I might add, if I had my way, regardless of his age, should and must have the right to cast his vote and that vote should be counted. Every one of those soldiers should and must have the right in this great country of ours, in this arsenal of democracy, to vote for a Republican, a Democrat, a Communist, a Socialist, or for an independent candidate, and the ballot should be so drawn as to afford him that opportunity. The only qualification he should be required to meet is that he is an American citizen, with a rifle upon his shoulder, or is enrolled on the list of those heroes who are willing to give their all that this great country might survive.

Mr. President, I shall vote for the Green-Lucas bill because I believe that under its provisions there will be afforded the best opportunity for the greatest number of the men and women in the armed forces to exercise their sacred right of suffrage.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. WHERRY. I should like to ask the distinguished Senator from North Dakota a question, and I will say to him that I am seeking light. I wish to have the Congress take such action as will give the soldier the right to vote, and I think he ought to have the right to vote the Federal ballot, and I also think he should be given the right to vote the State ballot. A vote is a vote, and if we can give the soldier the total vote I want it to be given to him. That statement of mine, Mr. President, shows that I am in accord with the wishes of the Senator from North Dakota so far as giving the franchise to the soldier is concerned. But there is one section in the bill which confuses me, and I feel that if it were to be adopted the vote of the soldier would not be recorded. The Senator has just made the statement that he wanted the soldier to vote, and to have his vote recorded.

Mr. LANGER. Yes; I did.

Mr. WHERRY. It is one thing to give the soldier the right to vote, and it is another thing to see to it that his ballot shall be recorded. That is a matter concerning which I asked a question the other day, and I am seeking light about it today. My question is a sincere one, and I should like to have the Senator answer. If we shall adopt section 14 (a), and if the determination of the validity of the bill is left to the officials of the precincts, the counties, or the voting units of the several States, what assurance do we have that every ballot which

has been voted yonder in the southwest Pacific, or wherever it may be voted, will come back to the States and be counted?

I will be more explicit in my question. Does section 14, subsections (a) and (b), as has been suggested by other Senators, conflict with Public Law 712, sections 1 and 2, and if so, will the local election officials interpret section 14, subsections (a) and (b) of the pending measure, because it will have been passed at a time later than Public Law 712, as the governing statute, and if that shall be so, will we not in reality say to the soldier, "You can vote, yes," but then also say to him, "The State officials have the right to judge of your qualifications, and therefore they can throw out your ballot if they want to"? In the final analysis will it not result in this, that some servicemen who believe they are voting really will not vote at all because their ballots will not be counted?

I hope I have made my question clear to the Senator. The provision in the Green-Lucas bill in question has confused me, and I should like to have the Senator's observation with respect to it.

Mr. LANGER. Mr. President, if the distinguished Senator from Nebraska will wait until I shall have concluded my remarks he will find that I have given him the answer to his question. If he feels that it has not been answered, I shall be very happy to answer it specifically.

Mr. WHERRY. I should like to have a specific answer, if the Senator will give it. If a specific answer is contained in his speech, very well. I am sorry to have taken up so much of the Senator's time.

We are all agreed on giving the ballot to the servicemen. We are told we cannot give them the State ballot because sufficient transportation facilities are not available. If the matter of transportation were cleared up I believe we would all be agreed, and what a wonderful thing it would be if we could pass a bill approved by 96 Senators, and eliminate from its consideration all politics, because we all wish to give the servicemen the right to vote. The question of transportation, however, seems to be involved. I shall appreciate it very much if the Senator will answer my question before he concludes.

Mr. LANGER. Mr. President, if a citizen be denied the right to vote a mockery is made of democracy. Technical objections, legalistic phrases and arguments, and political alinements and deals have no place in the consideration of this measure. These men and women concerning whom we are speaking have the inalienable right to vote and to vote for whomsoever they please, without the necessity of complying with any burdensome restrictions or qualifications which may be imposed by the 48 States of the Union. They must have their vote so that they may have their say in the other great battle that lies ahead in postwar reconstruction.

Why, Mr. President, if they cannot vote and if the war should end shortly after November, should it be that for 4 years 11,000,000 citizens would have to live under a government in which they had no voice in choosing? And it is no answer, as has been so ably pointed out time after time upon this floor, to say that the State legislatures may meet and change their voting laws to meet this emergency, when every Member of the Senate knows that after all the legislatures will have met, there will still be millions in the armed forces deprived of their right to cast a ballot and have it counted.

Mr. President, let us not be deceived by the solemn, but sugar-coated, promises of the advocates of States' rights, that, if we just leave it to them, the legislatures of their respective States will meet and devise ways and means by which all of our soldiers and sailors will be permitted to cast a ballot and have it counted. We have seen their handiwork and are familiar with the methods by which they deprive millions of our loyal citizens of their right to a free ballot. I ask, Mr. President, Why have not these legislatures acted ere now? Have they not had more than 2 years in which to set up adequate machinery to meet this emergency?

Mr. President, we have been listening to the arguments advanced by the opponents of the pending measure in support of the contention that the Congress lacks the constitutional power to provide ways and means by which the members of our armed forces may vote for those who shall govern the country for which they are bleeding and dying upon a hundred battlefields scattered to every corner of the globe. They say that the pending measure is unconstitutional. To this I say, Mr. President, that no measure which will assure to every citizen of the United States the right to vote can be unconstitutional.

Mr. President, on June 14, 1788, James Madison, the father of the Constitution, said:

> Should the people of any State, by any means, be deprived of the right of suffrage, it was judged proper that it be remedied by the General Government.

Mr. President, I wish to reread what James Madison said at the very time the Constitution was being framed:

> Should the people of any State, by any means, be deprived of the right of suffrage, it was judged proper that it be remedied by the General Government.

O Mr. President, I wonder how many of those brave boys and girls have paid the supreme sacrifice while this debate has been proceeding. I wonder how many of our loved ones have succumbed to the brutal and atrocious bestiality of the Jap while we have been playing politics with this measure.

Mr. President, why are these great constitutional authorities leveling their barrage of dubious contentions against this measure at this time?

Where were they, when in 1942, the Seventy-seventh Congress overwhelmingly passed Public Law 712, which the pending measure seeks to amend, the vote in the House being 248 for and 43 against, with only 5 dissenting votes in this body?

Where were they, Mr. President, may I ask, when the Soldiers' and Sailors' Civil Relief Act of 1940, was passed by an overwhelming vote of both Houses of Congress?

"States' rights," they proclaim. Ah, Mr. President, what sins are committed in the name of States' rights!

Under what provision of the Constitution did the Congress provide that court action against members of the armed forces might be stayed until they completed their military service, that statutes of limitation were tolled during their military service, that mortgages upon their property could not be foreclosed, that eviction of their families was prohibited, that installment contracts into which they have entered are not to be considered as breached, and that sale of their property to satisfy tax assessments is prohibited?

O Mr. President, when we are trying to provide a feasible plan to enable these boys and girls to vote, we see the opponents of this measure rise upon this floor in righteous dignity, and we hear them expound the principle of States' rights and cry out against what they proclaim to be an outrageous invasion of the rights of the sovereign States.

Mr. President, what rights will these States have if our soldiers and sailors are not victorious upon the battlefields; and what will victory mean to the soldiers and sailors when they realize, as they surely will, that the Federal Government—not the States—had the power to conscript them into the armed forces, take them from their homes and scatter them to the four corners of the earth; and that having done this, it was lacking in the power to protect them in their right to vote for those of their choice in the Government of their country, during their forced absence.

Mr. President, we are told by the opponents of this measure, that we can provide a method by which our soldiers and sailors can vote for President, Vice President, Representatives, and Senators only under such terms and conditions as the States may see fit to provide. We are told if we do otherwise we will be violating the Constitution and invading the sovereign right of the States. To those of my colleagues, if there be any, who seriously take this view, I ask them to read the address on this subject delivered on this floor by the able, learned, and distinguished junior Senator from Tennessee [Mr. STEWART].

Mr. President, let us pull aside the thin veil behind which the opponents of the pending measure hide. What is the real opposition to this matter? What is hoped to be accomplished by its opponents? Mr. President, it has been charged time and time again, that an unholy alliance exists between northern Republicans and southern Democratic reactionaries, the object of which is to preserve the privileged basis of voting in the South and to cut down the body of voters in the 1944 Presidential election in the North. The method by which this is to be achieved is to amend the pending measure in such way as to leave the members of the armed forces entirely at the mercy of the States, with 48 different sets of laws, in passing upon the validity of their ballots.

Let us proceed, Mr. President, to examine the evidence and determine whether there is any basis for such a charge.

Mr. President, it is conceded by the distinguished senior Senator from Louisiana [Mr. OVERTON] that the pending measure is a proposed act to amend Public Law No. 712, of the Seventy-seventh Congress. Section 2 of the act provides that:

> No person in military service in time of war shall be required as a condition of voting in any election for President or Vice President, or for Senator or Members of the House of Representatives, to pay any poll tax or other tax, or make any other payment to any State or political subdivision thereof.

The act also provides that the requirements of registration shall be dispensed with.

Mr. President, the question pending before the Senate is on agreeing to the amendment offered by the senior Senator from Louisiana [Mr. OVERTON], the effect of which would be to require every member of our armed forces to meet the qualifications of one of the 48 States before he could cast a valid ballot. In support of his amendment the Senator from Louisiana said—Mr. President, I particularly request that the Members of this body listen carefully to what the distinguished senior Senator from Louisiana said. I read from his remarks:

> An attempt has been made to muddy the waters. Controversial issues and controversial provisions have been inserted in the previous legislation, and are being sought to be retained in the pending legislation, which, in my humble judgment, are wholly unnecessary. It seems to me that those who are anxious—and I am one of them—to see to it that our soldiers and sailors have the opportunity to vote should undertake to free such legislation from questions concerning which the minds of men may honestly differ and which may bring about the very defeat of the laudable purpose which the President of the United States and we have in mind. Take for instance, Mr. President, the poll-tax provision which was inserted in the act of 1942.

Thus it will be seen, Mr. President, that the senior Senator from Louisiana foresees the defeat of this measure unless it is emasculated to meet his objections. The Senator further said:

> What about the poll-tax bugaboo: One does not have to pay a poll tax in person. A soldier over in Italy does not have to come back to Texas to pay his poll tax. He can send the money with which to pay it, his father can pay it for him, his mother can pay it for him, his brother can pay it for him, any member of his family can pay it for him—and many of the politicians do so; hence there is no trouble about the soldier's qualifying by paying the poll tax.

So spoke the senior Senator from Louisiana when he proffered the amendment.

Mr. President, if the amendment of the senior Senator from Louisiana is adopted, a soldier from the great State of Louisiana, who happens to be in the jungles of New Guinea, will just have to step across to the post office and get a money order to pay his poll tax, and in that very simple manner will become qualified to vote for President of the United States. Or if the soldier is busy killing Japs so that those of us who are here debating this measure may continue to do so, and for that reason the soldier is unable to get to the post office, some politician might be willing to pay his poll tax for him in exchange for his vote.

Mr. President, the senior Senator from Louisiana says he is anxious to have our soldiers and sailors have the opportunity to vote. Every Senator upon this floor has made the same statement. But, Mr. President, from the statements made by the able senior Senator from Louisiana in this debate, I wonder if he does not have certain reservations in mind when he makes that statement.

Mr. President, there are probably 50,000 men and women of the Negro race, from Louisiana, in the armed forces of the United States. Those men and women are making the same sacrifices, they are bleeding and dying, just as the white men and women from the State of Louisiana are bleeding and dying, on the battlefields all over the world. For what are those men and women fighting, Mr. President? For what principles are they paying the supreme sacrifice? Why are they bleeding and dying?

Mr. President, bullets make no discrimination between black and white, Jew and gentile, Catholic and Protestant, rich and poor. Then why should ballots?

Ah, Mr. President, in this crucial hour, when the future destiny of our Nation is at stake, when we are engaged in a death struggle with those forces which seek to destroy representative government and reduce the free people of the world to slavery under the cruel heel of a ruthless enemy, and when millions of men and women of all races, all colors, and all creeds are paying with their lives, which is the price exacted by our foes, that our free democratic institutions shall survive, shall this, the greatest deliberative body in all the world, by subtle legislative chicanery, give its approval to a brazen, unconcealed scheme to rob millions of our citizens of their right to vote?

Mr. President, what is the objective sought by the senior Senator from Louisiana [Mr. OVERTON] through his pending amendment? Why does he insist that the States shall be the sole judges of the validity of a soldier's ballot? Why does he assert the right to have these people die in order that he might live, and why does he deny them the right to say who shall order them to die?

Mr. President, the senior Senator from Louisiana does not camouflage his purpose. He brazenly tells us what it is. He asks the Senate of the United States to commit this Nation to the principle of white supremacy.

Mr. President, the senior Senator from Louisiana, who presumes to speak for eight Southern States, said:

> Mr. President, let us be perfectly frank about the matter. In Mississippi and Louisiana, down in the solid South, we have got to retain our constitutional rights to prescribe qualifications of electors, and for what reason? Because we are bound to maintain white supremacy in those States.
>
> Mr. EASTLAND. Does the Senator think that this bill would tend to tear down white supremacy?
>
> Mr. OVERTON. It would. If the Federal Government should propose to invade the rights of the States to prescribe qualifications of the voters, if the Federal Government were to say to the States of Mississippi, South Carolina, Florida, Texas, and others, "You cannot prescribe the qualifications of the voters; we will prescribe their qualifications; we deny you the right to require registration; we deny you the right of prescribing educational tests; we deny the poll-tax provision; we deny this and we deny that; and we assume the authority to abolish all those safeguards which you have undertaken to throw around white control of your local governments." We cannot, we shall not, Mr. President, submit to such action.

O Mr. President, how comforting to the ears of Hitler and Hirohito must those words be:

"White supremacy."

"Aryan supremacy."

Synonymous terms.

Mr. President, the senior Senator from Louisiana is frank. He tells us what he wants. We must give him the right to strike down the thirteenth, fourteenth, and fifteenth amendments to the Constitution. We must permit him to have all of the qualifications he enumerated standing between a soldier and the ballot box, and it must be done to assure white supremacy.

Mr. President, I subscribe to the doctrine of our forefathers—that God Almighty created all men equal. There is no such thing as white supremacy, and the whole theory is pure poppycock, shrewdly used to disfranchise poor whites as well as Negroes.

Mr. President, according to the 1940 census, there were 2,363,880 people in the State of Louisiana, of which number 849,000 were Negroes. There were 1,514,000 more whites than Negroes. There were 1,364,933 persons 21 years and older.

In the Presidential election of 1940 the total vote cast in the State of Louisiana was 372,197, less than 25 percent of the eligible vote being cast. With a ratio of 3 white to 1 Negro, where does the difficulty arise in maintaining white supremacy at the ballot box or anywhere else?

Mr. President, just a few days ago there was held in Washington a meeting of the Democratic National Committee. Among other business transacted at this meeting was the election of a new chairman. We all know that the chairman of the party is its leader. The new chairman of the Democratic National Committee, and its leader, is Mr. Robert E. Hannegan. Mr. Hannegan is the leader of the party of the senior Senator from Louisiana; and while the senior Senator from Louisiana is appealing to the United States Senate to aid him in disfranchising the Negro boys and girls from his State who are members of the armed forces, I have another appeal. I hold in my hand a facsimile reproduction of a letter written in the handwriting of the chairman of the Democratic National Committee, which reads as follows:

> I urge Negro Americans to continue their support of the Democratic Party and its leader—because I believe our party has demonstrated its ability to meet the problems of minority groups and all Americans. It will continue this record.
>
> ROBERT E. HANNEGAN.

Now, we have the chairman of the Democratic Party appealing to the Negro

voter in the North to support the Democratic Party, and we have the senior Senator from the State of Louisiana insisting upon the disfranchisement of the Negro. "Consistency, thou art a jewel."

Now, let us turn our gaze upon this side of the alleged unholy alliance. Let us see what position my own Republican Party has taken on the question of States' rights as it pertained to the question of suffrage.

Of course, although we have had no one tell us before the senior Senator from Louisiana told us the other day that the voting qualifications contained in the constitutions of the Southern States were placed there solely for the purpose of prohibiting the Negro from voting and thereby maintaining white supremacy, we have always been slightly suspicious that the purpose of these very complicated clauses was as the senior Senator from Louisiana stated. We were suspicious in 1872, when we inserted the following plank in our platform:

The recent amendments to the National Constitution should be cordially sustained because they are right not merely tolerated because they are law, and should be carried out according to their spirit by appropriate legislation, the enforcement of which can safely be entrusted only to the party that secured those amendments. Complete liberty and exact equality in the enjoyment of all civil, political, and public rights should be established and effectually maintained throughout the Union by efficient and appropriate State and Federal legislation. Neither the law nor its administration should admit any discrimination in respect of citizens by reason of race, color, creed, or previous condition of servitude.

Then again, 4 years later, when the great Republican Party met in 1876, the Republican platform contained the following plank:

The Republican Party has preserved these governments to the hundredth anniversary of the Nation's birth, and they are now embodiments of the great truth spoken at its cradle—that all men are created equal; that they are endowed by their Creator with certain unalienable rights, among which are life, liberty, and the pursuit of happiness; that for the attainment of these ends governments have been instituted among men, deriving their just powers from the consent of the governed." Until these truths are cheerfully obeyed, or, if need be, vigorously enforced, the work of the Republican Party is unfinished. The permanent pacification of the southern section of the Union and the complete protection of all its citizens in the free enjoyment of all their rights and duties to which the Republican Party stands sacredly pledged. The power to provide for the enforcement of the principles embodied in the recent constitutional amendments is vested by those amendments in the Congress of the United States, and we declare it to be the solemn obligation of the legislative and executive departments of the Government to put into immediate and vigorous exercise all their constitutional powers for removing any just causes of discontent on the part of any class, and for securing to every American citizen complete liberty and exact equality in the exercise of all civil, political, and public rights.

I ask, What could be clearer?

In 1884 the Republican Party met again in convention and the platform of the Republican Party contained the following plank:

The perpetuity of our institutions rests upon the maintenance of a free ballot, an honest count, and correct returns. We denounce the fraud—

We denounce the fraud—

and violence practiced by the Democracy in Southern States, by which the will of a voter is defeated, as dangerous to the preservation of free institutions; and we solemnly arraign the Democratic Party as being guilty recipients of the fruits of such fraud and violence. We extend to the Republicans of the South, regardless of their former party affiliations, our cordial sympathy and pledge to them our most earnest efforts to promote the passage of such legislation as will secure to every citizen, of whatever race and color, the full and complete recognition, possession, and exercise of all civil and political rights.

In 1888, 4 years later, the Republicans met again. This time we find the following plank in the platform of the Republican Party. Ah, I wonder if the Republicans were looking for Negro votes. That was when they put these planks in their platforms. In 1888 in their platform the Republicans said:

We reaffirm our unswerving devotion to the National Constitution and to the indissoluble Union of the States; to the autonomy reserved to the States under the Constitution; to the personal rights and liberties of citizens in all the States and Territories in the Union, and especially to the supreme and sovereign rights—

Sovereign rights—

of every lawful citizen, rich or poor, native or foreign born, white or black, to cast one free ballot in public elections and to have that ballot duly counted. We hold the free and honest ballot and the just and equal representation of all the people to be the foundation of our republican government, and demand effective legislation to secure the integrity and purity of elections, which are the fountains of all public authority. We charge that the present administration—

That was the Democratic administration—

and the Democratic majority in Congress owe their existence to the suppression of the ballot by a criminal nullification of the Constitution and laws of the United States.

Again, 4 years later, the Republicans met. I wonder how any Republican on this side of the Chamber will ever be able to justify his vote in favor of the amendment offered by the distinguished senior Senator from Louisiana who rose and brazenly and honestly announced that his amendment was for the purpose of preventing the colored people in the South from voting. I wonder how any Republican on this side of the Chamber can possibly vote for that kind of an amendment, in view of the history and record of the Republican Party almost from the day it was established.

Furthermore, 4 years later, in 1892, we find the following plank in the platform of the Republican Party:

We demand that every citizen of the United States shall be allowed to cast one free and unrestricted ballot in all public elections, and that such ballot shall be counted and returned as cast; that such laws shall be enacted and enforced as will secure to every citizen, be he rich or poor, native or foreign born, white or black, this sovereign right, guaranteed by the Constitution. The free and honest popular ballot, the just and equal representation of all the people, as well as their just and equal protection under the laws, are the foundation of our republican institutions, and the party—

That is the Republican Party—

will never relax its efforts until the integrity of the ballot and the purity of elections shall be fully guaranteed and protected in every State.

And that, may I say to the distinguished junior Senator from Mississippi, includes the State of Mississippi.

Four years later, in 1896, the Republican Party met again, and what do we find then to be the plank in the Republican platform? It says:

We demand that every citizen of the United States shall be allowed to cast one free and unrestricted ballot and that such ballot shall be counted and returned as cast.

Four years later, in 1900, the Republican Party met again, and the following plank was in the platform adopted by the party in that year:

We favor such congressional action as shall determine whether by special discriminations the elective franchise in any State has been unconstitutionally limited, and, if such is the case, we demand that representation in Congress and in the electoral colleges shall be proportionately reduced, as directed by the Constitution of the United States.

So it will be seen that my party, the Republican Party, has time and time again since the adoption of the thirteenth, fourteenth, and fifteenth amendments to the Constitution charged the Democratic Party of the South with the use of fraudulent, yes, even criminal devices, to circumvent and defeat the sacred right, which is the heritage of every free American, to cast a free ballot and to have that ballot counted. Yet today the Republican Party stands accused of being party to an unholy alliance with those we have so mercilessly condemned, in a scheme which is more unholy, by striking out sections 1 and 2 of Public Law No. 712.

There is not a Member of this body on my side of the aisle, or on the other side of the aisle, who does not well know what will happen to the ballots cast by the Negro soldiers and sailors who reside in the so-called solid South if the validity of their ballots is to be determined solely by the States.

Mr. WHERRY. Madam President, will the Senator yield?

The PRESIDING OFFICER (Mrs. CARAWAY in the chair). Does the Senator from North Dakota yield to the Senator from Nebraska?

Mr. LANGER. I yield to the distinguished Senator from Nebraska.

Mr. WHERRY. That is the point I raised in the beginning of the Senator's remarks. I come from a State which recognizes the Negro vote. Nebraska does not have a poll tax; it does not have educational qualifications, but it does have registration laws. In Nebraska, some of our most intelligent voters are Negroes, and as a member of the Republican Party and as an individual I have worked for their rights.

Under this bill, I ask the Senator now, despite the plea the Senator has been making for a guaranty that the soldiers' votes shall be recorded if, in sections 14 (a) and (b), that protection and that

guaranty will not be invalidated by a State election commission which is empowered in the final analysis to determine the soldiers' vote, and can therefore throw it out as not being valid. If that shall be the effect, the Senator will have committed a greater fraud than if he had not supported the bill at all. That is the point I am making.

Mr. LANGER. I appreciate the Senator's point thoroughly, and my answer is——

Mr. WHERRY. Will the Senator yield a moment further?

Mr. LANGER. I yield.

Mr. WHERRY. There is no question between the Senator and me as to the philosophy he expresses so far as the poll tax is concerned, but the very thing that the Senator is making a plea for is the very thing I am afraid wil not be effectuated by sections 14 (a) and (b), because as sections adopted later they will take precedence over sections 1 and 2 of Public Law 712. The States the Senator is mentioning will throw out those ballots; so the Negro soldiers in the southwest Pacific who the Senator urges shall have the right to vote, will find when their ballots come back that they have been thrown out by the election officials of the States; and the Senator will have been a party to passing a piece of legislation—he said he was for it—which will do that very thing.

Mr. LANGER. Has the Senator concluded?

Mr. WHERRY. I have concluded.

Mr. LANGER. Let me answer the question by asking the Senator another one. The Senator says he objects to election officials in the South counting the ballots.

Mr. WHERRY. I did not say that.

Mr. LANGER. That is what I understood the Senator to say.

Mr. WHERRY. No; I said if we pass this bill containing sections 14 (a) and (b) the election boards of the Southern States he mentioned can declare the validity of the ballot, and thus they can declare that they will not let a soldier vote because he has not paid his poll tax. In that event the Senator has led that soldier boy to believe that this legislation would insure his ballot being counted, when the Senator knew it would be thrown out in the first place.

Mr. LANGER. I ask the Senator to read out aloud as he did awhile ago that same section.

Mr. WHERRY. Very well, I read section 14 (a) on page 39:

> The commission shall have no powers—

The reference is to the Federal commission—

> shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title—
>
> The commission shall have no power to do that.

Mr. LANGER. Read what follows.

Mr. WHERRY. Very well. It continues:

> Such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States.

In this section by that clause every precinct, every county, every election district in the State of Mississippi is empowered to determine the validity of a ballot.

Mr. LANGER. That is correct.

Mr. WHERRY. If they determine that the soldier has not paid a poll tax or if they determine that his vote is invalid because he has not met an educational qualification, out goes the ballot.

Mr. LANGER. In answer to the Senator's question I asked him a question. I now ask him another one. Whom would the Senator have count the ballots if not the officials in Mississippi?

Mr. WHERRY. That is not the question.

Mr. LANGER. Oh, but it is.

Mr. WHERRY. Wait a moment. I am not writing the legislation, but recently there came a message from the President of the United States, at the White House, stating that a fraud had been committed on the soldiers, that a fraud had been perpetrated on the American people, because we had passed a ballot law which he said was meaningless.

What I want to ascertain is this—and I say it from the bottom of my heart: I am not in any way attacking the Senator's position in relation to the voters and the poll tax.

Mr. LANGER. I know the Senator would not do so.

Mr. WHERRY. I am saying that inasmuch as sections 1 and 2 are left in the bill, when section 14 is enacted it would be the last legislation passed, and I think would be controlling, if there were a contest, and a legal decision were rendered. I ask the Senator now, if he votes for section 14 (a) and (b) of the bill, does he not vote to bring about the very situation he is attempting to correct? If we grant the soldiers from Alabama the privilege of the ballot, and then take it away as a result of the election commissioners of the precinct or the county or the State declaring it invalid, then we have perpetrated a fraud.

A few days ago I sat on the other side of the Chamber, alongside the distinguished Senator from Illinois [Mr. LUCAS]. I was seeking light and, believe me, when he was answering the questions of the senior Senator from Ohio he first tramped on one of my feet and then on the other. Yet I sat it out, because I wanted to get from him the exact interpretation of what he proposed. In the discussion between the senior Senator from Louisiana and the senior Senator from Illinois I gathered that the very law for which the senior Senator from Louisiana was asking was practically the same in force and effect as section 14 (a) and (b). Perhaps I am wrong, but I believe that the senior Senator from Louisiana said it was practically the same thing. I hope I am right in that interpretation.

I am seeking light; I am open-minded on the Green-Lucas bill. I have not said what I shall do in the final vote on the Green-Lucas bill; I am open-minded; but I am asking the Senator, because of the remarks he made about protecting the soldiers and wanting the soldier ballots recorded, if it is not a fact that by enacting section 14 (a) and (b) we would be doing to the soldier in Mississippi or Alabama the opposite of what the Senator is trying to accomplish, especially so when the Senator from North Dakota says the Senate should eliminate in those States the poll tax as a qualification for voting.

Mr. LANGER. Of course not; exactly the opposite. Does the distinguished Senator from Nebraska contend that all the election judges in the cities and villages and precincts in Louisiana are a bunch of crooks?

Mr. WHERRY. If what the Senator said in his speech is true, election officials in States are likely to invalidate thousands of ballots.

Mr. LANGER. Oh, no. What I said in my speech was, there is a law in Mississippi which provides that citizens must pay a poll tax before they vote.

Mr. WHERRY. Yes.

Mr. LANGER. The officials in Louisiana and Mississippi, or wherever there is a poll tax, are acting according to law when they bar someone. We have taken away the poll tax as a prerequisite, and we have taken away the necessity of registration as a prerequisite. Of course, the men down in the South are just as honorable Americans as are those in Minnesota, or Nebraska, or in the State of North Dakota, and when the law says the citizens do not have to pay a poll tax, when the law says they do not have to register, then, while a few not observing the law may be found, I have every confidence that the great arm of justice in the United States will be able to take care of any violations of the law.

What the Senator fails to see is that at the present time in those States the law is written to keep poor whites and poor blacks from voting. If the Overton amendment shall be enacted, the same kind of situation would continue. If the Overton amendment shall be defeated, and if the Green-Lucas bill shall become law, then all necessity for paying a poll tax and all necessity for registering will be done away with. As I understand the Senator's argument, it is that down South the officials will not let them vote anyway. Is not that correct?

Mr. WHERRY. Will the Senator yield?

Mr. LANGER. I yield.

Mr. WHERRY. I am not arguing for or against the bill; I am asking the Senator a question, and he has not yet answered it. I am asking the Senator this question: Does Public Law No. 712, sections 1 and 2, control, or does section 14 of the pending bill control? If section 14 controls, it is my opinion that the State election officials can declare any ballot illegal which does not meet the State requirements. If I am correct in that position, the Senator is trying to do the very opposite of what he seeks to accomplish.

Mr. LANGER. Does not the Senator see that the only way by which the officials can do what he suggests is by committing a crime?

Mr. WHERRY. I do not think so.

Mr. LANGER. In what other way can they do it?

Mr. WHERRY. It depends on which statute is controlling.

Mr. LANGER. I do not understand.

Mr. WHERRY. If section 14 is controlling, there is the possibility of invalidating ballots, legal prosecutions, and contests.

Mr. LANGER. No——

Mr. WHERRY. There certainly is a conflict.

Mr. LANGER. No; there is not even a conflict.

Mr. WHERRY. We cannot give the right to vote in one section and take it away in another without a conflict, can we?

Mr. LANGER. I do not think we do that.

Mr. WHERRY. I say if Public Law 712, sections 1 and 2, takes away all the State qualifications except those permitted under those sections. If we come along and pass section 14 (a) and (b), what do we provide? We leave it to the commissioners of the States to validate or invalidate the ballot, and what ever those officials do is determining and controlling.

Mr. LANGER. No——

Mr. WHERRY. I am asking the question.

Mr. LANGER. Perhaps I can make it clear. There is something the Senator does not understand. The men in the precincts and towns and villages in the States we are discussing, if this bill shall become law, will determine not only that the man does not have to pay a poll tax, and that he does not have to register, but they will determine affirmatively that he is at least 21 years of age, and they will determine affirmatively that he is a soldier, and that he has a right to vote. They do that in Mississippi, as they do in Nebraska, or North Dakota, or in any other State. Certainly it is necessary to delegate to some board the right to say whether or not a ballot is legal or illegal. That is done in the Senator's State.

Mr. WHERRY. When a ballot comes back from across the seas, if it is executed there, it will go to one of the election commissioners, who will have absolute authority over the validity of the ballot, and the commissioners of the State count or do not count the ballot. Is that the situation?

Mr. LANGER. They will not have to count it if a man is not 21 years of age, or, for example, if a soldier is from Nebraska, they could not send his vote to Louisiana and have it counted there.

Mr. WHERRY. Let me tell the Senator what I think will happen.

Mr. LANGER. Very well.

Mr. WHERRY. I think that if a ballot came back, anyone would have a right to challenge it in any respect in which he thought it should be challenged.

Mr. LANGER. That right would exist anyway.

Mr. WHERRY. If the election officials thought there was an infringement of a State statute, they would have to throw the ballot out, and if one of the statutes in Alabama provided that citizens had to pay a poll tax, or provided some other qualification, I think the board would be justified in throwing the ballot out if the qualification were not complied with. Therefore I think sections 14 (a) and (b) is controlling, because it does take away a right the Senator wants to give the soldier.

Mr. LANGER. The Senator is proceeding under the assumption that the officials in the Southern States are dishonest.

Mr. WHERRY. Oh, no.

Mr. LANGER. Yes, the Senator is.

Mr. WHERRY. I never met a finer man than the senior Senator from Louisiana. Some of the finest men I ever met were from the South. That is not the question.

Will the Senator from North Dakota yield to me so that I may ask a question of the senior Senator from Louisiana?

Mr. LANGER. Yes, I have no objection to the Senator asking him any question he desires to propound.

Mr. WHERRY. Did not the Senator from Louisiana ask a question of the senior Senator from Illinois relative to whether or not sections 14 (a) and (b) given force and effect, contained the provisions the Senator from Louisiana was seeking, that is to say, that the qualifications should be set up by the State, and did not the senior Senator from Illinois respond, "Well, I would have to think that over, but I think that in this section we reach the very thing you are asking for?" Am I right in that?

Mr. OVERTON. That is substantially correct.

Mr. WHERRY. That shows I am not far afield in my interpretation of the pending measure. I am still seeking light. In other words, I do not want to be accused by anyone ever of being a party to a fraud, pretending to give the soldier a ballot, regardless of any State qualification, and permit him to use the ballot, and then throw it out because it was invalidated by election commissioners of the State since section 14 (a) and (b) confer and make mandatory the duty of determining the validity of such ballot. I want to give the soldiers the right to vote, and I should like to see them vote not only the Federal ballot but the State ballot, and I should like to see them vote constitutionally. I do not see any reason why they cannot so vote.

Mr. LANGER. Madam President, I suggest that the distinguished Senator read the speech made on the floor of the Senate last week by the junior Senator from Tennessee [Mr. STEWART]. The Senator could not have read his speech or——

Mr. WHERRY. The speech dealing with transportation of ballots?

Mr. LANGER. No. I have it before me and will read from it.

Mr. WHERRY. The Senator from Tennessee spoke for 30 minutes and told the Senate the reason State ballots could not be sent overseas was because of lack of transportation facilities.

Mr. LANGER. Yes; but he said more than that. I ask the Senator from Nebraska, How does it happen that in Tennessee, where the poll-tax requirement is in effect, and where educational and registration requirements are in effect, the votes of the Negroes are counted?

Mr. WHERRY. I wish the Senator would leave the Negroes out of the question. This applies to everyone who is barred or disfranchised—white as well as Negro.

Mr. LANGER. No; I will not leave the Negroes out.

Mr. WHERRY. I am not arguing with respect to the poll tax.

Mr. LANGER. The Senator knows that that is what is at the bottom of the whole thing.

Mr. WHERRY. I am not arguing about the poll tax. If the Senator wants to know the truth, I am going to vote against the Overton amendment.

Mr. LANGER. I congratulate the Senator.

Mr. WHERRY. The Senator from North Dakota still has not answered my question.

Mr. LANGER. If the Senator will repeat the question perhaps I can get it through my head.

Mr. LUCAS and Mr. FERGUSON addressed the Chair.

Mr. LANGER. After I shall have yielded to the distinguished Senator from Illinois, I will yield to the Senator from Michigan.

Mr. WHERRY. My question is this: If paragraphs (a) and (b) of section 14 are adopted, under which full powers are given to the election units in the precinct, county, and State to determine the validity of a ballot, and a soldier from one of the States in which the Senator is interested casts a ballot, he simply writes out a ticket. The ballot comes back home. What I want to know is if under this section a guaranty is provided that that vote is protected to the extent that it will be counted in the State? My interpretation of the language is that subsections (a) and (b) of section 14 are controlling, and that the election officials can throw the ballot out because it is invalid by reason of the fact that the voter does not meet the requirements of the State law with respect to poll tax, educational qualifications, or registration.

Mr. LANGER. I yield to the distinguished Senator from Illinois.

Mr. WHERRY. The Senator from North Dakota has not answered my question.

Mr. LANGER. The Senator from Illinois will answer it for the Senator. I think I have answered it, however.

Mr. WHERRY. I do not know of any Senator whom I would rather have answer the question than the distinguished Senator from Illinois. I should like to have him answer it.

Mr. LUCAS. Madam President, we have discussed section 14 (a) many times, but I wish to read it again, because I know from talking with the Senator from Nebraska in private in connection with the pending measure that he is actually seeking light upon the question and is not trying to drag in politics. I should like to give him the answer to his question so he can satisfy his own conscience when he finally casts his vote on the measure.

Mr. WHERRY. The Senator from Illinois is correct in his statement. All I

am interested in is getting light on the subject.

Mr. LUCAS. In reading section 14 (a) we find this language:

The commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title.

That language was placed in the bill primarily because under the original Lucas-Green bill there was some question in the minds of Senators whether the commission did have that power. So, under this language, we stripped any control that the commission might have over the validity of the ballots. That is definite and certain. The Federal authorities are completely removed in the first instance, insofar as the war ballots commission is concerned.

The language continues:

Such determination shall be made—

By whom?—

by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States.

They are the only ones who can finally receive and count the Federal ballots. I undertake to say that the uniform Federal ballot, when it comes back to the Senator's precinct in Nebraska, let us say, will be treated on the same basis as any other absentee ballot which comes through the State processes. In other words, the local election officials, after all, are the only ones who can count and canvass the ballots. They do not have any power to determine the validity of the ballots. They are merely doing administrative work in line with what the Congress of the United States has declared. They are the couriers or the agents, so to speak, for Congress.

If the ballot is challenged, then it will be necessary for someone interested there to make a prima facie case to overcome the challenge through the ordinary affidavit which is required. There are many things involved in challenges. They usually deal with the basic State qualifications of a voter. In my State, for example, the voter must be a resident of the precinct for 30 days, a resident of the county for 90 days, a resident of the State for 1 year. He or she must be 21 years of age, a citizen, and so forth. Senators are all familiar with similar provisions in their States. If there is any question about the legal validity of the ballot, that can only be determined by the courts. Its validity is a judicial proposition and not a legislative matter. That is done, as the Senator knows, wherever there is an election contest, and, in my humble opinion, section 14 in no wise repeals sections 1 and 2 of the basic law now on the statute books; otherwise we would not have the Overton amendment presented, we would not have the Eastland amendment presented, we would not have the long debate upon this question, if it were thought that his provision did repeal sections 1 and 2. I think that is a fair answer to the Senator's question.

Mr. WHERRY. I should like to ask one more question. Then, I understand the Senator's interpretation is that the election officials do not have the determination of the validity of the ballot? All they do is to certify the ballot and transmit it to the place it belongs, and they have no determination with respect to the validity of the ballot at all?

Mr. LUCAS. They have a determination of it only if a challenge is made, and if the challenge is not overcome by prima facie proof.

Mr. WHERRY. That right exists anyway.

Mr. LUCAS. That right exists now.

Let me read the next section.

Mr. WHERRY. Before the Senator does that let me tell him how I interpret the language.

The Commission—

That is the Federal War Ballots Commission—

shall have no powers or functions with respect to the determination of the validity of ballots cast under the provision of this title.

I understand that language. It is clear. I think that is a wise provision. Then we come to the next sentence, "Such determination shall be made by the duly constituted election officials" of the States.

It is not the judicial officials of the State who determine the validity but the election officials. If that is what the Senator from Illinois means, I think the language should be clearer. I certainly do not interpret it the way the Senator explained it, but I understand what the Senator means, and I think he has answered my question. However, the language is not clear. Public Law 712, sections 1 and 2, should be repealed before section 14 (a) and (b) is passed to comply with what the distinguished Senator from Illinois has said.

Mr. LUCAS. I wish to go one step further. The language of all sections relating to this subject matter must be construed together in order to find out the exact intention of any particular paragraph. That is a rule of legal construction which every lawyer knows.

Mr. WHERRY. Yes; I know about that.

Mr. LUCAS. The next sentence after the language I have read is as follows:

Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

Mr. WHERRY. That language led me to believe that the prior language provided that the election board shall determine the validity of the ballot.

Mr. LUCAS. But the Senator knows that the election board never determines the validity of a ballot unless it is challenged.

Mr. WHERRY. That is correct. That is the point.

Mr. LUCAS. The ballot is going to be considered, when it finally arrives in the Senator's precinct, just the same as if the ballot were cast in person by John Doe, who had lived in the precinct for 30 years, or as a ballot which comes in under the absentee-voters law. The uniform Federal ballot will be counted the same as any other ballot. In other words, they are all in the same category from the standpoint of what the Senator is attempting to ascertain, in the opinion of the Senator from Illinois.

Mr. WHERRY. I thank the Senator from Illinois for the answer he has given. I still feel that a reading of the section gives the very definite impression which I obtained—that is, that the election officials do have the determination of the validity of the ballot itself.

Mr. LUCAS. I can understand that, and I hope the Senator has cleared up the point.

Mr. WHERRY. I thank the Senator from North Dakota for yielding to me. I apologize to him for taking so much time out of his speech, but the matter is a vital one to me.

Mr. LANGER. I am glad the Senator has obtained the information he sought.

Mr. FERGUSON. Madam President, will the Senator yield?

Mr. LANGER. I yield for a question.

Mr. FERGUSON. I desire to proceed for more than a question.

Mr. LANGER. I yield, but I do not desire to yield the floor.

Mr. FERGUSON. No; I do not wish to take the floor.

Madam President, I have listened to the argument on the interpretation of this section, and it is on that interpretation that I should like to say a few words. I think that in the drafting of legislation we cannot be too clear in the language used, so that there can be no question about what we are doing. I feel that there is some danger in the use of the words we are using.

What I think we are trying to do by this section is to allow the duly elected officials in the election precincts to determine the validity of the ballots, rather than to have a commission which may be sitting in Washington determine their validity. But I think that at the same time we wish to retain two provisions of Public Law 712, because by the pending bill we propose to repeal all of Public Law 712 except section 1.

Let us examine section 1 and determine what it does. It provides—and this is very important:

In time of war, notwithstanding any provision of State law relating to the registration of qualified voters, every individual absent from the place of his residence and serving in the land or naval forces of the United States, including the members of the Army Nurse Corps, the Navy Nurse Corps, the Women's Navy Reserve and the Women's Army Auxiliary Corps, who is—

In other words, under the State law—

or was eligible to register for and is qualified to vote at any election under the law of the State of his residence, shall be entitled, as provided in this act, to vote for electors of President and Vice President of the United States, United States Senators, and Representatives in Congress.

Now, we are going to follow the State law as respects all persons registered or qualified to be registered to vote for the various officials. But section 2 says there are two exceptions to that. Section 2 reads as follows:

2. No person in military service in time of war shall be required, as a condition of voting

in any election for President, Vice President, electors for President or Vice President—

That means when the voter votes directly for President or Vice President or in case he votes for President or Vice President by means of voting for the electors for such officers—

or for Senator or Member of the House of Representatives—

Here is the real meat in the section—

to pay any poll tax or other tax or make any other payment to any State or political subdivision thereof.

When we adopt section 14 (a), which relates to the validity of ballots, we repeal all of Public Law 712 except that one section. Here is the danger in the interpretation. We know that in law we can have an implied repeal, just as we can have an express repeal. We say:

The Commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title.

We must note the use of the words "under the provisions of this title." Title I is a title with respect only to Federal ballots. It has nothing to do with State ballots.

I read further:

Such determination—

That is, as to the validity of ballots—

shall be made by the duly constituted election officials.

The Senator from Louisiana [Mr. OVERTON] says he wants to include—and I can thoroughly understand why he desires to do so—the following words in line 9, after the word "made":

In accordance with the State law.

The Senator from Louisiana desires to have the validity determined in accordance with the State law, not in accordance with sections 1 and 2 of Public Law 712, as enacted in 1942.

Therefore, if those words are inserted at that point, every voter who has not paid a poll tax and every man or woman in the armed services who has not qualified according to the State law will not be able to have his or her vote counted, but the vote can be thrown out by the State officials. There is no doubt about that.

If the words proposed by the Senator from Louisiana are inserted, in my opinion the result will be expressly to repeal sections 1 and 2, so far as registration and the payment of the poll tax are concerned; and, as I read the language, there is no reason for inserting those words at that point except for the purpose of repealing the registration and poll-tax provisions.

But, Madam President, I say to each Senator on this floor that those of us who want to retain sections 1 and 2 of Public Law 712, enacted in 1942, those of us who want members of the armed forces who have not paid their poll tax to be able to vote, and those of us who want members of the armed forces who have not been able to register, because they are outside the jurisdiction, to vote, are willing and want to place in the bill the words:

Nothing in this section shall repeal sections 1 and 2 of Public Law 712, enacted in 1942.

Why do not we do what we say we want to do? If we do it in the way proposed by the pending bill as now written, I think we shall have a close legal question as to whether we have not repealed sections 1 and 2 of Public Law 712, insofar as they relate to the poll tax and to registration.

Therefore, in order that there will be no close question, why do we not stand up and be counted, and say "Here is what we want to do"? If we do not have sufficient votes, then we shall have to accept defeat. But we should be clear in the language we use in the measure.

I know there are able lawyers on both sides of the question who will come into court and will say, "Because the law reads 'under the provisions of this title' it does not mean Public Law 712; it means only this particular title."

In the Supreme Court across the way some day I shall hear the voices of men arguing, "When Congress inserted this title it repealed the sections of Public Law 712. The title became a part of Public Law 712, and therefore Congress has made an implied repeal."

We do not want to have close questions decided by courts. We want to make our language so clear that men who run may read. We should be careful about the language we use.

Therefore I have taken this much time of the Senate to state how I, as a lawyer, explain the meaning of these terms.

Mr. LANGER. Madam President, does the Senator have an amendment to offer?

Mr. FERGUSON. I have not offered one yet. I shall wait until the conclusion. I think clarifying amendments should be offered.

Mr. MURDOCK. Madam President, will the Senator yield?

Mr. LANGER. I yield.

Mr. MURDOCK. I should like to make a statement in answer to the remarks of the Senator from Michigan [Mr. FERGUSON]. First, I refer to the first part of section 14 (a):

The Commission shall have no powers or functions with respect to the determination of the validity of ballots.

Certainly that means something. In my opinion, it was inserted for the express purpose of satisfying every Senator who wanted no infringement or encroachment on States' rights; those words were inserted in order to have a definite statement that the Federal commission should have no power to invalidate or to validate ballots.

Suppose the provision stopped right there, and suppose there had been omitted the second clause, which reads:

Such determination shall be made by the duly constituted election officials of the appropriate district.

If all of the second clause, as I have just read it, were left out, the result would be exactly the same as it will be with the clause included. There is no other duly constituted authority except the local election judges.

If we did not include any of the clause, we would not have any Federal officials counting votes in the local districts.

But as an extra precaution—and I think wisely so—the two authors of the bill said, "Let us write it in the bill if it makes any difference." In my opinion it makes no difference whether we put that language in or leave it out; but it is in there. It can do no harm. It conforms to the Constitution of the United States. It conforms to the State constitutions, and it conforms to State laws.

If the Senator will yield a little further, I should like to refer to the two words "ballots" and "votes." They are used advisedly in this section.

What is a ballot? A ballot is something tendered by the elector to the local judges of election. Up until the time it is cast and counted, it is not a vote. It is a ballot. So we follow the State laws with respect to ballots. In all elections I have ever heard of, the sole judges of the validity of a ballot are the local election judges, not the courts.

When a ballot comes out of the ballot box and is counted and duly canvassed by the State officials, it then becomes a vote. After the local judges have acted and refused to let a ballot go into the box, or let it go in, then, of course, a contest may be instituted in the courts of the State. If the contest involves a Senator or a Representative in Congress, it may be instituted before either the Senate or the House, which are the sole and exclusive judges of the elections and qualifications of their Members.

So, in my opinion, Madam President, the Constitution is complied with in section 14 (a), and the State laws are absolutely protected. In my opinion the language means exactly what it says—that the local election judges shall be the sole judges as to the validity of a ballot. Of course, if they decide one way or the other, and their decision does not satisfy someone, after the election there may be an appeal from their judgment, either by an action in court, or a contest action brought to the Senate or the House of Representatives.

I am in full agreement with the Senator from Michigan in this respect: If we insert the words proposed by the Senator from Louisiana [Mr. OVERTON] we do so for one purpose, and one purpose only, and that is to repeal sections 1 and 2 of Public Law 712.

If we do not insert those words, what will be the result? The result will be that when the local election judges are tendered a Federal ballot, or a thousand Federal ballots, in passing on ballots in Federal elections, they must consider first the Constitution of the United States; second, the Federal statutes; and, third, the State constitution and State statutes. Why? Because the right to vote for Federal officials stems from the Constitution of the United States. It is true that we delegate to the State legislatures the setting up of qualifications; but the Constitution itself sets up the qualifications of an elector before he may vote for a Federal official.

In my opinion, if the amendment of the Senator from Louisiana should prevail the Congress would say, in plain lan-

guage, that notwithstanding the fact that we are legislating on elections in the next breath we stultify ourselves by telling the local election judges that they do not need to consider anything but the State law. I do not believe that the Congress wishes to do that.

I thank the Senator.

Mr. LANGER. Madame President, I now yield to myself for the purpose of completing my remarks. [Laughter.]

If we did not know it before, we have now been told by the senior Senator from Louisiana. He throws out the bugaboo of white supremacy and says that if we fail to adopt his amendment, white supremacy will be threatened. How about the State of Tennessee, Madam President, which although it requres the payment of a poll tax, permits the Negro citizen to vote? How about the State of Kentucky and the State of Oklahoma, where the Negro vote contributed so much to the return of the distinguished senior Senator from Oklahoma [Mr. THOMAS] in his last election. How about the State of West Virginia? The Negro votes there. All of those States are in the South, Madam President; and although the Negro votes, there is not a single instance in which a Negro holds an elective office, except in the States of Kentucky and West Virginia. If we adopt the amendment offered by the senior Senator from Louisiana we shall be aiding in the perpetration of this nefarious and diabolical scheme. We shall be giving our assent to a scheme upholding the principles of white supremacy, and we shall be saying to the Senator from Louisiana and those who feel as he does that the Senate of the United States is behind him in the disfranchisement of the Negro soldier who resides in his State. The same result will be accomplished unless we pass the Green-Lucas bill.

Madam President, unless we are certain that the pending measure will not permit the perpetration of this outrage, we should answer the senior Senator from Louisiana in a clarion tone and strike from the pending measure section 14 or surround it with such clarifying language as to prevent the fraudulent use thereof.

Madam President, we know the alinement which resulted in the defeat of this measure when it was first before the Senate, by the adoption of the so-called Eastland amendment, which the President of the United States so aptly designates as a meaningless proposal. This measure was killed by an alliance between Senators from the poll-tax States and Senators from this side of the aisle.

O Madam President, let not the Members of this body be deceived. Let them know that the eyes and ears of the world are upon them. The eyes and ears of our soldiers and sailors are upon them; and as surely as God Almighty sits upon the judgment throne they will hold us to a strict accountability in the not-too-distant future.

Let all of the advocates of States' rights, white supremacy, and all the rest of the undemocratic smoke screens beware. There is a new day dawning—a day in which we shall see the forces of real democracy, the democracy for which our sons and daughters are bleeding and dying on a hundred battlefields—the democracy which will embrace all mankind, white, black, yellow, Jew, gentile, rich, poor, Catholic, and Protestant. We shall see these forces rise up in all their might and power and crush the bigots and hypocrites who, although they claim for themselves the blessings of democracy, are unwilling to extend them to their fellow man, even though he lay down his life in order that they may survive.

O Madam President, let us form no alliances in the disposition of the pending measure. Let us say to the soldiers and sailors scattered all over the world that we are merely their servants and their tools, ever willing to serve them and to back them to the limit in upholding the principles of real democracy for which they are bleeding and dying. Let them know that we are not playing politics with this measure. Let them know that this is not a party measure, nor a Willkie measure, nor a Roosevelt measure, nor a measure designed for the benefit of any party or any candidate, but a sincere effort to provide a simple and effective method by which they can give their assent and approval to those who seek to govern them during their forced absence from their beloved land. In this hour of national crisis; in this hour of distress, uncertainty, and suffering; in this hour when there should be 100 percent unity; in this hour of misery and death, which threatens all mankind, I pray that we may be as united here as our boys are on the field of battle.

Mr. CHAVEZ obtained the floor.

Mr. McCLELLAN. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum?

Mr. CHAVEZ. I yield.

Mr. McCLELLAN. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WALSH of New Jersey in the chair). The clerk will call the roll:

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	O'Daniel
Andrews	Gillette	O'Mahoney
Austin	Green	Overton
Bailey	Guffey	Radcliffe
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hill	Shipstead
Brewster	Holman	Smith
Bridges	Jackson	Stewart
Brooks	Johnson, Colo.	Taft
Buck	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Bushfield	Langer	Thomas, Utah
Butler	Lodge	Tobey
Byrd	Lucas	Truman
Caraway	McCarran	Tunnell
Chavez	McClellan	Tydings
Clark, Idaho	McFarland	Vandenberg
Clark, Mo.	McKellar	Wagner
Connally	Maloney	Wallgren
Danaher	Maybank	Walsh, Mass.
Davis	Mead	Walsh, N. J.
Downey	Millikin	Wheeler
Eastland	Moore	Wherry
Ellender	Murdock	White
Ferguson	Murray	Willis
George	Nye	Wilson

The PRESIDING OFFICER. Eighty-seven Senators have answered to their names. A quorum is present.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. LUCAS. Mr. President, in the time of the Senator from New Mexico I rise for the purpose of presenting what seems to me to be an extremely important letter in connection with the measure now before the Senate. I hold in my hand a letter from one of the most beloved stars of the screen, radio, and stage of America, Miss Jane Cowl. I read the letter into the RECORD because it is short, to the point, and very illuminating so far as the pending measure is concerned. The letter reads as follows:

> I know I speak for hundreds of my coworkers in the theater who cannot appear today in person before you when I say that in our opinion the armed forces should be granted facility to vote in the simplest, speediest, and most direct way possible. Therefore, we urge that the Green-Lucas bill be enacted into law.

Mr. President, the letter was presented to me by one of the ladies in the delegation of approximately 50 screen, stage, and radio stars who are in Washington this afternoon for the sole purpose of aiding in the passage of the measure which is now pending before the Senate.

Mr. MALONEY. Mr. President, will the Senator from New Mexico yield to me?

Mr. CHAVEZ. I yield.

Mr. MALONEY. Mr. President, I ask unanimous consent that there may be inserted in the RECORD a telegram which my colleague [Mr. DANAHER] and I have received from His Excellency Raymond E. Baldwin, Governor of Connecticut, informing us of the passage by the Connecticut General Assembly of the soldiers' vote law.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

> HARTFORD, CONN., *January 28, 1944.*
>
> Hon. FRANCIS MALONEY,
> *United States Senator From Connecticut,*
> *Washington, D. C.:*
>
> Connecticut General Assembly just passed soldiers' vote law making it possible to be made voters although absent from the State, to vote a straight, split, or individual candidate ticket with liberal provisions concerning application for absentee ballots either in person before leaving country, by informal written request, or by request of relative or friend directed to registrar of voters. Ballots simplified as to form and reduced as to size and weight. Provision made for using Federal facilities if provided for distribution of absentee ballot forms without application.
>
> RAYMOND E. BALDWIN,
> *Governor of Connecticut.*

Mr. O'DANIEL. Mr. President, will the Senator from New Mexico yield to me?

Mr. CHAVEZ. I yield to the Senator from Texas.

Mr. O'DANIEL. Mr. President, I desire to read a letter which I have received from Mr. D. K. Martin, of San Antonio, Tex., which bears on the soldiers' vote bill. He says:

> DEAR SENATOR O'DANIEL: I had a cousin of mine, who is a major in the United States Air Corps, with me for lunch yesterday. His name is Maj. Franklin A. Nichols, of Wewoka, Okla. He is a graduate of Washington and Lee University, and to my way of thinking

he represents the finest type of young American citizenship and manhood. He was at Pearl Harbor when the Japanese made their attack December 7, 1941. He has been, until a month ago, in the south Pacific ever since. He has more decorations than you can count and wears a decoration that was awarded his squadron. He is the leader of a squadron in the south Pacific area.

I am writing this letter to quote him. His father is a member of the State Senate of Oklahoma. The other day his father had him talk to a gathering of people in Oklahoma at which the Governor of Oklahoma was present. He said that in his talk to the assembly he made the statement that all this agitation about the soldier vote worried and annoyed the soldiers who are in service, that the soldiers would much rather that the effort it will require to extend the vote to the soldiers—and that it would be much more appreciated by them—be spent toward giving them the equipment, material, and supplies, and men that they need to fight the war in the south Pacific. He said he looked right at the Governor of the State of Oklahoma when he made this statement.

He told me that he had no objection to my quoting him to you on this subject. He added that he believed he could influence, if he made up his mind to do so, no less than 200 votes in his squadron, if votes were allowed. He could do this by simply expressing a desire that they vote with him. I mention this solely to show how little interest the soldiers in action have in the soldier-vote question.

I believe that you will use your good offices to comply with his request to help win the war rather than to play politics with the soldier-vote question.

Mr. CHAVEZ. Mr. President, I shall vote for the Green-Lucas bill, but I believe it to be only proper that I should make a statement of my position in the matter. I shall vote for the bill for practical reasons which affect soldiers whose homes are in New Mexico. Notwithstanding my belief, basically, the opposition may be correct, I wish it were in the power of Congress to make provision so that the soldiers could vote for all candidates, national and local. I can readily see that so far as the New Mexico soldier is concerned—and I presume so far as all individual soldiers are concerned—he desires to vote not only for candidate for Senator from his State, and for the Representative from his district, but also for the collector of taxes, who will collect the taxes on his property, for the county clerk in his county, who is the one who issues his marriage license, and records his deed, and the soldier would like to vote for all the supervisors in his immediate vicinity, just as much as he would for President or for Senators. As a matter of fact American citizens as a whole are more interested in home officials than in candidates, say, for the United States Senate.

I have indicated the kind of law I should like to have passed, the kind of law for which I should like to vote, but I know that under the circumstances of the moment that that will be impossible in New Mexico. My State does not have an absentee ballot law, and it cannot have one unless an amendment is adopted to the State constitution, and that cannot be done. I want our soldiers to vote wherever they may be, and if they cannot vote for their local officials in my State, if they cannot vote for sheriff, I at least desire that they be enabled to vote for the President and Vice President and for Members of Congress. So far as I am concerned—and I feel my position is sound—I wish, as I am sure the Senator from Illinois wishes, that we could enact legislation to enable the soldiers to vote for all State and local officers, but I am afraid we cannot do so.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. LUCAS. I agree 100 percent with what the Senator from New Mexico says. To give the Senator an illustration of what we confront in the State of Illinois, in 1944, according to the Census Bureau, there will be held in excess of 12,000 general elections in the State, including elections for mayors of cities, school boards, drainage commissioners, county commissioners, and others, all of whom are just as important as the sheriff or the county clerk, and many of whom are much more important.

Mr. CHAVEZ. Insofar as the soldiers are concerned, they are more important than the candidate for Senator or Representative in Congress.

Mr. LUCAS. The Senator is correct. As the Senator from Washington says, school boards are extremely important; indeed, all these officers are so important from the standpoint of local civil government that I should like, of course, to have accorded every soldier, sailor, and marine, wherever he may be, in training or fighting, an opportunity to vote for all these officers. I mention, however, the more than 12,000 general elections in my State to show definitely how impractical and impossible it is to go through the State voting processes and come to any fair conclusions with respect to getting the votes back in time to be available in every election.

Mr. CHAVEZ. The reason I am making the statement is to outline my position. I should like to see passed a law which would enable the servicemen to vote for every candidate on the ticket, from supervisor or school director up; but under the circumstances that is impossible so far as New Mexico is concerned. I make this statement for the further reason that I personally do not feel that it is in keeping with the dignity of the Senate to have Senators on both sides of the aisle accusing their colleagues of trying to perpetrate a fraud upon the American people because they feel one way or the other. I wish we could pass a law which would permit every soldier to vote, but we cannot do it, and therefore we have to do the best we can. With me it is a practical matter. If the soldiers who are residents of New Mexico cannot vote for county commissioner, I want them to be able to vote for President.

Mr. LUCAS. Mr. President, will the Senator yield further?

Mr. CHAVEZ. I yield.

Mr. LUCAS. I agree with the Senator with respect to the word "fraud." I do not agree with the President when he uses that word in the message he sent to the Congress; but that does not change the question of suffrage one iota, regardless of what anyone may say.

If the newspapers quoted the senior Senator from Ohio [Mr. TAFT] correctly in a speech he made in Ohio, yesterday or day before, he charged that the Lucas-Green bill is a fraud in connection with the American soldier and also the people at home. I do not know whether he said it; but nevertheless it is in the newspapers. I agree with the Senator from New Mexico; and, insofar as the charge of fraud is concerned and insofar as the charge of politics is concerned, I challenge anyone to show one statement made by the Senator from Illinois or the Senator from Rhode Island from the beginning with respect to politics or fraud in this or any other bill.

As I stated a few days ago, and now repeat, I do not care how the soldier votes, I do not care anything about whether he is a Democrat or a Republican, because what we are considering is the question of suffrage, it is the question of a basic right of representative government which cannot be denied our servicemen in this great crisis. That is what I am fighting for, and the only thing I am battling for. I shall continue with high hope that a principle of right may prevail in a world where might is seeking to prevail over right.

Mr. CHAVEZ. Mr. President, of course, if the proposal could be carried to the ultimate conclusion, the best thing to do would be to let the soldiers vote for all officials; but for practical reasons that cannot be done. Neither the Navy nor the Army can, for obvious reasons, deliver the ballots containing the names of county commissioners, road supervisors, county clerks, and the like, but it does appear that it is practical to furnish the soldiers Federal ballots.

Mr. President, I make the statement in all sincerity that the servicemen from New Mexico are more interested in the selection of the Governor than in a Senator or the President. They like to vote for the Governor. I know they would like to vote for local county officials in preference to Representatives, or Senators, or the President. But that cannot be done in my State, and I want them to vote at least for someone, and it appears to me that the Green-Lucas bill is the only way by which we can secure them that right.

Mr. President, I think, so far as I am concerned, I have cleared the record, and my position is plain. I do not care to take the time of the Senator longer on this subject, but there is another matter to which I now wish to advert.

Mr. DANAHER. Will the Senator from New Mexico yield?

Mr. CHAVEZ. I yield for a question.

Mr. DANAHER. I do not wish to interrupt the Senator's train of thought, but in view of the fact that he is about to embark upon a new subject, this is an appropriate place for me to ask him a question.

Am I correct in my understanding that under the law of New Mexico, or under a provision of its constitution, it is impossible for an absent citizen to vote in a New Mexico election?

Mr. CHAVEZ. That is correct.

Mr. DANAHER. Does the Senator know of any way by which the Congress can make it possible for a citizen of New Mexico who is in the armed forces to vote in New Mexico?

Mr. CHAVEZ. There is a difference of opinion. I think that so far as Federal officials are concerned, Congress has that authority.

Mr. DANAHER. I agree with the Senator. I wanted to know whether that was his view.

Mr. CHAVEZ. That is my view.

Mr. DANAHER. I thank the Senator.

ATROCITIES COMMITTED BY JAPANESE

Mr. CHAVEZ. Mr. President, Thursday night of last week the War and Navy Departments gave to this country the most shocking and horrifying information thus far divulged during the war. It was information which those Departments have had in their possession for a long time. It was information which, in my opinion, should have been given to our people at the time when it was received. For reasons better known to them than to me they waited more than a year before they informed the American people of the horrifying torture suffered by American soldiers who were captured by the Japanese in the Philippine Islands.

Mr. President, I am keenly interested, due to the fact that the entire National Guard of New Mexico, after being inducted into the Federal service, went to the Philippine Islands and took part in all the military activities, from the 7th of December, 1941, until the fall of Bataan and Corregidor.

The population of New Mexico being small, it is possible for the Senators and Representatives from that State to know the personnel of our National Guard. It is not like the National Guard of a large industrial center, whose personnel, except in the immediate vicinity, becomes known only through reading the published accounts. Our State is made up of small towns and cities, and every little town and city has had a National Guard unit, and we know the boys who constitute it.

Mr. President, the units of our Guard were in the Philippines, as I have stated. The mothers and the fathers, the relatives and friends, knew what it was all about. They were willing to make the sacrifices necessary to carry out the plans of our Government, and when Bataan and Corregidor surrendered, naturally the mothers and fathers and relatives felt sad.

I happened to be in the little city of Deming, on the Mexican border, when Bataan fell. That little community furnished two troops of our National Guard. The colonel of the regiment, Colonel Sage, was from Deming. The lieutenant colonel of the regiment, Memory Cain, was from Deming. The medical officer of the regiment, Major Colvard, who, incidentally, had been a delegate to the Democratic National Convention in Chicago in 1936, was from Deming.

I knew the families of those officers. Mrs. Chavez and I called on Mrs. Colvard the evening of the day Bataan fell. She had gathered at her home a group of 35 or 40 women, some the wives of officers, some the mothers of soldiers, all related to the boys who had been captured that day. As everyone knows, there is so little one can do, even in offering condolences, but we went to Mrs. Colvard's home and visited about an hour with the good women gathered there.

I am making this statement in order that I may use it a little later with reference to some telegrams I have received since the news came last Thursday.

I asked Mrs. Colvard, "What about the soldiers and the rest of the population, the so-called Mexican population? Were there any in the troops?"

She replied, "Senator, 70 percent of the personnel was that type of people, and they are fine people."

I inquired from her whether she had the names of the relatives of those men, and whether she could tell me where they lived, so that I could go to see them the next day.

Mrs. Chavez and I went from house to house, and eventually we went across the railroad tracks. Every town has its settlement across the railroad tracks, where the poor people live. The people in Deming were very poor. We went to a little adobe residence—a jacal, as it is called on the border—a little home containing two rooms. I knocked at the door and a poor woman came out. She was of the so-called Mexican people, her eyes dark and blazing. Two or three children were hanging onto her skirts. I introduced myself and asked her how she felt. She said, "Senator, you can just imagine how I feel." She said further, "I am so poor I do not have 10 cents to buy one of the stamps that the Government sells. I do not have a dollar to obligate myself for one of the bonds that the Government is selling. But if my three boys, who are now in the Philippine Islands, have to die in order to carry on what our Government is trying to do, I will be satisfied with the three candles that I have burning."

Mr. President, what more can a human being give? Then, 15 months after the event, these mothers, wives, and other relatives received the information concerning the atrocities and horrors; they received the information from the War Department and the Navy Department. The wife of Colonel Sage, the wife of Lieutenant Colonel Cain, the wife of Lieutenant Colonel Colvard, the mother of Staff Sergeant Byrne, and other wives and mothers received information concerning what occurred. How do Senators think these wives and mothers feel when they hear that their loved ones have suffered the agony of the damned, as was reported by the War Department? They then ask of us what we are going to do about it, and they ask why it was necessary to give out this terrible story. I have heard only one answer, and that is by the Secretary of the Treasury, "We will sell more bonds."

Of course, Mr. President, we must sell bonds, but it is a shame that American mothers in Illinois, in North Dakota, in Texas, in Oklahoma, in New Mexico, all over the Union, must suffer as they have suffered by reason of the release of the report, without at least being given some hope that we are thinking about them, that we are going to get a thousand planes to MacArthur instead of a negligible number; that if it is necessary to send tanks, and more tanks, and more tanks to Italy, it is also necessary and just and fair and humane and American to send the same class of tanks, and in large numbers, to MacArthur. If they had been assured that such was the plan and purpose, at least the mothers in New Mexico and throughout the Nation, whose hearts are agonized, would have said, "We are willing to suffer."

Have Senators heard one word about doing such a thing? What are we going to do about it? We have heard nothing except what the Secretary of the Treasury said, that the second of February is going to be "Avenge Bataan Day."

Mr. President, the release itself is 15 months too late. So far as Pearl Harbor is concerned, so far as Bataan itself is concerned, so far as Clark Field in the Philippine Islands is concerned, it is now 2 years too late.

I believe in the selling of bonds and having the American people buy until it hurts in order to further the winning of the war. This notice should have been given to the world: "Yes, we will avenge Bataan and the Philippine Islands, and the suffering of our boys over there by the selling of bonds and by supplying MacArthur with all the munitions and other things he may need."

Mr. President, we cannot blame the people of my State for the resentment that will be shown in the telegrams which I shall read to the Senate. No one can prove to a single mother in my State that it is more essential to send 2,000 tanks to England or to Tunisia, than to send 200 to MacArthur in the Philippine area. Such proof cannot be given them which will satisfy them, in spite of what the War Department or any other branch of the Government may say.

I have before me some telegrams which show, first, discouragement; second, suffering; and, third, resentment for neglect, as those whose sons have been killed understand it.

I read one telegram as follows:

DEMING, N. MEX., *January 28, 1944.*

Hon. DENNIS CHAVEZ,
Senate Office Building,
Washington, D. C.:

We have suffered enough through yours and the War Department's utter disregard of Japan's attack on us. Your refusal to heed the pleas of your own hard-pressed troops while all available aid was rushed elsewhere places the responsibility for the horrible suffering and death of our sons on Bataan and Corregidor, the dramatization of which was released by the Army and Navy last night. You heap insult upon injury by using this at an opportune time to sell more War bonds. Why was this report not released sooner and in a more humane way? Is there no pity even here? Secure the necessary funds in any other way, but please spare us from living over and over again these terrible experiences of your own flesh and blood. We have known for a long time that our boys were dying of starvation and disease; you have, too, if you have paid any attention to many wires and letters sent in January 1942. Mrs. Byrne flew to Washington, frantic over the desperate situation in the Philippines. She was assured in General Marshall's office that help was on the way and believed it would reach there in time. In the White House she was told that help had already reached our besieged forces. Our relief was short-lived. We soon realized that somebody had forgotten the simple adage, "Charity begins at home." Approved by the Bataan Relief Organization of New Mexico, copies of this

message have been sent to President Roosevelt, Secretary of War Stimson, Secretary of Navy Knox, Senator CHAVEZ, and the Bataan Relief Organization at Albuquerque.

The telegram is signed by Blanche Cain, whose husband is a prisoner of the Japanese, if he is not dead. It is also signed by Fleda Colvard, whose husband is a prisoner, if not dead. It is also signed by Lydia Byrne, mother of Staff Sgt. Lawrence H. Byrne, a prisoner of the Japanese, if he is not dead.

I have another telegram from Belle Luther:

ALBUQUERQUE, N. MEX., *January 30, 1944.*
Senator DENNIS CHAVEZ,
Senate Office Building,
Washington, D. C.:

Relative to Army-Navy press release considered inopportune and inhuman regarding the safety of our boys now held prisoners by the Japanese. We demand immediate action on floor of House and Senate for redemption our remaining live heroes.

BELLE LUTHER.

Mr. President, we need immediate action.

In speaking today I do so with the hope that someone who has power to take action may hear. The senders of these telegrams do not want armchair strategists to act. I do not know how to send the ships to the Pacific or how to punish Japan. I think we in the House and in the Senate have been extremely tolerant. We have realized that the war must be conducted by the Chief of Staff and the Chief of Naval Operations. They, however, should get action.

I hold in my hand a telegram from Tom E. Kirk, of Gallup, N. Mex. Mr. Kirk has a boy who is imprisoned over there, if not dead. His telegram reads as follows:

GALLUP, N. MEX., *January 28, 1944.*

SENATOR D CHAVEZ: Kindly inform explicitly, why Corregidor and Bataan prisoners atrocities are revealed in full at this time.

TOM E. KIRK.

The only ones who can obtain that information are the Secretary of War and the Secretary of the Navy. We are not supposed to interfere. But I can call it to their attention and hope that it is not too late.

Here is a telegram from Artesia, N. Mex., signed for the Two-hundredth Club of the Bataan Relief Organization, by Beth King, secretary. It reads as follows:

ARTESIA, N. MEX., *January 28, 1944.*
Senator DENNIS CHAVEZ,
United States Senate, Senate
Office Building, Washington, D. C.:

We are greatly concerned regarding Japanese torturing our American prisoners in Philippine Islands. Why has this knowledge been withheld from American people? Why have we not organized our efforts, manpower, and war materials to protect and defend our own fronts and soldiers in our Pacific war? If this story to increase War bond drive, results only torture of mothers of boys who fought the battles of Philippines. The American people can face the facts and truth of this war, and we want action in the Pacific.

THE TWO-HUNDREDTH
CLUB, B. R. O.,
By BETH KING, *Secretary.*

The next telegram I shall read is signed by Kathleen H. McCahon and Paul W. McCahon, parents of Lt. James H. McCahon. As we read the telegram we can feel their resentment. Their telegram is as follows:

As individuals, taxpayers, voters, and true Americans, parents of an American soldier who has undoubtedly been for 2 years and still is suffering—

Unless dead—

the tortures of hell in a Japanese prison camp—tortures unheard of in this supposedly civilized century—we condemn the political chicanery as is being practiced by our representatives and other leaders in Washington. Anyone voting for supporting or even wasting time tolerating such legislation as the soldiers' vote bill at this time, in our opinion, is un-American and is unworthy of further support. It is negligence of the highest type. You gentlemen should be fighting to the last breath for our heroic American soldiers in the Pacific instead of supporting England and harboring further political ambition in time of extreme distress. The blackest and most disgraceful pages of American history have been written during the past 2 years, and we are firmly convinced that it should be called a raw deal instead of a new deal. Such performance by trusted representatives and leaders who have taken oath to support and protect the interest of the United States is revolting. A speech on the floor means nothing unless followed up. Your future actions and record in support and defense of the welfare and immediate redemption of our sons and promotion of the conflict now waging in the Pacific area will be our answer to this wire.

KATHLEEN H. MCCAHON,
PAUL W. MCCAHON,
Parents of Lt. James H. McCahon.

The telegram was also sent to the other Members of the New Mexico delegation in Congress.

George F. King, whose son is either a prisoner or dead, has sent the following telegram:

ARTESIA, N. MEX., *January 28, 1944.*
Senator DENNIS CHAVEZ,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: Please do something about our boys of the Two Hundredth. Try to get some action in the Pacific. My son is a prisoner of war in Tokyo.

GEORGE F. KING.

We have been insisting on having that done. We have insisted on it time and time again. But the military authorities do not want to have us interfere. They know all about the situation, so they say.

Of course, Mr. President, it is not proper for any Member of the Senate or for the whole Senate to endeavor to become military strategists. The military authorities should be the strategists for the armed forces. But for years we have been trying, and the suffering mothers of the boys who have gone from my State have been trying, to impress upon the War Department and the Navy Department the fact that the Pacific is just as important as the Atlantic. However, our efforts have had but negligible results.

I hold in my hand a telegram signed for the Forty and Eight of the American Legion, Voiture 703, Albuquerque, N. Mex., by James B. Jones, the Lieutenant Governor of the State of New Mexico, and a member of the Forty and Eight. He makes a different suggestion, and refers to a procedure which I think would not be a bad one for the Senate to adopt, if action could be taken along that line. His telegram reads as follows:

ALBUQUERQUE, N. MEX., *January 29, 1944.*
Senator DENNIS CHAVEZ,
United States Senate Building:

Voiture 703 Forty and Eight in regular meeting assembled urge you present and press passage resolution in Senate stating that body will not consider terms peace treaty with Japanese Government at termination hostilities until complete investigation of treatment of all United States prisoners of war has been made and terms of treaty shall be influenced by result of investigation.

Forty and Eight, the American Legion, Voiture 703, Albuquerque, N. Mex.

JAMES B. JONES,
Lieutenant Governor, State
of New Mexico, Voiture
Chairman, Legislative Committee.

The telegram, as I have said, is signed by the Lieutenant Governor of my State, who is also chairman of the legislative committee of the Forty and Eight.

I now hold in my hand a letter written by a poor woman of New Mexico, by Mrs. Max Rico, 401 Wisconsin Boulevard, Albuquerque, N. Mex. It is dated January 29, 1944, and reads as follows:

ALBUQUERQUE, N. MEX., *January 29, 1944.*
Senator DENNIS CHAVEZ,
United States Senator of New Mexico,
Washington, D. C.

HONORABLE SENATOR: The recent publication of the hardships of our sons in Bataan places me in such a desperate situation to turn to you and ask you to do all you can to bring speedy help for our beloved sons in that burning hell of the Japanesce prison camps.

I am in a great hope that all our leading men in Congress from our State will do every effort of their knowledge to stick up for our sons, since there is such a great quantity from New Mexico.

Since Japan has taken such a great authority in mistreating our boys, why don't we do the same thing to the imprisoned Japs in America instead of being treated so well and fed with such a great precaution so they will appreciate it, since they are such brutes and haven't the least gratitude toward us?

I expect your immediate reply and your personal opinion.

Sincerely yours,

Mrs. MAX RICO.

Another telegram which I have received has come from Dr. V. H. Spensley. He does not have a boy over there as a prisoner. His boy died in a prison camp. He is President of the Bataan Relief Organization, of Albuquerque, and of the State of New Mexico. I read his telegram, which was sent on the 29th of January:

ALBUQUERQUE, N. MEX., *January 29, 1944.*
DENNIS CHAVEZ,
United States Senate:

We respectfully request of you gentlemen, our Congressmen and Senators, to place before our Congress as representatives of the United States to go on record as officially presenting an ultimatum to the Imperial Japanese Government wherein they are notified that the kind of peace terms granted Japan shall be predicated upon the kind of treatment accorded prisoners of war held by them, and that retribution will be exacted of the military and civil authorities, including the Emperor and his heirs.

Dr. V. H. SPENSLEY,
President, Bataan Relief Organization.

Mr. President, according to the report released last Friday, the War Department and the Navy Department had information of the atrocities, the suffering, and the horrors for a long, long

time. I did not know about them. The Senate did not know about them. The House of Representatives did not know about them. The American people did not know about them. In order to bring about a little justice to our boys who were prisoners of the Japanese, or who, as we thought, were prisoners, we introduced early in the fall a bill which had for its purpose the promotion of the Army officers and enlisted personnel who were prisoners in the Philippine Islands.

That was after the War and Navy Departments had received information as to the atrocities. The bill went to the Committee on Military Affairs, and in due course the chairman of that committee [Mr. REYNOLDS] received a report on the bill from the War Department. It was an adverse report. Remember that the Department knew of the horrors about which it spoke on Friday, and which will bring about such an increase in the purchase of bonds. Nevertheless, the Secretary of War, in explaining why he objected to the proposed legislation, and in speaking of the boys who he knew had suffered the agony of the damned, stated, in a letter dated November 20, 1943, and addressed to the Senator from North Carolina, chairman of the Committee on Military Affairs, as follows:

In the case of captured personnel—

Those were the ones who, the War Department knew, had already suffered the tortures described on last Friday—

there is no way to distinguish between those men who, by virtue of having fought to the last, might be deserving of a reward in the form of promotion, and those who surrendered in circumstances under which they might reasonably have been expected to continue to resist.

Having in its possession the knowledge which it finally gave to the American public on Friday last, the Department had the audacity and the arrogance to inform the mothers and wives of some of those boys who are prisoners that some of them might have surrendered under circumstances under which they might reasonably have been expected to continue to resist.

We may forgive the inhumanity of the release. We may forgive the insult in this statement of the Secretary of War, if the Department will only tell the American people now that MacArthur is to have ships, airplanes, personnel, and ammunition, and that we are just as much interested in the Pacific as we are in Europe and elsewhere.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES

The Senate resumed the consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence and for other purposes.

Mr. WHITE. Mr. President, I ask the distinguished Senator from Illinois how much longer this evening he proposes to keep the Senate in session. We have been in session for almost 6 hours, and it seems that we might appropriately take a recess at this time.

Mr. LUCAS. Mr. President, let me say to my good friend from Maine that I had hoped we might reach at least one vote today, but apparently we shall not be able to do so.

I am willing to agree to take a recess under the agreement that we meet tomorrow at 11 o'clock. I should like to ask the Senator from Maine whether or not he believes we can obtain some kind of an agreement to limit debate.

Mr. WHITE. I am sure we could not obtain such an agreement without first having a quorum call, and I am very doubtful if it could be accomplished even then. So far as I am concerned, I do not object to taking a recess until 11 o'clock tomorrow, but I think it would be premature to make any attempt to fix a limitation upon debate.

Mr. LUCAS. Let me ask the Senator if he will canvass the situation in the morning to ascertain whether or not it may be possible, from the standpoint of Senators on the opposite side of the aisle, to agree to some kind of limitation on debate, in order that we may conclude consideration of the bill. The bill has been under consideration for a week. It seems to me that we ought to able to reach a vote pretty soon. All the amendments which are on the table have been debated and redebated. Every Senator knows what the controversy is, and I think Senators are pretty well satisfied as to how they will vote on the amendments.

Mr. WHITE. I will agree to undertake to canvass the situation and see if I can find any unanimity of thought on this side of the aisle with respect to a limitation on debate; but I do not undertake to agree to obtain assent to that proposal.

Mr. LUCAS. I realize that. I merely suggest that to the Senator.

Mr. WHITE. I will make inquiry in good faith to see if some arrangement can be made, so far as Senators on this side of the aisle are concerned.

EXECUTIVE SESSION

Mr. LUCAS. I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. GEORGE, from the Committee on Finance:

Sundry officers for promotion in the Regular Corps, United States Public Health Service.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The PRESIDING OFFICER (Mr. TUNNELL in the chair). If there be no further reports of committees, the clerk will state the nominations on the executive calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc, and that the President be immediately notified.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc; and, without objection, the President will be immediately notified.

IN THE NAVY

The legislative clerk read the nomination of Joseph J. Clark to be a rear admiral in the Navy, for temporary service.

Mr. McKELLAR. I ask that the nomination be confirmed, and that the President be immediately notified.

The PRESIDING OFFICER. Without objection, the nomination is confirmed; and, without objection, the President will be notified forthwith.

That completes the calendar.

RECESS

Mr. LUCAS. As in legislative session, I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 4 o'clock and 46 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, February 1, 1944, at 11 o'clock a. m.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 31 (legislative day of January 24), 1944:

IN THE NAVY

TEMPORARY SERVICE

Joseph J. Clark to be a rear admiral in the Navy, for temporary service, to rank from April 23, 1943.

POSTMASTERS

LOUISIANA

Mattie P. Jones, Downsville.
Gladys Trask Graves, Norwood.
Eliud D. McCallum, Ruston.

MISSISSIPPI

Charles Olin Anderson, Tylertown.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 31, 1944

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. McCORMACK.

The SPEAKER pro tempore laid before the House the following communication which was read:

JANUARY 31, 1944.

I hereby designate the Honorable JOHN W. McCORMACK to act as Speaker pro tempore today.

SAM RAYBURN.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou who art the God of nature and of the human heart, we pray for grace abounding, for that reawakening hunger and thirst after righteousness, and for those open and promising doors which lead to a fuller spiritual experience. We praise Thee that we are rich in friends, in heritage, and in opportunities, and we earnestly pray for that courage to seek the honorable contest rather than the comfortable submission.

The exigencies of the times call for new sacrifice, new consecration, and new

devotion that we may discern our responsibilities and receive strength, knowledge, and blessing. O Saviour, grant that Thy way may be our impulse, our heart Thy altar, and Thy love the flame; let a sense of lofty duty kindle our thoughts. We pray that heaven's gifts may be expressed in a far-reaching sympathy for the sons and daughters of misfortune and suffering. He who was rich for our sakes, became poor, and we must drink the cup in His spirit and follow in His footsteps; make us wise to know the right and give us strength to perform it. Call us to higher paths, ever leading the way; give us thoughtful words and inspire us to speak them; clothe us with those rare gifts of the spirit—love, joy, long suffering, gentleness, faith, and temperance. O God make clean our hearts within us and Thine shall be the praise. In our Redeemer's name. Amen.

The proceedings of Friday, January 28, 1944, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on January 28, 1944, the President approved and signed a bill of the House of the following title:

H. R. 3741. An act to authorize the Secretary of the the Navy to proceed with the construction of certain public works, and for other purposes.

REPORT ON REVENUE ACT OF 1943

Mr. BULWINKLE. Mr. Speaker, from the Committee on Printing I report (Rept. No. 1029) back favorably, without amendment, a privileged concurrent resolution (S. Con. Res. 30) authorizing the printing of additional copies of Senate Report No. 627, current Congress, on the bill (H. R. 3687) entitled "Revenue Act of 1943," and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 8,500 additional copies of Senate Report No. 627, current Congress, on the bill (H. R. 3687) entitled "Revenue Act of 1943" of which 5,000 copies shall be for the use of the House document room, 2,000 copies for the Senate document room, 1,000 copies for the Senate Committee on Finance, and 500 copies for the Committee on Ways and Means of the House of Representatives.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Massachusetts [Mr. MARTIN.]

Mr. MARTIN of Massachusetts. Mr. Speaker, I understand the gentleman has two or three of these resolutions to offer. Perhaps he could take a minute to explain them to the House at this time.

Mr. BULWINKLE. I will be glad to. The resolution just read comes up in this way: Just prior to the adjournment of the House for the holidays there were numerous requests for the report filed by the Senate committee on the tax bill. The clerk to the Joint Committee on Printing authorized this without any authority from the House and this is just to take care of that matter.

Mr. MARTIN of Massachusetts. Will the gentleman explain the other two at the same time?

Mr. BULWINKLE. The second one I shall call up has to do with the handbook for servicemen and servicewomen of World War No. 2 and their dependents and also contains the rights and benefits for World War No. 1 veterans and their dependents. That is the Jarman resolution. This publication is corrected up to date and there is quite a demand for it.

Mr. MARTIN of Massachusetts. How is that distributed among the Members?

Mr. BULWINKLE. It is in the document room for the Members.

The third resolution which I shall call up is a resolution introduced by me on last Friday for the printing of 50,000 copies of the report of the War and Navy Departments on the Japanese atrocities. That will also be distributed through the document room.

Mr. MARTIN of Massachusetts. When the gentleman says "distributed through the document room" that is for the benefit of all the Members, but he who gets there first gets them?

Mr. BULWINKLE. Yes.

Mr. MARTIN of Massachusetts. There has not been any reservation for people who might want them later?

Mr. BULWINKLE. No. I might ask the superintendent of the document room to kind of permit a division of these out among all the Members so that they can have them.

Mr. GILCHRIST. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Iowa.

Mr. GILCHRIST. I think that ought to be done. Several of these things have been printed and when I got there the gentlemen behind me and over on the other side had already been ahead of me. I would like to get my share.

Mr. BULWINKLE. That has happened to me also.

Mr. TABER. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from New York.

Mr. TABER. As I understand it, there were about 5,000 of these copies of the tax bill printed?

Mr. BULWINKLE. They are already printed, I may say to the gentleman. This is just to take care of the printing which has already been done because there would have been a 3 weeks' elapse of time and a great many people over the country were calling for that report.

Mr. TABER. That would only allow us about eight or nine copies apiece?

Mr. BULWINKLE. I may say the supply has already been exhausted.

Mr. MARTIN of Massachusetts. This is just giving official recognition to what has already been done?

Mr. BULWINKLE. Yes.

Mr. MARTIN of Massachusetts. It might be well to have a few more, but that could come in later.

Mr. BULWINKLE. Since the conference report will come in shortly, I do not know whether they will want this or something else.

Mr. WOODRUFF of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Michigan.

Mr. WOODRUFF of Michigan. Granting the request carried in the resolution the gentleman has offered will in no way interfere with the printing of the necessary copies of the report of the committee of conference?

Mr. BULWINKLE. No; not a bit in the world.

Mr. WOODRUFF of Michigan. After all, that is the bill in which the people of this country are interested at the moment.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Illinois.

Mr. SABATH. As to the resolution with regard to printing the reports on Japanese atrocities, in view of what has been stated, does not the gentleman believe it would be prudent to provide that each Member be entitled to, say, 500 copies, the remainder to be left in the document room, to be available to those who desire additional copies? To protect some of the Members, a certain number of copies should be assigned to the credit of each Member, the others to be distributed to those who first ask for them.

Mr. MARTIN of Massachusetts. The gentleman from North Carolina could make that necessary correction in the other resolutions so that some copies will be available for every Member.

Mr. BULWINKLE. I shall be glad to make that correction.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HANDBOOK FOR SERVICEMEN AND SERVICEWOMEN OF WORLD WAR NO. 2

Mr. BULWINKLE. Mr. Speaker, from the Committee on Printing, I report (Rept. No. 1030) back favorably, without amendment, a privileged resolution (H. Res. 413) authorizing the printing of a revised edition of House Document Numbered 285, Seventy-eighth Congress, first session, entitled "Handbook for Servicemen and Servicewomen of World War II and Their Dependents, Including Rights and Benefits of Veterans of World War I and Their Dependents," with corrections, as a public document, and for additional copies thereof, and ask for its immediate consideration thereof.

The Clerk read the resolution, as follows:

Resolved, That a revised edition of House Document No. 285, Seventy-eighth Congress, first session, entitled "Handbook for Servicemen and Servicewomen of World War II and Their Dependents, Including Rights and Benefits of Veterans of World War I, and Their Dependents," be printed with corrections as a public document, and that 8,000 additional copies be printed for the document room of the House of Representatives.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. I wonder if the gentleman will accept an amendment that half of this number shall be retained for equal distribution among the Members?

Mr. BULWINKLE. I shall be glad to do so.

Mr. MARTIN of Massachusetts. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MARTIN of Massachusetts: At the end of line 8, after the word "Representatives", insert "one-half to be reserved for the use of the Members of the House."

The amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

JAPANESE ATROCITIES TO PRISONERS OF WAR

Mr. BULWINKLE. Mr. Speaker, from the Committee on Printing I report (Rept. No. 1031) back favorably without amendment, a privileged resolution (H. Res. 424) authorizing the printing of the joint reports of the War and Navy Departments containing stories of Japanese atrocities and brutalities to the American and Philippine armed forces, who were prisoners of war in the Philippine Islands, as a House document, and ask for additional copies thereof, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the reports of the War and Navy Departments containing stories of Japanese atrocities and brutalities to the American and Philippine armed forces, who were prisoners of war in the Philippine Islands, be printed as a House document, and that 50,000 additional copies be printed for the use of the House document room.

With the following committee amendment:

At the end of the bill strike out the period, and insert a colon and the following: "*Provided*, That each Member of the House of Representatives shall receive 500 copies thereof."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CONTESTED ELECTION, FIFTH CONGRESSIONAL DISTRICT OF WISCONSIN

Mr. PETERSON of Georgia. Mr. Speaker, by direction of Committee on Elections No. 3, I submit a report on the contested election case of Lewis D. Thill, contestant, against H. J. McMurray, contestee, from the Fifth Congressional District of the State of Wisconsin, and ask for the immediate consideration of the resolution (H. Res. 426).

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the election contest of Lewis D. Thill, contestant, against Howard J. McMurray, contestee, Fifth Congressional District of the State of Wisconsin, be dismissed.

The SPEAKER pro tempore. The resolution, together with the report, is referred to the House Calendar and ordered to be printed.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. PETERSON of Georgia. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. I understand that this is a unanimous report of the Committee on Elections No. 3?

Mr. PETERSON of Georgia. It is a unanimous report on the part of that committee.

Mr. MARTIN of Massachusetts. I should like to ask one more question, not about this particular case. Is the so-called Oklahoma contest before the gentleman's committee?

Mr. PETERSON of Georgia. That case is before my committee, and it has been set for hearing tomorrow.

Mr. MARTIN of Massachusetts. I hope the gentleman's committee will take quick action on that, because the district has not been represented since last June, and there is a great demand among the people of Oklahoma that they have their representation here complete. I hope the gentleman's committee will act one way or the other quickly.

Mr. PETERSON of Georgia. May I advise the gentleman that this election contest did not reach our committee until just before the Christmas recess. The committee has been expediting this case together with three other contested-election cases that have been before us. During December and January we have been constantly considering two of these cases, both of which have now been disposed of. This Oklahoma case has been brought up just as rapidly as it could be. It is to be heard, and I hope it will be disposed of with dispatch.

Mr. MARTIN of Massachusetts. I do not want to attack the integrity of the committee or charge it with any negligence in proceeding to consider these cases, but I hope that there will be speedy action on this case. The gentleman has given me that information. I thank him and his committee for their promptness.

Mr. RAMSPECK. Mr. Speaker, will the gentleman yield?

Mr. PETERSON of Georgia. I yield to the gentleman from Georgia.

Mr. RAMSPECK. Is it not a fact that the contestant in this case is the person responsible for the delay?

Mr. PETERSON of Georgia. I am not sure that either party to the contest is responsible. Under the rules governing election contests, a contest can be drawn out a considerable time if the parties to the contest take advantage of all the time they are allowed under the rules of the House. It appears that both of the parties have done this. I do think, in fairness and in view of some of the statements or impressions that have gone out, that I should say that in this particular case the contestee attempted in the spring or early summer of last year to have this case dismissed on a technicality, but the committee refused to do so. At a later date the contestant asked for additional time in which to file his report, and the committee likewise refused to grant that request. Otherwise this case has been following exactly the same procedure as all the other cases. It is being expedited with all the promptness with which this committee feels it can wisely act.

Mr. MARTIN of Massachusetts. I thank the gentleman for the information.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that on Wednesday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent that on Friday, February 11, after the disposition of matters on the Speaker's table and such other business as may come before the House, I may be permitted to address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered over the Columbia Broadcasting System on last Saturday night by our colleague the gentleman from Illinois [Mr. VURSELL].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

(Mr. COMPTON and Mr. MCGEHEE asked and were given permission to extend their own remarks in the RECORD.)

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Sioux City Journal, and further to extend my own remarks and include therein a telegram from the Governor of Iowa with reference to the recent special session of the Iowa General Assembly.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

OFFICE OF PRICE ADMINISTRATION

Mr. WEAVER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 3847) to exempt certain officers and employees of

the Office of Price Administration from certain provisions of the criminal code and revised statutes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman explain the bill?

Mr. WEAVER. This bill comes to the House with the full approval of the Committee on the Judiciary. It affects the Office of Price Administration. In handling the work of the Office of Price Administration throughout the Nation it has been necessary to use a large number of attorneys who attend hearings and conduct various hearings in regard to the administration of the work of this Office, without any compensation, in a purely voluntary capacity. There are more than 5,000 of these attorneys scattered all over the United States, in every one of your counties. They have undertaken to secure men of the very highest type to perform this purely voluntary work.

Sections 109 and 113 of the Criminal Code make it a Federal offense for a person occupying a position of trust or profit under the Government to appear in any matter affecting the Government or to accept any kind of fee or emolument in such capacity. Many of these lawyers—in fact, all of them—have more or less Federal practice. Recently the Attorney General handed down an opinion in which he held that these purely voluntary workers should come within the provisions of that statute.

Mr. MARTIN of Massachusetts. And this legislation, in other words, simply means that a lawyer who volunteers his services to his country can have other outside business.

Mr. WEAVER. That is all. We have already passed similar legislation to cover voluntary employees on the selective-service boards throughout the country and some other similar cases where uncompensated persons are used and where many lawyers are employed.

Mr. MARTIN of Massachusetts. I withdraw the reservation.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That nothing contained in sections 109 and 113 of the Criminal Code (U. S. C., title 18, secs. 198 and 203) shall be deemed to apply to any person because of any appointment under the authority of the Emergency Price Control Act of 1942 (Public Law No. 421, 77th Cong.) or under authority of title III of the Second War Powers Act, 1942 (Public Law No. 507, 77th Cong.), as a member of a war price and rationing board or to any other position in a regional, district, or local office of the Office of Price Administration, if such person is serving or has served in such capacity without compensation: *Provided, however,* That the provisions of this act shall not apply to any representation before the Office of Price Administration while such person is an officer or employee of the Office of Price Administration.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. MANSFIELD of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

THE SOLDIERS' VOTE

Mr. McWILLIAMS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks, including a telegram from the Governor of Connecticut.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. McWILLIAMS. Mr. Speaker, I have been advised by Gov. Raymond E. Baldwin that, as expected, the General Assembly of the State of Connecticut has enacted legislation which will assure members of the armed forces of my State every possible opportunity to vote next November.

Under the provisions of this legislation our soldiers and sailors will be able to vote not only for a President and Members of the Congress but also for State officers. And they will be able to vote a straight, split, or individual ticket, as their consciences may dictate.

They may receive absentee ballots upon informal application themselves or by application of any relative or casual friend, with provisions made for using Federal facilities, if provided, for distribution of absentee-ballot forms without application.

In view of many representations which have been made in regard to the soldiers' vote, insofar as they apply to the State of Connecticut, it is a pleasure to report that the Nutmeg State has again come to the forefront and proven that the soldiers and sailors of Connecticut need have no fears of being deprived of their franchise because of being away from their polling places on election day.

And in view of some of the insinuations which have been bandied about on this subject, I think I might well add that we have a Republican Governor and a Republican legislature in Connecticut.

So, if there is any fraud being perpetrated upon the servicemen of Connecticut, it is not being perpetrated by the Republican Governor or the Republican Legislature of Connecticut.

HARTFORD, CONN., *January 28, 1944.*

JOHN D. McWILLIAMS,
Congressman from Connecticut,
Washington, D. C.:

Connecticut General Assembly just passed soldiers' vote law making it possible to be made voters although absent from the State. To vote a straight, split, or individual candidate ticket with liberal provisions concerning application for absentee ballots either in person before leaving country, by informal written request or by request of relative or friend directed to registrar of voters. Balance simplified as to form and reduced as to size and weight. Provision made for using Federal facilities if provided for distributions of absentee ballot forms without application.

RAYMOND E. BALDWIN,
Governor of Connecticut.

EXTENSION OF REMARKS

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial.

The SPEAKER pro tempore. Is there objection?

There was no objection.

THE SOLDIERS' VOTE

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LECOMPTE. Mr. Speaker, on the eve of the consideration of the measure for extending the privilege of voting to every man and woman in the armed services, I take the opportunity of reading the following letter I received from Governor Hickenlooper, of Iowa. The letter is addressed to me and says, under date of January 27, 1944:

DEAR KARL: Yesterday I was profoundly shocked by the effrontery of the President's message with respect to proposed legislation on voting by servicemen. It seems to me that if there ever had been any question as to the President's desire to subjugate the State and local authority to Federal dominion, all doubt of his basic attitude is removed by this speech.

Our legislature is in session now and will, I believe, adequately and properly meet the absent-voting problem. I am enclosing herewith a copy of the proposed bill, and I believe it will be adopted substantially in the form in which it now appears, and also, I am enclosing a copy of my message to the special session on yesterday that sets out my views on this question.

With kind personal regards, I am,

Sincerely yours,

B. B. HICKENLOOPER,
Governor.

The Iowa Legislature has completed its task and adjourned since the letter of the Governor was written and dispatched. Enabling legislation was passed in both houses of the General Assembly of Iowa by unanimous vote. Iowa intends to see that her sons and daughters in the armed services, numbering about 250,000, have the privilege and opportunity of voting in both the primary and general elections.

The SPEAKER pro tempore. The time of the gentleman from Iowa has expired.

EXTENSION OF REMARKS

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the RECORD by including the address of the Governor to the Iowa Legislature.

The SPEAKER pro tempore. Is there objection?

There was no objection.

CABINET OFFICERS TO APPEAR BEFORE THE HOUSE

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. KEFAUVER. Mr. Speaker, about 10 days ago the distinguished chairman of the Rules Committee agreed to grant a hearing on House Resolution 327. The

date set for the hearing was Tuesday, February 1. This is the resolution to amend the rules of the House so as to permit legislative committees to invite Cabinet officers and heads of agencies to appear before the House for reports and to answer questions.

On last Saturday afternoon the gentleman from Illinois [Mr. SABATH] advised me the hearing would have to be postponed. I regret this exceedingly. Inasmuch as several Members of the House had planned to appear at the hearing, I felt I should make this statement advising of the postponement. I hope the resolution may again be set for consideration at an early date.

Mr. CRAVENS. Mr. Speaker, did the gentleman from Illinois give any indication of when he would resume these hearings?

Mr. KEFAUVER. No; but he said it would be done as soon as possible.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article in the Washington Star of Sunday, January 30, written by Mr. Joseph H. Baird in respect to the activities of the United States Secret Service.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to extend my remarks and include three different letters, one from the Forest Service, one from the Treasury Department, and one from the War Production Board.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BOYKIN. Mr. Speaker, I ask unanimous consent to extend my remarks and include two editorials.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks and include a very interesting and informative article by Ernest K. Lindley on the subject of the soldiers' vote.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RAMEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article from the Washington Evening Star.

The SPEAKER pro tempore. Is there objection?

There was no objection.

WILLIAM ALLEN WHITE

Mr. HOPE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HOPE. Mr. Speaker, last Saturday there passed away in Emporia, Kans., one of America's most noted men and Kansas' most distinguished citizen—William Allen White. His death on the anniversary of Kansas' admission to the Union, spread a pall of sadness throughout the State and Nation.

Mr. White was born in Kansas. He received his education there and as a Kansan he lived and died. All of his mature life was spent in newspaper work. Most of it as editor and publisher of the Emporia Gazette. This paper, published in a town of 10,000 people, with a circulation of only a few thousand, became one of the most widely known in America. Its editorial columns were quoted everywhere, not only in this country, but abroad. Mr. White's writing efforts, however, were not confined to newspaper work. He was the author of more than 20 books, all of them of wide circulation. His early works were fiction. Later he entered the field of history, biography, and public affairs. In addition to his books he is the author of hundreds of magazine and newspaper articles. His editorial "Mary White," written following the tragic death of his daughter, is considered everywhere as an outstanding example of English prose. No American author in recent years has had a wider audience.

Mr. White took a great interest in politics and public affairs but never sought public office except in 1924 when he became an independent candidate for Governor of Kansas in order to dramatize his fight against the Ku Klux Klan. His editorial written early in his journalistic career entitled "What Is the Matter With Kansas" was widely circulated in the 1896 campaign and contributed much to the election of McKinley. Mr. White was one of the founders of the Bull Moose Party. He supported Woodrow Wilson in the fight for the League of Nations. His editorial entitled "To An Anxious Friend" written in defense of free speech, won the Pulitzer prize in 1922. His most recent public activity was the organization and direction of the Committee to Defend America by Aiding the Allies which perhaps contributed more toward determining our American foreign policy previous to our entrance into the war than any other factor.

Many of Mr. White's public activities were along the line of crusades for which his temperament admirably fitted him. Unlike many crusaders and reformers, however, he had tolerance and a sense of humor.

To the world at large William Allen White was an important public figure, a great newspaperman, a widely quoted editorial writer, a master of the English language, a molder of thought, a leader in great public movements. He was all of these to the people of Kansas but they thought of him first as a kindly neighbor and friend. They took pride in his greatness, in his wide influence, and in the fact that the world had beaten a path to his door in a small city located in almost the geographical heart of the Nation. For all of his greatness, he was affectionately known and referred to in Kansas as Bill White.

Today his mortal remains will be laid beneath the Kansas sod but the influence of his kindly, friendly spirit will go on forever.

EXTENSION OF REMARKS

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a statement by Gov. Olin D. Johnston, of South Carolina.

The SPEAKER pro tempore. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

[Mr. WICKERSHAM addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include certain matter therein.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

BENEDICT ARNOLD BROADCASTERS FROM JAPAN

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CELLER. Mr. Speaker, several months ago the Attorney General of the United States brought an indictment for treason against a number of Benedict Arnold broadcasters who were habitually and are habitually broadcasting from Nazi-controlled Germany. There are similar rogues broadcasting by shortwave frequently from Japan, and they have had the temerity and the audacity to speak in glowing terms about the perpetrators of the dreadful atrocities against our men, our soldiers, many of whom have gone through the valley of the shadow. I respectfully request that the Attorney General, even in absentia, bring a new indictment against these additional wretched Benedict Arnold broadcasters now in the pay of the Japanese jackals. Such indictment would remind these fiends of the enormity of their crime. Let an indictment for treason be the vile fruit of their rotten activities.

It is interesting to note that Foreign Secretary Anthony Eden has been asked in the House of Commons to consult with the United States on a warning to Japan that the Allied agreement at Moscow to try German war criminals after the war also will be applied to the Japanese. I am sure that the United States will acquiesce in that proposal.

But specifically these radio traitors operating over Japanese short-wave radios;

these American expatriates and scoundrels should be brought to book immediately. Indictments can easily be found against them, as in the case of the dastardly American expatriates broadcasting from Berlin, Rome, and Paris. Among the performers on the Japanese circuits to the United States are the following: Frances Hopkins, Mrs. Henry Topping, Frank Watnabe, Carl Flick-Steger, Don Chisholm, Charles Yoshii, Frank Johnson—alias Pat Kelly—Edward Kuroispi, and Herbert Moy.

All the above are mouthpieces for Hirohito. They are completely Japanese controlled. Typical of some of their broadcasts is the following:

When future historians write the history of the fundamental reasons underlying the present war they cannot overlook the magnanimity and patience with which Japan endured all the insults, and the justice of her cause. They will recall Japan's long-suffering efforts to have the American Government listen to reason. But Roosevelt was determined to go to war.

The Attorney General should lose no time, and indict these damnable scoundrels.

C. J. TOOLE

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 636) for the relief of C. J. Toole, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 1, line 6, strike out "$1,000" and insert "$500."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PAUL W. BUSBEY, MRS. PAUL W. BUSBEY, PAULA BUSBEY, AND MRS. LOUISA BUSBEY

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1344) for the relief of Paul W. Busbey, Mrs. Paul W. Busbey, Paula Busbey, and Mrs. Louisa Busbey, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 1, line 6, strike out "$2,298.13" and insert "$1,793.13."

Page 1, line 8, strike out "$5,000" and insert "$3,000."

Page 1, line 10, after "all", insert "their."

Page 1, line 10, after "claims", insert "including medical and hospital expenses."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

CARL SWANSON, GERALDINE CECELIA SWANSON, A MINOR, AND ALMER SWANSON

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1875) for the relief of Carl Swanson, Geraldine Cecelia Swanson, a minor, and Almer Swanson, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 2, line 1, strike out "$2,500" and insert "$1,574.05."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MILLIONS IN THE SERVICE FACING ENEMY BULLETS SHOULD NOT BE DENIED A FEDERAL VOTING BALLOT

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks and to include therein a few telegrams and a few letters of the thousands of letters and telegrams I have received, urging me to vote for an amendment to the rule so as to provide a record vote on the soldier-vote proposition.

Mr. RANKIN. Mr. Speaker, reserving the right to object, does the gentleman know if he puts the names of all those people in the RECORD that Walter Winchell will jump on him next Sunday night?

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

[Mr. SABATH addressed the House. His remarks appear in the Appendix.]

JAPANESE ATROCITIES

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, it is quite impossible to put into words the intensity of America's bitter anger over the treatment of American prisoners of war by Japan. Even Pearl Harbor, as terrible as it was, will be easier to forget than this. There is a basic justice in this universe, and the day will come when those who have perpetrated these outrages will find they have done a thing that will bring dishonor and retribution upon their nation, such as nothing else could have brought upon them.

The SPEAKER pro tempore. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include therein a news article which appeared in a recent issue of Stars and Stripes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PERSECUTING GENTILES

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN. Mr. Speaker, in a bitter blast over the radio last night Walter Winchell continued his persecution of white gentiles, centering his fire on me in particular. He said I was worth less to this country than a Negro soldier. I am sure there is not a soldier, black or white, who is doing this country as much harm as Walter Winchell.

He neither denied nor apologized for his reference to the Congress of the United States in which he called this body the "House of Reprehensibles."

I repeat what I said a few days ago that Walter Winchell is doing the Jews of this country, the people of his own race, more harm and is stirring up more trouble for them than any other man alive.

He repeated his false charge that I had sneered at other people's names. He even told the people of America that I had sneered at the name of the gentleman from Pennsylvania [Mr. SHERIDAN]. Members of this House know that statement is untrue.

This is the same persecution of Christian people that has been stirred up by this element in every country in the world. What good does it do to establish committees for peaceful relationship between the races while a man like Walter Winchell can go on the radio on a Nation-wide hook-up like the Blue Network and continue his tirades of vilification, falsehood, and abuse?

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—WORK PROJECTS ADMINISTRATION OF THE FEDERAL WORKS AGENCY (H. DOC. NO. 392)

The SPEAKER pro tempore laid before the House the following message from the President of the United States, which was read, and, together with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed:

To the Congress of the United States:

As required by the provisions of the Emergency Relief Appropriation Act, fiscal year 1943, I present herewith a report of the operations under funds appropriated to the Work Projects Administration of the Federal Works Agency by the Emergency Relief Appropriation Acts, fiscal years 1942 and 1943.

This report contains summary and detailed statements of expenditures made and obligations incurred by classes of projects and amounts as of November 30, 1943; and a brief statement of opera-

tions of the Work Projects Administration to the end of the fiscal year 1943.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *January 27, 1944.*

EXTENSION OF REMARKS

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a poem by Horace C. Carlisle.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SADOWSKI. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a letter from the Retail Credit Institute of America.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

INDEPENDENT OFFICES APPROPRIATION BILL, 1945

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 4070) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1945, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4070, the independent offices appropriation bill, 1945, with Mr. WHITTINGTON in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

For compensation of the Vice President of the United States, $15,000.

Mr. CELLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CELLER. When will it be in order to move to strike out the last word and address the committee?

The CHAIRMAN. At the end of the paragraph being read.

Mr. CELLER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

DELENDA EST CHARTA BLANCA—THE WHITE PAPER MUST BE DESTROYED

Mr. CELLER. Mr. Chairman, like a cool breeze in the heat of summer was the Presidential directive setting up the War Refugee Board. As encouraging was the statement of the White House emphasizing that "it was urgent that action be taken at once to forestall the plan of the Nazis to exterminate all Jews and other persecuted minorities in Europe."

The President at long last has recognized the failure of the Evian Conference on Refugees in 1938 and the fiasco of the refugee conference last year. Eight long years have elapsed since Evian. Millions have since been slain only because they were born Jews. The record of rescue is barren. The niceties of diplomacy at Evian and the banalities of the protocol at Bermuda cover the bullet holes of the victims.

The War Refugee Board will repeat the mockery of Bermuda and Evian unless it demands free and untrammeled immigration of Jews into Palestine—demands the simple justice of compelling Britain first, to abide by the Balfour Declaration which guarantees Palestine as a national homeland for the Jews, which declaration was abetted and approved by 52 nations; second, to respect the concurrent resolution of Congress adopted in 1922 favoring the reestablishment of the Jews in their ancient homeland in Palestine; third, to honor and maintain the integrity of the treaties solemnly entered into between Great Britain and the United States in 1924 wherein the Balfour Declaration was reaffirmed and wherein it was mutually agreed (a) that there could be no unilateral infraction of the treaty by either party, and (b) that there could be no discrimination as to immigration into Palestine of peoples on the grounds of race or religion.

The War Refugee Board must point out to John Bull in no uncertain terms that the Malcolm McDonald White Paper of 1939 issued by the British Colonial Office restricting immigration of Jews into Palestine to 75,000 in 5 years and stopping the entrance of all Jews into Palestine by March 1944, is a shocking violation of the aforesaid, first Balfour Declaration; second, concurrent resolution; third, Anglo-American Treaty in 1924.

The State Department has been strangely silent in the face of these violations. The War Refugee Board must shatter this conspiracy of silence. This offending White Paper of 1939 was not only rejected but also condemned by the Permanent Mandates Commission of the League of Nations as a violation of Britain's mandate over Palestine. Scores of nations denounced Britain for her perfidy. Thus, a glorious opportunity is presented to the War Refugee Board to persuade the British Foreign Office to right the great wrong.

In a little over 1 month, Jews will be barlocked from Palestine. How ill have the Jews used Palestine that now the one open door must be slammed shut in their search for dignity and security? Indeed, they husbanded its arid soil, made it rich in the fruits of the earth. They built hospitals for Jews and Arabs alike. They brought music and science that had been left behind in civilization's march.

The British Colonial Office says, "Let the Jews go elsewhere." That is said in mocking parallel to, "Let them eat cake."

Many suggestions have been made for havens for Jews. How fruitful were these suggestions is revealed by the attitude tersely expressed by the Australian delegate at Evian. "Gentlemen," he said, "we in Australia have no racial problem, thank God. We do not intend to have one started." That summation is brilliant in its fervidity, finality and tragedy. Palestine is the only place where the Jews are not unwanted. Now, the White Paper even precludes. Palestine must be opened as a temporary, as well as a permanent, shelter. It has an absorptive capacity for 2,000,000 more Jews. Jews trapped by the Nazi jackals will manage to escape if they know Palestine is open. The underground will help them, just as our underground railway helped escaping slaves to the North before and during the Civil War.

Jews will make the anabasis to Palestine. No matter how perilous the trek may be, they will make it. Their nostalgia for their homeland will sustain them and they will go rejoicing and singing into Palestine.

Cato in the Roman Senate terminated all his speeches with the famous statement, "Delenda est Carthago—Carthage must be destroyed." Henceforth, I shall hurl maledictions and imprecations upon the damnable White Paper. I, too, shall terminate my remarks with the phrase, "Delenda est charta blanca—the White Paper must be destroyed."

The CHAIRMAN. The time of the gentleman from New York has expired.

The Clerk read as follows:

For printing and binding, $52,000.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I embrace this opportunity to put a few facts in the RECORD in connection with the Budget Bureau and the work it does under the act of 1921. First, let me say that the total amount of blank checks which we have given to the Executive since 1940 is $570,812,000. That is a rather astonishing total. Of that amount, $83,109,000 was still available as of December 1, 1943. That is a large amount of money for Congress to have appropriated for blank-check disposition by the Chief Executive.

The second item I think worthy of a spot in the RECORD for use as we go along is the amount of unobligated balances and contract authorizations out of the appropriations and authorizations for the fiscal year 1944. You will find those listed in the hearings on pages 969 and 970. The total amount is $98,319,000,000. That is the amount of money and the amount of authority Congress granted when the fiscal year 1944 began on July 1, and as of October 31, after 4 months had elapsed, there was still $98,319,000,000 unobligated and unexpended. This is also a rather astonishing total of the amount of money and authority that is still unobligated as of that date.

The next thing to which I wish to call your attention is the enormous cost of printing and binding. This you will find on page 964 of the hearings. The overall cost of printing, binding, and processing for the fiscal year of 1943 was $148,700,000. This represents a tremendous amount of Federal literature.

Mr. CHIPERFIELD. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. CHIPERFIELD. What happens to those unobligated amounts at the end of the fiscal year?

Mr. DIRKSEN. They expect to obligate some of them, of course, as they

go along. The point I want to make is the enormous amount of unexpended money which has neither been expended nor earmarked for a purpose.

Mr. BENNETT of Missouri. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. BENNETT of Missouri. Can the gentleman tell me what kind of accounting the President has to make of these blank check appropriations? Is it a detailed accounting?

Mr. DIRKSEN. In some instances, yes; in some cases, of course, where it has been surrounded with the cloak of secrecy for one purpose or another there will not be very much of an accounting. I suppose it will not be delineated in detail so we will know too much about it.

Mr. BENNETT of Missouri. Who determines whether or not it is an expenditure for a confidential purpose?

Mr. DIRKSEN. That, in the long run, I assume, will be determined by the General Accounting Office, and whether or not the law has been carried out.

Mr. RAMEY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. RAMEY. What is meant by the phrase "surrounded by a cloak of secrecy"?

Mr. DIRKSEN. Let us assume for the moment that there is some kind of secret mission to be accomplished the details of which cannot be spelled out, but which will cost some money.

Mr. RAMEY. But that will be only a war matter.

Mr. DIRKSEN. That is right, but an examination of the allocations that have been made for that purpose went into the hundreds of millions, many of which in my judgment were not worthy of treatment that way and should have been handled by an appropriation of Congress rather than a blank check of the President. It should be handled so that all the people can see that the money will be disbursed for the particular purpose intended by Congress.

The other item, to which I call attention makes rather interesting reading at page 958 of the hearings. A large industrial concern in New Jersey supplied a very carefully kept list of the memoranda, the directives, regulations, price schedules, orders, and everything else that it has received. It calls this Defense Memorandum No. 11. This is the text:

Vacation is all over. The bureaucrats and directive writers are back on the job.

The total received since Pearl Harbor is now 611.

The total received during September is 42, which is larger than any month since May.

Then they go on to list the types of literature they are receiving.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. DIRKSEN]?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, in this statement the author of this memorandum states:

With one exception there is nothing in the September directives that shows any real interest in production.

He goes on and in this memorandum No. 570 states:

War Production Board. Scheduling and shipping directions to manufacturers of rubber-processing machinery. Not pertinent to us.

No. 572:

Visit (including foreign nationals) to war plants. Inspections as to credentials. Nothing new.

Compare directives that they have received on the same subject before.

No. 578:

Plant protection conference. We are not interested. We comply with Second Service Command instructions.

Compare previous memoranda.

No. 587:

Security letter No. 5b. Special black-out procedure. A rather confusing letter as to what we are supposed to do during black-outs. So we decided to stick to our present policy.

Compare two previous directives.

That is really a very engaging memorandum from an industry showing how they are beleaguered by reports and directives from the Federal Government only confusing rather than to energize war production.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CASE. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, in view of the reference to the emergency fund of the President, I want to have the record show that this bill does not carry any additions or implements to that fund. May I ask the chairman of the Subcommittee on Appropriations if that statement is not correct?

Mr. WOODRUM of Virginia. That is correct.

The pro forma amendment was withdrawn.

The Clerk read as follows:

CIVIL SERVICE COMMISSION

Salaries and expenses: For all expenses necessary for the work of the Civil Service Commission, including personal services in the District of Columbia; not to exceed $5,000 for employment of expert examiners not in the Federal service on special subjects for which examiners within the service are not available; medical examinations; contract stenographic reporting services; traveling expenses, including those of examiners acting under the direction of the Commission, and expenses of examinations and investigations held in Washington and elsewhere, including not to exceed $5,000 for expenses of attendance at meetings of organizations concerned with the work of the Commission; witness fees and mileage, including fees to deponents and persons taking depositions at rates paid in the courts of the United States; rental of equipment; laundry service; not to exceed $10,000 for purchase and exchange of lawbooks, books of reference, newspapers, and periodicals; not to exceed $200 for payment in advance for library membership in societies whose publications are available to members only or to members at a price lower than to the general public; charts; purchase, maintenance, and repair of motortrucks, motorcyles, and bicycles; not to exceed $217,000 for printing and binding; $6,056,473, of which not to exceed $100,000 shall be available for reimbursement to the Veterans' Administration for services rendered the Commission in connection with physical examinations of applicants for and employees in the Federal classified service; not to exceed $113,000 for performing the duties imposed upon the Civil Service Commission by the act of July 19, 1940 (54 Stat. 767); and not to exceed $3,000 for actuarial services by contract, without regard to section 3709, Revised Statutes: *Provided*, That no details from any executive department or independent establishment in the District of Columbia or elsewhere to the Commission's central office in Washington or to any of its regional offices shall be made during the fiscal year ending June 30, 1945, but this shall not affect the making of details for service as members of the boards of examiners outside the immediate offices of the regional directors, nor shall it affect the making of details of persons qualified to serve as expert examiners on special subjects: *Provided further*, That the Civil Service Commission shall have the power in case of emergency to transfer or detail any of its employees to or from its office or field force.

Mr. TABER. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 7, line 23, after the semicolon strike out "$6,056,473" and insert "$5,970,473."

Mr. TABER. Mr. Chairman, here I am trying to save $86,000. On page 1053 of the hearings I read the following:

Mr. WIGGLESWORTH. I would like to get this board of legal examiners' picture clear in my mind. As I understand it, the requested appropriation of $86,000 was denied pending the authorization of legislation?

Mr. FLEMMING. That is correct.

Mr. Chairman, a bill was put through the House authorizing this board of examiners, but it failed of passage in the Senate. They have set up that board and it has operated in such a way that any lawyer who aspires to get into the Government has to go through this board of legal examiners and, as a result, I am advised, the kind of lawyers who believe in supporting the Constitution are not allowed to get on the pay roll.

It seems to me that we ought to save this $86,000 and knock out the amount of money that they have put in as a sort of subterfuge in another way. They have asked legislation to authorize this, but the Congress did not provide the authorization.

Why should we not take this $86,000 and put an end to this kind of a way of doing business. I hope the House will agree to my amendment.

Mr. WOODRUM of Virginia. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York [Mr. TABER].

Mr. Chairman, in the first place there is only $46,000 in this bill to be used by the Civil Service Commission for this purpose, not $86,000.

In the second place, there has been some confusion over the fact that this board of legal examiners was set up by

Executive order. Legislation passed the House creating the board of legal examiners and it has been sort of hanging in the balance. In the meantime, the board of legal examiners began to function for the purpose of trying to set up an unranked register of attorneys in order to select attorneys with some basis of civil-service qualifications rather than selecting attorneys for the Government service by the old outmoded method of political patronage. But the legislation never was passed. The Senate did not report the bill.

The House Appropriations Committee acting under authority of the House told the Civil Service Commission and told the Department of Justice that they would not continue to make direct appropriations for the board of legal examiners after last year unless enabling legislation was passed. This legislation was not passed. So it left the Civil Service Commission somewhat up in the air. They still have to examine lawyers for a lawyer register.

There is $46,000 in this bill which enables the Civil Service Commission to go ahead and examine applicants for legal positions and try to process them through in some logical manner rather than just take them on the basis that a man has a license to practice law, he is a lawyer, and if anybody wants to employ him they may employ him. There is only $46,000 in this bill for that purpose. Our subcommittee has gone into that carefully and we have unanimously reported the bill as reported to the House.

Mr. TABER. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from New York [Mr. TABER].

Mr. TABER. On page 1054, Mr. Flemming makes this statement:

> On personal services, it is $65,000, but the $86,000 includes both personal services and other obligations. That, however, is what was included in our estimates submitted in the supplemental request. We are now spending only $46,940 a year for personnel.

I assume that means this year and that the other means the next year's set-up.

Mr. WOODRUM of Virginia. No; the $46,000 is what is included in this bill for next year.

Mr. TABER. That does not include their other obligations?

Mr. WOODRUM of Virginia. That would only be printing and binding. It is practically nothing else.

Mr. TABER. It ran $21,000 in the other bill.

Mr. WOODRUM of Virginia. Our committee went into that very carefully, Mr. Chairman, and the gentleman from South Dakota [Mr. CASE] and the gentleman from Massachusetts [Mr. WIGGLESWORTH] approved it the way we brought it to the Committee of the Whole, and I therefore hope the gentleman's amendment will not be agreed to.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 37, noes 41.

Mr. TABER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. TABER and Mr. WOODRUM of Virginia.

The Committee again divided; and the tellers reported that there were—ayes 57, noes 65.

So the amendment was rejected.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this Chamber has resounded with assaults on bureaucracy from time to time, which is, after all, only the fruit of expanded Federal activity, but it occurs to me that the figures in connection therewith deserve a wider currency than they usually receive out of the voluminous hearings. I thought, therefore, I would implement the RECORD with just a few figures that might be of interest.

The total number of persons on the Federal civilian rolls as of October 1943 was 2,797,513. It is rather interesting to see how that number, in excess of 2,700,000, is apportioned. The Central Administrative Services now carry 4,570. The National War Labor Board has 5,540. The Office of War Information, under the gentle guidance and direction of Elmer Davis, has 3,460. That is a rather substantial personnel, and it is the equivalent of more than one military regiment of modern strength. The Office of Censorship lists 10,741 on its rolls. The Office of Price Administration as of that time had 53,933. I suggest the Members consult the hearings for the whole story.

You may be interested in the number of placements that will be made in the fiscal year 1945, to which this bill applies. Mr. Flemming, of the Civil Service Commission, indicated that there would be 1,485,000 placements for the fiscal year. This means new blood on the Federal pay roll; it means new faces in the Federal picture. It means replacement for those who have retired, for those who resign to go back to civilian life, or to go into the armed services, or who divest themselves of the Federal pay roll for any other cause. So in 1945 we can be prepared, on the basis of their own figures, for 1,485,000 placements on the Federal rolls.

It is a rather astonishing total, after all, and the people of the country do have reason to protest to their elected law-makers when they think of nearly 3,000,000 people that are on the civilian rolls employed in one capacity and another. I assume that if our committee were sufficiently staffed with an adequate number of investigators to be able to make a constant survey and a close scrutiny of this whole picture, that number could be very materially reduced.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Michigan.

Mr. DONDERO. What does that amount to, in dollars and cents, per month?

Mr. DIRKSEN. Suppose you have 500,000 excess persons on the Federal rolls. Perhaps it is not that much, although the Byrd committee indicated that at least 300,000 could be removed without impairing the efficacy of governmental effort whether in the civilian or in the war field. But take 300,000 and multiply it by $1,800, or, better, multiply it by $2,000 a year. There you get a pretty fair idea of what the expenditure is. In the light of a debt that will approach two hundred and fifty-eight thousand million at the end of the next fiscal year and in the light of tax proposals which will increase the annual take from the American people by the Federal Government to approximately $43,500,000,000, we have a solemn responsibility to save money wherever we can and to get rid of the unessentials and those who render no efficacious service.

I recommend to you, then, an examination of the tables on pages 1060 and 1061 of the hearings, where you get a statistical and, I think, rather a dramatic picture of bureaucracy in 1944.

The Clerk read as follows:

> Salaries and expenses, national defense: For all expenses necessary to enable the Federal Communications Commission, without regard to section 3709 of the Revised Statutes, to perform its functions related to national defense, including radio monitoring and foreign broadcast analysis, including all of the items of expenditure for which the appropriation "Salaries and expenses, Federal Communications Commission", is available and not to exceed $9,000 for salary of Director of the Foreign Broadcast Intelligence Service; not to exceed 20 passenger-carrying automobiles; not to exceed $40,000 for the temporary employment of persons or organizations, by contract or otherwise, without regard to the civil service and classification laws and, in the case of language or other experts, without regard to any requirements of this act with respect to citizenship, where citizens qualified to perform such work are not available; and not to exceed $24,200 for printing and binding, $4,491,143: *Provided*, That upon the expiration of 60 days after the cessation of hostilities between the United States and the principal enemy powers or after the date of an armistice between the United States and the principal enemy powers, this appropriation shall cease to be available for obligations unless Congress shall otherwise provide by law.

Mr. WIGGLESWORTH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, just for the sake of keeping the record straight, may I ask the distinguished chairman of the subcommittee the gentleman from Virginia [Mr. WOODRUM] if he will confirm the understanding that in reducing the appropriation for the Radio Intelligence Division of the F. C. C. by $1,000,000 it was the intention of the committee to take the Federal Communications Commission out of the field of military and naval radio intelligence, and to make possible the transfer of the functions in the field to the Army and the Navy in accordance with the letter of February 1, 1943, of the Joint Chiefs of Staff—the letter of February 8, 1943, of the Secretary of War and the Secretary of the

Navy—and the proposed Executive order referred to in the additional views set forth in the committee report.

Mr. WOODRUM of Virginia. Mr. Chairman, I shall answer the gentleman by reading from page 6 of the report of the committee, which is under my name and which represents the sentiments of a majority of the subcommittee, although, as I have explained, not my personal sentiments:

The committee believes that the statements and recommendations contained in the letters referred to give sufficient justification for the action it has recommended and it is of the belief that appropriate provision should be made at the earliest possible date to the end that the facilities of the Federal Communications Commission should not be used for purposes pertaining to the military unless specifically requested by the Joint Chiefs of Staff.

I think that answers the gentleman's question.

The Clerk read as follows:

FEDERAL HOME LOAN BANK ADMINISTRATION

Salaries and expenses: Not to exceed a total of $11,353,825, to be derived from the same sources as the funds made available for administrative expenses of the Federal Home Loan Bank Administration, including the Federal Savings and Loan Insurance Corporation and the Home Owners' Loan Corporation, by the Independent Offices Appropriation Act, 1944, shall be available during the fiscal year 1945 for administrative expenses of the Federal Home Loan Bank Administration (Executive Order No. 9070 of February 24, 1942), which term and the term "Administration," wherever used herein, shall unless otherwise qualified include and apply to said corporations but shall be exclusive of any corporation organized in pursuance of authority contained in the act of May 16, 1918 (40 Stat. 550), and any amendments thereof, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the act of June 3, 1926, as amended (5 U. S. C. 821–833); expenses (not to exceed $7,500) of attendance at meetings concerned with the work of said Administration when specifically authorized by the Administration; printing and binding; lawbooks, books of reference, and not to exceed $1,250 for periodicals and newspapers; rent in the District of Columbia; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles; payment, when specifically authorized by the administration, of actual transportation and other necessary expenses and not to exceed $10 per diem in lieu of subsistence of persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the administration; use of the services and facilities of the Federal home-loan banks, Federal Reserve banks, and agencies of the Government, including the use of services and facilities within the Administration; the amounts so derived to be credited upon the books of the Treasurer of the United States in such account or accounts as the Administration may determine, and the Administration in its discretion may utilize the facilities of the Division of Disbursement of the Treasury Department for the disbursement of funds in or derived from such account or accounts relating to said corporations: *Provided*, That (1) all necessary expenses in connection with the liquidation of insured institutions, (2) all necessary expenses (including services performed on a force account, contract, or fee basis, but not including other personal services) in connection with the acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property belonging to the Home Owners' Loan Corporation or in which it has an interest, and (3) all necessary expenses (including services performed on a contract or fee basis, but not including other personal services) in connection with the handling, including the purchase, sale, and exchange, of securities on behalf of Federal home-loan banks, and the sale, issuance, and retirement of, or payment of interest on, debentures or bonds, under the Federal Home Loan Bank Act, as amended, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That except as herein otherwise provided, the administrative expenses and other obligations of the Administration shall be incurred, allowed, and paid in accordance with the provisions of the Federal Home Loan Bank Act of July 22, 1932, as amended (12 U. S. C. 1421–1449), the Home Owners' Loan Act of 1933, as amended (12 U. S. C. 1461–1468), and title IV of the National Housing Act of June 27, 1934, as amended (12 U. S. C. 1724–1730).

Mr. WOODRUM of Virginia. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. WOODRUM of Virginia: Page 39, line 13, strike out "$11,353,825" and insert "$10,853,825."

Mr. WOODRUM of Virginia. Mr. Chairman, this is a reduction of $500,000 of the administration expenses of the Home Owners' Loan Corporation, which the committee feels can be justified, and still leave sufficient funds to carry on the affairs of that organization. The committee is unanimous in this opinion.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last word. In connection with this item, let me bring two observations to the committee. The first one in my judgment is rather disturbing in the light of the concentration of powers in the Executive. When we passed the First War Powers Act, we conferred upon the Executive authority to consolidate and modify agencies of the Government, but inserted a provision to the effect that it should not apply to those organizations that had no particular relationship to the war. But it was under authority of the first section of the First War Powers Act that the President relied in abolishing the Federal Home Loan Bank Board. That was a board created by statute, to administer the fiscal affairs of the home loan banking system, which serves the thrift institutions of the country as a discounting organization, like the Federal Reserve Bank System serves the banks of the country. I cannot find any justification for that action, and I cannot ascertain how they can make a war function out of that sort of thing, by summarily abolishing that and substituting a single Home Loan Bank Administrator, who happens to be the Chairman of the Board of the Home Owners' Loan Corporation. I requested the Attorney General for an opinion on that, and while he is under no obligation to render an opinion to a legislator, he indicated they were relying upon the First War Powers Act for authority to abolish this organization. There are hundreds of millions of dollars involved in this operation. It deals with home owners at the grass roots, and eminently deserves the best thought of a group, rather than of a single administrator, particularly a group familiar with the field of operations. Under that order the Board is abolished, and a single administrator takes its place. So I go on record as protesting that, and say it is not in conformity with the statute, and it is an exercise of power not delegated.

The second observation relates to the Home Owners' Loan Corporation.

It will be remembered that in 1943, in conference, it was provided that a plan was to be submitted by the H. O. L. C. for liquidation. That plan will be submitted shortly, and then we can take whatever action we are disposed to. I am interested in that not only because of the liquidation of the Home Owners' Loan Corporation, and the sale of these mortgages and accounts to the country, but in any future activities of the Home Owners' Loan Corporation, in any deal respecting credit. Recently I sent some letters to the country to ascertain two items: First, is there enough money in the country today to take over these mortgages; and, second, is there a disposition to do so? I think on the basis of the replies and other information that have been received from all parts of the country, it will show that probably $10,000,000,000 are available in assets in thrift institutions and private financing institution to take over these mortgages; and secondly, there is a distinct willingness on the part of those who have so much money for which there is no market or outlet to invest in this type of credit. Finally I shall be much interested in what kind of activity will come about with respect to the financing of the building of homes for individual citizens in the post-war period. That to me is an essential field in which private finance ought to operate and I am very much interested in it. Already there is the incubation of an idea right now that public funds would invade that field to a larger extent than at present. That, however, is a matter for subsequent discussion.

Mr. FORD. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Yes.

Mr. FORD. Would the gentleman's idea be that when this is taken over that the Government still will guarantee the loans?

Mr. DIRKSEN. No, they can take them over on the same maturities they have at the present time.

Mr. FORD. Without guarantee?

Mr. DIRKSEN. You take the Government out, and you put them on the same basis as any kind of home mortgage of which there are millions in the country at the present time being very well administered by thrift institutions.

Mr. FORD. I have a lot of communications from banking institutions and

they feel that the mortgages should be guaranteed by the Government.

Mr. DIRKSEN. Insofar as I know the gentleman is the first one who has ever made that observation to me.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. TABER. Mr. Chairman, I rise in opposition to the pro forma amendment. The House has just adopted an amendment which cut off $500,000 from this appropriation, and I think that we should have a little bit of the picture of what there is today in the line of reduced activity, so that we will know that that cut was very conservative, and that it was nowhere near what ought to have been made, in order to provide these people with just enough funds to do what they need. It appears on page 532 of the hearings that the total outstanding of all types of mortgages is $1,440,000,000. It appears that the rate of payment of these items is running for the year 1943 at $188,000,000, and I am satisfied from what I have gotten from Mr. Fahey that the amount of payments this year will exceed that, and run probably $225,000,000, or about 15-percent reduction in the number of mortgages and amount. On page 533 of the hearings appears the table as to the number of employees left. On page 531 appears the number of properties they had left at the end of the last fiscal year, 28,401. That has currently been reduced to 12,000. It will be further reduced by the items that are now in process by 2,000 and reduced beyond that by the 1st of July by 2,500 more. So that they will only have 7,500 properties on hand at that time.

Mr. Chairman, let us see the type of reduction that is proposed in the Budget. The property management on page 533 is to be reduced from 416 to 274, about 30 percent, with a 75-percent reduction in activity. On reconditioning, 134 to 114, which is about a 15-percent reduction, with a 75-percent reduction in activity. With reference to appraisal, 77 to 68 in the field, or about a 10-percent reduction, with a 75-percent reduction in activity. On accounting, from 694 to 662, or about 5 percent, with about a 15-percent reduction in activity. Upon the work of the treasurer, 333 to 321, a 4-percent reduction with likewise about a 20-percent reduction in activity. In auditing, from 167 to 157, with at least a 20-percent reduction in activity.

The things I have called attention to indicate they could make a saving of at least $1,500,000 in this. I hope that the management of the H. O. L. C. will take this to heart and make the saving in addition to the cut that has been made.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRAWFORD. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I take this time for the purpose of asking the gentleman from New York some questions about this matter discussed by the gentleman from Illinois [Mr. DIRKSEN] on the H. O. L. C. Could the members of the committee tell me whether or not there has been any survey made and which has been made available to the committee, showing the status of these mortgages, that is, those that are behind on the payment, that may have 30 percent to pay or 70 percent to pay or 90 percent to pay? In other words, the banks in my district are very much interested in this proposal made by the gentleman from Illinois [Mr. DIRKSEN]. I believe the gentleman wrote to the banks out in that district.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. DIRKSEN. Let us be sure about the correct terminology. I think I did address a letter to thrift institutions, simply asking them how they were conditioned with money, and consequently their willingness to take this over.

Mr. CRAWFORD. The banks have sent me copies of the letters they have written to the gentleman from Illinois, [Mr. DIRKSEN] and based on my knowledge of the banking business in that general area, I know that the banks, many of them, are awfully anxious to get some of this paper. But I have not seen any figures to indicate what percentage of loans as to dollar value or what number would be left in the hands of the H. O. L. C. or some Government agency because the banks would not be willing to accept them on account of the noncurrent status of the loans at the time they were to be taken over.

Mr. CASE. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. CASE. The gentleman will find in the hearings, beginning at page 526, a general statement by the Home Owners Loan Corporation with several tables, which gives the information which the gentleman desires. And then in the questioning that follows there is further information on the specific question that the gentleman asked beginning at page 540 and on the following pages.

Mr. CRAWFORD. I thank the gentleman.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. WIGGLESWORTH. The gentleman will find, on page 552, a table entitled "Delinquencies," which breaks down the delinquencies according to the amount of time they are delinquent.

Mr. CRAWFORD. I am sure that will give part of the information I desire.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. TABER. I think I can give a little information. I called Mr. Fahey and he told me the number on which no payments had been made at all. I think it was about 10,000. There probably would be at least about 25 percent of their loans where not sufficient payment had been made to bring the loans down to the point where private institutions, that is, mutual savings banks and loan associations and other banks, would, under the law, be allowed to take over these loans. That number, of course, is reducing all the time as a result of payments that are being made.

Mr. CRAWFORD. I thank the gentleman.

This whole question enters into a proposition we are discussing before our committee at the present time, wherein, under the banking act of 1935, there is a proviso that banks should not pay interest on demand deposits. As a result of a desire to change that law in some respects, a bill has been introduced and we have had about 10 or 12 days' hearings. We are getting information from the banks as to their earnings. When I say banks I mean thousands of banks. We find that the interest paid to the banks on Government securities which they now hold is so low that these banks are beginning to wonder about their earning capacity in the future. Naturally, with respect to time deposits in particular, I should think where H. O. L. C. loans have been paid down to a point where it is perfectly safe for the local bank or lending institution to absorb those loans, that would be one way of rehabilitating the earnings of our banks and somewhat answering the problem which now appears to be growing.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. WOODRUM of Virginia. Undoubtedly, if you took a good loan under the H. O. L. C. and turned it over to a bank where they had no chance to lose anything, you would, of course, rehabilitate the bank, but what would you do to the Treasury of the United States?

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CRAWFORD. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CRAWFORD. My concept of the Treasury of the United States is not that it shall make money and gather in a great amount of revenue by making loans or by carrying mortgages which private individuals should carry. Now, I do not mean it should not make money where it can, but when our people can privately finance things I think we should do it and keep it out of the hands of the Government. I think the Government should operate its activities in such a manner that it derives its revenue primarily from the taxes contributed by the citizens. That is about the most practical answer I can give to the gentleman from Virginia.

Mr. WOODRUM of Virginia. I agree fully with what the gentleman says, but does not the gentleman think if the H. O. L. C. can salvage some of the losses they are going to have to take they should do so?

Mr. CRAWFORD. The H. O. L. C. should salvage all the loss possible. There is no question about that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WHITE. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman and members of the Committee, there is a great drive on to skim the cream off the H. O. L. C. loans by the banks of this country, through a campaign, engineered by our good friend

and colleague the gentleman from Illinois [Mr. DIRKSEN], who has got out a circular letter. I do not know what the postage bill has been or what it cost Uncle Sam to pay the postage on all those letters, but I have had 15 or 20 notices from banks in my district with reference to taking over these H. O. L. C. loans. The thing I want to know is where were these banks in 1933 when the women and children were weeping in distress because of the threatened loss of their homes, and when children and whole families were being evicted to the streets for the want of a little security, and a little help to pay the mortgages on their homes and to keep a roof over their heads. Under these old home loans by these private financing companies there was no amortization plan in most of them and the loans were falling due and the people were being set out in the street and it took action by Congress to save the situation. I think the gentleman from Illinois [Mr. DIRKSEN] and the eminent gentleman from New York were here and helped pass that measure. My bank recently in my own State wrote me on this subject. I want to read to you and to have appear in the RECORD my letter to the bank on this question:

JANUARY 24, 1944.

Mr. J. B. DOLLARD,
President, First Federal Savings and Loan Association,
Boise, Idaho.

DEAR MR. DOLLARD: This is to acknowledge your letter of January 18, enclosing copy of a letter from Congressman DIRKSEN relative to the liquidation of the Home Owners' Loan Corporation.

I am not at all sure that an immediate liquidation of the H. O. L. C. would be beneficial to the taxpayers of the United States, and I will tell you why. The chief argument for liquidation is that the H. O. L. C. is in competition with private business, but since it has not made any loans since 1936 that argument is not valid.

H. O. L. C. should not be confused with other wartime emergency housing projects. It was set up in 1933 with a capital of $200,000,000, which is still intact, and has never cost the taxpayers $1 additional; while it did save the homes of something like 1,000,000 families, and incidentally bailed out some rather shaky building and loan companies by taking over their least desirable loans. Most of the H. O. L. C.'s losses were occasioned by its assistance to these private loan companies.

The great majority of the loans made by the H. O. L. C. (approximately two-thirds of all the money loaned by them) are not only worth par, but a considerable premium above par, and, if the H. O. L. C. were forced to liquidate them at par, as suggested by Congressman DIRKSEN, the taxpayers would lose approximately $400,000,000. Its liquidation would only result in the sale of these choice premium loans, and the H. O. L. C. would be left to use their far-flung organization to service only the poorer loans referred to above.

If the H. O. L. C. is allowed to continue in operation for the time anticipated by the Congress—until 1952—they will not only be able to return to the Public Treasury their original $200,000,000 capital, but a nice profit on their operation. Since they are not in competition with private business, I can see no particular advantage in liquidating them at this time.

On the other hand, I can see a distinct disadvantage to present borrowers by forcing them to go to the expenses of refinancing their loans with private companies, while private purchasers of the choicest of the H. O. L. C. loans at par would make a very considerable profit at the expense of the taxpayers.

I have very recently taken occasion to look into the affairs of the H. O. L. C., and the above statements are my honest convictions on the subject. However, if you can furnish me any additional information, or show me where I have erred in my conclusions, I will appreciate it very much.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. WHITE. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. WHITE. I wish to give you some statistics to show what they have done in the great State of Idaho, in relieving distress of home owners. Citizens of Idaho can take real pride in the way its home owners, who formerly were in distress and were helped by the Home Owners' Loan Corporation, have shown a determination to pay off their obligations. They are not only reducing their interest expense and increasing their equities but they are also by this process making a substantial contribution to the Nation's anti-inflation program of private debt reduction.

The total amount of outstanding loans of the Corporation in Idaho, together with the value of the properties acquired, has now been reduced through collections and the sale of its properties to a balance of $3,090,040, equivalent to 64.8 percent. A total of 1,651 borrowers have paid their accounts in full, and approximately 309 borrowers are now making monthly payments in excess of the amount required under their contract. The Corporation was obliged to take over through foreclosure a total of 427 properties. As of September 30, 1943, all but 15 of these have been sold. From August 1939, pursuant to an act of Congress which authorized the extension of loans in justifiable cases from the original 15 years to a maximum of 25 years, a total of 500 loans of the Corporation in Idaho were extended.

Mr. Chairman, I would like for any other Government agency to show a record that compares with that.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. H. CARL ANDERSEN. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, had it not been for the impractical and unbusinesslike conduction of affairs of the H. O. L. C. we would not today be faced with a deficit in that organization to the extent of approximately $190,000,000.

I think the gentleman from Illinois [Mr. DIRKSEN] and the gentleman from Michigan [Mr. CRAWFORD] are doing a very well worth while service to the Nation in proposing that as soon as these individual loans can be turned over to our small banks throughout the Nation, allowing the banks to service them and to loan private money at similar rates of interest and under similar protection to the home owner, the better it will be for the taxpayers of America.

Mr. Chairman, I have received letters from the following bankers of the Seventh Congressional District of Minnesota in relation to Mr. DIRKSEN's proposal. They are all in full agreement that their banks be permitted to assume the loans in their various communities, upon which sufficient equity obtains so as to conform with our banking laws. These gentlemen feel, and I feel, that it would be a step toward encouraging private initiative and discouraging bureaucracy if private lending institutions could assume these loans, contingent, of course, that the owner of the home concerned be fully protected in his rights in every way.

Mr. W. A. Grunert, Security National Bank, Montevideo, Minn.

Mr. F. L. Collins, Security State Bank, Beardsley, Minn.

Mr. D. S. Bjorgaard, State Bank of Cyrus, Cyrus, Minn.

Mr. N. H. Tallakson, Willmar, Minn.

Mr. C. C. Ersted, Farmers and Merchants State Bank, Donnelly, Minn.

Mr. Charles A. Uhley, Building and Loan Association, Slayton, Minn.

Mr. H. F. Engebretson, Lowry State Bank, Lowry, Minn.

Mr. Cleon C. Cook, Tracy, Minn.

The Clerk read as follows:

SECURITIES AND EXCHANGE COMMISSION

For salaries and expenses, including personal services in the District of Columbia, of the Securities and Exchange Commission in performing the duties imposed by law or in pursuance of law, including employment of experts when necessary; contract stenographic reporting services; purchase and exchange of lawbooks, books of reference, directories, and periodicals; not to exceed $1,000 for the purchase of newspapers; travel expenses, including the expense of attendance, when specifically authorized by the Commission, at meetings concerned with the work of the Securities and Exchange Commission; garage rental; foreign postage; mileage and witness fees; rental of equipment; operation, maintenance, and repair of one motor-propelled passenger-carrying vehicle; and purchase of rubber gloves; $4,651,704.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 47, line 2, strike out the period and insert a colon and the following: "*Provided*, That no portion of these funds shall be used for the enforcement of rule X-14-A-7 placed in effect by the Securities and Exchange Commission on January 24, 1943."

Mr. DIRKSEN. Mr. Chairman, in 1942, two bills were introduced, one from the Republican side and one from the Democratic side to suspend any application of the proposed new proxy rules by the Securities and Exchange Commission. The purpose of those bills, of course, was to give the Committee on Interstate and Foreign Commerce an opportunity thoroughly to examine and ventilate the proposals and their effect upon the general business structure of the country. Hearings were held and I think also some assurance was given that this proxy rule would not be put into effect until there had been a thorough

exploration. In 2 days after the second session of the Seventy-seventh Congress recessed, however, those new rules were placed in effect. Since that time bills have again been introduced to suspend the operative effect of those rules until the Committee on Interstate and Foreign Commerce by itself or through a subcommittee could get a better look at this whole matter. I think it is rather an embarrassing thing, notwithstanding the justification of Mr. Purcell, who happens to be Chairman of the S. E. C., as to why and how it was done. He did state frankly that there was some misapprehension about the communications he had with the chairman of the Committee on Interstate and Foreign Commerce; but that fact does not obviate the other rather persuasive facts which are, first, that the new rules have been extremely restrictive in a time of war when our war industries ought not to be loaded up with a lot of paper work and with tremendously restrictive rules, since the old rules and practices were operating quite effectively.

Notwithstanding that, however, they imposed them. I tried to find out as best I could what force there was behind this action. Insofar as I could find out there were not to exceed 25 or 30 written demands of people throughout the country out of a total of more than 10,000,000 stockholders in the country who thought that those rules ought to be changed. The matter was in the hands of Mr. Freeman, who insofar as I know, is a very able fellow, but I certainly do not like the attitude expressed, because when this was done it appeared there was going to be a conflict between these rules and existing laws and in some cases between the Federal rule and the State law, his answer on January 20, 1942, which was made to the Committee on Interstate and Foreign Commerce was this:

> We do make the law. If this request is followed it supersedes all laws that are contrary to it.

I think that is an unwarranted exercise of power. I say there was no necessity, certainly no proven necessity, for that action, particularly at a time when the industries of the country are laboring diligently to produce the instrumentalities of war and to make necessary equipment for those who are on freedom's frontier. At such a time there should not be imposed upon them new proxy rules which are voluminous, which take time, which will cause a considerable set-back, which will be restrictive, which will require the services of additional lawyers, which means far more abstruse reports to stockholders than they ever got before, and in my considered judgment is not in the general welfare.

Here is a test of authority. If they had the right to make a law which supersedes anything else that we can do we ought to know it now; we ought to know the humble position we are in as the lawmaking branch of this Government. The only way I can figure out to meet this situation at the present time is to adopt a proviso that none of the funds shall be used for the purpose of enforcing this proxy rule. That will give a committee of this House a chance to go back to the Boren bill and the Wolverton bill and develop a new proxy set-up that can serve the people effectively. They should examine and find out whether or not there has been sufficient demand to justify what I regard as excessive and arbitrary action.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. WOODRUM of Virginia. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Chairman, I ask recognition.

The CHAIRMAN. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOODRUM of Virginia. Mr. Chairman, I hope the Committee will not thoughtlessly adopt this amendment. It would have a very far-reaching effect on the operations of the Securities and Exchange Commission. The subject is highly controversial. You will find in the some 1,100 pages of the hearings before our subcommittee that it is not mentioned at all—no suggestion whatsoever before our subcommittee who heard the Securities and Exchange Commission, who heard Mr. Purcell, who went into all their affairs—not one syllable about any effort being made in this bill to write legislation which would affect the Securities and Exchange Commission and its operations. Let us see what it does.

The regulation which this limitation seeks to obviate or to prevent being applied is a regulation that the Securities and Exchange Commission put into effect, generally speaking, along this line: That before you can secure proxies from stockholders to vote them at meetings you must make a full disclosure to those stockholders as to the purpose of the business to be transacted at that meeting. Can you see why that ought to be done? Can you see the necessity? If you wanted to protect——

Mr. TABER. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from New York.

Mr. TABER. The object of this regulation and the one which is in controversy is to require corporations to send out statements to be furnished to all stockholders regardless of what those statements are. That is the one that makes the controversy.

Mr. WOODRUM of Virginia. If they want to get proxies from them, the purpose of it is obvious, and I would like to know who does not believe in that principle? It is to prevent a few men getting proxies from small stockholders all over the country and voting them in controlling the affairs of the corporation.

Mr. TABER. That is not correct.

Mr. WOODRUM of Virginia. I think that is the effect of it. It is a highly controversial proposition. Legislation has been introduced once and is now pending before the Interstate and Foreign Commerce Committee on this subject. They have already had hearings, they are going to have further hearings, and if this ought to be done I submit to the committee that the way is not to bring it in here when we are not fully informed on it. Perhaps I am not correctly informed, but that is my impression as to what it is.

Mr. PRIEST. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Tennessee.

Mr. PRIEST. I want to emphasize what the gentleman from Virginia has said about the complexity of this proposition. As a member of the subcommittee of the Interstate and Foreign Commerce Committee before which committee considerable hearings have been held, I realize more and more every day this is not a thing that can be decided very quickly. This committee has held rather extensive hearings, and I understand will hold some more. I may say to the gentleman from Illinois they will hold further hearings very shortly in an effort to bring out some general legislation dealing with this proxy question.

Mr. DIRKSEN. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Illinois.

Mr. DIRKSEN. Is not that the best possible argument for the adoption of this amendment, for before your committee ever concluded its hearings and 2 days after we adjourned in 1942 these new proxy rules which are a burden upon industry were imposed. My notion is that the S. E. C. certainly took unfair advantage of Congress at that time. Why did they not wait until you had concluded hearings on that matter?

Mr. WOODRUM of Virginia. I submit there is a right way and a wrong way to try to do things. It is not fair to the House, it is not fair to this committee, to bring an amendment on the floor of the House drastically changing existing law when there has been no consideration by the committee and no advance notice given by anybody as to the purpose of it.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment proposed by the gentleman from Illinois [Mr. DIRKSEN].

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 48, noes 50.

So the amendment was rejected.

The Clerk read as follows:

UNITED STATES MARITIME COMMISSION

To increase the construction fund established by the Merchant Marine Act, 1936, $6,766,000,000: *Provided*, That the amount of contract authorizations contained in prior acts for ship construction and facilities incident thereto is hereby increased by $5,700,000,000 (toward which $4,665,390,499 is included in the amount appropriated herein): *Provided further*, That during the fiscal year 1945 not to exceed $30,000,000 shall be available for administrative expenses of the United States Maritime Commission, including personal services at the seat of government; expenses of attendance (not to exceed $3,800), when specifically authorized by the Chairman of the Commission, at meetings

concerned with the work of the Commission; printing and binding; lawbooks and books of reference; periodicals and newspapers (not to exceed $6,500); teletype services; purchase (not to exceed $16,275), maintenance, repair, and operation of passenger-carrying automobiles; compensation as authorized by the act of August 4, 1939, for officers of the Army, Navy, and Marine Corps, or Coast Guard, detailed to the Commission; and not to exceed $469,500 for the employment by contract or otherwise of persons, firms, or corporations for the performance of legal and other special services, without regard to section 3709 of the Revised Statutes or the civil-service and classification laws: *Provided further*, That the amount which may be expended for administrative expenses in the fiscal year 1944 is hereby increased from $23,000,000 to $29,130,000.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: On page 53, line 9, after the sum "$29,130,000" and before the period, insert "*Provided further*, That no part of this appropriation shall be used for payment on account of the purchase of any ship at a price which includes any increment of value on account of any national emergency proclaimed on and after September 8, 1939."

Mr. DIRKSEN. Mr. Chairman, involved in this matter might be as much as several hundred million dollars and I think it commends itself to the interest of the House. It will be necessary to give you just a brief bit of background so you will understand fully what is involved here.

In 1936 when the Congress passed the Merchant Marine Act, it inserted a provision known as section 902 to the effect that whenever an emergency arose and it became necessary for the Government to requisition or to buy vessels from private owners in the interest of that emergency, there should be no enhancement of value and no unjust enrichment and that the value to be paid was to be fair value at the time of taking. That has been the law since 1936.

When the emergency therefore was proclaimed in September of 1939 we had to move out and buy vessels from private steamship lines. Admiral Land indicated in his testimony that about 4,000 vessels of all kinds, large and small, had been acquired. In many instances section 902 dealing with enhancement of value would not even figure in the matter. But it does figure in a good many and some of them have now challenged the interest of the Comptroller General. He has ruled in some instances that there was proposed to be made a payment for a value over and above the fair value under that formula in the act of 1936.

I can illustrate that best by what I think is the documented fact. For instance, among others, we bought five vessels from the Waterman Steamship Line. They were built in 1920 and 1921. We paid, according to Admiral Land's testimony, $3,374,000 for those vessels. Shortly thereafter other vessels of similar age were sold to the Waterman line for $596,000. The question is, What was the fair value of the vessels purchased by the Maritime Commission at the time of taking?

That matter has been in a great deal of controversy. We ventilated it rather freely last year in connection with the hearings on the 1944 bill and we have had some testimony on it now. Admiral Land takes, I think, a forthright, but, in my juydgment, also a mistaken position. He is of the opinion that as the act of 1936 stands it does not provide for adequate compensation to some of these vessel owners. In my judgment the larger aspect of this thing is to follow out what we wrote in the law. Certainly it would be unfair because of the operation of an emergency to pay enhanced values which arose only because of the emergency and not because the vessel has been physically improved in any way whatsoever.

The controversy raged on and on and finally a board of three judges in the District of Columbia was created by Executive order, very capable gentlemen, in the hope that this thing might be straightened out, and a suitable formula devised. But I noticed when they spelled out their formula it was not essentially different from the difficulties we had before, so that this controversy is still on today.

The General Accounting Office still insists, insofar as I know, that there have been overpayments, and frankly I do not know how to reach the matter in any other way except to put an amendment in this bill to provide that no funds shall be used to pay that enhanced value. That is not going to keep the Commission from finally paying for these vessels. It merely gives us a further chance to go into these acquisitions before they are closed, to find out whether or not the interest of the taxpayers and the Public Treasury is properly served. We ought to go into it thoroughly, determine whether or not that formula in the act of 1936 has been violated, and, if it has, bring it back to the high road of statutory enactment as indicated in the act of 1936.

This amendment provides that none of the funds appropriated in this bill for the Maritime Commission shall be used to pay the increment or the enhanced value. It will not prevent us from properly compensating the shipowners for the value of their vessels, but this is a question where this value is in controversy. It has been for a long time. The over-all total might reach as much as $203,000,000 if every vessel were affected, so it is something that we cannot dismiss lightly. I believe, therefore, that this proviso ought to be written into this bill in the interest of the Public Treasury.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. BLAND. Mr. Chairman, I rise in opposition to the amendment.

Mr. BLAND. Mr. Chairman, there is no one question that has come before the Committee on the Merchant Marine and Fisheries that has received more careful consideration or given me more trouble than this language contained in section 902 of the Merchant Marine Act. Reference has been made to the controversy with reference to the Waterman Steamship Co. The Committee on the Merchant Marine and Fisheries submitted to this House a report on that subject under its investigational authority and differed from the conclusions of and findings of the Comptroller General. The committee has investigated the entire subject involved in this amendment.

There is a document which can be procured from the committee office, Document No. 50, which has gone into the full question of just compensation for ships, and the difficulties which arose as a result of section 902.

The Comptroller General held that the measure of compensation should be determined by value as of September 8, 1939, as I recall. That was the date of the limited emergency proclamation of the President, under which, I submit, there was no authority to requisition vessels except at the expressed direction of the President as to what should be requisitioned. That was a limited emergency.

In May 1941, there was a proclamation of unlimited emergency, under which all of the vessels that are in question here were requisitioned. In 1939 the value of the ships was at the lowest by reason of the Neutrality Act and various other acts. Shortly after the unlimited emergency proclamation of 1941 the value of the ships rose to the highest. All ships were taken after 1942, and generally when values were at their highest.

So far as I can see, and I think the committee document to which I have referred will absolutely convince you, there was involved a conflict between the Constitution of the United States and the language that was placed in the act. The Constitution of the United States in one of its amendments provides that just compensation must be paid for property at the time it is taken, and the Supreme Court of the United States and the courts of the country generally have held that just compensation cannot be limited to the contrary legislation or otherwise.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I yield to the gentleman from Illinois.

Mr. CHURCH. Was the report the gentleman has just mentioned as coming from the committee a unanimous report of the committee or substantially so?

Mr. RAMSPECK. Mr. Chairman, will the gentleman yield to me to answer that question?

Mr. BLAND. Yes.

Mr. RAMSPECK. The gentleman from Virginia was not here at the time that report was adopted. It was not a unanimous report. The gentleman from California [Mr. WELCH] filed some minority views.

Mr. CASE. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I yield to the gentleman from South Dakota.

Mr. CASE. Is it not true that the Comptroller General has found that in some instances the Maritime Commission bought ships and paid for them more than their appraised value, when the

Maritime Commission also had the right to take them under the emergency powers?

Mr. BLAND. That is answered in one of the reports submitted, and, in my opinion, the provision did not apply that they should be paid for at a price lower than their value at the time they were taken.

Mr. CASE. The Comptroller General's opinion was controlling in the matter, was it not, or should it not be controlling?

Mr. BLAND. No; the Comptroller General's opinion is not controlling. It is advisory and wisely so. It was carefully considered by the committee and a report made against it. I deny that the decision of the Comptroller General was controlling on the Maritime Commission though it was desired to conform with it so far as the Constitution would permit.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. BLAND. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I yield to the gentleman from Illinois.

Mr. DIRKSEN. Let me say to my friend from Virginia and everybody else on the floor that what we are trying to do here is not to penalize anybody, we are trying to resolve what is a very difficult matter.

First, my friend from Virginia will admit that section 902 provides that the vessel owners, where their vessels are taken, shall receive the fair cash value at the time of taking.

Mr. BLAND. I do not recall the exact language. If the gentleman has it, I should be glad if he would read it. I am speaking now from my recollection of many months past. When action was finally taken I was in Florida under the doctor's orders.

Mr. DIRKSEN. That is what the law states, the fair value at the time of taking.

Secondly, I think we are in agreement that Mr. Land has stated—and maybe there is some warrant for his statement—that it would cause injustice in some cases. That does not, however, obviate the fact that here we are dealing with the Merchant Marine Act of 1936, which states that the fair cash value at the time of taking shall apply. When the Comptroller General interprets that language, that is how he arrives at the conclusion that there has been an overpayment, and the same thing may apply to hundreds of vessels for which payment has not yet been made. This thing ought to be thoroughly ventilated, and they should be prevented from making this payment until the Congress can get a better look at it.

Mr. BLAND. I submit it has been thoroughly ventilated by the Committee on the Merchant Marine and Fisheries. It has been heard fully in every respect and from every angle. The report is in the House and has been here for months—no, I am mistaken; there was no report filed on just compensation, as I recall it.

Mr. DIRKSEN. That is right.

Mr. BLAND. Reports were made on the charges found against the Waterman Co., Baltimore Mail Line, Tampa Shipyard, and some others, but the complication became so great, as to section 902, that under the authority vested in him, the Chief Executive issued an Executive order appointing three of the greatest judges in the United States—Judge Hutchinson, of Texas; Judge Parker, of North Carolina; and Judge Hand, of New York, to consider the problems involved and provide a formula for payment of ships. That committee met, went through the whole proceeding, and rendered a formula under which it is proposed to make settlement and under which settlements are being made.

Mr. Chairman, if there is one thing that contributed more than any other to the necessity of my going to Florida and being away from this House for some weeks, it was my attempt to reconcile section 902 with existing constitutional provisions and to find a solution for these questions. The situation as it was developed before the committee was that if the constitutional provision was followed, it could be enforced by each one of these people accepting 75 percent of what might be ascertained to be due them by the Maritime Commission and by their then going into court and bringing suit. The information before the committee was that great injustice was being done to many people, including many small fishermen, many who could not afford to go into the Court of Claims, small claimants, because the amount involved was beneath the amount required to give the Court of Claims jurisdiction and the cost would be prohibitive. Of course, the larger vessel owners had the right to do that also, but they did not wish to sue the Government or assume an antagonistic position if an adjustment could be made with the Maritime Commission which would be fair value at the time of taking, though in excess of section 902 as interpreted by the Comptroller General. It appeared that a settlement could be made with the Maritime Commission that would be millions less than if the owners were compelled to resort to go into courts. The President, I have no doubt, saw this, and I am sure that for this reason he issued the Executive order. I know I saw it, and there will be found in the CONGRESSIONAL RECORD an extension of remarks by me discussing the order, approving it, and expressing my conviction that it was. The matter that was troubling me most was how to save to the taxpayers of this country the vast amount over and in excess of the payment that would be paid under the policy that would be adopted if this course were pursued.

Mr. WOODRUM of Virginia. The gentleman does not think this amendment ought to be adopted on an ex parte consideration of this kind.

Mr. BLAND. Absolutely not. It would block settlements. If these people are forced into court, let me tell you right now that we will have a repetition of World War No. 1. You are going to pay out far more money than under the procedure adopted here.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. BLAND. Mr. Chairman, I ask unanimous consent to proceed for 5 minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BLAND. Even if this can be enforced, because the action taken by the Chief Executive was under a law that had been passed by this Congress, it will prove suicidal. I am willing to go along with the Appropriations Committee, as far as I can, but to have them come in here now and undo this settlement without a hearing is wrong. Let them read committee document No. 50 and the evidence taken by the Committee on the Merchant Marine and Fisheries and they will have before them the entire problem in all of its ramifications.

Mr. DIRKSEN. I am just as anxious as the gentleman from Virginia to see the question resolved and it seems to me the proper thing to do is first to adopt this amendment, and then have the gentleman's committee examine and if necessary revise the language of section 902, so that these payments may be made in accordance with the statutes.

Mr. BLAND. When the matter was before us I very carefully considered the question of proposing an amendment to section 902, and the Senate subcommittee did propose one but I became convinced that there was no practical way to work that out by amendment.

Mr. DIRKSEN. I believe it is practical. Of course, it can be revised, but what we have now is an executive agency interpreting section 902 and proposing, because they deem it unreasonable, without any consideration of the Supreme Court, to pay more than what the section calls for.

Mr. BLAND. Let me tell the gentleman that a report was submitted in the Waterman case, and I understand that the Attorney General was of opinion that no suit could be maintained under the report of the General Accounting Office in that case. I hope this amendment will not be adopted. Of course, we will undertake to do whatever Congress demands, but if you pass this amendment you are imposing on the taxpayers of the country millions of dollars by its adoption.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. TABER. Mr. Chairman, I move to strike out the last word. The Comptroller General has gone into this situation very carefully, and he has made a report. Part of that report, and a good part of the operations of the Maritime Commission which has come into criticism appear on pages 829 to 832 of the RECORD, put into the RECORD during the remarks of the gentleman from Massachusetts [Mr. WIGGLESWORTH] on Friday last. It appears certain ships were

owned by the Waterman Steamship Co., on which subsidies had been paid by the United States Government, and those ships the Government had an option on to take over, at a certain price. That is the cost price less the construction subsidy from year to year. On one ship the cost price less the construction subsidy left the value of $42,863.60. That ship was built in 1920, and the price paid by the Commission was $660,000, or 15 times the amount of the value prescribed by the Merchant Marine Act. That is the kind of thing that this amendment seeks to stop.

Mr. BLAND. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. BLAND. Has the gentleman read the report of the House committee?

Mr. TABER. Yes; and the minority report of the gentleman from California [Mr. WELCH], which supports the findings of the Comptroller General.

Mr. BLAND. Has the gentleman read the findings of the Comptroller General?

Mr. TABER. Yes.

Mr. BLAND. My recollection is that there was money put into the building of ships that were being built by the Waterman Line, and that they were taken over and a reduction made in the price by reason of that.

Mr. TABER. I have no recollection of that, but it may be so. These people bought five old ships for a price altogether of $3,333,470, and they sold other ships not so old at that time to the Waterman company for $596,000. I want to see the Maritime Commission have every consideration that is possible. On the other hand I do not like to see anyone, no matter who it is, taking advantage of the Government at this time. For instance, here is an item of the Morgan Line, where the valuation, according to the book value rules of Order No. 24, of the ship *El Capitan*, built in 1917, was $32,000, which they took over for $486,000 in 1941, when it was 24 years old. The question here involved is whether you want to stop that sort of thing.

Mr. BLAND. Does the gentleman feel that the book value always determines the value of these properties where there is an increase by reason of economic conditions?

Mr. TABER. In these cases where the book value is arrived at as a result of subsidies which have been paid by this Government toward construction. That makes a situation where, over a long period of years, at the request of the Merchant Marine and Fisheries Committee, we have paid to these ship operators construction subsidies to set them up in business, and then, instead of using those construction subsidies to reduce the value of that ship, if we want to take it over on our option, we waive those construction subsidies and go along and pay the full value of the ship. In other words, that makes the Government of the United States pay twice for the same ship, and that is the thing that bothers me, and that is the thing that I think bothers the gentleman from Illinois [Mr. DIRKSEN].

Mr. BOYKIN. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. BOYKIN. I happen to know about that. Those ships had been put up and had not been used for 25 years. They tried to sell them to everybody in the United States. I personally phoned to Mr. Roberts, of the Waterman Ship Co., and asked him if he could not use them, and he said he could. He came up here, and he accepted them from the Government. Nothing had been subsidized, and he would not agree to take any subsidy. It is the only ship company that does not accept it. After he got the ships they were no good, but he spent thousands of dollars. They were no-account ships, and they were sent back to the Government, and the Government made the price on them. They had nothing to do with it.

Mr. TABER. Why was that not explained to the Comptroller? Why did the Comptroller ever make that report?

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. RAMSPECK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am opposed to this amendment, first for the reason of the principle involved. I am thoroughly opposed to the practice which is growing more prevalent here of the members of the Appropriations Committee undertaking to take away the jurisdiction of legislative committees by limitation.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. WOODRUM of Virginia. The same committee that reported this bill unanimously reported it without any kind of amendment, so the gentleman will not charge that to the committee.

Mr. RAMSPECK. I am glad the gentleman from Virginia said what he did, because I am directing my remarks to the amendment of the gentleman from Illinois [Mr. DIRKSEN]. While I have the highest regard for the gentleman and personally am very fond of him, it looks to me as if since he became candidate for President he is trying to run the entire Government here by limitations on appropriation bills. This is a very intricate subject. I say to the gentleman, I have given some study to it and some thought to it. The gentleman from Virginia [Mr. BLAND] gave so much study and attention to it he almost broke his health down. The other members of the committee, including the very able Republican members, gave considerable thought and study to it. While it is true that on the Waterman case and one or two other specific cases the gentleman from California [Mr. WELCH] did file a minority view, the remainder of the committee were in agreement as to those reports. I am not sure and I would not undertake to speak for the gentleman from California as to this question of valuation of ships, but the principle was not involved in the reports on which he filed his minority views.

This amendment goes to the principle of the legal question involved and in an effort to resolve this question there was appointed a board of three of the finest judges we have in the Federal system, Judge Hutcheson, of Texas, a member of the Fifth Circuit Court of Appeals; Judge Parker, of North Carolina, and Judge Hand, of New York. Nobody can say these men had any interest except to find what the facts were in those cases. They have rendered their decisions. The Maritime Commission, as I understand it, is trying to carry it out. It certainly does not seem proper nor wise to me for this committee to take snap judgment on a limitation amendment proposed by the gentleman from Illinois, undertaking to upset the ruling of that learned board composed of three eminent jurists and overrule them without having all the facts before it and without having had the advantage of studying the question as they have.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. WIGGLESWORTH. Will the gentleman inform the House just what the ruling of that Board was?

Mr. RAMSPECK. I do not have the ruling before me and I would not undertake to quote it from memory.

Mr. BLAND. Mr. Chairman, will the gentleman yield for an observation?

Mr. RAMSPECK. I yield.

Mr. BLAND. It prescribed a formula whereby settlement should be made for these ships and that is proceeding now. This amendment would just throw the whole situation into chaos.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield further?

Mr. RAMSPECK. I yield.

Mr. WIGGLESWORTH. Will the gentleman state whether he thinks the ruling of that Board of three judges in any way clarifies the legal question which is before the House at this time?

Mr. RAMSPECK. Yes; I think so. It sets up a formula by which they can make these payments. That is what we wanted to do.

Mr. WIGGLESWORTH. And it still leaves, unless I misunderstand it, the burden of what is enhancement on the shoulders of the Maritime Commission, which is just where it was before they handed down their opinion.

Mr. RAMSPECK. That may be true. But certainly we cannot undertake here on the floor of the House to resolve that question. Three learned jurists have passed on it after careful study. Their opinion has been upheld by former Attorney General Mitchell, as I understand it, who has the same views on it as stated by Admiral Land before your subcommittee. I have a record of the hearings here, on page 771. The gentleman from Illinois is asking this committee, without knowing about the facts and not having an opportunity to study it, to write a new formula and overrule that Board and put a limitation here, which is not the proper way to legislate in the first place, and in the second place it is asking the Members of Congress to pass on a very controversial and very technical question involving intricate questions of law without any study of it, without any opportunity to go into it, and without any committee reporting on it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAMSPECK. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. RAMSPECK. I say to you gentlemen it is not in keeping with the responsibility of a legislative body to undertake to legislate in that way.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. DIRKSEN. In the first place, let me remind my friend from Georgia that the Board that was set up by the President is an advisory board. They undertook, insofar as possible, to lend advice and spell out, if they could, this formula. But the fact remains, and the gentleman must admit it, that the Comptroller General still sits on the other end, and that, notwithstanding any interpretation of this Board, there is the clear-cut and unmistakable language of the act of 1936. Nobody will deny that it is clear, and that the only reason for trying to get around it is that some individual feels that it would do inequity to some shipowners. I do not say it would not, but you have by far a more resolute proposition today, and that is to torpedo a statute of Congress by Executive action. That is what is proposed to be done, in my judgment. This does not stop it. This just stops the operation until such time as this thing can be resolved according to law.

Mr. RAMSPECK. The gentleman may find I am on the same side of the fence as he is about the interpretation of the law, but I am talking about the way you are trying to remedy it. We have a legislative committee in the House and the Senate both to deal with this thing. We have the Comptroller General, who can stand his ground and disapprove any payments he thinks are not properly made. The advisory opinion of this Board does not overrule the Comptroller. But you are asking the Congress by a limitation on the appropriation bill to do something in 5 or 10 or 15 or 20 minutes that the legislative committees have not been able to resolve after weeks of study, a question that has been passed on by a board which has studied the case. I think it is inadvisable to act in that way.

The CHAIRMAN. The time of the gentleman has expired.

The pro forma amendments were withdrawn.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 56, noes 65.

So the amendment was rejected.

The Clerk read as follows:

SEC. 107. If at any time during the fiscal year 1945 the termination of the act entitled "An act to provide temporary additional compensation for employees in the Postal Service," approved April 9, 1943, or of the act entitled "An act to provide for the payment of overtime compensation to Government employees, and for other purposes," approved May 7, 1943, shall be fixed by concurrent resolution of the Congress at a date earlier than June 30, 1945, the appropriations contained in this act shall cease to be available on such earlier date for obligation for the purposes of the terminated act and the unobligated portions of appropriations allocated for the purposes of such terminated act shall not be obligated for any other purposes of the appropriation during the fiscal year 1945.

Mr. WOODRUM of Virginia. Mr. Chairman, title II, carries general provisions that have been carried in this bill for quite a while. I do not imagine it will be necessary to have them read unless some Member thinks they should be.

Mr. CASE. Mr. Chairman, I merely wish to reserve the right to offer an amendment adding a new section.

Mr. WOODRUM of Virginia. Mr. Chairman, I ask unanimous consent that title II be considered as read, and that amendment to title II be in order.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that title II be considered as read and that amendments to title II may be in order.

Is there objection?

There was no objection.

Mr. CASE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE: On page 69, after line 7, insert a new section as follows:

"SEC. 212 (a). After January 1, 1945, and until the cessation of hostilities in the present war, funds appropriated in this act shall not be available for the preparation of pay rolls to per annum employees of the United States whose duty stations are in the continental United States, more frequently than once per month."

Mr. CASE. Mr. Chairman, this amendment offers an opportunity to save approximately half a million dollars per annum.

I am going to ask you to follow the amendment rather closely as I reread it because it has been drawn to meet some of the questions that have been raised in connection with the discussion of the matter. Let me say at the outset also that this is not any particular secret amendment. All through the hearings it will be noted that questions were asked of representatives of various Federal agencies about the semimonthly pay roll as contrasted with a monthly pay roll. Mention of it has also been made in at least two or three of the columns conducted in Washington newspapers relating to Federal employees.

The amendment is particularly designed to give notice of its effect, for it would not be effective until January 1, 1945, and would continue in effect until the cessation of hostilities in the present war. It directs:

After January 1, 1945, and until the cessation of hostilities, funds appropriated in this act shall not be available for the preparation of pay rolls to pay per annum employees of the United States whose duty stations are in continental United States more frequently than once per month.

Briefly, the purpose of the amendment is to make it possible for the Federal agencies to get caught up on their pay rolls and to save money and manpower. When I asked the General Accounting Office about the situation we learned that the General Accounting Office is now behind in its audit by 145,000,000 checks. It has a backlog today that is twice what it was a year ago. I call attention to the testimony contained in the general statement of the representative of the Accounting Office on page 802 of the hearing, in which it is stated:

Approximately 75,000,000 checks were processed by the Check Accounting Section of the Reconciliation and Clearance Division during the fiscal year 1943 and the present backlog is estimated at 40,000,000 checks in that section. There are approximately 105,000,000 checks being held in the Treasury Department due to the fact that the Treasurer's Office has for various reasons been unable to state the accounts, which makes a total backlog of about 145,000,000 checks, or nearly twice the total number processed in the fiscal year 1943.

After going into detail to describe increasing duties they conclude with this statement:

By taking all of these factors into consideration, it is estimated that there will be a total of 200,000,000 checks for reconciliation during the fiscal year 1944, and 250,000,000 during the fiscal year 1945.

In other words, during the fiscal year 1945, there will be 250,000,000 checks to audit and they have been able to audit 75,000,000 checks a year.

After I went into this matter I was interested to learn that the distinguished chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. CANNON], had been interested in this proposition last year. At that time he asked various agencies to make an estimate of the savings that would be effected by use of a monthly pay roll instead of semimonthly under present conditions. Their reply, summed up, stated that there were some objections to making the change, particularly at that time because last summer the withholding tax had just been put into operation. It was thought there might be some hardship on the employees in making an adjustment in switching over to getting paid only once a month instead of twice a month since they were starting the deductions for the withholding tax. They estimated, however, that in the General Accounting Office alone it would mean a saving of $250,000 a year, and that in other agencies savings would amount to at least $200,000.

When I questioned the General Accounting Office during our hearings, they said that the amount saved under present conditions would be even more. I call your attention to the statement of the General Accounting Office which appears in the record at page 829. In specific answer to this question the General Accounting Office said:

It would be difficult to determine the savings in the auditing of pay rolls of the various Government offices and establishments if submitted on a monthly instead of a semimonthly basis due to the lack of any experience which might serve as a guide. It cannot be said that there will be a reduction of 50 percent of the present cost of auditing pay rolls for the reason that there will of necessity be many advance payments made prior to the end of the pay period. Such

instances are unavoidable in cases of dire need or distress. A rough approximation of the savings in the General Accounting Office in the services of auditors and assistant auditors would be about $275,000 for a fiscal year under present conditions.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. CASE. Mr. Speaker, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CASE. In other words, this is a little heavier work period in which the savings would be more. Those of you who have witnessed the time that is consumed in making pay rolls should be impressed by this proposition. I might say that I have had communications come to me from employees in various Federal agencies, all of them in favor of the idea. All of them have said that the waste has been apparent to them. One girl said that she handled about 2,600 accounts in an executive office, that the work involved was so great that before she had time to clear up her backlog another pay day was on her.

This proposal is made to save personnel and to give the General Accounting Office a chance to get caught up, and to save at the rate of approximately half a million dollars per annum. It would not go into effect until January 1, 1945, giving employees a chance to adjust their budgets, and would cease with the cessation of hostilities. Every employee would thus get more than 6 months' notice and have a chance to adjust his bill paying. Nobody's salary is cut. But it will save money for the taxpayers. This is a proposal to save the expense and manpower the Federal Government is put to in handling a double pay roll at a time when the Government needs to save both.

The CHAIRMAN. The time of the gentleman from South Dakota has again expired.

Mr. WOODRUM of Virginia. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 5 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. WOODRUM of Virginia. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Virginia is recognized for 5 minutes.

Mr. WOODRUM of Virginia. Mr. Chairman, my distinguished friend from South Dakota is such a useful Member of this House and he is so industrious and so thoughtful that any proposal he might seriously make should challenge our careful thought and consideration. As he said, during the hearings on this bill he asked many questions of the various departments about this proposal of whether or not it would be feasible to change our method of paying Federal employees from a semimonthly basis to a monthly basis.

In the first place, let me direct your attention to two or three reasons why I think this amendment should not be adopted. In the first place, if adopted it would apply only to the agencies in this bill. We would have to adopt a similar amendment in every other appropriation bill as we passed it in order to effectuate the savings of which the gentleman speaks. In the second place, this amendment would not save half a million dollars, for it would apply only to the agencies carried in this bill.

Such a procedure invoked generally by the Congress now would create nothing short of consternation and confusion in the Federal service, especially among the lower-paid employees. It would affect all employees in the navy yards, the Government Printing Office, and the ordnance arsenals and manufacturing depots, and all of that vast army of low-paid employees who rely upon getting their checks weekly, biweekly, and semimonthly.

Mr. CASE. Mr. Chairman, will the gentleman yield briefly at that point?

Mr. WOODRUM of Virginia. I yield.

Mr. CASE. The gentleman will note that my amendment carries the qualification "per annum"; it does not apply to per diem employees.

Mr. WOODRUM of Virginia. But many of these people are per annum employees. This subject has been so vital that many of the States have adopted State statutes. The State of South Dakota has a statute compelling employees, manual and clerical, of every person, firm, and corporation offering a public service or railroad in that State to be paid semimonthly. We have the same kind of a statute in Virginia compelling them to pay twice a month for the reason these low-paid people cannot get along with one pay check a month.

I have in my hand a number of letters from various groups, which I will put in the RECORD so we will have it there. Hearing of this proposal, they became alarmed about it.

I have a letter here from the National Federation of Federal Employees signed by Mr. Luther Steward, protesting very vigorously against inaugurating this policy unless there are wide-open hearings and some effort and opportunity given to the employees to be heard on the subject.

I have a similar letter from the Association of Letter Carriers, the Railway Mail Association, the American Federation of Government Employees, and the National Federation of Post Office Clerks. Those organizations, hearing of the suggestion that this amendment might be offered, registered their protests against it, and I will insert the letters in the RECORD.

(The letters referred to are as follows:)

NATIONAL FEDERATION OF FEDERAL EMPLOYEES,
Washington, D. C., January 24, 1944.

Hon. CLIFTON A. WOODRUM,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN WOODRUM: In limited areas of the Federal service the pay periods have been changed from semimonthly to monthly, and there is evident some disposition to extend this change so as to make it applicable to all civilian Federal employees.

The reason assigned by proponents of the longer pay period is the saving in cost to the Federal Government. We feel definitely that any such proponents fail to take into consideration the grave results which would inevitably flow should a pay period longer than 15 days be established. The vast majority of civilian Federal employees are in the lower salary brackets and theirs is, of necessity, a hand-to-mouth economy. They have no surplus to tide them over, and their existence is geared to meeting their personal and family financial outlays on a twice-a-month standard. It is difficult almost to the point of impossibility for such low-paid employees to readjust their expenditures to a longer pay period and the evident outcome would be to drive large numbers of this necessitous group into the hands of money lenders whose offers of loans at high interest rates are all too frequently the precursor to complete financial ruin.

It is our understanding that many State legislatures made aware of such potential danger have enacted laws requiring all employers to pay their employees at least every 15 days.

We feel that the Federal Government, as an employer, should lead, rather than resurrect bad practices which have been discarded because of the evident unfairness to low-wage and salary groups.

Our reason for addressing you is because, as chairman of the subcommittee having charge of the appropriations for many Federal agencies, your committee is in a position to exercise a potent influence to protect low-paid employees from a proposal which, however well intended, is supported by a specious reason only and would, if extended, do irreparable damage.

Sincerely,

LUTHER C. STEWARD,
President.

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES,
Washington, D. C., January 28, 1944.

Hon. CLIFTON A. WOODRUM,
Chairman, Subcommittee on Appropriations for Independent Offices, House of Representatives, House Office Building,
Washington, D. C.

MY DEAR CONGRESSMAN: It has come to our attention that efforts would be made to amend the appropriation bill for independent offices and establishments to the effect that the pay rolls for Government employees shall hereafter be made out once a month, instead of twice a month. In other words, bringing to Government employees a monthly pay check rather than a semimonthly pay check.

As we view the subject, nothing could do more to destroy morale among Government employees at this time than to interfere with their regular pay days. Already, by reason of the high cost of living and the various deductions being made for bonds, etc., they are having a hard time to stretch their pay even over a period of 2 weeks without borrowing or without establishing credit in department and grocery stores.

In addition to this, I call your attention to the further fact that many of these employees have commitments in which they have agreed to make certain papers on the 1st and 15th of each month, and to disturb this set-up would cause no end of trouble. On the other hand, nothing can be gained on the part of the Government in stretching the pay rolls to monthly rather than semimonthly payments, as we have noticed that the Secretary of the Treasury has already established machinery which not only writes checks, but sorts them out and adds them up at the same time and thus greatly increases the efficiency of the disbursing office of the Treasury.

We hope you will use your best endeavors to defeat the amendment if and when it is offered.

Very sincerely,

JAMES B. BURNS,
National President.

NATIONAL ASSOCIATION
OF LETTER CARRIERS,
Washington, D. C., January 26, 1944.

Hon. CLIFTON A. WOODRUM,
House of Representatives,
Washington, D. C.

MY DEAR CONGRESSMAN: It has been brought to our attention that when the independent offices appropriation bill is considered by the House that a member of the House Appropriations Committee intends to offer an amendment providing for a monthly instead of a semimonthly pay for all Government employees.

As a representative of some 65,000 letter carriers I desire to protest the adoption of any such amendment as we believe that it would result in considerable financial harm to the membership of our association, most of whom now find it difficult to live from pay to pay. The National Association of Letter Carriers at numerous conventions have unanimously gone on fecord as being in favor of a weekly instead of a semimonthly pay. You can therefore see from the above the exact sentiment of our membership. The reason for favoring the weekly pay is that it would make it possible for the letter carriers to promptly pay their bills, but if a monthly pay were inaugurated it would result in letter carriers being required to incur a large number of bills which they would be unable to pay until the end of the month, and not alone would it cause hardship to the letter carrier but it would also cause a hardship upon the merchants with whom they do business. As chairman of the subcommittee handling the independent offices appropriation bill, we express the hope that you will be able to prevent the adoption of the proposed amendment.

Thanking you for the assistance that you have rendered the letter carriers in the past, and hoping for a continuation of same, I am,

Very truly yours,

CLARENCE F. STINSON,
Assistant Secretary.

RAILWAY MAIL ASSOCIATION,
Washington, D. C., January 27, 1944.

Hon. CLIFTON A. WOODRUM,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN WOODRUM: We have been informed that an amendment is to be offered to the independent offices appropriation bill to provide for the payment of salaries of Government employees on a monthly basis in lieu of a semimonthly basis.

In behalf of 22,251 members of the Railway Mail Association, who are employees of the Post Office Department in the Railway Mail Service, permit me to register our objection to the proposed change.

The policy of semimonthly pay periods has been in effect in the Government service for a great many years.

The employees have adjusted their budgets accordingly and depend upon these regular semimonthly pay periods to meet their living expenses, commitments, and obligations that have been incurred.

Practically all large industries and employers of labor have either a semimonthly pay period or a weekly pay period and their experience has been that this practice results in a more satisfied personnel. Many employers have found a weekly pay period to be the most satisfactory solution to this question.

To establish a monthly pay period for Government employees would, it is believed, seriously impair the morale of the employees and constitute a deterrent to increased productivity because of the dissatisfaction and discontent that would be engendered by such a change.

May we respectfully request the retention of the semimonthly pay period in the Government service.

Sincerely yours,

C. M. HARVEY,
President.

NATIONAL FEDERATION
OF POST OFFICE CLERKS,
Washington, D. C., January 27, 1944.

Hon. CLIFTON A. WOODRUM,
Member of Congress,
New House Office Building,
Washington, D. C.

DEAR CONGRESSMAN: I am advised that sometime during the consideration by the House of the independent offices appropriation bill an amendment will be offered to provide for monthly pay days for Government employees. At present such employees are paid on a semimonthly basis which has been the practice over a long period of years. In my opinion such an amendment would be very unsatisfactory to Government employees for the following reasons:

1. Some States, I understand, have weekly pay-day laws and the enactment of such amendment would seriously conflict with such laws.

2. While the contention may be offered that a budget system could be set up by the employees on a monthly pay-day basis, we believe that it would be difficult in many instances for this to be accomplished. Human nature being as it is, many employees would, in all probability, be short of funds within a short period of time after each pay day. This would prevent them from taking advantage of the many worth-while weekly sales that are put on by many department stores each week.

3. Small stores are now generally abolishing credit business and this would naturally work an additional hardship on employees paid on a monthly basis.

4. Over a long period of years Government employees have planned their budget on a semimonthly pay day and have accordingly made definite commitments and established obligations which they are compelled to meet semimonthly. To change now from a semimonthly pay day would necessitate a renegotiation of such contracts which, in many instances, might cause serious embarrassment to Government employees.

5. In our opinion the approval of such an amendment would not in any way be a saving. If thereby a few dollars would be saved to the Government, it would be distinctly offset in efficiency and a lowered morale among Government employees.

For these reasons we shall very greatly appreciate it if you will use your influence to defeat such an amendment in the event it is offered.

Sincerely yours,

WM. I. HORNER,
Legislative Representative.

Mr. RAMSPECK. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Georgia.

Mr. RAMSPECK. I want to make the same protest against this amendment that I made against the Dirksen amendment a while ago, and that is that such legislation should not be added to an appropriation bill without hearing and opportunity to go into all the details. I am afraid that what would happen in this case would be that you would throw all of the lower-paid employees into the hands of the loan sharks and create bad morale in the Government service.

Mr. WOODRUM of Virginia. I thank the gentleman.

Mr. Chairman, this matter was investigated by the Treasury Department, the General Accounting Office, and the Bureau of the Budget, and, under leave of the House, I will insert the letters which they wrote to the chairman of the full Appropriations Committee in August 1943 in which they go over the matter. They state that while it is true there probably would be a small saving made in the preparation of the pay roll, yet the other resultant disadvantages and hardships that would be worked on the low-paid employees would certainly not compensate for the saving.

(The letters referred to are as follows:)

TREASURY DEPARTMENT,
Washington, August 16, 1943.

Hon. CLARENCE CANNON,
Chairman, Committee on Appropriations,
House of Representatives.

MY DEAR MR. CHAIRMAN: On January 18, 1943, you wrote a letter to the Treasury stating that you had been in receipt of correspondence asking why the Government issued salary checks every 2 weeks instead of every month. It was suggested that accounting, paper and printing, personnel, and banking services would be greatly conserved by a monthly instead of a semimonthly payment basis.

Upon receipt of your letter the Bureau of the Budget, the General Accounting Office, and the Treasury Department made a joint study of the suggestion. It appears, however, from this study that the hardships which would be imposed upon employees of the Government and the effect of these hardships upon their morale and efficiency would greatly outweigh the saving of administrative expenses which would inure to the Government.

As you suggest in your letter, the general practice of industry is to pay more frequently than the Government now does. With larger taxes, War Savings bond purchases, and increases in the cost of living, many employees in the lower salary ranges would find it extremely difficult to adjust their family budgets in the change-over from a semimonthly to a monthly salary payment basis.

Upon first examination it may appear that the reducing of the number of pay days would result in a large saving to the Government. Upon closer examination, however, it will be found that the saving would be relatively small. Most of the pay-roll expense is in the various Federal bureaus and offices where the time and leave records are maintained. A monthly roll would not, of course, reduce the work of maintaining data on which the pay rolls are based. Moreover, in many of the bureaus and offices the pay-roll work is performed by an employee who is also engaged upon other duties. In such cases there would be no dollar saving by changing the roll from a semimonthly to a monthly basis for the reason that no actual reduction in personnel could be effected. The change from a semimonthly to a monthly basis would, of course, relieve pressure of work in some of the agencies, but, generally speaking, it was found in the joint study by the Bureau of the Budget, the General Accounting Office, and the Treasury Department that the agencies were not favorable to a monthly pay roll, principally upon the grounds that it would work hardship upon their employees and would adversely affect their morale and efficiency. It also appeared from the information submitted by them that the estimated savings were much smaller than had been anticipated.

One of the difficulties which arises in connection with the present pay-roll procedure is that employees are paid promptly on the last

day of the pay-roll period. This requires administrative agencies to prepare their rolls several days in advance, and the checks must be prepared before the end of the pay period.

Because of resignations, leave without pay, etc., many of the rolls must subsequently be changed, checks canceled, and new checks issued. This increases pay-roll work and involves some additional expense. The question of deferring the semimonthly pay days for a reasonable time after the close of the pay period would generally be acceptable to the various agencies, but might involve some hardship to the employees in the lower salary groups. This matter, however, will receive further consideration, but it is felt that action should be withheld until there can be reasonable assurance that the morale of the employees will not be too adversely affected.

With kind personal regards, I am

Very sincerely yours,

D. W. BELL,
Acting Secretary of the Treasury.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., August 10, 1943.

Hon. CLARENCE CANNON,
Chairman, Appropriations Committee,
House of Representatives,
Washington, D. C.

DEAR MR. CANNON: Reference is made to your letter of January 18, 1943, and to my reply of January 29, relative to suggestions received by you concerning the possibility of paying Government employees on a monthly instead of a semimonthly basis.

As indicated in my letter, steps were subsequently taken to explore this and related subjects in conjunction with the General Accounting Office and the Treasury Department. Attached is a summary report of the interdepartmental committee appointed to conduct the survey.

The committee found that there was almost unanimous opposition to the monthly pay day, largely because of the hardship it would work on the great majority of employees, especially during a period when their net cash income has already been drastically reduced through tax and other deductions in the face of increasing living costs. Also, the estimates of savings due to a single monthly pay roll were much smaller than had been anticipated.

On the other hand, the committee ascertained that the proposal to defer semimonthly pay days for a reasonable time after the close of the pay period would not be generally opposed by the agencies and that it would further the interests of good administration; but the suggestion was made that the introduction of even a moderate lag of as much as 9 days might well be deferred until more normal conditions prevail. I agree that no action should be taken until we can have reasonable assurance that employees' morale will not be too adversely affected.

This letter and attached report has been informally cleared with the Treasury Department.

Very truly yours,

HAROLD D. SMITH, *Director.*

Mr. McCORMACK. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. If anything, the tendency is toward payment of salaries weekly. If that could be done rather than making it monthly it would be better, because these per annum employees and their families have economic problems just the same as all of us. My observation and my experience is that the men would like to get their pay weekly where they now get it semimonthly, if that could be done.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

The question is on the amendment offered by the gentleman from South Dakota [Mr. CASE].

The amendment was rejected.

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and Mr. MCCORMACK having taken the chair as Speaker pro tempore, Mr. WHITTINGTON, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 4070), making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1945, and for other purposes, had directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. WOODRUM of Virginia. Mr. Speaker, I move the previous question on the bill and amendment to final passage.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the Committee of the Whole today and to include certain letters.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include excerpts from certain letters in connection with the H. O. L. C.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota [Mr. H. CARL ANDERSEN]?

There was no objection.

JAPANESE ATROCITIES TO PRISONERS OF WAR

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent to vacate the proceedings by which the House adopted an amendment and passed House Resolution 424, authorizing the printing of the joint report of the War and Navy Departments with regard to Japanese atrocities to American prisoners of war.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina to vacate the proceedings of the House whereby an amendment was agreed to and the resolution adopted as amended?

There was no objection.

The Clerk read the resolution, as follows:

Resolved, That the reports of the War and Navy Departments containing stories of Japanese atrocities and brutalities to the American and Philippine armed forces who were prisoners of war in the Philippine Islands be printed as a House document, and that 50,000 additional copies be printed for the use of the House document room.

Mr. BULWINKLE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BULWINKLE: On page 1, line 6, strike out the period, insert a colon, and the following: "*Provided*, That each Member of the House of Representatives shall receive 100 copies thereof."

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from North Carolina [Mr. BULWINKLE].

The amendment was agreed to.

The resolution was agreed to.

HOUSING IN THE SAN FRANCISCO BAY AREA

Mr. ROLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. ROLPH]?

There was no objection.

Mr. ROLPH. Mr. Speaker, San Francisco metropolitan bay area has increased more in population than any other section of the country. Housing situation in our community is extremely acute. Resolution adopted by a number of civic bodies in the San Francisco bay area reads as follows:

Whereas the official United States Census releases indicate that the San Francisco metropolitan counties have experienced since 1940 the greatest numerical civilian population increase among 137 metropolitan areas of the Nation, and it has been shown that a large percentage will remain in this area after the war; and

Whereas the war-housing program now nearing completion has provided only minimum and temporary shelter for a limited number of residents; and

Whereas there is a strong desire to check inflationary values of old homes by providing new housing to meet the demand of the San Francisco market for homes in the medium bracket; and

Whereas there are responsible builders in the San Francisco congested production area, who have capable organizations and construction crews of older men not adaptable to war production, and who are adequately financed to carry on a private program of reasonable proportions that would be beneficial in relieving the critical housing needs; and

Whereas it will require some 3 to 4 months to prepare plans and develop sites for home-building operations after authorization, before actual construction can get under way: Now, therefore, be it

Resolved, That all restrictions, including priorities of materials, allocations of housing units, and certifications of home buyers, regulating home building be removed immediately to permit home building by private enterprise, using private capital, to supply sufficient new homes to overcome the dangerous shortage of housing in the San Francisco bay area; and further

Resolved, That the War Production Board assign a representative to meet immediately with representatives of the San Francisco bay area home-building industry to plan for the earliest possible resumption of unrestricted private home building in this critical area.

The above resolution is adopted by the following: Board of Supervisors, City and County of San Francisco; San Francisco Chamber of Commerce; Residential Development Committee, Oakland Chamber of Commerce; Berkeley Chamber of Commerce; Vallejo Chamber of Commerce; Napa Chamber of Commerce; Petaluma Chamber of Commerce; Martinez Chamber of Commerce; Livermore Chamber of Commerce; Niles Chamber of Commerce; San Leandro Chamber of Commerce; Santa Clara Chamber of Commerce; San Mateo Chamber of Commerce; Burlingame Chamber of Commerce; San Francisco Real Estate Board; Oakland Real Estate Board; Berkeley Real Estate Board; San Mateo Real Estate Board; Associated Home Builders of San Francisco; Associated Home Builders of Alameda County; Peninsula General Contractors' and Builders' Association; Marin Builders' and Contractors' Association; San Francisco Housing Authority; San Francisco Planning and Housing Association; San Francisco Housing Conference Committees on New Housing and Conversions; Girls' and Women's Housing Bureau.

I urge that the Banking and Currency Committee of the House and the Federal authorities concerned with housing give earnest and immediate attention to the above resolution.

EXTENSION OF REMARKS

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a very scholarly article on the Freedom of Man's Will by the Reverend John Edward Coogan, S. J., director of the department of sociology of the University of Detroit. This article, which appeared in Federal Probation, touches on the very vital subject of man's responsibility for his actions.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. RABAUT]?

There was no objection.

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include two brief newspaper clippings.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri [Mr. SHORT]?

There was no objection.

STEEL FRACTURES ON SHIPS

Mr. BLAND. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD at this point on the subject of steel fractures on ships.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

There was no objection.

Mr. BLAND. Mr. Speaker, the papers last Saturday carried a report of an American-built Liberty ship under the Russian flag breaking in two.

This, I find, was traveling in ballast in a convoy and for several days before the first evidence of failure had been encountering mountainous seas.

The first evidence of failure occurred at 1210 on December 11, immediately following the crash of a gigantic wave on the bow of the vessel. A loud report followed the crash over the bow, and it was found a crack had developed in the deck plates ahead of the bridge. A call was made for help from other vessels in the convoy, and it was 20 hours later before a line could be passed to the damaged ship. Three heavy lines in succession were snapped off by the pitching due to heavy seas.

Almost 48 hours after the first crack developed the bow section broke away from the stern in the still heavy seas.

Both sections remained afloat and were both subsequently towed into port. There was no loss of life.

When the call came for mass production of ships it was not a call that brooked any delay. We all realized that it was ships, ships, and more ships only that could quell the ever-growing cry, "Too little and too late." No matter how much war material we had or could produce, it was the number of ships available for transportation that would tip the balance scales on the battlefields.

In 1941 existing merchant shipyards not already converted to naval building were overloaded by the acceleration of the Commission's long-range program, and it was necessary to build new yards for the construction of the Liberty ship. Starting from scratch, it was possible to design these facilities primarily for high rates of output. In the development of the shipyard lay-outs the Commission and the shipbuilders drew upon lessons learned in the ship-construction program of the last war, upon experience gained in the revival of the industry during the past 5 years, and as well on the latest advancements of manufacturing and construction methods in other fields. As production in these new shipyards has increased, other lessons learned have been embodied in improvements, until today the construction of Liberty ships on the east, west, and Gulf coasts has broken record after record with respect to both building time and tonnage output.

Naturally, the many technological developments of recent years have contributed much to the present shipbuilding program. It is also true that shipbuilding, in turn, has contributed to many of those developments. Welding is an outstanding example. It has speeded ship construction, both through facilitating prefabrication, and by simplifying many tasks which formerly were difficult and time-consuming. The welded ship is lighter than its predecessor and, under comparable conditions, costs less to build. Its ability to withstand damage from bombs and torpedoes is remarkable. The vast majority of today's shipyard workers had to be trained for their jobs in a hurry, and welding has proven splendidly adapted to the rapid training of a new generation of shipbuilders. It is no exaggeration to say that many ships now in service would still be under construction if the shipbuilding industry had not recognized and exploited the potentialities of welding. At the same time, it seems entirely probable that shipbuilding has become one of the greatest single factors in advancing both the application and the techniques of electric-arc welding.

Liberty ships, famous with the public for their mass production on the weld type of construction, and for meeting a critical need of prosecution of the war, are also making fine records in service, the story of which cannot be completely told until after the war.

Some rumors are prevalent in certain shipyards and port areas which question the structural strength of Liberty ships, as well as tankers, ore carriers, and other types. I desire to present the following facts:

Structural difficulties due to welding on vessels being built by the Maritime Commission has been thoroughly examined and, considering the large number of ships that have been built are relatively few.

Of the over 2,200 ships delivered into service in 1943, only 3.29 percent have suffered damage to the main hull structure because of the stress of wind, weather, and the seas, and ships have suffered such damage ever since man put their craft on the sea.

Only 4 out of 1,776 Liberty ships were so severely damaged in very heavy weather that they foundered and became total losses. This is only 0.224 percent of the total Liberty ships placed in service up to the end of 1943. One of these vessels, shortly before sailing on her last voyage, was subjected to heavy bombing attacks and suffered a number of near-bomb misses. With the exception of the 4 vessels lost, practically all damaged vessels have been repaired and are again in successful operation.

There have been no losses of personnel except in one case of a vessel foundering in Alaskan waters. A lifeboat, containing 10 members of the crew abandoning the ship, has not been accounted for.

In comparing yards where welding is largely used, a careful examination has shown that percentagewise there is little preponderance of one yard over another, for ship failures. The structural difficulties have been fairly well distributed throughout the United States, and this includes yards which are credited with a production of a large number of ships.

Viewing the subject from the type of ships, the highest percentage of failures took place in the ore carriers, which are built on the Lakes; most of these casualties were corrected during construction and all are operating satisfactorily.

In emergency production on such a vast scale, and with the great increase in the employment of welding, many difficulties were faced and most of them have been overcome. In the spring and summer of 1943 a number of corrective steps were taken which will materially reduce the number of structural failures. Today, difficulties are generally found in those ships built previously to the application of these corrective steps. If ships are already in service, corrective changes are made when they are next in port, but it is necessary to keep in mind that there must be a minimum of interference with the demands for transportation during these critical days of the war.

In order to further remedy this situation, instructions have been issued by the Maritime Commission to all yards building Liberty ships to make additional modifications which is believed will prevent any small crack in plating which might develop, because of locked-up stresses or other causes, from growing into a serious matter. These instructions have also been issued to make similar modifications on ships in commission which will be carried out as rapidly as practicable.

Proper loading of vessels, especially when they operate in ballast, is an important factor. Many months ago specific instructions were given as to proper loading and in most cases these instructions have been carried out. In a few cases improper loading has definitely contributed to failures.

While the Maritime Commission records are far more complete on ships built by the Commission than they are on other ships under United Nations flags, it is a matter of common knowledge that structural failures occur in riveted ships; the percentage of such failures involving the loss of the ships is about the same as for the welded ship.

It might not be amiss to point out that:

(a) Failures are more apt to occur in winter than in summer, and have occurred more frequently in high northern latitudes than in any other part of the world.

(b) Failures have occurred more frequently where the ships are in ballast than when loaded.

(c) In less than 10 percent of the failures have they occurred a second time, and these have been minor in character, and have occurred in different parts of the ship.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. VOORHIS] is recognized for 30 minutes.

FACTS AGAINST LABELS—HOW DEAD IS WHAT?

Mr. VOORHIS of California. Mr. Speaker, no Member could start a speech today without making mention of the unspeakable inhumanity with which American prisoners have been treated by the Japs. As a Member from the Pacific coast—a Member who has sedulously refrained from trying to suggest any military move—I plead with the high command to step up the tempo of the Pacific war just as soon as it is humanly possible.

If there be justice—and I believe there is—then retribution will come. The suffering of these men will rise up to be the mightiest force of all to wipe the power of Japan from the face of the earth, to free the Pacific area and east Asia from this scourge, and to enable not only our own people but those of China and Siberia and the islands and India and all the other countries of the Pacific to live at peace again.

And that means that our eyes will be ahead, not back. It means we will be men enough to face the real world that will come out of this war, to work for those regenerative forces which can render another war like this impossible and unnecessary.

My speech today is an attempt to analyze the political force which, next to the war, has had the greatest influence upon America in the past few years. I shall speak of its strong points and also its weak ones in order that we may chart our future course better.

Mr. Roosevelt says that the New Deal is dead; Mr. WALLACE says it is not. No one will disagree with the President that "Win the War" comes before everything else. But just what did the President and the Vice President mean? For in my opinion they might both be right and they might both be wrong. It all depends on what you mean by the New Deal. Since very few people have ever known what the New Deal was, least of all its most extreme opponents, I believe it important that an attempt be made to set forth clearly just what we are talking about.

In the first place, let me say, Mr. Speaker, that in my judgment labels are the most serious danger to straight thinking and sound decisions that exist in our country. But in spite of the war and our need for unity, labels are flying thicker and faster through the air all the time. New dealer, antinew dealer, starry-eyed reformer, southern reactionary, prolabor, antilabor, Communist, Fascist, isolationist, internationalist, bureaucrat, politician, economic royalist, long-haired college professor, all these and many more have been beamed at an unsuspecting American public and masqueraded as political argument. In most cases the terms have been absolutely devoid of any real content or explanation as to what the speaker meant by them. The times are far too serious for us to continue with this sort of thing. We had better tell the people exactly what we mean in the simplest, most direct terms we can find in which to tell them.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Tennessee.

Mr. JENNINGS. The gentleman has just referred to the fact that nobody seems to know what the New Deal means. At a recent meeting attended by the Attorney General of the United States one of the participants in the discussion stated that the New Deal was more dynamic than fascism and more revolutionary than communism, or some other term that applies to the Russian set-up. What is the gentleman's reaction to that statement?

Mr. VOORHIS of California. My reaction is that the gentleman has emphasized the point I have just made, and I thank him very much for his contribution.

What then does the New Deal mean? I can think of some very solid things that those words might be taken to mean, some things which, far from dead, have, I believe, served the American people so well that any administration or political party which attempted to do violence to them would expose itself to public wrath.

These things to which I refer here have all been accomplished by act of Congress. They are the result of carefully devised laws which that body has enacted, carefully considered and sometimes, on the basis of experience, amended. I do not believe the President referred to them.

Ten short years ago America was without any national provision whatsoever to protect its aged or disabled citizens, its dependent children, or any similar group of its people against ever-present, and in some instances inevitable, dangers of life in this modern machine age. We were without any machinery whatsoever whereby the purchasing power of these people could be maintained in the face of advancing age, the death or disability of a family's breadwinner, or unemployment. The Social Security Act, incomplete and in some respects inadequate as it still remains, stands for a principle of American life which I do not believe is dead. On the contrary, I believe it is only starting to be the vital factor in helping to solve the profound problems of the age in which we live, which at the earliest possible date it must become.

There was a time when there was no bottom below which the wages received by American citizens for work in the manufacture of goods entering interstate commerce could fall. A few years ago the Congress of the United States established a principle. That principle was that there was a certain point below which wages paid to workers could not fall without violating the policy of this Nation. Prior to the passage of the Fair Labor Standards Act, an American worker who was not a member of a strong labor union had no effective way in the world of protecting his standard of living against the cutthroat competition of even more needy or less encumbered workers than himself, to say nothing of the employers who attempted by wage cutting to engage in unfair competition against other employers who sought to do the right thing by their workers. By whatever name it may be called, the Fair Labor Standards Act is, I submit, not dead, but on the contrary a milestone in the progress of the American Nation. And the time may come after this war is won and our men come home, when this act will be even more desperately necessary than at any time in the past.

Up until about 10 years ago no Congress and no national administration had paid the slightest attention to the con-

tinuous and profligate waste of America's basic wealth, namely her soil. Misleading propaganda to the contrary notwithstanding, the whole future chance of America to remain a great Nation depends upon the continuance of a soil-conservation program. If this is the New Deal no man can kill it without striking at the heart of America herself.

We have not done such a very good job of it as yet, and bitter opposition remains to be met, but at least we have made a start in the past few years toward practical recognition of the fact that unless the family sized farm is preserved as the basic unit of American agriculture, unless the very great problems and frequently the very great poverty of the really small farmers of America are met, we are threatened with a continuous growth of industrialized agriculture which bodes ill indeed for this or any other people who would be free and who would retain democratic institutions. And though it is not perhaps a logical part of the speech which I am making today, I wish to state at this point, Mr. Speaker, that I believe one of the finest things we could do for the men who return from fighting this war would be to provide for the acquisition by them on easy terms of farmsteads, title to which would be vested in them and their heirs forever, with a condition that such farms could be neither mortgaged nor sold except, through the Government itself, to another veteran who desired to use it himself as a farm and a home.

Ten years ago it was said by every private utility company in the country that it was impossible to bring electricity to our farms. They said further that if electricity were brought to the farms the cost per kilowatt-hour would range between 40 and 70 cents. Today, thanks to the extensions of government credit, thanks to the principle of cooperation, thanks to the vision of something which might possibly be the New Deal, America's farms are being electrified through the R. E. A., their production increased, the life of the farm wife made brighter than it could possibly be made by any other development I know of.

Mr. KEFAUVER. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Tennessee.

Mr. KEFAUVER. The gentleman is making a very excellent address. While he is talking about the R. E. A., I hope he will also point out the great development in my section of the country, the Tennessee Valley Authority.

Mr. VOORHIS of California. Just let me go on with my very next point and I believe my good friend from Tennessee will be satisfied.

Mr. Speaker, some force in our country which I shall not name has been responsible for asserting the principle that the energy which is inherent in falling water is a gift of God to all the American people, to be supplied to them at the cheapest possible cost, not only to light and heat their homes, but to illumine their streets and places of business and to turn the wheels of industry. Perhaps the T. V. A. and Grand Coulee and Bonneville and Shasta Dams and the extensions of Boulder Dam power are not a part of the New Deal. I do not know. But whatever they are, I do know this, that people in towns and cities and sections of the country who, whether they purchase electricity from a public agency or from a competing private power company, find themselves paying a fraction of the former rates, will not readily relinquish this fundamental advance which they have made through public generation and distribution of electric power.

Mr. KEFAUVER. May I say that I am well satisfied with the remarks of the gentleman. They are excellent and accurate.

Mr. VOORHIS of California. I thank the gentleman. I might add that without the development of the T. V. A. and the other projects I have mentioned here we should have had a very much more difficult time than we have had in supplying the power necessary to fight this war.

Mr. Speaker, I have in my office an authoritative document which comprises a survey of American corporations which have registered with the Securities and Exchange Commission. It tells of the relationship between these registered corporations, on the one hand, and their subsidiaries, on the other. It gives to the American people for the first time in their history information about the corporations which they, by their patronage, support, and about the holding-company structure from which so largely stems the monopoly problem with which they must grapple. Mr. Speaker, you yourself were the chairman of the committee and the author of the bill that brought the Securities and Exchange Commission into being. I extend my thanks to you for this public service. But my thanks are unimportant. The important thing is that the American people themselves appreciate what you have done and will not, I think, soon surrender this, their fundamental gain.

Time was when it was an open question whether wage earners had the right to join together into labor unions and bargain collectively with their employers. That time has passed. Out of somewhere there came a force into American life which said to every worker, "You have a right to organization, for it is recognized that without it you are at the mercy of economic forces wholly beyond your control and in a position where it is impossible for you to meet your employer on equal terms." Fundamentally, this statement meant just what it said and no more. It did not presuppose closed shops. Certainly it did not presuppose any loss by the rank and file of workers of control over their own destinies or their own organizations. It merely meant, and it means today, that the right of organization is as fundamental a right of workers as it is of stockholders who come together to form a corporation.

Mr. Speaker, time was when American farmers in order to obtain the credit which they must have to carry on their business were compelled to pay rates of interest as high as 10, 12, and 16 percent. In my opinion rates of interest on farm loans are still higher than they need or ought to be. But there exists throughout this Nation a structure of cooperative credit associations for agriculture which I pray God will never be destroyed but will grow and flourish through the years.

By whatever name these things be called that man will be bold indeed who says that they are dead or that they have not made America a better, a more hopeful, a more truly democratic nation in which to live. I do not believe for one moment that the President referred to these things.

I now come to part 2 of my speech. Way down deep in the structure of the life of our country there lodges a maladjustment upon the solution of which depends the future of freedom for mankind in this and in other parts of the world. That maladjustment is the chronic tendency of the power of mankind to produce, to outrun the ability of existing monetary and distributive machinery to distribute that production to needy or willing consumers. Out of this maladjustment grows the fundamental problem of unemployment. Upon it has been built the cancerous superstructure of monopolies and cartels seeking to restrict production to the level of an artificially limited demand, and thus to exact from the Nation a share of its purchasing power out of all proportion to services rendered, taking that purchasing power away from other industries which continue to operate on a competitive basis. If we do all things else and fail to solve the problem of unemployment, fail to bring about a situation where the farmers and manufacturers of America can produce an abundance with assurance that the market will keep pace with their efficiency, then we shall fail fundamentally. The reciprocal trade agreement program is an all-important stepping stone toward a peaceful world, but international trade is no answer to the problem which I am here posing. For the first time in American history, the administration of President Roosevelt recognized a responsibility in the Government for the solution of this problem. It recognized that freedom and constitutional democracy could not stand for long side by side with bread lines of willing workers.

If we are so foolish as to permit a period of unemployment after this war, then out of our experience we will learn that lesson over again.

It was recognized also that the key to the solution of this problem lay in increasing the purchasing power of the people, and therefore the demand for goods, in order to make it more nearly commensurate with the potential supply. But the methods used were not such as to correct the fundamental or chronic difficulty. They sought instead to deal with a fundamental maladjustment by means of temporary, or emergency measures, measures which were changed from time to time and many of which brought about the creation of governmental agencies and bureaus with wide discretionary power. In all too many cases these agencies were created not by act of Congress nor were their duties defined

by Congress. Objectives were deliberately limited to partial ones, but officials guiding the agencies were given sweeping latitude in making of decisions which, in many cases, involved the very sustenance of American citizens.

It is here, Mr. Speaker, that we may look for corpses and not indeed be sorry to find them.

If by the New Deal or by some other name we mean loyalty to the cause of the poor and oppressed, if we mean practical recognition of the infinite and utterly indefensible injustice that is unemployment and the duty of Government to motivate full employment, if it is not itself to provide it, if we mean the supremacy of the general welfare of all the people over the power of any special group, if we mean that the power in falling water, yes, and in oil and other natural sources of power belongs of right to the people—if it is these things we mean, then indeed they are no more dead than humanity or the spirit of Jefferson or Lincoln or the religion which most Americans profess.

But if by the New Deal is meant a touch-and-go policy of dealing with deep and cancerous maladjustments of our economic life by the creation of one emergency governmental agency after another, without congressional sanction or legislative authority, then I agree that this sort of thing is probably pretty dead, and I would add that it ought to be.

It is true that Dr. New Deal saved the patient's life in 1933. Only the most narrow partisan will deny that. I have also cataloged fundamental things which that doctor gave to America which she must never lose. But we have not yet cured the most fundamental ailment and if this doctor is thoroughly and completely dead, then at least as soon as the war is won America will need a new one, and need him badly.

For there are two things above all which those times will demand, neither of which a reactionary or even a conservative administration can possibly give America. The first of these is a deeper devotion than any we have yet seen to the cause of true freedom in America. This will require assertion of a general public interest in the teeth of monopolistic power wherever it appears. It will require making the right to enterprise and opportunity of all citizens superior to every monopolistic concentration of power and above all every international cartel agreement that may be sought or established by any particular group. I am opposed, Mr. Speaker, with all the vigor at my command, to any compromise with monopoly or any surrender to the European idea of world cartels, and I am afraid such compromise is in the wind. This is a problem I know we cannot deal with right now. We were caught short on it when the war came upon us, and we must carry on, securing the production wherever we can best get it. But for the future we must be prepared with legislation and above all with determination to deal with this menace to democratic life in America.

And, secondly, in place of those phases of the New Deal which I have criticized in this speech, in place of N. R. A.'s and continuous deficit financing, and agencies seeking to deal on an emergency basis with but one-fourth of a problem as great as unemployment—in place of these things we have got to be prepared to strike at the root of the problem of economic unbalance, of the chronic shortage of buying power, of unemployment. This will require, in my judgment, two things. First, it will require a new departure in taxation, a program which will specifically favor small competitive enterprise and encourage active investment. A program which will give incentive to people to engage in enterprises which are productive and which employ labor. And a program, on the other hand, which will penalize severely the arch economic crime of attempting to hoard or hold out of use the medium of exchange of the Nation upon the active circulation of which depends the possibility of our achieving that full production and full employment which we must have. This alone, however, will not be enough. As the productive capacity of the Nation increases, so the credit of the Nation must expand—not its debt. At present, however, and all through the disastrous years of the deflation of 1920, the utter collapse of 1929, and through the period of the New Deal itself our Government has been compelling itself to borrow into circulation at interest from private banking institutions every dollar of the new money so vitally needed to balance increasing production, to overcome depression and unemployment, to forestall agricultural price declines and the bankruptcy of our farmers.

One key, I believe it to be the master key, that will unlock a future filled with hope for all the American people, a future in which freedom and security can live together side by side, is the establishment of the fundamental principle of any sound monetary and fiscal policy—namely, that whenever the demand of the people is less than the potential supply of goods, the demand must always be increased to meet the supply, the supply must never be reduced to an equality with the demand. This means, if it means anything, that the Government of this sovereign Nation must be free, as the industry of its people increases their power to produce, to match that increasing production with a corresponding expansion of natural purchasing power in the form of new national credit or money, created by the Government itself without capital debt or interest charge and spent into circulation in lieu of taxes to maintain the essential balance of the economic system.

Mr. Speaker, the question whether the New Deal be dead or not can only be answered if one knows what he means by the New Deal. And the President is right that our only slogan for these times is "Win the war.' Therefore let us for once in American history be guided not by slogans or labels in our thinking, our action, or our appeals to the people. Let us instead know in our heart of hearts that America stands today as she has always stood as a symbol of hope for the common people, her Government their champion, their problems the first concern of the state. Let us remember that any political force, any agency, any movement which founds its work upon the pursuit of the welfare of those common people is a thing which will never die. Let us not forget that the more extreme the reaction of the moment the more certain will be the resurgence of the forces of progress tomorrow.

For it is a law of history that out of great human suffering come the most powerful forces for human betterment. May God guide us not only through this war but in that work as well.

LEAVE TO ADDRESS THE HOUSE

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent that, at the conclusion of business and other special orders on Thursday next, I be granted 30 minutes in which to address the House.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. BLAND. Mr. Speaker, on Friday last the gentleman from Virginia [Mr. WOODRUM] obtained leave for me to insert in my remarks certain material obtained from the Maritime Commission in answer to charges made by the gentleman from Ohio, the Honorable ROBERT F. JONES, on the floor on October 26, 1943. The leave was granted, as I say, but the matter has not yet been inserted. The question of limitation arose, and I took the matter up with the Printing Office, and find that this would involve an extra cost of $75. Notwithstanding that, I ask unanimous consent that it be inserted in the Appendix as an addition to my remarks made on Friday last.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. JUDD. Mr. Speaker, I ask unanimous consent to extend my remarks in two particulars, one to include an editorial or Associated Press dispatch regarding Japanese atrocities prior to Bataan and one to insert a resolution passed by the General Contractors of Minnesota regarding post-war construction.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Oklahoma [Mr. RIZLEY] is recognized for 30 minutes.

THE SOLDIERS' VOTE

Mr. RIZLEY. Mr. Speaker, I am just as anxious as any Member of Congress, the President, or anyone else, to see that every man and woman in the armed forces is given the privilege of voting; provided, of course, it is done in a legal manner and that the votes be recorded in the respective voting precincts of the State and county of their residence. In other words, I want the votes of the boys and girls from Oklahoma who are in the service recorded in the respective county of their residence, and the votes of the men and women of New York in the service recorded in the counties of their

respective residence. I assume that every other Member of Congress is in good faith, and that they all are equally anxious that our boys in the service be given the right to vote, and that we have an honest tabulation of the votes cast.

The only difference in the Congress is the method to be employed. Those who would attempt to mislead the soldiers and the country, by telling them that those who favor the State ballot method over the Federal ballot method are trying to deprive the servicemen from voting, in my opinion are rendering a great disservice to the country and are entitled to its condemnation. They have a perfect right to argue if they want to, that the State method is inadequate and that in their opinion it will prevent and hinder a great many from voting; but to say that those who favor the State system are deliberately trying to keep the servicemen from voting, is quite another thing. It is this type of demagoguery, together with numerous other serious preachments that, to my way of thinking, constitute some of the dangerous trends and constitute a dangerous threat to our form of government, that I desire to discuss this afternoon, rather than the merits or demerits of any particular soldier-vote bill.

Can we all agree that if the Congress as an institution and the prerogatives and functions that go with it are destroyed or usurped by some other branch of the Government that we will cease to function as a representative democracy?

It is unfortunate that Members of Congress cannot express their convictions with respect to legislation coming before the Congress for consideration, without being charged by certain groups and individuals in this country with bad faith, insincerity, or being pro-Nazi or pro-Axis.

The attempt on the part of some to destroy the reputation and integrity of individual Members of Congress who disagree with them is one of the most dastardly acts imaginable. The only thing that could be more dastardly, cheap, demagogic, and cowardly is to charge the Congress as a whole with insincerity, bad faith, fraud, and deceit, with respect to legislation which it has passed or in the promulgation of rules under which the legislation is to be considered.

Mr. Speaker, a recent so-called message to the Congress in referring to a bill which had been approved by the other body, and by reason of that fact alone is necessarily being considered by the House, uses some very ugly language and which, to my way of thinking, presents very serious charges against Members of the Congress and against Congress as an institution. I quote from the so-called message, which refers to legislation being considered in the Congress at this time:

> There is now pending before the House of Representatives a meaningless bill, passed by the Senate December 3, 1943, which presumes to meet this complicated and difficult situation by some futile language which "recommends to the several States the immediate enactment of appropriate legislation to enable each person absent from his place of residence and serving in the armed services of the United States * * * who is eligible to vote in any election district or precinct, to vote by absentee ballot in any general election held in his election district or precinct in time of war." This "recommendation" is itself proof of the unworkability of existing State laws.
>
> I consider such proposed legislation a fraud on the soldiers and sailors and marines now training and fighting for us and for our sacred rights. It is a fraud upon the American people.

Mr. Speaker, the term "fraud" is an ugly word. Webster defines it as being—

> Synonymous with cheating, deceit, deception, dishonesty, duplicity, imposition, swindling, treachery, and treason.

Further, as defined by Webster:

> Fraud is an act of deliberate deception, with the design of securing something by taking an unfair advantage of another.

Fraud—

Says Webster—

> includes deceit, but deceit may not reach the gravity of fraud.

Black's Law Dictionary, third edition, defines fraud as—

> Some deceitful practice or a willful device resorted to with intent to deprive another of his rights or in some manner to do him an injury. As distinguished from negligence, it is always positive and intentional.

The same author, in discussing the subject fraud, says:

> Fraud is either actual or constructive. Actual fraud consists in deceit, artifice, trick, design, some direct and active operation of the mind; it includes cases of the intentional and successful employment of any cunning, deception, or artifice used to circumvent or cheat another; it is something said, done, or omitted by a person with the design of perpetrating what he knows to be a cheat or deception. Constructive fraud consists in any act of commission or omission contrary to legal or equitable duty, trust, or confidence justly reposed, which is contrary to good conscience and operates to the injury of another; or, otherwise defined, it is an act, statement, or omission which operates as a virtual fraud on an individual, or which, if generally permitted, would be prejudicial to the public welfare, and yet may have been unconnected with any selfish or evil design. Or, according to Story, constructive frauds are such acts or contracts as, though not originating in any actual evil design or contrivance to perpetrate a positive fraud or injury upon other persons, are yet, by their tendency to deceive or mislead other persons, or to violate private or public confidence, or to impair or injure the public interests, deemed equally reprehensible with actual fraud.

Mr. BLAND. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I am delighted to yield to my distinguished colleague from Virginia.

Mr. BLAND. The gentleman does not know of any provision anywhere repealing the Constitution of the United States, which divides the powers of government into the executive, legislative, and judicial?

Mr. RIZLEY. I do not. I thank the gentleman for his contribution.

Mr. SMITH of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I yield.

Mr. SMITH of Wisconsin. Does the gentleman know of any instance in either House where fraud has been attempted to be practiced as far as the soldier-voting bill is concerned?

Mr. RIZLEY. Of course not. Although I am a comparatively new Member, I think I know the membership of this body and the other body well enough to know that none would be so low or would stoop to any such thing.

Mr. SMITH of Wisconsin. And is it not a fact also that as far as the Members on either side of the aisle are concerned they all want soldiers to vote?

Mr. RIZLEY. Certainly. My friend from Wisconsin has stated the facts correctly, and anyone who attempts to give the impression otherwise renders a great disservice to the servicemen and to the country.

Now let us look at the facts upon which the President in his message makes his case against the 24 Democrats and the 18 Republicans in the other body who approved the bill which he says is a fraud upon the soldiers, the sailors, and the marines, and the country.

On the 3d day of December 1943, the other body was considering S. 1285, which was introduced in the Senate on June 29, 1943. On October 12, 1943, an amendment in the nature of a substitute bill was introduced, and it was the action taken on the substitute bill which brought this charge of fraud and deceit against the other body.

The bill as passed, states in substance that the Congress expresses itself as favoring, and recommends to the States the immediate enactment of appropriate legislation to enable each person absent from his place of residence, and serving in the United States armed services, members of the merchant marine, or serving with the American Red Cross, the Society of Friends, the Women's Auxiliary Ferry Service, the Women's Air Force Service Pilots; and the United Service Organizations outside the United States who are attached to and serving with the armed forces, who are eligible to vote in any election district or precinct, to vote by absentee ballot in any general election held in the district or precinct of such person in time of war.

The bill further recommends that the States print and deliver to the Secretaries of War and Navy, postal cards to be sent to such absentee persons, for the purpose of making application for absentee ballots.

It further provides that the Secretaries of War and Navy wherever practicable and compatible with military operations, shall cause the cards to be delivered to members of the armed forces located within or without the United States, in sufficient time to enable such persons to secure, execute, and return the ballots in time to be recorded for such election.

Now I inquire, in all fairness, what is so reprehensible about such a bill, as to warrant charging those who voted for the bill of being guilty of cheating, of dishonesty, of swindling, of treachery? Certainly it will not be said that a recommendation by the Congress to the several States to enact appropriate legislation giving to the soldiers, the sailors, the marines, and the others described in the bill the right to vote, warrants charging

those who make such recommendations of being guilty of fraud. Certainly it cannot be said that a bill which recommends that the States print and deliver to the Secretary of War and the Secretary of the Navy, postal cards to be sent to the boys overseas and elsewhere, for the purpose of making application for such absentee ballots, is a fraudulent act or a deceptive act, or a dishonest act, or a swindling act, or a treacherous act.

The bill further authorizes the Secretaries of War and of the Navy to cooperate with State officers and the various State agencies in the distribution, execution, collection, and return of the absentee ballots; and provides that the ballots, envelopes, communications, and so forth, are to be transmitted free of postage, including air mail postage.

Does this constitute fraud? Does this warrant charging that persons who voted for the transmission, postage free, of the ballots and the necessary facilities enabling the soldiers to vote, were practicing an act of deliberate deception, with the design of taking unfair advantage of the servicemen?

Let us further examine this charge of fraud. The bill amends the act of August 2, 1939, entitled, "An act to prevent pernicious political activities," and this bill simply amends the 1939 act, as amended, by adding three new sections thereto, governing the sending of political matter paid for, wholly or in part, by Federal funds, to the armed forces, rebroadcasts to the forces of politics addresses, censorship of political matter contained in a letter or communication addressed to an individual member of the armed forces, and providing penalties for violation of any of the provisions.

Are these amendments responsible for the charge of fraud against the other body? Is it fraudulent or taking an unfair advantage for the Congress to say that it is unlawful for any officer or person employed in the executive branch of the Federal Government or an agency or a department of the Federal Government, to deliver or cause to be delivered, Government magazines, Government newspapers, motion-picture film, other literature or material, or to make or cause to be made, broadcasts to the armed forces paid for by Government funds, sponsored by the Government, which contain political arguments and political propaganda designed or calculated to affect the result of the election for President, Vice President, United States Senator or Representative? Is that what someone is mad about?

We have heard a good deal in the past few years about the methods of holding and conducting elections in Axis-dominated countries, and how those countries through government-owned and controlled newspapers, motion pictures and by the use of literature and other material, and by the use of the radio and other political propaganda, elections are controlled. Has it reached the place in this country that because the Congress attempts to safeguard an American election and keep the ballots sacred, that they are to be charged with fraud, deceit, treachery, and bad faith?

Let us see who is trying to be fair in this thing. Let us quote further from the bill:

(1) Nothing herein is to prohibit the rebroadcast over Government-controlled radio stations of any political address, but equal time must, if requested, be given to representatives of each political party presenting a Presidential candidate at the election.

Anything particularly wrong or unfair about that?

(2) Nothing herein is to prevent the distribution to members of the armed forces of books, magazines, newspapers having a general circulation in the United States, or of servicemen's magazines or newspapers, such as Yank and Stars and Stripes; but the list of such books, etc., is to be determined in accordance with the preference of the members of the armed forces in some reliable method to be determined by the Secretaries of War and Navy, and the conduct of servicemen's magazines or newspapers sponsored or paid for by the Government is to be wholly nonpartisan and nonpolitical, unless an equal amount of space is allotted in each issue to editorials, columns, or other argumentative matter supporting each party concerned in the Presidential election;

(3) No communication, order, magazine, newspaper, or other literature, and no broadcast, and no list of books, etc., are to be deemed in violation of section 22 if it is first submitted to the United States War Ballot Commission, and found by such Commission not to be in violation of the section, but it is not to be compulsory to make such submission.

Is there anything in this language to justify the charge of fraud?

Is it because the bill leaves to the respective States the matter of absentee ballots for soldiers and sailors and marines, that caused the caustic words in the President's message?

Section 2 of article I of the Federal Constitution, provides:

The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

The seventeenth amendment to the Constitution provides that:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years, and that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

The Constitution also provides:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State Legislature thereof; but the Congress may at any time by law alter such regulations, except as to places of choosing Senators.

When the Constitution was adopted and the qualifications of electors who should select Members of the House was defined, the property qualifications of the voters in the different States, as well as their requirements, were so various that it was concluded to let the practice in each State determine who should be qualified to vote for a candidate for a seat in the National House of Representatives.

To have reduced the different qualifications in the different States to one uniform rule—

Wrote Hamilton in the Federalist—

would probably have been as dissatisfactory to some of the States as it would have been difficult to the Convention.

As suggested in the beginning, I am not discussing the merits or demerits this afternoon of the bill which was passed by the Senate, or any other bill. Neither do I cite the quotations from the Constitution or the reasons set out by Hamilton in the Federalist, for fixing the qualifications for electors who vote for Members of the House, as affecting the validity or constitutionality of a Federal ballot. I have read a considerable part of the debate which occurred in the other body prior to the passage by it of the bill, and it was ably argued by distinguished lawyers of the other body that a straight-out Federal ballot would be unconstitutional and for that reason they could not and would not support a so-called Federal ballot.

Regardless of the merits of their contention, I am willing to concede that they were honest and conscientious in their beliefs and that in casting their votes against the Federal ballot they were not actuated by fraud, deceit, trickery, or any of these other ugly words which the term fraud embraces and implies. Certainly anyone who wants to be fair will have to concede that there is enough merit in the contention of those who claim that it is a matter under the Constitution for the respective States to warrant the assumption that those who make such contention are in good faith.

No, Mr. Speaker, the facts do not warrant the charge of fraud against the Congress.

Is this, then, a pattern that is to be followed, or is being followed, for the purpose of undermining the confidence of the people in its legislative branch of the Government?

Mr. BLAND. Mr. Speaker, will the gentleman yield?

Mr. RIZLEY. I am very happy to again yield to the distinguished gentleman from Virginia.

Mr. BLAND. I may say that on June 3 of this year I will have been a Member of this House, I think, for 26 years.

Mr. RIZLEY. I congratulate the gentleman.

Mr. BLAND. I have never yet seen a Member of this House guilty of fraud in his vote on the floor.

Mr. RIZLEY. I thank the gentleman from Virginia for his able contribution; and I may say further that no Member of this House on either side of the aisle has or deserves greater respect than does my friend from Virginia.

Mr. BLAND. I thank the gentleman.

Mr. RIZLEY. Some serious charges have been made in the past few months by various groups and individuals. Under date of Saturday, July 8, 1943, a short time before the Congress took the summer recess, a publication known as the UE News—a copy of which I hold in my hand—in a column styled "Mutiny and desertion," reads as follows:

Last week Hitler's agents succeeded in ramming through Congress a veto-overriding vote to give the infamous Smith-Connally bill the force of law. This was done in defiance of President Roosevelt, the Commander in Chief, in direct mutiny against his leadership.

Last week Hitler's agents struck a blitz blow in both Senate and House against price control and for profiteering.

As a result of their action the price rollbacks on butter and meat may have to be rescinded, because the Government of the United States is being denied the money to maintain the new, lower prices.

That means a further cut in your real wages—less butter and meat on your table. The action was taken in direct mutiny against the Commander in Chief.

Witnesses of these votes in Congress report that there was guffawing and back-slapping among the Hooverites and poll taxers at their successful mutiny, at their successful sabotage of the Nation's battle for stabilization of the home front.

The people will have something to say to these mutineers.

Is it right to call a man, even if he be a Congressman, a Hitler agent if he fights against the stabilization of the home front? It seems right to us. Hitler fights against us on every front, and those who help him in his work act as his agents, whether willingly or not, whether knowingly or not. In the end result it does not matter much if the home front is disrupted by conscious plotters; by venal weaklings, corrupted by cash or promised rewards; by haters of labor; by haters of the Soviet Union; by weaklings, or by blockheads.

In this total war we do not see much room for those who want to stand in the middle between the American Nation and people, and the enemies of the American Nation and people.

We think it is time for us to tell the Members of Congress to choose their sides, plainly and openly, for the people—for America—or against us.

The conscious traitors will not change. The others we can change. We must.

Those who vote to steal food off the tables of American workingmen and their families—those who vote for the disruption of the home front, do a comparable service for Hitler to that done by his U-boat crews who sink supply ships.

Congress will be coming home in 2 weeks or so. Before he comes home, let your Congressman hear how you stand. After he comes home, let him see your face. Whole locals must put on the heat, right at home.

And while we are about it, there are a few words to be said to the absentees—those who by shirking the work we pay them for, helped pass the Smith-Connally bill over F. D. R.'s veto. Fourteen more votes on our side would have changed the result. Dozens of Congressmen were away.

In this crisis of the home front a Congressman has no more right to desert his post than a soldier.

I also hold in my hand a copy of the C. I. O. News under date of July 5, 1943, which says it is the official weekly publication of the C. I. O., under a headline entitled "Holding Ranks," it has the following to say:

When the alliance of antivictory Republicans and poll-tax Democrats passed the Smith-Connally bill over the President's veto, they hoped, as part of their general disruptive scheme, to provoke an immediate wave of anger and resentment on the part of organized labor.

They hoped that this bill would bring discontent and indignation to a point where it would boil over in stoppages of war production, thus achieving their two objectives: to pillory labor and to hamper war production.

The same official publication, under date of July 19, 1943, under a headline styled, "Congressmen home—time to work on them is now," among other things appears the following in black-faced type:

(NOTE.—In addition to these slashes and hamstringing amendments, enemies of price control undertook a sabotage campaign in House and Senate committees under mask of "investigating" O. P. A. This includes a drive to wreck rent control, a smear drive against O. P. A. personnel, etc. Urge your Congressman to fight this undercover conspiracy in both Houses.)

Mr. Speaker, let us not be misunderstood in connection with this matter. Far be it from me to complain or contend that the C. I. O. or any other organization should not be permitted to take any position they care to take about any legislation coming before the Congress. Certainly they have that right. I want them to have that right. I pray they will always have a Congress to whom they may appeal. But do they have a right to charge Members of Congress who do not agree with them as being tools of Hitler and Tojo? Do they have a right to attempt to smear the Members of Congress by referring to them as conspirators, Hitler stooges, and Fascists simply because they sometimes vote contrary to the wishes of the so-called leaders of their organization? Are those smear tactics a part of the plan to destroy Congress as an institution by heaping abuse on the individual Members and by questioning their motives and attacking their patriotism?

Mr. Speaker, the distinguished Member from Alabama [Mr. STARNES] reporting for the special committee of this House on un-American activities, gives concrete and indisputable evidence that there does exist various and sundry organizations in this country who do not believe in a republican form of government, who have as one of their many objectives well-formed plans to obliterate the Congress of the United States as a co-equal and independent branch of our Government. This report is so timely and to the point I want to quote briefly from it:

The effort to obliterate the Congress of the United States as a coequal and independent branch of our Government does not, as a rule, take the form of a bold and direct assault. We seldom hear a demand that the powers with which Congress is vested by the Constitution be transferred in toto to the executive branch of our Government, and that Congress be adjourned in perpetuity. The creeping totalitarianism by which we are menaced proceeds with subtler methods. The senior United States Senator from Wyoming has called attention to the work of men who "in the guise of criticizing individual Members of Congress are actually engaged in the effort to undermine the institution itself." Many of the efforts to purge individual Members of Congress are based upon an assumption which reflects discredit upon the entire legislative branch of Government. That assumption consists of the view that the sole remaining function of Congress is to ratify by unanimous vote whatever wish is born anywhere at any time in the whole vast structure of the executive branch of Government down to the last whim of any and every administrative official.

Mr. Speaker, if I may be permitted to further briefly quote from the same document:

Over a large part of the world of today, democracy has been long dead. Political processes which once assured the common man some degree of genuine participation in the decisions of his government have been superseded by a form of rule which we know as the totalitarian state. The essence of totalitarianism is the destruction of the parliamentary or legislative branch of government. The counterpart of this destruction of the parliamentary institutions of democracy is the concentration of all power, irresponsible power, in the hands of the totalitarian dictator. In some countries, as in Hitler's Reich, the old forms of parliamentary government have been retained while the reality has been utterly effaced. The Reichstag has been degraded to an assembly of puppets who are called together at irregular intervals to scream "ja" at the Fuehrer's bidding. No greater fallacy could obsess the mind of man than to assume that such a procedure with its outward show of absolute unity represents ultimate strength.

In the totalitarian-ruled lands where democracy is dead, the undying issue confronting men is the restoration of freedom. In America the issue confronting us is not the restoration but the preservation of the political institutions of freemen. The issue compels us to take cognizance of widespread movement to discredit the legislative branch of our Government. The issue simply stated is whether the Congress of the United States shall be the reality or the relic of American democracy.

Mr. Speaker, may I say in conclusion, if the time should ever come—and God grant that it will not—that some other form or system is being boldly recommended by those who do not believe in our constitutional system, by those who would supplant the legislative branch of our Government with executive decrees or directives to be promulgated by various and sundry bureaus and bureaucratic devices, my fervent prayer is, and will be, that not one Member of this great body will ever desert his post or permit his tongue to be stilled until every such scheme and plan, and every vestige of the same, and all of those who are their sponsors, are driven out of public life where they can no longer be a menace to our democratic system.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Mr. MILLER] is recognized for 30 minutes.

SOLDIER-VOTE BILL

Mr. MILLER of Connecticut. Mr. Speaker, it is expected that tomorrow we will open debate on a bill to provide a method of voting in time of war for members of the land and naval forces, absent from their place of residence.

To write a law that will provide an opportunity for the 10,000,000 members of our Army and Navy, half of whom may be overseas by fall, to vote will call for the best efforts of this Congress. The writing of such a law, without doing violence to either our National Constitution or the constitutions of the several States, is not as simple as some people seem to have thought. To start with, I feel confident

that there is not a single Member of Congress who does not want our soldiers and sailors to vote.

We will debate this bill, not with our tongues in our cheeks, as has been suggested, but some of the Members who have had their sons killed in combat will have their hearts heavy in their chests. I do not propose to indulge in any acrimonious debate. I am not going to review the history of this legislation. My only interest is to assist, if possible, in enactment of a law that will give every member of the armed forces the right to cast a secret ballot and have that ballot counted. At this point may I say that in my humble opinion the President's message on this subject, read to us last Wednesday, was, to put it mildly, most unfortunate. That message has not made it one bit easier to pass a bill to accomplish the desired results. Whether I agree or disagree with the President is of no importance, but it is important that I retain my right to vote as my conscience dictates, on any measure presented to this House, without being accused of perpetrating a fraud against our servicemen. I am going to vote my convictions in this matter, not because of the President's message but in spite of it.

While not a member of the Committee on Elections, I have studied this legislation for several weeks, reading everything I could find that dealt with the question involved. Like many other Members of this House, I am not satisfied with either the committee bill nor with the Worley bill, which will be offered as a substitute at the proper time. For some time I have been convinced that section 8, of article I, of the Constitution of the United States contains ample authority for this war Congress to provide a Federal ballot for the election of a President, Vice President, Members of the Senate and House of Representatives, to men and women serving in the Army and Navy.

Whatever doubts remained in my mind as to the right of Congress to pass such a bill was removed when I read the court decision upholding the Soldiers' and Sailors' Relief Act of 1918. That act provided for setting aside the decrees of State courts and was decided to be constitutional in several different courts. If, tomorrow, we can approach this legislation with just one thought in mind—to get a bill that will give as many servicemen as humanly as possible an opportunity to vote in an honest election, without advantage to any candidate or political party, we will have solved a difficult problem.

At the proper time I propose to offer an amendment to create a Federal War Ballot Commission. I believe such a Commission is needed, no matter which bill is finally approved. I want a commission appointed as provided for in the original Green-Lucas bill, that was defeated in the other body last December. It seems to me that every possible safeguard was thrown around the appointment of the suggested Commission. That section provided that the national committee of the Democratic and Republican Parties should submit six names to the President; from these six names the President would nominate two members of the suggested Commission, and these nominations would be confirmed by the Senate. The only change I am making in the language of the original Green-Lucas bill is to provide that the nomination may be made by the chairmen of the two national political committees, without the necessity of calling a meeting of their full committees. If such a War Ballot Commission is appointed, it would have just one job—their full time and attention could be given to the task of getting both State and Federal ballots to the men and women in our Army and Navy, and getting those ballots back to their home communities where they can be counted:

I have great respect for the Secretary of War and the Secretary of the Navy, but they, and the members of their staffs, have just about all they can attempt to do at this time, without taking on this huge undertaking. More important than that, however, is the fact that the War Department has not indicated any great desire to get the ballots to the men now serving overseas. The War Department, in 1918, contended that it was neither important nor desirable to permit soldiers overseas to vote. I fear the War Department has not changed its mind since that date.

To indicate the attitude of the War Department, I quote from a letter written by the Honorable Henry L. Stimson, Secretary of War, which was printed on page 7058 of the CONGRESSIONAL RECORD of September 8, 1942:

> The War Department is opposed to the authorization of voting by members of the armed forces serving outside the continental limits of the United States or in Alaska.

That was the first flat statement made by the Secretary of War on the subject of soldiers' absentee ballot. Further on in the same letter the Secretary continued, and I quote:

> The question of providing a means for members of the military forces to vote in time of war is an old one. Under date of April 17, 1918, the then Acting Secretary of War, Hon. Benedict Crowell, wrote the Secretary of the Navy as follows:
>
> "After a most careful consideration of this entire matter, the War Department is of the opinion that it is neither advisable nor desirable to allow soldiers in the theater of war to vote. Their votes cannot be taken without seriously interfering with the military efficiency of our fighting forces."

It is important to note that Secretary Stimson, in 1942, was adopting that particular language and calling it to the attention of the Speaker of the House of Representatives, with reference to the then pending Public Law 712. Why not turn this task over to someone who has confidence in his own ability to carry out not only the desires of Congress but the desires of the American people?

Finally, the creation of this proposed Commission will give the minority party a voice in formulating and carrying out whatever detailed plans are finally adopted. An efficient War Ballot Commission will undoubtedly confer with experienced Air Corps officers, including possibly the commanding general of the ferry command. If they do that, some way will be found to do this job as it should be done. If we can get men of the caliber of General Arnold or Henry Kaiser to serve on this War Ballot Commission, I have no doubt but what they will find ways and means to deliver the approximately 205 tons of ballots to the various battle fronts. It may be that in some few isolated places soldiers and sailors will not have the opportunity to cast their ballot, but I cannot see that the job is going to be too difficult, particularly in the larger military and naval bases.

At the proper time I intend to offer an amendment to the Worley bill, H. R. 3892. On page 16, after line 4, I propose to insert a new section, reading as follows:

> Neither the Commissioner nor the Secretaries of War and Navy shall refuse to accept, transmit, and service, as expeditiously as they transmit and service the official Federal war ballots, the ballots prepared by any State.

There is a great deal of justification for the feeling that exists that the emphasis has been placed on getting Federal war ballots overseas and that no real effort will be made to get the State ballots into the hands of our soldiers. I want every man and woman in the Army or Navy to have the opportunity to vote, not only for Federal officials but for State and local officials as well, but I know there will be men who cannot obtain a State ballot. In such cases, they certainly should be permitted to vote the so-called short Federal ballot.

The proposed amendment to the Worley bill that I have just read will also be offered at the proper place as an amendment to the committee bill.

There is one provision of the Worley bill that I believe should be stricken out. It is found in section 5, paragraph (d), subsection (1), on page 8. The language I would strike from the bill provides that commanding officers shall set aside a voting day for the men in their command. I see no advantage in any such procedure. When the soldier or sailor receives his absentee ballot, either State or Federal, he should be permitted to carry it to his tent, barracks, fox hole, or hammock, and then in privacy mark his ballot, seal it up, and deposit it in some safe place indicated by his commanding officer.

At the proper time I shall propose an amendment on page 8, striking out lines 8 to 14, inclusive; also on page 8, line 17, strike out the words "prior to" and "on the balloting day," and line 21 of page 8, strike out the words "on the designated day." On page 9, strike out lines 4 to 6, inclusive.

Mr. Speaker, I am not disturbed by the thought that Army or Navy officers will try to influence the voting of enlisted men. If I know anything about the psychology of the American soldier or sailor, such an attempt would be sure to boomerang. Tomorrow this legislation will be before us under an open rule. We can work our will on whatever bill is before us. For the sake of those who will vote under its provisions, let us give them a good, workable law, without thought of authorship or partisanship. I

have no doubt but what every Member of the House will willingly stand up and be counted. Personally, I have never ducked a record vote, nor have I ever refused to let my local newspapermen know how I voted, whether it be on a voice vote, a division, a teller vote, or on the yeas and nays. All we want in this case is the best possible law that will allow the largest possible number of servicemen to cast their vote next November.

If, as the debate develops, it is apparent that there will not be time between the State primaries and November 7 to get ballots overseas and return them to the respective States, I will at the proper time offer an amendment setting the date for the Federal elections in 1944 on December 7.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. FOLGER] is recognized for 15 minutes.

NATIONAL SERVICE

Mr. FOLGER. Mr. Speaker, inasmuch as I have postponed this address on several occasions, and because I cannot let the opportunity pass to say what I want to say and what I feel ought to be said, I am taking advantage of the opportunity.

I have seen here demonstrated this afternoon the value of a Congress composed of hundreds of men in the lower House or in the House of Representatives, if you please, and 96 men in the Senate with the great privilege, authority, and right for each one of us to express ourselves, without fear, as to any matters which concern us and appeal to us as worthy of the thought of this body or of the country. I heard one Member speak of things that concern us vitally, while the gentleman from California [Mr. VOORHIS] delivered a very enlightening address upon matters that are of high importance.

We are giving much time and attention to post-war planning in this country. I do hope that all of us will give attention to the danger of cartels and monopolies, which have been referred to today and which, if they are not avoided and prevented, will probably deprive our soldiers, when they return, of that which we wish for every man, an equal opportunity in life.

I do not believe in the necessity of denominating any thought or idea as a new deal, but I like to think of equal rights to all and special privileges to none. Today, however, I am compelled—and I use the word advisedly—to speak of today's needs and its requirements. I am talking about the war, a war beyond any war we have ever known in its proportions and in its demands and requirements. I am talking especially about the men who actually have to fight and will have to fight this war on the battlefields of all the fronts of the world. Many of them will lay down their lives in order that freedom may continue throughout the world and be the better established in those sections where it is not so well thought of.

I am talking in this connection about the National Service Act. I do not know what committee is considering it, but I do suggest that its consideration ought not to be delayed. I am rather of the opinion that it may not be exactly safe for one who may be subjected to a candidacy for office soon to say too much about national service, but I do not regard what becomes of me as comparable with my interest and duty in bringing this war to a conclusion with total victory and a lasting and just peace.

Why should there not be national or Nation-wide service? Who is there with the right to object? Who is he who is unwilling to do his part, even though he shall have to do his utmost? This is my duty and yours.

The Wadsworth-Austin bill very soundly and accurately, I think, states facts and conclusions in these words:

(a) The Congress hereby declares that, in view of the critical nature of the present war and in justice to those in the armed forces of the United States, it is necessary to provide further for the comprehensive, orderly, and effective mobilization of the manpower of the Nation in support of the war effort.

(b) The Congress further declares as the general principle governing such mobilization that an obligation rests upon every person, subject to necessary and appropriate exceptions, to render such personal service in aid of the war effort as he or she may be best fitted to perform.

(c) The Congress further declares that there is no intention by this act to modify or otherwise affect existing laws relating to maximum hours, minimum wages, overtime pay, or collective bargaining, or relating to mediation, arbitration, or other procedures for the settlement of any labor controversies or questions.

(d) That there is no intention by this act to affect the integrity of the Selective Service System, under the Selective Training Act of 1940, as amended, and that nothing in this act shall be otherwise construed.

To me these declarations of purpose and policy mean, therefore, that we are not willing to have our men and women in the armed forces give their all in privations, hardships, injuries, and death for the world's security and freedom, while any one of us fails to make his full contribution in this same cause. Our men and boys, every day and every night, on the land, on the sea, and in the air, are fighting for liberty and freedom; for ultimate peace, to be enjoyed by us here; for our country and its security; and, by the eternal, there should be no slackers at home. Many of them will die, yes, millions of them, that we may have a safe place in which to live and enjoy the blessings of liberty. Wherefore, I conceive it to be the duty of each one of us to work, and to give ourselves, without a word of complaint, to the attainment of this freedom and peace which are held by us to be dear enough to make us feel justified to call upon them to give their lives for.

I am completely fed up on this idea that for our country some should die while others are allowed to do very little and complain of some relatively inconsequential inconveniences. It is a shame. In this time of my country's trial and need, if I am not willing to answer to its call, whatever the sacrifice may be, I am not worthy of the country the men in arms are trying to guarantee to me.

If in this hour, I, who am just a little inconvenienced, or required to pay some money in taxes, or prevented from using the occasion to make big profits, complain, while my fellows die, I am not worthy of the enjoyment of the things for which they give their lives. I can very easily visualize two Americans, one just as good and precious as the other, standing side by side, and hearing our country say to one: "Sign here, it commits you to go to the battle front to fight for your country and, if need be, die on a foreign battlefield." To the other, I hear our country say: "Sign here; your age, or your situation prevents my calling you to arms, but you can work and give to provide the things your country sorely needs to help this soldier more speedily win this war; and this I call on you to do. You will not be shot at or killed; you will not be called on to take a pack on your back and travel through jungles and marshlands, in the daytime and in the night, or march up hills while enemies pour lead in your direction to take your life; you will not be required to pilot planes in battles in the air; nor to carry on war with ships or guns or tanks. You will be called on to perform the civilian tasks while others fight to make you free and to guarantee to your children the right to peaceful pursuits in the years to come and the authority and privilege to enjoy the blessings of liberty."

I can see the first man, or maybe he is a boy 18 years of age, don his uniform and march off to war, without complaining. Then must I see the other man draw back and say: "You are trying to take away my liberty. This is fascism, dictatorship, totalitarianism, Hitlerism. I resent this Government making such a demand on me." What I ought to hear is: "I'm sorry you think I cannot fight for my country. Yes, sir; I'm ready to go where you think I can do most." What I ought to see is the second man turn to the soldier and take him by the hand; and I ought to hear him say: "My dear boy, may God bless you and keep you. As for my part, you can depend on me, I'll do everything I can, every minute, and every hour, and every day." That is my idea of a sure-enough, real man.

Many on the home front recognize their responsibilities in these crucial times. They are sensible of their obligations and are showing themselves to be men and women. Indeed, I believe this is true of the vast majority, but, regretfully, there are far too many of whom this cannot be said. There is too much pleasure seeking as usual; too much demand for business as usual; too much strife; too much bickering. In fact, too much pulling back; too much of a disposition to selfishness; too much effort now to gain advantage. There is too much politics as usual, even to the extent that there is danger that many think more about political success than they do about the welfare of our country. Of course, too, I guess it will always remain with some that the love of money is the root of all evil. It is an awful contemplation, but I have read and seen it; a surrender to this evil that causes a man to reach over the prostrate body of a dying soldier to grab a dollar. I am sure the Washington Star analyzed the situation truly in

its editorial entitled "A Call to Duty," when the editor said:

The President's call for adoption of a National Service Act opens a new chapter in our history. If this carefully considered request is granted, we will find ourselves, in the third year of this war and for the first time since the United States became a Nation, under a legal obligation—voluntarily assumed—to place ourselves, without reservation, in the service of our country.

Surely it will have been an obligation voluntarily assumed. What sort of a man is he who is willing, or will dare, to stand in the face of a bleeding soldier and say: "I didn't want to help; I was made to?" Wherefore I should be pleased that by recognition of the need of Nation-wide service I have been called, given an opportunity, if you please, through a National Service Act, to take my place with those who are taking theirs in this great work of saving our country from slavery, tyranny, and oppression.

The Washington Post very aptly said:

The President's recommendation of a national service law is a belated recognition that the corollary of total war is total service.

And added a compelling and convincing truth that it would follow that the entire Nation, both at home and abroad, would be rewelded into a single unit, working with a common devotion and a common sacrifice for early victory and a peace that will leave no domestic recriminations.

I suggest that the adoption of the principle that total national service is only fair, because this is a total war, will be worth its requirements in assurance of a universal morale, including that of our soldiers, regardless of the great assistance it will be in accomplishing the things necessary and helpful in bringing victory at the earliest time. We have no right to prolong this war 1 day because of our own neglect. As we are doing today we can win the war. But how long will it take? Our soldiers are concerned in this matter; and the questions that should move us are: "What can we do to speed victory? Am I willing to do half what I can or am I determined to do all I can?"

We want this victory, with peace won, and we should desire this accomplishment with as little sacrifice to our fighting men as is humanly possible. Is this true: "Nothing less than total mobilization of all our resources of manpower and capital will guarantee an earlier victory and reduce the toll of suffering and sorrow and blood"? I know it is true. You know it is true. Then what should we do about it? The men at the front, and those who are ready to go to the front, the women who have left their homes to give their all in this war, have a right to ask of us at home, "What are you going to do about it?" And let us not offer any puny alibis or begin to make excuses.

To the soldiers I can say two things:

First. We will keep on till the number here who are unwilling to take their stand to help you shall become so small they will hardly have a companion.

Second. Success to your arms. May you return unharmed, but—

So live that when thy summons comes to join that innumerable caravan thou go not like the quarry slave, scourged, to his dungeon, but, sustained and soothed by an unfaltering trust, thou be as he who wraps the drapery of his couch about him and lies down to pleasant dreams.

With this more, however, there are millions here, who represent the great majority, who promise you that they will not falter nor complain, but will give their all that you may return and enjoy the things for the attainment of which you have fought and dared to die.

THE SOLDIERS' VOTE

Mr. WEICHEL of Ohio. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. WEICHEL of Ohio. Mr. Speaker, service in the armed forces should not cut off one's civil rights, for only he who bears arms for his country has earned the full mantle of citizenship.

Our boys are fighting to preserve this country, and many others, as well as the American way of life. These boys should be given the opportunity to vote for the men of their choice with the names of the candidates on the ballot.

No rights or privileges should be taken away. They should be given more. These fighting men should have the full printed ballot of their community, State, and National candidates, so that they might fully express their opinion on home affairs.

There is nothing closer to the soldier's heart than his home. He is fighting to preserve that home. Help him to have his say at home.

Mr. Speaker, I do not want to shake his faith in America, by counting his vote anywhere but in his home community.

EXTENSION OF REMARKS

Mr. HOPE. Mr. Speaker, I ask unanimous consent that I may extend my remarks in the RECORD which I made earlier in the afternoon. Also, Mr. Speaker, I ask unanimous consent to extend my remarks by including an address delivered by the gentleman from Indiana [Mr. HALLECK] on January 29.

The SPEAKER pro tempore. Is there objection?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. JARMAN, for 3 days, on account of illness.

To Mr. STOCKMAN, for an indefinite period, on account of illness.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix by including therein a letter I received recently from Under Secretary Patterson of the War Department.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 31 minutes p. m.) the House adjourned until tomorrow, Tuesday, February 1, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE PUBLIC LANDS

The hearings on H. R. 2596, to protect Naval Petroleum Reserve No. 1 will be continued on Wednesday, February 2, 1944, at 10: 30 a. m.

There will be a meeting of the Committee on the Public Lands at 10:30 a. m., Monday, February 14, 1944, to consider H. R. 1688, a bill relating to the administrative jurisdiction of certain public lands in the State of Oregon, also the companion bill, S. 275, and such other matters as may properly come before the committee.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold hearings at 10:30 a. m., on Wednesday, February 2, 1944, on private bills and unfinished business.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 3, 1944, at 10 a. m., on H. R. 2809, to amend section 511 of the Merchant Marine Act, 1936, as amended.

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of subtitle "Insurance of Title II of the Merchant Marine Act, 1936," as amended.

COMMITTEE ON FLOOD CONTROL

SCHEDULE OF HEARINGS ON FLOOD CONTROL BILL OF 1944, BEGINNING TUESDAY, FEBRUARY 1, 1944, AT 10 A. M.

The Flood Control Committee will conduct hearings on flood-control reports submitted by the Chief of Engineers since the hearings conducted in June 1943 and on amendments to existing law. The committee is definitely committed to the view that flood-control projects for post-war construction will be among the most satisfactory public works, and the committee plans an adequate backlog of sound flood-control projects available following the war.

1. Tuesday, February 1: Maj. Gen. Eugene Reybold, Chief of Engineers, will open the hearings with any statements and recommendations he desires to submit covering national flood control and the projects that should be included in the bill to be reported, especially as they are related to national defense and as they will be important following the war to provide sound flood-control projects and desirable public works, and he will supplement his statements submitted to the committee in June 1943 with any recommendations he cares to submit following the said hearings and following the passage of the Emergency Flood Control Act authorizing an appropriation of $10,000,000 for the repair, restoration, and strengthening of levees and other flood-control works passed July 12, 1943. General Reybold will be followed by Maj. Gen. Thomas M. Robins, As-

sistant Chief of Engineers, and by Col. George H. Goethals, Chief, River and Harbor Flood Control Branch, Office of the Chief of Engineers, who will attend the hearings and will furnish the members of the committee in detail any and all information respecting any and all projects on which favorable reports have been submitted by the Chief of Engineers since June 1943. The district engineers and the division engineers have furnished to the Chief of Engineers data and information covering floods since June 1943, which will be submitted to the committee. It is probable that Brig. Gen. M. C. Tyler, president of the Mississippi River Commission, and the division engineer of the lower Mississippi Valley division, and Col. Miles Reber, former division engineer, Missouri River division, Omaha, Nebr., will appear before the committee with respect to projects along the lower Mississippi River and its tributaries and the Missouri River and its tributaries before the hearings are concluded.

2. Wednesday, February 2: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the Pacific Northwest region, including the Willamette River and the Columbia River and tributaries; proponents and opponents of projects along the Milk River, Mont.; the Knife River and tributaries, North Dakota; the Boyer River and tributaries, Iowa; Red Lake River and tributaries, Minnesota; proponents and opponents of projects along the Rio Grande and tributaries, Colorado; proponents and opponents of projects along other rivers in the western Rocky Mountain region, including the States of Colorado and Montana.

3. Thursday, February 3: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Soil Conservation Service, Department of Agriculture, and proponents and opponents of projects on rivers flowing into the Gulf of Mexico west of the Mississippi River, including the Trinity River in the State of Texas.

4. Friday, February 4: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects along the upper Mississippi River and tributaries, including the Illinois River and tributaries, the Great Lakes region; and proponents and opponents of projects along Bear Creek, Colo.; Missouri River and tributaries at the Kansas Citys, Mo. and Kans.; Nishnabotna River, Iowa and Mo.

5. Tuesday, February 8: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the Los Angeles area along the Sacramento River and tributaries and along the San Joaquin River and tributaries.

6. Wednesday, February 9: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Bureau of Reclamation, and proponents and opponents of projects along the Kern River and tributaries in the Kern River area and along the Kings River area and tributaries in the Kings River area, and including other streams in the San Joaquin Valley.

7. Thursday, February 10: Continuation of the projects discussed on February 9.

8. Friday, February 11: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the upper and lower Ohio River and tributaries, including Salt River, Taylorsville, Ky., the Potomac River and tributaries, the New England region, including the Connecticut and Merrimac Rivers, and the Middle Atlantic region, including New York, Pennsylvania, and New Jersey, and the South Atlantic region, including rivers flowing into the Atlantic Ocean and Gulf of Mexico east of the Mississippi River.

9. Tuesday, February 15: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Gen. M. C. Tyler, president of the Mississippi River Commission and division engineer, and proponents and opponents of projects along the lower Mississippi River and tributaries, including the Red, Arkansas Rivers, Conway County, Ark., and Purgatoire (Picket Wire) River, Colo., the White, St. Francis, and Yazoo Rivers.

10. Wednesday, February 16: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Col. Miles Reber, former division engineer, Missouri River division, Omaha, Nebr., and proponents and opponents of projects along the Missouri River and tributaries.

11. Thursday, February 17: Continuation of the projects discussed on February 16.

12. Friday, February 18: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in other regions in the United States.

13. Tuesday, February 22: Representatives of the Department of Agriculture, the Weather Bureau, Bureau of Reclamation, and other governmental agencies.

14. Wednesday, February 23: Senators and Representatives in Congress.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1122. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill authorizing appropriations for the United States Navy for additional ship repair facilities, and for other purposes; to the Committee on Naval Affairs.

1123. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill for the relief of Sgt. Maj. Richard Shaker, United States Marine Corps; to the Committee on Claims.

1124. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the fiscal year 1944, amounting to $25,414, for the Supreme Court of the United States (H. Doc. No. 390); to the Committee on Appropriations and ordered to be printed.

1125. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Veterans' Administration for the fiscal year 1944, amounting to $30,000,000 (H. Doc. No. 391); to the Committee on Appropriations and ordered to be printed.

1126. A letter from the president, Capital Transit Co., transmitting report covering the operations of Capital Transit Co. for the calendar year 1943, with balance sheet as of December 31, 1943; to the Committee on the District of Columbia.

1127. A letter from the Chairman, Federal Communications Commission, transmitting as required under section 4 (k) of the Communications Act of 1934, as amended, whether or not any new wire or radio communication legislation is necessary; the Commission, at this time, has no recommendations to make; to the Committee on Interstate and Foreign Commerce.

1128. A letter from the Secretary of War, transmitting a copy of the quarterly estimate of personnel requirements, setting forth the estimate of the number of employees required for the proper and efficient exercise of the functions of the War Department, for the quarter ending March 31, 1944; to the Committee on the Civil Service.

1129. A letter from the Administrative Assistant to the Secretary, Department of Commerce, transmitting revised estimates for the War Training Service, Civil Aeronautics Administration, for the quarter ending March 31, 1944; to the Committee on the Civil Service.

1130. A letter from the Attorney General, transmitting a draft of a proposed bill to provide for loss of United States nationality under certain circumstances; to the Committee on Immigration and Naturalization.

1131. A letter from the Chairman, Securities and Exchange Commission, transmitting the Ninth Annual Report of the Securities and Exchange Commission for the fiscal year ended June 30, 1943; to the Committee on Interstate and Foreign Commerce.

1132. A letter from the Administrator, War Shipping Administration, transmitting report No. 6 of action taken under section 217 of the Merchant Marine Act, 1936; to the Committee on the Merchant Marine and Fisheries.

1133. A letter from the Secretary, Federal Prison Industries, Inc., Department of Justice, transmitting the annual report of the directors of the Federal Prison Industries, Inc., for the fiscal year 1943; to the Committee on the Judiciary.

1134. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill for the relief of Lt. (Jr. Gr.) Newt A. Smith, United States Naval Reserve, for the value of personal property lost or damaged as the result of a fire occurring on August 11, 1943, in quarters occupied by him in the armory of Aviation Free Gunnery Unit, Dam Neck, Va.; to the Committee on Claims.

1135. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to provide for the payment of compensation to certain claimants for the taking by the United States of private fishery rights in Pearl Harbor, Island of Oahu, T. H.; to the Committee on Claims.

1136. A letter from the Archivist of the United States, transmitting report on records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

1137. A letter from the president, the Chesapeake & Potomac Telephone Co., transmitting a comparative general balance sheet of the Chesapeake & Potomac Telephone Co. for the year 1943; to the Committee on the District of Columbia.

1138. A letter from the president, the Chesapeake & Potomac Telephone Co., transmitting a statement of receipts and expenditures of the Chesapeake & Potomac Telephone Co. for the year 1943; to the Committee on the District of Columbia.

1139. A letter from the president, Washington Railway & Electric Co., transmitting a report of the Washington Railway & Electric Co. for the year ended December 31, 1943; to to the Committee on the District of Columbia.

1140. A letter from the Acting Secretary of the Interior, transmitting the report that no reservations pursuant to section 13 of the act of June 25, 1910 (36 Stat. 858), were made during the calendar year of 1943; to the Committee on Indian Affairs.

1141. A letter from the Acting Director, Office of Civilian Defense, transmitting copies of quarterly estimate of personnel requirements for the quarter ending March 31, 1944, covering regular operations of the Office of Civilian Defense and its protective property program; to the Committee on the Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BULWINKLE: Committee on Printing. Senate Concurrent Resolution 30. Concurrent resolution authorizing the printing of

additional copies of Senate Report No. 627, current Congress, on the bill H. R. 3687 entitled "Revenue Act of 1943"; without amendment (Rept. No. 1029). Referred to the House Calendar.

Mr. BULWINKLE: Committee on Printing. House Resolution 413. Resolution authorizing the printing of a revised edition of House Document No. 285, Seventy-eighth Congress, first session, entitled "Handbook for Servicemen and Servicewomen, of World Wars No. 1 and No. 2 and Their Dependents," with corrections as a public document, and for additional copies thereof; without amendment (Rept. No. 1030). Referred to the House Calendar.

Mr. BULWINKLE: Committee on Printing. House Resolution 424. Resolution authorizing the printing of the reports of the War and Navy Departments with regard to Japanese atrocities to American prisoners of war; with an amendment (Rept. No. 1031). Referred to the House Calendar.

Mr. PETERSON of Georgia: Committee on Elections No. 3. House Resolution 426. Resolution to dismiss election-contest case of Lewis D. Thill, contestant, against Howard J. McMurray, contestee, Fifth Congressional District of Wisconsin; without amendment (Rept. No. 1032). Referred to the House Calendar.

Mr. ABERNETHY: Committee on Claims. H. R. 3679. A bill for the relief of Col. Anderson F. Pitts; without amendment (Rept. No. 1044). Referred to the House Calendar.

Mr. ROBINSON of Utah: Committee on Roads. H. R. 3912. A bill to amend section 6 of the Defense Highway Act of 1941, as amended; with an amendment (Rept. No. 1045). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 2644. A bill to grant additional powers to the Commissioners of the District of Columbia, and for other purposes; with an amendment (Rept. No. 1046). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 3720. A bill to authorize the Commissioners of the District of Columbia to appoint notaries public; without amendment (Rept. No. 1047). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 3997. A bill to amend the Code of the District of Columbia providing for the sale of fish of the shad or herring species, and for other purposes; without amendment (Rept. No. 1048). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SCRIVNER: Committee on Claims. H. R. 1216. A bill for the relief of Walter Ervin and Cora Ervin; with amendment (Rept. No. 1033). Referred to the Committee of the Whole House.

Mr. GREEN: Committee on Claims. H. R. 1963. A bill for the relief of G. H. Garner; without amendment (Rept. No. 1034). Referred to the Committee of the Whole House.

Mr. SCRIVNER: Committee on Claims. H. R. 2438. A bill for the relief of Bernadine Salmons; with amendment (Rept. No. 1035). Referred to the Committee of the Whole House.

Mr. DICKSTEIN: Committee on Claims. H. R. 2660. A bill for the relief of Chase, Parker & Co., Inc.; with amendment (Rept. No. 1036). Referred to the Committee of the Whole House.

Mr. GREEN: Committee on Claims. H. R. 2993. A bill for the relief of John W. Booth II; with amendment (Rept. No. 1037). Referred to the Committee of the Whole House.

Mr. GREEN: Committee on Claims. H. R. 3125. A bill for the relief of Paul H. White; with amendment (Rept. No. 1038). Referred to the Committee of the Whole House.

Mr. SCRIVNER: Committee on Claims. H. R. 3139. A bill for the relief of Henry Grossi; with amendment (Rept. No. 1039). Referred to the Committee of the Whole House.

Mr. ABERNETHY: Committee on Claims. H. R. 3193. A bill for the relief of J. C. Davidson and Vassie Lee Davidson; with amendment (Rept. No. 1040). Referred to the Committee of the Whole House.

Mr. GREEN: Committee on Claims. H. R. 3390. A bill for the relief of Mavis Norrine Cothron and the three minor children of Mavis Norrine Cothron and the late William Edward Cothron, namely Nora Lee Cothron, Florence Janet Cothron, and Nina Faye Cothron; with amendment (Rept. No. 1041). Referred to the Committee of the Whole House.

Mr. DICKSTEIN: Committee on Claims. H. R. 3701. A bill for the relief of Clinton A. Clauson; without amendment (Rept. No. 1042). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 4074. A bill for the relief of the estate of William Sandlass; with amendment (Rept. No. 1043). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GATHINGS:

H. R. 4092. A bill to extend the Civilian Pilot Training Act of 1939; to the Committee on Interstate and Foreign Commerce.

By Mr. KILDAY:

H. R. 4093. A bill to provide for the promotion of certain retired World War veterans to the rank of chief warrant officer on the retired list; to the Committee on Military Affairs.

By Mr. MRUK:

H. R. 4094. A bill to authorize a preliminary examination and survey of Scajaquada Creek and its tributaries, New York, for flood control, for run-off, and water-flow retardation, and for soil-erosion prevention; to the Committee on Flood Control.

By Mr. McGEHEE:

H. R. 4095. A bill confirming the claim of Robert Johnson and other heirs of Monroe Johnson to certain lands in the State of Mississippi, County of Adams; to the Committee on the Public Lands.

By Mr. ANTON J. JOHNSON:

H. R. 4096. A bill to prohibit the use of Federal funds in the construction of synthetic alcohol plants; to the Committee on Expenditures in the Executive Departments.

By Mr. MAY:

H. R. 4097. (By request). A bill to clarify the law relative to allowances for mileage of graduates of the United States Military Academy and transportation of their dependents on assignment to their first duty station, and to the mileage allowance of persons entering the United States Military Academy as cadets; to the Committee on Military Affairs.

By Mr. FERNANDEZ:

H. R. 4098. A bill to authorize the Secretary of Agriculture to sell certain lands in Harding, Colfax, and Mora Counties, N. Mex.; to the Committee on Agriculture.

By Mr. LESINSKI:

H. R. 4099. A bill to extend the period of the Philippine Insurrection so as to include active service with United States military or naval forces engaged in hostilities in the Moro Province, including Mindanao, or in the islands of Samar and Leyte, between July 5, 1902, and December 31, 1913; to the Committee on Invalid Pensions.

By Mr. KELLEY:

H. Res. 427. Resolution requesting the President to enter into agreements insuring the punishment of war criminals; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. PETERSON of Florida:

H. R. 4100. A bill for the relief of Daniel S. Bagley, Sr.; to the Committee on Claims.

H. R. 4101. A bill for the relief of P. E. Brannen; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the clerk's desk and referred as follows:

4613. By Mr. ANDREWS: Resolution adopted by the Deborah Buffalo Chapter of the Mizrachi Women's Organization of America, protesting against the Palestine White Paper of 1939 and urging that the gates of Palestine be opened to Jewish immigration; also resolution adopted by the Men's Club of Temple Beth-el of Buffalo, N. Y.; and a resolution of Montefiore Auxiliary, No. 34, B'nai B'rith, of Buffalo, N. Y.; to the Committee on Foreign Affairs.

4614. Also, resolution adopted by the Council of the City of Niagara Falls, N. Y., on January 24, urging the enactment of adequate legislation to permit all men and women in the armed forces the opportunity to vote in the next election; to the Committee on Election of President, Vice President, and Representatives in Congress.

4615. By Mr. BROWN of Ohio: Petition of 26 citizens of Clark County, Ohio, urging the passage of House bill 2082 to prohibit the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

4616. By Mr. CHURCH: Petition of Veronica A. Dougherty and other citizens of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4617. Also, petition of Gloria M. Creger and other citizens of Chicago, Ill., protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4618. By Mr. FITZPATRICK: Petition signed by members of the Bronx County New York State American Youth for Democracy, urging the passage of legislation which will guarantee the right of servicemen to vote in the 1944 elections; to the Committee on Election of President, Vice President, and Representatives in Congress.

4619. By Mr. GRAHAM: Petition of the members of four churches in Harrisville, Butler County, Pa., urging the enactment of House bill 2082 which would stop the manufacture and sale of alcoholic beverages for the duration of the war and during demobilization; to the Committee on the Judiciary.

4620. By Mr. HERTER: Petitions signed by residents of Boston and vicinity favoring passage of Green-Lucas bill dealing with soldier vote; to the Committee on Election of President, Vice President, and Representatives in Congress.

4621. By Mr. LUTHER A. JOHNSON: Petition of Dr. Holman Taylor, secretary of the State Medical Association of Texas, opposing

House bill 2861; to the Committee on Ways and Means.

4622. By Mr. JUDD: Petition of 2,695 citizens of Minneapolis, Minn., opposing passage of House bill 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4623. By Mr. LECOMPTE: Petition of Edna M. Sherman and other citizens of Grinnell, Iowa, in the interest of House bill 2082, to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war, by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4624. By Mr. REED of Illinois: Petition of Elmer Kruse, of Bensenville, Ill., and 23 citizens, protesting against the enactment of House bill 2082, which would impose complete prohibition for the duration of the war; to the Committee on the Judiciary.

4625. By Mr. SMITH of West Virginia: Petition of the Woman's Christian Temperance Union of Beckley, W. Va., urging the passage of the Bryson bill (H. R. 2032); to the Committee on the Judiciary.

4626. Also, petition of the Beckley Sisterhood, Beckley, W. Va., representing 40 members, urging the withdrawal in its entirety of the Palestine White Paper of 1939 and that the terms of the Balfour Declaration and the Palestine mandate be carried out faithfully; to the Committee on Foreign Affairs.

4627. By Mr. ROLPH: Resolution of Beth Israel Sisterhood, San Francisco, Calif., relative to abrogating the Chamberlain White Paper and establishing a Jewish homeland in Palestine; to the Committee on Foreign Affairs.

4628. Also, resolution of the Zionist Organization of America, San Francisco district, relative to abrogating the Chamberlain White Paper and establishing a Jewish homeland in Palestine; to the Committee on Foreign Affairs.

4629. Also, resolution of the National Home for Jewish Children, at San Francisco, Calif., relative to abrogating the Chamberlain White Paper and establishing a Jewish homeland in Palestine; to the Committee on Foreign Affairs.

4630. By Mr. LYNCH: Petition of the Polish Roman Catholic Union of America, protesting against the partitioning of Poland; to the Committee on Foreign Affairs.

4631. By Mr. LEWIS: Petition of Mamie Salimbeni, Martins Ferry, Ohio, and signed by sundry residents of Martins Ferry, Ohio, and vicinity, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4632. Also, resolutions of the citizens' committee on economic welfare, regarding the soldiers' ballot and food subsidies; to the Committee on Military Affairs.

4633. By Mr. SCHIFFLER: Petition of Eoff Street Temple Sisterhood, representing 68 members, urging that appropriate action be taken to ensure the withdrawal in its entirety of the Palestine White Paper of 1939 with its restrictions on Jewish immigration and land settlement; that Palestine be opened to Jewish immigration and that terms of the Balfour Declaration and the Palestine Mandate be carried out faithfully; to the Committee on Foreign Affairs.

4634. By the SPEAKER: Petition of the city clerk, Kansas City, Mo., petitioning consideration of their resolution with reference to a workable soldier vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4635. Also, petition of the Workmens' Benefit Fund of the United States of America, Inc., Brooklyn, N. Y., petitioning consideration of their resolution with reference to the Austin-Wadsworth bill; to the Committee on Military Affairs.

4636. Also, petition of the American Federation of Musicians, Local 802, New York, petitioning consideration of their resolution with reference to the Green-Lucas soldier vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4637. Also, petition of the Townsend Club, No. 1, Pierre, S. Dak., petitioning consideration of their resolution with reference to a general sales tax; to the Committee on Ways and Means.

4638. Also, petition of the American Youth for Democracy, 13, Astor Place, New York City, petitioning consideration of their resolution with reference to the Green-Lucas soldier vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4639. Also, petition of the American Youth for Democracy, Ithaca, N. Y., petitioning consideration of their resolution with reference to the Green-Lucas soldier vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4640. Also, petition of the office of the national director of the American Bill of Rights Day Association, Brooklyn, N. Y., petitioning consideration of their resolution with reference to a Bill-of-Rights day; to the Committee on the Judiciary.

SENATE

TUESDAY, FEBRUARY 1, 1944

(Legislative day of Monday, January 24, 1944)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God of life and light, shine Thou upon our darkness that all lesser lights may be dimmed. From the baseness of our own hearts we turn to the crystal purity of Thy own holiness. From the vain deceits of the uncertain world in which we live we turn to the white candor of eternal verities. In a clamorous and convulsive day, when the very air of the world sighs and sobs with tremulous anguish, we would climb the altar stairs of a faith that will not shrink though pressed by every foe. We would bow in Thy presence in the calm confidence that Thou holdest us and our world, and all the worlds, in the clasp of a love that never faileth. Our assurance and comfort lie not in our feeble hold of Thee but in Thy mighty grasp of us.

May we march with conquering tread in the gathering armies of friendship whose armor is the shield of Thy truth and whose sword is the might of Thy love against which all the spears of hate cannot ultimately prevail. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. TRUMAN, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, January 31, 1944, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

NATIONAL HOME FOR JEWISH PEOPLE IN PALESTINE

Mr. TRUMAN. I suggest the absence of a quorum.

Mr. WAGNER. Mr. President, will the Senator withhold the suggestion of the absence of a quorum for a few minutes?

Mr. TRUMAN. I withhold it.

Mr. WAGNER. Mr. President, I ask unanimous consent that I may submit a resolution for appropriate reference, and I should like to make a brief statement in connection with it. The resolution is submitted on behalf of myself and the senior Senator from Ohio [Mr. TAFT].

The VICE PRESIDENT. Without objection, the resolution will be received, and the Senator from New York may proceed.

The resolution (S. Res. 247) submitted by Mr. WAGNER, on behalf of himself and Mr. TAFT, is as follows:

Whereas the Sixty-seventh Congress of the United States on June 30, 1922, unanimously resolved "that the United States of America favors the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of Christian and all other non-Jewish communities in Palestine, and that the holy places and religious buildings and sites in Palestine shall be adequately protected"; and

Whereas the ruthless persecution of the Jewish people in Europe has clearly demonstrated the need for a Jewish homeland as a haven for the large numbers who have become homeless as a result of this persecution: Therefore be it

Resolved, That the United States shall use its good offices and take appropriate measures to the end that the doors of Palestine shall be opened for free entry of Jews into that country, and that there shall be full opportunity for colonization so that the Jewish people may ultimately reconstitute Palestine as a free and democratic Jewish commonwealth.

Mr. WAGNER. Mr. President, I deem it a great privilege to join the Senator from Ohio in sponsoring this resolution, concerning one of the greatest humanitarian movements before the American people today—to right the tragic plight of the Jews of the Old World, to help them rebuild their ancestral homeland, where they may live as freemen and useful citizens.

This resolution reaffirms the historic policy of the Government of the United States, formulated by the Congress in June 1922, when it unanimously passed a joint resolution sponsored by the late Senator Lodge, of Massachusetts, then chairman of the Committee on Foreign Relations. The Congress then declared—

That the United States of America favors the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of Christian and all other non-Jewish communities in Palestine, and that the holy places and religious buildings and sites in Palestine shall be adequately protected.

The Lodge resolution confirmed the famous Balfour Declaration. Although it was issued in the name of the British

Government, the Balfour Declaration was, as a matter of fact, a joint policy of the Governments of Great Britain and the United States. Before its official publication, it was the subject of prolonged and cordial negotiations between Mr. Woodrow Wilson and Mr. Lloyd George, the respective heads of the two Governments. In the words of Hon. Josephus Daniels, the United States was a moral cosponsor of the entire plan.

It was hoped then by the Allied Governments and by men of good will everywhere that the establishment of a Jewish homeland in Palestine would solve an age-old problem. It was contemplated that the disgraceful era of economic and social persecution of the Jews in Europe would terminate, and that once again this people, from whom we derive our Christianity, our basic literature, and our basic laws, among many other contributions, would once again be allowed to work out their salvation in peace and freedom.

With this in mind, the British Government, after World War No. 1, with the approval of the United States and the Allied and associated nations, assumed the mandate over Palestine.

While Palestine achieved remarkable growth in the next 20 years, a new day did not dawn for the world at large. Instead, under the prodding of Hitler and Mussolini, and under other influences, a series of unfortunate developments conspired to divert the orderly fulfillment of a great objective. During that Munich period, the then British Government adopted the so-called White Paper, restricting immigration, land purchase, and colonization of Palestine by Jewish settlers. This policy then, as now, shocked the sensibilities of men of good will everywhere. No one was more outspoken in opposition than the great statesman who guides the British Commonwealth today, Prime Minister Winston Churchill.

In the meantime, the present war began, and Hitler's murder squads undertook their deliberate program of exterminating the Jewish population of Europe. At a time when Palestine should have been open to welcome these unfortunate people and utilize their contribution to the utmost, the gates were virtually closed.

Those Jews who were fortunate enough to be in Palestine have made and are making a truly glorious contribution to the Allied cause. While General Montgomery and his valiant Eighth Army were fighting with their backs to the Suez Canal, and Rommel already had invited guests to his contemplated first dinner party in Cairo, the Jews of Palestine were performing heroic deeds as commandos and as other shock troops. In Palestine the entire community of men and women dedicated their lives to the defense of their homeland and to the production of urgently needed materials of war for the Allied forces. President Roosevelt, Mr. Churchill, and other Allied leaders have spoken most generously of their contribution.

Now and in the post-war period this Jewish community stands ready to give refuge to their persecuted brethren in Europe. From 1933 to 1939 Palestine welcomed more refugees from Hitler terror than were absorbed by all the rest of the world. When the war ends, Palestine has the capacity to absorb the uprooted and the destitute Jews who will survive Hitler's vengeance. The need then will be greater than ever before.

Our Government has done and is doing its utmost to alleviate the conditions of European refugees during the war. Every President of the United States since Woodrow Wilson has looked with favor upon the Jewish homeland as the permanent solution of a vexing problem. The resolution jointly submitted by the Senator from Ohio and myself will help uphold the hand of our Government in support of its traditional policy—a policy that is in furtherance of the ideals of all the United Nations.

The overwhelming sentiment of the American people is expressed in the simple words of this resolution:

> That the United States shall use its good offices and take appropriate measures to the end that the doors of Palestine shall be opened for free entry of Jews into that country, and that there shall be full opportunity for colonization so that the Jewish people may ultimately reconstitute Palestine as a free and democratic Jewish commonwealth.

Mr. WHITE. Mr. President, I take great satisfaction in the resolution just submitted to the Senate by the Senator from New York on behalf of himself and the senior Senator from Ohio.

If I correctly understand its purpose and its terms, it is a reaffirmation of an attitude of the Congress expressed more than 20 years ago with respect to the establishment in Palestine of a national home for the Jewish people.

The cruelties inflicted upon the Jewish people in late years, and their present desperate plight, appeal to the heart of the Christian world for remedial measures and for fulfillment of the plan for a home for them. This resolution encourages hope that there will soon come realization of those aspirations.

I hope the resolution will have early and favorable consideration by the appropriate committee and by the Senate itself.

Mr. TAFT. Mr. President, I am joining today with the Senator from New York [Mr. WAGNER] in offering a resolution favoring the establishment of Palestine as a place for the permanent settlement of millions of European Jews. The resolution recently reported by the Senate Foreign Relations Committee provided for the establishment of a commission to investigate and report on one of the most serious problems which faces the world today. Without waiting for the Senate to act, the President has set up such a commission, which shall determine the best method of saving those Jews who have not been massacred, who are in Germany or its satellite countries, and those who are wandering without homes throughout the earth. Until a place is found to which the unhappy Jews of Europe can repair and get a new start in life, free of unreasonable economic sanctions and a blind religious and racial hatred, the fundamental causes for anti-Semitism will continue in Europe.

It seems to me that the only solution of this problem lies in the restoration of free and unrestricted immigration of Jews into Palestine, at least until that land has absorbed as many people as it can.

Palestine was set aside as a homeland for the Jews during the First World War. The League of Nations approved this solution, and our Government and the British Government also agreed to it. In 1922, under the leadership of Senator Henry Cabot Lodge, a Republican Congress unanimously gave its approval to Palestine as a Jewish homeland. A Republican President signed the legislation. Unfortunately considerations of military policy led the British Government to change that policy, and forbid, in effect, the further immigration of Jews into Palestine, when the Jewish population is still only one-half the Arab population.

The resolution now presented is merely a reaffirmation of the historic policy of the Congress. It is a step toward the solution of one of the problems which must be solved if peace is to exist throughout the world. I hope that all people of good will can join in approving the resolution.

Mr. BARKLEY. Mr. President, I am glad to join with my colleagues in an expression of sympathetic interest in the objective to be attained by the resolution just submitted by the Senator from New York.

In 1919, just 25 years ago, there were only 55,000 Jews in Palestine. Today there are more than 600,000. The Jewish population has increased, and migration of Jews has gone in that direction in the past quarter of a century, in large measure because Jews and non-Jews who have been interested in the establishment of Palestine, not only as a homeland for the Jews, but in more recent years as a refuge for persecuted Jews, have by their contributions, their cooperation, and their organization, made it possible for Palestine not only to absorb 600,000 Jews in a quarter of a century, but to absorb many other hundreds of thousands of Jews.

I visited Palestine about 6 or 7 years ago. I saw the results of the great improvements which have been made. It was necessary at the outset to irrigate waste lands, to drain swamplands, and to reforest. What has been done there in setting up new communities and new enterprises has been a source of great inspiration. More than 600 factories have been established in Palestine, which are producing more materials than are being sent into Russia and into Turkey, and even into India.

By the reclamation program which has been in process of completion during the last decade, which resembles in some respect the program in our own country under which arid and waste lands are being reclaimed, a condition of economic welfare has been brought about which has truly been a marvel for a country such as Palestine.

The Jew ordinarily is not looked upon as an agriculturalist. Especially in our

own country the Jew is mainly engaged in mercantile, manufacturing, and trade activities, but in Palestine even those who have never before lived upon farms or have cultivated land have been able to acclimate themselves and make the readjustment necessary so that they are becoming real farmers in the land of their ancestry.

There is a perfectly natural link that binds the Jew to Palestine, which we can all understand. During the last 10 years, since the rise of Hitler, more than 300,000 Jews have gone into Palestine from the oppressed countries of Europe. He has been responsible for the cold-blooded murder of more than 3,000,000 men, women, and children since the war began in 1939. These men, women, and children were not killed because they were engaging in war. They were not among those who were killed as soldiers. They were murdered merely because they were Jews, and for no other reason, in an effort to consummate the threat of Hitler to exterminate the Jew in Europe. We of the Christian world can more thoroughly appreciate today than we could a week ago the feeling of Jews all over the world aroused by the ruthless murder of their people. We can more fittingly understand the reactions of Jews everywhere to these murders and slaughters now that we have learned of the ruthless, conscienceless murder of men of our own Nation by one of the Axis Powers.

I have been frequently inspired by the devotion and the enthusiasm with which men and women who have never seen Palestine, and will never see it, have expended their time and their means to provide a home for the persecuted Jews of Europe.

It is my opinion that Palestine can yet absorb many hundreds of thousands. I have been informed from reliable sources that ultimately, by the process of improvement in agriculture and industry and all the other things which go to make life worth while, in all likelihood, Palestine can absorb and support approximately 3,000,000 Jews. If that be true—and I have no reason to doubt it—it seems to me that we, not only as individual American citizens but as a government, ought to encourage every effort to facilitate the migration of an oppressed, harassed people into the land of their ancient ancestors.

Recently I have been reading a book by Emil Ludwig entitled "The Mediterranean." It is a wonderful book, patterned somewhat after the fashion of his book on the Nile. It is not the history of any nation, or of any people, but it is the history of all the civilizations that have risen and have flourished on the shores of the Mediterranean Sea. The Roman Empire, the Grecian Empire, the Persian Empire, the Byzantine Empire, and all the empires that have flourished there have passed away, and are now known only to memory and on the pages of history. Palestine still remains, and will remain through all the centuries of the future.

Mr. President, I hope the aspirations of those who look upon it and are seeking to make it a homeland for the Jews will have success beyond their fondest dreams.

The VICE PRESIDENT. The resolution submitted by the Senator from New York [Mr. WAGNER], for himself and the Senator from Ohio [Mr. TAFT] will be referred to the Committee on Foreign Relations.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 636. An act for the relief of C. J. Toole; and

H. R. 1875. An act for the relief of Carl Swanson, Geraldine Cecilia Swanson, a minor, and Almer Swanson.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 1344) for the relief of Paul W. Busbey, Mrs. Paul W. Busbey, Paula Busbey, and Mrs. Louisa Busbey.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate.

H. R. 3847. An act to exempt certain officers and employees of the Office of Price Administration from certain provisions of the Criminal Code and Revised Statutes; and

H. R. 4070. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1945, and for other purposes.

The message also announced that the House had agreed to Senate Concurrent Resolution 30, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 8,500 additional copies of Senate Report No. 627, current Congress, on the bill (H. R. 3687) entitled "Revenue Act of 1943," of which 5,000 copies shall be for the use of the House document room, 2,000 copies for the Senate document room, 1,000 copies for the Senate Committee on Finance, and 500 copies for the Committee on Ways and Means of the House of Representatives.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1543. An act to provide for mustering-out payments to members of the armed forces, and for other purposes;

H. R. 636. An act for the relief of C. J. Toole;

H. R. 1344. An act for the relief of Paul W. Busbey, Mrs. Paul W. Busbey, Paula Busbey, and Mrs. Louisa Busbey; and

H. R. 1875. An act for the relief of Carl Swanson, Geraldine Cecilia Swanson, a minor, and Almer Swanson.

TRIBUTE TO THE LATE SENATOR VAN NUYS, OF INDIANA—CONDOLENCES OF EMERGENCY COMMITTEE TO SAVE THE JEWISH PEOPLE OF EUROPE

The VICE PRESIDENT laid before the Senate a telegram from Peter H. Bergson, cochairman of the Emergency Committee To Save the Jewish People of Europe, New York City, N. Y., expressing condolences upon the death of Frederick Van Nuys, late a Senator from the State of Indiana, which was ordered to lie on the table and to be printed in the RECORD, as follows:

NEW YORK, N. Y., *January 28, 1944.*

Hon. HENRY A. WALLACE,
Vice President of the United States,
Senate, Washington, D. C.:

Please extend to the United States Senate our heartfelt condolences upon the death of the distinguished Senator of Indiana, Frederick Van Nuys. His aid to the cause of the martyred Jewish people of Europe in sponsoring the Gillette rescue resolution has been deeply appreciated and shall always be remembered. It is an example of the deceased Senator's fine humanitarianism. May his soul rest in peace.

PETER H. BERGSON,
Cochairman, Emergency Committee
To Save the Jewish People of Europe.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF THE SECURITIES AND EXCHANGE COMMISSION

A letter from the Chairman of the Securities and Exchange Commission transmitting, pursuant to law, the annual report of that Commission for the fiscal year ended June 30, 1943 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON LIQUIDATION OF HOME OWNERS' LOAN CORPORATION

A letter from the Federal Home Loan Bank Commissioner, submitting, pursuant to a provision contained in the Independent Offices Appropriation Act, 1944, Public Law No. 90, Seventy-eighth Congress, approved June 26, 1943, a report of the Home Owners' Loan Corporation relating to the liquidation thereof (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF FEDERAL CROP INSURANCE CORPORATION

A letter from the Manager of the Federal Crop Insurance Corporation, Department of Agriculture, transmitting, pursuant to law, the annual report of the Federal Crop Insurance Corporation covering the activities of that agency for the 1943 fiscal year and also reviewing the insurance experience from the beginning of the program in February 1938 through the completion of the insurance on the 1942 crop (with an accompanying report); to the Committee on Banking and Currency.

ESTIMATES OF PERSONNEL REQUIREMENTS OF DEPARTMENTS AND AN OFFICE

Letters, transmitting, pursuant to law, estimates of personnel requirements for the quarter ending March 31, 1944, by the War Department, the Department of Commerce (Coast and Geodetic Survey), and the Office of Civilian Defense (with accompanying papers); to the Committee on Civil Service.

REPORT OF WASHINGTON GAS LIGHT CO.

A letter from the president of the Washington Gas Light Co., transmitting, pursuant to law, the annual report of that company for the year ended December 31, 1943 (with an accompanying report); to the Committee on the District of Columbia.

FINANCIAL REPORTS OF CHESAPEAKE & POTOMAC TELEPHONE CO.

Letters from the president of the Chesapeake & Potomac Telephone Co., transmitting, pursuant to law, the comparative general balance sheet and a statement of receipts and expenditures of that company for the year 1943 (with accompany papers); to the Committee on the District of Columbia.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of the Departments of War and Agriculture; United

States Civil Service Commission, Selective Service System, United States Employees' Compensation Commission, and Office of Defense Transportation (2) which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking toward their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

WORLD-WIDE AIR TRANSPORTATION SYSTEM—RESOLUTION BY WALLINGFORD (CONN.) CHAMBER OF COMMERCE

Mr. MALONEY. Mr. President, I ask unanimous consent that there may be inserted in the RECORD, and appropriately referred, a letter which I have received from Mr. Nicola F. Bellows, secretary, the Wallingford Chamber of Commerce, Wallingford, Conn., incorporating a resolution adopted by that organization concerning the planning of foreign air transportation to be operated by the United States flag air carriers.

There being no objection, the letter was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

THE WALLINGFORD CHAMBER OF COMMERCE,
Wallingford, Conn., January 29, 1944.

Hon. FRANCIS MALONEY,
United States Senator,
Washington, D. C.

DEAR SENATOR MALONEY: At a recent meeting of the board of directors of the chamber of commerce the following resolution was unanimously voted:

"That the Congress be urged to make its declaration of policy operative and that the appropriate governmental agencies incorporate in their planning of foreign air transportation to be operated by the United States flag air carriers the following basic policies to be established in the world system of air transportation thereunder created:

"1. Free and open world-wide competition, subject to reasonable regulation by the appropriate governmental agencies.

"2. Private ownership and management of air lines engaged in domestic and foreign operation.

"3. Fostering and encouragement by the Government of the United States of a sound world-wide air transportation system.

"4. World-wide freedom of transit in peaceful flight.

"5. Acquisition of civil and commercial outlets required in the public interest.

"Be it further

Resolved, That a world-wide system of air transportation should be developed in which open and free competition, reasonably regulated, be given full play. That the air lines of the United States be permitted to forge ahead under the stimulus of world competition. Their growth should not be strait jacketed by the withering effect of monopoly. Private ownership, with its encouragement of initiative and creativeness, and its attendant rewards for accomplishment, should be our undeviating policy."

Anything you may do in this direction will be appreciated.

Very truly yours,
NICOLA F. BELLOWS,
Secretary.

CONSTRUCTION OF THIRD CONNECTICUT HIGHWAY PARALLEL TO NEW HAVEN SYSTEM—RESOLUTION BY AMERICAN LEGION POST

Mr. MALONEY. Mr. President, I also ask unanimous consent that there may be inserted in the RECORD, and appropriately referred, a letter which I have received from Mr. Robert L. Ford, commander, New York, New Haven & Hartford Railroad Post, No. 119, Inc., American Legion, together with copy of a resolution adopted by that organization in opposition to the construction of a third vehicle highway across Fairfield County, State of Connecticut, running east and west from the Housatonic River to the New York State line and parallel to the New Haven system.

There being no objection, the letter and resolution were referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

THE AMERICAN LEGION,
New Haven, Conn., January 27, 1944.

Hon. FRANCIS T. MALONEY,
United States Senator, Connecticut,
Washington, D. C.

DEAR SENATOR MALONEY: Enclosing copies of our resolution condemning the construction of a so-called third highway within Fairfield County of State of Connecticut for your earnest consideration.

This resolution is not a result of any hasty action by our members but the over-all opinion after due expression of thoughts. We deeply feel the very existence of our railroad and its thousands of employees will be greatly affected if the construction of this highway is permitted. Its construction would be a predominant factor in leading us toward the unpleasant aftermath of unemployment that resulted from World War No. 1. As tried and true Americans it is our duty to eliminate any cause that may result in a recurrence of such condition.

With our profound respect, we remain,
Yours respectfully,
ROBERT L. FORD,
Commander, New York, New Haven & Hartford Railroad Post, No. 119, Inc., American Legion.
RAY W. HAYWARD,
Adjutant.

THE NEW YORK, NEW HAVEN & HARTFORD RAILROAD POST, NO. 119, INC., AMERICAN LEGION,
December 22, 1943.

His Honor, Gov. RAYMOND E. BALDWIN,
State of Connecticut,
WILLIAM J. COX,
Highway Commissioner,
State of Connecticut,
CHAIRMAN, PUBLIC UTILITIES COMMISSION,
State of Connecticut,
THE INTERSTATE COMMERCE COMMISSION,
Washington, D. C.,
Hon. ANGIER L. GOODWIN,
Representative, Massachusetts; New England Member of House Committee on Roads.

GENTLEMEN: The New York, New Haven & Hartford Railroad Post, No. 119, Inc., American Legion, whose membership is composed entirely of railroad employees (in accordance with its charter) at a regular and constituted meeting held at its headquarters, 154 Water Street, New Haven, Conn., on November 17, 1943, there was presented and adopted the following resolution:

"*Be it resolved,* We are opposed to the construction of a third vehicle highway across Fairfield County, State of Connecticut, running east and west from the Housatonic River to the New York State line and parallel to the New Haven system as nonessential and without value as a through transportation artery; and

"Whereas the New Haven Railroad, with approximately one-half the equipment available as in World War No. 1, today is handling twice the freight and passenger per ton, and mileage basis, than at any time in its history; and

"Whereas this accomplishment is a matter of official record and is a factor acknowledged by Government and business alike. The New Haven Railroad compiled this record simultaneously while being called upon to move a record-breaking volume of war and civilian materials; and

"Whereas in spite of normal replacement of parts and other necessary equipment becoming secondary to the current war production, the New Haven Railroad has continued the successful operation without interruption during the current emergencies; and

"Whereas it is apparent the New Haven Railroad, based on current operating records, will be able to meet and handle any and all demands upon its facilities now or in peacetime; and

"Whereas the proposed construction of a third highway running east and west across Fairfield County apparently has the support and backing of the trucking industry, which if permitted to become a reality, would have a serious and destructive effect on railroad morale, traffic, and its facilities: Therefore be it

"*Resolved,* That we, the employees and members of the New Haven system, believing the proposed third highway of no value to a successful transportation problem now or in peacetime, do herewith go on record as officially opposed to its construction in any form; and be it further

"*Resolved,* That copies of the resolution be forwarded directly to Hon. FRANCIS T. MALONEY, United States Senator, Connecticut; Hon. JOHN A. DANAHER, United States Senator, Connecticut; Hon. RANULF COMPTON, Representative, Connecticut; Hon. WILLIAM J. MILLER, Representative, Connecticut; Hon. CLARE BOOTHE LUCE, Representative, Connecticut; the trustee and chairman, board of directors, New York, New Haven & Hartford Railroad."

ROBERT L. FORD,
Commander, New York, New Haven & Hartford Railroad Post, No. 119, Inc., American Legion.

Attest:
RAYMOND W. HAYWARD, *Adjutant.*

GOVERNMENT PROPERTY MANAGEMENT—REPORT OF COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Mr. HILL. Mr. President, I ask unanimous consent to report back, with amendments, from the Committee on Expenditures in the Executive Departments the bill (H. R. 2795) to amend the Budget and Accounting Act, 1921, to provide for the more efficient utilization and disposition of Government property other than land or buildings and facilities or fixtures appurtenant thereto, and for other purposes, known briefly as the Property Management Act, and I submit a report (No. 658) thereon. In this connection I also ask unanimous consent to have printed in the RECORD a very brief statement relating to the bill.

The VICE PRESIDENT. Without objection, the report will be received and the bill will be placed on the calendar, and the statement presented by the Senator from Alabama will be printed in the RECORD.

The statement is as follows:

In what he described as an "extremely important step toward putting the Government's house in order" in regard to billions of dollars' worth of real and personal property, Senator LISTER HILL at a press conference today announced that the so-called property-management bill (H. R. 2795) had

been approved by the Senate Committee on Expenditures in the Executive Departments. The bill, Senator HILL pointed out, provides for control of Government equipment, materials, and supplies in normal times on a continuing basis, as well as for the disposition of the surpluses resulting from the war.

Senator HILL expressed confidence that the bill included the major ideas in the resolution introduced by Senator JAMES E. MURRAY, of the Military Affairs Committee, and is in accord with the conclusions of the Senate Special Committee on Post-War Policy and Planning as reported out by Senator WALTER F. GEORGE, chairman, and of the Special Committee to Investigate the National Defense Program, Senator HARRY S. TRUMAN, chairman.

The original bill, based on the study and recommendations of the Treasury Department, the General Accounting Office, and the Bureau of the Budget, was passed by the House in June 1943. To this bill the Senate committee has made a major change in providing for a surplus war property board of nine members. The board will be composed of the Secretaries of the Treasury, War, Navy, and Commerce, the Director of the Budget, as chairman, and one representative each of labor, agriculture, industry, and the general public. The latter four members will be appointed by the President, subject to the approval of the Senate. This board will have broad advisory and coordinating powers in dealing with war surpluses.

In discussing the bill, Senator HILL pointed out two distinct aspects of it, the continuing problem of managing Government personal property and the more immediate and urgent problem of "war surpluses."

In line with the President's hope expressed in his recent Budget message, "that machinery for the permanent management of Government property can be established in the very near future," Senator Hill emphasized that the bill provides for the orderly management of Government property and the transfer or disposal of such property when it is no longer needed by any Federal agency.

"The permanent machinery for management of Government property, greatly needed for a long time, can be set up rapidly and efficiently under this bill," Senator Hill declared. "It can be done with the minimum of disturbance to the existing Federal organizations and procedures and at the lowest possible expense."

Under the bill, the Procurement Division of the Treasury Department and such other agencies as are designated by the Board will make surpluses available for transfer to Federal, State, or local agencies, or for disposal by sale or lease. In the past these surpluses have been disposed of, both within and outside the Federal Government, under merely implied authority and under haphazard and often conflicting procedures. In this so-called "permanent" field, as well as in the war surpluses, provision is made for a continual inventory of surplus property.

Taking up the problem of war surpluses, Senator Hill stated that a very important provision of the bill is the formation of the War Surplus Property Board. He stated that the authority of this Board emphasizes provisions to protect the national economy and the interests of the Nation's taxpayers. It will prevent sale of Government property by organizations or persons at unreasonable profit; protect private enterprise from unfair competition in the disposal of Government property; protect and foster the development of new industries.

"The main immediate objective," Senator HILL stated, "is to coordinate and arrange the disposal of Federal war surpluses—running into many billions of dollars—in the most effective manner possible through the operation of any and all Federal agencies which can contribute to the solution of the problem.

"The Board established by this bill," declared Senator HILL, "is in no sense a new agency. It provides coordination of the heads of departments most responsible in seeking a solution to the problem—a coordination designed to assist in the tremendous task of dealing with war surplus property. Its duty is to find out the facts. It will bring questions of policy to the President and to the Congress, and with their approval will direct the operating agencies in disposing of war surpluses. Its functions will be primarily to protect private enterprise from unfair Government competition and to protect the taxpayer from unnecessary sacrifice of real values."

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NYE:

S. 1679. A bill for the relief of A. C. Slade; to the Committee on Claims.

S. 1680. A bill to provide for disposition of surplus war materials; to the Committee on Military Affairs.

By Mr. WALSH of Massachusetts:

S. 1681. A bill to provide for reimbursement of certain Marine Corps personnel attached to Marine Utility Squadron 152 for personal property lost or damaged as the result of a fire in Officers' Quarters on February 9, 1943; and

S. 1682. A bill to provide for the payment of compensation to certain claimants for the taking by the United States of private fishery rights in Pearl Harbor, Island of Oahu, T. H.; to the Committee on Naval Affairs.

By Mr. THOMAS of Utah:

S. 1683. A bill to codify the laws relating to the Public Health Service, and for other purposes; to the Committee on Education and Labor.

By Mr. BILBO:

S. 1684. A bill authorizing the Reconstruction Finance Corporation to sell certain securities to the Commissioners of the Straight Bayou Drainage District; to the Committee on Banking and Currency.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H. R. 3847. An act to exempt certain officers and employees of the Office of Price Administration from certain provisions of the Criminal Code and Revised Statutes; to the Committee on Banking and Currency.

H. R. 4070. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1945, and for other purposes; to the Committee on Appropriations.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES—AMENDMENTS

Mr. BRIDGES submitted amendments, and Mr. JOHNSON of Colorado and Mr. LA FOLLETTE each submitted an amendment intended to be proposed by them, respectively, to the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, which were severally ordered to lie on the table and to be printed.

DISPOSITION OF PROPERTY ACQUIRED FOR WAR PURPOSES

Mr. DAVIS submitted the following concurrent resolution (S. Con. Res. 33), which was referred to the Committee on Expenditures in the Executive Departments:

Whereas as a result of the present war there has been accumulated by the United States and by corporations owned or controlled by the United States supplies, materials, equipment, and other tangible property for war purposes; and

Whereas it is desirable that such supplies, materials, equipment, and other tangible property be not utilized in a manner detrimental to American enterprise: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is hereby declared to be the policy of the Congress that supplies, materials, equipment, and other tangible property owned by the United States or by any corporation owned or controlled by the United States, and accumulated as a result of the present war, be used or disposed of in a manner which will preserve American enterprise unimpaired by Government competition; and to that end that after the termination of the present war all such supplies, materials, equipment, and other tangible property be put away in trust or disposed of in such manner and in such quantities as to bring about no serious interruption to private enterprise and private employment.

LOANS TRANSFERRED BY THE HOME OWNERS' LOAN CORPORATION TO PRIVATE LENDING INSTITUTIONS

Mr. MEAD submitted a resolution (S. Res. 248), which was ordered to lie over, under the rule, as follows:

Resolved, That the Commissioner of the Federal Home Loan Bank Administration be, and hereby is, instructed to report to the Senate by February 5 or as soon thereafter as possible concerning the number and dollar amount of Home Owners' Loan Corporation loans which have been transferred to private lending institutions, whether these loans were increased in amount, the rates of interest charged, and in general the terms made to Home Owners Loan Corporation borrowers when these transfers were effected; be it further

Resolved, That the Commissioner of the Federal Home Loan Bank Administration be instructed, in each case where more than 10 loans have been taken, to also report as to whether the institutions taking them received money from the Home Owners' Loan Corporation in return for defaulted mortgages and, if so, how much in each case, also if these lending institutions obtained money from the Treasury or the Home Owners' Loan Corporation for investment in their shares, securities, or deposits, and if there are still unpaid balances on these investments, also if any of them are borrowers from the Federal Home Loan Bank System and in what amounts; and be it further

Resolved, That the Commissioner of the Federal Home Loan Bank Administration be instructed to request from the Reconstruction Finance Corporation and include in said report information as to loans or advances made to any of the institutions which have taken Home Owners' Loan Corporation loans, in what amount and what, if any, balances are now owed by these institutions to the Reconstruction Finance Corporation.

ADDRESS BY SENATOR TRUMAN AT LAUNCHING OF BATTLESHIP "MISSOURI"

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD the address delivered by Senator TRUMAN at the launching of the battleship *Missouri* at the Brooklyn Navy Yard, N. Y., on January 29, 1944, which appears in the Appendix.]

TRIBUTE TO JAMES A. FARLEY BY NELSON DUNSTAN

[Mr. CHANDLER asked and obtained leave to have printed in the RECORD a tribute by Nelson Dunstan to James A. Farley, published in the New York Morning Telegraph of November 16, 1943, which appears in the Appendix.]

OUR LATIN AMERICAN RELATIONS—ARTICLE BY HELEN ESSARY

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an article on Latin American relations, written by Helen Essary and published in the Washington Times-Herald of January 31, 1944, which appears in the Appendix.]

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES

The Senate resumed consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes.

The VICE PRESIDENT. The pending amendment is that of the Senator from Louisiana [Mr. OVERTON] to the amendment of the committee, on page 39, line 9, after the word "made", to insert "in accordance with State law."

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	O'Mahoney
Andrews	Gillette	Overton
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hill	Shipstead
Brewster	Holman	Smith
Bridges	Jackson	Stewart
Brooks	Johnson, Colo.	Taft
Buck	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Bushfield	Langer	Thomas, Utah
Butler	Lodge	Tobey
Byrd	Lucas	Truman
Caraway	McCarran	Tunnell
Chandler	McClellan	Tydings
Chavez	McFarland	Vandenberg
Clark, Idaho	McKellar	Wagner
Clark, Mo.	Maloney	Waligren
Connally	Maybank	Walsh, Mass.
Danaher	Mead	Walsh, N. J.
Davis	Millikin	Wheeler
Downey	Moore	Wherry
Eastland	Murdock	White
Ellender	Murray	Willis
Ferguson	Nye	Wilson
George	O'Daniel	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

The Senator from Florida [Mr. PEPPER] is detained on public business.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The Senator from Kansas [Mr. CAPPER] is absent from the Senate attending the funeral of William Allen White.

The VICE PRESIDENT. Eighty-nine Senators have answered to their names. A quorum is present.

Mr. BARKLEY. I do not wish to address the Senate at this time on the merits of any pending amendment or of the bill itself, but I do wish to urge all Senators, regardless of their position, to cooperate in bringing about a vote on this measure. We have now been debating it for more than a week, and there has not been a vote on a single amendment which has been proposed, printed, or suggested. I do not complain. I do not suggest that there has been any deliberate effort to postpone a vote on this measure. But the issue is a simple one; and I dare say every Senator knows now how he is going to vote, not only on the bill, but on amendments. For the last 2 months and more, we have been attempting to enact legislation granting to the soldiers, sailors, marines, and other members of the armed services the opportunity to exercise the right of citizenship. If it takes as long for the armed services to defeat the Germans and the Japanese, in proportion to their numbers and the magnitude of their problem, as it has taken us to decide the simple question whether we are going to allow these same men and women to vote, the war will last until the Presidential election in 1972. I hope in all sincerity that we may now get down to brass tacks, and begin to vote on something. We may talk as we will, but the vote is what the soldiers are interested in. I have no doubt that they are awaiting with some anxiety the record which is to be made in both Houses of Congress.

I make this statement in the utmost good faith and sincerity, in the hope that we may be able to bring the matter to a conclusion—today, if possible, or, if not, certainly not later than tomorrow.

Mr. TAFT. Mr. President, the Senator from Kentucky apparently blames on the opponents of the Federal ballot the delay which is occurring in the enactment of a law——

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BARKLEY. I did not indicate that I blamed anyone on either side. I asked those on both sides to cooperate to facilitate a vote. I hope the Senator from Ohio is not troubled in his conscience to the extent that he would attribute to me any thought of holding him responsible for the delay. The delay has been brought about by a good deal of conversation on both sides, I will say to the Senator.

Mr. TAFT. Yes, of course, Mr. President, yesterday the proponents of the Green-Lucas bill providing for the Federal ballot occupied most of the day. There are a number of opponents of the Federal ballot, and proponents of the State ballot, who desire to be heard today.

However, let me point out that the delay in the passage of the soldiers' vote bill is caused by the insistence of the administration upon having a reversal of the action taken by the Senate. In December the Senate provided for voting by soldiers by State ballot. We passed that bill after a week of debate. That bill provides the only kind of bill which in my opinion really will give the soldier a vote. The bill then went to the House, and was properly acted upon.

Then we were asked to consider another bill, and, in another bill, to reverse the position we took in December.

The way to obtain the vote for the soldiers was to permit the bill which had been passed by the Senate to be considered by the House of Representatives. In the House the proponents of the bill now pending before the Senate have done everything possible to forestall consideration by the House of the bill the Senate passed in December. The bill could have been passed by the House 2 weeks ago, if it had not been for the desire of Members of the House who have been advocating the Federal ballot to get another bill before the Senate and to have a rehearing of the subject on that bill.

Mr. President, even under Public Law 712, which was passed last year, it was perfectly possible to give the soldiers the ballot. That law provides that today, on the 1st of February, postal cards shall be distributed throughout the world in order that application for ballots may be made by the soldiers. The distribution of those postal cards is being postponed. Ten or twelve million postal cards have been printed; but their distribution is now held up because of the introduction in the Senate of another bill on the subject, after the Senate has already considered and passed one. That certainly represents legislative procedure of a type which I have never seen since I have been in the Senate.

Mr. BREWSTER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Ohio yield to the Senator from Maine?

Mr. TAFT. I yield.

Mr. BREWSTER. Is it not also a fact that repeatedly in the other body unanimous consent has been requested by the Republican Members for the immediate consideration of the bill which has been sent to the House by the Senate, but that in the House even opportunity for the unanimous-consent request to be presented has been refused?

Mr. TAFT. Yes; the Senator states the fact.

In other words, Mr. President, it seems to me that it is the insistence of those who are in favor of a Federal ballot which is preventing the soldiers from getting the State ballot and, in my opinion, the State ballot is the only kind of ballot which really is a ballot, the only means of really giving the soldiers the kind of vote they desire.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BARKLEY. I merely wish to observe in response to the suggestion made by the Senator from Maine—I do not desire to get into a discussion relative to House procedure—that it is always easy to make a political gesture by requesting unanimous consent for the con-

sideration of a measure when such a gesture does nothing to those who are supposed to be making the suggestion.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BREWSTER. If the Senator from Kentucky will examine the RECORD in the House, he will find that the Speaker of the House stated to the minority leader who made the request that he did not recognize him for such a purpose. What I have stated is borne out by the official record.

Mr. BARKLEY. Mr. President, under the rules of the House it is always within the jurisdiction of the Speaker to determine whom he will recognize for any purpose. The Speaker had enough sense to know the political object of the minority leader—if that can be brought into the debate—when he asked unanimous consent for the immediate consideration of a bill which in my judgment, with all due respect to the Senator from Maine, would grant no opportunity whatever for voting by the soldiers, sailors, and marines of the United States.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BREWSTER. Am I to understand, then, from what has been said by the Senator from Kentucky, that the request came at the conclusion of the reading of the message of the President of the United States to the Congress?

Mr. BARKLEY. Yes; as a political gesture to try to destroy the effect of the President's message.

Mr. BREWSTER. Mr. President, the Senator from Ohio has yielded to me, and I desire to proceed for a moment or two without interruption.

The PRESIDING OFFICER. The Senator from Ohio has the floor. To whom does he yield?

Mr. TAFT. I yielded to the Senator from Maine.

Mr. BREWSTER. Mr. President, if I may now resume, I had said that I understood that the request came immediately after the President of the United States had sent to the Congress what I think everyone has agreed is a somewhat unprecedented message. I do not think that even the members of the majority have defended some of the language the President used in that message. The President particularly requested that consideration be expedited. He thought it was intolerable that there should be this delay in consideration. Those were his charges to the Congress of the United States, of which the leader of the majority has been so distinguished and honored a Member.

So, Mr. President, in the House the leader of the minority very properly said that he would present a request for immediate consideration of that measure on the House floor; but the Speaker of the House said he refused to recognize him for such a purpose.

I think the soldiers of this country are able to understand where the responsibility for delay rests in connection with that measure, so far as the other body is concerned.

Mr. TAFT. Mr. President, I should like to say a word. From the time the Eastland substitute reached the House, there was never any doubt that the majority of the Committee on Elections in the House was in favor of that measure. Consideration was postponed by the chairman of the committee, who was in favor of a Federal ballot. The bill was finally reported, and went to the Rules Committee. It was perfectly clear that the Rules Committee favored a State ballot, and was in favor of granting a rule. The chairman of the Rules Committee did all he could to delay consideration of the bill. The chairman of the Rules Committee then carried around in his pocket until last Tuesday the report which was finally made by the Rules Committee. It could have come up then, but the Speaker of the House and the majority leader took the full length of time, 7 days, before they were willing to give effect to the rule granted by the Rules Committee. So consideration of the bill has been delayed in the House until today. I have little doubt that the Speaker and the majority leader will find some way by which to postpone consideration in the House of the Senate bill, which gives the soldiers a State ballot.

It seems to me, Mr. President, that the quickest way, if we wish to give the sol- let the Senate either agree to the House pass the bill which is before it, and then let the Senate either agree to the House amendments or send the bill to conference.

If we should pass the pending bill and the House should pass the Senate bill which is before it, which it is very likely to do, how much more delay there would be I cannot even presume to say. I do not know what the procedure would be. I have never heard of a condition in which the House substantially accepted a Senate bill and the Senate said, "No; we do not want it any more. We are going to pass another bill." Is the House going to take up the second bill, to which the Elections Committee is opposed, or will there be a conflict between the Senate and the House, in which the House will take the perfectly justifiable position that the Senate has passed one bill, that the House has substantially agreed to that bill, and that it sees no reason why it should now consider a second bill?

If we are really interested in giving the soldiers a vote, in getting the postal cards out, and letting the State legislatures meet and enact laws which will give the soldiers a real State ballot, the way to do it is to let the House pass the Senate bill, send it to conference, and work out the best possible form of State ballot in conference.

Mr. McCLELLAN. Mr. President, I think I agree with a great deal that has been said by both the distinguished majority leader and the Senator from Ohio. It is unfortunate that we are spending so much time on this proposed legislation. I do not mean that it is unfortunate that we should try to enact a law which would give the soldiers the right to vote; but having passed a bill in the Senate, and the bill now being in the House of Representatives, where it is being considered, we find the situation today as described by the Senator from Ohio. We have now spent more than a week considering a second bill dealing with the same subject, a bill which is in many respects like the bill which the Senate rejected, a substitute for which was passed by the Senate and is now pending in the House of Representatives.

Mr. President, I had hoped that in the course of further consideration of this problem a constitutional measure might have been offered, whereby the Congress could give to as many soldiers as possible the right to vote in the coming election, insofar as we have the power to do it, within the constitutional processes. Unfortunately no compromise has been worked out, and the issue remains substantially the same as it was when the Senate, in December, rejected the original Green-Lucas bill and passed a bill undertaking to give the soldiers the vote in a constitutional manner, without tearing down the constitutional provisions of many of the States of our Union, and without abrogating State laws, in order to be able to say that we gave the soldiers an opportunity to vote.

I was one of the coauthors of the substitute bill previously passed by the Senate. Those of us who have some conviction about the Constitution of the United States and who have a desire to conform our actions to the provisions of that immortal document have been attacked and charged with being insincere. It matters very little to me, Mr. President, what others may say or do. I took an oath to support the Constitution of the United States; and I will not knowingly violate that oath, whatever the criticism may be, and from whatever source it may come.

The bill pending before us today starts with the provision in the first section, that Public Law 712, Seventy-seventh Congress, be amended by inserting after the enacting clause the word "Title I" and striking out sections 3 to 15, inclusive, and inserting in lieu thereof new matter.

My first objection to the pending bill is that we are undertaking by this action to amend a law now on the statute books which in my opinion is unconstitutional. I was not a Member of Congress when Public Law No. 712 was enacted. Had I been a Member of this body, and had I understood the implications of the measure at that time as I do now, I would have certainly opposed its enactment.

In his message the President says that Public Law 712 has been wholly ineffective to accomplish the purposes which it was designed to accomplish. We are asked by this bill to repeal all the provisions of Public Law 712 except the first two sections, which, according to my belief and interpretations, are unconstitutional. The Congress is without authority under the Constitution to enact such a law. Because it has been demonstrated that Public Law 712 is ineffective to accomplish the results sought, we are now asked to amend it and to retain the unconstitutional provisions in it. Therefore I cannot vote for the pending bill in its present form. I cannot give sanction by my vote to amending the

existing law, which, according to my interpretation, is unconstitutional, however expedient it may be to achieve the desired objective. I cannot vote to amend Public Law 712 and at the same time retain in it sections 1 and 2, thus giving approval by my vote to an effort to make effective an unconstitutional provision of existing law. For that reason I shall oppose the bill unless it is so amended that sections 1 and 2 of Public Law 712 are repealed.

So long as we are undertaking, by this bill or any other, to amend that law with those sections in it, I shall oppose it.

We have reached the point in America where expediency in accomplishing a desired result in legislation is given preference in our consideration and action over the constitutional provisions to which we are expected to conform our actions in the enactment of bills, and which we have taken an oath to support.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MILLIKIN. The distinguished Senator is aware of the rule which I believe is followed by all courts—it certainly is followed by the Supreme Court—that every reasonable doubt shall be resolved in favor of the constitutionality of a law, because of the desire of the courts not to find themselves acting as a legislative body, and to avoid conflict between independent agencies of the Government. Is that not correct?

Mr. McCLELLAN. The able Senator is eminently correct.

Mr. MILLIKIN. Does it not follow that if we fall into habits of expediency, and if we do not give attention to reasonable doubts as to constitutionality, we shall be compounding doubts, and in the end we shall bog down the Constitution with unconstitutional legislation?

Mr. McCLELLAN. I say to the able Senator and to my colleagues that the responsibility for constitutional government does not rest upon the Supreme Court alone.

Mr. MILLIKIN. Mr. President, will the Senator further yield?

Mr. McCLELLAN. I gladly yield.

Mr. MILLIKIN. Has the Senator heard any suggestion on the floor of the Senate which would overcome the argument that at least there is reasonable doubt as to the constitutionality of this measure?

Mr. McCLELLAN. I have not heard any Senator take the position that there is not some reasonable doubt as to the constitutionality of the measure. On the other hand, yesterday I heard a very able Senator for whom I have the highest respect say that although he will support the bill, so far as the fundamental law was concerned and the principles involved, he was rather under the impression that the opposition to this bill is correct in the position it has taken.

Mr. MILLIKIN. Is it not a fact that the proponents of the bill recognizing the constitutional doubts, have proposed to leave to the States the decision on the doubts which is an evasion of our own duty?

Mr. McCLELLAN. I understand that is true.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. BUSHFIELD. Statements were made on the floor prior to the distinguished Senator's remarks to the effect that the provisions of section 14 (a) were in conflict with the provisions of sections 1 and 2 of Pubic Law 712. It is an established rule of law, well recognized by all the courts, that if a legislative body enacts a law subsequent to the enactment of some other law, and there appears to be a conflict between them, the measure last enacted shall prevail. I should like to have the Senator discuss the question whether or not the enactment of section 14 (a) would have any effect on sections 1 and 2 of Public Law 712.

Mr. McCLELLAN. As I interpret section 14 (a) in the bill as now written, it would not repeal sections 1 and 2 of Public Law 712. The best answer, if the Senator has any doubt about it, is what the proponents of this measure say about it. If they had wanted to repeal sections 1 and 2 of Public Law 712, they would have proposed to repeal all of Public Law 712. But they retain sections 1 and 2. We are being asked to pass this bill as an amendment to Public Law 712, and section 14 (a) as now written in the bill would not repeal sections 1 and 2 of the present statute.

Section 14 (a) is a little vague as to just what it is intended to do. It appears to imply that the State election officials shall have final jurisdiction in determining the validity of ballots. However, as I pointed out in my brief remarks yesterday, I am not sure whether I referred to it, but I had in mind that a ballot may in all respects be valid; it may conform to the law with respect to its size and with respect to the names of different candidates or different nominees printed upon it; it may be voted correctly; it may be certified correctly; and it may have all the aspects of validity, and at the same time be an invalid ballot because of the lack of qualifications of the person who cast it. For that reason section 14 (a) only gives to the local election officials the right to determine the validity of the ballot, but it does not say whether the determination shall be under Public Law 712 as amended by this bill or whether the officials shall determine the validity of the ballot in accordance with the laws of the State. For that reason section 14 (a) is vague, uncertain, and needs clarification. If it goes on the statute books as now written no one can be certain about what was the intent of Congress. I do not believe any proponent of the bill will say that it is intended that it shall repeal sections 1 and 2 of Public Law 712, and I do not believe the proponents of the bill intend that it shall be interpreted to mean that State election officials shall have authority and jurisdiction to determine the qualifications of the person casting the ballot, which is essential in finally determining the validity of the ballot. I believe it is the intention of the sponsors of this bill under section 14 (a) to have the validity of the ballot determined in accordance with Public Law 712 as amended by this bill.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MILLIKIN. I should like to suggest that the local State officials do not even have the right to consider the validity of a Federal ballot. The State officials operate entirely under State law so far as electors for President or Vice President are concerned. Under the Constitution the exclusive power to determine the method of selecting electors for President and Vice President is in the State legislature. The State legislature has the power to delegate its functions to local election boards and precinct officials. However, those persons operate entirely under State statute. They have no common-law duties. They have no general authority to consider the validity of ballots. If we give weight to our Federal Constitution they can operate only under the authority given to them by the State legislature. We have no authority to enact section 14 (a). For reasons which I have mentioned, I respectfully suggest that we have no authority to place in the hands of State officials the judging functions as to these ballots.

Mr. McCLELLAN. I think the Senator from Colorado is correct.

Mr. EASTLAND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Mississippi?

Mr. McCLELLAN. I yield to the Senator from Mississippi.

Mr. EASTLAND. I think that the interpretation the distinguished Senator has placed on section 14 (a) is the correct one. Now I ask the Senator this: Suppose the local election officials should take the position that sections 1 and 2 of Public Law 712 are unconstitutional and therefore should not count a large body of ballots in their State; and suppose—and I think this is, at least, a reasonable assumption—that the next House of Representatives should not be controlled by the political party which carried the States in which a great number of votes were thrown out by the local election officials; does not the Senator think that there is ground for a reasonable assumption that there would be a contest over the Presidency of the United States and that the House of Representatives would be tempted to throw out the electoral votes of those States because sections 1 and 2 of Public Law 712 were not complied with? The House of Representatives certainly could not say that it passed an unconstitutional act, that it stultified itself. Would it not have to give force and effect to its own act in passing Public Law 712 and refuse to count the electoral votes in States embracing a large section of the country?

Mr. McCLELLAN. The Senator may be correct. I am not so much concerned about an election contest. I can see such a possibility; but no one can foresee or know now whether the vote in any particular race for the House of Representatives or the United States Senate or for the Presidency will be close. I do not know; but I do know, indeed, it is fundamental with me, that when we

depart from the Constitution and subjugate the plain provision of our organic law to expediency we are traveling a dangerous road, and some day our action will come home to plague us in the United States Senate.

My colleagues, let me tell you that if our boys are fighting for anything, they are fighting to preserve constitutional government, a government of laws, not a government of men. That is what they are fighting for. I owe, and I believe my colleagues with me owe, a solemn duty to them while they are giving their all to preserve and to make secure all that we have cherished, all that we boast of as our precious heritage—we owe it to them to be faithful in the performance of our duties here.

I desire to say, Mr. President—and I made reference to it yesterday—that if the time has come when expediency is to prevail; if, as someone has suggested—I do not believe during this debate, but when this matter was under discussion in the Senate in November and December of last year—the right to vote is paramount to the integrity of the Constitution of the United States, then, Mr. President, according to my judgment, the Constitution is meaningless.

Certainly I want the soldier to vote; I do not have a colleague in the Senate who would dare challenge that statement for one moment, and I know it; but I say again that if the time has come when we must yield to expediency and disregard the Constitution and law in order to give our soldiers the right to vote, then, Mr. President, I want incorporated in this bill an amendment—and I shall offer it at the proper time—to pare down the age barrier. This is said to be a war measure, and if war impels us to be expedient and to disregard the Constitution, then the same impelling reason justifies us in removing the age barrier to everyone who wears the uniform of his country.

Why should we discriminate? We are trying to give the soldier a constitutional ballot; we are trying to preserve the integrity of his vote; but if we are not going to do that, if we are going to let down the bars, then Mr. President, I do not want two and a half million young boys serving their country to be discriminated against. I want them, too, to have a right to say who shall be their Commander in Chief while they continue to fight on the fields of battle. I want them to have a voice in who shall represent them in the National Congress.

I wonder, Mr. President, when this amendment is presented, how many of us will be ready to do what the President said—stand up and be counted? I should like to have a record vote on such a proposal.

If the fact that a boy or a man in uniform is fighting and dying for his country makes it necessary for us to disregard the fundamental law of the land in the performance of our duties here while he is fighting, if that is necessary, then, Mr. President, I want us to stand up and be counted on the question—on the issue whether we are ready to extend that privilege to all soldiers—for I believe a boy 18 years old, from every moral standpoint and every legal standpoint, except the Constitution and the fundamental laws of the land, is just as much entitled to have a voice in government if he is going to be offered on the altar of sacrifice for his country as those who have attained their majority.

Mr. WILLIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Indiana?

Mr. McCLELLAN. I yield to the Senator from Indiana.

Mr. WILLIS. Does the Senator believe that there is a single Member of the Senate who is afraid to stand up and have his vote counted on this measure, and is there anyone who would seek to hide behind parliamentary tricks to avoid such a record being made?

Mr. McCLELLAN. No; I certainly do not believe it; and I thought the implication or insinuation that we were afraid was unjustified. I am perfectly willing to stand up and be counted and have my vote recorded not only on the bill itself on final passage but on any amendments which may be offered to it.

Mr. WILLIS. I firmly believe that the Senator is expressing the sentiments of every Member of the Senate.

Mr. McCLELLAN. I trust I am, I believe I am, and I have that confidence and faith in my colleagues.

Mr. OVERTON. Mr. President, will the Senator yield in that connection?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Louisiana?

Mr. McCLELLAN. I yield to the Senator from Louisiana.

Mr. OVERTON. Last December at the time the substitute bill introduced by the Senator from Arkansas, the Senator from Mississippi, the Senator from Tennessee, and possibly one or two other Senators, was offered for the committee bill, did not the proponents of the substitute bill ask for a yea-and-nay vote, was not a yea-and-nay vote ordered, after being properly seconded, and was not the roll called and each Senator recorded whether he was for or against the substitute?

Mr. McCLELLAN. I think the Senator is absolutely correct.

Mr. OVERTON. I do not think there is any question about that. There was a yea-and-nay vote in the Senate on the substitute bill. I voted "yea"; the Senator from Tennessee voted "yea"; the Senator from Arkansas voted "yea."

I do not think there is any doubt about that. The RECORD would show. The majority of the Senate voted for the substitute bill. Senators stood up and were counted. There was no attempt to practice a fraud by not being counted, and by not having our vote appear in the RECORD. Everything done was done openly and aboveboard.

Mr. McCLELLAN. Mr. President, let me say to the Senator that I am glad we got a record vote on the measure, and I am not ashamed of my vote. I am of the same opinion I then entertained, and I am willing to vote again accordingly.

Mr. President, I now wish to call attention to an editorial in the Washington Star of the 28th of last month, which in a few moments I shall ask to have inserted in the RECORD in connection with my remarks. The editorial was entitled "The Service Vote Message," and I quote one paragraph from it, as follows:

> Actually, far from being a fraud—

Speaking of the bill the Senate passed—

> Actually, far from being a fraud, the Senate resolution, despite its virtual ineffectiveness, can be defended as being more in conformity with the basic law of the land than the bill it replaced.

I do not like the word "fraud," but if we are to have to talk about it, I wish to say that the fraud of the bill the Senate passed is a vest-pocket edition compared with that of the one we defeated in voting down the Green-Lucas bill.

Mr. OVERTON. In order to refresh the memory of the Senator—and I can get the RECORD in a moment—there were 44 yeas in favor of the substitute——

Mr. McKELLAR. May I interrupt the Senator?

Mr. OVERTON. I yield.

Mr. McKELLAR. The yeas were 42, and the nays were 37. In order that there may not be any doubt or question as to the yeas and nays on the bill, and any other yeas and nays which may have been taken at the time, I ask the Senator from Arkansas if he will not insert a copy of the vote in his remarks at this point. I think it would be very wise to do that, so that those of us who voted for the substitute will have the benefit of the RECORD to show that we were not trying to hide behind secrecy in any way in the world, but that we openly voted on the floor of the Senate; and I think our side asked for the yeas and nays, if I remember correctly. But whether or not we did, we voted openly, in the presence of the Senate, in the presence of the public, our just convictions on the bill. I hope the Senator will have the yea-and-nay vote appear in the RECORD at this point.

Mr. McCLELLAN. I am glad to comply with the Senator's request, and I ask unanimous consent that at this place in my remarks the vote on the original Green-Lucas bill, the final vote, and the vote on the so-called Eastland-McClellan-McKellar substitute, be inserted in the RECORD at this point.

Mr. McKELLAR. There was only one vote, because when the Eastland-McClellan-McKellar substitute was voted on, it was adopted, and that ended the matter.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and it is so ordered.

(The vote referred to is as follows:)

> (Vote on Eastland - McClellan - McKellar amendment in the nature of a substitute for the bill (S. 1285) to amend the act of September 16, 1942, which provided a method of voting in time of war by members of the land and naval forces absent from the place of their residence, and for other purposes)
>
> Mr. EASTLAND. * * * Mr. President, I think the substitute should be agreed to. I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. BANKHEAD (after having voted in the affirmative). I have a general pair with the senior Senator from Oregon [Mr. MCNARY]. I transfer that pair to the junior Senator from Utah [Mr. MURDOCK], and permit my vote to stand.

Mr. HILL. I announce that the Senator from Washington [Mr. BONE], the Senator from Georgia [Mr. GEORGE], and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness. I am advised that if present and voting, the Senator from Washington would vote "nay."

The Senator from Texas [Mr. CONNALLY], the Senator from California [Mr. DOWNEY], and the Senator from Missouri [Mr. TRUMAN] are detained on public business.

The Senator from Utah [Mr. MURDOCK] and the Senator from Oklahoma [Mr. THOMAS] are absent on official business.

The Senator from North Carolina [Mr. REYNOLDS] is necessarily absent.

The Senator from North Carolina [Mr. REYNOLDS] is paired with the Senator from Missouri [Mr. TRUMAN]. I am advised that if present and voting, the Senator from North Carolina would vote "yea," and the Senator from Missouri would vote "nay."

Mr. WHITE. The Senator from Oregon [Mr. MCNARY], the Senator from Minnesota [Mr. BALL], and the Senator from South Dakota [Mr. BUSHFIELD] are absent because of illness.

The Senator from Maine [Mr. BREWSTER] is necessarily absent.

The Senator from Wisconsin [Mr. LA FOLLETTE] is confined to his home with a cold.

The Senator from South Dakota [Mr. GURNEY] is absent because of a death in his family. He has a pair with the Senator from Oklahoma [Mr. THOMAS]. I am not advised how either Senator would vote if present.

The Senator from New Hampshire [Mr. BRIDGES] is detained on official business.

The result was announced—yeas 42, nays 37, as follows:

Yeas, 42: Andrews, Bailey, Bankhead, Bilbo, Buck, Butler, Byrd, Capper, Caraway, Clark of Missouri, Danaher, Eastland, Ellender, Gerry, Hawkes, Hill, Holman, McCarran, McClellan, McKellar, Maybank, Millikin, Moore, Nye, O'Daniel, Overton, Reed, Revercomb, Robertson, Russell, Scrugham, Shipstead, Smith, Stewart, Thomas of Idaho, Tobey, Tydings, Walsh of Massachusetts, Walsh of New Jersey, Wherry, White, and Willis.

Nays, 37: Aiken, Austin, Barkley, Brooks, Burton, Chandler, Chavez, Clark of Idaho, Davis, Ferguson, Gillette, Green, Guffey, Hatch, Hayden, Johnson of Colorado, Kilgore, Langer, Lodge, Lucas, McFarland, Maloney, Mead, Murray, O'Mahoney, Pepper, Radcliffe, Taft, Thomas of Utah, Tunnell, Vandenberg, Van Nuys, Wagner, Wallgren, Wheeler, Wiley, and Wilson.

Not voting, 17: Ball, Bone, Brewster, Bridges, Bushfield, Connally, Downey, George, Glass, Gurney, Johnson of California, La Follette, McNary, Murdock, Reynolds, Thomas of Oklahoma, and Truman.

So the amendment, as modified, in the nature of a substitute, proposed by Mr. Eastland, for himself, Mr. McClellan, and Mr. McKellar, was agreed to.

Mr. TOBEY. Mr. President, I move that the vote just taken be reconsidered.

Mr. MCKELLAR. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The VICE PRESIDENT. The bill is before the Senate and open to further amendment. If there be no further amendment to be proposed, the question recurs on agreeing to the committee amendment as amended by the so-called Eastland substitute.

The amendment as amended was agreed to.

The VICE PRESIDENT. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The VICE PRESIDENT. The bill having been read the third time, the question is, Shall the bill pass?

Mr. GUFFEY. Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

The VICE PRESIDENT. The question is, Shall the bill pass?

The bill S. 1285 was passed.

Mr. McCLELLAN. Mr. President, since the word "fraud" has been mentioned, I wish to refer to the remarks of some of my colleagues yesterday. When the junior Senator from New Mexico [Mr. CHAVEZ] was addressing the Senate, he made this statement:

> I make this statement for the further reason that I personally do not feel that it is in keeping with the dignity of the Senate to have Senators on both sides of the aisle accusing their colleagues of trying to perpetrate a fraud upon the American people because they feel one way or the other.

I commend the Senator for that statement. I do not like to feel that those who disagree with me are seeking to do something that is reprehensible. I hope I shall never come to the point where I cannot honestly disagree with those with whom I am associated as I am with my colleagues here without impugning their motives when their votes are not in accord with my own.

I very much appreciate, too, Mr. President, the remarks of the senior Senator from Illinois [Mr. LUCAS], one of the sponsors of the bill; when, in response to what the Senator from New Mexico said, which I have just quoted, he immediately stated:

> I agree with the Senator with respect to the word "fraud." I do not agree with the President when he uses that word in the message he sent to the Congress.

Mr. President, I should not be willing to commit a fraud on anyone, but I have a son in uniform, and I ask, Would I commit a fraud against that boy? The charges made are pretty serious. I would not commit a fraud against any mother's son who wears a uniform.

Mr. President, so long as I have the strength to follow the dictates of my own conscience, whenever a bill that is proposed is, in my opinion, in violation of the Constitution and the rights of the people whom I represent, I will oppose the passage of such a measure, irrespective of criticism from high or low sources, and when I cannot longer follow that course, or when I may be unwilling to do so, I shall not be worthy to continue to serve as a representative of the people of my great State in this body, which is the highest, and which should be the most dignified lawmaking body in the world.

Mr. McKELLAR. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I yield.

Mr. McKELLAR. I hope the distinguished Senator from Arkansas will excuse me for referring not only to his splendid young son, about 16 or 17 years of age, who is now serving in the armed forces of the country, but also to another son, who nearly a year ago gave up his life for his country in north Africa. Leveling the accusation of fraud at a Member of this body who lost a son in this war while fighting for his country, and who has another son not yet 18 years of age who wears his country's uniform, because the Senator votes for an honest bill, one seeking to give the soldiers the right to vote in elections, is going further than I should be willing to go under any circumstances.

If there ever was a man who would be honest in casting his vote in this body, it is a father such as the Senator from Arkansas [Mr. MCCLELLAN], who, as I have said, has already lost one son in the service of his country, and has another in uniform 17 years of age. He would vote his honest sentiments at any time, especially when it came to a measure affecting his sons.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. MILLIKIN. With reference to the charges of fraud, I should like to bring to the Senate's attention a part of a message from President Lincoln to the Congress in 1862, in the middle of the War between the States. President Lincoln said:

> I do not forget the gravity which should characterize a paper addressed to the Congress of the Nation by the Chief Magistrate of the Nation. Nor do I forget that some of you are my seniors, nor that many of you have more experience than I in the conduct of public affairs. Yet I trust that in view of the great responsibility resting upon me, you will perceive no want of respect to yourselves in any undue earnestness I may seem to display.

Mr. McCLELLAN. I thank the Senator from Tennessee and the Senator from Colorado.

Mr. President, I had no thought of continuing my remarks for this length of time. I want the soldier to vote. Certainly I do not fear his vote. I am not a candidate this year. I am a Democrat and am going to remain one. If I were a candidate in the coming election I know of no group of people or class whom I would rather have sit in judgment upon my record and upon my effort as a public servant, and in whom I have greater faith, than the servicemen of this Nation and the ex-service men of my country. I have nothing to fear from them.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. McKELLAR. In going over the bill which is now before the Senate I find quite a remarkable situation. Title I of the bill authorizes and directs the Commission to obtain the services of the Army and Navy and Marine Corps in order that servicemen may vote for those covered by title I, that is Presidential electors, Representatives, and Senators. It is almost a command that those votes be gathered and sent to the proper States and cast.

But when it comes to title II, referring to State officials, ah, the situation is entirely different. We find there but few mandatory words. Those covered

by title II are in one class, a preferred class. Apparently the word "priority" is used to apply to them. But when it comes to voting for State officers the situation is very different. The Secretary of War and the Secretary of the Navy declare that they do not have the shipping space and the aircraft space to carry all the State ballots and notices to the servicemen and bring them back. But the gravamen of the bill, if we may so speak of it, seems to be an effort to see to it that the class covered in title I shall be looked after, that is, electors, Representatives, and Senators.

Mr. President, is not the soldier in Italy or in the Pacific, or wherever he may be, as much entitled to have his vote cast and counted for State officers as his vote for Federal officers? Why should there be a distinction? Why should the Federal Government, without constitutional authority, as I believe, create a preferred class for voters in the Army and say, "It is all right, we will fix it so you can vote for Presidential electors, and you can vote for Representatives and for Senators, but we will make another class with respect to State offices, and help you out if we can in respect to them, if it is compatible with the situation at the front, or wherever you may be. We will help you out if we can. We give priority to the first class. We will do the best we can for the second class."

Mr. President, I wish to ask the Senator from Arkansas a question. If we are looking at this matter from the standpoint of the soldier, why do we not undertake to give the soldier the right and opportunity to vote for both classes of officials, for State officials as well as for national officials? Why do we make fish of one and fowl of the other? Why do we, under the provisions of the bill itself, give priorities to ballots to be cast for national officers?

Mr. President, it looks to me as if we are undertaking to deal with national officers because we are more interested in them. Is that the soldier's position? Suppose a boy in Italy has a mother in Davidson County, Tenn., who is running for public office, say for county court clerk, or say he has a father or an uncle running for sheriff in that county. Why should not that boy have the right to vote for the candidate for county court clerk, who may happen to be his mother, or for some kinsman who is running for Governor? Why should he not have as much right to vote for him as for Presidential electors, or Representatives, or Senators?

Are we looking at this matter, Mr. President, from the standpoint of the soldier, or are we looking at it from the standpoint of our own interest? Are we worked up about the rights of the soldier, or are we worked up about our own interest in this matter?

Mr. President, I know the Senator from Arkansas believes that we ought to give the right to all those soldiers to vote for the State candidates as well as the national candidates, and on terms of perfect equality. Does the Senator agree with me on that proposition?

Mr. McCLELLAN. I agree with the Senator. I do not believe we have the constitutional right to place priority on the so-called Federal ballot over the State ballot.

Mr. McKELLAR. I agree with the Senator entirely with respect to that matter.

Mr. VANDENBERG. Mr. President——

The PRESIDING OFFICER (Mr. WALSH of New Jersey in the chair). Does the Senator from Arkansas yield?

Mr. McCLELLAN. I yield.

Mr. VANDENBERG. The discrimination to which the able Senator from Tennessee refers goes even further than he indicates.

Mr. McKELLAR. Yes; it does.

Mr. VANDENBERG. It applies to the entire State absentee ballot, including the vote for Presidential electors and Representatives and Senators.

Mr. McKELLAR. The Senator's statement is correct.

Mr. VANDENBERG. It is a discrimination against the entire State absentee ballot.

Mr. McKELLAR. Yes.

Mr. VANDENBERG. I simply wish to say to the Senator that that subject has had rather prayerful consideration. I am offering an amendment which substantially brings the obligation under title II, insofar as it is physically applicable, under the same terms that apply to the transmission and delivery of ballots under title I, and I am glad to say to the Senator from Tennessee that the Senator from Illinois [Mr. LUCAS] has agreed to accept the amendment. So we are making some progress in the direction the Senator indicates. I say this to him because I so cordially agree that the dignity of the State ballot under this law should equal the dignity of the Federal ballot.

Mr. BREWSTER. Mr. President——

Mr. McCLELLAN. I shall yield to the Senator from Maine after the Senator from Tennessee has concluded.

Mr. McKELLAR. Mr. President, the Senator from Michigan is entirely correct. I am very happy that he is going to offer the amendment. But that is just one of the many defects in the bill as it is before the Senate today. I do not know whether the Senator's amendment will be agreed to, but I hope it will be. It will help somewhat, even in an unconstitutional measure, as I believe the pending bill to be.

But, Mr. President, think of what is proposed in this bill. We have offered to us the proposition of dealing with a subject with which under the Constitution we have no right at all to deal. The proposal is that we take that right away from the States, and say, "We are going to establish two classes of voters hereafter. One will be the national voters, and the other will be the State voters. We are going to put the State voters in the second class."

Mr. President, I am not in favor of that. I am not in favor of it at all. I am utterly opposed to it. If the Senator's amendment is agreed to, it will improve the bill a little, though not very much.

Mr. BREWSTER and Mr. O'DANIEL addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Arkansas yield; and if so, so whom?

Mr. McCLELLAN. I yield first to the Senator from Maine, to whom I had previously promised to yield.

Mr. BREWSTER. Mr. President, I wish to inquire of the Senator from Michigan, in connection with his amendment, in which I am very much interested, whether it is contemplated that the ballots sent by the States will go via air mail and without postage.

Mr. VANDENBERG. My understanding is that the ballots will go without postage, and will go by air mail, if possible.

Mr. BREWSTER. Let me inquire where provision to have that done is to be found?

Mr. VANDENBERG. I cannot give the Senator the immediate reference. I shall look it up.

Mr. BREWSTER. In my examination of the proposal, I was not clear regarding that point. It did not seem clear whether the ballots would go by air mail and whether they would be sent without postage and would be returned without postage.

Mr. VANDENBERG. Certainly that is desirable.

Mr. BREWSTER. If those points are not clear, I hope they will be made clear.

Mr. O'DANIEL. Mr. President, will the Senator yield to me?

Mr. McCLELLAN. I yield.

Mr. O'DANIEL. I desire to express to the junior Senator from Arkansas my appreciation for the splendid address he is making and to congratulate him on the remarks he has made. I think I can share the feeling which must be running through his mind as he stands here to defend his position against the charge of fraud against the members of our armed forces because he voted for a certain bill; because I, too, voted for that bill, and I, too, have two sons in the service of the American forces. I do not think anyone should accuse Senators of practicing fraud when we vote our just convictions.

Of course we want the soldiers to vote. I want my boys to vote; I have that desire to such an extent that, although I am bitterly opposed to the payment of a poll tax as a prerequisite to voting, I have arranged for the payment of the poll taxes for my sons who are in the Army in order that they may vote, and I want all members of our armed forces to have the right and opportunity to vote.

So it is rather hard for us in the Senate, performing our duty, to be accused of practicing fraud when we vote our just and honest convictions.

Mr. President, at this time I should like to read one of the many letters I have received from citizens of Texas and of other States regarding the pending measure. The letter I hold in my hand comes from Dr. Thomas A. King, M. D., of Vernon, Tex. It is dated January 26, 1944, and is addressed to me:

VERNON, TEX., *January 26, 1944.*

Senator W. LEE O'DANIEL,
Washington, D. C.

DEAR SENATOR: Judging from the crocodile tears exuding from the tear ducts of a few

frightened, self-interested politicians over the soldier's vote, one would presume that the soldier wading through the jungles of the South Sea Islands, that the soldier baking in the heat of north Africa, and the soldier shivering in the mountain crevices of Italy were all wrought up and preoccupied with the question of voting in the 1944 Presidential election. As a matter of fact and of record, not over 50 percent of our soldier boys availed themselves of this political privilege even during peacetime.

Being a veteran of World War No. 1 and the father of one of these boys, I feel safe in asserting that the great majority of them have the same complete confidence in the home folks handling satisfactorily the political problems of the home front, as the home folks have in the ability of these soldiers to master the military problems arising on the battlefield. Both of these groups, being bound together by inseparable family ties and imbued with a common purpose, realize that the duties peculiar to each group will be performed by that particular group to the best interests of the indissolvable whole. It is evident that much of the present hullabaloo and emotionalism raised over this question is traceable to the selfish self-seeking politician who would manipulate the soldier vote for his own personal gain.

Contrary to the false accusation of this bunch of emotion dispensers, the American people are united in the common desire to extend the right of franchise to every soldier who wishes to vote. The whole controversy centers upon a difference of opinion as to the best and safest means of accomplishing the desired end. One faction would follow the requirements of the Constitution by permitting each State to make the necessary legal changes and arrangements in their election laws to accommodate this vote and thereby insure an orderly and fair election. The opposing faction would by-pass the national and State constitutions and set up some loose, ill-conceived national election machinery upon every far-flung battlefield, where the manner of safeguarding the franchise would be mere conjecture and subject to the greatest political steal of the centuries.

Since our boys are dying to preserve constitutional democracy, it is safe to presume that if they vote they will demand to vote in accordance with the requirements of this Constitution.

The New Deal has ransacked our public Treasury. It has squandered our gracious heritage. It has by tampering with the courts destroyed the faith of the people in the judiciary. It has dealt a death blow to the spirit of self-reliance by accustoming the people to rely upon Federal handouts. It has silenced the independence of the individual through the use of the purge and other means of retaliation. Not content with these blows against democracy the New Deal now demands that the ballot boxes of the various States be thrown wide open to its political chicanery. As I see it unless the same degree of unselfish patriotism as is manifested by the boys on the battle front is shown by you Members of Congress the day is at hand when another Hitler will rule America.

Yours truly,

THOS. A. KING.

I thank the Senator from Arkansas for yielding to me.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. LUCAS. Let me ask the Senator from Texas one question: Does he adopt the language in that letter as his own?

Mr. O'DANIEL. Mr. President, I have simply read the letter as expressing the opinion of Dr. Thomas A. King, of Vernon, Tex.

Mr. LUCAS. Yes, Mr. President; but the Senator has read the letter before the Senate of the United States. I am asking the Senator the simple question, Does the Senator from Texas adopt as his own the language he has read to the Senate?

Mr. O'DANIEL. Mr. President, I answered the Senator. I read the letter as expressing the opinion of Dr. Thomas A. King.

Mr. LUCAS. I understand that the Senator has done so. He has read that opinion here as the opinion of some other person. In the letter the Senator has read that the person who wrote the letter charges the sponsors of the bill with conspiracy and political manipulation in stealing the ballots of the soldiers in the 1944 election. All I desire to know is whether the Senator from Texas subscribes to what he read.

Mr. O'DANIEL. Those remarks in that letter were not read as expressing my sentiments. I do not subscribe to every word he has chosen to use in his letter. I have read the letter from Dr. Thomas A. King as expressing his opinion.

Mr. LUCAS. Mr. President, then why did the Senator read it?

Mr. O'DANIEL. Because I wanted to read it. I have the right to read it. I believe it may prove to be beneficial for Senators to listen to the voice of the people of this Nation, as expressed in their own way in letters like this and others which are read on the Senate floor from time to time.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. McCLELLAN. Mr. President, I should really like to conclude. I have been trying to conclude, but I gladly yield.

Mr. TAFT. With reference to what the Senator from Texas has said, is it not true that in his message the President has reflected on the motives of all Senators who are opposing the Federal ballot and supporting the State ballot?

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. LUCAS. Let me ask the Senator from Ohio if he did not go to Ohio and make a speech charging those responsible for the Lucas-Green bill with fraud?

Mr. TAFT. Yes; I made a speech——

Mr. LUCAS. And the Senator dare talk about the President of the United States charging us with fraud.

Mr. TAFT. Mr. President——

Mr. LUCAS. Mr. President, the Senator yielded to me.

Mr. McCLELLAN. I yielded to the Senator from Illinois.

Mr. LUCAS. You charged your colleagues in the Senate with fraud.

Mr. HOLMAN. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLMAN. I invoke that rule of the Senate which requires Senators to address the Chair and not other Senators.

Mr. LUCAS. Mr. President, I have the floor. The Senator from Arkansas yielded to me.

Mr. President, the Senator from Ohio complains bitterly about the President of the United States using the word "fraud" in connection with that message. I stated publicly on the floor of the Senate yesterday that I did not agree with the President of the United States in the use of the word "fraud." I thought it was wrong to use it. But the Senator from Ohio went to Ohio, because of what is happening there in connection with the soldier vote bill, to make a couple of speeches. In those speeches he charged every Senator who voted for the Green-Lucas bill with fraud. It is not an outsider who is making the charge.

Mr. McCLELLAN. Mr. President——

Mr. LUCAS. Please let me finish.

Mr. TAFT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Arkansas has the floor.

Mr. McCLELLAN. Mr. President, I regret that this discussion has taken the course it has taken.

Mr. TAFT. So far as I am concerned——

Mr. McCLELLAN. The Senator from Arkansas declines to yield further until he has concluded.

Mr. TAFT. Mr. President, I rise to a question of personal privilege.

The PRESIDING OFFICER. The Senator may not do so without the consent of the Senator from Arkansas.

Mr. McCLELLAN. Let me say to the Senator from Ohio that I am trying to conclude my remarks. I have another engagement and I am trying to get away. I have yielded to Senators. When I have finished my remarks I shall yield the floor.

Mr. TAFT. The Senator from Illinois has made certain charges against me, to which I should like to reply. It seems to me that it is only proper that I should be given the opportunity to do so, since he made those charges in the Senator's time.

Mr. McCLELLAN. In view of the situation, I yield to the Senator.

Mr. TAFT. So far as I know, in any speech in Ohio, I said nothing about any Senator. So far as I can remember, I said nothing about Senators. I said that the Federal ballot which was proposed in the Green-Lucas bill was a fraud on the soldiers of the United States.

Mr. LUCAS and Mr. BARKLEY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Arkansas yield; and if so, to whom?

Mr. McCLELLAN. I yield to the Senator from Illinois.

Mr. LUCAS. Who is responsible for the Federal ballot which is in the Green-Lucas bill, and who voted for the Federal ballot? If that is not a direct implication of fraud upon Senators who sponsored the bill and those who voted for it, then I do not understand the English language.

What I am complaining about is that the Senator should go into his own State and charge, for political reasons only, in

my opinion, that Senators who supported the Green-Lucas bill are guilty, indirectly at least, of fraud in connection with the support of the bill. I do not like it, and I do not care who knows it. So long as I remain a Member of the United States Senate I am not going to "take it" without protesting. I protested against the President's use of the word "fraud," but that is not satisfactory to the Senator from Ohio. He uses the same language which he criticizes the President of the United States for using. He is now a candidate for the Presidency, so he charges Senators with fraud because they are honestly attempting to give the service men and women of the United States, inside and outside the continental limits of the United States, a real opportunity to vote.

One further word, and I shall conclude. I have stated from the beginning that if the States could handle the balloting, I should prefer to have them do so. I should like to have the soldiers vote for all candidates in my county and my State; but if we are to believe the Army and Navy, it cannot be done. In my opinion the next best thing is the Federal ballot.

I thank the Senator from Arkansas for giving me the opportunity to speak on his time.

Mr. McCLELLAN. Mr. President, I agree with the very able Senator from Illinois in his remarks in which he disagrees with both the President of the United States and the Senator from Ohio. I said so earlier in my remarks, when the Senator from Illinois was not present in the Chamber. I paid tribute to him for his remarks yesterday, which I heard, in which he said he did not agree with the President in the use of the word "fraud." I hold the senior Senator from Illinois in high esteem. I served with him in the House of Representatives; and it was indeed gratifying to me when he took the position he did regarding the use of the word "fraud."

Mr. President, I am anxious to conclude my remarks. I have occupied far more time than I intended, but I have shared it with Senators who desired to interrupt and make observations.

I had intended to read several editorials. I shall not take the time to do so. I have not spoken today for the purpose of trying to obstruct or delay a vote, or trying to join in any movement which would prevent the Senate from voting on the pending amendment or on the bill itself. I felt that it was right and proper to make some statement in connection with the bill, after we who had supported the measure which passed the Senate had been placed in an unfavorable light before the country by the charges which had been made.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, an editorial from the Washington Star of January 28 entitled "The Service Vote Message."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE SERVICE VOTE MESSAGE

If the President's message on the service vote had been couched in temperate language, if the facts it contained had been recited dispassionately, it could have been hailed as the most forceful and convincing argument yet made in favor of the revised Green-Lucas bill. Unfortunately, however, for reasons difficult to fathom or justify, Mr. Roosevelt's words were at times petulant and sarcastic, going so far at one point as to describe an alternative measure—already approved by the Senate and now awaiting action in the House—as an out-and-out "fraud."

The measure in question, a resolution leaving it up to the States to handle the whole problem of the service vote, was adopted early last month by a Senate vote of 42 to 37, in which the majority was made up of 24 Democrats and 18 Republicans. Immediately on its passage, it was criticized in many quarters as a largely ineffective piece of legislation, and this view—as the straight facts in the President's message made clear—is wholly justified, the simple truth being that if the House approves the same leave-it-to-the-States procedure, the overwhelming majority of the millions in our armed forces will have no chance to take part in the elections next November.

But to say this is one thing, and to cry "fraud," is quite another. The fundamental fact is that the Senate adopted this resolution on the claim that the original Green-Lucas bill was full of several grave defects. The first of these defects would have arrogated to a Federal commission a right which the Constitution reserves to the States—the right to establish the manner and qualifications of voting and to determine the validity of such voting. On this ground alone, the Senate was wise and farseeing in rejecting the proposal. Another key defect was that the Federal commission, as set forth in the bill, was left open to political manipulation because no careful provision was made to insure the impartiality of its membership. For these two reasons, if for no others, the measure, if it had been allowed to become law, might easily have led to a serious constitutional snarl in the event of a close election.

Actually, far from being a "fraud," the Senate resolution, despite its virtual ineffectiveness, can be defended as being more in conformity with the basic law of the land than the bill it replaced. Further than that it may be credited with having forced Senators Green and Lucas to work out their revised proposal, with the result that Congress now has an excellent compromise measure upon which it ought to be able to agree. In any event the President's message was right in declaring that the new bill, with its provision for a uniform Federal ballot, its careful limitation of the Federal commission's power, and its specific guarantee of the election prerogatives of the States, not only would facilitate large-scale voting in the armed forces but would resolve every important constitutional doubt as well.

Mr. McCLELLAN. I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks three editorials published in the Arkansas Gazette of January 28, entitled, respectively, "Speaking of 'Fraud'"; "When It's the Primary That Really Counts"; and "If Congress Members Stood Up To Be Counted."

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

SPEAKING OF "FRAUD"

Mr. Roosevelt considers the State plan for soldier voting (as against the Federal ballot plan) a "fraud" on the soldiers, sailors, and Marines who are now absent from their homes.

If that ugly word is to be used what shall we call a soldier vote bill that would enable servicemen to vote only in the general election and not in the primaries in States where all officials are really named in the primaries?

WHEN IT'S THE PRIMARY THAT REALLY COUNTS

In the demand he made on Congress for a "Federal ballot" Mr. Roosevelt said the American people are very much concerned lest the majority of the 11,000,000 members of the armed forces be deprived of their right to vote in the important national election next November.

But a matter of greater concern to many of these service absentees is the right to vote in their important State primaries. In all but four of the States primaries are an essential part of the machinery by which the people choose Senator, Congressman, Governor, and other State officials and State legislators and local officials.

The right to vote in the State primary is the only one that would really mean anything to a soldier or sailor or other member of the armed services from Arkansas or any other State where the outcome of the primary makes the result of the general election certain. A vote in the November election would be the emptiest of privileges for a voter to whom no opportunity had been given to cast a vote in the decisive primary.

IF CONGRESS MEMBERS STOOD UP TO BE COUNTED

It is easy to understand the resentment that was shown in the Senate and the House at Mr. Roosevelt's soldier vote message when he said, for one thing, that action should not be taken without a roll-call vote and that every Member of the two Houses of Congress should be willing in justice "to stand up and be counted."

The Gazette is not saying that there should be no roll call on this legislation. But if there is a roll call Senators and Representatives who were conscientiously convinced that Congress should not attempt to override election statutes and constitutional provisions of the States, and in that conviction had voted against the "Federal ballot," could be pilloried by Mr. Roosevelt before the people. The whole tone of his message suggests that Mr. Roosevelt might say to the country: "See that fellow" [maybe running for reelection]. "He voted to 'deprive the servicemen of the right to vote.'"

Mr. McCLELLAN. Mr. President, there is a tendency, in some quarters at least, when a Senator or a Member of the House takes a position on a measure on the basis of its constitutionality or lack of constitutionality, to cast aspersions and make disparaging remarks. It seems to have become unpopular among certain groups in this country for a Senator any longer to have any conviction with respect to the fundamental law of the land. We are criticized because we do not yield to expediency. Mr. President, whenever expediency supersedes constitutional procedure, we shall be on the way to losing the liberty which has been guaranteed and secured to us by that immortal document.

A few days ago, since this bill has been under debate, in the course of reading a chapter in the Bible, I found the following in the fourth chapter of Jeremiah:

And when thou art spoiled, what wilt thou do? Though thou clothest thyself with crimson, though thou deckest thee with ornaments of gold, though thou rendest thy face

with painting, in vain shalt thou make thyself fair; thy lovers will despise thee, they will seek thy life.

O Mr. President, I do not believe the soldiers who are giving their lives for our country today want the Congress of the United States to make itself fair in the terms of expediency in trying to obtain for them the right to vote. If we tear down constitutional government while they are making the supreme sacrifice, I believe they will come home and condemn us. They will want to return to their country where the Constitution has been preserved, where they can take up life again in the American fashion and under a constitutional government.

Mr. President, in the light of my intelligence and my convictions, I shall cast my vote not only upon the pending measure but on others as they arise, to the end that constitutional government may be preserved.

We hear a great deal about rumblings of unrest throughout the country. What is that unrest, Mr. President? Trace it where you may. Whatever unrest there is in America today—be it political unrest, or unrest with respect to the trend of Government—when we trace it down we find that it relates to one thing only, namely, that the people have become apprehensive and alarmed that they are losing constitutional government in America, and that their Government is gradually being transformed into one of decrees and mandates in the form of executive orders and directives.

I assert, Mr. President, that the soldier who fights on the battlefield must depend and rely upon you and me to hold the line here for constitutional government.

Mr. BROOKS obtained the floor.

Mr. ROBERTSON. Mr. President, will the Senator from Illinois yield to me in order that I may suggest the absence of a quorum?

Mr. BROOKS. I yield.

Mr. ROBERTSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	O'Mahoney
Andrews	Gillette	Overton
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hill	Shipstead
Brewster	Holman	Smith
Bridges	Jackson	Stewart
Brooks	Johnson, Colo.	Taft
Buck	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Bushfield	Langer	Thomas, Utah
Butler	Lodge	Tobey
Byrd	Lucas	Truman
Caraway	McCarran	Tunnell
Chandler	McClellan	Tydings
Chavez	McFarland	Vandenberg
Clark, Idaho	McKellar	Wagner
Clark, Mo.	Maloney	Wallgren
Connally	Maybank	Walsh, Mass.
Danaher	Mead	Walsh, N. J.
Davis	Millikin	Wheeler
Downey	Moore	Wherry
Eastland	Murdock	White
Ellender	Murray	Willis
Ferguson	Nye	Wilson
George	O'Daniel	

The PRESIDING OFFICER (Mr. JOHNSON of Colorado in the chair). Eighty-nine Senators having answered to their names, a quorum is present.

Mr. BROOKS. Mr. President, I desire to discuss the pending measure from several angles because of the importance which I believe it has, not only in the affairs of our country at the present moment, but in the possible implications which may follow whatever action we take.

All over the world for at least the past 20 years the peoples of the various countries have been pulled, driven, or pushed away from representative government. This has been accomplished in the main by individuals obtaining great power, raising great armies, destroying the fundamental liberties of the country in which they reside, and imposing their will upon others. The movement has gone so far that today we find ourselves involved in the greatest and most extensive global war the world has ever known. I believe that in this driving force which has moved throughout the world toward centralization of totalitarian control we in America have been spared to a larger degree than have any other people in the world, by virtue of our belief in and adherence to the fundamental law of this Nation, commonly known as the Constitution of the United States.

That Constitution is a living, virile and vibrant document. It does not merely possess a place in the musty books of yesterday; it lives in the very fiber of our American people. It was the result of centuries of longing and suffering, of prayers and hopes of people who wanted some day to have a Government about which the people would have something to say. The possibility for its creation and adoption came as the result of the willingness to die in order that men might be free.

When our forebears had won the Revolutionary War they were confronted with a question that lives in this Chamber today, a vital question, namely, "Now that you are free, what kind of a Government do you wish to live under." They had to make that choice, and so long as we remain free we will have to continue to make that choice; we must make it day by day and constantly; and only freemen can ever have that choice. Millions of young American men and women are being dispatched thousands of miles from their homes and loved ones today to fight to preserve the right of this Nation to continue as a free Nation.

Mr. President, you can say all you want about the four freedoms for the world, you can make all the proclamations you wish about what we want for other peoples, but the American people went to war when this Nation was attacked, and the sons and daughters of America are now fighting primarily to make this country secure today and in the future, that it may follow the dictates of its conscience as a Nation of freemen under the living document and order of government called the Constitution of the United States of America.

When our forebears realized that they must make that decision and were charged with the responsibility of drafting rules and regulations for a new government, it was not an easy task. The record shows that for more than 4 months they deliberated and debated until finally a compromise was brought forth and a set of rules adopted, which had as their major concept the division of power, the distribution of authority, that would guarantee for all time that there never would be a king, a dictator, a royal family, or a reigning house in America, but that the United States should continue to be a government of the people under which all men are born equal.

Although the framers of the Constitution had done a magnificent work of dividing the authority into the legislative, judiciary, and the executive branches, and had defined their powers rather fully, the people were not ready to accept it. They had just come out of war; they were still feeling the effects of their physical and mental anguish, and they said, "What about our human rights? What about the guaranties that these powers will not be usurped? What about our right of trial by jury, the right to be confronted with the charge and to have counsel, and the right to prevent the Government from imposing their army in our houses or searching our properties." They went further, as I shall point out in a moment, and refused to accept this living document until its framers guaranteed that if they would accept it, then the human rights amendments known as the Bill of Rights would be adopted. But in the original document the fathers of this Nation, to whom we all owe profound respect and to whose creation we owe allegiance under our oath, provided that:

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.

They provided further:

The Senate of the United States shall be composed of two Senators from each State, chosen by the legislature thereof, for 6 years; and each Senator shall have one vote.

They designated whom we represented. We represent the States in this body. We are not chosen according to the size of the State nor its population; we are sent here to represent the sovereign States from which we come.

They then provided further:

The Executive power shall be vested in the President of the United States of America. He shall hold his office during the term of 4 years and together with the Vice President, chosen for the same term, be elected as follows:

And this is pertinent, I claim, to the procedure we are undertaking now—

Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress, but—

And here is where they ruled us out—

but no Senator, Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

They wanted to remove us as Senators so far from having the authority of selecting the Chief Executive and divide the power so deeply that they said that we should be disqualified even to serve as electors, even if the people in our States would grant us that power.

We have no right to interfere with the choosing of these electors, whether we do it by a ballot method or otherwise; it is expressly provided that we are disqualified from that service.

Then, as the people wanted to guarantee their rights and assure themselves that in the hysteria of war or the depths of depression or the excitement of prosperity the Congress would not run wild and usurp power, they provided in the Bill of Rights:

> The powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively, or to the people.

I do not claim to be a constitutional lawyer, but certainly those words make plain to me that the founders of this document, under which we have become the greatest government of free men on God's earth and the hope of humanity today, if you please, provided the method by which the President should be selected, and they said, "Senators and Representatives shall keep their hands off. The legislatures in the States shall determine who shall be electors, and the legislatures cannot choose a Representative or a Senator to serve as an elector." And as a final guarantee, they wrote into the Bill of Rights—"all powers not given to the Federal Government are reserved to the States."

It is my humble judgment that under those rules we would violate the Constitution of the United States if we assumed to establish a Federal ballot to be sent anywhere which would change the rules under which our great army, not only of soldiers, sailors, marines, and others abroad, but the great army of loyal Americans at home who today are giving their all in talent, in wisdom, in culture, in creative genius, to save humanity, and in an effort to enable us to move on with a better opportunity to protect the liberties of the common man.

But Senators say they want the soldier to vote. What soldiers do they want to vote? All soldiers? Oh, no; they do not. That is not what they are providing in this Federal ballot. There are at least 2,000,000 young men in this Army not yet 21 years of age. They would not get a vote. Why should we not give them a vote?

General Marshall said he had to have them, the Navy said they had to have them, the Secretary of War said we must draft them. Those boys have had less opportunity to enjoy life under our form of government than any other group of citizens engaged in the war. But we are not asked to give them a vote. Why do Senators say they want to give all soldiers a vote if they do not give these boys the privilege?

Will they say to me, "We cannot do so, under the Constitution?" Neither can we give the others the right to vote, under the Constitution. If we are to violate the Constitution, let us go the whole way, and let us give all the boys a chance to vote. Let us not deny the youngest men in our Army.

I heard it suggested the other day that we tell the boys who fought at Tarawa, the marines, with arms or legs off, that the Constitution denies them a vote. Yes, I say, tell it to them, because most of them were under 21. The marines fighting and dying at Tarawa were mere kids. I know who they were, and I know what they are like. I say that if we are to give the soldiers a vote, let us treat them all alike. If we are to violate the Constitution, let us do a good job. But let us not tell the fathers and mothers of America that the Congress is trying to give the soldiers a vote when we deny it to at least 2,000,000 of the cream of this Nation's young manhood. Let us be honest and say we are not going to give it to the youngest boys there. There are thousands who are 17 years of age, who volunteered. We did not have to go and get them; we did not have to select them. They walked up and raised their hands and said, "We will serve our country." They are serving in the Navy, in the Army, and in the Marine Corps.

Let us quit this sham, talking about giving all the soldiers the right to vote, unless we are to be honest. If we are not to talk about fraud, let us talk about honesty. Let us tell the truth. There are 2,000,000 soldiers under 21. Is there any more reason why they should be denied the privilege of voting than applies to the boys between 21 and 24?

How about the boys from the District of Columbia? No provision has been made for them. They are just as patriotic as any others. We have not been asked to violate the Constitution for them. If we are to stand by the Constitution, in the name of God, let us stand by it. If we are to change the rules and give all the soldiers a chance to vote, in the name of God, let us do that. But let us do one or the other. Let us either uphold what these boys are fighting for, or say, "In order to do something for you, we are going to change the rules for all of you."

Mr. President, that is how liberties are lost in this world. Our forefathers realized there would come a day when hysteria would grip the people, whether it was in war or in peace, in time of prosperity or depression, and they said, "This Constitution must hold." Those were the words of a learned man, Associate Justice David Davis, in his celebrated opinion in the historic Milligan case after the close of the Civil War. He said:

> The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy and despotism.

I go back to the words of Benjamin Franklin, sir, when he was about to leave the hall of the Constitutional Convention, where he had been a great factor, with his wisdom and experience acquired over an active life of 80 years, asking men to compromise. Finally, speaking of the Constitution, he said:

> I believe this to be a good form of government, and it will be administered well for a period of years, but it, too, will end in despotism, as every other government has ended before it, when the people become so corrupted they are incapable of any other form of government.

I do not believe that time has arrived, Mr. President. I think I know what the men in the front lines would say to us today if they knew what we were about to do. They would say, "Either give us all the vote, or else let us abide by the rules under which we were born, and under which we have lived, and under which we are willing to die."

Let us preserve the foundation stones of this great, free country, not only to win the war but to play our major part in the struggles which are to come in the aftermath, which will be more perplexing than anything that has happened thus far in the history of man.

Why should we choose only a few? That is what is proposed. We are asked to take only those of age and give them a political ballot. How about the 2,000,000 men who have become of age since they have joined the service? They have never seen a ballot; they have never gone into a polling place. How will they vote the first time? They will vote when the bugle blows; they will vote when the commanding officer announces the ballot is there. They will line up, and they will be given a ballot unlike any ever seen by an American before. No American ever saw a ballot like this bobtailed, short Federal ballot.

Why all this feverish fervor for a Federal ballot today? Why can we not cling to the fundamentals for which men are willing to die? I think I know what men are willing to die for. I have proven my knowledge of it, and I am not afraid to face any soldier in the world and say to him, "I know you do not know much about the Constitution, pal. I did not either, when I was 20 years of age, in the front line. I did not know about a ballot. I was not asking for a ballot, and you are not asking for it either. But you know about America, you know about your home, you know about your hopes for the future. You know that, as compared with the other governments of the world, yours was the best and you were ready to march forward to fight to preserve your Government, and you expected the men at home to preserve it for you."

These men are serving humbly, as enlisted men, far removed from high places where generals and statesmen order events, but they know what they are fighting for. It is the kids who are doing the best job, who will not even have a chance to vote under the Federal ballot plan. I know what they will want when they come home. They will want America as they left it, and they will want an equal chance with others.

I received a letter from a marine who had been on Guadalcanal. He said, "Senator, see that they do not give away

America while we are gone and make us pay for it when we come home."

They expect us, the Senators from their States, to preserve the rules, and in my judgment they would tell us so if they knew that in our hearts we were doing the best we knew how to preserve the fundamentals.

I do not believe that a man 24 years of age who would receive a Federal ballot would want it when he saw a kid of 19 go out ahead of him to take a machine gun nest, and realized that that boy was denied a ballot. I think it is a sham, if not a fraud, to give the American people the idea that this is a plan to give all the soldiers the ballot. That is not what is being attempted; the idea is to select a few. I am not trying to do that, Mr. President. The attempt is to change the voting rules of America, and give to 2,000,000 soldiers, who never have had it in their lifetime, half suffrage, blank suffrage, partial suffrage, giving it to one who stands right beside his comrade who is denied any opportunity at all to vote.

If those soldiers want to change the laws of their State when they come back, believe me, they will change them. I had a burning desire, when I came out of the front line, to come to the Senate some day; and I came here through that burning desire. So will these boys return and take their places, if we hold the line here, if we hold things steady, and not violate the rules, or change the fundamental structure. We will have a great country for them, they will have great opportunity, and we will go on to greater glory. But if we throw the election into a contest which will plunge us into confusion and chaos, God knows that the words of Benjamin Franklin may come true, that our Government will end in despotism, or, as Justice David Davis said, "It will lead directly to anarchy and despotism."

Which is the safe road for us to follow, which is the right road, which is the true road? We can look to the States—and it will not be a fraud. My State and many other States are anxious and ready to pass laws to get ballots to their soldiers. We can say to the Federal Government, "Last month we produced 8,000 new planes. Last month we produced 208 new Liberty ships. We have ample facilities with which to carry these State ballots anywhere and return them if the States provide sufficient time, and the Federal authorities will truly cooperate. If the soldiers want the vote, let them ask for the ballots. Put out the application cards to the soldiers to request their ballots. We have 11,000,000 cards printed now. They are in the hands of the armed services now. They can give them to the soldiers and sailors everywhere. Let the soldiers send for their ballots."

Oh, it may be said that some will fail to obtain the ballots. Is it worse for a man 24 years of age to fail to get his ballot than to deny it to one 18, or 19, or 20 years of age? Of course we are going to make great sacrifices during the war, and the men in the armed services are making greater sacrifices than that.

Mr. President, how will the ballots be distributed? The men will be lined up. They will be asked, "Are you 21? If so, get in line." Then they will be given the ballots.

I make no charges against any officer, but I know human nature. One of the finest men I ever knew was a brigadier general in the last war, and years after the end of that war, in talking about it, he said to me, "I am ashamed of myself. When the armistice was signed I was sad, I was bitter; I wanted the war to continue. I was on the verge of promotion to major general if the war had lasted a little longer. I did not stop to consider how many men would lose their lives if the war had continued long enough for me to obtain the promotion."

Senators who serve on the Military Affairs Committee know what promotion means. They know where promotion comes from. They know how anxious officers are to obtain promotion. And if the President of the United States, in his dual capacity, speaking to us not only as the President, but also as Commander in Chief, has the effrontery to charge us with fraud, what do Senators think will be his position with respect to the officers under his direct command when he sends these Federal ballots to be distributed, and how close a check do Senators think will be kept to see how many ballots are returned from the regiments scattered around the world?

Mr. President, I say, let us cling to the fundamental system with which no man has been able to tamper, which no man has been able to destroy, under which we could come up to the verge of this trying hour in the history of the world and make the magnificent contribution we are now making—and God grant us the privilege of helping to make it in the future. Let us cling to the fundamentals; not to a musty old Constitution, but to a living, virile, vibrant Constitution which, in my judgment, is not only the hope of America, but is the hope of the liberty-loving people of the world.

The PRESIDING OFFICER. The pending question is on the amendment offered by the senior Senator from Louisiana [Mr. OVERTON] to the amendment of the committee on page 39, line 9, after the word "made", to insert "in accordance with State law."

Mr. TAFT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Connally	Langer
Andrews	Danaher	Lodge
Austin	Davis	Lucas
Bailey	Downey	McCarran
Ball	Eastland	McClellan
Bankhead	Ellender	McFarland
Barkley	Ferguson	McKellar
Bilbo	George	Maloney
Bone	Gerry	Maybank
Brewster	Gillette	Mead
Bridges	Green	Millikin
Brooks	Guffey	Moore
Buck	Gurney	Murdock
Burton	Hatch	Murray
Bushfield	Hawkes	Nye
Butler	Hayden	O'Daniel
Byrd	Hill	O'Mahoney
Caraway	Holman	Overton
Chandler	Jackson	Radcliffe
Chavez	Johnson, Colo.	Reed
Clark, Idaho	Kilgore	Revercomb
Clark, Mo.	La Follette	Reynolds
Robertson	Thomas, Utah	Walsh, Mass.
Russell	Tobey	Walsh, N. J.
Shipstead	Truman	Wheeler
Smith	Tunnell	Wherry
Stewart	Tydings	White
Taft	Vandenberg	Willis
Thomas, Idaho	Wagner	Wilson
Thomas, Okla.	Wallgren	

The PRESIDING OFFICER. Eighty-nine Senators have answered to their names. A quorum is present.

CIVILIAN PILOT TRAINING

Mr. BUTLER. Mr. President, I desire to have printed in the RECORD a letter I received this morning which pertains to a phase of our defense program which I should like to have called to the attention of each Member of the Senate. I know of no better way to do so than to have the letter printed in the RECORD. It has not been my custom since I have been a Member of the Senate to have my office correspondence printed in the RECORD, but in this case I think it is entirely proper to do so.

The letter to which I refer has to do with the resolution which was adopted by the fifth region meeting of the National Association of Colleges and Universities in Civilian Pilot Training at Kansas City, Mo., on January 22 last. The resolution reads as follows:

Be it resolved, That the present program being conducted by the United States Government be continued for the duration of the war, and that the program be continued after the cessation of hostilities as an air reserve training corps, and that the Civil Pilot Training Act of 1939, as amended, be further amended to extend the life thereof.

The letter written in connection with the submission of the resolution is signed by an acquaintance of mine who is the president of Washburn Municipal University, at Topeka, Kans. I should like very much to have his letter printed in the RECORD immediately following my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHBURN MUNICIPAL UNIVERSITY,
Topeka, Kans., January 26, 1944.

Senator HUGH A. BUTLER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR BUTLER: Within the past week you have received information from the Honorable Frank Knox, Secretary of the Navy, that the Navy plans to terminate its use of the civilian facilities under contract with the Civil Aeronautics Administration War Training Service. While the colleges and universities engaged in this program will be able to make no profit under the present form of renegotiated contracts, I feel that the closing of this work in the colleges will be a very serious mistake from the point of view of our national economy.

The Navy recognizes the value of the service which the colleges have rendered in this connection since the program was first organized in 1939. The following statement is quoted from a letter received from Mr. John P. Morris, Director of C. A. A. War Training Service:

"Looking ahead some months, the Navy Department has come to the conclusion that by the middle of this year it will have enough training capacity of its own to handle all of the primary flight training required by its pilots.

"The Navy Department has accordingly informed this office that it has come to the

conclusion that 'it will be advisable to terminate its use of the civilian facilities under contract with the C. A. A. War Training Service.' The Navy Department states further that 'discontinuance of this program is in no way indicative of dissatisfaction with the training performed. The Navy recognizes and is grateful for the splendid work which the C. A. A. War Training Service organization has accomplished in training Navy pilots at a time when the need for such pilots was most urgent and when the Navy could not handle all the training required. The decision to discontinue this training is due simply to the fact that the Navy will be able to handle the entire primary load at its own stations.' The letter from the Navy states further that the Department 'appreciates deeply the wholehearted cooperation which your organization, and the colleges, schools, and flight operators it represents, has shown in helping naval aviation through one of the most critical periods in its entire existence.'

"I must therefore advise you that according to the present plans of the Navy Department, as communicated to this administration, the training activities in which you are engaged under contract with the Civil Aeronautics Administration will terminate not later than the date of completion of the training session scheduled to commence in May of this year."

In view of the above statement, you will realize that this training at Washburn University and 90 other colleges will be discontinued by June or July of this year. I believe that this decision on the part of the Navy is a mistake. It is clearly recognized that the colleges began this work and provided a very necessary pool of pilots for the use of the armed forces at a time when this service was most urgently needed. Furthermore, since that time, the Navy has admitted that the colleges have rendered a very satisfactory service. Both the colleges and municipal airports have been thoroughly equipped to handle this program. In case it is discontinued, the municipal airports especially will be left high and dry at a time when commercial aviation needs to be fostered in this country. Again, this program has been carried on at a minimum of cost to the Federal Government. The Navy Department states that it will have facilities of its own to carry on this training by July of this year. I believe it will be a very serious mistake to build up and maintain huge air bases in this country, which, without question, will be discontinued by an economy-minded public after the war. If this happens, and I am confident that it will, the Nation will have no place to look for a reserve group of pilots which it should have in regular training.

The honorable Secretary of the Navy has just stated that he believes universal military training should be adopted after this war. It will be much more necessary to have an adequate reserve of trained pilots to operate our fighter planes in case of any future necessity. Any farsighted citizen, I am sure, will be very deeply interested in a civilian policy which will provide a constant reserve of pilots. This cannot be done in any series of air West Points after the war except at tremendous cost. The training of a civilian army, including the air branch, is the pride of this Nation. I do not believe that we should at the present time lose sight of this fact. It will be much more satisfactory to continue the training in the colleges and at local municipal airports at a very slight expense than to continue these elaborate air bases which have been established. If a cut needs to be made at this time, I am convinced that that cut should be in these large establishments and not in the colleges and city airports.

It should further be borne in mind that many of the cities cannot operate their airports very effectively without this type of program. It would certainly be a short-sighted policy to penalize all of these cities in America which have voluntarily set up their programs at the expense of a few air bases, which in any case will ultimately have to be discontinued because of their high cost of operation. A reserve of pilots who could assist in the regular commercial development of aviation in this country will be much more valuable to the Nation than a small number of military personnel, trained in a few West Points of the air. As a forward-looking citizen, I believe you will agree that the proposal which I am emphasizing is one which should be given very serious consideration by the Congress of the United States. To drop the civilian-aviation program at this time, just when it should begin to take on larger responsibilities, will be, I am sure, decidedly against our future welfare.

The continuance of the program in the colleges not only assists in the successful prosecution of the war, but also has the additional advantage of providing the facilities for effective training at the close of the war itself. As a representative of the people who desires to get the greatest value from funds expended, I am sure you will recognize the value of the proposal which I am hereby suggesting.

Furthermore, the enclosed resolution indicates that there is widespread feeling that these college and university programs should not be discontinued at the present time. I hope you will do all in your power to study this question and support legislation looking toward the continuance of this civilian program. I am sure you will find it to be highly satisfactory and much less expensive than any other way of meeting this need. This is not a plea for financial assistance as far as the colleges are concerned, inasmuch as they are not permitted to make any profit from this program. It is, however, based upon a very strong conviction that the colleges and the municipal airports can do this job both for war and for peace better than any other single agency. I realize, of course, that during the war it will be necessary to continue in addition a reasonable number of the larger naval-air installations.

Assuring you of my continued interest and support of all programs for the national welfare, I am,

Very sincerely yours,

BRYANT S. STOFFER,
President.

CONTINUATION OF THE GILLETTE COMMITTEE

Mr. WILLIS. Mr. President, as a respite from the tenseness of the debate on the soldiers' voting bill, I desire to address the Senate on a matter which is also pending before the Senate, and which has been in my thoughts for some days. It relates to the resolution now pending for the extension of the work of the Gillette committee. The resolution contains a request for a suitable appropriation.

In connection with the appropriation for extending the work of the subcommittee of the Committee on Agriculture and Forestry investigating the use of farm crops for the production of alcohol and the making therefrom of synthetic rubber, I wish to express the debt which our country owes to the Senator from Iowa [Mr. GILLETTE] for the great contribution which the work of his committee has made to the war effort.

This subcommittee was formed in March 1942 with the Senator from Iowa [Mr. GILLETTE] as chairman, and the late Senator George W. Norris of Nebraska, the Senator from Montana [Mr. WHEELER], the Senator from Oklahoma [Mr. THOMAS] and the Senator from Oregon [Mr. MCNARY], comprising its other members. The Senator from Indiana subsequently succeeded the late Senator Norris, and the Senator from Vermont [Mr. AIKEN] succeeded the Senator from Oregon [Mr. MCNARY]. The committee was very ably assisted in its work by Mr. Paul Hadlick, as counsel.

On fateful December 7, there was in this country a stock pile of 600,000 tons of natural rubber—about one-third more than our normal annual requirement. This stock pile had to be conserved to tide us over until a whole new synthetic rubber industry could be built. Our country was faced with a breakdown of its whole war effort if we failed to produce synthetic rubber quickly. Unfortunately, those in charge of the Government program early in 1942 had the advice only of the petroleum chemists; hence, when the first fund of $650,000,000 was allocated to set up a new synthetic rubber industry, almost all was given to the petroleum companies to develop their processes. Only 20,000 tons of a total of 600,000 tons were allotted to production of rubber from the alcohol process, and that was set aside for a plant to use alcohol made synthetically from petroleum.

Thus, at the outbreak of the war, our Government was devoting its effort to the production of synthetic rubber from petroleum, while in other countries, such as Germany, Poland, and Russia, synthetic rubber was being made from alcohol produced from grain and potatoes. It was unfortunate that the primary impetus was given so largely to the petroleum method of producing synthetic rubber, at the cost of investigation of the product from alcohol, in view of the favorable record that alcohol from farm products has achieved.

Hearings were called and an intensive study made into the matter of producing rubber from alcohol. It was developed early in the hearings that the one known commercial process for the production of synthetic rubber was that from alcohol. It was also determined that the alcohol process was quicker and that the plants used less critical materials. Subsequent events have proven the correctness of these early findings.

Such a showing was made that the Government's program was partially revised. After the first disclosures of the committee, the 20,000-ton alcohol rubber quota was doubled to 40,000, then doubled again to 80,000, and finally increased to 240,000 tons annually.

The first synthetic-rubber plant in practical operation was opened in West Virginia in the spring of 1943. It produced rubber from alcohol made from grain. Results in this line have been very gratifying. The production of synthetic rubber from the alcohol plants is running 40 to 50 percent over their rated capacity.

I cast no reflections upon those favoring the production of rubber from petroleum; but I do wish to point out that after 2 years their program is not yet in full production. In fact, announcement was made recently that they expected the supply of synthetic rubber for 1944 to be delayed until the latter part of the year, owing to the unexpected obstacles encountered in making butadiene from petroleum. As of today, and perhaps for most of 1944, about three-fourths of our synthetic rubber is coming and will come from alcohol obtained from farm products.

Announcement has been made that—

The output of synthetic rubber is a bit behind schedule; is affected by some difficulties in the process of making rubber from oil. The alcohol method is proving more effective to date. Most now to expect is 20,000,000 new passenger-car tires in 1944, enough to keep most present cars on the road if the present driving restrictions are kept.

There is no doubt that the gratifying result in production of synthetic rubber from alcohol was very greatly stimulated by the work of the Gillette committee. This is one of the outstanding accomplishments of our whole war effort.

A new subject to which the committee has already given some attention is the utilization of alcohol as a motor fuel. Among the many subjects presenting themselves is the possibility of salvaging certain waste feeds which are now by-products of the distilling industry, and the wastes that are produced in lumbering. The work of the committee has merely opened the door to an entirely new field of valuable research for our Government. The whole post-war economy of our country will not only depend to a large extent on our ability to produce rubber in our own country but also to find new uses for the products and wastes of our farms and forests. This field should be explored by the committee.

The entire field of chemurgy, which has been of growing interest in recent years, can find practical assistance through the committee.

Probably no committee has produced such far-reaching results upon the outcome of our present war and upon the future of our country or the welfare of its citizens from an appropriation as small as the sum with which this committee has been able to carry on its work. I have no hesitation in ranking the work of the Gillette subcommittee next to that of the Truman committee in practical accomplishments in the production of materials which have hastened the victory for which we have longed so much.

Mr. AIKEN. Mr. President, I wish to add my word of endorsement to all that the Senator from Indiana has said regarding the work of the Senator from Iowa [Mr. GILLETTE] and the subcommittee which has made a study of the synthetic rubber problem in the United States. At the very beginning of the war it was the Senator from Iowa who recognized the fact that the production and acquisition of rubber would be among the most serious problems we would have to face in the conduct of the war. He knew that the only proven process for making synthetic rubber satisfactorily was the alcohol process. He also knew that the great bulk of the money had been allocated to petroleum processes, which have not proved wholly satisfactory, even to this day.

The Senator from Iowa tried to impress upon high officials in the executive department the importance of this problem. So far as I know, he has never had any recognition from the executive department for his work, but I believe that as a result of his protests and arguments the so-called Baruch committee was appointed and went to work on the problem. I do not think the solution is wholly satisfactory as yet. The struggle is still going on with the petroleum interests seeking to control the manufacture of synthetic rubber. It may be that they fear that alcohol will become of greater importance as a motor fuel if produced cheaply enough. Thanks to the work of the Senator from Iowa and his subcommittee, of which I am the newest member, the alcohol process has been encouraged and developed in the United States. As I understand, we are now producing alcohol for as little as from 12 to 15 cents a gallon, although the Government is still paying from 60 to 90 cents or a dollar a gallon for most of what it uses. Through the recovery of alcohol from sulfite wastes I believe the cost of manufacturing from this source is only from 12 to 20 cents a gallon at present. There are indications that in the future alcohol may be produced as a byproduct of the forest products industry, at a cost possibly as low as 5 cents a gallon. I think that that knowledge perhaps explains the apprehension on the part of the petroleum interests. The field is broad enough to utilize the products of both the petroleum and alcohol industries and we should give encouragement to new developments in both.

Some day in the near future alcohol may become of great importance in this country as a motor fuel, just as it is enabling the countries in central Europe to carry on their warfare today. They operate their cars and trucks on tires made from alcohol, and use alcohol in the tanks as fuel.

Whatever progress has been made in producing synthetic rubber in this country is probably due more to the Senator from Iowa than to any other person, because if it had not been for him, no one knows how much farther behind we would be today than we are now.

Mr. WILLIS. Mr. President, I thank the Senator from Vermont for this addition to the presentation which I have offered to the Senate.

While the work of the subcommittee has produced some very interesting observations, we have no reflection to make upon the petroleum interests of the country. It seems that the chemists of America have been studying the production of synthetic rubber from petroleum bases, and have not given the attention given in other countries to the production of rubber from alcohol produced from waste farm products. We were able to bring before the committee some of the greatest scientists in the world, men who had practical experience. Dr. Rosten, of Poland, gave us the benefit of the work which had been done in Poland. By bringing this information to the committee and to the country we were able to develop a larger interest in the use of farm products and forestry products in the manufacture of alcohol for use in the production of rubber.

This is only a part of the field that can be covered. One of the greatest problems which will confront us after the war is how to dispose of surplus farm products. This problem is having the attention of the committee, and we shall pursue our efforts along that line, not with the intention of forcing anything on the country, but for the purpose of bringing the best information to bear on this subject. The success of the committee in stimulating the manufacture of rubber from alcohol produced from farm products gives hope that many new avenues will open to us.

I am glad that in the future America will not be dependent upon any foreign cartel for its rubber supply. If we should be so unfortunate as to be faced with another war, we would not be handicapped at the outset by the lack of an adequate supply of rubber.

I call this matter to the attention of the Senate because probably within a few days a request will be before the Senate for the modest sum of $3,500 to continue the work of this committee. When that resolution is presented I shall ask for its consideration, and I trust that it will meet with the approval of the Senate.

EXEMPTION FROM RENEGOTIATION OF MACHINE-TOOL INDUSTRY

Mr. TAFT. Mr. President, I understand that the conferees on the tax bill have agreed upon the tax and renegotiation bill. I further understand that they are to meet once more before they finally approve the report.

The morning newspapers report that in dealing with renegotiation, although both the House bill and the Senate amendments prospectively exempt machine-tool companies from further renegotiation, the conferees propose to eliminate the exemption entirely. I have not studied the legislative question as to whether they have the power to do so when both Houses have exempted machine-tool companies, but I appeal to them to consider that question and see whether some provision cannot be made.

The situation is this: The Senate provision exempted the manufacturer of goods which had a life of more than 10 years. The machine-tool companies are in a peculiar position as compared to most other companies in the war effort. By selling more machine tools in 2 years than they have heretofore sold in 20 years, they have swamped the market for machine tools. So far as standard machine tools are concerned, they have killed their own market for probably 10 years to come.

There are a certain number of specialty machines. Probably from 20 to 25 percent of the total output of the industry consists of specialty machines, and

the production of such machines will continue. The other 75 to 80 percent of standard tools, such as lathes and the like, are today in such tremendous number in the United States and in England that as a practical matter the companies which manufactured them have killed their future market. It seems very clear that they are in a different situation than, say, the automobile companies, which have converted their facilites over to the production of war goods, and by failing to make automobiles have actually increased the automobile market, so that when they resume automobile production they will have a demand of from 50 to 100 percent greater than they would otherwise have, and probably in excess of their capacity to make automobiles.

The committee considered various methods of dealing with the machine-tool situation, and the Senate adopted an amendment providing that hereafter companies manufacturing durable goods having a life of 10 years should not be subject to renegotiation. They have been renegotiated since 1942. At one time the Senate provided retroactively that they should be exempted for 1942. But the conference committee decided otherwise. The companies have been renegotiated for those years, and they have paid on the profits for those years. In addition to that, the Senate passed a bill dealing with sales to the Defense Plant Corporation so that, although sales to the Defense Plant Corporation, a considerable proportion of their business, were exempt in 1942 because the Corporation was not subject to the renegotiation law, the recently passed tax bill would make that business for 1942 subject retroactively to renegotiation. That has not as yet been done.

Mr. President, various methods were proposed. It was conceived, for instance, that a machine-tool company making a machine tool which would last 10 years would spend from one-half to two-thirds of its time on piece work, would really not be 100 percent engaged in war work, and that seemed fairly obvious. Only the portion of the machine tool which is to be used during the war is really a war product. It was suggested at one time that the contracts of companies making the tools be renegotiable on the basis of from one-third to one-half of their business. The Senate finally decided to exempt them prospectively, and leave them taxed so far as their past business was concerned.

It seems to me that, since both Houses have taken a position in favor of exemption, such position being obviously just, because companies manufacturing this type of machine tools are in a different situation than any other manufacturing companies, the conference should reconsider the action it has taken in departing from the provisions of both bills, and should make some provision for partial exemption of machine-tool companies and other companies making permanent equipment which is used in producing war materials, but which will also be used in peacetime.

I may say that I understand that in England there are from seventy to eighty thousand more machine tools than can possibly be used, and when the officials were asked what they were going to do with those tools they said, in effect, "Well, they are mostly on lend-lease, and we are going to give them back to you." We have many more tools than are required today. We have a supply which will last 10 years. Undoubtedly the English and American supplies can to some extent be delivered to the European countries in which there has been a great deal of destruction of machine tools. But even in the case of such tools, there will be a tremendous surplus which will leave very little demand for their manufacture by companies for approximately 10 years.

Mr. President, I hope the Senate will take appropriate action.

Mr. LA FOLLETTE. Mr. President, the Senator from Georgia is not in the Chamber at the moment, although he has been here most of the session today. I wish briefly to state that the so-called exemption of machine tools by the House was not a specific exemption of the machine-tool industry. It came about as the result of the House definition of subcontracts, and covered other articles besides machine tools. The amendment of the Senate was a specific and a separate amendment to exempt the machine-tool industry from renegotiation. As the bill passed the Senate, it exempted that industry from renegotiation beginning with the fiscal year ending in June 1943. So I do not believe it is technically correct to say, or to leave the impression, that the House bill contained a specific exemption for the machine-tool industry. It is true that the House definition of a subcontract had the effect of exempting a large part of the machine-tool industry, but it also exempted other industries which fell into the same category. I very much doubt that the Senator from Ohio is correct in the statement which he has made, if the implication is that it was not within the power of the conferees to take the action which they have taken.

However, as a Senate conferee, I personally should be very glad to study the matter further, and make certain that we are not taking any action which is not justified under the rule.

I should like also to say to the Senator from Ohio that the action of the conferees on the part of the Senate came only at the end of a long, protracted conference, which met day after day, and I am sure the Senator from Ohio realizes that the Senate could not expect to have its way on every amendment. If he will look through the conference report when it is printed, I believe he will see that the Senate conferees have done the best they could do under the circumstances.

Mr. TAFT. Mr. President, I did not state that I thought there was any violation of the rule. I am not sufficiently familiar with the rule to make such a statement. I say only that since the House exempted machine-tool companies from future renegotiation, and since the Senate amendment exempted the machine-tool companies from future renegotiation, it seems to me that the substance of the rule ought in some way to preserve that exemption, which was made by both Houses. It is only a suggestion which I think the conferees should consider.

Mr. LA FOLLETTE. I assure the Senator that there is nothing in the renegotiation section which was not considered and reconsidered, and again considered and reconsidered, day after day. Certainly, as one member of the conference committee, I shall be very glad to look into the point which the Senator from Ohio has raised, but I do not want the impression to be created that the Senate conferees—or the House conferees, for that matter—took action on specific amendments exempting the machine-tool industry, because the bill as it passed the House did not contain such specific exemption.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES

The Senate resumed consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes.

Mr. TAFT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	O'Mahoney
Andrews	Gillette	Overton
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hill	Shipstead
Brewster	Holman	Smith
Bridges	Jackson	Stewart
Brooks	Johnson, Colo.	Taft
Buck	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Bushfield	Langer	Thomas, Utah
Butler	Lodge	Tobey
Byrd	Lucas	Truman
Caraway	McCarran	Tunnell
Chandler	McClellan	Tydings
Chavez	McFarland	Vandenberg
Clark, Idaho	McKellar	Wagner
Clark, Mo.	Maloney	Wallgren
Connally	Maybank	Walsh, Mass.
Danaher	Mead	Walsh, N. J.
Davis	Millikin	Wheeler
Downey	Moore	Wherry
Eastland	Murdock	White
Ellender	Murray	Willis
Ferguson	Nye	Wilson
George	O'Daniel	

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Eighty-nine Senators have answered to their names. A quorum is present. The question is on the amendment offered by the Senator from Louisiana [Mr. OVERTON].

Mr. OVERTON. Mr. President, while the announcement has been made that a quorum is present, a great many Senators are absent. This amendment has been debated for 2 or 3 days and apparently there is considerable interest in it on the part of those who are for it and also on the part of those who are opposed to it. Therefore, I shall occupy a few moments of the time of the Senate until a larger number of Senators appear

in the Chamber to vote upon the amendment.

Mr. President, if this amendment is adopted it will have the effect of repealing sections 1 and 2 of Public Law 712, which was passed in 1942. I do not think there can be any question about that. That is the purpose of offering the amendment. The Senator from Illinois [Mr. LUCAS], one of the coauthors of the committee bill, who has taken a leading part in its presentation, takes the same view, and the proponents generally of the committee bill apparently do not differ among themselves that if the so-called Overton amendment be adopted it will have the effect of repealing the two provisions of the act of 1942 relating to the poll tax and registration.

The other day in the course of my remarks I made the observation that registration is in many of the States based upon educational qualifications, and I took the position that if we, representing the Federal Government, can constitutionally dispense with registration, we can and do dispense with educational qualifications.

The junior Senator from Florida [Mr. PEPPER] challenged the correctness of that statement, to the extent, as I understood him, of saying that he did not know that registration was based upon educational tests—at least, he said it was not so in his own State of Florida. I did not know then what the law of Florida provided in respect to registration, and I did not know specifically what most of the State laws provided in respect to registration and educational qualifications.

This morning I obtained from the Library of Congress a compendium of State laws setting forth qualifications of voters in congressional elections. This brochure was prepared and revised as of date October 5, 1942.

I find that the State of Alabama prescribes that a citizen shall possess certain educational qualifications before he can vote or register to vote. I shall quote what the provision is in reference to the State of Alabama. The educational qualifications in the State of Alabama are:

> Ability to read and write any article of the Constitution of the United States in the English language, unless prevented by physical disability; regular engagement in some lawful employment, business, etc., for the greater part of 12 months next preceding registration, unless physically unable to work.

That is a constitutional provision in the State of Alabama.

Going down the list alphabetically, I next come to the State of Arizona, which also prescribes educational qualifications for the privilege of suffrage. The law of Arizona provides that the applicant must show ability to read the Constitution of the United States in the English language in such manner as to demonstrate that he is neither prompted nor is reciting from memory, and to write his name, unless prevented by physical disability.

The State of California, on the west coast, also prescribes educational qualifications which must be complied with before an applicant for a vote can be registered. The educational qualifications of an applicant in California are ability to read the Constitution of the United States in the English language, and to write his name, unless prevented by physical disability. This requirement is inapplicable to any person who had the right to vote on October 10, 1911, or was 60 years of age or over on that date.

The State of Connecticut, on the east coast, prescribes educational qualifications. The qualification is that an applicant shall have ability to read and write in the English language any article of the Constitution of the United States or any section of the statutes of the State.

The State of Georgia prescribes educational qualifications, among them ability to read any paragraph of the Constitution of the United States or of the State in the English language, and correctly write the same in the English language when read to him by a registrar. If unable to comply with this requirement because of physical disability he must be able to understand and give a reasonable interpretation of any paragraph of the Constitution of the United States or of the State that may be read to him by the registrar.

The State of Louisiana, my own State, and I give its provisions in detail, requires that the voter must have ability to read and write, which must be demonstrated when a person applies for registration by making written application for registration in the English language, or in his mother tongue, from the dictation of an interpreter, or by dating, filing, filling out and signing the blank application for registration. If unable to write the application by reason of physical disability, the application must be written at the applicant's dictation by the registration officer or his deputy, upon his oath of disability.

The applicant for registration must also be able to read any clause in the constitution of the State or the Constitution of the United States, and give a reasonable interpretation thereof. If he is unable to read or write he shall be entitled to register if he is a person of good character and reputation, attached to the principles of the Constitution of the United States and of the State of Louisiana, and if he is able to understand and give a reasonable interpretation of any provision of either constitution when read to him by the registrar.

The rest is so blurred in the copy I have that I cannot very well read it, but my recollection of the constitutional provision of Louisiana is that an applicant must be well disposed to the good order and happiness of the State of Louisiana and of the United States, and must understand the duties and obligations of citizenship under a republican form of government.

Maine prescribes educational qualifications, among them ability to read the constitution of the State in the English language in such manner as to show that the applicant is neither prompted nor is reciting from memory, unless prevented by physical disability. He must also be able to write his name. Massachusetts also prescribes educational qualifications, as do Mississippi, New Hampshire and New York. The educational qualifications in New York contain among others the requirement of ability to read and write English, unless prevented by physical disability.

Oklahoma prescribes educational qualifications for voters. South Carolina also prescribes such qualifications. So does the State of Virginia. There is a provision in the Constitution of the State of Virginia to the effect that the voter must, unless physically unable, make application to register in his own handwriting, without aid, suggestion, or memorandum, in the presence of the registration officer, stating therein his name, his age, date and place of birth, residence at the time and for 1 year preceding, and whether he has previously voted, and, if so, the State, county, and precinct in which he voted last. He must, unless physically unable, prepare and deposit his ballot without aid.

The State of Washington prescribes educational qualifications. So does the State of Wyoming.

In my hasty review of the memorandum furnished by the Library of Congress I think I have mentioned practically all the States which require educational qualifications.

Mr. President, shall we now, by Federal legislation, strike out the State requirements that the voter must be registered? Shall we strike out such educational qualifications as are prescribed by the States for the voters before they can register?

Mr. President, there are Senators on this floor who have contended in the past and are contending today that registration is merely an incident in connection with voting. They contend that the Congress of the United States can brush aside the requirement of registration in order that a citizen may vote, because as they say, the registration does not involve a qualification. But Senators who so contend, Mr. President, overlook the fact that the favorable action on an application for registration is dependent, as a rule, upon the applicant's having acquired so much education, so much culture, and be possessed of so much intelligence that he can read an article of the Constitution of the Federal Government or an article of the constitution of the State and understand it. In other words, he must be sufficiently intelligent as to have some understanding of his duties of citizenship, to the extent at least of being able to read and interpret constitutional provisions of the Federal Government or of the State.

Mr. President, is there a Senator within the sound of my voice who will rise and say that these provisions with respect to educational prerequisites and requirements are not qualifications within the meaning of section 2 of article I of the Constitution of the United States, which declares that the qualifications of electors of the House of Representatives shall be the qualifications prescribed by the various States for electors of the most numerous branch of the legislature?

No one rises in his seat, Mr. President—and I have waited—to challenge the cor-

rectness of the statement I have just made.

If what I have said be true, how can we brush aside the provisions of the various States with respect to educational qualifications, as is undertaken to be done by section 2 of the act of 1942? It may be said—although I differ with those who take the position—that prepayment of a poll tax is not a qualification within the meaning and intendment of the Federal constitutional provision, but it cannot correctly be said that an educational qualification is not a qualification within the meaning of the Federal Constitution.

Mr. President, it may be contended with a great showing of patriotism that we should waive any constitutional provision, or that we should set aside any conscientious scruples in reference to upholding the Constitution of the United States when it comes to permitting the men and women wearing the uniform of our country to vote in the coming Federal election. I said the other day, and I repeat, that such an argument carries with it a sentimental and a patriotic appeal, and one which it is very difficult to resist. But we are here, under the solemn duty and the solemn obligation of upholding the Constitution of the United States. Every Senator who now sits in this Chamber, or who has ever sat in this body, has taken an oath to uphold the Constitution of the United States. There is nothing in the Constitution of the United States that sets aside the provisions in reference to the qualifications of voters in time of war and in behalf of soldiers in the service of our country. There is no exception. It is a plain provision, applying to all States, to all citizens, at all times, whether in peace or in war.

There is one way by which the State provisions which provide for the qualifications of voters may be dispensed with, and that is in the manner indicated by section 2 of article I and the Seventeenth Amendment of the Constitution of the United States. That is by having the various States themselves prescribe the qualifications for the electors of the most numerous branch of their legislatures, and in the enactment of such law to provide that a soldier in the uniform of his country may vote without either registration or, in those States which require the prepayment of a poll tax, without the poll tax requirement. I understand that several of the States already have made such a provision. I understand that an appreciable number of States have made provision for absentee voting by the men and women who are in the service of our country in the war effort. I further understand that the Governors of a number of States have given assurance that the legislatures of their States will be assembled for the purpose of modifying the laws of their respective States in order to permit constitutionally the men and the women in the armed services to vote. That is the constitutional way, Mr. President. There is no other way.

The other day I went beyond the constitutional argument. I took the position that, so far as I knew, and so far as I could appraise the sentiments of the people of my own State, they do not wish to abrogate the safeguards thrown around the ballot and placed in the Constitution by the founding fathers, in the supposed interests of our soldiers in time of war or in time of peace. We in Louisiana have the right under the Constitution to say what Louisianians shall vote for Presidential electors and what Louisianians shall vote for United States Senators and for United States Representatives in Congress. The Constitution designates and fixes the qualifications which the State of Louisiana fixes as requisite for electors of the most numerous branch of its legislature as the qualifications of those who can vote for United States Senators and for Members of the United States House of Representatives. The Constitution of the United States declares that the electors from the State of Louisiana to the electoral college shall be selected in the manner to be determined by the legislature of the State of Louisiana.

Mr. President, I not only said that was true in Louisiana, but I said I thought it was the prevailing view throughout the Southern States. In the Southern States we have a problem which perhaps those who have not been born there and lived there do not fully appreciate. We, down South, know that there is only one government which is going to be satisfactory to all classes of citizens—I repeat, Mr. President, to all classes of citizens—regardless of race, color, or creed—and that is the kind of government we are now enjoying. We do not want the character and complexion of that government changed. We do not want to go back to the bitter experiences through which the South went following the lamentable War between the States. Some day, perhaps, I shall talk more at length upon that subject; I shall undertake to show why I think that today, with the thin lines of demarcation between the National Republican Party and the National Democratic Party, the South remains overwhelmingly Democratic. I shall undertake to show, however, that certain things might be done by, through, and in, the Federal Government which might change the political complexion of the South. I hope they will not be done, Mr. President. So far as I am individually concerned, I have never in my life cast anything but an unscratched Democratic ballot. That has been true of my father, and of my grandfather before me, so far as I know and have been informed.

We want to adhere to the faith of our forebears. But there are three things which we place above the Democratic Party: One is the Constitution of our country. The second is our beloved Southland. The third is white supremacy in all the Southern States. If any of these is seriously threatened by the Democratic Party, I shall not hesitate, Mr. President, to pursue a different course from the one I have pursued in the past.

Mr. President, I rise to make a few observations until the Senator from Maine [Mr. BREWSTER] should arrive in the Chamber. I understand that he desires to speak on the pending bill. I see that he is present, and I very gladly yield the floor.

Mr. BREWSTER. Mr. President, I shall not apologize to the Senate for taking time to discuss the pending bill, because I feel quite sure that my record in discussion is not such that I have unduly trespassed in this or other matters. However, in view of the fact that the State of Maine seems to be placed in a unique position with relation to Federal balloting, I feel a responsibility to my constituents to make clear to the Members of this body exactly what is being proposed.

I originally presented this question in the Senate last week, when the subject first arose, asking the Senator from Rhode Island [Mr. GREEN], one of those in charge of the bill, whether it was contemplated that the citizens of Maine, and particularly soldiers from Maine, should be accorded the same privileges and facilities given to other soldiers in the service of the United States. Certainly, there has been no failure to require of Maine its fulfillment of all obligations in the conduct of this war. When men were being selected for service there was no suggestion that Maine should be excluded from the provisions of the selective-service law. I think the record will indicate that the State of Maine has responded more freely to the call to service above and beyond the call of the Selective Service Act than has almost any of her sister States, and I am sure that record will continue.

So it is a matter of both surprise and concern to me that, having presented this question last week to those in charge of the bill, they still adhere to the position that, so far as Maine is concerned, it is outside the provisions of the first title of the bill. That leads to a rather interesting and somewhat amazing conclusion.

The President of the United States has taken occasion, in a somewhat unprecedented message, to characterize anyone who does not favor including soldiers in the provisions of title I as guilty of perpetrating a fraud upon the soldiers. I do not subscribe to that charge. I regret that the President of the United States has seen fit, in this rather critical period in our history, to use such strong language to characterize members of a coordinate branch of the Government.

I commend to him and to others associated with him in the discussion and consideration of this measure the words of a great President of the United States who was born in the sovereign State of Kentucky. I refer to Abraham Lincoln. Let me read what he said in 1862, in a communication to the Congress of the United States. I think that the tenor and purport of this message might well characterize Presidential communications during the present exceedingly critical year. This is what Lincoln said:

> I do not forget the gravity which should characterize a paper addressed to the Congress of the United States by the Chief Magistrate of the Nation; nor do I forget that some of you are my seniors, nor that many of

you have more experience than I in the conduct of public affairs. Yet I trust that in view of the great responsibility resting upon me you will perceive no want of respect to yourselves in any undue earnestness I might seem to display.

I think Members of this body and Members of the House of Representatives may well commend the tone and tenor of that message to the gentleman at the other end of Pennsylvania Avenue, who, in the unfortunate extremity of his utterance, has not seemed, in my judgment, to contribute to the dispassionate consideration of public questions which is essential if we are to arrive at a proper result in the discharge of the very great responsibilities resting upon us.

I quote from the message of the President of the United States regarding this matter:

I consider such proposed legislation a fraud on the soldiers and sailors and marines now training and fighting for us and for our sacred rights. It is a fraud upon the American people.

If that language is warranted—and I do not believe it is—then exactly the same charge may be leveled at those who are sponsoring the pending legislation, because so far as soldiers from the State of Maine are concerned, they are relegated to consideration only under the provisions which the President of the United States denounces as a fraud.

The Senator from Rhode Island, in responding the next day to my inquiry regarding this matter, made it very clear, upon the authority of those whom he had found it appropriate to consult, that so far as the State of Maine is concerned, it was outside the provisions of title I, and would so continue; and yet title I is what is claimed to be essential if American soldiers are to have what are alleged to be their rights. I quote from the language of the Senator from Rhode Island:

Maine servicemen will vote in the September elections for State and local officers and Congressmen by making application for a State absentee ballot and by executing and returning such ballot to the secretary of state of the State of Maine. This is the procedure provided in title II of the Green-Lucas bill. Such State absentee ballots are available under Maine law on August 1, 42 days before the September 11 election.

I do not know where the authority was derived for the statement as to the date of August 1. It does not appear in any of the statutes which we were able to find, and I do not know on what that statement was based. However, the statement is very clear that Maine is not to be included under title I.

Mr. DAVIS. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. DAVIS. Am I to understand that men in the armed forces from the State of Maine who are overseas will be denied the right to have a ballot?

Mr. BREWSTER. They will be denied the rights accorded under title I of the Green-Lucas bill. The President saw fit to state that anyone who did not support title I for our soldiers was perpetrating a fraud. I say that if it is a fraud, then Senators on the other side who are sponsoring this measure are themselves, in the language of the President, perpetrating a fraud upon soldiers from the State of Maine.

It so happens that we elect our Representatives in Congress and Senators, when there is a senatorial election, in the September election instead of in November. Under the provisions of the Federal ballot, which is supposed to be counted for Senators and Representatives in Congress, as well as for President and Vice President, and under the interpretation of this measure, in view of the refusal to consider any appropriate amendments, the right is denied so far as soldiers from the State of Maine are concerned.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. BREWSTER. I am glad to yield.

Mr. GREEN. I am sure that our friend the learned Senator from Maine does not wish us to draw false conclusions from his remarks, but anyone who was unfamiliar with the argument and who had not listened to the Senator would think that Maine was to be entirely excluded from having the provisions of title I applied to it. I know the Senator did not intend to say that. On the contrary he meant that as to part of the ballot Maine would be excluded, and as to the other part Maine would be included. In other words, the voters of Maine who are in the armed services would have the same right under title I to vote for President and Vice President that the citizens of other States would have. The only thing that Maine would be deprived of would be the right to have two elections conducted by the Army, instead of one. I make that statement in order that other Senators may understand what the situation is. In other words, the position is and will be that the Army will conduct one election only, and will not make an exception for Maine and conduct two elections.

Mr. BREWSTER. Mr. President, I do not think anything I said was inconsistent with the Senator's statement. He did not make his position entirely clear to the Senate. I believe, however, he did not mean to deny that we in Maine do elect our Representatives in Congress in September instead of in November.

Mr. GREEN. Certainly not.

Mr. BREWSTER. Under the bill, as now written, it would be impossible for Maine voters to participate in the approaching election.

Mr. GREEN. That is quite true. All I wish to call attention to is the fact that the Senator from Maine said that Maine would be entirely excluded from the operation of the provisions of title I. But it would not be excluded from the operation of the provisions of title I insofar as they apply to the election of President and Vice President.

Mr. BREWSTER. I should like to inquire of the Senator from Rhode Island, inasmuch as he has entered the discussion, whether he subscribes to the language used by the President in his description of those who oppose title I.

Mr. GREEN. I rose—and I did so rather unwillingly—to correct what I thought was a misconception on the part of other Senators of the statement of the Senator from Maine when he said that Maine would be entirely excluded from the operation of the provisions of title I. I simply rose for that purpose.

Mr. BREWSTER. And the Senator does not care to comment on whether he agrees with the President's characterization of those who oppose title I?

Mr. GREEN. I do not care to be drawn into a discussion which, it seems to me, is being continued indefinitely. That was the reason why I hesitated to interrupt other Senators when they were speaking, because I knew that the object of some of the Members of the Senate was to prolong a discussion which I believe has already been unduly prolonged.

Mr. BREWSTER. Does the Senator from Rhode Island mean to intimate that I have trespassed too much upon the time of the Senate in connection with this matter?

Mr. GREEN. I do not mean to intimate anything with respect to anything the Senator from Maine has done. I merely meant that some Senators may have unduly prolonged the discussion.

Mr. BREWSTER. The matter was originally brought up by me in what I considered the most temperate fashion, by asking the Senator from Rhode Island to clarify this point if he could do so. I was reading from the statement of the Senator from Rhode Island regarding the reply we received. I am not clear whether the Senator from Rhode Island means to intimate that the only election of any importance in this country this year is the one to be held for President and Vice President. Certainly if the dignity of the Congress is to be maintained, I should be reluctant to suppose that a Member of this body would depreciate the importance of the selection of Representatives and Senators, unless he was also subscribing to the somewhat Executive point of view which has intimated a certain lack of honesty in this body. If these positions are to be treated as of equal dignity, then I assume that the Senator from Rhode Island recognizes that, as he now insists, the voters of Maine are to have half a right to vote; in other words, that they are to have a right to vote in November for President and Vice President, but are not to have a right to vote in the choice of their Representatives or Senator, if a Senator was to be elected this year by the voters of Maine. It happens that we are to elect three Representatives this coming fall. I believe those Representatives will have exactly the same right to feel strongly about this matter as does the Senator from Rhode Island or his colleagues.

I wish to proceed to read the statement of the Senator from Rhode Island which is to be found in the RECORD. It continues as follows:

The Army and Navy should not be required to give priority to any State ballot material over home mail. State balloting material is bulky. It requires more than one carriage.

I presume it is equally true that the Federal ballots will require more than one carriage.

What authority there may be for taking the position that the Army and Navy should not be required to give priority to State-ballot material over home mail, I do not know, except that for a subsequent statement that any interference with home mail delivery would "seriously hurt morale." The statement is that—

Such a system would seriously hurt morale.

I continue reading from the statement:

The soldiers overseas do not wish to have the delivery of their home mail seriously interfered with.

I sought in vain to ascertain from the Senator from Rhode Island the source of his authority for so complete a statement as that—whether he had conducted a canvass of the soldiers and sailors overseas, whether they had expressed a preference as to whether they would prefer to have a ballot or their mail.

However, I was interested to learn in this connection that during the period of the Christmas mailing, when the facilities naturally were used in a very effective way—and I think it is a tribute to the service rendered by our postal authorities—80,000,000 pieces of letter mail and other mail were carried to the members of our services overseas. Eighty million pieces—twice the number of ballots which would have to be transported overseas if everyone in the United States were overseas fighting. Eighty million pieces. Why the handling of 5,000,000 soldiers' ballots will wreck the postal-delivery facilities of this country it is impossible to conceive.

I examined this matter because it seemed to me that the entire discussion has been predicated upon the difficulty of getting the State ballots overseas. Everyone is apparently agreed that it is desirable to have the State ballots cast, if we can get them over and back. Not even the most outright champion of the Federal ballot has indicated that he preferred the Federal ballot to the State ballot, but only has viewed with regret the impossibility of sending the State ballots.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. LUCAS. The Senator has been talking about State ballots. Is he also in favor of sending overseas ballots to enable soldiers to vote for mayors, county boards, school boards, and other officials who will be elected in his own State in 1944?

Mr. BREWSTER. I have such regard for the dignity and importance of the ballot that if any soldier overseas desires to exercise his right to vote in any election, I would give his ballot over-and-back priority.

Mr. LUCAS. I agree with the Senator on that point. The only thing I question the Senator about is this: He was saying that apparently it was impossible for the Army and Navy to render this service.

Mr. BREWSTER. Yes.

Mr. LUCAS. We are now talking State ballots for Governors and other State and county officers.

Mr. BREWSTER. Yes.

Mr. LUCAS. I should like to have the Senator know that in Illinois, in 1944, we will have 12,000 general elections for county commissioners, mayors of cities, members of school boards, other county officials, drainage commissioners, and various other public officers, all of whom are extremely important. I think the Senator will agree with me that from the standpoint of administration it would be utterly impossible to attempt to place ballots for 12,000 general elections—12,000 different elections, so far as ballots are concerned—in the hands of the soldiers overseas.

For instance, if there is to be an election for mayor of the city of Portland, Maine—a very important election—we should like to have the soldiers from Portland given an opportunity to vote in that election. But the question arises from the standpoint of the War and Navy Departments, How can we do it? If we are going to do it for one, we must do it for all. That is the point which I always bear in mind. I should like to see, I will say to the Senator with all the sincerity I possess, the soldiers vote for every candidate, for every conceivable officer in my State; but when the Census Bureau tells me that in Illinois next year there will be held 12,000 general elections, such as for mayors of cities, school boards, drainage commissioners, county commissioners, Governor, members of the State legislature, and so forth, many of them—indeed, practically all of them—on different days, then I think the Senator in all fairness must realize that it just cannot be done for Illinois; and if it cannot be done for Illinois, I think it cannot be done for Maine.

Mr. BREWSTER. Would the Senator consider that the question of whether or not a soldier might have a ballot might appropriately be decided by the soldier?

Mr. LUCAS. Of course; but a referendum cannot be taken, I presume, as to whether a soldier wants to vote for mayor.

Mr. BREWSTER. Would not the Senator permit him to sign a post card applying for the ballot?

Mr. LUCAS. Certainly; and that can be done under title II.

Mr. BREWSTER. Are the post cards in the hands of the soldiers overseas in accordance with the provisions of existing law?

Mr. LUCAS. Under title II we go as far as possible——

Mr. BREWSTER. I am asking whether the post cards are in their hands today. There is an existing law on the statute books that so provides.

Mr. LUCAS. That is correct.

Mr. BREWSTER. Have those post cards been sent?

Mr. LUCAS. They will be sent.

Mr. BREWSTER. The statute says they shall be sent on February 1, and this is February 1.

Mr. LUCAS. I cannot tell about that.

Mr. BREWSTER. I should think, if the Senator is so much interested in the question, perhaps he would be interested to know whether the present law has been complied with. I think that those responsible for the pending legislation should have given some attention to that question by this time. As I understand, the Senator has not done so.

Mr. LUCAS. Of course, the Senator misunderstands me. He is not debating the question; he is talking about postal cards.

Mr. BREWSTER. I want to know, first, whether the soldiers have their present rights.

Mr. LUCAS. They certainly have them.

Mr. BREWSTER. Have they the post cards now?

Mr. LUCAS. According to my information, the postal cards are being sent out under Public Law 712 to every camp throughout the world, but that does not bear upon what I am discussing.

Mr. BREWSTER. I am coming to that. I want the Senator first to tell me categorically whether or not the provisions of Public Law 712 have been satisfied, which say that post cards shall be in the hands of the soldiers overseas on February 1, and I understand the Senator does not know.

Mr. LUCAS. The Senator is not answering my question at all.

Mr. BREWSTER. I am coming to the question.

Mr. LUCAS. No; but the Senator is trying to draw me off on a side issue which I do not propose to follow. The Senator was telling the Senator from Rhode Island, apparently, how practical it would be for the Army and Navy to do this job, in view of the fact that they had done a lot of other things in carrying mails and Christmas presents and so forth to the boys overseas. I merely raised the point whether the Senator did not think the election of a mayor of Portland, Maine, was as important as the election of a county clerk or a sheriff in his county. That is the point I am raising, and I said that in Illinois 12,000 general elections would be held next year. If we consider all the elections to be held throughout the entire United States, I do not undertake to say what the figures would show, but I do know that the soldiers can't vote in all those elections, regardless of what we or the States do.

Mr. BREWSTER. I shall answer the Senator's question, but, first, I want to incorporate into the RECORD, so that no one in the Senate or the country may be under any illusions as to whether or not there is appropriate zeal for carrying out the provisions of existing law, section 3 of Public Law 712, page 2:

In each year in which an election for Senators and Representatives in Congress is to be held—

This seems to contemplate the importance of Senators and Representatives.

Mr. LUCAS. The Senator and I are for that.

Mr. BREWSTER. Just a moment—

such post cards shall be made available by February 1, or as soon thereafter as practicable, and from time to time thereafter, prior to the holding of the election.

Now I want to suggest to Senators on the other side who have been exhibiting so much zeal for voting by soldiers that it would be very much more in harmony with their views and their zeal if they

could inform us whether or not the provision of the law requiring that post cards on which to make application for ballots to be in the hands of the soldiers on February 1 has been complied with. I wait for an answer.

Mr. LUCAS. I am glad to give an answer to the Senator but the only thing I can do is to refer to the testimony of Colonel Cutler of the Army, which the Senator will find if he will take a little time to look at the hearings before the Committee on Privileges and Elections. One of the reasons why the Army and Navy were interested in finding out what the Congress was going to do either with the so-called——

Mr. BREWSTER. They found out what we were going to do 6 weeks ago.

Mr. LUCAS. Does the Senator want me to answer him, and is he going to give me an opportunity to do so? If not, I shall have the answer in my own time. If the Senator is going to interrupt me, of course I cannot answer.

Mr. BREWSTER. I am certainly anxious to have the Senator answer.

Mr. LUCAS. The Senator is not very anxious for me to answer because he is now on a question entirely different from the one I rose to ask him about. I understand——

Mr. BREWSTER. I do not wonder that the Senator does not want to answer.

Mr. LUCAS. The Senator is a very clever and fine gentleman, and I like him, but it is necessary to watch him all the time to keep from being dragged down a blind alley. I rose to ask the Senator a question, and I am going to insist that he stay with the point, I raised in the first instance.

Mr. BREWSTER. May I ask the Senator, then——

Mr. LUCAS. No; the Senator is not asking me anything——

Mr. BREWSTER. This is the same experience I just had with the Senator's collaborator, who rose to ask me a question and refused to answer the one I asked him. Now, will the Senator answer my question if I answer his? [Laughter.] The Senator is very good at asking questions, but not at answering them.

Mr. LUCAS. The Senator is one of the most adroit men in the Senate in getting another Senator off the main track. I have one of those one-track minds, and when I get started along a certain line of approach I want to continue and the Senator from Maine is not going to derail me upon this one question. Now, I am willing to answer the question if the Senator will give me an opportunity.

Mr. BREWSTER. That is all I desire.

Mr. LUCAS. If he continues interrupting me I cannot do so.

The Senator asked me a question which has absolutely nothing to do with what I asked him, and he has not answered my question yet. He asked me a question whether or not the Army and Navy, under title II of the present law, Public Law 712, are going to send out post cards on February 1.

I referred the Senator to the testimony of the Army and the Navy before the Committee on Privileges and Elections in which they definitely stated that, unless some legislation was passed by February 1, they would be compelled under Public Law 712 to send the post cards throughout the world, and they would do that. Why did they say that? They said it because if we pass either the Lucas-Green or the Eastland amendment or any other substitute there will be confusion. Under title II of the Green-Lucas bill or under certain provisions of the Eastland bill, there will be confusion with respect to the present law. In other words, they contend that perhaps they might have to send 13,000,000 cards within 30 days time in addition to what they are sending on February 1 under Public Law 712. The Army and Navy are complying with the law, and that is what they said they would do. I have no intention in any way to challenge the integrity of either the Secretary of War or the Secretary of the Navy. I think they will carry out the provisions of Public Law 712.

Mr. BREWSTER. All I want to say to that is that the Senator adroitly changed the language a little, as the law provides that the post cards shall be made available on February 1, not that distribution shall be started on that date. But I am quite willing to accept the Senator's amendment of the law, if he desires.

Mr. LUCAS. All I know is what the testimony shows with respect to what they said. I do not think the Senator from Maine should criticize too severely the Army and the Navy if they waited until February 1 to send out some 11,000,000 or 13,000,000 post cards, under Public Law No. 712, when it has been represented to them and to the country that some type of new legislation was coming out of the Congress, whether it be the Green-Lucas bill, or the Eastland amendment, or the Taft amendment, or some other measure. The Senator can readily understand that if soldiers all over the world are to get post cards under Public Law No. 712, and then 30 days later 13,000,000 more are to be sent under a new measure Congress may pass, great confusion might exist in addition to unnecessary administrative work. That is the whole point.

Mr. BREWSTER. I am quite willing to accept the Senator's statement. Would he consider it unreasonable if we should ask that by tomorrow he be able to tell us exactly what the Army and the Navy have done, for instance, whether or not 13,000,000 post cards have been printed? Is that asking too much?

Mr. LUCAS. No; I should be glad to get the information. I am satisfied that the Army and the Navy are acting in good faith in this matter.

Mr. BREWSTER. I do not have any question about that.

Mr. LUCAS. I think the Senator from Maine, who is a member of the Naval Affairs Committee, and a very able member, would not question the good faith of the Secretary of the Navy, Admiral King, and those who are under him.

Mr. BREWSTER. The Senator understands this is not a question of good faith. This is a question of whether or not the law has been complied with, and the good faith of no one on earth is involved. If they tell me they have complied with the law, that is what I want to know.

Mr. LUCAS. If they do not comply with it, it is a question of good faith. I say to the Senator from Maine that the Army and the Navy have complied with the law, at least so far as the testimony shows that they can comply. In fact, they were very anxious to know what the Congress was going to do in order to keep from duplicating, so to speak, the sending out of the cards.

Mr. BREWSTER. I trust the Senator from Illinois did not undertake to anticipate our action.

Mr. LUCAS. Not at all.

Mr. BREWSTER. I am quite ready to answer the Senator's question.

Mr. LUCAS. The only thing I said was said in the best of spirit and in the utmost good faith, with respect to the problem about administration. I was merely pointing out that in Illinois this year, according to the Bureau of the Census reports, there are to be 12,000 general elections.

Mr. BREWSTER. In how many of those is there provision for an absentee ballot?

Mr. LUCAS. In every election the citizen can vote by absentee ballot.

Mr. BREWSTER. Oh, no——

Mr. LUCAS. Perhaps the Senator knows more about Illinois than I do.

Mr. BREWSTER. No; I do not know about Illinois, but absentee-voting provisions in many States do not extend to local elections.

Mr. LUCAS. They do in my State; I do not know how it is in the Senator's State. That is one reason why we should have a uniform Federal ballot, because what applies in the Senator's State does not apply to the State of Illinois, and what applies to the State of Georgia does not apply to the State of Maine. There are no two States in the Union which have anything like uniform voting procedure. There are 48 States and 48 different types of election procedure, and that is a very good reason for the uniform Federal ballot, and the only reason.

Mr. BREWSTER. Would the Senator consider that the soldier was the appropriate one to determine whether he should have an absentee-voter's ballot?

Mr. LUCAS. I did not hear the question.

Mr. BREWSTER. Would the Senator consider that the soldier was the proper one to determine whether he wanted an absentee-voter's ballot?

Mr. LUCAS. I undertake to say that the man on Guadalcanal, the man in Africa, the man in Asia, will never have an opportunity finally to ascertain from his county clerk whether he has an opportunity to vote.

Mr. BREWSTER. That is a most amazing statement.

Mr. LUCAS. The Senator knows how the mail runs. He has been around the world.

Mr. BREWSTER. Yes; I have been around the world, and I have had a son overseas for 2 long years, 1 year in the

South Pacific, and 1 year in the Mediterranean, and never have more than 10 days been required for the transmission of his mail. So I know whereof I speak. If the law were complied with, if every soldier overseas today, February 1, had the post card provided under Public Law 712, does the Senator from Illinois mean to intimate that it would be impossible to get their applications back to this country?

Mr. LUCAS. The only thing I can say to the Senator is that under the present law, Public Law 712, out of the potential number of 5,000,000 men in the service in 1942, only 28,000 ballots were cast.

Mr. BREWSTER. The Senator has finally hung himself. [Laughter.] The Senator has finally shown what is at the heart of this matter. Some of those in authority were not satisfied with the small number of applications. Did it ever occur to the Senator from Illinois why perhaps some of the servicemen did not apply? He has suggested that I have traveled around. We saw boys in many camps, and those boys were primarily concerned with the winning of the war. They were concerned about only one thing back home, and that was the reports they received regarding cessation of work. Admiral Halsey, returning from the South Pacific, has testified that the boys were not interested in the casting of votes.

Mr. LUCAS. Will the Senator yield?

Mr. BREWSTER. The 28,000 applications sent in 2 years ago afford a most convincing indication that the soldiers were entirely content to leave the voting to the people here, who know something of what has been going on in America since they left their homes. My own son has not seen his home in Maine for 2 long years. Perhaps he feels, and perhaps other boys feel, that their fathers and their mothers and their relatives at home can cast a vote more wisely, so far as things at home are concerned. At any rate, I am willing to leave the decision to the boy in the trenches as to whether he wants to sign the card and ask for a ballot. If he does, I would give him the benefit of the air-mail privileges, I would give to him what the Senator would seek to accord to him for the Federal ballot; that is, priority over any other mail, even official mail, in order to get him the ballot at any time, and in any place. I think America can do no less. But when an attempt is made to herd these boys to the polls, when a regimental commander will be challenged as to why only 5 or 10 percent of his men cast votes, that is not in accordance with my understanding of the freedom for which we are supposed to fight.

Mr. LUCAS. Will the Senator yield?

Mr. BREWSTER. I am very happy to yield.

Mr. LUCAS. Of course, the Senator has wandered far afield from the original question. I am surprised that he would charge that these boys will be herded to the polls.

Mr. BREWSTER. I was talking about the 28,000 boys who applied, and what that meant. Does that answer the Senator's question?

Mr. LUCAS. No; the Senator has never answered my question. I rose only as a result of his answer to the Senator from Rhode Island, when the Senator said that these ballots can be carried across by air mail. I merely undertook to ascertain whether the Senator was in favor of carrying ballots for the election of mayors, candidates for school trustees, county commissioners, and the like, and all other general elections to be held in 1944. The Senator has never answered that question.

Mr. BREWSTER. I answered it before the words——

Mr. LUCAS. The Senator has wandered far afield, and talked about everything but that; and he has made a long speech, and I appreciate it. I listened to him attentively, and he has not answered my question, but the Senator has practically told me, as I understood his statement, that he does not want the soldier to vote in this campaign.

Mr. BREWSTER. Just a moment. I will have to ask the Senator to take that statement back.

Mr. LUCAS. Obviously, I will retract it if I am not correct. The Senator said that the people on the home front would be able to handle the situation.

Mr. BREWSTER. Just a moment.

Mr. LUCAS. If the Senator did not say that——

Mr. BREWSTER. I think there were a number of Senators in the Chamber, and people in the galleries who heard exactly what I said. I said that I would leave it to the individual soldier in the trench anywhere around the world. I saw the son of the Senator from New York overseas, and I saw the sons of many other Senators who are in the service. I will leave to every one of those boys the decision as to whether or not he wants to cast a ballot. I state further, as I said when the Senator first asked me the question, that I regard the ballot as of such importance that I would accord to every boy overseas the privilege of voting by absentee ballot in any election in which he chose to participate, and that I would accord to him every facility for getting that ballot. That is what I said when the Senator asked me the question. That is what I now repeat. But I do not care to have the Senator from Illinois determine whether or not any individual soldier shall be deemed to be in disrepute if he does not choose to cast his vote.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. LUCAS. The Senator wants the boys on Guadalcanal to vote?

Mr. BREWSTER. If they want to.

Mr. LUCAS. If they want to vote. The Legislature of Illinois has recently assembled in special session. The legislature has extended the time with respect to absentee voting to 45 days. But the State of Illinois still says to the boy on Guadalcanal or in Africa, "You must in the first instance make an application for a form." That, Mr. President, represents one mail service. That application goes to the county clerk of my county. Then the county clerk sends back the form to the boy on Guadalcanal, or wherever he may be. That makes two mail services. The boy has to go before a commissioned officer and sign the form in order to get the ballot. Then the boy sends the form back, which makes three mail services. After the soldier swears to the form before a commissioned officer—not a noncommissioned but a commissioned officer—the form is sent to the county clerk, which represents the third mail service. The clerk sends the ballot to the soldier on Guadalcanal or wherever he may be, and that represents the fourth mail service. Then the soldier receives the ballot and executes it before a commissioned officer and sends it back to the county clerk. So there are five mail services before that boy's ballot finally is returned.

Mr. President, I merely make that statement to the Senator to show how almost impossible the situation is for the boy who wants to vote, who wants to cast a ballot for some candidate if he is outside the United States. He must finally have to go through what represents five mail services in order to get his ballot back from Guadalcanal to the county clerk within the 45-day period. Regardless of whether plane priority is given, it simply cannot be done in that period. The individual who thinks it can be done is not true to the American soldier who is fighting for our country.

Mr. BREWSTER. That is fairly strong language which the Senator has worked himself up to.

Mr. LUCAS. It is strong language, and I can make it stronger.

Mr. BREWSTER. I would suggest that the zeal of the Senator——

Mr. LUCAS. No; it is not zeal. I am giving facts.

Mr. BREWSTER. The Senator spoke of a period of 45 days within which to have the ballots delivered to the soldier and returned by him. He speaks of the difficulty of having the ballots sent from Illinois to Guadalcanal and returned in 45 days.

Mr. LUCAS. Not the ballots only. I am talking also about the first application for the form of the ballot.

Mr. BROOKS. Mr. President, will my colleague yield?

Mr. LUCAS. Yes, I yield.

Mr. BROOKS. There is no provision of the law of Illinois which requires the ballot to arrive within 45 days. Anyone can ask for an application, and he can send it back at any time.

Mr. LUCAS. The Senator from Illinois does not know the law of the State of Illinois when he makes that statement.

Mr. BROOKS. Yes; I do.

Mr. LUCAS. I do not have the law before me, but I can get it.

Mr. BROOKS. I have it here.

Mr. LUCAS. The law provides that a soldier anywhere must comply with the form laid down by the statute of the State of Illinois, and the statute requires the form to be sworn to before a commissioned officer, and I undertake to say that the Senator from Illinois will not

deny that there are still five mail services required under the law which was passed by the State legislature.

Mr. BROOKS. But the soldier can make his application now, and he does not even need to apply for it in person.

Mr. LUCAS. But five mail services are required within the 45 days.

Mr. BROOKS. No, not within 45 days. The ballot must be returned by mail within 45 days, and two mail services are required within 45 days, not five.

Mr. LUCAS. The Senator from Illinois is wrong.

Mr. BREWSTER. If the Senator from Illinois is anxious to look out for the boys from Illinois, would it not have been well to have seen to it that the provisions of existing law were carried out, and that the boys on Guadalcanal, on February 1, in accordance with the existing law, had received the post cards? All they would have to do with the post cards would be to sign their names and their addresses. I think the Senator underestimates the intelligence and wisdom of the soldiers overseas if he thinks that they cannot do that.

Mr. LUCAS. No.

Mr. BREWSTER. The Senator says an application for a form must be sent in. Very well; a form. We say a ballot. In either event the chain of circumstances is started operating.

Mr. LUCAS. I do not underestimate the intelligence of the American soldier at all. Not at all, Mr. President. Not nearly so much as some other Senators in this Chamber do, I am afraid. I maintain that the 11,000,000 men in our Army and Navy and Marine Corps have more intelligence, will come nearer to voting the ballot according to the way it should be voted, than any other 11,000,000 men that can be picked out in America, whether they be farmers, laboring men, or businessmen. The servicemen are world wise; they have stood the physical and mental tests; they represent the best that is in America today, and nothing should be done which would operate against giving them the quickest and the speediest opportunity, without interfering with the war effort, to obtain the ballot.

Mr. BREWSTER. Everything should be done except comply with existing law. That is apparently the only thing which is omitted.

Mr. LUCAS. I wish the Senator would answer my first question.

Mr. BREWSTER. I repeat for the third and last time that I regard the ballot as of such dignity and importance that I would afford every soldier and sailor in the service an opportunity to vote by absentee ballot if he desired and indicated his desire by the simple act of signing an application or a post card. Is that fair enough?

Mr. LUCAS. The Senator would not take the ballot to him? The Senator would not have us do as is done in New Zealand, as is done in Canada, as is done in Australia?

Mr. BREWSTER. I thought we still lived in the United States.

Mr. LUCAS. We do live in the United States.

Mr. BREWSTER. Yes; and our boys are looking forward to living there, and that is one place they want to be.

Mr. LUCAS. That is what those countries are doing. They are taking the ballots to their soldiers in the field.

Mr. BREWSTER. Is that the precedent that the Senator desires to set here?

Mr. LUCAS. No; not at all.

Mr. BREWSTER. I think we had better stick to America for a while.

Mr. LUCAS. The Senator from Maine does not need to warn me to stick to America.

Mr. BREWSTER. Apparently I do, because the Senator is going far afield.

Mr. LUCAS. No; I am not going far afield. The Senator from Maine is the one who is going far afield in fighting on the floor of the Senate against a uniform Federal ballot for the brave Americans who are out there defending our country.

Mr. BREWSTER. I have a boy out there, so I think we will let that rest.

Mr. LUCAS. Very well, we will let it rest.

Mr. BREWSTER. I am fighting for him as much as the Senator is fighting for whomever he is concerned about.

Mr. LUCAS. Very well. If the Senator wants the servicemen, wherever they may be, to assume the initiative in asking for the ballot, very well. The Senator does not want to take it to them, but I do.

Mr. BREWSTER. That is correct, and on that I am perfectly willing to rest my case with the soldiers and sailors and anyone else in the service of the United States.

Mr. President, I felt sufficient concern about this matter to ask the Governor of Maine regarding the application of our law, and I asked him to find out what provisions could be complied with and what could not.

Mr. LUCAS. Whenever the Senator from Maine will show me how the Army and the Navy can carry all the ballots for every general election in 1944 to every soldier in the war, wherever he may be, regardless of the applications that he might make for this and that, then I want him to tell it to the Army officials and the Navy officials, and if they do not convince him that he is wrong no one can, and I shall conclude that the Senator does not want to be convinced.

Mr. BREWSTER. How many soldiers and sailors does the Senator from Illinois anticipate will apply for ballots? Has the Senator formed an estimate of the number?

Mr. LUCAS. If none of them apply that will be satisfactory to the Senator from Maine. That is exactly what he wants.

Mr. BROOKS. Mr. President, will the Senator from Maine yield to me?

Mr. BREWSTER. Mr. President, I think I cannot let a statement like that rest, and yet I must attribute it, because of my regard to the senior Senator from Illinois, to the disturbance which he manifests over the uncomfortable position in which he finds himself. After the repeated statements I have made as to the privileges I would accord to the soldier and the sailor, I am quite sure the Senator from Illinois does not mean to intimate that I am desirous of blocking the right of any soldier.

Mr. LUCAS. Not at all, not at all. I would not say that of the Senator.

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. LUCAS. Yes.

Mr. BROOKS. Because of the fact that the law of Illinois was brought into controversy, I ask permission to read the law most recently passed at a special session of the State Legislature. I quote from it as follows:

> Any elector as defined in the foregoing section expecting to be absent from the county of his residence on the day of such election may, not more than 100 nor less than 5 days prior to the date of such election, make an application to the county clerk of the county of his residence for an official ballot for his voting precinct to be voted on at such election.

It is not within 45 days; it is within 100 days.

Mr. LUCAS. It is not within the day, either. The Senator said the soldier could make an application today. So the Senator was wrong, and so was I.

Mr. BROOKS. And the law provides that any relative or any friend may ask for the application and may send it to the soldier now, so that the soldier can mail it back; and if it arrives within 100 days, then 45 days is allowed for the ballot.

Mr. LUCAS. I am very happy that that provision has been adopted, because that is exactly what I suggested to the Governor of Illinois, but I doubt that that is the law.

Mr. BROOKS. Mr. President, I think perhaps we should let the RECORD show that since the State of Illinois has adopted the suggestion of the senior Senator representing that State, he should support his State and the State ballot.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BREWSTER. I am glad to yield.

Mr. LUCAS. I will have something to say with respect to the Illinois State law before the debate is finished. I know exactly what was done. I know all about it, and I am preparing a brief statement concerning it. Especially shall I make it now, in view of what my colleague on the other side of the aisle has said.

Mr. BREWSTER. Mr. President, I assume the Senator from Illinois will not charge us with delaying the vote on that account.

Mr. LUCAS. No; I do not charge the Senator from Maine with anything at all.

Mr. BREWSTER. If I may now resume my remarks about the situation in Maine, I should like to say that I have secured an opinion from the Governor of Maine regarding what may be possible under the provisions of existing law. The opinion would seem to indicate that, so far as Maine is concerned, we may be able to get along very well in spite of the failure of the distinguished advocates on the other side of the aisle to consider Maine as being within the purview of the Union.

The following statement has been issued by Gov. Sumner Sewall, after ex-

tended conferences with Harold I. Goss, the secretary of state, and Frank I. Cowan, the attorney general:

A careful study of Maine law and existing voting machinery indicates that our soldiers and sailors will have an opportunity, wherever they may be, to vote in the regular State and National elections, if:

(1) The Federal Government can handle round-trip mailing of ballots in 45 days;

(2) Parents or friends will supply city and town clerks with military addresses of those in service.

An Executive order will be necessary to permit absentee registration of servicemen in cities of more than 3,000 population as it is now permitted in smaller communities. Also, parents and friends must be granted the right to request that soldier absentee ballots be sent to registered servicemen. These provisions I can and am willing to make by appropriate executive order.

Due to the delay caused by recounts, soldier votes will not be counted for candidates not placed on the ballot by the official canvass of the Governor and council of returns filed by municipal clerks.

The weight of our customary ballot, directions for voting, referenda questions, and envelopes is about one and one-half ounces. If reasonable weight restrictions are imposed by the Congress or by the War and Navy Departments, we are confident that we can meet them. If necessary I am prepared to incorporate in any executive orders that may be required, provision for printing of ballots on lighter paper.

I realize, of course, that many questions may arise and that unforeseen circumstances may appear. However, this is the best approach to the problem as we now see it. Unless and until the Congress takes specific action to provide otherwise, we shall go ahead with plans along these lines.

With respect to the matter of the round-trip mailing of ballots in 45 days before the Maine election on September 11, I am advised by the War Department that there should be no difficulty in accomplishing the transfer, so far as air mailing is concerned, and, in most theaters, even so far as transportation by boat is concerned. I am advised that probably the 45-day period will be sufficient for transportation from the State of Maine to the servicemen and back; in all instances it will be sufficient if transportation is had by air mail; in most instances it will be sufficient if transportation is had by boat mail.

With respect to the other provision regarding the supplying of the addresses, the Governor apparently was proceeding, by premonition, upon the theory that he could not rely upon having the Federal authorities supply the post cards provided for by existing law. If the postal cards were in the hands of the boys overseas, as provided by law, on February 1, today, then any serviceman who desired to vote would simply fill in his name and his voting residence, and the post card would be on its way as promptly as desired.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. MILLIKIN. Since the question arose between the distinguished junior Senator from Maine and the Senator from Illinois, I have made inquiry of the War Department, and have been informed that those post cards are being held up in the ports of this country, and that they have not yet been made available to the soldiers abroad.

With respect to the question of the weight of mail, I have been curious about the matter; so I telephoned my office and asked my office staff to take a full-sized sheet out of a full-sized newspaper, place it in an envelope, and weigh it. I have just been informed that it weighs half an ounce.

Inasmuch as we are sending millions and millions and millions of pounds of ammunition and shells to our soldiers to use, I suggest that they are worth a few half ounces of ballot material so that they can vote.

Mr. HOLMAN. Mr. President, will the Senator yield to me so that I may make an observation?

Mr. BREWSTER. I yield.

Mr. HOLMAN. I simply want to say that the Office of War Information is sending, each year, $30,000,000 worth of motion pictures, supplies, booklets, pamphlets, magazines, and pictures of Candidate Roosevelt all over the world. [Laughter.]

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. REVERCOMB. In respect to the information we have just received, let me say to the able junior Senator from Maine that it would be of great importance to find out at whose instance the post cards have been held up. Under the law, they are supposed to go forward to the soldiers today. If they are being held up, I think it most important to ascertain who is responsible for the delay in getting the post cards into the hands of the soldiers, so that they can vote.

Mr. BREWSTER. Mr. President, I have asked the Senator from Illinois, who is in charge of the bill. In his absence I refer to the Senator from Rhode Island, and should like him to give us a statement not later than tomorrow as to what has happened to the existing law, so that we may be sure, or so that at least we may contemplate, what might happen to any future law.

Mr. GREEN. Mr. President, I do not know whether the Senator from Maine has asked me a question or not. However, inasmuch as when I previously understood he was making a speech, I later was told he had asked a question I had not answered, I would take it for granted that this is a question.

Mr. BREWSTER. Mr. President, I wish the Senator would answer my previous question first. I would yield for that purpose.

Mr. GREEN. I have no knowledge as to the reason why the post cards have not been sent out; but I would call attention to phraseology in the law which does not make it mandatory to send them out on February 1. The law reads:

On February 1, or as soon thereafter as practicable.

Mr. BREWSTER. Mr. President, let me inquire of the Senator why it is impracticable to furnish them now.

Mr. GREEN. I assume that the departments have found it impracticable to send them out.

Mr. BREWSTER. Why?

Mr. GREEN. I do not know that reason. I have no doubt that the departments would be very glad to answer any requests for information by the Senator from Maine or by any other Senator.

Mr. BREWSTER. The Senator from Illinois stated that the reason why they had not sent them out was that they were waiting to see what Congress was going to do with some Federal legislation.

Mr. GREEN. I have given my answer.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. BARKLEY. In order that the law may be inserted in the RECORD, I suppose it would not be inappropriate to read it.

Mr. BREWSTER. I have already read it into the RECORD, in the absence of the Senator from Kentucky, but I am happy to have it read again. I think all Senators should be compelled to read it until they comply with it.

Mr. BARKLEY. Very well; we will comply with it. It reads as follows:

In each year in which an election for Senators and Representatives in Congress is to be held, such post cards shall be made available on February 1, or as soon thereafter as practicable, and from time to time thereafter, prior to the holding of the election.

So it is within the law to make them available, not before the 1st of February, but any time thereafter, from time to time.

Mr. BREWSTER. Mr. President, in view of the tremendous anxiety generated here as to the possibility of having the servicemen vote, does the Senator want to rest his case on the statement that it is all right if the post cards are not put in the hands of the soldiers and sailors until the middle of the summer or until the fall?

Mr. BARKLEY. No. I am quite satisfied that the War and Navy Departments, or any other departments charged with this duty, will carry out their duty in every practical way. This happens to be the first day of February. I do not know why the post cards have not all been sent over and are not in the hands of the soldiers. The law does not require that.

Mr. BREWSTER. It contemplates it.

Mr. BARKLEY. The law says "as soon thereafter as practicable." The fact that they have all been sent to the ports of debarkation shows that the departments have taken steps to send them overseas. The fact that they have not actually been sent out is certainly no evidence of negligence on the part of the departments.

Mr. BREWSTER. Why would it have been impracticable to have sent them? We have heard a great deal about the amount of time required to transmit ballots overseas and back. I presume it takes as long to transmit post cards. Why do we have post cards at the ports of embarkation on February 1, instead of

at Guadalcanal, the Solomons, the Caribbean, or elsewhere?

Mr. BARKLEY. I am sure the Senator does not interpret the section which he has read, and which I have just read, to mean that the various departments must have the cards in the hands of the soldiers by the 1st of February.

Mr. BREWSTER. The law says they must be available. What does "available" mean? Does it mean available here? I am sure the boys cannot come here to get them.

Mr. BARKLEY. "From time to time thereafter" certainly does not mean on the first day of February. "As soon thereafter as practicable" does not mean on the first of February. The law intended to give the departments some leeway in getting the cards to the soldiers.

Mr. BREWSTER. I am very sure that is not the case.

Mr. BARKLEY. It is not incumbent on the departments to have them all in the hands of soldiers on the first of February, for an election which takes place in November.

Mr. BREWSTER. In Maine we are to have an election in September. That is what we have been talking about.

Mr. BARKLEY. It is a long time until September.

Mr. BREWSTER. I am quite sure that if the War and Navy Departments are prepared to advise us that it was not practicable to get them into the hands of soldiers on February 1, we shall be happy to accept that statement; but I doubt very much whether that statement can be made or will be made by those in authority.

Mr. BARKLEY. Certainly if the War Department, the Navy Department, or any other department, on the very first day on which it is required to have them available, has not sent them overseas, it has a good reason for it. The Department cannot do it earlier than that date. The Department has between that date and the time of the election. The law says "as soon thereafter as practicable" and "from time to time thereafter." The Department has the time during the year between now and November to do it. Certainly the Senator from Maine would not be unfair enough to say that the War Department or Navy Department should have all these cards in the hands of soldiers today.

Mr. BREWSTER. I will say that the Senator from Kentucky makes a somewhat better defense than did the Senator from Illinois in the first instance, because unfortunately he said——

Mr. BARKLEY. I do not think there is any occasion for a defense. I do not think there is any occasion for a charge that the departments have neglected their duty because on the first day on which the law requires them to make the cards available, they have not got them in the hands of every soldier and sailor.

Mr. BREWSTER. Why does the law say "as soon thereafter as practicable"?

Mr. BARKLEY. That is what Congress said.

Mr. BREWSTER. That would seem to indicate that February 1 meant something.

Mr. BARKLEY. That is what the Congress said.

Mr. BREWSTER. Yes.

Mr. BARKLEY. The Secretary of War did not say "as soon thereafter as practicable."

Mr. BREWSTER. The Congress of the United States said it.

Mr. BARKLEY. Yes.

Mr. BREWSTER. The Congress of the United States is still supposed to give orders to the departments. When the Congress of the United States says "as soon thereafter as practicable," I want the executive departments to tell us why it was not practicable to have these post cards in the hands of the soldiers on February 1, particularly when for 3 weeks we have heard the welkin ringing with the desire to give the soldiers the ballot.

Mr. BARKLEY. I have no objection to the War and Navy Departments telling the Senator from Maine, or any other Senator, or the whole Senate, or the entire United States, why they have not been able to get them to the soldiers on this very day.

Mr. BREWSTER. We shall be glad to know.

Mr. BARKLEY. I am quite satisfied that the Senate and the country will be satisfied with their explanation, whatever it may be. But certainly it is unfair to rise in the Senate and charge the Departments with neglect because on the very first day on which they could make them available, they are not in the hands of the soldiers.

Mr. BREWSTER. I am not charging them with anything. I am merely asking.

Mr. BALL. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. BALL. While we are discussing Public Law 712, let me say that reference was made a few moments ago to the fact that only 29,000 members of the armed forces voted by absentee ballot in 1942. I have heard the figure of 35,000 stated. It might be well to note the fact that Public Law 712 was approved on September 16, 1942, which was less than 45 days before the 1942 general election. Obviously, the postal cards provided for in Public Law 712 could not possibly have been printed and distributed to the men in time to have had any effect upon the 1942 election.

Mr. BREWSTER. I thank the Senator.

Mr. President, I wish to conclude my statement before I am charged with delaying the vote. I shall conclude with the simple statement with which I began.

During the Christmas period, when a great deal of mail was very efficiently handled, 80,000,000 pieces of mail were sent overseas. I do not know how many were sent in the other direction, but undoubtedly an appreciable number. I never expected to have to defend the Post Office Department or the War and Navy Departments for their efficiency in transmitting mail overseas, but apparently that burden falls on me. When we talk about four or five million ballots, it seems to me to be nothing short of fantastic to suggest that during the time which will elapse between now and the time of the election an undue burden would be imposed. I sincerely hope that the suggestion of the Senator from Michigan [Mr. VANDENBERG], providing for the air-mail facilities for State ballots, will be adopted, and that the same language will be used that was used in connection with the Federal ballot. It was provided that the Federal ballot should take priority over even official mail. I hope the same privilege will be accorded to State ballots, which elected the Senator from Rhode Island, and that such ballots will be accorded the same sanctity and priority which are proposed to be accorded this hermaphrodite ballot.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. GREEN. May I ask the Senator from Maine on what he bases his figure of 4,000,000 or 5,000,000 ballots?

Mr. BREWSTER. We have heard it stated that there are approximately 5,000,000 soldiers and sailors overseas. If all of them should want to vote, between 4,000,000 and 5,000,000 ballots would be required.

Mr. GREEN. Does the Senator believe that under any other system than the Federal ballot system the number of ballots to be sent to 5,000,000 soldiers could be kept within the limits of 5,000,000 ballots?

Mr. BREWSTER. I do not understand the purport of the question. Does the Senator from Rhode Island prefer double or plural voting? In Maine we vote only once. [Laughter.]

Mr. GREEN. I did not know that voters in Maine voted that often. In the State of Rhode Island—which I will say, before the Senator from Maine says it, is the smallest State in the Union—we have 100 ballots on election day. If a Federal ballot is sent, only one ballot must be sent to each soldier; but under any other system, if we have 100 ballots, one of each of those ballots must be sent to each soldier.

Mr. BREWSTER. The Senator does not mean 100 ballots to each individual, does he?

Mr. GREEN. More than that.

Mr. BREWSTER. I am sure the Senator is mistaken.

Mr. GREEN. We are talking at cross purposes.

Mr. BREWSTER. Yes.

Mr. GREEN. At least, the Senator from Maine is. In the State of Rhode Island there are 100 ballots. In other words, there are 100 separate districts, and there are 100 separate ballots, for the State election alone. I am not referring to municipal or town ballots. The State ballot has on it the names of candidates for State representatives and senators. So there are 100 separate ballots. If that be true of all the States, that means 100 times 10,000,000, does it not?

Mr. BREWSTER. We have 153 ballots in Maine.

Mr. GREEN. In other words, instead of 10,000,000 ballots, for Rhode Island

alone there would have to be 100 times 10,000,000 in order to get one of each kind of ballot into the hands of each soldier. There is no getting away from the logic of it.

Mr. BREWSTER. There is no logic whatsoever in what the Senator says.

Mr. GREEN. How are we to find out where the Rhode Island soldiers are?

Mr. BREWSTER. By the simple act of the Rhode Island soldier sending his name on a post card. That is the way I propose to do it, if the Senator will only let him have the post card. I am sure that even the soldiers from Rhode Island are capable of performing that simple act. [Laughter.]

Mr. GREEN. As I understand, the Senator is advocating the existing law.

Mr. BREWSTER. I advocate compliance with the existing law, and also expedition of the process; I had always assumed that the Executive would expedite it. I do not think legislation is required to send the ballots by air mail; but if so, I would advocate such legislation, provided that the State ballots may go out and be returned by air mail.

Mr. GREEN. I am sure that the Senator, with his wide knowledge of the subject, knows that in a great many States application for an absentee voter's ballot must be made on a form provided by the State.

Mr. BREWSTER. If the soldier has the post card on February 1, he has 5 months in which to mail and receive the ballot.

Mr. GREEN. That form would not comply with the laws of the State.

Mr. BREWSTER. Does the Senator mean that it would not be considered a formal application?

Mr. GREEN. Application for a ballot must be made on a form provided by the secretary of state. In some States five transmissions would be involved. A man must write in for a formal application. The form for that application comes from the secretary of state.

Mr. BREWSTER. That is correct.

Mr. GREEN. The secretary of state sends him the form, the soldier fills out the form. The ballot is then sent to the soldier, and the soldier sends back the ballot. All that must be done in a period of time which would make it absolutely impossible for the transaction to be completed in time for the election.

Mr. BREWSTER. I understand the initial transaction is that the soldier writes for an application. Is that correct?

Mr. GREEN. That is correct.

Mr. BREWSTER. Do I correctly understand the Senator from Rhode Island to say that the post card would not be considered as an application for an application?

Mr. GREEN. That is correct, because the form of application is provided for in the State law.

Mr. BREWSTER. Does the Senator mean to say that a soldier 10,000 miles away must know the provisions of the Rhode Island statute as to how he shall make application for an application?

Mr. GREEN. I am not talking about the Rhode Island statute or the Maine statute.

Mr. BREWSTER. The Senator said that the soldier had to write for an application. I cannot conceive that any statutory provision provides the form in which he shall write a letter for the application. I never heard of such a thing, even in Rhode Island.

Mr. GREEN. I stated distinctly that it was not in Rhode Island.

Mr. BREWSTER. That is correct. I had supposed that when the secretary of state of Rhode Island or any town clerk received a post card from a serviceman saying that he wanted to vote, it would at least be considered as a sufficient request for an application.

Mr. GREEN. It is not so considered in some States, and in other States there is no such thing as an application.

Mr. BREWSTER. Then I commend the action of the Governor of Maine, who asked the Attorney General for an opinion, and was advised that an Executive order would certainly be sufficient to cover that very simple provision of the law.

Mr. GREEN. I congratulate the Governor of Maine for having done the best he could under the Maine statute. Whether he has exceeded his authority is much more questionable than whether the Congress would exceed its authority by enacting a Federal ballot law.

Mr. BREWSTER. I am sure the Governor of Maine will appreciate the opinion of the Senator from Rhode Island, in view of the opinion he has received from the attorney general. I am sure that he will still be guided by the attorney general.

Mr. GREEN. I am sure that he will be; and I hope that some day the attorney general will receive an appropriate reward and sit in the Halls of Congress. However, the prestige of the State of Maine has somewhat fallen. It used to be said that as Maine goes in September so goes the country in November. Now it is said that as Maine goes in September so go Maine and Vermont in November.

Mr. BREWSTER. The Senator from Rhode Island had better wait until next November before speaking so definitely.

[Manifestations of applause in the galleries.]

The PRESIDING OFFICER. Any further demonstrations by occupants of the galleries will be dealt with by the Senate. Several times there have been demonstrations both on the floor and in the galleries. They must cease.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. VANDENBERG. I invite the attention of the Senator from Maine to the fact, which I have just noticed for the first time, that apparently title II will have to be amended or there may be six mailings instead of five, because apparently, from the language on page 42, the soldier cannot even obtain an original post card except on request. So he has to write for a post card which he can use to write for a form, which he can use to fill out for an application, which he can use to obtain a ballot, which he can use to vote later.

Mr. BREWSTER. In the State of Maine the post card, if the soldier can secure it, will be considered as a sufficient application for a ballot.

Mr. President, I leave this matter. I am sorry to have taken so much time of the Senate.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. MILLIKIN. I have further information relating to the inquiry which I made a while ago as to the whereabouts of the post cards, and why they have not been made available to our soldiers.

I have been told that in foreign theaters of war as of July 17, 1943, there were 816,000 post cards; and that the commanding officers of our 41 theaters of war are trying to find out how many more, if any more, our servicemen will want as the basis for requisitions on the 7,804,000 post cards which are still in the ports of this country.

Mr. BREWSTER. I thank the Senator for the information.

Mr. President, I do not want to close my remarks on the note of levity which has marked some portions of the discussion. I am sure that every Member of the Senate is keenly desirous of affording an opportunity for all soldiers and sailors who so desire to participate in the approaching election. I think I can speak not only from contact with my own son and two nephews who are in the service, two of them having been overseas for a long time, but also with many boys, as well as many young women whom we saw in our trip around the globe last summer. I am confident that if the post cards are placed in their hands so that they may know they may obtain absentee voter's ballots if they desire them, there can be no question upon their part about what we here at home have thought of them, and that we have given thought to this matter. The very efficient operation of our postal service, as indicated in the communications which I have received from the War, Navy, and Post Office Departments, leads to the conclusion that within a 45-day period from the time of arrival of the post-card application until the election, if the ballots are made available and forwarded with the cooperation which I am confident we can count on from those in authority when they once determine what the law is, no boy in the service will be deprived of his ballot privilege.

With that statement I am ready to rest my case, confident that no one at home or abroad can misunderstand the individual position of Senators who have participated in this debate.

Mr. DAVIS. Mr. President, we in America, and every other democratic society, believe that the right of suffrage is one of the most essential and necessary rights which any man or woman can possess, and we have gone to great lengths in the past to secure, preserve, and protect that right in all its phases.

Today many millions of American men and women who have answered the call to defend their Nation's freedom and honor are being threatened with conditions which would deny them the fundamental right of direct participation in the selection of their governing officers.

I certainly believe that if this Nation can call upon these young Americans to face the fire of the enemy, to give up home and friends, and to move into strange and foreign lands, this Nation, in all justice, can and must extend to those people the right and the opportunity to participate in the forthcoming national elections, which will have such a tremendous influence on our future development.

Mr. President, more than ten measures have been introduced in one House of the Congress or the other, all of which are designed to extend the right of suffrage to servicemen. These measures vary in their nature, but I am sure that they are all sincere efforts to solve this problem to the satisfaction of all parties concerned.

I have given very careful consideration to this problem, and it is my sincere conclusion that this situation cannot be effectively met under a system conducted upon the basis of 48 distinct and separate State laws. I believe any system of this type would entail administrative burdens and responsibilities beyond any hope of fulfillment.

It is for this reason that I look with disfavor upon any system which would undermine the rights of the States or further reduce their power. The State should make every effort to put the ballot in the hand of the voter in time so that it can be returned to his voting district and be counted. Where it is impossible for the State to assure those eligible in the armed forces to vote, I favor the Federal system. I want to be sure that those who are eligible to vote in the Army, Navy, Marine Corps, and all others in the armed forces shall have the opportunity of casting that ballot.

Mr. President, it would represent a defeat of the most tragic proportions to free government if we in America, by inaction or by improper action, should fail to provide this necessary machinery. Such a fundamental problem as this must not be regarded as a political question. It transcends politics of whatever nature. It is an issue which must be reconciled and solved in the halls of Congress. Since it is an issue which must be reconciled and solved in the halls of Congress, I must take exception to the stand taken by the politically interested citizen on Pennsylvania Avenue, who would direct and control the functionings of this body. Inferences and calumnies will not solve this problem. A sincere attitude of cooperation would help a great deal.

There is no man in America, Mr. President, who is charged with the sole responsibility of looking after the health and welfare of the men in the armed services, or with overseeing and directing the operation of their duly elected legislative body. This Congress, as all previous Congresses before it, has always been and always will be sincerely interested in extending every help and every assistance we can to those men who have been called to fight our battle of preservation. And we can do that job much more effectively and much more to the satisfaction of all parties concerned without uninvited interference from other quarters.

I am hopeful, Mr. President, that the Congress will enact this legislation at the earliest possible date, for the important matter is to get the ballots across the seas, to get them marked, and to get them home and to get them counted. I know that we can provide the means for accomplishing that necessary function of American democracy.

Mr. BRIDGES. Mr. President, I send to the desk proposed amendments and ask that they be read, lie on the table, and be printed.

The PRESIDING OFFICER. The amendments will be stated.

The CHIEF CLERK. On page 29, line 8, before the comma, it is proposed to insert a comma and the words: "except that under the heading 'Electors of President and Vice President of the United States' the commission shall print the names of the candidates for President and Vice President and their respective political parties in the spaces provided therefor."

And on page 29 in the form of the official war ballot appearing after line 8, it is proposed to strike out all the matter preceding the heading "United States Senator" and insert in lieu thereof the following:

OFFICIAL FEDERAL WAR BALLOT

Instruction: (1) To vote for President and Vice President, place an X in the space opposite the names of the candidates of your choice.

(2) To vote for United States Senator or Representative in Congress, write in the name of the candidate of your choice for each office or write in the name of his political party—Democratic, Republican, Progressive, or other.

ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

(Place an X in the space opposite the names of the candidates of your choice for President and Vice President)

Names of candidates for President_____
Names of candidates for Vice President____
Political party_____
Choice _____

Mr. BRIDGES. Mr. President, I should like to send to one of the coauthors of the bill, the distinguished Senator from Illinois [Mr. LUCAS], a copy of the amendments I have offered, so that he can be studying them during the period in which I am speaking.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. RUSSELL. I inquire what disposition was made of the amendment offered by the Senator from Louisiana [Mr. OVERTON].

The PRESIDING OFFICER. No disposition has been made of it. The amendment of the Senator from Louisiana is still pending. The amendment presented by the Senator from New Hampshire, as the Chair understands, is simply sent to the desk to be read, printed, and lie on the table, and that order will be made.

Mr. BRIDGES. Mr. President, the proposed legislation pending before the Senate is purportedly designed to facilitate voting by the men and women of the armed forces. With that objective I am in accord. With that objective I hope every Member of the United States Senate and every Member of the House of Representatives is in accord.

I gather from the message delivered to this Chamber a few days ago that the President of the United States also is in favor of our soldiers and sailors voting, although there seems to be a slight difference of opinion between the Congress and the President as to whether laws should be within the limits of the Constitution or not.

If it were not that the President had assured us that he is not speaking as Chief Executive, and not as Commander in Chief of the armed forces, and not even as Candidate Roosevelt, we might almost suspect from the tone of his message that there was some politics involved in the special message of the President. But Mr. Roosevelt assures us very definitely that he was speaking merely as a private citizen, and, of course, there was no politics connected with the message.

Mr. President, you will excuse others of us private citizens if at times we are not sure what robes the President of the United States is wearing when he speaks. For instance, at one time he speaks as "Dr. New Deal"; the next time it is "Dr. Win the War"; and very soon I expect him in a message to Congress or in one of his fireside chats to say, "I am Dr. Politics-Is-Out-for-the-Duration." I think that would be logically the next step.

It was the New Deal so long as the New Deal was popular; so long as the appellation New Deal had some vote-getting ability, of course it was "Mr. New Deal" Chief of the New Deal, speaking. Now it is "Mr. Win the War," but the same man, for aught I know, the same President, the same private citizen. When the time arrives and he comes before this body and says "today I am speaking as Mr. Politics-Is-Out-for-the-Duration" it will be a happy day for the United States Senate, it will be a glorious day for those in the Senate of the United States who have sons fighting in the many corners of the world, and for fathers and mothers everywhere throughout America.

Mr. President, had not the White House spokesman assured us to the contrary we might mistakenly have believed that the pen which wrote the message was the same pen which in 1935 proposed that legislation be adopted "regardless of doubts as to its constitutionality."

Mr. President, those were the days, as you will recall, when the New Deal was a political asset, not a political liability, to the gentlemen across the aisle as well as to its creator in the White House.

We might have thought, Mr. President, had we not been assured that it was only a private citizen who was speaking, that this was the same occu-

pant of the White House who in 1933 struck down, over the protests of Congress, the medical and hospital care and compensation for the wounded veterans of past wars. Mr. President, those were the actions, not merely the words, of President Franklin D. Roosevelt. At that time he was vigorous in his denunciation of those who sought justice for our soldiers of freedom, and mind you so far as I know that was the only economy of a spendthrift administration.

Mr. President, I would that the O. W. I. might recall to the soldiers and sailors now overseas this contrast between 1933 and 1944. I would that the men of our armed forces and their parents might have the opportunity to compare the act of President Roosevelt in 1933 with the action and words of Candidate Roosevelt in 1944.

Mr. President, I am not sure that, had I the power to place those contrasting views in parallel columns before every soldier and sailor, I would do so, for I respect the necessity of maintaining morale in the military forces of this country, even if some others do not.

What can one say when those statements of 1933 and 1944 are read together?

It should not be said of the President of the United States, or even of a candidate for that office:

> The voice is Jacob's voice, but the hands are the hands of Esau.

Mr. President, we have assurance from the sponsors of the proposed legislation that they wish to facilitate a free and informed vote among the military and naval personnel, and that they desire, to every extent possible, to have names of candidates upon the ballot. My amendment would help accomplish both these objectives.

I propose to amend the blank Federal ballot, the bobtailed ballot, if you please, so that it will be at least an improvement, at least a step in the right direction, toward getting an intelligent ballot before the soldiers and sailors of this Nation.

Mr. President, I propose that the names of the Presidential and Vice Presidential candidates shall be listed upon the ticket.

But, Mr. President, there will be some who will say this is impossible, because of the time it takes to get ballots overseas and back to the precincts. There will be delays. But who is causing the delays which would prevent the early nomination of candidates, thereby compelling our boys to vote for a President whose name they do not know?

Mr. President, if the names of the candidates for President and Vice President do not appear upon the ballots, the blame will lie at the door of the White House, and the candidate for a fourth term who resides there.

The Republican Party will nominate their candidates for President and Vice President the last of June. We have taken the step that would implement my amendment. And where stands the New Deal? Let me tell the Senate. The New Deal gives lip service to its desire to help the soldiers vote and to vote upon specific candidates. But, in actual fact, the New Deal administration is postponing its nominating convention, while Republicans nationally and in the States are advancing their dates.

Last week there was left in Chairman Hannegan's hands, at least publicly, the right to name the time of the New Deal's national nominating convention. Now let the candidate wave his wand and name the date upon which the crown will again be thrust upon his reluctant brow.

Mr. President, it is a very simple thing. It stands to reason that we want the most intelligent voting we can have. The Senator from Illinois [Mr. LUCAS] and the Senator from Rhode Island [Mr. GREEN], the sponsors of the bill, say they want to facilitate the voting, and that they want a soldier to have the best possible ballot to vote on. Even they would have to admit that a soldier can vote more intelligently if he has the names of the candidates before him. All he would have under the provision of the bill today would be this bobtailed Federal ballot, a blank ballot, nearly a blank piece of paper.

The soldier over somewhere in the jungles of New Guinea is to vote for President. He has not heard a great deal about the election. He has been fighting the Japs. But he is told some day by his colonel or his captain, "This is the day you vote." So he goes down and gets a blank ballot and votes. He can remember that ever since he was a child in knee breeches the President of the United States has been Franklin Roosevelt. He is the only President he remembers. The soldier has been out of the country for a year or two, or perhaps nearly 3 years, and his thoughts go back to his home, and he thinks of Roosevelt, who was President when he left and ever since he could remember in fact since he was a boy. Perhaps the Republicans, perhaps some of the other political parties, may have nominated candidates, but he has had other things to do in the meantime. He has been overseas fighting to save freedom, fighting for democracy, fighting so that this country may be continued as a beacon light of freedom for the world. Therefore it is going to be a little more convenient for him, he is going to be able to cast a little more intelligent vote, he is going to be in a little sounder position to make his choice of the names on the ballot. The Democratic candidate for President of the United States would be Franklin D. Roosevelt, the candidate for Vice President of the United States, we will say, might be ALBEN W. BARKLEY. [Laughter.]

Then we come down to the Republican candidates, and we will say——

Mr. BARKLEY. Permit me to nominate Senator BRIDGES. [Laughter.]

Mr. BRIDGES. I should be very glad to accept the nomination, but I would not care to run on the Senator's ticket.

Mr. BARKLEY. The Senator would not be allowed to. [Laughter.]

Mr. BRIDGES. In another place on the ballot would be the name of a candidate for President nominated by the Republican Party, and of their Vice Presidential candidate. We do not know who our nominee is to be. I cannot give the Senator the names of our nominees. In mentioning the distinguished majority leader's name, I was just trying to get a well-balanced ticket for the members of the other party.

Mr. BARKLEY. I appreciate the fact that the Senator knows where to get a well-balanced ticket, namely, in the Democratic Party. [Laughter.]

Mr. BRIDGES. I may say it would be well balanced for the Senator's party; I do not think we could take either candidate I have named with any degree of justice to our conscience. Anyway, we would have on the ballot the names of the Republican candidates for President and Vice President, and of the Democratic candidates. The boy over in New Guinea would have an opportunity at least to make a choice as to whom he wanted to vote for as the head of the ticket. He would have before him the names of the head of the ticket of both great political parties. In my opinion that would not be a solution of the problem, but it would be a step toward getting a more intelligent ballot.

Mr. LUCAS rose.

Mr. BRIDGES. Does the Senator wish to ask a question?

Mr. LUCAS. No; I am just listening.

Mr. BRIDGES. I am delighted that the Senator is listening.

Mr. LUCAS. I always like to listen to my friend the Senator from New Hampshire. He always expresses himself well, and really makes a contribution.

Mr. BRIDGES. I am wondering whether the Senator from Illinois would make a contribution at this time by saying he would accept the amendment.

Mr. LUCAS. After the Senator finishes I shall have something to say; but I do not care to interrupt him now.

Mr. BRIDGES. I should really like to have the Senator make a contribution, and say whether he will accept the amendment. Perhaps he might save me from proceeding with my speech.

Mr. BARKLEY. Mr. President, it is against the rules of the Senate to interrupt a Senator who is speaking except to ask a question. [Laughter.]

Mr. BRIDGES. I thank the Senator greatly for that information.

Mr. CHANDLER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the junior Senator from Kentucky?

Mr. BRIDGES. Certainly; for a question.

Mr. CHANDLER. I wish to get one thing clear. Does the Senator think that if the ballot went to the servicemen with no names on it, the chances are Roosevelt would have an advantage?

Mr. BRIDGES. I certainly think so.

Mr. BARKLEY. Will the Senator yield for a question?

Mr. BRIDGES. Certainly; for a question only.

Mr. BARKLEY. If Roosevelt would have an advantage with the soldiers if his name were not on the ticket, would he not have a greater advantage if his name were on the ticket?

Mr. BRIDGES. I certainly do not think so.

Mr. CLARK of Missouri. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. CLARK of Missouri. I do not wish to prolong the interrogation of the Senator, but how the soldiers and sailors would vote seems to me to be entirely beside the question. Does not the Senator think they have an absolute right to vote, if the machinery can be set up to permit them to vote?

Mr. BRIDGES. I certainly do.

Mr. CLARK of Missouri. I know that when I was in the Army in France I was outraged because I was not permitted to vote. I know that when we returned home a great many soldiers were opposed to certain measures which had been passed during our absence, as absolutely unfair, and I refer to changes made in our fundamental laws, without our having a chance to vote on them. It seems to me that how the soldiers and sailors will vote is absolutely immaterial. The question is as to a matter of absolute right, as to whether they have a right to vote or not.

Mr. MOORE. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. Certainly.

Mr. MOORE. I should like to ask the Senator whether he thinks that under the machinery now set up, and contemplated in the pending bill, the soldier will feel that he has the privilege of a secret ballot?

Mr. BRIDGES. I do not see how he could feel that he had the privilege of what we call an absolutely secret ballot such as he would have if he were at home voting in his own polling precinct. Then he would mark his own ballot in a private polling booth, close it and place it with his own hands in the ballot box.

Mr. LUCAS. Will the Senator elaborate on that statement because it is a very important question, and I do not believe the Senator wants to say what he has just said. I do not believe that the Senator wants to say that the Army and Navy officers overseas, to whom we are entrusting the lives of our soldiers and sailors would do anything other than what is fair and equitable and just insofar as the servicemen casting their ballots is concerned. I do not think the Senator would attribute to the officers overseas or in this country intimidation or coercion or persuasion in connection with voting the ballots. I presume there are probably more officers who are Republicans than Democrats. I do not know as to that, and I do not care; but I hope the Senator will be fair as to that one question, because it is a very serious one. The question of secrecy goes to the very heart of suffrage, and I honestly believe from what I know of absentee ballots, that the ballot provided in the pending bill comes as near being a secret ballot as any absentee ballot that was ever voted.

Mr. BRIDGES. Will the Senator explain for the benefit of the Senate the processes that have to be gone through in connection with the proposed ballot? The Senator is the coauthor of the bill.

Mr. LUCAS. The Senator from New Hampshire is a member of the Committee on Privileges and Elections.

Mr. BRIDGES. The Senator as coauthor of the bill should grant the courtesy to the Senate of making the explanation.

Mr. LUCAS. I do not care to carry on the debate with the Senator, but that is apparently what he wants me to do. The Senator is a member of the Committee on Privileges and Elections, and I am not. He has studied the bill and he knows its provisions. He knows that under the provisions of the pending bill the soldier, sailor, or marine has the right to vote the proposed ballot in absolute secrecy. After it is executed he then seals it, and no one is around him when he does it. He seals the ballot, places it in an envelope, and on the outer side he makes the oath with respect to qualifications. That envelope is placed in an outer envelope. On the outer envelope is the name and address of the soldier. That is all there is to it. Insofar as I am personally concerned, from what I know about election judges and officials, I will take a chance on the officers and the noncommissioned officers who are carrying on this war with respect to giving the soldier voter a square deal. I will take a chance on those men from the standpoint of the question of intimidation, coercion, and persuasion, as readily as I will on election officials at home, from what I know about elections.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. MILLIKIN. I should like to ask the distinguished senior Senator from Illinois a question, if I may. Would he be good enough to point to the exact place in his bill that prohibits military censorship of ballots?

Mr. LUCAS. I do not know that I can point to that, but I will make a note of it and if I find it I will explain to the Senator later. If it is not there I certainly want it to be there.

Mr. MILLIKIN. I have not been able to find it. I have found a general provision prohibiting the opening of ballots except by election officials.

Mr. LUCAS. I will say to my distinguished friend that if it is not in the bill it should be there. It must be there. I shall vote for any kind of amendment which prohibits any kind of censorship of the ballots. I am just as interested as any other Member of the Senate in not violating the heart of suffrage, which is the secrecy of the ballot.

Mr. MILLIKIN. I respectfully suggest that the Senator from Illinois will not find a specific prohibition against military censorship.

Mr. LUCAS. If it is not there we will put it there.

I thank the Senator for calling this to my attention.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. BUSHFIELD. We all want the servicemen to vote. We want them to vote in the easiest possible way, but we want them to have a chance at a real ballot, not a shirt-tail thing that nobody understands or nobody could fill out intelligently.

Mr. President for 50 years we have been developing our ballot system in the United States of America. Every State in the country has surrounded its ballots with various regulations and rules so that the voter has an opportunity to vote intelligently upon the ballot for the candidates representing the various parties. Instead of that it is proposed that we hand to a boy who has been away from the country for 2 or 3 years almost, a blank piece of paper and say to him, "Write in your candidate for President. Write in your party if you want to." There are many of these boys who do not know to which party they belong. There are many who do not know the name of any candidate for President but Roosevelt. And I say that in absolute common fairness to the men who are away from their homes, out in the field, they are entitled to have a printed ballot containing all the names of the candidates.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. CLARK of Missouri. I do not desire to interrupt the Senator's argument. I am not going to discuss the mechanics of the measure at this time, because I intend to do that in my own time. But it seems to me that the suggestion which is frequently thrown out that the general would control the colonels, and the colonels would control the captains, and the captains would control the lieutenants, and the lieutenants would control the sergeants, and the sergeants would control the men in their exercise of the right of suffrage is really a slander on the intelligence and independence of the boys and girls who are wearing our uniform overseas. I do not think there is a sergeant, tough as he might be, who could control his section. I do not think there is a lieutenant who could control his platoon. I do not believe there is a captain who could control his company. I am very certain that none of us knows accurately what are the politics of such men as General Marshall and General Eisenhower, and some of my Republican friends on the other side of the aisle are really simply presuming on the fact that General MacArthur happened to be of Wisconsin stock to assume what his politics are. I am certain that none of those eminent soldiers would have any thought in his mind or heart to undertake to control a ballot, and I am very certain that if they were to try to, that the character and independence of the men and women who wear our uniform in the Army and Navy around the world would make such an effort a boomerang. It seems to me to be a reflection on their independence and courage and patriotism for Senators to stand on this floor and say the men in the service would be controlled by their sergeants or the sergeants would be controlled by the lieutenants, or the captains would be controlled by the colonels. It is an absolute impossibility, in view of the nature and character of the men and women we have representing us around the world.

Mr. WHERRY. Mr. President, will the Senator yield for the purpose of asking the Senator from Illinois a question?

Mr. BRIDGES. I yield.

Mr. WHERRY. The question relates to the secrecy of the ballot, and I am again rising in all sincerity to obtain further light. In view of the statement of the Senator from Missouri relative to the authority the officers in the Army might have to administer the oath, I should like to have the Senator turn to subsection (b) on page 33. That subsection, it seems to me, might result in a violation of the principle about which we are talking. This subsection comes after other provisions dealing with the Army. I will read it:

Any commissioned, noncommissioned, or petty officer not below the rank of sergeant or its equivalent in the armed forces of the United States—

Now this is the point about which I want to ask:

and any member of the merchant marine of the United States designated for this purpose by the Administrator of the War Shipping Administration is authorized to administer and attest such oaths as are required by this title.

In the first three lines of the subparagraph is the authorization for any commissioned, noncommissioned, or petty officer not below the rank of sergeant, to administer the oath, but in the next clause we find that "any member of the merchant marine of the United States," regardless of who he may be, who is designated by the War Shipping Board, may administer the oath.

It seems to me that that is a serious encroachment on the secrecy of the ballot in this country, for two reasons: One is that many of those to whom the oaths would be administered would be within the United States anyway, and they ought to comply with the election laws of the United States. The other is that anyone, regardless of qualifications, who may be appointed, from the War Shipping Administrator down, may administer the oath. A man who is against the United States Government and who is employed anywhere under the War Shipping Administration might be given the opportunity to administer the oath, and could question the qualifications of a voter. I want to ask the Senator who introduced the bill—and I ask the question in good faith—whether he does not feel that that clause would to a great extent militate against the secrecy of the ballot? As I understand the language, it would give to any member of the merchant marine the right to administer the oath. When citizens of the United States are given an opportunity to obtain a State absentee ballot, I think it is going a long way to give a member of the merchant marine the right to administer the oath.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BRIDGES. I will yield, but I understood that the Senator from Nebraska wished to ask the Senator from Illinois a question.

Mr. WHERRY. With respect to the matter of secrecy of the ballot, I am asking why that clause would not have the effect in large measure of destroying the secrecy of the ballot, especially for those who could vote in the United States. I am asking the question in all sincerity.

Mr. LUCAS. Mr. President, I appreciate the interest of the junior Senator from Nebraska. I say to him with all the sincerity I possess that all the way through this debate he has been seeking information and light with respect to the bill, instead of endeavoring to spread a lot of heat upon this important measure. He has been looking for light on the bill, and I appreciate his attitude.

Mr. WHERRY. I thank the Senator. I refer to section 6 (b), on page 33, and should like to have the Senator's answer regarding it.

Mr. LUCAS. As I understand the matter, the members of the merchant marine are civilian employees. They do not have rank comparable to the rank of officers of the Army or the Navy. There was a question in the minds of the members of the committee which drew the provision as to whom the authority should be delegated to take the oath in the case of the qualification of the voter who was in the merchant marine and who wanted to vote a uniform Federal ballot.

Admiral Land is the head of the War Shipping Administration.

Mr. WHERRY. Yes; and he is a very able man, and in the Senate I voted to confirm his nomination.

Mr. LUCAS. He is the Administrator of the War Shipping Administration. The more we discussed the question, the more convinced we became that Admiral Land should have the authority to designate the person who would be responsible for administering the oath. For instance, I presume that on a merchant ship of some kind the captain of the ship would be designated as the person to administer the oath. I do not know. I will say to the Senator that I am not very fussy about the provision. If there is anything the Senator desires to add by way of an amendment, I shall be very happy to accept it.

There are approximately 120,000 men in the merchant marine at the present time.

Mr. WHERRY. I also ask the question in the light of section 4 (b) on page 28:

(b) As used in this act—

1. The term "members of the merchant marine of the United States" means persons employed as officers or members of crews of vessels documented under the laws of the United States—

Here is the clause I desire to point out to the Senator—

and persons enrolled for such employment with the War Shipping Administration.

I do not know anything about the heavy registration or the great number of elections in the State of Illinois; but it seems to me there could be a terrific influx into some centers, and that persons could be simply enrolled. Does the Senator see what I mean? I do not say it is the intention of those who introduced the bill to have that occur, but I simply point out some phases of the bill with respect to which I should like to obtain light.

Mr. LUCAS. Mr. President, the statement of the Senator from Nebraska does not apply to the men working on the inland waterways or on the Great Lakes, but does apply to those who are outside the continental limits of the United States. If the Senator would say he would like to have the captain of a merchant ship or some other officer designated to administer the oath, I should be glad to accept such an amendment.

Mr. WHERRY. I do not want to offer an amendment which would delay the passage of the bill. I simply have pointed out to the Senator that it seems to me, in the light of section 4 (b), on page 28, under the terms of which any person can be enrolled, that all that it would be necessary to do would be to take in some such person and put his name on an application to become a member of the merchant marine within the United States.

Then, under the terms of section 6 (b), on page 33, it is not permissible to allow anyone below the rank of noncommissioned officer—below the rank of sergeant, for instance—to administer the oath in the Army; but the bill would allow anyone in the merchant marine, regardless of who he might be, to administer the oath. It seems to me that is a weakness in the bill, and would tend to destroy the secrecy of the ballot; because all such persons could vote in their own States, anyway.

Does the Senator see what I mean?

Mr. LUCAS. Yes, Mr. President. Let me say to the Senator that it all depends on whether the Senator has faith in the head of the War Shipping Administration, Admiral Land.

Mr. WHERRY. I have an abundance of faith in Admiral Land; I voted to confirm his appointment. But certainly his authority would be delegated to a number of persons, on recommendation; and the Senator knows what that might mean.

Mr. LUCAS. It would be in the hands of Admiral Land. We were of the opinion that no one in the Government is more respected than Admiral Land. We thought he would be the proper one to designate. If the Senator is desirous of designating some type of officer of the merchant marine who should administer the oaths—some officer, let us say, corresponding to a petty officer in the Navy or to a sergeant in the Army—I should be glad to accept such an amendment; because the last thing in the world I desire to do is to place in the bill anything which even by implication would violate the secrecy of the ballot. I appreciate what the Senator from Nebraska has said.

Mr. CLARK of Missouri. Mr. President, I should like to have the Senator yield to me so that I may make an observation or two relative to the remarks of the Senator from Nebraska.

Mr. BRIDGES. I yield.

Mr. CLARK of Missouri. Mr. President, I do not entirely agree with what the Senator from Illinois, the author of the bill, has said about this matter. Of

course, I am not a member of the Committee on Privileges and Elections——

Mr. WHERRY. Neither am I.

Mr. CLARK of Missouri. But I think the entire justification for the provision of the bill as it stands now is the difference between the merchant marine engaged in the service of the United States and the Army, Navy, and Coast Guard of the United States. There is a very definite difference between responsible officers of the merchant marine and officers of the Army and the Navy. Every officer of the Army has a definite status. When one refers to a lieutenant, or a captain, or a major, or a colonel, or a sergeant in the Army, one knows precisely what is meant, and knows that those officers are engaged in the services of the United States. When one refers to a chief petty officer or an ensign or a lieutenant or a captain or an admiral in the Navy, one knows exactly what is meant, and knows that those persons are officers of the United States engaged in the services of the United States.

The same thing cannot be said with entire accuracy concerning the merchant marine. Some of the members of the merchant marine of the United States, some of the sailors on board our ships in the United States merchant marine, are engaged in the service of the United States and some of them are not. There is no uniformity as between officers of the merchant marine. It is impossible to establish, in regard to those officers, the same standards that are established with regard to the officers of the Army and the Navy. Therefore, a difference is made in this measure.

The Senator suggested that some of the officers of the War Shipping Administration might be Communists.

Mr. WHERRY. No, Mr. President; I did not say that any of them would be Communists. Will the Senator from New Hampshire yield to me?

Mr. BRIDGES. I yield.

Mr. WHERRY. I do not want to have on record a statement that I said anything which might be construed as meaning that officers of the War Shipping Administration might be Communists. I did not say that.

Mr. CLARK of Missouri. Mr. President, I understood the Senator to say that under the provisions of the pending bill enemies of the United States might be permitted to vote.

Mr. WHERRY. I said that under the provisions of the bill whereby any member of the merchant marine would be given authority to administer an oath, such a provision would tend to destroy the secrecy of the ballot at home. Does the Senator see what I mean?

Mr. CLARK of Missouri. Mr. President, all I wish to say about that remark of the Senator is that it seems to me—and I hold no brief whatever for some of the maritime unions or for some of the members of the seamen's unions who have communistic tendencies—that a man who goes down to the sea in ships in these parlous times, and goes through the submarine zone in a tanker, for instance, and runs the risk of being torpedoed and of having to swim through fiery, flaming seas is not likely to be seriously inclined to work against the welfare of the United States, no matter what his political affiliation might be.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. WHERRY. I do not want my statement to be construed as a charge that anyone whom Admiral Land might appoint might have communistic tendencies. I did not say that on the floor of the Senate. I asked the senior Senator from Illinois if he did not feel that in the light of subsection (b) of section 4, on page 28, and also subsection (b) of section 6, on page 33, and in view of the fact that any member of the merchant marine might administer the oath—and they are the ones who would determine the qualifications—the secrecy of the ballot would be interfered with. The language on page 33, line 15, is as follows:

> All such oaths shall constitute prima facie evidence that the voter is qualified to vote.

All that power is in the hands of the man who administers the oath. If I correctly understand the English language, that is going a long way toward breaking down the secrecy which we have placed around the State ballot system. Under the State system, unless a vote is challenged, it is considered in order when it is finally cast.

I am asking if there is not a weakness in the provisions of the bill and why a distinction is made between officers of the merchant marine and officers of the Army or Navy. In the Army only an officer with the rank of sergeant or higher would be permitted to administer the oath.

Mr. LUCAS. Let me say to the Senator from Nebraska that from the standpoint of handling the Federal ballots there is absolutely no difference between the officer in the merchant marine who administers the oath and the officer in the Army or Navy who administers the oath. In both instances the voting is done in secret. There can be no question about that.

Mr. WHERRY. I understand that.

Mr. LUCAS. After the ballot is voted in secret the voter takes the oath. The oath is printed on the outside of the envelope in which the ballot is enclosed, and the oath is administered after the ballot is sealed. The only difference is in the rank of individuals who are authorized to administer the oath. We say that an officer with the rank of sergeant or higher shall have authority to administer the oath in the Army, or that a petty officer, or an officer of higher rank, may administer the oath in the Navy. As the Senator from Missouri has stated, in the War Shipping Administration there are many different categories. The men are all civilians. The question arose, Whom should we designate? In view of the fact that Admiral Land is in charge, we thought that we would give him the authority to designate the persons to administer the oath; but that does not violate secrecy in any way. As the Senator stated, the bill would give Admiral Land authority to designate anyone in the merchant marine whom he may see fit to designate to administer the oath.

Mr. WHERRY. It goes further than that.

Mr. LUCAS. I do not think it does.

Mr. WHERRY. He determines the qualifications of the voter.

Mr. LUCAS. Oh, no.

Mr. WHERRY. Then what is the Senator's explanation of lines 15, 16, and 17 on page 33?

Mr. LUCAS. That simply means that all such oaths, including the oath which the man in the merchant marine takes, shall constitute prima facie evidence that the voter is qualified to vote, unless the statements contained in such oath indicate to the contrary.

That means that when the vote finally gets back to the election officials, the oath will be prima facie proof that the man is qualified to vote, unless, when the vote gets back to the precinct where the member of the merchant marine resides, the vote is challenged, and the challenge is not overcome by prima facie proof, which I discussed yesterday. That is exactly what it means. In other words, no one in the merchant marine would have any authority to determine the validity of a ballot. If the Senator thinks that language is not clear enough, I certainly want to clarify it by amendment.

Mr. WHERRY. It does not seem clear to me, but I thank the Senator for the explanation.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. DANAHER. I should like to ask the Senator from Illinois and the Senator from Kentucky a question, if I may, which bears markedly on the point to which we have hitherto adverted.

On page 38, in section 12, there is the provision that—

> The Commission, upon receiving any ballot cast under this title, shall promptly transmit it to the secretary of state of the State of the voter's residence who shall at an appropriate time transmit it to the appropriate election officials of the district, precinct, county, or other voting unit of the voter's residence. No person other than such appropriate election officials shall open any official outer or inner envelope purporting to contain a ballot cast under this title.

My question is this: Assume a case in the State of Kentucky, in which State a member of the armed forces has residence. To his particular voting precinct there comes back a sealed envelope, duly authenticated in every respect. Contained in that envelope is an official war ballot. What does the election official in the State of Kentucky do with that ballot when he gets it?

Mr. BARKLEY. I presume he would do what the precinct election officer in any State would do. He would open it, find the ballot, note the name of the voter, and determine the eligibility of the voter to vote. If he found him eligible, then he would count the vote. He might put it in the ballot box with other votes being cast that day. I suppose he would naturally do that; but even if he did not actually deposit the ballot in the box, he would count it along with those that were in the box.

Mr. DANAHER. I understand that under the Kentucky law there is no provision for voting by absentee ballot?

Mr. BARKLEY. There is no provision at this time.

Mr. DANAHER. I feel certain that the Senator from Illinois will concur in the answer which has been given by the Senator from Kentucky.

Is there anywhere in the bill a requirement that the election official in Kentucky—or in any other State which hitherto has made no provision for absentee voting—who actually receives the ballot must deposit the ballot in some ballot box? I find no such provision. If there be one, I should like very much to know where it is. If there be no such provision, it seems to me to be an appropriate comment that lines 11 to 13, inclusive, on page 38, leave the ballot in the hands of some election official who has taken it out of an envelope. There is no requirement imposed on him, either by the bill or under the law of his State, whether it be Kentucky or New Mexico, to do anything with it. I should like to have the Senator's comment if I may have it. If there be any defect, I want to have it corrected, and I know that the Senator from Illinois will agree that it ought to be corrected.

Mr. LUCAS. Mr. President, the Senator has asked a very important question with respect to the State of Kentucky and the State of New Mexico, inasmuch as those two States have constitutional provisions that voters shall vote in person.

Let me say to the Senator from Connecticut that we are discussing a uniform Federal ballot. We are making the election officials of the various precincts our agents or couriers to cast and count the Federal ballots. When we turn to section 14, the last part of that section, relating to the validity of ballots, provides as follows:

> Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

It seems to me that if it be true, as I stated, that the local election officials are the couriers or agents of the Federal Government in connection with Federal ballots under section 14 (a), entitled "Validity of Ballots," those ballots will be counted, canvassed, and certified, the same as any other ballots. In my opinion, there is not much question about it. I believe that the election officials in the States will count those ballots so far as Federal officials are concerned.

Mr. DANAHER. Does not the Senator from Illinois, whose answer I very greatly appreciate, agree that we should amend section 12 so as to provide that the person who in fact extracts the ballot from the envelope shall be placed by us under the duty of doing something with it, namely, casting it in the ballot box of the appropriate election precinct?

Let me point out further to the Senator where we have not yet bridged the definition of a duty upon the election official so to cast a ballot, as related to section 14.

What the Senator has said affords no answer whatever. His answer is that if such a ballot, when offered, be challenged, then the determination as to its validity will be made by the duly constituted election officials; but there is nothing to say what shall be done with the ballot after it has been extracted from the envelope. It seems to me that at that juncture we uncover a defect which should be cured.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. BARKLEY. Inasmuch as the Senator has taken Kentucky as an illustration, I might point out also that under the laws of Kentucky, election officers do not deposit in the ballot box the ballots of those who vote in person. The law requires that the voter himself, after voting in the booth to which he has retired, shall deposit his own ballot in the ballot box. It does not again touch the hands of the election officer. There may be some force to what the Senator has suggested, that if there is any lack of authority or compulsion——

Mr. DANAHER. "Duty" is the word.

Mr. BARKLEY. If there is any lack of definition of duty on the part of the election officer who receives the ballot himself to deposit it in the ballot box in the presence of the voter, that question is worthy of consideration.

Mr. LUCAS. Mr. President, I agree with the Senator from Kentucky and the Senator from Connecticut. I invite attention to lines 11 and 12 on page 38, which read as follows:

> No person other than such appropriate election officials shall open any official outer or inner envelope purporting to contain a ballot cast under this title.

I think the Senator is correct, and I will accept an amendment to meet the suggestion.

Mr. DANAHER. I have not worked out any amendment. I wanted to know what the Senator had thought about the matter. I feel that he has made a very valuable contribution to what we all are trying to accomplish.

Mr. LUCAS. I think the Senator from Connecticut is correct in what he has suggested. I believe it probably could be accomplished under section 12, which provides that the appropriate election officials shall merely open any ballot received under this bill, if it shall become law. However, I should not object to providing that those same officials shall count and canvass the ballot after it is opened and promptly deposit it in the ballot box where it belongs.

Mr. DANAHER. It may seem appropriate to the Senator from Illinois that the interpolation appear in section 14, where line 8 reads "Such determination shall be made by the duly constituted election officials," and insert the words "upon determination of validity the ballots shall be cast in the manner provided in the State," or language to that effect. Then the language continues in line 11: "Votes cast under the provisions of this title shall be canvassed, counted, and certified," and so forth.

Mr. LUCAS. I think the latter part of section 14 would coincide with what the Senator has suggested in the way of an amendment to section 12.

Mr. DANAHER. I thank the Senator.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. FERGUSON. Today in the debate question was raised with regard to compliance with section 3 of the act of 1942, Public, No. 712. It was stated that the Army has a great number of the post cards in question in the United States. I thought it was material to the issue then before the Senate to ascertain definitely what had been done to comply with this section. I have a memorandum which I wish to read into the RECORD so that all Senators may know what has been done by the Army and what has been done by the Navy and the Marine Corps in relation to this particular section. Section 3 reads as follows:

> In each year in which an election for Senators and Representatives in Congress is to be held, such post cards (i. e., the post cards earlier prescribed in sec. 3) shall be made available on February 1, or as soon thereafter as practicable, and from time to time thereafter, prior to the holding of the election.

The section which I have just read would indicate that the post cards were to be available on February 1 and remain available so that soldiers, sailors, and marines would be able to obtain them at all times from that day on, because the language is:

> And from time to time thereafter.

The Army has done the following:

> Nineteen forty-four is a "year in which an election for Senators and Representatives in Congress is to be held." Except for Maine (where the congressional election is in September), elections of Senators and Representatives in 1944 will take place in November. This memorandum explains the action taken by the Army in 1944 to comply with the above-quoted statutory provision.

That is the section I quoted.

The memorandum continues:

> During 1943 the Army printed and spotted in depots throughout the world a large supply of the post-card applications referred to in the statute. Apparently some 8,500,000 post cards are at present available for use (about 10 percent overseas). The present policy of the War Department is to inform soldiers as to use of the post cards at such times as should give to the soldiers the maximum opportunity to obtain and vote absentee ballots. In line with this policy, 2 War Department circulars have been published and others will hereafter be published at suitable times.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. BRIDGES. I yield.

Mr. MILLIKIN. Will the Senator from Michigan repeat the last line concerning the policy of the War Department?

Mr. FERGUSON. It reads as follows:

> In line with this policy, two War Department circulars have been published and others will hereafter be published at suitable times.

Mr. MILLIKIN. Will the Senator please read the preceding sentence?

Mr. FERGUSON. It reads as follows:

> The present policy of the War Department is to inform soldiers as to use of the post cards at such times as should give to the soldiers the maximum opportunity to obtain and vote absentee ballots.

Mr. MILLIKIN. Does not the Senator recognize some distinction there between that policy and the policy of Congress to make a post card available on February 1?

Mr. FERGUSON. I should say there is a distinction between the language used here and the language of the statute. However, I am merely stating what the War Department has done and what its policy is at the present time.

I continue reading the memorandum pertaining to the policy of the War Department.

In circular No. 304, War Department, 1943 (November 22), the use of such post cards by soldiers having voting residence in Louisiana, in connection with the Louisiana State primaries to be held on January 18 and February 29, 1944, was brought to the attention of commanding officers. In circular No. 33, War Department, 1944 (January 26), the use of such post cards by soldiers having voting residences in Illinois, Pennsylvania, Nebraska, and Louisiana, in connection with the April primaries in Illinois, Pennsylvania, and Nebraska, and the April State election in Louisiana, was brought to the attention of commanding officers. From time to time, hereafter, other circulars will advise soldiers of the availability for use of such post cards in relation to specific elections in other States held later in the year.

It is obvious that to distribute post cards wholesale to soldiers in February, many months before ballots can be issued for the general election, or for most primaries, would not implement the War Department's policy to assist and encourage the soldiers to vote.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. FERGUSON. If the Senator from New Hampshire will permit.

Mr. MILLIKIN. I do not understand that there is any policy in existing law which requires the War Department to encourage soldiers to vote. It seems to me a soldier has the right to vote or not to vote as he sees fit. It seems to me this War Department policy of encouraging the soldier to vote may have a certain probative relationship to the charges which have been made that the serviceman will be regimented to vote. If the War Department, the business of which is not to pursue politics or political matters, is now in the business of encouraging soldiers to vote, it seems to me it is definitely out of the realm of its proper functions, to wit, the management of our war effort.

Mr. FERGUSON. Will the Senator from New Hampshire further yield to me?

Mr. BRIDGES. I yield.

Mr. FERGUSON. I am but quoting the language of the War Department. If this particular language were my own, I should be very happy to debate the subject with the Senator, and I am inclined to think the Senator is correct. There is nothing in the statute, as I read it, which provides that these cards shall be at certain places, and available, at all times.

Mr. MILLIKIN. They are to be made available, which is far different from encouragement for their use. I merely suggest that a soldier has the right to vote or not to vote, without the encouragement either way of the War Department.

Mr. FERGUSON. Again proceeding to quote the War Department:

Either the soldier, not being then interested in the long-distant election, will not use the post card, or, if he does use it, he will naturally fill in his then address, thereby risking that intervening changes of duty station will prevent a ballot months later sent to such address ever reaching him. The policy of the War Department is to advise soldiers to forward applications so as to arrive shortly before the earliest date on which the respective States will issue absentee ballots. Any other use of the post card would lead to hundreds of thousands of ballots being misaddressed and never forwarded, or to the necessity of filing subsequent applications to the changed duty stations. Every effort must be made to minimize unnecessary administrative and mailing problems in connection with soldiers voting.

Further steps by the Army under section 3 of the Ramsay Act—

Which is Public Act 712, the act of 1942—

of course, depend on the outcome of pending congressional action. At the present moment, the leading measures would all repeal the act, insofar as concerns its post card provision above quoted.

Then are cited various measures, as follows:

S. 1285 (the Eastland bill) repeals section 3.

S. 1612 (the Green-Lucas compromise) repeals all sections except 1 and 2.

H. R. 3982 (the Worley compromise) repeals all sections except 1 and 2.

H. R. 4017 (the Andrews bill) repeals the act.

Mr. REVERCOMB. Mr. President, will the Senator permit a question?

Mr. FERGUSON. Certainly.

Mr. REVERCOMB. The language the Senator is reading, about pending measures repealing certain parts of the existing act, is very interesting, but the fact remains that the existing act is the law today, which requires action by the War and Navy Departments.

Mr. FERGUSON. Mr. President, so far as the Navy is concerned, in June 1943 the Navy placed on all ships and at all stations post cards amounting to 115 percent of the complement of the ships and the stations. The reason for 115 percent being placed there was that they considered that 115 percent would be sufficient when we consider that about 30 percent of the men then in the service are under 21 years of age.

On January 18, 1944, the Secretary of the Navy dispatched to all ships and all stations by radiogram, or in the United States by mailgram, notice that these cards could be obtained, and that they were to have on hand 115 percent of their complement, that if they did not have that number, they could have them printed in the vicinity in which they were located, or they could, by request, obtain them from Washington.

The same action as applied to the Navy has taken place in regard to the marines and the Coast Guard.

I deemed it essential to place in the RECORD today information as to what had been done by both the Secretary of War and the Secretary of the Navy so far as Public Law 712 was concerned, particularly the provision in relation to the post cards. It may indicate to the Senate what might be done in the future, so far as any other act might be concerned, in relation to the distribution of applications for ballots, or the mailing in of the ballots.

Mr. CHANDLER. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. CHANDLER. The Senator from Connecticut has raised a very important question, one in which the people of Kentucky will be particularly interested, because we have an unusual situation in our State, where ballots are not counted by the election officials in the precincts. They are not touched by the precinct officers after the clerk signs the ballot and hands it to the voter. Later the ballots are taken to the courthouse, and then they are counted. I am quite certain that the Senator from Connecticut has a suggestion which is worthy of further consideration, and something should be done to protect the validity of the ballots, which, in my opinion, could not be opened, in the case of the election officials in Kentucky, at the precincts where the votes would ordinarily be cast. Some method must be provided to protect the envelope, when it is sent from the commission to the secretary of state, and then to the local precinct, because there it will be determined by the local precinct officials whether a voter is or is not a registered voter of the precinct, and is entitled to cast a vote. Under no circumstances, under State law or under the proposed law, would they be authorized to touch them. The ballot will not be counted there, it will be counted later, when all the ballots are in, and all the boxes have been taken to the courthouse. Then the ballots will be counted.

I think the Senator from Connecticut has made a very good suggestion, and further consideration should be given the matter, in order to see to it that the ballot is protected, that its secrecy is maintained, and that it is actually counted for the candidate for whom the soldier wants to have it counted.

Mr. HATCH. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. HATCH. My State was mentioned in connection with the matter just referred to. I wish to say that I have not been too greatly disturbed. I have felt, and still feel, that under the terms of the bill votes of the soldiers should be deposited and should be counted and canvassed by the local election officials in my State. I know every one of them would be glad to cooperate in every possible way. But I think the suggestion which has been made is good, and if there is any doubt at all it should be resolved, and I urge that that be done. I am sure the Senator from Illinois and the Senator from Rhode Island will get together and take care of the matter.

Mr. BYRD. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. BYRD. In order to obtain the latest information as to what the States have been doing with respect to facilitating the voting of soldiers in the armed forces, I sent a telegram to each of the

48 Governors. I ask unanimous consent to insert in the body of the RECORD, as a part of my remarks, the replies received from 36 Governors.

There being no objection, the replies were ordered to be printed in the RECORD, as follows:

BOISE, IDAHO, *February 1, 1944.*
Hon. HARRY F. BYRD,
United States Senate:

Idaho preparing to amend laws to facilitate soldier voting. All needed is assurance on part of Federal Government that it will assume responsibility of distribution. Does Congress propose to amend section 1 article 2 as amended by amendment No. 12 to the Federal Constitution? Please wire.

C. A. BOTTOLFSEN,
Governor of Idaho.

RICHMOND, VA, *February 1, 1944.*
Hon. HARRY F. BYRD,
Senate Office Building:

I have just sent to the general assembly a message asking that legislation be enacted which will permit Virginians in our armed forces to vote in both primaries and general elections for Federal representatives. The privilege is to be granted without registration or payment of poll taxes. The ballot to be furnished upon application by the person wishing to vote or by relative or friend of the person desiring ballot.

COLGATE W. DARDEN, Jr.

HARTFORD, CONN., *February 1, 1944.*
Hon. HARRY F. BYRD,
United States Senate:

Your telegram was not received. Last week the Connecticut General Assembly passed soldiers' vote law making it possible to be made voters although absent from the State to vote a straight, split, or individual candidate ticket with liberal provisions concerning applications for absentee ballots either in person before leaving country, by informal written request or by request of relative or friend directed to registrar of voters. Ballot simplified as to form and reduced as to size and weight. Provision made for using facilities if provided for distribution of absentee ballot forms without application.

RAYMOND E. BALDWIN,
Governor of Connecticut.

Hon. HARRY F. BYRD,
BISMARCK, N. DAK., *January 29, 1944.*
United States Senate:

No amendments as yet. Special session legislature being considered if Congress fails to take prompt effective action. We are determined voters in service be given greatest possible opportunity to vote.

JOHN MOSES,
Governor.

OLYMPIA, WASH., *January 29, 1944.*
Hon. HARRY F. BYRD,
United States Senate:

State of Washington is preparing now to implement State voting machinery so that our armed forces abroad will have full opportunity to vote, if Federal Government fully cooperates in the handling of the ballots.

ARTHUR B. LANGLIE,
Governor of Washington.

RALEIGH, N. C., *January 29, 1944.*
Senator HARRY F. BYRD,
Washington, D. C.:

Your telegram received. The North Carolina General Assembly in January 1943 amended our laws so as to give soldiers at home and abroad full opportunity and facility for voting both in the primary and general election. This applies to all offices, both State and Federal.

J. M. BROUGHTON,
Governor of North Carolina.

CONCORD, N. H., *January 29, 1944.*
Hon. HARRY F. BYRD,
United States Senate:

Have announced shall call special session to advance primary as soon as definite final action is taken by Congress on soldiers' vote legislation. We have absentee voting at the present time. Between primary and election too short for absentee voting of soldiers in foreign service.

ROBERT O. BLOOD,
Governor of New Hampshire.

SANTA FE, N. MEX., *January 29, 1944.*
HARRY F. BYRD,
United States Senate:

Our absentee ballot law once held unconstitutional by supreme court. We have brought action to have supreme court reconsider decision in light of new developments. Every possible effort is being made to give soldiers the right to vote. If supreme court opinion will permit soldiers to vote legislature will be called to pass necessary legislation.

JOHN J. DEMPSEY.

CHARLESTON, W. VA., *January 29, 1944.*
Hon. HARRY F. BYRD,
United States Senate:

Our legislature at extra session convened especially for the purpose passed a bill which became a law on the 7th of this month which provides all West Virginia members of the armed forces means of voting until after the end of the war.

M. M. NEELY.

JACKSON, MISS., *January 29, 1944.*
HON. HARRY F. BYRD,
Senate Office Building:

Necessary amendatory legislation facilitating soldiers' voting in process of enactment now.

GOV. THOMAS L. BAILEY.

SALEM, OREG., *January 29, 1944.*
HARRY F. BYRD,
United States Senate:

Pleased to answer that our election officials advise that Oregon's 1943 legislative act makes full provision providing the necessary latitude so that our State is in position to answer your question in the affirmative.

GOV. EARL SNELL.

SPRINGFIELD, ILL., *January 30, 1944.*
Hon. HARRY F. BYRD,
Senate Office Building,
Washington, D. C.:

In reply to your telegram please be advised that on January 13 I signed a bill passed at a special session of the Illinois State Legislature giving to Illinois men and women in the armed services their full right and opportunity of voting for national, State, and county offices no matter on what battle front they are stationed. If the Federal Government will provide the necessary facilities for transporting the ballots no Illinoisan in the service who desires to exercise his right of franchise need be denied that privilege.

DWIGHT H. GREEN, *Governor.*

MADISON, WIS., *January 30, 1944.*
Senator HARRY F. BYRD,
United States Senate:

Wisconsin has enacted into law provisions to advance our primary and facilitate soldiers' voting so that all may be able to vote in the general election. Forwarding bill via air mail.

WALTER S. GOODLAND, *Governor.*

PHOENIX., ARIZ., *January 29, 1944.*
Hon. HARRY F. BYRD,
United States Senate:

Rewire special session Arizona Legislature soon to be called to enact soldier voting legislation. Would like to know what action Congress will take in order that we can integrate State law with National.

SIDNEY P. OSBORN,
Governor of Arizona.

HELENA, MONT., *January 29, 1944.*
Hon. HARRY F. BYRD,
United States Senate:

Chapters 89 and 101, Montana Session Laws of 1943 provide adequate State voting machinery so that our armed forces will have opportunity to vote.

SAM C. FORD, *Governor.*

AUSTIN, TEX., *January 31, 1944.*
Senator HARRY F. BYRD,
Senate Office Building:

Soldiers can vote in Texas on same terms as any other citizen.

COKE STEVENSON,
Governor of Texas.

TALLAHASSEE, FLA., *January 31, 1944.*
Hon. HARRY F. BYRD,
United States Senate:

Reurtel amendments made by 1941–43 sessions of legislature to facilitate soldiers' voting believed relatively satisfactory; therefore, plan no immediate additional action. Regards.

SPESSARD L. HOLLAND, *Governor.*

NASHVILLE, TENN, *January 29, 1944.*
Hon. HARRY F. BYRD,
United States Senate:

Retel Tennessee has not amended its laws to facilitate soldiers voting. While the question is receiving very careful study to determine what can be done under our constitution, I do not contemplate calling a special session of the legislature until it is determined what, if any, action will be taken by Congress in order that any legislation in Tennessee may, if possible under our constitution, be in harmony with congressional action.

PRENTICE COOPER, *Governor.*

DES MOINES, IOWA, *January 29, 1944.*
Hon. HARRY F. BYRD,
Senate Office Building:

In response to your telegram, the Iowa Legislature has just concluded a 3-day special session in which our absent voters law, adequate for absent voting in primaries and general election from any place in the United States, was amended to give members of the armed forces 55 clear days to vote from any part of the world by absent ballot. Provisions were simplified to facilitate application forwarding and voting. A ballot commission was established to coordinate and to meet possible contingencies.

B. B. HICKENLOOPER,
Governor.

PROVIDENCE, R. I., *January 29, 1944.*
HARRY F. BYRD,
United States Senate:

Re your tel, qualification for voting and voting procedure is fixed in the constitution rather than by statutory law. Yesterday the general assembly authorized me to call a constitutional convention to amend the constitution so that the general assembly would have the power to deal effectively with the

matter of qualifying and simplifying procedure for soldiers voting and to conform with whatever procedure the Federal Government finally adopts.

J. HOWARD MCGRATH,
Governor.

DOVER, DEL., *January 31, 1944.*
Senator HARRY F. BYRD,
Washington, D. C.:

Replying to your telegram, State now has absentee voter law for qualified voters. Certain changes required for oversea voting. Special session of legislature contemplated for necessary amendments to law.

WALTER W. BACON,
Governor of Delaware.

LINCOLN, NEBR., *January 31, 1944.*
Senator HARRY F. BYRD,
Senate Office Building:

Nebraska will probably hold special session after Congress makes decision. If you will make special mailing facilities available Nebraska will get a full State ballot to every soldier who requests it and will provide ample time for its return. Executive committee Governors Conference will be in session at Hay-Adams Hotel, Washington, on Tuesday, February 1.

DWIGHT GRISWOLD,
Governor of Nebraska.

AUGUSTA, MAINE, *January 31, 1944.*
HARRY F. BYRD,
United States Senate:

Present Maine law adequate to allow soldier voting if Federal Government can handle round-trip mailing of ballots in 45 days. More complete statement follows by air mail.

SUMNER SEWALL.

DENVER, COLO., *January 31, 1944.*
Hon. HARRY F. BYRD,
Senate Office Building:

Colorado Legislature now in special session enacting legislation permitting overseas soldiers vote. Expect Congress recognize this constitutional right and provide for carrying it into effect.

JOHN C. VIVIAN,
Governor of Colorado.

BOSTON, MASS., *January 31, 1944.*
Hon. HARRY F. BYRD,
Senate Office Building:

Reurtel soldiers voting. Massachusetts has not amended its laws, but will do so promptly when Congress has completed legislation.

LEVERETT SALTONSTALL,
Governor.

TOPEKA, KANS., *January 31, 1944.*
Hon. HARRY F. BYRD,
United States Senate:

Re your telegram please be advised our 1943 session of legislature made provision for soldier voting providing the Federal Government will cooperate in transportation of ballots to and from the armed forces. Regards.

GOV. ANDREW F. SCHOEPPEL.

MONTPELIER, VT., *January 31, 1944.*
Senator HARRY F. BYRD,
United States Senate:

Our State stands ready to amend existing absentee voting laws to provide adequate times to allow soldier voting and will do so. Full Federal cooperation in transmission of ballots, their handling, and return will be essential, however.

WILLIAM H. WILLS,
Governor of Vermont.

COLUMBIA, S. C., *January 31, 1944.*
Senator HARRY F. BYRD:

Legislation introduced concerning soldier vote in primaries; main importance in our State is primary. Our people show very little interest in general election. Letter follows.

Sincerely,

OLIN D. JOHNSTON,
Governor.

MONTGOMERY, ALA., *January 31, 1944.*
Hon. HARRY F. BYRD,
United States Senate,
Washington, D. C.:

Retel no change in our law passed several years. No immediate plans for change. We have absentee voting law which accommodates all soldiers in continental United States.

CHAUNCY SPARKS,
Governor.

ATLANTA, GA., *January 31, 1944.*
Senator HARRY F. BYRD,
Senate Office Building:

Georgia was the first State in the Union to liberalize its voting laws so as to authorize soldier voting. Federal voting law would have little effect in this State, because it would not control primary elections and could not enable soldiers to vote for State and local officers. Georgia's voting laws allow period of 90 days to get ballots to and from soldiers.

ELLIS ARNALL,
Governor.

SACRAMENTO, CALIF., *February 1, 1944.*
Senator HARRY F. BYRD,
Senate Office Building,
Washington, D. C.:

Extraordinary session of legislature today adopted soldiers' voting law by unanimous vote in both houses. Sending you a copy air mail. This bill meets with my full approval, subject to final legal approval by attorney general. Anticipating favorable legal opinion. Expect to sign bill within next few days, legislation to become effective immediately. Regards.

EARL WARREN,
Governor.

COLUMBUS, OHIO, *January 31, 1944.*
Hon. HARRY F. BYRD,
United States Senate,
Washington, D. C.:

Legislature will be called in session just as soon as Congress acts on soldiers' voting measure to conform our laws with what is necessary as a result of the action of Congress. I want to assure you that the State can fully carry out its responsibility and that the soldiers will have the same right to vote as they did at home.

JOHN W. BRICKER,
Governor.

HARRISBURG, PA., *January 31, 1944.*
Hon. HARRY F. BYRD,
United States Senate,
Washington, D. C.:

Under State voting machinery practically all absentee members of armed service from Pennsylvania who are qualified and who apply for a ballot can do so if complete cooperation is given by Federal Government.

EDWARD MARTIN,
Governor of Pennsylvania.

CARSON CITY, NEV., *January 31, 1944.*
Hon. HARRY F. BYRD,
United States Senator,
Senate Office Building,
Washington, D. C.:

Reurwire. Amendments 1943 session improved Nevada soldier and sailor absentee law to such extent that, with exception of one minor deficiency, law is adequate. As the law now stands it is certainty that votes can be cast in general election. Deficiency applies to time element between final declaration of candidates and primary election. Registration of member of armed forces not required in Nevada. Have been waiting for final action of Congress before deciding whether special session necessary.

E. P. CARVILLE,
Governor of Nevada.

PIERRE, S. DAK., *January 31, 1944.*
Hon. HARRY F. BYRD,
Senate Office Building,
Washington, D. C.:

South Dakota has permitted voting by mail for years. If Federal Government provides opportunities in the field, in camps, and at sea for military personnel to vote, and will afford air-mail transportation of letters, all South Dakota people now eligible to vote can vote at next election without any amendments of our laws. However, if Federal legislation should require amendments of our laws, we would furnish them. If he desires, Senator TAFT can show you telegram which I sent him Saturday.

M. Q. SHARPE,
Governor of South Dakota.

JANUARY 29, 1944.

DEAR SENATOR BYRD: I hope Congress will pass workable legislation to facilitate soldiers voting as promptly as I am answering your telegram of this date.

Oklahoma has not amended its laws to the extent that I think will be necessary in this connection. I do not think it can do so intelligently until we know what, if anything, Congress is to do. We certainly expect to help bring about whatever legislation is needed by the State to adequately facilitate this matter.

With very best wishes, I am,

Sincerely yours,

ROB'T S. KERR,
Governor of Oklahoma.

Mr. BYRD. Mr. President, I also ask unanimous consent to insert a telegram from Governor Dewey, of New York, on the same subject, addressed to the Senator from New Hampshire [Mr. BRIDGES].

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

ALBANY, N. Y.

Hon. STYLES BRIDGES,
Senate Office Building:

In answer to your telegram, every citizen of New York can and must have an opportunity to vote. The Constitution of the State of New York provides that no citizen of the State shall be deprived of his right to vote by reason of his being in the armed forces. I am sure the legislature would favorably consider any necessary statutory changes in the existing war-ballot law to make full distribution of ballots possible as soon as we know what Federal requirements must be met. Any ballot authorized by Congress which would not list State, county, and other local offices would be incomplete and not in accordance with the provisions of the Constitution of the State of New York. Therefore, it would be incumbent upon the New York Legislature to make available to every citizen in the armed forces from the State of New York a full and complete State ballot.

THOMAS E. DEWEY.

Mr. BYRD. Mr. President, I ask unanimous consent to insert in the RECORD four telegrams, one from the Governor of Minnesota, one from the Governor of New Jersey, one from the Governor of Idaho, and one from the Governor of Missouri, addressed to the Senator from Ohio [Mr. TAFT], on the same subject.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

ST. PAUL, MINN., *February 1, 1944.*
Hon. ROBERT A. TAFT,
Senate Office Building,
Washington, D. C.:

Re your wire January 28 Minnesota will provide necessary State voting machinery if Federal Government cooperates in handling ballots.

EDWARD J. THYE,
Governor.

STATE HOUSE,
Trenton, N. J., January 28, 1944.
Hon. ROBERT A. TAFT,
Senate Office Building,
Washington, D. C.:

New Jersey will provide the necessary State machinery for absentee soldier voting. Legislation will be passed in ample time for ballots to reach any area, providing Federal authorities supply necessary distribution, collection, and return to the State.

Kindest regards,

WALTER E. EDGE.

BOISE, IDAHO, *January 28, 1944.*
Hon. ROBERT A. TAFT,
United States Senate,
Washington, D. C.:

Idaho equipped necessary voting machine if Federal Government will assume responsibility of distributing ballots.

JAMES A. DEMENT,
Secretary to Governor Bottolfsen.

JEFFERSON CITY, MO., *January 28, 1944.*
Hon. ROBERT A. TAFT,
Senate, Washington, D. C.:

Laws of Missouri provide for absentee voting at special, general, or primary elections by a duly qualified elector absent from Missouri as a member of any of the armed services. Such elector may vote, regardless of compliance with provisions of laws requiring the registration of voters. Laws of Missouri do not, however, provide for availability of absentee ballot for forwarding to servicemen outside the United States at least 45 days before the election as per joint statement of December 30, 1943, mentioned by Secretaries Stimson and Knox in letter of that date to the Council of State Governments. The office of attorney general of Missouri has before it questions pertaining to what changes, if any, should be made in the law of Missouri in order that absentee ballots for primary and general election may be sent at least 45 days prior to each of said elections to qualified electors of Missouri who are serving in the armed forces of the United States. Extra session of legislature would be necessary to make changes in election laws. No decision has been reached as to whether such extra session will be called.

FORREST C. DONNELL,
Governor.

Mr. BYRD. Mr. President, I shall discuss the contents of the telegrams tomorrow.

Mr. BARKLEY. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. BARKLEY. I had hoped that the Senator from New Hampshire would proceed with his address without yielding further, in the hope that we might conclude shortly.

While the Senator is yielding, I should like to say that I have been advised by Members of the Senate on both sides that it is desirable that we have a vote on the Overton amendment as soon as possible. The Senator from New Hampshire himself is anxious to have a vote on it, and other Senators have indicated their desire to vote on it. Of course, there are many other amendments which are printed and which are lying on the desks of Senators, which could be debated ad infinitum, if not ad nauseum, just as the pending amendment has been, and there will be ample opportunity to discuss all the subjects now being discussed. Most of the debate which has taken place today has had nothing to do with the Overton amendment. I hope that we may vote on the Overton amendment so we may say that after 10 days of debate we have been able to vote on one question.

Mr. BRIDGES. When the Senator referred in his rather cryptic humorous way to the amendment he was referring to the Overton amendment, was he not?

Mr. BARKLEY. Yes; to the Overton amendment.

Mr. BRIDGES. The Senator was not referring to my amendment?

Mr. BARKLEY. No, no. The Senator's amendment is not pending. It was simply ordered to lie on the table and to be printed.

Mr. BRIDGES. Yes.

Mr. President, we have an example from the Republican National Committee of a desire to have the name of its candidate known.

We have an example of Republican Governors and legislatures advancing their primary dates in order to help the soldiers to vote.

Mr. President, I challenge the Senators who sponsor the proposed legislation to make good on their fervent protests.

Let them advance boldly to the White House as Senators of the United States and consult Candidate Roosevelt and ask that he set the Democratic National Convention for June, and then we will be able to put my amendment into effect, and at least the American soldiers and sailors will have an opportunity to have some names on the Federal bobtail ballot and be able to approach the election a little more fairly, a little more intelligently, and cast a ballot which is more in the American way.

Mr. President, I do not know who the nominee of the Republican Party will be. We have many able candidates, outstanding men, who would make fine Presidents and fine Vice Presidents. We are not ashamed to have their names on the ballot. We are not afraid of what the men in the armed forces might think of either our candidates for President or Vice President. In fact, we will be rather proud of the men we nominate.

I ask the distinguished Senators from Rhode Island and Illinois, Why is the New Deal postponing its convention this year while the Republicans move their convention date forward?

Mr. President, it ill behooves the President of the United States to issue inflammatory statements attacking the Congress. There are men in this Chamber whose sons have already made the eternal sacrifice for their country. A majority of the Members of the Senate have sons in the service, most of them on the fighting fronts all over the world. My own son is one of those. He has been in the South Pacific for nearly a year.

There is not a Republican Member of Congress who would deny the vote to those serving in the armed forces. So far as I am personally concerned, neither the President of the United States, nor the Senator from Illinois, is competent to tell me what are the best interests of the men and women in the armed services. My fairness, and the fairness of Senators on this side of the aisle, in dealing with this subject is an open record. Yet the President tells the country that Congress is not concerned with the best interests and the welfare of the boys in uniform.

Mr. President, we know what the boys are fighting for. We know that they are offering their lives in order that America shall continue to be the beacon light of freedom to the world, safe from the transgression of the dictator from without or from within. We of the Senate well recall that we took an oath before our God to protect the Constitution of the United States.

The issue we have before us is not a new one. Down through the years the voice of the people has spoken to the legislatures and to the Congress to resist the encroachments, the ambitions, the lust for power of individual men.

It is our duty to do our bit to protect the vote in this country, and to protect the freedom which that vote represents.

Mr. President, I very graciously and generously allowed time to my colleagues on both sides of the aisle for questioning. The Senator from Illinois [Mr. LUCAS] asked me in effect if I did not think that the soldier in voting would not vote as secret a ballot as a man voting in his home voting precinct. My answer to that question is, Of course not. Even with the greatest care—and at this time I charge no one with a desire to interfere with the voting by servicemen—the number of hands and the processes through which the ballot must pass by necessity would make it less secret than the ballot cast by the individual from his own hands in his own ballot box in his own precinct.

Secondly, Mr. President, I wish to make answer to the Senator from Missouri [Mr. CLARK] who suggested that certain aspersions had been cast upon officers in the Army and the Navy with respect to influencing the vote. I have not made such a statement. No one is accusing the officers of the Army or the Navy with influencing the votes of the enlisted men. I do not blame the average soldier, knowing that his mail is censored today, if he wonders whether he shall be able to cast a completely secret ballot.

Mr. President, so far as I am concerned, I want the soldiers and sailors to vote. I want them to be able to vote in the American way. I want them to vote the most intelligent ballot which can be presented to them and to have them informed on the issues and the candidates. So far as I am concerned—and I think I share the views of most Senators on this side of the aisle—when anyone cries out fraud and accuses Senators or Representatives of trying to hamper the effort to give soldiers the right to vote, I say that that, Mr. President, is bunk, in pure American English. It is bunk, because there is not a man, woman or child in

America who is a real American who does not want the soldiers and sailors to vote. There is not a Member of Congress who does not want the soldiers and sailors to have an opportunity to vote. But we want them to vote with the greatest number of safeguards possible, and we want them to vote on a fair ballot, on the most complete and intelligent ballot possible. We want them to vote in the American way. We want their votes to be counted, and we want the election to be legal.

Mr. BARKLEY. Mr. President, may I ask now if we cannot obtain a vote on the Overton amendment? It will, of course, require a quorum call, but I think there should be no difficulty in obtaining a quorum.

Mr. WHITE. Mr. President, I agree with the Senator from Kentucky that there should be a quorum call before any agreement is reached with respect to a vote. I know of no Senator who is ready now to proceed with the debate. I know of no Senator who wants to address himself particularly to the Overton amendment. So far as I am concerned, if we may have a quorum call and a quorum is obtained I shall not interpose any objection to a vote being taken.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HATCH in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	O'Mahoney
Andrews	Gillette	Overton
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hill	Shipstead
Brewster	Holman	Smith
Bridges	Jackson	Stewart
Brooks	Johnson, Colo.	Taft
Buck	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Bushfield	Langer	Thomas, Utah
Butler	Lodge	Tobey
Byrd	Lucas	Truman
Caraway	McCarran	Tunnell
Chandler	McClellan	Tydings
Chavez	McFarland	Vandenberg
Clark, Idaho	McKellar	Wagner
Clark, Mo.	Maloney	Wallgren
Connally	Maybank	Walsh, Mass.
Danaher	Mead	Walsh, N. J.
Davis	Millikin	Wheeler
Downey	Moore	Wherry
Eastland	Murdock	White
Ellender	Murray	Willis
Ferguson	Nye	Wilson
George	O'Daniel	

The PRESIDING OFFICER. Eighty-nine Senators having answered to their names, a quorum is present.

Mr. BARKLEY. Mr. President, I have been advised that a number of Senators have left the Chamber on the assumption that no vote would be had this afternoon. Therefore, I shall not insist on having a vote on the Overton amendment at this time; but I ask unanimous consent that at an hour not later than noon tomorrow, the session to begin at 11 a. m., the Senate proceed to vote on the pending Overton amendment without further debate.

Mr. WHITE. Or on any amendment to the Overton amendment?

Mr. BARKLEY. Yes; or on any amendment to the Overton amendment. I thank the Senator.

Mr. WHITE. Mr. President, I feel, as does the Senator from Kentucky, that we should begin speedily to reach the voting stage in connection with the pending legislation. I certainly do not want those on this side of the aisle to be charged, either now or at any other time, with undue delay. The pending bill is an extraordinary piece of legislation. It presents new problems which no Member of the Senate has heretofore had to consider, and involves complicated constitutional questions and questions of practicability with respect to legislation. I believe that up to now the debate has been justified, and that those who have participated in it may not be charged with any unwarranted delay. However, I feel, as does the Senator from Kentucky, that we have reached the stage where we should begin to dispose of the amendments as speedily as we can. I have no objection to the request.

Mr. BARKLEY. I thank the Senator from Maine.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from Kentucky?

Mr. OVERTON. I should like to have a yea-and-nay vote on the amendment. Can that be determined now?

Mr. BARKLEY. So far as I am concerned, it can; but I assure the Senator from Louisiana that he will be able to obtain it; I will do all I can to help him obtain a yea-and-nay vote.

Mr. OVERTON. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Kentucky? The Chair hears none, and the order is made.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. HATCH in the chair) laid before the Senate a message from the President of the United States nominating John P. McMahon, of the District of Columbia, to be Associate Judge of the Municipal Court for the District of Columbia, which was referred to the Committee on the Judiciary.

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the United States Public Health Service.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc, and that the President be immediately notified of the confirmations.

The PRESIDING OFFICER. Without objection, the postmaster nominations are confirmed en bloc, and the President will be immediately notified.

Mr. BARKLEY. Mr. President, I make the same request with respect to all other nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be immediately notified of all other nominations confirmed today.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 27 minutes p. m.) the Senate took a recess until tomorrow, February 2, 1944, at 11 o'clock a. m.

NOMINATION

Executive nomination received by the Senate February 1 (legislative day of January 24), 1944.

THE JUDICIARY

MUNICIPAL COURT, DISTRICT OF COLUMBIA

Hon. John P. McMahon, of the District of Columbia, to be associate judge of the municipal court for the District of Columbia. (Judge McMahon is now serving in this post under an appointment which expired December 15, 1943.)

CONFIRMATIONS

Executive nominations confirmed by the Senate February 1 (legislative day of January 24), 1944.

UNITED STATES PUBLIC HEALTH SERVICE

PROMOTIONS IN THE REGULAR SERVICE

To be passed assistant surgeon

William S. Hotchkiss

To be sanitary engineer director

William H. W. Komp

To be passed assistant sanitary engineer

Richard T. Page

To be temporarily promoted to senior sanitary engineer

Mark D. Hollis

To be temporarily promoted to passed assistant dental surgeon

Norman L. Zwickel

To be temporarily promoted to passed assistant surgeon

Avery B. Wight

To be temporarily promoted to surgeons

Bryan A. Dawber
Bryon J. Olson
Harold R. Sandstead

POSTMASTERS

FLORIDA

Cecilia A. Hanson, Belleview.
Wendell L. Longstreth, Bradenton Beach.
Ralph A. McIntosh, Brandon.
Etta Matthews, Caryville.
Clara Wicker, Coleman.
Harriet J. Cooper, Crawfordville.
Thomas J. Chapman, Goulds.
Arthur J. Allen, Lake Park.

OKLAHOMA

Ed Whiteaker, Panama.

PENNSYLVANIA

Frank C. Davis, Alum Bank.
Charlotte E. Capwell, Factoryville.
Bertha M. Flesser, Farm School.
James A. Donahue, Hellwood.
Walter W. Gilmore, Hillsville.
Olive K. Floyd, Hookstown.
Ralph M. Pearce, Hyde.
Charles M. Brubaker, Intercourse.
W. Herbert Pearsol, Kunkletown.
Charles C. Duck, Lewistown.
Martha M. Stamm, Lincoln.
Thomas F. Melody, Locust Gap.
Ella R. Bradley, Mahanoy Plane.
Alexander J. O'Reilly, Mayview.
Marie Sterrett Smith, McKean.
Basil W. Bradley, Middlebury Center.
Lucy M. Labuski, Morris Run.
George P. Kratzert, Neffsville.
Mary F. Wilson, Newportville.
Agnes Susan Whisdosh, Norvelt.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 1, 1944

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven, Thou art not simply a God of might and wisdom; in the temple of our souls we discern Thee and in the wonder and deeper life of the spirit we acknowledge Thee. Thy outward works are most glorious, but we would truly know Thee in our hearts. Against every desire, every temptation and disappointment is our Lord and Master meeting us at the altar of the soul; with but feeble knowledge of the magnitude of our God, we come in humility.

We linger in our thoughts: How soon we are weak and weary; how often we, whom Thou hast loved, are fatigued by reason of the infirmities of the flesh, yet how patient Thou art and waiting to be gracious. Grant that everything that is unlike Thee, we may count as unworthy of ourselves. We pray for the spirit that diligently seeks the stimulation of the Divine mind. Though the many ways of humanity are straying hither and thither, may we be kept steadfast in the faith that our God is, and evermore shall be. Blessed Lord, without Thee we are no more capable of saving this world than we were capable of creating it; each day may we be led to use our station and gifts to hasten the advent of the parliament of man. When our labors are employed to remind men of the "Eternal Goodness" and when our country makes its power a bulwark of liberty and justice, Thy kingdom, O God, is on its way; all hail America in Thy name. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. DIES. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD a short article by George E. Sokolsky.

The SPEAKER. Is there objection?

There was no objection.

THE LATE HONORABLE THOMAS W. HARDWICK, OF GEORGIA

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VINSON of Georgia. Mr. Speaker, it is my sad duty to announce to the House the death of the Honorable Thomas W. Hardwick, of Sandersville, Ga. As many of the older Members of this House will remember, Mr. Hardwick served in this body for 16 years. He was my predecessor in representing the old Tenth Congressional District of Georgia, and resigned in 1914 to take a seat in the United States Senate, to which he was elected in that year, and in which distinguished body he served until 1919. In 1920, he became Governor of Georgia, in which capacity he served until 1923.

No one from Georgia has had a more distinguished career. He was a brilliant lawyer, an outstanding orator, and a political leader without peer. In Congress he engaged in some of the most controversial debates of the day. He was not afraid to speak his mind and always had the courage of his convictions. He was my warm personal friend of many years, and I am deeply grieved at his passing. I am sure that his many friends in this body and in the Senate will share in my grief, and will join with me in extending our sympathy to his bereaved widow and daughter.

The SPEAKER. The time of the gentleman has expired.

WAR CRIMINALS SHOULD BE DENIED SANCTUARY IN NEUTRAL TERRITORY

Mr. KELLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KELLEY. Mr. Speaker, not since the days of Genghis Khan and Tamerlane has there been such cruelty inflicted upon defenseless people and prisoners of war as that perpetrated by the beasts of the Mikado. We should not have been surprised. Beneath the veneer of civilization there was the savage and the barbarian. What we witnessed was a reversion to type.

Every American hopes and prays for the day when justice will be done to these criminals. But it will not be done if they are allowed to seek refuge on neutral soil. This cannot be permitted. To forestall such attempts I yesterday introduced House Resolution 427, calling upon the President to enter into an agreement with our allies to prevent war criminals from finding sanctuary or safety on neutral territory. This resolution is before the Foreign Affairs Committee. I hope it will be given speedy consideration. The American people certainly want some provision to prevent the escape of those responsible for crimes committed upon American men and women.

The SPEAKER. The time of the gentleman has expired.

APPOINTMENT OF MEMBERS TO THE BOARD OF VISITORS TO THE UNITED STATES COAST GUARD ACADEMY FOR THE YEAR 1944

The SPEAKER laid before the House the following communication, which was read by the Clerk:

JANUARY 22, 1944.

The SPEAKER,
The House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: Pursuant to the act of April 16, 1937, as amended (Public, 38, 75th Cong., 1st sess.), I have appointed the following members of the Committee on the Merchant Marine and Fisheries to serve as members of the Board of Visitors to the United States Coast Guard Academy for the year 1944: Hon. FRANK W. BOYKIN, Hon. HERBERT C. BONNER, Hon. FRED BRADLEY.

As chairman of the Committee on the Merchant Marine and Fisheries, I am authorized to serve as an ex-officio member of the Board.

With kindest personal regards, I am

Yours very sincerely,

S. O. BLAND, *Chairman.*

The SPEAKER. Pursuant to the provisions of Public Law 183, Seventy-sixth Congress, the Chair appoints as members of the Board of Visitors to the United States Coast Guard Academy, the following Members of the House: Mr. FORAND, Mr. MCWILLIAMS.

EXTENSION OF REMARKS

Mr. MANASCO. Mr. Speaker, I ask unanimous consent to insert in the RECORD a newspaper article appearing in this morning's Washington Post.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SULLIVAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Mining Record, of Denver, Colo.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the Observer.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of mustering-out payments.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therewith a memorandum from the Navy Department.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my own remarks

in the RECORD and to include an editorial from the Parkersburg News.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SOLDIERS' VOTING LEGISLATION BY THE STATES

Mr. HILL. Mr. Speaker, I ask unanimous consent that I be permitted to address the House for 1 minute and that I may revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HILL. Mr. Speaker, the State of Colorado called its legislature in extraordinary session last Friday to provide ballots for the soldiers across the sea. I call your attention to the message the Governor sent to the legislators as they met in that session on Friday. I hope every one of the Representatives in Congress will read what the Governor of Colorado did and had to say to the members of the Colorado State Legislature.

EXTENSION OF REMARKS

Mr. HILL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BURGIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an excerpt from a pamphlet issued by Food for Freedom.

The SPEAKER. Is there objection?

There was no objection.

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial from the Boston Herald.

The SPEAKER. Is there objection?

There was no objection.

SOLDIERS' VOTE

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WRIGHT. Mr. Speaker, today we take up the servicemen's voting bill. I do not intend to make any charges or insinuations as to any motives which may activate any Member of this House, no matter which way he votes, or no matter which bill he votes for. However, I should like to call the attention of the House to the fact that I understand a considerable number of Members of this House will seek to defeat the previous question on the rule, for the sole purpose of providing machinery by which a roll-call vote may be obtained, wherein the issue is the uniform Federal ballot, which its sponsors believe is the only way to get an effective vote to the soldiers, and the other bill which has been reported out of the committee, which would rely upon the voting machinery of the States.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

REPORTS OF CASUALTIES

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LANE. Mr. Speaker, the Nation recognizes that the Departments of War and Navy give swift and accurate reports on casualties to the next of kin. I admire, particularly, the solicitude of these otherwise stern agencies, in the instructions they issue to the telegraph companies not to deliver distressing news at a late hour.

However, one case came to my attention recently, which indicates that there is some room for improvement. On Friday, January 14, 1944, the family of a Greater Boston man was notified that their son had been killed in action at his Alaskan post. Several days elapsed before they were further informed that he died from asphyxiation after being caught in a snowslide.

A family bereaved experiences keener suffering if it does not know the circumstances surrounding the death of a loved one. If the members of the family could but know the full story at once, they would be saved the added agony of uncertainty.

From the combat areas, it is impossible to observe all the amenities governing a civilized nation. There is so much of a military nature to be done and so little time in which to do it.

I suggest, however, that from a noncombat zone, like Alaska, we should expect the War and Navy Departments to include the specific cause of death in the original report to the next of kin.

In the over-all picture of war, this may seem to be a small detail. It is not too much to ask if it saves those waiting at home even this small measure of anguish.

I recommend that we request the War and Navy Departments to give this suggestion their never-failing, courteous, and efficient attention.

A GOOD SOLDIER

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks, and to include therein a poem.

The SPEAKER. Is there objection?

There was no objection.

Mr. BRYSON. Mr. Speaker, as we consider pending legislation which seeks to provide just, equitable, and legal methods whereby our servicemen may cast their ballots regardless as to where they may be serving, my thoughts revert to a poem by Edgar A. Guest, which is as follows:

A GOOD SOLDIER

He writes to us most every day, and how his letters thrill us!
I can't describe the joys with which his quaint expressions fill us.
He says the military life is not of his selection,
He's only soldiering today to give the flag protection.
But since he's in the Army now and doing duties humble,
He'll do what all good soldiers must, and he will never grumble.
He's not so keen for standing guard, a lonely vigil keeping,
"But when I must," he writes to us, "they'll never find me sleeping.
I hear a lot of boys complain about the tasks they set us,
And there's no doubt that mother's meals can beat the ones they get us,
But since I'm here to do my bit, close to the job I'm sticking;
I'll take whatever comes my way and waste no word in kicking.

"I'd like to be a captain, dad, a major, or a colonel,
I'd like to get my picture in some illustrated journal;
I don't exactly fancy jobs that now and then come my way,
Like picking bits of rubbish up that desecrate the highway.
But still I'll do those menial tasks as cheerfully as could one,
For while I am a private here I'm going to be a good one.

"A soldier's life is not the way I'd choose to make my living,
But now I'm in the ranks to serve, my best to it I'm giving.
Oh, I could name a dozen jobs that I'd consider finer,
But since I've got this one to do I'll never be a whiner.
I'm just a private in the ranks, but take it from my letter,
They'll never fire your son for one who'll do his duty better."

EXTENSION OF REMARKS

Mr. JUDD. Mr. Speaker, I ask unanimous consent to extend my remarks in two instances, in one to include a letter from a soldier in Italy, and in the other to include a resolution passed by the Associated General Contractors of Minnesota, advocating a definite labor policy.

The SPEAKER. Is there objection?

There was no objection.

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD, and include an editorial on Willkie's obvious decline, from the Daily Argus Leader, of Sioux Falls, S. Dak.

The SPEAKER. Is there objection?

There was no objection.

(By unanimous consent, Mr. HARTLEY, Mr. SIKES, and Mr. SADOWSKI were granted permission to extend their own remarks in the RECORD.)

Mr. MONKIEWICZ. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and to include therein a translation of a letter written by a mother to the editor of a New York newspaper.

The SPEAKER. Is there objection?

There was no objection.

INVESTIGATION OF OFFICIAL CONDUCT OF ALBERT W. JOHNSON AND ALBERT L. WATSON

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts, I submit a privileged resolution (H. Res. 407), and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the expenses of conducting the investigation authorized by House Resolution 406, authorizing the Committee on the Judiciary to investigate the official conduct of Albert W. Johnson and Albert L. Watson, district judges of the United States District Court for the Middle District of Pennsylvania, including such printing and binding

and the employment of such clerical, stenographic, and other assistance as the committee may deem necessary, and all other expenditures, shall be paid out of the contingent fund of the House on vouchers authorized by the committee signed by the chairman thereof and approved by the Committee on Accounts, but shall not exceed $2,500.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. HARRIS of Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD in two instances and to include therein newspaper clippings.

The SPEAKER. Is there objection?

There was no objection.

SHORTAGE OF NEWSPRINT PAPER

Mr. CANNON of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. CANNON of Florida. Mr. Speaker, we are told quite frequently throughout this land that there is indeed a shortage of newsprint paper. I might remind you that one of the big dailies in Florida, located in my home city, is now told they cannot have enough paper on which to print advertisements for the delinquent tax rolls, which is mandatory under the Florida law. Yet I have in my possession two papers, one of which is called the Heart Mountain Sentinel of Heart Mountain, Wyo., and the other the Rohwer Outpost of Rohwer, Ark.

Those papers are printed by Japanese internees, Japanese prisoners. They are permitted to print those papers. They are internees, but still they can run their papers and solicit ads for their newspapers and American businessmen contribute to their support.

I might suggest to the governmental agencies that that practice be discontinued if there is such a shortage of newsprint.

The SPEAKER. The time of the gentleman from Florida has expired.

EXTENSION OF REMARKS

Mr. LARCADE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include two short newspaper articles.

The SPEAKER. Is there objection?

There was no objection.

Mr. FULBRIGHT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from an Arizona newspaper.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a newspaper article.

The SPEAKER. Is there objection?

There was no objection.

SOLDIERS' VOTES

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. The gentleman from Pennsylvania [Mr. WRIGHT] without questioning anyone's motives—and he never does—stated awhile ago that there was an inclination on the part of some of us to vote for the previous question when the rule came out, and thus avoid a stand-up-and-be-counted attitude on the Worley bill. I would ask the gentleman if it is not true that if we vote for the previous question when the rule comes up, that is an indication that we are against the Worley bill.

Are we not standing up and being counted then?

Mr. WRIGHT. Mr. Speaker, will the gentleman yield that I may answer the question?

Mr. HOFFMAN. I yield.

Mr. WRIGHT. If I were opposed to the Worley bill I believe I would be willing to vote against the previous question because I would want my vote recorded on a roll-call vote.

Mr. HOFFMAN. When I vote for the previous question, as I shall, am I not indicating unmistakably that I am against the Worley bill? Am I not standing up and being counted? Am I not being recorded? I think I am.

The SPEAKER. The time of the gentleman from Michigan has expired.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Calendar Wednesday business in order on tomorrow, February 2, may be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Boston Traveler.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

The SPEAKER. The gentleman from Illinois [Mr. SABATH] is recognized.

Mr. SADOWSKI. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 15]

Baldwin, Md.	Gamble	Kennedy
Bell	Gifford	Lambertson
Bradley, Mich.	Hébert	Luce
Carlson, Kans.	Hess	Maas
Celler	Hobbs	Magnuson
Cole, N. Y.	Jackson	Morrison, La.
Cullen	Jarman	Morrison, N. C.
Domengeaux	Jennings	Norton
Douglas	Jones	O'Leary
Durham	Jonkman	Patman
Rees, Kans.	Smith, Ohio	Wasielewski
Robinson, Utah	Snyder	Winter
Scanlon	Stockman	Wolcott
Sheridan	Sumner, Ill.	

The SPEAKER. Three hundred and eighty-six Members have answered to their names, a quorum.

Further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. FURLONG. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein an article from the Stars and Stripes of December 30, 1943, with respect to the request of the soldiers for voting by a Federal ballot.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

VOTING BY MEMBERS OF THE LAND AND NAVAL FORCES

Mr. SABATH. Mr. Speaker, I call up House Resolution 412, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 1285) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes. That after general debate, which shall be confined to the bill and continued not to exceed 4 hours, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Election of President, Vice President, and Representatives in Congress, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order as a substitute amendment for the Senate bill the provisions contained in H. R. 3982. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, I yield myself 4 minutes. This resolution makes in order for consideration S. 1285. The rule is an open one and provides for 4 hours' general debate. Under this rule, the Senate bill, as amended, will be taken up under the 5-minute rule for amendments. I regret that there was a great deal of information disseminated to the effect that an application was made to the Committee on Rules for a gag rule. There was no application for such a rule and a majority of the members of the committee voted for the rule now before us. The only unfortunate part is, so that we may all understand, that the proponents of the legislation who wanted the members of our armed forces to have a real opportunity to vote urged that the rule provide for two motions to recommit instead of one. Under the rules of the House the first motion to recommit a bill is given to the Republican minority but, unfortunately, from my standpoint, in this instance

they are for the Rankin bill which provides for cumbersome and conflicting State control. Consequently, those members appearing before the Committee on Rules and some of the committee members themselves who favored legislation providing a Federal ballot that would positively assure our servicemen and servicewomen an opportunity, urged that a rule be granted including a provision which would permit a second motion to be made to recommit the bill in order that a record vote could be had on the simplified Worley or Lucas-Green Federal ballot bill. This I sought to bring about in the Committee on Rules but, unfortunately, I did not succeed. Therefore, the only procedure by which a record vote may be had on the Worley bill is to vote down the previous question, which motion I will be obliged to make, which then would give the membership an opportunity to amend the rule to provide for a second motion to recommit. This procedure has been followed with respect to other legislation considered by the House.

Mr. Speaker, I presume we will hear in the discussion to follow that the Worley bill will deprive the States of their States' right. I say it does not. The States will retain such rights, and at the same time, under the Constitution, a part of which I shall read to you, Congress has jurisdiction to legislate in connection with Federal election. I now read section 4 of article I of the Constitution.

Mr. RANKIN. Mr. Speaker, will the gentleman yield.

Mr. SABATH. I am sorry I cannot yield, I have only 4 minutes. I shall read article I, section 4, and I am not going to change it.

Mr. RANKIN. I hope not.

Mr. SABATH. It reads as follows:

> The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

Mr. GEARHART. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I regret I haven't the time to yield.

Mr. Speaker, I am of the opinion that those of you who vote against a record vote will regret it later on, because the civilian voters demand that the servicemen and servicewomen, too, be given the right and the privilege to cast their votes, which is practically impossible under the provisions of the bill before us now. This has been testified to by the Secretaries of War and Navy, and others, and I fear that only a very few of the men who are in service at various fighting fronts throughout the world will be able to obtain their ballots in time. Mr. Speaker, regardless of what the Republicans who follow me may say, I maintain that a vote for the Rankin bill is to deny to the members of our armed forces the simplest and most positive medium to exercise their voting privilege. The question is, Are we for giving them the right or are we against giving it? If we are for giving them the right, we should vote for the Worley or Lucas-Green bill.

Mr. Speaker, I have in my possession thousands of telegrams and letters from business, labor, church, and social organizations, from outstanding men and women, from servicemen and servicewomen, from ex-service men, and from the families of those now in our armed services, demanding that the servicemen and servicewomen be given the privilege to cast their votes. I say, Mr. Speaker, that if they are good enough to brave the bullets of our enemies, surely they are good enough to cast election ballots.

Mr. Speaker, I know that the gentleman from Mississippi [Mr. RANKIN] and the Republicans will, later on, as they have heretofore, endeavor to make capital and criticize the President for urging Congress to provide a method that will assure the greatest number of those in our armed forces, who, as I stated before are not only in camps in the United States but on nearly every battle front throughout the world, an opportunity to cast their votes. In answer to them I say that their criticism is unjustified and unwarranted and solely made, as usual, for political reasons. The Constitution definitely provides that the President shall communicate his views to the Congress and I quote article II, section 3, thereof, as follows:

> He—
>
> The President—
>
> shall from time to time give to the Congress information on the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient.

Mr. Speaker, that is what he has done in his message to Congress pertaining to this legislation and he had an absolute right to criticize a bill which he believed would not afford the members of our armed services, of which he is Commander in Chief, the opportunity to vote which he believes they should have. The President has the interest and welfare of the servicemen and servicewomen at heart, and these unjustified attacks, in the face of this constitutional provision, show to what extent those opposed to his policies and to the administration will go in attempting to discredit him in the eyes of the brave members of our armed forces.

The statement of the gentleman from Mississippi [Mr. RANKIN] that under the short-form Federal ballot the servicemen and servicewomen will be deprived of the opportunity to vote for their city, county, and State officials is not justified, because the Worley bill provides for the State ballot and also stipulates that if the State ballot cannot reach the members of the armed forces in time, or if it cannot be returned in time, then they will at least have the opportunity to vote the Federal ballot for President, Vice President, Senators, and Representatives.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. SABATH. Mr. Speaker, I yield myself 1 additional minute.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I am sorry, I cannot yield.

Mr. Speaker, in accordance with the instruction of my committee, I shall move the previous question; and I shall not deviate from that obligation. I shall make the motion for the previous question, but I hope that such motion will be defeated. Those who desire that the servicemen and servicewomen may have actual opportunity to cast their votes will vote down the previous question, and then the rule will be open to amendment and a record vote will be in order for the membership. Why are the opponents of the Worley bill afraid of a record vote? Surely, my colleagues on the Republican side cannot be against giving the boys the right to vote in view of the report of Chairman Spangler of the Republican National Committee, who claims, according to press advices, having received a report from four officers that a majority of the boys will vote the Republican ticket. Yes; that may be true of some of the officers, but surely is not true of the rank and file of our armed forces.

Mr. Speaker, as someone stated to me: "Our boys are standing by and why should we not stand by them?" I repeat, I am for the Worley bill because it provides an opportunity for the greatest number in our armed forces to cast their votes. Everyone familiar with the yard-long ballots of cities and counties must know that it will be humanly impossible to forward in time and to obtain compliance with State requirements from the boys overseas, and the return of the State ballots in time to be placed in the ballot boxes on election day. If time would permit, I would like to give the absentee voting requirements of the 48 States, but shall take leave to give the requirements of some of the States and general absentee voting information pertaining to most of the States.

Twenty-five States require official applications. This requires five mailings and the filling out and affixing of oaths to two affidavits, as follows:

First. Request for application for ballot.

Second. Application sent to voter.

Third. Application returned by voter.

Fourth. Ballot sent to voter.

Fifth. Ballot returned by voter.

The number of days allowed by State law to make the above mailings vary in all the States, but they range from 22 to 2 days before the election and from 90 to 3 days before the election.

I cite a few of the requirements of several States to show the difficulties and time-consuming actions attendant to voting an absentee ballot under State law.

In Montana the ballot is approximately 28 by 38 inches and the ballot envelope must be sealed with two applications of sealing wax, with a notary or other official's seal affixed.

In Arkansas a small ballot is provided, but it is a duplicate ballot requiring carbon paper for the second ballot. Both ballots are returned to the election officials and one retained in case of challenge.

In Connecticut the absentee ballot is an eight-page booklet that has no names of candidates or parties printed therein.

The names of the party or the candidates are written in by the voter.

In South Carolina, Arkansas, and Texas the absentee voters scratch their ballots, that is, the names of all the candidates are given, but the voter draws lines through or scratches out the names of all candidates for whom he does not wish to vote.

In Oklahoma an absentee voter returns his voted ballot to an agent who deposits it with an election inspector.

Twenty-six States have consolidated ballots.

Thirty States have ballots with party columns.

In Georgia the voter sends his request for a ballot by registered mail, and the ballot is sent both ways by registered mail.

In seven States elections are not under the supervision of secretaries of state, but under the jurisdiction of boards of election or election commissioners.

Mr. Speaker, I shall not detain the House longer but hope that the information which I have given will show the impracticability of the members of our armed forces voting through the medium of the election machinery of 48 States. Millions will be disfranchised if the Federal short-form ballot is not provided.

The SPEAKER. The time of the gentleman from Illinois has again expired.

Mr. SABATH. Mr. Speaker, I now yield 30 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, I yield myself 5 minutes.

Contrary to what has been said by some of the radical newspapers this is an open rule. It has no part of a gag in it. No Member of the House ever suggested any form or semblance of a gag rule. It is the ordinary, usual, wide-open rule, so that the Members of the House in Committee of the Whole may offer amendments, and if they are in the majority they can amend the bill in any way they desire.

Not for 10 years has this House sought to have a special rule.

The last time that that was tried was when the Ways and Means Committee reported out two soldier-bonus bills. The Rules Committee thought that having voted out two bills that there should be a vote on each.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield for a correction?

Mr. FISH. Yes; for a correction.

Mr. McCORMACK. They did not report out 2 bills. They reported out 1, and the other was defeated by a vote of 13 to 11, but they did request that both bills be voted on.

Mr. FISH. I stand corrected to that extent. The Ways and Means Committee requested that both bills be considered and that the rule provide for a separate vote on both bills. In this particular case the proponents of the Worley bill are asking for a special rule. They are asking for four strikes instead of three, and if the House supports any procedure of that kind, then it will be destroying minority rights, which will plague us from now on, no matter which party is in charge of the House, and we will have votes on every conceivable kind of legislation in the future.

Mr. Speaker, many Members from Southern States who are followers of Thomas Jefferson, and believe in State rights, and in State sovereignty, and against the concentration of power in the Federal Government, are now standing with their backs against the wall. For years they have seen State rights vanish, one after the other under the New Deal. Today one of the few remaining State rights, the main one of all—the control of their own election machinery and the qualification of their own voters—is in serious jeopardy.

The House recently received a message from the President. In my humble opinion that message was dictatorial, intemperate, and insulting to those Republicans and Democrats in the House who wanted to provide a full ballot, a complete ballot, for our armed forces, with the help of the States. It was also an insult to the Governors and State legislatures of the North and the South who want to cooperate. Furthermore, I believe that the President's political and demagogic message tended to impair the morale of our armed forces and to undermine the faith of the veterans in their representative, constitutional form of government, and in the Congress itself, because it virtually charged that Members of Congress, Republicans and Democrats alike, were in a conspiracy to defraud the veterans, their own sons, out of a vote. Such implications were preposterous and utterly false.

The truth is that all the Members of this House want the veterans to vote, probably a majority want them to vote a State ballot, including Governor and right down to constable.

Mr. Speaker, this issue will be decided right at the outset, under this rule. For the gentleman from Illinois, the chairman of the Committee on Rules, when the hour is consumed, under the rule, will move the previous question and the issue will come on sustaining the previous question.

The SPEAKER. The time of the gentleman has expired.

Mr. FISH. Mr. Speaker, I yield myself 2 additional minutes.

Those who want special privilege; those who want a special vote in defiance of the general rules of the House and in accordance with the dictatorial orders of the President of the United States, who is Commander in Chief of our armed forces, but who is not commander in chief of the legislative branches of the Government, and who has ordered that there must be a record roll call, if they are in a majority can vote the previous question down and amend the rule to provide for a record vote on the Worley bill. If there is one reason above any other for voting to sustain the motion that will be made by the gentleman from Illinois when he moves the previous question, it is that we ought to repudiate this brazen attempt by the President of the United States to issue orders and commands to Congress and to tell us what kind of rules we shall have and thus interfere with the orderly legislative and constitutional procedure of the House. Let us take this opportunity to rebuke this dictation from the President and serve notice on him to keep his hands off Congress and the rules of the House of Representatives.

Mr. SABATH. Mr. Speaker. Will the gentleman yield?

Mr. FISH. I yield.

Mr. SABATH. Is it not a fact that heretofore we have provided for two motions to recommit and that it will not violate the rule at all?

Mr. FISH. I have just stated that not for 10 years has the Rules Committee provided for two motions to recommit. The last one was on two soldier bonus bills at the recommendation of the Committee on Ways and Means.

I hope this whole question is clear and that the rule which your committee has brought into the House will be sustained. I realize full well that the Committee on Rules is the servant of the House, which in the last analysis, is the master of all procedure. However, we brought in a wide-open rule in accordance with the established precedents of the House and I hope that rule will be sustained.

The SPEAKER. The time of the gentleman has expired.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. Cox], and I understand that the gentleman from New York [Mr. FISH] will also yield 5 minutes to the gentleman from Georgia.

Mr. FISH. Mr. Speaker, I also yield 5 minutes to the gentleman from Georgia.

The SPEAKER. The gentleman from Georgia [Mr. Cox] is recognized for 10 minutes.

Mr. COX. Mr. Speaker, there is nothing extraordinary or unusual about the pending rule. The two gentlemen preceding me stated correctly that the Rules Committee granted the rule that the legislative committee handling the bill requested. It is an open rule. I have the confidence that your Committee on Rules did the right thing. It is the kind of a rule for which the committee was importuned by people all over the country by letters and telegrams, chain letters and telegrams, of course, which came in great waves. The committee, however, out of a very friendly consideration for the fine qualities and the fine disposition displayed by our young and brilliant colleague the gentleman from Texas [Mr. WORLEY] did go one step further than it ordinarily does and made the offering of his bill as a substitute in order.

Mr. Speaker, why all this effort to make the soldier think that he is being cheated out of his ballot? Is this morale building and does it contribute anything to war effort? Can any necessity ever be great enough, in times of universal stress, to justify the employment of artifice and deceit in whipping up a public frenzy with which to drive the people away from the truth and force a public opinion founded upon misinformation?

When did the Constitution become a monstrous thing, and when did its observance become a fraud upon the public? If it is out of date, and if it is a fraud and a monstrous thing, then why are we fighting to preserve it?

Mr. Speaker, it should never be considered as in bad taste or offensive to public morals or private rights to invoke the Constitution as the guide for men and

women who must work together in the solution of problems of public interest. If people are to live in an ordered society and to find happiness under a Constitution made by them, then is it not insanity that Congress, under the pressure of public clamor, should even consider making of it a blank piece of paper? Does the necessity of the moment demand that the people, including the soldier, be hoodwinked out of their principles?

Mr. Speaker, where resides the power to fix the qualifications of the voter? That is the question before us now. Section 2 of article I of the Constitution reads:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors in the most numerous branch of the State legislature.

The seventeenth amendment of the Constitution reads:

> The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have one vote. The electors of each State shall have the qualifications requisite for electors in the most numerous branch of the State legislature.

So it must be apparent to everyone that it is not within the competency of the Congress to enact the so-called Federal ballot bill.

Mr. Speaker, I am concerned about the constitutional integrity of our institutions. I would not deny a single soldier, sailor, or marine his constitutional right to vote. I am sure also that neither would any other Member of this House. I want them to vote, but without destroying the constitutional rights of the States, and without the insidious federalizing of one of the few of the rights not already annihilated by the Federal Government under the guise of requirement of war. The bill which the pending rule is intended to make in order would make possible and would facilitate voting on the part of our armed forces.

For years we have seen the rights of the States vanish one by one. Under the pressure of war more have gone. And now we are asked to surrender one of the most fundamental of those rights. On all sides we hear that we are emerging into a new world order, and that even our domestic post-war order will be unlike anything we have known in the past. If that be truth rather than purpose, Mr. Speaker, let us take it in our stride. Let us await the eventful day and the eventful era. But let us, in the name of this troubled Republic, wait at least until the day arrives and they who are to be most affected shall have returned from the wars and have opportunity to say whether they want a new order and what kind of order it shall be.

Mr. Speaker, the men and women in our armed forces have not been disfranchised from voting because they are in the armed forces; indeed, they are not disfranchised at all. Each still possesses and retains the qualifications he or she ever had. It is war and war alone that has dislocated them from their homes and from their communities, and made it impossible for them to exercise many of the privileges they exercised during the normal times of peace.

Mr. Speaker, I wish there were no rancor or emotional upheaval in this matter of providing a method for the vote of our armed forces. There need be none. I would preserve that form of government that has made us great among the nations of the world.

I believe we can retain it. I know we can retain it if we will keep within constitutional limitations and restraints. But, sir, I know also that we shall lose it when we cast aside those limitations and restraints and yield to the pressure of expediency.

There have been many changes in our constitutional way of life, Mr. Speaker. During recent years those changes have come with startling and unexpected suddenness and rapidity. In many instances they have overtaken us unawares, they have crept upon us insidiously. Unless we stand alert and constantly on guard it may be possible that we shall find that we have suffered an even greater and more far-reaching invasion of our constitutional way of life than is apparent.

Mr. Speaker, let us proceed to the enactment of legislation that will enable the men and women of our armed forces to vote. But, let that legislation provide for constitutional procedure and the preservation of our constitutional way of life.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. COX. I yield to the gentleman from Mississippi.

Mr. RANKIN. Let me say to the gentleman from Georgia, in answer to the gentleman from Illinois [Mr. SABATH], that under the Senate bill S. 1285, as amended, a far greater number of men and women in our armed forces will vote than would vote under the Lucas-Worley bill.

Mr. COX. Mr. Speaker, I yield back to the gentleman from New York [Mr. FISH] the part of the time unused, and thank him for the time he yielded me.

The SPEAKER. The gentleman yields back 30 seconds.

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. Speaker, I do not yield to anyone in my feeling for States' rights. I am for the preservation of States' rights. I listened with much interest to the remarks of the gentleman from New York [Mr. FISH], when he was lecturing to us about States' rights. I could not help but think about the vote he cast on the antilynching bill, striking at the very heart of States' rights. I could not help but think of the vote that he cast to deny to the various States the right to determine the qualifications of their voters, when he helped to pass the anti-poll-tax bill. I remember, if I am correct in my recollection, that only 2 years ago he voted for another bill which I opposed, the Ramsay bill, which sought to have the Federal Government rather than the State governments give the right to these servicemen to vote without the payment of poll tax and without registration, and yet today he comes here and lectures to us from the South as to the maintenance of States' rights.

Mr. Speaker, I have tried to consider this question just as objectively as I possibly can. I think it boils itself down to a simple question, Do we want the people in the service to have the right to vote? Personally, I want them to have that right. I have studied these bills and I am convinced that the Worley bill is the one which holds out the best promise of any bill that has been presented to us to give our servicemen a practical method of casting a vote in the elections this year.

Therefore I shall vote against the previous question.

The SPEAKER. The time of the gentleman from Alabama [Mr. SPARKMAN] has expired.

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, let us cut through the maze of confusion, argument, misinformation, and misunderstanding, and arrive immediately at the question now before the House, which is: "Shall the House consider under the general rules of the House a bill the objective of which is to permit those now in the service of the country to cast their votes in the November election?"

This question must be answered in the affirmative by a majority of our Members on a roll-call vote, if such is desired, before it is time to argue the merits of the committee bill, the Worley bill, or any proposed amendments to either of these bills.

We must all realize that first things come first. If this rule is adopted, then the next step is 4 hours' general debate on the whole field of soldier voting. At the conclusion of that debate, then the committee bill will be read for amendment under the 5-minute rule. At the conclusion of the reading of the first section, the rule makes it in order to offer the Worley bill as a substitute for the committee bill. The Worley bill will then be subject to any germane amendments proposed by any Members.

After the Worley bill is perfected, then there will be a vote between the committee bill and the Worley bill; that is, if the majority of the Members voting in Committee of the Whole want to substitute the Worley bill for the committee bill, that will be done.

Under this open rule the Members can be required to stand up and be counted for or against the Worley bill. If it is desired by the House, then those favoring the Worley bill will be required to march down the center aisle, pass through tellers, and be counted. The number so voting will be announced to the Speaker. Then those favoring the committee bill will proceed in like manner, and like announcement will be made. If a majority of the Members voting favor the Worley bill, it will be reported back to the House for final consideration and, under the rules of the House, a roll-call vote will be had if it is so desired.

This is the usual open-rule procedure and no Member will in any way charge that this is a gag rule.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. No; not now, but later if my time will permit.

Mr. DINGELL. Just for a short question.

Mr. MICHENER. No; I would rather not at the moment, because there are many short questions.

At the conclusion of the present hour, following the rules of the House, the chairman of the Rules Committee will move the previous question, which, if carried, will close debate on the rule and bring the resolution before the House to a vote.

Mr. DINGELL. Can we get a roll call?

Mr. MICHENER. Yes; there will be a roll call on the previous question, if a majority of the House so desires. In my opinion, the roll will be called and we will all be permitted to say whether or not the House wants to consider the general subject of soldier voting at this time. Personally, that time cannot come too soon and, as one Member, I am not only willing but anxious to be recorded on this and any other question in which my constituents are interested.

Mr. Speaker, as we all know, the purpose of the rules of the House is to permit the House to work its will at all times and at the same time to give adequate and ample protection to the minority. That is exactly what this rule does. These rules are the considered result of 150 years of study, improvement, and experience. They are not political. They have been adopted, developed, and established during Republican administrations and Democratic administrations. There is no reason for abandoning them at this time.

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I regret that I only have such a short time and it is about gone. I expect to discuss the merits of these bills when such discussion is in order, and I shall then be pleased to yield to the gentleman from Idaho.

We were advised the other day by the gentleman from New Mexico [Mr. ANDERSON], and the country has been advised through the press and over the radio, that another minority group in the House will attempt to vote down the previous question in an endeavor to amend the rule, changing the general rules of the House for the alleged purpose of having additional roll calls. So far as the House working its will is concerned, nothing can be gained by such procedure.

Now we know that we are not all agreed as to all of the provisions in either the committee bill or the Worley bill. I cannot believe that those advocating voting down the previous question realize just what this would mean in the general consideration of legislation in the House. If the policy were pursued to its logical conclusion, it would be physically impossible to pass the necessary legislation in the Congress even though we were in constant session. If the previous question is voted down, the Rules Committee will lose control of the resolution. Numerous Members will be clamoring for recognition and an additional burden will be placed upon the Speaker as to whom he shall recognize. Whomever he does recognize will of necessity be recognized for at least 1 hour, during which time the person so recognized will control the measure on the floor. If this Member does not move the previous question before the end of the hour, then another will be recognized in like manner, and so on ad infinitum.

In short, Mr. Speaker, well-thought-out and time-tested parliamentary procedure will yield to chaos and confusion.

Mr. CLARK. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. My limited time has made it necessary not to yield to others. However, I do yield to a member of the committee.

Mr. CLARK. I will not interrupt.

Mr. MICHENER. I do not believe that the Members of Congress are cowards. I have too much confidence in and respect for the courage and integrity of our membership to concede for one moment that on this important question Members are going to attempt to deceive their constituents as to how they vote. I expect my constituents to know exactly how I vote and why. My conclusions may not agree with some of my colleagues. I may be wrong. Nevertheless, I shall be sincere, and do not want to impute to any other Member less courage and less sincerity.

Every one of us wants to provide the method whereby the greatest number of service people possible may have the privilege of voting, with the assurance that the votes so cast will be counted in the respective voting precincts to which they are delivered. I regret that my time has expired and, in conclusion, I want to appeal to the membership to vote to sustain the orderly procedure of the House and accomplish the objective in which we are so vitally interested. This can best be done by voting for the previous question, voting for the rule, and proceeding without delay to a free and open discussion of the whole subject matter, with the privilege of changing and amending any bill brought before the House under the rules.

For one, I do not want to be a party to creating a parliamentary situation that will do violence to orderly procedure and accomplish nothing, unless it be to make a laughing stock of the Congress. This is a very serious matter and must be decided on its merits and not upon prejudice, politics, or emotion.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. FLANNAGAN].

Mr. FLANNAGAN. Mr. Speaker, the Representatives of the people should, at all times, welcome the opportunity to register on the proceedings of the House their approval or disapproval of all questions vitally affecting those they represent. We all profess to entertain such views. Then, is it unreasonable to ask that we translate that profession into a reality? That is all we ask.

Now, the parliamentary situation is this: The only way we can obtain a record vote on the Worley bill is by voting down the previous question and then voting to amend the rule.

We are met with the argument that this is an unusual procedure. Granted. Remember, however, that the circumstances surrounding the consideration of the bill are unusual in that the minority members of the committee who, under the rules, hold a priority on making such a motion, are in favor of the committee bill. And also remember that the procedure we have adopted to force a record vote, while unusual, is in strict accordance with the rules of the House. Under the rules we have a perfect right to vote down the previous question and then vote to amend the rule so as to provide for a record vote on the Worley bill. And, due to the importance of this question, we are justified in pursuing any course permitted by the rules of the House in forcing a record vote.

The eyes of this Republic are upon us. They want to read with their own eyes where we stand. And if we fail to obtain a record vote on the Worley bill, be not deceived, no reason assigned for our failure will keep them from thinking and saying we were afraid to stand up and vote.

Our boys are standing up like men and fighting, and, in my opinion, they expect us to stand up like men and vote. While they may overlook what they consider an adverse vote, they will never overlook what they consider an adverse dodge.

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. GORE].

Mr. GORE. Mr. Speaker, as the gentleman from Michigan said, the bill itself is not before the House. There is before the House a rule, a resolution, to provide the method by which we shall consider the bill. It is an ordinary rule, a rule which has served well for many, many years. It is not a rule for an unusual situation which is now presented. I regard the Committee on Rules as one of the truly great committees of this House; but, frankly, I have thought for some time that provision should be made for a division vote on bills having important dual character. For instance, we recently passed a bill to extend the life of the Commodity Credit Corporation and also to prohibit the payment of subsidies. There was no individual roll-call vote on either the subsidy question or the extension, as such; there was only one roll-call vote and that was on the final vote in which Members, however they stood, were placed in the attitude of having to vote against extension of the Commodity Credit Corporation in order to vote in favor of continuing the food-subsidy program. This is an important question, a national issue; it is an unusual circumstance. The rule before us is not sufficient to meet the demands of the situation or the people's desire; and may I say to the gentleman from Michigan and the gentleman from New York that there is nothing unparliamentary about voting down the previous question. The resolution is brought in with the recommendation of the Rules Committee, to be sure, but the House itself is to adopt the rules by which it will consider this

bill. The House can adopt, defeat, or amend the resolution now before us. There is nothing chaotic or unparliamentary about following the parliamentary rules of the House.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. FISH. Mr. Speaker, I yield 7 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, it is unnecessary for me to reiterate——

The SPEAKER. The gentleman from Indiana will suspend.

The House will be in order; and the Chair desires to say a word about procedure in the House. When a Member rises and asks another if he will yield and the other refuses, the Member must understand that that ends it.

The gentleman from Indiana may proceed.

Mr. HALLECK. Mr. Speaker, I do not anticipate that it is necessary for me to reiterate that this is a wide-open rule. It is open wider than usual in order that the so-called Worley bill will clearly be held germane when it is offered in the committee for the consideration of the Members. It has no part of any gag rule about which many of us received telegrams. It permits the House of Representatives to work its will under the time-honored Rules of the House.

An effort was made in the Committee on Rules to get something in the nature of a special rule that would provide another motion to recommit. I have checked the precedents a little. The motion to recommit is of long standing in the House. It was designed to protect the rights of the minority party and it has served that purpose well. But as one motion to recommit is multiplied by two or three or more the value of the purpose for which it originally was intended is seriously impaired if not destroyed.

Let us get one thing clear. Talk about standing up and being counted. I am for the committee bill and against the Worley bill. There is no question about my position and there has not been.

The suggestion is made here that we ought to go on record. I am sure we all know that when we consider a bill in the committee under the rules, many amendments are offered that go to a teller vote; they do not go to a record vote. Why? For the simple reason that if we had any other rule we would be sitting here calling the roll incessantly. These rules have grown up out of the experience of years and years of parliamentary procedure in this House and I for one resent the Chief Executive throwing aspersions at the House of Representatives and its rules. I cannot refrain from suggesting that it may be coming from those who would like to see the Congress nothing but an enacting committee or a debating society. If the President wants to permit a bill to become a law without his signature that is all right with me.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I refuse to yield; I have not time to yield.

On every bill that comes along somebody who offers an amendment would like to have a record vote. It is not lack of courage that has brought about rules that do not make that possible. Rather is it a matter of necessary and proper procedure. It is nothing more nor less than the matter of procedure necessary to the carrying on of our business.

If this is not a good rule, change the general rules, but do not in particular instances undertake to castigate everybody who stands by the rules of the House. That is all we are doing in this circumstance as far as this bill is concerned.

Only the demagogs will charge that there are any of us who do not want the soldiers to vote. We all want them to vote because that is their privilege as citizens.

I will tell you another reason why I want the soldiers to vote. I am right well convinced that my party and I are going to get a majority of those who cast their votes under any fair and equitable system that may be devised, so I want to have them vote, and what is more, I want their ballots counted.

But there are certain things in connection with this matter that I think we ought to bear in mind. One of them is that if the soldier is entitled to vote he ought to be entitled to vote not alone for President, for Congressmen, for Senators, but for the Governor of his State, yes; and for his brother or his buddy who might be running for sheriff back home.

This bill is not a fraud. This bill is the only bill that will give the soldier a vote, a whole vote, and a vote that will surely be counted once he has gone to the trouble to cast it. It does not fly in the face of the Constitution. Rather does it follow the provisions of the Constitution.

The amiable chairman of the Rules Committee reads a provision of the Constitution that refers to Senators and Congressmen and certain authorities in respect thereto. But has it ever occurred to him that in the majority of our States we do not vote for President by name, we vote for an elector, an elector who is as much a State officer as is any Governor in the land. Where can there be found any reasonable constitutional ground for saying that that sort of a vote can be legalized by the Federal Government?

We must maintain and protect the integrity of the ballot and the secrecy of the ballot. We must provide that when a man casts his ballot it is as he wants to vote, that once it is voted he and he alone knows how he voted.

There is another thing we ought to keep in mind. Let us not bring about a situation in this country under which the outcome of the election might well be challenged by the threatened attempt to count votes that were cast in contravention of the Constitution, leaving this country in turmoil and confusion at a time when that is the last thing we want or need.

Who ever thought up this idea of sending out a blank sheet of paper without the names of the people running? Who is it striving not to give a vote to the soldiers but striving, rather, for an unfair advantage. I have worked 9 years to make the people of my district know my name and I think I have a right to have my name on the ballot so that when the boys from the Second District of Indiana get ready to vote they can check my name if they want to. Who is there that will deny me that right?

Mr. SABATH. That would be advantageous to all the sitting Members.

The SPEAKER. The time of the gentleman has expired.

Mr. FISH. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. HALLECK. Mr. Speaker, just a final word. The States of this country under their able leaderships, and there are able State governments even as it is alleged there is an able Government in Washington, are prepared to get the ballots from their States to the men in the service to the end that they can vote. Anyone who charges otherwise is not speaking the truth. I have in my hand here copies of telegrams that have been received from upward of 35 Governors of the commonwealths of this country, which have been received in the last day or two. Some of them recite a few difficulties, but they say they are working on them and straightening them out. The others in almost unanimity of opinion state that their States will see to it that their boys in the service have a right to vote and will vote if the Federal Government will cooperate in getting the ballots out to the men and women in the service and back again.

The SPEAKER. The time of the gentleman has expired.

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. BONNER].

Mr. BONNER. Mr. Speaker, I have the highest respect and regard for the Rules Committee and for the rules of this House. Yet these are extraordinary times. No one can say that the request made on this occasion is out of order. It is in order because once before there was a question swept the country and attracted the interest of everybody pertaining to soldiers, and on that occasion the Rules Committee, recognizing the sentiment of the country and the desire of the people in the country to have that issue settled, permitted two motions to recommit. The request on this occasion by those who appeared before the Rules Committee involved identically the same thing.

I have no great dispute with the Rules Committee for the rule that it has brought in, but in my opinion the Rules Committee might very well have taken this into consideration as seriously as it took the request that was made before when two motions to recommit were granted by the committee. Certainly there is no issue that burns as deep into the minds of the American fathers and mothers of this country as this issue. "Are you going to let my son have this one request that I am making of you through the mail and that has been made of you through the press?" It is a fair request. Certainly the House can work its will. I believe in what the gentleman from Michigan said that the House does on ordinary occasions work its will, but this

is an extraordinary occasion and it should so be treated. The rule should be amended.

The SPEAKER. The time of the gentleman has expired.

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma [Mr. MONRONEY].

Mr. MONRONEY. Mr. Speaker, not being a lawyer I am unable to find much substance, reason, or logic in the argument on the legalistic mumbo jumbo that some seek to use to defeat the Worley soldier vote bill. Their strained line of reasoning, seeking to find reasons in the Constitution that would keep the members of the armed forces in the uniform of this country from voting do not correspond with my idea of the Constitution, nor with those of the average soldier fighting to protect that great document. But here I would like to address myself strictly to the rule before the House and to our effort to secure a record vote of the membership on the Worley bill.

We appeared before the Rules Committee long before the President's message was sent to the Congress asking for a special rule so that these two vital issues, one the uniform Federal ballot and the other the Vursell bill, both would stand a roll call in the House. This was refused us in the rule granted. Now we seek to amend this rule as is the privilege of the House so that Members may be recorded on how they stand on soldier-voting rights.

I agree with my friend and colleague from Indiana [Mr. HALLECK] the Republican congressional campaign chairman, who so ably opposes the Worley bill, that the motion to recommit was and is through tradition a motion that should go to the minority. I say to you now the fact that the supporters of the Worley bill were in the minority in the committee; therefore they should have the right to make an additional motion to recommit since recommital was designed to protect the minority in fact rather than just the minority party.

I disagree with the argument of the gentleman from Michigan [Mr. MICHENER] who says that we must not break a precious precedent, and who says that to vote down the previous question would throw this House into chaos. Is precedent so dear, so precious, that it must be preserved against the best interests of our Nation and its soldiers? Would it create chaos? The Speaker of the House would then have control of the time if the previous question is voted down. I think he is entirely able to prevent us from having chaos. I think he could handle the situation satisfactorily. I do not think that would throw us into chaos or make us the laughing stock of the country, as the gentleman from Michigan [Mr. MICHENER] claims.

Finally, I would like to come to the argument of the gentleman from New York [Mr. FISH]. He says that we, who ask for this roll call, this motion to recommit on the Worley bill, are seeking special privileges. I think that, since this vote so greatly effects the rights of the men who fight overseas, they are certainly entitled to have this special privilege of knowing how the Members of Congress each voted on this legislation.

The SPEAKER. The time of the gentleman has expired.

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. FOLGER].

Mr. FOLGER. Mr. Speaker, I am an attorney at law, but I do not profess to be a lawyer. I am not so very learned in the law. I am not minded, however, to discuss constitutional and legal questions to too great an extent when I am particularly interested in providing a method and means by which the soldiers, upon whom the Government has laid its hand and whom it has told that they must leave home and go to camps, some of them beyond the seas, to fight for this country, may have an actual, bona fide opportunity to vote in this election.

So far as I am concerned, there is absolutely no politics connected with this subject. It makes little difference to me, so far as my conduct here is concerned, whether they vote one ticket or another. The particular thing is to give them the opportunity as well as the right to vote.

I do not believe we are straining a whole lot or that we are in so much danger of a violation of States' rights and State authority when we provide, as the Worley bill does, for a vote according to the terms of that bill. To me, it simply means this: One bill will provide the opportunity and the other will not. If I have an opportunity to do so, I am going to vote for the bill that will give to the soldiers at home and abroad this bona fide opportunity to cast their ballots.

Mr. FISH. Mr. Speaker, I yield 2½ minutes to the gentleman from Nebraska [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, if there is anything on trial in the world today, it is the right of free people to govern themselves. The Constitution is a contract among free people. We must uphold that contract if their right to govern themselves shall continue.

The gentleman from Illinois read that section of our Constitution dealing with the election of Representatives and Senators, but we are facing a Presidential year. Let us see what the Constitution states:

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

Further, the Constitution states:

> The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

Our authority to legislate as to the manner of voting with respect to a President is as to time only.

There is something involved here, however, besides the right of a State. It is the right of a soldier, the right of a citizen soldier, to cast a complete ballot on precinct officers, county officers, State officers, Members of the House and of the Senate, and the President. A vote for the Worley bill is a vote to give the soldiers a piece of paper and call it a ballot, but it is one that will not be counted in a majority of the States of the Union. The right of a soldier to cast a ballot that will be counted is at stake here. Let us not kid ourselves. We have an intelligent Army and Navy. You cannot give them a piece of paper and convince them that they have a ballot.

They know that as citizens of this country they are entitled to a ballot such as they would have at home. I shall support the committee bill to give the full ballot to our armed forces.

Mr. SABATH. Mr. Speaker, I yield 1 minute to the gentleman from Maryland [Mr. SASSCER].

Mr. SASSCER. Mr. Speaker, I hope the Worley substitute for the Senate bill, favorably reported by the House, will be adopted. It is the surest, simplest, and most adequate procedure of affording members of our armed forces, merchant marine, and so forth, an opportunity to vote. Due to the number of men in the forces, their location all over the globe, the inability of the States to get the ballots to them, it is necessary that a Federal plan be first adopted. As soon as a Federal plan, to which the States may fashion, is passed, Maryland, under the leadership of Governor O'Conor, who has already taken aggressive action in the Council of State Governments, will, in special session, pass necessary State legislation for general use of the proposed soldiers' ballot. The obligation is so strong in this respect that I am confident all other States will do the same thing.

By the greatest stretch of the imagination, the Worley substitute is no invasion of States' rights or violation of the constitutional State prerogative of prescribing qualifications of voters because, after providing the national machinery for getting the ballots to and from the members of the armed forces, the merchant marine, and others mentioned in the bill, when the ballot is returned the determination of its validity is left to the States.

The Senate-House committee, or Eastman-Rankin, bill, in substance, is but a recommendation on the part of the National Congress to the State governments to provide means for absent soldiers' voting. This reduces itself to the novel procedure of the Federal Congress advising the States what to do, whereas the Worley substitute, which I favor, provides the machinery for getting the ballots to the men whom the Federal Government took into service, and then returning them to the State governments for their determination as to validity. Anyway, the Federal Government, by taking the men into a national army, made it impossible for them to go to the polls and vote. It, therefore, cannot escape its obligation to aid in every way possible in effecting suffrage for the armed forces.

The inadequacy of the bill passed in the Seventy-seventh Congress has been established, as only 28,000 servicemen voted in the last election. With the primaries and election fast approaching, and the magnitude of the task of distributing the ballots, practical and speedy action is imperative.

This Eastman-Rankin bill favorably reported by the House Elections Committee is an incoherent, illogical absurdity, and full of insurmountable practical obstacles which would prevent the servicemen from exercising the absentee-voting privilege. It is nothing more than a dud. The members of our armed forces have fully demonstrated that they are a live-blooded group, with live ammunition, and they are certainly entitled to a live ballot. Though spread all over the world, they are still citizens of the United States of America, and, amid hardship and danger, are living up to the highest traditions of valor and resourcefulness. Their self-sacrifice and bravery have amazed the world.

Can Congress, in good conscience, pass a subterfuge bill which purports in its title to "provide a method of voting," and so forth, and then in the body of the bill require the soldiers to make it the hard way?

The Worley substitute has uniformity and simplicity. The other bill, at best, could only result in a diversity of procedure in the 48 States that would so complicate the already overtaxed administrative processes of the Army and Navy as to destroy the availability of the ballot.

There is too much opposition to a simple and adequate bill through fear of how the soldiers are going to vote. Give them a simple, secret ballot, and however any man bearing arms for his country votes is the right vote. No other American can have a higher right to exercise his voting privilege.

America is determined to support them in every way possible to bring the war to a speedy end. It is certainly not an inconsistent corollary to this dedicated principle to provide the soldiers who are carrying the brunt of this objective an adequate and simple means of expressing their choice in an election at home which affects their Government.

Mr. SABATH. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Speaker, to me, this issue is very simple. Days before the President ever sent a message or anybody knew he was going to send a message, a group of Democratic Members of this House, of whom I am proud to have been one, convinced that we represented the majority opinion of this Nation, met together for the purpose of attempting to give the House an opportunity to have a record vote on one of the major propositions with regard to this matter, namely, the proposition of providing a simplified, direct Federal ballot to the men in the service. We did it because we were impressed with the testimony of the Army and the Navy about the difficulty of carrying out the other program, because we knew that under the State absentee ballot system 2 years ago only 28,000 soldiers voted, because we felt we ought to do a whole lot better than that, because we believed, on the basis of the evidence, that it was possible to carry out this other program, and because we thought that an army drafted by Federal law to fight a Federal war had a right to vote for Federal officials in the simplest and most direct way this Federal Congress could possibly give them to do it.

Mr. SABATH. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. BRADLEY].

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I know of no quicker way to destroy the rights and sovereignty of the States than to use that issue to retard progress every time legislation is being considered. They talk about precedents, in this day when we have initiated new precedents that were never thought of in our history. Our soldiers are in far-off India, on the islands of the South Pacific, and over there on the Appian Way, the road to Rome, built thousands of years ago; American soldiers are today fighting for the liberty of the United States. Yet when we try to facilitate voting by them, someone quibbles about precedents. I should not like to give that argument to these boys when they come back. I am glad the President of the United States focused the attention of the country on this House today, so that the people will know the real situation, and hold responsible those who fail to take adequate action.

Mr. SABATH. Mr. Speaker, I yield such time as he may desire to the gentleman from Tennessee [Mr. KEFAUVER].

Mr. KEFAUVER. Mr. Speaker, two things are perfectly clear in connection with the matter we are to decide upon today. The first is that under the committee bill which leaves the matter of voting up to the States, practically no men in the service will have an opportunity of voting. In the 1942 elections, 89 voted in Mississippi, 87 in South Carolina, and very few more voted in my State of Tennessee. In Tennessee at present we have more than 250,000 men in the service. Following the percentage of those voting in the last election, not more than 250 men will vote in the coming election. If they do not vote, it will be because we do not give them an opportunity of voting.

The other fact which is clear from the discussion is that the substitute proposed by the gentleman from Texas [Mr. WORLEY] is a genuine effort to give the men the opportunity to have an expression in the forum of democracy and, at the same time, it leaves the ultimate decision as to the validity of the votes in the hands of the State officials. This, it seems to me, is the very best answer we can make to this perplexing problem.

The gentleman from Texas [Mr. WORLEY] has studied and considered the matter from every angle, and this is his conclusion: If the State officials are not satisfied that the votes express the will of the men who cast them, or if they think the ballots have been tampered with, they have the power and authority to refuse to accept the ballots as legal.

In time of war we must trust someone. Congress voted to declare war. Congress, by passage of the Selective Service Act, has taken these men away from their homes and placed them on foreign battlefields. We have placed them under the charge and direction of able officers, and they are under the control of able Secretaries of War and Navy. Having done these things, who are we to say that the ballots will not be handled properly? Who are we to now refuse to do everything possible to give these men an opportunity of voting?

No great cry of States' rights was raised by many who are going to vote against this measure when we eliminated the requirement for registration and poll tax as a prerequisite of voting for servicemen in September 1942. It is strange that many of those who voted for that measure have become so suddenly converted to the doctrine of States' rights.

Congress, under its war powers, has passed the Soldiers' and Sailors' Relief Act. We have done many things under the War Powers Act—certainly, the least we can do is to let the men in service know that we still want them to have an opportunity to participate with us in selecting their Federal officials. If we want them to have the opportunity, we should vote for the Worley bill. The only way we can vote for the Worley bill under the rule presented today is to vote "no" on the measure to order the previous question. A vote in favor of that measure will be interpreted as a vote against giving the soldiers a chance to express themselves in the ballot. A vote against the measure will make it possible to secure a separate roll-call vote on the Worley amendment.

The people and the men in service know what the issue is. Their eyes are upon us today.

Mr. SABATH. Mr. Speaker, I ask unanimous consent that all Members be granted permission to extend their own remarks in the RECORD on the rule now under consideration.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FISH. Mr. Speaker, I yield the balance of the time on this side to the gentleman from Mississippi [Mr. RANKIN.]

Mr. RANKIN. Will the gentleman from Illinois yield me some of the time that is supposed to go to the majority?

Mr. SABATH. I do not have any time left.

Mr. RANKIN. Mr. Speaker, this is the most unusual situation I have ever known. The Rules Committee reports a rule, and the chairman of that committee [Mr. SABATH] takes control of the time and grants it to the opposition, so that I, who reported the bill for the majority, have to go to the other side to get time.

Men who tell you that the soldiers will not get the vote under the Senate bill, as reported by the House committee, with amendments, what they call the Rankin bill, either do not understand the situation, or they are misrepresenting it.

More men and women in the service will vote under this bill than will vote under the Lucas-Worley bill. It will be a constitutional vote, it will be a legal vote, one that will be counted in every State in the Union, and it will not bring chaos and confusion in the election next fall. Gentlemen on the minority side of this question talk about wanting to go on record. They know that they are in the minority. But they attack the Rules

Committee. I say to them, do not complain, you have had your day in court. You are in a hopeless minority. A majority of us are going to vote to sustain the previous question and we are going to pass this bill.

Some of you are saying that the ballots will be so heavy that they cannot be got to the soldiers abroad. The Secretary of War and the Secretary of the Navy both sent a letter to the chairman of a committee on the Hill asking that the ballot be held down to eight-tenths of an ounce. I wanted to see what eight-tenths of an ounce meant. I went and took this piece of paper and put it in an envelope and weighed it, and found that it weighed only six-tenths of an ounce. Here it is, two pages of the New York Times. Why you can print any ballot on earth, with all of the instructions you want, on two pages of the New York Times.

They have told you that the time element would deprive the boys of the right to vote. I will show you in the debate that we can get these ballots to every nook and corner of the earth and back in ample time. I am told that Mrs. Roosevelt, the First Lady of the land, in addressing the congressional women a few days ago, pointed out that she could fly to the remotest portion of the earth in 3 or 3½ days. Don't you think if you could take her, with all of her baggage, and the attendants, to any point on earth in 3 or 3½ days, that we can take these ballots to the boys and back in 30 or 60 or 90 days?

Another thing—we provide them an opportunity to vote for State and county officers.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. SABATH. Mr. Speaker, I yield the remainder of my time to the chairman of the committee, the gentleman from Texas [Mr. WORLEY].

The SPEAKER. The gentleman from Texas is recognized for 5 minutes.

Mr. WORLEY. Mr. Speaker, this is my third year in the Congress of the United States. During those 3 years I have learned to like, admire, and respect the fairness and the integrity of every Member of this House on both sides of the aisle. The one thing that I want the House to do is to work out the most effective system that we can which will enable us to say to the men overseas, and here at home, "You fellows are still partners in this Government, you are doing everything you can for us, and we want you to know we appreciate it." Mr. Speaker, I do not want anyone to let political questions enter into the merits of this proposition at all. I do not care who they vote for. It makes no difference if they do not choose to exercise the right to vote, but we must provide them with the opportunity. To me it is the duty of the States, primarily, to change their own laws to make it easier for their citizen soldiers to vote. The States offer the best kind of ballot, but in the event they fail, I believe it is our solemn duty to exercise the constitutional war powers that we do have, to give them the best kind of a ballot that we can give them. I do not say that it is perfect. Indeed, it is not, but it is our duty to give them that kind of a ballot, because it is the only kind under the Constitution that we can give them. That will enable them to say to us, "Yes, you have done your best to give us an opportunity to vote." That type of ballot will enable them to pass judgment on us in the Congress of the United States, and to pass judgment on the President and Vice President as well and to say whether we have done things that those fellows abroad wanted us to do for them and for the country. Today the voices of most of the men and women in the service are silent, silent in the most important election to be held, not only in their lifetime, but in the history of the United States up to this time. As a Texan, and as one who believes in the rights and sovereignties of the States, I want the States to act effectively. I want to enable every State in the Union, with the close cooperation of the Army and the Navy, to give their own ballots to their men, but I take the position that we should likewise do the best that we can for all the forces, no matter from what State they hail. That is what my bill seeks to do and that is all we can expect to do.

Mr. Speaker, regardless of what sources outside might say as to the rules and customs and the procedures of the House of Representatives, I believe our rules are fair and honest and just, and I shall continue to believe so whether the House complies with my request or not. The rules are formulated to protect the majority and the minority. Heavens knows, we are on the spot every day, trying to do the best that we know how to do. I do not want to put anyone on any kind of a spot. It is the principle of the rules that the minority shall be protected. Now the minority members of my committee are the actual minority, but the rules have been written and construed that the right of a motion to recommit shall go to the political minority. We do not ask you to take away their rights; we simply ask you to extend to us the same fair privilege that the political minority enjoys. We believe that we have the only effective and constitutional way whereby most of the men and women of the armed forces in the United States, and especially overseas, can cast an effective ballot. And we believe, further, that it is our solemn duty to exercise whatever power we possess to see that the soldiers actually receive the best kind of a ballot we can give them. The Army and Navy have officially stated they could carry out the uniform Federal ballot plan and would offer every help to the State ballots, too. It is the most workable and effective plan we can devise. And we hope the previous question can be voted down so we can amend the rule to make our plan come up under a record vote.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. SABATH. Mr. Speaker, by direction of the Committee on Rules I move the previous question on the resolution.

The SPEAKER. The question is on ordering the previous question.

Mr. MARTIN of Massachusetts. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 233, nays 160, not voting 34, as follows:

[Roll No. 16]

YEAS—233

Abernethy	Gillie	Mundt
Allen, Ill.	Goodwin	Murray, Tenn.
Allen, La.	Graham	Murray, Wis.
Andersen, H. Carl	Grant, Ala.	Newsome
	Grant, Ind.	Norman
Andresen, August H.	Griffiths	Norrell
	Gross	O'Brien, N. Y.
Angell	Gwynne	O'Hara
Arends	Hagen	O'Konski
Arnold	Hale	Pace
Auchincloss	Hall, Edwin Arthur	Peterson, Ga.
Baldwin, N. Y.		Phillips
Barrett	Hall, Leonard W.	Pittenger
Bates, Mass.		Ploeser
Beall	Halleck	Plumley
Bennett, Mich.	Hancock	Poulson
Bennett, Mo.	Hare	Powers
Bishop	Harness, Ind.	Pracht
Blackney	Hartley	Ramey
Bolton	Heidinger	Rankin
Boykin	Herter	Reece, Tenn.
Brehm	Hill	Reed, Ill.
Brooks	Hinshaw	Reed, N. Y.
Brown, Ga.	Hoeven	Rivers
Brown, Ohio	Hoffman	Rizley
Brumbaugh	Holmes, Mass.	Robertson
Buffett	Holmes, Wash.	Robsion, Ky.
Burch, Va.	Hope	Rockwell
Busbey	Horan	Rodgers, Pa.
Butler	Howell	Rogers, Mass.
Camp	Jeffrey	Rohrbough
Canfield	Jenkins	Rolph
Carrier	Jennings	Rowe
Carson, Ohio	Jensen	Russell
Carter	Johnson, Anton J.	Schiffler
Case		Schwabe
Chenoweth	Johnson, Calvin D.	Scott
Chiperfield		Scrivner
Church	Johnson, Ind.	Shafer
Clark	Johnson, J. Leroy	Short
Clason		Simpson, Ill.
Clevenger	Johnson, Ward	Simpson, Pa.
Cole, Mo.	Judd	Slaughter
Colmer	Kean	Smith, Maine
Compton	Keefe	Smith, Ohio
Cox	Kerr	Smith, Va.
Cravens	Kilburn	Smith, Wis.
Crawford	Kilday	Springer
Cunningham	Kinzer	Stanley
Curtis	Kleberg	Starnes, Ala.
Day	Knutson	Stearns, N. H.
Dewey	Kunkel	Stefan
Dies	Landis	Stevenson
Dirksen	Lanham	Sumner, Ill.
Disney	Larcade	Sumners, Tex.
Domengeaux	LeCompte	Sundstrom
Dondero	LeFevre	Taber
Drewry	Lemke	Talbot
Dworshak	Lewis	Talle
Eaton	McCowen	Tarver
Elliott	McGehee	Thomas, N. J.
Ellis	McGregor	Tibbott
Ellison, Md.	McKenzie	Towe
Ellsworth	McLean	Treadway
Elmer	McMillan	Troutman
Elston, Ohio	McWilliams	Vinson, Ga.
Engel, Mich.	Maloney	Vorys, Ohio
Fellows	Manasco	Vursell
Fenton	Martin, Iowa	Wadsworth
Fish	Martin, Mass.	Weichel, Ohio
Fisher	Mason	West
Fuller	May	Whelchel, Ga.
Gallagher	Merrow	Whitten
Gathings	Michener	Whittington
Gavin	Miller, Conn.	Wigglesworth
Gearhart	Miller, Mo.	Willey
Gerlach	Miller, Nebr.	Wilson
Gibson	Miller, Pa.	Winstead
Gilchrist	Monkiewicz	Wolfenden, Pa.
Gillette	Mott	Woodruff, Mich.

NAYS—160

Anderson, Calif.	Bland	Burdick
Anderson, N. Mex.	Bloom	Burgin
	Bonner	Byrne
Andrews	Boren	Cannon, Fla.
Barden	Bradley, Pa.	Cannon, Mo.
Barry	Bryson	Capozzoli
Bates, Ky.	Buckley	Celler
Beckworth	Bulwinkle	Chapman
Bender	Burchill, N. Y.	Cochran

Coffee	Izac	Pfeifer
Cooley	Johnson,	Philbin
Cooper	Luther A.	Poage
Costello	Johnson,	Price
Courtney	Lyndon B.	Priest
Crosser	Johnson, Okla.	Rabaut
Curley	Kearney	Ramspeck
D'Alesandro	Kee	Randolph
Davis	Kefauver	Richards
Dawson	Kelley	Rogers, Calif.
Delaney	Keogh	Rowan
Dickstein	King	Sabath
Dilweg	Kirwan	Sadowski
Dingell	Klein	Sasscer
Doughton	LaFollette	Satterfield
Eberharter	Lane	Sauthoff
Engle, Calif.	Lea	Scanlon
Fay	Lesinski	Schuetz
Feighan	Ludlow	Sheppard
Fernandez	Lynch	Sikes
Fitzpatrick	McCord	Smith, W. Va.
Flannagan	McCormack	Somers, N. Y.
Fogarty	McMurray	Sparkman
Folger	Madden	Spence
Forand	Mahon	Stewart
Ford	Mansfield,	Sullivan
Fulbright	Mont.	Taylor
Furlong	Mansfield, Tex.	Thomas, Tex.
Gale	Marcantonio	Thomason
Gordon	Merritt	Tolan
Gore	Mills	Vincent, Ky.
Gorski	Monroney	Voorhis, Calif.
Gossett	Mruk	Walter
Granger	Murdock	Ward
Green	Murphy	Weaver
Gregory	Myers	Weiss
Harless, Ariz.	Norton	Welch
Harris, Ark.	O'Brien, Ill.	Wene
Harris, Va.	O'Brien, Mich.	White
Hart	O'Connor	Wickersham
Hays	O'Neal	Wolverton, N. J.
Heffernan	O'Toole	Woodrum, Va.
Hendricks	Outland	Worley
Hoch	Patman	Wright
Holifield	Patton	Zimmerman
Hull	Peterson, Fla.	

NOT VOTING—34

Baldwin, Md.	Hess	Morrison, N. C.
Bell	Hobbs	O'Leary
Bradley, Mich.	Jackson	Rees, Kans.
Carlson, Kans.	Jarman	Robinson, Utah
Cole, N. Y.	Jones	Sheridan
Cullen	Jonkman	Snyder
Douglas	Kennedy	Stockman
Durham	Lamberston	Wasielewski
Fulmer	Luce	Winter
Gamble	Maas	Wolcott
Gifford	Magnuson	
Hébert	Morrison, La.	

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. Stockman for, with Mr. Kennedy against.

Mr. Bradley of Michigan for, with Mr. Jackson against.

Mr. Lambertson for, with Mr. Magnuson against.

Mr. Maas for, with Mr. Wasielewski against.

Mr. Wolcott for, with Mr. Robinson of Utah against.

Mr. Hobbs for with Mr. Cullen against.

Mr. Morrison of Louisiana for, with Mr. O'Leary against.

General pairs:

Mr. Fulmer with Mr. Jones.

Mr. Bell with Mr. Cole of New York.

Mr. Hébert with Mr. Rees of Kansas.

Mr. Jarman with Mr. Hess.

Mr. Sheridan with Mrs. Luce.

Mr. Durham with Mr. Douglas.

Mr. Morrison of North Carolina with Mr. Jonkman.

Mr. Snyder with Mr. Gifford.

Mr. Baldwin of Maryland with Mr. Gamble.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on agreeing to the resolution.

Mr. SABATH. Mr. Speaker, on that I ask for the yeas and nays.

The SPEAKER. Those who favor taking this vote by the yeas and nays will rise and stand until counted. [After counting]. Forty-three members have arisen, not a sufficient number.

Mr. SABATH. Mr. Speaker, I ask for tellers.

The SPEAKER. Those who favor taking this vote by tellers will rise and remain standing until counted. [After counting.] Thirty-three Members have arisen, not a sufficient number.

So the resolution was agreed to.

Mr. WORLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 1285) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes.

Mr. RANKIN. Mr. Speaker, pending that motion we would like to have a little understanding as to the time.

The SPEAKER. The Chair has not recognized anyone except the gentleman from Texas. If he desires to yield he may.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. WORLEY. I yield.

Mr. RANKIN. I may say to the Chair that there is an understanding between the gentleman from Texas and myself. Under the rule the time is divided equally between the two sides. I represent the majority of the committee and filed the majority report. The gentleman from Texas filed the minority report. I am asking now that the gentleman from Texas and the gentleman from Iowa [Mr. LECOMPTE] who have charge of the time on the other side each yield me 30 minutes that I may use it to yield to Members on my side who hold my views, who represent the majority views on the bill.

Mr. WORLEY. So far as I am concerned I want the time equally divided so those opposed and those for S. 1285 will have 2 hours each. I shall be pleased to make any arrangements to that end with the gentleman from Iowa.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. WORLEY. I yield.

Mr. DINGELL. I just want to make it clear that, insofar as I am concerned, I think the proper and fair division of time is between those who are for and those who are opposed to the Rankin bill. Unless there is some protection in that direction this thing is liable to go awry.

Mr. RANKIN. Let me say to the gentleman from Michigan that the gentleman from Iowa agreed to yield time to Members on his side who are opposed to the bill, and the gentleman from Texas would have the entire hour and a half left to him to yield to Members on his side who are opposed to the bill. What I want is time, as the ranking Member who filed the majority report. I should like to have an hour's time to yield to Members on our side.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. WORLEY. I yield.

Mr. MARTIN of Massachusetts. Why would it not be better to go along under the general rules of the House? Let the gentleman from Texas yield the half hour to names furnished him. I feel sure the gentleman from Iowa [Mr. LECOMPTE] will be glad to yield 30 minutes of his time to names the gentleman might submit.

Mr. RANKIN. I may say to the gentleman from Massachusetts that I believe, representing the majority in this case, having filed the majority report, that I ought to have some time to yield to the Members on my side.

Mr. MARTIN of Massachusetts. What difference would it make whether the gentleman from Mississippi yields the time or the gentleman from Iowa?

Mr. RANKIN. It makes a great deal of difference. You have the anomalous situation——

Mr. SABATH. Mr. Speaker, the rule provides how the time shall be divided.

The SPEAKER. We have the anomalous situation as reported in the rule already adopted that the time shall be equally divided and controlled between the chairman and the ranking minority member of the committee. If the chairman and the ranking minority member want to make an unusual agreement that is their business.

Mr. RANKIN. It is not an unusual agreement, I will say to the Chair.

The SPEAKER. The Chair has nothing to do with that.

Mr. WORLEY. Frankly, Mr. Speaker, on account of the peculiar circumstances under which this bill was reported I feel that the gentleman from Mississippi [Mr. RANKIN] is entitled to a guaranty of sufficient time. Frankly, I would rather have it decided in advance, because I am afraid if it were left to my discretion I would yield him too much time. If someone on the other side who is opposed to S. 1285 has an hour and I let the gentleman from Mississippi have an hour that would make the division of time equal.

Mr. MARTIN of Massachusetts. Mr. Speaker, I think we had better proceed in the usual way.

The SPEAKER. The question is on the motion of the gentleman from Texas.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 1285, to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. LECOMPTE. Mr. Chairman, if I understand the gentleman from Texas correctly, he will be glad if one of our speakers would speak first?

Mr. WORLEY. Mr. Chairman, in view of the fact that we are in the majority I think it would be proper for those on the minority side to proceed.

Mr. LECOMPTE. Mr. Chairman, I yield 20 minutes to the gentleman from Illinois [Mr. VURSELL].

Mr. VURSELL. Mr. Chairman, having at different times spoken at length

on the provisions of House committee bill 1285, I shall confine my remarks today to a brief explanation of the bill. I think it is very important that we understand the provisions of this bill so that we will be able to compare the soundness of our proposal with the Worley bill, which I understand, may be offered as a substitute.

Briefly, our bill directs and compels, so far as not incompatible with the military service, that the Army and Navy distribute post card applications for absentee ballots to the soldiers overseas and those connected with military service not later than August 15, which is 82 days before the election is held. The purpose of this early distribution is to give the soldier time to make certain that his application for the absentee ballot reaches the proper election official whose duty it is to issue the ballot so that the one trip in on the application will be accomplished from 40 to 60 days before the election.

All the soldier has to do is to place on that post card application in the blank space his military address and his home address, stating he is in the armed service and desires an absentee ballot. On the other side of the post card it is addressed to the secretary of state of ——, meaning the State from which the soldier hails. The secretary of state of the various States is directed to, at once, forward such postal card requests for ballots to the proper county, city, or election official. The applications will then be waiting with such various officials all over the United States so that such election officials may mail the ballot with a qualifying oath as to his legal right to vote in that precinct immediately upon receipt of the ballots to the soldiers' military address. The envelope carrying the ballot will have printed on the outside "Official Election Ballot" which, under our bill, will give it not only free air carriage, but priority air rights and prevents censorship.

The larger envelope carries the official ballot and qualifying oath to the soldier. It has, enclosed, a returned ballot addressed back to the election official which has the same identification on the outside of the ballot, giving its transportation home the same air priority rights.

All the soldier has to do is to open his mail like he would a letter from home, vote the absentee ballot, swear to the qualifying oath before an officer with the rank of sergeant up, enclose the ballot and qualifying oath in the inner envelope and drop it into the post office.

On the way out commercial airways carry the ballots to San Francisco, if it is going to the southwest Pacific. These ballots are picked up at San Francisco and expedited across to the various post offices of the South Pacific by Army planes. Army planes carry the ballots back to San Francisco and from the San Francisco Post Office they go direct, by commercial airways, to the various precincts of the Nation. In the United States the same type of post-card applications is placed in the hands of the voters later, September 15, 52 days before election. They are handled in the same way with the exception that the use of Army planes is unnecessary.

Secretary Stimson and Secretary Knox and others high in the administration have said that it would be very difficult to handle 48 different State elections under our plan. This is a very misleading statement. We do not want these officials to handle any 1 of the 48 State elections. That is what we are trying to keep away from. We simply want them to distribute the postal cards and transport the ballots back and forth. In their letter to the secretaries of state they suggested several provisions that would be helpful if they were written into our bill, among them was allowing for longer time to get the ballots to and from the voter, stating they should have at least 45 days before election for overseas and 30 days before the election inside continental United States. This would give time enough, if necessary, to transport short-haul ballots by boat. Practically every State in the Union has or will comply with this provision which is recommended by our bill. They also ask that the size of envelopes and ballots be reduced as much as possible in order to cut down the weight. We have provided for this in our bill and, of course, all States will attempt to cooperate. They ask that the outer envelope be clearly marked with "Official Election Ballot" so as to give notice to censors of contents. We have provided for this.

Our bill calls upon the States to accept post-card applications and to waive registration for all men and women in the military service who may not be registered.

Now, I want to place in the RECORD again the timetable that Colonel Cutler, representing Secretary of War Stimson, submitted, which timetable is agreed to as being correct by the Secretary of the Navy. I want to give you the following figures, bearing in mind that these figures allow 2 days for the soldier to vote the ballot overseas and 2 days for the clerk or local official to get the ballots properly placed with those who will count them. Colonel Cutler testified that this is the average time required by air and does not take into consideration any reduction in time when the Army and Navy would take hold to expedite these ballots back and forth. Certainly they will be able to reduce these timetables by at least 25 percent. Even though they are not able to reduce them they would have adequate time under their own figures, which are as follows:

Location of soldier desiring to vote and average air-carriage time to Springfield, Ill.—1 round trip

	Days
(a) Alaskan area:	
Nearest	14
Farthest	17
(b) Pacific area:	
Nearest	18
Farthest	30
(c) Canal Zone	13
(d) Caribbean area:	
Nearest	12
Farthest	16
(e) South Atlantic area:	
Nearest	14
Farthest	16
(f) Middle East area:	
Nearest	18
Farthest	20
(g) Persian Gulf area	22
(h) Far East area:	
Nearest	30
Farthest	46
(i) Mediterranean area:	
Nearest:	
Long haul	21
Short haul	18
Farthest:	
Long haul	26
Short haul	22
(j) North Atlantic area:	
Nearest	14
Farthest	24

Now, when the Secretary of War, the Secretary of the Navy, or anyone on the floor of this House, undertakes to say that they cannot get these ballots back and forth under these time-table limits, I think they will be indicting the Army and Navy high commands with either a willful intent not to expedite the matter or with the most gross type of inefficiency. Of course, there will be some outlying and some exceptional spots where they may find it difficult, and under our plan some of those serving may not have an opportunity to vote, but those who do vote will have a chance to vote a real ballot, and, in my humble judgment, 98 percent of the soldiers overseas who comply with the provisions of our bill signifying their desire to vote will have an opportunity to vote the entire ballot which we provide.

Mr. Chairman, under the short-ballot plan, which carries no names on the ballot, the same situation will arise, and it is my opinion that when the soldiers who have heard so much talk that they were going to have a chance to vote in the election receive this blank ballot—such a hollow gesture of an attempt to give them the chance to vote—the majority of them will resent such a move and will throw them on the ground and refuse to become a party to such a deception upon the men and women who are fighting to defend this country.

Mr. Chairman, now I want to call your attention to what is now termed the Worley bill. I think it is the third revision. The first bill, the chairman of our committee, the gentleman from Texas, presented was the first and original Green-Lucas bill. He was then all for a Federal war ballot commission with all of the trimmings. A bill in open and flagrant violation of the Constitution, without any restrictions as to governmental propaganda, a bill conceived in politics for the purpose of controlling the election—come what may. This bill was defeated in our committee. Then another bill came along and finally the bill that will be offered as a substitute to the committee bill, which now throws out the ballot commission, throws out practically everything except its unconstitutional provisions which it can never get away from, and stresses of all things now the importance of the fact that they also provide for the absentee ballot, notwithstanding the fact that their position has been, from the beginning, that the absentee ballot was impractical, unworkable, and could not be administered by the Army and Navy.

Mr. Chairman, this bill is before this House today, in my judgment, for one purpose—to weaken the proponents of the House committee bill 1285 with their chief aim to put over the short ballot.

One must be amazed at the right-about-face and the change that has suddenly come over the gentleman from Texas and those who are now claiming that title 2 of the Worley bill meets all of the provisions of the committee bill 1285. They now say we will give them all a chance to vote the full and complete ballot and are expressing a great interest in trying to get the whole ballot now to the soldiers overseas. Ten days ago when the gentleman from Texas wrote the minority report, possibly in cooperation with Colonel Cutler of the Army, most of the pages of that report provided for and signed by the gentleman from Texas were filled with reasons why the absentee ballot provisions of the House committee bill 1285 were not and could not be made effective under our bill.

Now they are placing most of their stress on this splendid provision when they have found that the Members of this House would not think of passing his bill on the demerits of the short ballot.

I have little or no faith in this deathbed repentance on the part of those who have, for the past 2 months, opposed these provisions in the House committee bill.

Mr. Chairman, are you going to cheat the soldier who is fighting in the swamps and fox holes for $50 a month by sending him the short ballot, and give the whole ballot to the men in the munition factories who are making from $10 to $20 a day?

Are you going to send General MacArthur the short blank ballot and give Philip Murray, at the head of the C. I. O., the complete ballot?

Are you going to send General Eisenhower the blank short ballot and give the complete ballot to Harry Bridges and Sidney Hillman? Can the Congress do this to our fighting heroes? God forbid such a travesty.

Mr. Chairman, it will be a great mistake to attempt to use two types of ballots. Running true to New Deal inefficiency, it will set up the machinery where one thing can be talked about and the other thing done. In my judgment, it will wreck and nullify the getting of the complete ballots to the soldier as provided under the committee bill 1285.

I believe it is safe to say that a majority of the Members of this House firmly believe that the soldier is entitled to the full ballot like we vote at home and just as firmly believe that the Army and Navy will have very little difficulty in getting these ballots to and from the soldiers in plenty of time to be counted. There is no question but the Army and Navy, if they exert half the efficiency that the officials of those departments expect of the men in the ranks, but that the job can be done and will be done with a minimum of effort.

I know the pressure has been very strong against many of the Members by certain inspired groups which have threatened to defeat Members before and are threatening to defeat you now if you fail to do their bidding and support the short ballot. You know and I know 90 percent of the letters and telegrams you have received have been inspired and have been sent by people who know little if anything about the provisions of the two bills in question, and care less.

I have a notion that if you allow this crowd to cause you to vote for the short ballot that will cheat the soldiers out of a real chance to vote that you will find that you have made a very bad political move, whether you be on one side of this aisle or the other, and, it is my firm conviction that if we who have opposed the short ballot divide our forces and allow the Worley bill to be approved by this House that the next move will be that we will be called upon to vote for the Green-Lucas bill, which is as bad now as it was when it was first hatched out of the political incubator. You may find yourselves later placed in a position which you will find very awkward to explain to your voters back home.

I wonder if any of you believe that a majority of the sound-thinking people of this Nation wants this Congress to set up another bureau of any kind.

I wonder when you have been back home on your vacations if you have found any strong sentiment for giving the Government greater centralization and greater power. Do you think your people back home want the Federal Government to step in and set up a new and untried ballot scheme, want the Federal Government to intrude into and override the election machineries of the States? You know that when you vote for increasing the power of the Federal Government over the election machineries of the States that you are going contrary to the will of the soundest thought of the people of this country today.

Practically all of the States of the Nation are anxious to give their soldier boys a chance to vote and want to give them a chance to vote the full and complete ballot as laid down under House committee bill 1285.

The proponents of the Green-Lucas bill have been, for days, trying to rush that bill through, which will prevent the States from giving their sons and daughters the fullest opportunity to cast a full and complete ballot in the regular American way.

The Congress is on trial today, as it often is on major pieces of legislation. Courage of a high degree is necessary among the Members of this body in considering this bill. The C. I. O. lobby, the Communist Daily Worker, Earl Browder, that vicious newspaper PM, regarded as the up-town edition of the Communist Daily Worker, and the C. I. O. have all been inspired to defeat House committee bill 1285. Are you going to stand with them? Are you going to be intimidated by them? Are you going to give away your sacred rights here and shirk your responsibility as a member of a free government and be driven away from the duty that has devolved upon you?

If you approve the Worley bill you will be flooded with telegrams, threats, and intimidation that you must support the Green-Lucas bill with the war ballot commission. I hold a telegram in my hands now from the C. I. O. which has already started this pressure.

The thinking people of this country are demanding decentralization of government rather than the building up of a greater bureaucracy. The thinking people of this country will condemn this Congress if it votes for the building up of another bureaucracy for the purpose of invading and controlling the election rights of the States which were written into the Constitution in the formation of this Government and which have been respected from that day until now.

I have only received one letter from my entire district asking me to vote for the Green-Lucas or the Worley bill. On the other hand I have received many letters from my district, many from fathers and mothers of men and women in the service, commending those who were supporting the House committee bill urging that this election shall not be turned over to the Federal Government.

I have received letters and telegrams from nearly every State in the Union from thinking, patriotic people opposing this bobtailed ballot provided for in the Green-Lucas and Worley bills and the war ballot commission and urging that the committee bill be finally passed. I want to give you just one instance of the hundreds that have come to me—may I read this telegram received yesterday from Portland, Oreg.:

PORTLAND, OREG., *January 30, 1944.*
Congressman CHARLES W. VURSELL,
Congressional Office Building,
Washington, D. C.:

Tonight we heard your radio address in reference to the soldiers' vote bill. We have three sons in service. More power to you and those working with you.

E. G. FELKER.

Mr. Chairman, in closing let me say, shall we surrender to these inspired pressure groups who are constantly trying to break down the confidence of the people in the Congress of the United States, or shall we pass this bill that is an honest workable approach to this problem, defeat the proposed ballot-box bureaucracy bill, and serve notice to the people of this Nation that the Congress of these United States cannot be bluffed, browbeaten, and intimidated by the radical element, or from any other source in this country? Can we not do this and send to the people of this Nation a message that a Congress with common sense and courage still rules on Capitol Hill in the heart of the Nation? That representative constitutional government is growing stronger and still lives to guide the destiny of this great Republic?

Mr. KUNKEL. Will the gentleman yield?

Mr. VURSELL. I yield to the gentleman from Pennsylvania.

Mr. KUNKEL. Will the gentleman explain to me the mechanics by which the precinct officials are kept from seeing how the soldier voted when they detach the sworn statement from the ballot?

Mr. VURSELL. The election clerk will know how the soldier votes, I presume, when the sworn statement comes back.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. VURSELL. I yield to the gentleman from Michigan.

Mr. DONDERO. Did the gentleman's committee at any time take the position that the Federal Government through the Congress can pass any law to supersede the election law of any State of this Union?

Mr. VURSELL. We have never believed that the Federal Government can pass any law to usurp the rights of the States. That has been the position of our committee.

Mr. DONDERO. Mr. Chairman, will the gentleman yield further?

Mr. VURSELL. I yield.

Mr. DONDERO. Suppose the Worley bill becomes law and the ballot provided under that bill is sent to the soldier and he votes it, and it comes back to his State and the State officials say it does not comply with the law of that State, and, therefore, it is not counted, will we have done anything for the soldier by voting that kind of a bill?

Mr. VURSELL. You will have done nothing but deceive the soldier and his relatives, and disfranchise him, take away from him his opportunity to vote. The information I have from many States is that those ballots cannot be counted. In my judgment, on the best authority I can get from the State of Illinois, we take a chance on disfranchising 700,000 men and women in Illinois if this short-ballot measure is placed on the statute books. It opens up the possibility that this election may be thrown into the Supreme Court, probably bringing chaos to this country, when we should have the question finally settled on November 7.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. VURSELL. I yield to the gentleman from California.

Mr. HINSHAW. On yesterday the Legislature of the State of California passed a measure providing for moving the primary election up to May 16, simultaneous with the election of delegates to the several national conventions. It also provided, I believe, for 50 or 56 days before the final election as the time the absentee balloting should be held, and provided 16 days after the election in which the ballots might yet be counted.

I note that in the Worley bill the Federal ballot is referred to as the "Official Federal War Ballot." Is that for the purpose of making the absentee voters of my State who may be in the armed services believe that this official Federal war ballot is the only ballot on which they can vote, and that the State ballot is unofficial, and therefore not to be counted, or what does it mean?

Mr. VURSELL. It is part and parcel of the whole fabric. There never has been any intention in the minds of the authors of the Green-Lucas-Worley bill to allow the soldiers to vote anything but the short ballot. They will hold the elections early on the various battle fronts, and this short ballot will be given to the soldier. When the soldier votes the short ballot he will figure he has discharged his obligation; he will not know there is any other ballot coming. In my judgment, they do not want him to know there is any other ballot coming.

Mr. HINSHAW. I want to know what the meaning of this word "official" is. Is that supposed to mean that that is the ballot and all other ballots are unofficial and not to be counted? Or what does that word mean?

Mr. VURSELL. It might mean that. I do not know.

Mr. HINSHAW. What would it mean to the soldier?

Mr. VURSELL. I cannot yield further.

Mr. BONNER. Mr. Chairman, will the gentleman yield? He has made one statement that I do not think he wants to leave in the RECORD.

Mr. VURSELL. I yield briefly.

Mr. BONNER. The gentleman says there was no member of the committee who reported out the Worley bill who ever thought they would vote under anything but the short ballot. That is not correct. The gentleman does not want to leave that impression?

Mr. VURSELL. I mean those who brought the Green-Lucas bill into being. That is no reflection on the Members, and I do not question the good intentions of the Members.

Mr. BONNER. The gentleman just said the Green-Lucas-Worley bill. There are two provisions under which they can vote.

Mr. O'HARA. Does the gentleman agree with me that the right to vote means more than the right to vote for two or three people, but means giving the men the right to vote for all of the people he would vote for, if he was resident of the district at the time?

Mr. VURSELL. I think the soldier has that right. I think the short bill cheats him out of that right. That is one of the reasons I have opposed the short bill in addition to the fact that I doubt the constitutionality of it.

Mr. MOTT. Suppose under the Worley bill a soldier should get one of those short ballots and vote it, and suppose also, he has sent in one of his State ballots, that he has voted both of them, which one would be counted?

Mr. VURSELL. I think under the Worley bill the whole ballot will be counted, but you get into confusion, as I have explained before, and they will hold the elections early overseas in order to get the use of these short ballots, and there will be a lot of waste time in carriage to the soldier overseas, with those short ballots. I am against two ballots anywhere under the law. We have enough confusion without two ballots.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. VURSELL. Yes.

Mr. HOFFMAN. In answer to the question of the gentleman from Oregon [Mr. MOTT], in Michigan, of course, the election board would count the ballots, the board of canvassers, and that ballot which comes back, that is, the short ballot, would not be voted, because it does not comply with the State law.

Mr. VURSELL. I cannot yield any further.

Mr. CHURCH. Just this one question. The short ballot would not merely add to the tonnage and the unconstitutionality of the ballot——

Mr. VURSELL. There is no question about that.

Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The gentleman yields back 1 minute?

Mr. LECOMPTE. Mr. Chairman, I yield 15 minutes to the gentleman from Oregon [Mr. ELLSWORTH].

Mr. ELLSWORTH. Mr. Chairman, this entire issue should not have been an issue at all, and I for one regret that it has become such an all-out crusade and campaign over the country. I regret the lack of knowledge that lies behind a great deal of the effort that has been made to smear the Members of Congress who in full sincerity have endeavored to work out a way and who are now endeavoring to work out a plan to allow all the men in the armed forces to cast a ballot on election day. So I feel I can best contribute to this debate today by simplifying, and clarifying as best I can, not only the issues, but the understanding of the bill itself. In the first place, all that the bill we are now considering proposes to do, is to assist the States by recommending to them certain procedures which the Committee's investigation has revealed will enable the voters from the several States to cast absentee ballots under State laws and have them counted. The only thing that the Federal Government does in connection with this problem is to provide transportation, and priority of transportation, of the ballots. On the other hand, the champions of the Worley bill, have proposed a Federal ballot, with no names on it, no constitutional authority for the Congress to pass such a ballot that I know of, and no opportunity for the men in the armed forces to cast their ballots for any more than three Federal officers—the President and Members of Congress. In other words, the men who use this ballot will be in fact denied the right to vote for the rest of the ticket.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. ELLSWORTH. Yes.

Mr. CUNNINGHAM. Is it not true that under the Worley bill, every sitting Member of Congress would have a distinct advantage over his opponent, in that the soldiers would know his name, and have no way of learning the name of his opponent?

Mr. ELLSWORTH. Unquestionably the Worley bill is weighted in favor of the incumbent in Congress.

Why do we have to consider this measure, this bobtailed ballot, this piece of paper with no names on it, this vote for only three officers, in the Federal Government? Why is it necessary that we contemplate adopting such a drastic measure, when we know by reading the Constitution that it is at least forbidden

so far as the election of electors is concerned? Is it because there is no other way to provide the ballot? No; that is not true. We shall prove during the course of this debate, that there is not the slightest question about the ability of the States to forward our ballots to the men in the armed forces and get them back in time to be counted legally. If there is no necessity for passing such a radical, unsatisfactory voting bill, why in the world do we ever consider it at all? Let me say with reference to the transportation of the ballots to and from the armed forces, it has been argued that the Army and the Navy cannot administer the laws of 48 States. The President made that statement in his message. I am sorry to have to say at this time that the President of the United States was completely misinformed when he made that statement. The Army and the Navy have not the slightest thing to do, in any sense, with the administration of the laws of the several States in connection with these State voting ballots as provided and discussed and advised in S. 1285. They have nothing to do with it. The only thing in the world they have to do is to transport those ballots and they would not even know when they have been mailed. All they do is to give priority to envelopes that contain ballots.

Mr. BATES of Massachusetts. On the question of transportation, which is the all important question of the States ballot, what has the Army and the Navy to say with respect to the ability to transport? That is the question. The whole thing hinges on the ability to get the ballots there and to get them back.

Mr. ELLSWORTH. The answer to that question is this: The committee, in reporting out this S. 1285 with the amendments, had a representative of the Army before it and he recommended 45 days. That was considered adequate time for the ballots to be taken overseas to any place where the soldiers are, and brought back; of course, a few men in the far corners might not be reached. But the representative of the Army, Colonel Cutler, gave us to understand that 45 days would be sufficient time for that purpose.

Mr. BATES of Massachusetts. That is on the State ballot?

Mr. ELLSWORTH. On the State ballot, under this bill, S. 1285.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. ELLSWORTH. I yield.

Mr. HALLECK. Is it not elementary that if the Army and Navy can take a Federal ballot to a man to be voted on, they can also take a State ballot to him?

Mr. ELLSWORTH. I will say to my colleague, under the Worley bill they not only have to carry a Federal ballot but they have to carry 48 State ballots of all the 48 States as well. This is not a saving of transportation. The Worley bill doubles the transportation.

Mr. HALLECK. There is not a man in the armed services today who is not carrying on correspondence with his people back home and who is getting mail, he hopes, every day. Many of them are in far parts of the world. Now, if letters can be sent to him and he can send letters back, why cannot an envelope containing the ballot from his State be sent to him and, after he sits down and votes it, be sent back to the proper election commissioner to be counted?

Mr. ELLSWORTH. I think the gentleman has stated the crux of the matter. Why do we have to consider only the bobtailed, streamlined ballot where the soldier would only be voting for three officers? Why is it necessary to do that when we can give them a ballot on which they can vote for a candidate for every office, Federal, State, and local?

Mr. WORLEY. Mr. Chairman, will the gentleman from Oregon [Mr. ELLSWORTH] yield for an answer to that question?

Mr. ELLSWORTH. I yield to the chairman of the committee.

Mr. WORLEY. The reason is because most of the States have tried, and many of them have tried diligently to make their law better, but in spite of their best efforts they have not been able to transport that ballot to a point overseas and back in time to be counted.

Mr. ELLSWORTH. Let me ask the gentleman if he does not believe 45 days' time will be sufficient in which to do that?

Mr. WORLEY. That is what we provide in the bill.

Mr. ELLSWORTH. Yes.

Mr. WORLEY. We provide a minimum of 45 days.

Mr. ELLSWORTH. That is right.

Mr. WORLEY. That is not a maximum.

Mr. ELLSWORTH. That is the minimum time which we recommend to the States to allow for in their laws so that the ballots will be counted. A minimum of 45 days.

Mr. WORLEY. There is the point. The gentleman's bill carries a recommendation. Our bill carries the specific authority of law.

Mr. ELLSWORTH. May I point out to the gentleman that in the case of our bill, a few States will have to change their laws in order to meet the requirements. But in the case of the gentleman's substitute bill, in my opinion 48 States would have to change their laws to conform because it infringes on the Constitution of the United States.

Mr. BATES of Massachusetts. Will the gentleman yield, Mr. Chairman?

Mr. ELLSWORTH. I yield.

Mr. BATES of Massachusetts. May I ask the chairman of the committee this question? Section 32, title 3, provides transmission of all communications shall be free of postage. Does that include the State absentee ballot?

Mr. WORLEY. That includes the State absentee ballot for the State primary and general elections. It includes the transmission of cards and all other communications to get both parties on the ballot. We do that to encourage a man to vote the State absentee ticket in the primaries in all instances.

Mr. BATES of Massachusetts. That word "communications" includes, in your opinion, the absentee State ballot?

Mr. WORLEY. That was certainly the intention.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. ELLSWORTH. I yield.

Mr. BONNER. I would like the gentleman to explain to the House what will take place in the following situation. Your bill provides these postal cards shall be mailed by the soldier in Europe back to America as an application for an absentee ballot; is that correct?

Mr. ELLSWORTH. That is correct.

Mr. BONNER. What would happen if the airplane bringing those post cards over here was lost?

Mr. ELLSWORTH. Exactly the same thing that would happen if the airplane bringing home the Federal ballots was lost.

Mr. BONNER. In that instance, then, if that is so, would it not be a double security to let the post cards come on as is provided in the Worley bill and then if anything happens so that the absentee ballot does not get back, you would have a second chance of voting the short ballot?

Mr. ELLSWORTH. Well, I think the gentleman is making a lot of assumptions. I believe it is more likely if the Federal ballot is voted that the Army authorities will see that the Federal ballots are voted, because it is more convenient for them to do so.

Mr. ROWE. Mr. Chairman, will the gentleman yield?

Mr. ELLSWORTH. I yield.

Mr. ROWE. Has there not been some question about the ability of the Army and Navy to transport one ballot, let alone two?

Mr. ELLSWORTH. Well, yes. I think I see what the gentleman means. The gentleman means it might be a little less difficult for the Army and Navy merely to move the State ballots in the normal way as provided in the committee bill than to carry both the Federal and State ballots as provided for in the Worley bill.

Mr. ROWE. What I mean is this, that very argument has been used many times in the other House and probably will be used here, the argument of the inability of the Army to handle the regular ballot.

Mr. ELLSWORTH. I will say with reference to the question of the inability of the Army to handle the regular ballot, it is plain poppycock and bosh. They can carry that mail the same as they carry any other mail. They are advertising on every screen and every theater in the United States and in the car cards, urging people to send mail to our troops. Now, if that is the case, they can carry the mail. And if they can carry the mail they can sidetrack a letter for a day or two and put through a ballot, because we have been told repeatedly that the men want the ballot and I am sure they can get it that way.

Mr. ROWE. My statement was with reference to the double security suggested by the gentleman from North Carolina that they could carry both ballots.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. ELLSWORTH. I yield.

Mr. VORYS of Ohio. I have searched through the bill. I can find no prohibition against censorship of the ballot

on its way back from the soldier. We all know that officers do a great deal of censoring of the mail of enlisted men and that there are other censorships which are gone through. Was there any discussion in committee which would make it impossible or unwise, or absolutely forbid, censorship of a man's ballot? It seems that is a very important part of giving the soldier a real vote, and that is not to have his officers able to open his ballot and know how he voted.

Mr. ELLSWORTH. I agree with the gentleman. There was some discussion of that point. The Army representative, as I recall, raised the question of whether or not that would be wise in the interest of security, and apparently it was left out of the bill. I should say, if the gentleman wants to put in such an amendment, I personally see no objection to it.

Mr. WORLEY. Will the gentleman from Oregon yield for an answer to that question?

Mr. ELLSWORTH. I yield.

Mr. WORLEY. That question was taken up with the War Department before either bill was reported. They issued a regulation or a directive which provides no ballot and no envelope marked "Official War Ballot," of either the State or the Federal Government, is subject to censorship. That is a directive. It is not necessary, unless the gentleman would like to put that in.

Mr. VORYS of Ohio. Since there is no objection from the War Department, and I should think there could conceivably be none, would it not be well for the committee to prepare such an amendment which would make sure that a man's ballot would be secret?

Mr. WORLEY. That would be perfectly acceptable from my standpoint.

Mr. ANGELL. Mr. Chairman, will the gentleman yield?

Mr. ELLSWORTH. I yield.

Mr. ANGELL. I would like to ask the gentleman what would take place in my State under the Worley bill if the ballots were sent to a soldier and he sent them both back. There would be no record of the voter in the office where the votes are to be counted and no way to determine whether that man has voted already on a regular ballot, because there is no registration, and back in my district there are about 200,000 voters.

Mr. ELLSWORTH. It is pretty clear, under the Oregon law and constitution, that the Federal ballot would be illegal. My guess is that if both ballots came back there would be no question as to which one would be counted.

I want to make one additional point. All of us have had considerable pressure brought to bear upon us, and I want to draw a distinction here between the kind of influence I think is being exerted on the side of the Federal ballot and the kind of influence and opinion being expressed on the State ballot plan. On the one hand, so far as I know, the newspaper PM in New York and certain radio commentators who love to stir things up and a few organizations whose character I personally consider unwholesome have been advocating a Federal ballot.

On the other hand, the Conference of Women's Patriotic Societies, which met in Washington a few weeks ago, passed a resolution endorsing the Senate bill, S. 1285, the bill now under consideration by the House.

The CHAIRMAN. The time of the gentleman from Oregon [Mr. ELLSWORTH] has expired.

Mr. WORLEY. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. MORRISON].

Mr. MORRISON of North Carolina. Mr. Chairman, I think the only thing that this Congress would not have the power, under our Constitution, to do about soldiers voting is that it would not have the power to change the qualifications for voting. I am sure everything else about it can be done without violating the Constitution of the United States. Time will not permit me to attempt a formal argument to establish that proposition, but I think you will see the truth of that statement and the soundness of it when you think about it.

The Constitution expressly provides that the time, the manner, and the place of holding elections, except the place for electing United States Senators, may be changed by the Congress. But I am not going to rest my support of the Worley substitute on that power but under the welfare clause, as we have come to call it, of the Constitution, coupled with the power to enact all laws necessary to carry out such legislation. This Congress, in its wisdom, may have the necessary power and is expressly granted that power.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. MORRISON of North Carolina. I yield.

Mr. RANKIN. The gentleman says that this Congress does not have the constitutional right to fix qualifications for voters.

Mr. MORRISON of North Carolina. I think that is clear-cut.

Mr. RANKIN. That would be unconstitutional?

Mr. MORRISON of North Carolina. I think so, sir.

Mr. RANKIN. Now, this Worley bill is tied in to such an unconstitutional law passed last year, that will be set aside by practically every court in the country, and if the Worley bill is passed, tied into such a law, it will be unconstitutional.

Mr. MORRISON of North Carolina. "Sufficient unto the day is the evil thereof." I did not have anything to do with that. I was not here. If it is enacted into law I think the gentleman will find that that would probably be true as to some of the States. I think I would agree with him that there was some part of that law unconstitutional. The part that was not would have life and vigor.

Mr. RANKIN. Will the gentleman yield further?

Mr. MORRISON of North Carolina. I yield.

Mr. RANKIN. But the point I am speaking about, the unconstitutional part of it, fixed the qualifications of electors in violation of section 2, of article I, and in violation of the seventeenth amendment.

Mr. MORRISON of North Carolina. Section 2, of article I—I subscribe to your thought about that as strongly as you do. But I say as to the manner of holding the election, under the clear-cut language of the Constitution we could enact this legislation without violating that provision of the Constitution.

Mr. RANKIN. But this Worley bill is tied in to that Public Law No. 712 and into those very unconstitutional provisions to which I referred and would nullify the election in every State in the Union.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. MORRISON of North Carolina. Yes; I will, but I have very little time.

Mr. GORE. Despite the very learned opinion of the gentleman from Mississippi [Mr. RANKIN], Public Law No. 712 has not yet been declared unconstitutional by the Supreme Court of the United States whose duty it is to pass upon it.

Mr. MORRISON of North Carolina. And in toto never will be.

Mr. RANKIN. Will the gentleman yield?

Mr. MORRISON of North Carolina. I am obliged to. I was trying to make a serious argument, and there is no time to do that.

Under what is commonly known as the general welfare clause of the Constitution of the United States, this Congress can do anything that the welfare of the United States requires it to do. Under that welfare clause—and it may have been much abused, but it is one of the great provisions of our Constitution—the power is expressly granted to enact all law necessary to carry those powers into execution or all laws enacted under the welfare clause. It was under that clause that Jefferson made the Louisiana Purchase. It was under that clause that our waterways were built up, all under controversy.

Many things have been done under it that ought not to have been done, but if there ever was the question with which this country ought to deal for the welfare of the United States and its defense, it is the question before us. We ought not to be so technical about this matter, because that welfare clause, it seems to me, fits this situation better than any situation under which it was ever invoked in all the past history of our country. Here are these soldiers of ours in the combat forces everywhere, all over the globe. We know as a matter of common sense that it is going to be very difficult to help them vote successfully at all. Ought they to vote? Is the welfare of our country involved in it?

Mr. Chairman, I doubt if a question ever confronted the Congress of the United States in all our history which so clearly involved the welfare of our country. The utter absurdity of saying that under the great Constitution of our country, that has fitted in the past all of our difficulties, under this great grant of power, we cannot see to it that the men who are suffering and dying everywhere all over the earth to keep this country free, to keep its flag in the sky, can vote because it may be repugnant to some little State law somewhere that perhaps

ought not to have been enacted in the first place.

Will it affect the morale of our Army? When our boys who are burying their dead, who are suffering everywhere, are told they are not going to be allowed to vote because it would be unconstitutional to enact any law under which they could vote, they will know it is nothing but metaphysical nonsense when they are told so. We ought to stand up and brush everything out of our way and enact a practical law under which the vote can be taken, and by the Government which they are fighting to keep alive, bring that ballot back and offer it to the officers of the State. If, under the law, they are qualified voters in that State, no State will so disgrace and damn itself in history forever as to refuse to take that ballot and count it, in my opinion. What harm will be done? We will have the highest class election officers the United States ever had in its history to take that ballot. Brave men who live true to liberty and who are dying for it will take the ballot. I scorn the suggestion that foul, dirty politics would ever enter their heart as they did this. They take the ballot. They bring it back. They hand it to the election officials of the State, and if it is a qualified vote, they will have to count it. If it is not, they will not, under this law. Who is hurt?

Mr. CURTIS. What objection does the gentleman have to sending a full and complete ballot to the soldiers?

Mr. MORRISON of North Carolina. None in the world except the fact that we may not get it ready in time; that is the only possible objection.

Mr. CURTIS. Would it not be more convenient to send him two ballots?

Mr. MORRISON of North Carolina. I do not think so. Every man in the United States Army, white or black, was found to be able to read before he was ever allowed to enlist, and under the Constitution of my State that makes him a qualified voter, and this Government cannot change that qualification; but even in the case of those whose desire to fight for their country was so strong they got by the officers who wanted them to know how to read and write, he would have the aid of the fairest, squarest, and the bravest men to read for him that any voter ever had in all the sweep of time.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. WORLEY. Mr. Chairman, I yield 2 additional minutes to the gentleman from North Carolina.

Mr. MORRISON of North Carolina. The general welfare of this country we love and that we have bound ourselves to support and sustain by oaths administered to us in every possible way demands that we banish politics and littleness from our hearts about this matter. Let us stand up and above party. Oh, my God! How much party we are having in this country in this awful day and time. Party! Whom will it help and whom will it hurt? I testify to you that I do not care whom it helps or whom it hurts, I want every voter qualified under the laws of any State of this Union who is offering his life in defense of my country to have a right to vote for the President next time, and for the Members of Congress; and I scorn the suggestion that there is one iota of partisanship or politics about it. Why are we afraid about it? Uninformed, you say. There is not anybody so well informed about what manner of government we really have as the boys in whose hands this Government now rests. Yes, they know it, they know what sort of government we are having because it is all intended, or should be, for their protection, their aid, and their defense. If there is anybody who can enlighten us as to how successful it is, that person is the man in whose defense it is all done and for whom it is all about.

I appeal to this House to rise above party, rise above section; yes, rise above color. I am a southern white man and a Democrat, but in my State I want any black man to vote who answered the drum tap of his country and stepped under that flag to keep Old Glory in the skies; and he will be qualified to vote under the laws of my State if his ballot is presented to the election officers.

The CHAIRMAN. The time of the gentleman from North Carolina has again expired.

Mr. LECOMPTE. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Chairman, it must be evident to the Members of the House that the administration forces have reached a point of desperation in their frantic attempts to streamline the State election laws, by introducing what may be termed the short ballot in their efforts to bring about the first mass voting movement ever attempted in the Nation.

This was indicated in another body several days ago by the administration forces' efforts to bring out the Lucas bill for the immediate consideration of that body before this House had had an opportunity to consider the bill which had been previously passed.

As a new Member of the House, I cannot understand this procedure. Why they should be permitted to have two chances at soldier vote legislation before the House has had an opportunity to even consider one. I might say for the benefit of the Members of this House, that for several weeks we tried to have Chairman WORLEY call a meeting of the Presidential Electors' Committee of the House; however, little consideration was given our request and for 6 weeks, from the latter part of November until January 12, we were unable to have a meeting to discuss the soldier vote legislation.

The members of the committee knew the administration forces were frantically building up propaganda through various organizations trying to blackjack the committee into accepting the so-called Worley bill which was, and still is, a vest-pocket edition of the Lucas-Green bill, polished up with the name of the distinguished gentleman from Texas, GENE WORLEY, whom I greatly admire.

Every Member of the House and Senate is anxious to give every soldier the fullest oportunity to exercise that sacred American privilege—the right to vote. The only question involved is how best to set up the machinery.

Of course we all know that vote machinery must be within the Constitution so there would be no question of the votes being counted. Devising such a method presents a real problem.

After careful study involving conferences with informed officials, the Army and the Navy, and after careful analysis of the election laws of the several States, the Presidential Electors Committee could not pass the so-called unconstitutional soldier vote bill, H. R. 3876, known in the House as the Worley bill. This was refused as an unworkable, controversial, and unconstitutional proposal. Why pass legislation that we know will not be respected by the States because we are all aware of the fact that the right to vote and the conditions under which citizens may vote are entirely within the control of the States and regulated by State law under the Federal Constitution.

Attempts to provide Federal voting laws have been challenged as representing merely another attempt on the part of the Federal Government to invade a field recognized as strictly the province of State governments. This fact is recognized even by the members of the Supreme Court who by no stretch of the imagination can be considered Republicans.

I now refer you to Document 57, October term, 1943, Supreme Court of the United States in the case of Joseph E. Snowden, petitioner, against Edward J. Hughes, Louie E. Lewis, and Robert E. Straus et al., in which Mr. Justice Frankfurter states, on page 10, and I quote:

> I should be silent even though it were avowed that such a constrained reading of the complaint reflected the most exacting attitude against drawing into the Federal courts controversies over State elections. Unless I mistake the tenor of the Court's opinion, the decision is broader than mere inadequacy of pleading.
>
> All questions pertaining to the political arrangements of State governments are, no doubt, peculiarly outside the domain of Federal authority. The disposition of State offices, the manner in which they should be filled and contests concerning them, are solely for State determination, always provided that the equality of treatment required by the Civil War amendments is respected. And so I appreciate that there are strong considerations of policy which should make Federal courts inhospitable toward litigation involving the enforcement of State election laws.

Then, too, I state the opinion of Mr. Justice Douglas with whom Mr. Justice Murphy concurred and I quote:

> My disagreement with the majority of the Court is on a narrow ground. I agree that the equal protection clause of the fourteenth amendment should not be distorted to make the Federal courts the supervisor of the State elections. That would place the Federal judiciary in a position "to supervise and review the political administration of a State government by its own officials and through its own courts" (*Wilson* v. *North Carolina* (169 U. S. 586, 596))—matters on which each State has the final say.

Mr. CURTIS. Will the gentleman yield?

Mr. GAVIN. I yield to the gentleman from Nebraska.

Mr. CURTIS. Does the gentleman know of any reason why a soldier or any member of the armed forces should not have a full and complete ballot just like he would have at home?

Mr. GAVIN. No; I do not, and I intend to discuss the matter further along in my remarks.

Now, there, my friends, is the opinion of the Supreme Court and both the Senate and the House have recognized the fact that Federal laws for this purpose will not pass State or Federal court tests and will prove entirely unlawful in the absence of constitutional amendments specifically providing for such legislation.

To allow the Federal Government by law to determine who can vote, even for Federal officials and within the limitation that the persons availing themselves of this privilege must be in the armed services, would still leave the persons voting in the position where their ballots would be subject to challenge to the extent they fail to meet the requirements of their local State laws. Should the operation of such laws render invalid any considerable portion of the votes cast in the forthcoming election, as might well be the case, the entire election might be jeopardized and become highly controversial, where it might be impossible to determine who would be elected and end up in the courts.

In any event serious consequences could arise in connection with the election which might very greatly impair the progress of the war or the national security.

Perhaps more objectionable than all of the other unsound features of the proposed soldier vote bill is the fact that when the so-called Federal ballot is used, it completely disenfranchises servicemen in the State and local elections. Governors in 34 States will be elected in the 1944 general election, but no person who filled out a Federal ballot could participate in election of a Governor or of any State, county, or city official. I believe soldier voting means voting for all officers, from President down to county sheriff. It means voting for all Federal offices, President, Vice President, and Members of Congress and also for State and local offices—Governor, members of the legislature, mayors, and school directors.

We might cite the case of Wisconsin, where they have the Progressive Party, represented by two distinguished Members in this House, the gentlemen from Wisconsin, Representatives SAUTHOFF and HULL. They represent 40 percent of the vote of the State of Wisconsin. They would not be on the ballot, and I am of the opinion that the State of Wisconsin would not recognize Federal ballots nor would they be counted, and it certainly is true that the Progressive Party is not going to be run out of Wisconsin by any Federal legislation that the Congress might enact.

Any proposal which would draw the line between the two, which would give the soldier complete opportunity to vote for Federal officials but no opportunity whatsoever to vote for State and local officials, is certainly not adequate soldier voting.

The armed forces have just as much interest in the office of sheriff as they have in a Member of Congress; in fact, some personal friend may be running for the office of sheriff and the soldier would rather vote for him than anyone else. So to treat voting for Federal officials as a superior function and voting for State officials as of no consequence just is not good, sound common sense and is just another step in the bypassing of the States. I think it is a recognized fact that the States have been bypassed to such an extent that it has become serious—everything seems to be centralized here in Washington; and God help America when the election laws are controlled in the Federal Government. The States do have a right to handle their own elections and the Federal Government does not have the right to usurp any further the rights of the States.

I know that it is a problem that public opinion overwhelmingly demands must be solved, but unless the solution is a correct one the validity of the servicemen's ballot will be attacked in the courts on constitutional grounds and the entire election thrown into confusion and disorder. What kind of hodgepodge legislation does the Worley bill represent wherein it states that it is up to the States to decide whether or not to recognize and count the soldier ballots? Why have him vote if you readily admit it is questionable whether his ballot will be counted? Any legislation must be positively definite so when the election is over we will know who is going to be the next President. The American people want legislation enacted that will give every man and woman in the service an opportunity to vote, votes that will be counted.

We have heard a lot of cries about the inability to deliver the ballots. To my way of thinking this is greatly overemphasized. I think you will quite agree with me that it is just another attempt to confuse public thinking. Because just recently, during the holiday season, every serviceman received from every member of his family, his aunts and uncles, and kinfolk, Christmas packages. Some received five, six, and seven packages, and all were delivered and received many days before the holiday season. So when we talk about the burden being placed upon the Army and Navy and postal authorities to deliver a State ballot, possibly two envelopes, it does not sound reasonable.

In summarizing this situation, the men in the service, I insist, have a right to vote; every man ought to be given the opportunity to vote for the complete ticket; legislation should be within the borders of the Constitution; States' rights should be respected; and every State in the Union should have as their main objective the placing of State voting machinery in order immediately, so that every serviceman will be enabled to vote and have his vote legal when it is returned. Thus far the States have indicated their wholehearted cooperation in this matter.

I do not think the Congress should be high-pressured into any hasty, unsound legislation which would permit the States to either count the votes or cast them out. The arguments that would ensue over such unsound legislation would bring about a condition in these United States during a period of war that might cause us to regret our actions.

Mr. LECOMPTE. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. COLE] may be permitted to extend his own remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana [Mr. SPRINGER]?

There was no objection.

Mr. COLE of New York. Mr. Chairman, whatever doubts there may have been in my mind regarding the soldier-vote bill have been completely resolved by the President's message on this subject. Frankness compels the admission that I inclined toward Federal control of soldier balloting so far as the limits of the Constitution would allow. However, the message was so palpably a political document, designed to appeal to the prejudice of the soldiers and to those who are anxious for the soldiers to vote for Federal officers, irrespective of the legal aspects involved, that the conclusion is inescapable that the President wants this Federal control so that it can be exerted to his own political advantage. It must be remembered that it is the same Senator GREEN, sponsoring the vote bill which the President recommends, who prepared and offered the fourth-term resolution adopted by the National Democratic Committee at its recent meeting in Washington without objection or protest.

To be sure, the men and women of America are fighting on all the fronts of the world for the right to vote, but shall that right be exercised in our customary constitutional manner or in the ja-nein way so typical of the Axis countries. German people have the right to vote and do vote, but it is quite a different kind of vote than the one to which we Americans are accustomed. Any election supervised, directed, and controlled by the Commander in Chief, who himself is a candidate for public office, would be nothing short of the ja-nein kind of ballot, wherein the voter would be subject to punitive action in case he did not mark the ja and thereby indicate his support of the Commander in Chief or the leader.

Soldiers are just as interested in exercising the right of franchise to the full as they are in part, in fact more so; but the Federal ballot would give them a chance to vote for only Federal officers and not State and local officials. The fact that State legislatures would have to convene to rearrange their own laws to accommodate State balloting so as to include State and local officials is an absurd argument, since it must be admitted even by the Federal-ballot exponents that some State legislative action by all the States is essential to validate the

Federal ballot. The Constitution explicitly states that "each State shall appoint in such manner as the legislature thereof may direct, a number of electors" who shall meet and elect the President and Vice President. This raises the very serious question of whether Congress has authority to legislate on the manner of electing the President. The constitutional provision is clear and explicit and any Federal ballot designed to cover the election of the President and Vice President without State legislative ratification is a nullity and itself a fraud upon the soldier electorate, the President to the contrary notwithstanding. My oath of office to uphold and defend the Constitution, even in time of war, requires that I observe the plain, simple, and direct mandates of that document, even though I am exhorted not to do so by the Commander in Chief himself.

His recommendation that a record vote be had by the Congress on this issue is an affront to the dignity of an independent branch of our Government. By what right does the President, the Commander in Chief, undertake to tell the Congress what parliamentary methods it should use in any of its deliberations? No Member is afraid of a roll-call vote. In the past, it has not hesitated to vote its objections to the President's views on other legislative matters, when his veto has been overridden, and it will do so again. But whether the Congress will have a record vote on this proposal or any other is for itself to determine without any interference or intimidation by the Executive.

Although it is expected that I will be out of the country on official work at the time that the soldier vote is taken, I have no hesitancy in announcing to the President and to my constituency that, if present, I would have voted for the recommendation of the House Committee on Elections, which is the most effective way of giving the men at the front a vote in a legal and constitutional manner so that their vote, once cast, cannot be questioned in any disputed election and will be given its full force and effect.

Throughout the entire war period, I have been most reluctant to condemn or criticize the President. Unity and cooperation when the Nation is in peril are imperative, but these requirements do not pave a one-way street—the obligations are reciprocal. The Presidency is a post of duty which should command the respect and support of the entire country, especially in time of war. When those responsibilities are met by him in an unbiased, impersonal, constitutional and proper manner, the Executive will have my unstinting loyalty. However, when he ceases to be the President, ceases to be the Commander in Chief of our armed forces, Republican and Democrat alike, and becomes the President, Commander in Chief, and candidate for reelection, then my obligation of loyalty ceases and I am free to expose and condemn any personal or political partisanship such as has been so evident in the last two messages of the President to the Congress.

Mr. SPRINGER. Mr. Chairman, I am convinced that every Member of the House of Representatives has a fervent desire to give to all of our soldiers and sailors the right to vote, and I am certain that it is the universal wish of the Members to extend that right to every office—National, State, county, city, and township. It is my often expressed desire that every soldier and every sailor will be granted the full right to vote for his or her choice of the candidates for all offices from the President of the United States to the smallest office in the township where the service man or woman resides. Nothing short of this unlimited authority to vote will suffice. It is the wish and the will of the people of this Nation that those now serving in our armed forces—wherever they may be serving—no matter whether they are on the battle fronts, or in the camps as our reserves—be extended the same right to vote, and to vote for their choice of all candidates for all public offices, as is extended to all of our people. If our boys and girls are sent forth to fight for our country, in time of war, then they should have extended to them, without any limitation, the right to vote for their choice of the candidates for every public office in our Nation, State, county, city, and township. That is my unqualified position on this subject. Insofar as I am personally concerned I am in favor of the committee bill, S. 1285. I want to give the soldiers and sailors a vote for their choice of all candidates.

Mr. Chairman, I do not believe there is any vast difference between the two philosophies respecting the extension of the right to vote to those who are serving in our armed forces. It is largely a matter of determining the proper method in order to reach the desired end. While we study these methods, let us give consideration to the Worley bill, H. R. 3982, which may come before the House. Under this proposal—if this measure should be adopted—the provisions of the Constitution will certainly be bypassed regarding elections. Under the clear and unmistakable provisions of our Constitution the qualifications of voters for all offices, within the State, must be determined by the several States.

Section 2 of article I of the Federal Constitution provides:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

The seventeenth amendment to the Constitution provides:

> The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

As we pursue our investigation somewhat further respecting the right and the duty of the several States respecting the matter of elections we are constrained to reflect upon the language contained in section 1, article II, of the Federal Constitution, which specifically refers to the office of President, and the manner of his election, and we find this very potent provision:

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress.

Therefore, the Presidential electors are State officers; they are elected by and within the several States; their selection is expressly reserved unto the several States, and by such means as the State legislature may determine. The only control which is reserved unto the Congress is the "time of choosing such electors, and the day on which they shall cast their votes for President, which day shall be the same throughout the United States."

Mr. Chairman, if we pass any legislation here which will bypass those provisions of our Constitution—and I am convinced the Worley bill will do that—we will have utter confusion and chaos following the next election. Contests will doubtless be the rule, and not the exception, if we attempt to flaunt the Constitution on this subject.

I want the soldiers and sailors to have the right to vote, and I want them to have extended to them the right to vote for their choice of the candidates for all offices—but I want them to cast their ballots at a legal and constitutional election. I do not want to give them the right to vote in an illegal and unconstitutional manner—in a manner which will create confusion thereafter, and which might be the cause of untold numbers of contests, and which might be the cause of overthrowing the entire election. It is my wish that the election be authorized to be held, and that the soldiers and sailors may vote, in the legal and constitutional manner. We do not desire to be confronted with election contests, based upon constitutional grounds, after the election is over. The soldiers and sailors, and the people, do not want any such condition to exist following the next, or succeeding, elections.

Under our Constitution the several States have the sole right to determine the qualifications of all voters within the State. That is an inherent right guaranteed under the Constitution. The selection of the Presidential electors by the several States is made in conformance with the determination by the State legislature, and Senators and Representatives must be selected by electors who have the qualifications determined by "the most numerous branch of the State legislature." We cannot turn our backs upon those direct and positive constitutional provisions. If that is done, we will then sanction a method of voting which is contrary to the provisions of our Constitution, and which will be unconstitutional.

Mr. Chairman, the several States have a duty to perform in order to secure to the soldiers and sailors the right to vote legally at the coming and subsequent elections. The State legislature has already met in several States and they have amended their absent voters laws in order to make possible the right of our soldiers and sailors to cast their ballots in a purely legal and constitutional manner. May I say that in my own State of

Indiana our Governor is now preparing to call our State legislature into special session for the very purpose of complying with the constitution respecting the holding of elections, and to amend the absent voters laws so that our soldiers and sailors who are voters may be able to cast their vote in a legal manner under our constitution.

Our soldiers and sailors want to vote for their choice of all candidates for all offices. They do not want to vote for a few of the offices, and to be deprived from voting for other offices. Under the pending Worley bill, our soldiers and sailors would be deprived from voting for a Governor of their State, and they would be deprived from voting for any State office; likewise they would be deprived from voting for their choice among candidates for any county, city, or township office. Our soldiers want to vote for their choice of candidates among the people they know—those who are candidates in their own township, or in the city, or in their county—and this Worley bill would not extend to them the right to vote for their choice for any State, county, city, or township office. It would give them the right to vote only for their choice of candidates for President, Vice President, United States Senator, and Representative in the Congress of the United States.

Mr. Chairman, I wish to emphasize here and now, that I desire that our service men and women be extended the right to vote for their choice of all candidates for all public offices in a legal and constitutional manner. Our service men and women must be treated fairly and honestly, and they must be extended the right to vote—by a simple and easy method of accomplishment—so they may take their places among all other citizens of our country, and so they may be enabled to cast their votes for their choice of the candidates for all offices at all elections during their service in this war. The duty which we face is simple. We must not fail to accomplish this task. We must lead the way in this terrible conflict by giving our service men and women the right to express themselves in our governmental affairs at home, while they wear the uniform of our country. This, Mr. Chairman, is the very least we can do for those who now fight for the preservation of our Nation, and the American way of life.

Mr. WORLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. KLEIN].

Mr. KLEIN. Mr. Chairman, I rise to speak in behalf of our responsibility to our men and women in the armed forces, our responsibility to do all in our power to enable them to vote in the forthcoming elections.

Our assumption of this responsibility will be a test of our concern for our soldiers and sailors and marines. By the same token, it will be a test of our own determination to strengthen the home front and to insure that our democratic institutions shall not be impaired. I know how many of my fellow Congressmen share that profound feeling with me. I know, too, that my constituents are burning with ardor that we shall not fail those who bear the primary burden of this war that has been thrust upon us.

Their passionate sense of justice, as my sense of responsibility, compels me to speak before this House and to urge early and effective action.

In the year just ended, we were able to greet the Christmas holiday and the coming of the new year with the greatest measure of hope that we have had in the past 3 years.

Our great President and Commander in Chief had just come back from historic meetings in Tehran and Cairo in which the precise plans for the defeat of our enemies were laid down and agreed upon. Gen. Dwight D. Eisenhower has spoken in the simple words of a soldier holding out the prospect of peace in Europe before 1944 is ended. Others of our military and naval command have also spoken in the same optimistic spirit. They pledge to make 1944 a year of victory in the military and naval affairs which are their responsibilities. Can we do less? Can we fail to make and to keep a pledge to insure victory at home, to insure, in the first instance, victory for our democracy, for the basic American institution of the ballot box?

I come from one of the most conglomerate districts of the United States. My constituents are from all origins and many religions. They have sent into the armed forces many thousands of their most gallant young men, of their bravest and most cheerful young women. Their absence is being felt every day, every minute, in a multitude of homes. Their trials and their difficulties are reflected in every home. Their needs are the prime topic of conversation.

They and their families at home believe and, very properly so, that we owe them a paramount responsibility. The fathers and mothers, sweethearts and wives, relatives and friends of our fighting Americans, to all of whom the war is brought home in the most human terms, have a call upon us. They know that the men and women on the fighting fronts, in camps and bases, on ships and on planes, are sure to give without stint or hesitation all that is needed for the winning of the war.

There is never any uncertainty as to just what men and women in uniform are ready to do. I feel that we must give no reason to doubt as to an equal fullness of effort by the National Legislature.

The people of my congressional district are not unique in their reactions; we are of the pattern of all America. The same emotions, the same strength of feeling, the same sense of profound love for, and obligation to, our fighting men pervade all congressional districts. Not for one moment must we forget this: That the American people have made up their minds; they want the soldiers to vote. They will not condone any delay or failure on our part to enable the soldiers to vote. And we, on our part, shall not let the American people down.

I do not for a moment believe that the task of providing voting facilities for close to 11,000,000 men and women scattered all over the world is an easy one. I know that we shall be beset with snares and difficulties. I know that the technical problems may well overwhelm us and that cautionary "ifs" and "ands" and "buts" will hamper us on all sides. I am not unmindful of them and of the reality of the problems that called them into being. But when that is said and done, I still affirm what I believe to be the conviction of all Americans: That we must leave no stone unturned to enable the men who fight for their country also to vote for their country's representatives.

How shall this be done? With every good intention in the world, the provisions of the past have proven inadequate. Nineteen hundred and forty-two demonstrated that unless procedures were worked out on a Federal basis that would ease the process of balloting among soldiers, there would be no balloting. Only enactment of Federal legislation can hope to contend with so formidable a task. There can be no half measures in providing for those prepared to die for their country the facilities to vote in the political life of their country.

Mr. Chairman, I wish I could parade before you a stream of the typical Americans of my district whose boys and girls are now wearing Uncle Sam's uniform and who would plead with you not to let them down. In that procession you will find men and women of all faiths: Catholic, Jewish, Protestant, native and foreign born, old and young, all of them beset by one consuming determination: To win the war quickly, to sustain our fighting men and to resume the peaceful pattern of our American life. Were they here before you, were they asked a question as to what they wish the Congress of the United States to do, they would answer with one voice; they would say to you with the fervent determination of which Americans are capable: "Members of Congress, we have sent you to Washington during a period of great crisis. We have sent you to legislate for us in the confidence that your legislation will help win the war, will sustain our democracy, and will create the instruments by which our future will be safeguarded. On all of these counts we turn to you to legislate so that under Federal authority and responsibility, 11,000,000 of our fellow citizens will enjoy the fruits of our democracy, just as we hope to enjoy the fruits of their victory."

To meet this challenge adequately means that we must get on the job now. It means that we must cope with it in a realistic fashion and not trust to difficult, if not impossible, procedures. In the last analysis it means Federal supervision over the balloting of our servicemen.

This urgent need for legislation to enable soldiers to vote has, however, been challenged with the cry, "Let the States do it." If that were a possibility, we could all be for it, but it has been thoroughly demonstrated that it is impracticable for the individual 48 States of the United States of America to reach their voters scattered all over the globe with their existing machinery or with the machinery that they can individually rig up between now and election day. The individual States may be left to handle

the soldier vote, but to all practical purposes that will mean the denial of the vote to millions of our men and women bearing arms.

What are the actual facts about State voting machinery? Four States have no absentee voting laws at all; in 27 States the time available for providing an absentee ballot is 30 days or less. Within that limited time, a complex procedure must be followed, involving the soldier, the State official, and Army regulations. A procedure so difficult will exclude full participation in the election. All of this has been more fully explained in the President's message of January 25, 1944. It has been said that some States can hold special sessions of their legislatures to amend their election law. This is, as yet, only a conjecture, but even if that were done, the complications of air-mail traffic, of reaching the soldiers in their infinite variety of units is such that the whole effect is calculated to bog down. Let us not put too easy a faith in the speed of air mail.

Testifying for the Army, Colonel Cutler has said that—

> Even with the use of air mail and air priority, the State absentee-balloting procedures as provided by existing State laws would not allow any substantial number of votes cast by servicemen overseas to be counted in State primaries and elections.

From time to time the bogey of States' rights has been raised, a bogey that I hoped had long been exposed. I do not believe States' rights to be affected, but more than that, I quote that farsighted American and traditional champion of States' rights, the senior Senator from Virginia, who said:

> I wrote with my own hand the suffrage clauses of the Virginia Constitution, but inasmuch as the Congress, more than a year ago, in what is now known as Public Law No. 712, specifically provided that no member of the armed forces was to be compelled either to register or pay a poll tax in order to vote in a Federal election, I cannot see that the rights of the States are either jeopardized or in any way involved in the present controversy.

The choice before us is very clear: We can smooth the operations of Federal machinery to secure the vote for the service men and women, or we will, in actual practice, be disfranchising them. I do not propose to lend myself to such an abortion of justice, to such a denial of democracy to its staunchest defenders. I do not for a moment believe that the American people will forgive and forget those who denied their deep wish that their own sons and fathers, brothers and sweethearts, wives, sisters and daughters, join with them in the normal expression of our democratic tradition.

We have had the bitter experience in the past 2 years of suffering from the malady of too little and too late. That specter is rising before us again now. If we approach this problem with hesitations, with myriad cautions and hemmings and hawings, we shall again have earned this dread verdict: Too little and too late. It must not happen. We must act at once in the broadest spirit. We must make the necessary Federal provisions to enlist the most efficient Federal administrative machinery. We are pledged to its non-partisan character. We shall keep that pledge. At a time when we are considering the prospects for the returning soldier, we cannot be indifferent to an immediate need. There is no better way for us to begin our program for the veteran than to begin that program now—by providing the machinery for the soldiers' vote. Our fighting men and women have asked for it; the people at home have spoken up, and we must not—we will not fail them.

Mr. WORLEY. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Chairman, no one has any dispute, certainly, with the desire of having every soldier possible vote for every candidate for public office, not only Federal but State. The argument of those who want a complete ballot sent to the soldiers falls to the ground when we review the practical situation.

Under the law reported out of the committee if every State simplified its law, the Federal Government cooperating as it should, there would not be more than 500,000 soldiers and sailors vote. The practical difficulties prevent it. Twenty-eight thousand voted 2 years ago out of over 4,000,000 men in the Army and Navy. There are 48 different systems in effect. As a matter of fact, three or four States have no absentee voting law at all.

Those of us who are supporting the Worley bill absolutely agree with the argument—at least I do—that the State ballots should be distributed as extensively as possible among those in the armed forces but where they cannot get the State ballot the members of the armed forces should not be denied the right of voting at all. We should permit all of them to have the opportunity of voting at least for the national offices.

Mr. WORLEY. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Texas.

Mr. WORLEY. Is it not a fact that the Worley bill provides the means and methods of obtaining the State ballot just the same as the Rankin bill?

Mr. McCORMACK. Yes. The Worley bill covers everything that the Vursell bill covers, the Worley bill goes farther than the Vursell bill; the Worley bill says that where we cannot get the State ballot into the hands of those in the armed forces we are not going to deny them the right of voting at all, we are going to give them the power and the right to vote, or at least as many as we can, for the candidates for national offices.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. The State of Pennsylvania has what is known as a model voting act. In the election in 1942, out of 118,000 soldiers who were citizens of Pennsylvania approximately 1,200 voted. That is less than 1 percent. I think that is true all over the country.

Mr. McCORMACK. Less than 700 men in the service from Massachusetts voted in 1942, and we have a pretty liberal and progressive State. A little less than 700 voted for Governor and for United States Senator. Throughout the entire country about 28,000 voted.

Mr. LEONARD W. HALL. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New York.

Mr. LEONARD W. HALL. Our War Ballot Commission stated that the reason they did not have a large vote in New York State last fall was that neither of the services in Washington would cooperate with them to get the ballots to the soldiers and back again.

Mr. McCORMACK. If that is so, that is a justifiable criticism. I have said before on the floor that I think that if the bill had passed early enough more than 28,000 would have voted. I am not going to make any statements that I do not honestly believe, but the difficulty with the voting confined to State ballot is that with 48 different State ballots; with some States not having an absentee-voting law; and with some States having the primary election in September, many of the soldiers will be disenfranchised. If we confine this to State absentee ballots, for all practical purposes we are going to disenfranchise the great majority of those in the Army and the Navy.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Wisconsin.

Mr. KEEFE. The State of Wisconsin has provided an absentee voters' law which requires that a ballot be mailed to every person in the armed services without the requirement that an application be made for it, and this applies to both the primary and the general elections. The only thing that will stop every person in the service from my State from voting is to have the Commander in Chief direct——

Mr. McCORMACK. Is the gentleman asking me a question or making a speech on my time? Which is it?

Mr. KEEFE. I am asking the gentleman this question.

Mr. McCORMACK. What is the question?

Mr. KEEFE. Would not the only thing that would stop the people from my State from voting then be the refusal of the armed services to transport those ballots to the people in the service?

Mr. McCORMACK. No. I will answer that emphatically—No. For instance, the gentleman says the ballot from Wisconsin has to be mailed. A man from Wisconsin might be in one camp today and another camp 2 weeks from now. He might be in the Far East a month from now. A difficulty would arise from that mail following that man around, and that ballot has to be back here by a certain time. With all the simplification Wisconsin has provided, the great majority of those in the service from Wisconsin, relying upon the State

ballot, will be unable to vote, even with Wisconsin doing everything it can—and I will concede that Wisconsin is a liberal State.

Mr. KEEFE, Mr. HALLECK, and Mr. SCRIVNER rose.

Mr. McCORMACK. I am yielding all my time, but I cannot resist the temptation to yield further to the gentleman.

Mr. KEEFE. The gentleman will understand also that the Legislature of the State of Wisconsin has moved ahead the primary election 1 month, and has moved ahead every other requirement.

Mr. McCORMACK. Wisconsin is to be congratulated.

Mr. KEEFE. There is no reason under the sun why every State in the Union but two or three cannot and will not do likewise.

Mr. McCORMACK. I do not know how my friend from Wisconsin is going to vote on the Worley bill; but if he votes against it, relying on that, then the soldiers and sailors from Wisconsin are going to wake up after election day and find out that the great majority of them did not have the opportunity to vote.

Mr. KEEFE. They will not have it if the President does not send the ballot to them.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Indiana.

Mr. HALLECK. Of course, we all have a high regard for our majority leader. He made the statement that if the Worley bill is not adopted only 500,000 ballots will be cast.

Mr. McCORMACK. That is my opinion.

Mr. HALLECK. Knowing that the gentleman usually has the figures to back up what he is saying, may I ask him if he has any arithmetic to prove that statement, or is that just his conclusion?

Mr. McCORMACK. That is my opinion. I think that I value my opinion just as much as I value the opinion of the gentleman from Indiana.

Mr. HALLECK. I thank the gentleman.

Mr. GEARHART. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from California.

Mr. GEARHART. I was wondering if it would be any more difficult for the Army and Navy to take to the soldier and sailor the ballot which the State of California has prepared than to take this bobtailed ballot to them.

Mr. McCORMACK. If the gentleman wants to make his question that if the Federal Government will bring the ballot of the State of California without all this mailing, I think more men would be able to vote, "Yes."

Mr. GEARHART. The State of California amended its law just yesterday to provide for the turning over of California ballots to the Army and Navy to be delivered as the Army and Navy choose, and for the Army and Navy to bring back.

Mr. McCORMACK. In a division of 15,000 men there are men from all States of the Union. How does Massachusetts know how many ballots to send to New Guinea, for example? Assuming the Federal Government is to deliver the ballots, how does Massachusetts know how many Massachusetts men are members of a particular division, or how do the other 47 States, or the other States that have an absentee voting law, know how many men from their States are in a particular division? You have to go to each division and say to each man, "Where do you come from?" Then you have to go further and, when you find that a man comes from Massachusetts, ask him, "What district do you come from," because he is going to vote for Congressman, and you cannot give a man from the First District of Massachusetts a ballot to vote for a Congressman from any other district—for me, for instance, when I am running from the Twelfth District—or you have to ask these questions of each one, assuming the State ballots are transported. If they are mailed, of course we know it will be ineffective and that the great majority of those in the armed forces are not going to vote.

What the Federal Government can do is cooperate to the fullest extent possible with the States in getting as many State ballots into the hands of the men in the armed forces as it can, and when the Federal Government cannot get the State ballots into their hands, then, rather than disenfranchise them, we can say, "We are going to give you the permission and the power and the right to vote for the candidates that Congress can give you the opportunity to vote for; that is, the candidates for national office."

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from North Carolina.

Mr. COOLEY. Is not that exactly what the Worley bill provides?

Mr. McCORMACK. Exactly.

Mr. COOLEY. Does not the Worley bill provide for the transmission of California ballots to the soldiers at the battle fronts?

Mr. McCORMACK. Exactly. The Worley bill provides for voting by State absentee ballot as far as can be accomplished by the Federal Government, and when men in the armed forces cannot get the State ballots, the bill permits them to vote at least for Federal candidates, in order not to disenfranchise them.

The bill reported by the committee is ineffective and will produce only minimum results. It will not enable our soldiers and sailors to exercise in large numbers their constitutional right to vote. The Congress of the United States, after our country was attacked, performed its constitutional duty of declaring a state of war existed between the United States and our enemies.

Following that act, and responding to the law of self-preservation but doing so under constitutional provisions, Congress passed necessary legislation to wage the war, among which was the Selective Service Act, known as the Draft Act.

We drafted human beings—American citizens—to fight for the preservation of our country, to give up their lives if necessary, that our country might endure. It was our duty to do so, and we performed that duty.

As a result of war conditions, and in the main the Selective Service Act, about 11,000,000 American citizens will be in active service when the next election takes place.

All of this was done under the powers, expressed or implied, contained in the Constitution.

And yet that same sacred document which called them into active service is being used by the Vursell bill to prevent the great majority of them from voting for the very elective officials of the Federal Government who will conduct our National Government for the next 2, 4, and 6 years—2 years so far as every Member of the House of Representatives is concerned, 4 years so far as the President is concerned, and 6 years so far as one-third of the United States Senate is concerned.

What a strange and inconsistent position some Members place themselves in of supporting a bill practically denying, in wartime, opportunity of the great majority of our heroes to vote.

The bill reported is ineffective. President Roosevelt recently pointed out the simple and obvious fact that under legislation of this kind the overwhelming majority of the members of our armed forces will have no opportunity to vote.

The present bill leaves the whole problem to the States. Both the War and Navy Departments have definitely stated that such a procedure would be virtually impossible to administer effectively.

As the Washington Star well said in an editorial of January 16:

> Under any plan large-scale voting by the men and women in service will be difficult enough to handle, but the leave-it-to-the-States plan can hardly be described as a plan at all.

An argument advanced against a real bill is that it violates States' rights.

In the first place, all of the States do not have an absentee voting law.

In the second place, those States that have one properly enacted it to meet peacetime conditions, when only a very small percentage of voters would be out of a State, usually because of business reasons.

The absentee voting laws, where they exist, could not and did not take into consideration war conditions, and they were not passed with a global war in mind.

In Massachusetts at the last election around 700 soldiers and sailors voted. About 28,000 voted throughout the country, with well over 4,000,000 in the service.

It is practically impossible even if the State laws are simplified to send ballots from about 40 States to around 11,000,000 men and women searching out the State in which each one lives. The Federal Government can help States to get as many ballots as possible to the citizens of the several States, but at the best only a small percentage will be able to vote if the pending bill becomes law. Furthermore, there are several States which

have no absentee voting law, and our soldiers and sailors who are citizens of those States will be completely disfranchised this fall.

In an editorial appearing in the Boston Globe of January 7, 1944, entitled "Votes for Soldiers" it said, in part:

> In the Senate the bill brought in by Senators GREEN and LUCAS was treated rather roughly, but that was last year and the reaction to such an undemocratic and un-American attitude as disregarding the soldiers' right to vote has been emphatic.

This is an emergency. Our country is at war. Millions of our citizens have left their homes and firesides—their peacetime pursuits—to fight for our country. Many of them are at the front and millions more will be soon firing bullets at the enemy. They are citizen soldiers and sailors. We should do everything within our power—going as far as we possibly can—to see that their right to vote—the ballot—follows them.

The pending bill is the mere minimum that Congress can do. As a matter of fact it is not necessary. Without this bill, if the States having an absentee voting law simplified their law, the Federal Government would cooperate to the fullest extent possible upon mere request of such States.

A quick solution of how the men and women of the armed forces can vote in large numbers will have a favorable effect upon them. As one writer well said, "It will give new substance to the democracy they are fighting for."

The passage of the Worley bill, or similar legislation, is necessary in order to assure complete opportunity of voting to our soldiers and sailors.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WORLEY. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. MANASCO].

Mr. MANASCO. Mr. Chairman, every Member of Congress, regardless of political affiliation, is in favor of making it possible for the members of our armed forces to vote. During recent weeks Members of Congress, and especially we members of the House Committee on Election of President, Vice President, and Representatives in Congress, have been subjected to the most vicious and unfair propaganda campaign that has ever been directed at Members of this body. This deluge of propaganda did not come from members of the armed forces. Those of us who think that the privilege of our soldiers to vote, just as the privilege of any other citizen to vote, is governed by the Constitution, have been called everything from domestic Fascists on down. We have even been accused of attempting to pass legislation termed by some as "fraudulent." Certain pressure groups and propagandists, who did everything in their power to prevent our Nation from preparing to defend itself and to wage an offensive war, are taking the lead in this controversy trying to gain the favor of the members of our armed forces by making it appear that they are working for the best interests of our soldiers, sailors, and marines.

Once in a while the statement is made by certain writers that the members of our armed forces do not know what they are fighting for. I deny this statement. I know that these young men and women who are risking their lives and their futures are fully conscious of what they are fighting for. These young people are fighting to preserve the America they left when they gave up their jobs, their homes, and their loved ones. They are fighting to preserve the Constitution that has withstood all attacks by enemies of liberty for over 150 years. They are fighting to return to a country governed by laws and not by men. The same Constitution that provides freedom of speech, freedom of worship, freedom of the press, and the right to a trial by jury, also provides as follows:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the same qualifications requisite for electors of the most numerous branch of the State legislature.

Again, in article I, section 2, it provides:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

This section governs the qualifications of the electors for President.

The language is plain and convincing that the qualifications of voters are to be left in the hands of the States. It has long since been held by our Supreme Court that national emergencies and war do not abrogate the Constitution. In the stress of emergency it is easy to advocate waiving the provisions of the Constitution; but, once given up, once a wedge is driven into this sacred document, we may forever lose the protection that so much blood has been spilled to preserve. The memory of elections being held under the shadow of bayonets is all too fresh in the minds of southerners to want to see the Federal Government ever again attempt to take over our election machinery.

If we can waive one provision of the Constitution during war, we can also waive the provision providing for election of the Members of the House every second year, Members of the Senate every 6 years, and the election of a President every 4 years.

I am convinced from the correspondence that I have had with members of the armed forces that the boys are just as interested in voting for their Governor, for their sheriff, their judges, and other local officials, as they are in voting for the President, Vice President, and Members of Congress. If we are serious in our desire to extend voting privileges, then we should extend it all the way. Under the provisions of the bills sponsored by those who favor a Federal ballot, the members of the armed forces would not be allowed to vote for any official excepting the President, Vice President, and Members of Congress. Under the provisions of the bill reported by our committee, which I am supporting, the boys could vote for a candidate for every elective office in his home county, State, and Nation.

Under the provisions of the bill providing for the Federal ballot, unless State legislatures are called together to validate the ballot, every election officer who counts the ballot will violate the State laws and be subject to fine and imprisonment. The ballots of millions of our soldiers, although cast in good faith, in all probability, will never be counted. In view of this probability, passage of such a bill would be perpetrating a fraud on our soldiers. It is highly probable that the next Presidential election would be contested and thrown into the House of Representatives where a bitter partisan fight might ensue that would shake the very foundations of our Government. What could be more pleasing to our enemies, or more discouraging to our allies, than for the next Presidential election to be bitterly contested in the House of Representatives?

It is certainly the duty of the Federal Government to transmit ballots to the members of our armed forces, so far as is compatible with the war effort. A high-ranking Army official testified before our committee that under the provisions of any bill that is passed there would be 20 percent of the members of the armed forces who would not be able to vote due to military operations. The argument has been made that it would be impossible to get State ballots from 48 different States to our boys. Today, a streamlined edition of Time magazine and Newsweek, weighing much more than a State ballot, is being flown by the Army and Navy to the members of our armed forces and is delivered to the remotest battle front in less than 3 weeks' time. Christmas packages weighing 5 pounds were delivered ahead of schedule to the boys overseas. Thousands of letters are delivered to the boys daily. Mail from New Guinea reaches Washington in 2 weeks. It is estimated that the ballots going overseas would not weigh over 250 tons. The State ballot could be sent to England, Honolulu, the Caribbean area, and the Alaskan area by the slowest convoy and get there in ample time for the boys to vote. We are flying entertainers to all battle fronts. These entertainers boost the morale of our men. What would boost the morale of our men more than voting for local officials with whom they are acquainted?

We all hope the war in Europe will be over before the next general election. We all hope that commerce can again be resumed without the menace of submarines and enemy aircraft. If so, ballots to Europe can be mailed and returned within 3 weeks' time.

I most certainly do want the boys to vote, but I want them to vote in a legal manner without the possibility that their ballot will not be counted, and in a way that will prevent an election contest.

All our Governors will call the State legislatures into session to simplify the method of absentee voting for the members of the armed forces. Our Governors and State legislatures are just as fair and patriotic as we are. Some would lead you to believe that Washington has a

monopoly on patriotism. Let us be fair with our soldiers and provide legal machinery to enable them to vote.

Mr. WORLEY. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. GIBSON].

Mr. GIBSON. Mr. Chairman, in approaching the subject of a Soldier Vote Act, I want to state here and now that I am more charitable in my convictions and expressions than the radicals who are sponsoring the Federal ballot, and I refer definitely to those without the Congress. I, in full sincerity, concede that every true American wants the son and daughter of American parents in the armed services to have the privilege and opportunity to cast a ballot; a legal ballot. I am hurt, however, to have to say that the Federal ballot commission craze is sponsored and espoused by the Communists of this country and the Congress of Industrial Organizations, which I believe to be the working organization of the Communist Party.

Mr. BUSBEY. Mr. Chairman, will the gentleman yield?

Mr. GIBSON. Yes.

Mr. BUSBEY. To make this observation: Last week when I was in Chicago, the American Youth for Democracy, which is a new name for the Young Communist League, had hundreds of their people out on the streets getting petitions signed for this Federal bill. I say that to substantiate the gentleman's statement.

Mr. GIBSON. I thank the gentleman.

These forces are actuated primarily by their desire to have our State elections and, in fact, all elections directed, controlled, and abused by the Federal Government, and not by a desire to permit soldiers to vote. They are taking advantage of the present emergency to break down every barrier between this democracy and a totalitarian form of government, while the flower of our national youth is dying in foreign lands that our democracy may survive and that they may return to the same "land of the free and home of the brave" from whence they departed, to find yet surviving a republic secure in the protecting arms of the same Constitution they left, and a people who are yet not only happy to have the protection and freedom flowing from that Constitution, but who have the courage to stand up and defend it from enemies within in the face of threats and smear campaigns, and in the face of the current favorite weapon of those who would destroy it, the purge threat.

It takes from a sincere heart many emotions of pride to know beyond question that our fighting forces, those dead and those yet to die, and those who will be blessed to return, are being used as a political football; that so many un-American activities are being colored with the pretense of being in their interest, when the real and dastardly purpose is to destroy what they are fighting to protect. There are many in high places who will read these words and who will know they are true, and may an all-merciful God bring you to your knees in a prayer that you may be forgiven and that mercy may be showered on you instead of wrath. There is no one thing that rests as heavy on nor comes as near crushing the spirit of one here in Washington as the wholesale practice of dire hypocrisy. No human conduct is so reprehensible and detestable, no sin so great. When will persons enjoying a sacred trust of the people again face facts and issues in a spirit of truth and sincerity? When will those in power again permit their mouths to speak the impulses of their hearts and cease to accomplish their aims by subterfuge, deceit, and fraud? Speaking of the practice of fraud, if ever there has been an attempt to defraud, and rape if you please, it has been practiced on the Constitution of the United States in this endeavor.

Let us keep the record straight. Records live and opinions die. Improper motives are never overcome by expressions of clean purpose. A leopard never changes his spots. If you have not read the original bill presented to our committee, then I ask you to read it. The first real sponsor to become known was the C. I. O., and to this good day the membership of the committee has never been able to learn the identity of the person who drafted it, even after many inquiries. The shame and disgrace practiced by the Federalists on the South in the reconstruction days, where the sanctity of the ballot and every tradition of the South was trampled under foot at the point of bayonets, could easily have been repeated under their original bill. Bear in mind, they fought for it with their five-man ballot commission set up here in Washington to control every movement of our State elections and actually provided a penalty of $5,000 fine and 5 years' imprisonment for the slightest violation of its drastic provisions, in many instances in direct repudiation of State laws. In fact, under that bill any election manager would have been forced to have violated either the act itself or the existing State laws, which plainly displays the disregard and contempt they hold for the rights of sovereign States. This bill would have invaded the sovereignty of the several States in direct violation of the Constitution of the United States. Let me remind you gentlemen who designate yourselves as liberals that there is a difference in liberalism which is necessary for needed progress in our Nation and the surrender of the sovereignty of our several States that make up our Union for the purpose of setting up in their stead a socialistic state, the very thing our boys are fighting to destroy. Bear in mind further that the original sponsor of this legislation is the same organization that is working day and night to accomplish this dastardly end. Let me say to you, no emergency can ever be so great as to justify a violation of the provisions of our Constitution. Call me a perpetrator of fraud, smear me by your paid commentators and purge me if you will, but so long as there is breath in my body I will defend, and with my life if need be, the Constitution that has given me and the people of my Nation the blessings of liberty.

After more than a month's fight before the committee, in which I was privileged to participate, and also after a rebuke in the upper House, and after their attempts at a smear campaign and threats of purging us who had courage enough to fight for our country, they saw defeat staring them in the face like a monster. They then abandoned their original bill and substituted a reformed measure which is not quite so vicious. Do not forget that in their hearts yet rests the same purpose, and if they ever get their nose under the tent do not think your State will ever hold another free election unless our boys run them to cover when they come back. Do you suppose that bunch thinks they can hoodwink our fighting forces, especially after they return, and learn the full facts? Do you suppose they will forget that this same bunch that is crying aloud now in hypocritical voice for the rights of soldiers is the same bunch that has been striking and tying up plants turning out tanks, planes, and munitions at pay scales of as high as $10 and $12 per day, while they lay in fox holes and the tropical islands of the South Pacific at $50 per month, in many instances hungry and in need of the supplies tied up by strikes to even defend themselves. Do they think those prisoners tortured and murdered in Japan for defending our flag will be deceived by their hypocritical cries of love for and interest in soldiers, while they walked in idleness for higher wages while those heroes bled and died that those perpetrators of strife, hatred, and disunity may live?

You cry aloud for them to have a Federal, not a State, ballot. You abuse and condemn us who are trying to maintain our democracy while they are gone, in crocodile tears of love you present yourself as their spokesman. When an appropriation is up for the rehabilitation of citizens of foreign lands you open the purse wide, but when an attempt is made to provide for the rehabilitation of those returning from the combat zones—crippled, maimed, and blind—your ardor is cool and your love forlorn. Do you think your miserable words speak louder than your acts? Do not deceive yourself, you can not deceive us. May I ask where your real love rests?

Let us face the facts, let us look behind the screen. It has been said that the servicemen do not have any lobby or pressure group on Capitol Hill to see that justice is done for them. Of course, this meant to press and push for the adoption of the Federal ballot commission. My files are open to anyone. I have not counted them, but feel justified in saying that I have received 1,500 letters and cards containing threats and every other means of coercion, demanding that I support the Federal ballot commission bill. These cards and letters are at least 99 percent from New York, and are mostly from the C. I. O. and Communists. One I hold in my hand from the office of Harry Bridges, written and signed by the secretary of his organization, with the name Harry Bridges, president, and Louis

Goldblatt, secretary-treasurer, International Longshoreman's and Warehousemen's Union, affiliated with the Congress of Industrial Organizations, on the letterhead. This is a fair example of the source of this legislation. I have received 1 lone message in favor of my position, this from Washington, D. C., dated January 24, 1944, after my position had been kown throughout the land for nearly 2 months. The pressure groups have been at work on the other side, and the strongest and most unholy and strongest financed pressure group in the United States. Was that statement based on truth and fact, or was it calculated to deceive an uninformed and unsuspecting public?

Quoting from the letter from Bridges' office:

> The action of the United States Senate in passing the Eastland substitute to the soldiers' vote bill is as horrible a travesty upon all of the principles for which this country is at war as has yet occurred in a legislative body of our Government—

Further—

> surely we are not fighting this war to perpetuate the rights of a few States to discriminate against part or a majority of their people in the right to vote.

Further on in the letter the States of Texas, Georgia, and Alabama are mentioned. I cannot speak for Alabama, I cannot speak for Texas, but we in Georgia do not need Harry Bridges' organization to teach us lessons of patriotism to our flag, loyalty to our Constitution, nor what we must do to be a worthy American. The United States has no more vicious or active enemy than Harry Bridges and his followers.

This issue was nurtured and promulgated by him and those of his political philosophy of lesser stripe. I wonder how those who reverence the statesmanship and sound principles of democracy which died in the bosom of the great Thomas Jefferson, and especially those from the deep South, can explain their alinement with Harry Bridges' gang on an issue directly challenging the right of the individual States to control their own political destiny.

You sponsors of this legislation can shut your eyes and try to warp it into the Constitution on your bill, but every man with a legal knowledge who has studied the Constitution must know that this is an abrogation of the same and the first step, the one that is hoped to be used as a wedge, of this gang to break down the complete structure of the Constitution; the thing that has caused liberty, justice, and freedom to grow in this fair land of ours. It has been said, and I want to repeat, that holding elections and controlling every parcel thereof is strictly a State and not a Federal function. The Federal Government has no more right to conduct an election than the States have to coin money. Any ballot issued by the Federal Government would, therefore, be spurious and counterfeit.

I think that the active purpose and result of the living Constitution of the United States was very adequately described by Associate Justice David Davis in handing down the decision of the Supreme Court in the historic Milligan case soon after the close of the Civil War:

> The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times and under all circumstances. No doctrine involving more pernicious consequences was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism.

I can say with all of the sincerity of my heart and existence, and with all of the truth that the lips of man can speak, that there is no one in this House or in the United States who is more anxious to do justice to our fighting forces than I. I owe them all without reservation or limitations; I expect to give them all that I have. In doing this I feel that the greatest service that I can render those dead and yet to die, and those who will survive this horrible war and return to their native land is to fight for the preservation of the free institutions, free enterprises, and the rights of the several States that these boys left when they were called away to fight this bitter war, and to preserve for their protection and that of their posterity that they may enjoy the liberties and blessings of a full democracy, that sacred writing known as the Constitution of the United States. To this cause I pledge myself on my honor, and no pressure groups will ever cause me to weaken in my determination to preserve for them on their return what they left behind.

If you will be honest with yourself, then to the rest of the world you will be honest. This statement I am directing to the radicals who conceived this Federal ballot idea. In the next few minutes I am going to prove to you and all who will listen that you are not motivated by your interest in the rights of our fighting forces, but that your interest is shamefully selfish, your purpose purely one to use those in the service to further your own selfish interest. I am speaking to the C. I. O. membership and the Communists who have fought so untiringly for the passage of this act to usurp the rights of the several States to conduct without Federal interference their own elections. Let us put the square—yes, the searchlight of truth—on this subject. Our fighting forces are entitled to the full privilege of their franchise, not just a limited one to be used by you for your own interest to take from them here what they are fighting for abroad.

You Communists and the C. I. O. anarchists are interested in the results of the balloting on 3 offices—that of President of the United States, and the Senate and House of Representatives of the United States. You are working on the theory that if you can control these 3 offices that you can control the lives and destinies of all our people, even the returning servicemen, which I concede to be true. In your conventions you have even gone so far as to call for the raising of millions of dollars to purge we Members who do not jump through the hoop at your every whimsical demand. I do not fear you, your purge threats, or any man or any issue. So long as I remain in Congress I shall be directed by the guidance of a conscience concerned only in the future welfare of the people of this great Republic and the form of government our boys are dying to defend. Your pressure and your threats are a stimulant to me to fight harder for the cause of a Government of the people, by the people, and for the people; for the common good of all the people of our great Commonwealth. There is in every county election in the several States approximately 15 county offices to be voted upon and approximately 20 State offices to be voted upon, making a grand total of about 35 offices to be filled by the choice of the people. Our bill will give them the privilege of voting in these 35 contests and also the 3 provided for in your bill, making a total of 38, or an over-all full ballot, just as you and I have the privilege of exercising. You, however, give them the privilege to express their choice in 3 contests and deny them that right in 35 contests. The 3 in which you so generously provide this privilege are the 3 where you hope to use them. When will your conscience overtake you and stop you from compromising the blood of those who are dying for you; when will you cease to try to control by deceit and false methods the heavy-hearted parents who have given their sons and daughters to go forth and fight, suffer, and die for you?

You argue that a full ballot will consume too much shipping space, and thereby hamper the war effort. If this be true, then your Federal ballot will hamper and retard the war effort in a degree in the proportion that your ballot bears in percentage as to volume to ours. If any ballot is going to hamper and retard the war effort and prolong the suffering of those heroines and heroes of Bataan now dying a thousand deaths in Japan, and the suffering of those in the other theaters of war, and bring thousands more of those death messages to the humble firesides of American homes, which enters and stalks and will continue to stalk through the years the sacred rooms of that home as a shadow of horror and terror, then in the name of mercy and justice and in keeping with our duty to those who are dying and the parents who gave them, and in the name of all that is holy, let us forget politics and the furtherance of our own hopes and desires and defend the blood that is being spilled for the American flag. I would forfeit my right to ever cast another ballot if I knew to so do would prevent a sword in the hand of a Japanese rat from severing the head of one American nobleman. Your argument is too weak to be used for a sieve. You have a cunning way of clothing in garments of purity that which will further your selfish aims.

I have proven that your love for and interest in the service men and women is active only to the degree of three-thirty-eighths of the whole, which is less than 8 percent. Suppose our fighting

forces' loyalty and activity were as weak as yours—suppose it was exercised only 8 percent of its full force.

Let us see again how sincere your position is: An act of Congress sent those between the ages of 18 and 21 to the smoking battlefields of horror and death with the same force and as totally without choice as it did those above 21. They suffer the same agonies and death that do those over 21. Those falling in that age space constitute a large percentage of our armed forces. The love of their parents is just as strong and sacred, they fight shoulder to shoulder with those above 21, they sleep in the same fox holes, die the same horrible death; yet you, the self-anointed benefactors of those in service, willfully and affirmatively disfranchise this great body of our fighting forces. If this Congress can legally enact into law your bill, then it can legally include those patriots between the ages of 18 and 21. Do you feel that you have practiced a fraud on this great body of our fighting forces as a class in denying them the right of suffrage by your bill?

Honor to my native State, Georgia, I am proud indeed that through the foresight and statesmanship of our great Governor, the Honorable Ellis Arnall, our people approached this subject in a spirit of sincerity without any thought of political strategy. As a result of a sincere approach to the subject, a simple, workable, and full ballot has been provided for our boys in the service. We did not select those of certain ages to be handed a ballot and the privilege it carries and leave his buddy standing by probably on one leg and have the insult of being denied this right by the Government for which he gave his flesh. How would you feel personally entering a hospital where two American heroes lay wounded by the enemy, and handing to one 21 years old a ballot and saying to him, "I will let you vote on three offices only," and turning to the other 20 years old, wounded in the same bomber, and saying, "I withhold from you even that privilege, you are not worthy." If you are sincere in this matter why do you not offer an amendment providing the ballot for those from 18 to 21. I dare you to do it. We practiced no deceit, we showed no partiality. We gave a full and sweeping ballot to all those gallant girls and boys. Hypocrisy, the monster of all human conduct, will you ever withdraw your filthy head?

Under permission to extend my remarks I include the following letter:

Affiliated With the Congress of Industrial Organizations
INTERNATIONAL LONGSHOREMEN'S AND WAREHOUSEMEN'S UNION
150 Golden Gate Ave., San Francisco 2, Calif.
Prospect 7321
Harry Bridges, President
Louis Goldblatt, Secretary-Treasurer

December 15, 1943.

Hon. JOHN S. GIBSON,
House Election Committee,
House Office Building,
Washington, D. C.

DEAR SIR: Our organization, the International Longshoremen's and Warehousemen's Union, C. I. O., with many thousands of members serving in the armed forces, is greatly concerned over the outcome of the soldiers'-vote bill. It is the unanimous opinion of our affiliated organizations that the right of full suffrage be extended to every man and woman in the armed forces and in the maritime service.

The action of the United States Senate in passing the Eastland substitute to the soldiers'-vote bill is as horrible a travesty upon all the principles for which this country is at war as has yet occurred in a legislative body of our Government. It is beyond belief that any representative of the people can, with a clear conscience, vote for a measure such as the Eastland substitute to the soldiers'-vote bill and still claim he is wholeheartedly in favor of prosecuting the war against the Axis to a successful conclusion.

Surely we are not fighting this war to perpetuate the rights of a few States to discriminate against part or a majority of their people in the right to vote. Surely the men in the armed forces and the maritime services are not fighting this war as mercenary soldiers at $50 a month, who upon receipt of payment surrender their right to participate in national elections.

The Senate vote on the Eastland substitute is a powerful weapon gratuitously presented to the Axis agents throughout the world. They will use it to good effect. To the oppressed nations, upon whom we are calling for support, they will carry the message that ours is not an army of liberation but an army of mercenary soldiers and disfranchised Americans who have not even the right to vote for the President of their country.

The Eastland substitute was passed under the pretense of protecting State rights. There can be no State rights in determining the right of all American citizens to participate freely and as equals in the election of their representative leaders. States must not be empowered to determine the citizenship or suffrage of any American. If this can be called a State right then we must also concede the right of treason, secession, and civil war. The right to vote in national elections, particular for men in the armed forces, is surely not the one for determination by an individual State. The men in the United States Army are not serving in the army of Texas, Georgia, Alabama, or any other State. They are serving in the Army of all America.

Representatives in the Congress of the United States are there to serve the interests of the Nation as a whole. They are elected to the United States Congress and it is their duty as representatives in the legislative body of the United States to protect the man who serves in the armed forces of this country.

We urge you to act at once to remedy the tremendous damage that has already been done by the passage of the Eastland substitute to soldiers'-vote bill. We urge you to lend your every effort to the passage of the original soldiers'-vote bill, which will assure participation in the national elections by the men and women in the armed services. Your vote on this measure will be of deepest interest to all the people of the country.

Sincerely yours,
LOUIS GOLDBLATT,
Secretary-treasurer.

Mr. WORLEY. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Chairman, I think it is regrettable that so much heat has come into the discussion of this very important measure by those on both sides of the issue which is here presented. I am one of those who voted for the adoption of the rule under which this bill is being considered, not because I had any objection to anybody knowing my views with regard to the form in which this legislation should be passed, but because that rule constituted the usual and orderly method for the consideration of legislation of this type by the House. I believe that the Worley bill should be amended so as to remove the constitutional objections which some of us entertain in the utmost good faith to its provisions, or, to some of its provisions, and so as to present a workable plan, not only for the casting of votes by members of our armed services in the general election, but for the exercise by them of their rights under the absentee balloting laws of 44 States to participate in primary elections, which in many sections of the country, not confined alone to the South, constitute the real elections. In my State, and I think in some sections of the North, where the Republican Party is predominant, the election occurs in the primary and any bill which fails to make adequate provision for cooperation on the part of the responsible Federal authorities with State election officials in providing a method by which members of our armed services may vote in their State primaries, carries to those men and women from my State as well as those from many other sections of the country, no substantial aid in having their votes cast and counted in an effective way. I cannot vote for the Worley bill if it contains this provision on page 10, substantially reenacting sections 1 and 2 of what is known as the Ramsey Act, Public Law 712, of the Seventy-seventh Congress, which, in my judgment, are in violation of the Constitution and an unjustified interference on the part of Congress with the rights of the States to determine the qualifications of electors in elections within the States, both State and Federal.

I have not overlooked the fact that under section 36 of the Worley bill there is also a provision carried to the effect that the Ramsey act is repealed with the exception of sections 1 and 2. The legislature of my own State in extra session recently called by Governor Arnall has enacted a law waiving poll-tax requirements for men and women in the armed services and providing every facility within the power of the State for the voting of those qualified to vote, not only in the general election, but in primaries. However, to make that law really effective, cooperation of Federal officials is necessary. I believe the Congress should provide for that cooperation but shall never vote for any determination by Congress of qualifications for voters in the States. If the States want to remove their poll-tax requirements, well and good. For Congress to undertake to do it is an unconstitutional usurpation of authority. I might vote for the Worley bill notwithstanding the inclusion of that language in section 36, but I cannot vote for the bill so long as it contains the reenactment of sections 1 and 2 of the Ramsey act as set out on page 10 of the Worley substitute which in my judgment constitutes a violation of the Constitution. I should like for those sections to be repealed but I shall certainly not vote to reenact them. I want to vote for a bill

which will leave to State and local election officials the discharge of their constitutional functions. I shall offer at the appropriate time an amendment to the Worley substitute which would strike out the language on page 10. I also propose to offer certain other amendments. The most important of these is one which in my judgment will insure the rights of the soldiers to participate in State primaries or at least assure that the responsible authorities of the Federal Government, of the War and Navy Departments, and the War Shipping Administration, shall cooperate with the State election officials in the transmittal to those soldiers of primary ballots and of applications for registration, and of applications for ballots and in the return of ballots so that these men may have a chance to vote in the only elections of real importance in my State and in many other sections of the country.

The soldiers from Georgia would be granted little of importance if they were granted only the right to participate in the general election after all of the State officials had already been named as well as the candidates for Congress on the Democratic ticket. I want these men and women to have a chance to vote for or against me and for or against my colleagues who may be candidates for reelection in the primaries of my State which will determine the question of who is to represent them in the Seventy-ninth Congress.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. TARVER. I ask unanimous consent, Mr. Chairman, to revise and extend my own remarks. I shall later in the House ask permission to insert in the RECORD these amendments to which I have referred, and I request that the Members of the House read these amendments in tomorrow's RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The amendments to be offered by the gentleman from Georgia [Mr. TARVER] to the Worley substitute are as follows:

Amend Worley substitute by inserting after the word "above", in line 3 on page 5, the words "nor by any other ballot."

Amend the Worley substitute as follows: On page 10, line 21, after the word "States," strike the comma, insert a period, and strike all of the following language down through the period in line 24.

Amend Worley substitute by adding, after line 4, page 16, a new section, as follows:

"SEC 24. (a) It shall, wherever practicable and compatible with military operations, be the duty of the Secretary of War, the Secretary of the Navy, and the Administrator of the War Shipping Administration, respectively, to cooperate with appropriate State officers and agencies in transmitting to and from persons to whom this act is applicable, making application therefor to their several States, such applications for registration, applications for ballots, absentee ballots, and envelopes to be used in connection therewith, as may be provided under the laws of the several States for the use of such applicants, either in primary or general elections, and to cooperate in the execution by such applicants of oaths in connection with such ballots.

"(b) Such post cards, applications, ballots and envelopes, and instructions for voting procedure, shall be transmitted free of postage, including air-mail postage, in the United States mails. The Secretaries of War and Navy, and the Administrator of the War Shipping Administration, shall take all steps necessary to give to the transmission and delivery of such applications, post cards, ballots, envelopes, and instructions for voting procedure priority over all unofficial communications and priority over official communications except where, in the judgment of the appropriate military and naval authorities, such priority would interfere with the effective prosecution of the war. Ballots cast outside the United States shall, wherever practicable and compatible with military operations, be transmitted by air."

Mr. ELLSWORTH. Mr. Chairman, I yield 5 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE. Mr. Chairman, sometime ago, one Sunday evening I think it was, I heard a debate over the radio on this subject between the gentleman from Oregon [Mr. ELLSWORTH] and the gentleman from Texas [Mr. WORLEY]. I was impressed that night with the evident sincerity and with the evident study these gentlemen had given this question. I have been impressed again today as the several members of the committee and others have spoken on this subject, impressed with their sense of fairness and by the evident sincerity with which they were approaching the subject.

I think that every Member of this body is approaching this question in the same way. He wants the soldiers to vote and he does not want them merely to mark a piece of paper and then have a question of legality or constitutionality or validity of that vote raised when it comes back. He wants that vote to be counted; and, of course, it would be a fraud if something were placed in his hands that he was to mark which could not be counted when it came back. So I want to be sure that we do everything we can do to give the men a valid ballot.

I have discussed one amendment with a few Members that personally I would like to see adopted and which would lend encouragement to the placing of a valid ballot in the hands of every soldier, make it a little more positive. I like the suggestion that has been worked out in the State of Wisconsin, I may say to the gentleman from Wisconsin [Mr. KEEFE], before me by which they propose to see that a ballot is placed in the hands of every soldier and sailor of that State who is overseas.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. CASE. I yield very briefly.

Mr. KEEFE. May I say to the gentleman from South Dakota that the legislature of the State of Wisconsin has gone so far as to provide for the prepayment of air-mail postage on letters going out and coming back to insure their delivery.

Mr. CASE. That is fine. Now, the bill before us provides for free transportation in the mails and also provides for the use of air mail in the transportation of ballots when practicable, but the bill does not ask other States to go as far as Wisconsin has in providing that ballots be addressed to the soldiers whose applications are not received.

So I suggest, in addition to the other things recommended in the bill, that we recommend that the States make a list of all potential voters in the armed services and maintain a check between the county election offices and the county offices for selective service and tally off the names of those who, on their own initiative, have applied for ballots; and that then on or about the 10th of September, which would be some 5 days more than the 45 necessary for mail to go and come back, that the States, of their own initiative, through county election authorities, mail a ballot to every man overseas whose name has not been checked off.

The War Department tells me it would work quite a hardship on them to check the addresses, so the suggestion is that the current address be obtained from the next of kin who know the latest address of the soldier or sailor. Consequently the suggestion is that the county election officials tallying these applications, 50 days before the election, get the addresses from the next of kin of the boys who have not applied for ballots, mail ballots to them, and include a return envelope on which should be printed the application for the absentee ballot and the affidavit that the ballot is marked by the soldier-voter himself.

When the soldier sends the ballot back in that envelope, automatically the judges of the election have the application for the ballot in their hands prior to the receipt of the ballot, because it is printed on the outside of the return envelope. They would check the eligibility of the voter before seeing how the ballot is marked. Automatically the application would be in the hands of judges before they saw the ballot, before they counted it, before they even opened the envelope containing it. It could be challenged if there was a question as to the right of a particular individual to vote; it could be set aside if it were challenged.

But there would be no question about the validity or the constitutionality of such a ballot; it would have been provided by the State; there would be no coercion by the Federal Government. We would say to the States, however, that if they adopt this procedure we give them all the benefits of free transportation, priorities, and the other advantages proposed by the bill and we would have made it possible to put a valid ballot, a total ballot, in the hands of every man or woman overseas.

Mr. Chairman, under permission obtained in the House, I place in the RECORD at this point the following suggestion of the text that could be printed on the outside of the return envelope proposed in my remarks:

In a box at the left of the envelope, carry some such application for ballot and affidavit of voting as follows:

APPLICATION AND AFFIDAVIT

I hereby apply for an absentee ballot and the right to cast my vote in the general election of 1944. To the best of my knowledge and belief, I am a legally qualified voter of _____ County, State of _____, and my residence is _____.

I hereby certify that my ballot will be marked by myself alone and that this ballot is being marked of my own free will and accord for candidates of my choice without any inducement or promise of reward.

(Signed) _____

Subscribed and sworn to before me this ------ day of ------, 1944.

_____

(Officer authorized to administer oaths.)

At the right in the normal position for addresses, the envelope should carry a proper return address, addressed by the election officials to insure its return to the proper precinct. Below the address it would be appropriate to carry the following:

(Notice to election officials: This envelope is not to be opened unless the application at the left is accepted as evidence of the applicant's right to cast a ballot and have it counted. In case that is challenged, this envelope should not be opened, but should be kept carefully until the challenge is settled and appropriate action is decided upon.)

Such a procedure, Mr. Chairman, would eliminate the time consumed in getting an application from the man or woman overseas, and would place in his or her hands a ballot of unquestioned validity that would be counted when it returned.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. WORLEY. Mr. Chairman, may I inquire how the time stands?

The CHAIRMAN. The gentleman from Texas has 1 hour and 13 minutes remaining; the gentleman from Iowa has 1 hour and 4 minutes remaining.

Mr. LECOMPTE. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman——

Mr. HALLECK. Mr. Chairman, will the gentleman yield that I may make a brief observation and announcement?

Mr. BROWN of Ohio. I yield.

Mr. HALLECK. Mr. Chairman, I referred in my talk to various telegrams that had come in from the Governors of States indicating the desire and intention of the States to facilitate soldier voting. I have just learned that those telegrams now numbering close to 40 will be inserted in the CONGRESSIONAL RECORD this evening. I suggest that anyone who has any doubt about what the States are ready and willing to do and will do in respect of soldiers' voting take a look at the CONGRESSIONAL RECORD in the morning.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. VORYS of Ohio. I wish merely to call the attention of the House to the fact that my colleague, the gentleman from Ohio, who now has the floor, has served with great distinction as secretary of state of Ohio, in the past, the chief election officer of an important State; and, therefore, his views on this bill come from a man who really knows what he is talking about; they come from an authority.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. Briefly.

Mr. RANKIN. I may say in reply to the gentleman from Indiana [Mr. HALLECK], that the Legislature of Mississippi is now in session. I have a copy of the bill they are now passing. We are going to see that the ballot gets to every qualified soldier voter from Mississippi.

Mr. BROWN of Ohio. Mr. Chairman, before coming to Congress I served for many years as chief election officer for the State of Ohio. I enjoyed a longer tenure in that particular office than any other individual in the history of my State. It was during my administration that the new Ohio election code, which has since been used as a model by many of the other States of the Union, was written and made effective.

Ohio was also one of the pioneer States in providing for absentee voting. In the 1942 elections the sons and daughters of Ohio serving in the armed forces cast more absentee ballots than the service men and women of any other State. In fact, more than one-fourth of the total number of absentee ballots cast by all our fighting forces in the 1942 election were tallied and counted in Ohio.

For these reasons, and because of my sincere conviction that those who fight for their country in its hour of peril are entitled to the opportunity to vote, I wish to discuss the legislation now before us. Like our President, I am an interested citizen. I am also vitally and intensely interested in seeing to it that every one of America's defenders is given the opportunity to vote a real American ballot in a real American way. I believe in the soldier voting, but I am opposed to anyone voting the soldier.

Never in all of my 30 years of public life have I known any issue so misrepresented and so misunderstood as the soldiers' vote question. Much of this misrepresentation and misunderstanding springs from ignorance of the subject, but far too great a portion of it seems a purposeful plan to confuse and mislead our fighting forces and the public. So I believe it is time that we get down to sound common sense and fundamentals in considering this legislation.

We should be able to agree here on these two premises: First, that the men and women in our armed services should not only have the right to vote, but should also be given every possible opportunity to vote. Second, that the Congress of the United States, and every Member of it, along with all other right-thinking Americans, are desirous that those in our fighting forces be given the right and opportunity of franchise.

Of course, there are some who are so politically minded as to hope to gain partisan advantage from the type and kind of legislation we enact here. To those individuals I can only point the finger of scorn. They are unworthy of this Republic and the flag for which our men are fighting and dying. Let it be written in America's legislative history that the end purpose of all of us who serve here in the Congress is the same—to give American fighting men and women every opportunity to vote, and to participate in the democracy they are sacrificing to save.

There are honest differences of opinion between some of us here as to the best method by which this purpose may be accomplished. There are two schools of thought, or two beliefs, as to the best way soldier voting can be conducted. Some believe our fighting forces should be furnished with a new type of ballot—a short Federal ballot—which will give only the opportunity to vote for President, Vice President, United States Senator, and Representative in Congress, under the direction and control of Federal officials. Others of us believe our fighting sons and daughters should be permitted to vote a regular State ballot, which contains not only the names of the candidates for national office, but likewise those of the candidates for State and local offices. So the real question before us, and the one we must decide, is the short abbreviated Federal ballot versus the complete State ballot. Or, to make the issue more clear, let me state the question in another way: Shall those Americans serving in the armed forces be permitted to vote only for President, Vice President, Senator, and Representative in Congress, or shall they be permitted, like civilian Americans at home, to vote for every candidate for public office, from President down to coroner?

The proposed short Federal ballot is something new. It has never been used before in America. There is a real constitutional question as to the legality of such a ballot. Those who favor it have, of course, attempted to lightly brush aside this question of constitutionality. That is not unusual, for many of the champions of the Federal ballot idea have too often in the past demonstrated their disregard—if not their disrespect—for the Constitution. Yet we who serve here, under an oath to support and defend that Constitution, cannot and must not disregard or disrespect it. Neither should we forget that the very men and women in whose interests we are considering this legislation are fighting and dying to protect and preserve the Constitution and the representative form of government builded here in America upon its solid foundation. Whether you agree as to the constitutional right of this Congress to provide for this new type of Federal ballot, every fair-minded man and woman in this body must admit there is a grave question if the various States can be required to accept and count a Federal ballot which is so different from the one provided by any State law. If such a Federal ballot is adopted, and is later held to be illegal and unconstitutional, then the election of the President and Vice President of the United States, and of every Member of Congress, will be placed in question and in jeopardy, and the affairs of the Nation will be thrown into turmoil and chaos.

That, my colleagues, is the inherent weakness of the Federal ballot plan. Can we risk the dangers its adoption involves?

But there is another fatal weakness in the Federal ballot that we should consider. Remember, please, the Federal ballot will not carry the printed names of any of the candidates for the Senate

or the House, and probably not for President and Vice President. Instead only blank spaces will be provided, where the soldier voter may write in the names of those for whom he wishes to vote. Of course, the ballot will give him an opportunity to vote either Democratic or Republican, but without even knowing who the party candidates may be. I ask you, is that a good voting procedure? Is it conducive to a wise choice of representation in the Congress of the United States?

The average man or woman serving overseas will have little or no opportunity to know who the candidate for the House and Senate may be. If they remember the names of anyone in connection with a Congressional office it will be the names of those of us who are now serving here—your name and mine. Certainly they will not recall, or even know in most instances, the names of our opponents. So, if this Federal ballot plan is written into law, you and I will be accused of adopting legislation that gives us an unfair advantage over our opponents. No one can deny that those of us who have short and easily remembered names, like Brown or Smith, or Jones, or Johnson, or have names which have been much in the public print, such as RAYBURN, MCCORMACK, MARTIN, SABATH, BLOOM, WORLEY, or FISH, will have an additional advantage.

Oh, I know, we have been promised, if we will adopt this Federal ballot with the blank spaces on it, that the names of all candidates for Congress, and perhaps also for the Presidency, will be radioed all over the world to our troops on foreign shores, and that they will be kept informed as to political developments here on the home front. That promise, my friends, carries with it one of the real, if hidden, dangers contained in the Federal ballot plan. How and by whom will this information be furnished, I ask? The obvious answer is, of course, by and through a series of fireside chats—presumably by an interested citizen. Remember, when your name is printed on a ballot along with that of your opponent you know you have a fair show for your white alley. But when you depend upon others just to mention your name as a candidate, well, it is altogether possible they might mispronounce it, or even entirely forget it and not mention it at all. Who can tell?

It is claimed the use of State ballots for overseas voting will prove cumbersome and unworkable, and will require the changing of many State laws. Let me answer that argument by saying frankly that regardless of which ballot plan is adopted—Federal or State—the laws of probably every State in the Union will have to undergo some change to meet the new and unusual situation which confronts us. Certainly you will agree, even if the short Federal ballot is declared constitutional and legal, the various States of the Union will have to amend their laws to permit such ballots to be accepted and counted within the States, to waive registration requirements and other restrictions, and to abrogate or repeal present State laws prohibiting and making it a crime for local election officials to count any ballots other than official State ballots.

On the other hand, if the State ballot plan is used, it will be necessary for many States to amend their laws so as to advance the date by which their State ballots must be printed and ready for distribution. Some States may have to legalize the Federal post-card application for a soldier ballot. A few others—and only a few—will also have to advance the date of their primaries. In a small number of States absentee voting must be authorized. A few States, because of prohibitory constitutional provisions, may find it impossible to receive and count any ballots, either Federal or State, cast by absentees. So it must be agreed State laws in many instances must be changed regardless of the plan or type of ballot adopted.

It is contended by opponents of the State ballot plan that the various States will not cooperate with the Federal Government in getting State ballots to soldier voters. I deny this. I do not know of a single State in the Union that does not stand ready and willing to change its laws in any way that may be necessary to make State ballot use for soldier voting both possible and workable. I challenge anyone here to furnish information to the contrary. Let those who by innuendo slander the patriotism of the individual States stand on this floor and name such States, making their charges specific. Then let the Representatives from those accused States answer in the name of their commonwealths.

No, ladies and gentlemen, it is easy to make general charges against the States—but it is not easy to sustain any specific charge against any specific State. The claim that the States of the Union will not cooperate is, to me, just another bit of campaign oratory. Instead, the States are anxiously waiting for us here in the Congress to decide the means and methods to be followed in soldier voting, so they in turn may cooperate to the fullest in giving their fighting sons and daughters the full right of franchise in a legal and constitutional way.

We have heard much from the proponents of the Federal ballot plan that it will be a practical impossibility to get a State or any other kind of a ballot, except the short Federal ballot, to soldier voters on foreign soil and back again in time for counting in the next general election. They say it will be easy to distribute, vote, return, and count the so-called bobtailed Federal ballot, but a gigantic and even impossible task to do the same thing with State ballots. Most of these individuals have always been quick to espouse and champion every program and policy of the New Deal, not only as to our fighting forces, but on the home front as well. They have always been quick to put their stamp of approval on that which their superiors desire, just as they have been quick to explain or to apologize for the failures of the New Deal. But, while we are not overly impressed by their claims, let us consider them.

Explain to me, if you can, please, why, if you can deliver a short bobtailed Federal ballot to four or five million men and women overseas, you cannot deliver a little larger State ballot by the same methods to the same persons. The only real difference would be in the weight and in the size of the ballots, with the possible exception of a slight increase of effort here in the United States in gathering and preparing the various State ballots for delivery overseas. The actual transportation of the ballots overseas, the voting, delivery back home, and distribution to the various States and voting precincts, would be exactly the same.

Some of the opponents of the State ballot plan are going a long way in their endeavor to defeat it. They are using such shameful tactics as threatening our fighting men and their families with a suspension of mail delivery to and from the battle fronts if the State ballot plan is adopted. They go so far as to say the use of State ballots would mean our soldiers and sailors would have all of their mail from home—their letters from mothers, fathers, wives, and sweethearts—suspended or delayed for many weeks. My answer is, "Shame." The gentlemen who have used this argument should apologize for it. Let me answer such a ridiculous claim by calling your attention to the simple fact that more than 14,000 tons of Christmas packages for overseas troops were cleared through the New York post office alone in a few weeks last autumn, while the letters to and from home went through just the same.

Let us stop and consider what this transportation problem as to ballots really is. The weight of the average State general election ballot is approximately 1 ounce, not the 3 ounces claimed by one of our high Federal officials, who has never had a single day's experience in practical election matters. Ballots from the large cities, where many candidates are listed, may weigh slightly more, while those from the smaller communities will weigh much less. But the weight of the average general-election ballot will be approximately 1 ounce. Let us add to this another half ounce for the envelope, which will make the State ballot and envelope to be sent our men and women overseas for the 1944 election weigh an average of 1½ ounces. The President tells us we will have 5,000,000 men and women overseas by November 1944. Five million ballots weighing 1½ ounces each equals 468,750 pounds, or 234½ tons. Let us make the total weight 240 tons, to be liberal. And then let us remember there is not a single fighting front anywhere in the world more than 90 hours away from the United States by air. Only a few are anything like that far.

Informed colleagues here in Congress, as well as other air experts, tell me the average general cargo plane can and will carry 8 tons of freight. This would mean only 30 cargo planes would be required to transport all of such State ballots to our overseas forces and back again, making only 1 round trip per plane. Of course, if each plane could make 2 round trips, or more, then the number needed would be reduced in direct ratio.

We proudly boast that in 1943, here in the United States, we manufactured some 89,000 planes. We insist that in 1944 our plane production will reach and pass the 120,000 mark. Do you not be-

lieve, ladies and gentlemen, it might be possible to spare 30 planes out of all this number for 1 week's time to transport ballots to and from our fighting forces—if it should be necessary?

Just a day or so ago I read a press dispatch from the west coast telling that in one of the great plane factories of that area there are being constructed today several gigantic superplanes for the use of high American officials—one for our Commander in Chief, who can undoubtedly use the most modern of planes for his many travels; another for our Secretary of the Navy; and more for other high dignitaries, all with offices, bedrooms, and bath, built in. Perhaps these gentlemen may be ready and willing to forego their usual travels for a week or so just before election time so as to permit these planes to be used for transporting ballots to and from the fighting fronts. Yes; it is entirely possible these officials may be so busy here on the home front, just before next November's voting, they will not need or use their planes for foreign travel, which thus can be made available for ballot deliveries.

Then, too, of course, if the situation becomes too serious, it may even be possible to persuade our most noted feminine traveler to remain quietly at home for a few days while her plane, and those used for her escort and protection, are put to the job of carrying ballots to our fighting men and women.

And, as a last resort, perhaps we can get our old friend, Leon Henderson, to use a train instead of a plane in getting to and from his New Jersey voting place, and thus by his sacrifice help a few thousand additional American doughboys to enjoy their right of citizenship.

Of course, our common sense tells us it will not be necessary to use planes to transport all, or even a major portion, of the ballots used in overseas voting. How difficult do you think it will be to deliver ballots to the armed services in Alaska, or Panama, or Bermuda, or Trinidad, or South America? How long do you think it will take, or how difficult do you think it will be, to deliver and return the ballots of our soldiers and sailors in Hawaii, or Iceland, or England, or Africa, for that matter, by ship? Only a small percentage of the ballots would have to be flown into the fighting areas by plane. Most of them you and I know—for our common sense tells us—can be easily delivered, voted, and returned, within the time limit, by use of ships.

All of the State ballots required for overseas voting—5,000,000 of them—weigh only 250 tons. And still some of our so-called leaders insist that America, with all her ships and planes and ingenuity, cannot possibly transport 250 tons of ballots to the men and women who are fighting and sacrificing and dying that democracy may live.

Two hundred and fifty tons of democracy, for each and every one of those ballots is a part of the substance of which democracy is made. Just stop and think of it a moment. We are asked to believe our Government cannot easily transport and distribute 250 tons of State ballots. That we cannot find a way to get 250 tons of ballots to our fighting men, and thus guarantee to them the right to vote for every candidate on the ballot. Two hundred and fifty tons of pure democracy. Yet, because those in power claim they cannot transport those vital 250 tons, we here in Congress are being asked to pass a law which may be—and probably is—unconstitutional. We are being asked to restrict the voting rights of the men and women who are keeping democracy and representative government alive today. Can you believe it? Will the country believe it? That this great Nation of ours cannot find the way to deliver 250 tons of pure American democracy—when we have been able to easily find the means to transport hundreds, yea thousands, of tons of propaganda to our troops and to others in foreign lands.

In a message read from that rostrum a few days ago the cry of fraud was raised in connection with this legislation. Let me say to you, Mr. Speaker, if there is any fraud connected with this legislation, the perpetrators will be those who are endeavoring, through the adoption of a Federal ballot, to take the vote from the very cream of our American manhood and womanhood—those who are fighting and dying for this Nation—taking away their right to vote for all their public officials, and instead are offering to them a makeshift un-American ballot of questionable legality in the hope that some political advantage may be gained therefrom. Those who in former years builded their power on the suffering and misery of our people now wish to maintain and continue it at the expense of the ones who fight the Nation's battles in its hour of greatest peril. And they have the temerity and the gall to raise the cry of "fraud" to distract attention from their own Machiavellian plans.

I say to you—as one American sitting in the American Congress—I expect to cast my vote for the bill that will give to all the men and women who so proudly wear the American uniform the same right to vote and the same kind of a ballot that I enjoy myself.

To do less will be to fail them—to fail the constituents I serve, the Constitution I am sworn to defend, and the Nation I love.

Mr. LECOMPTE. Mr. Chairman, I yield such time as he may desire to the Delegate from Hawaii [Mr. FARRINGTON].

Mr. FARRINGTON. Mr. Chairman, I should like to present for the RECORD at this time the text of an amendment I shall offer at the appropriate time tomorrow, to extend the privileges of this measure to the men in the service who have been drawn from the Territories. This amendment does not permit the citizens of the Territories to vote for President, Vice President, or Senator, for that is not their right, but it does reserve to them the right to vote for their own Delegate in Congress and the officials of their Territories.

Insofar as it was the Territories which felt the first shock of this war, Mr. Chairman, it seems to me only fair that this privilege be extended to them.

The amendment I shall offer is as follows:

Page 9, line 17, after the word "waterways" strike out the period and insert a semicolon and the word "and", and after line 17 insert the following new subsection:

"(3) the term 'State' includes the Territories of Alaska and Hawaii."

Mr. LECOMPTE. Mr. Chairman, I yield such time as he may desire to the gentleman from Kansas [Mr. SCRIVNER].

Mr. SCRIVNER. Mr. Chairman, 25 years ago nearly 200 Members of this body were members of the armed forces in World War No. 1. Many of us were overseas. We were concerned only with one thing—winning the war and getting home. We never even knew an election was being held in November 1918.

History, I am sure, is now repeating itself and that our forces have only that same desire—to win the war and get home.

In recent days, without making my identity known, I have talked to over 100 soldiers from buck private to colonel, and sailors too, about the soldiers' bill. Not one expressed any concern about their voting privilege. But many did express great concern over the fact that after long absence from home they are allowed only 5 gallons of gasoline while on furlough.

In the past 17 years I have had the pleasure of giving military training to approximately 3,000 young Americans. I regularly correspond with nearly 100 of these men, at home and abroad, in 15 different countries.

It is quite a surprise to me to hear so much clamor on the floor of this House when not one, not a single one, has ever expressed any grave concern over the fact that they might not be able to vote this fall due to their absence from home.

This lack of concern of these men is demonstrated and conclusively proven by the light soldier vote cast in 1942, as mentioned earlier today by the gentleman from Massachusetts [Mr. MCCORMACK].

For my part, I am sure the comparatively few members of the armed forces who are desirous of voting want to vote for local as well as Federal officials; they want to vote the whole ballot from top to bottom, on a ballot, the legality of which cannot be questioned.

I want them to have that right if they want to exercise it.

In short, I favor and shall support S. 1285, and the ideas therein set out, so our soldiers, sailors, and marines may have the opportunity to vote a full legal ballot if they so desire.

Mr. WORLEY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that the Committee having had under consideration the bill (S. 1285) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, pursuant to House Resolution 412, had come to no resolution thereon.

Mr. WORLEY. Mr. Speaker, in view of the fact that this is a rather important subject and that there are a number of Members on this side, those for the bill S. 1285 as well as those against it, who have not yet had an opportunity to speak in general debate—and I understand the same situation obtains on the other side—I ask unanimous consent that general debate on that bill be extended 80 minutes, one-half to be controlled by the gentleman from Iowa and one-half by me.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

EXTENSION OF REMARKS

Mr. TARVER. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today in the Committee of the Whole and include therein certain amendments I intend to offer to the Worley substitute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein chapter 567 of the laws of 1943 of the State of Wisconsin, which is soldier-vote legislation passed unanimously by both the Senate and the Assembly of the Wisconsin Legislature, and also the joint resolution unanimously adopted by the members of the Legislature of the State of Wisconsin pertaining to this legislation, for the information of the House.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

THE SOLDIER VOTE BILL

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an amendment I intend to offer to the pending bill.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CURTIS. Mr. Speaker, I shall support the committee bill on soldier voting, which I understand is the bill S. 1285. At the proper time I shall offer an amendment which will be in line with the spirit and plan of the committee bill; that is, a recommendation to the States. This amendment will recommend to the States that where they can that they waive the requirement of an application by the voter and send an official ballot to every voter in our armed services. In those States where they cannot do that, I believe the procedure outlined in the bill, using the post cards, should be followed.

Mr. Speaker, this amendment is as follows:

Amendment offered by Mr. CURTIS to S. 1285: On page 3, line 11, after the "(a)", insert the following: "It is recommended that the several States, when possible, waive the application for a ballot and authorize the proper election officials to send an official ballot to every voter serving in the armed forces of the United States or in the merchant marine of the United States, or serving in the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots, or the United Service Organizations outside the United States and attached to and serving with the armed forces of the United States. If an application is necessary then."

EXTENSION OF REMARKS

Mr. FORAND. Mr. Speaker, I ask unanimous consent to extend my remarks and include a brief article written by Richmond Carpenter reciting briefly the history of the war ballot in Rhode Island in 1918.

The SPEAKER. Is there objection?

There was no objection.

Mr. GIBSON. Mr. Speaker, I ask unanimous consent that I be permitted to extend the remarks I made this afternoon by including a letter I received from Lewis Goldblatt, secretary and treasurer of the International Longshoremen and Warehousemen's Union.

The SPEAKER. Is there objection?

There was no objection.

Mr. CASE. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made this afternoon and include a suggested form for the return envelope for the absentee ballot.

The SPEAKER. Is there objection?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. BRADLEY of Michigan (at the request of Mr. MICHENER), indefinitely, on account of illness.

To Mr. JONKMAN (at the request of Mr. MICHENER), indefinitely, on account of illness.

ENROLLED BILLS SIGNED

Mr. KLEIN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 636. An act for the relief of C. J. Toole;

H. R. 1344. An act for the relief of Paul W. Busbey, Mrs. Paul W. Busbey, Paula Busbey, and Mrs. Louisa Busbey; and

H. R. 1875. An act for the relief of Carl Swanson, Geraldine Cecilia Swanson, a minor, and Almer Swanson.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1543. An act to provide for mustering-out payments to members of the armed forces, and for other purposes.

ADJOURNMENT

Mr. WORLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 49 minutes p. m.) the House adjourned until tomorrow, Wednesday, February 2, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE PUBLIC LANDS

The hearings on H. R. 2596, to protect Naval Petroleum Reserve No. 1, will be continued on Wednesday, February 2, 1944, at 10:30 a. m.

There will be a meeting of the Committee on the Public Lands at 10:30 a. m., Monday, February 14, 1944, to consider H. R. 1688, a bill relating to the administrative jurisdiction of certain public lands in the State of Oregon, also the companion bill, S. 275, and such other matters as may properly come before the committee.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold hearings at 10:30 a. m., on Wednesday, February 2, 1944, on private bills and unfinished business.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m., on Wednesday, February 2, 1944, in the caucus room of the Old House Office Building, for the consideration of post-war planning.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Public Health Subcommittee of the Committee on Interstate and Foreign Commerce, at 10 a. m., Wednesday, February 2, 1944. Business to be considered: S. 1633 and H. R. 4002 relating to amendments to the Nurses Training Act.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 3, 1944, at 10 a. m., on H. R. 2809, to amend section 511 of the Merchant Marine Act, 1936, as amended.

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of subtitle "Insurance of Title II of the Merchant Marine Act, 1936," as amended.

COMMITTEE ON FLOOD CONTROL

SCHEDULE OF HEARINGS ON FLOOD CONTROL BILL OF 1944, BEGINNING TUESDAY, FEBRUARY 1, 1944, AT 10 A. M.

The Flood Control Committee will conduct hearings on flood-control reports submitted by the Chief of Engineers since the hearings conducted in June 1943, and on amendments to existing law. The committee is definitely committed to the view that flood-control projects for post-war construction will be among the most satisfactory public works, and the committee plans an adequate backlog of sound flood-control projects available following the war.

1. Wednesday, February 2: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the Pacific Northwest region, including the Willamette River and the Columbia River and tributaries; proponents and opponents of projects along the Milk River, Mont.; the Knife River and tributaries, North Dakota; the Boyer River and tributaries, Iowa; Red Lake River and tributaries, Minnesota; proponents and opponents of projects along the Rio Grande and tributaries, Colorado; proponents and opponents of projects along other rivers in the western Rocky Mountain region, including the States of Colorado and Montana.

2. Thursday, February 3: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Soil Conservation Service, Department of Agriculture, and proponents and opponents of projects on rivers flowing into the Gulf of Mexico west of the Mississippi River, including the Trinity River in the State of Texas.

3. Friday, February 4: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects along the upper Mississippi River and tributaries, including the Illinois River and tributaries, the Great Lakes region; and proponents and opponents of projects along Bear Creek, Colo.; Missouri River and tributaries at the Kansas Citys, Mo. and Kans.; Nishnabotna River, Iowa and Mo.

4. Tuesday, February 8: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the Los Angeles area along the Sacramento River and tributaries and along the San Joaquin River and tributaries.

5. Wednesday, February 9: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Bureau of Reclamation, and proponents and opponents of projects along the Kern River and tributaries in the Kern River area and along the Kings River area and tributaries in the Kings River area, and including other streams in the San Joaquin Valley.

6. Thursday, February 10: Continuation of the projects discussed on February 9.

7. Friday, February 11: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the upper and lower Ohio River and tributaries, including Salt River, Taylorsville, Ky., the Potomac River and tributaries, the New England region, including the Connecticut and Merrimac Rivers, and the Middle Atlantic region, including New York, Pennsylvania, and New Jersey, and the South Atlantic region, including rivers flowing into the Atlantic Ocean and Gulf of Mexico east of the Mississippi River.

8. Tuesday, February 15: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Gen. M. C. Tyler, president of the Mississippi River Commission and division engineer, and proponents and opponents of projects along the lower Mississippi River and tributaries, including the Red, Arkansas Rivers, Conway County, Ark., and Purgatoire (Picket Wire) River, Colo., the White, St. Francis, and Yazoo Rivers.

9. Wednesday, February 16: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Col. Miles Reber, former division engineer, Missouri River division, Omaha, Nebr., and proponents and opponents of projects along the Missouri River and tributaries.

10. Thursday, February 17: Continuation of the projects discussed on February 16.

11. Friday, February 18: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in other regions in the United States.

12. Tuesday, February 22: Representatives of the Department of Agriculture, the Weather Bureau, Bureau of Reclamation, and other governmental agencies.

13. Wednesday, February 23: Senators and Representatives in Congress.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1142. A letter from the Commissioner, Federal Home Loan Bank Administration, transmitting the report of the Home Owners' Loan Corporation; to the Committee on Banking and Currency.

1143. A letter from the Acting Administrator, Federal Security Agency, transmitting the combined annual reports of the United States Office of Education covering the period from July 1, 1941, through June 30, 1943; to the Committee on Education.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COCHRAN: Committee on Accounts. House Resolution 407. Resolution to provide for expenses of investigation authorized by House Resolution 406; without amendment (Rept. No. 1049). Referred to the House Calendar.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 4059. A bill to amend an act entitled "An act to empower the Commissioners of the District of Columbia to convey land" (approved April 28, 1922); without amendment (Rept. No. 1050). Referred to the Committee of the Whole House on the state of the Union.

Mr. CELLER: Committee on the Judiciary. H. R. 2985. A bill to provide for the garnishment, execution, or trustee process of wages and salaries of civil officers and employees of the United States; with amendments (Rept. No. 1051). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. House Report No. 1052. Report on the special mission by Aviation Subcommittee of the Committee on Military Affairs; without amendment. Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MURRAY of Wisconsin:

H. R. 4102. A bill to extend for 2 additional years the reduced rates of interest on Federal land bank and Land Bank Commissioner loans; to the Committee on Agriculture.

By Mr. ALLEN of Louisiana:

H. R. 4103. A bill to provide for loss of United States nationality under certain circumstances; to the Committee on Immigration and Naturalization.

By Mr. GORE:

H. R. 4104. A bill to amend the Agricultural Adjustment Act of 1938, as amended, for the purpose of further regulating interstate and foreign commerce in tobacco, and for other purposes; to the Committee on Agriculture.

By Mr. DEWEY:

H. J. Res. 226. Joint resolution to provide for a central reconstruction fund to be used in joint account with foreign governments for rehabilitation, stabilization of currencies, and reconstruction, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LEA:

H. J. Res. 227. Joint resolution extending the period for the acquisition by the Railroad Retirement Board of data needed in carrying out the provisions of the Railroad Retirement Acts; to the Committee on Interstate and Foreign Commerce.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Kentucky, memorializing the President and the Congress of the United States to pass legislation providing for the conservation of the meat supply and for adequate and reasonable regulations concerning the marketing of pork; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRYSON:

H. R. 4105. A bill for the relief of Ira Cannon; to the Committee on Claims.

By Mr. GALE:

H. R. 4106. A bill for the relief of Mrs. Elizabeth M. Andresen; to the Committee on Claims.

By Mr. PLOESER:

H. R. 4107. A bill for the relief of the Stiers Bros., Construction Co.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4641. By Mr. FITZPATRICK: Petition signed by members of the Parkchester Congress of Industrial Organizations Council, Bronx County, N. Y., urging the passage of the soldiers' vote bill, which will allow the Federal Government to make it easily possible for all men in the armed services to vote; to the Committee on Election of President, Vice President, and Representatives in Congress.

4642. Also, petition signed by members of the lower sixth assembly district, Bronx County, N. Y., Congress of Industrial Organizations, Community Council, urging the passage of the Green-Lucas soldiers vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4643. By Mr. BRUMBAUGH: Petition of J. W. White, of Morrisdale, Pa., and 200 other residents of the Twenty-third Congressional District of Pennsylvania and vicinity, protesting against the consideration by Congress of the Bryson bill, H. R. 2082, or any similar legislation; to the Committee on the Judiciary.

4644. By Mr. FORAND: Resolution of the General Assembly of the State of Rhode Island, petitioning the Senators and Representatives of Rhode Island in the Congress to attempt to secure the enactment of legislation giving servicemen priority in the purchase of surpluses created by the present war and extending them credit to make such purchases; to the Committee on Military Affairs.

4645. By Mr. GRAHAM: Petition of 160 residents of the Twenty-sixth Congressional District of Pennsylvania and vicinity, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4646. By Mr. HAGEN: Petition of George Drummond and Rudolph Faber, both of Perham, and 19 other signers, protesting against the passage of the Bryson bill, H. R. 2082, or any similar bill; to the Committee on the Judiciary.

4647. By Mr. HEIDINGER: Communication signed by Ewing Lawrence, Helen W. Chester, Carrie K. Duncan, Ruby L. Humm, and Wilma Lawrence, school teachers, of Pope County, Ill., urging the passage of House bill 2849; to the Committee on Education.

4648. By Mr. LUTHER A. JOHNSON: Petition of Mrs. J. I. Williams, secretary, Hill County Federation of Women's Clubs, Hillsboro, Tex., opposing House bill 2861; to the Committee on Ways and Means.

4649. By Mr. LYNCH: Petition of the Congress of Industrial Organizations, urging speedy enactment of the Lucas-Green-Worley soldier-vote bill; to the Committee on

Election of President, Vice President, and Representatives in Congress.

4650. By Mr. MOTT: Petition signed by C. R. Aimes, of Hillsboro, Oreg., and 87 other citizens of Washington County, Oreg., urging enactment of House bill 2082; to the Committee on the Judiciary.

4651. By Mr. SCHIFFLER: Petition of Mayor Raphael P. Deegan and other citizens of Benwood, W. Va., urging the passage of the Green-Lucas soldiers-vote bill, the subsidy bill, anti-poll-tax bill, social-security bill, tax bill, and favoring the small laboring man; to the Committee on Election of President, Vice President, and Representatives in Congress.

4652. By Mr. STEFAN: Petition of Mrs. W. F. Fayne and 81 citizens of Gresham, Benedict, and Waco, Nebr., urging enactment of House bill 2082; to the Committee on the Judiciary.

4653. By Mr. WADSWORTH: Petition of E. Kovelski, of Rochester, N. Y., and others, protesting against prohibition legislation; to the Committee on the Judiciary.

4654. By Mr. WEISS: Petition protesting against prohibition; to the Committee on the Judiciary.

4655. Also, petition protesting against prohibition; to the Committee on the Judiciary.

4656. By the SPEAKER: Petition of the Order of Railroad Telegraphers, San Francisco, Calif., petitioning consideration of their resolution with reference to freezing to jobs and the purchasing power of wages; to the Committee on Military Affairs.

4657. Also, petition of the Retail Credit Institute of America, Washington, D. C., petitioning consideration of their resolution with reference to purchasing power of the returning soldiers, sailors, and marines to private life; to the Committee on Banking and Currency.

4658. Also, petition of the United Federated War Workers Union, Deep River, Conn., petitioning consideration of their resolution with reference to soldier-vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

SENATE

WEDNESDAY, FEBRUARY 2, 1944

(Legislative day of Monday, January 24, 1944)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal God, Father of our spirits, from all the busy traffic of life's way and from united actions and group decisions we turn, as alone we face Thy searching eyes. One by one, we confess the sins which mar our service and drag us from the high levels of our best. One by one, in our bewilderment we seek Thy guidance, for our wisdom is but an unstable and fallible compass for the tangle of the dim distance. One by one, in our weakness we would recharge our puny powers from Thine infinite resource, that we may be able to stand in an evil day, with principles never compromised, with integrity never sullied.

This dedicated moment of prayer is but the confession that our greatest decisions have to be made triumphantly within before they can be made triumphantly without. At the threshold of this day, come down Thy secret stair to our deepest needs, as one by one we open our hearts to Thee. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Secretary, Edwin A. Halsey, read the following letter:

WASHINGTON, D. C., *February 2, 1944.*

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. D. WORTH CLARK, a Senator from the State of Idaho, to perform the duties of the Chair during my absence.

CARTER GLASS,
President pro tempore.

Mr. CLARK of Idaho thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, February 1, 1944, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Overton
Andrews	Gillette	Radcliffe
Austin	Green	Reed
Bailey	Guffey	Revercomb
Ball	Gurney	Reynolds
Bankhead	Hatch	Robertson
Barkley	Hawkes	Russell
Bilbo	Hayden	Shipstead
Bone	Hill	Smith
Brewster	Holman	Stewart
Bridges	Jackson	Taft
Brooks	Johnson, Colo.	Thomas, Idaho
Buck	Kilgore	Thomas, Okla.
Burton	La Follette	Thomas, Utah
Bushfield	Langer	Tobey
Butler	Lodge	Truman
Byrd	Lucas	Tunnell
Capper	McCarran	Tydings
Caraway	McClellan	Vandenberg
Chandler	McFarland	Wagner
Chavez	McKellar	Wallgren
Clark, Idaho	Maloney	Walsh, Mass.
Clark, Mo.	Maybank	Walsh, N. J.
Connally	Mead	Wheeler
Danaher	Millikin	Wherry
Davis	Moore	White
Downey	Murdock	Wiley
Eastland	Murray	Willis
Ellender	Nye	Wilson
Ferguson	O'Daniel	
George	O'Mahoney	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

The Senator from Florida [Mr. PEPPER] is detained on public business.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The ACTING PRESIDENT pro tempore. Ninety-one Senators having answered to their names, there is a quorum present.

PETITIONS

The ACTING PRESIDENT pro tempore laid before the Senate petitions, etc., which were referred as indicated:

A resolution adopted by the Common Council of Detroit, Mich., favoring the enactment of legislation providing a wartime method of voting by members of the armed forces; ordered to lie on the table.

The petition of the California Progressives, Los Angeles, Calif., praying for the enactment of legislation providing a wartime method of voting by members of the armed forces; ordered to lie on the table.

The petition of the California Progressives, Los Angeles, Calif., praying for the adoption of a consumer food-subsidy program; ordered to lie on the table.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES—PETITIONS FROM NEW JERSEY

Mr. WALSH of New Jersey. Mr. President, I ask unanimous consent to present for appropriate reference and to have notation thereof made in the RECORD that I have today received petitions from New Jersey citizens praying for the enactment of the so-called Green-Lucas soldiers' vote bill. I am informed that the petitions are signed by 25,000 persons in New Jersey, each of whom indicates that he or she has one or more relatives in the armed forces of the United States.

There being no objection, the petitions praying for the enactment of pending legislation providing a wartime method of voting by members of the armed forces were received and ordered to lie on the table.

RESOLUTION OF THE KENTUCKY LEGISLATURE—MEAT SUPPLY AND MARKETING OF PORK

Mr. BARKLEY. Mr. President, from the chief clerk of the House of Representatives of the Legislature of Kentucky I have received Joint Resolution 21 of the Kentucky Legislature urging Congress to pass appropriate legislation providing for the conservation of the meat supply of the Nation and also for adequate and reasonable regulations concerning the marketing of pork. I ask unanimous consent that the joint resolution which has been adopted by both houses of the legislature be printed in the RECORD, under the rule, and appropriately referred.

There being no objection, the joint resolution was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, under the rule, as follows:

IN THE HOUSE OF REPRESENTATIVES,
COMMONWEALTH OF KENTUCKY,
January 27, 1944.

Joint Resolution 21

A joint resolution urging the Congress of the United States to pass appropriate legislation providing for the conservation of the meat supply of the Nation and for adequate and reasonable regulations concerning the marketing of pork

Whereas the meat supply of the Nation is now being dissipated because of the existing rules and regulations of the various Federal agencies; and

Whereas it is of the utmost importance to conserve the meat supply for the future needs of our armed forces; and

Whereas present rules and regulations of the various Federal agencies relating to the marketing of swine and pork products are economically unsound and are imperiling the agricultural structure of the Nation: Now, therefore, be it

Resolved by the General Assembly of the Commonwealth of Kentucky:

1. That the Congress of the United States is urged to pass appropriate legislation providing for the removal of all rationing of pork and pork products so as to increase the consumption of pork and thereby conserve the beef supply of the Nation for the better supplying of our armed forces.

2. That the Congress of the United States is further urged to provide for appropriate legislation for the extension of the floor on hog prices to include hogs weighing 200 to 400 pounds in order that the present overflooded market may be relieved.

3. The clerk of the house of representatives is directed to send a copy of this resolution to the clerks of the respective Houses of Congress, to the United States Senators from Kentucky, and to the Representatives in Congress from Kentucky.

This resolution was adopted by the house of representatives on January 20, 1944, and concurred in by the senate of Kentucky on January 26, 1944.

Attest:

B. L. HARGROVE,
Chief Clerk, House of Representatives.

RESOLUTIONS BY COMMITTEE OF KANSAS FARM ORGANIZATIONS

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred resolutions recently adopted by the Kansas farm organizations favoring the continuance and improvement of the Federal agricultural agencies and protesting against the enactment of any legislation compelling cooperatives to file income-tax returns.

There being no objection, the resolutions were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Be it resolved by the Committee of Kansas Farm Organizations, in meeting assembled this 10th day of January 1944, That it go on record as favoring the continuance and improvement of the Federal agricultural agencies and condemns the efforts of various groups to discontinue or cripple the effectiveness of the present agencies.

Be it resolved by the Committee of Farm Organizations, in meeting assembled the 10th day of January 1944, That it go on record as being opposed to any legislation compelling cooperatives to file income-tax returns, on the ground that such requirement is unnecessary, as the Internal Revenue department now has the power to require returns, if it is deemed advisable.

Respectfully submitted.

J. H. FOLTZ, *Secretary.*

NATIONAL PROGRAM FOR POST-WAR BUSINESS—RESOLUTION OF STAMFORD (CONN.) CHAMBER OF COMMERCE

Mr. MALONEY. Mr. President, I ask unanimous consent that there may be inserted in the RECORD and appropriately referred, a letter which I have received from Mr. E. G. Kingsbury, secretary-manager, Stamford Chamber of Commerce, Inc., and copy of a resolution adopted at the annual dinner meeting of that organization held on Monday evening, January 17, 1944, recommending a national program for business after the war.

There being no objection, the letter and resolution were referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

THE STAMFORD CHAMBER OF COMMERCE, INC.,
Stamford, Conn., February 1, 1944.

Hon. FRANCIS T. MALONEY,
United States Senate, Washington, D. C.

DEAR SENATOR MALONEY: We enclose for your information a resolution passed upon at the annual dinner meeting of the Stamford Chamber of Commerce, Inc., held Monday evening, January 17, 1944.

With best wishes to you, we are,

Sincerely yours,

STAMFORD CHAMBER OF COMMERCE, INC.,
E. G. KINGSBURY, *Secretary-Manager.*

BUSINESS AFTER THE WAR—A DECLARATION OF OBJECTIVES

We, the members of the Stamford Chamber of Commerce assembled at our fifty-fourth annual meeting this 17th day of January 1944, recommend as a national program for business after the war the following six objectives:

Objective No. 1, maximum production.
Objective No. 2, maximum employment.
Objective No. 3, maximum consumption.
Objective No. 4, free enterprise.
Objective No. 5, creation of reserves and speedy settlement of terminated war contracts.
Objective No. 6, practical and orderly reconversion.

To make these objectives a reality we recommend:

1. Unequivocal assurance that free enterprise shall prevail, unencumbered by governmental competition.
2. Clearly defined labor policies.
3. Taxation shall be neither punitive nor ruinous and should be reduced immediately after the war.
4. A fair and equitable renegotiation policy.
5. Gradual termination and reconversion.
6. A sound financial and educational program for veterans.
7. Special tax credit for post-war reserves.
8. Immediate removal of surplus war machinery and inventory on termination of contract.
9. To prevent dislocation of employment, war inventories should be marketed over a long period of time through existing legitimate outlets at competitive prices.
10. Post-war planning now. We believe that the community approach is the soundest basis. Plans should be completed as quickly as possible in preparation for business after the war.

REPORT OF A COMMITTEE

Mr. CHAVEZ, from the Committee on Territories and Insular Affairs, to which was referred the bill (S. 1407) to amend the act entitled "An act to provide a civil government for Puerto Rico, and for other purposes," approved March 2, 1917, as amended, and known as the Organic Act of Puerto Rico, reported it with amendments and submitted a report (No. 659) thereon.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

Mr. CONNALLY, from the Committee on Foreign Relations, reported favorably the nomination of Charles E. Hulick, Jr., of Pennsylvania, to be a Foreign Service officer, unclassified, a vice consul of career, and a secretary in the Diplomatic Service.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Colorado:

S. 1685. A bill to provide disability benefits for certain Army officers; to the Committee on Military Affairs.

By Mr. WILEY:

S. 1686. A bill granting a pension to Celon Elizabeth Sargent; to the Committee on Pensions.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES—AMENDMENTS

Mr. MAYBANK submitted an amendment, and Mr. TAFT (for himself, Mr. MCKELLAR, Mr. BALL, Mr. BAILEY, Mr. BANKHEAD, Mr. BREWSTER, Mr. BUCK, Mr. EASTLAND, Mr. MCCLELLAN, Mr. OVERTON, Mr. O'DANIEL, Mr. REYNOLDS, Mr. REVERCOMB, Mr. ROBERTSON, and Mr. SMITH) submitted an amendment intended to be proposed to the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. BALL submitted amendments proposing to amend the amendment of Mr. DANAHER to the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, which were ordered to be printed.

ADDITIONAL COPIES OF HEARINGS BEFORE SPECIAL COMMITTEE ON POST-WAR ECONOMIC POLICY AND PLANNING

Mr. HAYDEN submitted the following resolution (S. Res. 249), which was referred to the Committee on Printing:

Resolved, That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Special Committee on Post-war Economic Policy and Planning of the United States Senate be, and is hereby, authorized and empowered to have printed for its use 500 additional copies of the hearings held before a subcommittee of said special committee, during the first session of the Seventy-eighth Congress, pursuant to the resolution (S. Res. 102) creating a special committee on post-war economic policy and planning.

STATEMENT BY SENATOR THOMAS OF OKLAHOMA TO THE PEOPLE OF HIS STATE

[Mr. THOMAS of Oklahoma asked and obtained leave to have printed in the RECORD a statement headed "Senator ELMER THOMAS Reports to Oklahoma," which appears in the Appendix.]

A MAN WHO CAN DO THE JOB—ADDRESS BY SENATOR BALL

[Mr. BALL asked and obtained leave to have printed in the RECORD a radio address entitled "A Man Who Can Do the Job," delivered by him in Washington, February 1, 1944, which appears in the Appendix.]

THE FIFTH IMPERATIVE—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address entitled "The Fifth Imperative," delivered by him over Wisconsin radio stations on January 29, 1944, which appears in the Appendix.]

THE SOLDIERS' VOTE—EXTRACT FROM ADDRESS BY MAYOR LAGUARDIA

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD an extract from a radio address dealing with the soldiers' vote, delivered by Mayor LaGuardia from his office in New York City, January 30, 1944, which appears in the Appendix.]

THE NATION'S WAGE POLICY—ARTICLE BY MERLO PUSEY

[Mr. BYRD asked and obtained leave to have printed in the RECORD an article entitled "Our Wobbling Wage Policy," by Merlo Pusey, published in the Washington Post of January 25, 1944, which appears in the Appendix.]

EQUAL RIGHTS AMENDMENT—STATEMENT BY NATIONAL CONSUMERS LEAGUE

Mr. TAFT. Mr. President, I ask unanimous consent to have inserted in the RECORD as a part of my remarks a statement of the National Consumers League in opposition to the proposed equal rights amendment. Statements of other organizations were inserted in the RECORD by the senior Senator from Vermont [Mr. AUSTIN] on a recent date, and in effect the questions and answers I am now presenting are a reply to what has already been inserted.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

DEFINITELY NO!—REPRESENTATIVE PROFESSIONAL AND WORKING WOMEN STATE WHY THEY ARE OPPOSED TO THE PROPOSED EQUAL RIGHTS AMENDMENT

DO YOU REALIZE?

If this amendment became part of the Constitution it would imperil every law for the protection of women in industry, laws which the experience of every great industrial nation in the world has proved necessary if women are not to be exploited and the welfare of the race endangered.

Backers of the amendment, who are chiefly women of the professional, business, and leisure class, in their ardor to abolish those civil and legal inequalities which constitute a real injustice to women, are willing to use a means which would sacrifice the health and welfare of the great mass of workingwomen. Thus they have placed themselves in a strange alliance with those employers who seek to exploit workers.

1. Laws essential to the protection of the health of women workers would become unconstitutional

The physical and biological differences between men and women must be recognized in this matter of protective labor legislation. Not only must the maternal function be considered, but the inroads on the strength and endurance of young girls must be taken into account. Women do not have muscular strength equivalent to men and reliable scientific research has proved that they are more susceptible to some occupational diseases than men, such as lead poisoning.

Laws against weight lifting beyond a certain amount, laws providing seats, and laws prohibiting women's employment in certain dangerous occupations such as work in mines and quarries have been adopted by many of the States.

2. Laws regulating hours of women's employment would be thrown into jeopardy

Young women are more susceptible to tuberculosis than any other group in the population and need protection from fatigue and long hours.

A large proportion of women workers are young women, employed during the years preceding marriage and childbearing. Overlong hours and extended night work is particularly dangerous for them.

Industrial overwork of mothers during pregnancy is one recognized cause of high infant mortality and the high death rate of women in childbirth.

All but five States in the United States have some limitation on the hours of working women, limitations which actual experience has proved a necessary bar to exploitation.

3. State minimum wage laws would be wiped out

Weaker bargaining power and less organization than men have put women at the mercy of unscrupulous employers since the advent of the power-machine age.

The Supreme Court of the United States has recognized that minimum wage laws are necessary in order to prevent substandard living conditions on the part of women workers whose wages can be pushed down by competition. During the depression years, in the absence of such laws, girls and women were paid much less than the cost of living—for instance even as low as a meal ticket and a streetcar pass in some restaurants.

The Federal Fair Labor Standards Act does not cover the situation since it does not apply to workers in local service trades, such as laundries, hotels, retail stores, restaurants, and so forth.

Minimum wage laws in the States have succeeded in setting a floor to wages, particularly in the lowest paid trades.

4. Other statutes would be thrown into confusion, endangering the recognized rights of wives, widows, etc.

For example, under the workmen's compensation laws, when a man is killed in an industrial accident, it is presumed that his wife is dependent upon him, and she accordingly receives the death award. The amendment would indubitably create hardship for the widows of workingmen who lose their lives in industry.

The right to work unlimited hours for a slavey's wage, the right to stand up at the job all day, or to work in a factory from midnight to dawn, the right to work in a coal mine—these are not the equal rights that wage-earning women want. That is why they oppose the equal rights amendment and heartily support protective labor legislation. They know.

AN OPEN LETTER

To Senators and Congressmen of the United States:

We believe in equal rights for women. We oppose the so-called equal rights amendment—

Because it disregards the fact that, while men and women are equal in right, they are not identical in economic and social function or in physical capacity;

Because it would imperil hard-won legislation enacted to safeguard women as homemakers and mothers, including laws regulating hours, employment of young girls, exposure to industrial substances and processes which are particularly hazardous to women—laws which working women themselves do not wish to lose;

Because, while risking these safeguards, it would not redress major inequalities persisting today, notably in professional and technical fields of training and practice, since these are in the main matters of tradition and custom, rather than of law;

Because this proposal, if enacted and ratified, would confuse and complicate essential progress toward higher standards of safety and security for all workers—men as well as women.

District of Columbia: Mary Anderson, Chief of Women's Bureau, United States Department of Labor; Mrs. R. A. Angelo, president, National Council of Catholic Women; Mrs. Mary McLeod Bethune, president, National Federation of Colored Women's Clubs; Elisabeth Christman, secretary, National Women's Trade Union League; Mrs. J. Borden Harriman, former Ambassador to Norway; Agnes G. Regan, director, National Council of Catholic Women; Mrs. Franklin D. Roosevelt, The White House; Mrs. J. Austin Stone; and Florence Thorne, director of research, American Federation of Labor.

Alabama: Mrs. Joseph B. Jones, Montgomery; and Mrs. W. L. Murdoch, Birmingham.

California: Mrs. John Beardsley, Los Angeles; Mrs. Thomas Fleming, Jr., Pasadena; Mrs. Bartlett B. Heard, Berkeley; and Mrs. Owen Lattimore, Berkeley.

Connecticut: Dr. Alice Hamilton, former professor of industrial medicine, Harvard University, Hadlyme; Mrs. Chase Going Woodhouse, former secretary of state of Connecticut, New London; and Jeanette Studley, executive secretary, Consumers' League, Hartford.

Colorado: Josephine Roche, president, Rocky Mountain Fuel Co., Denver.

Delaware: Mrs. Dorothy Caille, secretary, Consumers League of Delaware, Wilmington; Mrs. George Schwartz, member, executive committee, Consumers League of Delaware, Wilmington.

Florida: Mrs. Rainey Cawthon, Tallahassee.

Georgia: Lucy Randolph Mason, public relations representative, Congress of Industrial Organizations, Atlanta.

Illinois: Lilace Reed Barnes, president, Y. W. C. A., Chicago, Lake Forest; Mrs. Charles W. Gilkey, Chicago; Lillian Herstein, teacher, public schools, Chicago.

Kentucky: Mrs. R. P. Halleck, Louisville; Mrs. George T. Settle, attorney, Louisville.

Maine: Mary Dewson, former member, Federal Social Security Board, Castine.

Maryland: Elizabeth Morrissy, professor of economics, Notre Dame College, Baltimore.

Massachusetts: Rosamond Lamb, president, Consumers' League of Massachusetts, Milton; Mrs. C. Douglas Mercer, Brookline; Mrs. Hattie H. Smith, assistant commissioner of labor, Department of Labor and Industries of Massachusetts, Boston; Mrs. Eva Whiting White, Weston; Margaret Wiesman, executive secretary, Consumers League of Massachusetts, Boston.

Michigan: Mrs. C. R. Mueller, president, Consumers' League of Michigan, Highland Park; Mrs. Thomas F. McAllister, Grand Rapids.

Missouri: Mrs. George Gellhorn, St. Louis; Dr. Alice E. Gipson, professor, Lindenwood College, St. Charles.

New Jersey: Dr. Ellen C. Potter, welfare director, State of New Jersey, Trenton; Sadie Reisch, International Ladies' Garment Workers' Union, Newark; Ruth Young, United Electrical, Radio, and Machine Workers' Union, Newark; Mrs. Richard A. Zwemer, president, Consumers' League of New Jersey, Westfield.

New York: Mrs. Grosvenor Allen, Oneida; Beulah Amidon, associate editor, Survey Graphic, New York; Mrs. Eleanor Copenhaver, Anderson, industrial secretary, National Board Y. W. C. A., New York; Mrs. Dana Backus, New York; Mrs. W. Russell Bowie, former president, Consumers League, New York; Mrs. Carrie Chapman Catt, New Rochelle; Hon. Genevieve Earle, minority leader, New York City Council, Brooklyn; Pauline Goldmark, Hartsdale; Elinore M. Herrick, director, personnel and labor relations, Todd Shipyards Corporation, New York; Dorothy Kenyon, attorney, New York; Freda Kirchwey, editor, The Nation, New York; Mrs. Grace B. Klueg, Brooklyn; Florina Lasker, New York; Mrs. Louise Leonard McLaren, director, Southern Summer School for Workers, New York; Dorothy Straus, attorney, New York; Mary VanKleeck, director of industrial studies, Russell Sage Foundation, New York; and Pearl L. Willen, New York.

North Carolina: Harriet W. Elliott, dean, Women's College, University of North Carolina, Greensboro; Gertrude Weil, Goldsboro.

Ohio: Mrs. Nida Pangle Bell, president, Women's Trade Union League of Toledo; Mrs. Harrie R. Chamberlin, Toledo; Grace R. Coyle, professor, School of Applied Social Science, Western Reserve University, Cleveland; Mary Grossman, municipal judge, Cleveland; Elizabeth S. Magee, general secretary, National Consumers League, Cleveland; Mrs. Daniel E. Morgan, Cleveland; Helen Phelan, director, Valley View Housing, Cleveland; Mrs. Charles P. Taft, Cincinnati.

Oklahoma: Mrs. M. O. Wilson, Norman.

Pennsylvania: Mrs. Curtis Bok, Philadelphia; Dr. Susan M. Kingsbury, professor, Bryn Mawr College, Bryn Mawr.

Rhode Island: Alice W. Hunt, Providence; Elizabeth Nord, Textile Workers' Union, Providence.

Tennessee: Louise Young, Nashville.

Vermont: Sarah N. Cleghorn, author, Manchester.

Virginia: Mrs. John C. Hader, Springfield; Mrs. Frederic R. Scott, Richmond.

Wisconsin: Elizabeth Brandeis, professor of economics, University of Wisconsin, Madison; Mrs. C. A. Dykstra, Madison.

THE PROPOSED EQUAL-RIGHTS AMENDMENT

NEW FORM (AS RECOMMENDED BY THE SENATE JUDICIARY COMMITTEE MAY 28, 1943)

Equality of rights under the law shall not be denied or abridged by the United States or any State on account of sex.

Congress and the several States shall have power within their respective jurisdictions to enforce this article by appropriate legislation.

This amendment shall take effect 5 years after the date of ratification.

TWO LEGAL OPINIONS

The main reason for my opposing the amendment in its original form was that its enactment would cause confusion. It seems to me that in its present form it is subject to the same objection. Its adoption would raise issues as to the difference between rights and duties and invite litigation on such questions. It would introduce uncertainty with respect to existing protective legislation. (Dean Acheson, Department of State, Washington, D. C.)

The amendment itself, without the aid of legislation enacted to enforce it, will strike down as unconstitutional and invalid all provisions in existing and future laws which, on the basis of assumed or accepted differences between the sexes, gives men or women rights which are not accorded in equal degree to the other sex * * * in seeking to achieve an illusory equality it will result in women losing deserved advantage.

As a heritage of their common-law status, there persist and are embodied in State and local laws unfair discriminations against women. These discriminations are gradually being overcome by corrective legislation. An attempt to eliminate such discriminations by a constitutional amendment which calls for equality in the treatment of sexes and regards as illegal, differences in treatment having a reasonable and rational factual basis, would lead to social and legal consequences which even the proponents of the proposal would deplore if they had the condor to recognize them. (Douglas B. Maggs, Solicitor, United States Department of Labor.)

INCREASED FOOD PRODUCTION ON IRRIGATED LAND—NOTICE OF HEARING

Mr. HAYDEN. Mr. President, I would like to invite the attention of Senators for a moment to one phase of the program of this Nation to expand its food-production possibilities during the war and for the food emergency period thereafter, when the responsibility of feeding millions of liberated peoples will fall upon this Nation and our allies.

During the past week the daily press, the annual report of the Secretary of Agriculture, and information eminating from the War Food Administration have indicated that every productive acre of farm land has been drafted into service. Our planted acreage in 1944 will approach 380,000,000 acres. The number of acres actually harvested next fall may reasonably be expected to fall 10 percent short of that figure. That is our ultimate production. In the meantime our food requirements are increasing and so are Russia's food requirements. Russia's food situation now is worse than we generally recognize. However, the real big demand for food will come from the starving liberated countries the day the war is over and these nations become accessible to us. It will continue, according to the best authorities, for from 18 months to 2 years, while they rehabilitate their agriculture and build back their herds of livestock.

When we entered this war the Federal Bureau of Reclamation had a number of irrigation projects under construction throughout the West which would store and furnish supplemental water supplies for lands then being farmed, but with an inadequate water supply for either profitable or diversified production of crops. The program also would make a full water supply available for some very rich desert land. About a year and a half ago the War Production Board issued stop orders against these projects along with much other construction work until they could appraise the value of each project to the war effort, as against the material needed.

Last summer the War Production Board, at the urgent insistance of the War Food Administration, began a review of all of these partially completed irrigation projects and other projects which could produce food in 1944, 1945, or 1946.

Up to date the War Production Board has approved 20 projects, and has rejected 9 projects. Other good projects are awaiting consideration. The machinery which has been set up to consider, appraise, and pass on these projects is becoming snarled in red tape. Valuable time for the construction of these projects is being absorbed by duplicative studies, investigations, and inquiries, so that the remainder of the program is threatened, unless some plan can be devised to expedite consideration of the remaining portion of the program.

For the benefit of my colleagues who are interested in this program, I want to say that this week the Senator from Alabama [Mr. BANKHEAD], chairman of the Committee on Irrigation and Reclamation, has authorized a subcommittee composed of the Senator from Nevada [Mr. MCCARRAN], the Senator from New Mexico [Mr. HATCH], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Nebraska [Mr. BUTLER], and the Senator from Colorado [Mr. MILLIKIN] to hold hearings and inquire into ways and means of expediting the remainder of the program to the end that the least time will be lost in getting all the projects possible approved and under way at the earliest possible date.

The Senator from Nevada [Mr. MCCARRAN], who is chairman of this subcommittee, advises me that the first meeting of his committee will be held tomorrow, Thursday, February 3, at 2:30 p. m., in the District of Columbia Committee room in the Capitol, at which time representatives of the War Production Board, the War Food Administration, the War Manpower Commission and the Bureau of Reclamation will be present. It is my hope that the activities of the subcommittee will be continued until all problems confronting the program are solved.

In support of what I have just said I would like to insert an exchange of correspondence between myself and War Food Administrator Marvin Jones, dated January 18 and January 24, respectively, as a part of my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
Washington, January 18, 1944.

Hon. MARVIN JONES,
War Food Administrator,
Department of Agriculture,
Washington, D. C.

MY DEAR MARVIN: In my files I find a copy of a letter dated May 12, 1943, addressed to Donald M. Nelson, Chairman of the War Production Board, and signed by Chester C. Davis, then War Food Administrator, describing the war food emergency and advocating the completion of western irrigation projects as a means of increasing the agricultural production capacity of this country for the period of the war and 2 years thereafter.

Now, more than 8 months later, a summary of the irrigation war food projects indicates that only 18 projects have been approved, and some of those only with serious restrictions that may prevent their construction. Eight of the projects recommended by your Administration have been rejected by the War Production Board, while decisions on scores of other projects have not yet been made.

For months these projects were held up by the War Production Board on the ground that steel reinforcing bars were unavailable, in spite of the fact that the Steel Section of the War Production Board advised me that the forty or fifty thousand tons required was not critical. Now, I am informed that projects are being rejected for lack of manpower, and this in areas where prisoner-of-war labor is available for such work.

The bringing of new land into production by irrigation, or the supplementing of present irrigated land with an adequate water supply to provide maximum production, and the shifting to critical war crops is a thing that cannot be accomplished overnight. A year or more of time is required. Therefore, the delays which are occurring appear to me to be threatening much of this part of the war food-expansion program. If this program is to move forward at all, it seems to me that something must be done to expedite it immediately.

In order to clarify the situation, I wish you would reappraise for me in some detail the present food situation, as of today, and as you see it for the duration of the present emergency, and restate the policy of the War

Food Administration and need, if any, for further war food irrigation projects.

Thanking you for an early reply, I am,

Yours very sincerely,

CARL HAYDEN,
United States Senator from Arizona.

WAR FOOD ADMINISTRATION,
Washington, January 24, 1944.

Hon. CARL HAYDEN,
United States Senate.

DEAR CARL: This is in reply to your letter of January 18 asking us to reappraise the food situation as of today and for the duration of the present emergency and to restate the policy of the War Food Administration with respect to irrigation projects.

The basic food situation does not differ materially today from that outlined in our letter to Mr. Donald M. Nelson of May 12, 1943. Food supplies during the first half of 1944 are based largely upon the production of 1943 and will be sufficient to provide a diet for civilians with a caloric content of somewhere between 3,100 and 3,200 calories per person per day and to meet the requirements of the armed forces, the lend-lease program and at least part of the requirements of liberated areas.

Requirements for the lend-lease program, particularly insofar as Russia is concerned, could be materially increased if the shipping situation became easier, and the requirements would have a high priority because the Russian food situation is by no means satisfactory. Requirements for liberated areas are likewise subject to considerable change—mostly increases. Recently, for example, requests for wheat and flour for certain liberated areas unexpectedly materialized. Even under the most favorable circumstances, the United States cannot supply all the food requirements of liberated areas, but this country's central location and accessibility to all areas will tend to result in continuing demands on us for food for these rehabilitation and relief purposes.

While agricultural production in the United States in 1943 was 3 or 4 percent larger than in 1942, this increase was somewhat less than we estimated in our letter of May 12 would be obtained if the 1943 acreage production goals were reached and average yields secured. This will tend to reflect itself on our food supplies in the last half of 1944 and in 1945, unless our 1944 production goals are reached and exceeded. The 1944 production goals call for 330,000,000 acres of harvested crops—some 15 or 20,000,000 acres more than in 1943.

This represents about the maximum acreage that can be economically devoted to crop use under present conditions. Further expansion in the acreage would push the land under cultivation into areas where weather conditions and other physical factors would make crop production too hazardous or too costly in terms of the returns that could be expected.

As we pointed out in our letter of May 12, it is essential that the continuing need for large food production in the immediate post-war years be recognized. As a matter of fact, the longer the duration of the war, the more pressing will be the post-war need for food and in all probability the longer will be the period after the war in which this need will remain. Furthermore, both the United States and the world food situation are somewhat less satisfactory in one important respect than it was a year ago.

At that time there still remained on hand substantial reserves of some food products in this country because the reserve supplies built up in the years immediately preceding the war had not been exhausted; and in other countries because the shipping situation would not permit any of these supplies being moved. Two important examples are those of wheat and sugar. World stocks of both these important food products are much less adequate than they were a year ago and all the indications point to a continuing decline in available supplies.

These facts emphasize the importance of producing adequate quantities of crops which may be consumed either as feed or food, while, at the same time, maintaining the production of livestock products at the highest level consistent, with our ability to produce feed for livestock.

For 1944 it will be necessary for us to redouble our efforts to operate at capacity our present food production resources in established areas. There is, however, a limit beyond which further applications of production inputs, such as labor, machinery, and fertilizer are not feasible. In many instances drainage and irrigation offer good opportunities for increasing our food production. The attitude of the War Food Administration with respect to irrigation and drainage is the same as it was last May. All irrigation projects which careful analysis indicate can make a significant contribution to our essential war and post-war food production with a reasonable expenditure of critical materials and labor should be vigorously prosecuted.

Sincerely yours,

MARVIN JONES,
Administrator.

Mr. HAYDEN. Mr. President, I also wish to have made a part of my remarks section 7, dealing with the subject, Reclamation and the Cultivation of Potentially Good Land, appearing on pages 7, 8, and 9 of a pamphlet titled "What Post-War Policies for Agriculture?", which is Secretary Wickard's recommendations for a post-war agricultural program for this country.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

7. RECLAMATION AND CULTIVATION OF POTENTIALLY GOOD LAND

Too many of our farmers are now condemned to perennial poverty by undertaking to farm soils which, under the present state of our techniques, are too poor to yield a living that will meet minimum standards. Much of this land is generally steep, is of low productivity, and is highly erodible, and never should have been farmed. Other portions were originally productive but have been so badly misused that only decades, or perhaps centuries, of rest from cultivation will restore the topsoil.

Some action to correct this situation has been taken. Certain Federal and State programs designed to move people from submarginal land have been put into effect. Several States have inaugurated zoning procedures to prevent resettlement of such areas. Changes in land use, based upon studies of the physical capabilities and economic adaptability of the land, have tended to remove the submarginal characteristics of farming in some localities and are aiding in establishing a satisfactory level of productivity. But without a more aggressive and a better integrated program than has yet been developed, the submarginal and perennially poverty-stricken farmers are likely to remain with us in great numbers—even under the most optimistic assumptions that can be made with respect to prices, to other economic aspects of the enterprise, and to foreseeable changes in practices and land use.

We have already assumed and forecast an increasing demand for food, based upon the nutritional needs of our own population and the potential world-wide outlet for farm products. It is probable, of course, that much of that increase will be met by additional scientific attainments in cultivation and processing, and by more effective use of land already in farms; but if our assumptions and forecasts prove correct, it is almost certain that additional farm areas will be needed.

We have, then, on the one hand, a substantial farm population occupying poor land and producing little, and on the other hand, a prospective need for additional production, the attainment of which will depend, at least in part, upon making additional good land available. Fortunately, in the United States there are thirty to forty million acres of intrinsically good land which can be made available for settlement, if the need for farm products is too large to be met satisfactorily by land already in farms. Of this total, from ten to twenty million acres can be reclaimed in the Western States through irrigation, and another 5,000,000 acres of fertile land in the Mississippi Delta can be made available through drainage and clearing. Approximately 15,000,000 acres that require drainage and clearing are located at various other points over the country. During this war, the Army and Navy have acquired some 20,000,000 acres of land for military purposes, several million acres of which are good farm land. When hostilities cease, at least some part of that area will be available for restoring to agricultural use.

We are not advocating a regimented mass movement of people from the submarginal areas to newly developed areas. Much of the movement would and should be by gradual and successive infiltration, because a large part of the available good land consists of small tracts located in established agricultural areas. But making new land available is an essential step in the process of stimulating and accommodating the required shift of farm population from submarginal areas—a step often insufficiently provided for in past programs.

It is not probable that the funds required to reclaim all these lands will be made available entirely through private auspices. Even so, we believe the job should be done and that the cost of this development, over and above a reasonable value at which the lands might be sold to prospective farmers, should be written off as a nonliquidating public expense. Such public expenditure is defensible on the ground that any satisfactory alternative method for dealing with the problem would cost more.

As 3,000,000 of our present farms produce about 90 percent of our marketed farm produce, even a net addition to our agricultural plant of the total area of potentially good land would add only about 300,000 farms of average size and would increase our total output by only about 10 percent. Such a program, however, would provide substantial settlement opportunities for some of our farmers. Those who are qualified should be helped to relocate on good land and on farms of adequate size. Some of the small holdings they leave could then be combined with adjacent good lands to make economic units for others.

After all is done that can be done to promote self-help through education, food should be made available to low-income rural people through such devices as free school lunches, if diets are still inadequate. Federal aid should be extended to rural schools to provide adequate schooling for every rural child. Hospitalization and medical services should be made available to all rural people. Unemployment and old-age insurance should be extended and liberalized. All who register for employment and who cannot be given work in private industry should be given public employment at useful tasks, including forestry, soil conservation, housing, and rural electrification. Such employment should be given under condi-

tions that will stimulate those public employees who are not needed for normal public programs.

Attempts at land settlement for ex-servicemen after this war will fail unless they provide farms with good land that are large enough for economical operation. Reclamation of potentially good land would make it possible to establish units of adequate size.

Although we favor reclamation of new land as needed, a cardinal principle of national economic policy should be to prevent agriculture from becoming the dumping ground for industrial unemployed. There should be no back-to-the-land movement after this war in the sense of a net movement of urban people to farms. If we have such a movement, it will be evidence of economic retrogression.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES

The Senate resumed the consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes.

Mr. OVERTON. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "The South Takes Its Stand," from the Baton Rouge Advocate of January 30 last.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE SOUTH TAKES ITS STAND

There are many so-called liberals and parlor pinks who will not see eye to eye with Senator JOHN H. OVERTON in his frank statement of why the South is so interested in retaining State control of any soldier-voting arrangements. But every friend of the South will understand and appreciate the Senator's forthrightness.

Matters affecting the entire economic and social life of the South are bound up in this dispute. The right to decide the qualifications of its voters in present limits is one of the dearest rights held by any Southern State. This right once before was lost and again secured only after a long and desperate struggle.

Even the smallest infringement on this right will not be regarded lightly or willingly accepted by any Southern State. We who have lived so long by the Mississippi know that once even the smallest breach is made in the dike, the floodwaters pour through in an ever-growing torrent.

No one in the South wishes to prevent servicemen from voting. No one wants to hedge the voting privilege around with insurmountable obstacles. No one wants to complicate the voting process any more than necessary. But it is not necessary to do any of these things in order to protect the right of the State in this fundamentally important matter.

Some of those most strongly opposed to the stand of the South in this matter have long before been suspected of trying to use governmental machinery to force their social and economic theories on the South. That the soldier-vote issue should be used in this way is most disturbing.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the senior Senator from Louisiana [Mr. OVERTON].

Mr. TAFT. Mr. President, may we have the amendment stated?

The ACTING PRESIDENT pro tempore. The clerk will state the amendment.

The CHIEF CLERK. On page 39, line 9, after the word "made", it is proposed to insert the words "in accordance with State law."

Mr. OVERTON. On this amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LUCAS. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Overton
Andrews	Gillette	Radcliffe
Austin	Green	Reed
Bailey	Guffey	Revercomb
Ball	Gurney	Reynolds
Bankhead	Hatch	Robertson
Barkley	Hawkes	Russell
Bilbo	Hayden	Shipstead
Bone	Hill	Smith
Brewster	Holman	Stewart
Bridges	Jackson	Taft
Brooks	Johnson, Colo.	Thomas, Idaho
Buck	Kilgore	Thomas, Okla.
Burton	La Follette	Thomas, Utah
Bushfield	Langer	Tobey
Butler	Lodge	Truman
Byrd	Lucas	Tunnell
Capper	McCarran	Tydings
Caraway	McClellan	Vandenberg
Chandler	McFarland	Wagner
Chavez	McKellar	Wallgren
Clark, Idaho	Maloney	Walsh, Mass.
Clark, Mo.	Maybank	Walsh, N. J.
Connally	Mead	Wheeler
Danaher	Millikin	Wherry
Davis	Moore	White
Downey	Murdock	Wiley
Eastland	Murray	Willis
Ellender	Nye	Wilson
Ferguson	O'Daniel	
George	O'Mahoney	

The ACTING PRESIDENT pro tempore. Ninety-one Senators having answered to their names, a quorum is present.

Mr. HATCH. Mr. President, I desire to take a very few minutes of the time of the Senate to discuss one or two matters which I think have not been fully developed or considered in the discussion and debate concerning the pending bill. I hope I shall not repeat anything which has heretofore been said, and my remarks will be confined largely to the particular amendment upon which we are about to vote.

I realize, Mr. President, that there are two conflicting views in the Senate regarding the power of the Congress, based upon the Constitution of the United States, to enact legislation of this kind. Needless to say, I have the utmost respect for anyone who opposes the bill upon the ground that the Congress has no power or authority to enact the legislation, and I shall not discuss that question.

I wish to point out that heretofore the Congress has enacted a law—and this argument has been made—which in effect dispensed with registration and with the payment of poll tax in the various States. Congress passed that law evidently upon the theory that under the war powers the Congress had the authority to enact that legislation. It is the law now. If the pending amendment shall be adopted it will, in my judgment—and I give my judgment only for whatever it may be worth—amount to a complete repeal of the two provisions of which I speak, in the law heretofore enacted.

I do not think State officials can determine the validity of a ballot in accordance with State law without giving effect to the laws of the State which require payment of poll tax and registration, and if now, by the adoption of the pending amendment, we require the validity of the ballot to be determined according to State law, the State officials who pass upon the validity of the ballot must take into consideration whatever laws the State may have concerning the payment of poll tax and registration.

I do not think there is any escape from that conclusion, and I am quite sure the author of the amendment the Senator from Louisiana [Mr. OVERTON] would agree with the views I have just expressed, and would say that it is his desire that the law as previously enacted be repealed. I mention this only in order that other Senators may fully understand the effect of the votes they cast.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. BARKLEY. I might remind the Senator from New Mexico and other Senators, also, that in a colloquy with the author of the amendment, the Senator from Louisiana [Mr. OVERTON], a few days ago, he, with the frankness and candor for which he is noted, stated that the adoption of his amendment would bring about the effect to which the Senator has referred.

Mr. HATCH. I did not hear that colloquy, but I know the Senator from Louisiana so well that I know he would say that.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. OVERTON. There is no question whatever as to the effect of the amendment. On the floor of the Senate in the course of the debate, I have made the statement more than once that it would have the effect, in my opinion—and it is offered for that purpose—of repealing sections 1 and 2 of the act of 1942.

Mr. HATCH. Mr. President, I thank the Senator from Louisiana. That makes absolutely certain what I was saying; and Senators who vote for the amendment will know that they are voting to repeal the previous act of Congress which provides for dispensing with the payment of the poll tax and with registration.

Secondly, Mr. President, another point which I wished to raise the other day, but which I did not stress very much, is that if the Senate adopts the amendment requiring the validity of the ballot to be judged in accordance with State laws, the result will be, in my judgment—and I repeat that it is only my judgment; I give it for whatever it may be worth—to require the enactment of new legislation in every State of the Union, regardless of presently existing absentee-voting laws, regardless of whether the poll tax is repealed, regardless of whether registration is repealed. I, myself, have examined the statutes of several States and verified the accuracy of my

statement. Of course, I did not have time to examine the statutes of each of the 48 States of the Union. But in every one of the statutes I examined, I found the requirement that the ballot prescribed in the statute had to be in a certain form, and that there could be no deviation from that form. The statutes expressly provide that no ballots shall be cast or counted unless they are in the form prescribed by the statutes.

However, Mr. President, the pending bill prescribes a new form of ballot. So if the Senate were to agree to the pending amendment providing that the validity of the ballots must be determined in accordance with the State laws, the result would be that not a single ballot in the form prescribed by the pending bill could be counted unless the State legislatures met and changed their laws. That is merely another point I am suggesting to Senators for whatever they may deem it to be worth. I want all Members of the Senate to know that if the amendment is agreed to it will require, in my judgment, the enactment of additional legislation in each State, or else not a single ballot will be counted.

Thirdly—and then I shall be through—I should like to point out that I said in the beginning that I recognized the question of constitutionality in connection with the bill, and that I respected the opinion of any Senator who honestly thought the bill was unconstitutional and thought he should vote against it on that ground. But, Mr. President, I desire to call attention to the fact that the adoption of the amendment could add nothing to the constitutionality of the bill. Some Senators who think it is unconstitutional have said that if the amendment is agreed to, it will cure any unconstitutional infirmity, and that they will vote for the passage of the bill if it contains the amendment. However, they should realize that such cannot be the case. If the bill is unconstitutional, the adoption of the amendment will not change that situation or cure it in the least.

What, in effect, the amendment will do is to recognize the constitutionality of the measure. It will recognize that Congress does have the right to legislate on this subject, and only prescribes that the ballots shall be judged according to the State law. If we have the right to legislate and if we have the right to prescribe that the ballots shall be judged according to the State law, we can add some other conditions just as constitutionally. I make that suggestion again for whatever it may be worth.

Frankly, Mr. President, my opinion is that Senators who think the bill is constitutional should vote against this amendment because it will only add to the confusion; it will repeal a statute formerly enacted by Congress, and will require the enactment of additional legislation by the States. Senators who think the bill is unconstitutional should vote against the amendment because it cannot add to the constitutionality of the measure.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. TAFT. Let me ask what the law means without the amendment? The provision is:

Such determination—

That is to say, the determination of the validity of the ballots—

shall be made by the duly constituted election officials of the appropriate districts—

And so forth. By what law are they to be guided when they pass upon the validity of the ballots?

Mr. HATCH. If the amendment is not adopted, and if the ballots were cast in conformity with the provisions of the pending bill, if enacted into law, I think the election officials would have to determine the validity of the ballots in accordance with the law enacted by Congress.

Mr. TAFT. But I do not quite understand in what respect that law would be different from the State law.

Mr. HATCH. It would differ from the State law, for instance, in respect to the form of the ballot, as I have just said. If it were in conformity with the form we have set forth here, its validity would be determined by provisions of the pending bill. But with the amendment the Senator from Louisiana has offered, it would have to be in conformity with the laws of the States regarding the form of their ballots.

Mr. TAFT. Certainly we would not be so foolish as to pass a law involving the validity of ballots, and then—if those particular ballots were not in accordance with the State law—by this language, even if we adopted the Overton amendment, invalidate all the rest of the law as to the form of the ballot or anything else.

Mr. HATCH. Exactly as I have pointed out to the Senator, I do not say the point is conclusive; but I certainly say it is one which should be weighed most carefully, because I believe that is exactly the effect of the amendment. That is exactly the reason why I am pointing it out. I do so in order that Senators will think about it.

Mr. TAFT. Mr. President, is it the Senator's interpretation that the words on page 39—

Such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States—

mean that the determination shall be made in accordance with the provisions of this particular act?

Mr. HATCH. That is my interpretation. I do not say what the authors of the bill intended.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. HATCH. I yield.

Mr. BARKLEY. In that connection, I should simply like to observe, in reply to the suggestion made by the Senator from Ohio, that there are many things affecting the validity of the vote besides the mere form of the ballot or the printing on the ballot on which the vote is cast. Some things might affect the right of the man to vote at all—for instance, his age, whether he lives in the State or the precinct, or other things of that sort. All those things affect the validity of the ballot, but do not affect the form of the ballot on which the man is voting.

So in my judgment—of course, I am not a member of the committee, but I give my judgment for what it is worth—that language does not relate to the printed matter on the ballot itself, but relates to the right of the man to vote for other reasons than the mere wording on the ballot on which he is to vote.

Mr. ANDREWS. Mr. President, I am simply wondering if section 14 (a) of this bill does not fully safeguard the States in every particular. That section provides that—

Such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States.

In the last sentence of section 14 (a) in particular I think the situation for the States is safeguarded:

Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

Pursuant to sections 1 and 2 of Public Law 712, which are at present left intact so far as the instant bill is concerned, last May my State enacted a law to conform with Public Law 712, and in doing so, provided, in section 7 of chapter 22014 of the laws of Florida, as I shall read. This may be of interest to Senators from States which have already adopted laws in compliance with the absentee ballot law, Public Law 712, as well as States which have not already done so. Section 7 provides:

SEC. 7. The canvassing board shall determine from the registration books or lists of the county whether the persons voting absentee ballots are registered as required by the Constitution and laws of Florida. Where the persons voting absentee ballots are so registered, such canvassing board shall count and canvass the entire ballot cast by such voters for all offices. Where the persons voting absentee ballots are not registered, the ballot shall be counted and canvassed only as to the votes cast by them for President and Vice President of the United States, United States Senators, and Representatives in Congress.

Senators will note particularly the last sentence of this section, providing that where the persons voting absentee ballots are not registered the ballot shall be counted and canvassed only as to the votes cast by them for President and Vice President of the United States, United States Senators and Representatives in Congress.

That seems to me to safeguard the situation in most States. In Florida, if a voter lives in a city of more than 20,000 population, he must register in March every year in which an election is held. Fifty percent of the men in the armed forces from Florida would not have an opportunity to register and thus have their votes counted unless sections 1 and 2 of Public Law 712 were kept intact and unless this section of this bill should remain operative.

Mr. OVERTON. Mr. President, will the Senator yield for a question?

Mr. ANDREWS. I yield.

Mr. OVERTON. As I understand the argument made by the able Senator from Florida, it is that under section 14 (a) the determination as to the validity of the ballot would be made in accordance with State law, and that there is no necessity for my amendment.

Mr. ANDREWS. There is no necessity for the amendment. I think the Senator's amendment might be confusing and in fact would prevent absentee voting by those who could not possibly register.

Mr. OVERTON. Mr. President, there could be no better example of the confusion into which the legal mind is thrown by section 14 (a) as it is written than the arguments made by the able Senator from New Mexico [Mr. HATCH] and the able Senator from Florida [Mr. ANDREWS], both of whom are opposed to the amendment.

The able Senator from New Mexico states that the validity of the ballot would be determined in accordance with the bill, meaning in accordance with the Federal law. The able Senator from Florida says that the validity of the ballot would be determined in accordance with State law. The reason for that confusion is that there is no rule of law set forth in section 14 (a), or anywhere else in the bill, to guide those who are to pass upon the validity of the ballot.

The purpose of the amendment which I offered was to set forth a rule of law. In my opinion the rule which should be adopted should be the rule provided by the State law, because under the Constitution of the United States the qualifications of voters for United States Representatives and United States Senators are those fixed by the various States for the election of the most numerous branch of the State legislature. The qualifications of voters in case of an election to select electors must be in accordance with State law, because the Constitution provides that the selection of electors for the electoral college shall be in accordance with the laws prescribed by the various States.

Therefore, Mr. President, in this simple amendment of five words which I have offered, I have undertaken to follow the Constitution of the United States. An effort has been made to becloud the issue by entering into arguments as to what effect the amendment would have. It has been stated that the amendment would have certain effects which it is not intended to have, and which in my opinion it would not have. The purpose of the amendment is to write into the legislation which we are considering in effect what the Constitution of the United States declares. The amendment has no other purpose. I stated in the beginning that its purpose was to prevent any attempt on the part of the Federal Government to prescribe qualifications for electors in the various States. Many of the State legislatures have already met. Others are meeting or will meet for the purpose of providing means and opportunities for our servicemen to vote. Mr. President, we can trust the States as far as we can trust the Congress of the United States to give an opportunity to our soldiers to vote in the coming election. By adopting my amendment we should be adhering to the Constitution.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Louisiana [Mr. OVERTON]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCARRAN (when Mr. SCRUGHAM's name was called). My colleague the junior Senator from Nevada is absent because of illness. If he were present he would vote "yea."

Mr. THOMAS of Idaho (when his name was called). I have a pair with the Senator from Florida [Mr. PEPPER]. I am informed that if he were present he would vote as I shall vote. I am, therefore, free to vote, and vote "nay."

The roll call was concluded.

Mr. BANKHEAD (after having voted in the affirmative). I have a general pair with the Senator from Oregon [Mr. McNARY]. I transfer that pair to the junior Senator from Nevada [Mr. SCRUGHAM] and allow my vote to stand.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness. I am advised that if present and voting, he would vote "nay."

The Senator from Florida [Mr. PEPPER] is detained on public business. I am advised that if present and voting, he would vote "nay."

Mr. WHITE. The Senator from Oregon [Mr. McNARY] is absent because of illness.

The result was announced—yeas 23, nays 68, as follows:

YEAS—23

Bailey	George	Overton
Bankhead	Hill	Reed
Bilbo	Holman	Reynolds
Brewster	McCarran	Russell
Byrd	McClellan	Smith
Caraway	McKellar	Taft
Connally	Moore	Wheeler
Eastland	O'Daniel	

NAYS—68

Aiken	Gillette	Radcliffe
Andrews	Green	Revercomb
Austin	Guffey	Robertson
Ball	Gurney	Shipstead
Barkley	Hatch	Stewart
Bone	Hawkes	Thomas, Idaho
Bridges	Hayden	Thomas, Okla.
Brooks	Jackson	Thomas, Utah
Buck	Johnson, Colo.	Tobey
Burton	Kilgore	Truman
Bushfield	La Follette	Tunnell
Butler	Langer	Tydings
Capper	Lodge	Vandenberg
Chandler	Lucas	Wagner
Chavez	McFarland	Wallgren
Clark, Idaho	Maloney	Walsh, Mass.
Clark, Mo.	Maybank	Walsh, N. J.
Danaher	Mead	Wherry
Davis	Millikin	White
Downey	Murdock	Wiley
Ellender	Murray	Willis
Ferguson	Nye	Wilson
Gerry	O'Mahoney	

NOT VOTING—5

Glass	McNary	Scrugham
Johnson, Calif.	Pepper	

So Mr. OVERTON's amendment was rejected.

Mr. OVERTON. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 39, after line 15, it is proposed to insert:

Qualifications of the voters shall be determined by State law.

Mr. OVERTON. The phrasing of this amendment would remove the objections which were made to my previous amendment by the Senator from New Mexico [Mr. HATCH] and the objection originally made on the floor of the Senate by the Senator from Utah [Mr. MURDOCK]. This amendment cannot possibly be construed as relating to the form of the ballot, or to any other provisions of the amendment reported by the Committee on Privileges and Elections. It refers solely and exclusively to the qualifications of the voters, and, in accordance with the Constitution, declares that the qualifications of the voters shall be determined by State law.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. HATCH. Of course, I know there is no misunderstanding about the purpose of the amendment. The Senator will state that the amendment would, without any doubt, repeal sections 1 and 2 of Public Law 712.

Mr. OVERTON. There is no question about that. That is the purpose of the amendment.

Mr. LUCAS. Mr. President, the point which the Senator from New Mexico has raised is exactly the point I wanted to raise. The last amendment which has been offered by the distinguished Senator from Louisiana would do exactly what the amendment on which the Senate has just voted would have done insofar as sections 1 and 2 of Public Law 712 are concerned.

Mr. OVERTON. Yes. The previous amendment was possibly subject to the objections urged by the Senator from New Mexico [Mr. HATCH] and by other Senators.

Mr. President, I do not care to debate the amendment any further. I believe that the Senate fully understands it. I merely wish to make the statement that I shall not vote for any bill which does not contain such a provision or a similar one.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. OVERTON].

The amendment was rejected.

Mr. VANDENBERG obtained the floor.

Mr. OVERTON. Mr. President, will the Senator yield to me? I have another amendment I desire to offer.

The ACTING PRESIDENT pro tempore. Does the senator from Michigan yield to the Senator from Louisiana?

Mr. VANDENBERG. I yield.

Mr. OVERTON. The amendment I now offer has been printed. It proposes on page 26, line 5, to strike out the numeral "3" and insert the numeral "1." The amendment would directly repeal sections 1 and 2 of the act of 1942.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 26, line 5, it is proposed to strike out the numeral "3", and insert in lieu thereof the numeral "1".

The ACTING PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Louisiana.

Mr. OVERTON. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. LUCAS. Mr. President, so that there may be no misunderstanding about this amendment, let me say that, as I understand, it goes to the heart of sections 1 and 2 of Public Law 712.

Mr. OVERTON. It not only goes to the heart, but it tears the heart out of the two sections.

Mr. LUCAS. It tears the heart out of them. I wanted that understood.

Mr. TAFT. I suggest the absence of a quorum.

Mr. OVERTON. May I inquire if the yeas and nays have been ordered?

The ACTING PRESIDENT pro tempore. The yeas and nays have been ordered.

Mr. TAFT. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Overton
Andrews	Gillette	Radcliffe
Austin	Green	Reed
Bailey	Guffey	Revercomb
Ball	Gurney	Reynolds
Bankhead	Hatch	Robertson
Barkley	Hawkes	Russell
Bilbo	Hayden	Shipstead
Bone	Hill	Smith
Brewster	Holman	Stewart
Bridges	Jackson	Taft
Brooks	Johnson, Colo.	Thomas, Idaho
Buck	Kilgore	Thomas, Okla.
Burton	La Follette	Thomas, Utah
Bushfield	Langer	Tobey
Butler	Lodge	Truman
Byrd	Lucas	Tunnell
Capper	McCarran	Tydings
Caraway	McClellan	Vandenberg
Chandler	McFarland	Wagner
Chavez	McKellar	Wallgren
Clark, Idaho	Maloney	Walsh, Mass.
Clark, Mo.	Maybank	Walsh, N. J.
Connally	Mead	Wheeler
Danaher	Millikin	Wherry
Davis	Moore	White
Downey	Murdock	Wiley
Eastland	Murray	Willis
Ellender	Nye	Wilson
Ferguson	O'Daniel	
George	O'Mahoney	

The ACTING PRESIDENT pro tempore. Ninety-one Senators have answered to their names. A quorum is present. The question is upon the amendment offered by the Senator from Louisiana [Mr. OVERTON], on which the yeas and nays have been ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. THOMAS of Idaho (when his name was called). I have a pair on this question with the Senator from Florida [Mr. PEPPER] who is necessarily absent. I am advised that if present he would vote as I intend to vote. I am therefore free to vote, and vote "nay."

The roll call was concluded.

Mr. BANKHEAD. I have a pair with the senior Senator from Oregon [Mr. MCNARY], and therefore withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. LUCAS. I am authorized to announce that if the senior Senator from Virginia [Mr. GLASS] were present he would vote "nay" on this amendment and on the amendments upon which the yeas and nays have been had.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from Nevada [Mr. SCRUGHAM] are absent from the Senate because of illness. I am advised that if present and voting, the Senator from Virginia would vote "nay."

The Senator from Georgia [Mr. GEORGE], the Senator from Nevada [Mr. MCCARRAN] and the Senator from Montana [Mr. WHEELER] are detained in committee meetings.

The Senator from Florida [Mr. PEPPER] is detained on public business. I am advised that if present and voting, the Senator from Florida would vote "nay."

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from California Mr. JOHNSON] is necessarily absent. If present, I am advised that he would vote "nay."

The result was announced—yeas 16, nays 69, as follows:

YEAS—16

Bailey	Hill	Reynolds
Bilbo	McClellan	Robertson
Byrd	McKellar	Russell
Connally	Moore	Smith
Eastland	O'Daniel	
Ellender	Overton	

NAYS—69

Aiken	Gillette	O'Mahoney
Andrews	Green	Radcliffe
Austin	Guffey	Revercomb
Ball	Gurney	Shipstead
Barkley	Hatch	Stewart
Bone	Hawkes	Taft
Brewster	Hayden	Thomas, Idaho
Bridges	Holman	Thomas, Okla.
Brooks	Jackson	Thomas, Utah
Buck	Johnson, Colo.	Tobey
Burton	Kilgore	Truman
Bushfield	La Follette	Tunnell
Butler	Langer	Tydings
Capper	Lodge	Vandenberg
Chandler	Lucas	Wagner
Chavez	McFarland	Wallgren
Clark, Idaho	Maloney	Walsh, Mass.
Clark, Mo.	Maybank	Walsh, N. J.
Danaher	Mead	Wherry
Davis	Millikin	White
Downey	Murdock	Wiley
Ferguson	Murray	Willis
Gerry	Nye	Wilson

NOT VOTING—11

Bankhead	Johnson, Calif.	Reed
Caraway	McCarran	Scrugham
George	McNary	Wheeler
Glass	Pepper	

So Mr. OVERTON'S amendment was rejected.

Mr. VANDENBERG. Mr. President, I call up an amendment I have at the desk substituting certain language for section 204, on page 44. I ask that the amendment be stated.

The ACTING PRESIDENT pro tempore. The clerk will state the amendment.

The CHIEF CLERK. On page 44, in lieu of the matter proposed to be inserted in lines 4 to 8, inclusive, it is proposed to insert the following:

SEC. 204. The Secretaries of War and Navy and other appropriate authorities shall, so far as practicable and compatible with military operations, take all reasonable measures to facilitate transmission, delivery, and return of absentee ballots mailed to members of the armed forces pursuant to the laws of the several States, whether transmitted by air or by regular mail. Ballots cast outside the United States shall be returned by air, whenever practicable and compatible with military operations.

Mr. VANDENBERG. Mr. President, in just a word, the amendment takes out of title I the language describing the obligation of the services in respect to the transmission, delivery, and return of Federal ballots, and uses the same language insofar as it is applicable to the obligation of the Departments to transmit, deliver, and return the State absentee-voting ballot. In other words, it lifts the obligation of the services in respect to the State ballots to a level, as nearly as is practicable, with the obligation of the services in respect to the Federal ballot.

I understand from my conversation with the senior Senator from Illinois [Mr. LUCAS] that there is no objection to the amendment, and I ask the Senator from Rhode Island [Mr. GREEN], the chairman of the Committee on Privileges and Elections, for his point of view.

Mr. GREEN. Mr. President, it seems to me that the phraseology of the amendment proposed by the Senator from Michigan is an improvement on that of the draft of the amendment, and, therefore, I gladly accept the proposed amendment.

Mr. BREWSTER. Mr. President, will the Senator from Michigan yield?

Mr. VANDENBERG. I yield.

Mr. BREWSTER. As I have understood, under title I the Federal ballots were to have priority, it seemed to me, not only over all regular mail but even over official mail, and I wondered why the same privilege was not accorded the State ballot.

Mr. VANDENBERG. My answer to the Senator would be that a practical question is involved. The State ballots are to go in individual envelopes, to individual recipients. It would probably be impractical to send them under the priorities which could attach to the delivery of the bulk ballots. Furthermore, many of the State ballots will go by boat instead of by air, and as a practical proposition it seems to me that the requirement of priorities cannot apply as in the case of Federal ballots.

On the other hand, the Senator will note that precisely the same language is used as is used in respect to Federal ballots, so far as the time when the ballots are to be returned is concerned, and those cast outside the United States will be returned by air whenever practicable and compatible with military operations.

Mr. BREWSTER. I had thought the great argument for the Federal ballot was that the Federal ballots could be distributed without regard to air transmission because they could be sent out any time, whereas that cannot be true of State ballots. So that if there is any argument for the use of air transport in sending out the ballots it would be in favor of the State as against the Federal ballot.

Mr. VANDENBERG. My conception of the situation is that there are practical reasons why precisely the same rule

cannot be applied, and it seems to me that if we can have sympathetic consideration of the rule of action I propose it is an infinite improvement over the rule of action set out in title II.

Mr. BREWSTER. I quite agree that it is an improvement. It does not go as far as I would wish.

Mr. TAFT. Mr. President, I am entirely in favor of the amendment, but if the idea is that it will lead to the transmission of State ballots to the forces abroad, while the Federal ballot is also available to them, I think the hope is a vain one. On January 24 the senior Senator from Illinois [Mr. LUCAS] stated very clearly—and I quote from what he said that day:

> It has been stated definitely over and over again, among others, by Mr. Stimson in his report, joined in by the Secretary of the Navy, that they can take to every battle front in the world one ballot, and one only, in one general election.

Mr. President, the Federal ballot, according to the plan proposed in the bill, is to be printed 3 or 4 months ahead of time. It can be printed next month, so far as that is concerned, and it is to be transported at once by boat to all parts of the world. So that to me it seems perfectly obvious that the Secretary of War and the Secretary of the Navy will take the position that they can deliver one ballot and one only, and that one will be the Federal ballot. So that while, in my opinion, we should adopt the amendment, I think the idea that it will result in getting any State ballot to any soldier in the world is completely erroneous.

Mr. VANDENBERG. Mr. President, when I presented the amendment in the first instance, I frankly stated that it was merely the addition of words to the bill; but all we can do is to add words to the bill. In the final analysis, the effectiveness of the amendment will depend entirely upon the sympathetic and cooperative attitude of the Departments. The letter from the Departments read yesterday by my able colleague the junior Senator from Michigan would indicate to me that there is a purpose on their part to try to cooperate in the delivery of State ballots so far as possible. At least we have discharged our obligation in the only way at our disposal when we write this language into the bill.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. TYDINGS. Has the Senator given any thought to this circumstance? Suppose a soldier receives a Federal ballot and marks it for candidates for the three offices or four offices on it. Suppose he receives a State ballot also in response to a postal card, or through any other process, and marks that ballot also. Both ballots theoretically could be returned to the soldier's voting precinct eventually. Which ballot would the soldier be entitled to cast, there being two different ballots, so to speak?

Mr. VANDENBERG. When the count is taken the State ballot supersedes the Federal ballot if the choice has to be made. Provision for that is in the law, as I understand.

Mr. LUCAS. That is correct, I will say.

Mr. TYDINGS. So that if a man votes both ballots, his Federal ballot will be discarded, and his State ballot counted?

Mr. VANDENBERG. That is correct.

Mr. LUCAS. I will say to the Senator that there is no penalty attached if the soldier votes both ballots.

The ACTING PRESIDENT pro tempore. Without objection, the amendment of the Senator from Michigan [Mr. VANDENBERG] to the committee amendment, on page 44, beginning in line 4, is agreed to.

Mr. DANAHER. Mr. President, I call up an amendment which is on the desk, and offer it at this time, and ask that it may be stated.

THE ACTING PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 28 of the committee amendment, beginning with line 5, it is proposed to strike out all of subsection (a) of section 4, and insert in lieu thereof the following:

> (a) The provisions of this title shall apply with respect to the following:
>
> (1) Members of the armed forces and the merchant marine of the United States, outside the United States.
>
> (2) Persons serving with the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots, and the United States Service Organizations, outside the United States who are attached to and serving with the armed forces of the United States.
>
> (3) Members of the armed forces who are inside the United States who are residents of any State of which the secretary of state has not certified to the Commission prior to August 1, 1944, that the State has made provision for such members to vote by absentee ballot and that the State will accept postcard applications as provided for in title II of this act; and the Commission shall promptly advise the Secretaries of War and Navy of the names of the States which have so certified.

Mr. DANAHER. Mr. President, it is my purpose to explain the pending amendment. All of us here are thoroughly aware by now of the arguments which have been made with reference to the factual situation. There are those who are convinced that State ballots are the only proper ballots by which absentee members of the armed forces and others covered by the bill should exercise their right of franchise. There are yet others who are convinced that the Federal uniform ballot should be resorted to.

It seems to me, Mr. President, that there is a modicum of right on both sides. I think the position which the Army and the Navy have taken with reference to the impracticability of attempting to reach men all over the world outside the United States must be considered to be borne out by the facts, and the evidence which has been submitted to us in the hearings and otherwise would indicate that that claim rests on sound basis.

It therefore seems to me, Mr. President, that properly we ought to insure, insofar as it lies within our power to do so, that all members of the armed forces outside the United States and all members of the other privileged groups, such as the Red Cross and the U. S. O., who are outside the United States be permitted to vote for Federal offices under the simplified Federal ballot form.

I do not like the Federal ballot form in the fashion in which it is set up. I do not think it is nearly as good as any of us here would like. But I recognize that there is a practical difficulty with reference to the matter of printing any Federal ballot form which deals with Representatives in Congress. For example, in my State there are six Representatives. In some States there are several dozen. It would seem to me an impractical thing that there be printed on the Federal ballot not only all the names of all the parties but all the candidates of all the parties to be Members of the House. So far as senatorial elections are concerned, of course, there are such in only 33 of the States this year.

So far as the candidates for President and Vice President are concerned, Mr. President, the authors of the bill seem to have taken the view that since all the candidates' names cannot be printed—perhaps all the candidates' names cannot even be known—the absentees, whether they be servicemen or members of the American Red Cross outside the United States, at the very least, should be given the privilege of voting by party.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. BARKLEY. I want to see if I understand the Senator's amendment. Under his amendment soldiers and sailors and marines and others from any State whose secretary of state certifies to the commission that the State has made adequate provision, would not receive the Federal ballot?

Mr. DANAHER. That is correct. In the United States only.

Mr. BARKLEY. In the United States only?

Mr. DANAHER. Yes.

Mr. BARKLEY. That is what I mean, within the United States.

Mr. DANAHER. That is correct.

Mr. BARKLEY. So that soldiers from Connecticut stationed in California or any other State would not be allowed to receive the Federal ballot if the secretary of state of the Senator's State, or any other State, certifies that in his opinion the State has made adequate provision?

Mr. DANAHER. Yes.

Mr. BARKLEY. So that if the Senator's amendment shall be adopted, it is left to the opinion of the secretary of state in the local State himself to determine whether adequate provision has been made, and the commission must accept that certification, and have no jurisdiction in any way, or discretion, with regard to it?

Mr. DANAHER. That is substantially a correct statement. I emphasize "substantially."

Mr. BARKLEY. So that some of the soldiers in the United States might receive the Federal ballot under this measure. Others would not receive the Federal ballot, depending upon whether the secretary of state of their State made the certification of adequate provision having been made?

Mr. DANAHER. Yes. Let me answer the Senator from Kentucky further, although I had not yet reached this part of my discussion.

Mr. BARKLEY. The only reason I interrupt the Senator is that I must leave the Chamber for a few minutes on official matters.

Mr. DANAHER. Yes; but let me point out to the Senator from Kentucky that his State of Kentucky, and New Mexico, singularly are States whose residents who are in the armed forces would not be permitted to vote by absentee ballots of any kind unless the Federal ballots were in fact available to them.

Mr. BARKLEY. I appreciate that, unless the legislature were able to frame a bill of some kind which might avoid a previous decision of our Supreme Court. I am not inclined to look at this matter from the standpoint of any one State. I am looking at it, I hope, from the standpoint of all the States, regardless of the handicaps under which they labor, and it seems to me it would be unfortunate to have the right of suffrage of those in the armed services, even those stationed in the United States, depend upon a certificate which the secretary of state would issue, which could only contain his opinion that the State had made adequate provision.

Mr. DANAHER. Mr. President, the Senator from Kentucky, in his last statement, has certainly misinterpreted both the effect and the result of the proposal. Obviously the law of the State of residence of the individual soldier is what will determine. So far as any opinion by a secretary of state is concerned, Mr. President, all he must do is certify that his State has made provision for its residents who are members of the armed forces to vote by absentee ballot. And, moreover, he certifies to the Commission that his State will accept the post-card application which is already provided for in title II of the pending bill.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER (Mr. GILLETTE in the chair). Does the Senator from Connecticut yield to the Senator from Massachusetts?

Mr. DANAHER. I yield.

Mr. LODGE. Is it not true that the soldier has the right of suffrage, no matter what happens; that there is no question of some official denying him the right of suffrage? He either votes under the Federal ballot or he votes under the State ballot.

Mr. DANAHER. Of course, that is correct, and it comes down to this, that if the State, through its State secretary or the other appropriate official—if it be not the secretary of state, the language of the Lucas-Green bill is broad enough in definition to include the proper official—fails to certify by August 1 that it, indeed, will accept the postal-card application as an application for registration, if that be the case, or as an application for an absentee ballot, if that be the case, then, Mr. President, the absentee voter from that State is not to be denied his right of franchise. He will be permitted to utilize the Federal absentee ballot form, to vote for Federal officers; and that is as far as the Congress can go. We have no power to provide authority to vote for State officers.

Therefore, if those within the State—the officials there, the State's own general assembly or legislature, as the case may be—think it desirable that all the absentee residents of their State who are in the armed forces be permitted to vote for the entire State ticket and for the Federal officers, they may comply. They have months within which to do so. If they certify by August 1 that they, indeed, are willing, then they exclude residents of their State who are stationed within the United States from the use of the Federal absentee ballot form.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. DANAHER. I do.

Mr. VANDENBERG. I ask the Senator whether I state a correct understanding of the situation: Under the Senator's amndment, no member of the armed forces would fail to have an available ballot unless he was in the United States and had neglected to mail the post card which was made available to him for the purpose of applying for his absentee ballot from his own State. Is that correct?

Mr. DANAHER. That is correct.

Mr. VANDENBERG. In other words, no member of the armed forces could fail to have an opportunity to vote unless he failed, on his own willingness, to take advantage of the opportunity provided him; is that correct?

Mr. DANAHER. That is absolutely correct. Not only is it so; but as to the States of Kentucky and New Mexico, notably, which at present do not permit absentee voting, we even go as far as it lies within our power to go, to give members of the armed forces from those States the privilege of voting by absentee ballot on the Federal uniform blank.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. LUCAS. I desire to ask the Senator from Connecticut one or two questions in order that I may make sure I understand the third paragraph of his amendment. Let me ask whether I am correct in my understanding that in the event the legislatures of a dozen States, let us say, should fail to meet and should fail to comply with the provision set forth in paragraph 3 of the Senator's amendment, the soldiers whose voting residences were in those particular States, and who were serving in the United States, would have an opportunity to vote the Federal ballot and, in addition, would also have the right, if they wished to attempt to do so, to vote the State ballot, by making application to the regular, duly constituted election officials in their own States. Is that correct?

Mr. DANAHER. Yes; that is correct.

Mr. LUCAS. In other words, the soldiers from the State of Connecticut, let us say—to use Connecticut as an example—if Connecticut did not take action, would have two opportunities to vote; whereas, if the State of Illinois, let us say, did act, the soldiers from Illinois, would have only one opportunity to vote, and that would be through the State method; the Federal ballot would not be given to them. Is that correct?

Mr. DANAHER. Mr. President, without taking the example in the question form as put by the Senator from Illinois, I will answer in this way with respect to the point on which he is seeking information. Under the Lucas-Green bill which is before us, the Federal ballot expressly is held to be invalid if in fact the soldier, wherever he be, sends in an absentee ballot which has been issued to him by his own State. Therefore, if the State of Illinois should refuse to accept the post-card application of an absentee soldier from the State of Illinois, provided that application had been made on the post-card form provided in title II of the Lucas-Green bill, a soldier from the State of Illinois could not be denied the privilege of voting on the uniform Federal form which is provided for in title I.

Mr. LUCAS. Mr. President, will the Senator further yield?

Mr. DANAHER. I yield.

Mr. LUCAS. I appreciate what the Senator has been saying. I think both of us are attempting to reach the same objective, although in a slightly different way. The Legislature of Illinois recently met in special session, and as a result of the special session it does not recognize the post-card application as it is provided for in paragraph 3. If no further change is made in the Illinois laws, all soldiers from Illinois would be entitled to the Federal ballot.

Mr. DANAHER. That is correct.

Mr. LUCAS. Let me take as an example a company of soldiers composed of 300 men, let us say. Let us assume that some of them are Illinois soldiers, some of them are Missouri soldiers, some of them are soldiers from Connecticut, and some of them are soldiers from other States. Let us assume that in the company a certain group of soldiers are going to get the Federal ballot, and that in the same company another group of soldiers are not going to get any Federal ballot at all, assuming that in some States the legislatures do not meet and provide for compliance with this requirement. Of course, I cannot tell whether that will be the case, but for the sake of the argument I must assume it to be so. I merely point that out to the Senator and to the Senate in order to show how unfair it would be, it seems to me, to have some of the soldiers get the Federal ballot and to have another group of them find themselves unable to obtain the same ballot.

Mr. DANAHER. Unfair to whom?

Mr. LUCAS. Unfair to the soldiers.

Mr. DANAHER. Why is it unfair? If the soldier lives in the State of Kentucky, which is a great State, which makes no provision at all for absentee balloting, is it unfair that we give him the privilege of voting on a Federal form? Obviously not.

Mr. LUCAS. I want to give the Senator my conclusion as I arrive at it with respect to the amendment. I hope the Senator will pardon a further reference to it by me. In other words, under the amendment it would seem that soldiers from States which did not comply with

the act would have two opportunities to vote, whereas soldiers from States which did comply with the provisions of the act would have only one opportunity to vote.

Mr. DANAHER. Mr. President, the Senator is wide of the mark. The Senator from Illinois has stated 50 times during the last 10 days that he would give every soldier an opportunity to vote for all State officers and for Federal officers if he could do so. We all agree that that is the ultimate desideratum. However, we cannot agree as to the means of attaining it. That is the obvious trouble with the Lucas-Green bill. It fails to extract the maximum potential State ballot use, and instead, would supersede the State ballot by the Federal form. But we are really trying to facilitate the use of the State ballot wherever we possibly can do so. If we cannot agree on that, we should scrap the whole thing.

The fact is we should reward the diligent State, because it will have an opportunity to exclude the Federal ballot if it does not want to have it, except for members of the armed forces who are outside the United States; and as to such, we give them the privilege, so far as Congress has the power to grant it.

Mr. AUSTIN. Mr. President——

Mr. DANAHER. I yield to the Senator from Vermont.

Mr. AUSTIN. As I understand, as the distinguished junior Senator from Connecticut interprets the third paragraph of his amendment it is not intended to impose an obligation on any State. Is that correct?

Mr. DANAHER. That is correct.

Mr. AUSTIN. Very well. Next, the Senator interprets that the objective of the amendment is to prevent the sequel of the Green-Lucas bill—a class of voters who would be discriminated against through State inaction. Is that correct?

Mr. DANAHER. That is absolutely correct.

Mr. AUSTIN. And that is all the amendment would do; would it not?

Mr. DANAHER. That is all it would do. As a matter of fact, the Senator from Vermont would be entirely correct if he were to go one step farther, and were to say that not only do we have in mind the "class" to which he has referred, but at the same time we would not permit all the soldiers in a given unit to have a uniform Federal ballot and to vote as a "class" when they are inside the United States. In other words, those who are home have some rights, too.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. GREEN. I rise at this time simply to ask some questions as to the meaning of section 3. My questions relate not so much to the principle involved as to the application of that principle. There are several practical considerations which it seems to me are overlooked.

In the first place, who is to decide whether or not the State has made proper provision? The Senator says that the attorney general shall certify to the Commission that the State has made provision to vote by absentee ballot. A great many States now have absentee ballots, but they are so worded that they fail to meet the situation. That was one of the primary reasons for the introduction of the proposed amendment to the existing law. If the Commission is to pass upon that question, the Senator proposes to give the Commission judicial functions, which we have been most careful to avoid.

Mr. DANAHER. Let me interrupt the Senator to make it absolutely clear that I purposefully and deliberately avoided giving the Commission any adjudicative function. It has no discretion in the matter. It is still purely ministerial. It is still the conduit which the Senator from Illinois and the Senator from Rhode Island envisage.

Quite the contrary, the Senator will notice that the language has very carefully put the burden of certification on the State itself. Who should decide? I know that when the distinguished Senator from Rhode Island was an equally distinguished Governor of that State, he turned to the attorney general for opinions as to the validity of his official acts. That situation is still true within his State at this minute, when questions arise as to what the election laws mean, and whether they may or may not be integrated with the Green-Lucas bill.

That is all that is involved. The secretary of state of Rhode Island may certify to the Commission, on or before August 1, that the State has made provision for absentee voting by members of the armed forces. "We are perfectly willing to accept the uniform application which appears in title II of the Green-Lucas bill as an application for the absentee ballot. We are willing to regard that as compliance with our law." That is all there is to it. The Senator from Rhode Island will recognize that the soldier or absentee in the merchant marine, or otherwise, within the permitted classes, who is inside the United States may thus vote for his nephew as prosecutor in Pawtucket, if he so desires.

Mr. GREEN. That is what I assumed would be the reply of the Senator from Connecticut, but that leads to another and greater difficulty.

The very object of the proposed amendment to the existing law was to overcome the difficulties inherent in the fact that the absentee voting laws of the several States are in most cases inadequate and not applicable to the armed forces, for practical reasons. In every one of such States I assume that the attorney general could make a statement or certification that the State has made provision for such members to vote by absentee ballot. It has made provision, but the provision is entirely inadequate. If the attorney general is to make that statement, he could make it now—not in all cases, but in most cases. All but two of the attorneys general of the States could certify that the States had made provision for absentee ballots.

Mr. DANAHER. The Senator from Rhode Island is one of the authors of title II of the bill. Section 201 provides as follows:

SEC. 201. In order to afford an opportunity for members of the armed forces to vote for Federal, State, and local officials and to utilize State absentee balloting procedures to the greatest extent possible, the Commission shall cause to be printed and delivered to the Secretaries of War and Navy an adequate number of post cards for use in accordance with the provisions of this title. The Secretaries of War and Navy shall, wherever practicable and compatible with military operations, cause such post cards to be made available, at appropriate times, upon request, to members of the armed forces located within the United States—

I use the very same language on page 2, line 4, of my amendment, when I say:

Members of the armed forces who are inside the United States—

In line 8 I say—

provision for such members to vote by absentee ballot—

Clearly, "such members" refers back to line 4, meaning members of the armed forces in the United States. Then, if we integrate that thought with what the Senator has already written, we give it application to members who are within the United States.

Let me point out that as long as they are "such members," even though the State has an absentee ballot system for its absentee residents, if the ballot would be deemed inadequate for civilians, unless it can be made to apply to "such members," meaning members of the armed forces, then there cannot be compliance. But if the State can comply in behalf of "such members," meaning members of the armed forces, then there is compliance. Then the Federal ballot will not be utilized by those of its citizens within the United States.

Mr. GREEN. Let me put the question in another way. What is to prevent the attorneys general of the States which now have absentee ballot laws which have proved inadequate in the opinion of most of us from simply certifying to the Commission that they have in their State laws provision for absentee ballots? Such certification might be made in perfectly good faith.

Mr. DANAHER. If there be any such——

Mr. GREEN. Most of the States are in such a situation.

Mr. DANAHER. I am willing to concede that such an attorney general might act in good faith. However, I would expect the perspicacious opponents of that particular attorney general immediately to go to court and sue out a writ and cause a decision to be made in favor of compliance.

Mr. GREEN. But the Senator has already stated that the certification of the attorney general is final.

Mr. DANAHER. I did not say that. I said quite the contrary, that the Commission has nothing to do with adjudication as to compliance.

Mr. GREEN. It is final so far as the Commission and the War and Navy Departments are concerned, and they are the ones who would distribute the ballots.

Mr. DANAHER. Let me say to the Senator from Rhode Island that if we are trying to get the maximum possible vote of the absentee members of the armed forces, and, first, are trying in

every practicable way to reach those who are overseas, title I of the Senator's bill is designed to accomplish that result. If the Senator agrees that every absentee from his State ought, so far as he possibly can, to comply with the laws of his State and vote for State officers as well as Federal officers, then title II should be made to apply. At the maximum, there are approximately 5,000,000 men overseas. There are at least six million within the United States; and the 6,000,000 members of the armed forces within the United States can comply, if their States authorize absentee voting for them. If Kentucky or New Mexico refuse to do so, then a Federal ballot will apply in those States in behalf of their absentees, whether inside or outside the United States.

Mr. GREEN. Mr. President, I am seeking enlightenment. It seems to me that instead of giving added privileges to the men in the armed services, this amendment proposes to take away some of the privileges, because, if I may explain, instead of a member of the armed forces having the choice which he has under the Green-Lucas bill, of using the Federal ballot or the State ballot if it is sent to him, he is limited to the State ballot and cannot use the Federal ballot. That is the purpose of the Senator's amendment, is it not? So the Senator would take away one of the two chances the serviceman has to cast a ballot.

Mr. DANAHER. I do not propose to take anything away. We have no power to confer authority upon the States. All we can do is to provide a manner of voting under circumstances in which the practical situation might otherwise make it impossible to vote.

Mr. GREEN. Apparently I did not make my question clear. The Green-Lucas bill provides that a soldier in the United States may vote either by a Federal ballot or by a State ballot, does it not?

Mr. DANAHER. That is what the Green-Lucas bill provides.

Mr. GREEN. The amendment to the Green-Lucas bill proposed by the Senator from Connecticut would take away one of those choices and limit the soldier to voting a State ballot. He could not vote the Federal ballot. Is not that the purpose of the amendment?

Mr. DANAHER. No. The purpose is to make it possible for 6,000,000 absentees in the armed forces who are within the United States to vote for their own State ticket if they desire to do so, as well as to vote for Federal officers.

Mr. GREEN. That could also be done under the provisions of the Green-Lucas bill.

Mr. DANAHER. But under the Green-Lucas bill the individual soldier is going to be given a uniform ballot with only four places on it—in some States only three places.

Mr. GREEN. That is correct.

Mr. DANAHER. And the result is that the absentee is being deprived of the opportunity, so far as the Green-Lucas bill is concerned, to vote for State officers.

Mr. GREEN. The Green-Lucas bill provides that the soldier can vote the State ballot instead of the Federal ballot if he prefers, and the preference is given with respect to the State ballot throughout the bill. So, instead of two choices which may be very valuable to the soldier because he may not get the State ballot in time, in view of the rapid change in location which he may undergo, and the short time provided in the laws of many States which have inadequate absentee-voting laws, the chance of the soldier to vote is reduced rather than increased. Is that not true?

Mr. DANAHER. No, I think it is not true. What I think is that we have expanded the ballot in the form with which the absentee is already familiar. If he had been an absentee defense worker in a shipyard in Alabama before he entered the service he would, under the State law, have been permitted to vote for all his State ticket as well as for Federal offices. Now, if instead of being in a shipyard he is in an army camp only 10 miles away, but is absent from his State of residence, Rhode Island, he may still do exactly the same thing in accordance with his State law. That is all the amendment would do.

Mr. GREEN. How would the commanding officer in any camp determine which of the soldiers is entitled to a Federal ballot and which is not?

Mr. DANAHER. He does not have any such thing to determine. I refer to the language of the Senator from Illinois. The Senator from Illinois said that the validity of the ballot offered to be cast is to be decided by the election officials of the precinct where the voter lived. That is what the bill says. Back come to the State, if you like, two ballots—one a Federal and the other a State. When they come in, under the provisions of the Green-Lucas bill, if it becomes law, the officials would throw out the Federal ballot and count the State ballot. There is no determination for any commanding officer to make.

Mr. GREEN. Under the Senator's amendment, would they not have to throw out the Federal ballot even if the soldier had not cast the State ballot?

Mr. DANAHER. If the State had already complied with the requirements; yes. That is what ought to be done.

Mr. GREEN. It is very probable also that a large number of ballots, if not a majority of them, would be thrown out.

Mr. DANAHER. I do not think so.

Mr. WHEELER and Mr. LUCAS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Connecticut yield; and if so, to whom?

Mr. DANAHER. I yield first to the Senator from Montana.

Mr. WHEELER. The Senator from Rhode Island stated a few moments ago that the attorneys general or the secretaries of state might declare that servicemen had a right to vote under the State law, but that many of us—I assume he meant Senators—think they would not have the right. The Senator is assuming that Members of the Senate possess all the honesty, integrity, and so forth, but that secretaries of state do not. After all, a secretary of state is much closer to the people of his State, generally, than is a Member of the Senate, or officials in Washington, and he is closer to the members of the armed forces. In my State he has to be elected. Does the Senator think for one moment that a secretary of state will certify to something preventing the soldiers from voting when he himself must face the electorate? It is perfectly silly to talk about the Army being more interested in the soldiers voting than the secretary of state, or other State officials.

Mr. DANAHER. He wants the soldier's vote.

Mr. WHEELER. That is correct; he wants the soldier's vote.

Mr. DANAHER. Of course, he wants his vote. Allow me to say to the Senator from Montana that if the secretary of state of Montana should fail to certify to the Commission that Montana law will integrate with this proposal, when in fact it does, the State of Montana, great and big as it is, would not be big enough to hold both him and the secretary of state from then on, because the Senator would make life so miserable for the secretary of state.

There would be no question about such a thing, in my humble opinion. And if there were, if in fact there were good faith exercised at all times by the attorney general in so ruling, an application for mandamus or an appropriate writ in the Senator's State would lie, and action would follow immediately.

Mr. WHEELER. Yes; anyone could mandamus the State and go to the supreme court of the State, and if a wrong certificate had been issued he could mandamus the officials and obtain a certificate permitting him to vote. There could be no question about that; and I agree with the Senator wholeheartedly.

Are we trying to supersede State laws by Federal statute? I state frankly that I have reluctantly come to the conclusion that the pending bill is unconstitutional. I want the soldiers to have the privilege of voting just as much as any other Member of the Senate, or the President of the United States, and just as much as anyone does who wants to see the President reelected. I am perfectly willing to stand up and be counted. As a matter of fact, when statements are made about being counted, the truth is that it is time for some persons to stand up and be counted for the Constitution of the United States, and to see that it is not overridden at the whim of someone in the executive department, or anyone else who wants to tear down the Constitution in time of war or in time of peace. If we tear it down we shall no longer have a country of laws; we shall have anarchy which will be followed by some form of dictatorship. We have to think about that when we are asked to vote to override the State laws, as we would be doing by voting for the proposed legislation. If we can override the Constitution in this instance we can use it as an excuse for overriding it in every other instance.

Mr. MALONEY and Mr. MILLIKIN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Connecticut yield, and if so, to whom?

Mr. DANAHER. While I know the distinguished Senator from Colorado was on his feet first, I would ask his forbearance in order that I may yield to my distinguished colleague from Connecticut.

Mr. MILLIKIN. Very well.

Mr. MALONEY. I appreciate the Senator's courtesy, and I shall be brief.

I should like to ask a few questions. Will my colleague tell me what advantage there would be in denying the soldier the right to receive the Federal ballot in the instance of such a State as our own? What is to be gained by denying him the opportunity to receive the Federal ballot?

Mr. DANAHER. I will answer my colleague in this way:

We are not denying him anything. At the present moment as a citizen of the State of Connecticut, an absentee has a certain privilege to vote which he derives from the State of Connecticut under qualifications which the State of Connecticut prescribes. As the Supreme Court has held time and again, the qualifications for voting for members of our legislature, are simply adopted by the Federal Government, and it adopts those which the State prescribes. The right therefore, is inherent in our Connecticut voter because he is a Connecticut citizen. As such, be he absent in civilian defense work, he may vote pursuant to the State law for State officers and Federal officers including presidential electors. Assume, however, that he is in the armed forces in New Guinea, for example, and we cannot get the State ballot to him. Assume, moreover, for example, he is a resident of Hartford, Conn., where there are 3 senatorial districts and 5 parties, the ballot would have to list 2 candidates for the House for each party, all the candidates for the State senate for all 5 parties, and for all the State and Federal officers, it would be an utter impossibility for anyone in the Navy or the Army, to know what senatorial district he came from, even though he was listed as a resident of the city of Hartford. However, if he could send from New Guinea an application for his own ballot, the officials at home would know in what senatorial district he lived, and would send him the correct ballot. If we could arrange that, that is what we should do. However, because we cannot do it, and because the Army, the Navy, and the Senator from Illinois as well as the Senator from Rhode Island, and distinguished witnesses appearing before the committee have said it is utterly impossible to get the State ballots listing over 12,000 candidates all over the world, we have the modified universal Federal form described in title I.

Therefore, allow me to say to my colleague that Congress goes as far as it possibly can when it says that we will let our absentee citizens use the Federal form in voting for Federal officers.

Hence, we are not depriving them of any right. We are giving them something they otherwise would lack. If we do not adopt title I of this bill no soldier outside the United States or anywhere else will be able to use a Lucas-Green title I form; he will have to rely on his State law. So we are not denying the absentee any right; we are expanding an existing right. I hope that this reply to my distinguished colleague will answer the question of "denial" once and for all.

Mr. MALONEY. It has not answered it for me, I am sorry to say. I will try to frame the question differently. Where under any circumstances is there any profit in keeping from a soldier in the United States the Federal ballot?

Mr. DANAHER. The very fact that he is within the United States and wants to vote for my brother for mayor of the city of Meriden, for example, or wants to vote for his cousin or uncle is reason enough. I have two boys in the service who would be very much interested in voting for their uncle for mayor of the city of Meriden, if they were residents there, and they also might have friends and relatives who are running for the State senate and for the house of representatives of the general assembly. All servicemen want to participate so far as they possibly can in their local elections. I am willing to believe that if we adopt this amendment and write title I, plus this amendment and title II into the law, there will be three ballots for the State ticket for every one that is cast for the Federal ticket.

Mr. MALONEY. Will my colleague bear with me further as I try ever so hard to make myself clear to him?

Mr. DANAHER. I am glad to yield further.

Mr. MALONEY. I quite agree with that part of the Senator's amendment. I want soldiers all over the world who can get it to have a State ballot. I want to assist the Senator in arranging that the men in the armed forces of our country get a State ballot, but what I am trying to find out is where is there an advantage in not permitting them to get both ballots.

Mr. DANAHER. There are 1,700,000 roughly speaking, perhaps 2,000,000 boys under 21. We must leave these out of the calculation. There are about two and a half million men who are between the ages of 21 and 23, most of whom, at least, have never had a chance to register or to be made voters within their individual States and know nothing whatever about the art of voting. They are handed a Federal ballot with three boxes on it, authorizing them to vote for a candidate if they know his name or for a party if they do not know a candidate's name. They have their attention focused entirely by that very fact simply on the Federal election, when the duty of the soldier as a citizen of his own State is to vote his own State ticket, if it lies within his power to do so. Consequently if he is given a Federal ballot while he is within the United States and while there is ample time for him to vote as the law intends and as his rights permit him to do under the laws of his State, then it seems to me that public policy alone demands that he vote in accordance with the law of his State on his own State ballot form.

There is another factor that is not to be ignored. If a soldier absentee who is in an American camp in this country sends in to his local registrar of voters, or whatever the appropriate official may be, for a ballot from his State, there is a record right then and there of that absentee ballot application and of the fact that a ballot has gone out, and when it comes in and is voted, the word "absentee" is affixed to the name on the registry list, and there is a complete check of that vote. But let the uniform ballot be distributed all over the world, and it will be found that there is no limitation on the number of ballots that are to go to each theater of war or even to each camp, indeed, taking account of that fact the Lucas-Green bill provides that the commandant in any theater shall destroy such ballots as he may have on hand after the election. We will not know how many he receives, we will not know how many he destroys, or how many he issues. Along come the Federal ballots to a given polling place. Let us say there are 4,000 men in all absent from a given city, and only 500 of the absentees have been voted up to quarter of 4 on the afternoon of election day, and then somebody comes running in with 3,500 absentee ballots on the Federal form which were obtained at the next camp. They are all filled out, and they are dropped in the box. The ballots are not seen and there are no applications to check them against. I grant that it takes corrupt officials to make that possible, but that kind of thing goes on in elections and we cannot blind our eyes to that fact. It goes on in municipal centers, undoubtedly. I do not think, of course, that all corruption is centered in municipalities; but I say that is a possibility, and we as practical men know that kind of thing is going on. When we even send senatorial investigation committees into States not too far away to discover that the records have been burned or otherwise destroyed, are we going to blind ourselves to the fact?

Therefore I say to my colleagues it is imperative so far as we can that we give men in this country an absolute opportunity to vote an honest State ballot, and that we not give them the opportunity to vote on a ballot with three blanks on it, and vote by party alone. That is my answer.

Mr. MALONEY. Will my colleague yield to me further? I appreciate his patience with me.

Mr. DANAHER. I am glad to yield.

Mr. MALONEY. I want the RECORD clearly to show that I share my colleague's feeling about the importance of the State ballot, but I cannot understand why he seems to be unwilling to let the soldier get a Federal ballot as well. In order to lay emphasis on my feelings in the matter, let me say that I would go further than my colleague goes, and I would afford the soldier greater opportunity to have both Federal and State ballots. Why can we not so adopt section 3 of the Senator's amendment, as to provide State ballots for our servicemen all over the world? Why cannot the same postal card be used by the soldier in New Guinea or Guadalcanal or wherever he may be?

Mr. DANAHER. I see now where my colleague's doubts have arisen, because if he will refer to page 42, title II, he will find in line 5, that where the State procedure can be effectively employed the

system shall extend to members of the armed forces located in other places. In other words, I do not disturb that at all. I want the soldier in New Guinea to write back to Hartford and get his State ballot. I want him to write back to Meriden and get his ballot in cases where State procedures can be effectively employed. I do not disturb that at all; I merely follow it out.

Mr. MALONEY. But I say, with some feeling of reluctance and perhaps shame, that the Senator has not made clear to me his reason for an apparent unwillingness to let the soldier have the Federal ballot.

Mr. DANAHER. Wait a moment; do not let that stand. I have not said that I want no soldier to have a Federal ballot. I want every soldier to have a ballot, but I want him to vote his State ballot wherever he possibly can comply with the State law. That is all this amendment does, and when the soldier is within the United States he will be limited to the use of the State ballot entirely. I do not want the Senator to have any statement in the RECORD that I am unwilling to have the soldier have a Federal ballot.

Mr. MALONEY. Mr. President, will my colleague yield further?

Mr. DANAHER. Yes.

Mr. MALONEY. I also want the RECORD to be clear in that respect. I know that my colleague is extremely anxious that soldiers vote, and I said in the beginning that I seek enlightenment because I want to get myself in position if possible, to support his amendment. The Senator has agreed, however, it seems to me that under his amendment, if adopted, the State of Connecticut, having notice served on the Federal authorities, would thereby make provision that the members of the armed forces from our State would only get the State ballot and would not get a Federal ballot. Is that correct?

Mr. DANAHER. If they are in the United States.

Mr. MALONEY. That is what I mean. I do not see the advantage of that. My colleague's sons have been transferred from one place to another during the past year or two, as I happen to know, as have others of our sons. There is always the possibility that they will not get the State ballot because of such transfer. I cannot for the life of me understand wherein there is a profit or gain or benefit in keeping the Federal ballot from the soldier.

Mr. DANAHER. We do not keep any Federal ballot from him. If he is outside the United States, that is just exactly what he is going to use, under the amendment.

Mr. MALONEY. I understand that.

Mr. DANAHER. But if he is within the United States, he is relegated to the use of the ballot of the State whose citizen he is.

Mr. MALONEY. Let me ask one more question, and I shall not try the patience of my colleague further.

Mr. DANAHER. I want my colleague to know that I am not in the least impatient.

Mr. MALONEY. Let us take our own State as a concrete example. In accordance with the language of section 3 of the Senator's amendment, since there has been a special session of the Connecticut State Legislature, and action has been taken, the secretary of state of Connecticut will serve notice upon the proper officials of the action taken. From that day on, as I understand, no Connecticut soldier living within the limits of the United States will get a Federal ballot. Is that correct?

Mr. DANAHER. That is correct.

Mr. MALONEY. That is what causes me trouble.

Mr. DANAHER. The point should be made perfectly clear that on our State ballot will appear the list of Presidential electors of all the parties which are qualified, the list of candidates for all Federal offices to be voted upon, including Congressman at Large in our State, and all State officials, down to and including the State Senator from the district in which the absentee lives, and the candidate for representative in the general assembly from the town in which he lives. So that all those things will be available to any Connecticut absentee soldier if he be stationed within the United States. None of those things would be available to him if he were outside the United States, and under the Lucas-Green bill, if that were to be enacted, and without more, the denial of the right of voting for his State officers would operate against any absentee wherever he might be.

Mr. MALONEY. Mr. President——

The PRESIDING OFFICER (Mr. WALLGREN in the chair). Does the junior Senator from Connecticut further yield to his colleague?

Mr. DANAHER. I yield.

Mr. MALONEY. Can my colleague visualize a soldier at some distant point who has been recently transferred, or a dozen soldiers, or a score of soldiers, not receiving the State ballot, because of transfer and change of address?

Mr. DANAHER. I can conceive that it is entirely possible, but I will also say that there would be August, September, and October, and up to November the 6th, within which time mail could be sent to any camp in the United States and back to the State of Connecticut 45 times. It is not a question of a day or 2, or 3, but the time is over 3 months, obviously affording plenty of opportunity for any applicant who is eligible to vote in the State of Connecticut to receive a State ballot, wherever he is, even though he be transferred,

Mr. MALONEY. Will my colleague yield further?

Mr. DANAHER. I yield,

Mr. MALONEY. I beg my colleague to believe that I am seeking enlightenment. Will he try to tell me what would be wrong in having any particular soldier who my colleague says might not receive a State ballot, receiving a Federal ballot?

Mr. DANAHER. There is not any thing wrong about it, if I may adopt my colleague's word. It is a question of policy, after all. There is a question of policy whether we adopt the Green-Lucas bill or not. It has been only a few months, let me say to my colleague, since the Secretary of War was telling us as a matter of policy that it is neither necessary nor desirable to grant the right to vote. This is exactly what he said in writing to the Speaker of the House of Representatives:

> The War Department is opposed to the authorization of voting by members of the armed forces serving outside the continental limits of the United States or in Alaska.

He said it was neither necessary nor desirable. In other words those things are matters of policy. So I say there is nothing wrong about it, but we are either going to have a State ballot under which the absentee can vote his entire State ticket and his Federal ticket or we are going to limit him to only three boxes on a blank piece of paper, when perhaps he may not even know what the names of the candidates are so far as the ballot discloses. That is all there is to it. There is nothing wrong about it, there is nothing unethical about it. It is only a question of what is the wisest policy, what is the most expedient and the right thing to do, in order to get the largest possible State vote, with choices for the largest number of candidates, which, after all, is the object of an election.

Mr. MALONEY. I think my colleague's proposal is fundamentally sound; I think it points to a desirable way to arrange for the young men and women in the armed forces, and others to have a chance to vote for the candidates in the States, but I cannot understand how there is any loss or disadvantage, in furnishing each of the potential voters with a Federal ballot as well, which might be thrown away or destroyed, if as, and when the State ballot becomes available. My colleague has admitted that he can visualize instances of soldiers and others within the United States who might not receive the State ballots, because of transfers or faulty mail delivery, or from some other cause. If we could guarantee a vote for national officers, Representatives and Senators, to the absentee voter, assuming he did not receive a State ballot, I think we would get better results. If we could be sure the State ballots would reach the potential voters, I should like to have the Senator's method adopted.

I appreciate the time my colleague has given me, and the patience he has shown toward me. I wish to compliment him on the contribution he has made to the debate, as he has to so many debates. And I wish a way could be found to satisfy my particular disturbance of mind about any unwillingness—I know that word is distasteful to my colleague—to let the soldier or the sailor or other member of the armed forces have a Federal ballot.

Mr. DANAHER. I thank my colleague very warmly for his generous expressions.

I promised the Senator from Colorado I would yield to him, and I now yield.

Mr. MILLIKIN. Mr. President, with reference to State ballots, I should like to have the benefit of the reaction of the

distinguished junior Senator from Connecticut to this suggestion. Under the Constitution the Congress has the right to prescribe the time for electing Representatives and Senators, and the time for appointing electors for President and Vice President. Would it not tend to stimulate those States which have not yet passed adequate absentee ballot laws, tailored to the new situation which now meets us, if, for example, we were to postpone the election day for Representatives and Senators, or for Presidential electors, say, just 1 day? It might be longer. I do not have a timetable of events between election day and the convening of the new Congress on the 3d of the succeeding January, and the installation of a new President on the 20th of the succeeding January, so I put it very narrowly. Suppose we wanted to stimulate the States into passing absentee ballot laws to meet the particular situation toward which we are driving, why would it not be a good idea to postpone the election day for 1 day? That, in effect, would stimulate every State, unless we granted exceptions to those States which already have adequate absentee ballot laws, to reconsider its election laws, to call special sessions, and do the adequate thing in the matter.

Mr. DANAHER. Is the Senator recommending that the Congress take that course?

Mr. MILLIKIN. I wanted to get the Senator's reaction to it.

Mr. DANAHER. I am opposed to it.

Mr. MILLIKIN. It is a frontal approach to the alleged inadequacy of State absentee ballot procedures.

Mr. DANAHER. Mr. President, if the Senator wants my reaction, I must confess that I am opposed to any such thing. I think that as a practical matter we may do no more than make it possible, insofar as it lies within our power, for those who are out of the United States to use a simplified form, as it is now to be called, the Federal uniform ballot, and vote for Federal officers. That much we can do. I do not think there is any question about it, constitutional or otherwise. We could do that within the United States. We can take the point that was being raised by my colleague, if the Senator likes, when he was asking why we should not permit any absentee soldier, whether he be in or out of the United States, to have both forms of ballot, and let him use whichever one he chooses. Of course, there is no reason why, excepting an administrative reason, we could not permit an absentee soldier to use the Federal ballot, attaching to the outside of the envelope an oath, "I have not received my State ballot, although I have applied for one, and I therefore claim the privilege of voting for Federal officers," or words to that effect.

We could offer an amendment to the Green-Lucas bill which would make it possible for one who failed to receive his State ballot to take an oath accordingly and obtain a Federal ballot, and then use it. That could be done, and I think it would probably meet the point which my colleague from Connecticut [Mr. MALONEY] has raised. But we are not in a position to coerce people or legislatures. We can do no more in our legislative process than the Constitution authorizes us to do. Instead of trying to coerce the States to integrate their systems with ours, under the amendment which I have proposed, I simply suggest a deadline within which the State itself may decide that it in fact will comply, in which case it will have the privilege of barring Federal ballots for members of the armed forces who are in this country. There is no coercion about that. If those within the State think it desirable and right, then they will not comply. If on the other hand they think that the absentee voting privilege should be extended to all, inside or out, but for the State ticket, then they will comply. That possible coercion exists, but I do not like the word. I would rather describe it as an invitation to integrate their system with our plan, and to accept our post-card application.

Mr. MILLIKIN. Mr. President, I am not recommending this system, because I have not thought it through. It seems to me it would be worth thinking about by those who are completely opposed to a Federal ballot in any form and who want to preserve the complete integrity of the existing State voting methods.

The word "coercion" is perhaps somewhat strong. There is a certain element of coercion in forcing Federal ballots on the States. I like the Senator's description—if there is any merit in my suggestion at all—that it would be an invitation to action to many States that have been lethargic in calling special sessions. It would give them a good reason for stimulating their action.

I thank the Senator for permitting the interruption.

Mr. DANAHER. I will agree with the Senator from Colorado that it would certainly stimulate something around the country. We would hear from it, I am sure.

Mr. GREEN. Mr. President——

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Does the Senator from Connecticut yield to the Senator from Rhode Island?

Mr. DANAHER. I yield.

Mr. GREEN. The Senator from Connecticut was kind enough to say to me that he would yield to me later because I have not developed my questions entirely.

Mr. President, I should like to be told directly whether the Senator's amendment provides that Federal ballots would be given all the soldiers in the United States or only some of the soldiers in the United States.

Mr. DANAHER. The Federal ballot would be available for use within the United States by members of the armed forces and other covered classes within the United States only if their States by August 1 had failed to comply or to certify compliance with the absentee-voting plan described in title II.

Mr. GREEN. Then, as I understand, there are two groups, one of which is entitled to receive and vote Federal ballots and the other is not entitled to receive or vote Federal ballots.

Mr. DANAHER. That is correct.

Mr. GREEN. Who is to distinguish between the sheep and the goats?

Mr. DANAHER. I will read to the Senator from Rhode Island his own language, as it appears in the bill, in section 4, on page 28:

> The foregoing provisions of this act shall also apply with respect to * * * persons serving with the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots, and the United Service Organizations, outside the United States who are attached to and serving with the armed forces of the United States.

Who is to determine the sheep from the goats, let me ask the Senator from Rhode Island? The language I read is the Senator's language. That language I have placed in my amendment. It appears in paragraph 2 of my amendment.

Mr. GREEN. That has nothing to do with the question I asked.

Mr. DANAHER. Well, who is to determine between the sheep and the goats?

Mr. GREEN. The question I asked is, When soldiers go to vote on the day assigned for casting the Federal ballots, certain of those soldiers, according to the Senator's statement, will be entitled to have the ballot, and certain of the soldiers will not be entitled to have the ballot. How does the officer who distributes those ballots determine which soldiers are entitled to the ballots and which are not?

Mr. DANAHER. So far as the officer in question is concerned, he does not have to care. It is none of his business. As a matter of fact he will probably have nothing to do with it. As a matter of further fact, as to States which do not comply under the amendment, the Commission could see to it that the Federal ballots indeed are distributed to a given camp, and that at 6 o'clock in the morning, at reveille, the first sergeant, at the time of inspection will say, "All you men from Connecticut who want to vote show up in my office this morning at 9 o'clock, and you can get your ballots." That is what he could say, and that is how it could be done. Announcements are made in that way every day.

Mr. GREEN. My first question was whether the ballots would be distributed to all the soldiers, or only to some of the soldiers, and I understood the Senator from Connecticut to say that the ballots would be distributed only to some of the soldiers, and not be distributed to others.

Mr. DANAHER. Will the Senator from Rhode Island bear with me for a moment?

Mr. GREEN. I am very anxious to be enlightened.

Mr. DANAHER. Very well. I am reading from a War Department circular which I assume has the effect of an order from the War Department to all theaters of operation and all camps in the United States, which is dated November 22, 1943, and which is signed "By order of the Secretary of War, G. C. Marshall, Chief of Staff." I read article 4 from it, which appears, I will say for the

benefit of Senators who wish to look it up, at page 708 of the CONGRESSIONAL RECORD of January 26. I inserted it at that point in the RECORD. It is as follows:

4. The attention of commanding officers is directed to the necessity of bringing the subject of these primaries to the attention of soldiers whose voting residence is in Louisiana in time to permit the mailing of applications for ballots, the return of ballots to applicants, and the mailing of ballots by voters in time for them to be counted as valid.

Now, taking that paragraph right out of that order, what did the officer do? He simply went out and gave orders, and a notice was placed on the bulletin board, and he had his first sergeant notify the men. I assume at least that ordinary army practices of that character were used in executing the order. Under the terms of that very circular, as the War Department release dated November 24, 1943, stated, all the post-card applications, for example, under Public Law 712, for members of the armed forces from Louisiana had already been distributed. The circular said that ballots from Louisiana were available and would be on hand in December, and all the applicants would receive them, and consequently the ballots could be sent in and voted in Louisiana on January 18, and in the primaries to be held February 26, 1944. That is how Public Law 712 was administered. That is the present law.

Taking the very same situation, if the soldiers relying on title II of the Green-Lucas bill, which the Senator has already brought in on the floor of the Senate—and I assume he intends it to mean something, and I assume it coincides with the situation we have just described with reference to Louisiana—then all servicemen from Louisiana who wish to vote in the November general election, but vote the State ticket also, if there were one, but there is not, would follow that practice. If they are from Rhode Island, that is what they would do, and they could vote for State officers as well. Under the provisions of my amendment all others would vote the Federal ballot, if they are outside the United States, of course, and within the United States if they are from States which cannot comply. That is certainly perfectly simple.

Mr. GREEN. It is not clear, for this reason——

Mr. DANAHER. What is not clear about it?

Mr. GREEN. I will explain. Every soldier knows whether or not he is from Louisiana but how many soldiers are going to know whether the secretary of state of their State has certified to the Commission, prior to August 1, 1944, that the State has made provision for such individual to vote by absentee ballot and that the State will accept post-card application? How is any soldier going to know that?

Mr. DANAHER. Mr. President, I do not know unless it be explained. But what did the Senator from Rhode Island mean when he put on page 32 of his bill the words—

The Commission shall also cause to be prepared and printed an adequate number of copies of explanations of voting procedure for use in accordance with the provisions of this title?

Mr. President, of course, those words are included because the Commission is going to tell them; because the camp is going to be notified; because the War Department will tell the officer in charge, and, I assume, because the officer in charge will tell the men under him. Of course, that is how the men will know. How else will they know anything when they are in the Army?

Mr. GREEN. Furthermore, Mr. President, I should like to know at what time during the movements of the soldier that is to be determined. For instance, in many cases a soldier goes abroad, and later returns to this country, and subsequently goes abroad, and thereafter returns again to this country. That often occurs. Under such circumstances, in the first place there will be difficulty in having the soldier's mail catch up to him. In the case of a soldier who makes application by post card for the ballot, and who subsequently returns to this country, how will determination be made whether he is entitled to use the absentee ballot or the regular ballot?

Mr. DANAHER. Mr. President, I will answer the Senator by saying that this very day in the city of Washington there probably are men who on Monday of this week were in London.

Mr. GREEN. I realize that.

Mr. DANAHER. If today were November 7, 1944, election day, and if a man whose voting residence was in Bethesda, Md., had voted by Federal ballot in London, last week, and was transferred to the United States this week, under the terms of the Senator's own bill that man could go to Bethesda and could vote under his own State law. Consequently, the Senator has answered his own question in his own bill, for in it he has provided:

No official war ballot shall be valid if—

1. The voter has also voted in person or by absentee ballot in accordance with the procedure provided by State law.

The soldier can vote only once. The precinct registry will disclose whether he voted in person or by absentee ballot.

Consequently, if a Federal ballot comes in and if a State ballot also comes in, the Federal ballot, according to the language of the Senator's own bill, will be thrown out, and the State ballot will count. Similarly, if the soldier votes in person, neither the absentee ballot nor the State ballot will count.

Mr. GREEN. That is perfectly clear.

Mr. DANAHER. Very well; I am glad of that.

Mr. GREEN. But no distinction is made as between being inside or outside the United States when the action takes place. Under the amendment proposed by the Senator from Connecticut there is a distinction. If the soldier is in the United States he will have certain rights. If he is outside the United States, he will have additional rights.

Mr. DANAHER. No, Mr. President; he will have fewer rights if he is outside the United States, because he will not be able to vote for his State officers.

Mr. GREEN. No; because if he is outside the United States he will be able to vote either the State ballot or the Federal ballot. But if he is within the United States he will not be able to vote by Federal ballot. So, whether the soldier can have that additional right will depend on where he is.

Mr. DANAHER. No, Mr. President; the Senator has argued right along that the whole basis for his bringing in the Green-Lucas bill in the first place was that the Army has said it is impracticable to get the State ballots to the soldiers outside the United States. The Senator should not try to clutter up the RECORD with an assertion to the effect that the men outside the United States will have the right to vote two ballots—one, the State ballot which they will never get; and the other, the Federal ballot which they will have on hand. It is perfectly ridiculous to make such a statement.

Mr. CHANDLER. Mr. President——

The PRESIDING OFFICER (Mr. MURRAY in the chair). Does the Senator from Connecticut yield to the Senator from Kentucky?

Mr. DANAHER. I yield.

Mr. CHANDLER. Mr. President, I wish to obtain some advice from my able, learned, and distinguished friend from Connecticut. Heretofore I have been supporting the Federal ballot point of view, because of the situation in which I find myself. Of course, I owe my primary responsibility to the people of the State of Kentucky and to the voters of the State of Kentucky. Under the circumstances, at the moment there does not seem to be much prospect that a soldier from Kentucky will be able to cast his vote. If we could make applicable the same situation which the Senator from Connecticut seems to have in mind for the people of his State, and if every man from my State could obtain a ballot, it would seem that there would be less confusion. There would be on that ballot the names of all candidates for all offices for which anyone in my State would wish to vote.

Mr. DANAHER. Yes; from the officers of the county on up.

Mr. CHANDLER. The names of all officers for whom the people might wish to vote would be on the ballot, and the soldiers from my State who had left the United States would be eligible to vote that ballot. I have no question that the secretary of state of Kentucky and the attorney general of Kentucky would accomplish everything they possibly could to make such a ballot available to the Kentucky soldiers and would not deliberately fail to accomplish anything they could in that direction. I feel sure they would do everything which was required of them in that connection and would make sure that nothing else remained to be done, and that all things necessary and requisite to permitting their soldiers to vote on the State ballot had been done. If the Senator's amendment would make such a situation possible, I would certainly support his view.

The advice I desire to have from my friend the junior Senator from Connecticut is this: He knows our situation. Up to the moment there is no provision of law in the Commonwealth of Kentucky for a citizen of the State whether he is in the United States or outside the United States, to cast an absentee ballot. So, what would be the Senator's advice to me? I would support the State ballot plan with the full realization that, if that could be accomplished it would be the better way. In my opinion it is the better way.

Mr. DANAHER. Mr. President, let me ask the Senator from Kentucky, whose opinion I very greatly value, for the purpose of the present discussion to transport himself across the river, that we may suppose him to be a citizen of Ohio. If he were a citizen of the State of Ohio, and were absent in the armed forces of the United States, and were stationed in Alabama, would he not want to vote the whole State ticket in Ohio, as well as the ticket for Federal officers?

Mr. CHANDLER. There is no question about that; the Senator is exactly correct. I would want to do so. I would not want a bobtailed Federal ballot. I would want all the opportunities to vote that my State could give me, and I would conceive that to be very easy under the circumstances.

Mr. DANAHER. That is what my amendment would permit. Therefore, my advice to the Senator from Kentucky is that if he is willing to recognize both as a matter of law and of fact, the impracticability of attempting to get the long State ballots all over the world, but still desires to have the men who are in the armed forces outside the United States given by the Congress as much as the Congress can give them, namely, the right to vote for Federal officers, then he certainly will support paragraph 1 of my amendment. If the Senator desires to let the people who are in the Red Cross and in the U. S. O. who are outside the United States have equal advantages, as the Green-Lucas bill already provides, and which provision I integrate in my amendment, he will vote for the second paragraph of my amendment, because it will accomplish what he wants.

Then, Mr. President, if the Senator from Kentucky wishes to obtain the maximum possible State-ballot voting, he will turn to paragraph 3 of my amendment and will say, "Well, now, this is what I want, because at least 6,000,000 men who are in the United States will be given a chance to vote their State ballots; and, while it is too bad that we in Kentucky cannot give our boys that privilege, and while those in New Mexico cannot give their boys that privilege, at least we will give them as much as we can; and if we vote for the amendment offered by the junior Senator from Connecticut we shall have gone as far as the Congress possibly can go to make that whole situation possible."

Mr. CHANDLER. Mr. President, my friend from Connecticut knows that I am exceedingly anxious to do that. I ask my friend whether by supporting his view I will have jeopardized in any way the prospects of my own people.

Mr. DANAHER. Not in the slightest.

Mr. CHANDLER. I must be deeply concerned about their having full use of their privileges under the law.

Mr. DANAHER. And properly so. Let me say further to the Senator from Kentucky—and this will comprise a partial answer at least, if not a complete one, to a question previously asked by the Senator from Louisiana—that if a Senator has a nephew or other relative or friend stationed in a camp in California, on the appropriate day—whatever day may be prescribed by the commanding officer in that theater of war—that soldier will be told, "Any of you men from Kentucky who wish to vote in the election on November 7 are entitled to a Federal ballot. Show up at the top sergeant's office at 10 o'clock this morning."

That is how the men will vote. That is the way it will be handled. Because the soldier is from Kentucky, he will receive a Federal ballot.

Mr. CHANDLER. He will receive a Federal ballot, will he?

Mr. DANAHER. Certainly.

Mr. CHANDLER. And under the Senator's amendment he will not lose any of his rights?

Mr. DANAHER. None whatever.

Mr. CHANDLER. Then I have one more question. As I understand the matter, if between now and the final day set by the Senator's amendment, the Secretary of State of Kentucky were to certify that we had accomplished all we could accomplish and that we had provided—I do not know that it can be done, but I say that if it were done—all that we could provide, and if such certification went forth, then, as I understand the Senator's amendment, every member of the armed forces from Kentucky who was in the United States and every Kentucky member of the auxiliaries mentioned would be able to vote a State ballot, with all the other officers listed on it; is that correct?

Mr. DANAHER. That is correct.

Mr. CHANDLER. And every Kentuckian overseas would have a Federal ballot.

Mr. DANAHER. That is correct.

Mr. CHANDLER. I thank my friend.

Mr. DANAHER. Let me say further that the proposal does no more than give application locally to the very thing which would obtain under the provisions of the bill of the Senator from Rhode Island with reference to members of the American Red Cross and the U. S. O. who are away from their own States but within the United States. Under the Green-Lucas bill they would not receive a Federal ballot. Only if they were outside the United States would they receive a Federal ballot. That is the precise situation.

Mr. CHANDLER. I wish to express my deep appreciation to my friend because he has given me good advice and much light on this question, which has troubled me a great deal. I want the RECORD to be clear that if I felt that the 48 States could provide their soldiers with a ballot which would give them an opportunity to vote for Federal officials and State officials, and make it effective, I would support that view because I should prefer that kind of a ballot. I would not vote for the Federal ballot under those circumstances. However, I have been forced to consider the Federal ballot because of the total absence in my State of the opportunity for a citizen outside the State, no matter whether he is within or without the confines of the continental United States, to cast a ballot. I am sure the Senator appreciates the situation in which I am placed.

Mr. DANAHER. Let me go a step further and say that not only is the Senator taking an appropriate view of it, and an entirely correct view from the standpoint of his State, but, in addition, under the terms of the amendment which I have offered, we would extend the State ballot as far as we could throughout the United States, by offering a conduit or method of compliance—a method of facilitating the handling of the ballot. With the amendment offered by the Senator from Michigan [Mr. VANDENBERG], which was adopted earlier in the day, and which gives reasonable priority to State ballots, there is no question of expedition of the movement of the ballots to and fro. The result is admirable.

Moreover, the amendment which I have offered in no way disturbs the language of the Green-Lucas bill, to the effect that if a man overseas can in fact get his State ballot, he still may use it, to the exclusion of the Federal ballot. For example, some of our men are in Bermuda. Others are in the Panama Canal Zone, in Puerto Rico, and in Trinidad. They can be reached in 2 days. Some of our men are in Alaska, and others in Hawaii. For the purposes of this bill, they are outside the United States. Clearly we should protect those men, some of whom may have a perfectly natural interest in voting for Cousin Bob, who is running for county judge in Cook County, Ill., or somewhere else.

Mr. CHANDLER. It seems to me that justice requires that we give the maximum opportunity to as many of our people as possible. In casting my vote for the Senator's amendment, I feel that I shall be adopting the view that it helps many citizens of other States without at the same time offending the citizens of my own State.

Mr. DANAHER. I can assure the Senator that that is true.

Mr. CHANDLER. I thank the Senator.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. DANAHER. I yield.

Mr. LANGER. Suppose the Green-Lucas bill, with the Senator's amendment, were enacted into law. How would it affect Public Law 712?

Mr. DANAHER. The Green-Lucas bill would retain sections 1 and 2 of Public Law 712, which provides that in behalf of all members of the armed forces who in time of war are away from home,

and who on that account have not registered, the requirements for registration shall be waived. That is the effect of section 1.

Under section 2 the payment of a poll tax as a requirement for voting is waived. All the rest of Public Law 712—namely, sections 3 to 15—would be repealed.

Let it be made clear that if we enact the Green-Lucas bill with my amendment, sections 1 and 2 of Public Law 712 will apply throughout the act. They will apply to title I, and also to title II.

Mr. LANGER. I am very grateful to the Senator. I thought that was correct, but I wanted to be sure.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. GEORGE. As I understand, the Senator's amendment would not apply to primary elections. There would be no opportunity to get ballots to the members of the armed forces in primary elections.

Mr. DANAHER. Certainly not under title I. Title II deals with the State method of voting. That would depend upon the plan of the particular State. If the State holds primaries, and the State law provides for absentee balloting in the case of primaries, applications under title II would be receivable by a State for use in a primary.

Mr. GEORGE. But the Federal Government would not undertake to aid in transmitting such applications or ballots?

Mr. DANAHER. Not according to my understanding. I notice in Public Law 712, in section 1, the provision that it shall apply to any member who is or was eligible to register for and is qualified to vote "at any election." I emphasize the words "at any election." Section 1 provides that such a member "who is or was eligible to register for and is qualified to vote at any election under the law of the State of his residence shall be entitled, as provided in this act, to vote for electors of President and Vice President of the United States, United States Senators, and Representatives in Congress."

If a State had a system of registration as a prerequisite to voting in a primary, for example, I should say that the registration system would be comprehended by the use of the language referring to one who is qualified to vote "at any election," because "at any election" would clearly apply to a primary. However, once the requirement for registration had been waived, under the provisions of this bill he would thereafter be permitted to vote only in elections in which electors of President and Vice President, United States Senators, and Representatives in Congress were being balloted upon. The language does not say "candidates for." Therefore, it would appear to apply only to general elections. I think that is the correct view. I hope the Senator concurs. Does the Senator wish to express himself?

Mr. GEORGE. I was inclined to take that view of it; but as I read all the amendments, none of them undertakes to get the ballots in primary elections to the soldiers. Of course, if members of the armed forces should receive such ballots and return them, that would be quite a different question. However, I do not see any provision for establishing Federal machinery in aid of primary elections.

Mr. DANAHER. Certainly not under title I.

Mr. GEORGE. That was my conclusion.

Mr. DANAHER. Mr. President, one of the most interesting things which has occurred recently was the President's message to Congress a week ago. The Washington Evening Star made reference to it in an editorial on Friday, January 28. I quote from it in part:

Unfortunately, however, for reasons difficult to fathom or justify, Mr. Roosevelt's words were at times petulant and sarcastic, going so far at one point as to describe an alternative measure—already approved by the Senate and now awaiting action in the House—as an out-and-out fraud.

The measure in question, a resolution leaving it up to the States to handle the whole problem of the service vote, was adopted early last month by a Senate vote of 42 to 37, in which the majority was made up of 24 Democrats and 18 Republicans. Immediately on its passage, it was criticized in many quarters as a largely ineffective piece of legislation, and this view—as the straight facts in the President's message made clear—is wholly justified, the simple truth being that if the House approves the same leave-it-to-the-States procedure, the overwhelming majority of the millions in our armed forces will have no chance to take part in the elections next November.

But to say this is one thing, and to cry "fraud" is quite another. The fundamental fact is that the Senate adopted this resolution on the claim that the original Green-Lucas bill was full of several grave defects. The first of these defects would have arrogated to a Federal commission a right which the Constitution reserves to the States—the right to establish the manner and qualifications of voting and to determine the validity of such voting. On this ground alone, the Senate was wise and farseeing in rejecting the proposal. Another key defect was that the Federal commission, as set forth in the bill, was left open to political manipulation because no careful provision was made to insure the impartiality of its membership. For these two reasons, if for no others, the measure, if it had been allowed to become law, might easily have led to a serious constitutional snarl in the event of a close election.

Actually, far from being a fraud, the Senate resolution, despite its virtual ineffectiveness, can be defended as being more in conformity with the basic law of the land than the bill it replaced. Further than that, it may be credited with having forced Senators GREEN and LUCAS to work out their revised proposal, with the result that Congress now has an excellent compromise measure upon which it ought to be able to agree.

I end the quotation at that point.

Mr. DANAHER subsequently said: Mr. President, earlier in the day, in the course of my remarks, I made reference to an editorial published in the Washington Evening Star. I ask unanimous consent that the editorial may be printed in full in the body of the RECORD at the point where I referred to it.

There being no objection, the entire editorial was ordered to be printed in the RECORD, as follows:

THE SERVICE VOTE MESSAGE

If the President's message on the service vote had been couched in temperate language, if the facts it contained had been recited dispassionately, it could have been hailed as the most forceful and convincing argument yet made in favor of the revised Green-Lucas bill. Unfortunately, however, for reasons difficult to fathom or justify, Mr. Roosevelt's words were at times petulant and sarcastic, going so far at one point as to describe an alternative measure—already approved by the Senate and now awaiting action in the House—as an out-and-out fraud.

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Actually, far from being a fraud the Senate resolution, despite its virtual ineffectiveness, can be defended as being more in conformity with the basic law of the land than the bill it replaced. Further than that, it may be credited with having forced Senators GREEN and LUCAS to work out their revised proposal, with the result that Congress now has an excellent compromise measure upon which it ought to be able to agree. In any event the President's message was right in declaring that the new bill, with its provision for a uniform Federal ballot, its careful limitation of the Federal commission's power, and its specific guaranty of the election prerogatives of the States, not only would facilitate large-scale voting in the armed forces but would resolve every important constitutional doubt as well.

Mr. DANAHER. Mr. President, I was interested, in looking back over the message, to note, as the message appears in the CONGRESSIONAL RECORD at page 707, that the President had referred to some persons who, he said, he was sure, "with their tongues in their cheeks, say that the solution to this problem is simply that the respective States improve their own absentee ballot machinery."

He then went on to discuss the bill which was before the Senate, and on which there was a yea-and-nay vote on December 3. He then continued as follows:

I consider such proposed legislation a fraud on the soldiers and sailors and marines now training and fighting for us and for our sacred rights. It is a fraud upon the American people.

I end the quotation from the message, for it seems to me we ought to find out something about this fraud.

I looked back over the RECORD for December 3. I found that 24 Democrats and 18 Republicans had voted "aye" on the roll call then before us. The roll call itself appears on page 10395 of the RECORD of December 3, 1943. There were 25 Democratic Senators and 12 Republicans who voted the other way. So that of the 49 on the majority side of the aisle, 24 Senators voted for and 25 voted against the then pending question.

It is perfectly apparent to anyone that no measure can pass this body if on purely partisan alinement all Democrats vote one way and all Republicans vote the other. It is perfectly apparent to any reasonable mind that when 24 Democrats vote one way and 25 Democrats vote the other way, there is a substantial question upon which reasonable minds can reasonably and properly differ. That is exactly what happened. Similarly, the situation is true with respect to the Republicans who divided on the basis of 18 and 12.

It is alleged throughout the country—one can hear it over the radio 15 times a day—that, in the language of the President, the Congress has worked a fraud on the American people. It is interesting, let me say to my colleagues, if we have reached the point where, in the exercise of reasonable discretion, with results such as I have indicated, the Members of Congress can be charged with fraud, especially if it required, as it did, a majority from the Democratic side of the aisle to bring about the result, and the number of Democrats, added to the Republicans, prevailed in the 42 to 37 vote.

Who are those who perpetrated the fraud? Mr. President, I want the RECORD to show that the No. 1 man is the man who nominated Mr. Roosevelt for the Presidency in Chicago in 1940, my distinguished friend, the Senator from Alabama [Mr. HILL].

I find Senators there whose service in this body has extended through the better part of a lifetime. I find Senators who have been distinguished Governors of their States. I find Senators there who have been in this body in the aggregate—I hesitate to say how long—but for the greater part of their public careers, and have rendered distinguished and able service in the Senate. Under those circumstances it seems to me, Mr. President, that we ought to have known from the yea-and-nay vote that those men are not frauds.

I read: from the Democratic side there were the Senator from Florida [Mr. ANDREWS], the Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Missouri [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from Rhode Island [Mr. GERRY], the Senator from Alabama [Mr. HILL], the Senator from Nevada [Mr. MCCARRAN], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Tennessee [Mr. MCKELLAR], the Senator from South Carolina [Mr. MAYBANK], the Senator from Texas [Mr. O'DANIEL], the Senator from Louisiana [Mr. OVERTON], the Senator from Georgia [Mr. RUSSELL], the Senator from Nevada [Mr. SCRUGHAM], the Senator from South Carolina [Mr. SMITH], the Senator from Tennessee [Mr. STEWART], the Senator from Maryland [Mr. TYDINGS], the Senator from Massachusetts [Mr. WALSH], and the Senator from New Jersey [Mr. WALSH].

I want that record to be made perfectly plain. In my candid judgment those men have not in the past and did not on November 3 perpetrate a fraud on the American people.

Mr. ROBERTSON. December 3.

Mr. DANAHER. I meant December 3. November 3 was a famous day, I will say to the Senators on this side of the aisle who, as a result of November 3, 1942, now grace our presence, and I thank the Senator for the correction.

While I am on the subject, it is worth calling to the passing notice of Senators, at least, that when I was a candidate for United States Senator in 1938 there were only 15 Republicans in the Senate. Year in and year out they had seen a Government here completely controlled by the administration forces — overwhelming control over both branches of the Congress. Every department, every administrative head, every bureaucrat—as some usually term them—and every policy maker had been appointed by the Chief Executive. They found the Government so overwhelmingly in the hands of the administration forces that whatever was done had obviously to stem from that control—not only then, but since then. The majority party of the Senate have organized every committee in this body. There is not a single bill, I do not care what it may be, that can come out of a committee if the administration majority of the committee does not wish it to come out, and if it does come out of the committee, it never gets to a vote on this floor if they do not want to allow it to come to a vote.

Thank heaven, the American people have gradually been awakened to the situation, and by 1940 the Republican side of the aisle picked up a few Senators, and by 1942 a few more. The number has grown from 15 in 1938 to 37 as of the present time.

But do we need any better illustration of the nature of the control, and where the responsibility for the situation confronting the Nation really lies, than in what happened on Monday last? Senators who came here in 1942, and who sit here now, saw the majority leader object to every single, last bill on the calendar because, under the rule, the calendar had to be called. Why? Because on the Democratic side there is a steering committee, and that committee decides what legislation is to be called up. It does not make any difference, allow me to say to the Senator from Minnesota [Mr. BALL], whether it be his resolution in one committee or whether it be that of the Senator from Wyoming [Mr. ROBERTSON] on some other phase of the business before us. No matter how meritorious it may be, if the majority party steering committee does not want it to come up for a vote, it does not come up for a vote. The result is that if Senators will look at that record—and I ask them some time to take the pains to look back over it—they will find exactly what happened here on Monday of last week. Does not the Senate remember that in November 1942 we had Jesse Jones before us telling us if we did not give the R. F. C. $5,000,000,000 more by the next afternoon at quarter to 5 that the country was going to collapse? But he never has obtained the $5,000,000,000; he never has had an increase in the borrowing power of the R. F. C. I mention that because, without authorization from the Congress at all, the R. F. C. and the Commodity Credit Corporation, which have been integrated for many months, are carrying forward a program against which the Congress has inveighed, not once but twice. Where are they getting the money? In November 1943 and in December certain governmental agencies in Washington were telling us that unless Congress voted a subsidy program at once prices were going to go through the roof, the sky would be the limit, and eggs would be selling for $27 a dozen, or something of that kind, but so far no Commodity Credit bill has been passed. Yet there is nothing more important, nothing more fundamental to the American economy at this time, than the continued maintenance of the Commodity Credit Corporation, to the end that support prices may be announced, for planting is already under way in some of the States of the South, and in other States planting must be undertaken at an early date. Yet we are going through the subterfuge of postponing action on the Commodity Credit Corporation bill and continuing its life, which will expire on February 17 unless we act. But on Monday a week ago we had to vote on whether to take up the absentee soldiers' voting bill. Why? Because the Democratic steering committee at its meeting last Monday morning decided that must be done. So, as February 17 approaches, and we find the need for agricultural planning all the more cogent and all the more urgent, we are going to be asked again to vote for a Commodity Credit Corporation bill and to continue its life. We must do it in 2 days; we are to have a limitation of debate; no Senator can be permitted to speak more than 15 minutes on any one amendment. If we do not act at once, the whole national economy is going to collapse. These are by now familiar expressions. Wait and see.

What we have witnessed in the case of the recent Presidential message and in connection with the talk of fraud is a technique which has been evolved over

the last 5 or 6 years which is just as much a part of a common pattern as anything could be. The President played the whole Congress off against labor; he played Congress off against the farmer, and now he plays Congress off against the men in the armed services. Always Congress is the whipping boy. Always Congress is doing something wrong or has prepetrated a "fraud." Yet you know very well, Mr. President, that when in September or thereabouts there is an election campaign on, the American people will be told, "If Congress had only given me the subsidy program I asked for prices would not have risen. Get rid of that Congress, American people, and give me a Congress that will do what I say, give me the subsidies and I will keep the cost of living down," and things of that sort. Just remember then what I am telling the Senate now. That is exactly what we are going to be up against. They lay the foundation months in advance; that kind of thing is going on, and we are going to see it before February 17; we are going to see it again on the subsidy bill.

Let me illustrate. I direct your attention to the CONGRESSIONAL RECORD of July 17, 1942, page 6297. At that time we had up a matter that led me to ask my colleagues if they had not been hearing over the radio and in newspapers and through the mail the question asked, Why does not Congress do something? Why does not Congress act? I then was trying to tell them "Do not ask why Congress does not act; ask why the administration does not act, because the administration is entirely responsible. It is in complete control of both branches of Congress."

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. BREWSTER. I am much interested in the theory which the Senator advances as to what is going on and what is to take place. I suppose the Senator also realizes that it is not entirely novel in American history, and I trust that the Senator will preserve the faith in the American people that was manifested by Abraham Lincoln, who, as will be remembered said "You can fool all the people some of the time, and some of the people all the time, but you cannot fool all the people all the time." I hope the Senator still cherishes that faith.

Mr. DANAHER. Let me say to the Senator from Maine that I have no doubt that there have been times in history when the Republicans who dominated and controlled this body and its committees, were just as ruthless as are those who control the Senate today. I do not doubt that. I was not here then; I never have been on the majority side here. I am trying by the RECORD, to show to the Senate and through the Senate to the people that whatever the circumstances might have been then, there is no justification for this continued situation. Moreover the question of responsibility should be fixed.

I was going to make reference to the fact that in the RECORD to which I called attention, I pointed out that even as of that date there were 65 Democrats and only 29 Republicans, 1 Independent, and 1 Progressive in this body, and at that time there were 261 Democrats and 165 Republicans in the House of Representatives, so that the Democrats had overwhelming control.

Mr. BREWSTER. I did not intend that the Senator should misapprehend my suggestion. I am entirely in accord with his analysis of what is at present being attempted, and I think one could go on indefinitely to show the subtle way in which there is an attempt to lead the American people very much astray. I am entirely in accord with what the Senator is saying; but I still have faith that the American people are going to wake up to it. In Maine we did wake up in 1936 but the rest of the people have taken a little longer.

Mr. DANAHER. Faith. Of course, I have faith, and of course the people of the State of Maine are an enlightened group and awakened in time. There is no question about that, and that accounts, of course, for the presence of the distinguished junior Senator from Maine in this body. But the people elsewhere are also awakening. I see before me nine Senators who came in only with the last election as the result of the awakening of the people.

Mr. BREWSTER. They are living witnesses.

Mr. DANAHER. Yes; and I say that they are also an honor to the Senate.

Mr. BALL. Mr. President, will the Senator yield?

Mr. DANAHER. I shall yield in a moment; I want to conclude the point I was discussing with the Senator from Maine. I want to make it perfectly apparent in the RECORD that no measure of national impact comes out of a committee of this body unless the administration wants it to come out. There is not a Republican-sponsored bill of national economic import that has ever gotten out of a committee of the Senate and become law in the past 11 years. That is an astonishing situation. When I discovered, Mr. President, how flagrant and widespread it was I caused the Legislative Reference Service of the Congressional Library to make a survey of all the bills of national import which had been introduced by Republicans and which had become law. Let me say to the Senator from Maine that I put the list of those bills in the RECORD, and as of that date in the three sessions of the Seventy-sixth Congress only about 35 bills which had been introduced by Republicans came out of committee and became general law. I am not talking about private-claims bills involving an incident of a mail-truck driver running into a baker's wagon or something of that kind; I am talking about general law.

One of the successful measures was introduced in the Seventy-sixth Congress, third session, by the distinguished junior Senator from Maine [Mr. BREWSTER], then an honored Member of the House of Representatives. It was known as House Joint Resolution 260. The distinguished Senator from Maine succeeded in removing the statue of John Marshall to a site near the Supreme Court Building. [Laughter.]

Mr. BREWSTER. Mr. President——

The PRESIDING OFFICER (Mr. JOHNSON of Colorado in the chair). Does the Senator from Connecticut yield to the Senator from Maine?

Mr. DANAHER. I yield.

Mr. BREWSTER. I regret to say that in spite of the passage of the measure and the signature by the President, the statue of John Marshall still reposes in the rear of the Capitol, rather than having been moved to the chambers of the Supreme Court; and after reading this morning the comments of Mr. Justice Roberts, I am still convinced that it would be a good idea if the statue of John Marshall should be moved to the Supreme Court. [Laughter.]

Mr. DANAHER. I yield to the Senator from Minnesota.

Mr. BALL. Mr President, I was much interested in the remarks of the Senator from Connecticut regarding the subsidy issue, the decision of the administration a week ago to postpone the consideration of the Commodity Credit bill and the subsidy issue while we took up for the second time within a month, virtually, the ballot bill. I should like to recall to the Senator the fact that when last December the Committee on Banking and Currency voted to report a bill providing for the temporary extension of the Commodity Credit Corporation it was my understanding that the committee would proceed immediately in an attempt to reach some agreement with the administration on basic policy. I know that the Senator from Connecticut, who now has the floor, the Senator from Ohio [Mr. TAFT], and I remained in the city throughout the holidays hoping that the administration would make some move toward reaching an understanding with the Committee on Banking and Currency on which we could go to the whole Senate. No such move was made, and no conference was held until a week after Congress reconvened, and the committee did not even meet until several days later. It is my conviction that issue is being deliberately postponed to put the Senate up against the ax of time.

Mr. DANAHER. I thank the Senator from Minnesota, but it is not only that. It is inevitable that price rises will occur. As an ever-dwindling supply of goods leaves less on hand for the ever-increasing amount of consumer income, it follows that price rises are inevitable. Consequently, as prices rise and the subsidy program is held up, it will be said, "If the Congress had only given me subsidies there could not have been this inflation, there could not have been these price rises," and once again the Members of the Congress will be "over the barrel," as the vernacular has it.

Mr. President, that is exactly what is happening, and lest there be any doubt about it, I wish to read from an Associated Press dispatch I hold in my hand which appeared in the Washington Post for January 24, as follows:

SUBSIDY FIGHT FORCES PLANNED CUT IN OUTPUT

NEW YORK, January 23.—The American Institute of Food Distribution, Inc., said today

that a 60-day delay by Washington in announcing plans for subsidies and food and raw material ceilings in 1944 was forcing vegetable canners to plan a 10-percent decrease in production for the year.

In a report to its members, the institute said a poll of "practically all worth while vegetable packers" showed them to be planning to contract with farmers for the following crop acreages:

Peas: 8 percent less acreage, although preliminary production plans of the War Food Administration call for a 5-percent increase.

Corn: Same acreage, although the Government asked 4 percent increase.

String beans: 8 percent less acreage, although the Government wanted 16 percent more.

Tomatoes: 2 percent less, although the W. F. A. wanted acreage unchanged.

"Food Institute is informed that food production plans for 1944 were completed by W. F A. early in December," the report said, "and these plans, with tentative agreements by W. F. A. and O. P. A. on price levels and Federal subsidies, are lodged in Judge Vinson's office awaiting outcome of the present difference between the President and Congress over continuation of roll-back subsidies."

Ordinarily, contracting between canners and farmers begins early in January, the report stated. Now, it said, farmers hesitate because canners cannot tell them what prices can be paid for crops, and they are shifting perceptibly to cereals and such crops on which sustained prices have been ordered underwritten by Congress.

To this date, very little contracting has been done, the institute declared.

The report said this "dangerous delay is almost entirely due to failure of Federal administrations to act promptly on information available at Washington 60 days ago."

Mr. WHERRY. Mr. President, will the Senator from Connecticut yield?

Mr. DANAHER. I yield.

Mr. WHERRY. Certainly the administration does not contend that agricultural production can be increased by the payment of roll-back subsidies.

Mr. DANAHER. Mr. President, I am devoting my discussion to the problem confronting us. I want the Senator from Nebraska to know that I voted with the Senate majority leader, the Senator from Kentucky [Mr. BARKLEY], and my distinguished colleague from Connecticut, and the Senator from Minnesota, to bring out the subsidy bill from the committee, but we were defeated. I voted with the administration to get it up, and I am now complaining because it was shelved in order to permit the pending matter to be taken up, although action under it will not be required for many, many months.

Mr. WHERRY. If the Senator will yield further, I come from a State which grows sugar, and it is a fact that this program is being held up, and the acreage of sugar to be planted is being held up, until the Commodity Credit Corporation takes some action as to what support price shall be paid. So it is very vital. Unless something is done immediately, the sugar production of my State will be cut off considerably, even more than it was last year. Farmers have already made their plans. They cannot wait; the failure of the Department of Agriculture to announce their plans for the production of sugar will greatly reduce sugar acreage—and such failure is indefensible.

Mr. DANAHER. It is not merely a matter of doing something immediately, although I agree that that is urgent, and I agree it should be controlling. I agree with all that. I know very well that without the announcement of support prices we will not have adequate production, in a country whose agricultural economy is the backbone of the war. What I am trying to point out is the legislative process, and the methods which are being resorted to in order to bring Congress constantly into focus and into disrepute.

Mr. WHERRY. Will the Senator yield for just one more statement?

Mr. DANAHER. I yield.

Mr. WHERRY. I do not want the RECORD to show that I am in favor of subsidies. I believe that if all productive subsidies were taken off, and the farmers were permitted to produce on the profit-motive basis, we would get surpluses, and I believe that is the way to control inflation, and that is the way to get production of all commodities.

Mr. DANAHER. I am not engaging in the discussion of that matter at this time, but in due course I probably shall have something to say on the subject.

Mr. TOBEY. Mr. President, will the Senator from Connecticut yield to me?

Mr. DANAHER. I yield.

Mr. TOBEY. Let me interpolate that when the question arose in the committee of bringing the subsidy matter out on the floor of the Senate I voted against the administration and against subsidies, to bring this matter to the floor of the Senate. Both the Senator and I had the same objective.

But the cry of fraud has been raised against the Senate and the Congress as a whole when we have been making a sincere attempt to work out a method under which the members of the armed forces may vote in the coming election. Every Member of Congress is trying in earnest to do this, and I vigorously resent the charge of fraud made by the Executive.

Mr. DANAHER. Does not the Senator from New Hampshire see that we have a situation which just simply must be explored? It is not just a case of getting rid of one bill or taking up another, it is the fact that the responsibility for this situation must be fixed; and it should be fixed, and it should be made a matter of record now.

Let me point out something else to the Senator. The Senator, who is the ranking member of the Committee on Banking and Currency of the Senate, remembers that in 1942 Mr. Wickard was asking for control of agricultural prices on the one hand, and Mr. Henderson was asking control of them on the other. The division of authority continued, and Mr. Wickard got the control.

Mr. Leon Henderson was then the O. P. A. Administrator, and when he appeared before us I asked him what, if any, implementation of the Emergency Price Control Act was required in order to permit him to do a good job. He said none was required, that he might perhaps want a few corrections with reference to rent control, that was all.

As it happened, the following year we had before us the stabilization bill, and at that time Senator Prentiss Brown was a member of our committee. He had been in charge of the Emergency Price Control Act all the way through the Senate. He had lived with it through the committee in the year of its enforcement, prior to his becoming O. P. A. Administrator. Thereafter he was Administrator. He was Administrator for many months, and in June of last year he appeared before the Committee on Banking and Currency, this time in his capacity as Administrator, and I said to him that I should like to ask him a few questions, and I should like to have the RECORD now show what I did then ask him. I read from page 180 of the hearing of June 16, 1943, before the Committee on Banking and Currency, when Prentiss Brown was the witness.

Senator DANAHER. There is only one other question that I wish to ask that relates back to that time, and Senator Brown was with us right here. I asked Mr. Henderson specifically whether or not we had sufficiently implemented his program in the Emergency Price Control Act of January 30, 1942.

Mr. BROWN. This is the hearing on the second act?

Senator DANAHER. That is right. And whether or not there were any points, any mechanism that he lacked, any implementation that he sought, any deficiencies he knew of, which required legislative action; and he told us—you may recall yourself—that except in the field of rent control he knew of none.

Mr. BROWN. Yes.

Senator DANAHER. Now, bringing that same question down to date, let me ask if you know of any changes in the Price Control Act which you feel should be made in order further to implement your efforts.

Mr. BROWN. Well, I think that we can do a reasonably good job with the laws as they now exist. I say that with the assumption on my part that we have the right to use subsidies to a moderate degree on these items that we have already undertaken to subsidize.

Mr. President, where are they getting the money to subsidize? The R. F. C. a year ago last November wanted $5,000,000,000, and we did not give it to them, and they did not get it; yet Senator Brown, in charge of the bill, was on the floor saying that we had to pass that R. F. C. bill that Friday afternoon, and he has not gotten it yet.

Mr. TOBEY. And they are still doing business without it.

Mr. DANAHER. And they are still doing business. How is the Commodity Credit Corporation being financed? They had the law. They did not need any implementation in the Price Control Act, they said. They both agreed that Congress did not need to act. So, obviously, the problem was administrative.

Mr. President, when you get talking about the Congress, and fraud, and things of that character, it does seem to me that we ought to look at the record.

I remember, Mr. President, that when Mr. Green appeared before us, at the time the stabilization measure was up, Mr. Green being president of the American Federation of Labor, I pointed out to him that in the course of his testimony he had said he had an agreement of some kind at the White House, and at page 182 of the hearings we find this:

Senator DANAHER. Mr. GREEN, you stated that you had a definite understanding at the White House in your conference with the President, as to how this matter would be administered, I assume you mean?

Remember, this was in advance of the adoption of the Stabilization Act of October 2, 1942.

Mr. GREEN. Well, I think we did have, when the Congress shall finally confer upon the President power and authority to deal with it.

Senator DANAHER. And is your understanding of that definite understanding in line with the testimony you have given here?

Mr. GREEN. Well, partially so. But I am not in position to go into that in detail.

Senator DANAHER. Am I correct in deducing from what you have said that there has been an understanding agreed upon but as to the details you do not feel free to divulge the confidence?

Mr. GREEN. That is right.

Mr. President, we find the White House dealing off the record with one crowd, and putting them in a position of confidence, dealing off the record with another crowd and making concessions on the arrangements, or deals, as some people call them, with that other crowd. And Senators think that did not happen? I look at the CONGRESSIONAL RECORD for October 2, 1942, and I call Senators' attention to page 7720. If Senators will refer to that page they will find that Senator Brown, then in charge of the bill, actually stated, and the RECORD shows it, how he had made a deal—that is what it amounts to; an agreement perhaps is the better word—with Members of what are commonly called the farm bloc, if I may use such an expression, in order to get a proposed revision for a 90 percent parity loan rate to be continued for at least 2 years after the war. The farm bloc did not ask for it. They did not ask for it as a concession for the bill. Quite the contrary, they were called down to the White House, and it was offered to them to get them to go along, as the Senator made it out.

I am simply trying to say that if the administration is going to play off the Congress against labor on the one hand, play it off against the agricultural group on the other hand, play it off now against the so-called soldier group, and then is going to talk in terms of fraud against Senators who have spent a lifetime in this body, I think we ought to look into the situation and see exactly what the record shows.

Mr. President, I have diverted somewhat from the subject at hand in order to call this matter to the attention particularly of those men who are gracing us with their presence, and whose help is so vitally needed in this critical time. I make it absolutely plain that as we stand here today, on the 2d of February, and look forward to a day, only 15 days hence, when the Commodity Credit Corporation Act shall expire, unless we take immediate action, unless we pass a bill, whatever it is, continuing the life of the Commodity Credit Corporation—and we have got to do it just the way the President says; we have got to do it the way they write it or else—I want Senators to remember how this situation was brewed, and how that vote came up a week ago Monday, and why it is the Senate is acting now on the absentee voters' bill which cannot possibly have application for months yet to come. At the same time the American people are confronted with the need for the immediate continuation of the Commodity Credit Corporation under terms and standards which the Congress shall fix, whatever they are to be.

Now coming back briefly, Mr. President, to the subject at hand, I want to point out that under the first section of the amendment, which is the pending question, all absentees, members of the armed forces outside the United States, will be permitted to vote a Federal ballot, so-called, for Members of the Congress and for Presidential electors, only. That ballot does not contain the names of the candidates. If the soldier or absentee voter knows them he may insert them, but otherwise he may vote for a party.

Second, that Federal ballot, under the terms of the amendment, will apply to all members outside the United States of the American Red Cross, the Friends, service organizations, the U. S. O., and others, as described.

Third, that Federal ballot would be permitted to all members of the armed forces inside the United States who are residents of a State the secretary of state of which fails to certify by August 1 that that State will accept the absentee postcard form which is provided, and that there are absentee voting laws on the books of that particular State for members of the armed forces. If there are, and if the State wants its citizens to comply with it, and if it wants a State ballot used, and wants to have all of its States officers voted on at the same time with the Federal officers, there is no reason in the world why the soldiers cannot have it. And that, Mr. President, not only will guarantee the purity of the vote, insofar as it lies within our power to protect it, but it will result in a maximum vote all over the United States. It will get out the votes of 6,000,000 men at least who are within the United States, who will be permitted to vote a complete State as well as a Federal ticket. And that alone, Mr. President, as a matter of policy, it seems to me, is a sufficient answer as a justification for it. Above all, Mr. President, I would want the record positively to show that there would be no fraud upon the American soldiers or the American people in the adoption of an amendment of this character.

Mr. President, I yield the floor.

Mr. TOBEY. Mr. President, I address my remarks to the Senator from Connecticut. Those of us on this side of the aisle—the Senator will pardon my making this personal allusion—who know and regard so highly the ability and the character of the Senator who has just taken his seat, answer his last statement that he wants the President to know that there will be no fraud in his amendment, and say to the people of the United States and to this body, and for the RECORD eternally, that when JOHN DANAHER puts his name to an amendment and presents it on the floor of the Senate, automatically and subconsciously every Member of this body knows there can be no fraud there, but that it represents a fine and a high type of statesmanship.

Mr. DANAHER. I thank the Senator.

Mr. BALL. Madam President, I offer an amendment to the pending Danaher amendment, and send it to the desk and ask to have it read.

The PRESIDING OFFICER (Mrs. CARAWAY in the chair). The amendment will be stated.

The CHIEF CLERK. In Mr. DANAHER'S amendment it is proposed to strike out subsection 3 on page 2 and insert:

But this title shall not be applicable in the case of the citizens of any State which has, prior to June 1, 1944, made provision for absentee-voting ballots for members of the armed forces, complying with the following conditions:

(A) Such ballots may be used without prior registration in person.

(B) Such ballots shall be printed and available for mailing at least 45 days in advance of the election.

(C) Such ballots, with accompanying envelopes and voting instructions, shall weigh not more than 1.2 ounces.

The Commission shall ascertain and certify to the Secretaries of War and Navy and to the Administrator of the War Shipping Administration, on or before July 1, 1944, the States which have not made provision for absentee-voting ballots in accordance with the conditions specified in this subsection.

Mr. BALL. Madam President, for the information of Members of the Senate, the amendment I offer to the Danaher amendment is the amendment I had printed and which now is on the desks of Senators. I have revised it so that it could be offered as an amendment to the Danaher amendment, because it deals with the same subject matter, namely, the application of title I, the Federal-ballot title of the bill.

As I have listened to the debate, it has seemed clear that all of us want every member of the armed forces to have an opportunity to vote in the election this year. There can be no question about that. I do not believe there can be any question, either, as to the fact that all of us would much prefer to have the men and women in the armed forces vote on regular State ballots, on which they would vote for candidates by name, and not merely have them write in a party name as a sort of Gallup poll of public opinion. All of us would much prefer that, insofar as it is humanly possible, the State ballot take precedence over any form of Federal ballot which may be finally approved, and that the election be handled entirely by the State election machinery which for 165 years has handled all our elections.

The amendment I have offered seeks to accomplish those two objectives insofar as it is humanly possible to do so, recognizing that because our men in the armed forces are scattered all over the globe there are difficulties in connection with absentee voting which do not arise under peacetime conditions, and also recognizing that there are one or two States which, because of constitutional provisions, may not be able at all to provide for absentee State ballots. In effect, the amendment would give the States until June 1 of this year to revise, if necessary, their State laws so as to provide for absentee voting for members of the armed forces meeting three conditions. The first of those conditions is that no prior registration in person shall be required to obtain such absentee ballots. I know that Minnesota in its regular legislative session in 1943 waived registration for members of the armed forces. Many other States have either waived it or have provided for registration by mail on a very simple form.

The second condition which the States would meet in their laws is that such absentee ballots shall be printed and ready for mailing to the individuals who have applied for them at least 45 days before the election. Other Senators have presented the statistics and figures showing that 45 days is ample time for such ballots to reach members of the armed forces anywhere in the world, and to be returned in time to be counted at the election. Certainly, it will be more than ample time for absentee ballots to go to the European theater of war where the great bulk of our men will be concentrated during the coming year.

The third condition to be met is that such absentee ballots, with the envelope and instructions, shall not weigh more than 1.2 ounces. That is to reduce, of course, the transportation problem. With 4,000,000 absentee ballots to go overseas, if all of them weighed 1.2 ounces—but many States have already indicated they hope and believe they can get the weight down to 1 ounce or less—the total weight would be 150 tons. Unquestionably, most of those would be going to the European theater of war. Probably from 100 to 125 tons would go there. Particularly if the Senate agrees to the Taft amendment providing for the collection and concentration of the ballots at the Army post offices and for special handling to expedite them, 1 destroyer could take all of them across the Atlantic in one trip; and a destroyer would make the trip in 4 or 5 days. There would be no need for air transport, except possibly in order to have the ballots reach some outlying posts in the Mediterranean. That would leave from 45 to 50 tons of ballots to go to the Pacific area; and from 5 to 10 DC–3 transport planes could do the whole job.

The final paragraph of the amendment simply provides that the Federal ballot commission set up in the Green-Lucas bill would certify to the Secretary of War, the Secretary of the Navy, and the Administrator of the War Shipping Administration by July 1, 1944, the names of the States which have failed to change their absentee-voting requirements in order to meet these three conditions, and the Federal ballot then would be available to members of the armed forces and to the other categories of citizens from those particular States.

As a matter of fact, I believe that my amendment to the Danaher amendment would simplify the procedure for the Army because all that would have to be done at any post would be simply, on the day chosen by the commander, to post on the company bulletin boards a notice that all members from the specified States might vote Federal absentee ballots by going to whatever place was designated.

Mr. VANDENBERG. Mr. President, will the Senator yield for a question?

Mr. BALL. I yield.

Mr. VANDENBERG. Am I to understand that the basic difference between the amendment submitted by the able junior Senator from Minnesota to the Danaher amendment and the Danaher amendment is that while the Danaher amendment would require a soldier from a State with an adequate absentee-voting law to use that ballot so long as he was stationed in the United States, the amendment of the Senator from Minnesota would extend that requirement and make it universal, so that wherever the soldier was, if he was from a qualifying absentee-ballot State, that would be the ballot for which he had qualified?

Mr. BALL. That is the basic difference. My amendment to the Danaher amendment would set up certain fundamental conditions which are not contained in the Danaher amendment.

Mr. VANDENBERG. But I have stated the basic difference between the two, have I?

Mr. BALL. That is correct.

Mr. VANDENBERG. That is the basic difference in the status of the soldier in respect to his vote.

Mr. BALL. Yes. In other words, if we intend to emphasize and give priority to State ballots, let us do so in the law, or it will not mean a thing. Every Senator knows that.

Mr. BURTON. Madam President, will the Senator yield?

Mr. BALL. I yield.

Mr. BURTON. To clear up the question which the Senator from Michigan asked, the Senator's amendment is now being offered as an amendment to the Danaher amendment, striking out section 3 of the Danaher amendment. Is that correct?

Mr. BALL. That is correct.

Mr. BURTON. So the overseas situation remains in the Danaher amendment as it is, and the Senator's amendment does not affect the overseas ballot in any way. Members of the armed forces overseas would vote the Federal ballot overseas.

Mr. BALL. No. The Senator is not correct. My amendment would make the Federal ballot available to individuals overseas only if their States had not provided a State absentee ballot meeting these requirements.

Mr. BURTON. But the Senator's amendment would leave subparagraphs 1 and 2 in the Danaher amendment as they now are, would it not?

Mr. BALL. Yes. Those subparagraphs simply name the various groups covered by the title.

Mr. LODGE. Madam President, will the Senator yield?

Mr. BALL. I yield.

Mr. LODGE. Do I correctly understand that the Senator's amendment applies to soldiers overseas?

Mr. BALL. Yes; it does.

Mr. LODGE. The Senator establishes three precepts as a requirement for the States to meet in order that the soldiers who are citizens of those States may use the State ballot. Is that correct?

Mr. BALL. That is correct.

Mr. LODGE. What disturbs me about the Senator's amendment is that it does itemize provisions which may exist in State laws, and which could effectively make it impossible for the soldier to vote. For example, I understand that one of the States has a provision in its law today requiring the soldier to make application on a form provided by the States. There might be a variety of State requirements which it would be impossible to anticipate. I think the requirements which the Senator lists are good; but does not the Senator leave the way open to other obstacles which might effectively defeat the purpose of voting on State ballots? Do I make myself clear?

Mr. BALL. Yes. There are undoubtedly many provisions now in State laws which would hinder effective absentee voting by soldiers. According to my understanding, there are constitutional provisions in some States which entirely prohibit it. Those States obviously could not even meet these conditions; but I have been reliably informed that virtually all States whose laws do not now meet these requirements are planning to call special sessions of their legislatures as soon as the Congress disposes of this legislation. I know that the Governor o Minnesota is waiting for this legislation to be completed before he does so. I know that our State legislature is extremely anxious to make it as simple and easy as possible for every member of the armed forces to have an opportunity to vote, and I know that our law will be simplified so as to remove any impediment. I assume that the same sentiment exists in other States. I think it would be virtually impossible, in the Federal law, to list the various impediments which might exist in 48 State laws. I think we can leave that question to the desire of the various State legislatures to see that all of their boys have an opportunity to vote.

Mr. LODGE. I like what the Senator has said, and I also like the requirements which he prescribes. I am a little troubled by the things which his amendment does not exclude. It would be a pity if the soldiers were deprived of the Federal ballot, and were also effectively deprived of the State ballot. That is the situation with respect to his amendment about which I wished to ask the Senator.

Mr. BALL. I agree with the Senator that there are many provisions which are not covered in the three requirements

which I have listed, which might effectively hamper absentee voting by members of the armed forces. We could not possibly cover them all. However, as I have stated, I think that members of our State legislatures and our State Governors are just as anxious as are Members of the Senate to see that every member of the armed forces has an opportunity to vote. I think we can rely on their removing virtually all impediments.

Madam President, the adoption of my amendment to the Danaher amendment would accomplish three purposes: First, it would place the emphasis in the pending bill on State ballots instead of Federal war ballots. It would give priority, in effect, to State absentee ballots in preference to Federal ballots. I think it is obvious, from the attitude taken by the War and Navy Departments, and the fact, as disclosed on the floor of the Senate yesterday, that as yet they have made no move even to distribute overseas the post cards provided for in Public Law 712, on which the men could apply for State absentee ballots, that if the bill as it now stands is enacted, no State absentee ballots will go to men overseas, and the chances are that very few will reach men in camps in the United States.

I wish one of the authors of the bill were now in the Chamber to explain to me why, in title II of the bill, which relates to absentee voting on State ballots, a different form of post card from that prescribed in Public Law 712, enacted in 1942, is provided for. As we have been told, the Army and Navy now have from 11,000,000 to 13,000,000 of those cards printed and ready for distribution. If the Green-Lucas bill is enacted as it now stands, those cards will be entirely useless, and we shall have to have a new batch of cards printed. It seems to me that it is obvious, from the many situations like that which we have encountered, that there is no intention on the part of the administration really to give priority to State absentee ballots. If the bill as it now stands is enacted, the only way the members of the armed forces will vote will be by the Federal ballot.

I think the second objective which my amendment would accomplish would be to reduce to the absolute minimum the possibility of throwing the results of the election next November into contests. The constitutional issue involved in this bill has been discussed by Senators far more competent than I to pass upon it. However, I am confident that if the Federal ballot bill as it stands is enacted, and 5,000,000 or 6,000,000 Federal ballots are dumped on precinct election officials all over the country, in every State and in every congressional district where there is a close contest, the election result will be contested. It may be months in 1945 before the American people have a legal government. In my opinion that would be a most tragic result for the country, for the war effort, and for the hope of winning a stable peace.

I grant that my amendment would not meet the constitutional question involved in the proposed legislation, but in my opinion it would reduce the number of States in which there would be the possibility of contests over the legality of the elections this coming fall to not more than half a dozen. We would continue to have a stable legal government in the United States, because such a small number of States would be seriously affected.

The distinguished Senator from Virginia last night placed in the RECORD telegrams from 39 or 40 Governors stating that their States are prepared to take action to make absentee ballots available to members of the armed forces if they are assured of reasonable cooperation from the Army and Navy in expediting the transmission of those ballots. Even on the question of constitutionality, I believe the position of Congress would be much sounder if we would give the States a reasonable opportunity to meet the unusual conditions now existing, and then provide the Federal ballot opportunity to soldiers to vote from only those States which do not meet their obligation.

I think that inasmuch as we drafted the soldiers to serve their country in the armed forces, we probably have a moral responsibility and, possibly, a legal right, to provide such opportunity, if the States, after due notice, fail to provide it.

The third objective which the amendment would accomplish would be to eliminate the possibility of mass voting of members of the armed forces under the control of the Army and Navy. I have been informed that if the pending bill, as now before the Senate, becomes law, it will be the intention of the Army simply to march members of the armed forces in this country and overseas by battalions to specified polling places and vote them, with the military authorities running the whole election. Mr. President, I believe that when a democracy turns its election machinery over to the military in that fashion it is taking the first step toward suicide, and the finish of democratic institutions.

I want every man and woman in the armed forces to have an opportunity to vote in the coming election, but I do not want to give to any Federal agency the right to herd those men and women into polling boths and vote them. That is not democracy, and that is not what we are fighting for.

There has been much discussion to the effect that in cases of transfer of individual members of the armed forces State ballots may not reach the members of the armed forces in time to be returned and counted at the election. Unquestionably that is true. I do not believe it would apply if a whole unit were moved, because the new address of that unit would be available at the A. P. O. to which the mail was addressed. Entire units are very seldom moved from one theater to another. But the ballots of individual soldiers transferred from one unit to another undoubtedly might not be counted in the election. The same situation would apply to any citizen within this country who voted by an absentee ballot. It would also apply under the Federal ballot plan to individual soldiers transferred from one post to another. If a soldier were transferred on September 10 from a post which held its election on September 12, and the one to which he was transferred had held its election on September 8, he would not have a chance to vote. There is no possibility under any law of making sure every soldier and sailor will have the opportunity to vote. So far as that is concerned, there are millions of men and women employed in war plants who have left their home States, and perhaps migrated from one State to another several times, who probably will not be able to vote in the coming election. We are apparently not worrying about them.

Testimony was presented before the committee that in one great shipyard on the west coast the labor turn-over is 20 percent a month, or 240 percent a year. Working men and women have been moving about in this country to an unprecedented degree. However, I do not believe that anyone could consistently propose that we could simply provide a Federal ballot under which all those persons could vote wherever they might be, and that their ballots should be returned to whatever State they came from 2 or 3 years ago, and be counted. Yet, that is what is proposed in the pending bill.

Mr. BUCK. Mr. President, will the Senator yield?

Mr. BALL. I yield.

Mr. BUCK. In States which have a constitutional prohibition against voting unless the voter has been registered, what would be the effect of section 1 of the Senator's amendment, which states:

> Such ballots may be used without prior registration.

Mr. BALL. The words "in person" are to be added to what the Senator has quoted. I believe that most States will waive registration in person.

Mr. BUCK. Registration could not be waived if there were a constitutional prohibition.

Mr. BALL. I believe that Rhode Island has such a provision, and is about to hold a constitutional convention for the purpose of taking care of the situation.

Mr. BUCK. In States which have such a law it seems to me that if the waiver did not apply to the State ballot it would not apply to a Federal ballot. If the Federal ballot were cast in States which had the constitutional prohibition to which I have referred, it would not be counted.

Mr. BALL. I do not believe it would be counted.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BALL. I yield.

Mr. TAFT. I assume that in a State which could not provide a State ballot by the 1st of June, because of its constitution, or otherwise, the citizens of that State, under the amendment proposed by the Senator from Minnesota, would be entitled to file for and obtain a Federal ballot which would go back to the State and be counted under the provisions of title I.

Mr. BALL. That is correct. That is my interpretation of the language.

Mr. TAFT. Regardless of any State constitution.

Mr. BUCK. The vote could be counted.

Mr. TAFT. Yes.

Mr. BALL. It could be counted if the State election officials were willing to

count it, but title I of the bill now reads, "the validity of the ballot shall be determined by State election officials."

Mr. TAFT. Yes; but the Senate rejected the proposal that the State officials shall determine the validity by State law or the State constitution. So, while determining the validity of the ballot, they would have to determine it under the provisions of title I of the Federal law.

The purpose of the Ball amendment, as I understand, is that every soldier shall have the right to vote. If he cannot obtain the right under State law, or if the State does not provide that he shall have that right, then he may vote a Federal ballot under the provisions of the Green-Lucas bill.

Mr. BALL. That is correct.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. BALL. I yield.

Mr. WHERRY. I should like to ask the able Senator from Minnesota about the mechanics of his amendment. It proposes to amend the amendment of the Senator from Connecticut?

Mr. BALL. That is correct.

Mr. WHERRY. By striking out section 3 of the so-called Danaher amendment?

Mr. BALL. On page 2; yes.

Mr. WHERRY. Of course, then, that eliminates from the amendment of the Senator from Connecticut the provision as to certification by the secretary of state prior to August 1, 1944, as to the State having an absentee voter law.

Mr. BALL. That is correct.

Mr. WHERRY. Then, the amendment of the Senator from Minnesota provides that the commission shall make that determination rather than the secretary of state. Is that correct?

Mr. BALL. That is correct. I assume the commission would get its information from the various secretaries of state, and then act by majority vote.

Mr. WHERRY. I was going to ask the Senator to comment on that point.

Mr. BALL. I think the requirements are so simple and clear that there would be no question of the exercise of wide discretion on the part of the commission. It is simply a matter of examining the State law which has been passed and seeing whether it meets the three requirements. If it does that State is O. K., and soldiers who are citizens of it vote the State absentee ballot. If the State law does not meet the three requirements, then the Federal ballot is available.

Mr. WHERRY. Mr. President, will the Senator yield for another question?

Mr. BALL. I yield.

Mr. WHERRY. Then, the Senator feels that the certification by the commission would probably be done by its reliance upon the reports from the secretaries of state anyway? Is not that correct?

Mr. BALL. I assume a copy of the State law would be forwarded.

Mr. WHERRY. So, in reality, the same thing would be accomplished by certification by the commission that would be accomplished by certification by the secretaries of state, in the first place.

Mr. BALL. That is correct.

Mr. WHERRY. I thank the Senator.

Mr. BALL. Mr. President, that concludes what I have to say on the proposed amendment. My purpose is simply to make sure that every member of the armed forces shall have an opportunity to vote, and to make very certain that the armed services shall give priority to State ballots by providing that they must be used in those States which meet the transportation and communication problems of today.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. BALL. I yield to the Senator from Vermont.

Mr. AUSTIN. I should like to have the Senator's interpretation of the result of putting together the first two provisions of the Danaher amendment which begin with the words "The provisions of this title shall apply" and the provision of the Senator's amendment which is in the reverse, namely "This title shall not be applicable."

In the Danaher proposal Congress would be saying that title I, which permits the use of the Federal ballot, shall apply to members of the armed forces overseas, and title III, according to the Ball amendment, would say this title shall not apply to that class, or shall not apply in the case of the citizens of any State which has done so and so.

What I am asking has to do not with the policy of the proposal, but with its author's understanding of his amendment. I should like to have an interpretation of his amendment. Does he consider that the two propositions can exist in the same law, that is to say, that title I shall apply to members of the armed forces abroad, and then the title shall not apply to members of the armed forces abroad?

Mr. BALL. We have already applied it to members of the armed forces in the Federal title of the bill.

Mr. AUSTIN. Yes.

Mr. BALL. The effect, as I see it, of my amendment to the Danaher amendment would be to restore section 4 (a) as it now stands, and simply add the proviso that the title shall not apply except to the citizens of those States which meet the requirements.

Mr. AUSTIN. Then it is my impression that the way to do it would be to substitute the Senator's suggestion for the entire Danaher amendment. Otherwise, I believe that the purpose would not be effectuated. I am not reflecting upon either the policy or the lack of policy of doing that.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BALL. I yield.

Mr. TAFT. The Danaher amendment would strike out all of section 4 (a) without changing it, and then substitute new language; so it is rather difficult to perfect the substitute; but I do not see why the Danaher amendment as amended by the Ball amendment does not make perfectly good English sense.

(a) The provisions of this title shall apply with respect to the following:

(1) Members of the armed forces and the merchant marine of the United States outside the United States.

(2) Persons serving with the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots, and the United States Service Organizations outside the United States who are attached to and serving with the armed forces of the United States

But—

(c) This title shall not be applicable in the case of the citizens of any State which has, prior to June 1, 1944, made provision for absentee voting ballots for members of the armed forces, complying with the following conditions—

And so forth. The amendment says it shall be applicable as to this class and then it takes some out of that class, and says as to them it is not applicable. It seems to me that while it may be somewhat awkward, the legal result must be perfectly clear.

Mr. AUSTIN. If that is the intention of the author it might stand, and, if it should stand, then we have before us on the question of policy a decision to make as to whether we want to limit the class of voters who could use either the Federal ballot or the State ballot, according to the facility of getting it, by what the State has done, regardless of whether the ballot gets to the soldier or not, as I see it.

Mr. BALL. I do not think the amendment is confusing. I think in effect it makes a Federal ballot available only when the State ballot is not available under any circumstances.

Mr. BURTON. Mr. President, will the Senator yield?

Mr. BALL. I yield.

Mr. BURTON. Following the discussion further, am I to understand then that under the amendment of the Senator from Minnesota the Federal ballot would be available in some cases to soldiers in this country, or would it be available to none in this country?

Mr. BALL. My intention is to make it available to members of the armed forces of this country from those States which do not meet the requirements. I am not so sure that in that case we will not have to strike out in lines 4 and 5 of page 1 of the Danaher amendment the words "outside the United States."

Mr. BURTON. I think that is exactly what should happen because as it reads now subdivision 1 of the Danaher amendment makes the Federal ballot apply only to members of the armed forces and of the merchant marine outside the United States. Subdivision 2 applies it to certain other people outside the United States. Subdivision 3 originally then applied it to a part of the armed forces inside the United States. The Senator from Minnesota, however, strikes out subdivision 3 and substitutes new provisions stating who shall be excluded but nowhere is there a provision to apply the Federal ballot inside the United States. Unless the limitation, in subdivision 1, to troops "outside the United States" is eliminated, there will be no one except overseas voters under the Senator's amendment.

Mr. BALL. Mr. President, I modify my proposal by striking out of the Danaher amendment in line 5, page 1, the comma and the words "outside the United States."

The PRESIDING OFFICER. The amendment will be so modified. The

question is on the amendment offered by the Senator from Minnesota [Mr. BALL], as modified, to the amendment of the Senator from Connecticut [Mr. DANAHER].

Mr. BYRD. Mr. President, yesterday I inserted in the RECORD telegrams from approximately 30 Governors showing what their respective States are doing to facilitate voting by soldiers. Now, Mr. President, I have heard from 46 Governors, and later I shall read to the Senate their replies, because up to this time, apparently, we have proceeded on the assumption that the States neither could nor would modernize and change their laws so as to permit soldiers to vote.

Mr. President, notwithstanding the accusations which have been made in the debate with respect to the position taken by various Members on the question of giving every member of the armed forces an opportunity to vote, I do not believe that there is a single Member of the Congress who desires to deprive any member of the armed forces of the opportunity to vote should he or she desire this privilege. I, for one, am exceedingly anxious to provide every possible facility for the soldiers to vote, not only in the general election next November for President, Vice President, and Members of Congress and of the Senate, but also to vote for State officials and to vote in State primaries. In the Democratic States of the South, it is much more important to give the soldiers an opportunity to vote in the primaries than in the general election, as the primary or convention nomination, in most instances, controls the election itself. Virginia, as I shall discuss later, proposes to do this.

From the beginning of this controversy it has been alleged, and vast propaganda has been conducted by officials of the administration as well as by the proponents of the Federal ballot, that the States were indifferent to the need of providing facilities for soldiers to vote; that the Governors would not call special sessions of the general assemblies, and that no real effort will be made by the States themselves to provide adequate facilities for voting.

In order to ascertain the situation as it now exists, I wired the Governor of each State, asking for information as to the status of legislation to enable the soldiers to vote. So far definite replies have been received from 46 Governors.

I have divided the affirmative replies into two classes: First, those States that already have made provision by recent legislation for adequate soldier voting, providing the Federal Government would assume the responsibility for the transmission of the ballots; second, those States whose legislators have now under consideration effective legislation, or those that will act immediately upon the passage of Federal legislation.

From the States in the first class—those States that have already acted—the following telegrams have been received from the respective Governors:

SACRAMENTO, CALIF., *February 1, 1944.*
Senator HARRY F. BYRD:

Extraordinary session of legislature today adopted soldiers' voting law by unanimous vote in both houses. Sending you a copy air mail. This bill meets with my full approval, subject to final legal approval by attorney general. Anticipating favorable legal opinion. Expect to sign bill within next few days. Legislation to become effective immediately. Regards.

EARL WARREN,
Governor of California.

HARTFORD, CONN., *February 1, 1944.*
Hon. HARRY F. BYRD:

Last week the Connecticut General Assembly passed soldiers' vote law, making it possible to be made voters, although absent from the State, to vote a straight, split, or individual candidate ticket, with liberal provision concerning applications for absentee ballots either in person before leaving country by informal written request or by request of relative or friend directed to registrar of votes. Ballot simplified as to form and reduced as to size and weight. Provision made for using facilities if provided for distribution of absentee-ballot forms without application.

RAYMOND E. BALDWIN,
Governor of Connecticut.

TALLAHASSEE, FLA., *January 31, 1944.*
Hon. HARRY F. BYRD:

Reurtel amendments made by 1941-43 sessions of legislature to facilitate soldiers' voting believed relatively satisfactory; therefore plan no immediate additional action. Regards.

SPESSARD L. HOLLAND,
Governor of Florida.

ATLANTA, GA., *January 31, 1944.*
Senator HARRY F. BYRD:

Georgia was the first State in the Union to liberalize its voting laws so as to authorize soldier voting. Federal voting law would have little effect in this State because it would not control primary elections and could not enable soldiers to vote for State and local officers. Georgia's voting laws allow period of 90 days to get ballots to and from soldiers.

ELLIS ARNALL,
Governor of Georgia.

SPRINGFIELD, ILL., *January 30, 1944.*
Hon. HARRY F. BYRD:

In reply to your telegram please be advised that on January 13 I signed a bill passed at a special session of the Illinois State Legislature giving to Illinois men and women in the armed services their full right and opportunity of voting for National, State, and county offices no matter on what battle front they are stationed. If the Federal Government will provide the necessary facilities for transporting the ballots no Illinoisan in the service who desires to exercise his right of franchise need be denied that privilege.

DWIGHT H. GREEN,
Governor of Illinois.

DES MOINES, IOWA, *January 29, 1944.*
Hon. HARRY F. BYRD:

In response to your telegram the Iowa Legislature has just concluded a 3-day special session in which our absent voters' law adequate for absent voting in primaries and general election from any place in the United States was amended to give members of the armed forces 55 clear days to vote from any part of the world by absent ballot. Provisions were simplified to facilitate application, forwarding, and voting. A ballot commission was established to coordinate and to meet possible contingencies.

B. B. HICKENLOOPER,
Governor of Iowa.

TOPEKA, KANS., *January 31, 1944.*
Hon. HARRY F. BYRD:

Re your telegram: Please be advised our 1943 session of legislature made provisions for soldier voting, providing the Federal Government will cooperate in transportation of ballots to and from the armed forces. Regards.

ANDREW F. SCHOEPPEL,
Governor of Kansas.

AUGUSTA, MAINE, *January 31, 1944.*
Hon. HARRY F. BYRD,
United States Senate:

Present Maine law adequate to allow soldier voting if Federal Government can handle round-trip mailing of ballots in 45 days. More complete statement follows by air mail.

SUMNER SEWALL,
Governor of Maine.

JACKSON, MISS., *January 29, 1944.*
Hon. HARRY F. BYRD:

Necessary amendatory legislation facilitating soldiers' voting in process enactment now.

THOMAS L. BAILEY,
Governor of Mississippi.

NOTE.—Newspaper report of today states that the legislation has passed in Mississippi.

HELENA, MONT., *January 29, 1944.*
Hon. HARRY F. BYRD:

Chapters 99 and 101 Montana session laws of 1943 provide adequate State voting machinery so that our armed forces will have opportunity to vote.

SAM C. FORD,
Governor of Montana.

RALEIGH, N. C., *January 29, 1944.*
Senator HARRY F. BYRD:

Your telegram received. The North Carolina General Assembly in January 1943 amended our laws so as to give soldiers at home and abroad full opportunity and facility for voting both in the primary and general election. This applies to all offices, both State and Federal.

J. M. BROUGHTON,
Governor of North Carolina.

SALEM, OREG., *January 29, 1944.*
HARRY F. BYRD,
United States Senate:

Pleased to answer that our election officials advise that Oregon's 1943 Legislative Act makes full provision providing the necessary latitude so that our State is in position to answer your question in the affirmative.

EARL SNELL,
Governor of Oregon.

HARRISBURG, PA., *January 31, 1944.*
Hon. HARRY F. BYRD:

Under State voting machinery practically all absentee members of armed service from Pennsylvania who are qualified and who apply for a ballot can do so if complete cooperation is given by Federal Government.

EDWARD MARTIN,
Governor of Pennsylvania.

CHARLESTON, W. VA., *January 29, 1944.*
Hon. HARRY F. BYRD:

Our legislature at extra session, convened especially for the purpose, passed a bill which became a law on the 7th of this month, which provides all West Virginia members of the armed forces means of voting until after the end of the war.

M. M. NEELY,
Governor of West Virginia.

MADISON, WIS., *January 30, 1944.*
Senator HARRY F. BYRD:
Wisconsin has enacted into law provisions to advance our primary and facilitate soldiers voting so that all may be able to vote in the general election. Forwarding bill via air mail.
WALTER S. GOODLAND,
Governor of Wisconsin.

So, in the opinion of the Governors of 15 States, the present laws are adequate, if the Federal Government undertakes the delivery and distribution of the ballots. If any details are lacking in the laws of these States, in view of the position taken by these 15 Governors, I feel confident that such changes as are necessary will be made.

I now read the telegrams received from those governors who now have under consideration calling, or who are prepared to call, a special session of the legislature, if necessary, to provide adequate voting facilities in these States for soldier voting. I mean by this that new changes will be made in existing laws to meet the situation which now confronts us:

PHOENIX, ARIZ., *January 29, 1944.*
Hon. HARRY F. BYRD:
Rewire. Special session Arizona legislature soon to be called to enact soldier voting legislation. Would like to know what action Congress will take in order that we can integrate State law with National.
SIDNEY P. OSBORN,
Governor of Arizona.

DENVER, COLO., *January 31, 1944.*
Hon. HARRY F. BYRD:
Colorado Legislature now in special session enacting legislation permitting overseas soldiers' vote. Expect Congress recognize this constitutional right and provide for carrying it into effect.
JOHN C. VIVIAN,
Governor of Colorado.

ANNAPOLIS, MD., *February 2, 1944.*
HARRY F. BYRD,
Senate Office Building:
Maryland has not amended its law on soldier voting but Governor O'Conor has announced that following final congressional action on the matter he will call a special session of the legislature if this should be necessary to bring Maryland voting laws into line with Federal requirements.
A. J. BOURBON,
Executive Secretary of Maryland.

DOVER, DEL., *January 31, 1944.*
Senator HARRY F. BYRD:
Replying to your telegram State now has absentee-voter law for qualified voters. Certain changes required for oversea voting. Special session of legislature contemplated for necessary amendments to law.
WALTER W. BACON,
Governor of Delaware.

BOISE, IDAHO, *February 1, 1944.*
Hon. HARRY F. BYRD:
Idaho preparing to amend laws to facilitate soldier voting. All needed is assurance on part of Federal Government that it will assume responsibility of distribution. Does Congress propose to amend section 1, article II, as amended by amendment No. 12 to the Federal Constitution? Please wire.
C. A. BOTTOLFSEN,
Governor of Idaho.

INDIANAPOLIS, IND., *February 1, 1944.*
Hon. HARRY F. BYRD:
Retel Saturday we telegraphed you as follows: We plan to call a special session of the general assembly for the purpose of amending our laws to facilitate soldier voting just as soon as Congress has disposed of this question.
HENRY F. SCHRICKER,
Governor of Indiana.

FRANKFORT, KY., *February 1, 1944.*
Hon. HARRY F. BYRD:
The Kentucky State Legislature now in session has proposed legislation pending through the passage of which the question of amending the Kentucky Constitution will be submitted to the people of Kentucky. Only the adoption of such an amendment will permit absentee voting in State of Kentucky. It is now prohibited by the Kentucky Constitution. The Governor has favored this adoption in public address to a joint session of the general assembly.
RALPH A. HOMAN,
Executive Secretary.

BOSTON, MASS., *January 31, 1944.*
Hon. HARRY F. BYRD:
Reurtel soldiers voting. Massachusetts has not amended its laws but will do so promptly when Congress has completed legislation.
LEVERETT SALTONSTALL,
Governor of Massachusetts.

ST. PAUL, MINN., *February 1, 1944.*
Hon ROBERT A. TAFT:
Retel your wire January 28. Minnesota will provide necessary State voting machinery if Federal Government cooperates in handling ballots.
EDWARD J. THYE,
Governor of Minnesota.

JEFFERSON CITY, MO., *January 29, 1944.*
Hon. HARRY F. BYRD:
Missouri legislation enacted in 1943 provides for absentee voting at special, general, or primary elections by a duly qualified elector absent from Missouri as a member of any of the armed services. Such elector may vote regardless of compliance with provisions of laws requiring the registration of voters. Laws of Missouri do not, however, provide for availability of absentee ballot for forwarding to servicemen outside the United States at least 45 days before the election as per joint statement of December 30, 1943, mentioned by Secretaries Stimson and Knox in letter of that date to the Council of State Governments. The office of attorney general of Missouri has before it questions pertaining to what changes, if any, should be made in the law of Missouri in order that absentee ballots for primary and general election may be sent at least 45 days prior to each of said elections to qualified electors of Missouri who are serving in the armed forces of the United States. Extra session of legislature would be necessary to make changes in election laws. No decision has been reached as to whether such extra session will be called.
FORREST C. DONNELL,
Governor of Missouri.

LINCOLN, NEBR., *January 31, 1944.*
Senator HARRY F. BYRD:
Nebraska will probably hold special session after Congress makes decision. If you will make special mailing facilities available, Nebraska will get a full State ballot to every soldier who requests it and will provide ample time for its return. Executive committee, Governors' conference, will be in session at Hay-Adams Hotel, Washington, on Tuesday, February 1.
DWIGHT GRISWOLD,
Governor of Nebraska.

TRENTON, N. J., *February 1, 1944.*
Hon. HARRY F. BYRD:
Repeating my earlier telegram, which you should have had 2 days ago: New Jersey Legislature now perfecting soldiers' voting bill, as required by our State constitution. Will be passed in near future. All we need from Washington is assurance of delivery, collection, and return of ballots.
WALTER E. EDGE,
Governor of New Jersey.

CARSON CITY, NEV., *January 31, 1944.*
Hon. HARRY F. BYRD:
Re your wire. Amendments 1943 session improved Nevada soldier and sailor absentee law to such extent that with exception of one minor deficiency, law is adequate. As the law now stands it is a certainty that votes can be cast in general election. Deficiency applies to time element between final declaration of candidates and primary election registration. Registration for member of armed forces not required in Nevada. Have been waiting final action of Congress before deciding whether special session necessary.
E. P. CARVILLE,
Governor of Nevada.

CONCORD, N. H., *January 29, 1944.*
Hon. HARRY F. BYRD:
Have announced shall call special session to advance primary as soon as definite final action is taken by Congress on soldiers' vote legislation. We have absentee voting at the present time. Period between primary and election too short for absentee voting of soldiers in foreign service.
ROBERT O. BLOOD,
Governor of New Hampshire.

ALBANY, N. Y., *February 1, 1944.*
Hon. HARRY F. BYRD:
In answer to your telegram, every citizen of New York can and must have an opportunity to vote. The Constitution of the State of New York provides that no citizen of the State shall be deprived of his right to vote by reason of his being in the armed forces. I am sure the legislature would favorably consider any necessary statutory changes in the existing war ballot law to make full distribution of ballots possible as soon as we know what Federal requirements must be met. Any ballot authorized by Congress which would not list State, county, and other local office would be incomplete and not in accordance with the provisions of the Constitution of the State of New York. Therefore it would be incumbent upon the New York Legislature to make available to every citizen in the armed forces from the State of New York a full and complete State ballot.
THOMAS E. DEWEY,
Governor of New York.

BISMARCK, N. DAK., *January 29, 1944.*
Hon. HARRY F. BYRD:
No amendments as yet. Special session legislature being considered if Congress fails to take prompt effective action. We are determined voters in service be given greatest possible opportunity to vote.
JOHN MOSES,
Governor of North Dakota.

COLUMBUS, OHIO, *January 31, 1944.*
Hon. HARRY F. BYRD:
Legislature will be called in session just as soon as Congress acts on soldiers' voting measure to conform our laws with what is necessary as a result of the action of Congress. I want to assure you that the State can fully carry out its responsibility and that the soldiers will have the same right to vote as they did at home.
JOHN W. BRICKER,
Governor of Ohio.

OKLAHOMA CITY, *January 29, 1944.*
Hon. HARRY F. BYRD:

I hope Congress will pass workable legislation to facilitate soldiers' voting as promptly as I am answering your telegram of this date. Oklahoma has not amended its laws to the extent that I think will be necessary in this connection. I do not think it can do so intelligently until we know what, if anything, Congress is to do. We certainly expect to help bring about whatever legislation is needed by the State to adequately facilitate this matter.

ROBERT S. KERR,
Governor of Oklahoma.

PROVIDENCE, R. I., *January 29, 1944.*
HARRY F. BYRD:

Re your telegram: Qualification for voting and voting procedure is fixed in the constitution rather than by statutory law. Yesterday the general assembly authorized me to call a constitutional convention to amend the constitution so that the general assembly would have the power to deal effectively with the matter of qualifying and simplifying procedure for soldiers voting, and to conform with whatever procedure the Federal Government finally adopts.

J. HOWARD MCGRATH,
Governor of Rhode Island.

COLUMBIA, S. C., *January 31, 1944.*
Senator HARRY F. BYRD:

Legislation introduced concerning soldier vote in primaries, main importance in our State is primary, our people show very little interest in general election. Letter follows.

Sincerely,

OLIN D. JOHNSTON,
Governor of South Carolina.

PIERRE, S. DAK., *January 31, 1944.*
Hon. HARRY F. BYRD:

South Dakota has permitted voting by mail for years. If Federal Government provides opportunities in the field, in camps, and at sea for military personnel to vote, and will afford air-mail transportation of letters, all South Dakota people now eligible to vote can vote at next election without any amendments of our laws. However, if Federal legislation should require amendments of our laws, we would furnish them. If he desires, Senator TAFT can show you telegram which I sent him Saturday.

M. Q. SHARPE,
Governor of South Dakota.

SALT LAKE CITY, UTAH, *February 1, 1944.*
Senator HARRY F. BYRD:

Retel January 29, February 1 following wire sent: January 29, "Utah has not amended laws to facilitate soldier voting. We are awaiting congressional action before calling special session."

HERBERT B. MAW,
Governor of Utah.

MONTPELIER, VT., *January 31, 1944.*
Senator HARRY F. BYRD:

Our State stands ready to amend existing absentee voting laws to provide adequate time to allow soldier voting and will do so. Full Federal cooperation in transmission of ballots and their handling and return will be essential, however.

WILLIAM H. WILLS,
Governor of Vermont.

RICHMOND, VA., *February 1, 1944.*
Hon. HARRY F. BYRD:

I have just sent to the general assembly a message asking that legislation be enacted which will permit Virginians in our armed forces to vote in both primaries and general elections for Federal representatives. The privilege is to be granted without registration or payment of poll taxes. The ballot to be furnished upon application by the person wishing to vote or by relative or friend of the person desiring ballot.

COLGATE W. DARDEN, JR.,
Governor of Virginia.

OLYMPIA, WASH., *January 29, 1944.*
Hon. HARRY F. BYRD:

State of Washington is preparing now to implement State voting machinery so that our armed forces abroad will have full opportunity to vote, if Federal Government fully cooperates in the handling of the ballots.

ARTHUR B. LANGLIE,
Governor of Washington.

So, Madam President, in addition to the 15 States that already have acted, 25 Governors either have recommended legislation at regular or special sessions, or will call special sessions in ample time.

To this list I can add the State of Michigan, whose Governor did not reply, but I am informed by the junior Senator from Michigan [Mr. FERGUSON] that a special session of the legislature convenes in Michigan today, wherein adequate provision will be made for soldier voting under State laws.

So that makes 41 States that either have or will enact adequate legislation.

I have not heard from the Governors of Arkansas or Louisiana.

I now give the replies from the five remaining States—Alabama, New Mexico, Tennessee, Texas, and Wyoming:

MONTGOMERY, ALA., *January 31, 1944.*
Hon. HARRY F. BYRD:

Retel no change in our law passed several years. No immediate plans for change. We have absentee voting law which accommodates all soldiers in continental United States.

CHAUNCY SPARKS,
Governor of Alabama.

SANTA FE, N. MEX., *January 30, 1944.*
HARRY F. BYRD:

Our absentee ballot law once held unconstitutional by Supreme Court. We have brought action to have Supreme Court reconsider decision in light of new developments. Every possible effort is being made to give soldiers the right to vote. If Supreme Court opinion will permit soldiers to vote legislature will be called to pass necessary legislation.

JOHN J. DEMPSEY,
Governor of New Mexico.

NASHVILLE, TENN., *January 29, 1944.*
Hon. HARRY F. BYRD:

Retel Tennessee has not amended its laws to facilitate soldiers' voting. While the question is receiving very careful study to determine what can be done under our constitution I do not contemplate calling a special session of the legislature until it is determined what if any action will be taken by Congress in order that any legislation in Tennessee may if possible under our constitution be in harmony with congressional action.

PRENTICE COOPER,
Governor of Tennessee.

AUSTIN, TEX., *January 31, 1944.*
Senator HARRY F. BYRD:

Soldiers can vote in Texas on same terms as any other citizen.

COKE STEVENSON,
Governor of Texas.

CHEYENNE, WYO., *February 1, 1944.*
Hon. HARRY F. BYRD:

No intention of calling special session to pass on soldiers' voting until Congress acts. Suggest Congress should pass such law as would make special sessions unnecessary.

LESTER C. HUNT,
Governor of Wyoming.

Mr. McKELLAR. Madam President, at that point I wonder if the Senator will permit me to read from the opinion of the Supreme Court of the United States on this very question, so that all Senators and the country will be able to see that only the States themselves can pass laws in regard to voting. If the Senator will yield to me——

Mr. BYRD. Yes; I am glad to yield.

Mr. McKELLAR. I desire to read from the opinion of Mr. Chief Justice Fuller, in the case of *McPherson* v. *Blacker*, 146 United States Reports, page 1, et seq., decided in 1892. Chief Justice Fuller was from Chicago, and was one of the ablest and best judges who ever sat on the bench of the Supreme Court of the United States.

First I read from the syllabus of the case as follows:

The validity of a State law providing for the appointment of electors of President and Vice President having been drawn in question before the highest tribunal of a State, as repugnant to the laws and Constitution of the United States, and that court having decided in favor of its validity, this Court has jurisdiction to review the judgment under Revised Statutes, section 709.

Under the second clause of article II of the Constitution, the legislatures of the several States have exclusive power to direct the manner in which the electors of President and Vice President shall be appointed.

Such appointment may be made by the legislatures directly, or by popular vote in districts, or by general ticket, as may be provided by the legislature.

If the Senator will permit me to read a little from the opinion, I will appreciate it. The opinion of the Chief Justice bears on the very question which is before the Senate. He concluded in the following words:

In short, the appointment and mode of appointment of electors belong exclusively to the States under the Constitution of the United States.

Think of that, Senators! I will read it again:

In short, the appointment and mode of appointment of electors belong exclusively to the States under the Constitution of the United States. They are, as remarked by Mr. Justice Gray in *In re Green* (134 U. S. 377, 379), "no more officers or agents of the United States than are the members of the State legislatures when acting as electors of Federal Senators, or the people of the States when acting as the electors of Representatives in Congress." Congress is empowered to determine the time of choosing the electors and the day on which they are to give their votes, which is required to be the same day throughout the United States—

This is the Supreme Court speaking about the Constitution of the United States—

but otherwise the power and jurisdiction of the State is exclusive, with the exception of the provisions as to the number of electors and the ineligibility of certain persons,

so framed that congressional and Federal influence might be excluded.

So, not only in this opinion, but in various other opinions—and I challenge any Senator to show to the contrary—it has been held by the Supreme Court of the United States that the State authority is exclusive, that the Congress has nothing to do with it; it has no power except to fix a uniform day throughout the United States for holding the election.

Madam President, if the Senator will permit me to continue for a moment longer, I should like to refer to my own State. Senators will remember that Tennessee entered the Union in June 1796; and it immediately took steps to hold an election and to cast its vote for President.

I read further from the same opinion:

Sixteen States took part in the third Presidential election, Tennessee having been admitted June 1, 1796. In nine States the electors were appointed by the legislatures—

Not by votes at all; but in nine States they were appointed by legislatures—

and in Pennsylvania and New Hampshire by popular vote for a general ticket. Virginia, North Carolina, and Maryland elected by districts. The Maryland law of December 24, 1795, was entitled "An act to alter the mode of electing electors," and provided for dividing the State into 10 districts, each of which districts should "elect and appoint 1 person, being a resident of the said district, as an elector." * * *

Massachusetts adhered to the district system, electing one elector in each congressional district by a majority vote. It was provided that if no one had a majority, the legislature should make the appointment on joint ballot, and the legislature appointed two electors at large in the same manner. * * * In Tennessee an act was passed August 6, 1796—

It will be remembered that Tennessee came into the Union on June 1, 1796—

which provided for the election of three electors, "one in the district of Washington, one in the district of Hamilton, and one in the district of Mero"—

The district of Washington is in east Tennessee. The district of Hamilton is near Chattanooga; and the district of Mero is near Nashville. West Tennessee was hardly sufficiently well settled at that time to be counted in the equation—

and "that the said electors may be elected with as little trouble to the citizens as possible," certain persons of the counties of Washington, Sullivan, Green, and Hawkins were named in the act and appointed electors to elect an elector for the district of Washington; certain other persons of the counties of Knox, Jefferson, Sevier, and Blount were by name appointed to elect an elector for the district of Hamilton; and certain others of the counties of Davidson and Sumner, in Tennessee, to elect an elector for the district of Mero.

So those electors were appointed.

If we have any respect for the Constitution of the United States, we are obliged to follow the opinions of the Supreme Court. The Supreme Court has held that the only power in this country to elect or select electors is in the various States, and that it is an exclusive right. Congress has nothing to do with it. That is why I am on my feet. I regard the Constitution of the United States as the most sacred instrument that Americans ever penned. I took an oath to uphold and defend it against all enemies, public and private; and I am going to keep that oath if I can.

In my opinion the Senator from Virginia, in sending telegrams to the various Governors and reading their replies to the Senate this afternoon, has performed one of his greatest public services, in making it perfectly apparent that our soldiers are to be allowed to vote, and that they are to be allowed to vote in the constitutional way, and not under a plan which disregards the Constitution of the United States, the opinions of the Supreme Court, and the action of this Nation during 155 years of its history.

I thank the Senator from Virginia for permitting me to make this statement immediately after he has shown that the Governors are going to perform their constitutional duty, and that the States are not going to be left behind in the matter of performing their duties.

Mr. BYRD. I thank the Senator from Tennessee.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. McCLELLAN. I should like to ask the Senator from Tennessee a question, in view of the date of the decision to which he has referred. Has there been any subsequent decision of the Supreme Court reversing the position then announced?

Mr. McKELLAR. No. In that case it was argued that subsequent amendments to the Constitution might have changed the rule. The Court held that the rule had not been changed, and that the provisions of section 2 of article I of the Constitution, giving the States the exclusive power to select electors in Presidential elections, had never been changed by amendment, and that they were the law of the land.

I am glad the Senator interrupted me. Not only did the Supreme Court uphold that principle, but it upheld the further doctrine that any citizen who is adversely affected may go into the courts, and the courts will determine the question. I am saying that for this reason: We are dealing with a very dangerous proposal. Who knows how close the next election may be? Chief Justice Fuller stated, in the opinion to which I have referred, that it is not a question of policy; that even the Congress does not have exclusive jurisdiction, but that the exclusive jurisdiction lies in the Supreme Court of the United States to interpret and apply the Constitution of the United States in such a case.

I appeal to Senators. They have listened to the reading of telegrams from various Governors. While I am complimenting the Senator from Virginia, I am glad to compliment those Governors for responding and giving the assurance that all our boys, with the possible exception of those from two States, will have the right to vote. I know that the Senator will read telegrams from those two States before this debate is concluded. The Governors give us the assurance that all our boys will have the right to vote, not only for Federal officers, on a Federal ballot, but on a State ballot, for State officials in State elections which occur on the same day.

This body should not attempt to interfere with the exclusive power of the States. If it does interfere, it certainly ought not to interfere in a haphazard way, by giving members of the armed services the right, as this bill virtually does, to vote for electors of Representatives and Senators, but pooh-poohing their right to vote for State officials, such as Governors, sheriffs, county officers, and other State officials.

It seems to me that a great public service has been performed by my distinguished friend from Virginia in bringing this matter to the attention of the Senate at this time.

Mr. McCLELLAN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Does the Senator from Virginia yield to the Senator from Arkansas?

Mr. BYRD. I yield.

Mr. McCLELLAN. In my judgment the Senator from Tennessee has done the country a distinct service by bringing to its attention this decision of the Supreme Court, which wholly substantiates the position which the able Senator from Tennessee and a number of other Senators have taken with respect to the pending bill, namely, that it is not within the Constitution, and that if we support the bill and pass it, we shall be passing an unconstitutional measure, and throwing the whole question of soldier voting into greater confusion, and possibly into legal entanglements which may have a direct bearing on the determination of the results of the next Presidential election.

Mr. McKELLAR. Mr. President, will the Senator from Virginia yield?

Mr. BYRD. I yield.

Mr. McKELLAR. In 1874, after a most elaborate investigation and study, a committee appointed by this body adopted a report which held that the States had exclusive power over voting. The report was submitted by the distinguished Oliver P. Morton, then a Senator from the State of Indiana, and a Republican. It is known as Senate Report No. 395, Forty-third Congress, first session, and is directly applicable to the constitutional question involved in the pending bill. I read from page 9 of the report regarding electors of President and Vice President:

The Constitution provides that:

"Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress."

The appointment of these electors is thus placed absolutely and wholly within the legislatures of the several States. They may be chosen by the legislature, or the legislature may provide that they shall be elected by the people of the State at large, or in districts, as are Members of Congress, which was the case formerly in many States; and it is no doubt competent for the legislature to authorize the Governor, or the supreme

court of the State, or any other agent of its will, to appoint these electors.

This power is conferred upon the legislatures of the States by the Constitution of the United States, and cannot be taken from them or modified by their State constitutions any more than can their power to elect Senators of the United States. Whatever provisions may be made by statute, or by the State constitution, to choose electors by the people, there is no doubt of the right of the legislature to resume the power at any time, for it can neither be taken away nor abdicated. In the early Presidential elections the electors were chosen in many States by the legislatures, and as late as 1824, in Delaware, Georgia, South Carolina, Louisiana, New York, and Vermont, they were chosen by the legislatures, and South Carolina continued this practice up to the War of the Rebellion.

After its thorough examination, the Morton committee recommended that that constitutional provision be abolished, as has been recommended in this instance by the Committee on Privileges and Elections without the slightest power to do so, but the Morton committee recommended a constitutional amendment, not a mere act of Congress, changing the methods of the election of President and Vice President, and providing among other things as follows:

"I. The President and Vice President shall be elected by the direct vote of the people in the manner following:

* * * * *

"II. The person having the highest number of votes for President in a State shall receive two Presidential votes from the State at large.

"III. The person having the highest number of Presidential votes in the United States shall be President.

* * * * *

"VI. The Congress shall have power to provide for holding and conducting the elections of President and Vice President, and to establish tribunals for the decision of such elections as may be contested."

In other words, when in 1874 it was proposed to give power to the Congress to control elections, this body recommended the only possible way by which it could be done was to adopt a Constitutional amendment. Now the proponents of the Green-Lucas bill are proposing by legislative act to do what that committee of the Senate said could be done only by Constitutional amendment.

It will be remembered, Madam President, that when we gave the colored people the right to vote we adopted a Constitutional amendment for that purpose. It will also be remembered that when we gave the women the right to vote it was done by Constitutional amendment; and now when it is necessary to give our soldiers, who are abroad or who are removed from their own States, the right to vote we can do it only by Constitutional amendment or by having our administrative authorities cooperate with the States under the present provisions of the Constitution.

I wish that all Senators could read the report written by Oliver P. Morton, and also the case of McPherson against Blacker, above referred to, in which the opinion was written by Chief Justice Fuller and concurred in by all the other members of the Supreme Court.

The Morton report which was submitted to this body, was approved by the Supreme Court of the United States in the opinion which I just read from Mr. Chief Justice Fuller. I will say to the distinguished Senator from Michigan that the case arose in his State. It was a Michigan case. The report was cited with approval, and it has never been questioned. As I stated a few days ago, the power of the State to select Presidential electors has never been questioned in the 155 years of our history until it was recently questioned by the bill which is now pending in the House and the bill which is now pending in the Senate.

Senators, that is the plain truth. That is the law. We all know it. Every Senator knows it. Congress has no more to do with it than has the parliament of England. Congress has no power over the selection of electors. When we undertake to assume that power we do an unconstitutional, illegal, unjust thing, and it is bound to bring trouble to our beloved country. I know that no Senator wants to bring trouble to our country.

I thank the Senator from Virginia for allowing me to interrupt him.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. GREEN. Mr. President, since the learned Senator from Tennessee, in making his constitutional argument, has intimated that no Senator would stand on the floor of the Senate and claim that the bill was constitutional, I desire to invite attention to the fact that several times during this debate I have addressed myself to this subject.

Mr. McKELLAR. Mr. President, I hasten to beg the pardon of the distinguished Senator from Rhode Island. I did not hear him make his argument. Knowing him as I do, I never dreamed that he would make such an argument about the Constitution.

Mr. GREEN. Not only the seat of the Senator from Tennessee, but most of the remaining seats were vacant at the time I made the argument. I believe that the argument which I made is worthy of the attention of the Senator from Tennessee and other Senators who are anxious to defend the Constitution of the United States. I do not make that statement merely because I made the argument. I think we may assume that all Senators wish the soldiers to be allowed to exercise that right to vote. I believe we may also assume that all Senators wish to preserve the Constitution of the United States.

I do not now propose to restate at length the argument which has been made to sustain the constitutionality of this bill. I should like, however, to make a few comments if the Senator from Virginia [Mr. BYRD] will yield for that purpose. I promise him not to take long.

Mr. BYRD. The Senator will not discuss the whole constitutional question again, will he?

Mr. GREEN. I would not dream of doing so.

Mr. BYRD. I have only a short portion of my address remaining to be finished. I do not want to interrupt the Senator. I shall be very glad to yield to him.

Mr. GREEN. I do not wish to reiterate what I have said several times before, though there are more Senators present in the Chamber now than there were at other times. So as not to intrude upon the time of the Senator from Virginia I invite the attention of the Senator from Tennessee and other Senators who are interested in the constitutional questions involved to the CONGRESSIONAL RECORD of January 27, 1944, pages 812 to 814, where I believe my views are best set forth.

Mr. McKELLAR. I shall be very glad to look at it.

Mr. President, a moment ago the distinguished Senator from North Dakota [Mr. TYE] asked me if there was a division of the Court in the case of McPherson against Blacker in 146 United States, from which I read a few moments ago. I have examined the opinion and found that it was a unanimous opinion by the nine Justices of the Supreme Court.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. SHIPSTEAD. I ask unanimous consent to have printed in the RECORD at this point an excellent editorial published in the New Ulm Daily Journal of January 10, 1944.

Mr. BYRD. Is the Senator asking unanimous consent to have something printed in the Appendix?

The PRESIDING OFFICER. The Senator from Minnesota asked to have the editorial inserted at this point in the RECORD.

Mr. SHIPSTEAD. If it would interfere with the trend of the Senator's remarks, I ask unanimous consent that it be printed at the end of his remarks.

The PRESIDING OFFICER. Without objection, the editorial will be printed in the RECORD at the conclusion of the remarks of the Senator from Virginia [Mr. BYRD].

(See exhibit A.)

Mr. BYRD. Mr. President, in view of the communications which I have read from the Governors of 46 of the 48 States, I think that Congress can proceed on the confident assurance that, with the cooperation of the Federal Government, practically all of these States will enact adequate soldier-voting legislation. Two States—Rhode Island and Kentucky—propose amendments to the Constitution, indicating the supreme importance of giving the soldiers the right to vote under State laws.

The fact that special sessions of the general assemblies are now being held for this specific purpose; the fact that two States even propose to amend their constitution, is to me definite assurance that practically all of the States, within the time limit, will provide for the right of the soldiers to vote, not only for Federal offices but to vote in primaries, and to vote, where feasible, for State and local offices.

During this debate I have heard a great deal of discussion of the fact that under Public Law 712 only a small percentage of the soldiers then in service

voted at the election in 1942. I think this is readily understandable. The law was not enacted until September 16, 1942, only about 45 days before the fall election in 1942. It was enacted too late for any State to act to change its State laws so as to permit the voting of soldiers abroad. The law provided that except for the repeal of the poll-tax and registration requirements, the ballots should be applied for and counted under the then existing State laws.

Today the situation is entirely different. Legislation is being enacted by the Congress of the United States nearly 8 months in advance of the elections. Already nearly all the 48 States have amended, or are about to amend, their election laws, liberalizing their provisions so that the soldiers can vote.

In my own State of Virginia, the Governor, Mr. Darden, yesterday sent a special message to the general assembly, asking for legislation to give to every member of the armed services the right to vote without the payment of poll tax; without the necessity of registration, and providing that certification of the nominees of a primary shall be made at least 80 days before the general election, and further providing that members of the armed services can vote in Virginia primary elections. That is not provided for in the pending legislation. Governor Darden also recommended that provision be made in the State law to enable any relative or friend of a soldier to make application for a ballot in his name, if the soldier desires that to be done.

The primary election, as I have said, nearly always determines the result of the general election in Virginia and other Southern States. Therefore, there can be no comparison between the ineffectiveness of the law passed only 45 days before the election of 1942 and the conditions existing today.

I wish to say very seriously, Mr. President, that I am unalterably opposed to military mass voting. Let the proponents of the pending legislation say what they please, the measure as at present written provides for military mass voting in a democratic country. That should never be permitted in America. Whenever the commanding officer of a battalion, or a company, or whatever it may be, designates a certain day and hour, and on that day the soldiers are relieved of military duties and are told that at 1 o'clock on that day they are expected to vote that may be regarded as a military command in a time of war.

Mr. CLARK of Missouri. Mr. President, will the Senator yield at that point?

Mr. BYRD. I yield.

Mr. CLARK of Missouri. I think practically all the States designate election day as a holiday, and most of the States, at least those that I have any familiarity with, also provide that time shall be permitted to employees to vote. What is wrong about saying that on a certain day men who are in the Army shall be excused from military duties for the purpose of voting?

Mr. BYRD. I will say what is wrong with it. The soldiers are going to be marched to the polls in military formation, in my judgment, and they will be voted en masse under military discipline of the Army or Navy, as the case may be.

Mr. CLARK of Missouri. I stated last night in the time of the Senator from New Hampshire [Mr. BRIDGES] that I do not believe that any such thing as that could possibly happen in the United States Army. I do not believe that there is a sergeant in the Army who can control his section or a lieutenant who can control his platoon or a captain who can control his company or a general of the Army who can control his army, so far as voting is concerned. I think the idea of the soldiers being marched to the polls and voted is entirely erroneous. That kind of thing cannot exist with the type of men and women whom we have representing us in the armed forces of the United States. I do not believe any such problem as that can possibly arise. If I am correct in that, why should they not all be given time off from drill or from anything else, even from combat, if it is possible to do that within the limits of proper military strategy? Why should they not be given time off to exercise their right of citizenship?

Mr. BYRD. I do not think the Senator fully understood my remarks. I did not say necessarily that generals or sergeants or corporals would tell the soldiers how to vote, but I said that if the soldiers are notified by the commanding officer that at a certain time they are to vote, the soldiers will be inclined to think and will think that the military authorities and their own Government want them to vote.

Mr. CLARK of Missouri. Why should they not? I have long had the opinion that any citizen who had a right to vote and who did not vote on two successive occasions ought to be deprived of the right to vote.

Mr. BYRD. I totally disagree with the Senator in that respect.

Mr. CLARK of Missouri. Why should not soldiers be advised of their right to vote?

Mr. BYRD. There is no provision of law for compulsory voting in this country. There is nothing in the Constitution and nothing in the laws to that effect. I totally disagree with the Senator when he says that a man should be disfranchised simply because he fails to vote when he does not want to vote. It is a privilege that we give to our citizens.

Mr. CLARK of Missouri. It is not so much a privilege as a right and a duty.

Mr. BYRD. If they themselves see fit to perform that duty.

Mr. LUCAS. Mr. President, I ask the Senator, Is there anything in this bill that compels servicemen to vote?

Mr. BYRD. My contention is that when an hour is set for voting under military discipline the average soldier will believe that is equivalent to a military order and that the Government and the Army and Navy want him to vote. The Senator may differ with me about that.

Mr. LUCAS. I do.

Mr. BYRD. That is my conscientious and sincere conviction with respect to this bill.

Mr. CLARK of Missouri. Mr. President, will the Senator permit me to interrupt him further?

Mr. BYRD. I yield.

Mr. CLARK of Missouri. The Senator certainly does not think, even taking his own view, with which I entirely disagree, that it would be considered by a soldier as an order to vote. The Senator does not think, does he, that there is anything in this bill that would require him to vote in any particular way?

Mr. BYRD. There is nothing in the bill that would require him to do so; it is not written in the language of the bill; I agree with the Senator from Missouri with respect to that.

Mr. LUCAS. But there is a provision in the bill that the soldier must make a request for a ballot.

Mr. BYRD. The Senator knows as well as I do the situation with reference to soldiers in the Army voting for or against the Commander in Chief. If the Senator wants to go into that, it is all right with me. I say that with all sincerity and with respect for the Senator from Illinois, because I know how interested he is in this legislation. I do not mean to say that a general will order that they shall vote the Republican ticket or the Democratic, but I say that the impression will be conveyed that that is a part of their military duty to vote in the election. I am opposed to forcing citizens of this country to vote under military control, unless they choose to exercise the privilege of voting under the Constitution.

Mr. LUCAS. Mr. President, will the Senator permit a further observation?

Mr. BYRD. I yield.

Mr. LUCAS. I differ with the Senator very earnestly about that proposition. I express the opinion——

Mr. BYRD. I have heard the Senator express his opinion about it time and time again.

Mr. LUCAS. That, from my experience with the servicemen, they are the most independent class of individuals I have ever known. I undertake to say that nobody is going to tell them what to do and the person who tries to tell a soldier how to vote when he gets in the booth is going to find that the soldier will probably vote the other way. I cannot follow the Senator from Virginia when he says that these intelligent men, these men who are now over there for the purpose of saving the country are going to be driven like a bunch of cattle, so to speak.

Mr. BYRD. I did not say that.

Mr LUCAS. The Senator said they would be marched up en masse.

Mr. BYRD. I said when the attempt is made to suspend all military operations for soldiers who are under military discipline and an hour is set for voting, that they will go to the polls and many of them will think that the commanding officer, the Army, the Navy, the Government, and the Congress of the United States want them to vote or require them to vote.

Mr. LUCAS. The Senator has lost faith in the ability and the intelligence

and the independence of these men who are serving in this war then.

Mr. BYRD. I have great faith in their ability and independence, perhaps more than the Senator from Illinois has.

Mr. LUCAS. No, the Senator has not. If he had, he would be for this bill.

Mr. TAFT. Mr. President, of course, I agree with the Senator that no one is going to tell the soldiers how to vote, but it seems to me obvious that under the provisions of this bill the soldier is going to be under the impression that he is ordered to vote in some way. On page 35, I call the Senator's attention to the fact that the commanding officer is required "to designate a ballot day for voting." Does the Senator know of any way that can be done except by general order? Is not that the way the commanding officer always communicates with the soldiers, by general order?

Mr. BYRD. Certainly.

Mr. TAFT. The language is expanded as we proceed. It provides, for instance, that he shall "cause copies of explanations of voting procedure and all other necessary information to be furnished to members of his unit."

Then it provides that he must "assume general responsibility for assuring that every person in or attached to and serving with his unit, who is entitled to vote under this title, has an opportunity to vote."

In other words, the duty is imposed on him of issuing information and statements and doing everything possible to indicate to the soldier that he wants him to vote. Does not the Senator believe that is the necessary effect of section 9 (b) of the Green-Lucas bill?

Mr. BYRD. I am fully convinced it is. Of course, I may be mistaken, but that is my opinion.

Mr. TAFT. As the Senator has said, the officer will announce that from 2 to 3 o'clock voting will be held at such and such a place, and the impression given that every soldier shall be there at those hours.

Mr. BYRD. If that is not the natural implication, then a soldier should voluntarily make an application for a ballot, and that would be voluntary action on his part.

Mr. CLARK of Missouri. Mr. President, I do not wish to delay the Senator's remarks, because I know he has very carefully prepared them, but will the Senator yield to me for just a moment to make a statement in response to what the Senator from Ohio has said?

Mr. BYRD. I yield.

Mr. CLARK of Missouri. We have had in the law for many years provision for insurance; we had such provision during the last war, and have it in this war. There are requirements in the law that the organization commander is required to call the opportunity of taking insurance to the attention of the men in his command. That may be considered as "mass marching up."

Mr. BYRD. There is a vast difference between taking insurance and voting.

Mr. CLARK of Missouri. It may be considered that there is a responsibility which is being exercised by the Government for the purpose of calling the rights, or the privileges, which the men have in the way of taking insurance, to their attention.

With reference to the provisions of the proposed act requiring commanding officers to call his right to vote to the attention of the soldier—it is called right in the bill; the Senator calls it a privilege, and I call it a duty—there is no difference, in principle, between requiring the commanding officer of an organization to call to the attention of the soldier his privilege, or right, or duty, as the case may be, in the one case to take out insurance, and calling attention to the right to vote. I do not believe that the Senator can fairly say that the requirement that commanding officers shall set aside a day, and apprise the men in their command of their right, amounts to mass voting.

Mr. BYRD. Now just one more word about the bill.

Mr. CLARK of Missouri. The only difference is that the Senator calls it a privilege, and it might be called a duty.

Mr. BYRD. Mr. President, I am opposed to the distribution and voting of a blank ballot which can be voted by party designation.

In the State of Virginia, the constitution provides as follows:

> The general assembly shall provide for ballots without any distinguishing mark or symbol, for the use in all State, county, city, and other elections by the people, and the form thereof shall be the same in all places where any such election is held. All ballots shall contain the names of the candidates, and of the offices to be filled, in clear print and in due and orderly succession; but any voter may erase any name and insert another.

We do not vote for parties in this country, necessarily, we vote for men and women, we vote for individuals; but under the bill one could mark the ballot "Democratic" and it would carry through for the Representative and Senator, or mark it "Republican" and the voter would vote for all the nominees of that party. One has a right to do that if he chooses, but I am opposed to any legislation which provides one can vote a blank ballot by party designation.

We should understand, too, that the Green-Lucas bill applies not only to the members of the armed services in uniform but to all members of the merchant marine of the United States, and this means that even those doing clerical work in the Merchant Marine Service could vote under the military ballot instead of under the State ballot. The captain of a ship may call an election on a merchant marine ship, wherever it might be, and the ballot will be taken there. It applies to all persons serving with the American Red Cross, the Society of Friends, the Women's Auxiliary Service, and the United Service Organizations outside of the United States.

See what a situation would develop here in Washington. Let us take the Navy Department, for instance. If the bill should be enacted, those in uniform in that Department would vote under the Federal ballot provisions, but sitting side by side with those in uniform, who are doing clerical work, just the same as members of the civil service, are others who would be compelled to go to their States in order to vote. Here would be two employees of the Government, one who happened to be in uniform, it is true, sitting side by side with one who was not in uniform, yet the one not in uniform would go back to his State to cast his ballot, and the one in uniform would vote under the military provision which is proposed.

I suppose an hour would be set in the Navy Department for the voting, and in the War Department for the voting, and that would apply all over the country, to those now engaged in doing clerical work who happen to be in uniform. They would then vote under the military provisions of the bill.

(Mr. SHIPSTEAD, under previous order, was given permission to insert the following editorial:)

EXHIBIT A

[From the New Ulm (Minn.) Daily Journal of January 10, 1944]

THE SOLDIERS' VOTE AND THE CONSTITUTION

The cavalier fashion in which the Saint Paul Pioneer Press, in an editorial on votes for soldiers appearing Wednesday, January 5, 1944, brushes aside the clear and unequivocal provisions of the Constitution of the United States is symptomatic of a certain type of mind.

The editorial is written in support of the thesis that the Federal Government, rather than the several States, should enact a law giving soldiers on foreign soil the right to vote and setting up machinery to be controlled and operated by the Federal Government for securing and counting the soldiers' votes. The editorial states that most of the opponents of this proposal rest their objections upon the ground that such a Federal law would be unconstitutional. The editorial makes no attempt to discuss the pertinent provisions of the Federal Constitution. It does not even quote them. It contents itself with the general assertion that we have found ways and means of doing many things in this war and that, if the Constitution stands in the way, we should be able to get around and defeat the constitutional provisions.

The provisions in the Federal Constitution with reference to the right and manner of voting are plain and unequivocal. They vest in the several States the power to determine who shall vote and where.

Sections 1 and 2 of article II of the Constitution of the United States reads as follows:

"Section 1. The Executive power shall be vested in a President of the United States of America. He shall hold his office during the term of 4 years, and, together with the Vice President, chosen for the same term, be elected, as follows: Each State, shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress: But no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector."

The Constitution then goes on to prescribe the manner in which the Presidential electors shall meet and cast their votes for President and Vice President, and then defined the sole power which shall be exercised by the Federal Government with reference to Presidential elections, as follows:

"The Congress may determine the time of choosing the electors, and the day on which they shall give their votes, which day shall be the same throughout the United States."

Under the plan set up by the Constitution, the President and the Vice President are not

voted for directly by the citizen. The citizen casts his vote for Presidential electors from his State and the Presidential electors, so chosen, cast their ballots for President and Vice President. It was contemplated by the founding fathers that the Presidential electors should be free to make their own personal selection of President and Vice President according to the dictates of their own judgment. But, in the course of time, the constitutional theory developed that Presidential electors from the several States were bound to vote for the candidate of the political party which had cast the majority of votes in their respective States.

The provisions of the Federal Constitution with reference to the election of Presidential electors are, therefore, the provisions which govern the manner of electing the President and Vice President. They put the power to prescribe the manner in which these Presidential electors shall be elected squarely and unequivocally in the State legislatures. The language is so plain and so unambiguous that there can be no possible question as to the intent and meaning of this constitutional provision. The intent to put the power over Presidential elections in the hands of the several States is made doubly clear by the further constitutional provision that the power of Congress over elections of Presidential electors shall be confined to the determination of the time of choosing the Presidential electors and the day on which they shall give their votes.

The Constitution of the United States is the organic, basic, fundamental law of our land. It is not only the law of the land, but the supreme law of the land. Like any law, more than any ordinary law, the Constitution of the United States should be respected and obeyed. Invitations to flaunt the Constitution, to get around it by devious unconstitutional expedients, are invitations to violate the law, the organic, fundamental, basic law of our land.

It is time that the Constitution of the United States ceases to be treated in the cavalier fashion in which it was treated by the Saint Paul Pioneer Press in its recent editorial. Respect for law is an absolute essential to orderly government and to ordered liberty under law. If violation of the Constitution and thwarting of its purposes is to become a matter of mere day-to-day expediency, there will follow inevitably a general disrespect for all laws and a general attitude on the part of our people of lawlessness and contempt for legal restraints.

The Constitution of the United States is a great document. It has been called the greatest document ever struck off at one time by the brain and hand of man. It is a short document. It can be read aloud in about 20 minutes. We recommend to the editors of the Saint Paul Pioneer Press that they knock off for about 20 minutes and read the Constitution of the United States. It might be worth their while.

Mr. TAFT. Mr. President, I desire to present an amendment to be printed and to lie on the table.

The amendment is sponsored by Senators McKELLAR, BALL, BAILEY, BANKHEAD, BREWSTER, BUCK, EASTLAND, McCLELLAN, OVERTON, O'DANIEL, REYNOLDS, REVERCOMB, ROBERTSON, SMITH, and myself.

The amendment represents an attempt at a compromise bill, which is in the form of an amendment, although practically a substitute. The important features of the amendment are the provision that the whole act shall come to an end at the end of December 1945.

The amendment incorporates the Ball amendment; in other words, it provides for the Federal ballot only in case a State does not provide a ballot before June 1.

It provides, further, that even under the Federal ballot provision the voting may be only by name, and not by party.

It provides that the qualifications fixed by States shall not be changed, and that the Federal ballot does not, as I think it is not intended, change the right of the State to prescribe the qualifications of voters.

It provides further a title II, which is a more elaborate form of provision for State voting, exactly the same form that appears in the bill as it passed the House.

Mr. McKELLAR. Will the Senator yield?

Mr. TAFT. I yield.

Mr. McKELLAR. In one of the bills, I do not remember whether it is in the particular print before the Senator, the word "priority" was used, priority being given to voters of the first grade. Does the Senator strike out the word "priority"?

Mr. TAFT. I think the amendment does. Provision for taking the State ballot is made as strong as possible.

I ask that the amendment be printed and lie on the table.

The PRESIDING OFFICER. Without objection, the amendment will be received, printed, and lie on the table.

Mr. BARKLEY. Mr. President, I have been conferring with Senators on both sides of the Chamber with a view of limiting debate tomorrow. It seems to me we have reached a time when we ought to limit debate upon the bill and amendments thereto to a reasonable amount of time in order that it may be brought to a conclusion, and in that spirit I shall propound a unanimous-consent request that beginning tomorrow at 11 o'clock a. m. and during the further consideration of this measure, no Senator shall speak more than once nor longer than 20 minutes on the bill or on any amendment, substitute, or motion pertaining thereto.

The PRESIDING OFFICER. Is there objection?

Mr. WHITE. Mr. President, reserving the right to object, I will say that I undertook to canvass somewhat on this side to see whether there would be any unanimity of view with respect to a limitation on debate. If the limitation on debate should not begin until 2 o'clock tomorrow, I feel reasonably sure there would be no objection on this side, but I am equally sure that there would be objection to a request that the limitation on debate begin immediately upon the convening of the Senate tomorrow.

Mr. BARKLEY. Mr. President, I am perfectly willing so to modify my request.

The PRESIDING OFFICER. Is there objection to the modified request of the Senator from Kentucky?

Mr. WHITE. Mr. President, I am speaking only for myself. I have no objection to the limitation on debate beginning at 2 o'clock tomorrow. If any Senator has a different view about the matter I suggest that he make it known now.

The PRESIDING OFFICER. Is there objection to the modified request?

Mr. BALL. Mr. President, I am not sure I have the proposal clearly in mind. Is it proposed that there be a limit of 20 minutes placed on discussion of any amendment?

Mr. BARKLEY. Twenty minutes on the bill and 20 minutes on any amendment, the limitation to begin at 2 o'clock, which would give any Senator 40 minutes, if he desired to take that much time.

Mr. BALL. A Senator would not receive another 20 minutes to speak on still another amendment?

Mr. BARKLEY. Yes; he would have 20 minutes to speak on any amendment.

Mr. BALL. Under the agreement he could not speak more than once on the bill nor on any amendment thereto?

Mr. BARKLEY. He could not speak longer than 20 minutes on the bill or on any amendment. That gives any Senator 40 minutes. Then on a further amendment he can speak 20 minutes more.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request, as modified, made by the Senator from Kentucky?

Mr. WHITE. Mr. President, may I ask one more question?

Mr. BARKLEY. Yes.

Mr. WHITE. It is contemplated that if that agreement is reached there will be no vote tonight.

Mr. BARKLEY. Yes; it contemplates no vote tonight.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky, as modified?

Mr. BYRD. Mr. President, one very important amendment is to be presented tomorrow which cannot be discussed in 20 minutes. The amendment is far reaching and will cause as much discussion perhaps as the bill itself.

Mr. BARKLEY. I will say to the Senator that under this arrangement any Senator in speaking on that amendment would have 40 minutes in which to discuss it.

Mr. BYRD. Mr. President, I should like to ask that we omit the amendment, which the Senator from Ohio [Mr. TAFT], the Senator from Louisiana [Mr. OVERTON], the Senator from Mississippi [Mr. EASTLAND], and several other Senators will offer. It cannot be explained in 20 minutes. It is a very vital amendment.

Mr. BARKLEY. Mr. President, I have discussed the matter with the Senator from Mississippi [Mr. EASTLAND] and the proposed arrangement is agreeable to him. I hope the Senator from Virginia will not object, because I think we ought to make some progress.

Mr. BYRD. I agree with the Senator that we ought to make some progress.

Mr. BARKLEY. I ask the Senator from Ohio [Mr. TAFT], who has just come into the Chamber, whether he has any objection to the proposed limitation?

Mr. TAFT. Mr. President, I have no objection to the proposal.

Mr. BARKLEY. I thank the Senator.

The PRESIDING OFFICER. Is there objection to the modified unanimous consent request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

THE GREAT BETRAYAL

Mr. GUFFEY. Mr. President, for reasons which will be apparent before the conclusion of these remarks, I rise to address this body on the subject The Great Betrayal.

How else can we explain that a Member of this Senate has claimed that publication of his attack on the good-neighbor policy was followed by an anti-Allied revolution in Bolivia, or that we find the national anti-Fascist front of Cuba urging President Fulgencio Batista to bar from the mails the Spanish-language edition of the magazine which carried this Senator's attack, on the grounds that it is "disrupting friendly relations between the United States and the Latin-American countries"?

First of all, I should like to comment on a speech which was made in this Chamber last week, and then invite the Senate's attention to the editor and publication which are chiefly responsible for some poisonous nonsense which has been spread about our foreign policy as it affects the Latin-American countries.

On Thursday, January 20, the Senator from Nebraska [Mr. BUTLER] stood up in this Chamber and delivered a revised set of statistical impressions concerning his trip through Latin America, a sort of twenty thousand leagues over the seas—or half seas over for some of the Senator's companions on that stimulating journey—inspired by, paid for by, and delivered to the Reader's Digest.

This time the Senator from Nebraska seems to have dispensed with the ghost-writing services of that political "bazooka," Dr. Stanley High, who corrected the ideas and the spelling of the first edition of his report, and has called in a firm of certified public accountants to correct his arithmetic.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. GUFFEY. I yield.

Mr. BUTLER. The other day when I made the speech to which the Senator is replying I did not stipulate that there should be no interruption. I do not intend to interrupt the speaker today unless there is some particular occasion for doing so. But at the very outset of his statement the Senator says that my trip was inspired and paid for by someone else. That is absolutely an untruth.

The first idea of taking the trip came from my own brain, and I paid for every cent of the expense connected with my part of the trip. Anyone else who took the trip and who happened to accompany me paid his own expenses. I want to put the Senator right at the outset of his statement.

Mr. GUFFEY. I am glad to hear the Senator from Nebraska say that. When he says that, I know he is telling the truth. My information was otherwise.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. GUFFEY. No.

Mr. President, the Senator from Nebraska announced that his addition was proved to be 99 44/100 percent pure, but no one questioned the Senator's ability to add dollars. It was the sense of his addition that was open to question, and still more is open to subtraction.

The Senator from Nebraska now admits that to get his totals on what he termed "New Deal boondoggling" in South America, he had included American purchases of raw materials and our direct military expenditures. In other words, the Senator admitted his attempt to mislead the American people in his first so-called report. Ghost-written for him by Dr. Stanley High and that man who calls himself Mumford, when he claimed that we were pouring $6,000,000,000 into Latin America for wasteful boondoggling.

The Senator gave a new definition of boondoggling. He included in that term the erection of hospitals, the construction of sewers, and the development of roads.

I think it would be conducive to a good understanding of the situation if I told a few simple facts which may have been overlooked.

Before doing so, I wish to drive home the point that the Senator from Nebraska had claimed that we were financing a $6,000,000,000 boondoggle in Latin America. To support this charge he had this C. P. A. firm correct his addition, and came out with a little less than $6,000,000,000.

On examining the 115 items in the Senator's list of figures, I find that 3 items alone total more than $2,000,000,000, and all are for the purchases of commodities, including sugar, needed for our war industry and civilian population.

I find that 3 more items total just a bit less than $1,000,000,000. All for the purpose of military installations, air bases, naval stations, and other direct expenses incidental to the conduct of the war against the Axis.

Thus, 6 items out of 115 account for more than half of the Senator's so-called $6,000,000,000 boondoggle, and these 6 items do not take into account any searching analysis of the figures for duplication of items.

I would remind the Senator, and those who are trying to use him, of the real state of affairs.

In the first place, the American Nation has been purchasing food, metals, and other raw materials from Latin America for a great many years. They are useful to our economy. Does the Senator mean to attack the foreign trade of the United States as New Deal boondoggling and waste, when he includes the trade returns in his padded good-neighbor expense account?

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. GUFFEY. I will not. I am going right ahead now to finish my statement; and the Senator can ask all the questions he wants to ask when I finish the statement.

Mr. WHERRY. Will the Senator answer questions when he concludes his statement?

Mr. GUFFEY. Yes. I shall be glad to give the Senator a copy of the statement, so that he can make notes on it.

Mr. WHERRY. No; I do not desire to do that.

Mr. GUFFEY. Or, Mr. President, did the Senator just set $6,000,000,000 as his goal, and hunt for any and all figures to support his charge, even if they included the cost of sugar from Cuba, tin from Bolivia, manganese from Brazil, oil from Venezuela, and bauxite from the Guianas?

In the second place, this country is at war with the Axis. We are maintaining our armed forces in many parts of the world, including certain friendly countries in South America.

Does the senior Senator from Nebraska seek to spread financial and political defeatism among the people of the United States when he adds to his fabricated totals the cost of maintaining our garrisons and developing fortifications and other military installations in the Western Hemisphere? And why did he include the cost of operating the Panama Canal in wartime as wasteful "boondoggling"?

I do not believe that the senior Senator from Nebraska has any intention to aid Hitler or disrupt our foreign policy. He is simply playing Republican politics.

I believe that it was Mr. De Witt Wallace, of the Reader's Digest, through Dr. Stanley High, who told him that $6,000,000,000 was the figure they wanted to publicize, and who promised the Senator that, if necessary, they would see to it that a firm of certified public accountants would check his addition if he would include everything and anything needed to produce a figure which would support the policies of a very wealthy publisher.

The Senator has, however, complained that American money is being used to build hospitals, sewers, and roads in Latin America. This seems to him wasteful.

I think I ought to explain again that this country is at war against the Axis. As I remember, the Senator from Nebraska himself voted for the declaration of war.

To wage a modern war requires materials. Dollars never won a battle or built a tank. They can be used to mobilize the material resources by which tanks are built and battles won. This means food; this means copper; this means oil, steel, manganese, bauxite, rubber, tin, and innumerable other commodities.

The Latin-American countries are rich in raw materials, and, with one or two exceptions, they are very friendly to this country, under the good-neighbor policy.

This means that we are free to go to those countries and buy their products in line with our own war needs.

The Senator's own report admitted that health was the greatest single problem in Latin America; and, next to health, transportation is most vital.

In order to assure ourselves of uninterrupted and increasing supplies of the things we need, it would seem to me to be a proper and desirable thing—even as a war measure—that we should work with the friendly governments of this hemisphere to overcome the obstacles to increased productivity, to improve the public health, by building hospitals and sewer systems, and to improve transportation facilities by building roads, reorganizing railroads, and supplying transport equipment.

I would even add that it is also good war policy for us to increase the wages of Latin-American labor, where possible,

in order to improve the diet, build up the stamina, and enlist the sympathies of the humble men and women who do the work by which the goods we need for the conduct of our war are produced.

I doubt that any Member of this body believes that good production can be obtained by means of sweated labor, whether that labor be located in Pittsburgh, Detroit, Omaha, or South America.

I point out to the senior Senator from Nebraska that the other American republics are sovereign and independent nations. That means, of course, that we as a government, cannot simply go down there, take what we like, and pay what we please. That means that we must consult them, work with them, find out what they want, and try to give it to them in return for the things which we want and which we must have if we are to win this war for survival.

As a new member of the party of States' rights, the senior Senator from Nebraska will surely appreciate that this Government cannot grab or spend without reference to the wishes and ambitions of the people in the other American republics.

The Senator himself came to this body on the crest of a wave of so-called popular resentment on the part of the people of Nebraska against the Federal Government's expenditures in his State, expenditures which had saved the farmers and saved the workers and pulled the State out of the red, but which were carefully directed so as to prevent the usual system of political hand-outs and favors which are traditional in the Senator's party.

I say, therefore, that what is good enough for Nebraska is good enough for, say, Guatemala, and that the Government of Guatemala is entitled to be consulted and satisfied before the flow of Federal funds reaches into Guatemala and disturbs the economic and social life of that country.

That is, of course, true of every other sovereign nation on this hemisphere.

There is really little that needs to be said to refute the arguments of the Senator from Nebraska, since he has already refuted himself by admitting that his $6,000,000,000 estimate of the cost of New Deal waste in Latin America is farfetched in that this figure includes the cost of the food and other commodities normally purchased from Latin America, the cost of purely military projects in Latin America, and the cost of the measures needed to raise the level of health, transportation, and productivity in those countries whose resources are essential to the effective conduct of our own war effort.

The Senator from Nebraska should apologize to the American people and to the peoples of the other western republics for this attempt to play politics with our foreign policy and to disturb our relations with friendly governments simply because the publisher of the Reader's Digest has put the Senator in the hands of a political wrecking crew, composed of Dr. Stanley High, a bazooka who is equally dangerous at either end, and a couple of so-called research men whose statistics were apparently bottled in bond and whose subsequent economic impressions were so hazy that a firm of certified public accountants had to be called in to discover whether their addition was correct.

I must confess, Mr. President, that I am still at a loss to understand how the publisher of the Reader's Digest permitted himself the luxury of Senator BUTLER's attack upon our relations with friendly American countries.

Some of us may remember Mr. DeWitt Wallace's father, the highly respected president of MacAlester College, in St. Paul, Minn., Dr. James Wallace.

Dr. Wallace was an ardent supporter of the League of Nations and the cause of world peace, and when the bipartisan alliance in the Senate of those days had destroyed American membership in the League, Dr. James Wallace wrote a book of protest, entitled "The Great Betrayal," which is still worth reading as an intelligent document and as an expression of decent moral aspirations.

In his early days as a publisher, Mr. DeWitt Wallace and his devoted wife seemed to be worthy heirs to the Wallace tradition.

They started their venture in a barn near Pleasantville, N. Y., an unworldly, idealistic couple, who felt that they had a mission and an opportunity.

The Reader's Digest set out to present a cross-section of contemporary American opinion, by concise reprints of magazine articles.

After a while deserved success came to the magazine. Its power and profits invited envy, and the editors of other magazines were reluctant to permit Mr. Wallace to reprint articles appearing in those magazines.

Faced with this threat to his business, Mr. Wallace went down into the market place, a rather dreamy, unworldly man, and, as mystics so often do, he came home with the bacon.

It was then, or about then, I am speaking of 10 years ago, that there was a subtle change in Mr. Wallace's approach to his responsibilities as publisher of the Reader's Digest.

He raised his prices to levels with which only the wealthiest publishers could compete. He devised a system, not of publishing a cross-section of American opinion, but of ordering articles written in advance.

Those articles were farmed out to other magazines—stooges for the Reader's Digest—and were later reprinted by Mr. Wallace.

Reader's Digest had, in fact, ceased to be what it originally had been and had become instead a magazine which reflected not American opinion but Mr. DeWitt Wallace's prejudices; for the publisher of this immensely wealthy and deservedly successful magazine had developed prejudices. Like many others, I I can only assume that, as the late Heywood Broun said of another publisher "he was bitten by an income tax."

Westbrook Pegler became one of his cronies and he, who had started business in an old barn, erected a splendid temple for the Digest in a cow pasture in Westchester County, New York State's most notorious hive of unreconstructed Republicans.

He, the son of an idealistic Minnesota educator, was at last allowed to move on a plane of social equality with the ultrawealthy and socially registered of New York.

But I do not believe that he had any idea that he had drifted away from his wise father's ideals. He himself remained, as he had been, a little vague, a little naive, a little unworldly, unable to see that the immense circulation of his magazine—which had some 9,000,000 subscribers and publishes many foreign-language editions—had conferred immense power upon him.

Like many other Americans of his generation he did not realize that size in itself confers power, and that power must be wisely used or shrewd men will fill the vacuum.

I believe that Mr. DeWitt Wallace has, without realizing it, allowed the editorial power of the Reader's Digest to become the tool of powerful interests, some of them reactionary, which seek to make use of the power which an earlier and simpler idealism had created.

Where the vultures are, there will be found the carcass.

Dr. Stanley High rebounded from the New Deal for revenue only into the Digest camp. Mr. William Hard, former publicity writer for the Republican National Committee, also moved in.

Where DeWitt Wallace had a good staff writer, like Dr. Paul de Kruif, he began to send de Kruif's articles to the American Medical Association for revision.

I have recently heard one tale of a writer whom Mr. DeWitt Wallace sent to write up Hollywood on the theory that Hollywood is being run by new dealers.

The writer got there, found out that the movie industry was not run by new dealers and was doing a superb war job. She wanted to write the true picture but was told that Mr. DeWitt Wallace was not interested in her article unless that article said that Hollywood was run by the new dealers.

The other day a reporter asked Mr. Wallace why he had not published an article favorable to President Roosevelt.

The publisher replied that he published such articles all the time and promised to send the reporter some. Of course, none was ever sent because none had been published. The men and women who have closed in on the Reader's Digest have seen to that.

In the meantime, they have also placed DeWitt Wallace in the position of operating a cartel of magazines. He has entered into contractual relations on a yearly renewable basis, with the Curtis, Crowell, Hearst, and Luce publications, as well as with Harpers, Mercury, the Atlantic Monthly, and This Week—between 25 and 30 in all.

From time to time the editors do not renew. The Curtis publications refused to sign a contract while Mr. Wesley Stout was editor of the Saturday Evening Post.

I understand that the Warner publications—McCalls and Red Book—have withdrawn from the cartel, and I hear that Liberty also plans to withdraw when its contract expires this summer.

These, of course, are powerful and wealthy publications. But for some of the smaller magazines the Reader's Digest subsidy is a godsend in the financial sense, and they dare not rebel against the system which brings big names to their table of contents and fat checks to their treasury.

Those who swallow the bait soon find that Reader's Digest is not really interested in condensing their editorial finds, but plans to use them as stooges, as trade outlets for articles commissioned, paid for, and planted by the editor of the Reader's Digest.

I realize, of course, that Mr. DeWitt Wallace feels that he must protect his business interests from the possibility of a boycott by the other editors, with whom he is now directly competing, and I mention this ingenious system only as showing that the Reader's Digest is not what it used to be, but has become a magazine in its own name, with its own policies, its own fish to fry, and its own system of bringing irresistible financial pressures to bear on authors and editors in order to further its policies and its business interests.

Surely this is a far cry from the man who wrote The Great Betrayal and whose memory is still green among American educators.

These ethics stem from the fact that Mr. DeWitt Wallace has allowed others to usurp and direct the great power of his little magazine.

And now we find this magazine breaking into a new field; making use of the artless partisanship of a Senator to use the United States Senate and the CONGRESSIONAL RECORD as advance publicity for the Reader's Digest.

Gone is the pretense that the Digest simply republishes noteworthy articles from other periodicals. Here we have a regular expedition into Latin America with a Senator riding the elephant under the instruction "Bring 'em back alive."

"Come back with $6,000,000,000 of New Deal waste in boondoggling. We'll print it. We'll see to it that the spelling is correct and that the arithmetic has been checked by certified public accountants. Do not worry about the good-neighbor policy, but if there is a pro-Axis revolt in Bolivia, be sure to claim credit for it.

"Anything to get Roosevelt, and remember that the Constitution guarantees you against libel for anything said on the floor of the United States Senate."

This procedure, Mr. President, seems to me to be a very great betrayal of the freedom of the press and the responsibility of the press in this critical period.

Whether it is Mr. DeWitt Wallace or Dr. Stanley High and Mr. William Hard who have pulled the wool over his eyes does not greatly matter.

There is something very weak, very cowardly, and very shameful, however, in the spectacle of a publication which only recently has received marked favors and facilities from the Government, employing the very favors and facilities which it has received in order to tear down the delicate fabric of international trust and friendship on which our national safety depends.

I say that the editors and the publisher of the Reader's Digest owe an apology and an explanation to the people of the United States for this unparallelled conduct.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. GUFFEY. I yield.

Mr. BUTLER. I certainly do not intend to delay the Senate at this late hour for more than a moment or two. However, I should like to ask the distinguished Senator from Pennsylvania at least one or two questions, and then perhaps make a very brief statement or two in my own time.

The question, I think, should be posed something like this: In the last few days I have seen in the press statements to the effect that the distinguished Senator from Pennsylvania has denied that he is any longer the official spokesman for the Democratic Party, and I wonder if in his statement today he is acting as the official spokesman for perhaps the Democratic National Committee.

Mr. GUFFEY. I never was an official spokesman for the Democratic Party, and I am not for the Democratic National Committee. If the Senator from Nebraska understands the set-up of the national organization he knows that the chairman of the senatorial committee of the Democratic Party has no association whatever with the Democratic National Committee.

Mr. BUTLER. The Senator today in his reply to the two statements I made here on the Senate floor—which I do not think has hit the point—has taken occasion very definitely to bring in partisan politics. If I do nothing else at this moment I want to make the point plain that there has been no partisan politics brought into either statement which I made on the floor of the Senate, or into any statements made by me over the radio in connection with my trip through South America, or the reports which I have made in connection therewith.

On the contrary, on every occasion on which I made a statement I have endeavored to make it plain that there is no place for partisanship in our relationship with Latin America. I want that to be definitely understood on the part of the Senator from Pennsylvania if he still happens to be a spokesman for the Democratic National Committee.

Mr. GUFFEY. Or ex-spokesman.

Mr. BUTLER. There are other points to which I should like to call the Senator's attention, and perhaps other Senators present will be just as interested.

I am not defending the Reader's Digest. I have never met the gentleman to whom the Senator from Pennsylvania has paid his respects today, and directed most of his remarks. I hope some day I may have the pleasure of meeting the gentleman who has done the kind of job Mr. Wallace has done. To date, I have not met the gentleman, and would not know him if I should meet him today.

I had nothing whatever to do with the Reader's Digest before I went to South America, as I stated to the Senator when he first began to talk. A number of Senators on this side of the aisle, as well as the other side, will remember that for several weeks previous to our adjournment last summer I tried to develop a group of Senators for the party, and finally I had to go as the only Senator in the party. It was an opportunity for me to see first-hand some of the work which it is impossible to visualize if we try to do it from the home base, and I hope the distinguished Senator from Pennsylvania and others from each side of the aisle may have that opportunity during the coming summer.

With reference to the Senator's statement that I have accused any person in the State Department or any other department of the Government of boondoggling $6,000,000,000 I have said repeatedly that as to the bulk of the expenditures no criticism could be made. However, there are some items which we might well consider. The distinguished Senator has not taken the time to list any of them. There are many items in the list of 115—and mind you, that is is only a portion of what I have listed, and I still have many more that I could list, if the Senator wants them—for which there is positively no defense, and I affirm again that wastefulness in expenditures, whether they be defense expenditures or nondefense expenditures, but especially wastefulness in nondefense expenditures, are no more excusable abroad than at home.

When our Nation faces, as it does, a debt which I wonder and others wonder if we shall ever be able to meet, is is not worth while to attempt to eliminate wasteful nondefense expenditures, whether they are made abroad, or at home?

I believe, Mr. President, that the people of Latin America are an honest people. I found them to be extremely friendly, and more than extremely polite. I found them eager to hear both sides of the question. I had never heard, until the Senator said it today, that there is a movement on the part of some of the governments to the south of us to exclude from the mails the Reader's Digest because it had carried my articles. Naturally it would be disappointing to me if I had in any way contributed to such a sad situation. I am not much worried about the people of Latin America making such a mistake, because they want both sides of the question. They want the truth. Whether the Senator from Pennsylvania wants the truth, or both sides of the question, or not, I am sure the people and the leaders of Latin America want both sides of the question. How can anyone stand on the floor of the Senate and make the accusation he has against the publisher of a magazine simply because the magazine carried an article by a Senator from either side of the aisle, when the magazine is noted for the fact that it has carried articles written by many Members of Congress on each side of the aisle, and by many distinguished persons of both parties? Undoubtedly that will continue to be the policy of the publisher of the magazine. I remember very lately seeing articles

in that magazine written by the distinguished Senator from Virginia [Mr. BYRD], Ambassador Bullitt, the Senator from Wyoming [Mr. O'MAHONEY], and even by the wife of the President of the United States. I have not heard of anyone on this side of the aisle threatening to quit taking the Reader's Digest because it contained those articles. I hope that the criticism of the statement which I made in the past will be directed at the facts which I was endeavoring to put into the RECORD for one purpose, and one purpose only, namely, to eliminate wasteful expenditures abroad as well as at home.

The reports I have submitted are officially on file with two or three committees of the Senate, and I hope that some good may come from them yet, and that no harm will come to our friendly relations with Latin America.

Mr. GUFFEY. I should like to answer the Senator from Nebraska for a moment.

The PRESIDING OFFICER (Mr. CHAVEZ in the chair). Does the Senator from Nebraska yield to the Senator from Pennsylvania?

Mr. BUTLER. I yield.

Mr. GUFFEY. Last Friday I was visited by an investment banker from Philadelphia, a member of an old house in business there 40 years. He asked me about the truth of that boondoggling $6,000,000,000 article. He said, "I have a lot of funds to invest, and I am not going to buy any War bonds if this story is so. I am asked frequently for advice, and I want to know the history of this. You are from my State." I gave him the reply which the Senator from Tennessee [Mr. MCKELLAR] has made, and gave him an advance copy of my remarks of today. I think he will be found buying a substantial quantity of War bonds. That illustrates one of the evil effects of printing such a story. I know the Senator from Nebraska did not intend that result, but that is the effect.

Mr. BUTLER. Mr. President, I know that the Senator and everyone else who has read the article will be easily convinced that the United States of America is still on safe ground. We will be on safe ground if we will watch our expenditures, whether they are here or abroad.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. BUTLER. I yield to my colleague.

Mr. WHERRY. I rise to comment and make an observation on the statement made by the junior Senator from Pennsylvania [Mr. GUFFEY]. He mentioned sugar, and questioned the findings of the senior Senator from Nebraska, and questioned whether or not it was boondoggling to spend money in South America for sugar.

I am not for any reason getting into the debate over the question whether or not we should or should not be doing that, but what is wrong with an inquiry? If we need sugar for the war, certainly those figures would be justified, and I am certain that the senior Senator from Nebraska has justified his figures. But it seems to me that the charge comes certainly without good faith in the light of what has happened in the last 10 days, and this is one of the main reasons why I have risen to take the floor.

In connection with the publicity which went out from the Senate over the stand of those of us who voted to take up the subsidy bill rather than the soldier-vote bill, known as the Green-Lucas bill, I freely admit I was one who voted to bring out the subsidy bill first, and I will state why I did so.

Since last December legislation has been under consideration, and in the proposed legislation is provision for planting the sugar crops, and provision for incentive payments that were to pay the sugar farmers of this country. That program has been delayed unnecessarily, and I say to the Senator from Pennsylvania, constructively——

Mr. GUFFEY. Mr. President——

The PRESIDING OFFICER. The senior Senator from Nebraska has the floor. Does he yield to the Senator from Pennsylvania?

Mr. BUTLER. I yield to the Senator from Pennsylvania to ask a question of my colleague.

Mr. GUFFEY. Does the Senator imply that I criticized his vote on the subsidy bill? I have no recollection of saying anything about the votes on the subsidy bill. I voted the other way, and I have no recollection of saying anything about how others voted, and if I did so, I am sorry, because the Senator had a perfect right to do as he did.

Mr. WHERRY. I shall proceed, then. If the apology is offered in good faith, that is fine.

My reason for voting to bring out the subsidy bill was that I wanted to insure sugar planting in the United States of America. There were three refineries in Nebraska, large refineries, I will say to the Senator from Pennsylvania, which did not even operate last year. Half the sugar land that could be planted to sugar production in the western part of Nebraska was planted to some other crop because of the incentive payment program being held down so low. It was not comparable to the incentive payments on other crops. Due to this administration's delay, even today it will be found that the Commodity Credit Corporation has not offered a timely program. As a result, the farmers in western Nebraska are not even prepared to plant the sugar crop they would like to plant.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. WHERRY. I yield, if my colleague will permit.

Mr. O'MAHONEY. The statement just made by the Senator I think was made probably in a misapprehension of the facts. The Commodity Credit Corporation and the War Food Administration last week announced a sugar program. It is only fair to say, if the Senator will permit me further, that this program was ready last December, but the War Food Administrator, Mr. Marvin Jones, was not given clearance to announce the program solely because Judge Vinson, the Director of Stabilization, was of the opinion that if it were announced it might be misinterpreted by Members of Congress as an effort upon the part of the administration to force the hand of Congress with respect to the subsidy legislation.

I did not believe that was an interpretation which should properly be placed, and I am very glad to say that I discussed the matter with Mr. Jones, with Judge Vinson, the Director of Stabilization, and also with Justice Byrnes of the Office of War Mobilization. I made the statement to them of my belief that whatever the interpretation, the War Food Administration should be permitted to make the announcement with respect to what the incentive payments should be.

I am further glad to be able to say that that point of view was accepted, and the announcement was made. The effect of it is that there will be presented to the beet growers an additional incentive payment of $1.50 a ton, making a total payment of $3 a ton incentive and $2.50 under the Sugar Stabilization Act, so that in a sense the Government is guaranteeing to the producers of sugar beets $5.50 a ton, to which will be added the sums paid to the farmers by the processors. The total under this program will amount to more than $12 a ton. That is the program. It is known by the producers of sugar beets, and the only reason why it was not announced before was that which I have already stated; namely, the feeling upon the part of Judge Vinson that perhaps the program should not be announced until Congress had spoken as to whether or not incentive payments should be permitted.

Mr. WHERRY. Mr. President, I wish to thank the able Senator from Wyoming for his statement. I was glad to know that the War Food Administration had finally announced its program. That had not come to our attention when, 10 days ago, it was voted to bring out the subsidy bill.

Mr. BARKLEY. Mr. President, will the Senator from Nebraska yield?

Mr. BUTLER. I yield.

Mr. BARKLEY. I think the announcement was sent through the mails to all Senators several days ago. Frequently such matters come to our offices and we do not observe them, but I received through the mail a mimeographed copy of the announcement which was made several days ago.

In that connection, I can confirm what the Senator from Wyoming stated with reference to this matter, because I discussed it with Judge Jones 2 or 3 weeks ago, and he was anxious at that time to make the announcement as soon as possible, and I think did so a little later.

Mr. WHERRY. I thank the Senator from Kentucky for his statement.

Mr. BRIDGES. Will the senior Senator from Nebraska yield to me?

Mr. BUTLER. I shall yield to the Senator after my colleague concludes.

Mr. WHERRY. Mr. President, if the program was announced only last week, the farmers, as I am sure the senior Senator from Wyoming will agree, were continually kept in a state of confusion as

to how and when to plant their crops, just as was the case last year, because of the lateness of the announcement of the program.

What I want to say, Mr. President, is that we could produce sufficient sugar in this country. I should like to see the sugar-beet production enlarged. That would result not only in helping our civilian population but our military forces.

Mr. President, I compliment the War Food Administration for finally announcing the delayed program. But how futile it is to have this chaos and controversy about not producing the crops which should and can be produced. We have the machinery to produce the crop of sugar beets. The increase in production will furnish beet tops sufficient to fatten the cattle instead of having the feed shortage which now exists. Instead of spending money in other countries it should be spent here where it belongs, to stimulate production not only for the war effort, but to help our American farmers.

I should like to mention another thing. The Senator from Pennsylvania [Mr. GUFFEY] stated that the senior Senator from Nebraska was elected on a big swell in Nebraska. I interpreted the Senator's remarks to mean that the election of the senior Senator from Nebraska was a sort of political accident. Am I correct in that interpretation?

Mr. GUFFEY. No; I did not say that.

Mr. WHERRY. I do not wish the Senate to get the idea that the senior Senator from Nebraska was elected on a big swell, or that he was a political accident. That would be a reflection on the junior Senator from Nebraska as well. I happened to have been State chairman in Nebraska in 1938 when the senior Senator from Nebraska was elected to the Senate, and he received one of the finest majorities the State of Nebraska has ever been known to give to anyone who came to the United States Senate. The election of the senior Senator was no political accident. No such inference can be drawn. He was not brought in on a so-called big sweep or swell.

The Senator from Pennsylvania said that the farmers in Nebraska did not appreciate the subsidies they had received. He said the subsidies would build them up. I wish to tell the Senator from Pennsylvania that Nebraska has always been able to maintain itself. It was able to maintain itself long before President Roosevelt entered the White House. Our State does not have as many industries as Pennsylvania. We do not have the miles of roads, we do not have the income that Pennsylvania has. But let me tell the Senator that our State does not have a dime of indebtedness. We have no bonded debt. We have as fine a capitol building as there is in the United States and there is not one dime of debt against it. Before Franklin Roosevelt came to the White House we got along during drouths and when grasshoppers and other catastrophes afflicted our State. The people of Nebraska did not have someone come out and tell them, "You can only farm so many acres," or "You can do only thus and so."

Mr. President, the average farmer voted for the senior Senator from Nebraska because he did not want to limit production and because he opposed the New Deal. Our Nebraska farmers wanted, and still want, to produce everything that can be produced. I wish to tell the Senator from Pennsylvania that we would be better off in this country if limitation on production had been taken off long before 1941. The way to control inflation is to increase production, get more meat in the larder and more grain in the bin. Control of inflation cannot be obtained by limitation of production and by subsidies. The people of Nebraska know that, and they voted for the senior Senator from Nebraska, who stood squarely against that type of procedure and squarely against that type of government and New Deal philosophy. That is why he is now in the United States Senate.

Mr. TOBEY. Mr. President, will the Senator yield so I may ask his colleague a question?

Mr. BUTLER. I yield.

Mr. TOBEY. Does the Senator want us to understand that we will never have inflation when we have maximum production?

Mr. WHERRY. Yes. I wish to give an example. The production of hogs is an outstanding example. When the limitation on production of hogs was withdrawn; when the New Deal stopped killing the pigs and encouraged the production of pork, what happened? We had the largest production of hogs the Nation has ever known. We have so many now we do not know what to do with them.

If we have an increase in production along other lines as we have had in hogs, we will have maximum production, and we will not have to worry about roll-back subsidies or any other method of controlling inflation. When a surplus is produced, inflation is stopped. Inflation cannot be stopped, the line cannot be held, with limited production and with buying power increasing the way it has.

I wish to make one more statement and then I am through. I say that roll-back subsidies do not control inflation. They represent simply a shot in the arm. At this particular time roll-back subsidies are being paid under questionable authority. Roll-back subsidies are not being paid under legal authority. The money is kept from the farmers who are producing hogs and cattle, and so on, and is turned in another direction. If the Government will place the farmers on an equitable price basis, give them the profit motive, and remove all restrictions, they will produce all the sugar we need, all the hogs and cattle we need—in fact, all the food needed by this country. They can do it and they can do it immediately. If the farmers are given a fair and just return, it will have a greater result in stabilizing the situation in the country than all the roll-back subsidy legislation that can be promoted by this New Deal administration.

Mr. BUTLER. Mr. President, I am glad to have heard what my colleague has said. Before yielding the floor, I yield to the Senator from New Hampshire, who has been on his feet for some time.

Mr. BRIDGES. Mr. President, I wonder if the senior Senator from Nebraska noticed what the Senator from Pennsylvania had to say by way of comparing Nebraska to Guatemala? I wonder if the Senator considered Nebraska to be as far out of the Union as Guatemala.

Mr. BUTLER. Mr. President, I must admit to the President that I did not comprehend the comparison in toto. I did hear the Senator from Pennsylvania say that somebody—I think he meant the New Deal administration—had helped pull Nebraska out of the red, and I intended to say in my brief remarks that Nebraska had never been in the red. Since that statement was made by my colleague, there is no need for me to go into it further.

Mr. BRIDGES. Mr. President, will the Senator again yield?

Mr. BUTLER. I yield.

Mr. BRIDGES. I simply wish to make one observation. The Senator from Nebraska is wholly capable of defending himself. I merely want to say a word or two about the Reader's Digest. That publication happens to be printed in my home city of Concord, N. H., at the Rumford Press. In my judgment, it is one of the outstanding publications not only in this country but in the world. If it had followed the course which the Senator from Pennsylvania accuses it of having followed it certainly would not have the following of the reading public it has today. It has approximately 9,000,000 subscribers, probably the greatest number of subscribers of any magazine or publication of any kind published in the world today. It is a fair and impartial publication. It is nonpartisan in character. It is making a great contribution to American life. Its record will bear the most careful scrutiny. It is a "must" magazine for my home and it goes to my son and others who are on the fighting front in foreign service.

If the Senator from Pennsylvania really wants to take on some unfair publications, why does he not devote his attention to PM, or some publication of that kind, and inquire whose interest it serves? I have great respect for Marshall Field, the publisher of PM, who is a fine gentleman personally, but I cannot understand why he is a party to publishing a newspaper such as PM, with the program it follows. Let the Senator from Pennsylvania investigate PM. That would be a good subject.

If the Senator from Pennsylvania desires to investigate some interest behind, or served by, any magazine, I believe he should commence on some such publication as PM, not on a great American periodical such as the Reader's Digest.

Mr. REYNOLDS. Mr. President, I do not desire to, nor shall I, inject myself into the verbal controversy which has been entered into this afternoon by my distinguished colleague the Senator from Pennsylvania [Mr. GUFFEY] on this side of the aisle, and by my distinguished colleague the Senator from Nebraska [Mr. BUTLER] on the opposite, friendly side of the aisle. However, I wish to say

that I enjoyed the speech made by the Senator from Pennsylvania in regard to his review of the history of the Reader's Digest, because in his speech he revealed to me some things in regard to its inception about which I had not previously been informed.

Nevertheless, Mr. President, I read the Reader's Digest each month. I do not know any of the publishers. I do not even know the names now, after the discussion, because it was of so little interest to me that I did not want to make expenditure of the mental energy required to bear those names in mind.

I desire to congratulate the Reader's Digest upon the publication of the article by the Senator from Nebraska [Mr. BUTLER]. I desire unhesitatingly, without apology or any reservations whatsoever, to congratulate the Senator from Nebraska for making that trip, for giving his time and energy, and for making expenditure of his own personal funds in touring Central America and South America.

Mr. President, it has been my experience in this body that whenever a Member thereof, be he a Democrat or a Republican, rises upon the floor of the Senate of the United States to reveal to his colleagues information in which he and others are interested, in reference to the finances of the United States of America, someone criticizes him under the pretext that what he has revealed or the criticism he has made hurts the war effort or interferes with our friendship with other nations of the world.

Mr. President, I repeat that I desire to congratulate the Senator from Nebraska for having brought to the attention of the Members of this body and having brought to the attention of the 9,000,000 readers of the Reader's Digest just what he found in South America.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. REYNOLDS. I ask the Senator to wait for a few minutes, please.

Mr. President, I read the article; and, according to my present recollection, it did not contain a single reflection upon the honesty or the integrity or the fine citizenship of a single individual or collection of individuals in any one of the Latin-American nations, from Mexico to the Argentine.

Mr. President, we could properly reflect upon our neighbors to the south. They are good neighbors—all of them—fine people of Spanish blood whose ancestors created a civilization in this section of the world 100 years before the Pilgrims landed at Plymouth Rock, Mass., in 1620. One hundred and one years before the Pilgrims landed in Massachusetts, Cortez, with 119 Spaniards, had landed in Mexico, and for years the finest Spanish blood has been directing the development of countries south of the Rio Grande, from the Republic of Mexico all the way down to the pampas in Argentina. I could not find in the entire article anything which revealed to me the slightest reflection upon any one of the 130,000,000 people residing in all the Latin-American countries, including those in the Caribbean.

Mr. President, the distinguished Senator from Nebraska has said that our Government and the taxpayers of America have spent billions of dollars in Latin-American countries, many millions of which it is alleged have been wasted. I am unable to say whether or not that is true. I am able neither to deny nor affirm. The point I make is that it is the sworn, solemn, and sacred duty of every Member of this body who remembers his oath of office to ascertain whether or not any of the money of the taxpayers of this country has been wasted. I respectfully submit that our friendly relations with the countries south of us have not been in danger. We have the friendliest feeling toward the people of all the countries south of the Rio Grande. I find myself in entire agreement with the Senator from Nebraska when he says that in all his life and in all his travels he has never met a more courteous, kindly, and polite people than he found on his trip through the Latin-American countries. I am happy to say that the same situation was revealed to me on three separate and distinct occasions within the past 5 years when I visited every single country in the Caribbean, the Central American countries, and the South American countries.

Within the past 5 or 10 years we have made tremendous progress in our desire to create friendly relations with the people of those countries. I know that within the past 10 years, since the present administration has been in power, we have unquestionably succeeded in solidifying and crystallizing that friendly relationship which we all so much desire, and which we shall desire more than ever before when this war shall have ended. Then the American people will be so sick and tired of international interventionists that they will turn so sharply and so soon to nationalism that America will hardly be able to recognize itself.

Mr. President, when Members of the Senate, whether they be Democrats or Republicans, find that money is being spent uselessly, they should bring it to the attention of this body, and, through the Reader's Digest and other publications in the United States, they should bring it to the attention of the American people. Why? Because we have before us today one sacred duty, and that is to take care of the wounded, the maimed, the blind, the deranged, and the families of the dead. Hundreds of thousands of our young men will be destroyed or have their lives swept away before this terrible world-wide struggle shall have been ended. Neither you nor I, Mr. President, nor anyone else knows how long the war will last, how many lives it will cost, or how many hearts it will break.

In World War No. 1 we went forth to make the world safe for democracy, to save democracy for all time. We went forth to stop that war, and all other wars which might threaten in the future. Twenty-five years after World War No. 1, in December 1941, when the foul blow was struck at Pearl Harbor, we did not have enough beds in our Government hospitals to take care of the veterans of World War No. 1. When we entered this war there had been a program for the construction of facilities in Government hospitals to provide 100,000 beds. Up to the present hour, although we have not been engaged in a major battle of slaughter, we are figuring upon 300,000 beds in hospitals; and although we have not been a participant in this world-wide war for long, so far as the declaration of war is concerned, we have not the slightest idea as to how long a time will be required to defeat and bring to their knees the Axis Powers, our deadly enemies in this struggle. We know not what chain of events may take place in Europe which will upset our idealistic plans or upset the morale of the American people, which is necessary here at home to back up the boys at the front. We know not how long a time will be required for us to defeat our enemies in the Orient, because of the fact that for too long, I contend, we have waited to provide the necessary aid to MacArthur in the Orient.

As I stand here today I derive inspiration from the eyes of the courageous junior Senator from Kentucky [Mr. CHANDLER] who stood on the floor of the Senate months ago and pleaded with this body and with the American Nation to send more men and munitions into the Orient.

Mr. President, we have no idea how long this terrible war will last. The point is that we do know that we have not been in any major, murderous battles, such as have been engaged in by the Russians, the Germans, the Chinese, and the Japanese. Yet, before entering that sphere of blackness, we find that we shall need several hundred thousand more beds in our hospitals than we have arranged for. However, Mr. President, before we have entered the blackest part of this terrible, ungodly conflict we find our Nation in debt to the extent of more than $250,000,000,000; our forests stripped almost clean; our oil wells run dry; the members of our great, powerful labor organizations working hour after hour, night and day. Yet the morale of the American people remains high. In order that those of us in this body may sustain that morale, above everything else we must let the mothers and the fathers, the sweethearts and the fiancées, the sisters and the brothers, and the children of our wounded heroes know that when those unfortunate boys come home to salute once again the noble flag that stands behind you now, Mr. President, whether they be maimed, blind, or have lost their minds, they will be protected in the hospitals of this country, and that we will care for the maimed and the unfortunate.

Not only that, Mr. President, we must let them know that we have the money with which to do it, and that we will do it, regardless of how long the war lasts, and that we also have the money with which to sustain and maintain the dependent widows, mothers, and children.

Being more interested, as I am, in the soldiers of this country than in the soldiers of any other country in the world,

and being interested first of all in America, before any other country on earth, I say that the man who rises and makes mention of the fact that we have spent, perhaps uselessly, a dollar in this country or anywhere else should be commended, because we have need to save for our own. Charity should begin at home, and now is the time for us to start.

Mr. President, last week the House of Representatives placed its approval upon an appropriation of $1,300,000,000 as our part toward feeding the people of the world. Monthly we are spending millions upon millions of dollars for lend-lease. Daily, in order to carry on our war effort, we are spending more money than ever before in the history of this country has been spent.

I submit most respectfully, Mr. President, that you will agree that if the war lasts 5 years longer our debt will be far in excess of $500,000,000,000. We must save every dollar that it is possible to save, for the boys who are giving their lives, their arms, their legs, or their eyes to save our country.

Therefore, Mr. President, I insist that we save everything we possibly can save; because we do not know how long the war will last.

With reference to the countries of South America, of course we want their friendly feeling. We have it. From Peru we buy much sugar and tin, as well as many other commodities which that country has for sale, and which it produces upon its great plantations. We have aided, and are continuing to aid Brazil, a country which has possibilities as great as those of any other nation on the face of the earth, because of her productive soil and the enormity of her area, which is almost one-third larger that the area of the United States itself.

Mr. President, I see no reason for criticizing our colleague, although he sits on the other side of the aisle. I see no use in criticizing anyone for making inquiry about where our money is going, for it merely evidences an interest in the American soldiers who are giving up their lives to save America, as we here are trying to do for them while they are away.

Mr. BARKLEY obtained the floor.

Mr. TOBEY. Mr. President, will the Senator yield to me? The Senator from North Carolina previously promised to yield to me. I shall take only a short time.

Mr. BARKLEY. I will grant the Senator 30 seconds.

Mr. TOBEY. I thank the Senator very much. I am sure I will not use more than 30 seconds. I merely wish to say to my friend the Senator from North Carolina that during the past 20 minutes I have listened to his statement with a great deal of interest, and I join in the tribute he paid to my colleague the Senator from Nebraska [Mr. BUTLER]. Referring to the tribute he paid and the article in the Reader's Digest with reference to the critic peep and the cynic bark which have been voiced against the Senator from Nebraska and the criticisms which have been heaped upon him by a Member of this body sitting not very far from where the Senator from North Carolina sits, I say and affirm that we love the Senator from Nebraska for the enemies he has made.

Mr. BARKLEY. The 30 seconds are up.

Mr. TOBEY. I thank the Senator for yielding to me.

Mr. BUTLER. Mr. President, will the Senator yield 20 seconds to me?

Mr. BARKLEY. I yield.

Mr. BUTLER. I should like to thank the Senator from North Carolina for his friendly statement, and to add for the record that in every country of Latin America which I visited I ran onto his tracks, and met friends he had made, not only for himself but for the Government of the United States.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES

The Senate resumed consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes.

Mr. MAYBANK. Mr. President, I send to the desk an amendment to the soldiers voting bill, and ask to have it read.

The PRESIDING OFFICER. The amendment will be read.

The LEGISLATIVE CLERK. On page 39, in line 11, after the word "States", it is proposed to insert "and this decision shall be final to the same extent as in the case of ballots cast by others in person."

Mr. MAYBANK. Mr. President, let me say that I have discussed the amendment with those interested in the passage of the bill, and I trust that the amendment may be adopted to insure protection for our States.

Mr. BARKLEY. Mr. President, consideration of the amendment is not now in order, because an amendment is pending.

Mr. MAYBANK. Mr. President, I know that; but I ask that the amendment lie on the table and be printed, and voted on tomorrow.

The PRESIDING OFFICER. The amendment will lie on the table and be printed.

Mr. CHANDLER. Mr. President, I have been supporting the so-called Green-Lucas bill to provide for a method for the soldiers in the armed forces to vote, because, as I have repeatedly said, I do not believe the States will be able to pass in time laws which will permit voting by members of the armed forces. There are certain other reasons, and upon one of them I desire to comment at this time. My esteemed friend the junior Senator from Virginia [Mr. BYRD] this afternoon read to the Senate a telegram which I should like to read again. It comments on a provision of the Kentucky Constitution which will show clearly what the situation is as regards the State of Kentucky.

The telegram is addressed to the Honorable HARRY FLOOD BYRD, United States Senator from Virginia, and reads as follows:

FRANKFORT, KY., *February 1, 1944.*

HON. HARRY FLOOD BYRD:

The Kentucky State Legislature now in session has proposed legislation pending through the passage of which the question of amending the Kentucky Constitution will be submitted to the people of Kentucky. Only the adoption of such an amendment will permit absentee voting in State of Kentucky. It is now prohibited by the Kentucky Constitution. The Governor has favored this adoption in public address to a joint session of the general assembly.

That telegram was signed by Ralph A. Homan, executive secretary to the Governor.

Mr. President, article 256 of the Kentucky Constitution provides for the mode of revision of the constitution of the Commonwealth. Amendments must be submitted to the people of Kentucky for vote only at a general session of the General Assembly of the Commonwealth of Kentucky. The general assembly is now in session, and it could submit an amendment at this general session. But the amendment so submitted could not be voted upon until the next regular election when Members of the House of Representatives of Kentucky will be voted upon or elected by the people of Kentucky, which will be in November 1945. So, Mr. President, that fact fortifies the position I have taken.

I now ask unanimous consent, because I do not want to take more of the time of the Senate at this late hour to have article 256 of the Constitution of Kentucky printed in full at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit B.)

Mr. CHANDLER. Mr. President, because of the fact that it has seemed to be almost impossible for the people of Kentucky to comply by having an amendment to the Kentucky Constitution approved by the people in time, it is obvious that without such an amendment there will be no voting by Kentucky soldiers in the armed services in any election this year. That is the principal reason why I have been so anxious to support the Federal ballot bill, not the State ballot bill. I prefer the State ballot, because that gives the soldiers an opportunity to vote not only for President, Vice President, Senator, and Members of the House of Representatives, but also for all local officials; and that is something I feel reasonably sure they would like to do. But inasmuch as that seems almost impossible of accomplishment in Kentucky, I feel that I am bound to support the Federal ballot bill, so that if that bill is constitutional the soldiers from Kentucky in the armed services will at least be able to cast their votes for President and Vice President and for Members of the Congress of the United States.

EXHIBIT B

[From Kentucky Revised Statutes, 1942]

SEC. 256. Amendments to constitution; how proposed and voted upon. Amendments to this constitution may be proposed in either house of the general assembly at a regular session, and if such amendment or amendments shall be agreed to by three-fifths of all the members elected to each house, such

proposed amendment or amendments, with the yeas and nays of the members of each house taken thereon, shall be entered in full in their respective journals. Then such proposed amendment or amendments shall be submitted to the voters of the State for their ratification or rejection at the next general election for members of the house of representatives, the vote to be taken thereon in such manner as the general assembly may provide, and to be certified by the officers of election to the secretary of state in such manner as shall be provided by law, which vote shall be compared and certified by the same board authorized by law to compare the polls and give certificates of election to officers for the State at large. If it shall appear that a majority of the votes cast for and against an amendment at said election was for the amendment, then the same shall become a part of the constitution of this Commonwealth, and shall be so proclaimed by the Governor, and published in such manner as the general assembly may direct. Said amendments shall not be submitted at an election which occurs less than 90 days from the final passage of such proposed amendment or amendments. No more than two amendments shall be voted upon at any one time; nor shall the same amendment be again submitted within 5 years after submission. Said amendments shall be so submitted as to allow a separate vote on each, and no amendment shall relate to more than one subject. But no amendment shall be proposed by the first general assembly which convenes after the adoption of this constitution. The approval of the Governor shall not be necessary to any bill, order, resolution, or vote of the general assembly proposing an amendment or amendments to this constitution. (Elections on constitutional amendments, KRS 188.430, 118.440, 122.170 to 122.190.)

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. CHAVEZ in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations in the Navy, which were referred to the Committee on Naval Affairs.

(For nominations this day received, see the end of Senate proceedings.)

CONFIRMATION OF POSTMASTER NOMINATIONS

Mr. BARKLEY. As it executive session, I ask unanimous consent that the nominations of postmasters on the Executive Calendar be confirmed en bloc, and that the President be notified.

The PRESIDING OFFICER. Without objection, the postmaster nominations are confirmed en bloc; and, without objection, the President will be notified forthwith.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 48 minutes p. m.) the Senate took a recess until tomorrow, Thursday, February 3, 1944, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received February 2 (legislative day of January 24), 1944:

PROMOTIONS IN THE NAVY

Rear Admiral Randall Jacobs, United States Navy, to be a vice admiral in the Navy, for temporary service, while serving as Chief of Naval Personnel in the Department of the Navy, to rank from the 1st day of February 1944.

Medical Director Ross T McIntire to have the rank of vice admiral in the Navy, for temporary service, while serving as Surgeon General and Chief of the Bureau of Medicine and Surgery in the Department of the Navy, to rank from the 1st day of February 1944.

Civil Engineer Ben Moreell to have the rank of vice admiral in the Navy, for temporary service, while serving as Chief of the Bureau of Yards and Docks in the Department of the Navy, to rank from the 1st day of February 1944.

The following-named assistant surgeons to be assistant surgeons in the Navy with the rank of lieutenant (junior grade) to rank from the date stated opposite their names, to correct the date of rank as previously nominated and confirmed:

John P. Dobson, September 30, 1940.
Robert F Robertson, October 30, 1940.
John W. Albrittain, November 2, 1940.
John T. Mitchell, November 15, 1940.
Frederic F. Wipperman, November 18, 1940.
John C. Hart, December 16, 1940.
Curtis H. Carter, December 17, 1940.
Rodney R. Gleysteen, January 3, 1941.
Harry J. Alvis, January 3, 1941.
James C. Luce, January 3, 1941.
Harold W. Fleischer, January 27, 1941.
Walter M. Weber, February 3, 1941.
John S. Cowan, February 4, 1941.
Charles G. Robinson, Jr., February 4, 1941.
John E. Carey, February 12, 1941.
William D. Yavorsky, March 10, 1941.
Robert E. Kelly, March 10, 1941.
Harold T. Klein, March 10, 1941.
Victor C. Stratton, March 17, 1941.
Wallace L. Chesbro, March 17, 1941.
Raymond F. Higgins, March 22, 1941.
Henry C. Hunley, Jr., March 27, 1941.
Richard W. Worthington, Jr., March 27, 1941.
John R. Gateley, April 2, 1941.
Hunt B Jones, April 7, 1941.
Robert A. Freyling, April 8, 1941.
Lawrence C. Day, April 10, 1941.
Bernard W. Rothblatt, April 10, 1941.
John B. Toepfer, Jr., April 11, 1941.
Harvey E. Reitz, April 11, 1941.
Earland E. Hedblom, April 19, 1941.
Robert Z. Collings, Jr., April 23, 1941.
William S. Baker, Jr., May 1, 1941.
George O. de Tarnowsky, May 1, 1941.
Charles Shafiroff, May 12, 1941.
Alfred G. Sherman, May 12, 1941.
Harald A. Smedal, May 12, 1941.
Ferdinand E. Chatard, May 12, 1941.
Ernest A. Zinke, Jr., May 19, 1941.
Earl M. Spaulding, June 7, 1941.
John C. Dunn, June 9, 1941.
John H. Griffin, June 9, 1941.
Terry C. Rodgers, June 10, 1941.
George L. Basham, June 13, 1941.
Thirl E. Jarrett, June 16, 1941.
Charles W. Collins, Jr., June 16, 1941.
A. Darrel Berry, June 17, 1941.
Jerome Kotleroff, June 17, 1941.
Victor S. Falk, June 30, 1941.
Robert G. Lehman, June 30, 1941.
Richard W. Garnett, Jr., July 1, 1941.
William H. Gulledge, July 1, 1941.
Harold A. Lyons, July 2, 1941.
Winthrop S. Frantz, July 3, 1941.
James L. Wells, July 3, 1941.
Eugene Bifulco, July 3, 1941.
William J. Dougherty, July 5, 1941.
Ralph D. Whitley, July 5, 1941.
Frank G. Johnson, July 5, 1941.
George F. Fraser, July 5, 1941.
Ralph N. Westfall, July 5, 1941.
Maxwell J. Mackby, July 6, 1941.
William O. Umiker, July 6, 1941.
Donald F. Anderson, July 6, 1941.
Samuel Zurik, July 6, 1941.
John P. Bell, July 7, 1941.
Conrad C. Clement, July 7, 1941.
Robert B. Orr, July 7, 1941.
William A. White, Jr., July 7, 1941.
Jack M. Jacoby, July 7, 1941.
Jack D. Moore, July 7, 1941.
William L Hunter, July 7, 1941.
Paul F. Dickens, Jr., July 7, 1941.
Robert V. Hill, July 7, 1941.
Roger D. Sherman, July 7, 1941.
Hubert M. Poteat, Jr., July 7, 1941.
Edward W. Pinkham, Jr., July 7, 1941.
Thomas R. Counihan, July 7, 1941.
Louis R. Gens, July 7, 1941.
Richard W. Rommel, July 7, 1941.
Cecil C. Collins, Jr., July 7, 1941.
James A. Niforopulos, July 8, 1941.
James A. Brantley, July 10, 1941.
Edward W Lowman, July 11, 1941.
Joseph Coudon, July 13, 1941.
Norman L. Yood, July 14, 1941.
Joseph W. Weaver, July 14, 1941.
John M. Hogan, Jr., July 14, 1941.
Kenneth M. Coyne, July 24, 1941.
Francis G. Soule, Jr., July 15, 1941.
Walter F. Fitzpatrick, Jr., July 24, 1941.
William H. Walker, July 27, 1941.
Robert B. Strother, July 28, 1941.
James F. Wright, July 28, 1941.
John M. Murphy, August 11, 1941.
Howard G. Roberts, August 11, 1941.
Nelse O. Olson, August 11, 1941.
Robert H. Leeds, August 12, 1941.
Harry R. Walker, August 12, 1941.
William S. Gevurtz, August 14, 1941.
Rodney K. Peterson, August 15, 1941.
Frederick W. Armington, August 24, 1941.
Raymond D. Little, August 25, 1941.
Harry B. Eisberg, August 27, 1941.
Marshall Eskridge, August 27, 1941.
Jerome J. Burke, September 2, 1941.
George L. Abrums, September 2, 1941.
John L. Messersmith, September 8, 1941.
Eli R. Crews, September 8, 1941.
Merrill W. Etzenhouser, September 13, 1941.
John L. Tullis, September 15, 1941.
Daniel H. Mathers, September 29, 1941.
Gerald E. Cummings, October 2, 1941.
Bernard F. Mann, Jr., October 7, 1941.
Charles A. Sand, October 20, 1941.
Joseph G. McWilliams, October 20, 1941.
Joseph A. Tyburczy, October 27, 1941.
George E. F. Stocker, November 3, 1941.
Robert H. Parker, November 5, 1941.
Robert C. Abrams, November 10, 1941.
David J. Henry, November 24, 1941.
John J. Tordoff, November 24, 1941.
Edward T. Haslam, November 24, 1941.
Sidney L. Arje, December 1, 1941.
Herbert Wilson, Jr., December 8, 1941.
Bert A. Kanwit, December 9, 1941.
James N. Jeter, December 10, 1941.
June U. Gunter, December 21, 1941.
Paul F. Maness, December 23, 1941.
Stephen H. Tolins, January 5, 1942.
William B. Smith, January 7, 1942.
Frank S. Ashburn, January 19, 1942.
John L. Wilson, January 19, 1942.
Allen Y. Delaney, February 11, 1942.
Samuel H. Wallace, Jr., March 1, 1942.
Joseph E. D. Humphries, March 16, 1942.
Robert N. Trapp, March 16, 1942.
Caleb O. Terrell, Jr., March 23, 1942.
William B. Harkins, March 23, 1942.
Joseph W. Colvin, March 23, 1942.
William H. Wheir, March 23, 1942.
Elbert M. Cyrus, Jr., March 23, 1942.
John W. Hope, March 26, 1942.
Robert E. Coker, March 27, 1942.
John E. Moss, March 30, 1942.
Ira D. Le Fevre, Jr., March 30, 1942.
Arthur B. Bradsher, Jr., April 1, 1942.
Richard C. Morrison, April 3, 1942.
John C. Myer, April 4, 1942.
Winston J. Rowe, April 4, 1942.
William W. Henderson, April 5, 1942.
James W. Nellen, April 6, 1942.
Albert C. Kelly, April 6, 1942.
William C. Livingood, April 8, 1942.
Arch S. Russell, Jr., April 8, 1942.

Loran P. Moore, Jr., April 10, 1942.
Donald S. Smith, April 13, 1942.
Abram S. Kinne, April 13, 1942.
Jerome Noble, April 13, 1942.
Joseph J. Smith, April 13, 1942.
William E Dierking, April 14, 1942.
Hugh J. Lenahan, Jr., April 14, 1942.
Charles H. Eaton, April 15, 1942.
Sherman M. Peabody, April 16, 1942.
Theodore M. Cohen, April 16, 1942.
Arthur G. Lueck, April 16, 1942.
Charles F. Lippe, April 18, 1942.
James J. McCoy, Jr., April 18, 1942.
Robert A. Frost, April 20, 1942.
Angus M. Brooks, April 23, 1942.
Dexter E. Guernsey, April 25, 1942.
Clyde S. Stroud, Jr., May 4, 1942.
Ausey H. Robnett, June 4, 1942.
Harry Y. Hoffman, June 8, 1942.
James D. Skillen, June 8, 1942.
John A. Duffalo, Jr., June 11, 1942.
Solomon B. Goldman, June 12, 1942.
Santino F. Lando, June 12, 1942.
Robert H. Bradley, Jr., June 13, 1942.
Richard H. Driscoll, June 15, 1942.
Robert Hayter, June 15, 1942.
Wayne W. Waters, June 15, 1942.
Thomas L. Duffy, June 16, 1942.
Carl E. Wilbur, June 18, 1942.
Franklin L. Ashley, June 22, 1942.
Robert P. Johnston, June 22, 1942.
Robert E. Douglas, June 24, 1942.
Ralph C. Benson, June 24, 1942.
George E. Sullivan, June 24, 1942.
Moffitt K. Holler, June 25, 1942.
G. Charles Budenz, June 26, 1942.
Hiram M. Greene, June 26, 1942.
Louis E. Tebow, June 26, 1942.
John D. Langston, June 26, 1942.
Burton L. Hoffman, June 27, 1942.
Philip B. Phillips, June 27, 1942.
Donald H. Blodgett, June 27, 1942.
Harold R. Scanlin, June 28, 1942.
Robert A. Conard, June 28, 1942.
William M. Kummer, June 28, 1942.
Pierre F. LaBorde, Jr., June 28, 1942.
William C. Stainback, Jr., June 29, 1942.
J. Wilson Huston, June 29, 1942.
Arthur N. Kelly, June 29, 1942.
Gip R. Hudson, June 29, 1942.
Richard B. Hanchett, June 30, 1942.
Edward S. Brinton June 30, 1942.
William C. Roland June 30, 1942.
Robert W. Reid, June 30, 1942.
William M. Crafft, June 30, 1942.
W. Sayre Lummis, June 30, 1942.
Bennett W. Kantola, June 30, 1942.
Vincent A. DeRosa, June 30, 1942.
John W. A. Woody, June 30, 1942.
James L. Waters, July 1, 1942.
John T. Pitkin, July 1, 1942.
Joseph T. Wyche, July 1, 1942.
Wilson G. Scanlon, July 1, 1942.
Wilson D. Tucker, July 1, 1942.
Willard G. Snow, July 1, 1942.
Dennis A. Casey, Jr., July 2, 1942.
Sam C. Atkinson Jr., July 2, 1942.
Joseph Rogers, July 2, 1942.
Cedric A. Nielsen, July 2, 1942.
Robert S. Kibler, July 2, 1942.
Carlyle B. Slabaugh, July 3, 1942.
George Washington Russell, July 3, 1942.
Richard L. Merkel, July 3, 1942.
Clyde G. Bassett, July 5, 1942.
Marvin N. Lymberis, July 5, 1942.
Harold B. Thornburg, July 5, 1942.
Gardner S. Stout, July 5, 1942.
Abe Alper, July 5, 1942.
William E. Butler, July 6, 1942.
E. Morris Hayes, July 7, 1942.
Bruce L. Canaga, Jr., July 7, 1942.
Donald L. Gamble, July 7, 1942.
Robert J. Kellar, July 7, 1942.
Alfred B. Cattle, July 7, 1942.
Gillon M. Cole, July 7, 1942.
John J. O'Brien, July 8, 1942.
Matthew S. Mickiewicz, July 8, 1942.
Edward C. Kley, July 9, 1942.
Grover L. Moore, July 9, 1942.
Philip L. Nova, July 10, 1942.
John E. Emmett, July 10, 1942.
John R. Bruno, July 10, 1942.
William G. Paine, July 10, 1942.
Charles H. Gilliland, July 10, 1942.
Stanley L. Drennan, July 10, 1942.
Charles W. Sprunt, July 11, 1942.
Alexander J. Bankhead, July 11, 1942.
Henry P. Laughlin, July 12, 1942.
Frederick W. Kraft, July 12, 1942.
Louis P. Ballenberger, July 12, 1942.
Gwilym B. Lewis, July 12, 1942.
Leonard P. Jahnke, July 13, 1942.
John F. Geraghty, July 13, 1942.
Edward E. Cale, Jr., July 13, 1942.
Robert W. Simpson, July 13, 1942.
Julius H. Smith, July 13, 1942.
Marvin L. Gerber, July 14, 1942.
George R. Bergman, July 14, 1942.
Eugene L. Freitas, July 14, 1942.
Robert F. Schugmann, July 14, 1942.
Richard A. Gaillard, July 14, 1942.
James H. Kimber, July 14, 1942.
Daniel R. Kohli, July 14, 1942.
Robert C. Burnham, July 14, 1942.
Woodman B. Pomeroy, July 14, 1942.
James D. Murphy, July 14, 1942.
William L. Hoon, July 14, 1942.
Samuel H. Horton, Jr., July 14, 1942.
Jack E. Schiffmacher, July 14, 1942.
Joseph E. Acker, Jr., July 14, 1942.
James B. Flanagan, July 14, 1942.
Richard W. Mills, Jr., July 14, 1942.
Vance E. Senter, July 15, 1942.
John R. Dyke, July 15, 1942.
Mark W. Wolcott, July 15, 1942.
Albin W. Swenson, Jr., July 15, 1942.
Alfred A. Fracchia, July 15, 1942.
George J. Ulrich, July 15, 1942.
Carl H. Wallman, July 15, 1942.
Charles E. Pruitt, July 15, 1942.
Charles D. Vosburgh, July 15, 1942.
Leon H. Mims, Jr., July 15, 1942.
Jean A. Sarrail, July 15, 1942.
Blake S. Talbot, July 15, 1942.
John B. Trible, July 15, 1942.
August R. Buerkle, July 15, 1942.
Norval F. Kemp, July 15, 1942.
Robert F. Christoph, July 15, 1942.
Warner D. Bundens, Jr., July 15, 1942.
John T. Reilly, July 15, 1942.
Joseph J. Groom, July 15, 1942.
Lindsay R. Riddle, July 15, 1942.
Edgar P. Berry, July 15, 1942.
James T. Smith, July 15, 1942.
Edwin D. Sharpless, July 16, 1942.
Jacob J. Robbins, July 17, 1942.
Robert J. McManus, July 17, 1942.
Sherburn E. Edgerly, July 18, 1942.
Fred H. Hanold, July 19, 1942.
John M. Hundley, July 21, 1942.
Harold E. Muller, July 24, 1942.
Charles R. Duncan, July 24, 1942.
Harry R. Rowe, July 25, 1942.
Jerome A. Moore, July 25, 1942.
William J. Wagner, July 27, 1942.
Domenic J. Pontarelli, July 28, 1942.
Louis de S. Shaffner, July 29, 1942.
James B. Black, Jr., July 31, 1942.
John F. Maloney, August 1, 1942.
Joseph Vogel, August 3, 1942.
Jack W. Revere, August 7, 1942.
William H. Harris, Jr., August 10, 1942.
Gerald J. Duffner, August 10, 1942.
Robert K. Anderson, August 10, 1942.
Thomas A. Noble, August 10, 1942.
Joseph E. Teitelbaum, August 11, 1942.
Frederic W. Bradshaw, August 24, 1942.
Robert E. Bowen, Jr., August 24, 1942.
Charles R. Goodwin, August 28, 1942.
Henry P. Phyfe, August 31, 1942.
William P. Mulford, August 31, 1942.
Myron A. Shilling, August 31, 1942.
Almon R. Cross, September 2, 1942.
Albert F. P. Bozic, September 3, 1942.
Samuel P. Hicks, September 6, 1942.
Stanley J. Okulicz, September 7, 1942.
Robert S. Darrow, September 7, 1942.
George W. Westin, September 14, 1942.
Leslie V. D. Dill, September 16, 1942.
Frederick G. Grant, September 16, 1942.
Henry F. Smith, September 18, 1942.
Robert C. Turner, September 19, 1942.
Karl M. Lazarski, September 21, 1942.
Kenneth P. Knudtson, September 22, 1942.
Samuel E. Elmore, Jr., September 24, 1942.
Rudolph D. Jacob, September 28, 1942.
Walter H. Johnson, September 29, 1942.
James R. Oldham, September 29, 1942.
Alvin B. Hayles, September 30, 1942.
William C. Mulry, October 1, 1942.
Lloyd A. Stirrett, October 1, 1942.
Gordon F. Robertson, October 1, 1942.
Byron E. Bassham, October 2, 1942.
George A. Vail, October 2, 1942.
Leo J. Brown, October 2, 1942.
Felice A. Garcia, October 2, 1942.
Henry R. Ennis, October 4, 1942.
Harold R. Stowe, October 5, 1942.
Elmer R. King, October 6, 1942.
Emmett J. Riordan, October 15, 1942.
George Wilson Russell, October 19, 1942.
Julian A. White, October 19, 1942.
Robert C. Miller, October 19, 1942.
John C. Taylor, October 19, 1942.
William P. Davey, November 8, 1942.
Paul E. Bondo, November 23, 1942.
Richard P. Hoffman, November 25, 1942.
Bernard D. Stollman, November 30, 1942.
Robert H. Bradshaw, December 7, 1942.
Joseph C. Pinto, December 8, 1942.
Arthur C. Tedford, Jr., December 11, 1942.
James W. Packard, Jr., December 15, 1942.
Thomas E. Byrne, December 18, 1942.
Homer J. Moore, January 4, 1943.
Jack C. McCurdy, January 7, 1943.
Edward M. Wurzel, January 7, 1943.
Charles R. Sias, January 10, 1943.
Byrne W. Mayer, January 11, 1943.
James A. Turner, January 15, 1943.
Clifford B. Cole, January 21, 1943.
John S. Cheredes, February 6, 1943.
Edwin C. Bebb, February 16, 1943.
William M. Morris, March 8, 1943.
Kenneth C. Ling, March 31, 1943.
Rustan H. Hicks, April 6, 1943.
Francis S. Brown, April 30, 1943.
Arabion N. Taylor, May 3, 1943.
Quentin J. Florence, May 16, 1943.
Manley C. Williams, May 18, 1943.

The following-named assistant dental surgeons to be assistant dental surgeons in the Navy with the rank of lieutenants (junior grade) to rank from the date stated opposite their names to correct the date of rank as previously nominated and confirmed:

Joseph M. Clements, August 14, 1940.
John H. McEachren, August 28, 1940.
William A. Newman, September 17, 1940.
John N. Boege, November 29, 1940.
George C. Rader, December 11, 1940.
James C. Cherault, January 24, 1941.
Samstone Holmes, January 28, 1941.
Earl A. Goldsmith, January 30, 1941.
William E. Ludwick, February 10, 1941.
Irvin M. Blue, February 14, 1941.
William M Thomas, March 11, 1941.
Morgan F. McAfee, Jr., April 14, 1941.
John P. Arthur, April 14, 1941.
William R. Curry, Jr., April 14, 1941.
Charles E. Meyers, April 14, 1941.
Daniel E. LaMothe, April 15, 1941.
Joseph A. Thimes, April 18, 1941.
Harold G. Green, April 21, 1941.
Albert B. Larson, April 25, 1941.
Nicholas E. Homichko, April 28, 1941.
Angus W. Grant, April 30, 1941.
William A. McLennan, May 1, 1941.
Vernon L. Anderson, May 5, 1941.
William C. Wohlfarth, Jr., May 8, 1941.
Carl W. Rasmussen, May 15, 1941.
Carl E. Abbey, June 2, 1941.
Robert C. Millard, June 16, 1941.
Ramon J. Wallenborn, June 16, 1941.
John L. Biedermann, June 16, 1941.
Frank J. Kalas, June 20, 1941.
Milton H. Brown, June 23, 1941.
Paul W. Suitor, July 1, 1941.
Clarence H. Blackstone, July 1, 1941.
Joseph F. Link, July 1, 1941.
Ralph W. Ludwick, Jr., July 21, 1941.

Frederick S. Brown, Jr., July 21, 1941.
Lee E. Krieger, July 21, 1941.
Robert I. Phillips, July 21, 1941.
Robert F. Erdman, July 25, 1941.
Richard D. Calhoun, July 25, 1941.
Arthur S. Turville, July 25, 1941.
Felix H. Norton, August 1, 1941.
William J. Manion, August 11, 1941.
George J. Leclaire, August 16, 1941.
Arne G. Nielsen, August 25, 1941.
Guy Hughes, September 2, 1941.
Joseph H. Scanlon, September 2, 1941.
John E. Dwyer, September 5, 1941.
Robert B. Wolcott, September 15, 1941.
William D. King, September 15, 1941.
Robert H. Loving, September 15, 1941.
William E. Dennard, September 22, 1941.
Patrick G. Cronin, September 26, 1941.
Carl A. Ostrom, September 26, 1941.
John H. Atkins, September 30, 1941.
Alexander D. Bunn, October 1, 1941.
Elmer F. Morton, October 13, 1941.
Roger G. Gerry, October 15, 1941.
Edmund B. Carleton, October 29, 1941.
Charles M. Heck, November 3, 1941.
Sidney R. Howell, November 7, 1941.
David J. Kennedy, November 10, 1941.
Frank J. Smith, November 17, 1941.
John F. Bowman, November 17, 1941.
Leo E. Brenning, November 17, 1941.
William P. Thomas, November 29, 1941.
Charles R. Shea, December 15, 1941.
Howard W Pierce, December 15, 1941.
George E. Madden, January 5, 1942.
George T. Moore, Jr., January 5, 1942.
Angelo B. Costa, January 5, 1942.
John H. Cathcart, January 5, 1942.
Lyndon M. Virkler, March 16, 1942.
Von Rue McAtee, March 16, 1942.
William H. Gibbons, Jr., March 23, 1942.
George W. Ferguson, March 28, 1942.
Albert L. Vogel, Jr., March 30, 1942.
Albert C. Matt, March 30, 1942.
Paul A. Moore, April 10, 1942.
Frank S. Wozniak, Jr., April 13, 1942.
Roman G. Ziolkowski, April 13, 1942.
Stanley Jakubs, April 20, 1942.
James R. Robinson, April 27, 1942.
Gifford McK. Lloyd, May 1, 1942.
Robert B. Young, July 5, 1942.
Chester B. Stromberg, July 13, 1942.
Fred F. Wood, July 27, 1942.
Rupert S. Walker, August 3, 1942.
Frits A. S. Winblad, August 10, 1942.
Paul E. Feiock, August 10, 1942.
William L. Rudder, August 24, 1942.
Edwin B. Tharp, August 24, 1942.
Richard H. White, August 31, 1942.
Herbert C. Foster, September 1, 1942.
Harold F. Birk, September 1, 1942.
William A. Aldridge, September 8, 1942.
Charles S. Segrest, September 9, 1942.
James C. Ramsey, September 16, 1942.
Joseph H. Stone, September 16, 1942.
Spencer A. Rappold, September 17, 1942.
Lynden M Kennedy, September 21, 1942.
Raymond H. Friesz, September 21, 1942.
Michael J Terzis, October 1, 1942.
Arthur H. Pearson, October 5, 1942.
Albert C. Funk, October 12, 1942.
Charles R. Phinney, October 12, 1942.
Julian R. Conant, June 14, 1943.
Francis N. Johnston, June 15, 1943.

The following-named assistant paymasters to be assistant paymasters in the Navy with the rank of ensign to rank from the date stated opposite their names, to correct the date of rank as previously nominated and confirmed:

Austin H. Barnett, Jr., June 6, 1940.
Roy O. Yockey, July 1, 1940.
Leonard F. Burrage, 3d, July 8, 1940.
William M. Sander, July 8, 1940.
Donald T. Rhode, July 8, 1940.
Richard L. Geiger, July 8, 1940.
Walter R. Seaberg, July 8, 1940.
Jonathan M. Thornton, Jr., July 8, 1940.
Carl A. Raymond, Jr., July 9, 1940.
George A. Reinhalter, July 13, 1940.
Bruce F. Evans, July 17, 1940.
Ivan C. Hartzell, July 28, 1940.
Douglas C. Skaife, July 29, 1940.
Seldon S. Hoos, September 3, 1940.
Albert B. Johnson, September 3, 1940.
William C. Nielsen, October 3, 1940.
Gardiner T. Pollich, October 4, 1940.
Francis M. Fahy, October 7, 1940.
Fred Coleman, October 7, 1940.
Daniel R. McComish, October 7, 1940.
Shelby C. Leasure, Jr., October 7, 1940.
James W. Parker, October 7, 1940.
Philip W. Evans, October 7, 1940.
Harold H. Blackman, October 7, 1940.
James T. Hughes, October 7, 1940.
Alfred I. Pollack, October 7, 1940.
William F. Mims, October 7, 1940.
John C. Hetler, October 7, 1940.
Bennett H. Hunter, October 7, 1940.
Kenneth L. Jeffery, Jr., October 7, 1940.
Lotus H. Loudon, Jr., October 7, 1940.
Stephen B. Lee, October 14, 1940.
William H. Bates, March 17, 1941.
Marion V. Fowler, March 17, 1941.
John T. Dollard, March 17, 1941.
Julian W. McClure, March 17, 1941.
Daniel G. Cone, March 17, 1941.
John S. Butler, March 17, 1941.
Robert Lee Clark, Jr., March 17, 1941.
Jacob H. Kettler, March 17, 1941.
James Ferrell Ellison, March 17, 1941.
John J. Shea, March 17, 1941.
Stanley D. Parker, March 17, 1941.
James K. Lytle, Jr., March 17, 1941.
Raymond P. Barker, March 17, 1941.
John D. Sullivan, March 17, 1941.
Lee B. Whitcomb, March 17, 1941.
Howard L. Van Orden, Jr., March 17, 1941.
Oliver W. Fraser, Jr., March 17, 1941.
James F. Waters, Jr., March 17, 1941.
Charles M. Williams, March 17, 1941.
Jesse C. Wilson, Jr., March 17, 1941.
Andrew M. McCrone, March 17, 1941.
Bescherrer A. Crisman, Jr., March 17, 1941.
Stanford F. Zimet, March 19, 1941.
Frederick A. Lyon, March 19, 1941.
Charles R. Ernst, March 19, 1941.
Simon L. Cohn, March 19, 1941.
Paul V. Moffat, Jr., March 19, 1941.
Burnett N. Hull, March 19, 1941.
Robert P. Kelley, March 19, 1941.
James D. Browder, Jr., March 19, 1941.
Robert S. Jennings, March 19, 1941.
Thomas J. James, March 19, 1941.
Joseph L. Howard, March 19, 1941.
Rodman P. Kypke, March 19, 1941.
William A. Mann, March 19, 1941.
William A. Rapp, Jr., March 19, 1941.
William H. Ross, March 19, 1941.
Edward McE. Burke, March 19, 1941.
Bernard L McCreery, March 19, 1941.
Irving F. Macey, March 19, 1941.
Harry J. Nuttle, March 19, 1941.
Arromanus C. Lyles, Jr., March 24, 1941.
William V. Hughes, April 17, 1941.
Douglas G. Fink, May 1, 1941.
Sherwoode A. Taffinder, Jr., June 16, 1941.
Joseph D. Kennedy, Jr., June 16, 1941.
Richard R. Powell, June 16, 1941.
Harold R. Clark, June 16, 1941.
James H. Corey, June 16, 1941.
Russell M. Hoverman, June 16, 1941.
Charles E. Lee, June 16, 1941.
Palmer Hughes, Jr., June 16, 1941.
William W. Winkleman, June 16, 1941.
Joe B. Scatchard, Jr., June 16, 1941.
Howard S. Hyde, June 16, 1941.
Joseph P. Quinn, June 16, 1941.
Patrick W. Moore, June 16, 1941.
Charles L. Knight, June 16, 1941.
Harry J. Hicks, Jr., June 16, 1941.
Arthur W. Mann., Jr., June 16, 1941.
Stuart A. MacCaffray, June 16, 1941.
Charles H. Drayton, June 16, 1941.
William J. Carter 3d, June 16, 1941.
Richard Ironmonger, June 16, 1941.
Richard D. McIntosh, Jr., June 16, 1941.
Graham C. Bonnell, June 16, 1941.
John M. Malloy, June 16, 1941.
Asher J. Thompson, June 16, 1941.
John W. Graham, June 16, 1941.
Herbert A. Ingley, Jr., June 16, 1941.
Don C. Christensen, June 16, 1941.
James W. Cartee, June 16, 1941.
Robert McDonald, June 16, 1941.
Charles F. Healy, Jr., June 16, 1941.
Francis E. Jepson, June 16, 1941.
John J. O'Connor, Jr., June 16, 1941.
Stanley J. Scott, June 16, 1941.
Ernest M. Clark, Jr., June 16, 1941.
Robert E. Tidrow, Jr., June 16, 1941.
Ira C. Dockrey, June 16, 1941.
Walter R. Finn, June 16, 1941.
James R. Fordham, June 16, 1941.
R. Douglas Davis, June 16, 1941.
John R. Griffeth, June 16, 1941.
Ralph L. Meilandt, June 16, 1941.
Richard M. Hoag, June 16, 1941.
Frederick M. Rosseland, Jr., June 16, 1941.
Willis W. Alexander, Jr., June 16, 1941.
Franklin W. Hynson, June 16, 1941.
Alfred P. Boileau, June 16, 1941.
James L. Whitcomb, June 16, 1941.
William W. Chisholm, June 16, 1941.
Benjamin J. Kerr 2d, June 16, 1941.
George C. McCarten, June 16, 1941.
Theodore B. Purvis, Jr., June 16, 1941.
Benajah L. Rainey, June 16, 1941.
Morgan C. Marshall, June 16, 1941.
John H. Haig, June 16, 1941.
Elmer T. Browne, June 16, 1941.
Harold L. Henkel, June 16, 1941.
John W. Roper, June 16, 1941.
Frederick W. Beck, Jr., June 16, 1941.
Charles D. Tandy, June 16, 1941.
Robert J. Everett, June 16, 1941.
Julian S. Macaulay, June 16, 1941.
Jay W. Martin, June 16, 1941.
James H. Hennessy, June 16, 1941.
Clarence W. Linden, June 16, 1941.
Robert H. Wilson, June 16, 1941.
John McCormack, June 16, 1941.
Jack P. Fairley, June 16, 1941.
Richard A. Rosso, June 16, 1941.
Ben D. Floyd, Jr., June 16, 1941.
George D. Hack, June 16, 1941.
Fred C. Culver, June 17, 1941.
Norman L. Arrighi, June 21, 1941.
Louis B. Wagner, Jr., June 21, 1941.
Eli P. Fay, Jr., June 22, 1941.
Lewis E. Dreyfous, June 22, 1941.
Stanley R. Juch, June 23, 1941.
Frederick H. Vogt, June 23, 1941.
Richard H. Griffin, June 23, 1941.
Don W. Phillips, June 23, 1941.
James G. Bowie, June 23, 1941.
Lamar D. Patton, June 23, 1941.
Donald E. Williams, June 23, 1941.
Carroll H. Stephens, June 23, 1941.
George Henry, Jr., June 23, 1941.
Charles W. O'Toole, June 23, 1941.
Phillip S. Twombly, June 23, 1941.
Winfield G. Knopf, June 23, 1941.
Douglas H. Lyness, June 23, 1941.
Ralph E. Williams, Jr., June 23, 1941.
Robert L. Ellis, June 23, 1941.
Martin J. B. Kahao, June 23, 1941.
John K. Walker, June 23, 1941.
Norman M. Schwartz, June 23, 1941.
Harry L. Miller, June 23, 1941.
Joseph D. Miller, June 23, 1941.
Stuart H. Smith, June 23, 1941.
David J. Watson, Jr., June 23, 1941.
John D. Custer, June 23, 1941.
John R. Arnzen, June 23, 1941.
Lawrence D. Wornom, June 23, 1941.
Henry S. Nisbet, Jr., June 23, 1941.
Robert J. Norton, June 23, 1941.
Stanley B. Freeborn, Jr., June 30, 1941.
Theodore L. Hughes, July 1, 1941.
Herschel E Woltzen, July 7, 1941.
James J. Lynch, July 10, 1941.
Rex A. Bradley, July 28, 1941.
Hector E. Lynch 3d, July 28, 1941.
John F. Culp 3d, July 31, 1941.
Philip P. Finn, August 4, 1941.
Jack E. Nettles, August 4, 1941.
Melvin P. Gundlach, August 4, 1941.
James M. Brogan, August 4, 1941.
Richard S. Balch, August 18, 1941.
Claude A. Clefton, August 25, 1941.
Robert M. Coman, September 15, 1941.
Peter M. Lindsay, September 23, 1941.
Roger W. Hatch, September 23, 1941.

Sewell T. Kauffman, September 23, 1941.
Robert B. Edwards, September 24, 1941.
William R. Van Liere, September 24, 1941.
Erwin N. Thode, September 24, 1941.
Niels H. Anderson, September 24, 1941.
Glenn A. Keats, September 24, 1941.
Rodney A. Stanton, September 24, 1941.
Fred C. Winkels, September 24, 1941.
Harold C. Van Arsdale, September 24, 1941.
Robert H. Ryan, September 24, 1941.
Johnstone L. Coppock, September 24, 1941.
Theodore E. Sharp, September 24, 1941.
Frank A. Whitaker, September 24, 1941.
John S. Hard, September 24, 1941.
Donald C. Storch, September 24, 1941.
Bert Smith, September 24, 1941.
Hunter W. Stewart, September 24, 1941.
John M. Law, September 24, 1941.
Edward F. Hines, September 24, 1941.
William M. Wilson, Jr., September 24, 1941.
Robert H. Tobias, September 24, 1941.
James L. F. Hennessy, September 24, 1941.
Neil W. McDaniel, September 24, 1941.
Tyler R. Matthew, September 24, 1941.
John F. Tynan, September 24, 1941.
Ralph L. Hashagen, September 24, 1941.
Allen M. Paget, September 24, 1941.
Ronald E. Kinney, Jr., September 24, 1941.
Loyd S. Bjorlo, September 24, 1941.
Robert E. Holt, September 24, 1941.
James W. Bridges, September 24, 1941.
Louis H. Litchfield, Jr., September 24, 1941.
John D. Smith, September 24, 1941.
Robert C. Roesler, September 24, 1941.
Howard G. Luyendyk, September 24, 1941.
James R. Miller, Jr., September 24, 1941.
William F. Tobin, September 24, 1941.
Robert H. Blandford, September 24, 1941.
Charles E. Wood 3d, September 24, 1941.
Allan B. Zerfoss, September 24, 1941.
Richard T. Power, September 24, 1941.
Albert E. Pickhardt, September 24, 1941.
Jack L. Graham, September 24, 1941.
James Hovey, September 24, 1941.
William H. Storck, September 24, 1941.
Edwin D. Jones, Jr., September 24, 1941.
James W. Bower, September 24, 1941.
Clarence LeR. Nelson, September 24, 1941.
Dan C. McNeill, September 24, 1941.
Frederick D. Muir, Jr., September 25, 1941.
Benjamin S. Gantz, Jr., September 29, 1941.
Gerard F. Dunican, December 19, 1941.
Lamar D. Whitcher, December 24, 1941.
Robert R. Baines, December 26, 1941.
Woodford L. Flowers, December 26, 1941.
Stephenson Wells, December 27, 1941.
Robert W. Decker, December 27, 1941.
James F. Dawson, Jr., January 3, 1942.
Lawrence A. Wheeler, January 5, 1942.
William F. Cachpole, January 12, 1942.
W. Howard Nolan, January 16, 1942.
Oscar W. Leidel, Jr., January 19, 1942.
Wellington H. Lewis, June 29, 1942.
Clark H. Grant, June 21, 1943.

The following-named assistant civil engineers to be assistant civil engineers in the Navy with the rank of lieutenants (junior grade) to rank from the date stated opposite their name, to correct the date of rank as previously nominated and confirmed:

Raymond B. Krum, September 8, 1939.
John W. Gordanier, September 11, 1939.
John A. Stelger, October 1, 1939.
Joseph C. Luppens, July 22, 1940.
Harlan F. Winn, September 3, 1940.
William C. Owens, September 11, 1940.
George T. Swiggum, September 16, 1940.
William F. Weaver, September 20, 1940.
Wilfred J. Williams, October 30, 1940.
William J. Thompson, November 8, 1940.
Charles G. Prahl, November 12, 1940.
William E. Davidson, November 25, 1940.
Edward F. Grable, November 25, 1940.
Edgar G. Crawford, February 27, 1941.
Antoine P. Parker, March 11, 1941.
Joseph B. Barnwell, April 1, 1941.
Charles J. Simandl, April 28, 1941.
John D. Burky, June 30, 1941.
Thomas W. Anderson, July 1, 1941.
Walter M. Enger, September 29, 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 2 (legislative day of January 24), 1944:

POSTMASTERS

ALABAMA

Fannie K. Frederick, Hackleburg.
George R. Tyler, Pinson.

NEW JERSEY

Almira C. Goff, Bridgeport.
John N. Stonaker, Cranbury.
Edna M. Bowen, Franklin Park.
Thomas L. Hunt, Greystone Park.
Lena McCain, Hope.
Joseph V. Lynch, Kenvil.

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 2, 1944

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D. offered the following prayer:

O holy and righteous God, Thy star hath shown on the brow of night and opened the gates of the morning. Thou who art the sovereign expression of man's need and latest hope, raise us up to walk in Thy footsteps. Be Thou the silent witness in every heart and the unseen judge of every deed; the greatest victory of any life is achieved in the human breast.

We pray that the high standards of charity and brotherhood may so prevail in the remote and forbidding sections of this broad land that the banners of righteousness, justice, and truth may be unfurled in all skies. Amid the murderous forces which are defying an appealing humanity, O give us self-mastery and an unquenchable faith that the divinely given rights of man shall never die. Bless us with the deep conviction to persevere, encouraged by a sublime trust that hard discipline is never imposed in vain. O God, let there be born in our country a mighty crusade against the vices which make innocent boys and girls profligates and outcasts. In a world of tragedy, give us an heroic accent of unstinted sacrifice and determination that our defenders shall not suffer because of any faithlessness. To those who are facing the perils of suffering and death and are passing through the pains of their transition, O God, give them great peace at the eternal daydawn. Grant this for the sake of our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

VOTING BY MEMBERS OF THE LAND AND NAVAL FORCES

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TABER. Mr. Speaker, the people of America want the soldier to vote and they want the soldier to have an opportunity to vote the same kind of a ballot that other kinds of citizens can vote and have the same freedom of choice.

I wonder if the soldiers know that the ballot provided for in the Green-Lucas bill and the Worley bill which is advocated by the President, would deprive the soldier of an opportunity to vote for a Governor in 34 States and for State and local officers all the way down the line? It would only give them an opportunity to fill out a legal ballot in a very few States for President. It would not give them a fair opportunity to vote for Senators or Members of Congress.

It is perfectly clear that a 1-ounce ballot can be prepared in each State and that in each State that 1-ounce ballot can be transported by the War Department to our armed forces without any trouble; can be marked and returned in secret and fairly.

There are only three States—Arizona, Louisiana, and Kentucky—where no soldier vote can probably be counted legally. The others can all provide for a State ballot.

Why should we not give our soldiers an opportunity to vote? The wild statements of the President in his message to Congress indicate a desire to cover up the facts. Otherwise, he would have presented arguments to support his position.

Is it not time that the newspapers of America carried the facts and told the people the truth—that by a fair bill with a State ballot almost all of the soldiers can vote; that in those few States where it is constitutionally impossible for the soldier to vote, and the Constitution cannot be amended no matter what bill is passed, the soldier cannot vote and have his vote counted? They are in just as much trouble with the Federal ballot as with the State ballot and can vote neither way.

Let us be honest with the soldier boys.

CONTRIBUTION OF ITALIAN-AMERICANS TO THE WAR EFFORT

Mr. O'TOOLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. O'TOOLE addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therewith the opinion of the attorney general of Virginia upholding the validity of Public Law 712, including certain excerpts from official communications of the War Department and Navy Department, when I speak in the Committee of the Whole on the soldier voting bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TARVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD by inserting an editorial from the Atlanta, Ga., Journal of Labor, relative to Preston Arkwright, president of the Georgia

Power Co., and one of the finest and outstanding citizens of Georgia, and of the South.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the Appendix of the RECORD and to include therein an editorial which appeared in the Lawrence Sunday Sun, of Lawrence, Mass.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ROGERS of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein an excerpt from a column by Samuel Grafton.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DREW PEARSON MALIGNS SECRETARY OF STATE, HON. CORDELL HULL

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN. Mr. Speaker, on last Sunday night Drew Pearson, one of the well-known slimemongers of the radio, who helped to write that loathesome book called the Nine Old Men, smearing the Supreme Court, a few years ago, made a vicious attack on Cordell Hull, our great Secretary of State.

If there is any man in America who has the respect and confidence of every Member of Congress it is Cordell Hull. When Drew Pearson went out of his way to malign Cordell Hull and to insinuate that some subversive influence had "got to" Cordell Hull, he revealed himself as one of the most vicious propagandists in America. I hope to God that something will be done to take him off the radio.

The SPEAKER. The time of the gentleman has expired.

BURNING AN EMPIRE

Mr. ELLSWORTH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. ELLSWORTH addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. COLE of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therewith an article from this week's Collier's entitled "Take the Chains Off Radio."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. WILSON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count.

Mr. WILSON. Mr. Speaker, I withdraw the point of order.

The SPEAKER. The gentleman from Indiana will be recognized. The Chair overlooked the gentleman. The gentleman was on the wrong side of the aisle. The Chair suggests that Democrats seeking recognition stand on their side of the aisle and that Republicans seeking recognition stand on their side.

Mr. WILSON. Then, Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. RAMSPECK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 17]

Baldwin, N. Y.	Gamble	Magnuson
Bell	Gerlach	Morrison, La.
Bland	Gifford	Morrison, N. C.
Bradley, Mich.	Hébert	Norton
Burdick	Hess	O'Leary
Case	Hobbs	Randolph
Cole, N. Y.	Jackson	Rees, Kans.
Dawson	Jarman	Robinson, Utah
Dirksen	Jones	Stockman
Douglas	Jonkman	Treadway
Eaton	Kefauver	West
Fay	Lambertson	White
Ford	Landis	Winter
Fulmer	Luce	Wolcott
Gale	Maas	Wright

The SPEAKER. On this roll call, 382 Members have answered to their names, a quorum.

Further proceedings, under the call, were dispensed with.

EXTENSION OF REMARKS

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Point Pleasant Register.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STEARNS of New Hampshire. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a newspaper article on the important subject of Canadian labor in the American pulpwood industry.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Times-Herald under date of February 2.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to include as a part of the remarks I expect to make today on the soldier-vote bill certain excerpts from James Wilson on the Constitution.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

THE SOLDIER-VOTE BILL

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

[Mr. McGREGOR addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. WARD JOHNSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from a boy at the front.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a newspaper article in tribute to the late Garret A. Hobart, former Vice President of the United States.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent that today, following the legislative program of the day and any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

EXTENSION OF REMARKS

Mr. POULSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two editorials.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WEICHEL of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article from the Fostoria Review-Times.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article by Frank C. Waldrop.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WILSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from Sgt. Harry M. Dennis.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

RAILWAY LABOR ACT

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent that I may have 24

hours to file minority views on Senate Joint Resolution 91.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection

EXTENSION OF REMARKS

Mr. KING. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two editorials.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection

FREYA M. STARK, AGENT PROVOCATEUR, AND THE BRITISH WHITE PAPER

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection

[Mr. CELLER addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two matters, one concerning the mustering-out pay bill and in the other to include a citation of the United States Navy Department in the case of Seaman Basil Izzi, of Barre, Mass.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SASSCER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a clipping from the Enquirer-Gazette, of Upper Marlboro, Md.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

VOTING BY MEMBERS OF THE LAND AND NAVAL FORCES

Mr. WORLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 1285) to amend the act of September 16, 1942, which provided a method of voting in time of war by members of the land and naval forces absent from the place of their residence, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 1285, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The Clerk will report the title of the bill.

The Clerk reported the title of the bill.

Mr. WORLEY. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. ROBERTSON].

VOTING IN TIME OF WAR

Mr. ROBERTSON. Mr. Chairman, speaking in Harrisonburg, Va., on the evening of January 7, 1944, I expressed my earnest desire to see the privilege of voting extended within the framework of the Constitution to those in the military service, and stated that if my vote in the House could confer such a right, those in military service would get it. I never make a promise that I do not endeavor to carry out to my fullest ability. My search for a plan to implement the promise I made to servicemen in Harrisonburg has led me to the definite conclusion that the plan for absentee voting carried in the original Green-Lucas bill, which denied to the States the right and privilege of counting, canvassing and certifying absentee ballots was unconstitutional, and the substitute plan subsequently adopted by the Senate, leaving the program to the respective States, was inadequate. I likewise respectfully submit that the amendments made by the House committee to the bill passed by the Senate failed to make it an adequate bill.

Weeks of study of this problem led me to the conclusion that the States need the services of a Federal Ballot Commission, acting solely as a transmission agency, and that physical limitations upon airplane transportation are such that the military authorities will be unable, consistent with the best interests of the war effort, to send abroad State ballots, including the enclosing envelopes, that weigh more than 1 ounce. If all of the 48 States would promptly change their laws to provide for the printing of an official State ballot weighing no more than eight-tenths of an ounce, as specified by the War and Navy Departments, it would be practical as well as highly desirable to furnish that official State ballot containing the names of all authorized candidates to those serving overseas in military establishments. Up to this time West Virginia is the only State that has enacted such legislation. The alternative to furnishing a regular State ballot will be the furnishing of a simple and uniform Federal ballot, which, of course, could be printed in England for use of men in the European theater and in Australia for the use of those in the southern Pacific area.

There is no precedent for such a ballot. At least 500 years before the birth of Christ the free citizens of the city-state of Athens had evolved a system of self-government in which the ballot was used. The evolution of the American adaptation of the genuine Australian ballot, which contained the names of candidates without party designation, has been a long and tedious process, including a complete black-out during what we call the Dark Ages and coming to life again in Europe only a short time before the first permanent settlement at Jamestown, Va., in 1607. The English settlers who established the first colony in Virginia came to the new country with a knowledge of the ballot and those who settled some 13 years later in Massachusetts learned of it during their sojourn in the Netherlands. Consequently, the right to vote characterized the government of the colonies, States, and political subdivisions from earliest colonial days, but there was no uniformity in State election laws until after Congress in 1872 prescribed that all Members of the House of Representatives should be chosen by secret ballot. It was not until some years later that all States in the Union adopted either the genuine Australian ballot or a modification of it. The net gains of that action were uniformity, impartiality, secrecy, and confidence in the result of elections growing out of public responsibility for conducting them.

While the official and legal ballot of no 2 of the present 48 States is exactly the same, the laws of all 48 States for the past 50 years or more are the same in requiring the uniform State ballot with the names of all candidates printed thereon, that ballot to be officially distributed by the authorities charged with those responsibilities. Every State requires some method of identifying the official State ballot; in most of the States an official endorsement must be printed or stamped on the back of every ballot. The purpose, of course, of those ballot safeguards was to prevent election frauds and preserve confidence in the integrity of elections. In recent years there has been a definite trend toward what is called the short or simplified ballot. A number of States have changed their constitutions to permit the chief executive to appoint State officials previously elected by the people. A number of States authorize the use of voting machines, and to facilitate the use of such machines many State laws allow or require the omission from the State ballot of names of Presidential electors.

H. R. 3982, recently introduced in the House by the gentleman from Texas [Mr. WORLEY] proposes a method of absentee voting for those in military service carrying that simplification program further with respect to Federal offices only. Under the terms of that bill a Federal ballot will be printed and distributed through military channels to those in military service, a ballot containing nothing except party names with a provision that a vote cast for a given party will be a vote cast for all of the nominees of that party. The bill, of course, will authorize the voter to split his ticket by writing in the names of the candidates of his personal choice. The bill likewise authorizes the States to distribute regular State ballots if they can work out any means of doing so. The bill leaves to the respective States exclusive jurisdiction over the counting of the absentee ballots, including, of course, the constitutional issue raised by Public Law No. 712.

The validity of Public Law No. 712, waiving State poll tax and registration requirements, can either be recognized by State election officials, or else State legislatures can make necessary and suitable changes in State laws to overcome those difficulties to absentee voting by those in military service. Virginia has already adopted the former course with respect to the poll tax and registration requirements, pursuant to a ruling made on October 17, 1942, by Attorney General Abram P. Staples, binding upon all State election officials unless and until over-

ruled by a decision of a court of competent jurisdiction. In that opinion Attorney General Staples said:

The Federal act referred to dispenses with the necessity for registration by those in the armed forces in all of the States which require registration as a condition precedent to the right to vote, and I am informed that almost every State does have such a requirement. This provision, therefore, affects nearly all the States, including those in the South, while the provision dispensing with the payment of any tax as a prerequisite to vote affects, so far as I know, only the eight Southern States which require payment of the poll tax. If the provision with respect to registration is valid, the other must be likewise so held, since they involve the same constitutional principle, yet I have not heard of the authorities in any State failing or refusing to give effect to the Federal act in the coming November elections.

It is my opinion that article I, section 2, and the tenth amendment of the Federal Constitution undoubtedly reserve in the States the exclusive power to prescribe the qualifications of voters for these officers in time of peace. The reasons for this conclusion I recently stated at length before the Judiciary Subcommittee of the United States Senate in connection with other proposed permanent legislation now pending, which is not restricted to persons in the armed forces. The subcommittee, in its report to the full committee, has sustained this view. But even though this be true, the act you refer to raises an entirely new and different question. It is by its terms operative only in time of war and is applicable only to the land and naval forces. The Constitution (art. I, sec. 8) confers on Congress the power to "declare war * * * to raise and support armies * * * to make rules for the government and regulation of the land and naval forces"; and to "make all laws which shall be necessary and proper for carrying into effect the foregoing powers."

During the First World War Congress passed what was known as the Soldiers' and Sailors' Civil Relief Act of 1918, providing for the suspension in both State and Federal courts of legal proceedings against members of the armed forces or their dependents while engaged in active service. Although this legislation would have been clearly unconstitutional in peacetime as an invasion of the State's recognized powers to establish its courts and prescribe the proceedings therein, yet it was sustained as valid exercise of the war powers by the highest courts of all the States before which it came for consideration and by the United States circuit court of appeals of several circuits. See annotation to *Morse* v. *Stober* (9 A. L. R. 81).

During the present war Congress has passed another similar statute which is much more comprehensive and which protects those in military service by provisions for the postponement of suits, judgments, attachments, garnishments, evictions, mortgages, foreclosures, repossessions, payments under installment purchases and conditional sales, income taxes, real-estate taxes, all statutes of limitations, etc. Protection is also extended to life insurance, endorsers, sureties, guarantors, property rights, homesteads, mining claims, mineral leases, etc. The Selective Service Act now in force provides for restoration to selectees of their positions held in private employment. I have not heard of any question being raised as to the validity of any of these provisions as an exercise of the war powers of Congress. The Supreme Court sustained the drafting of civilians into military service under this power (245 U. S. 366).

The act you refer to undertakes to protect those in the armed forces from loss of their right to vote for these Federal representatives by reason of failure to comply with registration and poll-tax payment requirements while absent in the service.

It is well settled that an act of Congress, passed in the proper exercise of a power delegated to it by the Constitution is the supreme law of the land and supersedes any State constitutional or statutory provisions in conflict therewith (U. S. Constitution, art. VI, sec. 2. See also 11 Am. Jr., p. 649).

It follows, therefore, that if the protection which the act in question purports to afford to the voting privileges of absentee soldiers and sailors is a valid exercise of the war powers of Congress above referred to, the provisions of the act eliminating State requirements of registration and poll-tax payments are valid and should be given effect by Virginia election officials.

In view of the apparent similarity in the nature of the protection provided for in the Soldiers' and Sailors' Relief Act and in the act here under consideration, and recognizing the well-established rule that every statute is presumed to be constitutional until the courts declare otherwise, I am constrained to the view that in the election to be held on November 3, 1942, the judges of election and other State authorities should count as valid votes all ballots cast in accordance with the provisions of the said act of Congress (Public, No. 712).

The General Assembly of Virginia now has pending before it other changes in the absentee voting laws of the State that will enable all from Virginia in military service to vote, independent of Federal action, provided the military authorities will cooperate to the extent of transmitting the State ballots. This I understand they are willing to do as far as physical limitations upon transportation will permit.

The real issue, therefore, to be determined by the Congress in this vital matter revolves primarily around the problem of the transmission of the ballot to those in military service and back to State election officials in time to be counted, since all plans to deprive the States of their constitutional right to count, canvass, and certify those ballots have been abandoned.

Concerning the problem of transportation of ballots, the Secretaries of War and of the Navy united in a communication dated December 30, 1943, to Hon. Frank Bane, executive director of the Council of State Governments, in which they said:

The policy of the Army and Navy is to assist and encourage servicemen to vote, so far as practicable and compatible with military operations. Nothing must interfere with the services' primary obligation to wage victorious war.

2. Voting by servicemen in wartime depends on practical considerations relating to military operations, duties, means of communication, etc. To the extent that overseas voting is dependent on air carriage of material by the services, it is subject to three factors beyond control: weather, war, and plane space. The effectiveness of any wartime serviceman voting law turns, not on the willingness of the services to cooperate, but on their capacity to carry it out. The services summarize below certain practical points which bear upon their ability to give effect to absentee voting procedures.

3. The War and Navy Departments do not advocate or oppose any particular voting legislation. They will endeavor to administer, subject to their primary obligation, whatever law may be in effect.

4. No assurance, of course, can be given that the enactment or the elimination of any legislative provision will result in the casting of more votes by servicemen.

5. In the time of war, the services are unable effectively to administer diverse procedures of 48 States as to 11,000,000 servicemen all over the world in primary, special, and general elections. For this reason and for reasons of security, the following provisions cannot be effectively administered by the Army and Navy, having regard to their primary function:

a. Provisions that the services furnish to officials of a State:

1. The names, serial numbers, and military addresses of servicemen voters of the State.

2. Data as to military or naval establishments at which servicemen voters of the State are located.

b. Provisions that the States:

(1) Appoint agents to take action at military or naval establishments in connection with serviceman voting;

(2) Designate a particular day on which, or period within which, servicemen voters of the State shall mark their ballots;

(3) Provide any particular procedure, other than the secret marking of ballots, to be followed by servicemen while voting;

(4) Furnish to the services particular State instructions to be posted in military and naval establishments;

(5) Furnish to the services for distribution to servicemen of the State, other than as person-to-person mail, any literature, instructions, official forms of application for ballots, or State absentee ballots.

c. Provisions that conflict with the mechanical requirements of Federal law.

6. The services believe that uniform legislation on the following points should tend to make more possible an effective cooperation by the services in absentee voting procedures:

a. Transmission of application for ballot: Transmission by the secretary of state of the State to the appropriate State election officials of any uniform application form officially prepared and distributed by the War or Navy Departments, or any writing stating the substance of such form, duly executed by an absentee serviceman whose voting residence is in the State.

b. Acceptance of application for ballot. Acceptance by the appropriate State election officials, at any time prior to the election, of a duly executed application (in the form described in paragraph a above) received from an absentee serviceman whose voting residence is in the State:

(1) As an application for a State absentee ballot; and

(2) As an application for war-time registration as a voter (wherever legally possible).

c. Forwarding of ballot. Availability of the absentee ballot for forwarding:

(1) To servicemen inside the United States [1]—at least 30 days before the election.

(2) To servicemen outside the United States [1]—at least 45 days before the election.[2]

d. Bulk and weight of voting material: Voting material for mailing by State to servicemen outside the United States to be designed for carriage by air, air-mail postage prepaid, and not to exceed the following maxima:

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[1] As used in this statement, "United States" includes only the territorial limits of the several States and the District of Columbia.

[2] Minimum time interval, based on air carriage to and from serviceman. Because air carriage is not always practicable or compatible with military operations, 45 days may be an insufficient time interval and a longer time interval is desirable.

(1) Total weight of covering envelope and enclosed outer envelope, inner envelope, ballot, and voting instructions, eight-tenths of 1 ounce.

(2) Outer dimension of such covering envelope (No. 10 size), 4⅛" x 9½".

e. Outer envelope marking: Outer envelope clearly marked by State, "Official ballot," so as to give notice to censors of contents.

f. Serviceman's oath: Serviceman's oath to be acknowledged before a commissioned officer, warrant officer, or noncommissioned officer not lower in grade than sergeant (or equivalent Navy rating).

Again on January 11, 1944, in a letter addressed to the chairman of the House Committee on Election of President, Vice President, and Representatives in Congress, the Secretary of War stated:

No procedure for offering the vote to servicemen can be effectively administered by the War and Navy Departments in time of war unless it is uniform and as simple as possible. Especially is this true with regard to the voting of persons outside the United States. * * *

The War Department has already indicated, in connection with a prior version of S. 1285, that it may be possible, weather and military conditions permitting, in respect to one election, to carry in bulk by air, overseas and back, within a short time ballots which are uniformly light in weight and small in size. But the War Department does not believe that such expeditious carriage can be made a matter of daily routine over several months or weeks, as would be required to meet the provisions of the laws of the different States. Nor can any assurance be given in advance that recent average times of air carriage for mailed material can be regularly maintained in respect to many individual mailings of State balloting material over several months or weeks, or that the volume of what is now being carried by air can be increased or even maintained.

The effective operation of a voting procedure predicated on daily, uninterrupted air carriage overseas and back by the Army of masses of State absentee balloting material is dependent on three factors beyond control—weather, war, and plane space.

Unfavorable flying conditions may at any time interrupt for considerable intervals the carriage of any air mail to one or more theaters. When flying is resumed, the carriage of urgent military material and personnel must, for manifest military reasons, take precedence over mail. The Army does not operate, like the post office, as a regular carrier of mail. The primary requirement of waging a victorious war obviously determines, whether any space in any military plane will be available to carry any mail.

The War Department is now bending every effort to fly to and from the front as much home mail as possible. It regards the receipt of such mail overseas and at home as the most important morale factor in the war. At the present time, there is not available sufficient plane space to carry all the letters to and from home. As more men go overseas, the volume of this vital home correspondence will increase, further taxing air facilities. The bulk of a single average State absentee ballot, plus envelopes and voting instructions (averaging 3 ounces altogether), would by its size and weight displace over a thousand V-mail letters in microfilm. If this displacement were multiplied several million times, in two separate air carriages, over a period of several weeks or months, the most important of all morale factors would be dangerously prejudiced.

Although it may be possible to fly mailed materials to a given theater in accordance with the average times recently obtaining (as, for example, 10 days from the Atlantic seaboard to the Mediterranean theater), the finding of the individual addressee in that theater may take many days. It is an unrealistic appraisal of war conditions to assume that the serviceman addressee can always be found and can act within a few days.

A dozen or so States now require a special form of application for ballot and their voting procedures entail a minimum of four air carriages, apart from the transmission of the initial post card. Even where only two air carriages, in addition to the initial post card, are involved, there can be no assurance that the War Department will be able in wartime to air carry all individual State ballots overseas, locate the servicemen addresses, and air carry the executed ballots back to the postal authorities in the United States, within a few weeks.

The War Department believes that it is its duty to call these practical difficulties to the attention of the Congress. It would endeavor, to the best of its ability, to administer whatever laws the States might enact pursuant to congressional recommendation.

But the exigencies of war circumscribe cooperation. With but a single law to administer, involving a single air carriage of lightweight ballots in bulk overseas and a single air carriage of such ballots in bulk back to America, the accomplishment of servicemen voting outside of the United States remains only a possibility. Anything more onerous than such a procedure would be, to the extent of its burden in space, time, and diversity, a more remote possibility.

Then on January 21, 1944, the Secretary of War wrote the gentleman from Texas, Chairman WORLEY, as follows:

The essence of S. 1285 is a recommendation by the Congress to the several States that they change their existing absentee voting laws in various respects. The War Department's report of November 13, 1943, dealt principally with the manifold differences in existing State laws for absentee voting. The War Department's report of January 11, 1944, dealt principally with the effective operation of a voting procedure, based on a daily, uninterrupted air carriage overseas and back of masses of State absentee balloting material, which is dependent on three factors beyond Army control—weather, war operations, availability of plane space. Nothing has occurred since the dates of those reports to change the War Department's views on these subjects. Accordingly, the appropriate observations made in those reports are as effective with regard to the subject bill as to the predecessor measures.

I should like to direct your attention to a new provision of the subject bill, inserted by House committee amendment. I refer to the second sentence of section 2 (b), appearing on page 8, lines 21-25, and on page 9, lines 1-4. This provision requires the Secretary of War to give to the transmission of State post cards, ballots, envelopes, and instructions for voting procedure—

"Priority over all unofficial communications and priority over official communications, except where, in the judgment of the appropriate military and naval authorities, such priority would interfere with the effective prosecution of the war."

This provision is very similar to that appearing in section 111 of the so-called Green-Lucas bill, as reported by the Senate Committee on Privileges and Elections on November 15, 1943, with reference to the transmission of Federal voting material under title I of that bill. It would be difficult to give such priority even in connection with the uniform, lightweight, small-size Federal ballot to be carried by air in bulk in relatively few shipments under title I of such bill. But it is a very different matter to require this priority as to many individual mailings of bulky State balloting material over several weeks or months. And as this provision is applicable to State primaries, instead of merely to the general election, such priority carriage would thus additionally extend from February to October (when the last State primary is held). It would be the judgment of the military authorities that to give such priority over official and over unofficial communications would interfere with the effective prosecution of the war. * * *

If the provision as to priority for all State balloting material were to become law, without the several States radically reducing the bulk and weight of their balloting material, as suggested in section 6 (d) of the enclosed joint statement, compliance with its terms might seriously curtail or entirely shut off for considerable period of time the receipt by soldiers overseas and by families in America of home mail. The uninterrupted receipt of home mail by the soldier overseas is of utmost importance.

In addition to those official statements concerning the physical problem involved in the handling of the absentee ballot, I have it on what I regard to be reliable authority that at the present time letter mail for the European theater of operation so far exceeds the present airplane carrying capacity that not more than one-half of it is being handled by plane, notwithstanding the belief expressed by the Secretary of War that nothing contributes more to the morale of those on the fighting front than letters from home. Confirmation of that position by an independent source was had in the C. B. S. broadcast from London on the morning of January 28. Referring to the subject of soldier morale, the C. B. S. news commentator from London said that neurosis was becoming a major health problem among soldiers overseas, that nothing contributed more to the mental well-being of a soldier overseas than mail from home, and that the longer a soldier was away from home—especially if he be a married man with wife and children at home—the more important became the regular and frequent delivery to him of mail from home. The most difficult and the most vital phase of the war effort will undoubtedly occur when "fortress Europe" is stormed on the western front. It is needless to surmise when that period will commence or when it will end. Suffice it to say we must make no demand upon the military authorities during that period to devote airplane space essential to war materials and soldier mail to the carrying of bulky State ballots.

Ever since the proposal was made last October that Public Law No. 712 be implemented, Army and Navy authorities have consistently stated that they would be unable to handle the regular ballots of 48 different States in time for the soldier vote to be counted, except at the expense of the war effort. Army authorities have likewise called attention to the fact that changes of station in the Army are now averaging 10,000 per day. That would increase the difficulty of distributing individual State ballots, but it would not be an insuperable difficulty. The alternative to the handling of mail ballots by plane is to handle them by rail and boat. That method of distribution would be adequate for the 3,000,000 who may remain in the continental con-

fines of the United States, but clearly would be inadequate to reach those overseas, and especially those who may be in the far Pacific areas and those serving in far-flung naval units.

As previously indicated, I much prefer the use of a regular State ballot with the names of all candidates printed thereon, but I would likewise prefer the use of a uniform Federal ballot to the promise of a State ballot which is not fulfilled. In other words—I prefer the substance to the shadow.

As I view the problem in the light of the testimony of our highest military authorities, the burden will be upon those insisting upon the use of State ballots only to establish the feasibility of getting them to the soldiers and back in time to be counted. Aspersions cast upon the motives of military authorities who have testified they will be unable to handle by airplane ballots exceeding eight-tenths of an ounce in over-all weight are neither facts nor argument. Before I can bring myself to vote against the type of ballot recommended by our military authorities I must have definite proof of the ability of of our military authorities to handle the regular State ballot.

The American ballot—

Said Dr. O. Douglas Weeks, chairman, department of government of the University of Texas—

is both the supreme symbol and the principal working tool of democratic government. It is the all-important material object which democracy has sought to substitute for the battle-ax or the hangman's noose both as an emblem and as a weapon in the settlement of civil disagreements. The struggle to effect and maintain the substitution has been a long and difficult one; and it has not yet ended. In a very real sense, it is an important phase of the present world conflict.

With that statement I submit that every Member of the Congress is in full accord. All will agree with Dr. Weeks we are fighting for the survival of democracy and that the right to vote is the essence of democracy. All must necessarily agree that the right should be extended in time of war to those in military service as well as to those who remain on the home front. It is my intention to vote for a bill that will do so.

Mr. WORLEY. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. LECOMPTE. Mr. Chairman, I yield 20 minutes to the gentleman from Mississippi.

The CHAIRMAN. The gentleman from Mississippi is recognized for 30 minutes.

Mr. RANKIN. Mr. Chairman, as I listened to the gentleman from Virginia [Mr. ROBERTSON], who seems to have strayed so far from the beaten path of his usual constitutional attitude, to follow a will-o'-the-wisp of an opinion rendered by the attorney general of Virginia, I said to myself, "Shades of John Marshall, shades of Thomas Jefferson, shades of James Madison, shades of Patrick Henry! When did an attorney general of Virginia asume the right to read a clause out of the Constitution of the United States." He reminded me of that expression of Shakespeare:

Man, proud man,
Drest in a little brief authority,
Most ignorant of what he's most assured,
His glassy essence, like an angry ape,
Plays such fantastic tricks before high heaven
As make the angels weep.

If that opinion is sound, we might as well abolish the Supreme Court, not only the Supreme Court of the United States, but the supreme courts of the various States of this Union. Public Act 712 attempts to fix the qualifications for voters in violation of section 2 of article I of the Constitution of the United States, which provides that—

Electors of each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

After that provision had been in the Constitution for 126 years, and for 35 years under the eagle eye of John Marshall, Chief Justice of the Supreme Court, and the greatest in all probability that the Union has ever had, it was reenacted in the seventeenth amendment without any qualification. So, when the attorney general of Virginia attempts by that verbose argument to read that provision out of the Constitution and hold valid a law that is conceded by almost everyone else will be held unconstitutional, in order to induce us to tie into it legislation that would not only violate the Constitution, but would wreck the election machinery of the various States, I must say to my friend from Virginia that I cannot follow the argument of that attorney general. I say that with all deference to the gentleman from Virginia [Mr. ROBERTSON], whom we all love and admire.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. Not at this time.

Mr. COCHRAN. I would like to ask the gentleman from Mississippi a question pertinent to the remarks that he is making.

Mr. RANKIN. I yield.

Mr. COCHRAN. The gentleman has read from the Constitution. Will the gentleman read section 4, of article I, of the Constitution, which reserves to Congress the right to change the laws and regulations of the States?

Mr. RANKIN. With reference to the Representatives in Congress?

Mr. COCHRAN. Will the gentleman read that provision?

Mr. RANKIN. It does not say anything of the kind.

Mr. COCHRAN. The gentleman can read the English language?

Mr. RANKIN. It does not say anything of the kind.

Mr. COCHRAN. Yes; it does, if the gentleman will read it, and he understands the English language.

Mr. RANKIN. The gentleman from Mississippi who is now speaking understands exactly what it means. He does not need any lecture from the gentleman from Missouri. It reads as follows:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof, but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

That is what it says. It does not say it shall alter the qualifications of electors.

Mr. COCHRAN. The gentleman from Mississippi knows this reserved to the States the right to make or alter such regulations except as to the places of choosing Senators. That is no longer operative because of the provisions of the Norris amendment.

Mr. RANKIN. I do not yield further. The gentleman is so far wrong that it is useless for me to argue with him.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Montana for a question.

Mr. O'CONNOR. I would like to have an interpretation of the Supreme Court decision in the case of United States against Classic.

Mr. RANKIN. I am not going to go into any interpretation of a Supreme Court decision. I want to speak on this bill.

Mr. O'CONNOR. This has to do with this bill.

Mr. RANKIN. God knows if the present Supreme Court rendered the decision I would certainly have to scrutinize it with care. I am backed up in that by Justice Roberts, one of the ablest lawyers on the Supreme Court, this morning. One or two men on the Supreme Court of the United States have pulled that august tribunal down to the lowest level it has ever reached in the estimation of the American people.

The last hope of constitutional government, which is democracy as we know it, rests in the Congress of the United States, and especially in the House of Representatives. For that reason I have gone through this battle to preserve the Constitution and to preserve the rights of the States and guarantee to those boys who are fighting our battles that when they come back they will find that flag flying over the same institutions their fathers established. That is the reason I am going through all this punishment at the hands of those who would deprive our soldiers and sailors of their rights.

Now, Mr. Chairman, a day or two ago the gentleman from Illinois [Mr. SABATH] supposedly representing the Committee on Rules, but really attacking the attitude of the majority of that committee, took the floor and questioned us who are trying to pass this constitutional bill, and said we were trying to keep the soldiers from voting. That statement is absolutely without foundation. Of all men on earth for him to make that charge against, I ought to be among the last. The last one to make such a charge should be the gentleman from Illinois [Mr. SABATH].

Whether I have been right or wrong, if I have sinned with reference to the servicemen of this country, it has been in leaning to their side, because I have gone through the fiery furnace for two decades, fighting for the servicemen who have fought our battles.

Years ago, when I did not hear the verbose gentleman from Illinois protesting, we discovered a racket against ex-servicemen in St. Elizabeths Hospital. One man had 98 ex-soldiers in St. Elizabeths Hospital, for whom he was the guardian. He paid little or no attention

to them, but he had almost a million dollars of their money in the bank. I went after him. It resulted in a very serious physical difficulty, but I finally convinced President Coolidge and he removed him from office. We went out to St. Elizabeths Hospital and on writs of habeas corpus released 19 of those men who were not crazy, and some of them never had been crazy. Go back and read my brief at that time in the CONGRESSIONAL RECORD. Oh, where was Roderick then? Where was the gentleman from Illinois then, when I was trying to protect those helpless ex-servicemen who were incarcerated in St. Elizabeths, and some of whom were not crazy and never had been.

In 1933, when the Democrats came into power, one of the first bills that came before the House was the economy bill. When I think of it I feel like transposing the words of Addison and instead of using the word "eternity" exclaiming "Economy, thou pleasing, dreadful thought!"

Poor old Billy Connery, of Massachusetts, who has now passed to the Great Beyond, and I, were the two men who were called to the White House who stood up and opposed the cutting down or taking away from those disabled men the compensation they were getting. We knew that many of them were dying in the hospitals of this country of tuberculosis and other fatal maladies. We knew that they knew that if they were cut off; that is, if these presumptive cases were cut off, their wives and children would be left in many cases without anything to live on; a great many of them would be left entirely destitute. When they heard of the passage of that bill, several of them turned their faces to the wall and died of the shock. Oh, where were these critics of mine then who are now playing politics and clamoring to give the soldiers a bobtailed ballot that they will probably resent?

After the last war we decided we had not paid the soldiers enough. They were entitled to $60 a month. It took a 17-year battle to get it paid and we had to override the veto of every President it was put up to; and I helped to do it.

In 1930 those boys came here. They called it a march on Washington. I saw those men; I was out there among them. They were nothing in God's world but ragged, hungry soldiers who had fought our battles and who had come here asking the Government of the United States to pay them the money that we had already said we owed them. I have no apology to make for that. They were within their rights.

It was my bills that put the widows and orphans of these men who had service-connected disabilities, but who died from other causes, on the roll during those years of depression through which we passed. By the way, I want to say with reference to the economy bill, they took that money away from those disabled soldiers and put people on the pay roll who had never worked or fought either, and probably some of them never will. Am I to be criticized by men who say, "Give us this bill and we will go to town"? What town? Chicago?

I introduced a bill here, or a resolution, to straighten out the jurisdiction of veterans' legislation. We sent it to the Committee on Rules and the representatives of the great veterans' organizations went with me before the Committee on Rules and asked for it to be voted out. The chairman of the Committee on Rules [Mr. SABATH] never did give us a vote on it. It stayed there a solid year and we had to file a petition in the well and get 218 signers to get it before the House. The resolution was passed, and through what I consider an erroneous ruling, there was some question raised as to whether or not we have cured the evil. I am asking the Committee on Rules now to override the chairman, if necessary, and bring that corrected resolution out.

In the meantime the Senate put a rider on a bill that came before the Committee on Ways and Means affecting veterans' insurance. Unfortunately, they left a loophole that is one of the most unjust propositions to disabled veterans I have ever known. The men of the First World War who kept up their insurance and who have become permanently and totally disabled may collect their insurance monthly, as long as they live or remain in that condition. But in this legislation they left that provision out of the bill. When these boys that we have in the service now come home, permanently and totally disabled, they cannot collect their insurance. It is payable only after the death of the veteran. Now, if that measure had come before the Committee on World War Veterans' Legislation, where it belongs, that would have been straightened out. I still have a resolution for a rule on a bill to take care of the widows and orphans before the Committee on Rules. Many of those boys died really from service-connected disabilities that they could not prove. But their widows have gone on and tried to rear and care for their little children and educate them as best they could.

Today many of those children are fighting the battles of this Nation on every front in the world.

Not only that, but last year I told you in advance that when the time came I was going to raise the base pay of the men in the armed forces to $50 a month. I meant what I said. I offered an amendment for that purpose and it passed by a vote of more than 10 to 1. Strange to say, some of the very stalwarts who are now fighting me and criticizing me in the press and on the floor of both Houses voted against that amendment.

Go to the men in the service and ask them how they regard me. Go to the men in the hospitals in your State, do not come to my State but go to your own State and ask them. Go to the widows and orphans of World War veterans and ask them if they think I would take from the servicemen of this country anything that belongs to them and see what answer you will get.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. MAY. In my State election officers are required to sign——

Mr. RANKIN. If the gentleman from Kentucky does not mind, please let us take that matter up a little later.

So much, Mr. Chairman, for my services to the servicemen. I have never attempted to ride the veterans politically. When I go home to make a campaign I have something else to talk about, besides playing up to the servicemen. But I am not going to sit idly by and have a man strut down here in the well of the House and accuse me of trying to keep the soldiers from voting when I am doing my eternal best to give them the right to vote in a constitutional election for everything from President to constable—and also to vote in the primaries.

Now, Mr. Chairman, I yield to the gentleman from Kentucky for a question.

Mr. MAY. I was going to say to the gentleman that in my State the State law requires that two election officials of opposite political faiths endorse the backs of the ballots. It provides a penalty to the extent of being a felony and carrying imprisonment in the penitentiary for willful failure to do so, and provides also that the ballot cannot be counted unless it is so endorsed. How would they count one of those ballots under that law without going to the penitentiary?

Mr. RANKIN. If they counted the ballots provided for in the Worley bill, this bobtailed ballot, they would go to the State penitentiary; and if they did not count them they would be subject to the Federal penitentiary.

Mr. MORRISON of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I will after a while. The same thing applies to my State. I now yield to the gentleman from North Carolina.

Mr. MORRISON of North Carolina. Is it not a fact that the Federal law would supersede the State law in every respect, provided the Federal law were constitutional?

Mr. RANKIN. Listen, I cannot yield further. The gentleman has answered his own question. It is not constitutional; there is no use to argue that point any longer; the Worley bill is not constitutional. I just read the sections of the Constitution it violates. Not only that but it violates the constitution of practically every State in the Union, certainly of my State.

Mr. MORRISON of North Carolina. Mr. Chairman, will the gentleman yield for a further question?

Mr. RANKIN. I cannot yield further.

Mr. MORRISON of North Carolina. I yielded to the gentleman yesterday and tried to be courteous.

Mr. RANKIN. I will have to yield to the Governor again.

Mr. MORRISON of North Carolina. I certainly would appreciate it if the gentleman would not look at me so ugly and get so mad.

Mr. RANKIN. The gentleman is seeing things. He is evidently thinking of his opponent, Governor Hoey.

Mr. MORRISON of North Carolina. If I was I was also thinking of an opponent who would not be discourteous to anybody under any circumstances.

Mr. RANKIN. All right; go ahead.

Mr. MORRISON of North Carolina. My point is this and I should like to get the gentleman's answer to it: If this law is constitutional, or insofar as it is constitutional, would there be any danger of anybody's going to the penitentiary in any State for respecting it as the supreme law of the land?

Mr. RANKIN. A fellow asked John Sharp Williams a question like that one time. John Sharp said: "That makes me think of a question I have been wanting to ask you. Do you think if the moon was made of limburger cheese that moonshine would smell bad?"

Mr. MORRISON of North Carolina. Mr. Chairman, will the gentleman yield for a further question, just one more question?

Mr. RANKIN. I will yield when the House quits laughing, so I can hear.

Mr. MORRISON of North Carolina. I am certain my friend's recollection must be wrong because I cannot believe that John Sharp Williams ever dodged a question as the gentleman has dodged this.

Mr. RANKIN. I doubt if John Sharp Williams ever had a question of that type put up to him, because he knew that if a law was unconstitutional, that settled it.

Mr. MANASCO. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. MANASCO. I want to call the gentleman's attention to a brief placed in the CONGRESSIONAL RECORD on September——

Mr. RANKIN. Wait a minute; let me finish with the gentleman from North Carolina. I want to say to the gentleman from North Carolina [Mr. MORRISON] that the law he refers to is unconstitutional, this Lucas-Worley bill, and Public Law No. 712 passed last year, both violate those clauses of the Constitution; and all the perfumes of Arabia would not sweeten them. Nothing he could do would help them, they are unconstitutional, null and void.

Mr. MORRISON of North Carolina. That is the opinion of the gentleman, but just as good lawyers as he is and who love the South as well as he does do not agree with him.

Mr. RANKIN. I am one who loves not Caesar less but Rome more. Some of those lawyers in the South, I fear, love their own political positions more than they love the Constitution of the United States; and for that reason they bend, they warp their judgment to try to make something constitutional that is not only not constitutional but dangerous in the extreme.

I now yield to the gentleman from Alabama.

Mr. MANASCO. I wanted to call attention to a statement made by the attorney general of Virginia on September 22, 1942; the junior Senator from Virginia inserted in the RECORD an opinion by the attorney general declaring that the poll-tax bill was unconstitutional.

Mr. RANKIN. Why, of course. The attorney general seems to have changed his position as the gentleman from North Carolina, Governor MORRISON, did on yesterday. He was making an argument, and when I asked him if he would be opposed to a bill that was unconstitutional, he answered—well, his answer reminded me of the colored fellow who was stealing a ride on a railroad train one night when it was wrecked. He was thrown clear of the wreck and ran from the train so fast that he hooked his chin over a clothes line. When he finally quit spinning he was turned around in the opposite direction and continued running so fast that he ran back into the train and broke his leg. That is what the gentleman from North Carolina did on yesterday in his argument; he met himself coming back with such a collision that I am surprised he is able to be on the floor this afternoon.

Mr. MORRISON of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I cannot yield further.

Mr. MORRISON of North Carolina. Then let me alone.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. No; I am sorry, I cannot yield.

Now, Mr. Chairman, who is behind this bill? Who is the chief sponsor of it? The chief publicist is PM, the uptown edition of the Communist Daily Worker that is being financed by the tax-escaping fortune of Marshall Field III, and the chief broadcaster for it is Walter Winchell—alias no telling what.

Mr. HOFFMAN. Who is he?

Mr. RANKIN. The little kike I was telling you about the other day who called this body the "House of Reprehensibles."

Now, let us see what this bill does. I have been trying to find out who wrote this Lucas-Worley bill, and I want to give the gentleman from Texas a clean bill of health; he did not write it. I want to go a step further and give him a little more clearance, because I do not think he knows who did write the original bill. I am sure that the distinguished gentleman at the other end of the Capitol did not write it. We are told that the original Green-Lucas-Worley bill was prepared by a man who pronounced his name "Wexler," but who spells it W-e-c-h-s-l-e-r, Herbert T. Wechsler, down in the Department of Justice—I mean in the Attorney General's department.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. No; I will not yield further.

Mr. SABATH. For a correction?

Mr. RANKIN. No.

Mr. SABATH. The original bill was drafted by the gentleman from West Virginia, Mr. Ramsay.

Mr. RANKIN. No; the gentleman from Illinois is just as "wong" on that as he is about some other things.

This man pronounces his name "Wexler." I want to connect up this PM now. If you are going to bring in the Communist Party to write the legislation for Congress, let us find it out. This man Wechsler—and I will put this in the RECORD—was a member of the legal advisory committee of the International Labor Defense, legal arm of the Communist Party, together with Joseph R. Brodsky, attorney for the Communist Party; Ben David, Jr., Communist councilman of New York City; David J. Bentall, Communist attorney and candidate of Chicago; Carol King, attorney for Harry Bridges; and others connected with Communist cases such as Leo Gallagher, Edward Kuntz, Edward Lamb, Yetta Land, Saul C. Waldbaum, A. L. Wirin, and so forth. Now, let us take a look at today's issue of PM. On page 4 appears the names of Members who voted for the previous question on yesterday. On the next page there is a venomous attack on every man who voted to uphold the rules of the House or who voted for the previous question, and it is signed by James A. W-e-c-h-s-l-e-r, spelled exactly like the name of the man that they say prepared the original Lucas-Worley bill. He comes out in PM to denounce us Members of Congress because we do not fall for their propaganda.

The other day the gentleman from New Mexico, our angelic friend from the Far West [Mr. ANDERSON] almost sprouted wings talking about the fraud we were going to perpetrate and, lo and behold, as a result the gentleman from New Mexico has his picture in PM with approval; which ordinarily is the kiss of death. I certainly hope if they ever put my picture in that scurrilous publication they will denounce me for everything they can think of, because every time that thing shows up in my district, when the people learn that this is a part of the old Trotsky International—these are Trotskyites running this paper, PM, trying to browbeat Congress into wrecking the Constitution—when they realize that I am in bad standing with that bunch of communistic kikes, they will have more respect for me.

Mr. Chairman, it is useless for me to comment on the message that came in here the other day. I am going to say this in all deference: Franklin D. Roosevelt never had a better friend than I have been when he was following the lines of the Democratic Party as laid down by Thomas Jefferson. I have fought with him when these men were fighting him at every turn. It is unfortunate that he let that message come in here a few days ago that I am sure he did not write and I am afraid he did not read. Even today in the New York Times he is quoted as saying he could not cast an intelligent vote in an election without knowing how his Congressman voted.

Nobody has a right to try to browbeat Congress into calling the roll on a measure that is not before the House. The rules of this House were written by Thomas Jefferson. Turn to the rule book, and you will find that to be true.

They have in them the parliamentary wisdom and experience of English-speaking legislators for a thousand years. We have followed them down to now. Never in our history has a message ever come in here demanding that the Congress call the roll on a bill not before the House.

I want to say, Mr. Chairman, that I am for giving every serviceman the opportunity to vote in the coming election. But this Worley bill will not do that. I want to show you this bobtailed ballot that they figure on sending him. They tell you that a State ballot will be too heavy to send. I heard the gentleman from Virginia quote some figures which I hope he will correct before they go into the RECORD, because I did a little figuring myself. Assume there are 12,000,000 men in the Army, and they use troy weight which I presume they do. That will be 1,000,000 pounds, because none of these ballots will weigh over an ounce. I showed you that on yesterday. Two pages of the New York Times will only weigh six-tenths of an ounce. Suppose they weighed a full ounce! that would only be 1,000,000 pounds. I believe there are 2,000 pounds in a ton, so that would only be 500 tons. That would not overload the mail and it would not overburden the traffic.

Let me tell you something else: I like Secretary Stimson personally, and I like Secretary Knox personally, although I do not agree with their political views all the time. The last time they tried to run a political party they carried both Maine and Vermont, in spite of all I could do.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WORLEY. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. RANKIN. Mr. Chairman, my proposal today is to leave the election machinery in the hands of the States. Every State in the Union is moving its primary elections back so they will have ample time to send these ballots. Everyone who is trying to stall off and delay this legislation is keeping the soldiers of Illinois and Pennsylvania from having the opportunity to vote in the primaries which take place in those States in April.

Now, let us see about this ballot. They are moving their primary back to allow 90 days before election. Mississippi, Georgia, Iowa, Ohio, and other States are doing that. Let us see what you propose to send them. This bobtailed ballot is not a printed ballot with your name on it. The one we propose to send them is a ballot with the names of all candidates printed on it. If your name is printed on here so the man can read it he will not have to fill out any blanks. This bobtailed ballot does not give him a chance to vote for anything but President, Senator, and a Member of Congress. Those men are just as much interested in their brothers, perhaps, who may be running for sheriff, or an uncle, who is running for clerk, or some one who is running for county attorney as he is in voting for President, Vice President, or Congressman.

Sometime ago, they had an election in New York. I think the President must have had that election in mind when he spoke about fraud, because that was known as the Aurelio election and the nearest comparison I can make is that this is the Aurelio ballot.

They had a provision on there for them to vote just opposite the party name. In my State we do not put any party name on the ticket. You must read the name and vote for the individual. This bill here would disfranchise every serviceman in Mississippi, and I am informed by a well-informed man in that State that it would disfranchise everyone in Texas. I think it would disfranchise them in Ohio and in Pennsylvania and in practically every other State of the Union. But they had this man Aurelio up, and the Democrats met one night and nominated him. I see my friend FAY laughing. He did not have anything to do with that nomination.

Mr. BUCKLEY. Will the gentleman yield?

Mr. RANKIN. For a question only.

Mr. BUCKLEY. I suppose that if every sailor and soldier——

Mr. RANKIN. I decline to yield further.

Mr. BUCKLEY. Would sign an affidavit that they were all for President Roosevelt, the gentleman would favor the ballot?

Mr. RANKIN. Let me answer that. I want to clear that up. I voted for President Roosevelt every time he has run and I expect to vote for the Democratic ticket this time no matter who is the nominee. I voted the Democratic ticket in 1904 when President Roosevelt voted the Republican ticket. I voted the Democratic ticket when Mr. Knox was running on the Republican ticket. I voted the Democratic ticket when the Taft administration was going down to defeat with Secretary Stimson as a Republican in the Cabinet. I voted the Democratic ticket when Mr. Ickes was a Bull Mooser. I voted the Democratic ticket when Harry Hopkins was a Socialist.

I do not want any fly-by-night or fair-weather Democrats try to tell me how to vote.

Mr. Chairman, they nominated this man Aurelio. The Republicans thought they had picked a good man and nominated him on their ticket. Fine, there was going to be an election of a judge without a contest. But it developed this man had been hand-picked by one of the most crooked underworld racketeers in New York. The decent Democrats and decent Republicans tried to get him off the ticket, but they could not do it, unfortunately. They appealed to the people of New York to vote against him and put independent candidates on the ticket. I wonder if the gentleman from New York [Mr. BUCKLEY] voted for Aurelio? When they went to vote they voted by machines.

Mr. BUCKLEY. I will answer the gentleman from Mississippi.

Mr. RANKIN. Yes or no.

Mr. BUCKLEY. Will the gentleman let me answer it?

Mr. RANKIN. No; I do not care for any other answer. All I want to know is whether the gentleman voted for Aurelio or not. I decline to yield for any other purpose.

Mr. BUCKLEY. Did the gentleman vote for Al Smith when he was running for President?

Mr. RANKIN. Mr. Chairman, I am glad the gentleman asked that question. I not only voted for Al Smith, but I stumped both Kentucky and Ohio for him. I had nothing personally against Herbert Hoover, of course. I regard Herbert Hoover as one of our greatest living Americans. But Al Smith was the candidate of my party, and I supported him and spoke for him for weeks.

Let us get back to this Aurelio matter and the ballot that you are trying to ram down the throats of the people of other States. This is just a denatured copy of the Aurelio ballot, I might say. They voted by machine and many of them just voted blindly. Where they saw the party label they voted opposite the name. They were either too indifferent or too lazy or too ignorant to read the names and vote for the man that the best people in New York were appealing to them to vote for; therefore, this man Aurelio, since he was on both tickets, this man selected by an underworld racketeer, was foisted upon the people of the State of New York as supreme court judge to preside over the destinies of the people of New York, the best people of New York, for 14 years at a salary of $25,000 a year. Now, they want us to adopt that kind of a ballot and have it sent to the soldiers, denying them the right to vote for State and county officers, because if you ever send that ballot to them no other ballot will ever reach them.

What we propose to do is to send the entire State and National ballot. More men will vote that ballot than will ever vote that bobtailed monstrosity.

Another thing, I have been jibed and criticized by a lot of these reformers from other Statzes who want to reform the South. We have been reformed at before.

We had a little misunderstanding at one time. Gov. Bob Taylor, of Tennessee, once said that when you won you put Yankee Doodle on the pension list and Dixie on crutches. I presume if we had won we would have put Dixie on the pension list and Yankee Doodle on crutches.

The other day one of the gentlemen on the other side of the aisle was apologizing for the carpetbaggers you sent us. I said, "Look around and think what we might have sent you if we had won."

Mr. Chairman, we are all Americans. We are fighting to maintain our American institutions. Yet some people accuse me of being in an unholy alliance with northern Republicans, me and my southern Democratic friends, because we are trying to give the men in our armed forces an opportunity to vote for everything from President to bailiff, in a constitutional election.

Do you think it was an unholy alliance when George Washington and Benjamin Franklin and James Madison and John Adams worked to frame the Constitution of the United States? Do you think it was an unholy alliance when Thomas Jefferson, the greatest political

philosopher of all time, joined hands with that glorious old statesman from Massachusetts, John Adams, to bring about the Declaration of Independence? Do you think it was an unholy alliance when Thomas Jefferson and Alexander Hamilton joined hands to write into this Constitution a Bill of Rights, which this Worley bill would destroy? If they were unholy alliances, then please brand me as being in an unholy alliance with some Americans on the other side of the aisle in this fight for States' rights and constitutional government.

Mr. Chairman, they have told you we would not have time to get these ballots to the soldiers. That is all nonsense. I pointed out only yesterday that these ballots can go anywhere in the world and come back within a few days.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. LECOMPTE. Mr. Chairman, I yield 5 minutes to the gentleman from Mississippi.

Mr. RANKIN. The figures show that they can go to almost any corner of the globe within a very few hours: to Cairo, Egypt, in 21 hours; to Bombay, India, in 32 hours; to Auckland, New Zealand, in 37 hours and 36 minutes; to Australia in 42 hours. These ballots can all go and come back in ample time to be counted. They will be stamped so that everybody will know what they are. If the Army and Navy will only lend their assistance, we can get these ballots to every man and every woman in the armed services, and get them back in ample time for the election, and thus save not only the Constitution but the rights of the various States.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Georgia.

Mr. COX. Will the gentleman state to the House the number of terms he has served in this body?

Mr. RANKIN. I have served since 1921.

Mr. COX. Has the gentleman had to take an oath of allegiance to the Constitution each time?

Mr. RANKIN. Yes; and I meant it every time. I am going to come to that in a moment.

Besides, our bill provides free air-mail service for ballots for the primaries. You deny that to us and you will disenfranchise every serviceman south of the Potomac River. What about the people in Pennsylvania who are going to vote in the primary in April? What about the people in Illinois who are going to vote in the primary in April? Pass this bill, S. 1825, with amendments, call on the Army and Navy to do just what the bill provides, give them free air-mail service, and those ballots will go to them and come back in plenty of time.

Mr. Chairman, I have taken more time than I expected to. This is one of the greatest questions that has ever come before the Congress of the United States. This is one of the greatest assaults that has been made on constitutional government and on States' rights since 1890, when the fires of reconstruction were still burning, and burning to the detriment of the people of every section of the Nation. I hope you will stay with the committee and pass this bill and send it to the Senate and the White House. Let it become a law at once and preserve in its entirety that great document, the Constitution of the United States, the ship of state upon which our destiny depends.

They can abuse me all they please, and I will answer them all in due time. Since I have been a Member of this House, I have not submitted to being browbreaten or intimidated by anyone. I have tried to follow my own conscience and to represent the people of the First District of Mississippi. I have tried to do what I thought was right. When my conscience is clear and when I have studied a question as I have studied this one, I am not afraid of all the forces of evil, from Drew Pearson to PM and back to Walter Winchell.

When I turn to behold for the last time that flag behind the Speaker's desk, or to take a last long lingering look at the receding dome of this Capitol, I want to feel in my heart that I have done my best, that I have fought a good fight and have kept the faith.

In all sincerity, I can say that—

Out of the night that covers me,
Black as the pit from pole to pole,
I thank whatever gods may be
For my unconquerable soul.

In the fell clutch of circumstance
I have not winced nor cried aloud.
Under the bludgeonings of chance
My head's been bloody, but unbowed.

Beyond this place of wrath and tears
May loom the horror of the shade,
And yet the menace of the years
Finds and shall find me unafraid.

It matters not how strait the gate,
How charged with punishments the scroll,
I am the master of my fate:
I am the captain of my soul!

Mr. WORLEY. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the gentleman from Mississippi has just made one of the finest speeches of his entire career.

I recognize and respect his power and ability. During the consideration of the soldier vote bills in the committee of which the gentleman from Mississippi and I are members, he attended regularly and did a fine job. He knew all the parliamentary procedure there was to know, and he kept me on my toes day and night trying to stay up with him, trying to find some of the answers to the questions that he kept continually propounding—good questions, good points of order. He has done everything that he consistently and conscientiously could do to convince the committee, the Congress, and the Nation, that his plan is a good plan.

I think they have reported out of the committee a good bill. I cannot agree with the President that that bill is a fraud. I cannot agree with a statement made by anyone that the Senate or the House of Representatives would deliberately or intentionally report out any kind of a bill that deserves such a description as that. However, I do believe that the bill is meaningless in large measure. I do believe that it will be ineffective in providing a vote, especially for the members of the armed forces overseas. But certainly it is not fraudulent.

This bill has a number of advantages, and I am speaking of the committee bill reported out by the majority. It encourages the War and Navy Departments to cooperate with the States in the distribution of State ballots. It likewise provides free air-mail postage for the cards the soldiers will send back to their States for such ballots. It gives priority to those ballots. That bill is not bad, but it does not go far enough.

The bill we propose and which we believe is the only effective kind is one which would place the greatest stress, the greatest emphasis, on the State ballot, because that is the best kind of a ballot—but which will go one step further and say to the States, "Where your own machinery fails on account of obstacles that war has brought about, then we, the Congress of the United States, will exercise the constitutional and legal powers that we have and give the soldier from your State the best kind of a ballot that we can give him—one for Federal officials." But we go even further and say that we will assume responsibility of getting that ballot to that soldier, free of all cost to the State, and that we will be responsible for getting it back to the secretary of state in time for the soldiers' voice to be heard in the forthcoming elections. We do not undertake to tell the States that the Federal Government will count or control the ballots. Every ballot that comes under the provisions of this bill will go right back to the neighbors of the soldiers at home, and they will be the ones who will say whether he is qualified to vote, because they are the ones who are best qualified to answer that question.

This State-rights issue has been very adroitly used by the opposition to the Federal uniform-ballot bill. To me this is no more an invasion of State rights than if we should pass a simple resolution recommending to the States what they shall do. The States are sovereign. Congress has no power to compel them to do anything unconstitutional. The only thing the Congress of the United States can do under the Constitution and the laws is to tell the States that it will work with them. It will tell the States that we will not invade the sovereign field which they have and that we will do what we can to help the States get a ballot to their soldiers overseas where their own State procedure will not reach them.

The last thing I want to see done or attempted to be done is to have any sort of political interference from the Federal Government, invalidating or challenging the electors, and I might say in passing that we of the South are indeed grateful for our new-found friends, who also seem to believe in State rights. We have been believing in that principle down our way since 1860. There was then a difference of opinion as to the sovereignty of the States. We still believe in it, and so far as I am concerned,

whatever bill I vote for will not be an invasion of or a violation of the true rights of each State in the Union. I have noticed in the House in the last day or two an intense interest in this whole problem. To me that is one of the healthiest things that has come over this House, because prior to this week, I have never heard as much propaganda on both sides of the question as was leveled at the committee bill, and as was leveled at my bill. The only things to be considered in passing a bill of any kind is its merits alone.

If this House cannot agree, after it has been informed of the provisions of the bill, which the minority members of the committee sponsor, if you cannot agree with it on its merit, then it is your duty to vote against it. If you can, however, see that it is the only effective way we can operate to put a ballot in the hands of the soldiers, then I think it is likewise your duty to support it, regardless of who else might be for or against it. Once we allow prejudice that comes with any hotly contested issue, to interfere, the only ones really hurt are the ones we are trying to help. So if we allow passions or prejudice to enter into this debate, the only ones to be hurt are the 11,000,000 men and women of this Nation, who, I am convinced, would like to be heard, and to whom I am convinced, we should extend every possible aid, so that their voice will not be stifled in the forthcoming election.

The few points I want to make are as follows:

The first is that we do everything we can to provide the soldier with the State ballot, because that is the best ballot. We extend him every air-mail privilege for the ballot to be used in the primary and in any special or general election. Every possible facility is provided that will enable the men to do that.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. Yes.

Mr. BATES of Massachusetts. On that particular point, which is the crux of this whole situation, relative to the distribution of these ballots, what assurance did the War and Navy Departments give the chairman of the committee as to the capacity and ability of both services to transport all of these ballots, State ballots, if they are put in the mail?

Mr. WORLEY. If the Army and the Navy tell me, officially or unofficially, that they could handle all of the State ballots, particularly overseas, I would have nothing to do with the pending legislation; it would not be necessary; but the Army and the Navy have stated officially that they could not hope to cope with 48 different and complex ballots and procedures of the States—not because they do not want to, but because they are not at the present time able to do so.

Mr. BATES of Massachusetts. Under the provisions of the gentleman's bill, you are providing for the sending of absentee ballots.

Mr. WORLEY. Yes.

Mr. BATES of Massachusetts. If the time allowed is, say 45 days, as was suggested, does the gentleman believe that they can be transported in that time?

Mr. WORLEY. The Army and the Navy say that it will be helpful, but they say they are not responsible, and it is not only the element of time, but getting the transportation facilities that they have. Every time a State moves back its absentee voting time, it helps the Army and the Navy to get the ballots overseas.

Mr. BATES of Massachusetts. Yesterday the gentleman from Oregon [Mr. ELLSWORTH] stated that someone in the Army informed the committee that if they had 45 days or more, there would be no difficulty.

Mr. WORLEY. They said 45 days is the minimum time in which they should try to get the ballots over there. A longer time yet would be desirable but I do not believe the Army or the Navy assured anyone that if given 45 days, the ballots would get there or would get back.

Mr. LEONARD W. HALL. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. Yes.

Mr. LEONARD W. HALL. Would the gentleman yield to me to read to him an excerpt of a letter written to me by the chairman of the war-ballot commission of New York State?

Mr. WORLEY. Yes.

Mr. LEONARD W. HALL. This is in relation to the election in 1943, with respect to cooperation of New York State and the War Department.

In 1943, however, the Departments refused to send out any directive to commanding officers, and, consequently, we had no one in the camps who would give us any information or who could be of any assistance to us in connection with our work, and our records show that apparently the applications for war ballots we sent the camps were thrown in the wastebasket or otherwise disposed of as very few, if any, applications of servicemen were received from that source.

Mr. WORLEY. That is from Mr. Simpson?

Mr. LEONARD W. HALL. Yes.

Mr. WORLEY. I discussed that with him personally, and in fairness to both sides let me say the State of New York officials came to Washington and asked the War and Navy Departments if they would give them the names and addresses of each soldier from New York State, and the War Department refused to do that for two reasons, first, because it put an added amount of work on them during wartime, and, second, for reasons of military security. Even with one State it would be difficult for the War and Navy Departments to comply with that request, but when we multiply that by 48, the gentleman can see the result.

Mr. CASE. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. Yes.

Mr. CASE. The gentleman stated that he agreed that the State ballot would be the best thing and the most desirable ballot to bring to the soldier.

Mr. WORLEY. Yes.

Mr. CASE. And then he modified that by saying it would be impossible for the War Department to administer the procedures of 48 different States. If the proposal only involved the sending of one letter to the soldier, and one return letter from the soldier to the home election precinct, does the gentleman think there would be any difficulty involved? That would not involve the Army and the Navy administering any State procedure.

Mr. WORLEY. Is not that the same idea suggested yesterday by the gentleman from Oregon?

Mr. CASE. Not entirely.

Mr. WORLEY. I do not claim that our bill is perfect, but I think with the help of all of us that we can get a bill out that will be as nearly perfect as possible, and certainly I am not opposed to the acceptance of valuable amendments or suggestions.

Mr. ELLSWORTH. Mr. Chairman, will the gentleman yield for a statement?

Mr. WORLEY. Yes.

Mr. ELLSWORTH. With reference to the statement about administering the laws of 48 States, will the gentleman state just what it is that the Army and the Navy would have to do with respect to these laws? The point I make is this, that the Army and the Navy has no jurisdiction over any part of these elections, except that involving the mail.

Mr. WORLEY. That is right. I will try to give you a specific answer to that later on.

Mr. LECOMPTE. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield.

Mr. LECOMPTE. In the discussion that the gentleman is making of his bill, is the gentleman not discussing a bill that has not been before his committee?

Mr. WORLEY. A bill that has not been? No.

Mr. LECOMPTE. Some of features that have been mentioned by the gentleman have been added since the committee has had any consideration of the bill?

Mr. WORLEY. I think the gentleman will recall that the consideration accorded to my bill was not too thorough.

Mr. LECOMPTE. Has the gentleman introduced a bill since the last meeting of his committee, that has different features?

Mr. WORLEY. No; not to any great degree, as I recall.

Mr. LECOMPTE. It seems to me you are mentioning paragraphs in the bill that I do not find in your bill originally.

Mr. WORLEY. I made some changes.

Mr. LECOMPTE. Yes; you made some changes.

Mr. WORLEY. I thought I discussed each one of them.

Mr. LECOMPTE. You have made some changes in the bill as it was before the committee. Is that not true?

Mr. WORLEY. Yes; the changes are found in H. R. 3982.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield.

Mr. DONDERO. Would the form of a ballot that is included in your bill, if voted, comply with the laws of the States?

Mr. WORLEY. I can answer that best by saying that in Texas last year more than a thousand ballots were cast. No

one raised any point of order. Nobody questioned the validity of those ballots. But according to those who opposed this plan and who are opposed to Public Law 712, they say those ballots would automatically become invalid. I do not agree with that statement. I think we have ample power, under the war powers of the Constitution, to provide a man with a ballot whereby he can vote for Federal officials when we have been responsible for taking him out of his State and making it impossible for him to qualify and to receive any other kind of ballot.

Mr. DONDERO. Has your committee made any investigation to see whether or not that form of ballot, that is the ballot contained in your bill, would comply with State laws? My own State has set up regular machinery for absentee ballots. I am wondering whether this blank ballot would comply with that law.

Mr. WORLEY. If we have the power, and I think we have, under Public Law 712, to enact the bill which we did enact waiving registration and the poll tax, I am convinced we likewise have power to prescribe the form of the ballot.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WORLEY. Mr. Chairman, I yield myself 10 additional minutes.

If the most favorable action were taken by every one of the States, we still have no assurance the ballot will be received at all points in time. No matter whether this bill is passed or not, all of this discussion has been a very helpful thing. It has caused the States to realize that their State absentee voting laws, which were modeled on peacetime conditions, are not sufficient or adequate to meet the demands of the war, and every time a State changes its laws to meet these new war emergency demands, that State has a better law and it will enable more members of the services from that State to vote, which is what we want.

I say it is going to take the closest possible cooperation between both States and Congress to enable most of the men to cast any kind of ballot whatsoever.

May I bring up this additional point? It seems as if most of the objection raised on the minority side yesterday had to do with the statement of the Army and the Navy not being able to transport the State ballots. This question came up. If the War and Navy Departments can ship millions of pounds of Christmas gifts all over the world, then why can not they ship a small, light, State ballot? I was surprised at that. I wondered how they could do it myself. So I checked rather carefully with the War Department. I found that the deadline for these Christmas packages was October 15, which is 75 days before Christmas. I found further that all of them, practically, went by ship, which did not burden the air facilities. I found further that they are still delivering some of those Christmas packages, although, of course, most of them have been delivered.

Mr. LESINSKI. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield.

Mr. LESINSKI. Mr. Chairman, I have just received a letter from the Veterans of Foreign Wars to the effect that out of 32 packages only 2 were received up to January 15.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield.

Mr. MAHON. Is it not also true that they did not have to transport the Christmas packages back to the United States?

Mr. WORLEY. Yes. I was coming to that point. Now, that fruitcake or package of cigarettes is just as good or just as tasty or just as valuable to that soldier even if it comes a few days after Christmas as it would be if it got there exactly on Christmas day. But bear in mind that a State ballot must not only be there in time for him to mark it but it must also be delivered back to his residence in time to be counted. When it comes to Christmas packages that is only a one-way proposition. A ballot must go two ways.

Another question was brought up yesterday, that if the First Lady of the land could travel from here to Timbuctu or wherever it may be, why could we not have enough airplanes to do the same thing with these ballots? Out of respect for the First Lady of the land, let us say instead of the First Lady it was Wendell Willkie. Apparently it is open season on him anyway. He went around the world in quick time. He took a longer trip, but the principle is the same. Mr. Willkie did get around the world in pretty fast order. But after all it did not make a whole lot of difference just when Mr. Willkie got back. But a ballot has to be back in time to be counted. Look at the red tape that the average soldier in Guadalcanal has to go through to get a State absentee ballot. Under the average State procedure there is a limit of 30 days in which he can cast an absentee ballot. He sends an application back, and if the State's laws have been changed, he will get the ballot. But while that is going on, while the card is en route to the secretary of state, that man can be transferred to Tarawa or to the Aleutians or even back over here. The Army and Navy have testified that there are at least 10,000 status changes a day in all the armed forces. What chance does a man have to get his ballot back to us at Guadalcanal if he is transferred in the meantime? Difficulties such as that, especially the time problem, are the most important elements in voting a State absentee ballot. We tried to correct that when we provided a uniform ballot which does not rely on the time element at all. They could be printed tomorrow and could be sent by ship all over the world and not by airplanes. After they have been voted, they would be returned by air, by priority air, so that they could go back to the man's own voting precinct in plenty of time to be counted.

Mr. VURSELL. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield.

Mr. VURSELL. I do not know if I understood the gentleman correctly or not. I understood that he said the average time would be about 30 days?

Mr. WORLEY. As of January 1 the average absentee voting time was about 30 days.

Mr. VURSELL. Is it not a fact, if I may put this in the form of a question, we provide under S. 1285 to release these post-card applications 82 days prior to November 7?

Mr. WORLEY. Yes; August 15. That would be 84 days.

Mr. VURSELL. Which gives them a safe margin of time to come back, say of 15 or 20 days.

Mr. WORLEY. That is right.

Mr. VURSELL. Then in most States, if I read the telegrams aright——

Mr. WORLEY. I am sure the gentleman does.

Mr. VURSELL. If they hold the elections earlier they will have to spread the time greatly. If there are only about 3,000,000 soldiers who will probably want to vote overseas out of the 5,000,000, then you have got the job of reaching 3,000,000 by air mail. That would mean about 150 tons of ballots.

Does not the gentleman think that the average man who is interested enough in voting, when he has that application put into his hands, he will have at least 45 days to get it back, does not the gentleman think, with air mail priority, a letter directed to him, even though his address has been changed, that such a ballot can reach him in time for him to vote it and put it back in the military post office, and that it will be gotten back to his election officials in time for him to vote?

Mr. WORLEY. I will answer that by saying every effort of the States to make the law easier has helped to solve the transportation problem of balloting abroad.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield.

Mr. KEEFE. Does the gentleman have any real, substantial argument as to why the so-called Federal ballot should be used at all within the confines of continental United States? Should not every soldier and sailor or any other person in the armed service who is resident within the confines of the United States be permitted to vote a State ballot when all of the States, with the exception of one or two, provide for absentee voting? I would like to ask the gentleman to expand on that a little bit. That is a question that bothers me and it has bothered a good many others. Your bill permits the use of this Federal ballot any place in the United States as well as abroad.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WORLEY. Mr. Chairman, I yield myself 5 additional minutes.

Several members of the committee—Republicans and Democrats—went into that question rather thoroughly because we hoped we could restrict the Federal ballot and not have it apply to the continental limits because the same transportation problems did not exist within the continental limits that exist overseas. We abandoned that idea, as did the Senate, and the Senate took its action by a rather substantial vote.

Boys from Kentucky, New Mexico, and other States whose constitutions do not permit absentee voting, find themselves in association with boys in the same tent or fox hole who may be from Wisconsin—we will make it close to home—or other States whose constitutions and laws do permit them to vote by absentee ballot. The one boy can vote his own State ballot but the other cannot. For that reason we abandoned the idea. But I think we approach it more effectively in another way when we provide that where a man had cast a State ballot and a Federal ballot then only the State ballot shall be valid; they shall not count the Federal ballot. That gives the man two opportunities to cast a ballot. If the State ballot gets back it will be counted, but if both come back, by the very terms of the bill the Federal ballot is thrown out.

Mr. KEEFE. Mr. Chairman, will the gentleman yield further?

Mr. WORLEY. I yield.

Mr. KEEFE. The difficulty with the gentleman's position, as I see it, and I have talked with the gentleman about it, is that under the gentleman's bill it is proposed to have set periods of time at these Army posts and cantonments when an election will be held.

Mr. WORLEY. That is true.

Mr. KEEFE. When these Federal ballots will be voted. If they hold such an election and a ballot is voted is it not safe to assume that if the State ballots come straggling in a week or 10 days or 2 weeks after that election has been held, even though the facility for voting a State ballot is presented to the men and the women in the armed services within continental United States, having voted a Federal ballot already they perhaps will not avail themselves of the opportunity to so vote?

Mr. WORLEY. No; on the contrary. Suppose they have a State ballot and suppose they vote a Federal ballot too; suppose on account of transportation difficulty or for some other reason the State ballot does not get back but the Federal ballot does, at least the soldier has been given a vote.

Mr. ELLSWORTH. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield.

Mr. ELLSWORTH. I should like to ask a question with reference to the gentleman's statement as to the decision of the States to count these Federal ballots. I think if I understood the gentleman he said that under his bill each State would decide for itself whether or not to count the ballots. Is that correct?

Mr. WORLEY. The States would determine the validity of the ballots; yes.

Mr. ELLSWORTH. When will the States make that decision?

Mr. WORLEY. We provide that the votes cast under title 1 shall be canvassed, counted, and certified in the same manner as votes cast within the State.

Mr. ELLSWORTH. The gentleman means that the States make the decision as to whether or not those ballots are valid at the time the election is held?

Mr. WORLEY. Unless they are challenged.

Mr. ELLSWORTH. And the voter will not know whether his ballot has been counted or not until after election, and he might not know then; is that correct?

Mr. WORLEY. That is true. The gentleman will concede that most of the States want to count the ballots.

Mr. ELLSWORTH. I agree with that, but there is still the question of whether or not they will.

Mr. WORLEY. After all that is as far as we go. We say we will get the ballots to the boys. It is up to you to count them.

Mr. ELLSWORTH. The point I want to make—and I should like to have the gentleman discuss it if he wants to—is that it would be better to have the decision already made well in advance, fully constitutionally by the States themselves so that when the man casts his ballot it is counted under the State laws, rather than waiting in uncertainty until election day.

Mr. WORLEY. The gentleman knows that we have to enact a bill before the State attorney general knows what is before him for an opinion. I certainly wish we could know that every bill we passed would be held constitutional before we passed it.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield.

Mr. COOLEY. I want to call the gentleman's attention to the language of section 9 at the bottom of page 10 and the top of page 11:

> Such ballots shall be canvassed, counted, and certified in each State by its proper canvassing boards in accordance with the laws of such State in the same manner as nearly as may be practical as ballots cast within its borders are canvassed, counted, and certified.

Mr. ELLSWORTH. Mr. Chairman, will the gentleman yield further to discuss that?

Mr. WORLEY. Briefly.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. WORLEY. Mr. Chairman, I yield myself 1 additional minute.

Mr. ELLSWORTH. I understood the gentleman to say in the opening phase of his remarks that the question of the legality of these votes was to be determined by each State. My purpose in rising was to ask when that decision is made in the several States.

Mr. WORLEY. That is up to the States themselves. As I said, if this bill cannot be passed on its merits it ought not to be passed at all. Those of us who have studied it thoroughly believe this is the only way we are going to be able to get the ballots to the men, especially overseas. We want it discussed, we want the Members to think about it. Political parties cannot afford to divide on this question.

I have been trying ever since I have been interested in this matter to work out a bill which both sides could get together on, which all of us could support alike. I feel we are approaching some sort of compromise or solution to that end and I will certainly welcome any suggestion or amendment which anybody thinks will be helpful.

Mr. CRAVENS. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. WORLEY. Mr. Chairman, I yield myself 1 additional minute.

Mr. CRAVENS. Am I right in concluding that the gentleman's bill provides only for voting for President, Vice President, Senators, and Representatives in Congress, and in the general election?

Mr. WORLEY. Title I makes that provision. Title II assists the States.

Mr. CRAVENS. Then in a State like Arkansas where the election, for all practical purposes, is determined in the primary as far as our boys are concerned they really will not be given any effective participation in the election?

Mr. WORLEY. Oh, yes. We provide under title II of my bill free air mail postage and free transportation of State ballots.

Mr. CRAVENS. Would it not deprive our boys of the right to vote in the primary?

Mr. WORLEY. We are not depriving them of that right; if anybody does it is the State of Arkansas.

Mr. CRAVENS. But the Secretary of War and the Secretary of the Navy have said they could not get ballots for the primaries over and back.

Mr. WORLEY. It is going to be difficult to get them abroad and back.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. LECOMPTE. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. ANDREWS].

Mr. WORLEY. Mr. Chairman, I yield to the gentleman from New York 10 additional minutes.

The CHAIRMAN. The gentleman from New York is recognized for 20 minutes.

Mr. ANDREWS. Mr. Chairman, I think we all appreciate what a complex situation this whole matter presents. I recall voting on the Mexican border in the presidential election of 1916, but very little about any election in France at the regular period in 1918. Let me say to begin with that I think the general attitude of the soldier is that he does not care much about elections. I have been informed by numerous young soldiers who have gone through Washington recently that they were perfectly willing to leave the machinery of elections to the civilians, and I believe that this is probably true. It certainly would have been true if this difficulty, this difference of opinion, this publicity had not been engendered and the issue put up to Congress in one way or the other, but it has been, and I believe we are obligated to act.

I want to say, in the next place, that I have no fault to find with the bill reported by the committee other than the provisions for primary ballots. It is a great improvement on the bill as it left the Senate and I think it will go

far to expedite the handling of State ballots among the members of the armed forces. Obviously that is the best way to accomplish the soldier vote if it could be done throughout the entire country and throughout all our posts where members of the armed forces would be.

Let me point out that with the passage of this bill the onus of the successful carrying out of the provisions of the bill then devolves upon the States. I want to put that rather strongly—I want to emphasize that. I hope that all the States, with the passage of this bill, will arrange their machinery and put their primaries sufficiently far enough ahead so that there will be no question of the State ballots reaching as far as possible in time. I want to refer to my own State because last year, 1943, the State ballot commission had difficulty when it made certain requests of the War Department, and I should like to summarize the War Department's position, because it is important in the consideration of the situation today.

The War Department has never refused to cooperate with the State of New York, or any other State, in the carrying out of State voting procedures. The War Department told the State of New York, and other States, that for reasons of security and because of administrative difficulties in wartime, it was unable to carry out certain provisions of State voting laws as they existed in 1943. The War Department in granting certain requests to one State must anticipate granting similar requests for each of the other States also. While it is the announced policy of the War Department to give assistance and encouragement to the exercise of voting rights by members of the Army, the practical aspects of such cooperation with each State must be considered by the War Department from the standpoint of diverse requests from 48 States with 48 diverse laws.

Last summer the New York State War Ballot Commission requested a number of things of the War Department in order to administer the New York State election laws. The War Department gave this request extended and serious consideration.

As to those requests which the commission made which were practicable, the War Department informed the commission that it was willing and anxious to cooperate, and the War Department did give every assistance. A list of all posts, camps and stations in the United States was supplied. The commission was informed that posters concerning New York elections might be displayed in any camp where the commanding officer was willing. And the War Department stated that it was willing to assist in arranging with appropriate camp commanders to receive and cooperate with the representatives of the commission who visited the camps to facilitate voting.

The New York State War Ballot Commission made a number of other requests which were impracticable or impossible to grant without serious impairment of the war effort. These requests follow:

With respect to New York men and women in service within continental limits of the United States:

1. Names.

2. Addresses: (a) home; (b) military.

3. Designation of a commissioned officer within each unit to handle the receipt and transmittal of communications, applications, war ballot, and other supplies from and to the New York commission.

b. With respect to New York men and women in service outside the continental limits of United States:

1. Name and address of each camp in which 10 or more New York voters are located.

2. Names of the commanding officers of each such camp.

3. Issuance of a directive to each such commanding officer to:

(a) Proclaim where polls would be held for the New York voters.

(b) Cooperate in administering sections 309 to 317 of the election laws of New York. This would include setting aside of a given day within 20 days of election day when New York residents might gather to vote. These voters would then choose inspectors, who in turn would collect, count, and forward ballots to the commission.

It is hardly reasonable for the State of New York to charge the Army with failure to cooperate because the Army advised that it could not practically, or safely, or without interference with the war effort, undertake a course of action which the State had enacted into law without prior inquiry to ascertain if it was possible of accomplishment by the Army or the Navy.

In respect to the specific requests of New York, certain comments will illustrate the reason for the Army's decision that they were impracticable or impossible to grant without undue interference with the primary objective of waging a war.

(a) In almost every fair-sized unit of the Army all over the world, there are citizens of many or all States.

Assignments to duty are based, not on the soldier's geographical origin, but on varying requirements of skill and military convenience. The geographical origin of servicemen at this time is not a useful or necessary statistic. Therefore, the War Department does not maintain a roster by States of the 7,000,000 men and women in service.

With a normal staff, it is estimated that 6 months would be needed to identify State data for the Army—and this data might not be entirely accurate because the State address shown upon entrance into duty by the service man or woman might not necessarily be the true State of residence, and the difficulties which would be encountered through the identical or similar names which exist in a group of 7,000,000 individuals. Then it would be necessary to ascertain the location of each soldier which would require an estimated 60 days more. Since there are 10,000 duty changes each day, the list would contain 600,000 incorrect addresses at the end of the 60 days. Intensification of military operations would naturally increase the number of duty changes which would increase the number of erroneous addresses.

I could go on and enumerate many technical reasons that make it difficult for the War Department—I am not speaking for the Navy Department—to comply, but I wish to come down to certain remarks about a bill of mine.

Mr. LEONARD W. HALL. Will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from New York.

Mr. LEONARD W. HALL. In 1942 the Department did issue a directive to the commanding officer to give assistance to the War Ballot Commission of New York State. In 1943 they refused even to do that. I am wondering, even though the gentleman has read a statement which seems to come either directly or indirectly from the War Department, why they changed their attitude between 1942 and 1943.

Mr. ANDREWS. To continue further, let me read this:

Further, at a given date, such a list (as well as the list of overseas camps) would obviously disclose information which from the point of view of military security could not be given except to a few of the highest military commanders.

To require commanding officers in foreign theaters to search out and supply New York residents with voting materials would be not only physically extremely difficult but would hamper the primary effort of the Army in fighting the war. Such procedure in the United States, including designation of an officer in each unit to handle voting material, would be a definite handicap to training and to other essential military work.

Mr. LEONARD W. HALL. My question is along these lines: They issued a directive to commanding officers in each camp of the United States to give assistance to representatives of the State War Ballot Commission of New York State in 1942. They refused to issue such a directive in 1943 and would render no assistance whatsoever even in the camps in the United States. Can the gentleman explain that?

Mr. ANDREWS. I think generally they were right in that refusal.

Mr. LEONARD W. HALL. You do?

Mr. ANDREWS. Yes.

Obviously the War Department must anticipate doing for each of the other 47 States whatever it undertakes to do for any 1 State. The practical considerations mentioned above with respect to New York must be viewed in the light of this consideration.

The Army judges soldier voting procedures from the practical point of view of what can be accomplished in wartime, under its primary mandate of waging a world-wide war. If the several States would adopt a similar viewpoint, cooperation would be made easier for the services in administering the respective State laws. Those types of enactment which make cooperation by the Army more difficult and those which make cooperation more possible were summarized in the joint statement made by the Secretary of the Navy and the Secretary of War to the Council of State Governments on December 30, 1943.

The Secretary of War's reference is the joint statement of himself and the Secretary of the Navy, December 30, 1943, in response to inquiry from the Council of State Governments as to the practical difficulties confronting the services in administering State voting laws. Section 6 (d) reads:

"6. The services believe that uniform legislation on the following points should tend to make more possible an effective cooperation by the services in absentee voting procedure:

"(d) Bulk and weight of voting material: Voting material for mailing by State to servicemen outside the United States to be designed for carriage by air, air-mail postage prepaid, and not to exceed the following maxima:

"(1) Total weight of covering envelope and inclosed outer envelope, inner envelope, ballot, and voting instructions—eight-tenths of one ounce.

"(2) Outer dimension of such covering envelope (No. 10 size)—4⅛ x 9½ inches."

I also want to give a few statistics. Last year in Erie County, in western New York, in which Buffalo is located, whether requests were sent in or whether they were not sent in, 30,000 ballots were sent out. A large number of the addresses, I feel sure, were received from the families of the men overseas or those outside the State. Of those 30,000 ballots sent out, only 122 came back. In the case of the city of Niagara Falls, with a population of 100,000, only 12 came back. In the entire State of New York, only 4,051 ballots were returned.

The fault I find with the contents of the present bill as reported is that you include provision for voting in the primary. The primaries start very soon, and it seems to me far-fetched beyond any realm of possibility to ask the War Department to carry that out. I shall move to strike that provision from the bill. I have a bill which in effect is similar to the provisions of the Worley bill with certain exceptions. It permits the members of the maritime branch to vote. It also makes it mandatory for the War Department, Navy Department, and Maritime Commission to cause to be distributed throughout all overseas stations a uniform, simple form of ballot, simpler than the Worley ballot. In fact, all that has to be done after execution is to fold it and seal it, with the required information, by the voter. They must be distributed after August 1 and prior to October 1. At the proper time I am going to offer that detailed amendment as title II to the pending bill, with provision that it will be available only to those of the Army, Navy, and Maritime Commission who are without the continental limits of the United States.

I want to take you back a moment again to the mechanics under which the War Department must operate, assuming the passage of this bill. I understand that 11,000,000 post cards have been processed, are ready for distribution, and will be in the hands of overseas stations. I may add there are over a thousand of these locations. These post cards will be in the hands of those overseas stations in the very near future. We hear that Shanghai or Hong Kong or some place like that is only a certain number of days by airplane from the home State. Those figures are correct. Let me stop and remind you, though, of the postal cards trickling in from Shanghai. They do not all come in on 1 day. In the State of New York there will be, it is safe to say, after New York has had its primary or around that time, a trickling in of these post cards at the rate of a thousand a day perhaps. They will have to go down to the right election commissioner. He will have to discover exactly which side of the street that man lives on and which ballot to send to him. That is going to take time.

These air-mail schedules that have been given are all on the basis of John Smith's ballot being sent to Buffalo, then being sent to the election bureau there, finding the right ballot and mailing it back the next day. The Army does not run a thousand planes every day to every post in the world. I mention that because even with the passage of this bill should the State of New York put its primary back to August, preferably even June or July, you are going to have a great many post cards coming in, ballots sent out and ballots possibly sent back or that will not be back at all.

This bill of mine is extremely simple. As I say, it is workable. It has an affirmation, not an oath. It may be executed by the man overseas at any time he desires to after they are distributed. There is no set voting day. It is his business with himself. He identifies himself, seals it, places it in the mail and it goes back to his polling place and is passed upon before it is tabulated by the very persons who would challenge his vote if he were present to vote.

I will offer that as an amendment in the form of a new title, title II, to the bill, providing that these ballots will be available to all members of the Army, Navy, and merchant marine outside the continental limits of the United States and for their use should they see fit and think it desirable to use them, and also only if they have not voted the State ballot. Obviously most persons would naturally prefer the State ballot with all candidates listed thereon if it is obtainable.

I have had a good many reactions here from some estimable legal minds. The remark was made to me that if we should pass a title like this or any inclusion of a Federal ballot, and it was unconstitutional, and some State was unable to change its laws to make it possible for that ballot to be counted, we would be fooling the soldier. I say we would be fooling the soldier, too. I would admit that. But I still think that we in the Congress have an obligation to make it possible for every single man or woman in the armed services—the Army, the Navy, and the merchant marine, overseas—to vote this way if they are unable to vote the other way.

Mr. DEWEY. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Illinois.

Mr. DEWEY. I listened with interest to the gentleman from Texas [Mr. WORLEY] respond to a question asked by the gentleman from Arkansas [Mr. CRAVENS] regarding the primaries. In the primaries in the Southern States there will be a number of candidates, we will say, on the Democratic ticket. If there are no names listed, and one votes only Democratic, which one of those candidates will be chosen in the primary?

Mr. CRAVENS. I can only express a hope as to that.

Mr. DEWEY. That point having been brought up, I should like to carry it forward with reference to the New York ballot and the Federal ballot. Why would it not be possible to place the names of the candidates on the Federal ballot, if they can be provided to the Secretary of War and the Secretary of the Navy in sufficient time to be placed there? That they can be placed there I know is possible, because I made an examination myself of the matter, and on the sheet of paper I hold in my hand can be placed all of the names of the candidates of the two principal parties, on the Democratic side and on the Republican side, 435 Congressmen, plus 32 Senators, arranged alphabetically by States, together with the numeral designating the congressional district. Anyway, you will get out of voting for a pig in a poke.

Mr. ANDREWS. I think that could be done, providing all the States have their primaries sufficiently early. The Secretary of War has indicated that he thought they could accomplish the sending to every post, encampment, air base, station, or whatever it may be called, an accredited list of all candidates for the Senate and the House, by name and by party. That is included in the provisions of the amendment I shall offer.

Mr. DEWEY. In answer to that, I understand there are in today's RECORD telegrams to Members of the other body from 39 or 40 out of the 48 Governors of the States saying they will comply.

Mr. WORLEY. I think they should. I hope they do. But the main reason for the uniform ballot with no names on it whatever is that if it had the names printed as the gentleman suggests, then that ballot would be good only to a man who lived in that particular congressional district.

Mr. DEWEY. I have the names of the 435 Members on here. They are all on it.

Mr. WORLEY. How does the gentleman know they would be the nominees?

Mr. ANDREWS. In conclusion I submit the following comments on this subject by three gentlemen.

By Gerhard Krebs, Cleveland, Ohio, assistant professor of political science, Western Reserve University:

The mechanical difficulties of administering the electoral laws of the several States; the greater confusion that is likely to result from 48 different procedures, and the harmful effect on morale in the armed services that will be produced by different treatment of members of the same outfit from different States make it desirable, in my opinion, to set up uniform procedures under a Federal administrative machinery for the election of Federal officers.

The present controversy should make more people aware of the need to establish uniform qualifications and methods of registering and voting in Federal elections as part of the National Constitution.

By Edward Mead Earle, Princeton, N. J.; professor, School of Economics and Politics, Institute for Advanced Study, Princeton, N. J.:

The effect of State control of the ballot would be to disfranchise millions of servicemen, including practically all on the actual firing lines. It also would disfranchise a heavy percentage of the entire electorate.

This would be a gigantic fraud, whatever the political niceties involved.

Americans in the military service are discharging the most exacting obligation of citizenship, and it is unthinkable that they should be deprived of its greatest right and privilege. American democracy cannot afford the sense of outrage which those in the service will rightly feel if they are denied full and unqualified participation in this election.

By W. Brooke Graves, Philadelphia, Pa.; professor of political science, Temple University:

It seems obvious that the machinery for enabling men and women in the armed services to register and vote should be created by the Federal Government. If the Federal authorities must act as messenger to deliver 48 different kinds of ballots to servicemen from as many States, in all of the locations in which American troops are stationed, the system will become so complicated and time-consuming that few servicemen will ever actually get a chance to vote.

If, on the other hand, there is one single system and one type of ballot, the task of distribution and collection will still be a formidable one when servicemen are scattered in every quarter of the globe, but rapid sorting and distribution of the marked ballots to the proper State authorities would be possible.

Even if the problem of the mechanics of operating the system is solved, there is still the task of informing the men regarding the issues involved, and the qualifications of the candidates. This could be done by a pamphlet compiled along lines used in initiative and referendum pamphlets in many States.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WORLEY. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. LESINSKI].

Mr. LESINSKI. Mr. Chairman, as a member of the Committee on Election of President, Vice President, and Representatives in Congress, I have heard this soldiers' vote question discussed pro and con since the committee has had under consideration the various bills which have for their purposes the absentee voting in time of war by members of our armed forces.

I have made a thorough study of the problem, and it is my honest conviction that if we really want to do something for the men and women in our armed forces in the way of giving them the privilege of exercising their right to vote we must enact into law the provisions of the Worley bill.

The problem not only presents the matter of States' rights but it also presents, in my opinion, the rights of Americans as a whole—and especially those Americans who are on the far-flung battlefields and fighting for the very principles upon which this Government is founded.

The President of the United States transmitted a message to the Congress on January 26, in which he stated that the American people were very much concerned over the fact that a vast majority of the 11,000,000 members of our armed forces are going to be deprived of their right to vote in the national election this year unless Congress promptly enacts adequate legislation.

I was one of the five members of the Committee on Election of President, Vice President, and Representatives in Congress who signed the minority report because it is my honest conviction that the bill as reported by the majority members of the committee would be a legislative monstrosity if enacted into law and would not provide legislative machinery by which the millions of men in our armed forces could express by the ballot their choice as to national officials in the coming election.

If the Congress had the right to send the members of our armed forces to the far-flung battlefields, and entrust them with the handling of the instruments of war to defeat our enemies, it is the very least that the Congress can do—and it is the duty of the Congress—to provide them with a ballot that will enable them to express their choice as to who are going to be their national officials on the home front while they are fighting in every theater of this global war for the principles upon which this Government is founded.

I yield to no one in my desire to protect States' rights—but, on the other hand, the United States of America is fighting this war—it is being fought by the total resources of all of our States and territories—it is not being fought by individual States. It was the Congress of the United States that declared war and sent an American Army into every theater of war, and this Army is certainly not fighting for States' rights—they are fighting as Americans for the principles in which Americans believe.

We have been told by both the War and Navy Departments that it would be a physical impossibility to take the ballots of 48 States to our fighting men all over the world and return them to the respective precincts to be counted in the coming November elections.

There is only one answer to this whole question—if we are sincere in our desire to give our fighting men the opportunity to vote, we must place in their hands a simplified Federal ballot that will enable them to express their choice as to national officials.

I am not one of these persons that believe that the men in the foxholes of the South Pacific or in the mountains in Italy are concerned over who is going to be the constable or justice of the peace back home. Their thoughts—when they have time to lay aside the grim business of waging war—I am sure, are not on who is going to hold local offices, but who is going to be President and Senator and Congressman—and who is going to represent them in national offices. They are interested in America and the way America is going to do things and the policies of America are not determined by local officials, but by national officials. That is what the Constitution provides—and it is the principles of that great document that they are fighting to uphold.

Mr. LUDLOW. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LUDLOW. Mr. Chairman, I can state in a few words why I am for the Worley bill providing for a Federal ballot for soldiers. I am for the Worley bill because I believe that unless it passes, thousands, perhaps millions, of our citizens in uniform will not have the right to vote.

The fact is that unless the Worley bill becomes a law many of our soldiers will be disfranchised through poll taxes and other devices which limit and deny the exercise of the right of suffrage.

Negroes who are fighting the battles of our country and are giving a good accounting of themselves in every theater of war will be victims of this discrimination, although they will not be the only victims. Many white soldiers will suffer along with members of the colored race.

I believe that men of whatever color or race who are good enough to fight and, if need be to die, for America are good enough to be allowed to vote for the men and women of their choice.

It has been said during the debate on this bill that there is no precedent for a Federal ballot.

Neither is there any precedent for a total war.

Unprecedented conditions call for unprecedented actions.

It is contended that the Constitution gives control of suffrage to the States, but it would be strange, indeed, if the Constitution which our soldiers are fighting and dying to save should be used as a barrier to deny them that right which is the first attribute of freedom—the right to vote.

I believe in the principle of States' rights, but when States deny the right of suffrage to vast numbers of their citizens it is time the Federal Government should step in to see that universal and impartial justice is done to our soldiers.

There should be no discrimination among men who are baring their breasts to die for our country.

Before this bill came before the House 118 of us who want to give the soldier the best chance to vote prepared and signed the following pledge:

Favoring the principles of the Worley soldiers' vote bill, I hereby pledge myself to support a request for the yeas and nays when the previous question is moved in the House of Representatives on the adoption of the rule in the House, and then to vote "nay" on the previous question so that, in the event the previous question is defeated, it may then be in order to move to amend the rule to permit, if necessary, a separate motion to recommit the bill with instructions to the committee in charge immediately to report back to the House as a substitute the provisions of the Worley bill, H. R. 3982, which bill, in our opinion, will insure that the men and women in the American armed forces shall have the greatest possible opportunity to participate in forthcoming elections through the medium of a uniform Federal ballot.

Acting in accordance with that pledge, I voted against the previous question, and when the time comes to substitute the Worley bill for the committee bill I shall vote "aye." My sense of justice would not permit me to cast any other vote.

Mr. LECOMPTE. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. JENKINS].

THE WAR POWERS OF THE PRESIDENT

Mr. JENKINS. Mr. Chairman, at the outset let me say that I am strongly in

favor of permitting and assisting the armed forces to vote. I want them to be permitted to vote a full ticket and not compel them to vote a sham ballot with nobody's name on it. There is no name on this Roosevelt ballot. It is plain that the intention is to provide an easy way for the New Deal to unfairly garner about a million votes to which it would not be entitled.

It has been said that many injustices have been committed in the name of liberty. Surely much misinformation and many unjustified official actions have been taken under the cloak of Presidential war powers.

It is only natural that the President's duties are much heavier during wartimes and that he is required to act on many problems that would not confront him during times of peace. Most of these new duties have come to him by reason of the granting of additional powers to him by the Congress. The President gets his so-called war powers from two sources. One is from Congress by legislation, and the other is directly from the Constitution. Practically all the war powers under which Mr. Roosevelt operates have come to him by reason of congressional grants of power.

CONSTITUTIONAL WAR POWERS

It is with reference to his constitutional war powers that I wish to speak. We must not confuse these with his general constitutional powers. There is one well-defined power which the Constitution reposes in the President which we naturally accent when a war is on. I refer to his being specially designated by the Constitution as the Commander in Chief of the Army and the Navy. His powers as Commander in Chief are not powers which he assumes only in wartimes. He is the Commander in Chief of the Army and the Navy, both in peacetimes and in wartimes.

There is considerable question as to whether the President has any other constitutional war powers. This subject has been the basis of many brilliant legalistic arguments. Some good lawyers maintain that he has no such powers, and others claim that he has. This latter class make the claim that there is a "residual Executive power" vested in the President by the Constitution. They base their claim on the fact that the Constitution uses different language in its designation of the powers of the Chief Executive than it uses in designating the powers of Congress. The Constitution says:

> All legislative powers herein granted shall be vested in a Congress of the United States.

The language in the Constitution with reference to the Executive powers is as follows:

> The Executive power shall be vested in a President of the United States of America.

There is a difference in the language of these two sentences. That furnishes the basis of the claim that there are "residual Executive powers." The language limits the Congress to those powers "herein granted," while the language conveying Executive powers states in effect that all the Executive powers shall be vested in the President. They imply that this is all-inclusive language and if there are any Executive powers that have not been enumerated that these are included in the grant. From this they reason that under this "residual power" the President can assume war powers in time of war. Personally I have always doubted the claim of "residual powers." However this may be, it is not necessary for me to develop this any further, because, as far as the argument which I expect to make is concerned, it is not important whether the President has residual war powers under the Constitution or whether he has no special war powers under the Constitution.

What I want to show is that there is no constitutional power either expressed or residual under which the President was justified in sending to Congress certain portions of the special message which he sent on January 26, 1944.

Under section 3 of article II of the Constitution, the President is authorized to send messages to Congress and "to recommend to their consideration such measures as he shall judge necessary and expedient." This provision of the Constitution permits the President to send a message as a President but it does not permit him to send a message as a citizen or as the Commander in Chief of the Army and Navy. When he takes advantage of this section of the Constitution to send a message to Congress he does so as the Chief Executive and his message should consist only of a recommendation for the consideration of measures. When both branches of Congress were actually and diligently considering a measure to provide a method by which the armed forces of the Nation might vote at the coming election, the President would surely be violating all the rules of good manners to send to Congress at that time a message recommending to them to consider a subject which they were very diligently considering. He would have no right, constitutional or statutory, to inject himself into the arguments on the merits of legislation that was then under consideration. His message was an unfair and unwarranted attempt to inject his official influence into a debate that was then pending in Congress.

So I repeat that no President seeking strictly to attend to his own duties and to proceed only as the Constitution provides would send to the Congress the message that President Roosevelt sent on January 26, 1944. The message itself from beginning to end indicates clearly that the President knew that he was violating all tradition and was overextending his authority and was usurping the authority of Congress. A reading of the document would convince any impartial person that his message is not a recommendation but a very low type of unfair and pettifogging argument.

I feel, therefore, that I am justified in saying: First, that the President sent this message not to recommend the consideration of a measure as the Constitution prescribes but as an argument on a measure that was already under consideration; second, that he knew that there is no law or custom permitting the Commander in Chief of the Army and Navy to send messages to Congress under that provision of the Constitution under which Presidents have been sending or bringing Presidential messages to Congress.

WHAT ARE THE PRESIDENT'S POWERS AS COMMANDER IN CHIEF OF THE ARMY AND NAVY?

The powers of the king or the executive during wars and in times of emergency have been the subject of much discussion for centuries. This matter was decided in England early in the sixteenth century. It was decided after many bloody battles in which some kings lost their crowns and some lost their heads. It was finally decided that the king could not at will even in times of war transcend the Parliament on purely legislative matters.

The matter came up early in the history of the United States. Alexander Hamilton said of the President's authority as Commander in Chief under the Constitution:

> It would amount to nothing more than supreme command and direction of the military and naval forces.

In the arguments in the famous Milligan case in 1866 one of the briefs contains the following language:

> What is called the war power of the President, if indeed there be any such thing, is nothing more than the power of commanding the armies and fleets which Congress causes to be raised. To command them is to direct their operations.

Chief Justice Taney, in the case of Fleming against Page in 1849, said:

> But this can be done only by the treaty-making power or the legislative authority, and is not a part of the power conferred upon the President by the declaration of war. His duty and his power are purely military. As commander in chief, he is authorized to di ect the movement of the Navy and military forces placed by law at his command, and to employ them in the manner he may deem most effectual to harass and conquer and subdue the enemy.

Under our Constitution, Congress is given much more authority than the Executive in matters of war except the one matter of directing actual military and naval operations. Considering war from every aspect, the Congress has much more to do with war under the Constitution than has the President. For instance, to Congress is given the right to declare war. The President cannot deciare war although there have been some Presidents that have gone far beyond their authority in provoking war. To the Congress is given the right in the Constitution "to provide for the common defense and general welfare." To Congress is given the right "to borrow money." And also to Congress is given the right "to raise and support armies and to provide and maintain a navy." And I would especially call your attention to the fact that the Constitution especially gives to the Congress the right and duty "to make rules for the government and regulation of the land and naval forces." I am afraid that Con-

gress, in its effort to be fair to the Executive, leaned backward and has already given him by legislation more power and authority than he should have had. When the Constitution gives to Congress a special grant of power "to make rules for the government and regulation of land and naval forces" it ill behooves the Chief Executive to inject himself into the discussions of the Congress when it is proceeding in an orderly manner to determine how best to assist the soldiers in exercising their right of suffrage, which they already have and which nobody claims came to them by reason of the actions of any Executive.

I might further say by way of illustration of the superior power of the Congress over the Chief Executive in war matters that the appointment of generals and other commissioned officers are not left exclusively to the President, for they must have the approval of the Senate. The President is designated the Commander in Chief in the Constitution primarily to prevent the friction that inevitably develops between the Army and Navy.

Summing up this whole matter, the Supreme Court in the Milligan case in 1866 took advantage of the opportunity presented by that case to lay down some pretty stern doctrines with reference to the inclination of executives to usurp power during emergencies. The Court then set an example which the Court of today might heed when it placed the Constitution on a pedestal from which it should never be thrown. This is what the Court said:

> The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times and under all circumstances. No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false, for the Government, within the Constitution, has all the powers granted to it which are necessary to preserve its existence, as has been happily proved by the result of the great effort to throw off its just authority.

The President knew he had no authority as Commander in Chief to interfere in any way with the legislative branch of the Government. He knew that he, as Commander in Chief of the Army and Navy, and his commanding officers had adopted and acknowledged the provisions of the Army discipline which discourages members of the armed forces from appealing directly to Congress or to Congressmen. If a soldier in the ranks is prevented by Army regulations from appeal to Congress directly, by what rule or reason, therefore, should the commanding officer feel that he is permitted to appeal to Congress as the commanding officer?

The President says in his message:

> As their Commander in Chief, I am sure that I can express their wishes in this matter and their resentment against the discrimination which is being practiced against them.

I do not run readily to challenge the statement of our Chief Executive, but let us separate this paragraph. He says:

> As their Commander in Chief I am sure I can express their wishes in this matter.

Let us put a period there and study this sentence a little. How is he sure? Has he canvassed them? Maybe so. The New Deal has devious ways of doing devious things. But before he can, as their Commander in Chief, express their views to Congress, another branch of government—that Congress and I, as one Member—want to know how he has been vested with this authority to carry a message from the armed forces to Congress. I, as one Member of Congress, taking only common sense as my guide, doubt that the President has been authorized by the armed forces of the United States to transfer any message to this Congress. Until he adduces some proof I shall continue to hold these views.

Now, let us take the remaining sentence of the paragraph:

> And their resentment against the discrimination which is being practiced against them.

I am sure that the armed forces of the United States have taken no action that would justify the President in even saying that they have found that the Congress is practicing any discrimination against them, and I am sure that they have not commissioned him to express to Congress any resentment that they may have concerning any action of Congress. I fancy that if the armed forces of this country ever had a chance to send back to Congress a message by their Commander in Chief that they would remind Congress of the statement made by this same Commander in Chief in the campaign of 1940 when he said emphatically in beautiful Groton-Harvard accent:

> Again and again I say to the mothers of America I will never send their sons to fight on foreign soil.

Again the President goes far beyond his authority when he makes an unwarranted suggestion that Congress will not be true to its responsibility and that the Members of Congress will not be courageous enough to put themselves on record as to how they vote on the important soldiers' vote legislation. The Constitution provides that the Congress shall adopt its own rules of procedure. The country should rejoice that this is true in these days of Harry Hopkins and Felix Frankfurter interference. The President is probably not familiar with the language of the Constitution that places a safeguard on the actions of Congress with reference to its responsibility to let the public know how it votes. The Constitution especially provides for a yea-and-nay vote, in the following language:

> The yeas and nays of the Members of either House on any question shall, at the desire of one-fifth of those present, be entered on the Journal.

The Constitution—which is a wonder, in that it has anticipated almost every contingency that could arise in our governmental activities—anticipated just exactly what the President covertly suggests, that the Congress is afraid to vote by a yea-and-nay vote. The Constitution provides that "each House may determine the rules of its proceedings." Each House has determined its rules, and the rules of the House are being carried out to the letter in the consideration of the bill now under consideration. The President has on other occasions permitted his zeal for the passage of New Deal legislation to cause him to act most unseemly. I have not forgotten his letter to Judge Hill, then a member of the Ways and Means Committee, in which he exhorted the judge to force the passage of a certain bill regardless of its probable unconstitutionality.

The President in his message has sought to discredit Congress. That has been the New Deal pastime for 11 years. It worked successfully on one coordinate body of the Government, which is now judicially anemic. But so far it has failed in its efforts to usurp the powers of Congress. This persistent menace of usurpation on the part of the Chief Executive is a very distinctive feature of the New Deal. The best interests, and even the perpetuity of the Republic, demand that this influence should be liquidated.

The very first paragraph of the President's message is the tell-tale as to the purpose of the message. That the message is intended to mislead and misrepresent is obvious to any fair mind that will give consideration to the first paragraph. Here is the part to which I refer:

> They have left their homes and jobs and schools to meet and defeat the enemies who would destroy all our democratic institutions including our right to vote. Our men cannot understand why the fact that they are fighting should disqualify them from voting.

Let us take the last sentence:

> Our men cannot understand why the fact that they are fighting should disqualify them from voting.

This is a very unfair and unfortunate innuendo. I have heard nothing from any Congressman, either Republican or Democrat, and I have seen nothing in print from anyone connected with either branch of Congress that would justify the President in insinuating that anyone in any way connected with Congress has ever stated as a fact that because the soldiers are fighting they should be disqualified from voting. I can hardly bring myself to believe that this sentence came from the mind and mouth of the President. I think it must have been original with some of those who hang around him and who are known as being capable of much low thinking.

Personally, I shall do all I can to enable the armed forces to vote and I shall do all I can to prevent them from being exploited as I feel they would have been had the New Deal plan not been stopped. I am sure that Presidential interference in this matter has only accented what we have always believed—that the Green-Lucas bill was intended as an effort on the part of the New Deal to garner the

votes of the armed forces as it garnered the votes of many fine people who were forced to accept public relief under the W. P. A. and other New Deal agencies. The armed forces of the United States should not be herded together on a special designated day, on the various battle fronts, and under military supervision where probably the picture of the Commander in Chief will be conspicuously displayed and there be handed a ballot and be told to vote it then and there and probably to hand it back into the hand of an orderly or officer to verify and to mail.

The right of franchise is the one right most universally enjoyed by our American citizen. This right should not be denied to any citizen by any other citizen. The ballot is a freeman's secret weapon. If he is in the armed forces he votes not because he is a soldier or a sailor but because he is an American citizen. If he voted because he was in the armed services then the boys of 18 and 19 and 20 should have the right. But it is a right that comes to Americans of voting age and they are Americans, yes, the highest type of Americans when they are in the armed services, and the Commander in Chief or no one else should prevent them from voting secretly and free from duress.

Mr. LECOMPTE. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. LEONARD W. HALL].

Mr. LEONARD W. HALL. I think it appropriate, and especially in view of everything that has gone on here, to acquaint the membership of this House with the New York State Legislature's declaration of purpose in enacting the amended war-ballot commission law—signed by Governor Dewey in April 1943. Frankly, I am proud of this great declaration. It is a message of faith to New York's fighting citizens, wherever they may be, men and women, that New York will leave nothing undone to secure to them the opportunity of exercising their elective franchise. Here is what that declaration states:

> The legislature hereby declares it to be the purpose of this article to facilitate the taking of the votes of members of the armed forces of the United States and to prevent the disfranchisement of such persons by establishing a temporary State war-ballot commission and making special provisions for the registration and voting by war ballot at the general election to be held in the year 1943 of such voters of the State of New York who are members of the armed forces of the United States. It is hereby determined that the establishment of such temporary State war-ballot commission, hereafter created, is needed in the public interest to safeguard the sanctity of the ballot of our citizens serving in the armed forces of the United States, and is in conformity with the letter and spirit of section 8 of article II of the Constitution

So far as New York is concerned there is nothing new about our extending the opportunity to vote to our service forces. And before the amended war-ballot commission amendment of 1943, we had a similar act in operation in 1942. New York was alert to her opportunities for service to our service forces and New York recognized her duties.

Unfortunately, our war-ballot commission was not able to do very much because we got no cooperation from the War Department or the Navy Department. President Roosevelt in the last few days, in the year 1944, has suddenly become an interested citizen, and tries to tell the Congress what it must do. But while New York State met with rebuff after rebuff to its pleas for cooperative effort by the War and Navy Departments, the President, as a citizen of New York, did not lift a finger to help our citizens in the armed forces to gain the opportunity of voting. He did not then interfere or intercede.

I am not talking alone of the soldiers overseas. He did not lift a finger to help us get the votes of citizens of his State and my State who were in camps throughout the United States.

A few moments ago the gentleman from New York [Mr. ANDREWS] spoke to you about his bill, which is really the Worley bill with a little honey around it. It is still a Federal ballot, it is still a bobtailed affair, it is still one having only a few blanks on it.

And let me read now a message from Gov. Thomas E. Dewey in reply to one addressed to him by Senator BRIDGES, received on yesterday:

> In answer to your telegram every citizen of New York can and must have an opportunity to vote. The Constitution of the State of New York provides that no citizen of the State shall be deprived of his right to vote by reason of his being in the armed forces. I am sure the legislature would favorably consider any necessary statutory changes in the existing war-ballot law to make full distribution of ballots possible as soon as we know what Federal requirements must be met. Any ballot authorized by Congress which would not list State, county, and other local offices would be incomplete and not in accordance with the provisions of the Constitution of the State of New York. Therefore it would be incumbent upon the New York Legislature to make available to every citizen in the armed forces from the State of New York a full and complete State ballot.

This message from our Governor is in character—forthright and insistent—insistent that New York citizens shall not be deprived of their right to vote, that they will not be put in a class apart, because they are in the armed service of their country.

So, Mr. WORLEY, you are asking us in New York to vote for a bill which would deny the vote to the citizens in the armed forces of the State of New York.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WORLEY. Mr. Chairman, I yield now to the gentleman from New York [Mr. LYNCH].

Mr. LYNCH. Mr. Chairman, I am heartily in favor of the Worley amendment to the Vursell bill as the only practicable way to insure to those in the armed services an opportunity to vote.

The issue before the House is a simple one—it is whether men and women of our country will be denied their right to vote because they are in the armed services. There is not a Member of the House who on this simple proposition would face the wrath of his constituents by straightforwardly opposing that proposition. There are some, however, who, in the guise of champions of States' rights, would do indirectly what they would not do directly.

If the committee bill passes, we know that for all practical purposes those in the armed forces will be deprived of their vote for the simple reason that the long State ballots cannot possibly be transported overseas. Why make an empty gesture and delude our service men and women into the belief that we have given them the opportunity to vote when in fact we know that the provisions of the committee bill make it impracticable for the ballots to ever reach them, much less have them returned and counted?

Why this opposition to a short ballot? Has Banquo's ghost come back to haunt the opponents of a Federal ballot? Are their records such that they fear to go before their electors in the Army and Navy? I deem it a great honor to be elected a Member of this House, but I would not consider it so if to retain that honor I had to deprive men and women in the armed services of their right to determine whether I am worthy of that honor.

This is the most critical time in our history. To me, in the whole panorama of world events the most important thing is the winning of the war and the speedy return of our boys and girls to their normal lives at home.

No one is better able to say whether the war is going satisfactorily than those who are fighting the war. No one is better able to say whether the supplies and equipment are going forward satisfactorily than those who need the supplies and equipment. No one is better able to say whether Congress has provided the necessary care and hospitalization for our sick and wounded than the sick and wounded themselves. Yet by refusing to provide them with a short ballot, which could easily be sent them, which they could readily vote and quickly return, we deprive them of the opportunity to express themselves on the conduct of the war.

I personally want every service man and woman in my district to obtain a ballot, but I know they will not receive the ballot unless we pass the Worley amendment. The President of the United States has called for a short Federal ballot. As Commander in Chief, he wants the men and women who serve under him in the armed forces protected in their civil rights. Let us have no pretense; let us have no sham; let us pass the Worley amendment and make certain that everyone of the armed forces entitled to vote gets a ballot and that his ballot, if cast, be returned and counted.

I ask unanimous consent to extend my remarks in the RECORD at this point.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WORLEY. Mr. Chairman, I yield now to the gentleman from Rhode Island [Mr. FORAND].

Mr. FORAND. Mr. Chairman, in the attic of my home is a box containing my souvenirs of World War No. 1. Some of those souvenirs I sent home while I was serving with the American Expeditionary

Forces in France and some I brought home with me when I was discharged.

Among those souvenirs is a paper—a war ballot intended for my use in the 1918 election. I did not return it because I knew it would not be counted.

Although the general assembly of my State enacted legislation in April 1918 to permit men in the armed forces to vote in the November election, and 5,000 ballots were sent out to those of us who were qualified to vote, only 1,500 of those war ballots were returned by December 10, the last day on which they could be counted.

Because I had been transferred from one place to another, my ballot did not reach me until late in January 1919.

Now, Mr. Chairman, I do not charge anyone with deliberately making it impossible for me to vote in 1918. Rather, I credit all who had anything to do with the war ballot with sincerity in their efforts to make it possible for me to vote. Circumstances only were responsible for my not voting.

The same situation exists this year. I believe every Member of this House wants the members of the armed forces to have not only the right to vote but also to have his vote counted.

The disagreement is on the type of ballot to be used. I, for one, would like to see a complete ballot cast by every person in uniform and I consider it our duty to make such a ballot available wherever it is possible. I do not want anyone in the armed forces to have the experience that was mine in 1918.

The Vursell bill aims to provide the complete ballot where possible. We should not stop there, however, because the facts before us indicate plainly that if we stop there many eligible voters now in uniform will not have an opportunity to vote because the State ballot will not reach them in time.

I favor the Worley bill because it does all that the Vursell bill does and in addition it assures the armed forces that if they fail to receive a State ballot in time they can at least vote the Federal ballot. If by chance a person votes both the State and the Federal ballot the election officials can void the Federal ballot when it reaches them.

Mr. Chairman, if I should err I prefer that it be on the side of two opportunities for these service people to vote rather than none at all and I, therefore, hope that this House will vote down the Vursell bill and enact the Worley bill.

Mr. WORLEY. Mr. Chairman, I yield 15 minutes to the gentleman from Tennessee [Mr. GORE].

Mr. GORE. Mr. Chairman, perhaps it is unfortunate that the time for a Presidential and congressional election should come while we are in the midst of an awful war. But the fact that we can undergo such a national political rigor and, at the same time, cast a mighty force against the enemy through not only being the arsenal for democracy but the very spearhead for an Allied victory, constitutes one of the highest tributes to the efficacy and the enduring quality of a free people's system of representative government.

This Congress has a very high duty to not only see to it that the people's will shall be wrought but that the greatest possible number of our citizenship participate in the making of a momentous national decision. To do so would be a signal victory for democracy at a time when the institutions of free government are under the most serious challenge since the founders of our Republic bore the torch of freedom on this continent.

This task for the Congress is made difficult not only by the inevitable political strife and strain inherent in a national campaign but by the rigorous exigencies of war as well. The immediate question before us is how to give to the millions of our fellow citizens in the armed forces of our country a practical, feasible opportunity to participate in the coming important national election. Obviously, the demands of this extraordinary situation cannot be satisfactorily met by the ordinary processes alone. If I thought so, I would oppose the Worley bill.

But though I am not satisfied with it in many respects, it seems to me that the most feasible proposal before us is that offered by the distinguished gentleman from Texas [Mr. WORLEY].

Far be it from me to pose as any authority upon the interpretation of the Constitution, and it is not my purpose in this brief time allotted to me to try to present an argument sustaining the validity of the proposal by the gentleman from Texas. But, Mr. Chairman, it has been so repeatedly said, and with such flat-footed presumptive finality, that the Worley bill is unconstitutional, I do venture to suggest to you that the war powers of the Congress and the National Government in time of war, both express and implied, are very broad. What are the war powers of Congress? What do those powers mean? They may not necessarily be nor necessarily mean what either the gentleman from Mississippi or the gentleman from Tennessee may think or desire them to mean. The best guide to the effective meaning can most assuredly be found in the interpretations and decisions of the Supreme Court of the United States.

I desire to call to your attention, Mr. Speaker, the most recent interpretation in point. In an opinion upholding the act of Congress of March 1, 1942, the Supreme Court on June 21, 1943, said:

> The war power of the National Government is the power to wage war successfully. It extends to every matter and activity so related to war as substantially to affect its conduct and progress. The power is not restricted to the winning of victories in the field and the repulse of enemy forces. It embraces every phase of the national defense, including the protection of war material and members of armed forces from injury and from the dangers of sabotage and espionage which attend the rise, prosecution, and progress of war.

Acting both wisely and within the power of Congress, I think, we have gone quite far in protecting from injury the civil rights of the members of our armed forces, particularly in the Soldiers' and Sailors' Relief Act, the terms of which it is unnecessary for me to recount now. Now, under these same powers and within this recent interpretation of those powers, as well as other interpretations, could not the Congress, indeed is it not obligatory upon Congress, to protect members of the armed forces from injury through the loss of the opportunity of exercising their political privileges and the rights of the franchise in what is generally conceded to be one of the most transcendentally important national elections in the history of our Republic?

Moreover, is not the opportunity of exercising their franchise and of responsibly participating in the making of this momentous national decision, the outcome of which could not possibly have more living meaning to anyone than to them, of sufficient importance to the morale of the members of the armed forces, to their respect for the institutions of representative government, to their sense of justice and patriotic fervor so related to war as substantially to affect its conduct and, therefore, within the meaning of the decision just read?

I have briefly propounded these two questions, Mr. Chairman, not particularly to make an assertive argument, which I do not now have the time to do, but to question and challenge the presumptuous conclusiveness with which we have so repeatedly heard the Worley bill condemned as unconstitutional.

Mr. Chairman, both the Worley bill and the Rankin bill undertake to facilitate voting for members of the armed forces through the use of the usual State absentee voting procedures. So for what purpose do we hear all of the fuss and charge about the Rankin bill making it possible for soldiers and sailors to vote in State and local elections while the Worley bill does not? I should like it to be possible for every man and woman in the armed forces to vote in every election or primary in which he is qualified to participate. I believe that under either of the two bills, it will be possible for many to vote their usual State and local ballots. The more who do that, the better. What I cannot see is the justification for some statements made in this Chamber to the effect that one bill would make this possible while the other would not.

The real difference between the bills arises out of title I of the Worley bill which undertakes to provide a uniform Federal ballot through the use of which members of the armed forces can vote in the election of a President and Members of Congress.

It has been thoroughly demonstrated, I think, that it will be utterly impossible, from a practical standpoint, for a very great many of our sailors and soldiers, particularly those overseas, to vote the ordinary State ballots through the usual absentee voting procedures. As I have said, I would like it possible for every one of them to vote in every election if they so desire. But that having been demonstrated as impossible, I would like it be made sure that a preponderant majority of them can vote and have a material part in determining who shall be their Commander in Chief and President of the United States and what party will be responsible for leadership in Congress.

It is an important matter who is elected sheriff in Smith County, Tenn. It is important who is elected Governor of the State of Maine. But, Mr. Chairman, the all-important question to be determined in the elections of 1944 is not who will be sheriff of Smith County, Tenn., or who will be Governor of Maine, Texas, or California. It is rather what person in the White House and what political party in Congress will direct the destinies of this Nation in the troublesome years immediately ahead.

Let us go our full length in making it possible for members of the armed forces to vote in all elections. But where this becomes impossible, let us go still further and make it possible for them to vote in the Federal elections, the outcome of which will be so determinative of America's future.

Mr. WORLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, I want to say a few words about this question of providing the men in our armed forces an opportunity to vote. The time for general debate is limited and I shall only speak a moment. Indeed, I sometimes think that too much has been said about a soldier-vote bill and too little done about it.

The question must be considered in true perspective. Sending ballots to the men in the service who desire to vote is important. But not to be forgotten is the urgent and ever present necessity of sending them bullets and bombers and whatever else they need and backing them up on the home front.

The primary interest of the soldier is in winning the war. But, undoubtedly, a man in uniform should not be disfranchised just because he is fighting a war and hazarding his life. Those who fight should have the right and convenient opportunity to vote. Whether they actually vote or not when offered the chance is strictly up to them. That is democracy.

I commend the gentleman from Texas [Mr. WORLEY] for his desire to try to improve the proposed bill—for his spirit of fair play and compromise.

Admittedly there is no perfect answer to the problem of providing our men with an opportunity to vote. Great distances and the demands of the war complicate the problem tremendously.

Speaking for a moment of the South, it must be said that the vital decisions on State and local candidates are made not in the general election but in the primaries. Usually our principal interest is in the so-called primary elections. Of course, we are also interested in the general election, especially on Presidential election years such as this one. But the soldier who wishes to vote will be disappointed if the extent of his right to vote is limited to the general election and to Federal officials. Of course, a chance to vote this restricted ballot is better than no chance to vote at all.

What I am hoping is that before this legislation is finally enacted it will be amended so as to provide the very best possible opportunity for servicemen to have a real chance to vote. The efforts of Congress must be toward that objective. A mere gesture or an empty promise is not adequate. It seems to me that if our State governments and our Federal Government cooperate, a reasonably good job can be done.

Mr. LECOMPTE. Mr. Chairman, I yield such time as he may desire to the gentleman from Maryland [Mr. ELLISON.]

Mr. ELLISON of Maryland. Mr. Chairman, I wish to afford the members of our armed forces not only the right to vote, but also to furnish the practical means to exercise that right. The fact that they are absent from their homes in the service of our country should not operate against them in their right to perform an essential prerogative of citizenship. To deprive them of that right would not only be unjust and ungrateful on our part, but it would be against the fundamental principle of our system of government.

There are two bills pending before us: The Worley bill (H. R. 3982), and the committee bill (S. 1285). Of the two, the Worley bill, in my opinion, offers the more practical means of enabling more members of our armed forces to vote than any other plan thus far proposed. It provides for voting for Federal officers by means of the short ballot, and for Federal, State and local officers where the State procedure will permit.

The question of the constitutionality of the bill is favorably resolved, in my opinion, by its provision that the ballots shall be canvassed and counted by the local election officials in accordance with the existing Federal and State laws.

Hence, to translate the wish to enable our fighting men to vote into an actuality, I favor the Worley bill.

Mr. LECOMPTE. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER of Connecticut. Mr. Chairman, I see many Members seated in this House, whose judgment and opinion I value, who think I am making a great mistake in voting for the Worley bill. I cannot present my arguments as eloquently as the gentleman from Mississippi [Mr. RANKIN] but I do present them to you with just as much sincerity. I am following the dictates of my conscience and the dictation of whatever judgment I possess, and I assume that every other Member of the House is doing likewise.

There is no argument as to whether or not the men and women of our armed forces should have the right to vote; it is admitted by both sides that it would be desirable, it would be helpful if we could get into the hands of every service man and woman a complete Federal, State, and local ballot; but according to the testimony of responsible officials of the War Department and according to our own judgment and experience as a practical matter we know that cannot be done. If the ballots addressed to the men and women serving in our armed forces in every part of the world from Connecticut are addressed to them individually in all seven battle zones in all parts of the world, according to the hazards of war, some of those ballots are going to be lost in transit; either the plane will go down or the ship bearing the ballots be lost, or the ballots may be burned in a fire in a railroad car. If those ballots are lost it means that the men and women to whom they were addressed would not have time, after waiting a reasonable time for the original ballot to be delivered, to then notify the various States that they had not received a ballot, and get another one from that source. If that should happen, at least under the provisions of the Worley bill they would be able to vote for President, Senators, and Members of the House.

The gentleman from Mississippi this morning spoke of the attitude of the veterans, of servicemen and women and the service he has rendered to them in the House. I want to take just this half minute to say that certainly the veterans of my State think a great deal of the gentleman from Mississippi. They are appreciative of the service he has rendered as chairman of the Committee on World War Veterans' Legislation and the service he rendered years ago as the ranking member of that committee. But the gentleman from Mississippi pressed his argument further and argued against the Worley bill contending that it was bad because PM and other Communist and parlor pinks were supporting it. I am sure that between now and next October he will change his method of reasoning and certainly he will not say to the people of his district that they should not support President Roosevelt simply because PM and certain other Communists support the President.

I think it is unfortunate that the original Green-Lucas bill was ever introduced and considered in the other body. To put it mildly, some of the provisions of that bill were pretty raw; in fact, they were so bad that it is extremely doubtful whether the Congress will at this time pass a bill bearing that title.

The present Worley bill, which I understand will be offered as a substitute for the committee bill is a far different proposition. Certainly there is nothing in the Worley bill that will prevent any soldier or sailor from receiving and obtaining a complete State ballot, and there is in title 2 a provision that will give him an opportunity to vote part of a ballot if he does not get the State ballot.

Much has been said during this debate about sending the soldiers bobtailed ballots, or blank ballots containing nothing but a few empty spaces. That will not shock the service men and women of my State, because for several years the State of Connecticut under its peacetime absentee voting law has been sending out the same kind of blank ballots. There is not the name of any candidate on it; so the service men and women from Connecticut will not be dealing with anything new when they see the ballot provided for under the Worley bill.

I think we shall have to search the records of this House minutely to find another occasion where the chairman of a committee considering legislation

came on the floor with any more of an open mind than that manifested by the chairman of this committee, the gentleman from Texas [Mr. WORLEY], when he said this afternoon after 2 days of rather heated debate that his mind was still open to any amendment that would improve the bill he intends to offer as a substitute.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. WORLEY. Mr. Chairman, I yield 3 additional minutes to the gentleman from Connecticut.

Mr. MILLER of Connecticut. Mr. Chairman, a great deal has been said about the dangers of officers of the Army and Navy and others in our high command making an effort or an attempt to, as the expression goes, "vote the soldier and sailor." Unless the psychology of the American soldier and sailor has changed in the last 25 years I say to you that any officer or any official who attempted to direct the officers of our Army or Navy to exert political pressure on the enlisted men would certainly find that their plan would boomerang. Further than that, I do not believe that there are many, in fact very few, officers, who would attempt such a practice if they thought it were possible to get away with it. After all, the officers of our Army are Americans first, last, and all the time.

I said the other day that I proposed to offer three amendments. I inserted those in the RECORD and will offer them at the proper time. The first one is to create a Federal Ballot Commission, and I cannot see why anybody should oppose the creation of a Federal Ballot Commission selected as was proposed in the other body from nominations made by both political parties. The appointments then would be made by the President and confirmed by the Senate. In that way we could have a Commission of four men who could devote their full time, men whom I would hope had had experience in doing big jobs and doing them well. There could be no partisanship on a Commission selected as that amendment provides, and I think those who fear any manipulation of the ballots should certainly support the suggested War Ballot Commission.

Then I hope to offer an amendment that will abolish the provision of the Worley bill that provides for setting up of a balloting day. I believe that whether it is the State ballot or the Federal ballot, the soldier should receive his ballot and at his convenience and whenever and wherever he has the time, be allowed to sit down or lie down in his fox hole, his tent, or his barrack, mark that ballot and return it to the designated place for mailing back to the United States.

Third, I think we should write more positive language into the Worley bill that would make it mandatory for either the War Ballot Commission if that should be created, or the Secretaries of War and Navy to get the State ballots handled with the same despatch and expedition that they will handle the Federal ballots provided for in the Worley bill. I know that that is the hope of the chairman of the committee; it is the hope of all of us, but I think we can write more positive language in the bill so that no officer or executive branch of the Government can at some later date say: "We will not handle any State ballot that weighs more than eight-tenths of an ounce." It is our duty to say to whomever is to carry out this handling of the ballots: "Deliver just as expeditiously as possible the ballots of the 48 several States."

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. WORLEY. Mr. Chairman, may I inquire how the time stands?

The CHAIRMAN. The gentleman from Texas has 19½ minutes remaining; the gentleman from Iowa, 34.

Mr. LECOMPTE. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, the Federal Government, as I have always understood it, would not be a limited and a defined government under a supreme law of the land made to control the people and all its officials unless every Member in the House of Representatives and the Senate, the Supreme Court, and the President were to live up to their oath of office. At a time like this there is a great temptation on the part of those who manifest great anxiety for a change to overlook the fact that they have taken an oath of office. It is not the first time that great pressure has been brought upon men in positions of public trust to violate their oaths of office. Abraham Lincoln was once placed under pressure and here is what he said:

> It was in the oath that I took that I would, to the best of my ability, preserve, protect, and defend the Constitution of the United States. I could not take office without taking the oath, nor was it my view that I might take the oath in order to get power and then break the oath in using the power.

That is the situation we are in now.

Something has been said here in regard to the great war powers. Let me read from a decision of the Supreme Court:

> The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false; for the Government within the Constitution, has all the powers granted to it which are necessary to preserve its existence as has been happily proved by the result of the great effort to throw off its just authority (*Ex parte Milligan*, Supreme Court, 1866, Wall. 2. Mr. Justice Davis delivered the opinion).

Now, I call your attention to the words of James Wilson, when lecturing to a law class, at the College of Philadelphia, in 1790. James Wilson, from Pennsylvania, was a delegate to the Constitutional Convention. He was appointed to the Supreme Court bench by George Washington. He is explaining the provisions of the Federal Constitution to a class of law students, and here is what he says:

> By the Constitution of the United States, the Members of the House of Representatives shall be chosen by the people of the several States. The electors, in each State, shall have the qualifications requisite for electors of the most numerous branch of the State legislature.
>
> This regulation is generous and wise. It is generous; for it entrusts to the constitutions or to the legislatures of the several States the very important power of ascertaining and directing the qualifications of those who shall be entitled to elect the most numerous branch of the national legislature. This unsuspicious confidence evinces, in the National Constitution, the most friendly disposition toward the governments of the several States. For how can such a proper disposition be evinced more strongly than by providing that its legislature, so far as respects the most numerous branch of it, should stand upon the same foundation with theirs; and by providing further, that this foundation should be continued or altered by the States themselves?
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> This regulation is wise as well as generous. An attention to its genuine principle and tendency must have a strong effect, in preventing or destroying the seeds of jealousy, which might otherwise spring up, with regard to the genius and views of the National Government. It has embarked itself on the same bottom with the governments of the different States; can a stronger proof be given of its determination to sink or swim with them? Can proof be given of a stronger desire to live in mutual harmony and affection? This is an object of the last importance; for, to adopt an expression used by my Lord Bacon, "the uniting of the hearts and affections of the people is the life and true end of this work."
>
> The remarks which I have made on this subject place, in a clear and striking point of view, the propriety, and indeed the political necessity, of a regulation made in another part of this Constitution. In the fourth section of the fourth article it is provided that "the United States shall guarantee to every State in this Union a republican form of government." Its own existence, as a government of this description, depends on theirs.
>
> As the doctrine concerning elections and the qualifications of electors is, in every free country, a doctrine of the first magnitude, and as the National Constitution has, with regard to this doctrine, rested itself on the governments of the several States, it will be highly proper to take a survey of those provisions, which, on a subject so interesting, have been made by the different State constitutions, for every State has justly deemed the subject to be of constitutional importance.

I want to call the attention of the House that Alexander Hamilton and James Madison wrote in the Federalist under a common name "Publius," and I quote them from the Federalist, No. 52, of February 8, 1878:

> The first view to be taken of this part of the Government relates to the qualification of the electors and the elected. Those of the former are to be the same with those of the electors of the most numerous branch of the State legislature.

Continuing, the author says:

> The definition of the right of suffrage is very justly regarded as the fundamental article of republican government. It was incumbent upon the Convention, therefore, to define and establish this right in the Constitution. To have left it open for the occasional regulation of Congress would have been

improper for the reason just mentioned. To have submitted it to the legislative discretion of the States would have been improper for the same reason; and for the additional reason that it would have rendered too dependent on the State governments that branch of the Federal Government which ought to be dependent on the people alone.

Again to the same effect, and this is very clear, in another article, Federalist, No. 57, February 19, 1788, over the same name, this appears:

Who are to be the electors of the Federal Representatives? They are to be the same who exercise the right in every State of electing the corresponding branch of the State legislature.

Mr. King, of Massachusetts, served with Hamilton on the Committee on Style, and this is what he said—volume 2, page 51, Elliot's Debates:

The power of control given by this section (art. I, sec. 4) extends to the manner of election, not to the qualifications of the electors.

That is the other section under consideration. The word "manner" is sought to be twisted into some sort of relationship to qualification.

Mr. Nicholas, of Virginia—volume 3, page 8, Elliot's Debates—to the same effect says the following, and these were the people who helped to construct the document and the people who sat in the State conventions and passed on the question of whether or not it would be approved:

In this plan there is a fixed rule for determining the qualifications of electors, and that rule the most judicious that could possibly have been devised, because it refers to a criterion which cannot be changed. A qualification that gives a right to elect representatives for the State legislatures, gives also, by this Constitution, a right to choose representatives for the general government. As the qualifications of electors are different in the different States, no particular qualifications, uniform through the States, would have been politic, as it would have caused a great inequality in the electors, resulting from the situation and circumstances of the respective States. Uniformity of qualifications would greatly affect the yeomanry in the States, as it would either exclude from this inherent right some who are entitled to it by the laws of some States at present, or be extended so universally as to defeat the admirable end of the institution of representation.

In the North Carolina Convention—volume 4, page 71, Elliot's Debates—Mr. Steele said:

The power over the manner of elections does not include that of saying who shall vote (that never left State control): The Constitution expressly says that the qualifications (are those) which entitle a man to vote for a State representative.

Mr. Davie, in the same convention—volume 4, page 61—said:

They may alter the manner of holding the election. * * * They cannot alter the nature of the elections; for it is established, as fundamental principles, that the electors of the most numerous branch of the State legislature shall elect the Federal representatives. * * * power is given to Congress, and extending only to the time of holding, the place of holding, and the manner of holding the elections. Is this not the plain, literal, and grammatical construction of the clause? Is it possible to put any other construction on it, without departing from the natural order, and without deviating from the general meaning of the words, and every rule of grammatical construction? Twist it, torture it, as you may, sir, it is impossible to fix a different sense upon it.

That construction was accepted during the construction and ratification of the Federal Constitution and has been the accepted construction since.

I am as anxious as any Member of this House to see that every soldier in the military forces of the United States has a right to vote in the election next November, but I shall not insult him by sending him a void ballot. Each man and each woman in the armed forces of our country has to take an oath of allegiance. If any one of them were to violate that oath or affirmation, the penalty could be death, but the Members of this legislative body, sworn to protect and defend the Federal Constitution, face no such penalty for a violation of their oath of office; yet the very foundation of our defined and limited form of government depends upon each Representative honoring his oath of office with sacred fidelity. Does any Member of this House believe that our fighting men expect the Representatives of this Republic to ignore all constitutional restraints when legislating on this or any other question? To send ballots to our far-flung soldiers and sailors which could not be counted because of the illegality of the law authorizing the ballots would be a ghastly fraud upon the men fighting to preserve the integrity of constitutional government. To send a defective ballot—one which the courts would declare illegal—would be as despicable as to send defective weapons to a soldier with which to fight for his country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LECOMPTE. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. COOLEY. Will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from North Carolina.

Mr. COOLEY. I would like to have the gentleman point out the particular section of the Worley bill that clashes with the constitutional interpretation which he has just given to the House.

Mr. REED of New York. The ballot.

Mr. COOLEY. That is left entirely in the hands of the State officials.

Mr. REED of New York. You cannot have a hyphenated ballot under the Constitution. The State fixes the qualifications and the power flows from the sovereign people. The foundation of this Government is on a broad base. The power flows from the people, and I will tell the gentleman that the boys are more anxious about the local people on the ballot than they are about the gentleman from North Carolina.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LECOMPTE. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. MURRAY].

Mr. MURRAY of Wisconsin. Mr. Chairman, anyone who follows Ernie Pyle and other correspondents cannot help from experiencing a rather disgruntled attitude toward anyone or any group that continually injects cheap politics into the affairs of state at this time.

Many years ago a Civil War veteran in my home community had received a pension of some $10 or $12 a month up until he was 75 years of age. He was then notified by the Pension Department at Washington that he was not a citizen of the United States and, therefore, could not receive a pension. The man was an immigrant from Canada. He had not taken out all of his citizenship papers, but he was under the impression that his service in the Army had made him a citizen. He had voted for 50 years. He would not apply for his citizenship papers and did not receive any pension the last years of his life, which of course was due to his having failed to follow the instructions relative to the proper application for citizenship papers.

His oft repeated question, "Do you not believe that if a man fights for his country he should be allowed to vote as long as he lives?" left quite an impression on not only myself but the many others to whom he addressed the inquiry. His question has been brought to my mind many times and I am frequently reminded of the importance of legislation that would provide that all of the soldiers of the present war should have the lifelong privilege of voting. In other words, the man who fights for his country should have the opportunity of expressing himself as to how the country should be run.

The fate of the poll tax bill, wherein the privilege of voting is so conveniently buried, indicates what may be expected in the consideration of any legislation providing for the soldiers' vote.

The rather intolerant soldiers' vote message of the President and the round robin list of 97 Members placed in the RECORD of January 25, 1944, by the Honorable CLINTON ANDERSON, of New Mexico, have not changed the fundamental issues involved.

The rule under which this legislation is introduced is an open rule, and can be amended. It is not the gag rule so commonly brought in here by New Deal leaders. It affords plenty of opportunity to stand up and be counted. It should not be as embarrassing for some of us to vote on a roll call as it should to 27 out of the 97 signers of the round robin who were not interested in allowing citizens to vote when the poll tax bill was passed on May 25, 1943.

What, then, is the situation? Have these colleagues had a change of heart? Did they want to charge these boys $2 to vote last May when the poll-tax bill was up for consideration and now in February not charge them for the privilege? Do they want to allow these boys to vote just such time as they are actually fighting and dodging bullets but expect them to resume the paying of a poll tax upon their return? Are they interested in allowing the fathers and mothers of

the boys the privilege of the ballot while their sons are fighting? Evidently not.

It is doubtful if any person holding public office can obtain or expect the approval of his constituents if and when he resorts to partisan politics during wartime.

The following editorial from the Stevens Point Daily Journal, an independent newspaper recognized throughout the State of Wisconsin for its high standard in journalism, indicates a rather uniform opinion of the press in many parts of Wisconsin:

GREAT GAME OF POLITICS DESCENDS TO GUTTER LEVEL

It must be apparent to most Americans that the debate in Congress over the issue of votes for servicemen has sunk to the level of gutter politics. Moreover, the President of the United States didn't help matters any when he bluntly charged that advocates of State control of the voting were attempting to perpetrate a fraud.

There admittedly is room for a difference of opinion regarding how best to proceed in extending the right of franchise to the men who are risking their lives to make certain that our country will continue to have free elections. It is natural for those who are responsible for the setting up of machinery for that purpose to be influenced by political considerations. It is not to be doubted that the President, as a prospective fourth-term candidate, would like to have the machinery so set up as to operate most advantageously for him and his party. The President is not one to overlook any political opportunities and he hardly can object if others pursue the same course of self-interest.

Nevertheless, it does seem that it should be possible to reach some sort of compromise without resort to such questioning of motives as has characterized debate over the issue. The important thing is to make certain that the men in the fighting services, wherever they may be, are given the opportunity to vote. There should be statesmanship and fairness enough in Congress and the White House to achieve that result without bringing down odium upon the very democracy which our fighting men are so valiantly struggling and dying to preserve.

Mr. LECOMPTE. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman and colleagues, we have now had under very earnest consideration for 2 days the question of providing an opportunity to vote for those who are absent from their homes in our armed services. During all of my service here in the House and in the Senate from 1919 to the present time, I have placed the defenders of our country and their dependents, first, and no one could be more strongly in favor of providing the fullest opportunity to those in our armed services to vote and for their votes to be counted and certified as cast without intimidation or coercion, than I am.

Two measures are being considered by us. The Worley bill, H. R. 3982, backed by the President and some of his most ardent friends and supporters for the fourth term, and the committee bill, S. 1285. This Senate bill was passed by the Senate and it came to the House and was referred to the Committee on Elections, headed by Mr. WORLEY. After thorough investigation and the fullest consideration, the Election Committee of the House, a majority of the members are Democrats, greatly amended S. 1285 and as amended the majority of that committee reported the bill favorably and urged its passage by the House. The Worley bill, H. R. 3982, has been generally designated as the Federal "bobtail" blank-ballot bill. The ballots under this bill would be in blank and there would be no names of candidates for President, Vice President, electors, or for the Members of the House or Senate, and there would be no name of any political party, and those in our armed services could not vote for anyone under this bill only by writing in the name of some candidate for President, and the name of some candidate for Senator and Representative from the voter's State or District. Such a ballot violates both the spirit and letter of the Constitution of the United States, as well as the election laws of every State in the Union, and it is very unfair to the voters.

These men and women in our armed services are entitled to have a ballot with the names of the candidates on the ballot and to have a ballot that conforms to the Constitution of the United States. As we all know, the people of the United States, under the Constitution of the United States, cannot vote directly for President or Vice President. Each State, under our Federal Constitution, is given the sole authority to designate and elect electors. These electors meet on a designated day and vote for President and Vice President. Each State selects or elects the same number of electors as it has Senators and Representatives in the United States Congress, and the total number of these electors is 531. So that the candidates for President and Vice President must receive under our Federal Constitution at least a majority of these electors, which is 266. Kentucky has 11 electors, while New York has 47.

The number of electors is controlled under the Constitution by the number of United States Senators and Representatives from each of the respective States. Now, these electors are not Federal officeholders; they are State officeholders under our Federal Constitution, and they must be elected or appointed by the people of each of the respective States. *In Re Green*, 134 U. S. 337, the Supreme Court of the United States said:

The sole function of the Presidential elector is to cast, certify, and transmit the vote of the State for President and Vice President of the Nation. * * * They are no more officers or agents of the United States than are the members of the State legislature.

In *McPherson* v. *Blacker* (146 U. S. 1, at p. 35) the Supreme Court of the United States said:

Congress is empowered to determine the time of choosing the electors and the day on which they give their vote * * * otherwise the power and jurisdiction of the State is exclusive.

In line with those opinions, the Court of Appeals of Kentucky has held that Presidential electors are State officers and not Federal officers. *Todd* v. *Johnson* (90 Ky. 548, 36 S. W. 987); *McCreary* v. *Williams* (153 Ky. 49, 154 S. W. 417). It is conceded by the proponents and opponents of both of these bills that Presidential electors are State officers and not Federal officers. Of course, Congress has no power to amend or nullify the Constitution of the United States. The Constitution cannot be amended unless such proposed amendments are ratified by the legislatures or by the vote of the people of three-fourths of the 48 States.

In other words, the people made the Constitution, and it takes the approval of the legislatures or the people of 36 of the 48 States to amend or change it. Congress has no such power. There are those who contend that in war or emergency the Congress may ignore the Constitution. This question was settled in the famous Milligan case, written by Justice Davis, of the Supreme Court of the United States. The Supreme Court said in that opinion:

Constitutions are for peoples and rulers in war and peace. It covers as a shield of protection all classes of men at all times and under all circumstances.

The Constitution stands in peace and in war, in adversity and prosperity. The President, every Member of Congress, as well as the 3,000,000 other Federal officeholders and every State and county official takes the oath that he will support and defend the Constitution of the United States. In fact, the men and women and the officers in our armed forces take the same oath. We have elected every President beginning with George Washington through and by the electoral college. While I have for many years felt that the Constitution should be amended and this provision stricken out and permit the people to vote directly for President and Vice President, it has not been amended. It is still the law. It is still a part of the Constitution that I took a solemn oath that I would uphold and defend. This bobtail blank ballot flies directly in the teeth of our Federal Constitution, and it takes away this right from the people of each and everyone of the 48 States of the Union. I repeat again that those in our armed forces should have a ballot with the names of all the candidates that they are called upon to make choice of. Is this blank ballot provided in the hope that those in our armed services may know President Roosevelt and will not know the name of the Republican, Socialist, or American Labor Party candidates, and will know the Senators and Representatives who are now in office and will not know their opponents? I want those in the armed services from my own congressional district to have the name or names of my opponents, as well as myself, so that they may have an opportunity to vote for my opponent and against me, if they desire. I, too, am opposed to this bobtail ballot because those in our armed forces are limited to voting for President, Vice President, Senators, and Representatives.

I wish to inquire of the gentleman from Texas [Mr. WORLEY], chairman of the Elections Committee, whether or not the law of the State of Texas permits the voting of the bobtail blank ballot provided in his bill.

Mr. WORLEY. I am sure that Texas being what she is, will do everything it can to count the ballots cast under this bill.

Mr. ROBSION of Kentucky. I did not ask the gentleman that question. Would this ballot be constitutional and could it be legally cast or legally voted and could it be legally counted in the State of Texas?

Mr. WORLEY. The question of unconstitutionality has been raised. That was settled in the Seventy-seventh Congress. The State of Texas counted every ballot cast thereunder and nobody in the State of Texas challenged the constitutionality of that ballot in any shape, fashion, or form, and I feel convinced, no matter what kind of a law we pass up here, every State will do the same thing.

Mr. ROBSION of Kentucky. I am sure that the officials of Texas and every other State will do whatever they can legally to receive, count, and certify the votes of the men and women in our armed services, but that does not answer the question. I am sure that if we send to those in our armed forces official State ballots with the names of the political parties, names of the electors, the names of the Senators and Representatives, and the names of candidates for State, county, and district officers, it will stand a much better chance to be declared legal than this bobtail blank ballot. The Federal Government has never carried on elections. It is not the function of the Federal Government, and I am sure no State in the Union provides its voters with a bobtail blank ballot giving the names of no candidates, and no party. In my opinion the bobtailed blank Federal ballot would be a fraud on our fighting forces.

THE COMMITTEE OR STATE-BALLOT BILL, S. 1285

The committee or State-ballot bill, S. 1285, which is opposed by the President and the "palace guard," and others who are strongly urging him for a fourth term, provides for the usual form of the ballot that has been used through the years by the people of the several States. It will not be a blank ballot. The names of the political parties and the names of the electors, and the names of the candidates for United States Senators and Representatives will be on the ballot, and furthermore, it will carry the names of the several candidates for Governor, Lieutenant Governor, other State, district, and county nominees for the respective political parties.

Thirty-five States will elect Governors, other State officials, district, and county officials, and many other States will elect one or more State officers and district officers and county officers. This regular and usual ballot will afford those in our armed services to vote not only for electors who will cast their votes for President and Vice President in accordance with the Constitution, United States Senators, and United States Representatives, but will also permit those in our armed services to vote for candidates for State, district, county, and city officers. Tens of thousands of men and women in our armed services will have fathers, brothers, sisters, nieces, cousins, and good friends as candidates in practically all of these 48 States for these various State, district, county, and city officers. Why deny these men and women the right to select the persons of their choice for these State, district, county, and city offices? Many of those in the armed services would be more interested in casting their ballots for one or more of these then they would be in voting for you or some other Members of the House and Senate ,or even for President Roosevelt. It has been urged that the Worley bill will lessen the qualifications or remove barriers to the qualifications of votes in the several States. That is not my understanding of the situation.

The Worley bill provides that the votes cast for President, Vice President, United States Senator, and United States Representative by those in our armed services will be returned to the respective precincts and counties of these voters, and that the precinct officers, and in some cases the county election commissioners, will pass on the question of the legality of the vote. In other words, it leaves it up to the election officers of the respective States and under the election laws of the respective States to determine whether or not the votes of those in our armed services shall be counted or rejected. The committee bill gives to every voter in our armed services all of the rights in this respect that are given to him under the Worley bill. Even Mr. Worley himself says that the State ballot bill is much to be preferred to the bobtail blank Federal bill.

This administration has disregarded the Constitution and has undertaken to regiment during the last 11 years the activities of the American people. Many of the administration's unconstitutional acts were set aside by the Supreme Court. The administration has establish the most vicious bureaucratic control system that has ever plagued this country, and their disregard for the Constitution in putting forth the regulations and directives have hindered the prosecution of the war and prevented the prosperity of the people of our country; they have put out of business hundreds of thousands of legitimate business institutions in the country. In reckless disregard of the Constitution and laws of the country, now the President and his "palace guards," in an effort, as they think, to insure the election of President Roosevelt for a fourth term and a continuation of this bureaucratic control, have taken the most vicious step yet by trying to force through the Congress this unconstitutional measure and force those in our armed services to receive and attempt to vote this bobtail blank ballot and limit our heroic defenders to voting merely for President, Vice President, United States Senators, and United States Representatives. This is another long, long step toward centralizing control not only of the business and the lives but of the elections of the people here in Washington. In my opinion if I should case my vote for this bobtail blank Federal ballot I would be violating my oath of office and doing incalculable harm to our defenders and the American people as a whole. While I have been standing by the veterans in all of our wars and their dependents in voting for their pensions, compensations, dependency benefits, and have never failed, President Roosevelt who now claims such great interest in our fighting men and women, as the records show and as the veterans and their dependents know, has shown the least sympathy for them of any man who has ever occupied the Presidential office.

WHY DENY SERVICE MEN AND WOMEN STATE BALLOTS?

Before we deny a legal complete ballot for our absent service men and women there should be submitted compelling reasons. I wish to say here that the Governors of practically all of the States of the Union has recently indicated the willingness of the officers and people of their respective States to make such changes in their laws as is possible within the provisions of the Federal and State Constitutions and to cooperate in every way possible in getting the ballots to those absent in our armed forces. Can anyone think for a moment that the people of New York, California, Kentucky, or any other State will fail to cooperate to the fullest extent in providing ballots for those who are defending us on land, sea, and in the air? Are not our Governors and other State officials just as anxious for our fighting men and women to vote as are President Roosevelt and the "palace guard"? Should the officials of any one of the 48 States fail to cooperate fully, they would be driven from public office and have the scorn of the people.

The Federal Government has never carried on an election, as it could not do so under the Constitution. The States have performed this service. They have the experience and machinery to do so. The Worley bill does not propose to give any greater or higher rights to voters than the committee of State ballot bill. The Worley bobtailed blank-ballot bill and the committee State ballot bill provide that the Army and Navy and other facilities of the Federal Government shall be used in transmitting in proper time cards to each voter in our armed services on which he or she makes a request for a ballot to the State authorities under the committee State ballot bill. A ballot is at once mailed to the absent voter to his address in the service, with a return envelope, etc., with all postage free and marked "War Ballot." Under the committee bill the soldier or sailor marks his ballot, makes the necessary oath, and mails it back to the Secretary of State of their respective States and the Secretary of State in turn transmits it to the election officers in the various counties. The War and Navy Departments are authorized to use any and all of their facilities to take the ballots to the soldiers and sailors and to return them. Mr. WORLEY, while preferring the State ballot, and some others express the fear that these ballots will not reach the voters and be returned in time for the election.

We are told that the weight would be too great. Of course, all of these bal-

lots to the North Atlantic and the Mediterranean areas, as well as Alaska, could be carried in ships. We have about 20,000,000 tons of cargo ships. Lst year we built 85,000 planes and we expect to put out at least 120,000 this year. The average State ballot, with the names of all the parties and all the candidates on it, both Federal, State, district, county and city with instructions, will weigh about six-tenths of an ounce. A full page of the big New York Times weighs less than six-tenths of an ounce. There would be no reason to have a ballot larger than a full page of the New York Times. There will not be more than 8,000,000 men and women in our armed services overseas, including Army, Navy, Marine, Air, and all. This committee State ballot to go to 8,000,000 men and women would weigh 150 tons. There will be no need of using ships and planes to get the ballots to several million of our armed forces here in the United States, but if we should send ballots to twelve million, and that more than covers all the men and women in our armed services, their ballots would weigh approximately 225 tons. Some experienced men, such as our colleague Mr. BROWN, formerly secretary of state of Ohio whose business it was to handle the ballots, fix the top limit at 240 tons for 12,000,000 ballots. How can anyone contend that these ballots could not be carried to our armed services and returned by air. Packages sent to our armed forces last Christmas in a brief period of time of a few weeks totaled 40,000 tons. Fourteen thousand tons cleared through New York alone and, at the same time, there was carried to our armed forces 20,000,000 pieces of mail.

We have millions in our armed services who are less than 21 years of age. I know of no State that permits anyone to vote less than 21 years of age, and they would not have the right to vote under the Worley bobtailed blank Federal ballot bill. So far as I am concerned, I should like to see every citizen who is old enough to carry a gun and has been inducted into our armed services have the right to vote. I feel that if they are old enough to fight they are old enough to vote and to have an opportunity to vote a complete full legal ballot for Federal, State, district, county, and city officials.

KENTUCKY CONSTITUTION

Section 147 of the Kentucky Constitution provides in part: "All elections by the people shall be by secret official ballot, furnished by public authority to the voters at the polls, and marked by each voter in private at the polls, and then and there deposited." It can be seen at once that this section of the Constitution of Kentucky provides that the State must furnish an official ballot to each voter and that each voter must cast his ballot in secret and in person. There can be no absentee voting in Kentucky, I regret to say. No voter in Kentucky is authorized, under its constitution, to vote a bobtailed blank Federal ballot. The ballot in Kentucky must be certified as official and must contain the names of the political parties and the names of each candidate, including the names of the 11 candidates for electors running on each of the party tickets. Therefore, this bobtailed blank ballot violates the Federal Constitution as well as the State Constitution of Kentucky.

I recently had a telegram and talked in person with the very able, distinguished attorney general of Kentucky, Judge Dummit, and he advises that there is no way under the Constitution of Kentucky to vote an absentee ballot. The voter must appear in person in his precinct, vote in secret, and deposit his ballot in the ballot box, and he could not use any ballot under the Constitution of Kentucky except a ballot certified as official by the proper authorities. This constitutional provision is no fault of mine or the Republican Party in Kentucky. The Democrats had control of the State and wrote this provision into the State constitution. Later on under a Republican Governor an act was passed by the Kentucky Legislature permitting absentee voting. The constitutionality of this act was considered by Kentucky's highest court and it decided that the act was unconstitutional and that there could be no absentee voting in Kentucky. The Federal ballot bill would be a fraud.

Now Mr. WORLEY, and those associated with him, provide in the Worley bill that if the bobtailed blank ballot was provided for those of our armed forces in Kentucky and they should vote such a ballot as absentee voters, these ballots would be returned to the election officers and commissioners, and that under his bill these officers and election commissioners, and that under his bill these officers and election commissioners must pass on the legality of these ballots under the constitution and State laws. It is very clear that even under the Worley bill that such ballots would not be legal and valid.

I am also indebted to the suggestions of our former very able and distinguished attorney general, who later served for many years as United States district judge but resigned to again enter the practice of law, for his opinion and suggestions on these matters. He and our present attorney general agree as to the Federal and State Constitutions that I have spoken of, in that an absentee voter could not vote this bobtailed blank Federal ballot, proposed in the Worley bill.

Governor Willis and the Kentucky legislature will, I know, do everything within their power to change any laws or regulations to afford those in the armed services the right to vote if it is at all possible to do so. If we provide for a State ballot with the names of the parties and nominees on it, the nominations will be made and the candidates will be available in plenty of time to send the usual and regular official State ballot to those in our armed forces thoughout the world. I trust that this procedure may be followed and that those in our armed services may vote and I am further hopeful that no question may be raised and that these votes may be counted. Under our present primary laws there will be more than 90 days from date of our primary until the regular election. The legislature could set our primaries earlier and give even a longer time. The longest time required to get our ballots to the armed services and return requires not more than 46 days.

THE PRESIDENT'S MESSAGE

It should not be designated as the message of President Roosevelt, it was the message of Hon. Franklin D. Roosevelt, candidate for a fourth term. He denounced the Congress and charged that in bringing out the State ballot bill under the rules of the House, that the Members were undertaking to dodge and were afraid to stand up and be counted. This was not an unusual rule. The bill was brought up under the usual and regular rule of the House, as has been done through all the history of the House of Representatives. It went further than the usual rule, it not only made the committee bill S. 1285 in order, but it also made the Worley bill in order, it gave the Worley bill a chance to be considered and voted on. At the end of the debate on the rule, a record vote was taken. The vote was 233 to 160 to adopt the motion for the previous question. The Members were willing to stand up and be counted, but only 160 were in favor of the President's proposition when his party has a majority in the House. Then came up the question of the adoption or rejection of the rule that the President denounced. It was overwhelmningly adopted by a voice vote. Mr. Roosevelt's supporters in the House could have demanded and gotten a record vote on that, but they knew that the House would overwhelmningly adopt the rule and they did not ask for a record vote. The Worley "bobtail" blank Federal bill is to be offered as a substitute to the committee State ballot bill, and if a majority of the Members vote in favor of substituting the Worley bill, and the friends of that bill desire a record vote, they can get it, but I am inclined to think that the Worley substitute will be defeated, and that the committee State ballot bill will be approved, and either group in the House can demand and get a record vote, and no doubt there will be a record vote.

The Members of the House have shown no inclination to dodge a record vote. More than a hundred Members have and will make speeches on these bills. I went on record and was one of the 233. I am speaking my honest sentiments on this bill, and I am willing to go on record, and I sincerely trust there may be a roll call showing whether we favor or are opposed to the State ballot bill. State ballots of all the States in the Union containing the names of all the political parties and the candidates for Federal, State, county, and city officers, with instructions, will not weigh more than 240 tons, and I know that these can be, with the facilities of the Army, Navy, merchant marine, postal, and other transportation facilities, delivered to our men and women, and they can vote their ballots and have them returned in ample time to be counted, but the Worley folks say that we want to send these "bobtail" blank Federal ballots and also send State ballots, which would almost double the

work and trouble. Let them have the regular, usual, and official State ballot with the names of all the parties and all the candidates on them. So far as I am concerned, I would favor them having a Federal ballot, in proper form, sent to those in our armed forces where a State ballot cannot be furnished. It certainly is an easy matter to get these ballots to those in our armed forces in the continental United States.

Mr. LECOMPTE. Mr. Chairman, I yield 6 minutes to the gentleman from California [Mr. GEARHART].

Mr. GEARHART. Mr. Chairman, a moment ago the gentleman from North Carolina [Mr. COOLEY] said, "What specific provision of the Constitution of the United States renders the Worley bill unconstitutional?"

Mr. COOLEY. Mr. Chairman, will the gentleman yield? The gentleman has misquoted me.

Mr. GEARHART. Then I shall ask that my reference to the gentleman from North Carolina be stricken out and try to get another start. I do not want to devote any of my precious 6 minutes to the ascertainment of just what the distinguished gentleman said. The subject is all that is important.

I think I can say without challenge that other speakers have risen in this Chamber who have raised the question, What particular provision of the Federal Constitution renders the Worley bill unconstitutional? It is to that question I desire to address myself.

First of all, I wish to point to the Worley bill itself and call the attention of the Members to the fact that it is purposed to authorize the soldier or sailor to vote for the candidates for but four offices; that is, for President, for Vice President, for United States Senator, and for Representative in the United States Congress.

The constitutional provisions controlling the election of those officials are two in number. The election of Representatives and Senators is covered by section 4 of article I, and it reads as follows:

> The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

That would seem at first blush and first reading to confer upon the Congress the jurisdiction to change the manner of electing Representatives and Senators, but rather than waste my few minutes in discussing and distinguishing that section I am going to pass to that section which controls the election of the President of the United States, because that is so plain in its implications that no fair-minded person can after carefully weighing the plain import of the words dispute the fact and the assertion that this ballot is utterly unconstitutional insofar as these offices are concerned. This time I read a portion of section 1 of article II. The part I read, the only part in that section which relates to the present issue, is this:

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress.

Mr. Chairman, it is the State legislatures that prescribe the manner in which the electors of the State shall be appointed. The Worley bill would attempt the unconstitutional and impossible feat of determining the manner of the election of electors, in a Federal ballot, in the very face of the plain letter of the Constitution of the United States.

Every one of you knows enough of the fundamentals that underlie the constitional theory of our country to know that the Federal Government is an organization to which delegated powers alone are given. The Federal Government has only such powers as are delegated to it, and those powers which are necessarily inferred therefrom. Ultimate power rests with the people themselves. A State constitution differs from the Federal Constitution in this very precise particular. The State constitution is a limitation upon power.

The power of controlling the manner of the election of electors is not delegated to the Federal Government, nor can it be inferred from any power that is delegated, for the simple reason that the Federal Constitution contains an express reservation of that power unto the States.

In my State we had so close an election at one time, in 1912, I think it was, that Theodore Roosevelt won 11 of the electors and Woodrow Wilson 2. Do you think the Congress can tell California or any other State the manner in which it shall appoint its electors? If it can, then, indeed, it is not possible, even in the Federal Constitution to reserve anything unto the State. Here are some 24 out of our 48 States that still require its citizens to vote for electors, some in blocks, some individually, some by party circle, some by requiring a cross after each name. In all probability there are not 2 out of our 48 States that appoint their Presidential electors in precisely the same way.

Let us keep our oath to uphold the Constitution of the United States. Let us preserve unto the States their right to appoint their electors in whatever manner that each State shall determine. If we, in accordance with our oaths, ever intend to begin to defend the Constitution, that time is now. It may be too late.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. WORLEY. Mr. Chairman, I yield to the gentleman from Idaho [Mr. WHITE] such time as he may desire.

Mr. WHITE. Mr. Chairman, the Congress is dealing with one of the most vital and fundamental issues affecting the stability of our form of government, the right of suffrage of the citizens of this country. The very future of both our great political parties depends in large measure on the way this issue is settled at this time.

Let me present for the consideration of the House an analysis of the issues by one of the leading commentators, Mr. Gould Lincoln, appearing in a local paper. It reads as follows:

> The fight in Congress is not over giving the soldiers a vote. It is being waged over the kind of ballot that is to be given them. The contention is made by the administration forces that it must be a Federal ballot—something never before advanced in this country—since the distribution of the regular State ballots would be impracticable.
>
> The antiadministration forces, on the other hand, insist that the State ballot alone is constitutional, since the Constitution leaves the control of elections to the States. They do not admit that the State ballots cannot be distributed to the men overseas and in this country. In support of this latter contention they point out that 5,000,000 State ballots, estimated to weight 300 tons, will have to be delivered overseas. They say that 20,000,000 Christmas packages, weighing 40,000 tons, were distributed to the soldiers. Furthermore, they insist that if the State ballot is the only available ballot the Government will see that it is delivered and returned in time.
>
> There is must to be said for the State ballot and against the Federal ballot. In the first place, the State ballot is constitutional. If the Federal ballot is adhered to, the count of the ballots in some States, particularly if the soldier vote is the controlling vote, will be thrown into the courts, and the election of a President, Vice President, and a Congress may be hopelessly tied into a knot. Further, if a Federal ballot for the election of President and Members of Congress is authorized for wartime purposes, it will create a precedent that may be followed in the future for peacetime elections. Indeed, one Member of Congress already has said he believes the Federal control of such elections should be extended. Senator GEORGE of Georgia, on the other hand, has said:
>
> "Extending Federal power over elections would be a dangerous thing to do in this country. I do not know of a better way of creating a dictatorship. There may be a better way, but none occurs to me immediately."
>
> Yet the appeal to assure a vote to the men who are fighting for their country is very strong—so strong as to convince some of the legislators that the end justifies the means, even though the means is contrary to the Constitution.
>
> The Republicans in Congress knew that if they opposed the original Green-Lucas bill for the Federal ballot they would be accused of trying to deny votes to the soldiers. That has happened. They had to decide whether to oppose that measure, which placed the whole machinery of soldier voting in the hands of the administration. Most of them did oppose the bill, along with constitutionally minded Democrats. The consequence is that the original bill has been greatly modified. The Federal ballots under the new bill are to be sent back to the States and the State officials will have the final say as to whether they are valid and are to be counted. In some degree, a compromise already has been forced. It may be that a still further compromise will be adopted, forcing the use of State ballots wherever possible.
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> The vote of 10,000,000 men in the armed forces is the big prize over which both major parties will struggle from now on.

Mr. WORLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, during this debate I have heard several Members say that they favored the State ballot. Well, I favor the State ballot myself and yet I am supporting the Worley bill. Why should not all of us favor the State ballot as a general proposition? Whether we are constitutional

lawyers or not we all know that most authority with regard to elections is lodged with the States. Under ordinary conditions I do not know that Congress has much to say about the election of any officials other than the Members of the two bodies which make up the Congress.

As I understand the Worley bill it contemplates that many, if not most, of the States will act so as to change their election laws and make it possible for members of our armed forces wherever they may be throughout the world to vote in this year's election. This is to be done jointly and cooperatively. As I gather from the author of the Worley bill it is the hope that all States, where such election law changes need to be made toward that end, will make them and that it is the purpose of his bill to encourage use of a State ballot and to extend a short ballot for use only by the voters from those States which have not made the necessary changes.

Some States, like Arizona, have long had provision for absentee voting. I assume there were at least a hundred ballots from this city cast in Arizona in the elections of 1938. I suppose most of them went by mail, whether air mail or regular mail, I do not know. Because Uncle Sam carried those ballots from Washington to Arizona in peacetime I did not hear anyone question the validity of those ballots nor complain of Federal interference in State election matters. As I see the Worley bill it merely enlarges upon the Federal Government's function in time of war which the Federal postal officials have done on a much smaller scale in times of peace. There is not much difference excepting in degree. In this global war situation it is far more difficult to help the States in their elections.

I think any proper legislation by Congress touching on election matters ought to be of such a nature as to help get State ballots to the voters whom the Federal Government has sent far away and also to get those ballots back to the proper State or local officials in such a way as to permit the greatest number of voters in the armed forces to cast a full vote.

The ordinary mail cannot be depended upon in this most unusual situation. That is where cooperation is necessary in which the States, including Arizona, have either already acted or indicated their willingness to act in the closest cooperation. This is best done through the Worley bill.

I cannot be so hopeful as to expect every one of the 48 States to make all such necessary changes as will make it possible for all voters in uniform to vote by having our military forces merely transport the ballots. I am assuming that some State or States will not make the requisite changes in their ballot laws for their voters to cast an effective ballot. Right there is where the Worley bill comes in with an overall provision of a general ballot, which ballot is not to be counted if the State ballot has been made available.

THE FEDERAL BALLOT IS SUPPLEMENTAL

Of course, some contend that such a general ballot would be unconstitutional if it in any way pertained to President or Vice President on the ground that Presidential electors are State officials. That is getting things down to a pretty fine point. The Worley ballot provides that the soldier from Arizona in a fox hole does not need to write in the names of the eight Presidential electors named by the Republican Party, or the eight by the Democratic Party in the State of Arizona if he has been long away from Arizona, but provides that he may indicate which of those two political parties he favors. He might not even know over there in his fox hole on the other side of the world what two men the two leading political parties have nominated for the office of President. I grant you that such a short ballot is not all that we could desire.

I presume there are some States that do not even permit the printing of the name of the Presidential candidates or even of the party which nominated them on the ballots. In such States the Worley ballot probably would be illegal, unless the State saw fit to change the law in this respect. If the State having any such prohibition on what may be printed, or not printed, or written on the official ballot, does not make the changes necessary to accept the Worley ballot, the election officials in that State still maintain control and have the power to reject such ballots. Oh, you say, that would be working a deception on the voter. Yes; but remember that that is true only in cases where the long State ballot has not been made available by the State and the Army to the voter in the fox hole. As a practical proposition Presidential electors will be nominated and placed on the ballot in each State by each party and the most that the Worley bill does is to permit the soldier in any part of the world, who has not been supplied with more on the ballot by his State, to at least indicate the officials of whichever party he supports. It occurs to me that under the circumstances this is about the least Congress can extend the defenders of our country if their States have not fully cooperated.

Mr. WORLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Missouri [Mr. ZIMMERMAN].

Mr. ZIMMERMAN. Mr. Chairman, I strongly favor the so-called Worley bill and shall vote for it when it is offered, as I understand it will be, as a substitute to the committee bill which we have under consideration today.

As I read and understand these bills, the Worley bill will give our soldiers and sailors as full an opportunity to vote for State and local officers as the committee bill. During the general debate on this bill I have heard no one dispute this statement. On the other hand, the Worley bill goes one step further and provides for a universal Federal ballot or a war ballot which will make it possible for our boys on the fighting front to at least vote for President, Vice President, and Members of Congress, even though they may not be privileged to vote a ballot from their respective States.

We all know from past experience that comparatively few of our men in the service will be able to get a State ballot in time to comply with the requirements of the absentee voting law in the 48 different States, as provided for in both bills.

Consequently, Mr. Chairman, I cannot understand the opposition that has been and is being made to the consideration and passage of the Worley bill.

The serious question before us today is simply this: Do we honestly and seriously want our boys on the far-flung battle fronts to have a fair chance to vote at the coming election?

Mr. Chairman, I want every soldier, sailor, WAC, and WAVE to have that opportunity and right, and the fathers and mothers of these boys and girls want them to have that opportunity and right. It is my solemn conviction that the Worley bill alone will give them this opportunity and right. That is the opinion of the Secretary of War and the Secretary of the Navy and those who will be charged with the responsibility of getting these ballots to our armed forces scattered over the world today.

Mr. Chairman, there has been much said during this debate about the unconstitutionality of the Worley bill, and, strange as it may seem, by some who would not admit privately that they are constitutional lawyers or that they ever made a technical study of that subject. That question cannot be decided by this body today or at any other time, and I for one will not be deterred in the performance of the duty which I owe to our boys and girls in the armed forces by this constitutional bugaboo or spectre which has been raised and emphasized on this floor during this debate.

The American people will not be satisfied with this excuse for our failure to pass an honest-to-goodness soldier-vote bill. They demand and expect us to pass a bill which will make it easy for our men and women to vote and to make it certain that these votes will be counted as cast.

In 1942 we passed the Sailors' and Soldiers' Civil Relief Act—an act to protect the civil rights of our boys while in the country's service, and no one seriously questioned the constitutionality of that act. We passed it as a war measure, deemed necessary to sustain the morale of our boys while they were fighting and dying for their country. We passed this act under the wartime power given to Congress under our Constitution. The preservation of the rights of our fighting men to have a voice in the selection of our representatives while they are away from home on the fighting fronts is as necessary to sustain their morale as to protect their property rights back home while they are away. I do not believe that we will violate any constitutional principle in passing the Worley bill and giving to our boys a universal Federal ballot. If we fail to do this, we will, in

my opinion, deserve the condemnation not only of the people here at home but of these boys who are fighting and dying at this very moment for our country and our flag.

Mr. WORLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Chairman, I favor the committee bill and oppose the Worley bill, as I opposed Public Law 712 approved September 16, 1942, as unconstitutional and as an invasion of the rights of States. Senate 1285 as amended, and I think improved, by the Committee on Elections in the House, provides for cooperation with the States in enabling members of the armed forces to cast absentee ballots.

The Secretary of War and the Secretary of the Navy are directed to expedite the transmission, delivery, and return of absentee ballots.

The bill provides for voting for Federal, State, and local officials. It gives to the members of the armed forces the same privileges of franchise accorded to other citizens.

The States are urged to make changes in existing laws so as to make the ballots available 45 days before the general election of 1944, and the States are urged to waive registration where the members of the armed forces have been deprived of the opportunity to register and where they are otherwise qualified.

I favor this bill. I advocate giving members of the armed forces the privilege of voting just as I have always favored giving other citizens absent during elections an opportunity to vote.

Suffrage is a privilege, and not a right, and it may be granted or withheld by the States. The Federal Government is without power or authority to prescribe or to eliminate the qualifications for voters in Federal elections and most certainly in State and local elections.

During the Seventy-seventh Congress there was much agitation for a Federal anti-poll-tax bill, and during the agitation Congress passed, and the President approved on September 16, 1942, Public Law 712 to provide a method of voting by members of the armed forces. That act undertook to eliminate the payment of a poll tax as a condition for voting, and also undertook to eliminate registration. I opposed the passage of the act as unconstitutional and in violation of the rights of the States. I predicted it would be ineffective. Time has vindicated the position I took. Notwithstanding the fact there were millions of men in the armed forces, only some 28,000 soldier votes were cast in the general election of 1942.

I opposed the bill not only as unconstitutional in invading the rights of the States to require registration and the payment of a poll tax, but I maintained then, as I maintain now, as a general rule Congress is without any power or authority in primary elections, except to cooperate with the States.

The pending bill is supplemental to the said act of September 16, 1942, and repeals only section 3 of that act, leaving the remainder of the act in effect. The said section 3 provided for applications for official war ballots. The provisions of the pending bill with respect to applications are substitutes for said section 3 which is repealed.

WORLEY OR SUBSTITUTE BILL (H. R. 3982)

H. R. 3982 will be proposed as a substitute for the pending bill. It provides for ballots for Presidents, Senators, and Representatives. The ballots are called short ballots. The purpose is to enable members of the armed forces to vote for Federal officers. At the same time provision is made for transmitting State and local ballots. The short ballot may be accompanied by the State ballot. The so-called Worley bill distinctly states that ballots for President, Vice President, and Representatives shall be subject to sections 1 and 2 of said public law approved September 16, 1942. These sections provide for the elimination of registration and the elimination of the Federal poll tax, as I have stated.

The chief defects, therefore, of the Worley bill are the unconstitutional provisions for the waiver of registration and the payment of poll taxes. I assert that such provisions are unconstitutional because only the States can waive the poll tax and registration. Mississippi, among other States, has waived the poll tax in primary elections and all other taxes in general elections, and I am agreeable to the State waiving the poll tax in general elections for armed forces, but that is a matter for the States. The Federal Government is without jurisdiction or authority. The legislatures are just as patriotic as Congress. The States are as anxious to provide for voters as the Federal Government. There are Federal powers and there are State powers. The State cannot invade the powers of the Federal Government, and the Federal Government should not invade the powers of the States. If some qualifications for voting may be set aside by Congress under the guise of being a war measure, other qualifications can be eliminated. I opposed the act of September 16, 1942, as unconstitutional, and I oppose the Worley substitute as being unconstitutional.

TWO BALLOTS

I believe that members of the armed forces should have the right to vote not only for President but for constable. I believe they should have the right to vote for Federal and State officers. I advocate one ballot for the citizen at home and one ballot for the member of the armed forces. If there are two ballots, there may be confusion. The soldier would have to possess the qualifications required by the State laws for voting for State and local officers, and he might be under the impression that it would not be necessary for him to have the same qualifications in voting for Federal officers.

The Worley bill will result in confusion. It may result in contests. The members of the armed forces are thinking of fighting. Theirs are problems of war. They know that citizens at home have problems of government. The citizens depend upon the soldiers and the soldiers depend upon the citizens.

WAR POWERS

As I have stated, Public, 712, to provide for members of the armed forces voting passed in 1942, was passed when there was a great agitation for Federal legislation to prevent States from levying a poll tax as a qualification for voting. The arguments for and against the soldier voting bill were largely confined to the constitutional questions involved. The advocates of the bill maintained that in Federal elections Congress had the right to eliminate registration and poll taxes as a prerequisite for voting. The opponents asserted that Congress had no such power. I participated in the debates. I made rather extensive arguments covering the unconstitutionality of the soldier voting bill as passed, and my arguments may be found in the CONGRESSIONAL RECORD of July 23, 1942. I made arguments in opposition to the Federal poll tax bill as passed by the House in 1942. I have not changed my views about the unconstitutionality of the acts. I do not recall that the advocates or proponents of the acts asserted that they were passed under the war powers acts or either of them. It is now stated that under the war powers acts Congress has the power to suspend registration and the payment of the poll tax as qualifications for voting in Federal elections. It is easy to make a statement, but I challenge the proponents to point out any provision or authority of the war powers acts that authorizes the elimination of either the poll tax or registration. The war powers acts do confer war powers upon the Chief Executive, but they do not suspend State functions or supersede State constitutions or the Federal Constitution except as authorized by the Federal Constitution and except as provided in the acts. I know of no provision of the war powers acts which authorizes Congress to eliminate registration and the payment of poll tax as qualifications for voters.

ELECTIONS IN PEACE AND WAR

If the States are vested with powers in elections in peace, and if State legislatures prescribe qualifications for voters, both Federal and State, in time of peace, I know of no good reason why the States and the State legislatures should not continue to provide for qualifications of voters in times of war. Citizens of the United States are also citizens of the States. The legislatures are as patriotic as Congress.

It may be that in two or three States of the Union there are constitutional provisions that cannot be repealed quickly. Such a situation however should cause the States having such provisions to initiate promptly provisions for repeal. The constitutions are never changed until the emergency arises. If World War No. 2 is not a sufficient emergency to cause States to repeal constitutional provisions that do not fit into world wars, it is the fault of the States and of the State legislatures and not the fault of the United States or of the Congress.

FUNCTIONS OF THE STATE

The War Powers Acts, as I have indicated, do not repeal or supersede the constitutions and statutes of the States except as specifically provided and authorized. In both war and peace the Federal Government and the State governments have their functions. In war, the functions of the States, except as otherwise provided in the Federal Constitution and as authorized by Congress, obtain.

If our soldiers are dying for their country, surely our citizens should live for their country, and they can best live for their country by insisting that all laws be constitutional.

TRUE TO FORM

Punitive legislation with respect to elections followed the war between the States. One measure after another was passed by Congress. Many of these measures were declared unconstitutional. While passed primarily in an effort to supervise elections in the South, the provisions were applicable to all of the States. Many other States outside of the South realized that their elections were being supervised. The chickens came home to roost. Substantially all of the legislation was finally repealed some 45 years ago.

The soldiers' voting bill, passed in 1942, as I have emphasized, undertook to repeal the poll-tax qualifications and the provisions for registration. It is a source of satisfaction to me that many Representatives who supported that bill are now advocating the passage of the pending bill. While the pending bill does not in so many words repeal sections 1 and 2 of said Public Law 712, the pending bill nullifies the provisions eliminating registration and the payment of the poll tax.

It emphasizes that qualifications for voters in both war and peace are for the States and that all efforts to interfere with the constitutional rights of the States rebound to the detriment of those who advocate questionable and unconstitutional control under the guise of providing for voting in Federal elections.

It has been said that under the general welfare clause of the Constitution Congress may eliminate the qualifications of voters. The answer is that under other provisions of the Constitution the qualifications of voters is for the States. The welfare clause, therefore, is to be construed in the light of the other provisions of the Constitution, and when so construed it does not justify Federal legislation with respect to the qualification of voters.

Again, the general welfare clause has been confused with the provisions of the Constitution for waging war and for national defense. These are the provisions that are primarily applicable to war. There is nothing inconsistent with the other provisions of the Constitution relating to the qualifications of voters for Federal offices.

As I have indicated, there is no provision or authorization in either of the so-called war-powers acts authorizing Congress to provide for Federal elections or the qualifications of those members of the armed forces participating in Federal elections. War-powers acts can only be passed under the Constitution, and there is no provision of the Constitution that would authorize Congress to pass any war-power act to suspend or nullify other provisions of the Constitution leaving to the States the qualifications of electors in war as well as in peace.

The right to vote is not only sacred, but it is a safeguard. Franchise as a function of the States is one of the safeguards, as was announced by the Supreme Court of the United States in the case of *Ex parte Milligan* (71 U. S. 125) involving the construction of a statute passed during the War between the States, which neither the President, the Congress, nor the judiciary can disturb.

Mr. WORLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, I rise in support of the amendment of the gentleman from Texas [Mr. WORLEY] because I believe some type of Federal action is necessary if the members of our armed forces are extended their right to vote. I believe that every help should be given the States in the delivery and collection of their regular absentee ballots, but as a practical matter I realize that less than 20 percent of our armed personnel will be able to vote if we depend on the compliance of the voter with the 48 confusing and different State laws. The Worley bill provides for all practical help to be given by the Federal services to the States in the furtherance of State ballot circulation in title II of the bill.

In addition thereto it provides for the uniform Federal ballot, which can be used by any member of the armed forces regardless of his home address or particular sectional candidate. The distribution and collection of these ballots therefore can be made without the necessity of finding the particular addressee. Other provisions so facilitate the practicability of this Federal ballot that it seems to me the safest assurance available for majority suffrage. I realize that the old smoke screen of States' rights has been raised, but we who earnestly desire that every one of our heroic boys and girls have the right and privilege of voting are not alarmed. We deny that States' rights are involved because the local State election boards are clearly given the final endorsement of the cast ballot's validity.

IMPOSSIBLE FOR ABSENTEE VOTERS TO COMPLY WITH RESPECTIVE STATE LAWS

One of the greatest privileges of a democracy is the right of suffrage—the right of the individuals to choose by the ballot their public servants, their lawmakers, and their law-enforcement officials. The Constitution has for over a hundred and twenty-six years allowed the States to set up the times, places, and qualifications of the electors. The 48 States have 48 different sets of laws in regard to voting. They vary in the extent to which they extend the privilege and right of voting to their respective electors. Many of the States' requirements are so severe that for all practical purposes absentee voting is impossible. Especially is this so when global distances and time limits are complied with or considered. These factors and many others which space does not permit me to inscribe will prevent the members of our armed forces from voting if the matter is left to the action of the 48 States. As I see it, several imperatives exist:

FEDERAL AND STATE COOPERATION IMPERATIVE

(a) A uniform Federal ballot, approved by Federal law;

(b) Full cooperation of our Federal military facilities and personnel in, first, transportation and distribution of ballots; second, operation of polls; and third, collection and returning of the cast ballots to their respective States.

Here the Federal cooperation ceases and the States distribute to their respective election boards the sealed ballots. The local precinct election boards then perform their usual services of counting, tabulating, and certifying the results.

Thus you have joint action of the Federal and State authorities. The spirit of democratic suffrage has been maintained. The States, if they wish, could call their respective legislatures into special session for the purpose of approving, under emergency war powers, the action of the Federal Government's plan for a uniform war ballot. States' rights would be protected and at the same time we as a grateful Nation would set an example of democracy in action, an example of a democracy zealous of the rights of 11,000,000 men and women to cast their vote, even in times of war. This action would prove to those men and women in our armed forces that the people they fight for have faith in the ability of a constitutional democracy to function even under great difficulties. It would be the greatest of psychological blows in behalf of the disenfranchised people of the Axis Nations, and it would be a beacon of light to the millions of common people throughout the world who, we are hoping, some day will institute constitutional democracy.

Mr. WORLEY. Mr. Chairman, I yield 5 minutes to the gentleman from North Dakota [Mr. BURDICK].

Mr. BURDICK. Mr. Chairman, I respect the opinion of anyone in this Congress. Whenever you take a position on any measure, that settles it with me. Some of the best friends I have in this Congress never vote the way I do. But I remember what Lincoln said:

> I am not bound to win, I am not bound to be right, but I am bound to live up to what light I have. I am bound to stand with anyone who is right. I am bound to stand with him while he is right, and part company with him when he goes wrong.

I do not see any occasion for any political difference on this kind of bill. I presume both sides of this Chamber have held meetings and caucuses on this very important question, but I assure you that I was not at any of them. I do not regard this as a party measure at all.

Suppose the armed forces in a certain sector, as they are actually fighting today,

would say, "Now, we refuse to advance any farther because it might react to the credit of a general who happens to be a Republican." Suppose the left wing would do the same thing and say, "We do not want to advance too far because it might be a credit to a fellow who is a Democrat." There is no such politics in the Army and there should not be any party politics here on this question.

I was just wondering what are the arguments on this bill that we hear around here that do not seem to get into the well of the House. A lot of people have expressed their opinion to me that they are afraid too many soldiers will vote for Roosevelt. In the first place, I do not know whether he is going to be a candidate. In the second place, I do not know whom they will vote for. I think I know thousands of voters in North Dakota who are in the armed forces—I mean that, thousands of them, personally known—and I do not know how a single one is going to vote and I do not care how he is going to vote. The only thing I want them to have is a chance to vote, if that is possible. There is one good thing about this bill. It does not do anything. Most bills are vicious, but I say this bill is harmless. You do not enact anything in this bill, but you recommend, and if recommendations are the measure of a bill then this bill is a strong bill, because you have recommended nine times and have not said anything. You have just passed it right back to the States, and if the States act, then you set up the machinery to attempt to help them out.

A lot of people around the lobbies say that if we pass the Worley bill, that somebody will contest the constitutionality of it in the courts, and that the courts will keep this matter for months, and there will be great uncertainty. Further, that the courts are not beyond control, and the whole election will be thrown out and the President will remain as President again. Suppose I get 50,000 votes majority for Congress, and there are 40,000 soldiers who vote, and suppose their votes are thrown out as illegal. I would still be elected. Every lawyer here who has ever had a contest knows that all the courts will ever do is to throw out the illegal votes. I would still be elected. Suppose I had 10,000 majority, and it appeared that 30,000 soldiers voted for me, and they threw out the 30,000 votes, I would be defeated, but that would not do what you say it would do; that is, bring about chaos. We are taking ourselves too seriously about that chaos in America—that it will be created because one of us would not be reelected. There is more probability that there will be chaos if we are all elected again.

Here is another thing. They first say that it is a dangerous thing to let the President handle these ballots, and let the Army officers handle them, for in that way maybe by some hook or crook the President could steal the election. Do you suppose the officers, such as MacArthur, would help steal it also, as well as Eisenhower and Nimitz, and King and Marshall, and Clark and Halsey, and all the rest of them?

Mr. Chairman, I have confidence in the integrity and honesty of the men handling this administration. I believe they are honest. If I did not think so I would get up here and say so. I have confidence in the men running the Departments of the Navy and the Army and the officers in the field. If I did not have confidence I would say so.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. LECOMPTE. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. BURDICK. My position on this bill is this, that if the States can formulate legislation that will meet the situation, all right and good. I think North Dakota will do that. We have already performed a part that functions with the exception that we will not know who the candidates for State office are until 30 days before election. If you can send the ballots from North Dakota over to Burma or India or Africa, and get them back to North Dakota in 30 days, and record the votes, all right. I am in favor of the States running their own election laws, but I know just as you men know this afternoon that some of the States will not for one reason or another have that machinery ready for 1944. Some may not do it at all, and some not in time. So I think we should have an over-all law. What is wrong with an over-all law, that in cases where the States fail to conform to a program that will give the soldiers a vote?

Everyone here this afternoon talks about the Constitution. We have had it read to us four or five times. There is not a single right in that Constitution that runs full power during the period of war, and you know it. Everything is curtailed. Do you suppose the Government could go to the farmers in Maryland in time of peace, and say to a whole township, "get out, we want your land." You know the Government could not do that. In peacetime, condemnation proceedings would be required first, and the damage would be found. But in wartimes, the farmers are summarily put off and nothing said about damages. Remember that we can do some extraordinary things in time of war, so let these men vote, which I think you all want to do, but you disagree on how to do it. Do not refuse to do anything as you are doing in this, and do not pass all the responsibility back to the States. Pass the Worley amendment, and we shall have enacted a law that will guarantee the soldiers an opportunity to vote, in all cases where the various State laws are inadequate. The act before us is a meaningless document. It does nothing under the sun than pass the matter back to the States. Can we thus escape our obligation to 11,000,000 members of the armed forces? You Members may be able to explain this buck passing when the soldiers come home, but I confess I could not justify this action in my section of the United States.

The CHAIRMAN. The time of the gentleman from North Dakota has again expired.

Mr. LECOMPTE. Mr. Chairman, I now yield to the gentleman from New York [Mr. KILBURN].

Mr. KILBURN. Mr. Chairman, I think every Member of the House wants to have the men in the armed services vote. The question before us is how to best achieve that end. The so-called bobtail Federal ballot may not, in my opinion, be counted in many States. I have been informed that it would be held unconstitutional in New York State. The regular State ballot, which gives the service men and women an opportunity to vote for every office in his own election district, is, I acknowledge, more cumbersome and probably more difficult to distribute and collect, but the special State ballot commission set up by the State legislature and approved by Governor Dewey in April 1943, will insure a legal, full ballot for our New York State service men and women. It is a difficult question, but after studying the matter thoroughly, my judgment is that more of our service men and women will be able to cast a legal ballot, which will be counted, under the committee bill than under the Worley bill. For that reason I intend to support the committee bill after voting for any perfecting amendments which may come up.

I might add that I voted for the previous question on the rule, which was an open rule giving the majority of the House an opportunity to work its will. It was not a question of being afraid to stand up and be counted. I have just stated my position on the two bills.

Mr. LECOMPTE. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Chairman, much of the case that has been attempted to be made for the so-called Federal ballot has been based on the proposition that the States are not going to do the job necessary to be done. I think the President's message in large part proceeded upon that theory. Much of the literature that has been circulated, even at the inside doors of the House of Representatives, has proceeded upon that theory. Many of the articles that have been written by the commentators and the columnists proceed on that theory. They seem to take the position that the State governments are static, that they are incapable or unwilling to deal with this question.

The fact of the matter is that the telegrams placed in the CONGRESSIONAL RECORD of yesterday by the Senator from Virginia [Mr. BYRD] should be ample proof to anyone that the basis on which those arguments proceed is false.

In the list of telegrams that were included in the RECORD yesterday there was none to be found from my State of Indiana. Today I have checked with Senator BYRD and have had an opportunity to see the telegram received by him from the Honorable Henry F. Schricker, Governor of Indiana. Out in my State of Indiana we have a Democratic Governor and a Republican legislature. Here is the telegram from the Governor of Indiana in response to Senator BYRD's telegram:

We plan to call a special session of the general assembly for the purpose of amending our laws to facilitate soldier voting just as soon as Congress has disposed of this question.

What does that mean? That means that the sovereign State of Indiana is ready and willing to exercise all of its powers, powers that cannot be questioned, to facilitate soldier voting. It means that once we dispose of this matter here in the Congress, and I hope it can be disposed of quickly, the government of the State of Indiana will act. That means that every man and woman in the armed services from the State of Indiana will be given the right to vote and the opportunity to vote, and what is more, will be given the right and opportunity to vote not a short ballot, for just a few candidates, but a whole ballot, for all of the candidates who are running in our State, from Governor on down to township trustee. How can it be contended in the light of evidence such as that that the States are not ready and willing to act, and that they will not act? The contrary is the absolute truth, as indicated by the responses that have come in from the various States.

When the General Assembly of Indiana is in session for this purpose it will have before it the recommendations contained in this committee bill. The legislature can set the procedure that will definitely assure to the men and women in the services the right and opportunity to vote, and beyond that we are assured that they will see that the integrity of the ballot is maintained and the secrecy of the ballot is maintained. Also as a result of that State action, we will be sure that after the soldier has gone to the trouble of voting and sending his ballot back to his election precinct, that his vote will be counted. There will be no question about its being counted as he voted it and wanted it to be counted.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. WORLEY. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, I shall not denounce the Rankin bill or the committee bill as a fraud. The word "fraud" implies evil and unholy conduct and a degree of moral turpitude which I would not attribute to the supporters of that bill. It is not a fraud. It is only a harmless list of recommendations. The bill contains eight recommendations and one suggestion and that is about all that it does contain. Rather than go to the trouble to adopt and enact the Rankin bill we might as well just write a love letter to the 48 Governors and mail them a copy of the list of recommendations, and stop at that.

We have no right to dictate to the Governors of the several States, nor to the legislatures thereof. We cannot even by unanimous consent of this body ram a Federal ballot down the throats of the people of the several States and, fortunately, neither of the measures now under consideration attempts to accomplish any such purpose. Both of the measures under consideration are entirely harmless and should not cause any very great alarm. If the present election machinery, which is well-established throughout the Nation, is inadequate, it is the duty of the several States and not of Congress to perfect such machinery and make it, in all respects, adequate to meet the requirements of the present hour. These 48 States and this dual system of sovereignty under which our Government functions, are the citadels of freedom for which the members of our armed forces are fighting to preserve. All this talk about Congress providing the soldier and the other members of our armed forces with the right to vote, is misleading and fallacious. Every member of the armed forces, by virtue of his citizenship as an American, has a right to vote if he is eligible under the established law. The right to vote and to participate in the affairs of the Government is a right which was guaranteed to us and to all citizens of this Republic by the organic law of the land. We have no power to confer upon anyone the right to vote and, fortunately, neither of the bills under consideration attempts to confer any such right. This dual system of sovereignty under which our Government has functioned from the beginning, is the same system which was in existence in America when those of our armed forces left these shores to defend their Government and they have a right to find that same system and that same sovereignty in existence when they return.

Neither of the bills under consideration is even calculated to destroy States' rights and certainly neither of them could possibly impair such sovereignty.

The Worley bill, which has been so viciously attacked and ridiculed and denounced, only supplements the laws of the several States by providing for the transmission, at the expense of the Federal Government, of ballots to and from members of the armed forces in all the theaters of war and leaves it entirely to State officials to determine the validity of such ballots, and under section 9, subsection (a), we find this language:

Such ballots shall be canvassed, counted, and certified in such State by its proper boards in accordance with the laws of such State, in the same manner, as nearly as practicable, as ballots cast within its borders are canvassed, counted, and certified.

The Worley bill, in section 11, further provides, and I quote from the proviso at the end of the section:

That such provisions of Federal law shall not be applicable to anything done by a State, county, or local official or other individual, in connection with the counting, canvassing, or other handling of the ballots cast under the provisions of this title, after their receipt by the appropriate secretary of state.

The Worley bill, in section 21, seeks to assist soldiers in casting their votes for Federal, State, and local officials, and I quote this language from section 21:

In order to afford an opportunity for members of the armed forces to utilize State absentee-balloting procedures to the greatest extent possible, in voting for Federal, State, and local officials, the Secretaries of War and Navy shall cause to be printed an adequate number of post cards for use in accordance with the provisions of this title.

Section 21 also contains other provisions regarding the distribution of the post cards among members of the armed forces.

If these two measures are to be considered only as measures which confer upon members of the armed forces the right to vote, neither of them is worth a tinker's damn because neither of them attempts to confer any such right.

I am for the Worley bill because I believe that it is much better than the Rankin bill, which is nothing but a harmless list of recommendations, as I have said. I am for the Worley bill because it seeks to assist soldiers in exercising the right that they already have—to cast their votes for the candidate of their choice. I am anxious for every soldier and other members of the armed forces and for every citizen of this Republic to exercise fully all the rights and privilege of citizenship, and I am anxious to provide them with every assistance and aid in availing themselves of the opportunity to vote. I hope, therefore, that the Worley bill will be enacted and that the Army and Navy and other agencies of the Government will render every possible assistance to members of our armed forces in expressing themselves by voting in the coming election.

[Here the gavel fell.]

Mr. LECOMPTE. Mr. Chairman, I yield to the gentleman from Washington [Mr. HORAN] such time as he may desire.

Mr. HORAN. Mr. Chairman, I favor the committee bill and I ask unanimous consent to revise and extend my remarks at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HORAN. Mr. Chairman, I have an abiding faith that democracy finds its life and entire inspiration in local self-government. The power and spirit of State and Federal Government is dependent upon the faith of our voters in their local governments. The fundamental function of the citizen is to vote wisely, not only in Federal but in State and local elections also.

To abridge the voter's ballot is to adulterate his franchise and deny him participation also in State and local government. The committee bill would provide every soldier who wishes with a full and unabridged ballot. I feel that I would be delinquent in my duty to those in the service whom I represent if I did not protect them in their full right of franchise.

Mr. LECOMPTE. Mr. Chairman, I yield such time as he may desire to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Chairman, I am not very much impressed with the argument that the committee plan to give voters in our armed forces a complete ballot would delay proceedings in voting. It will take just as long for a Federal, or the so-called bobtailed ballot, to get to the soldiers, as it will the long ballot. Therefore I shall vote for the long ballot

which will give to the boys from Minnesota and other States the same ballot as the folks back home will vote. Anything short of that would be a fraud.

Mr. Chairman, much has been said as to the relative merits of the long and short ballot. There can be no comparison becausc under the President's short-ballot plan the men and women in the service would be given the privilege of voting only for President, Senator, and Representative in Congress. Under the Constitution of the State of Minnesota that ballot would be illegal and therefore would subject the outcome to a challenge of its legality. In Minnesota we do not vote for President, but for Presidential electors. That is true in many other States, if not all of them. One of the clearest comparisons that I have seen on the subject is an editorial by Hon. Henry Rines in the Kanabec County (Minn.) Times, which follows:

Congress is still wrestling with the proposed legislation to enable overseas servicemen to vote. The administration is advocating a short blank ballot upon which soldiers could write their choice for President, Vice President, United States Senator, and Representative. Under this plan servicemen could not vote for State and local candidates without applying for absent-voters' ballots. In most of the States, including Minnesota, the provision for absentee voting is limited to those in the United States. To make voting available to servicemen outside this country special sessions of the various legislatures would have to be held to amend existing laws. The House of Representatives has rejected the Federal plan, and last week passed a bill putting the question up to the States to provide the necessary machinery for giving our servicemen in other lands the right to vote, not only for national offices, but all the way down the line. This week the Senate, by a small majority, amended the House bill by substituting the Federal plan. The House passed the State plan bill by an overwhelming majority, so it is not likely the Senate amendment will be accepted. The final outcome may be some kind of a compromise.

The Republicans and some southern Congressmen and Senators are opposing the Federal plan, the Republicans contending that the Federal plan has been concocted to help the reelection of President Roosevelt. The opposing southern Democrats don't want the Government to interfere with State rights. We are at a loss to understand how the proposed Federal voting plan can legally operate. We do not elect the President and Vice President by direct vote. The United States Constitution provides that each of the several States shall elect a number of electors equal to the number of Senators and Representatives it is entitled to. These electors meet after election and go through the formality of voting for the candidate for President and Vice President of the party which they represent. The adoption of the Federal plan, it seems to us, would result in much confusion and possibly produce election contests. The Republicans contend that most servicemen would not know anything about most of the candidates for Congress and very little about any candidate for President except Roosevelt, and naturally would vote for him. All election machinery would continue to be in the hands of the States and their subdivisions, and the same procedure would have to be followed as under present absent-voter laws except that advanced application for a ballot would not be necessary. Local election judges would have to decide whether the voting soldier has a right to vote in the precinct, which would be difficult in some cases, especially in cities where advance registration laws operate. Under the State plan the right to vote would be settled when application is made for a ballot. It strikes us that the State plan is not only more practical but fairer to the servicemen, as it would provide them with a complete ballot containing the names of all candidates to be voted on. If he is entitled to vote, he should have the same privilege of voting as those at home.

Mr. LECOMPTE. Mr. Chairman, I yield to the gentleman from Michigan [Mr. SHAFER] such time as he may desire.

Mr. SHAFER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SHAFER. Mr. Chairman, the President's attempt to force through Congress the Lucas-Worley soldier-vote bill brings out crystal clear the issue faced by the American people this year. That is, Are we to establish one-man rule or maintain constitutional government in the United States?

In my opinion, Mr. Chairman, there is but one question for this House to decide today. That is, Shall we provide the men in the armed services with a constitutional ballot, one that will be counted after it is cast, or a Roosevelt ballot?

War or no war, the Constitution of the United States should not be bypassed in this or any other manner. The bill proposed in the Worley substitute contains no names whatsoever and restricts the members of the armed forces to voting for only those candidates seeking posts in Washington. There has been no such ballot in the history of this Nation.

I do not yield to any man in my desire to see that every man in the armed forces votes this year, but the men in the services should be given a ballot that will enable them to vote for all candidates and to see the whole political picture in their home communities. They should be given a legal ballot that can be voted in secret.

The legislature in my State is today standing by ready to make the changes in our election machinery necessary to conform to the committee's bill. Thirty-six other Governors have assured Members of Congress that they are prepared to take immediate steps to pass necessary legislation. The claim that constitutional ballots cannot be delivered to the soldiers has been shown to be so much poppycock. The Army and Navy can get the constitutional ballots to the soldiers if an effort is made.

Let it be remembered that the President, who now expresses such great concern over the soldier vote and desires the kind of ballot proposed in the Worley substitute, never before has exhibited such great solicitude for the soldier and the veteran.

It does not take much effort to recall that he is the President who, in October 1933, before the American Legion convention at Chicago, said:

No person, because he wore a uniform, must thereafter be placed in a special class of beneficiaries over and above all other citizens.

The fact of wearing a uniform does not mean that he can demand and receive from his Government a benefit which no other citizen receives.

It does not mean that because a person served in the defense of his country, performed a basic obligation of citizenship, he should receive a pension from his Government because of a disability incurred after his service had terminated, and not connected with that service.

During the first 10 years of his administration Mr. Roosevelt established an unequaled record of adverse performance relative to the welfare of the veterans of other wars.

As his first action after being inaugurated on March 4, 1933, Mr. Roosevelt submitted the so-called Economy Act, providing for a total reduction of more than $500,000,000 in the annual expenditures of all departments of the Federal Government. Approximtely $450,000,000 of this total reduction was made at the expense of the veterans of all wars. In addition, the President obtained power to make new regulations and fixed new limits for pensions and compensations, still further reducing the veterans' allowances. In fact, this legislation removed thousands of veterans from the rolls and prevented the addition of thousands more.

The net result of President Roosevelt's first action with respect to America's heroes was to reduce total expenditures for veterans approximately $450,000,000 a year from the previous total of about $1,000,000,000, while saving $150,000,000 a year in the politically useful branches of the Federal Government.

One year later—March 1934—the Congress, regretful of the hardships imposed on the veterans by the 1933 Economy Act, as applied by the President, chose to make redress in the independent offices appropriation bill, which included the Veterans' Administration. President Roosevelt wasted no time in letting it be known that he was opposed to the bill insofar as it would benefit the veterans. The bill would have restored $103,000,000 of the $450,000,000 which the Economy Act had taken away. It would have affected about 29,000 World War veterans.

The bill passed Congress March 26, 1934, and on the following day it was returned with the President's veto message which had been awaiting it, having been prepared in advance. In that message Mr. Roosevelt stated for all time his personal and official attitude toward the veterans' pensions, by reiterating the statement before the American Legion convention in Chicago, which I have already quoted.

On March 29 the Senate overrode Mr. Roosevelt's veto by a vote of 63 to 27, and the House followed suit by a vote of 310 to 72.

During the Seventy-fourth Congress the President again used his veto power after Congress had passed the veterans' bonus bill. On May 22, 1934, he set a precedent when he appeared in person before a joint session of both Houses of Congress and read his veto of the bonus bill. One hour after he had completed the reading of his message the House of Representatives voted to override the veto by 322 to 93, but the President won

in the Senate. Fifty-four Senators voted to defeat the veto but 40 others voted with the President, giving him 8 more votes than he needed on the minority side.

The following year another adjusted-compensation bill to convert the veterans' paper bonus into cash was passed by Congress. The President again used his veto, and in his message to Congress stated:

On May 22, 1935, in disapproving a bill to pay the bonus in full immediately instead of in 1945, I gave in person to a joint session of the Congress complete and explicit reasons for my action. * * *

I respectfully refer the Members of the Senate and of the House to every word of what I said then.

My convictions are as impelling today as they were then. Therefore, I cannot change them.

The Congress was successful in overriding this veto.

This action apparently convinced the President that he would have to resort to the pocket-veto method if he was to prevail in his attitude toward the veterans, because in the Seventy-fifth Congress he made use of the pocket veto to defeat six separate veterans' bills passed by Congress.

However, he did give Congress another opportunity to override his veto, and this was promptly done on June 1, 1937, by a vote of 368 to 13 in the House, and in the Senate by a vote of 69 to 12. This legislation had to do with the Government's program of veterans' life insurance, which allowed the veterans to carry term-insurance policies at a low cost, mandatorily convertible after 5 years to permanent insurance at higher rates but with more benefits. Because many of the veterans were financially unable to convert these policies at the end of 5 years, the original term was three times extended by acts of Congress. In 1927 it was extended for 1 year, in 1928 for 5 years, and in 1932 for another 5 years. In 1937 the Congress voted another 5-year extension, which would have saved some 23,000 veterans the loss of their policies. This was the legislation the President vetoed.

In view of this record, it is not difficult for one to understand the sudden change in the thinking of the President. His demand for this so-called Federal ballot is purely political. He speaks as a candidate for a fourth term. He realizes that the blank ballot is the only way the New Deal can remain in control of both Houses of Congress.

I am ready to stand up and be counted, alongside all other Members of this House who believe in constitutional government. I shall vote "no" on the bobtail ballot bill and "yea" on the committee bill.

Mr. LECOMPTE. Mr. Chairman, may I ask how the time runs?

The CHAIRMAN. The gentleman from Iowa has 8¼ minutes. The gentleman from Texas has 6¼ minutes.

Mr. LECOMPTE. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. SCOTT] 4 minutes.

Mr. SCOTT. Mr. Chairman, I am sure we all listened to the gentleman's pleasantries and to his witticisms. And his mental cul de sacs are truly not without humor. I, myself, was very much interested in the statement made by the gentleman from Texas [Mr. WORLEY], who said that the question of constitutionality was settled by the Seventy-seventh Congress. I disagree with that statement. I would call as a witness in rebuttal the quotation from Abraham Lincoln who said, "No question is settled until it is settled right." I am certain Pennsylvania will get its ballots to the soldiers and that the Army and Navy will readily find a way to transport the 19 tons of State ballots, which is approximately the weight of Pennsylvania's share of the total ballots to be transported. However, it is my intention to devote most of the little time allotted to me to the question of treatment of the news. When the President's message was read and we heard the very appropriate and timely request made by the leader of the minority party that immediate consideration be given to the enactment of a soldiers' vote bill, and subsequent refusal to entertain the request, I became curious as to how the Army and the Government intended treating that news when it was broadcast over short wave to the soldiers. So I telephoned General Osborne in the Office of Strategic Services, and talked with his aide, Colonel Munson. That is the office which controls the short-wave broadcasts to all of the armed forces overseas. I asked Colonel Munson if he intended to treat the news objectively. I said I thought part of the element of news was the President's message and the other part of the element of news was how it was received by the Congress.

It seems to me that the most important part of that element of the news was the action of the minority leader in demanding immediate action on the soldiers' vote bill. Colonel Munson agreed with me. He said he thought that was a true objective manner of presenting the news. I asked him if he would see that both features of the news were transmitted on the same short-wave broadcast or that some similar objective presentation was made. He assured me it would. He said he would call up the New York ticker service and make certain it went out. I said, "I wish you would send me a copy of that broadcast." I read from the transcript of the short-wave broadcast of January 26, 1944, as follows. The first three paragraphs of the broadcast point out:

President Roosevelt has sent a special message to Congress in which he says that the soldier-vote bill passed by the Senate on December 3 is—and we quote—"a fraud on the soldiers and sailors and marines now training and fighting for us and for our sacred rights." This bill, said the President, "would not enable any soldier to vote with any greater facility than was provided by Public Law 712, under which only a negligible number of soldiers' votes were cast."

Mr. Roosevelt endorsed the Green-Lucas soldier-vote bill, which is now pending in the Senate. This would provide for distribution of Federal ballots on which service personnel would write in the name of their choices for President, Vice President, Senator, and Representative.

The Senate bill condemned in the President's message to Congress called upon the individual States to enact legislation to facilitate absentee balloting by members of the armed forces. This measure, having been passed by the Senate, is now on the House Calendar.

The fourth, fifth, sixth, seventh, and eighth paragraphs still say nothing about it.

In the ninth paragraph, in the last sentence, reference is made to remarks made by a Member of the other body, to the effect that the message was an insult to the Members of Congress. The promise was not kept and the very splendid action of the minority leader in demanding immediate action on the soldiers' voting bill was concealed in the short-wave broadcast to the soldiers.

The CHAIRMAN. The time of the gentlemen has expired.

Mr. SCOTT. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. WORLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. Mr. Chairman, I was one of the Members of this House who signed a pledge a few days ago to use every honorable means to secure a record vote on the pending legislation, proposing to give men and women in uniform an opportunity to cast their votes in the forthcoming elections. Yesterday I was one of the 160 Members of this House who voted for a record vote on the Worley measure. I agree with the President when he said in his recent message to Congress that the time has arrived when Members of Congress "must stand up and be counted." Many of those who voted for the so-called gag rule and against the record vote have insisted over and over that they did not object to anyone knowing how they will vote, but did so for the reason that the rule of the House under which this bill was brought up for debate "constituted the usual and orderly method for consideration of legislation by the House." To me that is no reason nor even an excuse for refusal of a record vote on a matter of so vital importance. It is, however, a very excellent reason why this rule of the House is antiquated, useless, indefensible, and should be changed or entirely eliminated.

For many years I have taken the position that a record vote should be had on all matters of vital or controversial legislation coming before this House for consideration. I have several times publicly made my position unequivocally clear on that matter as well as on this important legislation. Let me say again that I am enthusiastically supporting the bill presented by the gentleman from Texas [Mr. WORLEY]. It is of course not a perfect measure and in my judgment should be amended to make it more practical and workable. Every effort should be made to enact a simplified and uniform ballot for all of our qualified men and women in the armed

forces. When the gentleman from Texas addressed the House on December 18, he was kind enough to yield to me, at which time I made the following observation, which is shown on page 10910 of the CONGRESSIONAL RECORD:

Mr. Speaker, I desire to commend the gentleman from Texas, who has the distinction of serving several months as a naval officer in the present war, not only for his introduction of this measure which if enacted into law will make certain that all qualified men and women in the armed forces of the United States will have an opportunity to vote but also for this informative address he has delivered here today. May I add that I would go still further. I am strongly of the opinion that every man and woman in the uniform of the United States should be, irrespective of age, given the opportunity to vote. Surely anyone who is willing to lay down his life if need be for freedom's cause should be given the right to vote. I hold that anyone who is old enough to fight for his country is sufficiently matured to cast a vote for any candidate from President to constable.

That was my position then in the early days of this controversy and that is where I stand today. I feel very keenly that every effort humanly possible should be made to give those in the armed forces an opportunity to vote, not only for President and Congressmen but also for State and county officers. For that reason I shall support the amendment offered by the gentleman from Georgia [Mr. TARVER] wherein he proposes a new section to the Worley substitute. If adopted and carried out by the War and Navy Departments it will at least make possible that every effort be made to insure the rights of our citizens in the armed forces to participate in the State primaries as well as in the general elections. It simply provides that the Secretaries of War and the Navy and the Administrator of the War Shipping Administration shall cooperate with the appropriate State officers in transmitting to and from men and women in the armed forces ballots, both in the primaries and in the general elections. I understand that the gentleman from Texas [Mr. WORLEY] has no objection to this amendment and I trust there will be no other objection to its adoption.

It is not a question of how men in uniform vote, although that seems to be the real reason of some of those who are opposing the Worley bill. Now the chairman of the National Republican Committee, according to the Associated Press, states that he recently conducted a survey among the men in the armed forces, that four high ranking Army officers have made the survey for him, and insists that the result of that survey shows that a majority of those in uniform will support his party in the coming election. Of course, the American people will use their own judgment about the authenticity of such a survey. I have too much respect for the high ranking Army officers than to put any credit whatever in that alleged survey. I know many of our high ranking officers, both in the Army and the Navy, and have confidence in their integrity, ability, and sincerity of purpose. I do not think for a moment that they would so far forget their solemn responsibilities in this grave hour as to be guilty of making political surveys for any party. But if the chairman of the Republican Party has found some high ranking officers who have actually made such a survey, their names should be reported to General Marshall, the Chief of Staff, and the Secretary of War. Such officers should be relieved of their duties and permitted to return home to civilian life and let them continue their political "surveying," but not while on an Army pay roll and in an Army uniform. I think that is the sentiment not only of our men and women in uniform but also of fathers, mothers, and other loved ones at home, irrespective of whether such officers are Republicans or Democrats.

The gentleman from Michigan [Mr. HOFFMAN] "spilled the beans" immediately after the President's message to Congress last week when he, in an unguarded moment, said in substance from the well of this House, "Of course, you cannot beat Roosevelt if the Worley bill becomes a law." Is that the real reason behind all this determined and vicious opposition?

Again I insist that how these men will vote or who they vote for, if given an opportunity, should not have the slightest bearing in our discussion or thinking on this all-important subject. The insinuation that our men and women in uniform will be voted en masse by the party in power or by any individual is an insult to their intelligence and I am sure they will resent it very deeply. Such insinuations are not only false, wicked, and absolutely unfounded but, in my judgment, is unbecoming of some of those who are opposing this legislation and who have cast such insinuations.

Moreover, the concerted effort on the part of the opposition to defeat a simple, straightforward measure that will guarantee a unified Federal law to make certain that our citizens in the armed forces are given the opportunity to vote is, in my judgment, politically stupid. While professing over and over to be in favor of a soldier vote and then throwing every possible barrier in the way to impede the progress and passage of the only possible proposed legislation pending is certain to backfire against those who are responsible, if this strong, vicious opposition is successful in defeating any workable soldier-sailor vote bill.

It is significant that many of the speeches of those who are determined to defeat this legislation begin by saying, "I am in favor of our soldiers voting, but"—and then they usually get their voices down in their boots and talk about the Constitution. It is amusing that so many Members have suddenly become so interested in preserving the Constitution. Someone has suggested that some who would not know the Constitution if they would meet it in the road are now talking in a very sanctimonious manner of preserving that great sacred document. Is it necessary to remind you that our sailors, soldiers, and marines who are fighting our battles on the thirty-odd fronts of the earth, love that Constitution and the principles for which it stands? They are giving more than mere lip service. They know, if they have seen the bill sent to this House, as passed by the body at the other end of the Capitol some time ago, it is not even a respectable gesture. If it is not exactly what the President of the United States called it—a fraud—then what is it? It is not only an insult to our men in uniform and their parents and loved ones, but it is also an insult to the respective legislatures to tell them that Congress "recommends" that the respective States pass legislation enabling men and women in the armed forces to vote. The Chief of Staff, the Secretary of War, the Secretary of the Navy and his admirals are unanimous in stating that it is absolutely impossible to enact State laws that will get the job done. No one knows that any better than those Members of both Houses who are sponsors and backers of such a proposal. If these 11,000,000 men in uniform are deprived of an opportunity to vote because some astute politician thought it clever partisan politics to becloud the issue with long-winded speeches on the Constitution, State rights, or any other issue for the same purpose, they are going to call to account those Members of Congress, irrespective of political affiliations, who have followed such ill-advised and blind leadership.

In closing, let me simply add that regardless of what others may say or do, I am going to do everything in my power to give every man and woman in uniform the God-given right to vote for whom he or she chooses, not only in the general election, but also in the State and county primaries. In doing this we will carry out not only the purpose of the law, but also the spirit of that great immortal document, the Constitution of the United States.

Mr. WORLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Maryland [Mr. D'ALESANDRO].

Mr. D'ALESANDRO. Mr. Chairman, on January 24, I urged the Committee on Elections to report out a genuine and effective soldier-vote bill, because I favor granting men and women in our armed services and the members of the merchant marine, the opportunity to vote in the 1944 elections.

The Worley bill will take away all unnecessary complications and will simplify the necessary procedure. The committee bill does not provide an effective method by which the service men and women would be given an opportunity to vote this year, but would prevent many of them from exercising the right of the ballot, which is one of the things for which they are fighting.

Every Member of Congress, regardless of political affiliation, is, I am certain, in favor of making it possible for the members of our armed forces to vote.

I favor the Worley bill because I firmly believe that it provides for voting by State absentee ballot as far as it possibly can be accomplished by the Federal Government, when men in the armed forces cannot get the State ballots.

It is our duty to set up the machinery for the distribution and collection of ballots as soon as possible, and then State legislatures can meet and adopt

such legislation as in its wisdom may be right and proper, having in mind the Federal set-up.

Mr. WORLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. FISHER].

Mr. FISHER. Mr. Chairman, the time is limited, and I should like to take but one moment to say that I favor legislation that will effectively give all the aid that it is within the power of this Congress to give, in order that the men and women in our armed forces, at home and abroad, may exercise their American right of the franchise in the primary and general elections this year.

The Army and the Navy can be of great assistance in facilitating that privilege. A few days ago I heard a high official of the Army postal service describe the activities of that branch of the Army. He told of the amazing progress that has been made in the sending and delivery of mail around the world. At the present time around 25,000,000 pieces of mail are being delivered each month to men and women overseas. So far as it is possible by legislation here to do, let us see to it that ballots are included in the cargo of the mail and transport services this year, and enable the men and women in the armed services to exercise their sacred privilege of American citizenship by casting a vote for the candidates of their choice.

Mr. WORLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from Louisiana [Mr. LARCADE].

Mr. LARCADE. Mr. Chairman, I am very happy to say that my State, Louisiana, at the beginning of the war enacted appropriate legislation to provide for absentee voting by members of the armed forces, and it is needless to say that I am in favor of providing ballots to the men and women of our armed forces who are duly qualified voters of my State, as well as to the voters in the armed forces from all of the other States of the Union. I believe that these voters should have ample opportunity not only to vote for the President, Vice President, Senators, Members of Congress, and electors, but also for State and county and parish officials.

It is pertinent to say, however, that it is my opinion that the States have the right and it is their duty to provide the method and laws and regulations for the holding of elections under our Federal Constitution. I further believe that since a Presidential elector is considered as a State official, that the voting for and the election of such an elector is rightfully provided for by the various States. The United States Supreme Court and other judicial tribunals have consistently upheld the State voting laws, and have held that the privilege of voting is conferred by the State, and not by the Federal Constitution.

It is my earnest desire that the Army and Navy do all in their power to transmit the proper ballots to our men and women in the armed forces in time for them not only to vote, but in sufficient time for them to know and be advised of all of the candidates for the various offices and officials to be elected in all elections, as certainly those who are fighting for their country should have a right to the selection of those who are to serve their country as public officials.

Mr. WORLEY. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. CAPOZZOLI].

Mr. CAPOZZOLI. Mr. Chairman, we are justly proud of the institutions which form the basis of our democracy. We have long been the envy of the world because of the freedom which we enjoy in our country. Our men in the armed forces are presently engaged in fighting bitter and deadly enemies, who will leave no stone unturned to destroy that freedom.

I can readily understand how honest differences of opinion may arise as to the best method to be followed in providing effective machinery for the soldier vote. On the other hand, we should not permit our own preconceived notions, or should I say prejudices, to so blind us in the consideration of the problem, as to make impossible the adoption of the best method.

Much has been said concerning the right of the soldier to vote for State officials, in addition to the President and Members of both Houses of Congress. Obviously, this would be an excellent thing, if it could be done. The only reason why there can be some question as to effectuating this result is not because the soldiers have not the same right to vote for State officials as they have to vote for Federal officials, but, rather, because of the practical difficulties which must be encountered, if we leave the solution of the problem in the hands of the individual States.

It is well to indicate that, under the terms of the so-called Worley bill, the soldier is at perfect liberty to vote in accordance with the laws of the State of his residence and disregard entirely the Federal war ballot. The Worley bill is intended to afford an opportunity of voting to such men in the armed forces whose States have neglected to provide them with a reasonable procedure.

No one can deny that the men in the armed forces might well like to vote for their local State, county, and municipal officers. This may be because of sincere interest in the problems of those offices, or because of friendship for the candidate, or whatever might be the reason. However, as to the reason which compels Federal action to insure participation of the servicemen in the voting for President and Members of both Houses of Congress, there can be no dispute.

These last-named officials, who will be selected in the coming election, will have much to say in the shaping of our own national future and the program for the preservation of world peace. The men of the armed forces have a vital stake in the outcome of this election. They have ideas of their own, whether some of us like them or not, and they have the right to express those ideas. Surely, no effort should be spared to give those men a voice in the selection of those officials whose future leadership may lead us all to a full utilization of the victory, which is expected to be won, or to a failure to learn from the lessons which we have been so bitterly taught.

This is not the first time that the right of the soldier to vote has been a national issue. Once before, in 1864, during the Civil War, the question confronted the country. There were those then, even as there are today, who believed that the problem should be handled by the individual States.

It might be said that, in those days, the Army was organized on State lines. Each State sent its men into the Army as a unit. They stayed together through the war and were discharged together. It was, therefore, almost to be expected that the problem finally was handled by the individual States. And, even then, I am advised, four of the States refused to give the franchise to their men in the field.

Harper's Weekly, which supported the Union cause, at that time said as follows:

> No American should lose his rights under the Government merely because he loved that Government enough to go into the field and fight for it.

How true those words are, even today.

In his Christmas Eve address President Roosevelt revealed that 3,800,000 of our men and women are fighting on foreign soil, and he expects that their ranks will be increased to 5,000,000 by July of this year. Millions of others are serving in our country, away from their homes. Let us keep in mind that today the armed forces are not organized along State lines, as was the case during the Civil War, nor are they all within the United States. We must remember that they are all over the globe.

State election procedures are weighted down with intricate regulations. There are complex rules governing absentee voting. Registration by the soldiers before they can vote is required in a great many others. Some States permit no absentee voting at all in general elections. There are many other restrictions too numerous to mention. The time element and practical difficulties prevent our men in service from complying with the individual State election laws of the 48 States.

A great deal is being said concerning the alleged unconstitutionality of the Worley bill. Without attempting to engage in a protracted discussion of this legal question, it is important to recall to our minds the fact that Congress has heretofore acted in the adoption of the Soldiers' and Sailors' Civil Relief Act without being troubled by such thoughts. This latter act undertakes to protect the servicemen as follows:

Court action against them may be stayed until the completion of military service; statutes of limitation are tolled during military service; mortgages upon their property may not be foreclosed; sale of their property to satisfy tax assessments is forbidden; and other examples can be cited of Federal intervention on behalf of the soldier, in order to protect his rights under State laws. I know of no court decision that has held any of these provisions unconstitutional, and

I doubt that any such attack can be successfully made against the Worley bill.

To those who argue so strongly against the Federal bill on the ground of State rights, let me say that our soldiers are fighting not as soldiers of New York, California, or Texas. They are fighting as American soldiers, whose interest it is to preserve America as such, and not only the individual State from which they may come. Let us be fair with our men in service and adopt the best practical method which will insure the casting of their ballots. That method is the one provided by the Worley bill and not the committee bill.

In closing I should like to paraphrase the language of one of our high public officials, I hope that our people will not see the day when the uniform of our country will be the badge of disfranchisement for the man or woman who wears it.

Mr. WORLEY. Mr. Chairman, may I inquire how the time stands now?

The CHAIRMAN. The gentleman from Texas has 5 minutes remaining; the gentleman from Iowa 3¼.

Mr. LECOMPTE. Mr. Chairman, may I ask the gentleman from Texas [Mr. WORLEY] if he is going to yield to the gentleman from Texas [Mr. RUSSELL]?

Mr. WORLEY. I do not see how it will be possible. We have agreed to recognize the gentleman from Arkansas [Mr. HAYS] for the balance of the time. I will be glad to yield the gentleman from Texas such time as he may desire to extend his own remarks or to revise and extend.

Mr. RUSSELL. Mr. Chairman, before the House went into the Committee of the Whole I asked for 10 minutes on this side of the aisle. After they went into the Committee of the Whole again I was promised 10 minutes. Yesterday afternoon for a third time I was promised 10 minutes, and also this morning. This is all I get.

I will take my chances under the 5-minute rule.

Mr. LECOMPTE. Mr. Chairman, I yield the 3 minutes I believe that remain on this side to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, the gentleman from Wisconsin yields back the time. I will take my chances under the 5-minute rule. I do not care to discuss this matter in any 3-minute speech.

The CHAIRMAN. The gentleman from Wisconsin yields back 3 minutes.

Mr. LECOMPTE. Mr. Chairman, I yield back the balance of my time because we have no further requests for time on this side of the aisle.

Mr. WORLEY. Mr. Chairman, I yield myself 1 minute.

The CHAIRMAN. The gentleman from Texas is recognized for 1 minute.

Mr. WORLEY. Mr. Chairman, I very keenly regret that we were not able to yield to my friend the gentleman from Texas [Mr. RUSSELL] the time he requested.

Mr. RUSSELL. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I hope the gentleman will let me finish?

I wanted to yield him time particularly because he is opposed to the views I hold. Others have asked for time whom we were unable to supply. Even though yesterday afternoon we secured 80 additional minutes for general debate, hoping we could work out a system whereby Members on both sides of the question could be accommodated, we were unable to do so.

I apologize to those whom we were not able to provide with time and say that I very keenly regret it. Insofar as it is possible for me to do so I will try to see that they have sufficient time under the 5-minute rule.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield.

Mr. O'CONNOR. I want to say to the distinguished gentleman who has charge of the bill that I, like our friend from Texas, requested time. The gentleman very graciously granted it, but he was unable to carry out his promise because of the great demands made upon him so I am going to try my luck under the 5-minute rule.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. WORLEY. Mr. Chairman, I yield the balance of my time to the gentleman from Arkansas [Mr. HAYS].

The CHAIRMAN. The gentleman from Arkansas is recognized for 4 minutes.

Mr. HAYS. Mr. Chairman, this is one of those occasions in which we find the respect we have for each other a valuable adjunct in legislating. In the tensions of a war period we need such an atmosphere in dealing with so vital a matter. Certainly I have great respect for those who assert again the traditional claim of States' rights. Every Southerner appreciates that tradition. I am impressed by the earnestness and sincerity of my colleagues but history is against them. The tradition does not apply to this problem.

I discovered in some research which was made rather casually the other day an interesting and almost unknown chapter of Confederate history. I speak especially to my colleagues now from the South, but I trust those from the North will be interested in what I say, because I am speaking of the Constitution of the Confederate States, a document that is remarkably like the Constitution of the United States. At one stage of the Civil War when it was found that certain soldiers from Arkansas could not vote under State laws because of physical facts resulting from the war, the Confederate Congress acting with substantially the same authority that this Congress has with respect to elections, said that those soldiers should have the right to vote in their respective camps in elections conducted by the commanding officers.

Now look at the two constitutions. The preamble to the Confederate Constitution states:

> We, the people of the Confederate States, each State acting in its sovereign and independent character—

And this emphasis upon the sovereign character of the States is found in other provisions of the document. The section dealing with elections and the qualifications for Representatives in Congress is remarkably similar to the Federal Constitution. The Confederate Constitution includes the familiar provision that they—

> shall have the same qualifications requisite for electors of the most numerous branch of the State legislature (sec. 2, art. I).

In section 4 of the same article the States are given practically the same power to prescribe laws for the election of Members of Congress as we find in the Federal Constitution.

Under that familiar phraseology on February 15, 1864, the Confederate Congress provided that the election for Congressmen from Arkansas should be held in such way as the State laws provided except that those who were not in their States to vote but were in the service of the Confederate Army should vote in elections to be conducted by military officers in the camp.

What should be done with the ballots? The ballots should be counted by appointees of the commanding officers and the returns then sent back to the Governor of Arkansas.

The statute follows:

Chapter XXXVIII

An act to provide for holding elections for Representatives in the Congress of the Confederate States of America from the State of Arkansas

The Congress of the Confederate States of America do enact, That elections for representatives in the Congress of the Confederate States of America, from the State of Arkansas, may be held as follows, until the legislature of said State shall otherwise direct: That each voter, at the election to be held on the first Monday in November, Anno Domini, eighteen hundred and sixty-five, shall be allowed to vote one ticket containing the name of one person, for each one of the four congressional district of said State, and the persons receiving the highest number of votes for the respective districts, shall be commissioned as representatives by the Governor of said State.

SEC. 2. That in case no election was held in either of the congressional districts in said State, on the first Wednesday in November last, for representatives in the Second Congress of the Confederate States, then, and in that event, a special election shall be held for such districts, on the first Monday in April next, in pursuance of the provisions of this act: *Provided*, That at the special election herein authorized, to supply vacancies in such representation, the electors for the districts in which elections were not held (or if held, returns thereof were not made in pursuance of law), at the election in November last, shall only be allowed to vote a ticket with one name, and the general ticket system hereinbefore provided for shall only obtain at the election for the entire delegation from said State, in the Third Congress of the Confederate States.

SEC. 3. The first general election to be held, hereunder, shall be held on the first Monday in November 1865, and upon the same day in each second year thereafter, during the present war.

SEC. 4. The general and special elections hereinbefore provided for, shall be held by the officers authorized or persons appointed or provided by the laws of said State for the purpose of holding such elections, and shall

scribed by the laws of said State, except so far as the same are modified by this act.

SEC. 5. In such elections, every citizen of the Confederate States, who shall be qualified to vote for a member of the most numerous branch of the State legislature of said State, shall be entitled to vote at the place or places, in said State, at which he would be entitled to vote in an election for such member of such legislature.

SEC. 6. But in case such citizen shall be in the military service of the Confederate States, or in case he shall be driven from his home by the occupation of his country by the public enemy, or by the movements of the enemy's troops, or in case the election cannot be held at the usual places of holding the same, by reason of such occupation or movements, then such citizen shall be allowed to vote at any place of voting in such State, or in the camps of the Army, as hereinafter provided.

SEC. 7. Such elections for representatives, when held in the camps of the Army, shall be conducted as follows: In every Army corps, division, or command, the colonel of each regiment, or other officer in command thereof, or the officer in command of any less body on detached service, shall appoint two judges and three clerks, to open and hold such election, who shall hold the same and make out the poll-books and returns, under the same rules and regulations, as far as practicable, as if the same were opened and held at the usual places of holding the same in said State, and shall allow all persons entitled, to vote therein.

SEC. 8. The returns of such elections in camps, shall be forwarded by the several commanding officers appointing the judges and clerks, as aforesaid, to the highest officer in grade, and in the senior of his grade from said State, for which the same is held, in the encampment or Army in which the same is held, whose duty it shall be, at once to forward the same to the Governor of his State, or the same may, if more convenient, be forwarded by such commanding officer directly to the Governor.

SEC. 9. In case the exigencies of the public service prevent the holding of the elections in any camp, under this act, at the times provided by law, that the same may be held at any time within 10 days after the preventing cause may cease; the time for holding the same to be fixed by the officer authorized to appoint the judges and clerks.

SEC. 10. Such officer shall be authorized to administer the proper oaths to the judges and clerks, or they may administer the same to each other.

SEC. 11. Every person concerned in holding such election, shall take an oath to support the Constitution of the Confederate States, and to discharge his duty in holding such election, faithfully and impartially.

Approved February 15, 1864.

You will be interested, I am sure, in knowing that a similar provision was made for Tennessee, for Louisiana, for Missouri, and for those from the Indian Territory who were serving in the Confederate Army—Confederate Statutes at Large, chapter 71, 79, 91, First Congress, session three, and chapters 10 and 15 of session four.

Mr. Chairman, insofar as Members of Congress from Southern States are concerned, it seems to me that this ought to carry great weight and ought to establish the constitutionality and propriety of the Worley bill. Here were five statutes authorizing voting in the field because of the necessities of a situation. The Congress apparently determined in those special situations that men should not be disfranchised by reason of their military service. They did not confer the right to vote, no, but they provided the measures by which the rights could be exercised. That is what the Worley bill proposes to do.

Section 9 uses the phrase "exigencies of the public service." Power is conferred upon the military officers to conduct the election at a later period if the "exigencies" prevent it being held at the stated time. Again it is evident that the Congress considered that it had the power to place the citizens of Arkansas in a position where they would not lose their voting rights—and I think the Congress was right in that assumption.

I regret that I cannot give the House more details about the operation of those laws, but I have not been able to pursue the matter beyond the passage of the laws themselves and the approval of an item of $5,000 to defray the expense of the Arkansas election. I believe it was in that election that Augustus H. Garland, who later became Attorney General of the United States, was elected to the Confederate Congress.

There are also some interesting incidents in connection with absentee voting by Union soldiers in the 1864 elections which bear out the claim the Worley bill advocates that men in arms appreciate the right to vote. Fifty years after the war was over a Vermont veteran, Josiah Benton, recorded in his excellent book Voting in the Field that he had cast his first vote for Lincoln as a member of a Vermont brigade and that, while not a single electoral vote was affected by the soldier voting that year, it had a sentimental value for him. I should think the sentiment was strong to have survived those 50 years and inspired a book on the subject.

Almost 250,000 Union soldiers voted in the Presidential election in 1864 under State laws, but for reasons well known to all it was a comparatively easy matter to provide for their voting. In a world war encompassing almost every continent and every island of the seas the measures that were adequate in 1864 cannot suffice today.

I am still hopeful that in spite of our sharp differences we will be able to produce legislation that will meet the requirements of the military leaders and at the same time not do violence to fundamental principles of government.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

All time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Congress hereby expresses itself as favoring, and recommends to the several States the immediate enactment of, appropriate legislation to enable each person absent from the place of his residence and serving in the armed services of the United States, members of the merchant marine of the United States or serving with the American Red Cross, the Society of Friends, the Women's Auxiliary Ferry Service, the Women's Air Force Service Pilots, and the United Service Organizations outside the United States who are attached to and serving with the armed forces of the United States, who is eligible to vote in any election district or precinct, to vote by absentee ballot in any primary or general election held in his election district or precinct in time of war; and in order to afford ample opportunity for members of the armed forces, members of the merchant marine of the United States, or persons serving with the American Red Cross, the Society of Friends, the Women's Auxiliary Ferry Service, the Women's Air Force Service Pilots, and United Service Organizations outside the United States who are attached to and serving with the armed forces of the United States, to vote for Federal, State, and local officials and to utilize the absentee balloting procedures of the various States to the greatest extent possible, it is recommended that each State cause to be printed and delivered to the Secretary of War and the Secretary of the Navy an adequate number of postal cards for use by such absentee voters in the armed forces in making application for absentee ballots, and the Secretary of War and the Secretary of the Navy shall, wherever practicable, and compatible with military operations, cause such postal cards to be delivered to members of the armed forces located within or without the United States, as expeditiously as possible in order to enable such members of the armed forces to secure, execute, and return said ballots in ample time to be recorded for such election.

With the following committee amendment:

On page 1, line 6, strike out all after the word "armed" down to and including the word "Cross" in line 8, and on page 2, strike out lines 1, 2, and 3, and insert "forces of the United States or in the merchant marine of the United States or serving in the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots, or the United Service Organizations outside the United States and."

Mr. BONNER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as a member of the committee, I want to first take the opportunity to pay a tribute and a compliment to the chairman of this committee. He served diligently and faithfully and with patience, and when I say "with patience," I want to emphasize the word "patience." It took a lot of patience in the early consideration of this bill before the committee. Person after person who appeared before the committee to testify was continuously interrupted before they could make a statement. For ever and ever during the time we were holding hearings the question was raised, Why more rapidity could not be used. On the floor of the House it was charged against the chairman that he was guilty of filibustering, holding back action, and so forth.

First, I want to read from page 64 of the hearings which will certainly clear up any charge against the chairman of the committee that he made any effort whatsoever to keep this legislation from coming to the floor of the House:

Mr. LECOMPTE. Mr. Chairman, are you going to hold the hearings long enough for Mr. Spangler to be here?

The CHAIRMAN. I do not know; it depends upon the wishes of the committee.

Mr. LECOMPTE. There is no hurry on this bill.

The CHAIRMAN. The Chair would like to see it out and before the House.

Now, the gentleman from Mississippi [Mr. RANKIN] has raised the issue about delay in bringing this legislation to the

floor of the House. I quote the gentleman from Mississippi [Mr. RANKIN] as follows on page 64:

Mr. RANKIN. This bill could not possibly become a law in time for anybody to vote on it in the present election.

Certainly the gentleman from Mississippi [Mr. RANKIN] was not in any hurry to get the bill out of the committee. He says right here in the hearings that it could not become law in time for anybody to vote in this election. Without section 1 of the Worley bill very few overseas will ever vote.

Mr. COLE of Missouri. Will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Missouri.

Mr. COLE of Missouri. Will the gentleman tell us why we do not have copies of the hearings available to the Members?

Mr. BONNER. Because the gentleman did not ask for them. We have plenty of copies.

Mr. COLE of Missouri. I have been asking for the hearings for the last 3 days.

Mr. BONNER. We have plenty of them.

Mr. MARTIN of Massachusetts. Will the gentleman yield?

Mr. BONNER. I never refuse to yield to such a charming gentleman.

Mr. MARTIN of Massachusetts. The gentleman disarms me before yielding. May I ask the gentleman why we have not had this bill up for 6 weeks if the committee reported it out?

Mr. BONNER. The gentleman has asked a question that it is rather hard for me to answer. I do not happen to be a member of the Rules Committee.

Mr. MARTIN of Massachusetts. I appreciate that. I do not say the delay was in the gentleman's committee, but someone has delayed it for 6 weeks.

Mr. BONNER. I was trying to point out to the distinguished gentleman from Massachusetts and to others who complained about the delay in bringing this legislation to the floor that the committee itself, and certainly one of the finest members of that committee, the gentleman from Iowa [Mr. LECOMPTE], was not in any hurry and at that time the gentleman from Mississippi [Mr. RANKIN] said we had plenty of time, that you could bring it out and nobody would have a chance to vote in the present election. He is right with respect to the Vursell bill.

Mr. LECOMPTE. Will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Iowa.

Mr. LECOMPTE. What is the date of that hearing wherein the gentleman quotes me as asking the chairman that question? That was before Christmas, was it not?

Mr. BONNER. It was during the hearings on the bill.

Mr. LECOMPTE. That was before the Christmas recess, was it not?

Mr. BONNER. I want to be correct, I do not want to misquote the gentleman, so I will give him the exact date. This was on October 21.

Mr. LECOMPTE. Some time ago, was it not?

Mr. BONNER. In accordance with the gentleman's request and the request of the gentleman from Mississippi [Mr. RANKIN], we evidently took plenty of time.

Mr. LECOMPTE. That was October 23, some time ago.

Mr. BONNER. Mr. Chairman, I want to pay the chairman of our committee another compliment. He is the first man I have ever seen hold his head right nice so a fellow could walk right up and cut his throat.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MARTIN of Massachusetts. Mr. Chairman, I ask unanimous consent that the gentleman may have 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts [Mr. MARTIN].

There was no objection.

Mr. BONNER. Mr. Chairman, never before in my life have I seen a man supporting legislation who was so generous to those who were fighting the bill he was trying to put over in the House. He yielded in the very beginning 45 minutes of his time to those who were in opposition to the measure he is fostering, the measure for which he has worked diligently, a bill that he conscientiously thinks is constitutional and workable, a bill that I think is workable.

With respect to the gentleman from Texas [Mr. RUSSELL] I suppose the gentleman should criticize me more than he should criticize the chairman because after the chairman had yielded 45 minutes of his time to those to speak against his proposal there were several Members who wanted to speak for Mr. Worley's bill but could not possibly be taken care of.

Mr. RUSSELL. Will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Texas.

Mr. RUSSELL. Is it not a fact that after I was promised the time you granted time to 20 or 30 others?

Mr. BONNER. No. The ones to whom we granted the time were on a memorandum made out by the gentleman from Texas [Mr. WORLEY], the chairman, and he granted 5 minutes of time to the gentleman from Alabama [Mr. MANASCO] to speak against Mr. WORLEY'S proposal.

Mr. MANASCO. Will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Alabama.

Mr. MANASCO. I concur in everything the gentleman has said about the chairman of the committee, who is one of the fairest men I know. On the day the gentleman refers to there in the hearings, it will be recalled we were discussing then the possibility of the boys voting in the New York special election for lieutenant governor.

Mr. BONNER. That might be, but these are the words I read from the report. At that time we were considering the general question of soldiers' absentee voting.

Mr. Chairman, there has been a good deal of misinformation put out among the people. I want to read from the RECORD where it is stated that this Worley bill would be sending an April fool ballot to the soldiers in Europe.

The Worley bill has the same proposals in it that the Vursell bill has in it, permitting the soldiers to vote the State ballot, and if they cannot vote the State ballot then it gives them an opportunity to vote a Federal ballot. What is wrong with that? I asked someone yesterday: "Suppose something happened to the ballots on the way over or on the way back?" Under the Worley proposal there is a dual opportunity for the men to vote, while under the State absentee ballot bill the ballot has to go back and forth across the water. There are three trips made by the ballot, whereas under section 1 of the Worley bill that is not necessary. It is a very light ballot to be sent from abroad, a ballot that will weigh one-tenth of the weight of the other ballot to be sent back and forth.

The Worley bill assures the only absolute opportunity for those service people abroad to vote.

Mr. TABER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the gentleman from New York [Mr. LEONARD W. HALL] earlier in the day read a portion of a telegram into the RECORD from Governor Dewey, of New York, saying among other things:

Any ballot authorized by Congress which would not list State, county, and other local offices would be incomplete and not in accordance with the provisions of the Constitution of the State of New York. Therefore, it would be incumbent upon the New York Legislature to make available to every citizen in the armed forces from the State of New York a full and complete State ballot.

The Constitution of the State of New York provides in article II, section 1, that—

Every elector shall be entitled to vote at such election in the election district of which he or she shall at the time be a resident, and not elsewhere, for all officers that now are or hereafter may be elected by the people, and upon all questions which may be submitted to the vote of the people.

Under the provisions of the New York Constitution, the bobtailed ballot that we have heard talked about here today would be totally invalid in the State of New York and everyone who votes for it is voting to prohibit every man from the State of New York in the armed forces from having a chance to vote.

Do you really want to give the soldier a vote or are you joining in a subterfuge, a subterfuge supported by the worst kind of wildcat statements that have ever been heard on the floor of this House and elsewhere, to prevent the soldier from voting? Is this a conspiracy to prevent the soldier boys from voting or is it an honest attempt where we are going to go down the line square-toed for what we believe in, to give the soldier a vote? I am not going to indulge in any subterfuge. I want to see the soldier boy have a chance to vote, and

I am not going to begin by depriving every soldier from the State of New York of his right to vote. I do not think we should go any further with this kind of misrepresentation to the folks back home as to what the result of this bill, which has been brought in here by a minority of the committee, would be. I think we ought to face the facts and tell the people the truth.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Indiana.

Mr. HALLECK. Does not the gentleman understand that there is a new technique urged by some around here which would seem to assume that the Congress of the United States by statute can repeal the Constitution of New York or any other State or even the Federal Constitution?

Mr. TABER. There seems to be an utter disregard of preparation on the part of those who have attempted to bring in the bobtailed ballot. There seems to be no comprehension on their part of the facts they are up against nor of the structure of law which must be gotten away from. Let me say to you that under the provisions of the New York State Constitution it cannot now be amended in time for the next election.

I will not be a party to any subterfuge and I hope the House of Representatives will not be a party to a subterfuge.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. RUSSELL. Mr. Chairman, I move to strike out the last two words, and ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RUSSELL. Mr. Chairman, I am very much in favor of giving the soldiers a vote. I was a soldier in the last war, and I did not lose my interest in my Government and in my country and in my ballot. In giving the soldiers a vote, I want to give them a legal ballot, one they can cast without violating the Constitution of the United States, one that will give them the right to cast a constitutional, legal vote. I do not want to be a party to making the boys that are now fighting for civilization and constitutional authority and constitutional government outlaws by pushing under their nose a ballot that my own State constitution and the law of my State say is illegal. Not only do I not want to do that but I do not want to be a particeps criminis to it.

This Federal ballot in its short form is unconstitutional. No one has denied that except two speakers on this floor so far. One of them said the reason it was constitutional was because of the war powers. Let us see what this Congress had to say in 1936 with reference to war-emergency powers, when it adopted the Revised and Annotated Constitution of the United States on May 14, 1936. I read the part relating to the effect of a national emergency:

> The conditions to which power is addressed are always to be considered when the exercise of power is challenged. Extraordinary conditions may call for extraordinary remedies. But the argument necessarily stops short of an attempt to justify action which lies outside the sphere of constitutional authority. Extraordinary conditions do not create or enlarge constitutional powers. The Constitution established a National Government with powers deemed to be adequate, as they have proved to be both in war and peace, but these powers of the National Government are limited by the constitutional grants. Those who act under these grants are not at liberty to transcend the imposed limits because they believe that more or different power is necessary. Such assertions of extra-constitutional authority were anticipated and precluded by the explicit terms of the tenth amendment.

That is what the Congress said by action of both Houses in 1936, under the same administration under which we are operating today. In connection with that statement there were cited three or four Supreme Court cases, which I shall not take time to discuss.

Another gentleman said the reason the bobtailed Federal ballot was constitutional was because of the general-welfare clause. The general-welfare clause is that which appears in the preamble to the Constitution. That is where the general-welfare clause is found, remember, and the only place where you will find it. Of course, a preamble is a sort of an introductory remark explanatory of what is to come. It is like the title to a bill passed by the Congress. Cut out all under it and you will still have your general-welfare clause, but you would have nothing left but just naked words.

You never heard of the general-welfare clause until a few years ago, when somebody was called upon to give authority for the actions they were taking at that time. They had no constitutional authority for them, and they said, "We get our authority under the general-welfare clause that is in the preliminary remarks giving title and definition to that which is to follow." If the authority is not granted by that which is to follow, you get nothing from a general-welfare clause.

Mr. MORRISON of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. RUSSELL. I yield to the distinguished gentleman from North Carolina.

Mr. MORRISON of North Carolina. Is it not a historic fact that Jefferson negotiated the Louisiana purchase, contending that it probably would require a new amendment, but afterward decided that under the general-welfare clause it was constitutional and that we needed no amendment to the Constitution to make the purchase?

Mr. RUSSELL. I am familiar with the operation to which the gentleman refers, and I answer his question by asking him one. Where in the name of high heaven is there in that entire document, the United States Constitution, a provision that would prohibit the Louisiana purchase?

Mr. MORRISON of North Carolina. It was sustained by the thought of the statesman of the day as being constitutional under the general-welfare clause.

Mr. RUSSELL. We never heard of the welfare clause again until recently. The welfare clause has just as much application in granting authority to establish a Federal ballot as has Lydia E. Pinkham's Almanac.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. RUSSELL. I yield to the gentleman from Georgia.

Mr. COX. It is understood by everybody that knows anything about the subject that the general-welfare clause carries no delegation of power.

Mr. RUSSELL. I want to talk a few minutes now about the law and the constitution of my State. If you pass the committee bill, then, in my humble opinion, my Governor will immediately call the legislature together to amend our laws in two respects that will give the boys of Texas the right to vote, and they are the ones in whose having the right to vote I am the most interested. But if you pass this Federal ballot, the Governor of Texas, in my opinion, has already intimated that it would be useless for him to call the legislature together because the legislature of Texas could not bring to life or legitimatize that which was illegitimate, and there would be no use for them to try it.

Our constitution requires the furnishing of a poll-tax receipt as a qualification for voting in Texas. They say that the substitute bill has already been held constitutional. I dispute that. There are two sections of the substitute bill as to which this question is raised. Any man who reads the Constitution and the decisions of the United States Supreme Court without bias and intelligently will have to admit that those sections are unconstitutional, as has been held all along by the Supreme Court of our country.

In my State we shall not have any United States Senators to elect this year, only the Congressmen from the 21 districts. Section 2 of article I, as the gentleman from California so correctly told you a while ago, states how the electors shall be chosen. This is what the Supreme Court of the United States has to say with reference to how they shall be chosen, and I quote from *McPherson* v. *Blacker* (146 U. S. 1):

> Under the second clause of article II of the Constitution the legislatures of the several States have exclusive power to direct the manner in which the electors for President and Vice President shall be appointed.

Then, so far as the electors are concerned, as promulgated in the Federal ballot, there is no question about the unconstitutionality of such a clause. Then we have left only Congressmen or Representatives from the respective districts. In my State the primary settles it.

Mr. Chairman, there are involved in the bills before us, four points which I consider as follows:

First. The right of the soldiers to vote legally or illegally.

Second. The preservation of our Constitution, and constitutional provisions.

Third. Living up to the terms of our oath as Representatives, or violating that oath.

Fourth. Fraud perpetrated on our soldiers by a Federal ballot that would not

give a single Texas soldier the right to cast a legal vote.

In order to vote in Texas in any election, you must vote the official ballot as prepared by the authorities under article 2978 of the Revised Civil Statutes, which must be prepared in accordance with article 2980 of such statutes. Article 2981 directs how the ballot shall be marked.

Article 70 of the Texas Penal Code defines an accomplice as—

> One who is not present at the commission of an offense, but who, before the act is done, advises, commands, or encourages another to commit the offense; or who prepares arms or aid of any kind, prior to the commission of an offense for the purpose of assisting the principal in the execution of the same.

Article 232, Texas Penal Code, provides as follows:

> If any person knowing himself not to be a qualified voter shall at any election vote for or against any officer to be then chosen, or for or against any new proposition to be determined by said election, he shall be confined in the penitentiary not less than 2 nor more than 5 years.

Article 233, Texas Penal Code, provides as follows:

> Whoever shall procure, aid, or advise another to give his vote at any election, knowing that the person is not qualified to vote * * * shall be fined not less than $100 nor more than $500 and may in addition thereto be imprisoned in jail not exceeding 1 month.

Article 238, Texas Penal Code, with reference to absentee voting, reads as follows:

> Any person wishing to vote as an absentee voter who shall vote or offer to vote illegally or in any case or at any place where he is not entitled to vote, or who shall make any false representations in any effort to vote, or who shall attempt to vote on any poll-tax receipt issued to a person other than himself, shall be fined not more than $1,000 or be imprisoned in the county jail not more than 2 years, or both so fined and imprisoned. This law applies to any and all elections.

Article 216, Texas Penal Code, reads as follows:

> Any judge of any election or primary who willfully permits a person to vote who he knows to be unqualified to vote, shall be fined not exceeding $500.

Therefore, Mr. Chairman, when I say to you that the unconstitutional Federal ballot would not give a single Texas soldier the right to cast a legal vote, I am backed up by the laws. While on the other hand, if we pass the committee bill, I am of the opinion that Texas soldiers will get a lawful vote.

Mr. Chairman, we have heard much of late about the soldier vote, and particularly with reference to legislation which is intended to permit or grant authority for the men or rather the voters of our armed forces to vote in the coming elections.

Too much of this clamor has been pure political bunk and has been carried on for the purpose of enhancing the particular advocate or the political party of which such advocate is a member. I believe I speak the truth when I state, and I am stating, that every Member of the present Congress is in favor of the soldiers voting, and of doing everything in their power to make proper and legal arrangements for them to do so, provided this can be done in a valid, legal, and constitutional manner, under the present emergency and conditions.

There are some Members who are statesmen enough to understand the present conditions and who believe that it is not necessary to do things which would not give the soldiers the right to cast a legal vote and at the same time jeopardize their own lives and prolong the war just for the purpose of enhancing themselves from a political standpoint. They are just as honest in their desire to assist the soldiers in their right to vote and to devise such means that can be devised to accord the soldiers that right, as those who are putting out the propaganda through the press, radio, and mails that certain Members want to deprive the soldiers of their vote. Those who are engaged in such propaganda are doing so by reason of ignorance, or they are doing so falsely, and they are helping to destroy the unity and peace of mind of the citizens of our country; yes, for the purpose of destroying that which is so necessary in order to carry on to a successful conclusion the great task we are engaged in. The winning of the war shoud be the first interest of every person in this country. I am sure that the members of our armed forces are much more interested in winning this war than they are in voting this year or any other time.

In a representative democracy the right to vote is a sacred right, a right that all good citizens should exercise. The future of our country depends upon the intelligent vote of its citizens. I cannot imagine any man with American blood flowing in his veins who would want to deprive those who are fighting the battles of decency, honor, and civilization of their right to vote. If there could be such a man, he would be a heartless wretch. This being true, I cannot sit idly by and not raise my voice against the false propaganda that is being scattered over our country by those who in many instances have shown by their actions that they are interested in their own financial gain and popular aggrandizement more than they are interested in the welfare of the men who are fighting and winning our battles on all the far-flung fronts everywhere.

The right to vote is sacred and is treated as such by every State in the Nation in that, among other safeguards, the States have by legislation required the secrecy of the ballot in every way; and in my native State it cannot be shown even by the ballot itself how the vote was made therein, even in a criminal case. This prohibits even a grand jury from opening the ballot in a criminal action. It is a criminal offense for any election judge, clerk, or officer, to look at any ballot to determine how the voter voted. Yes, the right to vote is sacred, and the secrecy of the ballot is supported and protected by law to the fullest extent.

Mr. Chairman, I have always adhered to the principle that public office is a public trust and should be treated and respected as such, and any recipient of an office who fails to keep the faith is not worthy of such trust. Upon entering the office I now hold, in the same manner as all Members of this great body, I took the following oath:

> I do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; that I will—

And so forth. If I do not keep the faith and live up to the terms of that oath to support and defend the Constitution of the United States and to bear true faith and allegiance to same without any mental reservation or purpose of evasion, it will be on account of my ignorance; and if I do fail to keep that faith by reason of ignorance or for any other reason, I am not worthy to represent a great people and a great district and should be kicked out.

To me that Constitution is sacred. It is or ought to be to the American people next to that book of books called the Bible. Under its glorifying terms America has prospered for more than 150 years as no other nation on earth has prospered. The more I read it and study it, the dearer its terms become to me. It is the basic law of the land. It was of such law that Abraham Lincoln said:

> Let reverence of law be breathed by every mother to the lisping babe that smiles so sweetly upon her knee; let it be taught in schools, seminaries, and colleges; let it be written in primers, spelling books, and almanacs; let it be preached from pulpits, proclaimed in legislative halls, and enforced in courts of justice. In short, let it become the political religion of the Nation.

That basic law has given to the people that liberty which is dearer than life itself; that Constitution which has shielded the liberties of the American people from the cradle to the grave; yes, even longer, in that it protects us before we come into the world, and, through its auxiliary laws, protects our dust and ashes after we have crossed over the great divide.

To destroy the constitutional liberties of our country would be to destroy our way of life, and in line with the oath I took upon entering this majestic hall, I shall fight to uphold it in every way, without any mental reservation. To me it is the inspired and deathless Constitution of the United States. It was, and still is, a solemn covenant among the American people and between them and their freely elected Governments, to give practical effects through fundamental law, to the human and governmental rights of the people, as enunciated in the Declaration of Independence; that 153-year-old charter of human freedom is a living covenant to insure that it will always be a shield to protect, and never a sword to smite, the individual citizen.

In the formation of our Constitution the authorities found it to be impractical to bring together the many different qualifications as practiced by the different colonies or States, and any qualification which might have been written

in the Constitution would not have satisfied the different States, and for that reason the framers of the Constitution decided to leave the adoption of the qualifications of the electors to the States. And in consequence, this decision is set out in the Constitution, in that part of article I, section 2, which states:

> And the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

No one would or could, intelligently, advocate that the Federal Government could determine and pass upon the qualifications of the electors in the States for the most numerous branch of the State legislature. To even ask a question of this import should convince any reasonable mind what this provision means, which the Constitution left and correctly so, the determination of the qualifications of the electors to the States, with reference to the election of representatives in Congress.

We do not have to stop with this provision, and in order to further cinch the State rights involved in this section of the Constitution, amendment 10 to the Constitution was adopted a few years later, which states in substance that the powers not delegated to the United States by the Constitution nor prohibited by it to the States, are reserved to the States respectively, or to the people.

And we do not have to stop here to get further constitutional authority and sanction to this States' rights provision, as shown by the history of the times and the occasion when amendment No. 14 was adopted on July 21, 1868, when the Southern States were held under the reconstruction acts, sometimes referred to in that section as the carpetbag rule; when the Congress, composed entirely of Members adverse to those States who cherish the doctrine of States' rights, stated in section 2 of amendment 14 that when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, and so forth, is denied to any of the male inhabitants of such a State being 21 years of age and a citizen of the United States, or in any way abridged, the representation of such States should be reduced in proportion which the number of such male citizens shall bear to the whole number of male citizens. In other words, the Members of the Congress at that time, realizing the constitutional provision leaving the qualifications of the electors to the States, could not change same, but only could punish those States for adopting a qualification inconsistent with the provisions of this amendment. This should convince any Democrat that the Congress at that time recognized the constitutional right of the States to pass on the qualifications of the electors.

We do not have to stop there to get further sanction of this provision to the people of the United States, but again in 1913, on May 31, the people of the United States adopted amendment 17, wherein again the Constitution provided "that the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature." Is it not significant, does it not mean anything to you, that every time when the people of our country in the formation of its Constitution, or its amendments thereto, recognized the States' rights provision in the basic law of our land?

The courts of our land have universally held that the States had the sole right to determine the qualifications of their electors in the most numerous branch of their State legislatures. This being the case, in *Linder* v. *United States* (268 U. S. 5), the Supreme Court said:

> Congress cannot under the pretext of executing delegated powers, pass laws for the accomplishment of objects not entrusted to the Federal Government. And we accept as established doctrine that any provision of an act of Congress ostensibly inactive under power granted by the Constitution not naturally and reasonably adapted to the effective exercise of such power, but solely to the achievement of something plainly within power reserved to the States, is invalid and cannot be enforced. This is clearly determined in the tenth amendment to the Constitution of the United States.

Mr. Chairman, under such plain provisions of the Constitution, I cannot be a party to a fraud, as I see it, upon those boys in our armed forces who are fighting to preserve constitutional authority, and pretend to give them something which is in contravention of the Constitution and the laws of their respective States. To do so, I would be perpetrating a fraud upon them and would not be giving them anything. Yes; they are fighting to preserve the Constitution and the constitutional authorities and constitutional government, and I as a representative of part of those boys will not agree to destroy the constitutional structure of our country. In closing, I want to quote the words of that great American, Daniel Webster, who stated more than 110 years ago, and I quote:

> Other misfortunes may be borne, or their effects overcome. If disastrous wars should sweep our commerce from the ocean, another generation may renew it; if it exhaust our Treasury, future industry may replenish it; if it desolate and lay waste our fields, still, under a new cultivation, they will grow green again and ripen to future harvests.
>
> It were but a trifle even if the walls of yonder Capitol were to crumble, if its lofty pillars should fall, and its gorgeous decorations be all covered by the dust of the valley. All of these may be rebuilt.
>
> But who shall reconstruct the fabric of demolished government?
>
> Who shall rear again the well-proportioned columns of constitutional liberty?
>
> Who shall frame together the skillful architecture which unites national sovereignty with State rights, individual security, and public prosperity?
>
> No; if these columns fall, they will be raised not again. Like the Coliseum and the Parthenon, they will be destined to a mournful and a melancholy immortality. Bitterer tears, however, will flow over them than were ever shed over the monuments of a more glorious edifice than Greece or Rome ever saw, the edifice of constitutional American liberty.

So, Mr. Chairman, in the final analysis, if the committee bill is passed, my opinion is that the Governor of my native State will call the legislature together and have them to enact a law changing the law in two particulars, which would prevent the soldiers from voting. Then with the committee bill and the legislature of my State doing this, the soldiers of my State will be entitled to cast a legal ballot. If we pass the Federal ballot as desired by some we will not be giving a single Texas soldier the right to cast a legal ballot. We will be giving them authority to cast an illegal vote against the laws of my native State. We will be encouraging them to violate the law, and in so doing we will be a particeps criminis to it. I do not believe my oath would justify me in taking such a course. I know my conscience will not let me do it.

Mr. Chairman, I am sorry that some of my Democratic colleagues, who are members of my party, are departing from the long-established principle of our party on this question, as the principle of State rights and constitutional adherence has always been one of the paramount principles of the Democratic Party; and I find that some of my colleagues on the measures before us are going back on such principles. However, I must live up to my conscientious convictions of complying with the oath I took, and as for me, when a question arises as to whether it is lawful or unlawful, put me down on the lawful side. If a question arises as to whether a measure is constitutional or unconstitutional, put me down on the constitutional side of it. If a question of morality or immorality arises, put me down on the moral side. If a question of right or wrong arises, put me down on the side of right. To that end I want to stand; to that end I will stand.

Mr. ROLPH. Mr. Chairman, I have an amendment which I desire to offer.

The CHAIRMAN. Is it an amendment to the committee amendment?

Mr. ROLPH. No.

The CHAIRMAN. The committee amendment will have to be disposed of first.

Mr. BUSBEY. Mr. Chairman, I move to strike out the last word. There is one question in this particular bill that has been puzzling me a great deal. I have asked many learned lawyers the answer to it, and they have not been able to give it. So I am going to ask the question here. For instance, we will say the election is held, and President Roosevelt is not reelected. Then someone comes in and tests the constitutionality of this bobtailed ballot, and it drags out in the courts for many, many months. No decision is reached by the time the inauguration date arrives. What then is the situation? Who is going to be the President of the United States? I challenge anyone to show me any provision in the Constitution or in any law now on the statute books which provides for a situation of this kind. No one can truthfully say

who would be the President of the United States if that situation comes about. In voting on this legislation we cannot afford to take the risk of such a situation becoming an actuality.

I would like to read a little quotation from a speech as follows:

> Now, to bring about Government by oligarchy, masquerading as democracy, it is fundamentally essential that practically all authority and control be centralized in our National Government. The individual sovereignty of our States must first be destroyed, except in mere minor matters of legislation. We are safe from the dangers of any such departure from the principles on which this country was founded just so long as the individual home rule of the States is scrupulously preserved, and fought for whenever that seems in danger.
>
> Thus it will be seen that this home rule is a most important thing, a most vital thing, if we are to continue along the course on which we have so far progressed with such unprecedented success.

Who do you think made that speech? Franklin Delano Roosevelt in a radio address on March 2, 1930, when he was Governor of the State of New York. This might give us a clue as to why certain interests are trying to get this bobtailed ballot approved by Congress.

There are men in high places in this Government who are trying to change our form of government by centralizing everything in the Federal Government in Washington. The President intimates that we are committing a fraud if we do not pass this bobtailed-ballot bill. I consider that an insult to every Member of this body. If the President of the United States, even though he says in this case he is speaking as a citizen, comes up here and tries to dictate to the legislative branch of our Government in this way, then, in the name of Heaven, what are the boys overseas fighting for? To me this is pure, unadulterated dictatorship. As far as I am concerned there is just one issue before Congress today: That is, Are we going to let this bunch of bureaucrats continue their march to put over a completed, regimented, collectivist, Marxist, totalitarian dictatorship, or are we going to be red-blooded Americans and stand up and fight for the preservation of constitutional representative government in this country? If we are, we vote down the bob-tailed ballot.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. O'CONNOR. Mr. Chairman, I move to strike out the last word and ask unanimous consent that I may be permitted to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. O'CONNOR. Mr. Chairman, I am supporting the Worley bill. We are dealing with a Federal proposition. The Congress of the United States declared war. The President of the United States, as Commander in Chief of the Army and Navy, sent the boys, to whom we are trying to give the right to vote, to every land and every sea on the globe. Therefore, it is to the Federal Government they must look for the preservation of their rights so long as they are in the armed services.

I hold here in my hand a picture clipped from a recent news publication. The picture is entitled, "United States Troops Watch the Other Fellow Vote," and under the picture appears the following comment:

> Australia brought its federal election right up to the New Guinea battle front in order that every Australian might exercise his democratic right to vote. This picture was taken at Goodview Junction, within a half mile of the Japanese lines. Lt. Larry Drake is the unit's electoral officer, and Corp. A. E. Tierney is signing the envelope which contains his ballot. The onlookers are Americans.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. No.

Mr. GAVIN. I would like to inquire what magazine that comes from?

Mr. O'CONNOR. Of course, I say that my good friend the gentleman from Mississippi [Mr. RANKIN] this afternoon in his speech topped the speeches of many of the greatest orators that ever were heard in this Chamber from the standpoint of oratory and lambasted this publication.

Mr. GAVIN. But that does not answer the question.

Mr. O'CONNOR. I am going to answer the question. I am interested in the picture, regardless of where it comes from, although it appears in PM. Photographs do not lie.

After looking at that picture, United States Troops Watch the Other Fellow Vote, I thought, how prophetic, for if we are going to give to those boys, who are fighting and dying for us, a chance to exercise their democratic right to vote, then we had better do so at once. The process of such a gigantic enterprise will be slow and election time is rapidly drawing near.

The last legislation enacted to enable the members of the armed services to vote required that those desiring to vote should take the initiative by requesting a war ballot from the secretary of state of his State of residence, using a post-card form supplied by the Army and Navy. Under the system in the 1943 elections, out of a possible voting group of 10,000,000 only 78,589 applications were received, and from those applications only 28,051 effective ballots were cast.

That is the story which explains the why and wherefore of the Worley bill, for unless a simplified and quicker manner of voting is given our soldiers, not a very large proportion of them will be able to vote in this next election.

I think we are all agreed that those boys, who through no fault of their own now find themselves far away from home as another election time approaches, have a right to vote and we, therefore, have the duty to see that they are able to vote without red tape and time-consuming procedure.

It is now evident that the waters have been unfortunately muddied so that motives of political gain have been injected into the controversy. That is regrettable. If I were to be motivated by political gains by giving these boys the opportunity to exercise their unquestioned right to vote or refusing them that chance, in my opinion, I would not be fit to serve as a public servant; to say the least it is "small potatoes." I cannot believe that any Member of the House is moved or actuated by such a despicable motive.

The rights of men under the Constitution who are every moment of the day and night facing death from the skies, from the ground and elsewhere, should not be made a political football to be kicked around as politicians would have. The photograph, I have already called to your attention, is one showing a country, claiming no higher degree of democracy than we, has already provided a Federal means for its men in the face of death to exercise their rights to choose their public officers. We can do no less if we still claim to be a democracy. Let us not let these boys turn away and say, "After all politics are the only things in the minds of my people back home. What is the use?"

The fear that States' rights will be interfered with is, I believe, a legitimate ground for some to be overly cautious about too hasty action on the bill. However, now that the purpose of the bill has been explained, this fear should be set aside and all haste possible taken to enact the bill into law. All that the bill now asks is that the Federal Government be allowed to act as courier for the States, through the Secretaries of War and Navy, making it possible for soldiers' votes to be cast and counted in time to be valid. The ballots would be counted and qualified by State officials; thus the States would retain their power to determine the qualifications of electors.

The constitutional right to go even this far has been questioned. However, it is my considered opinion that the Worley bill would be upheld by the Supreme Court.

Article I, section 2:

> * * * and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Annotation under article I, section 2:

RIGHT TO VOTE

> The right to vote for Members of Congress is not derived from the constitution and laws of the State in which they are chosen, but has its foundation in the Federal Constitution.[1] Congress by appropriate legislation may protect such a right.[2]

The Constitution of the State of New York and the laws of the State of New York have been referred to. They must yield to the Constitution of the United States and the laws of Congress, because that is where they derive their right, in voting in congressional elections.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. TABER. That does not apply to the choosing of electors for President.

Mr. O'CONNOR. It applies to congressional elections.

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[1] *Minor* v. *Happersett* (21 Wall. 171 (1875)); *Ex parte Yarbrough* (110 U. S. 651 (1884)); *Wiley* v. *Sinkler* (179 U. S. 62 (1900)); *Swafford* v. *Templeton* (185 U. S. 487 (1902)).

[2] *United States* v. *Mosley* (238 U. S. 383 (1915)).

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield for a question on a constitutional point?

Mr. O'CONNOR. I yield.

Mr. MARCANTONIO. There is one factor that has been overlooked. That is the enforcement clause of the fourteenth amendment, which unquestionably sustains the constitutionality of the Worley bill.

Mr. O'CONNOR. Section 4:

The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

Section 8, clause 18:

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

This clause—

Says Thomas James Norton in his book the Constitution of the United States—

has been aptly described as "the most solid and excellent work done by the Constitutional Convention." It made a Constitution adaptable to unforeseen conditions and serviceable for all time. For example, it enabled Congress to pass many laws under the commerce clause for the control of the steamboat when it came, of the railway, of the telegraph, of the telephone, of the airplane, all undreamed of when the clause was written. After granting to Congress power in 20 particular instances the people say in this clause that Congress may pass all additional laws that time and circumstances may make necessary or proper to give full execution and efficiency to each or all of the 20 grants of power. Experience under the Articles of Confederation had made this clause so plainly desirable that hardly any contention was raised by it in the Constitutional Convention.

The most recent case directly on the question is the case of *United States* v. *Classic et al.* (vol. 313 of the United States Reports). It was held in this case, which is a 1941 case, that "the right of the people to choose Representatives in Congress is a right established and guaranteed by article I, section 2, of the Constitution and hence is one secured by it to those citizens and inhabitants of the State who are entitled to exercise the right" and that "included within the right to choose, secured by the Constitution, is the right of qualified voters within a State to cast their ballots and have them counted at congressional elections."

The Court stated that:

The right to vote for Representatives in Congress is a right "derived from the States," only in the sense that the States are authorized by the Constitution to legislate on the subject, as provided by section 2 of article I, to the extent that Congress has not restricted State action by the exercise of its powers to regulate elections under section 4, and its more general power, under article I, section 8, clause 18, "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers."

The Court went on to say:

In determining whether a provision of the Constitution applies to a new subject matter, it is of little significance that it is one with which the framers were not familiar. For in setting up an enduring framework of government they undertook to carry out for the indefinite future and in all the vicissitudes of the changing affairs of men, those fundamental purposes which the instrument itself discloses. Hence we read its words, not as we read legislative codes which are subject to continuous revision with the changing course of events, but as the revelation of the great purposes which were intended to be achieved by the Constitution as a continuing instrument of government.

There is no historical warrant for supposing that the framers were under the illusion that the method of effecting the choice of the electors would never change or that, if it did, the change was for that reason to be permitted to defeat the right of the people to choose Representatives for Congress which the Constitution had guaranteed. The right to participate in the choice of Representatives for Congress includes, as we have said, the right to cast a ballot and to have it counted at the general election, whether for the successful candidate or not. * * *

Not only does section 4 of article I authorize Congress to regulate the manner of holding elections, but by article I, section 8, clause 18, Congress is given authority "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution in the Government of the United States or in any department or office thereof." This provision leaves to the Congress the choice of means by which its constitutional powers are to be carried into execution.

Clearly then as we have the duty and the constitutional right to alter such regulations of time, place, and manner of holding elections, we should do so at once.

If the boys at the front do not get their ballots you may be sure they will resent it. However, perhaps when the boys return home from the various fronts it can be explained to them that they were not deprived of their ballots because they were forgotten, much less because of any desire on the part of some to deprive them of their vote, but merely because the whole constitutional problem was so complex that it could not be worked out, but I would not want to be the one to argue along such a fallacious line with any soldier who did not get to vote.

You may also be sure that if the boys are not given a simplified means of voting they will let their folks and friends at home know how they feel about the matter and in this way may make themselves heard more effectively than had they been given the vote themselves.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. BRADLEY of Pennsylvania. I just want to say that section 4, as quoted by the gentleman from Montana, disproves entirely the contention of the gentleman from New York [Mr. TABER] that the Worley bill would be unconstitutional in the State of New York.

Mr. O'CONNOR. I was trying earlier in the day to get our distinguished friend from Mississippi [Mr. RANKIN] to give his interpretation of a recent decision of the Supreme Court on the subject as it was uttered in 1941. He went off into a tirade respecting the Court. I was sorry I propounded the question in view of his answer, because, after all, the personnel of that Court is not involved. One of our three cornerstones of the Government of the United States was, I think, unwarrantedly, attacked. I think it was not right. I hope the Members of this House before they cast their vote on this matter will read the provisions of the Constitution involved and read the opinion of the Supreme Court of the United States in the case quoted.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MARTIN of Massachusetts. Mr. Chairman, I move to strike out the last 10 words.

I believe the views of all should be presented in this debate and for that purpose I am going to read a telegram which I have recently received:

Strongly urge to push passage Federal vote bill.

HAMMEL BRANCH OF THE COMMUNIST PARTY.

Mr. WORLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in the spirit as evidenced by the capable minority leader, may I insert in the RECORD at this time a letter from a sailor relative to the desire of sailors to vote.

The letter reads as follows:

FIGHTERS' VOTES

"When I became a soldier I did not put off my citizenship." That is the cry that we soldiers, sailors, and marines are shouting today when on battlefields, in every part of this world, thousands of our number are being slaughtered.

On the home front the question is raised: "Shall the serviceman have the vote?"

What is the matter? Are we an evil sect not to be trusted; ignoramuses incapable of intelligent voting; or a foreign race not of American citizenship?

"We are winning the war," says America. And who is it that is really paying for it? Soldiers and sailors who are out there dying to keep the flame burning that has led our Nation through 150 years of its history.

We are citizens of this Nation. Fighting citizens. If you break faith with us the war and the peace are lost.

SAILOR.

ARLINGTON, VA., *January 29.*

Mr. VOORHIS of California. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, this debate has run a pretty full course. There are many Members of the House who sincerely believe that a mere recommendation to the States to try to let soldiers vote by absentee ballots will not be adequate and will not give an opportunity for a vote to our fighting men. In the course of this debate we have been accused of everything in the calendar, from a desire to destroy the American Government to establishing fascism and communism and everything else. It has been perfectly evident that the program was one of attempting to scare out people from a position they sincerely held by bringing up lurid and completely extraneous issues that have no place in this controversy. We do not frighten that easily. I also think that all testimony ought to be heard, and I want to read something to

you for that purpose. I want to quote a Republican Senator on the matter.

He said:

We canvassed other ways, such as State legislation—that is, by having each State provide its own system; but that was found to be utterly futile. It would be necessary to have a session of the legislature of every State of the Union to enact such legislation, and then to consider reaching all the boys. They are not, as they used to be, gathered together in regiments by States. The famous Vermont regiment of former wars could be easily reached. Anyone in the State of Vermont knew where that regiment was all the time. In the old days ballots could have been delivered to that regiment for marking and casting. It cannot be done now. Our boys are scattered all over the world in all arms of the service. In the administration of 48 different laws we would have the greatest confusion in the world and meet with utter futility. As a matter of fact, under the law as it is today, a statute which we ourselves enacted, only 28,000 votes out of millions were collected

That is the statement made by Senator AUSTIN, of Vermont, at the time when this question was being considered in a more reasonable and deliberate frame of mind and before it became a storm center of political controversy. Senator AUSTIN spoke his mind, and I believe every word he said was true. So do a lot more Members of the House than have so far indicated it.

Mr. VURSELL. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. VURSELL. Does the gentleman consider that the same set of conditions are with us now as there were when the figures that you quoted of so few people voting applied? Did the same conditions maintain then when Public Law 712 was passed only 3 weeks before the election?

Mr. VOORHIS of California. I understand the gentleman's question and I will answer it. In the first place, I was quoting Senator AUSTIN and not myself. He is the one who made the statement.

Mr. VURSELL. Of course, that does not make it any better.

Mr. VOORHIS of California. Some circumstances are different now.

Mr. VURSELL. Are not the States more interested?

Mr. VOORHIS of California. Does the gentleman want me to answer his question or not?

There is more time available now than there was then. But there is no difference as to the extreme difficulty of locating with individual ballots fighting men who are scattered all over the world and moving frequently long distances. It will be no easier for the Army and Navy now than it was then to deliver first the postal card and then later on a ballot, and so on, to each of these individual men organized as they are into units in the armed forces with men from many States serving together in every military unit. Under this State rights proposal it will not be possible, as it would be under the Worley bill, to simplify in any way the task of the Army and Navy in this matter. If I believed that you could give these men a chance to actually vote under the State absentee ballot system, of course I would agree to it, because it is the customary way to do it. But I do not believe it can be done that way—not if you really want a substantial number of men to have a chance to vote.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VOORHIS of California. Mr. Chairman, I ask unanimous consent to proceed for 2 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. VOORHIS of California. Mr. Chairman, I want to ask this question: Does anybody in this House doubt that the Congress has the constitutional right, nay, a moral duty, to do what it thinks it ought to do to protect the opportunity of a man in the Federal Army to cast a ballot? I cannot doubt that it has that power. Are we to understand from the telegram from Governor Dewey, that has been read, that even if Congress passed a Federal statute guaranteeing a vote to all men in the Federal armed services on a simplified ballot, the State of New York would refuse to honor such ballot? If the State of New York would not honor such ballots, then those who would refuse to so honor them would stand before the bar of public opinion in a bad light indeed.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. WHITE. The gentleman appreciates the fact that the Army and Navy made their plans to handle 40,000 tons of Christmas presents to all the veterans and got them to them on time.

Mr. VOORHIS of California. Let me answer the question of the gentleman. I sent out from my own home 100 packages to soldiers and sailors for Christmas. There were at least 8 of those packages that have come back to me and have not been delivered as yet. There were a lot of others which I know were not delivered until long after Christmas. They were mailed long before Christmas. They were mailed around October 15 or November 1. Far be it from me to criticize the armed forces for not being able to deliver them. They had military supplies to handle. This is a war problem and Congress is responsible for looking at this matter from the standpoint of its duty to men which it drafted. We must recognize the fact that these men are in the Army and that they are going to have to be moved about as the Army sees fit. We must provide a simplified method of getting ballots to these men if any considerable number of them are going to have a chance to vote at all. The Rankin bill provides no such method. The Worley bill does.

The CHAIRMAN. The time of the gentleman has expired.

By unanimous consent, the pro forma amendments were withdrawn.

Mr. WEISS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. WEISS. Mr. Chairman, I wish to make several observations and read some letters from our boys in the service about the soldiers' vote. The first lad is a young sailor who lost his eye on the U. S. S. *Belleau Wood*. He wrote this letter to his uncle, John Ross:

Tell SAMMY WEISS to fight like hell for the soldiers' vote abroad or anywhere. If we don't get our vote in they sure will pull a fast one or two like they did in the last war.

Another letter, from a boy overseas, fighting in the Italian theater. He writes:

You should hear the fellows gripe when they read about the Lucas bill. For my own opinion I gather they were very angry as they would like to take part in the voting back home.

Here is another letter from a young soldier boy in which this statement is made:

As for the soldiers' vote this controversy has stirred up quite a furor among the boys and they certainly demand the right that is theirs. It looks to me like the Republicans would like to deny this right so the isolationists and drys in their group as well as ours can do their worst. There is many a mother and sweetheart who has been told that President Roosevelt and his party sent their son or sweetheart to war and reelecting him would only mean greater hardship.

Mr. Chairman, the soldiers want to vote in the coming Presidential elections. Public sentiment is almost unanimously in favor of a simple plan allowing servicemen everywhere to vote. Without any objection this Seventy-eighth Congress wants the soldiers to vote, but the question is, Which bill shall we adopt? The so-called Rankin bill now before the House is inadequate and I maintain it will deprive most of the 11,000,000 men and women in the armed forces from voting. In support of this contention are the statements of the Secretary of War and Secretary of the Navy. Let us refer to the record covering the hearings before the Committee on Elections of the United States Senate on January 14 and 20, 1944, page 62. I quote Col. Robert Cutler from the Office of the Secretary of War:

But the War Department does not believe that such expeditious carriage can be made a matter of daily routine over several months or weeks, as would be required to meet the provisions of the laws of the different States.

Quoting page 63:

It is an unrealistic appraisal of war conditions to assume that the serviceman addressee can always be found and can act within a few days. A dozen or so States now require special form application for ballot and their voting procedures entail a minimum of four air carriages apart from the transmission of the initial post card. Even where only two air carriages, in addition to the initial post card, are involved, there can be no assurance that the War Department will be able in wartime to air-carry all individual State ballots overseas, locate the serviceman addressees, and air-carry the executed ballots back to the postal authorities in the United States within a few weeks.

It cannot be done.

Quoting from page 67:

In time of war the services are unable effectively to administer diverse procedures of 48 States as to 11,000,000 servicemen all over the world in primary, special, and general elections. For this reason and reasons of security certain requests cannot be effectively administered by the Army and Navy.

So let this Congress remember that we have been given notice—yes, ample no-

tice—by the War and Navy Departments of the unquestioned difficulties in the so-called Rankin bill that will deny to millions of soldiers the right to vote.

This Congress is given further notice by our Commander in Chief who said, "Our millions of fighting men do not have any lobby or pressure groups on Capitol Hill to see that justice is done for them. They are not ordinarily permitted to write their Congressmen on pending legislation. It certainly would appear unnecessary that our soldiers, sailors, marines, and merchant marines have to make a special effort to retain their right to vote."

Congressman RANKIN and others with him in the House raise the constitutional cloud—as usual. No constitutional question was raised or propounded by any of these gentlemen when we passed the War Powers Act delegating unbelievable authority to the President of the United States. No constitutional question was raised when we drafted 18- and 19-year-old boys and sent them out to fight and die for us. No constitutional question was raised when this Government took over the mines and the railroads of the country. This is war, and we know that our own preservation made such action mandatory. All constitutional doubts on the soldiers' vote question were eliminated in my mind by the masterful presentation and legal brief presented to the House on January 11, 1944, by our able and distinguished colleague from Virgina [Mr. FLANNAGAN] which appear on pages 68, 69, 70, 71, and 72 of the CONGRESSIONAL RECORD of that date. His case precedents in our United States courts are further notice to this Congress that we are voting on a measure with ample warning and with our eyes wide open—at least they should be.

The President requests—and I join with him—a procedure which will be uniform and as simple as possible, and it can be done. The Worley-Green-Lucas bill will do it. The present so-called Rankin bill will not.

I like to rely on Old Man Experience. The recent county elections in Allegheny County, Pa., are ample proof that the Rankin bill—so-called States' rights bill—will not allow the servicemen to vote. Out of 118,000 eligible soldier votes in our county, only 1,295 cast their ballots. Hundreds of ballots were returned—some with as many as 22 postmarks—but never able to catch up with the soldier. Under the Worley-Green-Lucas bill a time would be set for the election and no matter where that soldier would be, he would be given a ballot to vote.

Let us not delude ourselves. We are not going to fool our boys with parliamentary trickery or jokers. We are not going to fool the American people who are up in arms over congressional maneuvering and "constitutional" speech making. The constitutions of several States will bar any absentee voting at all under the Rankin bill. Some States, under their constitutions, cannot call special sessions in time to correct defective election legislation to allow the boys to vote. Other States have complicated election requirements that will not allow the boys a vote. A compromise is the only solution and the Worley-Green-Lucas bill with its bobtail Federal short ballot allowing a choice of Presidential, Vice Presidential, and congressional candidates and which leaves to the State election officials the matter of counting the votes returned, is the best solution. If we disfranchise millions of soldier boys, the public kick-back will be so severe Congress will not know what hit it. I do not want to be "caught in the whirlwind," and for this reason I urge Congress to enact the Worley-Green-Lucas bill.

The soldiers' letters clearly tell the feelings of our soldiers on the vote question. If our fighting boys are denied a vote, I sympathize with those Congressmen who will try to explain their votes when these boys come marching home.

Under the so-called Rankin bill, each ballot must be sent to the voter addressee, and we know from experience in Allegheny County, only 1,295 voted out of 118,000 because the ballot could not catch up to each addressee, while under the Worley bill, ballots will be sent in wholesale lots to each division, and then allocated to divisional commanding officers. They will set the date of election and every soldier, no matter who he is or what State he comes from, will get a ballot, will cast his vote, and then those ballots will be sent to the respective States to be counted by the election officers of the various States.

Mr. SCOTT. Mr. Chairman, will the gentleman yield?

Mr. WEISS. I yield gladly.

Mr. SCOTT. The gentleman states that ballots will be sent in wholesale lots. May I ask the gentleman whether he knows of any safeguard against their being voted in wholesale lots as well.

Mr. WEISS. I trust the military leadership of this country, and I think the gentleman will agree with me.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. WEISS. I yield to the distinguished majority leader.

Mr. McCORMACK. I am sure the gentleman from Pennsylvania trusts the soldiers and sailors who are serving in this Army.

Mr. WEISS. I certainly do.

Mr. PLOESER. Mr. Chairman, will the gentleman yield?

Mr. WEISS. I yield.

Mr. PLOESER. The gentleman read a letter which mentions certain things happening during the last war. The thing that happened during the last war was the foisting upon the American public of prohibition. If they refuse to let the soldiers vote a local or State ballot this time you may find many many local-option prohibition laws foisted upon these men while they are in the service.

Mr. WEISS. Let me say that the American Legion, Burt Foster Post, 361, of McKeesport, Pa., one of the largest posts in the country, sent me the following telegram:

Asking support of measures permitting personnel of our armed forces the right to exercise their franchise. Asking defeat of present bill in House which would deny that right.

I have also here a telegram from Mayor Frank Buchanan, of McKeesport, Pa., reading as follows:

City Council of McKeesport has gone on record by resolution for passing of House bill No. 3982, soldiers' vote. We urge you to do all you can to aid in its passage.

Mr. Chairman, the Rankin-Eastland bill is a harmless scrap of paper and will not aid the soldier boys in getting a vote. The only soldier safeguard is the Worley-Green-Lucas bill, which I heartily favor.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. WEISS. I yield.

Mr. VOORHIS of California. Because of the answer of the gentleman from Missouri it should be pointed out that nobody is trying to keep the soldiers from voting a State ballot. Under the Worley bill there is precisely as much chance for a man to vote a State ballot as there is under the Rankin bill.

Mr. WEISS. The gentleman from California is absolutely correct.

Mr. MANASCO. Mr. Chairman, will the gentleman yield?

Mr. WEISS. Let me make one statement; then I will yield to the gentleman from Alabama. Let me say there will be a terrific storm of protest if we fail to adopt the Worley bill. I do not want to be caught in the whirlwind.

Mr. WORLEY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration bill S. 1285 to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. KLEIN. Mr. Speaker, I ask unanimous consent to include in the Appendix of the RECORD, a speech I was supposed to have delivered at the Yeshiva Memorial Services for Chaplain Louis Werfel.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an article on financial implications of the peace. It is estimated that this will take two and two-thirds pages of the CONGRESSIONAL RECORD and will cost $120. I have an estimate from the printer.

The SPEAKER. Without objection, the extension may be made.

There was no objection.

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein an editorial from a New Jersey paper in my district.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

VOTE ON SOLDIERS' VOTE BILL

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, in order to ask the majority leader a question.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VURSELL. Mr. Speaker, I wonder if, in the opinion of the majority leader, it might not be possible for us to expedite this debate in the hope that we may be able to get a vote tomorrow by beginning at 11 o'clock in the morning?

Mr. LEMKE. Mr. Speaker, will the gentleman yield?

Mr. VURSELL. I yield.

Mr. LEMKE. We have an important committee meeting in the morning and I have an important bill in which I am interested. I believe that 11 o'clock will conflict with many of the committee meetings.

Mr. McCORMACK. Matters of this kind are usually taken up between the two leaders. The two leaders have conferred. The gentleman from Massachusetts [Mr. MARTIN] contacted me. I frankly told him that I thought the Members were under sufficient strain. Tomorrow is going to be a day of very great strain and I think the House should not meet before 12 o'clock. Does that answer the gentleman?

Mr. VURSELL. I was not apprised of that.

I know the majority leader is extremely anxious to push this bill along and I thought that maybe he had overlooked meeting at 11 o'clock and I thought I would bring it to his attention.

Mr. McCORMACK. I assure the gentleman I am just as anxious as he is to dispose of this bill as soon as possible. On the other hand, I am sure the gentleman appreciates the fact that other factors are involved. Tomorrow is going to be a day of very great strain. The members are very busy. I do not apologize for entertaining these views. I try to have their regard as much as I can for the conditions that confront the Members of the House. As for myself, I have had a hard day working in the office and appreciate the fact that other members have. Should the bill go over until Friday, there is nothing coming up Friday which I know that would interfere with the further consideration of this bill. I assure the gentleman I am trying to rush it through, as fast as possible, doing all that can be done, all that is justified under the circumstances. I am trying to give the gentleman a frank answer and my reasons for it.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FISH. Mr. Speaker, I hope the majority leader, in view of what he has stated, will really seriously consider meeting at 11 o'clock on Friday if the bill goes over to Friday.

Mr. McCORMACK. That is another matter.

Mr. FISH. That is a different proposition, a horse of a different color. I hope he will seriously consider that if the bill goes over to Friday.

Mr. McCORMACK. Let me answer the gentleman from New York by saying that if that situation arises the minority leader always receives, and always will, the deepest consideration I can possibly extend to him. I am sure if that situation arises the gentleman from Massachusetts [Mr. MARTIN] and myself will confer and that the results of our little conference will be satisfactory.

Mr. FISH. Yes; I hope the gentleman will mull it over.

The SPEAKER. The time of the gentleman from New York has expired.

EXTENSION OF REMARKS

Mr. FISH. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks by including an article written by Monsignor Sheen.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein an address delivered to the St. Louis Medical Society by my distinguished colleague, the gentleman from Missouri [Mr. MILLER].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HAYS. Mr. Speaker, I ask unanimous consent to revise and extend the speech I made in the Committee of the Whole today and to include therein certain excerpts and quotations.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. SMITH] is recognized for 20 minutes.

JAP ATROCITIES—THE WAY IS CLEAR

Mr. SMITH of Wisconsin. Mr. Speaker, it was high time the public was informed of Jap atrocities. The families of the men who have been murdered or who today barely live have been in suspense since they were compelled to surrender. Today in the city of Janesville, Wis., within my district, more than a hundred homes have felt the blow that fell last week. Through all the days and months of waiting the mothers and wives and sisters and brothers have prayed that their boys might be safe and alive. For many months we have tried to get reports from the War Department, from the State Department, but without results. It has been utterly futile to meet the wishes of my constituents for information. And now we know that these departments had full knowledge of the situation. This is a cruel, cruel blow. The sympathy of the entire country goes out to those families today; we pray that they will have the courage and faith to carry on.

From all parts of the country demands are heard for action against Japan. In a telegram from the women of the One Hundred and Ninety-second Tank Battalion Auxiliary in Janesville is a—

demand that every effort be made to see that sufficient men and ammunitions and supplies are sent without delay to General MacArthur for use in freeing the Philippines.

And I quote again:

That the shipping of men and materials should not be delayed until such time as Germany is defeated.

Mr. Speaker, it is but natural for those of us who have sons and daughters facing the brutal Japs to ask for real action in that area of operations. These families who have loved ones as Japanese prisoners of war are suffering the tortures of hell. No words from anyone can comfort them at this time.

While we express surprise and consternation over these reports, Mr. Speaker, yet I venture to say that we have been on notice that Japan was guilty of this kind of conduct, even before we entered the war. The State Department, and the War and Navy Departments had knowledge of Jap atrocities long before Pearl Harbor. Yes, and the general public had knowledge, too.

The very able and distinguished gentleman from Minnesota, Hon. WALTER H. JUDD, in a speech on the floor of this House April 22, 1943, spoke about the execution of our aviators who were taken prisoners on the Doolittle mission over Tokyo. In that address he called attention to Jap treatment of Formosans as early as 1895. Then, in 1931, they took on Manchuria and then China. Dastardly treatment was accorded the British at Hong Kong. The Japanese military machine has been the most ruthless in the history of civilization and our Government has had full knowledge of all these facts.

The gentleman from Minnesota [Mr. JUDD], in the address I referred to, said quite significantly:

Yet, I wonder why we should be so surprised. Surely what the Japanese military has done to our boys is no different from what it has been doing for years to all those peoples of Asia who have had the misfortune to fall under its blight.

Dr. JUDD knows what he is talking about, as he has seen these barbarians in operation. And let me add that for 3 or 4 years before he came to this House he conducted a one-man campaign all over this country on the Japanese situation, pleading with the State Department and the public generally to stop trading with Japan because of its atrocious conduct in Asia. Listen to what he says about the Japs' treatment of wounded Chinese soldiers:

Take the treatment of wounded soldiers. They used to be exempt in our kind of war. The mission hospital in which I worked in China was just inside the city wall. When the Japanese shelled the city for 5 hours one February day in 1938 and eventually broke down the wall until they could scale it, they with over 20,000 men captured the city from its 475 Chinese defenders. There were many wounded Chinese soldiers up on the wall. One Chinese with a gunshot

wound through his thigh, a fractured femur, had rolled down the sloping inside of the city wall into our own compound, perhaps 150 yards from the back door of the hospital. After the battle was over, I went out with a big American flag and a Red Cross flag and white hospital clothes on, to identify myself as something different before they opened fire. I had with me hospital attendants and a stretcher to get this wounded man who lay in our yard. Then, of course, I planned to get all other wounded men wherever they were and of whichever army. It never entered my head I could not get them. Why that was precisely what the Red Cross was organized for in the first place, wasn't it—to take care of the wounded in time of war. But not in this war. After all, if you have gone to a lot of trouble to produce a wounded man, is there any sense in allowing the Red Cross to come along and patch the same man up again? So to my astonishment the Japanese guard drove me back in with his fixed bayonet.

I commend Dr. JUDD'S speech to you for close study.

Mr. Speaker, we have also been on notice for many, many months that the war in the Pacific was a real one and that the Jap was a relentless foe. Our distinguished colleague from Minnesota, Hon. MELVIN J. MAAS, had first-hand knowledge of what was going on there 6 or 7 months after war was declared. As a Reserve officer in the United States Marine Corps, he was on active duty in the southwest Pacific. In a radio broadcast on November 12, 1942, he told the Nation of our position in the war in that particular area and said we were losing the war, not winning it, as we had all believed. He pointed out that we faced a ruthless foe; that progress was impaired because of a lack of unified command and further that the public had not been told the truth about our operations there. On this point, Colonel MAAS made this pertinent observation:

My position as a critic has been made more difficult by a third factor; good news. We have landed brilliantly in French North Africa. We have smashed a great Jap naval armada in the Solomons. Thus it can be said that our war machinery must be functioning properly, and that those who dare to raise questions should be ashamed of themselves. It is no fun to be the sour note in a Nation-wide chorus of jubilation. It is with a keen and uncomfortable sense of this background that I proceed, nevertheless, to argue for more intelligent military organization. I do so as a matter of duty as an American and as a legislator. I feel that it would be fatal if we permitted victories, however impressive, to blind us to the need for reforming and perfecting our military machinery. Victories can be won—indeed, the war can be won—despite divided commands and disjointed planning. But more victories can be scored, their cost in life and substance can be lowered, the chance of staggering defeats can be reduced, and the final knockout to the Axis can be hastened if we correct mistakes and organize our fighting forces with a proper regard for change. In short, we must not permit good news to make us complacent.

Yet in spite of all this notice of the true situation in the Pacific, it is still the "second fiddle" in the war effort.

Is it strange, Mr. Speaker, for the parents of our men out there to ask questions? Is it strange for Senator CHAVEZ of New Mexico to demand, on the floor of the Senate, that thousands of planes and tanks and men be sent to General MacArthur so that there will be no further delay in crushing the Japs? I join, Mr. Speaker, in that demand and we have the support of millions of Americans.

It is true, Mr. Speaker, that we are not military leaders responsible for the conduct of this war, but some of us know the meaning of war. There are some who will criticize us for daring to speak out. It is only with the thought of calling attention to matters of great public importance to my people that I do so. There are some things in connection with this war that need correction and very soon.

Our war efforts in the Pacific, Mr. Speaker, have been, and are, secondary. While our commitments have been there for many, many years and our men have been starved and murdered there, yet our policy has been to ignore that sector. We must realize that a first-class war is in progress out there and our people insist that we pull out the stops and go to work. Nothing less will satisfy the people.

In conclusion, Mr. Speaker, there is an urgent need for honest reporting of our war news. Those in authority have failed to give us facts as they are. We are treated like little children and the public has taken the position now that it does not believe half that it sees or hears in connection with our war effort. A long bill of particulars might be set out here, Mr. Speaker, but I shall not take the time to do so. I do not believe that failure to report events as they are can be justified on the ground that humanitarian principles are involved. Such an answer does not satisfy the American people. Once doubt is implanted in the minds of the people, it will require great effort to remove it.

I submit, further, Mr. Speaker, that secrecy and lack of full and true statements of all the facts will seriously impair the war effort and jeopardize the peace. The American people can take it, whatever the news; they insist upon full and complete disclosures from now on. The administration has failed to take the people into its confidence from the beginning; there appears to be a distrust of the citizenry of this country for some unknown reason. We still wonder about the Atlantic Charter, the meeting at Casablanca, the Moscow Conference, and the conferences at Cairo and Teheran. After all, whose war is this? Let us have the facts—and now.

The time has come to pour our treasure into this Pacific war, where we have the most important commitments. Let men and supplies be rushed immediately. The Japs must have no rest until the white flag flies in Tokyo.

The SPEAKER. Under the previous order of the House, the gentleman from Pennsylvania [Mr. KUNKEL] is recognized for 20 minutes.

IN UNITY AT HOME AND ABROAD

Mr. KUNKEL. Mr. Speaker, on December 9, the distinguished Speaker of the House delivered a magnificent address which received unqualified approval from the entire membership of the House, irrespective of party. Among other things, he said:

Anything calculated to bring about disunity and wrong thinking in our country, or disunity among us and those allied with us, is dangerous talk; it is dangerous propaganda.

I agree wholeheartedly with the quotation and with the Speaker's entire theory. My effort today is an attempt to counteract propaganda of this nature.

Several months ago I read the complete text of an astounding harangue by Vice President WALLACE delivered at Dallas, Tex., in which he inveighed at length against the railroad men and management of the country and in which he attempted, among other things, to stir up sectionalism, long since buried, between the North and the East, and the South and the West. He said:

Discriminatory rates are keeping the South and the West in a colonial status.

And again:

The people, not only of Texas, but of the entire South and West, have experienced the effects of excessive transportation charges—the high cost of the necessities of life, and the inability to market the products of their labor.

And still again:

The empire of the West and South which has produced so much of the wealth of the Nation has been drained dry by the tolls of the monopolies, the most important of which is transportation.

These bald, unproven assertions, and many similar ones were in the Dallas speech. They amazed me. They disconcerted me. The speech seemed to me so singularly ill-timed and such a blow at public welfare that I got together some notes and had intended to make an answer to it at that time. However, the speech fell into the complete oblivion which it deserved. No one paid any attention to it. The flare of antagonism and bitterness which it created died down and was forgotten. It was drowned in the universal battle cry of "win the war quickly." So I decided that it was the policy of wisdom and patriotism to ignore it and forget it.

Then on January 17, a few weeks ago, at the Southern Governors' Conference held right here in Washington, Mr. WALLACE seized the opportunity to reiterate the same groundless assertions and to pour oil upon the dying fire. He said here:

You are all acquainted with the causes of economic backwardness in the South. You can supply chapter and verse to illustrate each of the situations which have handicapped the South and kept it in a colonial status. Your products have been discriminated against by State trade barriers. Your manufacturers have been excluded from markets by discriminatory differentials in transportation costs—

And other statements in like vein.

Since this has become a continuous campaign of propaganda and is not just one single sporadic outburst, I feel that it must be answered. That such a highly placed official would make such completely irresponsible attacks in public in time of war can scarcely be believed. It was perhaps easier to understand in view of the fact that previously the Vice

President had made a similar tirade against a member of the President's own Cabinet which had resulted in his removal by the Commander in Chief from a position of trust he then occupied. The Vice President is considered a member of the present Cabinet who sits in on its meetings. Anyone who befouls his own nest can scarcely be expected to refrain from slinging mud at others. In his Dallas speech, Mr. WALLACE did not strike at the heart. He sought to sever the arteries.

Shortly after America entered the war, Dr. Paul Goebbels, Germany's Minister of Propaganda, asserted over the air that our war effort would fail because American railroad transportation would be its Achilles' heel. It is understandable why Dr. Goebbels should seek to create lack of confidence and positive distrust in America about American institutions; but it is noteworthy that he merely cast doubt upon the ability of our transportation system to function adequately in time of war. He did not even attempt to impugn its motives, its record, or its desires. Thus it is all the more amazing to find the Vice President of this country, nearly 2 years later, at a time when American railroads had proven to us, to our allies, and to our enemies, that they could do the most amazing job in history, suddenly attempting to destroy public confidence and esteem in the integrity as well as the ability in the railroad, and in their officials and their employees. It must be admitted that Mr. WALLACE has out-Goebbeled Goebbels, but that an American citizen should be the one to do this is truly sad.

Railroads are run by human beings. All human beings are fallible and no one claims that the railroads ever have been or are now perfect. They have their faults and imperfections, even as you and I. But if there is one opinion which is almost unanimous throughout the country it is that the railroads have been doing and are doing the most stupendously efficient task ever performed by any human organization, with the exception of our armed forces. They have achieved what many well-informed people, including leading railroad men themselves, believed to be impossibilities. They have transported millions of soldiers to and from training camps and to seaports. They have kept our war industries supplied with all the necessary materials promptly and on time. They have carried to where they were needed all the goods for civilian needs that our civilian supply system could manufacture.

The Army and the Navy and other branches of the Government—that is, those whose duty it is to keep the war and other essential industries functioning—have given them unstinted praise. In view of the many statements by high ranking Army and Navy officials and the reliance of the Services upon them, Mr. WALLACE'S remarks might well be construed as an attack upon the military. Those of us who recall the widespread confusion, and particularly that which obtained after Government operation, which existed during the last war when the stress and strain was not nearly so great as today, can probably appreciate more fully than anyone else what they have done. The recent Government operation was in name only and not in fact. This was made clear by the Secretary of War when the roads were turned back and when he then took occasion to congratulate and praise the men and management for staying on the job and keeping the trains running in exactly the same manner and with the same unswerving devotion which has characterized both men and management not only during the war but for a long time prior to the war.

Statistics bear silent testimony also. As Ralph Cessna phrased it in the Christian Science Monitor:

> The absorbing statistical story revealing the mechanical differences and the improvements, which suggest that the roads might be excused for doing less, but show that really they have done more.

Everyone knows how our production has doubled, how troop movements have tripled the movement of passenger cars. This refers only to the ordinary haulings of the railroads, but the railroads have been required to handle not only an enormous expansion in their usual business but they have been forced also to assume burdens which other transportation agencies, through no fault of their own, have been compelled to give up. For instance, we on the eastern seaboard are deeply grateful to the railroad men and management for their efforts in preventing the recent oil and gas shortage from being a crisis instead of an inconvenience. Before the war, 95 percent of the gasoline and oil for the East came by sea in tankers. The railroads delivered only 10,000 barrels a day. It was predicted that they might be able to raise this to 200,000 barrels a day. When the tankers were converted to carrying oil and gas to our far eastern theater of operations and when the U-boat sinkings and threats made the small remaining tanker fleets relatively useless, the railroads increased their deliveries of oil to the East until they neared the mark of 1,000,000 barrels a day. This was added. This was unexpected. This was not even abnormal expansion of strictly railroad traffic. Similarly, when the U-boat menace curtailed our coastal shipping—Atlantic, Pacific, Gulf, and intercoastal through the Panama Canal—to a shadow of its former self, the railroads stepped in and carried the freight. Somehow or other the railroad men and management did this. All this is what Herr Goebbels failed to foresee when he made his prophecy in December 1941. This is what Mr. WALLACE blindly ignores and brutally assails.

But the railroads and their men, despite the fact that thousands upon thousands were answering the call to the colors, did more. Shipping from the Caribbean was diverted from its customary northern ports of entry to southern ports. From there it was taken north by rail. Gasoline and tire shortages, plus drastic curtailment of truck manufacturing, reduced truck transportation and added to the difficulties. A recent estimate indicates that as a result of all such traffic shifts the railroads have absorbed 90 percent of the wartime expansion in the Nation's freight traffic and 75 percent of the increase in passenger traffic. The safety record has been extraordinary. Passenger miles have practically doubled the 1918 total, yet passenger fatalities have averaged 22 per month, compared with 40 per month in 1918. For the first 8 months of 1943, there was only 1 passenger fatality for every 400,000,000 passenger miles. When a history of this war is written this will make its most glorious chapter on the home front.

The only notes of disapproval were the blasts at Dallas and Washington. You cannot steadily beat the goose that lays the golden eggs without affecting the size and number of the eggs. Probably not even Mr. WALLACE would think of attacking one of our military heroes, such as General Eisenhower or General MacArthur, while he was conducting a magnificently executed campaign. They deserve credit. They should get it in full measure. They and their brave men will respond better if they receive the spontaneous approbation and gratitude of a thankful people. The same is also true on the home front. If railroad men and management are to be steadily subjected to unwarranted attacks and malicious maligning, they cannot devote their full energies to the job they must perform and they cannot give to their work that same zest and enthusiasm which carried them to the present pinnacles of success.

When Gen. George Marshall spoke to us in executive session he asked us to tell one item to our constituents far and wide throughout the length and breadth of the land. I have done so in numerous speeches made since then. He said the infantryman is still the key man in the Army; that all the other branches of the Army pave the way for the infantrymen to occupy the terrain. He said the infantrymen slide through the mud and get the gunfire and that their casualties are as high or higher than any branch of the service, and that, not wishing to detract from the others, he did think we should give the infantrymen the credit they deserved. Otherwise it was difficult to keep up infantry morale. It is not amiss to repeat this now, nor to draw the obvious parallel from it.

Dr. Goebbels based his claim on the fact that the railroads were entering the war with 10,000 fewer locomotives than they had at the beginning of World War No. 1, and with 500,000 fewer freight cars. That was his argument for claiming that they would not be able to do the job. The records show that the railroads were short of material. They were very short, in view of the task before them. The records also show that the railroads sought time and time again to get additional material from the War Production Board; and that the Board persistently refused to let the railroads have sorely needed raw goods and equipment. Nowhere have I found any record that the Vice President, who is a member of the W. P B., ever protested against such action or sought to give the railroads the help apparently so vital. Except for the positive genius of railroad

men and management in overcoming every conceivable obstacle, that refusal might well have brought a partial break-down of transportation. It may still do so. The Truman committee of the other body has recently demanded increased production of railroad equipment. If too much equipment wears out, not even the brains and skill which have been so strikingly demonstrated can keep traffic moving.

So, in his attack on the railroads, Mr. WALLACE cannot point to any physical failure any place along the line. He is therefore driven to the expedient of conjuring up an imaginary picture of a nonexistent transportation monopoly, evidently in the hope that noncritical minds, which know as little about the problem as he does, will accept his unverified conclusions that private management of the railroads is oppressing the people of the South and West and stifling the progress of the country. The record shows that private management today does not even have time to think of anything except the winning of this war.

Naturally, to lay a foundation for his charges, he must include in them the Interstate Commerce Commission because the I. C. C. governs the rates prescribed for public transportation. This regulatory body was created in 1887. Since that time it has been the most outstandingly efficient Government agency in the history of the United States and this, despite the fact that it has dealt with the most intricate of all problems—rates. There are numberless distances; there are numberless articles, and, in the nature of things, there must be innumerable rates. It would be impossible for any commission to examine and determine in advance just what rate should be charged on each and every commodity or kind of goods shipped. If this were attempted, commerce would halt while a host of bureaucrats engaged in the fascinating pastime of calculating in vacuo how much should be charged for what to go where. So the practical program was long ago adopted of having the railroads, through their rate-making departments, file publicly and openly the costs or charges. The usual criticism made against the Interstate Commerce Commission in the past has been that it has leaned over backward in its effort to protect passengers, shippers, and communities in exercising its regulatory powers. Any shipper or community or any interested party can complain to the Interstate Commerce Commission if he thinks that the published rate—and all rates are required to be published—is unfair or discriminatory, or the Commission can begin action on its own account. My suggestion is that Mr. WALLACE seeks to establish discrimination—as political bait—rather than to end discrimination.

Mr. WALLACE complains that the Interstate Commerce Commission never reviewed more than 1 percent of the tariffs filed with it in any 1 year during the last 10 years; and that, therefore, more than 99 percent of the tariffs filed became effective without action by the Commission. I cannot agree with his deduction from this. If it is correct that the Commission has been called upon or has passed specifically upon only 1 percent of the freight rates of the country, that means that only 1 percent of the rates filed were even challenged. To me that seems excellent evidence that in making and adjusting rates—processes which are always done in consultation with the interested shippers—the railroads rarely proposed anything to which the shippers, the communities, or the Commission found reason to object. It is a tribute not only to the fairness and justice of the railroads, but also to the method of making rates by conference which both Mr. WALLACE and the Antitrust Division of the Department of Justice attack. It also shows that when practical men, who know their businesses, can agree, the result is more apt to be fair and accurate than is a figure drawn from thin air by a college professor.

As I said, the Interstate Commerce Commission was created in 1887. Since that time there has been a continuous process of adjusting rates. You might say that the present rates represent the accumulated judgment of specialized experience over the past 56 years, because, during all that time, they have been continuously reviewed and changed and they have at all times been subject to protest by interested parties and to continuous supervision under a highly trained and respected Commission. Just how you could suddenly upset the net result of this method and substitute something entirely new and unknown is not clear to me. It evidently is not clear to Mr. WALLACE because he has no suggestions to offer along this line. It would be analogous to abolishing all our system of common law which has grown up bit by bit through the ages; and then suddenly to start in with some new and untried method or theory. It might be a good idea, yet I would like to have a chance to see the substitute method proposed first, and the same is true in regard to changing the rate-making machinery in the present instance.

When Mr. WALLACE attacks the Interstate Commerce Commission, which he necessarily does when he attacks the rate bureaus of the railroads because all their rates are subject entirely to its control, he is really renewing his attack on his Commander in Chief, to whom he professes such profound devotion. He necessarily attacks the competency and integrity of the President's own appointees on that Commission because they are the ones who have been making the decisions. Every member of the Interstate Commerce Commission today is one of President Roosevelt's appointees, either by appointment or by reappointment. If any considerable part of Mr. WALLACE's charges of monopoly and of oppressive discrimination and other illegalities in rate-making can be proven, then the Interstate Commerce Commission and Mr. Roosevelt's appointees on it stand convicted of the most complete failure of duty in the history of the United States and of almost criminal action. Also any evils proven can then be ended and corrected by regular processes.

While these charges of monopoly are being hurled about, it is worth noting that railroad freight rates are at the lowest average in a quarter of a century and passenger fares are almost the lowest in history, while railroad taxes and wages are the highest of all times. And this at a time when all other prices are rising and the country is being rocked with debate and argument as to how to combat inflation due to rising prices. In 1918, the average revenue per passenger-mile was 2.417 cents. In 1942, it was 1.916 cents. In 1918, freight revenue per ton-mile was 0.849 of a cent while in 1942 it was 0.932 of a cent. However, on May 15, 1943, the freight rate increases of 4.75 percent granted March 18, 1942, were suspended. This will cause a drop in the per ton-mile revenue for 1943.

Also, remember that the railroads are the only completely nonsubsidized form of transportation in the United States. They not only do not take money from the Treasury, but they pay in huge sums annually in taxes—16.1 cents out of every dollar of revenue went to pay taxes in 1942, compared with 4.6 cents in 1918.

No doubt many are curious to know just how the Vice President of the United States suddenly became an expert on freight rates. Many people spend a lifetime in this field and even then have to give great study to the determination of a particular rate problem which presents itself. Members and employees of the Interstate Commerce Commission do not speak with such Jovelike authority. At this point I would like to read to you and insert in the RECORD the biographical sketch of Vice President WALLACE as contained in the Congressional Directory on page 3:

HENRY AGARD WALLACE, Democrat, of Des Moines, Iowa; born on a farm in Adair County, Iowa, October 7, 1888, son of Henry Cantwell Wallace (Secretary of Agriculture, 1921–24) and Carrie May (Broadhead) Wallace, and grandson of Henry Wallace, a member of President Theodore Roosevelt's Country Life Commission; B. S. A., Iowa State College, 1910; married Ilo Browne, of Indianola, Iowa, May 20, 1914; children—Henry B., Robert B., Jean B.; editorial staff of Wallaces' Farmer, 1910–24; editor, 1924–29 (editor of Wallaces' Farmer and Iowa Homestead, 1929–33); devised first of corn-hog ratio charts indicating probable course of markets, 1915; author of many publications on agriculture; chairman, Agricultural Round Table, Williamstown, 1927; delegate, International Conference of Agricultural Economists, 1929; experimented with breeding high-yielding strains of corn, 1913–33; appointed Secretary of Agriculture, March 4, 1933, and served until his resignation on September 5, 1940; elected Vice President of the United States on November 5, 1940, for the term beginning January 20, 1941.

And also the footnote at the bottom of that page which states that "biographies are based on information furnished or authorized" by the men themselves. Presumably, therefore, this summary contains everything that Mr. WALLACE considers worth while in his life and knowledge. At no place is there any clue to any specialized study or training or knowledge in this field. There is so much information as to activities in other fields as to warrant the belief that Mr. WALLACE could not possibly have had time to learn much about this extremely

complicated one. In his Essay on Criticism, Alexander Pope wrote:

A little learning is a dangerous thing;
Drink deep or taste not the Pierian spring;
There shallow draughts intoxicate the brain,
And drinking largely sobers us again.

Let us hope Mr. WALLACE returns to the spring and drinks deeply.

A careful reading of the speech and comparison with some recent statements by the Antitrust Division of the Department of Justice would indicate that perhaps the Vice President was shooting bear with other people's bullets.

Mr. WALLACE's statements in his speech are absolutely flat and unsupported assertions and generalities. They deal with extremely intricate matters of freight rates and other technical transportation problems. I do not claim to have any great and exhaustive knowledge on this subject myself but I do feel that it is the part of wisdom to rely upon those who have made it the business of a lifetime to study and reach decisions in that field. Mr. WALLACE apparently overlooks the fact that freight rates must be compensatory and he evidently does not bother much about the fact that the density of traffic is an important element in determining rates.

Now, if Mr. WALLACE feels that there is a danger of the railroads getting control of air transportation or if he feels they are attempting to do so, as a public official and as an American citizen he has a clear right to oppose such a move. He has legitimate means. There are existing agencies ready to hear these claims. Many people think the railroads do not desire this. The statement that they are doing it now is absurd because the airlines are regulated under the Civil Aeronautics Act of 1938, not even under Interstate Commerce Commission which Mr. WALLACE attacks by implication.

My main thought and my only purpose is to give a pat on the back to railroad men and management for the magnificent job they have done. It is also to preserve unity in this country and to point out the tremendous danger to our war effort in having a highly placed official in whose pronouncements many people place faith and confidence because of his position, stir up tension and arouse antagonisms in a time of war.

• While the berating which he gives the railroads is undoubtedly bad for their morale and injurious to the war effort, yet in the long run the attempt to stir up hatred between the different sections of the country would probably have even more serious and far-reaching effects upon the national welfare. We, on the eastern seaboard, were cut down on our gas rations for many months. We were discriminated against to that extent as regards the rest of the country. But it was necessary. We did not kick. We were glad to make our added contribution to the war and as a public official I made speech after speech in which I explained to my constituents back home just why we were getting less gas than the West and the Southwest. I did not tell them that everything was all wrong; that it was just unjust discrimination; that other sections of the country were exploiting them. I tried to explain how, and why it was, with the idea of creating understanding and of promoting national unity. It makes me sad to see someone go into one section of the country to array it against those in another—at a time when every American is grappled to every other American with hoops of steel, and when we must all hang together or else hang separately.

The Vice President is an admirable citizen. Everyone who knows him personally likes him. He probably knows a good deal about agriculture although his policy of farm scarcity and of murdering of hogs was not highly successful, and greatly regretted today by the American public. He has some familiarity with the business of publishing farm magazines, although he was not too fortunate in the financial results in that field. He is a good tennis player and a very good boomerang thrower.

Now, Mr. WALLACE is a boomerang thrower and he is undoubtedly the most eminently-placed boomerang thrower in the world. He is possibly the most skilled exponent of the art outside the ranks of the Australian aborigines. Judging by the comments I have read in the newspapers and elsewhere upon his sectional and anti-railroad men and management speeches, and judging by the reception accorded him at the conclusion of his eloquent addresses not long ago, I really believe that in the years to come he will find himself looking back upon these speeches not only as the longest and strongest boomerang throws of his career but also as the ones exemplifying the most disconcerting accuracy and power of return.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend in the Appendix of the RECORD a speech I made recently on a resolution introduced by the gentleman from Pennsylvania [Mr. WRIGHT] and the gentleman from Connecticut [Mr. COMPTON].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

BILLS PRESENTED TO THE PRESIDENT

Mr. KLEIN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 636. An act for the relief of C. J. Toole;

H. R. 1344. An act for the relief of Paul W. Busbey, Mrs. Paul W. Busbey, Paula Busbey, and Mrs. Louisa Busbey; and

H. R. 1875. An act for the relief of Carl Swanson, Geraldine Cecilia Swanson, a minor, and Almer Swanson.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 23 minutes p. m.) the House adjourned until tomorrow, Thursday, February 3, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE PUBLIC LANDS

The hearings on H. R. 2596, to protect Naval Petroleum Reserve No. 1, will be continued on Thursday, February 3, 1944, at 10:30 a. m.

There will be a meeting of the Committee on the Public Lands at 10:30 a. m., Monday, February 14, 1944, to consider H. R. 1688, a bill relating to the administrative jurisdiction of certain public lands in the State of Oregon, also the companion bill, S. 275, and such other matters as may properly come before the committee.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m., on Thursday, February 3, 1944, in the caucus room of the old House Office Building, for the consideration of post-war planning.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 3, 1944, at 10 a. m., on H. R. 2809, to amend section 511 of the Merchant Marine Act, 1936, as amended.

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of subtitle "Insurance of Title II of the Merchant Marine Act, 1936," as amended.

COMMITTEE ON FOREIGN AFFAIRS

The Committee on Foreign Affairs will hold public hearings on Tuesday, February 8, 1944, at 10 a. m., on House Resolutions 418 and 419, "Relative to the Jewish national home in Palestine."

COMMITTEE ON FLOOD CONTROL

SCHEDULE OF HEARINGS ON FLOOD CONTROL BILL OF 1944, BEGINNING TUESDAY, FEBRUARY 1, 1944, AT 10 A. M.

The Flood Control Committee will conduct hearings on flood-control reports submitted by the Chief of Engineers since the hearings conducted in June 1943, and on amendments to existing law. The committee is definitely committed to the view that flood-control projects for post-war construction will be among the most satisfactory public works, and the committee plans an adequate backlog of sound flood-control projects available following the war.

1. Thursday, February 3: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Soil Conservation Service, Department of Agriculture, and proponents and opponents of projects on rivers flowing into the Gulf of Mexico west of the Mississippi River, including the Trinity River in the State of Texas.

2. Friday, February 4: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects along the upper Mississippi River and tributaries, including the Illinois River and tributaries, the Great Lakes region; and proponents and opponents of projects along Bear Creek, Colo.; Missouri River and tributaries at the Kansas Citys, Mo. and Kans.; Nishnabotna River, Iowa and Mo.

3. Tuesday, February 8: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the Los Angeles area along the Sacramento River and tributaries, and along the San Joaquin River and tributaries

4. Wednesday, February 9: General Reybold, General Robins, Colonel Goethals, other

representatives of the Office of Chief of Engineers, and the Director of the Bureau of Reclamation, and proponents and opponents of projects along the Kern River and tributaries in the Kern River area and along the Kings River area and tributaries in the Kings River area, and including other streams in the San Joaquin Valley.

5. Thursday, February 10: Continuation of the projects discussed on February 9.

6. Friday, February 11: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the upper and lower Ohio River and tributaries, including Salt River, Taylorsville, Ky., the Potomac River and tributaries, the New England region, including the Connecticut and Merrimac Rivers, and the Middle Atlantic region, including New York, Pennsylvania, and New Jersey, and the South Atlantic region, including rivers flowing into the Atlantic Ocean and Gulf of Mexico east of the Mississippi River.

7. Tuesday, February 15: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Gen. M. C. Tyler, president of the Mississippi River Commission and division engineer, and proponents and opponents of projects along the lower Mississippi River and tributaries, including the Red, Arkansas Rivers, Conway County, Ark., and Purgatoire (Picket Wire) River, Colo., the White, St. Francis, and Yazoo Rivers.

8. Wednesday, February 16: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Col. Miles Reber, former division engineer, Missouri River division, Omaha, Nebr., and proponents and opponents of projects along the Missouri River and tributaries.

9. Thursday, February 17: Continuation of the projects discussed on February 16.

10. Friday, February 18: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in other regions in the United States.

11. Tuesday, February 22: Representatives of the Department of Agriculture, the Weather Bureau, Bureau of Reclamation, and other governmental agencies.

12. Wednesday, February 23: Senators and Representatives in Congress.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1144. A letter, from the Acting Secretary of the Navy, transmitting a draft of a proposed bill, to provide for reimbursement of certain Marine Corps personnel attached to Marine Utility Squadron 152 for personal property lost or damaged as the result of a fire in officers' quarters on February 9, 1943; to the Committee on Claims.

1145. A letter from the Administrative Assistant to the Secretary, Department of Commerce, transmitting revision No. 1 of the estimate of personnel requirements for the quarter ending March 31, 1944, for salaries and aeronautical charts, Coast and Geodetic Survey, requesting an increase of 45 employees; to the Committee on the Civil Service.

1146. A letter from the Chairman, Civil Aeronautics Board, transmitting a copy of the Fifth Annual Report of the Civil Aeronautics Board; to the Committee on Interstate and Foreign Commerce.

1147. A letter from the president, Washington Gas Light Co., transmitting a detailed statement of the business of the Washington Gas Light Co., together with a list of stockholders, for the year ended December 31, 1943; to the Committee on the District of Columbia.

1148. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the National Housing Agency in the amount of $25,000,000 for war housing (H. Doc. No. 395); to the Committee on Appropriations and ordered to be printed.

1149. A letter from the Administrator, Federal Security Agency, transmitting the combined annual reports of the Federal Security Agency covering the period from July 1, 1941, through June 30, 1943; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CROSSER: Committee on Interstate and Foreign Commerce. Senate Joint Resolution 91. Joint resolution to aid in effectuating the purposes of the Railway Labor Act; with amendments (Rept. No. 1073). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FERNANDEZ: Committee on Claims. S. 199. An act for the relief of Robert Norheim; without amendment (Rept. No. 1053). Referred to the Committee of the Whole House.

Mr. CARSON of Ohio: Committee on Claims. S. 255. An act for the relief of Josephine M. Melchior; without amendment (Rept. No. 1054). Referred to the Committee of the Whole House.

Mr. CARSON of Ohio: Committee on Claims. S. 375. An act for the relief of the Phoenix-Tempe Stone Co.; without amendment (Rept. No. 1055). Referred to the Committee of the Whole House.

Mr. CARSON of Ohio: Committee on Claims. S. 817. An act for the relief of George A. Rogers; without amendment (Rept. No. 1056). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. S. 921. An act for the relief of Mrs. Neola Cecile Tucker; without amendment (Rept. No. 1057). Referred to the Committee of the Whole House.

Mr. CARSON of Ohio: Committee on Claims. S. 949. An act for the relief of Mrs. Anna Runnebaum; without amendment (Rept. No. 1058). Referred to the Committee of the Whole House.

Mr. CARSON of Ohio: Committee on Claims. S. 1077. An act for the relief of William A. Haag; without amendment (Rept. No. 1059). Referred to the Committee of the Whole House.

Mr. CARSON of Ohio: Committee on Claims. S. 1288. An act for the relief of Luther Thomas Edens; without amendment (Rept. No. 1060). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. S. 1324. An act for the relief of the Wisconsin Electric Power Co.; without amendment (Rept. No. 1061). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. S. 1325. An act for the relief of Joseph Moret; without amendment (Rept. No. 1062). Referred to the Committee of the Whole House.

Mr. GREEN: Committee on Claims. H. R. 1628. A bill for the relief of John Hirsch; with amendment (Rept. No. 1063). Referred to the Committee of the Whole House.

Mr. RAMEY: Committee on Claims. H. R. 2390. A bill for the relief of Joseph Scarpella and Dorothy Scarpella; with amendment (Rept No. 1064). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 2711. A bill for the relief of Mrs. Mildred Maag; with amendment (Rept. No. 1065). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 2743. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Mrs. Marie Geiler; with amendment (Rept. No. 1066). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 3137. A bill for the relief of Ruth L. Clapp; with amendment (Rept. No. 1067). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 3351. A bill for the relief of Howard L. Pemberton; with amendment (Rept. No. 1068). Referred to the Committee of the Whole House.

Mr. RAMEY: Committee on Claims. H. R. 3387. A bill for the relief of Lt. Col. Jason McVay Austin; without amendment (Rept. No. 1069). Referred to the Committee of the Whole House.

Mr. RAMEY: Committee on Claims. H. R. 3649. A bill for the relief of Mae Ekvall; with amendment (Rept. No. 1070). Referred to the Committee of the Whole House.

Mr. RAMEY: Committee on Claims. H. R. 3654. A bill for the relief of Byron Ennis; with amendment (Rept. No. 1071). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 3840. A bill for the relief of Albert Barrett; without amendment (Rept No. 1072). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SUMNERS of Texas:

H. R. 4108. A bill relating to escapes of prisoners of war and interned enemy aliens; to the Committee on the Judiciary.

H. R. 4109. A bill to amend section 48 of the Criminal Code relating to receiving of stolen public property; to the Committee on the Judiciary.

By Mr. MAY:

H. J. Res. 228. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Alexander Firouz, a citizen of Iran; to the Committee on Military Affairs.

By Mr. DIMOND:

H. J. Res. 229. Joint resolution authorizing a preliminary examination or survey of Valdez Harbor, Alaska; to the Committee on Rivers and Harbors.

By Mr. KERR:

H. J. Res. 230. Joint resolution to limit the operation of sections 109 and 203 of the Criminal Code, and sections 306, 314, and 315 of the Revised Statutes, and certain other provisions of law; to the Committee on the Judiciary.

By Mr. LANE:

H. Res. 428. Resolution favoring action by the United States looking to the restoration of Palestine as a homeland for the Jewish people; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HEFFERNAN:

H. R. 4110. A bill to provide a pension for Mrs. James Gardiner Conroy; to the Committee on Pensions.

By Mrs. NORTON:

H. R. 4111. A bill for the relief of Louis Beckham; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4659. By Mr. BUTLER: Petition of A. V. McKernan, P. J. Hanley, J. A. Bruno, D. Scanlon, Charles Carney, Louise Carney, John G. Wiggins, J. J. Buckley, William Ahern, Thomas Ellett, Joseph Fitzsimmons, William J. Goldback, and H. O. McCoy, protesting against the enactment of any prohibition legislation; to the Committee on the Judiciary.

4660. By Mr. CLASON: Petition of Julius Meltzer and about 4,000 other citizens, requesting the Members of Congress to do everything in their power by their vote and their action to pass the soldier vote bill which will allow the Federal Government to make it easily possible for all men and women in the armed services to vote; to the Committee on Election of President, Vice President and Representatives in Congress.

4661. By Mr. GRAHAM: Petition of 175 persons of the College Hill Reformed Presbyterian Church, Beaver Falls, Pa., favoring the establishment of a Christian world order; to the Committee on Foreign Affairs.

4662. Also, petition of 30 members of the R. W. Redpath Missionary Society of Beaver Falls, Pa., favoring the establishment of a Christian world order; to the Committee on Foreign Affairs.

4663. By Mr. HALE: Petition of the Methodist Church of Cape Porpoise, Maine, opposing isolationism and favoring international collaboration for enduring peace; to the Committee on Foreign Affairs.

4664. By Mr. HANCOCK: Petition of Bessie M. Hubbs and other residents of Onondaga County, N. Y., favoring the passage of House bill 2082; to the Committee on the Judiciary.

4665. By Mr. HARRIS of Virginia: Memorial of the Norfolk (Va.) Junior Chamber of Commerce protesting against wartime prohibition; to the Committee on the Judiciary.

4666. By Mr. WARD JOHNSON: Three petitions sent in by Alice Drought, of Long Beach (4), Calif., favoring support of House bill 2082, the Bryson bill; to the Committee on the Judiciary.

4667. Also, 42 petitions sent in by Rev. Winfield Edson, of the First Baptist Church, Long Beach, Calif., and signed by members of his congregation, urging the passage of House bill 2082, the Bryson bill; to the Committee on the Judiciary.

4668. Also, petition sent in by Rev. Victor Hourez of the Second Foursquare Church, North Long Beach, Calif., and signed by members of his congregation and friends in support of House bill 2082, the Bryson bill; to the Committee on the Judiciary.

4669. Also, two petitions sent in by Rev. C. E. Shipp, of the Garfield Baptist Church, Long Beach (6), Calif., and signed by members of his congregation, favoring support of House bill 2082, the Bryson bill; to the Committee on the Judiciary.

4670. Also, two petitions sent in by C. B. Warner, of Long Beach (4), Calif., urging the passage of House bill 2082, the Bryson bill; to the Committee on the Judiciary.

4671. Also, two petitions sent in by Rev. Lawrence V. Lucas, of Grace Methodist Church, Long Beach, Calif., and signed by members of his congregation, favoring support of House bill 2082, the Bryson bill; to the Committee on the Judiciary.

4672. Also, two petitions sent in by Rev. C. E. Miller, of the Methodist Church, of Hynes, Calif., and signed by members of his congregation, favoring support of House bill 2082, the Bryson bill; to the Committee on the Judiciary.

4673. Also, two petitions sent in by Alice Drought and signed by members of the First Brethren Church, of Long Beach, Calif., favoring support of House bill 2082, the Bryson bill; to the Committee on the Judiciary.

4674. Also, three petitions sent in by Alice Drought and signed by members of the Church of Our Saviour, Long Beach, Calif., favoring support of House bill 2082, the Bryson bill; to the committee on the Judiciary.

4675. Also, four petitions sent in by H. S. Putnam, of the Methodist Church, Long Beach, Calif., and signed by members of his congregation, favoring support of House bill 2082, the Bryson bill; to the Committee on the Judiciary.

4676. Also, five petitions sent in by Hazel G. Neal, pastor, Community Church of God, Long Beach (4), Calif., and signed by members of her congregation in support of House bill 2082, the Bryson bill; to the Committee on the Judiciary.

4677. Also, five petitions sent in by Rev. A. G. Downing, of the Immanual Baptist Church, Long Beach, Calif., and signed by members of his congregation, favoring support of House bill 2082, the Bryson bill; to the Committee on the Judiciary.

4678. Also, six petitions sent in by Rev. Frank D. Lawyer, of the East Long Beach Methodist Church, Long Beach, Calif., and signed by members of his congregation, favoring support of House bill 2082, the Bryson bill; to the Committee on the Judiciary.

4679. Also, seven petitions sent in by Rev. Ralph W. Lee, of the Atlantic Methodist Church, Long Beach, Calif., and signed by members of his congregation, favoring support of House bill 2082, the Bryson bill; to the Committee on the Judiciary.

4680. Also, seven petitions sent in by Rev. Clifford F. Jones, of the Bellflower Community Presbyterian Church, Bellflower, Calif., and signed by members of his congregation, favoring support of House bill 2082, the Bryson bill; to the Committee on the Judiciary.

4681. Also, 13 petitions sent in by Rev. Louis S. Bauman, pastor of the First Brethren Church, Long Beach, Calif., and signed by members of his congregation, favoring support of House bill 2082, the Bryson bill; to the Committee on the Judiciary.

4682. Also, 17 petitions sent in by Dr. P. Hopper, of the First Presbyterian Church, Long Beach, Calif., and signed by members of his congregation, favoring support of House bill 2082, the Bryson bill; to the Committee on the Judiciary.

4683. By Mr. FITZPATRICK: Petition of the Independent American Labor Party Club of Mount Vernon, N. Y., urging the formation of a House Interracial Affairs Committee; to the Committee on Rules.

4684. By Mr. LYNCH: Petition of the American Labor Party of New York State, favoring support of the Green-Lucas soldier vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4685. Also, petition of the New York Printing-Pressmen's Union, No. 51, urging adoption of the Green-Lucas soldier vote bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4686. By Mr. ROLPH: Resolution of the Jewish Educational Society of San Francisco, Calif., relative to the abrogation of the White Paper and establishing a Jewish homeland in Palestine; to the Committee on Foreign Affairs.

4687. By Mrs. SMITH of Maine: Petition of approximately 800 citizens of the State of Maine, members of the Textile Workers Union of America, and others, urging immediate enactment of a Federal soldier vote bill, and adequate funds and authority to subsidize food; to the Committee on Election of President, Vice President, and Representatives in Congress.

4688. By the SPEAKER: Petition of the city clerk, city of Trenton, N. J., petitioning consideration of their resolution with reference to Palestine as a Jewish homeland; to the Committee on Foreign Affairs.

4689. Also, petition of the secretary-general manager, Texas and Southwestern Cattle Raisers Association, Fort Worth, Tex., petitioning consideration of their resolution with reference to the distribution of protein feeds to the distressed areas of Texas and adjoining States; to the Committee on Agriculture.

SENATE

THURSDAY, FEBRUARY 3, 1944

(Legislative day of Monday, January 24, 1944)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, we thank Thee for the sweet refreshment of sleep, restoring the frayed edges of care, and for the beckoning glory and the fresh vigor of the new day. Across all its toiling hours, O Thou great Companion of our souls, keep our hearts with Thee as once more we set our faces toward vexing social problems which tax our utmost to solve.

May we take heed of all the judgments of those who share with us the responsibilities of statecraft and gather gratefully and patiently whatever truth they hold; but teach us still to test all things by our own conscience and by the words and the spirit of that One who alone is our Master. Strengthen our weakness, comfort our sorrow, steady and calm our anxious hearts, quiet our ill tempers, bring courage for cowardice and faith for cynicism, and in the decisions here to be made in crucial days ahead make us worthy of these demanding times that call aloud for wisdom and character. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. CLARK of Missouri, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, February 2, 1944, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

CALL OF THE ROLL

Mr. CLARK of Missouri. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore (Mr. CLARK of Idaho). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Overton
Andrews	Gillette	Pepper
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hill	Shipstead
Brewster	Holman	Smith
Bridges	Jackson	Stewart
Brooks	Johnson, Colo.	Taft
Buck	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Bushfield	Langer	Thomas, Utah
Butler	Lodge	Tobey
Byrd	Lucas	Truman
Capper	McCarran	Tunnell
Caraway	McClellan	Tydings
Chandler	McFarland	Vandenberg
Chavez	McKellar	Wagner
Clark, Idaho	Maloney	Wallgren
Clark, Mo.	Maybank	Walsh, Mass.
Connally	Mead	Walsh, N. J.
Danaher	Millikin	Wheeler
Davis	Moore	Wherry
Downey	Murdock	White
Eastland	Murray	Wiley
Ellender	Nye	Willis
Ferguson	O'Daniel	Wilson
George	O'Mahoney	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The ACTING PRESIDENT pro tempore. Ninety-two Senators having answered to their names, a quorum is present.

TRIBUTE TO THE LATE SENATOR VAN NUYS BY COMMITTEE ON FOREIGN RELATIONS

Mr. CONNALLY. Mr. President, with respect to the recent death of our distinguished colleague, Senator FREDERICK VAN NUYS, of Indiana, I desire to observe that the Committee on Foreign Relations, of which he was a very able and industrious member for a number of years, has adopted a resolution in tribute to him. I ask unanimous consent that the resolution be printed in the body of the RECORD in the form in which it passed the Committee on Foreign Relations.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the Committee on Foreign Relations has learned with profound sorrow of the death of its distinguished member, FREDERICK VAN NUYS; and

Whereas Senator VAN NUYS served with outstanding ability on the Committee on Foreign Relations for 10 years, a period during which he provided wise counsel to his country and exerted a potent and beneficent influence on the role America has played in world affairs;

Whereas Senator VAN NUYS, by his constructive accomplishments, integrity, and personal example, has left a brilliant record that will guide his aggrieved colleagues in the difficult days to come;

Whereas in the death of Senator VAN NUYS the United States has lost a foremost statesman and public servant: Now, therefore, be it

Resolved, That we tender to Mrs. Van Nuys, the widow of our late colleague, our deepest sympathy in her great bereavement; and be it further

Resolved, That a copy of this resolution be inscribed in the minutes of the Committee on Foreign Relations, and a copy be sent to Mrs. Van Nuys.

REPORT OF NAVY CLUB OF THE UNITED STATES OF AMERICA

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the national commandant and the national ships writer of the Navy Club of the United States of America, transmitting, pursuant to law, a report of the proceedings and activities and statement of receipts and expenditures, etc., of that club for 1943, which, with the accompanying papers, was referred to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of New Jersey, memorializing the Congress to adopt legislation, expeditiously, which will leave to the States the responsibility of providing the form of absentee ballots and all provisions for tabulation of the vote and which will provide for Federal action only in the delivery, collection, and return of the ballots; ordered to lie on the table.

(See joint resolution printed in full in today's proceedings when presented by Mr. HAWKES.)

By Mr. TYDINGS:

Petitions of sundry citizens of the State of Maryland, praying for the adoption of measures to help the destitute, ill, and hospitalized children of Nazi-occupied Europe; to the Committee on Foreign Relations.

By Mr. GREEN:

A joint resolution of the Legislature of Rhode Island; to the Committee on Foreign Relations:

"SENATE JOINT RESOLUTION 1

"Joint resolution of the General Assembly of the State of Rhode Island and Providence Plantations endorsing the broad principles of world relations as announced by the Moscow Conference implemented by the successive conferences of the Allied Powers

"Whereas the State of Rhode Island and Providence Plantations, early refuge for the persecuted who wished only freedom to think as they pleased and to speak as they thought, in article I of her constitution declared that all free governments are instituted for the protection, safety, and happiness of the people and has held forth a lively experiment that a flourishing civil state can stand and be best maintained with full liberty in religious concernments; and

"Whereas the broad principles of world relations as announced by the Moscow Conference, implemented by the successive conferences of the Allied Powers, have particular significance to the descendants of those who fought to secure religious and political freedom for this smallest State in the Union: Now, therefore, be it

"*Resolved*, That this General Assembly of the State of Rhode Island and Providence Plantations, firmly convinced that the broad principles of world relations as so announced by the Moscow Conference and so implemented, should receive the ready endorsement of every citizen of this liberty-loving State, does now express to the Honorable Franklin Delano Roosevelt, President of the United States of America, to the Honorable Cordell Hull, Secretary of State of the United States, who so ably represented the United States at the Moscow Conference, and to the Senators and Representatives in Congress from Rhode Island such endorsement without reservation that there may be political base for international cooperation and economic base for international trade and development, two underlying necessities for a post-war world; and be it further

"*Resolved*, That duly certified copies of this resolution be transmitted by the Secretary of State of Rhode Island to the President of the United States, to the Secretary of State of the United States and the Senators and Representatives from Rhode Island in the Congress of the United States of America that they may be entirely cognizant of the approval of Rhode Island of the plan for the broad principles of world relations, as evidenced in the Moscow Conference, so implemented."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROBERTSON, from the Committee on Claims:

H. R. 1835. A bill for the relief of Frederick Lee Littlefield; with amendments (Rept. No. 660).

By Mr. WHERRY, from the Committee on Claims:

H. R. 1934. A bill for the relief of Mrs. Donald B. Johnston; without amendment (Rept. No. 661); and

H. R. 2691. A bill for the relief of Tom S. Steed; without amendment (Rept. No. 662).

By Mr. O'DANIEL, from the Committee on Claims:

S. 891. A bill for the relief of Rebecca Collins and W. W. Collins; with amendments (Rept. No. 663);

H. R. 547. A bill for the relief of Kernan R. Cunningham; without amendment (Rept. No. 664);

H. R. 3001. A bill for the relief of James T. Rogers; without amendment (Rept. No. 665);

H. R. 3329. A bill for the relief of Lt. Col. Charles H. Morhouse; without amendment (Rept. No. 666); and

H. R. 3332. A bill for the relief of Spencer Meeks; without amendment (Rept. No. 667).

By Mr. ELLENDER, from the Committee on Claims:

S. 1549. A bill for the relief of Vern M. Stanchfield; without amendment (Rept. No. 668);

S. 1563. A bill for the relief of W. E. Dowdell and June Dowdell; with an amendment (Rept. No. 669);

H. R. 610, A bill for the relief of Pacific Dry Dock and Repair Co., Inc.; without amendment (Rept. No. 670);

H. R. 2639. A bill for the relief of William M. Tucker and Nelda M. Tucker; without amendment (Rept. No. 671);

H. R. 2804. A bill for the relief of Ruth E. P. Phillips, as executrix of the estate of Amos Russell Phillips, deceased; without amendment (Rept. No. 672); and

H. R. 3157. A bill for the relief of Lloyd L. Johnson and P. B. Hume; with an amendment (Rept. No. 673).

By Mr. LANGER, from the Committee on Irrigation and Reclamation:

S. 1387. A bill to extend the time within which the States of Montana, North Dakota, and Wyoming may negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River; without amendment (Rept. No. 674).

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

S. 1632. A bill for the relief of Capt. S. E. McCarty (Supply Corps), United States Navy; without amendment (Rept. No. 675);

S. 1647. A bill to amend the act approved March 2, 1895, as amended; with an amendment (Rept. No. 676);

S. 1653. A bill to provide titles for heads of staff departments of the United States Marine Corps, and for other purposes; without amendment (Rept. No. 677);

S. 1668. A bill authorizing appropriations for the United States Navy for additional ship-repair facilities, and for other purposes; with an amendment (Rept. No. 678);

S. 1676. A bill for the relief of Sgt. Maj. Richard Shaker, United States Marine Corps; without amendment (Rept. No. 679);

S. 1677. A bill for the relief of Lt. (Jr. Gr.) Newt. A. Smith, United States Naval Reserve, for the value of personal property lost or damaged as the result of a fire occurring on August 11, 1943, in quarters occupied by him in the armory of Aviation Free Gunnery Unit, Dam Neck, Va.; without amendment (Rept. No. 680); and

S. 1681. A bill to provide for reimbursement of certain Marine Corps personnel attached to Marine Utility Squadron 152 for personal property lost or damaged as the result of a fire in officers' quarters on February 9, 1943; without amendment (Rept. No. 681).

ENROLLED BILL PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on February 1, 1944, that committee presented to the President of the United States the enrolled bill (S. 1543) to provide for mustering-out payments to members of the armed forces, and for other purposes.

REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES: NUMBER OF CIVILIAN EMPLOYEES IN THE EXECUTIVE BRANCH, DECEMBER 1943

Mr. BYRD. Mr. President, I ask unanimous consent to present a report in connection with the work of the Joint Committee on Reduction of Nonessential Federal Expenditures on the number of civilian employees in the executive branch of the Federal Government for the month of December 1943.

The reduction trend in Federal civilian employment continues, there being a total of 2,960,936 employees for the month of December 1943, which is a reduction of 13,066 employees over the total of 2,974,002 for the month of November 1943.

There has also been a net decrease of 134,527 employees since the month of June 1943, when civilian employment in the executive branch reached the peak figure of 3,095,463.

Since November 1943, 33 departments and agencies have eliminated 18,166 employees while 28 departments and agencies have increased the number of their employees by 5,100.

Except for the Navy Department with an increase of 1,799 employees and the Veterans' Administration with an increase of 338 employees, there were no increases for any department or agency of over 300 employees.

The War Department continues its reduction trend with a decrease of 13,368 employees. Other departments and agencies showing substantial reductions in the number of their employees were: Department of Agriculture, 1,237; Tennessee Valley Authority, 936; Department of Justice, 598; Federal Works Agency, 460; and the War Manpower Commission, 347, which is due in part to the liquidation of the National Youth Administration.

I ask that the report be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

Federal civilian employment, by department and agency, for months of November and December 1943, showing increases and decreases in number of paid employees

Department or agency	November	December	Increase (+) or decrease (−)
Office of the President	578	[1] 559	−19
State Department	8,497	8,607	+110
Treasury Department	85,852	86,127	+275
War Department	1,228,482	1,215,114	−13,368
Justice Department	30,191	29,593	−598
Post Office Department	350,982	[2] 351,081	+99
Navy Department [3]	706,857	708,656	+1,799
Interior Department	38,824	38,755	−69
Agriculture Department	82,427	81,190	−1,237
Commerce Department	31,447	[4] 31,353	−94
Labor Department	5,909	6,176	+267
NATIONAL WAR AGENCIES			
Committee on Fair Employment Practice	103	98	−5
Division of Central Administrative Services	4,641	4,490	−151
National War Labor Board	3,082	3,176	+94
Office of Alien Property Custodian	1,039	1,027	−12
Office of Civilian Defense	1,048	998	−50
Office of Coordinator of Inter-American Affairs	1,339	1,339	0
Office of Defense Transportation	5,045	5,006	−39
Office of Economic Stabilization	7	9	+2
Office of Scientific Research and Development	1,112	1,146	+34
Office of War Information	5,008	5,225	+217
Office of War Mobilization	15	20	+5
Smaller War Plants Corporation	1,605	1,565	−40
War Production Board	17,266	17,979	+713
War Manpower Commission [5]	25,129	24,782	−347
Selective Service System	23,758	23,613	−145
War Relocation Authority	1,943	1,867	−76
War Shipping Administration	4,395	4,522	+127
Foreign Economic Administration	6,257	6,197	−60
Office of Censorship	12,165	12,120	−45
Office of Price Administration	55,061	55,280	+219
Office of Strategic Services	1,622	1,692	+70
Petroleum Administrator for War	1,422	1,412	−10
INDEPENDENT ESTABLISHMENTS			
American Battle Monuments Commission	1	1	0
Board of Investigation and Research, transportation	79	79	0
Civil Aeronautics Board	320	329	+9
Civil Service Commission	6,855	6,972	+117
Employees Compensation Commission	532	523	−9
Export-Import Bank of Washington	60	59	−1
Federal Communications Commission	2,200	2,194	−6
Federal Deposit Insurance Corporation	1,088	1,077	−11
Federal Power Commission	672	670	−2
Federal Security Agency	31,189	30,889	−300
Federal Trade Commission	463	455	−8
Federal Works Agency	21,968	21,508	−460
General Accounting Office	10,553	10,651	+98
Interstate Commerce Commission	2,157	2,174	+17
Maritime Commission	9,475	9,599	+124
National Advisory Committee for Aeronautics	4,456	4,630	+174
National Archives	338	348	+10
National Capital Housing Authority	273	264	−9
National Capital Park and Planning Commission	17	18	+1
National Gallery of Art	261	261	0
National Housing Agency	20,709	20,817	+108
National Labor Relations Board	759	743	−16
National Mediation Board	86	81	−5
Panama Canal	33,156	33,175	+19
Railroad Retirement Board	1,536	1,512	−24
Reconstruction Finance Corporation	7,778	7,825	+47
Securities and Exchange Commission	1,243	1,231	−12
Smithsonian Institution	421	427	+6
INDEPENDENT ESTABLISHMENTS—continued			
Tariff Commission	303	301	−2
Tax Court of the United States	124	125	+1
Tennessee Valley Authority	25,097	24,161	−936
Veterans' Administration	46,725	47,063	+338
Total	2,974,002	2,960,936	[+5,100 / −18,166]
Net decrease			−13,066

[1] Bureau of the Budget only. National Resources Planning Board, formerly included, abolished December 1943.

[2] Does not include about 220,000 Christmas-rush temporary employees.

[3] Includes 10,324 employees of stations in the hands of the enemy.

[4] Includes 771 cotton agents paid seasonally.

[5] Increase due to 796 without-compensation and dollar-per-annum employees not previously reported.

[6] Includes Training Within Industry and U. S. Employment Service. Also includes the National Youth Administration, which was ordered liquidated by Dec. 31, 1943. Does not include the Selective Service System.

[7] Partly estimated.

NOTE.—Employment figures now reported to the committee include dollar-per-annum employees and without-compensation employees of the consultant-expert type who are allowed per diem in lieu of subsistence.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Oklahoma:

S. 1687. A bill for the relief of Samuel C. Sparks (with accompanying papers); to the Committee on Naval Affairs.

(Mr. BUSHFIELD (for himself, Mr. NYE, Mr. WHEELER, Mr. LA FOLLETTE, Mr. GURNEY, and Mr. WHERRY) introduced Senate bill 1688, which was referred to the Committee on Agriculture and Forestry, and appears under a separate heading.)

By Mr. CONNALLY:

S. 1689. A bill for the relief of W. E. Dowdell and June Dowdell; to the Committee on Claims.

By Mr. JOHNSON of Colorado:

S. 1690. A bill to further amend the Pay Adjustment Act of 1942; and

S. 1691. A bill to amend section 406 of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended; to the Committee on Military Affairs.

By Mr. REYNOLDS:

S. J. Res. 113. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point, Alexander Firouz, a citizen of Iran; to the Committee on Military Affairs.

READJUSTMENT OF INDEBTEDNESS IN CONNECTION WITH SEED AND FEED LOANS

Mr. BUSHFIELD. Mr. President, on behalf of myself and the Senator from North Dakota [Mr. NYE], the Senator from Montana [Mr. WHEELER], the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from South Dakota [Mr. GURNEY], and the Senator from Nebraska [Mr. WHERRY], I introduce a bill for appropriate reference for the purpose of adjusting, through the Farm Credit Cor-

poration, seed and feed loans in the grain-growing States.

There being no objection, the bill (S. 1688) to authorize the Governor of the Farm Credit Administration and the Secretary of Agriculture to compromise, adjust, or cancel certain indebtedness, and for other purposes, introduced by Mr. BUSHFIELD (for himself, Mr. NYE, Mr. WHEELER, Mr. LA FOLLETTE, Mr. GURNEY, and Mr. WHERRY) was received and read twice by its title.

Mr. BUSHFIELD subsequently said: Mr. President, in connection with the bill which I introduced earlier in the day, if there is any doubt in the mind of the parliamentarian or the Acting President pro tempore, as to its reference, I suggest that the bill be referred to the Committee on Agriculture and Forestry.

The ACTING PRESIDENT pro tempore. Is there objection to the bill being referred as requested?

Mr. BARKLEY. Mr. President, I inquire what the bill is.

Mr. BUSHFIELD. It is a bill for readjustment of the administration of seed and feed loans.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and the bill will be referred to the Committee on Agriculture and Forestry.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES—AMENDMENTS

Mr. FERGUSON. I offer an amendment to Senate bill 1612, providing a wartime method of voting by members of the armed forces, now pending before the Senate, and ask that it be printed and lie on the table. The amendment comes on page 29 of the pending measure. In effect it provides a change in the language of the bill, so that an individual may not vote by party, but would be compelled to write in the names of the respective candidates for whom he is voting.

The ACTING PRESIDENT pro tempore. The amendment will be printed, and lie on the table.

Mr. DANAHER and Mr. McCLELLAN each submitted an amendment intended to be proposed by them, respectively, to the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, which were ordered to lie on the table and to be printed.

ADDRESS BY SENATOR TRUMAN BEFORE TRAFFIC CLUB OF BALTIMORE

[Mr. RADCLIFFE asked and obtained leave to have printed in the RECORD the address delivered by Senator TRUMAN before the Traffic Club of Baltimore, Md., on February 1, 1944, which appears in the Appendix.]

THE AMERICAN SPIRIT—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address entitled "The American Spirit," delivered by him before the annual merchandising school and sales show of the Wisco Hardware Co., Madison, Wis., January 24, 1944, which appears in the Appendix.]

POWER TRUST MENACES LABOR—ARTICLE BY SENATOR BONE

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD an article entitled "Power Trust Menaces Labor," written by Senator BONE, and published in the International Teamster for February 1944, which appears in the Appendix.]

INFLATION AND SUBSIDIES—LETTER BY PETER ZIMMERMAN

[Mr. HOLMAN asked and obtained leave to have printed in the RECORD a letter on the subject of inflation and subsidies, written by Peter Zimmerman, of Yamhill, Oreg., and published in the Portland Oregonian of January 30, 1944, which appears in the Appendix.]

INTERNATIONAL CIVIL AVIATION

Mr. BREWSTER. Mr. President, I ask unanimous consent to have printed in the RECORD an extract from a speech delivered by Lord Beaverbrook in the House of Lords on January 19, 1944, dealing with the question of international civil aviation. I should not wish this extract to be considered as expressing my own views but merely as a document of very great importance which has not previously been brought to the attention of the American public.

There being no objection, the extract from the address was ordered to be printed in the RECORD, as follows:

We are ready at any moment to enter into an international conference. I cannot tell you when it will take place. But in our view, when the time comes, our first concern will be to gain general acceptance of certain broad principles whereby civil aviation can be made into a benign influence for welding the nations of the world together into a closer cooperation. These principles must assure to all countries a free and fair share in this new means of transportation. No nation, great or small, except, of course, the guilty aggressor nations, must be debarred from taking a full and equitable part in the upsurging development of civil aviation that will follow the end of the war. It will be our aim to make civil aviation a guaranty of international solidarity, a mainstay of the world's peace. Of course, there are vital issues on which it will be necessary for the great powers to reach preliminary agreement. We are ready for such discussions at any time. At present we are waiting on the Americans to complete their surveys.

In particular, the question of bases has been widely canvassed. We have many bases at our disposal. They are scattered all over the Empire, and in other lands, too, the needs of war have caused us to construct airfields suitable for peace as well as for war. I do not, of course, deal today with the bases in the Dominions. These are necessarily separately dealt with, but they must and will be a subject for discussion between Great Britain and the Dominions. But, as for the bases under our control, let me say at once that the Government has no desire to exclude aircraft of other nations. We demand no prescriptive right to the use of airfields for ourselves. Rather do we mean to use them for the purpose of steadily developing civil aviation throughout the world. Here it must be said that the bases are few in number at which any great volume of traffic can be collected. Just the same, it will be necessary to have international agreement on traffic regulations and arrangements. This is an essential condition of future developments. For my part, I find myself on this subject in agreement with Mr. William Burden, of the Department of Commerce in Washington. Mr. Burden, speaking in Washington on the 5th of January, said:

"Complete freedom of the air in the present state of the world might result in commercial anarchy."

I share Mr. Burden's view. For our part, we are prepared and ready at any time to enter into negotiations with a view to disposing of all traffic problems and arrangements that will arise.

Now the President has recently made certain proposals for the future of international civil aviation. He has declared for the right of innocent passage for all nations throughout the world and for the right to land anywhere for refueling and other nontraffic purposes. And I am now authorized by the Prime Minister to say that we join with the President to the fullest extent in subscribing to these principles. I repeat the principles: The right of innocent passage for all nations throughout the world, and the right to land anywhere for refueling and other nontraffic purposes.

I am asked by some noble lords to state what is the future policy of the Government, and I will state it here. It is our intention that the Government shall take a full measure of responsibility for the development of civil aviation when the war comes to an end. That will be our right and our duty, and to the performance of the task we shall bring the vast knowledge of the air and of the airplane which Great Britain has acquired.

THE OIL SITUATION

Mr. MOORE. Mr. President, a few days ago, the Senator from Maine [Mr. BREWSTER] and I introduced a joint resolution (S. J. Res. 110) to liquidate and dissolve the Petroleum Reserves Corporation. As stated at the time of the introduction of the joint resolution, three reasons impelled our action in this connection.

First, the legality of the Petroleum Reserves Corporation is doubtful. The Petroleum Reserves Corporation was set up under an amendment to the Reconstruction Finance Corporation Act, to engage this Nation permanently in all phases of the business of producing, transporting, refining, and marketing of petroleum and petroleum products as a part of our post-war economy, which is contrary to the spirit and purpose of the statute. The Reconstruction Finance Corporation Act was designed and enacted by Congress for the purpose of permitting the organization of corporate agencies deemed necessary for the purchase or manufacture and transportation of critical war materials for the national defense.

Secondly, the participation of the Government in foreign oil operations dedicates us to a policy of imperialism that is a violation of the principles of law and tradition on which this Government was founded and on which it has so gloriously prospered.

Thirdly, the Petroleum Reserves Corporation will engage this country in the field of private trade and commerce, and thus embark us upon a policy which will impede and eventually destroy the private enterprise of our own nationals which has been the basic framework that has made this the greatest industrial nation on the face of the earth.

Now, having briefly stated the reasons which impelled the introduction of Senate Joint Resolution 110, let us look at the situation a little more closely and discuss it in some detail.

Can there be any convincing argument against our contention that the participation of the Government in foreign oil operations dedicates us to a policy of imperialism, and that such a policy of imperialism is contrary to the principles of law and tradition on which the Government was founded? I think not. Can we avoid the conclusion that if we embrace this imperialistic policy, our Government will be looked upon with suspicion and fear by other governments, and that it will inevitably lead to entangling alliances and international conflicts which will be the breeding ground for future wars? I believe such a conclusion is inescapable. There is a vast difference between the ownership of industrial and commercial rights by the nationals of this country within the boundaries of other countries and the ownership of those rights directly by this Government. To be sure, it is the obligation of this Nation to furnish to our nationals abroad every legitimate diplomatic protection which can be afforded, but controversies which may arise between our nationals and another country do not involve national honor or integrity as would be the case in a controversy between sovereign nations.

The British Empire has been cited as a smart oil operator which has acquired large reserves in foreign countries. In this connection, I want to call attention to the popular myth concerning British, French, and Dutch ownership of oil interests throughout the world. In a recent American magazine article, Mr. Ickes, the Petroleum Administrator for War, Secretary of the Interior, President of the Petroleum Reserves Corporation, and the head of some two dozen other governmental agencies, said:

> Great Britain has been much smarter and more forehanded than the United States in acquiring oil reserves in all parts of the globe. Nation and industry have worked together understandingly on the principle that what is best for the industry is best for the nation, and vice versa. With virtually no oil of her own and little coal to spare for producing it synthetically, she has rustled into the world outside, and, hand in hand with her nationals, acquired interests in petroleum fields wherever she could. The French Government has taken an analogous interest in the petroleum properties of French companies. So has the Netherlands Government. As a matter of fact, we are one of the few countries I know of that have not had the foresight to protect against the future. British oil companies have staked out valuable interests in various oil fields of the world. Every British company is touched with a national interest. The British oilman and his country are interdependent, and they both know it. As a matter of fact, the British Government owns an actual stock interest as high as 50 percent in some of the corporations that exploit the oil. This is, in effect, a life-insurance policy under which both are beneficiaries.

The fact is, Mr. Ickes did not know what he was talking about. The British Empire does not directly own a single barrel of oil reserves within the boundaries of any foreign country. The British Government does own a stock interest in the Anglo-Iranian Oil Co., but this is the only case in which the British Government owns or controls any oil interest, and is the exception rather than the rule. It is not true, as stated by Mr. Ickes, that every British company is touched with a national interest. Not only is the stock interest in the Anglo-Iranian Oil Co. the only oil interest owned by the British Empire, but it is a recognized national policy of long standing that the Government shall not participate in the management of that corporation. In a report of the Federal Trade Commission on foreign ownership in the petroleum industry, dated February 12, 1923, quoting from a memorandum of the British Foreign Office to the British Ambassador to the United States, concerning the ownership and management of the Anglo-Persian Oil Co., predecessor of the Anglo-Iranian Oil Co., it is specifically stated that the British Government "does not interfere with the company's commercial policy in any way."

With respect to the Netherlands, Mr. Ickes' statement is equally misleading. The Netherlands Government has no stock interest in the Royal Dutch Shell, nor any participating interest in any of that company's foreign operations, nor does it own directly or indirectly any petroleum reserves. France has nowhere in the world developed oil resources of any importance. French interests hold a minority participation in the Iraq Petroleum Co., but the French have nowhere been successful pioneers in the field of oil development.

For some time our neighbors who have been watching our internal activities and our expanding world paternalism, have undoubtedly been fearful of just such encroaching moves by this country as are exemplified by the formation of Petroleum Reserves Corporation. In Mexico, Venezuela, and Colombia, for example, companies with government stockholders are forbidden by law to explore for, acquire, or operate petroleum reserves. The people of those countries feel very strongly on the subject. For another country in its own right, or as a stockholder in a corporation, to acquire natural-resource interests, is looked upon as an invasion of their country and the beginning of the end of their national existence. Even if certain countries are willing today to permit our Government to own such rights in their countries, this can hardly be a satisfactory showing that such policy is not dangerous for the future peace of the world. On the contrary, such action is only evidence that they hope to have the United States support their countries by money gifts during peace and by a show of arms against outside threats, implied or actual, because of ownership by our Government of valuable property within their borders.

The action of Petroleum Reserves Corporation has until recently been shrouded in a great deal of mystery. From information recently made public, it appears that the immediate action of the Corporation is directed toward the Middle East, particularly the Persian Gulf area of the Kingdoms of Arabia and Iran and the territory of Kuwait. In recent weeks, geologists and other technical experts representing the Petroleum Reserves Corporation are reported to have been in the Middle East for the purpose of making a survey, to the end that the Corporation may obtain a foothold in that area. According to the New York Times of Friday, January 28, Petroleum Reserves Corporation has plans for the erection of 2 refinery units in Egypt, with the combined capacity of 600,000 barrels a day, together with over 3,000 miles of pipe lines extending into the producing areas of Saudi Arabia, Kuwait, and Iraq. This program, according to the report, is to be backed up with a drilling campaign in certain of the fields feeding the Egyptian refineries. Lying between Kuwait and Arabia is an area known as the neutral zone. The ownership of this area is in dispute between the 2 countries. It is understood that this is also one of the areas in which the Corporation is considering the possibility of acquiring reserves. What international complications this particular transaction may involve this country in would be hard to say.

Undoubtedly, if this country pursues the program contemplated by the charter powers of Petroleum Reserves Corporation, it will be the motivating force that will cause other nations to enter into the oil business, resulting in governments competing directly with each other for trade and commerce, with the consequent international complications.

But more fundamental even than these considerations, and more fraught with danger to the welfare of our country and our people, is the fact that the policy sought to be developed under the Petroleum Reserves Corporation of engaging this country in the field of private trade and commerce will impede and eventually destroy the private enterprise of our own nationals which is the foundation of this, the greatest industrial nation on the face of the earth.

Less than 3 years ago this Nation had hardly commenced to think of war; but starting from scratch we are today, because of our ability in the field of mass production, turning out more war materials and equipment than all of our allies combined. In the meantime, we have assembled and equipped an army—the best and finest the world has ever known. We have built the mightiest two-ocean navy that has ever plowed the seven seas, and we are sending a constant stream of supplies and equipment to every fighting front on the globe. How has this miracle of production been possible? It is attributable directly to the native genius of our people educated in the tradition of private enterprise—that enterprise which the White House "palace guards," who call themselves the "planners" of our economy, would now strike down and destroy. Not long ago Mr. Ickes, in one of his numerous magazine articles, had the effrontery to suggest that the consummation of our tremendous production program could not be credited to business and businessmen of this country but to the dictating of the *dictocrats*.

The organization of the Petroleum Reserves Corporation is just another of

many assaults upon the oil industry. Ever since the socialistic and communistic-minded New Dealers took over, they have had their eyes on the oil industry as one of the choice plums to be picked. The first major effort was the Federal oil and gas conservation bill, on which the Interstate and Foreign Commerce Committee of the House conducted extensive hearings in 1934. The bill died in committee. Again, in 1939, a second attempt was made to enact oil-control legislation, known as the Cole bill. Extensive hearings were held by the Interstate and Foreign Commerce Committee of the House during 1939 and 1940, but due to the energetic defense of the oil industry and the help of the States this assault failed, and the bill was never reported out of committee. With the coming of war, however, the bureaucrats seized what they deemed to be their opportunity to grab off the oil industry and immediately proposed, by way of companion bills in the House and Senate, the organization of a half-billion-dollar corporation, known as the War Petroleum Corporation, with Mr. Ickes as president, and with charter powers to engage this country in every phase of the oil business, from production to marketing. The proposal did not get out of either the House or Senate committees.

Now we have the back-door approach under cover of the Reconstruction Finance Corporation Act, by the organization of Petroleum Reserves Corporation. There has been considerable stage setting for embarking this country upon the perilous venture of Government ownership and operation of the oil business. Since we entered the war, the national policy has been to emphasize the virtues of foreign development, promotion of propaganda that we are running out of oil at home, and the restraining of operations in the United States. Nearly everything that could be done to prevent expansion of our own resources has been done. As a prelude to engaging this country in the oil business abroad and later at home, it was felt necessary to create, so far as possible, an artificial shortage of petroleum and petroleum products. This has been accomplished by a conspiracy of the "economy planners" to freeze and maintain the price of crude oil at levels relatively lower than other domestically produced natural resources. The price of crude oil was frozen as of October 1, 1941. On that date the weighted average price of crude oil was approximately $1.20 per barrel, which was approximately the same weighted average price for which it was selling on October 1, 1937. On October 1, 1941, crude-oil prices were approximately 59 percent of 1926 parity levels. The weighted average of other raw materials on October 1, 1941, was approximately 90 percent of 1926 parity levels. Today the price of crude oil remains at approximately 59 percent of 1926 parity levels, while the price of other raw materials has advanced to approximately 112 percent of 1926 parity levels.

The front men for the "economy planners" have continued to turn a deaf ear to the insistent pleas of the oil industry for a living price. They have refused to recognize that exploration cost per barrel of new reserves discovered has increased more than 6 times since 1938. They have refused to recognize the increase in the tax burden, the increase in wages, the increase in the cost of material and equipment, the shortage of manpower, and the added expense of regulation, regimentation, and governmental domineering. On the contrary, in typical bureaucratic fashion, they point to 47 units of the industry which, during the past year, were able to show a book profit on their operations. But the front men for the "planners" do not understand that these profits are the results of overproducing the reserves of these companies in order to supply the enormous military and civilian demands of our country and our allies. They do not understand that this continued overproduction of our reserves will result in waste of reservoir energy that will cause millions of barrels of oil to be left in the formation which can only be produced in the future by secondary methods at great expense. They do not understand that these companies, as a patriotic wartime duty are taking unwanted book profits at the expense of depleting their capital assets. The only thing that the front men for the "economy planners" understand and are concerned with is that a continued repression of prices will eventually bring about a shortage and scarcity of crude oil which they hope will reduce the industry to a few large units, which can be easily taken over or governmentally controlled, and will at the same time arouse public opinion in support of engaging this Nation in the oil business abroad.

The inadequacy of the existing price is admitted by the bureaucrats. The same letter that denied the industry a price adjustment offered a subsidy. The inconsistency of such bureaucratic thinking condemns its own arguments. It is, of course, apparent that there would be no necessity for a subsidy if the price were adequate.

It is true that the finding of new oil fields in this country is becoming increasingly difficult, and it is also true that our presently proven reserves represent only approximately 13 years' consumption based on current inflated war and lend-lease needs. To infer from these facts, however, that we are face to face with an oil famine unless the Government does something about it is unwarranted and misleading. In the first place, new fields will continue to be found, and if the industry is permitted a fair price for crude oil, they will be found at an increasing rate that will overcome the balance now in favor of consumption. Total discoveries of oil in the United States to date have amounted to approximately 45,000,000,000 barrels. Additional exploration and drilling to lower depths, in the opinion of many geologists of national reputation, give promise of disclosing probably an additional 45,000,000,000 barrels. At the present time we have in sight approximately 20,000,000,000 barrels of proven recoverable reserves in the United States. This figure has been calculated on the basis of present production methods, but with the constantly improving technique of producing oil, this reserve may well be increased by five to ten billion barrels. For example, in the east Texas field the total recoverable reserve, originally estimated at 3,000,000,000 barrels, has now been increased to an expected 5,000,000,000 barrels by the experts on account of the production methods being employed in that field. The science of petroleum engineering is making steady and startling progress. In addition, proven methods of hydrogenation of our dry gas reserves may be counted on for an additional seventeen to twenty billion barrels of liquid petroleum.

As further security, our nationals have been active abroad. As a matter of fact, they have acquired ownership and control of oil reserves in foreign fields estimated by some as high as 20,000,000,000 barrels.

The bureaucrats make the argument that although we drilled some thirty-five hundred so-called wildcat wells last year, or about 100 more exploratory wells than during the previous year, there was a continued decline in the discovery of new reserves. On its face, these facts seem to indicate a growing shortage of crude oil in the United States. An analysis of these figures, however, will disclose that many of these wells were marginal in character and drilled in an effort to extend or define presently known fields, although classed as wildcats. Most of these wells were drilled by large corporate units of the industry which, by reason of the restraint placed on them by directors, investors, stockholders, and other restraining influences, moved with the caution and conservatism that is expected of men who are trustees of other people's money. Wildcat wells in the true sense are usually drilled by the independent operator, who is not responsible to anyone except himself for the money he spends and who has the spirit of the pioneer to venture his fortunes and efforts in the hazardous business of exploration. This is the reason that practically all of our great oil fields have been discovered by individuals and not by the large corporate units of the industry. The present price of crude oil makes this character of exploration impossible, and consequently there has been a constant decline in the discovery of new reserves under regulation and price control—an excellent example of what happens when "planned economy" is substituted for the basic law of supply and demand. The oil industry has been shamefully and unjustly punished and discriminated against simply because of the stubborn refusal of the bureaucrats in charge to learn and understand the facts. Although I disagree with the principle of fixing by legislation the price of an isolated commodity such as petroleum, and have announced that I cannot on principle support the pending bill to require the Office of Price Administration to increase the price of oil, I fully appreciate the responsibility of Congress to protect

and preserve the American oil industry and all other private enterprises, whose very existence is being threatened by the withering hand of bureaucracy. As I have suggested before, probably the most effective thing Congress can do is to abolish O. P. A. and recall the almost unlimited powers which have been granted to the Executive. I know there are some who sincerely believe that some sort of price control is a wartime necessity; but certainly the monstrosity that has been created under the Emergency Price Control Act cannot be justified.

The planned shortage and scarcity of oil has been backed up by a program of insidious propaganda. We have been told over and over that our domestic oil reserves are almost exhausted and that very little more will be found; therefore, it is necessary and expedient that we engage this Government in all phases of the oil business throughout the world. The President has suggested that there must be an international pooling of petroleum oil resources in order that all nations may have equal access to the petroleum produced in all parts of the world. Among those who appear to support such international socializing of petroleum, of course, is the president of Petroleum Reserves Corporation. In his American magazine article he said:

> I am speaking objectively, not imperialistically * * * and with the fixed conviction that the petroleum of the world, *as with all other great natural resources*, belongs to the people of the world on some basis that will be equitable, considering all of the circumstances.

However, in the same article, Mr. Ickes says:

> One of the greatest safeguards of the peace, to assure which we are at death grips with the enemy, would be for the peace-loving nations to face the future with oil enough, both for peace and for war, while the brutal and uncivilized nations would be permitted to have oil only for current needs.

The president of Petroleum Reserves Corporation is not too certain of what he means. In one breath he is socialistic, and in the next he is imperialistic. The one thing he is certain of is that the Government of the United States should directly engage in the oil business.

If our domestic oil industry had been permitted to operate freely and without the shackles which have been fastened upon it, it would have no doubt done what it has always done throughout its history—it would have found and produced all the oil required to meet all the demands. Instead, rationing grows more acute, and the civilian user faces the prospect that his present pitifully small allowance will again be reduced. The people are thus being conditioned to an acceptance of the policy of governmental controls which they are told will at some time, yet unspecified, produce greater amounts of gasoline and other petroleum products.

No better way of setting the stage could have been found than the one that was used. Under a frozen price and with rapidly advancing costs, the oil producers have been effectively stymied; many have sold out and quit the business. This is a man-made shortage and the process is still continuing.

Scarcely a day passes that does not find someone proclaiming that we are approaching an oil famine; that we must turn to synthetic fuels under the direction, of course, of the Petroleum Administrator, or that our Government must rush into some other country and acquire in some manner a portion of another nation's oil, under the direction of the Petroleum Reserves Corporation. There is always the warning that we have reached the end of our oil-finding days at home. That note, of course, is not new. It has been sounded from the beginning of the industry. There has always been the pessimistic view that the latest oil field was about the last that would be found. The oil industry, of course, has had its lean years and its prosperous years, but its over-all history represents one of the greatest success stories of modern industrialism; however, this stalwart example of private enterprise cannot exist alongside of, and compete with, Government tax-free and tax-financed companies. Efficiency is of no avail when your competitor is not compelled to earn his way. It would be a short step from Government ownership in the foreign field to Government engagement in and domination of our domestic industry. Once the bars are down for the Government to enter the business of producing, distributing and marketing petroleum in competition with our own nationals, either at home or abroad, then the entire field of private enterprise becomes legitimate prey for bureaucracy.

I am convinced that the people of our Nation will demand a cessation of further encroachment of Government into business, and their representatives in Congress will respond with proper and effective legislation.

Mr. ROBERTSON obtained the floor.

Mr. BANKHEAD. Mr. President, will the Senator from Wyoming yield to me so that I may make the point of no quorum?

Mr. ROBERTSON. I yield.

Mr. BANKHEAD. I make the point of no quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Clark, Mo.	La Follette
Andrews	Connally	Langer
Austin	Danaher	Lodge
Bailey	Davis	Lucas
Ball	Downey	McCarran
Bankhead	Eastland	McClellan
Barkley	Ellender	McFarland
Bilbo	Ferguson	McKellar
Bone	George	Maloney
Brewster	Gerry	Maybank
Bridges	Gillette	Mead
Brooks	Green	Millikin
Buck	Guffey	Moore
Burton	Gurney	Murdock
Bushfield	Hatch	Murray
Butler	Hawkes	Nye
Byrd	Hayden	O'Daniel
Capper	Hill	O'Mahoney
Caraway	Holman	Overton
Chandler	Jackson	Pepper
Chavez	Johnson, Colo.	Radcliffe
Clark, Idaho	Kilgore	Reed
Revercomb	Thomas, Okla.	Walsh, Mass.
Reynolds	Thomas, Utah	Walsh, N. J.
Robertson	Tobey	Wheeler
Russell	Truman	Wherry
Shipstead	Tunnell	White
Smith	Tydings	Wiley
Stewart	Vandenberg	Willis
Taft	Wagner	Wilson
Thomas, Idaho	Waligren	

The ACTING PRESIDENT pro tempore. Ninety-two Senators having answered to their names, a quorum is present.

TRIBUTES TO RAYMOND CLAPPER

Mr. BARKLEY. Mr. President, we have all just learned with the deepest horror and grief of the tragic death of Raymond Clapper in an airplane accident over the Marshall Islands. I am sure that I express not only the feeling of every Senator, but of all Mr. Clapper's friends and acquaintances, and of the public generally, when I say that we heard this sad news with profound sorrow.

Mr. Clapper rose from the humblest place in the newspaper world, by hard work and intelligent devotion to journalism, to one of the highest and most responsible positions. He not only was a great reporter, but he was an outstanding commentator, in the press and on the radio. His death is a great loss not only to his profession, but to the country which he served.

Mr. Clapper was not satisfied to write about this tragic war at long distance, but he put himself on the highway of danger, not only in Europe, but in the Pacific, where he met his untimely end. He died as a soldier in the cause of democracy.

Mr. President, I could not let this occasion pass without uttering these few words of deep regret and sorrow at the news we have heard, and expressing my appreciation of this great American.

Mr. WHITE. Mr. President, it was never my privilege to know personally Mr. Clapper, but I did know of him as one who was a keen observer of the moving events in the life of America and of the world, and as an analyst of them. He rose round by round to the very top of his profession.

An English scholar wrote a series of essays about the men of the Revolution, and in his essay on Pitt he spoke of the glory of his ending. I think Mr. Clapper's ending was a glorious one. He was on the battle line, serving the public for which he had labored for many years analyzing events, and giving to the people of America and of the world his judgment of the causes and consequences of those events.

I join with the distinguished majority leader in expressions of sympathy to all those who were near and dear to Mr. Clapper.

Mr. BALL. Mr. President, I wish to add just a word to what has been said about Ray Clapper. For years he was a personal friend of Mrs. Ball and myself. I first knew him as a newspaperman, and I think it is true that all newspapermen regarded Ray Clapper as a newspaperman's newspaperman. He was always fair. Even when he became a nationally

known columnist, he went out and covered his beat, and got his news first-hand.

In Ray Clapper's death American journalism, accurate reporting, and fair commenting, have suffered a tragic loss.

Mr. REED. Mr. President, I wish to add an expression of deep regret over the death of Raymond Clapper. He was a Kansas product. He was a Kansas newspaperman, who came off the newspapers of Kansas to become perhaps the leading national columnist of his time. I wish to join in what the Senator from Maine and the Senator from Minnesota have said about Mr. Clapper, particularly as a newspaperman. Being a newspaperman myself, I can appreciate the full import of what the Senator from Minnesota has said, that of all the columnists, Raymond Clapper was the newspaperman's newspaperman.

Mr. HATCH subsequently said: Mr. President, when I arrived on the floor of the Senate today I was saddened by news which had come over the wires this morning and which has already been commented on by the majority leader, the Senator from Kentucky [Mr. BARKLEY], and other Senators, concerning a writer for the Scripps-Howard newspapers, Raymond Clapper. I shall not attempt at this time to deliver a eulogy of Mr. Clapper, but I do want to say that I also knew him personally, even as I have known Mr. Pyle, whose article in today's News I have had inserted in the RECORD.

I had a very high regard for Mr. Clapper. I also read his writings with interest and, I think, with information to myself. I have considered Mr. Clapper as a man not only of ability, Mr. President—many men have ability—but I considered him a man of honor and integrity, an essentially patriotic man, who when he died was engaged in carrying on the mission to which he had devoted his life and his career. He was a brave man, he was a courageous man, and as I have said, a man of honor and integrity.

I know of nothing more that I could say than these words which I have uttered in respect to his memory.

JAPANESE WAR RELOCATION CAMP

Mr. ROBERTSON. Mr. President, in northwest Wyoming there is a Japanese war relocation camp. This camp is situated in Park County, of which the county seat is Cody. I have received a letter this morning from the sheriff of Park County which I feel should be made available to my colleagues in the Senate, and I am going to read it. But before doing so, as a background, I want Senators to know that many men from Park County, Wyo., were employed in the construction work on Wake Island prior to Pearl Harbor, December 7, 1941. Very little has been heard from or of the majority of these men, and this condition naturally causes deep resentment against the occupants of this relocation camp.

Mr. President, with this background, I shall read the pertinent paragraphs of the letter I have received from the sheriff of Park County.

DEAR SENATOR: I was informed recently by Guy Robertson, Director of the Heart Mountain relocation center, that the War Department is considering very seriously the removal of the soldiers, or military police as they are known, from the center. Originally there were approximately 150. This original company was moved about 3 months ago and a new detachment of about 60 soldiers sent in to replace them. Now they are considering taking these men away, leaving the camp with a Japanese police force to take care of the camp. This police force is composed of about 60 men at the present time and about two-thirds of these men are alien Japanese. If they withdraw the present military guard down there this camp will be without any protection from the outside.

Since the recent release of the Japanese atrocities to our American and Filipino soldiers the feeling against the Japanese is much stronger in this vicinity and might possibly result in a body of our local citizens moving in on the camp and a serious situation developing. The handling of this situation would temporarily fall on me, until military aid could be secured from Casper or Cheyenne.

Since the Government saw fit to establish the Japanese at the Heart Mountain relocation center against the wishes of the people of Wyoming, I feel that it is the responsibility of the Federal Government to take care of them while they are here.

I advised Guy Robertson that I was opposed to the withdrawal of the military police, and I later called Governor Hunt on the phone advising him of this contemplated action. I might say that Governor Hunt feels as I do about it and is also opposed to the withdrawal of the police.

I feel that you, as a representative of the State of Wyoming in our National Congress, can do much to prevent this action and ask that you do everything you can to prevent this withdrawal of these military police.

We have had very little trouble with the Japanese at Heart Mountain and I feel that the principal reason for this is that the War Department has maintained an adequate military police force there.

Mr. President, it would be difficult for me to estimate the seriousness of what the sheriff of Park County writes. I am sending a copy of his letter with a protest to the Secretary of War, and also to the War Relocation Authority.

Mr. CHANDLER. Mr. President——

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Does the Senator from Wyoming yield to the Senator from Kentucky?

Mr. ROBERTSON. I yield.

Mr. CHANDLER. I do not think protection has ever been adequate at the Jap relocation centers. For the most part the Army has undertaken to guard the outside areas of the camps with 150 or 160 military police, about two-thirds of them limited-service men. A failure to keep a strict military guard invites trouble. In some places they have already had trouble which was serious in some of its aspects.

Mr. President, I wish to join in the request of the Senator from Wyoming, and I sincerely hope the Army will not continue to risk danger by inadequately providing protection for the local areas where the camps are located. Withdrawal of guards invites trouble, and trouble may occur, and, if it does, it will be the responsibility of those who ought to see to it that adequate protection is afforded both for the public and for the Japanese who are in the camps. The Army has not wanted to furnish the soldiers for protection. The War Relocation Authority has almost utterly failed to provide adequate protection, and time and again we have urged the Army to see to it that adequate protection is afforded to the people in the areas surrounding the camps. Such lack of protection I believe to be a tragic mistake. If continued it may cause a great deal of trouble. I certainly hope the Secretary of War will see the wisdom of the position stated by the Senator from Wyoming.

Mr. ROBERTSON. I thank the Senator from Kentucky for his assistance.

SIMPLIFICATION OF INCOME-TAX LAWS AND RETURNS

Mr. WILEY. Mr. President, I ask unanimous consent to submit a Senate resolution calling upon the Finance Committee, or any duly authorized subcommittee thereof, to make a full and complete study of the present Federal tax laws with a view to ascertaining the extent to which such laws, or administration thereof, can be simplified, and I am asking that the report of that committee be made to the Senate at the earliest practical date.

The people of this country are not only aroused about the most extensive and expensive bureaucracy in world history, which has placed under its microscope the investigation and regulation of almost every phase of our lives, but right now, because they are making out their tax returns, they are concerned with the complexities involved in the income-tax law and returns. They are not only put to an expense in making out these returns but because of their complex nature are confused. I know whereof I speak. I have just returned from the Middle West.

The resolution I am submitting might be considered by many as unnecessary, as it is the function of the Finance Committee, together with the Treasury Department, to whip into shape a tax bill that will be less harassing.

We have had assurances for some time that this matter will be given study. I have spoken on this subject before, but, Mr. President, this resolution is a direction that a special group—preferably a special subcommittee of the Finance Committee—be given this problem and that they go to work on it. It is not for me to say at this time how the income-tax laws could be drastically simplified. I have several suggestions which I will submit to such committee in due time. I feel, however, that if the committee should be constituted and should proceed to act it would receive from persons who are not tax experts, if you please, and who have not become befogged in tax returns, many suggestions which might contribute toward the solution of this troublesome problem. There are individuals outside Congress and outside government who might make some very valuable suggestions in connection with this thought of simplification.

Mr. President, I ask that the resolution be referred to the appropriate committee,

and that a copy thereof be printed in the RECORD following my remarks.

There being no objection, the resolution (S. Res. 250) was received and referred to the Committee on Finance, as follows:

Resolved, That the Committee on Finance, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study of the present Federal tax laws with a view to ascertaining the extent to which such laws and the administration thereof can be simplified. The committee shall report to the Senate at the earliest practicable date the results of such study, together with its recommendations concerning methods of effectuating such simplification.

For the purpose of this study, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-eighth Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee under this resolution, which shall not exceed $——, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. VANDENBERG. Mr. President, with great respect for the resolution which has just been submitted by the Senator from Wisconsin, and with complete sympathy for the objective at which he aims, I want to say for the Senate Finance Committee—and I am sure I shall be sustained by the able chairman—that there is no lack of understanding in the Senate Finance Committee that tax forms today are insufferably complicated. I doubt whether we require any directives in order to appreciate the fact that the next job is to simplify tax returns.

I think it ought to be understood and appreciated that the task of simplification is not quite so easy as it sounds. The complication in tax forms and in tax laws is not due to any lack of effort to establish simplified and uniform tax formulae. It is the result of the fact that 90 percent of every tax law consists of relief provisions which become apparent after a tax has been levied because of the wide complexity of conditions in a country the size of the United States.

It is a very simple matter to agree with the general principle that there ought to be simplification, just as it is a very simple matter to agree that it would be a wonderful thing if we could raise $20,000,000,000 in new taxes instead of $10,000,000,000. That is a very easy thing to say. It is a very difficult thing to do. It is a very simple thing upon which to generalize. It is a very difficult thing upon which to particularize. As a member of the Senate Finance Committee, deeply sympathizing with the desire for the maximum revenue available in this country, I would express the hope that our consultants up and down the country, when they are giving us advice, would undertake, so far as possible, to be specific and tell us where we can get the money which is needed, for, otherwise, the advice is not of great value. I am referring at this point to the question of how much money can be raised.

Now I return to the question of simplification. I completely sympathize with the objectives to which the able Senator from Wisconsin addresses himself, but I want to make it quite plain that the problem has long been recognized and that the Senate Finance Committee intends, if it be humanly possible, to do precisely the thing which the Senator requests.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. REVERCOMB. Have any steps been taken toward simplifying the form of the tax returns?

Mr. VANDENBERG. Yes; and in the law which is now pending there will be some simplification as a result of the work upon the tax bill now awaiting final approval in conference.

Mr. REVERCOMB. Can we hold out any hope to the people of the country who are required to fill out these very involved tax returns that there will be a form which will be much simpler than the one they now have to fill out?

Mr. VANDENBERG. I think there is very definite reason for hope in that direction, if on no other basis than the adages that the nearer a disease approaches a crisis the nearer it approaches a cure, and that it is always darkest before the dawn. I think we have reached the point where we must simplify. There is no alternative.

Mr. REVERCOMB. I agree with the Senator that it has not only reached a crisis, but an epidemic. The complaints are epidemic, and justify a sweeping change.

Is the able Senator able to tell us whether there may be simplification in the very near future or at any time which the Senator may be able to specify?

Mr. VANDENBERG. If the Senator means whether any substantial simplification will be possible before the March 15 returns are filed, I shall say "No"; but there is every disposition to work for simplification.

Mr. REVERCOMB. May we assure those who write us on this subject that it is being dealt with by the Finance Committee of the Senate and that there is reason to believe that the form will be simplified within a reasonable time in the future?

Mr. VANDENBERG. I certainly hope so. The Senator will understand that the form can only be simplified as the tax structure itself is simplified, because the form has to reflect the structure and the system. Certainly, there is every disposition on the part of the Senate Finance Committee to simplify the structure so that the form itself may be simplified, because it is certain that we have reached a point where the willing taxpayer needs a civil engineer and a Philadelphia lawyer and a crystal gazer in order to find out what he owes. We have reached a situation which is intolerable.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. WILEY. I wish it to be clearly understood that in submitting the resolution and in the remarks I have made, I have not intended to reflect on the Finance Committee. But, Mr. President, I make the specific point that everybody's business is nobody's business. I suggest that the Finance Committee appoint a special subcommittee of its own members, having the specific obligation not to study the tax bill now pending, but between now and the time when the next tax bill is considered, to study this problem and to get the benefit of ideas of men outside the committee as well as of men in the committee, but having the specific problem in front of it, and nothing else. When that is done, we shall obtain a simplification in law and forms. Until that is done, we shall get only a more complicated bill. That is human nature. We have seen it occur all too often when everybody's business is nobody's business.

Mr. VANDENBERG. Mr. President, if the Senator will permit me to do so, I should like to say that I completely disagree with him in his last observation.

Mr. WILEY. It is not the first time we have completely disagreed.

Mr. VANDENBERG. No. I agree that what is everybody's business is nobody's business; but I doubt whether any subdivision of the Senate Finance Committee could be more completely impressed than is the whole committee with the necessity for simplification and with the desire to proceed in this direction as rapidly as possible.

I repeat that it is impossible to simplify the tax form until the system is simplified; and our problem is to simplify the system. We have just sat through 2 or 3 months' consideration of the latest tax bill, which is a relatively minor bill as tax bills go. The committee has sat hour after hour, day after day, week after week, listening—to what? To citizens of the United States seeking relief from the application of some general tax which would be very simple indeed if it could be applied wholesale. The trouble is that this is a very great country, with very great complexities in its tax problems and in connection with the impact of taxes. This matter is not one of simply sitting down to the problem of simplifying a return. The problem is to simplify the system itself. We should start at the bottom and should rewrite the entire tax structure of the United States; and, in my opinion, until we do so, the simplification will not be what it should be and what the people of the country are entitled to have.

Mr. CONNALLY and Mr. WILEY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Michigan yield, and if so, to whom?

Mr. VANDENBERG. I yield first to the Senator from Texas, and then shall yield to the Senator from Wisconsin.

Mr. CONNALLY. Mr. President, let me say to the Senator from Michigan that I am very happy indeed that the Senator from Wisconsin submitted the resolution. I assume he has a plan which he would be glad to submit to the Finance Committee, with a detailed outline of how tax forms and returns could be simplified. As a member of the Fi-

nance Committee, I am sure I am in agreement with the Senator from Michigan in stating that we welcome any simplification. It is very easy merely to declare by statute that the form shall be simplified; but simplifying it is another matter. It is impossible to simplify something which is not simple. American business is not simple; it is complex. Whenever we frame a tax law providing for a certain kind of tax, by the time we meet again a great many smart people have devised ways of evading the tax or avoiding it or detouring around it, and then we have to fill up the gaps.

Whenever we fill up the gaps we make the return more complicated and more complex. The only way we can really simplify it is to do away with all but one tax, and to say that everyone shall pay that tax. That would be simple. But whenever we introduce two taxes we have to adjust the form of the returns in order to show accurately the liability of the taxpayers with reference to those two taxes; and whenever we introduce three kinds of taxes, we have to add something else, and so on, ad infinitum. That is particularly true now, when there is such a tremendous urge to get all the possible revenue we can obtain from every source.

I am not apologizing for the Finance Committee. I am a very humble member of the committee. I have been on it ever since I have been in the Senate. If anyone thinks it is a picnic to serve on the Finance Committee, he should come there and sit with us for a couple of days. The committee perspires and sweats and toils and labors. That happens every time we have a meeting. The committee is one of the most toilsome, hard-working, hard-riding committees we have in the Senate. We would like to make the returns simple. If we could simplify the returns, we would simplify our duties and our tasks; and I commend the Senator from Wisconsin when he says he is going to help us on this matter. I welcome his help. I should be glad, as a humble member of the committee, to submit his new form.

But I wish to suggest to the Senator that the Treasury has been wrestling with the tax forms ever since 1913, when the first income-tax law was enacted. The Treasury Department is interested in making the form simple, because the simpler it is the less labor it will have in analyzing the returns and obtaining the results. The Finance Committee wants to see the tax form simplified, but we cannot by a resolution simplify something which is not in itself simple. Business, enterprise, and initiative in America are not simple. They are complex, and in dealing with a complex subject we must have a complex return to find out just what the attitude of the taxpayer is.

I wish to thank the Senator from Wisconsin [Mr. WILEY]. I welcome his help.

Mr. LA FOLLETTE rose.

Mr. VANDENBERG. Mr. President, I will yield to the senior Senator from Wisconsin in a moment.

Nothing which I have said reflects in any way upon the purpose of the junior Senator from Wisconsin [Mr. WILEY] in raising this issue. It simply occurred to me that there has been a great deal of criticism which is based upon misinformation. Let me repeat that the criticism applies not only to the tax form but also to the total taxation available these days. I should be particularly interested in hearing from those who think we can raise $10,000,000,000, $13,000,000,000, or $20,000,000,000. I should be greatly interested in knowing where, when, and how it can be done, because we have struggled to raise two and a half billion dollars. There is not a nickel of it with respect to which there was not a battery of witnesses attending the meetings of our committee to tell us that we were going to wreck everything by raising two and a half billion dollars.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield first to the senior Senator from Wisconsin.

Mr. LA FOLLETTE. Mr. President, I merely wish to make this comment for the RECORD: I believe that every member of the Finance Committee, as well as every Member of the Senate and of the House of Representatives, desires to see the tax structure simplified. I firmly believe that it must be simplified if in the end it is not to break down altogether. However, I wish to point out the fact that many of the complexities of the existing structure are due to the efforts of the Finance Committee of the Senate and the Ways and Means Committee of the House of Representatives to mitigate the impact of taxes upon certain situations. Many of the complexities grow out of our efforts to provide cushions for the individual as well as the corporate taxpayer. Those who think that it is easy to simplify the tax structure must bear in mind that the effect of oversimplification would be to impose in a harsh and ruthless manner, upon both individuals and corporations, the taxes which are now levied.

Mr. VANDENBERG. I entirely agree with the Senator's comment.

I now yield to the Senator from Ohio.

Mr. TAFT. Mr. President, I should like to know whether the Senator, as the ranking Republican member of the Finance Committee, has received any specifications from the representatives of the new school of thought, advocating a $20,000,000,000 increase in taxes, which would guide the committee in accomplishing that result?

Mr. VANDENBERG. No. At the moment my information is confined to the wishful thinking concerning which I have read in the newspapers.

Mr. TAFT. I have this to suggest with respect to complications: To a large extent they are due to lack of cooperation between the Treasury and the Finance Committee of the Senate and the Ways and Means Committee of the House. Every tax bill with which I have had anything to do has been a perpetual struggle, first between the Ways and Means Committee and the Treasury, and then between the Treasury and the Finance Committee of the Senate. Such struggles usually end in compromises; and every time we make a compromise we have a new complication. I suggest that if the Treasury representatives would only sit down in advance with the Ways and Means Committee of the House or the Finance Committee of the Senate, or both, and talk things over, we might make some compromises in advance, so that before we started we could agree on the principles on which the tax bill was to be written. Then it would be fairly simple to go about the business of carrying out those principles in the simplest possible way, instead of the most complicated way.

The Senator will recall that last fall he and I were summoned by the Secretary of the Treasury to his office. He told us about the plan which he intended to submit to the Congress 2 or 3 days later, for raising ten and a half billion dollars. Incidentally, it was only a six-and-a-half billion dollar plan, because $4,000,000,000 represented compulsory savings, and would have to be paid in bonds.

He did not ask our advice in any respect. I supposed, of course, that we were invited there so that we might express our opinions in advance in order that a plan might be worked out in Congress. He did not ask the opinion of any Senator or any Member of the House. I ventured the suggestion that the plan looked wrong to me; that apparently there was a reduction in taxes for millions of taxpayers. I did not think they were asking for a reduction.

Nothing further was said, and we left. Two days later that plan was submitted exactly as it was read to us, and 2 days later it was thrown out by the Ways and Means Committee. From that day to this, the Treasury has never moved 1 inch from that plan. There has been a perpetual fight going on all the time, resulting, as I say, in compromises, which nearly always add complications to a tax bill.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. VANDENBERG. I shall be glad to yield in a moment.

I wish to make this further reply to the able Senator from West Virginia [Mr. REVERCOMB], who was hunting for some tangible consolation——

Mr. REVERCOMB. I should like very much to have it.

Mr. VANDENBERG. That is the situation in which the poor befuddled taxpayer finds himself—to the number of 50,000,000 at the present moment.

Let me repeat that simplification of the form must follow simplification of the system itself. The form is just as simple today as the tax system itself will permit. Under the Constitution, any change in the system must originate in the House of Representatives, because it is a revenue matter.

The most tangible reply I can make the able Senator from West Virginia is that within the past 10 days Representative CARLSON of Kansas has submitted to the House a very important and very practical proposal, which invites a very substantial simplification of the system itself, through the combination of various types of taxes into one tax applied to one base. I know of no reason why what I may call the Carlson formula should not be developed in the reasonably near future. Certainly that is my hope. No one could be more aware of the problem

of complex tax returns than are members of the Senate Finance Committee. It is a problem. As the junior Senator from Wisconsin has indicated, it goes to the very heart of popular morale in respect to the relationship between Government and its citizens. The present return is utterly insufferable, but the reason is the law itself.

No one could be more eager than am I to correct this situation and to arrive at a concentrated tax formula which could be reflected in a concentrated and simplified return. I can assure the Senator from Wisconsin that not only have I been giving hours, days, and weeks to this problem in the past, but this morning I had a conference with three experts on the subject. I am sure that I and every other member of the Senate Finance Committee in dealing with this problem will continue to search for the objective to which the Senator very appropriately lends his emphasis.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. REVERCOMB. I am quite sure that every Member of this body knows how correct the Senator from Michigan is when he says that he is earnestly working toward the end which we all seek in the simplification of the tax system and the resulting tax form. It is very encouraging to hear the statement made that, as a matter of fact, steps are being taken, and that a plan has been submitted to the Ways and Means Committee of the House of Representatives, which first deals with the tax problem, which plan, if followed, may lay the foundation for a more simplified tax form.

I appreciate the statement made by the Senator from Michigan. I appreciate the work which he and the other members of the Finance Committee have done. But if there is one thing which is needed today for the morale—to use the words of the Senator from Michigan—of the people of the country who are taxpayers, it is a simplified tax system, and certainly a simplified tax return.

Mr. VANDENBERG. Mr. President, I agree completely with the Senator. I apologize for leading off in this discussion today. The able Senator from Georgia [Mr. GEORGE], the chairman of the Finance Committee, is on the floor, and he is much more able to discuss the subject than I. He himself has given deep study to and expended much effort on the problem of simplification. I see that he is on his feet, and if the Senator from Wisconsin [Mr. WILEY] will forgive me, I should like to yield to the Senator from Georgia for any comment which he may wish to make.

Mr. GEORGE. Mr. President, I wish to make a statement.

More than a year ago, after we had finished the 1942 tax bill, as chairman of the Joint Committee on Internal Revenue Taxation I specifically instructed the staff to devote itself to the study of the simplification of our tax laws. The forms are made up in the office of the Bureau of Internal Revenue with Treasury approval. Of course, they have to conform to the law as it is written. For many months the Joint Committee on Internal Revenue Taxation has been giving study to such a simplification of our tax system as would lead to a simplified tax-return law.

Mr. REVERCOMB. Mr. President, will the Senator yield at that point for a moment?

Mr. GEORGE. Allow me to proceed for one moment, please, and then I shall yield.

The staff of the Joint Committee on Internal Revenue Taxation was empowered to bring into its service from the outside a committee composed of men who are familiar with and are students of our taxing system. That has been done. The committee has been at work. Three or four able men have contributed their services without cost to the Government. The committee has also cooperated with the Treasury, and for the last several months the Treasury has been giving study to the problem of tax simplification. I make that statement preliminary to what I am about to say.

Since 1940 we have been engaged in increasing taxes and, therefore, greatly increasing the rates. It is easy enough to simplify a tax return. It can be done, let me say to the Senator from Wisconsin, by simply providing that, without regard to family status, without regard to whether there are children or how many, a flat tax shall be imposed on the total income of everyone. Suppose the Senate Finance Committee reported that kind of a bill to the Senate; how long would it last? Yet, that is the basis of simplification—no exemptions, no exceptions; a flat tax on income generally. The Senator and I know there is not a Member of this Senate who would vote for such a bill. Yet, that is the way to simplify the tax return.

Our tax laws have become complicated because as we have increased the tax rates it has been absolutely necessary to safeguard against hardship cases and inequities which would be imposed by any straight-line tax system with the rates as high as they now are. That is why we have complications in our system, and there will always be complications in the system so long as the rates remain at their present level.

I read in this morning's newspaper that Mr. Willkie has suggested there should be sixteen or twenty more billions of dollars raised as taxes. I wonder how much thought he has given to the subject. I wonder how he would obtain the money. I wonder where he would impose the tax.

Last year the Congress made a desperate effort to put the taxpayers on a pay-as-you-earn basis. In order to do so we had to compromise by carrying over one-fourth of 1 year's taxes. That meant complications. Yet, that was the only way by which we could bring about a reform which was sorely needed.

Now what is the situation? If the present pay-as-you-earn tax program is retained with its present 20 percent withholding at the source—and by no other device can the program be maintained—and we should attempt to raise ten and a half billion dollars more, as the Treasury recommended, it would be necessary to withhold in the low brackets 32 percent. Would Senators vote for that kind of a bill? I do not think they would.

If we were to adopt Mr. Willkie's theory we would have to withhold about 40 percent in the lowest income bracket. Do Senators believe we could take 40 percent of the dollar of every worker in America who is subject to a tax? I do not think it could be done without destroying the morale of the American people.

I have repeatedly said that if we are to obtain a substantial increase in revenue from taxation we must consider new methods of taxes, and new sources of revenue. We have not been able to do that because it has met with opposition on the part of the Treasury. So there we are. We have spent the greater part of the last 3 or 4 years in fighting over rates and methods of taxation, and had very little time to give our thought and attention to the simplification of the tax laws. We have made some progress in simplification. We have made it in the bill which is still in conference.

For instance, we have taken away from the individual income taxpayer all credit for earned income. That simplifies the tax return. There is no doubt about that. But it also increases the burden on the individual income taxpayer.

We have done another thing which simplifies the tax law. We have provided that the income taxpayer may not deduct from his gross income for income-tax purposes money paid by way of Federal excise taxes, such as taxes on theater tickets, gasoline taxes, or whatever other kind of tax he has been accustomed to pay on articles on which the Federal Government has levied an excise tax. We have taken those two steps towards simplification in the bill which is yet in conference. The simplifications are at the cost of the individual income taxpayer. There is no doubt about that. We could simplify the tax law by taking away all exemptions. We could take away the $1,200 exemption for a married person, and then it would not be necessary for him to calculate his exemptions. We could simplify it further by taking away the taxpayer's $500 exemption, if he is a single person, and he would not have to calculate it. We could also simplify it by taking away the $350 exemption for each child or other person dependent on the taxpayer. It is possible to bring about a great many simplifications, but they would be brought about at the cost of the taxpayers unless we changed our whole tax system.

I said just now that the tax returns and forms are made up in the Bureau of Internal Revenue, with Treasury approval. Necessarily, Mr. President, those forms are designed to see whether you and I are telling the truth when we make our tax returns. If it were left to the individual to make out his tax return it could be made very simple even under a complicated tax law, but the Treasury wants to know whether the taxpayer has arrived at the right conclusion.

Mr. REVERCOMB. Mr. President, will the Senator yield at that point?

Mr. GEORGE. I yield.

Mr. REVERCOMB. The able Senator from Georgia, the chairman of the

Finance Committee, has again made a statement about which I want to make an inquiry for information. Are the complicated forms about which we have heard so much complaint from taxpayers throughout the country printed in the Bureau of Internal Revenue?

Mr. GEORGE. They are made up through the joint activity of the Bureau of Internal Revenue and the Treasury Department, or a committee that is charged with that responsibility.

Mr. REVERCOMB. Do they make up the form that is used today?

Mr. GEORGE. Yes; it is made up in that way.

Mr. REVERCOMB. Is the Finance Committee of the Senate or the Ways and Means Committee of the House of Representatives consulted by the Treasury Department or by the Bureau of Internal Revenue as to what shall go into the form.

Mr. GEORGE. No; except as we may bring up questions that relate to the form and as we have written a short form for taxpayers whose taxable income does not exceed $3,000 derived from certain sources such as wages, salaries, annuities, interest, and so forth. All taxpayers may use the short form if their income does not exceed $3,000.

Mr. REVERCOMB. Does not the Senator feel that the form might be simplified by consultation with, or, I might say, by direction of the Finance Committee of the Senate or the Ways and Means Committee of the House of Representatives or the two together.

Mr. GEORGE. I do not know how we could do that so long as we have administrative officers whose duty it is to devise the form and have it printed and sent to all taxpayers. We could, of course, write into the law itself a form which all taxpayers should be required to file, but I do not think that would be a practical approach to the question, because, necessarily, the Bureau of Internal Revenue and the Treasury Department must prepare the form in order to develop the tax liability of the individual or the corporation making the return, and that forces them to go right back to the law itself. If there is to be any great simplification or tax reform, it must be through the simplification of the tax system itself.

I agree fully with what the Senator from Michigan and other Senators have said on that point; but I do not appreciate the fact that a great many Members of this body as well as a great many columnists are constantly talking about the complexities of our tax form. Of course they are complex, but consider the point to which the rates have gone, consider now what the tax burden is, and realize, if you can, that if hardship cases are not guarded against a great many taxpayers will be crucified. We must of necessity not do that. I would rather have some complexity, so far as I am concerned, than to crucify helpless taxpayers by any sort of a straight-line tax system or tax form that would make it easy for some men to pay their taxes but make it impossible for many other millions of Americans to pay their taxes.

Mr. President, I have referred to two steps. I could call attention to the fact that we have taken at least three or four steps in the bill which is now in conference to simplify the tax form itself, because, if we eliminate from the law certain exemptions and certain deductions, then there is no need for the form to call for a calculation of those exemptions and those deductions. It is impossible for those steps in simplification to manifest themselves in the March 15 return, because the bill which we have passed deals with the taxes from December 31, 1943, on, and is not retroactive. Tax liability for 1943 has already accrued; it has already risen under existing law.

There is another point to which I should like to call attention. The Senate Finance Committee and the Senate itself have no original jurisdiction in matters of taxation. Any law that affects the revenue, even by way of simplification of the system, whether it increases the revenue or decreases it, must originate in the House of Representatives. I am not saying that by way of shirking responsibility for a study of the complex character of our tax laws at this time, or for the purpose of relieving the Finance Committee from the necessity of studying it; but I want to repeat that after we completed work upon the last tax bill an agreement was reached by which the Treasury and the joint committee staff would immediately begin a study of the question of simplifying our tax laws and tax forms and tax returns. On the committee which I instructed the Joint Committee on Internal Revenue Taxation to set up there are representatives outside the Government, men who have given great and long study to this problem, and they have been working on it for several months. We have a definite assurance, as I stated several times in the discussion of the tax bill before this body, that the Ways and Means Committee immediately after the tax bill is out of the way would begin a study looking to a simplification of the tax system, which is of course the first step toward any material or substantial simplification of forms and returns.

That is the situation. I know that the tax returns are complicated, that they are disturbing. I know also that it is impossible to devise any return that will make the taxpayer disclose what his liability is on the face of his return without having complications which people who have not had any experience in making returns will find very difficult and troublesome.

Now, Mr. President, let me say further that I appreciate the willingness of every Member of this body to assist the Finance Committee, and I shall be glad to give the opportunity to every Senator to appear before the Finance Committee. Finally the responsibility rests upon every Member of this body, regardless of whether he is a member of the Finance Committee or not, so far as the simplification of the tax laws and even of the forms is concerned; but the first responsibility is on the committee, and the committee has been trying to discharge its responsibility in that regard. When we reach the time when a reduction of tax rates in this country can occur, if we reach that time, then we can make some simplification of our tax structure.

Mr. TOBEY. Mr. President——

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Does the Senator from Georgia yield to the Senator from New Hampshire?

Mr. GEORGE. I yield.

Mr. TOBEY. I wish to address a question to the chairman of the Finance Committee with reference to his remarks. Referring to the comments of many critics in the country about the low amount of yield of the new tax bill, I ask the Senator whether I am correct in my understanding that the tax bill just adopted by the conferees, superimposed upon the existing tax structures, will require individual taxpayers of this country to pay $17,000,000,000, and that the total tax income from industry and from individuals will be about $44,000,000,000? Is that approximately correct?

Mr. GEORGE. It is approximately correct. The total individual income-tax burden, under the bill just adopted, will be more than $17,000,000,000, say $17,000,000,000 in round numbers. Nearly the same amount will be collected from corporations. There will be, in addition, about a billion dollars plus, in the form of increased excise taxes.

The total receipts of Government, the national income, assuming the present level of business, will, under the bill which is now in conference, be brought to above $43,000,000,000, and in addition there will be the income under the provisions of the bill which require the return of every dollar of money recovered through renegotiation, or through the reduction in contracts, which we have been told has been running at the rate of approximately $5,000,000,000 for the year 1942, and is now to be paid into the Treasury. So that when we figure the taxes, plus the renegotiation provisions, we find that the total tax burden on the American people will be not far from $48,000,000,000, and there is to be added another eleven billion collected by the States, counties, and municipalities from the same taxpayers.

Mr. TOBEY. I thank the Senator. I regret very much that the sources of public information, notably, the columnists and commentators and newspaper writers, so often do not bring that truth, so salient and so impressive, to the attention of the people, while they do voice the direct criticism that the Congress has been derelict in its duty. I thank the Senator from Georgia.

Mr. WILEY. Mr. President, I should like to ask a question of the distinguished chairman of the Committee on Finance, because apparently I stirred up this hornet's nest today. I should like to ask him whether there is anything particularly wrong about the language of the resolution proposed, which provides as follows:

Resolved, That the Committee on Finance, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study of the present Federal tax laws with a view to ascertaining the extent to which such laws and the administration thereof can be simplified. The committee shall report to the Senate at the

earliest practicable date the results of such study, together with its recommendations concerning methods of effectuating such simplification.

It was not my intention to offend anyone. In fact, I had no idea there were so many sensitive folks in the Senate. I did not realize that when I rose to present a resolution virtually along the line of the demand of 99 percent of our people, anyone would feel I was particularly sticking a pin into him, yet we have here seen member after member of the Finance Committee rise and speak as if the resolution was a direct attack on him. The "skittish mustang" from Texas [Senator CONNALLY] particulary was put out.

I wish to compliment the chairman of the Committee on Finance. He has the regard and affection of every Member of the Senate; indeed, I do not believe there is a man in the Nation who stands higher than does he. At the same time, as he has conceded on the floor of the Senate, for a year or more past we have been talking simplification, but we have complication.

All I ask is that a special subcommittee of the Committee on Finance, headed, for example, by someone such as the distinguished senior Senator from Michigan [Mr. VANDENBERG] would make it its business to look into the matter, and if we cannot simplify, say so to the people, after full hearings and the process suggested by the Senator from West Virginia and other Senators has been followed.

There was no intention on my part of casting any aspersions upon any Senator, or to criticize anyone for not performing his duty. Nevertheless every Senator who has spoken has admitted the need of tax simplification, because of the harassment to which the people are subjected in making out their returns. I feel there is a way out. I feel the Finance Committee can find that way. But that way will not be found by taking the defeatist attitude, manifested by some of the remarks made here today.

Nothing is impossible for the American when he goes to work. Let us go to work and meet the demands of our people to simplify the tax laws and tax returns.

Mr. GEORGE. Mr. President, if I may interrupt the Senator from Wisconsin, I had an idea that he had some such purpose as that. I do not know whether the Senator had knowledge of the fact that the Joint Committee on Internal Revenue Taxation, with a group of men gathered from all quarters of this country, together with certain Treasury officials, have been at work on this very problem, and will be ready to start hearings before the Committee on Ways and Means as soon as the present tax bill is out of the way. I understand the Senator's motive and purpose, and I am sure there is nothing personal in it, and that it is not aimed at anyone, but is merely aimed at the correction of a situation which is onerous and burdensome and disturbing to our taxpayers.

Mr. WILEY. Is it the Senator's understanding that the committee of which he has spoken will in the near future file a report indicating their suggestions as to the simplification of the law itself, and of the forms?

Mr. GEORGE. Both, primarily the law, because after all the Bureau of Internal Revenue and the Treasury must make up the forms to elicit information which will enable them to administer the law as Congress writes it. They are ready to begin public hearings before the Committee on Ways and Means as soon as that committee is able to take up the question, and the chairman of the committee has given assurance that he did not wish to wait even until March 15, but wished to wait only for a breathing space of 10 days, or some such time, after the present bill is out of the way.

Mr. WILEY. I thank the Senator.

Mr. SMITH. Mr. President, if I may ask a question, Is the resolution aimed at simplifying the tax returns?

Mr. WILEY. My resolution contemplates that a subcommittee of the Committee on Finance shall be appointed by the chairman of that committee to study the subject of simplifying the tax law and tax returns.

Mr. SMITH. My reason for asking the question is that I have received letters from all over the country, and many from my State, from prominent men, and from some who are not so prominent, protesting that they cannot fill out intelligently the present income-tax return forms. I wish to join in asking that they be simplified.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES

The Senate resumed the consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes.

Mr. HATCH. Mr. President, today I have brought with me to the floor of the Senate for the purpose of asking that it be printed in the RECORD an article by Mr. Ernie Pyle, a writer for the Scripps-Howard newspapers. The article deals with the subject under discussion, the soldiers' vote.

Mr. President, I have very high regard for Mr. Pyle. It may derive from the fact that he is a prominent resident of my State; that is, whenever he is home he lives in New Mexico. I read his articles daily with interest, and I gather a great deal of information from them. So I have brought this article to the floor with me today, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOLDIERS WANT TO VOTE

(By Ernie Pyle)

IN ITALY, February 3.—The British Army recently announced a new system of wound and foreign-service stripes, similar to ours of the last war. I've wondered for a long time when we would get around to doing it ourselves; and if you ask me, the sooner the better.

The new British wound insignia is to be a straight up-and-down gold stripe an inch and a half long on the left forearm. There will be one for each wound. Similar stripes of red will be granted for each year of service in the war.

Ours of the last war was a golden "V" on the right sleeve for each wound, and the same on the left sleeve for each 6 months of service abroad.

A little thing like a stripe can do wonders for morale. And certainly it's pointless to wait till everybody gets home, for the average soldier will get into civvies the moment he gets his discharge. Over here, and right now, is when wound and service stripes would give a guy a chance to get a little kick out of wearing his record on his sleeve.

In fact, I wouldn't mind parading a few stripes myself. Very shortly I'll have a total of 2 years overseas since World War No. 2 began and since I'm now at the age where hardening of the arteries may whisk me off at any moment, I'd like somebody to see my stripes before it's too late.

A thing I've always feared in war zones has at last happened—my typewriter has broken down.

A certain metal bracket has crashed right in two, and you can no longer turn the cylinder and make a new line by hitting the little lever on the side.

Still, all in all, the break-down could be much worse, and I don't know that a broken typewriter makes so much difference, anyhow, to a correspondent who is unable to think of anything better than his broken typewriter to write about.

A few weeks ago I mentioned that the boys in a certain artillery battery were betting on whether Schlitz beer ever came in green bottles or not.

Well, R. Ray Parsons, of Indianapolis, writes that the Schlitz bottle was brown for many years, but that because of the wartime bottle shortage it is now often put in green bottles. That settles the argument, but the best part is yet to come.

Mr. Parsons was a private in the A. E. F. in the last war and he is a Schlitz salesman. He has now been so carried away with his own war memories, and his enthusiasm for the ripe quality of his own suds, that he offers to buy the two artillerymen all the beer they can drink in a week after they get back to America. If they'll write him, he'll make the date.

That would be fine but, Mr. Parsons, what the artillerymen and everybody else want is beer over here right now. Everybody but me, of course.

All America seems to be worrying about whether the soldiers are going to get to vote.

Well, if you'll let me have the platform a moment, I think I can tell you how it is. I can't answer for the Army which is either in training or in behind-the-lines routine jobs, but I think I can answer for the front-line combat soldier, and the answer is this:

Surely, he wants to vote. If you ask him he'll say yes. But he actually thinks little about it, and if there's going to be any red tape about it he'll say, "Nuts to it."

The average combat soldier is so consumed with the job of merely keeping alive, and with contributing what bare little he can to his own miserable existence, that he has little room in him for thinking about the ballot. If you offered him his choice between voting in November and finding a dirty cowshed to lie down in out of the rain tonight, the cowshed would win.

If the Army could set up the machinery and some day all of a sudden tell every soldier in the combat zone to step up and mark his "X" if he wanted to, then 99 percent of the front-line troops would vote.

But if soldiers have to fill out long questionnaires from their home States, sign affidavits, and fuss around with reading and writing out complicated lists, then I think 99 percent of those same front-line troops would say:

"To hell with it, we'd rather have a cigar ration at suppertime instead."

Mr. BYRD. Mr. President, yesterday I inserted in the RECORD telegrams from 46 Governors. The 2 Governors who had not then replied were the Governor of Arkansas and the Governor of Louisiana, with respect to what their States had done concerning amendment of the existing laws to permit the soldiers to vote. The Governor of Arkansas has telegraphed me as follows:

No change in statute required to permit soldiers to vote. Following World War No. 1 our legislature passed laws making possible voting of soldiers and sailors in armed services. Soldiers on foreign soil will be able to vote in preferential primary and general election. Soldiers within confines of the United States can vote in both preferential as well as run-off and general election. Necessary changes being effected by revision of rules of the Democratic State Central Committee in cooperation with county judges throughout the State who are purchasing poll taxes for absentee servicemen.

HOMER M. ADKINS,
Governor of Arkansas.

The Governor of Louisiana telegraphed me as follows:

Louisiana Legislature in 1942 passed voting law protecting rights of all registered soldiers and servicemen and same is being used widely in current gubernatorial campaign.

SAM H. JONES,
Governor of Louisiana.

Mr. President, the Governor of Minnesota has sent me a second telegram, as follows:

Minnesota has not amended its laws to permit foreign voting but we plan to do so by calling a special session of the State legislature for that purpose.

EDWARD J. THYE,
Governor.

Mr. President, the telegrams indicate that at least 43 States have already made the necessary changes in their laws, or given notice, through their Governors, of their intention to do so.

Mr. TAFT. Mr. President, I ask that there be inserted, as a part of the remarks I am about to make on the pending amendment, an editorial entitled "Soldier Vote Message," published in the Columbus Evening Dispatch of January 28.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SOLDIER VOTE MESSAGE—A DEMAGOGIC CAMPAIGN APPEAL

The Congress, which has once rejected the Green-Lucas bill that would give the Roosevelt administration virtual control over the votes of the men and women in the armed services should reject it again.

It should be rejected because Mr. Roosevelt's message is first of all a brazenly demagogic campaign document based on the false premise that an attempt is being made by Congress—specifically the Republicans and anti-New Dealers—to keep members of the armed forces from voting, when there is actually no intent on the part of anyone in this direction. It is designed to arouse the indignation of service people and insure their support for the fourth-term ticket.

It should be rejected because it would cancel out still another constitutionally established right of the individual States—that of conducting their own elections.

It should be rejected because Mr. Roosevelt in the part of the message in which he calls himself merely "an interested citizen" once again has attempted to exceed his authority and crack the whip over Congress by demanding a roll-call vote on the measure in question.

It should be rejected because, in the part of the message in which the President again assumes the role of Commander in Chief he attempts to identify himself with the armed forces and to speak for them despite the fact that his own military background includes nothing more than swivel-chair service as an Under Secretary of the Navy, and the purely perfunctory title of Commander in Chief of the armed forces which is vested as an ex officio formality in the Presidency, not the individual President.

If Mr. President wishes to do something on behalf of service men and women, he would do better to relax the regulations which, he charges, are such that they are "not ordinarily permitted to write their Congressmen on pending legislation." This certainly must be within his wide wartime powers. Moreover, it seems more democratic to let the soldiers speak for themselves, a privilege which they would undoubtedly appreciate, besides making it unnecessary for Mr. Roosevelt to burden himself with that additional duty.

It should be rejected because Mr. Roosevelt voices an unfair blanket indictment of all the 48 States, including Ohio and the others which are moving swiftly or already have acted to insure a vote next November for their citizens in uniform. He lumps the innocent and guilty together under the same all-inclusive condemnation.

If he wishes to make a recommendation on the mechanics of soldier voting which will be fair and constitutional, let Mr. Roosevelt single out the recreant States by name and call on them to do their duty instead of talking in sweeping terms about "fraud" and "sacred rights," and other inflammatory terms more suited to the campaign stump than to a statesman's message. Everyone knows which are the recalcitrant States and what their motives are—and also that they are without exception those which have been among the strongest supporters of the administration.

It should be rejected because of the feeble administration argument that to send ballots from individual States overseas would overload shipping facilities—this is in the face of the multiplied tons of O. W. I. propaganda that have been and are being handled, even including Roosevelt buttons for the inhabitants of north Africa and Italy.

Finally, it should be rejected, because Mr. Roosevelt's accusations and recommendations add up simply to this—that the administration politicians wish to take the machinery of the soldier vote into their own hands. And in 12 years of New Deal rule the public has had ample opportunity to see what happens to the people's interests when the Federal bureaucracy gets control of anything.

Mr. TAFT. I also ask that there be inserted as a part of my remarks two articles, one by Mr. Frank R. Kent, which appeared in the Cincinnati Enquirer recently, dealing with the subject of the soldier vote; the other by Mr. George E. Sokolsky under the heading "Votes for Soldiers."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

PRESIDENT EXPECTS GREAT BOOST FOR FOURTH TERM CANDIDACY FROM SOLDIERS, KENT SAYS—VIGOROUS SPONSORSHIP OF BILL ON ABSENTEE VOTING IS NOT UNSELFISH, HE AVERS

(By Frank R. Kent)

WASHINGTON.—The vigor and enthusiasm with which the administration is pressing the bill by which it is proposed to have our soldiers and sailors vote this fall for Federal officials only and under Federal supervision is greater than it has exhibited for any other legislative proposal since we entered the war.

The President has put his full personal strength behind it, as witness his violent and denunciatory message to Congress. If he would do half as much for his national service recommendation, which is far more vital, it might easily go through. Stimulated from the White House, members of his cabinet are actively urging his particular soldier vote bill. But more significant is the eagerness of the White House political aides and fourth-term strategists. As a result the Roosevelt House and Senate leaders, who have been lukewarm to other Presidentially recommended measures, are right "up in the collar" on this one.

It would be pleasant to record that all this administration concentration is inspired by the lofty desire that the men in the armed services should not be deprived of their right to vote while fighting for their country, and that there is no political purpose to be served in the Green-Lucas program. But one has to be gullible, indeed, to believe that. Privately, the New Deal politicians make no secret of their expectations from the sort of bill they are pushing. Some of them think that the President's message is the best campaign speech he will make this year. Senator TAFT had grounds for his comment on it.

Once his bill is through, the New Dealers argue, there need be no worry about the success of the fourth-term effort. The soldier vote will put it in the bag. That is their belief and it must be admitted there is considerable ground upon which to base it. One extraordinary pro-Roosevelt advantage is obvious. Clearly the appeal, "Stand by the Commander in Chief," upon which the fourth termers are seeking to justify their attempt, will be much stronger with the men in uniform than with others.

There are two reasons. One is that between the Army special service and the O. W. I. foreign service there is no way to get any political information to the armed forces abroad which the administration thinks undesirable for them to have. The whole business is bottled up, and no amount of breast-beating protests of how pure the hearts of the administration's propagandists and how nonpartisan they intend to be, alters that situation. It is a set-up that precludes anything like an effective presentation of facts unfavorable to a fourth-term candidacy—and there is no use pretending it is not.

There is also consideration that the Army and Navy are always concerned in keeping up morale. From their standpoint, it would seem an evidence of poor morale for the troops to vote against the Commander in Chief while the war is on. There would be a natural disinclination to do that anyhow. Furthermore, it is contended, the high military and naval authorities prefer to have no change and this feeling is certain to seep down through the subordinate officers to the ranks. In brief, an election conducted among the uniformed men, as it is proposed to conduct this one, is a one-sided affair and there is no way to make it otherwise, which is why the fourth termers chortle over the situation. In this view the message was a superb political stroke.

Fully aware of all this, the Republicans and anti-fourth-term Democrats are suffering a good deal of pain. They dislike intensely having the other side put them in the position of opposing the vote for uniformed men. Everybody wants the uniformed men to vote, but that does not make it less distasteful to the Roosevelt opposition to know that wholesale delivery of the uniformed vote to Mr. Roosevelt is being planned. What makes it particularly distasteful is the noble and holy air of being concerned solely with the rights of the servicemen with which the President and his political friends, including Mr. Murray of the C. I. O. are pushing the bill.

Considering the handicaps under which the bill would put them, the Republicans have

been trying to effect a compromise by which, to some degree, these can be nullified. But, whatever the bill's final form, there is no way wholly to offset—(1) the advantage of the Roosevelt position as Commander in Chief; (2) the inability to get to the soldiers with an effective presentation of the failure of Mr. Roosevelt's management of the war on the home front, and the disastrous effects of his lack of a labor policy on the whole war picture. However, these things do not justify refusing the soldiers the vote and, in the end, a bill will be passed. About all the Republicans can do, then, is to make the best of it, though there just will be no way for the Republican candidate to get his case fully before the troops.

With Mr. Roosevelt, of course, there is no necessity to advertise his personality and, if the other side is unable to campaign, his friends think the Commander in Chief argument is about all he needs and that hardly has to be made. That is the way they reason. Of course, a considerable number of soldiers are not yet of voting age; a considerable number will not bother to vote; and a considerable number will vote against Mr. Roosevelt. But, allowing for all that, the advantage still will be with the President. It may not elect him but it certainly will help him.

VOTES FOR SOLDIERS

(By George E. Sokolsky)

The other night, after the theater, I dropped in at Lindy's for a sandwich and a cup of coffee. There was a crowd, and as we waited for a table a pretty young woman poked a petition into our faces, asked us to sign, and said it was to get votes for soldiers. I suppose something like that is going on in many places. I was with two intelligent men, both of whom signed this petition, reading it only casually and swiftly.

I asked the young woman what the petition was about. She replied that it was to get Congress to pass the Green-Lucas bill. Now, it took me precisely 3 hours to read and analyze this bill, and then I telephoned a lawyer to check some matters of law for which my education has inadequately prepared me. But this young woman, shouting the slogan, "Vote for soldiers!" assured all and sundry that she knew that it was a good measure and they signed without ever having read the bill, which is, to say the least, unintelligent and foul citizenship.

ABSOLUTE HUMBUG

The young woman said that the Army and Navy were for the bill. I asked her how she knew that, and she replied that Stimson and Knox were for it. When I told her that Stimson and Knox were two Republicans who could not resist taking jobs with the New Deal, in which neither believed, she was very, very doubtful, her knowledge of the political facts of her own country being such as it is.

The slogan, "Votes for soldiers!" in connection with the Green-Lucas bill is absolute humbug. No one is against votes for soldiers, just as no one is against winning the war. No one is opposed to a bill in Congress, within our constitutional structure, which will facilitate the voting by soldiers in the next election. Those who signed these petitions to Congress without reading them are no more for votes for soldiers than those who refused to sign them. The issue in the Green-Lucas bill is not votes for soldiers, but whether the national election of 1944 is to be Tammanyized as an incident of the war. The Green-Lucas bill, as at present written, would Tammanyize the election. It would do more than that: It would deprive each sovereign State of this American Union of its constitutional right to determine which of its residents shall enjoy the privilege of casting a ballot.

Of course, to many New Yorkers, "the American union of sovereign States" is an alien phrase. They would call it fascism. The fact that it is hallowed by at least two centuries of American tradition and history does not concern them because American history is alien to them. Even though born and bred in this country, they have gone through schools in which American history and civics are inadequately taught, if at all, and therefore they, poor things, have been deprived of one of the richest heritages of an American citizen, namely, a realization of States' rights within the American Union.

BLINDLY SIGN PETITIONS

They are not as interested in their own State as they are in the fate of Galicia and in the future government of Spain. They are not as concerned with keeping the structure of American representative republicanism as they are with calling decent, patriotic Americans Fascists because they believe in government by constitutional law rather than by the whim of a pleasing and popular personality.

So they blindly sign petitions to Congress without reading them and without knowing what they are about. And they sign a petition to support a bill which not only gives a vote to soldiers but which also deprives a State of a right which is inherent in our system of government and our way of life. They petition not in support of a law which they have read and studied but in favor of a slogan over which there is no disagreement. They sign for the right of a candidate to conduct and supervise his own election, which is precisely what Hitler did when he got himself his present job.

Mr. TAFT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Overton
Andrews	Gillette	Pepper
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hill	Shipstead
Brewster	Holman	Smith
Bridges	Jackson	Stewart
Brooks	Johnson, Colo.	Taft
Buck	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Bushfield	Langer	Thomas, Utah
Butler	Lodge	Tobey
Byrd	Lucas	Truman
Capper	McCarran	Tunnell
Caraway	McClellan	Tydings
Chandler	McFarland	Vandenberg
Chavez	McKellar	Wagner
Clark, Idaho	Maloney	Wallgren
Clark, Mo.	Maybank	Walsh, Mass.
Connally	Mead	Walsh, N. J.
Danaher	Millikin	Wheeler
Davis	Moore	Wherry
Downey	Murdock	White
Eastland	Murray	Wiley
Ellender	Nye	Willis
Ferguson	O'Daniel	Wilson
George	O'Mahoney	

The PRESIDING OFFICER. Ninety-two Senators have answered to their names. A quorum is present.

Mr. TAFT. Mr. President, the question before the Senate is the Danaher amendment. As I understand the Danaher amendment, it proposes to exempt from the use of the Federal ballot soldiers who are in the United States, unless the State fails to provide an absentee voter's ballot for such soldiers in the United States. It does not in any way modify or affect the Green-Lucas bill or the Federal short ballot as to any of the men who are abroad. That is to say, it does not affect approximately 7,000,000 men who may be abroad by next November.

Mr. President, I intend to vote for the Danaher amendment because I think the people abroad, like the people at home, should use the State ballot and not the Federal ballot; but in my opinion it does not meet in any way the basic question of whether the 7,000,000 men abroad are going to vote the short ballot with no names on it—the so-called Federal ballot—or whether they are going to vote the State ballot from their own homes.

After a great deal of discussion I presented yesterday an amendment which proposes a compromise plan with respect to the soldiers abroad. It has been said by high authority that if we do not pass this bill we shall be denying the soldiers of the United States a vote. The amendment meets that argument, if it is a good argument, because we provide in the amendment that if any State fails before the first of June to approve an adequate absent voters' law and make the ballots available to the Army and Navy 45 days in advance of the election, the ballots to weigh not more than 1.2 ounces, then the citizens of those States may use the Federal ballot.

The amendment which I originally submitted provided entirely for State ballots, and left the entire matter to the States. Many Senators feel strongly that that is the proper way to deal with the question; and should this amendment be defeated, I shall wish to offer the other amendment as a substitute. However, in order to reach an agreement and compromise with the Senators who feel that some provision should be made, as a practical matter, for the citizens and soldiers from those States where there is no absent-voters' law, either because of a constitutional provision or because of the refusal of the State to enact such a law, in those cases we would permit a Federal ballot to be used. That is the basis of this amendment.

The amendment leaves the pending bill as it is until we come to page 29. So it leaves effective, in title I, sections 1 and 2 of Public Law 712. It does not change the provisions of the Green-Lucas bill in that respect. Following page 29 of the Green-Lucas bill, it is proposed to substitute for the next 15 pages the provisions of the amendment, through page 44. Then the Green-Lucas bill is accepted as to pages 45, 46, 47, 48, and 49.

The first important change made by the amendment is in the following additional provision, which is not found in the Green-Lucas bill:

> This title shall not be applicable after December 31, 1945.

It is usual for us to provide for the termination of wartime legislation with the termination of the war, or on some definite date. I think Congress has concluded that an emergency provision such as this should come to an end at a definite time. If the war is still in progress in 1946, there may be a very different condition. We may know more. We can continue this measure if we desire to do so, or we may enact some other law.

The second provision is:

> (d) This title shall not be applicable in the case of the citizens of any State which

has prior to June 1, 1944, made provision for absentee-voting ballots for members of the armed forces, complying with the following conditions:

(1) Such ballots may be used without registration, in person.

(2) Such ballots shall be printed and available for mailing at least 45 days in advance of the election.

(3) Such ballots, with accompanying envelopes and voting instructions, shall weigh not more than 1.2 ounces.

Estimating 4,000,000 ballots, that would mean approximately 300,000 pounds of ballots, or slightly more than 100 tons of ballots. I estimate that at least two-thirds of those ballots, those going to the African and European theaters, can be carried by boat. I see no reason why a swift boat should not be put at the disposal of the ballot commission or the Army and Navy to see that within 5 or 6 days those ballots may reach Europe by boat. The other third, or approximately 35 tons of ballots, would have to be transported by air to more distant parts of the world. I know of no reason why such ballots should not be transported.

I should like to read a letter from an assistant attorney general of the State of New York, Mr. Borden H. Mills. He is not writing in an official capacity, but only in an individual capacity. He represented the New York Ballot Commission in the last election. It may be remembered that New York was almost the only State which succeeded in getting any appreciable number of votes from the soldiers. It received a substantial number of votes from the soldiers in the 1942 election, operating under State law and under Public Law 712. I think more than half of all the soldiers' votes cast were cast in New York.

Mr. Mills says:

I write you as apparently one of the leaders among those who oppose the Green-Lucas-Worley soldiers-vote plan.

I note in particular the summary of the bill as given in the President's message of yesterday, and the President's statement that—

"The inclusion of all the State and local candidates would increase the size and weight of the ballot so as to make air delivery a physical impossibility."

Whoever gave the President the information upon which that argument is based could not have been very familiar with New York law and practice in election matters.

I enclose you herewith an official absentee ballot as used in this State in the last Presidential election to vote for Presidential electors. The State war ballot under our present statutes will be practically identical with this. I am unable to conceive the legality, or countable character, of any smaller or lighter ballot than this. If a soldier is to be permitted to cast a ballot on which no names of candidates appear, but merely the party designations of (I assume) only the two principal parties, then all election laws might just as well be thrown into the discard, and you gentlemen at Washington should pass a short statute empowering the War and Navy Department to take a Gallup poll of the armed forces, merely as to party affiliations (if any) tabulate the result by States, and send it in to the 48 States to be arbitrarily added to the total count on election night.

I also enclose you a ballot for all offices other than Presidential electors, as used in the same election. It should be noticed that the ballot is considerably smaller than the Presidential elector ballot, and, incidentally, this year it will be smaller yet, because we are electing no State officers, and no Congressmen at Large. How many parties will qualify for a place on the ballot, of course, remains to be seen when nominations are made. Presently only 3 are entitled to a place on the ballot as regular parties, the Republican, Democratic, and American Labor Parties. Others, if they get on, will have to obtain 25,000 signatures, at least 50 in each county of the 62 counties.

As a matter of fact, the so-called State and local ballot this year will be even smaller than it was in 1940, because (1) no State officers at all are to be chosen, (2) no Congressmen at large are to be chosen, and (3) there will be few vacancies in lower offices to be filled because we have a statute relative to "duration" appointments to fill what would otherwise be vacancies in office caused by the incumbents entering the armed forces. Our board of elections estimates that the local ballot this year will be about half the size of the enclosed.

On the question of weight of the ballots, the enclosed Presidential ballot weighs less than an ounce, and in this year the prescribed weight of the ballot will have to be lowered, because we are told that the old weight of paper just cannot be obtained. The opaqueness of ballots was, of course, an important thing when we had paper ballots universally. Now, all ballots cast in person are cast by voting machines, even to the smallest country districts.

The alleged inability of the War and Navy Departments to handle what they call heavy election material is just sheer buncombe, and I hope that someone on the floor of one of the Houses will explode that argument before you get through. Certainly some of the glazed paper propaganda that has gone overseas in the name of the Government was not too heavy to carry, apparently.

The New York War Ballot Commission, of which I was counsel in 1942, heard all about this inability to find room on the ships for ballot supplies, then presented as a War Department alibi. We were finally compelled to send ballots to the few camps that we were able to obtain the A. P. O. address of by first-class mail, and in order to even send this out we had to get a ruling from the Third Assistant Postmaster General, because we were met with the objection that no more than 1 11-pound package could be sent to a single address in any calendar week, whereas we had to send, among others, some 15 such packages to the Twenty-seventh National Guard Division, then in Hawaii, all addressed to the commanding officer.

That shows how this can be done. If all the ballots are sent to the central office of the War Ballot Commission, or mailed there, they can be sorted out by units. It will be known where the unit is going; and if the unit is moved all the ballots for that particular unit can be bundled up and the ballots will follow the unit to wherever it is going. The Army certainly knows where its units are located. The only difficulty would be in the cases of individuals who happened to be transferred within the last 30 days before election; and even in such cases the Army should be able to locate those men if it sincerely tries to do so.

I continue reading:

This is not a partisan question with me. While I am a Republican, I want every soldier entitled to vote, to vote if it is humanly possible. But I do not propose to have the Federal Government telling my State that it will prepare the ballots, have them marked and collected, and send them in to my State, with an implied dare to reject them if the voters are not found qualified under our law.

To offer a man a ballot and tell him that he must take his chances on its being counted is an iniquitous fraud, not only on the State but on the individual voter himself.

Mr. President, my amendment provides for reducing the weight of the ballots to the minimum. I understand that in nearly all States it can be reduced to 1.2 ounces. In some States it may be necessary to change the law to require that all incidental ballots for constitutional amendments, or others, perhaps, be omitted. However, yesterday I saw an Oregon ballot covering a long list of constitutional amendments, as well as including the names of all candidates for State offices, which weighed only approximately six-tenths of an ounce; and when the envelope for it is included, the total weight will be only approximately 1 ounce.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. ELLENDER. The thing that has puzzled me in regard to this matter is the difficulty in sending the ballots, if they are State ballots, to the soldiers wherever they might be. The Senator has referred to the method used in New York. I believe that method could work well in the case of a unit which had been sent from a State let us say, to a particular area. But, as the Senator knows, today a regiment may be composed of men from every State. Exactly how would the Senator suggest that, under his amendment, if it should be agreed to, the State ballots would reach men who are so scattered, as I am sure they are?

Mr. TAFT. Under my amendment, as under the House bill, 12,000,000 post cards would be distributed at once, or in July, or at whatever time is specified. They would be scattered throughout the world to every unit. The soldier would put on the post card his address and would send it back. It would ultimately go to his election precinct, and the precinct official would mail the ballot to the address the soldier had given.

Mr. ELLENDER. Would the post card have to be mailed to the individual who is to cast the vote?

Mr. TAFT. No. The post cards are to be prepared by the Federal Government, and are to be sent broadcast throughout the world. On approximately the 1st of July, let us say, announcement will be made that in a particular regiment any soldier wanting a post card may get one at whatever place it is decided to have them available. Then all he will have to do will be to sign his name and write his address and age on the post card, and put it in the mail. It will be carried by air mail to the secretary of state of his State, and he will send it to the local election district. Forty-five days before the election the ballots will be ready, and the ballot the soldier requested will be immediately mailed to him.

Mr. ELLENDER. How will it be possible to determine how many post cards to send to any one particular section or place?

Mr. TAFT. So far as the initial post cards are concerned, if there are 2,000 men in a regiment, presumably 2,000

post cards will be sent to that regiment. That is perfectly simple. There would be no trouble about that at all. The application for the ballot will be easy to handle. It will give the address of the man. As we all know, nearly every family has the address of its son who is in the service, and when they write letters to him the letters reach him. There will be no difficulty about that. The ballot will be handled in the same way a letter I write to my son is handled, except that it will be mailed to my son by the election board in Cincinnati, instead of being mailed by me. It will go to the post office in New York, let me say.

Mr. ELLENDER. I can well understand that if the sending of ballots were left to the families, and they were allowed to transmit them, that might be all right. But what puzzles me is where the post cards or ballots are to be sent. It may be necessary, let us say, to send 50 ballots to one place, 100 to another place, and perhaps 2,000 to another place, and then the men may be shifted from one section to another or from one spot to another. The question is, How can we be certain that these men will receive the ballots we wish to send them, or the postal cards, as the Senator has said?

Mr. TAFT. The method of handling the post cards is clear. In every regiment there will be piles of post cards.

Mr. ELLENDER. That will be all right if the post card will be addressed to each soldier.

Mr. TAFT. Oh, no. The post cards which will be available at the various locations of troops will be the post cards of blank soldiers; they will be addressed to the secretaries of the state of blank States, and will be the post cards sent by each soldier to his own election board or to his own secretary of state, who will see that they get to the soldiers' election boards. On that post card the soldier will say, "My address is so and so. Send me a ballot." That is perfectly simple. I do not think any question has ever been raised about the simplicity of that procedure or the fact that any soldier who wants such a post card will be able to send for it.

The question which has been raised is whether, when the soldier sends in the post card, and when the time, 45 days in advance of the election arrives, and when the ballots have been printed and are all ready, and have been mailed to individual soldiers at their given addresses, will the soldiers receive them? I say the soldiers will receive the ballots if the Army wants the ballots to arrive, and if it goes to enough trouble to see that they arrive. That seems to me to be self-evident. Some difficult cases may be encountered; for example, a soldier may be transferred just before the ballot reaches him, and it may be difficult to follow him up. It is true that there will be a small percentage of men whom the ballot will not reach. That is true in the case of all absentee ballots, if the voter has moved after he has given his address. But the fact that the soldier's unit has moved on will make no difference, because the name or number of the soldier's unit will be on the address of the ballot, and the post office or the Army should be able to assemble all ballots addressed to men in that unit, and see to it that they go in a bundle to that unit, just as the State of New York saw to it that the bundles were sent to the Twenty-seventh Division, which was the New York State Guard.

Mr. ELLENDER. Then, under the Senator's plan, the only soldiers who would be able to vote would be those who applied for the ballot; is that correct?

Mr. TAFT. That is correct. The soldiers would have to apply. As for the Federal ballot, there will be, so far as we can judge from the telegrams received by the Senator from Virginia [Mr. BYRD] and other Senators, four or five States—or perhaps six—which will not comply with this provision of the law. There may be constitutional objections. The Governors of one or two States have said they would rather leave the matter to the Federal Government, and that they will not call special sessions of their State legislatures. In those cases, the provisions of the Green-Lucas bill would apply, with one exception, namely, that in those cases the soldiers must also apply for ballots. The provision is found on page 6 of my amendment. It is the only substantial change in that respect from the Green-Lucas bill, as to the citizens of five or six States which use the Federal ballot. The language to which I refer reads as follows:

> Any person desiring and entitled to vote under the provisions of this title may apply for an official war ballot to the Soldiers' and Sailors' War Ballot Commission, or to the Secretary of War, or to the Secretary of the Navy, or to the Administrator of the War Shipping Administration, or to the secretary of state of the State of his residence. The Secretary of War, the Secretary of the Navy, the Administrator of the War Shipping Administration, and the secretary of state of any State whose citizens may vote under the provisions of this title, receiving such an application, shall promptly transmit any such application to the Commission, and the Commission shall promptly forward an official war ballot to the person requesting the same. The application may be in any form, but for the convenience of persons entitled to vote under this title, the Commission shall prepare a convenient form of application, and distribute the same through the Secretary of War, the Secretary of the Navy, and the Administrator of the War Shipping Administration, to the various stations and ships and localities where persons entitled to vote under this title may be located, such distribution to be made before June 1, 1944.

The PRESIDING OFFICER. The Chair announces that the hour of 2 o'clock having arrived, the unanimous-consent agreement as to time goes into effect.

Mr. TAFT. Mr. President, I will now take my time on the Danaher amendment.

We felt that, rather than try to send Federal ballots broadcast for the citizens of five or six States, it should be provided that they could also apply for the Federal ballot. The Ballot Commission can have stations; it can have piles of ballots in Africa, it can have piles of ballots in England, and if the soldier sends a post card, or if he merely writes a letter, or if he asks his commanding officer for a Federal ballot and says he is from one of the States where he is entitled to a Federal ballot, then he will get it from the War Ballot Commission. It will be a simpler process than getting it from the State.

The next substantial change is in the form of the ballot. In the form of the ballot on page 3 we have eliminated the possibility of voting by parties. We have not required any names to be placed on the ballot, because the purpose apparently is to transport the ballots before candidates are nominated and to have them printed and to have them uniform.

We have provided that a ballot can be voted only by name. It seems certainly a reasonable provision that, if an elector does not even know the name of the candidates who are running for the office of Member of the House of Representatives or Senator of the United States, he should not be able to vote by simply inserting the word "Democrat" or the word "Republican," and conducting a Gallup poll as to how many Democrats and how many Republicans there are. So this ballot eliminates the possibility of voting by parties. I think in that respect it certainly is a substantial improvement over the bill which is before the Senate.

Mr. President, it was stated in the morning newspapers that we had accepted the Overton amendment, which was defeated yesterday. That is not a true statement in any sense. The only thing that is added to the Green-Lucas bill is found in section 14 (a), which reads:

> SEC. 14. (a) The functions and powers of the Soldiers' and Sailors' War Ballot Commission under this act shall be administrative only. Nothing in this act shall be construed to confer a right to vote upon any person who does not possess the qualifications prescribed and defined by State law for electors in the State of his residence.

That does no more than affirm the law and the Constitution, and I think everyone has admitted that, so far as the qualifications of electors are concerned, they are determined by State law. The Overton amendment attempted to say that all State laws with reference to registration and other matters should prevail over the Federal law. That is why it was voted down by the Senate. We have made no such provision in this amendment. It is really a repetition of the first sentence of section 14 (a) of the Green-Lucas bill—

> And nothing in this act shall be construed to affect the right of any State to prescribe and define the qualifications of electors entitled to vote in elections held in such State and to determine what persons possess such qualifications.

That, generally stated, is a clear reaffirmation of the existing law and existing Constitution, and it makes it perfectly clear to those Senators who have insisted upon the constitutional question and still feel very strongly that there should be an express statement of what I think myself is implied in the Green-Lucas bill.

Mr. President, we have rewritten title II of the bill and have incorporated as title II the provisions of the House bill. There is every reason to believe that either today or tomorrow the House is

going to adopt the provisions that are included in title II. Title II was also in my proposed substitute, which has been on the desk for a long time. It recommends to the various States the kind of action they should take in order to make it feasible for the State ballot to be transported by the Army and the Navy, including weight, and everything else that is prescribed and it imposes in section 3 an express duty on the Secretary of War, the Secretary of the Navy, and the Administrator of the War Shipping Administration, respectively, to transmit the ballots. I read the section:

SEC. 3. (a) It shall be the duty of the Secretary of War, the Secretary of the Navy, and the Administrator of the War Shipping Administration, respectively, to cooperate with appropriate State officers and agencies in transmitting to and from persons to whom this act is applicable, making application therefor to their several States, such absentee ballots, and envelopes to be used in connection therewith, as may be provided under the laws of the several States for the use of such applicants, and to cooperate in the execution by such applicants of oaths in connection with such ballots.

It is provided further, in section (b), on page 21:

The Secretaries of War and Navy, and the Administrator of the War Shipping Administration, shall take all steps necessary to give to the transmission and delivery of such post cards, ballots, envelopes, and instructions for voting procedure priority over all unofficial communications and priority over official communications except where, in the judgment of the appropriate military and naval authorities, such priority would interfere with the effective prosecution of the war.

That is strong language, but it was used in the Green-Lucas bill as to the Federal ballot but originally omitted as to the State ballot.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. TOBEY. On page 16 of the amendment from which the Senator is reading, line 5, there is a clause reading "to vote by absentee ballot in any primary or general election."

Is not the addition of the primary election something entirely new to the measure we have before us?

Mr. TAFT. It is new to the Green-Lucas bill. The Green-Lucas bill simply made no reference to primaries. This amendment contemplates primaries. There may be an election, not by Federal ballots but by State ballots. The Federal ballot provision is left just as it was in the Green-Lucas bill, but in a primary the State ballot may be used by the State. The only interest of the Federal Government in this aspect is that in case of primary elections it is directed to transmit the ballots as quickly as possible.

Mr. TOBEY. How would the men in the field in Guadalcanal or overseas in the Solomons have access to the names of the various men who are running for nomination in the primaries?

Mr. TAFT. The names would be printed on the ballot. They would be State ballots, and the names, of course, would be printed on them. That is the provision of Public Law 712, which is now in effect. As we know, there was actual voting in the Louisiana primaries. For some reason I do not understand, the War and Navy Departments were peculiarly anxious to see that all the servicemen from Louisiana got the Louisiana primary ballot if they could possibly get them. They apparently have not been so anxious, or have not been requested, in the case of other States to handle the primary ballot.

I think the Senator from Connecticut read the other day the orders issued by the War Department relating to the handling of the primary ballots of Louisiana. I think time was such that State primary ballots could not reach soldiers abroad and the States did not provide them soon enough to send to soldiers in this country. Under the amendment the War Department would have to see that the servicemen get the primary ballots, and I see no reason why they should not. In many States the primary election is more important than the general election.

I think, Mr. President, that includes in a general way the main features of the amendment. At the suggestion of the Senator from Tennessee [Mr. MCKELLAR] we changed the name "United States War Ballot Commission" to "Soldiers' and Sailors' War Ballot Commission." That is to obviate the impression which might be given that a Federal ballot can in some way supersede a State ballot.

We have omitted the word "Federal" in every case and called the ballot simply a war ballot.

Mr. President, that is the proposal we make. I suggest that it is an infinitely better bill than the bill without the amendment, which is before the Senate. It has the support of many Members on both sides of this body. It provides in substance that every soldier in the United States Army and every sailor in the United States Navy shall have a vote. He either shall have a State ballot, or, if the State does not provide the ballot in time so that it can be gotten to the soldier or does not amend its law so as to do that, then the soldier will get the Federal ballot, and no soldier can be said in any way to have been denied the right to vote under the plan here proposed.

We hope that this amendment may be offered when the other amendments are disposed of. As I have said, I intend to vote for the Danaher amendment. I should like to eliminate as many people as possible from the Federal ballot, but it does not in any way meet the basic question of whether the 7,000,000 men abroad are going to be asked to vote on a ballot with no names on it for men of whom they have never heard. The thing that impresses me most with the so-called Federal ballot is that, obviously, the men will know the names of Presidential candidates on the Democratic and Republican tickets. Obviously, 90 percent of them will not know the names of candidates for Senator and Representative, and the election of the Members of Congress will simply be subordinated to the election of the President.

Reference has heretofore been made to the tremendous C. I. O. propaganda. I have been stopped in every hallway, by crowds sent here at the expense of the C I. O. political action committee to lobby in favor of the Green-Lucas bill, and I think their principal desire is to go after Congress, to deprive Congress of its independence, to make the election of Congress simply dependent upon the election of the President. Any man who votes for President on the Democratic ticket is more than likely to vote "Democratic, Democratic" for the other two. If he is a Republican he is likely to vote "Republican, Republican." They will simply have the election of Congress subordinated in every possible way to the choice of a President.

None of us is a prophet, and we do not know what will happen, but I venture to say that if there is one thing that is absolutely essential, whoever may be elected President, it is that the Congress which succeeds us shall be as independent as this Congress, that it exercise its own judgment, that the men in it shall stand because of their own records, because of their names, because of the work they have done, and not because they happen to belong to the Republican or Democratic Party.

Mr. BALL. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BALL. The Senator was discussing the buttonholing of Members of Congress that is going on in the reception rooms and in the lobbies. A few days ago a group of about a dozen or more called me out of the Chamber and, one might say, "put the heat on" for the Green-Lucas bill. But when I asked if any of them had read the bill and knew what it provided, it developed that none of them had actually read it.

Mr. TAFT. That would apply to a good many lobbyists I happen to have seen since I came to Washington.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Minnesota, as modified, to the amendment of the Senator from Connecticut.

Mr. LANGER. I ask for the yeas and nays.

Mr. TAFT. Just a moment.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. TAFT. Will not the Senator withhold the suggestion until the Senator from Minnesota can have an opportunity to speak?

Mr. BALL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Butler	George
Andrews	Byrd	Gerry
Austin	Capper	Gillette
Bailey	Caraway	Green
Ball	Chandler	Guffey
Bankhead	Chavez	Gurney
Barkley	Clark, Idaho	Hatch
Bilbo	Clark, Mo.	Hawkes
Bone	Connally	Hayden
Brewster	Danaher	Hill
Bridges	Davis	Holman
Brooks	Downey	Jackson
Buck	Eastland	Johnson, Colo.
Burton	Ellender	Kilgore
Bushfield	Ferguson	La Follette

Langer	O'Mahoney	Tobey
Lodge	Overton	Truman
Lucas	Pepper	Tunnell
McCarran	Radcliffe	Tydings
McClellan	Reed	Vandenberg
McFarland	Revercomb	Wagner
McKellar	Reynolds	Wallgren
Maloney	Robertson	Walsh, Mass.
Maybank	Russell	Walsh, N. J.
Mead	Shipstead	Wheeler
Millikin	Smith	Wherry
Moore	Stewart	White
Murdock	Taft	Wiley
Murray	Thomas, Idaho	Willis
Nye	Thomas, Okla.	Wilson
O'Daniel	Thomas, Utah	

The PRESIDING OFFICER. Ninety-two Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment offered by the Senator from Minnesota, as modified, to the amendment offered by the Senator from Connecticut.

Mr. LANGER. I ask for the yeas and nays.

Mr. TAFT. I will ask the Senator to withhold that request a moment.

Mr. BALL. Mr. President, I withdraw the amendment to the Danaher amendment which I offered yesterday, and which is the pending business. It is included in the more comprehensive amendment which the Senator from Ohio has just discussed, and I think his amendment is a much better form in which to present the issue to the Senate. Therefore I shall support his amendment, and I withdraw the pending amendment to the Danaher amendment.

The PRESIDING OFFICER. The amendment of the Senator from Minnesota to the so-called Danaher amendment is withdrawn.

Mr. SMITH. Mr. President, I have had nothing to say in this very embarrassing situation which has arisen in the Senate. I never thought it possible that in the Senate of the United States there would be a serious effort to circumvent the Constitution. All of us know what the purpose is, and it is not necessary for me to state it. It is proposed that a blank ballot be sent out, and whatever party name shall be on it, the vote of the individual will be counted for that party.

Mr. President, that is not what I particularly rose to say. The Senate of the United States represents the States, the House of Representatives represents the people. That was the arrangement arrived at in the Constitutional Convention.

Here we are, Mr. President, representing the sovereign States to whom absolute power is given to control voting. I was surprised when the Senator from Virginia [Mr. BYRD] yesterday indicated that he was trying to get the real honest-to-God American Governors of the States to enter into a fraud with him. The attempt to defend the right of the States to control the voting has been denominated a fraud. Now the Senator from Virginia is trying to get the Governors of sovereign States to enter into a fraudulent transaction with him. That, Mr. President, is another conspiracy of which he is guilty. He conspired before, so it was alleged, to try to save the Constitution. Now he enters into another conspiracy to try to defeat the attempt to control the election along certain lines. I do not know what is to become of HARRY BYRD. I nominated him for President. [Laughter.] I said then that even with so heavy a handicap he may stand a chance.

Senators, it is discouraging to see this body take 2 or 3 weeks to discuss the question whether or not Congress has the power to determine the qualifications of voters. I simply do not believe that half the Members of this body have read the Constitution. If they have they do not know how to interpret it.

Mr. President, the question with which we are confronted today is serious, the most serious with which we have been confronted in the history of America, for suddenly the attempt is made to tamper with the Constitution, the guide which has led us for all these years, which has worked against us at times, as we thought, but under which we have the most glorious form of government that ever blessed mankind.

Mr. President, how many of us have read the Constitution and the decisions of the Supreme Court rendered at a time when it was a Supreme Court—I mean the decisions of a real Supreme Court—respecting the twilight zone where the rights reserved to the States seemed to merge and make the situation indistinct, and where the designated powers began? In those decisions the Supreme Court interpreted the Constitution and led us without conflict until now. Yet here we are trying to depart from the precedents of more than 150 years, in order to accomplish—what? We had 2,000,000 men in the service during the last war, and I did not hear of the country going to the demnition bow-wows because they did not vote.

Of course, Mr. President, every man wants the soldier to vote. I want everyone to do so who is eligible to vote. Does any Senator in his heart of hearts believe that there has been anyone who desired to take the vote away from the soldier? An effort has been made to show that the Republican Party was the conspirator trying to block this great humanitarian purpose, and deny the soldier the vote. I do not know how it has happened, but things have turned about so that a Republican begins to look pretty good to me. [Laughter.] Yes, Mr. President, he does. I actually am getting to the point where I turn to the Republicans instinctively when I want the real fundamental constitutional laws of this country adhered to. If that is a tribute to them, why I hold my nose and make it. [Laughter.] I positively have fallen so low in the political cesspool that the Republican Party looks pretty good to me. And if they will keep on, and stop playing the fool, as we have, and unite on the proper man, they stand a chance of going into the worst mess that ever a party was called upon to go into and clean up—the humanitarian men of the present administration.

Mr. President, I am a Democrat, born and bred. I am not a Democrat not so much because of the differences between the Republican platforms and the Democratic plaforms, but I am a Democrat because of the infamy that was placed on my section of the country during the horrible days of reconstruction. From indications now it looks as if an attempt is being made to perpetrate the same thing again. Thank God, it will not fall upon the South alone when it comes. Some of the others of you will taste the joys that will come because of those who are usurping the principles of our Government.

I have been heartsick at seeing this debate on a constitutional question. Those who are talking about the Constitution would not know it from the Bill of Rights. No, Mr. President, they do not know what it is. All they want to know is, "Can we get a vote?" Anyone who will read the debate carefully, and see who are the authors of the original bill, and whom they quote, can know exactly at what the green locust—I mean the Green-Lucas—bill is directed.

I consider it a disgrace to the Senate that those of us who really love the Constitution, and love our Government, as distinguished from every other government in the world, have actually debated with these green locusts—I mean the proponents of the bill—whether the measure was constitutional or not. A man ought to be ashamed of himself to rise on this floor and try to prove that it is constitutional to let anyone but the States fix the qualifications. I know that one of the hopes was that they would get rid of the poll tax as a requirement for voting, and, if they cannot do it one way, by God, they will do it another. That is one of the things that the bill was directed toward.

Mr. President, I received a card from a Massachusetts man showing me what happens with respect to the poll tax in Massachusetts. I wish I had brought it to the Senate, so I could read it now. It was to this effect:

> This is your last notice. You either pay your poll tax or you go to jail. The time is limited, and I mean what I say.

I think the tax was three dollars and some cents. Mr. President, I have sat here for a number of years, and I say that every single move that has been made, if Senators will sift it properly, will be found to be an effort to avoid the constitutional limitation and "Let me run this country as I want to run it."

The insult was thrown at the Senate that we had been party to a fraud; the Chief Executive said to the Senate, "You may not be guilty yourself, but you are parties to a fraud."

Mr. WHERRY. I voted for that "unholy alliance."

Mr. SMITH. The Senator says he voted for that "unholy alliance." Well, he will be punished for it in due time. [Laughter.]

But, Mr. President, what I wish to impress on this body is that we should let the Governors of the States—as was indicated here by the "chief conspirator" [laughter] have their legislatures so modify their laws as to have their State ballots sent to their citizens abroad.

Mr. President, what is the difficulty? What is the difference between sending a State ballot and sending a bobtailed Presidential ballot? The ballots must reach the soldiers, in either case. I be-

lieve the Governors of 43 or 45 States responded to the invitation to "perpetrate a fraud on the American people." I believe the Governors of 45 States responded to the invitation. Just let the States so modify their laws that the State ballots will be sent to the soldiers.

Mr. President, what is more sacred than the election of a Senator? Do you think it is as important to elect a Senator as it is to elect a President? I have come to the conclusion that perhaps it is more important under present conditions to elect a President; he assumes legislative, judicial, and executive power, so that all of us might just as well take a recess when we get a President a little more imbued with the idea of omniscience. [Laughter.]

The thing for us to decide is whether we are going to stand by our oath: "I hereby solemnly swear that I will maintain the Constitution of the United States against all enemies, both foreign and domestic"—and then later in the oath—"without any mental reservation." Senators who do not care anything about their oaths can vote for this miserable thing, and throw the whole Government out of kilter.

I wish to say here, although I am not a prophet nor the son of a prophet, that just as certain as the bill is passed and the ballots are returned according to the terms of the bill, it may bring about civil war. Senators who have not studied the bill carefully will find that that is not an improbable prophecy.

Let us all get together and vote to recognize the constitutional right of the States to qualify their voters. That is what the substitute provides. Senators who vote against the substitute will be voting to throw the United States into probable chaos.

Mr. President, I do not feel well today. I wish I did, so that I might express myself as this situation demands.

Yesterday the Senator from Tennessee [Mr. McKELLAR] dragged into the debate one of those old things that have been outlawed and forgotten—a decision by the Supreme Court of the United States that the States have the exclusive right. The idea of the Senator's reading that kind of thing before this august body. [Laughter.] Why, good gracious alive. A fairy tale that the States have any rights.

Yes, Mr. President, my platform is—and I repeat it now——

Mr. McKELLAR. Mr. President, if the Senator will permit an interruption, let me say that that opinion of the Supreme Court, delivered by Mr. Chief Justice Fuller, was not only his opinion but was the unanimous opinion of the Supreme Court of the United States.

Mr. SMITH. The unanimous opinion of those other fossils.

Mr. McKELLAR. And it has never been questioned, either since that time or before.

Mr. SMITH. Does the Senator mean, when he says "unanimous opinion," that it was the unanimous opinion of all those old fossils? [Laughter.]

Mr. McKELLAR. All those gentlemen.

Mr. SMITH. Yes; all those who are now relegated to the nether realm.

Why, Mr. President, just compare the present Supreme Court to those old figureheads. [Laughter.]

We are in a fine condition, with a glorious Senate and a super Supreme Court. It is a wonder that we are not translated to heaven, if there is one.

I warn this body now that unless we vote to act in accordance with the Constitution, and give the States the right to provide for State ballots, the result will be chaos. If the States do not exercise that right, then the responsibility will rest on them.

Mr. President, who sent us here? The States. We represent them. If a State does not provide for an absentee-ballot law to suit the occasion, the responsibility will rest on that State, and its people will hold responsible those who did not cooperate. But that is not what this crowd wants. You know it, Mr. President, and I know it. This crowd does not want to States to cooperate. Why, Mr. President, that miserable South Carolina has a requirement that a voter shall pay a poll tax! That miserable State should not be allowed to have a voice in this great movement on the part of this august body—South Carolina, one of the Thirteen Original States, whose sons have had something to do with the Constitution.

The Senator from Nebraska has heard of the Constitution; has he not?

Mr. WHERRY. Yes; I have heard of it.

Mr. SMITH. Yes. [Laughter.]

Well, South Carolinians had something to do with the framing of the Constitution; and yet that miserable State has a law requiring the payment of a poll tax as a prerequisite to voting—a law passed during the reconstruction days by a Negro legislature. If anyone doubts the accuracy of that statement, I will send him the record of the fact that the poll tax was introduced by a Negro legislature, and that the law providing for it was signed by a —— carpetbag Governor! [Laughter.] And now we are to be punished for what they did!

I do not know whether the poll tax should be made a prerequisite to voting, but I do know that so long as the law of my State provides for the payment of a poll tax as a prerequisite to voting, I will observe that law.

Today we do not have the proper qualifications for electors, and it is evident from every standpoint. I think one of the greatest mistakes which ever was made was when this country took away from the legislatures the right to elect Senators, and turned that right over to the hoi polloi, the vox populi. That was at least one method of sifting. I know that sometimes there was terrible corruption, but not half so much corruption as there is in the present form of election. I can state emphatically that had it been left to the legislatures, the Senate would not have had the splendid presence of the present senior Senator from South Carolina. I do not think I would ever have been sent here, and perhaps that would have been a blessing.

Mr. WHERRY. Oh, no.

Mr. SMITH. But I do pray God that we may be men enough to stand here today and resist all efforts to camouflage the situation, and that we may vote that the States shall have the right to send ballots to their soldiers. What other rights do they have?

The PRESIDING OFFICER (Mr. McFARLAND in the chair). The Chair is compelled to inform the Senator that his time on the amendment has expired.

Mr. SMITH. Then, Mr. President, I have 20 minutes remaining, I believe.

The PRESIDING OFFICER. The Senator has 20 minutes on the bill.

Mr. SMITH. Very well; I shall speak on the bill.

God knows, I wish I felt at liberty to state just what I feel. I am afraid I would make someone angry and have a physical fight. It is bad enough to try to fight mentally.

Can we not all get together and maintain the fundamental laws of our country? This thing has been going on for quite a while. It will be remembered that some time ago an effort was made to pack the Supreme Court. Providence intervened and made it possible without an act of Congress. An effort was made to enact a law abolishing the poll tax. We have degenerated to the point where it is no longer an honor to be called a United States Senator.

When such things go on as have gone on here for the past 10 days it is enough to make a man ashamed to be an American citizen, let alone being a Senator. Speech after speech is made saying that the poor soldier will not get a chance to vote. The State is not going to let him vote; therefore the superstate will step in, the Constitution to the contrary notwithstanding, and see that he does vote.

Bobby Burns has a phrase in his advice to his young friend which I think every one of us should memorize and keep always before us. He said in his Epistle to a Young Friend:

> The fear o' hell's a hangman's whip
> To hand the wretch in order;
> But where ye feel your honour grip,
> Let that ay be your border:
> Its slightest touches, instant pause—
> Debar a' side-pretences;
> And resolutely keep its laws,
> Uncaring consequences.

It is a test of manhood to believe firmly and stand by that belief against all comers. I think certain illustrations from the Bible will demonstrate the condition of some of us. I think of the three Hebrew children in the fiery furnace. Of course no such thing ever occurred; but it is a fine illustration of a man devoted to his principles standing in the fire of temptation.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. SMITH. I yield.

Mr. TOBEY. Does the Senator remember their names?

Mr. SMITH. Shadrach, Meshech, and Abednego.

I have stood against temptation and flattery—not much flattery, but a little—and against all denunciation. Thank God, I am without the smell of fire.

We are in a terrible condition. With some the question is not, Shall I serve

my country, maintain the Constitution, and demand that the reserved rights of the States shall be preserved? but What can I get out of it?

As I have stated many times previously, we have more "paytriots" today than we ever had in the history of America. The word is spelled a little differently, but pronounced the same. It is spelled "p-a-y-t-r-i-o-t-s." It used to be spelled "p-a-t-r-i-o-t-s."

Having served in this body longer than any other man, I plead with my fellow Senators, for God's sake, no matter what you do, maintain the Constitution, or submit its amendment to the people and be governed by their decision.

We are going to vote on this question, and there will be amendments. I for one shall vote for the States to have the full opportunity to regulate the suffrage of their citizens abroad as well as those at home. When the soldier went into the Army he did not forsake his State. Most of them love their State laws as much as I love the laws of my State.

A substitute bill has been proposed which has in it the very essence of what I am pleading for. A witness appeared before our committee and said, "Gentlemen of the committee, I have a written statement." I said, "No; you cannot make it." He said, "It covers the ground." I said, "That may be, but if you are a worthy witness you can answer 'yes' or 'no.' We will have no prolonged written statements." I understand that some of such statements come here with the stamp of the Executive on them, if they are not actually written by the Executive.

I plead with my fellow Senators to remember their oaths. Is there a Senator who considers his oath not worth a "cuss"? We stand up and solemnly swear, before God and our country, that we will support and defend the Constitution of the United States against all enemies, foreign and domestic. I thank God that the word "domestic" is used because some of the bitterest enemies of our Constitution are here in America. You all know it, and I know it. It is up to us who are faithful to sustain it, and not enter into this—I was about to say public-school debate, but I do not want to have to apologize to the public schools.

The vote is soon to come. I have heard some Senators say, "I think I shall vote thus and so." Oh, yes; "I think I shall vote as the boss said." You are a fraud. Now, by God, take your medicine. He said you were a fraud. Now act your part. Any man who has enough red blood in him to resent an insult, if he could not vote against the bill, would not vote for it.

This is no ordinary slur on the Senate. It did not come from ED SMITH, KENNETH MCKELLAR, or JOHN BANKHEAD. It came from the Chief Executive, charging that we had committed a fraud. I never cast a fraudulent vote in my life. I never considered any vote as glorious as the one which I cast for the Eastland amendment. It was in accordance with the Constitution, and my platform. I have cast votes which have turned out to be fraudulent, but I was not aware of it at the time. I voted for Franklin D. Roosevelt twice; and I leave it to the Senate to say whether or not that turned out to be a fraudulent vote.

I may continue until I reach the point where someone will say, "Let us impeach him." Go ahead. If that be treason, make the most of it. I am speaking for my country, and neither he nor any other man can stop me, for when we took the crown from the head of King George we placed it on the head of every worthy American citizen. So help me God, I will not doff my crown for him or any other man, so long as I remain an American citizen.

Senators, let us all rise to the occasion. A Member of this body once said that in a certain situation he would rise above principle. Let us rise to the stature of a constitutional Senate, one which, no matter what comes or what goes, will disregard all pretense and resolutely face the consequences.

It is up to us to vindicate the name of the Senate, which has been smeared by every racketeer and jackass columnist. Every one of them takes a fling at it, and instead of our resenting it, we swallow it, and have done so for such a long time that we are guilty of what they say of us.

Senators, for God's sake, let us vote like men, like representatives of the States. The Senate is not like the House of Representatives. The Senate represents the States.

I want all Senators to understand that I have not made the speech I should like to make. Perhaps some day I may do so.

Mr. TUNNELL. Mr. President, for many days we have been engaged in a discussion of the pending bill, and the discussion is one which has been beneficial throughout the Nation. I believe that the people of this country have considered the question with reference to the right of the soldiers to be given some method of voting as they have never considered the question before.

It is unfortunate that during the discussion there were appeals to prejudice instead of to reason and common sense. It is unfortunate that there were those who took occasion to vent their pet spite on the President of the United States. I very much doubt whether such remarks do the President much harm, or do much good to those who utter them. I suspect that they do not.

The President of the United States is my President, and if in the judgment of the people of this Nation a Republican President should be elected next fall, he will be my President, and I would support the President of the United States, no matter to what party he might belong. I propose to support the President of the United States, particularly in time of war. I do not propose to sneer at the Government of the United States or any part of the Government.

We have heard sneers at the Supreme Court of the United States. Even the names of those who have dared to introduce bills in the Senate of the United States have been sneered at, and slurs cast at their names and the pronunciation of their names. Yet, such conduct does not solve the problem.

Today we have been asked if we are going to refuse the boys in the Army and Navy the right to vote. We are told that no one wants to do that. The boys are already in a position where they cannot vote. It is only a question of whether we will remedy the situation by listening to sneers and insulting remarks made to the Senate with reference to the various branches of the Government. What are we here for? Are we here to provide a remedy for a situation which exists, or are we here to sneer, laugh, and criticize?

The Government of the United States has taken away from soldiers their opportunity to vote. It now seems that a widespread attempt is being made on the part of some to make it appear that the fight is one between the Federal Government and the State governments. There is no such fight.

Yesterday we were told that the proposed amendments would not take away any rights which would be given under the original Green-Lucas bill. Mr. President, I assert that they would take the right to vote from every man in the armed service, or nearly so.

Some of the amendments which have been offered would go only a part of the way. If the purpose in offering them is to prevent the servicemen from voting, and if that is what is meant by compromise, then it is a compromise. It would take away only a part of the voting opportunities, and not all.

Mr. President, Senators whom I have never before heard mention the Constitution in this Chamber have suddenly become exercised about it. They are afraid that some question will be raised as to the constitutionality of an act which would give to the soldiers an opportunity to vote. That is what they are afraid of, but they do not say one word about the fear expressed by some that this body will not do what it can do and ought to do to give the soldiers an opportunity to vote. Such a thought has never seemed to dawn upon them. Why? Because the discussion has deteriorated from one concerning a method of giving the boys an opportunity to vote to the question of how they are going to vote.

Men stand and sneer at the name of a possible candidate for President of the United States. It is not the duty of this body to determine for whom the soldiers are to vote. Let them vote in the way their consciences dictate, but give them an opportunity to vote. The fight should not be between the Nation and the States, as it has developed here, or between the Federal Government and the State governments. Let us pass a bill which will give to the members of the armed forces an opportunity to vote if they come from States which do not provide such opportunity.

Perhaps we are wrong. Perhaps opportunity to vote will be provided by the States. I do not think it will be provided. With 48 States, with 3,000 different counties, and I do not know how many election districts, I do not think it is possible, in most instances, or in many instances, to use the ballot which has been used heretofore.

Earlier today the Senator from Ohio said, referring to Public Law 712, "Well,

the State of New York had pretty nearly half the number of ballots that were cast." How many did the State of New York have? We are told that altogether 28,000 ballots were cast, and that the State of New York had perhaps approximately one-half of that number. That represents the opportunity which the boys of the State of New York were given. But why do we not have both the State ballot and the Federal ballot? If the pending bill should become law, what would prevent the States from passing their own ballot laws? I presume that many States are in the same position my State is in.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. LUCAS. The States' rights issue has been raised throughout the debate. I should like to have any Senator tell me how the States, without the cooperation of the Federal Government, could carry into effect any method or procedure now provided by any single State insofar as it affects any soldier, sailor, or marine who is fighting outside the continental limits of the United States. In other words, the opponents of the bill cry out against the encroachment of the Federal Government upon the rights of the States. But the same group that makes that argument is depending upon the Federal Government to carry out the wishes of the States insofar as voting is concerned when the boys go overseas outside the continental limits of the United States.

Mr. TUNNELL. And the Army and Navy say that the possibility of being able to do so is a remote one.

Mr. President, I do not see the reason for all this outcry as to States' rights if those who make it sincerely desire to give the servicemen a vote. As I said when the so-called Eastland bill was passed, it was a subterfuge. I did not say "fraud," but I said it was a subterfuge. There is nothing in it but a piece of advice. Those who support it go to the trouble of passing a piece of advice on the part of the Federal Government as to what the States should do. It was a subterfuge, it is a subterfuge, and it has not fooled anybody. I think the President probably used the wrong word when he said "fraud." It is too palpable to fool anybody and so far it has not fooled anybody but 42 United States Senators. [Laughter.]

The boys who are in the Federal service are entitled to vote. I care not what fear may be expressed, I care not what else may be said, those boys are entitled to the right to vote. If the Federal Government has the right to take them and send them to every corner of the globe under conditions where, Mr. President, you know and I know the State ballot cannot or will not reach them, the Federal Government is under obligation to do what it can to furnish them the opportunity to vote. If the Federal Government had nothing to do with the circumstances it would still have the obligation.

It is all right to stand up and sneer at these boys. We have heard even that. In a former debate one Senator, in a sneering manner, referred to "these precious boys." These boys are indeed precious. You have one there and I have one there, and almost everybody else has one there and some have more than one; so it is not a joking matter, and any such order of levity should be promptly dissipated.

Mr. LUCAS. Mr. President, will the Senator allow me in his time to read a letter from a soldier who has been overseas for 18 months?

Mr. TUNNELL. I yield.

Mr. LUCAS. I read as follows:

> There certainly has been plenty of talk about the soldiers' vote here and all over. Seems some Senator got up and said that the boys would not miss their vote half as much as they would miss the Varga girl, and baby, what a row that started. The mail bag was full of mail saying what and who does that Senator think he is? The Stars and Stripes had a poll on the streets of Algiers, and out of the 20 fellows interviewed, all but 1 said that they would very much miss the vote if they were not allowed to vote. If we are not allowed to vote, I, for one, will certainly feel that something has been put over on me.
>
> In other words, that is how we soldiers of the last war felt when we came back and found prohibition had been put over on us while we were away.
>
> I am sure that by being drafted into the Army and coming overseas I did not forfeit my rights as a citizen. I also feel, that now more than ever, I should have a voice in who shall run the country for the next 4 years. I feel that after seeing the things I have seen, being to the places I've been, that I am better qualified to vote than most of the people back home. I don't mean that just because I am in the Army and have had to give up things that they didn't that I have more right to a vote than they. I mean that I think that I have a better idea of what the next 4 years will be like and therefore know what a candidate's policy should be.

Mr. President, there is the crux of the situation. Last night I heard a man say that the soldier did not know what was going on at home and therefore should not have the right to vote. I undertake to say that the men in the armed forces today know more about what this weary old world is doing than any other 11,000,000 men of any single class in America, whether they be farmers, laborers, merchants, or any other class of citizens.

I am reminded of what General Sherman said in the Civil War in writing to the President of the United States. He said the stay-at-homes should not have any right to vote. It was only the man carrying the musket either in the Confederate or in the Unibn Army who should have the right to vote. I would not go so far as General Sherman went, but that is exactly how he felt about it in those days, and the soldiers and sailors and marines of this war are feeling exactly as the writer of the letter from which I read feels. They are feeling it more and more and more as this bill is debated day after day on the floor of the Senate and in the House of Representatives. They will vote either now or sometimes just as surely as there is a God in heaven as a result of what we are doing here.

They probably would have paid little attention to this bill had it passed in its original form, but they believe now that there are certain groups in this country who, for one reason or another, do not want the servicemen to vote, as a result of the tactics which have been employed, including all the different legislative methods which have been crowded one on top of the other for the sole purpose of defeating a Federal ballot. They have a right to come to that conclusion.

If they do not get the vote, there will come from these boys in every section of the world to the folks at home a great barrage of letters wanting to know why the Congress of the United States dared to refuse to give them in the greatest crisis the Nation has ever faced a part, if you please, in representative government, which is the very thing they are fighting for.

O Mr. President, this is just the beginning of the fight. It will not end for years to come, unless these boys are given a real chance to vote. Whether they vote or not is immaterial. I have said I do not care how they vote. Perhaps that is not true; I should say it is none of my business how they vote. I have taken that attitude from the beginning of the consideration of this bill. I have compromised; I have amended; I have agreed to amendments; I have done everything within my power, as one of the coauthors of the bill, to frame a measure upon which the Congress of the United States would agree. But, notwithstanding all efforts, we still have this interminable delay in the passage of a measure providing a uniform Federal ballot system in cooperation with the States, under title II, and designed to give the serviceman a real chance to vote. Regardless of what happens, I shall always know that I did my conscientious duty in a crisis that threatens the lifeblood of the Nation.

I thank the Senator from Delaware for yielding.

Mr. TUNNELL. I thank the Senator. The question before the Senate is a serious one. I received a letter a few days ago from a boy in a foreign country who now wears the uniform. He said, "You may put this down. We are coming home, and we are going to vote when we come back." Those who think that they are fooling the boys in uniform are just fooling themselves.

The President of the United States and the Supreme Court are not the only ones who have been sneered at in connection with the vote. The boys themselves have had sneers hurled at them. We have been told that they are going to be herded to the polling places and voted, as if they were not men of intelligence, and capable of marking their ballots and knowing what they were voting for. We have been told that they will be marched up in line to the polls to vote, just as if these boys were not men of ordinary intelligence. They had to pass some kind of an examination in order to get into the Army; yet from the remarks made on the floor of the Senate by those who seek to defeat the Federal ballot plan, these boys are not capable of looking

after their interests in the matter of voting.

The PRESIDING OFFICER (Mr. TRUMAN in the chair). The Senator's time on the amendment has expired. Does he desire to proceed on the bill?

Mr. TUNNELL. I shall proceed for a few minutes on the bill.

I know I should not take up a great deal of time, but it seems to me that we have reached a point where someone has to say something for those who are not here. As to those who think that the boys are going to be herded, those who think they are going to be marched up in line and voted, I do not know what sort of an idea of elections they have, or think the American people have. I have not received a single letter or a single postal from any human being asking me to keep the servicemen from voting, or to defeat a bill by which they are likely to be given an opportunity to vote. I have not received one such letter and I doubt that other Senators are in any different position from mine in that respect.

Mr. President, there is constantly being dinned into the ears of the American people, and brought to their attention through certain writers in the press, that this bill is for a particular candidate, that there is something unfair about it. I think the authors of the bill have shown every willingness to accept amendments to the bill, and I am sure they want to be fair, and have but one purpose, that is, to give an opportunity to the soldiers to vote.

I listened to the Senator from Virginia yesterday when he read the telegrams from the various Governors, and that is all fine, but those Governors have not been in the Committee on Privileges and Elections, they have not heard the testimony as to the difficulty involved in the delivery of the ballots.

The Senator from Connecticut stated yesterday that there were practical physical difficulties with respect to the State ballot. I notice that one or two others made the same statement, among them the Senator from Minnesota. So that it comes down to this, that there is no absolute assurance that a Federal ballot will be delivered, and there is only a remote possibility of the State ballots being delivered.

Mr. President, I have here the Danaher amendment as it is printed. I object to the Danaher amendment in its present form, for the reason, in the first place, that it gives no opportunity to the boys in the service of the United States to vote. It is all right to say that the States are going to do something to remedy that, but suppose they do not.

I notice that the Governor of my own State is quoted as saying:

> Replying to your telegram, State now has absentee-voter law for qualified voters. Certain changes required for oversea voting. Special session of legislature contemplated for necessary amendments to law.

It takes more than slight amendments. Through our whole system of voting there is woven a provision as to the time when the ballots have to be ready, and when the tickets have to be filed. It is not necessary to file the tickets until 20 days before the election, but they must be printed, in this situation, in every voting district in the State in order that they may be sent out. Then there are the postal cards from the boys asking for the ballots, and the return of the ballots after voting, and about 10 days is the extent of the time allowed for the transfer.

I do not know how many States are in the same position as the State of Delaware; but, according to the telegram, the Governor of Delaware has not yet realized what would have to be done, and when we attempt to remedy everything standing in the way of the servicemen voting, and when the remedy must be applied in 48 different States, it will be found to be an impossibility. I plead with the Senators, do not throw that into the faces of our boys fighting for the Nation in foreign countries.

Mr. President, I wish to read paragraph 3 of the Danaher amendment:

> Members of the armed forces who are inside the United States who are residents of any State of which the secretary of state has not certified to the Commission prior to August 1, 1944, that the State has made provision for such members to vote by absentee ballot * * *.

The secretary of state of Delaware can truthfully make that affidavit now. Yet boys any considerable distance away from Dover, the capital, could not vote. There must be the various transfers of postal cards and ballots, and the delivery of the executed ballot, and it has to pass through various hands.

One of the Senators stated yesterday, "Oh, yes; if they do not deliver them, you can go into court and attack the secretary of state for making a false affidavit." The Delaware secretary of state is not making a false affidavit—he is telling the truth—when he says that the State has an absentee-ballot law.

He has to say, further, that the State will accept post card applications, as provided in title II of the act. He can make the certification that there is such an absentee-ballot law in truth, and yet the boys will not be allowed to vote, no matter if they are only a short distance from home.

In the first place, I think something should be done so that the boys who are in the United States, not in foreign countries, should have the right to use the Federal ballot if they do not receive the State ballot. Then, again, I think there should be something more required of the secretary of state than simply for him to say that a ballot law is on the statute books of Delaware, without saying whether it is adequate, without saying how long it will take for a boy to send the application and the ballot as it is completed and voted from the place where he is located nearby, let us say, Washington, or wherever he happens to be. It seems to me the Danaher amendment in its present form is not sufficient. I oppose it in its present form.

Mr. President, our people are sacrificing much. They are entitled to have the Senate pass legislation making it possible for their boys to vote. The people of the Nation are entitled to have the servicemen vote. As I said a few days ago, the 11,000,000 who are now in service represent one-fifth of the voting population of the Nation as it expressed itself in 1940.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. TUNNELL. I yield.

Mr. DANAHER. I will say to the Senator that I have prepared language which modifies in part the Danaher amendment, as the Senator refers to it. It derives from a colloquy between my colleague [Mr. MALONEY] and me yesterday. In due course I shall present that language to modify my amendment, and my amendment, as thus modified, will be complete. I am sure the Senator from Delaware when he sees it will realize that it coincides with his present thinking.

Mr. TUNNELL. I will ask the Senator from Connecticut if he thinks it meets the two objections I have made.

Mr. DANAHER. Yes; I am sure it does.

Mr. TUNNELL. Very well. The Danaher amendment has many good points. I think it has a good purpose. But I think it needs curing in two respects, which I conceive to be fatal defects.

Mr. President, I yield the floor.

Mr. WILLIS obtained the floor.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. WILLIS. I yield.

Mr. DANAHER. Yesterday my distinguished colleague engaged in colloquy with me while I was explaining the amendment which is now the pending question. He pointed out that it is quite easily possible that a member of the armed services might be stationed, let us say, at Camp McClellan, he might have applied for a State ballot and might thereafter have been transferred, let us say, to Fort Knox, and his State ballot might never reach him. It might indeed be that the absentee would be transferred to Fort Lewis, or across the United States, and in the various transfers his State ballot would not in fact catch up with him. Under those circumstances, as my colleague pointed out, it seemed to him quite appropriate that we should make some provision that such an absentee, who does not receive his State ballot, be permitted to vote. Insofar as it lies within our power, therefore, to cure that situation, the use of the so-called uniform Federal war ballot provided under title I would accomplish the result.

To the end, Mr. President, that my pending amendment may properly be modified to cover this point, I send forward a modification, and amend my amendment in the particular, and for the information of Senators present I ask that it be stated.

The PRESIDING OFFICER. The clerk will state the modification.

The CHIEF CLERK. It is proposed to modify the amendment on page 2, after line 12, by adding "any such member of the armed forces who is inside the United States and who has not received his State ballot may vote under the provisions of this title, provided such member shall execute the oath hereinafter set forth."

Mr. DANAHER. Mr. President, that particular modification refers to an oath later to be set forth. On page 31 of the

bill is to be found a printed form of oath which is to be printed in full on the outside of the official inner envelope. In due course it will be my purpose, if my amendment, as modified, shall prevail, to offer a further amendment modifying the form of oath, after the word "suffrage" to insert "(For use only in the United States)," with the clause, "I have not received my State ballot." The language in the bracket and that clause will then form a part of the oath which the absentee soldier will take, and the certificate of the attesting officer, as the language of the Lucas-Green bill makes clear, will give to the official envelope containing the ballot prima facie status of validity.

Mr. President, I think with that brief explanation the Senator from Delaware in due course will find that his objectives indeed have been met.

I yield to my colleague, with the permission of the Senator from Indiana.

Mr. WILLIS. I am glad to yield.

Mr. MALONEY. Mr. President, I simply wish to say that the language which my able colleague proposes to add to his original amendment meets the objections which I expressed yesterday, and that the amendment which he will offer providing the one now pending prevails, completely answers the question which was disturbing me yesterday.

I should like to add that I am very hopeful that the amendment will be accepted by the authors of the bill and by the Senate.

I thank my colleague.

Mr. DANAHER. Mr. President, I appreciate the cooperation of my colleague.

The PRESIDING OFFICER. The Senator from Indiana [Mr. WILLIS] has the floor and the Chair will say to him that his time will begin now.

Mr. LUCAS. Mr. President, will the Senator from Indiana yield to me so I may make a 2-minute speech?

Mr. WILLIS. I yield.

Mr. LUCAS. I am grateful to the Senator from Indiana because what I say will be said in his time.

I simply wish to add a word or two to what the two distinguished Senators from Connecticut have said. This morning I read in the RECORD the colloquy between the two Senators from Connecticut, and I also heard a part of it yesterday. I have gone over carefully the modification submitted by the junior Senator from Connecticut, and it seems to me that it is all we can expect in connection with those serving in the armed forces within the United States. I have talked to my colleague, the Senator from Rhode Island [Mr. GREEN], and other Members who are interested in the proposed legislation, and we have agreed to accept the amendment offered by the Senator from Connecticut [Mr. DANAHER].

I wish to take this opportunity of thanking both Senators from Connecticut for the colloquy they indulged in yesterday in which they brought out the features of the Danaher amendment in such a way as to give Senators on this side the opportunity to go along with the amendment.

Mr. DANAHER. Mr. President, will the Senator from Indiana yield once more?

Mr. WILLIS. I yield.

Mr. DANAHER. In due course and at an appropriate time when the question comes up on my amendment I shall ask for the yeas and nays on it.

Mr. LUCAS. I shall support that request.

Mr. DANAHER. I thank the Senator.

Mr. WILLIS. Mr. President, several days, precious days, have been consumed in the debate over the matter of facilitating the vote of our soldiers in the coming general election. It would seem that every phase of this subject has been thoroughly explored, and that nothing could be added to the argument. I shall take only a brief portion of the Senate's time to discuss an angle which it seems to me has been neglected.

I shall address my remarks to the Danaher amendment, which has been accepted by the authors of the bill. I expect to support the Danaher amendment. I hope that before the bill is put in final form it may be strengthened even more, so that any substance of unconstitutionality may be eliminated.

There is only one standard by which we can judge this issue. That standard is what is best for America. On that test, the rights of every soldier, the privileges of every American citizen, the sound judgment of Senators will be resolved; and if we can determine what is best for America in this matter, the decision can be speedily made.

This is truly a battle for ballots—ballots for the soldiers; but the contest is not one on whether the American soldier shall have a right to vote. No one in this body has disputed that right. It is true a great deal of energy has been wasted by the emotionalists, radio commentators, feature writers, and even by men in high official positions, to make the people of the country believe that this Congress is denying the right of the soldier to vote. There is no debate on that subject. The contest is, however, whether we shall supply a 100-percent American ballot prepared in the American form, and voted in the American way by the finest group of men in all the world—our soldiers and sailors. Nor, on the other hand, shall the soldiers' right to vote be limited to a mere fraction of a ballot scattered broadside throughout the armed forces, at home and abroad, gathered under military discipline, and sent back to his home community, and with the rights of the soldier thus limited to a vote for a small fraction of the officials standing for election in November. In brief, shall he have an honest-to-goodness American ballot, bearing the names not only of the officials of the Federal Government, but also of those who regulate the things which are close to the soldier in his every day life, and which have a vital part in his home and business interests.

Shall he participate in an orderly election or in a mere galloping poll? The question may be stated in a mathematical comparison: Shall 90 percent of our soldiers have a 100-percent ballot, or shall perhaps 95 percent of them have a 15-percent ballot? Mr. President, which group do you think would be charged with fraud by our American soldiers: those who were intent upon giving them their full rights as American soldiers and citizens, or those who want to limit that right to the voting for four offices; the candidates for which the soldiers may not even know?

But there is more to this question than the mere right of the soldier to vote. The issue lies deeper; it goes further back, and affects the very foundation of our free Government. This is not only a battle of ballots, but it is a battle for freedom which the American people have built through sacrifice, toil, sweat, and blood. Therefore, we must face this problem loyally, patriotically, and uninfluenced by rancor or partisan prejudices.

When those who established this Government set up the Constitution, they were so close to the tyrannies of Europe and the tyrannies of other parts of the world that every safeguard they could think of was placed in that compact to protect the right of free citizens from aggressions of governments, domestic as well as foreign. It was conceived by those men that a free government can continue only so long as the freedom of the individual citizens at home are preserved. They delegated to the States the power to control elections, or rather they retained it in the States for our Government was made up of a group of States, cautious of giving over certain powers to the Federal Government. So anxious were they to preserve the principle that the freedom of the individual depended upon his right to control the affairs of his own community and his own State, that every possible safeguard to that end was put into the Constitution. They were fearful that, some day, designing men might arise, whether in peace or in war, that they pointed out emphatically the dangers which would come from a highly centralized form of Government.

The junior Senator from Illinois, in that eloquent address which compares favorably with any other ever given on the floor of the Senate, quoted the words of Benjamin Franklin, who said on the morning following the completion of our Constitution:

> I believe this to be a good form of government, and it will be administered well for a period of years, but it, too, will end in despotism, as every other government has ended before it, when the people become so corrupted they are incapable of any other form of government.

Down through all the years that warning has been repeatedly given.

I quote now the words of a man who, when he was Governor of our most powerful State, said, in 1930:

> Now, to bring about government by oligarchy, masquerading as democracy, it is fundamentally essential that practically all authority and control be centralized in our National Government. The individual sovereignty of our States must first be destroyed, except in mere minor matters of legislation. We are safe from the dangers of any such departure from the principles on which this country was founded just so long

as the individual home rule of the States is scrupulously preserved, and fought for whenever that seems in danger.

Thus it will be seen that this home rule is a most important thing, a most vital thing, if we are to continue along the course on which we have so far progressed with such unprecedented success.

That quotation, Mr. President, is from the lips of Franklin D. Roosevelt, who now occupies the position of President of the United States. I trust he was sincere when he made that statement. But a strange philosophy has been growing up in our Government since those words were spoken. In 1935 this same Franklin D. Roosevelt had so far slipped from the moorings of constitutional government that he stated in a letter to a Member of Congress, "I hope your committee will not permit doubts as to constitutionality, however reasonable, to block the suggested legislation."

In 1937 he said in a public address that the Constitution had become too difficult to amend, and therefore he urged the enlargement of the Supreme Court so that its decisions might be made in accordance with the policies of the administration.

All through these 11 years we have seen the progressive encroachment of the Federal Government—not only upon the functions of the States but upon the duties of the Congress and the rights of free American citizens.

Today we are faced with the question: Are the laws of this Nation to be developed by the people, speaking through their chosen representatives, or are they to be made by the President, through orders administered by more than 3,000,000 paid officeholders? How far shall the hand of the Federal Government reach down and take over the functions, duties, and rights of the people in administering the most solemn obligation which comes to every citizen, that of protecting the ballot? I say the question before us is, What is best for America? Shall we go along with this encroachment of the Federal Government upon the rights of the individual citizen, or shall we hold up our hand and say, "thus far and no farther"?

Mr. President, I cannot add to the information which has already been given upon the constitutional problem involved in this issue. My life has been lived among the substantial common people of America who love their home communities, who build their businesses and give oportunities of employment to their fellow citizens in their home communities, and who look upon the duty of casting a ballot as a sacred and patriotic responsibility of citizenship. This opportunity must not be denied. Therefore, giving a full ballot to the members of our armed forces, whether in training, in transit, or fighting on the foreign front, is not only discharging a debt to them but also is protecting foundations of our Government.

I am impressed with other dangers which will attend the use of the Federal so-called ballot. The right to vote carries with it an accompanying responsibility. The voter must ask for a ballot and must vote in secret his own conscientious convictions as to what is good for our country. I know that the sponsors of the Federal ballot have denied that any pressure of any kind will be brought to bear upon these soldiers. I remind the Senate that for 155 years elections have been a civilian function. Today if we permit the use of the Federal ballot, we shall cross over the dividing line between civil functions and military functions. The military aspect will follow that ballot until it is marked, sealed, and delivered. The military influence of a government at war will bear weight upon that ballot. I talked with soldiers during the recent recess, and they said, "When we vote, we want to know that the heavy hand of authority is not on the pencil." That is the fear of the soldiers with regard to military elections.

The other day the President of our civil Government, in his role of Commander in Chief of the armed forces, forgot the proper relations which should exist between these functions and, presuming to speak for the armed forces, rebuked the Congress of the United States and charged it with perpetrating a fraud upon our soldiers. That act has been repudiated by every Member of this body. What a pity it was that the President took this course when we are seeking confidence and unity in America. No one can estimate the harm that message created in our land. Not only did he present that message to the Congress, but the powerful O. W. I., an agency of the executive department, sent the message with that vicious charge to the Associated Press, the United Press, and Reuters news agency abroad. It was translated into 10 different languages and sent throughout the world. It was broadcast to the Army over 60 radio stations.

That is the character of the propaganda which the executive department is now using to feed the minds of the soldiers and their families against the Congress of the United States. Is there any reason to doubt that the tons of literature, Roosevelt pictures, and buttons which are being sent out by the publicity officers of the Government will be continued through the election campaign if the Commander in Chief is renominated for a fourth term? Does anyone believe that the soldier will be able to perform his responsibility of casting an unbiased and unprejudiced vote in the coming election if the Commander in Chief is renominated for a fourth term?

The PRESIDING OFFICER (Mr. EASTLAND in the chair). The time of the Senator from Indiana on the amendment has expired.

Mr. WILLIS. I will speak further on the bill.

Mr. President, I have been interested in analyzing the expressions which have come to my office on the soldiers' vote. Very few come from soldiers. Some come from well-meaning persons who apparently are not acquainted with the real issue; but I find that more than 75 percent of this propaganda comes from pressure groups who are interested, first of all, in maintaining the President in power for a fourth term. They do not represent the sober thought of the citizens of our country.

The strongest criticism of the State method of voting is that it cannot be done. It can be carried out within the time limits available, without a disturbing effect upon our war effort. The figures cited by the War Department are so curious that one doubts whether the Department has given any thorough study to the question. It has said that it cannot be done, and quickly dismissed it.

I should like to cite the problem in my own State, in which lies the center of population of the United States. I have here a plan which has been formulated by the Governor of the State of Indiana in which he shows plainly that it is not only feasible, but practical to vote by absentee ballot and that it can be done with less disturbance of transportation than would be the case with the Federal ballot.

I ask unanimous consent that the letter from the Governor of Indiana be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INDIANAPOLIS, IND., *December 31, 1943.*

HON. THEODORE FRANCIS GREEN,
Chairman, Senate Committee on Privileges and Elections,
Washington, D. C.

MY DEAR SENATOR GREEN: Answering your telegram of December 31, I am pleased to advise that I have definitely decided to call a special session of our general assembly early in the new year to consider legislation relative to absentee voting for our men and women in the armed services.

I feel that I can assure you that the people of Indiana are almost unanimous in their support of any needed changes in our election laws that will make this possible.

I have given considerable thought to the several bills on this subject now before Congress, and I make bold to suggest that a much simpler plan should be adopted. Since the Constitution delegates to the States the responsibility of setting up the election machinery, I feel that it would be dangerous and unnecessary to abridge this right even in times of war.

To make possible the right of suffrage for those in the armed services, we will need the fullest cooperation between the Federal and State Governments, and to this end I should like to make the following simple suggestion:

1. Let the Congress provide for the distribution of application cards to every man and woman in the armed service. This should be done as early as possible in the coming year.

2. These cards should be addressed to the secretary of state of the State in which the soldier claims residence and on the reverse side should carry the application for ballots and the recital of a few pertinent facts concerning the voter's qualification.

3. The voter should be required to sign this application in the presence of a commissioned officer, and the card should also give the post-office address to which the ballot should be mailed.

4. Upon the arrival of these cards at the office of the secretary of state they would be forwarded to the home counties of the applicant, and the local election board could determine the eligibility of the voter, and also the precinct where his vote should be registered.

5. Every State now having a registration law could easily adopt an amendment which

would recognize the application card in lieu of the existing registration requirements.

6. Under this plan our State could forward the Federal, State, and local ballots to every applicant, and he could participate in the entire election.

7. The ballots should be returned in a suitable envelope, addressed to the election clerk in the home county of the applicant, and on the reverse side should carry the signature of the voter properly attested by a commissioned officer in the armed forces.

Under this plan the Federal Government would be obliged only to furnish and distribute the application cards to those in the armed services, wherever they may be, and thus would avoid the complications and cost of the present plans now before the Congress.

I think you will agree that it would be next to impossible for the State to undertake such a distribution or to make much headway in trying to locate these absentee voters. If these cards could be returned to the States on or before August 1, I am of the opinion that most of these men and women would have an opportunity to participate in the election. We would have 3 full months in which to mail the ballots to the voters and to receive them in the home counties in time for the election.

We would feel very greatly honored if your committee would give thoughtful consideration to this rather simple plan. We know that it would work admirably in Indiana, and I am persuaded that it could be made effective in all of the States of the Union. Under this arrangement the soldier would be voting under the same conditions and same laws that pertain to all other voters of his State.

Very sincerely yours,

HENRY F. SCHRICKER,
Governor.

Mr. WILLIS. Mr. President, if the Commander in Chief of the Army and Navy of the United States really wants the soldiers to vote the complete ballot, it can be done. It is not necessary to go into the wasteful use of transportation in this country. It is not necessary to say that persons in high official positions, and some not in official positions, are riding through the world in special planes. I am firmly convinced that if there is a real desire on the part of the Government to give the soldiers a 100-percent ballot and have it properly cast and properly counted, it can be done.

Others have cited the dangers attendant upon the use of the Federal ballot. In this time when there is so much unrest in our country, when the people are so troubled, when they are harassed by so many difficulties, we should take no chances by enacting a law which is of doubtful constitutionality and which may be the cause of election contests. Least of all should we jeopardize the election of the President of the United States.

There is only one safe rule of conduct, and that is to do the right thing. In this instance the right thing is to operate scrupulously under the Constitution of the United States, give a full ballot to the soldiers of our country, and lend every possible facility of our Government to the transportation and proper handling of that ballot.

Mr. President, an unwarranted accusation has been made against the Senate by an entirely separate branch of our Government seeking to exert pressure on us. I plead with Senators not to permit any partisan bias or human rancor against an individual to embitter their decision as to the rights of our fighting men abroad. Let it not cool their ardor to provide a vote for the man who wishes it, by constitutional methods. I charge Senators to provide by every possible means for the Government to expedite the lawful ballots prepared by the States. I renounce, and charge my colleagues to renounce, the petty platitudes and the organized pressure which would bring about an illegal ballot that could be twisted by politicians in high places.

Mr. President, I add my approval of the Danaher amendment because it provides all the means for voting by State ballot in those States which desire to cooperate. As I have already stated, I hope that this method can be strengthened still further so that every soldier abroad, every one of the brave men who are fighting for us, may have an equal privilege with their families at home to vote a strictly honest American ballot.

Mr. WAGNER. Mr. President, in less than 10 months the people of the United States will select a President and a Vice President. They will elect a new House of Representatives, and 32 United States Senators. The new Government will face the continuing issues of war and peace. It will face the task of world construction. It will face the problems of reconversion and rehabilitation. These are the gravest responsibilities committed to the National Government since the early days of the Republic. The Government that will confront these issues and assume these responsibilities must be the choice of all the people, including—above all—the men and women who are actually fighting this war.

When the election is held in November, 11,000,000 American citizens will be members of the armed forces. More than 5,000,000 will be overseas. Most of them will be qualified voters under the laws of their respective States and under the United States Constitution. But most of them will be unable to exercise their right to vote—even for Federal officials—unless the revised Green-Lucas bill, now under consideration in the Senate, is promptly enacted into law, and without crippling amendments. In my considered judgment, failure to enact this bill would be a harder blow than any that our enemies could strike against the morale of our armed forces and the stability of the institutions they are fighting to defend. Taxation without representation is a milder abuse than the virtual disfranchisement of the citizen-soldiers who are offering their lives for the Nation, and upon whom the survival of the Nation depends.

As a United States Senator and a representative of the people of New York—including more than a million members of the armed forces—I view with the gravest apprehension the efforts that have been made to block and emasculate the compromise Green-Lucas bill.

This legislation embodies the largest deference to State authority that is compatible with soldier voting. The various State absentee ballot laws can and should be improved, but it has become amply clear that State procedures alone cannot afford servicemen an adequate opportunity to vote. The practical difficulties involved in attempting to transport the various ballots of 48 States to each of our soldiers, sailors, and marines in the far-flung corners of the world, and to return these ballots in time, are insuperable. The Secretary of War has stated:

> No procedure offering the vote to servicemen can be effectively administered by the War and Navy Departments in time of war unless it is uniform and as simple as possible. An army engaged in waging war cannot accommodate that primary function to multiple differences in the requirements of the 48 States as to voting procedure.

The Green-Lucas bill provides the simple uniform procedure which is essential if our service men and women are really to receive their ballots for all-important national officers, express their will, and have their ballots counted by the several States in the 1944 elections.

I have carefully examined the provisions of the Green-Lucas bill to determine for myself whether there is any real basis for the constitutional issue which has been raised. It is my considered opinion, in the light of my background as a lawyer and my service on the bench, that there is no real basis for doubt as to the constitutionality of this legislation. The bill does not affect the qualifications of voters; it undertakes merely to provide an adequate machinery so that members of the armed forces may cast their ballots for the election of Federal officers.

Mr. McKELLAR. Mr. President, will the Senator yield for a question?

Mr. WAGNER. I yield.

Mr. McKELLAR. The Senator talks about giving the soldiers the right to vote for Federal officers. Does not the Senator, as a friend of the soldiers, think we should give them the right to vote for State officers at the same time?

Mr. WAGNER. I think the Green-Lucas bill does that.

Mr. McKELLAR. Oh, no. It gives the vote for Federal officers priority. The Senator ought to read the Green-Lucas bill.

Mr. WAGNER. I have read it very carefully.

Mr. President, the Congress of the United States declared war, put these men and women into uniform, and sent them to camps and stations throughout our country and the world. It cannot reasonably be argued that Congress is without power to assure them the opportunity to vote if they are otherwise qualified. The waiver of registration requirements and the waiver of payment of poll taxes, are not really in issue, because they have been law since 1942, when Public Law 712 was passed with few dissenting votes.

An analogous statute, the Soldiers' and Sailors' Civil Relief Act was passed without any serious challenge even though it permits the stay of actions in State courts against soldiers and sailors until the completion of military service and bans mortgage foreclosures.

Mr. President, the people of New York are not divided on this basic issue. They have not reserved their judgment until they can discover how the servicemen will vote if they are given the opportunity. They do not claim a vested interest in ineffective voting procedure. They

are not interested in legal technicalities. Regardless of party, they wish the men and women of the services to have the best opportunity to vote that can possibly be accorded them by law. I voice their united sentiment in urging the passage of the Green-Lucas bill.

Mr. LANGER. Mr. President, I suggest the absence of a quorum.

Mr. DANAHER. Mr. President, will the Senator withhold the suggestion for a moment?

Mr. LANGER. I withhold it.

Mr. DANAHER. Mr. President, the pending question is on the amendment as modified, which I offered, is it not?

The PRESIDING OFFICER. That is the pending question.

Mr. DANAHER. I ask that the yeas and nays be ordered on the amendment.

The PRESIDING OFFICER. The Senator from Connecticut demands the yeas and nays. Is the demand seconded?

The yeas and nays were ordered.

Mr. LANGER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Overton
Andrews	Gillette	Pepper
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hill	Shipstead
Brewster	Holman	Smith
Bridges	Jackson	Stewart
Brooks	Johnson, Colo.	Taft
Buck	Kilgore	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Bushfield	Langer	Thomas, Utah
Butler	Lodge	Tobey
Byrd	Lucas	Truman
Capper	McCarran	Tunnell
Caraway	McClellan	Tydings
Chandler	McFarland	Vandenberg
Chavez	McKellar	Wagner
Clark, Idaho	Maloney	Wallgren
Clark, Mo.	Maybank	Walsh, Mass.
Connally	Mead	Walsh, N. J.
Danaher	Millikin	Wheeler
Davis	Moore	Wherry
Downey	Murdock	White
Eastland	Murray	Wiley
Ellender	Nye	Willis
Ferguson	O'Daniel	Wilson
George	O'Mahoney	

The ACTING PRESIDENT pro tempore. Ninety-two Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment of the Senator from Connecticut, as modified. On that question the yeas and nays have been ordered.

Mr. DANAHER. Mr. President, in view of the fact that some of the Members of the Senate have necessarily been detained on other business, I ask that the amendment as modified be stated.

The ACTING PRESIDENT pro tempore. The clerk will state the amendment as modified.

The LEGISLATIVE CLERK. On page 28, beginning with line 5, it is proposed to strike out all of subsection (a) of section 4, and to insert in lieu thereof the following:

(a) The provisions of this title shall apply with respect to the following:

1. Members of the armed forces and the merchant marine of the United States, outside the United States.

(2) Persons serving with the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots, and the United States Service Organizations, outside the United States who are attached to and serving with the armed forces of the United States.

(3) Members of the armed forces who are inside the United States who are residents of any State of which the secretary of state has not certified to the Commission prior to August 1, 1944, that the State has made provision for such members to vote by absentee ballot and that the State will accept post-card applications as provided for in title II of this act; and the Commission shall promptly advise the Secretaries of War and Navy of the names of the States which have so certified. Any such member of the armed forces who is inside the United States and who has not received his State ballot may vote under the provisions of this title, provided such member shall execute the oath hereinafter set forth.

Mr. DANAHER. Mr. President, in view of the further consideration which has been given the amendment, and the explanation hitherto offered, and in view of the statement by the Senator from Illinois of his complete agreement to accept the amendment as modified, I shall not further take the time of the Senate. Unless there be questions to be propounded, I yield the floor.

Mr. GREEN. Mr. President, I do not rise to make a speech, but as chairman of the committee which reported the bill to the Senate I wish to say that the amendment meets with the approval of the committee. I congratulate those who are responsible for what we might call the great Connecticut compromise. It is an example of bipartisan, patriotic cooperation which is very encouraging in these days.

Mr. HAWKES. Mr. President, I have listened intently to the arguments by various Senators who have expressed their views as to the method that should be provided to enable the men and women in our armed forces to vote. I have talked with hundreds of private citizens, and many in the armed forces, and they continually say to me that the soldier should have the right to vote, but that no one should have the right to vote him.

I am definitely and positively in favor of the soldier voting, and it is my firm conviction that he can vote within the bounds of the constitutional authorizations of the Nation and the State, if enough of us are determined to find a way. I believe there are suggestions before the Senate now which solve all of the problems.

I am in favor of the Danaher amendment, which would have the Federal ballot used only in those cases where the States themselves had not provided practical ways and means for a soldier to vote. In my own State of New Jersey Gov. Walter E. Edge, former United States Senator for 10 years and former Ambassador to France, assures me that the State of New Jersey will provide ways and means which will make it possible for its citizens in the armed forces to have the full right of suffrage.

I repeat from his inaugural address the following:

One of the most glaring and indefensible omissions of the Federal Government and to some extent the State governments has been failure to provide workable methods for voting by members of our armed forces both at home and abroad. Personally, I feel it is chiefly an obligation of the States with the necessary cooperation of the Federal Government to the extent that ballots will be delivered, collected, and returned. With approximately 400,000 New Jersey men and women of voting age practically disenfranchised, a situation is presented that demands immediate action and no excuses can be tolerated.

Mr. President, I send to the desk a joint resolution which has been passed today by the New Jersey Legislature, and I ask that it be read by the clerk.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will read.

The legislative clerk read as follows:

SENATE JOINT RESOLUTION 2

Joint resolution memorializing the Congress of the United States to adopt legislation, expeditiously, which will leave to the States the responsibility of providing the form of absentee ballots and all provisions for tabulation of the vote and which will provide for Federal action only in the delivery, collection and return of the ballots

Whereas Congress is considering soldier vote legislation; and

Whereas the Constitution of the State of New Jersey provides that no elector in the actual military service of the United States shall be deprived of his vote by reason of his absence from his election district, and places the duty upon our legislature to provide by law for the effectuation of this guaranty; and

Whereas the New Jersey Legislature is now in session and desires to make all further changes in our laws which will improve the opportunity of our servicemen and servicewomen to vote; and

Whereas New Jersey servicemen and servicewomen will be assured of their right to vote for all Federal, State and county candidates and also on public questions if Congress will provide merely for full and speedy cooperation in the delivering, collecting and returning of the ballots; Therefore be it

Resolved by the Senate and General Assembly of the State of New Jersey:

1. That the Congress of the United States be and is hereby urged to adopt legislation, expeditiously, which will leave to the States the responsibility of providing the form of absentee ballots and all provisions for tabulation of the vote and which will provide the Federal action only in the delivery, collection and return of the ballots.

2. That the secretary of state be and is hereby directed to transmit, immediately following the passage of this joint resolution, a copy thereof, properly authenticated, to the Secretary of the Senate of the United States, to the Clerk of the House of Representatives and to each Member of the Senate and House of Representatives from the State of New Jersey.

3. This joint resolution shall take effect immediately.

Approved January 25, 1944.

The ACTING PRESIDENT pro tempore. The joint resolution presented by the Senator from New Jersey will lie on the table.

Mr. HAWKES. Mr. President, I regret that anyone in high office has seen fit to impute fraud to those who differ as to the importance of preserving to the States the functions which belong to them as individual entities of a national whole. This is a time when we need unity and cooperation to win the war and establish and preserve a sound

peace. Charges of fraud do not contribute to cooperation and unity.

I have not talked with a single soldier, or anyone else serving in the war effort, who does not admit that he wishes to vote for an individual and not for a party. He wishes his vote to be in extreme secrecy, as at home. He wishes the right to cast an intelligent vote, based not only upon knowledge of the person he is voting for, but some of the principles for which that individual stands. He wishes to vote for all representatives within his right to vote.

We are fighting this war to preserve the right to have and express a difference of opinion, and let us hope that right will be preserved in harmony.

If the administration of this Government wishes the soldier to have the right to vote in secrecy and with understanding, there is no reason why the Office of War Information should not function honestly with representatives from both the major political parties, and get as much information as possible from both sides regarding the candidates and issues to the soldiers, wherever they may be. Certainly it is more important for the soldiers to vote intelligently than it is to send many people around the world by airplane on questionable expeditions, or even to send volumes of literature which, even though interesting, do not have a vital bearing upon the future destiny of this country. The ballot does have a vital bearing on the future of this country.

I have disapproved of many things done by the O. W. I., but inasmuch as we have that going agency of Government and it is continuing to function, regardless of this soldier vote issue, it is my firm conviction that it should be used as an agency of the American people to make a full contribution to an honest, intelligent election in which the soldier is enabled to exercise his right to vote through receiving equal and truthful information with regard to the candidates of both parties. I recommend that the chairmen of the national committees of all major political parties make recommendations to the President which will assist in carrying this plan into effect.

I hope most of our American people still recognize that the preservation of the Constitution of the United States and the constitutions of the States themselves is vital to the future welfare of our people. I hope we will all be wise enough to understand now that if we give the soldier the right to vote without the privilege of voting in secrecy, and without the information to enable him to register his vote intelligently and effectively as he wills to do, then every man in this great Congress and every officer in the States may see the day when the soldier returns and finds demoralized conditions which are contrary to his hope and desire—yes, contrary to what he expected. Let us not force him to blame us for a condition which would be the result of his voting without information, rather than enabling him to vote in the constitutionally authorized way after receiving all the information it is possible for us to send to him under the difficult conditions of global war.

I am in favor of giving those in the armed forces this full right, and I believe if the administration, the Congress, and the Army and Navy do their full duty, they will get that right. Certainly no one will deny that I am as deeply interested in the right of those in the armed forces to vote as anyone could be. Mrs. Hawkes and I have given to this war, through death in the far-off southwest Pacific, our only son, who has left a wife and two children, and I defy anyone to say that I am not as deeply interested in the welfare of the soldiers and all in the services as any other Member of this body, or as the President of the United States.

Mr. President, I wish to leave this thought with the Senate: In one of the last letters I received from my boy, when we had asked him what he wanted for Christmas, he replied, "I should like to have true information of what is going on back home in the United States." Mr. President, do not forget that every soldier in uniform wants such true information, and that the right to vote without information, without secrecy, is not worth the paper it is written on.

Mr. REVERCOMB. Mr. President, before we proceed to vote I should like to ask the Senator from Connecticut for information on the pending amendment. Will the Senator from Connecticut please turn to section 202 of the pending bill. It will be found on page 43, in title II, and is as follows:

SEC. 202. Such post cards (and post cards provided under section 3 of this act prior to its amendment) may be used, if State law permits, as applications for ballots under State absentee balloting laws, as applications for registration under State absentee balloting laws, or as sources of information to implement State absentee balloting laws. No voter shall be precluded from voting under the provisions of title I of this act by reason of any post-card application made under this title, unless such voter casts an absentee ballot.

It is my understanding that as proposed to be amended the provisions of the Green-Lucas measure will apply to these classes of cases: Individuals in the service and others affected by the bill who are outside the continental United States and individuals within the continental United States from States whose laws do not conform to section 202. Am I correct in that statement?

Mr. DANAHER. I assume the Senator is referring in his question simply to title II of the bill?

Mr. REVERCOMB. Yes.

Mr. DANAHER. If the Senator's State of West Virginia will not receive the Federal post-card form which is provided for on page 42 of the bill, then clearly section 202 of title II will not apply to an absentee from the State of West Virginia, and consequently if the State of West Virginia will not accept that application form as an application for a ballot, if it will not accept it as an application for registration, there is only one other possible use the State of West Virginia might make of it, and that is, as the language itself states, as a source of information to implement such absentee balloting laws.

If the State of West Virginia will not permit an absentee to vote or to qualify to vote under title II through a State ballot by use of the uniform post card which is provided for on page 42, then title I applies, and consequently absentees from the State of West Virginia who desire to vote in November 1944 in West Virginia may vote only for Federal officers, and then only in accordance with the uniform Federal ballot form provided in title I. When I use the word "only," I emphasize it; I mean only insofar as the Lucas-Green bill, as it may be amended, is concerned. Naturally, if the State of West Virginia is able to get those ballots into the hands of its absentees, whether they be in Madagascar or India, or whether they be in a camp in the United States, then lines 5, 6, and 7 on page 42 apply. They read:

Where State procedures can be effectively employed, to members of the armed forces located in other places.

Thus such absentees would be relegated to use of the State ballot in accordance with the laws of the State of West Virginia. I do not know what are the laws of the State of West Virginia, but if they cover points such as those I have mentioned, or omit to make mention in the particulars to which I have referred, then my answer, I think, will be found to apply.

Mr. REVERCOMB. I feel that the statement of the Senator is quite clear. I make the inquiry not only for the soldiers, sailors, and marines who have gone forth from the State of West Virginia, but I call the matter to the attention of the Members of this body so that we may vote intelligently upon the question.

On January 3, 1944, the Legislature of West Virginia was called into extra session, and proceeded at once to enact a statute to enable the soldiers, sailors, and marines from that State in the armed services to vote. We, of West Virginia, regardless of party—and I may say that the legislature and the Governor of my State are members of the opposite party from mine—have considered that law to be a very liberal one. That law is very direct; it is very certain. It enables the men from our State, wherever in the world they may be, to vote. But in our State we require registration. However, under the permanent registration laws of West Virginia a man is required to register only once every 5 years. But to the boys who had gone into the armed services before they were 21, and subsequently became 21 years of age, we gave the opportunity of filing a form which is fixed by the statute. I do not know how many other States have enacted similar statutes. I know that the State of Illinois has enacted a statute. I do not know how those men are to be registered. I know that the State of Georgia has enacted a somewhat similar statute.

But if the amendment of the distinguished junior Senator from Connecticut [Mr. DANAHER] is adopted, then the effect of this law of West Virginia will be absolutely destroyed, insofar as it would permit our men to vote. Mr. President, I should not say "permit our men to vote"; they still could vote their State ballot, but they would come under the provisions of Green-Lucas bill, despite

the fact that West Virginia has enacted this new statute.

I make this inquiry solely for the purpose of bringing the matter to the attention of other Senators from other States, who may be in a similar situation.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Connecticut, as modified. On this question the yeas and nays have been ordered.

Mr. BURTON. Mr. President, will the Senator from Connecticut yield for a question?

Mr. DANAHER. I yield.

Mr. BURTON. I understand that the Senator's amendment, as modified, deals with the Federal ballot.

Mr. DANAHER. That is correct.

Mr. BURTON. And that the Federal ballot will be available to members of the armed forces overseas, and also the ballot under the State laws?

Mr. DANAHER. That is correct.

Mr. BURTON. And that the Federal ballot will be available to a citizen of, let us say, the State of Ohio, even if Ohio has a workable absentee-voting law, if the soldier certifies that he is unable to receive a State absentee-voting ballot.

Mr. DANAHER. If he certifies under oath.

Mr. BURTON. Yes; under oath.

Mr. McKELLAR. Mr. President, I like the Senator from Connecticut [Mr. DANAHER]; he is an able Senator and a fine man. I have tried to find some way to be able to vote for the amendment he has offered. But as I read the amendment—and if I am wrong about it I hope the Senator will correct me—I find that it provides that in the case of a State which has not certified to the Commission prior to August 1, 1944, that it, the State, has made provision for such members of the armed forces to vote by absentee ballot, then the commission will step in and will furnish the rules for balloting; and it is under those rules that the soldiers from the States which have not certified that they have provided for State absentee balloting, will vote. Is that correct?

Mr. DANAHER. That is my understanding.

Mr. McKELLAR. Mr. President, in my judgment, according to the decisions of the Supreme Court, some of which I read yesterday, such a provision would be absolutely unconstitutional. I do not think Congress has any more right or power under the Constitution to control the voting in this country than it has to provide for the succession to the throne in the Kingdom of Great Britain, or to say who will be the next dictator in Russia or who is to succeed Hitler in Germany, or any similar proposition. I think Congress is wholly without power, under the opinions of the Supreme Court, to pass election laws for the people of this country to vote for Presidential electors. For that reason, I shall vote against the Danaher amendment.

Mr. President, while I am on my feet I desire to say something about the general situation. What I shall say will be very short. I have found, after careful consideration, that I cannot vote for the Green-Lucas bill as recommended by the committee. I desire to point out very briefly why I cannot support it. At the outset I desire to say that no one is more desirous of having every United States soldier, sailor, and marine vote in the November elections than am I. I wish to point out, further, that I have been in this body and in the body at the other end of the Capitol for a period of approximately 32 years. During all that time we have had many votes on what are known as soldiers' bills. I never in my life have voted against a soldiers' bill. I think those who go on the field of battle and offer their lives in the defense of their country should be treated with the greatest liberality and the greatest consideration. I have always taken that position, and I am taking that position now. I want the soldier to have the right and the opportunity to vote for any candidate of his own choosing in the election, whether it be a Presidential elector, a Senator, a Member of the House of Representatives, a Governor, a member of the State legislature, a State judge, a county officer, or a city official. The bill would not preserve any such rights to the members of our armed forces. The pending Green-Lucas bill would, by the use of the word "priorities," virtually limit them to voting for Presidential electors, Senators, and Members of the House of Representatives. The bill itself provides that votes for Presidential electors, Senators, and Members of the House of Representatives shall be placed in one class, and that votes for State officials are to be placed in another class. I do not believe in giving the soldiers such an unjust and unfair privilege of voting, even if we had authority to do so. I am discussing the merits of the bill; I am not now discussing constitutional questions. For heaven's sake, Mr. President, if we are going to give our soldiers who are fighting for us on the fields of battle the privilege of voting, as we claim we are going to do, let us give them the full and complete privilege of voting, not merely throw a sop to them, and tell them, "You can vote for Presidential electors, Senators, and Members of the House of Representatives," and then say, as the bill as it is worded does say, "We do not care so much about candidates for local and State offices. Anything we can do to help you along, we will be very glad to do; but we will not bother too much about that. We are interested in your voting for Presidential electors and for Members of the House of Representatives and for Senators."

Mr. President, I do not want to vote for that sort of a soldiers' voting bill, and I shall not do so.

The first class is to be treated differently by the War and Navy Departments, and Federal officials are to be preferred. This limitation is placed upon the soldier by reason of public statements by the War and Navy Departments to the effect that they have neither the steamer facilities nor the airplane space to carry the ballots to the soldiers and bring them back. The departments are willing to carry them and bring them back if the soldiers vote for Presidential electors, Representatives, and Senators, but if they vote for Governors and other State officers on the same ticket, the ballot becomes too heavy. There is too much freight. The departments cannot carry it. It is too great a burden on their air services. It is too great a burden on their steamer services. Fiddlesticks! I am told that more than 300,000 tons—perhaps it was 3,000,000 tons—of Christmas presents were sent to the soldiers a little more than a month ago. There was no trouble about that. But if we ask for facilities to carry 30,000 or 40,000 pounds of ballots to allow the servicemen to vote for their friends in their own counties or States, the departments say, "Oh, no; we cannot take it. It is too great a burden on the Army. It is too great a burden on shipping. It is too great a burden on the air facilities."

Mr. President, I do not believe in treating the soldiers in any such way. I believe that the soldiers should be allowed to aid, by their votes, in the election of State, county, and city officials, as well as Federal officials. I am not willing to vote for a measure which would limit the opportunity or privilege of the soldier to voting only for Federal officials.

To my mind it would be wholly unfair to the servicemen in foreign lands or foreign waters to be told that they may vote for Presidential electors or for Senators or Representatives, but that they may not vote for officers in their own States. Suppose the mother of a soldier in Italy were running for county-court clerk in Davidson County, Tenn. If the Green-Lucas bill were to be enacted into law, do Senators have any idea that that boy would ever be able to vote for his mother? There is not one chance in 50 that the vote would ever be counted. It would never get back here. It would be too late. There is no provision in the bill for expediting the transmission of such ballots. Why should the soldier be deprived of the right and privilege of voting for his own mother, who may be popular in his home county? Suppose the soldier's father were running for Governor of Tennessee. Why should he not have the right and privilege of voting for his father, his uncle, or any other person in that State? If he has a dear friend running for sheriff of any county in my State, or any other State, why should he not have the right and privilege of voting for him?

The proponents of the bill are very careful about voting for Senators and Representatives, and electors for President and Vice President; but State and local officers are stepchildren under the Green-Lucas bill. Why should the soldier be denied the right and privilege, as this bill would deny him the right and privilege, to vote for his friends in his own State, and be permitted to vote only for Federal officers? This measure is called a Federal ballot bill. The whole thing is looked at through Federal eyes. It is not a soldiers' voting bill, but it is a soldiers' Federal voting bill. Under the bill soldiers would be permitted to vote for Federal officers. We propose to say to the soldiers, "We will help you if we can; we will expedite the balloting for

State officers if we can, but we will give the Federal ballots priority."

Mr. HOLMAN. Mr. President, will the Senator yield?

The ACTING PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Oregon?

Mr. McKELLAR. I yield.

Mr. HOLMAN. I hold in my hand a letter addressed to me by a colonel in the United States Army stationed at Guadalcanal. I received it yesterday, 7 days after it was mailed. It is postmarked Guadalcanal, January 25, 1944. It required 7 days to reach me in my office from a solider in the Army at Guadalcanal.

Mr. McKELLAR. I thank the Senator.

The Secretary of War and the Secretary of the Navy have publicly stated that they have not the space in their steamers and aircraft to carry State ballots to the soldiers and return them, because such large ballots would require too much space. That difficulty could be easily overcome by printing the ballots on thinner, lighter paper, and by making the printing thereon smaller. The mechanical part of it could easily be arranged, and there would be no trouble about it.

Mr. President, it cannot be said that I take this position because of the fact that there is a poll tax requirement in my State. We have such a law. I am not wedded to it, and never have been. I made a mistake when I voted for the soldiers' voting bill which was passed in 1942. I voted for it without careful examination. I believe that I voted for an unconstitutional measure. That bill had a provision abolishing certain poll tax requirements in the States. I do not believe that that law is valid, but to show my good faith so far as the poll tax was concerned, I voted for the bill. I voted erroneously. I should like to see the law removed from the statute books, because it might as well not be there. In my judgment it is unconstitutional.

I am perfectly content to have the soldiers vote without reference to registration, because they are registered in the Army in the cause of their country, and such a change in the State laws would be justified. I would go even further and allow all the boys, regardless of their age, to vote, if it could be done constitutionally. If a boy is old enough to carry a gun on the field of battle for his country, he is old enough to cast a vote. So I am sorry that I cannot vote for an amendment which I understand will be offered in that connection. I want them all to vote fully and freely.

I now come to the constitutional question. I am opposed to this bill, Mr. President, because it is clearly in plain violation of the terms of the Federal Constitution. As we all know, the President and Vice President of the United States are chosen by electors. The electors are chosen under State law. The candidate receiving the majority of the votes of the electoral college is elected President. The manner of choosing electors is set forth in article II of the Federal Constitution. I invite it to the attention of Senators. This is our Constitution, under which we sit here.

Each State—

Not this Congress; not the Federal Government, but each State—

shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress.

Section 2 of article I of the Constitution provides as follows:

The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

In other words, Mr. President, the Constitution expressly and specifically provides that the elections for President and Vice President shall be held in such manner as the legislatures of the various States may direct. It nowhere gives to the Congress the right to hold such elections for any purpose or under any circumstances. The only power which the Congress has under the Constitution is to "determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States."

Mr. President, those are the plain provisions of our Constitution. Those provisions have been followed in this country for 155 years; and during all that time the voting for electors to choose the President and Vice President of the United States has been under the absolute control of the States. But the suggestion is made that we are now engaged in a war, and that these constitutional provisions are not effective in time of war. Mr. President, we have had six great wars in our history, five of them under the Constitution; and yet our voting has never been taken over by the Federal Government under any excuse. The States have always been held to have complete control of elections. So far as I have been able to ascertain this is the first time in the history of our Nation that it has ever been suggested that the express provisions of our Federal Constitution giving to the States control of Federal elections be nullified because our Nation is at war.

Mr. President, I ask Senators to listen to me while I refer to the crucial feature of the whole situation which confronts us. I ask Senators to listen, because every one of them has taken an oath. All 96 of us took an oath. At the Vice President's desk the oath was administered to us by the Vice President in accordance with the Constitution, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God?

And each one of us answered, "I do." Did we not all say that?

Are we not evading the Constitution when we undertake to take over the voting powers which the Constitution expressly states are to be exclusively in the States?

What about our oath? We all respect the oath which we took. We did not take the oath as a matter of form. I think it was a solemn moment when each of us took the oath. I have taken it five times at the Vice President's desk in this Chamber. They were the most solemn five occasions of my life. I never was so deeply impressed in all my life as I was the first time I took the oath, and I was just as much impressed the last time I took it. I believe that the pending bill is right in the teeth of the express provisions of our Federal Constitution.

Mr. President, I would not be true to myself or my country if I voted for a bill which I conscientiously believed to be opposed to what are not implied but express provisions of the Constitution. For all these reasons I shall not vote for the bill.

However, it is said by some that our soldiers want us to do so. Think of that! Senators heard the arguments which were made that our soldiers want us to pass this bill, be it constitutional or not. I say to the Senate that the soldiers of Tennessee are not asking me to violate this very Constitution for which they are offering up their lives to protect and to defend. Not a single one of them has asked me to violate my oath. They are fighting for the Constitution. Why are we not willing to stand by their side and say that we will uphold that Constitution? The obligation upon us is greater, or at least as great, than upon them. They themselves took an oath to defend the Constitution, and so did we.

The ACTING PRESIDENT pro tempore. The time of the Senator on the amendment has expired.

Mr. McKELLAR. I shall take time on the bill.

Mr. President, why should we go back on those boys? We are asking them to defend the Constitution in foreign lands under the greatest difficulties which can be imagined. They are offering up their lives. Thirty-two thousand of them have already given up their lives. They are doing a wonderful job on the field of battle, and they are expecting us to do the same kind of a job back home in protecting, defending, and upholding the Constitution of the United States.

Mr. President, I now wish to make a very brief statement concerning another matter. It was for the reasons which I have stated that I voted for a substitute to a similar bill when it was before the Senate a short time ago. That measure is now being considered in the House of Representatives.

I was deeply hurt a few days ago when it was stated to me that when I voted for that substitute I had voted an attempted fraud upon the American soldiers and upon the American people. I wish to say to the Senate that this accusation against me has no possible foundation in truth. I hardly believed my ears when I heard the statement read

here that I was seeking to perpetrate a fraud upon the American soldiers by voting for a perfectly constitutional and proper measure which would give to the soldiers, not a partial right, not a limited right, not a partial privilege, not a limited privilege, but a wholly correct right and privilege to vote for all officers who will be voted for in the election next November.

Mr. President, since I heard the statement to which I have referred made against me and others—there were 42 of us—I took the trouble to think back as far as I could, over my entire life. I do not recall ever having attempted to practice a fraud upon anyone, or ever having practiced a fraud upon anyone in my whole life. I say that with the utmost sincerity, and I believe it to be the truth. I have honestly and sincerely made it a rule in my life never to let any man do more for me than I do for him. As God is my judge, I have tried faithfully and earnestly to carry out the rule. And now, in answer to that kind of a life, I find that I am accused of attempting to practice a fraud upon the American soldier and the American people. I, who never voted against the interests of the soldiers, after my long public life, am held up to view by one of the leading men of the world as attempting to practice a fraud. I am indeed sorry that accusation was made against me and the other Members of Congress.

Mr. President, I wish to call attention, if I may, to three Members of this body who have already lost sons in the war. As I pointed out a day or two ago, the Senator from Arkansas [Mr. MCCLELLAN] lost a son in action, fighting for his country in north Africa. The Senator from Arkansas also has another son, about 17 years of age, who is today fighting in the Army of the United States for this very Constitution which, as God is my judge, I am trying to protect and defend, just as his boy and other boys are trying to protect it in foreign lands and on foreign waters. Think of the Senator from Arkansas, in those circumstances, being charged with attempting a fraud upon the soldiers, when two of his boys were in the ranks fighting for their country, and one of them has died in that service.

The second Senator to whom I refer, the Senator from New Jersey [Mr. HAWKES], lost a brave, manly son, who died from disease on a South Pacific island, while he was fighting for his country. As I think the Senator said this afternoon, his boy's last postal, in answer to the question as to what he wanted for Christmas, was to the effect that he would rather have honest and reliable information of conditions back home. "That is what we are out here fighting for more than anything else." How could a man who lost his only son in our Army, fighting for his country, practice a fraud upon his boy and upon his boy's comrades?

The third Senator who has lost a son is one of the dearest friends I have ever known, one of the most distinguished Members of this body. The senior Senator from Georgia [Mr. GEORGE] had a son in the Air Forces, who in his plane went out to engage in combat in defense of this very Constitution, and never returned. Good heavens! Is it possible for anyone to think that the Senator from Georgia would vote for any bill which would practice a fraud upon the boys in the Army, when his son died in the performance of such valiant service?

Mr. President, I do not know how the Senator from Georgia will vote on the bill. He was attending to other duties and did not vote when the celebrated 42 Senators voted for the bill which has already passed, and is now in the House of Representatives. Thirty-seven voted against it. I do not know how the Senator from Georgia will vote now, and, so far as I am concerned, it makes no difference. I merely point out that I believe that the gentleman from Georgia, WALTER GEORGE, no matter which way he votes, will not feel that he is voting to practice a fraud upon or to hurt the best interests of boys serving in an Army of which his son was such a distinguished member. Two of these Senators, as I have said, voted for the bill which has already passed.

Ah, Mr. President, I regret more deeply than I can express in words that such a statement has been made about the action of the 42 Senators, including the Senator from Arkansas [Mr. MCCLELLAN] and the Senator from New Jersey [Mr. HAWKES], who have actually lost sons in the war; but such a statement was made.

I am a bachelor; as all my colleagues know, I have no children. I am in some doubt whether I should say what I am about to say, but I desire to show that I have a personal interest in the boys in the Army, and I am proud to state that I have seven nephews in the service of their country in the present war, two of them fighting in the far Southwest Pacific. One of them is the captain of a machine gun company which was the first company to land on Bougainville a short time ago. Another is fighting in the Navy of the United States. I have two other nephews who are fighting in Europe. One of them fought in the north African campaign, and is now either in north Africa or Italy.

Another, stationed in England, is an air pilot. He is the captain of a heavy bomber, and has just been decorated with the Distinguished Flying Cross. He is a grand young fellow, and his good father named him for me. Senators can imagine how I love that boy. They can imagine how proud I am of him. Would any Senator think that I would be guilty of voting against the best interests of that boy, or of any of the seven? The three I have not mentioned are at their respective posts of duty, but I cannot say exactly where they are. I do know about the four to whom I have referred. I could not vote against the best interests of those boys, and when I vote, as I expect to vote, to give them the right we ourselves have in the matter of casting ballots in the coming election, I shall feel that I am but doing my duty.

The boy in England, let me add, has taken 54 trips with his heavy bomber plane hunting for Hitler in the Hitler dominions. I could not go back on that boy, and I could not go back on his comrades.

I am for those boys, I am intensely for them, and I want the RECORD to show that I am in favor of giving the comrades of these young men who are dear to me every consideration. I would rather cut off my hand than do an injury to these boys or to their comrades.

Under these circumstances, Mr. President, think of me as a Senator, in this great body of men, trying to practice a fraud on these young men of my own flesh and blood, and their comrades, whoever they may be, in the great Army of the United States.

Mr. President, I am not criticizing anyone, but with all the solemnity and kindness of which I am capable I want to say that I deeply regret that the charge has been brought against me and the other 41 Senators who voted as I did, and I think I speak the sentiment of all of them when I say that they never remotely dreamed that they were voting for anything but the best interests of the soldiers in our Army.

Mr. President, I know that my days are lengthening, but for a very long time I have endeavored, with all the strength a gracious God has given me, to uphold and defend and protect the Constitution of the United States. I have never in all my life felt that there was greater need for my voting to help protect and defend the Constitution of the United States and the system of government which is ours, than there is at this very moment. For that reason I shall vote for the substitute which will be offered by a number of Senators, which is precisely along the line of the measure for which we voted some 6 weeks or 2 months ago. I have no apologies to make for that vote. I am proud to be able to cast my vote for the unlimited right conferred by our Constitution upon the States to see to it that our boys serving their country in the armed forces shall have an unlimited right to vote for the candidates of their choice in the next election, whether it be for the humble constable in their home counties or for electors for President of the United States.

The ACTING PRESIDENT pro tempore. The question is on the amendment, as modified, of the Senator from Connecticut [Mr. DANAHER]. On this question the yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCARRAN. I announce that my colleague the junior Senator from Nevada [Mr. SCRUGHAM] is absent on official business. If present he would vote "yea."

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness. I am advised that if present and voting, he would vote "yea".

The Senator from Utah [Mr. THOMAS] is detained in one of the Government departments. I am advised that if present and voting, he would vote "yea".

Mr. WHITE. I announce that the Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from California [Mr. JOHNSON] is necessarily absent. I am advised that he would vote "yea" if present.

The result was announced—yeas 72, nays 19, as follows:

YEAS—72

Aiken	Gillette	Pepper
Andrews	Green	Radcliffe
Austin	Guffey	Reed
Ball	Gurney	Reynolds
Barkley	Hatch	Shipstead
Bone	Hawkes	Stewart
Brewster	Hayden	Taft
Bridges	Holman	Thomas, Idaho
Brooks	Jackson	Thomas, Okla.
Burton	Johnson, Colo.	Tobey
Bushfield	Kilgore	Truman
Butler	La Follette	Tunnell
Capper	Langer	Tydings
Chandler	Lodge	Vandenberg
Chavez	Lucas	Wagner
Clark, Idaho	McCarran	Wallgren
Clark, Mo.	McFarland	Walsh, Mass.
Danaher	Maloney	Walsh, N. J.
Davis	Maybank	Wheeler
Downey	Mead	Wherry
Ellender	Murdock	White
Ferguson	Murray	Wiley
George	Nye	Willis
Gerry	O'Mahoney	Wilson

NAYS—19

Bailey	Eastland	Overton
Bankhead	Hill	Revercomb
Bilbo	McClellan	Robertson
Buck	McKellar	Russell
Byrd	Millikin	Smith
Caraway	Moore	
Connally	O'Daniel	

NOT VOTING—5

Glass	McNary	Thomas, Utah
Johnson, Calif.	Scrugham	

So Mr. DANAHER's amendment, as modified, was agreed to.

Mr. DANAHER. Mr. President, there is a technical change in the form of oath on page 31 which will be required by the amendment. I will state the amendment from my desk, in order that all Senators may be informed regarding it. We would add a new subclause in clause 5:

(d) Check appropriate items: (1) I am outside the United States—

With provision for a check mark to be noted—

(2) I am inside the United States, but have not received my State ballot—

With a provision for a check mark there to be inserted.

That form of the oath, therefore, would be integrated with the amendment just acted on by the Senate.

I offer the amendment without further statement, and ask that the Senate act upon it.

Mr. GREEN. Mr. President, I may say that the amendment is perfectly acceptable to the Committee.

Mr. TAFT. Mr. President, I do not desire to speak on the amendment, but I desire to comment for a moment on the amendment which has just been adopted. I voted for the amendment because to some extent it would cut down the scope of the Federal ballot. It is interesting, I think, that the sponsors of the bill have now accepted an amendment which contains the principle that soldiers who have a State voting law at home can be effectively served with a State ballot, and that the sponsors of the bill have accepted the principle that they shall be entitled to a Federal ballot only if their State does not provide a State ballot.

The question now mainly before the Senate is whether by that action the sponsors of the bill have admitted that the same principle can properly be applied to the soldiers abroad. That goes merely to the question of transportation; and it seems to me obvious that, as to the question of transportation, it can be clearly shown that the State ballots can be transported and furnished to the soldiers abroad just as effectively as they can be furnished to the soldiers at home.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Connecticut.

Mr. MAYBANK obtained the floor.

Mr. DANAHER. Mr. President, will the Senator yield to me?

Mr. MAYBANK. I yield.

Mr. DANAHER. I was hopeful that we might have a voice vote on my amendment, and dispose of it at this time.

Mr. MAYBANK. Question.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Connecticut.

The amendment was agreed to.

Mr. MAYBANK. Mr. President, I offer the amendment which has been printed, and ask that it be read at the desk.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 39, in line 11, after the word "States", it is proposed to insert the following:

And this decision shall be final to the same extent as in the case of ballots cast by others in person.

Mr. MAYBANK. Mr. President, the Members of the Senate will remember that yesterday I asked to have the amendment printed, and stated that I would offer it and ask to have it agreed to. I do not wish to take the time of the Senate to discuss the amendment, but I ask that it be agreed to.

Mr. GREEN. Mr. President, let me state that the amendment would seem to effect what is the expressed intention of the bill, and I am glad to accept it.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. MAYBANK].

The amendment was agreed to.

Mr. TAFT. Mr. President, I offer an amendment which has been printed and lies on the desk, and ask to have it stated.

Mr. BARKLEY. Mr. President, let me inquire of the Senator from Ohio whether he desires to have the amendment read from the desk or printed in the RECORD, inasmuch as it is anticipated that we shall not be in session much longer today.

Mr. TAFT. It will be acceptable to have the amendment printed in the RECORD. My understanding is that the Senator from Kentucky intends to move in a few minutes to have the Senate adjourn or take a recess until tomorrow, when further consideration of the pending measure will be had.

Mr. BARKLEY. Yes.

The ACTING PRESIDENT pro tempore. The amendment of the Senator from Ohio will be printed in the RECORD.

The amendment proposed by Mr. TAFT is as follows:

Strike out all of pages 29 to 44, inclusive, and insert:

"(c) This title shall not be applicable after December 31, 1945.

"(d) This title shall not be applicable in the case of the citizens of any State which has prior to June 1, 1944, made provision for absentee-voting ballots for members of the armed forces, complying with the following conditions:

"(1) Such ballots may be used without registration, in person.

"(2) Such ballots shall be printed and available for mailing at least 45 days in advance of the election.

"(3) Such ballots, with accompanying envelopes and voting instructions, shall weigh not more than 1.2 ounces.

The Commission shall ascertain and certify to the Secretaries of War and Navy and to the Administrator of the War Shipping Administration, on or before July 1, 1944, the States which have not made provision for absentee voting ballots in accordance with the conditions specified in this subsection.

"OFFICIAL WAR BALLOTS, ENVELOPES, AND EXPLANATIONS

"SEC. 5. (a) The Commission shall cause to be prepared and printed for use in voting in general elections under this title an adequate number of official war ballots. Each ballot shall be printed in the following form insofar as the offices enumerated are appropriate to the particular election:

"OFFICIAL WAR BALLOT

"Instruction: To vote, write in the name of the candidate of your choice for each office.

"ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

"(A vote for President includes a vote for Vice President of the same party)

"Write in the name of your choice for President _____

"UNITED STATES SENATOR

"(Only if a Senator is to be elected in your State)

"Write in the name of your choice for Senator _____

"REPRESENTATIVE IN CONGRESS FOR YOUR DISTRICT

"Write in the name of your choice for Representative in Congress for your district_____

_____

"REPRESENTATIVE AT LARGE IN CONGRESS

"(Only in the States entitled thereto)

"Write in the name or names of your choice for Representative at Large_____

_____

"(Vote for one or two as the case may be)

A vote for a Presidential candidate by name shall be deemed to be a vote for the candidates for Presidential and Vice Presidential electors of his party. No ballot shall be invalid by reason of mistake or omission in writing in the name of the candidate where the candidate intended by the voter is plainly identifiable. Where, because of any defect in marking, a ballot is held invalid as to any particular candidate for office, it shall remain valid as to the other candidates for office.

"(b) The Commission shall also cause to be prepared and printed an appropriate number of official inner envelopes for use in sealing the official war ballots. Each envelope shall be gummed ready for sealing. Upon one side of the envelope shall be printed:

"OFFICIAL WAR BALLOT FOR GENERAL ELECTION

"Name of voter----------
"(Print your name plainly here)
"Home residence:
"Street and number (if any) or rural route----------
"(Print street and number or rural route plainly here)
"City or town (if any)----------
"(Print city or town plainly here)
"County----------
"(Print county plainly here)

"Upon the other side of such envelope shall be printed the following oath, at the top of which shall be set forth the date of the election:

"OATH OF ELECTOR FOR VOTING IN THE GENERAL ELECTIONS TO BE HELD IN 1944

"I do hereby swear (or affirm) that:

"(1) I am a citizen of the United States;

"(2) The date of my birth was----------;

"(3) For ------ years preceding this election my home residence has been in the State of ----------;

"(4) For ------ years preceding this election my home residence has been in the (city, town, or village) of ------ in the county of ------ at (street and number, if any, or rural route) ----------;

"(5) I am (check appropriate blank):

"(a) in the armed forces of the United States ( );

"(b) in the merchant marine of the United States ( );

"(c) serving with the American Red Cross ( ), the Society of Friends ( ), the Women's Auxiliary Service Pilots ( ), or the United Service Organizations ( ), outside the United States, and am attached to and serving with the armed forces of the United States;

and that I have not voted and do not intend to vote in this election at any address other than the above; and that I have not received or offered, do not expect to receive, have not paid, offered or promised to pay, contributed, offered, or promised to contribute to another, to be paid or used, any money or other valuable thing as a compensation or reward for the giving of a vote at this election, and have not made any promise to influence the giving or withholding of any such vote; and that I have not been convicted of bribery or any infamous crime, or, if so convicted, that I have been pardoned or restored to all the rights of a citizen, without restriction as to the rights of suffrage.

"----------
"(Voter must write his usual signature here and oath MUST be administered and attested.)

"Subscribed and sworn to before me this ------ day of ----------, 194--.

"----------
"(Commissioned, noncommissioned, or petty officer not below the rank of sergeant or its equivalent, or other person authorized to administer and attest this oath.)

"(c) The Commission shall also cause to be prepared and printed an appropriate number of official outer envelopes for use in returning to the Commission official war ballots and official inner envelopes. Upon such outer envelope the following shall be printed:

"Free of all postage including air mail
"(Official Federal War Ballot)
"To the Soldiers' and Sailors' War Ballot Commission:
"For transmission to the secretary of state of the State shown below:
"Voter's home residence:
"Street and number (if any) or rural route ----------
"(Print clearly)
"City or town ----------
"(Print clearly)
"County ----------
"(Print clearly)
"State ----------
"(Print clearly)

"(d) Ballots and envelopes for use outside the United States shall be suitable for air mailing.

"(e) The Commission shall also cause to be prepared and printed an adequate number of copies of explanations of voting procedure for use in accordance with the provisions of this title.

"(f) Where the Secretary of War or the Secretary of the Navy determines that the transmission abroad of any material required to be prepared and printed by the provisions of this section is inexpedient because of transportation difficulties or for other reasons arising from the conduct of the war, the Commission is authorized to arrange for such material to be printed outside the United States.

"BALLOTING

"SEC. 6. (a) Any person desiring and entitled to vote under the provisions of this title may apply for an official war ballot to the Soldiers' and Sailors' War Ballot Commission, or to the Secretary of War, or to the Secretary of the Navy, or to the Administrator of the War Shipping Administration, or to the secretary of state of the State of his residence. The Secretary of War, the Secretary of the Navy, the Administrator of the War Shipping Administration, and the secretary of state of any State whose citizens may vote under the provisions of this title, receiving such an application, shall promptly transmit any such application to the Commission, and the Commission shall promptly forward an official war ballot to the person requesting the same. The application may be in any form, but for the convenience of persons entitled to vote under this title the Commission shall prepare a convenient form of application, and distribute the same through the Secretary of War, the Secretary of the Navy, and the Administrator of the War Shipping Administration, to the various stations and ships and localities where persons entitled to vote under this title may be located, such distribution to be made before June 1, 1944.

"(b) Any person voting under the provisions of this title shall privately mark the ballot, place it in the official inner envelope, and securely seal the same. He shall then fill in and subscribe the oath printed upon the official inner envelope. After the oath has been duly attested, the voter shall then place the official inner envelope in the official outer envelope provided for the return of the ballot to the Commission and shall deliver it to a person designated by proper authority to receive executed ballots for transmission to the Commission.

"(c) Any commissioned, noncommissioned, or petty officer not below the rank of sergeant or its equivalent in the armed forces of the United States and any member of the merchant marine of the United States designated for this purpose by the Administrator of the War Shipping Administration is authorized to administer and attest such oaths as are required by this title. All such oaths shall constitute prima facie evidence that the voter is qualified to vote, unless the statements contained in such oath indicate the contrary.

"ADMINISTRATION

"SEC. 7. (a) The Secretaries of War and Navy shall be responsible for the administration of this title with respect to members of the armed forces and civilians attached to and serving with the armed forces and entitled to vote thereunder. The Administrator of the War Shipping Administration shall be responsible for the administration of this title with respect to members of the merchant marine of the United States entitled to vote thereunder.

"(b) In each year in which a general election for Senators and Representatives in Congress is to be held, the Commission shall furnish well in advance of the election an adequate number of copies of explanations of voting procedures to the Secretaries of War and Navy and to the Administrator of the War Shipping Administration.

"LISTS OF CANDIDATES

"SEC. 8. The secretary of state of each State shall furnish the Commission such information as the Commission shall request for compiling a list of candidates and their parties in any general election for President and Vice President or for Senators and Representatives in Congress. The Commission shall transmit to the Secretaries of War and Navy and the Administrator of the War Shipping Administration, at such times as it deems to be appropriate for balloting under this title, lists of candidates compiled from the information so received, even if incomplete. The Secretaries of War and Navy and the Administrator of the War Shipping Administration shall, in ample time for balloting under this title, transmit such lists to all units of the armed forces and to members of the merchant marine of the United States, to the extent that such transmission is practicable and compatible with military operations. Incomplete lists of candidates so furnished, or failure to furnish such lists, shall be no bar to balloting under the provisions of this title. No list of candidates furnished under this title shall include information as to a candidate other than his name, address, party affiliation, and office for which nominated.

"DISTRIBUTION AND COLLECTION OF BALLOTS FOR MEMBERS OF THE ARMED FORCES AND OTHERS

"SEC. 9. (a) The Secretaries of War and Navy, insofar as practicable and to the fullest extent compatible with military operations, shall cause explanations of voting procedure and lists of candidates to be distributed to members of the armed forces and to civilians attached to and serving with the armed forces and entitled to vote under this title, in ample time to insure an opportunity to vote in general elections under this title and shall cause executed ballots to be collected and transmitted to the Commission.

"(b) Wherever practicable and compatible with military operations, the appropriate commanding officer shall be required—

"(1) to cause lists of candidates to be posted and otherwise made available at conspicuous and convenient places as soon as received and to cause copies of explanations of voting procedure and all other necessary information to be furnished to members of his unit and civilians attached to and serving with such unit and entitled to vote under this title;

"(2) to cause executed ballots to be collected and delivered for transmission to the Commission.

"DISTRIBUTION AND COLLECTION OF BALLOTS FOR THE MERCHANT MARINE

"SEC. 10. The Administrator of the War Shipping Administration shall cause explanations of voting procedure and lists of candidates for voting in general elections to be made available to members of the merchant

marine of the United States upon request. The Administrator shall cause executed ballots to be collected and delivered to the Commission or to appropriate representatives of the War and Navy Departments for transmission to the Commission. The Secretaries of War and Navy shall arrange, so far as practicable, for the receipt of such ballots and their transmission to the Commission together with the ballots of members of the armed forces. The Administrator may delegate to the Secretary of War or the Secretary of the Navy, with the consent of such Secretary, any function of the Administrator under this title.

"PRIORITIES

"SEC. 11. The Secretaries of War and Navy and other appropriate authorities shall take all steps necessary to give to the transmission and delivery of ballots and communications under this title priority over all unofficial communications and priority over official communications except where, in the judgment of the appropriate military and naval authorities, such priority would interfere with the effective prosecution of the war. Ballots cast outside the United States shall be transmitted by air, wherever practicable and compatible with military operations.

"TRANSMISSION

"SEC. 12. The Commission, upon receiving any ballot cast under this title, shall promptly transmit it to the secretary of state of the State of the voter's residence who shall at an appropriate time transmit it to the appropriate election officials of the district, precinct, county, or other voting unit of the voter's residence. No person other than such appropriate election officials shall open any official outer or inner envelope purporting to contain a ballot cast under this title.

"REPORTS

"SEC. 13. (a) The Secretaries of War and Navy and the Administrator of the War Shipping Administration shall report to the Commission on balloting under this title, including the number of ballots distributed, received, and transmitted to the Commission, together with any comments thereon or explanation thereof.

"(b) The Commission shall prepare a statement of all ballots received and transmitted to the various secretaries of state. Each secretary of state shall prepare a report of all ballots received by him and transmitted to the various election officials, and within 30 days after the last day for counting absentee ballots in any election in which ballots are cast under the provisions of this title, each secretary of state shall transmit such report to the Commission.

"SEC. 14. (a) The functions and powers of the Soldiers' and Sailors' War Ballot Commission under this act shall be administrative only. Nothing in this act shall be construed to confer a right to vote upon any person who does not possess the qualifications prescribed and defined by State law for electors in the State of his residence; and nothing in this act shall be construed to affect the right of any State to prescribe and define the qualifications of electors entitled to vote in elections held in such State and to determine what persons possess such qualifications.

"VALIDITY OF BALLOTS

"(b) The Commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States. Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified. The qualifications of voters shall be determined in accordance with State law.

"(c) No official war ballot shall be valid if—

"1. the voter has also voted in person or by absentee ballot in accordance with the procedure provided by State law; or

"2. the date of the oath of elector is later than the date of the holding of the election; or

"3. such ballot is received by the appropriate election official of the district, precinct, county, or other voting unit of the State of the voter's residence later than the date of the holding of the election, except that any extension of time for the receipt of absentee ballots permitted by State laws shall apply to ballots cast under this title.

"(d) All ballot envelopes received by a secretary of state at a date or time too late for proper delivery, and all ballot envelopes not delivered to polling places or to the proper officials shall not be opened but shall be endorsed with the date of reception and shall be retained by the secretary until the time has expired for contesting the election, when they shall be destroyed without examination.

"(e) The provisions of this section 14 shall apply both to title I and title II of this act.

"VOTING SAFEGUARDS

"SEC. 15. Every individual concerned with the administration of this title shall take all necessary steps to prevent fraud, to protect voters against coercion of any sort, and to safeguard the integrity and secrecy of ballots cast hereunder.

"PENALTIES

"SEC. 16. The provisions of State and Federal law prohibiting offenses against the elective franchise shall apply in the case of elections and voting conducted pursuant to the provisions of this title: *Provided, however,* That no act done in good faith by a member of the armed forces of the United States, in the exercise of his judgment as to what was practicable and compatible with military operations, shall constitute a violation of any such provision of law.

"APPROPRIATE STATE OFFICIALS

"SEC. 17. Wherever, in any State, an official other than the secretary of state is the appropriate State official to carry out any function vested in the secretary of state under this title, the term 'secretary of state' shall mean such other official.

"OFFICIALS AND AGENCIES TO ACT FOR SECRETARY OF STATE

"SEC. 18. Each secretary of state may utilize the services of such State and local officials and agencies for such purposes and to such extent as he may deem appropriate in the exercise of his powers and duties under this title.

"ACT TO BE LIBERALLY CONSTRUED

"SEC. 19. The provisions of this act shall be construed liberally in order to effectuate its purposes.

"TITLE II

"SEC. 201. The Congress hereby expresses itself as favoring, and recommends to the several States the immediate enactment of, appropriate legislation to enable each person absent from the place of his residence and serving in the armed forces of the United States or in the merchant marine of the United States, or serving in the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots, or the United Service Organizations outside the United States and attached to and serving with the armed forces of the United States, who is eligible to vote in any election district or precinct, to vote by absentee ballot in any primary or general election held in his election district or precinct in time of war; and in order to afford ample opportunity for such persons to vote for Federal, State, and local officials and to utilize the absentee-balloting procedures of the various States to the greatest extent possible:

"(a) It is recommended that the several States, in order to avoid expense, duplication of effort, and loss of time, shall accept, as applications for absentee ballots under such States' absentee-balloting laws and as applications for registration under such States' election laws, the form of post card (when duly executed by a person to whom this act is applicable) provided pursuant to section 3 of the act of September 16, 1942 (Public Law 712, 77th Cong.), of which some 11,000,000 have been prepared and are available for such purposes, notwithstanding that such post cards refer to the ballot being applied for as an 'official war ballot'.

"The form of the post-card application referred to is as follows:

"_____
"(Date)

"Secretary of state of _____:

"Being on active duty in the armed forces of the United States and desiring to vote in the coming election, I hereby apply for an official war ballot.

"My home address is _____, in the city,
"(Number and street)
town, or village of _____, in the county of _____, in the State of _____, and my voting district or precinct to the best of my knowledge is _____. I desire that the ballot be sent to me at the following address _____
_____.

"_____
"(Signed)

"Signature certified by:

"_____.
"(To be signed by any commissioned officer)

"Upon the other side of such post card is printed the following:

"FREE
"(Official War Ballot)
"Secretary of state of _____,
"_____,
"(City
"_____.
"(State)

"The Secretary of War and the Secretary of the Navy, and the Administrator of the War Shipping Administration, are directed to cause such post-card applications to be distributed to persons to whom this act is applicable, outside of the United States not later than June 1, 1944, and within the United States not later than July 1, 1944. If such post-card applications already printed are not sufficient in number to supply the persons to whom this act is applicable, it shall be the duty of the Secretary of War, the Secretary of the Navy, and the Administrator of the War Shipping Administration to cause to be printed an additional amount of such post-card applications so that all of the persons to whom this act is applicable may be furnished with such application.

"(b) It is recommended that the secretary of state of each of the several States, upon receipt of any such post-card application, promptly forward it to the proper county, city, or other election official or officials in order that the request for an absentee ballot may be acted upon as expeditiously as possible.

"(c) It is recommended that the several States cooperate, to the end that county, city, or other election officials be authorized and instructed, upon receipt of an application made upon such a post card, to mail promptly to the voter making the application, if legally permissible under the laws of the State, a suitable absentee ballot, including therewith a self-addressed envelope for

the use of the voter in returning the ballot and any instructions to govern the use of such ballot and envelope.

"(d) It is recommended, so that the envelope in which the ballot is sent to the voter, and the envelope supplied for the return of the ballot, may be identified by the Post Office Department and other authorities as carrying an election ballot, that there be printed or stamped in a conspicuous place on each such envelope the words 'Official Election Ballot.' It is further recommended that, in the case of States in which no provision is made, either on the envelope or separately, for sending with the absentee ballots a printed form to be used by a voter for the purpose of establishing his legal right to vote, appropriate action be taken to have printed and enclosed with absentee ballots mailed in response to applications received on the post cards hereinbefore referred to, a form for the signature and oath or affirmation of the voter; and it is suggested that a form substantially as follows would be appropriate for such purpose:

"OATH OF ELECTOR FOR VOTING IN THE GENERAL ELECTION TO BE HELD IN 1944

"I do hereby swear (or affirm) that—

"(1) I am a citizen of the United States;

"(2) The date of my birth was _____;

"(3) For _____ years preceding this election my home residence has been in the State of _____;

"(4) For _____ years preceding this election my home residence h- been in the (city, town, or village, if any) of _____, in the county of _____, at (street and number, if any, or rural route) _____;

"(5) I am (check appropriate blank)—

"(a) in the armed forces of the United States_____ ( );

"(b) in the merchant marine of the United States_____ ( );

"(c) in the American Red Cross ( ), the Society of Friends ( ), the Women's Auxiliary Service Pilots ( ), or the United Service Organizations ( ), outside the United States, and attached to and serving with the armed forces of the United States; and

"(6) I have not voted and do not intend to vote in this election at any address other than the above; and that I have not received or offered, do not expect to receive, have not paid, offered, or promised to pay, contribute, offered, or promised to contribute to another, to be paid or used, any money or other valuable thing as a compensation or reward for the giving of a vote at this election, and have not made any promise to influence the giving or withholding of any such vote; and that I have not been convicted of bribery or any infamous crime, or, if so convicted, that I have been pardoned or restored to all the rights of a citizen, without restriction as to the rights of suffrage.

"_____.

"(Voter must write his usual signature here and oath must be administered and attested.)

"Subscribed and sworn to before me this -- day of _____, 1944.

"_____.

("Commissioned, noncommissioned, or petty officer not below the rank of sergeant (or its equivalent), or other person authorized to administer and attest this cath, shall write his name here.)

"_____.

("Officer or other person signing above shall print his rank, rating, or title clearly here.)

"(e) It is recommended that, in States where the voters' absentee ballot will not be available for mailing to the voter 45 days prior to the general election in 1944, such States cause to be made such changes in the election laws of their States as will lengthen such time; and that all States waive registration of all men and women in the military service who, by reason of such services, have been deprived of an opportunity to register.

"(f) It is further recommended that the several States, in order to reduce the weight and bulk for air transport of absentee voting material being sent to persons to whom this act is applicable, reduce in size and weight of paper, as much as possible, envelopes, ballots, and instructions for voting procedure.

"SEC. 3. (a) It shall be the duty of the Secretary of War, the Secretary of the Navy, and the Administrator of the War Shipping Administration, respectively, to cooperate with appropriate State officers and agencies in transmitting to and from persons to whom this act is applicable, making application therefor to their several States, such absentee ballots, and envelopes to be used in connection therewith, as may be provided under the laws of the several States for the use of such applicants, and to cooperate in the execution by such applicants of oaths in connection with such ballots.

"(b) Such post cards, ballots, and envelopes, and instructions for voting procedure, shall be transmitted free of postage, including air-mail postage, in the United States mails. The Secretaries of War and Navy, and the Administrator of the War Shipping Administration, shall take all steps necessary to give to the transmission and delivery of such post cards, ballots, envelopes, and instructions for voting procedure priority over all unofficial communications and priority over official communications except where, in the judgment of the appropriate military and naval authorities such priority would interfere with the effective prosecution of the war. Ballots cast outside the United States shall, wherever practicable and compatible with military operations, be transmitted by air.

"(c) As used in this act—

"(1) the term 'United States' used geographically includes only the territorial limits of the several States of the United States and the District of Columbia; and

"(2) the term 'members of the merchant marine of the United States' means persons employed as officers or members of crews of vessels documented under the laws of the United States and persons enrolled for such employment with the United States War Shipping Administration, but does not include those in service or enrolled for service on the Great Lakes or the inland waterways.

"SEC. 4. (a) The Commission shall have no powers or functions with respect to the determination of the validity of ballots cast under this title II of this act; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States. Votes cast under the provisions of title II of this act shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

"(b) It shall be the duty of the commission to arrange with the Postmaster General that all absent voters' ballots mailed to members of the armed forces overseas be sent to designated central post offices where they can be properly sorted and given special attention for transmission direct to the units or ships or localities where the addressees are stationed, to the end that they reach their destination at the earliest possible date. It shall further be the duty of the commission to make such arrangements with the Post Office Department that ballots returned from overseas reach the appropriate secretary of state at the earliest possible moment. The Postmaster General of the United States is directed to cooperate in every way with the war ballot commission, the War and Navy Departments, the War Shipping Administration, and State officials to secure the most complete and the most prompt delivery and return of ballots.

"(c) It shall be the duty of the commission to communicate immediately with State officials and advise them fully with regard to the preparation of State laws in accordance with the recommendations of section 201 hereof, and containing such other features as may be desirable to facilitate the voting provided for in this act.

"TITLE III

"MISCELLANEOUS

"Authorization for appropriations

"SEC. 301. (a) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act."

Wherever the words "United States War Ballot Commission" appear in the act, they shall be amended to read "Soldiers and Sailors' War Ballot Commission."

Mr. McCLELLAN. Mr. President, I send to the desk an amendment I shall offer tomorrow, and ask to have it printed and lie on the table.

The ACTING PRESIDENT pro tempore. The amendment will be printed and lie on the table.

Mr. DANAHER. Mr. President, I send to the desk an amendment which I ask to have printed and lie on the table.

The ACTING PRESIDENT pro tempore. The amendment will be printed and lie on the table.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

CONFIRMATION OF FOREIGN SERVICE NOMINATION

Mr. BARKLEY. Mr. President, there is only one nomination on the executive calendar. It is a nomination in the Foreign Service. I ask unanimous consent that, as in executive session, the nomination be considered and confirmed.

The ACTING PRESIDENT pro tempore. The nomination will be stated.

The legislative clerk read the nomination of Charles E. Hulick, Jr., of Pennsylvania, to be Foreign Service officer, unclassified, a vice consul of career, and a secretary in the Diplomatic Service.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is considered and confirmed.

Mr. BARKLEY. I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 29 minutes p. m.) the Senate took a recess until tomorrow, Friday, February 4, 1944, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate February 3 (legislative day of January 24), 1944:

DEPARTMENT OF AGRICULTURE

Grover Bennett Hill, of Texas, to be Under Secretary of Agriculture.

UNITED STATES PUBLIC HEALTH SERVICE

The following-named officers of the Public Health Service for promotion, effective from February 1, 1944:

ASSISTANT SURGEONS TO BE TEMPORARY PASSED ASSISTANT SURGEONS

John C. Grier
Paul V. Joliet

PASSED ASSISTANT SURGEON TO BE TEMPORARY SURGEON

James R. Shaw

PASSED ASSISTANT DENTAL SURGEON TO BE TEMPORARY DENTAL SURGEON

William C. Neaf

ASSISTANT DENTAL SURGEON TO BE TEMPORARY PASSED ASSISTANT DENTAL SURGEON

Howard K. Wyatt

CONFIRMATION

Executive nomination confirmed by the Senate February 3 (legislative day of January 24), 1944:

FOREIGN SERVICE

Charles E. Hulick, Jr., to be a Foreign Service officer, unclassified, a vice consul of career, and a secretary in the Diplomatic Service of the United States of America.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 3, 1944

The House met at 12 o'clock noon, and was called to order by the Speaker.

Rev. Paul M. Brown, of the First Methodist Church, Towanda, Pa., offered the following prayer:

O God, our help in ages past, our hope in years to come; we lift our thought this brief moment unto Thee. From the swiftly changing scenes which so often confuse us, we look to One by whom all things are seen and all things known. While a thousand years in Thy sight are but as yesterday when it is past, Thou hast not left us as orphans in the midst of the years. In every outreach of our spirits we have felt Thy sure response. In Thee we find the light of all that is true, the strength of all that is good, the glory of all that is beautiful.

Wilt Thou who dost commit unto us the swift and solemn trust of life grant unto us strength and wisdom equal to our tasks. To us whose lives have fallen in the pleasant places of this beloved land grant an increasing sense of stewardship. Bless especially with the spirit of understanding and faith these who carry the heavy burden of public office in this high hour—the President, the Cabinet, the Congress of these United States.

May Thy blessing rest upon our free institutions that this land may remain forever the home of liberty. Thou who knowest the ends of the earth and yet art familiar with every one of Thy children, abide with our friends and loved ones in distant places. May the crimson tide of sacrifice be not in vain. We fervently pray that the day may come when all men shall invoke Thy name; when all created in Thine image shall recognize their brotherhood. In paths beyond our human eye to discover redeem us from strife and chaos and ordain from our warring world Thy beauty and Thy peace.

And now may the words of our mouths and the meditation of our hearts be acceptable unto Thee, O Lord, our Rock and our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Vice President had appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of War.
3. Office of Defense Transportation.
4. Selective Service System.
5. United States Civil Service Commission.
6. United States Employees' Compensation Commission.

EXTENSION OF REMARKS

Mr. MERRITT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein the remarks of Rt. Rev. Fulton Sheen.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MERRITT]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. O'TOOLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. O'TOOLE]?

There was no objection.

[Mr. O'TOOLE addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. McKENZIE asked and was given permission to extend his own remarks in the RECORD.

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a resolution adopted by the City Council of the City of Lynn, Mass.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. LANE]?

There was no objection.

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. GRAHAM]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that on Monday next, following disposition of business on the Speaker's desk and at the conclusion of any special orders heretofore entered, my colleague the gentleman from Missouri [Mr. MILLER] may be permitted to speak for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. MARTIN]?

There was no objection.

EXTENSION OF REMARKS

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short newspaper article by Frank R. Kent.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. MASON]?

There was no objection.

Mr. BENDER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief editorial from Collier's weekly.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. BENDER]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and also I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a letter from the Governor of the State of Vermont and a couple of editorials.

The SPEAKER. Is there objection to the request of the gentleman from Vermont [Mr. PLUMLEY]?

There was no objection.

[Mr. PLUMLEY addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a speech delivered by myself on January 22.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. RAMSPECK]?

There was no objection.

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief article by Archbishop Curley.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. FISH]?

There was no objection.

RAYMOND CLAPPER

Mr. BENDER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. BENDER]?

There was no objection.

Mr. BENDER. Mr. Speaker, Raymond Clapper's death removes from the American press one of its most intellectually honest reporters. His ability

to report objectively and without bias was typical of the best historical mind. His millions of readers in American homes knew him as a trusted counselor and a thoroughly reliable newsman. All of us who seek understanding in times of great confusion will miss Raymond Clapper greatly.

EXTENSION OF REMARKS

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a resolution of the Chamber of Commerce of Ottumwa, Iowa.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. LECOMPTE]?

There was no objection.

Mr. BURGIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial and press communication on Woodrow Wilson.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BURGIN]?

There was no objection.

(Mr. PRIEST asked and was given permission to extend his own remarks in the RECORD.)

THE SOLDIERS' VOTE

Mr. BREHM. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. BREHM]?

There was no objection.

Mr. BREHM. Mr. Speaker, I would not accuse any Member of Congress of being interested in his own campaign. I would prefer to think that their only interest is in seeing that the soldiers get a vote. The fact that the Commander in Chief's coattail may again offer a free ride does not, of course, enter into the picture.

I would be willing to take my chances with the soldiers voting from the Eleventh Ohio District provided my name appeared on the printed ballot, because many of these boys know the name "BREHM" who do not even know which party I run on. So why not give them a real circumscribed Federal ballot with just blank spaces for President and Vice President and let each of us run on his or her own merit in their own districts where they are known? It would be a very easy matter for the soldiers to find out the name of the other candidate for President. If we are going to insult the intellect of the soldiers by giving them an abbreviated piece of paper, let us do a good job of it. Personally I would like to stand or fall on my own ability and not be carried either in or out on another man's coattails.

The SPEAKER. The time of the gentleman has expired.

RAYMOND CLAPPER

Mr. HARRIS of Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HARRIS of Virginia. Mr. Speaker, the tragic death of Raymond Clapper this morning came to me as a particular and personal shock. He and I came to the Press Gallery in Washington about the same time in the First World War period. We worked as correspondents alongside each other for several years. We both were in the group of correspondents that traveled to Point Isabel, Tex., and Panama with the late President Harding, after his election in 1920.

Through this association, the resulting friendship, and my observation of his developing career in the field of journalism, and through constant reading of his news articles and column of comment, I had come to have a high admiration and respect for him, as well as personal affection. He represented the highest type of character and integrity in the American newspaper profession. He was intelligent, fair, and consistent in his handling of the Washington scene and matters of national and international import. His stories and comments were interesting and comprehensive. His observations were timely and informative.

Press and public greatly will miss him. I sincerely will mourn his untimely passing.

EXTENSION OF REMARKS

(Mr. COMPTON and Mr. LEFEVRE asked and were given permission to extend their own remarks in the RECORD.)

CALL OF THE HOUSE

Mr. PRIEST. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 18]

Anderson, N. Mex.	Gifford	Morrison, La.
Baldwin, Md.	Hébert	O'Leary
Bell	Hess	Randolph
Cole, N. Y.	Hobbs	Robinson, Utah
Crawford	Jackson	Rogers, Calif.
Cullen	Jarman	Simpson, Pa.
Douglas	Lambertson	Stockman
Fuller	Lesinski	Winter
Fulmer	Luce	Wolcott
Gamble	Maas	
	Magnuson	

The SPEAKER. On this roll call, 397 Members have answered to their names. A quorum is present.

Further proceedings, under the call, were dispensed with.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article from the New York Times.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WHITE. Mr. Speaker, I ask unanimous consent to insert an article in the RECORD which is in excess of the regular allowance of $240. It is a very important article.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KLEIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a poem by H. I. Phillips in the Sun Dial of the New York Sun.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KING. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therewith an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BOYKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter from the Commissioner of Internal Revenue.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a letter from the editor of the Sparta Herald-Monroe County Democrat, on the subject of mustering-out pay for veterans.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ZIMMERMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the Washington Post of today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

VOTING BY MEMBERS OF THE LAND AND NAVAL FORCES

Mr. WORLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 1285) to amend the act of September 16, 1942, which provided a method of voting in time of war by members of the land and naval forces absent from the place of their residence, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House

on the state of the Union for the further consideration of the bill S. 1285, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose yesterday the first committee amendment, on page 2, of the bill, was under consideration.

Mr. LANHAM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, though my views differ from those of our distinguished colleague the gentleman from Texas [Mr. WORLEY] concerning the method to be provided to make possible the votes of soldiers, I believe all will agree that he is to be commended for the arduous and patriotic effort he has devoted to this matter, and also for the eminent spirit of fairness which has marked his presentation of it.

I am sure that every Member of this House is in favor of doing what we properly and effectively may to make it possible for the soldiers and sailors to vote. Under the Constitution, the qualifications of voters are determined by the respective States. In my judgment, we should be practicing a distinct fraud upon those in the armed services if we should send them a ballot which would lead them to believe that with it they could cast a legal vote and then have that ballot thrown out because of its lack of compliance with State statutes. It would require little, if any, greater effort upon the part of our military and naval authorities to send legal ballots to those in our armed forces than to transmit ballots unauthorized by any State and totally unlike any ballot an American ever saw. The responsibility for any necessary amendment of such qualifications with reference to those in the service rests upon the States themselves, and not upon the Federal Government.

I am a Texan. I am an American. I am proud of the heritage which each status involves. Texas, like the Thirteen Colonies, fought and established its independence and existed for 9 years as a republic, with its constitution, its presidents, and its congresses. Both my State and my Federal Governments emerged as the boons of many trials and tribulations. They were new in governmental polity, but they proclaimed and determined to enforce the blessings of liberty. Neither was a sudden impulse of governmental philosophy. Each was a beneficent evolution of the centuries. The founding fathers of each republic gave us wonderful governments through the constitutions they established. They involve very fundamental principles to challenge our unwavering allegiance. We have prospered and made progress as we have adhered to our basic system.

There is a tradition in Texas with reference to a jurist of the Republic, Robert M. Williamson, who went to a distant county to hold a term of court. In that particular section no court had been held for several years, and a general state of disorder existed. At a meeting of citizens a resolution was adopted that no court should be held. When Judge Williamson took his place on the bench a local lawyer arose and read the resolution. The judge inquired whether there was any provision of law for such a contention. Thereupon the lawyer pulled out a bowie knife and placed it on the table and said, "This is the statute which governs in such cases." The old judge, undismayed, drew a revolver from his pocket, pointed it toward the lawyer, and in tones of authority replied, "And this is the constitution which overrides the statute." The court was held and the constitution prevailed.

My primary interest in these times of stress is that the Constitution shall prevail. It provides that the States shall determine who shall vote in elections. I think if we seek now by statute to change the Constitution in an unorthodox way we may be furthering the trend toward unbounded centralization, bureaucracy gone to seed, socialism, totalitarianism. Subversive agencies want us to do just that.

Aside from the obligation to discharge the duties of our office, the only oath we take is a very forceful one to support and defend the Constitution of the United States. I believe it is for the principles of that Constitution that the soldiers and sailors are fighting and that they want to come back to the kind of government for which they are so valiantly making their sacrifice. That is their surest hope of permanent security and happiness. Allow everyone of them qualified to vote under our Constitution and laws to have that privilege, and I think it can be done in conformity with our governmental philosophy and without doing violence to it. Let us preserve that philosophy; otherwise, Americanism as we know and love and cherish it may perish from the earth.

I for one can never subscribe to the doctrine that our States are impotent. They may have relaxed somewhat the vigilance essential to retaining their liberties, but they are still the principal factors of our dual system of government. Let us give them a fair chance to manifest their virility by an adherence to our Constitution and the fundamental ideals and institutions upon which our Nation was founded. Let us stop this trend of depriving the States of their responsibilities and their powers, and they will prove faithful to their mission.

It is to their homes in these States that our soldiers and sailors will return. The Federal Government is the creature, not the creator, of those States. Let these boys come back to the system and to the philosophy under which they were reared and for which they so valiantly fight. In my opinion, we shall be untrue to them if we seek to change arbitrarily by statute in their absence that system and that philosophy upon which all their future hopes and plans are based. To be sure, let them vote and provide that they may, but let them do so in the way for which they and our pioneer fathers have so bravely fought and labored. Let us keep their America the America that they love. They are depending upon us to do that very thing.

Mr. RANKIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RANKIN. How far had the Clerk read last night?

The CHAIRMAN. The first section of the bill has been read and the first committee amendment is now pending.

Mr. RANKIN. Mr. Chairman, there will be plenty of opportunity for debate after we dispose of this amendment because I understand the substitute will be offered and that most of the debate will be to the substitute.

I therefore now move that all debate on this amendment and all amendments thereto close in 10 minutes.

Mr. ROLPH. Mr. Chairman, I have an amendment at the desk.

Mr. TABER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TABER. As I understand, the motion applies only to the pending amendment and all amendments thereto.

Mr. RANKIN. Yes; and it may be understood that the gentleman from California may have 5 of the 10 minutes.

The CHAIRMAN. The gentleman from Mississippi [Mr. RANKIN] moves that all debate on this amendment and all amendments thereto close in 10 minutes.

The question is on the motion.

The question was taken; and on a division (demanded by Mr. CELLER) there were—ayes 133, noes 37.

So the motion was agreed to.

The CHAIRMAN. The gentleman from California [Mr. ROLPH] is recognized for 5 minutes.

Mr. ROLPH. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. Is it an amendment to the first committee amendment?

Mr. ROLPH. The Parliamentarian, Mr. Chairman, ruled that this is a special amendment.

The CHAIRMAN. Unless it is an amendment to the pending committee amendment it is not in order at this time.

Mr. ROLPH. A further parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. ROLPH. When will my amendment be in order?

The CHAIRMAN. After the three committee amendments to this section are disposed of.

Mr. RIZLEY. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. RIZLEY. Mr. Chairman, like my distinguished colleague from the State of Texas [Mr. LANHAM] who just addressed the House, I, too, would pay a personal tribute to my good friend and colleague the gentleman from Texas [Mr. WORLEY], whose district adjoins mine. We have been close personal friends for many years. On the other hand, we cannot and shall not permit our

personal likes or dislikes to enter into as momentous a question as is involved in this matter.

The Constitution of the United States wisely and rightfully left the matter up to the several States to prescribe and promulgate the rules and regulations governing elections, and the type and form of ballot to be used. It entrusts to the States to fix and determine in their own constitutions, or by their respective State legislative bodies, the qualifications of an elector.

The State of Oklahoma, through its State legislature, pursuant to and in keeping with the provisions of the Constitution of the State of Oklahoma, has definitely, clearly, and in no uncertain terms determined the qualifications of electors, the manner of conducting elections, the form of ballot to be used, and all and every as to the necessary procedure to be followed by the State election officials, to the end that elections in our States shall be free and equal; and that no power, civil or military, shall ever interfere to prevent the free exercise of the right of suffrage.

The law applies equally and with full force to the election of Members of Congress and the President of the United States.

Under the laws of Oklahoma, the mandate to election officials is definite and unequivocal; that the form of ballot to be used, upon which appear the names of persons of each political party to be voted on, including the names of the Presidential electors of each political party, shall be bracketed and grouped on the ballot of the political party under the designation of which such Presidential electors are running.

Therefore, Mr. Chairman, any so-called Federal ballot or bobtailed ballot which would merely provide a piece of paper, with or without names, to be used as a ballot by Oklahoma men and women in the service, would be utterly null and void and of no force and effect and, indeed, would be a fraud on the soldier, sailor, and/or marine who was offered such a ballot, thinking that it would be legal and would be counted.

Mr. CRAVENS. Will the gentleman yield?

Mr. RIZLEY. I yield to the gentleman from Arkansas.

Mr. CRAVENS. Insofar as Oklahoma is concerned, this Federal ballot when issued would be void and under the terms of the Worley bill the officials of Oklahoma could not count it if it were brought back to them?

Mr. RIZLEY. The gentleman is correct, in my opinion, and I am sure the courts of Oklahoma would so hold. That is the thing that it seems to me is very vital in the consideration of this bill.

It goes without saying that of course, in keeping with my oath of office, and to keep faith with the thousands of service men and women from Oklahoma all over the world, I would not be a party to a bobtailed subterfuge, such as is prescribed in the Worley bill.

Many of those who support the Worley bill evidently belong to that school of thought which has been prevalent in this country during the past 10 years; that if the so-called exigencies of the case demand, it is all right to skip the Constitution, to pay no attention to it. In keeping with this philosophy, my good friend from Oklahoma, Mr. MONRONEY, in presenting his argument a couple of days ago, much to my surprise refers in substance to the rules, regulations, and mandates prescribed by the various State legislatures, and the mandatory provisions of the Federal as well as the State constitutions, as so much "legalistic mumbojumbo." I recall that the Chief Executive, in 1935, in a letter directed to one of the Members of the House, said:

> I hope your committee will not permit doubts as to constitutionality, however reasonable, to block suggested legislation.

The distinguished, young, and brilliant Member from Tennessee, Mr. GORE, offers the suggestion that the war powers of the Congress and the National Government in time of war are broad enough to supersede all State and Federal statutory laws and the constitutions of the various States, and quotes from a recent case as follows:

> The war power of the National Government is the power to wage war successfully. It extends to every matter and activity so related to war as substantially to affect its conduct and progress. The power is not restricted to the winning of victories in the field and the repulse of enemy forces. It embraces every phase of the national defense, including the protection of war matériel and members of armed forces from injury and from the dangers of sabotage and espionage which attend the rise, prosecution, and progress of war.

From the language itself it is obvious and apparent that this case could have no possible application to the situation here being discussed. I am rather surprised that he did not suggest that under various war-power acts which the Congress has given to the President, that the President could take care of the whole matter by Executive order.

A long time ago the Supreme Court of the United States, in the case of *Ex parte Milligan* (4 Wall. 2 (1866)), to my way of thinking, fully and completely answers the gentleman's contention to the contrary. I quote briefly:

> The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine involving more pernicious consequences was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism.

This conclusion was not only implicit in the hearts of men who wrote the Constitution in 1787, but it has been restated again and again by courts, Presidents, public officials, editors, and party platforms of both parties, and particularly by the Democratic Party, the historic opponent against "compounding the people into one common mass."

Mr. Chairman, my distinguished friend the gentleman from Tennessee [Mr. GORE] further says that—

> The all-important question to be determined in the election of 1944 is not who will be sheriff of Smith County, Tenn., or who will be Governor of Maine, Texas, or California; it is rather what person in the White House and what political party in Congress will direct the destiny of this Nation in the troublesome years just ahead.

Mr. Chairman, is that the crux of this bill? I cannot agree with this philosophy. The thing involved here is not the future of any political party; it is not the political future of any Member of Congress; it is not the future of the personal ambition of any man. What is at stake today is the maintenance of our constitutional system.

The CHAIRMAN. The gentleman from Massachusetts [Mr. MCCORMACK] is recognized for 5 minutes.

Mr. McCORMACK. Mr. Chairman, I think it is well that the constitutional question has been raised by the gentleman from Texas and the gentleman from Oklahoma. As I study the Supreme Court decisions, it seems to me to be a misconception to state that the right to vote for Federal officials is derived from the States.

I have before me the Supreme Court decision in the case of *United States* v. *Classic* (313 U. S. —). On page 315, Mr. Justice Stone used the following language:

> While in a loose sense, the right to vote for representatives in Congress is sometimes spoken of as a right derived from the States, see *Minor* v. *Hapersett* (21 Wall. 162, 170); *U. S.* v. *Reese* (92 U. S. 214, 217–218); *McPherson* v. *Blacker* (146 U. S. 1, 38–39); *Breedlove* v. *Suttles* (302 U. S. 277, 283), this statement is true only in the sense that the States are authorized by the Constitution to legislate on the subject as provided by section 2 of article I, to the extent that Congress has not restricted State action by the exercise of its powers to regulate elections under section 4, and its more general power under article I, section 8, clause 18 of the Constitution "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers." See *Ex parte Siebold* (100 U. S. 371); *Ex parte Yarbrough*, supra, (663, 664); *Swafford* v. *Templeton* (185 U. S. 487); *Wiley* v. *Sinkler* (179 U. S. 58, 64).

Mr. Justice Stone also said in the same case on page 316:

> But in determining whether a provision of the Constitution applies to a new subject matter, it is of little significance that it is one with which the framers were not familiar. For in setting up an enduring framework of government they undertook to carry out for the indefinite future and in all vicissitudes of the changing affairs of men, those fundamental purposes which the instrument itself discloses. Hence, we read its words, not as we read legislative codes which are subject to continuous revision with the changing course of events, but as the revelation of the great purposes which were intended to be achieved by the Constitution as a continuing instrument of government.

Mr. Chairman, Mr. Justice Stone said on page 318:

> Long before the adoption of the Constitution the form and mode of that expression had changed from time to time. There is

no historical warrant for supposing that the framers were under the illusion that the method of effecting the choice of the electors would never change or that, if it did, the change was for that reason to be permitted to defeat the right of the people to choose representatives for Congress which the Constitution had guaranteed.

We have got to consider that this legislation is being considered by the House under wartime conditions. This is a wartime measure.

From the above language some writers have taken the position that the Congress of the United States can if it so desires alter or modify the qualifications of voters who desire to participate in elections of Federal officers. The proponents of anti-poll-tax legislation argue that this language of the Supreme Court authorizes Congress to remove the poll-tax qualifications of certain State legislation. While the Supreme Court of the United States may adopt such an interpretation of article I, sections 2 and 4, of the United States Constitution, up to the present time there is no case so holding. While there are the other cases mentioned heretofore which have sustained certain State qualifications of electors, there has been no case yet reported in which the United States Congress has attempted to set up qualifications of voters which differ from those in effect in the several States other than by constitutional amendment.

As I have previously indicated the right of the States to set up qualifications for the States' electors is subject to constitutional provisions. It would follow that this right therefore is also subject to those powers of Congress which are familiarly referred to as war powers. Article I, section 8, of the Constitution reads in part as follows:

The Congress shall have power to lay and collect taxes * * * to pay the debts and provide for the common defense and the general welfare of the United States; * * *

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To raise and support armies * * *;

To provide and maintain a navy;

To make rules for the Government and regulation of the land and naval forces;

To provide for calling the militia, to execute the laws of the Union, suppress insurrections and repel invasion; * * *.

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers.

The Supreme Court has described this war power as follows:

Thus, the war powers of the Federal Government is not created by the emergency of war but is a power given to meet the emergency. It is a power to wage war successfully, and thus it permits the harnessing of the entire energies of the people in a supreme cooperative effort to preserve the Nation (*Home Building and Loan Association* v. *Blaisdell* (290 U. S. 398)).

War is realistic and permits of no illusions. The marshaling of national assets presents many problems in reality and the Supreme Court has long recognized the power of the Nation's Government in the performance of its obligations directed toward the common good and the national defense. The Court has permitted the Congress to take over and operate railroads—*Northern Pacific Railroad Company* v. *North Dakota* (250 U. S. 135); to take over and operate telegraph systems—*Dakota Central Telephone Co.* v. *South Dakota* (250 U. S. 163); to place compulsory orders of materials required for national defense—*Moore and Tierney, Inc.*, v. *Roxford Knitting Company* (265 Fed. 177, cert. denied, 253 U. S. 498); to draft manpower for service in the armed forces—*Selective Draft cases, Arver* v. *U. S.* (245 U. S. 366); to prohibit the manufacture or sale of alcoholic beverages—*Hamilton* v. *The Kentucky Distilleries* (251 U. S. 146); to regulate prices of certain commodities—*Highland* v. *The Russell, Carr and Snow Plow Company* (279 U. S. 253); to control rents—Block against Hersch; to control prices of all commodities—*Henderson* v. *Kimmell* (47 Fed. Supp. 635); and to restrict the constitutional rights of American citizens of Japanese ancestry.

The right of the States to set up qualifications for electors is therefore like all other State regulations subject to the war powers of Congress. Where the Congress of the United States finds it necessary to provide for the continued existence of this country as a democracy by legislation enabling the men and women in our armed services to have the right to vote for their Federal Representatives, Congress is fulfilling its obligation to provide for the general welfare of the United States and to take all measures necessary to the effective prosecution of the war. It is immaterial, therefore, whether registration, poll-tax, or any other State requirement is modified or altered by the congressional legislation. It is absurd to insist that the laws a democracy has taken to perpetuate itself are unconstitutional because they interfere with State rights.

Historically, therefore, there is no reservation by the States of the right to determine the qualifications of those who might participate in Federal elections.

Although under the provisions of the constitution the States are given the right to fix qualifications of electors who can participate in the election of Federal officers, this is a qualified right. Thus, no State can impose limitations on the qualifications of its electors which contravene the provisions of the fourteenth, fifteenth, and nineteenth amendments. It would follow, therefore, that the States cannot impose limitations on the qualifications of electors which conflict with the war powers granted Congress under the provisions of article I, clauses 1, 11, 12, 13, 14, 15, and 18.

It has been repeatedly held that the war powers of Congress embrace all those powers which are necessary for the successful prosecution of a war. That the States are incapable of controlling the war effort is a truism which is both patent and obvious.

Our armed forces are engaged in a global struggle which has for its purpose the preservation of the democratic process of government. Inherent in such a process is the right to choose and select the officials of this Government. To deny our soldiers this right at a time when they are engaged in a life and death struggle to preserve such a right is to interfere drastically with the successful prosecution of the war by completely annihilating the chief driving force behind each individual soldier's efforts. To maintain that the United States Constitution from which is derived the right to vote for Federal officers is so phrased that in times of war it cannot provide for the exercise of that particular right by those individuals who are engaged in preserving such a Constitution seems to me to be an erroneous interpretation. The inescapable conclusion, therefore, is that the war powers granted Congress authorize Congress in times of war to provide the means for permitting the members of the armed forces to exercise the very rights which they are fighting to preserve. As was stated by the United States Supreme Court:

The term "to declare war" necessarily connotes the plenary power to wage war with all the force necessary to make it effective. (*United States* v. *Macintosh*, 283 U. S. 605, 622 (1931)).

The CHAIRMAN. The time of the gentleman has expired. All time has expired on the pending amendment.

The question is on the pending amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 2, line 10, after the word "any", insert the words "primary or."

Mr. CELLER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I listened with great interest to the remarks of the gentleman from Massachusetts [Mr. McCORMACK] on the constitutionality of the Worley bill, and to the gentleman from Texas [Mr. LANHAM] as to the constitutionality of the Rankin bill. I am in thorough accord with the gentleman from Massachusetts [Mr. McCORMACK], and disaccord with the gentleman from Texas [Mr. LANHAM], because, as I read the decisions under the Commander in Chief and war provisions of the Constitution, and the decisions with reference to the War Powers Act—and there are two War Powers Acts—we conferred upon the President in the conduct of war the widest possible latitude as Commander in Chief of our armed forces.

He practically has power of life and death in the theater of combat operations. His duties and prerogatives over the military and naval units and men are preeminent, and necessarily so. The security, the safety, the very existence of our Government and country are at stake. He must have well-nigh unlimited power. He must have power to control ballots for soldiers under Federal administration and control. That would be the least of his powers. To say that ballots must be

sent to soldiers, but that he cannot control their form and distribution is just balderdash.

It is essential for him to keep up the morale of the soldiers, which is a condition precedent for final victory. It is essential for him to keep up the morale of the people on the home front so that there may be a continual supply of ammunition and goods to the theaters of combat operations. To keep up this morale on both fronts, ballots for the soldier vote under Federal auspices is essential. Therefore, all other constitutional powers concerning the rights of States to control qualifications of voters and time of voting, and so forth, must recede before the transcendent Presidential power to conduct the war for self-preservation, for national preservation. Soldier ballots and their form and distribution among the troops here and abroad can only be successfully and adequately accomplished through Federal control. To say that it can be done with 48 different kinds of State ballots, with 48 different kinds of State machinery, is as false as a mirage in a desert—as fake as a theatrical storm.

If we go to our history with reference to war powers, we find that very frequently the Bill of Rights and parts of the Constitution were sent into cold storage. For example, Lincoln preserved this Union by holding in the Union the State of Maryland. He did that by the suspension of the writ of habeas corpus, after arresting Maryland legislators. The suspension kept them in jail and kept them from voting secession. There is a specific provision in our Constitution with reference to the writ of habeas corpus, to wit: That it cannot be suspended. Nevertheless, Lincoln suspended it. Theodore Roosevelt, although we were not at war then, seized the Panama territory, and it has been held that he had the right to seize it in order to insure our security by the building of the Canal. The present President arranged for transfer of occupation of Iceland and Greenland to us.

I do not find anything in the Constitution that is contrary to that act of our President, but I do find that he had every authority when we consult the two War Powers Acts. That was a high act of exercising supreme power. This is a mighty war; mighty acts are essential. The tasks are Herculean. We must rise to the occasion. Precedents must be made. If there are doubts, they must be resolved in favor of the soldiers. The Rankin bill will not insure a vote to the soldiers—the Worley bill will. We must strain every effort to get the latter bill passed. We must resolve all doubts in its favor.

We set up an Office of Censorship which was, on surface thought, and only on surface thought, in direct contravention of the Bill of Rights, because it set very rigid restrictions on the radio and on the press; yet beyond peradventure of a doubt, the Supreme Court will hold finally that the setting up of the Office of Censorship was eminently sound and logical and within the spirit and letter of the Constitution. The directive setting up this Office of Censorship springs from the great reservoir of Presidential war powers. From that same reservoir springs a federally controlled soldier ballot.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Georgia.

Mr. COX. Are not the argument of the gentleman and the fine piece of special pleading of the gentleman from Massachusetts necessarily predicated upon the assumption that the election this fall will be a military rather than a civil affair?

Mr. CELLER. No; I do not agree with that at all. It is a purely civil affair, although we use the military authority for the purpose of administering whatever act we pass.

Mr. DEWEY. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Illinois.

Mr. DEWEY. Under the same argument, that it is to the best interests of the war effort, I presume we could suspend the election entirely?

Mr. CELLER. Of course, that is an unusual statement for the gentleman to make. I am sure he does not want us to believe that. The gentleman does not believe it himself.

Mr. DEWEY. Not at all, I am following out the same line of argument the gentleman is presenting.

Mr. SABATH. Some of them claimed that would be done 4 years ago.

Mr. CELLER. Yes, indeed; the Republicans set up a howl during 1941 and 1942 that the 1942 elections would be suspended. Mr. Charles Lindbergh, representing isolationist Republicans, so predicted. Yet the 1942 elections were held. There were eight saboteurs who were denied the right of trial by jury, under the War Powers Act, as well as under military law, and we heard nobody complain. In a certain sense, we have to be practical and pragmatic about it all. When the war drum beats, in a certain sense the Constitution somewhat retreats under these very large war powers of the Commander of our armed forces.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Nebraska.

Mr. CURTIS. Does the gentleman concede that the Worley bill is contrary to the ordinary provisions of the Constitution, and does the gentleman rest his case on the war powers?

Mr. CELLER. No, I do not. I believe the Worley bill is evidently within the purview of the letter and the spirit of the Constitution.

Mr. CURTIS. What do the war powers have to do with it?

Mr. CELLER. A great deal.

Results of the latest National Opinion Research Center poll shows that 9 out of 10 Americans want the soldiers' vote. The question was asked, "Should servicemen stationed overseas have a vote in the Presidential election?" Ninety-two percent answered "Yes." Five percent answered "No." Three percent answered "Don't know." The second question propounded was, namely, "Who should handle the soldiers' vote: State or Federal Government?" Sixty percent answered "Federal." Twenty-seven percent answered "State." Thirteen percent answered "Don't know." The third question was, "Should all Negro servicemen over 21 have a vote?" Eighty-one percent answered "Yes, if they are allowed to vote in their home States." Thirteen percent answered "No." Four percent answered "Don't know."

This poll conclusively shows that the Nation is behind the Worley bill and not behind the Rankin bill. This shows that the Nation resents and repudiates the Republican leadership as led by the reactionary gentleman from Mississippi.

The problems under the separate State procedures bristle with insurmountable difficulties. Many States have tried diligently to improve their laws, but the practical difficulties arise because of circumstances over which they have little or no control and with which they cannot deal effectively by legislation.

The Secretary of War states, as follows:

> Most States now provide by their laws for absentee voting by servicemen in general elections. In my opinion, these laws cannot be effectively administered by the War Department, in wartime, so as to provide opportunity to all servicemen at home and abroad to vote.
>
> The practical difficulties pointed out by the Secretaries of War and Navy may be grouped as follows:
>
> (a) the diversity of State laws;
>
> (b) the limited period of time between the two critical dates: (1) the date when a State absentee ballot will be mailed out to the absentee serviceman applicant, and (2) the date on or before which it must be received back in the State, executed by the applicant, in order to be eligible to be counted;
>
> (c) the bulk and weight of the State absentee voting material which would have to be carried by the two services;
>
> (d) the critical limitations of the service's facilities for carrying mailed material by air to overseas theaters;

I give a few of the differences in State procedures:

> (a) Kentucky and New Mexico make no provision at all for absentee voting.
>
> (b) Mississippi and South Carolina do not provide for absentee voting by servicemen in the general election.
>
> (c) Minnesota limits absentee voting by servicemen to those physically within the United States.
>
> (d) Oklahoma and Mississippi provide that the absentee servicemen shall designate in writing an agent within the State, to whom he mails and who casts in the State, the executed absentee ballot.
>
> (e) Tennessee and Virginia, in regard to the receipt of the absentee serviceman's application, differentiate between servicemen within and servicemen without the United States.
>
> (f) The following States require the absentee servicemen to apply for the State ballot on a special form of application which is furnished by the State: Arizona, Connecticut, Illinois, Maine, Minnesota, Ohio, Oklahoma, Pennsylvania, Rhode Island, Tennessee, Texas, Utah, Vermont, and Wyoming.

There are many, many more differences.

To have 48 different State procedures govern the soldier ballot would give us a confusion worse confounded.

Any other provision except that contained in the Worley bill would be giving the soldiers a vote with one hand and taking it away with the other. Frankly, I believe the Republicans, as led by the gentleman from Mississippi [Mr. RANKIN], are making a stupid blunder. They are giving our President a glorious whip with which to "strafe" them in the coming election. They are giving him a glorious issue. The Republicans, as it were, fumbled the ball which Roosevelt is picking up and he is running around the end with the ball and will make the fourth-term goal.

Mr. RANKIN. Mr. Chairman, I move that all debate on this amendment close in 5 minutes.

Mr. BONNER. Mr. Chairman, I rise in opposition to the motion.

The CHAIRMAN. The motion to close debate is not debatable.

Mr. RANKIN. There will be plenty of other amendments on which there can be debate.

The CHAIRMAN. The question is on the motion offered by the gentleman from Mississippi that debate on the pending amendment close in 5 minutes.

The question was taken; and on a division (demanded by Mr. BONNER and Mr. COCHRAN) there were—ayes 92, noes 71.

Mr. BONNER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. BONNER and Mr. RANKIN.

The committee again divided; and the tellers reported that there were—ayes 133, noes 79.

So the motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. LYNCH].

Mr. LYNCH. Mr. Chairman, yesterday our distinguished colleague from New York [Mr. TABER] read a telegram from Governor Dewey, which read in part as follows:

> Any ballot authorized by Congress which would not list the State, county, and other local offices would be incomplete and not in accordance with the provisions of the Constitution of the State of New York. Therefore, it would be incumbent upon the New York Legislature to make available to every citizen in the armed forces from the State of New York a full and complete State ballot.

What is the only inference, the only implication that can be drawn from the telegram of Governor Dewey? The only implication is that if we do not have the Federal ballot, it is not the intention of the New York State Legislature to see that a full and complete list of candidates for office is sent to the armed forces. What does Governor Dewey intend to do about giving to New York electors in overseas service an opportunity to vote? If Congress should pass a law providing for a short ballot he states that he considers it incumbent upon the New York Legislature to provide a complete ballot for those in the armed forces. Governor Dewey does not say what kind of a ballot, if any, the soldiers overseas will receive if Congress does not provide the proposed short ballot.

If New York electors serving overseas are prevented from voting, the blame will rest largely on the Republican Party. I respectfully submit that under the Constitution of the State of New York the Worley bill is clearly within the framework of that constitution. There is no provision in the Constitution of the State of New York that provides that all State officials shall be set forth on the same ballot. There is no provision in the Constitution of the State of New York that prohibits the State legislature of our State from conforming our State laws to the Worley bill that may be enacted by the Congress of the United States in order to take care of those who are in the armed services of our country.

There is no violation of our State constitution, either expressed or implied, by the Worley amendment, because all it does is to provide an additional means whereby ballots may be sent to those who are in the armed services so that they might vote for President, the Representatives, and the Senators at the next election.

Let me show you that the law that we have in New York cannot be properly carried out and, therefore, that it is necessary for the Federal Government, if the men in the services are to get their vote, to see to it that the ballots are delivered to the soldiers. Under our present law, for those who are in the foreign service, it is provided that the State ballots shall be shipped, and that with the State ballots there shall be sent a book of instructions, and a list of the candidates for office to soldiers in foreign service. Under our law in 1943 the names of candidates in up-State New York and the information regarding the various offices were published in a separate book from those in the city of New York. The book sent to the War Department for delivery to our soldiers in foreign service, setting forth the instructions for the up-State voters, and setting forth the names of those candidates and the positions for which they were running, numbered 904 pages. The book of instructions that was sent to those soldiers in the foreign service from the city of New York numbered 16 pages. So it can be readily understood why the Federal Government could not transport the ballots and carry out the law of the State of New York when under its law every man from up-State who was in the foreign service was supposed to get with his ballot a booklet of 904 pages of instructions.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. LYNCH. Yes.

Mr. KEEFE. Is there anything to prevent the Legislature of the State of New York from changing the provision which requires the sending of this booklet the gentleman speaks of and merely sending the ballot instead?

Mr. LYNCH. There is absolutely no reason why the State of New York should not do exactly that, and that is exactly what is being done under the Worley bill, so far as Federal candidates are concerned. However, the last State ballot used in 1943 was 36 inches by 42 inches. Now what is evidently Governor Dewey's idea? It is that unless a soldier can vote for the constable in his town or the supervisor of his county, he shall not be permitted to vote for the President of the United States or United States Senator or Member of the House of Representatives of the United States.

It is upon the President of the United States and the Congress that the heavy burden of the direction of the war falls. It is not upon the town constable or the county supervisor.

The real reason for Republican opposition to assuring our men and women in service the opportunity to vote is disclosed in a letter I received this morning from a New York soldier in Italy. One sentence of that letter tells the story. It says:

> The Continent over here is predominantly Roosevelt not only in our own forces but with the natives.

The Republicans know that President Roosevelt will receive the overwhelming vote of the electors in the armed forces. That is the reason that the Republicans are putting every obstacle in the way to prevent them from obtaining ballots to express their choice.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. DONDERO. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DONDERO. Mr. Chairman, the issue presented by the legislation now before the House is whether or not this country shall proceed in a constitutional way or whether we shall have one-man rule in the United States. The subject of the soldier vote is one which has not only the deep sympathy of every Member of the House, but his intense interest and desire that the men and women in our armed forces shall have the privilege to vote a legal ballot which will be counted in the next election.

Two bills are before us, one commonly called the Worley bill which provides for a Federal blank ballot, and the other the committee bill which provides for a complete ballot. I am opposed to the Worley bill and shall vote for the committee bill.

I am wholeheartedly in favor of all qualified soliders voting, but I am also wholeheartedly against any attempt to deceive the soldier into voting a ballot which is not legal and which will not be counted when it is returned to his State. To the men and women of the armed services of the Nation who are within continental United States there is less difficulty in providing them with the same kind of ballot any citizen will be privileged to vote in the next election, because nearly all of the States provide for absentee voters ballots. Those of our fighting men and women who are beyond the limits of the United States and qualified to vote are the ones for whom we are endeavoring to make it possible to vote a complete ballot for all offices.

The Worley bill provides a blank piece of paper called a ballot to be sent to those in our armed forces away from our country. It is a half ballot providing for

national offices only. There has been no assurance given that such a blank ballot, when voted, will be counted as legal in any State of the Union. I will not be a party to such a proposed deception upon our soldiers who are qualified to vote.

The President of the United States recently saw fit to direct a very intemperate message to Congress in which he attempted to express the alleged resentment against what he termed discrimination practiced against our fighting men. Such a statement is wholly unjustified. To pass the Worley bill providing for a blank ballot which could not be counted is the greatest discrimination and deception that could be practiced against our fighting forces.

The President knows, or at least should know, that the founders of this Republic intentionally and wisely left the machinery for holding elections with the various States. The Constitution is not suspended even in time of war. It binds rulers and ruled alike. In it the founding fathers wisely included provision as to elections.

The President's comment that he should speak out as an interested citizen can also be interpreted in the light of the fact that he may be an interested candidate for President.

His statement that every Member of Congress should be willing to stand up and be counted is an unjustified reflection or aspersion on the legislative branch of the Government and the people's representatives. The President can be assured that the Members of Congress will stand up and be counted on the vital issue that is now before us. I hope that when the votes are counted the President and the country will know that the Members of Congress can neither be cajoled nor intimidated into doing anything except their sworn duty to the country and our fighting forces in a lawful manner, under the Constitution. Every Member has taken a solemn oath to support and defend the Constitution of the United States.

There is no reason why the men and women in the armed services of the Nation should not be permitted to vote the same kind of ballot any other citizen votes in the coming election. It is a question of facilitating the placing of the ballots in their hands.

The Constitution of the United States provides in article I, section 4, as follows:

> The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations.

It will be noted from the above, however, that Congress has authority only to alter the time, place, and the manner of holding elections for Senators and Representatives. Congress has no authority over the time, place, or manner of holding elections for President and Vice President. Therefore, the purpose of the Worley bill would be entirely beyond the power of Congress, unconstitutional and void. To adopt it would be a fraud upon all our fighting forces.

For years a struggle has been going on in this world between two conceptions of government—one in which the state holds all ultimate human values and only grants to the individual such privileges as the state thinks he might have; the other conception of government is the one under which we live, where the individual citizen is endowed with and holds all ultimate values within himself and grants only to the state such powers as may be necessary to carry on the ordinary function of government; in other words, a constitutional form of government.

I shall vote for the committee bill to provide the same ballot for our armed forces, qualified to vote, which will be provided any other citizen of the United States.

When they return, the men in the armed services, in my opinion, are eager that the Stars and Stripes shall be flying over the same institutions, the same freedom, and the same privileges established by their fathers as existed when they marched away to war.

The CHAIRMAN. All time has expired on the second committee amendment. The question is on the second committee amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the third committee amendment.

The Clerk read as follows:

Committee amendment: On page 2, line 13, strike out down to and including the word "election" on page 3 and insert: "such persons to vote for Federal, State, and local officials and to utilize the absentee balloting procedures of the various States to the greatest extent possible:

"(a) It is recommended that the several States, in order to avoid expense, duplication of effort, and loss of time, shall accept, as applications for absentee ballots under such States' absentee balloting laws and as applications for registration under such States' election laws, the form of post card (when duly executed by a person to whom this act is applicable) provided pursuant to section 3 of the act of September 16, 1942 (Public Law 712, 77th Cong.), of which some 11,000,000 have been prepared and are available for such purposes, notwithstanding that such post cards refer to the ballot being applied for as an 'official war ballot.'

"The form of the post-card application referred to is as follows:

"_____
Date

"Secretary of state of _____:

"Being on active duty in the armed forces of the United States and desiring to vote in the coming election, I hereby apply for an official war ballot.

"My home address is _____,
(Number and street)

in the city, town, or village of _____, in the county of _____, in the State of _____, and my voting district or precinct to the best of my knowledge is _____. I desire that the ballot be sent to me at the following address _____.

_____
(Signed)

"Signature certified by:

_____."

(To be signed by any commissioned officer)

"Upon the other side of such post card is printed the following:

"FREE
"(Official War Ballot)

"Secretary of state of _____,

"_____
(City)

"_____
(State)

"The Secretary of War and the Secretary of the Navy, wherever practicable and compatible with military operations, and the Administrator of the War Shipping Administration, are directed to cause such post-card applications to be distributed to persons to whom this act is applicable, outside of the United States not later than August 15, 1944, and within the United States not later than September 15, 1944. If such post-card applications already printed are not sufficient in number to supply the persons to whom this act is applicable, it shall be the duty of the Secretary of War, the Secretary of the Navy, and the Administrator of the War Shipping Administration to cause to be printed an additional amount of such post-card applications so that all of the persons to whom this act is applicable may be furnished with such application.

"(b) It is recommended that the secretary of state of each of the several States, upon receipt of any such post-card application, promptly forward it to the proper county, city, or other election official or officials in order that the request for an absentee ballot may be acted upon as expeditiously as possible.

"(c) It is recommended that the several States cooperate, to the end that county, city, or other election officials be authorized and instructed, upon receipt of an application made upon such a post card, to mail promptly to the voter making the application, if legally permissible under the laws of the State, a suitable absentee ballot, including therewith a self-addressed envelope for the use of the voter in returning the ballot and any instructions to govern the use of such ballot and envelope.

"(d) It is recommended, so that the envelope in which the ballot is sent to the voter, and the envelope supplied for the return of the ballot, may be identified by the Post Office Department and other authorities as carrying an election ballot, that there be printed or stamped in a conspicuous place on each such envelope the words 'Official Election Ballot.' It is further recommended that, in the case of States in which no provision is made, either on the envelope or separately, for sending with the absentee ballots a printed form to be used by a voter for the purpose of establishing his legal right to vote, appropriate action be taken to have printed and enclosed with absentee ballots mailed in response to applications received on the post cards hereinbefore referred to, a form for the signature and oath or affirmation of the voter; and it is suggested that a form substantially as follows would be appropriate for such purpose:

"OATH OF ELECTOR FOR VOTING IN THE GENERAL ELECTION TO BE HELD IN 1944

"I do hereby swear (or affirm) that—

"(1) I am a citizen of the United States;

"(2) The date of my birth was _____;

"(3) For _____ years preceding this election my home residence has been in the State of _____;

"(4) For _____ years preceding this election my home residence has been in the (city, town or village, if any) of _____, in the county of _____, at (street and number, if any, or rural route) _____;

"(5) I am (check appropriate blank)—

"(a) in the armed forces of the United States _____ ( );

"(b) in the merchant marine of the United States _____ ( );

"(c) in the American Red Cross ( ), the Society of Friends ( ), the Women's Auxiliary Service Pilots ( ), or the United Service Organizations ( ), outside the United States, and attached to and serving with the armed forces of the United States; and

"(6) I have not voted and do not intend to vote in this election at any address other than the above; and that I have not received or offered, do not expect to receive, have not paid, offered, or promised to pay, contribute,

offered, or promised to contribute to another, to be paid or used, any money or other valuable thing as a compensation, or reward for the giving of a vote at this election, and have not made any promise to influence the giving or withholding of any such vote; and that I have not been convicted of bribery or any infamous crime, or, if so convicted, that I have been pardoned or restored to all the rights of a citizen, without restriction as to the rights of suffrage.

Voter must write his usual signature here and oath must be administered and attested.

"Subscribed and sworn to before me this ------ day of ----------, 1944.

Commissioned, noncommissioned, or petty officer not below the rank of sergeant (or its equivalent), or other person authorized to administer and attest this oath, shall write his name here.

Officer or other person signing above shall print his rank, rating, or title clearly here.

"(e) It is recommended that, in States where the voters' absentee ballot will not be available for mailing to the voter 45 days prior to the general election in 1944, such States cause to be made such changes in the election laws of their States as will lengthen such time; and that all States waive registration of all men and women in the military service who, by reason of such services, have been deprived of an opportunity to register.

"(f) It is further recommended that the several States, in order to reduce the weight and bulk for air transport of absentee voting material being sent to persons to whom this act is applicable, reduce in size and weight of paper, as much as possible, envelopes, ballots, and instructions for voting procedure."

Mr. BONNER. Mr. Chairman, I move to strike out the last word. Yesterday the House patiently listened to the splendid address of the gentleman from Mississippi [Mr. RANKIN]. The gentleman from Texas [Mr. WORLEY], the chairman of the committee, which has under consideration this legislation, very graciously yielded liberal time to the gentleman from Mississippi. The chairman of the committee, also, yesterday yielded liberal time to others opposing the Worley bill. He has certainly demonstrated sportsmanship, but this morning, Mr. Chairman, something other than sportsmanship has been demonstrated. Here we see an example of shutting off debate. They have the power to shut off debate, they have the votes to do it, but we were assured by the gentleman from Massachusetts [Mr. MARTIN] that ample time would be given to discuss the bill in the Committee of the Whole, and that all would have an opportunity to speak.

Mr. MARTIN of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BONNER. I yield.

Mr. MARTIN of Massachusetts. I want to say to the gentleman there is not any desire to shut off debate on any real amendments that are offered. We anticipate that the real amendment here is the Worley amendment. We want to give that amendment the fullest possible time, but we do not want to be stalling along as we have for a whole month. We want to have action this afternoon because the people are looking for action.

Mr. BONNER. I want action also, I will say to my fine friend.

Mr. MARTIN of Massachusetts. We want you to have full opportunity to express yourself as far as any real amendment is concerned.

Mr. BONNER. I had not finished my statement yet before I was corrected by my good friend.

Mr. MARTIN of Massachusetts. I am sorry.

Mr. BONNER. There are Members on both sides of the House who wanted time to speak on this subject pro and con and could not get it in the general debate.

Mr. Chairman, I hope that the gentleman from Mississippi, and I know that the gentleman from Massachusetts, will go along with us and be as agreeable as we have been to him in granting all an opportunity to discuss this matter fully.

Mr. RANKIN. Mr. Chairman, as a member of the committee, I rise in support of the amendment. Let me say in reply to the gentleman from North Carolina [Mr. BONNER] that he reminds me of that expression in Shakespeare, "The lady doth protest too much, methinks."

I wonder if he has forgotten the filibuster that took place in Committee that extended this thing for several months. We could have disposed of this bill before Christmas if those who had opposed us had gone along with us.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. BONNER. The gentleman has not read page 64 of the hearings. You said there would be ample time; that there was no hurry; you could never get this bill up to have a vote on it during the election, this election. Those are your words there in the RECORD.

Mr. RANKIN. Mr. Chairman, I decline to yield further. What I said was that you could not pass the Lucas-Worley bobtail ballot bill in a year. I stand by that statement.

The gentleman from North Carolina [Mr. BONNER] talks about sportsmanship. This is not a sporting proposition we are in here. This is no game we are playing. This is a serious constitutional question affecting the destiny of this Nation, probably for generations to come.

Mr. COCHRAN. Mr. Chairman, a point of order.

Mr. RANKIN. This is a question that involves the Constitution of the United States, as it affects every citizen of this country.

Mr. COCHRAN. Mr. Chairman, a point of order. The gentleman rose in support of the amendment and he has not said a word in support of the amendment. He is following the same procedure that he followed yesterday.

Mr. Chairman, the gentleman from Mississippi is following out the same procedure that he followed out yesterday when he had 45 minutes and took up 40 minutes talking about himself and the other 5 minutes talking about the bill.

Mr. RANKIN. As usual, the gentleman from Missouri does not know what he is talking about.

Mr. Chairman, in support of this amendment I want to answer the gentleman from Massachusetts [Mr. MCCORMACK]. In the first place, he said this is a war measure; which it is not. And he said you could set aside the Constitution for this purpose. The gentleman from New York [Mr. CELLER] went on to say you could set aside the Constitution for this purpose whether this was wartime or not. Now, if you can do either one of those things you can set aside the Bill of Rights and take away from the American people all the protection they have under the Constitution. I have no objection to legitimately carrying on this debate as long as it is necessary; but the idea that the gentleman from Texas graciously yielded me time on yesterday when I, who am the reporter of the bill, and who represent the majority of the committee, only got 20 minutes from the gentleman from Texas and had to get 25 minutes from the opposition. I say it comes with poor grace for them to argue now about sportsmanship when we are trying to get this measure speeded up and get to the real Worley amendment, so the debate can be concentrated on that amendment, which they are sponsoring. We do not want to shut off legitimate debate, but we do not want to tolerate a filibuster on this bill. We want to finish it tonight.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. HALLECK. There were 4 hours of debate under the rule. Everyone agreed to that. That was the time fixed. Then it was suggested that the time be extended for general debate and it was extended as requested.

Mr. RANKIN. And when I attempted to get time even on the rule, why, the chairman of the Committee on Rules, the gentleman from Illinois [Mr. SABATH], had given practically all of the time to the enemies of the legislation, except the 5 minutes the gentleman from Georgia [Mr. COX] got. So we are not asking for any lion's share. We are asking for a vote as early as possible.

Mr. VORYS of Ohio. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. VORYS of Ohio: On page 7, after the words "Officer or other person signing above shall print his rank, rating or title clearly here" insert the following:

"Warning: Censorship of this ballot by Army, Navy, or civilian personnel, is forbidden by law under penalty of fine or imprisonment."

Mr. VORYS of Ohio. Mr. Chairman, I have another amendment and ask unanimous consent that it may be read at this time for the purpose of information.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the second amendment be read for information. Is there objection?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. VORYS of Ohio: Section 23, after the words "United States Government," insert the words: "censor or interfere with any ballot or official inner envelope, or."

Mr. VORYS of Ohio. Mr. Chairman, if you look at the committee amendment

on page 7, you will find, just above line 1, these words, "officer or other persons signing above shall print his rank, rating, or title clearly here." That is to be on the envelope. The amendment which I propose at this time would put right underneath that, on the envelope, these words, "Warning: Censorship of this ballot by Army, Navy, or civilian personnel is forbidden by law under penalty of fine or imprisonment." This will be a warning to the officer who takes the soldier's oath, and to all others who handle the ballot, and an assurance to the man in the armed forces who is casting his ballot.

If this amendment is adopted, I shall later offer in section 23, which deals with censorship of letters or communications to Army and Navy personnel, an amendment which would forbid censorship or interference with the ballot or official inner envelope.

This has been taken up with both the majority and minority members of the committee and I understand there is no objection to this amendment. It is a provision that should be required.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. RANKIN. It merely prohibits an officer from marking or changing any of the ballots or the vote.

Mr. VORYS of Ohio. It also prohibits anyone from censoring the ballot. Now, we know that much of the censorship in the Army is done by officers who censor mail of enlisted men. I do not say that these officers would tamper with the ballots, or threaten a soldier if he failed to "vote right," according to the officer's views. A soldier should be protected from the thought of any such possibility. That is the whole theory of the secret ballot. It is nobody's business how a citizen, or a citizen-soldier, votes. The gentleman from Texas [Mr. WORLEY] told me the other day that the Army already had a regulation which would prohibit censoring these ballots. This protection against censorship, this guaranty of a secret ballot, is a matter that should rest not only in Army regulations, but should be a positive requirement of law, because we know that the only free ballot is a secret ballot.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. BROWN of Ohio. It has been the American policy that the ballot should be secret.

Mr. VORYS of Ohio. Yes; the so-called Australian ballot system, which I think has been adopted universally, requiring a secret ballot, with nobody looking at it, has been found to be fundamental to a free, uncontrolled, vote. No matter what type of ballot we use, the way to make sure that the soldiers and sailors get a real American vote, free from possibility of coercion, is to prohibit anybody from monkeying with the ballot or the envelope in which it is contained, so that it gets to the election officials and is put into the ballot box without anybody looking at it.

There has been a great deal of argument about the powers of Congress. Here is one thing that Congress has unquestionably the power to require, and that is to forbid censorship or interference with the soldiers' or sailors' ballots.

Mr. WORLEY. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. WORLEY. A rather important question came up in committee on account of the possibility of espionage. I discounted that myself because those ballots, after all, are coming back to one individual, the secretary of state. But if we go as far as to pass a law which says whoever opens it is subject to a maximum punishment or fine, that might be helping somebody who would like to send information back under various disguises. Let me say, I will go along just as far as the gentleman from Ohio [Mr. VORYS] will, to protect the secrecy of the ballot. I simply want the House to be informed as to that question. The Army and Navy, in order to effect secrecy of the ballot, have issued a directive which absolutely precludes from censorship both the State ballot and the Federal ballot, if it is passed. I do not know whether it would be advisable to have it in the law. I simply throw out that idea so that it can be thought about. I do not know whether it would be advisable to write it in as a matter of law, although I am certainly willing to go along with the gentleman on his objective.

Mr. VORYS of Ohio. If the Army and Navy has written a directive to that effect, we had better write a law to that effect, which will also involve thousands of civilian personnel who are also in a position of censoring or interfering with the ballots of the soldiers and sailors and the official envelopes containing them unless forbidden by law.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COCHRAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have listened to practically all the debate, and although the rule provided that the debate should be confined to the bill, a great part of the time was taken up in personalities and not directed to the provisions of either the bill reported by the committee or the Worley substitute. Between the two I am absolutely for the Worley substitute, provided that no objectionable amendments are added. However, I would rather see a more simplified method, one where all the red tape is eliminated. Men who are on the firing line are not going to have time to stop and fill out form after form and swear to an application before an officer. Take the bill reported by the committee which the gentleman from Mississippi calls the Rankin bill. Just read it. Look at every paragraph starting on page 5. It says "It is recommended"; then again it says "it is recommended," and again and again. What does it mean? Nothing; is it not meaningless? It is only a recommendation. It is not mandatory.

I do not blame the gentleman from Mississippi for wanting to get rid of the bill, because it does not mean a thing in his State. We are not legislating here for the primaries. We are legislating for the elections. There is no such thing as an election, so to speak, in his State; it is only a formality. When the primary is over, those who are nominated are elected. That has been the history in his State.

Now, as far as my own State is concerned, I have read the session laws of Missouri for 1943. I will say to you that if we have to comply with that law, not five out of a thousand people in the armed services from the State of Missouri will vote.

If you want the people in the armed services to vote, why quibble? Let them vote. They are fighting for the preservation of your own country. Have you not enough confidence in them to let them sign a card without requiring them to take an oath? I have. If they can fight for their country, I think enough of them not to require them to take an oath before an officer, whether he be a major general or a corporal. There is nothing but delay in requiring that affidavit when you talk of expediting the soldiers' vote.

You speak about the rights of the States: as I said these men are fighting to preserve the rights of the States; as I have said before what are the rights of the States in comparison with a man or woman who is willing to give up his or her life for the country? Their right comes first including the right of suffrage. I say do not quibble. If you are honest and square and want them to vote, which we all say we do, let them vote without going through all the requirements set forth in this bill.

I want to say further that if those in the armed forces do not want me to come back to the House I will be happy to stay away.

I would rather deprive somebody at home of a vote rather than one in the armed forces.

The mothers and fathers and other relatives of those in the armed forces are watching the Congress today. They are not thinking about States' rights. I do not want to be branded as one who has deprived our service men and women of an opportunity to select those whom they will find in office when they return to this country. As the President well said in his message on the state of the Union when we convened this session, the servicemen want to return to their country to find their country as they left it, with opportunity to return immediately to civil life, to have a job, and to be able to say that they participated in the election that selected the officials who are in control. They will not be satisfied if the Congress passes a law that makes it practically impossible for them to vote. Remember, some of these men will fill out their ballots in fox holes and in the trenches, as well as sitting in tanks, and while they are on the high seas. My plea to you is to make it just as easy as possible for them to express themselves.

As far as the constitutionality of this law is concerned, no one can convince me that the Congress does not have the power at any time by law to alter such regulations as the States might prescribe. As the gentleman from Massa-

chusetts [Mr. McCORMACK] well said, under the war powers alone we have this right, but there are other provisions of the Constitution which extend the right to the Congress.

While the Worley bill does not entirely meet with my approval, nevertheless I certainly will vote for it in preference to the so-called Rankin bill.

Mr. RANKIN. Mr. Chairman, I move to strike out the last word.

Mr. COCHRAN. Mr. Chairman, I make the point of order that the gentleman from Mississippi has already spoken on the amendment.

Mr. RANKIN. Oh, no.

Mr. COCHRAN. Oh, yes.

The CHAIRMAN. The gentleman from Mississippi is recognized for 5 minutes. The point of order is overruled.

Mr. RANKIN. Mr. Chairman, the gentleman from Missouri [Mr. COCHRAN] who has just spoken, by his own admission would disfranchise the soldiers of my State.

He said they have a right to vote only in the primary. This bobtailed ballot does not touch the primary; so the gentleman from Missouri would deny to the servicemen from my State the opportunity to cast the only effective ballot they will have an opportunity to cast. He eulogizes the men fighting for their country. I submit that the soldiers of no State are giving more glorious account of themselves than are the men from Mississippi.

The gentleman from Texas [Mr. RUSSELL] on yesterday pointed out that it would disfranchise 600,000 servicemen in Texas. But the gentleman from Missouri is not willing for us to pass a law here that applies also to all State and county officers and also to the primaries. Those 600,000 men from Texas are among the finest on earth, and I am disparaging none when I say that. The gentleman from Missouri would disfranchise the men from Louisiana, the men from Florida, the men from South Carolina, the men from North Carolina, from Virginia, from Arkansas, and from other Southern States where they vote mainly in the primary.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. COOLEY. Let me say to the gentleman from Mississippi that neither the gentleman from Missouri nor the gentleman from Mississippi will disfranchise anybody from North Carolina.

Mr. RANKIN. Certainly not, because we are not going to let him pass a bill that would do that. Listen. As far as those men south of the Mason and Dixon's line are concerned, we will compare their records with the records of any others on earth.

Mr. SADOWSKI. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I am sorry, I cannot yield.

Every man in this House will agree with that statement, yet under this bobtailed ballot, if that ballot is adopted and goes to the men in the service, it will be the only ballot they will get.

Mr. SADOWSKI. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. There is not a name printed on it. Your name will not be on it. The name of the candidate for President will not be on it. The name of the candidate for Vice President will not be on it. Even the name of the gentleman from Michigan will not be on it.

I now yield to the gentleman from Michigan for a question.

Mr. SADOWSKI. I may be wrong but my understanding is that you do not have an absentee ballot at all in Mississippi, therefore no one would be denied something they now enjoy.

Mr. RANKIN. That is the trouble with the gentleman from Michigan. He is just like many other people, always talking about the South without knowing a darned thing about it. We have an absentee ballot in Mississippi.

Mr. SADOWSKI. That is not true, I would say to the gentleman from Mississippi.

Mr. RANKIN. Before the gentleman condemns the South he had better get some information. Get some information before you condemn the people of my State. The gentleman has not investigated sufficiently. We are going to see that these men get an opportunity to vote in the primary, where it will count, regardless of the opposition of the gentleman from Missouri.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. HOFFMAN. Before the gentleman from Detroit attacks the people of the South he had better get the list of those indicted in Detroit and those who served in the State penitentiary.

Mr. RANKIN. Before he condemns the people of the South he had better get some more information about the five or six hundred casualties resulting from the race riots in Detroit.

Mr. SADOWSKI. Mr. Chairman, if the gentleman will yield, I am not condemning the South; I have the greatest respect for the South. In fact I lived down south for 8 years.

Mr. RANKIN. The gentleman did not stay there long enough. He ought to be down there now.

Mr. SADOWSKI. I will say to the gentleman that they do not have an absentee ballot in Mississippi. Now, how could the soldiers from Mississippi vote under any condition if the State does not allow absentee voting? How could this legislation injure them?

Mr. RANKIN. Mr. Chairman, I decline to yield further to this tirade of the gentleman from Michigan.

The Legislature of Mississippi has passed such a bill, and it was announced on the front page of the Washington papers on yesterday. So the gentleman from Michigan, had he kept up with what is going on, would know that every State in the South is doing the same thing.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. COOLEY. May I inquire if that is a war measure?

Mr. RANKIN. No; it is not a war measure; it is a political measure, just as this is, to give the boys an opportunity to participate in the election.

Mr. KEEFE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think it is perhaps a good thing that we are getting toward the end of this debate. It is certainly getting heated and surely some very peculiar and strained arguments are being advanced. On yesterday the gentleman from Arkansas waved the Confederate Constitution before the Congress of the United States. He referred to what the Confederate Congress did to permit the soldiers from Arkansas to vote. He said that because the action of the Confederate Congress was alleged to be constitutional under the Confederate Constitution therefore the action proposed under the Worley bill is constitutional here today. If that is not an appeal to sectionalism and a resort to prejudice then I never heard an argument of that character. Mr. Chairman, we have discovered one thing if nothing else: The greatest galaxy of constitutional lawyers that has ever been assembled under one roof. I never heard so many great constitutional lawyers as those who have come to the well of this House telling the people of the Nation either that this law is constitutional or that it is unconstitutional. For God's sake! What is this Congress going to say about it? We have a Supreme Court over here that decides practically every case involving the question of constitutionality by a 5-to-4 split decision. Yet it is expected that these great constitutional questions are going to be decided by this body.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. No; I cannot yield. I will tell you why I sat here through this entire debate to listen to these so-called constitutional arguments. We are not going to settle the question, Mr. Chairman, by any vote that we make. I have taken an oath, however, as a Member of this Congress to support and defend the Constitution of the United States, and that is personal to me. Out of this welter of argument in at least the quiet and tranquillity of my own office and guided by my own conscience I must determine that question for myself in order to decide the course I will take.

Mr. WORLEY. Mr. Chairman, will the gentleman yield at that point?

Mr. KEEFE. I cannot yield, Mr. Chairman.

Mr. Chairman, let me say to the membership present that I have some idea about this thing, though I make no protestations of being a great constitutional lawyer. I have an idea how the Supreme Court over here may decide this question if it gets to them, but, as far as I am concerned, I refuse to vote for any measure which after applying my own brain and my own conscience to it I am convinced is a violation of the Constitution of the United States. I can support no measure that in my humble judgment so violates it.

Let us see what we are arguing about. The gentleman from Texas [Mr. WORLEY] has been very fair. He has twice stated on the floor of this House that he,

as a Texan, believes that the State ballot is the best and safest ballot that can be voted if it could be voted.

The gentleman does not deny that, does he?

Mr. WORLEY. No.

Mr. KEEFE. You say that is true?

Mr. WORLEY. Yes.

Mr. KEEFE. So you have placed section 2 in your bill to provide for State ballots to be voted.

Mr. WORLEY. That is correct.

Mr. KEEFE. The only reason that has been given why a State ballot will not be voted is what? I have heard two reasons. First, that the voters from the State of Kentucky and the voters from the State of Texas may not be able to vote a State ballot because of the constitutions of those States.

Mr. WORLEY. And New Mexico also has a constitutional prohibition.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WORLEY. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. WORLEY]?

There was no objection.

Mr. WORLEY. Will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Texas.

Mr. WORLEY. I say in all candor, and I respect the gentleman's constitutional ability and his fair play in the House, that he attacks this bill on the ground of its unconstitutionality, saying that the Congress of the United States has no power to waive registration or to waive the payment of a poll tax.

Mr. KEEFE. I do not recall making any such statement as that and nobody in this House heard me make any such a statement as that.

Mr. WORLEY. The gentleman voted for it.

Mr. KEEFE. For what?

Mr. WORLEY. He voted for 712. If that was constitutional 2 years ago, is it not just as constitutional today?

Mr. KEEFE. That is a great argument.

Mr. WORLEY. Is it or is it not? Please answer the question.

Mr. KEEFE. That is the poorest argument that the gentleman from Texas has ever made. Let me answer the gentleman. I am amazed at the gentleman's argument. The gentleman says that because the Congress of the United States passed a law a year and a half ago and because no one has gone into the courts to test its constitutionality, therefore that law and that act of Congress is constitutional. I have never heard of such a strained argument as that ever being made.

I may say to the gentleman from Texas what I did say was that I, as an individual Member of Congress, must determine for my own guidance under my oath the question as to whether I believe a piece of legislation to be constitutional. That is all I said and that is the guide I am going to have. I further say that the only other argument that has been adduced here against the State ballot, which the gentleman from Texas himself says is the best ballot, is that the Army and Navy cannot deliver them. If the Army and Navy cannot deliver the State ballots, I ask the gentleman from Texas, why does he make provision in his bill at all for having them voted?

Mr. WORLEY. Is the gentleman asking me a question?

Mr. KEEFE. Yes.

Mr. WORLEY. If the gentleman will refer to document No. 993, report accompanying S. 1285, he will find the answer to that question. I have gone over this with him personally off of the floor of the House and the gentleman did not dispute the statement made then. I see no reason why he should reverse himself at this particular time in an attempt to create another smoke-screen.

Mr. KEEFE. Will the gentleman answer the question? It is a simple question. If he contends that the Army and Navy cannot deliver the State ballots, why does he make provision in his bill for voting them at all?

Mr. WORLEY. Does the gentleman want me to answer it?

Mr. KEEFE. Yes.

Mr. WORLEY. The greatest advantage of this so-called bobtailed ballot, as the gentleman refers to it, is that it can be printed tomorrow.

Mr. KEEFE. The gentleman is not answering the question and I will not yield for a speech. I want an answer to that question. He can answer it in his own time.

Mr. WORLEY. Does the gentleman want a yes or no answer?

Mr. KEEFE. It may be answered in his own time. I do not want a speech.

Mr. WORLEY. The gentleman is not going to get a speech.

Mr. KEEFE. I reiterate the question: If the Army and Navy cannot deliver these ballots why is he talking about State ballots in his bill? I say that the Army and Navy can deliver those ballots and they will deliver those ballots if the Congress of the United States tells them to do so.

Mr. WORLEY. Will the gentleman permit me to answer his question. I just secured an additional 5 minutes time for him.

Mr. KEEFE. I want the gentleman to answer my question.

Mr. WORLEY. Will he allow me to answer it?

The CHAIRMAN. The time of the gentleman has expired.

Mr. WORLEY. Mr. Chairman, I rise in opposition to the pro forma amendment because I want to answer the question of the gentleman from Wisconsin. I would rather we approach this matter in a way other than as we approached it this morning with personalities involved.

Mr. Chairman, I have previously talked this question over with the gentleman from Wisconsin. The big difficulty all along has been the ability of the Navy and Army to transport the State ballots. I hope they can. They can transport a lot of them. They said they could and they said they would do everything they could to get the State ballots overseas and back. But you still have two problems, one is the action of the States to make a ballot available in time. All of these telegrams saying that the Governors are going to act indicate a fine attitude, yes; and my answer is, more power to them, I hope all the States act; but we have been at war for more than 2 years, with the soldiers wanting to vote, yet most States have as yet taken no action to make the ballot easier for them to get.

We must approach this problem in realistic terms, not in wishful thinking, because just wishing will not get any ballot over there nor will it get them back. The first objection to the uniform bobtail, April-fool, meaningless ballot, whatever you want to call it, is that there are no names on it, but we cannot wait until the States hold their primaries and print candidates names on it. The Federal ballot can be printed tomorrow, if necessary, and sent to all points overseas by ship, cargo transport, not necessarily by airplane.

Another reason is this: That ballot is valid and can be voted by any member of the armed forces regardless of the particular district he comes from. Let us take the State ballot, the only soldier who can vote a State ballot is one who lives in a particular district. There will be no names on the Federal ballot. It is contemplated by the Army and Navy that just as soon as the States hold their primaries, those names will be forwarded by radio or other fast means to every theater of operation all over the world. The reason for the blank ballot is to overcome the two difficulties I have mentioned.

The State absentee ballot is predicated upon one certain individual who must use it. The Federal ballot can be used by any soldier, anywhere.

The uniform ballot also removes the element of time and transportation. You completely eliminate a one-way passage by air. It is contemplated, of course, they will all come back by air. They will go back to the precinct of the gentleman from Wisconsin and his own State officials will say whether the man is qualified to vote or not.

There has been a lot of objection to the bobtailed ballot because there are no names on it. Frankly, I believe there are two Members of the House who have more cause to object than any of the rest of us. I refer to the gentleman from Wisconsin [Mr. WASIELEWSKI] and the gentleman from Connecticut [Mr. MONKIEWICZ] because in some instances the soldiers will have to write the names in.

Mr. DONDERO. Will the gentleman yield?

Mr. WORLEY. I yield to the gentleman from Michigan.

Mr. DONDERO. After those ballots come back to the States, can the gentleman give the House any assurance they could be counted under the State laws?

Mr. WORLEY. Yes, I can.

Mr. DONDERO. Will they be counted in the gentleman's State and the State of Kentucky?

Mr. COOLEY. Will the gentleman yield?

Mr. WORLEY. I yield to the gentleman from North Carolina.

Mr. COOLEY. I want to ask the gentleman a question that is pertinent to the inquiry of the gentleman from Wisconsin. Under your bill is it not just as incumbent upon the War Department and the Navy Department to transmit those State ballots as it is the short bobtailed ballot?

Mr. WORLEY. Yes. We urge their cooperation in that respect.

Mr. COOLEY. Does not the law make it just as incumbent upon them to do that?

Mr. WORLEY. No, I cannot say that. Under section 2 of the bill we do not give air priority to the State ballots, because it would displace necessary air mail and supplies for the Army and Navy.

Mr. COOLEY. Eliminating transportation by air, if in due course those ballots can be transmitted by ships and returned in time to be voted, that duty rests just as heavily on the War and Navy Departments as the duty to transport the short ballot?

Mr. WORLEY. Yes, it does and we want them to do that.

Mr. COOLEY. The only reason you do not require transportation by air is that it might interfere with the war effort?

Mr. WORLEY. Yes, the air mails especially.

Mr. JENSEN. Will the gentleman yield?

Mr. WORLEY. I yield to the gentleman from Iowa.

Mr. JENSEN. If the gentleman agrees that because of the fact more people, more soldiers, know his name or know him in his district than they could possibly know any opponent of his—I am talking now about the soldiers and sailors—is it not possible that he would have a distinct advantage over his opponent?

Mr. WORLEY. No, not intentionally.

Mr. JENSEN. But he would have a distinct advantage.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KEEFE. Mr. Chairman, I ask unanimous consent that the gentleman from Texas be permitted to proceed for 5 additional minutes.

Mr. RANKIN. Reserving the right to object, Mr. Chairman, and I will not object, I hope Members will confine their speeches to 5 minutes hereafter until we dispose of this particular amendment, because then we are going to take up the Worley amendment, as I understand.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KEEFE. May I ask the distinguished gentleman if it is not a fact, in his judgment, that if it was possible to vote by State ballots that would be the solution of this whole problem?

Mr. WORLEY. Definitely.

Mr. KEEFE. That would obviate the necessity of considering any constitutional questions at all; would it not?

Mr. WORLEY. Yes.

Mr. KEEFE. Therefore, with the exception of three States, if the State ballots can be delivered there is no reason under the sun why the soldiers should not have the State ballots?

Mr. WORLEY. No. We want them to vote the State ballot, where the State ballots can reach.

Mr. KEEFE. There is no reason under the sun why all persons in the armed services within the continental United States should not have the State ballot; is there?

Mr. WORLEY. Shall I give the gentleman the reason why I think we should not do that?

Mr. KEEFE. Does not the gentleman feel that the people who are resident in the United States should vote the State ballot, which can easily be transmitted to them?

Mr. WORLEY. Yes.

Mr. KEEFE. And should not those residents in Puerto Rico, the Panama Canal Zone, Honolulu, Alaska, and Iceland, to whom State ballots can be made readily available, be directed to vote the State ballot?

Mr. WORLEY. I can answer this way. There is no argument but that the State ballot procedure will work best over here in the United States. We have asked the War and Navy Departments to encourage voting by State ballots, because that is unquestionably the best ballot. But as of January 1, the difficulties with the State procedures were innumerable. In most cases the soldier had to go before a notary for even an application for a ballot. He had only 30 days. Arkansas, for example, had a period of 7 days in which a soldier could vote an absentee ballot. My own State had a 20-day provision. Two States, New Mexico and Kentucky, had no provision whatever for absentee voting. So we, the Congress of the United States, who have taken those fellows out of their homes, who have made it impossible for them to qualify in their own States, thought it fair, right, and just that we should exercise what constitutional power we have to give them the only kind of a ballot we have the power to give them, so if the State procedure did not work then at least they would have an opportunity to say whether you and I ought to come back to Congress or whether or not the President ought to come back. I have said repeatedly that the Federal ballot is not perfect, but it is the best way we have been able to help four or five million boys overseas to vote.

Have I answered the gentleman's question?

Mr. KEEFE. That is as good an answer as the gentleman can make.

Mr. EATON. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield to the gentleman from New Jersey.

Mr. EATON. I wish as a Member of this House to express my personal delight over the magnificent fairness the gentleman has exhibited. May I ask a question as a simple layman?

Mr. WORLEY. I am a simple layman, too.

Mr. EATON. When the armed forces are presented with a piece of blank paper, who is going to tell them who or what they are going to vote for? Is that the function of the Commander in Chief?

Mr. WORLEY. No; definitely not. The only information that can be sent over under either the State ballot or the Federal ballot is what is permissible ununder the Taft amendment which was adopted in the Senate and which restricts the propaganda that goes out through the O. W. I. or other agencies. I do not care who they vote for, I just want them to have an opportunity to have all the facts, and to see that the information which reaches them is as fair to one party or one candidate as it is to the other.

Mr. EATON. Yes, but who furnishes this information? Who are they going to vote for? Why do not they tear off a strip of paper out there and write something on it?

Mr. WORLEY. That would probably be more difficult.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield to the gentleman from Indiana.

Mr. HALLECK. Much has been made of the fact that two States, I understand, have constitutional prohibitions against absentee voting. It seems to me elemental that the Congress of the United States by statute cannot repeal those constitutions. Does the gentleman agree with me on that point or not?

Mr. WORLEY. No, I take the position that if Congress had the power constitutionally to enact Public Law 712, which waived registration and poll-tax requirements so that if the soldier was otherwise qualified he could vote for Federal officials, then it likewise has the power to prescribe the form of ballot under the war powers and that section of the Constitution which gives Congress the power to regulate the time, place, and manner of holding Federal elections.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

The question is on the amendment offered by the gentleman from Ohio [Mr. VORYS] to the committee amendment.

The amendment to the committee amendment was agreed to.

Mr. CURTIS. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. CURTIS to the committee amendment: Line 11, after the "(a)", insert the following: "It is recommended that the several States, when possible, waive the application for a ballot and authorize the proper election officials to send an official ballot to every voter serving in the armed forces of the United States or in the merchant marine of the United States, or serving in the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots, or the United Service Organizations outside the United States and attached to and serving with the armed forces of the United States. If an application is necessary, then."

Mr. CURTIS. Mr. Chairman, I am supporting the committee bill. I feel that my amendment does not interfere with the scheme and the theory of the committee bill; that is, that we send State ballots to our armed forces. The committee bill is a series of recommendations to the States. In paragraph (a) we recommend that the States use postal cards

for applications for ballots. My amendment goes further. It recommends to the States that they waive the application if they can, but that if they cannot, they then use these postal cards. In other words, rather than fill the mails with applications, why not let us recommend to the States that a full, complete, State ballot be sent to every member of the armed forces without their personal application? Three States are already doing that. If it cannot be done, then the provisions of the committee bill providing for the postal card applications stands.

I have taken this up with both parties supporting the committee bill, and I believe they have no objection to it.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Mississippi.

Mr. RANKIN. I may say to the gentleman from Nebraska that my State has already done that, and other States have done the same thing. I have discussed this matter with the chairman of the committee, and we are willing to accept the amendment.

Mr. VURSELL. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Illinois.

Mr. VURSELL. The gentleman has had this matter up with those in charge of the bill on our side, and we shall be very glad to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska to the committee amendment.

The amendment to the committee amendment was agreed to.

Mr. PRICE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we have listened for 2 days to Members of this House give their views on the question of providing a method of voting for the members of our armed forces.

Therefore I suppose there is no reason why I should not express my views on the subject, since I represent some 500,000 people, many thousands of whom are now on the battlefields all over the world. The State of Florida has a fairly good soldiers' voting law. Thus it may seem strange that I am supporting the Worley bill and since in Florida the candidates are elected in the primaries. I claim that it does not relieve us of our responsibility to say that a vote in the general election in Florida means nothing to our boys, any more than it does for us to say the boys on the battle fronts are not interested in voting. Who can say how many of these boys want to vote? It is our job to provide the boys a way to vote, if it is humanly possible to do so. Not that consistency means a whole lot, if we should judge from the loose talk we hear on the floor of this House when the Members get excited, but for 2 days we have heard 2 statements made many times and almost in the same breath. First, the boys don't want to vote—I have not received 1 letter on the subject; then almost immediately this statement, our boys want to vote for the home folks, for sheriff, for constable, and so forth.

Now, I take this position on the question, every Member of this House has a perfect right to say what he wants to say on this matter, and a perfect right to vote as he pleases and, by the same token, I believe I have that same right and furthermore I do not have to answer to any Member of this House for what I say or how I vote on this question; neither does any Member have to answer to me but, on the other hand, we all have to answer to the boys when they come home.

There is still another little item some of us may have overlooked and that is, we are going to have to answer to many mothers, fathers, brothers, and sisters who are home. Those who question the constitutionality of letting our boys vote had better decide what they will say when our boys ask about many of the O. P. A.'s rulings and a great many other conditions that have been brought about in violation of our constitutional rights. It may be likened to the old proverbial gnat and camel talk about straining. I believe you will have to do some straining to explain your position when our boys pop such questions

Not that it makes any difference, but I have had some experience with election laws and ballots. For 10 years before coming to Washington I had charge of the State and county primaries and elections in my home county, had charge of preparing the ballots and had to see that the elections were held in conformity with the laws of Florida. In my opinion no one will question the validity of any ballot cast under the Worley bill and in the final analysis each State will determine whether or not they will count the so-called Federal ballot. Furthermore, I do not believe it has been emphasized enough that the Worley bill only supplements the States' own soldiers' voting bills. If the State is able to get a ballot to the soldiers, all is well and good; in fact we all want the States to get their ballots to the boys and the Worley bill encourages this, but in case they are unable to do so we do not take the position that it shall be a State ballot or nothing. Do you not think the boys are more satisfied to leave the selection of the local officials to their relatives and friends back home? Do you not believe they think these relatives and friends back home will take good care of the local situation? I do believe they are anxious to have a say-so in electing the President and Members of Congress, who are so directly responsible for their welfare and everything that affects their very lives. I say, let us give them an opportunity to vote for every candidate up for election but if something should prevent them from voting for the local officials then, for the very life of me, I cannot see why it is a crime for the soldier to have an opportunity to have a say in selecting those who really hold their lives in the palm of their hands.

Some have intimated, in the course of the discussion on this question, that perhaps our boys would be influenced by the officers, which is an insult to our boys; however, there is a practical answer to that charge. There are probably as many officers in our armed forces in one political party as there are in the other. Some have been fearful as to whether the ballots would be correctly counted. Under both bills the ballots will be counted by the duly appointed or elected local officials of each State and I do not imagine there will be any less diligence exerted over the absentee ballots than is over the regular ballots cast in the election.

In my home county, which is indeed small compared with many counties of the country, we have 86 voting precincts, which means in our primaries many times we have 86 different ballots. In other words each soldier will have to make application to get a ballot containing the names of the various candidates running in his home precinct. In my State, by the furthest stretch of your imagination, you could not hope to get ballots to the boys in foreign service for anything but the first primary and the general election and then it is very doubtful. Most of our real contests are decided in the second primary, which is held 3 weeks after the first primary. Our primaries are held in May and the general election, of course, in November; therefore, it would not be practical to send the general-election ballot on the application used for the primary ballot.

I hope no Member of this House predicts that our armies will not move between May and November. I hate to mention it in this uproar, but many of our boys who apply for a primary ballot will have answered their last roll call before November. Does the significance of this statement impress upon the Members of this House how unjustified are many of the arguments against granting our boys the right to vote, to have a voice in our—no, I should say their—Government? I wonder how those who drew up our Constitution would vote on this question, were they here in this House today. They are not here, but you and I are here and there is an inner man or a still small voice here with each of us and we will have to answer to that still small voice long after we stop answering the roll call of this House.

The CHAIRMAN. The question is on the committee amendment as amended.

The committee amendment as amended was agreed to.

Mr. ROLPH. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. ROLPH: On page 2, line 10, after the words "any", insert the word "special."

Mr. ROLPH. Mr. Chairman, I desire first to read a telegram from the Governor of California.

The CHAIRMAN. Without objection, the gentleman may read the telegram from the Governor of California.

There was no objection.

Mr. ROLPH. Mr. Chairman, the telegram is addressed to me and it reads as follows:

Soldiers voting amendments to California election laws as enacted unanimously by legislature signed by me today, and effective immediately. I am air mailing copy of law for your information. Please note that under law the August primary and the May Presi-

dential elections are consolidated. Also filing period for Congressmen and Senators commences February 16 and ends March 7.

Regards.

EARL WARREN, *Governor.*

Mr. Chairman, my amendment is simply a qualifying amendment, so that citizens may have the opportunity to vote in special elections, such as filling vacancies in the House of Representatives. As a matter of fact in the last 3 years California had four vacancies in this House. Members present will recall our late colleagues, Representatives Englebright, Buck, Geyer, and Kramer. Special elections were necessary. My amendment will provide for delegates to national conventions, bond elections, initiatives, referendums, recalls, and other special elections.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. ROLPH. Yes.

Mr. RANKIN. I think the gentleman's amendment is not properly drawn. The gentleman is not trying to repeal the primary?

Mr. ROLPH. Oh, I am just putting in an addition to the primary.

Mr. RANKIN. Yes; but the gentleman would make it read "any special primary."

Mr. ROLPH. No; after the word "special" there should be a comma.

Mr. RANKIN. But I suggest the gentleman should make his amendment read, "any primary, special or general election."

Mr. ROLPH. I accept the suggestion of the gentleman from Mississippi. I have spoken to both the gentleman from Iowa [Mr. LECOMPTE] and the gentleman from Texas [Mr. WORLEY] about this amendment, and both are agreeable to it. I think in municipal elections men in the service should have an opportunity to vote. Last fall we had an election in San Francisco, and a certain number of absentee voters had the privilege of voting. I would like to have this legislation extended to men in the service, so as to vote in city elections. They are interested in municipal elections just as they are in Federal elections. I trust that my amendment will be adopted by the committee.

Mr. PHILLIPS. Do you use a separate special ballot for all special elections?

Mr. ROLPH. They should be transported under this legislation.

For the information of the committee, I quote from the report of registrar of voters, city and county of San Francisco, for year of 1942:

> In addition to the primary and general election, there was one special election for civilian defense bonds, and the retirement system, and health service elections. * * *
>
> At the special bond election held June 9, 1942, 345,994 persons were registered, and 138,741 voted.
>
> At the primary election held August 25, 1942, the registration increased to 359,848. The total vote was 184,827.
>
> For the general election held November 3, 1942, 367,352 were on the register. The total vote was 230,129.

At this point, Mr. Chairman, I will advise the committee that 2,902 absentee ballots were cast in the November 3, 1942, election.

Continuing with the registrar of voters' report:

> Elections were without trouble, except for a few instances where electors had not read their ballot instructions and had difficulty in writing in certain candidates' names. Generally the work was handled efficiently, speedily, and accurately.

The CHAIRMAN. Does the gentleman from California withdraw his amendment as read, and modify it as suggested by the gentleman from Mississippi?

Mr. ROLPH. Yes, I do.

Mr. RANKIN. I suggest to the gentleman that after the word "primary", a comma be inserted, and then that he insert the word "special", making it read, "any primary, special, or general election."

Mr. ROLPH. I accept that suggestion and ask that the Clerk so report the amendment.

The CHAIRMAN. The Clerk will report the modified amendment.

The Clerk read as follows:

> Amendment offered by Mr. ROLPH: On page 2, line 10, after the word "primary" insert a comma and the word "special", so that it will read "any primary, special, or general election."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from California.

The amendment was agreed to.

Mr. PRIEST. Mr. Chairman, I move to strike out the last two words. For the greater part of 3 days we have been debating in this Chamber the question of what the Congress of the United States can do, acting under the powers granted it by the Constitution of the United States, to assure a maximum participation by the men and women in the armed services in the voting in a national election. We today in this Chamber are the observed of many observers in this country and throughout the world. Because I think it is applicable, I wish to quote at this time a few lines that an American poet penned many years ago, and I trust that gentlemen will listen to them:

> New occasions teach new duties;
> Time makes ancient good uncouth;
> They must upward still, and onward,
> Who would keep abreast of truth.
> Lo! before us gleam her campfires,
> We ourselves must pilgrims be;
> Launch our Mayflower and steer boldly
> Through a troubled wintry sea,
> Nor attempt the Future's portals
> With the past's blood-rusted key.

Mr. Chairman, we are mindful today of the fact that we face a new duty, brought upon us by the circumstances of total and global war. We have been told by the Secretary of War and the Secretary of the Navy that there are 10,000 status changes in the armed forces every day. That means there are 300,000 status changes—more than a quarter of a million every 30 days. That will grow larger as time goes on and as the tempo of total war is increased. We must face that fact.

We have heard in this Chamber many very fine legalistic and logical arguments, and we have heard other arguments that have been more partisan and political. I think when we sift out all of the words, all of the ideas that have been brought to this Chamber, the one real heart of the problem is this: There can be no appreciable vote among the men and women of our armed services unless the Congress of the United States does all it can do, and the governments of the various 48 States do all that they can do, exercising all the power that is theirs.

Mr. Chairman, I am convinced, but I do not have time in these 5 minutes to go once more into that constitutional question, that we have the power under the general-welfare clause and other provisions of the Constitution to enact the Worley bill. I am convinced that it is our duty to do so. I agree fully with the statement made to me last night by a lieutenant colonel in the armed forces. This officer in the Air Corps, who has just returned from the southwest Pacific, said to me: "Congressman, if this question of the soldier vote had not been raised, there might not have been a great deal of disturbance among our men, there might not have been very much effect on the morale; but the question has been raised, it has been agitated, and don't let anyone fool you. I am just back from the southwest Pacific, and I know these men are tremendously interested, and they expect their Congress to go all the way it can go under the Constitution to give them every possible opportunity to exercise their franchise."

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. PRIEST. I will be glad to yield.

Mr. RANKIN. That is exactly what the Senate bill which is before the House does.

Mr. PRIEST. Mr. Chairman, that is the opinion, of course, of the very distinguished gentleman from Mississippi, and I might say of others in this Chamber who hold that as a sincere opinion. Many others of us believe that we have the constitutional right, as has been so often emphasized here, under the war powers, to go a step further. For that reason I hope when we face the new duty that confronts us today, brought about by this new occasion of total and global war, we may face it in the spirit of those words engraved on the wall of the Union Station:

> Let all thou aimest at be thy country's, thy
> God's, and truth's.
> Be noble, and the nobleness that lies
> In other men, sleeping but never dead,
> Will rise in majesty to meet thine own.

The CHAIRMAN. The time of the gentleman has expired.

The gentleman from Texas, the chairman of the committee, is recognized.

Mr. WORLEY. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

> Amendment offered by Mr. WORLEY: Strike out all after the enacting clause of S. 1285 and insert the following as a substitute for the bill:
>
> "That this act may be cited as"——

Mr. DONDERO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DONDERO. Mr. Chairman, if the amendment now offered by the gentleman from Texas is the so-called Worley bill, then I ask unanimous consent that the reading of the bill may be dispensed with in order to save time, because everybody knows what it is.

Mr. TARVER. Mr. Chairman, reserving the right to object, the substitute which is now being offered by the gentleman from Texas, the chairman of the committee, includes two very important provisions which are not included in the Worley bill. Those two provisions, at least, should be read for the information of the House.

Mr. DONDERO. Mr. Chairman, then I make the request that the reading of the other parts of the bill be dispensed with.

Mr. BONNER. Mr. Chairman, reserving the right to object, since those two amendments have been offered and are pending with the Worley amendment, I think it is necessary that the entire amendment should be read so as to give a clear line of thought as to what effect the amendments have on the Worley amendment.

Mr. DONDERO. Mr. Chairman, I ask unanimous consent that the reading of the Worley bill be dispensed with and that only the two amendments be read in the interest of saving time.

Mr. BONNER. Mr. Chairman, I must object to that and ask that the entire Worley amendment be read, and the amendments thereto.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. WORLEY: Strike out all after the enacting clause of S. 1285, and insert the following as a substitute for the bill:

"That this act may be voted as the 'Armed Forces Wartime Voting Act.'

"TITLE I

"SPECIAL METHOD OF VOTING IN TIME OF WAR

"Voters eligible under this title

"SEC. 1. (a) As used in this act—

"(1) The term 'members of the armed forces of the United States' means members of the Army of the United States, the United States Navy, the United States Marine Corps, the United States Coast Guard, or any of their respective components.

"(2) The term 'United States' used geographically includes only the territorial limits of the several States of the United States and the District of Columbia.

"(b) During the period of the duration of the present war and 6 months thereafter, in order to promote the national security and the war effort, every individual who is a member of the armed forces of the United States, and who is absent from the place of his voting residence and qualified to vote under the law of the State of his voting residence in any election for electors of President and Vice President of the United States, United States Senators, and Representatives in Congress, shall be entitled to vote for such officers in accordance with the provisions of this title.

"Official Federal war ballots, envelopes, and instructions for voting procedure

"SEC. 2. (a) The Secretaries of War and Navy shall cause to be prepared and printed for use in voting in general elections under this title an adequate number of official Federal war ballots. Each ballot shall be printed in the following form insofar as the officers enumerated are appropriate to the particular election:

"OFFICIAL FEDERAL WAR BALLOT, FOR USE IN GENERAL ELECTION TO BE HELD IN 19__

"Instructions: To vote, write in the name of the candidate of your choice for each office or write in the name of his political party—Democratic, Republican, Progressive, Farmer-Labor, American Labor, or other.

"ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

"(A vote for President includes a vote for Vice President of the same party)

"Write in the name of your choice for President or the name of his party_____

"UNITED STATES SENATOR

"(Only if a Senator is to be elected in your State)

"Write in the name of your choice for Senator or the name of his party_____

"REPRESENTATIVE IN CONGRESS FOR YOUR DISTRICT

"Write in the name of your choice for Representative in Congress for your district or the name of his party_____

"REPRESENTATIVE AT LARGE IN CONGRESS FOR YOUR STATE

"(Only in the States entitled thereto)

"Vote for one or two, as the case may be

"Write in the name or names of your choice for Representative at Large or the name of his party_____

"A vote by party designation shall be deemed to be a vote for the candidate of that party by name. A vote for a Presidential candidate by name or by party shall be deemed to be a vote for the candidates for Presidential and Vice Presidential Electors of his party. No ballot shall be invalid by reason of mistake or omission in writing in the name of the candidate or his political party where the candidate or party intended by the voter is plainly identifiable. Where, because of any defect in marking, a ballot is held invalid as to any particular candidate for office, it shall remain valid as to the other candidates for office.

"(b) The Secretaries of War and Navy shall also cause to be prepared and printed an appropriate number of official inner envelopes for use in enclosing and sealing the official Federal war ballots. Each such envelope shall be gummed ready for sealing. Upon one side of the envelope shall be printed:

"OFFICIAL INNER ENVELOPE FOR OFFICIAL FEDERAL WAR BALLOT, FOR USE IN GENERAL ELECTION

"Name of voter_____
(Print your name plainly here)

"Home residence:

"Street and number (if any) or rural route _____
(Print street and number of rural route plainly here)

"City or town (if any)_____
(Print city or town plainly here)

"County _____
(Print county plainly here)

"State _____
(Print State plainly here)

"Upon the other side of such envelope shall be printed the following oath at the top of which shall be set forth the date of the election:

"OATH OF ELECTOR FOR VOTING IN THE GENERAL ELECTION TO BE HELD IN 19__

"I do hereby swear (or affirm) that:

"(1) I am a citizen of the United States;

"(2) The date of my birth was_____

"(3) For ____ years preceding this election my home residence has been in the State of_____

"(4) For ____ years preceding this election my home residence has been in the (city, town, or village, if any) of _____ in the county of _____ at (street and number, if any, or rural route)_____;

"(5) I am in the armed forces of the United States; and that I have not voted and do not intend to vote in this election at any address other than the above; and that I have not received or offered, do not expect to receive, have not paid, offered or promised to pay, contributed, offered, or promised to contribute to another, to be paid or used, any money or other valuable thing as a compensation or reward for the giving of a vote at this election, and have not made any promise to influence the giving or withholding of any such vote; and that I have not been convicted of bribery or any infamous crime, or, if so convicted, that I have been pardoned or restored to all the rights of a citizen, without restriction as to the rights of suffrage.

_____
(Voter must write his usual signature here and oath must be administered and attested)

"Subscribed and sworn to before me this ____ day of _____, 194__.

_____
Commissioned, noncommissioned, or petty officer not below the rank of sergeant (or its equivalent) shall write his name here.

_____
Officer signing above shall print his rank or rating clearly here.

"(c) The Secretaries of War and Navy shall also cause to be prepared and printed an appropriate number of official outer envelopes for use in returning official Federal war ballots and official inner envelopes. Each such envelope shall be gummed ready for sealing. Upon such outer envelope the following shall be printed:

"Free of all postage, including air mail
"(Official Federal War Ballot)

"TO THE SECRETARY OF STATE OF THE STATE SHOWN BELOW:

"Voter's home address:

"Street and number (if any) or rural route _____
(Print clearly)

"City or town (if any) _____
(Print clearly)

"County _____
(Print clearly)

"State _____
(Print clearly)

"(d) Ballots, envelopes, and instructions for voting procedure for use under this title shall be suitable for air mailing.

"(e) The Secretaries of War and Navy shall also cause to be prepared and printed an adequate number of copies of instructions for voting procedure for use in accordance with the provisions of this title.

"(f) Where the Secretary of War or the Secretary of the Navy determines that the transmission abroad of any material required to be prepared and printed by the provisions of this section is inexpedient because of transportation difficulties or for other reasons arising from the conduct of the war, they are authorized to arrange for such material to be printed outside the United States.

"Balloting

"SEC. 3. (a) Any person voting under the provisions of this title shall privately mark

the ballot, place it in the official inner envelope and securely seal such envelope. He shall then fill in and subscribe the oath printed upon the official inner envelope. After the oath has been duly attested, the voter shall then place the official inner envelope in the official outer envelope, shall fill in and securely seal such outer envelope, and shall deliver it to a person designated by proper authority to receive executed ballots for transmission.

"(b) Any commissioned, noncommissioned, or petty officer not below the rank of sergeant (or its equivalent) in the armed forces of the United States is authorized to administer and attest such oaths as are required by this title.

"Lists of candidates

"SEC. 4. The secretary of state of each State shall furnish the Secretaries of War and Navy such information as they shall request for compiling a list of candidates and their parties in any general election for President and Vice President or for Senators and Representatives in Congress. The Secretaries of War and Navy shall compile lists of candidates on the basis of such information, and shall, in ample time for balloting under this title, transmit such lists to all units of the armed forces to the extent that such transmission is practicable and compatible with military operations. No such list of candidates shall contain any information with respect to any candidate other than his name and address, his party affiliation, and the office for which he has been nominated.

"Distribution and collection of ballots for members of the armed forces

"SEC. 5. (a) The Secretaries of War and Navy, insofar as practicable and to the fullest extent compatible with military operations, shall cause an adequate number of ballots, official inner envelopes, official outer envelopes, instructions for voting procedure, and lists of candidates to be distributed to members of the armed forces in ample time to insure an opportunity to vote in general elections under this title and shall cause executed ballots to be collected and transmitted to the postal authorities of the United States.

"(b) Wherever practicable and compatible with military operations the appropriate commanding officer shall be required—

"(1) to designate a balloting day for voting in general elections which shall be, wherever possible, after he has received a list of candidates from all States, but which shall not be later than the date which the Secretary of War or the Secretary of the Navy, as the case may be, may fix for the area in which his command is located;

"(2) to cause lists of candidates to be posted and otherwise made available at conspicuous and convenient places prior to and on the balloting day and to cause copies of instructions for voting procedure and all other necessary information to be furnished to members of his unit;

"(3) on the designated day, to cause official Federal war ballots and official envelopes to be distributed, to provide a convenient place for marking such ballots in secret, and to cause executed ballots to be collected and delivered for transmission;

"(4) to assume general responsibility for assuring that every voter in his unit has an opportunity to vote; and

"(5) to destroy, as soon as practicable after the balloting day, all official Federal war ballots in his custody remaining unused.

"Priorities

"SEC. 6. The Secretaries of War and Navy shall take all steps necessary to give to the transmission and delivery of official Federal war ballots, official envelopes, instructions for voting procedure, and communications under this title priority over all unofficial communications and priority over official communications except where, in the judgment of the appropriate military and naval authorities, such priority would interfere with the effective prosecution of the war. Ballots cast outside the United States shall, wherever practicable and compatible with military operations, be transmitted by air.

"Transmission

"SEC. 7. After the receipt by the secretary of state of any State of any ballot cast under this title, he shall at an appropriate time transmit it to the appropriate election officials of the district, precinct, or county or other voting unit of the voter's residence. No person other than such appropriate election officials shall open any official outer or inner envelope purporting to contain a ballot cast under this title.

"Reports

"SEC. 8. (a) The Secretaries of War and Navy shall report to the Congress on balloting under this title, including the number of ballots distributed, received, and transmitted, together with any comments thereon or explanation thereof.

"(b) Each secretary of state shall prepare an account of all ballots received by him and transmitted to the various election officials, who shall prepare accounts of all such ballots received and of all such ballots counted, and return such accounts to the secretary of state. Within 30 days after the last day for counting absentee ballots in any election in which ballots are cast under the provisions of this title, each secretary of state shall report such accounts to the Congress, together with any comments or explanation thereof.

"Validity of ballots

"SEC. 9. (a) The determination of the validity of ballots cast under this title shall be made by the duly constituted election officials of the several States. Such ballots shall be canvassed, counted, and certified in each State by its proper canvassing boards in accordance with the laws of such State in the same manner, as nearly as may be practicable, as ballots cast within its borders are canvassed, counted, and certified.

"(b) No executed official Federal war ballot shall be valid if—

"(1) The voter has also voted in person or by absentee ballot in accordance with the procedure provided by State law; or

"(2) The date of the oath of elector is later than the date of the holding of the election; or

"(3) Such ballot is received by the appropriate election official of the district, precinct, county, or other voting unit of the State of the voter's residence later than the closing of the polls on the date of the holding of the election, except that any extension of time for the receipt of absentee ballots permitted by State laws shall apply to ballots cast under this title.

"(c) All official ballot envelopes received by a secretary of state at a date or time too late for proper delivery, and all official ballot envelopes not delivered, to polling places or to the proper officials shall not be opened but shall be endorsed with the date on which they were received by such secretary and shall be retained by him until the time has expired for contesting the election, when they shall be destroyed under his supervision without examination.

"Voting safeguards

"SEC. 10. Every individual concerned with the administration of this title shall take all necessary steps to prevent fraud, to protect voters against coercion of any sort, and to safeguard the integrity and secrecy of ballots cast hereunder.

"Penalties

"SEC. 11. The provisions of State and Federal law prohibiting offenses against the elective franchise shall apply in the case of elections and voting conducted pursuant to the provisions of this title: *Provided, however,* That no act done in good faith by a member of the armed forces of the United States, in the exercise of his judgment as to what was practicable and compatible with military operations, shall constitute a violation of any such provision of law: *Provided further,* That such provisions of Federal law shall not be applicable to anything done by a State, county, or local official, or other individual, in connection with the counting, canvassing, or other handling of ballots cast under the provisions of this title after their receipt by the appropriate secretary of state.

"Appropriate State officials

"SEC. 12. Wherever, in any State, an official other than the secretary of state is the appropriate State official to carry out any function vested in the secretary of state under this title, the term "secretary of state" shall mean such other official.

"OFFICIALS AND AGENCIES TO ACT FOR SECRETARY OF STATE

"SEC. 13. Each secretary of state may utilize the services of such State and local officials and agencies for such purposes and to such extent as he may deem appropriate in the exercise of his powers and duties under this title.

"TITLE II

"VOTING UNDER STATE LAW FOR STATE AS WELL AS FEDERAL OFFICERS

"Post cards

"SEC. 21. In order to afford an opportunity for members of the armed forces to utilize State absentee balloting procedures to the greatest extent possible, in voting for Federal, State, and local officials, the Secretaries of War and Navy shall cause to be printed an adequate number of post cards for use in accordance with the provisions of this title. The Secretaries of War and Navy shall, wherever practicable and compatible with military operations, cause such post cards (or post cards provided under sec. 3 of the act of September 16, 1942, Public Law 712, 77th Cong.) to be distributed at appropriate times, for use for any general election at which electors for President and Vice President are to be voted for, to all members of the armed forces, such distribution to be made outside of the United States not later than August 15 prior to the election, and within the United States not later than September 15 prior to the election. The post cards referred to above shall also, wherever practicable and compatible with military operations, be made available to members of the armed forces at appropriate times, upon request, for use for general elections other than those referred to above and for primary and special elections.

"Upon one side of the post card shall be printed the following:

"Secretary of state of _____.

"Being in the armed forces of the United States, I hereby request an absentee ballot to vote in the coming _____ (primary, general, or special) election.

"(1) I am a citizen of the United States.

"(2) The date of my birth was _____.

"(3) For _____ years preceding this election my home residence has been in the State of _____.

"(4) For _____ years preceding this election my home residence has been in the (city, town, or village) of _____, in the county of _____, at (street and number, if any, or rural route) _____.

"(5) My voting district or precinct, to the best of my knowledge, is _____

"Please send the ballot to me at the following address:

_____

"(Print your name clearly above)

_____

"(Write your usual signature above)

"Subscribed and sworn to before me this _____ day of _____, 194__

_____

"(Commissioned officer writes here his name and rank)"

"Upon the other side of the post card shall be printed the following:

"Free of postage, including air mail (war ballot).

"Secretary of state of_____,

"_____,

"(City)

"_____,

"(State)

"Function of post cards

"SEC. 22. Such post cards (and post cards provided under section 3 of the act of September 16, 1942, Public Law No. 712, 77th Cong.) may be used, if State law permits, as applications for ballots under State absentee balloting laws, as application for registration under State absentee balloting laws, or as sources of information to implement State absentee balloting laws. No voter shall be precluded from voting under the provisions of title I of this act by reason of any post-card application made under this title, unless such voter casts an absentee ballot.

"Information regarding elections

"SEC. 23. The secretary of state of each State shall, at appropriate times, furnish the Secretaries of War and Navy with any information received from a secretary of state as to the dates of elections in such State, including general, special, and primary elections. The Secretaries of War and Navy shall cause, wherever practicable and compatible with military operations, such information to be made available to members of the armed forces.

"SEC. 24. (a) It shall, wherever practicable and compatible with military operations, be the duty of the Secretary of War, the Secretary of the Navy, and the Postmaster General, respectively, to cooperate with appropriate State officers and agencies in transmitting to and from persons to whom this act is applicable, making application therefor to their several States, such applications for registration, applications for ballots, absentee ballots, and envelopes to be used in connection therewith, as may be provided under the laws of the several States for the use of such applicants, either in primary or general elections, and the military and naval authorities shall cooperate in the execution by such applicants of oaths in connection with such ballots.

"(b) Such post cards, applications, ballots, and envelopes, and instructions for voting procedure, shall be transmitted free of postage, including air-mail postage, in the United States mails. The Secretaries of War and Navy, and the Postmaster General, shall take all steps necessary to give to the transmission and delivery of such applications, post cards, ballots, envelopes, and instructions for voting procedure priority over all unofficial communications and priority over official communications except where, in the judgment of the appropriate military and naval authorities, such priority would interfere with the effective prosecution of the war. Ballots cast outside the United States shall, wherever practicable and compatible with military operations, be transmitted by air.

"TITLE III

"MISCELLANEOUS

"Authorization for appropriations

"SEC. 31. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

"Transmission free of postage

"SEC. 32. The transmission of all communications under titles I and II of this act shall be free of postage, including air-mail postage, in the United States mails.

"Voting under State law permitted

"SEC. 33. Nothing in this act shall be deemed to restrict the right of any member of the armed forces of the United States to vote in accordance with the law of the State of his residence.

"SEPARABILITY

"SEC. 34. If any provision of this act or the application of such provision to any circumstance shall be held invalid, the validity of the remainder of the act and the applicability of such provision to other circumstances shall not be affected thereby.

"Amendments to act of August 2, 1939, as amended

"SEC. 35. The act of August 2, 1939, entitled 'An act to prevent pernicious political activities,' as amended (U. S. C., 1940 edition, title 18, secs. 61–61t; Supp. II, title 18, secs. 61h, 61u), is hereby amended by adding thereto the following new sections:

"'SEC. 22. It shall be unlawful for any officer of, or person employed in, the executive branch of the Federal Government, or any agency or department thereof, including the Army and Navy, to deliver or present or cause to be delivered or presented to persons in the armed forces of the United States any general communication, Government magazine, Government newspaper, motion-picture film, or other literature or material, or to make, or cause to be made, any broadcast to the armed forces of the United States, paid for in whole or in part with Government funds, or sponsored by the Government or any agency or department thereof, including the Army and Navy, and containing political argument or political propaganda of any kind designed or calculated to affect the result of any election for President, Vice President, Presidential elector, Member of the Senate, or Member of the House of Representatives, except that—

"'(1) nothing in this section shall prohibit the rebroadcast over Government-controlled radio stations of any political address, but equal time must if requested be given for such purposes to representatives of each political party which polled at least 10 percent of the votes cast in the most recent Presidential election;

"'(2) nothing in this section shall prevent the distribution to members of the armed forces of books, magazines, and newspapers which have a general circulation in the United States, or of servicemen's magazines or newspapers or the presentation to members of the armed forces of motion-picture films, radio broadcasts, or rebroadcasts; but no such distribution or presentation shall be undertaken by any Federal agency: *Provided, however,* That nothing herein shall prevent or interfere with the customary activities of the War, Navy, and Post Office Departments.

"'SEC. 23. It shall be unlawful for any censor or other officer, employee, or member of the executive branch of the Government, including the Army and Navy, to censor any letter, communication, magazine, newspaper, or other literature referred to in paragraph (3) of section 22 of this act, for the purpose of removing therefrom any political argument, political propaganda, or other political matter, except to the extent that such argument, propaganda, or other matter contains information which may be of value to the enemy in their prosecution of the war.

"'SEC. 24. Any person who violates the provisions of section 22 or section 23 of this act either within or outside of the United States shall upon conviction thereof be fined not more than $1,000 or imprisoned for not more than 1 year, or both.'

"Act of September 16, 1942

"SEC. 36. The provisions of the act entitled 'An act to provide for a method of voting in time of war, by members of the land and naval forces absent from the place of their residence,' approved September 16, 1942 (Public Law 712, 77th Cong.), except sections 1 and 2 thereof, are hereby repealed.

"Notification to State officials

"SEC. 37. It shall be the duty of the Secretary of State of the United States, at the earliest practicable date after the enactment of this act, to notify the Governor and secretary of state of each of the several States of such enactment."

Mr. RANKIN (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with, it to be printed in the RECORD.

Mr. TARVER. Mr. Chairman, reserving the right to object, has the Clerk as yet read the new section at the end of title 2?

The CHAIRMAN. The Clerk has not yet read that provision.

Mr. TARVER. If the gentleman from Mississippi will modify his request to allow that section to be read, I shall not object.

Mr. RANKIN. Mr. Chairman, I modify my request accordingly, the Clerk to read the proposed amendment to which the gentleman from Georgia refers.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that further reading of the amendment be dispensed with, it to be printed in the RECORD, but the Clerk to read the section referred to by the gentleman from Georgia. Is there objection?

There was no objection.

The Clerk read the section referred to.

The CHAIRMAN. The gentleman from Texas is recognized in support of his amendment.

Mr. RANKIN. Mr. Chairman, I wonder if we may not have some agreement as to time on this amendment.

The CHAIRMAN. It is not in order, of course, to limit debate until there has been some debate.

The gentleman from Texas [Mr. WORLEY] is recognized for 5 minutes in support of his amendment.

Mr. WORLEY. Mr. Chairman, I ask unanimous consent to proceed for 10 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The gentleman from Texas is recognized for 15 minutes.

Mr. WORLEY. Mr. Chairman, as far as the limitation of time is concerned let me say frankly I have no desire to filibuster on this bill. There has been filibustering on both sides in times past,

jockeying for position, because each side thought it was right. All I have ever desired was a fair, unbiased, unprejudiced consideration of the points involved in this controversy. I am more convinced now than I ever have been that this Congress cannot afford to divide on this question on the basis of which side of the aisle its Members are seated. The boys overseas in the uniform of the United States have forgotten politics; they have forgotten everything except the one major task they have to perform.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield.

Mr. MAY. One thing about this whole matter that disturbs me is the question of a blank ballot, ballots carrying no names.

Mr. WORLEY. If the gentleman from Kentucky does not mind, I intend to discuss that a little later.

The other day, Mr. Chairman, the gentlewoman from Ohio [Mrs. BOLTON] made a statement to the effect that we could not afford for the uniform of the United States to become a badge of disfranchisement. I believe all the people of the Nation, certainly every Member of Congress, will agree with that statement; but whether we like to admit it or not, Mr. Chairman, the uniform you see on the boys now sitting here in the House gallery, and the uniform you see on the average member of the armed forces is in reality such a badge.

Whether we like to admit it or not the fact is that when we declared war we took fellows out of their home States and we, by our acts and not by the action of the States, made it virtually impossible for most of those fellows to qualify to vote. Nobody intended to do that, no State official, and no State itself can be charged with intentionally doing that. I am sure the Members all realize that we can by inaction just as surely stifle the voices of the members of the armed forces as we can by affirmative and positive action—we can do so just as effectively as though we passed a law saying that no member of the armed forces should be permitted to have a voice in the affairs of this Nation. Under our present laws today they have the voice of second-class citizens. They are not denied a vote because anybody wanted them to be denied but because a majority of the 48 States' procedures was modeled for peacetime; the average State procedure never did contemplate that hundreds of thousands of its best citizens would be gone when election time rolled around. The average State absentee voting procedure was modeled to care for a few individuals who might be out of the confines of the State on vacation at the time of election, designed to care for traveling salesmen, perhaps, and others, but certainly not fashioned in anticipation of thousands of its citizens being absent in time of war. I am sure you will agree with that statement. I have contended all along that it is the State's primary duty to discharge its obligation to its own citizen soldier.

Mr. ELLSWORTH. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I had rather proceed a little further before yielding, if the gentleman will permit me to do so.

It is the State's primary duty. I view with no little alarm the tremendous concentration of power in the hands of the Federal Government, but I have noticed that the Federal Government generally secured that power because the States voluntarily relinquished it to get something back—maybe something for nothing but quite often nothing more than a mess of pottage. So, whether my bill is approved or not, the wide discussion this subject has brought about has done one good thing, and whatever I have done to help that along I was glad to do. I will not feel badly about losing my proposal because it has the States recognize a duty they, like Congress, owe the soldiers.

Most of the States have or will change their laws so they can meet and discharge that responsibility to 11,000,000 of the finest men and women this Nation and this world has ever known. I have no desire to wave the flag or to appeal to passion or prejudice. Those are facts. The fact that most members of the armed forces cannot participate in his State election was absolutely true as of January 1, 1944. I want to assist the States as much as we can to help their men vote in the primary election, to have them vote in any special election and to have them vote in any general election, and if we have the power I would be glad to accept amendments to this bill to provide that they can vote on constitutional amendments. Perhaps we can do that.

The constitutional questions which have been leveled at my proposal, I concede have some degree of merit. The question of registration and payment of the poll tax have always been left within the hands of the States in peacetime. However, registration alone does not necessarily, in my opinion, go to the question of qualification. We have ample power under the war powers of the Constitution to permit a member of the armed forces to vote for Federal officials without the necessity of registering because the Members of Congress and the Federal Government were responsible for taking them out of the State and making it impossible for them to qualify. I take the position, which I think is perfectly sound, that if we have the power to do that we likewise have the power to compensate for the injury done him. I am looking primarily to the spirit of the Constitution and not the legalistic reasoning that some of us are inclined to employ. I concede there is ground for argument. I concede further the sincerity of those who oppose the proposition. I simply do not agree with them.

The second section of the bill which I have offered as a substitute does everything that I could conceive of doing to encourage the Army and Navy to utilize the State absentee ballot machinery. The first section applies to the Federal ballot. There is no question in my mind but what most of the States will make it easier for their men to vote by amending their own absentee laws, plus the cooperation provided in section 2 of this bill or the committee bill, either one of them. I think it would be helpful, and I think most of those who are within the continental limits of the United States will be permitted to exercise their voices in all State elections back home. It is not going to be easy, but I believe it will be possible.

The first section represents to me all we can do to help them cast their votes for or against all Federal officials. We have to respect the constitutional limitations placed upon us. We all took an oath of office to uphold and defend the Constitution, and I think all of us took the same oath with the same sincerity; but the constitutional question presently employed as an argument is meaningless at this time.

If Public Law No. 712 was unconstitutional, then it should never have been passed. If the majority of the Congress still thinks that it is unconstitutional, then it ought to be repealed. But the Congress by a majority, a heavy majority vote, said that it is constitutional, that we have the power to waive registration, and that we have the power to waive payment of the poll tax. So far as Congress is concerned, we have spoken. It is the law of the land. So instead of arguing the constitutional question at this time, because there are no new constitutional questions involved in my proposal, we simply are begging the question.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. WORLEY. I yield to the gentleman from Texas.

Mr. SUMNERS of Texas. As I understand it, the bill of the gentleman from Texas does not challenge the constitutional powers of the States to determine the qualification of their voters? I have understood that the gentleman has eliminated that serious question with regard to this bill.

Mr. WORLEY. The gentleman from Georgia has offered an amendment, which I incorporated in the substitute, which in determining the validity of the ballot leaves out the question of poll tax or registration.

Mr. SUMNERS of Texas. Yes.

Mr. WORLEY. But in another section, in a concluding section, we repeal all but sections 1 and 2. You will have the same question. That was put in there deliberately because I think this Congress ought to go on record as being for the present law or being opposed to it. It was put in there so we could meet the issue fairly and squarely. We cannot afford to have constitutional arguments leveled at this proposal (Public Law 712) all the time. It should be repealed or made to mean something.

Mr. SUMNERS of Texas. In order to get it definitely in our minds, I had understood that the gentleman offered an amendment. Is that so?

Mr. WORLEY. On page 10.

Mr. SUMNERS of Texas. My distinguished friend in charge of this bill has shown a very fine spirit. I had hoped that the amendment offered by the gentleman from Georgia or proposed by him

which I understood had been accepted by the gentleman from Texas would rid us of this controversial question as to whether or not the Congress could pass a bill which would ignore the power of the States to determine the qualification of its voters. If that could be done, if the proponents of this legislation could consent to the elimination of that question, then I think we could very easily get to this bill.

Mr. RANKIN. Will the gentleman yield?

Mr. SUMNERS of Texas. I am simply speaking for myself.

Mr. WORLEY. That amendment is in here. I have accepted it; I have incorporated that amendment in my substitute, but the issue will still have to be faced in section 36, page 19. We should either strike it all out and repeal it or we should make it mean something, so there will be no doubt in anyone's mind.

Mr. TARVER. Will the gentleman yield?

Mr. WORLEY. I yield to the gentleman from Georgia.

Mr. TARVER. The gentleman will realize, of course, that with the amendment of mine which he has accepted, section 9 (a) will read:

> The determination of the validity of ballots cast under this title shall be made by the duly constituted election officials of the several States. Such ballots shall be canvassed, counted, and certified in each State by its proper canvassing boards in accordance with the laws of such State in the same manner, as nearly as may be practicable, as ballots cast within its borders are canvassed, counted, and certified.

The gentleman agrees to that, does he not?

Mr. WORLEY. Yes. I may say there is no little confusion in this particular section, but I hope we can clarify it.

Mr. MICHENER. Will the gentleman yield?

Mr. WORLEY. I yield to the gentleman from Michigan.

Mr. MICHENER. I am very much interested in that explanation. Then, as a matter of law, as well as a matter of fact, if the amendment is adopted which the gentleman from Texas says he has consented to, the Congress will in effect repeal the part of the existing law which waives the poll-tax issue, leaving the poll-tax issue right back where it was and where it has always been, with the States?

Mr. WORLEY. That is the construction of the gentleman.

Mr. MICHENER. I may say right here that I have a telegram from the organizer of the Communist Party at Jackson, Mich., objecting to that.

Mr. WORLEY. I am sure the gentlemen on the minority side pay little or no attention to such communications.

Mr. TARVER. The gentleman's statement, in my judgment, is only partially correct. The determination as to whether or not ballots shall be rejected upon the grounds of nonregistration or nonpayment of poll tax is to be made by the election officials under State law, according to the terms of the Worley substitute as now amended.

Mr. WORLEY. The gentleman is eminently correct on that point.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield to the gentleman from Mississippi.

Mr. RANKIN. From my viewpoint, this does not help the bill at all. It still leaves this bobtailed ballot in there that is prohibited by the laws in a great many of the States. That leaves out the opportunity of the man to vote for State and county officials and also leaves out the opportunity to vote in the primaries. It disfranchises everybody in the gentleman's State and my State.

Mr. WORLEY. With all respect to the gentleman from Mississippi, let me say he has made the statement on several occasions that this bill would disfranchise everybody in the State of Texas and in Mississippi and other States. With that conclusion I cannot agree.

Mr. RANKIN. The servicemen.

Mr. WORLEY. The servicemen particularly. I cannot agree with that conclusion.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. KLEIN. Mr. Chairman, I ask unanimous consent that the gentleman from Texas be permitted to proceed for 10 additional minutes.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Chairman, this is the main amendment. We should take some time for debate on this particular amendment. If the gentleman from Texas speaks for half an hour, someone on the opposite side should be permitted to speak that length of time also.

Mr. RANKIN. Reserving the right to object, Mr. Chairman, may I say to the gentleman that whatever time the gentleman from Texas speaks, I think I should have that amount of time.

Mr. WORLEY. As far as I am concerned, I should be glad to give the gentleman from Mississippi the same amount of time or even more time.

Mr. RANKIN. It seems to me this thing has been thrashed out here before. It is just a rehash of what you had yesterday. It seems to me that if these other gentleman want 5 minutes each we ought to be letting them have some time, so I hope the gentleman from New York will cut the request to 5 minutes, at any rate.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the gentleman from Texas be permitted to proceed for 10 additional minutes. Is there objection?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Chairman, what is the understanding going to be as to the future?

Mr. WORLEY. I have no idea.

Mr. MARTIN of Massachusetts. If we are not going to finish the bill tonight, of course this is one good way to do it.

Mr. RANKIN. We must finish the bill today if it is possible.

Mr. WORLEY. All I desire is for the gentleman from Massachusetts and everyone else to have an opportunity to be heard, because this is a very important bill.

Mr. MARTIN of Massachusetts. We have been trying for 2 months to get this bill to the floor and get it to a vote.

Mr. WORLEY. That is right; so have I.

Mr. RANKIN. I wonder if we could agree on the time.

Mr. MARCANTONIO. Mr. Chairman, I demand the regular order.

Mr. COCHRAN. The regular order, Mr. Chairman, is whether or not there is objection to the request of the gentleman from New York.

The CHAIRMAN. The regular order has been demanded.

Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield to the gentleman from Michigan.

Mr. DONDERO. With reference to the question of the gentleman from Texas [Mr. SUMNERS], as to whether or not we can pass a law here to supersede the State laws, is not the answer in the Constitution that we can do so only as far as the time, place, and manner of holding elections for Members of the House and the Senate is concerned, and beyond that we cannot go?

Mr. WORLEY. If that is true, there would be no constitutional question involved if Public Law 712 were repealed.

Mr. ALLEN of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield to the gentleman from Louisiana.

Mr. ALLEN of Louisiana. I appreciate very much the fairness of the gentleman from Texas. The gentleman from Texas and the gentleman from Georgia have stated also that under the amendment of the gentleman from Georgia the validity will be determined by State election commissioners.

Mr. WORLEY. Yes.

Mr. ALLEN of Louisiana. If that is so, how are you going to get this ballot counted that has no name printed on it, if the constitution of a State provides that no ballot can be counted unless the names are printed on the ballot?

Mr. WORLEY. Originally I said that the only way most of the fellows overseas would be able to vote at all would be through the closest possible cooperation between the Congress and the States. I repeat that statement in answer to your question. I say that if your constitution forbids the bobtailed ballot, if that is the literal construction of your constitution, then it probably would not be counted unless Louisiana changes her laws to accommodate it.

Mr. ALLEN of Louisiana. In such case, the State would have to stand solely on the State ballot.

Mr. WORLEY. I see no other conclusion to be drawn from that.

Mr. TARVER. That is my opinion. I think the gentleman is correct.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield to the gentleman from Louisiana.

Mr. BROOKS. Along that same line, is there no relief under the gentleman's

bill that we could offer the soldiers coming from the State of Louisiana who want to vote? Is there nothing afforded under this bill that would help out the soldiers?

Mr. WORLEY. Yes.

Mr. BROOKS. Under the provision for giving them a Federal ballot, is there anything that would help them?

Mr. WORLEY. We get it to the soldiers from Louisiana and get it back.

Mr. DEWEY. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. WORLEY. I yield.

The CHAIRMAN. The gentleman from Illinois will state his parliamentary inquiry.

Mr. DEWEY. Mr. Chairman, will it be possible to offer an amendment to the substitute amendment which the gentleman from Texas is now discussing, and if so, when?

The CHAIRMAN. It will be in order, and it will be in order when the gentleman can get recognition.

Mr. MILLER of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield to the gentleman from Connecticut.

Mr. MILLER of Connecticut. Does the language of the amendment offered by the gentleman from Texas involve the question that was debated at such length in the other body, the so-called Overton amendment?

Mr. WORLEY. I think it does. I am not too familiar with the Overton amendment.

Mr. MILLER of Connecticut. I am referring to the language which provides that the validity of the ballot must be decided according to State law.

Mr. WORLEY. I believe it does.

Mr. MILLER of Connecticut. By that amendment do you also to all practical purposes repeal the sections of Public Law 712 relating to the poll tax and other requirements?

Mr. WORLEY. There is a close question on that point.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield to the gentleman from Ohio.

Mr. BENDER. As a friend of the gentleman's bill, I should like to ask a question. Is the gentleman yielding on this poll-tax provision for the purpose of garnering a few Southern votes?

Mr. WORLEY. No. I am not yielding anything to garner any votes. I want the Congress of the United States to face its responsibility one way or the other. If you will not pass a bill here because you say it is unconstitutional, then let us repeal that. I am speaking of the majority.

Mr. BENDER. I just cannot understand the gentleman's position in yielding on this issue that we succeeded in getting through here in the last session of Congress.

Mr. WORLEY. The gentleman knows that a lot of Members on his side of the aisle voted for this 2 years ago, yet they stand up in the well of this Chamber today and condemn it as being unconstitutional.

Mr. BENDER. That is not my position.

Mr. WORLEY. It is not my position, either.

Mr. BENDER. But I understand the gentleman is yielding on this issue.

Mr. WORLEY. I think it helps to bring the issue to a head. We ought to act one way or the other.

Mr. KLEIN. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield to the gentleman from New York.

Mr. KLEIN. With reference to section 9 (a), the gentleman stated before that there were two States that had requirements in their constitutions that no absentee votes could be cast.

Mr. WORLEY. That is right.

Mr. KLEIN. Is it not a fact that this disenfranchises the soldiers who come from these two States?

Mr. WORLEY. If the gentleman does not mind, I would like to answer that question later.

A great deal of criticism has been directed at the testimony given by the Army and Navy as to what they could do and could not do in transporting ballots. Let me read from official statements made by the Secretary of War, Mr. Stimson, and by the Secretary of the Navy, Mr. Knox, whom I think are doing good jobs, regardless of what their politics might have been or are at the present time. If we cannot trust them, if we cannot believe them, then there is nobody in this world we can believe. If we are willing to trust them to win this war, then certainly we can trust them to reliably tell the Congress what they can do and what they cannot do. You cannot lightly dismiss their testimony, regardless of how badly you may try or how badly you might want to.

Let me quote from a letter of January 11 from the Secretary of War:

> The War Department has already indicated, in connection with a prior version of S. 1285, that it may be possible, weather and military conditions permitting, in respect to one election, to carry in bulk by air, overseas and back, within a short time, ballots which are uniformly light in weight and small in size. But the War Department does not believe that such expeditious carriage can be made a matter of daily routine over several months or weeks.

Let me tell the gentlemen of the House that the Army and Navy are 50 percent behind now in the air-mail deliveries to north Africa, and they are likewise behind with the air-mail deliveries in the Southwest Pacific. I continue further reading from this letter:

> The War Department is now bending every effort to fly to and from the front as much home mail as possible. It regards the receipt of such mail overseas and at home as the most important morale factor in the war. At the present time there is not available sufficient plane space to carry all the letters to and from home. As more men go overseas the volume of this vital home correspondence will increase, further taxing air facilities. The bulk of a single average State absentee ballot, plus envelopes and voting instructions (averaging 3 ounces altogether), would by its size and weight displace over a thousand V-mail letters in microfilm.

Mr. Chairman, no matter how badly we might want to pass a bill giving the vote to the soldiers, the fact remains that they would rather have mail from home than any kind of a ballot, whether State or Federal. Nobody can say we have enough planes today. We do not have enough to send over Berlin, Tokyo, and Rome. We are using as many planes as we can spare now to carry air mail, personnel, and drugs. They are carrying drugs and medicines in those airplanes, that are necessary for our men to live. They do not have all the facilities they need even for those important functions, and they state positively that they do not. It is up to us to recognize these facts if we are sincere and conscientious in our approach to this problem, and I believe that we are all sincere. All of you who have studied this question at any length, and you have the report of the committee before you, can easily see the difficulty of operating under 48 different State procedures by the Army and the Navy. They say they cannot get the State ballots overseas to any degree. It is up to us to work out the best plan that we can in the face of realistic conditions brought about by the war. We cannot be less alert in looking out for their welfare and rights than they are in looking out for ours.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MARCANTONIO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MARCANTONIO. I would like to know the exact parliamentary status of the Tarver amendment to the Worley substitute.

The CHAIRMAN. There is only one thing pending now, and that is the amendment offered by the gentleman from Texas [Mr. WORLEY]. The Chair might state his understanding, that the gentleman from Texas included the amendment of the gentleman from Georgia [Mr. TARVER] in his amendment.

Mr. MARCANTONIO. Therefore, we do not have before us the Tarver amendment except as a part of the substitute.

The CHAIRMAN. It is a part of the pending amendment offered by the gentleman from Texas.

Mr. WORLEY. Mr. Chairman, a parliamentary inquiry. I have several amendments to be offered to the substitute. Is it in order for me to offer those at this time or later, or are they to be offered indiscriminately?

The CHAIRMAN. It is in order to offer an amendment to the pending amendment at any time that recognition can be secured.

Mr. WORLEY. Do members of the committee have priority?

The CHAIRMAN. Members of the committee are entitled to first recognition.

Mr. COCHRAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COCHRAN. Would it be in order for the gentleman from Texas now, who, the Chair says, has included in his substitute an amendment that will repeal the poll tax contained in the Ramsay law, to withdraw that now, so that those who are opposed to a repeal of the poll

tax and who are still in favor of his bill, would have the opportunity to vote on it?

The CHAIRMAN. It would require unanimous consent for the gentleman from Texas to withdraw his amendment or modify it, as indicated by the gentleman from Missouri.

Mr. COCHRAN. I appeal to the gentleman from Texas to ask unanimous consent to do that.

The CHAIRMAN. Is the gentleman from Texas seeking further recognition?

Mr. WORLEY. I have an amendment to offer but I yield now to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. I desire to get some agreement as to time on this substitute. I ask unanimous consent that debate on this substitute or on this amendment and all amendments thereto, close in 1 hour.

The CHAIRMAN. Is there objection?

Mr. WRIGHT. I object.

Mr. MARCANTONIO. I object.

Mr. RANKIN. How much time would the gentleman from New York want?

Mr. MARCANTONIO. I want 5 minutes.

Mr. RANKIN. Mr. Chairman, I make that 1 hour and 30 minutes.

Mr. WRIGHT. I still object.

Mr. RANKIN. Then I move that all debate on this amendment and all amendments thereto close in 1 hour and 30 minutes. We are going to try to finish this bill tonight. I move that all debate upon this substitute and all amendments thereto close in 1 hour and 30 minutes.

Mr. WRIGHT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WRIGHT. I myself have an amendment to offer to the Worley amendment and I would like to be recognized for 5 minutes. Under the arrangement would I be recognized?

The CHAIRMAN. The Chair is unable to state definitely. The Chair would try to recognize all Members, especially those who have amendments to the pending amendment.

Mr. RANKIN. Mr. Chairman, I withdraw my motion for the time being.

Mr. MILLER of Connecticut. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MILLER of Connecticut. Will the Chair advise me as to whether amendments will be considered to the Worley amendment in the order of the sections in the Worley substitute?

The CHAIRMAN. No, they can be offered at any time. The Chair would state that he is advised that the gentleman from Texas, as chairman of the committee, has several amendments to offer to his pending amendment. The gentleman would be entitled to first recognition. The Chair recognizes the gentleman from Texas to offer an amendment which the Clerk will report.

Mr. MARTIN of Massachusetts. Then the gentleman from Texas will have recognition on three different amendments in a row? Should they not be acted on as they are offered?

The CHAIRMAN. We have not had any action on the first amendment.

Mr. MARTIN of Massachusetts. This is an amendment to the pending amendment.

The CHAIRMAN. Of course, an amendment to an amendment has to be acted on before the amendment can be acted on.

Mr. CASE. It is possible for a member to offer an amendment to an amendment that he has already proposed?

The CHAIRMAN. Of course, if it is in the nature of a modification of a pending amendment.

Mr. BENDER. Is it not a fact that the Tarver amendment has been accepted by the author of the Worley bill and that it has been made a part of his amendment?

The CHAIRMAN. Nothing has been accepted. There is an amendment now pending before the Committee, and the gentleman from Texas offers an amendment to that amendment.

Mr. CASE. Mr. Chairman, I make the point of order that the gentleman from Texas may not be recognized to offer an amendment to an amendment which he has offered in his personal capacity. The substitute amendment that he has offered is not offered as a committee amendment in his capacity as chairman of the committee. The reason for that is obvious, and that is that the committee bill is already before us. For him to be recognized to offer an amendment to his own amendment is equivalent to asking permission to modify his own amendment, and that can be done only by unanimous consent.

The CHAIRMAN. The gentleman from South Dakota is technically correct. The gentleman from Texas can only modify his pending amendment by offering an amendment to it through unanimous consent.

Mr. WORLEY. I seek to modify, and I seek to amend. I am here only in my capacity as a member of the committee.

Mr. RANKIN. There is no objection to the gentleman offering his amendment, but I submit that he should not offer an amendment and then take 25 minutes to discuss it, and then seek to amend that amendment after that.

The CHAIRMAN. That is exactly the reason the Chair has stated that the point of order made by the gentleman from South Dakota [Mr. CASE] is technically correct.

Mr. CASE. I have made the point of order merely for the purpose of protecting the time of some of the men here. This amendment can be offered by somebody else. Let somebody else have the floor.

Mr. WORLEY. These amendments are largely corrective. There are very few of a controversial nature. In fact, I do not know of any.

Mr. CASE. Then, Mr. Chairman, in view of the precedents and the integrity of the House, should not the gentleman from Texas offer them and ask to have them considered by unanimous consent in keeping with the precedents of the House?

The CHAIRMAN. The gentleman from Texas [Mr. WORLEY] can do so.

Mr. WORLEY. Mr. Chairman, I appreciate the kindness of the gentleman from South Dakota.

Mr. Chairman, I ask unanimous consent to offer my amendments.

Mr. WHITTINGTON. Mr. Chairman, I ask that the amendments be reported so that we will know what the unanimous-consent request is.

The CHAIRMAN. Does the gentleman from Mississippi [Mr. WHITTINGTON] want all the amendments reported now or as they are offered?

Mr. WHITTINGTON. Mr. Chairman, I certainly think if we are being asked by unanimous consent to incorporate all of the amendments as part of the substitute, all of them ought to be read.

The CHAIRMAN. No; the request of the gentleman from Texas [Mr. WORLEY] is for unanimous consent that he may offer his amendment.

Is there objection?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. WORLEY: On page 2, line 17, after the word "title" and before the period, insert the following: "if he does not vote for such officers in accordance with absentee voting procedure provided for by the State of his voting residence."

Mr. RANKIN. Mr. Chairman, I make the point of order that the gentleman from Texas has no right under the rules of the House to take up the time on his own amendment and then offer amendments to his own amendment and claim time under it to the exclusion of other Members. There are other Members who want to speak on this bill. That is the reason I withdrew my motion awhile ago.

The CHAIRMAN. Unanimous consent has been granted for the gentleman from Texas [Mr. WORLEY], to offer an amendment to his amendment.

Mr. RANKIN. I understand there was no objection to his offering the amendment, but I do object to his taking up the time of the House and that of other Members, to debate on an amendment to his own amendment.

The CHAIRMAN. Of course, that is within the control of the Committee. The Committee granted unanimous consent to the gentleman from Texas to offer an amendment to his amendment. That consent has been granted. The gentleman from Texas [Mr. WORLEY], is entitled to recognition for 5 minutes in support of his amendment.

Mr. WORLEY I will not take the 5 minutes. If each Member has a copy of the bill, I think I can run through these pretty quickly. The purpose of this amendment is to make it absolutely clear that the Federal ballot cannot be used if the voter has voted under his State procedure. That is the purpose of the amendment. That is what we are trying to do, to encourage him to use his State ballot. This amendment would follow the paragraph on page 2, of H. R. 3982, which reads as follows:

(b) During the period of the duration of the present war and 6 months thereafter, in order to promote the national security and the war effort, every individual who is a member of the armed forces of the United States, and who is absent from the place of his voting residence and qualified to vote under the law of the State of his voting residence in any election for electors of Presi-

dent and Vice President of the United States, United States Senators, and Representatives in Congress, shall be entitled to vote for such officers in accordance with the provisions of this title.

That means he votes his State ticket before he votes the other ballot.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield.

Mr. RANKIN. In other words, if he votes the bobtailed ballot he cannot vote the State ballot?

Mr. WORLEY. No, no; just the contrary.

Mr. RANKIN. Well, you cannot vote them both.

Mr. WORLEY. No, no. The uniform ballot will not be counted if he votes both State and Federal ballots.

Mr. RANKIN. That is what I just stated. What is the use of voting them if they cannot be counted?

Mr. WORLEY. It is not the function of the Federal Government to count them.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield.

Mr. TARVER. The amendment now being offered by the gentleman is not all of the language of the section as it reads with the amendment. The gentleman from Texas adds by amendment only the last few words read.

Mr. BISHOP. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield.

Mr. BISHOP. Do I understand correctly that if he voted the Federal ballot and he then received a State ballot, he would not be entitled to vote?

Mr. WORLEY. No; that is not correct. He can mark the State ballot. There is a distinction between marking and voting. I provide further if he has cast a State ballot and it gets to his election precinct in time and the Federal ballot gets back there also, then only the State ballot will count. The Federal ballot will automatically be invalid.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield.

Mr. HALLECK. Of course, it is understood that this short ballot, this so-called bobtailed ballot, will be distributed way ahead of time and will be there available?

Mr. WORLEY. That is correct. That has given rise to a lot of suspicion that the Federal ballot will be insisted upon.

Mr. HALLECK. I was just about to inquire, Would there be available an opportunity for any such insistence that the soldier, having voted that one, might be inclined to say, "Well, I guess I better let it go at that"?

Mr. WORLEY. I do not think so, because we make it mandatory on the Army and Navy to distribute post-card applications for ballots prior to August 15 overseas, which is 84 days before election, and prior to September 15 within the continental United States. Therefore, the soldiers will use the State ballot if we can get them to use it.

Mr. GEARHART. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield.

Mr. GEARHART. Suppose the bobtailed ballot is sent to the voter and later on there comes to him a State ballot and he votes first the bobtailed ballot and it gets back first and is counted. Then the State ballot comes in. What are you going to do about that?

Mr. WORLEY. If the State ballot comes in too late to be counted, then the Federal ballot will be counted.

Mr. GEARHART. I did not say that the State ballot comes in too late to be counted. I say it comes back in time to be counted, but the other ballot got there first and has already been counted.

Mr. WORLEY. I doubt if any State counts the ballots until the election day. At least they do not in Texas.

Mr. GEARHART. The gentleman is talking about conditions which obtain in 48 States. Can he say every one of the 48 States provides for the counting of every one of the ballots on a single day?

Mr. WORLEY. I can say this. I think every one of the States provides that ballots shall not be counted until the election; is that correct?

Mr. GEARHART. Of course, Texas might do that. But the gentleman from Texas does not know what every State, by a State law, provides to deal with a situation of that kind. For instance, in California, under an old law which has recently been changed, you can count ballots up to the sixth day after the election.

Mr. WORLEY. This amendment is to make it clear that the Federal ballot may be used only if the voter has not voted under State procedure. But if he votes under the State procedure then the Federal ballot is not counted.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Texas [Mr. WORLEY].

The question was taken; and on a division (demanded by Mr. ROWE) there were—ayes 103, noes 108.

Mr. BONNER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. BONNER and Mr. RANKIN.

The Committee again divided; and the tellers reported that there were—ayes 127, noes 153.

So the amendment to the amendment was rejected.

Mr. BONNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BONNER:

On page 4, in the form of the official inner envelope, immediately above "City or town (if any)----------", insert the following:

"Voting district or precinct (if known) ----------"

(Print plainly here)

On page 5, in the matter appearing below line 6, immediately above "City or town (if any)----------", insert the following:

"Voting district or precinct (if known) ----------"

(Print clearly)

Mr. BONNER. Mr. Chairman, this amendment merely clarifies the bill. It assists the voter by giving him a place where he may write in his voting district or precinct, that being printed on the ballot.

Mr. CASE. Mr. Chairman, will the gentleman yield?

Mr. BONNER. I yield.

Mr. CASE. During the time the teller vote was being taken I examined the amendments at the desk and find there are some 18 including the one now under consideration. It would be possible under the rules of the House, with 5 minutes for and 5 against each amendment to take 180 minutes in debate on these 18 amendments, to say nothing of the time that might be consumed in voting and by others who might want to be heard on some of the amendments. I think we might be able to save some time if the gentleman from North Carolina would ask unanimous consent to modify the basic pending amendment by these clarifying amendments. If that could be done it would save a great deal of time.

Mr. WORLEY. I appreciate that and I have no objection. I ask unanimous consent that I may be permitted to modify it.

Mr. BONNER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BONNER. Am I not entitled to 5 minutes on the amendment I have just offered?

The CHAIRMAN. The gentleman from North Carolina was recognized. He yielded to the gentleman from South Dakota.

Mr. BONNER. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. TARVER].

The CHAIRMAN. The gentleman cannot yield his time to another but may yield for a question during his time to any Member he wishes.

Mr. WORLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WORLEY. I wish to know, and I am sure those on the other side do too, what would be the effect of the request to modify my amendment so that these 18 amendments would be considered and included in the substitute?

The CHAIRMAN. Permit the Chair to suggest to the gentleman from Texas that it might be better to ask unanimous consent that all of his amendments to the pending amendment be considered en bloc.

Mr. WORLEY. Mr. Chairman, I ask unanimous consent that these pending 18 amendments may be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. HALLECK. Mr. Chairman, I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

Mr. TARVER. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. TARVER: Amend the Worley substitute by inserting after the

word "above" in line 3 on page 5 the words "nor by any other ballot."

Mr. TARVER. Mr. Chairman, I have three amendments, including this, now pending at the Clerk's desk. I should like to ask unanimous consent to speak for 10 minutes on the three amendments rather than to secure recognition later in the debate. The effect will be that of saving 5 minutes. I therefore ask unanimous consent that in the discussion of this amendment I be allowed to discuss the other two and to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

Mr. STARNES of Alabama. Mr. Chairman, reserving the right to object, will the gentleman from Georgia then offer his three amendments en bloc since he is going to speak "en bloc"?

Mr. TARVER. Oh, no. I think I will satisfy the gentleman on that point.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

Mr. HOFFMAN. Mr. Chairman, I object.

Mr. TARVER. Then, of course, I will get recognition later on. I want to discuss the other amendments.

The CHAIRMAN. The gentleman from Georgia is recognized for 5 minutes.

Mr. TARVER. Mr. Chairman, this amendment which I have just offered is one which in my judgment is needed to the language of the Worley amendment. I cannot discuss it and have any time left to discuss other matters. This amendment gives me 5 minutes. However, it is not, in my judgment, as important as the two other amendments which I have placed on the clerk's desk and which have been incorporated in the Worley substitute and unless eliminated therefrom will be voted on at the same time that the Worley substitute is voted on by the committee.

I do not think it advisable at this time to discuss the reasons which I think justify the pending amendment, which I shall later withdraw, but, if I may be permitted to do so, I would like to point out that in the adoption in the Worley amendment of my amendment to section 9 (a), eliminating the objectionable provision in that section, and in accepting my amendment to section 9 (a) the gentleman from Texas [Mr. WORLEY] has, in my judgment, removed one of the strongest objections that many of us had to the language of his original bill. The removal of the language in section 9 (a) which would have required State election officials to give effect to sections 1 and 2 of what is known as the Ramsay Act leaves that section providing that the State election officials shall decide all questions relating to the validity of the ballots and that they shall decide those questions under State laws. When those provisions are taken in connection with the proviso in section 1 (b), that the ballot therein provided for shall only be voted by a person qualified to vote under the laws of the State, it is, I think, perfectly apparent that there had been eliminated the constitutional objection which I as well as others have raised to the bill because of the objectionable provision, attempting to do something to fix the qualifications of the voters in the States which is beyond the power of the Congress.

There are many of us who could not support any legislation containing a provision such as was contained in this section of the original Worley bill since in our judgment such a provision is violative of the Constitution of the United States. Perhaps we are wrong in that position, perhaps those who try to uphold the constitutionality of that provision are right, but, nevertheless, we could not under our consciences and in our interpretation of the Constitution and of that section vote for the bill if it included that provision.

Since that provision has been removed by the present Worley substitute that constitutional objection no longer obtains, and, so far as I am concerned, with the other amendment which in substance I read into the RECORD on Tuesday also now included in the Worley substitute, providing for assistance on the part of Federal authorities in bringing about voting by these service men and women in the State primaries and in general elections under State laws, I think that there ought to be no reasonable objection to the Worley substitute and that it is the best compromise proposal in trying to provide the ballot for these men and women in the armed service that can probably be worked out.

May I point out one other thing, and that is that this second amendment, section 24 (a) and 24 (b), providing for assistance on the part of the Navy and War Departments and the Postmaster General in transmitting applications for ballots, and ballots to and from the soldiers in the armed forces for voting under State absentee voting laws and in State primaries, in my judgment, does more to aid the men and women in the services to cast effective ballots than anything else contained in the bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TARVER. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia [Mr. TARVER]?

There was no objection.

Mr. TARVER. Mr. Chairman, further, section 24 (a) and 24 (b) are taken almost verbatim from the committee bill. The gentleman from Mississippi [Mr. RANKIN], as well as the gentleman from Texas [Mr. WORLEY], have done yeoman service in trying to clarify according to their conflicting views these issues, and this Worley amendment is a compromise bill which includes some of the main ideas of both of those gentlemen.

Mr. WRIGHT. Will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Pennsylvania.

Mr. WRIGHT. The Worley substitute as it is now written in effect repeals sections 1 and 2 of the Public Law 712 or at least if it does not repeal them, it does not give them any practical application?

Mr. TARVER. It does not reenact sections 1 and 2 of what is known as the Ramsay Act. It does not repeal sections 1 and 2 of the Ramsay Act. Section 36 of the substitute makes that provision. It simply leaves sections 1 and 2 of the Ramsay Act for whatever it is worth on the statute books, but section 9 (a) now puts the power in the hands of the State election officials to decide the validity of the ballots according to State laws. That is what I am in favor of doing and that is probably what a majority of the membership of the House are in favor of doing.

Mr. COCHRAN. Will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Missouri.

Mr. COCHRAN. If your amendment prevails and section 36 prevails, where do we stand then?

Mr. TARVER. My amendment is already in the Worley substitute.

Mr. COCHRAN. But a motion can be made to strike it out.

Mr. TARVER. That is true. Of course, if the House should strike out the amendment which provides that assistance shall be given to the service men and women in voting in the primaries, under State absentee voting laws, as well as in general elections under the same laws, if it should reinsert in section 9 (a) the language stricken by my amendment and continue this provision which we regard as unconstitutional and not binding upon the election officials of the States, I, for one, and many others who intend to vote for it would be opposed to the Worley bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COCHRAN. Mr. Chairman, I ask unanimous consent that the gentleman may have 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. COCHRAN]?

There was no objection.

Mr. COCHRAN. If your amendment prevails and section 36 remains in the Worley substitute, is there not a conflict?

Mr. TARVER. Not in the least, and I will explain it if the gentleman will give me the time which he has so kindly procured for me.

Section 9 (a) as it was in the original Worley bill, reenacted sections 1 and 2 of the Ramsay Act. Section 36 merely does not repeal sections 1 and 2 of the Ramsay Act. It does not reenact them. The question of voting for a bill which does nothing with the Ramsay Act and of voting for a bill which reaffirms the Ramsay Act in violation of the Constitution as some of us believe is a very different question.

Mr. COCHRAN. If your amendment prevails, then each State official can make the decision. If you have a poll tax in your State they can say nobody can vote unless they pay the poll tax.

Mr. TARVER. The Legislature of the State of Georgia has already removed the poll tax for service men and women.

Mr. COCHRAN. That is fine, but my statement is true, is it not?

Mr. TARVER. The decision will be left to the State election officials where it should rest under the Constitution.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ALLEN of Louisiana. Mr. Chairman, I ask unanimous consent that the gentleman may have 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana [Mr. ALLEN]?

Mr. MARTIN of Massachusetts. Mr. Chairman, I object.

Mr. RANKIN. Mr. Chairman, I move that all debate on this Worley substitute and all amendments thereto close in 1 hour.

The CHAIRMAN. The question is on the motion offered by the gentleman from Mississippi [Mr. RANKIN].

The question was taken; and on a division (demanded by Mr. WORLEY and Mr. WRIGHT) there were—ayes 152, noes 104.

Mr. WORLEY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. WORLEY and Mr. RANKIN.

The Committee again divided; and the tellers reported that there were—ayes 181, noes 78.

So the motion was agreed to.

The CHAIRMAN. The gentleman from Texas [Mr. WORLEY] is recognized.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield to the gentleman from Indiana.

Mr. HALLECK. A while ago the gentleman from Texas offered a series of amendments and asked unanimous consent that that series of amendments be adopted. At that time we had had no chance to see them and I objected to that request. I have since looked over those amendments and have checked with the legislative counsel about them, and they have been examined by Members on the minority side. As far as I am concerned, unless there is a different attitude here about which I do not know, if those amendments were offered en bloc I think there would be no objection to that procedure.

Mr. WORLEY. You cannot tell what is going to happen over there. I think over here we would be willing to accept them. Shall I renew my request?

Mr. HALLECK. If I may suggest, why not ask unanimous consent that the amendments be considered en bloc, and then the question can be put on the amendments en bloc?

Mr. WORLEY. Mr. Chairman, I offer a series of amendments to my substitute bill and ask unanimous consent that they be considered en bloc.

Mr. WHITTINGTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WHITTINGTON. Does that include the first amendment, that was rejected? It strikes me it should be included.

Mr. HALLECK. No; it does not.

Mr. HINSHAW. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. HINSHAW. Will the amendments be read before they are considered?

The CHAIRMAN. They will all be read before they are voted on.

Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The question is now on the amendment offered by the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Chairman, I ask unanimous consent to withdraw that amendment, since I did not have time to explain it.

The CHAIRMAN. Does the gentleman refer to the amendment he offered and debated?

Mr. TARVER. I devoted my attention to other features of the Worley substitute, Mr. Chairman, and did not discuss the amendment which was then pending, so my request is that it be withdrawn.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The CHAIRMAN. The Clerk will now report the amendments offered by the gentleman from Texas [Mr. WORLEY].

The Clerk read as follows:

Amendments offered by Mr. WORLEY to the Worley substitute amendment:

On page 6, lines 1 and 2, strike out "Ballots, envelopes, and instructions for voting procedure" and insert "Ballots and envelopes."

On page 6, strike out lines 3 to 6, inclusive, and in line 7, strike out "(f)" and insert "(e)."

On page 6, line 16, strike out "privately" and insert "secretly."

On page 6, strike out the sentence beginning in line 17 and ending in line 19, and insert the following: "He shall then supply the information required on both sides of the official inner envelope, and subscribe to the oath printed thereon."

On page 6, in lines 21 and 22, strike out "fill in and securely seal such outer envelope" and insert "supply the information required on such outer envelope and securely seal such envelope."

On page 7, in lines 6 and 7, strike out "such information as they shall request" and insert ", upon request, information necessary."

On page 7, lines 24 and 25, strike out "instructions for voting procedure."

On page 8, line 18, strike out "copies of instructions for voting procedure and."

On page 9, lines 10 and 11, strike out "instructions for voting procedure."

On page 10, line 6, strike out "ballots distributed, received, and transmitted", and insert "ballots printed, distributed, executed, destroyed, and transmitted to the postal authorities."

On page 12, line 19, after "counting", insert a comma.

On page 13, line 13, after "in order to", insert "encourage and."

On page 13, line 25, after "Vice President", insert ", or United States Senators and Representatives in Congress."

On page 14, line 10, strike out "shall be printed" and insert "printed as provided in this section shall be."

On page 14, in the matter appearing below line 11, strike out "(Print your name clearly above)" and insert "(Print your name and serial number clearly above)."

On page 15, strike out line 17 and insert "with information as to."

The CHAIRMAN. The question is on the amendments offered by the gentleman from Texas [Mr. WORLEY].

The amendments were agreed to.

Mr. MILLER of Connecticut. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MILLER of Connecticut: On page 16, after line 4, strike out "Sec. 24 (a)."

The CHAIRMAN. Thirty-eight gentlemen have stood up who request recognition. That means 1½ minutes each.

Mr. MILLER of Connecticut. Mr. Chairman, was the time fixed before or after I was recognized?

The CHAIRMAN. It was fixed before the gentleman was recognized.

Mr. MILLER of Connecticut. And if the amendment be read, will that be taken out of my time?

The CHAIRMAN. It will not.

Mr. MILLER of Connecticut. Then, Mr. Chairman, I ask unanimous consent that the language to be stricken from the bill, the so-called Tarver amendment, be read.

Mr. TARVER. This is one of the two amendments that was suggested as incorporated in the bill.

Mr. MILLER of Connecticut. And as long as I have only a minute and a half, Mr. Chairman, I think it will help the House very much to understand, if my amendment be again reported. I ask unanimous consent the amendment be again reported.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

Amendment by Mr. MILLER of Connecticut: On page 16, after line 4, strike out "Sec. 24 (a)."

Mr. MILLER of Connecticut. And I want the Tarver language read to make myself clear.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent that the language may be read which his amendment proposes to strike out. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 24 (a). It shall, wherever practicable and compatible with military operations, be the duty of the Secretary of War, the Secretary of the Navy, and the Postmaster General, respectively, to cooperate with appropriate State officers and agencies in transmitting to and from persons to whom this act is applicable, making application therefor to their several States, such applications for registration, applications for ballots, absentee ballots, and envelopes to be used in connection therewith, as may be provided under the laws of the several States for the use of such applicants, either in primary or general elections, and the military and naval authorities shall cooperate in the execution by such applicants of oaths in connection with such ballots.

(b) Such post cards, applications, ballots, and envelopes, and instructions for voting procedure, shall be transmitted free of postage, including air-mail postage, in the United States mails. The Secretaries of War and Navy, and the Postmaster General, shall take all steps necessary to give to the transmission and delivery of such applications, post cards, ballots, envelopes, and instructions for voting procedure priority over all unofficial communications and priority over official communications except where, in the judgment of the appropriate military and naval authorities, such priority would interfere

with the effective prosecution of the war. Ballots cast outside the United States shall, wherever practicable and compatible with military operations, be transmitted by air.

Mr. WORLEY. Mr. Chairman, I ask unanimous consent that I be permitted to yield my minute and a half to the gentleman from Connecticut.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Connecticut for 3 minutes.

Mr. MILLER of Connecticut. Mr. Chairman, to put it mildly, this whole situation is confusing. I know exactly what I want accomplished. The language read by the Clerk this morning, which I understand the gentleman from Texas [Mr. WORLEY] has accepted as part of his bill, although it is not in the printed copy before us, accomplishes the same purpose as the so-called Overton amendment, overwhelmingly rejected in the Senate. In addition to that, the amendment proposed by the gentleman from Georgia [Mr. TARVER] attempts to repeal sections 1 and 2 of Public Law 712. If we pass this bill, as amended by the gentleman from Georgia, we are in fact providing that servicemen from poll-tax States would have to pay a poll tax before they could vote.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Connecticut. I have not the time to yield. I only have 3 minutes. I wish there were more time. I regret, and I want the RECORD to show it, that I regret sincerely that some of my colleagues voted for the gag rule of the gentleman from Mississippi [Mr. RANKIN]. I sat here from 12 o'clock until 20 minutes past 4, with three amendments at the Clerk's desk, which I had prepared in good faith. Other Members have amendments, many of them meritorious. Still the gag was put on. I want the RECORD to show that if we vote for the Worley bill with the language in it proposed by the gentleman from Georgia [Mr. TARVER], we are rescinding the action this Congress took in 1942. Although I was not a Member of that Congress, I approve of that action. If we vote for the Worley bill, as amended by Mr. TARVER, of Georgia, it will require a poll tax from every member in the armed forces. Let there be no misunderstanding about that. The record we are making tonight will not look good in the broad light of day tomorrow.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Connecticut. I yield.

Mr. TARVER. The gentleman from Connecticut understands that the General Assembly of the State of Georgia removed the requirement of a poll tax by members of the armed forces.

Mr. MILLER of Connecticut. I did not refer to the State of Georgia. I said, all States having poll taxes, will—if this language is adopted, which I understand is accepted by the gentleman from Texas [Mr. WORLEY]—require the soldiers, no matter where they are, to send the poll tax payment before they vote. I am sure the gentleman from Texas will confirm that statement.

Mr. WORLEY. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Connecticut. I yield.

Mr. WORLEY. I hardly confirm that. I had a long discussion with the gentleman from Georgia [Mr. TARVER]. He does not take the position, and I certainly do not, looking at the text of the bill, that we are repealing Public Law 712.

Mr. MILLER of Connecticut. It requires local balloting officials of those States to govern themselves not under this law but under State law.

Mr. WORLEY. This does not affect Public Law 712.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Connecticut. I yield.

Mr. TARVER. The amendment the gentleman from Connecticut [Mr. MILLER] has in mind relating to Public Law 712 is in section 9 (a). But the gentleman from Connecticut has moved to strike out section 24 (a) which has no relation whatever to the poll tax and no relation whatever to the Ramsay Act. It only relates to voting the State absentee ballot in State primaries and in general elections and it is contained in the committee bill as well as agreed to now in the Worley substitute.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Connecticut. I yield.

Mr. WRIGHT. I have an amendment at the Clerk's desk which will do just what the gentleman from Connecticut is talking about. It will put the provisions of sections 1 and 2 back in the Worley bill.

Mr. MILLER of Connecticut. I got my information from the Clerk. I may be mistaken. I do not think anyone knows just what has been done to this legislation in the past few hours.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Connecticut. I yield.

Mr. BENDER. The gentleman has such an amendment that will make it exactly as it is now?

Mr. MILLER of Connecticut. That is what I want to do.

Mr. WRIGHT. I have an amendment on the Clerk's desk, I might tell the gentleman, which does the very same thing.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Connecticut. I yield.

Mr. MARCANTONIO. On the point that the gentleman from Connecticut makes, he is correct. Under the language which the gentleman from Texas [Mr. WORLEY] accepted, the language of the gentleman from Georgia [Mr. TARVER] the States will have the authority and the power to determine what ballots shall be counted in accordance with the laws of their own States.

Mr. MILLER of Connecticut. That is correct.

Mr. MARCANTONIO. That is the Overton amendment which was rejected in the Senate yesterday.

Mr. MILLER of Connecticut. That is correct.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Chairman, I hope there may be no misunderstanding about this matter. The gentleman from Connecticut [Mr. MILLER] is, in my judgment, confused. The amendment to which he referred, having to do with sections 1 and 2 of the Ramsay Act, is in section 9 (a) of the bill. He has moved to strike out section 24 (a), which has now been accepted by Mr. WORLEY in his substitute bill, and which does nothing in the world except try to assure these men and women in the service the right to vote in their State primaries as well as in the general election by State ballots under State laws in addition to such rights as may be assured them in other portions of the bill with respect to voting the Federal ballot. So if you want your servicemen to vote in the State primaries, as well as in the general election and under State laws if they desire you certainly ought to vote against any motion to strike out this language. If you agree either with the gentleman from Mississippi [Mr. RANKIN] or the gentleman from Texas [Mr. WORLEY], you ought to vote against the amendment to strike out this particular language.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. MILLER].

The amendment was rejected.

Mr. LAFOLLETTE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LAFOLLETTE: On page 12, after the end of section 10, insert a new section to read as follows:

"SEC. 11. No person within or without the armed forces of the United States shall poll any member of such forces, either within or without the United States, either before or after he or she shall have executed any such ballot, with reference to his or her choice of or his or her vote for any candidate for any of the offices authorized to be voted for by the use of the aforesaid ballot nor state, publish or release any result of any purported poll taken from or among the members of the armed forces of the United States or including within it the statement of choice for or of votes cast by any member of the armed forces of the United States for any of the offices authorized to be voted for by the use of the aforesaid ballot.

"The word 'poll' is defined as any request for information, either verbal or written, which by its language or form of expression requires or implies the necessity of an answer, where the request is made with the intent of compiling the result of the answers obtained, either for the personal use of the person making the request, or for the purpose of reporting the same to any other person, persons, political party, unincorporated association or corporation, or for the purpose of publishing the same orally by radio or in written or printed form.

"The Secretaries of War and Navy, respectively, shall issue all necessary orders, rules, and regulations fixing the penalty for and providing for the manner of trial of all members of their respective services who shall violate the provisions of this section to the extent that existing Articles of War or Articles for the Government of the Navy, respectively, make no present provision therefor.

"Any person not a member of the armed forces of the United States who violates the provisions of this section, either within or

outside of the United States, shall, upon conviction thereof, be fined not more than $1,000 or imprisoned for not more than 1 year, or both."

Mr. LAFOLLETTE. Mr. Chairman, this amendment is designed to do what I think both political parties want to do, and that is, to lay to rest this question of the taking of polls among members of the armed services. About 10 days or so ago a colloquy took place between the minority and the majority leaders which I concluded laid at rest any question of this kind of poll taking. This amendment goes further than the taking of polls among the people as to how they are going to vote. It is intended to prevent any kind of poll taking after the vote is cast, which is certainly contrary to anything we have ever done. I propose that this provision should be included, either under this bill or the other bill. I shall offer it with respect to both. People are going to vote all over the world, anywhere from 35 to 40 days before they vote in this country. It would certainly be an improper use of the polling facilities to ask a man how he voted after he cast his vote, but before that vote could be counted in the precinct to which it is sent. I think we have had too much polling. I have taken this up with the Assistant Secretary of War. I have taken it up with Colonel Cutler of the Army. He has approved of it. I have discussed it with Admiral Randall Jacobs, and he approves of it. So far as I know from a very short discussion with the majority and minority leaders, they approve of it.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. LAFOLLETTE. I yield.

Mr. McCORMACK. May I say I think it is an amendment in the right direction.

Mr. LAFOLLETTE. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. LAFOLLETTE].

The amendment was agreed to.

Mr. WHITTINGTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITTINGTON: On page 19, line 10, after the word "Congress", strike out "except sections 1 and 2 thereof."

Mr. WHITTINGTON. Mr. Chairman, the clarifying amendments proposed by the gentleman from Texas [Mr. WORLEY] are intended to enable the Army and Navy to cooperate in the casting of a State ballot as well as a Federal ballot. But the fundamental objections to the Worley bill still obtain. It still provides for the short or single ballot with blanks, and with no names or nominees or candidates, as required by most of the State constitutions. It still provides for a separate State ballot. It thus provides for two ballots—one Federal and one State. Notwithstanding the acceptance of the language of the gentleman from Georgia [Mr. TARVER] in section 9 (a) of the bill, where this language was eliminated, to wit, "subject, however, to sections 1 and 2 of the act of September 16, 1942," that language still remains in the Worley substitute, because it is carried in section 36 on page 19, and that section repeals all of the act of 1942 except sections 1 and 2.

The objections to the Worley bill are: First, the short ballot; secondly, opposition to the short ballot and at the same time opposition to the Federal control of the qualification of voters. The effort to eliminate the payment of the poll tax and the registration still obtains in section 36, and this language is not essential in section 9. We will be in the position of providing the soldiers with a short blank ballot for President, Vice President, Senator, and Representative that does not require the payment of a poll tax in some States and registration in others and at the same time providing him with a State ballot that does require registration. It will lead to confusion and contests worse than confounded.

Mr. WORLEY. But it still leaves a part of the act of September 16, 1942, on the statute books.

Mr. WHITTINGTON. Absolutely; and my motion is to repeal that part left, which are sections 1 and 2. If it is sound to eliminate the requirement in one part or section of the bill, it should be eliminated from the entire bill.

I extend to say that my amendment strikes out the following language appearing in section 36 on page 19 of the bill in lines 10 and 11: "to wit, except sections 1 and 2 thereof."

Section 36 repeals all of Public Law 712 approved September 16, 1942, except sections 1 and 2. These sections undertook to abolish in elections for President and Senators and Representatives the payment of the poll tax and registration as qualifications for voting. My amendment would repeal the entire act of September 16, 1942, and thus repeal sections 1 and 2 which I maintain are unconstitutional, undertaking as they do to provide for the elimination of registration and the payment of a poll tax where they are qualifications for voting.

The pending Worley amendment adopted one of the Tarver amendments on page 10 in section 9 (a), and there is eliminated from the pending Worley substitute the following language occurring on said page 10 in lines 21 to 24, inclusive, of H. R. 3982: "Subject, however, to sections 1 and 2 of the act of September 16, 1942 (Public Law 712, 77th Cong.) which shall be applicable with respect to voting under this title."

I have high regard for the views of the gentleman from Georgia [Mr. TARVER]. He very correctly stated that under the said Worley substitute adopting his said language that sections 1 and 2 of Public Law 712 were neither reenacted nor repealed. The fact remains however that said sections under section 36 of the Worley substitute remain. A statute once enacted by Congress, unless it expires by its own limitations, remains until it is repealed directly or by implication or declared void by the United States Supreme Court.

It will be kept in mind that the Federal or short ballot under section 9 (a) is to be canvassed by the State board under the laws of the State. It is universally admitted that there are no provisions in any of the laws in any of the States for more than one ballot and that there are no provisions for a Federal short ballot with no names on it as contemplated by the pending Worley substitute. The State officials therefore, without any State laws to govern the canvassing of the short ballot, would unquestionably follow the only legislation providing for said ballot, which would be the pending substitute and sections 1 and 2 of Public Law 712. In other words, the State boards would be governed by the Federal statute, and they would undoubtedly be governed by the statute until it was declared void by the Supreme Court, in some cases, and ignore the statute as unconstitutional in other cases, leading to contests.

I repeat that the so-called Worley substitute, while it does contain qualifying provisions, and while it is an improvement on the original Worley bill, 3982, still provides for the short ballot and a State ballot. It adds confusion to confusion. It undertakes to authorize by Federal statute voting which is the function of the State. The same fundamental objections to the original Worley substitute, H. R. 3982, still obtain as I have stated. The advocates of the Worley substitute as amended cannot be consistent unless they agree to my amendment to repeal sections 1 and 2 of Public Law 712 of the Seventy-seventh Congress. Unless repealed, the pending substitute would provide for the elimination by Congress of registration and the payment of a poll tax which is the function of the State and not the Federal Government.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

The question is on the amendment of the gentleman from Mississippi.

The amendment was rejected.

Mr. BALDWIN of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BALDWIN of New York: On page 2, line 17, after the period insert:

"But this title shall not be applicable in the case of the citizens of any State which has, prior to June 1, 1944, made provision for absentee voting ballots for members of the armed forces, complying with the following conditions:

"(A) Such ballots may be used without prior registration in person.

"(B) Such ballots shall be printed and available for mailing at least 45 days in advance of the election.

"(C) Such ballots, with accompanying envelopes and voting instructions, shall weigh not more than 1.2 ounces.

"The Commission shall ascertain and certify to the Secretaries of War and Navy and to the Administrator of the War Shipping Administration, on or before July 1, 1944, the States which have not made provision for absentee-voting ballots in accordance with the conditions specified in this subsection."

Mr. BALDWIN of New York. Mr. Chairman, I ask unanimous consent that the Clerk may now read for information a second amendment I intend to offer.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read as follows:

Amendment to be offered by Mr. BALDWIN of New York: Page 10, line 21, after the

word "States", insert "subject, however, to sections 1 and 2 of the act of September 16, 1942 (Public Law 712, 77th Cong.), which shall be applicable with respect to voting under this title."

The CHAIRMAN. The gentleman from New York is recognized for 1½ minutes in support of his amendment.

Mr. BALDWIN of New York. Mr. Chairman, I will not take the minute and a half. The first amendment is the so-called Ball amendment that has been offered in the Senate. It permits the Secretaries of War and Navy to take the State ballots from every State that has passed a law permitting absentee voting, and boys from those States which have no such law will get the Federal or so-called bobtailed ballot. The second amendment simply restores the original language of the Worley bill in the substitute amendment so far as poll-tax procedure is concerned. I think we need not go into any argument on that for we debated it in the House and expressed ourselves on it before.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. BALDWIN of New York. Mr. Chairman, I offer the second amendment.

The Clerk read as follows:

Amendment offered by Mr. BALDWIN of New York: On page 10, line 21, after the word "States", insert "Subject, however, to sections 1 and 2 of the act of September 16, 1942, (Public Law 712, 77th Cong.), which shall be applicable with respect to voting under this title."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. WRIGHT rose.

The CHAIRMAN. Does the gentleman from Pennsylvania have an amendment?

Mr. WRIGHT. Yes, Mr. Chairman; I have an amendment pending at the desk but it is identical with the amendment of the gentleman from New York [Mr. BALDWIN], which was rejected, but I take it that under the rules of the House the Committee cannot consider the same subject twice.

The CHAIRMAN. The gentleman is correct.

Mr. DEWEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DEWEY to the Worley amendment: Strike out all of page 3 and page 4, line 1 to period, and page 7, section 4, and insert in lieu thereof the following:

"OFFICIAL FEDERAL WAR BALLOT, FOR USE IN GENERAL ELECTION TO BE HELD IN 1944

"Instructions—To vote, write in the name of the candidate of your choice for each office in the appropriate place as chosen on ballot. The official Federal war ballot shall have printed thereon the names, with party affiliation, of all candidates for President, Vice President, United States Senator, and Representatives in Congress which have been furnished to the Secretaries of War and Navy by the several respective secretaries of state of the States of the Union on or before September 1, 1944. The list shall be arranged under alphabetical State headings. Candidates for Senator shall have prefixed before their names a bracketed number designating congressional district or the letters (a. l.) designating candidate at large as the case may be."

The CHAIRMAN. The gentleman from Illinois is recognized for 1½ minutes in support of his amendment.

Mr. DEWEY. Mr. Chairman, after 18 or 20 clarifying and perfecting amendments I am more confused about the Worley bill than ever before. Of one thing I am certain, however, apparently certain soldiers are going to be disfranchised if they do not pay a poll tax; at least that seems to be the belief of those who have legal opinions on such matters and come from States where poll taxes are paid. Another thing the Worley bill accomplishes, it impersonalizes every single solitary Member of the House of Representatives.

I, too, have proudly worn the uniform of the soldier. I now wear the uniform of a representative of 240,000 people in Illinois. I have tried to serve them without prejudice of race, color, creed, or party as far as their interests lay in this House. I have tried to build up a reputation for service; but in this bill there is no chance for any man, no matter how long he may have served nor how well he has served to present his name to the voter on that sheet of paper called the official war ballot. I propose, and there is room for, the printing of the names of every national candidate of the two major political parties. The names of candidates of other parties can also be added, and there is sufficient time to do this, particularly as the Governors of over 40 of the 48 States have already signified their willingness to cooperate. Thus the names of all the national candidates would be brought to our soldiers.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

The question is on the amendment offered by the gentleman from Illinois.

Mr. WORLEY. Mr. Chairman, I ask unanimous consent that the amendment may be again read for information.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk again read the Dewey amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was rejected.

Mr. JENNINGS. Mr. Chairman, I move to strike out the last word and ask unanimous consent to revise and extend my own remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. JENNINGS. Mr. Chairman, Senate bill 1285, which is an act to amend the act of September 16, 1942, which provides a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, as reported by the House Committee on Election of President, Vice President, and Representatives in Congress, is now before this body for consideration. The House upon a roll call voted to take this measure up and consider it under the long-established rules of the House, just as every other measure that comes before the House from one of its committees under a rule is considered. The rule under which we are considering this measure is a liberal rule. Any Member of the House may offer an amendment to the pending measure.

I shall support this measure as reported because I believe it goes as far in an effort to enable the members of our armed forces, wherever they may be throughout the world, to vote as this Congress can go under the Constitution of this country. Under this act, it is made the duty of the Secretary of War and the Secretary of the Navy and the Administrator of the War Shipping Administration, respectively, to cooperate with the election officials of each and every State of this Union in transmitting to and from our soldiers, sailors, and marines applications for ballots, to the end that a lawful ballot can be obtained and voted by each and every member of our armed forces, and also to the end that such ballot may be placed in the ballot box and counted for the candidates of the choice of the soldier, sailor, or marine who has voted it.

This act also gives a member of our armed forces the right to cast the same kind of a ballot that his father, his mother, and his brothers and sisters cast when they go to the ballot box to vote in the precincts where they live. It safeguards the rights and the privileges of the members of the armed forces to vote for Presidential electors, for Members of the Senate and the House of Representatives. It also preserves their right to vote for a candidate for Governor of their respective States, for members of the legislature, and for all other candidates for office for whom their relatives at home have the right to vote.

The act goes further. It preserves the right of the members of our armed forces to mark their vote in secret. It also forbids any officer whose rank or authority is greater than that of the men in the ranks to interfere with their right to vote as they please. It also forbids the Government to undertake to influence our armed forces through Government-controlled propaganda paid for with public money. In other words, it undertakes to protect the right of the members of our armed forces to cast an untrammeled, lawful ballot without coercion or intimidation on the part of anyone who may have the right to issue commands to them. I am in favor of extending the right and protecting the right to vote. I am in favor of doing everything that is lawfully possible to permit the members of our armed forces, wherever they may be, to participate in the next election.

My record on the question of giving every voter of my district, and of this Nation for that matter, the right to vote and have that vote counted as cast is known to the people of my State. For the past 4 years I have fought continuously to give the fathers, mothers, brothers, and sisters of the members of the armed forces of my district the right to vote and to have their votes counted as cast.

I am for doing this within the framework of the Federal Constitution and within the Constitution and law of the State of Tennessee.

Why do I take this position? Because ours is a dual system of government. The Federal Government is a government of enumerated, delegated, and limited powers. With respect to the execution of those powers delegated to it by the people the Federal Government is supreme.

The Federal Union, however, is composed of 48 sovereign States. Each and every State of this Union with respect to the powers reserved to it is supreme and the Federal Government has no power to interfere with or control its action as a sovereign State in the discharge of its exclusive and reserved powers. What are the controlling provisions of the Constitution of the United States that I, as a Member of the House, swore I would uphold, protect, and defend without any secret reservation on my part?

They are as follows:

ARTICLE I

SECTION 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SEC. 2. The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Article I, paragraph 2, governs the manner in which the President and Vice President shall be elected:

Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States shall be appointed an elector.

Paragraph 3 of article II provides as follows:

The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

It is, therefore, not open to dispute that, under the Constitution of the United States, the legislature of each State has the sole right to determine the manner in which Presidential electors shall be chosen.

In the debate on this measure, we have heard with amazement Members refer to these provisions of the fundamental law of the land as "legalistic mumble-jumble." If by the use of such language they can salve their consciences that is a matter that addresses itself to them. The fact remains, however, that ours is and has been a government of laws and not of men. The first 10 amendments to the Constitution, known as the Bill of Rights, were adopted as a part of the Constitution prior to 1792. By article VI of the Constitution, paragraph 2, it is provided:

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in each State shall be bound thereby anything in the Constitution or law of any State to the contrary notwithstanding.

Section 3 of article VI provides:

The Senators and Representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation, to support this Constitution."

How has the Supreme Court construed this great charter of human freedom, this Ark of the Covenant, in cases challenging the reserved powers of the States? We turn to the decisions of the United States Supreme Court in the supremacy of the States with respect to their reserved powers.

In the case of Chisholm, in which each of the five members of the Supreme Court wrote an opinion, Justice Iredell used this language:

Every State in the United States in every instance where its sovereignty has not been delegated to the United States I consider to be as completely sovereign as the United States are in respect to the powers surrendered. The United States are sovereign as to all the powers of the Government actually surrendered; each State in the Union is sovereign as to all the powers reserved. It must necessarily be so, because the United States have no claim to any authority but such as the States have surrendered to them: Of course the part not surrendered must remain as it did before." (Chisholm, 2d Dallas, p. 435.)

In this same opinion Justice Wilson, who helped to write the Constitution and was one of the greatest lawyers and judges this country has ever produced, thus defined a State:

By a "State" I mean, a complete body of free persons united together for their common benefit, to enjoy peaceably what is their own, and to do justice to others. It has its affairs and its interests; it has its rules; it has its rights; and it has its obligations.

The Supreme Court has held that it is not incompatible with these reserved powers of the States that Congress has the power to pass a valid statute protecting the purity of elections in which Members of Congress are elected. This was held in the case *Ex parte Seebold* (100 U. S. 371).

What has the Supreme Court held with respect to paragraph 2 of article II of the Constitution above quoted?

In the case of *In re Green*, reported in One Hundred and Thirty-fourth United States Reports, page 377, the Supreme Court of the United States, speaking through Mr. Justice Gray, said:

By the Constitution of the United States, the electors for President and Vice President in each State are appointed by the State in such manner as its legislature may direct; their number is equal to the whole number of Senators and Representatives to which the State is entitled in Congress; no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector; and the electors meet and vote within the State, and thence certify and transmit their votes to the seat of Government of the United States. The only rights and duties, expressly vested by the Constitution in the National Government, with regard to the appointment or the votes of Presidential electors, are by those provisions which authorize Congress to determine the time of choosing the electors and the day on which they shall give their votes, and which direct that the certificates of their votes shall be opened by the President of the Senate in the presence of the two Houses of Congress, and the votes shall then be counted. (Constitution, art. II, sec. 1; Amendments, art. XII).

The sole function of the Presidential electors is to cast, certify and transmit the vote of the State for President and Vice President of the Nation. Although the electors are appointed and act under and pursuant to the Constitution of the United States, they are no more officers or agents of the United States than are the members of the State legislatures when acting as electors of Federal Senators, or the people of the States when acting as electors of Representatives in Congress. (Constitution, art. I, secs. 2, 3).

In accord with the provisions of the Constitution, Congress has determined the time as of which the number of electors shall be ascertained, and the days on which they shall be appointed and shall meet and vote in the States, and on which their votes shall be counted in Congress; has provided for the filling by each State, in such manner as its legislature may prescribe, of vacancies in its college of electors; and has regulated the manner of certifying and transmitting their votes to the seat of the National Government and the course of proceeding in their opening and counting them (Rev. Stat. 131–143; acts of February 3, 1887, ch. 90, 24 Stat. 373; October 19, 1888, ch. 1216, 25 Stat. 613).

Congress has never undertaken to interfere with the manner of appointing electors, or, where (according to the now general usage) the mode of appointment prescribed by the law of the State is election by the people, to regulate the conduct of such election, or to punish any fraud in voting for electors, but has left these matters to the control of the States.

Again in the case of McPherson against Blacker, a suit brought to test the validity of an act of the Legislature of the State of Michigan which provided that the Presidential electors from that State should be chosen in the following manner:

There shall be elected by the electors of the districts hereinafter defined one elector of President and Vice President of the United States in each district who shall be known and designated on the ballot, respectively, as eastern district elector of President and Vice President of the United States at large, and western district elector of President and Vice President of the United States at large; there shall also be elected in like manner two alternate electors of President and Vice President, who shall be known and designated on the ballot, as eastern district alternate elector of President and Vice President of the United States at large, and western district alternate elector of President and Vice President for the United States at large * * * there shall also be elected by the electors in each congressional district in which the State is or shall be divided, one elector of President and Vice President, and one alternate elector of President and Vice President, the ballots for which shall designate the number of the congressional district and the persons to be voted for therein, as district elector and alternate district elector of President and Vice President of the United States, respectively.

Mr. Chief Justice Fuller, in announcing the opinion of the Supreme Court upholding the constitutionality of this statute, reviewed the different methods adopted by the various States under the

provisions of the Constitution above quoted, article I, paragraph 2, supra, used this language:

"A State in the ordinary sense of the Constitution," said Chief Justice Chase (*Texas* v. *White* (7 Wall. 700, 721)), "is a political community of free citizens, occupying a territory of defined boundaries, and organized under a government sanctioned and limited by a written constitution, and established by the consent of the governed." The State does not act by its people in their collective capacity, but through such political agencies as are duly constituted and established. The legislative power is the supreme authority except as limited by the constitution of the State, and the sovereignty of the people is exercised through their representatives in the legislature unless by the fundamental law power is elsewhere reposed. The Constitution of the United States frequently refers to the State as a political community, and also in terms to the people of the several States and the citizens of each State. What is forbidden or required to be done by a State is forbidden or required of the legislative power under State constitutions as they exist. The clause under consideration does not read that the people or the citizens shall appoint, but that "each State shall"; and if the words "in such manner as the legislature thereof may direct," had been omitted, it would have been successfully questioned in the absence of any provision in the State constitution in that regard. Hence the insertion of those words, while operating as a limitation upon the State in respect of any attempt to circumscribe the legislative power, cannot be held to operate as a limitation on that power itself. If the legislature possesses plenary authority to direct the manner of appointment, and might itself exercise the appointing power by joint ballot or concurrence of the two houses, or according to such mode as designated, it is difficult to perceive why, if the legislature prescribes as a method of appointment choice by vote, it must necessarily be by general ticket and not by districts. In other words, the act of appointment is none the less the act of the State in its entirety because arrived at by districts, for the act is the act of political agencies duly authorized to speak for the State, and the combined result is the expression of the voice of the State, a result reached by direction of the legislature, to whom the whole subject is committed.

By the first paragraph of article I, section 2, it is provided: "The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature"; and by the third paragraph, "when vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies." Section 4 reads: "The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

In the case of *Burroughs* v. *United States* (290 U. S., p. 534) the Supreme Court held, speaking through Mr. Justice Sutherland, that the Congress has the power to safeguard the purity of elections. But in no case has the Supreme Court ever undertaken, nor has Congress ever undertaken to suspend or abrogate the constitutional and sole power of the States "to appoint in such manner as the legislature thereof may direct" Presidential electors. This provision is so clear that "a wayfaring man, though a fool, should not err therein."

Under these provisions of the Constitution, therefore, the Legislature of Tennessee, and of every other State in the Union, determines the manner in which Presidential electors shall be chosen. In Tennessee, under the laws of that State, they are elected by the qualified voters of the entire State. In addition to this, the Legislature of Tennessee has enacted a comprehensive election law providing for the selection of election officers and providing for the use of a uniform ballot upon which, in an election for Presidential electors and for Members of Congress the names of the electors for the Democratic nominee for President and Vice President are grouped together under the caption "Electors for —" whoever the nominees for the offices of President and Vice President may be; and further providing that the electors for the Republican nominees and the nominees of any other party shall be likewise grouped together, and designated on this ballot and also the names of the candidates of the two great parties for Governor and for members of the legislature. The laws of our State then provide that the voter may indicate his choice by placing a cross mark after the names of the candidates of his choice. This ballot is marked in secret by the voter and is then deposited in the ballot box.

Under the provision of the so-called Worley bill, any voter of Tennessee in the armed forces of the United States who undertakes to vote by the ballot provided in the Worley bill would be deprived of his vote. The election officials of the various precincts of the State under their oaths of office and under the laws of the State of Tennessee are forbidden to receive such a ballot and to count it. This bill, if enacted into law, would perpetrate a cruel fraud upon the Tennesseans who are in the armed forces and who are entitled to vote.

The grossness and clumsy nature of this fake ballot is shown by its failure to contain the names of any candidate for whom the soldier, sailor, or marine may wish to vote. He can only vote for President by voting for Presidential electors who have been named by the Democratic or Republican Parties as the case may be. I insert here the Worley bobtailed ballot:

OFFICIAL FEDERAL WAR BALLOT, FOR USE IN GENERAL ELECTION TO BE HELD IN 19—

Instructions: To vote, write in the name of the candidate of your choice for each office or write in the name of his political party—Democratic, Republican, Progressive, Farmer-Labor, American Labor, or other.

ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

(A vote for President includes a vote for Vice President of the same party)

Write in the name of your choice for President or the name of his party _____.

UNITED STATES SENATOR

(Only if a Senator is to be elected in your State)

Write in the name of your choice for Senator or the name of his party _____.

REPRESENTATIVE IN CONGRESS FOR YOUR DISTRICT

Write in the name of your choice for Representative in Congress for your district or the name of his party _____.

REPRESENTATIVE AT LARGE IN CONGRESS FOR YOUR STATE

(Only in the States entitled thereto)

Write in the name or names of your choice for Representative at Large or the name of his party _____

_____

(Vote for one or two, as the case may be)

What are the laws governing the holding of elections in Tennessee?

Article II, section 1, of the Constitution of the United States outlines the method of the selection of the President and Vice President, by providing for electors in each State equal to the whole number of Senators and Representatives to which that State may be entitled in the Congress. Therefore, those voting in Presidential elections, including absentee soldiers, must vote for the Presidential electors rather than for candidates for President and Vice President. These electors will be selected on the one hand by the Democratic Party organization. The electors for the Republican candidates for President and Vice President will be selected by the Republican organization in the State. Now what is the law in Tennessee with respect to the qualifications of a person entitled to vote in the November 7, 1944, election, or any other election held in said State?

Section 28 of article II of the Constitution of Tennessee imposed a poll tax on "all male citizens of this State" of not less than 50 cents nor more than $1 per annum.

Section 1 of article IV of the Constitution of Tennessee requires the judges of election, where a citizen offers to vote, to require the voter to furnish "satisfactory evidence that he has paid the poll tax assessed against him, for such preceding period as the legislature shall prescribe, and at such time as may be prescribed by law; without which his vote cannot be received."

These are the two provisions of the Tennessee Constitution requiring the payment of poll tax and making its payment a qualification and a prerequisite to the exercise of the elective franchise by the voter. Pursuant to these provisions of the Constitution of Tennessee the Code of Tennessee, by section 2027, levies an annual poll tax of $1 for school purposes on each inhabitant between the ages of 21 and 50 years, with certain exceptions to those who are deaf, dumb, blind, or incapable of labor.

Section 2027 of the code requires every person, as a condition precedent to the exercise of the right to vote, to furnish to the judges of the election satisfactory evidence that he has paid the poll tax assessed against him for the period not later than 60 days prior to the day of the election, "without which his vote shall not be received." These are the provisions of the State constitution and of the statutes of the State relating to the poll tax.

Chapter 37, public acts of 1943, undertook to repeal section 1082 of the code

levying a poll tax, and sections 1558 and 1559 of the code bearing on the poll-tax question.

Chapter 37, of the 1943 Tennessee legislative acts above referred to, undertaking to repeal section 1082 of the code, was challenged in the case of Biggs et al. against Beeler et al., in a suit brought in the chancery court of Polk County. And that case reached the supreme court of the State and was decided by that court in a 3-to-2 opinion, in which the court held the repealing statute, chapter 37, passed by the legislature of 1943, unconstitutional and invalid. The effect of this decision is to leave in effect section 1082 of the code and the two constitutional provisions referred to above. This case is reported in 173 S. W. (2d) 144. The result is that under the law of Tennessee the poll-tax provision requiring payment thereof as a condition precedent to voting is in full force and effect.

In addition to this, the laws of Tennessee in sections 1996 through 2026 of the code require that voters in all counties of 50,000 inhabitants or more and voters in all towns or districts of 2,500 inhabitants or more, shall register in order that they may vote. Tennessee has an absentee voter law providing that any citizen of the State entitled to vote in any election may give notice not more than 90 nor less than 30 days prior to the date of any election in which he intends to vote, of his desire to be registered. And the law of Tennessee also provides that such absentee voter, necessarily absent from the State or from the place of his residence, may apply for, receive, and cast a ballot in any election in which he desires to vote.

It is, therefore, conclusively shown that the Worley bill proposes to place in the hands of our armed forces from Tennessee and from every other State in the United States with similar laws, a spurious and illegal ballot. The bill (H. R. 1285) extends to the armed forces from Tennessee who are now away from their homes the right to cast a legal ballot, one that will be received by the officers of election and will be counted in favor of the candidates of the choice of the members of the armed forces of that State who desire to vote and who are otherwise qualified to vote under the laws of that State. It does not give them half a vote; it does not blindfold them; it does not strip them of the right and priceless privilege of voting in secret, uncoerced, and unmolested by any superior officer; it is a constitutional measure; it will prove effective; it is not a fraud on the members of the armed forces.

The cry that this measure denies the soldier the right to vote is a cry of "stop thief." And those who raise this cry either do not know what they are talking about or they are trying to deceive the people. They are fooling nobody but themselves. The bill which I shall support recognizes the integrity of the State government of Tennessee.

Every sovereign State in this Nation, under its constitutional form of government, under the powers reserved to it by the ninth and tenth amendments of the Constitution, is a citadel of liberty. The independent sovereignty of the State must first be overthrown before a national dictator can overthrow our form of government.

When Mussolini marched on Rome with his Black Shirts and there seized the Government of Italy such liberties and rights as the Italian people had under the Government thus overthrown were in the hands of a ruthless dictator and usurper. If any would-be dictator has it in mind to march on Washington and seize this Government, should he temporarily succeed, there would yet remain to be overthrown 48 sovereign and independent States, whose State governments are now existing under the Constitution designed to safeguard the liberties of their citizens.

The enactment of the Worley bill would be an attempted breach in the Constitution of this country and would be in direct violation of the rights of the several States. And the ballots that might be voted, or offered to be voted, under its provisions might create chaos in the November 7, 1944, election for the choice of President, Vice President, and for the election of the Members of Congress throughout the Nation. The election might be thrown into the House of Representatives and ultimately into the Supreme Court.

The argument that official State ballots cannot be carried to the armed forces does not arise to the dignity of respectable nonsense. It is as easy to transmit a legal ballot as a spurious one.

The specious and hollow argument is advanced that this is a war measure and under the necessity of the case we can afford to shut our eyes and disregard the plain mandates of the Constitution. We cannot go half way over Niagara. If the Constitution can be nullified and disregarded in one respect it can be trampled under foot in all respects. It is an instrument made for the President, the Members of this Congress, and for the citizens alike. Let no unhallowed hand be laid upon it lest in this crucial hour "the work of centuries be undone and freedom striped of her victorious garments."

The emergencies or war do not suspend the Constitution is shown by the following decisions of the Supreme Court:

The case of *Ex parte Milligan* (4 Wallace 2 (1866)), decided by the Supreme Court shortly after the close of the Civil War, is the authority which defines the legal limitations for the application of martial law. The court held that the Constitution and its guaranties could not be subordinated because of or during a great emergency:

"The Constitution of the United States is a law for rulers and people, equally in war and in peace and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false, for the Government, within the Constitution, has all the powers granted to it, which are necessary to preserve its existence; as has been happily proved by the result of the great effort to throw off its just authority."

The court held that martial law was limited to the theater of actual military operations:

"If, in foreign invasion or civil war, the courts are usually closed, and it is impossible to administer criminal justice according to law, then, on the theater of actual military operations, where war really prevails, there is a necessity to furnish a substitute for the civil authority, thus overthrown, to preserve the safety of the Army and society; and as no power is left but the military, it is allowed to govern by martial rule until the laws can have their free course.

"Martial law cannot arise from a threatened invasion. The necessity must be actual and present; the invasion real, such as effectually closes the courts and deposes the civil administration. * * * Martial rule can never exist where the courts are open, and in the proper and unobstructed exercise of their jurisdiction. It is also confined to the locality of actual war."

In the case of *United States* v. *L. Cohen Grocery Company* (255 U. S. 81, 88 (1921)) the Court said:

"We are of opinion that the court below was clearly right in ruling that the decisions of this Court indisputably establish that the mere existence of a state of war did not suspend or change the operation upon the power of Congress of the guaranties and limitations of the fifth and sixth amendments as to questions such as we are here passing upon."

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Chairman, I shall endeavor in my brief time to attempt to clarify the situation with regard to the anti-poll-tax and antiregistration provisions that existed originally in the Worley amendment. The gentleman from Texas [Mr. WORLEY] accepted the language offered by the gentleman from Georgia [Mr. TARVER]. This language strikes out on page 10, line 22, the words "subject, however, to sections 1 and 2 of the act of September 16, 1942, Public Law 712, Seventy-seventh Congress, which shall be applicable with respect to voting under this title."

While it is true that the Tarver language does not specifically repeal the provisions of Public Law 712 with respect to poll tax payment and registration, nevertheless as far as the operation of this Worley bill is concerned, as a result of the acceptance of the Tarver language the States are left with the power to determine whether or not the ballots shall be counted in accordance with their own laws. If their own laws contain poll-tax payment provision and provision requiring registration, then most definitely the States would have the power to refuse to count the ballot of a soldier who had not paid his poll tax or who had not registered. If I am wrong, I yield to the gentleman from Texas for correction, and I hope I am wrong.

Mr. WORLEY. Certainly the gentleman from Georgia says the gentleman is wrong and I am inclined to agree with him, so far as section 36 is concerned which specifically says that sections 1 and 2 shall remain.

Mr. MARCANTONIO. I disagree with the gentleman's interpretation. However, despite this deplorable appeasement, I shall vote for the Worley amendment because it provides an effective method of getting ballots in the hands of the armed forces, thus insuring that soldiers

from non-poll-tax States will have their votes counted. I prefer to have the ballots of all soldiers from all States counted, including those boys from poll-tax States. Being unable to attain this end I should vote for the Worley bill to assure that at least the soldiers from non-poll-tax States shall vote and have their votes counted.

The CHAIRMAN. The time of the gentleman has expired.

The Chair recognizes the gentleman from Connecticut [Mr. COMPTON].

Mr. COMPTON. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COMPTON: On page 2, line 17, strike out the period and insert in lieu thereof a colon and the following: "*Provided*, That any such members of the armed forces who are within the United States shall not be entitled to vote under the provisions of this title if, prior to August 1, 1944, the secretary of state of the State of their voting residence has certified to the Secretaries of War and Navy that the State has made provision for such members to vote by absentee ballot, and that the State will accept post-card applications as provided for in title II of this act." And on page 3, in the form of the official Federal war ballot, immediately above the line reading "Instructions.—To vote, write in the name of" insert the following:

"NOTE: This ballot may be used only for voting for Federal offices, and should not be used if you apply for and vote by an absentee ballot received from your State. A post card has been made available to you for use in applying to your State for an absentee ballot under which you can vote not only for Federal offices but also for State and local offices, if you prefer to vote in that manner."

Mr. COMPTON. Mr. Chairman, I favor the Worley bill or Worley substitute, and have up to this time, although I must say I am somewhat confused. I have been looking at this situation as the soldier might and, therefore, I feel that every opportunity should be given to the soldier to vote. If the State ballot does not reach him, or if he cannot get the State ballot for any reason, or if he does not want to vote the State ballot he may use the Federal ballot. That has been my prime reason for being in favor of the Worley bill. However, there is no reason for using the so-called short ballot here at home. My amendment makes it impossible to use this short ballot, that is the Federal ballot, in the United States unless by August 1 of this year the State has not provided an absentee ballot. Then the soldier may at least vote for the Federal officers.

Also I have provided that there be printed on the Federal ballot notice to the soldier before he votes it that this Federal ballot may be used only for voting for Federal officers, and that if he wants to vote for the State and local offices he should use the post-card application blank to send for his State ballot. These post-card applications for State absentee ballots should be in the hands of the soldiers today. By Public Law No. 712 they were distributed or began to be distributed on February 1, and will be available to the soldier within a short time. Therefore, these post cards should be in the soldiers' hands today. My own State of Connecticut has just provided in a special session of the legislature every Federal facility and other opportunities to give the members of the armed forces a State ballot, including acceptance of the Federal post-card application for an absentee ballot.

With my amendment every possible opportunity will be afforded to the soldier at home and abroad. I trust the amendment will prevail.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Connecticut [Mr. COMPTON].

The amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, I should like to have this bill clear-cut, I should like to have it cleared up definitely so the Congress is reenacting sections 1 and 2 of the 1942 bill. I voted for the amendment of the gentleman from New York [Mr. BALDWIN] and I had an identical amendment pending myself. I am accepting the interpretation of the gentleman from Georgia and the gentleman from Texas as to sections 1 and 2 of the 1942 act being still in effect. I am accepting it because I cannot believe that any Member of the Congress wants this bill to mean that before a man in the uniform of his country can cast a ballot in an election he has to be registered in a technical manner or to have paid a poll tax. So I hope the gentlemen are correct and that the bill will not require that.

Mr. Chairman, the choice here, as I see it, is this: The Worley bill gives just exactly as much opportunity for people to cast a State ballot as does the Rankin bill and it gives just exactly as much opportunity for people to vote in the primaries as does the Rankin bill. If one of these bills fails to assure the men that they can vote in the primaries, so does the other one. There is no difference between them on that score. There is just as much chance to use the State ballot in one case as under the other. But under the Worley bill Congress will also provide for giving those millions of men who we know can have no other chance to vote an opportunity to use the simple Federal ballot form which can be got to them without difficulty wherever they may be.

The CHAIRMAN. The time of the gentleman has expired.

The Chair recognizes the gentleman from California [Mr. HINSHAW].

TRANSPORTATION OF BALLOTS

Mr. HINSHAW. Mr. Chairman, I know the Members of the House are interested in the subject of transportation and they know my interest in transportation. I have figures available for them as to the transportation of these ballots by aircraft. I have obtained the figures as to capacity from official sources. It seems that a standard four-engine cargo plane, of which there are many hundreds in the service of the United States Army and Navy, has a capacity east-bound over the North Atlantic of 8,800 pounds and west-bound of 7,500 pounds. On the South Atlantic route it has a capacity of 10,500 pounds both ways.

On the routes in the Pacific the trip to Honolulu has a capacity of 6,000 pounds. Between the islands beyond, 12,000 pounds, therefore the trip to and from Honolulu is the bottleneck in transportation in the Pacific. In the matter of State ballots I use a figure of 15 ballots to the pound.

On the assumption that there will be a million men in England, if all men there vote and all the ballots are carried by plane, which is very unlikely, as only a few primary elections occur late, at the rate of 7,500 pounds per plane westbound, there would be carried slightly over 8 planeloads. However, as voting-age limits will reduce the numbers, and as many ballots may be cast and returned by boat in plenty of time to be counted, I am sure that it would require only a fraction of 8 planeloads to handle the late ballots.

Similarly, coming back from the Mediterranean, if everybody votes and it is all carried by plane, there are 12 loads. From the Pacific there would be 11 loads between the islands and Australia and Honolulu, and 22 trips from the islands to the mainland required to transport all of the ballots of all voters. Considering the fact that hundreds of trips are being made every week, it seems to me that is not a very high proportion, even if the whole thing were carried by air. But as a matter of fact a very small proportion need be carried by air because hundreds and hundreds of thousands of ballots can be cast in plenty of time to make the trip across by boat. For example, my State has provided 56 days before and 16 after the election in which to cast a ballot.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. PACE].

Mr. PACE. Mr. Chairman, the Constitution of the United States expressly provides that the several States shall have the exclusive right and authority to determine the qualification of voters. This is as it should be, for, if the Congress and the Federal Government should be given or should assume the authority to fix the qualification of voters and control our elections, then we would soon witness the destruction of our system of Government and the loss of all local authority over local affairs.

No one can question the right of the men and women in our armed forces to vote. They are offering their lives in defense of our country and certainly they should have the free and full opportunity, by their vote, when qualified according to the laws of their respective home States, to have a voice in the selection of those who are to make and administer the laws of the Nation.

And their opportunity to vote should not be confined merely to casting a ballot for President, Vice President, and Members of Congress. Many of them have an equal interest in the selection of the Governor and members of the general assembly of their States; many of them have an even greater interest in the se-

lection of their home officials, and I am sure that hundreds of thousands of them will have fathers or brothers or friends who are candidates for office and for whom they would like to vote.

And they should have the opportunity of voting in the primaries as well as in the general elections. Certainly they are of equal importance and, as most of you know, the results of the primary are usually controlling in my State and in my section of the country.

Fortunately, under the call and splendid leadership of the Governor of my State our general assembly met in special session in early January and, by unanimous vote, enacted a special law which positively assures every man and woman from the State of Georgia who is now in our armed forces, and who can qualify as a voter under the Constitution and laws of the State of Georgia, an opportunity to vote in any and every election which is held, during his absence from home by reason of his service to our country. Under this Georgia law all of them, from 18 years of age and up, are given the opportunity to vote in every election, primary and general, national, State, and local.

I am not, therefore, so much concerned over the controversy which is now raging here in Washington. I have offered for your consideration a bill to provide free air mail to members of our armed forces in requesting and returning both registration certificates and ballots. I hope this bill may have your early and favorable consideration.

The thing that concerns me most right now, Mr. Chairman, is the eager desire on the part of many Federal officials to destroy all rights of the States and do away with local self-government. I am equally concerned with the delay and apparent refusal of the Governors of many of our States to call their legislative bodies into special session to enact such laws as may be needed to assure the soldiers from their States an opportunity to vote. We must, therefore, agree with Governor Arnall, of my State, that one reason the Federal Government is encroaching upon the rights of the States is because the State authorities fail or refuse to act promptly and effectively when the need arises.

Mr. LEWIS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LEWIS to the Worley amendment: On page 2, line 23, strike out all after the period and all of lines 24 and 25; also strike out all of page 3 and strike out lines 1, 2, 3, and 4, on page 4, and insert in lieu thereof:

"All such ballots shall be printed not later than 30 days preceding any primary election and not later than 129 days preceding the general election and shall bear, under their respective party designations, the names of the candidates of each of the States and congressional districts for the offices of President, Vice President, and the respective State electors thereof, United States Senator, Representative in Congress, and Representative at Large in Congress."

Mr. LEWIS. Mr. Chairman, I seek to do three things by this amendment. First, I seek to insure that these ballots will be printed in plenty of time to get them to the armed forces across the seas. I do that by providing that for the primary elections all ballots shall be printed at least 30 days before the primary elections, and for the general election that they shall be printed 129 days before the general election.

I seek also by this amendment to meet the objection that the ballot that is to be submitted to the soldiers is not a constitutional ballot, because I provide in this amendment that the names and the party designations of the respective candidates for all the offices, including electors of President and Vice President, shall be printed on the ballot. I believe this will insure a constitutional ballot if it is at all possible to have a constitutional ballot for national officers alone. It does away with the so-called bobtailed ballot and requires the names of the candidates to be printed on the ballot.

Mr. Chairman, I trust the amendment will be adopted. I want us to enact legislation here that will not only insure the men in our armed forces the right to vote but will also insure that their votes will be counted. I am convinced that ballots cast under authority of this substitute offered by the gentleman from Texas [Mr. WORLEY] will not be counted unless the substitute is amended to bring its terms within the provisions of the Federal Constitution.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, the soldiers' vote bills are among the most far-reaching and significant measures ever presented to the Congress. We are conducting an experimental surgical operation on the very arteries of democratic processes. I do not hope to influence the vote of any other Member, and I attribute to all Members a conscientious desire to conform to their sworn obligation to support the Constitution. Any other course would be unthinkable. Certainly, I know that no Member of this body desires to deny any citizens in the armed services of the United States their right to vote. But the determination of that right under the plain language of the Constitution does not rest with the Congress, but with the sovereign States. The only power we possess is to facilitate the exercise of that right, so far as a right exists under the laws of the State of which the soldier is a citizen. All the oratory, all the devious language, all the threats of political reprisal cannot enlarge that power by one jot or tittle, and to attempt to do so is, in my opinion, not only a violation of our oath of office, but is fraught with the gravest dangers for the future of the Republic. I know that violent and intemperate criticism is being and will be hurled at those who, like myself, feel bound to abide by what we believe to be the limit upon our powers under the Constitution which we are sworn to uphold. The easier course is to go with the tide of public opinion.

But in the light of the future importance of the question as a precedent to destroy the constitutional right of the States to determine the qualifications of their voters, I feel impelled to record briefly my own conscientious views upon the subject, by which I must be governed.

In the welter of words characterizing this debate, we might well pause to insert in the RECORD the language of the Constitution which should govern our actions.

We deal here with two distinct constitutional questions: First, the election of President and Vice President which is governed by one provision of the Constitution; and second, the election of the Congress which is governed by an entirely different section. Bear in mind that the Congress has only such powers as are expressly delegated to it by the Constitution, and none other. The method provided for the election of President and Vice President is contained in article II, section 1. Note carefully the language chosen:

Each State shall appoint in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress, but no Senator or Representative, or person holding an office of trust or profit under the United States shall be appointed an elector. The Congress may determine the time of choosing the electors and the day on which they shall give their votes, which day shall be the same throughout the United States.

Another provision of the Constitution provides the methods by which the electors so chosen, shall elect the President and Vice President. Thus the sum total of congressional power in the matter of the election of the President, except where a majority of such electors cannot agree, is the power to fix the time for the States to choose their electors. There is no provision for popular election of the President and Vice President. Each State may determine the method of selecting its electors to the electoral college; each State may choose a different method; a State may prescribe that its electors be chosen by the legislature of the State, can provide that they be appointed by the Governor; could even provide that they be selected by lot. The 48 States can, if they desire, select 48 different methods for choosing the electors who are in turn to elect the President and Vice President, and Congress has no power on earth to do anything about it. I am not speaking of what the law ought to be or what provisions should, in the light of modern times, be inserted in the Constitution. I speak of the Constitution as written, as it exists today, and as the Congress swore to uphold it. I cannot subscribe to the doctrine that the exigencies of the occasion or the emergency of war operates to suspend the Constitution of the United States. If it were so, the Constitution would have said so. To deviate from this course at this critical time when the Nation is involved in the most desperate war in its history might well result in such confusion in the election of the President and Vice President as to throw the whole election into a contest. I can think of no more dangerous or tragic possibility during this crisis.

I do not intend by my vote to be a party to it.

As to the election of the Congress, section 2 of article I of the Constitution provides:

> And the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

The only limitation upon the power of the States is contained in section 4 of the same article and empowers Congress to alter the times, places, and manner of holding such elections.

It is my view that any act of Congress which in any way assumes power to dictate the qualifications of voters in any State or to preemptorily determine the form of ballot, or to preemptorily prescribe a unform ballot for the States is a clear and flagrant violation of the Constitution which we, individually and collectively, are sworn to uphold. The power of Congress is clearly confined within narrow limitations; in the case of election of President and Vice President, it may only determine "the time of choosing the electors" and "the day on which they shall give their votes"

In the case of election of Senators and Representatives, Congress may determine the time, place, and manner of holding the elections, but the qualifications of voters must be the same as those prescribed for the election of the lower branch of the State legislature.

Plainly the Constitution has said to us: Thus far shalt thou go, and no further.

Under my construction of the Constitution, and in conformity with my oath of office, I shall observe that admonition.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. SADOWSKI].

Mr. SADOWSKI. Mr. Chairman, this week in Washington will go down as the week of the big winds, the week of the big dust storms, and not all of the dust has come from Tupelo, Miss., either, because a good portion of it has come from this side, around the table of the minority leader.

I am going to make just a few remarks now to my Republican colleagues from the State of Michigan. Beware of those political pied pipers on both sides of the aisle and listen to a statesman, a great leader from Michigan. I read this to you. It was said on the Senate floor Monday:

> I favor a Federal ballot for the accommodation of any soldier or sailor who cannot be reasonably sure of being served by a State ballot. Since the State ballot cannot be certain to function overseas, even when a State makes every maximum effort to this end, I shall continue to vote for a Federal ballot as the only available, final insurance that all of our soldier sons and service daughters are protected against a default in this supreme privilege of the citizenship to which they are giving the last full measure of devotion.

Further:

> A State absentee voter's ballot is the better ballot for a serviceman, if it can reach him and if he can get it back in time. It is a better ballot because it is a total ballot, and its use offers the soldier or the sailor the only way in which he can enjoy his total right of suffrage and be certain that his ballot will be counted.

Still further:

> Furthermore, since all State ballots must go by letter mail to individual addresses, the State ballot may never catch up with the soldier on the move, particularly in the battle zones. I cannot close my eyes to these facts of life. It seems to me, therefore, that the Federal ballot is indispensable as final sufferage insurance.

This is Senator VANDENBERG, of Michigan, speaking.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. POULSON].

Mr. POULSON. Mr. Chairman, propaganda and false accusations have predominated in all of the debate on the soldier-vote bill up to this time. The statement made by the administration, in many newspaper articles, and by commentators, to the effect that those who voted to sustain the regular rules of the House were voting to avoid standing up and being counted on the Worley bill, certainly was an unfair charge. I am not afraid of being counted, but I am opposed to the Worley bill because I am just as much interested in seeing the soldier's vote being counted as I am in seeing the soldier vote. Mr. Speaker, no one has answered the charge that the Federal ballot would be unconstitutional in many States. I am glad to state that in California arrangements have been made to get the ballot ready in time for the primary and final election. As this is the constitutional way and is not a further step in the centralization of government and overriding of States' rights, I want to be consistent and still vote for States' rights.

Returning to the argument on the rule, let me state that the present administration has been using two rules since it has come into power, the closed rule, which denies amendments, and the open rule, which allows amendments and which is the rule we are operating under in considering this legislation. The administration has used these two rules in putting over all legislation which it desired in the past, and now, when it is doubtful that their bill can be passed under either of these rules, a special rule is requested. According to the rules of all games of fair play, the contestants on both sides are to abide by the same rules.

I am sure we will have a chance to record ourselves on this vote.

I do wish to compliment the distinguished Texan [Mr. WORLEY] on his gentlemanly performance. He has attempted to confine himself to facts as he sees them and is not resorting to demagoguery. This cannot be said of everyone.

The CHAIRMAN. The Chair recognizes the gentleman from New Mexico [Mr. FERNANDEZ].

Mr. FERNANDEZ. Mr. Chairman, I endorse every word said, and ably said, by the gentleman from Tennessee [Mr. PRIEST] earlier in the afternoon. I am in favor of the Worley bill and I hope that by the time the Senate and the House get together we shall have a Federal ballot of some kind, if not exactly the kind provided by the Worley bill.

I say this because in New Mexico, my State, we are in a hopeless situation. I plead with you to help us protect the right of the boys from New Mexico and from any other State similarly situated, to vote. In our State the Supreme Court has held that our constitution requires manual delivery of the ballot by the voter in the precinct in which he offers to vote. Amendments to the constitution can be submitted only at a regular session, as my colleague [Mr. ANDERSON] has explained, and so we need your help. Our legislature has done everything it could. It has advanced the date of the primary from September to early June, and litigation has been initiated in an effort to get the Supreme Court to reverse itself. Being familiar with the cases that resulted finally in this decision of the Supreme Court, I doubt if it can be done.

Mr. Chairman, this Congress sent the boys across to fight. This Congress cannot sit here now and say, "We are impotent to do anything to protect the right of the soldiers to vote."

Mr. ELMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. ELMER: On page 19, after line 16, add the following new title:
>
> "TITLE IV
>
> "VOTING UNDER POWER OF ATTORNEY
>
> "SEC. 41. (a) The provisions of titles I, II, and III of this act shall be applicable for purposes of carrying out and making effective the provisions of this section.
>
> "(b) Any voter specified in the foregoing titles may, at his option, vote in the following manner: He may execute a power of attorney in due form, or by letter signed by him, stating his rank and serial number, if any, and stating the place of his residence, and attested by two or more members of the armed forces of the United States, signing as witnesses to voter's signature, stating their serial number and place of residence, name any citizen of the United States of America, over 21 years of age, resident of the same county as such voter, as his attorney in fact to cast his ballot at any election specified in the titles aforesaid, and deliver or mail said power of attorney to such attorney in fact.
>
> "(c) The person appointed as attorney in fact, as provided in subsection (b), shall exhibit such power of attorney to the election official having charge of the distribution of or receiving absentee ballots in the county wherein said attorney in fact resides, which shall be received, marked, filed, and signed by said officer and returned to said attorney in fact. Said officer shall at once post the name of the absentee voter, his place of residence, his serial number, and the names, addresses, and serial numbers of the attesting signers, and the date filed alongside the list of names of absentee voters, and same shall remain posted for 5 days following the election date.
>
> "(d) On election day said attorney in fact may secure a ballot, in ordinary use in said election, and vote the same as any other ballot may be voted, attach the power of attorney to said ballot, and deliver it to the judges of election, who shall receive the same and place it in a ballot box, separate from ordinary ballots, and the same shall be listed, counted, and tallied separately on the poll books.

"(e) Such ballot shall be accepted by the election judges and courts with same effect as if said absentee voter had voted said ballot in person.

"(f) The provisions of this section shall be in effect in any State now allowing and permitting, or which may hereafter allow or permit, such method to be used in the voting of absentee members of the armed forces."

Mr. ELMER. Delegates to the Democratic National Convention, and delegates to the Republican National Convention, I now move that both of the conventions adjourn, that we resolve ourselves into a State convention and nominate the gentleman from Texas [Mr. WORLEY], chairman of the Elections Committee, as the candidate for Governor of Texas.

This amendment authorizes soldiers to vote by proxy. It is an and/or amendment, or one making the voting under it optional with the voter to choose it, or the plans set out in this bill. It is plain, simple, effective, requires no application, ballot, or commission to put it in force. The voter writes a letter or executes a power of attorney appointing someone, resident of his voting residence, as his attorney in fact to cast his ballot for him on election day. He signs the letter, giving his rank, serial number, place of residence, and has it attested by two of his military pals, who sign and give their rank, serial number, and place of residence. The voter states he is a qualified voter of named county or voting district. He can execute and deliver this power of attorney at any time. It will not require carrying an additional pound of mail beyond that ordinarily passing over mail routes. There will be no confusion, no expense, and no chance of fraud in voting or transmitting by mails.

The attorney in fact exhibits his power of attorney to the person having charge of absentee ballots, registers his power of attorney, has it signed by such officer, and holds it until election day. He, on that day, gets an ordinary ballot, attaches the power of attorney, and delivers it to the judges of election, who receive it, count and certify it separately from the other ballots.

Of course, the provisions of this law, like the other proposed here, cannot be effective until approved by the States. It does not attempt to compel the States to accept it, nor even compel the soldier to vote in this manner. It is optional with the soldier to vote the short ballot outlined here, or the State ballot, or by his attorney in fact. It is so framed that the ordinary voting laws of the States apply as to penalties for fraudulent voting.

The soldier and his attorney in fact are the only ones in a fiduciary relation and if he trusts his friend, who can object?

The short-ballot plan operated by a commission, and the undue influence of voters through propaganda, coercion, intimidation, fear, favor, and misrepresentation is so great, and add to that the opportunities of fraud in passing ballots through so many hands, of parties more or less interested, makes it exceedingly dangerous. There are no marks of identification on the ballots, so it can never be determined if the ballot cast is the one counted. Dead men tell no tales, and it is a sorrowful fact that thousands of these boys who vote within the time fixed, will be dead at the November election. We know that elections must be carefully guarded and the bipartisan plan, in all details, is absolutely necessary, as a guaranty of freedom and fairness. In this instance the man who will appoint the commission will be one of the principal candidates, under the plan a plain violation of one of the safeguards against fraud. The ones who have charge of the delivery and returning of the ballots are likewise his closest friends, supporters, and beneficiaries of this plan if it is adopted and works. Evidently the earnestness with which all of them advocate its adoption, reject and condemn all other plans as a fraud, creates a just and reasonable suspicion in the minds of fair people some advantage somewhere along the line will accrue to them under this plan. The fact that most of the agitation for the soldier voting at all comes principally from this group adds up a little more against it. Elections and voting should absolutely be above suspicion.

We, in Missouri, have a right to urge additional caution on account of the sudden rise to official fame and national political prestige of one of our political friends whose name has been for some 10 years intimately connected with fraudulent elections in St. Louis and Missouri, and in 1940 with a brazen attempt to steal the Governor's office from the man the people elected under the most adverse circumstances. After we have seen, heard, and experienced effects of the Dickman-Hannegan machine in St. Louis, and the Pendergast machine in Kansas City, who can expect us to trustfully accept a one-sided control of election machinery on a national scale, especially when we see the eyes of the same flame throwers peering at us from the political fox holes?

The generalissimo has lost the home front. He has seen forts—New York, Kentucky, New Jersey, Missouri, Maryland, Pennsylvania, and many others—taken by the opposition, and a political and economic ring tightening around his kingdom, similar to the ring of steel tightening around the other fellow who started a meteoric career on March 4, 1933. He also sees if the seige of the home front is lifted it will have to be by soldiers on the eastern front, and they must be fooled. Those voters afar off should have the same instruction and information about home conditions the folks here have. It is evident they have not, judging from the choice letters read on this floor by some of those supporting the short ballot and by newspaper editorials and columns. They show a wrong view of the acts of Congress, on these proposed laws. There is so much misrepresentation on this subject matter, to mislead people, there is a just reason for them to beware of political chicanery.

Objections may be urged but in a less degree against the State voting plan. Some of the chances of fraud are removed, but there are plenty yet, for the hands of trained experts to perform sleight-of-hand tricks with.

There is no excuse for regrets and criminations after the election is held. The time to be honest is now. The State ballot plan is far better, fairer, and safer than the Federal plan. This amendment I offer eliminates the chances of wholesale fraud and leaves very little opportunity for small fraud—no more than ordinarily obtains at all elections. If there is wholesale fraud in the matter of this soldier election it will stink for a hundred years.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The amendment was rejected.

Mr. KLEIN. Mr. Chairman, I think at the outset I should say, and I believe you will all agree with me, that we all have the highest regard and the greatest commendation for the chairman of the committee, the gentleman from Texas [Mr. WORLEY]. He has handled himself in a very fine and statesmanlike manner in his handling of the debate, and in the manner of division of time. I have been a firm supporter of his bill since the day he first introduced it and have been an advocate of the Federal ballot, since I feel that only under this plan can the members of our armed forces really vote. However, with the inclusion, or the acceptance by him of the Tarver amendment, he has been a great disappointment to me, and I believe to many other supporters of the original bill. I suppose we will take his bill as it is and vote for it, even with this amendment, with the hope that if it goes to conference, that amendment will be taken out. It is nothing by appeasement, however, and like all efforts at appeasement, it appeases its enemies and alienates its friends and is bound to fail. I shall still vote for the Worley bill, with the hope that a conference committee will delete the objectionable language.

The CHAIRMAN. The time of the gentleman from New York has expired.

THE SOLDIERS' VOTE

Mr. ANGELL. Mr. Chairman, I ask unanimous consent to revise and extend the remarks I am about to make.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ANGELL. Mr. Chairman, this matter is more or less a moot question to my State, because our legislature over a year ago passed legislation which provides for coordinating our voting laws with any legislation passed by the Congress for the purpose of distributing ballots to men in uniform from our State in continental United States or overseas. I have received the following telegram today from our Governor:

SALEM, OREG., *February 2, 1944.*

Hon. HOMER D. ANGELL,
House Office Building,
Washington, D. C.:

Our election officials advise that Oregon's 1923 legislative act makes full provision for necessary latitude so as to provide soldier voting if Federal Government provides complete cooperation for handling ballots.

EARL SNELL,
Governor of Oregon.

What we want is to give the soldiers of Oregon, and as a Member of Congress I want to give every soldier, the right to vote, for any and all officers on the ballot as well as State measures on the ballot. Under our Oregon law the name of all candidates must be written on the ballot. Every voter in our State must vote for each individual candidate. He cannot under our law vote this omnibus ballot, by making one cross and thereby voting for everybody on the ballot on his party ticket without knowledge as to who the candidates are and for whom he is voting. This is a fraud on the voters from our State as the ballots could not be counted, being in violation of our State law.

I have brought here to show you this sample ballot of our State of the November 1940 general elections. Under our State law we vote for practically everything, constitutional amendments, legislative enactments, municipal laws, referendum, and the initiative measures, so that we have a big ballot. This is a large ballot, as you see it is a ballot of the last election in 1940 and it weighs less than one-half an ounce. It could be printed on both sides and reduce its weight by one half. The War Department and the Navy will have no difficulty in transporting these ballots to the battle fronts overseas.

Mr. Chairman, I want every qualified soldier wearing our uniform at home or abroad to vote, if possible. I am sure that that is the view of every Member of the Congress in either branch. Unfortunately, some people and some groups have endeavored to make a political football out of the soldier's vote and by propaganda, innuendo, and false statement make it appear that there is an effort on the part of some in the Congress to prevent the soldiers from having the right to vote. Those false and sinister charges are impeding the passage of adequate legislation to permit the Federal Government to cooperate with the States in getting the ballots to the soldiers and back to the voting booths. They are doing a distinct disservice, not alone to their country, but they are impeding the prosecution of the war and delaying a final blow to the Japs and Nazis. I was glad to be one of those on the minority side to insist that a record vote be taken this week on the motion for the previous question when the rule for the consideration of this legislation was up in the House. The false charges disseminated by certain groups and newspapers and columnists that there was an attempt to prevent a record vote is wholly false.

No one who has given even casual study of this problem will dispute the fact that under the Federal Constitution the complete control over voting for President, Vice President, and Members of Congress is lodged in the several States. The qualifications of the voters is by the Constitution a State matter, over which the Congress has no control. It is true under article I, section 4, the times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof, but the Congress may, at any time, by law, make or alter such regulations. This, however, pertains purely to the time, places, and manner of holding elections for Congressmen, has no reference to the qualifications of the voters, and has no relation to the election of President or Vice President. The Supreme Court down through the years since the Constitution was adopted, has held strictly to this view. In fact, the Federal Government is a government of delegated powers. It has only such powers and functions as have been delegated to it by the peoples of the several States through the Federal Constitution and the amendments thereto. In the Constitutional Convention the States were jealous in retaining the sovereignty of the several States. They established a dual form of government. In this government the States retained their sovereignty and there were given to the Federal Government certain powers prescribed in the Constitution beyond which the Federal Government cannot legally go. To attempt to enter any sphere of government or perform any functions not delegated to the Federal Government by the Constitution is a usurpation of power, not in any way to be distinguished from the power seized by Hitler in his rape of Germany.

I am sure that no soldier wearing the American uniform, fighting to preserve our Federal Constitution and our American way of life, and the liberties we enjoy under them, would want to cast a vote if he knew in doing so he was violating the Federal Constitution and tearing down the fabric of our democracy which he is fighting to uphold on foreign battlefields.

There is one field, however, in this problem facing us where the Federal Government can lawfully act and can be of great service in making it possible that most of the men in uniform will be able to vote in the coming election. It has to do purely and solely with the transportation problem of getting the ballots to and from the soldiers. It has nothing to do with the qualifications of the soldiers to vote, as that is purely a State matter over which the Federal Government has no control, as I have said. It has nothing to do with the legal requirements of the ballot itself. This, also, is solely within the province of the States. I hope, Mr. Speaker, that this Congress will not be swayed from its duty by propaganda, no matter how high the source, and fail to enact adequate legislation that will make it possible to get the legal ballots from every State in the Union to the soldiers and back home again in time for the votes to be counted. If any of the States of the Union fail to do their full duty in this respect, the fault cannot be laid at the door of the Congress.

I am happy to say that as shown by the telegrams received from the Governors of most of the States of the Union by Senator BYRD and others 15 States have already enacted adequate legislation to permit soldiers to vote in their States the full ballot if the Federal Government will only cooperate in the matter of transportation of the ballots. The Governors of 26 States have advised that their legislatures will enact enabling legislation as soon as the Federal Government through its Congress determines the manner and method of procedure in getting the ballots to and from the soldiers.

I am glad to state that my own State has already passed the necessary legislation, so that every soldier in the service, either at home or abroad, coming from the State of Oregon, who could vote if at home will be able to vote the full ballot, both in the primary and general elections, provided only that the Federal Government does not prevent the ballots being forwarded and returned by the soldiers. It is conceded, of course, that the facilities for the transporting of the ballots are completely in the control of the Federal Government through its military operations.

The Oregon Legislature at its last session adopted two bills which removed the requirement of registration for men in the service in order to vote and also authorized the officials of our State having charge of elections to take the necessary steps to comply with existing Federal laws or any thereafter enacted for the purpose of facilitating the voting of soldiers and the transportation of the ballots to and from the soldiers. The text of these two enactments are as follows:

Chapter 302

An act to preserve the right of suffrage to persons while serving in the armed forces of the United States

Be it enacted by the people of the State of Oregon:

SECTION 1. Notwithstanding the provisions of section 81–110, O. C. L. A., chapter 451, Oregon Laws, 1941, or any other statute of this State no person's registration shall be canceled, nor shall any person be deprived of his right to vote at any election by reason of the removal of his or her name from the registry of electors during any period that such person is serving in the armed forces of the United States of America, or any one of our allies.

Approved by the Governor March 16, 1943.

Filed in the office of the secretary of state March 16, 1943.

Chapter 405

An act to add to chapter 23, title 81, O. C. L. A., a new section relating to absentee voting, which section shall be known as section 81–2316

Be it enacted by the people of the State of Oregon:

SECTION 1. That a new section be and the same hereby is added to and made a part of chapter 23, title 81, O. C. L. A., which new section shall be known as section 81–2316, and shall read as follows:

SEC. 81–2316. In time of war, notwithstanding any provision of the laws of this State relating to the registration of voters, every citizen of this State absent from the place of his or her residence and serving in the Army, Navy, or Marine Corps, or in any other branch or unit of the land or naval armed forces of the United States, who is or was eligible to register for, and is qualified to vote at any election under the constitution and laws of this State, shall be entitled to vote by mail for candidates for nomination for, and election to public offices and upon constitutional amendments, measures, and questions referred to the people. The secretary of state shall coordinate the operation

of the foregoing provision with the procedure provided by acts of Congress whereby members of the land and naval forces of the United States are, or may be, authorized to vote by mail for candidates for elective Federal offices, and compliance with such acts of Congress shall entitle the elector to vote for candidates for nomination for, or election to, State, district, county, and municipal offices, and upon proposed legislation submitted to the people. Any oath prescribed by the laws of this State relating to the registration of absent voters or to voting by absent voter's ballot, may be administered to a member of the land or naval forces of the United States, and attested, by a commissioned officer of any branch of the armed services.

Approved by the Governor March 29, 1943.

Filed in the office of the secretary of state March 29, 1943.

Mr. Chairman, much has been said on the floor of the Congress and in the press and on the radio about the so-called Federal ballot. There is a great deal of misinformation concerning this and many do not realize that this ballot restricts the right of our soldiers to vote and deprives them of the privileges of exercising their right of franchise to the same extent as other citizens not called to the service. Many have failed to realize that this so-called bobtailed Federal ballot is limited to voting solely for President, Vice President, and Members of Congress. It is selfish in its purpose. The President, a Senator, or a Representative, who insists on this Federal ballot and deprives the States of the right through their absentee voting laws to have placed in the hands of the soldiers of their States the full State ballot, is not only doing a disservice to the soldiers but can be charged with selfishly voting for a law which gives the soldiers a right to vote for him but not the right to vote for a Governor, a sheriff, a county clerk, or any of the many other State officers with whom he is acquainted and in whose election he is sincerely interested. It may be contended that the pending legislation designed to provide for the Federal ballot does not prevent the States from having the full State ballot voted by the soldiers. That would be true, Mr. Chairman, if the States had any way to get the ballots to and from the soldiers. However, we are engaged in a terrific war. We are at our wit's ends to win the war. We want to win at the earliest possible moment and get our soldier boys back home. Not only that, we want to relieve, without an hour's delay, our citizens held by the dastardly Japs in their hellholes at Bataan, Japan, and elsewhere, who are dying like flies from the effects of cruel and torturous treatment, starvation, and the lack of care and medicines. Therefore, the Congress has delegated to the military absolute and complete control over all transportation facilities. Not a single post card, telegram, let alone a State ballot, can be sent to a single soldier overseas without the full cooperation of and the furnishing of transportation by the Federal Government itself.

The Federal ballot is not only illegal but unconstitutional because it does not provide for placing thereon the names of candidates for electors for President and Vice President, as provided by the Constitution. Under the Constitution, there can be no election of the President and Vice President direct, but it must be done through the medium of the selection of electors in the several States. These electors, when selected, have the right to vote for whomsoever they please for President or Vice President. It is true that by custom they follow the practice of voting for the party candidate of their own party. The Federal ballot, however, completely bypasses the Constitution—in other words, throws it out the window or in the wastebasket, and provides for voting for President and Vice President direct, not even by name, but merely by making a cross before the party designation.

Another serious defect in the legislation providing for the Federal ballot and which opens the door to wholesale fraud is the printing and disseminating millions of the so-called bobtail ballot indiscriminately. Under the Oregon law, every ballot is numbered, and if a voter makes an error and desires a new ballot the original ballot given him must be returned, canceled, and preserved, and accounted for by the election officials, and a record made of the new ballot given him. This prevents duplication of voting and fraud. Under this so-called Federal ballot any Tom, Dick, or Harry can make a cross before the word "Democratic" on the form, mail it in to a secretary of state, and it will open the door for thousands of these ballots to be thus sent to the election officials, which may result in many illegal votes. It should be remembered that we are letting down the bars on registration for soldiers so that the election officials will have no record of these ballots sent in by persons who are not registered in the election precincts, and there will be no way for the election officials to check the validity of the ballot. Furthermore, if a person sending in one of these bobtail ballots has already exercised his right of voting by receiving and marking a regular State ballot and sending it in, there will be no way for the election officials to determine whether or not there is double voting. This, of course, can all be prevented under the regular election laws, where only registered voters can vote. In such a case, when a registered voter votes, the election officials mark on the precinct record that he has voted, which effectively prevents any duplication of voting. I am not here charging that the men in the armed services are of such character as to be guilty of fraudulent voting. Unless we are attempting to prevent fraudulent voting there is no need to have any election laws. It is not only the soldier who could fraudulently use these wholesale Federal ballots but anyone desirous of having counted fraudulent votes could fill in the blanks with fictitious names of voters and fictitious names of the officer taking the oath, and there would be no effective method of checking the illegality or of locating the culprit. The whole matter, however, can be effectively prevented by the Congress refusing to authorize the printing by the Federal Government of any such illegal ballots.

Mr. Chairman, under Public Law 712 of the Seventy-seventh Congress post cards have been printed already, and are now in depots overseas for delivery to servicemen. Under the law, delivery was required to be begun February 1, 1944. These cards will soon be in the hands of the holders for signature and return to their local election districts requesting State ballots. Under this procedure ballots will be delivered to the soldiers soon after primary elections are held.

Mr. Chairman, if these illegal short-tailed ballots are permitted by the Congress to be voted the elections for the President and Members of Congress in the November election will be subject to contest in every district in the United States, and in this critical wartime it may take the courts or the Congress to determine who shall act in these important offices. It may jeopardize the success of our armed forces. Why place these elections in jeopardy when all soldiers can vote the legal State ballots?

Mr. Chairman, the primary election in the State of Oregon will be held on May 19, almost 6 months before the November elections. The primaries in most of the other States, either by existing laws or laws to be enacted, will be held in ample time to have the nominees selected and the ballots printed in order for the War and Navy Departments to transport the ballots to and from the soldiers. The First Lady of the Land recently stated, I am informed, before the Congressional Women's Club, that she could go by plane to any place in the world in 3 days. We know from our own knowledge of the operations of our transportation facilities and also by the evidence in the hearings on this legislation that within a month, or a month and a half at the outside, ballots can be delivered to all of the fighting zones where our soldiers are located and then returned. Unfortunately, following the passage of Public Law 712 in 1942, Mr. Stimson, the Secretary of War, was not in favor of permitting the soldiers to vote, and he did not cooperate with the States, according to the correspondence placed in the RECORD yesterday from Members of the New York delegation. I take with a grain of salt the testimony now of Secretary Stimson or any other Federal official to the effect that there will be any unsurmountable obstacles in providing transportation for State ballots to and from the battle zones if only the obstacle of failure to cooperate on the part of the Federal Government is removed. The record discloses that the Federal officials have determined upon a course to cooperate in the delivery of the so-called bobtailed Federal ballot, but are not inclined to afford the same cooperation in the delivery of the State ballot. In fact, the Green-Lucas bill, now pending, is framed on that basis.

Mr. Chairman, while discussing the so-called Federal ballot, let me call attention to the fact that it is in complete violation of the laws of my State of Oregon. It is set forth on page 2 of Report No. 993, Seventy-eighth Congress, second session, to accompany S. 1285. An

examination of it will disclose that it provides that the voter may, by making a cross in front of the word "Democrat," vote for all candidates on the Democratic ticket, none of whom are named thereon. It will be noted, also, that the Democratic designation is placed at the head of the ballot. Under our laws the ballot must designate the name of the candidate and an elector can exercise his right of franchise only by making the proper designation at the place provided therefor by the name of each candidate for whom he votes. The Corrupt Practices Acts of all forward-looking States many years ago discarded this wholesale method of voting which does not provide the voter with the opportunity of exercising an honest preference between two or more candidates running for a particular office. It should be noted, also, that there are no names of candidates on this bobtailed ballot and there will be no names thereon. Such a ballot could not be counted in my State, in my judgment. Furthermore, if we are to maintain the purity of the ballot we must not open the floodgates to wholesale fraud in voting. It is contemplated under the Federal ballot legislation that the military authorities will designate an election day for the soldiers to vote and will march them up to the place designated and have them place a cross on the bobtail ballot, upon which no names of candidates are disclosed and which deprives the soldier so voting for voting for anyone except the President, Vice President, or a Member of Congress. This demonstrates clearly that this procedure will prevent the soldiers from voting for any candidates because none are disclosed, and will also completely deprive the soldiers from voting for all of the State officers.

Furthermore, this proposal will disrupt and interfere materially with the prosecution of the war. It is interesting to note that during the Civil War, when Governor Morton of Indiana suggested to President Lincoln that the draft be relaxed until after the election, Lincoln replied:

> It is better we both should be beaten than that the forces at the front be weakened and perhaps defeated.

President Lincoln was also asked to intercede in another State with reference to voting instructions provided by that State and Lincoln said:

> I can have nothing to do with the matter. By the Constitution and the laws the President is charged with no duty in a Presidential election in any State.

It is contended by some of the proponents for the Federal ballot legislation that we are in the emergency of war and, therefore, we are not restricted by the provisions of the Federal Constitution. If we can override the rights of the States to control their own elections because we are in war and thus scuttle the Constitution, we will have lost the war before it ends. We are fighting for the preservation of the Constitution and democratic processes under it. For one, I prefer to follow the course taken by President Lincoln when he refused to interfere with the rights of the States in elections guaranteed to them by the Constitution, even though it might have resulted in his own defeat. Senator BROOKS, of Illinois, in discussing this legislation in the other body made the pertinent suggestion that if we are to override the Constitution in removing restrictions provided by State laws, why not go the whole way and let all soldiers in uniform vote—those from the District of Columbia, who have no vote at all, and young men under 21 years of age, who are fighting side by side with the legal voters. Why not let them all vote, said Senator BROOKS, if we are to change the rules and ignore the Constitution. The Senator said:

> But you say you want the soldier to vote. What soldier do you want to vote? All soldiers? Oh, no, you do not. That is not what you are providing. There are at least 2,000,000 young men in the Army not yet 21. They would not get a vote. Why do you not give them a vote? * * * Do you say to me, "We cannot, under the Constitution"? You cannot give the others a vote, either, under the Constitution. If you are going to violate the Constitution, let us go the whole way, and let us give all the boys a chance to vote. * * * Let us quit this sham, talking about giving all the soldiers a right to vote, unless we are to be honest. If we are not to talk about fraud, let us talk about honesty. Let us tell the truth. * * * How about the boys from the District of Columbia? No provision has been made for them. They are just as patriotic as any others. We have not been asked to violate the Constitution for them. If we are to stand by the Constitution, in the name of God, let us stand by it. If we are to change the rules and give all the soldiers a chance to vote, in the name of God, let us do that. But let us do one or the other. Let us either uphold what these boys are fighting for, or say, "We are going to change the rules."

Mr. Chairman, some suggestions have been made that the weight of the State ballots might place an undue burden on the shipping facilities of the military during war. This is untenable. First of all, under the Federal ballot legislation not only the State ballots are to be sent out overseas but the Federal ballot as well, so that there is a duplication, and the addition of the full weight of the Federal ballots to the load. This additional load of the Federal ballots is wholly unnecessary, because it will serve no useful purpose if the State ballots are given to the soldiers. The best estimates available are that the State ballots sent under State laws providing the opportunity to every soldier who requests a ballot will not exceed 150 or 200 tons. We are sending regularly overseas immense tonnages of propaganda under O. W. I., exceeding many, many times the weight of these State ballots. If we are justified in order to advance the success of our military operations to send this propaganda abroad, and I am not contending that we are not, we certainly could send no better material for advancing the war effort and building up the morale of our soldiers than by sending to them the State ballots of their respective States, and letting them know that we back home are thinking about them and that we still recognize them as citizens of our respective communities and that we still want them to have a part in the selection of the Governor, sheriff, clerk, and all of the other local officers who shall govern their affairs and protect their property and their families while they are away fighting for their country. Under the Federal ballot procedure, this will be denied them. They will be given the empty right to mark a cross on a blank piece of paper upon which are placed no names of candidates and which purports to be a vote for some Presidential candidate as well as a Vice President and Members of Congress. Certainly it can be truthfully said that such a ballot is a fraud upon the soldier.

I hold in my hand a sample ballot from my district in the November 1942 election, being Multnomah County, Oreg. You will note that it is a long ballot. This is by reason of the fact that in our State we not only vote on candidates but we also vote on constitutional amendments and legislative enactments. On this ballot there are seven of such proposals, with the necessary explanation of each. It also contains the general municipal election ballot. I took this ballot to the post office in the New House Office Building and had it weighed, and it weighs less than a half ounce. We could very well split that weight in two by printing the ballot on both sides. Under the legislation enacted in our State the election officials are authorized to make any regulations with reference to printing of the ballot that will be necessary to comply with any Federal requirements for putting the ballot in the proper size and weight to facilitate transportation. Unquestionably our big State ballot with every officer named and every measure set forth verbatim identical with the ballots used by civilian voters, together with the two envelopes required, could be brought below the weight of an ounce, and probably within the weight of a half ounce.

Mr. Chairman, I know that we all want to give the soldiers the right to vote. We want to give them the right, not only to vote for the President and ourselves, but we want to give them the right to vote for all State officers and State measures. There is not any question that this can be done so as to give ample time to every State that will cooperate to send the full State ballot to all the soldiers at home and abroad. We will not need to deprive them of the right to vote for their State officers and we will not need to selfishly make provision for them voting for the President, Vice President, and ourselves, and no one else. We will not have to violate the Constitution and thereby undermine free institutions for which our soldiers are fighting. We will not have to violate the oath we took to uphold and defend the Constitution.

Mr. WRIGHT. Mr. Chairman, I am not too well pleased with the present form of the Worley bill; at least, I was not until a moment ago, when I reread it more carefully than the first time, but I think even in its present form it is infinitely preferable to the committee bill. There is some language in section 36, which impresses me very much. This section expressly excepts sections 1 and 2 of Public Law No. 712 from the repeal of that act. In my opinion, this express

exception has the effect of retaining sections 1 and 2 in effect. And I am strengthened in that opinion by the statement of the gentleman from Texas [Mr. WORLEY], who offered the bill and should understand what it means. Therefore I disagree with the gentleman from New York [Mr. MARCANTONIO], who stated that these sections are no longer law. I urge everyone who intended to support the original Worley bill to support it in its present form, because I believe they are both substantially the same in their legal effect.

Mr. MARCANTONIO. I believe the Worley bill should still be supported, and I have so stated, but I must protest against this case of appeasement which caused the repeal of the anti-poll-tax provisions that were originally in the Worley bill.

Mr. IZAC. Mr. Chairman, I approach this from the angle of practicality. I have seen 50,000 men go to sea with the fleet before election day, and less than 1,000 absentee ballots came back. We will have nearly 3,000,000 men in the Navy, and how many do you suppose are going to vote in this next election? Without a uniform Federal ballot we are just kidding ourselves and kidding them. Certainly, with the present absentee ballots of the various States, there will not be a handful voting. There is only one way you can get those men to vote, and that is by making it easy. They have other things to do, when out at sea for 6 or 8 months at a time, than to be going through the processes and procedures that must be complied with to vote a State absentee ballot. So I say if we really want the sailors and soldiers of this war to vote, we have to give them a Federal ballot. That is the long and short of it and all other considerations are just so much bunk.

Mr. COOLEY. Is there anything at all in the Worley bill which attempts to invade the State law?

Mr. IZAC. Oh, I am for the Worley bill, because if they cannot get the State ballot, and I feel sure they will not, then they have the Federal ballot. And I want them to vote.

Mr. GILCHRIST. Mr. Chairman, I have heard something about the Constitution in this debate. I do not know much about it, but I know what the Supreme Court said about it 75 years ago in the case of *Ex parte Milligan* (4 Wall., p. 2). This case has been cited to the courts over and over and every time it has been confirmed and reaffirmed. It is the law. The Supreme Court said so 75 years ago, and I just have time to read to you the following sentence from that celebrated case. It grew out of the Civil War and is a wartime holding of our Court. It states as follows:

> The Constitution of the United States is a law for rulers and the people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Such a doctrine leads directly to anarchy or despotism, but the theory of necessity on which it is based is false; for the Government, within the Constitution, has all the powers granted to it, which are necessary to preserve its existence; as has been happily proved by the result of the great effort to throw off its just authority.

Mr. Chairman, the Constitution must be preserved, both in peace and in war.

I yield back the remainder of my time.

Mr. McMURRAY. Mr. Chairman, I thank the Members on my left for the applause with which they have greeted my appearance in the well of the House. The Worley bill as amended here will test the basic sincerity and political honesty of every man on this floor. To those who think the Worley bill is unconstitutional let me say that we have so amended it that this objection is no longer valid. This is a test of political sincerity. The committee bill was brought in here with fraudulent statements printed in the report; fraudulent statements about the Worley bill. We have debated these issues over and over. The basic issue is political. We might as well face it. The Worley bill gives every opportunity to vote a State ballot that is contained in the committe bill, any statements in the report or by any Member of Congress to the contrary notwithstanding. It also gives an additional opportunity to those soldiers and sailors who may not be given a chance to obtain and vote a State ballot. The Federal ballot will furnish the only opportunity to vote many of these men and women of our armed forces will get. Let us not deny this to them.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

The gentleman from Idaho [Mr. DWORSHAK] is recognized.

Mr. DWORSHAK. Mr. Chairman, I take this time merely that I may stand up and be counted in favor of a constitutional State ballot, instead of the Worley simplified, Federal ballot. I want every man and woman from Idaho in the services to vote. Likewise I want their ballots to be counted. I understand the Governor of Idaho will call a special session of the legislature this month. I am advised by the only attorney in the lower house of the Idaho Legislature—one of the majority leaders—in a letter from which I quote as follows:

> It is my opinion now that when the Idaho Legislature is called in special session (the date being tentatively set for February 28, 1944) we shall provide for a State ballot for State and Federal officers and that insofar as the State of Idaho is concerned, that ballot only will be counted by election judges. I think that it is safe to assume that should the so-called War Ballot, as presented in the Worley bill, be presented for counting and certification to the officers of the State of Idaho, an injunction suit will be brought immediately to enjoin the counting of such ballots.

It is obvious that Federal ballots would not be counted in Idaho. If there is to be any fraud perpetrated upon Idahoans in the armed service, I do not propose to take part in this duplicity. These soldiers will be able to cast constitutional ballots this year, if there is cooperation on the part of the Federal Government; and they will enjoy the same right of franchise as civilians in deciding these crucial elections.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. MURPHY].

Mr. MURPHY. Mr. Chairman, the more I see of these proceedings, the more I understand why the American people love, respect, and admire, and follow the President.

Mr. Chairman, 20 years ago today Woodrow Wilson died. He died broken by the bitter knowledge that the cause for which we fought and died on the fields of France had been lost in victory.

A great war President, he died defeated, not by the enemy but by his own people. He was repudiated as an idealist and we returned to normalcy—but if he could come back to earth today who could refuse him the title of the supreme realist of his generation?

He died in the absolute conviction that this country would have to accept the vision of reality that blind men call a dream. "I would rather fail in a cause that some day will triumph," he said, "than to triumph in a cause that I know some day will fail." Today the vindication of Woodrow Wilson is cruelly complete. I am convinced that the education of the American people is also complete. Unfortunately, I cannot say the same as to the evidence shown by some of the debate in this body.

I am convinced that the bill to really give the soldiers the best opportunity of voting is the Worley bill, and I shall vote for and support that bill.

The CHAIRMAN. The Chair recognizes the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Chairman because I want my record clear in the matter of the soldiers' vote bill I shall take a brief moment to state my position. It is my considered opinion that the Worley substitute bill gives more opportunity for complete coverage of the forces than the committee bill. I am therefore supporting the Worley bill.

Should this bill be defeated, it is my hope that a compromise may be worked out in conference that will include both Federal and State machinery. Neither would be complete alone.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. HOCH].

Mr. HOCH. Mr. Chairman, the so-called committee bill might well be titled "The Great Recommendations."

Nothing is enacted into law by this proposed arrangement. It is not a bill, for a bill is a proposed law. It is not even a resolution. It is a conglomerate series of eight recommendations to the States. Perhaps some of the States will act as recommended. Perhaps they will not.

The situation reminds me of a farmer in my county. He was a city farmer, inexperienced. He had a field that failed to yield crops. One day the preacher called and the farmer asked his advice. The preacher scratched his head for a moment and then said: "Well, my friend, I recommend that you pray more fervently."

Now, a Pennsylvania Dutch farmer arrived on the scene in time to hear the pastoral advice. In his native tongue he

said: "Gooder rode un beade doods net. Do muss misht bei." (Recommendation and prayer will not avail. What is needed is manure.) He continued: "Come over to my farm; I'll let you have a few loads. Fertilize the field and you'll get a crop."

And so I say: "What the soldiers need is not recommendations but ballots. Give them ballots and you'll get a crop of votes." Nothing less will satisfy them.

The Worley bill would send each soldier a Federal ballot and also a post card to be used in applying for a State and local ballot. In addition to furnishing a Federal ballot, the Worley bill would do what the Senate arrangement recommends.

If I know the mettle of the soldier boys, they want action—not recommendations. They are out there on the seven seas, on all the continents of the globe, on the islands of the seas. They do not recommend that somebody fight, but they themselves are doing the fighting. They do not know how to hide behind recommendations—all they know is action.

They want to vote. In order to vote they must have ballots, not recommendations.

If this Congress is wise, it will discard the "great recommendations," thrust them aside, and enact a law to provide the fighting men with ballots.

"I wanted to vote," the soldier said,
As dejected and sad he sat.
"But Congress said: 'Oh, we recommend,
You'd not expect more than that.'
I couldn't vote on that recommend,
'Twas a ballot I needed then.
The recommend I couldn't vote,
I wanted to vote for men.
And so election day passed by,
The ballots they failed to send,
But instead I heard the old refrain:
'Oh, soldier, we recommend'."

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. BRADLEY].

Mr. BRADLEY of Pennsylvania. Mr. Chairman, I have been just informed that the Danaher amendment passed in the Senate by a vote of 72 to 19. Mr. Chairman, I was interested in what the gentleman from Tennessee [Mr. PRIEST] said about the bad effect on the morale of our soldiers if this Worley bill is defeated. I think it will have an equally bad effect on the people at home. I have here petitions with thousands of signatures gathered in the last 2 days in my district. Every one of those signatures represents a family having a boy in the service. They advocate a Federal ballot for their boys who are fighting. I intend to file these petitions with the House. I also want the record to show they were presented before the bill was acted upon by the House.

Mr. BUSBEY. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. I yield.

Mr. BUSBEY. Will the gentleman from Pennsylvania state to the House who collected these petitions and circulated them?

Mr. BRADLEY of Pennsylvania. Why, good American citizens, equal to those who reside in the gentleman's own district.

The CHAIRMAN. The Chair recognizes the gentleman from Alaska [Mr. DIMOND].

Mr. DIMOND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIMOND: On page 19, after line 16, insert the following section:

"SEC. 88. The provisions of this act shall apply to each resident of the Territories of Hawaii and Alaska who is a member of the armed forces of the United States and who is absent from his or her place of residence, so as to permit each such resident, who is otherwise qualified to vote under the laws of the Territory of his or her residence, to vote for Delegate in Congress of the Territory of which he is a resident, by writing in the name of such voter's choice for Delegate in Congress in the official ballot under the heading, 'Representative at Large in Congress for your State.' The secretaries of said Territories shall exercise the powers conferred in this act upon the secretaries of state of the several States, and the ballots cast under the provisions hereof shall be canvassed, counted and certified in each Territory by its proper election or canvassing boards in accordance with laws of such Territory, in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted and certified."

Mr. DIMOND. Mr. Chairman, this proposed amendment is a very simple one. It has the approval of the gentleman from Hawaii [Mr. FARRINGTON]. It seeks only to extend to the citizens of the United States who happen to reside in the Territories of Hawaii and Alaska, and who are serving in the armed forces of the United States, the same opportunity to vote that is sought to be afforded by the Worley amendment, and this is the only amendment that is in order now, an amendment to the Worley amendment. Neither the committee bill nor the Worley amendment attempts to make any provision for our citizens who are thus serving in the armed forces. It is not necessary to elaborate upon the services being given to those citizens of the United States who happen to be the constituents of the gentleman from Hawaii [Mr. FARRINGTON] and myself. They are scattered all around the world. The casualty lists that are seeping in from the South Seas and from Italy prove our men are rendering the same kind of high and patriotic service that is being rendered by constituents of all Members. There is no reason that I can think of why the same facilities for voting should not be given to them as are sought to be extended to other citizens of the United States. I suggest to my distinguished friend from Texas [Mr. WORLEY], that he should accept this amendment, and should his amendment prevail, take our amendment to conference. I think it is sufficient as it stands, because it simply provides that the voter can write in the name of the delegate in Congress under the head of "Representative at large from his district," and it does not require any other change in the law. I wish that the amendment I have offered might provide for a ballot to cover all Territorial candidates, but the scope of the Worley amendment does not permit, because the Worley substitute covers only the President and Vice President and Members of the National Senate and House of Representatives. Delegates in Congress from the Territories may be properly included in the Federal ballot with Members of the House of Representatives. Therefore, my amendment necessarily covers only delegates in Congress from the two Territories.

The CHAIRMAN. The question is on the amendment offered by the Delegate from Alaska [Mr. DIMOND].

The amendment was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. WASIELEWSKI].

Mr. WASIELEWSKI. Mr. Chairman, the principal proposition before the House is: Shall the women and men of our armed forces be given an opportunity to exercise their right of franchise as guaranteed under the Constitution? It is the job of Congress to adopt some effective measure that will preserve a voice in their Government for those in our armed services. We are not fulfilling our duty by merely "passing the buck" onto the States.

The bill recommended by the committee consists of eight recommendations and one suggestion and attempts to shift the entire responsibility for meeting the problem to the States. Though some of the suggestions contained in the committee recommendations possess merit, the very nature of the bill makes it ineffectual and of little value. It in no way changes the substantive law.

Whereas the committee bill recommends and suggests, the Worley bill authorizes and affords definite action covering much the same ground as the committee bill but in a more realistic and effective manner. In addition the Worley bill provides for the Federal ballot.

There is no question but that the ideal situation would be one that would afford every elector in the service of his country an opportunity to vote his or her respective State ballot. The Legislature of the State of Wisconsin deserves the highest commendation for it has adopted measures that should expedite the use of the State ballot by the voters in the armed services. Under the law of my State, the primary date has been advanced from September 19 to August 15 and an effort will be made to deliver a State ballot to every man and woman in the service of his or her country for both the primary and general election without solicitation or request of the individual votes. The Legislature of Wisconsin has gone as far as it is humanly possible to assure an exercise of the ballot by the electors in the armed services from my State.

Let us be practical in our consideration of this subject matter. Though the election authorities of the State of Wisconsin be conscientious in the fulfillment of their duty under this act—and I have every reason to trust that they will—many of the ballots inevitably will miss the men for whom they are intended. In time of war men are con-

stantly being moved and shifted about. Though every effort will be made to trace them, it is reasonable to assume that a certain number will receive their ballots too late and some of them not at all. It is reasonable to assume that there are many States in which it will be practically or legally impossible to enact enabling legislation that would permit the men and women in the services to vote. The Federal ballot is intended to accommodate the men who come from such States and also to take care of those for whom a State ballot has been provided, but who, because of the uncertainties of war, could not fully exercise it.

To make certain that everyone in the services might effectively vote, the men and women in the services should be encouraged, wherever possible, to exercise both the State and Federal ballot. Mail planes and mail boats have been known to be lost en route. By voting both ballots, the serviceman has greater assurance that the chances of one of them coming through in time to be counted is better than if he votes only one. If both ballots should reach the precinct of the individual voter in time to be counted, then the State ballot should be recognized and the Federal ballot canceled.

It was suggested by the gentleman from Texas [Mr. WORLEY] that the Federal ballot would be especially hazardous to the gentleman from Connecticut [Mr. MONKIEWICZ] and to me because some of our constituents might have difficulty with our names. If I can be assured that every man and woman in our armed services will get an opportunity to exercise his or her constitutional right and privilege, I am willing to risk that hazard.

Another question arises: If we use the addresses available to us to send ballots to these men, will they reach them? We all know their addresses change quite frequently. I believe the only way we can reach all the boys is to provide for a Federal ballot.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. REED of Illinois. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. REED of Illinois. Mr. Chairman, I wish to make a brief observation relative to the proposed substitute for the committee bill. This substitute or rather title I thereof—the Worley amendment—creates a new Federal agency called the United States War Ballot Commission and invests it with authority to print ballots and voting instructions for use of men and women in the armed services. The ballots designated as "official Federal war ballots" will contain no names of candidates or political parties. The person utilizing them will be required to write in the name of his candidate or the political party of his choice. He is limited to vote only for Presidential electors, United States Senators and Representatives in Congress. These so-called ballots, instructions, and so forth would be delivered and distributed to the men and women in the armed forces by the Secretary of War and Secretary of the Navy. Appropriate commanding officers of the Army and Navy will be designated to make the actual distribution of such ballots, fix a day for voting, collect the ballots and transmit them to the Commission. The Commission would sort them out and retransmit them to the respective secretaries of state of the States of residence of the individual voters. They in turn would send them to the appropriate county clerks or local election officials.

Section 1 of article II of the Constitution of the United States provides that Presidential electors shall be appointed in each State "in such manner as the legislatures thereof may direct" and that "the Congress may determine the time of choosing the electors and the day on which they shall give their votes; which day shall be the same throughout the United States."

This constitutional provision has been several times construed by the Supreme Court of the United States. In *Fitzgerald* v. *Green* (134 U. S. 377), the Court in 1889, speaking through Mr. Justice Gray, said:

> The only rights and duties expressly vested by the Constitution in the National Government, with regard to the appointment or the votes of Presidential electors, are by those provisions which authorize Congress to determine the time of choosing the electors and the day on which they shall give their votes, and which direct that the certificates of their votes shall be opened by the President of the Senate in the presence of the two Houses of Congress, and the votes shall then be counted. (Constitution, art. I, sec. 1; amendments, art. XII.)
>
> The sole function of the Presidential electors is to cast, certify, and transmit the vote of the State for President and Vice President of the Nation. Although the electors are appointed and act under and pursuant to the Constitution of the United States, they are no more officers or agents of the United States than are the members of the State legislatures when acting as electors of Federal Senators, or the people of the States when acting as electors of Representatives in Congress. (Constitution, art. I, secs. 2, 3.)
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> Congress has never undertaken to interfere with the manner of appointing electors, or, where (according to the now general usage) the mode of appointment prescribed by the law of the State is election by the people, to regulate the conduct of such election, or to punish any fraud in voting for electors, but has left these matters to the control of the States.

Again 3 years later in the case of *McPherson* v. *Blacker* (146 U. S. 1), the same Court, speaking through Mr. Chief Justice Fuller, said:

> The Constitution does not provide that the appointment of electors shall be by popular vote, nor that the electors shall be voted for upon a general ticket, nor that the majority of those who exercise the election franchise can alone choose the electors. It recognizes that the people act through their representatives in the legislature and leaves it to the legislature exclusively to define the method of effecting the object.

Continuing, the Chief Justice cites a portion of Senate Report No. 395, first session, Forty-third Congress, which reads as follows:

> The appointment of these electors is thus placed absolutely and wholly with the legislatures of the several States. They may be chosen by the legislature, or the legislature may provide that they shall be elected by the people of the State at large, or in districts, as are Members of Congress, which was the case formerly in many States; and it is no doubt competent for the legislature to authorize the Governor, or the supreme court of the State or any other agent of its will, to appoint these electors. This power is conferred upon the legislatures of the States by the Constitution of the United States, and cannot be taken from them or modified by their State constitutions any more than can their power to elect Senators of the United States. Whatever provisions may be made by statute, or by the State constitution, to choose electors by the people, there is no doubt of the right of the legislature to resume the power at any time, for it can neither be taken away nor abdicated.

Continuing, the Chief Justice said:

> From this review * * * it is seen that from the formation of the Government until now the practical construction of the clause has conceded plenary power to the State legislatures in the matter of the appointment of electors. * * * In short, the appointment and mode of appointment of electors belong exclusively to the States under the Constitution of the United States. * * * Congress is empowered to determine the time of choosing the electors and the day on which they are to give their votes, which is required to be the same day throughout the United States, but otherwise the power and jurisdiction of the State is exclusive, with the exception of the provisions as to the number of electors and the ineligibility of certain persons, so framed that congressional and Federal influence might be excluded.

In 1933, Mr. Justice Sutherland, speaking for the majority of the Court in *Burroughs and Cannon* v. *United States* (290 U. S. 534), upheld the constitutionality of the Federal Corrupt Practices Act of 1925. He reiterated the power of the States to choose electors and provide the manner in which they shall be chosen. The requirement of Federal law that officials of political parties be required to account for contributions and expenditures in such political campaigns did not, he held, interfere with that right and merely tended to preserve the purity of elections.

By the wildest stretch of imagination the Worley amendment is not designed to insure the purity of elections. On the contrary, it is an invitation to corruption. It places control of the distribution of ballots, the issuance of instructions, the day of balloting, and the collection of the votes in the hands of two Cabinet officers, appointed by a potential candidate for the Presidency.

It violates the Constitution by authorizing the Federal Government to print ballots, distribute them, instruct voters, and provide methods of voting. It effectively nullifies the power vested in the State legislatures by the Federal Constitution to prescribe the method of choosing electors.

Its enactment would mean a challenge in 48 States to the validity of the electoral returns of that State.

The committee bill, though not perfect, provides an orderly constitutional method by which service men and women may cast their votes and be assured that they will be counted.

And best of all, it will give them the opportunity to vote for all officials—Federal, State, district, and county. In other words, they will get the same ballot that is voted by their mothers and dads.

Mr. KEFAUVER. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. KEFAUVER. Mr. Chairman, in a few minutes we will vote on the Worley substitute. Our action will determine whether any substantial number of men in service have an opportunity of voting. The issue is clear and everyone understands it. Those of us who really want to give the serviceman a voice in the next election will support the Worley substitute. Those who for any reason do not want to give them this opportunity will vote against the Worley substitute.

With the adoption of the Tarver amendment, no question of infringement of States' rights, no constitutional question is involved. The validity of the ballots under section 9 of the Worley bill is passed upon by the State officials. Pass the Worley bill and practically every State, I think, will pass necessary legislation to make the Federal ballot acceptable and legal. In my State of Tennessee, the Governor is waiting to see what action we take before deciding whether to call a special session of the assembly.

Sometimes I think we overlook the duty we owe the men in service. In the Classic case our Supreme Court recently held:

> The right of the people to choose (i. e., the elective franchise in national elections) * * * is a right (privilege) established and guaranteed by the Constitution.

Are the men in service people who should have that right guaranteed to them? As a war measure we could, I believe, see that the right of citizenship, as exemplified by the right of voting, is made available to the man in service, wherever he may be.

Read the Myers decision and you will be convinced this is true. But the Worley bill even avoids this constitutional argument. It is the least we can do to enable the serviceman to be a continuous voting citizen.

Mr. FORD. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The CHAIRMAN. Without objection it is so ordered.

There was no objection.

Mr. FORD. Mr. Chairman, I have listened with some wonderment to the arguments offered by my distinguished colleagues as to why the complete control of the voting of men in the service should be in the hands of the States. Among the most vigorous arguments presented are those that invoke the Constitution. These gentlemen, admitting their sincerity, are disturbed because, as they allege, the fixing of qualifications for voting is purely a State function. To that argument I would reply: Is drafting men into the armed forces, to fight and to die in defense of the Nation, a function of the State, or is it strictly a function of the Federal Government? Will my States' rights colleague answer that question?

We all know that the right to vote is not a universal right per se. If that were true, any citizen, regardless of his situation at any particular time, might be permitted to exercise the franchise in peacetime. Safeguards have been provided, and rightly so. Why? For the purpose of circumventing the colonizing of voters by machine politicians for the benefit of special political groups in particular instances. There are many other safeguards, but this is no place to catalog them.

But we are not at present functioning in a peacetime situation. We are at war. A global war. A war for the preservation of the right of every citizen to express his preference for the men and women who are to direct and control the destinies of the greatest democracy extant. The men and women engaged in this gigantic struggle are not at home. Millions of them are not even in this country. Other millions of them are located in places far remote from the polling booths in which they would in ordinary peacetime express their preferences.

Is this Congress—the Congress that has taken these men and women from their homes and sent them hither and yon over the world's surface—ready to say to these men and women, "We are sorry, but because we do not know just how you are going to vote in the coming national election, we feel that the best interests of the Nation render it necessary that we disfranchise you. Of course if you can comply with all the rules and regulations with which we have surrounded the ballot, that is the varying rules and regulations that the various States have provided, then you can vote. If it so happens that because you are in the South Seas, Alaska, or some other distant point such as the British Isles, Greenland, north Africa, Sicily, or Italy, it's just too bad. If you cannot comply with these rules, why we are—as our barbarous enemy, the Jap, would say—so sorry.

Is that the kind of a soldiers' vote bill the Congress contemplates passing? If it is, I want none of it. Such a bill would, whether intentionally or not, disfranchise the millions of men and women who are baring their breasts to the bullets of the enemy and the diseases and discomforts of the tropical jungles, the broad oceans and Arctic blasts of the wide world.

This Congress will persist in its attempt to disfranchise our fighting forces, men and women, at its peril. If it does persist in these restrictive measures that prevent men and women in the armed services from participating in the most important national election ever held, democracy will have been dealt one of the severest blows in all its history.

Let our fighting forces, men and women, wherever stationed, vote. That and only that is democracy in action. And it can be accomplished only by an all-out Federal law and not by laws made by 48 States.

Mr. DINGELL. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. DINGELL. Mr. Chairman, a great volume of oratorical discussion filled this Chamber for many hours, and speaker after speaker stressed the States' rights involved which it was claimed would be impaired by the Worley bill. The alternate Rankin bill, it was stated, would save from violence this inherent, this reserved right of the State to regulate and prescribe rules under which a citizen could cast his vote; at the same time it is claimed—I contend erroneously—that the soldier and sailor serving his country in far-away lands could exercise his right of franchise under the Constitution without impairment of States' rights. Be that as it may, I am convinced that the Worley bill is the only practical, effective, and desirable substitute for the Rankin proposal and is the only real guarantee that the men and women fighting for these rights shall have an opportunity to express themselves.

Anent the constitutional phase, Mr. Chairman, let me say that I deny that the Worley bill does violence to States' rights, but granting that it does, as is claimed by the supporters of the Rankin bill, it is far better to sideswipe nebulous, undefined States' rights than to deny the men and women in uniform, fighting to preserve these rights, the fundamental privilege of voting and of expressing a preference as to who shall represent them.

The most important is the human right of the individual citizen; he is the master, the creator, of the State and of the Constitution. When the State becomes the master rather than the servant, when a constitution becomes an instrument of oppression rather than a definition of governmental limitation, the people have the right and they have on more than one occasion made changes in the Constitution.

This inspired document, the handiwork of farsighted and sincere men, I believe is broad enough, elastic enough, to protect the basic rights of the State and of the citizen with whom we are here and now concerned.

I will vote for the Worley proposal, unfortunately without record, and against the Rankin bill on the record. My State, under its laws, provides already the privilege so generously proffered by the Rankin bill. The Worley bill would make more simple and easy this privilege of my soldier constituents. I am anxious to simplify the procedure for all service men and women where constriction of State law makes it difficult to cast an absentee vote and impedes its return under wartime conditions. I want to make the privilege of voting universal, rather than restrict it to certain States or to certain privileged persons in these

States under oppressively shortsighted legal restrictions.

Certainly a man fighting for his country, offering his life for it, ought to be given every opportunity to cast his vote, and we ought to grant him every facility and all the latitude in the world.

Mr. BECKWORTH. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BECKWORTH. Mr. Chairman, in the consideration of this legislation, the membership of the House must be realistic. Although I am a firm believer in States' rights I have been and am of the opinion that ballots could best reach our men and women in service if handled under the plan of my able colleague and friend, Mr. WORLEY. I am strongly in favor of our service men and women voting; I believe every effort should be made to assure for them all the opportunity to vote. I could not feel otherwise since I have a brother-in-law and 14 first cousins in service, 4 overseas.

Mr. ROGERS of California. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. ROGERS of California. Mr. Chairman, for the servicemen to vote in the coming Federal elections will require the maximum cooperation and good will of the Federal Government and each of the 48 States.

Even under the most enlightened State legislation, the majority of servicemen overseas will not be able to vote their State ballots. This is because of the necessary cumbersomeness of State procedure.

A serviceman will have first to write to his State requesting his State's ballot. The Secretary of War and the Secretary of the Navy have stated that they doubt if there will be enough time or enough transportation available to transmit the request for the ballot to the State, then to transmit the ballot back to the serviceman, and then transmit the marked ballot back again to the State in sufficient time for that ballot to be counted. Almost every expert who has studied the matter, agrees that to vote 11,000,000 men by State ballots alone, will be practically impossible.

That is where the Federal Government can come in. We all hope that each serviceman will be able to vote his State ticket. But we all know that is going to be impossible. The Army and Navy say it is impossible. Therefore, if the serviceman is to vote, there must be Federal legislation.

The Worley bill gives every guarantee for the facilitation of States' ballots that the Rankin-Eastland or any other bill does, but—and here is the important but—it gives to the serviceman a Federal ballot in case he cannot receive his State ballot—as indeed we know he probably will not—

Not to vote for the Worley bill, or for some Federal voting bill, is to disenfranchise in varying degrees, 11,000,000 American men and women. They are fighting for our democracy. They should be allowed to participate in our democracy.

Mr. GATHINGS. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

Mr. GATHINGS. Mr. Chairman, I am in favor of the Rankin bill, which in my judgment is the only method before this body which will permit members of the armed forces to cast their constitutional ballots. I oppose the Worley bill. I am against the Worley bill as amended by the gentleman from Georgia for the reason that the Federal bobtail ballot, as contained in the Worley bill, is not eliminated by the amendment. The servicemen from my State want a ballot which would permit them to vote in the primaries as well as in the general election. There is little interest in Arkansas and many other Southern States in the general election since the action of the primaries is final in the selection of officials. These Arkansas service men and women would be denied the right of franchise in the selection of their local and State officers if the Worley bill prevails.

Congress has no power to enact the Worley bill. It is not only an infringement upon the rights of the States but it violates the express provisions of the Constitution of the United States. It has been argued by advocates of the Federal ballot that the Congress has the right to pass election legislation under the war powers. The Supreme Court of the United States has passed on this specific question in the case of *Ex parte Milligan*, Seventy-one United States Reports, page 125. I quote from that decision:

> This Nation, as experience has proved, cannot always remain at peace, and has no right to expect that it will always have wise and humane rulers, sincerely attached to the principles of the Constitution. Wicked men, ambitious of power, with hatred of liberty and contempt of law, may fill the place once occupied by Washington and Lincoln; and if this right is conceded, and the calamities of war again befall us, the dangers to human liberty are frightful to contemplate. If our fathers had failed to provide for just such a contingency they would have been false to the trust reposed in them. They knew—the history of the world told them—the Nation they were founding, be its existence short or long, would be involved in war; how often or how long continued, human foresight could not tell; and that unlimited power, wherever lodged at such a time, was especially hazardous to freemen. For this, and other equally weighty reasons, they secured the inheritance they had fought to maintain by incorporation in a written constitution the safeguards which time had proved were essential to its preservation. Not one of these safeguards can the President, or Congress, or the judiciary disturb, except the one concerning the writ of habeas corpus. The Constitution of the United States cannot be violated whether the Nation is at war or peace.

Mr. MYERS. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. MYERS. Mr. Chairman, my vote will be cast for a Federal ballot and against the Rankin bill. This controversy is not at all difficult to follow.

There is only one issue. The Rankin bill, if enacted into law, will make it impossible for our servicemen to vote, for it will be a physical impossibility to get the ballots to our boys in the armed forces. The Secretaries of War and Navy have so testified, but their testimony has been thrown aside and disregarded. Under this plan every soldier has to fill out a postal card, asking for a ballot, mail it back home and then wait for his ballot to arrive in the mail. In the meantime he may be transferred several times and the ballot will never catch up with him. The armed services cannot administer such a law; the procedure is so cumbersome, the red tape too lengthy, and the obstacles so many that our fighting men will have no voice in choosing their elected representatives. They can be called from their homes to fight and die for their country, but the Congress refuses to permit them to have a part in determining the kind of a government they wish to come home to. But worse than that, the Congress has refused to stand up and be counted on this question.

The Republican Party voted 17 to 1 against a record roll-call vote on a soldiers' Federal ballot; 180 Republicans voted on Tuesday last to prevent a roll call vote; they refused to stand up and be counted on this all-important measure. Only 11 Republicans accepted the challenge of President Roosevelt. But this is not strange. It parallels the record of the Republican Party on all major foreign policy issues in the days and years before Pearl Harbor.

On the other hand, the Worley bill provides for a Federal ballot, which will be placed in the hands of every serviceman. He need not beg for a ballot by filling in a post card and mailing it hundreds and thousands of miles back home. He need not wait for the States to then act on his request and finally start a ballot on its way to him. No; he is given a ballot, he marks it, and sends it back to his own home precinct to be counted. He has had his voice in determining the kind of a government he is fighting to preserve.

That is real democracy, that is what our soldiers and sailors want, that is what they demand and, by God, that is what they are going to have.

The President has spoken out eloquently and courageously on this issue, and the Democrats in the House of Representatives have supported him overwhelmingly by a vote of 3 to 1.

The issue is clear. I repeat, Shall our fighting men have only the right to die but not the right to vote?

Shall the Congress of the United States let them down? I for one am prepared to fight for them on this floor. I want them to vote and unless the Worley bill providing for a Federal ballot is adopted, very few of them will ever see a ballot, let alone mark it and vote it.

Mr. COOLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COOLEY. How much time remains?

The CHAIRMAN. The gentleman from Mississippi has 1½ minutes remaining, the gentleman from Texas 1½.

The gentleman from Mississippi [Mr. RANKIN] is recognized for 1½ minutes.

Mr. RANKIN. Mr. Chairman, the Tarver amendment has succeeded in making confusion worse confounded. You are still faced with this bobtailed ballot that would violate the laws of probably a majority of the States of the Union. If that is all you are going to send the soldier you will disfranchise hundreds of thousands of men from various States. Not only that, but it does not provide for the voting for any Presidential electors at all.

Mr. McMURRAY. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. No.

The Constitution provides that electors shall elect the President. The President is not elected by popular vote. By this provision you not only violate the Constitution by sending them this bobtailed ballot that will disfranchise large numbers of them, but at the same time you deny them the right to vote in State elections, because if this ballot is sent the State ballot will never reach them; and in addition to that, as amended by the gentleman from Missouri, it leaves out the primary elections entirely, and in that way disfranchises the servicemen from many of the Southern States.

Mr. O'TOOLE. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield for a question.

Mr. O'TOOLE. Does not the South disfranchise hundreds of thousands of men anyway? Take the gentleman's own State of Mississippi with a population of 2,183,000. Only 35,000 were able to vote in 1938.

Mr. RANKIN. If I lived in a State that elected Aurelio to the supreme court, I don't think I would jump on Mississippi.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Though time for general debate has expired, there are several amendments pending to the Worley substitute.

Mr. HARRIS of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRIS of Virginia: On page 18, line 11, after the colon following the word "agency", insert the following new proviso: *"Provided,* That it shall be unlawful for any officer of, or person employed in, the executive branch of the Federal Government, or any agency or department thereof, including the armed forces, to deliver or present or cause to be presented to any servicemen's newspaper or magazine or other publication, or to command, order, direct, or otherwise undertake to influence any servicemen's newspaper or magazine or other publication to publish, use, or carry in such servicemen's newspaper, magazine, or other publication, any article, statement, news story, editorial, or any picture, cartoon, or other illustration having any bearing on or any connection with any candidate or candidates, or party, in any election or primary. Nothing in this provision nor in this act shall be interpreted or applied so as to prevent any member of the armed services from discussing issues and candidates with any other person."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The amendment was rejected.

Mr. HARRIS of Virginia. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRIS of Virginia: On page 18, line 14, strike out the period after the word "departments", insert a colon and add *"Provided further,* That it shall be unlawful for any commissioned officer or enlisted man in any branch of the armed forces of the United States to command, order, direct, or undertake to influence, by suggestion, hint, request, coercion, intimidation, intimation or any other means, any member of the armed forces to cast his or her vote for any candidate or candidates, or party, in any election or primary. Any person violating this provision shall be subject to the provisions of State and Federal law prohibiting offenses against the elective franchise. Prosecutions may be begun, or indictments be brought, in any appropriate Federal or State court against any person duly charged with violating this provision at any time before the expiration of 1 year after peace is proclaimed by the President or by the Congress or before 1 year has elapsed after the accusing party shall have returned to the United States and shall have been released from the armed forces. This provision shall not be construed, interpreted, nor applied as a bar against action by court martial under the Articles of War or usual military procedures."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The amendment was rejected.

Mr. EBERHARTER. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. EBERHARTER. Mr. Chairman, I have spoken on the floor of this House several times on this issue now before us. The committee bill, generally known as the Rankin bill, has been classed by me as innocuous, spurious, and counterfeit. I reiterate that that is still my opinion. It does practically nothing but make recommendations to the 48 States of the Union. And in the face of the statements made by the Secretary of War and the Secretary of the Navy that these services cannot get ballots to our soldiers and sailors under 48 different State laws, it is not only meaningless but it is foolishness for this House to give approval to this so-called Rankin bill. The soldiers, sailors, marines, and their families will realize this when the time to vote arrives, if they do not already know it. They will find that our boys in the service have not been given a voice in the selection of their President. Were I a soldier or sailor I would feel resentful at the Members of Congress who failed to give me at least an opportunity to help choose our next President. I have done all in my power to create sentiment in this body and elsewhere for the passage of a genuine soldiers' vote bill, such as the Worley proposal. It now appears as though the friends of a genuine bill are to be defeated. However, I do not feel that I can vote for a bill that has been designated as a fraud. I will cast my vote against the Rankin bill.

Mr. MILLER of Connecticut. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MILLER of Connecticut: On page 2, after line 17, insert the following:

"UNITED STATES WAR BALLOT COMMISSION

"SEC. 2. (a) There is established a United States War Ballot Commission (hereinafter referred to as the Commission), which shall be composed of four Commissioners, who shall be appointed by the President, by and with the advice and consent of the Senate, to serve a term which shall not exceed the duration of the war and 6 months thereafter. Two Commissioners shall be members of the political party casting the largest popular vote and two Commissioners shall be members of the political party casting the second largest popular vote for Presidential electors in the most recent Presidential elections. Such Commissioners shall be appointed from lists of not less than six nominees submitted by the chairman of the national committees of the respective political parties. Vacancies in the Commission shall be filled in the same manner as the original appointments, that is, from lists of not less than three nominees for each such vacancy submitted by the chairman of the national committees of the respective political parties. No Commissioner shall hold or be a candidate for any elective public office. The Commission shall elect from among its members a Chairman and Vice Chairman. Each Commissioner shall receive as compensation $25 for each day in which he is actually engaged in performing the duties of his office and shall also be reimbursed for any necessary expenses incurred in the performance of his duties. The vote of a majority of all the Commissioners shall be necessary to a decision by the Commission on any matter.

"(b) The Commission is authorized to appoint, without regard to the Civil Service Act, rules and regulations, an Executive Director, and such other officers, employees, or agents as may be necessary for the performance of its duties under this act. The Commission may receive assistance from other Federal departments and agencies in carrying out the purposes of this act.

"(c) It shall be the duty of the Commission, in performing its functions under this act, to consult with representatives of the War and Navy Departments, and with State officials. As soon as practicable after any election to which the provisions of this title apply, the Commission shall report to the Congress on the administration of this act, including the number of ballots received by the Commission and transmitted to the secretaries of state of the several States, and the reports received by the Commission from such secretaries of state. Any Commissioner disagreeing as to the contents of the report may set forth his separate views."

Mr. KELLEY. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. KELLEY. Mr. Chairman, I do not believe that many Members of Congress realize the physical difficulties involved in sending the ballot from the States to the Army and Navy, scattered as they are throughout the world. If they have realized it, they have ignored it.

There are more than 127,000 different voting precincts in this country. In most—or all—of these voting districts there will be candidates for local offices in the next election, so that there will have to be something like 127,000 differ-

ent kinds of ballots printed and sent out. It will be necessary for each voting precinct to pick out its people in the armed forces—whether there be 100 or 200 or 300—and send the ballots of that district to each one of them. It is doubtful whether any two soldiers and sailors from any one district are stationed in the same place.

In this case the soldier, instead of coming back and going to his own voting booth in his district, will have to have his voting booth taken to him—each individual sailor and soldier throughout the world. The difficulty may be visualized by assuming that there are 25,000 American soldiers in one place—perhaps in India or in Australia. It is safe to assume that each one of the 25,000 comes from a different local voting district. When you consider that we have about 12,000,000 men and women in the services, there is certainly a question as to whether the facilities of the Army and Navy can be strained to handle this burden and at the same time carry the necessary mail and materials of war.

If we had employed experts to devise the most complicated, devious, and inefficient procedure—the method which would take the most time and the most paper and the most trouble—they could not have produced a plan to fit the specifications better than the State plan. Many—if not most—of these difficulties would be obviated by a Federal ballot.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. MILLER].

The amendment was rejected.

Mr. MILLER of Connecticut. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. MILLER of Connecticut:

On page 8 strike out lines 8 to 14, inclusive.

On page 8, line 17, strike out "Prior to and on the balloting day."

On page 8, line 21, strike out "On the designated day."

On page 9, strike out lines 4 to 6, inclusive.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. MILLER].

The amendment was rejected.

Mr. HINSHAW. Mr. Chairman, I offer an amendment to page 11, line 4, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HINSHAW: On page 11, line 4, strike out the period and insert a colon and the following: *"Provided, however,* That no official Federal war ballot shall be so canvassed, counted, or certified until the time to receive absentee ballots under provisions of State law has expired."

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. HINSHAW].

The amendment was rejected.

The CHAIRMAN. Does the gentleman from Georgia desire to offer any further amendment?

Mr. TARVER. Mr. Chairman, those amendments were submitted by me before the gentleman from Texas [Mr. WORLEY] had incorporated them in his substitute and I do not desire to offer them.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Texas, as amended.

Mr. DONDERO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DONDERO. The Committee understands that this is the Worley bill that we are now voting on?

Mr. RANKIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RANKIN. We could not hear the gentleman from Michigan. This is the Worley substitute that we are voting on.

The CHAIRMAN. If the gentleman will permit the Chair to state the question, the Committee will understand what it is voting on.

The question is on the substitute offered by the gentleman from Texas [Mr. WORLEY], as amended.

Mr. RABAUT. Mr. Chairman, on this vote I ask for tellers, to save time.

Tellers were ordered; and the Chair appointed Mr. WORLEY and Mr. RANKIN to act as tellers.

The Committee divided; and the tellers reported that there were—ayes 164, noes 215.

So the amendment was rejected.

Mr. BATES of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Mr. BATES of Massachusetts moves to strike out all of section I and substitute therefor the following:

"TITLE I

"That the Congress hereby expresses itself as favoring, and recommends to the several States the immediate enactment of, appropriate legislation to enable each person absent from the place of his residence and serving in the armed forces of the United States or in the merchant marine of the United States, or serving in the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots, or the United Service Organizations outside the United States and attached to and serving with the armed forces of the United States, who is eligible to vote in any election district or precinct, to vote by absentee ballot in any primary or general election held in his election district or precinct in time of war; and in order to afford ample opportunity for such persons to vote for Federal, State, and local officials and to utilize the absentee balloting procedures of the various States to the greatest extent possible:

"(a) It is recommended that the several States, when possible, waive the application for a ballot and authorize the proper election officials to send an official ballot to every voter serving in the armed forces of the United States or in the merchant marine of the United States, or serving in the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots, or the United Service Organizations outside the United States and attach to and serving with the armed forces of the United States. If an application is necessary then it is recommended that the several States, in order to avoid expense, duplication of effort, and loss of time, shall accept, as applications for absentee ballots under such States' absentee balloting laws and as applications for registration under such States' election laws, the form of post card (when duly executed by a person to whom this act is applicable) provided pursuant to section 3 of the act of September 16, 1942 (Public Law 712, 77th Cong.), of which some 11,000,000 have been prepared and are available for such purposes, notwithstanding that such post cards refer to the ballot being applied for as an 'official war ballot.'

"The form of the post-card application referred is as follows:

"_____
"(Date)

"Secretary of state of _____:

"Being on active duty in the armed forces of the United States and desiring to vote in the coming election, I hereby apply for an official war ballot.

"My home address is_____,
"(Number and street)
in the city, town, or village of _____, in the county of _____, in the State of _____, and my voting district or precinct to the best of my knowledge is _____. I desire that the ballot be sent to me at the following address_____

"_____

"_____
"(Signed)

"Signature certified by:

"_____

"(To be signed by any commissioned officer)

"Upon the other side of such post card is printed the following:

"Free
"(Official War Ballot)

"Secretary of state of _____,
"_____,
"(City)
"_____
"(State)

"The Secretary of War and the Secretary of the Navy, wherever practicable and compatible with military operations, and the Administrator of the War Shipping Administration, are directed to cause such post-card applications to be distributed to persons to whom this act is applicable, outside of the United States not later than August 15, 1944, and within the United States not later than Sepember 15, 1944. If such post-card applications already printed are not sufficient in number to supply the persons to whom this act is applicable, it shall be the duty of the Secretary of War, the Secretary of the Navy, and the Administrator of the War Shipping Administration to cause to be printed an additional amount of such post-card applications so that all of the persons to whom this act is applicable may be furnished with such application.

"(b) It is recommended that the secretary of state of each of the several States, upon receipt of any such post-card application, promptly forward it to the proper county, city, or other election official or officials in order that the request for an absentee ballot may be acted upon as expeditiously as possible.

"(c) It is recommended that the several States cooperate, to the end that county, city, or other election officials be authorized and instructed, upon receipt of an application made upon such a post card, to mail promptly to the voter making the application, if legally permissible under the laws of the State, a suitable absentee ballot, including therewith a self-addressed envelope for the use of the voter in returning the ballot and any instructions to govern the use of such ballot and envelope.

"(d) It is recommended, so that the envelope in which the ballot is sent to the voter, and the envelope supplied for the return of the ballot, may be identified by the Post Office Department and other authorities as carrying an election ballot, that there be printed or stamped in a conspicuous place on each such envelope the words 'Official Election Ballot'. It is further recommended

that, in the case of States in which no provision is made, either on the envelope or separately, for sending with the absentee ballots a printed form to be used by a voter for the purpose of establishing his legal right to vote, appropriate action be taken to have printed and enclosed with absentee ballots mailed in response to applications received on the post cards hereinbefore referred to, a form for the signature and oath or affirmation of the voter; and it is suggested that a form substantially as follows would be appropriate for such purpose:

"OATH OF ELECTOR FOR VOTING IN THE GENERAL ELECTION TO BE HELD IN 1944

"I do hereby swear (or affirm) that—

"(1) I am a citizen of the United States;

"(2) The date of my birth was_____;

"(3) For _____ years preceding this election my home residence has been in the State of _____;

"(4) For _____ years preceding this election my home residence has been in the (city, town, or village, if any) of _____, in the county of _____, at (street and number, if any, or rural route) _____;

"(5) I am (check appropriate blank)—

"(a) in the armed forces of the United States_____ ( );

"(b) in the merchant marine of the United States _____ ( );

"(c) in the American Red Cross ( ), the Society of Friends ( ), the Women's Auxiliary Service Pilots ( ), or the United Service Organizations ( ), outside the United States, and attached to and serving with the armed forces of the United States; and

"(6) I have not voted and do not intend to vote in this election at any address other than the above; and that I have not received or offered, do not expect to receive, have not paid, offered, or promised to pay, contribute, offered, or promised to contribute to another, to be paid or used, any money or other valuable thing as a compensation or reward for the giving of a vote at this election, and have not made any promise to influence the giving or withholding of any such vote; and that I have not been convicted of bribery or any infamous crime, or, if so convicted, that I have been pardoned or restored to all the rights of a citizen, without restriction as to the rights of suffrage.

"_____.

"Voter must write his usual signature here and oath must be administered and attested.

"Subscribed and sworn to before me this _____ day of _____, 1944.

"_____.

"Commissioned, noncommissioned, or petty officer not below the rank of sergeant (or its equivalent), or other person authorized to administer and attest this oath, shall write his name here.

"_____.

"Officer or other person signing above shall print his rank, rating, or title clearly here.

"Warning: Censorship of this ballot by Army, Navy, or civilian personnel is forbidden by law under penalty of fine and imprisonment.

"(e) It is recommended that, in States where the voters' absentee ballot will not be available for mailing to the voter 45 days prior to the general election in 1944, such States cause to be made such changes in the election laws of their States as will lengthen such time; and that all States waive registration of all men and women in the military service who, by reason of such services, have been deprived of an opportunity to register.

"(f) It is further recommended that the several States, in order to reduce the weight and bulk for air transport of absentee voting material being sent to persons to whom this Act is applicable, reduce in size and weight of paper, as much as possible, envelopes, ballots, and instructions for voting procedure.

"SEC. 2. (a) It shall, wherever practicable and compatible with military operations, be the duty of the Secretary of War, the Secretary of the Navy, and the Administrator of the War Shipping Administration, respectively, to cooperate with appropriate State officers and agencies in transmitting to and from persons to whom this act is applicable, making application therefor to their several States, such absentee ballots, and envelopes to be used in connection therewith, as may be provided under the laws of the several States for the use of such applicants, and to cooperate in the execution by such applicants of oaths in connection with such ballots.

"(b) Such post cards, ballots, and envelopes, and instructions for voting procedure, shall be transmitted free of postage, including air-mail postage, in the United States mails. The Secretaries of War and Navy, and the Administrator of the War Shipping Administration, shall take all steps necessary to give to the transmission and delivery of such post cards, ballots, envelopes, and instructions for voting procedure priority over all unofficial communications and priority over official communications except where, in the judgment of the appropriate military and naval authorities, such priority would interfere with the effective prosecution of the war. Ballots cast outside the United States shall, wherever practicable and compatible with military operations, be transmitted by air.

"(c) As used in this act—

"(1) the term 'United States' used geographically includes only the territorial limits of the several States of the United States and the District of Columbia; and

"(2) the term 'members of the merchant marine of the United States' means persons employed as officers or members of crews of vessels documented under the laws of the United States and persons enrolled for such employment with the United States War Shipping Administration, but does not include those in service or enrolled for service on the Great Lakes or the inland waterways.

"SEC. 3. The act of August 2, 1939, entitled 'An act to prevent pernicious political activities,' as amended, is hereby amended by adding thereto the following new sections:

"'SEC. 22. It shall be unlawful for any officer of, or person employed in, the executive branch of the Federal Government, or any agency or department thereof, including the Army and Navy, to deliver or cause to be delivered to persons in the armed forces of the United States any general communication, Government magazine, Government newspaper, motion-picture film, or other literature or material, or to make, or cause to be made, any broadcast to the armed forces of the United States, paid for in whole or in part with Government funds, or sponsored by the Government, or any officer, agency, or department thereof, including the Army and Navy, containing political argument or political propaganda of any kind designed or calculated to affect the result of any election for President, Vice President, Presidential elector, Member of the Senate, or Member of the House of Representatives, except as hereinafter provided:

"'(1) Nothing herein shall prohibit the rebroadcast over Government-controlled radio stations of any political address, but equal time must if requested be given for such purposes to representatives of each political party which polled at least 10 percent of the votes cast in the most recent Presidential election.

"'(2) Nothing herein shall prevent the distribution to members of the armed forces of books, magazines, and newspapers which have a general circulation in the United States, or of servicemen's magazines or newspapers, or the presentation to members of the armed forces of motion-picture films, radio broadcasts, or rebroadcasts; but no such distribution or presentation shall be undertaken by any Federal agency: *Provided, however,* That nothing herein shall prevent or interfere with the customary activities of the War Shipping Administration or the United States Maritime Commission or the War, Navy, and Post Office Departments.

"'SEC. 23. It shall be unlawful for any censor or other member of the executive branch of the United States Government to censor or interfere with any letter or communication addressed to an individual member of the armed forces for the purpose of removing therefrom political literature or political arguments or other matter sent to such individual member of the armed forces by any individual, corporation, or political committee, unless such literature or other matter contains information which may be of value to the enemy in their prosecution of the war.

"'SEC. 24. Any person who violates the provisions of section 22 or section 23 hereof either within or outside of the United States shall upon conviction thereof be fined not more than $1,000 or imprisoned for not more than 1 year, or both.'

"SEC. 4. There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

"SEC. 5. Section 3 of the act of September 16, 1942 (Public Law 712, 77th Cong.), is hereby repealed.

"Amend the title so as to read: 'An act to facilitate voting, in time of war, by members of the land and naval forces, members of the merchant marine, and others, absent from the place of their residence, and for other purposes.'"

"TITLE II

"That Public Law No. 712, Seventy-seventh Congress, be amended by inserting after the enacting clause the words 'Title I' and by striking out sections 3 to 15, inclusive, and inserting in lieu thereof the following:

"'UNITED STATES WAR BALLOT COMMISSION

"'SEC. 3. (a) There is established a Soldiers' and Sailors' War Ballot Commission (hereinafter referred to as the Commission), which shall be composed of four Commissioners, who shall be appointed by the President, by and with the advice and consent of the Senate, to serve a term which shall not exceed the duration of the war and 6 months thereafter. Two Commissioners shall be members of the political party casting the largest popular vote and two Commissioners shall be members of the political party casting the second largest popular vote for Presidential electors in the most recent Presidential election. Such Commissioners shall be appointed from lists of not less than six nominees submitted by the national committees of the respective political parties. Vacancies in the Commission shall be filled in the same manner as the original appointments, that is, from lists of not less than three nominees for each such vacancy submitted by the national committees of the respective political parties. No Commissioner shall hold or be a candidate for any elective public office. The Commission shall elect from among its members a chairman and vice chairman. Each Commissioner shall receive as compensation $25 for each day in which he is actually engaged in performing the duties of his office and shall also be reimbursed for any necessary expenses incurred in the performance of his duties. The vote of a majority of all the Commis-

sioners shall be necessary to a decision by the Commission on any matter.

"'(b) The Commission is authorized to appoint, without regard to the Civil Service Act, rules, and regulations, an Executive Director and such other officers, employees, or agents as may be necessary for the performance of its duties under this act. The Commission may receive assistance from other Federal departments and agencies in carrying out the purposes of this act.

"'(c) It shall be the duty of the Commission, in performing its functions under this act, to consult with representatives of the War and Navy Departments and the War Shipping Administration and with State officials. As soon as practicable after any election to which the provisions of this title apply, the Commission shall report to the Congress on the administration of this act, including the number of ballots received by the Commission and transmitted to the secretaries of state of the several States, and the reports received by the Commission from such secretaries of state. Any Commissioner disagreeing as to the contents of the report may set forth his separate views.

"'APPLICATION OF THIS TITLE

"'SEC. 4 (a) The foregoing provisions of this act shall also apply with respect to members of the merchant marine of the United States, and with respect to persons serving with the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots, and the United Service Organizations, outside the United States who are attached to and serving with the armed forces of the United States, to the same extent as such provisions apply to individuals serving in the land or naval forces of the United States.

"'(b) As used in this act—

"'1. The term "members of the merchant marine of the United States" means persons employed as officers or members of crews of vessels documented under the laws of the United States and persons enrolled for such employment with the War Shipping Administration, but does not include those in service or enrolled for service on the Great Lakes or the inland waterways.

"'2. The term "United States," used geographically, includes only the territorial limits of the several States of the United States and the District of Columbia.

"'(c) This title shall not be applicable after December 31, 1945.

"'(d) This title shall not be applicable in the case of the citizens of any State which has prior to June 1, 1944, made provision for absentee-voting ballots for members of the armed forces, complying with the following conditions:

"'(1) Such ballots may be used without registration, in person.

"'(2) Such ballots shall be printed and available for mailing at least 45 days in advance of the election.

"'(3) Such ballots, with accompanying envelopes and voting instructions, shall weigh not more than one and two-tenths ounces.

"The Commission shall ascertain and certify to the Secretaries of War and Navy and to the Administrator of the War Shipping Administration, on or before July 1, 1944, the States which have not made provision for absentee voting ballots in accordance with the conditions specified in this subsection.

"'OFFICIAL WAR BALLOTS, ENVELOPES, AND EXPLANATIONS

"'SEC. 5. (a) The Commission shall cause to be prepared and printed for use in voting in general elections under this title an adequate number of official war ballots. Each ballot shall be printed in the following form insofar as the offices enumerated are appropriate to the particular election:

"OFFICIAL WAR BALLOT

"Instruction: To vote, write in the name of the candidate of your choice for each office

"ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

"(A vote for President includes a vote for Vice President of the same party)

"Write in the name of your choice for President _____

"UNITED STATES SENATOR

"(Only if a Senator is to be elected in your State)

"Write in the name of your choice for Senator _____

"REPRESENTATIVE IN CONGRESS FOR YOUR DISTRICT

"Write in the name of your choice for Representative in Congress for your district _____

"REPRESENTATIVE AT LARGE IN CONGRESS

"(Only in the States entitled thereto)

"Vote for one or two as the case may be

"Write in the name or names of your choice for Representative at Large _____

"A vote for a Presidential candidate by name shall be deemed to be a vote for the candidates for Presidential and Vice Presidential electors of his party. No ballot shall be invalid by reason of mistake or omission in writing in the name of the candidate where the candidate intended by the voter is plainly identifiable. Where, because of any defect in marking, a ballot is held invalid as to any particular candidate for office, it shall remain valid as to the other candidates for office.

"'(b) The Commission shall also cause to be prepared and printed an appropriate number of official inner envelopes for use in sealing the official war ballots. Each envelope shall be gummed ready for sealing. Upon one side of the envelope shall be printed:

"'OFFICIAL WAR BALLOT FOR GENERAL ELECTION

"'Name of voter _____

"'(Print your name plainly here)

"'Home residence:

"'Street and number (if any) or rural route _____

"'(Print street and number of rural route plainly here)

"'City or town (if any) _____

"'(Print city or town plainly here)

"'County _____

"'(Print county plainly here)

"'Upon the other side of such envelope shall be printed the following oath, at the top of which shall be set forth the date of the election:

"'OATH OF ELECTOR FOR VOTING IN THE GENERAL ELECTIONS TO BE HELD IN 1944

"'I do hereby swear (or affirm) that:

"'(1) I am a citizen of the United States;

"'(2) The date of my birth was _____;

"'(3) For _____ years preceding this election my home residence has been in the State of _____;

"'(4) For _____ years preceding this election my home residence has been in the (city, town, or village) of _____ in the county of _____ at (street and number, if any, or rural route) _____;

"'(5) I am (check appropriate blank):

"'(a) in the armed forces of the United States ( );

"'(b) in the merchant marine of the United States ( );

"'(c) serving with the American Red Cross ( ), the Society of Friends ( ), the Women's Auxiliary Service Pilots ( ), or the United Service Organizations ( ), outside the United States, and am attached to and serving with the armed forces of the United States;

and that I have not voted and do not intend to vote in this election at any address other than the above; and that I have not received or offered, do not expect to receive, have not paid, offered, or promised to pay, contributed, offered, or promised to contribute to another, to be paid or used, any money or other valuable thing as a compensation or reward for the giving of a vote at this election, and have not made any promise to influence the giving or withholding of any such vote; and that I have not been convicted of bribery or any infamous crime, or, if so convicted, that I have been pardoned or restored to all the rights of a citizen, without restriction as to the rights of suffrage.

"'_____

"'(Voter must write his usual signature here and oath must be administered and attested)

"'Subscribed and sworn to before me this _____ day of _____, 194__.

"'_____

"'Commissioned, noncommissioned, or petty officer not below the rank of sergeant or its equivalent, or other person authorized to administer and attest this oath

"'(c) The Commission shall also cause to be prepared and printed an appropriate number of official outer envelopes for use in returning to the Commission official war ballots and official inner envelopes. Upon such outer envelope the following shall be printed:

"'Free of all postage including air mail

"'(Official Federal War Ballot)

"'To the Soldiers' and Sailors' War Ballot Commission.

"'For transmission to the secretary of state of the State shown below.

"'Voter's home residence:

"'Street and number (if any) or rural route _____

"'(Print clearly)

"'City or town _____

"'(Print clearly)

"'County _____

"'(Print clearly)

"'State _____

"'(Print clearly)

"'(d) Ballots and envelopes for use outside the United States shall be suitable for air mailing.

"'(e) The Commission shall also cause to be prepared and printed an adequate number of copies of explanations of voting procedure for use in accordance with the provisions of this title.

"'(f) Where the Secretary of War or the Secretary of the Navy determines that the transmission abroad of any material required to be prepared and printed by the provisions of this section is inexpedient because of transportation difficulties or for other reasons arising from the conduct of the war, the Commission is authorized to arrange for such material to be printed outside the United States.

"'BALLOTING

"'SEC. 6. (a) Any person desiring and entitled to vote under the provisions of this title may apply for an official war ballot to the Soldiers' and Sailors' War Ballot Commission, or to the Secretary of War, or to the Secretary of the Navy, or to the Administrator of the War Shipping Administration, or to the secretary of state of the State of his residence. The Secretary of War, the Secretary of the Navy, the Administrator of the War Shipping Administration, and the secretary of state of any State whose citizens may vote under the provisions of this title, receiving such an application shall promptly transmit any such application to the Commission, and the

Commission shall promptly forward an official war ballot to the person requesting the same. The application may be in any form, but for the convenience of persons entitled to vote under this title, the Commission shall prepare a convenient form of application, and distribute the same through the Secretary of War, the Secretary of the Navy, and the Administrator of the War Shipping Administration, to the various stations and ships and localities where persons entitled to vote under this title may be located, such distribution to be made before June 1, 1944.

"'(b) Any person voting under the provisions of this title shall privately mark the ballot, place it in the official inner envelope, and securely seal the same. He shall then fill in and subscribe the oath printed upon the official inner envelope. After the oath has been duly attested, the voter shall then place the official inner envelope in the official outer envelope provided for the return of the ballot to the Commission and shall deliver it to a person designated by proper authority to receive executed ballots for transmission to the Commission.

"'(c) Any commissioned, noncommissioned, or petty officer not below the rank of sergeant or its equivalent in the armed forces of the United States and any member of the merchant marine of the United States designated for this purpose by the Administrator of the War Shipping Administration is authorized to administer and attest such oaths as are required by this title. All such oaths shall constitute prima facie evidence that the voter is qualified to vote, unless the statements contained in such oath indicate the contrary.

"'ADMINISTRATION

"'SEC. 7. (a) The Secretaries of War and Navy shall be responsible for the administration of this title with respect to members of the armed forces and civilians attached to and serving with the armed forces and entitled to vote thereunder. The Administrator of the War Shipping Administration shall be responsible for the administration of this title with respect to members of the merchant marine of the United States entitled to vote thereunder.

"'(b) In each year in which a general election for Senators and Representatives in Congress is to be held, the Commission shall furnish well in advance of the election an adequate number of copies of explanations of voting procedures to the Secretaries of War and Navy and to the Administrator of the War Shipping Administration.

"'LISTS OF CANDIDATES

"'SEC. 8. The secretary of state of each State shall furnish the Commission such information as the Commission shall request for compiling a list of candidates and their parties in any general election for President and Vice President or for Senators and Representatives in Congress. The Commission shall transmit to the Secretaries of War and Navy and the Administrator of the War Shipping Administration, at such times as it deems to be appropriate for balloting under this title, lists of candidates compiled from the information so received, even if incomplete. The Secretaries of War and Navy and the Administrator of the War Shipping Administration shall, in ample time for balloting under this title, transmit such lists to all units of the armed forces and to members of the merchant marine of the United States, to the extent that such transmission is practicable and compatible with military operations. Incomplete lists of candidates so furnished, or failure to furnish such lists, shall be no bar to balloting under the provisions of this title. No list of candidates furnished under this title shall include information as to a candidate other than his name, address, party affiliation, and office for which nominated.

"'DISTRIBUTION AND COLLECTION OF BALLOTS FOR MEMBERS OF THE ARMED FORCES AND OTHERS

"'SEC. 9. (a) The Secretaries of War and Navy, insofar as practicable and to the fullest extent compatible with military operations, shall cause explanations of voting procedure, and lists of candidates to be distributed to members of the armed forces, and to civilians attached to and serving with the armed forces and entitled to vote under this title, in ample time to insure an opportunity to vote in general elections under this title and shall cause executed ballots to be collected and transmitted to the Commission.

"'(b) Wherever practicable and compatible with military operations, the appropriate commanding officer shall be required—

"'(1) to cause lists of candidates to be posted and otherwise made available at conspicuous and convenient places as soon as received and to cause copies of explanations of voting procedure and all other necessary information to be furnished to members of his unit and civilians attached to and serving with such unit and entitled to vote under this title;

"'(2) to cause executed ballots to be collected and delivered for transmission to the Commission.

"'DISTRIBUTION AND COLLECTION OF BALLOTS FOR THE MERCHANT MARINE

"'SEC. 10. The Administrator of the War Shipping Administration shall cause explanations of voting procedure, and lists of candidates for voting in general elections to be made available to members of the merchant marine of the United States upon request. The Administrator shall cause executed ballots to be collected and delivered to the Commission or to appropriate representatives of the War and Navy Departments for transmission to the Commission. The Secretaries of War and Navy shall arrange, so far as practicable, for the receipt of such ballots and their transmission to the Commission together with the ballots of members of the armed forces. The Administrator may delegate to the Secretary of War or the Secretary of the Navy, with the consent of such Secretary, any function of the Administrator under this title.

"'PRIORITIES

"'SEC. 11. The Secretaries of War and Navy and other appropriate authorities shall take all steps necessary to give to the transmission and delivery of ballots and communications under this title priority over all unofficial communications and priority over official communications except where, in the judgment of the appropriate military and naval authorities, such priority would interfere with the effective prosecution of the war. Ballots cast outside the United States shall be transmitted by air, wherever practicable and compatible with military operations.

"'TRANSMISSION

"'SEC. 12. The Commission, upon receiving any ballot cast under this title, shall promptly transmit it to the secretary of state of the State of the voter's residence who shall at an appropriate time transmit it to the appropriate election officials of the district, precinct, county, or other voting unit of the voter's residence. No person other than such appropriate election officials shall open any official outer or inner envelope purporting to contain a ballot cast under this title.

"'REPORTS

"'SEC. 13. (a) The Secretaries of War and Navy and the Administrator of the War Shipping Administration shall report to the Commission on balloting under this title, including the number of ballots distributed, received, and transmitted to the Commission, together with any comments thereon or explanation thereof.

"'(b) The Commission shall prepare a statement of all ballots received and transmitted to the various secretaries of state. Each secretary of state shall prepare a report of all ballots received by him and transmitted to the various election officials, and within 30 days after the last day for counting absentee ballots in any election in which ballots are cast under the provisions of this title, each secretary of state shall transmit such report to the Commission.

"'SEC. 14. (a) The functions and powers of the Soldiers and Sailors' War Ballot Commission under this act shall be administrative only. Nothing in this act shall be construed to confer a right to vote upon any person who does not possess the qualifications prescribed and defined by State law for electors in the State of his residence; and nothing in this act shall be construed to affect the right of any State to prescribe and define the qualifications of electors entitled to vote in elections held in such State and to determine what persons possess such qualifications.

"'VALIDITY OF BALLOTS

"'(b) The Commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States. Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified. The qualifications of voters shall be determined in accordance with State law.

"'(c) No official war ballot shall be valid if—

"'1. The voter has also voted in person or by absentee ballot in accordance with the procedure provided by State law; or

"'2. The date of the oath of elector is later than the date of the holding of the election; or

"'3. Such ballot is received by the appropriate election official of the district, precinct, county, or other voting unit of the State of the voter's residence later than the date of the holding of the election, except that any extension of time for the receipt of absentee ballots permitted by State laws shall apply to ballots cast under this title.

"'(d) All ballot envelopes received by a secretary of state at a date or time too late for proper delivery, and all ballot envelopes not delivered to polling places or to the proper officials shall not be opened but shall be endorsed with the date of reception and shall be retained by the secretary until the time has expired for contesting the election, when they shall be destroyed without examination.

"'(e) The provisions of this section 14 shall apply both to title I and title II of this act.

"'VOTING SAFEGUARDS

"'SEC. 15. Every individual concerned with the administration of this title shall take all necessary steps to prevent fraud, to protect voters against coercion of any sort, and to safeguard the integrity and secrecy of ballots cast hereunder.

"'PENALTIES

"'SEC. 16. The provisions of State and Federal law prohibiting offenses against the elective franchise shall apply in the case of elections and voting conducted pursuant to the provisions of this title: *Provided, however,* That no act done in good faith by a member of the armed forces of the United States, in the exercise of his judgment as to what was practicable and compatible with military operations, shall constitute a violation of any such provision of law.

"'APPROPRIATE STATE OFFICIALS

"'SEC. 17. Wherever, in any State, an official other than the secretary of state is the

appropriate State official to carry out any function vested in the secretary of state under this title, the term "secretary of state" shall mean such other official.

"'OFFICIALS AND AGENCIES TO ACT FOR SECRETARY OF STATE

"'SEC. 18. Each secretary of state may utilize the services of such State and local officials and agencies for such purposes and to such extent as he may deem appropriate in the exercise of his powers and duties under this title.

"'ACT TO BE LIBERALLY CONSTRUED

"'SEC. 19. The provisions of this act shall be construed liberally in order to effectuate its purposes.

"'(b) The transmission of all communications under titles I and II shall be free of postage, including air-mail postage, in the United States mails.

"'VOTING UNDER STATE LAW PERMITTED

"'SEC. 302. Nothing in this act shall be deemed to restrict the right of any member of the armed forces of the United States or of any other person to vote in accordance with the law of the State of his residence.

"'SEPARABILITY

"'SEC. 303. If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the validity of the remainder of the act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

"'AMENDMENTS TO ACT OF AUGUST 2, 1939, AS AMENDED

"'SEC. 304. The act of August 2, 1939, entitled "An act to prevent pernicious political activities," as amended (U. S. C., 1940 ed., title 18 secs. 61–61t; Supp. II title 18 secs. 61h, 61u), is hereby amended by adding thereto the following new sections:

"'"SEC. 22. It shall be unlawful for any officer of or person employed in, the executive branch of the Federal Government, or any agency or department thereof, including the Army and Navy to deliver or present or cause to be delivered or presented to persons in the armed forces of the United States any general communication, Government magazine, Government newspaper, motion-picture film, or other literature or material, or to make, or cause to be made, and broadcast to the armed forces of the United States, paid for in whole or in part with Government funds, or sponsored by the Government or any agency or department thereof, including the Army and Navy, and containing political argument or political propaganda of any kind designed or calculated to affect the result of any election for President, Vice President, Presidential elector, Member of the Senate, or Member of the House of Representatives, except that—

"'"(1) nothing in this section shall prohibit the rebroadcast over Government-controlled radio stations of any political address, but equal time must, if requested, be given for such purposes to representatives of each political party which polled at least 10 percent of the votes cast in the most recent Presidential election;

"'"(2) nothing in this section shall prevent the distribution to members of the armed forces of books, magazines, and newspapers which have a general circulation in the United States, or of servicemen's magazines or newspapers, such as Yank and Stars and Stripes, or the presentation to members of the armed forces of motion-picture films, radio broadcasts, or rebroadcasts; but—

"'"(a) the list of such magazines and newspapers of general circulation shall be determined in accordance with the preference of the members of the armed forces in some reliable method to be determined by the Secretary of War and the Secretary of the Navy;

"'"(b) any such books of general circulation hereafter purchased shall be selected from a list of books, not containing political argument or political propaganda of any kind designed or calculated to affect the result of any election for the Federal offices abovementioned, approved by a nonpartisan committee of civilian publishers and librarians which is not financed by the Government or by political parties; and

"'"(c) such motion-picture films, radio broadcasts or rebroadcasts, and servicemen's magazines or newspapers, sponsored or paid for by the Government, shall be nonpartisan and nonpolitical: *Provided*, That this subparagraph shall not prohibit or curtail impartial coverage or presentation, as news or information, of public events and persons in public life: *And provided further*, That if in any issue or presentation space or time is allotted to editorials, columns, or other argumentative matter supporting a political party which polled at least 10 percent of the votes cast in the most recent Presidential election, an equal amount of space or time shall be allotted in the same issue or presentation to similar matter concerning each such other political party.

"'"(3) nothing in this section shall prevent the sending of any letter, communication, magazine, newspaper, or other literature by any individual, corporation (other than a Government-owned or Government-controlled corporation), or political committee to any member of the armed forces, addressed personally to such member of the armed forces, and paid for by him, or by the individual, corporation, or committee sending the same.

"'"SEC. 23. It shall be unlawful for any censor or other officer, employee, or member of the executive branch of the Government, including the Army and Navy, to censor any letter, communication, magazine, newspaper, or other literature referred to in paragraph (3) of section 22 of this act, for the purpose of removing therefrom any political argument, political propaganda, or other political matter, except to the extent that such argument, propaganda, or other matter contains information which may be of value to the enemy in their prosecution of the war.

"'"SEC. 24. Any person who violates the provisions of section 22 or section 23 of this act either within or outside of the United States shall upon conviction thereof be fined not more than $1,000 or imprisonment for not more than 1 year, or both."'"

(During the reading of the amendment the following occurred:)

Mr. BATES of Massachusetts (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that the further reading of the amendment be dispensed with in order that we may expedite action. A brief explanation can be made as to the purport of the amendment.

Mr. McCORMACK. Reserving the right to object, Mr. Chairman, has this amendment been in printed form?

Mr. BATES of Massachusetts. No.

Mr. McCORMACK. Does not the gentleman believe we had better have read an amendment about which the Members know nothing? If the amendment were in printed form, that would be different, where, for example, the amendment was a bill that had been heretofore introduced. But none of us knows what this amendment covers, and I think it ought to be read.

Mr. BATES of Massachusetts. Very well. I withdraw the request, Mr. Chairman.

Mr. RANKIN (interrupting the reading of the amendment). Mr. Chairman, enough of the amendment has been read to indicate clearly that it is not in order on this bill. Therefore, I make the point of order that it is not in order, that it is not germane.

The CHAIRMAN. The Chair overrules the point of order.

Mr. CASE (interrupting the reading of the amendment). Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CASE. Is the amendment offered by the gentleman from Massachusetts [Mr. BATES] offered as a substitute amendment or simply as a replacement of section 1 of the bill as now amended?

The CHAIRMAN. The Chair understands it is a substitute for the bill.

Mr. BATES of Massachusetts. Mr. Chairman, I am offering this amendment as a substitute for the bill.

Mr. CASE. With that understanding, Mr. Chairman, any amendment that will be offered to any other part of the bill will have to be offered to the pending amendment?

The CHAIRMAN. The Bates amendment will be the pending amendment, and amendments to it would be in order, just as was the case with the Worley substitute.

Mr. BLAND. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLAND. The provision of the Constitution of the United States against cruel and unusual punishment still exists.

The CHAIRMAN. The Chair is not required to pass upon constitutional questions on a point of order.

Mr. COCHRAN. Mr. Chairman, we cannot by any means intelligently vote on this amendment. There has been nothing but noise in the Chamber ever since the Clerk started to read it. Therefore, I move that the Committee do now rise.

The CHAIRMAN. The question is on the motion of the gentleman from Missouri [Mr. COCHRAN], that the Committee do now rise.

Mr. WORLEY. Mr. Chairman, I ask for a division.

Mr. EBERHARTER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. EBERHARTER and Mr. RANKIN.

The Committee again divided; and there were—ayes 119, noes 204.

So the motion to rise was rejected.

The Clerk continued reading the amendment.

Mr. WHITE (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that the further reading of the amendment be dispensed with.

Mr. EBERHARTER. Mr. Chairman, I object.

The Clerk continued reading the amendment.

Mr. BRADLEY of Pennsylvania (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with.

Mr. WORLEY. Mr. Chairman, reserving the right to object, how much longer is the amendment?

The CHAIRMAN. About 12 more pages.

Mr. WORLEY. I do not want to object, but it is one of the most important amendments that the House is going to be called upon to consider. I think we should be informed as to its contents.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield.

Mr. GAVIN. The gentleman has not heard the amendment read; he does not know how important it is any more than we do.

Mr. WORLEY. That is true. I have not heard the whole amendment yet.

Mr. HARRIS of Arkansas. Would it not be better to let the amendment be explained by the Member who offered it rather than to proceed this way?

Mr. FORAND. Mr. Chairman, I will not object provided we can have the balance of the amendment printed and the Committee rises.

Mr. RANKIN. Mr. Chairman, I demand the regular order. We are not going to rise.

The Clerk continued reading the amendment.

Mr. COOLEY (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that the Clerk reread the section which he just finished.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina [Mr. COOLEY]?

Mr. KNUTSON. Mr. Chairman, I object.

The Clerk continued the reading of the amendment.

Mr. SHAFER (interrupting the reading of the amendment). Mr. Chairman, I move that the whole amendment be reread.

The CHAIRMAN. The gentleman's motion is not in order. The Clerk will continue the reading of the amendment.

The Clerk concluded the reading of the amendment.

The CHAIRMAN. The gentleman from Massachusetts [Mr. BATES] is recognized for 5 minutes in support of his amendment.

Mr. BATES of Massachusetts. Mr. Chairman, I regret as much as anybody in the Committee that so much time this afternoon had to be taken to read the contents of this amendment which will be offered in the form of a substitute for the committee bill. I want to assure you that in the short time at hand and realizing that we have no provision for the so-called Federal ballot before the Committee we could not condense this amendment into the fashion where it would take a relatively few minutes to read it. This is an amendment or substitute for the committee bill; if my amendment is agreed to, then I will move to strike out the remaining provisions of the committee bill.

This amendment is nothing more nor less than the so-called Ball amendment, the amendment that was offered in the Senate yesterday afternoon and signed by 14 or 15 Senators of both parties.

I had hopes that some way be found by which a compromise could be developed between the contending parties, those who favor the Federal ballot in its entirety and those who favor only the State ballot.

The amendment offered provides that the whole act shall terminate at the end of the calendar year 1945.

It also provides that the Federal ballot shall be provided only for those citizens of those States for which no absentee-voting provision has been made prior to June 1, 1944. The vote in that case will be by name and not by party.

It also permits State laws to govern in the determination of qualification requirements of those who are exercising the voting privilege. It does not in any way interfere with the rights of the States to determine their own voting qualifications.

For weeks both the House and the Senate have been discussing this so-called soldiers' voting bill, and it seems to me that some way ought to be found by which we can agree to a compromise so that when this bill as amended by my substitute goes to conference with the Senate some kind of a bill will come out that as far as possible will be satisfactory to all parties concerned.

I have no pride whatever in offering this amendment, but I am actuated entirely by my desire to find some way by which we can provide the absentee ballot for the citizens of those States which up to June 1 of this year have not made provision for absentee ballots.

It seems to me that after all that has been said both in the House and the Senate, and in the press and on the radio, we certainly ought to find some way by which we can compromise on this very important measure. We should see to it, above anything else, that those States which have agreed to provide absentee ballots should be given every cooperation by the War Department, the Navy Department, and all those services of the Government, in order that the boys in the fighting services shall be given an opportunity to vote on election day. The committee bill provides for such absentee voting by the citizens of those States whose laws permit such voting. My amendment simply provides that only in those States that have not provided for the absentee State ballot that their citizens shall be given the opportunity for voting by the so-called Federal ballot system.

Mr. RANKIN. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 5 minutes.

The motion was agreed to.

Mr. RANKIN. Mr. Chairman, I hope the Committee will vote down this amendment. When the gentleman from Massachusetts said it was prepared by Senator BALL, I realized that probably the effect would be to "ball" things up. I hope the amendment is voted down.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

Mr. VOORHIS of California. Mr. Chairman, I ask for recognition. The time has not expired.

The CHAIRMAN. Three minutes remain. The gentleman from California is recognized.

Mr. VOORHIS of California. Mr. Chairman, those Members of the House who believed about this matter as I did were defeated. We tried to get a bill that would help soldiers to vote. So far we have failed to get such a bill. Since we were in the minority it is all right for us to have been defeated. But I do not think it is all right for certain forces here in the House to compel those of us who would like to do as careful a job on this matter as we can do to be parties to the mockery of the legislative process that is now going on. We would like to try our best to do exactly what the gentleman from Massachusetts said, that is to try to work out some compromise so that there will at least be some evidence of a real, earnest effort on the part of the Congress to give a vote as far as we can give it, in agreement with the majority of the House. I do not think it is all right to keep us here at this time of night, with the House in the frame of mind it is in under the circumstances, and I want the RECORD to show that I am against doing it. I think the committee ought to rise now and come back tomorrow when it can consider this matter in a decent way, as it most certainly is not doing now.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from North Carolina.

Mr. COOLEY. May I say to the gentleman that I agree with him, and call attention to the fact that tonight is the annual American Legion banquet, to which Members of Congress have been invited. There at the Mayflower are waiting now the Secretary of War, the Secretary of the Navy, the Chief of Staff, and the commander of the American Legion, and here are their guests sitting here attempting to do a disservice to the servicemen of the Nation by hurriedly passing legislation. I say it is a disservice to cut off debate on an important amendment which has been offered by the gentleman from Massachusetts.

Mr. DWORSHAK. Mr. Chairman, I demand that the gentleman's words be taken down.

Mr. COOLEY. I am perfectly willing for them to be taken down.

Mr. DWORSHAK. What does the gentleman mean, "disservice to the servicemen of the Nation"?

Mr. COOLEY. I said to close off debate. I want the words taken down.

The CHAIRMAN. Does the gentleman from Idaho demand that the words of the gentleman from North Carolina be taken down?

Mr. DWORSHAK. I withdraw my demand, Mr. Chairman.

Mr. COOLEY. Mr. Chairman, I insist that my words remain in the RECORD and be taken down.

The CHAIRMAN. The gentleman has a right to withdraw his demand that the words be taken down.

Mr. COCHRAN. I ask that the gentleman's words be taken down. The gentleman said nothing in violation of the rules. I am sure the House will so decide. Let his words be taken down as long as he wants them taken down. I demand that his words be taken down.

The CHAIRMAN. Does the gentleman from Missouri insist on his demand?

Mr. COCHRAN. Mr. Chairman, I do not think anybody should be intimidated as the gentleman who originally asked the words be taken down was. Therefore, I demand that the words be taken down. The gentleman from North Carolina wants them taken down. He says he wants the House to pass on them.

The CHAIRMAN. The gentleman from Missouri demands that the words of the gentleman from North Carolina be taken down.

The Clerk will report the words taken down.

The Clerk read as follows:

Mr. COOLEY. There at the Mayflower are waiting now the Secretary of War, the Secretary of the Navy, the Chief of Staff, and the commander of the American Legion, and here are their guests sitting here attempting to do a disservice to the servicemen of the Nation by hurriedly passing legislation. I say it is a disservice to cut off debate on an important amendment which has been offered by the gentleman from Massachusetts.

The CHAIRMAN. The Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, the Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill S. 1285, that certain words used in debate were objected to, and on request were taken down and read at the Clerk's desk, and he hereby reported the words to the House.

The SPEAKER. The Clerk will report the words objected to.

The Clerk read as follows:

Mr. COOLEY. There at the Mayflower are waiting now the Secretary of War, the Secretary of the Navy, the Chief of Staff, and the commander of the American Legion, and here are their guests sitting here attempting to do a disservice to the servicemen of the Nation by hurriedly passing legislation. I say it is a disservice to cut off debate on an important amendment which has been offered by the gentleman from Massachusetts.

The SPEAKER. The Chair holds that the words taken down do not violate any rules of the House and the Committee will resume its session.

The Committee resumed its session.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. VOORHIS of California) there were—ayes 93, noes 168.

Mr. DINGELL. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chair appointed Mr. RANKIN and Mr. BATES of Massachusetts to act as tellers.

The Committee again divided; and the tellers reported—ayes 104, noes 155.

So the amendment was rejected.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from South Dakota [Mr. CASE].

The Clerk read as follows:

Amendment offered by Mr. CASE: On page 7, after line 14, insert:

"SEC. —. To facilitate the distribution of State ballots to absentee voters on war duty it is recommended that the States direct their appropriate county election officials to prepare, not later than 60 days prior to the date of the 1944 general election, a war duty registration list consisting of all persons eligible to vote who are in the armed forces of the United States, compiling such lists from the records of the Selective Service headquarters in each county whose officers are hereby authorized and directed to cooperate in the preparation of such lists.

"It is further recommended that applications for absentee ballots be checked against this war service registration list, and that at the first practical date, not earlier than 60 days before the election, an absentee ballot be mailed to all eligible voters on the wartime registration list from whom an application has not been received. It is suggested that current duty addresses for such voters be obtained from the next of kin and such other sources as may be locally available, and that the ballots to overseas addresses be mailed not less than 50 days prior to the date of the general election and that ballots to addresses within the continental United States be mailed not later than 25 days prior to the date of the general election.

"It is further recommended that an application for the ballot and an affidavit of the voter be printed in an abbreviated form at the left side of the face of the return envelope, and that the county election authorities address the return envelope with the appropriate precinct description to insure its prompt delivery to the appropriate election officials when returned.

"It is suggested that the application and affidavit by the voter be placed on the outside of the return envelope in order to insure that the application will be in the hands of the election officials prior to their receipt of and counting of the vote. It is suggested that such affidavit might be in the following abbreviated form:

"APPLICATION AND AFFIDAVIT

"I hereby apply for an absentee ballot and the right to cast my vote in the general election of 1944. To the best of my knowledge and belief, I am a legally qualified voter of _____ county, State of _____, and my residence is _____.

"I hereby certify that my ballot will be marked by myself alone and that this ballot is being marked of my own free will and accord for candidates of my choice without any inducement or promise of reward.

"(Signed) _____

"Subscribed and sworn to before me this ____ day of _____ 1944.

"It is further suggested that a notice to the election officials be printed in small type below the return address on the right half of the face of the envelope in some such language as this:

"Notice to election officials: This envelope is not to be opened unless the application at the left is accepted as evidence of the applicant's right to cast a ballot and have it counted. In case that is challenged, this envelope should not be opened, but should be kept carefully until the challenge is settled and appropriate action is decided upon.)"

Mr. KENNEDY (interrupting the reading of the amendment). Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KENNEDY. Mr. Chairman, we have all been listening for hours to the clerks reading these amendments. I think it is criminal to impose that upon these men. It is a physical hardship that they cannot endure.

Mr. RANKIN. Mr. Chairman, a point of order.

The gentleman was recognized to state a parliamentary inquiry. He is not stating a parliamentary inquiry and the Chair knows it.

Mr. KENNEDY. There is no reason in common decency why we cannot rise for tonight.

The CHAIRMAN. The gentleman has not stated a parliamentary inquiry.

Mr. CASE. Mr. Chairman, this amendment will facilitate the distribution of official State ballots to the men in the armed forces and implements the amendment that has already been adopted, which was proposed by the gentleman from Nebraska [Mr. CURTIS]. It is in line with the Wisconsin program of putting a regular ballot in the hands of everyone in the armed forces who, the county election officials determine, is an eligible voter, and provides for cooperation by the selective service officials in the county to create the mailing list. It also provides a way to save one transmission in the mail by recommending that the application for the ballot be eliminated by putting on the face of the return envelope that application, which will automatically be in the hands of the judges of the election before the ballot is opened and counted. I have submitted it to the members of the committee on both sides, and so far as I know they are agreeable to it. I hope that it may be accepted and included in the bill as it goes to conference, as I feel sure that it will be found useful as the bill is finally worked out there.

Mr. BONNER. Mr. Chairman, will the gentleman yield for a question?

Mr. CASE. I yield.

Mr. BONNER. The gentleman is earnestly offering an amendment which he thinks will be of value to the legislation and to the proposal of permitting soldiers an absentee vote; is that not correct?

Mr. CASE. Yes.

Mr. BONNER. Then would not the gentleman think on account of the lateness of the hour and the lack of attention there is in the Committee that it would be wise to consider this proposal, which I think is a very fine proposal, tomorrow?

Mr. CASE. I do not think that is necessary, because I think the merit of this amendment is self-evident.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. CASE. I yield.

Mr. HALLECK. Mr. Chairman, apropos of that suggestion, I think the RECORD ought to show that certain other forces, other than some of us who are for this committee bill, have been carrying on a filibuster here all day. When unanimous consent was sought to avoid the continued reading of the amendment offered by the gentleman from Massachusetts, an

amendment that had been printed in the RECORD, objection to that request was made by the majority leader. Now then, it was understood we were coming here to try to pass this bill and we have been met with filibuster tactics all day. I want the RECORD to show that.

Mr. CASE. I would like to yield to the gentleman from Mississippi and to the gentleman from Illinois [Mr. VURSELL], who are both on their feet.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. CASE. I do not yield. I am sorry, but I want to be sure to have time for a statement by the gentleman from Illinois [Mr. VURSELL].

Mr. COCHRAN. I want to correct the statement that the gentleman from Indiana [Mr. HALLECK] just made.

Mr. VURSELL. Mr. Chairman, will the gentleman yield?

Mr. CASE. I yield.

Mr. VURSELL. As far as this Committee is concerned, the amendment is acceptable to the Committee on this side.

Mr. CASE. Mr. Chairman, I yield back the balance of my time.

Mr. COCHRAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. RANKIN. Mr. Chairman, a member of the committee.

The CHAIRMAN. For what purpose does the gentleman from Mississippi rise?

Mr. RANKIN. Mr. Chairman, I move that all debate on this amendment and all amendments thereto do now close.

The CHAIRMAN. The question is on the motion of the gentleman from Mississippi.

The question was taken; and on a division (demanded by Mr. COCHRAN) there were—ayes 167, noes 73.

Mr. DINGELL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. RANKIN and Mr. DINGELL.

The Committee again divided; and the tellers reported that there were—ayes 178, noes 44.

So the motion was agreed to.

Mr. COOLEY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The motion just adopted closed debate.

The question is on the amendment offered by the gentleman from South Dakota.

The amendment was agreed to.

Mr. RANKIN. Mr. Chairman, I move that all debate on this section and all amendments thereto do now close.

The CHAIRMAN. That has already been done because of the last amendment which inserted a new section.

Mr. WORLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WORLEY. Will the Chair give us an idea how many amendments are on the Clerk's desk?

The CHAIRMAN. The Chair invites attention to the fact that there are quite a number of committee amendments printed in the bill and some seven or eight individual amendments on the Clerk's desk, one of which adds a new title to the bill.

The Clerk will read.

The Clerk read as follows:

"SEC. 2. (a) It shall, wherever practicable and compatible with military operations, be the duty of the Secretary of War and the Secretary of the Navy, to cooperate with appropriate State officers and agencies in the distribution, execution, collection, and return of such absentee ballots, and envelopes to be used in connection therewith, as may be provided under the laws of the several States for the use of persons in the armed services in time of war.

"(b) Such ballots and envelopes, and communications in connection therewith, including postal cards, shall be transmitted free of postage, including air-mail postage, in the United States mails."

With the following committee amendment:

On page 8, line 3, strike out the words "war and" and insert the word "war" and a comma.

Mr. COCHRAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not intend to take 5 minutes, but the gentleman from Indiana [Mr. HALLECK] stated that the majority leader objected to the unanimous-consent request that the Bates amendment be considered as having been read. I made the unanimous-consent request that the Bates amendment be considered as having been read, and the gentleman from Massachusetts [Mr. MCCORMACK] said it was a very important amendment, and he thought the House should hear it. In view of what he said I withdrew my request; so the gentleman is in error.

Mr. MCCORMACK. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from Massachusetts.

Mr. MCCORMACK. May I say to the distinguished gentleman from Indiana, whom I like very, very much, that we all make mistakes at times. I know the gentleman in good faith made the statement he did. The RECORD will show, and I remember myself that the gentleman from Massachusetts [Mr. BATES] asked unanimous consent that the amendment be considered as read, and printed in the RECORD. I did not object, but I had a colloquy with him as a result of which he withdrew his request. The same thing applies to the gentleman from Missouri. The very fact that the amendment received over a hundred votes indicated that there was some interest in the amendment.

I do not mind what my friend from Indiana says, because he is one Member for whom I have such affection that he could say almost anything about me he wanted to and I would let him get away with it.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. I will yield to my friend from Indiana. We have been friends for many years.

Mr. HALLECK. I appreciate that. I appreciate too my friendship with the majority leader. I sat here. I saw the gentleman from Massachusetts when he made his request and heard him make it, and I heard the colloquy between him and the gentleman from Massachusetts and I thought that he had objected to the unanimous-consent request; but be that as it may, he was suggesting that the thing should be read although it had been printed in the RECORD. I think it might also be said—and if my statement was in error in respect to the mechanics of it, then of course I am glad to be corrected by the majority leader and my distinguished friend from Missouri [Mr. COCHRAN]; but I might further suggest that immediately after that a teller vote was demanded here on a matter that I think was very well decided before that teller vote was demanded.

Mr. COCHRAN. The gentleman, of course, has a right to his own opinion, and so have I to mine.

I want to see this House function in a way that will cause the people of the United States to have respect for us. I say to the gentleman from Indiana and I say to my colleagues in the House that we are not legislating intelligently this evening because we do not know what the amendments being read here really are as there is so much confusion; nobody is paying attention to the amendments. The House has not been in order since 4 o'clock this afternoon. I have been here all the time. I want to legislate intelligently. We have nothing to do tomorrow, we have no program whatsoever tomorrow. I tried in my humble way to get the Committee to rise so we could read the RECORD in the morning and see what occurred.

Also, we should see what the Senate did today. It is 8 o'clock now and by the time we get through with these roll calls, and you are going to have some, you will be lucky if you get home at midnight.

Mr. HALLECK. I may suggest that I have been here some years, and I have seen night sessions before. Now, then, a lot of us want to get this matter disposed of.

Mr. COCHRAN. So do I, but I want to know what I am voting on.

Mr. HALLECK. To the end that the soldiers will have the right to vote and the opportunity to vote. We have undertaken to consider this legislation and we want it considered.

Mr. COCHRAN. So do I want them to vote, but when anybody wants to fight, I am of that caliber to fight back, and I am going to continue to fight back as long as I can in the hope I can vote for a real bill that will enable all in the armed forces to vote.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RANKIN. Mr. Chairman, I move that all debate on this section and all amendments thereto do now close.

Mr. CASE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CASE. Is there not another committee amendment pending or proposed to be offered to this section?

The CHAIRMAN. There are several more committee amendments to this section that have not been reported.

The gentleman from Mississippi [Mr. RANKIN] moves that all debate on this section and all amendments thereto do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the committee amendment.

Mr. WOODRUM of Virginia. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The motion just agreed to closed all debate on this section and all amendments thereto.

The question is on the committee amendment.

The committee amendment was agreed to.

Mr. VOORHIS of California. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. VOORHIS of California. Could we have the amendment read upon which we just voted, please?

The CHAIRMAN. By unanimous consent, that could be done.

Mr. RANKIN. Mr. Chairman, I shall have to object. It has already been read.

The CHAIRMAN. Objection is heard.

Mr. GOSSETT. Mr. Chairman, I move that the Committee do now rise.

The question was taken; and on a division (demanded by Mr. RABAUT and Mr. ANDERSON of New Mexico) there were—ayes 107, noes 193.

So the motion was rejected.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 8, line 3, strike out the words "war and" and insert the word "war" and strike out the word "Navy" and insert "Navy, and the Administrator of the War Shipping Administration, respectively."

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 8, strike out lines 6 to 10, inclusive and insert the following: "transmitting to and from persons to whom this act is applicable, making application therefor to their several States, such absentee ballots, and envelopes to be used in connection therewith, as may be provided under the laws of the several States for the use of such applicants, and to cooperate in the execution by such applicants of oaths in connection with such ballots."

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 8, strike out lines 17 and 18 and insert the following: "post cards, ballots, and envelopes, and instructions for voting procedure."

The CHAIRMAN. The question is on the committee amendment.

Mr. SABATH. Mr. Chairman, can we not have that section read now so that we will know how it would read with that amendment? No one can tell what it means. No one can tell how the amendment will operate or how the section will read or the paragraph, and we are entitled to know.

The CHAIRMAN. The gentleman can only do that by unanimous consent.

Mr. SABATH. Mr. Chairman, we cannot even have the matter read so that we will know what we are voting on?

The regular order was demanded.

The CHAIRMAN. The committee amendments now being considered are already printed in the bill.

Mr. SABATH. Mr. Chairman, I ask unanimous consent that it be read for information, at least.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. SABATH].

Mr. DWORSHAK and Mr. CHURCH objected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 8; line 21, after the period, insert the following:

"The Secretaries of War and Navy, and the Administrator of the War Shipping Administration, shall take all steps necessary to give to the transmission and delivery of such post cards, ballots, envelopes, and instructions for voting procedure priority over all unofficial communications and priority over official communications except where, in the judgment of the appropriate military and naval authorities, such priority would interfere with the effective prosecution of the war. Ballots cast outside the United States shall, wherever practicable and compatible with military operations, be transmitted by air.

"(c) As used in this act—

"(1) the term 'United States' used geographically includes only the territorial limits of the several States of the United States and the District of Columbia; and

"(2) the term 'members of the merchant marine of the United States' means persons employed as officers or members of crews of vessels documented under the laws of the United States and persons enrolled for such employment with the United States War Shipping Administration, but does not include those in service or enrolled for service on the Great Lakes or the inland waterways."

The CHAIRMAN. The question is on the committee amendment.

Mr. WORLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WORLEY. Mr. Chairman, there is an amendment beginning on page 8, line 21. Has debate on that section closed?

The CHAIRMAN. Debate on that section has been closed.

Mr. WORLEY. It would not be proper for me to proceed relative to that at this time?

The CHAIRMAN. No; debate having been closed.

Mr. WORLEY. The War Department has an official objection to giving priorities over all communications. I wonder if I could not explain the War Department's position.

Mr. RANKIN. Mr. Chairman, I cannot agree to that. We have already passed over that, and it was thrashed out in the committee. We adopted this language and therefore I cannot agree to open it for debate at this time.

Mr. WORLEY. The War Department has some very valid objections.

Mr. ANDERSON of New Mexico. Mr. Chairman, I move that the gentleman from Texas may have 5 minutes to make his explanation.

Mr. RANKIN. Mr. Chairman, I make the point of order that motion is not in order.

The CHAIRMAN. The motion is not in order. The point of order is sustained.

Mr. FARRINGTON. Mr. Chairman, is it in order to offer an amendment now to the committee amendment?

The CHAIRMAN. Is it an amendment to the committee amendment?

Mr. FARRINGTON. Yes.

The CHAIRMAN. Yes; it is in order.

Mr. FARRINGTON. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. FARRINGTON: On page 9, line 17, after the word "waterways", strike out the period and insert a semicolon and the word "and"; and, after line 17, insert the following new subsection:

"(3) the term 'State' includes the Territories of Alaska and Hawaii."

The CHAIRMAN. The question is on the amendment offered by the Delegate from Hawaii.

The amendment to the committee amendment was agreed to.

The CHAIRMAN. The question is on the committee amendment as amended.

The committee amendment was agreed to.

Mr. KEEFE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEEFE: On page 8, line 1 of the committee bill, after the word "shall", strike out the words "wherever practicable and compatible with military operations."

The amendment was rejected.

Mr. LAFOLLETTE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LAFOLLETTE: On page 9, after the end of subsection 2 (c) (2) at the end of line 17, insert a new section to read as follows:

"No person within or without the armed forces of the United States shall poll any member of such forces, either within or without the United States either before or after he or she shall have executed any ballot, with reference to his or her choice of candidate for President and Vice President or the Presidential electors of any political party or for United States Senator or Representative in Congress, nor state, publish or release any result of any purported poll taken from or among the members of the armed forces of the United States or including within it the statement of choice for or of votes cast by any member of the armed forces of the United States for any of the aforesaid offices.

"The world 'poll' is defined as any request for information, either verbal or written, which by its language or form of expression

requires or implies the necessity of an answer, where the request is made with the intent of compiling the result of the answers obtained, either for the personal use of the person making the request, or for the purpose of reporting the same to any other person, persons, political party, unincorporated association or corporation, or for the purpose of publishing the same orally, by radio, or in written or printed form.

"The Secretaries of War and Navy, respectively, shall issue all necessary orders, rules, and regulations fixing the penalty for and providing for the manner of trial of all members of their respective services who shall violate the provisions of this section to the extent that existing Articles of War or Articles for the Government of the Navy, respectively, make no provision therefor.

"Any person not a member of the armed forces of the United States who violates the provisions of this section, either within or outside of the United States shall, upon conviction thereof, be fined not more than $1,000 or imprisonment for not more than 1 year, or both."

Mr. VURSELL (interrupting the reading of the amendment). Mr. Chairman, inasmuch as this amendment was read and given careful consideration when it was offered to the Worley substitute amendment, I believe we all understand what it is, and I think we should dispense with the further reading of the amendment and vote on it now.

Mr. LAFOLLETTE. Mr. Chairman, I ask unanimous consent that the further reading of the amendment be dispensed with.

Mr. McCORMACK. Reserving the right to object, this is the same amendment the gentleman from Indiana offered to the Worley bill?

Mr. VURSELL. It was offered to the Worley bill, read, carefully considered, and accepted.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The question was taken; and on a division (demanded by Mr. LAFOLLETTE) there were—ayes 96, noes 139.

So the amendment was rejected.

The Clerk read as follows:

SEC. 3. The act of August 2, 1939, entitled "An act to prevent pernicious political activities," as amended, is hereby amended by adding thereto the following new sections:

"SEC. 22. It shall be unlawful for any officer of, or person employed in, the executive branch of the Federal Government, or any agency or department thereof, including the Army and Navy, to deliver or cause to be delivered to persons in the armed forces of the United States any general communication, Government magazine, Government newspaper, motion-picture film, or other literature or material, or to make, or cause to be made, any broadcast to the armed forces of the United States, paid for in whole or in part with Government funds, or sponsored by the Government, or any officer, agency, or department thereof, including the Army and Navy, containing political argument or political propaganda of any kind designed or calculated to affect the result of any election for President, Vice President, Presidential elector, Member of the Senate, or Member of the House of Representatives, except as hereinafter provided:

"(1) Nothing herein shall prohibit the rebroadcast over Government-controlled radio stations of any political address, but equal time must if requested be given for such purposes to representatives of each political party presenting a candidate for President at the election.

"(2) Nothing herein shall prevent the distribution to members of the armed forces of books, magazines, and newspapers which have a general circulation in the United States, or of servicemen's magazines or newspapers, such as Yank and Stars and Stripes; but the list of such books, magazines, and newspapers of general circulation shall be determined in accordance with the preference of the members of the armed forces in some reliable method to be determined by the Secretary of War and the Secretary of the Navy, and the conduct of servicemen's magazines or newspapers sponsored or paid for by the Government shall be wholly nonpartisan and nonpolitical, unless an equal amount of space is allotted in each issue to editorials, columns, or other argumentative matter supporting each party concerned in the Presidential election.

"(3) Nothing herein shall prevent the sending of any letter, magazine, newspaper, or other literature by any individual, corporation, other than Government-owned corporation, or political committee to any member of the armed forces, addressed personally to such member of the armed forces, and paid for by him, or by the person or committee sending the same.

"(4) No communication, order, magazine, newspaper, or other literature, and no broadcast, and no list of books, magazines, or newspapers, shall be deemed to be in violation of this section if it is first submitted to the United States War Ballot Commission, and found by such commission not to be in violation of this section, but it shall not be compulsory to make such submission.

"SEC. 23. It shall be unlawful for any censor or other member of the executive branch of the United States Government to censor or interfere with any letter or communication addressed to an individual member of the armed forces for the purpose of removing therefrom political literature or political arguments or other matter sent to such individual member of the armed forces by any individual, corporation, or political committee, unless such literature or other matter contains information which may be of value to the enemy in their prosecution of the war.

"SEC. 24. Any person who violates the provisions of section 22 or section 23 hereof either within or outside of the United States shall upon conviction thereof be fined not more than $1,000 or imprisoned for not more than 1 year, or both."

With the following committee amendment:

Page 10, line 16, strike out "presenting a candidate for President at the" and insert "which polled at least 10 percent of the votes cast in the most recent Presidential."

Mr. WOODRUM of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in all of this heated debate in which our blood pressures have risen and the tempers of some of us have become frayed, I have not imposed myself upon the House, not because I did not have very emphatic views on the subject, however, because I am as anxious as anyone to see the men in the armed services have the right to vote, and I have supported as far as I could the Worley amendment, believing that that was the best opportunity. It is not that which has caused me to come to the well of the House at this hour of the night.

I have been a Member of this House 20 years. I love the House of Representatives. I believe if representative government, if real democracy is to survive in America, it will be the House of Representatives that will preserve it. It hurts me to see us in the mood in which we find ourselves tonight. I have seen the House in this mood before many times. Many of you have. I have seen amendments voted on here tonight when not a half a dozen Members of the House knew what was in the amendments, and when some Member asked that an amendment be permitted to be reported that we might know what we were voting on, objection was made to it.

Mr. Chairman, it is that kind of a performance by the House of Representatives that puts into the mouths and into the pens of our critics an opportunity to criticize the Congress and the legislative processes of the Government.

I am not making this appeal in the interest of the Worley bill, with which I happen to be allied, and which seems to be in a hopeless minority. They cannot gain any advantage by it, and every vote has been decisive; but what is the situation here, and why are we here sitting at 8:30 o'clock at night, when there is no legislative program tomorrow? There is no reason why this Congress cannot come back tomorrow in an orderly legislative way and consider this matter in a manner that befits the dignity of the House of Representatives. It is an unusual spectacle when the chairman in charge of a bill, defeated, I say on every vote, when nothing can be gained by carrying it over and when nobody would gain any advantage, except that we could be here tomorrow in a better humor——

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Not now.

Mr. HOFFMAN. The gentleman does not want me to ask him a question?

Mr. WOODRUM of Virgina. Oh, no. I have heard the gentleman so often and so regularly that I do not believe the gentleman could contribute anything to what I am saying. I appeal to you, not as Democrats or Republicans, or advocates of the Worley bill or any other bill. There is no legislative program here for tomorrow.

Mr. HOFFMAN. The gentleman has said that three times.

Mr. WOODRUM of Virginia. And how many times have I listened to the gentleman say something?

Mr. HOFFMAN. Not half enough. I remember when the gentleman brought in a bill that was not even printed.

Mr. WOODRUM of Virginia. Oh, do not let us lose our tempers. I have no interest in this matter. I have had my dinner, and I am willing to stay here all night if you wish to do so. I do not care what you do, but the spectacle you are making here tonight is not adding to the prestige of the House of Representatives.

Mr. RANKIN. Mr. Chairman, I move that all debate upon this section and all amendments thereto close in 5 minutes.

The CHAIRMAN. The question is on the motion of the gentleman from Mis-

sissippi to close debate on the section and all amendments thereto.

Mr. ANDREWS. I desire to offer an amendment.

The CHAIRMAN. An amendment to the motion of the gentleman from Mississippi?

Mr. ANDREWS. No; an amendment to the bill.

The CHAIRMAN. The gentleman from Mississippi moves that all debate upon this section and all amendments thereto close in 5 minutes.

Mr. MARTIN of Massachusetts. Does the amendment of the gentleman from New York [Mr. ANDREWS] go to this particular section?

The CHAIRMAN. The gentleman can have his amendment considered when the committee amendments are disposed of.

Mr. RANKIN. Mr. Chairman, then I modify my motion and make it 10 minutes in order that the gentleman from New York may have 5 minutes.

Mr. LESINSKI. I object.

Mr. RANKIN. Very well. I move that all debate upon this section and all amendments thereto do now close.

The CHAIRMAN. The question is on the motion of the gentleman from Mississippi that debate on the section and all amendments thereto do now close.

The question was taken, and on a division (demanded by Mr. COCHRAN) there were—ayes 146, noes 102.

Mr. LESINSKI. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chair appointed Mr. RANKIN and Mr. LESINSKI to act as tellers.

The Committee again divided; and the tellers reported—ayes 162, noes 57.

So the motion was agreed to.

The CHAIRMAN. The question is on the first committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: On page 10, line 22, after the word "newspapers", strike out the rest of page 10; and on page 11 strike out all down to and including the word "submission" in line 21, and insert the following: "or the presentation to members of the armed forces of motion-picture films, radio broadcasts, or rebroadcasts; but no such distribution or presentation shall be undertaken by any Federal agency: *Provided, however,* That nothing herein shall prevent or interfere with the customary activities of the War Shipping Administration or the United States Maritime Commission or the War, Navy, and Post Office Departments."

The committee amendment was agreed to.

Mr. VORYS of Ohio. Mr. Chairman, I offer an amendment.

Mr. O'TOOLE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. O'TOOLE. Does the gentleman from Mississippi know that after 9 o'clock the House usually gets paid time and a half?

Mr. RANKIN. I will say to the gentleman that he is worth it.

Mr. VORYS of Ohio. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. VORYS of Ohio. Mr. Chairman, all debate having been concluded, I ask, as a parliamentary inquiry, whether it would be in order for the Chairman to point out that this amendment is a perfecting amendment to carry out an amendment that was adopted earlier on the subject of the prohibiting of censorship.

The CHAIRMAN. The amendment can be offered. It is not debatable, but it can be offered. Does the gentleman from Ohio [Mr. VORYS] offer an amendment?

Mr. VORYS of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VORYS of Ohio: In section 23, after the words, "United States Government", insert the words "to censor or interfere with any ballot or official inner envelope, or."

Mr. COOLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COOLEY. Do I understand the gentleman from Ohio will not even be given an opportunity under the present situation to explain that amendment?

The CHAIRMAN. All debate on this section and all amendments thereto has been closed.

The question is on the amendment offered by the gentleman from Ohio [Mr. VORYS].

The amendment was agreed to.

Mr. HARRIS of Virginia. Mr. Chairman, I offer an amendment.

Mr. EBERHARTER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. EBERHARTER. What section did the Clerk just finish reading?

The CHAIRMAN. Section 3, on page 12.

The Clerk will report the amendment offered by the gentleman from Virginia.

The Clerk read as follows:

Amendment offered by Mr. HARRIS of Virginia: On page 12, line 3, strike the period after the word "Departments", insert a colon and add: *"Provided,* That it shall be unlawful for any officer of, or person employed in, the executive branch of the Federal Government, or any agency or department thereof, including the armed forces, to deliver or present or cause to be presented to any servicemen's newspaper or magazine or other publication, or to command, order, direct, or otherwise undertake to influence any servicemen's newspaper or magazine or other publication to publish, use, or carry in such servicemen's newspaper, magazine, or other publication, any article, statement, news story, editorial, or any picture, cartoon, or other illustration, having any bearing on or any connection with any candidate or candidates, or party, in any election or primary. Nothing in this provision nor in this act shall be interpreted or applied so as to prevent any member of the armed forces from discussing issues and candidates with any other person."

Mr. WORLEY. Mr. Chairman, will the gentleman from Virginia be allowed any time to explain that amendment?

The CHAIRMAN. All debate has been closed on this section and all amendments thereto.

The question is on the amendment offered by the gentleman from Virginia [Mr. HARRIS].

The question was taken; and on a division (demanded by Mr. WORLEY) there were—ayes 78, noes 126.

So the amendment was rejected.

Mr. HARRIS of Virginia. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRIS of Virginia: On page 12, line 4, before section 23, insert:

"Provided further, That it shall be unlawful for any commissioned officer or enlisted man in any branch of the armed forces of the United States to command, order, direct, or undertake to influence any member of the armed forces to cast his or her vote for any candidate or candidates, or party, in any election or primary. Any person violating this provision shall be subject to the provisions of State and Federal law prohibiting offenses against the elective franchise."

The amendment was agreed to.

The CHAIRMAN. If there are no further amendments to section 3, the Clerk will report the next committee amendment, which is a new section.

The Clerk read as follows:

On page 12, line 19, insert a new section as follows:

"SEC. 4. There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this act."

Mr. COCHRAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we are about to vote on this bill. It is my understanding that a motion to recommit will be made. All I ask is that the membership of this House will be in order and listen to the motion to recommit.

Mr. MARTIN of Massachusetts. Mr. Chairman will the gentleman yield?

Mr. COCHRAN. I yield.

Mr. MARTIN of Massachusetts. I might say to the gentleman from Missouri there has been a good deal of discussion about this motion to recommit. We have had one contest which was wrongly interpreted in which we fought to preserve the integrity of the rules of the House and to protect a right that has always belonged to the minority. We appreciate the help of some liberal and fair Democrats. We have won that fight and now I want to say to the gentleman from Missouri we are not afraid to be counted. We accept the challenge thrown at us. We are perfectly willing to have the motion to recommit be the motion of the gentleman from Texas [Mr. WORLEY].

Mr. COCHRAN. Let me say to the gentleman from Massachusetts that I am proud of him for making such an arrangement. If the gentleman from Massachusetts had taken the same attitude when the rule was before the House, you would not have had all the trouble that you have had in the last few days. I want to say to the gentleman from Massachusetts that I think as much of the rules of the House as he does. The Committee on Rules of the House has time and again brought in a rule that provided for two motions to recommit. It

refused to do so in this instance, and the Republican minority of this House stood by the Committee on Rules.

Mr. MARTIN of Massachusetts. I will say to the gentleman from Missouri a rule which he mentions has not been brought into the House for years. The Committee on Rules has not brought in a rule like he refers to for 10 years. Naturally no minority is going to willingly sacrifice any of its rights until it knows how the situation might develop. Therefore we had good reason not to reveal our position until the right moment had come to make a decision. We have reached that moment now, or we will very shortly. In view of that fact, I thought it was right to make this statement at the present time. I am perfectly willing for the Chairman to recognize the gentleman from California [Mr. ANDERSON] to make that motion, and he is, I know, opposed to the bill. No one can hereafter say this Congress dodged the issue. We will boldly answer the aspersions thrown against us.

Mr. COCHRAN. Unless he is opposed to the bill he is not qualified.

Mr. ANDERSON of California. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from California.

Mr. ANDERSON of California. I will say to the gentleman from Missouri that I have a motion to recommit which will request the Committee on Election of President, Vice President, and Representatives in Congress to report back the bill forthwith with the Worley bill in it. I trust that I will be recognized.

Mr. COCHRAN. Report back what bill? I was interrupted; I did not hear all the gentleman said.

Mr. ANDERSON of California. To report back the Worley bill. I am opposed to the committee bill.

Mr. COCHRAN. I am perfectly satisfied. I will vote for the motion.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. I yield to the distinguished Speaker of the House.

Mr. RAYBURN. I trust that this colloquy will not take away from the Speaker what has always been his prerogative, to recognize any member of the minority to offer a motion to recommit when no member of the committee offers a motion.

Mr. COCHRAN. In my opinion no Member on the minority side who is a member of the committee can stand up, in view of the fact that they all signed the report, and say he is opposed to the bill. Therefore some person outside of the committee will have to do it.

Mr. MARTIN of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. I yield.

Mr. MARTIN of Massachusetts. There will be no minority member of the committee, in my opinion, who can stand up and say he is opposed to the bill, but I would like to address a word or two to my beloved friend, the Speaker. I realize it rests with the Speaker to recognize the Member to make the motion to recommit. The clear intent of the rule, however, in my opinion, is to give that weapon of recommitment to the minority and not to any minority of the minority.

Mr. RAYBURN. I just wanted to make it entirely clear that I always recognize somebody in the minority if they qualify, but I could not allow anybody to commit me to recognize any particular member of the minority. The gentleman from Massachusetts would not ask me to do that, nor would he want that done to him were our positions reversed.

Mr. COCHRAN. Remember, all I ask is that you listen and be quiet when the motion to recommit is offered.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. RANKIN. Mr. Chairman, I move that all debate on this section and all amendments thereto do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read the next committee amendment.

The Clerk read as follows:

On page 12, line 21, insert a new section, as follows:

SEC. 5. Section 3 of the act of September 16, 1942 (Public Law 712, 77th Cong.), is hereby repealed.

Mr. WRIGHT. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. WRIGHT: On page 12, line 23, after the end of section 5, insert the following words:

"But nothing in the act shall be construed as to repeal or render inoperative in connection with this act sections 1 and 2 of said Public Law 712."

Mr. WRIGHT. Mr. Chairman, there is nothing in the bill which is now before the House which expressly repeals sections 1 and 2 of Public Law 712. It is probable that even should this bill which is before the House pass, sections 1 and 2 would still apply. I have, however, heard conflicting interpretations with reference to the effect of this act upon sections 1 and 2, and so that it may be certain that sections 1 and 2 of Public Law 712 are still in force, I have offered this amendment.

I believe that we made a step forward in the Seventy-seventh Congress when we passed this law. We provided that if a man were a soldier, sailor, or marine and was unable because of his being physically removed from the place of his voting to register that that would not be used against him and deprive him of a vote. We also enacted that when a man was unable to be present in his State and pay a poll tax, if he were in the armed forces, that would not deprive him of a vote. I do not want to see Congress take a step backward. As I say, I do not know, nor do I think anybody in the House knows surely what the effect of the present provisions of this act we are considering would be, but we should be certain that Congress does not repeal sections 1 and 2, and for that reason I am offering this amendment.

Mr. COCHRAN. Mr. Chairman, I move that all debate on this section and all amendments close.

The CHAIRMAN. The gentleman from Missouri moves that all debate on this section and all amendments thereto do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

Mr. MARCANTONIO. Mr. Chairman, I want to see how many Members are on the level about the repeal of the poll tax. I demand a division.

The question was taken; and on a division (demanded by Mr. MARCANTONIO) there were—ayes 94, noes 167.

So the amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. ANDREWS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDREWS: On page 12, after line 23, insert the following new title:

"TITLE II

"To facilitate voting, in the general election in 1944, by qualified voters who are members of the armed forces of the United States or members of the merchant marine of the United States and who are absent from the place of their residence stationed beyond the continental limits of the United States

"SEC. 2. As used in this title—

"(1) The term 'members of the armed forces of the United States' means members of the Army of the United States, the United States Navy, the United States Marine Corps, the United States Coast Guard, or any of their respective components stationed beyond the continental limits of the United States.

"(2) The term 'members of the merchant marine of the United States' means persons employed as officers or members of the crews of vessels documented under the laws of the United States, including persons enrolled for such employment with the United States War Shipping Administration stationed beyond the continental limits of the United States.

"(3) The term 'Secretary' means the Secretary of War, the Secretary of the Navy, or the Chairman of the United States Maritime Commission.

"VOTERS ELIGIBLE UNDER THIS ACT

"SEC. 3. In the general election to be held in 1944, notwithstanding any provisions of State law relating to the registration of voters, every individual who is a member of the armed forces of the United States or a member of the merchant marine of the United States, and who is absent from the place of his voting residence stationed beyond the continental limits of the United States and qualified to vote under the law of the State of his voting residence in an election for electors of the President and Vice President of the United States, United States Senators, and Representatives in Congress, shall be entitled to vote for such officers in accordance with the provisions of this title.

"ABSENTEE WAR BALLOTS

"SEC. 4. (a) The Secretaries shall cause to be prepared and printed an adequate number of absentee war ballots for purposes of voting as provided in this title. Each such ballot shall be on a single sheet of paper which shall include the form of ballot and affirmation of elector set forth below:

"ABSENTEE WAR BALLOT, FOR USE IN GENERAL ELECTION TO BE HELD IN 1944

"INSTRUCTIONS.—(1) To vote for Presidential and Vice Presidential electors, mark an 'X' in the space shown beside the appropriate political party designation shown below.

"(2) To vote for United States Senator or Representative in Congress, write in the name of the candidate of your choice or the name of his political party.

"ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

"(A vote for Presidential electors includes a vote for Vice Presidential electors of the same party)

"Mark with an 'X' your choice for Presidential electors, by political party:

"American Labor ☐
"Democratic ☐
"Farmer-Labor ☐
"Prohibition ☐
"Progressive ☐
"Republican ☐
"Socialist ☐

"UNITED STATES SENATOR

"(Only if a Senator is to be elected in your State)

"Write in the name of your choice for Senator or the name of his party

"REPRESENTATIVE IN CONGRESS FOR YOUR DISTRICT

"Write in the name of your choice for Representative in Congress for your district or the name of his party

"REPRESENTATIVE AT LARGE IN CONGRESS FOR YOUR STATE

"(Only in the States entitled thereto)

"Vote for one or two, as the case may be

"Write in the name or names of your choice for Representative at Large or the name of his party

"AFFIRMATION OF ELECTOR FOR VOTING IN THE GENERAL ELECTION TO BE HELD IN 1944

"I do hereby swear (or affirm) that:

"(1) I am a citizen of the United States;

"(2) The date of my birth was _____

"(3) For _____ years (months) preceding this election my home residence has been in the State of _____;

"(4) For _____ years preceding this election my home residence has been in the (city, town, or village, if any) of _____ in the county of _____ at (street and number, if any, or rural route) _____

"(5) I am in the armed forces of the United States (or in the merchant marine of the United States); and

"(6) I have not voted and do not intend to vote in this election at any address other than the above or by any ballot other than this ballot; and that I have not received or offered, do not expect to receive, have not paid offered, or promised to pay, contributed, offered, or promised to contribute to another, to be paid or used, any money or other valuable thing as a compensation or reward for the giving of a vote at this election, and have not made any promise to influence the giving or withholding of any such vote; and that I have not been convicted of bribery or any infamous crime, or, if so convicted, that I have been pardoned or restored to all the rights of a citizen, without restriction as to the rights of suffrage.

"_____
"(Voter must write his usual signature here)
"_____
"(Voter shall insert his serial number, if any, here)
"_____
"(Voter shall insert here the designation of his military unit or station, if any, or, if in the merchant marine of the United States, his mailing address)

"(b) The sheet of paper containing the ballot shall be prepared so as to be foldable and sealable, in accordance with instructions to be printed thereon, in such manner as to insure the secrecy of the executed ballot, and so as to be an envelope when folded and sealed. All such ballots shall be prepared uniformly for the use of all voters.

"(c) The following matter shall be printed on the ballot so that when the ballot is executed, folded, and sealed in the form of an envelope there shall appear on the face of such envelope the following: (1) The designation of the addressee shall be printed in two lines as follows: "Secretary of State", and on the next line shall be printed "State of _____" (name of State to be printed on blank by the voter); and (2) in the upper right hand corner shall be printed the word "Free"; and (3) at an appropriate place there shall be printed "absentee war ballot," in conspicuous type; and (4) in an appropriate place there shall be blanks to be filled in by the voter to show his full name, his serial number and unit or station, if any, and his home address, city or town, if any, county, and State.

"(d) The secretary of state of each State shall furnish to the secretaries such information as they shall request for compiling lists of candidates and their parties for the offices included in the absentee war ballot. The secretaries shall compile lists of candidates on the basis of such information, and shall, in ample time for balloting under this title, transmit such lists to all units of the armed forces, stationed beyond the continental limits of the United States, to the extent that such transmission is practicable and compatible with military operations. No such lists of candidates shall contain any information with respect to any candidate other than his name and address, his party affiliation, and the office for which he has been nominated.

"DELIVERY OF ABSENTEE WAR BALLOTS TO VOTERS

"SEC. 5. The secretaries, insofar as practicable and compatible with military operations, shall transmit and distribute to members of the armed forces of the United States, and to members of the merchant marine of the United States, an adequate number of absentee war ballots for use in voting, as provided in this title, in the general election to be held in 1944. Such ballots shall be made available at an appropriate time during the period beginning August 1, 1944, and ending October 1, 1944.

"VOTING BY ABSENTEE WAR BALLOT

"SEC. 6 (a) Any individual voting under the provisions of this title shall secretly mark the ballot, fill in and sign the oath of affirmation, giving all the information required, and shall then fold and seal the ballot. He shall then fill in the blanks giving the information required to be on the face of the envelope formed by the folding and sealing of the ballot.

"(b) For purposes of such voting, a vote by party designation shall be deemed to be a vote for the candidate of that party by name. A vote for Presidential electors shall be deemed to be a vote for both the Presidential electors and Vice Presidential electors of the same party. No ballot shall be invalid by reason of mistake or omission in writing in the name of a candidate or his political party, where the candidate or party intended by the voter is plainly identifiable. Where, because of any defect in marking, a ballot is held invalid as to any particular candidate for office, it shall remain valid as to the other candidates for office.

"VOTING SAFEGUARDS

"SEC. 7. Every individual having any duties in connection with the carrying out of the provisions of this title shall take all necessary steps to prevent fraud, to protect voters against coercion of any sort, and to safeguard the integrity and secrecy of ballots cast under its provisions.

"RETURN OF BALLOTS FOR COUNTING

"SEC. 8. Each duly executed and sealed absentee war ballot shall be mailed to the secretary of state of the voter's State to whom it is addressed, and, on the basis of the information given on the face of the envelope, such secretary, upon receiving it, shall promptly transmit it to the appropriate State election officials, who shall then deliver it promptly to the proper county, city, or township, and to the polling place at which the voter would have been entitled to vote if he had not been absent from the State.

"OPENING AND COUNTING OF BALLOTS

"SEC. 9. (a) No sealed absentee war ballot shall be opened except by the duly constituted election officials at the proper polling place; and such election officials shall determine whether the voter is a qualified voter prior to the tabulation of such ballot. Such election officials shall be the sole judges of the validity of all executed absentee war ballots received by them. Such ballots shall be canvassed, counted, and certified by the proper officials in accordance with the laws of the State in the same manner, as nearly as may be practicable, as ballots cast within the borders of the State are canvassed, counted, and certified.

"(b) An executed absentee war ballot shall be counted (1) only if the voter is stationed outside the continental limits of the United States, (2) only if the voter has not also voted in person or by absentee ballot under the procedure provided by State law, (3) only if the vote is cast for a person who was a duly nominated candidate, and (4) only if the ballot is received and duly tabulated at the proper polling place not later than the closing of the polls on the date of the holding of the election, except that any extension of time for the receipt of absentee ballots permitted under the State law shall apply to ballots cast under this title.

"TRANSMISSION OF BALLOTS FREE OF POSTAGE

"SEC. 10. Sealed absentee war ballots transmitted to the respective secretaries of state of the several States and to local election officials, shall be transmitted in the United States mails free of postage, including airmail postage. The secretaries shall, so far as practicable and compatible with military operations, take all reasonable measures to facilitate the transmission of absentee war ballots cast under this title.

"SEC. 11. Wherever, in any State, an official other than the secretary of state is the appropriate State official to carry out any function vested in the secretary of state under this title, the term 'secretary of state' shall mean such other official."

Mr. ANDREWS (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that the further reading of the amendment may be dispensed with and that I may be permitted to address the House for 5 minutes.

Mr. MARCANTONIO. Mr. Chairman, reserving the right to object, and I shall not, is this the so-called Danaher amendment adopted in the Senate?

Mr. ANDREWS. It is very similar.

Mr. FORAND. Mr. Chairman, I object.

The Clerk continued reading the amendment.

Mr. COOLEY (interrupting the reading of the amendment). Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COOLEY. Mr. Chairman, will the Chair advise the House what the reading clerk is now reading?

The CHAIRMAN. The Clerk is reading an amendment offered by the gentleman from New York [Mr. ANDREWS].

The Clerk concluded the reading of the amendment.

Mr. BONNER. Mr. Chairman, I move that all debate on this amendment close in 30 minutes.

Mr. RANKIN. Mr. Chairman, I offer an amendment to that motion.

Mr. TABER. Mr. Chairman, a point of order.

The CHAIRMAN. The motion is not in order until some debate has been had. The gentleman from New York [Mr. ANDREWS] is recognized for 5 minutes in support of his amendment.

Mr. ANDREWS. Mr. Chairman, I know it is late and I do not think it will be necessary to take 5 minutes. As I said in my statement yesterday, I am wholly in agreement with the committee bill under which these State ballots insofar as is possible will be sent to as many men in the service not only in this country but abroad as possible. I want to remind you that this is an amendment to the so-called State bill. It is in effect similar to the Danaher amendment which was adopted today in the Senate by a vote of 79 to 18. There are some few differences in my provision for the Federal ballot from the Worley bill but they are not serious. The ballot in the case of my amendment is simpler, it is one piece of paper, it is capable of being folded, and it is more secret in that an oath is not required, only an affirmation. It does not make mandatory any single voting day. The man is doing business for himself by himself with no one else knowing what his vote is or how it will be cast.

Mr. SABATH. Will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Illinois.

Mr. SABATH. The gentleman's amendment is the Danaher amendment amended by the gentleman in two or three different places. Can he explain his amendment to the Danaher amendment that has been adopted in the Senate?

Mr. ANDREWS. This provides a Federal ballot will be available to all men outside of the continental limits of the United States, if they desire it and if they cannot obtain the State ballot. That is in effect a simple explanation of the amendment.

Mr. WORLEY. Will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Texas.

Mr. WORLEY. The gentleman from New York [Mr. ANDREWS] has given a great deal of time and study and attention to providing an effective way for the soldiers to vote.

He came before the committee of which I happen to be chairman, but unfortunately we were not able to give him the time that he or any other Member of the House properly deserves. So, as a matter of consideration to the gentleman, who is very much interested in his amendment, I ask that the House remain in order so that he can explain it without the necessity of having it read.

Further, Mr. Chairman, I ask unanimous consent that the gentleman from New York be permitted to proceed for 5 additional minutes on his amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from North Carolina.

Mr. COOLEY. Does the gentleman's bill provide, as did the Worley bill, that the election officials of the State should pass upon the validity of the ballot?

Mr. ANDREWS. The ballot goes back to the precinct and the proper election officials of the State pass upon the validity of the qualifications of that voter according to the laws of that State, before the ballot is tabulated.

Mr. COOLEY. The ballots are canvassed and counted and certified according to the laws of the State?

Mr. ANDREWS. Correct.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Nebraska.

Mr. STEFAN. Is that the difference between the gentleman's amendment and the so-called Danaher amendment?

Mr. ANDREWS. I understand that the Danaher amendment permits the Federal ballot to go to anybody within the continental limits of the United States provided he certifies that he was unable to get a State ballot. My amendment is not as liberal as the Danaher amendment.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from New York.

Mr. TABER. There is nothing in this amendment the gentleman has offered which would require the Secretary of War or the Secretary of the Navy to get the regular State ballots to the soldiers?

Mr. ANDREWS. This amendment is offered as an additional title to the pending bill. I have stated that I am wholly in favor of the provisions of the committee bill.

Mr. TABER. But it applies not only to those across the water but those in this country?

Mr. ANDREWS. The gentleman is reading the copy of a bill of several days ago, not my amendment offered today. The gentleman undoubtedly could not hear the amendment when it was read.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. Does the gentleman's amendment propose that the names of the candidates be printed upon the ballot?

Mr. ANDREWS. It makes it mandatory upon the Secretary of War, the Secretary of the Navy, and the Chairman of the Maritime Commission to furnish at each post of all services an accredited list of all candidates from both parties, by name and party.

Mr. AUGUST H. ANDRESEN. But the names are not printed on the ballot?

Mr. ANDREWS. The names would not be printed on the ballot.

Mr. CASE. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from South Dakota.

Mr. CASE. Does not the gentleman believe it would be better for all of the absentee voters to get a complete State ballot than to get this short ballot?

Mr. ANDREWS. If I were a serviceman today, I would prefer to receive the State ballot. That is my answer to the gentleman's question. This is to take care of the men who are unable to get a State ballot.

Mr. CASE. I call the gentleman's attention to the fact that if the procedure is followed that is recommended in the amendment which I offered, and which was adopted, every absentee voter in the armed forces will get a complete State ballot.

Mr. LEONARD W. HALL. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from New York.

Mr. LEONARD W. HALL. There is some confusion about whether or not the gentleman's amendment is similar to the Danaher amendment. I understand the Danaher amendment provides that this short Federal ballot go only to the soldiers overseas and the regular State ballot go to all soldiers in the continental United States. Does the gentleman's amendment provide that?

Mr. ANDREWS. This is an amendment to the committee bill. I say the State ballot will go all over the world insofar as is possible, but this Federal ballot will go only to those overseas.

Mr. LEONARD W. HALL. Then the gentleman's amendment is not similar to the Danaher amendment.

Mr. ANDREWS. It is somewhat similar to it.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield.

Mr. TABER. I have been over the amendment since I interrupted the gentleman previously. The thing that is really serious about it is that it provides for sending the short ballot to all of the soldiers overseas, whether or not they have the State ballot. I am afraid that would result in intolerable confusion.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Assuming the soldier overseas gets a State ballot and the Federal or short ballot also, which one will count?

Mr. ANDREWS. The State ballot. There are provisions in the bill to that effect, that if the State ballot is voted he cannot vote the other.

Mr. WHITTINGTON. That provision is in the gentleman's amendment?

Mr. ANDREWS. Yes.

Mr. WHITTINGTON. The gentleman's amendment also waives the registration provisions or laws that may require registration?

Mr. ANDREWS. That is correct.

Mr. WHITTINGTON. That would cause confusion.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Illinois.

Mr. CHURCH. Has the gentleman ever at any time attempted to vote twice, on two ballots?

Mr. ANDREWS. No.

Mr. CHURCH. Therefore, if the gentleman never has voted that way, why does he want the soldier to attempt to vote one ballot and then another?

Mr. ANDREWS. If he votes both ballots, only the State ballot is counted.

Mr. CHURCH. Would the soldier want to attempt to vote two ballots?

Mr. WORLEY. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Texas.

Mr. WORLEY. Is not the effect of the gentleman's amendment to permit the boys within the continental limits of the United States to vote nothing but the State ballot?

Mr. ANDREWS. It would also permit all men overseas to vote the State ballot.

Mr. WORLEY. Only those within the continental limits of this country can vote the State ballot?

Mr. ANDREWS. That is right.

Mr. WORLEY. They would be denied the Federal ballot?

Mr. ANDREWS. That is right.

Mr. WORLEY. Even in the case of the Federal ballot, that ballot still goes back to the man's own precinct and there his qualifications are checked?

Mr. ANDREWS. It goes back to the precinct and is passed upon by the very person who would challenge the vote of that man were he present to vote.

Mr. WORLEY. In accordance with the the laws of his own State.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WORLEY. Mr. Chairman, I move that all debate on this amendment close in 10 minutes.

The motion was agreed to.

Mr. WORLEY. Mr. Chairman, for several months I have felt that perhaps we could all get together and back one soldier compromise bill which would give the best opportunity we could devise for the soldier to vote, that we could give him an effective ballot.

I had hoped all along that perhaps we could get together on some sort of a bill which would give the most effective opportunity we were able to give to the fellows who wanted to vote but who, in spite of all the wishful thinking we are doing, will not get a chance to vote under the State procedure.

I am convinced that all the evidence shows positively that we must have some kind of a uniform ballot especially for the fellows overseas. The approach which the gentleman from New York makes I think is an ideal approach. If you are not willing to go along as far as I have wanted you to go today under my original substitute, then perhaps you can and perhaps you will accept this substitute because, as I understand, it restricts the Federal ballot to all those men overseas, but it does not deny the men overseas a State ballot if it can reach them.

This amendment provides the man overseas two opportunities, two propositions, two chances, which is good. It gives them a better opportunity than anything else would do, but it does restrict positively to the members of the armed forces within the continental limits of the United States the use of the State ballot. This will avoid a lot of the fraud some people think might exist. I believe this will vitiate some of the ideas some of us seem to hold that the Federal ballot will be crammed down their throats.

As I understand the provisions of the Andrews amendment, free air mail, all the encouragement possible will be given to the soldier to vote his State ticket, and he must vote it within the continental limits. Perhaps that is a compromise; I do not know. It seems to me a reasonable proposition, if you gentlemen can overcome the question of the uniform ballot.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. I yield to the gentleman from Illinois.

Mr. CHURCH. Has the gentleman ever himself been willing, or does he know of anyone who has ever been willing to mark one ballot and then later, in that same election, mark another ballot, and take a chance on the law?

Mr. WORLEY. No, I never have.

Mr. CHURCH. Why does the gentleman ask soldiers abroad to do the thing that neither he nor anyone else would want to take a chance on doing, mark one ballot and then later mark another one in the face of State statutes?

Mr. WORLEY. All I am trying to do is, if we cannot give him a machine gun, at least to give him a shotgun, if we can.

Miss SUMNER of Illinois. In the first place I do not see how this is any compromise, because the people in the United States could get the State ballots anyway.

Mr. WORLEY. That is true.

Miss SUMNER of Illinois. And in the second place I do not see why people who believe as I do can vote for any bill with a short ballot, because if there is a question of constitutionality, and obviously there is from all of these speeches, it surely will be thrown into the courts.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. Yes.

Mr. BROWN of Ohio. Does the gentleman still favor a recommital motion vote on his own bill?

Mr. WORLEY. I definitely do.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. WORLEY. Yes.

Mr. TABER. I have read this amendment. I find that it provides for a short ballot to go to these soldiers overseas, whether they get a State ballot or not. That goes beyond anything that I have heard heretofore.

Mr. WORLEY. I think we ought to give them both chances, if we can.

Mr. CASE. When the gentleman says "give them both chances" does the gentleman mean give them two ballots?

Mr. WORLEY. Yes, at least one, so that they can get one.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. RANKIN. Mr. Chairman, I rise in opposition to the amendment. The gentleman from New York [Mr. ANDREWS] came before the Committee on Election of President, Vice President, and Representatives in Congress, and presented this very proposition, and of all the propositions proposed, it was the most confusing. If it is adopted, it will bring more confusion than the Worley bill would. You would have this bobtail ballot sent to some men in the armed forces, and denied to others, and as I said, you will have more confusion if this amendment is adopted than if you had adopted the Worley bill in the beginning. I hope the amendment will be rejected.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. Yes.

Mr. HALLECK. The gentleman has contended all through the debate that the so-called Federal ballot is in violation of the Constitution of the United States and in violation of the constitutions of many of the sovereign States. Would that same argument apply to the Federal short ballot that is provided for in this amendment?

Mr. RANKIN. Certainly. Not only that, but it would have no name of the candidates for President or Vice President or of the candidate for Congress on it. It would have no name of candidates for the electors for President on it, and you cannot elect a President by direct vote of the people. That would absolutely render any ballot null and void.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. Not now. Again you have a ballot that would be in violation of the laws of many of the States. They would not try to count them. If they did count them, they would go to the State penitentiary; and if they did not count them, they would go to the Federal penitentiary.

Mr. JENNINGS. Have we not in the bill as written provided for a legal ballot?

Mr. RANKIN. Absolutely.

Mr. JENNINGS. Then why make fish out of one and fowl out of the other, and perpetrate a fraud?

Mr. RANKIN. Why, certainly. This amendment is worse than the original Worley bill. I trust the amendment will be voted down, and that we may proceed to vote on the bill and on the motion to recommit.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. Yes.

Mr. COOLEY. Does the gentleman agree that his bill in the shape it is in now is perfectly harmless in that it does not clash with the Constitution, with the State laws, and that it contains nothing but eight recommendations and one suggestion, just like it did yesterday?

Mr. RANKIN. Mr. Chairman, the gentleman sounds like a man who has never read the bill or heard the debate. After all of this debate, the gentleman from North Carolina stands up now and

interrupts me and intimates that this bill does nothing to enable the men in our armed forces to vote, which shows that he either is trying to heckle me or he does not know what is going on in the House.

Mr. COOLEY. I am not trying to heckle the gentleman.

Mr. RANKIN. Then the gentleman ought not to be interrupting and making such statements. All night he has been trying to stave off a vote on this bill. We are passing the best bill ever proposed for guaranteeing a vote for every man and woman in the armed services and we are going to pass it regardless of the opposition of the gentleman from North Carolina, regardless of the filibuster that has been carried on here and elsewhere. We are going to see that these men and these women who are in the armed services, everywhere in the world, have an opportunity to vote in a constitutional election for everything, from President down to constable; and we are going to give them an opportunity to vote in the primaries. When the gentleman from North Carolina comes up in the primary in his State, we will give the boys in North Carolina an opportunity to vote for him in the primary, and give them the same opportunity in other States. And we are going to do the same thing in Illinois, in Pennsylvania, and in every other State.

The CHAIRMAN. The time of the gentleman from Mississippi has expired. All time has expired. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. ANDREWS) there were—ayes 87, noes 172.

So the amendment was rejected.

Mr. SNYDER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SNYDER. Mr. Chairman, the thing I am most interested in is preserving our democratic way of government. To do so in this global war when the voting of our citizens is at stake, we should make it as easy as possible for them to cast their ballot.

In my State, Pennsylvania, we have no absentee voting law—except for those in the armed forces. If this bill is adopted as it now reads, we will have a situation that will keep thousands of our boys overseas from getting a ballot. Now, that would mean that we would have to take a plane, put some 60 Pennsylvania tickets in it from each of the 500 voting districts or precincts.

The plane would land at the boat, and the official would contact the commanding officer of this group of 2,000 American boys on this island.

He would inform the official that he had the ballots for the 2,000 boys and proceed to get them ready for distribution.

The commanding officer of this group of 2,000 boys would say, "Sorry, sir; but the 2,000 boys that were here just left 3 days ago under sealed orders and we have 2,000 new troops here."

We have 33 congressional districts in Pennsylvania. We have 67 counties in Pennsylvania. That means that we will have to have 67 different ballots as far as counties go. Then the town and township and city ballots, being additions to the county ballots, make more than 500 different ballots.

So as an example of the impossibility of getting votes to all the boys take this situation:

We have about 2,000 boys guarding a small fortified island in the South Pacific. These 2,000 boys come from all 48 States in the Union. Some 50 or 60 of these would come from Pennsylvania.

Thus you see these 2,000 boys would not get a vote.

But if you had the simple short Federal ballot they could leave the 2,000 ballots there for the new 2,000 boys and they would have the 2,000 ballots at the new post or port for the 2,000 boys that left the island, upon their arrival at the new place.

Yes; to preserve democracy we must have at least two political parties and these 10,000,000 boys in our armed forces are interested in preserving these political parties—and the way we can reach most of them with ballots is to have a short, clear, Federal ballot.

Mr. RANKIN. Mr. Chairman, I move that all debate on this section and all amendments thereto do now close.

Mr. HINSHAW. Mr. Chairman, I have an amendment that I desire to offer.

Mr. COOLEY. Mr. Chairman, a parliamentary inquiry. If the motion of the gentleman from Mississippi prevails, will the debate on all amendments to this bill and the bill be precluded?

The CHAIRMAN. Answering the parliamentary inquiry of the gentleman from North Carolina, if the motion of the gentleman from Mississippi is adopted, it will shut off any further debate.

Mr. COOLEY. On the entire bill?

The CHAIRMAN. Yes.

Mr. RANKIN. Mr. Chairman, a parliamentary inquiry. The Clerk did not read all of section 5, because there is an additional provision with reference to amending the title.

The CHAIRMAN. That is an amendment to be agreed to after the passage of the bill in the House.

Mr. RANKIN. Mr. Chairman, I modify my motion to close debate by making it 5 minutes.

Mr. WORLEY. Mr. Chairman, the gentleman from California has an amendment of 3 pages, and I do not think that he could explain it in 5 minutes. I move to amend the motion of the gentleman from Mississippi to make it 10 minutes.

Mr. RANKIN. Mr. Chairman, I accept that.

Mr. COOLEY. Mr. Chairman, I offer the following preferential motion which I send to the desk.

The Clerk read as follows:

Mr. COOLEY moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

The CHAIRMAN. The gentleman from North Carolina is recognized for 5 minutes.

Mr. COOLEY. Mr. Chairman, I am not taking this time for the purpose of delaying the final vote on the pending measure. In fairness I am forced to resort to this method in order that I may be permitted to reply to the very kind words of the very kindly gentleman from Mississippi [Mr. RANKIN], who has accused me of filibustering simply because I have insisted throughout the entire debate on this bill that every amendment, regardless of who might be the author of the amendment, be fully discussed to the end that Members of the House might legislate with some degree of intelligence. I want it clearly understood that I am not complaining about the lateness of the hour. My time as a Member of this House belongs to the people of my district and I shall gladly stay here until morning and still I shall not complain. It is now only 9:35 and we have been here on the floor of the House since noon. I realize, however, that there are Members here less vigorous than I and after remaining here for 9 hours and 35 minutes many Members are quite uncomfortable. After all, tomorrow is another day and there is no reason why we should not meet tomorrow. Personally, I do not care anything about going to the American Legion banquet. I merely reminded the House that the Legion's annual banquet is now being held at the Mayflower and that the Secretary of War, the Secretary of Navy, and other military men are expecting many Members of Congress to attend and to hear them. Tonight is the Legion's one big night in Washington during the year, and I still insist that it would be entirely proper for us to adjourn and meet again tomorrow when ample time could be afforded for adequate debate.

I had no idea a moment ago that I was in any way reprimanding the House when I merely suggested that we might be rendering a disservice to those whom we are seeking to aid by undertaking to legislate under prevailing circumstances. I want to say to the gentleman from Mississippi that I have been ready to vote on every amendment. I have not engaged in any filibuster. I am ready to vote now on whatever question that may come before the House. I have never run away from a vote yet and I never shall. I have never tried to evade a record vote and I never shall. I have never engaged in a filibuster and the Members of this House know it. I believe in full, free, and open debate. I am sure that the Members know who has completely controlled debate during the consideration of the pending measure.

I asked the question a moment ago if we were considering the same old Rankin bill which contains eight recommendations and one suggestion and my question seems to have been offensive. At least it was not answered.

When I hear all this talk about the Old South, the Civil War, and carpet-

baggers I am reminded of this little story about the lightning bug:

The lightning bug is brilliant,
He has a little mind.
He flies through all creation
With his light hung out behind.

The gentleman seems to be afraid that something awful is going to happen to the dear old Southland and to States' rights. I love the Southland and all that it stands for and all that it means to this great Nation. I am proud of every part and parcel of it, but I am not afraid that these bills or either of them will destroy my native State of North Carolina or any of the rights of its citizens. Nor will either of these bills disfranchise any of the citizens of the South or any other part of the country. The citizens of North Carolina are not depending on the gentleman from Mississippi to protect them in the exercise of their rights as sovereign citizens of that great State.

I do not have to apologize for the election laws of the State of North Carolina. If there are any adequate election laws in any one of the Commonwealths of America you will find them in the State of North Carolina. I shall not complain about the election laws of any other State. I am, however, anxious for every member of our armed forces to have an opportunity to vote and I am anxious for the departments and agencies of the Federal Government to aid them in every way possible. I do not question the sincerity of any Member of this House. I frankly believe that all of us want the members of our armed forces to vote but we want them to vote in a perfectly legal and constitutional manner.

For fear that I may be further accused of filibustering I yield back the remainder of my time.

Mr. RANKIN. Mr. Chairman, I rise in opposition to the motion.

We have witnessed tonight one of the most unusual conversions that I have ever seen since I have been a Member of Congress. Only a few moments ago the gentleman from North Carolina [Mr. COOLEY] who comes here now and says, "We have plenty of time," only a few moments ago he was raising sand because we did not adjourn and let him go to a banquet. And he says that he was not filibustering. He may not have been filibustering, but I have been here a good long time and I think I know the symptoms. When he rose and asked unanimous consent to have the Clerk reread parts of an amendment that had already been read, taking up the time of the House, and when even the author of it wanted to stop the reading and have it inserted in the RECORD, why, the gentleman from North Carolina [Mr. COOLEY] rose and demanded that some of it be reread, if I remember correctly. In every dilatory movement that has been made here tonight, in every dilatory vote that has been taken, and in every dilatory teller vote that has been called for, we have found the gentleman from North Carolina [Mr. COOLEY] standing up and demanding that we take up the time of the House with tellers. Now it is true, I am not trying to be the guardian of the people of North Carolina. I have not made any speeches about the Old South, either, as he intimated, but I want to say to the gentleman from North Carolina [Mr. COOLEY] that I am doing my best to get a bill passed that will enable the men in our armed forces to vote by absentee ballot.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. COOLEY. I think the gentleman said I demanded tellers. I disagree with that statement.

Mr. RANKIN. Oh, well, I will leave that to the House. I do not care to argue that. I said the gentleman joined in demanding tellers. The Members of the House saw it. The Members of the House know what has been going on here.

I want to say to the gentleman from North Carolina that he talks about taking care of the soldiers of North Carolina. My honest opinion is that he is going to have a good deal of explaining to do when he goes down to North Carolina, to the people whose fathers went through the fiery furnace of trying to preserve States' rights and trying to preserve their constitutional protection all during the years that have passed and gone.

I say it is a far cry from glorious old Claud Kitchen to the gentleman from North Carolina [Mr. COOLEY] who has joined, in my opinion, in filibustering to try to kill the only bill that has been proposed that will permit those young men from North Carolina to cast a vote for candidates, President down to bailiff, and at the same time cast a ballot that will be counted in North Carolina and not take away the rights of that State, or throw the election into confusion. So I say to the gentleman from North Carolina that I do not care to be offensive, but I cannot agree with him that he has not been engaging in filibustering here tonight.

The CHAIRMAN. The question is on the motion of the gentleman from North Carolina.

The motion was rejected.

The CHAIRMAN. The question is on the motion of the gentleman from Texas [Mr. WORLEY] that all debate on the bill and all amendments thereto close in 10 minutes.

The motion was agreed to.

Mr. HINSHAW. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HINSHAW: After line 23, on page 12, insert:

"SEC. 201. The State director of selective service in each State and the local selective service boards are authorized and directed to cooperate with the appropriate election officials of the voting unit of the voters' residence for the purpose of establishing or checking the voting qualifications of any elector serving with the armed forces of the United States who is registered under the provisions of the National Training and Service Act (the act of September 16, 1940, as amended), and any evidence contained in the files of the Selective Service Board of the area in which the member of the armed services claims residence which clearly establishes the qualifications of such elector or establishes to the contrary, shall be deemed to be prima facie evidence of the qualification or lack of qualification of the elector.

"SEC. 202. The State director of selective service in each State is hereby authorized and directed to order that each local selective service board under his jurisdiction shall answer any inquiry directed to the local selective service board by any appropriate election official of any State, county, precinct, or other voting unit of the voters' residence, either verbally or in writing, as the election official may request concerning the facts which are contained in the file of the registrant which may pertain to the qualification for voting of any elector serving with the armed forces of the United States who is registered under the provisions of the National Training and Service Act, and whose registration for voting or absentee ballot has been presented to such official. Such facts shall include the following:

"(1) The date of birth of the registrant.

"(2) The place of birth of the registrant.

"(3) The last known residence claimed by the registrant.

"(4) Period of residence in the last known place of residence.

"(5) Citizenship if registered by the selective service board as an alien.

"(6) Conviction of any crime which may by law deprive the registrant of the elector privilege of citizenship.

"(7) The signature of the registrant.

"(a) If the information contained in the file of the local selective service board shall indicate to the election official that the person serving in the armed forces of the United States who proposes to register for voting or to cast an absentee ballot, is not qualified as an elector, he shall demand of the local selective service board, and the local selective service board shall furnish over the signature of the chairman of the board or two members of the board, such information in writing, except that whenever the signature of the registrant is in question the local selective service board shall permit the appropriate election official to compare the signature on the affidavit of registration or accompanying the ballot directly with the signature contained in the registrant's file in the offices of the local selective service board or in custody of an authorized agent thereof.

"(b) It is recommended that the appropriate election officials in each State, county, precinct, or other voting unit whose duty it shall be to check the registration of absentee voters or to cast or judge elections, shall before casting the ballot of any absentee voter who may cast a ballot as a member of the armed services of the United States, ascertain verbally from the local selective service board of the area in which such voter claims residence that the said voter is qualified, except that whenever such voter is found to be a duly registered voter under the ordinary election laws of the State, such ascertainment shall not be deemed to be necessary.

"SEC. 203. The Director of Selective Service or the several State directors of the selective service are hereby authorized to order, if they shall deem that the purposes of this title may be expedited thereby, to cause each selective service board within their respective jurisdictions to prepare a list or lists by precinct or voting unit of the registrants within each selective service board who are known by the board to be serving in the armed forces of the United States, such list or lists to include information set forth in section 202 in advance of the time for receiving absentee ballots in their respective States, and to make such lists available to the appropriate election officials of the State, county, precinct, or other voting unit of the voters' residence.

"SEC. —. The National Selective Training and Service Act (the act of September 16,

1940, as amended) is further amended hereby to the extent necessary to carry out the purposes of this title."

Mr. HINSHAW. Mr. Chairman, I realize the disadvantage I find myself at in presenting an amendment to this bill at this late hour after everybody has had his say. If there is a saving grace to this amendment it is the fact that it is absolutely nonpolitical. That may give some joy to certain Members of this body. It is designed to facilitate the work of your old friends, the election officials in your home districts, in their determination of the qualifications as those qualifications may be evidenced in the files of the Selective Service System. That is all it does. I think it will be of great help. It will expedite matters very materially in the handling of the election procedure by the local election officials and I trust that the House will give it favorable consideration now or at least some consideration in the conference. And with that, good night.

Mr. RANKIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I cannot agree, and I do not think the House will agree, to the amendment offered by the gentleman from California. It was not presented to the committee, and we had no opportunity to examine it.

It goes into the question of the Selective Service and attempts to mix up the Selective Service with this election machinery. I think, therefore, the best thing we can do is just to vote the amendment down. This is the last amendment, and I am sure you will be glad to know this is the last speech. Then we can proceed to vote on the motion to recommit the bill.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. HINSHAW. I am sure the gentleman understands that my sole desire is to assist and facilitate the matter of determining the qualifications of electors. Practically all of that information is contained in the files of the Selective Service System and should be made available to the general election officials, because that is where the ballots come from.

Mr. RANKIN. They can be obtained by the election officials back at home.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. MURDOCK. Before asking the question I want to say to the gentleman that I favor a State ballot for all of them if possible. I have been a little fearful that the bill now before us would not permit enough of the soldiers to vote. This is the question: If the gentleman's bill should become law soon what proportion or percentage of the members of the armed forces would probably be enabled to vote under this bill?

Mr. RANKIN. One hundred percent of them. The gentleman said "his bill," he means by that, I take it, the bill I am sponsoring and that we are now ready to pass.

Mr. MURDOCK. Yes. Assuming it becomes law, I am asking how many will likely get to vote under the gentleman's bill.

Mr. RANKIN. Oh, a large percentage of them, certainly a much larger percentage than would have voted under the Worley bill.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to my distinguished colleague from Mississippi.

Mr. WHITTINGTON. Is it not true that if this amendment were adopted it might certainly by implication, if not directly, repeal the laws of the States with respect to the qualifications of the voters?

Mr. RANKIN. I am afraid this amendment offered by the gentleman from California would seriously conflict with State laws. All the information it provides for can be obtained by the election officials in the States with very little trouble. So with all deference to my distinguished friend from California I hope the amendment will be voted down.

Mr. WILSON. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield?

Mr. WILSON. In the opinion of the gentleman is it not a fact that if the administration, the Army, and the Navy will cooperate every man and woman in the service will have a right to vote the same kind of ballot that we people back home vote?

Mr. RANKIN. Absolutely. If the Secretary of War and the Secretary of the Navy will simply cooperate, under this bill, S. 1285, every person in the armed services will have an opportunity to vote by absentee ballot and have that ballot counted in a constitutional election without interfering with the rights of the States.

I do not see how anyone who is really interested in the servicemen can vote against this measure.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was rejected.

Mr. MARCANTONIO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MARCANTONIO: On page 12, after line 23 add a new section, as follows:

"SEC. 6. On every ballot distributed under the provisions of this act there shall appear a photo of suitable size of the gentleman from Mississippi, Mr. RANKIN; that under said photo there shall appear the following words: 'Author of the bill and leader of the Republicans in the House of Representatives.'"

The CHAIRMAN. The question is on the amendment of the gentleman from New York.

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill S. 1285, under the provisions of House Resolution 412, reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not the Chair will put them en gross.

The amendments were agreed to.

The bill was ordered to be read a third time and was read the third time.

The CHAIRMAN. The question is on the passage of the bill.

Does any member of the committee in the minority desire to offer a motion to recommit?

Mr. ANDERSON of California. Mr. Speaker——

The SPEAKER. The Chair recognizes the gentleman from California.

Mr. ANDERSON of California. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. ANDERSON of California. I am.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. ANDERSON of California moves that the bill S. 1285 be recommitted to the Committee on Election of President, Vice President, and Representatives in Congress with instructions to that committee to report the bill back forthwith with an amendment striking out all after the enacting clause and inserting in lieu thereof the provisions of the bill H. R. 3982.

Mr. MARTIN of Massachusetts. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The Clerk called the roll; and there were—yeas 168, nays 224, answered "present" 2, not voting 33, as follows:

[Roll No. 19]

YEAS—168

Anderson, Calif.	Durham	Kee
Anderson, N. Mex.	Eberharter	Kefauver
Baldwin, N. Y.	Ellison, Md.	Kelley
Barden	Engle, Calif.	Kennedy
Barry	Fay	Keogh
Bates, Ky.	Feighan	Kilday
Beckworth	Fernandez	King
Bender	Fisher	Kirwan
Bland	Fitzpatrick	Klein
Bloom	Flannagan	LaFollette
Bolton	Fogarty	Lane
Bonner	Folger	Lea
Boren	Forand	Lesinski
Bradley, Pa.	Ford	Ludlow
Buckley	Fulbright	Lynch
Bulwinkle	Furlong	McCord
Burchill, N. Y.	Gale	McCormack
Burdick	Gordon	McMurray
Burgin	Gore	Madden
Byrne	Gorski	Mahon
Canfield	Gossett	Mansfield, Mont.
Cannon, Fla.	Granger	Mansfield, Tex.
Cannon, Mo.	Green	Marcantonio
Capozzoli	Gregory	Merritt
Celler	Hall, Edwin Arthur	Miller, Conn.
Chapman	Harless, Ariz.	Mills
Cochran	Harris, Ark.	Monroney
Coffee	Harris, Va.	Morrison, N. C.
Compton	Hart	Mruk
Cooley	Hartley	Murdock
Cooper	Hays	Murphy
Costello	Heffernan	Myers
Courtney	Hendricks	O'Brien, Ill.
Crosser	Hoch	O'Brien, Mich.
D'Alesandro	Holifield	O'Connor
Davis	Hull	O'Neal
Dawson	Izac	O'Toole
Delaney	Johnson, Luther A.	Outland
Dickstein	Johnson, Lyndon B.	Patman
Dilweg	Johnson, Okla.	Patton
Dingell		Peterson, Fla.
Doughton		Pfeifer

Philbin	Schuetz	Vincent, Ky.
Poage	Sheppard	Voorhis, Calif.
Powers	Sikes	Walter
Price	Smith, W. Va.	Ward
Priest	Snyder	Weaver
Rabaut	Somers, N. Y.	Weiss
Robertson	Sparkman	Welch
Rogers, Calif.	Spence	Wene
Rowan	Stearns, N. H.	Wickersham
Sabath	Stewart	Wolverton, N. J.
Sadowski	Sullivan	Woodrum, Va.
Sasscer	Sumners, Tex.	Worley
Satterfield	Thomas, Tex.	Wright
Sauthoff	Thomason	Zimmerman
Scanlon	Tolan	

NAYS—224

Abernethy	Grant, Ala.	Newsome
Allen, Ill.	Grant, Ind.	Norman
Allen, La.	Griffiths	Norrell
Andresen, H. Carl	Gross	O'Brien, N. Y.
	Gwynne	O'Hara
Andresen, August H.	Hagen	O'Konski
	Hale	Pace
Angell	Hall,	Phillips
Arends	Leonard W.	Pittenger
Arnold	Halleck	Ploeser
Auchincloss	Hancock	Plumley
Barrett	Hare	Poulson
Bates, Mass.	Harness, Ind.	Pracht
Beall	Heidinger	Ramey
Bennett, Mich.	Herter	Ramspeck
Bennett, Mo.	Hill	Rankin
Bishop	Hinshaw	Reece, Tenn.
Blackney	Hoeven	Reed, Ill.
Boykin	Hoffman	Reed, N. Y.
Bradley, Mich.	Holmes, Mass.	Rees, Kans.
Brehm	Holmes, Wash.	Rivers
Brooks	Hope	Rizley
Brown, Ga.	Horan	Robsion, Ky.
Brown, Ohio	Howell	Rockwell
Brumbaugh	Jeffrey	Rodgers, Pa.
Bryson	Jenkins	Rogers, Mass.
Buffett	Jennings	Rohrbough
Burch, Va.	Jensen	Rolph
Busbey	Johnson,	Rowe
Butler	Anton J.	Russell
Camp	Johnson,	Schiffler
Carlson, Kans.	Calvin D.	Schwabe
Carrier	Johnson, Ind.	Scott
Carson, Ohio	Johnson,	Scrivner
Carter	J. Leroy	Shafer
Case	Johnson, Ward	Short
Chenoweth	Jones	Simpson, Ill.
Chiperfield	Jonkman	Simpson, Pa.
Church	Judd	Slaughter
Clark	Kean	Smith, Maine
Clason	Kearney	Smith, Ohio
Clevenger	Keefe	Smith, Va.
Cole, Mo.	Kerr	Smith, Wis.
Cravens	Kilburn	Springer
Cunningham	Kinzer	Stanley
Curley	Kleberg	Starnes, Ala.
Curtis	Knutson	Stefan
Day	Kunkel	Stevenson
Dewey	Landis	Sumner, Ill.
Dies	Lanham	Sundstrom
Dirksen	Larcade	Taber
Disney	LeCompte	Talbot
Domengeaux	LeFevre	Talle
Dondero	Lemke	Tarver
Drewry	Lewis	Taylor
Dworshak	McCowen	Thomas, N. J.
Eaton	McGregor	Tibbott
Elliott	McKenzie	Towe
Ellis	McLean	Treadway
Ellsworth	McMillan	Troutman
Elmer	McWilliams	Vinson, Ga.
Elston, Ohio	Maloney	Vorys, Ohio
Engel, Mich.	Manasco	Vursell
Fellows	Martin, Iowa	Wadsworth
Fenton	Martin, Mass.	Weichel, Ohio
Fish	Mason	West
Gallagher	May	Whelchel, Ga.
Gathings	Merrow	White
Gavin	Michener	Whitten
Gearhart	Miller, Mo.	Whittington
Gerlach	Miller, Nebr.	Wigglesworth
Gibson	Miller, Pa.	Willey
Gilchrist	Monkiewicz	Wilson
Gillette	Mott	Winstead
Gillie	Mundt	Wolfenden, Pa.
Goodwin	Murray, Tenn.	Woodruff, Mich.
Graham	Murray, Wis.	

ANSWERED "PRESENT"—2

Andrews Wasielewski

NOT VOTING—33

Baldwin, Md.	Cox	Fuller
Bell	Crawford	Fulmer
Cole, N. Y.	Cullen	Gamble
Colmer	Douglas	Gifford
Hébert	McGehee	Randolph
Hess	Maas	Richards
Hobbs	Magnuson	Robinson, Utah
Jackson	Morrison, La.	Sheridan
Jarman	Norton	Stockman
Lambertson	O'Leary	Winter
Luce	Peterson, Ga.	Wolcott

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Andrews for, with Mr. Gifford against.

Mr. Morrison of Louisiana for, with Mr. Lambertson against.

Mrs. Norton for, with Mr. Stockman against.

Mr. Magnuson for, with Mr. Crawford against.

Mr. Cullen for, with Mr. Fuller against.

Mr. Randolph for, with Mr. Hess against.

Mr. Robinson of Utah for, with Mr. Wolcott against.

Mr. O'Leary for, with Mr. Hobbs against.

Mr. Wasielewski for, with Mr. Maas against.

Mr. Baldwin of Maryland for, with Mr. Peterson of Georgia against.

Mr. Jackson for, with Mr. Winter against.

General pairs:

Mr. Hébert with Mr. Douglas.

Mr. Jarman with Mrs. Luce.

Mr. Bell with Mr. Cole of New York.

Mr. Cox with Mr. Gamble.

Mr. WASIELEWSKI. Mr. Speaker, I have a live pair with the gentleman from Minnesota, Mr. MAAS. Therefore I change my vote and answer "present."

Mr. ANDREWS. Mr. Speaker, on this roll call, I have a pair with the gentleman from Massachusetts, Mr. GIFFORD. I voted "aye." If he were present he would vote "no." I withdraw my vote of "aye" and answer "present."

Mr. COX. Mr. Speaker, if I had been present I would have voted "no."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. MARTIN of Massachusetts and Mr. RANKIN demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 328, nays 69, not voting 30, as follows:

[Roll No. 20]

YEAS—328

Abernethy	Boykin	Colmer
Allen, Ill.	Bradley, Mich.	Compton
Allen, La.	Brehm	Cooley
Andersen, H. Carl	Brooks	Cooper
	Brown, Ga.	Costello
Anderson, N. Mex.	Brown, Ohio	Courtney
	Brumbaugh	Cox
Andresen, August H.	Bryson	Cravens
	Buffett	Cunningham
Andrews	Burch, Va.	Curley
Angell	Burgin	Curtis
Arends	Busbey	D'Alesandro
Arnold	Butler	Davis
Auchincloss	Camp	Day
Baldwin, N. Y.	Canfield	Dewey
Barden	Cannon, Fla.	Dies
Barrett	Cannon, Mo.	Dilweg
Bates, Ky.	Carlson, Kans.	Dirksen
Bates, Mass.	Carrier	Disney
Beall	Carson, Ohio	Domengeaux
Beckworth	Carter	Dondero
Bender	Case	Doughton
Bennett, Mich.	Chapman	Drewry
Bennett, Mo.	Chenoweth	Durham
Bishop	Chiperfield	Dworshak
Blackney	Church	Eaton
Bland	Clark	Elliott
Bolton	Clason	Ellis
Bonner	Clevenger	Ellison, Md.
Boren	Cole, Mo.	Ellsworth
Elmer	Keefe	Rizley
Elston, Ohio	Kennedy	Robertson
Engel, Mich.	Kerr	Robsion, Ky.
Engle, Calif.	Kilburn	Rockwell
Fellows	Kilday	Rodgers, Pa.
Fenton	Kinzer	Rogers, Mass.
Fish	Kleberg	Rohrbough
Fisher	Knutson	Rolph
Fulbright	Kunkel	Rowe
Gale	LaFollette	Russell
Gallagher	Landis	Sasscer
Gathings	Lane	Satterfield
Gavin	Lanham	Sauthoff
Gearhart	Larcade	Schiffler
Gerlach	Lea	Schuetz
Gibson	LeCompte	Schwabe
Gilchrist	LeFevre	Scott
Gillette	Lemke	Scrivner
Gillie	Lewis	Shafer
Goodwin	McCord	Sheppard
Gore	McCowen	Short
Gossett	McGehee	Sikes
Graham	McGregor	Simpson, Ill.
Granger	McKenzie	Simpson, Pa.
Grant, Ala.	McLean	Slaughter
Grant, Ind.	McMillan	Smith, Maine
Green	McWilliams	Smith, Ohio
Gregory	Mahon	Smith, Va.
Griffiths	Maloney	Smith, W. Va.
Gross	Manasco	Smith, Wis.
Gwynne	Mansfield, Tex.	Snyder
Hagen	Martin, Iowa	Sparkman
Hale	Martin, Mass.	Spence
Hall, Edwin Arthur	Mason	Springer
	May	Stanley
Hall, Leonard W.	Merrow	Starnes, Ala.
	Michener	Stearns, N. H.
Halleck	Miller, Mo.	Stefan
Hancock	Miller, Nebr.	Stevenson
Hare	Miller, Pa.	Stewart
Harless, Ariz.	Mills	Sullivan
Harness, Ind.	Monkiewicz	Sumner, Ill.
Harris, Ark.	Monroney	Sumners, Tex.
Harris, Va.	Morrison, N. C.	Sundstrom
Hart	Mott	Taber
Hartley	Mruk	Talbot
Hays	Mundt	Talle
Heidinger	Murdock	Tarver
Hendricks	Murray, Tenn.	Taylor
Herter	Murray, Wis.	Thomas, N. J.
Hill	Newsome	Thomas, Tex.
Hinshaw	Norman	Thomason
Hoeven	Norrell	Tibbott
Hoffman	O'Brien, Ill.	Towe
Holmes, Mass.	O'Brien, N. Y.	Treadway
Holmes, Wash.	O'Connor	Troutman
Hope	O'Hara	Vincent, Ky.
Horan	O'Konski	Vinson, Ga.
Howell	O'Neal	Vorys, Ohio
Hull	Pace	Vursell
Jeffrey	Patman	Wadsworth
Jenkins	Patton	Ward
Jennings	Peterson, Fla.	Weaver
Jensen	Philbin	Weichel, Ohio
Johnson, Anton J.	Phillips	Welch
	Pittenger	Wene
Johnson, Calvin D.	Ploeser	West
	Plumley	Whelchel, Ga.
Johnson, Ind.	Poage	White
Johnson, J. Leroy	Poulson	Whitten
	Powers	Whittington
Johnson, Luther A.	Pracht	Wickersham
	Price	Wigglesworth
Johnson, Lyndon B.	Priest	Willey
	Ramey	Wilson
Johnson, Okla.	Ramspeck	Winstead
Johnson, Ward	Rankin	Wolfenden, Pa.
Jones	Reece, Tenn.	Wolverton, N. J.
Jonkman	Reed, Ill.	Woodruff, Mich.
Judd	Reed, N. Y.	Woodrum, Va.
Kean	Rees, Kans.	Worley
Kearney	Richards	Zimmerman
Kee	Rivers	

NAYS—69

Anderson, Calif.	Fay	Keogh
Barry	Feighan	King
Bloom	Fernandez	Kirwan
Bradley, Pa.	Fitzpatrick	Klein
Buckley	Flannagan	Lesinski
Burchill, N. Y.	Fogarty	Ludlow
Burdick	Folger	Lynch
Byrne	Forand	McCormack
Capozzoli	Ford	McMurray
Celler	Furlong	Madden
Cochran	Gordon	Mansfield, Mont.
Coffee	Gorski	
Crosser	Heffernan	Marcantonio
Dawson	Hoch	Merritt
Delaney	Holifield	Miller, Conn.
Dickstein	Izac	Murphy
Dingell	Kefauver	Myers
Eberharter	Kelley	O'Brien, Mich.

O'Toole	Sabath	Walter
Outland	Sadowski	Wasielewski
Pfeifer	Scanlon	Weiss
Rabaut	Somers, N. Y.	Wright
Rogers, Calif.	Tolan	
Rowan	Voorhis, Calif.	

NOT VOTING—30

Baldwin, Md.	Gifford	Morrison, La.
Bell	Hébert	Norton
Bulwinkle	Hess	O'Leary
Cole, N. Y.	Hobbs	Peterson, Ga.
Crawford	Jackson	Randolph
Cullen	Jarman	Robinson, Utah
Douglas	Lambertson	Sheridan
Fuller	Luce	Stockman
Fulmer	Maas	Winter
Gamble	Magnuson	Wolcott

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Stockman for, with Mrs. Norton, against.
Mr. Hobbs for, with Mr. O'Leary against.
Mr. Fuller for, with Mr. Cullen against.
Mr. Peterson, Ga., for, with Mr. Sheridan against.

General pairs:

Mr. Hébert, with Mr. Douglas.
Mr. Jarman, with Mrs. Luce.
Mr. Bell, with Mr. Cole, N. Y.
Mr. Baldwin, Md., with Mr. Gamble.
Mr. Randolph, with Mr. Hess.
Mr. Bulwinkle, with Mr. Gifford.
Mr. Magnuson, with Mr. Crawford.
Mr. Robinson, Utah, with Mr. Wolcott.
Mr. Morrison, La., with Mr. Lambertson.
Mr. Fulmer, with Mr. Maas.
Mr. Jackson, with Mr. Winter.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The title of the bill was amended so as to read: "An act to facilitate voting, in time of war, by members of the land and naval forces, members of the merchant marine, and others, absent from the place of their residence, and for other purposes."

GENERAL LEAVE TO EXTEND

Mr. WORLEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend the remarks made in the debate.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to extend the remarks I made on the bill in the Committee of the Whole today and to include therein two excerpts from newspapers.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in two instances: First, to insert an editorial from the New York Times, and secondly to insert a letter from a constituent.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix by inserting two separate articles that appeared in the Philadelphia Record of today on the question of the difficulty of filing income tax returns.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FARRINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an excerpt from the annual report of the Department of the Interior relative to Hawaii; also to extend my own remarks on the bill, S. 1285.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(Mr. CALVIN D. JOHNSON asked and was given permission to extend his own remarks in the Appendix of the RECORD.)

PERMISSION TO ADDRESS THE HOUSE

Mr. WOODRUFF of Michigan. Mr. Speaker, I have a special order for Friday, February 11, for 15 minutes. I ask unanimous consent that it may be extended to 20 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. Under the previous order of the House, the gentleman from California [Mr. SHEPPARD] is recognized for 30 minutes.

JUAN TRIPPE AND OUR INTERNATIONAL AIRWAYS

Mr. SHEPPARD. Mr. Speaker, on November 11 I addressed the House on the subject of commercial aviation.

Regarding that most vital of subjects, and with victory won, and we know it cannot be won without military aviation, the American people will be confronted with three things in the picture of our overseas commercial aviation.

First, our place on and in the ocean of the air, an ocean our inventive genius alone made usable;

Second, how best to use the equipment and "know how" we possess in that limitless ocean, and how to use them for the betterment of mankind and the preservation of the peace; and

Third, and finally, why we should oppose, for our own sake, the desire of one or more men to dominate and to stake out for themselves the exclusive utilization from the United States of the last free element—the air.

Furthermore, why we should combat a resourcefulness, a shrewdness, an arrogance, and an ambition that defy understanding, unless understanding is achieved only through the most thoroughgoing investigation of everything the leading man in this picture has done, everything he is doing, and everything he plans to do.

Members of this House, my topic today is:

Juan Trippe and how he is laboring to give birth to a monopoly of our international airways.

He is far enough along to permit us an insight into how he has gone about it. The formula is simple, yet requires great planning, tenacity of purpose, and incessant activity.

Here is the formula:

Surround yourself with wealthy and influential friends. Make them stockholders.

Cultivate them assiduously. Amaze them with personal boldness, gigantic plans, your ability to use your wealthiest partner, Uncle Sam, and even to make Uncle a trifle "slap happy" at times.

Stage a knock-down-and-drag-out scrap with your wealthiest private sponsor and give him the air, the air you have grown to regard as your private property.

Introduce into the family of your wealthiest public partner, Uncle Sam, a sufficient group of the members of your board of directors so the people will wonder where your company ends and government begins or vice versa.

Establish in the National Capital the largest and most active lobby the Congress of the United States has ever been called upon to withstand.

Ladies and gentlemen of the House, that is how monopolies are born.

And Pan American Airways, with the ruthless ambition of Mr. Trippe, is in the borning of one at this moment.

Our country is facing danger in the air. I do not refer to present possible dangers. Our fighter pilots and bomber crews are taking care of the Nazi and Jap threats to our security. No; the danger America faces lies in the future, in the period after our combat airmen have helped to win the victory. The danger is that our commercial aviation over the oceans will be hamstrung and crippled. This danger must be faced now, because powerful forces are at work within aviation circles to throttle all competition in American transoceanic aviation.

Let us look at some facts. Before the war, when ocean flying was still in the experimental stage, we had but one air line actually flying the American flag abroad. In aviation, more than in possibly anything else, the pre-war era is ancient history. The war years have telescoped aviation development. This is true of the airplane itself as well as of commercial flying. Our domestic air lines are no longer domestic. As I pointed out in my speech to the House in November of last year, "many of the domestic lines are flying routes to all five continents, over every ocean, and to the most remote points on the globe. As a consequence, we have more and better airmen qualified for international flight than any other nation on earth." Our domestic air lines transport cargo to all parts of the earth, ferry high-ranking military personnel between the United Nations, and carry mail to our boys overseas. On the way back the planes of our air lines bring home cargoes of urgently needed war materials, and our wounded soldiers, so they may have the most immediate proper hospitalization and care.

This is the picture at the present time. What about the post-war period? Who can doubt that the air-borne commerce of the world will be many times greater than it was in those far-off pre-war

days? Who will doubt the part that America will play, in one way or another, in the post-war world? Who will be so foolish as to doubt the future preeminence of American aviation?

Now I want to make three statements: First, the airways over the oceans after the war must be open to American free enterprise.

Second. Each one of our air lines must have the opportunity to compete for its share of the traffic.

Third. The Civil Aeronautics Board will safeguard the national interest by its regulations and by issuing certificates to air lines to fly the oceans only when justified by public convenience and necessity.

These are certainly not exceptional statements. They are obvious; they are plain common sense to anyone interested in the future of aviation. But there are interests which seek to evade these simple truths, which seek to distort them, and which would divert the attention of the American public. The danger to the future of American aviation comes from these interests. They want to cripple aviation by monopolizing transocean commercial flying.

I know whereof I speak and I would like to call to the attention of the House the record of the inquiry of nearly 4 years ago, by Mr. Samuel Gates, Chief of the International Division of the Civil Aeronautics Board. It reveals the monopolistic planning that was in progress then by Pan American Airways and that same planning goes on today.

Who are these would-be shacklers of aviation? They are the interests centered in Pan American Airways Corporation. It is high time to bring this whole thing out into the open, and to show the American public the scheming and back-door intrigue used by Juan Trippe in his desperate attempt to recreate a monopoly.

The Pan American Airways Corporation is more than a commercial aviation corporation. Juan Trippe has made it into a focus of economic power, which is dangerous to the national interest. A glance at its affiliations will show what I mean: Pan American is tied in with part of the aircraft manufacturing industry through T. A. Morgan of the Sperry Gyroscope Co., through S. M. Fairchild, of Fairchild Aviation, and through John W. Hanes, a director of Republic Aviation Corporation and of the Glenn L. Martin Co.

Pan American has strong financial interests behind it: S. Sloan Colt, a member of Pan American's executive committee, is president of Bankers Trust Co., of which Hanes is also a director. Robert Lehman, a partner of Lehman Bros., is on the board of Pan American. And Leo T. Crowley, head of the Foreign Economic Administration, is a director of both Pan American and of Lehman Bros. All these facts come from the latest listing of the Aviation Directory.

Pan American likewise is linked with our communications industries. The proposed consolidation of our foreign communications companies, the most important effect of which will be to throttle freedom of the press, is used as an excuse by the spokesmen of Pan American to set up a monopoly of overseas aviation. Robert Lehman, again, is a director in the Commercial Pacific Cable Corporation, of the American Cable and Radio Corporation and of Commercial MacKay Corporation, as well as of Pan American. Charles Francis Adams, the Boston financier, is a director of Pan Am and is a member of the executive committee and a director in the American Telephone & Telegraph Co.

Nor has Pan Am overlooked the shipbuilding industry, the steamship lines, or the railroads. Samuel F. Pryor, vice president, assistant to the president and a director of Pan American, is also a director of the New York Shipbuilding Corporation. Mr. "Boston" Adams is a director of the Newport News Shipbuilding & Drydock Co., as well as of the New York, New Haven & Hartford Railroad and of the Boston & Albany Railroad. We encounter Mr. Hanes once more, in his role of director in U. S. Lines and the International Mercantile Marine Co. Lyman Delano, also on Pan Am's board, seems to dominate many of the railroads of the South and Admiral W. H. Standley is a director of Pan Am and of the Electric Boat Co.

Pan American's connections range into other fields as well. They include utilities, manufacturing, and insurance. Juan Trippe is a director of Chrysler and of the Metropolitan Life. Colt and Adams are on the board of General Electric. Colt and Lehman are on the board of General Foods.

Leo Crowley, Norman Davis, and Admiral Standley might almost seem to give Pan American a kind of status in the Government.

And, lest you think this distinguished battalion of high Government officials insufficient, may I add to their number Mr. Trippe's not unknown brother-in-law, Mr. Edward Stettinius, the Under Secretary of State.

So it goes. These are the men and these the interests which Trippe is mobilizing in his effort to force our international air policy into the unnatural channels of monopoly. The campaign which Trippe is waging is as underhanded as it is dark and devious. He must operate in a backstairs way, because he wants to force a monopoly on American travelers and shippers after the war. The American people have always fought monopolies, for a bitter hatred of monopoly is part of our national character. Hence Trippe must conceal the ugly thing, and when he cannot, he uses the flag in an attempt to prettify it.

Let me give two examples of Trippe's tactics. The Carnegie Endowment of International Peace issues a monthly called International Conciliation, which presumably is devoted to dispassionate articles on various international affairs. I believe its purpose is what is called educational. In the December 1943 issue of this respectable publication there appeared an article written by a certain Arthur E. Traxler, entitled "International Air Transport Policy of the United States." The article contained a good many thousand words and had lots of fine phrases in it, but it boiled down to this: "Let's not change anything after the war; let's just continue Juan Trippe's tight little monopoly. It's really in the national interest, you know." Thus we find the highly respectable Carnegie Endowment appearing as an advocate of international restrictionism. This is like having the local loan shark blackjack the preacher into giving a sermon on the blessings of usury. It would be no less strange to find the W. C. T. U. praising the wares of a bootlegger, all the while insisting that bootlegging fosters temperance.

Traxler's academic rating, and I have taken the trouble to have it looked up, is identified as, and I quote: "a student of the social sciences." Now, what in the name of goodness does this bird know about international aviation?

A second example of the roundaboutness of Juan Trippe: In that same month, December of 1943, two labor unions issued a press release on transportation policy. These unions, it turned out, also favored a post-war monopoly of American external aviation. No doubt they are interested in post-war transportation policy. They should be, and so should everyone. But what have they got to do with aviation, or with Juan Trippe?

I told you Trippe was resourceful and ingenious, but I never thought he could get a couple of labor unions to "front" for him. Incidentally, this is the first time in my life that I have heard of labor unions fostering the creation of a monopoly.

Who next will play the monopoly tune for Pan American and Juan Trippe? A rabbit breeder's association, a tree lovers' club or what?

Despite his powerful backing, despite his directors interlocking into all of the fields of business where he can get help, there is not much that Trippe can do publicly. Peace endowments and labor unions do not come by the dozens. With them Trippe can have only a meager effect on public opinion. With no message to shout from the housetops, he has to resort to intrigue. This, however, he carries on with elegance and luxury. Pan American Airways maintains a magnificent mansion at 2017 F Street. In this house, one of Washington's show places, Pan American entertains discreetly and sumptuously. It entertains those who can help it in its policy of getting back what it had in the long-distant pre-war era—its monopoly.

Now, we have had, I regret to say, our full share of mysterious houses in Washington, but I challenge anyone to produce one quite as mysterious as Pan Am's "hush-hush" hall on F Street.

It is without identification to the pedestrian.

Its telephones, and they are many, are unlisted.

Its staff of servants is competent to the *n*th degree, I am advised, and its visitors come and go with a discretion and a privacy that the neighbors would talk about if this were not wartime Washington.

But this is not all, by any means. Nearly a mile down F Street, at No. 1319 to be exact, Pan American has another office.

A short distance away, or at 815 Fifteenth Street, it maintains a huge and lavish suite of still other offices, and at 1109 Connecticut Avenue it has one more office.

Four places in the city of Washington. Rooms and meals in one. Reservations in another. Business and other activities in the other two.

Two in the current telephone directory and two which are not.

And Pan American has yet to set a transport plane down in the Nation's Capital. I am aware, of course, of the trim little personal aerial taxicab used by Messrs. Trippe and Pryor in their many trips here.

But when you take a look at the mansion and three sets of offices, about the only thing you miss is the little red-faced man with the green hat. He is unlisted also.

This is the danger that America faces, the danger that a bad policy will be foisted on us by clever intriguers. We need more open and clear-cut discussion of our post-war air policy. We need not be much concerned with the post-war planning which those who call themselves economic planners are talking about. I have sufficient faith in free American enterprise. But I do believe that forces which are working hard right now to prevent free enterprise ought to be stopped. And this means Juan Trippe. He and his Pan American Airways are laying down a smoke screen, under the cover of which they want to make a monopoly. That smoke screen needs to be lifted and Trippe's activities shown for what they are. Public opinion will then stop him effectively enough.

Within the United States air travelers and air suppliers have had a choice among competing air lines. Spurred on by competition, our domestic air lines progressed rapidly and gave America its position of supremacy in commercial air transport. Competition between the domestic air lines was and is healthy. It has not been ruinous or cutthroat, because the Civil Aeronautics Board has seen to it that competition has remained on a sound basis. So it should be in the air over the oceans. On the heavily traveled routes, passengers and shippers will be able to choose among air lines. In this way they will get the best service, and the air lines will render the best service. The air lines will constantly seek to improve their services. They will urge plane designers and manufacturers to continue with the development of ever better and more efficient planes. Aviation will grow and progress as it should.

And right here I wish to pay my personal tribute to the Civil Aeronautics Board. It is the finest kind of a government agency, doing its utmost to preserve the integrity of its position and the welfare of the general public.

But what if, somehow, Juan Trippe should have his way? Then the old, old story of monopoly would once more be repeated: Complacency, inertia, stagnation. There would be no impetus to progress, no urge to improve service. The sole beneficiaries would be Trippe and the people he represents. American aviation would be crippled. And this is our danger. I cannot repeat too often that we face it right now.

Trippe has been called the "Columbus of the Airways." Yet how he differs from the Columbus who discovered the Western Hemisphere and opened it to the world. Supposing the real Columbus had set up a monopoly. Where would we all be? And that is no $64 question.

So in closing, I now want to serve notice on every Government department that may have anything to do with our post-war international airways:

Here is the notice—if I see the slightest sign of this monopoly plan becoming effective, I will file with this House a resolution calling for the most complete investigation, not only of the action of the department or departments in question, but of Pan American Airways' operations, with and without the assistance of taxpayers' dollars, from its founding to the present day.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. JARMAN, for 3 days, on account of illness.

To Mr. CULLEN (at the request of Mr. MERRITT), indefinitely, on account of illness.

ORDER OF BUSINESS FOR TOMORROW

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN of Massachusetts. I do this for the purpose of inquiring what the program will be for tomorrow.

Mr. RAMSPECK. Mr. Speaker, it is my understanding there is no business for tomorrow.

Mr. MARTIN of Massachusetts. That was what I understood. I thought I would bring it out for the benefit of the RECORD.

The SPEAKER. There is no legislative program for tomorrow.

ADJOURNMENT

Mr. WORLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 58 minutes p. m.) the House adjourned until tomorrow, Friday, February 4, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE PUBLIC LANDS

The hearings on H. R. 2596, to protect Naval Petroleum Reserve No. 1, will be continued on Monday, February 7, 1944, at 10 a. m.

There will be a meeting of the Committee on the Public Lands at 10:30 a. m., Monday, February 14, 1944, to consider H. R. 1688, a bill relating to the administrative jurisdiction of certain public lands in the State of Oregon, also the companion bill, S. 275, and such other matters as may properly come before the committee.

COMMITTEE ON FOREIGN AFFAIRS

The Committee on Foreign Affairs will hold public hearings on Tuesday, February 8, 1944, at 10 a. m., on House Resolutions 418 and 419, "Relative to the Jewish national home in Palestine."

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of subtitle "Insurance of Title II of the Merchant Marine Act, 1936," as amended.

COMMITTEE ON FLOOD CONTROL

SCHEDULE OF HEARINGS ON FLOOD CONTROL BILL OF 1944, BEGINNING TUESDAY, FEBRUARY 1, 1944, AT 10 A. M.

The Flood Control Committee will conduct hearings on flood-control reports submitted by the Chief of Engineers since the hearings conducted in June 1943, and on amendments to existing law. The committee is definitely committed to the view that flood-control projects for post-war construction will be among the most satisfactory public works and the committee plans an adequate backlog of sound flood-control projects available following the war.

1. Friday, February 4: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects along the upper Mississippi River and tributaries, including the Illinois River and tributaries, the Great Lakes region; and proponents and opponents of projects along Bear Creek, Colo.; Missouri River and tributaries at the Kansas Citys, Mo. and Kans.; Nishnabotna River, Iowa and Mo.

2. Tuesday, February 8: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers and proponents and opponents of projects in the Los Angeles area along the Sacramento River and tributaries, and along the San Joaquin River and tributaries.

3. Wednesday, February 9: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Bureau of Reclamation, and proponents and opponents of projects along the Kern River and tributaries in the Kern River area and along the Kings River area and trbutaries in the Kings River area, and including other streams in the San Joaquin Valley.

4. Thursday, February 10: Continuation of the projects discussed on February 9.

5. Friday February 11: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the upper and lower Ohio River and tributaries, including Salt River, Taylorsville, Ky., the Potomac River and tributaries, the New England region, including the Connecticut and Merrimack Rivers, and the Middle Atlantic region, including New York, Pennsylvania, and New Jersey, and the South Atlantic region, including rivers flowing into the Atlantic Ocean and Gulf of Mexico east of the Mississippi River.

6. Tuesday, February 15: General Reybold, General Robins, Colonel Goethals, other rep-

resentatives of the Office of Chief of Engineers, Gen. M. C. Tyler, president of the Mississippi River Commission and division engineer, and proponents and opponents of projects along the lower Mississippi River and tributaries, including the Red and Arkansas Rivers, Conway County, Ark., and Purgatoire (Picket Wire) River, Colo., the White, St. Francis, and Yazoo Rivers.

7. Wednesday, February 16: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Col. Miles Reber, former division engineer, Missouri River division, Omaha, Nebr., and proponents and opponents of projects along the Missouri River and tributaries.

8. Thursday, February 17: Continuation of the projects discussed on February 16.

9. Friday, February 18: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in other regions in the United States.

10. Tuesday, February 22: Representatives of the Department of Agriculture, the Weather Bureau, Bureau of Reclamation, and other governmental agencies.

11. Wednesday, February 23: Senators and Representatives in Congress.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1150. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill "to authorize the sale and conveyance of certain property of the estate of Jackson Barnett, deceased Creek Indian; to the Committee on Indian Affairs.

1151. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Smithsonian Institution, National Gallery of Art, in the amount of $307,630.50, for the fiscal year 1944, to remain available until expended (Doc. No. 397); to the Committee on Appropriations and ordered to be printed.

1152. A communication from the President of the United States, transmitting a supplemental estimate of an appropriation for the Office of Education, Federal Security Agency, for the fiscal year 1944, amounting to $4,000,000 (Doc. No. 396); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. REED of New York: Committee on Ways and Means. House Joint Resolution 231. Joint resolution to permit the importation, free of duty, of flaxseed from foreign countries during a period of 90 days; without amendment (Rept. No. 1074). Referred to the Committee of the Whole House on the state of the Union.

Mr. GASSETT: Committee on Immigration and Naturalization. H. R. 4103. A bill to provide for loss of United States nationality under certain circumstances; without amendment (Rept. No. 1075). Referred to the Committee of the Whole House on the state of the union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KILDAY:

H. R. 4112. A bill to restablish the Federal Home Loan Bank Board, to recreate the offices of the members of said Board and to transfer functions of the Federal Home Loan Bank Administration from the National Housing Agency to said Board, and for other purposes; to the Committee on Banking and Currency.

By Mr. MILLS:

H. R. 4113. A bill to aid in the stabilization program and the war effort by paid newspaper advertising in connection with the sale of United States bonds, and for other purposes; to the Committee on Ways and Means.

By Mr. RAMSPECK:

H. R. 4114 (by request). A bill to amend section 3 (b) of Public, No. 49, Seventy-eighth Congress, first session (War Overtime Pay Act of 1943); to the Committee on the Civil Service.

By Mr. STARNES of Alabama:

H. R. 4115. A bill to give honorably discharged veterans, their widows, and the wives of disabled veterans, who themselves are not qualified, preference in employment where Federal funds are disbursed; to the Committee on the Civil Service.

By Mr. HARLESS of Arizona:

H. R. 4116. A bill to amend title II of the Social Security Act to include certain employees of States, political subdivisions thereof, and instrumentalities of State or political subdivisions, and for other purposes; to the Committee on Ways and Means.

By Mr. McLEAN:

H. R. 4117. A bill to amend paragraph 4, section 560, article 5, title 50, United States Code, 1940 edition, entitled "Soldiers' and Sailors' Civil Relief Act of 1940"; to the Committee on Military Affairs.

By Mr. JENKINS:

H. R. 4118. A bill to amend the Customs Administrative Act of 1938; to the Committee on Ways and Means.

By Mr. LANE:

H. R. 4119. A bill to provide for the construction of a Veterans' Administration hospital in Lawrence, Mass.; to the Committee on World War Veterans' Legislation.

H. R. 4120. A bill to provide for the construction of a Veterans' Administration regional office building in Boston, Mass.; to the Committee on World War Veterans' Legislation.

By Mr. CUNNINGHAM:

H. R. 4126. A bill to grant overtime compensation to certain civilian employees of the War Department for work performed in 1941 and 1942; to the Committee on the Civil Service.

By Mr. SATTERFIELD:

H. R. 4127. A bill to amend section 21 of the act of May 28, 1896 (29 Stat. 184; 28 U. S. C., sec. 597), prescribing fees of United States commissioners; to the Committee on the Judiciary.

H. R. 4128. A bill to prescribe and furnish to United States commissioners standard forms and dockets, and to furnish United States code and seal; to the Committee on Judiciary.

H. R. 4129. A bill concerning the method of payment of the compensation of United States commissioners; to the Committee on the Judiciary.

H. R. 4130. A bill to amend section 5296 of the Revised Statutes, as amended, relating to the discharge of indigent convicts for nonpayment of fines; to the Committee on the Judiciary.

H. R. 4131. A bill to amend section 20 of the act of May 28, 1896 (29 Stat. 184; 28 U. S. C. 527), so as to provide that nothing therein contained shall preclude a referee in bankruptcy or a national park commissioner from appointment also as a United States commissioner; to the Committee on the Judiciary.

H. R. 4132. A bill to amend section 35 of the act of July 1, 1898, entitled "An act to establish a uniform system of bankruptcy throughout the United States," as amended (11 U. S. C., sec. 63), so as to remove the legal incompatibility between the office of United States commissioner and referee in bankruptcy; to the Committee on the Judiciary.

By Mr. REED of New York:

H. J. Res. 231. Joint resolution to permit the importation, free of duty, of flaxseed from foreign countries during a period of 90 days; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HART:

H. R. 4121. A bill to extend Letters Patent No. 1,617,287; to the Committee on Patents.

By Mr. IZAC:

H. R. 4122. A bill for the relief of Charles A. Brinkley, captain, United States Army, retired; to the Committee on Claims.

By Mr. KLEIN:

H. R. 4123. A bill for the relief of Israel David Edelstein; to the Committee on Claims.

By Mr. PETERSON of Florida:

H. R. 4124. A bill for the relief of Austin Bruce Bowan; to the Committee on Claims.

By Mr. WINSTEAD:

H. R. 4125. A bill for the relief of Kelly Hobbs; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred, as follows:

4690. By Mr. DICKSTEIN: Petition of the Knickerbocker Lodge, No. 510, Knights of Pythias, endorsing House bill 2328 and House Joint Resolution 49; to the Committee on the Post Office and Post Roads.

4691. By Mr. FISH: Petition of 2,650 residents of Newburgh, Middletown, Warwick, Goshen, Florida, Port Jervis, Walden, Maybrook, Montgomery, Monroe, Central Valley, Highland Falls, and other towns in Orange County, N. Y., and from Poughkeepsie and various towns in Dutchess County, N. Y., opposing any legislation or restrictions which may be proposed that will bring about partial or national prohibition, contending that such legislation or regulations at this time would be taking advantage of the men now in the armed forces of our country, and that they should be given an opportunity to be heard on such questions; to the Committee on the Judiciary.

4692. By Mr. HALE: Petition of 36 residents of Portland, Maine, urging enactment of a bill to positively assure a free right to vote to every member of our armed forces who is of voting age, no matter where stationed; to the Committee on Election of President, Vice President, and Representatives in Congress.

4693. By Mr. KEE: Resolution by the Williamson Temple Sisterhood, Williamson, W. Va., appealing for appropriate action to ensure the withdrawal of the Palestine White Paper issued by the British Government in 1939, with its restrictions on Jewish immigration and land settlement, and urging that Palestine be opened to Jewish immigration, and that terms of the Balfour Declaration and the Palestine mandate be faithfully carried out; to the Committee on Foreign Affairs.

4694. By Mr. KUNKEL: Petition of P. W. Wenrich, Harrisburg, Pa., and 349 others, protesting against the passage of any such legislation as the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

4695. By Mr. ROLPH: Senate Joint Resolution No. 1 of the State of California, relative to memoralizing the Bureau of Reclamation, Secretary of Interior, and Secretary of War to

take immediate action to protect Needles, Calif., and vicinity, from further damage and dangers resulting from the filling in of the Colorado River bed and the rise of the river since the completion of Federal projects upon that river; to the Committee on Irrigation and Reclamation.

4696. Also, resolution of the State of California Division of Fish and Game, urging the War Production Board to study the problem that materials necessary for the manufacture of shotgun shells and sporting ammunition be diverted for that purpose; to the Committee on the Merchant Marine and Fisheries.

4697. By Mr. SCHIFFLER: Petition of Margaret Hall Myers and other citizens of New Martinsville and Wetzel County, W. Va., urging the passage of House bill 2082; to the Committee on the Judiciary.

4698. By Mr. WOLFENDEN of Pennsylvania: Petition of 125 residents of the Eighth Congressional District of Pennsylvania and vicinity, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4699. By Mr. WEISS: Petition protesting against the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

4700. Also, petition protesting against the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

4701. By Mr. EBERHARTER: Petition of Joseph Breman and 2,200 other residents of the Thirty-first Congressional District of Pennsylvania and vicinity, protesting against prohibition; to the Committee on the Judiciary.

4702. Also petition of Rody F. Grieves and 640 other residents of the Thirty-first Congressional District of Pennsylvania and vicinity, protesting against prohibition; to the Committee on the Judiciary.

4703. Also, petition of Ruth Dorow and 1,360 other residents of the Thirty-first Congressional District of Pennsylvania and vicinity, protesting against prohibition; to the Committee on the Judiciary.

4704. By Mr. HART: Petition of the Board of Commissioners of the town of Irvington, N. J., relative to the Balfour Declaration respecting Palestine; to the Committee on Foreign Affairs.

4705. By Mr. MARTIN of Iowa: Petition of sundry citizens of Mount Union and Danville, Iowa, in support of Senate bill 860; to the Committee on the Judiciary.

4706 Also, petition of sundry citizens of Fairfield, Iowa, in support of House bill 2082; to the Committee on the Judiciary.

4707. By the SPEAKER: Petition of the executive vice president, the general executive board of the United Hatters, Cap, and Millinery Workers International Union, New York, N. Y., petitioning consideration of their resolution with reference to urging enactment of legislation enabling those in the armed forces to vote, without qualification or restriction; to the Committee on Election of President, Vice President, and Representatives in Congress.

4708. Also, petition of Ray Thompson, of Walcott, N. Dak., Richland County Republican chairman, and others, petitioning consideration of their resolution with reference to requesting legislation pertaining to an immediate orderly, nondiscriminating market for hogs in the Northwest States; to the Committee on Agriculture.

SENATE

FRIDAY, FEBRUARY 4, 1944

(Legislative day of Monday, January 24, 1944)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, who hath taught us that only in the reach of our love is the richness of our life, may no love of self nor ill will for others blur the goal of our glorious destiny among the nations as the instrument of Thy providence to free the earth of tyranny. With the warning lights of history blazing upon the path before us and playing upon the sky above us, give us the wisdom and the will to eschew all attitudes and passions and policies which lure men and nations to the ruin waiting all systems which defy the righteous laws of the God of things as they are.

Teach us the secret of dwelling in a world full of hate and yet not becoming hateful persons. Giving our best ability to the people's good, may we rise above life's bitterness by an unshakable belief in the shining splendor of humanity. So may we be the obedient servants of the Father of all, who shall not fail nor be discouraged till He hath set judgment in the earth and in the isles which wait for His law. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, February 3, 1944, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Tayor, its enrolling clerk, announced that the House had passed the bill (S. 1285) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore (Mr. CLARK of Idaho). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Caraway	Gurney
Andrews	Chandler	Hatch
Austin	Chavez	Hawkes
Bailey	Clark, Idaho	Hayden
Ball	Clark, Mo.	Hill
Bankhead	Connally	Holman
Barkley	Danaher	Jackson
Bilbo	Davis	Johnson, Colo.
Bone	Downey	Kilgore
Brewster	Eastland	La Follette
Brooks	Ellender	Langer
Buck	Ferguson	Lucas
Burton	George	McCarran
Bushfield	Gerry	McClellan
Butler	Gillette	McFarland
Byrd	Green	McKellar
Capper	Guffey	Maloney
Maybank	Revercomb	Tunnell
Mead	Reynolds	Tydings
Millikin	Robertson	Vandenberg
Moore	Russell	Wagner
Murdock	Shipstead	Wallgren
Murray	Smith	Walsh, Mass.
Nye	Stewart	Walsh, N. J.
O'Daniel	Taft	Wheeler
O'Mahoney	Thomas, Idaho	Wherry
Overton	Thomas, Okla.	White
Pepper	Thomas, Utah	Willis
Radcliffe	Tobey	Wilson
Reed	Truman	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

The ACTING PRESIDENT pro tempore. Eighty-nine Senators having answered to their names, a quorum is present.

NOTICE OF HEARING ON NOMINATION OF JOHN P. McMAHON TO BE ASSOCIATE JUDGE, MUNICIPAL COURT, DISTRICT OF COLUMBIA

Mr. McCARRAN. Mr. President, as chairman of the subcommittee of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a public hearing will be held on the 10th day of February 1944, at 10:30 a. m., in the Senate Judiciary Committee room, upon the nomination of John P. McMahon, to be associate judge of the municipal court for the District of Columbia. At that time and place all persons interested in the nomination may make representations.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES—AMENDMENTS OF THE HOUSE TO SENATE BILL 1285

Mr. BARKLEY. Mr. President, the House has just returned to the Senate Senate bill 1285, to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, with certain amendments. In order that the Senate may know what amendments have been adopted in the House, I ask unanimous consent that the amendments be printed by number, and that the bill lie on the table for the present.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESIGNATION OF SENATOR LODGE

The ACTING PRESIDENT pro tempore. The Chair announces that he has received a communication which the clerk will read for the information of the Senate.

The legislative clerk read as follows:

UNITED STATES SENATE,
Washington D. C., February 3, 1944.

Hon. D. WORTH CLARK,
Acting President pro tempore,
United States Senate,
Washington, D. C.

MR. PRESIDENT: The fact that the United States is entering the period of large scale ground fighting has, after grave thought, brought me to the definite conclusion that, given my age and military training, I must henceforth serve my country as a combat soldier in the Army overseas. In order to serve in combat I hereby resign from the United States Senate.

I thank the Senate for the friendship shown me and the people of Massachusetts for the confidence they have expressed in me. In whatever capacity I may find myself I shall always try to be deserving of their trust.

HENRY CABOT LODGE, Jr.

The ACTING PRESIDENT pro tempore. The communication will lie on the table.

Mr. WALSH of Massachusetts. Mr. President, the announcement of the resignation of my colleague as a Member of the United States Senate comes to me—and, I feel certain, to the other Members of the Senate—with mingled sentiments of regret and admiration for the high patriotic motives that prompted his decision. For some time past Senator LODGE has been torn between two conflicting calls, namely, his obligation to remain in the Senate as a representative of the people of Massachusetts, to which office he was elected in 1936 and reelected in 1942 for 6 years, or enter the Army as a combat soldier.

His age and military training impelled him finally to yield toward service in the Army. It has not been a sudden decision on his part. For months—indeed, since the very beginning of the war—he has alone fought out this problem within his soul. Of his final decision, which in the very nature of things is necessarily personal, and one which he alone could make, we are now informed.

Senator LODGE's service in the Senate has been conspicuous. He has impressed his colleagues with his unfaltering devotion to his senatorial duties, and has made a lasting impression upon the Senate for the readiness with which he has grasped, as a young Senator, the problems of our day and time, and for his ability concisely and directly to present in committee and in the Senate his views on all major public questions. We will remember him as patient and tolerant of his fellow Members, and one who, under all circumstances, was a gentleman of the highest type. In personality, in his concept of public service, and in his conscientious devotion to duty, he typified the highest traditions of New England.

No Member of this body has been more fortunate than I in having as a colleague from his State one whose cooperation and good will, despite political difference, has been of the highest order.

I am at liberty to say that Senator LODGE entered the Army on one condition—that he participate in combat service overseas. I know that I express the sentiments of my colleagues in wishing Senator LODGE Godspeed, and in assuring him that his colleagues and fellow citizens look forward to his service in the Army with special pride and with a full realization that he will reflect honor and glory on the battlefield, as he has in the Senate.

Mr. WHITE. Mr. President, the letter from Senator LODGE which has just been read at the desk, brings to me great regret and something of consternation. Senator LODGE came to this body with an inherited tradition of public service. In the few short years he has spent amongst us he has maintained that high character of service. By his industry, by his intelligence, by his strict attention to the duties and the demands of his office and of the Senate he has earned and commands the respect of every Member of this body.

I greatly regret his decision to resign, for I think it means a distinct loss to the Senate of the United States, a loss to his State, and a loss to the public life of his country. He has my cordial good wishes. I am sure he has equally the good wishes of all Members of the Senate on both sides of the Chamber.

Mr. BREWSTER. Mr. President, as one fortunate enough to be intimately associated with Senator LODGE during the past summer in the course of our 45,000-mile trip around the world, I came to know something both of his zeal in the public service and also of his intimate knowledge of military affairs, because of his years of service with our armed forces. He was of invaluable aid to the committee, and he added a global viewpoint to the knowledge which he had already acquired as a result of years of military service as a reserve officer.

I know I express the regrets of many in his departure from this Chamber, and at the same time I join in the sentiments of admiration of his patriotic action expressed by his senior colleague here today. One who so recently was reelected to the Senate, in 1942, for a 6-year term, goes out to add luster to a name already distinguished in the annals of this Chamber and this country.

Mr. VANDENBERG. Mr. President, this contemplation moves me very deeply because I think it is the disclosure of a great and patriotic soul at its best. I think it is a challenge to America. It seems to me this resignation is simply the final and conclusive demonstration of a superb character and an incorrigible courage.

Senator LODGE has left the threshold of a career in statesmanship which had the greatest promise. He has preferred to don the uniform of his country and to take his place in the combat line.

I think this is a great day, Mr. President, in the life of the Senate. I hope it is a day in the life of Senator LODGE which will bring him the career he seeks in following his country's flag. I wish him well. I hope one day he may return again to his desk here.

FREDERICK VAN NUYS

Mr. WILLIS. Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks a telegram from H. H. Kleinschmidt, president of the Gary Chamber of Commerce, expressing condolences upon the death of our late colleague, Frederick Van Nuys.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

GARY, IND., *January 26, 1944.*

Hon. RAYMOND E. WILLIS,
Senate Office Building:

Gary Chamber of Commerce join with the citizens of Indiana in recognition of our loss in the death of Senator Van Nuys. Will you kindly convey our respect to your proper associates?

H. H. KLEINSCHMIDT,
President, Gary Chamber of Commerce.

WAR CASUALTY MESSAGES

Mr. WILLIS. Mr. President, at Fort Wayne, Ind., the Office of Civilian Defense has been doing a splendid piece of work in softening the blow of casualties in the war which come to families in every community. Gen. Warden Harry G. Hogan has outlined the plan, which, on behalf of myself and my colleague from Indiana [Mr. JACKSON], I submit for inclusion in the RECORD so that it may be available to all Members of the Congress.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

WAR CASUALTY MESSAGES—STATEMENT BY GEN. WARDEN H. G. HOGAN TO THE BOARD OF GOVERNING WARDENS ON DELIVERY OF WAR CASUALTY MESSAGES AT THE REGULAR MEETING OF THE BOARD, JANUARY 24, 1944

The sending of a war casualty message is simply a forwarding of the news of what has happened by the Government to the local Western Union office, to be delivered by the latter to the next of kin. From the latter point the Government has surrendered all interest in the breaking of the news to the next of kin. The sending is simple. The delivery difficult—and that is left in the final pay-off to the messenger boy, who seeks out the next of kin either in his home or his place of employment, as is done in the delivery of an ordinary commercial or happy-birthday message, except it is presumed that it is never 'phoned by the local wire office.

WAR AND PEACE MESSAGES

The only point of difference incident to a death message during peace or war is the care exercised to prevent shock, both in the sending and delivery. Under war regulations the sending of a soldier-death message is taken away from the friends of the deceased who know who to contact by 'phone or wire, and the task is assumed by the Government, which does not know the designated next of kin or what health changes have occurred since so designated. Since it is impossible for the Government to know intimate family relations and circumstances, it cannot use any flexible considered judgment in sending the message. No matter how gracefully couched in spiritual or condoling phrases, the only words that register in the mind of an unprepared recipient are, "your son is dead" or "your son is missing." If the Government bureau in charge of sending casualty messages had one to deliver to an employee in the same building, it is fair to assume that their regard for the usual amenities and conventions would prompt the personal delivery of that message by one of the friends of the recipient, instead of having a messenger boy deliver the cold written message to the parent.

DELIVERY REVISION ONLY

It is not proposed that the sending of war messages by wire be revised, but rather that the method of delivery be given the same personal thought that surrounds the delivery of peacetime casualties. Death in times of war is no less a grim incident than in times of peace. Rather, in the latter, the shock in most instances is anticipated and lessened by advance information from the bedside. Only in case of violent death does surprise shock occur. Even then the efforts of friends prepare the breaking of the news. In wartime nearly every message covers the violent death of a healthy boy. Apprehension, of course, exists for all parents who have boys in the danger zone, but only a small percentage are killed or reported missing, which still leaves the element of shock when such news comes. Since the number of messages to be delivered in a given locality may not be more than three or four a week, unless

casualties increase, the servicing of delivery in the conventional way, or one adjusted to war circumstances is very simple and will not be considered burdensome to those who volunteer the service.

CONTROL ENDS

Every wire war message to Fort Wayne that comes in daily routine from Washington is delivered to the storeroom on 115 West Washington Street that houses the equipment and personnel of the Western Union. The messages are delivered under Government regulations between the hours of 7 a. m. and 10 p. m. However, beyond that point, the Government passes out of the picture and out of control, except to receive the usual receipt, as in the case of commercial messages, that delivery has been made to the addressee. The type of care and thought that Uncle Sam surrounds the giving of the Army and Navy E and honorary soldiers' awards in various ceremonies is entirely missing in the final delivery of a war casualty message. Stripped of every vestige of considered ritual or convention, the death message is delivered, unannounced in a sealed envelope, often by a young boy not even qualified in years or experience to be a soldier. Delivery is often made when the recipient is alone, unsustained by family, friends, or medical care. In instances women war workers have received the messages while operating their machines producing war materials, and men have received them in the railroad yards.

LOCAL PERMISSION

To improve the delivery of casualty messages in Fort Wayne should require no general order, merely permission should be given to the Fort Wayne Western Union office to permit a local civilian defense chaplain, certified by the Navy, Army, and other war services to accompany the Western Union messenger. This, with the understanding that if the chaplain is not at the Western Union office when the messenger is ready to start on his trip, the delivery is to be made by the messenger in the way now followed. Nine out of ten times a messenger is not available when the wire comes to the local office, which permits under the plan that was satisfactorily in operation in Fort Wayne for many months before being discontinued the Western Union to notify an assigned police sergeant, who in turn has a squad car pick up a chaplain, who in most cases reaches the Western Union office before a messenger is available. In the 1 out of 10 times where the messenger is available on receipt of the wire (if immediate delivery is required, which experience has proved not to be the case) the squad car can pick up the messenger and take on the chaplain en route to the addressee, as one or more chaplains reside in each of the different districts of the city.

SOLDIER PARENTS' PREFERENCE

The net result is that the message in any event is delivered on schedule, with the permitted flexibility of surrounding the delivery with considered regard for the humane conventions. The Government, civilian defense, and the chaplains have varying interests in the delivery of war messages. However, the persons interested the most are the recipients of the sad messages. Each of those who have had local delivery of casualty messages under the chaplain plan, approve that plan without reservation, and prefer that it be used in like cases, instead of the commercial messenger type of delivery.

REVISION IMPROVES SERVICE

Finally, the minor suggested adjustment in the method of delivery, to apply in this instance only to Fort Wayne, does not impair, but improves the existing service. The proposed method should be permitted where a volunteer chaplain is ready to perform in the manner herein indicated, all with the definite understanding that no message will be delayed. This places the entire responsibility for humane servicing of delivery on the civilian defense chaplain service, and not on the Government, or its local agent, the Western Union.

CHAPLAIN DELIVERY WAR MESSAGE APPROVED

The resolution of the municipal defense council (created by an ordinance of the Common Council of Fort Wayne on October 28, 1941) adopted at its regular session January 21, 1944, urging the reestablishment of the chaplain service in delivery war-casualty messages, was approved by the board of governing wardens, representing 12 districts, 61 sections, 289 zones, 1,651 blocks, and 5,000 block wardens in the city of Fort Wayne, at the regular session of said board on January 24, 1944. The board further urged that the Government regulations concerning delivery of casualty messages by Western Union be revised at least for Fort Wayne, so that one of the members of its board of qualified chaplains would be permitted to accompany the Western Union messenger in the delivery of messages to the next of kin.

SERVICE OF SENATOR McCARRAN AS CHAIRMAN OF THE COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. REYNOLDS. Mr. President, I wish to take the time of the Senate for a moment to speak of one of our colleagues. I have always believed in handing bouquets to those deserving of them while they are alive and can enjoy the fragrance thereof instead of waiting until after they have left us and cannot enjoy the admiration which we have for them.

At this time I speak in reference to my colleague, Hon. PAT MCCARRAN, of Nevada, the senior Senator from that western commonwealth.

It has been my privilege and honor to have worked with him for many years in this body. It is my privilege and pleasure now to be seated by him daily. I do not believe I have ever met a more congenial, affable, and agreeable gentleman. I do not know of any Member of this body who is more diligent in his work than the Senator from Nevada. I make mention of our distinguished colleague at this time for the reason that he has been highly honored by the press of this country. I dare say that never in the history of this body have the newspapers of the District of Columbia, as well as the residents thereof, praised anyone more highly than the senior Senator from Nevada has been praised.

The Senator from Nevada succeeded me as chairman of the Committee on the District of Columbia, and he has acquitted himself with such high satisfaction to the people of the District of Columbia that when they learned that there was a probability of his being appointed to the chairmanship of the Judiciary Committee of this body many of them protested and asked that he remain in his position as chairman of the District Committee. I can well understand that because the Senator from Nevada has worked diligently and has employed himself almost hourly in the interest of and for the benefit of more than a million people of the District of Columbia. It is no reflection upon any Member of this body who may aspire to that post that the people of the District wish to retain the Senator from Nevada because he has done such a very excellent job. I join with the people of the District in praising him for the fine work he has done for the people of the Washington area. So far as I know, this is the first instance in which the people have appealed to the Senate to forego tradition, which would prohibit any Senator from serving as chairman of more than one committee.

I ask that there be printed in the RECORD at the conclusion of my remarks several clippings—one from the Washington Post of February 1, 1944, entitled "Appeal to Senate Democrats," one from the Washington Star of February 2, 1944, entitled "D. C. Suffrage Backers Praise Plan To Keep McCARRAN in Post," and another from the Washington Times-Herald of February 2, 1944, entitled "D. C. Citizens Act To Keep McCARRAN." They are certainly very high tributes to a very fine man.

It is particularly gratifying to know that three of the four daily newspapers of the city of Washington are anxious to keep him in his post.

In conclusion, Mr. President, let me say that although the Senator from Nevada is not a member of the Military Affairs Committee, he has evidenced as much interest in the affairs of the committee as any Member of this body outside the membership of the committee.

I may add that at the present time he has before the committee, awaiting hearing, one of the most important bills in reference to our armed forces that we have ever been called upon to consider. The bill provides for making the air force a separate branch of our armed forces.

There being no objection, the newspaper articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post of February 1, 1944]

APPEAL TO SENATE DEMOCRATS—TWO DISTRICT DELEGATIONS URGE MCCARRAN BE KEPT AS "MAYOR"

Two delegations appealed to Senate Democrats yesterday to forego tradition and retain Senator MCCARRAN (Democrat), of Nevada, at the head of the District Committee when he becomes chairman of the Judiciary Committee.

Senator BILBO (Democrat), of Mississippi, has announced he is a candidate for the District Committee chairmanship, and is expected to get it unless one of the four members of the committee ahead of him in seniority changes his mind, or Senate custom is abandoned so MCCARRAN can serve at the head of two committees. Neither move is regarded as likely.

Harry Wender, president of the Federation of Citizens' Associations, headed one of the delegations. The other was composed of five Negro women.

The delegation led by Wender first sought a conference with Majority Leader BARKLEY, and, failing, conferred with Senator O'MAHONEY (Democrat), of Wyoming, who has been mentioned as the probable sucessor to Senator GUFFEY (Democrat), of Pennsylvania, as chairman of the Senate Democratic Campaign Fund Committee.

"The purpose of our visit," Wender told newspapermen, "was to find out if there was any way Senator MCCARRAN might continue for the remainder of the present Congress to serve as chairman of the District Committee when he takes over chairmanship of the Judiciary Committee. We would like to see him remain because of the progress he has made on the suffrage program for the District."

Senate Democrats, at a caucus this week, will decide the committee chairmanships.

[From the Washington Star of February 2, 1944]

DISTRICT OF COLUMBIA SUFFRAGE BACKERS PRESS PLAN TO KEEP MCCARRAN IN POST

A delegation of five District suffrage proponents called at the Capitol late yesterday to promote a plan to permit Senator McCarran, Democrat, of Nevada, to keep the chairmanship of the Senate District Committee for the remainder of the year although he is to be named head of the Senate Judiciary Committee.

The group sought unsuccessfully to interview Majority Leader BARKLEY, then talked with Chairman O'MAHONEY, of the Senate District Appropriations Subcommittee.

The delegation praised the Nevada Senator for his efforts to give Washington an elected local government, declaring real progress is in prospect under his leadership. It also was pointed out that he has been named chairman of a judiciary subcommittee to consider the new Sumners-Capper representation resolution and that his continued service as head of the District Committee would be advantageous.

Members of the group were Harry S. Wender, president of the Federation of Citizens' Associations; Mrs. Eugene Duffield and Mrs. Walter Laves, of the "Voteless" District League of Women Voters; Mrs. Louis Ottenberg, of the District Legislative Council; and Merlo J. Pusey, Post editorial writer. They emphasized they were acting as individuals and not as spokesmen for their organizations.

Senator MCCARRAN has made no move to keep the District Committee chairmanship, accepting the Senate custom that a Senator may not hold more than one chairmanship.

Senator BILBO, Democrat, of Mississippi, is expected to be named District Committee chairman. He is outranked by Senators GLASS, of Virginia, TYDINGS, of Maryland, BANKHEAD, of Alabama, and REYNOLDS, of North Carolina, Democrats, but all these have major committee chairmanships. Senator BILBO now is chairman of the Senate Pensions Committee, but has said he is willing to give up that post to head the District Committee.

Senator MCCARRAN has said he will continue as a member of the District Committee and will carry on with his service as chairman of subcommittees on the "home rule" measure, studies of the District Water Department, and the "baby broker" bill to license child placement agencies.

[From the Washington Times-Herald of February 2, 1944]

DISTRICT OF COLUMBIA CITIZENS ACT TO KEEP MCCARRAN

A group of District residents prominent in the city's civic organizations visited Capitol Hill yesterday "seeking advice," they said on how they could find a feasible way to keep Senator PAT MCCARRAN, Democrat, of Nevada, as chairman of the Senate District Committee.

The group included Harry S. Wender, president of the Federation of Citizens Associations; Mrs. Louis Ottenberg, of the District of Columbia Legislative Council; Mrs. Eugene Duffield and Mrs. Ruth Laves, of the District League of Women Voters, and Merlo J. Pusey.

"OFF THE RECORD"

MCCARRAN is slated to become chairman of the Senate Judiciary Committee as a result of the death of Senator Frederick Van Nuys. The group questioned Senate officials and Senator JOSEPH C. O'MAHONEY, Democrat, of Wyoming, as to the possibility that MCCARRAN might become chairman of both committees.

Senator O'MAHONEY declined to reveal the details of the conversation with the group, stating it was "off the record."

It was learned, however, that the group was told that it was an unwritten law of the Senate that no Member should hold the chairmanship of two committees.

Earlier in the day, it was reported, another group of five ladies approached MCCARRAN with a similar proposition. The Nevada Senator would not comment although he had previously announced that he would resign the District Committee chairmanship to accept the Judiciary Committee post which he prefers.

APPEAR AS INDIVIDUALS

At the conclusion of the visit from the five, Wender said they were appearing as individuals because organizations to which they belonged had not acted upon the matter.

"I am interested in suffrage," Wender said, "Senator MCCARRAN, more than any other Member, has fought to give the District a vote. As chairman of the District Committee where home rule is pending and as chairman of the Judiciary Committee where the national representation resolution is being considered, I believe he would have a better chance to push votes for Washington."

PROHIBITION OF LIQUOR SALES AROUND MILITARY CAMPS—PETITION

Mr. TUNNELL. Mr. President, I have received a petition from 16 members of the Indian Mission Church at Millsboro, Del., praying for the enactment of Senate bill 860, to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States. I ask unanimous consent that the petition be noted in the RECORD and referred to the appropriate committee.

The ACTING PRESIDENT pro tempore. Without objection, the petition will be received and referred to the Committee on Military Affairs.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES—RESOLUTION BY LOCAL UNION NO. 626, BRISTOL, CONN.

Mr. MALONEY. Mr. President, I ask unanimous consent that there may be inserted in the RECORD, and appropriately referred, a letter which I have received from Mr. Paul J. McCarthy, chairman, legislative committee, United Automobile, Aircraft, Agricultural Implement Workers of America, Local No. 626, Bristol, Conn., and copy of a resolution adopted at the last membership meeting of that organization urging the passage of the modified Lucas soldiers' vote bill.

There being no objection, the letter and resolution were ordered to lie on the table and to be printed in the RECORD, as follows:

UNITED AUTOMOBILE, AIRCRAFT, AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (U. A. W.-C. I. O.), LOCAL NO. 626,
Bristol, Conn., February 1, 1944.

Senator FRANCIS T. MALONEY,
Senate Office Building, Washington, D. C.

DEAR SIR: Enclosed is a copy of a resolution which was passed at our last membership meeting.

We urge that you consider and support this resolution.

Thanking you in advance for your cooperation,

I remain,

Very truly yours,

PAUL J. MCCARTHY,
Chairman, Legislative Committee.

Whereas the armed forces of our Nation are sacrificing and giving their very lives for the furtherance of democracy to the far-flung parts of the world; and

Whereas our armed forces recently witnessed our Australian Allies on their many far-flung battle fronts in a recent democratically held election of their Nation; and

Whereas the United States Senate, this very day, is attempting to filibuster the very question that would guarantee to all members of our armed forces and merchant marines, who are citizens of the United States, and who are now engaged in this great conflict of nations for the very life of democracy, wherever they are, the opportunity to cast their ballots in the coming elections; and

Whereas it is the duty of Congress to remove this unjustifiable discrimination against men and women in our armed forces; be it

Resolved, That Local 626, United Automobile Workers of America, C. I. O., overwhelmingly endorses the modified Lucas bill and urges you to support this bill which is uniform and simple and provides for Federal administration, thereby guaranteeing that all soldiers and members of the merchant marine who are citizens will vote in the coming elections; be it further

Resolved, To urge upon Senators DANAHER and MALONEY to do everything in their power to stop this attempt of filibuster and speed up the passage of the modified Lucas bill, which is now before the Senate for action; be it finally

Resolved, That a copy of this resolution be sent to Congressmen MILLER, MCWILLIAMS, COMPTON, TALBOT, and Congresswoman LUCE.

REDUCTION OF NUMBER OF COLLEGES ENGAGED IN ARMY AIR FORCES TRAINING PROGRAM

Mr. REYNOLDS. Mr. President, I have before me a letter dated January 31, 1944, from Brig. Gen. William E. Hall, deputy chief of the Air Staff of the United States Army, in reference to the necessity for reducing the number of colleges in the Army Air Forces college training program throughout the country. I ask unanimous consent that the letter be printed in the RECORD at this point as a part of my remarks, for the information of Senators, and appropriately referred.

There being no objection, the letter was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

HEADQUARTERS, ARMY AIR FORCES,
Washington, January 31, 1944.

Hon. ROBERT R. REYNOLDS,
Chairman, Military Affairs Committee, United States Senate.

DEAR SENATOR REYNOLDS: It has become necessary to reduce the number of colleges in the Army Air Forces college-training program and the number of civilian contract schools in the pilot-training program in order to conform to the present requirements of the Army Air Forces.

In General Arnold's report to the Secretary of War, dated January 4, 1944, he clearly indicated that the future trend of training in the Army Air Forces would eventually require this reduction. He stated in part as follows:

"As the war continues, emphasis will naturally shift from training of vast numbers of new men to the training of replacements and to increasing the technical knowledge of the men already in service."

The method of bringing about a reduction of such magnitude as is now required is rendered most difficult by the fact that we have such a large percentage of institutions with excellent performance records.

The Army Air Forces wishes it to be clearly understood that the elimination of any particular college or civilian contract school does not in any way reflect dissatisfaction with the performance of this school. The splendid work of the civilian schools concerned is sincerely appreciated, and nothing but the highest commendation can be expressed for the splendid patriotic work that they have contributed during a most critical period of our training.

The Army Air Forces college-training program has, of necessity, been established on a flow chart basis, whereby there are trainees traveling every month from basic training centers to colleges, from colleges to Army Air Forces preflight schools, and from preflight schools to civilian contract schools, where the trainees receive their primary flying instructions. Consequently the overall policy adopted by the training command at the direction of the War Department in determining the particular eliminations to be made has been based on the principle of relieving the national railway system of unnecessary burdens and at the same time effecting a large saving of travel funds and military man-hours lost in transit. Other factors affecting suitability for the specific needs of the training command were also considered.

The colleges at which the college training program is being discontinued are: Albright College, Pennsylvania; Buffalo, New York; Clarion, Pennsylvania; Cumberland, Tennessee; Duquesne, Pennsylvania; Geneva, Pennsylvania; King College, Tennessee, Lynchburg, Virginia; Niagara, New York; Penn State College, Pennsylvania; St. Anselm's, New Hampshire; Springfield, Massachusetts; State Teachers College, New York; Syracuse, New York; Williamsport Dickinson, Pennsylvania; Bucknell, Pennsylvania; Canisius, New York; Colby, Maine; Dickinson, Pennsylvania; Elon, North Carolina; Lafayette, Pennsylvania; Norwich, Vermont; Rochester Business Institute, New York; St. Vincent, Pennsylvania; State Teachers College, Pennsylvania; Susquehanna University, Pennsylvania; Oklahoma City University, Oklahoma; Penn College, Ohio; University of Tampa, Florida; Slippery Rock State Teachers College, Pennsylvania; Hiram College, Ohio; Transylvania, Kentucky; Marietta College, Ohio; Black Hills Teachers College, South Dakota; Fort Hays Kansas State College, Kansas; Hastings College, Nebraska; University of Nevada, Nevada; Iowa Wesleyan College, Iowa; State Teachers College, Wisconsin; Carroll College, Wisconsin; State Teachers College, Minnesota; State Teachers College, Wisconsin; Jamestown College, North Dakota; St. John's University, Minnesota; Beloit College, Wisconsin; Albion College, Michigan; University of Akron, Ohio; Jefferson College, Missouri; Western Reserve, Ohio; Grove City College, Pennsylvania; Allegheny, Pennsylvania; Utah State Agricultural College, Utah; University of Nebraska, Nebraska; Kansas State College of A. & A. S., Kansas; Oshkosh State Teachers College, Wisconsin; University of North Dakota, North Dakota; Macalester College, Minnesota; St. Cloud Teachers College, Minnesota; Superior Teachers College, Wisconsin; State Teachers College, Wisconsin; University of Minnesota, Minnesota; West Virginia University, West Virginia; Gettysburg, Pennsylvania; Massachusetts State, Massachusetts; University of Vermont, Vermont; West Virginia Wesleyan, West Virginia; Ouachita College, Arkansas; Henderson College, Arkansas; Municipal University of Wichita, Kansas; Michigan College of M. & T., Michigan.

The civilian contract schools whose contracts are being terminated are: Cape Girardeau, Missouri: Lafayette, Louisiana; McBride, Missouri; Camden, Arkansas; Jackson, Mississippi; Union City, Tennessee; Lamesa, Texas; Fort Stockton, Texas; East St. Louis, Missouri; Muskogee, Oklahoma; Hicks Field, Texas; Oklahoma City, Oklahoma; Wickenburg, Arizona; Twentynine Palms, California.

The Army Air Forces trust that this information will be helpful to you in the event of inquiry from any of your colleagues as to the reduction of its training program.

Sincerely yours,

WILLIAM E. HALL,
Brigadier General, U. S. Army,
Deputy Chief of the Air Staff.

REPORT OF COMMITTEE ON NAVAL AFFAIRS

Mr. WALSH of Massachusetts, from the Committee on Naval Affairs, to which was referred the bill (S. 1640) to authorize the Secretary of the Navy to accept gifts and bequests for the United States Naval Academy, and for other purposes, reported it without amendment and submitted a report (No. 682) thereon.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. GEORGE, from the Committee on Finance:

Several officers for temporary promotion in the Public Health Service.

By Mr. CHANDLER, from the Committee on Military Affairs:

Brig. Gen. Patrick J. Hurley (colonel, Infantry Reserve), for temporary appointment as major general in the Army of the United States, under the provisions of law.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WILLIS:

S. 1692. A bill to provide for the reincorporation of The National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic; to the Committee on the Judiciary.

(Mr. REYNOLDS introduced Senate bill 1693, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

By Mr. WALSH of Massachusetts:

S. 1694. A bill to reestablish the grade of Admiral of the Navy, and for other purposes; to the Committee on Naval Affairs.

By Mr. McCARRAN:

S. 1695. A bill to increase the rates of compensation of certain postal employees, and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. BYRD:

S. 1696. A bill to facilitate the liquidation of Home Owners' Loan Corporation through the transfer and cash sale of its assets to individuals and to local banks, mutual savings banks, savings and loan associations, cooperative banks, trust companies, insurance companies, and other mortgage institutions; to the Committee on Banking and Currency.

GENERAL OF THE ARMIES OF THE UNITED STATES

Mr. REYNOLDS. Mr. President, I introduce a bill providing for further appointment to the office of General of the Armies of the United States, and for other purposes, and ask that it be read by the clerk for the information of the Senate.

The ACTING PRESIDENT pro tempore. Without objection, the bill will be read.

The bill (S. 1693) to provide for further appointment to the office of General of the Armies of the United States, and for other purposes, was read twice, the first time by its title, the second time at length, and referred to the Committee on Military Affairs, as follows:

Be it enacted, etc., That the provisions of the act of September 3, 1919 (41 Stat. 283; 10 U. S. C. 671a), are hereby amended so as to authorize the further appointment to the grad of general of the armies of the United States of general officers of the Army who, notwithstanding any other provisions of the above act, are at the time of such appointment general officers of the line of the Army. The number of officers holding the grade of general of the armies of the United States on active duty shall not exceed two in number. The officers so appointed shall be entitled to all rights, privileges, and benefits now or hereafter provided for the general of the armies of the United States.

SEC. 2. The provisions of section 4 of the act of June 3, 1916 (39 Stat. 167), as amended by section 4 of the act of June 4, 1920 (41 Stat. 760), relating to the termination of the office of General of the Armies of the United States upon the occurrence of a vacancy in that office, are hereby repealed.

Mr. REYNOLDS. Mr. President, the proposed legislation would authorize the President, by and with the advice and consent of the Senate, to appoint to that historical and unique grade general officers of the line of the Army.

Since the formation of the United States there have been but four generals of the armies of the United States: Gens. Ulysses S. Grant, William T. Sherman, P. H. Sheridan, and John J. Pershing. The grade of general of the armies of the United States was created by the act of March 3, 1799, and appointments thereto have been confined to general officers of the Army who had demonstrated outstanding military efficiency. The office ceased to exist at the time of the death of General Sheridan on August 5, 1888. It was not revived until September 3, 1919, at which time Gen. John J. Pershing was appointed. General Pershing was placed on the retired list on September 12, 1924, and was retired in the rank of general of the armies of the United States. Should the proposed legislation be enacted into law, General Pershing would remain in his position as the highest ranking officer of the Army.

The present world conflict has created unusual conditions in the employment of the armed forces throughout all sections of the globe. It is believed by certain Members of the Congress that more effective coordination of those forces can be insured through the appointment of officers of outstanding ability to the highest rank known in the history of our Army, especially in view of the high rank of the British Chiefs of Staff.

Mr. President, I am highly honored and pleased to have the opportunity of introducing a bill which would bring about the promotion of Gen. George Marshall. I do not believe that any of the armies in all the world have a finer director of personnel, or a man of greater military skill and ability than General Marshall.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. KILGORE. Does the Senator from North Carolina know the dates of promotion to the permanent rank of

general of the armies of the United States in the cases of General Pershing, General Grant, General Sherman, and General Sheridan?

Mr. REYNOLDS. I do not know the dates of those appointments.

Mr. KILGORE. I think if the Senator will look at the records he will find that those permanent promotions took place a considerable time after the termination of hostilities.

Mr. REYNOLDS. I shall be glad to consult my history upon that subject. I have not previously had that fact brought to my attention.

INCREASED COMPENSATION TO SUBSTITUTE POSTAL EMPLOYEES—AMENDMENT

Mr. McCARRAN submitted an amendment intended to be proposed by him to the bill (H. R. 2836) to grant increases in compensation to substitute employees in the Postal Service, and for other purposes, which was ordered to lie on the table and to be printed.

CONTINUATION OF COMMODITY CREDIT CORPORATION—AMENDMENT

Mr. TAFT submitted an amendment intended to be proposed by him to the bill (H. R. 3477) to continue the Commodity Credit Corporation as an agency of the United States, to revise the basis of annual appraisal of its assets, and for other purposes, which was ordered to lie on the table and to be printed.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES—AMENDMENTS

Mr. DANAHER proposed an amendment to Senate bill 1612; and Mr. WILLIS (for himself and Mr. JACKSON) submitted an amendment intended to be proposed by them, jointly, to the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, which was ordered to lie on the table, and the amendments were ordered to be printed.

COMMITTEE SERVICE

Mr. BARKLEY. Mr. President, by direction of the steering committee of the majority, I ask unanimous consent that the Senator from Nevada [Mr. McCARRAN] be relieved from further service as chairman of the Committee on the District of Columbia, and that he be chosen and elected chairman of the Committee on the Judiciary.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

JAPAN'S LACK OF A MORAL CODE—ARTICLE BY SENATOR BONE

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD a newspaper article entitled "BONE Reviews Japan's Lack of Moral Code," written by Senator BONE and published by the International News Service, which appears in the Appendix.]

RAYMOND CLAPPER—EDITORIAL FROM WASHINGTON POST

[Mr. WAGNER asked and obtained leave to have printed in the RECORD an editorial on the death of Raymond Clapper, printed in the Washington Post of Friday, February 4, 1944, which appears in the Appendix.]

THE NATIONAL SERVICE PLAN—EDITORIAL FROM LABOR

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD an editorial entitled "Why Not Tell Fighting Men the Truth?", published in Labor of January 29, 1944, which appears in the Appendix.]

STRIKES IN GREAT BRITAIN—EDITORIAL FROM WASHINGTON POST

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD an editorial entitled "Striking Britons," published in the Washington Post of February 1, 1944, which appears in the Appendix.]

THE SOLDIER VOTE—ARTICLE BY RAYMOND CLAPPER

[Mr. LUCAS asked and obtained leave to have printed in the RECORD an article entitled "The Soldier Vote," written by Raymond Clapper and published in the Chicago Times of December 22, 1943, which appears in the Appendix.]

RAYMOND CLAPPER

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD editorials from the Washington News and the New York Times, and other articles and comments on the recent death of Raymond Clapper, newspaper reporter and columnist.

Raymond Clapper was a native of Kansas, a graduate of the Kansas public schools, and of the University of Kansas. His premature death at 51 years of age, when he was just well started on a career as one of the outstanding newspapermen of the country, is a sad blow to his thousands of personal friends, millions of readers of his daily columns, and a loss to the Nation.

I feel that Ray Clapper died as he would have wished to die—on the job. He was first, last, and always a reporter, although he had served in editorial and executive capacities. But his outstanding characteristic was his insistence on getting news and views, and writing them honestly, fairly, analytically, and courageously. He had his own views, and wrote them into his columns; but he religiously abstained from the temptation to try to make the views of others he interviewed and quoted conform to his own ideas.

Raymond Clapper was the highest type of newspaperman, and the highest type of citizen. Let me say that Kansas is proud of another of her sons who has gone to his reward.

There being no objection, the editorials, articles, and comments were ordered to be printed in the RECORD, as follows:

[From the Washington Daily News]

RAY CLAPPER

From north Africa last July, Raymond Clapper began a dispatch with this sentence:

"What appalls me about war is the unbelievable waste of life and effort and Nature's riches."

To us, who were Ray Clapper's coworkers for so many years, who knew so well his warmth and decency, his unsparing search for truth, his tolerance of others' honest opinions, his intolerance of demagoguery, stupidity, and greed—to us, Ray's death in action brings home, more than anything else that has happened, the awful human waste of war. For he was not a man to be spared in a world so much in need of common-sense, plain-language reporting, so much in need of statesmanlike journalism.

We think that because we were so proud of Ray, so fond of him. But we know Ray wouldn't agree. He would write one of his famous dissenting opinions—keen and fair. For he didn't value his life over that of other and younger Americans. He asked only the reporter's privilege to share their privations and perils—asked only to be with them where, as he wrote in his dispatch published today—

"You live only minute by minute through the routine that carries you smoothly, as if drifting down a river, toward the day of battle."

[From the Washington Post]

RAY CLAPPER

Ray Clapper went out at the top.

That he had to die at this time is heart-searing news. But American planes are plunging to earth every day, in all parts of this flaming world. This one was carrying a soldier of the press, an ace of aces.

Ray Clapper was always a front-line reporter, in peace or in war.

He was in the front line in every battle for truth and justice in the past two decades. He was always the reporter, searching out the facts.

He served his apprenticeship in the enlisted ranks here in Washington. And he advanced by ability, honesty, and integrity alone. First, in his heart, was the dignity and the responsibility of his profession. He never forgot that his job was to tell America the facts so the people would know.

The Washington Post is proud that he started his career as a columnist on this newspaper. But even as a columnist Ray Clapper was always the great reporter. Let others pontificate. Ray depended on his legs, his eyes, his ears, his inquiring mind, in a never-ending, patient search for facts.

This war found him an admired, respected, successful captain in his profession. It would have been so easy for him to have concluded to rest on his laurels.

But not Clapper. He thought only of a reporter's duty. He saw Great Britain in its dark days, he soared over the Himalayas into Chungking; he flew over Rome on the first raid; he stood with the troops in Sicily. And destiny found him in the South Pacific, catching the spirit of the boys in the jungle, writing the finest copy of his career. He died a full general in the eyes of every newspaperman in America—at the top.

It is a cruel blow to family and friends.

But we know, as Ray knew facts, that his spirit cannot die. He stood for everything that was fine in Americanism, in journalism.

Somehow, in thinking of Ray Clapper, the recent story by Ernie Pyle of the death of a beloved American captain in Italy keeps coming to mind. Pyle told how the captain's men shyly paid rough tribute. They cursed reverently. They surreptitiously held his cold hand, straightened his collar, smoothed his coat; and silently dedicated themselves to fiercer opposition to oppression.

We believe that everywhere in our great country today newspapermen are figuratively straightening Ray Clapper's collar, cursing reverently; and dedicating themselves to carry on his fight—that the people may know and democratic America may not die.

[From the Washington Post]

Raymond Clapper, of Washington, one of the world's foremost newspapermen, has been killed on the Pacific front.

His death in a collision of planes during the American offensive in the Marshall Islands has emphasized anew, President Roosevelt said in a letter to Mrs. Clapper, "the constant peril in which correspondents do their work in this war."

"It was characteristic of Ray's fidelity to the great traditions of reporting," Mr. Roosevelt continued, "that the day's work should find him at the scene of action for first-hand facts in the thick of the fight."

That was the note struck in all the eulogies of the 51-year-old Clapper. From his own colleagues in the fourth estate came the accolade: "He was a good reporter."

The thing that was remembered about him was not his style, not his views, but his hunger for facts—his eagerness to use his legs and get his information first-hand, at the source.

He was the fifteenth American reporter to be killed on the world's battlefronts since the war began. Seventy have been wounded.

NEWS SPREADS RAPIDLY

The news of Clapper's death came from the Navy Department here, and it spread around Washington like wildfire. It was announced from the floor in both the Senate and the House, and the leaders, Democratic and Republican, joined in mourning Clapper's loss and paying tribute to his ability and integrity as a reporter.

The Navy's announcement said:

"The Commander in Chief of the Pacific Fleet has reported that a plane in which Mr. Raymond Clapper was a passenger engaged in covering the Marshall invasions, collided with another plane while forming up. Mr. Clapper was in the plane with the squadron commander. Both planes crashed in the lagoon. There were no survivors."

No further details were given, and the Navy Department had nothing to add last night.

Clapper was nominally a political columnist, with Washington as his watchtower. His column was syndicated in something like 180 newspapers, with a combined circulation of 10,000,000. He switched easily from politics to the war when that became the big story.

IN PLANE THAT BOMBED ROME

His fateful trip to the Marshalls was his fourth visit to the war fronts. He flew to England before Pearl Harbor. Shortly after the United States entered the war, he flew to Cairo, Calcutta, and Chungking. Last year he journeyed to Sweden, England, Africa, and Sicily, and he was in one of the planes that bombed Rome.

The reason he was taken on that Rome mission was that he had a sterling reputation as a keen and honest observer and the Army wanted him to see for himself, and to tell the American people, that every precaution had been taken to avoid hitting the shrines of the Eternal City.

Clapper left Washington for the Pacific about a month ago and while he was in San Francisco waiting to take off in a Navy transport, he wrote:

"Very frankly, I would rather go to Europe for the big cross-channel show than be starting out into this somewhat neglected war in the God-forsaken wastes of the Pacific, which is being fought over islands that no American will ever want to see again."

But he felt he ought to go because there was an unawareness at home of the importance of the Pacific conflict.

VISITED MACARTHUR

He visited Gen. Douglas MacArthur's headquarters; he went to New Guinea and New Britain, and finally got his chance to cover the biggest of all American operations in the Pacific—the drive into the Marshalls.

His column which appeared yesterday in the Washington Daily News told of his visit to a United States Army base hospital in New Guinea. He wanted parents, wives, and sweethearts to know that the wounded were well taken care of. He told of one soldier who came to the hospital out of the jungle and cried: "Gosh, white sheets—and women." He reported that the last thing he saw on leaving a mess hall was a large poster, "Buy War Bonds."

Raymond Clapper was born on a farm in Linn County, Kans., May 30, 1892. He married Olive Ewing in 1913 and attended the University of Kansas from 1913 to 1916, working his way through school at any job he could find.

He is survived by Mrs. Clapper; a daughter, Janet, 20, who has been studying for the stage; William Raymond (Peter), 17, who attends Hill School, and by his mother, Mrs. Julia Clapper, who came here from Kansas City to live in the $50,000 Clapper home at 3125 Chain Bridge Road, Spring Valley.

A recent Saturday Evening Post article told about the romance between Ray Clapper and Olive Ewing. They met at a Christian Endeavor meeting, when Ray was 20 and Olive 17. When an ultimatum came from the Ewing family that they were to have no more dates, they promptly got married. They quit high school and went to work, Ray in a print shop and Olive as a teacher of piano.

Ray eventually had misgivings about the printer's trade. He decided the thing to do, if he was to become a writer, was to go to college. Olive agreed with him, and both entered the University of Kansas as special students. Ray enrolled in the journalism department, then headed by Merle Thorpe, until recently editor of the Nation's Business. Thorpe got Ray a job as campus correspondent for the Kansas City Star, and on one occasion the budding journalist yanked the chancelor out of bed at 2 o'clock in the morning to ask his comment on a news story.

Clapper left the university in 1916 to become a full-fledged reporter on the staff of the Kansas City Star. He soon joined the United Press and worked in Chicago, Milwaukee, St. Paul, New York, and, finally, in Washington.

Here he was assigned to cover the White House in the latter part of the Wilson administration. In the years that followed he was to chronicle a vast amount of current history. He covered the Harding "front porch" campaign, the Scopes "monkey trial," the oil scandals, the political conventions from 1920 onward, the three Roosevelt administrations, and the greatest story of his time—the global war.

To Lyle C. Wilson, who succeeded Clapper as manager of the United Press Washington bureau in 1933, fell the job yesterday of writing Clapper's obituary after the grim announcement from the Navy Department. Wilson recalled some things about him—the time, for example, that he sat for 13 hours dictating a running story of the 1932 Democratic National Convention, and could not be persuaded to leave his chair.

"He was essentially a shirtsleeve journalist," Wilson wrote, "although the country boy from Kansas did become a polished, cosmopolitan figure. He lived in one of the most emphatically modern homes in Washington."

Roy A. Roberts, managing editor of the Kansas City Star and president of the American Society of Newspaper Editors, said he never lost the country viewpoint and he thought this was fortunate.

"Ray Clapper," he said, "was a great reporter—more than a columnist or commentator. That was his greatest strength and the finest tribute that could be paid him.

"He combined common sense with a fundamental integrity that spoke out in everything he wrote. He came from the country. He never lost the country viewpoint.

"While he wrote from Washington, always he saw the entire Nation. His death in the far-away Pacific is a tragic loss to American journalism."

In 1933 Clapper left the United Press to join the staff of the Washington Post, which had just been bought by Eugene Meyer. He became chief of the Post's national bureau, and it was while he was on this newspaper that he began writing a column, "Between You and Me."

In 1936 the Scripps-Howard organization lured Clapper back to the fold. Ultimately the United Feature Syndicate began to syndicate his column, and he rose to the top rank of American journalism, with an income well in excess of that of the President of the United States.

Washington newspapermen voted Clapper's column as their first choice. That led Clapper to the radio and his voice, too, became familiar to millions.

Clapper was a former honorary president of Sigma Delta Chi, the national journalistic fraternity. He was a veteran member of the National Press Club and was a former president of the Gridiron Club.

The letter of President Roosevelt to Mrs. Clapper follows:

"The tragic event which has brought sorrow to you and the children emphasizes once more the constant peril in which correspondents do their work in this war.

"It was characteristic of Ray's fidelity to the great traditions of reporting that the day's work should find him at the scene of action for first-hand facts in the thick of the fight.

"I share personally the grief which has been laid so heavily on you and yours, and offer this assurance of heartful sympathy, in which Mrs. Roosevelt joins me.

"Very sincerely yours,

FRANKLIN D. ROOSEVELT.

Mr. DAVIS. Mr. President, yesterday this Nation lost one of the outstanding exponents and one of the most able reporters of America's free press. Raymond Clapper, whose penchant for truth and whose adherence to accuracy made of him a reporter's reporter, went to his death in a tragic airplane crash at the scene of battle in the Marshall Islands.

It was my good fortune to know Raymond Clapper over a period of many years—to know of the deep sense of responsibility with which he approached his work, to know of his profound love for action and for truth. But above all, Mr. President, I knew and appreciated Ray Clapper's unflinching faith that the future of mankind would always be more elevating, more inspiring than its past. It was this unfailing hope that contributed so much to Ray Clapper's outstanding service in behalf of his fellow men.

I am sure that Ray Clapper has found a more enduring truth, a more unquestioned accuracy, a more fundamental good in that distant land into which he has now traveled. But I am also sure that the example he has set for his colleagues and for the world will long be remembered by those of us who, remaining behind, have yet to make the journey Ray has made.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks an editorial entitled "Ray Clapper," which appeared in this morning's issue of the Washington News.

There being no objection, the editorial was ordered to be printed in the RECORD.

(See editorial printed on request of Mr. CAPPER, p. 1239 of today's RECORD.)

DISTRIBUTION OF THE CONGRESSIONAL RECORD TO MILITARY POSTS

Mr. REYNOLDS. Mr. President, at this time I wish to bring to the attention of the Members of this body, and particularly to the members of the Committee on Printing, a letter which I have received from a sergeant in the Air Corps of the United States Army. The letter has come from Sgt. Roger A. Gullixson, of the Air Corps forces at Grenada, Miss., and is directed to me as the chairman of the Military Affairs Committee of the Senate. It reads as follows:

FIFTH T. C. SQUADRON, G. A. A. F.,
Grenada, Miss., February 2, 1944.

The Honorable ROBERT R. REYNOLDS,
Senate Office Building,
Washington, D. C.

DEAR SENATOR REYNOLDS: Of all the post libraries I have visited, not one received the CONGRESSIONAL RECORD. I urge that a resolution be introduced providing that at least one copy of this most important publication be furnished at Government expense to every one of our military establishments. Such a resolution should certainly be passed unanimously.

Most sincerely yours,
ROGER A. GULLIXSON, 17042102,
Sergeant, Air Corps.

I wish that everyone at the Army posts, as well as at the naval establishments throughout the country, could have the benefit of reading the CONGRESSIONAL RECORD, and particularly do I wish they could have the benefit of this debate, all of it, I believe, being for the benefit of our armed forces.

I ask unanimous consent that the letter be referred to the proper committee.

The ACTING PRESIDENT pro tempore. Without objection, the letter will be received, and referred to the Committee on Printing.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES

The Senate resumed the consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes.

Mr. GREEN. Mr. President, I ask unanimous consent to have certain clerical errors in the pending bill—S. 1612—corrected. I make that statement beforehand so that Senators may follow the proposed corrections if they wish.

On page 35, in line 10, the words "secretaries" is spelled improperly by the omission of the letter "a."

Mr. President, shall action be taken on all of them together or separately.

The ACTING PRESIDENT pro tempore. Without objection, the Senator may take all of them together.

Mr. GREEN. The next one is, on page 42, near the bottom of the page, with reference to the form of the post card. The language now reads: "Print your name plainly above." After the word "name," the words "and serial number" should be inserted.

The next amendment is, on page 46, in line 4, the first word "and" should be changed so as to read "any."

The last amendment is, on page 49, in the fourth line, where the word "imprisonment" should be changed to read "imprisoned."

The ACTING PRESIDENT pro tempore. Without objection——

Mr. DANAHER. Mr. President, I should like to call to the attention of the Senator from Rhode Island page 40, line 4. Certainly he wishes to correct the word "tile" so as to read "title."

Mr. GREEN. Yes. I thank the Senator. Mr. President, I also offer that correction as an amendment.

The ACTING PRESIDENT pro tempore. Without objection, the amendments are agreed to en bloc.

The question now is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT], on behalf of himself and other Senators.

Mr. LUCAS. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Overton
Andrews	Gillette	Pepper
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hill	Shipstead
Brewster	Holman	Smith
Brooks	Jackson	Stewart
Buck	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Bushfield	La Follette	Thomas, Okla.
Butler	Langer	Thomas, Utah
Byrd	Lucas	Tobey
Capper	McCarran	Truman
Caraway	McClellan	Tunnell
Chandler	McFarland	Tydings
Chavez	McKellar	Vandenberg
Clark, Idaho	Maloney	Wagner
Clark, Mo.	Maybank	Wallgren
Connally	Mead	Walsh, Mass.
Danaher	Millikin	Walsh, N. J.
Davis	Moore	Wheeler
Downey	Murdock	Wherry
Eastland	Murray	White
Ellender	Nye	Willis
Ferguson	O'Daniel	Wilson
George	O'Mahoney	

The ACTING PRESIDENT pro tempore. Eighty-nine Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Ohio on behalf of himself and other Senators.

Mr. TAFT. Mr. President, the Senate faces a very peculiar parliamentary situation today. The House of Representatives has passed with amendments the bill which the Senate passed in December. That bill, passed by both Houses, is lying on the desk. What the parliamentary situation will be if we pass a Federal ballot bill after the House, by a decisive vote, has turned down a Federal ballot bill—exactly the same kind of a bill—I do not know. It seems fairly obvious to me that to pass this bill in its present shape would result in a complete legislative deadlock. The House of Representatives would certainly say to the Senate, "You passed a bill; we have amended it, and we are now asking you to act. We do not propose to act on a second Senate bill until you have disposed of the first Senate bill."

I think the logical thing to do would be to refer the pending bill back to the committee while we consider the House amendments to Senate bill 1285. I do not make a motion to that effect, but it seems to me that if that is not done we are likely to run into a complete legislative deadlock with the House and have no absentee voters' bill.

I am perfectly certain that the House would vote down the pending bill in its present form, providing for a Federal ballot for all soldiers overseas, if we should pass it and send it to the House. I believe it is conceivable that if the Senate should adopt the amendment which I, in conjunction with a number of other Senators, have offered, and which is now under consideration, the House might be willing to consider the measure. It might be willing to take it up and substitute its own amendment, which it considered and passed last night, and send the whole thing to conference. That is conceivable.

I certainly do not believe it is conceivable that the House will do any such thing if we pass a Federal ballot bill, which it expressly voted down last night.

Mr. BREWSTER and Mr. OVERTON addressed the Chair.

The ACTING PRESIDENT pro tempore. Does the Senator from Ohio yield; and if so, to whom?

Mr. TAFT. I yield first to the Senator from Maine because he was on his feet first.

Mr. BREWSTER. Has consideration been given to whether there might be an amendment to the Senate bill which has now been returned by the House by the incorporation in it of the amendment which the Senator from Ohio has proposed? As I understand the parliamentary situation, that would be in order.

Mr. TAFT. I am not familiar with the question of amending House amendments. I have seen it done in conference, but I do not know that it could be done without a conference.

Mr. BREWSTER. Mr. President, I desire to make a parliamentary inquiry. I inquire whether an amendment such as the Taft amendment, could be proposed to the bill which has been returned by the House to the Senate this morning.

The ACTING PRESIDENT pro tempore. The parliamentarian advises the Chair that the House amendments, or any one of them, would be subject to amendment in any way the Senate might see proper to make.

Mr. OVERTON. Mr. President——

Mr. CLARK of Missouri. Mr. President, will the Senator from Ohio yield for another parliamentary inquiry?

Mr. TAFT. I yield first to the Senator from Louisiana.

Mr. CLARK of Missouri. I merely wish to make a parliamentary inquiry on the point on which the ruling has been made.

Mr. TAFT. Very well, I yield to the Senator from Missouri.

Mr. CLARK of Missouri. I should like to inquire, Mr. President, whether the ruling just made as to the parliamentary feasibility of offering the Taft amendment or the Taft substitute as an amendment to a House amendment does not also apply to the bill now pending before the Senate. In other words, from a legislative standpoint it is fully as feasible to amend the House amendment by offering the so-called Lucas-Green bill in its present form as it is to offer the Taft amendment.

The ACTING PRESIDENT pro tempore. The Senator from Missouri is correct, the Chair is advised.

Mr. TAFT. I may say by way of explanation to the Senator from Maine that this particular amendment in its present form could not be offered to the House amendment because it would not mean anything. It would be necessary to draft a new amendment containing practically all of title I of the Green-Lucas bill as amended by this amendment, because there is no title I at all in the House amendment.

Mr. OVERTON. Mr. President——

Mr. BREWSTER. May I make a further inquiry?

The ACTING PRESIDENT pro tempore. Does the Senator from Ohio yield; and if so, to whom?

Mr. TAFT. I yield first to the Senator from Maine.

Mr. BREWSTER. May I inquire further as to what would be the parliamentary situation if any amendment were adopted to the bill returned by the House this morning and was sent back to the House? What then would be the parliamentary status of it when it got over to the House?

The ACTING PRESIDENT pro tempore. The bill would go back to the House and the House would then have the alternative either of amending or concurring in the Senate amendment or of asking for a conference.

Mr. TAFT. Mr. President, may I make a parliamentary inquiry? Can the Senate offer as an amendment to the House amendment something which would change the bill that the Senate itself passed?

The ACTING PRESIDENT pro tempore. The Senate would have the parliamentary right although it might be grotesque from a practical standpoint.

The Chair may state further to the Senator from Ohio that the question of germaneness which pertains in the House does not apply in the Senate.

Mr. TAFT. My point was not that; my point was that as the Senate passed a certain bill, if then we adopt an amendment to the House amendment, it is hard for me to understand how we can offer an amendment to the bill the Senate previously passed and sent to the House.

Mr. OVERTON. Mr. President——

Mr. TAFT. I yield to the Senator from Louisiana, who has been on his feet for some time.

Mr. OVERTON. Mr. President, I agree with the able Senator from Ohio in the preliminary observations he has made with respect to the pending legislation, but I am not inclined to agree with him that it may be the proper thing to refer the House amendments to the Senate committee. It seems to me there have been sufficient references of this proposed legislation to the Senate committee and to the House committee. We have also had adequate debate on the subject. Insofar as the bill passed by the Senate—Senate bill 1285—and sent over to the House, is concerned, it has been thoroughly considered and discussed in both the Senate and the House. Another reference would result in greater delay and much more acrimonious debate possibly than we have had so far.

I think that the practical thing to do is to go ahead and undertake to perfect the pending Senate bill with amendments such as the one offered by the Senator from Ohio, and any other meritorious amendments which may be offered, and then, or whenever the House amendments have been printed, move to concur in the amendments of the House to Senate bill 1285, and let that motion be put and be acted on after we have cleared the atmosphere so far as we can in respect to the new legislation we are proposing. If we do not do something like that we shall drift into a deadlock and the Congress of the United States will again be subject to the criticism that it has caused an impasse and will do nothing toward helping the soldiers to cast their ballots.

Mr. TAFT. I thank the Senator from Louisiana.

Mr. BARKLEY. Mr. President, will the Senator from Ohio yield to me?

Mr. TAFT. I am sorry, but the time limitation on the debate is such that I prefer to finish the very few remarks I should like to make before yielding further.

Mr. President, I will explain what the amendment now before the Senate, which I explained in a general way yesterday, would do. The Danaher amendment provides that the soldiers at home will not be given an absentee voters' ballot unless they come from a State which fails to enact a proper absentee voters' law before the 1st of July, as I recall the date. But the Danaher amendment does not in any way modify the Federal ballot provided in the Green-Lucas bill for some 7,000,000 men who will be abroad. The effect of the principal feature of the amendment is to provide that the soldiers who are abroad shall have their State ballots and that they shall not have Federal ballots unless the State from which they come fails to provide an absentee voters' law.

That seems to me to be an absolutely logical conclusion from the action taken yesterday by the Senate in agreeing to the Danaher amendment, as I agreed to it. If that is a good rule for the soldiers at home, it is a good rule for the soldiers abroad. The only possible difference is that it takes a little longer to get the State ballots there.

This amendment provides that these ballots must be ready 45 days in advance. It is only going to be necessary so far as I can see to transport approximately 50 tons of ballots, at the most, by airplane. Certainly many of the airplanes which are going over can help in that transportation. Airplanes are going by a constant stream from this country to the European theater and every other theater of war, and there is no reason I can see why they cannot be pressed into service for this very important task. So the idea that it is any more difficult to transmit ballots abroad than it is to transmit them within the United States I think is wholly and completely erroneous.

The advocates of this bill have now admitted that all the talk about transfers and about the difficulty of reaching the men because they may have been transferred from one unit to another does not amount to anything, because they have accepted that proposal for servicemen in this country. Undoubtedly, a few men who have been transferred just before election will fail to receive their State ballots.

Mr. LUCAS. Mr. President, will the Senator yield?

The ACTING PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Illinois?

Mr. TAFT. I yield for a very brief question.

Mr. LUCAS. Never mind.

Mr. TAFT. I cannot see any reason why we should not give the soldiers abroad exactly the same State ballots we are to give those at home, and that is the purpose of the amendment. That is the ballot they want; that is the ballot the authors of the bill admit they should have, if we can possibly get it to them.

Now it is said, "Yes; we can get it to the servicemen at home; we can locate the 4,000,000 at home, but we cannot locate the 7,000,000 abroad." It seems to me to be a perfectly simple task. The State ballots are printed 45 days in advance. The Post Office has not raised any objection; it does not say it cannot find the soldiers. The ballots would go to the appropriate central point, to New York, for anyone in the European theater. There they would be sorted by units. Ballots going to a particular regiment could be placed together and given every kind of priority to assure their delivery to that particular regiment.

The only possible failure in the process might occur among those men who were transferred at the last moment. If a unit should be transferred, the ballots could follow the unit. That would be easy. There might be a few individual soldiers the ballots would not reach, but the same condition applies to those in the United States, under the amendment which the authors of the bill themselves have already agreed to.

Mr. President, I believe very strongly that the amendment which is now presented is the logical method of reaching the desired result. It provides that every soldier should have a State ballot, that he should be able to vote for the local candidates at home, that he should be able to vote for the candidate for Governor of his State. The Governors of the States are just as important, in their place, as is the President of the United States, and as are Representatives and Senators. The soldier should be able to vote for every State officer

possible, but if by reason of a State constitutional provision, or by reason of the refusal of the State, the soldiers do not get opportunity to vote, we say, "Very well, we will provide a Federal ballot." That seems to me the logical approach. I have not talked with anyone who has not already made up his mind on the subject who does not say that sounds reasonable, that that is the logical way to approach the problem.

It is admitted the soldiers should have State ballots. Very well, we will give them State ballots, unless the States themselves fail to provide the service, and in that case we will provide the Federal ballot. It may not be constitutional, or it may be. Anyway, the scope of it is cut down to a very small field. So far as I know, the States will be able to comply, with one notable exception. I think the outcome in such a State, in the next Presidential election, at least, is fairly certain.

Mr. President, I hope very much that the Congress may adopt the amendment proposed. It seems to me that if that is done, if we make a clear declaration that we believe that any man who is entitled to a State ballot should have a State ballot, I think we will be in substantial accord with the position taken by the House of Representatives, and I think there will be a chance that within a very few days we can come to an agreement upon a law which can be adopted by the Congress, and will enable the State legislatures to proceed to enact the kind of legislation that may be necessary. We are today delaying action of almost a score of legislatures which want to meet, but first want to know what the Federal law is to be before they draft the necessary State law. I hope the amendment may be agreed to.

Mr. GURNEY. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. If I still have time on the amendment, I yield.

Mr. GURNEY. I notice on page 17 of the amendment is the form of a post card, on which the member of the armed forces is to apply for a ballot. I do not see there anything to indicate how he would apply for a primary ballot, because there is no place for him to list whether he is a Republican or a Democrat.

Mr. TAFT. The Senator knows that this is in title II, dealing with States, and does no more than to recommend to the States. The States may enact a provision for some special form of post card for primaries if they wish to do so. As a matter of fact, this was recommended to the States for the reason that it is the post card prescribed by Public Law 712, of which some 12,000,000 have already been printed and are in the hands of the Secretary of War.

A State would not have to do what is recommended. The State can say, "We will take this form," or they may take any form, or merely provide for a letter asking for a ballot, or they may take the application from a relative, or it may come from a father who says, "I want a ballot sent to my son abroad." This does not say they cannot do it, but it recommends they make available proper forms of application, so that when the post cards are distributed and sent in, no question will be raised about their validity.

Mr. GURNEY. They would not be valid in my State, because the prospective voter has to indicate on the request which ballot he desires.

Mr. TAFT. The Senator's State may have to conform to the 45-day provision, it may have to conform to the 1.2 ounces provision, I do not know. If the conditions can be complied with, the soldiers get the State ballot.

Mr. BREWSTER and Mr. AUSTIN addressed the Chair.

The ACTING PRESIDENT pro tempore. Does the Senator from Ohio yield, and if so, to whom?

Mr. TAFT. The Senator from Maine asked me to yield first, I believe.

Mr. BREWSTER. With respect to the primary ballot question, I think the economy of using the post card is a very practical question with these ballots moving out. It should be clear that the Army is sending instructions everywhere in the world as the various primaries and elections proceed, so that if any serviceman wants a primary ballot he can simply add that on his request, and it will be entirely feasible for whatever soldiers are interested.

Mr. TAFT. I now yield to the Senator from Vermont.

Mr. AUSTIN. Assuming a State has a statute making a primary a closed primary or a semiclosed primary, as Vermont does, so that no voter in the primary may have a ballot which he does not ask for, then, to carry out the suggestion of the Senator from Ohio, would it not be necessary for the State to change its entire primary law in order to accommodate this situation, which can be met by having the application on the post card comply with the requirements of the law, namely, such a line on it as is contained in the Lucas-Green bill, the line marked No. 6 on page 42—

My choice of party primary ballot is_____

The blank to be filled in only in case of a primary ballot. That would obviate the necessity of the State changing its entire primary law, and it would enable the soldier to apply for a primary ballot, which he could not do under the present provision. He could not possibly vote in the primary under the form of post card recommended in the Taft amendment.

Mr. TAFT. That is true, but my impression is that if the State wishes to have the soldiers vote in the primary, they will have to pass special laws. At least they are going to have to take up with the Government the question of distributing some special form of ballot in connection with the primaries in the States. That was done in the case of the State of Louisiana, as was indicated on the floor of the Senate recently.

I cannot while on my feet draft an amendment, but I will see if I cannot insert what is suggested by the Senator from Vermont, so that we may be able to save some meetings of State legislatures.

Mr. ROBERTSON. Mr. President, I rise to support the amendment which is under consideration.

The Green-Lucas bill, as amended, deprives our men and women in uniform overseas of the right to vote a full and complete ballot. They are deprived of the right to vote for Governor, Lieutenant Governor, State officials, members of the State legislatures, county, city, and local officers. It virtually disfranchises them in this respect.

In the bill, the administration now in power in effect tells the men and women of our armed forces, "Go out to the jungles of the South Pacific; go up to the barren regions of Alaska; go out to the torrid deserts of Africa and fight for democracy; suffer all the tortures of hell—and we will tell you the extent to which you will be allowed to vote." In effect, they say, "We do not care if you come from the New England States, from the Pacific Coast, from the Midwest, or from the deep South, you will vote for the office we tell you and no more. We refuse you the right to vote for your Governor, your Lieutenant Governor, the members of your State legislature, and those to be elected to important city and county offices. Let the strikers at home decide who is going to be your Governor and who is going to fill all the rest of these important positions."

We are informed that at least 8,000 airplanes are to be delivered to the armed forces every month of this year. Surely one-half dozen of these could be set aside for one month. Six transport planes out of the 8,000 planes which we are producing monthly could be used to see that these soldiers get a complete 1-ounce ballot from their own home State which will enable them to vote as our Constitution gives them the right to vote, and to vote the same full ballot as that voted by men who strike against production of munitions on the home front.

The Green-Lucas bill now before the Senate does not take away from the man on the production line who now receives from ten to twenty dollars a day, the right to a complete ballot, but it does take that right away from the $50-a-month soldier now being battered and wounded and killed on the Marshall Islands.

The Green-Lucas bill now before the Senate does not take away from John Lewis and his striking miners the right to a complete ballot, but it does take that right away from the gallant Seabees who are doing such heroic work on all fronts.

The Green-Lucas bill now before the Senate does not take away from 3,000,000 New Deal civilian employees now on the Government pay roll, protected and living in comparative ease and comfort, the right to a complete ballot, but it does take away from some 5,000,000 men and women in the armed forces that constitutional right as free American citizens; yes, 5,000,000 men and women who have forgotten what ease and comfort are.

The Green-Lucas bill now before the Senate refuses a complete ballot to those men who are fighting the treacherous Jap, and who, if captured, face death

more horrible than any we can imagine, and yet the bill allows full and complete ballot privileges to those in this country who set up, supervise, and operate the Japanese-American dual citizen war relocation camps, and who, in spite of all the knowledge the administration has had for over a year of the Japanese atrocities, continue to pamper these undesirables.

The Green-Lucas bill does not take away from John Lewis, Philip Murray, and William Green the right to a full and complete ballot, and yet it refuses it to MacArthur, Eisenhower, Nimitz, and Halsey.

It is surely a mockery that the administration which is responsible for the lack of preparedness at Pearl Harbor, for failure to bring negligent officers to court martial, the administration which has permitted the pampering of Japanese-American dual citizens, the administration which is permitting such ridiculous expenditures as, for example, $130,000,000 on the Canol project, should cavil at the inconvenience of transporting a complete ballot to our armed forces.

It is a mockery now to come forward and to say that the difficulties of getting the complete ballot to our soldiers are almost insurmountable.

"Where there is a will there is a way," and if the will is there to enable the men and women of our armed forces to vote the same ballot that their mothers, fathers, brothers, sisters, and wives at home will vote, the way to enable them to do so will be speedily forthcoming.

Mr. President, personally, I want every man and woman in our armed forces to receive the same ballot we receive at home. I want those in the the military and naval service to have the right to vote the same ballot as the men at home who have been striking against production of vital war materials. I want every man and woman in our armed forces to vote the same ballot as the farmers of America who, despite almost insurmountable manpower and equipment difficulties, are producing the food for this Nation and our allies. Any bill which will preclude them from doing this is not a soldiers' voting bill.

This Green-Lucas bill does deny to our men and women in uniform full voting privileges. I am not prepared to offer those brave men and women the crumbs which fall from the labor leaders' table. For my part I offer them a whole loaf.

Mr. KILGORE. Mr. President, will the Senator yield to me?

Mr. ROBERTSON. I yield for a short question.

Mr. KILGORE. Will the Senator point out in the bill the provision which prohibits the use of the State ballot when it is available? I am simply curious, and should like to find that provision in the bill if it is in it.

Mr. ROBERTSON. Mr. President, I did not quite understand the Senator's question.

Mr. KILGORE. Will the Senator point out the provision of the bill which prohibits, for instance, the obtaining of a full ballot by General Eisenhower or Admiral Nimitz or anyone else in our armed forces overseas? I am talking about a prohibition. Is it not possible for them to obtain such a ballot if it can be transmitted to them? If the bill contains such a prohibition, I have misinterpreted its language.

Mr. ROBERTSON. Mr. President, my understanding is that the proponents of the bill have contended that sufficient transportation facilities do not exist to transmit any of the State ballots overseas. I do not think we have to make an exception in favor of the high officers against the $50 a month man.

Mr. KILGORE. From the discussion which has taken place, I have not understood that any such exception was proposed. It seems to me that title II of the bill takes care of that situation where it is possible to do so.

Mr. ROBERTSON. Mr. President, the amendment under consideration would bring to the majority of our armed forces the fundamental rights and privileges of a full and complete ballot to which as citizens they are entitled under the Constitution.

The PRESIDING OFFICER (Mr. TRUMAN in the chair). The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT] for himself and other Senators.

Mr. TAFT. Mr. President, on the amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LUCAS. Mr. President, we have before us for consideration what is known as the Taft-McKellar-Ball-Bailey-Bankhead-Brewster-Buck - Eastland and diverse and sundry other Senators' amendment. The entire amendment before us is comprised, as I read it, of practically all the amendments which heretofore have been defeated, plus a great number of other amendments which will be offered. In fact, it would seem that the amendments which have heretofore been offered to the Green-Lucas bill by various Senators have for some cause or other been placed in the new Taft-McKellar amendment.

Mr. President, we have had but little time to study exactly what is contained in the pending amendment. Let me say to the Senator from Wyoming that while he talked about labor leaders, our output of planes and all other red herrings and irrelevant matters, he did not, in the amendment to which he has attached his name, touch a single issue—no; not one.

The amendment offered by the Senator from Ohio, the Senator from Tennessee, and other Senators, is predicated on the Ball amendment.

I should like to have the Senate distinctly understand what the Ball amendment really would do. It has never been discussed by any Senator. The Senator from Ohio [Mr. TAFT] did not touch it. I doubt that some who have opposed it really know what is in it. Truly the amendment is far-reaching.

Listen, Senators, while I explain.

The amendment of the Senator from Minnesota [Mr. BALL] would limit the applicability of the Federal voting procedure provided in title I of the Green-Lucas bill to voters from those States which before June 1, 1944, fail to amend their absentee voting laws in three specified particulars.

His amendment is based on the premise that if a State has a satisfactory absentee-voting procedure of its own, there is no reason for providing to its absentee servicemen a Federal procedure in addition.

There are two defects in this premise. In the first place, the inclusion in the law of a State of the three provisions specified in the amendment of the Senator from Minnesota would not necessarily make its absentee-voting law satisfactory—that is, "practically workable in wartime." In the second place, even under a satisfactory State absentee-voting procedure, there is not the same assurance of a reasonable opportunity for the man overseas to vote as under a simple, uniform procedure such as that provided in title I of the Green-Lucas bill. Let us examine separately each of these two points.

The Senator from Minnesota would make the Federal procedure provided in title I inapplicable to a State which before a fixed date provided in its law:

First, waiver of registration for absentee voters;

Second, availability of absentee ballots for mailing at least 45 days in advance of the election;

Third, maximum weight of absentee-balloting material—1.2 ounces.

Desirable as these provisions are to incorporate in a State's law, the inclusion of them alone would not make the State's voting procedure practically workable in wartime. Thus, despite the enactment of these helpful provisions, a State might still make it difficult or impossible for the services to cooperate in carrying out State law by continuing in effect other provisions, such as:

First, that the absentee must pay a poll or other tax as a condition of voting.

Mr. President, on that very point, the amendment offered by the Senator from Louisiana [Mr. OVERTON] last week, and subsequently rejected, is still in the proposal. Any Senator voting for the Ball amendment as it is in its present form will be voting to repeal section 1 and 2 of Public Law 712 which the Senate by the overwhelming vote of 69 to 16, as I recall, in rejecting the amendment on the floor of the Senate, voted to leave in the law.

I read further:

(2) That the absentee must apply for his ballot on a special form—

In other words, the State law may provide that instead of using the post card furnished to all the services alike, a special form shall be used. Even under the law of my own State of Illinois, as amended by the special session of the legislature, it is required that the absentee use a special State form which would not recognize what is contained in the Ball amendment and now is a part of the Taft-Ball-McKellar amendment.

Suppose the State says that the Army and the Navy should furnish the names and military addresses of the servicemen of a State, so that the State may send absentee ballots directly to the soldiers without their application. That is possible under a State law, but the Army and Navy could not comply with that.

Suppose a State should provide that the Army and the Navy should distribute to the servicemen of such State the State ballots other than as person-to-person mail. It could not be done.

Suppose that the absentee must apply for his ballot on a special form furnished by the State, instead of using a uniform post card furnished by the services to all alike—thus, Illinois has continued in her new law a requirement that the absentee use a special State form;

Suppose the State law says that the Army and Navy furnish the names and military addresses of the servicemen of a State, so that the State may send absentee ballots direct to the absentees without their application;

Suppose the State should pass a law requesting that the Army and Navy distribute ballots of a State, other than as person-to-person mail, to servicemen of such State;

And, again, suppose they require the Army and Navy, in order that servicemen of a State may vote, to follow a particular voting procedure peculiar to such State or distribute and post particular instructions of such State.

State provisions of the kind above enumerated were included in section 5 of the joint statement of the Secretary of War and the Secretary of the Navy to the Council of State Governments, December 30, 1943, as provisions which in wartime the Army and Navy could not effectively administer.

The Senator from Ohio can talk about tons and tons of mail that the Army can carry by plane. The Senator from Wyoming has also talked about having the airplanes carry all the millions upon millions of ballots from every section of the United States to the soldiers and sailors overseas. But upon whom are we to depend in the crisis to do the job? Are we to take the word of a Senator upon the floor, based upon no facts whatsoever, or are we to listen to the Army and the Navy who have testified over and over and over again that it simply cannot be done?

The continued inclusion in the law of a State of one or more of the above provisions might effectually deprive a serviceman of his opportunity to vote, even though the State in conformity with the Ball amendment had waived registration, made the ballots available at least 45 days before the election, and had provided ballots light in weight and small in size.

The criteria of the Senator from Minnesota for a workable State law are good as far as they go, but they do not go far enough. If a State's absentee-voting procedure is to be deemed so satisfactory as to be the soldier's only chance to vote, then it must be judged, not only by its inclusion of good provisions but also by its exclusion of bad provisions.

But even if a full and adequate set of specifications were drawn, the meeting of which would qualify a State as having a satisfactory absentee-voting procedure, the basic defect in the Ball amendment would still remain—that is, there is not the same assurance of a reasonable opportunity for the overseas serviceman to vote under a State procedure as there is under a simple, uniform procedure such as that provided under title I of the Green-Lucas bill. The underlying reason for this situation is not related to the services' willingness or ability to cooperate; it stems from the essential nature of military operations.

Let us take any fair-sized unit or ship overseas. There will be found in it on a given day men from almost all the States. But this personnel is not static, as in civilian life. It is subject to continuous, unpredictable change. In the Army alone there are 10,000 changes of duty status daily. This mobility of personnel tends to defeat any procedure which depends for its workability on rapidly finding the addressee of a letter by an address given in a post card dispatched several weeks, perhaps a month, before the letter arrives.

Mr. President, what the Senator from Ohio said is not correct with respect to what we did in adopting the Danaher amendment. By adopting the modified Danaher amendment, we said that in the event a soldier merely makes an affidavit that he has not received a State ballot, regardless of where he may be serving, he may vote the Federal ballot instead of the State ballot. Let me call the Senate's attention to the fact that in overseas theaters of operation, the facilities for handling and forwarding mail are very different from those in our well-regulated domestic post offices. Under the Ball plan, the serviceman from a "conforming State"—if I may call a State which complies with the statutory criteria by that convenient name—can vote only under the State law; that is, by sending in a post card, receiving from the State a ballot, and executing and returning his ballot within the restricted time limited by the statute. If he is moved once after he sends in his post card, his chances of ever getting the ballot in time to return it for the election are greatly minimized. An additional move or moves would certainly prevent his voting. And as overseas operations increase in intensity, the mobility of troops may be expected likewise to increase.

The essence of the title I Federal procedure provided in the Green-Lucas bill is, however, that the uniform, simple ballot is to be distributed to the serviceman on the day he is to vote in his particular theater. He may be moved several times since he has sent in his application for a State ballot under title II, and the ballot may, therefore, never reach him, but he still may vote under title I. He has two chances to get his vote to his home State. The Senator from Minnesota wants to change that. He wants the serviceman to have only one chance—and that chance, the one which is more subject to military hazard.

There is another penalty hidden in the Ball amendment for overseas servicemen, who are limited thereby to voting under State absentee procedure. The fact that their State reduces the excessive weight and bulk of its existing absentee balloting material to manageable size will not insure that the balloting material of such State can be carried by air. Their State is but one of 48. Many other States may continue to use large manila envelopes, heavy paper, and excessive quantities of such paper, and thus unnecessarily to overload the facilities for air carriage overseas and back.

Mr. President, not long ago there was published in one of the newspapers an article stating that New York State alone had instructions to voters which covered 900 pages. Think of it—900 pages to go along with the ballot, from the State of New York alone. How much weight is there in such instructions? I do not doubt that what is true of the State of New York is true of many other States which have large ballots and a number of instructions as to how the voters are to cast the ballot and as to how the election is to be conducted.

The Army and Navy cannot say, "We will take the lightweight material of State A and send the heavy material of State B by freighter." They must treat such air-mailed matter alike, as requests to carry by air—weather, military operations, plane space permitting. If the heavy, bulky ballots from State B fill the available space in a plane, which would have accommodated thrice the number of light ballots of State A, then the servicemen from State A, despite its commendable conformity to the amendment's criteria, may lose their chance to vote.

The Army reports enormous and continuing increase in air-mail carriage overseas.

I desire Senators to listen to this if they are really interested in acting on this problem not on the basis of bare facts pulled out of thin air by Senators upon the floor, but on the basis of facts submitted by the Army and the Navy themselves: They say as more troops go overseas, this increase will intensify. Plane space facilities are now inadequate to carry over the air-mailed material to the three principal oversea theaters.

Mr. President, talk about Christmas packages, talk about tonnage and plane space, but here is what the Army and the Navy say as to the plane space insofar as priority is concerned. The Army reports that on a recent day, out of 63,000 pounds of air mail on hand, plane facilities were available eventually to carry only about 50 percent—the rest went by boat. If the planes were available to carry "home mail" by air, the Army would do it.

It should also be pointed out that the Ball Amendment would divide each unit of the Army and Navy into two groups, a source of endless difficulty and confusion when multiplied by the thousands of little entities scattered throughout the world to whom the complication must be made perfectly clear. Two rosters must be made in each unit: Men from the "conforming States", who may vote only by the absentee procedure of their State; men from the nonconforming States" who may vote both under title I and title II.

Mr. BALL. Mr. President, will the Senator yield?

Mr. LUCAS. I regret I cannot yield. I have not the time.

The War and Navy Departments have already made plain the practical difficulties to voting in wartime by servicemen, especially those overseas.

The reason we agreed to the Danaher amendment was that we realized the difficulties under which the men overseas would vote, and we realized further that under the Danaher amendment there would be a better opportunity for the servicemen abroad to vote under title I, and a good opportunity for those in this country to vote under title II.

The Army and Navy advise that, without too much interference with their primary obligation to carry on the war, it may be possible to administer a procedure which is uniform and as simple as possible; that anything more onerous is a more remote possibility. The Ball amendment is a step away from uniformity and simplicity. Instead of all servicemen having equal rights under title I and title II, some are to have rights only under title II. This may seem to be a small difference; but translate it into terms of 11,000,000 men and women from 48 States, scattered all over the world, engaged in a great war as their principal function, and it is obvious that it increases the burden on the services and tends to make less possible of satisfactory accomplishment the objective of giving 11,000,000 servicemen a reasonable opportunity to vote.

The truth of the matter is that under the pending amendment not 5 percent of the men overseas would ever get the ballot which we have been discussing, which would entitle them to vote for both State and Federal officers, from county coroner up to President of the United States. If we are sincere in wanting the men to vote for Governor and county coroner, the same services must transmit the ballots for mayor of the town, members of the school board, drainage commissioners, county commissioners, and other officers who are just as important from the standpoint of the voter as is the county sheriff or the county coroner.

I invite attention to the form of ballot on page 3 of the Taft amendment. In this debate we have heard about the bobtailed ballot and the shirt-tail ballot. I have heard my good friend the senior Senator from Tennessee [Mr. MCKELLAR], a man for whom I have the greatest affection, become almost emotional over the protection of the Constitution of the United States in connection with the Green-Lucas bill because of the form of the ballot.

If the Green-Lucas bill is unconstitutional, I challenge the Senator from Tennessee or any other Senator who favors the Taft amendment to make a constitutional argument in behalf of that amendment. The same features and the same principles which are involved in the Green-Lucas bill are involved in the Taft amendment. The bobtailed ballot, about which we have heard so much in the Halls of Congress during the past 2 weeks, is still present. The only difference is that it is in a different form.

In the form of ballot in the Taft-McKellar amendment it is proposed that the voter write in the name of his choice for President, the name of his choice for Senator, and the name of his choice for Representative in Congress. In the State of Illinois a voter may go into an election booth, and all he has to do is to put a little cross in a big circle to vote for every candidate of the Democratic or Republican Party, as the case may be. In my State even a voter who cannot write his name may vote, as he should have the right to do, by having someone tell him how the ballot should be marked, witness his mark, and make an affidavit that he saw how the ballot was marked, and that the voter voted the way he intended to vote. Yet it is proposed to say to the soldier that he must write in the name of his choice for President, Senator, and Representative. At home a man who cannot even read is permitted to vote the ballot the way he wishes to vote. The man who cannot write his name is preferred over the soldier, the sailor, and the marine who are fighting in every section of the globe.

That is the kind of bobtailed ballot we have before us at the present time. If the form of ballot in the Green-Lucas bill is unconstitutional, God knows what violence this ballot would do to the Constitution of the United States.

The proponents of the Taft amendment found it necessary to include many things in order to obtain the sponsorship of Senators whose names appear on it. They finally included the Overton amendment. I respectfully request Senators who are interested in sections 1 and 2 of Public Law 712, dealing with registration and the poll tax, and which we have already established as the basic law of the land, to look at section 14, on page 12, of the Taft amendment. It provides as follows:

> The functions and powers of the Soldiers' and Sailors' War Ballot Commission under this act shall be administrative only. Nothing in this act shall be construed to confer a right to vote upon any person who does not possess the qualifications prescribed and defined by State law.

The qualifications prescribed and defined by State law—the very thing we battled over for days in the Senate. For many days we debated the question of qualifications of voters. This is the very thing which we defeated in the Senate by a vote of 66 to 16. We now find it in the Taft amendment. Senators on the other side of the aisle who voted against the elimination of the poll-tax and registration requirements in Public Law 712 now have their names on the Taft amendment. How can they do it? Listen to this:

> And nothing in this act shall be construed to affect the right of any State to prescribe and define the qualifications of electors entitled to vote in elections held in such State, and to determine what persons possess such qualifications.

That is squarely in the teeth of Public Law 712. There is no doubt about it. That is the main thing in which my good friend the Senator from Louisiana [Mr. OVERTON] has been interested; and that, of course, is his privilege.

We come now to the question of the validity of ballots, and we find the very language upon which we had either a yea-and-nay or a voice vote the other day. In the last sentence of the subsection headed "Validity of ballots" the following sentence has been added:

> The qualifications of voters shall be determined in accordance with State law.

The PRESIDING OFFICER (Mr. JOHNSON of Colorado in the chair). The time of the Senator on the amendment has expired.

Mr. LUCAS. I will take 5 minutes on the bill.

The PRESIDING OFFICER. The Senator has not yet taken any time on the bill.

Mr. LUCAS. I will take some time on the bill.

Mr. OVERTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LUCAS. I do not want the interruption to be taken out of my time.

Mr. OVERTON. I should like to know, for my own information, whether a Senator may divide his time on the bill by taking 5 minutes now and 5 minutes later.

The PRESIDING OFFICER. A Senator may speak only once on the bill, whether he speaks for 5 minutes or whether he consumes his entire time.

Mr. LUCAS. I will take the remainder of my time on the bill.

To repeat, Mr. President, in subsection (b) of section (14), under the heading "Validity of ballots," we have the exact thing which the Senate defeated by a vote. It will be recalled that I asked the Senator from Louisiana a question on this subject. The language of his amendment provided that the qualifications of voters should be determined in accordance with State law.

I asked the Senator from Louisiana if that did not go to the heart of sections 1 and 2, and he said that it literally tore the heart out of those sections. That is exactly as I recall the words which were used. How any Member of the Senate could vote a few days ago against repeal of sections 1 and 2 of Public Law 712, and today reverse himself by voting for repeal, is a little difficult for me to understand.

Mr. President, this is a scheme to defeat the Green-Lucas bill. Senators who are opposed to the bill do not care how they defeat it, so long as they can get all the amendments possible, tied up one with another, by those who have sought to have amendments agreed to here. But, my fellow colleagues, I undertake to say that if this amendment is agreed to, the boys overseas might just as well forget about attempting to vote in the 1944 election.

A few days ago my good friend from Tennessee [Mr. MCKELLAR] referred to the constitutionality of the bill, and talked for a long time about it. One of my good friends on the Republican side of the aisle said that the Senator from Tennessee—and I agreed with him—had made one of the most remarkable speeches on the question of the constitutionality of the Lucas-Green bill he had heard since he had been a Member of the Senate. But today, Mr. President, my good friend has his name on the Taft amendment which, from the standpoint

of the Constitution, deals with the same basic and fundamental propositions that are dealt with by the Lucas-Green bill. I undertake to say that my bill is constitutional, Mr. President.

A few days ago the great Senator from Tennessee referred in his argument to a case which he said he did not believe had ever been overturned. He cited the case of *In re Green* (134 U. S. 377–379). That is the case which dealt with Presidential electors. I have not heard it denied that under section 4 of article I of the Constitution the Congress cannot set up its own machinery for holding elections insofar as voting for Representatives and Senators is concerned, but it is all hinged on the question of the electors who finally cast their ballots for the President of the United States.

I will read from a case which is much later than the one which the Senator from Tennessee discussed a few days ago, namely, *Burroughs* v. *Cannon*, found in Two Hundred and Ninetieth United States Reports, page 534. The opinion was written by Justice Sutherland. As I recall, he was one of those rugged individuals, a firm believer in the Constitution. I will read what he said in a famous opinion in a case dealing with the Corrupt Practices Act, where a demurrer was overruled to the indictment. As I recall, the indictment was in the State of Louisiana.

Mr. McKELLAR. Mr. President, may I ask the Senator what is the citation?

Mr. LUCAS. It is the Burroughs case, found in Two Hundred and Ninetieth United States Reports, at page 534. I will hand it to the Senator when I have finished.

Mr. McKELLAR. Very well.

Mr. LUCAS. This is what the opinion said in dealing with the Presidential electors:

> While Presidential electors are not officers or agents of the Federal Government (*in re Green*, 134 U. S. 377, 379)—

That is the same case which the Senator from Tennessee read.

Mr. McKELLAR. No, I read from the case of McPherson against Blacker.

Mr. LUCAS. That is correct, but in the McPherson case the Green case was referred to as it is also referred to in this case.

I continue reading from the opinion:

> they exercise Federal functions under, and discharge duties in virtue of authority conferred by, the Constitution of the United States. The President is vested with the executive power of the Nation. The importance of his election and the vital character of its relation to and effect upon the welfare and safety of the whole people cannot be too strongly stated. To say that Congress is without power to pass appropriate legislation to safeguard such an election from the improper use of money to influence the result is to deny to the Nation in a vital particular the power of self-protection.

Mr. McKELLAR. Mr. President, if the Senator will permit me, I think Justice Sutherland was entirely right in that statement. It is an entirely different case, and has nothing in the world to do with, and does not remotely relate to, the power of voting.

Mr. LUCAS. The Senator from Tennessee may have his own opinion, and, of course, I respect it, but I am constrained to disagree with him. I read further.

> Congress, undoubtedly, possesses that power, as it possesses every other power essential to preserve the departments and institutions of the general government from impairment or destruction, whether threatened by force or corruption.

The point I make to the Senator from Tennessee is that if the Congress of the United States can protect an election from political corruption or force insofar as electors are concerned, it also has that same power to protect the election from political distortion.

I cite to the Senate a case in which political distortion is now being practiced by our Government. We are at war. War has taken 5,000,000 men and caused them to be sent overseas. These men are not overseas through any choice of their own. They are there as citizen soldiers. I undertake to say that if Congress can go into a district and protect against corruption electors who have been elected in the case of the President of the United States, it has the same power to protect them from political distortion caused by the act of war. In other words, Mr. President, Congress has the power to declare war. After war has been declared, under the eighteenth paragraph of section 8, article I of the Constitution Congress has the power—

> To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States or in any department or officer thereof.

In other words, after war has once been declared Congress has the power to make the laws which have to do with the effective prosecution of the war.

If Senators believe that the soldiers should have a right to vote as a morale builder, then they are doing something to effectuate the successful prosecution of the war. Everyone has said that the soldier ought to vote; no one will deny that the opportunity to vote will be a morale builder; everyone knows that the morale of the soldier will be injured and impaired if he shall not have the opportunity to vote.

I undertake to say, with that set of circumstances before us, political distortion is here. Under the protecting powers of the Constitution, under the war powers of the Constitution, it is our duty to step in and find the remedy. The Lucas-Green bill is the constitutional answer.

I repeat what I said a moment ago that in the event this bill is unconstitutional I challenge anyone to make an argument for the constitutionality of the Taft-McKellar amendment which is now before the Senate.

Mr. President, I think that is about all I care to say upon this important question. I know that we are dealing with a sacred right; I know that we are dealing with a fundamental principle of representative government. I know that the American soldier and sailor and marine, wherever they may be fighting, wherever they may be training, whether in this country or elsewhere, should be given an opportunity to vote with the least possible trouble and the least expenditure of time upon their part.

Mr. President, if we leave it to the States, there will not be 5 percent of the soldiers, sailors, and marines who are serving outside the continental limits of the United States who will ever vote; it just will not be possible, and it has been so stated over and over again. The only reason this bill was brought before the Senate in the first instance was because of the impossibility of the ballots of 48 States with 48 different procedures, and thousands upon thousands of ballots from every county in the United States of America being placed in the hands of the servicemen. The issue has never changed from the day the bill was introduced until now. The sole issue is, Do you want a uniform and simple ballot to enable in the easiest way possible the man who is fighting and dying for his country to have an opportunity to vote?

Mr. LANGER. Mr. President, I deeply regret that I am unable to agree with my distinguished colleague from Ohio [Mr. TAFT] in what he said a few moments ago about his amendment.

Section 14 (a) of his amendment reads as follows:

> SEC. 14. (a) The functions and powers of the Soldiers' and Sailors' War Ballot Commission under this act shall be administrative only. Nothing in this act shall be construed to confer a right to vote upon any person who does not possess the qualifications prescribed and defined by State law for electors in the State of his residence; and nothing in this act shall be construed to affect the right of any State to prescribe and define the qualifications of electors entitled to vote in elections held in such State and to determine what persons possess such qualifications.

And subsection (b) reads:

> VALIDITY OF BALLOTS
>
> (b) The Commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States. Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified. The qualifications of voters shall be determined in accordance with State law.

Mr. President, three times the distinguished Senator from Louisiana [Mr. OVERTON] offered his amendment providing that the qualifications of soldier voters shall be determined in accordance with State law, and three times, by an overwhelming vote, the Senate voted against it. Yet, Mr. President, in the Taft amendment we find exactly the same language:

> The qualifications of voters shall be determined in accordance with State law.

Mr. President, what are the qualifications of some of the States? Under such qualifications millions—and I use that number advisedly—thousands of young

men both white and black will be discriminated against in the eight Southern poll-tax States alone. Inquiry this morning made at the War Department shows that there are more than 600,000 servicemen serving from the eight poll-tax States. In my opinion there is no question that these men, and the women, too, who are in the service, would be disqualified if the Taft amendment should be adopted.

Mr. President, a stigma has been placed upon the colored citizens by the Democratic Party, and the Republican Party is now about to join in it, because if the Taft amendment is adopted, it can only be adopted by Republican votes. All the platforms that have been adopted by the Republican Party from 1872, every 4 years up to and including the last Republican convention, have said that the Republican Party was the friend of the Negroes and the poor white folks in the Southern States.

Mr. President, the Taft amendment, if adopted, would incorporate these words into the bill:

The qualifications of voters shall be determined in accordance with State law.

What are the qualifications in Alabama? The qualifications in that State were adopted in 1900. I will read the law with respect to qualifications enacted by the State of Alabama:

1. Those who can read and write any article of the Constitution of the United States in the English language, and who are physically unable to work; and those who can read and write any article of the Constitution of the United States in the English language and who have worked and have been regularly engaged in some lawful employment, business or occupation, trade, or calling for the greater part of the 12 months preceding the time they offer to register; and those who are unable to read and write, if such inability is due solely to physical disability; or

2. The owner in good faith in his own right, or the husband of a woman who is the owner in good faith in her own right, of 40 acres of land situate in this State, upon which they reside; or the owner in good faith in his own right or the husband of any woman who is the owner in good faith in her own right of any real estate situate in the State assessed for taxation at the value of $300 or more, or the owner in good faith in his own right or the husband of any woman who is the owner in good faith in her own right of personal property in this State assessed for taxation for $300 or more: *Provided*, That the taxes due upon such real estate or personal property for the year next preceding the year for which he offers to register shall have been paid, unless the assessment shall have been legally contested and is undetermined.

Mr. President, the law of the State of Georgia, adopted in 1902, provided:

PARAGRAPH 1. Election by the people shall be by ballot, and only these persons shall be allowed to vote who have first been registered in accordance with the requirements of law.

PAR. 2. Every male citizen of the State who is a citizen of the United States, 21 years old or upward, not laboring under any of the disabilities named in this article, and possessing qualifications provided by it, shall be an elector and entitled to register and vote at any election by the people; provided that no soldier, sailor, or marine in the military or naval service of the United States shall acquire the rights of an elector by reason of being stationed on duty in this State.

PAR. 3. To entitle a person to register and vote at any election by the people he shall have resided in the State 1 year next preceding the election, and in the county in which he offers to vote 6 months next preceding the election, and shall have paid all taxes which may have been required of him since the adoption of the Constitution of Georgia of 1877, that he may have had an opportunity of paying agreeably to law. Such payments must have been made at least 6 months prior to the election at which he offers to vote, except when such elections are held within 6 months from the expiration of the time fixed by law for the payment of such taxes.

PAR. 4. Every male citizen of this State shall be entitled to register as an elector and to vote at all elections of said State who is not disqualified under the provisions of section 2 of article 2 of this constitution, and who possesses the qualifications prescribed in paragraphs 2 and 3 of this section or who will possess them at the date of the election occurring next after his registration and who in addition thereto, comes within either of the classes provided for in the five following subdivisions of this paragraph:

1. All persons who have honorably served in the land or naval forces of the United States in the Revolutionary War or the War of 1812 or in the War with Mexico or in any war with the Indians, or in the War between the States, or in the War with Spain, or who honorably served in the land or naval forces of the Confederate States of the State of Georgia in the War between the States; or

2. All persons lawfully descended from those embraced in the subdivision next above; or

3. All persons who are of good character and understand the duties and obligations of citizenship under a republican form of government; or

4. All persons who can correctly read in the English language any paragraph of the Constitution of the United States or of this State and correctly write the same in the English language when read to him by any one of the registrars, and all persons who, solely because of physical disability, are unable to comply with the above requirements, but who can understand and give reasonable interpretation of any paragraph of the Constitution of the United States or of this State, that may be read to them by one of the registrars; or

5. Any person who is the owner in good faith in his own right of at least 40 acres of land situated in this State, upon which he resides, or is the owner in good faith in his own right of property situated in this State and assessed for taxation at the value of $500.

PAR. 5. The right to register under subdivisions 1 and 2 of paragraph 4 shall continue only until January 1, 1915, but the registrars shall prepare a roster of all persons who register under subdivisions 1 and 2 of paragraph 4 and shall return the same to the clerk's office of the superior court of their counties and the clerks of the superior court shall send copies of the same to the secretary of state, and it shall be the duty of these officers to record and permanently preserve these rosters. Any person who has been once registered under either of these subdivisions 1 or 2 of paragraph 4 shall thereafter be permitted to vote, provided he meets the requirements of paragraphs 2 and 3 of this section.

PAR. 6. Any person to whom the right of registration is denied by the registrars on the ground that he lacks the qualifications set forth in the five subdivisions of paragraph 4 shall have the right to take an appeal, and any citizen may enter an appeal from the decision of the registrars allowing any person to register under said subdivisions. All appeals must be filed in writing with the registrars within 10 days from the date of the decision complained of and shall be returned by the registrars to the office of the clerk of the superior court to be tried as other appeals.

PAR. 7. Pending an appeal and until the final decision of the case the judgment of the registrars shall remain in full force.

PAR. 8. No person shall be allowed to participate in a primary of any political party or a convention of any party in the State who is not a qualified voter.

Mr. President, I next come to the law of Louisiana. This is the State from which comes the distinguished senior Senator from Louisiana [Mr. OVERTON], whose amendment was three times voted down by this body. The Louisiana law, adopted in 1897, provides:

SEC. 3. He (the voter) shall be able to read and write, and shall demonstrate his ability to do so when he applies for registration, by making, under oath administered by the registration officer or his deputy, written application therefor, in the English language or his mother tongue, which application shall contain the essential facts necessary to show that he is entitled to register and vote, and shall be entirely written, dated, and signed by him in the presence of the registration officer or his deputy, without assistance or suggestion from any person or memorandum whatever, except the form of application hereinafter set forth.

Note this:

SEC. 5. No male person who was on January 1, 1867—

January 1, 1867—

SEC. 5. No male person who was on January 1, 1867, or at any date prior thereto, entitled to vote under the constitution or statutes of any State of the United States, wherein he then resided, and no son or grandson of any such person not less than 21 years of age at the date of the adoption of the constitution, and no male person of foreign birth, who was naturalized prior to the 1st day of January 1885, shall be denied the right to register and vote in this State by reason of his failure to possess the education or property qualifications prescribed by this constitution; provided he shall have resided in this State for 5 years next preceding the date at which he shall apply for registration, and shall have registered in accordance with the terms of this article prior to September 1, 1898, and no person shall be entitled to register under this section after that date.

Now I come to the law in Mississippi, adopted in 1890:

SEC. 244. On and after the 1st day of January 1892, every elector shall, in addition to the foregoing qualifications, be able to read any section of the constitution of this State; or he shall be able to understand the same when read to him, or to give a reasonable interpretation thereof.

The law of North Carolina, adopted in 1901, and still the law, provides:

ARTICLE VI

SEC. 4. Every person presenting himself for registration shall be able to read and write any section of the Constitution in the English language, and shall show to the satisfaction of the registrars his ability to read and write any such section when he applies for registration, and before he is registered: *Provided, however*, That no male person who was on January 1, 1867, or any time prior thereto, entitled to vote under the laws of any State in the United States where he then resided, and no lineal descendant of such person shall be denied the right to register and vote

at any election in this State by reason of his failure to possess the educational qualifications aforesaid: *Provided*, That it shall be made to appear to the registrar that he or his ancestor was entitled to vote prior to January 1, 1867, in any State in the United States, as prescribed by article 6, section 4, of the constitution, and such person if otherwise qualified shall be registered, and no registrar shall have the right to inquire whether such person can read or write.

Mr. President, the law in South Carolina, adopted in 1895, provided:

SEC. 174. Every male citizen of this State and of the United States, 21 years of age and upward, not laboring under disabilities named in the Constitution of 1895 of this State, and who shall have been a resident of the State for 2 years, in the county 1 year, in the polling precinct in which the elector offers to vote 4 months before any election, and shall have paid 6 months before any election any poll tax then due and payable, and who can read and write any section of the said Constitution submitted to him by the registration officers, or can show that he owns and has paid all taxes collectible due the previous year on property in the State assessed at $300 or more and who shall apply for registration shall be registered.

The law in Virginia, adopted in 1902, provides:

SEC. 20. After the 1st day of January 1904, every male citizen of the United States, having the qualifications of age and residence required in section 18 shall be entitled to register:

Provided:

1. That he has personally paid to the proper officer all State poll taxes assessed or assessable against him, under this or the former Constitution for the 3 years next preceding that in which he offers to register; or, if he come of age at such time that no poll tax shall have been assessable against him for the year preceding the year in which he offers to register, has paid $1.50 in satisfaction of the first year's poll tax assessable against him; or

2. That unless physically unable, he makes application to register in his own handwriting, without aid, suggestion, or memorandum, in the presence of the registration officers stating therein his name, age, date and place of birth, residence and occupation at the time and for the 2 years next preceding, and whether he has previously voted, and, if so, the State, county, and precinct in which he voted last; and

3. That he answer on oath any and all questions affecting his qualifications as an elector, submitted to him by the officers of registration, which questions and his answers thereto shall be reduced to writing, certified by the said officers, and preserved as a part of their official records.

SEC. 21. Any person registered under either of the last two sections shall have the right to vote for members of the general assembly and all officers elected by the people, subject to the following conditions:

That he, unless exempted by section 21, shall, as a prerequisite to the right to vote after the 1st day of January 1904, personally pay at least 6 months prior to the election, all State poll taxes assessed or assessable against him, under this Constitution, during the 3 years next preceding that in which he offers to vote: *Provided*, That if he registers after the 1st day of January 1904, he shall, unless physically unable, prepare and deposit his ballot without aid, on such printed form as the law may prescribe; but any voter registered prior to the date may be aided in preparation of his ballot by such officer of election as he himself may designate.

SEC. 22. No person who, during the late War between the States, served in the Army or Navy of the United States, or the Confederate States or any State of the United States, or of the Confederate States, shall at any time be required to pay a poll tax as a prerequisite to the right to register or vote. The collection of the State poll tax assessed against anyone shall not be enforced by legal process until the same has become 3 years past due.

Mr. President, these are the laws of the States I have enumerated. I am sorry the distinguished senior Senator from Ohio [Mr. TAFT] is not in the Chamber at the moment, because I have discussed this matter with him on two occasions, and I wish to say that under the Taft amendment, if the ballots shall be sent out, the qualifications of the voters will be determined in accordance with the State law.

The amendment provides, in lines 4 to 9, on page 13:

(b) The Commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States.

In other words, Mr. President, under the provisions of the pending amendment, before a serviceman can vote, the election officers in the various election precincts, districts, counties, or voting units may provide the educational test.

Every Senator knows exactly how persons have been discriminated against in Southern States. Senators may remember the case of a professor who had been teaching Latin and Greek in one of the great universities of the East, who when he came to vote in a certain Southern State was denied the vote because, so it was claimed, he did not have sufficient education. The books are full of court decisions in cases concerned with poor men, white and black, who, when presenting themselves to vote, have been asked to recite a portion of the Constitution of the country, and upon their inability to do so have been barred from voting.

Mr. President, I wish to make it very clear to my colleagues that in my view Republican Senators, if they vote to adopt the pending amendment, will be joining the Democratic Party of this country just as last night in the House of Representatives the Republican Party, through its properly constituted representatives in the House, joined the Democratic Party when Republican Representatives voted to pass the soldiers' vote bill pending in the House.

I read the following from this morning's Washington Post, on page 3:

Just before the Rankin State-voting measure was passed, Representative JAMES A. WRIGHT (Democrat), of Pennsylvania, offered an amendment to RANKIN'S measure specifying that none of its provisions be construed as invalidating the 1942 law waiving State poll taxes and registration for servicemen. This likewise was defeated, 167 to 94. Republicans, although traditionally opposed to poll taxes, cast the largest vote against this move to waive them.

The PRESIDING OFFICER (Mr. WALLGREN in the chair). The time of the Senator on the amendment has expired.

Mr. LANGER. I will now speak on the bill, Mr. President.

The PRESIDING OFFICER. The Senator is recognized for 20 minutes on the bill.

Mr. LANGER. Mr. President, I say that any man asking for the Republican suffrage in any State in the Union, I care not what State it may be, should be judged by his record on this vote. We either are fighting for democracy in the United States or we are not. Across the water, Mr. President, the bullets do not make any distinction between a poor white boy and a rich white boy, or a poor black boy or a rich black boy. If bullets do not make any difference, why should we make a distinction by ballots?

O Mr. President, every time an election has come around the Republican Party has courted the black man and the poor white man down South. In 1872, in 1876, in 1880, in 1884, in 1888, in 1892, in 1896, in 1900, in 1904, in 1908, in 1912, in 1916, in 1920, in 1924, in 1928, in 1932, in 1936, and in 1940 when the Republican Party wanted votes from these poor whites and from these poor blacks it said, "We have declared in our platform that we are your friends," while the Democratic platform each time was silent. We find not a word along that line in any Democratic platform in the years I have specified. It was the Republican Party that said, "We are your friends."

In 1944 again, in the States of Pennsylvania, Indiana, New York, Illinois, and all the other States, the Republican Party is going to say to the black men, "We are your friends. We have always helped in every way we could to give the poor white and the poor black in the Southern States the vote." I ask, Mr. President, that the record of the Republican Party be judged by this vote today. Now is the time for the Republican Party to keep its promise. I ask that the record of each individual Senator be judged by his vote on this occasion, because language of the pending amendment is stated so clearly that, if it is adopted, the result can only be that the poor whites and the poor blacks from the Southern poll-tax States who are across the water fighting for this country will be barred from voting.

Mr. President, I say that if the Republican Party has joined the Democratic Party in barring these poor people, then the time is ripe when the poor people, white or black, all over this Nation, should get together and say "A plague on both your houses." I will go even further and say that if Mr. Wendell Willkie should bolt the party, as some have said he might under certain circumstances, and even if Mr. Wendell Willkie becomes the head of a liberal party, as some hope he will, and if this kind of measure is going to be adopted by the Republicans of this country, then I say godspeed to him when he goes out campaigning throughout the country as a friend of the poor black and as a friend of the poor white.

Mr. President, I was sent here by the rank and file of the people of my State, and even though my voice be the only one raised upon this floor in defense of the voting rights of the poor white and the poor colored soldiers, I am glad of the opportunity to be heard. So, as a good Republican, as a man elected on the Republican ticket, as a man who is entirely satisfied as to the constitutionality of the Green-Lucas bill, I appeal to Senators to support it.

In view of the fact that politics has entered into this debate, in view of the further fact that so many persons are alleging that the President is endeavoring to have the measure passed because he believes it will help the Democratic Party, I say it is my judgment that when the soldiers come to vote the vote is going to be just about even between the Republicans and the Democrats. I think all politics should be kept out of this measure. I think in time of war politics should be adjourned. From the bottom of my heart, Mr. President, I believe that especially in wartime every soldier boy should be allowed to vote. If I had my way, every soldier boy, regardless of age, would be allowed to vote. I think the laws of some of the States should be amended so as to reduce the age limit in order to permit all soldiers to vote.

So, Mr. President, feeling as strongly as I do about this bill——

Mr. MOORE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Does the Senator from North Dakota yield to the Senator from Oklahoma?

Mr. LANGER. Yes; I yield.

Mr. MOORE. Let me inquire of the Senator, why not have the Congress pass a law lowering the age limit?

Mr. LANGER. Mr. President, I will not enter into a debate on that matter. We had that question under consideration the other day, and it was debated upon this floor.

Mr. President, I inquire how much more time I have remaining.

The PRESIDING OFFICER. The Senator has approximately 12 minutes remaining.

Mr. LANGER. I thank the Chair.

So, Mr. President, feeling as strongly as I do about this measure, I call the attention of the Senate to the Republican campaign literature which I now hold in my hand, and which was prepared during the campaign of Alfred M. Landon. It is entitled "The Republican Party and the American Colored People."

At that time the Republican Party was looking for votes. At that time representatives of the Republican Party went over the highways and byways trying to gather votes wherever it could. The Republican Party, at its national headquarters set up a division whose sole purpose was to get the poor colored and white folks from the Southern States to vote the Republican ticket. They sent out hundreds of speakers. For a time they thought they might even carry a part of the solid South. At one time they seriously considered putting into the Southern States a ticket headed by Mr. Landon, but called "Liberal," or some other name, instead of being called "Republican." At that time, just as today, 1944, the Republican Party wanted those votes.

The situation reminds me of the fact that in my own State every time an election occurs the reactionary politicians call upon the farmers and say to the farmers almost anything that occurs to them to say. They tell the farmers they are going to do this, that, and the other thing for them. But just as soon as the election is over, they forget all about the farmers. That is one reason why in 1932 we had 24-cent wheat in my State, 17-cent rye, and 7-cent oats. It is my judgment—and I believe history will prove—that after every one of the elections in which either the Republican Party or the Democratic Party has made such glowing promises to the poor whites and the poorer colored people, just so soon as the election ended they forgot all about the promises. I ask any Senator upon this floor to name any really substantial thing which either the Democratic Party or the Republican Party in recent years has done for the poor whites or the poor colored people in the South. They have had nothing but glowing promises. They have never had performance.

I repeat, Mr. President, that if the Republican Party, which has at least said it was the friend of the poor whites and poor black people in the South is now going to join the Democratic Party, as apparently it did last night in the House of Representatives, according to Washington dispatches, then these poor people of this whole country should definitely get together to ascertain whether something can be done, acting unitedly, to keep the real power of this Government in the hands of the common people.

We all know how the Presidents have been chosen, Mr. President—5 or 6 millionaire Democrats getting into 1 smoke-filled room and picking 1 candidate, and 5 or 6 millionaire Republicans getting into another smoke-filled room and picking another candidate, and then the 10 millionaires retiring into some cocktail lounge and laughing at the common people, and saying, "Look at them fight out there. What difference does it make which one of the two they elect? We picked them both."

So, Mr. President, that is one of the reasons why sometime ago I introduced Senate Joint Resolution 107 providing for the adoption of a constitutional amendment abolishing the electoral college and providing for the direct election of the President of this country by the people. I tried to follow the footsteps of Robert La Follette, Sr., and of George Norris, of Nebraska, who once advocated such a measure, and stood upon this floor and fought for it. It was defeated. I wish it had been adopted; because if it had, and if the people had had a direct vote for President, in my judgment the history of this country would have been entirely different from what it has been lately.

Mr. EASTLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Overton
Andrews	Gillette	Pepper
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hill	Shipstead
Brewster	Holman	Smith
Brooks	Jackson	Stewart
Buck	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Bushfield	La Follette	Thomas, Okla.
Butler	Langer	Thomas, Utah
Byrd	Lucas	Tobey
Capper	McCarran	Truman
Caraway	McClellan	Tunnell
Chandler	McFarland	Tydings
Chavez	McKellar	Vandenberg
Clark, Idaho	Maloney	Wagner
Clark, Mo.	Maybank	Wallgren
Connally	Mead	Walsh, Mass.
Danaher	Millikin	Walsh, N. J.
Davis	Moore	Wheeler
Downey	Murdock	Wherry
Eastland	Murray	White
Ellender	Nye	Willis
Ferguson	O'Daniel	Wilson
George	O'Mahoney	

The PRESIDING OFFICER. Eighty-nine Senators have answered to their names. A quorum is present.

Mr. GREEN. Mr. President, I submit an amendment which I intend to propose to Senate bill 1612, and ask that it be read by the clerk.

The PRESIDING OFFICER. Without objection, the clerk will read the amendment for the information of the Senate.

The CHIEF CLERK. On page 35, lines 10 to 24, and page 36, lines 1 to 25, it is proposed to strike out all of sections 9 (a) and 9 (b) there appearing and substitute therefor the following:

SEC. 9. (a) The Secretaries of War and Navy, insofar as practicable and compatible with military operations, shall cause ballots, envelopes, explanations of voting procedure, and lists of candidates, promptly after receipt thereof from the Commission, to be distributed to members of the armed forces and to civilians attached to and serving with the armed forces and entitled to vote under this title, who desire to vote under this title, and shall cause executed ballots to be collected and transmitted to the Commission.

(b) Wherever practicable and compatible with military operations, the appropriate commanding officer shall be required—

(1) to cause lists of candidates to be posted and otherwise made available at conspicuous and convenient places, and to cause copies of explanations of voting procedure and all other necessary information to be furnished to members of his unit and civilians attached to and serving with such unit and entitled to vote under this title;

(2) to use his best efforts to assure that every person in or attached to and serving with his unit, who is entitled and desires to vote under this title, has an opportunity to mark his ballot in secret before the latest date which should afford a reasonable opportunity for the return of executed ballots;

(3) to destroy, as soon as practicable after the completion of voting within his unit under this section, all official Federal war ballots in his custody remaining unused.

(c) It shall be unlawful for any commissioned, noncommissioned, warrant, or petty officer in the armed forces of the United States (1) to suggest to any member of the armed forces that he shall vote, shall not

vote, or that he shall vote or not vote for any candidate, or (2) to require any member of the armed forces to march to any polling place or places of voting.

Mr. WHITE and Mr. JOHNSON of Colorado addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Mr. WHITE. I should like to make an inquiry. Is the language which we have just heard read a committee amendment or an amendment offered to the committee amendment or to the so-called compromise amendment?

Mr. GREEN. It is a proposed amendment to Senate bill 1612, which is pending before the Senate. It is not offered as an amendment to the so-called Taft amendment.

Mr. JOHNSON of Colorado. Mr. President, I desire to ask the Senator from Rhode Island a question with respect to the amendment he has just offered. I notice that he has adopted the language of the amendment as I have prepared it.

Mr. GREEN. That is very true. The Senator from Colorado deserves the credit for proposing the amendment.

Mr. JOHNSON of Colorado. I do not care anything about the credit. I want to find out whether this amendment has been submitted to the War and Navy Departments for their approval or disapproval?

Mr. GREEN. It has.

Mr. JOHNSON of Colorado. Has my amendment, along with the other amendments, been submitted to the War and Navy Departments, and have they approved the language of my amendment?

Mr. GREEN. I would rather not go further than to say that they have not disapproved.

Mr. JOHNSON of Colorado. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Rhode Island.

Mr. TAFT. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. TAFT. Is the amendment to be voted on before the amendment I offered is voted on?

The PRESIDING OFFICER. Under rule XVIII the amendment offered by the Senator from Rhode Island will take precedence over the pending amendment of the Senator from Ohio.

Mr. CLARK of Missouri. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK of Missouri. The Senator from Rhode Island did not offer the amendment, as I understand. He gave notice that he was going to offer it. In that case, unless he does offer it now, the rule would be that the amendment in the nature of a substitute of the Senator from Ohio would be voted on; and if the amendment of the Senator from Ohio were agreed to, it would then be too late to vote on the amendment of the Senator from Rhode Island.

The PRESIDING OFFICER. The Chair understood the Senator from Rhode Island to offer his amendment. The Chair asks the Senator from Rhode Island if he offered the amendment, or stated that he intended to offer it.

Mr. GREEN. Mr. President, I intended to say that I would propose it, which I now do.

The PRESIDING OFFICER. The pending question is on agreeing to the amendment of the Senator from Rhode Island.

Mr. TAFT. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. TAFT. What is the basis of fact on which the amendment of the Senator from Rhode Island is given precedence over my amendment? I cannot see anything in rule XVIII which would suggest any such procedure.

Mr. BARKLEY. Mr. President, if the Senator from Ohio will yield to me, let me say it has been the practice and rule of the Senate that when an amendment in the nature of a substitute is offered it is in order to perfect the original language before the substitute is voted on.

Mr. TAFT. I have offered an amendment, not a substitute.

Mr. BARKLEY. It is in the nature of a substitute for certain parts of the bill.

Mr. TAFT. It is an amendment to the bill from pages 19 to 44, inclusive, and leaves three or four pages at the beginning of the bill and three or four pages at the end.

Mr. BARKLEY. I understand.

Mr. TAFT. Therefore, it is an amendment.

Mr. BARKLEY. But it is a substitute for the language which the Senator seeks to strike out of the bill.

Mr. TAFT. It does not make a great deal of difference to me, but I do not see anything in Rule XVIII which would give precedence to the amendment of the Senator from Rhode Island over my amendment.

The PRESIDING OFFICER. The Chair will state that rule XVIII reads as follows:

> But pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded for the purpose of amendment as a question; and motions to amend the part to be stricken out shall have precedence.

The Chair rules that under rule XVIII the amendment offered by the Senator from Rhode Island [Mr. GREEN], being a perfecting amendment, takes precedence over the pending amendment of the Senator from Ohio [Mr. TAFT].

Mr. GREEN. Mr. President, is it understood that I have offered my amendment? That was my intention.

The PRESIDING OFFICER. The Chair rules that the Senator from Rhode Island has offered his amendment. The amendment of the Senator from Rhode Island is the pending question.

The amendment was agreed to.

The PRESIDING OFFICER. The question now recurs on the amendment of the Senator from Ohio.

Mr. McKELLAR. Mr. President, I believe a quorum should be present before a vote is taken. Therefore, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Overton
Andrews	Gillette	Pepper
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hill	Shipstead
Brewster	Holman	Smith
Brooks	Jackson	Stewart
Buck	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Bushfield	La Follette	Thomas, Okla.
Butler	Langer	Thomas, Utah
Byrd	Lucas	Tobey
Capper	McCarran	Truman
Caraway	McClellan	Tunnell
Chandler	McFarland	Tydings
Chavez	McKellar	Vandenberg
Clark, Idaho	Maloney	Wagner
Clark, Mo.	Maybank	Wallgren
Connally	Mead	Walsh, Mass.
Danaher	Millikin	Walsh, N. J.
Davis	Moore	Wheeler
Downey	Murdock	Wherry
Eastland	Murray	White
Ellender	Nye	Willis
Ferguson	O'Daniel	Wilson
George	O'Mahoney	

The PRESIDING OFFICER. Eighty-nine Senators have answered to their names. A quorum is present.

The question is on the amendment offered by the Senator from Ohio [Mr. TAFT] for himself and other Senators.

Mr. MILLIKIN. Mr. President, in my opinion the proposed amendment is unconstitutional. I believe it violates article II of the Constitution, which confides in the State legislatures the appointment of Presidential and Vice Presidential electors. However, the amendment has the merit of lessening the area of evil. I could not give final approval to legislation which I believed to be unconstitutional on the ground that it would inflict lesser injury than some other type of unconstitutional legislation that might be passed. I shall vote for the amendment, and shall vote against the bill whether or not it includes the amendment.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Ohio [Mr. TAFT] on behalf of himself and other Senators. The yeas and nays having been ordered, the clerk will call the roll.

The Chief Clerk called the roll.

Mr. McCARRAN. My colleague the junior Senator from Nevada [Mr. SCRUGHAM] is absent on official business. If present he would vote "nay."

Mr. TAFT. I announce that if the senior Senator from California [Mr. JOHNSON] were present, he would vote "yea."

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], who is absent from the Senate because of illness, is paired with the Senator from California [Mr. JOHNSON]. I am advised that if present and voting, the Senator from Virginia would vote "nay," and the Senator from California would vote "yea."

The Senator from Utah [Mr. THOMAS], who is detained in one of the Government departments on matters pertaining to the State of Utah, is paired with the Senator from New Hampshire [Mr. BRIDGES]. I am advised that if present and voting, the Senator from Utah would vote "nay," and the Senator from New Hampshire would vote "yea."

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent. He is paired with the Senator from Utah [Mr. THOMAS]. If present the Senator from New Hampshire would vote "yea," and I am advised that the Senator from Utah would vote "nay."

The Senator from California [Mr. JOHNSON] is necessarily absent. He is paired on this question with the Senator from Virginia [Mr. GLASS]. If present the Senator from California would vote "yea," and I am advised that the Senator from Virginia would vote "nay."

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The result was announced—yeas 42, nays 46, as follows:

YEAS—42

Bailey	George	Reed
Ball	Gerry	Revercomb
Bankhead	Gurney	Reynolds
Bilbo	Hawkes	Robertson
Brewster	Hill	Russell
Brooks	Holman	Shipstead
Buck	Johnson, Colo.	Smith
Bushfield	McClellan	Taft
Butler	McKellar	Thomas, Idaho
Byrd	Millikin	Wheeler
Capper	Moore	Wherry
Caraway	Nye	White
Connally	O'Daniel	Willis
Eastland	Overton	Wilson

NAYS—46

Aiken	Green	O'Mahoney
Andrews	Guffey	Pepper
Austin	Hatch	Radcliffe
Barkley	Hayden	Stewart
Bone	Jackson	Thomas, Okla.
Burton	Kilgore	Tobey
Chandler	La Follette	Truman
Chavez	Langer	Tunnell
Clark, Idaho	Lucas	Tydings
Clark, Mo.	McCarran	Vandenberg
Danaher	McFarland	Wagner
Davis	Maloney	Wallgren
Downey	Maybank	Walsh, Mass.
Ellender	Mead	Walsh, N. J.
Ferguson	Murdock	
Gillette	Murray	

NOT VOTING—7

Bridges	McNary	Thomas, Utah
Glass	Scrugham	Wiley
Johnson, Calif.		

So the amendment of Mr. TAFT (for himself, Mr. MCKELLAR, Mr. BALL, Mr. BAILEY, Mr. BANKHEAD, Mr. BREWSTER, Mr. BUCK, Mr. EASTLAND, Mr. MCCLELLAN, Mr. OVERTON, Mr. O'DANIEL, Mr. REYNOLDS, Mr. REVERCOMB, Mr. ROBERTSON, and Mr. SMITH) was rejected.

Mr. BARKLEY. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. CLARK of Missouri. I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Missouri to lay on the table the motion of the Senator from Kentucky.

The motion to lay on the table was agreed to.

Mr. LA FOLLETTE. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On Page 40, after line 25, it is proposed to insert the following:

SEC. 17. No person within or without the armed forces of the United States shall poll any member of such forces, either within or without the United States, either before or after he or she shall have executed any ballot either under the provisions of this title or under any State law, with reference to his or her choice of, or his or her vote for, any candidate for any of the offices authorized to be voted for by the use of the aforesaid ballot, nor state, publish, or release any result of any purported poll taken from or among the members of the armed forces of the United States or including within it the statement of choice for, or of votes cast by, any member of the armed forces of the United States for any of the offices authorized to be voted for by the use of the aforesaid ballot.

The word "poll" is defined as any request for information, either verbal or written, which by its language or form of expression requires or implies the necessity of an answer, where the request is made with the intent of compiling the result of the answers obtained, either for the personal use of the person making the request, or for the purpose of reporting the same to any other person, persons, political party, unincorporated association or corporation, or for the purpose of publishing the same orally, by radio, or in written or printed form.

The Secretaries of War and Navy, respectively, shall issue all necessary orders, rules, and regulations fixing the penalty for and providing for the manner of trial of all members of their respective services who shall violate the provisions of this section to the extent that existing Articles of War or Articles for the Government of the Navy, respectively, make no present provision therefor.

Any person not a member of the armed forces of the United States who violates the provisions of this section, either within or outside of the United States, shall, upon conviction thereof, be fined not more than $1,000 or imprisoned for not more than 1 year, or both.

Mr. LA FOLLETTE. Mr. President, it would seem hardly necessary to argue in favor of the amendment. The original suggestion was made by Representative LAFOLLETTE, of Indiana, who offered a similar amendment in the House of Representatives.

It must be obvious to all who will give the least consideration to this matter that it would be very unfortunate to have any person, either in the armed forces or out of them, attempting to take polls of the sentiments and the intentions of the members of the armed forces who are to vote under the provisions of the pending bill.

If the final legislation shall contain a provision for the so-called Federal ballot, it is entirely possible that the armed forces may vote upon that ballot several weeks prior to the holding of the general election in the United States. There will be great desire to know how the members of the armed forces have voted, especially if they vote prior to the time the general election is held, and I feel certain that unless this amendment shall be adopted, the desire will lead to efforts on the part of interested parties to make such polls.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. CLARK of Missouri. Of course, I am very much in favor of the Senator's amendment. The only question that presents itself to me in connection with the amendment is whether the Senator has made the penalty sufficiently onerous to make certain that no such attempt would be made. I agree that it would probably depend on the Army and Navy, if the bill with the amendment should be enacted into law, to prevent such a poll, but the prize to be played for by some of the concerns which make a business of taking polls would be so tremendous that it seems to me the penalty should be made greater.

Mr. LA FOLLETTE. If the Senator from Missouri will make a suggestion as to what he thinks would be a more appropriate penalty, I shall be very glad to modify my amendment.

Mr. CLARK of Missouri. What is the penalty provided in the Senator's amendment?

Mr. LA FOLLETTE. It provides for a fine of not more than $1,000, or imprisonment for not more than a year, or both.

Mr. CLARK of Missouri. In view of the fact that the provision is for a maximum penalty, and that the penalty is about the same as that which would be imposed for a minor offense, it seems to me the penalty should be made at least a fine of $10,000 or imprisonment for 5 years.

Mr. LA FOLLETTE. I will modify my amendment in conformity with the suggestion made by the Senator from Missouri.

Mr. MCKELLAR. Mr. President, I am very happy the Senator has accepted the proposed amendment. I am very heartily in favor of the amendment of the Senator from Wisconsin, and I think it should be agreed to.

Mr. LA FOLLETTE. As I understand, the amendment is acceptable to the authors of the bill, and unless there are some further questions, I am perfectly willing to take the judgment of the Senate on the amendment.

Mr. GREEN. Mr. President, I am very glad to state that the amendment is perfectly acceptable.

Mr. KILGORE. Mr. President, I could not hear the provisions of the amendment clearly as it was read. Does it prohibit publication?

Mr. LA FOLLETTE. It does, in any form.

Mr. KILGORE. The publication of estimates, and things of that kind?

Mr. LA FOLLETTE. If the Senator will turn to page 2, beginning with line 7, and read that paragraph, I think he will be satisfied that it prohibits the use of the information in any form, written or otherwise.

Mr. KILGORE. I thank the Senator.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the modified amendment of the Senator from Wisconsin [Mr. LA FOLLETTE].

The amendment as modified was agreed to.

Mr. MCCLELLAN obtained the floor.

Mr. MILLIKIN. Will the Senator yield to me to suggest the absence of a quorum?

Mr. McCLELLAN. I yield.

Mr. MILLIKIN. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Overton
Andrews	Gillette	Pepper
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hill	Shipstead
Brewster	Holman	Smith
Brooks	Jackson	Stewart
Buck	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Bushfield	La Follette	Thomas, Okla.
Butler	Langer	Thomas, Utah
Byrd	Lucas	Tobey
Capper	McCarran	Truman
Caraway	McClellan	Tunnell
Chandler	McFarland	Tydings
Chavez	McKellar	Vandenberg
Clark, Idaho	Maloney	Wagner
Clark, Mo.	Maybank	Wallgren
Connally	Mead	Walsh, Mass.
Danaher	Millikin	Walsh, N. J.
Davis	Moore	Wheeler
Downey	Murdock	Wherry
Eastland	Murray	White
Ellender	Nye	Willis
Ferguson	O'Daniel	Wilson
George	O'Mahoney	

The ACTING PRESIDENT pro tempore. Eighty nine Senators having answered to their names, a quorum is present.

Mr. McCLELLAN. Mr. President, on behalf of myself and the junior Senator from Texas [Mr. O'DANIEL], I offer an amendment which is at the desk, which I ask to have stated.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. On page 28, after line 25, it is proposed to insert the following:

(c) Any person otherwise entitled to vote under the provisions of this title may vote irrespective of his age.

Mr. McCLELLAN. Mr. President, when I discussed the pending bill a few days ago on the floor of the Senate I stated that I would oppose the passage of this measure. I stated then somewhat in detail my reasons for opposing it, and among others, the principal reason is because I thought we were attempting to go beyond the power of Congress, in that under the Constitution we have no right to invade the province of the States and take over the election machinery of the country. I still maintain that position. But if the measure is passed and becomes law, then, according to all the arguments I have heard of Senators who support the measure and who advocate its passage, the question of its constitutionality resolves itself into merely a war power, if the right exists at all. I have heard no Senator maintain that the measure would be constitutional, except under a war emergency.

Mr. President, for the past several days on the floor of the Senate, and even back in November and December when the issue was before us, I have seen, figuratively, crocodile tears shed by many who have said that in the name of war, in the name of the emergency, we should let the soldiers vote.

Mr. President, I call attention of Members of the Senate to the fact that next November, on election day, there will be approximately two and one-half million men in our armed services who are under 21 years of age, who are fighting and bleeding and dying for their country just as much as are the men who are over 21 years of age. These men under 21 never have had any voice in their Government. They had no voice in sending me here as their representative. They had no voice in the choosing of their present Commander in Chief. They have had no voice in their Government. I say to my colleagues that if the war emergency warrants and justifies what the pending bill undertakes to do, then the war emergency warrants and justifies you and me, not legally, but morally and equitably, to go one step further and remove the age limit which will bar two and a half million who are called upon to make the supreme sacrifice, and give them equal rights and equal justice under a war emergency law.

Mr. President, who is going to deny it to them? We have heard the plea that the measure must be passed, in the name of soldiers. If it must be done in the name of soldiers, then it ought to be done in the name of all, including two and a half million who never had a voice in their Government.

Yes, Mr. President, I expect some Senator to rise and say to me, "They have fathers and mothers at home who can represent them at the election." Certainly they have. Some of them have sweethearts, some have wives, some have brothers and sisters at home. It may be said that they can represent them at the polls next November when we will be choosing a Commander in Chief to continue to lead them on the field of battle. If they have representatives at home who can voice their sentiments, so has every other soldier in the Army who is more than 21 years of age. Are we going to discriminate against them, or are we going all the way? I say to the Senate that the amendment is unconstitutional; I know that. I make no claim that it is within the constitutional authority of the Congress to pass a law embodying such an amendment. But I say that by the passage of the pending bill the Senate will be tearing down constitutional procedure; and if we have come to that point in America, then I want to tear it down for my 18-year-old boy and yours who is out today on the battlefield offering his life for his country.

Where shall we make the distinction? We cannot make it in the name of the war peril. We cannot make it any longer in the name of the constitutions of the States. We are already knocking over the barrier for all the boys over 21 years of age, under the terms of the pending bill. All I am proposing by the amendment, I say to the Senate, is to knock down some one, two, three, or four more rails off the top of the barrier, so that every boy wearing a uniform on election day will have a voice in this Government, in the choosing of his representatives to serve in the National Congress during the continuation of this war and in choosing the Commander in Chief under whom he will serve as he fights this war.

Mr. President, I have previously discussed this matter. I do not desire to prolong the debate. I discussed this proposal a few days ago. I am sincere in what I am now about to say, and I ask my colleagues to join me in the action I propose. Those of us who have conscientiously tried to follow what we believed to be our duty under the Constitution have been under the whip. The charge has been made that we should stand up and be counted. I am ready to stand up and be counted on every amendment, as I announced on the floor of the Senate a few days ago. I desire to stand up and be counted on this amendment, and I want my vote to be recorded. I ask my colleagues in the Senate to join me so that we may have a yea-and-nay vote on the amendment.

I do not wish to leave any misunderstanding. I frankly admit that I shall vote against the final passage of the bill. But at this moment I am fighting for the boys who have never had a voice in government but who are expected to make the supreme sacrifice—who are marching into the bayonets, into the cannon fire, and under the bombs just as the boys 21 years of age and over are doing.

Senators who have said it is so imperative, who have said we owe it to them, who have said we should not deprive them of their right in this respect, should join with me now and go all the way. Let us give a voice in government to every boy who offers his life as a sacrifice to his country.

Mr. PEPPER. Mr. President, will the Senator yield?

The ACTING PRESIDENT pro tempore. Does the Senator yield to the Senator from Florida?

Mr. McCLELLAN. I yield.

Mr. PEPPER. In my absence from the floor during the very able speech of the Senator from Arkansas, the question I am about to propound may already have been asked and answered. What I should like to know is whether the able Senator makes any distinction between having the Federal Government eliminate the requirement of registration or payment of a poll tax and having the Federal Government fix the age at which a voter in a State may vote.

Mr. McCLELLAN. I make no distinction whatsoever. The States have the right to fix the age of their voters. They have fixed it by constitutional provision. The States and the people have never vested in the Federal Government the power to manage or control their elections. We are now proposing to tear down that barrier. If we can do so by a congressional act, by a Federal law, in spite of the Constitution, we can certainly do the other, and we should do it.

Mr. PEPPER. Mr. President, will the Senator further yield?

Mr. McCLELLAN. I yield.

Mr. PEPPER. I should like to determine whether that result necessarily

would follow. To what provision of the bill does the able Senator refer when he says it will break down constitutional Government and constitutional provisions, as he understands those requirements?

Mr. McCLELLAN. Very definitely the bill does not permit the States to make the determination of the qualification of its voters. The amendments we have been offering, have been voting on, and have been trying to have agreed to, expressly provide that the States shall have the right to determine the qualification of their voters. The sponsors and supporters of the bill have voted down these amendments.

Mr. PEPPER. Mr. President, will the Senator further yield?

Mr. McCLELLAN. I yield.

Mr. PEPPER. I ask the Senator if the reason why he says regard has not properly been given to States' rights is found in the bill we are now considering and in the Senate's action in rejecting the Overton amendment, which would eliminate the requirement of registration and payment of a poll tax in a given State as a condition precedent to voting. Are those the provisions to which the Senator has reference?

Mr. McCLELLAN. I very definitely have reference to sections 1 and 2 of Public Law 712. I very definitely refer to the whole bill under consideration; because every time we have tried by amendment to say specifically that the power and the right to determine the qualification of those who shall cast ballots are reserved to the States, we have been met here with opposition, and all such amendments have been rejected. If a majority of the Senate does not mean to keep the States from determining the qualification of their voters, there would be no reason on earth for opposing such clarifying amendments.

Mr. PEPPER. Mr. President, if the Senator will permit me to ask another question, I should like to inquire whether he makes a distinction between the congressional authority conferred by the Constitution to fix the time, manner, and place of holding election for Federal officials, and the right to prescribe the qualification of electors.

Mr. McCLELLAN. I make a very definite distinction, and the pending bill proposes to place the determination of the qualification of electors in the Federal Government. That is why I am opposing the bill as being unconstitutional. By the enactment of the bill in its present form, the Senate will tear down that barrier. The bill is the entering wedge to the destruction of the free exercise of the franchise in this country. For that reason, I oppose the bill.

Mr. PEPPER. Mr. President, will the able Senator yield for a further question?

The ACTING PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Florida?

Mr. McCLELLAN. Mr. President, I have yielded several times. I do not wish to be unkind, of course; I shall yield for one more question.

Mr. PEPPER. Very well, Mr. President; one other question is all I care to ask of the Senator.

Does the Senator care to point out any provisions of the bill, as presently drawn, by which the power of the States to fix the qualification of their voters would be impaired or violated?

Mr. McCLELLAN. Very definitely it has been impaired in Public Law 712, to which the pending bill is an amendment. It is also impaired by section 14 (a), by which we would leave to the States only the right to determine the validity of the ballot; but the Senate would not permit an amendment—a majority of the Senate opposed it and voted it down—which would add to that the power to determine the qualification of its voters.

Mr. PEPPER. I thank the Senator.

Mr. McCLELLAN. Mr. President, for those reasons it is my conviction that the bill in its present form does violate the prerogatives of the States to determine the qualification of their electors. Therefore, I cannot support the bill. I cannot support it with this amendment I propose in it because of that conviction.

However, I do say in all sincerity, in all manner of justice, equity, and every moral right, that if we are going to do this in the name of the war effort, if we are going to do it because we have called our men to foreign soil to fight, we must remember that we have also called the youth of the land, those who have never had a voice in government. I am pleading for two and one-half million of them today.

Senators talk about disfranchising someone, taking someone to the battlefield, and making him offer his life. We are taking the youth of the land to every battlefield in the world and are making them offer their lives. We are not offering them a franchise, although they have a right to it and although Senators are willing to vote to take away from the States their constitutional right to determine the qualification of their voters.

Mr. TUNNELL and Mr. PEPPER addressed the Chair.

The ACTING PRESIDENT pro tempore. Does the Senator from Arkansas yield; and, if so, to whom?

Mr. McCLELLAN. I yield to the Senator from Delaware.

Mr. TUNNELL. Mr. President, I should like to ask the Senator whether, if his amendment should become a part of the bill, and if the bill should be enacted into law, a 17- or 18-year-old boy who remained at home would have a right to vote.

Mr. McCLELLAN. He would not have a right to vote. He would not have been called by his country to go on foreign fields and offer his life. Senators have made the proposal all along: "Our soldiers must vote." Well, Mr. President, two and one-half million of them will not be allowed to vote, but many of them are going to die. They are dying now—boys from your State and boys from mine. On every battlefield they are giving their lives. There is nothing more precious than human life. Senators talk about the right to vote as something very precious. Does any Senator contend that the boy's life is less precious and sacred?

The life of the boy who is only 18 or 19 years old is just as precious, and his blood is just as sacred, as that of the boy more than 21 years of age.

Mr. TUNNELL. Mr. President, will the Senator yield for a further question?

Mr. McCLELLAN. I gladly yield.

Mr. TUNNELL. Then there would be a distinction between the boy who is at home and the one who is in the Army.

Mr. McCLELLAN. There is definitely that distinction; and by act of Congress which is now in force there is another distinction. That is the distinction between life and death. We have called them to fight, and perhaps to die. We have not yet called all and sent them to the battlefield. If we are denominating this a war measure, let us be fair to all soldiers. Does the Senator think it is fair, if a boy happens to be more than 21 years of age, to hand him a ballot and tell him that he may vote for his choice for Commander in Chief, and say to the boy fighting by his side who is only 20 years of age, "You may not vote because you do not meet the age requirement"? If we are to give soldiers the vote, let us discriminate against no soldier because of his age. If he is old enough to fight he ought to be old enough to vote if we are going to violate the Constitution.

Mr. TUNNELL. Mr. President, will the Senator yield for a further question?

Mr. McCLELLAN. I yield.

Mr. TUNNELL. What would be the position of the Senator in the case of an 18-year-old boy who was inducted into the Army, wounded, and sent home? Should he be allowed to vote?

Mr. McCLELLAN. He ought to be allowed to vote.

Mr. TUNNELL. Would he be allowed to vote under the terms of the Senator's amendment?

Mr. McCLELLAN. If not, will the Senator offer an amendment to it which would give him the right to vote, and support such an amendment?

Mr. TUNNELL. I am asking the Senator a question.

Mr. McCLELLAN. I am asking the Senator if he would support such an amendment.

Mr. TUNNELL. No; I would not.

Mr. McCLELLAN. The Senator would deny to two and a half million men in the armed services the right to vote.

Mr. TUNNELL. I would not support such a proposal under any conditions.

Mr. McCLELLAN. I know the Senator would not. I will say to him honestly and frankly that even if my amendment is adopted, I shall vote against this bill. I think the whole thing is unconstitutional; but if we are to have an unconstitutional act, if Congress is ready to usurp the power of the States to determine the qualifications of their voters, I want to strike down the other barriers. These boys are called upon to sacrifice their lives for their country—for you and me—and yet it is proposed to deny to two and a half million of them an opportunity to help select their Commander in Chief. Let us go all the way, or stay within the Constitution as we should always do.

Mr. President, on this amendment I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PEPPER. Mr. President, to my mind the amendment offered by the able Senator from Arkansas presents an entirely different question from that which has been previously presented in the discussion of the pending bill. I believe there is a very clear distinction between the Congress fixing the age of the electors and Congress eliminating the necessity of an elector who is a soldier abroad personally to register or pay a poll tax, or both.

I make the distinction, Mr. President, because the elimination of the requirement that the soldier register in his home precinct, or pay a poll tax there, or do both, is in my opinion the elimination of a condition precedent, and not the fixing of a qualification, because conditions precedent are conditions which must be fulfilled before one exercises a certain prerogative.

However, the fixing of qualifications has to do with the fitness of an elector to perform the electoral function. Obviously there is a difference between fixing the age of the elector, fixing the moral and educational requirements of the elector, and requiring the elector to perform a condition precedent to the exercise of the electoral franchise—for example, registering or paying a sum of money called a poll tax.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. KILGORE. The Senator is no doubt aware of the fact that there are now pending before the Judiciary Committee two joint resolutions which have been held back awaiting the conclusion of this debate. They bear on this very subject. They call for amendments to the Constitution of the United States which would lower the voting age.

Mr. PEPPER. I thank the able Senator for the suggestion. The authors of those joint resolutions thought it necessary to present the matter in the form of a proposed amendment to the Constitution, and not in the form of legislation.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. McCLELLAN. Does the Senator have any hope, and can he offer any encouragement to the two and a half million boys under 21 years of age, that any such amendment to the Constitution could possibly be adopted in time to give them an opportunity to vote in the forthcoming election?

Mr. PEPPER. That is a question involving practical considerations. I defer to the able Senator from West Virginia.

Mr. KILGORE. Under existing law it is possible for the Congress to call for constitutional conventions in all the States, and to fix the dates. The entire matter could be threshed out in conventions long before the election.

Mr. McCLELLAN. Let me ask the Senator if he can offer any hope to the two and a half million servicemen under the age of 21 that such action would be taken, or even attempted?

Mr. KILGORE. I am merely stating the fact that joint resolutions somewhat in line with the Senator's suggestion are now pending before the Committee on the Judiciary.

Mr. McFARLAND. Mr. President, will the Senator yield?

The ACTING PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Arizona?

Mr. PEPPER. I yield.

Mr. McFARLAND. I should like to ask the Senator from Arkansas a question. Does he have any hope that even if his amendment were to be adopted the votes of those boys would be counted?

Mr. McCLELLAN. I do. Notwithstanding the constitutional provision in my State fixing the age limit at 21. I believe that if my State should recognize that the Federal Government is destroying its Constitution and taking away the constitutional rights of the States, it would want its 18-year-old boys in the service to vote.

Mr. McFARLAND. Does the Senator believe that that provision of his amendment is constitutional?

Mr. McCLELLAN. I know it is not constitutional. I have said so. Even if my amendment is adopted, I shall vote against the bill on final passage, and have so stated.

Mr. McFARLAND. Then the Senator has no hope that the votes of those boys would be counted, when he states on the floor of the Senate that he knows that such a provision would be unconstitutional.

Mr. McCLELLAN. I know it is unconstitutional, just as I know that taking away from the States the right to determine the qualifications of voters is unconstitutional. I put them both in the same category.

Mr. PEPPER. Mr. President, in my humble opinion, so far in the amendment of the pending bill in no single instance has the right of a State to prescribe the qualifications of electors been invaded or impaired. The Constitution provides, in section 4 of article I, that—

> The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or order such regulations, except as to the places of choosing Senators.

In my opinion, what the Congress is proposing to do is to exercise the authority conferred by that language in the Constitution. It has to do with the time and the manner of holding elections for Senators and Representatives. It does not say to the States, "The age limit of your electors shall be such and such; the educational requirements shall be such and such; the moral character requirements shall be such and such." It is proposing to legislate only in the field which is within the sphere of the Federal Government, with respect to the mechanics of holding the election. It is trying to preserve the essence of the right without being hampered by the impedimenta of a certain inapplicable technique.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. MURDOCK. Is not the real distinction between what the Green-Lucas bill would do if enacted, and what the amendment of the able Senator from Arkansas would do if enacted that in the Green-Lucas bill we are merely preserving a right which already exists on the part of the electors? We are not attempting to invade the rights of the States to fix the qualifications, or to confer the voting power on persons who have not that right today. What the Senator from Arkansas would do by his amendment is exactly the opposite of that for which he has been contending for several days. The amendment of the Senator from Arkansas would invade the rights of the States. All the Green-Lucas bill does is to preserve a right, whereas the amendment of the able Senator from Arkansas would create additional rights.

Mr. PEPPER. I could not have stated it so well as has the able Senator from Utah, who is jealous about States' rights.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. McCLELLAN. Let me say to the Senator and to the country that I cannot place a distorted construction on the Federal Constitution so as to salve my mind and conscience on the basis which I have just heard stated. It is said that it is not proposed to tear down the Constitution. If that be true, why is there objection to stating in the bill that we are not taking away from the States the right to determine the qualifications of electors? The Senator refuses to let that be said implicitly and clearly so that it cannot be misinterpreted. Now he would try to place the other interpretation upon it.

Mr. PEPPER. Mr. President, we might have a difference of opinion as to what the word "qualification" means. Instead of using an ambiguous word, we have said in Public Law 712 very clearly that the State cannot deny the soldier who is absent in his country's defense the right to vote because he was not at home to register his name in a book, and because he was not there or did not have someone go there for him—and that is illegal in some places, I believe—to pay a sum of money for him.

Mr. President, those are two rational distinctions. The United States Government, the Congress, we in the Senate, largely kept those boys away from home so that they could not personally register. We kept them away from home generally so they could not personally pay their poll tax, or, if they paid it, we made it inconvenient for them to pay it, and, engaged as they were, in training or in waging a war, it is not unnatural that their minds were not concerned with the requirement of registering, or the date on which they had to register, or pay a poll tax.

Mr. TUNNELL. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. TUNNELL. Is not the distinction which the Senator is making a distinction between the right and the opportunity? Does not the Green-Lucas bill

attempt to preserve or make an opportunity where there is a right?

Mr. PEPPER. It does. The Senator is exactly correct.

Mr. TUNNELL. The amendment of the Senator from Arkansas attempts to create a right.

Mr. PEPPER. The Senator is exactly correct.

Mr. TUNNELL. Which, he says, under the Constitution cannot be done.

Mr. PEPPER. The Senator from Delaware has made a very fair statement of the problem.

Mr. President, we of the bar in the Senate make a distinction between substantive and objective rights, between the substantive right in law and the objective right of procedural techniques by which those rights may be enforced. What we are getting at here, as was ably suggested by the Senator from Delaware, is to preserve the essential substantive citizenship prerogative of the soldier to vote, and where distance and other things have intervened we have tried to eliminate them so that the substantive right might be enjoyed by the soldier citizen.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. DOWNEY. The distinguished senior Senator from Illinois, in his eloquent address earlier this afternoon on this subject, sought to sustain the constitutionality of the pending measure upon the very broad ground, as I understood—and I hope I quote him correctly—that in time of war the necessities of the Nation are so great that Congress may take any action which in its opinion is designed to increase the morale of the soldier. Placing the justification of the constitutionality of the law upon that ground, it must apply equally, it seems to me, to the soldier whether he is 18, 19, or 20 years of age. I should like to have the distinguished Senator from Florida express himself upon that point.

Let me add that when we are at war our Chief Executive serves in a dual capacity. He is President of the United States and Commander in Chief of the Army and Navy. One can well understand that the soldier who is 18 years of age would certainly have his morale increased if he knew he could join with his older companions in expressing his choice for the Chief Executive, who is likewise his Commander in Chief.

It certainly seems to me that if the senior Senator from Illinois was justified in his broad statement, that necessarily would apply, because there could not be any limitation then upon the power of Congress to do what it thought best to increase the morale of the soldier, and then there could be no limitation, whether he were 18 or 25 years of age.

Mr. PEPPER. Mr. President, the inquiry made by the able Senator from California is a very fair one.

In my opinion, it is a doubtful question legally, whether the war power, which I believe the Congress unmistakably to possess in time of war, would reach far enough to invade the right of the State by its constitution to fix the qualifications of its electors. There is a bare possibility that the exercise of such a power might be sustained by the courts. I could well understand the justification for such a decision by the courts, but it is reaching very far afield, and it is a very thin line, and a very nice distinction would be finally made in order to do that. I should prefer for us not to strain at our power unless the circumstances imperatively demanded it. If we faced a catastrophe, if we faced some great national disaster, then I am sure the exercise of such a power, although upon thin constitutional authority, would be sustained not only by the courts, but by public opinion. However, I believe that it is not wise for us to assert the very limit of our authority in this field when the necessity is not more overwhelming than it is as presented by the amendment of the able Senator from Arkansas. I prefer to keep the matter on the broader ground that what we are doing is removing the procedural impedimenta surrounding the exercise of the substantive right of the citizen, namely, his right to vote for public officials, State and national, and particularly national, so far as we are able to do so.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. McCLELLAN. According to my understanding and interpretation of the Senator's answer to the able Senator from California, we have not reached such an emergency that we can strain a little further and allow a boy 18 years of age to vote. I wonder, Mr. President, when we are going to arrive at that point. We have reached such a point, such an emergency, that we are calling the boys by the millions to go onto the battlefield to die. Can anyone conceive of any greater emergency?

Mr. PEPPER. Mr. President, it is strange inconsistency for the able Senator from Arkansas to be so exercised about the votes of the boys 18 years of age and at the same time so persistently obstructing the pending bill, which is aimed at facilitating the right to vote on the part of those 21 years of age and above. It is a strange sympathy which he is expressing for a small minority of the whole number affected.

Mr. McCLELLAN. Mr. President, I do not regard two and one-half million as being a small number.

Mr. PEPPER. It is smaller than eleven and a half millions.

Mr. McCLELLAN. Certainly, but if the Senator would use the expression that I was overcome with a "sense of justice" instead of "sympathy," he would more correctly express my feelings.

Mr. PEPPER. Mr. President, it is surprising how spotty justice is when we see it through a glass, darkly.

It seems to me that what we should do is to limit the exercise of our authority to a proper case, and remove the obstacle in the way of soldiers voting, but leave it up to Florida to fix a minimum age of 21 years, and give Georgia the right, as the legislature of that State has done recently I understand, to prescribe that the citizen may vote if he is 18 years of age. That is qualification, Mr. President, within the meaning of the constitutional provision that the qualifications of electors shall be the same as those for the most numerous branch of the State legislature. They have changed the standard by changing the limits in the particular case of age requirement.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. MURDOCK. I wish to refer to the statement of the able Senator from Arkansas to see if I understood him correctly. If I did, he stated that, even if his amendment should be agreed to, he would still vote against the bill. Is that true?

Mr. McCLELLAN. I definitely stated it, because I am not knowingly going to vote for an unconstitutional measure.

Mr. MURDOCK. So I do not think the Senate needs to take too seriously the position of the Senator from Arkansas, that his sense of justice is outraged because his amendment might not carry, when he definitely tells us that, even if it did, he would not vote for the bill. There seems to be an inconsistency there, Mr. President, which the Senate cannot well ignore.

Mr. McCLELLAN. Mr. President, will the Senator from Florida yield?

Mr. PEPPER. I yield.

Mr. McCLELLAN. I have never said my sense of justice was outraged.

Mr. MURDOCK. I so understood the Senator.

Mr. McCLELLAN. The Senator appropriated the words of the able Senator from Florida. I did say that, instead of him interpreting my motive as that of sympathy, he might more correctly state my position if he said that from a sense of justice I feel that if we are going to tear down the barriers for one we ought to tear them down for everybody in uniform.

Mr. TUNNELL. Mr. President, will the Senator from Florida yield to me? I should like to ask the Senator from Arkansas a question.

Mr. PEPPER. I yield.

Mr. TUNNELL. I understood the Senator to say he would not vote for an unconstitutional bill.

Mr. McCLELLAN. I said I would not knowingly do so.

Mr. TUNNELL. Would the Senator vote for an unconstitutional amendment to a bill?

Mr. McCLELLAN. I am going to vote for it as an amendment, and then I am going to vote against the final passage of the bill.

Mr. TUNNELL. But when the Senator votes for his amendment, is he not voting for something he says is unconstitutional?

Mr. McCLELLAN. I am going to vote for the amendment. It is unconstitutional; I said so; and then I shall vote to keep it from becoming a law along with the other unconstitutional provisions of the pending bill.

Mr. TUNNELL. But the Senator is going to vote for an unconstitutional amendment.

Mr. McCLELLAN. I am going to vote for it as an amendment to the bill, so that, if the Senate is going to override the Constitution of the United States, it will not do an injustice to and discriminate against two and a half million of our fighting boys.

The ACTING PRESIDENT pro tempore. The time of the Senator from Florida on the amendment has expired. He has 20 minutes on the bill.

Mr. PEPPER. I will take time on the bill and conclude.

Mr. President, I hope it will not be said by those who write the record of this time or by the soldiery of this Nation who are affected that it has appeared that the Senate has preferred to perpetuate State wrongs rather than to protect soldiers' and citizens' rights. I believe, Mr. President, that we can meet the challenge here without impairing a single substantive States' right. I believe that we should limit what we do so carefully that we shall not invade legitimate State privileges and prerogatives. I believe this bill as it goes thus far, and as Public Law 712 becomes a part of it, has not violated a single substantive States' right; and I am surprised that the able Senator from Arkansas, who has been such a steadfast defender of State prerogatives and immunities, should now suggest that we should actually violate the most fundamental of all States' rights, namely, the right to prescribe, in the conditions for the exercise of the franchise, the qualifications of the electors.

Mr. CLARK of Missouri. Mr. President, I was prepared last December to vote against the original Green-Lucas bill because I could not read that bill as it was originally brought before the Senate in any other way or give it any other effect than that it undertook to prescribe the qualifications of voters which I considered to be in plain violation of the Constitution of the United States. It was for that reason that in the consideration of the original Green-Lucas bill I voted for the Eastland-McClellan-McKellar substitute, not because I was satisfied with the efficacy of that substitute, but because, when the issue was drawn between that measure, which I considered constitutional, and the original Green-Lucas bill with its specifications of the qualifications of voters, I preferred to vote for a bill which I considered constitutional, inadequate though it might be, as against a measure which I considered plainly unconstitutional on its face.

I would not vote for the new Green-Lucas bill today, Mr. President, in the form in which I intend to vote for it, if I did not believe that the question of its constitutionality had been completely cleared up, more particularly by the provisions appearing on page 39 of the bill, giving the State authorities the right to pass on the validity of the ballot. I believe that this bill is constitutional and therefore I shall vote for it. Since I intend to vote for it, I do not intend to vote for any provision which would manifestly invalidate it.

Now, Mr. President, attractive as is the proposal advanced by the Senator from Arkansas, to allow boys below the age of 21 or below the age prescribed in the various States to vote, I would be unwilling deliberately to put into the bill an unconstitutional feature, because no one can gainsay that the question of the age of voters is plainly a qualification, and therefore is a power specifically reserved to the States by the Constitution of the United States.

Let me say, Mr. President, that I have always been in favor of provisions insuring that anybody who is old enough to bear arms on behalf of the Union shall be permitted to vote. If I had considered that the Federal Congress had the slightest right to enact such a provision I would have offered such an amendment to the original selective-service bill and to every measure which has come here to amend the selective-service law, and I know of other Senators who felt the same way; but we remained silent at that time because we did not believe the Congress under the Constitution had the slightest right to prescribe qualifications. In that connection, Mr. President, I may say that I have a boy in the United States Marines who would fall within the terms of this amendment. If I felt that I could vote for the amendment I most certainly would.

Therefore, I say today, Mr. President, that attractive as is the proposition of the Senator from Arkansas, to vote to include it in this bill is to vote clearly to invalidate the measure. No Senator who intends to vote for the measure on its final passage, no Senator who believes that the bill in its present form is constitutional, has a right to be moved by the sentiments expressed by the Senator from Arkansas and vote to invalidate the measure by making it plainly unconstitutional.

I desire simply to emphasize again, as the Senator from Florida said, the essential difference between the bill in its present form and the way in which it would appear if the amendment of the Senator from Arkansas were included.

The only justification for this type of legislation at all, the only reason that Congress has either any legal or moral right to legislate on this subject at all is simply to supply adequate machinery to restore to the men and women in the armed services the right and privilege of voting, of which they were deprived solely by reason of their military service. The proposition that Congress has the right to bestow on these soldiers or sailors, meritorious as it may be, any rights or privileges or qualifications of voters which they did not already possess cannot be justified. The whole justification for the measure is to put these men and women back in status quo, to restore to them the rights of which they have been deprived by reason of their entrance into the military service.

Therefore, Mr. President, I again urge that no Senator who believes that this measure is constitutional, no Senator who thinks that this is a justifiable measure for the purpose of restoring to these young men and women the rights of which their military service has deprived them, is justified in voting for even so attractive a proposal as that offered by the Senator from Arkansas, which he plainly admits would in itself invalidate the whole act.

I may say in conclusion, Mr. President, so far as I am concerned, that in my State a constitutional convention is now in session, and I hope very much indeed that a provision will be included in the new constitution to authorize anybody who is old enough to be in the military or naval service to vote. I hope that the Governor of Missouri will call a session to modernize our law in conformity with this bill and that such a provision as the present amendment will be included. I hope that the legislatures of the various States which are scheduled to meet will take a similar position, as some States have already done; but I do not believe that any Senator who intends to support this measure is justified in any degree whatever in voting for the amendment of the Senator from Arkansas.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the junior Senator from Arkansas [Mr. McCLELLAN].

Mr. WHITE. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Overton
Andrews	Gillette	Pepper
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Brewster	Hill	Shipstead
Brooks	Holman	Smith
Buck	Jackson	Stewart
Burton	Kilgore	Taft
Bushfield	La Follette	Thomas, Idaho
Butler	Langer	Thomas, Okla.
Byrd	Lucas	Thomas, Utah
Capper	McCarran	Tobey
Caraway	McClellan	Truman
Chandler	McFarland	Tunnell
Chavez	McKellar	Tydings
Clark, Idaho	Maloney	Vandenberg
Clark, Mo.	Maybank	Wagner
Connally	Mead	Wallgren
Danaher	Millikin	Walsh, Mass.
Davis	Moore	Walsh, N. J.
Downey	Murdock	Wheeler
Eastland	Murray	Wherry
Ellender	Nye	White
Ferguson	O'Daniel	Willis
George	O'Mahoney	Wilson

The ACTING PRESIDENT pro tempore. Eighty-seven Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment of the junior Senator from Arkansas [Mr. McCLELLAN]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the junior Senator from Nevada [Mr. SCRUGHAM] and vote "nay." I am not advised how the Senator from New Hampshire would vote if present.

The roll call was concluded.

Mr. McCARRAN. My colleague the junior Senator from Nevada [Mr.

SCRUGHAM] is absent on official business. If present he would vote "nay."

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness. I am advised that if present and voting, he would vote "nay."

The Senator from Washington [Mr. BONE] is absent on official business.

The Senator from Colorado [Mr. JOHNSON] and the Senator from Montana [Mr. WHEELER] are detained in committee meetings. I am advised that if present and voting the Senator from Colorado would vote "nay."

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from California [Mr. JOHNSON] are necessarily absent.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The result was announced—yeas 19, nays 67, as follows:

YEAS—19

Ball	Downey	Robertson
Bilbo	Eastland	Russell
Brooks	Ellender	Stewart
Bushfield	Langer	Thomas, Idaho
Capper	McClellan	Wherry
Carraway	O'Daniel	
Chavez	Reynolds	

NAYS—67

Aiken	Gurney	Pepper
Andrews	Hatch	Radcliffe
Austin	Hawkes	Reed
Bailey	Hayden	Revercomb
Bankhead	Hill	Shipstead
Barkley	Holman	Smith
Brewster	Jackson	Taft
Buck	Kilgore	Thomas, Okla.
Burton	La Follette	Thomas, Utah
Butler	Lucas	Tobey
Byrd	McCarran	Truman
Chandler	McFarland	Tunnell
Clark, Idaho	McKellar	Tydings
Clark, Mo.	Maloney	Vandenberg
Connally	Maybank	Wagner
Danaher	Mead	Wallgren
Davis	Millikin	Walsh, Mass.
Ferguson	Moore	Walsh, N. J.
George	Murdock	White
Gerry	Murray	Willis
Gillette	Nye	Wilson
Green	O'Mahoney	
Guffey	Overton	

NOT VOTING—9

Bone	Johnson, Calif.	Scrugham
Bridges	Johnson, Colo.	Wheeler
Glass	McNary	Wiley

So Mr. MCCLELLAN'S amendment was rejected.

Mr. BARKLEY. Mr. President, a few days ago in a colloquy between the Senator from Connecticut [Mr. DANAHER] and me it developed that there was no positive requirement that these ballots should be deposited in the ballot boxes as other ballots are deposited at the polling places. The Senator from New Mexico [Mr. HATCH] has prepared an amendment to correct that defect. Because of a cold he finds difficulty in articulating his brilliant thoughts, and so he has asked me to substitute for him. Therefore on his behalf I offer the amendment on page 39, in line 12, after the word "be", to insert "deposited in the ballot box by the appropriate election officers and", so that the sentence will read:

Votes cast under the provisions of this title shall be deposited in the ballot box by the appropriate election officers and canvassed, counted, and certified—

And so forth.

Mr. GREEN. Mr. President, I accept the amendment.

Mr. OVERTON. Mr. President, what is the purpose of the amendment? Is it to require the local officials to place the ballots in the ballot box under any consideration whatsoever?

Mr. BARKLEY. No. The election officials of course pass upon the ballots as they do any other ballots, but if the votes are to be canvassed by them as provided in the other language, the votes are to be deposited by them in the ballot box so that they are in the body of the votes cast. The election officials pass on the validity of the ballots even after they are placed in the box and when they begin to count them. That is what happens now with respect to all votes, and that is what would be done in this case. The proposal would not change the duty of the local election officers.

Mr. OVERTON. It would not affect the validity of the ballot, would it?

Mr. BARKLEY. No.

Mr. MALONEY. Mr. President, I should like to ask the majority leader how he thinks the amendment would affect those cities which do not have ballot boxes, where voting machines are used entirely.

Mr. BARKLEY. I suppose the same difficulty would arise regardless of this amendment. Whether the amendment is broad enough——

Mr. MALONEY. Does the amendment make provision for casting the ballot in places where voting machines are used? In cities of over 10,000 in our State we have voting machines.

Mr. BARKLEY. I can appreciate that difficulty; and in order to obviate it I would suggest that after the words "ballot box" the words "if available" be inserted.

Mr. MALONEY. I will not say what that might do, but I am only concerned with the cities in my State.

Mr. BARKLEY. The other day when we were talking about places where they have ballot boxes, and where it is required that the ballots be deposited in those boxes by persons who vote, the question arose as to what would happen to the ballots which were sent in by mail by the soldiers, unless it were also required that they be deposited in the same place.

Mr. MALONEY. Why not say "where ballot boxes are used", rather than "if available"?

Mr. BARKLEY. That would be satisfactory to me.

Mr. GREEN. The difficulty might be avoided if we simply used the word "cast." That would apply both to ballot boxes and voting machines.

Mr. BARKLEY. The word "cast" might be adequate to cover all the other language; and inasmuch as the Senator from New Mexico was concerned about this amendment, I should like to have his judgment.

Mr. GREEN. I take it the word "cast" has both significations. It has the broad signification covering all the media. However, if used in connection with "canvassed, counted, and certified," it would mean deposited in the ballot box.

Mr. BARKLEY. I have no objection to modifying the amendment in the manner suggested—that is, after the word "be", in line 12 on page 39, to insert the word "cost", which would carry with it the same requirement of deposit, whether in the ballot box or any other method that might be used. So I modify the amendment accordingly.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the modified amendment offered by the Senator from Kentucky on behalf of the Senator from New Mexico.

The amendment, as modified, was agreed to.

Mr. FERGUSON. Mr. President, at this time I desire to offer to the bill an amendment, which has been printed and is on the desk.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. On page 29, after line 8, it is proposed to strike out the following:

OFFICIAL FEDERAL WAR BALLOT

Instruction: To vote, write in the name of the candidate of your choice for each office or write in the name of his political party—Democratic, Republican, Progressive, or other.

ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

(A vote for President includes a vote for Vice President of the same party)

Write in the name of your choice for President or the name of his party _____

UNITED STATES SENATOR

(Only if a Senator is to be elected in your State)

Write in the name of your choice for Senator or the name of his party _____

REPRESENTATIVE IN CONGRESS FOR YOUR DISTRICT

Write in the name of your choice for Representative in Congress for your district or the name of his party _____

REPRESENTATIVE AT LARGE IN CONGRESS

(Only in the States entitled thereto)

Write in the name or names of your choice for Representative at Large or the name of his party _____

_____

(Vote for 1 or 2 as the case may be)

And to insert in lieu thereof the following:

OFFICIAL WAR BALLOT

Instruction: To vote, write in the name of the candidate of your choice for each office.

ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

(A vote for President includes a vote for Vice President of the same party)

Write in the name of your choice for President _____

UNITED STATES SENATOR

(Only if a Senator is to be elected in your State)

Write in the name of your choice for Senator _____

REPRESENTATIVE IN CONGRESS FOR YOUR DISTRICT

Write the name of your choice for Representative in Congress for your district _____

REPRESENTATIVE AT LARGE IN CONGRESS

(Only in the States entitled thereto)

Write in the name or names of your choice for Representative at Large _____

(Vote for 1 or 2 as the case may be)

On page 30, lines 1 and 2, it is proposed to strike out the words "A vote by party designation shall be deemed to be a vote for the candidate of that party by name."

On page 30, line 7, it is proposed to strike out the words "or his political party" and strike out the words "or party."

Mr. FERGUSON. Mr. President, we have heard much discussion on the floor in relation to the nature of the proposed ballot. I wish to assure the Senate that my amendment is not offered for the purpose of killing the bill or in any way interfering with the right of the soldiers to vote. I have been a firm advocate of the Federal ballot because I believed it was one of the means by which we could permit the soldier to express secretly his intention when he votes for candidates. But I am also of the opinion that the bill would be improved if it should allow the soldier to vote not only for Federal candidates for office but also for State candidates. I have believed that the bill was constitutional because I felt that it did not create anything other than a ballot the validity of which is to be determined by the States except in two respects; one the poll tax and the other registration.

I have no quarrel with anyone who believes the bill to be unconstitutional. I take the stand that it is constitutional in that it does not interfere with State voting, because neither the requirement of registration nor the requirement of payment of the poll tax are qualifications which this body cannot act to override. If they were qualifications, then under the Constitution of the United States the bill would be unconstitutional.

I merely wish to say that in my opinion we are attempting to create machinery by which we can convey to the soldiers at the front a means by which they may secretly state their intentions on a ballot which will be returned to the States so that the States may count them. I am of the opinion that the amendment I have proposed goes to the real merits of the question. The bill now provides that a man may vote by merely designating in the proper place the name of a political party; he need not know who are the candidates of the party. He may not even find out who the candidates are, but he will be able to vote. I do not believe that is the democratic way of voting. The bill as now amended by the amendment of the Senator from Rhode Island provides that—

> Wherever practicable and compatible with military operations, the appropriate commanding officer shall be required—
>
> (1) to cause lists of candidates to be posted and otherwise made available at conspicuous and convenient places and to cause copies of explanations of voting procedure and all other necessary information to be furnished to members of his unit and civilians attached to and serving with such unit and entitled to vote under this title.

Mr. President, under the laws of some of the States the election officials would be required to throw out such a ballot, because the State laws make no provision for voting for a party alone. I am advised, and believe it to be true, that Minnesota is one such State. Wyoming is a State in which it is impossible to vote by party name. I think we should make the Federal ballot the best possible ballot. The only thing the amendment I propose would do would be to require the voter, if he desired to vote for anyone on the ballot, to insert the name of a candidate, instead of merely writing in the name of a party.

We are requiring the Army and the Navy to transmit information as to who the candidates are. Should we not give to the men who are to vote for these important offices the names of the candidates, as well as the designations of the parties? Under the amendment I propose, it would be impossible to vote by merely designating the party name. While I am a firm believer in the two-party system, I also believe that in combination with the two-party system the soldiers and all other persons are entitled to know the names of the candidates for whom they are about to vote.

I do not think any long discussion of the matter is required. Each of us can see at a glance what we are attempting to do by the amendment. The amendment would merely require a voter who wished to vote for a candidate to insert the candidate's name at the proper place. Why do I say that is material? For instance, we are asking men to vote for Representatives at Large. Many of the States of the Union do not have Representatives at Large. If all voters were required to write in the names of the candidates, they would go to the list required to be furnished them, and find that they were not to fill in any name there. Only 33 States, for instance, have elections for Senators this year, but under the bill without my amendment we would be asking the men to vote blindly for the party, instead of looking to see who was the candidate for the Senate.

So Mr. President, I offer the amendment because I believe it will help the bill. It will be a means of bringing to the soldiers who are fighting for us at the battle fronts a real ballot by means of which they will be able to express their opinions secretly, and give their best judgment; and their ballots will be counted as they desire them to be.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Michigan [Mr. FERGUSON].

Mr. FERGUSON. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. GREEN. Mr. President, of course I am glad to give earnest consideration to the amendment proposed by the Senator from Michigan because he has been of great assistance in connection with the amendments which have been offered. I regret that I cannot agree with him as to the advisability or fairness of his amendment. Every precaution has been taken and every necessary provision has been made in the bill in order to provide the members of the armed forces with information about the election, especially the names of the candidates. But in discussing this matter the question always arises, How are we to get this information to all those who have the right to vote under the bill, when we consider that they are scattered all over the world, and when we also consider that the names of the candidates sometimes are changed, for various reasons, such as death, substitution, declination, and so forth? Consequently, it seems to me that in a great many cases, unfortunately, the voters would not know the names of the candidates. It would also seem that the penalty for not knowing the names of the candidates would be too great, inasmuch as the voter would not be able to vote at all unless he knew the names of the candidate for whom he desired to vote. There might be a substitute for the candidate originally nominated, for instance, or there might be various other reasons why the soldier could not know the candidate's name. Rather than to deprive the voter of his vote it would be better to let him write in the name of the party.

Mr. LUCAS. Mr. President, I should like to say a few words in addition to what the Senator from Rhode Island has said with respect to the amendment. I, too, have the greatest respect and confidence in the ability of the junior Senator from Michigan. He has been of tremendous help to the committee from the time when we started writing this measure up until now; and it is with deep regret that I find I cannot go along with him by agreeing to accept the amendment.

In addition to what the Senator from Rhode Island has said, I should like to point out one or two other reasons why we cannot accept the proposed ballot. This is not the first time this question has been considered. The form of the ballot was one of the very difficult problems the committee had to solve. After a number of suggestions, we finally accepted the ballot suggested by the Honorable Frederic W. Cook, who is the Republican secretary of state of Massachusetts, and is as fine a gentleman as I have ever met in my life. That ballot was proposed to the secretaries of state in convention in the city of St. Louis, and later it was brought to the committee by Mr. Cook, as a representative of that Nation-wide organization; and the committee accepted that ballot.

Mr. President, in the State of Illinois, for example, a voter may get his ballot and go into the booth, and all he has to do to vote a straight Democratic or Republican ticket is to place a cross in the large circle above the names of all the candidates. He does not have to write in the names of candidates.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. TOBEY. Does not the Senator think that that is a grievous error? After all, would it not be far better to stimulate a man's thought in the matter of selecting the candidate for whom he is to vote?

Mr. LUCAS. I appreciate that there is much to be said on the question of education of the people with respect to political candidates.

Mr. TOBEY. That was the thought I had in mind.

Mr. LUCAS. That is one of the most difficult things. I dare say that many a Senator has gone into the election booth

in his home precinct, in a State and National election, and, looking at the long list of candidates, has seen many names that he has never heard of, and yet he votes for such candidates. He does not know the background of the individuals, or much about them. The straight Democratic or Republican ticket is voted without writing in the name of anyone. I will admit that the names of the candidates are printed on the ballots, and that voters can see them if they wish.

In addition—and this seems to me to be one of the reasons why we should not accept this amendment—in the State of Illinois, as in many other States, a voter who cannot read or write has the right of franchise. That voter is taken into the booth and is permitted to vote the way he wants to vote. The judges make an affidavit that they have done their duty in line with what the State requires with respect to that kind of a voter, and his ballot is counted.

It seems to me that we are a little harsh on the soldiers, sailors, and marines when we compel them, far away, to write in the names of their choices for President and Vice President, Senators, and Representatives, while we let illiterates at home cast a ballot by someone witnessing their mark. Then again the lists of candidates sent over may find their way to the bottom of the ocean. A man may be out on field duty somewhere, where he cannot have an opportunity carefully to study the names of the candidates from lists printed and sent to the various commands throughout the world.

In other words, we get back again to operating as simply and uniformly as possible in this great emergency. Are we to compel those men to do things which they should not be compelled to do, or are we to make it as easy to vote as we possibly can, with this type of ballot? That seems to me to be a practical consideration.

I agree with the Senator that it would probably be better to educate voters with respect to political candidates if that could be done; but many an individual will not have an opportunity to vote, or to have his ballot counted, if he is compelled to write in the names of his choices for President, Vice President, Senator, and Representative. It may be that under the primary laws in some States those lists of names will not arrive in time; and yet he may know that he wants to vote the Democratic ticket or the Republican ticket. Or he may wish to vote the Republican ticket for President and the Democratic ticket for Members of Congress. Under the type of ballot proposed in the Green-Lucas bill he could do so; under the other form of ballot he could not. I submit, in all sincerity, that we should not adopt this amendment, much as I dislike to oppose my very good friend from Michigan.

Mr. TAFT. Mr. President, the amendment offered by the Senator from Michigan was included in the general amendments which some of us offered, and which were just voted upon. It seems to me so logical that I can hardly see how any Senator could vote against it.

After all, it proposes that the voter must vote by name. If he wishes to vote for a particular candidate, he must take the trouble to find out the name of the candidate. That certainly is a logical requirement. To be able to vote a straight Democratic or Republican ticket is nothing in the world but a Gallup poll. Every good government league in the United States has for years been trying to eliminate the influence of party, and has been contending that men should be elected because of their own character and their own records. A man who is unable to find out even who is running for the House from his district or for the Senate from his State certainly is not qualified to decide as between those who are running. He may not even know what parties are nominating candidates in his district. In some States the Democrats may not nominate a candidate at all.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. LUCAS. Has the Senator ever voted for a candidate in his State without knowing the background of the candidate, or anything about him?

Mr. TAFT. I may have; but I have never voted for a candidate whose name I did not know, because the name was on the ballot when I voted for him.

Mr. LUCAS. The fact that the Senator saw the name may not have meant anything. The Senator may not have known anything about the candidate or his background; yet the Senator has no doubt done as I have done, and voted for such candidates.

Mr. TAFT. That is possibly true with respect to candidates for township trustee. I think it is not true with respect to any candidate for a county office for whom I have ever voted; and I know it is not true of any candidate for the House of Representatives or the Senate. After all, we are considering candidates for the House and the Senate. I never have voted for any such candidate without knowing something about him and about his character.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. OVERTON. According to the newspapers, the President made the observation the other day that he would find it very difficult to know how to vote for his Representative unless he knew how his Representative had voted. A fortiori, would it not be much more difficult to vote for a Representative if the voter did not even know who the Representative was?

Mr. TAFT. It certainly would be. Incidentally, such a ballot would have the ridiculous effect of having many millions of votes cast for Democratic or Republican candidates for Senator in States in which no Senators were being elected at that election. The voter would not know whether a Senator was being elected in his State at that election or not. Millions of votes would be cast for nonexistent Representatives at large if the voters could vote by party; but, of course, if the voting must be done by name, and the voter must find out the name of the candidate, he will find that there is no such candidate. He will not be able to find the name of a candidate running for such an office. It seems to me that the whole ballot proposed in the bill is utterly and completely illogical.

Mr. TUNNELL. Mr. President, will the Senator yield,

Mr. TAFT. I yield.

Mr. TUNNELL. What does the Senator think would be the result if a boy from the State of Maryland should write in the name "TYDINGS," assuming that the Senator from Maryland is a candidate this year. Suppose he should write in the name "TYDINGS." Perhaps 9 boys out of 10 could not write in the full name of the candidate. Suppose a boy from the State of Maryland should write in the name "TYDINGS" or suppose a boy from the State of Ohio should write in the name "TAFT."

Mr. TYDINGS. If he writes in "TYDINGS" his vote will be counted in Maryland. [Laughter.]

Mr. TUNNELL. What would be the result in some States? Is that considered a name?

Mr. TAFT. I do not understand the question.

Mr. TUNNELL. If only the last name is written in—for example in the case of a boy from the State of Ohio, if the name "TAFT" should be written in, or the name "Johnson," or whatever it might be——

Mr. TAFT. The vote would be counted, would it not?

Mr. TUNNELL. Would it be counted?

Mr. TAFT. Let me refer the Senator to page 30, line 5, of the bill. The language is as follows:

> No ballot shall be invalid by reason of mistake or omission in writing in the name of the candidate or his political party where the candidate or party intended by the voter is clearly identifiable.

I maintain that if the name "TYDINGS" is written in, there is only one TYDINGS, and there is no question whatever about the identification.

Mr. TUNNELL. Mr. President, I have another question. I was afraid that there might be a little discrimination in favor of the President of the United States if this form of ballot were used. Does not the Senator think that more boys know the name "Roosevelt" than any other name? Does not the Senator think it would be easier——

Mr. TAFT. I think we Republicans will have a difficult time in reaching the boys abroad, but I think we will reach them, so that they will know the name of the Republican candidate. [Laughter.]

Mr. TUNNELL. The Senator is willing to take that chance.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BARKLEY. The last remark of the Senator from Ohio discloses a lingering hope, perhaps, that the well-known name of TAFT may be on the ballot. [Laughter.]

Mr. TAFT. No; I can assure the Senator that there is no such hope.

Mr. BARKLEY. I should like to ask the Senator from Ohio, and also the Senator from Michigan, a question. It seems to me that this amendment would give a decided advantage to the sitting Member, whoever he may be. A man who had been in the Senate or in the House for many years, and whose name was well known over the State, would, no doubt, have an advantage over an unknown candidate.

Mr. TAFT. In the colloquial language, my answer would be "so what?"

Mr. BARKLEY. The reason I propounded the inquiry is that I was wondering if the Senator would not concede that a sitting Member in either House of Congress would have an advantage.

Mr. TAFT. I do not think he would have any more advantage than he already has. A sitting Member has an advantage. He has a record and his name is known. He should have that advantage. I see no reason why he should not have it on this ballot as he has it on the ballot at home.

Mr. BARKLEY. How about the soldier who might not want to vote for any of the nominees? Assume that in Ohio the nominees were, TAFT on one ticket and Brown on another ticket. Of course, the Senator from Ohio being the only TAFT, as the Senator from Maryland is the only TYDINGS, we would naturally suppose that a ballot marked "TAFT" would be counted for him. But, suppose that the nominee of another party should be Brown, or Johnson, and the soldier did not know his initials, but simply wrote in "Brown", or "Johnson." There are many Johnsons and many Browns in all the States. Would that automatically and ipso facto be regarded as a vote for the man on the ticket, or would it be regarded as an exercise of the right enjoyed by most voters in all States, to write in some name other than that of the nominee?

Mr. TAFT. Interpreting the language which I have read, I would say that if there were only one Johnson on the ballot it would be a vote for him. If there were two Johnsons running, I believe the vote would be invalid.

Mr. BARKLEY. Yes. That does not happen frequently.

Mr. TAFT. It sometimes happens.

Mr. BARKLEY. It sometimes happens. Unless the soldier or sailor knew the official name as printed on the ballot the election officers would not know which one of the Johnsons for whom to count that vote. That might not occur very often.

Mr. TAFT. That is true, but it would also be true whether we adopted this amendment or not, because even under the amendment reported by the committee the soldier could vote by name. So it has nothing to do with the question of this amendment.

Mr. BARKLEY. He can vote by name, but he is not required to do so. Under this proposal he would be required to vote by name.

Mr. TAFT. That is correct.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. MALONEY. I am sorry that I was absent from the Chamber when the statement was made by the Senator, and during the ensuing colloquy. I am anxious to know under what circumstances a ballot would be invalid. Let us suppose, for example, that the soldier writes in the name of the President and fills in no other name. That ballot would be valid, of course, would it not?

Mr. TAFT. For President, of course, it would be valid.

Mr. MALONEY. If any of the other blanks were filled in with the names of candidates would the ballot be valid?

Mr. TAFT. Yes; it would be valid. The language which I read makes it clear that if the candidate whose name is written in is identifiable, the ballot will be counted. It does not have to be the full name, or meet any other particular specification. So long as it is identifiable as the name of one of the candidates for the office, the ballot would be valid.

Mr. MALONEY. May I ask if one of the principal purposes of the amendment is to make certain that the voter will fulfill the obligation of his oath by voting for only those whose names he knows?

Mr. TAFT. That is correct. It eliminates the possibility of voting by party when the voter does not even know the names of the candidates running for the office.

Mr. MALONEY. And there is no need that he know the names of the electors?

Mr. TAFT. Oh, no. The voter votes for the candidate for President, and a vote for the man who is named as a candidate carries with it a vote for all the electors in his State. I may say that in the State of Ohio today we have no names of electors on the ballot.

On our official ballot we have only the name of the Presidential candidate, and the law provides that a vote for a candidate by name shall be counted as a vote for all the electors who are nominated by their names being filed in a certain way.

Mr. MALONEY. It seems to me that this ballot would provide a distinct advantage for sitting office holders, whoever they may be. However, I hasten to add that I do not see any good reason for opposing the amendment, because I cannot understand how a man can vote intelligently if he does not know the names of the candidates.

Mr. BARKLEY and Mr. FERGUSON addressed the Chair.

The ACTING PRESIDENT pro tempore. Does the Senator from Ohio yield, and if so to whom?

Mr. TAFT. I yield first to the Senator from Kentucky.

Mr. BARKLEY. I wish to ask both the Senator from Ohio and the Senator from Michigan a question so that they may have it in mind.

The amendment of the Senator from Michigan does not require that the names of the candidates be printed on the ballot.

Mr. FERGUSON. That is correct.

Mr. BARKLEY. The ballot itself conveys no information to the voter as to the identity of the candidates.

Mr. FERGUSON. That is correct.

Mr. BARKLEY. Then he must know from other sources whether anybody is running, or who is running. What is the Senator's remedy for that situation, in the absence of any authority or ability to propagandize, from which we have all tried to shield the soldier in this legislation? How is information to be conveyed to him as to who is running, what his record is if he has been in office, or what he stands for if he has not been in office? What is the Senator's idea about that?

Mr. FERGUSON. The bill itself, as proposed to be amended by the Senator from Rhode Island, provides that it shall be the duty of the Army and Navy and those in charge of the armed forces to cause lists of candidates to be posted and otherwise made available at conspicuous and convenient places, and to cause notice of explanation of voting procedure, and all other information, to be furnished to the members of his unit and civilians attached to and serving in such unit, and entitled to vote under this title.

If that means what it is said to mean, that we are to send out these lists, I can see no reason at all, when our primary elections are held at the latest in September, why the men at the front could not learn the names by radio. The names could be printed at the front, posted on bulletin boards, and furnished to the men, giving information as to who is running for a particular office.

It has been said that a sitting Member whose name is well known in the community would have an advantage. He would have an advantage, provided his record was such that the people wanted to return him to office. If he did not have such a record, then I take it for granted that the people would not return him, and some other citizen of the State, whose record indicated that he would make a better Member of one of the two Houses of Congress, or in the Executive chair, might be the one for whom the voter would vote.

Mr. BARKLEY. Mr. President, will the Senator yield further to me?

Mr. TAFT. I yield.

Mr. BARKLEY. That would undoubtedly be true, especially among those in position to know the record of the incumbent officers, or those contesting their election. But as I understand, the mere preparation of a list of candidates, to be posted by the Army officers in the field, would carry no information with regard to the record of the candidate, whether good or bad. It may be that some of us here would be at a disadvantage by reason of being too well known.

That is a chance which we must take. However, no information would be carried to the soldier, who might be busy on the front, as to a candidate's voting record, what he stood for, what he has been opposed to, or what his opponent stands for. All the soldier would have would be a list of the candidates which would convey no information to the voter as to whether he should vote for the candidate or not.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. FERGUSON. I should like to answer the question in this way: Are we going to ask the men who are fighting to vote blindly for a party? Are we going to say to a man that, because he may feel that the party had done a particular kind of a job, he should hold every candidate of the party responsible for its conduct? That is what we would be asking those men to do.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Illinois.

Mr. LUCAS. Under the ballot proposed in the bill the soldier would have an opportunity to vote either the Republican or Democratic ticket. He could vote the Republican ticket for President and the Democratic ticket for Members of Congress by writing in their names or the name of the party.

The Senator has spoken about blind voting. I will say that, so far as my State is concerned, there is more blind voting when people vote the straight ticket. That is the common argument which has been made by both sides in every campaign in my State. Voters see on the billboards the appeal to "vote it straight." So far as Illinois is concerned, I am not willing to make the soldiers subscribe to any different kind of a law than they are accustomed to following at home. Millions of votes are cast in Illinois in every general election on that theory. The voters do not know for whom they are voting when they vote the straight ticket.

Mr. TAFT. Mr. President, I do not know why we should follow the State of Illinois. Neither Massachusetts nor Maryland permits party lines on the ballot. The voter is furnished with a ballot which simply contains the names of candidates and information as to which party the candidate belongs.

Mr. LUCAS. The point I am making, since the Senator has raised the question, is that this ballot came from Massachusetts. It came from the secretary of state of Massachusetts, who is a Republican. This question caused us more trouble than any other single thing. We went over and over it to determine the type of ballot we should have. Candidly, I think this amendment would help the Senator from Illinois, assuming that I am to be a candidate again. The amendment offered by the Senator from Michigan would undoubtedly help me if I were a candidate. But I still believe that, for all intents and purposes, the ballot we have is the best ballot we can get under the circumstances.

Mr. MALONEY, Mr. McCLELLAN, and Mr. PEPPER addressed the Chair.

The ACTING PRESIDENT pro tempore. Does the Senator from Ohio yield, and if so, to whom?

Mr. TAFT. I yield first to the Senator from Connecticut. I understand I still have time on the amendment.

The ACTING PRESIDENT pro tempore. The Senator has 4 minutes left on the amendment.

Mr. MALONEY. Mr. President, I want to ask the sponsor of the amendment a question, if I may. The amendment provides, as I understand, for writing in the name of a Senator, and there is a blank therefor. What would be done if two Senators were running?

Mr. TAFT. That seems to be an omission which the Senator from Illinois has not provided for in the original bill, and that probably should be remedied; but it is just as much a fault of the original bill as it is of the amendment.

Mr. MALONEY. I should like to ask the author to take steps to make the necessary correction.

Mr. TAFT. To make provision in case two Senators are running in any State.

Mr. MALONEY. I do not know that there are now, but it is quite possible there may be.

Mr. McKELLAR. Mr. President, I desire to ask a question if I may. Is the short ballot which is proposed by the bill similar to or exactly like that of the State of New York, under which a supreme court judge by the name of Aurelio, as I recall, was elected? Is it the same kind of short ballot which was used in that instance?

Mr. FERGUSON. Mr. President——

Mr. TAFT. I yield to the Senator from Michigan.

Mr. FERGUSON. If we leave the bill as it now stands, it will be the same kind of a ballot, but if we change the bill as proposed by this amendment such a thing could not happen. That is a very good argument why the soldier should write in the name so that he would not be voting blindly for a party candidate. I know of no State that for a moment would have a ballot such as is proposed by the bill, so that a soldier could vote an absolutely blank ballot by merely writing in the name of a party.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Does the Senator from Ohio yield to the Senator from Tennessee?

Mr. TAFT. I yield to the Senator from Tennessee.

Mr. McKELLAR. As I recall, the Senator from Michigan said that no State would have a ballot like the proposed ballot in the Green-Lucas bill. If that is so, how in the name of heaven did the Senator get his consent to vote for such a provision today?

Mr. FERGUSON. I might answer the Senator by saying that I did not.

Mr. McKELLAR. Oh, yes; the Senator voted against the Taft amendment, as I remember, which would have cured that defect.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. FERGUSON and Mr. DANAHER addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. FERGUSON. I should like to answer the question. There were other things in the Taft amendment which are not in this particular amendment. I do not consider that I am inconsistent at all. I believe that this amendment would help this bill and make it a better bill.

Mr. DANAHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Connecticut?

Mr. FERGUSON. I yield.

Mr. DANAHER. There is a question I should like to ask any Senator who is familiar with the proposed amendment to undertake to answer. I understand that in the State of New York the electors must vote for candidates individually. If the ballot provided in the Lucas-Green bill comes back to New York and the officials there, under section 14 of the Lucas-Green bill, are to be the judges as to whether or not the ballot, indeed, is to be received, and there should be thrown out, on the ground that they failed to comply with the New York law, 800,000 or 900,000 or, perhaps, 1,000,000 ballots, which, conceivably, might control the result of the election in the great State of New York, thereafter the electoral vote of New York might be thrown into contest in the Congress, and, to go further, Mr. President, there might be individual election contests in the House of Representatives for every single Representative from the State of New York, as well as the candidate for Senator from the State of New York, in which event the election contest would be thrown into this body. I should like to know whether or not the Senator has given any thought to the possibility of such a situation and if he chooses to express an opinion on the hypothetical case I suggest.

Mr. FERGUSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Michigan? The reason the Chair asks the question is that the time of the Senator from Michigan has been exhausted.

Mr. DANAHER. I am happy to yield to the Senator from Michigan to have the question answered and to any other Senator who may choose to comment on the hypothetical question.

Mr. FERGUSON. If the Senator will yield, I am not familiar with the New York law as to whether or not the requirement is to vote for a candidate; but it appears to me that if that is the law there, as it is the law of some States, then that vote would be void because the intent of the voter as expressed in the law, and as now expressed in this bill, could not be ascertained and it would be void.

I have before me a New York ballot and there is no place on the ballot for voting by party; that is, for a party vote.

Mr. DANAHER. Mr. President, may I interrupt the Senator long enough to say that is my understanding, and I understand further that every single candidate must be voted for separately under the New York law. I think I am correct about that.

Mr. TAFT. Not every elector.

Mr. DANAHER. Not every elector. I am talking now about every candidate for Congress, every candidate for Senator, and Presidential candidates. What

would be the effect on the whole election if eight hundred or nine hundred thousand or perhaps a million votes of State of New York absentees should be thrown out because of the use of the Federal ballot?

Mr. FERGUSON. The chances are it would throw the election itself into Congress in that particular State.

Mr. DANAHER. And throw many election contests into the House of Representatives.

Mr. FERGUSON. That is correct.

Mr. DANAHER. And would the sitting Representatives continue in office while the election contests were being decided? I assume all these questions have been gone over in the mind of the Senator.

Mr. FERGUSON. I know of no provision in the law that would enable a Representative in Congress to hold over until his successor is elected. His term is for 2 years and his term ends at the expiration of the 2 years. There is no provision for holding over as there is under some State laws.

Mr. DANAHER. The Senator certainly is perfectly correct, but I was approaching the question from another angle.

Mr. McKELLAR. Mr. President, I should like to ask a question. I am afraid the Senator misunderstood me. I think his amendment makes for greater honesty and integrity in elections, and for that reason, notwithstanding the previous votes of the Senator from Michigan, I expect to vote for his amendment. I shall vote against the bill because I think it is unconstitutional; but the Senator's amendment is certainly most proper, and I hope the Senate will agree to it.

The PRESIDING OFFICER. The question recurs on the amendment of the junior Senator from Michigan [Mr. FERGUSON].

Mr. THOMAS of Oklahoma. Mr. President, I should like to make an observation, and then direct an inquiry to the junior Senator from Michigan.

It has been my experience that the general public is not too familiar with names, and likewise not too familiar with elections and candidates who run at election time. It has been my custom to give the boys who wish to go to West Point and Annapolis a civil-service test. In the last test I gave one of the questions was, "Who was in command of the American forces at the battle of Manila Bay?"

The particular boy who made the highest grade had a percentage of 99.3. He missed that question. If he had said "Dewey," he would have made 100 percent. If he had said "Admiral Dewey," he would have made 100 percent. If he had said "George Dewey," he would have made 100 percent. I have asked some of the Senators sitting around me here if Admiral Dewey had a middle initial in his name, and none of them seemed to know.

The boy to whom I have made reference, in answering the question about the commanding officer at the Battle of Manila Bay, wrote in the name "Thomas E. Dewey" [laughter], and the Civil Service Commission marked the answer incorrect.

Now suppose we apply that situation to the pending question. Suppose ballots were returned in accordance with the amendment of the junior Senator from Michigan, and the voters in Australia, or wherever else they might be, should happen to write in "Admiral Dewey," or "George Dewey," or some other Dewey. What would be the verdict of the canvassing board with respect to those ballots?

Mr. FERGUSON. If the Senator will yield so that I may answer his question——

Mr. THOMAS of Oklahoma. I yield to the Senator to answer in my time.

Mr. FERGUSON. On page 30 of the bill is this provision:

> No ballot shall be invalid by reason of mistake or omission in writing in the name of the candidate or his political party where the candidate or party intended by the voter is plainly identifiable. Where, because of any defect in marking, a ballot is held invalid as to any particular candidate for office, it shall remain valid as to the other candidates for office.

If the voter were required to write in the word "Democratic" and he did not know how to spell that word we would have the same situation. The amendment would make the ballot to which the Senator refers a good ballot for Dewey, if he were running for President, even if the voter had the initial wrong, or even the first name.

I have had occasion at times to try contested election cases involving a similar provision of State law, and I felt that it was my duty, as a judge, first to look at the intention of the voter. That is why this provision is in the bill, to ascertain the intention of the voter.

Mr. THOMAS of Oklahoma. Mr. President, it is my judgment, based on a good many years' experience, that if we require the voter to write in the names, they will write in the names of the candidates about whom they are sure, and they will leave vacant the spaces relating to candidates about whom they are not sure. That will mean that while there may be many votes for President, but very few votes will be cast for Senators and Representatives.

Mr. MALONEY. Mr. President, I wish to take just a moment, if I may, to ask the Senator from Michigan a question. I shall not press it now, because I assume that if the amendment shall be adopted the question of provision for choice of two Senators will be worked out in conference.

Mr. FERGUSON. That is correct.

Mr. MALONEY. I am assuming that if the bill shall be passed and goes to conference, the same situation will result as to this amendment.

Mr. FERGUSON. Yes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the junior Senator from Michigan [Mr. FERGUSON]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the junior Senator from Nevada [Mr. SCRUGHAM], and will vote. I vote "nay."

The roll call was concluded.

Mr. McCARRAN. My colleague the junior Senator from Nevada [Mr. SCRUGHAM] is absent on official business. If present, he would vote "nay."

Mr. WAGNER (after having voted in the affirmative). I have a general pair with the Senator from Kansas [Mr. REED]. I transfer that pair to the Senator from Montana [Mr. MURRAY], and let my vote stand. I am not advised how either Senator would vote if present.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness. I am advised that if present and voting the Senator from Virginia would vote "nay."

The Senator from Montana [Mr. MURRAY] is detained in a committee meeting.

Mr. WHITE. The Senator from Oregon [Mr. McNARY] is absent because of illness.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from California [Mr. JOHNSON] are necessarily absent.

The Senator from Maine [Mr. BREWSTER], the Senator from Kansas [Mr. REED], and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from New Jersey [Mr. HAWKES] is unavoidably absent from the Senate due to an appointment with Gov. Walter E. Edge, of the State of New Jersey, for the purpose of discussing the soldiers' vote.

The result was announced—yeas 39, nays 45, as follows:

YEAS—39

Aiken	Gillette	Robertson
Austin	Gurney	Shipstead
Ball	Holman	Taft
Brooks	La Follette	Thomas, Idaho
Buck	Langer	Tobey
Butler	McKellar	Tydings
Byrd	Maloney	Vandenberg.
Capper	Mead	Wagner
Connally	Moore	Wheeler
Danaher	Nye	Wherry
Davis	Overton	White
Ferguson	Revercomb	Willis
Gerry	Reynolds	Wilson

NAYS—45

Andrews	Ellender	Millikin
Bailey	George	Murdock
Bankhead	Green	O'Daniel
Barkley	Guffey	O'Mahoney
Bilbo	Hatch	Pepper
Bone	Hayden	Radcliffe
Burton	Hill	Russell
Bushfield	Jackson	Stewart
Caraway	Johnson, Colo.	Thomas, Okla.
Chandler	Kilgore	Thomas, Utah
Chavez	Lucas	Truman
Clark, Idaho	McCarran	Tunnell
Clark, Mo.	McClellan	Wallgren
Downey	McFarland	Walsh, Mass.
Eastland	Maybank	Walsh, N. J.

NOT VOTING—11

Brewster	Johnson, Calif.	Scrugham
Bridges	McNary	Smith
Glass	Murray	Wiley
Hawkes	Reed	

So Mr. FERGUSON's amendment was rejected.

Mr. BARKLEY. Mr. President, I had hoped, and I think a majority of the Senate had hoped, that we might dispose of the pending legislation today in order to avoid a session tomorrow. Earlier in the day I asked that the House amendments to Senate bill 1285 be printed and numbered so that we could know what they were. I am advised that the amendments, printed according to that request, will not be available until tomorrow. For that reason I regret to announce that it will be necessary for us to hold a session tomorrow in the effort to dispose of this legislation. I am sure all Senators realize the desirability of disposing of it at the earliest possible date, because other important legislation is awaiting our attention. I therefore ask Members of the Senate to be available for a session tomorrow so that we may make all the progress possible.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. OVERTON. Is it the majority leader's intention to move for a recess at this time?

Mr. BARKLEY. Not necessarily. I did not have that in mind. I simply wanted to advise the Senate that a session tomorrow would be necessary.

Mr. OVERTON. There will be no final vote on the bill tonight, then?

Mr. BARKLEY. Not necessarily. I am hoping that we can finish the text of the bill tonight, whether there shall be a final vote upon it or not. I had hoped that we might obtain a final vote on the bill today. As the Senator knows, the other bill to which I referred is before the Senate now, and a number of motions are in order upon it, which we would not have the time to dispose of tonight. I myself do not see why that need interfere with the Senate completing consideration of the pending bill with such amendments as may hereafter be offered.

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. BANKHEAD. I ask the majority leader if it is his intention, when the pending bill shall have been disposed of, to take up the bill extending the life of the Commodity Credit Corporation?

Mr. BARKLEY. Yes, Mr. President. That is the next important piece of legislation to be considered.

Mr. WHITE. Mr. President, the majority leader has indicated that there are several motions which it might be in order to be made. I wonder if the Senator is in position to indicate to us what motion he intends to make.

Mr. BARKLEY. I have not had an opportunity up to now to confer with other Members of the Senate on both sides of the Chamber with respect to that, and I am not now in position to say. As the Senator no doubt knows, there are four motions in order upon the other bill: One is to refer it to committee; another is to concur in the House amendments with amendments; the third is to concur; the fourth is to disagree and ask for a conference.

The order of precedence in voting upon those various motions is as I have indicated. The priority of precedence is first given to the motion to refer to committee. The second priority is to the motion to agree to the House amendments with amenments or with an amendment. The third is a motion to concur. The fourth is a motion to disagree and ask for a conference.

Which one of those motions will be made and which one will come first by way of being made, I do not know, but the order of precedence in voting upon them is as I have indicated.

Mr. WHITE. I think the Senator has correctly stated the parliamentary situation. In any event he has stated it as I thought it to be. But I thought it would be a great convenience to many Members if they knew precisely what was ahead. If the Senator from Kentucky is not in position——

Mr. BARKLEY. I can say to the Senator that even if a motion should be made to concur in the House amendments, it would be in order to concur with amendments, or an amendment, and that motion would be voted upon before a simple motion to concur.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Illinois.

Mr. LUCAS. A number of Senators are sincerely hoping we can conclude consideration of the bill tonight. In view of the fact that all amendments in controversy have been disposed of, it seems to me we should continue in session and vote on the bill today. Some Members of the Senate may intend to leave the city and be gone tomorrow; therefore I hope action may be taken on the bill tonight.

Mr. BARKLEY. Mr. President, I am as anxious as any Senator is that the bill be disposed of quickly, and in order to facilitate action I have said very little, as the Senator from Illinois knows and as all Senators know, although I have on several occasions felt the urge to participate in the debate.

I asked that the amendments to the other bill be printed so that Senators might see them, but inasmuch as they are now unavailable, and will not be available tonight, I should in frankness say to the Senate that we could not take up consideration of the other measure and dispose of it tonight. As I indicated a moment ago, however, that seems to be no reason why we should not remain in session and dispose of the bill which is now before the Senate.

Mr. OVERTON. Mr. President, on December 3 of last year the Senate passed Senate bill 1285, providing for soldier voting. It did so after considerable debate. There was not a Senator who did not thoroughly understand the bill reported by the Committee on Privileges and Elections. There was not a Senator who did not thoroughly understand the substitute bill proposed by the Senator from Mississippi [Mr. EASTLAND], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from Arkansas [Mr. MCCLELLAN]. After a prolonged controversy, after thorough discussion, the substitute amendment was adopted by the Senate, and S. 1285, as amended by the amendment in the nature of a substitute, was sent to the House. When it reached the House it was referred to the appropriate committee, and that committee in the House gave the bill thorough consideration and reported the bill with certain amendments. The bill came up for debate in the House and was exhaustively debated. It was considered and discussed for a period of, I think, 3 days. The House acted upon it, and has sent it over here, sent it back to the body of its origin in the customary and proper parliamentary procedure. There is a certain comity which should exist and does exist between the Senate and the House. When the Senate has acted upon a bill and has sent it to the House, and the House has acted upon it, has amended it, and has sent it back here, the appropriate action to be taken by the Senate, the proper courtesy to be shown to the House, is for the Senate to take cognizance of what the House did with respect to the Senate's own bill, and to act upon the House amendments.

Instead of that, Mr. President, we are now continuing a debate upon a brand-new bill which is before the Senate. That debate has lasted for a number of days. I do not know how much longer it will last. I do not know how many more amendments will be offered to it. On my desk are quite a number which are not yet disposed of. I think what we should do is take up Senate bill 1285, which we passed and sent to the House. I think we should take it up and have the amendments of the House laid before the Senate. If the Senate concurs in those amendments—and presently I shall make a motion that the Senate agree to the House amendments—that will end the long, tedious, bitter, and, I may add, distasteful controversy.

If, on the other hand, we vote to reject or to amend the House amendments, then the bill will be sent to conference between the two Houses.

But it seems to me that it is our manifest duty, our duty to our country, our obligation to the House, and our duty to our soldiers to take up the bill upon which we previously acted, and upon which the House has acted, and to dispose of it.

Throughout this debate there has gone forth the cry "We must act; we must act; we must act with expedition, or else delay will prevent our soldiers from voting." Mr. President, the way for the Senate to act with expedition is to take up the bill which it has passed, and which has been acted upon by the House, and let the bill proceed in orderly fashion to its parliamentary termination.

What would be the consequence, Mr. President, if the Senate were to pass another bill on the same subject matter? It would have to be sent to the House.

When it is sent to the House it would be referred to the proper committee, and would be considered there. The House committee might very well say, "We have gone into this question; we have taken up a bill which the Senate sent to the House, which the Senate had thoroughly discussed, analyzed, and amended, and we have acted upon it. We do not think that, as a committee, it is necessary for us to proceed any further."

Or, Mr. President, if the committee did consider the bill and did take action and did report the bill to the floor of the House, the House might very well take the position, "We have debated this legislation in all its aspects for 3 long days, and we gave our verdict as to what should be done under the Constitution of the United States and in the interest of our soldiers at home and on the battlefields abroad." If the House did not take that action, there then would be in the House another long and acrimonious debate, and perhaps again we should have the Commander in Chief of our Army and Navy sending to the Congress of the United States another message which would reflect upon this legislative assembly much more invidiously than did the message to which so much objection has been made—the message which was sent here the other day by President Roosevelt. Whether the President sent such a message or not, I am sure the people throughout the United States would say rather emphatically that the Congress of the United States should quit its dilly-dallying and promptly take action to afford in a constitutional way, and as rapidly as possible, an opportunity for our soldiers to vote.

Mr. President, are we going to play ring-around-a-rosy? Are we going to continue to duck and dodge and to be like unto dancing dervishes swinging here and swinging there? Or are we going to proceed along the orderly, acceptable and well-beaten paths of legislation?

Mr. President, in the public mind there can be only one answer. We should deal with our own bill which has been dealt with by the House. We should lay the amendments of the House before the Senate, and should act upon them. Common decency suggests no other course.

Mr. McKELLAR rose.

Mr. OVERTON. I yield to the Senator from Tennessee.

Mr. McKELLAR. Mr. President, let me call the Senator's attention to the fact that the bill known as the Green-Lucas bill is in substance and effect precisely the same as the Worley bill which the House yesterday, by a yea-and-nay vote on a motion to recommit, voted down by a substantial majority. Should the Senate send the Green-Lucas bill to the House, what possible reason would the Senator have to expect that the House would change its yea-and-nay vote—not a teller vote, not a standing vote, but a yea-and-nay vote taken only last night?

Mr. OVERTON. Mr. President, the Senator is absolutely correct. In my humble judgment there is no chance or opportunity whatsoever, of having the House change its position in respect to this legislation. It would not be the House which would be criticized. It is the Senate which would be criticized, and justly criticized, because it would have failed in its duty, failed to act upon a bill which it had sent to the House, and which the House, with amendments, returned to the Senate.

So, Mr. President, I move that the amendments of the House to Senate bill 1285 be laid before the Senate.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER. The Chair must rule that the motion is in order, according to section 7 of rule VII of the Senate Rules, and is not debatable.

The Chair will be glad to recognize the Senator for any general purpose which does not infringe upon the rule.

Mr. GEORGE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GEORGE. If the House amendments are laid before the Senate and are taken up for consideration, for concurrence or for amendment, then all time limitations on debate will be removed; will they not?

The PRESIDING OFFICER. The present occupant of the Chair would rule that the agreement entered into applies only to the bill under consideration by the Senate at this time—namely, Senate bill 1612—and would not apply to the House amendments to the Senate bill.

Mr. GEORGE. Mr. President, I very humbly suggest that it would be a good idea to take a recess until Monday, because there is no chance on earth of disposing of the bill if it should be taken up.

Mr. BARKLEY. Mr. President, I do not care to infringe upon the rule making this motion nondebatable. I rise to propound a parliamentary inquiry.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The Senator will state it.

Mr. OVERTON. Mr. President, if the Senator will yield, I shall be glad to ask unanimous consent that the motion be adopted.

Mr. BARKLEY. I do not care to debate the motion. I wish to propound an inquiry to the Chair.

Mr. OVERTON. I can withhold the motion.

Mr. BARKLEY. The Senator need not do that. I can propound a parliamentary inquiry without infringing upon the rule. As I understand, the motion which the Senator from Louisiana has made is, in effect, a motion to concur in the House amendments.

The PRESIDING OFFICER. No. The motion of the Senator from Louisiana is to lay before the Senate a message from the House of Representatives. That is the understanding of the Chair.

Mr. OVERTON. That is correct. I shall undertake to follow that with another motion.

The PRESIDING OFFICER. That is all that is before the Senate.

Mr. OVERTON. As I understand, that is all I can presently do. I cannot couple the two motions together.

Mr. BARKLEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BARKLEY. In connection with the motion to lay the House amendments before the Senate, in the event those amendments are laid before the Senate, must further consideration of the pending bill be suspended until that motion, or any other motion relating to Senate bill 1285, is disposed of?

The PRESIDING OFFICER. If the motion of the Senator from Louisiana is agreed to, it will automatically suspend consideration of the unfinished business.

Mr. CLARK of Idaho. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK of Idaho. If the motion of the Senator from Louisiana should prevail, and the House amendments should be laid before the Senate, then would it be in order to move, as an amendment to any of the House amendments, Senate bill 1612, which is the Green-Lucas bill, and proceed to consider it as an amendment to a House amendment?

The PRESIDING OFFICER. It would be in order, as a parliamentary right, to make such a motion.

Mr. BARKLEY. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BARKLEY. If the motion of the Senator from Louisiana should be defeated, then the Senate would proceed to consider the pending legislation as if it had not been interrupted by the motion. Is that correct?

The PRESIDING OFFICER. If the motion of the Senator from Louisiana should not prevail, the business before the Senate would be Senate bill 1612.

Mr. BARKLEY. And even if his motion should not prevail, he would not be barred later, nor would any other Senator be barred later, from making any motion which is in order with respect to the House amendments to Senate bill 1285.

The PRESIDING OFFICER. That is the opinion of the present occupant of the chair.

Mr. BARKLEY. So if this motion should now be defeated, and we should take a recess until tomorrow, with the pending bill uncompleted, the motion would be in order tomorrow, and any parliamentary motion which is in order would likewise be in order tomorrow, regardless of the action of the Senate today on that motion.

The PRESIDING OFFICER. That is the opinion of the present occupant of the chair.

Mr. OVERTON, Mr. CLARK of Missouri, and Mr. LUCAS addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. OVERTON. Mr. President, I modify my motion by moving that the House amendments be laid before the Senate, and that the Senate concur in the same.

Mr. CLARK of Missouri. Mr. President, I make a point of order against that motion. It is not in order.

Mr. OVERTON. I inquire, Mr. President, whether such a motion is in order.

The PRESIDING OFFICER. In the opinion of the present occupant of the chair that motion is not in order.

Mr. OVERTON. After my motion is voted upon, I hope I can obtain recognition to move that the amendments of the House be concurred in.

The PRESIDING OFFICER. The unfinished business before the Senate at present is Senate bill 1612. The motion of the Senator from Louisiana is to lay before the Senate a message from the House of Representatives which would displace the unfinished business.

Mr. McKELLAR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McKELLAR. Is the motion debatable?

The PRESIDING OFFICER. The motion is not debatable.

Mr. McKELLAR. I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana to lay before the Senate the message of the House of Representatives with respect to Senate bill 1285.

Mr. WILLIS. Mr. President, for myself and my colleague from Indiana [Mr. JACKSON], I desire to offer an amendment.

The PRESIDING OFFICER. The amendment will be received and lie on the table.

The question is on agreeing to the motion of the Senator from Louisiana to lay before the Senate the message from the House of Representatives in connection with Senate bill 1285. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the junior Senator from Nevada [Mr. SCRUGHAM] and will vote. I vote "nay."

Mr. WAGNER (when his name was called.) I have a general pair with the junior Senator from Kansas [Mr. REED]. I transfer that pair to the senior Senator from Virginia [Mr. GLASS] and will vote. I vote "nay."

The roll call was concluded.

Mr. TAFT. The senior Senator from New Jersey [Mr. HAWKES] would vote "yea" if he were present. He is attending a meeting of the Governor and other officials of the State of New Jersey with respect to the passage of an absentee-voters' law in New Jersey.

Mr. McCARRAN. My colleague the junior Senator from Nevada [Mr. SCRUGHAM] is absent on official business. If he were present he would vote "nay."

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from Mississippi [Mr. BILBO] and the Senator from Oklahoma [Mr. THOMAS] are detained in Government departments on matters pertaining to their respective States.

The Senator from Mississippi [Mr. BILBO] is paired with the Senator from Idaho [Mr. THOMAS].

Mr. WHITE. The Senator from Oregon [Mr. McNARY] is absent because of illness.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from California [Mr. JOHNSON] are necessarily absent.

The Senator from Idaho [Mr. THOMAS] and the Senator from Wisconsin [Mr. WILEY] are absent on official business.

The Senator from Kansas [Mr. REED] is detained on departmental business.

The Senator from New Jersey [Mr. HAWKES] is unavoidably absent from the Senate due to an appointment with Gov. Walter E. Edge, of the State of New Jersey, for the purpose of discussing the soldiers' vote.

The yeas and nays resulted—yeas 42, nays 42, as follows:

YEAS—42

Bailey	Ellender	Overton
Ball	Ferguson	Revercomb
Bankhead	George	Reynolds
Brewster	Gerry	Robertson
Brooks	Gillette	Russell
Buck	Gurney	Shipstead
Bushfield	Hill	Smith
Butler	Holman	Taft
Byrd	McClellan	Tobey
Capper	McKellar	Wheeler
Caraway	Millikin	Wherry
Connally	Moore	White
Davis	Nye	Willis
Eastland	O'Daniel	Wilson

NAYS—42

Aiken	Hatch	Murray
Andrews	Hayden	O'Mahoney
Austin	Jackson	Pepper
Barkley	Johnson, Colo.	Radcliffe
Bone	Kilgore	Stewart
Burton	La Follette	Thomas, Utah
Chandler	Langer	Truman
Chavez	Lucas	Tunnell
Clark, Idaho	McCarran	Tydings
Clark, Mo.	McFarland	Vandenberg
Danaher	Maloney	Wagner
Downey	Maybank	Wallgren
Green	Mead	Walsh, Mass.
Guffey	Murdock	Walsh, N. J.

NOT VOTING—11

Bilbo	Johnson, Calif.	Thomas, Idaho
Bridges	McNary	Thomas, Okla.
Glass	Reed	Wiley
Hawkes	Scrugham	

The PRESIDING OFFICER. On this question the yeas are 42, and the nays are 42, and the motion of the Senator from Louisiana is rejected.

Mr. VANDENBERG. Mr. President, if I may have the attention of the Senator from Illinois [Mr. LUCAS] and the Senator from Rhode Island [Mr. GREEN], I wish to call their attention to one phrase on page 42, which, it seems to me, ought to be deleted from the bill.

I believe it is generally agreed that we are proceeding on the theory that the facilities for the distribution of the State ballots shall be just as complete as are practicable and possible.

I invite the attention of the Senator from Illinois and the Senator from Rhode Island to the language appearing on page 42 of the bill which describes the distribution of the post cards under title II in respect to the State ballots. This is the initiation of the process which produces a State ballot. Therefore it is the very key to the entire situation. I invite attention to the fact that the language to which I refer, beginning in line 3 on page 42, reads as follows:

> such post cards to be made available, at appropriate times, upon request, to members of the armed forces—

And so forth. They are only available upon request. They are not even available without request by members of the armed forces.

For whatever it may be worth, I invite the attention of Senators to the comparable language in the bill as passed by the House, because I think it deals with this particular subject more adequately. In the House text the language is as follows:

> The Secretary of War, and the Secretary of the Navy, and the Administrator of the War Shipping Administration are directed to cause such post-card applications to be distributed to persons to whom this act is applicable.

And so forth. Without asking that the bill be amended to that extent, I at least respectfully suggest to the able Senators that the words "upon request" should be deleted so that the language will then read:

> The Secretaries of War and Navy shall, wherever practicable and compatible with military operations, cause such post cards to be made available, at appropriate times, to members of the armed forces—

And so forth.

Mr. GREEN. Mr. President, I am glad to accept the suggested amendment of the Senator from Michigan to strike out the words "upon request."

Mr. VANDENBERG. Mr. President, I move that on page 42, in line 4, the words "upon request" be stricken out.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan.

The amendment was agreed to.

Mr. DANAHER. Mr. President, a while since, the Senator from Kentucky offered an amendment to section 14 on page 39 which cured in part the defect which became apparent a few days ago in our colloquy with reference to section 12 on page 38.

I have conferred with the Senator from Rhode Island, who is in charge of the bill, and with other Senators in connection with the language which should be in section 12, and I will state it, Mr. President, as it would appear consecutively if section 12 should be amended as I shall move to amend it. The language would then read:

> The Commission, upon receiving any ballot cast under this title, shall promptly transmit it to the secretary of state of the State of the voter's residence, who shall at a proper time transmit it to the appropriate election officials of the district, precinct, county, or other voting unit of the voter's residence. Such officials shall take oath that they will not disclose to anyone (unless required by law) how any absentee shall have voted. Such officials shall determine that

the oath required under sections 5 and 6 has been executed and that it is in order, pursuant to section 14, to open the official inner envelope; whereupon such officials shall compile a voting list of the names appearing on all such inner envelopes received from the secretary of state. No ballot provided under this title shall be voted in behalf of any absentee whose name does not appear on the voting list so established. No person other than such appropriate election officials shall open any official outer or inner envelope purporting to contain a ballot cast under this title.

Section 12, Mr. President, as thus amended, spelling out further, under the amendment of the Senator from Kentucky, a duty on the election officials, under section 14, would integrate a plan which would protect the vote.

Mr. President, I move to amend as I have indicated.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. DANAHER. I yield to the Senator from Vermont.

Mr. AUSTIN. Before the Senator from Connecticut sends forward his amendment, I submit for his consideration whether he should also move to strike out, in line 13, page 38, the word "cast."

Mr. DANAHER. The Senator from Vermont has raised a very interesting question of tautology. If the Senator will perceive, the words "ballots cast" appear throughout the bill. On line 2, page 38, for instance, the Senator will see the language, "Ballots cast outside the United States shall be transmitted," and so forth. I find the same language on page 39, line 8, and there are yet other places where it occurs.

I rather fancy that it was the idea of the drafters of the bill that when a soldier had marked up his ballot, and when in fact he had put it into the inner envelope, and had taken the oath, so far as he was concerned he was deemed to have cast a ballot wherever he was, and wherever he executed those acts. I assume the Senator from Rhode Island might be able to throw light on that point, and if that is not what the Senator from Rhode Island and the other authors of the bill had in mind, then the word "cast" should be stricken. If, on the other hand, I correctly interpret what the Senator from Rhode Island and others intended, then the words should be retained. I submit that answer to the Senator from Vermont.

Mr. GREEN. Mr. President, I quite agree.

Mr. LUCAS. Mr. President, I make the point of order that the Senate is not in order.

The ACTING PRESIDENT pro tempore. The point of order is well taken. The Senate will be in order.

Mr. GREEN. I think the Senator from Connecticut has stated the situation correctly. So far as the soldier voter is concerned, the ballot is cast, but the process is not completed until the official actually puts it in the ballot box or registers it on the voting machine.

Mr. AUSTIN. Mr. President, will the Senator from Connecticut yield?

Mr. DANAHER. I am glad to yield.

Mr. AUSTIN. This suggestion would not have come from me had we not, since considering the bill, and very recently, adopted an amendment to section 14 (a)—I believe it was the amendment of the Senate from Kentucky——

Mr. LUCAS. I make the point of order that the Senate is not in order. I should like to hear what is being said.

The ACTING PRESIDENT pro tempore. The point of order is again well taken, and the Senate will please be in order.

Mr. AUSTIN. Mr. President, I was undertaking to keep the record straight as to the reason why I raised the point, namely, that it seems to me that we now have two uses of the word "cast" in which it has different meanings. By virtue of the amendment of the Senator from Kentucky to section 14 (a), if that is the place where the amendment was offered——

Mr. DANAHER. That is correct.

Mr. AUSTIN. We have the use of "cast" as describing the act of the ballot clerk on whom is imposed the duty by the proposed law of depositing the ballot, after it has been removed from the inner envelope, or to do the necessary act of casting the ballot according to the law of the State where the vote is to be counted. We have the other meaning of the word "cast," which relates solely to the location where the soldier is. Now, with the explanation which has been made, I am satisfied to leave the text of the bill as it is, meaning that it is a ballot in the condition in which the soldier seals the outer envelope.

Mr. DANAHER. I thank the Senator from Vermont for his question on this point, and I think he is justified, further, in coming to his conclusion, in giving the words "ballot cast" a meaning equal to "ballot prepared to be cast." If he will look at line 11, page 39, he will see that after the ballot cast has undergone a determination as to validity, it becomes a vote cast; and it is so described. I think consideration of those provisions will make the matter sufficiently clear.

Mr. GREEN. Will the Senator yield?

Mr. DANAHER. I yield.

Mr. GREEN. If the Senator from Vermont will recall, I raised that very point at the time the Senator from Kentucky offered his amendment. I said that the word "cast" as first used was a general term, and in the second place it was used it was a specific term. It has two meanings, but the context determines the meaning. I think that is clear.

Mr. DANAHER. I thank the Senator from Rhode Island. I am entirely satisfied.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Connecticut.

Mr. DANAHER. The Senator from Rhode Island has indicated that he wished further, and in person, to examine the language, although he had previously gone over it. I withhold request that it be stated from the desk until he has opportunity to look at the amendment. I think he will find there is no question about it, however.

Mr. GREEN. For the sake of the RECORD, I should like to have the Senator from Connecticut state that he understands, as I do, that where it says "in the voting list so established" it means after the comparison, and not before.

Mr. DANAHER. That is correct. The voting list will be compiled from the list of inner envelopes on the outside of which appear the names of the absentees.

Mr. GREEN. And it does not refer to a voting list that was established before those came in.

Mr. DANAHER. The Senator is correct.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Connecticut [Mr. DANAHER].

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment.

Mr. DANAHER. Mr. President, on page 29, we find, commencing after line 8, the form of an official war ballot. We will instruct our absentee "To vote, write in the name of the candidate" or "write in the name of his political party." Then following the names are three political parties designated, "Democratic, Republican, Progressive, or others."

Reference to the Congressional Directory will disclose that in the House of Representatives at this time two additional parties are represented, the Farmer-Labor and the American-Labor, and clearly the representatives of those parties will be up for election in November 1944.

In addition, the Socialist Party has commonly nominated a candidate for President in election years. There has been a candidate, at least within my memory, each quadrennium. Under the circumstances, I think that the rights of the minority parties should be protected, insofar as properly we may do so, by inserting after the words "Democratic, Republican, Progressive," the words "Farmer-Labor, American Labor," those parties being represented at present in the House of Representatives, and "Socialist."

The ACTING PRESIDENT pro tempore. Does the Senator propose that as an amendment?

Mr. DANAHER. I propose that as an amendment.

Mr. GREEN. Mr. President, I wish I could accept the amendment offered by the Senator from Connecticut, for whom I have great regard. This matter was discussed at length in the committee, and it was decided that it was inadvisable to include such a list, and I cannot accept the amendment.

The list proposed by the Senator from Connecticut is not inclusive. There are other parties which make nominations, or may make nominations. It was thought best at first to confine the list, as is usually done in acts of Congress and at party conventions, to those parties which cast at least 10 percent of the votes

in the last election. That was the determining factor in deciding what parties should be represented by their chairmen in submitting lists of names for the War Ballot Commission. It seems to me we should be consistent and limit the list to the same parties. I believe the Republican and the Democratic Parties are the only parties who fulfilled that condition. I must say that I think perhaps illogically we added the name "Progressive," influenced by the fact that we have such a distinguished representative of that party a Member of the Senate itself, but it would not justify the inclusion of other party names. The Progressive Party name should be excluded rather than to add others.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. BARKLEY. I should like to have the attention of the Senator from Rhode Island and also the Senator from Illinois. Why is it necessary to name any party in this particular part of the bill? Why call attention to any political party? It seems to me the voter should write in the name of his political party. It is not necessary to call attention to any particular party in order that he can do that. If any party is to be named, I think there is considerable logic in the position of the Senator from Connecticut. I myself see no need for having any of the party names printed.

Mr. DANAHER. Mr. President, the Senator from Kentucky is correct. Either the parties represented in Congress at the very least should be included, or there should not be any included.

Mr. President, the Senator from Kentucky not only is correct, but in the explanations which go to the men in the field, in the literature which may be sent to them, all these party candidates will be listed by party, and consequently they will be apprised of what the parties are and who the candidates are.

Mr. BARKLEY. Mr. President, if it is logical to put any of them in, it is logical to put all of them in, certainly with respect to candidates for President. While it is true that there is no Senator who is a member of the Socialist Party, there have been Members of the House of Representatives who were elected as members of the Socialist Party, and we know that that party does have a candidate for President in practically every election. My own preference would be to strike out all the names of parties.

Mr. GREEN. I may say to the Senator from Connecticut that I am willing to accept an amendment to strike them all out.

Mr. DANAHER. Mr. President, I am perfectly willing that no party name be indicated on the official Federal war ballot. Accordingly, I withdraw my previous amendment, and offer the amendment to strike out all party names from the official Federal war ballot; that is, to strike out the words "Democratic, Republican, Progressive, or other."

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Connecticut.

Mr. ROBERTSON. Mr. President, I should like to ask the Senator from Connecticut a question. In the event a soldier should write in on his ballot "New Deal Party," how would that ballot be counted?

Mr. LUCAS. I can say, Mr. President, that it would not be counted for the party of the Senator from Wyoming.

Mr. DANAHER. Mr. President, I ask for a vote on my amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Connecticut.

The amendment was agreed to.

Mr. DANAHER. Mr. President, I have only one other amendment. On page 39, commencing in line 16, we find the following:

No official Federal war ballot shall be valid if—

Now proceeding to line 22:

Such ballot is received by the appropriate election official of the district, precinct, county, or other voting unit of the State of the voter's residence later than—

At that point we turn to the top of page 40, and I move that there be inserted the words—

Twelve o'clock meridian on—

Then follows the language at the top of page 40—

the date of the holding of the election.

And that the remainder of subsection (b) be stricken out.

Mr. LUCAS. Mr. President, that is an amendment to which we cannot agree. The subsection involved is important. I do not know whether the Senator from Connecticut has thought this matter out; but there are any number of States which have different dates upon which they receive ballots. There are some States, as I understand, which count the absentee ballots which are received from 4 or 5 or 6 days after other States which compel the ballot to be in 24 hours before the election. Other States compel the ballots to be there not later than election day.

The sole point in this part of the committee amendment was once again to carry on the traditional comity between the Federal Government and the State Governments. So here we recognize the law of every State in the Union insofar as the receipt of the ballot is concerned. It was one provision which was carefully gone into, and I hope the Senator from Connecticut will not press his amendment, because if we strike out lines 1, 2, 3, and 4 on page 40, then we will be right back where we were in the beginning when we had this part of the bill written somewhat in line with what the Senator has now suggested.

Mr. DANAHER. Mr. President, I will state briefly my rejoinder to the points made by the Senator from Illinois. We can easily recall the situation in 1916, when the two principal Presidential candidates went to bed each believing that the other had proved successful. If, under this extraneous development of the Federal war ballot, millions of ballots are to be cast, and counted at a time after preliminary determination of the apparent result has been made, it stands to reason that we will have excited a possible cause for misuse and abuse of the extended privilege.

Mr. President, if we have any right whatever to act with reference to Members of Congress under article I, section 4, if we have any right to provide a manner of voting for Presidential electors under war powers or under constitutional grants of power, at the very least we ought to provide a uniform manner of voting.

I respectfully state that these absentee Federal war ballots should be counted in the election precinct on election day and not afterward. If a State for its part thinks it an advantage, for whatever reason, to permit absentee ballots to be cast and counted 3 or 4 or 5 or 6 weeks after election day, then that is all the more reason why they should accept our invitation to comply with our law and expedite in every way possible the use of the State ballot. They may do that. That is their privilege. They equally obtain votes for all the State officers at the same time as part of the process.

Mr. President, we will be inviting fraud if as of the noonday hour of election day it will have developed that only one-tenth, maybe one-fifth of the absentee voters of a given community have balloted as of that time. We will thereafter know that it is possible that votes may be "developed"—let me use that word, and I put quotes around it—between noontime and the hour of closing the polls. That is bad enough. But if the election results in fact shall be announced and yet ballots may continue to come in for weeks, I respectfully submit that we are opening the door wide.

Under those circumstances I felt that we would appropriately do a just and wise thing if we required that all absentee ballots be on hand by 12 o'clock noon on election day.

I do not wish to withdraw the amendment, I will say to the Senator from Illinois. I should like a vote on it.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. GREEN. Mr. President, supplementing what my colleague, the Senator from Illinois has said, in which I heartily agree, I should like to know if I may ask the Senator from Connecticut the question, why he connects 12 o'clock meridian with the time on election day? Why did he make that distinction between those who vote by absentee ballot and those who vote in person? The ballot is cast in the same manner. It is counted in the same manner. Why should the time not be the same time as when the polls are closed, 4 or 5 or 6 or 7 or 8 or 9 or 10 o'clock at night? I see no reason for cutting short the time of the soldier's vote in comparison with that of all others.

Mr. DANAHER. Mr. President, will the Senator yield?

The ACTING PRESIDENT pro tempore. Does the Senator from Rhode Island yield to the Senator from Connecticut?

Mr. GREEN. I yield.

Mr. DANAHER. Let me say that the question is a fair one. The fact remains that in section 12 it is expressly provided that the Commission shall promptly transmit all the war ballots it collects to the secretary of state of the State of the voter's residence; and in line 9 it is said "at an appropriate time transmit it to the appropriate election officials" of the absentee voter.

The absentee ballot which the absentee of whatever covered class has entrusted to the Commission is solely in the hands of the Commission in advance of the election. The Commission, it is specified, shall promptly transmit it to the secretary of state. That provision is found on page 38 in line 7. Consequently, the ballots, all sealed, will be in the hands of the secretary of state, whether it be the secretary of state of Connecticut, the secretary of state of Illinois, or the secretary of state of any other State. It will be up to the secretary of state, under the duty the Senator would impose upon him under section 12, as an appropriate time to transmit the ballots to the appropriate election officials.

Mr. President, there is no reason why the word "appropriate," just as the Senator uses it, should not be construed as meaning 24 hours, 36 hours, or 72 hours, for instance, in advance of election day, to the end that the appropriate election officials in a large city such as Chicago, or New York, for example, may prepare their lists and do everything else they possibly can do in order to facilitate a prompt and expeditious vote on election day.

Then, Mr. President, the ballots will be on hand in the election precincts. It is not merely a question of the elections in the large centers, such as Chicago and New York, important though they may be, but of the tens of thousands of polling places throughout the United States. All those factors should be regarded. The secretary of state can make certain that the ballots are on hand on the morning of election day. That is when they should be on hand.

Therefore, if we take some cut-off date, and some cut-off time on that date, and give the ballots validity if voted at that time—that is the only way it should be, Mr. President—we can insist on the adequate performance which the act itself will impose upon them.

Mr. LUCAS. Mr. President——

The ACTING PRESIDENT pro tempore. Does the Senator from Rhode Island yield to the Senator from Illinois?

Mr. GREEN. I shall yield to the Senator from Illinois in a moment.

Mr. President, I simply wish to state that, if I am not mistaken, this provision was recommended by Mr. Cook, who is not only the Republican secretary of state of the State of Massachusetts but, what is even more important, is the president of the Association of Secretaries of State of the United States. The Senator from Illinois has already alluded to the important meeting that association held at St. Louis, at which they discussed at length the then draft of the bill and made a series of recommendations. We sought so far as possible to adopt those recommendations, and I think we did adopt most of them; and I think the changes made were finally assented to by Mr. Cook, as president of the association.

I should like to impress upon all Senators the fact that the greatest pains were taken to meet the suggestions made by the secretaries of state. One of the points was that we could not fix a definite time; that inasmuch as the polling hours are different in various States, therefore determination of the appropriate time should be left to the respective secretaries of state to determine. It might be one time in one State and another time in another State. That is why we do not have in the bill a provision for a fixed time.

The same situation applies with respect to the casting of the ballots; at least, that is my opinion. I think it would be a great mistake to change this provision of the bill.

Mr. TAFT obtained the floor.

Mr. BARKLEY. Mr. President, if the Senator will permit an interruption, I should like to suggest to Senators that if the amendment is to involve very much debate, perhaps it would be better that it go over until tomorrow.

Mr. TAFT. Mr. President, I wanted to ask the majority leader whether it would not be feasible to postpone the final passage of the bill until tomorrow?

Mr. McKELLAR. Mr. President, that is what the Senator from Kentucky proposes to do.

Mr. BARKLEY. I will say to the Senator that I had expressed the hope that the Senate would take a recess until tomorrow as soon as the pending amendment was disposed of. If consideration of the pending amendment is to involve much debate before it is disposed of, I hope that at this time the Senate will take a recess until tomorrow.

Mr. McKELLAR. Let us let the amendment go over until tomorrow.

Mr. GREEN. Can we not finish consideration of the amendment today?

Mr. DANAHER. Mr. President, I think the amendment is an important one. I should very much like to have a yea-and-nay vote on it. I know that a yea-and-nay vote will take a certain amount of time.

Mr. BARKLEY. If the yeas and nays are to be asked for at this hour, I should much prefer to have the Senate take a recess now.

Mr. DANAHER. I should like to have the amendment be the pending question when the Senate meets tomorrow, and have the amendment taken up the first thing tomorrow.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate a message from the President of the United States nominating Herbert Wechsler, of New York, to be Assistant Attorney General, vice Hugh B. Cox, which was referred to the Committee on the Judiciary.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 5 o'clock and 27 minutes p. m.) the Senate took a recess until tomorrow, Saturday, February 5, 1944, at 11 o'clock a. m.

NOMINATION

Executive nomination received by the Senate February 4 (legislative day of January 24), 1944.

DEPARTMENT OF JUSTICE

Herbert Wechsler, of New York, to be Assistant Attorney General, vice Hugh B. Cox.

HOUSE OF REPRESENTATIVES

FRIDAY, FEBRUARY 4, 1944

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Heavenly Father, Thou who hast an eye to see, an ear to hear, and a heart that sympathizes with all humanity, grant us the things that are good with the power of realizing more of that rest which belongs to our spiritual natures. Always may conscience and character have their ways in molding the laws of our Republic.

Blessed Lord, do Thou hear our prayer, for we are united in common infirmity, with common sinfulness, with a common need of forgiveness and of that love which must forever flow from the infinite soul of an infinite God. Cleanse every truth that enters our minds and every deed that is executed by our wills. May our service be patriotic and positive with courage whose anchor neither breaks nor drags. More and more may we be inspired by the love of justice with a passion for righteousness, with the old-time sympathy for the oppressed and with the old-time American ideals for a better country and a better world. Bring us into a unity of soul with allegiance to one Lord and one law until a blessed peace lies like a shaft of heavenly light across the face of this drooping world. In our Saviour's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATION BILL—1945

Mr. LUDLOW, from the Committee on Appropriations, reported the bill (H. R. 4133) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1945, and for other purposes (Rept. No. 1076), which was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. TABER reserved all points of order.

CONFERENCE REPORT ON TAX BILL

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that I may have until midnight tonight to file a conference report and statement on the tax bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. DOUGHTON]?

There was no objection.

IMPORTATION FREE OF DUTY OF FLAXSEED FROM FOREIGN COUNTRIES

Mr. REED of New York. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 231, to permit the importation free of duty of flaxseed from foreign countries during a period of 90 days.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

The Clerk read the resolution, as follows:

Resolved, etc., That, in order to encourage the production in the United States of feed for livestock and poultry, flaxseed when imported into the United States from foreign countries and when entered, or withdrawn from warehouse, for consumption during the period of 90 days beginning on the day following the date of enactment of this joint resolution, shall be admitted free of duty, notwithstanding the provisions of the Tariff Act of 1930. As used in this joint resolution the term "United States" means the several States, the District of Columbia, the Territories, Puerto Rico, and the Virgin Islands.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a newspaper article, and also I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein an article written by Hubert M. Harrison, of the East Texas Chamber of Commerce.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RUSSELL]?

There was no objection.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I do this merely for the purpose of obtaining the program for next week.

Mr. McCORMACK. Mr. Speaker, on Monday next the bills on the Consent Calendar will be called and the tax bill conference report will be considered. Thereafter general debate will start on the Treasury and Post Office Departments appropriation bill.

Mr. MARTIN of Massachusetts. I understand there is a conference report on some farm-labor appropriation bill that may come up on Monday.

Mr. McCORMACK. To be frank, I had not heard of that.

Mr. TABER. If the gentleman will yield, it happens to be a unanimous report and I do not believe it will take long.

Mr. McCORMACK. Of course, that will be in order.

The SPEAKER. The report has not been filed as yet.

Mr. TABER. Mr. Speaker, I understand the chairman of the committee will ask unanimous consent that the report may be filed by midnight tonight.

Mr. McCORMACK. That will be in order next week. Any conference report in connection with a legislative program is in order.

I would like to have the chairman of the Subcommittee on the Treasury and Post Office Departments appropriation bill verify what I am about to say. I understand that the general debate on the Treasury-Post Office appropriation bill will continue until Tuesday.

Mr. TABER. Mr. Speaker, if we do not get started until Tuesday noon on that bill it may take longer than Tuesday for general debate because there will be quite a considerable debate on it.

Mr. McCORMACK. Of course, the amount of time that is taken in general debate rests with the committee, as the gentleman from New York knows. The leadership should simply try to fit in the program in accordance with any agreement that is made among the members of the committee. I think that is a wise policy to follow, and I have followed it.

The Treasury-Post Office Department appropriation bill will come up after the conference report on the tax bill is out of the way and the other conference report. If the other conference report comes in while general debate goes on, we will take it up on another day. The Treasury-Post Office Department appropriation bill will be taken up and finished.

Mr. LUDLOW. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Indiana.

Mr. LUDLOW. May I say that from all indications now we shall require about 2 full days of debate.

Mr. TABER. That is what I would expect.

Mr. McCORMACK. Whatever is agree on, of course, the leadership will accept. That is one thing I believe the leadership should do. The Treasury-Post Office Department appropriation bill will be considered next week until disposed of. Then, if there is any time left and if the members of the subcommittee so desire and if a report has been made, the State, Justice and Commerce Departments Appropriation bill will be in order for consideration.

Mr. MARTIN of Massachusetts. May I say that Saturday next is Lincoln's Birthday and a great many of our Members will be traveling to many parts of the country. I hope the gentleman will make that day as light as possible.

Mr. McCORMACK. I think it is only right that each side respect the wishes of the other in that respect. May I say now that I shall make every effort to adjourn from Thursday until the following Monday, or, if not, Members who desire to make Lincoln Day addresses may be assured that on Friday of next week there will be nothing of a controversial nature.

Mr. MARTIN of Massachusetts. That is all we expect. We would not care particularly to adjourn over.

Mr. McCORMACK. To me that is fundamental. That is not a question of one party but both parties. All of us have those problems during the close of the year.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

CONFERENCE REPORT ON HOUSE JOINT RESOLUTION 208

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a conference report and statement on House Joint Resolution 208.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

THE LATE RAYMOND CLAPPER

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. PRIEST. Mr. Speaker, Raymond Clapper, who died at the front in the Marshall Islands, was one of the truly great reporters of this generation.

He was never interested in rumors except to the extent that back of them there might be some facts, and he never sacrificed facts for the sake of interesting or sparkling copy.

It was that passion for accurate, firsthand reporting that took him into the danger zones of war; took him close to the spot where news was being made.

In times like these the Nation can ill afford to lose men in any profession who can think objectively, fairly, impartially, and clearly. Twice is that true of journalists who are charged with the double responsibility of keeping the public well and accurately informed, and of keeping the press on such a high plane that it will merit the freedom guaranteed it under our Constitution.

Ray Clapper discharged both of those responsibilities. His death is a national loss.

PERMISSION TO ADDRESS THE HOUSE

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent that on the 3d of May, at the conclusion of the legislative program of the day, I may be permitted to address the House for 2 hours.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein certain figures amplifying my remarks of January 27.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

(Mr. WELCH and Mr. BENNETT of Michigan asked and were given permission to extend their own remarks in the RECORD.)

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution passed by the New Jersey State Legislature on the question of the soldier vote.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in two instances, and to include in each one a short newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. AUCHINCLOSS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter and a newspaper clipping.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

SENATOR LODGE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, Senator HENRY CABOT LODGE, Jr., from Massachusetts, has resigned from the United States Senate to accept active overseas combat duty in the Army. He has been an extremely able legislator in the United States Senate, an able fighter for measures he thought were right. He feels that he is called to a still higher duty, a still greater responsibility at this critical period of the war. I know he will conduct himself in the ablest possible manner in the Army. Major LODGE previously served overseas and is very highly considered by the War Department. In continuing that service, he will bring added honor to the State and the Nation.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Massachusetts

Mr. MARTIN of Massachusetts. May I say all the Members of the Massachusetts delegation, both Republicans and Democrats, realize the fine patriotic impulse that has prompted our able and distinguished Massachusetts Senator to resign to participate actively in the war. He has been a good Senator and his military experience ensures success in the military life he now enters. Senator LODGE will carry with him our very best wishes.

Mrs. ROGERS of Massachusetts. He has always been a fine friend and a cooperative legislator. While our loss in the Congress will be great, he is entering upon a still more vital service for a young man in an effort to bring this terrible war to an end, and to secure victory for our country and our allies. I wish him godspeed.

REFERENCE OF H. R. 4076

Mr. RANKIN. Mr. Speaker, I ask that the bill H. R. 4076, which was referred to the Committee on World War Veterans' Legislation through error, be rereferred to the Committee on Invalid Pensions.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, what is this bill?

Mr. RANKIN. It is about peacetime service.

Mr. MARTIN of Massachusetts. It belongs properly to the other committee?

Mr. RANKIN. I ask that it be referred to the proper committee. It is not before the proper committee now.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, last evening, around 9 o'clock, several Members on the majority side expressed deep concern over the fact that the House was remaining in session so long, evidently having forgotten that back in 1936, 1937, 1938, 1939, 1940, and 1941 we were kept here sometimes until 11 and 12 o'clock to consider matters.

I want to assure those gentlemen who were so deeply concerned over the health, the welfare, and the future existence of some of the older and more feeble Members of the House, of whom I am one, that we are all here this morning, ready for business, so do not worry any about the health of those who happen to be gray or who are past 3 score and 10.

The solicitude expressed for some of the older Members of the House seem to me about as sincere as the regard for the Constitution. Many of us remember the days when the majority applied the gag rule, insisted upon continuous sessions, until the New Deal "must" bills were put through—some of them without any opportunity for the Members to examine the text.

EXTENSION OF REMARKS

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Wichita Eagle.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

THE SOLDIER-VOTE BILL—PARTY LEADERSHIP

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, last night in the House we won the greatest victory for constitutional government and for States' rights that has been won on Capitol Hill in 50 years.

The charge that we were not willing to stand up and be counted was answered in no uncertain terms.

I have never dodged a roll call. I was the first Member of this House, from the First Continental Congress down, to answer every single roll call for 10 consecutive years.

The record in the Clerk's office shows that in this, the Seventy-eighth Congress, I have not missed a roll call even on a point of no quorum.

Last night the gentleman from New York [Mr. MARCANTONIO] introduced what he intended as a scurrilous amendment, charging me with being the Republican leader. I want to say to the Members of this body that if the gentleman from New York [Mr. MARCANTONIO], who voted against the soldiers' vote bill on its final passage—voted to deny them the right to vote at all—if he is going to be the Democratic leader, then I may have to seek a party of my own.

But unless some such horrible calamity befalls the Democratic Party, you will find me in it, carrying the flag of Thomas Jefferson, fighting to preserve the Constitution and to protect the rights of the States—the things for which our boys are fighting.

The SPEAKER. The time of the gentleman from Mississippi has expired.

ADJOURNMENT

Mr. RAMSPECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 21 minutes p. m.), under its previous order, the House adjourned until Monday, February 7, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE PUBLIC LANDS

The hearings on H. R. 2596, to protect Naval Petroleum Reserve No. 1, will be continued on Monday, February 7, 1944, at 10 a. m.

There will be a meeting of the Committee on the Public Lands at 10:30 a. m., Monday, February 14, 1944, to consider H. R. 1688, a bill relating to the administrative jurisdiction of certain public

lands in the State of Oregon, also the companion bill, S. 275, and such other matters as may properly come before the committee.

COMMITTEE ON FOREIGN AFFAIRS

The Committee on Foreign Affairs will hold public hearings on Tuesday, February 8, 1944, at 10 a. m., on House Resolutions 418 and 419, relative to the Jewish national home in Palestine.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of subtitle "Insurance of Title II of the Merchant Marine Act, 1936," as amended.

COMMITTEE ON FLOOD CONTROL

SCHEDULE OF HEARINGS ON FLOOD CONTROL BILL OF 1944, BEGINNING TUESDAY, FEBRUARY 1, 1944, AT 10 A. M.

The Flood Control Committee will conduct hearings on flood-control reports submitted by the Chief of Engineers since the hearings conducted in June 1943, and on amendments to existing law. The committee is definitely committed to the view that flood-control projects for post-war construction will be among the most satisfactory public works and the committee plans an adequate backlog of sound flood-control projects available following the war.

1. Tuesday, February 8: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers and proponents and opponents of projects in the Los Angeles area along the Sacramento River and tributaries, and along the San Joaquin River and tributaries.

2. Wednesday, February 9: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Bureau of Reclamation, and proponents and opponents of projects along the Kern River and tributaries in the Kern River area and along the Kings River area and tributaries in the Kings River area, and including other streams in the San Joaquin Valley.

3. Thursday, February 10: Continuation of the projects discussed on February 9.

4. Friday, February 11: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the upper and lower Ohio River and tributaries, including Salt River, Taylorsville, Ky., the Potomac River and tributaries, the New England region, including the Connecticut and Merrimack Rivers, and the Middle Atlantic region, including New York, Pennsylvania, and New Jersey, and the South Atlantic region, including rivers flowing into the Atlantic Ocean and Gulf of Mexico east of the Mississippi River.

5. Tuesday, February 15: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Gen. M. C. Tyler, president of the Mississippi River Commission and division engineer, and proponents and opponents of projects along the lower Mississippi River and tributaries, including the Red and Arkansas Rivers, Conway County, Ark., and Purgatoire (Picket Wire) River, Colo., the White, St. Francis, and Yazoo Rivers.

6. Wednesday, February 16: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Col. Miles Reber, former division engineer, Missouri River division, Omaha, Nebr., and proponents and opponents of projects along the Missouri River and tributaries.

7. Thursday, February 17: Continuation of the projects discussed on February 16.

8. Friday, February 18: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in other regions in the United States.

9. Tuesday, February 22: Representatives of the Department of Agriculture, the Weather Bureau, Bureau of Reclamation, and other governmental agencies.

10. Wednesday, February 23: Senators and Representatives in Congress.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LUDLOW: Committee on Appropriations. H. R. 4133. A bill making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1945, and for other purposes; without amendment (Rept. No. 1076). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Territories. H. R. 2778. A bill to further amend act 174 of the Session Laws of Hawaii 1935, as amended by act 23 of the Session Laws of Hawaii 1937, act 58 of the Session Laws of Hawaii 1939, and act 20 of the Special Session Laws of Hawaii 1941, to extend the time within which revenue bonds may be issued and delivered to June 30, 1945; with amendments (Rept. No. 1078). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROBINSON of Utah: Committee on the Territories. H. R. 3075. A bill for the relief of Mrs. Isabella Tucker; without amendment (Rept. 1077). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. VINSON of Georgia:

H. R. 4134. A bill to reestablish the grade of Admiral of the Navy, and for other purposes; to the Committee on Naval Affairs.

By Mr. NEWSOME:

H. R. 4135. A bill to extend to April 15, 1944, the time for filing income-tax returns; to the Committee on Ways and Means.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4709. By Mr. BRADLEY of Pennsylvania: Petition of Edgar L. Lower, United Electrical, Radio, and Machine Workers Local 102, of Philadelphia, Pa., concerning the Green-Lucas bill; to the Committee on Election of President, Vice President and Representatives in Congress.

4710. By Mr. HEIDINGER: Communication signed by J. P. Willis, member Public Relations Committee of Southern Illinois, Golconda, Ill., and presented by Bertha Tucker, of Herod, Ill., urging the passage of House bill 2849; to the Committee on Education.

4711. By Mr. FORAND: Joint resolution of the General Assembly of the State of Rhode Island and Providence Plantations, endorsing the broad principles of world relations as announced by the Moscow Conference implemented by the successive conferences of the Allied Powers; to the Committee on Foreign Affairs.

4712. By Mr. FOGARTY: Memorial of the General Assembly of the State of Rhode Island and Providence Plantations, on the principles of the Moscow Conference implemented by the successive conferences of the Allied Powers; to the Committee on Foreign Affairs.

4713. By Mr. SMITH of West Virginia: Petition of the members of the First Baptist Church of Nitro, W. Va., urging the passage of House bill 2082; to the Committee on the Judiciary.

4714. By Mr. SCHIFFLER: Petition of Mrs. George H. Levenson, corresponding secretary, Wheeling-Bellaire Chapter, Senior Hadassah, on behalf of its 113 members, urging that appropriate action be taken to insure the withdrawal in its entirety of the Palestine White Paper of 1939 with its unjustifiable restrictions on Jewish immigration and land settlement, and urging that Palestine be opened wide to Jewish immigration, and that the terms of the Balfour Declaration and the Palestine mandate be carried out faithfully; to the Committee on Foreign Affairs.

4715. By Mr. TIBBOTT: Resolution of the Johnstown Jewish Community Council, Johnstown, Pa. relative to the Jewish home in Palestine; to the Committee on Foreign Affairs.

SENATE

SATURDAY, FEBRUARY 5, 1944

(Legislative day of Monday, January 24, 1944)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Rev. Daniel W. Justice, S. T. B., M. A., pastor, Trinity Methodist Church, Washington, D. C., offered the following prayer:

Almighty and most merciful God, whose goodness and grace is sufficient for our needs, and whose love exceeds our willingness to give or to understand, have mercy upon us as we bow our heads in humility and lift our dependent spirits to Thee this lovely new day for guidance. Again Thy tender hand hath moved, and the glorious beauty of light from above brings us another day of opportunity for ourselves, and of service to humankind. In this moment of devotional gratitude, we would pause to offer a sincere prayer for all who are dear to our hearts, our homes, and who are serving as best they know how and can, their God, their country, and Thy human family.

Bless, we humbly beseech Thee, with health of mind, strength of body, and spiritual insight and conviction, our President, Vice President, the Members of the Congress, the judiciary, and other leaders, and all who are now entrusted with authority and responsibility in helping our human family find its way out of the maze of distrust, unrest, destruction, and all other ills that are so much with us today.

Gracious God of all peoples, Thou art the life of our lives, the love of our

hearts, and the hope of humanity's highest dreams. By Thy wondrous grace, keep us calm, trustful, patient, steady, and obedient to Thy holy will as revealed in Jesus Christ. And with Thy never-failing help, may we prefer the things that are excellent, as well as choose what is right and to right what is wrong.

In the name of Him who taught us to love one another even as Christ Himself has loved us, we earnestly and gratefully pray. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, February 4, 1944, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. McLeod, one of its clerks, announced that the House had passed a joint resolution (H. J. Res. 231) to permit the importation free of duty of flaxseed from foreign countries during a period of 90 days, in which it requested the concurrence of the Senate.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 231) to permit the importation free of duty of flaxseed from foreign countries during a period of 90 days was read twice by its title and referred to the Committee on Finance.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore (Mr. CLARK of Idaho). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Austin	Davis	Moore
Bailey	Eastland	O'Daniel
Ball	Ferguson	Overton
Barkley	George	Robertson
Brewster	Green	Taft
Brooks	Guffey	Thomas, Idaho
Bushfield	Hill	Tobey
Butler	Holman	Tunnell
Byrd	Jackson	Vandenberg
Caraway	La Follette	Wherry
Clark, Idaho	Lucas	White
Clark, Mo.	McClellan	
Danaher	McKellar	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] and the Senator from New Mexico [Mr. HATCH] are absent from the Senate because of illness.

The Senator from New Jersey [Mr. WALSH] is absent, attending the funeral of a friend.

The Senator from Nevada [Mr. SCRUGHAM] is absent, on official business.

The Senator from Florida [Mr. ANDREWS], the Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. CONNALLY], the Senator from Louisiana [Mr. ELLENDER], the Senator from Connecticut [Mr. MALONEY], the Senator from Nevada [Mr. MCCARRAN], and the Senator from Wyoming [Mr. O'MAHONEY] are detained in committee meetings.

The Senator from Washington [Mr. BONE], the Senator from Kentucky [Mr. CHANDLER], the Senator from Rhode Island [Mr. GERRY], the Senator from Iowa [Mr. GILLETTE], the Senator from Maryland [Mr. RADCLIFFE], the Senator from North Carolina [Mr. REYNOLDS], the Senator from Georgia [Mr. RUSSELL], the Senator from Oklahoma [Mr. THOMAS], the Senator from Missouri [Mr. TRUMAN], the Senator from Washington [Mr. WALLGREN], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

The Senator from California [Mr. DOWNEY], the Senator from Colorado [Mr. JOHNSON], the Senator from South Carolina [Mr. MAYBANK], the Senator from Arizona [Mr. MCFARLAND], the Senator from New York [Mr. MEAD], the Senator from Utah [Mr. MURDOCK], the Senator from Florida [Mr. PEPPER], and the Senator from Utah [Mr. THOMAS] are detained in various Government departments on matters pertaining to their respective States.

The Senator from West Virginia [Mr. KILGORE] is detained on public business.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent.

The Senator from New Jersey [Mr. HAWKES] is unavoidably absent due to having an appointment with Governor Walter E. Edge, of the State of New Jersey, for the purpose of discussing the soldiers' vote.

The ACTING PRESIDENT pro tempore. Thirty-seven Senators have answered to their names. There is not a quorum present. The clerk will call the names of the absent Senators.

The Chief Clerk called the names of the absent Senators, and Mr. HAYDEN, Mr. MURRAY, Mr. NYE, Mr. SMITH, Mr. STEWART, Mr. TYDINGS, and Mr. WAGNER entered the Chamber and answered to their names.

The ACTING PRESIDENT pro tempore. Forty-four Senators have answered to their names. A quorum is not present.

ADJOURNMENT TO MONDAY

Mr. BARKLEY. Mr. President, in view of the difficulty of obtaining a quorum today, I make the only motion that is in order, that the Senate adjourn until 12 o'clock noon on Monday.

The motion was agreed to; and (at 11 o'clock and 20 minutes a. m.) the Senate adjourned until Monday, February 7, 1944, at 12 o'clock meridian.

SENATE

MONDAY, FEBRUARY 7, 1944

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

God of our fathers, bewildered by the wild confusion without in a clamorous world we would wait in quietness that the roiled waters may become clear and our disturbed spirits tranquil pools of peace and prayer. In the black night that covers us we would keep our bearings by the upward look, where the pilgrim stars of eternal verities flash their guiding signals upon our darkened way. Put Thy hands upon our hands as the ship of state is steered through these mountainous seas.

Thou knowest our hearts. Thou seest, in spite of the worst things in us which we despise, that in our highest hours our deepest desire is to be the true servants of Thy will in this troubled time. Grant us the grace, O Lord, to cherish evermore the heritage that is ours through the might and meekness, the virtue and valor of those whose record within these Halls has helped make the greatness of our Nation; and inspire us so to follow their shining example that we may not only hold our inheritance as a sacred and precious trust but, by our love and labor, leave it with increased luster to those who shall come after us. In the Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Secretary (Edwin A. Halsey) read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., February 7, 1944.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. CLAUDE PEPPER, a Senator from the State of Florida, to perform the duties of the Chair during my absence.

CARTER GLASS,
President pro tempore.

Mr. PEPPER thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Saturday, February 5, 1944, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

TRIBUTE TO SERVICES OF SENATOR MCCARRAN AS CHAIRMAN OF COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. BUSHFIELD. I ask unanimous consent to offer for the CONGRESSIONAL RECORD an excerpt from the records of the District of Columbia Committee of the Senate in commendation of the distinguished chairman of that committee, the Senator from Nevada [Mr. MCCARRAN], during the last year. The matter I present was adopted at a recent meeting of the committee.

The ACTING PRESIDENT pro tempore. Without objection, the matter will be printed in the RECORD.

The matter referred to is as follows:

The following excerpt is from the record of the final session of the Senate District Committee, presided over by Senator MCCARRAN, prior to assuming the duties of Chairman of the Senate Judiciary Committee:

"Senator BURTON. As a Member of the committee and as a Member of the minority party on the committee, I wish to express appreciation of your leadership in this difficult assignment. I believe, Mr. Chairman, you have set an example as to what a chairman of the Senate District Committee should be. You have displayed those virtues of administration which I regard as most vital and which are not always to be found in a position of this kind. I refer to the virtues of fairness, firmness, and kindness which you have shown in this committee work which involves city government, and deals with many questions of human interest. You have shown an appropriate human interest. This work is different in a way from all other work of Congress because it deals indirectly with the human beings themselves and the leadership which you have given in approaching this problem has been extremely helpful to the members of the committee. You have always shown a desire to take the long view and to look consistently to the ultimate and best solution. You have at all times disregarded any partisan or personal consideration, and I believe that the District of Columbia and the Congress and members of the committee are deeply indebted to you for your services.

"I will be only too glad to assist in whatever way I can with the many things that are still pending. I wish to thank you personally and as a member of the minority party I would like to say that I endorse your committee program, and we are very sorry to lose you as chairman.

"Senator CAPPER. I want to endorse 100 percent everything that Senator BURTON has said.

"Senator BUCK. I am in hearty accord with the sentiments expressed by Senator BURTON, and I, too, regret losing Senator MCCARRAN as chairman of the District Committee. I wish to take this opportunity to thank the chairman for his untiring efforts, human understanding, and kindness throughout his entire tenure as chairman.

"Senator BUSHFIELD. During my previous year of service on this committee under your chairmanship and leadership, I found you unfailingly helpful and loyal and responsive to any request made by the members of the committee; and as all members have that view, I think it is entirely appropriate that these expressions of appreciation to our chairman for his services, for his leadership, and for his long hours of work on this committee, be formally made a part of the records of the committee, and I so move."

(Senator BUSHFIELD put this motion, which was carried unanimously, the chairman not voting.)

PETITION

The ACTING PRESIDENT pro tempore laid before the Senate the petition of Thelma V. Griffith, of New York, N. Y., praying for the enactment of pending legislation providing a wartime method of voting by members of the armed forces, which was ordered to lie on the table.

SOLDIERS' VOTE BILL—PETITIONS

Mr. AUSTIN. Mr. President, I have before me a letter addressed to me which I shall read:

DEAR SENATOR: Enclosed are petitions bearing more than 500 signatures urging you vote for a federally controlled servicemen's ballot as the only effective means of permitting our men and women in the armed forces to vote in this year's national elections. Our membership have officially backed this question and hundreds more Springfield workers would have signed these petitions, given time.

We can assure you that sentiment is overwhelmingly in favor of the Federal ballot and urge you not only to vote but to work for the success of the measure.

Very truly yours,

FRED R. SNOW,
President, Local 218, United Electrical, Radio, and Machine Workers of America.

The petitions were posted from Springfield, Vt. I ask unanimous consent to have noted the presentation of the petitions and to have them properly referred.

The ACTING PRESIDENT pro tempore. The petitions will be noted and lie on the table.

A CITIZEN'S DIFFICULTY WITH INCOME-TAX RETURN

Mr. DOWNEY. Mr. President, I suppose even the most ardent Floridian would admit that beautiful San Diego has the most halcyon, salubrious, and soothing climate in the United States. I was therefore surprised to receive from Mr. Frank H. Warren, of San Diego, Calif., the following card:

MY DEAR SENATOR DOWNEY: I hope you roast a thousand years in hell for each minute I put in on this Federal income-tax report.

FRANK H. WARREN.

Mr. President, I cannot obey the injunction of Mr. Warren, but I can express sympathy for him and for the unhappy state of mind he must have been in after making out his income-tax report. Millions of Americans will sympathize with Mr. Warren and I hope that Congress will soon move energetically to simplify income-tax procedure.

CITATION OF MAJ. GEN. RICHARD C. MOORE

Mr. TRUMAN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD as a part of my remarks the citation for distinguished service of Maj. Gen. Richard C. Moore, who was formerly stationed at Kansas City, Mo., as chief of engineers.

There being no objection, the citation was ordered to be printed in the RECORD, as follows:

Maj. Gen. Richard C. Moore, United States Army. For exceptionally meritorious and distinguished service in a position of great responsibility as assistant chief of staff for requirements, headquarters, Army Ground Forces, from March 9, 1942, to October 2, 1943. In this assignment Major General Moore was charged with the testing of equipment for the Army Ground Forces, the preparation of tables of organization and training literature, and the determination of the priorities in which equipment should be furnished commensurate with the availability of industrial facilities. By the exercise of sound judgment, executive ability, tact, leadership, foresight, patience, and intelligence, Major General Moore was able to accomplish his assigned tasks efficiently and thus contribute materially to the early introduction into combat of much of the modern equipment used so effectively by our troops in battle.

AMERICAN PRISONERS OF WAR IN THE FAR EAST

Mr. THOMAS of Utah. Mr. President, so many members of the staffs of various Senators have called my office requesting the latest information available in regard to American prisoners of war in the Far East that I have prepared a brief statement which I ask to have printed in the RECORD as a part of my remarks. I believe it will be of service to the staffs of various Senators.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Another sordid chapter was added to the story of Pearl Harbor during the past week when the reports of Japanese atrocities against American prisoners of war were made known to the public. The leading characters of the story needed no introduction. Previous performances in the same role have made them well known, and there is very little reason to believe that they will soon be forgotten. The people of China know the story only too well, but to most Americans it came as a sickening revelation, and to a few as a dreaded confirmation of only half-hidden fears that Americans were suffering the same outrages which we all knew had been inflicted upon the citizens and soldiers of other countries occupied and ravished by the Japanese.

Upon the outbreak of war between the United States and Japan, our Government confirmed its intention to observe the Geneva Prisoners of War Convention, to insure humane treatment for American nationals in Japanese hands. The Japanese Government thereupon notified our Government that it would apply the provisions of the convention to the treatment of American prisoners of war, and also gave us assurances that it would apply the provisions of the Geneva Red Cross Convention for the amelioration of the condition of the sick and wounded. These conventions specify that prisoners of war shall be treated humanely and held in honorable captivity and not treated as criminals. Despite these assurances, however, this Government has been confronted with problems which are almost insurmountable in its efforts to negotiate with the Japanese Government. For instance, Japan makes a differentiation between the prisoners held in the Philippines and the prisoners held in Japan proper, the Philippines being regarded as captured territory and persons captured being considered to be in a different category from those interned in Tokyo. After repeated efforts upon the part of our Government, and long delays, the Japanese refused to honor the provision of the convention which obligated them to repatriate sick and wounded prisoners of war.

Similar insurmountable difficulties have confronted our efforts to get relief supplies, consisting of food, clothing, and medicine, to our prisoners of war and to our civilian internees. The only way we can come into contact with a country such as Japan is through Switzerland. Switzerland represents the United States in negotiations with Japan. After almost a year and a half of repeated representations on the part of our Government stressing the responsibility of Japan to cooperate in solving the problem of relief, the Japanese Government stated that it might consent to receive supplies overland or by sea from Soviet territory. Since that time long and complicated negotiations with the Japanese and Soviet Governments have ensued, the progress of which was impaired by the fact that the Japanese Government would not discuss the problem directly with the Soviet government while the Swiss Government, which is in charge of our interests in Japan, is not represented at Moscow, since it maintains no diplomatic relations with the Soviet government. Each detail of the negotiations had, therefore, to be dealt with through a long and complicated procedure involving the handling of communications at Tokyo, Bern, Washington, and Moscow, and in reverse direction through the same channels. Despite these difficulties, it has now been possible with the Soviet Government's cooperation to create a stock pile of

prisoner-of-war relief supplies on Soviet territory. Moreover, the Soviet Government has given assurances that it will facilitate the transit through the Soviet Union of such relief supplies on a continuing basis when a satisfactory arrangement for the onward shipment of these supplies is reached between the Japanese and American Governments. In spite of our State Department's repeated endeavors to bring this matter to a conclusion, the Japanese Government has not thus far indicated the means by which it is prepared to receive these supplies. Secretary Cordell Hull revealed this week that a total of 89 protests, culminating in an 18-point indictment of Tokyo's barbarities toward war prisoners, disregard of prison-camp rules and refusal to let our neutral representative, Switzerland, inspect the camps, have been delivered to the Japanese authorities. It is little wonder that the word "hopeless" was used to describe the situation.

There is no accurate way of measuring how deeply the American people were distressed upon learning of the Japanese cruelties. The circumstances surrounding the release of the newspaper accounts and the State Department's blunt description of its negotiations as hopeless, added to the sting of the story. But only those whose fathers, and brothers, and sons are in the hands of the Japanese know how much anguish and revulsion it brought. The people of New Mexico and Arizona know—for entire regiments of their National Guard were taken prisoner at Bataan. And some of our own people here in Utah know, too, the torment of wondering about the welfare of loved ones held prisoner by the enemy. It is true, too, that sometimes the severest pains are not discernible upon the surface, and though we cried out in anger and protest as a nation, and though we may have thought such things among ourselves as individuals, we all knew that there would be no retaliation in kind against the Japanese interned in this country. There have been no so-called incidents. A mayor of a small town in New Jersey ordered the police to stop a basketball game because three of the players were Japanese, though American citizens, and one the brother of a boy fighting with our troops in Italy. The mayor said that he feared for their safety. But when the boys came out upon the floor to play there was no demonstration by the crowd. Let it be said to our lasting credit as a nation that even with the sorest provocation we have not stooped to the degraded level of our enemy. But let him not think that because we have not done so we are inclined to forget or that his punishment is less certain. For when the full story is told it will be easier for the American people to forget the perfidy of Pearl Harbor than to forget the wanton brutality practiced by the Japanese in their treatment of American captives.

No one deprecates more strongly than I the contravention by the Japanese of the accepted principles of international understanding recognized by all civilized nations. My feeling is emphasized by the fact that I am in a position to know of the repeated and unceasing efforts by which the military authorities, the State Department, and the Red Cross, have sought to release and to relieve our suffering men; and especially because I know something about the grave difficulties which confront our efforts to help them. I was appointed chairman of a Military Affairs Subcommittee charged with the responsibility of determining whether or not a way might be found to solve this problem. Our committee acted in the full light of all available information upon the subject and was guided by the most competent military authority. Much of the information which we received was necessarily confidential and subject to the military censorship which applies to all information of this nature. Under these circumstances I sincerely believe that anyone sharing all the facts would agree with me that in making public its reports the committee's paramount obligation was to the thousands of men still alive and still held by the Japanese. From the beginning our primary consideration has been for the lives and welfare of these men, and our aim has been to stop future atrocities. This should continue to be our first concern. Our outraged feelings must be tempered by the sobering fact that thousands of our men are still alive and cannot be immediately rescued from the hands of a cruel and merciless enemy.

I thank you.

CALL OF THE ROLL

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Radcliffe
Austin	Guffey	Reed
Bailey	Gurney	Revercomb
Ball	Hatch	Reynolds
Bankhead	Hawkes	Robertson
Barkley	Hayden	Russell
Bilbo	Hill	Shipstead
Brewster	Holman	Smith
Brooks	Jackson	Stewart
Buck	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Bushfield	La Follette	Thomas, Okla.
Butler	Langer	Thomas, Utah
Byrd	Lucas	Tobey
Capper	McClellan	Truman
Caraway	McFarland	Tunnell
Chandler	McKellar	Tydings
Chavez	Maloney	Vandenberg
Clark, Idaho	Maybank	Wagner
Clark, Mo.	Mead	Wallgren
Connally	Millikin	Walsh, Mass.
Danaher	Moore	Walsh, N. J.
Davis	Murdock	Wheeler
Downey	Murray	Wherry
Eastland	Nye	White
Ellender	O'Daniel	Wiley
Ferguson	O'Mahoney	Willis
George	Overton	Wilson
Gerry	Pepper	

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

The Senator from Washington [Mr. BONE] is detained in a conference at the White House.

The Senator from Iowa [Mr. GILLETTE] is detained in one of the Government departments on matters pertaining to the State of Iowa.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent.

The ACTING PRESIDENT pro tempore. Eighty-six Senators having answered to their names, a quorum is present.

The further presentation of petitions and memorials is in order.

Mr. DANAHER. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state the inquiry.

Mr. DANAHER. What is the question now pending before the Senate?

The ACTING PRESIDENT pro tempore. The presentation of further petitions and memorials, as a part of the morning business.

Mr. DANAHER. I thank the Presiding Officer.

FOOD-STAMP PLAN—RESOLUTION OF SOUTHEAST KANSAS COUNTY OFFICIALS ASSOCIATION

Mr. CAPPER. Mr. President, I ask unanimous consent to have placed in the RECORD a resolution adopted by the committee on resolutions of the Southeast Kansas County Officials Association, meeting at Iola, Kans., January 13, 1944. This resolution protests against a resumption of the food-stamp plan, declares people on relief are now being amply cared for, and asks Members of Congress to oppose the plan.

I desire to call the attention of the Senate to this protest, and urge careful consideration of all the factors involved before any action is taken in this direction. The matter undoubtedly will be fully discussed and explained during the consideration of the consumer food-subsidy proposals when the Senate proceeds to consider the bill to extend the life of the Commodity Credit Corporation. I send the resolution to the desk and request its appropriate reference.

There being no objection, the resolution was referred to the Committee on Appropriations and ordered to be printed in the RECORD, as follows:

We, the resolutions committee of Southeast Kansas County Officials Association in quarterly meeting assembled at Iola, Kans., this 13th day of January 1944, offer for your consideration the following resolution, to wit:

"Be it resolved, That inasmuch as there seems to be a movement in Washington to revive the stamp plan and that in the opinion of this body, that the people on relief are being amply cared for; that it is the opinion of this body that such a thing as the resumption of said stamp plan is not necessary; that this body go on record as against said stamp plan and urge our Senators and Representatives to not only vote against said plan but to work against said stamp plan and that a copy of this resolution be sent to our Senators and Representatives; to our Governor, and welfare board; also to all other district associations."

Chairman Callow moved the adoption of resolution. Motion seconded by Mr. Starr. Motion carried.

T. R. CALLOW,
Secretary, Southeast Kansas County Officials Association.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. O'MAHONEY:

From the Committee on Irrigation and Reclamation:

H. R. 2580. A bill to grant the consent of Congress to a compact entered into by the States of South Dakota and Wyoming relating to the waters of the Belle Fourche River Basin, to make provisions concerning the exercise of Federal jurisdiction as to those waters, to promote the most efficient use of those waters, and for other purposes; without amendment (Rept. No. 683).

From the Committee on Military Affairs:

S. 1635. A bill to eliminate a pay discrimination against the teacher of music at the United States Military Academy; without amendment (Rept. No. 686).

By Mr. CHANDLER, from the Committee on Military Affairs:

S. 1539. A bill to authorize the carrying of Civil War battle streamers with regimental colors; with an amendment (Rept. No. 684).

By Mr. GURNEY, from the Committee on Military Affairs:

S. 1669. A bill to clarify the law relative to allowances for mileage of graduates of the United States Military Academy and transportation of their dependents on assignment to their first duty station and to the mileage allowance of persons entering the United States Military Academy as cadets; with an amendment (Rept. No. 685).

FUNERAL EXPENSES OF THE LATE SENATOR VAN NUYS

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably without amendment Senate Resolution 246, and ask unanimous consent for its immediate consideration.

The ACTING PRESIDENT pro tempore. The resolution will be read for the information of the Senate.

The Chief Clerk read the resolution (S. Res. 246) submitted by Mr. WILLIS on January 27, 1944, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. Frederick Van Nuys, late a Senator from the State of Indiana, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

ADDITIONAL COPIES OF HEARINGS BEFORE SPECIAL COMMITTEE ON POST-WAR ECONOMIC POLICY AND PLANNING

Mr. HAYDEN. Mr. President, by direction of the Committee on Printing, I report from the Committee on Printing Senate Resolution 249, and ask unanimous consent for its immediate consideration. The resolution provides for the printing of additional copies of the hearings held by the Special Committee on Post-War Economic Policy and Planning.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 249) was read, considered, and agreed to, as follows:

Resolved, That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Special Committee on Post-War Economic Policy and Planning of the United States Senate be, and is hereby, authorized and empowered to have printed for its use 500 additional copies of the hearings held before a subcommittee of said special committee, during the first session of the Seventy-eighth Congress, pursuant to the resolution (S. Res. 102) creating a special committee on post-war economic policy and planning.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

Sterling Hutcheson, of Virginia, to be United States district judge for the eastern district of Virginia, vice Luther B. Way, deceased;

Herman E. Moore, of Illinois, to be judge of the district court of the Virgin Islands of the United States;

Norris Metzger Thomas, of South Carolina, to be United States marshal for the eastern district of South Carolina, vice William F. Burguson, deceased; and

Lynn J. Gemmill, of Alaska, to be United States attorney for the first division of Alaska, vice William A. Holzheimer, retired.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

REPORT OF NOMINATION OF ANTHONY J. DIMOND

As in executive session,

Mr. MURDOCK. Mr. President, by direction of the Judiciary Committee I ask unanimous consent to report favorably from that committee the nomination of ANTHONY J. DIMOND, of Alaska, to be United States district judge for the third division of Alaska.

I served for 8 years with ANTHONY J. DIMOND in the House of Representatives while he was serving as Delegate from Alaska. I have not met a man in the entire Congress, Mr. President, who has done a finer job in representing his Territorial district in Congress than has the Delegate from Alaska, and I know that if the Senate confirms his nomination as judge of the third division of Alaska we can expect the same fine record in his judicial capacity as we have seen in his legislative capacity.

The ACTING PRESIDENT pro tempore. Without objection, the nomination will be received and placed on the executive calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. REYNOLDS:

S. 1697. A bill to provide for distribution of the CONGRESSIONAL RECORD to libraries at military and naval establishments; to the Committee on Printing.

By Mr. McCARRAN:

S. 1698. A bill to carry out obligations of the United States under article 27 of the Geneva Convention relating to compensation for certain injuries to interned workers, and for other purposes; to the Committee on the Judiciary.

S. 1699. A bill to amend the District of Columbia Alley Dwelling Act, as amended; and

S. 1700. A bill to amend the District of Columbia Barber Act; to the Committee on the District of Columbia.

S. 1701. A bill for the relief of Mercy Duke Boehl; to the Committee on Immigration.

By Mr. BREWSTER:

S. 1702. A bill to amend the Selective Training and Service Act of 1940, as amended, with respect to the deferment of registrants engaged in any occupation or endeavor essential to the war effort; to the Committee on Military Affairs.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES—AMENDMENTS

Mr. FERGUSON submitted two amendments, and Mr. TAFT (for himself, Mr. McKELLAR, Mr. BALL, Mr. BAILEY, Mr. BANKHEAD, Mr. BREWSTER, Mr. BUCK, Mr. EASTLAND, Mr. McCLELLAN, Mr. OVERTON, Mr. O'DANIEL, Mr. REYNOLDS, Mr. REVERCOMB, Mr. ROBERTSON, and Mr. SMITH) submitted an amendment, intended to be proposed to the amendment of Mr. BARKLEY to House amendment numbered 3 to the bill (S. 1285) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, which were severally ordered to lie on the table and to be printed.

MANUAL EXPLANATORY OF THE PRIVILEGES, RIGHTS, AND BENEFITS OF AND FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS

Mr. BONE submitted the following resolution (S. Res. 251), which was referred to the Committee on Printing:

Resolved, That the manuscript entitled "Manual Explanatory of the Privileges, Rights, and Benefits Provided for All Persons Who Are or Have Been Members of the Armed Forces of the United States, and of Those Dependent Upon Them" be printed as a Senate document; and that 5,000 additional copies be printed for the use of the Senate.

INQUIRY INTO LEGAL AUTHORITY FOR ISSUANCE OF EXECUTIVE ORDERS AND DEPARTMENTAL REGULATIONS

Mr. McCARRAN, from the Committee on the Judiciary, reported an original resolution (S. Res. 252), which, under the rule, was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is hereby authorized and directed to study and survey any or all Executive orders of the President, and directives, rules, and regulations issued by or under authority of any department or independent agency of the executive branch of the Federal Government, with particular regard to the source of constitutional or legislative authority upon which such Executive orders, directives, rules, and regulations are based, their validity, and the effect and manner of their enforcement, and to report to the Senate before the end of the Seventy-eighth Congress the results of such study and survey, together with such recommendations for legislation as it deems justified.

SEC. 2. For the purposes of this resolution, the committee or any duly authorized subcommittee thereof is authorized to hold hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-eighth Congress, to employ such experts and such clerical, stenographic, and other assistants, to require such assistance and information from any departments and agencies of the Government, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

COMMITTEE SERVICE

On motion of Mr. BARKLEY, and by unanimous consent, it was

Ordered, That the junior Senator from Mississippi [Mr. EASTLAND] be excused from further service as a member of the Committee on Education and Labor, and that he be assigned to service on the Committee on the Judiciary; that the Senator from Alabama [Mr. BANKHEAD] be excused from further service as a member of the Committee on the District of Columbia; that the senior Senator from Mississippi [Mr. BILBO] be excused from further service as chairman of the Committee on Pensions, and that he be appointed chairman of the Committee on the District of Columbia; that the Senator from Delaware [Mr. TUNNELL] be appointed chairman of the Committee on Pensions; and that the Senator from Indiana [Mr. JACKSON] be assigned to service on the following committees: District of Columbia, Education and Labor, Expenditures in the Executive Departments, and Indian Affairs.

TRANSFER OF LOANS FROM HOME OWNERS' LOAN CORPORATION

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a preceding day.

The LEGISLATIVE CLERK. A resolution (S. Res. 248) requesting certain information concerning loans transferred by the Home Owners' Loan Corporation to private lending institutions.

Mr. BARKLEY. I ask unanimous consent that the resolution go over for the time being.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WHAT AMERICA WANTS—ADDRESS BY THE VICE PRESIDENT

Mr. GUFFEY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a very able address delivered by the distinguished Vice President of the United States at Los Angeles on Friday of last week and broadcast over N. B. C.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

On this trip to the west coast I propose to talk about America tomorrow. Today I shall speak about what America wants. Later on at San Francisco and Seattle I shall discuss what America can have and how America can get it. We want many different things and some of these are in conflict with others. But let me point out right at the start that the sum total of what we Americans can have is immense. Only a few years ago, when the President said we wanted 50,000 warplanes a year, some people thought he was being visionary. Today we know that the production of a hundred thousand warplanes a year is a hard reality. So I tell you we can have twice as much for civilian living after the war as we ever had before the war, and you know that is no dream. There are limits but they are much higher than most people even yet realize.

But we cannot have all these things unless we use good sense and good management. If we try to grab too much all we shall get is another boom and another collapse. That is why I want us to think clearly about what each of us wants, and then about how our desires can be made to fit into a practical total, and finally how to get that total. This is the practical way of planning, creating, and enjoying the common welfare.

The first and most important need has to do with the desires of plain folks who have to work for a living in the factories and the stores, in the schoolhouses and the Government offices. More than 50,000,000 of these people with their wives and children have just one basic interest in life, the assurance of a steady job. They would like the assurance of an annual salary or, at any rate, the guarantee of 2,000 hours of work a year.

Of course labor wants more than a job, wants more than decent wages; it wants to be appreciated, to feel that it is contributing toward making this world a better place in which to live.

The workers of the United States want assurance that they can have jobs when the 7,000,000 servicemen and the 10,000,000 war workers who by their supreme efforts are saving us during this mighty conflict, find it necessary to get back into peacetime work. They want a plan that will solve the problem when there are more workers than jobs. Nowhere is this situation so acute as right here on the west coast. When men begin to hunt for jobs the bargaining power of labor begins to weaken and union funds begin to melt away. Workers everywhere know this and therefore are beginning to think in larger terms than merely bargaining for higher wages, shorter hours and better working conditions. They want to have a part in making those decisions which will determine the future prosperity of the Nation. They want to influence Government and industry to bring about full use of manpower, full use of resources and full use of technological know-how.

With the United States producing in peace as it has been producing in war, the workers know that they can have opportunities for leisure and culture, and above everything else possibilities for the real education of their children.

Workers want better insurance against sickness, unemployment, and old age. They want the Wagner Act, not as a substitute for full employment, but as an insurance against the accidents to which all of us are subject. When post-war contracts are canceled American labor wants work, not a dole. The Wagner Act can never be a substitute for jobs, but combined with jobs it is admirable.

Organized labor has come of age. It has taken its place as a responsible partner of management in the operation of industry and trade. It has accepted responsibility in war for maintaining an increase in production. It has the right to ask for fair and honest treatment from the public.

As a responsible partner, labor wants an opportunity to make creative contributions to industry and to benefit therefrom. During the war, hundreds of thousands of workers have submitted ideas for increasing efficiency, enlarging output, saving time and costs, and improving the quality of the product. Labor during the war has enjoyed cooperating with management in doing a real production job and we must never again let such a rich source of national wealth go untapped.

The farmer has more wants than the worker because he himself is not only a worker but also a manager, a capitalist, a trader, and a debtor. The farmer is exposed both to weather and markets beyond his control. A farmer's first desire, therefore, is to remove the extraordinary hazards of his business. His first want is the assurance of decent markets, low freight rates, and reasonable marketing costs. The farmers want low interest rates, a chance to buy farm machinery and fertilizer at low prices. As a purchaser, the farmer knows that he has long been victimized by monopolies both when he sells and when he buys. Farmers want good roads, good schools, and rural electrification at low cost. Farmers love the soil and want to be able to handle it so as to leave it to their children better than they found it. Above all farmers want to produce abundantly, to see the fruits of their labor raise the living standards of mankind.

In recent years farmers have become more and more interested in getting legislation which would give them bargaining power equivalent to that enjoyed by labor and industry. Thousands of farmers have become skilled Washington lobbyists. Having learned the Washington lobby game, they intend to use Federal power to hold up farm prices after the war. Some false farm leaders use the farm lobbying power to help business against labor, just like some false union leaders use their lobbying power to help business against the consumer. But the best farm leaders realize that farm prices can be maintained in the post-war period only if labor is fully employed at high wages, just like the best labor leaders realize that good wages and full employment cannot be long enjoyed unless the farmers are prosperous. All farmers, like all workers, want stability and a rising standard of living.

Some, but not all, big businessmen want that type of control which will produce big profits. They want to put Wall Street first and the Nation second. They want to put property rights first and human rights second. They will fight with unrelenting hatred through press, radio, demagog, and lobbyist every National and State government which puts human rights above property rights.

To its own conscience this selfish, narrow-visioned branch of big business puts its desires in mild-sounding phrases somewhat as follows: "We must have an economically sound Government and a balanced Budget. Government spending must be cut down. We must get rid of that 'so and so' in the White House. Then with government out of business and with Wall Street running the country again, we can have what we want—free enterprise. Yes, the free enterprise of old-fashioned America is what we really want."

By free enterprise this type of big business means freedom for freebooters. By free enterprise this type of big business means the privilege of charging monopoly prices without interference by the Government; the privilege of putting competitors out of business by unfair methods of competition; the privilege of buying up patents and keeping them out of use; the privilege of setting up Pittsburgh plus price-fixing schemes; the privilege of unloading stocks and bonds on the public through insiders who know their way in and out, up and down, backward and sideways.

Fortunately, not all big businessmen ask for these privileges or define free enterprise in the way I have just mentioned. Some of them are as deeply concerned with the problem of full employment as labor itself. They are anxious to see such modification in taxation laws as will place the maximum incentive on that type of business activity which will give full employment. Some of these larger businessmen have marvelous new inventions which they would like to put into volume production at the earliest possible moment. Such men are oftentimes more interested in increasing production, and thereby serving humanity, than in making money for money's sake, but they know that even from the standpoint of serving humanity, it is necessary to make a reasonable profit if this private enterprise economy of ours is to survive. Therefore they want the assurance of large and expanding markets.

The small businessman is just as much interested in free enterprise as the big businessman but he means something quite different in his use of the word. Free enterprise to the little businessman means the opportunity to compete without fear of monopoly controls of any kind. The small manufacturer wants free access to markets and the assurance

that he will not suddenly find himself crushed by some hostile financial power.

The small businessman in his way is just as much a typical American as the small farmer. Some of his relatives may be workers, some may be farmers or one of them may actually be a big businessman. The small businessman is the source of a large part of the initiative of the United States. The small businessman is humble, ambitious, confused, and uncertain. He is not very happy because, in war and in peace, the rate of economic casualties among small businesses is so high.

Moreover, the small businessman is not sure that the situation will be any better for him when peace comes than it is right now. The small businessman wants a fair chance to compete in a growing market with fair access to raw materials, capital, and technical research. These desires are not unreasonable but they will require some protection by the Government.

Some of the businessmen who most want to serve the world in the post-war period are probably those who have rather recently graduated from the ranks of the small businessmen into handling large affairs in the war effort. Because of his unusual capacity, this kind of man has made large sums of money during the war, but has paid nearly all of his profits to the Government. He will come out of the war with large plant facilities. He wants to know how to reconvert as fast as possible. His success has often depended largely upon his fine relationship with labor. Appreciating the loyalty of labor, he wants to give his workers jobs in the post-war period, not so much from the standpoint of making money as from the standpoint of doing things both for his workers and for the country. Such men are in some ways the hope of America and of the world. I hope the post-war slump will not be so big when it finally comes as to make it possible for the large static corporations with huge cash reserves to take over the establishments which these energetic men have built so skillfully with the cooperation of loyal labor. Big businessmen must not have such control of Congress and the executive branch of government as to make it easy for them to write the rules of the post-war game in a way which will shut out the men who have made such a magnificent contribution to the productive power of America during the war. We need them to furnish the jobs which are so important both to labor and to agriculture. Henry Kaiser, who sees this problem clearly, has recently suggested an interesting way to finance medium-sized business firms.

The big three—big business, big labor, and big agriculture—if they struggle to grab Federal power for monopolistic purposes are certain to come into serious conflict unless they recognize the superior claims of the general welfare of the common man. Such recognition of the general welfare must be genuine, must be more than polite mouthing of high-sounding phrases. Each of the big three has unprecedented power at the present time. Each is faced with serious post-war worries. Each will be tempted to try to profit at the expense of the other two when the post-war boom breaks. Each can save itself only if it learns to work with the other two and with government in terms of the general welfare. To work together without slipping into an American fascism will be the central problem of post-war democracy.

Let us consider for a moment what the far West wants. It is prodigiously rich in natural resources which promise a greater future development for this region than for any other in the country. To accomplish this development expeditiously, the West will require investment capital, additional transportation facilities, and more workers. It will require lower and nondiscriminatory freight rates and access to technologies. It will need development of its hydropower resources and great increases in irrigation to take care of the food requirements of a growing West and a wealthier country generally. The West looks forward to a future in which the trade of the Pacific will rival that of the Atlantic. The West wants and is entitled to more influence in Washington, D. C.

Looking to the broader interests of the Nation, it is apparent that what is wanted is a balanced development of all the economic resources of all regions, that whatever raises the economic level of one region creates new markets for other regions.

As citizens of a great democracy, the most urgent want is to be accurately and intelligently informed on all the issues which confront us. There must cease to be secrecy in public affairs, except where military necessity requires. In a democracy public officials must trust the people. The greatest responsibility, however, rests on the press and the other agencies of public information, a responsibility which the workers who gather and prepare the news will enjoy discharging if they are given the opportunity. The press, the radio, and the other agencies of public information must take the lead and carry the major responsibility for our greatest assignment in mass education—the education of our people for political and economic democracy.

As citizens of a democracy, we must all be vitally concerned with the adequacy of the education available. Many adults want opportunities to complete their educations, to prepare for better jobs, or to develop new interests. The training of our citizen army has demonstrated the potentialities of adult education to millions; when demobilized, they will demand comparable opportunities in peace.

The wants of the returning servicemen mean more to us right now than the wants of anyone else. In this year 1944 a grateful nation is determined not to let the servicemen down. These men are entitled to job priorities and mustering-out pay. They will want the same things as workers and farmers but they will want more. During the war millions of them have learned to walk with death, pain, and severe physical hardship. They have learned to love their country with a fierce patriotism. They forgot about money. Big profits, higher wages, and higher prices for farm products meant nothing to them. Therefore, they learned to hate pressure-group warfare. They may return to private life and become a pressure group for the general welfare. Their disgust with pressure-group politics wrongly channeled could lead to a new kind of fascism, but rightly directed it may result in a true general-welfare democracy for the first time in history. These young men will run the country 15 years hence.

As citizens we want competent and honest government all the way from the local community to Washington. We want a government that uses its powers openly, intelligently, and courageously to preserve equality of opportunity, freedom of enterprise, and the maximum of initiative for all the people. We want a government which will recognize those things which it can best provide in the interests of all—security of persons and property; freedom of religion, of speech, and of thought; education; public health; social insurance; minimum labor standards; and fair standards of competition—and then effectively discharge its responsibilities.

As consumers, our wants merge into the general welfare. Our dominant want is for an efficiently functioning economy—full employment of labor, capital, and technologies; a balanced development of all regions; the preservation of genuine free enterprise and competition to assure progress and a rising standard of living; the avoidance of business ups and downs; and no exploitation of labor, capital, or agriculture.

We all want jobs, health, security, freedom, business opportunity, good education, and peace. We can sum this all up in one word and say that what America wants is pursuit of happiness. Each individual American before he dies wants to express all that is in him. He wants to work hard. He wants to play hard. He wants the pleasures of a good home with education for his children. He wants to travel and on occasion to rest and enjoy the finer things of life. The common man thinks he is entitled to the opportunity of earning these things. He wants all the physical resources of the Nation transformed by human energy and human knowledge into the good things of life, the sum total of which spells peace and happiness. He knows he cannot have such peace and happiness if the means of earning peace and happiness are denied to any man on the basis of race or creed.

The common man means to get what he is entitled to. Any failure to utilize our resources to the full will cause him to throw over any system which he thinks stands in his way. The impulse of humanity toward full use and full expression is now so intense as to be identical with life itself. We who love democracy must make it politically and economically a capable servant of the irresistible instincts of man and nature toward full use.

All of us want to be needed and appreciated. We want to feel that the world would be a poorer place if we died. We want to enjoy the world, contribute to the world and be appreciated by the world each in his own little way.

The bitterness of the depression was that so many millions were cut off by unemployment. That is the bitterness we do not want to see again, when the war is over and the boys come home. We want reasonably full employment so that every American can feel himself a member of his country .

We have the materials to work with. We have the science and technical skills to direct our work. We have innumerable desires for goods and services that we are able to supply. All we need is good management and harmony, less grabbing for ourselves, and more cooperation for the general welfare. Legitimate self-interest can be realized in no other way. By working together for victory in war we have made a resounding success. By working together for the common good in peace we can get results beyond what most Americans have dared to hope.

HUMAN RIGHTS AND LASTING PEACE—ADDRESS BY SENATOR KILGORE

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD a radio address entitled "Human Rights and Lasting Peace," delivered by Senator KILGORE at the intermission Metropolitan Opera broadcast in New York City on February 5, 1944, which appears in the Appendix.]

AMERICA'S FUTURE—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address entitled "America's Future," delivered by him on February 2, 1944, before the Wisconsin Retail Hardware Association at Milwaukee, Wis., which appears in the Appendix.]

VOTING BY SOLDIERS—ADDRESS BY SENATOR BREWSTER

[Mr. WHERRY asked and obtained leave to have printed in the RECORD a radio address on the subject of voting by soldiers, delivered by Senator BREWSTER on February 4, 1944, which appears in the Appendix.]

"FARMING—THEN AND NOW"—ADDRESS BY HON. JOSEPHUS DANIELS

[Mr. HILL asked and obtained leave to have printed in the RECORD an address en-

titled "Farming—Then and Now," delivered by the Honorable Josephus Daniels before the North Carolina Farm Bureau Federation, at Raleigh, N. C., on February 2, 1944, which appears in the Appendix.]

INTERVIEW WITH LOUIS BROMFIELD

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an interview with Louis Bromfield, under the heading "Bromfield assails administration, raps Willkie on bond-rally visit," and an editorial from the Philadelphia Record of February 7, 1944, entitled "This Is Starvation Month, or Had You Forgotten It?" which appear in the Appendix.]

ADDRESS BY G. SEALS AIKEN

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD excerpts from an address delivered by G. Seals Aiken, of Atlanta, Ga., at the convention of the Knights of Pythias, held in Georgia, which appears in the Appendix.]

THE ATTITUDE OF RUSSIA—EDITORIAL FROM WASHINGTON TIMES-HERALD

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial entitled "Moscow Sleigh Ride," published in a recent issue of the Washington Times-Herald, which appears in the Appendix.]

THE WAR PRODUCTION BOARD AND THE DEVELOPMENT OF IRRIGATION PROJECTS

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an editorial from the McCook (Nebr.) Daily Gazette of February 2, 1944, relative to a recent decision of the War Production Board relative to the development of irrigation projects in the Middle West, which appears in the Appendix.]

THE CALENDAR

The ACTING PRESIDENT pro tempore. The routine morning business is closed. The calendar, under rule VIII, is in order.

Mr. BARKLEY. I ask unanimous consent that the calling of the calendar be dispensed with.

Mr. EASTLAND. I object.

The ACTING PRESIDENT pro tempore. Objection is heard, and the clerk will state the first order of business on the calendar.

BILLS, AND SO FORTH, PASSED OVER

The LEGISLATIVE CLERK. A bill (S. 40) to provide that the term of the Governor of Puerto Rico shall expire upon the enactment of this act and at the end of each 2-year period thereafter.

Mr. BARKLEY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 403) for the relief of certain claimants who suffered losses and sustained damages as a result of the campaign carried out by the Federal Government for the eradication of the Mediterranean fruitfly in the State of Florida was announced as next in order.

Mr. BARKLEY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 675) to amend the Selective Training and Service Act of 1940, as amended, so as to extend the benefits of the Employees' Compensation Act to conscientious objectors was announced as next in order.

Mr. BARKLEY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The joint resolution (S. J. Res. 19) to amend the act of July 3, 1926, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in claims which the Crow Tribe of Indians may have against the United States, and for other purposes," was announced as next in order.

Mr. BARKLEY. Over.

THE ACTING PRESIDENT pro tempore. The joint resolution will be passed over.

The bill (S. 168) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in any and all claims which the Confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation in Montana, or any tribe or band thereof, may have against the United States was announced as next in order.

Mr. BARKLEY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 409) authorizing the Arapahoe and Cheyenne Indians or any band thereof to submit their claims against the United States to the Court of Claims, and for other purposes, was announced as next in order.

Mr. BARKLEY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 670) conferring jurisdiction upon the Court of Claims to hear and determine the claims of the Prairie Band or Tribe of Pottawatomie Indians of Kansas and Wisconsin against the United States was announced as next in order.

Mr. BARKLEY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 445) authorizing an appropriation for payment to the Osage Tribe of Indians on account of their lands sold by the United States was announced as next in order.

Mr. BARKLEY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 23) authorizing the Western Bands of the Shoshone Nation of Indians to sue in the Court of Claims was announced as next in order.

Mr. BARKLEY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 205) conferring jurisdiction upon the District Court of the United States for the Southern District of Florida to hear and render judgment upon claims for damages resulting in the improvement of the Intracoastal Waterway was announced as next in order.

Mr. BARKLEY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 875) to provide for the preparation of high-school students for wartime service was announced as next in order.

Mr. BARKLEY. Over.

The ACTING PRESIDENT pro tempore. The bill will be passed over.

The joint resolution (S. J. Res. 26) authorizing the President to proclaim the Sunday before Memorial Day as a day for memorial services for deceased firemen was announced as next in order.

Mr. BARKLEY. Over.

The ACTING PRESIDENT pro tempore. The joint resolution will be passed over.

The bill (S. 249) providing for taxation by the States and their political subdivisions of certain real property acquired for military purposes was announced as next in order.

Mr. BARKLEY. Mr. President, the Senator from Mississippi advises me that he withdraws the objection.

The ACTING PRESIDENT pro tempore. There being no objection to the request of the Senator from Kentucky, the further call of the calendar is dispensed with.

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES

The Senate resumed the consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes.

The ACTING PRESIDENT pro tempore. The clerk will state the pending amendment, proposed by the Senator from Connecticut [Mr. DANAHER].

The LEGISLATIVE CLERK. On page 40 it is proposed to strike out lines 1 to 4, inclusive, and to insert "12 o'clock meridian on the date of the holding of the election."

Mr. DANAHER obtained the floor.

The ACTING PRESIDENT pro tempore. The Chair wishes to advise the Senator from Connecticut that he is informed that the Senator from Connecticut has already spoken once on the amendment. Does the Senator from Connecticut desire to speak on the bill?

Mr. DANAHER. I shall follow that course, Mr. President.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. GREEN. There are three amendments which I should like to ask unanimous consent to have adopted. The first is the one proposed by the senior Senator from Indiana [Mr. WILLIS] and the junior Senator from Indiana [Mr. JACKSON], which provides that there be written into the war ballot a provision respecting "United States Senator, unexpired term." Printed copies of the amendment have been distributed and Senators have them on their desks.

Mr. McKELLAR. Mr. President, I think the amendment had better come up in its regular course, and be offered in the regular way. I do not think we can give unanimous consent to the consideration of these amendments, so I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. GREEN. Mr. President, the next amendment I propose is on page 31, in the second line of the caption beginning

"Oath of elector", to strike out the figures "1944" and substitute therefor "19__." The amendment represents the correction of a clerical error.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. McKELLAR. I will not object to that.

The ACTING PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. GREEN. And on the same page in the acknowledgment to the "Oath of elector" I propose to strike out the figures "194_" and substitute therefor "19__."

The ACTING PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. GREEN. I offer a third amendment. On page 42, in line 3, I suggest after the words "post cards" that there be inserted the words "(or post cards provided under section 3 of this act prior to its amendment)." I shall state the purpose of the amendment. The form of post card mentioned in the pending amendment is different from the form of post card under the existing law. Already there have been 10,000,000 or more post cards made available for distribution under the existing law, and some of them will have been distributed before the amendment, if adopted, goes into effect. So the proposed amendment makes it possible for either post card to be used in this connection. In other words, we do not want to have to recall 10,000,000 post cards and substitute 10,000,000 similar but not identical post cards in their place. The language of the amendment is similar to the language to be found in lines 4 and 5 on page 43 in section 202.

Mr. OVERTON. Mr. President, there ought to be some further consideration of that amendment, and I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. BARKLEY. Mr. President, in view of objection to two amendments offered by the Senator from Rhode Island [Mr. GREEN], I suggest to him that they can be offered in their regular order.

Mr. GREEN. Yes, Mr. President. I offered them at this time because I thought there would be no objection to them.

Mr. DANAHER. Mr. President, it is my purpose to modify my amendment pending before the Senate, in the following respect: On page 40, strike out lines 1 to 4, inclusive, and in lieu of the remainder of the amendment as printed, insert the following: "The hour for the closing of the polls on the date of the holding of the election."

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, the amendment is agreed to.

Mr. DANAHER. Mr. President, I think all of us have discovered in the interchange of ideas with reference to the language of the bill itself that our own experience with and knowledge of local conditions, local laws, and local practices have been of assistance to us in our attempted understanding of the difficulties to be overcome in this whole situation. We have found that in many particulars, corrections were required and modifications necessary. There remain yet other items in connection with the technical side of the bill as to which amendments are required. It is my hope that whatever action is ultimately to be taken with reference to the entire business before the Senate, we can proceed to the completion of the bill in the needed particulars. Many amendments of a technical nature have been adopted in the last few days; they are and will be of great importance in the administration of the bill, should it become law.

For example, Mr. President, I have in mind a further amendment on page 31. We find there a form of oath. The attestation to the oath is this:

> Subscribed and sworn to before me this ------ day of ----------, 194__.

Followed by the line for signature, and rank or grade.

It is my purpose, Mr. President, to offer an amendment. In lieu of the language just read I propose to insert the following:

> Personally appeared before me the above-named voter to me known and known to me to be the person who after being duly sworn subscribed the foregoing oath.
>
> In witness whereof I have set my hand this ------ day of ----------, 19__.
>
> ----------
>
> (Commissioned, noncommissioned, or petty officer not below the rank of sergeant or its equivalent, or other person authorized to administer and attest this oath.)

I offer that amendment and ask that it be adopted.

The ACTING PRESIDENT pro tempore. The Chair will ask the Senator from Connecticut whether it is his desire to modify his pending amendment, or does the amendment to which he has just addressed himself relate to something else?

Mr. DANAHER. Mr. President, this is a new amendment. I understood the Chair earlier to rule that, without objection, the previous amendment was agreed to.

The ACTING PRESIDENT pro tempore. In the Chair's opinion the first amendment has not been agreed to.

Mr. DANAHER. I understood the Chair to state that, as modified, it was agreed to.

Mr. BARKLEY. Mr. President, the Senator has a right to modify his own amendment without consent, and after he did so, then the Chair announced that without objection, the amendment was agreed to. I do not know whether the Chair intended his announcement to apply to the original amendment.

The ACTING PRESIDENT pro tempore. The Senator has a right to modify his own amendment if he desires, and it does not require unanimous consent or agreement.

Mr. DANAHER. The amendment I am now speaking to is a further amendment, Mr. President.

The ACTING PRESIDENT pro tempore. Without objection, the amendment of the Senator from Connecticut on page 40, line 1, as modified, is agreed to.

Mr. DANAHER. Now I move the adoption of the amendment I just stated, which is on page 31 to strike out:

> Subscribed and sworn to before me this ------ day of ----------, 194__.

And to insert in lieu thereof:

> Personally appeared before me the above-named voter to me known and known to me to be the person who after being duly sworn subscribed the foregoing oath.
>
> In witness whereof I have set my hand this ------ day of ----------, 19__.

And then the line for signature and the language below the signature as it appears in the measure before us.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Connecticut.

Mr. OVERTON. Mr. President, I move that the House amendments to Senate bill 1285 be laid before the Senate.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. LUCAS. Does not the Senator from Connecticut have the floor?

The ACTING PRESIDENT pro tempore. The Senator from Louisiana has made a motion which is a privileged motion.

Mr. LUCAS. Can the Senator from Louisiana make such a motion in the time of the Senator from Connecticut? The Senator from Connecticut has not yielded the floor. I submit in view of that situation——

Mr. OVERTON. The Senator from Connecticut had yielded the floor.

Mr. McKELLAR. And the Chair had recognized the Senator from Louisiana.

The ACTING PRESIDENT pro tempore. The Chair understands the situation to be that an amendment has been offered by the Senator from Connecticut, which is a debatable amendment. The Chair understands that having offered the amendment, the matter then was open to discussion, and recognized the Senator from Louisiana.

Mr. BARKLEY. Of course, the Senator from Louisiana has disclosed that he did not seek recognition to discuss the amendment, but to make a motion, which he has a right to make if he is recognized for that purpose.

Mr. McKELLAR. He has been recognized.

Mr. BARKLEY. Whether the Senator from Connecticut had finished his comments on his own amendment and had yielded the floor I do not know. It is probably a question of intention on the part of the Senator from Connecticut.

Mr. OVERTON. I understood the Senator from Connecticut had yielded the floor. In fact, the Chair was submitting the amendment offered by the Senator from Connecticut for a vote to the Senate, and asked that the Senate vote upon it. Thereupon I asked for recognition, and the Chair recognized me, and I made the preferential motion.

The ACTING PRESIDENT pro tempore. The Chair will state that the amendment previously offered by the Senator from Connecticut was a modification of his own amendment, which did not require the concurrence of the Senate. Then the Senator from Connecticut offered another amendment which did require the concurrence of the Senate. After the Senator from Connecticut offered his amendment the Chair thought he understood the Senator from Connecticut to indicate that he did not wish to continue the discussion; and the Chair thereupon recognized the Senator from Louisiana.

Mr. BARKLEY. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. BARKLEY. The Senator from Connecticut offered a modification to his amendment which was pending when we recessed on Saturday. Then, after he had modified his own amendment, as he had a right to do, the Chair said, "Without objection, the amendment is agreed to." I understood that that ruling by the Chair applied to the pending amendment which the Senator from Connecticut himself had modified.

Thereupon the Senator from Connecticut offered another amendment which had no connection whatever with the amendment which had been pending and which was modified. Which one of the amendments is pending before the Senate, Mr. President?

The ACTING PRESIDENT pro tempore. The Chair announces it is the second amendment.

Mr. BARKLEY. The first amendment was agreed to; was it?

The ACTING PRESIDENT pro tempore. The first amendment was agreed to. But it was the understanding of the Chair that the second amendment, which required the concurrence of the Senate, was submitted to the Senate by the Senator from Connecticut.

Mr. BARKLEY. Very well; that clears up the matter.

The ACTING PRESIDENT pro tempore. It is the further understanding of the Chair that, the Senator from Connecticut having submitted the amendment, if he desired to retain the floor it would have been necessary for him to have indicated that he desired to retain the floor and to have gotten recognition to that end, which the Chair did not understand the Senator from Connecticut desired to do. And the Chair, not understanding that the Senator from Connecticut desired further recognition, inasmuch as the Senator from Louisiana then addressed the Chair, the Chair recognized the Senator from Louisiana.

Mr. OVERTON. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Barkley	Burton
Austin	Bilbo	Ball
Bailey	Brooks	Brewster
Bankhead	Buck	Bushfield
Butler	Jackson	Robertson
Byrd	Johnson, Colo.	Russell
Capper	Kilgore	Shipstead
Caraway	La Follette	Smith
Chandler	Langer	Stewart
Chavez	Lucas	Taft
Clark, Idaho	McClellan	Thomas, Idaho
Clark, Mo.	McFarland	Thomas, Okla.
Connally	McKellar	Thomas, Utah
Danaher	Maloney	Tobey
Davis	Maybank	Truman
Downey	Mead	Tunnell
Eastland	Millikin	Tydings
Ellender	Moore	Vandenberg
Ferguson	Murdock	Wagner
George	Murray	Wallgren
Gerry	Nye	Walsh, Mass.
Green	O'Daniel	Walsh, N. J.
Guffey	O'Mahoney	Wheeler
Gurney	Overton	Wherry
Hatch	Pepper	White
Hawkes	Radcliffe	Wiley
Hayden	Reed	Willis
Hill	Revercomb	Wilson
Holman	Reynolds	

The ACTING PRESIDENT pro tempore. Eighty-six Senators having answered to their names, a quorum is present.

Mr. OVERTON. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. OVERTON. What is the motion now before the Senate?

The ACTING PRESIDENT pro tempore. The question before the Senate is the motion of the Senator from Louisiana that the Chair lay before the Senate the amendment of the House to Senate bill 1285. The motion is not debatable, and the question is on agreeing to the motion.

Mr. OVERTON. On that question, I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the junior Senator from Nevada [Mr. SCRUGHAM], and will vote. I vote "nay."

The roll call was concluded.

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness. I am advised that if present and voting, the Senator from Florida and the Senator from Virginia would vote "nay."

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business. I am advised that if present and voting, he would vote "nay."

The Senator from Washington [Mr. BONE] is detained in a conference at the White House. I am advised that if present and voting he would vote "nay."

The Senator from Iowa [Mr. GILLETTE] is detained in one of the Government departments on matters pertaining to the State of Iowa.

The Senator from Nevada [Mr. MCCARRAN] is detained in a committee meeting.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent. His general pair and the transfer thereof have been announced.

The Senator from California [Mr. JOHNSON] is necessarily absent. He has a pair on this question with the Senator from Virginia [Mr. GLASS]. If present the Senator from California would vote "yea," and I am advised that the Senator from Virginia would vote "nay."

The result was announced—yeas 42, nays 44, as follows:

YEAS—42

Bailey	Ellender	Reed
Ball	George	Revercomb
Bankhead	Gerry	Reynolds
Bilbo	Gurney	Robertson
Brewster	Hawkes	Russell
Brooks	Hill	Shipstead
Buck	Holman	Smith
Bushfield	McClellan	Taft
Butler	McKellar	Thomas, Idaho
Byrd	Millikin	Wheeler
Capper	Moore	Wherry
Caraway	Nye	White
Connally	O'Daniel	Willis
Eastland	Overton	Wilson

NAYS—44

Aiken	Hayden	Radcliffe
Austin	Jackson	Stewart
Barkley	Johnson, Colo.	Thomas, Okla.
Burton	Kilgore	Thomas, Utah
Chandler	La Follette	Tobey
Chavez	Langer	Truman
Clark, Idaho	Lucas	Tunnell
Clark, Mo.	McFarland	Tydings
Danaher	Maloney	Vandenberg
Davis	Maybank	Wagner
Downey	Mead	Wallgren
Ferguson	Murdock	Walsh, Mass.
Green	Murray	Walsh, N. J.
Guffey	O'Mahoney	Wiley
Hatch	Pepper	

NOT VOTING—9

Andrews	Gillette	McCarran
Bone	Glass	McNary
Bridges	Johnson, Calif.	Scrugham

So Mr. OVERTON's motion was rejected.

The ACTING PRESIDENT pro tempore. The question recurs on the amendment of the Senator from Connecticut [Mr. DANAHER].

Mr. DANAHER. Mr. President, I ask that the pending question be put.

Mr. VANDENBERG. Mr. President, the motion just voted upon was not debatable. Therefore, I have had to wait until now to make a statement, which I proceed to do briefly.

The thing which I am anxious to have is expedition in consideration of this bill. I think the country expects it. It seems to me that the only possible thing that could happen as the result of now laying before the Senate the House amendments to Senate bill 1285 would be to invite the Senator from Kentucky [Mr. BARKLEY] to offer the Green-Lucas bill as an amendment to one of the House amendments. We should then be back where we started, except that we should have lost our limitation upon debate in respect to amendments to the Green-Lucas bill.

Mr. President, I think that would be of no advantage to anyone, and certainly not to the viewpoint which I hold fundamentally, namely, that we should get on with this business. So I state for the information of the Senate that as soon as the Green-Lucas bill is perfected and the amendments necessary to it are agreed to I shall, of course, vote at that time to take up the House amendments to Senate bill 1285.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. TAFT. I do not quite follow the logic of the argument. If the only way by which we are to make any progress in this matter is to take up the House amendments to Senate bill 1285, obviously the sooner we take up the House amendments the quicker we will get through.

Mr. VANDENBERG. Mr. President, I do not think that is at all obvious. I think that consideration of the amendments to the Green-Lucas bill should proceed under the limitation of debate. There will be no limitation of debate after we shall have taken up the House amendments.

Mr. TAFT. However, when the House amendments are taken up, if the administration offers the Green-Lucas bill as an amendment to one of the House amendments, the Green-Lucas bill would be subject to unlimited debate.

Mr. VANDENBERG. There is not the slightest doubt in the world about that.

Mr. TAFT. I very much hope that the question will be disposed of at once. My only reason for voting for the motion of the Senator from Louisiana [Mr. OVERTON] was that it seems to me that if that is the way we are to reach a final agreement with the House, obviously the quickest way to do it is to do it at once and not continue debate on a bill which will pass the Senate and then die.

So far as I can see the House will not take up the second bill which we pass. I do not care, but it seems to me that all the debate from now on until we pass the Green-Lucas bill will be time thrown away because after that we will go back to Senate bill 1285, and the debate on Senate bill 1285 will be exactly the same, regardless of whether we shall have already passed the Green-Lucas bill.

Mr. VANDENBERG. Apparently I am unable to make my position plain to the Senator from Ohio, but it seems perfectly plain to me that the obvious orderly procedure is to perfect the Green-Lucas bill before we draw the final issue between the Green-Lucas bill and the House amendments to Senate bill 1285. If we can perfect the Green-Lucas bill under the limitation of debate it seems to me that we can save time; and that is the only thing in the world in which I am interested in connection with the procedure.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. BREWSTER. The Senator will, I presume, agree that to go forward with a bill which the Senator contemplates will very shortly be offered as an amendment to another bill, presents an anomalous situation. Is it not possible that the amendments which might be adopted in perfecting the Green-Lucas bill might have to be reconsidered in the light of the bill which the Senate earlier passed, and which the House has since amended? We would then be proceeding only under the phase of amending the House amendments.

Mr. VANDENBERG. I think the Senator can theoretically make the point which he makes. However, in my judgment, as a practical matter we have reached the point where the only thing remaining to do with the Green-Lucas bill is to perfect some of its noncontroversial details. I respectfully submit that the orderly procedure calls for completion of the process of perfecting the Green-Lucas bill. A motion can then be made to proceed with the consideration of the House amendments, and I shall vote for such a motion.

Mr. BREWSTER. Does the Senator contemplate little difficulty in infiltrating the Green-Lucas bill into the House amendments?

Mr. VANDENBERG. I contemplate nothing but difficulty in respect to the parliamentary presentation. I underwrite no share of it, and I have nothing to do with the management of it. At the moment I am merely explaining that I am trying to vote in a way which I think will facilitate the present procedure; and God knows that if we can facilitate it for even 20 minutes the country will be much obliged.

[Manifestations of applause in the galleries.]

Mr. BARKLEY. Mr. President, in view of the statement of the Senator from Michigan, perhaps I should make this observation:

I agree with him up to a certain point, namely, that in my judgment we ought to perfect the bill which is the unfinished business of the Senate and dispose of it. We have no way of knowing what the House will do. We cannot predict. The House has its own responsibility. After this bill is disposed of we will all be in favor of taking up the House amendments and disposing of them in whatever fashion the Senate wishes to dispose of them. If the House amendments should be agreed to I, of course, would not want to predict what the fate of the legislation would be. I do not intimate what its fate would be, but we shall at least have sent to the House, in the form of Senate bill 1612, our most recent expression upon the subject. If after the House amendments are taken up the Green-Lucas bill as then perfected should be adopted in lieu of any of the House amendments, that would throw the bill into conference, and if the conferees were able to work out a fairly satisfactory bill, of course Senate bill 1612 would not be further considered. There would be no necessity for considering it. So I think the logical and orderly way to proceed is to complete consideration of the Green-Lucas bill, Senate bill 1612, and let the Senate pass upon it. If it should be passed it then would go on its way to the House. We could take up the House amendments to the other bill, and if they should go to conference, of course that would offer the most direct method by which some agreement could be arrived at for legislation.

Mr. TAFT. Am I to understand that after the passage of the Green-Lucas bill, or its defeat, the Senator proposes to take up the House amendments to Senate bill 1285?

Mr. BARKLEY. Frankly, that is my purpose.

Mr. CHAVEZ. Mr. President, I have taken very little part in this debate, but I have been impressed with the desire of both sides of the controversy to see that the soldier shall be given an opportunity to vote. That is the only interest I have in the matter. I do not know who is at fault for the anomalous position in which we find ourselves, but I do know that the sooner we pass a bill the better it will be for the country. It seems to me that unless we can pass the Lucas-Green bill soon, we had better do something else.

Up to the present moment I have been voting against taking up the House amendments to Senate bill 1285, but personally I am becoming tired of waiting and hearing debate about how much we love the soldier and how much we want him to vote, and having nothing done about it. Unless the Green-Lucas bill shall be passed by the Senate pretty soon I shall move to take up the House amendments to Senate bill 1285.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. GREEN. I am sorry, but I fail to follow the Senator's argument. Apparently any bill would be better than no bill. Does not the Senator understand that we have already on the statute books a soldiers' voting law? What is the use of passing a bill unless it be an improvement over the existing law, unless the soldier is to have a better chance of voting, or unless more soldiers are to vote? If a bill is proposed which would reduce the number of soldiers who will vote, or make it harder to vote on the part of those who can vote, why pass any bill at all?

Mr. CHAVEZ. I will answer the Senator. It is because I want some kind of a bill, that I shall vote for the Lucas-Green bill. The bill is not what I desire, or what the soldiers from New Mexico desire, but it is better that they receive something than nothing at all. Under the Lucas-Green bill the soldier from New Mexico would be able to vote for only the President and Members of Congress. The soldier from New Mexico would like to vote for local officials, but that would be impossible under the State law and constitution. So when I vote for the Green-Lucas bill I shall be voting for some kind of a bill in preference to no bill at all.

Mr. GREEN. Mr. President, I am afraid that I failed to make my point clear. We now have a soldier vote law. It has proved inadequate. The Green-Lucas bill is intended to make it more adequate. The bill provides for an improvement over existing law, more soldiers could vote under it. Under the House amendments to Senate bill 1285 not so many soldiers could vote, and those who could vote would find it more difficult. Under the Green-Lucas bill we would not have the Federal ballot alone, but a Federal ballot and a State ballot. Under the House amendments we would have only a State ballot.

Mr. CHAVEZ. I am not impressed by the statement that the pending bill is the best one. The proponents of the Green-Lucas bill think theirs is the best bill.

After all, we must pass judgment on it, and let our conscience be our guide. I shall vote for the Green-Lucas bill because it will afford the only chance the boys in the Pacific or in Italy or at Attu or elsewhere will have to vote. That is the only reason I shall vote for it. It will afford them an opportunity to have some kind of a vote. I do not know which is the best bill, but I am satisfied in my own mind that the Scott Lucas bill will allow the boys from New Mexico to vote at least for someone. That is the reason I am for it.

Mr. GREEN. As I have been completely eliminated I will resume my seat. [Laughter.]

Mr. CHAVEZ. Of course, I meant the "Green-Lucas" bill.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. DANAHER].

The amendment was agreed to.

Mr. FERGUSON. Mr. President, I desire to propose several amendments to Senate bill 1612. On page 29 I move to strike the words "Or write in the name of his political party."

Those words appear in the form of the official Federal war ballot as printed on page 29, but they are not indicated by lines in the printed copy of the bill. The words I move to strike out follow the language:

Official Federal war ballot.

Instruction: To vote, write in the name of the candidate of your choice for each office.

At the session of the Senate on Friday last the words "Democratic, Republican, Progressive, or other" were stricken from the bill.

I am of the opinion that we would have a much better bill if we would allow the voters to vote by name rather than by party, and, as I have already stated on the floor, we have a method of getting the names to the soldiers and the party's on literature which is to go to the soldiers. I therefore propose now to strike out the words "or write in the name of his political party."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan.

Without objection, the amendment is agreed to.

Mr. BARKLEY. Mr. President, I presume the Senator wants to make the same amendment applicable elsewhere in the form of the ballot.

Mr. FERGUSON. Yes, I presume I shall have to offer the amendments separately. I now move another amendment on page 29. As I have said, the lines are not numbered, so I will have to designate the place by saying that the words I propose to strike out follow the words "write in the name of your choice for President." Following those words, I move to strike out the words "or the name of his party." I understand I will have to move the amendment separately.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Michigan.

Without objection, the amendment is agreed to.

Mr. FERGUSON. The next amendment I offer is to strike out the words "or the name of his party" after the word "Senator," where it appears in the line "write in the name of your choice for Senator."

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Michigan.

Without objection, the amendment is agreed to.

Mr. FERGUSON. I now move to strike out the words "or the name of his party" following the words on page 29, "Write in the name of your choice for Representative in Congress for your district."

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Michigan.

Without objection, the amendment is agreed to.

Mr. FERGUSON. I now move to strike out the words "or name of his party" after the words "write in the name or names of your choice for Representative at Large."

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Michigan.

Without objection, the amendment is agreed to.

Mr. FERGUSON. On page 30 I move to strike out in lines 1 and 2 the words "A vote by party designation shall be deemed to be a vote for the candidate of that party by name."

Mr. McKELLAR. I inquire where that amendment comes in.

Mr. FERGUSON. In lines 1 and 2, page 30.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Michigan.

Without objection, the amendment is agreed to.

Mr. WHITE. Mr. President, I want to say a very brief word about the parliamentary confusion that confronts the Senate. In a somewhat long congressional service it is to me one of the most extraordinary situations that has come before either the other House or this body.

In a very large degree I associate myself with the views expressed by the Senator from Michigan [Mr. VANDENBERG]. I think a great obligation at this time is to get on with the business before the Senate and bring to some definite conclusion the matured judgment of the Senate on the pending matter.

Mr. President, I have twice voted for motions to lay the House amendments before the Senate. I have done so in large part because I have believed that whether or not we proceeded to vote upon the Green-Lucas bill, we would ultimately find, if the House amendments were laid before the Senate, that the Green-Lucas bill or its substance would be offered as an amendment to one of the House amendments to this House bill. It seems to be if that course were followed and if the Green-Lucas bill were offered as an amendment to one of the House amendments and was agreed to, then we would have something which could go to conference between the two Houses, with some ultimate hope that a decision would be reached.

I have felt and feel now that if we proceed to the perfection of the Green-Lucas bill by amendment, and vote affirmatively upon its passage it will result in confusion worse confounded. We would have pending here the original Senate bill amended by the House, with no action by the Senate upon the House amendments, and we would have for a second time sent a bill of the Senate upon the same matter to the House. I can see nothing but complete confusion, nothing but a complete break-down of the legislative process as between the two Houses if such a course should be followed.

I have said I voted twice to lay the House amendments before the Senate. I so voted without intending to indicate in any way my ultimate attitude toward the pending legislation. I have done it because I thought—I am not certain that I am right about it—but I have done it because I have thought that the adoption of such a motion and the laying of the House amendments before this body with the right to amend them, would facilitate the final disposition of this matter. I still believe that is the correct way to proceed.

I have to confess that it never had occurred to me that we would vote upon the pending Green-Lucas bill as a Senate bill and that then we would give separate and distinct consideration to the original Green-Lucas bill as amended by the House. But whatever course we pursue, Mr. President, I think we should follow it with celerity and bring this matter to some final disposition.

Mr. BARKLEY. Mr. President, I do not wish to delay consideration of the bill, and I have not contributed remotely to any delay. I merely wish to observe that in my opinion the American people are not very much interested in parliamentary technicalities. I also believe that the American soldier, sailor, or marine, or member of any other branch of our armed services, is not interested in parliamentary technicalities. What those men desire, and I hope what we all desire, is that we can come to an agreement, in the quickest and promptest and best way possible, on a workable Federal ballot law. I think a majority of the Senate feels that way about it, and I hope I may be pardoned if I say that I think that ultimately a majority of the other body will feel the same way. However, I do not wish to make any prediction. I am merely giving my opinion after conferences and talks, and on the basis of information I have received.

If we shall pass the Green-Lucas bill, and then take up the House amendments, as we shall do promptly—although there will be no limitation of debate upon the House amendments, and cannot be unless a subsequent agreement to that effect shall be made, and, of course, that would have to be by unanimous consent—it seems to me that, so far as the

Senate is concerned, we will have discharged our obligation and will have resolved the parliamentary technicalities in behalf of the American soldier and his right to vote.

Mr. CLARK of Missouri. Will the Senator yield?

Mr. BARKLEY. I shall conclude in a moment.

I appeal to both sides of the Senate to join in getting on with the business before us so that out of one or the other of the measures we may be able to enact legislation which will make it possible for the members of the armed services to do what the overwhelming majority of the American people want them to have a right to do; that is, cast their votes.

Mr. CLARK of Missouri. Mr. President, supplementing what the Senator from Kentucky has said, it seems to me that there is really no parliamentary technicality involved in the proposition before the Senate. All the courses suggested would be in consonance with the well-recognized practice of each House, and the practice between the Houses of Congress. There is really no parliamentary question involved. The only question is one as to votes. The question is what a majority of the Senate and a majority of the other House can finally agree upon, and the sooner we cease talking and get a vote, the sooner the matter will be resolved.

I recall that at one time former Speaker Cannon said that if he were given a majority of the House at his back he could pass a cow through the House if he desired to do so. The only question to be determined is the question of the wishes of a majority of this body, and it seems to me that all this debate is beside the point and that the sooner we begin to vote the sooner the whole matter will be determined.

Mr. VANDENBERG. Mr. President, I wish to make one further suggestion to the Senator from Rhode Island, if I may have his attention. I ask him to look at page 42, where again we find the language referring to the post cards which are to be distributed with respect to State ballots. I call his attention to the language in lines 5 and 6.

Mr. LUCAS. On what page?

Mr. VANDENBERG. Page 42. I refer to the phrase "where State procedures can be effectively employed."

It seems to me as though, if that language were adopted, we would be delegating to the Secretary of War and the Secretary of the Navy the power to decide whether in their judgment State procedures could be effectively employed, whereas I am sure all the Senator from Rhode Island wants to do is to limit this authority by the words in line 2, "wherever practicable and compatible."

I suggest that the language "where State procedures can be effectively employed" should be eliminated. I do not believe we want to give these two departments the power to decide for themselves whether the State procedures can be effectively employed, beyond the limitation in line 2, which requires them to do this only "when practicable and compatible with military operations."

Mr. GREEN. Mr. President, in answer to the Senator from Michigan, I think I agree with his point of view, but in the past couple of days we have read in the newspapers how information about local elections is being given already to the armed forces, that is, as to the early primaries in certain States, and how the members of the armed forces could apply for applications for ballots or for ballots themselves. However, the officials drew attention to the fact that it would be undesirable for members of the armed forces to apply for applications for ballots or for ballots where there was not sufficient time for the communications to go back and forth, because the air mail, which is limited, would be used to no avail. If there were not time within which to get the application over to the secretary of state of the State and the answer to be returned and the ballot to be cast, the soldier would better not apply at all, because there are certain mailings which load up the limited air-mail carriage. I think the words "where State procedures can be effectively employed" would cover that very point.

Mr. VANDENBERG. The trouble is, if I may make a suggestion to the Senator, that the Secretary of War started out by saying that State procedures never can be effectively employed. I dislike to leave the State ballot at the mercy of the decision of a Secretary whose primary conviction is that State procedures cannot be given effect.

Mr. GREEN. I did not wish to oppose the proposal of the Senator from Michigan; I merely desired to draw his attention to the reason for the words being in the bill. I shall not make any objection if the Senator moves to amend by striking the words out.

Mr. VANDENBERG. I thank the Senator.

Mr. LUCAS. Will the Senator from Michigan yield?

Mr. VANDENBERG. I yield.

Mr. LUCAS. I do not like to disagree with my colleague, the Senator from Rhode Island, but from the beginning I have taken the position that every Federal ballot and State ballot should go to every camp in this country and every camp outside this country, unless it were impracticable and incompatible with military operations, just as is suggested here. I do not see any objection, so far as I am personally concerned, to eliminating the words "where State procedures can be effectively employed." It seems to me, as the Senator from Michigan has said, that perhaps the Army and the Navy might have the power, under that language, to make a determination as to whether or not State procedures were sufficient to enable them to administer the law, and I do not care to give them that power, and I do not think any Senator wishes to give them the power; and as a matter of fact, the Army and Navy do not want the power. The Army and Navy have said over and over again that they will attempt to administer any law we pass, and will attempt to do the best job possible with all ballots originating in the States which ultimately find their way overseas, so long as it is practicable and compatible with military operations. There can be no question about that. So far as I am concerned, I am glad to accept the amendment.

Mr. VANDENBERG. I thank the Senator. On page 42, lines 5 and 6, I move to strike out the words "where State procedures can be effectively employed."

Mr. HOLMAN. Mr. President, will not the Senator from Michigan explain the purpose of the amendment?

Mr. VANDENBERG. I have just completed a long explanation. I do not want the Secretary of War and the Secretary of the Navy to have the right to decide for themselves whether they think State procedures are adequate.

The ACTING PRESIDENT pro tempore. The clerk will state the amendment for the information of the Senate.

Mr. McKELLAR. A parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. McKELLAR. I read from section 11, on page 37 of the bill, beginning in line 20:

PRIORITIES

SEC. 11. The Secretaries of War and Navy and other appropriate authorities shall take all steps necessary to give to the transmission and delivery of ballots and communications under this title priority over all unofficial communications and priority over official communications except where, in the judgment of the appropriate military and naval authorities, such priority would interfere with the effective prosecution of the war.

I thought an amendment had been agreed to striking out the "priorities" section so far as it relates to giving Federal ballots priority over State ballots. My parliamentary inquiry is whether or not the provision was stricken out, or is still in the bill. If it is still in, the soldier will have the privilege of voting for President or for Presidential electors, and will have the privilege of voting for Senators and Representatives, but his opportunity to vote for State officers will be practically nil.

Mr. VANDENBERG. The language covering the priorities was not stricken out in title I, but the section dealing with post cards was rewritten so as to come as closely into harmony with the language of title I as possible.

Mr. McKELLAR. Mr. President, that is simply a beating around the bush, because section 11 plainly gives the Federal ballots priority over all State ballots, and, of course, we will find that most of the votes will be cast for Federal officers, and that very few will be cast for State officers.

Mr. VANDENBERG. At least that question is not involved in the amendment I am submitting.

Mr. McKELLAR. No; it is not; but I am making inquiry because I want to know concerning the priority situation.

The ACTING PRESIDENT pro tempore. In reply to the inquiry made by the Senator from Tennessee, the Chair rules that the words in section 11 mentioned by the Senator from Tennessee have not been stricken from the bill.

Mr. DANAHER. Mr. President, I hold in my hand a War Department release dated February 6, 1944, which deals in marked respect with the subject under inquiry. I send the release to the desk and ask unanimous consent that page 1 and the first paragraph on page 2 be read for the information of the Senate, and that the remainder of the release be printed in full in the RECORD at this point.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will read.

The legislative clerk read as follows:

INSTRUCTIONS GIVEN SOLDIERS OF FOUR STATES WHO DESIRE TO VOTE

Information to facilitate voting in three State primaries and one election during April, by Army personnel whose voting residence is in any one of the four States, is being made available at all military installations, the War Department announced today.

Primary elections will be held during April by the States of Illinois, Nebraska and Pennsylvania. A general election, for State and local offices, will be held in Louisiana. Soldiers are reminded that in applying for primary ballots, they must state their party affiliations in the applications. Applicants for ballots in a general election should not state their party affiliations.

Commanding officers have been instructed by the War Department to call the primaries and the election to the attention of men from the States concerned, in time to give them maximum opportunity to complete all the steps necessary for balloting. In addition, postage-free post-card applications are being made available for all personnel, to be used as indicated in special instructions for each State. In lieu of these post cards it is pointed out that soldiers may write a letter using the text of the post card.

The War Department reminds members of the Army of certain important factors. Under existing laws of these States, a soldier must be at least 21 years old at the election date in order to vote. In certain of these States, voters must take certain steps, in addition to filing application for absentee ballot, in order to be eligible to vote. If a soldier is in doubt as to whether he is a qualified voter under the laws of his State, he should immediately inquire by letter to the secretary of state of the State of his voting residence, as to whether it is necessary to register, pay taxes, or meet other requirements in order to vote.

A soldier, upon receiving his absentee ballot, should execute it and return it immediately. In making application to vote, a soldier outside the continental United States should have in mind the time interval between the date the State will send him the absentee ballot, and the date by which it must be executed and back in the hands of local election officials; also whether the State voting material will travel by air. It is not desirable to burden oversea air mail with applications for ballots in cases where the time interval is manifestly too short to accomplish receipt, execution and return of the ballot.

The remainder of the War Department press release is as follows:

Special information for the four State elections involved follows:

ILLINOIS PRIMARY

The Illinois primary will be April 11. Soldiers having voting residence in that State may apply for ballots ("official war ballots" covering Federal, State, and local offices) by mailing to the secretary of state, Springfield, Ill., the post cards which are available at installations. Soldiers should forward such applications so as to reach Springfield shortly before March 14, the earliest date on which the State will forward absentee ballots. The ballots, if they are to be counted, must be executed and received by appropriate local election officials in the State by April 11.

NEBRASKA PRIMARY

The Nebraska primary will be April 11. Soldiers having voting residence in that State may apply for ballots (State absentee ballots covering Federal, State, and local offices) by mailing a special application form furnished by Nebraska. The soldier may obtain this special application form in two ways, either by writing a letter to the secretary of state, Lincoln, Nebr. (he may write the letter to appropriate local officials, if known); or by mailing the post card which is available at installations, on which card the soldier should write that he wishes it treated as a request for an application form for State absentee ballot. This request, by either method, should be made at the earliest possible time. The earliest date on which the State will mail out absentee ballots is March 12, and they must be executed and mailed by April 10 at the latest, and must be in the hands of appropriate local election officials by April 13.

PENNSYLVANIA PRIMARY

The Pennsylvania primary will be April 25. Soldiers having voting residence in Pennsylvania may apply for either "official war ballots" (covering only Federal offices), or for State absentee ballots (covering Federal, State, and local offices).

In order to obtain the official war ballots, a soldier should mail the post card available at installations to the secretary of state, Harrisburg, Pa., so as to reach Harrisburg shortly before March 6, the date on which the State will begin forwarding absentee ballots.

If he desires the State absentee ballot, a soldier must fill in and mail a special application form furnished by Pennsylvania. He may request this special application form in one of two ways: either by writing a letter to the secretary of state at Harrisburg, Pa. (he may write the letter to appropriate local officials, if known); or by mailing the post card available at installations, on which card the soldier should write that he wishes it treated as a request for an application form for State absentee ballot. If he wishes the State absentee ballot, he should send for the special application form at the earliest possible time.

When he has obtained the ballot and executed it, he must mail it in time to reach appropriate local officials by April 25 if it is an "official war ballot." If it is a State absentee ballot, it must be mailed by April 25 and received by appropriate local official by May 5.

LOUISIANA ELECTION

The Louisiana election will be April 18. Soldiers having voting residence in Louisiana may apply for State absentee ballots (covering State and local offices) either in accordance with Louisiana law or by mailing to the secretary of state, Baton Rouge, La., the post card available at installations. The State of Louisiana will accept such post cards as applications for State absentee ballots. Applications should be mailed so as to reach Louisiana shortly before March 18, which is the earliest date on which the State will forward absentee ballots. The ballots must be executed and back in the hands of appropriate local officials by April 17.

Mr. BUSHFIELD. Mr. President, I inquire what is the pending question?

The ACTING PRESIDENT pro tempore. The question is on the amendment of the Senator from Michigan [Mr. VANDENBERG] which will be stated.

The LEGISLATIVE CLERK. On page 42, in line 5, it is proposed to strike out the words "where State procedures can be effectively employed."

The ACTING PRESIDENT pro tempore. The amendment is open to discussion. If there be no discussion of it, the question is on agreeing to the amendment. Without objection, the amendment is agreed to.

Mr. BUSHFIELD. Mr. President, in connection with what has just been read in the press release at the desk, I wish to call the attention of the Senate to an amendment which Representative CASE, of South Dakota, offered to Senate bill 1285. The amendment is to be found on page 8 of the bill as passed by the House, beginning in line 7, and I offer the language which I shall now read as an amendment to the pending bill. It is section 2 of the bill as passed by the House, and is as follows:

SEC. 2. To facilitate the distribution of official State ballots to voters who are absent on war duty, it is recommended that the States direct their appropriate county election officials to prepare, not later than 60 days prior to the date of the 1944 general election, a war-duty registration list consisting of all persons eligible to vote who are in the armed forces of the United States, compiling such lists from the records of the selective-service headquarters in each county whose officers are hereby authorized and directed to cooperate in the preparation of such lists.

It is further recommended that applications for absentee ballots be checked against this war-service registration list, and that at the first practical date, not earlier than 60 days before the election, an absentee ballot be mailed to all eligible voters on the wartime registration list from whom an application has not been received. It is suggested that current duty addresses for such voters be obtained from the next-of-kin and such other sources as may be locally available, and that the ballots to overseas addresses be mailed not less than 50 days prior to the date of the general election and that ballots to addresses within the continental United States, be mailed not later than 25 days prior to the date of the general election.

It is further recommended that an application for the ballot and an affidavit of the voter be printed in an abbreviated form at the left side of the face of the return envelope, and that the county election authorities address the return envelope with the appropriate precinct description to insure its prompt delivery to the appropriate election officials when returned.

It is suggested that the application and affidavit by the voter be placed on the outside of the return envelope in order to insure that the application will be in the hands of the election officials prior to their receipt of and counting of the vote. It is suggested that such affidavit might be in the following abbreviated form:

Which, Mr. President, under this proposal is to be printed on the return envelope containing the ballot—

APPLICATION AND AFFIDAVIT

"I hereby apply for an absentee ballot and the right to cast my vote in the general election of 1944. To the best of my knowledge and belief, I am a legally qualified voter of _____ county, State of _____, and my residence is _____. I hereby certify that my ballot will be marked by myself alone and that this ballot is being marked of my own free will and accord for candidates of my choice without any inducement or promise of reward.

"(Signed) _____.

"Subscribed and sworn to before me this _____ day of _____, 1944."

It is further suggested that a notice to the election officials be printed in small type below the return address on the right half of the face of the envelope in some such language as this:

"(Notice to election officials: This envelope is not to be opened unless the application at the left is accepted as evidence of the applicant's right to cast a ballot and have it counted. In case that is challenged, this envelope should not be opened, but should be kept carefully until the challenge is settled and appropriate action is decided upon.)"

Mr. President, as a part of my amendment I add the following language to the language of section 2 of the amended bill as passed by the House. Following immediately after what I have just read I wish to add the following:

Provided, That if any State fails to prepare the war duty registration list herein recommended at least 60 days prior to the general election of 1944 or fails to mail the regular State ballots to the persons on such list within the time suggested in this section, that the selective service office in each county of such States shall prepare a war duty registration list from the records in its office of each person in the armed forces whose home is in that county and shall prepare a ballot of candidates for Federal office, as hereinafter provided, and shall mail the same to each person on the war duty registration list at the earliest possible date. In obtaining the current duty address of persons on the list so prepared, county selective service officials shall send a post card with return card to the next of kin as shown on the registrant's questionnaire, asking for the latest service mailing address and shall use that address in mailing the ballots unless evidence is found that a better address is available. Not more than one ballot shall be mailed to any person on the war duty registration list, but the envelope addressed to him shall carry a directive to forward the envelope promptly if the addressee's duty address has changed. A postage free air-mail return envelope shall be included with the ballot on the face of which shall be printed the application for the ballot and the affidavit of the voter as proposed in this section, and the return envelope shall be addressed by the county selective service office for return to the election officials of the precinct of the voter's home precinct if known, and if not known, to the election authorities of the voter's home county. The ballot proposed under this proviso shall carry the names of candidates for the following offices: Presidential electors for each party for which Presidential electors will appear on the official State ballot of the State concerned; candidates for the United States Senate and the House of Representatives. The names of the party of which the candidates are nominees shall be shown. In the event that nominations have not been made by any party which cast 10 percent of the vote in the last general election in that State, a blank line shall accompany the name of that party on which the voter can write in the candidate of his choice or indicate that he wishes to vote for the candidate of that party.

At the bottom of the ballot there shall be printed a brief note of instruction to the voter, advising him of any requirement on the marking of the ballot provided by the law of his State, and further advising him that if the return envelope be not addressed to the election officials in the county of his legal residence that he readdress that envelope in accord with his legal residence as stated in the affidavit on the outside of that return envelope.

Mr. President, I submit the amendment to the pending bill because it will save one entire trip by mail which is now proposed by the printed postal cards. The ballots will be mailed directly to the individual voter by the county officials who have prepared the war duty registration list. The individual voter will not have to bother with the delay of weeks of time in getting an application home and back again. The application will come back on the outside of the outer ballot. The Army and the Navy will not have to bother with it at all; the Post Office Department will largely handle the thing.

Therefore, Mr. President, I submit the amendment.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. BUSHFIELD. I yield.

Mr. GREEN. Let me inquire where the amendment is proposed to be inserted?

Mr. BUSHFIELD. I am glad the Senator has asked the question. I propose that the amendment take the place of section 201, on pages 41, 42, and 43 of the pending bill.

Mr. GREEN. Sections 201 to 203?

Mr. BUSHFIELD. No; section 201 on pages 41, 42, and 43, down to section 202.

Mr. GREEN. Mr. President, it is very difficult to follow the reading of the entire amendment. A great part of it, as I understand, is taken up with recommendations and suggestions. Let me inquire what are the provisions of positive law which would be changed by the amendment.

Mr. BUSHFIELD. The only change would be that it would do away with one entire mailing of the ballot procedure on which we are working. That is the main difference. It would also do away with burdening the Army and the Navy with the transportation of the ballots, and would place that burden largely on the Post Office Department.

Mr. GREEN. I notice that a number of officials who do not exist in some States are mentioned as having charge of elections—county officials, for instance, who do not exist in my own State.

Mr. BUSHFIELD. The only officials mentioned in the amendment are those comprising the selective-service board in each county, and every county in the country has such a board.

Mr. GREEN. No, Mr. President; the Senator is mistaken. In my own State and in many other States I think there are no such officials. It seems to me that, for that and other reasons, the amendment is in conflict with certain State laws and with the other features of the bill which have been discussed. It would seem to me that it would be better to have the amendment printed so that it could be studied in detail.

Mr. BUSHFIELD. Yes, Mr. President; I should be glad to have that done, so that the amendment could be studied; because I think it would solve many of our present difficulties.

Mr. GREEN. I should be glad to have that done. I understood that the Senator was asking for questions on it.

Mr. BUSHFIELD. Mr. President, I send the amendment to the desk.

Mr. LUCAS addressed the Chair.

The ACTING PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Illinois?

Mr. BUSHFIELD. I yield.

Mr. LUCAS. Mr. President, I desire to obtain the floor.

The ACTING PRESIDENT pro tempore. Has the Senator from South Dakota concluded his remarks?

Mr. BUSHFIELD. Yes, Mr. President.

Mr. LUCAS. Mr. President, under the amendment offered by the able junior Senator from South Dakota, we would strike out title II in its entirety, and would insert the amendment which has been offered by the Senator from South Dakota. I wish to have the Senate know that title II is one of the titles on which the committee has worked for many hours in debating and finally laying down a rule which would be of some advice and assistance to the States. Frankly, Mr. President, I cannot tell what is meant by the amendment which has been offered by the Senator from South Dakota. It comes rather late in the debate for us to give it serious consideration, it seems to me.

But if my memory serves me correctly, as I think it does, there is one thing which I did recall as the Senator presented the amendment to the Senate, namely, that in each and every county in which there is a selective-service board, those boards would be delegated power by the United States Congress to carry on some kind of county ballot commission for Federal and State ballots.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MURDOCK. I tried to follow as carefully as I could the remarks of the able junior Senator from South Dakota; but it seems to me that if we adopt his amendment we will substitute merely recommendations on the part of Congress for the affirmative provisions of title II. As I understand title II, it makes it mandatory on the Federal ballot commission to cooperate with State election officials in handling State ballots, whereas the amendment of the Senator from South Dakota merely consists of numerous recommendations to the State election officials.

Mr. LUCAS. Mr. President, I think the Senator is correct, with one exception I mentioned a moment ago with respect to delegating to certain boards of the counties throughout the country power to carry on what seems to me to be more or less a local ballot commission.

I certainly hope the Senate will not seriously consider the adoption of this amendment at this late hour; because Democrats and Republicans alike who are members of the Committee on Privileges and Elections and who have worked on title II of the bill have gone over it carefully in line with the officials of various States, and we have definitely agreed upon the provision in the bill. We even agreed to a short amendment offered a moment ago by the Senator from Michigan, to make it a little more definite. If we now start in to amend title II, I am afraid we shall be here a long time.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. BUSHFIELD].

Mr. BUSHFIELD. Mr. President, I understood that the amendment was not to be considered until it was printed and Senators had an opportunity to study it.

The ACTING PRESIDENT pro tempore. Does the Senator offer his amendment for the present consideration of the Senate, or does he submit it to lie on the table?

Mr. BUSHFIELD. I offer it for consideration.

Mr. BARKLEY. Mr. President, there is no other pending amendment; and when an amendment is offered it becomes the pending question.

Mr. BUSHFIELD. I offer it for the present consideration of the Senate. I was merely trying to comply with the suggestion of the Senator from Rhode Island [Mr. GREEN], who wished to have the amendment printed so that it might be studied.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Pepper
Austin	Guffey	Radcliffe
Bailey	Gurney	Reed
Ball	Hatch	Revercomb
Bankhead	Hawkes	Reynolds
Barkley	Hayden	Robertson
Bilbo	Hill	Russell
Brewster	Holman	Shipstead
Brooks	Jackson	Smith
Buck	Johnson, Colo.	Stewart
Burton	Kilgore	Taft
Bushfield	La Follette	Thomas, Idaho
Butler	Langer	Thomas, Okla.
Byrd	Lucas	Thomas, Utah
Capper	McCarran	Tobey
Caraway	McClellan	Truman
Chandler	McFarland	Tunnell
Chavez	McKellar	Tydings
Clark, Idaho	Maloney	Vandenberg
Clark, Mo.	Maybank	Wagner
Connally	Mead	Wallgren
Danaher	Millikin	Walsh, Mass.
Davis	Moore	Walsh, N. J.
Downey	Murdock	Wheeler
Eastland	Murray	Wherry
Ellender	Nye	White
Ferguson	O'Daniel	Wiley
George	O'Mahoney	Willis
Gerry	Overton	Wilson

The ACTING PRESIDENT pro tempore. Eighty-seven Senators have answered to their names. A quorum is present.

Mr. GURNEY. Mr. President, my colleague has fully explained section 2 of the House amendment to Senate bill 1285, and has offered as an amendment to the pending bill that portion of the House amendment.

It seems to me that section 2 of the House amendment would improve the Green-Lucas bill. I am sincere in my belief that everyone in the United States wishes to give every member of our armed forces the opportunity to vote. This amendment would obviate the necessity of the soldier or sailor making applications directly to the county auditor, and would eliminate the hazard of such applications being lost in transit. It would certainly indicate a sincerity of purpose if it were suggested that the several States, through their proper county election officials, comb the list of men in the armed forces and send them each a ballot directly in time. It would allow the soldier not only to have an opportunity to vote for a few Federal officials, but would also give him an opportunity to vote for county and State officers. So I hope Members of the Senate will give this suggestion of my colleague sincere consideration. I hope the amendment will be adopted.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator form South Dakota [Mr BUSHFIELD].

Mr. BUSHFIELD. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). Mr. President, I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the junior Senator from Nevada [Mr. SCRUGHAM] and will vote. I vote "nay."

The roll call was concluded.

Mr. McCARRAN. Mr. President, I announce that the junior Senator from Nevada [Mr. SCRUGHAM] is absent on official business. If he were present, he would vote "nay."

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senator from North Carolina [Mr. BAILEY], the Senator from Georgia [Mr. GEORGE], and the Senator from Texas [Mr. O'DANIEL] are necessarily absent.

The Senator from Idaho [Mr. CLARK] is detained in one of the Government departments on matters pertaining to his State. I am advised that if present and voting, he would vote "nay."

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent. His general pair and the transfer thereof have been announced.

The Senator from California [Mr. JOHNSON] is necessarily absent. He has a pair on this question with the Senator from Virginia [Mr. GLASS]. If present the Senator from California would vote "yea," and I am advised that the Senator from Virginia would vote "nay."

The result was announced—yeas 34, nays 49, as follows:

YEAS—34

Ball	Gerry	Robertson
Bankhead	Gurney	Shipstead
Brooks	Hawkes	Smith
Buck	Holman	Taft
Bushfield	Langer	Thomas, Idaho
Butler	McClellan	Wheeler
Byrd	McKellar	Wherry
Capper	Moore	White
Caraway	Nye	Willis
Chavez	Overton	Wilson
Connally	Reed	
Davis	Revercomb	

NAYS—49

Aiken	Danaher	Hatch
Austin	Downey	Hayden
Barkley	Eastland	Hill
Bilbo	Ellender	Jackson
Bone	Ferguson	Johnson, Colo.
Burton	Gillette	Kilgore
Chandler	Green	La Follette
Clark, Mo.	Guffey	Lucas
McCarran	Pepper	Tunnell
McFarland	Radcliffe	Tydings
Maloney	Reynolds	Wagner
Maybank	Russell	Wallgren
Mead	Stewart	Walsh, Mass.
Millikin	Thomas, Okla.	Walsh, N. J.
Murdock	Thomas, Utah	Wiley
Murray	Tobey	
O'Mahoney	Truman	

NOT VOTING—12

Andrews	Clark, Idaho	McNary
Bailey	George	O'Daniel
Brewster	Glass	Scrugham
Bridges	Johnson, Calif.	Vandenberg

So Mr. BUSHFIELD's amendment was rejected.

Mr. WILLIS. Mr. President, I ask consideration for an amendment to Senate bill 1612, submitted by myself and my colleague [Mr. JACKSON]. I ask that the clerk state the amendment.

The ACTING PRESIDENT pro tempore. The clerk will state the amendment offered by the Senator from Indiana on behalf of himself and his colleague.

The CHIEF CLERK. On page 29, in the official war ballot between the provisions relating to United States Senator and those relating to Representatives in Congress, it is proposed to insert:

UNITED STATES SENATOR, UNEXPIRED TERM

(Only if a Senator is to be elected in your State for an unexpired term)

Write in the name of your choice for Senator or the name of his party_____.

Mr. WILLIS. Mr. President, before explaining the amendment, in order to clear it in the minds of Senators, I will ask to modify the amendment by deleting the words "or the name of his party" at the end of the amendment.

The ACTING PRESIDENT pro tempore. The modification will be made.

Mr. WILLIS. Mr. President, I think this amendment is self-explanatory. In the State of Indiana there will be elected two Senators at the coming election; one to fill out the unexpired term of the late Senator Frederick Van Nuys, and one for the full term. So it will be necessary to have this provision made in the ballots if the soldiers are to be permitted to vote for both Senators.

Mr. GREEN. Mr. President, if the Senator from Indiana will yield, this amendment is similar to one I proposed earlier in the day and asked unanimous consent to have adopted, but objection was made. It is entirely acceptable.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the modified amendment offered by the Senator from Indiana [Mr. WILLIS] for himself and his colleague [Mr. JACKSON].

The amendment as modified was agreed to.

Mr. GREEN. Mr. President, I desire to offer an amendment on page 42, in line 3, after the words "post cards", insert the words "(or post cards provided under section 3 of this act prior to its amendment)."

The amendment is designed to make the language in that place correspond with the language on the opposite page, page 43, line 4, where the same words are used.

The ACTING PRESIDENT pro tempore. The amendment offered by the

Senator from Rhode Island will be stated.

The CHIEF CLERK. After the words "post card" on page 42, line 3, it is proposed to insert "(or post cards provided under section 3 of this act prior to its amendment)."

Mr. GREEN. Mr. President, I may say in explanation that there are already some 12,000,000 post cards printed and available under the existing law and they are being distributed. Under the Green-Lucas bill, if passed, post cards are also provided, but in slightly different form. The amendment, if adopted, will make it possible for either kind of post card to serve the same purpose.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. OVERTON. What is the difference between the two post cards?

Mr. GREEN. There is a slight difference of form. The post card on page 42 is a little more elaborate than the form in the existing law.

Mr. OVERTON. Has the 1942 post card got everything in it that the post card in the pending bill has?

Mr. GREEN. Is the Senator referring to page 42 or the year 1942?

Mr. OVERTON. To the year 1942. I thought the Senator was referring to the year.

Mr. GREEN. In one place I referred to the year 1942 and in another place to page 42 of the bill.

Mr. OVERTON. Does the Senator's amendment deal with post cards authorized by the act of 1942 or the post cards contemplated by the pending bill?

Mr. GREEN. To the post cards already printed and being circulated.

Mr. OVERTON. Those post cards are authorized by the act of 1942?

Mr. GREEN. They are.

Mr. OVERTON. And the other post cards are post cards provided for by this bill?

Mr. GREEN. Yes.

Mr. OVERTON. What I want to know is the difference between the 1942 post cards and the present post cards.

Mr. GREEN. If the Senator will refer to line 4 on page 43, he will find the same language is used. We want to make the two provisions consistent.

Mr. AUSTIN. Mr. President, I think I can help the Senator out, if he would care to have me do so.

Mr. GREEN. I shall be glad to have the Senator from Vermont explain the matter.

Mr. AUSTIN. I happen to have that matter under my eye at this moment.

Mr. OVERTON. I should be very glad to have the Senator give the information.

Mr. AUSTIN. The post-card form set forth in the existing law, section 3, reads as follows:

---------- (Date).

Secretary of State of ----------:

Being on active duty in the armed forces of the United States and desiring to vote in the coming election, I hereby apply——

Mr. OVERTON. Is the Senator reading the form in the act of 1942?

Mr. AUSTIN. Yes.

I hereby apply for an official war ballot.

My home address is ----------
(Number and street)

in the city, town, or village of ----------, in the county of ----------, in the State of ----------, and my voting district or precinct, to the best of my knowledge, is ----------. I desire that the ballot be sent to me at the following address: ----------.

And then there is a place for the signature.

Signature certified by:

(To be signed by any commissioned officer.)

The form and substance of the application or post card that is found on page 42 of the Green-Lucas bill is quite different. Under the one I have read from the existing law, no serviceman could get a ballot for a primary in any State where the closed-primary method is followed, as it is in many Southern States and in my own State of Vermont. The application for an absentee ballot for a primary must state what party primary ballot the voter desires, and, under the law of my State, he can get no other than that for which he asks. That is the only way we have found to keep the two primaries separated.

There is nothing of the kind contemplated in the existing law, and that is one of the important differences between the existing law and the Green-Lucas bill. The Green-Lucas bill provides a method of voting in a State primary, and that is very important to us in Vermont, because historically it happens that the primary practically concludes the political controversy.

Mr. OVERTON. If the old post cards are used, the form provided for by the law of 1942, the soldier who gets the post card will be laboring under a disadvantage as against the soldier who gets the form provided for in the pending bill.

Mr. AUSTIN. He would be at a great disadvantage. One of his disadvantages would be that he could not possibly vote in a primary in the State of Vermont.

Mr. OVERTON. The old post cards, it would seem to me, should be destroyed, and the new ones alone be used.

Mr. AUSTIN. I assume that if the bill shall become a law, the soldier will be given the new post card, and informed that if he desires to vote in a primary he will have to use it.

I call attention to line 6 of the application on the post card found on page 42 of the bill:

(6) My choice of party primary ballot is ----------

(Fill in only in case of primary ballot)

That is one of the points of departure.

Mr. GREEN. Mr. President, I thank the Senator from Vermont for his explanation, but I think that there should be taken into consideration in this connection the fact that on page 43, section 202, appears the following language:

Such post cards (and post cards provided under section 3 of this act prior to its amendment) may be used, if State law permits, as applications for ballots under State absentee balloting laws, as applications for registration under State absentee balloting laws, or as sources of information to implement State absentee balloting laws.

So it is desirable to change the language in line 3, on page 42, in order to correspond.

Mr. AUSTIN. Mr. President, what I called attention to was in response to the interrogatory of the Senator from Louisiana. It was not my intention to make an observation adverse to the amendment. I am firmly persuaded that our efforts to give the soldiers opportunity to vote, where the votes will count, will fail to a substantial degree if we do not adopt a law which contains the proposed form and substance of application for ballot. Whether it be the Green-Lucas bill or some other bill makes little difference; I am firmly persuaded we cannot conform to such a statute as the one I now read, which is section 142 of the Public Laws of Vermont:

Separate party ballots: The names of all candidates of a party for United States Senator, Congressman, State and county officers, and town representatives shall be printed upon separate ballots headed by the name of the party of which they are candidates. A person voting at such primary shall indicate to the ballot clerk his party choice, and such ballot clerk shall give him the ballots of such party and no other.

That theory is carried out in many other statutes setting up the semiclosed primary like that of the State of Vermont, and in the absentee ballot provisions of the statute, section 93, is this language:

When such application is used in applying for ballots at a primary election it shall provide a space for inserting the party ballots desired.

So far as our experience in Vermont goes, everything we could do to keep the primary a pure primary politically has been done, and we could not expect that State to completely upset a policy which was established only after we had held a referendum of the people, if I remember correctly. It is my recollection that we submitted to the people the question of whether we would have that type of closed primary before we adopted it, and having adopted it and operated for years under it, I doubt very much that the legislature in special session would completely reform and change the primary law.

Mr. GREEN. Mr. President, let me ask the distinguished Senator from Vermont if it would not meet his suggestion if on page 43, in line 6, after the word "ballots", the words "primary or otherwise", were inserted?

Mr. AUSTIN. I ask the Senator to repeat the suggestion.

Mr. GREEN. On page 43, line 4, begins section 202, which reads as follows:

Such post cards (and post cards provided under section 3 of this act prior to its amendment)—

That is, the existing law—

may be used, if State law permits, as applications for ballots under State absentee balloting laws.

If we insert after the word "ballots" the words "primary or otherwise," does not the Senator think that would make it clearer? It seems to me it would cover the point raised by the Senator from Vermont.

Mr. AUSTIN. Mr. President, I think it would not make it clearer. I think it would not change the situation. Nothing need be done more with the Green-Lucas bill, by way of amendment, as I see it, to enable the soldier to obtain a primary ballot. It is already provided for in line 6 of the post-card provision.

Mr. GREEN. As I stated before some 12,000,000 post cards have already been printed and are available. Some of them have been distributed. It would be necessary, then, to destroy all that have not already been put into circulation, and to recall the others, and print 12,000,000 entirely new ones. It would make for confusion if those which are already in existence are used, or have already been used, which I doubt, or which may be used easily, and, in order to avoid that contingency, if the Green-Lucas bill shall become law, of course the departments would immediately stop issuing the old post cards and begin issuing and distributing the new. In the meantime there is absolute confusion and to avoid that confusion I suggested the amendment. It is otherwise quite unimportant. In one place we will have the new cards and the old cards used, and in another only the new cards. That is the confusion I wish to avoid. But it is not a matter of primary importance except as to the cost and the distribution of the old and new cards.

Mr. AUSTIN. Mr. President, I really think it is important. As I now think of it, after hearing the distinguished Senator from Rhode Island, I believe he should not press his amendment, because, as I interpret it now, if it were in the law, the Secretaries of War and the Navy could elect to leave the subject of application for an absentee ballot upon the application they have already issued or may hereafter issue under Public Law 712. If they did that, no soldier would have an opportunity to vote in a closed primary, because he could not indicate which ballot he wants by the old form of application which I read into the RECORD in the course of my remarks a few moments ago.

Mr. President, I think the distinguished Senator from Rhode Island would do well to withdraw his proposal.

Mr. GREEN. Mr. President, I have such a high regard for the opinion of the distinguished Senator from Vermont that I will withdraw the amendment.

The ACTING PRESIDENT pro tempore. The amendment is withdrawn.

The committee amendment is open to further amendment.

Mr. LANGER. Mr. President, I offer an amendment, on page 46, to strike out, in lines 16 and 17, the words "which polled at least 10 percent of the votes cast" and to insert in lieu thereof the following: "which had a candidate for President." As amended the paragraph beginning in line 12 on page 46 would read as follows:

> Nothing in this section shall prohibit the rebroadcast over Government-controlled radio stations of any political address, but equal time must, if requested, be given for such purposes to representatives of each political party which had a candidate for President in the most recent Presidential election.

The ACTING PRESIDENT pro tempore. Will the Senator send his amendment to the desk so it may be read for the information of the Senate?

Mr. LANGER. I send my amendment to the desk, Mr. President.

The ACTING PRESIDENT pro tempore. The Clerk will state the amendment.

The CHIEF CLERK. On page 46, in lines 16 and 17, it is proposed to strike out "which polled at least 10 percent of the votes cast" and to insert "which had a candidate for President."

Mr. LANGER. Mr. President, I wish to speak for a moment on my amendment. As the subparagraph is now worded the Socialist or the Communist or the Prohibition or any of the minor parties are barred. In other words under the language as now drawn no candidate, except candidates of the Democratic or Republican Parties, could broadcast. I believe that any minority party, whether I agree with its principles or not, should have the same privileges as a party which is wealthier and can afford to pay for broadcasts. For example, I do not believe it would be fair to have the candidate of the Democratic Party or the candidate of the Republican Party condemn over the radio the candidate for President on the Socialist ticket, and not give the candidate on the Socialist ticket a chance to be heard in reply. In view of the fact that we are fighting for democracy I believe that in the matter of rebroadcast, any party, regardless of whether we individually agree with its principles, ought to have the same opportunity of being heard as any other party.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TAFT. It does not seem to me that the amendment which the Senator offers would accomplish the objective he desires, because, after being amended as the Senator proposes, the language would be:

> Equal time must, if requested, be given for such purposes to representatives of each political party which had a candidate for President in the most recent Presidential election.

It seems to me that what the Senator is trying to do is to provide for each political party which has a candidate in the Presidential election, not which had a candidate 4 years ago. It seems to me the right should extend to candidates who are running this time. If parties do not put up candidates for President they certainly ought not to have time in which to broadcast.

Mr. LANGER. I will frankly say that I prefer the language which the Senator from Ohio has indicated, but I figured the chances were I could not obtain agreement to such language.

Mr. TAFT. Mr. President, the amendment was originally drafted by me, and I left the provision wide open. Then representatives of the War Department came to me and said that they could not handle three or four or five broadcasts, and they suggested that the language be "10 percent of the votes cast." I have no particular feeling about the matter except that I do not think the provision should apply to parties which had candidates for President in the most recent Presidential election, but should apply to parties which have candidates in the current election.

Mr. LANGER. Mr. President, I accept the change suggested by the Senator from Ohio.

The ACTING PRESIDENT pro tempore. Does the Senator from North Dakota so modify his amendment?

Mr. LANGER. Yes; I do.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. LUCAS. I should like to ask the Senator from Ohio a question. The Senator will recall that this is his amendment, and if the Senator from Ohio agrees to and accepts the amendment proposed by the Senator from North Dakota——

Mr. TAFT. No; I do not agree to anything. I am trying to clarify the issue. I objected to the way the amendment was originally offered. I have no feeling about the matter one way or the other. I agree with the view taken by the Army. I do not wish to take a position on the Senator's amendment except I wish to have it perfected in the form in which I am sure the Senator from North Dakota wants it.

Mr. LUCAS. Frankly I have not discussed the amendment with the representatives of the Army because I was under the impression that the Senator from Ohio had gone over it very carefully with them as well as with the representatives of the Navy, and I was willing to accept, and I did accept the words as the Senator from Ohio proposed them. But if the Senator from Ohio has no particular objection to the amendment offered by the Senator from North Dakota I do not think I shall have.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from North Dakota as modified.

Mr. WHITE. My attention was distracted for a moment and I did not hear precisely the language of the amendment offered by the Senator from North Dakota.

Mr. LANGER. As I propose to amend it, the subsection beginning in line 12, on page 46, would read:

> Nothing in this section shall prohibit the rebroadcast over Government-controlled radio stations of any political address, but equal time must, if requested, be given for such purposes to representatives of each political party which has a candidate for President in the current Presidential election.

Mr. WHITE. There is no provision, is there, as to how the time is to be controlled by the political party which has a candidate for President?

Mr. LANGER. No. At the present time only the Republicans and the Democrats could broadcast. Under my amendment Norman Thomas could broadcast, for example, as candidate of the Socialist Party, or the candidate for President on the prohibition ticket could broadcast, or the candidate for President on the Communist ticket could broadcast, or the candidate for President on

any other minority party could broadcast.

Mr. WHITE. Mr. President, I do not wish to oppose the amendment, and I am not opposing it, but I suggest to the two Senators who have been interested in the preparation of the amendment that they are entering a most troublesome field. The law gives the right to candidates for public office to utilize the radio facilities of the country, and there is now pending before the Interstate Commerce Committee of the Senate a bill which proposes to deal further with the same subject matter. There have been lengthy hearings on the bill, and there has been sharp controversy and a sharp divergence of views as to what was the wisest thing to be done. I personally feel it would have been much better if the whole subject of radio time and of the utilization of radio by candidates could have been left to the consideration of the Interstate Commerce Committee for its recommendation as to legislation, but I do not know of any harm that the proposal would do. I think it is in dubious form, and just how it would be administered I do not quite see.

Mr. GREEN. Mr. President, I regret I cannot accept this recommendation. I recognize the purpose of the amendment, which is to see to it that no candidate for President shall be excluded from communicating in this fashion with the voters in the armed services, but the consequences of the amendment, as proposed, are far-reaching. If it becomes the law of the land I think we may anticipate that a dozen or 20 men seeking publicity will have little organizations nominate them for the Presidency and then obtain free radio time to speak whenever the Republican or Democratic candidates for President speak—not because they expect to be elected, not because they expect to obtain votes, but merely because they expect to get free advertising.

Mr. BARKLEY. Mr. President, will the Senator yield there?

Mr. LANGER. I yield.

Mr. BARKLEY. I did not understand that even candidates for President or any political party represented by them would get free radio time. They all have to pay for it.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. BARKLEY. I do not have the floor.

Mr. LANGER. I yield to the Senator from Maine.

Mr. WHITE. As the law now stands, provision is made for the use of the radio only by duly qualified candidates for public office. The provision is that if a particular radio station gives time to a duly qualified candidate for public office, it must give equal opportunity to every other duly qualified candidate for the same public office.

Mr. BARKLEY. Mr. President, when the Senator says "give," does that mean free of the ordinary charges for radio broadcasting?

Mr. WHITE. No.

Mr. BARKLEY. Or does it mean that if it accords to any candidate a given length of time, it must accord to any other candidate the same opportunity, but that all of them must pay for it?

Mr. WHITE. No obligation rests upon any station to give time to any candidate. But if it does so in one instance it must give equal opportunity to every other candidate for the same office, and "equal" in that sense undoubtedly means under the same conditions and in like circumstances.

Mr. BARKLEY. That is now the law.

Mr. WHITE. Yes; that is now the law.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. LA FOLLETTE. I wish the Senator from Rhode Island would feel that he could take the amendment to conference. The bill must go to conference in any case, and it seems to me it would be unfair to exclude the candidate of minor parties from having any access to radio time. It may be that the amendment, as the Senator from North Dakota has offered it, is too wide open, but at least it would let the matter be considered in conference. It seems to me that there further consideration could be given to the question involved and that if the amendment of the Senator from North Dakota is not in proper form, it could be modified. But it seems to me that on its face we should not take the position of excluding nominees of established minority parties from access to radio time.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TAFT. I have another suggestion to make now in order to meet the objection of the Senator from Rhode Island. Let us have the language read as follows:

Representatives of each political party which has a candidate for President appearing on the ballot of at least six States in the current Presidential election.

Mr. GREEN. I will accept that amendment.

Mr. TAFT. Will the Senator from North Dakota accept the modification?

Mr. LANGER. Yes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from North Dakota as modified.

The amendment as modified was agreed to.

Mr. LANGER. Mr. President, on page 48, I move that the words in line 1 "polled at least 10 percent" and in line 2 "of the votes cast" be stricken out, and that inserted therein be the words:

has a candidate for President in at least six States.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from North Dakota.

Mr. GREEN. Mr. President, all the language we have been discussing and the language which has just been discussed in connection with the pending amendment was offered by the Senator from Ohio [Mr. TAFT], and was incorporated verbatim. I think that if the Senator from Ohio would state his reaction to the suggestion, it would be helpful.

Mr. TAFT. The amendment is the same as the other amendment. As a matter of fact, my original amendment was wide open. It was at the request of the War Department that we restricted it. I think the Senator's objection is fair—that it should apply to only bona fide candidates of bona fide parties in the Presidential election.

Mr. GREEN. Mr. President, will the Senator suggest a limitation?

Mr. TAFT. Yes; I suggest the same limitation.

Mr. LA FOLLETTE. The Senator is proposing it.

Mr. LANGER. I accept the modification.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from North Dakota, as modified.

The amendment as modified was agreed to.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the committee amendment as amended.

Mr. WHITE. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	Pepper
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Reynolds
Barkley	Hawkes	Robertson
Bilbo	Hayden	Russell
Bone	Hill	Shipstead
Brewster	Holman	Smith
Brooks	Jackson	Stewart
Buck	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Bushfield	La Follette	Thomas, Okla.
Butler	Langer	Thomas, Utah
Byrd	Lucas	Tobey
Capper	McCarran	Truman
Caraway	McClellan	Tunnell
Chandler	McFarland	Tydings
Chavez	McKellar	Vandenberg
Clark, Idaho	Maloney	Wagner
Clark, Mo.	Maybank	Wallgren
Connally	Mead	Walsh, Mass.
Danaher	Millikin	Walsh, N. J.
Davis	Moore	Wheeler
Downey	Murdock	Wherry
Eastland	Murray	White
Ellender	Nye	Wiley
Ferguson	O'Daniel	Willis
George	O'Mahoney	Wilson
Gerry	Overton	

The ACTING PRESIDENT pro tempore. Eighty-nine Senators have answered to their names. A quorum is present.

Mr. BREWSTER. Mr. President, I desire to offer an amendment dealing with the question of information for our soldiers overseas, which I think, as this debate progresses, is becoming one of the most important matters with which we shall be faced. I feel sure that Senators on both sides will desire that there shall be the most meticulous care that no coloring shall enter into the dissemination of news by the Office of War Information. My amendment is addressed to that purpose.

On page 48, after line 14, I propose to add the following paragraph:

Provided further, That the Director of the Office of War Information shall name a con-

sultant upon overseas information, upon the nomination of the national committee of any political party having a candidate for President in at least six States—

I should have preferred the 10-percent limitation, but I am now making this amendment conform to the provision which has just been adopted—

who shall be paid a salary at the rate of $6,000 per annum, and shall be kept fully informed as to the policies and practices prevailing in the compiling and distribution of information for our forces overseas.

Mr. President, I think the purpose of the amendment is very clear. I feel sure, from my own association with Mr. Davis and Mr. Sherwood, with whom my relations have been most cordial, that there will be no failure on their part to do their utmost to be entirely nonpartisan. I have spent some time in the New York office of the Office of War Information, and have seen the vast organization which functions there. It occupies 10 floors of 1 building, and is engaged in compiling and distributing information. I have seen the fruits of its efforts all over the world, in the form of small sheets which are published telling the story. I certainly do not intimate that there will be any failure on the part of either Mr. Davis or Mr. Sherwood to do their utmost to be entirely nonpartisan; but I believe that they themselves would feel much clearer if there were consultants representing the major political parties, with full information as to what is going on, and who would be able at any time to call attention to anything which they might consider possibly prejudicial.

I offer the amendment in the hope that it may seem calculated to serve the very great objective which we have in mind.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Maine [Mr. BREWSTER].

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. If there be no further amendments to be proposed, the question is on agreeing to the committee amendment as amended.

The amendment, as amended, was agreed to.

The ACTING PRESIDENT pro tempore. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. OVERTON. Mr. President, at the time I made the motion to lay before the Senate the House amendments to Senate bill 1285, which motion was voted upon twice, I was under the impression that certain Senators voted against that motion because it was their desire that the Green-Lucas bill be perfected; and when the Green-Lucas bill was perfected, according to their view, the logical thing to do would be then to join issue with the House and take up the amendments to Senate bill 1285 and act with respect to those amendments as a majority of the Senate may determine. I believe that thought was very well presented by the Senator from Michigan [Mr. VANDENBERG].

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. VANDENBERG. Mr. President, I desire to propound a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. VANDENBERG. In the parliamentary situation now occupied by Senate bill 1612, namely, it having been read the third time, do I correctly understand that it is no longer open to amendment as an independent measure?

The ACTING PRESIDENT pro tempore. Under the rules an amendment could be offered only by unanimous consent.

Mr. VANDENBERG. That is the point I was discussing earlier. I am sorry to disagree with the able Senator from Kentucky [Mr. BARKLEY] as to the final procedure; but it seems to me that the only way we can be sure of challenging the attention of the House is to attach this amendment to the other bill which is pending.

Mr. OVERTON. Mr. President, I am very happy to have the Senator from Michigan agree with me.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. BARKLEY. As I stated earlier in the day, it has seemed desirable, and still seems desirable, to dispose of the pending bill by its passage. Immediately upon the disposition of the pending bill, if the bill is passed, it will be in order to move immediately to take up the House amendments to the other bill and let the Senate act upon those amendments. I will join with the Senator from Louisiana or any other Senator in such a motion.

I may add that, after conferring with members of the other body, it seems desirable that such a course be pursued. The same result would ensue. The Senate would no doubt be willing to put into the House amendments whatever it is willing to pass as a substantive piece of legislation. No harm could possibly come from the passage of this bill, and then the inclusion of the substance of the bill, or the identical language, as an amendment to the House amendments to the other bill. The House would not be expected to consider both bills. The natural thing would be for the bill to which the amendments were attached to go to conference. If a conference committee were able to work out a bill acceptable to both Houses, Senate bill 1612 would, of course, need no further attention.

If by any reason Senate bill 1285 should be deadlocked in conference, or if it should be passed in a form which would not enable it to become a law, there would still be before the House the bill which the Senate had passed, to which other amendments might be attached in an effort finally to work out a bill which would enable the soldiers to vote.

So I hope the Senate will proceed, now that the bill has been read the third time, to final disposition of the bill. Immediately upon that having been done, we can take up the other bill with the House amendments. For that reason, if the Senator from Louisiana is now preparing to move to have laid before the Senate the House amendments to Senate bill 1285, I hope that that motion will not be agreed to.

Mr. OVERTON. Mr. President, it seems to me that the argument advanced by our able majority leader is subject to this objection: If we are now to proceed to act finally on Senate bill 1612, and if we are to pass Senate bill 1612, it is not impossible, if we take up the House amendments to Senate bill 1285, that we may agree to the House amendments, or concur in the House amendments with certain modifications.

Then the Senate would have two conflicting measures which it had adopted. I say it would not be impossible, in view of the closeness of the vote which has heretofore prevailed on controversial issues in connection with Senate bill 1612.

However, that may be, Mr. President, as to point of time, Senate bill 1285 ought first to be taken up, and the House amendments to it then be considered. The Senator from Rhode Island or the Senator from Illinois or any other Senator can propose the Green-Lucas bill as an amendment to the House amendments. If that were done we could take up Senate bill 1612 and could dispose of it. But what we ought to do is to meet the issue which we tendered to the House, and which the House has sent back to us. We ought to vote on the House amendments to the bill which we so carefully considered, and which the other House so carefully considered. We ought to see whether there is any difference between the Senate and the House on the issue, and if so, what the difference is.

Therefore, Mr. President, I move that the Senate——

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. LUCAS. I ask the Senator to pardon me for a brief observation. I regret that the Senator is about to make the motion, in view of the fact that the Senate rejected the same kind of a motion both on Friday last and today.

Mr. OVERTON. The Senator will agree, however, that no question is settled until it is properly settled.

Mr. LUCAS. The Senator is correct, but I say to him with all the sincerity I possess that in view of the fact we now have the Lucas-Green bill to the point where no other amendments to it can be perfected, it seems to me that the country is entitled to know how the Senate of the United States stands on the issue which is now before it.

Mr. OVERTON. Mr. President, if the Senator will permit me to interrupt him, let me say that the country will readily know as soon as we take up the House amendments to Senate bill 1285. We have to take them up anyway.

Mr. LUCAS. No; the Senator is incorrect, because there we have two propositions. If the Senator will permit me to make a further observation, the pending bill is as different from the bill which

Senators are now trying to have taken up—the Senate bill with the House amendments—as night is from day. I repeat that the country wants to know where the Senate of the United States stands now on the question of the Federal ballot. If we are going to take action now on the House amendments to the other bill, the country will never know how we stand on the pending bill, because we can always say, "Well, I voted for another measure in preference to that one."

I should like to know now, after we have reached the point where all the perfecting amendments have been agreed to, whether the Senate of the United States is willing to give the Federal ballot—yes or no—to the men of the armed forces overseas. That is the real issue, and I sincerely hope that the Senator will withhold his motion.

Mr. OVERTON. What the people of the United States are much more interested in is, not so much how the Senate stands, but how the Congress of the United States stands. The only way they can know how the Congress of the United States stands is for both Houses to meet in conference, and the quickest way to have them meet in conference is, not to meet in conference on Senate bill 1612, but to meet in conference on Senate bill 1285. Then a legislative determination of the issue can be had so the people of the country may know.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. CLARK of Missouri. The Senator does not mean to say, does he, that if they never meet in conference, the Senator's motion to concur will be agreed to?

Mr. OVERTON. Certainly not.

Mr. CLARK of Missouri. The Senator moved to have them meet in conference, and then he proposed a motion to keep them from meeting in conference.

Mr. OVERTON. Certainly. I propose to vote for the House amendments; and, as the Senator knows, they come up one by one, and are voted on one by one. If we concur in the House amendments, the country will know how we stand on this proposed legislation.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. OVERTON. I yield.

Mr. BARKLEY. If the Senate were to agree by unanimous consent to a motion to have laid before the Senate the House amendments to the other bill, before the Senate took a final vote on the pending bill, would the Senator from Louisiana agree to have the Senate vote at once without further debate, on the amendments which will be offered as substitutes for the House amendments?

Mr. OVERTON. I cannot agree to that.

Mr. BARKLEY. No; I asked the Senator whether he would give unanimous consent, so far as he is concerned, to that proposal?

Mr. OVERTON. Does the Senator mean to vote on the House amendments without any debate?

Mr. BARKLEY. Yes; to vote on the House amendments and on any amendments which may be offered thereto, assuming that the language of the Green-Lucas bill as now perfected will be offered as a substitute for the House amendments.

Mr. TYDINGS. And is offered.

Mr. OVERTON. Mr. President, I do not know that I can agree to that because I certainly would not want to undertake to bind the other Members of the Senate on such a proposal. I think the thing to do is to determine, and then let the unanimous-consent request be made.

Mr. BARKLEY. Of course, I myself, can see that there would be no advantage in laying the pending bill aside now, to take up the House amendments and dispose of them and then immediately afterward return to consideration of the bill now pending, and vote on it. We have this bill before us now. The logical thing to do is to dispose of it, and then take up the House amendments.

If I may make another suggestion to the Senator, we have no assurance, even if we were to substitute for the House amendments the language the Senate has agreed to in the Lucas-Green bill, that there would be a conference on it. It would be up to the other House to determine whether it would agree to hold a conference. We cannot guarantee that.

Mr. OVERTON. Mr. President, the answer to all these objections is that it is in the interest of expedition to take up the House amendments to Senate bill 1285. It would be in accordance with the uniform custom of parliamentary procedure. Therefore, Mr. President, I move that the House amendments to Senate bill 1285 be laid before the Senate.

The ACTING PRESIDENT pro tempore. The motion is not debatable.

Mr. TAFT. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the junior Senator from Nevada [Mr. SCRUGHAM], and will vote. I vote "nay."

The roll call was concluded.

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

The Senator from Iowa [Mr. GILLETTE] is detained in one of the Government departments on matters pertaining to his State.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent. His general pair and the transfer thereof have been announced.

The Senator from California [Mr. JOHNSON] is necessarily absent. He has a pair on this question with the Senator from Virginia [Mr. GLASS]. If present, the Senator from California would vote "yea," and I am advised that the Senator from Virginia would vote "nay."

The result was announced—yeas 50, nays 38, as follows:

YEAS—50

Bailey	Ellender	Revercomb
Ball	Ferguson	Reynolds
Bankhead	George	Robertson
Bilbo	Gerry	Russell
Brewster	Gurney	Shipstead
Brooks	Hawkes	Smith
Buck	Hill	Taft
Burton	Holman	Thomas, Idaho
Bushfield	McCarran	Tobey
Butler	McClellan	Vandenberg
Byrd	McKellar	Wheeler
Capper	Millikin	Wherry
Caraway	Moore	White
Chavez	Nye	Wiley
Connally	O'Daniel	Willis
Davis	Overton	Wilson
Eastland	Reed	

NAYS—38

Aiken	Jackson	Pepper
Austin	Johnson, Colo.	Radcliffe
Barkley	Kilgore	Stewart
Bone	La Follette	Thomas, Okla.
Chandler	Langer	Thomas, Utah
Clark, Idaho	Lucas	Truman
Clark, Mo.	McFarland	Tunnell
Danaher	Maloney	Tydings
Downey	Maybank	Wagner
Green	Mead	Wallgren
Guffey	Murdock	Walsh, Mass.
Hatch	Murray	Walsh, N. J.
Hayden	O'Mahoney	

NOT VOTING—7

Andrews	Glass	Scrugham
Bridges	Johnson, Calif.	
Gillette	McNary	

So Mr. OVERTON's motion was agreed to.

Mr. MCKELLAR. I move to reconsider the vote just taken by which the motion of the Senator from Louisiana was agreed to.

Mr. OVERTON. I move to lay that motion on the table.

The ACTING PRESIDENT pro tempore. Without objection, the motion to reconsider is laid on the table.

The Chair lays before the Senate the amendments of the House of Representatives to Senate bill 1285.

Mr. TAFT. I ask for separate consideration of the House amendments.

The ACTING PRESIDENT pro tempore. The amendments are divisible. The clerk will state the first House amendment.

The LEGISLATIVE CLERK. On page 1, line 6, after the word "armed", it is proposed to strike out "services of the United States, members of the merchant marine of the United States or serving with the American Red Cross, the Society of Friends, the Women's Auxiliary Ferry Service, the Women's Air Force Service Pilots and the United Service Organizations outside the United States who are."

Mr. LANGER. Mr. President, I should like to have a copy of the House amendments. I have not seen a copy as yet.

Mr. MCKELLAR. I hope that copies will be sent to all Senators.

The ACTING PRESIDENT pro tempore. The Chair is advised that the House amendments were printed and put on the desks of Senators earlier today.

Mr. BARKLEY. Mr. President, is there any motion before the Senate.

The ACTING PRESIDENT pro tempore. The first House amendment is now before the Senate. There is no motion pending.

Mr. OVERTON. I move that the Senate concur in the House amendment.

Mr. BARKLEY. On that motion I wish merely to make a brief statement. It is my purpose when we reach amendment numbered 3 to move to concur in the House amendment with an amendment, substituting for the language of amendment numbered 3 the text of the Green-Lucas bill as now perfected. That will throw the whole matter into conference. It seems to me to be the part of wisdom for the Senate, in order that the whole question involved in this proposed legislation may be in conference, to disagree to the other amendments so that they will likewise be in conference. That will throw the whole subject into conference, not only the language that we substitute, if we do substitute it, for amendment numbered 3 but amendments 1, 2, 4, 5, 6, and so on.

If we agree to the House amendments they will not be in conference, as Senators all know. If we disagree to them they will be in conference.

Personally I see no objection to amendments numbered 1 and 2, but, in order that the entire subject may be in conference we ought to disagree to them and have the entire subject in conference, if it is to go to conference, which I hope it will, and I think probably it will. Therefore, as the separate amendments are reached, I hope the Senate will disagree to them so that we may have the entire subject for the conferees to deal with when they reach that point.

Mr. WHITE. Mr. President——

Mr. BARKLEY. I yield to the Senator from Maine.

Mr. WHITE. It is the understanding that if we disagree to the House amendments, other than the third amendment, the Senator will urge the adoption of the Green-Lucas perfected bill as an amendment.

Mr. BARKLEY. It is my purpose to move when we reach amendment numbered 3 to offer the text of the Green-Lucas bill as a substitute for it. I was simply urging that all the other amendments be disagreed to, so that not only the subject of these proposed amendments may be in conference but all the amendments of the House may be in conference.

Mr. WHITE. I agree with what the Senator has suggested. I merely wanted to understand.

Mr. BARKLEY. I appreciate that; and that is the logical way to proceed if we want this whole subject to be in conference with the latitude that the conferees ought to have in dealing with the entire problem. I hope the other amendments will be disagreed to as they are reached, and naturally I hope that the substitute which I shall offer for House amendment numbered 3 will be agreed to.

Mr. McKELLAR. A parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. McKELLAR. Is it in order to agree or to disagree to the amendments of the House separately?

The ACTING PRESIDENT pro tempore. There are four motions which could be made.

Mr. McKELLAR. Will not the Chair state them again?

The ACTING PRESIDENT pro tempore. The Chair is very glad to do so. In the order of their priority the four motions are: To refer to a committee; to amend; to agree; to disagree and ask for a conference.

Mr. BARKLEY. In that connection, I think the Chair should state that the motion to agree carries with it also the priority motion to concur with an amendment.

The ACTING PRESIDENT pro tempore. The Chair rules, on the advice of the Parliamentarian, that to amend would be in the second category of priority. It would have the same effect as agreeing with an amendment.

Mr. McKELLAR. Mr. President, I wish to say to the Members of the Senate that I for one think that the Senate should concur in the House amendments. Why should we disagree to the amendments, if the Senate desires to agree to them? Let us take the very first one. I doubt that there are any Senators who are opposed to it. It would strike out the words "services of the United States, members of the merchant marine of the United States or serving with the American Red Cross, the Society of Friends, the Women's Auxiliary Ferry Service, the Women's Air Force Service Pilots, and the United Service Organizations outside the United States who are", and insert "forces of the United States or in the merchant marine of the United States, or serving in the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots or the United Service Organizations outside the United States and."

I cannot imagine how the Senate could vote against that amendment. It is a perfectly proper amendment, and if the Senate desires to agree to it, why should it be disagreed to? Why should we disagree to something which we do not honestly believe should be disagreed to?

Mr. President, I think it is very proper to bring these various amendments up separately, take them up in their order, and vote on them. Therefore I shall ask for a yea-and-nay vote on the first amendment, and see whether or not the Senate concurs in it.

Mr. CLARK of Missouri. Mr. President, I dare say that in the long and honorable service of the Senator from Tennessee, in both the House of Representatives and the United States Senate, on several hundred occasions he has made the motion that the House or the Senate, as the case may be, disagree to a Senate amendment to a House amendment, and that the bill be sent to conference. I have heard the Senator do it repeatedly.

Mr. McKELLAR. Let me say to the Senator that I have no recollection of it now. I should like to know when I ever did that.

Mr. CLARK of Missouri. Mr. President, the Senator does it in connection with nearly every appropriation bill.

Mr. McKELLAR. Oh, no; we agree to many House amendments.

Mr. CLARK of Missouri. The ordinary practice in getting a conference in the first place is for one body to disagree to all the amendments of the other House, unless there is a desire to select some particular amendment to agree to.

Mr. TOBEY. Mr. President, is the Senator from Missouri contending that consistency is an attribute of statesmanship?

Mr. CLARK of Missouri. I am not so contending; I think consistency is the bug-a-boo of little minds.

Mr. TAFT. Will the Senator from Missouri yield?

Mr. CLARK of Missouri. I yield.

Mr. TAFT. I wish to suggest a thought in this case, because it is a unique case. We are asked to vote on an amendment in the second degree, because it is proposed that we vote to consider an amendment to the House amendment. Under those circumstances it seems to me that the best way is to consider each amendment on its merits and eliminate as many controversial questions in conference as we can, because already we have come to such a point that the House may well say, "What you are proposing is an amendment to our amendment which is completely inconsistent with the bill you yourselves sent us in the first place." It seems to me the situation is different from any heretofore presented, and we might well consider the amendments on their merits as we proceed.

Mr. CLARK of Missouri. I do not agree with what the Senator from Ohio says. We have all seen each body, both the House of Representatives and the Senate, reverse themselves, on occasions, two or three times in the course of an hour. So there is nothing, so far as the legislative record is concerned, that is of any importance.

What I rose to point out was that we all know that the bill must finally be written in conference. We all know that is the only way a bill can ever be actually agreed upon. Any proposal, finally to become a law, must be actually formulated in conference.

The effect of agreeing to a motion to concur is to limit the scope of the conference. The effect of agreeing to a motion to disagree is to extend the scope of the conference and the authority of the conferees. If the motion which the Senator from Kentucky intends to offer to the third amendment, to concur with an amendment embodying the perfected present Green-Lucas bill, should be adopted, and the bill should go to conference, then, if the Senate had disagreed to the other House amendments, it would give the conferees the widest possible latitude. On the other hand, a motion to concur is simply a motion to restrict the authority of the conferees on certain more or less unimportant details.

Mr. McKELLAR. Mr. President, will the Senator from Missouri yield?

Mr. CLARK of Missouri. I yield.

Mr. McKELLAR. If I understand the argument of the Senator, it is that when we get to the third amendment we will agree to it or disagree to it and amend it. In other words, the Senate will act on that as it believes it should act, or as a majority directs, but the Senator is

virtually asking unanimous consent that we disagree to all the amendments, which some other Senators might very much favor, and vote on only the third amendment. I do not think that should be done. I think we should vote on the House amendments as we reach them.

Mr. CLARK of Missouri. I am not asking unanimous consent for anything. I am addressing an argument to the purpose of giving the conferees the widest possible latitude, if the bill shall finally go to conference. I think everyone agrees that if it does not go to conference, we will never have a law on the subject.

Mr. BREWSTER obtained the floor.

Mr. BARKLEY. Will the Senator from Maine yield to me to make a suggestion to the Senator from Missouri and other Senators?

Mr. BREWSTER. I yield.

Mr. BARKLEY. Amendments numbered 1 and 2 are not fundamental. Amendment numbered 1 merely enlarges the field of the operation of the law by including the Red Cross and some other organizations. Personally, I have no objection to that.

Mr. CLARK of Missouri. I may say to the Senator from Kentucky that, so far as I am concerned, I have no objection to it, either. I was arguing the question whether we should give to the conferees the widest possible latitude.

Mr. McKELLAR. Will the Senator from Kentucky permit me to interrupt?

Mr. BARKLEY. In a moment. Amendment numbered 2 merely proposes to add the words "primary, special, or" before the word "election." I do not think that is fundamental, and personally I have no objection to it.

My reason a moment ago for suggesting that we disagree to all amendments was that that is nearly always done. So far as I am concerned, we might pass on amendments 1 and 2 and dispose of them, and I myself will vote for them. Then we will come to amendment numbered 3, on which the whole controversy hinges. I desire to get a vote on the first two amendments, and I hope I may then offer an amendment to the third.

Mr. McKELLAR. I want a vote on amendment No. 1. We cannot vote on No. 2 until we reach it.

The ACTING PRESIDENT pro tempore. The question is on concurring in amendment numbered 1, and the yeas and nays have been requested.

Mr. BREWSTER. Mr. President, I should at least like the privilege of saying one word in my own time, as I had the floor and yielded to the majority leader.

I desire to suggest that the proposal of the Senator from Missouri went too far, in the suggestion that we disagree to everything, but particularly it seems to me that the prestige of this distinguished body, if it has any remaining, would certainly be served if we could at least go to the extent of giving considerate attention to amendments proposed by the House to a bill which we sent to them. Merely to return it to them with a complete disagreement does not indicate that deliberateness which should characterize us in the very uncomfortable position in which I think everyone considers we find ourselves. So I think that if we gracefully concur, as the majority leader suggests, in a few of the House amendments, the House may not be as facetious about our action as otherwise might be the case.

Mr. CLARK of Missouri. So long as the Senator from Maine seems to be animadverting on my statement about the usual practice, does not the Senator think it was in derogation of the dignity of the Senate for the House to insist, before we ever had a chance to read their amendments? The ordinary good parliamentary practice in such a case would be to wait for us to act on the amendments. They did not do that in this case. They insisted on their amendments and asked for a conference. When the Senator is talking about the dignity of bodies, he had better go into the whole subject.

Mr. BREWSTER. Anything the Senator may point out about the weaknesses of the other body is entirely agreeable to me, but I want the Senate to retain its own dignity.

The ACTING PRESIDENT pro tempore. The question is on concurring in amendment numbered 1.

Mr. McKELLAR. I withdraw the request for the yeas and nays.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Louisiana to concur in amendment numbered 1.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The clerk will state the second House amendment.

The LEGISLATIVE CLERK. The second House amendment is on page 2, line 9, after the word "any", to insert "primary, special, or."

The ACTING PRESIDENT pro tempore. The question is on agreeing to the second House amendment.

The amendment was agreed to.

Mr. BARKLEY. Mr. President, I now move that the Senate agree to House amendment numbered 3, with an amendment striking out all the language of amendment numbered 3, and inserting language which I send to the desk, which is the completed Lucas-Green bill, on which a third reading was ordered.

Mr. McKELLAR. Mr. President, I am sorry that in spite of the length of time I have been in the Senate I am not so familiar with parliamentary procedure, and I wish to ask a question. Does a motion to agree to an amendment have priority over a motion to agree with an amendment? If so, I wish to make the motion that the Senate agree to House amendment numbered 3. As I said, I must confess my own ignorance of parliamentary law. It has never appealed to me particularly.

The ACTING PRESIDENT pro tempore. The Chair holds that a motion to agree with an amendment takes priority over a motion to agree to an amendment.

Mr. TAFT. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. TAFT. Is the amendment of the Senator from Kentucky open to amendment?

The ACTING PRESIDENT pro tempore. It is open to amendment in one more degree.

Mr. TAFT. Mr. President, in the first place I have not had an opportunity to examine the amendment [laughter] or understand exactly how the Senator from Kentucky is proposing to handle the matter. I do not know how he proposes to handle the third amendment of the House. The third amendment of the House is to strike out some 15 lines and to insert a long recommendation with respect to the States. Does the Senator leave that amendment in, and then add to the House words provisions dealing with the Federal ballot.

Mr. BARKLEY. No; my amendment contemplates striking out all the language in amendment numbered 3, which goes over to the top of page 10, and to substitute the language of the amendment which I have offered, which is the perfected Green-Lucas bill.

Mr. TAFT. Mr. President, that does not appear in the Senator's amendment.

Mr. BARKLEY. What does not appear in my amendment?

Mr. TAFT. Do I understand that the Senator makes an oral motion to agree to the third amendment of the House striking out and inserting, and then adding at the end the language which is in the so-called Green-Lucas bill, or does he strike out the language of the House amendment and insert the language of the Green-Lucas bill instead of the language inserted by the House.

Mr. BARKLEY. I propose to strike out the language of the House amendment and, instead of it, to insert the language of the Green-Lucas bill.

Mr. TAFT. Mr. President, simply as a parliamentary matter it does not make sense when language is inserted in that manner. The English of the proposal does not even work. Does the Senator restore the language which the House struck out, or does the Senator strike out that language in the House amendment and the original Senate bill and insert the language of the Green-Lucas bill only in lieu of the italicized matter?

Mr. BARKLEY. The amendment numbered 3 of the House is an integrated amendment which strikes out certain language and inserts other language.

Mr. TAFT. That is correct.

Mr. BARKLEY. It is as a substitute for that amendment numbered 3 that I offer the Green-Lucas bill as perfected.

Mr. TAFT. So the effect of the Senator's motion is to restore the original Senate language; is that correct?

Mr. BARKLEY. No; not necessarily so at all. In view of the form of the amendment there may appear on the surface to be some incongruity as between the substitution of the completed Senate bill and the House amendment, but the adoption of the motion puts the entire subject into conference, in which any apparent incongruities as between the House amendment and the Senate language can be adjusted.

Mr. TAFT. But still I want to know exactly what it is the Senator is doing with this amendment. The third House amendment begins, in line 12 on page 2, and it strikes a number of lines to the top of page 3 from the original Senate

bill, and inserts some five or six pages of language to the top of page 10. What I wish to know is whether this amendment is entirely rejected, or what part of it is concurred in? Does the Senator concur in the part to strike out, and amend the part that is inserted? Does he leave stricken out the matter which the House has stricken from the original Senate bill?

Mr. BARKLEY. The effect of the amendment which I have offered is to substitute the language of the Green-Lucas bill for the language of House amendment numbered 3, which strikes out some of the original language of the Senate bill and inserts four or five pages of its own, running from page 3 to the top of page 10.

Mr. TAFT. So then, as I take it, the Senator accepts the amendment of the House striking out the original Senate language. Is that correct?

Mr. BARKLEY. No, I do not think so, because we do not take that language out of conference. If we accept the House amendment striking the matter out it is no longer in conference.

Mr. TAFT. But the Senate cannot reject the House amendment with an amendment. I can only concur in the House amendment with an amendment.

Mr. BARKLEY. I have moved to concur in the House amendment numbered 3, with an amendment.

Mr. McKELLAR. That leaves it all in.

Mr. BARKLEY. No; there is substitution of language.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

The ACTING PRESIDENT pro tempore. The Senator from Ohio [Mr. TAFT] has the floor. To whom does he yield?

Mr. TAFT. I yield to the Senator from South Dakota.

Mr. BUSHFIELD. Mr. President, I wish to ask the distinguished majority leader a question. If I understood his motion correctly, it was that we concur in the House amendment, with an amendment.

Mr. BARKLEY. By striking out certain language in the House amendment and inserting the amendment which I have offered.

Mr. BUSHFIELD. The Senator is proposing to strike out, if I understand him correctly, all of amendment numbered 3 which was in the Senate bill, including the italicized part, which was added by the House. Is that correct?

Mr. BARKLEY. That is the effect of the motion, I think.

Mr. BUSHFIELD. How can the Senator move to concur if he proposes to strike out all the language contained in the amendment?

Mr. BARKLEY. From a parliamentary standpoint one can move to concur with an amendment which strikes out all the language and inserts other language.

Mr. BUSHFIELD. That is what I wanted to know.

Mr. BARKLEY. The effect is to strike out all the language inserted by the House as new language in italics and insert the language I have offered in its place.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. TAFT. I will yield in a moment. I certainly do not want this proposal to be in such a situation that it does not mean anything. The way the language will read, under the Senator's proposal, is as follows:

> Congress hereby expresses itself as favoring, and recommends to the several States the immediate enactment of, appropriate legislation to enable each person absent from the place of his residence and serving in the armed forces—
>
> And so forth—
>
> who is eligible to vote in any election district or precinct, to vote by absentee ballot in any primary, special, or general election held in his election district or precinct in time of war, and in order to afford ample opportunity for That Public Law Numbered 712, 77th Congress, be amended by inserting after the enacting clause the words "Title I"—

And so forth. It does not make any sense as a matter of English language, and it is left hanging in the air with no action taken on it at all. It may be in order, because materiality makes no difference in the Senate, but certainly it is a perfectly stultifying performance to frame a bill in such a way that it does not even read in the ordinary form of the English language.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Tennessee.

Mr. McKELLAR. I desire to propound another parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. McKELLAR. The motion of the Senator from Kentucky is to agree to amend, as I understand it. Is it possible for the Senate to agree to a motion to concur in amendments, when it is evident from the very motion the Senator makes and the argument which he makes that what is intended is to strike out, rather than to concur? In other words, has he the priority to make the motion to strike out the House language by a motion to concur and amend? The Chair has held that the reason why it has priority is because the Senator has moved to concur and amend. As it seems to me, there would be no concurrence in anything the House has done, but the motion is one to strike out and to insert something else in place of that amendment. Under those circumstances, in my judgment—which is perhaps very poor, because I am not at all a parliamentary expert—unless the Senator leaves the language in, his motion does not have priority.

Mr. BARKLEY. Mr. President, in order that I may clear up the situation, let me say to the Senator from Tennessee and to other Senators that if a motion had been made simply to concur in House amendment No. 3, and if nothing else had been done except to move concurrence in that amendment, it would then have been in order for me to move to concur in or agree, with an amendment; and that motion would take precedence over a simple motion to concur. What I have done is to make this motion first; and even if another motion to concur were made, the motion I have made would have to be voted upon first.

Mr. McKELLAR. Mr. President, that may be true. I am willing to have the Senator's motion voted on whenever it is in order. But certainly the Senator cannot say that he moves to concur in an amendment, when his real motion is to strike out and to insert a substitute.

Mr. BARKLEY. Mr. President, let me perfect my motion so that we may all understand what it is. With respect to that part of House amendment numbered 3 striking out certain language on pages 2 and 3 of the Senate bill, it is not essential, from a technical standpoint, that it be voted on, except that the motion I make is to concur in that amendment, with an amendment by way of a substitute. In order that that may be cleared up, let me say that my motion is that the Senate concur in House amendment numbered 3, with an amendment to strike out all the language in subsection (a) beginning on page 3, and going over to the top of page 10, and to substitute the amendment I have offered in lieu of that.

Mr. TAFT. Mr. President, let me say that, as I understand the Senator's motion, its effect would be to restore the Senate language down to line 7 on page 3, by rejecting the whole House amendment. Is that correct?

Mr. BARKLEY. That is true.

Mr. TAFT. Then, of course, Mr. President, the Senator has two entirely separate titles II; because the Green-Lucas bill has in it a whole title II about State voting, and now he has restored everything that is in the original Eastland amendment as to title II about State voting. That also seems to me very illogical. It may be material to have two sets of plans for State voting, but certainly it does not seem very logical.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. McCLELLAN. I should like to address an inquiry to the able majority leader in respect to his motion and his proposed amendment. Is the amendment which he proposes to substitute for House amendment numbered 3 the Green-Lucas bill as perfected, including all amendments adopted up to and including the time of the third reading?

Mr. BARKLEY. That is correct.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. McCLELLAN. In view of that situation, is a motion in order, as a substitute for the motion of the Senator from Kentucky, to defer action on the pending motion until tomorrow at such time when the proposed amendment can be printed, so that the Senate can inform itself as to what its contents are? So far as I know there is only one copy of it, which is the copy offered by the Senator from Kentucky.

Mr. TAFT. Mr. President, let me say that I join in the request. I have prepared an amendment to this amendment. But it is almost impossible for me to tell whether it will fit. I am a little more anxious to make it fit than the Senator seems to be to make his amendment fit the House amendment.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

Mr. McCLELLAN. Mr. President, I have already made a parliamentary inquiry, but my inquiry has not as yet been answered.

The ACTING PRESIDENT pro tempore. The Chair wishes to answer first the parliamentary inquiry made by the Senator from Arkansas. A motion made by the Senator to postpone to a day certain is in order.

Mr. McCLELLAN. Mr. President, then I move that the Senate postpone further consideration of the pending amendment until tomorrow, when the Senate reconvenes, and that in the meantime it be printed and be made available to the Senate.

The ACTING PRESIDENT pro tempore. The motion of the Senator from Arkansas is to postpone to a day certain. The motion is debatable.

Mr. TAFT. Mr. President, I desire to offer an amendment to the amendment, which I also ask to have printed and made available for tomorrow's consideration.

The ACTING PRESIDENT pro tempore. The amendment to the amendment will be received, and will be printed and lie on the table.

Mr. BARKLEY. Mr. President, let me ask the Senator from Ohio whether the amendment he now offers to the amendment is the same as the one on which the Senate voted a few days ago.

Mr. TAFT. It is substantially the same. It contains a few minor differences.

Mr. FERGUSON. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. FERGUSON. Is the pending motion one to amend the motion made by the majority leader, the Senator from Kentucky?

The ACTING PRESIDENT pro tempore. The motion of the Senator from Kentucky was the pending motion, at which time the Senator from Arkansas made a motion to postpone to a day certain. That is the motion now before the Senate, and it has priority over other motions until it is disposed of.

Mr. McFARLAND. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. McFARLAND. If the motion of the Senator from Arkansas prevails, will it be proper immediately to proceed to vote on Senate bill 1612?

The ACTING PRESIDENT pro tempore. The unfinished business would recur for the consideration of the Senate, if that motion should prevail.

Mr. McFARLAND. And the unfinished business is Senate bill 1612; is that correct?

The ACTING PRESIDENT pro tempore. That is correct.

The question is on agreeing to the motion of the Senator from Arkansas.

Mr. BARKLEY. Mr. President, let me say that everyone knows what is in the amendment I have offered, and everyone knows what is in the amendment the Senator from Ohio has offered to my amendment. Senators who have been in the Chamber and who have kept informed of the proceedings as they have gone on day by day, and as amendments have been adopted by the Senate, know what they are. They have been contained in the CONGRESSIONAL RECORD, as issued each morning, for the information of Senators who were detained or who for other reasons were compelled to be absent from the Chamber when the Senate acted upon the amendments. It seems to me that the issue is simple. I am sure every Senator is in a position to vote intelligently upon the motions which are before the Senate. I hope the motion to postpone the consideration of these amendments until tomorrow will not prevail.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. MURDOCK. If the motion of the Senator from Arkansas does prevail, will it not put the Senate in exactly the position for which the Senator from Kentucky has been making request all day?

Mr. BARKLEY. It would, in a sense, because it would then be in order to vote upon the pending bill, Senate bill 1612, which has been advanced to its third reading, and which cannot be further amended without unanimous consent.

Mr. MURDOCK. Yes.

Mr. BARKLEY. Although that is true, it seems to me it would be marching up the hill and then turning around and marching down again, after the Senate decided it wanted to consider the amendments first, now to decide to postpone consideration of the amendments.

Mr. MURDOCK. The Senator is not responsible for going up the hill; nor is he responsible for coming back down the hill on the motion of the Senator from Arkansas.

Mr. BARKLEY. I have been trying, in my modest way, to get the Senate to go up the hill.

Mr. MURDOCK. The Senator has been unable to do that. Now we have an opportunity to get back to where I think we should be.

Mr. BARKLEY. Mr. President, I do not care to discuss the motion in detail. I hope we may conclude this business today.

Mr. TAFT. Mr. President, I have no desire to delay consideration or postpone a vote on this measure; but certainly it is true that there are many things in the bill of which many Senators are not aware. We have been amending it for 2 days. I think it would be some advantage if it could be printed and we could take another look at it before we finally send it to the House. However, I prefer not to postpone consideration, because I think there will be some debate on the question, and we might as well proceed to debate it.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. RUSSELL. If the amendment suggested by the Senator from Kentucky were to prevail, would the language of the original Senate bill found on page 2, beginning in line 12 and ending in line 7 on page 3, be in the bill as returned to the House, or would it be eliminated by the Senator's amendment?

The ACTING PRESIDENT pro tempore. That language would be in conference.

Mr. RUSSELL. How about the language added by the House in line 7 on page 3, and continuing to the top of page 10? Would that language be in conference?

The ACTING PRESIDENT pro tempore. It would be.

Mr. RUSSELL. Therefore the amendment of the Senator from Kentucky is proposed to be tied on at the end of the House amendment found on page 10.

The ACTING PRESIDENT pro tempore. The motion of the Senator from Kentucky was designed to provide that the language of the committee amendment to the Green-Lucas bill, as amended, should take the place of certain language included in the House amendment, commencing in line 10 on page 3.

Mr. RUSSELL. What would then become of the House language in lines 7, 8, and 9, on page 3?

The ACTING PRESIDENT pro tempore. That would be in conference.

Mr. RUSSELL. That language would be in conference. Would the Senator's motion eliminate that language?

The ACTING PRESIDENT pro tempore. The Chair is advised that the effect of it is to retain lines 7, 8, and 9.

Mr. RUSSELL. Therefore the language proposed by the Senator from Kentucky would strike out all the House language on page 3, commencing in line 10, and insert the matter suggested by the Senator from Kentucky?

The ACTING PRESIDENT pro tempore. And extending to the top of page 10. That is correct.

Mr. McKELLAR. Mr. President, let me see if I correctly understand the Chair. I understood the Chair to say that the language "such persons to vote for Federal, State, and local officials and to utilize the absentee balloting procedures of the various States to the greatest extent possible" would be left in the bill under the amendment of the Senator from Kentucky if it were agreed to by the Senate?

The ACTING PRESIDENT pro tempore. The Chair is advised that that would be a part of the whole Senate amendment which would go to conference.

Mr. McKELLAR. Then the effect of the motion of the Senator from Kentucky is to strike out that which the House struck out, and that which the House put in. In what possible way could it be an amendment to section 3?

Mr. CLARK of Missouri. Mr. President, a parliamentary inquiry.

Mr. McKELLAR. Mr. President, will the Chair pass on one question before the next one is reached?

The ACTING PRESIDENT pro tempore. It is the opinion of the present occupant of the chair that the doing of thing mentioned by the Senator from Tennessee would constitute an amendment, and would be within the second category of priority.

Mr. McKELLAR. What about the concurrence? The concurrence provided for by the rule is left out entirely.

The ACTING PRESIDENT pro tempore. The effect of what is proposed by the Senator from Kentucky is to amend. It is considered as an amendment of the House amendment, and comes within the second category of priority. If that were voted down, then a motion to concur without amendment would be in order.

Mr. McKELLAR. If that be the case, does not a motion to concur in the House amendment have priority over a motion to amend?

The ACTING PRESIDENT pro tempore. It does not.

Mr. CLARK of Missouri. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. CLARK of Missouri. Is not this the situation: The effect of the House amendment is the exact equivalent of an ordinary motion to strike out and insert; and so far as the parliamentary situation is concerned, it is in exactly the situation contemplated by rule XVIII, which provides:

but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a digerent proposition; nor shall it prevent a motion simply to strike out; nor shall the rejection of a motion to strike out prevent a motion to strike out and insert—

Now we come to our present situation:

but pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded for the purpose of amendment as a question; and motions to amend the part to be stricken out shall have precedence.

As I see the motion of the Senator from Kentucky, what has happened is this: He has made a motion to concur with an amendment, the amendment being to strike out a portion of the language inserted by the House amendment, and to insert in its place certain other language, which is clearly in order under the general parliamentary practice and specifically under rule XVIII of the rules of the Senate.

The ACTING PRESIDENT pro tempore. The present occupant of the chair agrees with the statement made by the Senator from Missouri.

Mr. ELLENDER. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. ELLENDER. I am very much confused. I should like to pose this question to the Chair: In sending a bill to conference, is it necessary that all the language contained in the bill make sense? I am serious about that.

The ACTING PRESIDENT pro tempore. It is the opinion of the present occupant of the chair that the answer t the question propounded is "No," and that the conferees would have authority to make any germane amendment if the matter were in conference.

Mr. McCLELLAN. Mr. President, as I understand, in answering the parliamentary inquiry made a few minutes ago regarding what would be the effect if the motion I made were adopted, the Chair stated that instead of further consideration of the pending measure, Senate bill 1285, the unfinished business then, would be the consideration of Senate bill 1612.

The ACTING PRESIDENT pro tempore. That is correct.

Mr. McCLELLAN. I did not have that purpose in mind. I did not wish to interfere with or delay consideration of the pending measure. I thought we would prceeed to the consideration of further amendments. I am most sincere in what I said about the amendment offered by the able Senator from Kentucky. I do not believe that all Senators are familiar with all the amendments or have had time to study their possible effect on the pending legislation. I refer to the amendments which have been adopted to the bill which the Senate has been considering, Senate bill 1612, which is now offered by the able Senator from Kentucky as an amendment to the House amendments to Senate bill 1285. I thought we might consider the other amendments. If my motion would have the effect stated by the Chair, out of deference to the able Senator from Kentucky, and in order that the Senate may proceed to the consideration of this measure—although I think we ought to have the opportunity to study as complicated and lengthy an amendment as the one offered—I feel compelled to withdraw the motion. However, I ask unanimous consent that the Senate proceed with the consideration of the pending bill, and that the amendment offered by the able Senator from Kentucky go over until tomorrow and be printed before the Senate votes upon it, in order that we may be fully informed as to its contents and what its effect would be if adopted. I ask unanimous consent that the pending amendment go over until tomorrow and be printed and laid on the table.

Mr. BARKLEY. Mr. President, if consent were granted I regret to say to the Senator from Arkansas that it would be the same as voting on his motion to postpone the vote until tomorrow.

Mr. McCLELLAN. If the Senator will recall, he knows that I suggested that the Senate proceed with the consideration of the pending bill. I am sure that could be done by unanimous consent.

Mr. BARKLEY. The Senator refers to Senate bill 1285.

Mr. McCLELLAN. Yes; there are other amendments to it.

Mr. BARKLEY. I think the Senate cannot wisely determine what it will do with other House amendments until it has disposed of the pending motion on the amendment now before the Senate. For that reason I regret that I cannot consent.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. RUSSELL. Have the amendment offered by the Senator from Ohio and the amendment offered by the Senator from Kentucky both been reported to the Senate?

The ACTING PRESIDENT pro tempore. The amendment of the Senator from Ohio was received and ordered to lie on the table. It has not been reported to the Senate.

Mr. RUSSELL. I understood the Chair to rule that the amendment of the Senator from Ohio was in order to the amendment proposed by the Senator from Kentucky.

The ACTING PRESIDENT pro tempore. The Chair did rule that it would be in order, but the Chair understood the Senator from Ohio had not offered the amendment, but only presented it to lie on the table.

Mr. TAFT. Mr. President, I did so because the Senator from Michigan desired to offer an amendment ahead of my amendment, so I did not formally offer my amendment.

The ACTING PRESIDENT pro tempore. The Chair wishes to make an announcement with respect to the advice given by the Chair in response to an inquiry made awhile ago, that if the motion of the Senator from Arkansas should prevail the effect would be to restore to the present consideration of the Senate the unfinished business.

It is the opinion of the Chair that the Chair was in error in giving the advice, but in view of the fact that more than one of the House amendments is pending, the disposition of this particular amendment would not prevent the Senate from consideration of other House amendments which have already been laid before the Senate by the action of the Senate. So the Chair would like to correct the advice given to the extent that, in the opinion of the Chair, if the motion of the Senator from Arkansas were to prevail, the next order of business would be some other unconsidered amendment of the House amendments which has not as yet been disposed of.

Mr. BARKLEY. Mr. President, I propound the parliamentary inquiry whether the Senator's motion was to postpone further consideration of my motion until tomorrow, or to postpone consideration of the amendments of the House which have been laid before the Senate?

The ACTING PRESIDENT pro tempore. Will the Senator from Arkansas restate his motion?

Mr. McCLELLAN. Mr. President, my motion was to defer action on the pending amendment until tomorrow.

The ACTING PRESIDENT pro tempore. The Senator's motion pertains to amendment numbered 3, and not alone to the motion of the Senator from Kentucky.

Mr. RUSSELL. Mr. President, I was about to address a parliamentary inquiry to the Chair when I was taken off my feet. I wished to ask if the amendment of the Senator from Kentucky had been reported to the Senate.

Mr. McKELLAR. It has not been reported.

The ACTING PRESIDENT pro tempore. The Chair advises the Senator from Georgia that the motion was made by the Senator from Kentucky and elucidated by him, but it was not actually reported by the clerk at the desk.

Mr. RUSSELL. I was present at the time the amendment was offered, and I wish to know why the amendment was not reported under the rules.

The ACTING PRESIDENT pro tempore. The Chair is advised that it was not reported because the Chair understood the explanation of the Senator from Kentucky had acquainted the Senate with the nature of the motion, and no Senator having called for a repetition of it, it was not reported. The Chair will be very glad to have it reported.

Mr. RUSSELL. Does not any Senator have the right to have the amendment reported, as well as the amendment to be proposed by the Senator from Ohio?

Mr. BARKLEY. Mr. President, I concede that any Senator has a right to have an amendment read.

Mr. RUSSELL. My point is, Mr. President, that we might save time by allowing this matter to go over until tomorrow, and not completing its consideration today. In the meantime, the substitutes to be offered could be read by Senators.

Mr. McKELLAR. Mr. President——

The ACTING PRESIDENT pro tempore. The Chair wishes to rule on the request of the Senator from Georgia. Does the Senator from Georgia request that the amendment of the Senator from Kentucky be reported?

Mr. RUSSELL. Yes, Mr. President; I think it would be well to have the amendment reported.

Mr. BARKLEY. Mr. President, I have no objection to the reporting of the amendment I have offered or the reporting of the amendment of the Senator from Ohio. I have no serious objection to this matter going over until tomorrow. However, I wonder if we could arrive at an agreement to limit debate on the pending question tomorrow so that we might bring it to a prompt conclusion.

Mr. RUSSELL. Mr. President, I have not objected at any stage of the proceedings to a limitation of debate. So far as I am concerned, I have been ready to vote on the entire proposal for the last 10 days. However, I do not think that the Senate should proceed to act on the bill until it has opportunity to see it as it will appear when and if the amendment shall be agreed to.

Mr. BARKLEY. Mr. President, I ask unanimous consent that consideration of the pending amendment be postponed until tomorrow, and that further debate on the pending question, and all motions relating to amendments to the pending amendment, or to any other House amendments or amendments thereto, be limited to 20 minutes; that during the further consideration of the House amendments to Senate bill 1285, no Senator shall speak more than once or longer than 20 minutes upon any motion or amendment, or any amendment thereto.

Mr. RUSSELL. Mr. President, reserving the right to object, does the Senator's unanimous-consent request contemplate that the pending bill shall go over until tomorrow as the unfinished business, and that we will not recur to the consideration of Senate bill 1612?

Mr. BARKLEY. Yes.

Mr. RUSSELL. I have no objection.

Mr. McKELLAR. Mr. President, I wish to make the suggestion that this matter ought to go over until tomorrow. We should have these two bills before the Senate.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. McKELLAR. Please wait a moment. I should like to be heard briefly, and I think I have a right to be heard.

Mr. TAFT. Mr. President, may we have order?

The ACTING PRESIDENT pro tempore. The Senate will be in order.

Mr. McKELLAR. Mr. President, I merely wish to say that I do not think we should have to pay a price in this matter. I do not see any reason in the world why we cannot vote on all these amendments tomorrow. I certainly have no desire to delay, but I do not like to be met by the offer of a price for which the majority leader will allow the matter to go over until tomorrow, namely, that we will consent to a unanimous-consent request limiting debate.

Mr. BARKLEY. Mr. President——

Mr. McKELLAR. I shall yield to the Senator in a moment.

There are two matters of the most urgent importance to come before the Senate this afternoon. One of them is the conference report on the tax bill. I put that first, although I have charge of a conference report which has been already submitted to the Senate. It pertains to the bill for the regulation of foreign labor. The life of the law has expired and in the bill there is a section making our action retroactive. It is very important that the conference report on the tax bill, and the conference report on the bill to which I have just referred, be agreed to this afternoon. It will take all the time we have left this afternoon to dispose of the two matters.

So I suggest to the Democratic leader that consideration of the pending matter be allowed to go over until tomorrow just as it is, and not upon the payment of a price. I was not present the other day when an agreement was reached with respect to limitation of debate. If I had been, there would not have been a limitation. I think we would have saved time by not having a limitation, because everyone knows no long speeches have been made during the debate.

So it seems to me that consideration of the bill would be expedited by letting it go over, and allowing the Senator from Georgia [Mr. GEORGE] to present the conference report on the tax bill. It is very necessary that the conference report be agreed to, and that the bill become law at the very earliest possible moment. I hope it will not take long, and when it has been disposed of I shall very meekly and humbly suggest that the conference report on the foreign-labor bill, which we have been working on for months, be taken up and disposed of. It seems to me that the majority leader ought to be willing to allow the pending matter to go over until tomorrow.

Mr. BARKLEY. Mr. President, I coupled two proposals with my request for a unanimous consent agreement. Nothing was further from my mind than that I was offering a price to any one for anything. I was seeking to facilitate the early consideration and disposition of this entire subject. I stated a while ago that I think every Senator knows now how he is prepared to vote on the motion of the Senator from Ohio, on my motion, or on any other motion which may be made, and, in order to facilitate an understanding, so that Senators who leave the Chamber this afternoon would know what to depend upon tomorrow, I simply asked unanimous consent that the pending matter go over and that debate be limited to 20 minutes to each Senator. I cannot see how that involves any price.

Mr. McKELLAR. I am going to object to it whether it involves a price or not. I regard it that way. I make objection.

Mr. BARKLEY. The Senator has a right to object. Of course I could insist that the Senate vote now upon the motion of the Senator from Arkansas, if it is still pending; but, without regard to any limitation of debate, I now ask unanimous consent, in order that the Senator from Georgia may present the conference report on the tax bill and that the Senator from Tennessee may present a conference report on an appropriation bill, that the pending question and all other questions involved in the House amendments to Senate bill 1285 as well as the further consideration of Senate bill 1612 go over until tomorrow.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. LUCAS. Reserving the right to object, is it intended that if we get into a debate upon the conference report on the tax bill or the conference report the Senator from Tennessee is going to submit——

Mr. BARKLEY. Both those propositions are privileged. The Senator from Georgia can rise at any time and bring up his conference report and I am hoping now that we will dispose of that and also of the other conference report.

Mr. McCLELLAN. Mr. President——

The ACTING PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Arkansas?

Mr. BARKLEY. I yield.

Mr. McCLELLAN. I should like to make an inquiry of the able Senator from Kentucky. Would the Senator's motion permit or preclude the printing of these amendments?

Mr. BARKLEY. It did not specifically state as to that; but I couple with my request that the amendment I offered be printed.

The ACTING PRESIDENT pro tempore. The Chair will advise the Senate that it is the practice for amendments to be printed, and they will be printed.

Mr. BARKLEY. They are printed under the rule, of course.

Mr. GEORGE obtained the floor.

Mr. FERGUSON. Mr. President——

The ACTING PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Michigan?

Mr. GEORGE. I yield.

Mr. BARKLEY. Let me say to the Senator from Michigan, if that is what he is about to inquire about, that my proposal would not preclude him from offering from the floor his amendment to the amendment prior to the time it was voted on.

Mr. FERGUSON. I should like to have it lie on the table and be printed so that all the Senators will have it.

Mr. BARKLEY. There can be no objection to that.

Mr. FERGUSON. I ask that the two amendments to the amendment of the majority leader from Kentucky lie on the table and be printed.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BARKLEY. Mr. President, I inquire if my request was granted.

The ACTING PRESIDENT pro tempore. Without objection, the request of the Senator from Kentucky is granted.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. McLeod, one of its clerks, announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bill and joint resolution of the House:

H. R. 3687. An act to provide revenue, and for other purposes; and

H. J. Res. 208. Joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1944.

THE REVENUE ACT—CONFERENCE REPORT

Mr. GEORGE. Mr. President, I submit the conference report on House bill 3687, the Revenue Act of 1943, and move that the Senate proceed to its consideration.

The ACTING PRESIDENT pro tempore. The report will be read.

The report was read.

(For conference report on House bill 3687, the revenue act, see the proceedings of the House of Representatives of February 7, 1944, pp. 1314–1325.)

The ACTING PRESIDENT pro tempore. The question is on the motion of the Senator from Georgia that the Senate proceed to the consideration of the conference report.

The motion was agreed to, and the Senate proceeded to consider the report of the committee on conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3687) to provide revenue, and for other purposes.

Mr. GEORGE. Mr. President, after a conference lasting less than a week the managers on the part of the Senate and House came to full agreement on the revenue bill of 1943. Differences between the House and Senate bills, especially important with respect to renegotiation, were settled in a spirit of harmony and cooperation.

REVENUE ESTIMATES

It is estimated that the revenue bill of 1943, as agreed upon in conference, will increase net Federal receipts by $2,315,200,000 in a full year of operation at calendar year 1944 levels of income and business activity. This sum exceeds the yield of the bill as it passed the House by $175,900,000, and is $39,600,000 greater than the yield of the Senate bill. Practically all the increase in yield over the bill as it passed the Senate is attributable to the conferees' action in agreeing to rates of certain excise taxes somewhat higher than contained in the Senate bill. Under the bill as agreed upon in conference it is estimated that net Federal receipts will total $40,840,200,000 in a full year of operation, compared with $38,525,000,000 under existing law

INDIVIDUAL INCOME TAXES

With respect to individual income taxes, it will be recalled that the Senate struck out the House provisions for a minimum tax which would have been substituted for the Victory tax in order to retain on the rolls those persons now subject only to the Victory tax. The Senate retained the Victory tax but made the rate 3 percent for all persons, regardless of family status. The Senate version represented at least a small measure of simplification over present law, and avoided introducing an entirely new method of computing taxes at the present time. While the House bill made certain changes in the withholding rates and exemptions, the Senate bill retained those provided in existing law. On these provisions affecting individual income taxes the House conferees receded.

The House conferees also receded on the Senate amendment which excludes from gross income mustering-out payments for military and naval personnel. The House conferees receded with respect to Senate amendments which lighten the penalties, and permits the use of the previous year's income, in connection with the estimated tax, with respect to the exclusion from gross income of certain cost of living allowances paid to civilian officers and employees of the Government stationed outside the continental United States, and with respect to repeal of the second windfall tax provided in the Current Tax Payment Act of 1943.

The Senate struck out the provision in the bill as it passed the House relating to the taxation of back pay attributable to prior years. The House conferees receded from their disagreement to this amendment, and agreed to it with an amendment which broadens the section so that it will now apply to back pay received from any source so long as the amount of the back pay received during the taxable year exceeds 15 percent of the gross income of the individual for such year.

The so-called hobby loss amendment contained in the Senate bill was modified in conference so that the limit on the deduction for such losses is raised from $20,000 to $50,000, exclusive of deductions for taxes and interest. The provision will be applicable only when losses of more than $50,000 have been sustained in each of 5 consecutive years.

CORPORATION INCOME AND EXCESS-PROFITS TAXES

With respect to the excess-profits tax on corporations, the Senate bill differed from the House bill in that the credit allowed on invested capital over $200,000,000 was retained at 5 percent as in existing law, rather than the 4 percent provided in the House. The House conferees receded with respect to this Senate amendment. Under the bill as agreed to in conference, the credit allowed on invested capital will compare as follows with that provided under present law:

Invested capital (in millions of dollars)	Credit (percent)	
	Existing law	H. R. 3687
Under 5	8	8
5 to 10	7	6
10 to 200	6	5
Over 200	5	5

The House conferees agreed to the Senate amendments extending the last-in first-out inventory method to include taxable years beginning in 1941, to the amendment restoring former treatment of partially worthless bad debts, and to the amendment permitting deductions for corporate contributions to veterans' organizations.

The House conferees receded with an amendment from their disagreement to the Senate amendment permitting corporations emerging from receivership or bankruptcy to use the capital structure of the predecessor company for tax purposes, and the amendment assuring that certain reorganized companies shall not have the basis of their property reduced by the amount of indebtedness canceled in the receivership process. The effect was to provide this relief for 1943 and subsequent years, and to provide for no gain or loss to the shareholder upon the receipt in 1943 of new securities for the old securities. A Senate amendment, providing that fraternal organizations exempt from income tax shall not be required to file returns, was agreed to by the House conferees.

The conferees agreed to retain the Senate amendments relating to the credit for surtax purposes for dividends paid on preferred stock of utilities, to the taxation of gains resulting from the disposition of radio broadcasting property pursuant to orders of the Federal Communications Commission, and to the taxation of income from the sale of timber.

The Senate had added talc and barite to the list of minerals for which percentage depletion is allowed for the duration, and made the depletion allowance for potash permanent. These provisions were retained. The House conferees receded from their disagreement to the Senate amendment redefining gross income from mining operations, with an amendment so as to include the ordinary treatment processes normally applied by mine owners or operators in order to obtain the commercially marketable mineral product.

The Senate had partially rewritten the provision contained in the House bill designed to close a loophole in existing law which permitted certain tax benefits through the acquisition of corporations. The Senate language was, in general, agreed to by the conferees, with the

major exception that it was made effective with respect to taxable years beginning after December 31, 1943, rather than retroactive for cases of fraud. It was further provided that determination of the law applicable to taxable years prior to 1944 shall be made as if this section had not been enacted, and without inferences drawn from the fact that this section was not expressly made retroactive. The House conferees insisted, and the Senate conferees receded, with respect to the Senate amendment excluding a corporation engaged in the transportation of natural gas by pipe line from the definition of a natural-gas company entitled to special treatment under the excess-profits tax.

EXCISE TAXES AND POSTAL RATES

In the House bill the tax on admissions was established at 2 cents for each 10 cents or fraction thereof, and in the Senate bill at 1 cent for each 5 cents or major fraction thereof. On this amendment the House conferees receded. The tax on cabarets was made 30 percent, as in the House bill, rather than the 20 percent provided in the Senate bill. In connection with the tax on jewelry, the House conferees receded with respect to the Senate amendment exempting from the increase in rate watches selling at retail for not more than $65 and alarm clocks selling at retail for not more than $5, while the Senate conferees agreed to restore the exemption contained in the House bill of silver-plated flatware from the jewelry tax.

The House conferees agreed to the lower rates of tax provided in the Senate bill for furs, toilet preparations, and bowling alleys. The taxes on furs and toilet preparations were made 20 percent, and the tax on bowling alleys was made $20 per year per alley, rather than 20 percent of the charge for bowling, as in the House bill. The House conferees agreed to the higher rates of tax provided in the Senate bill for leased wires and for wire and equipment service, and with respect to electric light bulbs and tubes, a compromise rate of 20 percent was agreed upon. Similarly, a compromise rate of 20 percent was provided in the case of the tax on luggage, handbags, and so forth.

The Senate action in striking out the tax on parimutuel wagering contained in the House bill was agreed to by the House conferees. The Senate bill contained a provision exempting servicemen from the tax on cabarets, but as it was felt this would be extremely difficult to administer, the Senate conferees were persuaded to recede. The House conferees receded with respect to the Senate amendment exempting billiard and pool tables in hospitals from tax if no charge is made for their use. The drawback on distilled spirits used in the manufacture of certain nonbeverage products was made $6 in the Senate bill, whereas in the House bill it was $5. The result of the Senate's action was to make the tax on such spirits $3 as compared with $4 in the House bill. On this provision the House conferees receded.

In connection with increases in postal rates, the Senate bill had stricken out the provision contained in the House bill increasing the rates on third-class mail. The House conferees agreed to this amendment.

MISCELLANEOUS

A Senate amendment broadening for the duration the class of duty-free imported newsprint was agreed to by the House conferees.

The House conferees receded with respect to the Senate amendment freezing for the calendar year 1944 the rates of certain social-security taxes.

SUMMARY AND AMENDMENTS WITH RESPECT TO WHICH SENATE CONFEREES RECEDED

Naturally, in the consideration of matters so important as those involved in this tax bill, it was necessary for the Senate conferees to recede with respect to a few of the amendments adopted in the Senate. It should be of interest, however, that of the 311 total of Senate amendments, the House conferees either accepted completely, or receded with an amendment, with respect to 269, while the Senate conferees receded from only 42 amendments, some of which were clerical.

We were unable to persuade the House conferees to agree to the amendment desired by the Senator from Pennsylvania relating to reorganization by adjustment of capital and debt structure of an existing corporation; to the amendment proposed by the Senator from New Mexico concerning income from potash mines or deposits; the amendment by the Senator from Ohio pertaining to the loss on the sale or exchange of securities of certain railroad-company subsidiaries; to the amendment offered by the Senator from Missouri relating to the unused excess-profits credit in the case of certain reorganized railroad companies; or to the amendment of the Senator from Illinois providing for a refund of the luggage tax to avoid double taxation. Likewise, the Senate conferees found it necessary to recede with respect to the amendment relating to gains and losses from involuntary conversions and from the sale or exchange of certain property used in trade or business, with respect to the amendment introduced by the Senator from Kentucky concerning the priority of payments under the Settlement of War Claims Act of 1928, and with respect to the amendment offered by the Senator from New Jersey providing for quarterly payments of the unforgiven tax under the Current Tax Payment Act of 1943. I believe this covers the important amendments with respect to which your conferees receded.

In regard to the renegotiation provisions, I will discuss some of the important provisions.

First. One of the most important changes made by the Senate and agreed to in conference was the one relating to the termination date. The House conferees accepted our termination date of December 31, 1944, with power in the President to shorten or lengthen the date, but in no case beyond July 1, 1945. There were certain minor changes made, but these related to determining what profits were attributable to the period before the termination date, and what profits were attributable to the period after the termination date.

Second. We agreed to the House provision allowing review by The Tax Court of the United States instead of the Court of Claims. However, the House conferees accepted the Senate provision which did not allow any review for cases closed by agreement. The House conferees also agreed in principle to the Senate provision for taking amortization allowances into account in connection with excessive profits determinations. To get the benefit of the provision, the amortization allowance must be recomputed for tax purposes first, and the recomputed amortization allowance reduced by the tax benefit is then refunded to the contractor or subcontractor.

We were unable to induce the House conferees to agree to the following, with reference to certain factors required to be taken as standards by the renegotiating board:

1. Problems in connection with reconversions should be a factor to be taken into account in determining excessive profits.

2. The factor as to the profits remaining after the payment of estimated Federal income and excess-profits taxes.

On both those amendments the Senate conferees receded.

The provision in the Senate amendment that the factors used in determining excessive profits be published was adopted.

The House accepted the repricing provisions, with the exception of the criminal penalty, which would put a person in jail for failure to deliver articles at the price fixed by order.

It is also made clear that the repricing provisions apply to war brokers.

A provision was adopted which carries out the intent of existing law that there is no authority to renegotiate the profits accruing to a company by reason of the increment in value of its long inventories, that is, inventories over and above its normal requirements to fulfill existing contracts.

Recurring to the repricing provisions in the bill, there is no termination upon that authority, broad as it is, given to the departments, except the termination of the war in the usual language in which provision is made for the ascertainment of the end of the war.

The House had an amendment exempting canned, bottled, or packed fruits or vegetables from renegotiation. The Senate had an amendment exempting processed dairy products from renegotiation. Both amendments were disagreed to in conference. It was believed that the $500,000 over-all exemption would take care of most of the canners or processors.

We were unable to get the House conferees to agree to the Senate amendment exempting machine tools, having a life of over 10 years, from renegotiation. The definition of subcontract as contained in existing law, and in the Senate bill, was adopted, except that office supplies were specifically exempted from the articles coming within the subcontract definitions. It is understood that office sup-

plies are now exempt under administrative interpretation.

We have received some complaints from contractors whose total contracts for the fiscal year aggregate slightly over $500,000. For example, a contractor might receive total amounts for his fiscal year aggregating $510,000. While this would make his contracts subject to renegotiation, it is not intended that the renegotiation shall reduce such amounts received below $500,000, and, on inquiry, I find that that is the disposition of certain of the departments charged with renegotiation.

The language of the statute is "contracts aggregating $500,000 received or accrued", and it has been pointed out by at least one of the secretaries that it would be easy in the case of contracts totaling just a little more than $500,000 for the contractor to decline to receive that amount, in which event his total contracts would not be renegotiated.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. McKELLAR. I simply ask the Senator to yield for the purpose of expressing my very great appreciation and approval of the report of the committee, which he, as its chairman, has made, concerning the renegotiation of contracts.

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). The question is on agreeing to the conference report.

The report was agreed to.

SUPPLY AND DISTRIBUTION OF FARM LABOR FOR 1944—CONFERENCE REPORT

Mr. McKELLAR. I submit the conference report on House Joint Resolution 208, making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1944, and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The report will be read.

The Chief Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 208) "making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1944," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 17, 19, 22, and 33.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 38, 39, 41, 44, and 45, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"TITLE I—DEPARTMENT OF AGRICULTURE
"WAR FOOD ADMINISTRATION

"For assisting in providing an adequate supply of workers for the production, harvesting, and preparation for markets of agricultural commodities essential to the prosecution of the war, $30,000,000, which sum, together with the amount appropriated in the Act of April 29, 1943 (Public Law 45), shall be merged into one fund, to remain available until December 31, 1944, and to be expended by the War Food Administrator (hereinafter referred to as the "Administrator"), appointed pursuant to Executive Order Numbered 9334, dated April 19, 1943, as follows:"

And the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment and the matter proposed to be inserted by said amendment, insert the following: ", including the furnishing of health and medical services to (a) agricultural workers and their families housed in any labor supply center operated as a part of this program, or (b) migratory agricultural workers and their families who, without recruitment or assistance of any Government agency, have entered the area served by any such labor supply center and are engaged in agricultural work in such area, and to whom adequate health and medical services are not otherwise available"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: ", the repayments from employers for such advances to be created to the funds available to the Administrator; (4) determination and payment of claims (not exceeding $50 in any one case) of workers recruited in foreign countries (a) who, in preparation for transportation to or from the United States and subsequent failure of such transportation, have suffered losses, or (b) who have been transported to the United States and during said transportation, including embarkation and debarkation, have suffered the loss of or damage to personal effects"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the figure "(4)" in said amendment, insert the following: "(5)"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment, insert the following: "(b) The Administrator is authorized and directed to enter into agreements with the agricultural extension services of the land-grant colleges in the respective States to furnish, on behalf of the United States, for domestic interstate agricultural workers and their families and foreign agricultural workers and their families, while such workers are employed within any such State, any or all of the following services or functions which such State extension services are willing to undertake: Health and medical and burial services, training, subsistence, allowances, supervision, protection and shelter, maintenance and keeping of records of compliance with contracts and international agreements or treaties respecting such workers, and health and medical services for agricultural workers and their families encompassed by clauses (a) and (b) of subsection (a) (2) of this section. The Administrator may require the modification or determination of any agreement with any such extension service whenever he finds such action to be necessary in order to carry out the terms of any treaty or international agreement to which the United States of America is signatory. Whenever a satisfactory agreement cannot be negotiated with any such extension service, or pending the negotiation of an agreement, or whenever the Administrator finds it necessary to terminate an agreement, he shall carry out the foregoing responsibilities and functions with respect to such workers and their families by direct expenditure by the War Food Administration. The Administrator shall allocate to any State extension service from the amount made available by this section, in the manner provided in section 2 of this title, such funds as may be necessary to carry out the duties and responsibilities agreed upon by the Administrator and such State extension service under the provisions of this subsection. The Administrator is further authorized, in connection with the purposes of this subsection, to loan to any State any labor supply center and the facilities and equipment thereof, owned by the United States, under such terms and conditions as he may specify."

And the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the figure proposed to be stricken out by said amendment and the matter proposed to be inserted by said amendment, insert the following: "one and one-half per centum"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment and the matter proposed to be inserted by said amendment, insert the following: "or seasonal agricultural products"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment and the matter proposed to be inserted by said amendment, insert the following: "title, except as otherwise provided herein,"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: At the end of the matter inserted by said amendment, insert the following:

"For the purposes of this title the War Department may utilize the Administrator and the Extension Services in the respective States to make such investigations and certifications with respect to the need for utilizing prisoners of war and the emergency use of soldiers of the United States and with respect to the terms and conditions of employment, as may be required by the War Department in order to assure that the terms of such treaties or international agreements are complied with."

And the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"(k) The Act of April 29, 1943 (Public Law 45), as amended, is hereby further amended by striking out 'January 31, 1944' and inserting 'the date of enactment into law of House Joint Resolution 208 of the Seventy-eighth Congress'. All obligations incurred during the period between January 31, 1944, and the date of the enactment into law of this Act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms of such Public Law 45, as amended."

And the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In line 13 of the matter inserted by said amendment and after the words "agricultural products,", insert the following: "including the timber and lumber industries, and," and in line 53 of the matter inserted by said amendment before the colon and the words *"Provided further"*, insert the following: "for which provision is made in title I of this Act"; and the Senate agree to the same.

KENNETH MCKELLAR,
CARL HAYDEN,
RICHARD B. RUSSELL,
GERALD P. NYE,
RUFUS C. HOLMAN,
Managers on the part of the Senate.

CLARENCE CANNON,
C. A. WOODRUM,
LOUIS LUDLOW,
J. BUELL SNYDER,
LOUIS C. RABAUT,
JOHN TABER,
R. B. WIGGLESWORTH,
D. LANE POWERS,
Managers on the part of the House.

Mr. McKELLAR. Mr. President, I wish to point out the principal changes which have been made by the conferees. Question was raised as to the amount of the appropriation. It was fixed by the Senate at $35,000,000, and it was fixed by the House at $27,000,000, in addition to the unexpected balances from the last calendar year. The conferees compromised somewhat by fixing the amount at $30,000,000 in addition to the amount of unexpended balances of last year.

The next item of importance will be found on page 2. The House had fixed $17,500,000. The conferees agreed to an amendment providing not less than $14,000,000 and not more than $18,500,000.

The next item is on page 3. The amount to be invested in new buildings was decreased from $200,000, as passed by the House, to $100,000, and the amount for services in that connection was reduced from $40,000 to $20,000.

The next matter of any importance is in regard to medical supplies. The conferees agreed on an amendment which moderated the language of both Houses.

At the bottom of page 6 we find the next item. The House had provided an appropriation of $200,000 for administrative purposes. The conferees agreed on 1½ percent instead of 2 percent, as fixed by the Senate.

The next item is on page 9. A prohibition was entered against setting up permanent regional offices, and that was agreed to.

The proposition that the receipts from workers might be used as a revolving fund was agreed to.

There was an amendment offered, as I recall, by my friend the Senator from Arizona [Mr. HAYDEN] regarding the use of wood pulp. I shall desist at this point and ask him to explain that to the Senate, and then I shall ask for a vote on the conference report.

Mr. HAYDEN. Mr. President, with respect to title II of the bill it was agreed to as it passed the Senate, with the clarifying words that it should include the lumber and timber industries. That was the only change made in the amendment, and it was made in order to make it perfectly clear that the aliens imported for that purpose, as I mentioned on a previous occasion, would be employed in that type of industry and in getting wood pulp for paper and for box shook needed for apple and orange boxes.

Mr. WHITE. Mr. President, let me ask the Senator from Tennessee and the Senator from Arizona whether I am correct in my understanding that to a very substantial degree the conference report represents the views of the Senate committee and of the Senate itself.

Mr. McKELLAR. That is correct. The House conferees were very generous in yielding as they did.

Mr. WHITE. I know that the proposed legislation had very careful consideration in the Senate committee, and that it received a somewhat thorough discussion on the floor of the Senate.

Mr. McKELLAR. And in the full committee.

Mr. WHITE. I desire to be sure that in the main the conference report responds to the Senate's thought.

Mr. McKELLAR. It does.

Mr. HOLMAN. Mr. President, if the Senator from Arizona has concluded his observations, will he yield?

Mr. HAYDEN. Yes; I was merely answering a question.

Mr. HOLMAN. I desire to report to the acting chairman of the Committee on Appropriations and the chairman of the Senate conferees that this morning General Smith of the General Staff of the United States Army called upon me in reference to an amendment to the conferees' amendment to amendment numbered 42. He requested that it be further amended so as to strike out the words "the Administrator and Extension Services in the respective States", and to substitute therefor the words "any Federal agency", and so as to place a period after the words "War Department", and to delete the words next following, and so forth.

Without going into the details, I ask unanimous consent that a memorandum on the matter be printed in the RECORD at this point, as a part of my remarks.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

That the conferees' amendment to Amendment No. 42 to House Joint Resolution 208 be further amended so as to strike out the words "the Administrator and the Extension Services in the respective States" and substitute therefor the words "any Federal agency," and so as to place a period after the words "War Department" and to delete the words next following, which read "in order to assure that the terms of such treaties or international agreements are complied with." The amendment referred to will then read as follows:

"For the purposes of this title the War Department may utilize any Federal agency to make such investigations and certifications with respect to the need for utilizing prisoners of war and the emergency use of soldiers of the United States and with respect to the terms and conditions of employment, as may be required by the War Department."

NOTE.—The purpose of the above amendment, which is requested by the War Department, is to make it permissible for the War Department to utilize the fact-finding and fact-determining assistance of any appropriate Federal agency in helping the War Department to determine the most useful allocation of prisoner-of-war labor in relation to the total wartime manpower requirements of the Nation.

Mr. McKELLAR. Mr. President, I have a copy of the memorandum. Of course, it is perfectly satisfactory to have it printed in the RECORD, but the suggestion came too late and could not possibly be included in the conference report.

Mr. HOLMAN. Yes. Of course, I understand it is too late, but I desired to have the RECORD show, if it be agreeable to the conferees present and to the Senate, that our purpose was to make the language elastic, not restrictive, so that the rule of reason could apply. I discussed this matter with the Senator from Arizona [Mr. HAYDEN], who may want to elaborate somewhat on the subject.

Mr. HAYDEN. Mr. President, if the Senator will yield, let me say that when this matter was brought to my attention, the way it appealed to me was that all that the conferees had done in accepting the House amendment was permissive. It says that for the purposes of this title, the War Department may utilize the Administrator and the Extension Services. If the War Department, in allocating the use of prisoners of war, desires to seek information from any other place or from any other source in the Government, it is perfectly at liberty to do so.

I called up Representative CANNON, chairman of the House committee, and that is exactly his determination. There seemed to be an idea in the War Department that, because we mentioned these two agencies of government, namely, the War Food Administrator and the Extension Services, that meant the War Department could not ask anyone else about it. That does not follow at all. It is incumbent upon the War Department to make the wisest and best possible use of war prisoners; and if there is information available anywhere—from the War Manpower Commission or from any other source of the Government—which would influence the War Department's judgment, it is not only at liberty to secure such information, but is bound to do so.

So it is a permission which has this effect: Prior to the enactment of the legislation, the only way a prisoner of war could be obtained was by previous consultation with the War Manpower Commission. Instances were brought to the attention of the committees wherein crops had been lost because it took so long to have the request go through all the channels. This is a short cut which permits action to be taken if the War Department feels inclined to do so. The suggestion is that it is the right thing to do, but the provision would not compel the War Department to do anything, and it would not limit the sources of information relative to what the War Department should do.

Mr. HOLMAN. I thank the Senator.

Mr. AUSTIN. Mr. President, will the Senator yield for a question?

Mr. HAYDEN. I yield.

Mr. AUSTIN. By virtue of the language "services essential to the preservation, marketing, or distribution of agricultural products," is title II intended to cover forest products?

Mr. HAYDEN. In order to make that perfectly certain, we inserted, in the conference, the words "including timber and lumber industries," so that it would cover all forest products.

Mr. AUSTIN. So that, under the provisions of the proposed act, Canadians with a contract to cut forest trees for pulpwood or for other forest products would be eligible to enter the United States? They would be eligible, would they?

Mr. HAYDEN. Certainly. That is exactly what was intended to be done. We were advised that there were sources, including those the Senator mentioned, and that there were also certainly lumbermen who could be obtained from Newfoundland, and that there were available from British Honduras approximately 600 men who have been in Scotland cutting the pines which grew during the period between the two wars, and that those men were returning to their homes. The idea was that men who were engaged in cutting mahogany in tropical forests and who were skilled lumbermen could be brought into this country to help with respect to the wood-pulp situation and the situation with respect to box shook, in view of the fact that we are so short of boxes in which to pack apples and citrus fruits and vegetables.

Mr. AUSTIN. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

CONFIRMATION OF NOMINATIONS IN THE UNITED STATES PUBLIC HEALTH SERVICE

Mr. BARKLEY. Mr. President, as in executive session, I move that the nominations in the United States Public Health Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the Public Health Service nominations are confirmed en bloc.

MAJ. GEN. PATRICK JAY HURLEY

Mr. BARKLEY. I move that, as in executive session, the nomination of Brig. Gen. Patrick Jay Hurley to be major general, for temporary appointment in the Army of the United States, be considered and confirmed.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. BARKLEY. I ask unanimous consent that the President be immediately notified of all confirmations of today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 4 o'clock and 40 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, February 8, 1944, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate February 7, 1944:

PROMOTIONS IN THE FOREIGN SERVICE OF THE UNITED STATES

FROM FOREIGN SERVICE OFFICER OF CLASS 3 TO FOREIGN SERVICE OFFICER OF CLASS 2

Don C. Bliss, Jr., of Mississippi.
Walter J. Donnelly, of the District of Columbia.
William R. Langdon, of Massachusetts.
Alfred T. Nester, of New York.
Albert F. Nufer, of New York.

FROM FOREIGN SERVICE OFFICER OF CLASS 4 TO FOREIGN SERVICE OFFICER OF CLASS 3

Donald F. Bigelow, of Minnesota.
David McK. Key, of Tennessee.
Marcel E. Malige, of Idaho.
Renwick S. McNiece, of Utah.
Warwick Perkins, of Maryland.
J. Bartlett Richards, of Maryland.

FROM FOREIGN SERVICE OFFICER OF CLASS 5 TO FOREIGN SERVICE OFFICER OF CLASS 4

H. Merrell Benninghoff, of New York.
Gilson G. Blake, of Maryland.
Joseph F. Burt, of Illinois.
Reginald S. Castleman, of California.
Vinton Chapin, of Massachusetts.
Prescott Childs, of Massachusetts.
Charles H. Derry, of Georgia.
C. Paul Fletcher, of Tennessee.
Winthrop S. Greene, of Massachusetts.
William N. Gwynn, of California.
Eugene M. Hinkle, of New York.
Clarence E. Macy, of Colorado.
E. Talbot Smith, of Connecticut.
Francis H. Styles, of Virginia.

FROM FOREIGN SERVICE OFFFICER OF CLASS 6 TO FOREIGN SERVICE OFFICER OF CLASS 5

Sidney A. Belovsky, of New York.
Cavendish W. Cannon, of Utah.
Augustus S. Chase, of Connecticut.
William P. Cochran, Jr., of Pennsylvania.
Gerald A. Drew, of California.
Monroe B. Hall, of New York.
Cloyce K. Huston, of Iowa.
Perry N. Jester, of Virginia.
Kenneth C. Krentz, of Iowa.
J. Hall Paxton, of Virginia.
Guy W. Ray, of Alabama.
Walter N. Walmsley, Jr., of Maryland.
Robert S. Ward, of Ohio.

FROM FOREIGN SERVICE OFFICER OF CLASS 7 TO FOREIGN SERVICE OFFICER OF CLASS 6

Walworth Barbour, of Massachusetts.
Jacob D. Beam, of New Jersey.
Barry T. Benson, of Texas.
Max Waldo Bishop, of Iowa.
William E. Flournoy, Jr., of Virginia.
Morris N. Hughes, of Illinois.
Miss Elizabeth Humes, of Tennessee.
C. Grant Isaacs, of Tennessee.
Robert Janz, of Oklahoma.
Charles F. Knox, Jr., of New Jersey.
Henry P. Leverich, of New Jersey.
Raymond P. Ludden, of Massachusetts.
Thomas J. Maleady, of Massachusetts.
Patrick Mallon, of Ohio.
Robert Mills McClintock, of California.
Edward D. McLaughlin, of Arkansas.
Troy L. Perkins, of Kentucky.
Kennett F. Potter, of Missouri.
Joseph P. Ragland, of the District of Columbia.
John F. Stone, of Pennsylvania.
Tyler Thompson, of New York.
Joseph I. Touchette, of Massachusetts.
William C. Trimble, of Maryland.
Whitney Young, of New York.

FROM FOREIGN SERVICE OFFICER OF CLASS 8 TO FOREIGN SERVICE OFFICER OF CLASS 7

John L. Bankhead, of North Carolina.
M. Williams Blake, of Ohio.
Carl Breuer, of New York.
William F. Busser, of Pennsylvania.
Thomas S. Campen, of North Carolina.
David M. Clark, of Pennsylvania.
Harry M. Donaldson, of Pennsylvania.
Jay Dixon Edwards, of Oregon.
Perry Ellis, of California.
James Espy, of Ohio.
Richard D. Gatewood, of New York.
John L. Goshie, of New York.
John D. Jernegan, of California.
Hartwell Johnson, of South Carolina.
Easton T. Kelsey, of Michigan.
Andrew G. Lynch, of New York.
Robert B. Memminger, of South Carolina.
Charles S. Miliet, of New Hampshire.
Bolard More, of Ohio.
Brewster H. Morris, of Pennsylvania.
Jack B. Neathery, of Texas.
Miss Katherine E. O'Connor, of Indiana.
John Ordway, of the District of Columbia.
Charles O. Thompson, of Alaska.
S. Roger Tyler, Jr., of West Virginia.
Woodruff Wallner, of New York.
Philip P. Williams, of California.
Robert E. Wilson, of Arizona.

FROM FOREIGN SERVICE OFFICER, UNCLASSIFIED, TO FOREIGN SERVICE OFFICER OF CLASS 8

Roland K. Beyer, of Wisconsin.
Niles W. Bond, of Massachusetts.
Robert P. Chalker, of Florida.
Wymberley DeR. Coerr, of Connecticut.
V. Lansing Collins, Jr., of New York.
Adrian B. Colquitt, of Georgia.
Thomas J. Cory, of California.
Edward A. Dow, Jr., of Nebraska.
Nicholas Feld, of Mississippi.
William N. Fraleigh, of New Jersey.
John C. Fuess, of Massachusetts.
Boies C. Hart, Jr., of Connecticut.
Richard H. Hawkins, Jr., of Pennsylvania.
George D. Henderson, of California.
John P. Hoover, of California.
Donald W. Lamm, of the District of Columbia.
Frederick J. Mann, of New York.
Delano McKelvey, of the District of Columbia.
Miss Minedee McLean, of Louisiana.
Julian L. Nugent, Jr., of New Mexico.
Joseph Palmer 2d, of Massachusetts.
Richard H. Post, of New York.
M. Robert Rutherford, of Montana.
Robert C. Strong, of Wisconsin.
J. Kittredge Vinson, of Texas.
Alfred T. Wellborn, of Louisiana.
Charles H. Whitaker, of Massachusetts.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO INFANTRY

First Lt. William Myers Kasper, Coast Artillery Corps (temporary major), with rank from June 11, 1943.

TO AIR CORPS

First Lt. John Jacob Stark, Coast Artillery Corps (temporary major), with rank from June 12, 1937.

Second Lt. Boyd Blaine Chambers, Jr., Corps of Engineers (temporary first lieutenant), with rank from June 1, 1943.

Second Lt. Edward Lawrence Corcoran, Coast Artillery Corps (temporary first lieutenant), with rank from May 29, 1942.

Second Lt. Carroll Bernard McElroy, Infantry (temporary captain), with rank from February 20, 1942.

Second Lt. James Harper Walker, Infantry (temporary first lieutenant), with rank from June 1, 1943.

Second Lt. Ben. Marshall West, Coast Artillery Corps (temporary captain), with rank from June 11, 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 7, 1944:

UNITED STATES PUBLIC HEALTH SERVICE

PROMOTIONS EFFECTIVE FROM FEBRUARY 1, 1944

To be temporary passed assistant surgeons

John C. Grier
Paul V. Joliet

To be temporary surgeon

James R. Shaw

To be temporary dental surgeon

William C. Neaf

To be temporary passed assistant dental surgeon

Howard K. Wyatt

IN THE ARMY

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

To be major general

Patrick Jay Hurley

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 7, 1944

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Heavenly Father, Thou who art most holy, open our eyes that we may see the sin that encompasseth these times; arouse our courage, that we may withcut fear, denounce the evil which Thy truth reveals. Let us accept the light that Thou dost pour forth in the name of humanity's King and Lord.

For the lives and deeds which have come down to us from the past, grant that our hearts may breathe a most generous praise. Open our minds that we may welcome the unfettered truth: "The path of the just is as a shining light that shineth more and more unto the perfect day." O Thou who canst not tolerate the shams of capital, the selfishness of labor, and the haughtiness of learning, make us humbly and reverently aware of our personal responsibility to Thee who art a God of stainless right and eternal triumphs. Dear Lord, our country is in a tragic struggle, far from easy, that freedom's dream may come true; the antagonisms of this day are very cruel and real. Above the contagion of earthly conflicts, reach forth Thine hand that the hounds of malice and hate may forever be defeated. Thou Christ, who appeals from every cot of pain, from the crowded street, weeps with every broken heart, and who art the inspiration of every redemptive effort, help us to do the brave deed and live the true life. In the name of our Saviour, we pray. Amen.

The Journal of the proceedings of Friday, February 4, 1944, was read and approved.

EXTENSION OF REMARKS

Mr. BULWINKLE. Mr. Speaker, seldom do I take the opportunity of asking unanimous consent to speak for 1 minute and revise and extend my remarks by inserting an editorial in the RECORD, and seldom do I seek the opportunity of advising my friends on the Republican side, but may I call to their attention a very fine editorial in the New York Times of February 5, 1944, on the soldiers' vote. It will do them all good to read it. I ask unanimous consent to extend my remarks by the insertion of that editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. MANSFIELD of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter on Japanese atrocities; also, I ask unanimous consent to extend my remarks and include a copy of an address on the problems of the development program for western Montana. The Public Printer informs me that this will cost $100 more than the amount allowed. I ask unanimous consent that it be printed nevertheless.

The SPEAKER. Is there objection?

There was no objection.

Mr. FITZPATRICK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein two articles which appeared in the Yonkers Home News, one on January 25, 1944, and one on February 1, 1944, setting forth the fact that Yonkers, N. Y., had established a very important record in having no industrial disturbances or strikes since Pearl Harbor and before.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. SIKES. Mr. Speaker, I ask unanimous consent that today, after any other special orders and the business of the day is disposed of, I may address the House for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. DONDERO. Mr. Speaker, on Wednesday next, after other special orders, I ask unanimous consent to address the House for 15 minutes on Abraham Lincoln and Alexander H. Stephens.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. ENGEL of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks and include an address delivered at the Republican Lincoln Day banquet at Plymouth, Mich., on Saturday, February 5.

The SPEAKER. Is there objection?

There was no objection.

DENATURALIZATION OF AMERICAN-BORN CITIZENS

Mr. J. LEROY JOHNSON. Mr. Speaker, I ask unanimous consent to speak for 1 minute and revise and extend my remarks by the inclusion of a resolution of the California Legislature.

The SPEAKER. Is there objection?

There was no objection.

[Mr. J. LEROY JOHNSON addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. TALBOT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and include a resolution adopted unanimously by the Des Moines Trade and Labor Assembly, January 16, 1944.

The SPEAKER. Is there objection?

There was no objection.

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and include portions of speeches made in the city of Ashland, Ohio, relative to the Korean movement. I am informed by the Public Printer that this will exceed the limit by $90. Nevertheless, I ask unanimous consent that it may be printed.

The SPEAKER. Is there objection?

There was no objection.

TAX REVISION AND SIMPLIFICATION

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. AUGUST H. ANDRESEN addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that during the debate of the Committee of the Whole on the Treasury and Post Office Department appropriation bills, I may have the privilege of inserting letters and other documentary material.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONSUMER SUBSIDIES

Mr. POAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

[Mr. POAGE addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend the remarks that I expect to make on the Treasury Department appropriation bill and include a letter and a table which I received from the Secretary of the Treasury.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include

therein several editorials on the late Raymond Clapper.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article by Murray Frank on the retiring chief of the Semitic Division of the Library of Congress, Dr. Israel Shapiro, which appeared in the Washington Post of Sunday, February 6, 1944.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of foreign trade zones on the Great Circle Routes, by Thomas Lyons, executive secretary of the Foreign Trade Zone Board. The Government Printer informs me that it would cost $105. I ask unanimous consent to extend my own remarks on the subject of the "peace now" movement.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISTRICT OF COLUMBIA SERVICEMEN HAVE NO RIGHT TO VOTE

Mr. GRANGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. GRANGER addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. BENNETT of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks and also to include a speech delivered over the radio by Congressman DIRKSEN.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. POULSON. Mr. Speaker, I ask unanimous consent that after the regular order of business and special orders of today I have permission to address the House for 15 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD an article from the Philadelphia Inquirer, by George E. Sokolsky, under date of February 4.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SOLDIER VOTE

Mr. CLASON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and also ask unanimous consent to extend my remarks in the RECORD and to include therein a letter which I received from the executive secretary of an American Legion post.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CLASON. Mr. Speaker, last week the House of Representatives had under consideration two or more measures relative to voting by men and women in the services. Much was said about Federal ballots which would permit voting only for President, Vice President, United States Senators, and Congressmen.

I am glad to bring to the attention of the Members of the House the position taken by veterans both of World War No. 1 and the present global war on this subject. One of the largest of the American Legion posts in the State of Massachusetts is Springfield Post, No. 21. The members of the American Legion are better informed on this subject than any other group in the United States. It is interesting to note that they desire that our present service men and women shall have the right to vote not only for National but also for State candidates at the November election.

I am in receipt of the following letter from Earle F. Bliss, executive secretary of Springfield Post, 21, Inc.:

THE AMERICAN LEGION,
SPRINGFIELD POST, 21, INC.,
Springfield, Mass., February 4, 1944.

Hon. CHARLES R. CLASON,
Congress of United States,
House Office Building,
Washington, D. C.

MY DEAR MR. CLASON: At the regular meeting of the Springfield Post, No. 21, the American Legion, held on February 3, 1944, it was voted that the post go on record favoring legislation permitting men and women of our armed forces to vote, providing this carries the right to vote not only for National but also for State candidates.

Very truly yours,

EARLE F. BLISS,
Executive Secretary.

The SPEAKER. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein two short newspaper articles.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that upon Thursday next, on the conclusion of legislative business and other special orders, I may address the House for 15 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SOLDIER VOTE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection

Mr. HOFFMAN. Mr. Speaker, if the gentleman from Mississippi [Mr. RANKIN] and the gentleman from Texas [Mr. WORLEY] will go over at the other end of the corridor, the north end, and ascertain what kind of a bill those gentlemen want, it would perhaps help us. Last week we adopted a bill which they sent over. Now, if I read the papers correctly, they do not know just what they do want. Just why do they change their ideas so quickly. If those two gentlemen would go over and learn what we can rely upon, perhaps we can help them out when we come to vote on it. Is it not asking a little too much to ask us to follow them when they do not appear to know where they are going or what they want?

The SPEAKER. The time of the gentleman has expired.

SOLDIER'S VOTING BILL

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a postal card which I received this morning. It is a typical postal card, I mean typical of the kind that I have been receiving from New York Communists. It is signed by Marvin Scilken. The postal card reads as follows:

NEW YORK, N. Y., *February 4, 1944.*

DEAR RANKIN: May you and your 223 colleagues who voted for that abortive soldier vote bill burn in hell for their despicable action.

Sincerely yours,

MARVIN SCILKEN.

The despicable action to which he refers was our action in voting to uphold the Constitution, preserve States' rights, and provide a method for the men and women in our armed forces to vote in a legal constitutional election for everything from President to constable, and to vote in the primaries.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent that after the business on the Speaker's desk and other special orders today I may address the House for 10 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

(Mr. BOREN, by unanimous consent, was granted permission to extend his own remarks in the RECORD.)

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

OFFICE OF FISHERY COORDINATION

The Clerk called the first bill on the Consent Calendar, S. 1242, to authorize appropriations for salaries and expenses, Office of Fishery Coordination.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLAND. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLAND. Mr. Speaker, I ask unanimous consent to make a short statement.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BLAND. Mr. Speaker, in my opinion, this bill probably should go off

the calendar. I hesitate to make that request this morning. I will look into it before the next consent calendar day and I will possibly ask that it be dropped from the calendar at that time.

OGDEN ORDNANCE DEPOT MILITARY RESERVATION

The Clerk called the next bill, H. R. 1488, to provide a right-of-way for an oil pipe line over the Ogden Ordnance Depot Military Reservation.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. ROBINSON of Utah. Mr. Speaker, reserving the right to object, I would like to explain this bill if there is any question in the gentleman's mind.

Mr. KEAN. The last time this bill came up the gentleman from New York [Mr. COLE] objected to the principle of having a permanent privately owned pipe line over a military reservation.

Mr. ROBINSON of Utah. The reason for the bill going over before was the fact that I was not on the floor at the time, and no one was present who understood the bill. The gentleman from New York [Mr. COLE] wanted an explanation of the bill. The principle involved, I think is not any different from that involved in the acquisition of any other land by the Government, any other pipe line. There is now a pipe line over the reservation, but it is there with the understanding that the amount to be paid to the Government for the pipe line going over this particular reservation shall be fixed by the Secretary of War. The only question involved is to fix the amount to pay for the pipe line that is now being used over this military reservation.

Mr. KEAN. As I understand this bill, this right is not revocable.

Mr. ROBINSON of Utah. I think after it is one in there it cannot be revoked, but it has to be paid for, and under the discretion of the Secretary.

Mr. KEAN. What moneys will accrue to the United States?

Mr. ROBINSON of Utah. Whatever amount the Secretary decides should accrue. It is left entirely in his discretion.

Mr. KEAN. In your experience is it customary for the United States to allow a permanent pipe line, or something of that sort, to go through its reservations without providing that the United States has a right to cancel that at any time it wants to?

Mr. ROBINSON of Utah. The United States could cancel it through condemnation any time it wanted to, if that was necessary. This is the usual practice.

Mr. KEAN. This is the usual practice?

Mr. ROBINSON of Utah. That is correct, and this is a unanimous report from the Committee on Military Affairs, which considered this bill.

Mr. KEAN. The gentleman is certain that this has been done many times before, over a military reservation?

Mr. ROBINSON of Utah. There is no question in my mind about it.

Mr. KEAN. Mr. Speaker, I withdraw my request.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and empowered, under such terms and conditions as are deemed advisable by him, to grant to the Utah Oil Refining Co., its successors and/or assigns, an easement for a right-of-way for an oil pipe line over, across, in, and upon the water supply tract of the Ogden Ordnance Depot Military Reservation, in the State of Utah: *Provided*, That such right-of-way shall be granted only upon a finding by the Secretary of War that the same will be in the public interest and will not substantially injure the interest of the United States in the property affected thereby: *Provided further*, That all or any part of such right-of-way may be annulled and forfeited by the Secretary of War if the property is needed for governmental purposes or for failure to comply with the terms or conditions of any grant hereunder, or for nonuse or for abandonment of rights granted under authority hereof: *And provided further*, That all moneys which may accrue to the United States under the provisions of this act shall be deposited in the Treasury as miscellaneous receipts.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO EXPEDITE PAYMENT FOR LAND ACQUIRED DURING THE WAR PERIOD

The Clerk called the next bill, S. 919, to expedite the payment for land acquired during the war period.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EMPLOYMENT OF ENGINEERS AND ECONOMISTS ON RECLAMATION WORK

The Clerk called the next bill, H. R. 3429, to amend section 1 of an act entitled "An act authorizing the Secretary of the Interior to employ engineers and economists for consultation purposes on important reclamation work," approved February 28, 1929 (45 Stat. 1406), as amended by the act of April 22, 1940 (54 Stat. 148).

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SMITH of Ohio. Mr. Speaker, reserving the right to object, may we have an explanation of this bill?

Mr. WHITE. Mr. Speaker, I will say to the gentleman that in the war emergency the Department of the Interior wants to employ certain trained personnel, men who have been with the Department for years and who have now retired. They want to bring them back temporarily. In order to do that there would be a very complicated arrangement with reference to the retirement pay. They want retirement compensation to go on just as it is, without interfering with that retirement pay, and just pay these men their salaries during the time they are employed in this emergency as engineers and technicians, who are sorely needed. This bill is a simple, little plan, without upsetting the whole retirement pay act, to just allow them to be paid their salaries, and not interfere with the present arrangement. It is a simple thing.

Mr. SMITH of Ohio. Is this recommended by the Army?

Mr. WHITE. It is.

Mr. SMITH of Ohio. What will be the cost?

Mr. WHITE. There is no cost except the salaries that are paid these men for their services. These men are eminently qualified to perform those services. They have been in the technical engineering work for years and now have retired. The withdrawal of defense personnel has made an acute shortage and they want to call these people back into the service temporarily and they want to do it without going into any rearrangement of the retirement pay.

Mr. RAMSPECK. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. RAMSPECK. I have looked into this bill and I spoke to the gentleman from Idaho about it once before. I think it is all right.

Mr. SMITH of Ohio. This brings back into the employment of the Government certain persons who had been in the employ of the Government before?

Mr. WHITE. Yes.

Mr. SMITH of Ohio. So that these persons will then be able to take advantage of the increased retirement pay?

Mr. WHITE. No. This bill is to prevent that.

Mr. PHILLIPS. Will the gentleman yield?

Mr. SMITH of Ohio. I yield.

Mr. PHILLIPS. This is to prevent just that being done, and to suspend retirement pay during the time of this returned service.

Mr. SMITH of Ohio. So that if these men are taken back they will not get the benefit of the increased retirement pay?

Mr. PHILLIPS. That is correct.

Mr. WHITE. That is correct.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of February 28, 1929 (45 Stat. 1406), as amended by the act of April 22, 1940 (54 Stat. 148), authorizing the Secretary of the Interior to employ engineers and economists for consultation purposes on important reclamation work, is hereby amended by changing the period to a colon and adding the following: "*Provided further*, That, notwithstanding the provisions of any other act, retired personnel of the Department of the Interior may be employed by the Secretary of the Interior as consultants in accordance with the provisions of this act, without deductions from compensation for retirement, without loss of or redetermination of retirement status, and without loss or reduction of retirement annuity or other benefits by reason of such employment, except that there shall be deducted from the compensation otherwise payable to any such retired employee sums equal to the retirement annuity or benefit allocable to the days of actual employment hereunder."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KLAMATH DRAINAGE DISTRICT

The Clerk called the next bill, H. R. 3476, to approve a contract negotiated with the Klamath drainage district and to authorize its execution, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, reserving the right to object, this is a very complicated bill and I would like the gentleman from Idaho [Mr. WHITE] to give some explanation of it.

Mr. WHITE. It is to authorize the Secretary of the Interior to execute a contract with the Klamath drainage district. It is fully set out in the report. It has been approved by the Department. The whole matter is set out in the report. It is to the advantage of the Government and the Department to have it done.

Mr. KEAN. Why should the Government change a contract that has already been agreed upon?

Mr. WHITE. Well, that calls for a lengthy explanation I will say to the gentleman, which is set out in the report. I will read from page 2 of the report:

> I have recognized, however, that the district does have a serious problem of debt. I have recognized also that the Government has been able to realize revenues from these Government-owned lands because of the distribution system built by the district. In the circumstances, a plan was proposed to the district whereby it would be relieved of the balance of its obligation under the 1917 contract ($47,627.89 as of December 31, 1942) and would have the remaining obligation under the 1921 contract, as amended, rescheduled, and the district would in turn relinquish any claim it might have to the revenues from the Government-owned lands. This plan has been accepted by the district.

So it is simply a rearrangement and refinancing of the plan. I will appreciate it if we could have this bill acted upon now.

Mr. KEAN. Was this a unanimous report from the committee?

Mr. WHITE. It was.

Mr. KEAN. And the gentleman feels that to waive this payment due to the United States is distinctly for the best interests of the United States?

Mr. WHITE. I do.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the contract dated April 28, 1943, negotiated by the Secretary of the Interior with the Klamath Drainage District and reported on as provided in subsections (a) and (c) of section 7 of the Reclamation Project Act of 1939 (53 Stat. 1187), is approved and the Secretary is hereby authorized to execute it on behalf of the United States.

SEC. 2. In aid of the administration of this contract and for other purposes—

(a) The act of May 27, 1920 (ch. 209, 41 Stat. 627), is hereby repealed.

(b) Lands owned by the United States, ceded by the States of California and Oregon pursuant to the act of February 3, 1905 (Cal. Stat. 1905, p. 4), and of January 20, 1905 (L. Oreg. 1905, ch. 5, p. 63), lying in Klamath County, Oreg., west of range 11 east, Willamette meridian, and in Siskiyou County, Calif., west of range 4 east, Mount Diablo meridian, shall be subject to all applicable provisions of the Federal reclamation laws concerning entry and patent, except that any part of these lands administered by the Fish and Wildlife Service pursuant to the existing agreement with the Bureau of Reclamation, as this may be amended from time to time with the approval of the Secretary, shall not be opened to entry.

(c) Net revenues heretofore and hereafter received from lands owned by the United States within the district boundaries shall be covered into the reclamation fund and shall be applied: First, to offset the balance of $47,627.89 as to which the district's obligation is to be released under the proposed contract; second, to offset the balance of the charges heretofore apportioned to the Government-owned lands in Klamath County, Oreg., pursuant to the act of May 27, 1920, supra, amounting to $36,714.37; third, to offset the balance of charges allocated as of December 31, 1942, to the Lower Klamath Lake Division; and, fourth, as an increment to the reclamation fund without further application to project construction costs.

(d) The lands in Siskiyou County, Calif., west of range 4 east, Mount Diablo meridian, and in the vicinity of Lower Klamath Lake, including the lands heretofore uncovered by the changing level of that lake, shall be deemed to be from and after December 31, 1942, part of the Modoc unit of the Tule Lake Division of the Klamath project. Net revenues which have accrued from Government-owned lands under the primary jurisdiction of the Bureau of Reclamation in that area prior to January 1, 1943, shall be applied to offset the balance of the charges allocated to the Lower Klamath Lake Division. Net revenues accruing from and after December 31, 1942, from such Government-owned lands shall be covered into the reclamation fund and applied: First, to offset the costs heretofore or hereafter incurred in connection with the completion of the Modoc unit; and, second, as an increment of the reclamation fund without further application to project construction costs.

SEC. 3. This act is declared to be a part of the Federal reclamation laws as these are defined in the Reclamation Project Act of 1939.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STATUS OF RETIRED JUDGES

The Clerk called the next bill, S. 156, relating to the status of retired judges.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STEWART. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. WALTER. Mr. Speaker, I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STEWART. Mr. Speaker, I object.

REQUIRING POLITICAL STATEMENTS TO CONTAIN NAMES OF PERSONS PUBLISHING OR DISTRIBUTNG THEM

The Clerk called the next bill, H. R. 2973, to provide that no person shall publish or distribute any political statement relating to a candidate for election to any Federal office which does not contain the name of the person responsible for its publication or distribution.

Mr. PRIEST. Mr. Speaker, reserving the right to object, and I shall not, I wish to ask the gentleman from Pennsylvania [Mr. WALTER] a question or two with reference to some of the language of this bill.

It occurs to me the bill is rather broad in its scope. I notice on page 1 in lines 7 and 8 the language:

> Or any other statement, relating to or concerning any candidate.

I wish the gentleman from Pennsylvania would explain just what this language means.

Mr. WALTER. It was intended through this bill to break up the vicious system of publishing and circulating reports about political candidates in such form that the responsibility of the person who published them could not be fixed. The language of this bill follows almost identically that of the Corrupt Practices Act of Pennsylvania, Ohio, and many other States. It will meet a situation where somebody will advertise against a candidate without disclosing his identity or publish reports about a candidate for a Federal office without making himself known.

Mr. PRIEST. The gentleman has explained that. I am in favor of the purpose of the bill. One further question, if the gentleman will permit, and that is whether in his judgment it would apply to an editorial published in a newspaper or whether it would in any way infringe on freedom of the press.

Mr. WALTER. No; the courts have passed on several corrupt practices acts and have held that they in no wise affect editorials. This is aside from the constitutional protection, which, of course, this bill could not affect. The right of fair comment by newspapers and others is not involved here. This simply is to prevent distribution of scurrilous and libelous political statements not bearing the name of anyone.

Mr. LUTHER A. JOHNSON. Mr. Speaker, will the gentleman yield?

Mr. PRIEST. I yield.

Mr. LUTHER A. JOHNSON. I believe the purpose of this bill is most commendable, but on reading the bill this morning I was rather perplexed to know whether it applied to cards issued by candidates. Does it apply to candidates' cards?

Mr. WALTER. Oh, no.

Mr. LUTHER A. JOHNSON. If it relates only to statements of fact I believe it ought to be passed.

Mr. WALTER. That is right; it in nowise affects a candidate's political card.

Mr. PRIEST. Mr. Speaker, I withdraw my reservation of objection.

Mr. PHILLIPS. Mr. Speaker, reserving the right to object, can the gentleman from Pennsylvania tell me in what detail this bill requires identification of the author of a statement? Does it require anything but the name?

Mr. WALTER. That is all.

Mr. PHILLIPS. It does not require any address?

Mr. WALTER. Only the name of the person responsible.

Mr. PHILLIPS. Or an association.

Mr. WALTER. That is right, the name of the person or persons, association, committee, or corporation.

Mr. PHILLIPS. It is worthless.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS. I yield.

Mr. COCHRAN. I have not the bill before me, but from a reading of the title of the bill I take it it would apply to the publication, for instance, as is done in my city, in newspapers of articles with reference to the records of candidates. Would this bill require the person writing such articles in a daily newspaper to have his name carried at the head of it or signed to it?

Mr. WALTER. Oh, no.

Mr. COCHRAN. The title would seem to so indicate.

Mr. WALTER. No; I think there is nothing which would make that necessary.

Mr. COCHRAN. I hope not. If so you are getting in a dangerous situation.

Mr. WALTER. It certainly does not affect editorials if that is what the gentleman means.

Mr. COCHRAN. I am talking about articles. I do not want to interfere with the freedom of the press.

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice. Will the gentleman from Pennsylvania agree to that?

Mr. WALTER. Yes.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent that the bill be passed over without prejudice.

Is there objection?

There was no objection.

IMPLEMENTING THE JURISDICTION OF SERVICE COURTS OF FRIENDLY FOREIGN FORCES

The Clerk called the next bill, H. R. 3241, to implement the jurisdiction of service courts of friendly foreign forces within the United States, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That as used in this act, unless the context clearly requires a different meaning—

(a) "Friendly foreign force" means any military, naval, or air force of any friendly foreign state with respect to which this act is operative by virtue of a Presidential declaration as provided in section 5 of this act.

(b) "Service court" means any military, naval, or air force court, or court martial, or similar tribunal of any friendly foreign force.

(c) "United States" means the United States, its Territories, its insular possessions (including the Philippine Islands), the Canal Zone, and any other place subject to the jurisdiction of the United States.

ARREST OF OFFENDERS

SEC. 2. Upon a specific or general request of the officer commanding any friendly foreign force, it shall be lawful for any person in the civil, military, or naval establishments of the United States having authority to arrest, summarily to arrest any member of such force designated in such request and to deliver him to the custody of any officer of such force or to the custody of the military or naval authorities of the United States who shall deliver him forthwith to the custody of an officer of such force.

ATTENDANCE OF WITNESSES

SEC. 3. (a) Any district court of the United States, or the United States courts of any Territory or possession, or any court of first instance of the Philippine Commonwealth, or the District Court of the United States for the District of Columbia, within the jurisdiction of which proceedings are had before any service court of a friendly foreign force, or within the jurisdiction of which any person is found, shall have jurisdiction, upon application made by a service court of a friendly foreign force, to issue to such person an order requiring him to appear before the service court or an officer designated to take a deposition for use before such service court and there to produce evidence or give testimony if so ordered. Any failure to obey such order of the court may be punished by said court as a contempt thereof: *Provided*, That the fees of such witnesses and the mileage at the rate allowed to witnesses attending the courts of the United States should be duly paid or tendered in advance to such witnesses, with funds to be supplied by the friendly foreign force. Except as expressly permitted by the court, in its discretion, no such order shall run into any other district.

(b) Attendance of witnesses in the armed services of the United States shall be obtained by request addressed to the discretion of the commanding officer of the person whose testimony is required.

(c) Persons subject to the jurisdiction of the United States, who are not members of a friendly foreign force, who shall give false testimony or shall commit any act in the presence of a service court of a friendly foreign force which, if committed before a court of the United States, would be in contempt thereof, shall upon conviction by a court of the United States be fined not more than $5,000 or imprisoned for not more than 1 year, or both.

IMMUNITIES OF COURTS AND WITNESSES

SEC. 4. Members of any service court of a friendly foreign force lawfully exercising jurisdiction in the United States in relation to members of such force, and any witnesses appearing before such service court, shall enjoy the same immunities and privileges as are enjoyed by members of a court martial of the United States and by witnesses appearing before such a court martial.

IMPRISONMENT

SEC. 5. Persons sentenced to imprisonment by a service court of a friendly foreign force may be confined in disciplinary barracks, guardhouses, or other places of detention of the United States armed forces or in penitentiaries or other institutions employed by the United States for the detention or treatment of prisoners, at the expense of the state on whose behalf the prisoner is detained.

SEC. 6. This act shall be operative with respect to the military, naval, or air forces of any foreign state only after a finding and declaration by the President that the powers and privileges provided herein are necessary for the maintenance of discipline. The President may at any time revoke such finding and declaration.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDISON DAY

The Clerk called the next business, House Joint Resolution 80, requesting the President to proclaim February 11, 1944, as Edison Day in commemoration of the birthday of Thomas Alva Edison.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

There was no objection.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that a similar Senate joint resolution (S. J. Res. 63) be substituted for the House joint resolution.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That the President of the United States is hereby authorized and requested to issue a proclamation designating February 11, 1944, as Thomas Alva Edison Day, and calling upon officials of the Government to display the flag of the United States on all Government buildings on said date and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider, and a similar bill, House Joint Resolution 80, were laid on the table.

AUTHORIZING CONSTRUCTION OF DEMONSTRATION PLANTS TO PRODUCE SYNTHETIC LIQUID FUELS

The Clerk called the next bill, H. R. 3209, authorizing the construction and operation of demonstration plants to produce synthetic liquid fuels from coal and other substances, in order to aid the prosecution of the war, to conserve and increase the oil resources of the Nation, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RANDOLPH. Mr. Speaker, this bill, H. R. 3209, is reported from the House Committee on Mines and Mining unanimously. The measure, however, which looks to the development of synthetic fuels in this country, is highly important. Your committee has requested a rule. We will bring the bill to the floor for adequate debate, and I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

AUTHORIZING THE SUSPENSION OF THE STATUTE OF LIMITATIONS IN CERTAIN CASES

The Clerk called the next bill, H. R. 3257, to amend subtitle "Insurance" of title II of the Merchant Marine Act, 1936, as amended, to authorize suspension of the statute of limitations in certain cases, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 226 (a) of subtitle "Insurance" of title II of the Merchant Marine Act, 1936, as amended, is

amended by inserting after the first sentence thereof a new sentence to read as follows: "If in the case of any vessel lost, damaged, or missing under circumstances which render it uncertain whether or not the loss of or damage to any person, vessel, cargo, or other property or interest under a policy of insurance or reinsurance issued or agreed to be issued under this subtitle or under an assumption of risk agreement equivalent thereto, is covered by such policy or agreement, the Commission has entered into or shall hereafter enter into any agreement, specific or general, with the assured under such policy or agreement or with other insurers of the same interest, or both, for payment to the assured on account of said loss or damage by the Commission or by such other insurers, or both, in accordance with the probabilities as to their respective liability, such agreement may include or be modified to include from its inception provisions suspending the operation of the statute of limitations with respect to suits against the United States arising out of the subject matter of such agreement, for a period ending not more than 4 years after the termination of the present war as determined under section 221 (a) hereof."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE CLARK-McNARY ACT

The Clerk called the next bill, S. 45, to amend section 3 of the act of June 7, 1924 (43 Stat. 653; 16 U. S. C. 566).

Mr. KEAN. Mr. Speaker, reserving the right to object, this bill provides an authorization of some $7,000,000, too large to be considered on the Consent Calendar. I therefore ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

COMPLIANCE WITH STATE INSPECTION LAWS

The Clerk called the next bill, S. 3405, making certain regulations with reference to fertilizers, feeds, nursery stock, or seeds that may be distributed by agencies of the United States.

Mr. STEFAN. Mr. Speaker, reserving the right to object, and I shall not, I rise merely to get some information about this bill because we from the Middle West are very much in favor of fertilizer and feed distribution. Will the author of the bill explain it so we may know what we are doing?

Mr. PETERSON of Florida. Mr. Speaker, I am not the chairman of the committee, but I am the one who introduced the bill at the request of the National Association of Commissioners of Agriculture.

The purpose of this bill is to require the Federal Government as it distributes fertilizers, seeds, or feeds to comply with State regulatory laws. For instance, in some instances in the West binder weed seed may get into seed distributed in the gentleman's State or my State. Also, in some instances Johnson grass frequently goes along with peanut seed.

The State, by reason of its experience, has worked out regulatory laws for the analysis or inspection of fertilizer, feeds, or seeds, and nursery stock. They are based on a vast experience. What may be best in one State is not necessarily best in another. The safest way is to have State regulation. The Federal Government distributing ingredients should be one of the first ones who want to comply. For some reason some of the agencies have refused to comply.

This was requested unanimously by the commissioners of agriculture of every State in the Union.

Mr. STEFAN. I know; but we need fertilizer and more seeds out in the country. I withdraw my objection.

Mr. KEAN. Mr. Speaker, reserving the right to object, can the gentleman tell me why they eliminated from this bill the fertilizer manufactured by the Tennessee Valley Authority? Why should all other fertilizer be subject to State laws other than the Tennessee Valley fertilizer?

Mr. PETERSON of Florida. I agree with the gentleman, but it was a matter of expediency. As I introduced the original bill, there was no such exemption. Then the Senate placed in the bill when it was in the Senate before a provision which provided that fertilizer distributed for experimental purposes and the President vetoed that because he did not want it to cover T. V. A. fertilizer. I would have much preferred to have the entire matter out, but it is a matter of necessity even to get as far as we are.

Mr. KEAN. Why should it be? Why should the Tennessee Valley Authority fertilizer be exempt?

Mr. PETERSON of Florida. I agree with the gentleman, but it is the only way to get the bill through. There is an amendment here which will have to be made to this to get it through today. We hope to work out something in conference.

Mr. KEAN. This is a House bill, not a Senate bill.

Mr. PETERSON of Florida. It passed the House and the Senate before and it was vetoed by pocket veto.

Mr. KEAN. Why not pass the House bill, then if the Senate does not put that in, it can be put in in conference? Why put in something that the gentleman does not consider proper to put in?

Mr. PETERSON of Florida. If we tried to put that in today we would run into an objection. I am trying to get three-quarters of a loaf when I cannot get a whole loaf. I would like to see that out. My original bill did not have it in, but in order to get it passed and approved it looks like we will have to have the exemption.

Mr. KEAN. Mr. Speaker, unless they accept an amendment cutting that out I will have to ask unanimous consent to pass the bill over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey [Mr. KEAN]?

There was no objection.

AMENDMENT TO ACT RELATING TO STOWAWAYS ON VESSELS

The Clerk called the next bill, H. R. 3602, to amend the act making it a misdemeanor to stow away on vessels.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc. That section 1 of the act entitled "An act making it a misdemeanor to stow away on vessels and providing punishment therefor," approved June 11, 1940 (54 Stat. 306; U. S. C., title 18, sec. 469), be, and it hereby is, amended to read as follows:

"That any person, without the consent of the owner, charterer, or master of any vessel and with intent to obtain, without paying therefor, transportation on such vessel to any place, within or without the United States, who shall board, enter, or secrete himself aboard such vessel, and shall be thereon at the time of departure of said vessel from a port, harbor, wharf, or other place within the jurisdiction of the United States, including the Canal Zone, or who, with such intent, having boarded, entered, or secreted himself aboard such vessel in any place within or without the jurisdiction of the United States, shall remain aboard any such vessel after such vessel has left such place and who shall be thereon at any place within the jurisdiction of the United States, including the Canal Zone, shall be guilty of a misdemeanor and shall be liable to a fine not exceeding $500 or imprisonment for a period not exceeding 1 year, or both, in the discretion of the court."

With the following committee amendment:

On page 2, line 5, after the word "who" insert "with such intent."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COOPERATIVE SUSTAINED-YIELD UNIT AGREEMENTS WITH FOREST OWNERS AND OPERATORS

The Clerk called the next bill, S. 250, to promote sustained-yield forest management in order thereby (a) to stabilize communities, forest industries, employment, and taxable forest wealth; (b) to assure a continuous and ample supply of forest products; and (c) to secure the benefits of forests in regulation of water supply and stream flow, prevention of soil erosion, amelioration of climate, and preservation of wildlife.

Mr. PACE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia [Mr. PACE]?

There was no objection.

NATIONAL SURVEY OF FOREST RESOURCES

The Clerk called the next bill, H. R. 3848, to amend section 9 of the act of May 22, 1929, authorizing and directing a national survey of forest resources.

Mr. PACE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia [Mr. PACE]?

There was no objection.

FEES AND COSTS IN THE CIRCUIT COURTS OF APPEALS

The Clerk called the next bill, H. R. 1569, to amend the act entitled "An act to amend the act creating the circuit

court of appeals in regard to fees and costs, and for other purposes," approved February 19, 1897 (29 Stat. 536; 28 U. S. C. 543).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to amend the act creating the circuit court of appeals in regard to fees and costs, and for other purposes," approved February 19, 1897 (29 Stat. 536; 28 U. S. C. 543), is amended to read as follows:

"That the second section of an act to establish circuit courts of appeals, passed March 3, 1891, be amended so that the clause therein which now reads, 'The costs and fees in the Supreme Court now provided for by law shall be costs and fees in the circuit courts of appeals,' shall read, 'The costs and fees to be charged and collected in each circuit court of appeals shall be prescribed from time to time by the Judicial Conference of Senior Circuit Judges upon the recommendation of the Director of the Administrative Office of the United States Courts. Such costs and fees shall be reasonable and uniform in all the circuits.'"

SEC. 2. Until the effective date of action of the Judicial Conference of Senior Circuit Judges pursuant to section 1 of this act, the table of fees and costs now in effect in the circuit courts of appeals shall remain in force.

With the following committee amendment:

On page 2, line 7, strike out "upon the recommendation of the Director of the Administrative Office of the United States Courts."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FEES CHARGED IN THE DISTRICT COURT OF THE UNITED STATES

The Clerk called the next bill, H. R. 1623, to amend an act entitled "An act to provide fees to be charged by clerks of the district courts of the United States," approved February 11, 1925 (43 Stat. 857), as amended (28 U. S. C., secs. 548–555).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act entitled "An act to provide fees to be charged by clerks of the district courts of the United States," approved February 11, 1925, as amended, is amended to read as follows:

"SEC. 2. Upon the institution of any suit or proceeding, whether by original process, removal, indictment, information, or otherwise, there shall be paid by the party or parties so instituting such suit or proceeding, as fees of the clerk for all services to be performed by him in such case or proceeding, except as hereinafter provided, the sum of $15: *Provided, however,* That the clerk shall not be required to account for any such fee not collected by him in any criminal case: *Provided further,* That nothing herein contained shall prohibit the court from directing by rule or standing order the collection at the time the services are rendered of the fees herein enumerated from either party, but all such fees shall be taxed as costs in the respective cases."

SEC. 2. Sections 3, 4, and 7 of the act entitled "An act to provide fees to be charged by clerks of the district courts of the United States," approved February 11, 1925, as amended, are hereby repealed.

SEC. 3. Section 5 of the act entitled "An act to provide fees to be charged by clerks of the district courts of the United States," approved February 11, 1925, as amended, is amended to read as follows:

"SEC. 5. Upon the filing of any separate or joint notice of appeal or petition for appeal (including assignment of errors) to any circuit court of appeals or the Supreme Court of the United States, or upon the receipt of any order allowing or notice of the allowance of an appeal or a writ of certiorari from an appellate court, there shall be paid by the party or parties prosecuting such appeal or procuring such writ of certiorari, as an additional fee in said suit or action, or proceeding in bankruptcy, the sum of $5."

SEC. 4. Section 6 of the act entitled "An act to provide fees to be charged by clerks of the district courts of the United States," approved February 11, 1925, as amended, is amended to read as follows:

"SEC. 6. Upon the filing of any petition or application for a writ of habeas corpus, or appeal from a deportation order of a United States commissioner, there shall be charged and collected by the clerk, from the petitioner or applicant, as full payment for all services performed or to be performed by him in said proceeding, the sum of $5."

SEC. 5. Section 8 of the act entitled "An act to provide fees to be charged by clerks of the district courts of the United States," approved February 11, 1925, as amended, is amended to read as follows:

"SEC. 8. In addition to the fees for services rendered in cases, hereinbefore enumerated, the clerk shall charge and collect, for miscellaneous services performed by him, except when on behalf of the United States, reasonable fees which shall be prescribed from time to time by the Judicial Conference of Senior Circuit Judges upon the recommendation of the Director of the Administrative Office of the United States Courts: *Provided,* That in each criminal case not provided for in section 1033 of the Revised Statutes of the United States the clerk shall furnish each defendant, upon his request, a copy of any information filed or indictment returned against him, the fees for said copy and the certificate thereto, at the rates fixed as herein provided for, to be taxed as costs; but such fees shall not be demanded of any such defendant unless and until by order, judgment, or decree of the court the costs in the case are assessed against him."

SEC. 6. This amendatory act shall take 30 days after its enactment: *Provided,* That in all suits or actions or proceedings instituted prior to and pending of record on the effective date of this amendatory act, fees for services thereafter performed by clerks of district courts of the United States shall be charged and collected as if this amendatory act had not been enacted, and that until the effective date of action of the Judicial Conference of Senior Circuit Judges to prescribe fees for miscellaneous services pursuant to section 8 of the act of February 11, 1925, as amended by this act, fees for miscellaneous services shall continue to be charged and collected as if this amendatory act had not been enacted.

With the following committee amendment:

On page 3, line 23, strike out "upon the recommendation of the Director of the Administrative Office of the United States Courts."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNUAL COMPENSATION OF THE SECRETARY OF THE TERRITORY OF ALASKA

The Clerk called the next bill, H. R. 3362, to fix the annual compensation of the secretary of the Territory of Alaska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That from and after the date of passage of this act the salary of the secretary of the Territory of Alaska is fixed at $8,000 per annum.

SEC. 2. All acts and parts of acts in conflict herewith are repealed to the extent of such conflict.

With the following committee amendment:

On page 1, line 4, strike out "$8,000" and insert in lieu thereof "$7,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ASSISTING IN RELIEVING ECONOMIC DISTRESS IN PUERTO RICO

The Clerk called the next bill, S. 981, to assist in relieving economic distress in Puerto Rico.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, I wish someone would explain this bill.

Mr. McGEHEE. Mr. Speaker, I may say to the membership of the House that S. 981 was considered by the Insular Affairs Committee of the House and is before us with a favorable report together with amendments. The excise taxes that are being collected by Puerto Rico from products that are manufactured there and shipped to this country are being held in the Puerto Rican treasury, under the provisions of the basic act. For many years those taxes did not amount to so much. During the year 1942 they ran from $400,000 to $800,000 per month, but in 1943 they began to go up. In February 1943 they amounted to $1,193,813, and in August to $4,941,465.

The total in 1941 was $7,885,000, in 1942, $11,697,000, and in 1943, $39,850,000.

The prospects this year are that the total will run to between fifty and sixty million dollars. Those are collections principally from the rum tax.

Heretofore all aid that has been given by this Government to Puerto Rico in helping them in their economic distress and in their unemployment situation has been paid by our National Government through appropriations made by the Congress. The total expenditures that would be necessary for Puerto Rico in the maintenance of its government should not run over $50,000,000 a year; hence if the prospects are that this rum tax will continue running from $40,000,000 to $60,000,000 or $70,000,000 for the next 2 or 3 years, it is more money than they will need for their entire budget. Yet they will continue to collect several million dollars through their local taxes. Mr. Speaker, those of us who visited Puerto Rico this past summer, under the mandate of the Congress to investigate the political and social conditions of the island, found a condition of waste, unheard-of attempted social reforms, waste and extravagance in expenditures of moneys by the party in power, evidently in the hope of perpetuation, none of which would be approved by the

membership of Congress. Hence, the Committee on Insular Affairs, in considering this bill (S. 981), which is to assist in relieving economic distress in Puerto Rico, thought it wise that the Congress hold these funds that are being collected from the rum tax and other excise taxes, half of them to be placed in the Puerto Rican treasury and half placed in the Treasury of the United States. This money is still in the hands of the Congress, and can be utilized by it as it sees fit by future appropriation if, in its wisdom, it feels Puerto Rico is entitled to it.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. McGEHEE. I yield to the gentleman from Michigan.

Mr. CRAWFORD. In other words, at the present time the Federal statute provides that all taxes collected under the internal revenue laws of the United States on articles produced in Puerto Rico and transported to the United States or consumed in the islands shall be covered into the treasury of Puerto Rico.

Mr. McGEHEE. That is the present law.

Mr. CRAWFORD. What the committee desires to do here, and because of the reasons the gentleman has so well stated, is to change the present law so that 50 percent of the Puerto Rican export taxes on rum, cigarettes, cigars, and tobacco shall be placed under the control of the Congress of the United States, so that the Congress will have disposition of those funds for the benefit of the island of Puerto Rico and its people, according to the judgment of the Congress, thereby arranging matters so that the Puerto Rican Legislature cannot waste these funds in any way on projects and then come back to the Congress and ask us to make up whatever deficit they have, in order to care for their people. That is the real meaning of this bill.

Mr. MARCANTONIO. Reserving the right to object, Mr. Speaker, I regret exceedingly that I have to disagree with the gentleman who is presenting this bill, because I have the highest regard for him, but I feel that the economic aspects of Puerto Rico, which I hope to explain very shortly in a speech to this House, do not warrant taking these funds away from the Puerto Rican people. The money that has been collected under these taxes on rum by Puerto Rico has for years been used by the Puerto Rican goverment for local improvement and for carrying on many of the necessary activities of the government. Further, we are unduly interfering with the government of Puerto Rico by doing this. We are invading whatever little sovereignty we have left to it. We are taking away from Puerto Rico practically its only source of income. I think it is a serious and tragic error to pass this bill, and I must object to its consideration despite my high regard for the gentleman from Mississippi [Mr. McGEHEE].

The SPEAKER pro tempore. Objection is heard.

AMENDING SECTION 214 OF THE ACT OF FEBRUARY 28, 1925

The Clerk called the next bill, H. R. 3870, to amend section 214 of the act of February 28, 1925.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, effective July 1, 1943, section 214 of the act of February 28, 1925 (43 Stat. 1069; 39 U. S. C. 826), is amended to read as follows:

"The Postmaster General is hereby authorized to continue the work of ascertaining the revenues derived from and the cost of carrying and handling the several classes of mail matter and of performing the special services, and to state the results annually and pay the cost thereof out of the departmental and field appropriations of the several bureaus of the department supervising or conducting the studies."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING PUBLIC LAW 537, SEVENTY-SEVENTH CONGRESS, APPROVED MAY 2, 1942

The Clerk called the next bill, H. R. 2908, to amend Public Law 537, Seventy-seventh Congress, approved May 2, 1942.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, the report on this bill conflicts with the Ramseyer rule. Therefore, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

ARKANSAS-MISSISSIPPI BRIDGE COMMISSION

The Clerk called the next bill, S. 1255, to revive and reenact the act entitled "An act creating the Arkansas-Mississippi Bridge Commission; defining the authority, power, and duties of said Commission; and authorizing said Commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark., and for other purposes," approved May 17, 1939.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Reserving the right to object, Mr. Speaker, I should like to ask a question of the author of this bill, if he is present. The bill states that the work shall be commenced within 1 year and completed within 3 years from the date of the enactment of this act. Suppose the bridge is commenced and is only half or two-thirds completed at the end of the 3-year period? Under the wording of this bill, it would have to hang there forever, and the money would be wasted.

Mr. BOREN. The proviso to which the gentleman refers is the customary proviso that is placed in these bills to guarantee fulfillment of the purpose for which the legislation is designed. If a situation such as the gentleman points out should arise, the Congress would act expeditiously to settle the matter. It would be a mere matter of form, and has been done very many times heretofore.

Mr. CUNNINGHAM. The gentleman has no doubt but that that would be done?

Mr. BOREN. If such a situation should arise within 30 or 60 days in advance of the expiration of the term we would pass a bill extending the period. We felt that despite the fact this is a war period, in which the bridge may not be immediately commenced, it is wise to keep the regular provision in the bill. We can meet that contingency if it should arise.

Mr. CUNNINGHAM. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act approved May 17, 1939, heretofore extended by acts of Congress approved May 27, 1940, and July 14, 1941, creating the Arkansas-Mississippi Bridge Commission and authorizing such Commission to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at or near Friar Point, Miss., and Helena, Ark., be, and is hereby, revived and reenacted: *Provided*, That this act shall be null and void unless the actual construction of the bridge herein referred to be commenced within 1 year and completed within 3 years from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS THE MISSOURI RIVER, RANDOLPH, MO.

The Clerk called the next bill, S. 1504, to extend the time for completing the construction of a railroad bridge across the Missouri River at or near Randolph, Mo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the time for completing the construction of the railroad bridge and approaches thereto across the Missouri River at or near Randolph, Mo., authorized to be constructed, maintained, and operated by Frank O. Lowden, James E. Gorman, and Joseph B. Fleming, trustees of the estate of The Chicago, Rock Island & Pacific Railway Co., their successors and assigns, by an act of Congress approved August 7, 1939, heretofore extended by act of Congress approved June 6, 1940, is hereby further extended 4 years from August 7, 1944.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS THE MISSISSIPPI RIVER, SAUK RAPIDS, MINN.

The Clerk called the next bill, H. R. 3028, to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Sauk Rapids, Minn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the time for commencing and completing the construction of a bridge across the Mississippi River, at or near Sauk Rapids, Minn., authorized to be built by the Minnesota Department of Highways and the counties of Benton and Stearns in Minnesota, by an act of Congress approved October 9, 1940, are hereby extended 1 and 3 years, respectively, from October 9, 1943.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

On page 1, strike out "commencing and."

Line 8, strike out "are" and insert "is", and strike out "one and."

Line 9, strike out the comma and the word "respectively."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to extend the time for completing the construction of a bridge across the Mississippi River at or near Sauk Rapids, Minn."

BRIDGE ACROSS ST. LAWRENCE RIVER, OGDENSBURG, N. Y.

The Clerk called the next bill, H. R. 3164, to revive and reenact the act entitled "An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes," approved June 14, 1933.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act approved June 14, 1933, as amended (heretofore extended by acts of Congress approved June 8, 1934, May 28, 1935, April 11, 1936, August 12, 1937, April 26, 1939, June 8, 1940, and August 21, 1941), creating the Saint Lawrence Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the Saint Lawrence River at or near Ogdensburg, N. Y., be, and is hereby, revived and reenacted: *Provided*, That this act shall be null and void unless the actual construction of the bridge herein referred to be commenced within 2 years and completed within 4 years from the date of approval hereof.

The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to revive and reenact the act entitled 'An act creating the St. Lawrence Bridge Commission and authorizing said commission and its successors to construct, maintain, and operate a bridge across the St. Lawrence River at or near Ogdensburg, N. Y.,' approved June 14, 1933, as amended."

BUREAU OF ENGRAVING AND PRINTING

The Clerk called the next bill, S. 1447, to remit claims of the United States on account of overpayments to part-time charwomen in the Bureau of Engraving and Printing, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That remission is hereby made of any and all claims of the United States in consequence of payments of wages at the rate of 78 cents an hour, rather than at some lower rate or rates, for work performed during the period from August 1, 1942, to June 30, 1943, both dates inclusive, by part-time charwomen employed in the Bureau of Engraving and Printing of the Treasury Department. Remission is hereby made of any and all claims of the United States in consequence of payments of wages for hours of work in any one week in excess of 40 at the overtime rate of one and one-half times the rates at which payments were made for the first 40 hours of work in that week, rather than at some lower rate or rates, for work performed on or after December 22, 1942, by any of said part-time charwomen pursuant to temporary details (pending promotions) to assignments requiring 48 hours' work in 1 week. Said remissions are hereby made, notwithstanding any determination that the rate or rates at which said payments of wages were made is or are in excess of the rate or rates of pay established by law for said employment: *Provided*, That if said payments of wages at said rate of 78 cents an hour and at said overtime rate are otherwise correct, the Comptroller General is hereby authorized and directed to allow credit therefor in the accounts of the officers accountable therefor, to make no charge against any certifying officer because of certification of said payments of wages, and to remove every charge, if any, heretofore made against any certifying officer because of certification of said payments of wages.

SEC. 2. Nothing in this act shall be deemed to authorize the refund of any amounts heretofore withheld or deducted from wages paid to any of said part-time charwomen for work performed after June 30, 1943, in satisfaction or partial satisfaction of any and all claims or asserted claims of the United States in consequence of said payments of wages at said rate of 78 cents and at said overtime rate.

Mr. PRIEST. Mr. Speaker, I offer an amendment.

The clerk read as follows:

Amendment offered by Mr. PRIEST: On page 2, line 21, strike out all of section 2. Insert in lieu thereof:

"SEC. 2. The Secretary of the Treasury is hereby authorized and directed to make refunds of any and all amounts heretofore withheld or deducted from wages paid to any of said part-time charwomen for work performed after June 30, 1943, in satisfaction or partial satisfaction of any and all claims or asserted claims of the United States in consequence of said payments of wages at said rate of 78 cents and at said overtime rate. The annual appropriation for salaries and expenses, Bureau of Engraving and Printing, 1944, is hereby made available to the extent of $700 for the purpose of making said refunds as herein provided."

Mr. PRIEST. Mr. Speaker, just by way of explanation, the House bill that passed on December 6, 1943, contained the language of this amendment. The purpose of offering this amendment is merely to make the Senate bill conform to the House bill previously passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

USE OF THE PENALTY MAIL PRIVILEGE

The Clerk called the next bill, H. R. 4033, relating to the use of the penalty mail privilege.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That all envelopes, labels, wrappers, cards, and other articles, bearing the indicia prescribed by law for matter mailed free of postage under the penalty privilege by all executive departments and agencies, all independent establishments of the Government, and all other organizations and persons authorized by law to use the penalty privilege, shall be procured or accounted for through the Postmaster General under such regulations as he shall prescribe. The head of each such department, agency, establishment, or other organization, or each such person, shall submit to the Postmaster General within 60 days after the close of each fiscal year a statement showing the number of envelopes, labels, wrappers, cards, and other articles bearing such indicia on hand at the close of such fiscal year.

SEC. 2. (a) The Postmaster General shall report to the Congress and to the Bureau of the Budget as soon as practicable after the close of the fiscal year ending June 30, 1944, and within 90 days after the close of each subsequent fiscal year, the number of envelopes, labels, wrappers, cards, and other articles bearing such penalty indicia used during such fiscal year by each executive department and agency, by each independent establishment, and by each organization and person authorized by law to use the penalty privilege.

(b) The Postmaster General shall, beginning with the fiscal year beginning July 1, 1944, report quarterly to the Congress and the Bureau of the Budget the number of envelopes, labels, wrappers, cards, and other articles bearing such penalty indicia procured or accounted for, through him, by each such department, agency, establishment, and other organization and person, together with the estimated number of pieces and weight of matter mailed free of postage under the penalty privilege and the estimated cost of handling such matter as determined by the cost ascertainment procedure of the Post Office Department.

(c) Based on the estimated cost determined in accordance with subsection (b), each such department, agency, and independent establishment, except the Post Office Department, shall include in its annual estimates of appropriations an amount representing the anticipated costs to the Post Office Department of handling the penalty mail of such department, agency, or independent establishment.

(d) Within 30 days following determination and advice by the Postmaster General of the estimated cost of handling the penalty mail, each such department, agency, and independent establishment shall deposit in the general funds of the Treasury as miscellaneous receipts from its appropriations an amount equivalent to such costs.

SEC. 3. On and after August 1, 1944, no article or package of official matter, or number of articles or packages of official matter constituting in fact a single shipment, exceeding 4 pounds in weight shall be admitted to the mails under the penalty privilege, except (1) stamped paper and supplies sold or used by the postal service; and (2) books and documents published or circulated by order of Congress when mailed by the Superintendent of Public Documents or under the franking privilege.

SEC. 4. (a) Official matter not within the provisions of section 3 which is over 4 pounds in weight, if otherwise mailable, whether sealed or unsealed, including written matter, shall, if such matter does not exceed the limit of weight or size prescribed for fourth-class matter, be accepted for mailing upon the payment of postage at fourth-class rates.

(b) Shipments of official matter shall be sent by the most economical means of trans-

portation practicable, and the Postmaster General may refuse to accept any such matter for shipment by mail when in his judgment it is in the public interest that it be forwarded by other means at less expense.

SEC. 5. Sections 1 and 2 of this act shall not apply to the Department of War and the Department of the Navy for the duration of the present war and 6 months thereafter.

SEC. 6. All executive departments and agencies, all independent establishments of the Government, and all other organizations and persons authorized by law to use the penalty privilege, are directed to supply as soon as practicable, all necessary information requested by the Post Office Department to carry out the provisions of this act.

SEC. 7. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

SEC. 8. This act shall take effect July 1, 1944.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WATER SUPPLY OF THE CITY OF SITKA, ALASKA

The Clerk called the bill (H. R. 2956) for the protection of the water supply of the city of Sitka, Alaska.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, I reserve the right to object. Will the gentleman from Alaska tell us whether the city of Sitka, Alaska, is supplied by private water companies or by a municipally owned company?

Mr. DIMOND. The city of Sitka is supplied by a municipally owned water company, which was formerly under private control.

Mr. KEAN. I withdraw my reservation of objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted etc., That the tract of land hereinafter described, situated in the Territory of Alaska, is hereby reserved from all forms of location, entry, or appropriation, whether under the mineral or nonmineral land laws of the United States, and set aside as a municipal water-supply reserve for the use and benefit of the people of the city of Sitka, a municipal corporation of the Territory of Alaska, as follows, to wit: Beginning at corner numbered 1, identical with milepost 1, one line of United States Survey 1763 between corners numbered 2 and 3, thereof; thence north sixty-four degrees fifty-five minutes fifty seconds east twenty-seven and seventy one-hundredths chains to corner numbered 2 identical with corner numbered 3 of United States Survey Numbered 1763; thence following the summit of the drainage area of Cascade Creek approximately five and one-half miles to corner numbered 3; thence south ten degrees east approximately seventy chains to corner numbered 4 at diversion dam on Cascade Creek; thence south thirty degrees east approximately twenty-five chains to corner numbered 5; thence south seventy degrees east approximately eighty-three chains to corner numbered 1, the place of beginning and containing approximately three thousand two hundred and thirty-five acres.

SEC. 2. The lands hereinbefore described and reserved for municipal water-supply purposes, which are partly within the Tongass National Forest, shall be administered by the Secretary of Agriculture, for the purpose of storing, conserving, and protecting from pollution the said water supply, and preserving, improving, and increasing the timber growth on said lands, to more fully accomplish such purposes; and to that end said municipality shall have the right, subject to the approval of the Secretary of Agriculture, to the use of any and all parts of the lands reserved for the storage and conveying of water and construction and maintenance thereon of all improvements for such purposes: *Provided*, That the merchantable timber on the land to be used by the said municipality may be sold by the Secretary of Agriculture under rules and regulations to be prescribed by him: *And provided further*, That the right to the use by the city of Sitka of the lands reserved by this act shall terminate upon the abandonment of the use by such municipality in accordance with the terms of this act, and upon a finding of such nonuse or abandonment, for a period of 2 years, by the Secretary of Agriculture, whereupon the reservation created by this act shall terminate to the extent of such lands involved.

SEC. 3. The Secretary of Agriculture is hereby authorized to prescribe and enforce such regulations as may be found necessary to carry out the purpose of this act, including the right to forbid persons other than those authorized by him and the municipal authorities of said municipal corporation from entering or otherwise trespassing upon these lands, and any violation of this act or of regulations issued thereunder shall be a misdemeanor and shall be punishable as is provided for in section 5050, Compiled Laws of Alaska, 1933.

SEC. 4. Nothing herein contained shall affect any valid right or claim to any part of said lands heretofore acquired under any law of the United States.

With the following committee amendments:

On page 1, line 10, strike out the word "one" and insert in lieu thereof the word "on."

On page 2, line 16, after the word "are", insert the word "partly."

At the end of the bill add a new section reading as follows:

"SEC. 5. This act shall not become operative as to the lands set aside for the use of the War Department under Executive Order 9114, until such area is removed from the status of a military reservation and shall not become operative with respect to any part of the water supply reserve lying within the area reserved for military purposes until relinquishment of such area from military control, otherwise it shall become effective immediately."

The committee amendments were agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING PAY ADJUSTMENT ACT OF 1942

The Clerk called the bill (H. R. 1506) to further amend the Pay Adjustment Act of 1942.

The SPEAKER. Is there objection?

Mr. CUNNINGHAM. Mr. Speaker, I reserve the right to object. The language of the bill is that this shall continue until the termination of the war, instead of the termination of hostilities, or 6 months thereafter. That may be too long a period of time.

Mr. SPARKMAN. Mr. Speaker, if the gentleman will yield, my impression is that the language in this amendment is the same language used in the Pay Adjustment Act, so far as the war is concerned. In other words, various provisions with reference to the Pay Adjustment Act have been tied in with the period of the war, and while I do not have the act before me now, it is my opinion that the language used here is exactly the same as in the act.

Mr. CUNNINGHAM. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection?

The Clerk read the bill as follows:

Be it enacted, etc., That section 3A, Public Law 785, Seventy-seventh Congress, approved December 2, 1942, is amended to read as follows:

"SEC. 3A. During the existence of any war declared by Congress and for 6 months immediately following the termination of such war, in computing the service for all pay purposes of officers paid under the provisions of section 1, 3, or 8 of this act, such officers, in addition to the time required to be credited by such sections, shall be credited with full time for all periods during which they were enlisted or held appointments as warrant officers or Army field clerks, or as commissioned warrant officers in any of the services mentioned in the title of this act, or in the Regular Army Reserve, or in the Organized Militia prior to July 1, 1916, or in the National Guard, or in the National Guard Reserve, or in the National Guard of the United States, or in the Enlisted Reserve Corps, or in the Naval Militia, or in the National Naval Volunteers, or in the Naval Reserve Force, Naval Reserve, Marine Corps Reserve force, Marine Corps Reserve, Coast Guard Reserve, and the Reserve Corps of the Public Health Service, or in the Philippine Scouts, or in the Philippine Constabulary. The provisions of this section shall not be construed to permit any commissioned officer to receive pay and allowances in excess of the maximum limitations imposed upon the total pay and allowances of any rank or grade, by any of the provisions of this act."

With the following committee amendments:

Strike out all of lines 3, 4, and 5 of the bill and insert the following:

"That section 3A of the Pay Readjustment Act of 1942, as added by section 3 of the act of December 2, 1942 (Public Law 785, 77th Cong.), is hereby amended to read as follows:"

Strike out the word "officers" appearing in lines 9 and 10, page 1, of the bill, and substitute the word "persons" therefor in each place.

Strike out the words "or 8" appearing in line 10, page 1, of the bill and substitute therefor the words "8, or 9."

Strike out the words "such sections" appearing in line 11, page 1, of the bill and substitute therefor the words "the section under which they are paid."

Strike out the words "commissioned officer" appearing in line 15, page 2, of the bill and substitute therefor the word "person."

Strike out the words "any rank or grade" appearing in line 17, page 2, of the bill and substitute therefor the words "his rank, grade, or rating."

Change the period at the end of the bill appearing in line 18, page 2, to a comma and add the following: "nor to modify the character of service required for advancement of commissioned warrant officers to a higher pay period."

Add the following sections to the bill:

"SEC. 2. The sixth paragraph of section 8 of such act is hereby amended to read as follows:

"'Every person paid under the provisions of this section shall receive an increase of 5 percent of the base pay of his period for each 3 years of service, not exceeding 30 years. Such service shall be: active Federal service in any of the services mentioned in the title of this act or Reserve components thereof; service in the active National Guard of the several States, Territories, and the District of Columbia; and service in the Enlisted Reserve Corps of the Army, the Officers' Reserve Corps of the Army; the Naval Reserve, the Marine Corps Reserve, and the Coast Guard Reserve: *Provided*, That commissioned warrant officers shall be credited only with all commissioned service in any of the services mentioned in the title of this act including commissioned service in the Reserve components thereof and the National Guard.'

"SEC. 3. The third paragraph of section 9 of such act is hereby amended to read as follows:

"'Every enlisted man paid under the provisions of this section shall receive an increase of 5 percent of the base pay of his grade for each 3 years of service up to 30 years. Such service shall be active Federal service in any of the services mentioned in the title of this act or Reserve components thereof; service in the active National Guard of the several States, Territories, and the District of Columbia; and service in the Enlisted Reserve Corps of the Army, the Officers' Reserve Corps of the Army, the Naval Reserve, the Marine Corps Reserve, and the Coast Guard Reserve.'

"SEC. 4. The eleventh paragraph of section 1 and the first paragraph of section 3 of such act, as amended by the act of December 2, 1942, are each hereby further amended by inserting after the words 'Officers' Reserve Corps', where such words appear in each of those paragraphs, a comma and the following: 'or in the Medical Reserve Corps.'

"SEC. 5. This act shall become effective as of June 1, 1942, but no back pay or allowances for any period prior to such date shall accrue by reason of the enactment of this act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTABLISHING A CHIEF OF CHAPLAINS, UNITED STATES NAVY

The Clerk called the bill (H. R. 1023) to establish a Chief of Chaplains of the United States Navy.

The SPEAKER. Is there objection?

Mr. VINSON of Georgia. Mr. Speaker, I reserve the right to object. The bill is presented by the distinguished gentleman from Pennsylvania [Mr. BRADLEY]. It is impossible for him to be here today. In view of the fact that he has an amendment to offer, I ask unanimous consent that the bill be passed over without prejudice, and I am hoping the Speaker may recognize him tomorrow morning for the purpose of asking unanimous consent for the consideration of the bill. I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

AMENDING NATIONALITY ACT OF 1940

The Clerk called the bill (H. R. 3722) to amend section 342 of the Nationality Act of 1940 in respect to fees for the issuance of the certificates of arrival.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (a) of section 342 of the Nationality Act of 1940, approved October 14, 1940 (54 Stat. 1161; U. S. C., title 8, sec. 742 (a)), be, and it hereby is, amended to read as follows:

"SEC. 342. (a) The clerk of each and every naturalization court shall charge, collect, and account for the following fees:

"(1) For receiving and filing a declaration of intention, and issuing a duplicate and triplicate thereof, $3.

"(2) For making, filing, and docketing a petition for naturalization, $8, including the final hearing on such petition, if such hearing be held, and a certificate of naturalization, if the issuance of such certificate is authorized by the naturalization court."

SEC. 2. Subsection (b) of section 342 of the Nationality Act of 1940, approved October 14, 1940 (54 Stat. 1161; U. S. C., title 8, sec. 742 (b)), is hereby amended by striking out subparagraph (2) thereof, which reads as follows: "For the issuance of each certificate of arrival, $2.50." and by renumbering subparagraphs (3), (4), (5), (6), (7), (8), and (9) as subparagraphs (2), (3), (4), (5), (6), (7), and (8).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING DEFENSE HIGHWAY ACT OF 1941

The Clerk called the bill (H. R. 3912) to amend section 6 of the Defense Highway Act of 1941, as amended.

The SPEAKER. Is there objection?

Mr. KEAN. I reserve the right to object. This bill provides for the authorization of $25,000,000, and is evidently not a proper bill to have on the Consent Calendar. Therefore, I object.

LOSS OF UNITED STATES NATIONALITY

The Clerk called the bill (H. R. 4103) to provide for loss of United States nationality under certain circumstances.

The SPEAKER. Is there objection?

Mr. KEAN. Mr. Speaker, I reserve the right to object. This bill was put on the calendar on February 3, and I do not think it can be brought up today.

Mr. GEARHART. Mr. Speaker, I reserve the right to object. This deals with one of the most important subjects in respect to our citizenship. I do not think the bill should be called up. For that reason I object.

Mr. PRIEST. Mr. Speaker, I move that the call of the calendar be suspended after Calendar No. 230.

The SPEAKER. It will be suspended unless unanimous consent is provided otherwise. This bill is not properly before the House at this time.

EXTENSION OF REMARKS

Mr. BATES of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article appearing in the Polish Falcon of January 27, 1944.

The SPEAKER. Is there objection?

There was no objection.

BOARD OF VISITORS, UNITED STATES NAVAL ACADEMY

The SPEAKER. Pursuant to the provision of title 34, section 1081, United States Code, the Chair appoints as members of the Board of Visitors to the United States Naval Academy the following Members of the House: Mr. SCHUETZ, Mr. SASSCER, Mr. KING, Mr. BATES of Massachusetts, and Mr. STEFAN.

REVENUE ACT OF 1943—CONFERENCE REPORT

Mr. DOUGHTON. Mr. Speaker, I call up the conference report upon the bill (H. R. 3687) to provide revenue, and for other purposes, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

(The Clerk proceeded to read the statement of the conferees.)

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3687) to provide revenue, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 33, 52, 54, 56, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 140, 165, 185, 187, 200, 211, 214, 215, 222, 223, 224, 226, 227, 228, 250, 253, 276, 279, 285, 286, 292, 294, 304, 305, and 306.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 7, 20, 21, 22, 23, 24, 25, 26, 28, 38, 39, 41, 42, 43, 44, 45, 46, 48, 50, 51, 59, 60, 62, 63, 64, 65, 66, 74, 75, 76, 77, 78, 79, 82, 83, 84, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 122, 123, 124, 125, 127, 128, 130, 131, 132, 133, 134, 136, 137, 138, 139, 141, 142, 143, 145, 146, 147, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 181, 182, 183, 184, 188, 189, 190, 191, 192, 193, 194, 195, 196, 198, 201, 209, 210, 216, 217, 218, 219, 220, 221, 225, 229, 230, 231, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 251, 254, 255, 256, 257, 258, 259, 261, 262, 263, 264, 265, 266, 267, 269, 270, 271, 272, 273, 274, 275, 277, 278, 280, 281, 283, 284, 287, 288, 289, 291, 293, 297, 298, 300, 302, 303, 307, and 308, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

[In the following table, a section number enclosed in parentheses following the description of the subject matter of a section, subsection, or paragraph of this act indicates each provision of the Internal Revenue Code amended by such section, subsection, or paragraph of this act.]

"TABLE OF CONTENTS

"TITLE I—INDIVIDUAL AND CORPORATION INCOME TAXES AND WITHHOLDING OF TAX AT SOURCE ON WAGES

"Sec. 101. Taxable years to which amendments applicable.

"Sec. 102. Alternative tax on individuals with gross income from certain sources of less than $3,000 (sec. 400).

"(a) In general (sec. 400).

"(b) Technical amendment: Optional tax inapplicable to citizen entitled to benefits of section 251 (sec. 404).

"Sec. 103. Determination of status for purposes of personal exemption and credit for dependents (sec. 25 (b) (3))

"Sec. 104. Reduction of credits in case of short year limited to jeopardy (sec. 47 (e)).

"Sec. 105. Returns of income (sec. 51 (b)).
"(a) Determination of status (sec. 51 (f)).
"(b) Joint returns where spouses have different taxable years (sec. 51 (b)).
"Sec. 106. Victory tax.
"(a) Change in rate (sec. 450).
"(b) Repeal of credits against Victory tax (sec. 453).
"(c) Technical amendments (secs. 456 and 34).
"Sec. 107. Repeal of earned income credit.
"(a) In general (secs. 25 (a), 47 (d), and 135).
"(b) Earned income from sources without United States (sec. 116 (a)).
"Sec. 108. Certain fiscal year taxpayers.
"(a) In general (sec. 108).
"(b) Taxable years to which applicable.
"Sec. 109. Exclusion from gross income of mustering-out pay of members of armed forces (sec. 22 (b) (14)).
"Sec. 110. Last-in, first-out inventory.
"(a) In general (sec. 22 (d) (6)).
"(b) Effective date.
"Sec. 111. Denial of deduction for Federal excise taxes not deductible under section 23 (a) (sec. 23 (c)).
"Sec. 112. Deduction for losses on securities in affiliated corporations.
"(a) Stock losses (sec. 23 (g) (4) (B)).
"(b) Bond losses (sec. 23 (k) (5) (B)).
"(c) Taxable years to which applicable.
"Sec. 113. Partially worthless bad debts.
"(a) In general (sec. 23 (k)).
"(b) Years to which applicable.
"Sec. 114. Corporate contributions to veterans' organizations (sec. 23 (q)).
"Sec. 115. Special deduction for blind (sec. 23).
"Sec. 116. Credit for dividends paid on preferred stock of public utilities.
"(a) Dividends unpaid and accumulated (sec. 26 (h) (1)).
"(b) Stock issued to replace existing securities (sec. 26 (h) (2)).
"Sec. 117. Returns by organizations exempt from taxation.
"(a) In general (sec. 54).
"(b) Years to which applicable.
"Sec. 118. Penalties in connection with estimated tax.
"(a) In general (sec. 294).
"(b) Technical amendment (sec. 60 (b)).
"(c) Taxable years to which applicable.
"Sec. 119. Back pay attributable to prior years.
"(a) In general (sec. 107 (d)).
"(b) Technical amendment (sec. 107).
"(c) Taxable years to which applicable.
"Sec. 120. Election as to recognition of gain in certain corporate liquidations.
"(a) In general (sec. 112 (b) (7)).
"(b) Basis (sec. 113 (a) (18)).
"(c) Effective date.
"Sec. 121. Reorganization of certain insolvent corporations.
"(a) Nonrecognition of gain or loss on certain reorganizations (sec. 112 (b) (10)).
"(b) Recognition of gain or loss of security holders in connection with certain corporate reorganizations (sec. 112 (l)).
"(c) Basis (sec. 113 (a) (6) and (21)).
"(d) Technical amendments (secs. 112 and 718).
"(e) Effective date.
"Sec. 122. Reorganization by adjustment of capital structure prior to September 22, 1938 (sec. 113 (a)).
"Sec. 123 Gain from sale or exchange of property pursuant to orders of Federal Communications Commission.
"(a) In general (sec. 112 (m)).
"(b) Taxable years to which applicable.
"Sec. 124. Percentage depletion for flake graphite, vermiculite, potash, beryl, feldspar, mica, talc, lepidolite, barite, and spodumene.
"(a) In general (sec. 114 (b)).
"(b) Discovery value (sec. 114 (b)).
"(c) Definition of gross income from the property (sec. 114 (b)).
"(d) Percentage depletion for flake graphite retroactive to 1943.
"(e) Termination of percentage depletion for certain minerals.
"Sec. 125. Exclusion from gross income of certain cost-of-living allowances paid to civilian officers and employees of the Government stationed outside continental United States.
"(a) In general (sec. 116).
"(b) Taxable years to which applicable.
"Sec. 126. Nonrecognition of loss on certain railroad reorganizations made retroactive to 1939.
"(a) Amendment of section 112 (b) (9) (sec. 112 (b) (9)).
"(b) Amendment of section 113 (a) (20) (sec. 113 (a) (20)).
"(c) Amendment of section 142 (d) of the Revenue Act of 1942.
"Sec. 127. Gain or loss upon the cutting of timber.
"(a) In general (sec. 117 (k)).
"(b) Technical amendment (sec. 117 (j) (1)).
"(c) Effective date.
"Sec. 128. Acquisitions to evade or avoid income or excess profits tax.
"(a) In general (sec. 129).
"(b) Technical amendment (sec. 45).
"(c) Taxable years to which applicable.
"Sec. 129. Disallowance of certain deductions attributable to business operated by individual at loss for five years.
"(a) In general (sec. 130).
"(b) Effective date of amendment.
"Sec. 130. Technical amendments relating to foreign tax credit.
"(a) Limit on credit (sec. 131 (b)).
"(b) Taxes of foreign subsidiary (sec. 131 (f)).
"(c) Taxable years to which applicable.
"Sec. 131 Extension of consolidated returns privilege to certain corporations (sec. 141 (e)).
"Sec. 132. Nonresident aliens brought into United States under authority of War Manpower Commission (sec. 143 (b)).
"Sec. 133. Relief in the case of excess deductions of estates and trusts.
"(a) In general (sec. 162 (d)).
"(b) Effective date.
"Sec. 134. Trusts for maintenance or support of certain beneficiaries.
"(a) Income for benefit of grantor (sec. 167).
"(b) Taxable years to which applicable.
"Sec. 135. Mutual fire insurance companies issuing perpetual policies.
"(a) Taxability under section 204 (sec. 204 (a)).
"(b) Gross income (sec. 204 (b) (1)).
"(c) Dividends (sec. 204 (c) (11)).
"(d) Nontaxability under section 207 (sec. 207 (a)).
"(e) Real estate; bond premium and discount (sec. 207 (c) and (d)).
"(f) Taxable years to which applicable.
"Sec. 136. Treaty obligations.
"Sec. 137. Status for withholding at source on wages (sec. 1622 (h) (1)).

"TITLE II—EXCESS PROFITS TAX AND POST-WAR REFUND OF EXCESS-PROFITS TAX

"Part I—Excess profits tax amendments

"Sec. 201. Taxable years to which amendments applicable.
"Sec. 202. Increase in excess profits tax rate.
"(a) In general (sec. 710 (a) (1)).
"(b) Technical amendment relating to public utilities (sec. 710 (a) (1) (B)).
"(c) Credit for income subject to excess profits tax in special cases (sec. 26 (e)).
"Sec. 203. Certain fiscal-year taxpayers.
"(a) Computation of tax for taxable years beginning in 1943 and ending in 1944 (sec. 710 (a) (6)).
"(b) Computation of tax for taxable year beginning in 1941 and ending after June 30, 1942 (sec. 710 (a) (3)).
"(c) Taxable years to which applicable.
"Sec. 204. Increase in specific exemption.
"(a) In general (sec. 710 (b) (1)).
"(b) Return requirement (sec. 729 (b) (2)).
"(c) Consolidated returns (sec. 141 (c)).
"Sec. 205. Reduction of excess profits credits based on invested capital in certain brackets (sec. 714).
"Sec. 206. Publicity of relief granted under section 722.
"(a) In general (sec. 722).
"(b) Taxable years to which applicable.
"Sec. 207. Strategic minerals.
"(a) In general (sec. 731).
"(b) Taxable years to which applicable.
"Sec. 208. Nontaxable income of certain industries with depletable resources.
"(a) Technical amendment (sec. 735).
"(b) Definitions.
"(1) Definition of 'lessor,' 'natural gas company,' etc. (sec. 735 (a) (1), (2), (3), (4), and (5)).
"(2) Definition of 'timber block' (sec. 735 (a) (8)).
"(3) Definition of 'unit net income' (sec. 735 (a) (12)).
"(c) Nontaxable income (sec. 735 (b)).
"(d) Application where excess profits credit computed under income credit (sec. 711 (a) (1)).
"(e) Application where excess profits credit computed under invested capital credit (sec. 711 (a) (2)).
"(f) Retroactive effect of amendments affecting resources.
"Sec. 209. Exempt corporations (sec. 727 (h)).

"Part II—Post-war refund of excess profits tax

"Sec. 250. Post-war refund of excess profits tax.
"(a) Credit in case of fiscal year beginning in 1941 and ending after June 30, 1942 (sec. 780 (a)).
"(b) Transfers to successors of taxpayer (sec. 780 (c)).
"(c) Exemption of proceeds of bonds from tax (sec. 780 (d)).
"(d) Rights and liabilities of successor (sec. 780 (f) and (g)).
"(e) Effect of refunds (sec. 781 (b)).
"(f) Limitation on post-war credit (sec. 781 (d)).
"(g) Taxable years to which applicable.
"Sec. 251. Technical amendment to credit for debt retirement.
"(a) In general (sec. 783 (b) (2)).
"(b) Taxable years to which applicable.
"(c) Election with respect to prior taxable years.

"TITLE III—EXCISE TAXES

"Sec. 301. Effective date of title III.
"Sec. 302. Increases in rates.
"(a) In general (chapter 9A).
"(b) Effective date or period of certain increases.
"(1) Cabaret tax.
"(2) Billiard and pool tables and bowling alleys.
"(3) Telegraph, telephone, radio, and cable facilities.
"Sec. 303. Persons making fur articles from pelts furnished by customer (sec. 2401).
"Sec. 304. Suspension of manufacturers' excise tax on luggage (sec. 3406 (a) (2)).
"Sec. 305. Exemption of billiard and pool tables in hospitals from tax.
"(a) In general (sec. 3268 (a)).
"(b) Effective date.

"Sec. 306. Technical amendment of manufacturers' excise tax on tires and inner tubes (sec. 3400).
"Sec. 307. Termination of certain governmental excise tax exemptions.
"(a) (1) Tax-free sales under chapter 19 (sec. 2406 (a)).
"(2) Tax on pistols and revolvers (sec. 2700 (b) (1)).
"(3) Tax on firearms, shells, and cartridges (sec. 3407).
"(4) Tax on electrical energy (sec. 3411 (c)).
"(5) Tax-free sales under chapter 29 (sec. 3442).
"(6) Credits and refunds of taxes imposed by chapter 29 (sec. 3443 (a) (3) (A) (i)).
"(7) Tax on telegraph, telephone, radio, and cable facilities (sec. 3466 (a)).
"(8) Tax on transportation of persons (sec. 3469 (f)).
"(9) Tax on transportation of property (sec. 3475 (b)).
"(b) (1) Period with respect to which applicable (secs. 2406 (a), 3411 (c), and 3442 (3)).
"(2) Relating to articles enumerated in section 3404.
"(3) Relating to amendment of section 3443 (a) (3) (A) (i).
"(4) Relating to amendment of section 3466 with respect to taxes imposed by section 3465 (a) (1).
"(5) Relating to amendments of section 3469 (f) (1).
"(6) Definition of 'date of the termination of hostilities in the present war'.
"(c) Authorization of exemptions by Secretary of Treasury with respect to articles or services purchased for the exclusive use of the United States.
"Sec. 308. Floor stocks taxes.
"(a) Distilled spirits (sec. 2800).
"(b) Fermented malt liquors (sec. 3150).
"(c) Wines (sec. 3194).
"Sec. 309. Drawback on distilled spirits.
"(a) Distilled spirits exported (sec. 2887).
"(b) Distilled spirits used in manufacture of certain nonbeverage products (sec. 3250 (l) (5)).
"(c) Distilled spirits with respect to which applicable.
"(d) Time of eligibility for draw-back with respect to distilled spirits used in manufacture of certain nonbeverage products (sec. 3250 (l) (1)).
"(e) Time for filing claim for draw-back with respect to distilled spirits used prior to effective date of title III of Act.
"Sec. 310. Exemption of silver-plated flatware from tax on jewelry (sec. 2400).
"Sec. 311. Repeal of manufacturers' excise tax on vacuum cleaners (sec. 3406 (a) (3)).

"TITLE IV—POSTAL RATES

"Sec. 401. Effective date of Title IV.
"Sec. 402. First class mail.
"(a) Increase in rate for local delivery.
"(b) Increase in rate for air mail.
"Sec. 403. Increase in rate for fourth class mail.
"Sec. 404. Increase in rate for money orders.
"Sec 405. Increase in fees for registered mail.
"Sec. 406. Increase in fees for insured mail.
"Sec. 407. Receipts on registered mail and insured mail.
"Sec. 408. Collect-on-delivery service.
"(a) In general.
"(b) Effecting delivery upon changed terms.
"(c) Demurrage on collect-on-delivery parcels.
"Sec. 409. Additional fee for delivery of registered, insured, and collect-on-delivery mail to addressee only.
"Sec. 410. Termination of increases.
"(a) In general.
"(b) Definition of term 'termination of hostilities in the present war'.

"TITLE V—MISCELLANEOUS ESTATE TAX AND GIFT TAX AMENDMENTS, AND OTHER MISCELLANEOUS AMENDMENTS AND PROVISIONS

"Sec. 501. Valuation of unlisted stock and securities for estate tax purposes (sec. 811 (k)).
"Sec. 502. Certain discretionary trusts in connection with gift tax.
"(a) Amendment of Internal Revenue Code (sec. 1000).
"(b) Amendment of the Revenue Act of 1932.
"(c) Interest on overpayments.
"Sec. 503. Use of commissioners in cases before The Tax Court of the United States (sec. 1114).
"Sec. 504. Retroactivity of seven-year statute of limitations relating to bad debts.
"Sec. 505. Extension of time in connection with release of powers of appointment.
"Sec. 506. Repeal of certain provisions of the Current Tax Payment Act of 1943 relating to increased income.
"(a) In general.
"(b) Technical amendments.
"(c) Effective date.
"Sec. 507. Importation of standard newsprint.
"(a) In general.
"(b) Effective date.
"Sec. 508. Exemption from tax on playing cards exported for use of armed forces.
"(a) In general (sec. 1830).
"(b) Effective date.
"Sec. 509. Retroactive effect of section 169 of Revenue Act of 1942.
"(a) In general.
"(b) Certain transferees.
"Sec. 510. Capital gains and losses under declared value excess profits tax.
"(a) In general (sec. 602).
"(b) Taxable years to which applicable.
"Sec. 511. Disclaimed legacies passing to charities (secs. 812 (d) and 861 (a) (3)).
"(a) Deduction in case of citizens and residents (sec. 812 (d)).
"(b) Deduction in case of nonresidents not citizens (sec. 861 (a) (3)).
"(c) Estates with respect to which amendments applicable.
"Sec. 512. Distributions by personal holding companies (sec. 115 (a)).
"(a) In general (sec. 115 (a)).
"(b) Effective date.
"Sec. 513. Period of limitations in case of related taxes under chapters 1 and 2 (sec. 3807).
"(a) In general (sec. 3807).
"(b) Taxable years to which applicable.

"TITLE VI—FEDERAL UNEMPLOYMENT TAXES

"Sec. 601. Credits against Federal unemployment taxes (sec. 1601).
"Sec. 602. Credit against Federal unemployment taxes for years 1936 to 1942.

"TITLE VII—RENEGOTIATION OF WAR CONTRACTS

"Sec. 701. Renegotiation of war contracts.
"(a) Terms used.
"(b) Amendment to section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942.
"(c) Technical amendments (sec. 3806).
"(d) Effective date of amendments to section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942.

"TITLE VIII—REPRICING OF WAR CONTRACTS

"Sec. 801. Repricing of war contracts.
"Sec. 802. Effective date.

"TITLE IX—SOCIAL SECURITY TAXES

"Sec. 901. Automatic increase in 1944 rate not to apply.
"(a) Amendment to clauses (1) and (2) of section 1400 of Federal Insurance Contributions Act.
"(b) Amendment to clauses (1) and (2) of section 1410 of Federal Insurance Contributions Act.
"Sec. 902. Appropriations to the trust fund."

And the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: Strike out the matter proposed to be stricken out by the Senate amendment and insert the following:

"SEC. 102. Alternative tax on individuals with gross income from certain sources of less than $3,000.

"(a) In General. Section 400 (relating to optional tax) is amended to read as follows:

"'SEC. 400. Imposition of tax.

"'In lieu of the tax imposed under sections 11, 12, and 450, an individual who makes his return on the cash basis may elect, for each taxable year, to pay the tax shown in the following table if his gross income for such taxable year is less than $3,000 and consists wholly of one or more of the following: Salary, wages, compensation for personal services, dividends, interest, or annuities:

"Single person (not head of family)

"If the gross income is—		And the number of dependents is—							
		0	1	2	3	4	5	6	7 or more
At least	But less than	The tax shall be—							
$0	$525	$0	$0	$0	$0	$0	$0	$0	$0
525	550	1	0	0	0	0	0	0	0
550	575	5	0	0	0	0	0	0	0
575	600	10	0	0	0	0	0	0	0
600	625	14	0	0	0	0	0	0	0
625	650	19	0	0	0	0	0	0	0
650	675	24	1	1	1	1	1	1	1
675	700	30	2	2	2	2	2	2	2
700	725	35	3	3	3	3	3	3	3
725	750	40	3	3	3	3	3	3	3
750	775	45	4	4	4	4	4	4	4
775	800	51	5	5	5	5	5	5	5
800	825	56	6	6	6	6	6	6	6
825	850	61	6	6	6	6	6	6	6
850	875	66	7	7	7	7	7	7	7
875	900	71	8	8	8	8	8	8	8
900	925	77	10	9	9	9	9	9	9
925	950	82	15	9	9	9	9	9	9
950	975	87	21	10	10	10	10	10	10
975	1,000	92	26	11	11	11	11	11	11
1,000	1,025	97	31	12	12	12	12	12	12
1,025	1,050	103	36	12	12	12	12	12	12
1,050	1,075	108	41	13	13	13	13	13	13
1,075	1,100	113	47	14	14	14	14	14	14
1,100	1,125	118	52	15	15	15	15	15	15
1,125	1,150	124	57	15	15	15	15	15	15
1,150	1,175	129	62	16	16	16	16	16	16
1,175	1,200	134	67	17	17	17	17	17	17
1,200	1,225	139	73	18	18	18	18	18	18
1,225	1,250	144	78	18	18	18	18	18	18
1,250	1,275	150	83	19	19	19	19	19	19
1,275	1,300	155	88	22	20	20	20	20	20
1,300	1,325	160	94	27	21	21	21	21	21
1,325	1,350	165	99	32	21	21	21	21	21
1,350	1,375	170	104	37	22	22	22	22	22
1,375	1,400	176	109	43	23	23	23	23	23
1,400	1,425	181	114	48	24	24	24	24	24
1,425	1,450	186	120	53	24	24	24	24	24
1,450	1,475	191	125	58	25	25	25	25	25
1,475	1,500	197	130	64	26	26	26	26	26
1,500	1,525	202	135	69	27	27	27	27	27
1,525	1,550	207	141	74	27	27	27	27	27
1,550	1,575	212	146	79	28	28	28	28	28
1,575	1,600	217	151	84	29	29	29	29	29
1,600	1,625	223	156	90	30	30	30	30	30
1,625	1,650	228	161	95	30	30	30	30	30
1,650	1,675	233	167	100	34	31	31	31	31
1,675	1,700	238	172	105	39	32	32	32	32
1,700	1,725	244	177	111	44	33	33	33	33
1,725	1,750	249	182	116	49	33	33	33	33
1,750	1,775	254	187	121	54	34	34	34	34
1,775	1,800	259	193	126	60	35	35	35	35
1,800	1,825	264	198	131	65	36	36	36	36
1,825	1,850	270	203	137	70	36	36	36	36
1,850	1,875	275	208	142	75	37	37	37	37
1,875	1,900	280	214	147	81	38	38	38	38
1,900	1,925	285	219	152	86	39	39	39	39
1,925	1,950	290	224	157	91	39	39	39	39

"Single person (not head of family)—Con.

"If the gross income is—		And the number of dependents is—							
		0	1	2	3	4	5	6	7 or more
At least	But less than	The tax shall be—							
$1,950	$1,975	$206	$229	$163	$96	$40	$40	$40	$40
1,975	2,000	201	224	168	101	41	41	41	41
2,000	2,025	306	240	173	107	42	42	42	42
2,025	2,050	311	245	178	112	45	42	42	42
2,050	2,075	317	270	184	117	51	43	43	43
2,075	2,100	322	255	189	122	56	44	44	44
2,100	2,125	327	260	194	127	61	45	45	45
2,125	2,150	332	266	199	133	66	45	45	45
2,150	2,175	337	271	204	138	71	46	46	46
2,175	2,200	343	276	210	143	77	47	47	47
2,200	2,225	348	281	215	148	82	48	48	48
2,225	2,250	353	287	220	154	87	48	48	48
2,250	2,275	358	292	225	159	92	49	49	49
2,275	2,300	363	297	230	164	97	50	50	50
2,300	2,325	369	302	236	169	103	51	51	51
2,325	2,350	374	307	241	174	108	51	51	51
2,350	2,375	379	313	246	180	113	52	52	52
2,375	2,400	384	318	251	185	118	53	53	53
2,400	2,425	390	323	257	190	124	57	54	54
2,425	2,450	395	328	262	195	129	62	54	54
2,450	2,475	400	333	267	200	134	67	55	55
2,475	2,500	405	339	272	206	139	73	56	56
2,500	2,525	410	344	277	211	144	78	57	57
2,525	2,550	416	349	283	216	150	83	57	57
2,550	2,575	421	354	288	221	155	88	58	58
2,575	2,600	426	360	293	227	160	94	59	59
2,600	2,625	431	365	298	232	165	99	60	60
2,625	2,650	436	370	303	237	170	104	60	60
2,650	2,675	442	375	309	242	176	109	61	61
2,675	2,700	448	380	314	247	181	114	62	62
2,700	2,725	454	386	319	253	186	120	63	63
2,725	2,750	460	391	324	258	191	125	63	63
2,750	2,775	465	396	330	263	197	130	64	64
2,775	2,800	471	401	335	268	202	135	69	65
2,800	2,825	477	406	340	273	207	140	74	66
2,825	2,850	483	412	345	279	212	146	79	66
2,850	2,875	489	417	350	284	217	151	84	67
2,875	2,900	495	422	356	289	223	156	90	68
2,900	2,925	501	427	361	294	228	161	95	69
2,925	2,950	507	433	366	300	233	167	100	69
2,950	2,975	513	438	371	305	238	172	105	70
2,975	3,000	519	443	376	310	243	177	110	71

"Married person making separate return

"If the gross income is—		And the number of dependents is—							
		0	1	2	3	4	5	6	7 or more
At least	But less than	The tax shall be—							
$0	$650	$0	$0	$0	$0	$0	$0	$0	$0
650	675	5	1	1	1	1	1	1	1
675	700	11	2	2	2	2	2	2	2
700	725	16	3	3	3	3	3	3	3
725	750	21	3	3	3	3	3	3	3
750	775	26	4	4	4	4	4	4	4
775	800	32	5	5	5	5	5	5	5
800	825	37	6	6	6	6	6	6	6
825	850	42	6	6	6	6	6	6	6
850	875	47	7	7	7	7	7	7	7
875	900	52	8	8	8	8	8	8	8
900	925	58	9	9	9	9	9	9	9
925	950	63	9	9	9	9	9	9	9
950	975	68	10	10	10	10	10	10	10
975	1,000	73	11	11	11	11	11	11	11
1,000	1,025	78	12	12	12	12	12	12	12
1,025	1,050	84	17	12	12	12	12	12	12
1,050	1,075	89	22	13	13	13	13	13	13
1,075	1,100	94	28	14	14	14	14	14	14
1,100	1,125	99	33	15	15	15	15	15	15
1,125	1,150	105	38	15	15	15	15	15	15
1,150	1,175	110	43	16	16	16	16	16	16
1,175	1,200	115	48	16	17	17	17	17	17
1,200	1,225	120	54	18	18	18	18	18	18
1,225	1,250	125	59	18	18	18	18	18	18
1,250	1,275	131	64	19	19	19	19	19	19
1,275	1,300	136	69	20	20	20	20	20	20
1,300	1,325	141	75	21	21	21	21	21	21
1,325	1,350	146	80	21	21	21	21	21	21
1,350	1,375	151	85	22	22	22	22	22	22
1,375	1,400	157	90	24	23	23	23	23	23
1,400	1,425	162	95	29	24	24	24	24	24
1,425	1,450	167	101	34	24	24	24	24	24
1,450	1,475	172	106	39	25	25	25	25	25
1,475	1,500	178	111	45	26	26	26	26	26
1,500	1,525	183	116	50	27	27	27	27	27
1,525	1,550	188	122	55	27	27	27	27	27
1,550	1,575	193	127	60	28	28	28	28	28
1,575	1,600	198	132	65	29	29	29	29	29
1,600	1,625	204	137	71	30	30	30	30	30
1,625	1,650	209	142	76	30	30	30	30	30

"Married person making separate return—Continued

"If the gross income is—		And the number of dependents is—							
		0	1	2	3	4	5	6	7 or more
At least	But less than	The tax shall be—							
$1,650	$1,675	$214	$148	$81	$31	$31	$31	$31	$31
1,675	1,700	219	153	86	32	32	32	32	32
1,700	1,725	225	158	92	33	33	33	33	33
1,725	1,750	230	163	97	33	33	33	33	33
1,750	1,775	235	168	102	35	34	34	34	34
1,775	1,800	240	174	107	41	35	35	35	35
1,800	1,825	245	179	112	46	36	36	36	36
1,825	1,850	251	184	118	51	36	36	36	36
1,850	1,875	256	189	123	56	37	37	37	37
1,875	1,900	261	195	128	62	38	38	38	38
1,900	1,925	266	200	133	67	39	39	39	39
1,925	1,950	271	205	138	72	39	39	39	39
1,950	1,975	277	210	144	77	40	40	40	40
1,975	2,000	282	215	149	82	41	41	41	41
2,000	2,025	287	221	154	88	42	42	42	42
2,025	2,050	292	226	159	93	42	42	42	42
2,050	2,075	298	231	165	98	43	43	43	43
2,075	2,100	303	236	170	103	44	44	44	44
2,100	2,125	308	241	175	108	45	45	45	45
2,125	2,150	313	247	180	114	47	45	45	45
2,150	2,175	318	252	185	119	52	46	46	46
2,175	2,200	324	257	191	124	58	47	47	47
2,200	2,225	329	262	196	129	63	48	48	48
2,225	2,250	334	268	201	135	68	48	48	48
2,250	2,275	339	273	206	140	73	49	49	49
2,275	2,300	344	278	211	145	78	50	50	50
2,300	2,325	350	283	217	150	84	51	51	51
2,325	2,350	355	288	222	155	89	51	51	51
2,350	2,375	360	294	227	161	94	52	52	52
2,375	2,400	365	299	232	166	99	53	53	53
2,400	2,425	371	304	238	171	105	54	54	54
2,425	2,450	376	309	243	176	110	54	54	54
2,450	2,475	381	314	248	181	115	55	55	55
2,475	2,500	386	320	253	187	120	56	56	56
2,500	2,525	391	325	258	192	125	59	57	57
2,525	2,550	397	330	264	197	131	64	57	57
2,550	2,575	402	335	269	202	136	69	58	58
2,575	2,600	407	341	274	208	141	75	59	59
2,600	2,625	412	346	279	213	146	80	60	60
2,625	2,650	417	351	284	218	151	85	60	60
2,650	2,675	423	356	290	223	157	90	61	61
2,675	2,700	428	361	295	228	162	95	62	62
2,700	2,725	433	367	300	234	167	101	63	63
2,725	2,750	438	372	305	239	172	106	63	63
2,750	2,775	444	377	311	244	178	111	64	64
2,775	2,800	449	382	316	249	183	116	65	65
2,800	2,825	455	387	321	254	188	121	66	66
2,825	2,850	461	393	326	260	193	127	66	66
2,850	2,875	467	398	331	265	198	132	67	67
2,875	2,900	473	403	337	270	204	137	71	68
2,900	2,925	479	408	342	275	209	142	76	69
2,925	2,950	485	414	347	281	214	148	81	69
2,950	2,975	491	419	352	286	219	153	86	70
2,975	3,000	497	424	357	291	224	158	91	71

"(1) Married person whose spouse has no gross income or (2) married person making joint return or (3) head of family

"'If the gross income is—		And the number of dependents is—					
		0	1	2	3	4	5 or more
At least	But less than	The tax shall be—					
$0	$650	$0	$0	$0	$0	$0	$0
650	675	1	1	1	1	1	1
675	700	2	2	2	2	2	2
700	725	3	3	3	3	3	3
725	750	3	3	3	3	3	3
750	775	4	4	4	4	4	4
775	800	5	5	5	5	5	5
800	825	6	6	6	6	6	6
825	850	6	6	6	6	6	6
850	875	7	7	7	7	7	7
875	900	8	8	8	8	8	8
900	925	9	9	9	9	9	9
925	950	9	9	9	9	9	9
950	975	10	10	10	10	10	10
975	1,000	11	11	11	11	11	11
1,000	1,025	12	12	12	12	12	12
1,025	1,050	12	12	12	12	12	12
1,050	1,075	13	13	13	13	13	13
1,075	1,100	14	14	14	14	14	14
1,100	1,125	15	15	15	15	15	15
1,125	1,150	15	15	15	15	15	15
1,150	1,175	16	16	16	16	16	16
1,175	1,200	17	17	17	17	17	17
1,200	1,225	18	18	18	18	18	18
1,225	1,250	18	18	18	18	18	18
1,250	1,275	19	19	19	19	19	19
1,275	1,300	22	20	20	20	20	20

"(1) Married person whose spouse has no gross income or (2) married person making joint return or (3) head of family—Con.

"'If the gross income is—		And the number of dependents is—					
		0	1	2	3	4	5 or more
At least	But less than	The tax shall be—					
$1,300	$1,325	$27	$21	$21	$21	$21	$21
1,325	1,350	32	21	21	21	21	21
1,350	1,375	37	22	22	22	22	22
1,375	1,400	43	23	23	23	23	23
1,400	1,425	48	24	24	24	24	24
1,425	1,450	53	24	24	24	24	24
1,450	1,475	58	25	25	25	25	25
1,475	1,500	64	26	26	26	26	26
1,500	1,525	69	27	27	27	27	27
1,525	1,550	74	27	27	27	27	27
1,550	1,575	79	28	28	28	28	28
1,575	1,600	84	29	29	29	29	29
1,600	1,625	90	30	30	30	30	30
1,625	1,650	95	30	30	30	30	30
1,650	1,675	100	34	31	31	31	31
1,675	1,700	105	39	32	32	32	32
1,700	1,725	111	44	33	33	33	33
1,725	1,750	116	49	33	33	33	33
1,750	1,775	121	54	34	34	34	34
1,775	1,800	126	60	35	35	35	35
1,800	1,825	131	65	36	36	36	36
1,825	1,850	137	70	36	36	36	36
1,850	1,875	142	75	37	37	37	37
1,875	1,900	147	81	38	38	38	38
1,900	1,925	152	86	39	39	39	39
1,925	1,950	157	91	39	39	39	39
1,950	1,975	163	96	40	40	40	40
1,975	2,000	168	101	41	41	41	41
2,000	2,025	173	107	42	42	42	42
2,025	2,050	178	112	45	42	42	42
2,050	2,075	184	117	51	43	43	43
2,075	2,100	189	122	56	44	44	44
2,100	2,125	194	127	61	45	45	45
2,125	2,150	199	133	66	45	45	45
2,150	2,175	204	138	71	46	46	46
2,175	2,200	210	143	77	47	47	47
2,200	2,225	215	148	82	48	48	48
2,225	2,250	220	154	87	48	48	48
2,250	2,275	225	159	92	49	49	49
2,275	2,300	230	164	97	50	50	50
2,300	2,325	236	169	103	51	51	51
2,325	2,350	241	174	108	51	51	51
2,350	2,375	246	180	113	52	52	52
2,375	2,400	251	185	118	53	53	53
2,400	2,425	257	190	124	57	54	54
2,425	2,450	262	195	129	62	54	54
2,450	2,475	267	200	134	67	55	55
2,475	2,500	272	206	139	73	56	56
2,500	2,525	277	211	144	78	57	57
2,525	2,550	283	216	150	83	57	57
2,550	2,575	288	221	155	88	58	58
2,575	2,600	293	227	160	94	59	59
2,600	2,625	298	232	165	99	60	60
2,625	2,650	303	237	170	104	60	60
2,650	2,675	309	242	176	109	61	61
2,675	2,700	314	247	181	114	62	62
2,700	2,725	319	253	186	120	63	63
2,725	2,750	324	258	191	125	63	63
2,750	2,775	330	263	197	130	64	64
2,775	2,800	335	268	202	135	69	65
2,800	2,825	340	273	207	140	74	66
2,825	2,850	345	279	212	146	79	66
2,850	2,875	350	284	217	151	84	67
2,875	2,900	356	289	223	156	90	68
2,900	2,925	361	294	228	161	95	69
2,925	2,950	366	300	233	167	100	69
2,950	2,975	371	305	238	172	105	70
2,975	3,000	376	310	243	177	110	71

"'Joint returns.—If a joint return of husband and wife is filed, the amount of tax shown in the above table shall be reduced by 3 per centum of the smaller income of the two spouses, but not by more than $19.'"

"(b) Technical amendment: Section 404 (relating to certain taxpayers ineligible to compute tax under alternative method) is amended by inserting after 'nonresident alien individual,' the following: 'to a citizen of the United States entitled to the benefits of section 251,'."

And the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: Strike out the matter proposed to be stricken out by the Senate amendment and insert the following:

"SEC. 103. Determination of status for purposes of personal exemption and credit for dependents.

"Section 25 (b) (relating to credits for both normal tax and surtax) is amended by striking out paragraph (3) and inserting in lieu thereof the following:

"'(3) Determination of status: For the purpose of determining the amount of the personal exemption and credit for dependents, the status of the taxpayer shall be determined as of July 1 of the taxable year, unless the taxable year does not include July 1, in which case such status shall be determined as of the last day of the taxable year.'

"SEC. 104. Reduction of credits in case of short year limited to jeopardy.

"Section 47 (e) (relating to reduction of personal exemption and credit for dependents in case of short taxable year) is amended by striking out ', except a return made under subsection (a), on account of a change in the accounting period' and inserting in lieu thereof 'under section 146 (a) (1)'."

And the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: Strike out the matter proposed to be stricken out by the Senate amendment and insert the following:

"SEC. 105. Returns of income.

"(a) Individual returns: Section 51 (relating to individual returns) is amended by inserting at the end thereof the following:

"'(f) Determination of status: For the purposes of this section and section 142 (a), the determination of whether an individual is married and living with husband or wife shall be made as of July 1 of the taxable year, unless the taxable year does not include July 1, in which case such determination shall be made as of the last day of the taxable year'."

"(b) Joint returns: Section 51 (b) (relating to joint returns) is amended by inserting before the period at the end thereof 'or if husband and wife have different taxable years'."

And the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with amendments as follows: On page 8, line 10, of the Senate engrossed amendments, strike out "SEC. 102" and insert "SEC. 106."

On page 24, line 21, of the House bill, strike out "and 15" and insert "15, and 450"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "107"; and the Senate agreed to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "108"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: On page 9, line 4, of the Senate engrossed amendments, strike out "105" and insert "109"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: On page 9, line 14, of the Senate engrossed amendments, strike out "106" and insert "110"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "111"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with amendments as follows:

On page 11, line 20, of the Senate engrossed amendments, strike out "108" and insert "113";

On page 12, line 4, of the Senate engrossed amendments, after "year", insert a comma; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with amendments as follows: On page 12 of the Senate engrossed amendments, in line 9, strike out "109" and insert "114", and in line 14, strike out "end to" and insert "end of"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "115"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with amendments as follows:

On page 13 of the Senate engrossed amendments, in line 2, strike out "111" and insert "116", and in line 25, strike out "(9)" and insert "(10), or so much of section 112 (d) or (e) as relates to section 112 (b) (10),";

On page 28, line 1, of the House bill, strike out "112" and insert "117"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: On page 15, line 9, of the Senate engrossed amendments, after "exempt", insert "solely"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 118. Penalties in connection with estimated tax.

"(a) In General: Section 294 (relating to additions to the tax) is amended by striking out paragraphs (3), (4), and (5) of subsection (a) and inserting at the end thereof the following:

"'(d) Estimated Tax:

"'(1) Failure to file declaration or pay installment of estimated tax:

"'(A) Failure to File Declaration: In the case of a failure to make and file a declaration of estimated tax within the time prescribed, unless such failure is shown to the satisfaction of the Commissioner to be due to reasonable cause and not to willful neglect, there shall be added to the tax 5 per centum of each installment due but unpaid, and in addition, with respect to each such installment due but unpaid, 1 per centum of the unpaid amount thereof for each month (except the first) or fraction thereof during which such amount remains unpaid. In no event shall the aggregate addition to the tax under this subparagraph with respect to any installment due but unpaid, exceed 10 per centum of the unpaid portion of such installment. For the purposes of this subparagraph each installment shall be considered to be an amount equal to the amount that would have been due and payable if a declaration showing an estimated tax in the amount of the correct tax had been timely filed, and one such installment shall be considered due on the fifteenth day of the last month of that quarter of the taxable year in which the declaration is required to be filed, and another such installment shall be considered due on the fifteenth day of the last month of each succeeding quarter of the taxable year.

"'(B) Failure to Pay Installments of Estimated Tax Declared: Where a declaration of estimated tax has been made and filed within the time prescribed, or where a declaration of estimated tax has been made and filed after the time prescribed and the Commissioner has found that failure to make and file such declaration within the time prescribed was due to reasonable cause and not to willful neglect, in the case of a failure to pay an installment of the estimated tax within the time prescribed, unless such failure is shown to the satisfaction of the Commissioner to be due to reasonable cause and not to willful neglect, there shall be added to the tax 5 per centum of the unpaid amount of such installment, and in addition 1 per centum of such unpaid amount for each month (except the first) or fraction thereof during which such amount remains unpaid. In no event shall the aggregate addition to the tax under this subparagraph with respect to any installment due but unpaid, exceed 10 per centum of the unpaid portion of such installment.

"'Substantial underestimate of estimated tax: If 80 per centum of the tax determined without regard to the credits under sections 32, 35, and 466 (e)), in the case of individuals other than farmers exercising an election under section 60 (a), or 66⅔ per centum of such tax so determined in the case of such farmers, exceeds the estimated tax (increased by such credits), there shall be added to the tax an amount equal to such excess, or equal to 6 per centum of the amount by which such tax so determined exceeds the estimated tax so increased, whichever is the lesser. This paragraph shall not apply to the taxable year in which falls the death of the taxpayer, nor, under regulations prescribed by the Commissioner with the approval of the Secretary, shall it apply to the taxable year in which the taxpayer makes a timely payment of estimated tax within or before each quarter (excluding, in case the taxable year begins in 1943, any quarter beginning prior to July 1, 1943) of such year (or in the case of farmers exercising an election under section 60 (a), within the last quarter) in an amount at least as great as though computed (under such regulations) on the basis of the taxpayer's status with respect to the personal exemption and credit for dependents on the date of the filing of the declaration for such taxable year (or in the case of any such farmer, or in case the fifteenth day of the third month of the taxable year occurs after July 1, on July 1 of the taxable year) but otherwise on the basis of the facts shown on his return for the preceding taxable year.'

"(b) Technical Amendment: Section 60 (b) (relating to the application of declarations of estimated tax to short taxable years) is amended by striking out '294 (a) (3), (4), and (5), and inserting in lieu thereof '294 (d)'.

"(c) Taxable Years to Which Applicable: The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1942."

And the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows. Strike out the matter proposed to be stricken out by the Senate amendment and insert the following:

"SEC. 119. Back pay attributable to prior years.

"(a) In General: Section 107 (relating to compensation for certain services rendered) is amended by inserting at the end thereof the following new subsection:

"'(d) Back Pay:

"'(1) In general: If the amount of the back pay received or accrued by an individual during the taxable year exceeds 15 per centum of the gross income of the individual for such

year, the part of the tax attributable to the inclusion of such back pay in gross income for the taxable year shall not be greater than the aggregate of the increases in the taxes which would have resulted from the inclusion of the respective portions of such back pay in gross income for the taxable years to which such portions are respectively attributable, as determined under regulations prescribed by the Commissioner with the approval of the Secretary.

"'(2) Definition of back pay: For the purposes of this subsection, "back pay" means (A) remuneration, including wages, salaries, retirement pay, and other similar compensation, which is received or accrued during the taxable year by an employee for services performed prior to the taxable year for his employer and which would have been paid prior to the taxable year except for the intervention of one of the following events: (i) bankruptcy or receivership of the employer; (ii) dispute as to the liability of the employer to pay such remuneration, which is determined after the commencement of court proceedings; (iii) if the employer is the United States, a State, a Territory, or any political subdivision thereof, or the District of Columbia, or any agency or instrumentality of any of the foregoing, lack of funds appropriated to pay such remuneration; or (iv) any other event determined to be similar in nature under regulations prescribed by the Commissioner with the approval of the Secretary; and (B) wages or salaries which are received or accrued during the taxable year by an employee for services performed prior to the taxable year for his employer and which constitute retroactive wage or salary increases ordered, recommended, or approved by any Federal or State agency, and made retroactive to any period prior to the taxable year; and (C) payments which are received or accrued during the taxable year as the result of an alleged violation by an employer of any State or Federal law relating to labor standards or practices, and which are determined under regulations prescribed by the Commissioner with the approval of the Secretary to be attributable to a prior taxable year. Amounts not includible in gross income under this chapter shall not constitute "back pay".'

"(b) Technical Amendment: The title of section 107 is amended by adding at the end thereof the following: 'and back pay'.

"(c) Taxable Years to Which Applicable: The amendments made by this section shall be effective with respect to taxable years beginning after December 31, 1940."

And the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: On page 19, line 7, of the Senate engrossed amendments, strike out "114" and insert "120"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 121. Reorganization of certain insolvent corporations.

"(a) Nonrecognition of Gain or Loss on Certain Reorganizations: Section 112 (b) (relating to recognition of gain or loss upon certain exchanges) is amended by inserting at the end thereof the following:

"'(10) Gain or loss not recognized on reorganization of corporations in certain receivership and bankruptcy proceedings: No gain or loss shall be recognized if property of a corporation (other than a railroad corporation, as defined in section 77m of the National Bankruptcy Act, as amended) is transferred, in a taxable year of such corporation beginning after December 31, 1933, in pursuance of an order of the court having jurisdiction of such corporation—

"'(A) in a receivership, foreclosure, or similar proceeding, or

"'(B) in a proceeding under section 77B or Chapter X of the National Bankruptcy Act, as amended,

to another corporation organized or made use of to effectuate a plan of reorganization approved by the court in such proceeding, in exchange solely for stock or securities in such other corporation.'

"(b) Recognition of Gain or Loss of Security Holders in Connection With Certain Corporate Reorganizations: Section 112 (relating to recognition of gain or loss) is amended by inserting at the end thereof the following:

"'(i) Exchanges by Security Holders in Connection With Certain Corporate Reorganizations:

"'(1) General rule: No gain or loss shall be recognized upon an exchange consisting of the relinquishment or extinguishment of stock or securities in a corporation the plan of reorganization of which is approved by the court in a proceeding described in subsection (b) (10), in consideration of the acquisition solely of stock or securities in a corporation organized or made use of to effectuate such plan of reorganization.

"'(2) Exchange occurring in taxable years beginning prior to January 1, 1943: If the exchange occurred in a taxable year of the person acquiring such stock or securities beginning prior to January 1, 1943, then, under regulations prescribed by the Commissioner with the approval of the Secretary, gain or loss shall be recognized or not recognized—

"'(A) to the extent that it was recognized or not recognized in the final determination of the tax of such person for such taxable year, if such tax was finally determined prior to the ninetieth day after the date of the enactment of the Revenue Act of 1943; or

"'(B) in cases to which subparagraph (A) is not applicable, to the extent that it would be recognized or not recognized under the latest treatment of such exchange by such person prior to December 15, 1943, in connection with his tax liability for such taxable year.'

"(c) Basis: Section 113 (a) (relating to basis of property) is amended—

"(1) by inserting after '112 (b) to (e), inclusive,' in paragraph (6) the following: 'or section 112 (l),';

"(2) by inserting after 'property permitted by section 112 (b)' in paragraph (6) the following: 'or section 112 (l)'; and

"(3) by inserting after paragraph (21) the following:

"'(22) Property acquired on reorganization of certain corporations: If the property was acquired by a corporation upon a transfer to which section 112 (b) (10), or so much of section 112 (d) or (e) as relates to section 112 (b) (10), is applicable, then, notwithstanding the provisions of section 270 of the National Bankruptcy Act, as amended, the basis in the hands of the acquiring corporation shall be the same as it would be in the hands of the corporation whose property was so acquired, increased in the amount of gain recognized to the corporation whose property was so acquired under the law applicable to the year in which the acquisition occurred, and such basis shall not be adjusted under subsection (b) (3) by reason of a discharge of indebtedness pursuant to the plan of reorganization under which such transfer was made.'

"(d) Technical Amendments:

"(1) Section 112 (c) (relating to gain from exchanges not solely in kind) is amended by inserting after '(b) (1), (2), (3), or (5)', the following: ', or within the provisions of subsection (l),', and by inserting after 'paragraph' the following: 'or by subsection (l)'.

"(2) Section 112 (d) (relating to gain of corporation) is amended by inserting after 'subsection (b) (4)' the following: 'or (10)'.

"(3) Section 112 (e) (relating to loss from exchanges not solely in kind) is amended by inserting after 'subsection (b) (1) to (5), inclusive,' the following: 'or (10), or within the provisions of subsection (l),'.

"(4) So much of section 112 (g) (defining 'reorganization') as precedes paragraph (1) is amended to read as follows:

"'(g) Definition of reorganization: As used in this section (other than subsection (b) (10) and subsection (l) and in section 113 (other than subsection (a) (22))—.'

"(5) Section 112 (k) (relating to assumption of liability) is amended by striking out 'subsection (b) (4) or (5)' wherever appearing therein and inserting in lieu thereof the following: 'subsection (b) (4), (5), or (10)'.

"(6) Section 718 (a) (6) (A) is amended by striking out '112 (b) (3), (4), or (5), or so much of section 112 (c), (d), or (e) as refers to section 112 (b) (3), (4), or (5)' and inserting in lieu thereof '112 (b) (3), (4), (5), or (10), or so much of section 112 (c), (d), or (e) as refers to section 112 (b) (3), (4), (5), or (10).'

"(e) Effective date: Provisions having the effect of the amendments made by subsection (a), subsection (c) (3), and subsection (d) (2), (3), (4), (5), and (6), shall be deemed to be included in the revenue laws respectively applicable to taxable years beginning after December 31, 1933, but shall not affect any tax liability for any taxable year beginning prior to January 1, 1943. Provisions having the effect of the amendments made by subsection (b), subsection (c) (1) and (2), and subsection (d) (1), shall be deemed to be included in the revenue laws respectively applicable to taxable years beginning after December 31, 1931."

And the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 122. Reorganization by adjustment of capital structure prior to September 22, 1938.

"(a) In general: Section 113 (b) (relating to adjustments to the basis of property) is amended by inserting at the end thereof the following:

"'(4) Adjustment of capital structure prior to September 22, 1938: Where a plan of reorganization of a corporation, approved by the court in a proceeding under section 77B of the National Bankruptcy Act, as amended, is consummated by adjustment of the capital or debt structure of such corporation without the transfer of its assets to another corporation, and a final judgment or decree in such proceeding has been entered prior to September 22, 1938, then the provisions of section 270 of the National Bankruptcy Act, as amended, shall not apply in respect of the property of such corporation. For the purposes of this paragraph the term "reorganization" shall not be limited by the definition of such term in section 112 (g).'

"(b) Taxable years to which applicable: A provision having the effect of the amendment made by subsection (a) shall be deemed to be included in the revenue laws respectively applicable to taxable years beginning after December 31, 1935."

And the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 123. Gain from sale or exchange of property pursuant to orders of Federal Communications Commission.

"(a) In general: Section 112 is amended by adding at the end thereof a new subsection as follows:

"'(m) Gain from sale or exchange to effectuate policies of Federal Communications Commission: If the sale or exchange of property (including stock in a corporation) is certified by the Federal Communications Commission to be necessary or appropriate to effectuate the policies of the Commission with respect to the ownership and control of radio broadcasting stations, such sale or exchange shall, if the taxpayer so elects, be treated as an involuntary conversion of such property within the meaning of subsection (f) of this section. For the purposes of subsection (f) of this section as made applicable by the provisions of this subsection, stock of a corporation operating a radio broadcasting station, whether or not representing control of such corporation, shall be treated as property similar or related in service or use to the property so converted. The part of the gain, if any, upon such sale or exchange to which subsection (f) of this section is not applied shall nevertheless not be recognized, if the taxpayer so elects, to the extent that it is applied to reduce the basis for determining gain or loss upon sale or exchange of property, of a character subject to the allowance for depreciation under section 23 (l), remaining in the hands of the taxpayer immediately after the sale or exchange, or acquired in the same taxable year. The manner and amount of such reduction shall be determined under regulations prescribed by the Commissioner with the approval of the Secretary. Any election made by the taxpayer under this subsection shall be made by a statement to that effect in his return for the taxable year in which the sale or exchange takes place (or, with respect to taxable years beginning before January 1, 1944, by a statement to that effect filed within six months after the date of the enactment of the Revenue Act of 1943 in such manner and form as may be prescribed by regulations prescribed by the Commissioner with the approval of the Secretary) and such election shall be binding for the taxable year and all subsequent taxable years.'"

"(b) Taxable years to which applicable: The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1942."

And the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "124"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "TALC, BARITE,"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(A) In General:"

And the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(c) Definition of Gross Income From the Property: Section 114 (b) (4) is amended by adding at the end thereof the following:

"'(B) Definition of Gross Income From Property: As used in this paragraph the term "gross income from the property" means the gross income from mining. The term "mining," as used herein, shall be considered to include not merely the extraction of the ores or minerals from the ground but also the ordinary treatment processes normally applied by mine owners or operators in order to obtain the commercially marketable mineral product or products. The term "ordinary treatment processes," as used herein, shall include the following: (i) In the case of coal—cleaning, breaking, sizing, and loading for shipment; (ii) in the case of sulfur—pumping to vats, cooling, breaking, and loading for shipment; (iii) in the case of iron ore, bauxite, ball and sagger clay, rock asphalt, and minerals which are customarily sold in the form of a crude mineral product—sorting, concentrating, and sintering to bring to shipping grade and form, and loading for shipment; and (iv) in the case of lead, zinc, copper, gold, silver, or fluorspar ores, potash, and ores which are not customarily sold in the form of the crude mineral product—crushing, grinding, and beneficiation by concentration (gravity, flotation, amalgamation, electrostatic, or magnetic), cyanidation, leaching, crystallization, precipitation (but not including as an ordinary treatment process electrolytic deposition, roasting, thermal or electric smelting, or refining), or by substantially equivalent processes or combination of processes used in the separation or extraction of the product or products from the ore, including the furnacing of quicksilver ores. The principles of this subparagraph shall also be applicable in determining gross income attributable to mining for the purposes of sections 731 and 735.'"

And the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "A provision having the effect of the amendment made by subsection (c) shall be deemed to be included in the revenue laws respectively applicable to taxable years beginning after December 31, 1931;" and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: On page 34, line 12, of the Senate engrossed amendments, strike out "118" and insert "125"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: On page 36, line 11, of the Senate engrossed amendments, strike out "120" and insert "126;" and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with amendments as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 127. Gain or loss upon the cutting of timber.

"(a) In general: Section 117 (relating to capital gains and losses) is amended by inserting at the end thereof the following new subsection:

"'(k) Gain or loss upon the cutting of timber:

"'(1) If the taxpayer so elects upon his return for a taxable year, the cutting of timber (for sale or for use in the taxpayer's trade or business) during such year by the taxpayer who owns, or has a contract right to cut, such timber (providing he has owned such timber or has held such contract right for a period of more than six months prior to the beginning of such year) shall be considered as a sale or exchange of such timber cut during such year. In case such election has been made, gain or loss to the taxpayer shall be recognized in an amount equal to the difference between the adjusted basis for depletion of such timber in the hands of the taxpayer and the fair market value of such timber. Such fair market value shall be the fair market value as of the first day of the taxable year in which such timber is cut, and shall thereafter be considered as the cost of such cut timber to the taxpayer for all purposes for which such cost is a necessary factor. If a taxpayer makes an election under this paragraph such election shall apply with respect to all timber which is owned by the taxpayer or which the taxpayer has a contract right to cut and shall be binding upon the taxpayer for the taxable year for which the election is made and for all subsequent years, unless the Commissioner, on showing of undue hardship, permits the taxpayer to revoke his election; such revocation, however, shall preclude any further elections under this paragraph except with the consent of the Commissioner.

"'(2) In the case of the disposal of timber (held for more than six months prior to such disposal) by the owner thereof under any form or type of contract by virtue of which the owner retains an economic interest in such timber, the difference between the amount received for such timber and the adjusted depletion basis thereof shall be considered as though it were a gain or loss, as the case may be, upon the sale of such timber.'"

"(b) Technical Amendment: Section 117 (j) (1) (relating to gains and losses from involuntary conversion and from the sale or exchange of certain property used in the trade or business) is amended by inserting at the end thereof the following: 'Such term also includes timber with respect to which subsection (k) (1) or (2) is applicable.'

"(c) Effective Date: A provision having the effect of section 117 (k) (2) of the Internal Revenue Code inserted by the amendment made by subsection (a) shall be deemed to be included in the revenue laws respectively applicable to taxable years beginning after February 28, 1913. The amendment made by subsection (b) shall be effective as if it were made by section 151 of the Revenue Act of 1942."

And the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "128"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "If (1) any person or persons acquire, on or after October 8, 1940, directly or indirectly, control of a corporation or (2) any corporation acquires, on or after October 8, 1940, directly or indirectly, property of another corporation, not controlled, directly or indirectly, immediately prior to such acquisition, by such acquiring corporation or its stockholders, the basis of which property, in the hands of the acquiring corporation, is determined by reference to the basis in the hands of the transferor corporation, and the principal purpose for which such acquisition was made is evasion or avoidance of Federal income or excess profits tax by securing the benefit of a deduction, credit, or other allowance which such person or corporation would not otherwise enjoy, then such deduction, credit, or other allowance shall not be allowed. For the purposes of clauses (1) and (2), control means the ownership of stock possessing at least 50 per centum of the total combined voting power of all classes of stock entitled to vote or at least 50 per centum of the total value of shares of all classes of stock

of the corporation"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: Omit the matter proposed to be inserted by the Senate amendment and strike out the matter proposed to be stricken out by the Senate amendment and insert the following: "after December 31, 1943. The determination of the law applicable to prior taxable years shall be made as if this section had not been enacted and without inferences drawn from the fact that the amendment made by this section is not expressly made applicable to prior taxable years."; and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 129. Disallowance of certain deductions attributable to business operated by individual at loss for five years.

"(a) In General: Supplement B of chapter 1 of the Internal Revenue Code is amended by adding at the end thereof the following new section:

"'SEC. 130. Limitation on deductions allowable to individuals in certain cases.

"'(a) Recomputation of Net Income: If the deductions (other than taxes and interest) allowable to an individual (except for the provisions of this section) and attributable to a trade or business carried on by him for five consecutive taxable years have, in each of such years, exceeded by more than $50,000 the gross income derived from such trade or business, the net income of such individual for each of such years shall be recomputed. For the purpose of such recomputation in the case of any such taxable year, such deductions shall be allowed only to the extent of $50,000 plus the gross income attributable to such trade or business, except that the net operating loss deduction, to the extent attributable to such trade or business, shall not be allowed.

"'(b) Redetermination of Tax: Upon the basis of the net income computed under the provisions of subsection (a) for each of the five consecutive taxable years specified in such subsection, the tax imposed by this chapter shall be redetermined for each such taxable year. If for any such taxable year assessment of a deficiency is prevented (except for the provisions of sections 3801 and 3807) by the operation of any law or rule of law (other than section 3761, relating to compromises) any increase in the tax previously determined for such taxable year shall be considered a deficiency for the purposes of this section. For the purposes of this section the term "tax previously determined" shall have the meaning assigned to such terms by section 3801 (d).

"'(c) Extension of statute of limitations: Notwithstanding any law or rule of law (other than section 3761, relating to compromises), any amount determined as a deficiency under subsection (b), or which would be so determined if assessment were prevented in the manner described in subsection (b), with respect to any taxable year may be assessed as if on the date of the expiration of the time prescribed by law for the assessment of a deficiency for the fifth taxable year of the five consecutive taxable years specified in subsection (a), one year remained before the expiration of the period of limitation upon assessment for any such taxable year.'

"(b) Effective date of amendment: The amendment made by subsection (a) shall be applicable to taxable years beginning after December 31, 1939, but shall not affect any tax liability for any taxable year beginning prior to January 1, 1944."

And the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: On page 43, line 2, of the Senate engrossed amendments, strike out "124" and insert "130"; and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: On page 45, line 16, of the Senate engrossed amendments, strike out "125" and insert "131"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment as follows: On page 46, line 9, of the Senate engrossed amendments, strike out "126" and insert "132"; and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: On page 47, line 2, of the Senate engrossed amendments, strike out "127" and insert "133"; and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "134"; and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: On page 49, line 7, of the Senate engrossed amendments, strike out "129" and insert "135"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "136"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: Strike out the matter proposed to be stricken out by the Senate amendment and insert the following:

"SEC. 137. Status for withholding at source on wages.

"Section 1622 (h) (1) (relating to withholding exemption certificates) is amended to read as follows:

"'(1) If furnished after the date of commencement of employment with the employer by reason of a change of status, shall take effect with respect to the first payment of wages made on or after the first status determination date which occurs at least thirty days from the date on which such certificate is furnished to the employer, except that at the election of the employer such certificate, if furnished by reason of a change of status occurring on or before July 1 of the calendar year, may be made effective with respect to any previous payment of wages made on or after the date of the furnishing of such certificate. For the purposes of this paragraph the term "status determination date" means January 1 and July 1 of each year.'"

And the Senate agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 209. Exempt corporations.

"(a) Corporations Subject to Title IV of the Civil Aeronautics Act of 1938: Section 727 (h) (exempting certain corporations subject to Title IV of the Civil Aeronautics Act of 1938) is amended by adding at the end thereof the following new sentence: 'Such exclusion from gross income for such year shall also be made in computing the unused excess profits credit adjustment for any other taxable year, but only for the purpose of determining whether the corporation is exempted by this subsection from the tax imposed by this Chapter for such other taxable year.'

"(b) Retroactive Effect: The amendment made by this section shall be effective as if it were a part of the Excess Profits Tax Act of 1940 on the date of the enactment of such Act."

And the Senate agree to the same.

Amendment numbered 121: That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"'(2) Special rule in case of fiscal years beginning in 1941 and ending after June 30, 1942: In the case of a taxable year beginning in 1941 and ending after June 30, 1942, the credit under section 780 (a) for such taxable year shall not be greater than the excess of the tax paid under this subchapter to the United States for such taxable year (and not credited or refunded under the internal-revenue laws) over the amount of tax which would be payable to the United States under this subchapter if the portion of the tentative tax determined under section 710 (a) (3) (B) were reduced by 10 per centum.'"

And the Senate agree to the same.

Amendment numbered 126: That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: On page 57, line 5, of the Senate engrossed amendments, strike out "fiscal" and insert "taxable"; and the Senate agree to the same.

Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 251. Technical amendment to credit for debt retirement.

"(a) In General: Section 783 (b) (2) (relating to a limitation on the credit for debt retirement) is amended to read as follows:

"'(2) An amount equal to 40 per centum of the amount by which (A) the amount of indebtedness as of September 1, 1942, or (B) the smallest amount of indebtedness as of the close of any preceding taxable year ending after September 1, 1942, whichever amount is the lesser, exceeds the amount of indebtedness as of the close of the taxable year.'

"(b) Taxable Years to Which Applicable: The amendment made by subsection (a) shall be applicable with respect to taxable years beginning after September 1, 1942.

"(c) Election With Respect to Prior Taxable Years: If by reason of the amendment made by subsection (a) a taxpayer would be entitled, had the election provided for in section 783 (a) of the Internal Revenue Code been duly made, to take any credit under such section with respect to a taxable year ended prior to the date of the enactment of this Act in any amount to which such taxpayer would not be entitled were it not for such amendment, the election of the taxpayer to take such credit in such amount may be made within ninety days after the date of the enactment of this Act."

And the Senate agree to the same.

Amendment numbered 135: That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: Strike out the matter proposed to be stricken out by the Senate amendment and on page 69 of the House bill, in the section column under "3465 (a) (1) (A)", insert "3465 (a) (1) (B) (insofar as it relates to domestic telegraph, cable, and radio dispatches)"; and the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "20"; and the Senate agree to the same.

Amendment numbered 148: That the House recede from its disagreement to the amendment of the Senate numbered 148, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "20"; and the Senate agree to the same.

Amendment numbered 180: That the House recede from its disagreement to the amendment of the Senate numbered 180, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(c) Power of Secretary of Treasury to authorize exemption: Notwithstanding the amendments made by this section, the Secretary of the Treasury may authorize exemption from the taxes imposed by Chapters 19, 29, or 30 of the Internal Revenue Code as to any particular articles or services, or class of articles or services, to be purchased for the exclusive use of the United States, if he determines that the imposition of such taxes with respect to such articles or services, or class of articles or services, will cause substantial burden or expense which can be avoided by granting tax exemption and that the full benefit of such exemption, if granted, will accrue to the United States. This subsection shall not be applicable to any contract entered into on or after the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war."

And the Senate agree to the same.

Amendment numbered 186: That the House recede from its disagreement to the amendment of the Senate numbered 186, and agree to the same with an amendment as follows: On page 66, line 20, of the Senate engrossed amendments, strike out "310" and insert "311"; and the Senate agree to the same.

Amendment numbered 197: That the House recede from its disagreement to the amendment of the Senate numbered 197, and agree to the same with an amendment as follows: Restore the matter proposed to be stricken out by the Senate amendment and on page 92, lines 5 and 6, of the House bill, strike out "comparable corporations" and insert "corporations engaged in the same or a similar line of business"; and the Senate agree to the same.

Amendment numbered 199: That the House recede from its disagreement to the amendment of the Senate numbered 199, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 502. Certain discretionary trusts in connection with gift tax.

"(a) Amendment of the Internal Revenue Code: Section 1000 of the Internal Revenue Code (imposing the gift tax) is amended by inserting at the end thereof the following:

"(e) Certain Discretionary Trusts: In the case of property in a trust created prior to January 1, 1939, if on and after January 1, 1939, no power to revest title to such property in the grantor could be exercised either by the grantor alone, or by the grantor in conjunction with any other person not having a substantial adverse interest in the disposition of such property or the income therefrom, then a relinquishment by the grantor on or after January 1, 1940, and prior to January 1, 1945, of power or control with respect to the distribution of such property or the income therefrom by an exercise or other termination of such power or control shall not be deemed a transfer of property for the purposes of this Chapter. If such property was transferred in trust, the grantor not retaining such power to revest title thereto in himself, or if such power to revest title to such property in the grantor was relinquished, while a law was in effect imposing a tax upon the transfer of property by gift, this subsection shall apply only if (1) gift tax was paid with respect to such transfer or relinquishment, and not credited or refunded, or a gift tax return was made within the time prescribed on account of such transfer or relinquishment but no gift tax was paid with respect to such transfer or relinquishment because of the deductions and exclusions claimed on such return, and (2) the grantor consents, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, for all purposes of this Chapter to treat such transfer or relinquishment in the calendar year in which effected, and for all periods thereafter, as having been a transfer of property subject to tax under this Chapter. This subsection shall not apply to any payment or other disposition of income occurring prior to the termination of power or control with respect to the future disposition of income from the trust property."

"(b) Amendment of Revenue Act of 1932: Section 501 of the Revenue Act of 1932 (imposing a gift tax) is amended by inserting at the end thereof the following:

"'(c) Certain Discretionary Trusts: In the case of property in a trust created prior to January 1, 1939, if on and after January 1, 1939, no power to revest title to such property in the grantor could be exercised either by the grantor alone, or by the grantor in conjunction with any other person not having a substantial adverse interest in the disposition of such property or the income therefrom, then a relinquishment by the grantor on or after January 1, 1939, and prior to January 1, 1940, of power or control with respect to the distribution of such property or the income therefrom by an exercise or other termination of such power or control shall not be deemed a transfer of property for the purposes of this title. If such property was transferred in trust, the grantor not retaining such power to revest title thereto in himself, or if such power to revest title to such property in the grantor was relinquished, while a law was in effect imposing a tax upon the transfer of property by gift, this subsection shall apply only if (1) gift tax was paid with respect to such transfer or relinquishment, and not credited or refunded, or a gift tax return was made within the time prescribed on account of such transfer or relinquishment but no gift tax was paid with respect to such transfer or relinquishment because of the deductions and exclusions claimed on such return, and (2) the grantor consents, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, for all purposes of this title to treat such transfer or relinquishment in the calendar year in which effected, and for all periods thereafter, as having been a transfer of property subject to tax under this title. This subsection shall not apply to any payment or other disposition of income occurring prior to the termination of power or control with respect to the future disposition of income from the trust property.'

"(c) Interest on Overpayments: No interest shall be allowed or paid on any overpayment resulting from the application of this section."

And the Senate agree to the same.

Amendment numbered 202: That the House recede from its disagreement to the amendment of the Senate numbered 202, and agree to the same with an amendment as follows: On page 72, line 17, of the Senate engrossed amendments, strike out "503" and insert "504"; and the Senate agree to the same.

Amendment numbered 203: That the House recede from its disagreement to the amendment of the Senate numbered 203, and agree to the same with an amendment as follows: On page 73, line 2, of the Senate engrossed amendments, strike out "504" and insert "505"; and the Senate agree to the same.

Amendment numbered 204: That the House recede from its disagreement to the amendment of the Senate numbered 204, and agree to the same with an amendment as follows: On page 73, line 16, of the Senate engrossed amendments, strike out "505" and insert "506"; and the Senate agree to the same.

Amendment numbered 205: That the House recede from its disagreement to the amendment of the Senate numbered 205, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 507. Importation of standard newsprint paper.

"(a) In General: For the purposes of paragraph 1772 of the Tariff Act of 1930, as amended—

"(1) Paper which is in rolls not less than 15 inches in width shall be deemed to be standard newsprint paper insofar as width of rolls is concerned; and

"(2) Paper which weighs not less than 30 pounds (with a 5 per centum manufacturing tolerance permitted) per ream of 500 sheets 24 by 36 inches shall be deemed to be standard newsprint paper insofar as minimum weight is concerned.

"(b) Effective Period: The provisions of subsection (a) shall apply with respect to paper entered, or withdrawn from warehouse, for consumption, after the date of the enactment of this Act and while United States newspaper publishers are limited by law or by governmental order or regulation as to the amount of paper they may use in the publication of their newspapers."

And the Senate agree to the same.

Amendment numbered 206: That the House recede from its disagreement to the amendment of the Senate numbered 206, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 508. Exemption from tax on playing cards exported for use of armed forces outside continental United States.

"(a) In General: Section 1830 (relating to the exemption from the tax upon playing cards exported) is amended to read as follows:

"'SEC. 1830. Exemption in case of exportation.

"'Playing cards may be removed from the place of manufacture for export to a foreign country or for shipment to a possession of the United States (or, until the date on which the President proclaims that hostilities in the present war have terminated, to a territory of the United States for the use of members of the military or naval forces of the United States) without payment of tax, or affixing stamps thereto, under such rules and regulations and the filing of such bonds as the Commissioner, with the approval of the Secretary, may prescribe.'

"(b) Effective Date: The amendment made by subsection (a) shall be effective as of January 1, 1942."

And the Senate agree to the same.

Amendment numbered 207: That the House recede from its disagreement to the amendment of the Senate numbered 207, and

agree to the same with an amendment as follows: Omit the matter proposed to be inserted by the Senate amendment and, on page 27 of the House bill, after line 3, insert the following:

"SEC. 112. Deduction for losses on securities in affiliated corporations.

"(a) Stock Losses: Section 23 (g) (4) (B) of the Internal Revenue Code (relating to losses on stock of affiliated corporations) is amended to read as follows:

"'(B) more than 90 per centum of the aggregate of its gross incomes for all taxable years has been from sources other than royalties, rents (except rents derived from rental of properties to employees of the company in the ordinary course of its operating business), dividends, interest (except interest received on deferred purchase price of operating assets sold), annuities, or gains from sales or exchanges of stocks and securities; and'

"(b) Bond Losses: Section 23 (k) (5) (B) of the Internal Revenue Code (relating to losses on securities of affiliated corporations) is amended to read as follows:

"'(B) more than 90 per centum of the aggregate of its gross incomes for all taxable years has been from sources other than royalties, rents (except rents derived from rental of properties to employees of the company in the ordinary course of its operating business), dividends, interest (except interest received on deferred purchase price of operating assets sold), annuities, or gains from sales or exchanges of stocks and securities; and'

"(c) Taxable Years to Which Applicable: The amendments made by this section shall be applicable with respect to taxable years beginning after December 31, 1941."

And the Senate agree to the same.

Amendment numbered 208: That the House recede from its disagreement to the amendment of the Senate numbered 208, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 509. Retroactive effect of section 169 of the Revenue Act of 1942.

"(a) In General: Section 169 (c) of the Revenue Act of 1942 (relating to the effective date of certain amendments to section 322) is amended by inserting at the end thereof the following: 'A provision having the effect of the amendment inserting section 322 (b) (3) of the Internal Revenue Code, and a provision having the effect of the amendment made by subsection (b) of this section, shall be deemed to be included in the revenue laws respectively applicable to taxable years beginning after December 31, 1923, but such amendments shall be effective with respect to taxable years beginning prior to January 1, 1942, only if on or at some time after the date of the enactment of the Revenue Act of 1943 the Commissioner may assess the tax for such taxable year solely by reason of having made (either before, on, or after the date of the enactment of the Revenue Act of 1943) an agreement with the taxpayer pursuant to section 276 (b) of the Internal Revenue Code or the corresponding provision of the applicable prior revenue law to extend beyond the time prescribed in section 275 or the corresponding provision of such prior revenue law the date within which the Commissioner may assess the tax.'

"(b) Certain Transferees: If a transferee of a taxpayer and the Commissioner executed an agreement to extend the time within which the liability with respect to the tax of the taxpayer for a taxable year beginning in 1936 might be assessed against such transferee, any overpayment of the tax of the taxpayer with respect to such taxable year which the Tax Court of the United States finds has been paid by such transferee shall, when the decision of the Tax Court of the United States has become final, be credited or refunded to such transferee. Such credit or refund shall not exceed the amount paid by the transferee with respect to the tax of the taxpayer for such taxable year within the four years immediately preceding the execution of such agreement."

And the Senate agree to the same.

Amendment numbered 212: That the House recede from its disagreement to the amendment of the Senate numbered 212, and agree to the same with amendments as follows: On page 81 of the Senate engrossed amendments, in line 2, strike out "513" and insert "512"; in line 3, after "(a)", insert "In General.—"; and in line 8, after "(b)", insert "Effective Date.—"; and the Senate agree to the same.

Amendment numbered 213: That the House recede from its disagreement to the amendment of the Senate numbered 213, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 513. Period of limitations in case of related taxes under chapter 1 and chapter 2.

"(a) In General: The Internal Revenue Code is amended by inserting at the end of chapter 38 a new section to read as follows:

"'SEC. 3807. Period of limitations in case of related taxes under chapter 1 and chapter 2.

"'(a) Definitions: As used in this section—

"'(1) The term "tax previously determined" shall have the meaning assigned to such term by section 3801 (d).

"'(2) The term "the same taxable year" shall include any taxable year which coincides in whole or in part with the taxable year for which the determination referred to in subsection (b) is made.

"'(b) Extension of Period of Limitations: If—

"'(1) under a determination in respect of a tax imposed by chapter 1 or chapter 2, a deficiency is assessed or a credit or refund of an overpayment is allowed, within the period of limitations properly applicable thereto, and

"'(2) the application of the law or facts determined in the ascertainment of such deficiency or overpayment to any other such tax of the taxpayer under chapter 1 or chapter 2 for the same taxable year would result in an increase or decrease in the amount of the tax previously determined in respect of such other tax, and

"'(3) on any date prior to the expiration of one year from the assessment of a deficiency or the allowance of a credit or refund in respect of the tax referred to in paragraph (1), the assessment of a deficiency or the allowance of a credit or refund in respect of the tax referred to in paragraph (2) is prevented (except for the provisions of section 3801 or 734) by the operation (whether before, on, or after the date of enactment of the Revenue Act of 1943) of any law or rule of law other than this section and other than section 3761 (relating to compromises)

then upon such date the increase or decrease in the tax referred to in paragraph (2) shall be considered a deficiency or an overpayment, as the case may be. Such deficiency may be assessed and collected or such overpayment may be credited or refunded as if on the date the deficiency is assessed or the credit or refund allowed in respect of the tax referred to in paragraph (1) one year remained before the expiration of the periods of limitation upon assessment or filing claim for refund in respect of the tax referred to in paragraph (2) for the same taxable year.

"'(c) Adjustment Unaffected by Other Items, Etc.: In determining whether an increase or decrease in the amount of the tax previously determined shall be considered to result from the application of the law or facts under a determination referred to in subsection (b) (1) changes shall be made in items which are the subject of such determination and in items which are affected thereby, and in no others. The amount which may be assessed or allowed as a credit or refund under subsection (b) shall not be diminished by any credit or set-off based upon any item which was not the subject of such determination or affected thereby. Such amount, if paid, shall not be recovered by a claim or suit for refund or suit for erroneous refund based upon any item which was not the subject of such determination or affected thereby, except in connection with a subsequent application of this section.

"'(d) Application to Affiliated Groups: As used in subsection (b) the term "any other such tax of the taxpayer" shall, if the taxpayer was a member of an affiliated group, also include any other such tax of any other member of the group.'

"(b) Taxable Years to Which Applicable: The amendment made by this section shall apply to taxable years beginning after December 31, 1939."

And the Senate agree to the same.

Amendment numbered 232: That the House recede from its disagreement to the amendment of the Senate numbered 232, and agree to the same with an amendment as follows:

On page 86, line 20, of the Senate engrossed amendments, strike out "and in the case of carry-overs and carry-backs".

On page 104 of the House bill, after the period in line 11, insert:

"'(C) Notwithstanding any of the provisions of this section to the contrary, no amount shall be allowed as an item of cost (i) by reason of a recomputation of the amortization deduction pursuant to section 124 (d) of the Internal Revenue Code until after such recomputation has been made in connection with a determination of the taxes imposed by Chapters 1, 2A, 2B, 2D, and 2E of the Internal Revenue Code for the fiscal year to which the excessive profits determined by the renegotiation are attributable or (ii) by reason of the application of a carry-over or carry-back under any circumstances. The absence of such a recomputation of the amortization deductions referred to in clause (i) above shall not constitute a cause for postponing the making of an agreement, or the entry of an order, determining the amount of excessive profits, or for staying the elimination thereof.

"'(D) Notwithstanding any of the provisions of subsection (o) (4) of this section to the contrary, in the case of a renegotiation which is made prior to such recomputation, there shall be repaid by the United States (without interest) to the contractor or subcontractor after such recomputation the amount of a net renegotiation rebate computed in the following described manner. There shall first be ascertained the portion of the excessive profits determined by the renegotiation which is attributable to the fiscal year with respect to which a net renegotiation rebate is claimed by the contractor or subcontractor (hereinafter referred to as "renegotiated year"). There shall then be ascertained the amount of the gross renegotiation rebate for the renegotiated year, which amount shall be an allocable part of the additional amortization deduction which is allowed for the renegotiated year upon the recomputation made pursuant to section 124 (d) of the Internal Revenue Code in connection with the determination of the taxes for such year and which is attributable to contracts with the Departments and subcontracts, except that the amount of the gross renegotiation rebate shall not exceed the amount of excessive profits eliminated for the renegotiated year pursuant to the renegotiation. The allocation of the additional amortization deduction attributable to contracts with the Departments and subcontracts, and the allocation of the additional amortization deduction to the renegotiated year shall be determined in accordance with regulations prescribed by the Board.

There shall then be ascertained the amount of the contractor's or subcontractor's Federal tax benefit from the renegotiation for the renegotiated year. Such Federal tax benefit shall be the amount by which the taxes for the renegotiated year under Chapters 1, 2A, 2B, 2D, and 2E of the Internal Revenue Code were decreased by reason of omitting from gross income (or by reason of the application of the provisions of section 3806 (a) of the Internal Revenue Code with respect to) that portion of the excessive profits for the renegotiated year which is equal to the amount of the gross renegotiation rebate. The amount by which the gross renegotiation rebate for the renegotiated year exceeds the amount of the contractor's or subcontractor's Federal tax benefit from the renegotiation for such year shall be the amount of the net renegotiation rebate for such year."

And the Senate agree to the same.

Amendment numbered 233: That the House recede from its disagreement to the amendment of the Senate numbered 233, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"'(5) The term "subcontract" means—

"'(A) Any purchase order or agreement to perform all or any part of the work, or to make or furnish any article, required for the performance of any other contract or subcontract, but such term does not include any purchase order or agreement to furnish office supplies; or"

And the Senate agree to the same.

Amendment numbered 249: That the House recede from its disagreement to the amendment of the Senate numbered 249, and agree to the same with amendments as follows:

On page 110 of the House bill, after the period in line 1, insert the following: "Any such agreement, if made, may, with the consent of the contractor or subcontractor, also include provisions with respect to the elimination of excessive profits likely to be received or accrued.";

On page 110, line 2, of the House bill strike out "such an agreement" and insert "an agreement with respect to the elimination of excessive profits received or accrued"; and the Senate agree to the same.

Amendment numbered 252: That the House recede from its disagreement to the amendment of the Senate numbered 252, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "in The Tax Court of the United States as proof of the facts or conclusions stated therein"; and the Senate agree to the same.

Amendment numbered 260: That the House recede from its disagreement to the amendment of the Senate numbered 260, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "in respect of amounts paid to the contractor from appropriations from the Treasury"; and the Senate agree to the same.

Amendment numbered 268: That the House recede from its disagreement to the amendment of the Senate numbered 268, and agree to the same with amendments as follows:

On page 90, line 19, of the Senate engrossed amendments, after "year", insert "(or if such fiscal year has closed on the date of the enactment of the Revenue Act of 1943, on or before the first day of the fourth month following the month in which such date of enactment falls)";

On page 90 of the Senate engrossed amendments, beginning in line 20, strike out "actual costs of production and such other information as the Board may by regulations prescribe" and insert "such information as the Board may by regulations prescribe as necessary to carry out this section";

On page 91 of the Senate engrossed amendments, beginning in line 4, strike out "required by the Board" and insert "which is determined by the Board to be necessary to carry out this section"; and the Senate agree to the same.

Amendment numbered 282: That the House recede from its disagreement to the amendment of the Senate numbered 282, and agree to the same with an amendment as follows: Omit the matter proposed to be inserted by the Senate amendment, restore the matter proposed to be stricken out by the Senate amendment, and on page 120, lines 23 and 24, of the House bill, strike out "and (b)"; and the Senate agree to the same.

Amendment numbered 290: That the House recede from its disagreement to the amendment of the Senate numbered 290, and agree to the same with an amendment as follows: Strike out the matter appearing in lines 22 and 23 on page 94 of the Senate engrossed amendments, and the matter appearing in lines 1 and 2 on page 95 of the Senate engrossed amendments, and insert:

"shall be—

"'(A) in the case of any contract or subcontract the performance of which requires more than twelve months, or in the case of any contract or subcontract with respect to which the powers of the Board are exercised separately pursuant to subsection (c) (1) rather than on a fiscal-year basis, the portion of the profits so derived which is determined by the Board to be equal to the same percentage of the total profits so derived as the percentage of completion of the contract prior to the termination date; and

"'(B) in all other cases, the profits so derived which are received or accrued prior to the termination date; and'"

And the Senate agree to the same.

Amendment numbered 295: That the House recede from its disagreement to the amendment of the Senate numbered 295, and agree to the same with an amendment as follows: On page 96, line 17, of the Senate engrossed amendments, strike out "(F)" and insert "(E)"; and the Senate agree to the same.

Amendment numbered 296: That the House recede from its disagreement to the amendment of the Senate numbered 296, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "(F)"; and the Senate agree to the same.

Amendment numbered 299: That the House recede from its disagreement to the amendment of the Senate numbered 299, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "(E), and (F)"; and the Senate agree to the same.

Amendment numbered 301: That the House recede from its disagreement to the amendment of the Senate numbered 301, and agree to the same with an amendment as follows: On page 126 of the House bill, after the period in line 23, insert "Notwithstanding any other provisions of this section there shall be excluded from consideration in determining whether or not a contractor or subcontractor has received or accrued excessive profits that portion of the profits, derived from contracts with the Departments and subcontracts, attributable to the increment in value of the excess inventory. For the purposes of this paragraph the term 'excess inventory' means inventory of products, hereinbefore described in this paragraph, acquired by the contractor or subcontractor in the form or at the state in which contracts for such products on hand and on contract would be exempted from this section by subsection (i) (1) (B) or (C), which is in excess of the inventory reasonably necessary to fulfill existing contracts or orders. That portion of the profits, derived from contracts with the Departments and subcontracts, attributable to the increment in value of the excess inventory, and the method of excluding such portion of profits from consideration in determining whether or not the contractor or subcontractor has received or accrued excessive profits, shall be determined in accordance with regulations prescribed by the Board. In the case of a renegotiation with respect to a fiscal year ending prior to July 1, 1943, the portion of the profits, derived from contracts with the Departments and subcontracts, attributable to the increment in value of the excess inventory shall (to the extent such portion does not exceed the excessive profits determined) be credited or refunded to the contractor or subcontractor, and in case the determination of excessive profits was made prior to the date of the enactment of the Revenue Act of 1943, such credit or refund shall be made notwithstanding such determination is embodied in an agreement with the contractor or subcontractor, but in either case such credit or refund shall be made only if the contractor or subcontractor, within ninety days after the date of the enactment of the Revenue Act of 1943, files a claim therefor with the Secretary concerned."

And the Senate agree to the same.

Amendment numbered 309: That the House recede from its disagreement to the amendment of the Senate numbered 309, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "The amendments made by subsection (b) shall be effective only with respect to the fiscal years ending after June 30, 1943, except that (1) the amendments inserting subsections (a) (4) (C), (a) (4) (D), (i) (1) (C), (i) (1) (D), (i) (1) (F), (i) (3), and (l) in section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, shall be effective as if such amendments and subsections had been a part of section 403 of such Act on the date of its enactment, and (2) the amendments adding subsection (d) and (e) (2) to section 403 of such Act shall be effective from the date of the enactment of this Act."

And the Senate agree to the same.

Amendment numbered 310: That the House recede from its disagreement to the amendment of the Senate numbered 310, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"TITLE VIII—REPRICING OF WAR CONTRACTS

"SEC. 801. Repricing of war contracts.

"(a) As used in this section the terms 'Department', 'Secretary' and 'article' shall have the same meanings as in subsection (a) of the Renegotiation Act.

"(b) When the Secretary of a Department deems that the price of any article or service of any kind, which is required by his Department or directly or indirectly required, furnished, or offered in connection with, or as a part of, the performance or procurement of any contract with his Department or of any subcontract thereunder, is unreasonable or unfair, the Secretary may require the person furnishing or offering to furnish such article or service to negotiate to fix a fair and reasonable price therefor. If such person refuses to agree to a price for such article or service which the Secretary considers fair and reasonable, the Secretary by order may fix the price payable to such person for furnishing such article or service after the effective date of the order, whether under existing agreements or otherwise. The order may prescribe the period during which the price so fixed shall be effective and such other terms and conditions as the Secretary deems appropriate.

"(c) Any person aggrieved by an order fixing a price under this section may sue the United States in any appropriate court. In such suit, such person shall be entitled to recover from the United States the amount of any difference between (1) fair and just compensation for the articles and services furnished under the terms of the order and

(2) the price fixed for such articles and services by the order; but if the prices so fixed by the order are found to exceed fair and just compensation for such articles and services, such person shall be liable to the United States in such suit for the amount of this excess. Any such suit shall be brought within six months after the order by the Secretary on which it is based, or after the expiration of the period or periods specified in such order, whichever last occurs. Such a suit shall not stay the order involved.

"(d) Whenever any person wilfully refuses or wilfully fails to furnish any such articles or services at the price fixed by an order of the Secretary in accordance with this section, the President shall have power to take immediate possession of the plant or plants of such person and to operate them in accordance with section 9 of the Selective Training and Service Act of 1940, as amended.

"(e) The authority and discretion herein conferred upon the Secretary of each Department may be delegated in whole or in part by him to such individuals or agencies as he may designate in his Department, or in any other Department with the consent of the Secretary of that Department, and he may authorize such individuals or agencies to make further delegations of such authority and discretion.

"(f) Every purchase order or agreement, or contract to make or furnish any article or service of any kind, which is required by a Department or directly or indirectly required, furnished, or offered in connection with, or as a part of, the performance or procurement of any contract with such Department or of any subcontract thereunder, shall, if made thirty days or more after the date of the enactment of this Act, be deemed to contain a provision under which the person making or furnishing such article or service agrees that notwithstanding other provisions of the purchase order, agreement, or contract, he shall be entitled to receive for such article or service only the fair and just compensation provided for in subsection (c).

"SEC. 802. Effective date.

"(a) Section 801 shall be effective from the date of the enactment of this Act.

"(b) Section 801 shall not apply to any contract with a Department or any subcontract made after the date proclaimed by the President as the date of the termination of hostilities in the present war or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier."

And the Senate agree to the same.

Amendment numbered 311: That the House recede from its disagreement to the amendment of the Senate numbered 311, and agree to the same with amendments as follows:

On page 105 of the Senate engrossed amendments, line 20, strike out "SEC. 902." and between lines 19 and 20 insert "SEC. 902. Appropriations to the trust fund."

Beginning in line 23, on page 105 of the Senate engrossed amendments, strike out "trust fund" and insert "Trust Fund"; and the Senate agree to the same.

R. L. DOUGHTON,
THOS. H. CULLEN,
JERE COOPER,
WESLEY E. DISNEY,
HAROLD KNUTSON,
DANIEL A. REED,
ROY O. WOODRUFF,
Managers on the part of the House.

WALTER F. GEORGE,
DAVID I. WALSH,
ALBEN W. BARKLEY,
TOM CONNALLY,
ROBERT M. LA FOLLETTE,
A. H. VANDENBERG,
JAMES J. DAVIS,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3687) to provide revenue, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment changes the table of contents contained in the House bill. The House recedes with an amendment inserting a new table of contents.

Amendment No. 2: This is a clerical amendment; the Senate recedes.

Amendment No. 3: This is a clerical amendment; the House recedes.

Amendment No. 4: This amendment eliminates the provisions of the House bill increasing the normal tax rate to 10 percent and providing for a minimum tax of 3 percent of the net income in excess of certain credits against net income when such minimum tax would result in a greater amount of tax than the proposed 10 percent normal tax plus surtax. The House recedes.

Amendment No. 5: This amendment eliminates the provisions of the House bill relating to rates of surtax on individuals. The House recedes.

Amendment No. 6: This amendment eliminates the provisions of the House bill which change the table of alternative tax on individuals contained in section 400 of the code and amend section 404 of the code to deny to citizens of the United States entitled to the benefits of section 251 of the code the right to make a return under supplement T. The House recedes with amendments revising the tables under supplement T to make minor changes and to give effect to the repeal of the earned-income credit and to combine the Victory tax and the income tax and restoring the amendment to section 404 of the code contained in the House bill.

Amendment No. 7: This amendment eliminates the provisions of the House bill that repeal the Victory tax and that provide technical amendments necessitated by the repeal of the Victory tax. The House recedes.

Amendment No. 8: This amendment eliminates the provisions of the House bill relating to the amount and computation of the personal exemption and credit for dependents for the purposes of the minimum tax. The House recedes with a change in section number and the following further amendments which have the effect of substantially retaining certain provisions in the House bill:

Section 25 (b) (3) of the code (relating to change of status) is amended to provide that for the purposes of determining the amount of the personal exemption and credit for dependents, the status of the taxpayer shall be determined as of July 1 of the taxable year, unless the taxable year does not include July 1, in which case such status shall be determined as of the last day of the taxable year. This provision will have the effect described in the report of the Ways and Means Committee relating to the corresponding provision in the House bill.

Section 47 (e) of the code, relating to reduction of personal exemption and credit for dependents in the case of a short taxable year, is also amended to provide that such reduction shall apply only to a short taxable year resulting from the closing of the taxable year in case of jeopardy.

Amendment No. 9: This amendment eliminates the provisions of the House bill altering the return requirements of individuals. The House recedes with a change in section number and the following further amendments having the effect of retaining certain provisions that were in the House bill:

A new subsection (f) is added to section 51 of the code, relating to the return requirements of individuals, to provide that for the purposes of the return requirements of individuals, including fiduciaries, the determination of whether an individual is married and living with husband or wife shall be made as of July 1 of the taxable year, unless the taxable year does not include July 1, in which case such determination shall be made as of the last day of the taxable year.

Section 51 (b) of the code, relating to joint returns, is amended to provide that no joint return may be made if husband and wife have different taxable years. Since the return of a decedent who dies prior to the last day of the taxable year is a return for a short period and thus differs from the taxable year of the surviving spouse, the latter may not include the income of the deceased spouse in a joint return even though death occurred after July 1 of the taxable year.

Amendment No. 10: This amendment provides that the rate of the Victory tax shall be 3 percent rather than 5 percent, repeals the credits against Victory tax, and effects certain technical amendments made necessary by these substantive changes. The House recedes with an amendment changing the section number and adding the Victory tax imposed by section 450 of the code to the computation to be made in the case of a taxable year beginning in 1943 and ending in 1944, under section 108 of the code. This latter change is necessitated by the action eliminating the repeal of the Victory tax. (See amendment No. 7.)

Amendments Nos. 11 and 12: These amendments are clerical. The House recedes with an endments changing section numbers.

Amendment No. 13: This amendment, for which there is no corresponding provision in the House bill, amends section 22 (b) of the code to exclude from gross income amounts received during the taxable year as mustering-out payments with respect to service in the military or naval forces of the United States. The House recedes with a change of section number.

Amendment No. 14: This amendment affords to taxpayers using the elective inventory method the benefit of the involuntary liquidation and replacement provisions of section 22 (d) (6) of the code with respect to liquidations occurring in 1941, and effects three minor technical corrections in the wording of the existing law. There is no corresponding provision in the House bill. The House recedes with a change in section number.

Amendment No. 15: This is a change in section number. The House recedes with a further change in section number.

Amendment No. 16: This amendment, for which there is no corresponding provision in the House bill, serves to clarify the effect of the amendments made in 1942 relating to the deduction for worthless debts by restoring the language in the code prior to the Revenue Act of 1942, concerning deductions for partially worthless debts. The change made by the 1942 act with respect to totally worthless debts is not altered by this section. Inasmuch as the 1942 changes were made retroactive to taxable years beginning after December 31, 1938, the restoration of the law made by this section is likewise retroactive. The House recedes with a change in section number.

Amendment No. 17: This amendment, for which there is no corresponding provision in the House bill, adds a new section amending section 23 (q) of the code (relating to charitable and other contributions by corporations) by inserting "veteran rehabilitation service" after "scientific" in paragraph (2). The effect of this insertion will be to include contributions to or for the use of a corporation, trust, or community chest, fund, or foundation, organized and operated exclusively for veteran rehabilitation service among the charitable contributions for which a corporation may be allowed deductions.

This amendment further amends section 23 (q) by inserting after paragraph (2) a new paragraph (3) which adds another class of contributions to be considered in determining allowable deductions in the case of a corporation making charitable and other contributions within a taxable year. The new category consists of contributions to posts or organizations of war veterans, or auxiliary units of, or trusts or foundations for, any such posts or organizations, if such posts, organizations, units, trusts, or foundations are organized in the United States or any of its possessions, and if no part of their net earnings inures to the benefit of any private shareholder or individual. The House recedes with a clerical amendment and a change in section number.

Amendment No. 18: This is a change in section number. The House recedes with a further change in section number.

Amendment No. 19: Section 26 (h) of the code provides that certain public utilities which pay dividends on their preferred stock during the taxable year shall have a credit against surtax net income in the amount of such dividend payments. This amendment provides that for the purposes of this credit the amount of dividends paid in a given taxable year shall not include any amount distributed in such year with respect to dividends unpaid and accumulated in any taxable year ending prior to October 1, 1942. It further provides that if any dividends in arrears are paid in the taxable year, such dividends will be presumed to have been paid with respect to the earliest year or years for which there are arrearages.

Section 26 (h) in defining preferred stock provides that such stock must have been issued prior to October 1, 1942. This amendment further provides that stock issued on or after October 1, 1942, shall be deemed to have been issued before that date for the purposes of the credit if it was issued by the same or another corporation in a transaction which is a reorganization within section 112 (g) (1), or which is a transaction to which section 112 (b) (9) is applicable, or which is a transaction subject to the provisions of supplement R of chapter 1 of the code, to refund or replace bonds or debentures issued prior to October 1, 1942, or to refund or replace other stock which is preferred stock within the meaning of section 26 (h) (2) (B). Such new stock, however, shall be considered to have been issued prior to October 1, 1942, only to the extent that the par or stated value does not exceed the par, stated, or face value of the securities which such new stock is issued to refund or replace.

This amendment is applicable to taxable years beginning after December 31, 1943, but the changes in existing law with respect to the definition of preferred stock are applicable to any transaction occurring on or after October 1, 1942, whether or not before January 1, 1944. No credit, however, for dividends paid on stock which is deemed to have been issued prior to October 1, 1942, solely by reason of this amendment will be allowed for a taxable year beginning prior to January 1, 1944.

The House recedes with technical and clerical amendments, including a change in section number and a change of reference to insolvency reorganizations.

Amendments Nos. 20, 21, 22, 23, 24, 25, 26, 27, and 28: The House bill required annual returns to be filed by tax-exempt organizations with certain exceptions. The Senate amendments made minor technical changes and broadened the exemption given by the House bill to certain educational organizations by including those normally meeting the conditions of the exemption in the House bill. It also exempted certain additional organizations from the annual return requirement, including organizations exempt as fraternal beneficiary societies, orders, or associations under section 101 (3), certain organizations for the prevention of cruelty to children or animals exempt from tax under section 101 (6) and those owned by the United States or its agencies or instrumentalities and exempt under section 101 (15). The House recedes as to these amendments with a change in section number and with an amendment to amendment No. 27 specifically limiting the exemption of fraternal organizations to those exempt from taxation solely under section 101 (3).

Amendment No. 29: This amendment, for which there is no corresponding provision in the House bill, eliminates paragraphs (3), (4), and (5) of section 294 (a) of the code, relating to additions to the tax for failure to file a declaration, for failure to make a timely payment of estimated tax, and for underestimating the tax, and inserts at the end of section 294 a new subsection (d) relating to such additions. The new penalties for failure to file and for failure to pay are applicable unless, in either such case, the failure is shown to be due to reasonable cause and not due to willful neglect. The penalty for failure to make and file a timely declaration consists of an addition to the tax in the amount of 5 percent of each installment due but unpaid and in addition 1 percent of the installment for each month (except the first) or fraction thereof during which the installment remains unpaid. Such addition to the tax with respect to any installment due but unpaid shall not exceed 10 percent of the unpaid portion of such installment. For the purpose of determining the addition to the tax in case of failure to make and file a timely declaration each installment shall be considered to be an amount equal to the amount that would have been due and payable if a declaration showing an estimated tax in the amount of the correct tax had been timely filed, and one such installment shall be considered due on the 15th day of the last month of that quarter of the taxable year in which the declaration is required to be filed, and another such installment shall be considered due on the 15th day of the last month of each succeeding quarter of the taxable year.

The penalty for failure to pay installments of declared estimated tax is applicable to delinquency in payment only where the penalty for failure to file is not applicable to the taxable year; namely, where a timely declaration of estimated tax is made and filed or the failure to so file has been shown to be due to reasonable cause. The penalty for nonpayment in such cases is based upon the declared amount, but otherwise is the same as the penalty for failure to file.

Paragraph (2) of subsection (d) retains the penalty provided in section 294 (a) (5) of existing law for substantial underestimate of estimated tax; with a limitation, however, designed to make such penalty inapplicable if taxpayers, under regulations prescribed by the Commissioner with the approval of the Secretary, make timely payment of estimated tax within or before each quarter in an amount at least as great as though computed under the law and at the rates applicable to the taxable year on the basis of the taxpayer's status at the time of filing the declaration, but otherwise on the basis of the facts relating to income and other matters shown on his return for the preceding taxable year. For the calendar year 1943, the quarters beginning prior to July 1, 1943, are included and, in the usual case, in order to receive the benefit of the relief provision, the declaration of estimated tax must have been filed on or before September 15, 1943, and at least one-half of the estimated tax must have been paid on or before September 15 and the remainder on or before December 15, 1943.

The House recedes with amendments to clarify and effectuate the policy of the Senate amendment.

Amendment No. 30: This amendment eliminates the provision of the House bill, adding a new section to the code to limit the tax attributable to back pay received or accrued by an individual during the taxable year. The House recedes with a change in section number and with the following amendment:

There is added to section 107 of the code a new subsection (d), which expands the definition of "back pay" to include all compensation received or accrued during the taxable year by an employee for services performed prior to the taxable year for his employer, which would have been paid prior to the taxable year but for the occurrence of one of the following events: (1) Bankruptcy or receivership of the employer; (2) dispute as to the liability of the employer to pay such remuneration, which is determined after the commencement of court proceedings; (3) if the employer is the United States, a State, a Territory, or any political subdivision thereof, or the District of Columbia, or any agency or instrumentality of any of the foregoing, lack of funds appropriated to pay such remuneration; or (4) any other event determined to be similar in nature under regulations prescribed by the Commissioner with the approval of the Secretary. The term also includes retroactive wage or salary increases, received in respect of services performed in a prior taxable year, which have been ordered, recommended, or approved by any Federal or State agency. "Back pay" also covers payments arising out of an alleged violation by an employer of any State or Federal law (such as the National Labor Relations Act or the Fair Labor Standards Act of 1938) relating to labor standards or practices, to the extent such payments are determined to be attributable to a prior year. Any amount which is not includible in gross income under chapter 1 of the code shall not constitute back pay. Remuneration for personal services, including pensions, retirement pay, bonuses or commissions, which are paid in the current year in accordance with the usual practice or custom of the employer, are not "back pay", even though such amounts are received in respect of services performed in a prior year (or prior years). The term refers only to remuneration the payment of which has been deferred by reason of the unusual circumstances of the type specified in the definition.

The new subsection provides that if the amount of such back pay exceeds 15 percent of the gross income of the individual for the taxable year, the part of the tax for such year which is attributable to the inclusion of the back pay in gross income shall not exceed the sum of the increases in the taxes which would result from the inclusion of the respective portions of the back pay in gross income for the taxable years to which such portions are respectively attributable as determined under regulations prescribed by the Commissioner with the approval of the Secretary.

Amendment No. 31: This amendment, for which there is no corresponding provision in the House bill, adds a provision (sec. 112 (b) (7)) to the nonrecognition of gain provisions of the code, under which, in certain complete liquidations of domestic corporations occurring within a calendar month of 1944, a limited portion of the gain is not recognized to certain qualified electing shareholders. The provision is similar to the provisions of section 112 (b) (7) of the Revenue Act of 1938, providing for a similar limited nonrecognition of gain to qualified electing shareholders of a domestic corporation completely liquidated within the month of December 1938. Section 113 (a) (18) of the code is amended to provide for the basis of property so distributed. The House recedes with a change in section number.

Amendment No. 32: This amendment, for which there is no corresponding provision in

the House bill, contains provisions designed to cover the reorganization transactions of certain insolvent corporations (other than railroad corporations) and to resolve some of the doubts and uncertainties which result from existing law as construed in the Supreme Court decisions. Subsection (a) of the section inserted by this amendment adds to section 112 (b) of the code paragraph (10), which provides the rule with respect to nonrecognition of gain or loss upon the transfer of property of the reorganizing corporation in a taxable year commencing after December 31, 1933. It is provided that no gain or loss shall be recognized upon the transfer of the property in pursuance of an order of the court having jurisdiction of the corporation in a receivership, foreclosure, or similar proceeding or in a proceeding under section 77B or chapter X of the Bankruptcy Act, to a corporation organized or made use of to effectuate a plan of reorganization approved by the court in such proceeding, in exchange solely for stock or securities in such other corporation. Where the consideration for the transfer consists of other property or money as well as stock or securities, this amendment, by making applicable section 112 (d) and (e) of the code, provides that gain is required to be recognized to the extent of the other property or money received, but no loss is recognized on the transaction. The amendment likewise makes applicable section 112 (k) of the code (relating to assumption of indebtedness). Thus the ordinary pattern of insolvency reorganizations in which the transferee corporation is required by the decree to provide cash or to assume liabilities for the payment of nonassenting creditors or reorganization expenses, or for the elimination of fractional shares is covered by the amendment through the operation of section 112 (d) or (e) and (k) in conjunction with the new paragraph (10) which is added to section 112 (b). The definition of "reorganization" contained in section 112 (g) (1) of the code is specifically made inapplicable to a reorganization covered by the provisions of the new section 112 (b) (10). It is intended, however, that only an actual reorganization of a corporation will be covered as distinguished from a liquidation in a bankruptcy proceeding and sale of property to either new or old interests supplying new capital and discharging the obligations of the old corporation. In other words, the type of transaction which was held not to be a reorganization under section 112 (g) (1) in the *Mascot Stove Co. case* (120 F. (2d) 153) or in *Templeton Jewelers Inc. case* (126 F. (2d) 251) would likewise not be covered under these amendments. It is also intended that the business purpose test enunciated in *Gregory* v. *Helvering* (293 U. S. 465), shall likewise apply to transactions under these amendments. This amendment has no application to reorganizations consummated by adjustment of the capital or debt structure of the insolvent corporation without the transfer of its assets to another corporation.

In subsection (b) of the section inserted by this amendment corollary rules are provided with respect to the basis of property acquired on reorganization transactions described in section 112 (b) (10). Section 113 (a) (21) of the code, which relates to the basis of the property acquired by a street, suburban, or interrurban electric railway corporation in a reorganization under section 77B of the Bankruptcy Act, as amended, is expanded and made applicable with respect to the basis of property acquired in reorganization transactions described in section 112 (b) (10). Section 113 (a) (21), as amended, provides that if the property is acquired by a corporation upon a transfer to which section 112 (b) (10) is applicable, the basis in the hands of the acquiring corporation shall be the same as it would be in the hands of the corporation whose property was so acquired, adjusted to reflect any gain recognized upon the acquisition where the receipt of other property or money would require the recognition of gain. It is specifically provided that section 270 of the National Bankruptcy Act shall not apply to reduce the basis by the amount of any indebtedness canceled in such proceeding.

Subsection (4) provides the effective dates of the amendments to existing law made by this amendment. Under this subsection the amendments relative to the recognition of gain or loss of the reorganizing corporation and the basis of its property in the hands of the successor corporation are made retroactive as if they were a part of the law back through the Revenue Act of 1934. Thus they become effective for taxable years beginning after December 31, 1933. For reasons of administration, however, it is provided that such amendments shall not operate to affect the tax liability for any taxable year beginning prior to January 1, 1940. Thus, for example, in the case of a corporation emerging from reorganization in 1936, although the amendments with respect to basis will have an indirect effect in that depreciation of assets for the taxable year 1940 and subsequent years will be computed as if the assets had been carried and depreciated at the transferor's basis throughout the intervening years, 1940 will be the first year under this amendment in which the transferor's basis, adjusted for theoretical depreciation sustained in intervening years, would properly constitute the basis for depreciation to the reorganized corporation to which this amendment applies.

Under this amendment it is contemplated that where the excess profits credit is determined under the invested capital method, the rule set forth in section 760 of the code will apply to the transferee corporation. In order that the transferee corporation should not be allowed the additional credit for new capital where the reorganization occurs after December 31, 1940, the amendment contains a provision which adds section 112 (b) (10) to the enumerated sections to which the new capital provisions do not apply.

The House recedes with amendments broadening the scope of the section to include provisions relative to the recognition of gain or loss and basis in the case of the security holders participating in a reorganization governed by the provisions of the Senate amendments and making changes relative to the effective dates of the new provisions. These changes necessitate rearrangement of the several subsections of the section. Subsection (b) of the Senate amendment provided the rule relative to the basis of property acquired in a reorganization governed by the provisions of new section 112 (b) (10). This was accomplished through an amendment to section 113 (a) (21) of existing law. Under the conference amendment the basis provisions are incorporated in new section 113 (a) (22), and section 113 (a) (21) of existing law is left unchanged. This rearrangement was necessary in order to avoid a conflict relative to the effective dates of the two provisions. The conferees have added a clarifying amendment to insure that the basis determined under new section 113 (a) (22) shall not be subject to adjustment under the provisions of section 113 (b) (3) on account of indebtedness canceled in pursuance of the plan of reorganization.

The technical amendments found in subsection (c) of the Senate amendment are retained in subsection (d) of the conference amendments.

Under the Senate amendment the provisions of sections 112 (b) (10) (relating to the recognition of gain or loss on the reorganization) and 113 (a) (21) (relating to basis of property acquired on the reorganization) were made effective for taxable years beginning after December 31, 1933, with the proviso that the amendments should not be applied to affect any tax liability for any taxable year beginning prior to January 1, 1940. Under the conference amendment the effective date of the amendments is retained, but it is provided that the amendments shall not affect the tax liability for any taxable year beginning prior to January 1, 1943.

Under the conference amendment subsection (b) of the section adds a new subsection (l) to section 112 of the code and provides that the effect shall be deemed to be included in the revenue laws respectively applicable to taxable years beginning after December 31, 1931. The new subsection provides for the nonrecognition of gain or loss to participating shareholders and creditors in a reorganization described in new section 112 (b) (10). Section 112 (l) provides that no gain or loss shall be recognized upon the exchange of stock or securities of the old corporation solely for stock or securities in the new corporation. In order to provide uniform treatment in all cases, regardless of the form of the particular transaction, the amendment provides that the relinquishment or extinguishment of the property or interest in the stock or securities of the old corporation in consideration for the acquisition of stock or securities in the new corporation is the exchange which is to be considered the taxable event in a situation of this character. No antecedent or component transaction in connection with such relinquishment or extinguishment and subsequent acquisition is recognized as a taxable event under this amendment. Thus the reorganization may take the form of a transfer of the property of the old corporation to its bondholders upon surrender of the bonds, and a subsequent transfer of the property to the new corporation in exchange for stock of such corporation, or the bonds may be transferred to the new corporation in exchange for stock of such corporation, and subsequently surrendered by the latter in exchange for the property of the old corporation. In either event, the net effect to the participating security holders is an exchange of securities of the old corporation for securities of the new corporation and the transaction is so considered by subsection (l).

Subsection (d) amends section 112 (c) to provide that if in addition to the stock or securities permitted to be received without the recognition of gain in a transaction governed by subsection (l) the taxpayer receives other property or money, the gain, if any, shall be recognized to the extent of such other property or money. This amendment also amends section 112 (e) to provide for the nonrecognition of loss upon an exchange described in subsection (l) if in addition to the stock or securities referred to in subsection (l) the taxpayer receives other property or money upon such exchange.

An exception to the general rule is provided in those cases in which the exchange described in subsection (l) occurred in a taxable year beginning prior to January 1, 1943. For such cases the recognition or nonrecognition of gain or loss upon the exchange is made to depend (1) if the tax liability for such taxable year has been finally determined, upon the treatment accorded such transaction in such final determination, or (2) if the tax liability for such taxable year has not been finally determined, upon the position last maintained by the taxpayer relative to the recognition or nonrecognition of gain or loss upon such transaction.

For the purpose of the application of the exception provided in clause (A) of subsection (l) there is a final determination in any case in which further change in the tax liability for the taxable year is prevented by reason of a decision of a court or The Tax Court, or a closing agreement, or the expiration of the statutory period of limitation upon the making of a claim for refund, or the issuance of a statutory notice of deficiency. The fact that the taxable year may be reopened for the purpose of the application of a special statute of limitations as in the case of bad debts or under a provision

such as section 3801 or 734, does not prevent a determination from becoming final within the meaning of this section. The statute applies, however, only in the case of a determination which becomes final before the ninetieth day after the date of the enactment of the Revenue Act of 1943. This provision affords a reasonable time for the application of the new provision with respect to the recognition or nonrecognition of gain or loss on the transaction before a determination is deemed final.

Clause (B) of subsection (1) relates only to taxable years for which there has been no final determination within the meaning of clause (A). Under this clause the recognition or nonrecognition of gain or loss upon the exchange depends upon the latest treatment accorded such exchange by the taxpayer prior to December 15, 1943. For such purpose the treatment accorded the exchange means the position formally maintained by the taxpayer relative to the recognition or nonrecognition of gain or loss in his return or amended return for the taxable year, in a claim for refund, in a proceeding before a court or the Board of Tax Appeals, or in some formal action taken in connection with a proposed determination of his tax liability for such taxable year.

Subsection (c) of this section, under the conference amendment, provides technical amendments making applicable section 113 (a) (6) of the Internal Revenue Code to determine the basis of property acquired by participating security holders upon a transaction governed by the provisions of new section 112 (1) of the code.

By subsection (e) provisions having the effect of the amendment adding section 112 (1) are deemed to be included in the revenue laws respectively applicable to taxable years beginning after December 31, 1931.

Amendment No. 33: This amendment, for which there is no corresponding provision in the House bill, adds a new paragraph to section 113 (a) of the code to provide a rule which may apply at the election of the taxpayer to determine the invested capital and the basis of the assets of a corporation (other than a railroad corporation) following a bankruptcy or receivership reorganization under which the existing corporate entity is retained. The Senate recedes.

Amendment No. 34: This amendment, for which there is no corresponding provision in the House bill, adds to section 113 of the code a new paragraph to provide for the nonapplication of section 270 of the Bankruptcy Act, as amended, in the case of certain reorganizations occurring under section 77B of such act. The effect of the amendment is to prevent reduction of the basis of the assets of the reorganized corporation by the amount of the indebtedness canceled in the proceeding in those cases in which the reorganization is consummated by the adjustment of the capital or debt structure of the existing corporation, and the final judgment or decree in the reorganization proceeding was entered prior to September 22, 1938. Cases in which the reorganization is consummated by a transfer to another corporation of the assets of the corporation undergoing reorganization are not affected by the amendment. A provision having the effect of the amendment shall be deemed to be included in the revenue laws respectively applicable to taxable years beginning after December 31, 1935.

The House recedes with an amendment renumbering the section, technical amendments clarifying the language of the provision, and inserting the new provision as paragraph (4) of section 113 (b), relating to adjusted basis, instead of paragraph (23) of section 113 (a), relating to basis.

Amendment No. 35: This amendment, for which there is no corresponding provision in the House bill, permits an election by the taxpayer, upon certain conditions, to have gain not recognized upon sales or exchanges of radio broadcasting properties required by the Federal Communications Commission by order or as a condition to approval of certain applications. The House recedes with a change in section number and with amendments providing as follows:

In view of the fact that the Commission does not order or require any particular sale or exchange, it has been deemed more appropriate to provide that the election, subject to the other conditions imposed, shall be available upon certification by the Commission that the sale or exchange is necessary or appropriate to effectuate the policies of the Commission with respect to ownership or control of radio broadcasting stations. The subsection, however, is not thereby made applicable to cases of sales or exchanges made necessary not by reason of Commission policies as to ownership or control but as a result of other matters, such as operation of a broadcasting station either in a manner determined by the Commission to be not in the public interest or in violation of other Federal or State laws. The amendment as agreed to in conference also makes it clear that the property sold or exchanged or the property similar in service or use into which such property is converted may be stock, whether in a controlling amount or otherwise, in a corporation operating a radio broadcasting station, as well as broadcasting properties themselves. It has also been made clear that the election to treat the sale or exchange as an involuntary conversion under section 112 (f) and the election to reduce the basis of depreciable property remaining in the hands of the taxpayer are separate and distinct elections which may be exercised independently of each other. However, either election once made is binding as to the particular sale or exchange for the taxable year and all subsequent taxable years. An election to reduce the basis of property remaining in the hands of the taxpayer may not be made with respect to any portion of the proceeds of the sale or exchange used to establish a replacement fund pursuant to an election to have the benefits of section 112 (f) even though the entire amount of such fund is not subsequently expended in the acquisition of property similar or related in service or use to the property disposed of.

Amendment No. 36. This is a change in section number. The House recedes with a further change in section number.

Amendments Nos. 37, 38, 39, 41, 42, 45, and 46. These amendments made to section 114 of the House bill include talc and barite in the list of mines which are entitled to depletion at the rate of 15 percent of the gross income from the property (subject to other limitations in the code), and exclude talc and barite from the list of mines entitled to depletion based on discovery value. These amendments do not apply with respect to any taxable year beginning on or after the date of the termination of hostilities in the present war, as defined in subsection (e) of this section. The House recedes as to these amendments with a clerical amendment to amendment No. 37 changing the section heading.

Amendments Nos. 40, 48, and 50: These are clerical amendments. The House recedes as to these amendments with a clerical change in amendment No. 40.

Amendments Nos. 43, 44, and 51: Under section 114 of the House bill, potash mines and deposits were allowed percentage depletion in an amount equal to 23 percent of the gross income from the property (subject to other limitations in the code), and were excluded from the list of mines entitled to discovery value depletion; these provisions were not to be applicable to any taxable year beginning on or after the date of the termination of hostilities in the present war. These amendments provide that potash mines or deposits shall be allowed depletion based upon 15 percent of the gross income from the property, instead of 23 percent, and remove the restriction contained in the House bill which would make inapplicable such allowance for taxable years beginning on or after the date of the termination of hostilities in the present war. It is contemplated that the regulations to be issued by the Commissioner will provide that potash salts in solution are deemed to be a natural deposit. The House recedes.

Amendments Nos. 47 and 49: For the purposes of section 114 (b) (4) of the code amendment No. 47 defines the term "gross income from the property" upon which is based the allowance for percentage depletion. Thus "gross income from the property" means gross income from "mining," and "mining" is considered to include the ordinary treatment processes normally applied by mine owners or operators in order to obtain the commercially marketable mineral product or products as well as the extraction of the ores or minerals from the ground. The costs of any process or service which does not constitute an ordinary treatment process is to be excluded in determining gross income from mining. Several specified processes have been listed as being included in the term "ordinary treatment processes." The principles set forth in this amendment are made expressly applicable to mining for the purposes of sections 731 and 735 of the code. Amendment No. 49 makes amendment No. 47 effective as if it were a part of the Internal Revenue Code and the Revenue Acts of 1938, 1936, 1934, and 1932 on the date of their respective enactments. The House recedes with amendments which strike out the next to the last sentence of the subparagraph added by amendment No. 47, which provided that the costs of any process or service which does not constitute an ordinary treatment process is to be excluded in determining gross income from mining, and with an amendment excluding electrolytic deposition, roasting, thermal or electric smelting and refining from the definition of "ordinary treatment processes" and which rephrase the retroactivity provisions in amendment No. 49.

Amendment No. 52: This amendment, for which there is no corresponding provision in the House bill, provides that, in computing percentage depletion under section 114 (b) (4) of the code in the case of potash (whether extracted from a mine or from a brine or other deposit), there shall be included in gross and net income from the property the income from other minerals or mineral salts extracted from such property. The Senate recedes.

Amendment No. 53: This amendment, for which there is no corresponding provision in the House bill, amends section 116 of the code (relating to exclusions from gross income) by adding at the end thereof subsection (j) which provides for the following three new classifications which are to be considered as exclusions from gross income: (1) In the case of a clerk or employee in the Foreign Service of the United States, amounts received as cost-of-living allowances under authority of section 3, as amended, of the act of February 23, 1931; (2) in the case of an ambassador, minister, diplomatic, consular, or Foreign Service officer, amounts received as post allowances under authority of section 12, as amended and renumbered, of the act of May 24, 1924; and (3) in the case of other civilian officers or employees of the Government of the United States stationed outside continental United

States, amounts received as cost-of-living allowances in accordance with regulations approved by the President. The House recedes with a change in section number.

Amendment No. 54: This amendment, for which there is no corresponding provision in the House bill, adds a new section to the bill limiting the definition of "capital assets" in section 117 (a) (1) of the code so as not to include stock or securities of any corporation subject to part I of the Interstate Commerce Act, when held by a corporation whose principal business is that of a common carrier by railroad or a corporation, the assets of which consist principally of stock in such corporations and which does not of itself operate a business other than that of a common carrier by railroad. The Senate recedes.

Amendment No. 55: Section 142 of the Revenue Act of 1942 added to the code section 112 (b) (9) (relating to nonrecognition of loss on certain railroad reorganizations) and section 113 (a) (20) (relating to basis of property acquired by railroad corporations in certain railroad reorganizations), applicable with respect to transactions occurring after December 31, 1939. By section 142 (d) of the Revenue Act of 1942, sections 112 (b) (9) and 113 (a) (20) were made applicable to taxable years beginning after December 31, 1939. Under this amendment, for which there is no corresponding provision in the House bill, sections 112 (b) (9) and 113 (a) (20), as added to the code by section 142 of the Revenue Act of 1942, are made applicable to transactions occurring after December 31, 1938, and section 142 (d) of the Revenue Act of 1942 is amended so as to make sections 112 (b) (9) and 113 (a) (20) applicable to taxable years beginning after December 31, 1938. The House recedes with a change in section number.

Amendment No. 56: This amendment, for which there is no corresponding provision in the House bill, adds a new subparagraph to section 710 (c) (3) to provide that if the basis of the property of a railroad corporation (as defined in section 77m of the National Bankruptcy Act, as amended) is prescribed by section 113 (a) (20), the acquiring corporation and the corporation whose property was acquired, within the meaning of section 113 (a) (20), shall be deemed to be the same taxpayer for the purposes of the unused excess profits credit adjustment. The Senate recedes.

Amendment No. 57: This amendment, for which there is no corresponding provision in the House bill, adds a new subsection (k) to section 117 of the code and amends section 117 (j). Section 117 (k) (1), as added by this amendment, provides that a taxpayer which has owned, or has had a contract right to cut, timber for a period of more than 6 months prior to the beginning of the taxable year may elect in his return for such year to treat the cutting of such timber during the year as a sale or exchange of such timber. If such election has been made, the timber shall be considered "property used in the trade or business" of the taxpayer for the purposes of section 117 (j), and gain or loss to the taxpayer shall be recognized in an amount equal to the difference between adjusted basis for depletion of such timber in the hands of the taxpayer and the fair market value of such timber as of the first day of the taxable year in which such timber is cut. Such fair market value shall thereafter be considered as the cost of such cut timber to the taxpayer for all purposes for which such cost is a necessary factor. An election made by a taxpayer under section 117 (k) (1) shall be applicable with respect to all timber owned by the taxpayer or which the taxpayer has a contract right to cut, and shall be binding upon the taxpayer for the taxable year for which the election was made and for all subsequent years unless the Commissioner, on a showing of undue hardship, permits the taxpayer to revoke his election. Such revocation shall preclude any further election under section 117 (k) (1) except with the consent of the Commissioner.

Under section 117 (k) (2), as added by this amendment, if a taxpayer who has owned timber for more than 6 months disposes of such timber under any form or type of contract by virtue of which the owner retains an economic interest in such timber, the difference between the amount received for such timber and the adjusted basis for depletion of such timber in the hands of the owner shall be considered as though it were a gain or loss, as the case may be, upon the sale of such timber. Such timber shall be considered "property used in the trade or business" of the owner for the purposes of section 117 (j).

Section 117 (j) (1) of the code is amended by including within the definition of "property used in the trade or business", timber as provided in section 117 (k). It is further provided that the amendments made with respect to the disposal of timber by the owner thereof under section 117 (k) (2) of the code, and section 117 (j) of the code as expanded by this amendment to the extent that it relates to such disposal, shall be effective as if they were a part of the Internal Revenue Code and of each prior revenue law on the dates of their respective enactments.

The House recedes with a change in section number and with an amendment to section 117 (k) (1) to provide that the cutting of timber (for sale or for use in the taxpayer's trade or business) during a taxable year by the taxpayer who owns, or has a contract right to cut, such timber (providing that he has owned such timber or has held such contract right for a period of more than 6 months prior to the beginning of such year) shall be considered as a sale or exchange of such timber cut during such year, if the taxpayer so elects upon his return for such year, with an amendment striking out the references to section 117 (j) from sections 117 (k) (1) and (2), and with a further amendment to section 117 (j) (1) to provide that the term "property used in the trade or business" includes timber with respect to which section 117 (k) (1) or (2) is applicable. As the result of the amendment to section 117 (j) (1), timber as to which an election has been made under section 117 (k) (1) or which is described in section 117 (k) (2) shall be governed by the provisions of section 117 (j) for all taxable years to which such latter section is applicable. The amendment made with respect to section 117 (k) (2) shall be deemed to be included in the revenue laws respectively applicable to taxable years beginning after February 28, 1913. The amendment made with respect to section 117 (j) (1) shall be effective as if it were made by section 151 of the Revenue Act of 1942.

Amendment No. 58: This amendment changes the section number and title; the House recedes with a further change in section number.

Amendments Nos. 59 and 60: These amendments change the section title; the House recedes.

Amendment No. 61: The House bill added a new section 129 to chapter 1 under which a deduction, credit, or allowance is disallowed (or allowed only in such part as is consistent with the prevention of the avoidance) in any case in which any person or persons acquire, on or after October 8, 1940, an interest in or control of a corporation or property, if the Commissioner finds that one of the principal purposes for which such acquisition was made or availed of is the avoidance of Federal income or excess-profits taxes by securing the benefit of such deduction, credit, or other allowance.

As amended by the Senate bill, section 129 disallows a deduction credit or allowance (or allows only such part as is consistent with the prevention of the evasion or avoidance) in any case in which any person or persons acquire, on or after October 8, 1940, control (more than 50 percent) of a corporation, if the principal purpose for which such acquisition was made is evasion or avoidance of Federal income or excess-profits taxes by securing the benefit of a deduction, credit, or allowance which such person would not otherwise enjoy, then such deduction, credit, or other allowance shall not be allowed.

The House recedes with a change of section number and with further amendment. Under the conference agreement, section 129 disallows a deduction, credit, or allowance (or allows only such part as is consistent with the prevention of the evasion or avoidance) in any case in which (1) any person or persons acquire on or after October 8, 1940, control of a corporation, or (2) any corporation acquires on or after October 8, 1940, directly or indirectly, property of another corporation (not controlled, directly or indirectly, immediately prior to such acquisition by such acquiring corporation or its stockholders) the basis of which property in the hands of the acquiring corporation is determined by reference to the basis in the hands of the transferor corporation, if the principal purpose for which such acquisition was made is evasion or avoidance of Federal income or excess profits taxes by securing the benefit of a deduction, credit, or allowance which such person would not otherwise enjoy. Under the conference agreement, "control" is specifically defined. The definition adds precision to the phrase "acquire, on or after October 8, 1940, * * * control" but does not change the primary meaning of "acquire" as used in the Senate amendment. Thus, if A, who, on October 7, 1940, and at all times thereafter, owns 40 percent of the stock of corporation X (having at such times only one class of stock outstanding), acquires on October 8, 1940, an additional 10 percent of such stock, an acquisition (within the meaning of such phrase) is made by A on October 8, 1940.

Under the conference agreement, the categories of tax evasion and tax avoidance selected for specific treatment under section 129 are those characterized either by the acquisition of control of a corporation, or by the acquisition of property (with a transferred basis) by one corporation from another not controlled immediately prior to such acquisition by such first corporation. As contrasted with the House bill, the conference agreement narrows the scope of the section, considered desirable in view of the extent to which the House provision overlapped the broad provisions of sections 45 of the code (control cases) and 141 of the code (affiliated cases), and of the principle of *Higgins* v. *Smith* (308 U. S. 473), and in order to emphasize the special function of the section, namely, to give tax enforcement agencies a clear basis for administration in those areas in which abuses are most apt to occur. The shifting within a controlled group of property or an enterprise in the attempt to preserve to the transferor, or the underlying interest, a deduction, credit, or allowance reasonably related to the property or enterprise once owned but since parted with, is governed by section 45, as is a similar shift designed to afford the new owner a deduction, credit, or allowance, having a reasonable relationship to the old owner but not with the new.

Section 128 as renumbered under the conference agreement is designed to make definite and clear that the evasion or avoidance arrangements within the section are legally

ineffective, to insure that the small minority who have indulged in these schemes take nothing by their artifice, and to protect the overwhelming majority of taxpayers who have refused to participate in such transactions. The intent under the conference agreement is that the section shall not be construed as in any way abrogating, delimiting, or superseding, the full application of (1) the principle established by the Supreme Court in *Higgins* v. *Smith* (308 U. S. 473), and applied in the numerous cases cited in the reports of the House and Senate committees; (2) or of the requirements of sections 45, 141, and other provisions of the code specifically dealing with the prevention of evasion or avoidance.

Amendments Nos. 62 and 65: These Senate amendments inserted the phrase "evasion or" in order to conform the language to that of Senate amendment No. 61. The conference agreement as to Senate amendment No. 61 retains the phrase "evasion or" in view of the use of the term elsewhere in the code and in order to make clear that the result denoted in section 129 by "evasion or avoidance" is that which would be referred to in ordinary usage either as "evasion" or as "avoidance" (including cases not cognizable under the criminal or administrative penalty provisions of law); the House recedes.

Amendments Nos. 63, 64, and 66: These Senate amendments strike the phrase "or availed of" appearing in the House bill in order to conform the language to that used in Senate amendment No. 61, under which the determination of the purpose for which an acquisition was made necessarily requires a scrutiny of the entire circumstances in which the transaction or course of conduct occurs, in connection with the tax result claimed to arise therefrom. The House recedes.

Amendment No. 67: This Senate amendment restricted the retroactivity of section 122 of the Senate bill (renumbered sec. 128) to all acquisitions made with fraudulent intent to evade tax. In the House bill the section was applicable to all taxable years beginning after December 31, 1939. The House recedes with an amendment.

An acquisition made with fraudulent intent to evade tax is incapable of having the legal effect of giving the benefit of a deduction, credit, or allowance to any taxpayer. Section 128 (c) under the conference agreement makes section 128 applicable to taxable years beginning after December 31, 1943, and explicitly states:

"The determination of the law applicable to prior taxable years shall be made as if this section had not been enacted and without inferences drawn from the fact that the amendment made by this section is not expressly made applicable to prior taxable years."

The conference agreement contemplates, as respects taxable years beginning prior to January 1, 1944, that tax administration for such taxable years will proceed upon the basis that existing law is fully operative, and that in such administration the circumstance that specific categories of tax evasion or avoidance are selected for specific statutory treatment for taxable years beginning after December 31, 1943, may not be treated as abridging, restricting, or limiting the full application of any applicable law or rule of law (whether explicit or implicit in the code, or in judicial decisions, or whether as yet applied to particular situations or as yet decided). The conference agreement on section 128 (as renumbered) further contemplates that, as respects any taxable year (beginning before, on, or after January 1, 1944), section 128 shall not be read as approving or validating by inference, implication, or otherwise, any tax avoidance or evasion device, action, or result (whether within or without the categories of sec. 128), or as diminishing in any manner the efficacy of any law or rule of law in the prevention of distortions or perversions.

Amendment No. 68: This amendment, for which there is no corresponding provision in the House bill, adds a new section 130 to the code, to limit in the case of individuals the amount of deductions attributable to a trade or business which are otherwise allowable in any given taxable year. If the deductions attributable to a trade or business carried on by an individual exceed the gross income from such business for each of 5 consecutive taxable years, regardless of the amount of such excess, the net income of such individual for each of such years is to be recomputed. In recomputing the net income for each of such years, deductions attributable to such trade or business shall be allowed only to the extent of $20,000 plus the gross income attributable to such trade or business. In making such recomputations, the net operating loss deduction provided in section 23 (s) of the code shall not be allowed. The House recedes with a change of section number and with an amendment revising the provisions of the new section 130 in the following particulars:

Under the Senate amendment, a recomputation is required if the deductions allowable to an individual and attributable to a trade or business carried on by him for 5 consecutive years have, in each year, exceeded the gross income therefrom. The conference amendment requires a recomputation only if such deductions, but not including taxes and interest, have in each of such years, exceeded by more than $50,000 the gross income derived from such trade or business.

The Senate provisions prescribe that in such recomputation of the net income of each of the 5 consecutive years the deductions shall be allowed only to the extent of $20,000 plus the gross income from the trade or business. The conference amendment raises this $20,000 figure to $50,000 and excludes from the deductions to be disallowed upon the recomputation the deductions otherwise allowable in respect of taxes and interest. On the basis of such recomputation of net income, the conference amendment provides for a redetermination of the tax imposed by this chapter. If for any such taxable year the assessment of a deficiency is prevented, except for the provisions of sections 3801 and 3807, by the operation of any law or rule of law other than section 3761, relating to compromises, any increase in the tax previously determined for such year shall be deemed a deficiency under this section. Notwithstanding any law or rule of law (other than section 3761), any amount deemed a deficiency under this section may be assessed as if on the date of the expiration of the time prescribed by law for the assessment of a deficiency for the fifth taxable year of the 5 consecutive taxable years, one year remained before the expiration of the period of limitation upon assessment for any of such years. However, in applying the provisions of section 130 to a taxable year open for assessment without regard to the limitation provisions of that section, the deficiency or overpayment will be the actual deficiency or overpayment.

The conference amendment provides that this new section shall be applicable to taxable years beginning after December 31, 1939, but shall not affect any tax liability for any taxable year beginning prior to January 1, 1944.

The amendment has no application to any occupation or activity which is not a trade or business regularly carried on by the taxpayer. The limitations placed upon the application of the provisions of the amendment are not to be used either directly or by implication as indicia in determining whether the occupation or activity is a trade or business or for the production of income.

Amendment No. 69: This amendment, for which there is no corresponding provision in the House bill, amends subsections (b) and (f) of section 131 of the code (which limit the credit allowed for taxes of foreign countries and possessions of the United States) to assure in all cases the technically correct formulas for relating the income of the taxpayer from foreign sources to the taxpayer's total income and for fixing the amount of taxes deemed to have been paid by a corporation on dividends received from its foreign subsidiary.

Existing formulas in 131 (b), in the case of corporate taxpayers, relate net income from a foreign country and from all foreign sources to normal-tax net income plus the credit for adjusted excess-profits net income under section 26 (e) of the code. The amendment effected by subsection (a) of this section would relate normal-tax net income from a foreign country and from all foreign sources to entire normal-tax net income. In determining normal-tax net income from such sources a portion of the credit under section 26 (e) is allocated to such income, determined by the relationship of the excess-profits net income from such sources to the entire excess profits net income. In the application of the provisions added to section 131 (b), as in the case of the related section 729 (d) providing for a credit for foreign tax against the chapter 2 E excess-profits tax, "entire excess-profits net income" will have to be determined in accordance with regulations, taking cognizance of problems presented by such sections as 721, 726, 731, and 736 (b) which affect the taxable excess-profits net income and the amount of the chapter 2 E tax against which the credit is taken under section 729 (d).

Subsection (b) of this amendment amends subsection (f) of section 131 to eliminate the proviso therein reading as follows:

"* * * *Provided*, That the amount of the tax deemed to have been paid by such domestic corporation under this subsection shall in no case exceed the same proportion of the tax against which credit is taken which the amount of such dividends bears to the amount of the normal-tax net income of the domestic corporation in which such dividends are included. * * *"

This proviso has the effect of confining the credit for the tax deemed to have been paid by a parent corporation on dividends received from its foreign subsidiary to the chapter 1 tax and preventing such tax deemed to have been paid from being available, in part, as a credit against any chapter 2 E tax.

The amendments made by subsection (a) of this section will be effective for taxable years beginning after December 31, 1941; the amendment made by subsection (b) of this section will be effective for taxable years beginning after December 31, 1939.

The House recedes with a change in section number.

Amendment No. 70: This amendment, for which there is no corresponding provision in the House bill, amends section 141 (e) of the code to provide that certain types of corporations, which under existing law would be exempt from the excess-profits tax if they were not members of an affiliated group filing consolidated returns, shall not be includible corporations entitled to join in the filing of consolidated returns (unless they have filed a required consent for any taxable year beginning after December 31, 1943, to be so included). Thus the exemption from excess-profits tax has been preserved to these corporations unless they elect otherwise by con-

senting to be treated as includible corporations. These corporations are personal-service corporations (sec. 725), personal-holding companies as defined in section 501 (sec. 727 (e)), certain domestic corporations satisfying the provisions of section 727 (g), and certain corporations subject to the provisions of title IV of the Civil Aeronautics Act of 1938 (sec. 727 (h)). The House recedes with a change in section number.

Amendment No. 71: This amendment, for which there is no corresponding provision in the House bill, reduces the rate of withholding at the source to 10 percent of the gross amount of the wages of nonresident alien individuals brought into the United States under the authority of the War Manpower Commission for temporary employment essential to the war effort. The House recedes with a change in section number.

Amendment No. 72: This amendment, for which there is no corresponding provision in the House bill, adds a new paragraph (4) to section 162 (d). Through application of section 162 (d) (2) and (3) (A) it is possible in some cases that the amount of the deductions allowed in computing the net income of an estate or trust, and required to be included in the net income of legatees, heirs, or beneficiaries, will exceed the net income of the estate or trust for its taxable year. Such excess deductions result in a form of double taxation which this amendment avoids, by providing that if the deductions allowed to an estate or trust solely by reason of section 162 (d), (2) and (3) (A) in respect of income payable to legatees, heirs, or beneficiaries exceed the net income of the estate or trust for such year, computed without such deductions, the amount of such excess shall not be included in computing the net income of such legatees, heirs, or beneficiaries. The floor amendment by the Senate to this section as reported out by the Senate Finance Committee merely clarified the language of the section without change as to substance or the applicability of the detailed discussion of section 127 contained in the Senate Finance Committee Report. The House recedes with a change in section number.

Amendments Nos. 73 and 74: These are clerical amendments. The House recedes with a further change in section number as to amendment No. 73.

Amendments Nos. 75, 76, 77, 78, and 79: The House bill added a new subsection (c) to section 167 of the code to provide that income shall not be taxable to the grantor under section 167 (a) of the code or any other provision of chapter 1 thereof merely because such income, under stated circumstances, may be applied or distributed for the support or maintenance of a beneficiary, such as the wife or child of the grantor, whom he is legally obligated to support, except to the extent that such income is actually so applied or distributed. Amendments Nos. 75, 76, and 77 are of a clarifying character, designed to carry out the original intention underlying new subsection (c). The House bill provided for the retroactive application of the amendments made thereby but forbade the allowance of refund or credit in those cases where such allowance was barred by any provision or rule of law. Amendments Nos. 78 and 79 authorize credit or refund notwithstanding any provision or rule of law (with certain stated exceptions) which would otherwise prevent such credit or refund. The House recedes.

Amendment No. 80: This section, for which there is no corresponding provision in the House bill, provides that mutual fire insurance companies exclusively issuing perpetual or refundable single premium policies, shall be taxed substantially as stock insurance companies other than life and mutual marine insurance companies under section 204 of the code instead of as at present under the provisions of section 207 of the code, applicable to mutual insurance companies other than life or marine. The House recedes with a change in section number.

Amendment No. 81: This amendment changes a section number. The House recedes with a further change of section number.

Amendment No. 82: This a clerical amendment. The House recedes.

Amendment No. 83: This amendment eliminates the provision of the House bill relating to the effective date of the amendments made by part II of title I of the House bill, relating to withholding at source on wages. The House recedes.

Amendment No. 84: This amendment eliminates the provisions of the House bill relating to definitions affecting status for withholding of tax at source on wages. The House recedes.

Amendment No. 85: This amendment eliminates the provisions of the House bill amending section 1622 of the code, relating to income tax collected at source. The House recedes with a change in section number and a further amendment as follows:

Section 1622 (h) (1) of the code, relating to withholding-exemption certificates, is amended so as to permit an employer to give immediate effect only to changes of status occurring on or before July 1, of the calendar year. Where a withholding-exemption certificate is furnished on account of a change of status occurring after July 1, of the calendar year, such change shall not be given effect until the first payment of wages made on or after January 1 of the succeeding calendar year.

Amendment No. 86: This amendment, for which there is no corresponding provision in the House bill, is designed to correct a technical drafting error made in section 710 (a) (1) (B) of the code, as added by section 202 of the Revenue Act of 1942, whereby a public utility would become subject to the 80 percent income and excess profits tax limitation and would have its excess-profits tax liability reduced by virtue of the credit for dividends paid on its preferred stock during the taxable year. The credit for dividends paid provided in section 26 (h) of the code, however, was intended as a credit only for purposes of the surtax. The amendment provides that for purposes of the 80-percent tax limitation, corporation surtax net income shall be computed without regard to 80 percent of the credit for dividends paid provided in section 26 (h). This not only corrects the error but also provides that a public utility subject to the 80-percent tax limitation obtains the same benefit from the payment of dividends on its preferred stock as a public utility which is not subject to the 80-percent limitation. The House recedes.

Amendment No. 87: This is a clerical amendment. The House recedes.

Amendments Nos. 88, 89, 90, and 91: Under the House bill, the excess-profits credit based upon an invested capital over $10,000,000 but not over $200,000,000 was $700,000 plus 5 percent of the excess over $10,000,000. Upon an invested capital over $200,000,000, the excess-profits credit was $10,200,000 plus 4 percent of the excess over $200,000,000. These amendments eliminate the separate provision of the House bill in the case of invested capital over $200,000,000, and provide that in the case of invested capital over $10,000,000, the excess-profits credit shall be $700,000 plus 5 percent of the excess over $10,000,000. The House recedes.

Amendment No. 92: This is a clerical amendment. The House recedes.

Amendments Nos. 93 and 94: These are technical amendments designed to permit the compilation by the Commissioner of cases in which relief under section 722 has been allowed, whether or not such cases relate to taxable years beginning after December 31, 1943. The House recedes.

Amendments Nos. 95 and 96: Under the House bill which included lessors within the scope of section 735 of the code, the term "lessor" was defined as a corporation which owns an economic interest in a mineral property or a timber block, and is paid in accordance with the number of mineral or timber units recovered from the mineral property or timber block by the producer to which such property or block is leased by the lessor. These amendments change the word "producer" to "person" and eliminate the requirement that such person must be the person to which the mineral property or timber block is leased by the lessor. Thus, individual lessees as well as sublessees are included within the purview of section 735 as respects lessors. The House recedes.

Amendments Nos. 97, 98, 99, 101, 103, 104, 106, and 107: Under the House bill, relief under section 735 was extended to natural-gas companies which were defined as corporations engaged in the withdrawal or transportation by pipe line of natural gas. In the case of a natural-gas company, any of the natural-gas property of which was in operation during the base period, the nontaxable income from exempt excess output for any taxable year was the amount equal to the excess output for such year multiplied by one-half of the unit net income for such year. The term "natural-gas property" was defined as the property of a natural-gas company used for the withdrawal, storage, and transportation by pipe line of natural gas, excluding any part of such property which is an emergency facility under section 124. In determining the excess output, which meant the excess of the natural-gas units for the taxable year over the normal output, the term "natural-gas unit" was defined as a unit of natural gas sold by a natural-gas company, and the term "normal output" was defined as the average annual natural-gas units sold in the taxable years beginning after December 31, 1935, and not beginning after December 31, 1939, of the person owning the natural-gas property (whether or not the taxpayer). The term "unit net income" in the case of a natural-gas property was defined to mean the amount ascertained by dividing the net income, computed in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, from such property during the taxable year by the number of natural-gas units sold in such year.

The amendments added by the Senate extend relief to a natural-gas company only with respect to the income derived from the withdrawal of natural gas from natural-gas properties in which the natural-gas company owns an economic interest and do not extend such relief to any income attributable to storage, transportation, or distribution of such gas. Thus, amendments Nos. 97 and 98 redefine the term "natural-gas company" to mean a corporation engaged in the withdrawal of natural gas from natural-gas property in which it owns an economic interest and which was in operation during the base period. Amendments Nos. 106 and 107 provide that in the case of a natural-gas company the nontaxable income from exempt excess output for any taxable year shall be an amount equal to the excess output for such year from natural-gas properties in which it owns an economic interest multiplied by one-half of the unit net income for such year. For purposes of determining the excess output the term "natural-gas unit," as redefined by amendment No. 99, means a unit of natural gas withdrawn from a natural-gas property, and the term "normal output," as redefined by amendment No. 101, means the average annual natural-gas units withdrawn

in the base period (taxable years beginning after December 31, 1935, and not beginning after December 31, 1939) of the person owning the natural-gas property (whether or not the taxpayer). As redefined by amendment No. 103, the term "natural-gas property" means a gas well, the development and plant necessary for the withdrawal of natural gas therefrom, and so much of the surface of the land as is necessary for such withdrawal, excluding any part of such property which is an emergency facility under section 124. The definition of unit net income in respect of a natural-gas company, as changed by amendment No. 104, means the amount ascertained by dividing the net income, computed in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, from the natural-gas property during the taxable year by the number of natural-gas units withdrawn from such property in such year. The Senate recedes.

Amendments Nos. 100 and 102: These amendments are technical amendments simplifying the use of the term "base period" in section 735 (a) (4), as amended. The Senate recedes.

Amendment No. 105: Under the House bill nontaxable income from exempt excess output from a coal mining or iron mining property or a timber block which was not in operation during the base period was an amount equal to one-sixth of the net income for such taxable year computed with the allowance for depletion from the coal or iron mining property or from the timber block, as the case may be. This amendment changes the allowance from one-sixth to one-half of such net income for the taxable year. The Senate recedes.

Amendment No. 108: The section of the House bill relating to nontaxable income of certain industries with depletable resources was made applicable to taxable years beginning after December 31, 1943, except that insofar as it related to lessors of mineral properties and timber blocks in operation during the base period and to natural-gas companies, it was applicable to taxable years beginning after December 31, 1941. The Senate amendment changes the applicability provisions to make all the amendments applicable with respect to taxable years beginning after December 31, 1941. The Senate recedes.

Amendment No. 109: Section 727 (h) of the code provides that a corporation subject to the provisions of title IV of the Civil Aeronautics Act of 1938 shall be exempt from the excess profits tax, if, after excluding from its gross income compensation received from the United States for the transportation of mail by aircraft, its adjusted excess profits net income for such year is zero or less. This amendment, for which there is no corresponding provision in the House bill, provides that the exclusion of air-mail compensation shall also be made in determining the amount of the unused excess profits credit for such year available under section 710 (c) as an offset to adjusted excess profits net income in other taxable years. To the extent, however, that the unused excess profits credit adjustment is attributable to the exclusion of mail pay, such credit is available to the taxpayer solely for the purposes of applying section 727 (h); i. e., only if such unused excess profits credit adjustment coupled with the exclusion required for the current year, again produces a zero adjusted excess profits net income. This amendment is effective as of the date of the enactment of the Excess Profits Tax Act of 1940. The House recedes with technical amendments serving to clarify the language of the provision, and to provide that the amendment made shall be effective as if it were a part of the Excess Profits Tax Act of 1940 on the date of its enactment.

Amendment No. 110: This amendment, for which there is no corresponding provision in the House bill, changes, for the purposes of part III of subchapter E of chapter 2 of the code, the definition under existing law of the term "tax imposed under this subchapter" in the case of taxable years beginning in 1941 and ending after June 30, 1942. Under the amendment the term means, in the case of such taxable years, the portion of the tentative excess profits tax determined under section 710 (a) (3) (B) of the code. The House recedes.

Amendments Nos. 111, 112, 113, and 114: These amendments are clerical. The House recedes.

Amendments Nos. 115 and 116: These amendments are technical. The House recedes.

Amendment No. 117: The House bill provides that, in case of a credit or refund of an overpayment of excess profits tax for a taxable year for which a post-war credit is provided, bonds issued with respect to a taxable year prior to that for which the overpayment is made may be made available for adjustment. By striking out the words "or a previous taxable year", this amendment has the effect of limiting the bonds subject to adjustment in such case to the bonds issued with respect to the taxable year for which the overpayment is made. This change in the provision with respect to the adjustment of the bonds makes such provision conform in this regard to the provision with respect to the adjustment of the post-war credit. The House recedes.

Amendments Nos. 118 and 119: These are technical amendments. The House recedes.

Amendment No. 120: This is a clerical amendment. The House recedes.

Amendment No. 121: This amendment, for which there is no corresponding provision in the House bill, adds a new paragraph (2) to section 781 (d) of the code. Section 781 (d) relates to the limitation on the post-war credit with respect to the excess profits tax. Paragraph (2) prescribes a special rule for the computation of the limitation on the post-war credit for a taxable year beginning in 1941 and ending after June 30, 1942. The House recedes with an amendment which corrects a technical imperfection in the Senate amendment.

The portions of the tentative excess profits taxes determined under section 710 (a) (3) (A) and (B) of the code are the portions of the tentative taxes prior to the credit under section 729 (c) and (d) of the code for tax paid or accrued to a foreign country or possession of the United States and prior to the adjustment under section 734 of the code on account of position inconsistent with prior income tax liability. The credit under section 729 (c) and (d) and the adjustment under section 734 are applied against the sum of the portions of the tentative excess profits taxes finally determined under section 710 (a) (3). Therefore, Senate amendment No. 121 fails to prescribe the proper rule for computing the limitation on the post-war credit for a taxable year beginning in 1941 and ending after June 30, 1942, whenever a credit under section 729 (c) and (d) or an adjustment under section 734 is involved. This imperfection is corrected by the conference amendment. The amount of tax which would be payable to the United States under subchapter E of chapter 2 of the code if the portion of the tentative tax determined under section 710 (a) (3) (B) were reduced by 10 percent, as used in the conference amendment, means the sum of (1) the portion of the tentative tax determined under section 710 (a) (3 (A), and (2) 90 percent of the portion of the tentative tax determined under section 710 (a) (3) (B), after proper allowance is made for any allowable credits or adjustments, such as a credit under section 729 (c) and (d) or an adjustment under section 734.

Amendment No. 122: This is a clerical amendment. The House recedes.

Amendment No. 123: This is a technical amendment. The House recedes.

Amendment No. 124: This is a clerical amendment. The House recedes.

Amendment No. 125: The House bill provides that the amendments made by subsections (a), (b), (c), and (d) of section 250 shall be effective as if made by section 250 of the Revenue Act of 1942. This provision as changed by amendment No. 125 provides that the amendments made by subsections (b), (c), and (d) of section 250 of the Senate bill, and the amendments made by subsection (e) of section 250 of the Senate bill (except with respect to credits or refunds made on or prior to the date of the enactment of this act) shall be effective as if made by section 250 of the Revenue Act of 1942. Subsections (b), (c), (d), and (e) of the Senate bill correspond to subsections (a), (b), (c), and (d) of the House bill. The change made by this amendment with respect to credits or refunds made on or prior to the date of the enactment of this act is substantive. Under the Senate amendment, section 781 (b) of the code in force under existing law rather than such section as amended will be applicable with respect to those cases where an overpayment of excess profits tax, for a taxable year for which a post-war credit is provided, is credited or refunded on or prior to the date of the enactment of this act. The House recedes.

Amendment No. 126: This amendment provides that the amendment made by section 250 (a) of the Senate bill, and the amendment made by section 250 (f) of the Senate bill inserting a new paragraph (2) of section 781 (d) of the code, shall be applicable with respect to taxable years begining in 1941 and ending after June 30, 1942. The House recedes with a technical amendment.

Amendments Nos. 127 and 128: These amendments are clerical. The House recedes.

Amendment No. 129: This amendment, for which there is no corresponding provision in the House bill, amends section 783 (b) (2) of the code, relating to one of the limitations on the credit against the excess profits tax for debt retirement in the case of taxable years beginning after September 1, 1942. Section 783 (b) (2), as amended, provides in effect that the credit for debt retirement with respect to the taxable year shall not exceed an amount equal to 40 percent of the amount by which (1) the amount of indebtedness as of September 1, 1942, or (2) the smallest amount of indebtedness as of the close of any preceding taxable year ending after September 1, 1942, whichever amount is the lesser, exceeds the amount of indebtedness as of the close of the taxable year. The amendment is made applicable with respect to taxable years beginning after December 31, 1942. The House recedes with an amendment.

The conference amendment clarifies the amendment to section 783 (b) (2) of the code by the use of more precise language. It further provides that the amendment to section 783 (b) (2) shall be applicable to taxable years beginning after September 1, 1942, instead of to taxable years beginning after December 31, 1942. The conference amendment also adds a new subsection (c) to this section of the bill. Section 783 (a) of the code makes the allowance of the credit for debt retirement conditioned upon an election to take such credit made by the taxpayer in its return for the taxable year with respect to which such credit is allowable. With respect to the election to take credit for debt retirement against the excess profits

tax imposed for a taxable year ended prior to the date of the enactment of this act, this conference amendment makes a special exception to the general rule under section 783 (a) as to when the election to take the credit must be made. The exception applies only to an election to take such portion of the credit with respect to a taxable year ended prior to the date of the enactment of this act as is attributable to the change in the limitation under section 783 (b) (2) made by this section of the bill. The new subsection (c) provides that such election may be made within ninety days after the date of the enactment of this act.

Amendment No. 130: The House bill increased the tax applicable to jewelry, etc., sold at retail, from 10 percent to 20 percent of the price for which so sold. The amendment makes the increased rate inapplicable to watches selling at retail for not more than $65, and alarm clocks selling at retail for not more than $5. The House recedes.

Amendments Nos. 131, 132, 137, 143, 149, 166, and 167: The House bill amended section 3268 of the Internal Revenue Code, which imposes on every person who operates a bowling alley, billiard room, or pool room a special tax of $10 per year for each bowling alley, billiard table, or pool table, to increase the tax with respect to billiard and pool tables to $20 per table. The House bill also suspended the tax imposed by section 3268 with respect to bowling alleys and imposed a tax equivalent to 20 percent of all amounts paid for the privilege of bowling at any bowling alley. The amendments increase the tax for each bowling alley to $20 per year, eliminate the tax on amounts paid for the privilege of bowling, and provide that no tax shall be imposed with respect to a billiard table or a pool table in a hospital if no charge is made for the use of such table. The House recedes.

Amendments Nos. 133, 134, 135, 136, 138, and 145: The House bill increased the tax on the amount paid within the United States for each international telegraph, cable, or radio dispatch or message equal to 10 percent of the amount so paid to 15 percent of such amount. The amendments restore the existing rate of 10 percent. The House recedes as to these amendments with a clerical amendment to amendment No. 135.

Amendment No. 139: The House bill increased the tax applicable to amounts paid for admission to any place from 1 cent to 2 cents for each 10 cents or fraction thereof of such amounts. The amendment substitutes a tax of 1 cent for each 5 cents or major fraction thereof. The House recedes.

Amendment No. 140: The House bill increased the tax applicable with respect to amounts paid at cabarets, roof gardens, etc., from 5 to 30 percent of such amounts. The amendment reduces the rate to 20 percent. The Senate recedes.

Amendment No. 141: The House bill increased the rate of the tax on fur articles sold at retail equivalent to 10 percent of the price for which so sold to 25 percent of such price. The amendment reduces the rate to 20 percent. The House recedes.

Amendment No. 142: The House bill increased the tax on toilet preparations sold at retail equivalent to 10 percent of the price for which so sold to 25 percent. The amendment reduces the rate to 20 percent. The House recedes.

Amendment No. 144: The House bill increased the tax applicable with respect to electric light bulbs and tubes from 5 percent to 25 percent. The amendment reduces the rate to 15 percent. The House recedes with an amendment increasing the rate to 20 percent.

Amendment No. 146: The House bill increased the rate of tax equivalent to 15 percent of the amount paid for leased wires, etc., to 20 percent of the amount so paid. The amendment further increases the rate to 25 percent. The House recedes.

Amendment No. 147: The House bill increased the rate of the tax equivalent to 5 percent of the amount paid for wire and equipment service to 7 percent. The amendment further increases the rate to 8 percent. The House recedes.

Amendment No. 148: This amendment, for which there is no corresponding provision in the House bill, reduces to 15 percent the tax on luggage, etc., sold at retail, which, as imposed by the House bill, was equivalent to 25 percent of the price for which so sold. The House recedes with an amendment fixing the rate at 20 percent.

Amendment No. 150: This amendment eliminates the tax imposed by the House bill on the conducting of parimutuel or totalizator wagering on any racing or other sporting event equal to 5 percent of the total amount wagered and received into the parimutuel or totalizator pool, to be paid by the person conducting or having control thereof. The House recedes.

Amendment No. 151: This amendment makes a change of section number; and the House recedes.

Amendments Nos. 152 and 153: These amendments relate to the exemption granted by the House bill from increased excise tax with respect to an article covered by a lease, contract of sale, conditional sale or chattel mortgage, where delivery was made before the effective date of title III of the Revenue Act of 1943. The amendment requires as a further condition to the exemption that a part of the consideration shall be paid before such date. The House recedes.

Amendments Nos. 154 and 155: These amendments change section numbers. The House recedes.

Amendment No. 156: This is a technical amendment. The House recedes.

Amendment No. 157: This amendment changes a section number. The House recedes.

Amendment No. 158: This is a technical amendment. The House recedes.

Amendments Nos. 159, 160, and 161: The House bill provided that the increase in the rate of tax with respect to billiard and pool tables shall be effective only with respect to the period beginning July 1, 1944. The amendments substitute a provision, covering bowling alleys, the tax on which was increased by another amendment, as well as billiard and pool tables, that the increase in the tax rate shall continue effective through June 30 next following the first day of the first month which begins 6 months or more after the date of termination of hostilities in the present war as defined in chapter 9A of the Internal Revenue Code added by the House bill. The House recedes.

Amendments Nos. 162, 163, and 164: These amendments deal with the time of application of increases in the rates of the taxes imposed by section 3465 (a) (2) and (3) of the Internal Revenue Code and relate such increases to the first day of the first month beginning after the effective date of title III of the Revenue Act of 1943, instead of the effective date of such title as provided by the House bill. The House recedes.

Amendment No. 165: This amendment adds a provision, for which there is no corresponding provision in the House bill, to exempt from the tax on amounts paid at cabarets, roof gardens, etc., any amount paid by himself or another for any patron or guest who is a member of the military or naval forces of the United States, or of any of the other United Nations, and is in uniform. The Senate recedes.

Amendments Nos. 168, 169, and 170: These amendments continue as to the American National Red Cross the exemptions, made inapplicable to the United States by the House bill, from taxes with respect to telegraph, telephone, radio, and cable facilities and the transportation of persons and property. The House recedes.

Amendment No. 171: This is a clerical amendment. The House recedes.

Amendments Nos. 172 and 179: The House bill terminated the tax exemption with respect to amounts paid for the transportation of property to or from the Government of the United States. These amendments continue the exemption with respect to amounts paid by or to the War Shipping Administration for the transportation of property by water from one point in the United States to another, except between points on the Great Lakes, for the period beginning December 1, 1943, and ending on the first day of the first month which begins 6 months or more after the date of the termination of hostilities in the present war. The House recedes.

Amendments Nos. 173 and 175: These are technical amendments. The House recedes.

Amendments Nos. 174, 176, and 178: The House bill terminated tax exemptions applicable with respect to certain articles sold by certain persons for the exclusive use of the United States but continued the exemptions as to articles sold pursuant to contracts entered into prior to the effective date of the amendments which terminated the exemptions. The amendments made to the House bill enlarge the provisions of the House bill relating to articles sold under contract to cover articles sold pursuant to any agreement or change order supplemental to such contract bearing the same Government contract number. The House recedes.

Amendment No. 177: This amendment corrects a clerical error. The House recedes.

Amendment No. 180: This amendment adds a new subsection, which provides that notwithstanding the termination of exemptions with respect to articles sold or services rendered to the United States, the Secretary of the Treasury may, under conditions stated, authorize exemptions from the taxes imposed by chapter 19, 29, or 30 of the code as to any particular articles or services to be purchased by the United States. The authorization to provide exemption does not include authorization of exemption from taxes such as those imposed by subchapter B of chapter 29, from which the United States has not been heretofore exempt; but any other statutory or executive authority to grant such exemption is not impaired. The subsection is not applicable to any contract entered into on or after the first day of the first month which begins 6 months or more after the date of the termination of hostilities in the present war. The House recedes with a technical amendment.

Amendment No. 181: The House bill increased the rate of draw-back of distilled spirits tax paid with respect to such spirits used in the production of certain nonbeverage products from $3.75 to $5 per proof gallon, this increased rate to be applicable for the period in which the war tax rates specified by code section 1650 are in effect. The amendment increases the $5 rate allowed by the House bill to $6. The House recedes.

Amendment No. 182: This is a technical amendment. The House recedes.

Amendment No. 183: This amendment adds to section 309 of the House bill another subsection designated (d). This additional subsection amends code section 3250 (1) (1), relating to eligibility for drawback on fully tax-paid domestic distilled spirits used in the manufacture of certain nonbeverage products. The amendment dispenses with one of the present requirements of eligibility, i. e., that such products be "sold or otherwise transferred for use for other than beverage

purposes." Under the amendment eligibility for the drawback is acquired as of the time the spirits are used in conformity with the statute. The House recedes.

Amendment No. 184: This amendment adds subsection (e) to section 309 of the House bill. This subsection provides that distilled spirits used prior to the effective date of title III in the production of certain nonbeverage products, and which are not covered by any claim filed in conformity with law prior to such effective date, shall be regarded as so used during the quarter in which such effective date occurs, and the claim filed by any person for such quarter shall include the drawback claimed with respect to such distilled spirits, but no claim shall be allowed which was barred by any provision of any prior law. The House recedes.

Amendment No. 185: This amendment eliminates the exemption allowed by the House bill of silver-plated flatware from the tax on jewelry, etc., sold at retail. The Senate recedes.

Amendment No. 186: This amendment exempts household type electric vacuum cleaners from the tax on electric, gas, and oil appliances sold by the manufacturer. The House recedes with an amendment renumbering the section.

Amendment No. 187: This amendment, for which there is no corresponding provision in the House bill, provides for refund, credit, or abatement of the tax on luggage, sold by the manufacturer, producer, or importer, prior to the effective date of the section relating to the retailers' excise tax on luggage, and held on such effective date by a dealer for sale. The Senate recedes.

Amendment No. 188: This amendment eliminates the increase made in the House bill of the rate of postage on all mail matter of the third class by an amount equal to the rate provided by existing law. The House recedes.

Amendments Nos. 189, 190, 191, 192, 193, 194, 195, and 196, inclusive: These amendments change section numbers. The House recedes.

Amendment No. 197: This amendment strikes out section 501 of the House bill. The House recedes with an amendment adding a new subsection (k) to section 811 of the code and changing present subsection (k) to subsection (l). New subsection (k) provides that if the value of stock or securities in a corporation cannot be determined with reference to sales prices or bid and asked prices by reason of the absence of sales thereof and their not being listed on an exchange, the value of such stock or securities shall be determined by considering, in addition to all other relevant factors, the value as of the applicable valuation date of stock or securities in corporations engaged in the same or a similar line of business which are listed on an exchange. The effect of this subsection is to clarify the consideration by the Commissioner, along with other evidentiary factors, of the value of listed stock or securities in corporations engaged in the same or a similar line of business. The Commissioner retains his present authority under the law to determine the precise weight to be accorded all pertinent factors affecting value, depending on the facts of each case.

Amendment No. 198: This amendment strikes out section 502 of the House bill. The House recedes. (See amendment No. 199.)

Amendment No. 199: This amendment adds, in lieu of section 502 of the House bill, a new subsection (e) to section 1000 of the code and a new subsection (c) to section 501 of the Revenue Act of 1932, designed to prevent inequities in certain instances affected by the decisions of the United States Supreme Court in *Estate of Sanford* v. *Commissioner* (308 U. S. 39) and *Rasquin* v. *Humphreys* (308 U. S. 54) (November 6, 1939). The House recedes with three amendments:

The first provides that the present rule whereby gift tax is imposed upon the payment of income to a beneficiary or upon some other disposition of the income is not affected as long as the grantor retains a power over future income from the trust property. For example, if a grantor created a trust in 1930, reserving a power to change the beneficiaries and their proportionate interests with respect to principal and income, but without retaining a power to revest the property in himself, and terminates his reserved power in 1944, so that he is no longer able to change the beneficiaries or their respective interests, the interim payment of income to any beneficiary or other surrender by the grantor of control over such income prior to such termination is nevertheless a taxable gift and to be treated accordingly. The same result follows if a similar trust was created while a gift-tax law was in effect and the grantor, prior to January 1, 1945, terminates the aforesaid reserved power, consenting to treat the original transfer in trust in the calendar year in which effected and for all periods thereafter as having been a transfer subject to gift tax. The second amendment, adding a new subsection (c) to the Senate provision, disallows interest on any overpayment resulting from the application of new section 1000 (e) of the code, or new section 501 (c) of the Revenue Act of 1932. The third amendment eliminates the final subsection of the Senate provision because it is unnecessary.

The conferees do not consider it necessary to insert any explicit provision relating to the relinquishment of such administrative powers as a power of investment or a power to vote stock constituting the principal of a trust, whether or not such powers are held in conjunction with a power to change the beneficiaries of the trust or to alter their respective interests, since a gift is completed, for purposes of the gift tax, upon the termination by the grantor of his power to recapture the trust property or otherwise modify the terms of the trust so as to make other disposition of the property (*Estate of Sanford* v. *Comm.*, 308 U. S. 39 (1939); *Smith* v. *Shaughnessy*, 318 U. S. 176 (1943); *Robinette* v. *Helvering*, 318 U. S. 184 (1943)).

Amendment No. 200: This amendment is clerical. The Senate recedes.

Amendment No. 201: This amendment eliminated the provision in the House bill authorizing the appropriation of sums necessary to pay those excise taxes with respect to which Government exemption has been terminated and which required certain reports to be filed pertaining to the tax paid for the transportation of persons on Government business. The House recedes.

Amendment No. 202: This amendment makes the special 7-year period of limitation for overpayments resulting from deductions for bad debts and worthless securities applicable with respect to taxable years beginning after December 31, 1937. The House recedes with a change in section number.

Amendment No. 203: This amendment, for which there is no corresponding provision in the House bill, extends, for estate and gift tax purposes, the time for effecting a tax-free release of a power of appointment created on or before October 21, 1942. The House recedes with a change in section number.

Amendment No. 204: This amendment provides for the repeal of section 6 (c) of the Current Tax Payment Act of 1943 (relating to additional increase in 1943 tax where income is substantially increased in comparison with income for base year), as well as section 6 (d) (4) of such act (relating to section 107 income attributed to base year), section 6 (d) (5) of such act (relating to partnership business formerly operated as corporation), and section 6 (e) (2) of such act (relating to extension of time for payment of increase in 1943 tax under section 6 (c) of such act). In addition the amendment effects technical amendments to section 6 (d) of such act (relating to rules for the application of subsections (a) and (b) of section 6 of such act). The House recedes with a change in section number.

Amendment No. 205: This amendment permits, from the effective date of the act and for the duration of the war and for 6 months thereafter, the importation free of duty of a lighter weight of newsprint paper than that permitted under the existing provision of paragraph 1772 of the Tariff Act of 1930. The amendment has no other effect on the existing law as to free-of-duty importation of standard newsprint paper as administered by the Treasury Department under the regulations promulgated by it than the particular changes in specifications set forth. The House recedes with an amendment as to the newsprint paper to be affected and a further amendment making the amendment applicable only so long after the effective date of the act as newspaper publishers continue to be limited by Federal law, regulations, or orders as to the amount of paper to be used by them in publication of their newspapers.

Amendment No. 206: This amendment, for which there is no corresponding provision in the House bill, amends, effective as of January 1, 1942, section 1830 of the Internal Revenue Code, which relates to tax-free exportation of playing cards, to permit tax-free shipment to a possession of the United States, and until the date on which the President proclaims that hostilities in the present war have terminated, tax-free removal of such cards for shipment to a Territory of the United States for the use of members of the military or naval forces of the United States. The House recedes with clerical amendments.

Amendment No. 207: This amendment, for which there is no corresponding provision in the House bill, effects an amendment to section 23 (k) (5) (B) of the code with respect to losses on securities in affiliated corporations. Under existing law a corporation is to be considered as an affiliate of the taxpayer for the purpose of the deduction involved only if more than 90 percent of the aggregate of its gross income for all taxable years has been from sources other than royalties, rents, dividends, interest, annuities, or gains from sales or exchanges of stock or securities. Two exceptions are made by the amendment: (1) Rents derived from rental of properties to employees of the corporation in the ordinary course of its operating business are excluded from the term "rents"; and (2) interest received on the deferred purchase price of operating assets sold is excluded from the term "interest." The amendment is made effective with respect to all taxable years beginning after December 31, 1941, the effective date of the provision amended. The House recedes with an amendment effecting a similar change in section 23 (g) (4) (B) of the code.

Amendment No. 208: This amendment, for which no corresponding provision appeared in the House bill, makes so much of section 169 of the Revenue Act of 1942 which added paragraph (3) to section 322 (b) of the Internal Revenue Code and subsection (b) of section 169 retroactively applicable in certain cases to taxable years beginning prior to January 1, 1942.

Under section 276 (b) of the code, the taxpayer and the Commissioner may agree in writing to extend beyond the period prescribed in section 275 the time within which the Commissioner may make an assessment. Paragraph (3) of section 322 (b) in effect automatically extends the period in such case within which the taxpayer may file claim for credit or refund, or within which credit or refund may be allowed or made if no claim is

filed. Such section likewise provides appropriate limitations on the amount of credit or refund which may be allowed or made in such case.

Section 169 (b) of the Revenue Act of 1942 amended section 322 (d) of the code in several particulars as to when credit or refund of an overpayment found by The Tax Court could be allowed or made. Such amendment permits an overpayment found by The Tax Court to be credited or refunded if The Tax Court determines as part of its decision that the amount to be credited or refunded was paid within 2 years of the time an agreement to extend the period of time within which an assessment might be made was executed by the taxpayer and the Commissioner, or within 3 years of the time such agreement was executed if such agreement was executed within 3 years of the time the return was filed by the taxpayer.

The above amendments were made applicable by section 101 of the Revenue Act of 1942 only to taxable years beginning after December 31, 1941. It has, however, been recognized that in numerous instances taxpayers have executed agreements extending the period of time within which assessments might be made with respect to taxable years beginning prior to January 1, 1942, and that there has been no similar extension of time within which a claim for credit or refund might be filed, or credit or refund allowed or made if no claim is filed. These amendments are, therefore, now made retroactively applicable to any taxable year beginning prior to January 1, 1942, if, and only if, on the date of the enactment of the Revenue Act of 1943, or on some future date, the Commissioner would be barred from making an assessment but for the fact that the taxpyayer and the Commissioner have executed an agreement under the provisions of section 276 (b) of the code or corresponding provisions of prior revenue laws to extend beyond the period provided in section 275 of the code or corresponding provisions of prior revenue laws the time within which the Commissioner may make an assessment.

The above amendments will not be applicable to any taxable year beginning prior to January 1, 1942, which was closed prior to the date of the enactment of the Revenue Act of 1943 in the sense that the Commissioner does not have the authority to make an assessment with respect to such year on such date or on some later date. The amendments likewise will not be applicable to any taxable year beginning prior to January 1, 1942, solely because the Commissioner has the authority to make the assessment with respect to such year on the date of the enactment of the Revenue Act of 1943, or on some later date, unless the Commissioner would be precluded from making such assessment but for the fact that an agreement of the type described above has been executed (whether before, on, or after the date of enactment of the Revenue Act of 1943) by the Commissioner and the taxpayer. The amendments will, however, be applicable to all taxable years beginning prior to January 1, 1942, if on the date of the enactment of the Revenue Act of 1943, or on some future date, the Commissioner would be barred from making an assessment with respect to such taxable year but for such an agreement. In such case the amendments will be applicable regardless of whether or not the Commissioner actually does make an assessment. The amendments will continue to be applicable to all taxable years beginning after December 31, 1941.

The House recedes with an amendment adding a new subsection (b) to provide that, notwithstanding any other period of limitation, if the transferee of a taxpayer has signed waivers extending the period within which the Commissioner might assess the liability with respect to the tax of the taxpayer for a taxable year beginning in 1936 against such transferee and if The Tax Court of the United States finds that such transferee has made an overpayment with respect to the tax of the taxpayer for such taxable year, such overpayment shall, when the decision of The Tax Court becomes final, be credited or refunded to the transferee. The amount of the credit or refund is not to exceed the amount paid by the transferee with respect to the tax of the taxpayer for such taxable year within the 4 years immediately preceding the date the transferee signed such waivers.

Amendment No. 209: This amendment, for which no corresponding provision appeared in the House bill, changes section 602 of the code, relating to the definition of net income for the purposes of the declared value excess profits tax, so as to exclude therefrom the excess of the net long-term capital gain over the net short-term capital loss. The amendment is applicable to taxable years beginning after December 31, 1943. The House recedes.

Amendment No. 210: Sections 812 (d) and 861 (a) (3) of the code now provide that any interest falling into a bequest, legacy, devise, or transfer to charity by reason of an irrevocable disclaimer of such interest by another beneficiary is deductible from the gross estate as a part of such bequest, legacy, devise, or transfer to charity, if the disclaimer is made prior to the date prescribed for the filing of the estate-tax return. This amendment, for which there is no corresponding provision in the House bill, adds a special provision to the effect that in the case of a decedent dying on or before October 21, 1942, an otherwise valid disclaimer will be recognized if made prior to September 1, 1944. The House recedes.

Amendment No. 211: This amendment, for which there is no corresponding provision in the House bill, adds a new subsection (f) to section 151 of the Revenue Act of 1942, so as to make retroactive subsections (a) and (b) of such section (relating to the exclusion of certain real property from the definition of capital asset and to gains and losses from involuntary conversion and from the sale or exchange of certain property used in the trade or business) as if they were a part of the Internal Revenue Code and title I of the Revenue Act of 1938 on the date of their respective enactments. The Senate recedes.

Amendment No. 212: Under this amendment, for which there is no corresponding provision in the House bill, the provision of section 115 (a) which defines a dividend to include, in addition to a distribution out of earnings and profits, any distribution of a personal holding company is qualified so as to apply to any distribution of a personal holding company only to the extent of its subchapter A net income, whether or not the distribution would be a dividend as otherwise defined in that section. This amendment is to be effective for all taxable years beginning after December 31, 1941. The House recedes with clerical amendments and a change in section number.

Amendment No. 213: Section 514 of the bill, as passed by the Senate (renumbered 513), proposed to add a new section 3807 to the Internal Revenue Code, relating to the period of limitations in case of related taxes under chapters 1 and 2 of the code. The conference committee made changes in the wording of such section in order properly to carry out the intent of the section.

All the taxes imposed under chapters 1 and 2 of the code are related in that they are based on income. The same items of income generally enter into the computations of the amount of income which is subject to the several taxes imposed under such chapters 1 and 2. Some of these taxes are also related in the sense that one tax may be a deduction in computing the amount of income which is subject to one of the other taxes, or the amount of income subject to one of such taxes may be a credit against net income for purposes of one or more of such taxes. A change in one tax may produce results in a second tax in either or both of the following ways: (1) The amount of the first tax (or the amount of income subject to such tax) may be altered and, therefore, the proper deduction (or credit) in computing the second tax should be correspondingly changed; and (2) if the change in the first tax consists of an adjustment of an item which likewise entered into the computation of the income subject to the second tax, a corresponding adjustment should properly be made in the amount of the income subject to the second tax. Similarly, a determination that a corporation is liable for one of the taxes, may result in exemption from another, or vice versa. For example, a determination that a corporation is liable for a personal holding company tax should result in exemption from the excess profits tax.

Under the present provisions of law each tax imposed by chapters 1 and 2 is considered a separate tax, each with its own substantive and administrative provisions. Each such tax has its own period of limitations for assessing such tax and for allowing credit or refund for an overpayment of such tax. Such periods of limitation do not necessarily expire at the same time in the case of the several taxes. The result of such different periods of limitations is that appropriate adjustments in the second tax even when the first tax has been changed sometimes cannot be made. This, in some cases, results in preventing the Commissioner from assessing a deficiency and in others in preventing the taxpayer from receiving a credit or refund. The Commissioner might likewise be barred from making an assessment, or the taxpayer from receiving a credit or refund by some provision of law or rule of law other than that relating to the statute of limitations.

Section 3807, as added to the code by this amendment, in effect provides that if as a result of a determination in respect of a tax imposed by chapter 1 or 2 a deficiency is assessed, or a credit or refund of an overpayment is allowed, within the period of limitation properly applicable thereto, certain adjustments of the types described above may be made for the same taxable year in any other tax imposed by chapter 1 or 2; that is, (1) if the application of the law or facts which was the subject of such determination to any other tax imposed by chapter 1 or 2 would result in an increase or decrease in the amount of such other tax as previously determined, and (2) if at any time within 1 year from the time the deficiency was assessed, or credit or refund allowed, in respect of the first tax, the assessment of the deficiency, or the allowance of a credit or refund, in respect of such other tax is prevented (except for the provisions of section 3801 or 734 of the code) by the operation of any provision of law or rule of law (other than this section 3807 or section 3761 of the code relating to compromises), then the increase or decrease in such other tax shall be considered a deficiency or overpayment, as the case may be. Such increase may be assessed as a deficiency even though in fact there is no actual deficiency in respect of the given taxable year, or such decrease may be refunded even though in fact there is no overpayment. If an assessment or refund is permissible under the law during part of such 1-year period without regard to section 3807, any assessment made, or refund allowed, during such part of the 1-year period must, of course, be the assessment of an actual deficiency or the refund of an actual overpayment.

In determining whether there is any such increase or decrease in the amount of tax

previously determined, changes shall be made only in the items which were the subject of the determination in respect of the first tax and items which are affected thereby. Thus, if for the taxable year 1940 the taxpayer should be allowed a refund of income tax based upon the determination that too small an amount had been deducted for depreciation, the changes which could be made in the excess-profits tax under the provisions of this section would include not only the amount which should be properly deducted as depreciation in computing excess profits net income, but also other items such as the amount of any deduction, credit, allowance, or adjustment which is limited, directly or indirectly, to or by the amount of net income or net income from the property, and also the amount which should properly be deducted, in computing excess profits net income, in respect of the income tax imposed under chapter 1.

Such increase or decrease, if paid or refunded, shall not be recovered by any suit on the ground that there was no actual deficiency or overpayment. Any amount paid as a deficiency, or refunded as an overpayment, under the provisions of this section can be recovered by a claim for refund or suit for refund or suit for an erroneous refund only if such claim or suit is based upon an item which was the subject of the determination in respect of the first tax or an item affected thereby, or can be recovered in connection with a subsequent application of this section 3807.

Any increase or decrease determined as described above may be assessed, or credited or refunded, as if on the date the deficiency is assessed, or credit or refund allowed, in respect of the first tax, 1 year remained before the expiration of the period of limitation upon assessment or filing claim for refund of overpayment of the tax in respect of which such increase or decrease is determined. All provisions of law, e. g., the suspension of the running of the statute of limitations under the provisions of section 277 of the code in case a deficiency notice is sent to the taxpayer, not inconsistent with the provisions of this section will be applicable to the assessment of such increase or the refunding of such decrease. Such increase may be assessed, or decrease refunded, notwithstanding any provision of law, such as section 272 (1) of the code, or any rule of law (e. g., res judicata), other than section 3807 itself or section 3761, relating to compromises. Section 3807 may, of course, operate several times upon the same tax, and likewise may operate simultaneously on several taxes.

Section 3807 is to be applicable to affiliated groups which file consolidated returns, and is to operate whether the determination in respect of the first tax is in respect of the tax reported on the basis of a consolidated return, or in respect of a tax reported on the basis of a separate return. In the case of a member of an affiliated group, the words "any other tax of the taxpayer" is to include any other tax imposed by chapter 1 or 2 upon any other member of the group, whether such tax is reported on the basis of a consolidated return or on the basis of a separate return. Thus, if a deficiency is assessed, or a refund allowed, in respect of a tax reported on the basis of a consolidated return, adjustments may be made in respect of the other taxes of the affiliated group reported on the basis of a consolidated return and also in respect of the taxes of all the members of such group not reported upon the basis of such a consolidated return. Similarly, if the deficiency or refund is in respect of a tax of a member of an affiliated group not reported on the basis of a consolidated return, adjustments may be made not only in other taxes of the given taxpayer, but also in any tax which such group reported upon the basis of a consolidated return. These adjustments may be made even though the several taxable periods involved are not the same if the taxable year for which the adjustments are made coincides in whole or in part with the taxable year for which the deficiency was assessed or a refund allowed.

Section 3807 is to apply to all taxable years beginning after December 31, 1939.

The application of section 3807 may be illustrated by the following examples:

(1) Corporation X on March 15, 1941, filed a return and paid a tax as a personal holding company for the calendar year 1940. The Commissioner within the proper period of limitations asserted a deficiency against corporation X in respect of the excess profits tax for such taxable year. On March 1, 1946, it was determined that corporation X was not a personal holding company and was therefore subject to excess profits tax. Corporation X paid such excess profits tax on March 1, 1946. Under the provisions of section 3807 corporation X may file a claim for refund of the personal holding company tax which it paid, or credit or refund may be allowed or made if no claim is filed, as if the period of limitation upon filing claim for credit or refund, or the allowing of credit or refund if no claim is filed, did not expire until March 1, 1947.

(2) Corporation X, which makes its tax returns upon the basis of the calendar year, joins an affiliated group on July 1, 1940. Such group likewise makes its returns on the basis of the calendar year. A consolidated excess profits tax return was filed for the group for the year 1940 on March 15, 1941. Likewise, corporation X filed an excess profits tax return for the short taxable year January 1, through June 30, 1940, and an income tax return for the calendar year 1940. Corporation X is allowed a refund of income tax, attributable, e. g., to a casualty loss, on December 1, 1945. Proper adjustments, though barred under other provisions of law or rules of law, may be made under section 3807 in the consolidated excess profits tax return (1) to reflect such loss, (2) to reflect any other deductions, credits, allowances, or adjustments which are limited to or by net income or net income from the property, and (3) to reflect the proper deduction for corporation X's income tax in computing consolidated excess profits net income. Similarly, such adjustments may be made in corporation X's separate excess profits tax return for the short taxable year January 1, through June 30, 1940. Adjustments may likewise be made in the taxes of other members of the group which were reported on the basis of a separate return. Any adjustment to taxes of other members of the affiliated group reported on the basis of a separate return which flow from the adjustments made in the consolidated excess profits tax, or from adjustments made to corporation X's separate taxes, may likewise be made. All such adjustments may be made as if the period of limitation upon assessment or upon allowance of refunds, as the case may be, did not expire until December 1, 1946.

If the deficiency or refund had been assessed or allowed in respect of the tax reported on the basis of the consolidated return, appropriate adjustments could be made in any tax reported on the basis of a consolidated return, or in any tax of any member of such affiliated group reported on the basis of a separate return.

The House recedes with amendments.

Amendment No. 214: This amendment makes changes in the priorities applicable to payments authorized and directed to be made in respect of awards of the Mixed Claims Commission under the Settlement of War Claims Act of 1928, as amended, and authorizes and directs the Secretary of the Treasury to make certain deposits in the German Special Deposit Account created under the provisions of section 4 of the act of 1928, as amended. The Senate recedes.

Amendment No. 215: This amendment of the Senate adds a provision to section 6 (e) (1) of the Current Tax Payment Act of 1943, relating to extension of time for payment of the 25 percent increase in 1943 tax under such act, which would permit a taxpayer who elects to postpone the payment of one-half such increase, to pay each one-half of such increase in four equal quarterly installments. The Senate recedes.

Amendment No. 216: This is a clerical amendment, pursuant to amendment No. 217. The House recedes.

Amendment No. 217. This is a clerical amendment, in conformity with amendment No. 289, which eliminates the repricing provisions from the Renegotiation Act. The House recedes.

Amendment No. 218. This amendment eliminates a phrase which would cast doubt on the includibility in the term "excessive profits", as used in the Renegotiation Act, of any portion of the profits derived from patent license agreements. The House recedes.

Amendment No. 219. Under the House bill, the factor of contractor efficiency, required to be taken into consideration in determining excessive profits, contemplated particular regard, inter alia, to economy in the use of raw materials. This amendment removes the restriction upon the character of materials of which the economical use is to be of significance in this connection. The House recedes.

Amendment No. 220. This is a clerical amendment, consequent on amendment No. 221. The House recedes.

Amendment No. 221: Under the House bill, the factor of reasonableness of costs and profits, required to be taken into consideration in determining excessive profits, contemplated particular regard to volume of production and normal pre-war earnings. This amendment adds comparison of war- and peace-time products to those objects of particular regard in this connection. The House recedes.

Amendment No. 222: This amendment includes "problems in connection with reconversion" among the factors required to be taken into consideration in determining excessive profits. The Senate recedes.

Amendment No. 223: This amendment required that one of the factors to be taken into consideration in determining excessive profits shall be whether the profits remaining after the payment of estimated Federal income and excess profits taxes will be excessive. The Senate recedes.

Amendment No. 224: This is a clerical amendment, pursuant to amendments Nos. 222 and 223. The Senate recedes.

Amendment No. 225: This amendment requires the factors (other than those specifically mentioned in the preceding clauses of the subparagraph), consideration of which the public interest and fair and equitable dealing may require in the determination of excessive profits to be published in the regulations of the War Contracts Price Adjustment Board from time to time as adopted. The House recedes.

Amendments Nos. 226, 227, and 228: These are technical amendments, based on amendments Nos. 276 and 285. The Senate recedes.

Amendment No. 229: This amendment strikes out the provision of the House bill disallowing as an item of cost any commission, percentage, brokerage, or contingent fee paid or payable by a contractor to any person for or in connection with the soliciting or securing of a contract, unless such person is a bona fide established commercial

or selling agency maintained by the contractor for the purpose of securing business. The House recedes.

Amendment No. 230: This amendment removes any qualification, by reason of any other provision of the Renegotiation Act, upon the allowance of Federal income and excess-profits-tax deductions and exclusions as items of cost in determining the profits derived from contracts and subcontracts. The House bill qualified the allowance with the phrase "except as otherwise provided in this paragraph." The House recedes.

Amendment No. 231: The deductions and exclusions for Federal income and excess-profits tax purposes allowed by the House bill in determining profits derived from contracts and subcontracts are limited to those "of the character allowed" as deductions and exclusions under chapters 1 and 2E of the Internal Revenue Code. This amendment eliminates any restriction upon the allowance of Federal income and excess profits tax deductions and exclusions as items of cost that may be implied in the phrase, "of the character" and, for the purpose of the allowance, substitutes for the amount of such deductions and exclusions allowed the amount thereof estimated to be allowable. The House recedes.

Amendment No. 232: This amendment specifically includes carry-overs, carry-backs, and recomputed amortization deductions among the items of deductions and exclusions to be allowed as items of cost, to the extent allocable to contracts and subcontracts. Carry-overs and carry-backs of net operating losses and unused excess profits credits are provided for by sections 122 and 710, respectively, of the Internal Revenue Code. Recomputation of the amortization deduction is provided for by section 124 of the code. The House recedes with an amendment eliminating the reference to carry-overs and carry-backs.

The purpose of this amendment is to provide for a refund of excessive profits eliminated for a prior year, to the extent that a recomputation of the amortization under section 124 (d) of the Internal Revenue Code for such year exceeds the deduction allowed in renegotiation for that year. Where a renegotiation is made prior to the termination of the amortization period, no allowance will be made to the contractor or subcontractor in the renegotiation for additional amortization which may later be allowed to the contractor or subcontractor for Federal income and excess-profits tax purposes, as a result of a recomputation of the amortization period prior to the end of the 60-month period. However, after a recomputation of the amortization deduction by the Bureau of Internal Revenue, the contractor or subcontractor will then be entitled to a refund from the Department making the renegotiation. This refund, however, will be of only that portion of the additional amortization which is allocable to performance in such prior year of renegotiable business. It cannot exceed the amount of the additional amortization deductions allowed for the year in respect of which the renegotiation was made, reduced by the amount of tax savings realized by the contractor or subcontractor by omitting from gross income that portion of the excessive profits which equals the amount of the additional amortization deduction.

For example, X Corporation has certificates of necessity covering emergency facilities with an aggregate cost of $500,000. $350,000 of such facilities are used exclusively in the performance of renegotiable contracts and subcontracts and $150,000 of such facilities are used exclusively in performing non-renegotiable business. X Corporation has made a refund of excessive profits for the year 1943 in an amount in excess of $14,000. X Corporation has taken $100,000 as a deduction for amortization under Section 124 (d) of the Internal Revenue Code in its tax returns for that year. As a result of recomputation of the amortization deduction pursuant to Section 124 (d) of the Code, the amortization deduction for the year 1943 is increased to $200,000. The operation of subparagraph (a) (4) (D) may be illustrated as follows:

1. Original amortization deduction	$100,000
2. Allocable to renegotiable business (70%) and allowed in renegotiation	70,000
3. Recomputed amortization deduction	200,000
4. Allocable to renegotiable business (70%)	140,000
5. Excess over amortization deduction originally allowed in renegotiation	70,000
6. Income and excess profits taxes assessable on such excess (80% rate assumed)	56,000
7. Net rebate pursuant to subparagrap (a) (4) (D)	14,000

A further purpose of subparagraph (a) (4) (C) is to create an exception from the effect of subparagraph (a) (4) (B) so that carry-overs and carry-backs which might constitute deductions for tax purposes shall not be required to be treated as items of cost or otherwise deductible in determining excessive profits in renegotiation.

Amendment No. 233: Under that part of the definition of "subcontract" contained in subsection (a) (5) (A) of the Renegotiation Act, as amended by the House bill, the term means any purchase order or agreement (other than a contract with a Department) to make or furnish, or to perform any part of the work required for the making or furnishing of, a contract item or a component article. For the purposes of the subparagraph, a contract item means any article, work, services, building, structure, improvement or facility contracted for by a Department; and a component article means any article which is to be incorporated in or as a part of a contract item. The amendment strikes out the entire text of the subparagraph and restores the language of existing law (the subject of settled administrative construction), which defines the term subcontract to mean any purchase order or agreement to perform all or any part of the work, or to make or furnish any article required for the performance of any other contract or subcontract. The House recedes with an amendment excluding office supplies from the articles within the purview of the definition. The specific exemption of subcontracts for office supplies, however, is not to be construed as denying the exemption to subcontracts for similar articles which are now exempt under departmental regulations interpreting existing law.

Amendment No. 234: Subparagraph (A) of subsection (a) (7) of the Renegotiation Act, as amended by the House bill, prescribes as one of the criteria of a standard commercial article that it be not specially made to specifications furnished by a Department or by another contractor or subcontractor. The amendment strikes out the subparagraph. The House recedes.

Amendments Nos. 235, 236, 237, 238, and 239: These are clerical amendments, pursuant to amendment No. 234. The House recedes.

Amendment No. 240: This amendment limits the required insertion of the terms of the contractor's agreement specified in the subsection to contracts involving an estimated amount of more than $100,000. Under the concluding sentence of the subsection, however, contracts and subcontracts to which subsection (c) of the Renegotiation Act is applicable are considered as having been made subject to such subsection in the same manner and to the same extent as if such terms had been inserted. The House recedes. (See amendment No. 246.)

Amendment No. 241: This is a clerical amendment, in conformity with amendment No. 289, which eliminates the repricing provisions from the Renegotiation Act, as amended by the House bill; and, with amendment No. 310, which authorizes the Secretary of a Department to fix a fair and reasonable price by agreement or order. The House recedes.

Amendment No. 242: Under subsection (b) of the Renegotiation Act, as amended by the House bill, one of the terms of the provision required to be inserted in each contract subject to the act is that the contractor insert in each subcontract a provision under which the subcontractor agrees to terms similar to those to which the contractor is required by the subsection to agree. The amendment limits the required insertion to subcontracts involving an estimated amount of more than $100,000, if of the kind described in subsection (a) (5) (A), defining subcontracts generally, and to subcontracts involving an estimated amount of more than $25,000, if of the kind described in subsection (a) (5) (B), defining so-called war broker subcontracts. Under the concluding sentence of subsection (b), however, contracts and subcontracts to which subsection (c) is applicable are considered as having been made subject to subsection (c) in the same manner and to the same extent as if the provisions had been inserted. The House recedes. (See amendment No. 246.)

Amendments Nos. 243 and 244: These are clerical amendments, in conformity with amendment No. 289, which eliminates the repricing provisions from the Renegotiation Act, as amended by the House bill; and, with amendment No. 310, which authorizes the Secretary of a Department to fix a fair and reasonable price by agreement or order. The House recedes.

Amendment No. 245: Under subsection (b) of the Renegotiation Act, as amended by the House bill, one of the terms of the provision required to be inserted in each contract subject to the act is that the contractor insert in each subcontract a provision under which the subcontractor agrees to insert in each of his subcontracts provisions corresponding to those to which he himself as required by paragraph (3) of the subsection to agree. The amendment limits the required insertion to subcontracts involving an estimated amount of more than $100,000 if of the kind described in subsection (a) (5) (A), defining subcontracts generally, and to subcontracts involving an estimated amount of more than $25,000, if of the kind described in subsection (a) (5) (B), defining so-called war-broker contracts. Under the concluding sentence of subsection (b), however, contracts and subcontracts to which subsection (c) is applicable are considered as having been made subject to subsection (c) in the same manner and to the same extent as if the provisions had been inserted. The House recedes. (See amendment No. 246.)

Amendments Nos. 246, 247, and 248: The last sentence of subsection (c) of the Renegotiation Act, as amended by the House bill, provides that whether or not the provisions required by the subsection are inserted in a contract or subcontract to which the subsection is applicable, such contract or subcontract, as the case may be, shall be considered as having been made subject to the subsection in the same manner and to the same extent as if such provisions had been inserted. Amendment No. 246 is a technical amendment, involving a change of reference to the applicable subsection; amendment No. 247 is a clarifying amendment, describing the provisions in reference as specified in, rather

than required by, the provisions of subsection (b); and amendment No. 248 is a clerical amendment, pursuant to amendment No. 246. The House recedes.

Amendment No. 249: Under the House bill, agreements between the War Contracts Price Adjustment Board and a contractor or subcontractor may be made with respect to the elimination of excessive profits realized or likely to be realized. The amendment strikes out the phrase "realized or likely to be realized" and substitutes "received or accrued." The House recedes with an amendment providing that any such agreement, if made, may, with the consent of the contractor or subcontractor, also include provisions with respect to the elimination of excessive profits likely to be received or accrued; and with a further amendment of which the effect is to restrict the issuance and entry of an order determining the amount of excessive profits to cases in which an agreement is not reached with respect to the elimination of excessive profits received or accrued.

Amendment No. 250: This is a clerical amendment, in conformity with amendment No. 276. The Senate recedes.

Amendment No. 251: The House bill requires the War Contracts Price Adjustment Board to exercise its powers with respect to fiscal years. This amendment permits such exercise with respect to such other periods as may be fixed by mutual agreement between the Board and the contractor or subcontractor. The purpose of the amendment is to effect an equitable result in cases of the renegotiation of long-term contracts. The House recedes.

Amendment No. 252: Under the House bill, the statement of the determination of excessive profits required to be furnished to the contractor or subcontractor by the War Contracts Price Adjustment Board is not to be used in The Tax Court of the United States in connection with its determination of excessive profits. In lieu of this prohibition, the amendment prohibits the use of such a statement in the Court of Claims as proof of the facts or conclusions stated therein. The House recedes with a technical amendment, consistent with its action on amendments Nos. 276 and 285, substituting The Tax Court of the United States for the Court of Claims.

Amendment No. 253: This is a technical amendment, pursuant to amendments Nos. 276 and 285. The Senate recedes.

Amendments Nos. 254, 255, 256, and 258: These amendments eliminate words which, by reason of the last sentence of the paragraph, are surplusage. The House recedes.

Amendment No. 257: This is a clarifying amendment. The House recedes.

Amendment No. 259: This is a clerical amendment, pursuant to amendment No. 289, which eliminates from the Renegotiation Act the substantive provisions of subsection (f). The House recedes.

Amendment No. 260: This amendment limits its coverage into the Treasury as miscellaneous receipts to money recovered from amounts previously expended from appropriations from the Treasury by way of repayment or suit under subsection (c). The House recedes with an amendment limiting the application of the provision to money recovered in respect of amounts paid to the contractor from appropriations from the Treasury, and of which the purpose is to prevent the depletion of certain revolving funds at the disposal of some of the contracting departments by the payment of recoveries into the Treasury.

Amendment No. 261: The House bill required the Secretary, upon the withholding of excessive profits or the crediting of excessive profits against amounts otherwise due a contractor, to transfer to the Treasury from appropriations of his Department to the credit of miscellaneous receipts an amount equal to the amount so withheld or credited by him. In lieu of such a transfer, the requirement of the amendment is that the Secretary certify the amount withheld or credited to the Treasury, the appropriations of his Department to be correspondingly reduced; and the amount of such reductions is to be transferred to the surplus fund of the Treasury. This amendment conforms the procedure to govern the disposition of excessive profits withheld or credited to the existing general accounting and bookkeeping procedure of the Treasury Department. The House recedes.

Amendment No. 262: The House bill required the Secretary of a contracting Department, in determining the amount of any excessive profits to be eliminated, to allow the contractor or subcontractor credit for Federal income and excess-profits taxes as provided in section 3806 of the Internal Revenue Code. Under the amendment this credit is allowed in eliminating, but not in determining, excessive profits. The House recedes.

Amendment No. 263: This is a clarifying amendment, fixing the period after which no proceeding to determine the amount of excessive profits shall be commenced. The House recedes.

Amendments Nos. 264, 265, and 266: These are clerical amendments, pursuant to amendment No. 268. The House recedes.

Amendment No. 267: This amendment has the effect of limiting the agreements provided for under paragraph (4) of subsection (c) to the elimination of, and the discharge of any liability for, excessive profits received or accrued on or before the date of making such agreements. The House recedes, in conformity with its receding with an amendment from its disagreement to amendment No. 249.

Amendment No. 268: Under subsection (c) (5) (A) of the Renegotiation Act, as amended by the House bill, every contractor and subcontractor holding contracts or subcontracts to which the provisions of the subsection are applicable is required to file with the War Contracts Price Adjustment Board, at such time or times and in such form and detail as the Board may by regulations prescribe, statements of actual costs of production and such other financial statements as the Board may by regulations prescribe. Any person wilfully failing to furnish any statement required of him under the subsection, or knowingly furnishing any such statement containing information which is false or misleading in any material respect, shall upon conviction thereof be punished by a fine of not more than $10,000 or imprisonment for not more than 2 years or both.

The amendment requires that a financial statement setting forth the actual costs of production and such other information as the Board may by regulations prescribe be filed with the Board on or before the first day of the fourth month following the close of the fiscal year. The amendment also requires that in addition to this statement any information, records, or data required by the Board of the contractor or subcontractor shall be furnished at such time or times and in such form and detail as the Board may by regulations prescribe. The penalty relating to the statement is extended to the information, records, or data required under the subsection.

The House recedes with an amendment providing that, if the contractor's or subcontractor's fiscal year has closed on the date of the enactment of the bill, the statement shall be filed on or before the first day of the fourth month following the month of enactment; with an amendment restricting the data to be set forth in the financial statement to such information as the Board may by regulations prescribe as necessary to carry out the Renegotiation Act; and with an amendment likewise limiting the information, records, or data to be furnished the Board to such as is determined by the Board to be necessary to carry out the act.

Amendment No. 269: This amendment provides that the War Contracts Price Adjustment Board shall consist of six members; the House bill provides for five members. The House recedes.

Amendment No. 270: This is a clerical amendment. The House recedes.

Amendment No. 271: This amendment provides that one of the members of the War Contracts Price Adjustment Board shall be an officer or employee of the War Production Board and shall be appointed by the Chairman of the War Production Board. The House recedes.

Amendment No. 272: In conformity with amendment No. 269, this amendment provides that four members of the War Contracts Price Adjustment Board shall constitute a quorum. The House recedes.

Amendment No. 273: The House bill permits the delegation by the War Contracts Price Adjustment Board to the secretary of a department of any power, function, or duty except the power, function, and duty to review orders determining excessive profits. The amendment strikes out this exception. The House recedes.

Amendment No. 274: Under the House bill, any contractor or subcontractor aggrieved by an order of an officer, agency, or division of the War Contracts Price Adjustment Board is entitled, upon request therefor made within such time as the Board may by regulations prescribe, to a review thereof by the Board. The Board is also authorized by the House bill to review any determination by any of its officers, agencies, or divisions on its own motion, and to provide by regulations that in the absence of a request for review of an order of such an officer, agency, or division within the time so prescribed such an order shall be deemed the order of the Board.

The amendment authorizes the Board to review any determination by any such officer, agency, or division on its own motion or in its discretion at the request of any contractor or subcontractor aggrieved thereby. It also provides that unless the Board upon its own motion initiates a review of such determination within 60 days from the date thereof, or at the request of the contractor or subcontractor made within 60 days from the determination date initiatees a review thereof within 60 days from the date of such request, such determination is to be deemed the determination of the Board.

The House recedes.

Amendment No. 275: This is a clerical amendment, pursuant to amendment No. 289, which eliminates from the Renegotiation Act the substantive provisions of subsection (f). The House recedes.

Amendment No. 276: This amendment substitutes the Court of Claims for The Tax Court of the United States as the forum with which petitions for redetermination of excessive profits may be filed. The Senate recedes.

Amendments Nos. 277, 278, 280, and 281: These are technical amendments, in conformity with amendment No. 289, which eliminates the repricing provisions from the Renegotiation Act, as amended by the House bill; and with amendment No. 310, which authorizes the Secretary of a Department to fix a fair and reasonable price by agreement or order. The House recedes.

Amendment No. 279: This is a technical amendment, in conformity with amendment No. 276. The Senate recedes.

Amendment No. 282: Subsection (e) (1) of the Renegotiation Act, as amended by the House bill, confers upon The Tax Court of the United States the powers and duties

necessary for the purposes of the subsection and provides for the payment of fees and mileage of witnesses and for the expenses of taking depositions.

The amendment strikes out these provisions and inserts in their stead a provision authorizing the Court of Claims to prescribe such rules of practice and procedure as it deems necessary to the exercise of its powers under the subsection. The amendment further provides that the court shall prepare and furnish the contractor or subcontractor, at his request, with a statement of any determination made with respect to the amount of excessive profits, of the facts used as a basis therefor, and of its reasons for such determination.

The House recedes with an amendment restoring the provisions of the House bill, except for the reference to section 1117 (b) of the Internal Revenue Code, imposing upon The Tax Court and each of its divisions the duty to include in its report upon any proceeding its findings of fact or opinion or memorandum opinion and requiring such report to be in writing.

Amendment No. 283: This is a clerical amendment, pursuant to amendment No. 289, which eliminates from the Renegotiation Act the substantive provisions of subsection (f). The House recedes.

Amendment No. 284: Under the House bill, any contractor or subcontractor (other than a subcontractor described in subsec. (a) (5) (B)) aggrieved by a determination of the Secretary made prior to the date of the enactment of the bill with respect to a fiscal year ending before July 1, 1943, as to the existence of excessive profits, is entitled to a court review of such determination, whether or not he has agreed to it. The amendment limits the review of such determinations to those which have not been agreed to by the contractor or subcontractor. The House recedes.

Amendments Nos. 285 and 286: These amendments substitute the Court of Claims for The Tax Court of the United States as the forum with which petitions for redetermination provided for under the paragraph may be filed. The Senate recedes.

Amendment No. 287: The House bill provides that upon the filing of a petition as provided in paragraph 2 of subsection (e), the court of review shall have the same jurisdiction, powers, and duties, and the proceeding shall be subject to the same provisions, as in the case of a petition filed with the court under paragraph (1), except that the amendments made to the Renegotiation Act by the bill (other than the amendment inserting par. (2)) shall not apply. Under the amendment, the amendments made by the bill which are not applicable as of April 28, 1942, or to fiscal years ending before July 1, 1943, shall not apply in the case of petitions filed under paragraph (2). The House recedes.

Amendment No. 288: This is a technical amendment, consequent on amendment No. 284. The House recedes.

Amendment No. 289: This amendment strikes out the text of subsection (f) of the Renegotiation Act, as amended by the House bill, relating to repricing, and inserts in lieu thereof a cross-reference to title VIII of the bill, a title added by amendment No. 310, to govern the repricing of war contracts. The House recedes.

Amendment No. 290: Under subsection (h) of the Renegotiation Act, as amended by the House bill, the act does not apply to any contract or subcontract made after the date proclaimed by the President as the date of the termination of hostilities in the present war, or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier.

The Senate amendment strikes out the text of the subsection and inserts in lieu thereof a provision making the act apply only with respect to profits from contracts and subcontracts which are attributable to performance prior to the termination date. Such profits are defined, for the purposes of the subsection, as those determined by the Board to be equal to the same percentage of the total thereof as the percentage of completion of the contract or subcontract prior to the termination date. The termination date, for the purposes of the subsection, is defined to mean December 31, 1944; or, if the President not later than December 1, 1944, finds and by proclamation declares that competitive conditions have not been restored, such date not later than June 30, 1945, as may be specified in the proclamation; or, if the President not later than June 30, 1945, finds and by proclamation declares that competitive conditions have been restored as of any date within 6 months prior to the issuance of such proclamation, the date as of which the President in such proclamation declares that competitive conditions have been restored. In no event, however, is the termination date to be later than that provided in the House bill.

The House recedes with an amendment redefining profits attributable to performance prior to the termination date as those, in the case of any contract or subcontract the performance of which requires more than 12 months, or with respect to which the powers of the Board are exercised separately pursuant to subsection (c) (1) rather than on a fiscal year basis, the portion of the profits so derived which is determined by the Board to be equal to the same percentage of the total profits so derived as the percentage of completion of the contract prior to the termination date; and, in all other cases, the profits so derived which are received or accrued prior to the termination date.

Amendment No. 291: This amendment eliminates the exemption from the provisions of the Renegotiation Act of contracts and subcontracts for canned, bottled, or packed fruits or vegetables (or their juices) which are customarily canned, bottled, or packed in the season in which they are harvested. The House recedes.

Amendment No. 292: This amendment exempts from the provisions of the Renegotiation Act contracts and subcontracts for canned, bottled, packed, or processed dairy products or any products of which the principal ingredient is a dairy product. The Senate recedes.

Amendment No. 293: This amendment specifically includes natural resins in the term agricultural commodity as defined in the subparagraph. The House recedes.

Amendment No. 294: This amendment exempts from the provisions of the Renegotiation Act any contract or subcontract for durable machinery, tools, or equipment (having a useful life of more than 10 years) used in processing an article made or furnished under a contract or subcontract but which is not incorporated in or as a part of such article. The Senate recedes.

Amendment No. 295: This amendment exempts from the provisions of the Renegotiation Act any contract awarded as a result of competitive bidding for the construction of any building, structure, improvement, or facility. The House recedes with a clerical amendment relettering the subparagraph.

Amendment No. 296: This is a clerical amendment. The House recedes with a clerical amendment relettering the subparagraph.

Amendment No. 297: Under the provisions of subsection (i) (1) (G) of the Renegotiation Act, as amended by the House bill, any subcontract directly or indirectly under a contract or subcontract exempted from the provisions of the act, or to which the act does not apply by reason of subsection (i) (1) thereof, is exempt; this amendment limits the exemption of such subcontracts under subsection (i) (1) (G) to those which are directly or indirectly under contracts or subcontracts to which the Renegotiation Act does not apply by reason of subsection (i) (1). The House recedes.

Amendment No. 298: This is a clerical amendment. The House recedes.

Amendment No. 299: This amendment extends the authority of the War Contracts Price Adjustment Board to interpret and apply the exemptions provided for in subparagraphs (A), (B), (C), and (E) of subsection (i) (1) to the exemptions provided for in the subparagraphs added by amendments Nos. 294 and 295. The House recedes with a clerical amendment consequent on the Senate receding from its amendment No. 294.

Amendment No. 300: To insure equitable treatment of contractors or subcontractors producing minerals, oil or gas, or timber, and who process, refine, or treat such products to or beyond the first form or state suitable for industrial use, the House bill required the Board to prescribe such regulations as may be necessary to give the contractors or subcontractors a cost allowance substantially equivalent to the amount which would have been realized by him if he had sold such products in their first form or state. The Senate amendment substitutes the word "and" for the word "or" in the House bill phrase "to or beyond." The Senate recedes, in view of the action taken by the House on amendment No. 301.

Amendment No. 301: Subsection (i) (1) (B) exempts from renegotiation any contract or subcontract for the product of a mine, oil or gas well, or other mineral or natural deposit, or timber which has not been processed, refined, or treated beyond the first form or state suitable for industrial use. This provision is identical with subsection (i) (1) (ii) of the existing law.

Subsection (i) (1) (C) of the bill grants a similar exemption to any contract or subcontract for an agricultural commodity in its raw or natural state, or, if it is not customarily sold or does not have an established market in such state, in the first form or state in which it is customarily sold or in which it has an established market.

In order to place an integrated producer who acquires raw materials below this exemption line, or produces them initially, and processes them up to and beyond such line, on a parity with the producer who sells at the exempted form or state, the administrative agencies, by interpretation, have followed the practice of allowing such integrated producers a fair amount of cost for their raw materials at this exemption line.

Subsection (i) (3) incorporates this administrative interpretation into the bill; thus, approving and continuing the rule established by administrative practice. For clarity, this provision is made retroactive as if it has been a part of section 403 of the Sixth Supplemental National Defense Appropriation Act, 1942, on the date of its enactment (April 28, 1942).

The House recedes with an amendment relating to long inventories which is declaratory of existing law. The profits realized by a contractor or subcontractor by reason of the increment in value of his excess inventory of the materials described in subsections (i) (1) (B) or (i) (1) (C), in the form or state in which contracts therefor are exempted under such subsections, to the extent that such profits are applicable to contracts with the Departments or subcontracts, shall be excluded from consideration in determining excessive profits. The test as to whether or not any contractor or subcontractor has an excess inventory of such materials turns upon

whether or not the contractor or subcontractor has in inventory quantities of such materials in excess of the amount reasonably necessary to fulfill existing contracts or orders. The method of determining the portion of the profits applicable to contracts with the Departments or subcontracts realized by reason of the increment in value of an excess inventory and the method of excluding such portion of such profits from renegotiation will be set out in regulations prescribed by the Board. In the case of a renegotiation with respect to a fiscal year ending prior to July 1, 1943, the portion of the excess inventory (to the extent it does not exceed the excessive profits determined) shall be credited or refunded to the contractor or subcontractor. Where the determination of the excessive profits was made prior to the date of the Revenue Act of 1943, such credit or refund shall be made whether or not the determination is embodied in an agreement with the contractor or subcontractor. In all such cases the credit or refund will be made only if the contractor or subcontractor within 90 days after the date of the enactment of the Revenue Act of 1943, files claim therefor with the Secretary concerned.

The following example will show how the amendment operates. A has, through the purchase of long cotton, 600,000 pounds of cotton on hand on a particular date, which has a book cost of 10 cents a pound. On this date, A has future orders, which will consume only 100,000 pounds of such cotton. A, thus has a long position of 500,000 pounds of cotton. The next contract that A takes is for Government goods and requires the use of 500,000 pounds of such cotton. On the day A takes the Government contract, the current market price of such cotton is 15 cents a pound. In such a situation A has placed himself in a position to realize an inventory profit of $25,000. This inventory profit, if realized, is not a manufacturing profit but is in the nature of an investment or speculative profit which could be realized. It has no relationship to the profits to be derived from the Government contract, and, therefore, represents a profit from an excess inventory, which is excluded from renegotiation under the amendment.

The same situation might also apply in the case of a tobacco and cigarette manufacturer. Suppose for example, when the tobacco markets opened in the fall of 1942 A had on hand 20,000,000 pounds of tobacco of the 1940 crop, 20,000,000 pounds for the 1941 crops, and A then went into the market and bought some 20,000,000 pounds of 1942-grown tobacco, although his existing orders would not cause him to expect to manufacture more than 20,000,000 pounds into cigarettes. He thus has an excess inventory of 40,000,000 pounds of tobacco, and his case would fall within the amendment.

Amendment No. 302: Subsection (i) (4) of the Renegotiation Act, as amended by the House bill, authorizes the War Contracts Price Adjustment Board, in its discretion, to exempt from some or all of the provisions of the act any contract or subcontract for the making or furnishing of a standard commercial article, if, in the opinion of the Board, normal competitive conditions affecting the sale of such articles exist. Under the Senate amendment, any such contract or subcontract is exempt if, in the opinion of the Board, competitive conditions affecting the sale of the article are such as will reasonably protect the Government against excessive prices. The House recedes.

Amendment No. 303: This is a technical amendment, of which the effect is not to restrict the contracts or subcontracts exempt under the subparagraph to those not otherwise exempt. The House recedes.

Amendment No. 304: This amendment strikes subsection (j) from the Renegotiation Act as amended by the House bill. The Senate recedes.

Amendments Nos. 305 and 306: These are clerical amendment relettering subsections, pursuant to amendment No. 304. The Senate recedes.

Amendment No. 307: This amendment, for which there is no corresponding provision in the House bill, serves to clarify the application of section 3806 of the code to credits for income taxes of individuals for taxable years affected by the provisions of the Current Tax Payment Act of 1943 canceling the income tax liability of individuals for one taxable year. The House recedes.

Amendment No. 308: This is a clerical amendment renumbering the paragraph, pursuant to amendment No. 307. The House recedes.

Amendment No. 309: This amendment relates to the effective dates of various provisions. The House recedes with amendments.

Amendment No. 310: The existing law empowers the departments to renegotiate contract and subcontract prices to eliminate excessive profits likely to be realized and to reduce such prices under the statute. The House bill confers similar authority on the departments. Under it, the Secretary is authorized to refix prices by agreement or order subject to appeal to the courts.

In the interest of clarity, your committee proposes that the repricing authority be separated entirely from the renegotiation provisions. Under the Senate amendment, the Secretary of a Department is given full power to adjust prices for articles and services supplied by contractors with his Department or subcontractors thereunder. If this cannot be done by agreement the Secretary may do so by order. The contractor is protected, however, by an express right to sue the United States to obtain fair and just compensation for the articles or services supplied. The Department will pay to the contractor the full amount of the price fixed by an order and, if the contractor thinks the price thus fixed unfair, he may bring suit against the Government to recover the difference in the amount paid and the amount which he believes should have been paid. Any new price fixed under this section applies only to deliveries after the date of the order. Thus, these price adjustments are prospective only and do not involve recapture. Consequently this authority will not overlap the over-all renegotiation for the purpose of recapture of past profits. The provisions as to repricing become effective as to deliveries made after the date of enactment of this bill, and terminate with the termination of hostilities.

The House recedes with the following amendments:

1. The provision gives the President authority to seize the contractor's or subcontractor's plant for refusal to furnish the articles at the price fixed by the Secretary is retained, but the criminal penalty, which would impose a jail sentence upon the contractor or subcontractor for refusal to comply, is removed.

2. Subsection (f) provides that every purchase order, agreement, or contract described in subsection (a), made 30 days or more after the date of the enactment of the Act is to be deemed to contain a provision under which the person furnishing the articles or services in question agrees that notwithstanding other provisions of the purchase order, agreement, or contract, he will be entitled to receive only fair and just compensation. This provision recognizes the principle, applied in many cases by the Supreme Court, that the laws in force at the time and place of making a contract, and which affect its validity, performance, and enforcement, enter into and form a part of it as if they were expressly referred to and incorporated in its terms (*Von Hoffman* v. *Quincy*, 4 Wall. 535, 550; *Walker* v. *Whitehead*, 16 Wall. 314, 317; *Edwards* v. *Kearzey*, 96 U. S. 595, 601; *Northern Pacific Ry. Co.* v. *Wall.*, 241 U. S. 87, 91; *Southern Surety Co.* v. *Oklahoma*, 241 U. S. 582, 587).

Amendment No. 311: This amendment adds sections 901 and 902 to the House bill.

Section 901 postpones the increase in the rates of the taxes imposed by the Federal Insurance Contributions Act by providing that in the case of each such tax the 1-percent rate shall remain in force through the calendar year 1944, and that the 2-percent rate shall apply to wages paid and received during the calendar year 1945.

Section 902 amends section 201 (a) of title II of the Social Security Act, as amended. The existing section 201 (a) creates the Federal Old-Age and Survivors Insurance Trust Fund and provides that the fund shall, in addition to other items, consist of such amounts as may be appropriated to the trust fund. Amounts equivalent to 100 percent of the taxes (including interest, penalties, and additions to the taxes) received under the Federal Insurance Contributions Act are, under existing law, permanently appropriated to the trust fund. The amendment to section 201 (a) authorizes appropriations to the trust fund of such additional sums as may be required to finance the benefits and payments provided under title II of the Social Security Act, as amended.

The House recedes with clerical amendments.

R. L. DOUGHTON,
THOS. H. CULLEN,
JERE COOPER,
WESLEY E. DISNEY,
HAROLD KNUTSON,
DANIEL A. REED,
ROY O. WOODRUFF,
Managers on the part of the House.

Mr. DOUGHTON (interrupting the reading). Mr. Speaker, I ask unanimous consent that the further reading of the statement be dispensed with.

The SPEAKER. Is there objection?

Mr. DISNEY. Mr. Speaker, reserving the right to object, in that connection I call attention to page 86 of the conference report, line 10, wherein it states "the Senate recedes." That is a clerical error, a printing error. It should be "the House recedes."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina that the further reading be dispensed with?

There was no objection.

Mr. DOUGHTON. Mr. Speaker, the bill before us yields about $2,300,000,000 of additional revenue, about five hundred million plus of that from increase in corporate taxes, about six hundred million from an increase in individual income taxes, and about $1,000,000,000 increase in excise taxes, with $100,000,000 increase in postal rates.

In general the Senate was in agreement with the main provisions of the House bill. The Senate was in agreement that at this time there should not be any increase in the rate on individual incomes, and substantially the same so far as rates on corporate incomes were concerned. I do not know that I care to make any general statement in explanation of the bill unless some Member desires to ask me some questions.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. COOPER. I am sure the distinguished chairman of the Committee on Ways and Means would want to point out that there are no amendments reported in disagreement. It is a complete conference report. It is printed, and it is available to all Members.

Mr. DOUGHTON. That is correct. I thank the gentleman for his contribution. It is a unanimous conference report.

Mr. HARNESS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. HARNESS of Indiana. Mr. Speaker, I propound this question to the gentleman from Tennessee [Mr. COOPER]. You say the conference report is available to all Members. Are there any Members of the House who can understand it?

Mr. COOPER. Mr. Speaker, the statement of the managers on the part of the House is a clear statement of explanation. It is a simple narrative of what is in the report.

Mr. HARNESS of Indiana. We can understand the narrative if the gentleman on the committee can, but can we understand the effect of this on the general revenue laws and tax laws?

Mr. COOPER. I might say to the gentleman I have served on many conferences. I think it is a fair statement to say that a Member would experience about as little difficulty understanding the subject matter embraced in this conference report as any I have ever known.

Mr. DOUGHTON. Mr. Speaker, the tax laws are necessarily so technical in the way they are drafted and the language is necessarily so technical.

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. JENKINS. I wish to confirm what the distinguished gentleman from Indiana says, that these reports and the conference reports are really terrifying when one starts to look at them, especially in the CONGRESSIONAL RECORD. I confess when I first saw this report and started to work it out it was so overwhelming that I abandoned it. Since I have gotten this new report I can say for the benefit of the gentleman from Indiana that the only key for the solution of this is if he will get H. R. 3687 and read these together. You will find all along there the amendments numbered, and that is a great help. If you have the longevity to stand it for about 3 or 4 hours you can work through this thing. It will never be easy because it is a very complicated subject.

Mr. DOUGHTON. I thank the gentleman for his contribution. I think if one would take the statement and read it carefully he will find that it is a comprehensive explanation of what is contained in the bill as agreed to by the conferees.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield to the distinguished minority leader.

Mr. MARTIN of Massachusetts. I would like to ask the distinguished chairman of the Committee on Ways and Means the following question: I understand this renegotiation feature of the report is a compromise. If it is a compromise I would like to ask if that is agreeable to the Army and to the administration in general.

Mr. KNUTSON. Mr. Speaker, will the chairman yield?

Mr. DOUGHTON. I yield.

Mr. KNUTSON. I think the Army and Navy are about the only people who are satisfied. Certainly, we are not satisfied. But we think that next year, when we are in control of the House, we will fix things up.

Mr. DOUGHTON. Mr. Speaker, I will state to the gentleman from Massachusetts that the report of the conferees is, on the whole, agreeable to the Army and Navy and Procurement Division, those that are primarily interested in handling renegotiation.

Mr. MARTIN of Massachusetts. And it is the attitude of the administration in general?

Mr. DOUGHTON. As the report says, those who appeared representing the War Department, and the Navy Department, and other departments, expressed their approval and appreciation of the work done in the House bill. As I have heard no complaint from them so far as the report of the conferees is concerned, it is my understanding, though I cannot speak definitely and specifically, they are satisfied with the action agreed upon by the two Houses.

Mr. MARTIN of Massachusetts. Mr. Speaker, I would like to ask the gentleman one more question.

Mr. DOUGHTON. I yield.

Mr. MARTIN of Massachusetts. It is not concerning this question of renegotiation, but if it embarrasses him I would not feel too badly if he does not answer. I would like to inquire if the gentleman knows there is a great deal of interest in the country about the simplification of the tax-return forms. Do I understand that the committee is planning, at an early date, to do something about that?

Mr. DOUGHTON. Yes, sir. You may understand, and I would like for the House and the country to understand that there has been considerable discussion of that matter among the members of the Committee on Ways and Means, and we are fully aware of the dissatisfaction throughout the country, much of it justified, as to the difficulty of making out income-tax returns. It is understood it is going to be the next principal work of our committee. We expect to get to that in a few days. I am hoping to confer with the chairman of the Senate Finance Committee and see if we can agree on a procedure and how we can do the best job in the shortest time with respect to simplification of the income-tax return. We are going to get to that as early as we can and do the very best job possible.

Mr. MARTIN of Massachusetts. I thank the gentleman. I know the committee will be anxious to do its full part. I was wondering if they were getting any cooperation from the Tax Division of the Treasury in that respect.

Mr. DOUGHTON. We are hopeful of getting cooperation from not only the Treasury but the Bureau of Internal Revenue, which actually administers the law and is confronted with the daily problems of the taxpayer. In this connection the Revenue Act of 1942 gives our Joint Committee on Internal Revenue Taxation authority to secure information directly from the Bureau.

As far as the negotiation provision of the conference report is concerned, it is my purpose to yield to the gentleman from Oklahoma [Mr. DISNEY], who is chairman of the subcommittee that made a special investigation and studied this matter and whose subcommittee made a very complete report on the subject. He would be in a position to explain, perhaps, all of the provisions of the bill relating to renegotiation better than myself. It is my purpose to yield to him a little later on this morning.

Mr. IZAC. Mr. Speaker, will the gentleman yield at this point?

Mr. DOUGHTON. I yield.

Mr. IZAC. Mr. Speaker, I have asked the chairman of the conferees to give me 5 minutes so I might take the opposition regarding the renegotiation features of this bill. Does the gentleman feel he will be able to give me that 5 minutes?

Mr. DOUGHTON. I hope to be able to do so. Perhaps, if we do not have enough time, we can get the time extended. It is not the purpose of the chairman to shut off any legitimate inquiry or discussion of this very important matter.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Michigan, a member of the committee.

Mr. DINGELL. Mr. Speaker, I would like to state now for the record that, of course, I am disappointed in the fact that on the Senate side, as usual, there originated another freeze of the social-security taxes. But I am mindful of the fact that so far as the Senate and House conferees are concerned there was perhaps nothing that could be done about it.

The bill provides a gross of about two and a quarter billion dollars of additional revenue. But unfortunately the subtraction of $1,400,000,000 in social-security taxes, reduces the net that the country will be called upon to pay to about $325,000,000. Sooner or later, Mr. Speaker, I think we are going to have to get to a point where we are going to have to build up this social-security reserve fund rather than to make attempts repeatedly to freeze what we, after due deliberation, have provided for its maintenance and expansion.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. COOPER. I think it is only fair to call the attention of the House to the fact that there is a provision included in this bill providing that funds may be paid out of the General Treasury of the United States for this social-security purpose.

Mr. DINGELL. I want to make it clear that I am not criticizing the conference committee, because I think they have done, especially the Members of the House, the very best they could under the circumstances. But I do feel rather keenly about the action of the Senate in freezing the $1,400,000,000 of additional revenue which should have gone into the fund and which would have started pouring in January 1 if they had not taken such action.

Sooner or later we are going to have to make a direct appropriation to bolster the reserve fund and that because of these repeated freezes which weaken the entire plan.

Mr. COOPER. Of course, it has always been understood that this social-security fund should be kept self-sustaining. It was not contemplated that money would have to be taken out of the General Treasury of the United States to pay these benefits. But this provision, put in this bill in the other body, now provides for taking money out of the General Treasury of the United States to pay these benefits.

Mr. LUDLOW. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. LUDLOW. Do I understand that this conference report, in respect to postage rates, retains all of the House increases except the increase on third-class postage, which was thrown out?

Mr. DOUGHTON. That is correct.

Mr. LUDLOW. What did the committee do with reference to air mail? Did it increase the postage rate on air mail?

Mr. DOUGHTON. That was approved as the House passed it.

Mr. LUDLOW. Increased it 2 cents?

Mr. DOUGHTON. From 6 cents to 8 cents. Yes. All increases except the increase on third-class mail were agreed to just as the bill passed the House.

Mr. LUDLOW. I would like to ask the distinguished chairman this question. The Post Office Department tells me that on the basis of cost ascertainment they are prepared to submit a schedule of revised postal rates as a basis for legislation. I wonder if that was considered by the conference committee on the gentleman's bill, as to the advisability of leaving out the postal rates from the tax bill and having it decided on the basis of actual cost ascertainment by the Post Office Department.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield to the distinguished gentleman from Tennessee.

Mr. COOPER. As far as this conference report is concerned, there was only one item in conference, and that was the third-class mail. All of the other provisions of the House bill with reference to postage rates were adopted by the Senate, so that they were not in conference. The only thing in conference was this provision with respect to third-class mail and that was eliminated in conference.

Mr. LUDLOW. I would like to say that I appreciate the limitations of the jurisdiction of the conference committee, but I would like to ask the distinguished gentleman from Tennessee [Mr. COOPER] because I know his wisdom in these matters, Would it not be better to allow an adjustment of postage rates to be made on the basis of cost ascertainment by the Post Office Department, rather than to use it merely as a vehicle to go out and get some revenue? I have great respect for the Ways and Means Committee but I do not believe that a tax bill should be used as a vehicle for making changes in postage rates. I think that postage rates should originate in the Post Office Department, taking into consideration postal factors and not revenue requirements.

Mr. DOUGHTON. I would say to the distinguished gentleman from Indiana, we have waited a long time for the Committee on the Post Office and Post Roads to bring in a recommendation of that kind. It has been a subject before our committee on every tax bill we have had before us. It has been postponed and postponed. I am informed by the distinguished chairman of the Committee on the Post Office and Post Roads that they will be able to make a report on that soon.

Mr. LUDLOW. Indeed, it is a big task; but they have at last reached the point where they are ready to report.

Mr. DOUGHTON. We are thankful for that.

Mr. KNUTSON. Will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. KNUTSON. The answer to the question of the gentleman from Indiana is that we have not closed the doors to the Committee on Post Offices and Post Roads to give further consideration to postal rates. They can take them up tomorrow if they want to bring in an entirely new set of rates. We have waited for them for 20 years to do something. They have not done anything as yet, so we took the bull by the horns and decided to do something about it ourselves.

Mr. DOUGHTON. We made a start, anyway.

Mr. CARLSON of Kansas. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield to the distinguished gentleman from Kansas.

Mr. CARLSON of Kansas. I just want to discuss for a minute this section 902. That is the section which the gentleman from Tennessee [Mr. COOPER] and the gentleman from Michigan [Mr. DINGELL] mentioned, which really rewrites a very important section on our social-security program. We definitely state in this bill that if and when the revenues received from the taxation of employer and employees does not suffice for payments the Federal Treasury will take care of them. To me that is an important step that I would not agree to if it were not for the fact that this is in a conference report. I think it is a dangerous step to take to have a social-security program that does not cover all the people of the Nation. We have millions who cannot qualify; and now you say in this language "if and when it becomes necessary we will take the money out of the Federal Treasury." I think we should go slow in taking a step of that kind.

Mr. DOUGHTON. In my opinion that "if and when" is very far away. I believe the fund is perfectly sound now. There is nothing to worry about because after the Senate adopted an amendment to our bill freezing the social-security tax, we conducted hearings on that phase of the bill. To my mind, if anyone will read the hearings and all the evidence contained in the hearings, I do not think they need lose any sleep or have the slightest uneasiness or fears with regard to what we have done in connection with this provision of the Social Security Act. There is not the remotest danger, because the payments have been much less and the receipts have been much greater than expected, and it is now more than three times what was estimated in order to keep the system sound. The tax is only frozen for the remainder of this year and I do not have the slightest apprehension that there is any danger of endangering the soundness of the fund.

Mr. CARLSON of Kansas. I think it is on sound ground now, but we are setting a precedent for some folks in this Nation to say, "Let us let the Federal Government share the contribution in the program that was supposed to be supported by employers and employees." I think we are opening the gates.

Mr. DOUGHTON. There is no one more opposed to that than the chairman of the Committee on Ways and Means, but at the same time, based upon the computations of the actuaries and those who are supposed to know, the fund is three times as large as they said was necessary. As long as the fund is larger, and at the same time the payments much less, I cannot see why any sleep should be lost about the soundness of the system.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. COOPER. I think the important thing to bear in mind, as the gentleman from Kansas [Mr. CARLSON] has well pointed out, is the fact that Congress today is going on record in passing a law providing that these benefits for social security shall be paid out of the general funds of the Treasury. That is the provision in this bill.

Mr. KNUTSON. Oh, no, no.

Mr. COOPER. It provides in this bill that if and when——

Mr. KNUTSON. That certainly is not the intention.

Mr. COOPER. It provides in this bill that if and when the revenue from this tax is not sufficient to pay these benefits, they shall be paid out of the general funds of the Treasury. That means the Congress is now enacting a law providing for the payment of social security benefits out of the general funds of the Treasury.

Mr. DOUGHTON. I would remind the gentleman that that was in the original act. That is nothing new, as far as what we have done in this bill is concerned. That is only a second safeguard, in order that we may be assured that in case the fund should not be adequate, then, of course, they will appropriate money out of the general funds of the Treasury, as the law provides these payments must be made. However I have not the slightest fear that such a contingency will arise.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. DINGELL. Of course, I believe the conferees have done the best thing they could under the circumstances.

Mr. DOUGHTON. I thank the gentleman.

Mr. DINGELL. The error of the action as charged here has been taken on the Senate side, and this is true, that when the original Social Security Act was drawn, when we acted on it we calculated the needs of the fund, not for the day, not for 5 years in advance, but if I recall, the increase anticipated in the load was so great in the year 1965, and thereafter that we faced bankruptcy of the fund if we were not provident and careful. We have no American-experience mortality table as a guide upon which we can calculate what the future demands will be upon the fund, as we have in life insurance. So the safety margin was made great purposely. There is no rhyme or reason why the Senate, or any individual Senator should repeatedly propose freezing this social security tax. And that is what I object to. The conferees have pledged the faith and credit of the Treasury of the United States in the event of impairment of the fund, and that is to be said to their everlasting credit, they put in a prop, a safety provision in lieu of the tax but it is a substitute. I still disagree with the idea of constantly coming back and doing that which we in our wisdom thought was not the proper and sound thing to do at the time the Social Security Act was enacted.

Mr. COOPER. Will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. COOPER. It should be clearly understood that this provision to which the gentleman from Kansas [Mr. CARLSON] has properly called attention, because the House should understand it, was not a part of Senator VANDENBERG'S amendment.

The amendment simply froze the tax for the remaining 10 months of this year.

This provision providing for payment of benefits out of the general fund of the Treasury was placed in the bill by an amendment offered on the floor of the Senate. It was not a part of Senator VANDENBERG'S well-thought-out and well-considered amendment to which the Senate Finance Committee and the House Committee on Ways and Means have both given consideration; this provision relating to providing for the payment of benefits out of the general fund of the Treasury was an amendment put in the bill on the floor of the Senate. This should be clearly understood.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. FITZPATRICK. About a year ago I introduced a bill to put second-, third-, and fourth-class-mail matter on a paying basis. As it is the taxpayers of the country give a subsidy to users of these three classes of mail of $130,000,000 a year. No action has yet been taken on that bill, yet it would save the taxpayers a great deal of money and take off of their shoulders the load of this second-, third-, and fourth-class special rates they are now supporting.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. MARCANTONIO. What is the estimated loss to the social-security fund by this freezing?

Mr. DOUGHTON. One billion and four hundred million dollars for the full year.

Mr. HARNESS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. HARNESS of Indiana. I should like to find out what provision of this conference report relieves the individual taxpayer from that indefensible penalty that is in existing law whereby if he underestimates his income or overestimates it 20 percent he must pay a penalty.

Mr. DOUGHTON. We have cured that to a great extent because we have inserted a provision to the effect that if the return is made based on the income for the previous year the person is not subject to the penalty.

Mr. HARNESS of Indiana. Will the gentleman yield for a further question?

Mr. DOUGHTON. I yield.

Mr. HARNESS of Indiana. Is any relief provided in this bill for the small businessman, the small corporation, through providing some means whereby a reasonable reserve can be laid aside for post-war conversion and employing people and continuing in business?

Mr. DOUGHTON. That is already provided for. If you let every person, individual, and every corporation lay aside or plow back what they thought might be helpful to them in the post-war period, you would not be able to finance the war.

Mr. HARNESS of Indiana. The distinguished chairman of the Committee on Ways and Means does not mean that the present revenue act provides for that, does he?

Mr. DOUGHTON. I think we have shown great moderation in the taxes that were imposed both on corporations and individuals, for they do have something left for the post-war period.

Mr. HARNESS of Indiana. Then am I to understand that the gentleman means by that, that there is nothing in the bill to grant additional relief over existing law?

Mr. COOPER. If the gentleman will allow me, I may state that under present law provision is made for post-war reserves. That is not changed by this bill. There is also the net loss carry-over that is provided for under present law. There is included in this conference report a provision that will assist corporations to this extent, the specific exemption from excess-profits tax is increased from five to ten thousand dollars, it is just double. So to that extent this conference report is helpful along that line.

Mr. HARNESS of Indiana. That leaves this situation: The small corporation that has had perhaps a 25- or 50-percent increase in income will have left something like 21 percent, whereas the big corporation that has had from 50 to 100 percent increase in income will have left in excess of 50 or 60 percent.

Mr. COOPER. The only way, of course, by which an accurate picture of that can be visualized is to examine the structure of each corporation. There is no way of determining that at this point in the consideration of a conference report.

The gentleman may rest assured that all of the benefits with respect to the post-war reserves that are provided in present law are not disturbed in this bill, and there is the additional advantage of the specific exemption for excess-profits tax purposes being increased from $5,000 to $10,000, which is double.

Mr. HARNESS of Indiana. Does the gentleman believe that is adequate?

Mr. COOPER. It may be adequate in some instances, in some instances it may not be adequate, and in some instances it may be more than adequate. There is no way of determining these various questions, of course, in the consideration of a conference report.

Mr. DOUGHTON. I should like to say one thing about the Senate amendment which exempted from income tax the mustering-out pay of servicemen. That matter had not proceeded far enough when the bill was considered in the House that it could be considered here, but the Senate adopted such an amendment and the conferees were very glad to accede to it.

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield to the distinguished gentleman from Ohio.

Mr. JENKINS. I should like to refer again to the social-security feature on the last page of the bill. The distinguished gentleman from Tennessee [Mr. COOPER] gave us the impression that this law was sufficient in itself to provide that the Treasury will supply the difference in case there should be a difference needed, but I understand that cannot be done by this bill. By this bill it still remains that the Congress through the

Appropriations Committee would have to appropriate the money.

Mr. COOPER. The gentleman is correct. This now authorizes that appropriation.

Mr. JENKINS. Yes; it is an authorization.

Mr. KNUTSON. That is merely done, if the gentleman will yield, for the purpose of assuring the country that the fund will not be weakened to the extent where it cannot meet its obligations.

Mr. COOPER. The provision in question consists of only three lines:

> There is also authorized to be appropriated to the trust fund such additional sums as may be required to finance the benefits and payments provided under this title.

Mr. JENKINS. I do not want the House to get the impression that this is a very immaterial matter, because it is a very material matter. This may be the opening wedge which in the future those who, when social security was established, took upon themselves the responsibility of maintaining—that means the employer and the employee undertook to do it will shift part of their load—it was assumed they would do it, they promised they would do it. If you carry this proposition clear through to the end it could mean that these employers and employees might never again be called upon to increase the amount they are paying now and the Treasury would have to assume that burden.

No such provision is needed at the present time because this fund is from five to seven times as large as it needs to be; it is in wonderful shape. It was placed high enough so that it could never be jeopardized. It went through the worst depression the country ever had and it never was jeopardized. As I say at the present time we have from five to seven times as much in the fund as we need. So this authorization provision is not necessary.

Let me say right here today that this matter was never considered by the Ways and Means Committee of the House or the Finance Committee of the Senate. If we adopt this proposition it will be one gigantic step in a direction we never intended when the Social Security Act was passed. It is a very important provision and the House should distinctly understand that this was a matter inserted on the floor of the Senate without its having been considered by either the Committee on Ways and Means of the House or the Finance Committee of the Senate. It might lead to very disastrous consequences.

Mr. CARLSON of Kansas. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. CARLSON of Kansas. I am in thorough agreement with the gentleman from Ohio. I think it is an invitation to use at least one-third of the revenues of the Government for the carrying on of this social-security program through the Federal Treasury. That has been suggested by the American Federation of Labor. It is the first step, the entering wedge.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. COOPER. I think both the gentleman from Ohio and the gentleman from Kansas are making a splendid contribution to this debate and rendering a real service to the people of the country in emphasizing the fact that this is a departure from the original concept of the whole social-security program. As the gentleman has well said it may be the entering wedge for a disturbance of this program on the basis that it has always been considered. Now, the employees, the workers, are willing for this increase in tax. The employers are the ones who are asking that it be frozen.

Now, then, if this provision of law is enacted whereby these funds may be taken from the General Treasury to pay the benefits, certainly that would be an encouragement in the future for people to say: "Let us quit paying this tax. Let it come out of the General Treasury of the United States."

Mr. DOUGHTON. Suppose they did say that, that is not any reason that the Congress would adopt such a policy.

Mr. COOPER. It is being adopted here today if this provision of the law authorizing the appropriation is agreed to.

Mr. JENKINS. Mr. Speaker, I am not making this little speech to detract from or to encourage anybody to refuse to adopt this report because we have to do it on account of the fact it is so big, it is so colossal, it is so important. Here is what might happen: At the present time the employer and employee are the guardians of this fund and they ought to see to it that it is administered properly and that unjust encroachment should not be permitted against it. In other words, they ought to see to it that a man who makes a claim does not make a claim when he is not entitled to it. They hould protect the fund because they have to pay it. If they come to believe that it makes no difference whether the fund is robbed or improper people may be paid, or some employer declines to pay what he should pay, that would be a mistake, because the Treasury will have to make it up. I want to hold them to the text of this, as it was solemnly agreed upon in the beginning that they get all the benefit and they must maintain it.

Mr. COOPER. I just want to say that my reason for making the observation is because in my opinion the House ought to fully understand what is involved here. That is my only purpose in making these observations. I think we should understand fully just what this provision means.

Mr. DINGELL. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Michigan.

Mr. DINGELL. I want to add at this point for the benefit of my distinguished friend from Ohio—I think he knows it very well—that on three different occasions the attempt was made, and successfully, to freeze what we previously had authorized and directed should be done for the safety and solvency of the social-security plan. I refer to the original action of Congress. Obviously, under circumstances such as this when a third successive raid has been made on the provision which obviously the conferees could do nothing about, the fund should be propped because in three successful raids the raiders have detracted from the strength the law provides. We know, and we knew at the time we worked on the social-security bill, and my friend from Ohio was a member of the committee at the time, that there would be a reserve accumulation as time went on.

We reckoned into 1965 and even 1985 to provide a sound fund. Now we are faced with the problem of the freezing provisions of the report, which is contrary to the bill we passed in the beginning.

Mr. JENKINS. I do not agree with the gentleman in his logic, but we do agree generally for this reason: It is not so important to put a prop under this fund now. It does not need any prop. It went through the worst depression in the history of the country, and it went through unscathed. There is more money there than there need be. We do not need this. This is the opening of a door that will enable somebody to neglect his obligation or what he obligated himself to do.

Mr. DINGELL. We did not reckon on the post-war period, when the bill was first passed, because we did not anticipate any war in 1935, yet there comes to us now a new liability.

The SPEAKER. The Chair desires to call the attention of the gentleman from North Carolina [Mr. DOUGHTON] that he has consumed 35 minutes of the hour.

Mr. EBERHARTER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from North Carolina [Mr. DOUGHTON] yield for a parliamentary inquiry?

Mr. DOUGHTON. What is the parliamentary inquiry?

Mr. EBERHARTER. Mr. Speaker, I would like to know who has the floor? The gentleman from Ohio is yielding and the gentleman from North Carolina is yielding.

The SPEAKER. The gentleman from North Carolina has the floor.

Mr. EBERHARTER. Will the gentleman yield to me?

Mr. DOUGHTON. After the distinguished gentleman from Ohio gets through with his observations I will yield to the gentleman from Pennsylvania.

Mr. JENKINS. I thank the gentleman for his consideration. I agreed to yield to the gentleman from Ohio for a short observation.

Mr. BENDER. Mr. Speaker, I address these remarks to the gentleman from North Carolina. Is it not a fact we were supposed to have in reserve some four billion dollars in the social-security fund? Is it not a fact that this money has all been used by the Federal Government and expended by the Federal Government, transferred through a bookkeeping transaction, or an indication

that there has been a transfer of these funds to the general revenue?

Mr. DOUGHTON. It is handled like all other trust funds.

Mr. EBERHARTER. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. Mr. Speaker, I want to call attention to the intimation that was left by the remarks of the gentleman from Ohio [Mr. JENKINS] when he called attention to the fact that this trust fund was 5 or 6 times perhaps the size that they would need. According to all the testimony which I heard before the committee, it was brought out very clearly that in the not-too-distant future, perhaps in 1950, or perhaps in 1960, the debt liability would rise to a sum at least equal, if not greatly beyond, the amount of the trust fund, and thereafter unless a greater trust fund was built up it would be necessary to draw on the general fund, in which event all of the people of the country will have to pay additional taxes in order to comply with the contracts which we made with the people of this country to pay them a social-security tax.

The first break in the contract that was made with the people of this country was when we did not make the additional 1 percent increase in the taxes as provided by the original bill. There is where the first break came. If we can violate the law, as it were, or change the law that was originally passed, and not put into effect the increases that were called for, by the same token we could next year say that no employer and no employee need pay any social security tax; we will just charge the taxes to all of the people and pay it out of the general fund. That is where the first mistake was made insofar as this act is concerned, that is, when we did not put into effect the increases called for by the original bill.

Mr. DOUGHTON. Of course, we could do that, but it is not in the realm of reason that we will do that. I had the honor of reporting out the original Social Security Act, which I have always been proud of. There is no one more anxious to keep the system sound and the fund adequate to pay the old-age benefits than I am. But you can only legislate by the information you have today. When this act was passed it was estimated the receipts would be so much and the payments would be so much, and that a certain required fund would be necessary to keep the system sound. The receipts have been many times greater than the payments and the payments less than estimated; consequently the fund to date is much larger than anticipated. I want to read from the testimony as to the adequacy of this fund and this is from the testimony when we conducted the hearings:

> If we did not collect another dime in taxes between now and December 31, 1947, if we paid up between now and the end of 1947 all of the benefits to be paid under the highest benefit estimates given by the Board of Trustees, then we would still have in our fund at the end of 1947 considerably more than three times the benefits to be paid out in that year 1947, which is the highest year of the current 5-year period.

If we did not collect another dollar, it would be more than three times the payment of benefits and if we collect the 1 percent that we are collecting now, it will be 10 times as much as the payments. I do not see any need for having a nightmare about the adequacy or sufficiency of this fund. That was the intent originally, and that intent has never been changed. The intent was that this fund shall be kept sound. There is no use of piling up money in the Treasury for one cause and appropriating for another cause. This money is being used for the general expenses of the Treasury. It is not necessary to question the soundness of the system. That has been proven by all the testimony.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. The gentleman from whose testimony our distinguished chairman read also said quite plainly that the trust fund cannot be maintained for the payment of the debt liability against it at the same rate of taxation we are charging now. He admitted it would be absolutely necessary at some future date to raise the present rates.

Mr. DOUGHTON. Does not the law do that as it is, if it is not further amended?

Mr. EBERHARTER. Yes.

Mr. DOUGHTON. Of course, it does.

Mr. EBERHARTER. The question arises of when we should collect these taxes, when the country is prosperous or when we are in the midst of a depression.

Mr. DOUGHTON. This only freezes the rate for the remainder of this year.

Mr. Speaker, I now yield 5 minutes to the distinguished gentleman from Minnesota [Mr. KNUTSON].

Mr. CASE. Mr. Speaker, will the gentleman from Minnesota yield to me for a question?

Mr. KNUTSON. I yield to the gentleman from South Dakota.

Mr. CASE. May I ask the gentleman if it is not true that the amendment which has been under discussion merely authorizes to be appropriated to the trust fund such additional sums as may be required to finance the benefits and payments provided under this title of the Social Security Act and that it does not make any absolute requirement of an appropriation?

Mr. KNUTSON. The gentleman is correct. This is merely an authorization. I understand that the Senate wrote this section into the bill in order to give assurance as to the integrity of the fund. It would become applicable only when and if Congress failed to make proper provision for the maintenance of the fund by taxation, which we may assume will never be the case.

Of course, we have a very peculiar situation as regards the social-security trust fund. It is somewhat illusory, and operates very much like a saloon where the saloonkeeper is his own best customer. Every time he takes a drink he goes to the cash register, but he cannot make up his mind whether he is to ring up a sale or no sale. So it is every time Uncle Sam goes to the till of the social-security trust fund and takes out so many million dollars. He merely drops an I O U into the till. This means that when the money becomes due and payable the American people will have to be taxed again in order to replenish the fund. In other words, we are going to be taxed at least two times, and if the New Deal stays on indefinitely, God knows how many times we will have to be retaxed. But that is something in the future again.

I should like to call the attention of the House to the Senate report on the matter of freezing the pay-roll tax rate.

Mr. RAMSPECK. Mr. Speaker, will the gentleman yield for a question before he leaves that subject?

Mr. KNUTSON. I do not think I will. The gentleman looks like a cat getting ready to eat the canary.

I read from page 18 of the Senate Finance Committee report on the Revenue Act of 1943:

> In other words, Congress indicated that these contingent reserves are adequate whenever they exceed three times the highest cost of the system in any one of 5 subsequent years. Congress has twice applied this rule and, as a result, has twice postponed the statutory increase in pay-roll taxes.
>
> The committee has again applied this rule to the current situation. It finds that for the fiscal year ending June 30, 1943, $1,130,000,000 was collected in these particular pay-roll taxes; that the cost of benefits for the fiscal year was $149,000,000 plus $27,000,000 in administrative expenses; that the balance of $954,000,000 went into the contingent reserve; that this produced a reserve of $4,300,000,000 last June 30. The heaviest annual cost in benefits and administrative expenses from 1943 to 1948 is estimated by the Social Security Board from a low of $415,000,000 under normal circumstances to a high of $813,000,000 under abnormal circumstances. Thus the present reserve is about 11 (instead of 3) times the low and better than 5 times the highest.

Secretary Morgenthau, than whom there is no greater authority on this question, testified in 1939 that it was only necessary to keep a reserve of three times the highest benefit payments in the ensuing 5 years. Here we have several times the actual requirements, according to Dr. Altmeyer. So I do not believe the House need concern itself very much over the possibility of the social-security fund being depleted at an early date. The action of the Senate in freezing the present rate is only for 1 year; it automatically increases to 2 percent next January 1. Eventually, the rate increases to 3 percent under existing law, and Congress can always increase the rate further if the occasion arises.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. KNUTSON. I yield to the gentleman from Illinois.

Mr. MASON. The Congress has by action frozen the social-security tax some two or three times.

Mr. KNUTSON. Twice.

Mr. MASON. But under the provisions of the Social Security Act it automatically unfreezes itself, and the new rates will take effect unless the Congress in the future decides there are plenty of funds in there and freezes it again.

Mr. KNUTSON. Precisely. As I said the freezing by the pending bill is only for 1 year.

Mr. MASON. The subsequent increase is automatic.

Mr. KNUTSON. Yes.

Miss SUMNER of Illinois. Mr. Speaker, will the gentleman yield?

Mr. KNUTSON. I yield to the charming lady from Illinois.

Miss SUMNER of Illinois. The last tax bill caused great confusion, in my district, at least. I am reluctant to vote for anything that would increase that confusion, because the people cannot even find out what they owe. They are all being told that they face penalties, without being at fault. Is there any objection to our voting down this conference report long enough for those of us—and I think there are many of us—who do not understand to any great extent what is in the conference report to find out about it?

Mr. KNUTSON. It would be most unfortunate if the conference report were voted down. I hope that such a motion will not be made.

Miss SUMNER of Illinois. Why could it not go over a couple of days?

Mr. KNUTSON. The committee contemplates going into the matter of tax simplification this week. We hope to take up the simplification bill introduced by the gentleman from Kansas [Mr. CARLSON] or something along that line. Of course, I cannot speak for the chairman of the committee, but I can say that we are going to proceed immediately with the work of simplification.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. KNUTSON. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I have received a great many letters and telegrams relating to the gains and losses provision with regard to timber owned and timber leased or to be cut.

Mr. KNUTSON. That is taken care of.

Mr. ROBSION of Kentucky. Is that satisfactory to the timber people?

Mr. KNUTSON. It is what they wanted.

Mr. KUNKEL. Mr. Speaker, will the gentleman yield?

Mr. KNUTSON. I yield to the gentleman from Pennsylvania.

Mr. KUNKEL. Does this bill take care of the credits against Federal unemployment taxes as applied to those people who had the tax assessed against them in the years 1940 and 1941?

Mr. KNUTSON. We have also taken care of them. Title VI of the bill, which covers the matter, was included on my motion.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. KNUTSON. I yield to the gentleman from New York.

Mr. TABER. I have been quite disturbed about three units of the Treasury Department, because of their appearance before the Committee on Appropriations, and I have been wondering if they are the ones that are largely responsible for these complex and intricate tax blanks we are getting. One of them is the general counsel, one is the Division of Tax Research, and one is the tax legislative counsel. I am wondering if those units are not to a very large extent responsible for this mix-up and the fact that the tax returns are so complex. I suspect them from looking at them and the way they acted.

Mr. KNUTSON. Of course, the gentleman appreciates that this is the seventeenth tax bill Congress has been called upon to take action on since 1933. They have come to us so fast that it has not been possible to streamline them or to take out the wrinkles. We have had to slap one tax bill on top of another, and before the ink was dry, we had to start work on the next tax bill. The result has been that our committee experts have not had time to give to the matters of simplification; but this is the last revenue measure in this Congress and henceforth we are going to be able to devote ourselves exclusively to tax simplification. Of course, it is not possible to work out tax returns that are completely simple. There are so many exemptions and deductions and allowances involving methods of calculation that it is out of the question, but we can streamline the tax structure to a considerable degree. Primarily the duty of preparing these blanks rests with the Bureau of Internal Revenue. The Bureau of Internal Revenue is a part of the Treasury Department, and because of that fact we cannot deal with it direct. Everything that passes between the Ways and Means Committee and the Internal Revenue Bureau must clear through the Treasury Department.

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. DOUGHTON. Mr. Speaker, I yield the gentleman 1 minute more.

Mr. KNUTSON. As I said, everything must clear through the Treasury Department, and that is where the bottleneck exists. I am now having prepared a bill to completely divorce the Bureau of Internal Revenue from the Treasury Department.

Mr. TABER. And I venture the prediction, if the gentleman will yield, that the committee will have to do the simplification job, rather than the Treasury Department.

Mr. KNUTSON. We are going to proceed at once to do the job.

Mr. DOUGHTON. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker, it was stated here a few moments ago by the distinguished gentleman from Minnesota [Mr. KNUTSON] that this is the seventeenth new tax bill since 1933. These tax bills remind me very much of a Mexican grave. One tax bill has been piled on another as bodies are in a Mexican grave until the grave is filled, or else the stench becomes so great that they have to clean out the entire mess and start over again.

This bill does not carry quite as much revenue as some people in high authority feel it should. I think perhaps the committee has been circumspect in that regard. It is quite in accord now with American philosophy to quote English statesmen, so I shall refer to what Edmund Burke had to say. He said that the struggle for Anglo-Saxon liberty has always been fought on the battlefield of taxation, that the man who controls the money that is taken from the people in taxes is, in effect, a dictator, no matter what position he holds, irrespective of the form of government. And Napoleon once said, "Give me control of the purse strings of the nation, and you can have all of its armies."

When you consider that there has been taken from the people, since 1933, $118,422,000,000 in taxes and that the levy for this fiscal year will be $41,000,000,000, and in addition that there has been piled up a debt of $174,000,000,000, it becomes necessary to be cautious, even in time of war, as to how much money should be given to some persons who demand countless billions to spend. The first the committee heard about the amount of revenue that should be raised in this tax bill was $16,000,000,000. Then that figure was finally dropped and our committee was asked to raise $10,500,000,000. Later, Mr. Eccles came before our committee and suggested that the committee ought to raise about $16,000,000,000.

There is a limit to the tax load that the people can carry until they become adjusted to the load. Certainly you are not going to take an athlete and run him 5 miles the first time he goes into training, or take a soldier and pile on too heavy a load the first time he starts on a long march. If you do, you will ruin them both. Our country is different from others. Over a period of time the people have bought on the installment plan, and they were told by the administration that we were going to keep out of war, and every piece of legislation that was brought here was proclaimed as a means of keeping out of war, so our people kept on making their purchases and payments under the installment plan. Millions of them did that, and once you start in doubling the taxes year after year, as has been done for 17 times in about 10 years, you are going to break the morale of millions of people, when you strip them of all of the household goods they have bought and partly paid for on the installment plan. So, we have to use common sense when it comes to a question of raising money by taxation.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. Yes.

Mr. KNUTSON. I think the gentleman should call attention to the fact that a pseudo tax expert took to the air the other day and deplored the fact that Congress had not levied as much as the Treasury asked for, and the RECORD should further show that if Congress were to accede to this fantastic demand, it would result in taking 40 percent out of every man's pay envelope.

Mr. REED of New York. I am sorry to say that I have not the slightest idea to whom the gentleman refers.

Mr. EBERHARTER. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I cannot yield.

Mr. COCHRAN. If the gentleman would like to know, I could tell him his name.

Mr. REED of New York. I realize you could ask questions all afternoon on this tax bill. Heretofore on the tax bills that we have prepared, an analysis of them by question and answer has been prepared and included as a part of my remarks instead of taking up the time of the House in answering questions. Therefore, I ask unanimous consent to extend my remarks by including some 45 questions and answers relating to this particular tax bill, which I think will anticipate most of the questions that would be asked if I were to yield for that purpose.

The SPEAKER. Is there objection?

There was no objection.

Mr. REED of New York. First, before entering upon the questions and answers, I shall insert the following table:

Taxes collected under New Deal

Fiscal year:	*Net receipts*
1933	$2,080,000,000
1934	3,116,000,000
1935	3,800,000,000
1936	4,116,000,000
1937	5,029,000,000
1938	5,855,000,000
1939	5,165,000,000
1940	5,387,000,000
1941	7,607,000,000
1942	12,799,000,000
1943	22,282,000,000
1944	41,186,000,000
Total	118,422,000,000

Despite this terrific tax burden, the national debt has increased from $22,000,000,000 to $174,000,000,000 since 1933.

QUESTIONS AND ANSWERS ON THE REVENUE ACT OF 1943

PART I. GENERAL SCOPE

1. Question. Does the new tax bill affect final returns on 1943 individual income, to be made on or before March 15, 1944?

Answer. In general, the individual income tax changes affect only returns for the taxable year 1944 and subsequent years.

2. Question What is the general scope of the Revenue Act of 1943?

Answer. In brief, the principal changes are as follows:

Victory tax: The Victory tax is reduced from 5 percent to 3 percent, with no post-war credit allowance and no adjustment for family or dependency status. The present $624 exemption is not changed. (See part II).

Individual income tax: The regular income-tax rates and exemptions remain at present levels, and there is no change in the rates and exemptions under the withholding provisions. The earned-income credit is repealed and the deduction for Federal excise-tax payments is discontinued. (See part III).

Corporate excess-profits tax: The corporate excess-profits tax is increased from 90 percent to 95 percent; the specific exemption thereunder is increased from $5,000 to $10,000; and the excess-profits credit based on invested capital is reduced by 1 percentage point in the intermediate brackets. No change is made in the corporation income-tax rates, applying to so-called normal earnings. (See part IV).

Administrative changes affecting individual and corporate income tax: A number of administrative changes are made which directly or indirectly affect the tax burden. (See parts V and VI).

Excise taxes: Many excise-tax rates are increased. (See part VII).

Postal rates: Various postal rates are increased. (See part VIII).

Tariff status of newsprint paper: The free entry of newsprint paper is extended to include lighter weight newsprint (rolls not less than 15 inches in width and sheets weighing not less than 30 pounds per ream). (See part IX).

Credit for unemployment taxes: The time within which credit may be taken against the Federal unemployment tax for contributions to State unemployment funds is extended. (See part X).

Social-security tax: The pay-roll tax on employers and employees under the old-age and survivors insurance provisions of the Social Security Act is frozen at 1 percent for 1944. (See part XI).

Renegotiation of war contracts: The law relating to the renegotiation of war contracts and repricing is amended in certain particulars. (See parts XII and XIII).

Revenue yield

3. Question. What is the increased revenue yield of the new law?

Answer. This is shown in the following table:

Estimated tax liability under the revenue bill of 1943 (H. R. 3687) as agreed to in conference, as compared with the tax liability under the present law, for a full year of operation [1]

[In millions of dollars]

General and special accounts and net postal revenue	Yield of present law	Yield of H. R. 3687	Increase (+) or decrease (−) of H. R. 3687 yield over yield of present law
1. INTERNAL REVENUE			
(1) *Income and excess-profits taxes*			
Corporation:			
Income [2]	4,734.6	4,667.6	−67.0
Excess-profits tax	10,888.8	11,521.8	633.0
Declared value excess-profits tax	105.6	105.0	−.6
Total corporation (gross)	15,729.0	16,294.4	565.4
Less post-war credit	1,088.9	1,152.2	63.3
Total corporation (net)	14,640.1	15,142.2	502.1
Individual:			
Net income tax	14,105.5	14,830.4	724.9
Victory tax (net)	3,491.8	3,431.8	−60.0
Total individual	17,597.3	18,262.2	[3] 664.9
Total income and excess-profits taxes	32,237.4	33,404.4	1,167.0
(2) *Miscellaneous internal revenue*			
Capital stock, estate, and gift taxes:			
Capital stock tax	365.0	365.0	
Estate tax	522.4	522.4	
Gift tax	40.2	40.2	
Total capital stock, estate, and gift taxes	927.6	927.6	

Estimated tax liability, etc.—Continued

[In millions of dollars]

General and special accounts and net postal revenue	Yield of present law	Yield of H. R. 3687	Increase (+) or decrease (−) of H. R. 3687 yield over yield of present law
1. INTERNAL REVENUE—Continued			
(2) *Miscellaneous internal revenue*—Continued			
Taxes on commodities and services:			
Liquor taxes:			
Distilled spirits (domestic and imported) (excise tax) [2] [4]	735.2	1,101.2	366.0
Fermented malt liquors [2]	504.0	574.0	70.0
Rectification tax [2]	11.5	11.5	
Wines (domestic and imported) (excise tax) [2]	36.6	54.6	18.0
Special taxes in connection with liquor occupations	11.0	11.0	
Container stamps	9.4	9.4	
Floor-stocks taxes	.6	.6	
All other	1.6	1.6	
Total liquor taxes	1,309.9	1,763.9	454.0
Tobacco taxes:			
Cigarettes (small) [2]	892.8	892.8	
Tobacco (chewing and smoking) [2]	45.0	45.0	
Cigars (large) [2]	31.7	31.7	
Snuff	7.0	7.0	
Cigarette papers and tubes	1.3	1.3	
All other [2]	.1	.1	
Total tobacco taxes	977.9	977.9	
Stamp taxes:			
Issues of securities, bond transfers, and deeds of conveyance	25.0	25.0	
Stock transfers	19.0	19.0	
Playing cards [2]	7.5	7.5	
Silver bullion sales or transfers	[5]		
Total stamp taxes	51.6	51.6	
Manufacturers' excise taxes:			
Gasoline	251.1	251.1	
Lubricating oils	54.3	54.3	
Passenger automobiles and motorcycles	.9	.9	
Automobile trucks, busses, and trailers	3.5	3.5	
Parts and accessories for automobiles	25.0	25.0	
Tires and inner tubes	40.0	40.0	
Electrical energy	48.5	48.5	
Electric, gas, and oil appliances	3.6	3.6	
Electriclight bulbs and tubes	5.0	20.0	15.0
Radio receiving sets, phonograph records, and musical instruments	3.5	3.5	
Refrigerators, refrigerating apparatus, and air-conditioners	1.1	1.1	
Business and store machines	2.8	2.8	
Photographic apparatus	11.9	11.9	
Matches	10.5	10.5	
Luggage [6]	5.0		−5.0
Sporting goods	2.0	2.0	
Firearms, shells, pistols, and revolvers	.8	.8	
Total manufacturers' excise taxes	469.5	479.5	10.0

See footnotes at end of table.

See footnotes at end of table.

Estimated tax liability, etc.—Continued

[In millions of dollars]

General and special accounts and net postal revenue	Yield of present law	Yield of H. R. 3687	Increase (+) or decrease (−) of H. R. 3687 yield over yield of present law
1. INTERNAL REVENUE—Continued			
(2) *Miscellaneous internal revenue*—Continued			
Retailers' excise taxes:			
Jewelry, etc	89.2	161.3	72.1
Furs	38.2	74.7	36.5
Toilet preparations	35.0	69.3	34.3
Luggage,[6] handbags, wallets, etc	----------	46.7	46.7
Total retailers' excise taxes	162.4	352.0	189.6
Miscellaneous taxes:			
Telephone, telegraph, radio, and cable facilities, leased wires, etc	121.2	171.1	49.9
Telephone bill, local service	97.8	146.7	48.9
Transportation of oil by pipe line	14.5	14.5	----------
Transportation of persons	141.8	216.8	75.0
Transportation of property	170.3	170.3	----------
General admissions, etc	163.5	289.0	125.5
Cabarets, etc	19.4	110.7	91.3
Club dues and initiation fees	6.2	11.3	5.1
Leases of safe-deposit boxes	6.5	6.5	----------
Use of motor vehicles and boats	115.5	115.5	----------
Coconut and other vegetable oils processed [2]	2.0	2.0	----------
Oleomargarine, etc., including special taxes and adulterated butter	3.1	3.1	----------
Sugar tax	61.0	61.0	----------
Coin-operated amusement and gaming devices	12.2	12.2	----------
Bowling alleys and billiard and pool tables	1.8	3.8	2.0
All other, including repealed taxes [7]	1.2	1.2	----------
Total miscellaneous taxes	938.0	1,335.7	397.7
Total taxes on commodities and services	3,909.3	4,960.6	1,051.3
Total miscellaneous internal revenue	4,836.9	5,888.2	1,051.3
(3) *Employment taxes*			
Employment by other than carriers:			
Federal Insurance Contributions Act	2,599.0	1,399.0	−1,200.0
Federal Unemployment Tax Act	207.0	207.0	----------
Total	2,806.0	1,606.0	−1,200.0
Taxes on carriers and their employees (chap. 9, sub-chap. B of the Internal Revenue Code)	262.7	262.7	----------
Total unemployment taxes	3,068.7	1,868.7	−1,200.0
Total internal revenue	40,143.0	41,161.3	1,018.3
2. RAILROAD UNEMPLOYMENT INSURANCE CONTRIBUTIONS	12.1	12.1	----------
3. CUSTOMS	400.0	400.0	----------
4. MISCELLANEOUS RECEIPTS [8]	577.5	577.5	----------
Total yield, general and special accounts [9]	41,132.6	42,150.9	1,018.3

Estimated tax liability, etc.—Continued

[In millions of dollars]

General and special accounts and net postal revenue	Yield of present law	Yield of H. R. 3687	Increase (+) or decrease (−) of H. R. 3687 yield over yield of present law
5. NET POSTAL REVENUE [9]			
First class:			
Local delivery letters	25.9	69.9	44.0
Other than local delivery letters	140.2	140.2	----------
Air mail, domestic	−3.1	7.9	11.0
Second class	−86.0	−86.0	----------
Third class	−24.0	−24.0	----------
Fourth class	−17.9	−13.4	4.5
Special services:			
Registry	−8.3	−3.8	4.5
Insurance	−1.5	5.0	6.5
Collect on delivery	−4.5	0.9	5.4
Special delivery	−0.6	−0.6	----------
Money order	−6.7	14.3	21.0
Other	−22.1	−22.1	----------
Total net postal revenue	−8.6	88.3	96.9
Total yield, general and special accounts, and net postal revenue	41,124.0	42,239.2	1,115.2
Net appropriation to Federal old-age and survivors insurance trust fund	−2,599.0	−1,399.0	1,200.0
Net yield, general and special accounts, and net postal revenue	38,525.0	40,840.2	2,315.2

[1] Estimates of the yield of H. R. 3687 and of present law are at levels of income and business activity estimated for the calendar year 1944, and do not take into consideration nonrecurring changes in revenue, or those caused by the termination of governmental excise tax exemptions which are completely offset by changes in expenditure.

[2] Collections for credit to trust funds are not included.

[3] Excludes a nonrecurring loss of $195,000,000 over calendar years 1943-48 owing to the repeal of certain provisions of the Current Tax Payment Act of 1943 (so-called second windfall tax).

[4] These estimates are after allowances for draw-backs of $23,700,000 under H. R 3687, and $14,800,000 under present law.

[5] Less than $50,000.

[6] The tax on luggage has been changed from a manufacturers' excise to a retailers' excise tax.

[7] Includes collections from taxes on narcotics, taxes under the National Firearms Act, and the tax on hydraulic mining, all of which are effective currently. In addition, includes collections from repealed taxes not reinstated by the Revenue Act of 1941; and collections from the following excise taxes repealed by the Revenue Act of 1942; rubber articles, electric signs, optical equipment, and washing machines.

[8] Excludes postal surplus, if any, shown separately below.

[9] Excess of revenue over expenditure; based upon the Cost Ascertainment Report for the Fiscal Year 1942, of the Post Office Department; nonpostal services excluded.

NOTE.—Figures are rounded and will not necessarily add to totals.

Staff of Joint Committee on Internal Revenue Taxation, February 4, 1944.

See footnotes at end of table.

II. VICTORY TAX

4. Question. What is the purpose of changing the Victory tax to a flat 3 percent for all taxpayers?

Answer. This change (Sec. 106) is solely for the purpose of simplifying the computation of the Victory tax on the return. Under the old law, the tax was imposed at a rate of 5 percent on income in excess of $624 annually, but against the gross tax the taxpayer was entitled to a credit of 25 percent but not more than $500 if single; 40 percent but not more than $1,000 if married or the head of a family; and 2 percent but not more than $100 for each dependent. Thus the net effective rate in the case of single persons was 3.75 percent, and in the case of married persons or heads of families it was 3 percent or less. By changing the tax to a flat 3 percent for all taxpayers, without reference to family or dependency status, the computation of the tax is simplified and the tax return is made less complex.

5. Question. Will this change in the law affect final returns on 1943 income?

Answer. It applies only to the taxable year 1944 and subsequent years. Thus it must be taken into consideration in filing the declaration of estimated tax for 1944, but not in connection with the filing of the final return on 1943 income.

III. INDIVIDUAL INCOME TAX

6. Question. Is the individual income tax burden increased by the new law?

Answer. Not directly, since the rates and exemptions are unchanged. However, the repeal of the earned income deduction, and the disallowance of Federal excise tax payments as a deduction (except where incurred in connection with a trade or business) will indirectly increase the burden to some extent.

REPEAL OF EARNED INCOME CREDIT

7. Question. Why is the earned-income deduction repealed?

Answer. In the interest of simplification. Under the old law, the earned income deduction was allowed for purposes of the normal tax but not for purposes of the surtax, thereby necessitating separate computations of the normal tax and surtax. Additional complications were involved in the computation of the earned-income deduction. The elimination of the allowance (Sec. 107) will permit simplification of the returns without substantially increasing any person's tax, since in no case could the present tax saving be more than six-tenths of 1 percent of the earned income, with a maximum possible saving of $84 at the $14,000 income level. This results from the fact that 10 percent of the earned income (not counting earned income in excess of $14,000) was exempted from the 6 percent normal tax under prior law.

Elimination of deduction for Federal excise taxes

8. Question. How will the elimination of the deduction for Federal excise tax payments affect individual taxpayers?

Answer. Under existing law, individual taxpayers may deduct, in computing their income tax, Federal excise taxes paid during the taxable year in those cases where the tax is levied directly on the taxpayer, as in the case of the admissions tax, the jewelry tax, etc. Under the new law (sec. 111), such Federal excise-tax payments can no longer be taken as a deduction, except where the taxpayer is in a trade or business and such taxes are otherwise deductible as a business expense. The net effect of the disallowance of these taxes as a deduction will be to increase the taxpayer's taxable income to the extent of such disallowance.

Exemption of mustering-out pay

9. Question. What provision does the new law make with respect to the taxation of mustering-out allowances paid to members of the armed forces upon their discharge?

Answer. It exempts such allowances from Federal income tax (sec. 109).

Blind persons

10. Question. Is any special provision made for the blind in the new tax law?

Answer. Yes; blind persons are allowed a special deduction of $500 in addition to their regular income-tax exemption (sec. 115). For purposes of the law, the test of blindness is to be the same as under the Social Security Act provisions relating to the blind.

Back pay

11. Question. Is any relief given under the new law in cases where back pay is received which is attributable to one or more prior taxable years?

Answer. Yes; under section 119 it is provided that in such cases it shall not be taxable at a greater rate than would have been payable if the income attributed to each prior

year had been actually received in that year. The provision is only to apply, however, where the back pay exceeds 15 percent of the gross income for the year.

Cost-of-living allowances

12. Question. How does the new law treat cost-of-living allowances paid to civilian officers or employees of the Government stationed outside the continental United States?

Answer. Such allowances, which are paid in order to make adjustment for inflated living costs in certain foreign countries, would be exempted from income tax under section 125 of the new law.

Business operated by an individual at a loss for more than 5 years

13. Question. What happens under the new law where an individual operates a business at a loss for 5 or more consecutive years?

Answer. In effect, he is prevented from deducting such business losses from his other income to the extent that they exceed $50,000 in each year. This new provision (sec. 129) is to prevent continued losses from so-called "hobby" enterprises from being used for the purpose of reducing the individual's tax on income from other sources. While the change in the law is made applicable to taxable years beginning after December 31, 1938, it is provided that no deficiency shall be assessed for any taxable year beginning prior to January 1, 1944.

Determination of marital and dependency status

14. Question. What change does the new law make with regard to the date upon which the status of the taxpayer for purposes of the personal exemption and credit for dependents shall be determined?

Answer. Under the old law, the personal exemption and credit for dependents was prorated according to the number of months during the taxable year the taxpayer was single or married or was entitled to a dependency exemption. In the interest of simplicity, the new law (section 103) makes July 1 the status determination date. Hence a person who is single on July 1 will be treated as a single person for the entire taxable year, and one who is married on July 1 will be treated as a married person for the entire taxable year. Likewise, a child born on or before July 1 will be treated as a dependent for the entire year, but one born after July 1 cannot be counted as a dependent until the succeeding taxable year. This change does not affect final returns for 1943, but will apply to returns for 1944 and subsequent years.

Amendments to current tax payment act

15. Question. Does the new law make any changes in the current tax payment act?

Answer. No change is made in the withholding provisions, but certain other provisions are retroactively changed, as follows:

Penalty for failure to file declaration or pay installment of estimated tax: Under section 118 of the new law, the penalty for failure to file a declaration or pay an installment of estimated tax when required to do so is moderated slightly. It is provided that unless such failure is shown to be due tc reasonable cause and not to willful neglect, there shall be added to the tax 5 percent of each instalment due and unpaid, plus 1 percent thereof for each month after the first month during which the delinquency continues. In no event, however, is the aggregate addition to the tax to be more than 10 percent of the unpaid portion of such unpaid installment. (Under the old law, the penalty in such cases was 10 percent of the tax for failure to file a declaration plus $2.50 or 2½ percent of the tax, whichever was greater, for each installment due and unpaid.)

Penalty for substantial underestimate of estimated tax: Under the same section of the new law, the penalty for substantial underestimate of estimated tax is amended to provide that the penalty shall not be applicable where the taxpayer makes a timely payment of estimated tax in an amount at least equal to an amount computed on the basis of the net income shown on his return for the preceding year.

Repeal of so-called second windfall provision: Under section 506 of the new law, the so-called second windfall provision of the Current Tax Payment Act is retroactively repealed. This was the section requiring a taxpayer to pay a windfall tax in cases where the amount of his 75 percent abatement for 1942 or 1943 exceeded a hypothetical tax on the total of his highest base-year income plus $20,000. The provision was eliminated with the approval of the Treasury in the interest of simplification and to avoid administrative difficulties and prevent hardship in certain cases.

IV. CORPORATION TAXES

16. Question. Does the new law make any changes in the rate of the corporation income tax?

Answer. The tax rate applying to corporate income other than excess profits is not changed by the new law.

17. Question. Is the rate of the corporate excess profits tax increased under the new law?

Answer. Yes; from 90 percent to 95 percent, effective January 1, 1944. The limitation that the total corporate income and excess-profits tax shall not exceed 80 percent is retained.

18. Question. Is the $5,000 specific exemption under the excess-profits tax changed?

Answer. Yes; it is increased to $10,000 in order to ease the burden of the new 95-percent rate as applied to smaller corporations.

19. Question. Is any change made in the excess-profits credit based on average earnings?

Answer. No.

20. Question. What change is made in the excess-profits credit based on invested capital?

Answer. The percentage of return on the intermediate invested capital brackets is lowered, as shown in the following table:

Invested capital credit

Invested capital	Old law	New law
	Percent	*Percent*
First $5,000,000	8	8
$5,000,000 to $10,000,000	7	6
$10,000,000 to $200,000,000	6	5
Over $200,000,000	5	5

V. MISCELLANEOUS AMENDMENTS RELATING TO INDIVIDUAL AND CORPORATE INCOME TAX AND CORPORATE EXCESS-PROFITS TAX

20. Question. What are some of the more important administrative amendments which are included in the new law?

Answer. Among the administrative amendments of general interest are the following:

Deductibility of corporate contributions to veterans' organizations: Under section 114, it is provided that corporations henceforth will be entitled to deduct, in computing their net income, contributions made to veterans' organizations. Under the old law, corporations could only take a deduction for contributions to Federal, State, or local Governments, or to religious, charitable, scientific, literary, or educational organizations, up to 5 percent of their net income. Gifts to veterans' organizations will come within this same limitation.

Filing of information returns by tax-exempt organizations: Under section 117, it is provided that corporations and other organizations which are exempt from tax under section 101 of the Internal Revenue Code must nevertheless file an information return stating their gross income, receipts, and disbursements, and such other pertinent information as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may prescribe. The organizations affected include labor, agricultural, and horticultural organizations, business leagues, chambers of commerce, civic leagues, clubs, farm cooperatives, etc. Religious and charitable organizations, certain educational organizations, fraternal societies specified in section 101 (3) of the code, and Government-owned corporations, would be exempted from filing the information returns. Other tax-exempt organizations would be required to file such returns for taxable years beginning on or after January 1, 1943. No tax would be imposed, however.

Reorganization of insolvent corporations: Section 121 provides for the nonrecognition of gain or loss where an insolvent corporation, pursuant to a court order in a bankruptcy or receivership proceeding, transfers property to another corporation (organized or made use of to effectuate a court-approved plan of reorganization) in exchange solely for stock or securities of the other corporation. In such cases, the property transferred is to have the same tax basis in the hands of the transferee corporation as it had in the hands of the transferor corporation. It is further provided that no gain or loss shall be recognized to the security holders participating in a reorganization. This new provision involves relief similar to that granted railroad corporations under section 142 of the Revenue Act of 1942. It covers transfers taking place after December 31, 1933, but the relief is made effective only as to the taxable year 1943 and subsequent years.

Extension of percentage depletion to certain minerals: Under section 124, the list of mines and deposits entitled to percentage depletion is extended to include flake graphite, vermiculite, potash, beryl, feldspar, mica, talc, lepidolite, and spodumene. In such cases, the allowance is to be 15 percent of the gross income from the property, less rents and royalties paid in respect of the property.

As regards flake graphite, the section is made effective with respect to taxable years beginning on or after January 1, 1943. With respect to the other items, it is effective January 1, 1944.

The extension of percentage depletion to all the above items except potash is limited to the duration of the war. The same limitation is made applicable to fluospar, ball, and sagger clay, and rock asphalt, which were extended the privilege of percentage depletion under the Revenue Act of 1942.

Subsection (c) of section 124 includes in the percentage depletion provisions a definition of the term "gross income from the property," under which the term "mining" is to be considered to include not merely the extraction of the ores or minerals from the ground but also the ordinary treatment processes normally applied by mine owners or operators in order to obtain the commercially marketable mineral product or products. This provision is made retroactive to 1932 and all subsequent years.

Gain or loss upon the cutting of timber: Section 127 permits a taxpayer who owns or has a contract right to cut timber to elect to treat the cutting of the timber as a sale or exchange of property used in a trade or business. By so doing, any gain will be treated as a capital gain rather than ordinary income, and be subject to a maximum tax of 25 percent. Losses, on the other hand, would be deductible in full against other income. Gain or loss would be recognized in an amount equal to the difference between the adjusted basis for depletion of the timber in the hands of the taxpayer and the fair market value of the timber as of the first day of the taxable year in which the timber is cut. In order to obtain the benefit of this section, the taxpayer must have owned the timber or

held a contract right with respect to the timber for more than 6 months prior to the beginning of the taxable year, and an election once made by the taxpayer is binding for all subsequent taxable years unless the Commissioner of Internal Revenue, upon a showing of undue hardship, permits the taxpayer to revoke his election. The section applies only to the taxable year 1944 and subsequent years. Timber owners who lease their property under a contract whereby they retain an economic interest in the timber are extended the benefit of the same treatment with respect to amounts they receive, and in their case the relief is made retroactive to all taxable years.

Acquisitions to evade or avoid income tax: Section 128 provides for the disallowance of any deduction, credit, or other allowance in cases where, after October 8, 1940, any person or persons acquire control of a corporation, or any corporation acquires property or another corporation, and the principal purpose of the acquisition is to evade or avoid income or excess-profits tax by securing the benefit of such deduction, credit, or other allowance. The amendment is made effective only with respect to taxable years beginning on or after January 1, 1944. However, it is possible that the courts may hold that existing law requires the disallowance of such deductions, credits, or other allowances for past years where a fraudulent intent to evade tax is involved.

Exemption from excess-profits tax of income from mining of certain strategic minerals: Section 207 adds to the list of strategic minerals the income from the mining of which is exempt from excess-profits tax, the following: Fluor spar, flake graphite, and vermiculite. With respect to flake graphite, the exemption is to be effective with respect to taxable years beginning on or after January 1, 1943. In the other two cases, it is to be effective only with respect to the taxable year 1944 and subsequent years.

Excess-profits treatment of timber, coal, and natural gas: Section 208 extends to lessors of mineral property or timber blocks the same exemption from excess-profits tax as is already given to other producers in the case of excess output and bonus income from such properties. Similar relief is also extended to income from the excess output of natural-gas pipe lines. The section also extends relief from excess-profits tax to the excess output of new coal and iron mines and new timber blocks not in operation during the base period, treating as exempt excess output an amount equal to one-sixth the net income from the new coal or iron property or timber block, as the case may be.

VI. AMENDMENTS RELATING TO ESTATES AND TRUSTS

21. Question. What amendments are made by the new law in regard to the taxation of estates and trusts?

Answer. These amendments include the following:

Valuation of unlisted stock and securities for estate-tax purposes: Section 507 provides that in valuing unlisted stocks and securities of a corporation for estate-tax purposes, consideration shall be given, in addition to other factors, to the value of stock or securities of corporations engaged in the same or similar line of business which are listed on an exchange.

Trusts for maintenance or support of certain beneficiaries: Section 134 overrules a decision of the Supreme Court in the case of *R. Douglas Stuart* (317 U. S. 154), involving the taxation of trusts for the benefit of minor children or others whom the grantor of the trust is under a legal obligation to support. In that case, the court held that a father who had created an irrevocable trust containing a provision that the income thereof might, in the discretion of the trustees, be used for the support and maintenance or education of the minor children, was taxable on the entire trust income even though it was not actually used for such purposes but was accumulated in the trust. Prior to this decision, the Bureau of Internal Revenue and the lower courts had held that under such a trust, only the amount of income actually distributed for the support and maintenance of such beneficiaries was taxable to the grantor. Section 134 restores the rule in effect prior to the Stuart decision. A clarifying amendment is added to make it certain that trust income is not taxable to the grantor in those cases where the discretion to apply or distribute the income is in another person, the trustee, or the grantor acting as trustee or cotrustee.

Nontaxability under gift tax of release of power to change beneficiaries under certain trusts: Section 502 is designed to prevent inequities in connection with certain trusts affected by the decisions of the Supreme Court in the *Sanford case* (308 U. S. 39) and the case of *Rasquin* v. *Humphreys* (308 U. S. 54). In these cases, the court held that where a grantor of a trust retained a power to change the beneficiaries or their interests, but reserved no power to revest the property in himself, the gift was incomplete, and would only be completed and the gift tax apply upon the relinquishment of such retained power. Prior to these decisions, a number of grantors assumed that in such cases the gift was completed for purposes of the gift tax when the trust became irrevocable.

Section 502 restores the rule which was understood to be in effect prior to the abovementioned court decisions. It provides that a relinquishment of the power to name new beneficiaries or change their interests on or after January 1, 1939, and prior to January 1, 1945, shall not be deemed a transfer of property for gift-tax purposes.

Extension of time for release of powers of appointment: Section 505 extends from March 1, 1944, to January 1, 1945, the time within which powers of appointment may be released without liability for estate tax. It also provides that such a release shall not be subject to gift tax. The time has been extended twice heretofore in order to permit reexamination of the provisions of the Revenue Act of 1942 dealing with this subject, but a further extension is necessary since the matter cannot be dealt with until the next tax bill.

VII. EXCISE TAXES

22. Question. What changes are made in excise tax rates under the new law?

Answer. These changes (which begin with sec. 301) are shown in the following table:

Excise tax changes

Item	Old rate	New rate
Admissions	1 cent for each 10 cents or fraction.	1 cent for each 5 cents or major fraction.
Permanent use of boxes or seats.	11 percent	20 percent.
Sales of tickets outside box office.	do	Do.
Cabarets	5 percent of bill.	30 percent of bill.
Dues or membership fees.	11 percent	20 percent.
Initiation fees	do	Do.
Jewelry (except watches retailing for not more than $65, alarm clocks retailing for not more than $5, and silver-plated flatware).	10 percent of retail price.	20 percent of retail price.
Watches retailing for not more than $65 and alarm clocks retailing for not more than $5.	do	10 percent of retail price.
Silver-plated flatware.	do	Repealed.
Furs	do	20 percent of retail price.
Toilet preparations	do	Do.
Distilled spirits	$6 per proof gallon.	$9 per proof gallon.
Drawback on spirits used for nonbeverages purposes.	$3.75 per proof gallon.	$6 per proof gallon.
Imported perfumes containing distilled spirits.	$6 per wine gallon.	$9 per wine gallon.
Still wines:		
Not over 14 percent alcohol.	10 cents per gallon.	15 cents per gallon.
14 to 21 percent	40 cents per gallon.	60 cents per gallon.
21 to 24 percent	$1 per gallon	$2 per gallon.
Sparkling wines, etc.:		
Champagne or sparkling wine.	10 cents per half-pint.	15 cents per half-pint.
Artificially carbonated wine.	5 cents per half-pint.	10 cents per half-pint.
Liqueurs, cordials, etc.	do	Do.
Beer and other fermented malt liquors.	$7 per barrel	$8 per barrel.
Billiard and pool tables.	$10 per year per table.	$20 per year per table.
Bowling alleys	$10 per year per alley.	$20 per year per alley.
Electric light bulbs and tubes.	5 percent of manufacturer's price.	20 percent of manufacturer's price
Local telephone service.	10 percent	15 percent.
Long-distance telephone calls.	20 percent	25 percent.
Domestic telegraph, cable, and radio messages.	15 percent	Do.
Leased wires	do	Do.
Wire and equipment service.	5 percent	8 percent.
Transportation of persons.	10 percent	15 percent.
Seats, berths, etc.	do	Do.
Luggage	10 percent of manufacturer's price.	20 percent of retail price.
Purses, handbags, key cases, etc.	No tax	Do.
Vacuum cleaners	10 percent of manufacturer's price.	Repealed.

Excise tax changes—Continued

Effective date of excise tax changes

23. Question. When do these excise-tax changes become effective?

Answer. Except as otherwise provided, they become effective the first day of the first month which begins more than 10 days after the date of enactment. Thus if the act becomes law by February 19, most increases will go into effect March 1. The exceptions are as follows:

Cabaret tax increase—10 a. m. on the first day of the first month which begins more than 10 days after the date of enactment.

Billiard and pool tables and bowling alleys—July 1, 1944.

Long distance telephone, telegraph, radio and cable facilities—Amounts paid for services rendered on or after the first day of the first month which begins more than 10 days after the date of enactment.

Leased wires, wire and equipment service, and local telephone bills—Amounts paid pursuant to bills rendered on or after the first day of the first month following the month in which excise tax increases generally become effective. Where bills rendered on or after such first day include charges for services previously rendered, the increased rates shall not apply to such services as were rendered more than 2 months before such first day.

Increases effective only for duration of war

24. Question. Are the increased excise rates made permanent?

Answer. No, they are to apply only for the duration of the war and 6 months thereafter. Thereupon, the rates will revert to the levels prevailing under previously existing law.

Floor stocks tax on alcoholic beverages

25. Question. Are floor stocks on hand when the increased rates go into effect

to be subjected to a special floor stocks tax?

Answer. Only in the case of alcoholic beverages. The tax on such floor stocks will be equal to the amount of the increase in the rate.

Time of allowance of draw-back on nonbeverage alcohol

26. Question. What change is made in the draw-back provisions relating to the use of alcohol for nonbeverage purposes?

Answer. Under section 309 (d) it is provided that draw-back shall be allowed at the time the fully tax-paid alcohol is used in the manufacture of a nonbeverage product rather than at the time the finished product is sold, as heretofore. Since the product may be held by the manufacturer for a considerable time before it is sold, the old law worked a hardship by delaying the draw-back until such time of sale.

Exemption of billiard and pool tables in hospitals

27. Question. What change is made in the tax on billiard and pool tables when such tables are in hospitals and no charge is made for their use?

Answer. In such cases, section 508 of the new law provides for an exemption from the tax, effective July 1, 1944.

Exemption of playing cards from tax when exported for use of armed services

28. Question. Does not the new law also provide a special exemption with respect to the tax on playing cards where such playing cards are exported for use by members of the armed forces outside the continental United States?

Answer. Yes. Under section 508 the exemption applying to exported playing cards is broadened for the duration of the war to include shipments to a territory of the United States for use by members of the armed forces.

Federal exemption from excise taxes

29. Question. Why is the excise-tax exemption heretofore in effect with respect to articles sold to or for the use of, and services rendered to, the United States removed by the new law in certain cases?

Answer. This was done at the request of the President to save the manpower utilized both in the Government and private business for the administration of these exemptions. However, at the request of the service departments, certain of the exemptions (relating to articles and services used in the war effort) are continued. In addition, the Secretary of the Treasury is given the authority, for the duration of the war, to continue or restore the Federal exemption wherever he determines that the imposition of any of the taxes in question will cause substantial burden or expense and that the full benefit of the exemption, if granted, will accrue to the United States. The new law continues these exemptions insofar as they apply to the American Red Cross.

VIII. POSTAL-RATE CHANGES

Effective date

30. Question. When do the postal-rate increases provided in the new law take effect?

Answer. On the thirtieth day after the date of enactment.

First-class rates

31. Question. What change is made in the rate on first-class postage?

Answer The present 2-cent rate on first-class local mail is raised to 3 cents. No change is made in the present 3-cent rate on out-of-town first-class mail. In other words, under the new law, all first-class mail will require 3 cents postage, whether for local or out-of-town delivery.

Air-mail rate

32. Question. Is any change made in the rate on air mail?

Answer. Yes; it is increased from 6 cents for each ounce or fraction to 8 cents.

Second- and third-class rates unchanged

33. Question. Are second- and third-class postage rates increased by the new law?

Answer. No.

Miscellaneous postal increases

34. Question. What other changes are made in postal rates?

Answer. The other postal changes are shown in the following table:

Miscellaneous postal increases

Class	Old rate	New rate
Fourth class (parcel post).	Various	Present rate increased by 3 percent, or 1 cent, whichever is greater.
Registered mail	15 cents to $1 per article.	20 cents to $1.35 per article.
Insured mail	5 to 35 cents per article.	10 to 70 cents per article.
C. O. D. mail	12 to 45 cents per article.	24 to 90 cents per article.
Money orders	6 to 22 cents	10 to 37 cents.

IX. TARIFF STATUS OF NEWSPRINT PAPER

35. Question. What is the purpose of section 507, relating to newsprint paper?

Answer. Standard newsprint paper is free of duty under the provisions of paragraph 1772 of the Tariff Act. Under the Treasury regulations, standard newsprint paper is defined so as to permit free entry only to newsprint paper weighing 32 pounds or more per ream, including rolls 16 inches or more wide. In view of the present shortage of newsprint paper, necessitating Government restrictions on its use, it is deemed desirable to allow the importation free of duty of newsprint of lighter weight, which is now subject to a prohibitive duty. Accordingly, section 507 provides that so long as the present Government restrictions obtain, newsprint weighing not less than 30 pounds per ream of 500 sheets 24 by 36 inches with a 5 percent manufacturing tolerance, and newsprint in rolls not less than 15 inches in width, shall be entitled to free entry as standard newsprint paper.

X. CREDIT FOR UNEMPLOYMENT TAXES

36. Question. Is anything done under the new law to relieve employers from the drastic penalty which results when they fail to pay their State unemployment tax in time to receive the 90 percent credit against the Federal unemployment tax?

Answer. Yes; both as regards past and future delinquencies. Under title VI, sections 601–602, it is provided that where the State tax is not paid by the due date of the Federal unemployment tax return, but is nevertheless paid within 4 years of the time of actual payment of the Federal unemployment tax, the employer will be entitled to a refund or credit, up to 81 percent of the Federal tax, for contributions paid to the State unemployment fund for the year in question. This change, which is permanent law, in effect reduces the penalty for delinquency from 90 percent to 9 percent.

37. Question. Does the foregoing provision remove the penalty for all past years?

Answer. Only to the extent that the 4-year statute of limitations applicable to refunds and credits is still open.

XI. FREEZING OF SOCIAL SECURITY TAX

38. Question. Is anything done under the new law to postpone the increase in social security tax which would otherwise go into effect March 1?

Answer. Yes. It will be recalled that under a prior measure, enacted last December 1943, the present 1 percent social security tax on employers and employees was frozen at the existing rate during January and February. Section 901 of the new law makes the freezing of the 1 percent rate effective throughout 1944.

XII. AMENDMENTS TO THE RENEGOTIATION OF WAR CONTRACTS LAW

39. Question. What changes does the revenue bill make in the law relating to the renegotiation of war contracts?

Answer. The changes may be summarized as follows:

Over-all exemption: Increased from $100,000 to $500,000.

Specific exemptions: List of exempt contracts and subcontracts broadened to include (1) contracts with organizations exempt from income tax; and (2) construction contracts entered into as a result of competitive bidding.

Standard commercial articles: List of exemptions which the renegotiation authority may grant at its discretion is broadened to include contracts or subcontracts for the making or furnishing of a standard commercial article, if, in the opinion of the board, competitive conditions affecting the sale of such article are such as will reasonably protect the Government against excessive prices. For the purpose of the act, a standard commercial article is defined to be an article which is identical in every material respect with an article which was manufactured and sold, and in general civilian, industrial, or commercial use prior to January 1, 1940; which is a competitive product sold by more than one manufacturer; and for which a maximum price has been established or which is sold at a price not in excess of the January 1, 1941, selling price. It should be emphasized that the granting of this exemption is solely within the discretion of the renegotiation authority, and is not mandatory even if it should be found that normal competitive conditions have been restored.

Definition of subcontracts: The act retains substantially the same definition as under existing law. Subcontracts covering office supplies are excluded, however.

Standards for determining excessive profits: The act sets up certain factors to be considered by the renegotiation authority in determining whether profits are excessive, including efficiency of the contractor, reasonableness of costs and profits, amount and source of public and private capital, extent of risk assumed, nature and extent of contribution to the war effort, character of the business, and such other factors the consideration of which public interest and fair and equitable dealing may require.

Creation of War Contracts Price Adjustment Board: The act provides for the creation of a joint board of six members, representing all the agencies concerned, to exercise over-all control of renegotiation. It is authorized to delegate any of its powers, functions, or duties to the Secretary of a Department, and to divide itself into divisions of one or more members. It may review any determination by any officer, agency, or division exercising delegated authority, either on its own motion, or in its discretion at the request of a contractor or subcontractor.

Appeal: Any contractor or subcontractor aggrieved by a decision of the renegotiation authority may appeal to the Tax Court of the United States, where the case will be reexamined de novo (anew). The right of appeal extends to all contractors and subcontractors who have been renegotiated, except those who have signed an agreement regarding the amount of excessive profits to be recovered.

Termination date: The act provides that the renegotiation statute shall expire December 31, 1944, except that the President is given the authority to terminate the statute 6 months earlier if he finds that competitive conditions have been restored, or 6 months

later if he find that competitive conditions have not been restored. In no event, however, is the statute to continue beyond the termination of hostilities, as proclaimed by the President or specified in a concurrent resolution of Congress.

XIII. REPRICING

40. Question. What is the nature of the so-called repricing statute which is included in the revenue law?

Answer. The present renegotiation law, in addition to giving the departments the authority to recapture excessive profits, empowers them to reduce future prices. Sec. 801 divorces the repricing authority from renegotiation by setting up such authority under a separate title under which the Secretary of a Department (as defined in the Renegotiation Act), when he deems that the contract price for an article is unreasonable or unfair, may require the contractor or subcontractor to negotiate to fix a fair and reasonable price. If the contractor or subcontractor refuses to agree to the price fixed by the Secretary, the Secretary may issue an order fixing the price payable for the article or service after the effective date of such order.

41. Question. Does the contractor have the right of appeal in cases where he refuses to agree to the price fixed for the article or service?

Answer. Yes; he may sue the United States in any appropriate court to recover fair and just compensation for the article or service. In such case, the department would pay the price fixed by the Secretary, and the contractor's suit would be for the difference between the price so fixed and the amount which he believes should be paid. The ultimate decision as to the fair price would rest with the court.

42. Question. What happens if the contractor refuses to furnish the article or service at the price fixed by the Secretary?

Answer. Under such circumstances, the President would have the power to take possession of the plant and operate it in accordance with the provisions of section 9 of the Selective Training and Service Act of 1940.

43. Question. What is the difference between repricing and renegotiation?

Answer. Renegotiation is based on the over-all war profits of the contractor during the fiscal year, and involves recapture of excessive profits. Repricing applies with respect to the individual article or service, and applies only to future deliveries.

44. Question. Do the repricing provisions carry with them the same exemptions as apply under the renegotiation statute?

Answer. No. There are no exemptions under repricing.

45. Question. What is the effective date of the repricing provisions?

Answer. They become effective as to deliveries made after the date of enactment of the revenue act, and terminate with the cessation of hostilities.

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that debate upon this report be extended 15 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. COCHRAN. Mr. Speaker, there is one provision of this conference report that does not appeal to me and I think the House conferees made a grave mistake in accepting the Senate amendment, although the amount was raised from $20,000 to $50,000. I am referring to the so-called hobby amendment. At the outset it was always referred to as the Marshall Field amendment. It seems that some wanted to tax properties of Mr. Field, especially his newspaper enterprises. When the matter was debated in the Senate it was shown beyond doubt by the Senator from Kentucky [Mr. BARKLEY] that the amendment would not affect Mr. Field's newspapers. I might say that this was confirmed by one of the outstanding authorities on income tax law in the Treasury Department. So far as I can find no hearings were held by either the House or Senate on this subject.

This amendment, in my opinion, places a penalty on progress as well as science. It affects thousands of individuals in this country who have hobbies. As a result of these hobbies from time to time great benefits have come to the people of the United States. Further than that, the money spent by the rich on their hobbies is, in my opinion, an avenue which results in the redistribution of wealth. The individual or individuals take from their strong boxes tax-exempt securities or other holdings and spend that money on their hobbies. When salaries are paid, they are taxable. When the necessities of life are purchased by the employees, the retail merchants must pay taxes on the profits, and also when the retailer buys from the wholesaler, it increases the business of the wholesaler, which likewise increases his profits which are taxable. In other words, it places money in circulation that is eventually subject to the tax laws of the United States that would not be in circulation if it were not for the hobbies.

Great benefits accrue from hobbies. As a result of hobbies we have today as fine beef and dairy cattle as there is in the world; likewise the finest breed of hogs, chickens, and other agricultural products. We have the finest thoroughbred horses in the world, due to the great breeding farms throughout the country. This has all been developed through hobbies, but aside from that, there are private laboratories all over the country doing research work. Years are spent in trying to work something out in these laboratories that eventually become beneficial to all, if successful.

Simply to briefly illustrate what has happened in the past, consider the amount of money that was spent by Edison on his hobbies. I also recall the hobby of Adolphus Busch I, although it goes back some 40 years or more. It was Mr. Busch and a Mr. Sulzer of Switzerland that financed Dr. Diesel, who invented the first Diesel engine. Mr. Busch bought the American patent rights, constructed a large laboratory in St. Louis, and later a great manufacturing plant. For years he experimented and spent millions of dollars until finally a real Diesel engine was perfected. By that time, however, the patent rights had run out and great corporations immediately entered the picture and started to manufacture Diesel engines. He never lived to make a dollar on his expenditures. After the death of Mr. Busch his son and later his grandsons carried on this great plant, not only perfecting a better marine Diesel engine but also an outstanding stationary Diesel engine that is today used all over the United States by municipalities, towns, counties, and corporations to generate power. They now give employment to thousands.

Only in the last few months another outstanding example of a hobby that will bring great benefits to the masses of the people is disclosed. The president of a great corporation manufacturing radios decided to manufacture a hearing device. Over a period of years he experimented and spent a tremendous amount of money. This device has now been placed upon the market. This became the hobby of the president of this corporation because of the fact that he, himself, had defective hearing. You might say, what benefit is that to the people when we already had hearing devices available? The benefit is that he placed his device on the market at a price of $40 while other outstanding hearing devices available could not be secured for $140. You have no doubt seen the page advertisements in the metropolitan newspapers and magazines during the past month relative to this hearing device.

Another outstanding example of what a hobby will produce is Mr. Henry Ford and the soybean. Due to his long experiments and research he has developed uses for the soybean that will mean millions to the farmers of the country as well as employment for thousands in great factories that will carry on after the war.

I came in contact with an institution very recently that has been most beneficial to unfortunate people. Nearly 30 years ago, then a young man, a New York gentleman conceived what is now the Institute for the Crippled and Disabled in New York City. It would be impossible to even estimate the amount of money that has been put into this institution by this gentleman and others during the period of its existence. The building it occupies alone cost at least $1,000,000. Due to the activities of the institute it has brought happiness to thousands of disabled people who have been rehabilitated. At the end of the year it is never in the black but always in the red, the deficit being made up by the founder and others. This is a hobby with the founder and his associates. I do not know whether this amendment will affect this great institution, the language is very broad, but I pray it will not, because I have a personal knowledge of the benefits that come to the crippled and disabled. During Christmas week I spent 5 hours a day for 5 days in this establishment, and what I received there, together with instructions, warrants me in saying that some day I will be able to walk on crutches.

I might say that this institution is cooperating with the Government 100 percent at the present time in an effort to assist in working out plans for the rehabilitation of those in the armed forces who become disabled. While I was there I met 50 noncommissioned officers of the Rehabilitation Division of the Air Corps who were taking instructions of every character that will be beneficial to the officers and men in the Air Corps who are returned disabled.

Many of our outstanding inventions today are the result of hobbies, perfected at great cost. What a godsend it would be if in the near future something is developed that will be in demand all over the country. Look at the employment that would result. The automobile, the Frigidaire, the radio, everything of that character had to be developed, and many outstanding inventions were due to some rich man's hobby. In all, to me this is a most dangerous amendment as it might retard the great advances that this country has been making.

Mr. Speaker, my vote against this conference report will not be based solely upon this amendment that I have referred to. In all my campaigns I have pledged the people that I represent that I would oppose profiteering in times of war. I can never forget what was disclosed after the close of World War No. 1. We had over 20,000 millionaires in this country who became millionaires because of the profits they made out of World War No. 1. I do not want that to happen again. The Army and Navy, Maritime Commission, and other Government agencies have been doing wonderful work in connection with the renegotiation of contracts, many of them made at the outset because time was essential. There was no opportunity to secure competitive bidding. I think if we would leave the renegotiation feature as it is, place no limitations on the amount involved in contracts that could be renegotiated, we will bring back to the Treasury far more money than will be realized by the new taxes provided for in this bill.

There is another very dangerous feature which is worthy of most careful consideration and that is the provision that freezes the social-security tax for another year. That alone would not disturb me so much, but the provision adding that in the event it is necessary, money can be advanced from the general fund in the Treasury Department disturbs me. At the outset it was specifically provided that the social-security taxes in the law passed by the Congress was a law that would enable employer and employee to create a fund that would guarantee social security to the employees. It was clearly understood that the employer and the employee should maintain that fund. In order to build up that fund, the Congress provided for social-security taxes. That money belongs to the employees who contributed. They will be the sole beneficiaries. We must remember there are millions and millions of people in this country who are not covered by the social-security taxes who will never receive any benefits as a result of the law unless it is amended. It is not fair that any of the taxes that those people pay that goes into the general fund should be used for social-security purposes. I am confident that the employees that will now benefit and the employers are satisfied to maintain this fund and that they would not expect others who do not participate in the fund to make up any deficit that might result. Personally, I do not feel there is going to be a deficit, but the provision that is in the bill will not apply only for the present year but in future years if it becomes a law and is not later repealed.

Mr. CRAWFORD. Mr. Speaker, I wish to ask our distinguished chairman this question. The gentleman from Minnesota [Mr. KNUTSON] stated that this would be the last tax bill in this session of Congress. There are some of us of the minority, and I do not hesitate saying so, that do not believe this tax bill raises as much revenue as our people should put into the tax box at this time. Before voting for or against this report, as sympathetic as I am to the problems of the committee and to the complications that enter into this question, I want to ask the chairman if he is in a position to say whether or not this is the last tax bill for this session of Congress?

Mr. DOUGHTON. I cannot say whether it is or is not. That is a bridge that Congress will have to cross when it comes to it. That is a matter to be determined largely by conditions and by the judgment, certainly, of the majority of the Committee on Ways and Means.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. PATMAN. How will this bill, if enacted into law, affect the renegotiation of war contracts? It is my understanding you have a period of time in which contracts may be renegotiated but after that no contract may be renegotiated. Is that true or not?

Mr. DOUGHTON. Contracts that are completed after December 31——

Mr. PATMAN. Of this year?

Mr. DOUGHTON. Contracts that are completed after December 31, will not be subject to renegotiation unless the President may extend the time, which would automatically extend the time for 6 months.

Mr. PATMAN. In other words, after June 30, 1945, next year, there can be no more renegotiation of contracts?

Mr. DOUGHTON. I think that was satisfactory, so far as I know, to the War Department and Navy Department. We heard no objection to it.

Mr. PATMAN. I am very sorry that you have that language in there.

Mr. DOUGHTON. The President can extend the time 6 months, but anyway, under no conditions, for more than 6 months after the end of the war, or after the cessation of hostilities, I should say.

Mr. PATMAN. It will make it possible for a lot of people to unduly profit by reason of this war, which I oppose.

Mr. DOUGHTON. Well, we will try to take care of that.

Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Georgia [Mr. VINSON], who has spent a good deal of time and the most careful study, so far as the renegotiation feature of this bill is concerned.

Mr. VINSON of Georgia. Mr. Speaker, I rise to support the conference report on the revenue bill which is before us, and particularly to express my deep satisfaction with the agreement which the conferees have been able to effect in regard to that portion of the pending legislation which seeks to amend the law dealing with the renegotiation of war contracts. There were times, I am frank to confess, during the passage of this bill through the two Houses, when I was gravely concerned over the kind of legislation which would finally evolve in regard to this controversial question. I was afraid that the renegotiation law would be so amended and so restricted that it would no longer be effective to control war profits. Fortunately this is not the case. The conferees, under the able leadership of the distinguished gentleman from North Carolina and the great chairman of the Senate Finance Committee [Mr. GEORGE], have brought in a report which preserves the essential strength of the renegotiation process and at the same time corrects many of its imperfections.

In the form that the bill passed the Senate, it contained several provisions which were not conducive to the effective control of war profits. There was a provision requiring the renegotiators, in determining excessive profits, to give consideration to the amount of income and excess profits taxes paid by the contractors. In effect, this would have permitted those businessmen who have been fortunate enough to obtain huge Government orders, under which they have been able to accumulate these excessive profits, to avoid bearing their fair share of the heavy tax burden made necessary by the increased cost of war. It would have thrown the entire pricing structure out of line; the contractor's taxes would have had to be added to what normally would be a fair price to the Government for the articles purchased.

Another section which was subject to serious criticism was one requiring an allowance for post-war reconversion. Once allowed, there was no restriction upon the use of the money; it could have been declared out in dividends, or otherwise dissipated without restraint. There was no guidance as to how such a reconversion allowance should be determined; indeed, I doubt if many manufacturers could have forecast with any degree of accuracy what their post-war needs would be. It would have been of no benefit to those who were not fortunate enough to obtain profitable war contracts; only those who had made admittedly excessive profits would have benefited.

Another provision would have permitted the reopening of all those cases which have already been renegotiated and settled by voluntary agreement, and which have resulted in a saving of some $5,000,000,000 to the Government. This would have been a veritable jackpot—the medium through which the Treasury could have been raided of vast sums by these war profiteers.

Again, the retroactive exemption of the machine-tool industry not only would have permitted such companies to conduct their future operations free of profit restrictions, but also would have restored to them millions of dollars of admittedly excessive profits which they had already disgorged to the Public Treasury.

All of these provisions, Mr. Speaker, have now been eliminated from the bill as a result of the untiring efforts and devotion to the public interest of the

conference committee. Once again the public good has prevailed over the hue and cry of the selfish interests. While I do not pretend that the bill as it is now amended is perfect in every respect, at least there have been eliminated from the bill those provisions which I, and many others who are equally insistent upon an effective wartime profit control, could under no circumstances have supported or in good conscience have voted for. In preserving renegotiation, as he has, as a potent instrument in dealing with war profits, the chairman of the Ways and Means Committee and the able Senator from Georgia have once again rendered another of those great public services with which we have become so accustomed to associate them.

In many respects the Renegotiation Act, as it will be amended by this conference report, will be a better law than it now is. There will be written into it provisions required by any concept of fair dealing between the Government and its contractors, but which, because of the haste in which the original statute was adopted, are missing from the present law. There have been incorporated into the bill provisions which insure to the contractor a judicial review of the decision of the administrative agency. He is now to receive, when he requests it, a statement of the reasons which impelled the Board to determine that he had made excessive profits. There are clearly written into the law the standards which the Board is to follow in reaching its decision as to the existence and amount of excessive profits. All of these are calculated to eliminate much of the criticism that has been leveled at the law.

Renegotiation was made necessary by the very nature of wartime procurement. When it was first enacted, it was prompted by a great public demand for some measure which would control the unconscionable profits which we had learned were being made out of the war. If we had not had to act so quickly, we might have fashioned a scientific measure containing all of the checks and balances which spell out the freedoms and due processes which we like to think of as the American way. Acting hastily, our indignation brought about a large delegation of power to officers in the executive departments, without the curbs and restrictions which we usually impose. It is, I think, a credit to those officials that, in the almost 2 years in which they have possessed that power, they have not abused it, but instead, have performed their duties in a most creditable fashion. There have been many who have criticized the law, there have been many who said that the members of the Price Adjustment Boards have been given too much power, but there are only a very few who have ever said that the members of those Boards abused the trust which was given them. And those few, on examination, have turned out to be the very ones who are profiting most from the war, and who, devoid of any desire to share the sacrifices expected of us all, are motivated only by their selfish greed and a desire for wealth of which they had not even dreamed until the Nation's distress afforded them their golden opportunity.

Other changes in the law which will result from the adoption of this conference report are procedural, and will have the effect of speeding up the renegotiation process and making it more efficient. Such requirements as the filing of annual financial reports by war contractors, and the coordination of the work of the various departments through the establishment of a joint board, can have nothing but a healthy effect upon renegotiation and the control of war profits.

I feel a certain amount of pride, Mr. Speaker, in the belief that some contribution to this disposition of the problems of renegotiation may have been made by the Committee on Naval Affairs, which devoted a considerable portion of its time for a period of several months to as careful and searching a legislative study as I have seen in all of the years that I have been a Member of this House. A major share of the credit, however, must necessarily go to those splendid statesmen and my good friends, the distinguished gentleman from North Carolina and the senior Senator from Georgia, upon whom rested the ultimate responsibility for bringing forth a good and a satisfactory bill.

Mr. Speaker, undoubtedly you are aware of the fact that for some months or more the Committee on Naval Affairs last summer conducted an investigation in regard to the application of the law known as the renegotiation law. The Committee on Ways and Means had jurisdiction of the subject matter, but in view of the fact that the Navy was so deeply concerned about the renegotiation statute, we felt it was incumbent upon us to make an investigation. Now the only criticism that I make of the entire situation visualizing it as a whole, is this: In all probability it would have been far better if the renegotiation bill had appeared on the floor of the House as a separate measure and never been incorporated in a tax bill. It would enable the House to have perfected it and made it more workable than probably it is today. But suffice it to say, in view of the situation the bill got into in the House and in the Senate, this measure now presented by the conference report, is a very workable, fair, and equitable approach to the renegotiation law. The conferees and the distinguished gentleman from North Carolina [Mr. DOUGHTON] are entitled to the thanks of the House for bringing in this conference report, which meets the approval of the Navy Department; and I am advised it meets the approval of the War Department through Judge Patterson.

Mr. CASE. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield with pleasure.

Mr. CASE. As the gentleman knows I have followed the course of the amendments to the renegotiation statute with a good deal of interest. I want to add a word to what the gentleman from Georgia has said. Personally, I am glad that so many of the crippling amendments that were at one time under consideration have been eliminated or modified and that the final result more closely follows the work of the subcommittee of the Committee on Ways and Means of the House, which was headed by the gentleman from Oklahoma [Mr. DISNEY]. I am also glad to see that in this form it incorporates the four principal amendments which I discussed with the Committee on Ways and Means at the time that I appeared before them.

Mr. VINSON of Georgia. May I say that the renegotiation section of the bill was improved in a great many respects by the Senate. On the other hand, the conferees have improved a great deal on what the Senate had in its bill. So the House can rest assured of one thing: Under this conference report you have an equitable renegotiation bill. It is fair to the Government, it is fair to the manufacturer, and I am glad to say that the conferees agreed to a cut-off date because, after consideration of the matter, I advised the Navy Department and Judge Patterson that I thought—and both concurred—that the Departments would be in a position to make better contracts at least by July 1, 1945, when the law goes off the statute books, if the President sees fit, at the end of 1944 to extend it for 6 months.

Mr. MARCANTONIO. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. MARCANTONIO. That is just the point I want to make. This law goes off the statute books at the end of this year?

Mr. VINSON of Georgia. At the end of this year, 1944.

Mr. MARCANTONIO. The best that can be done is for the President to extend it for another 6 months?

Mr. VINSON of Georgia. Exactly.

Mr. MARCANTONIO. Does the gentleman, as chairman of the Committee on Naval Affairs, who has had so much experience with respect to this problem, feel that that time of limitation is going to be adequate?

Mr. VINSON of Georgia. The Navy Department and the War Department both have advised me that by that time, by the end of 1944, they will know enough about prices to enter into an agreement as to the correct prices for an article.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield with pleasure.

Mr. PATMAN. In order to presume that, would you not also have to presume there will be no new weapons needed?

Mr. VINSON of Georgia. Now, in connection with the fact that some new article might have to be manufactured, under the terms of the contract which the Navy Department and War Department make with the manufacturer, they can write in there "In view of these facts we consent to repricing of the article."

So, Mr. Speaker, I hope the House will adopt this conference report as far as it relates to renegotiation.

Mr. DOUGHTON. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Oklahoma [Mr. DISNEY].

Mr. DISNEY. Mr. Speaker, the slogan, "No war millionaires in this war" certainly is given full play in these re-

negotiation amendments. The departments have for 2 years had the power of life and death over a contractor, and these amendments practically continue it. Candor requires it to be said that most of them are along the line of helpfulness and fairness. The law still remains subject to the objection made by Mr. Karker that the law is un-American.

But we tried to get a bill that would become law, so most liberal concessions had to be made.

Mr. Speaker, when the soldiers return, they will want and need jobs. They can only get jobs from people and companies who have money to employ them. It is the part of reason and sound foresight to handle renegotiation with that end in view. I cannot assure the House that that is being done.

STANDARDS FOR DETERMINATION OF EXCESSIVE PROFITS

The standards prescribed in the House bill for the determination of what profits are to be considered excessive are all contained in the conference report. The Senate bill added two additional standards of a controversial nature: First, that the Board should take into consideration problems of reconversion to peacetime production, and second, that it should consider whether the profits remaining after the payment of Federal income and excess-profits taxes are excessive. The Senate receded on the addition of these two factors, and hence the conference report contains no standards for determining excessive profits which were not contained in the House bill.

ALLOWANCE OF TAX DEDUCTIONS AS ITEMS OF COST

Both the House bill and the bill as passed by the Senate provided that items of deduction allowed for tax purposes should be allowed as items of cost in determining the profits subject to renegotiation. The Senate bill, however, unlike the House bill, provided for the allowance of carry-overs and carry-backs and the allowance of the additional amortization deduction. The allowance of carry-overs and carry-backs, in addition to imposing a tremendous administrative burden on the departments concerned, would have resulted in discriminations as between contractors, and the conference report provides that they will not be allowed as cost items. The conference report does, however, provide for the allowance as a cost item of the recomputed amortization deduction, and makes this allowance retroactive. In making it retroactive, the conference report also provides for the reopening of closing agreements already made to give effect to the allowance.

The provision in the House bill disallowing amounts paid to contract brokers as cost items is omitted in the conference report since the contract broker himself is subject to renegotiation on these amounts.

DEFINITION OF SUBCONTRACTORS

Under the House bill, a subcontractor was defined as one who made an article which actually became a part of or became incorporated in the article called for under the prime contract. This had the effect of excluding from renegotiation all persons furnishing machines and tools required to make the article called for under the prime contract, and all office supplies. The bill as passed by the Senate reverted to the existing-law definition of subcontract, but provided for the exemption from renegotiation of subcontracts for machinery and equipment having an ordinary useful life of more than 10 years. The conference report adopts the Senate definition of subcontract, omits the exemption of subcontracts for such machinery and equipment, but provides for the exemption of subcontracts for office supplies.

STANDARD COMMERCIAL ARTICLES

The House bill provided for a discretionary exemption from renegotiation of contracts and subcontracts for furnishing standard commercial articles. The bill as passed by the Senate made the exemption of such articles mandatory. The conference report adopts the provisions of the House bill in this respect.

COURT REVIEW

The House bill provided for review of determinations of excessive profits in the Tax Court of the United States. The bill as passed by the Senate provided for review in the Court of Claims. The conference report adopts the provisions of the House bill in this respect.

Under the bill, both as passed the House and Senate, the review is required to be treated as a de novo proceeding in which all questions of fact and law may be decided. The conference report makes no change in this regard, but it may be noted that, under the power of The Tax Court to prescribe rules governing its hearing and disposition of these cases, The Tax Court will have control of the question of what must be stated in the petition for review if the court is to entertain the petition. In short, the court may require the petitioner to state some cause of action.

With respect to cases decided by the departments under the old law, the House bill granted the contractor a right of review whether or not he had signed a closing agreement in which he consented to the decision. Under the bill as passed by the Senate, this review was limited to cases in which the contractor had not signed an agreement. The conference report adopts the provisions of the bill as passed the Senate in this respect. It is not believed there will be any great volume of cases. Less than 300 probable unilateral decisions, which might precipitate court reviews, are now pending before the departments, out of the thousands of determinations in excessive profit cases.

WAR CONTRACTS PRICE ADJUSTMENT BOARD

The House bill created an interdepartmental board, to be known as the War Contracts Price Adjustment Board, and placed all responsibility for renegotiation upon this Board. The Board was authorized to delegate its powers to the various renegotiating departments and agencies with one exception. It was not authorized to delegate its power to review the departments' determinations of excessive profits where the contractor requested review by the Board. The bill as passed by the Senate added a representative of the War Production Board to this new board, and made review of the departmental determinations discretionary with the Board. The conference report adopts the Senate provisions in these respects.

TERMINATION DATE

The House bill did not change the termination date provided in existing law. The bill as passed by the Senate prescribes December 31, 1944, as the termination date, but authorizes the President to extend the law to June 30, 1945, or to terminate it at any time prior to that date. In no event under the Senate provision was the termination date to extend beyond the termination of hostilities. The Senate provision also provided that only those profits which were attributable to performance by the contractor prior to the termination date would be subject to renegotiation. The conference report adopts the substance of the Senate provisions.

EXEMPTIONS

The House bill provided for the exemption of contracts and subcontracts for certain canned fruits and vegetables. The bill as passed by the Senate added an exemption of certain canned and processed dairy products. The conference report omits both of these exemptions. The bill as passed by the Senate exempted contracts for the construction of buildings and other facilities, entered into as a result of competitive bidding. There was no similar exemption in the House bill. The conference report adopts the Senate provisions in this respect.

The other exemptions which were contained in the House bill, such as the agricultural and raw-material exemptions, are also contained in the conference report.

LONG INVENTORIES

The conference report provides that profits attributable to the increment in value of inventories of agricultural products and raw materials, acquired in the exempt stage by a contractor, in excess of those reasonably necessary to fulfill existing contracts or orders, are in no event to be considered renegotiable profits. This provision is made retroactive, and closing agreements heretofore made may be reopened to give it effect.

REPRICING OF WAR CONTRACTS

The House bill authorized repricing of war contracts to fix a fair price, and provided that the fair price should be determined in accordance with the same standards as those applicable to the determination of excessive profits. Where repricing was done by order, the contractor was given a right of review in The Tax Court. The bill as passed by the Senate contained a separate title dealing with repricing, and followed generally the principles of section 9 of the Selective Training and Service Act of 1940, under which the contractor is given the right to go into a district court on the question of just compensation as in the case of a requisition. The conference report adopts the substance of the Senate provisions on repricing with these exceptions:

First. The criminal penalty provided in the Senate bill is omitted from the

conference report, inasmuch as existing provisions of law adequately deal with this situation.

Second. Specific provision is made to assure that all contracts and subcontracts hereafter made will be deemed to contain a provision under which the contractor consents to repricing. The provision recognizes the principle, applied by the Supreme Court in many cases, that all laws affecting the making and performance of contracts which were in effect at the time the contract was made are considered a part of the contract just as if they had actually been incorporated in its terms.

Mr. Speaker, I most strenuously opposed the so-called hobby amendment, but it remains in the bill, modified to a great extent. In my judgment it lays a ban on business incentive, and puts a prohibition on initiative—not in accord with the American system.

Mr. CASE. Mr. Speaker, will the gentleman yield?

Mr. DISNEY. I yield.

Mr. CASE. I would like to add just a word to what the gentleman from Georgia has said with regard to the repricing feature. The present law, and in fact the bill as it left the House, would have provided that the renegotiation feature was an automatic feature of every contract regardless of whether it was stated in the contract or not.

Mr. DISNEY. After 30 days it is deemed to be in the contract and the contractors have notice that the contracts are made with existing law as part of the contract.

Mr. CASE. Under the amendment that a cut-off date after the expiration of the statute is established, there is nothing in the amendments that prevents either the War or the Navy Departments from placing in a contract at the time it is negotiated any repricing provision?

Mr. VINSON of Georgia. Of course, that is right. That is an agreement between the Government and the manufacturer and can be embodied in the contract.

Mr. CASE. And in the light of the experience that the War and Navy Departments have had on the whole problem of production, it is safe to say, I think, that wherever the character of an article is such that repricing may be necessary, they will continue to carry such a clause in a contract as a matter of negotiation at the time the contract is entered into.

Mr. DISNEY. That is the only really legal way that renegotiation can be had anyway, by having it a matter of contract rather than permit the abrogation of a contract, which the Government cannot legally do. As to repricing there is no necessity for renegotiation at the end of a contract, if during the life of the contract repricing has been had. I feel the Departments can determine what the correct price is, so that renegotiation at the end of a repricing contract would be rather a nullity. I feel sure the conferees had in mind that in the acceptance and adoption of the repricing section, title VIII, that there would be no renegotiation at the conclusion of a repricing contract, because it would not be necessary.

Mr. CASE. I want to express my appreciation of the work the gentleman has done in preserving this repricing feature, because Secretary Patterson has told us that the repricing of commodities is probably the most important feature of the whole renegotiation proposition.

Mr. DISNEY. Yes, and perhaps the most workable.

Mr. PATMAN. Mr. Speaker, will the gentleman yield.

Mr. DISNEY. I yield.

Mr. PATMAN. Under the proposal advanced by the gentleman, is it contemplated that this renegotiation clause that may be placed in the contract will permit the price to be increased as well as decreased?

Mr. DISNEY. Yes, under the repricing section the price must be held excessive before it can be adjusted.

Mr. PATMAN. It will permit more profits to be granted or it will take more profits away?

Mr. DISNEY. If you will remember the Selective Service Act, it conforms to that in general terms, leaving out the criminal penalties.

Mr. PATMAN. It will not permit increases?

Mr. DISNEY. No; it will not. I did not understand your question at first.

Mr. PATMAN. How will the small concerns compete with the big ones?

Mr. DISNEY. In that connection, Judge Patterson and other witnesses appeared before the Ways and Means Committee and testified that under the War Powers Act they do have the right to raise prices, if it is fair to the contractor. Not only that, but that authority has been exercised in a few instances.

Mr. PATMAN. Under this proposal is not the gentleman afraid that the large concerns will have an advantage over the smaller ones?

Mr. DISNEY. Well, I do not believe so. We attempt to adopt general principles in law. We are trying to be fair to both large and small.

Mr. CASE. Will the gentleman yield further?

Mr. DISNEY. I yield.

Mr. CASE. Under the total volume of business the small contractor is protected?

Mr. DISNEY. Oh, yes. Contracts under $500,000 aggregate, are not renegotiable. That came from a specific recommendation of both departments involved. They did not want to deal with the smaller contracts. Now, I cannot make an extended statement in the limited time I have. If there are any further questions I shall be glad to attempt to answer them.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. DISNEY. I yield.

Mr. CRAWFORD. Under this proposal, from here on, in all contracts let, there will be carried the repricing clause?

Mr. DISNEY. No. I did not mean to say that. Personally I think it should be required, but under title 8 of the repricing clause, after 30 days it is deemed to be in the contract. The contractor must presume that that right on the part of the department is carried in the contract he has made, any contract made after 30 days after this law's enactment. The gentleman is familiar with the decisions of the court, that the law is part of the contract.

Mr. PATMAN. Will the gentleman yield?

Mr. DISNEY. I yield.

Mr. PATMAN. I am afraid the record is not clear as to whether or not this renegotiation clause will permit an increase in price in the event it is not necessary. I would like to have the chairman of the committee answer whether or not it will be permitted.

Mr. DISNEY. Not specifically, but the departments say that under the present law—and this amendment does not change that—they do have the right, under the War Powers Act, to raise the price that they are paying a contractor, in furtherance of justice, and they have exercised that right in some instances.

Mr. PATMAN. And upon that theory you believe this will not interfere with it?

Mr. DISNEY. I am willing to let it go along as it has operated in the past.

Mr. ANGELL. Mr. Speaker, will the gentleman yield?

Mr. DISNEY. I yield.

Mr. ANGELL. What provision is there here with reference to standard articles?

Mr. DISNEY. Standard articles are defined as best we could. It is impossible to define standard commercial articles exactly, but we defined them as best we could in five categories and left it discretionary with the departments.

Mr. ANGELL. That would exempt those, under the definition?

Mr. DISNEY. Oh, no, no. It would be in the discretion of the department to exempt those standard commercial articles.

Mr. ANGELL. Standard articles are not exempted by statute?

Mr. DISNEY. That is true except in the discretion of the departments.

The SPEAKER. The time of the gentleman from Oklahoma [Mr. DISNEY] has expired.

Mr. DOUGHTON. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. IZAC].

Mr. JENKINS. Will the gentleman yield?

Mr. IZAC. In 2 minutes I cannot yield very well.

Mr. JENKINS. I would like to ask that the gentleman have more time.

Mr. Speaker, this distinguished gentleman from California, is opposed to this matter and I think he should have a little more time. While I am asking for more time for him I would like to have some time for myself.

I ask unanimous consent that the time for debate be extended 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio, that the time for debate on the conference report be extended for 10 additional minutes.

There was no objection.

Mr. DOUGHTON. I yield the gentleman from California 3 additional minutes.

Mr. IZAC. Mr. Speaker, I am sorry that I have to differ with my distin-

guished chairman of the Committee on Naval Affairs.

Let me tell you something about renegotiation. Under this conference report, we are saying the end of renegotiation comes at the end of this year unless the President extends it 6 months. Do you know what that means? That means that any contract that is ended up to that time—not that is begun at that time, but that is ended, completed at that time or any portion thereof that is completed, can be renegotiated up to the end of that time, but no other contracts such as those entered into before that date.

In other words, it is reasonable to suppose that the war is going on for, say, 2 or 3 years more. So we say to the war racketeers in the latter part of the war it is all right for you to make billions of dollars in excess profits, but it is not all right in the first few months of the war. Now, that is the truth about this and I think you should know it before you vote.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. IZAC. No; I do not.

Now, secondly, this bill exempts everybody who has contracts totaling under $500,000. Do you know what happens under that provision? They are refusing to take Government contracts now if they amount to more than $500,000. The present bill exempts contracts up to $100,000, but under this conference report it is raised to $500,000.

Mr. DOUGHTON. That limitation was put in at the express request of the War and Navy Departments.

Mr. IZAC. I am simply telling the gentleman what I think Members of the House should know, because already we have one contract that is under $500,000, where the contractor charged up $90,000 in salary and he made $200,000 in profits. Still, under this bill, we cannot renegotiate him. Think of what you are doing.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. IZAC. No; I cannot yield.

Another provision in the conference report relates to provisions for court review. We of the Naval Affairs Committee suggested that they have recourse to the district courts of the land, but disregarding our recommendations it was decided to put it first in the Claims Court, and finally in The Tax Court. That means for the next 50 years you will have everybody who has had excessive profits taken away from him fighting in The Tax Court to get them back, and every case is to be decided de novo. Whatever the Price Adjustment Board of the Army or the Navy or the Maritime Commission finds will not amount to anything. The Tax Court, under the wording in this conference report, cannot even consider the departmental finding of excessive profits.

Renegotiation is limited at the present time to certain departments of the Government. It does not apply to many kinds of lend-lease contracts. It does not apply to the Office of Strategic Services. It does not apply to the $3,000,000,000 which the Department of Agriculture now contracts for each year.

These are all big loop holes, and here are other loop holes.

All of those contracts that were taken over from the British, French, and other nations will not be renegotiated. Douglas Aircraft, for instance, are going to be renegotiated on contracts for the planes furnished us, but on the planes they furnish under contract to the British we cannot renegotiate them, even though we have taken over those contracts and paid for those planes with United States funds. That company or any other can make its millions in excess profits and no one can say a word.

Finally, Mr. Speaker, let us not when we vote on this bill deceive ourselves, for we are voting to give excess profits to these contractors in time of war. My only purpose in being down here and differing with the chairman of my Committee on Naval Affairs and with the chairman of the Committee on Ways and Means, is to show that I believe there should not be any excess profits in time of war. I think the people are all agreed on that, but very few of us say anything about it, we just take it for granted that somebody is standing fast and preventing excess profits being made. We are the ones who should be standing fast here today to prevent excess profits being made at the expense of the taxpayers of our country and I warn against the consequences if we fail in that duty. When the soldiers and sailors come back they are going to ask: What did you do to prevent these excessive profits, the making of so many millionaires as happened in the First World War? Let us be able to say that we at least recognized our responsibility and objected to that feature of the present tax bill.

The SPEAKER. The time of the gentleman from California has expired.

Mr. DOUGHTON. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS. Mr. Speaker, it is quite a compliment to the House that such a large membership has seen fit to stay in the Chamber while we discussed this rather abstruse proposition. I do not expect to take my full 5 minutes but I wish to call attention to one or two very salient facts developed under these proceedings. When the House concluded its consideration of the renegotiation feature and passed the bill there were several outstanding factors, one being the time limit. Time for renegotiation was fixed and that is a very important thing. That has been discussed and I shall say nothing further about it. Another proposition in which the House was very much interested and insisted upon was the limitation of $500,000 instead of $100,000; in other words, that no concern with contracts aggregating less than $500,000 would be renegotiated. That is still in the bill. I think it is a very fine thing and those of you who are interested in small contractors will realize that this is one break we have given them, because it leaves them out and they will be free once more from the frequently unnecessary excursions made into their private business by those not so much interested in finding out whether they made profits as in finding out what the business consisted of.

Another thing we provide for is court review. You will remember that as the bill left the House it provided for court review. That is what the contractors wanted and what the businessmen wanted and what the Government should have been willing to give them, a straight out competent court review. We provided that the review should be conducted by the Court of Tax Appeals, an organization eminently qualified. The Senate amended it by providing that the review should be conducted by the Court of Claims. I am glad the House conferees stood their ground and were able to bring back a recession on the part of the Senate and a concession to our views in that respect.

Many Members were very much interested in the definitions of standard commercial articles. I am sorry to say to you that the amendments brought back do not do very much in that respect. The definitions put in by the House are still there. They are sort of a skeleton on which some pretty clothes should have been hung, but the clothes were not hung. They are our guide post or will show those who are going to administer this law what Congress thinks they ought to do in administering it. Summing up, this bill comes back to us in pretty good shape. If the board wants to be sincere they know now what Congress intended, what the House intended, what the Senate intended. They have now had repercussions from the people the bill will affect. They know their efforts were not entirely satisfactory but were very severely criticized. As one who has been very much interested in this bill, I am sorry to say it is not as good as we would like to have it, but it is a whole lot better than we started out with.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. JENKINS. I yield.

Mr. KNUTSON. The gentleman from California made a very serious statement to the effect that he knows of a certain company which paid its president $90,000 a year and put a profit of $200,000, all on a contract involving less than $500,000. I think the name of that company should be placed in the RECORD so that the proper officials up town may take cognizance of it.

Mr. IZAC. Mr. Speaker, will the gentleman yield?

Mr. JENKINS. I yield.

Mr. IZAC. The gentleman from California already has placed in the RECORD several names similar to that. See the CONGRESSIONAL RECORD of January 11.

Mr. VINSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. JENKINS. I yield.

Mr. VINSON of Georgia. That is not so serious as the statement made by the gentleman from California to the effect that manufacturers refused to take contracts over $500,000 because under that they are exempt from renegotiation. I ask the gentleman from California to put in the RECORD the names of the manufacturing concerns who refused to take

contracts because they exceeded the $500,000 exemption.

Mr. IZAC. Mr. Speaker, will the gentleman yield?

Mr. JENKINS. I yield.

Mr. IZAC. The gentleman from California will be very glad to prove that the procurement officers of the Army and the Navy have met with just such opposition in that these firms do not want to take contracts over $500,000 and will accept them only up to $490,000.

Mr. VINSON of Georgia. I challenge the statement of the gentleman from California. He cannot justify it by giving the names of any contractors.

Mr. SPEAKER. The time of the gentleman from Ohio has expired.

Mr. DOUGHTON. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Speaker, I am constrained to vote against this conference report. It can be very properly described not as a tax bill but as a relief bill. It is a relief-for-corporate-interests bill. It certainly does not meet the requirements of the times. It contains loopholes through which corporations can crawl to escape their responsibility. It does not prevent undue profits during this period of war. It freezes the social-security tax. It falls far short of the test set by the President in his message to Congress of January 11, that is, "a realistic tax law" and a bill that will "distribute equitably the burden of taxation." This bill does not distribute equitably the burden of taxation. It places the load on the shoulders of the average American while corporate and special interests are well taken care of.

This tax bill is against the interests of the American people and not in the interests of the war effort. It does not measure up to the requirements of this war. I refuse to force our soldiers to pay for this war after they come back. This bill places on them and their generation the cost of this war and permits those who are profiting from it to evade their duty to pay their equitable share of its cost. I urge you to vote down this conference report.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. DOUGHTON. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Speaker, it is no disrespect to the Committee on Ways and Means nor its very distinguished chairman for me to say to the House that I am going to vote against this conference report. I am going to do it for several reasons including two primary reasons: First of all let me say I have been disturbed by some of the features of the bill bearing on renegotiation. I believe my colleague [Mr. IZAC] has rendered the House a service in pointing out some of the dangers in this regard. Some of the changes I believe are all right. Others may, I fear, lead to opportunities for profiteering which it is my duty to prevent. Furthermore, Mr. Speaker, I believe this bill to be wholly inadequate considering our Nation's present needs. As a matter of fact it is estimated to raise two and one-quarter billions of dollars, but the freezing of the social-security tax means a net reduction in taxes which otherwise would be collected of $1,400,000,000; in other words, the net increase of the tax revenue in this bill is only $850,000,000 at the outside. I am convinced, Mr. Speaker, that our country could come a lot closer to paying for this war as it goes along. I believe we should do our utmost in that direction. I do not believe we are, in this bill. I am convinced that we could find many billions of dollars to decrease the public debt. I believe we ought to be doing so. But we are not doing so in this bill. It would not be easy—nothing in a war like this can or should be easy—but taxes on both corporate profits and also on individuals could go up at a higher rate without really doing harm to anyone.

My vote is a vote of principle, Mr. Speaker. Taxes are at a time like the present the best way of preventing national debt increases. Taxes afford the only fundamental answer to the problem of inflation. We have our chance here to meet that problem at its roots, whereas the work of some of the regulatory agencies of Government is cutting at it only in its branches.

My second reason for opposing this report is that I think if there ever was a time in all the history of our country when it was right and proper and sound policy to extend the social-security program, when it was logical to provide an increase of these taxes in order that the people might have the best possible kind of savings laid away against a day after this war when the Nation will need support for consumer purchasing power and the people will need protection against the exigencies of life, that time is now. We should not reduce the social-security tax but instead should provide an expansion of the social-security program.

I think such an expansion of social security should have been provided in this bill instead of freezing the taxes as has been done here. The day will come when every Member of this House and millions of people throughout our country will wish we had done so.

Mr. Speaker, it is my judgment that by means of a tax bill that would at the same time raise more revenue than this one does, and include the simplification of taxes that the committee is going to work on, we would more nearly meet the desires of our own people, even those who would have to pay higher taxes, than we can do with an inadequate measure like the present one now before us.

These are some of the reasons I am voting "No" on this conference report.

The SPEAKER. The time of the gentleman has expired. All time has expired.

Mr. DOUGHTON. Mr. Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. PATMAN and Mr. MARCANTONIO) there were—ayes 125, noes 36.

Mr. PATMAN. Mr. Speaker, I object to the vote on the ground a quorum is not present.

Mr. MARCANTONIO. Mr. Speaker, I also object to the vote on the ground a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify the absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 237, nays 102, not voting 88, as follows:

[Roll No. 21]

YEAS—237

Abernethy	Grant, Ala.	Pittenger
Allen, Ill.	Grant, Ind.	Ploeser
Anderson, Calif.	Green	Plumley
Andrews	Gregory	Poage
Auchincloss	Griffiths	Powers
Barrett	Gross	Price
Barry	Gwynne	Rabaut
Bates, Ky.	Hall,	Ramey
Bates, Mass.	Edwin Arthur	Ramspeck
Beckworth	Hall,	Randolph
Bender	Leonard W.	Rankin
Bennett, Mo.	Halleck	Reece, Tenn.
Bishop	Hancock	Reed, Ill.
Blackney	Harness, Ind.	Reed, N. Y.
Bloom	Harris, Ark.	Rees, Kans.
Bolton	Harris, Va.	Rivers
Boren	Hendricks	Rizley
Boykin	Herter	Robertson
Bradley, Mich.	Hill	Robinson, Utah
Brehm	Hinshaw	Robsion, Ky.
Brown, Ga.	Hoch	Rockwell
Brown, Ohio	Hoffman	Rodgers, Pa.
Bryson	Holmes, Wash.	Rogers, Mass.
Buffett	Hope	Rohrbough
Bulwinkle	Horan	Rolph
Burch, Va.	Howell	Rowe
Burgin	Jarman	Russell
Busbey	Jeffrey	Sasscer
Butler	Jenkins	Satterfield
Byrne	Jennings	Schiffler
Camp	Jensen	Scott
Carlson, Kans.	Johnson,	Scrivner
Carrier	Anton J.	Shafer
Carson, Ohio	Johnson,	Sheppard
Case	Calvin D.	Short
Celler	Johnson,	Sikes
Chenoweth	Luther A.	Simpson, Ill.
Chiperfield	Johnson, Ward	Simpson, Pa.
Church	Jones	Slaughter
Clark	Jonkman	Smith, Maine
Clason	Kean	Smith, Ohio
Clevenger	Kilburn	Smith, Va.
Cole, Mo.	Kinzer	Smith, W. Va.
Colmer	Knutson	Sparkman
Compton	Kunkel	Spence
Cooley	LaFollette	Springer
Cooper	Lambertson	Sullivan
Costello	LeCompte	Sumners, Tex.
Cravens	LeFevre	Sundstrom
Crawford	Lewis	Taber
Cunningham	Lynch	Talbot
Curtis	McCord	Talle
Davis	McCormack	Tarver
Day	McCowen	Thomas, Tex.
Dewey	McGregor	Thomason
Dies	McMillan	Tibbott
Dingell	McWilliams	Towe
Disney	Maas	Treadway
Dondero	Mansfield, Tex.	Troutman
Doughton	Martin, Iowa	Vinson, Ga.
Drewry	Martin, Mass.	Vorys, Ohio
Durham	Mason	Vursell
Eaton	Merrow	Walter
Eberharter	Michener	Ward
Elliott	Miller, Mo.	Wasielewski
Ellis	Mills	Weaver
Ellsworth	Monkiewicz	Welchel, Ohio
Elston, Ohio	Mott	Welch
Engel, Mich.	Mundt	Wene
Fellows	Murray, Tenn.	Whelchel, Ga.
Fenton	Newsome	Whittington
Fisher	Norman	Wickersham
Forand	Norrell	Wigglesworth
Gathings	O'Brien, Mich.	Willey
Gavin	O'Brien, N. Y.	Wilson
Gibson	O'Hara	Wolcott
Gilchrist	O'Neal	Wolfenden, Pa.
Gillette	Peterson, Fla.	Wolverton, N. J.
Gillie	Peterson, Ga.	Woodruff, Mich.
Goodwin	Pfeifer	Woodrum, Va.
Graham	Philbin	

NAYS—102

Allen, La.	Heidinger	Murdock
Andersen, H. Carl	Hoeven	Murphy
	Hull	Murray, Wis.
Andresen, August H.	Izac	O'Brien, Ill.
	Johnson, Ind.	O'Connor
Angell	Johnson, J. Leroy	O'Konski
Arnold		Outland
Bland	Johnson, Lyndon B.	Pace
Bonner		Patman
Brooks	Johnson, Okla.	Patton
Burdick	Judd	Phillips
Canfield	Kearney	Poulson
Cannon, Mo.	Kee	Priest
Capozzoli	Keefe	Richards
Cochran	Kefauver	Rogers, Calif.
Coffee	King	Rowan
Courtney	Kirwan	Sabath
Cox	Landis	Sadowski
Crosser	Lanham	Sauthoff
D'Alesandro	Larcade	Schuetz
Dilweg	Lemke	Smith, Wis.
Dworshak	Lesinski	Stefan
Ellison, Md.	Ludlow	Stevenson
Engle, Calif.	McGehee	Stewart
Fitzpatrick	McKenzie	Sumner, Ill.
Fogarty	McMurray	Taylor
Folger	Madden	Vincent, Ky.
Fulbright	Mahon	Voorhis, Calif.
Gearhart	Manasco	Weiss
Gordon	Mansfield, Mont.	West
Gore		Whitten
Granger	Marcantonio	Winstead
Hagen	Miller, Conn.	Worley
Hale	Miller, Nebr.	Wright
Harless, Ariz.	Monroney	Zimmerman
Hartley	Mruk	

NOT VOTING—88

Anderson, N. Mex.	Flannagan	Lea
	Ford	Luce
Arends	Fuller	McLean
Baldwin, Md.	Fulmer	Magnuson
Baldwin, N. Y.	Furlong	Maloney
Barden	Gale	May
Beall	Gallagher	Merritt
Bell	Gamble	Miller, Pa.
Bennett, Mich.	Gerlach	Morrison, La.
Bradley, Pa.	Gifford	Morrison, N. C.
Brumbaugh	Gorski	Myers
Buckley	Gossett	Norton
Burchill, N. Y.	Hare	O'Leary
Cannon, Fla.	Hart	O'Toole
Carter	Hays	Pracht
Chapman	Hébert	Scanlon
Cole, N. Y.	Heffernan	Schwabe
Cullen	Hess	Sheridan
Curley	Hobbs	Snyder
Dawson	Holifield	Somers, N. Y.
Delaney	Holmes, Mass.	Stanley
Dickstein	Jackson	Starnes, Ala.
Dirksen	Kelley	Stearns, N. H.
Domengeaux	Kennedy	Stockman
Douglas	Keogh	Thomas, N. J.
Elmer	Kerr	Tolan
Fay	Kilday	Wadsworth
Feighan	Kleberg	White
Fernandez	Klein	Winter
Fish	Lane	

So the conference report was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. Cullen with Mr. McLean.

Mr. Magnuson with Mr. Arends.

Mr. Hart with Mr. Dirksen.

Mr. Curley with Mr. Wadsworth.

Mr. Morrison of Louisiana with Mr. Brumbaugh.

Mrs. Norton with Mr. Gifford.

Mr. Kennedy with Mr. Schwabe.

Mr. Delaney with Mr. Thomas of New Jersey.

Mr. Furlong with Mr. Fish.

Mr. Hobbs with Mr. Elmer.

Mr. Fay with Mr. Beall.

Mr. Keogh with Mr. Holmes of Massachusetts.

Mr. O'Toole with Mr. Miller of Pennsylvania.

Mr. Baldwin of Maryland with Mr. Gale.

Mr. May with Mrs. Luce.

Mr. Burchill of New York with Mr. Stearns of New Hampshire.

Mr. Kilday with Mr. Gerlach.

Mr. Somers of New York with Mr. Bennett of Michigan.

Mr. Kerr with Mr. Winter.

Mr. Feighan with Mr. Gallagher.

Mr. Klein with Mr. Carter.

Mr. Heffernan with Mr. Douglas.

Mr. Bell with Mr. Gamble.

Mr. Kleberg with Mr. Stockman.

Mr. Hare with Mr. Baldwin of New York.

Mr. Buckley with Mr. Hess.

The result of the vote was announced as above-recorded.

A motion to reconsider was laid on the table.

The doors were opened.

GENERAL LEAVE TO EXTEND REMARKS

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their own remarks in the RECORD on the conference report just adopted.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein certain addresses extending an invitation from the Fourteenth Congressional District in particular, and the people of Detroit and Michigan in general, to the Democratic National Committee to hold the 1944 national convention in Detroit.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to insert in the RECORD a brief poem by A. P. Herbert, as part of my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a recent radio speech.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks and include a newspaper article.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CLASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Springfield Republican.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MURPHY. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. WEISS] be permitted to extend his remarks in the Appendix of the RECORD with two separate insertions.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an article on juvenile delinquency.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COLMER. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include an editorial on the subject of the soldiers' vote.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a very thoughtful article by Raymond A. FitzGerald, of Cambridge, Mass., on the soldiers' vote.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ROGERS of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein a speech made by Miss Eleanor Rathbone, a member of the British House of Commons.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOCH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a record of agricultural production in Pennsylvania during the past year.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FELLOWS. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein an editorial from the Indianapolis News of January 20, 1944, entitled "The F. C. C. and Liberty."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FARM LABOR

Mr. CANNON of Missouri. Mr. Speaker, I call up the conference report on House Joint Resolution 208, a joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1944, and I ask unanimous consent that the statement be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee on conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 208), "making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1944," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 17, 19, 22, and 33.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 21, 23,

24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 38, 39, 41, 44, and 45, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"TITLE I—DEPARTMENT OF AGRICULTURE

"WAR FOOD ADMINISTRATION

"For assisting in providing an adequate supply of workers for the production, harvesting, and preparation for markets of agricultural commodities essential to the prosecution of the war, $30,000,000, which sum, together with the amount appropriated in the Act of April 29, 1943 (Public Law 45), shall be merged into one fund, to remain available until December 31, 1944, and to be expended by the War Food Administrator (hereinafter referred to as the "Administrator"), appointed pursuant to Executive Order Numbered 9334, dated April 19, 1943, as follows:."

And the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be stricken out by said amendment and the matter proposed to be inserted by said amendment, insert the following: ", including the furnishing of health and medical services to (a) agricultural workers and their families housed in any labor supply center operated as a part of this program, or (b) migratory agricultural workers and their families who, without recruitment or assistance of any Government agency, have entered the area served by any such labor supply center and are engaged in agricultural work in such area, and to whom adequate health and medical services are not otherwise available"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows: ", the repayments from employers for such advances to be credited to the funds available to the Administrator; (4) determination and payment of claims (not exceeding $50 in any one case) of workers recruited in foreign countries (a) who, in preparation for transportation to or from the United States and subsequent failure of such transportation, have suffered losses, or (b) who have been transported to the United States and during said transportation, including embarkation and debarkation, have suffered the loss of or damage to personal effects"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the figure "(4)" in said amendment, insert the following: "(5)"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the matter stricken out by said amendment, insert the following:

"(b) The Administrator is authorized and directed to enter into agreements with the agricultural extension services of the land-grant colleges in the respective States to furnish, on behalf of the United States, for domestic interstate agricultural workers and their families and foreign agricultural workers and their families, while such workers are employed within any such State, any or all of the following services or functions which such State extension services are willing to undertake: Health and medical and burial services, training, subsistence, allowances, supervision, protection and shelter, maintenance and keeping of records of compliance with contracts and international agreements or treaties respecting such workers, and health and medical services for agricultural workers and their families encompassed by clauses (a) and (b) of subsection (a) (2) of this section. The Administrator may require the modification or termination of any agreement with any such extension service whenever he finds such action to be necessary in order to carry out the terms of any treaty or international agreement to which the United States of America is signatory. Whenever a satisfactory agreement cannot be negotiated with any such extension service, or pending the negotiation of an agreement, or whenever the Administrator finds it necessary to terminate an agreement, he shall carry out the foregoing responsibilities and functions with respect to such workers and their families by direct expenditure by the War Food Administration. The Administrator shall allocate to any State extension service from the amount made available by this section, in the manner provided in section 2 of this title, such funds as may be necessary to carry out the duties and responsibilities agreed upon by the Administrator and such State extension service under the provisions of this subsection. The Administrator is further authorized, in connection with the purposes of this subsection, to loan to any State any labor supply center and the facilities and equipment thereof, owned by the United States, under such terms and conditions as he may specify."

And the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the figure proposed to be stricken out by said amendment and the matter proposed to be inserted by said amendment, insert the following: "one and one-half per centum"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be stricken out by said amendment and the matter proposed to be inserted by said amendment, insert the following: "or seasonal agricultural products"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be stricken out by said amendment and the matter proposed to be inserted by said amendment, insert the following: "title, except as otherwise provided herein,"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows: At the end of the matter inserted by said amendment, insert the following:

"For the purposes of this title the War Department may utilize the Administrator and the Extension Services in the respective States to make such investigations and certifications with respect to the need for utilizing prisoners of war and the emergency use of soldiers of the United States and with respect to the terms and conditions of employment, as may be required by the War Department in order to assure that the terms of such treaties or international agreements are complied with."

And the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"(k) The Act of April 29, 1943 (Public Law 45), as amended, is hereby further amended by striking out 'January 31, 1944' and inserting 'the date of enactment into law of House Joint Resolution 208 of the Seventy-eighth Congress'. All obligations incurred during the period between January 31, 1944, and the date of the enactment into law of this Act in anticipation of such appropriations and authority are hereby ratified and confirmed if in accordance with the terms of such Public Law 45, as amended."

And the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In line 13 of the matter inserted by said amendment and after the words "agricultural products," insert the following: "including the timber and lumber industries, and", and in line 53 of the matter inserted by said amendment before the colon and the words "Provided further", insert the following: "for which provision is made in title I of this Act"; and the Senate agree to the same.

CLARENCE CANNON,
C. A. WOODRUM,
LOUIS LUDLOW,
J. BUELL SNYDER,
LOUIS C. RABAUT,
JOHN TABER,
R. B. WIGGLESWORTH,
D. LANE POWERS,
Managers on the part of the House.

KENNETH MCKELLAR,
CARL HAYDEN,
RICHARD B. RUSSELL,
GERALD P. NYE,
RUFUS C. HOLMAN,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 208) entitled "Joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1944" submit the following statement in explanation of the effect of the action recommended and agreed upon in the accompanying conference report as to each of such amendments, namely:

Nos. 10, 17, 19, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 34, 35, 36, 39, 40, 41, 44, and 45, are technical amendments and have been adjusted in accordance with the action of the conferees on amendments of substance.

Nos. 1, 2, and 3: Appropriates $30,000,000 plus the unexpended balances of previous appropriations, instead of $27,000,000 plus such balances as proposed by the House and $30,000,000 plus such balances as proposed by the Senate. Expands the purpose of the joint resolution, to include the provision of workers for the "preparation for markets" of agricultural commodities.

Nos. 4, 5, 6, 7, 8, and 9, relating to intrastate labor: Provides that not less than $14,000,000 as proposed by the Senate, and not more than $18,500,000 as proposed by the Senate instead of not more than $17,500,000 as proposed by the House, under the 2-year program, shall be apportioned to the States for expenditure by the State extension services for the recruiting, transporting, housing, feeding, etc., of domestic intrastate labor. Limits to $100,000, as proposed by the Senate, instead of $200,000 as proposed by the House, the portion of the allocation which may be used for construction of labor supply centers and fixes the maximum amount for any one center at not to exceed $20,000 as proposed by the Senate instead of not to exceed $40,000 as proposed by the House; strikes out, as proposed by the Senate, provisions in the

House bill for recruitment within the State of recruitment for employment elsewhere, transportation from State to State and within the State of recruitment for employment elsewhere, and authority to credit to State allocations the repayments by employers of advances by the United States of sums due to workers from employers.

Nos. 11, 12, 13, 14, 15, 16, 18, 20, and 21, relating to funds for domestic interstate workers and foreign workers: Provides that the amount for this purpose shall be available for expenditure by the Administrator, as proposed by the Senate, instead of being allotted to the Federal Office of Extension for expenditure, as proposed by the House; strikes out the provision in the House bill limiting to $200,000 the amount proposed for administrative expenses for the Federal Office of Extension; strikes out the provisions in the House bill limiting recruiting and transportation expenses to "foreign" workers and limiting subsistence, shelter, and other expenses for foreign workers to such workers while en route; makes provision, as proposed by the House and by the Senate, in modified form, for health and medical services for agricultural workers and their families who have not been recruited or transported by the United States but who are either housed in a labor supply center or are engaged in agricultural work in the area served by the center and to whom adequate health and medical services are not otherwise available; restores the authority of the House bill, stricken out by the Senate, for crediting to the appropriation the repayments from employers for advances made by the United States to workers for sums due them from employers; strikes out, as proposed by the Senate, provision in the House bill for payments in lieu of taxes on labor supply centers; restores the provision in the House bill, stricken out by the Senate, for determination and payment of claims of workers recruited in foreign countries in amounts not to exceed $50 in any one case; limits the amount for administrative expenses to 1½ percent, instead of 2 percent as proposed by the Senate and not more than $200,000 for obligation in the calendar year 1944 as proposed by the House. The House bill contained provision for allocation to State extension services, from amounts available for direct expenditure by the administrator, for labor supply centers and feeding of domestic interstate workers and foreign workers while employed in such State. The conference agreement provides, in section 3 (b), that the Administrator shall enter into agreements with the agricultural extension services of the land-grant colleges in the respective States to furnish, on behalf of the United States, for domestic interstate workers and their families and foreign workers and their families, while such workers are employed within any such State, any or all of the following services or functions which the State extension services are willing to undertake: Health and medical and burial services, training, subsistence, allowances, supervision, protection and shelter, maintenance and keeping of records of compliance with contracts and international agreements or treaties respecting such workers, and health and medical services to workers and their families who, though not recruited or transported by the United States, are provided such services by the United States under the terms of the joint resolution as agreed upon. Provision is made for the termination of any such agreement with an extension service if the Administrator finds such action necessary in order to carry out the terms of any treaty or international agreement to which the United States is signatory. Provision is also made for the performance of these services by direct expenditure by the Administrator pending the negotiation of agreements with the State extension services, after the termination of any agreement, or when a satisfactory agreement cannot be negotiated. Funds available to the Administrator are made allocable by him to State extension services for carrying out the agreements made with the State extension services. Provision in the House bill for the loan to the States of labor supply centers and facilities and equipment, owned by the United States, is restored.

No. 29: Inserts the Senate amendment prohibiting use of any of the funds for farm labor supply for the establishment or maintenance of regional offices. The conferees understand that such provision will not exclude the maintenance of field operational offices.

No. 33: Restores the provision in the House bill, stricken out by the Senate, which credits to the appropriation the receipts from the furnishing of subsistence to workers and makes them available for reexpenditure for replenishment of subsistence supplies and expenses incident to the furnishing of subsistence.

No. 37: The House bill contains provision authorizing the use of workers under the program in the packing, canning, freezing, drying, or other processing of perishable or seasonal fruits and vegetables. The Senate modified the provision by making it applicable to perishable agricultural products. The conference agreement makes the provision applicable to perishable or seasonal agricultural products.

No. 38: The House bill contains provision for continuing available to the War Manpower Commission certain funds for the current migration of Mexican or Canadian nationals for industrial and railroad purposes. This provision was stricken out by the Senate and the conference agreement adopts the Senate amendment. The continuance of the funds has been provided by section 2 of Public Law 217, approved December 23, 1943.

No. 42: The Senate amendment authorizes the War Food Administrator and the agricultural extension services of the respective States to negotiate directly with the War Department for the use of prisoners of war and the emergency use of soldiers of the United States for the production and harvesting of agricultural commodities within the several States. The conference agreement adopts the Senate amendment modified so as to enable the War Department to utilize the services of the Administrator and the respective State extension services to make investigations and certifications with respect to the need for the use of prisoners of war and soldiers of the United States and with respect to the terms and conditions of employment in order to assure that treaties or international agreements are complied with.

No. 43: The Senate amendment makes the funds in title I retroactive to February 1, 1944, to cover the period between January 31, 1944, the date of expiration of the previous law, and the date of enactment of this joint resolution. The House accepts the Senate amendment in modified form.

No. 46: Title II of the joint resolution, inserted by the Senate, provides an appropriation of $1,359,200 to the War Manpower Commission for the temporary migration of workers from foreign countries within the Western Hemisphere for employment in continental United States with industries and services essential to the preservation, marketing, or distribution of agricultural products. The conference agreement accepts the Senate amendment modified as to include within the scope of "agricultural products" the timber and lumber industries and to exclude from the appropriation the recruitment or transportation of workers for employment in agriculture for which provision is made in title I of the joint resolution.

CLARENCE CANNON,
C. A. WOODRUM,
LOUIS LUDLOW,
J. BUELL SNYDER,
LOUIS C. RABAUT,
JOHN TABER,
R. B. WIGGLESWORTH,
D. LANE POWERS,
Managers on the part of the House.

The SPEAKER. The gentleman from Missouri [Mr. CANNON] is recognized for 1 hour.

Mr. CANNON of Missouri. Mr. Speaker, one of the basic problems of the war is the production of food. Food is one of the few munitions of war of which we do not have adequate stock piles. And we are on notice from the military authorities that in the coming year more food will be needed than was produced last year.

To complicate the situation, there is a growing scarcity of farm labor. Since April 1, 1940, approximately 4,000,000 actual or potential farm workers have left farms or have taken nonfarm jobs while continuing to live on farms. Approximately 1,000,000 of these persons entered the armed forces. Some replacements have been made, of course, but a very great part of the loss consisted of young men who were highly skilled in the operation of complicated farm machinery and in the care of livestock.

To compensate for this loss of experienced, able-bodied manpower, the American farmer was driven to extreme measures in 1943; he increased his working hours, which were already long, and brought his wife and children more fully into the working force. Great credit is due American farmers for their efforts to meet their labor needs from their own resources. It must be recognized, however, that it would have been impossible for farmers to do the production job expected of them without additional help.

They were given material assistance through the farm labor supply program, established by the War Food Administration under authority of Public Law 45. Under this legislation, assistance was given in the informal organization of work and machinery exchanges between neighbors. The more than 6,000 placement offices maintained by the Agricultural Extension Services made approximately 4,000,000 placements in-including persons placed for a few hours, or a few days, and other placements of longer duration—a few weeks, a few months, and some year-round. In many localized areas within the several States, due to weather, crop yields, and other conditions, it was necessary to supply out-of-State labor. The War Food Administration, therefore, established and maintained a mobile task force of experienced able-bodied men who could be shifted on short notice to save threatened crops in critical areas. This mobile task force included 52,098 Mexicans, 8,828 Jamaicans, 4,698 Bahamians, and 14,124 domestic interstate workers. The foreign workers particularly were used throughout the season, many of them

having been placed from 5 to 8 times within 30 labor-shortage States.

In addition to this mobile task force, the War Food Administration made arrangements for farmers to use 12,600 Japanese evacuees; 2,500 conscientious objectors; approximately 45,000 prisoners of war; and about 55,000 members of the armed forces, working on limited 1-, 2-, and 3-day passes.

As an integral part of the program to supply farmers with needed labor, the War Food Administration operated 434 labor camps in labor-shortage areas where housing facilities were inadequate. Many of these camps were moved several times.

This has been a difficult program in which many emergency situations had to be met. It was necessary to move with speed, to improvise here, and to adapt there, in order to meet unusual conditions which no one could foresee. On the whole, a creditable job was done. The crops were produced and harvested.

The food-production job to be done in 1944 is a bigger job than the one which had to be done in 1943; the need for food will be tremendous. We may reasonably expect that more food will be needed for our armed forces as they advance; a larger volume of food will have to be shipped abroad to meet the requirements and to provide temporary relief for the liberated people of occupied countries. The needs of our Russian allies will be greater until they can get reoccupied territory back into production. There will be a need for more food than we can produce.

Assuming favorable weather conditions, it is estimated that approximately 71,900,000 more man-days of farm labor will be required in 1944 than in 1943, if the 1944 production goals are to be achieved. This additional work-load will require the equivalent of 287,600 additional men each working 250 10-hour days per year.

The outlook with respect to labor supply in 1944, in view of the increased agricultural production goals and in view of the increased requirements for industrial war production, appears more stringent than in 1943. The War Manpower Commission recently estimated that 800,000 additional men will have to be found for the armed forces during the last half of the fiscal year 1944, exclusive of battle replacements. It also estimates that war industries will need 600,000 new workers during the same period. Obviously, with such a prospective shortage of industrial and military manpower, additional demands will be made upon persons engaged part-time and full-time in agriculture, thus making it more difficult than ever to meet seasonal agricultural labor peaks.

The bulk of the nonfarm production must come as it always has—from the million or so productive farmers. We cannot expect that the operators of these highly productive farms can meet any substantial portion of their added 1944 labor needs by a further increase in their working hours or in those of the members of their families or hired help. Farm operators in such typical areas as Iowa, Maine, Wisconsin, Michigan, and in most of the other agricultural States worked an average of more than 13 hours a day during the summer of 1943.

The margin of labor supply on most of the Nation's commercial farms is very narrow. It is so narrow that unfavorable weather conditions or other emergencies may at any time create seasonal needs that cannot be met by local labor resources.

Under the proposed legislation, provision is made for the maintenance of a mobile task force of 126,000 able-bodied experienced interstate and foreign workers. These workers will be shifted from area to area of critical need as required to assist local labor forces in the production and harvesting of essential food and fiber necessary to the successful prosecution of the war. As emergency crop harvesters, they will not remain permanently in any community.

The 1944 farm-production season has already commenced. Important agricultural operations are now being carried on in southern California, Arizona, and Florida. We have at the present time approximately 12,000 foreign workers in California, 5,000 in Florida, and 1,000 in Arizona. California is desperately in need of an additional 10,000 Mexican workers at the present time, and Florida will need an additional 1,500 within the next 30 days.

If it is important to get the maximum possible food production in 1944, then early action on this farm labor supply bill is imperative. Farmers are now making their plans and one of the most important factors on which they want reassurance is the question of labor supply.

It is clear that every effort must be made to produce all of the essential agricultural products that can be produced; 1944 is believed to be a crucial year of the war. It is the year in which the United Nations expect to bring to bear against the enemy the full weight of their military and economic strength. As stated above, there will be need for more food than can be produced. The chances of meeting our vital 1944 production goals depend in large measure upon the vigorous prosecution of a realistic farm-labor program. Establishing and maintaining a mobile task force of the type used in 1943 is extremely expensive; it costs money to import the foreign workers, and it costs money to ship them from one area of the country to another, but the important consideration is not the money; it is the production of food which is urgently needed to assist in the successful prosecution of the war. Accordingly, we recommend a continuation of the current program with a slightly increased appropriation. Whereas total funds for this purpose for the calendar year 1943 amounted to $32,294,000, of which $26,100,000 was provided in the farm labor bill for that year, the pending bill carries $30,000,000 in direct appropriations and the unexpended balance from 1943, estimated to amount to about $6,500,000, a total of $36,500,000 for 1944.

The entire program is under the control and direction of the War Food Administration. Under the supervision of the War Food Administrator the Office of Labor, in the Department of Agriculture, recruits, enlists, transports, and allocates to the States, and from State to State, all foreign and interstate labor. The extension service within the State recruits and mobilizes all intrastate labor. In addition it places, houses, provisions, hospitalizes, and otherwise handles and directs all interstate, international, and intrastate labor within the State. The principal difference between the set-up this year and last year is that instead of two agencies maintaining and operating labor camps, all labor centers in the State are placed under one agency, the extension service, with a view to eliminating conflicting and overlapping jurisdiction and duplication of activities and personnel, thereby securing, not only increased efficiency, but material economy.

We therefore submit this conference report as embodying, in our opinion, most practical solution of one of the pressing problems of the war.

The SPEAKER. The gentleman from Missouri has consumed 5 minutes.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, this bill comes here with a unanimous report from the conferees. The gentleman from Missouri [Mr. CANNON] has described the situation to you. I just wanted to call attention to two or three things and to serve notice on the Department of Agriculture and the War Food Administrator that I want to see this thing managed decently.

It appears that they have 102 people on their roll in the Department right now in connection with this set-up, and that they propose to have 187.9 man-years, or about 250 positions when they get to the peak.

Some cuts were made in this appropriation because anyone who thinks will know that they do not need any such help in the Department. There was also in their original estimate provision for 1,394 out in the field. It was the old Farm Security crowd who are pretty good at bottoming chairs and not much good at anything else. They do not need half that number of people. If they would manage the thing right, they would not have to have half of them. We have made these cuts, believing that a cut in the departmental services, in the personnel, and in the field services in the personnel, will improve the standard of efficiency. We hope that the bill will be administered along that line and we know that if it is they can do it inside of the $30,000,000 that we have carried in the conference report, and have plenty of money to bring in all the outside labor and move all the interstate labor that is needed.

Mr. SHORT. Will the gentleman yield?

Mr. TABER. I yield.

Mr. SHORT. Can the gentleman inform the Members of the House approximately the wage range or the salary range of those employees?

Mr. TABER. I understand that these people in California, were being paid as high as $1 an hour for farm labor. That was on the fruit farms where the stuff was right on the ragged edge of spoiling

if they did not have it. We are advised by very competent people in that territory, like the gentleman from California [Mr. ANDERSON] who is a large pear grower, and the gentleman from California [Mr. ELLIOTT] and the gentleman from California [Mr. PHILLIPS] that it is absolutely necessary, if we are going to have results in harvesting the fruit crop, to supply this labor.

Mr. SHORT. I believe the gentleman from New York misunderstood my question. I have no objection to the increased wages paid these farm laborers; certainly not when laborers in munition factories are drawing such enormous wages. What I asked the gentleman was if he could give the House any information as to the salary range of these Government employees who administer this set-up.

Mr. TABER. Oh, they run as high as six, seven, and eight thousand dollars a year. As I stated in the beginning, they already have doubled the number they ought to have, and they propose to have doubled the number both in the Department and in the field, that they should have. We figure that they could cut the number in the Department and the number in the field in two and save some money, and that is why we made the cut in this appropriation.

Mr. SHORT. Under what Government agencies has this set-up been operated?

Mr. TABER. Under the War Food Administration, but they have been using that old Farm Security gang, which is no good.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. CANNON of Missouri. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. MURRAY].

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a letter of transmittal and four tables from the Department of Agriculture.

The SPEAKER. Is there objection?

There was no objection.

Mr. MURRAY of Wisconsin. Mr. Speaker, this may not be directly in connection with this farm-labor bill, but I should like in all humility today to call the attention of the Members to this letter of transmittal and to these four tables I was just granted permission to put in the RECORD at this point.

The matter referred to follows:

FEBRUARY 4, 1944.

Hon. REID F. MURRAY,
House of Representatives.

DEAR MR. MURRAY: In accordance with your letter of January 3 to Mr. O. V. Wells and our recent conversations, we are transmitting herewith information on typical commercial family-operated farms by type.

The information given is for 3 years, 1936, 1939, and 1942, which should indicate some of the variations in returns and differences in organization among farms.

At least two points should be kept in mind in studying these figures: First, the information represents conditions on typical farms of a given type and size. It does not represent averages as obtained from a large number of farms of various types and size in a given area. Second, the differences in returns among types of farms for the 3 years given cannot be assumed to be the differences generally obtained. Some of these farms are in high risk areas as compared with other farms. The winter wheat farm operators, for example, obtained fairly good returns during the past few years compared with dairy-farm operators. But in 1932 the return per hour to all labor was 5 cents on winter-wheat farms compared with 20 cents on central New York dairy farms. During 1938 and 1939 a combination of factors resulted which gave a labor return of only 6 cents per hour on wheat-corn farms compared with 28 cents on central New York dairy farms.

We trust that the information will be appropriate and hope we can assist you again.

Sincerely yours,

WYLIE D. GOODSELL,
Principal Agricultural Economist,
Division of Farm Management and Costs.

[Enclosures, 4.]

Estimated returns per hour of man-labor on typical commercial family-operated farms: by type

Item	Unit	Dairy farms					
		Southern Wisconsin			Central New York		
		1936	1939	1942	1936	1939	1942
Land in farm	Acre	112	114	114	137	144	146
Land in crops	do	76	78	79	52	55	56
Total man labor	Hour	5,953	6,077	6,438	4,564	5,016	5,094
Investment in land and buildings	Dollar	6,832	7,068	7,296	4,802	5,058	5,245
Investment in machinery and livestock	do	3,900	3,963	5,072	3,149	3,388	4,005
Total farm income [1]	do	2,790	2,569	4,618	2,986	3,063	4,909
Total farm expense	do	1,233	1,096	1,648	1,524	1,613	2,331
Net farm income	do	1,557	1,473	2,970	1,462	1,450	2,578
Total cash and non-cash income to all labor and investment [2]	do	1,775	1,726	3,490	1,544	1,605	2,889
Total cash income to all labor and investment [3]	do	1,267	1,272	2,794	1,061	1,155	2,328
Net return to investment [4]	do	315	378	463	300	270	255
Net cash and noncash return to all labor	do	1,460	1,348	3,027	1,244	1,335	2,634
Net cash return to all labor	do	952	894	2,331	761	885	2,073
Net cash and noncash return to all labor, per hour	do	.25	.22	.47	.27	.27	.52
Net cash return to all labor, per hour	do	.16	.15	.36	.17	.18	.41

Item	Unit	Corn Belt farms								
		Hog-dairy			Cash-grain			Hog-beef raising		
		1936	1939	1942	1936	1939	1942	1936	1939	1942
Land in farm	Acre	132	134	139	209	217	223	160	163	181
Land in crops	do	80	79	84	165	164	171	86	83	89
Total man labor	Hour	5,089	5,121	5,631	4,233	4,094	4,246	3,882	3,818	4,169
Investment in land and buildings	Dollar	8,819	9,536	10,671	21,318	23,870	27,925	7,458	7,489	8,031
Investment in machinery and livestock	do	2,722	2,992	3,926	2,727	3,077	3,914	2,436	2,596	3,500
Total farm income [1]	do	2,953	2,526	4,654	4,246	4,197	7,458	1,984	1,964	3,700
Total farm expense	do	1,139	1,190	1,765	1,545	1,609	1,974	764	860	1,133
Net farm income	do	1,814	1,336	2,889	2,701	2,588	5,484	1,220	1,104	2,567
Total cash and noncash income to all labor and investment [2]	do	2,029	1,590	3,456	2,819	2,694	5,671	1,283	1,173	2,720
Total cash income to all labor and investment [3]	do	1,618	1,218	2,948	2,345	2,286	5,166	922	861	2,276
Net return to investment [4]	do	500	572	710	836	924	1,092	512	504	771
Net cash and noncash return to all labor	do	1,529	1,018	2,746	1,983	1,770	4,579	771	669	1,949
Net cash return to all labor	do	1,118	646	2,238	1,509	1,362	4,074	410	357	1,505
Net cash and noncash return to all labor, per hour	do	.30	.20	.49	.47	.43	1.08	.20	.18	.47
Net cash return to all labor, per hour	do	.22	.13	.40	.36	.33	.96	.11	.09	.36

[1] Receipts from sales of crops and livestock plus Government payments, credit for food and fuel used for human consumption on farms were grown and a nominal allowance for rental on farm dwelling.
[2] Net farm income plus amount paid for hired labor.
[3] Total cash and noncash income to all labor and investment less contributions to family living from the farm.
[4] Interest on livestock and machinery and equipment at 6 percent plus net rental on land and buildings.

Estimated returns per hour of man-labor on typical commercial family-operated farms: by type—Continued

Item	Unit	Winter-wheat farms								
		Wheat			Wheat-corn			Wheat grain-sorghum		
		1936	1939	1942	1936	1939	1942	1936	1939	1942
Land in farm	Acre	600	615	625	550	565	570	615	630	640
Land in crops	do	471	433	404	376	348	329	424	385	445
Total man labor	Hour	3,056	2,931	3,075	3,830	3,872	4,025	3,146	3,211	3,547
Investment in land and buildings	Dollar	13,800	13,530	13,125	23,100	23,730	23,370	10,455	10,080	10,880
Investment in machinery and livestock	do	2,146	2,273	3,257	1,990	2,300	3,150	2,215	2,595	3,387
Total farm income [1]	do	3,584	3,016	7,214	3,434	2,764	5,977	3,112	3,110	6,651
Total farm expense	do	1,055	1,061	1,237	1,322	1,297	1,525	1,005	1,012	1,273
Net farm income	do	2,529	1,955	5,977	2,112	1,467	4,452	2,107	2,098	5,378
Total cash and noncash income to all labor and investment. [2]	do	2,571	1,990	6,040	2,174	1,532	4,599	2,141	2,127	5,468
Total cash income to all labor and investment. [3]	do	2,295	1,756	5,687	1,891	1,295	4,230	1,907	1,922	5,151
Net return to investment [4]	do	628	762	920	1,041	1,143	1,226	477	512	737
Net cash and noncash return to all labor	do	1,943	1,228	5,120	1,133	389	3,373	1,664	1,615	4,731
Net cash return to all labor	do	1,667	994	4,767	850	152	3,004	1,430	1,410	4,414
Net cash and noncash return to all labor, per hour.	do	.64	.42	1.67	.30	.10	.84	.53	.50	1.33
Net cash return to all labor, per hour	do	.55	.34	1.55	.22	.04	.75	.45	.44	1.24

Item	Unit	Cotton farms								
		2-mule-Georgia			Mississippi Delta			Black waxy—Texas		
		1936	1939	1942	1936	1939	1942	1936	1939	1942
Land in farm	Acre	81	87	91	41	40	40	116	120	123
Land in crops	do	49	48	49	28	30	30	76	71	73
Total man-labor	Hour	3,389	3,730	3,436	2,981	3,020	3,126	4,818	4,354	4,429
Investment in land and buildings	Dollar	1,458	1,740	2,093	1,804	2,055	2,390	4,788	5,192	5,734
Investment in machinery and livestock	do	509	527	622	374	410	478	739	938	1,340
Total farm income [1]	do	761	814	1,349	1,209	1,022	1,662	1,529	1,333	1,891
Total farm expense	do	207	252	318	482	380	488	547	510	646
Net farm income	do	554	562	1,031	727	642	1,174	982	823	1,245
Total cash and noncash income to all labor and investment [2]	do	566	594	1,071	804	703	1,252	1,057	864	1,320
Total cash income to all labor and investment. [3]	do	318	377	734	498	452	845	844	644	974
Net return to investment [4]	do	167	259	300	174	240	273	388	426	462
Net cash and noncash return to all labor	do	399	535	771	630	463	979	669	438	858
Net cash return to all labor	do	151	118	434	324	212	572	456	218	512
Net cash and noncash return to all labor, per hour.	do	.12	.09	.22	.21	.15	.31	.14	.10	.19
Net cash return to all labor, per hour	do	.04	.03	.13	.11	.07	.18	.09	.05	.12

See footnotes on p. 1363.

Division of Farm Management and Costs, Bureau of Agricultural Economics.

It does seem to me that we must, in a constructive way, not only approach this farm-labor problem, but the time has come when we had better be thinking about its relationship to all the 1944 food-production program. If you are interested in these tables, and they are fairly up to date, they will show you certain conditions existing in different parts of the United States. For example, you will find that in one part of the United States in 1944 labor return was 19 cents an hour for certain types of farm. You will find it going as high as $1.67 per hour in other systems of farming. There are two approaches to this: First, its relationship to the agricultural appropriation bill this distinguished committee will soon bring in for our consideration, and secondly, in connection with the subsidy program. I personally feel that if we are really interested in the food program for 1944 we must in all fairness, first to the agricultural people, and second, to the Food Administrator, come to some agreement on the C. C. C. legislation. This subsidy question should be settled one way or the other, if we are to expect the best obtainable 1944 food production.

Mr. SHORT. Mr. Speaker, will the gentleman yield briefly?

Mr. CANNON of Missouri. Certainly.

Mr. SHORT. As I understood my colleague from Missouri, he stated in his original statement that there had been overlapping and duplication of agencies and of effort and that was the question I was going to propound to the gentleman from New York [Mr. TABER] when his time expired; I wanted to know under what Government agencies this program has been operating.

Mr. CANNON of Missouri. The Office of Labor in the Department of Agriculture has control of the recruitment and transportation of foreign labor, and the Extension Service has control within the States.

Mr. SHORT. It is going to be placed under one head. That will result in economy and efficiency.

Mr. CANNON of Missouri. It is expected to result in economy and increased efficiency.

Mr. SHORT. Am I correct in understanding that some of these higher salaried employees of the Government receiving six or ten thousand dollars a year receive time and a half for overtime?

Mr. CANNON of Missouri. I recall no such salaries, but such salaries as they receive are in the same status as those of other Government employees.

Mr. SHORT. They do not receive time and a half for overtime?

Mr. CANNON of Missouri. They get only the overtime provided for all Government employees.

Mr. SHORT. If they did I would propose that it would be a good thing for the workers on our farms to be given equal consideration.

Mr. CANNON of Missouri. I would join the gentleman in that proposition if such situation should ever arise.

Mr. SHORT. I am quite sure my friend from Missouri, who is loyal to the farmers, will agree with me. Let us hope the freedom of the laborers everywhere, on farm and in factory, is not destroyed.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

By unanimous consent, all Members who spoke on the conference report were given permission to revise and extend their remarks.

TREASURY-POST OFFICE APPROPRIATION BILL, 1945

Mr. LUDLOW. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the

state of the Union for the consideration of the bill (H. R. 4133) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1945, and for other purposes; and pending that I ask unanimous consent that general debate continue throughout the afternoon without limitation, half of the time to be controlled by the gentleman from New York [Mr. TABER] and half by myself.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Indiana.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4133, the Treasury-Post Office appropriation bill, 1945, with Mr. CLARK in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

Mr. LUDLOW. Mr. Chairman, I yield myself 40 minutes to explain the bill.

The CHAIRMAN. The gentleman from Indiana is recognized for 40 minutes.

Mr. LUDLOW. Mr. Chairman, in drafting this bill covering appropriations for the Treasury and Post Office Departments for the fiscal year 1945 our subcommittee has made deep cuts in the estimates. We have tried to reflect what we believe is the sentiment of the country that we should cut nondefense expenditures to the very bone. There are 116 separate appropriation items in this bill. We cut the Budget estimates on 67 of these items, or more than three-fifths of the entire number, and we did not raise the Budget estimate on any item. We have sought diligently to eliminate every unnecessary dollar of expenditure and at the same time we have tried to avoid doing harm to any essential governmental activity. We have not always found it easy to determine the limit of justifiable reduction in estimates and if it turns out that in a few specific instances we have cut too deeply the officials concerned will have an opportunity to present their claims for deficiency appropriations.

It perhaps is true that among all of the regular supply bills this one providing the funds for the Treasury and Post Office Departments presents the most difficulties in respect to retrenchment, and that is because both Departments are primarily service establishments and the money carried in this bill is almost entirely for payment of personnel required to render essential and indispensable services.

The mail volume has increased and is increasing prodigiously and it is axiomatic that the mails must be moved and we must provide in our appropriations for the great service groups of clerks, carriers, and others, to move them. The war has increased to vast proportions the volume of checks, accounts and records which must be handled by the Treasury Department. The Internal Revenue Bureau, a branch of that Department, is feeling the heavy impact of new tax legislation in its personnel requirements. The bureau estimates that 16,000,000 persons will be entitled to refunds of withholding taxes and that operation alone will require a large block of personnel.

Nevertheless by the closest scrutiny and in the face of rising demands we present a bill which is less by $22,783,718 than the amount which the Bureau of the Budget requested us to appropriate for the two Departments. The total of the estimates proposed by the Budget Bureau for both Departments was $1,341,363,390.

The amount carried in this bill is $1,318,519,672.

For the Treasury Department the Budget Bureau proposed appropriations amounting to $227,439,400.

This bill carries $212,882,089 for that Department.

The appropriations asked by the Budget Bureau for the Post Office Department totaled $1,113,923,990.

This bill carries $1,105,697,583 for that Department.

On a basis of comparable items the appropriations carried in this bill for both Departments for 1945 are $19,248,158 in excess of the total obligations of the two Departments for 1944. The bill appropriates for the Treasury Department $1,690,090 less on a comparable basis than the total obligations of that Department in 1944. For the Post Office Department, with its tremendous increase of business, the bill shows an increase of $20,938,248 on comparable items.

VALUE OF INVESTIGATORIAL STAFF

In arriving at our judgments in respect to the various appropriations to be included in this bill we had the advantage for the first time of a new instrumentality of service, the investigatorial staff of the Appropriations Committee. At the head of that staff is a very competent investigator, Mr. Robert Laughlin, who has been loaned to the Appropriations Committee by the Federal Bureau of Investigation. The panel of investigators originally comprised between 100 and 200 men carefully picked from personnel of the various departments for their specialized knowledge and demonstrated qualifications. The number has since been somewhat reduced by calls to military service but it is still an important and sizable force. Members of the panel are subject to call from the chairman of the Appropriations Committee, the gentleman from Missouri [Mr. CANNON], as he receives requests from subcommittees asking that certain specified matters of administration be investigated.

Our subcommittee requested an investigation of the Treasury Department, particularly with reference to overstaffing and administrative methods. On account of the time element, the investigation was necessarily limited and hurried, and the report in many respects was inconclusive, but it was informative and helpful to us in our deliberations. I think I speak the unanimous sentiment of our subcommittee when I say that we have now seen enough of the work of the investigatorial staff to be convinced that it is a very valuable adjunct of the appropriating system and that its work should be extended so that it will be making a constant and permanent check on such matters as personnel and administrative methods in all of the Government departments and activities. We commend it as a committee agency which we believe will be capable of accomplishing much good, both in respect to simplifying and improving administrative methods and effectuating economies which are so much needed in the public service.

There was a fine spirit of cooperation and harmony in our subcommittee in laboring to achieve the common objective of holding down expenditures to the lowest level consistent with good and efficient administration and I would like to express my personal debt of gratitude and appreciation to the members of our subcommittee, Messrs. O'NEAL, MAHON, CURLEY, TABER, KEEFE, and DWORSHAK for their splendid service to the Nation, as well as to our clerk, Mr. Arthur Orr, for his faithful and valuable assistance. We began our hearings on November 29 and finished marking up the bill on January 18, with the usual Christmas intermission.

Secretary of the Treasury Morgenthau and Postmaster General Walker came before us in person and their testimony in the printed hearings will be found to be most interesting and illuminating. Following them came many witnesses from both departments to explain the needs of the various bureaus and activities.

MR. CANNON AND MR. TABER

It requires no rare gift of vaticination to forecast that the Chairman of the Appropriations Committee in the Seventy-ninth Congress will be one of two men, depending upon whether the Democrats or the Republicans carry the House in the November election—Mr. CANNON of Missouri or Mr. TABER of New York. Both men have the most comprehensive knowledge of the Government in all of its ramifications. Both men have had long and valuable experience in governmental affairs. Both men are foes of waste and extravagance in public expenditures. Both men are guided by sound principles in respect to appropriations and the financing of the Government. The chairmanship of the Appropriations Committee, the committee that controls the purse strings of the Nation, is a position of enormous power and responsibility and whoever occupies it exercises much influence affecting the Nation's welfare. The prospect that the chairman of the committee in the next Congress will be the present able occupant, Mr. CANNON, or the present ranking minority member, Mr. TABER, should, I think, be pleasing and reassuring to the entire country.

Getting down to cases, I will advise that the very first cut we made in the estimates was in the office of the Secretary of the Treasury. That office is, of course, a focal point in a great department and many messengers are necessarily assigned to work out of it, but it seemed to us that a staff of 27 messengers for the Secretary of the

Treasury's office was somewhat excessive, so we reduced the number to 18.

As I have already stated, the Appropriations Committee sent a staff of investigators into the departments to determine whether there was overstaffing and to submit recommendations looking toward economy. In respect to the messenger force under the Secretary's office, the investigators reported as follows:

As a general proposition, the employees in this (the Secretary's) office appear to be fully occupied, with the possible exception of the messenger force. There are 27 messengers attached to this office, many of whom occupy desks in the corridors. They do not seem to be particularly busy. It would appear that the messenger service could be reorganized to function efficiently with fewer employees; however, the low salaries paid to these employees and the high salary levels of the officials they serve, and to whom they are constantly available, may justify the large number carried on the rolls.

Various important offices of the Department which are integrated with the Secretary's office, as well as the Secretary's office, are serviced by these messengers, but it seemed to us that 18 messengers can do all of the work if fully occupied, and we allowed for that number. We approved the full Budget estimate for the other personnel of the Secretary's office.

FOREIGN FUNDS CONTROL

For the operation of the Foreign Funds Control we allowed $4,250,000 against a Budget estimate of $4,500,000. The cut of a quarter of a million dollars in the estimate gives the Control $424,153 above the total amount allowed it in the fiscal year 1944.

Mr. KEEFE. Mr. Chairman, a point of order. We have here a bill which involves $12,000,000,000 and 12 people are on the floor of the House. I suggest the absence of a quorum.

The CHAIRMAN. Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 22]

Anderson, N. Mex.	Elmer	Kilburn
Andrews	Fay	Kilday
Arends	Feighan	Klein
Baldwin, Md.	Flannagan	Lane
Baldwin, N. Y.	Fogarty	Luce
Barden	Ford	Lynch
Beall	Fulbright	McLean
Bell	Fuller	McMillan
Bennett, Mich.	Fulmer	Maas
Bradley, Mich.	Furlong	Magnuson
Bradley, Pa.	Gale	Maloney
Brumbaugh	Gallagher	Mason
Buckley	Gamble	May
Burch, Va.	Gifford	Merritt
Burchill, N. Y.	Gore	Miller, Pa.
Camp	Gorski	Monroney
Canfield	Hare	Morrison, La.
Cannon, Fla.	Hart	Morrison, N. C.
Carter	Hartley	Myers
Celler	Hays	Norton
Chapman	Hébert	O'Brien, N. Y.
Cole, N. Y.	Heffernan	O'Leary
Cullen	Hess	O'Neal
Curley	Hobbs	O'Toole
Dawson	Holmes, Mass.	Pace
Delaney	Jackson	Phillips
Dewey	Jennings	Pracht
Dickstein	Johnson, J. Leroy	Rizley
Dilweg	Kefauver	Rockwell
Dirksen	Kelley	Sabath
Domengeaux	Kennedy	Sadowski
Douglas	Keogh	Scanlon
Eaton	Kerr	Schuetz
Schwabe	Starnes, Ala.	Treadway
Shafer	Stearns, N. H.	Vursell
Sheridan	Stockman	Wadsworth
Simpson, Pa.	Sumner, Ill.	Welch
Snyder	Thomas, N. J.	West
Somers, N. Y.	Thomas, Tex.	White
Spence	Tolan	Winter

The CHAIRMAN. The Committee will rise.

Thereupon the Committee rose; and the Speaker having resumed the chair, Mr. CLARK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 4133, and finding itself without a quorum, he caused the roll to be called; when 307 Members answered to their names, a quorum; and he submitted herewith a list of the absentees to be printed in the RECORD.

The SPEAKER. The Committee will resume its session.

The CHAIRMAN. The gentleman from Indiana [Mr. LUDLOW] is recognized.

Mr. LUDLOW. Mr. Chairman, I take pleasure at this time in yielding to the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN of Illinois. Mr. Chairman, I hold before you an article appearing in the Chicago Daily News, of Friday, February 4, which states that the Republican national leaders met in Chicago to map arrangements for the Republican National Convention to be held in Chicago commencing June 26.

I am certain that every Member of this body, irrespective of party, is happy to know that the Republican committee on arrangements has selected our respected friend, Minority Leader JOSEPH W. MARTIN, Jr., as permanent chairman. I know that all of you join me when I state that the proceedings of the convention under his guidance will be conducted in a most able, fair, and equitable manner.

I know also that all of you will agree that the delegates could do much worse than nominate him the G. O. P. Presidential standard bearer.

Mr. LUDLOW. All of the Members of this House, regardless of political affiliation, love the gentleman from Massachusetts [Mr. MARTIN]. I know that we all join in rejoicing that this distinguished honor has come to him.

Mr. Chairman, I wish at this point to express my appreciation to the gentleman from Wisconsin [Mr. KEEFE] for his kindness in calling for a quorum. This bill, as he has so aptly said, is an enormous one, covering many items. Necessarily my presentation of it shall be rather prolonged and I shall be happy if you will lend me your indulgence and patience while I cover at least some of its main features.

When the roll was called I was discussing the appropriation proposed for the Foreign Funds Control, and I had stated that we have allowed $424,453 for that activity above the total amount required by it in the fiscal year 1944.

This increase is justified by the tremendous expansion of the Control's activities in foreign fields and the inevitable but unpredictable responsibilities it must assume as vast sections of the earth are liberated from Axis control. On the domestic side, the Control is responsible for the conservation and management of $8,500,000,000 worth of assets belonging to 34 blocked countries. This work has become systematized and simplified so that much of it that formerly required special licenses is now being operated under a general license system. The number of special licenses has been reduced from 190,000 in the fiscal year 1943 to an estimated 120,000 in the fiscal year 1944 and a heavy cut is possible in the operation of the Domestic Branch, but this is more than offset by the expanding operations in the liberated areas.

The liberation of territory which has previously been under enemy domination always imposes new responsibilities upon Foreign Funds Control. By order of the President the Treasury Department, operating through this activity, is responsible for comprehensive financial, economic, and property controls in each rewon area. Currency systems must be set up and economic order must be brought out of chaos. Foreign Funds Control must assist the armed forces in immediately developing and administering policies relating to banking, money, public finance, and financial and property administration. Staffs must be established for each area to develop necessary factual backgrounds of information, to establish policy, and to coordinate activities with other interested agencies. The scope of the operations of Foreign Funds Control in this field will be in direct relation to the success of the military advance. When the Foreign Funds Control officials were before us on November 20 there were 904 persons on its roll. We have allowed for a moderate increase to meet increasing duties and we have approved a request that the entire personnel be placed under civil service.

DIVISION OF RESEARCH AND STATISTICS

The Division of Research and Statistics, which serves as a technical staff for the Secretary of Treasury and other Treasury officials in connection with the Treasury's financial operations, has personnel in about equal proportions on its salaries roll and on the expenses of loans roll. As of December 1 it had 64 persons on its salaries roll and 63 on expenses of loans. The investigators of the Appropriations Committee said:

The work of the Division is highly technical and it is impossible to make any definite statement as to whether it is overstaffed. The size of the staff required for an operation of this nature could be determined only by the judgment of the responsible officials who require its services.

We reduced the salaries estimate for this Division from $201,500 to $181,500, and we are convinced that by judicious management it can get along with the lesser amount.

For the Division of Personnel we allowed $191,495 to maintain the existing force and to care for statutory increases. This is a reduction of $25,505 below the Budget estimate. The Treasury Department now has 84,000 employees, as compared with 61,000 2 years ago, and there are naturally more promotions, more status changes, and more disciplinary actions, but the turn-over of personnel is

decreasing, due to two causes—the overtime pay, which has enabled the Department to hold its people, and the new War Manpower Commission regulations, which make it difficult for employees to secure transfers.

We have authorized the Chief Clerk of the Treasury Department, Mr. Frank A. Birgfeld, to appoint a new executive assistant relating to budget matters, a grade CAF–10 employee at $3,500 a year. In explanation of the need of this permanent addition to the personnel of his office, Mr. Birgfeld told our subcommittee:

The position of executive assistant was created approximately 2 years ago as a temporary situation in connection with certain administrative functions relating to Foreign Funds Control performed by the office of the Chief Clerk, and, up to the present time, has been maintained by funds appropriated to the Control.

During the past 18 months, however, in order to strengthen the budget services of the Chief Clerk's office and with the knowledge and consent of the Bureau of the Budget, the services of this administrative assistant have been utilized almost entirely on matters pertaining to the Chief Clerk's regular functions. The position, therefore, should be established as a part of the regular force. The Bureau of the Budget has, for several years, recognized the necessity for strengthening the administrative staff of this office, and approval of this position as a part of the regular force will, as previously stated, insure closer supervision over the Chief Clerk's budget, and unquestionably result in economies in administration.

RECRUITMENT DIFFICULTIES

In both the Treasury and the Post Office Departments we found in numerous instances that there were considerable numbers of vacancies on the rolls due to the inability of the activity, whatever it might be, to recruit up to the authorized number of its positions. Especially is this true where talent of a special or technical nature is sought. Many persons who ordinarily might be interested in Government employment have been taken into the military services or are in a draft status that makes it inadvisable for them to change their present positions pending the expected call. Many already have been attracted to lucrative positions in private or public employment and are not interested in other offers. It did not seem to your subcommittee that there was any sound sense in appropriating the full estimates for additional positions when it appeared to be manifest that the positions could not be filled or that the appointments would have to be staggered through the next fiscal year, thus reducing the salary obligation. It was this reasoning that led us to reduce from $594,600, as estimated, to $580,000 the salaries of the operating force of Treasury buildings where nine vacancies are now being carried. The same reasoning prompted us to make a number of other cuts, some of which were much larger than this one, in personnel items in both departments.

BUREAU OF PUBLIC DEBT

Our subcommittee allowed an appropriation of $5,900,000 for the Bureau of the Public Debt as against an estimate of $7,000,000 submitted by the Budget Bureau. The combined obligations for the fiscal year 1944, including a supplemental appropriation of $1,300,000 now pending, are $6,161,600. We are not unmindful of the heavy burden of work imposed on this office. There has been an enormous increase in the issues and retirements of public-debt securities. In the fiscal year 1943, 231,620,499 pieces were issued as against 64,396,824 in the fiscal year 1942. The retirements in 1943 amounted to 29,786,291 pieces as against 3,800,154 in 1942.

While the volume of work continues unabated we were impressed with a report made by our committee investigators which holds forth a promise of the possibilities of large savings through the introduction of modern methods and devices in this office. Significant paragraphs from the investigator's report may be quoted as follows:

There was some indication, particularly in the Washington activities, that procedures had been established many years ago that were still being followed, such as the manual entering of ledger accounts, manual accounting of securities and distinctive papers and an excessive amount of checking and double-checking. * * *

It was found that a detailed study had been made by a committee within the Bureau of the Public Debt concerning the operations of the office of Register of the Treasury, which it was felt duplicated records being kept elsewhere, such as the Accounts and Audits Division, and recommendations were made after a 5 months' study in 1940, estimated to save $43,000 per year in salaries and $49,000 in cost of space. These recommendations have not been accomplished and Commissioner Broughton stated that the reason therefor was primarily because the receipt of the recommendations coincided with the problem of the tremendous growth of the Bureau, combined with a shortage of personnel, and it had not been possible to take any further action with regard to these recommendations.

As an indication of what might be done throughout the Bureau it was found that in one small unit of 18 persons (the Accounts Division) the total personnel had been reduced to 6 persons at the present time through the introduction of modern machine methods of keeping records. At the time the change-over was made the unit was considerably behind in its work and within 2 months after the change and with a force one-third the size of the previous force, the work had been brought up to date and has been maintained in current status since. This same ratio of savings in personnel would not apply to all units, of course, but it does indicate that the introduction of modern methods of bookkeeping could well be the subject of a serious study throughout the entire department.

As a further indication of the need for this study, it was found that in the Chicago operations, which are concerned entirely with the War Savings bonds and which are handling by far the largest amount of work from the standpoint of pieces of material that the officials have more or less been forced to institute modern methods through the use of bookkeeping machines, card-punch equipment and like labor-saving devices. The comparison between the Chicago operations and Washington operations, again, cannot be made on a straight basis since they are basically different, the Washington operations being concerned with the regular Treasury issues and the operations in Chicago with the War bond issues, which render themselves more readily to production methods of handling.

BROUGHTON A GOOD OFFICIAL

William S. Broughton, the Commissioner of the Bureau of the Public Debt, is recognized as a hard working, faithful, and capable official and it was the thought of our subcommittee that by directing his attention to a revision and modernization of the archaic procedures and methods of the Bureau, as suggested by the investigator's report, he will get along with the $5,900,000 which we allowed. If he finds that impossible he will have the opportunity to come up to Capitol Hill for a deficiency appropriation, though we do not believe that will be necessary. We are satisfied that by giving his personal attention to the problem he can install improved methods and machinery in his office that will work out very advantageously in reducing expenditures. For reasons similar to the foregoing we cut the estimate of the Bureau of Disbursement from $4,000,000 to $3,750,000. The investigators' report pointed out the possibility of a considerable saving by paying employees in cash rather than by check. A study that has been made shows $0.04228 as the unit cost of paying in cash and $0.07835 as the unit cost of paying by check. All of the disbursing regional offices in the field are now issuing card checks by use of I. B. M. equipment, but the Washington office is still using paper checks. A change from paper checks to the card system in the Washington office will bring about substantial savings.

EXPENSES OF LOANS

For the indefinite appropriation "Expenses of loans" we fixed a limitation of $109,500,000 as compared with the Budget estimate of $112,500,000. The testimony shows that we are on solid ground in reducing the estimate $3,000,000. It was proposed under the estimate to employ 19,631 persons during the fiscal year 1945, but so far the Public Debt Service has been unable to recruit up to within 5,000 of that total. An appropriation to cover 19,631 would therefore seem to be an overappropriation. This, of course, is an important activity, and if subsequent developments should show the need of more funds the deficiencies subcommittee no doubt will meet the situation properly.

For the office of Treasurer of the United States, salaries and expenses, an estimate of $4,750,000 was sent to us by the Budget Bureau. This involved a proposed consolidation with the Treasurer's office of the title which we have heretofore carried in the bill under the head of "Contingent expenses, office of the Treasurer of the United States," which carried an appropriation of $160,000 for the current fiscal year. We disapproved the consolidation and directed that the two titles be kept separate so that the Appropriations Committee can keep a closer eye over expenditures. It is contemplated that during the present fiscal year certain Government disbursing offices in the field will accomplish a change-over from the issuance of paper checks to card checks and that a very large saving will be accomplished thereby, so that we believed we were justified in reducing the appropriation

for salaries of the Treasurer's office to $4,075,000.

For the salaries and expenses of the Bureau of Customs we allowed $25,500,000 as against a Budget estimate of $26,000,000. During the last 3 years there has been a continuous decline in both customs receipts and entries from receipts of $391,870,013 and 2,374,967 entries in 1941 to receipts of $324,290,778 and 1,921,917 entries in 1943. The number of employees on the pay roll decreased in the same time from 8,996 to 8,219.

REFUNDS TO BE INDEFINITE APPROPRIATION

While reflecting in our cut the decline in the business of the Bureau, we yielded to an insistent and oft-repeated appeal of the Commissioner of Customs that the usual specific appropriation which we have carried for customs refunds and draw-backs be changed to an indefinite appropriation. Importers have long been clamoring for this change, claiming that they have been unjustly penalized by having to wait for their money until Congress can pass deficiency appropriations. Unlike internal revenue refunds, customs refunds and drawbacks do not bear interest. Congress, a few years ago placed internal revenue refunds on an indefinite appropriations basis, and there did not seem to be any good reason for making fish of the one and fowl of the other.

REASONS FOR REVENUE BUREAU CUT

For salaries and expenses of the Bureau of Internal Revenue we have allowed $135,400,000, which is $9,500,000 below the Budget estimate of $144,900,000. This cut, we believe, is fully justified by circumstances which obviously will make it impossible for the bureau to recruit by July 1, the beginning of the next fiscal year, if at all, the number of persons whose salaries were covered in the Budget estimate. On pages 439 and 440 of the hearings, we find the testimony of Frederick I. Evans, the budget officer of the bureau, that on October 31, 1943, there were 40,968 employees under the Internal Revenue Bureau, and that 48,770 positions were asked for under the budget estimate. This is an increase of 7,802 positions over the actual number the Bureau had been able to appoint. The utter futility of trying to recruit that many qualified employees before July 1 next was revealed time and again in the voluminous testimony of bureau officials before our subcommittee. This testimony showed that the losses from employees going into military service or other employment were enormous, and that recruitment was falling far behind the needs of the service. On page 481 is the testimony of Assistant Deputy Commissioner William T. Sherwood, in charge of the important Income Tax Unit, who stated that the total losses of his unit in the fiscal year 1942 were 261; that the losses increased to 582 during the fiscal year 1943, and that during the first 4 months his unit lost 173 employees. He was asked:

How successful have you been in replacing them with competent timber?

And he replied:

We have not been so successful as we would like to be. It is impossible to get people of that type at this time. It requires at least 2 years to train a man to do the work that a revenue agent does. But we are doing the best we can, and we are getting people when they are available to us. We have asked the revenue agents to contact accounting schools and other places where they might be able to get people of the type we need, and we have gone to the Civil Service Commission with our problem. We are undertaking to reach into the veterans' hospitals to get rehabilitated men who may have the qualifications we need. We are trying to get men wherever we can.

AN ENORMOUS LOAD

There is no doubt that the Internal Revenue Bureau has an enormous load, but its situation cannot be helped by our appropriating for positions that cannot be filled. With the recruitment problem as difficult as it is, we realized that we are not in a dreamland, and considered it to be our duty to face conditions realistically, and to appropriate to meet the reasonable requirements, leaving it to the Bureau to come up to Congress for a deficiency or supplemental appropriation if and when it finds that it needs more money.

We have continued internal revenue refunds as an indefinite appropriation, as these refunds are statutory, and must be paid, and no worth while purpose would be served by placing a definite limitation on the amount. The Bureau estimates the total refunds for the fiscal year 1945 at the astounding figure of $781,620,000, compared with $386,170,000 in the current fiscal year. The fact that 16,000,000 persons will receive withholding tax refunds is a staggering prospect. Many of these refunds will be small, but the smallest will have to be processed as meticulously as the largest.

REALLOCATIONS DENIED

The Commissioner of Narcotics, Mr. Antslinger, and the Chief of the Secret Service, Mr. Wilson, presented to us an appeal for reallocation of their field investigational agents so as to raise them to the C. A. F.–9 grade, carrying a salary of $3,200 a year. Mr. Anslinger asked for $47,753 to elevate 178 officers from grade C. A. F.–8, paying $2,900, to grade C. A. F.–9. Mr. Wilson asked for $44,250 to reallocate 152½ positions in the higher grade. Both made a very impressive argument, stating that they are losing many of their very best agents because of bids from private industry and because other Federal agencies toll them away with higher salaries.

We have lost about one-half of the force since the war started—

Said Chief Wilson—

and because of those losses I am greatly concerned right now when I send out some of our really difficult cases to be handled in the field. About one-half of the agents are what I would term new men, men appointed since the war, to replace those who have left, and I am afraid that someday some of these new men may fail to handle correctly some important case.

While we had no lack of sympathy for these appeals, we felt that it was beyond our province on an appropriation bill to correct inequalities in salaries that have become maladjusted because of the war conditions. To do so would enter a very large field beyond the legitimate province of an appropriations committee. As the same, or similar, conditions must obtain in other governmental establishments we believed the proper course would be to present the matter to the regular legislative committee so that a solution might be reached that would be fair and equitable to all concerned.

We now come to title 2 of the bill, which is the Postal Service, and I yield myself 20 additional minutes.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield before he leaves the Treasury Department?

Mr. LUDLOW. I yield.

Mrs. ROGERS of Massachusetts. I am very much interested in the appropriation for the Secret Service, for they have done such a fine piece of work. I have been wondering whether, with the tremendous growth of the F. B. I. in the last few years, this organization has encroached upon the work of the Secret Service. I was wondering if the F. B. I. had taken any of their personnel.

Mr. LUDLOW. That did not develop in the hearings. I have heard nothing which causes me to believe that the F. B. I. is taking away the personnel of the Secret Service.

Mrs. ROGERS of Massachusetts. I thank the gentleman very much.

POSTAL ESTABLISHMENT A BILLION-DOLLAR INSTITUTION

Mr. LUDLOW. The United States Postal Service continues to be the biggest business in the world, growing by leaps and bounds. From the little string of 62 post offices on the Atlantic seaboard gathered together by Benjamin Franklin in 1775 and called a postal system, with two employees in the central office and a total personnel of only a few hundred, the organization has developed until there are now 42,680 post offices and 1,815 classified stations and branches and the number of persons required to operate the Service is 324,617, the equivalent of the population of a large city. On military leave alone there are 31,605 postal employees, all of whom are assured of their former positions when they return from the war. The volume of mail has attained staggering proportions, having increased more than 4,000,000,000 pieces during the last 2 years, from a grand total of 29,235,791,328 pieces in the fiscal year 1941 to a grand total of 33,392,314,802 in the fiscal year 1943, and postal volume is still swelling like a rolling snowball.

Financially, the postal picture is very bright. In the present fiscal year the Post Office Department has reached a landmark by becoming for the first time in its history a billion-dollar institution. The estimated postal revenue for the fiscal year 1944 is $1,072,000,000 and the estimated postal expenditures are $1,085,357,520, leaving an estimated deficit for the year of $13,357,520. In the fiscal year 1943, for which the final figures are now available, there was an over-all postal surplus of $1,332,849.51. Based on all dependable factors of information the Department estimates that in the fiscal year 1945 it will go into

the black again, with an estimated postal surplus for that year of $10,411,010. The definite estimated figures for fiscal year 1945 are as follows: Accrued expenditure, $1,114,588,990; postal revenue, $1,125,000,000.

FROM RED TO BLACK

This transition from the red to the black in postal operations is being accomplished notwithstanding a great gorge of penalty mail is being put out by the Departments, bureaus, and other activities which brings in no postal revenue, and notwithstanding there is a vast amount of free soldier mail, exceeding 2,500,000,000 pieces on which the postage at normal rates would be $75,000,000 a year. Postmaster General Walker told our subcommittee that of the entire volume of mail handled by the Department, it is estimated that 1 piece in 7 is now carried free.

PENALTY MAIL

This brings up the subject of the penalty mail, which has created so much comment. The testimony brought out before our subcommittee on this subject was voluminous and all contributed to the impression that many of the Government establishments, especially those of mushroom growth, are running hog wild in the matter of the issuance of free mail. Under existing law the sky is the limit on the use of penalty mail by the departments and activities of the Government. The number of pieces of free penalty mail issued during the fiscal year 1943 was 1,956,073,568, on which, if postage had been paid at regular rates, the estimated revenue would have been $103,485,392. This is the all-time high for penalty mail. In 1938, only 5 years ago, the loss of revenue on account of penalty mail was $34,166,751, or less than one-third of the loss in the fiscal year 1943. In the fiscal year 1942, when the number of pieces of penalty mail was 1,516,015,444, the estimated loss of revenue was $67,334,355. In other words, the penalty mail loss increased $36,151,037 in the last fiscal year, compared with the fiscal year 1942. Franked mail, the mail of Members of Congress, which receded to the low figure of 24,460,040 pieces in 1942, with an estimated loss of revenue of $767,028, increased to 29,248,405 pieces in 1943, with an estimated postage equivalent of $1,157,122. It is still running low as compared with some former years. In the fiscal year 1940, the last Presidential election year, the volume of franked mail was 45,136,539 pieces on which the postage at regular rates would have been $1,217,561.

ABUSES NEED CORRECTION

The extent to which the penalty mail is being abused, as revealed in voluminous testimony taken before our subcommittee, indicated that it has reached a point where Congress should do something about it, but that is another story, as the initiation of legislation to curb penalty mail rests primarily with the House Committee on the Post Office and Post Roads, of which the distinguished gentleman from Virginia [Mr. BURCH] is chairman. Mr. BURCH and several of his associates of that committee conferred with our subcommittee in executive session, and as a result there was a meeting of minds which prompts me to predict with confidence that a reasonable solution of the penalty-mail problem may be expected at this session of Congress. The House already has started a corrective measure on the way to enactment. This measure passed the House by unanimous consent today. The nub of the proposal is that the bureaus shall be required to submit to Congress specific estimates for penalty mail to bring their postal requirements under close scrutiny by the Appropriations Subcommittees, which will then be in a position to make drastic cuts in penalty-mail operations which seem to be unreasonable and excessive. The War and Navy Departments probably will be exempted from whatever restrictive regulations may be adopted so as to avoid any interference with the war effort. This may be done with good grace, as those Departments are not among the serious offenders.

TEN INSPECTORS ALLOWED

We were faced with an estimate for 150 additional post-office inspectors at $2,600 each, or a total salary obligation of $390,000 annually. To that estimate we gave the utmost consideration, not only because of its importance per se, but because of the insistence with which it was urged by Mr. Walker, the Postmaster General, Jesse M. Donaldson, the chief of post-office inspectors, and other officials. Mr. Donaldson testified that the work load would justify 318 additional inspectors. The Post Office Department has a rule that every post office in the country should be inspected at least once a year, but this rule is a dead letter because of a lack of inspection personnel and some post offices have not been inspected for years, Mr. Donaldson told our subcommittee:

> Whenever an office is not visited annually or more frequently, the personnel in the office, responsible largely for the condition of the office, become more or less, let us say, careless in their efforts to keep on their toes with reference to operating the office in accordance with instructions of the department, and irregularities creep in. Our inability to reach these offices and inspect them each year and consult and advise with postmasters and employees as to methods and procedures, frequently results in embezzlements or bad conditions in the post offices.

DONALDSON "TOPS" AS OFFICIAL

There is no more capable official in the Postal Service than Mr. Donaldson, the chief inspector, and our subcommittee has the highest respect for his efficiency and zeal. He is a career man who has come up through the ranks, learning the Postal Service the hard way. Studiously inclined, he has mastered postal problems by intense application until he is recognized throughout the country as an outstanding authority on every branch and phase of the Postal Service.

But there were considerations which made us hesitate about adding such a large group of inspectors to the permanent salary roll of the Government, especially at a time when we feel that we should be zealously seeking ways to hold down appropriations to the lowest level.

Mr. JENSEN. Will the gentleman yield?

Mr. LUDLOW. I yield to the gentleman from Iowa, a former member of the Committee on Post Offices and Post Roads, and an expert on postal matters.

Mr. JENSEN. I would like the gentleman to give the House the information as to how many additional inspectors are finally allowed the Post Office Department in this bill.

Mr. LUDLOW. We allowed 10 additional. They asked for 150 additional.

Mr. JENSEN. Just 10?

Mr. LUDLOW. Yes. If the gentleman will bear with me I will discuss that in just a moment.

Mr. JENSEN. I want to compliment the committee on cutting down the request of the Post Office Department because, certainly, when the manpower problem is so serious we cannot justify adding the number that they requested.

Mr. LUDLOW. I thank the gentleman for his contribution which I think is well founded in wisdom.

The inspection force already is a sizable force—800, to be exact. It is true that the opportunities of this force for service are practically unlimited and if the force were doubled or trebled there probably would still be unexplored avenues of useful employment, but it is an expensive force, since the salaries of inspectors is only one item, and for each additional inspector there must be added the cost of clerical assistance and travel allowance, mounting to a large figure in the aggregate. We have fewer post offices now than in 1914, when we had only 390 inspectors, though, of course, the inspection picture is a changing one, and the war has brought added responsibilities.

It cannot be said that we have not been liberal in building up this force. Over a period of years increases have been allowed in the force, as follows:

	Increase
1921	13
1923	50
1928	5
1937	35
1938	10
1939	7
1940	15
1941	35
1942	100
1944	50

Of the 150 additional inspectors estimated for by the Budget Bureau it was proposed to assign 4 to work in connection with military operations. We decided to authorize the appointment of these 4 and we allowed 6 additional for general assignments. This will build the force up to a total of 810 which we believe is as high as it should go at this time.

BUDGET PERSONNEL ESTIMATES APPROVED

For the great groups of postal personnel, the clerks at first- and second-class post offices, the carriers, the clerks at third-class post offices, the Rural Mail Service and the Railway Mail Service, we adopted the policy of allowing the Budget estimates. Past experience has shown that this is a sound policy and a wise procedure, as with the mails booming and the obligations of the Service constantly increasing the Budget estimates almost invariably prove to be below the actual requirements, making deficiency appropriations necessary. The officials who

are charged with the responsibility of keeping the mails moving are permitted to meet those responsibilities as the necessity arises by putting on the additional personnel that is absolutely necessary and later they submit their estimates for the added costs to the Deficiencies Subcommittee when they have a better understanding as to exactly what is needed. This arrangement has been found to be satisfactory and it has the full approval of the Post Office Department. In this bill we have allowed the following amounts for the large postal personnel groups:

Clerks, first- and second-class post offices, $309,970,500.

City delivery carriers, $199,000,000.

Clerks, third-class post offices, $11,500,000.

Rural Delivery Service, $103,315,000.

Railway Mail Service, $80,248,000.

As of November 30 last, there were 85,186 clerks, special clerks, and supervisors, and 59,347 city delivery carriers in the Service. The number of rural delivery carriers on July 1 last was 32,105.

RURAL DELIVERY MAIL

The amount we have allowed for the Rural Delivery Mail Service provides for the establishment of the following additional service during the next fiscal year:

Extensions, 4,000, at a cost of $275,360.

New routes, 175, at a cost of $285,250.

Increased frequencies, 20 routes, at a cost of $15,443.

Total for new service, $576,053.

This program for new service is substantially the same as during the fiscal years 1942 and 1943. The average annual cost of a new route is $1,630 and the average cost of an extension is $68.84. There are now 940 rural carriers in the military service whose places are being filled by temporary carriers.

STAR ROUTE SERVICE

We reduced the appropriation for Star Route Service from $19,803,000, as estimated, to $19,600,000, which still leaves $607,000 available for new routes, extensions, and increases in frequencies.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. LUDLOW. I yield to the gentleman from Iowa.

Mr. JENSEN. Did the gentleman say the amount for Star Route Service had been decreased?

Mr. LUDLOW. The Budget estimate was decreased from $19,803,000 to $19,600,000, but this still leaves $607,000 available for new routes, extensions, and increases in frequency. However, this is an increase of $4,850,000 over the appropriation for 1944, made necessary largely, as I recall, by the prospect of large advances when the new contracts are let.

Mr. JENSEN. The reason I am asking the gentleman to yield on that point is simply that the star-route carriers up to this time, at least, have received very moderate pay compared with other postal services.

Mr. LUDLOW. That is right.

Mr. JENSEN. I am not saying that any of them receive too much, because I certainly know the postal employees are doing a wonderful job and are earning their money. What I am interested in, and I am sure the gentleman who now has the floor is also interested in it, is to be fair to these star-route carriers who up to this time have received very small compensation for their services. While I know that all of us are trying to hold down expenses as much as possible, we do want to be fair to those who are working for Uncle Sam. I am wondering just what these new contracts will contain and how you have gone about it to give reasonable compensation to the star-route carriers.

Mr. LUDLOW. The gentleman will find elaborate testimony on that in the hearings. Every time there has been a reletting in recent times it has met increased cost. The gentleman is entirely right in everything he says. During the period of depression there was such cut-throat competition among bidders for these contracts that they were often accepted on an unconscionable low basis. The result was that approximately 2,500 of these contractors went into bankruptcy.

Mr. JENSEN. Yes; I understand that.

Mr. LUDLOW. It was thought that, with a view to alleviating this situation, we should put considerably more money into this bill for the next fiscal year than for the current fiscal year. We had considerable discussion, on and off of the record, in regard to transferring this Service from a contractual basis to a regular service to be performed by a salaried personnel comparable to city and rural delivery carriers but we found Department officials lukewarm to the proposal, due to the peculiarities of the Service which they seemed to believe lend themselves better to a contractual arrangement. The Star Route Contract Service has been one of many headaches. In the period of depression competition was so keen that many contractors submitted bids below the cost of operation and hundreds of them went to the wall financially. It would seem that the situation might well receive legislative treatment but that is a matter outside the province of our committee, which is concerned only with appropriations.

Mr. JENSEN. I understand that. I know a bill is pending before the Committee on the Post Office and Post Roads concerning that situation.

Mr. LUDLOW. I recall that the gentleman from Texas [Mr. MAHON] has introduced a bill to place this Service on a regular basis and to remove it from the contractual arrangement that now exists. The gentleman from Texas [Mr. MAHON] has given much thought to this matter, and I think has very sound and wholesome views on the subject.

Mr. JENSEN. That is right. I may say for the RECORD that I have examined the bill of our distinguished colleague, the gentleman from Texas [Mr. MAHON] and am strictly in favor of its provisions. It is fair and just, and I think it should have the full support of the Congress of the United States in order that we may be fair to this class of very fine patriotic Americans, who are trying to do and are doing a good job and who want to keep their routes. However, they will have to quit them and the Service will suffer unless we can do something for them. I have received letters from star-route carriers who tell me they have to borrow each month $10 to $20 in order to pay their living and operating expenses, to keep going. This is a condition that I believe is really disgraceful.

Mr. LUDLOW. I am in complete sympathy with the gentleman's position in regard to the matter. I think he has described the conditions that exist very truthfully. I hope, as he does, that the matter will be approached from the legislative angle and that the proper remedy may be found.

Mr. BISHOP. Mr. Chairman, will the gentleman yield?

Mr. LUDLOW. I yield to the gentleman from Illinois.

Mr. BISHOP. Being an ex-postmaster and having had to do with many of the star route contract lettings in my part of the country, I am sure this is one of the vital issues that faces the Post Office Department. I am very happy to hear that you are making arrangements to take care of this situation. May I ask the gentleman if that is intended to be taken care of by bids or will it be taken care of by examination, or will those who have the contracts now, and who have been operating at a loss, have a chance to continue?

Mr. LUDLOW. That does not come before our committee, it comes before the legislative Committee on the Post Office and Post Roads. I am not familiar with the details of the bill and cannot answer the gentleman's specific question.

Mr. BISHOP. I call to the gentleman's attention the fact that at one time a man who had served the routes for three terms of 2 years each submitted a bid of $3,270, and because another man underbid him 50 cents he lost the contract, although he had equipment worth several thousand dollars. That is one of the main reasons this matter should be handled correctly.

RAILROAD TRANSPORTATION

Mr. LUDLOW. With mail volume constantly increasing we could see no reason for reducing the Budget estimate of $138,180,000 for railroad transportation and mail messenger service. The amount we allowed for the current fiscal year, $118,000,000, proved inadequate, and a deficiency appropriation of $19,695,000 was required.

FOREIGN MAILS BY SURFACE

The surface transportation of foreign mails has been entirely changed by the war. Some of it has been cut off entirely. The War Shipping Administration has taken over large operations, the cost of which is no longer charged to postal appropriations. In 1940 the appropriation for this purpose was $3,250,000. On account of the altered conditions we were able to reduce the appropriation to $575,000, which is the lowest ebb it has yet reached. We were able to eliminate one route entirely. That is the service between San Juan and the Virgin Islands, which has been operated at a cost of $27,787 a year.

FOREIGN MAILS BY AIR

For foreign air mail transportation, for which we appropriated $16,055,979 in 1943, we allowed $3,785,000 in this bill. This reduction is mainly due to two

causes. The Navy and War Departments have taken over the operations in the Pacific, Alaskan, and Atlantic areas, and the cost of those operations is no longer reflected in postal appropriations. The other contributing cause is a reduction of rates ordered by the Civil Aeronautics Board amounting to $1,224,943 in the fiscal year 1944. As against an estimated postal cost of $3,785,000 for the foreign air mail service in 1945 we have an estimated revenue of $15,941,185, but this is a lopsided and inaccurate fiscal picture as a large undetermined amount of the actual cost is borne by the Navy and War Departments. The Army and the Navy have recently taken over the entire task of transporting all trans-Atlantic air mail.

AIR MAIL SOARING

For domestic air-mail service we have allowed $35,000,000, which is $2,312,000 below the Budget estimate, of $37,312,000. Before we started to mark up the bill Mr. Purdum, the Second Assistant Postmaster General, brought us the gratifying information that we could reduce this estimate in the net amount of $2,018,911.90 due to new rate orders which are in process of being put into effect in the compensation paid to the Western Air Lines, Inc., Hawaiian Airlines, Ltd., Delta Air Corporation, Northwest Airlines, Inc., and Chicago & Southern Airlines, Inc. In view of the prospect that there may be further reductions by early rate readjustments we felt justified in making a small additional cut, as indicated. The appropriations agreed upon provide $531,855 for new routes and extensions and $1,076,543 for the restoration of service temporarily suspended. The amount of $3,406,257 is allowed for an anticipated increase in the volume of mail to be handled. By all of the criteria by which the domestic air-mail service can be judged it is now on a sound, self-sustaining basis. The sale of air-mail stamps is exceeding all expectations. The air-mail postage revenue has gone upward at a dazzling rate from $23,920,465 in 1941 to $60,485,434—estimated—in 1943 and the estimate for the fiscal year 1945 is $97,381,549. With revenues so satisfactory and so promising for the future, Second Assistant Postmaster General Purdum, whose office has jurisdiction over air mail, is opposed to the proposal in the pending tax bill to increase the air-mail postage rate from 6 cents to 8 cents an ounce. "I believe that the air-mail rate is sufficiently high at this time," he told our subcommittee.

This bill covers far-reaching services and a vast variety of details, and in the sketchy presentation I have made I could do scarcely more than point to its highlights. Our subcommittee has devoted many arduous hours of toil to the preparation of the bill before you and has tried very hard to adhere to the standards of justice, both in relation to those who have to perform these many services and the taxpayers who have to foot the bills. We believe that our bill will stand the most critical analysis, and we hope it will be acceptable to the House and to the country.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CLARK, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 4133) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1945, and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an editorial from the Commercial Appeal of Memphis, of the issue of January 26, 1944.

The SPEAKER. Is there objection?

There was no objection.

Mr. GWYNNE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. RAMEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a declaration of First Principles of any Post-War World, prepared by Msgr. F. S. Legowski, of Toledo, Ohio, in his capacity as a member of the Readjustment Planning Commission, Department of Ohio, the American Legion.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent that tomorrow, after the regular business and all special orders, I be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Under previous order of the House the Chair recognizes the gentleman from Florida [Mr. SIKES] for 10 minutes.

THE MARCH OF DEATH

Mr. SIKES. Mr. Speaker, I quote from the sixth chapter, second and twenty-first verses, of the Book of Joshua:

And the Lord said unto Joshua, "See, I have given unto thine hand Jericho, and the king thereof and the mighty men of valor."

And they utterly destroyed all that was in the city, both men and women, young and old, and ox, and sheep, and ass, with the edge of the sword.

And from the eighth chapter, first and twenty-sixth verses:

And the Lord said unto Joshua, "Fear not, neither be thou dismayed; take all the people of war with thee, and arise, go up to Ai; see, I have given into thy hand the king of Ai, and his people, and his city, and his land."

For Joshua drew not his hand back, wherewith he stretched out the spear, until he had utterly destroyed all the inhabitants of Ai.

Then I turn to the nineteenth chapter of Deuteronomy, twenty-first verse:

And thine eye shall not pity; but life shall go for life, eye for eye, tooth for tooth, hand for hand, and foot for foot.

And to the twentieth chapter, thirteenth verse.

And when the Lord thy God hath delivered it into thine hands thou shalt smite every male thereof with the edge of the sword.

Mr. Speaker, I see in my mind a picture of that terrible 85-mile march of death without food or water endured by the pitiable survivors of Bataan and Corregidor. I see a broken, exhausted soldier, burning with fever, begging for water. And I see grinning Jap guards thrust a knife down his throat, twisting it, jeering "Drink that." I see a boy with both legs gone, dragging himself along on his hands and stomach until he can no longer go, then left to die. I see American officers hung up by their arms for days, beaten time and again into insensibility, then beheaded. I see the sick and wounded staggering along until they fall by the wayside, then crushed by tanks and trucks or buried alive.

Mr. Speaker, I think we may well turn back to the Old Testament and take joy in the fact that the Lord God of Israel could be a fierce God who delivered up the enemies of his people for extermination. And, Mr. Speaker, I propose and I strongly urge that the administration of justice to the defeated Japs be in the hands of the survivors of those tragic battalions of death.

Few things have happened which so shocked the American people as the Jap atrocities on the heroic defenders of Bataan and Corregidor. Actual accounts of the mass murder of thousands of American and Filipino troops after the surrender were brought back by American officers who escaped to tell the awful truth. Deliberate murder of helpless captives by starvation, torture, and neglect; the fiendish glee of Jap ghouls who harrowed their prisoners to their deaths, all seem too terrible for belief. But these things are true.

In this country there is a mighty surge of indignation. Our sympathy goes out to all the families of the victims who fought and suffered and died for us. We are choked by wrath against the bestial criminals.

But our anger will not help the dead, will not hurt the guilty Japs. Emotion is not enough. We must do something about it, more than swear or weep.

Here at home we may feel there is nothing much we can do. But there is. Nothing very dramatic and nothing heroic, certainly. But we can help win the war. The fighting front does depend on the home front, and we are the home front—all of us little people, doing little jobs which add up to such a vastly important total.

We make the home morale which sustains or undermines the spirit of our fighting men at sea and in the skies and in the fox holes and in the prison camps. We can strengthen that morale. We can be ashamed to think, much less speak, of our own petty inconveniences and minor sacrifices compared with the real sacrifices. We can refrain from the partisan bickering that wears away national unity.

We can put an end to strikes and slowdowns that hold back production. We can stop the profiteering and selfish

maneuvering for business advantage. We can speed up the flow of planes and munitions and ships without which our Army and Navy cannot avenge the victims of prison camps in the Philippines.

Mr. Speaker, with silent supplication for the will and the power with which to destroy this foul foe and all his works, we can steel ourselves for the long wait until the death blow can be delivered. What a blessed relief it would be if we could turn on those Jap fiends who have starved and tortured and murdered our men in the prison camps and wipe them out tomorrow. But blind anger will not finish the job. It may only delay the final destruction of the enemy. Our task will be long and hard. There is no quick and easy way. The steady way is the sure way.

But in the meantime, Mr. Speaker, let us not forget for one instant that broken, helpless American boys are dying of Jap brutalities, starvation, and disease. And some of us here at home still complain, strike, play politics as usual, and grab for everything in sight, when we need unity, hard work, self-denial, and bond buying on the home front to carry to our foes an unmistakable picture of the avenging wrath to come. It will take more than talk and anger to free the men of Bataan and Corregidor, Mr. Speaker. I pray God that we may find the strength to be worthy of the terrible sacrifies those men have made in our name.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. POULSON] is recognized for 15 minutes.

POST-WAR PLANNING

Mr. POULSON. Mr. Speaker, of the burdens imposed upon this Nation by the war, there is one which is second only to victory. I speak of the burden of planning now that the brave men who are fighting for our freedom throughout the world will not return to a chaos of unemployment and bread lines.

It is a perplexing truth that while all yearn for peace, yet millions fear it. They fear a return of the familiar specter of unemployment and want, of closed opportunity, of social and political upheaval brought on by rampant economic forces. Yet, like most fears, when we face them we find we are afraid only of our own weakness. Unemployment and want and chaos need not pursue victory if we now have the intelligence and courage to plan against them. We need no new theories.

Theories, even my friends on the other side must admit, have let this Nation down. Cold, practical facts, drawn from experience, are the steel and concrete we need to bridge the chasm of post-war conversion and to carry us into the new and better era that beckons beyond.

I wish today to review these facts and to discuss the architecture they suggest for the immediate post-war period. In later addresses I will expand this outline. First, let us look at our national assets. We have a labor force of approximately 70,000,000, including those workers now in uniform. We have the greatest communication, transportation, and productive plant in the world. In the crucible of war we have largely burned away the dross of antiquated production methods. We have, to some extent, refined our system of distribution. We have invented new materials and techniques which in themselves open up a whole new world of opportunity and better living.

Spiritually, we have renewed our faith in America and in ourselves. We are emerging from this frightful war a younger, more confident Nation. We have been forced to strike boldly into new fields. In 2 years we have progressed a generation in conquering the air, to cite only one example.

These are splendid, inspiring assets. America is strong and young, and it has the tools to match its strength.

Let us look at the job before us. Disregarding for the moment the tremendous reconstruction job in other lands, our own Nation will emerge from the war with the greatest replacement market in world history. We will need everything—new homes, furniture, clothing, automobiles, factories, freeways, airports—billions of dollars' worth of new goods and services. We have the manpower and the materials and the know-how to provide them. We have a pent-up reservoir of purchasing power to buy them.

We need only a few other ingredients to convert these factors into a working, happy, and prosperous peacetime Nation.

One of these is a national climate in which the enterprise system may thrive and expand to its full potentialities. To me it is interesting to note that the Communists in Russia during this war have given the enterprise system its greatest endorsement.

They have found that men and women work and produce best when they are not reduced to a common level. They have found that individual enterprise must be encouraged through opportunity for gain, in order to bring progress and full production. America may relearn, from Russia's experience, the value of incentive. And here is one of the most important lessons for Government. Our enterprise system must be unshackled, when the war is won, from bureaucratic regimentation, from stifling taxation, from huge new public debts, and all other encumbrances which threaten to crush it.

No one seeks a return to the free-booter days of financial plundering and unlicensed monopoly. These evils were never more than fungus growths on our enterprise system. Their removal must be permanent. But the system itself must survive, and the American people are beginning to doubt the skill of the political tree surgeons who are sawing at the trunk to remove the fungus.

American enterprise can win the battle of the peace as it has won the war, if Government, management, and labor working together will create the climate in which enterprise may flourish.

There is another ingredient needed in the formation of our new America, and it blends with the first. This is planning now for the conversion period. One reads various estimates of immediate unemployment when the war factories are stilled. They range from twelve to twenty-six million workers being dislocated at that time. Huge unemployment insurance funds will melt quickly under any such widespread dislocation. In addition, there will be millions of men and women leaving their uniforms once more to don working clothes.

From 3 to 18 months will be required to convert most factories to peacetime production, even though some conversion may be practicable while the war is still on.

Many women, no doubt, will leave their jobs and return to the home. Many service industries, now operating with limited manpower, will expand their pay rolls to re-employ men and women who left for war jobs or service in the armed forces. But we must realistically face the possibility that there may be more unemployed when the war ends than the 13,000,000 who were jobless during the recent depression, unless we plan now against such a national crisis and disgrace. Let us look for a moment at the point of view the returning servicemen will have. This time, there will be millions of "Johnnies come marching home." They will have survived history's bloodiest and most savage war. Will such men, hardened by battle, meekly accept the proposition that they starve knee deep in wheat? It is not likely.

Mr. Henry J. Kaiser is quoted as saying, wisely, that the post-war offers America two alternatives: Evolution or revolution. These are not words to be brushed aside.

We will have evolution if the free enterprise system now so orders its immediate future that America may expand and develop into the fullest use of its manpower and resources. Our Government has the obligation of creating a climate in which the system may do this. If we choose the path of evolution, we will be perfecting the basic formula which has brought greater personal liberty and opportunity and a far higher living standard than any formula yet developed. We know what we can do for ourselves and our children under this formula.

We will have revolution if the free enterprise system fails to plan and to fulfill its obligation toward our returning soldiers, and if either through design or stupidity our Government fails to create that climate in which American enterprise may flourish and grow. Revolution offers the terrors of the unknown, the certainty of a long period of strife and readjustment, and the grave question if, after all, we would be trading the most humanitarian system of government and the most effective economic system history has yet known for anything better.

I should like now to bring these general propositions down to a specific case, and one that deserves, in my opinion, the fullest consideration by my colleagues in the Congress.

I wish to speak of the Nation's great construction industry and its peculiar importance to all of us at this time. This is the Nation's second largest industry in dollar volume. It is the largest industry that has no post-war conversion problem. The same men and equipment, the same experience and know-how, that have performed so mag-

nificently in building our war plants and our defenses in record time, can shift immediately into peacetime construction.

And every worker at the construction site means 3 more must be employed off the site to provide materials and equipment. The construction industry can employ not less than 8,000,000 American workers immediately, when our military situation permits, and this includes a tremendous portion of those who may be otherwise idle while the rest of industry converts to peacetime production. We always have turned to construction, primarily public-works construction, to tide us over unemployment crises.

Furthermore, the construction industry during the war has developed amazing new techniques and splendid labor-management teamwork and organization. These, together with the inherent ingenuity and boldness of the engineer, architect, and builder, are held out to America to build the foundations of a new era.

But the construction industry cannot employ the millions at its high American wage levels, and it cannot bring to the post-war world the benefits of its war experience and its know-how unless both industry and the Government cooperate toward this end. Working together, they can stock the shelves now with plans and specifications which will provide useful work immediately. Government agencies, from the smallest utility district to the largest Federal bureaus, must attend now to the engineering, the financing, and the acquisition of sites and rights-of-way for sound public works, so bids may be called immediately when the military situation permits and manpower and materials are available.

All business and industry have this same obligation, to make certain that the blueprints are ready for the construction crews. Government has another obligation with regard to the construction industry. It should give assurance now, to the hundreds of thousands of men in the Navy Seabees and in the Army Corps of Engineers, and to the construction industry from which they came, that these men will not be held in uniform when hostilities cease. These two splendid military organizations are the largest construction crews in the history of the world. We are proud of them. But let us not forget both men and officers came out of our construction industry, and they carried into the war the know-how and ingenuity trained into them by our system of free enterprise. They want to return to that industry, and the industry needs them.

Furthermore, the Army and Navy have amassed a tremendous amount of construction equipment. It is being used throughout the world. Natives of other countries who had never seen a bulldozer are learning to operate them. These other nations will need that equipment to rebuild and to improve their own lands after the war. Why not leave it there, on a lend-lease basis, when the war is over? It will not only aid the reconstruction, it will create new customers for modern American equipment.

Assurance should be given by the Government not only that we shall demobilize the men of the Navy Seabees and the Army engineers and permit them to return to civilian life and private industry, but that the Government will return its surplus construction equipment to normal nonmilitary, non-Government construction enterprises, through dealers and regular channels.

Such assurances should be given that the Government will not launch a new global W. P. A. and will not liquidate the construction industry through tax-supported competition. Then, by a joint industry and Government drive to reduce public and private post-war construction to the blueprint stage, we shall have insured that these two benefits will follow:

First. A large reservoir of useful work at good American wages will be ready immediately after victory. There will be no menace of a new W. P. A., doles, and politics.

Second. One of the pillars of the American enterprise system, the construction industry, will be assured its right to use its genius and experience in helping to create the new America that all of us want.

The SPEAKER pro tempore. The time of the gentleman has expired.

Under previous order of the House the gentleman from West Virginia [Mr. RANDOLPH] is recognized for 10 minutes.

STRIKES IN ESSENTIAL WAR PLANTS

Mr. RANDOLPH. Mr. Speaker, the present strike of the Mechanics Educational Society of America involves far more than the 25,000 to 40,000 men reported to be out on strike. Members of this union are the most highly skilled in our entire war industry. They are the tool and die makers. Numerically they are small.

In Willys-Overland, where the strike started, they comprise but 800 out of 14,000 employees. Yet their work is so essential to plant operation that when they leave their jobs as they have done, they are able gradually, and in some instances speedily, to force the entire plant to be shut down. Since this proportion of workers, approximately 6 percent is not unusual, this strike directly affects and prevents war production by roughly 400,000 workers. Serious as this may seem, and it is serious, it is but the beginning of the effect.

The M. E. S. A. membership is primarily in Cleveland, Toledo, and the Detroit areas, where the manufacture of the component parts of airplanes, engines, landing barges, jeeps, tanks, and trucks is highly concentrated. The list of these component parts is long and it includes such items as the generators and forgings.

Think, Members of this body and citizens of the country, what a stoppage means in the manufacture of what we know as the most essential parts. Without them no airplane, no landing barge, no tank engine, can be completed. The manufacture of Army jeeps has already stopped. Production lines of our fighter and our bomber planes are in grave danger if the strike continues for 10 days. The War Production Board has given landing craft the highest priorities, yet their manufacture is stopped for a lack of these component parts.

Of course, the Allies realize the importance of stopping German component-part production to the extent that 60 flying fortresses and 593 skilled airmen in the Schweinfurt raid was considered a small cost for the results obtained. This present strike can win for Germany more than the Schweinfurt raid won for us, but with this difference. In this instance Germany has lost nothing; only we, the American people, have lost.

It is reported by the newspaper stories of yesterday that one of the leaders of this strike, that has such disastrous implications, is a man who has lived in the United States for many, many years; made a declaration of his intent to become a citizen, but as of the date when he calls this strike, is not a citizen of the United States.

And so was added another name to a long list of individuals who, with false tongues, are leading the honest working men and women of America into a shutdown of production channels necessary to victory. Such men sacrifice their adopted country in a sabotaging effort. They are not even citizens of the Republic which has given to them the privilege and the profit and the protection of our institutions of government. It is tragic that such persons can command perverted power in labor ranks.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Nebraska.

Mr. CURTIS. The gentleman from West Virginia is entitled to the commendations of many Americans for his forthright denunciation of this procedure. I believe that no one has a right to strike against the public safety. You have very well said that we are risking millions and millions of dollars in bombers and precious lives of our boys to create a stoppage in Germany, now equaled by this unwarranted shutdown. The gentleman should be congratulated for the position that he has taken.

Mr. RANDOLPH. I appreciate, of course, the generous remarks of my colleague. Had the House version of anti-strike legislation passed in the same terms in the Senate, we would find today the withdrawing of the rights under prior labor acts, in which I believe. If a strike of this type, jurisdictional in nature, occurred, the privileges of organized labor which I aided to passage, would be curtailed. This House, at least, can be commended for having attempted sensibly and courageously to cure the defects in existing law.

Mr. CURTIS. Is it not also true that ultimate victory is just as much dependent on the making of a tank or gun or plane as the driving of it?

Mr. RANDOLPH. Oh, it is true. The fighting front and the home front are welded together in this effort. In one instance a man uses an instrument by which we fight our foes and in another instance it was fashioned or forged and placed in his hands. I do not want to be misunderstood. I have warned of these conditions on many occasions since 1940, when I stood in the well of the House in

November of that year, and denounced what was then the first strike of the defense program of America at the Vultee aircraft factory at Downey, Calif.

I repeat today that the seriousness of this strike cannot be overlooked. It may prove to be the most disastrous since America has gone to war. There are many plants affected. I shall not take the time to list them all—some 40 in number—or list in certain sections the men and women who are away from work because of what has been done. I should like to call your attention, however, to one of these plants, the Eaton Manufacturing Co. of Cleveland, where 2,900 workers are away from their work today. This plant makes crankshafts for the Pratt & Whitney aircraft engines. These go into Navy planes and are vitally needed.

Mr. Speaker, the following wire was sent to the Willys-Overland plant, where the strike originated by the M. E. S. A. I will not read it in full. It says:

Our union is involved in a very crucial difficulty—

Listen to these further words:

To us it is a fight for our organization's right to survive.

In other words, it is indicated by such a statement that the organization's right to survive is placed above the right of the United States to survive in the waging of an all-out war effort against enemies who appear far from defeated.

Mr. Speaker, I think we all agree that the right to strike in peacetime is a precious right in private industry and any person who would attempt to abrogate such a condition is not a friend of the men and women who toil. By and large in wartime those who belong to organized and unorganized labor, have contributed greatly to the tremendous flow of manufactured products with which we wage this war. I commend such a contribution and have done so often in the past. It is wrong for me or any other Members of this Congress or administration to keep quiet when a strike condition of this type arises.

A right which existed in peacetime ceases to exist with our Republic at war.

I trust we will continue to have the courage and fortitude to attempt, at least, to rectify conditions which would allow such a strike as this to sweep our Nation in the crucial stages of this global conflict.

The SPEAKER pro tempore (Mr. WRIGHT). The time of the gentleman from West Virginia [Mr. RANDOLPH], has expired.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted, as follows:

To Mr. BALDWIN of New York (at the request of Mr. MAAS), indefinitely, on account of illness.

To Mr. GALE (at the request of Mr. MAAS), for 1 week, on account of serious illness in the family.

To Mr. STARNES of Alabama, for 3 days, on account of official business.

To Mr. STOCKMAN, for the balance of the week, on account of illness.

To Mr. HARE (at the request of Mr. RICHARDS), for an indefinite period, on account of illness.

To Mr. DOMENGEAUX (at the request of Mr. MCKENZIE), for 3 weeks, on account of official business.

To Mr. ANDERSON of New Mexico (at the request of Mr. FERNANDEZ), for an indefinite period, on account of illness.

EXTENSION OF REMARKS

Mr. IZAC. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the Appendix of the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. IZAC. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein a letter I have received from the chairman of the executive committee of the Association of Washington Cities, and my reply thereto.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

(By unanimous consent, Mr. MURDOCK was granted permission to extend his own remarks in the Appendix of the RECORD.)

ADJOURNMENT

Mr. LUDLOW. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 21 minutes p. m.) the House adjourned until tomorrow, Tuesday, February 8, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m., on Tuesday, February 8, Wednesday, February 9, and Thursday, February 10, 1944, in the caucus room of the Old House Office Building, for the consideration of post-war planning.

COMMITTEE ON FOREIGN AFFAIRS

The Committee on Foreign Affairs will hold public hearings on Tuesday, February 8, 1944, at 10 a. m., on House Resolutions 418 and 419, relative to the Jewish national home in Palestine.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of subtitle "Insurance of Title II of the Merchant Marine Act, 1936," as amended.

COMMITTEE ON THE PUBLIC LANDS

The hearings on H. R. 2596, to protect Naval Petroleum Reserve No. 1, will be continued on Friday, February 11, 1944, at 10:30 a. m.

There will be a meeting of the Committee on the Public Lands at 10:30 a. m., Monday, February 14, 1944, to consider H. R. 1688, a bill relating to the administrative jurisdiction of certain public lands in the State of Oregon, also the companion bill, S. 275, and such other matters as may properly come before the committee.

COMMITTEE ON FLOOD CONTROL

SCHEDULE OF HEARINGS ON FLOOD CONTROL BILL OF 1944, BEGINNING TUESDAY, FEBRUARY 1, 1944, AT 10 A M.

The Flood Control Committee will conduct hearings on flood-control reports submitted by the Chief of Engineers since the hearings conducted in June 1943, and on amendments to existing law. The committee is definitely committed to the view that flood-control projects for post-war construction will be among the most satisfactory public works and the committee plans an adequate backlog of sound flood-control projects available following the war.

1. Tuesday, February 8: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers and proponents and opponents of projects in the Los Angeles area along the Sacramento River and tributaries, and along the San Joaquin River and tributaries.

2. Wednesday, February 9: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Bureau of Reclamation, and proponents and opponents of projects along the Kern River and tributaries in the Kern River area and along the Kings River area and tributaries in the Kings River area, and including other streams in the San Joaquin Valley.

3. Thursday, February 10: Continuation of the projects discussed on February 9.

4. Friday, February 11: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the upper and lower Ohio River and tributaries, including Salt River, Taylorsville, Ky., the Potomac River and tributaries, the New England region, including the Connecticut and Merrimack Rivers, and the Middle Atlantic region, including New York, Pennsylvania, and New Jersey, and the South Atlantic region, including rivers flowing into the Atlantic Ocean and Gulf of Mexico east of the Mississippi River.

5. Tuesday, February 15: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Gen. M. C. Tyler, president of the Mississippi River Commission and division engineer, and proponents and opponents of projects along the lower Mississippi River and tributaries, including the Red and Arkansas Rivers, Conway County, Ark., and Purgatoire (Picket Wire) River, Colo., the White, St. Francis, and Yazoo Rivers.

6. Wednesday, February 16: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Col. Miles Reber, former division engineer, Missouri River division, Omaha, Nebr., and proponents and opponents of projects along the Missouri River and tributaries.

7. Thursday, February 17: Continuation of the projects discussed on February 16.

8. Friday, February 18: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in other regions in the United States.

9. Tuesday, February 22: Representatives of the Department of Agriculture, the Weather Bureau, Bureau of Reclamation, and other governmental agencies.

10. Wednesday, February 23: Senators and Representatives in Congress.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1153. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Federal Security Agency, Social Security Board, amounting to $11,350,000, for the fiscal year 1944 (H. Doc. No. 398); to the Committee on Appropriations and ordered to be printed.

1154. A communication from the President of the United States, transmitting three supplemental estimates of appropriations, totaling $2,029,000, and a draft of a proposed provision affecting an existing appropriation for

the Department of Agriculture for the fiscal year 1944 (H. Doc. No. 399); to the Committee on Appropriations and ordered to be printed.

1155. A communication from the President of the United States, transmitting a proposed provision pertaining to the appropriation for the fiscal year 1945 for "Conservation and use of agricultural land resources, Department of Agriculture" (H. Doc. No. 400); to the Committee on Appropriations and ordered to be printed.

1156. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the Federal Security Agency for the fiscal year 1944 in the amount of $3,200,000 (H. Doc. No. 401); to the Committee on Appropriations and ordered to be printed.

1157. A communication from the President of the United States, transmitting a proposed provision pertaining to an appropriation for the Veterans' Administration contained in the Independent Offices Appropriation Act, 1944 (H. Doc. No. 402); to the Committee on Appropriations and ordered to be printed.

1158. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the legislative establishment, Library of Congress, fiscal year 1945, involving an increase of $31,960, in the form of amendments to the Budget for said fiscal year (H. Doc. No. 403); to the Committee on Appropriations and ordered to be printed.

1159. A communication from the President of the United States, transmitting drafts of proposed provisions pertaining to existing appropriations for the fiscal year 1944, relative to the Selective Service System (H. Doc. No. 404); to the Committee on Appropriations and ordered to be printed.

1160. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an existing appropriation for the Petroleum Administration for War (H. Doc. No. 405); to the Committee on Appropriations and ordered to be printed.

1161. A letter from the Secretary of the Navy, transmitting a report of land acquired by the Navy, with the cost thereof, as of December 31, 1943; to the Committee on Naval Affairs.

1162. A letter from the Acting Secretary of the Interior, transmitting tabulations, submitted by the Commissioner of the General Land Office, showing the withdrawals and restorations made under the act (An act to authorize the President of the United States to make withdrawals of public lands in certain cases) during the period from January 1, 1943, through December 31, 1943, and the areas embraced in the withdrawals in effect at the end of the period; to the Committee on the Public Lands.

1163. A letter from the War Food Administrator, transmitting a draft of proposed legislation to amend section 32 of Public Law 320, Seventy-fourth Congress, to provide specific authority for the operation of a school-lunch program; to the Committee on Agriculture.

1164. A letter from the Archivist of the United States, transmitting report on records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANHAM: Committee on Public Buildings and Grounds. H. R. 3552. A bill to release reversionary rights of the United States to certain property in Stockton, Calif.; without amendment (Rept. No. 1081). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DIRKSEN:

H. R. 4136. A bill to provide an emergency disability allowance for enlisted members of the land and naval forces discharged on account of disability, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. GEARHART:

H. R. 4137. A bill to require certain persons to renounce all allegiance to Japan and the Japanese Emperor; to the Committee on Immigration and Naturalization.

By Mr. LEMKE:

H. R. 4138. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. MAY:

H. R. 4139. A bill to provide for further appointment to the office of General of the Armies of the United States, and for other purposes; to the Committee on Military Affairs.

By Mr. DICKSTEIN:

H. R. 4140. A bill to amend section 334 (c) of the Nationality Act of 1940, approved October 14, 1940 (54 Stat. 1156–1157; 8 U. S. C. 734); to the Committee on Immigration and Naturalization.

By Mr. ROWAN:

H. R. 4141. A bill to recognize service in the land and naval forces performed on or after September 8, 1939, but prior to December 7, 1941, as service performed during the present war; to the Committee on Invalid Pensions.

By Mr. HOLIFIELD:

M. R. 4142. A bill to facilitate the receipt of hospital treatment and domiciliary care by former members of the armed forces at institutions nearest to their places of residence; to the Committee on World War Veterans' Legislation.

H. R. 4143. A bill to provide for a United States Air Mail postal card; to the Committee on the Post Office and Post Roads.

By Mr. SASSCER:

H. Res. 429. Resolution for the relief of Mrs. Helen Young Mitchell; to the Committee on Accounts.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of New Jersey, memorializing the President and the Congress of the United States to enact appropriate legislation to prevent the discharge of all disabled persons from the armed services of the United States until full opportunity has been afforded them to present and prosecute claims for disability benefits in the Veterans' Administration and until the adjudication of such claims; to the Committee on Military Affairs.

Also, memorial of the Legislature of the Republic of Peru, memorializing the President and the Congress of the United States, expressing its great satisfaction over the heroic and fruitful victory of the allied armies in defense of human rights; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY:

H. R. 4144. A bill for the relief of Brig. Gen. Louis J. Fortier; to the Committee on Claims.

By Mr. JOHNSON of Indiana:

M. R. 4145. A bill granting an increase of pension to Wesley G. Walden; to the Committee on Invalid Pensions.

By Mr. LESINSKI:

H. R. 4146. A bill for the relief of Filip Nicola Lazarevich; to the Committee on Immigration and Naturalization.

By Mr. OUTLAND:

H. R. 4147. A bill for the relief of the State compensation insurance fund, State of California; to the Committee on Claims.

By Mr. SNYDER:

H. R. 4148. A bill granting an increase of pension to Elizabeth Klink; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4716. By Mr. ANDREWS: Resolution adopted by the Sisterhood of Temple Beth El with 350 members in meeting at Buffalo, N. Y., relative to granting unrestricted immigration of Jews into Palestine; to the Committee on Foreign Affairs.

4717. Also, recommendations of the Joint Legislative Committee on Interstate Cooperation of the State of New York to the council of State governments on the subject of aviation and House bill 3420; to the Committee on Interstate and Foreign Commerce.

4718. By Mr. CLASON: Resolution of the city council of the city of Springfield, Mass., recommending the establishment of an office of the Veterans' Administration in Springfield; to the Committee on World War Veterans' Legislation.

4719. Also, resolution of the city council of the city of Springfield, Mass., favoring the passage of legislation which shall make proper provision for members of the armed forces to vote in a secret ballot free from inspection or examination by other than duly constituted election officials; to the Committee on Election of President, Vice President, and Representatives in Congress.

4720. Also, resolution of the City Council of the City of Springfield, Mass., recommending the establishment of an office of the Navy emergency relief in Springfield; to the Committee on Naval Affairs.

4721. By Mr. COCHRAN: Petition of the St. Louis Chapter, American Zionist Emergency Council, I. R. Goodman, chairman, St. Louis, Mo., urging the passage of House Resolutions 418 and 419; to the Committee on Foreign Affairs.

4722. Also, petition of Carl M. Dubinsky, Wainright Building, St. Louis, Mo., national grand master of the Progressive Order of the West, urging adoption of House Resolution 418, and House Resolution 419; to the Committee on Foreign Affairs.

4723. By Mr. FISH: Petition of 14 members of the Netherwood Baptist Church of Salt Point and Hyde Park, N. Y., urging the passage of House bill 2082, a measure to promote national efficiency and to hasten the winning of the war through the elimination of the liquor traffic; to the Committee on the Judiciary.

4724. By Mr. FITZPATRICK: Petition signed by sundry residents of the State of New York, particularly Bronx County, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4725. Also, petition of the Joint Legislative Committee on Interstate Cooperation of the State of New York to the council of State governments on the subject of aviation and specifically House bill 3420; to the Committee on Interstate and Foreign Commerce.

4726. By Mr. GRAHAM: Petition of 50 residents of Butler County, Pa., urging the enactment of House bill 2082 which would stop the manufacture and sale of alcoholic beverages for the duration of the war and during demobilization; to the Committee on the Judiciary.

4727. By Mr. HANCOCK: Petition of the Onondaga County Taxpayers Local Option Committee, containing approximately 6,000 signatures, opposing prohibition legislation; to the Committee on the Judiciary.

4728. By Mr. HOEVEN: Petition of Rev. H. Colenbrander and 239 other citizens of Orange City, Iowa, urging enactment of House bill 2082, known as the Bryson bill; to the Committee on the Judiciary.

4729. By Mr. JONKMAN: Petition of sundry citizens of Spring Lake, Holland, Zeeland, Coopersville, Marne, Nunica, Sparta, Casnovia, and Kent City, Mich., urging passage of the Worley-Green-Lucas bill for servicemen's vote; to the Committee on Election of President, Vice President, and Representatives in Congress.

4730. By Mr. MERROW: Petition signed by 15 residents of Somersworth, N. H., urging defeat of the Austin national service bill; to the Committee on Military Affairs.

4731. By Mr. POULSON: Petition of Lulu Willott Adams and others, urging the passage of the Bryson bill, H. R. 2082, prohibiting the manufacture, sale, or transportation of alcoholic liquor in the United States for the duration of the war and until the termination of demobilization; to the Committee on the Judiciary.

4732. By Mr. ROLPH: Resolution of the Pacific Hebrew Orphan Asylum and Home Society, San Francisco, Calif., relative to the abrogation of the Chamberlain White Paper and urging the establishment of a Jewish homeland in Palestine; to the Committee on Foreign Affairs.

4733. Also, resolutions of the Mountain-Pacific States Conference of Public Service Commissions, at San Francisco, urging repeal of Federal land-grant rate provisions; opposing House bill 3420 and similar bills, providing for amendments to the Civil Aeronautics Act of 1938; and opposing pending bills before Congress providing for uniform classification and uniform scales of railroad freight rates; to the Committee on Interstate and Foreign Commerce.

4734. Also resolution of the California Lodge No. 163, B'nai B'rith, San Francisco, Calif., relative to the abrogation of the Chamberlain White Paper, and urging the establishment of a Jewish homeland in Palestine; to the Committee on Foreign Affairs.

4735. By Mr. WADSWORTH: Petition of E. Koveleski of Rochester, N. Y., and others, protesting against prohibition legislation; to the Committee on the Judiciary.

4736. By Mr. WILLEY: Petition of sundry citizens of the State of Delaware, opposing House bill 2082; to the Committee on the Judiciary.

4737. Also, petition of sundry citizens of the State of Delaware, opposing any prohibition legislation; to the Committee on the Judiciary.

4738. Also, petition of sundry citizens of the State of Delaware, opposing any prohibition legislation; to the Committee on the Judiciary.

4739. Also, petition of sundry citizens of the State of Delaware, opposing any prohibition legislation; to the Committee on the Judiciary.

4740. By Mr. BRYSON: Petition of Carl Asmus and 100 citizens of Salem, Ohio, urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4741. Also, petition of Maye Heanena and 85 citizens of Patoka, Ill., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4742. Also, petition of Lizzie M. Stump and 210 citizens of Yoe, Pa., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4743. Also, petition of Ruth N. Cole and 105 citizens of Batavia, N. Y., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4744. Also, petition of Ruth Sharron and 101 citizens of Evans City, Pa., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4745. Also, petition of Mrs. George Saufferer and 234 citizens of Faribault, Minn., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4746. Also, petition of H. B. Battis and 115 citizens of Wilmington, Del., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4747. Also, petition of Irene Cronkhite and 411 citizens of Owosso, Mich., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4748. Also, petition of Charlotta Randall and 150 citizens of Oakdale, Calif., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4749. Also, petition of Rev. John F. Woollett and 168 citizens of Dinuba, Calif., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4750. Also, petition of Mrs. Neva Gibson and 278 citizens of Norristown, Pa., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4751. Also, petition of Esther I. Foley and 128 citizens of Rockledge, Pa., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4752. Also, petition of George L. Rote and 370 citizens of Philadelphia, Pa., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

4753. By the SPEAKER: Petition of the chairman, the College of Social Workers, Puerto Rico, petitioning consideration of their resolution with reference to expressing their satisfaction for the efforts that are being made to amend the present Organic Act of Puerto Rico; to the Committee on Insular Affairs.

4754. Also, petition of the assistant city clerk, City of Minneapolis, Minn., petitioning consideration of their resolution with reference to permitting members of our armed forces, both in the United States and overseas, to vote; to the Committee on Election of President, Vice President, and Representatives in Congress.

SENATE

TUESDAY, FEBRUARY 8, 1944

(Legislative day of Monday, February 7, 1944)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

Bishop Edwin F. Lee, of the Methodist Church, Singapore-Manila area, offered the following prayer:

Almighty God our Heavenly Father, we approach Thee reverently today, first to express our gratitude for Thy bountiful care in the provision for our needs day by day. In humility we plead for forgiveness for sin, and pray for the spiritual uplift which may make possible the turning away from low-flying hours to complete moral victory as individuals and, we dare to hope, as a Nation. We remember that only righteousness exalteth a nation.

Fervently we pray for the President of the United States and for all who direct the great departments of our Government. Especially do we pray for the Members of the United States Senate and for all who carry legislative responsibility. In these crucial days of national and world responsibility, may balance of judgment, that is divinely inspired, be brought to bear upon all decisions.

As we envision a rehabilitated world, following the early victory of our Allied Nations, who will restrain aggressors

everywhere, give to us all an earnestness of purpose to establish throughout the wide world a real commonwealth. Protect our service men and women on all battle fronts and sustain their courage with a vision glorious of the greatness of this task.

May the goods of this fertile world soon feed the hungry. May established security erase the signs of fear from the faces of suffering children. May the reorganized family of nations replace despair in the human heart with a confident faith in the future. Let us resolve that not only will the raw products of the earth be available to those in need but that also the benefits of culture, idealism, and the best in scientific achievement may likewise freely flow across a world from which all cultural frontiers will be removed.

These blessings we ask in the name of the Prince of Peace. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, February 7, 1944, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF A BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on February 3, 1944, the President had approved and signed the act (S. 1543) to provide for mustering-out payments to members of the armed forces, and for other purposes.

TRIBUTE TO MAJ. HENRY CABOT LODGE, JR.

Mr. DANAHER. Mr. President, in view of the very deep affection in which we all held Henry Cabot Lodge, Jr., it is most gratifying to me to find that the Hartford Courant of Monday, February 7, had as its lead editorial one entitled "Lodge Reenters Army." For the information of the Senate, and as an additional token of our regard for him, I ask that the editorial be printed in the body of the RECORD.

The ACTING PRESIDENT pro tempore (Mr. PEPPER). Is there objection?

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LODGE REENTERS ARMY

In his 6 years in the United States Senate, Henry Cabot Lodge, of Massachusetts, has rendered conspicuous service to the Nation. With equal distinction he has already served as an officer on the Army Reserve list and in actual combat with the First American Tank Detachment brigaded with the British Eighth Army in the Libyan campaign. Complying with the decision of the War Department that Members of Congress could not serve with the armed forces, he returned to his legislative duties several months ago.

His recent resignation from the Senate to accept a majority in the Army is the gallant act of a gallant man who has settled in his own mind where his duty lies in this crucial hour.

There will nonetheless be those among his admirers who exceedingly regret that Mr. Lodge has laid aside the senatorial toga for the Army khaki. The problems of government, though less spectacular than those of military operations, are every whit as important and challenging. By training and experience in statecraft as well as on the field of battle, where he learned at first hand something of the problems relating to the war and to the needs of the military forces, Senator Lodge was peculiarly fitted for membership in the Senate. Both his colleagues and the country listened with respect to his report on the war when he returned as one of the Senate's committee visiting the battle fronts. The Nation can ill-afford to lose his services as a public servant, for there are too few of his ability in Congress.

Our regret at the Senator's decision is compensated in part by our admiration for the red blood that apparently runs in his veins. We hope that in due time Mr. Lodge will again return to the field of politics to continue a public career of such great promise. Indeed, by his very act, he may have enhanced his opportunity to do so. For in the future a candidate's military record may commend him to a large segment of the electorate.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Reed
Austin	Green	Revercomb
Bailey	Guffey	Reynolds
Ball	Hatch	Robertson
Bankhead	Hawkes	Russell
Barkley	Hayden	Shipstead
Bilbo	Hill	Smith
Bone	Holman	Stewart
Brewster	Jackson	Taft
Brooks	Johnson, Colo.	Thomas, Idaho
Buck	Kilgore	Thomas, Okla.
Burton	La Follette	Thomas, Utah
Bushfield	Langer	Tobey
Butler	Lucas	Truman
Byrd	McClellan	Tunnell
Capper	McFarland	Tydings
Caraway	McKellar	Vandenberg
Chandler	Maloney	Wagner
Chavez	Maybank	Wallgren
Clark, Idaho	Mead	Walsh, Mass.
Clark, Mo.	Millikin	Walsh, N. J.
Connally	Moore	Wheeler
Danaher	Murdock	Wherry
Davis	Murray	White
Downey	Nye	Wiley
Eastland	O'Daniel	Willis
Ellender	Overton	Wilson
Ferguson	Pepper	
George	Radcliffe	

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senator from Iowa [Mr. GILLETTE], the Senators from Nevada [Mr. MCCARRAN and Mr. SCRUGHAM], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The ACTING PRESIDENT pro tempore. Eighty-five Senators having answered to their names, a quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. McLeod, one of its clerks, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 1255. An act to revive and reenact the act entitled "An act creating the Arkansas-Mississippi Bridge Commission; defining the authority, power, and duties of said Commission; and authorizing said commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark., and for other purposes," approved May 17, 1939;

S. 1504. An act to extend the time for completing the construction of a railroad bridge across the Missouri River at or near Randolph, Mo.; and

S. J. Res. 63. Joint resolution requesting the President to proclaim February 11, 1944, as Edison Day in commemoration of the birthday of Thomas Alva Edison.

The message also announced that the House had passed the bill (S. 1447) to remit claims of the United States on account of overpayments to part-time charwomen in the Bureau of Engraving and Printing, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1488. An act to provide a right-of-way for an oil pipe line over the Ogden Ordnance Depot Military Reservation;

H. R. 1506. An act to further amend the Pay Adjustment Act of 1942;

H. R. 1569. An act to amend the act entitled "An act to amend the act creating the circuit court of appeals in regard to fees and costs, and for other purposes," approved February 19, 1897 (29 Stat. 536; 28 U. S. C. 543);

H. R. 1623. An act to amend an act entitled "An act to provide fees to be charged by clerks of the district courts of the United States," approved February 11, 1925 (43 Stat. 857), as amended (28 U. S. C., secs. 548–555);

H. R. 2956. An act for the protection of the water supply of the city of Sitka, Alaska;

H. R. 3028. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near Sauk Rapids, Minn.;

H. R. 3164. An act to revive and reenact the act entitled "An act creating the St. Lawrence Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the St. Lawrence River at or near Ogdensburg, N. Y.," approved June 14, 1933, as amended;

H. R. 3241. An act to implement the jurisdiction of service courts of friendly foreign forces within the United States, and for other purposes;

H. R. 3257 An act to amend Subtitle—Insurance of Title II of the Merchant Marine Act, 1936, as amended, to authorize suspension of the statute of limitations in certain cases, and for other purposes;

H. R. 3362. An act to fix the annual compensation of the secretary of the Territory of Alaska;

H. R. 3429. An act to amend section 1 of an act entitled "An act authorizing the Secretary of the Interior to employ engineers and economists for consultation purposes on important reclamation work," approved February 28, 1929 (45 Stat. 1406), as amended by the act of April 22, 1940 (54 Stat. 148);

H. R. 3476. An act to approve a contract negotiated with the Klamath drainage district and to authorize its execution, and for other purposes;

H. R. 3602. An act to amend the act making it a misdemeanor to stow away on vessels;

H. R. 3722. An act to amend section 342 of the Nationality Act of 1940 in respect to fees for the issuance of certificates of arrival;

H. R. 3870. An act to amend section 214 of the act of February 28, 1925; and

H. R. 4033. An act relating to the use of the penalty mail privilege.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

ESTATE OF JACKSON BARNETT

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to authorize the sale and conveyance of certain property of the estate of Jackson Barnett, deceased Creek Indian (with an accompanying paper); to the Committee on Indian Affairs.

WITHDRAWALS AND RESTORATIONS OF PUBLIC LANDS

A letter from the Acting Secretary of the Interior, transmitting, pursuant to law, tabulations showing the withdrawals and restorations of public lands and the areas embraced in such withdrawals for the calendar year 1943 in effect at the end of December 1943 (with accompanying tables); to the Committee on Public Lands and Surveys.

REPORTS OF THE FEDERAL SECURITY AGENCY

A letter from the Administrator of the Federal Security Agency, transmitting, pursuant to law, combined annual reports of that agency covering the period from July 1, 1941, through June 30, 1943 (with accompanying reports); to the Committee on Education and Labor.

COMMUNITY SCHOOL LUNCH PROGRAMS, WAR FOOD ADMINISTRATION

A letter from the Administrator of the War Food Administration, transmitting draft of a proposed amendment to section 32 of Public, No. 320, Seventy-fourth Congress, relating to the community school lunch programs (with an accompanying paper); to the Committee on Agriculture and Forestry.

FEDERAL TRADE COMMISSION REPORT ON DISTRIBUTION METHODS AND COSTS: IMPORTANT FOOD PRODUCTS

A letter from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, an addition to the Report on Distribution Methods and Costs, part 1, Important Food Products (with an accompanying report); to the Committee on Interstate Commerce.

REPORT OF CIVIL AERONAUTICS BOARD

A letter from the Chairman of the Civil Aeronautics Board, transmitting, pursuant to law, a report of the activities of the Board occurring since its last annual report and up to November 1, 1943, with the exception that certain statistical data are presented only through the fiscal year ended June 30, 1943 (with an accompanying report); to the Committee on Commerce.

REPORT OF WAGE AND HOUR AND PUBLIC CONTRACTS DIVISIONS, DEPARTMENT OF LABOR

A letter from the Administrator of the Wage and Hour and Public Contracts Divisions, Department of Labor, transmitting, pursuant to law, the annual report of the Divisions for the year ended June 30, 1943 (with an accompanying report); to the Committee on Education and Labor.

ESTIMATES OF PERSONNEL REQUIREMENTS

Letters, transmitting, pursuant to law, estimates of personnel requirements for the quarter ending March 31, 1944, by the Veterans' Administration and the Office of War Information (with accompanying papers); to the Committee on Civil Service.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of the Departments of State, War (3), and the Navy; the United States courts, and the Federal Trade Commission which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking toward their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A concurrent resolution of the Legislature of New Jersey; to the Committee on Military Affairs:

"Concurrent resolution memorializing the Congress of the United States to enact appropriate legislation to prevent the discharge of all disabled persons from the armed services of the United States until full opportunity has been afforded them to present and prosecute claims for disability benefit in the Veterans' Administration and until the adjudication of such claims

"Be it resolved by the House of Assembly of the State of New Jersey (the Senate concurring):

"1. The Congress of the United States is memorialized and requested to enact appropriate legislation requiring that no disabled member of the armed services of the United States, whether or not his disability presumably was suffered or was aggravated by reason of his service in the armed services of the United States, be discharged from said armed services until all of the records requisite for the presentatiton of a claim for disability benefits on his behalf to the Veterans' Administration shall have been collected in a place convenient for the presentation and prosecution of such a claim and until he shall have had full opportunity to present and prosecute such a claim and until such claim shall have been adjudicated.

"2. Copies of this resolution, signed by the president of the senate and the speaker of the house of assembly, shall be transmitted by the clerk of the house of assembly to the presiding officers of the Senate and House of Representatives, respectively, to the respective chairmen of the Military Affairs Committees of the Senate and House of Representatives, and to each of the Senators and each of the Representatives from this State in the Congress of the United States."

A joint resolution of the Legislature of California; to the Committee on Agriculture and Forestry:

"Senate Joint Resolution 3

"Joint resolution relative to memorializing Congress to enact legislation to make possible the 1944 sugar-beet program recently announced by the Federal War Food Administration

"Whereas the California beet-sugar industry is important to the economic welfare of the State; and

"Whereas normally 170,000 acres of sugar beets are harvested in the State each year by some 2,500 growers, and the annual farm value of these beets is from twenty to twenty-seven million dollars, ranking high among all crops produced in the State; and

"Whereas from this acreage normally about 850,000,000 pounds of sugar, valued at $50,000,000, is processed by the 10 large beet-sugar plants located in the State; and

"Whereas in addition to this quantity of sugar the byproducts (beet tops, pulp, and molasses) from these acres are extremely valuable as livestock and dairy feed; and

"Whereas this is an unusually important factor at the present time because of the existing shortage of livestock feeds, which is currently estimated by Federal officials to be at least 20 percent; and

"Whereas these byproducts are also used in the manufacture of yeast and citric acid, both of which are important to the war effort; and

"Whereas the industry employs thousands of skilled workers in 10 beet-sugar factories, and farmers employ additional thousands on their ranches; and

"Whereas the beet-sugar industry is an important customer of many other industries in the State because of the wide variety of materials and products it uses in its operations; and

"Whereas, due to the failure of the Federal agencies to announce their 1943 sugar-beet program in time to meet California's planting-time schedule, production dropped from a normal of 170,000 harvested acres to less than 70,000 acres, with the resultant loss of over 500,000,000 pounds of sugar, plus feed from byproducts equivalent to the grain from 200,000 United States average acres of corn, not to mention the economic loss to farmers in the State as a whole; and

"Whereas, when in an effort to avoid repetition of this disastrous experience in 1944, representatives of the California sugar-beet industry contacted Federal officials as early as May 1943, urging that the Federal Government announce its 1944 beet-sugar program not later than October 1, 1943, and they were promised that this would be done; and

"Whereas it is now the end of January 1944 and though the War Food Administration months ago announced a 1944 sugar-beet acreage goal equal to that of 1942, which was 170,000 acres in California, its production program was only tentatively announced on January 26, and then made contingent upon action by Congress in making provision for carrying out the support-price program; and

"Whereas as a result of this refusal of Federal agencies to recognize these special California conditions and settle this program earlier, the beet-sugar outlook in this State for 1944 is even worse than the disastrously low results in 1943; and

"Whereas our Governor and all Members of the California congressional delegation are aware of this situation, and many of them have consistently urged prompt and timely action in Washington, but to no avail: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the Congress of the United States is hereby memorialized to immediately take the necessary action to assure the prompt effectuation of this sugar-beet program; and be it further

"Resolved, That full appreciation is expressed for the splendid work thus far done by California's congressional Representatives in their collective effort to secure the needed action by Congress and the Federal officials, in the accomplishment of this purpose; and be it further

"Resolved, That the secretary of the senate be and he is hereby directed to send copies of this resolution to the President and Vice President, the Federal War Food Administration, and to each Senator and Member of the House of Representatives from California in the Congress of the United States."

A joint resolution of the Legislature of California; to the Committee on Banking and Currency:

"Senate Joint Resolution 2

"Joint resolution relative to increase of price of crude petroleum

"Whereas the supply of oil that can be currently produced in California and the

amount of underground oil reserves in California for the immediate future are matters of grave concern to the people of the State of California as well as to the people of the entire Pacific Coast; and

"Whereas discovery of new fields as reserves for future production has fallen behind for several years to such extent that current consumption now exceeds new discoveries; and

"Whereas current production costs of oil have increased; and

"Whereas the oil industry of the State of California is now selling its oil at less than replacement costs and has insufficient returns from its operations to increase its reserves or maintain its current supply; and

"Whereas in the judgment of the Legislature of the State of California a price stimulus must be permitted which will enable the oil industry to make renewed and increased effort to discover new reserves, rehabilitate old wells, and fully develop proved areas; and

"Whereas it is the judgment of the Legislature of the State of California that a price stimulus should be given to the oil industry of the State of California by substantially increasing the price of oil, crude oil, and crude oil products produced in California: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the Office of Price Administration is hereby requested to raise the ceiling on prices which may be paid for crude oil and crude oil products produced in California; and be it further

"Resolved, That the secretary of the senate is hereby directed to send copies of this resolution to the President and Vice President of the United States, the Director of the Office of Price Administration, the Petroleum Administrator for War, the Speaker of the House of Representatives, and each of the Senators and Congressmen from California in the Congress of the United States."

A joint resolution of the Legislature of California; to the Committee on Commerce:

"Senate Joint Resolution 4

"Joint resolution relative to memorializing the President and the Congress of the United States in relation to the restoration of ordinary standard time in the winter months

"Whereas by the act of January 20, 1942, Congress advanced standard time by 1 hour for the apparent purpose of utilizing as many ours of daylight as possible for production essential to the war effort and to conserve electrical power; and

"Whereas so-called daylight saving time actually results in diminishing the available manpower supply in many occupations pursued out of doors in certain trades, because at 8 a. m., the accepted hour for commencing work in such occupations, it is too dark in the winter months to commence work; and

"Whereas most farming operations cannot be performed in the dark, and many farm operations cannot be performed until some time after sunrise because of dew conditions, with the result that farm people go to work by sun time and quit by clock time, and this procedure under 'daylight saving' results in a loss of at least 10 percent in working time; and

"Whereas 'daylight saving time' compels a vast number of persons to arise in the morning before dawn, results in greater consumption of electrical power, materially increases street hazards to our civilian population particularly in the winter months, and jeopardizes the safety of our school children who are compelled during the winter to start their journeys to school in the dark; and

"Whereas the four States of Georgia, Michigan, Ohio, and Arizona have abandoned so-called 'daylight saving time' and reverted to ordinary standard time: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the Congress of the United States is hereby memorialized to enact legislation providing that ordinary standard time shall be in effect during the winter months from October 1 to and including March 30, and that the President and the United States is requested to approve such legislation; and be it further

"Resolved, That the Secretary of the Senate be hereby directed to forward copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution of the Senate of California; to the Committee on Foreign Relations:

"Senate Resolution 13

"Whereas California effectively contributed to the winning of the war by increasing the production of food and fiber during 1943, despite handicaps resulting from war conditions; and

"Whereas it is fitting and proper that tribute be paid to those who have been instrumental in contributing to this achievement; and

"Whereas such results could not have been attained without the cooperation of our sister Republic, Mexico, and those of its citizens who left home and families to labor in strange fields in furtherance of the cause of the United Nations; and

"Whereas the citizens of Mexico, while engaged in agricultural work in this State have at all times comported themselves so as to reflect honor and glory upon their country and to bind more strongly the ties of friendship that exist between this country and the United States of Mexico; and have, in addition to their intensive efforts in the cause of producing food and fiber, aided the prosecution of the war by the purchase of War bonds, and have cooperated fully and completely with civilian and military authorities at all times; and

"Whereas the responsible officials of the Republic of Mexico and of this State and country have been zealous to foster the friendly atmosphere that has been engendered by this mutual effort upon the part of this country and the United States of Mexico: Now, therefore, be it

"Resolved by the Senate of the State of California, That it hereby expresses its appreciation to the Republic of Mexico and to its citizens who have made common cause with us, and to all participating officials for their efforts to enable this State to bring its shoulder effectively to the wheel of production; and be it further

"Resolved, That it is the sincere desire of this senate that California may continue to have as its guests the citizens of its southerly neighbor, and that the existing spirit of understanding and good will shall continue to flourish; and be it further

"Resolved, That copies of this resolution shall be sent by the secretary of the senate to the President and Vice President, and to the Secretary of State with the request that if he deem it appropriate the sentiments of this senate be made known to the proper officers of our sister republic."

A joint resolution of the Legislature of California; to the Committee on Immigration:

"Senate Joint Resolution 9

"Joint resolution relative to memorializing Congress to provide for the deportation of alien and inimical Japanese at the conclusion of the present war

"Whereas there is now pending before the Congress of the United States, House Concurrent Resolution 29, which proposes the adoption of a policy of deporting at the conclusion of the present war all Japanese nationals in territory subject to the jurisdiction of the United States, all persons of Japanese descent in such territory who are determined by due process to have given aid or comfort to the enemy in the present war or to have advocated the overthrow by force or violence of the Government of the United States, or who, being persons owing allegiance to the United States, have avowed allegiance to a foreign state; and

"Whereas Hon. LEROY JOHNSON has introduced in the House of Representatives a bill known as H. R. 3012 providing for a creation of a commission to carry out and effectuate the above-defined policy and conferring upon such commission judicial powers of examination and determination, amply protecting the rights of persons charged with the commission of any of the acts, defaults, or conduct above described, and providing for a full hearing and for preview of the decision of such commission by an established judicial tribunal: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the Legislature of California heartily approves of the principle of the above-cited resolution and bill now pending before the Congress and memorializes Congress to adopt adequate measures to carry out the purposes thereof; and be it further

"Resolved, That the secretary of the senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives of the Congress of the United States and to the Senators and Representatives in Congress from the State of California."

Two joint resolutions of the Legislature of California; to the Committee on Military Affairs:

"Senate Joint Resolution 5

"Joint resolution relative to substitution of United States Army for War Relocation Authority in the administration of Tule Lake Japanese Center and other internment camps

"Whereas the State senate fact-finding committee on Japanese resettlement has held numerous hearings and a particularly exhaustive hearing at the Tule Lake Japanese Center, and has filed with the State legislature its partial report containing its conclusions and findings, supported by facts and the sworn testimony of many reliable witnesses; evidence which conclusively proves that a series of riots, demonstrations, beatings, threats, sabotage, unwarranted demands, strikes, stealing, and destruction of large quantities of valuable material and supplies, took place, which finally ended in the Japanese internees taking over the entire center and imprisoning all the white personnel of the center, including National Director Dillon Myer, Western Regional Director Robert B. Cozzens, and Tule Lake Center Director R. Best, for a period of 4 hours, on November 1, 1943, and in further rioting on November 4, 1943, with the result that the War Relocation Authority had to call in the United States armed forces to restore order, protect lives and property, and to take over the policing control and administration of said center; and

"Whereas it is an admitted fact that the Japanese interned in the Tule Lake center are nearly all, with the exception of the children, disloyal, and that many of them belong to dangerous subversive groups and would, if they had the opportunity, by every possible means aid and abet the enemy; that these Japanese have been well housed, fed, and cared for in every respect; that these Japanese have made a long series of unwarranted and entirely unjustified demands, which have been indisputably proven to have been without merit; that the Japanese internees at Tule Lake have demonstrated, by their acts and their attitude their disloyalty;

and that their policy is to make trouble, sabotage, cause embarrassment to our Government, and aid the enemy wherever possible; and

"Whereas the admitted facts are that the War Relocation Authority has developed no definite or practical policy of handling the Japanese internees, particularly the disloyal; has developed no adequate police force, nor internal security in the Tule Lake Japanese center; has no means of handling uprisings, riotings, and mass demonstrations, or of preventing destruction of property, or of enforcing camp regulations, or of preventing internees from leaving the center, or of enforcing any program which may be inaugurated; that it has been proven beyond all doubt that the War Relocation Authority has not the personnel or equipment and is too conciliatory in its policies, and is not competent to handle and maintain peace and order at the Tule Lake center; and that the attempt of the War Relocation Authority to handle his center has been thwarted by the internees, and has caused harmful and unnecessary publicity, which could and would all have been avoided under Army control; and

"Whereas it has come to the attention of this legislature that the United States Army has withdrawn or is threatening to withdraw its troops from the management and control of the Tule Lake center; and

"Whereas any such withdrawal would be dangerous and hazardous to the peace and security of the people of California and an extreme war hazard to our national war effort; and

"Whereas National Director Dillon Myer has stated that the internal police force will be increased 66 times, which would mean a police force of approximately 400 men; that armed forces would be retained outside the fence to patrol the center; that patrol cars equipped with radio will be on duty 24 hours a day; all of which is an admission by the National Director of the extremely dangerous condition of this camp and that extraordinary measures must be adopted to maintain peace, order, and security, and is a further admission that in resuming control of the center the War Relocation Authority requires the assistance of United States armed forces which must be maintained just outside of the external fence to prevent any attempted outbreak by the internees similar to that staged by them just prior to their taking over the center on November 1, 1943; and

"Whereas Lt. Gen. J. L. DeWitt, former Commanding General of the Western Defense Command, who, while in such command, ordered the evacuation of the Japanese from the Pacific coast areas, in a report to Gen. George C. Marshall, Chief of Staff, dated June 5, 1943, stated:

" 'That evacuation (after Pearl Harbor) was impelled by military necessity. * * * The security of the Pacific coast continues to require the exclusion of the Japanese from that area, now prohibited to them, and will so continue as long as that military necessity exists.

" 'That hundreds of Japanese organizations existed in California, Washington, Oregon, and Arizona prior to December 7, 1941, and were actively engaged in advancing Japanese war aims.

" 'These records also disclosed that thousands of American-born Japanese had gone to Japan to receive their education and indoctrination there and had become rabidly pro-Japanese and then returned to the United States. Emperor-worshipping ceremonies were commonly held and millions of dollars had flowed into the Japanese Imperial war chest from the contributions freely made by Japanese here'; and

"Whereas subsequently abundant and convincing evidence was presented to the senate fact-finding committee substantiating and proving correct the findings and report of Lt. Gen. J. L. DeWitt, beyond all question of doubt, and proving that these conditions still exist, that these organizations still brazenly function at Tule Lake, that undoubtedly these organizations and pro-Japanese are operating underground in all Japanese centers, and that there is no way or means of distinguishing between the loyal and disloyal Japanese; and

"Whereas the people of California are unalterably opposed to the return of any Japanese internees to California and the Pacific coast areas for the duration of the war: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly) convened in extraordinary session, That the War Relocation Authority be removed from the administration and control of the Tule Lake Japanese Center and that in the event that the United States Army does not take over, that the Tule Lake Center be placed under the control and management of the Federal Bureau of Investigation of the Department of Justice; and be it further

"Resolved, That all Japanese relocation centers throughout the Nation be placed under the jurisdiction and control of the Federal Bureau of Investigation of the Department of Justice; and be it further

"Resolved, That no Japanese internees be released from any of the centers throughout the Nation for the duration and that any that may have been released be not allowed to return to the State of California or to the Pacific coast for the duration; and be it further

"Resolved, That the secretary of the senate be instructed to send copies of this resolution to the President and Vice President, the Speaker of the House of Representatives, the Senate and House of Representatives of the United States, the Secretary of War, Lt. Gen. J. L. DeWitt, Gen. Delos C. Emmons, Commander of the Western Division, all members of the California congressional delegation, and Dillon Myer, National Director of the War Relocation Authority."

"Senate Joint Resolution 6

"Joint resolution relative to memorializing the President and the Congress of the United States in relation to the discharge of disabled veterans from the armed forces

"Whereas the care of the veterans of the wars of this Nation who have been maimed or otherwise disabled in the service of their country has ever been a matter of first importance to the people of this country; and

"Whereas the solicitude of the people for the welfare of disabled soldiers, sailors, and marines has been reflected in the acts of Congress providing for their rehabilitation and for compensation for the loss of earning capacity; and

"Whereas many veterans are being discharged from the armed forces by reason of wounds and other disabilities incurred while upon active service and their number is increasing daily as a result of the expanding war effort on the fighting fronts; and

"Whereas the Veterans' Administration is charged with the duty of administering the provisions of law relating to the rehabilitation and compensation of disabled ex-service men and women; and

"Whereas it is reliably reported that in a great many instances there is a lapse of months between the date of discharge and the date of the first receipt by the veteran of any benefits made available to him by law; and

"Whereas insofar as such delay may be attributable to delay in the transmission of the veterans' records from his organization, which may be in a theater of active combat, the hardship on the veteran can be eliminated by postponing his discharge until his records are available and in order; and

"Whereas many veterans, in order to be able to return more quickly to their families and their homes, have waived all benefits to which they would be entitled on account of disabilities incurred in the service, with the result that they are later on deprived of benefits to which they are justly entitled, and which they eminently deserve: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the President and the Congress of the United States are hereby memorialized and urged to take such steps as may be necessary in order that provision be made:

"1. To provide veterans at the time of their discharge with all necessary records and proof required for Veterans' Administration action on compensable disability incurred in service.

"2. To expedite the handling of individual cases by the Veterans' Administration in order that disabled veterans may be returned more speedily to civilian life and rehabilitate themselves as useful and productive members of their respective communities.

"3. To abolish entirely any system or procedure whereby any person in the armed forces may, as a condition to his immediate discharge, waive the benefits which might accrue on account of any compensable disability incurred in the service; and be it further

"Resolved, That the secretary of the senate is directed to transmit copies of this resolution to the President and Vice President of the United States, to the chairman of the Military Affairs Committee of the Senate and of the House of Representatives, to the Secretaries of War and of the Navy, and to each Senator and Member of the House of Representatives from California."

Resolutions sponsored by the Vassar Community Church and agreed to and signed by sundry students of Vassar College, Poughkeepsie, N. Y., favoring the prompt adoption of Senate Resolution 100, seeking action looking to the aid and relief of the starving peoples of Europe; ordered to lie on the table.

By Mr. BARKLEY:

A joint resolution of the Legislature of Kentucky; to the Committee on Banking and Currency:

"Joint resolution memorializing Congress to pass a law enabling the ceiling prices on crude petroleum to be increased

"Whereas the President of the United States, recognizing the importance of petroleum to the war effort, did on the 2d day of December 1942 appoint a Petroleum Administrator for War, whose responsibilities were to insure a supply of petroleum to meet the Nation's wartime requirements; and

"Whereas this Administrator has recommended to the Office of Price Administration that in order to maintain the necessary supply of crude petroleum to meet the wartime requirements of the Army and the essential industrial and civilian demands that the price of crude petroleum should be increased; and

"Whereas the Price Administrator has failed and refused to make such increases as have been recommended; and

"Whereas the Honorable Fred M. Vinson, Director of the Office of Economic Stabilization, in passing upon the request of the Petroleum Administrator for such price increase, which recommendation was then on appeal with the Office of Economic Stabilization, decided that such increases could not be made because they were not required by law; and

"Whereas the President of the United States on April 8, 1943, issued Executive Order 9328, part of which is as follows: 'The Price Administrator is directed to take immediate steps to place ceiling prices on all commodities affecting the cost of living, (he) is directed to authorize no further increases

in ceiling prices except to the minimum extent required by law * * *"; and

"Whereas the Executive order of the President of the United States has been interpreted by the Office of Economic Stabilization as preventing them from authorizing increases in the ceiling prices of crude petroleum, unless specifically required by law; and

"Whereas it is well established that in order to insure an increase in production and a continuance of production of crude petroleum in the State of Kentucky, as well as throughout the Nation, it is necessary that the price of crude petroleum be increased; and

"Whereas there is now pending before the Congress of the United States a bill, H. R. 2887, which has been passed by the House of Representatives and is now pending in the Senate of the United States, which bill has for its objective authorizing an increase in the ceiling price of crude petroleum; and

"Whereas this bill is now pending in the United States Senate for action: Now, therefore, be it

"Resolved by the house of representatives (the senate concurring therein):

"1. That we memorialize the Members of the Congress of the United States, both in the House and in the Senate, that they, at the earliest possible date, take such action as may be necessary to pass legislation of the character and kind above referred to as H. R. 2887, or take such other and additional action as may be necessary to authorize and require the approval of such increases as may from time to time be necessary to insure sufficient supply of crude petroleum in the United States to meet the wartime requirements of the United States, including essential industrial and civilian demands.

"2. The clerk of the house of representatives, immediately upon the passage of this resolution, shall send copies thereof to the President and Chief Clerk of the Senate of the United States, the United States Senators from Kentucky, the Speaker, and the Chief Clerk of the House of Representatives of the United States, and the Representatives in Congress from Kentucky."

The ACTING PRESIDENT pro tempore laid before the Senate a resolution identical with the foregoing, which was referred to the Committee on Banking and Currency.

PROTEST AGAINST THE PARTITION OF POLAND—RESOLUTION OF POLISH ROMAN CATHOLIC UNION OF AMERICA

Mr. MEAD presented a letter from the president and secretary-general of the Polish Roman Catholic Union of America, Chicago, Ill., transmitting a resolution adopted by the last plenary meeting of the executive council and directorate of the Polish Roman Catholic Union of America, which letter and resolution were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

POLISH ROMAN CATHOLIC
UNION OF AMERICA,
Chicago, Ill., January 25, 1944.

Hon. JAMES M. MEAD,
Member, United States Senate,
Washington, D. C.

HONORABLE SIR: Enclosed please find copy of resolution adopted at the last plenary meeting of the executive board and directorate of the Polish Roman Catholic Union of America, which we trust will interest you.

We feel that out of the present World War should come liberty and everlasting peace to all nations, both large and small, and that justice be done to all peoples, especially those of Poland who were the first to feel the might of Nazi Germany but who have stood up against same and fought underground as well as on land, sea, and in the air.

Respectfully yours,
JOHN J. OLEJNICZAK,
President.
STEPHEN S. GRABOWSKI,
Secretary-General.

Whereas the American press has published under today's date line, a news item from London to the effect that the Government of Soviet Russia has formally announced that it will annex the eastern section of Poland, embracing in area approximately one-half of the territory of Poland; and

Whereas the Government of Soviet Russia asserts that the Polish Government in exile, now located in London, does not represent the will of the Polish Nation, and further charges the Polish Government with incompetency, because of the alleged failure to organize active resistance to the Nazi invader; and

Whereas the Government of Soviet Russia forcibly and illegally seizes Polish lands, without the consent of the population residing therein, thus undermining the foundation of the future growth and existence of Poland, and thereby assuming a stand, contrary to all principles of democracy and liberty, for which the present war is being fought; and

Whereas the charges leveled by the Soviet Government against the present Polish Government are untrue, as the Polish Government in London is the sole and constitutional exponent of the will of the Polish Nation, and said Government has taken all steps possible to combat our common foe: Therefore be it

Resolved, That the executive council and directorate of the Polish Roman Catholic Union of America, convened at its plenary meeting in Chicago, Ill., on January 11, 1944, solemnly protests, in the name of its membership composed of Americans of Polish extraction, against the contemplated partition of Poland by Soviet Russia, and supports the stand taken by the Polish Government in London, which is allied with the Government of the United States.

We place implicit trust in our President, Franklin Delano Roosevelt, and express the firm conviction that he will not permit the Government of Soviet Russia to despoil the Polish Nation, now so terribly tortured and ravaged by the Nazi barbarians.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McKELLAR:

S. 1703. A bill for the relief of the city of Harriman, Tenn.; to the Committee on Claims.

By Mr. BYRD:

S. 1704. A bill conferring jurisdiction upon the United States District Court for the Eastern District of Virginia to hear, determine, and render judgment upon the claim of Norfolk-Portsmouth Bridge, Incorporated, against the United States of America and Wood Towing Corporation; to the Committee on Claims.

By Mr. MEAD:

S. 1705. A bill to provide night differential for certain employees; to the Committee on Civil Service.

By Mr. HILL:

S. 1706. A bill for the relief of Elmira Area Soaring Corporation for use and benefit of its creditors; to the Committee on Claims.

By Mr. BRIDGES:

S. 1707. A bill to amend the Mustering-Out Payment Act of 1944 to provide furloughs with pay for the purpose of easing the period of transition from military to civilian life; to the Committee on Military Affairs.

By Mr. THOMAS of Oklahoma:

S. J. Res. 114. Joint resolution to assist in making additional manpower available during the war emergency and for 6 months thereafter, and for other purposes; to the Committee on Appropriations.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H. R. 1488. An act to provide a right-of-way for an oil pipe line over the Ogden Ordnance Depot Military Reservation; and

H. R. 1506. An act to further amend the Pay Adjustment Act of 1942; to the Committee on Military Affairs.

H. R. 1569. An act to amend the act entitled "An act to amend the act creating the circuit court of appeals in regard to fees and costs, and for other purposes," approved February 19, 1897 (29 Stat. 536; 28 U. S. C. 543);

H. R. 1623. An act to amend an act entitled "An act to provide fees to be charged by clerks of the district courts of the United States," approved February 11, 1925 (43 Stat. 857), as amended (28 U. S. C., secs. 548–555); and

H. R. 3241. An act to implement the jurisdiction of service courts of friendly foreign forces within the United States, and for other purposes; to the Committee on the Judiciary.

H. R. 2956. An act for the protection of the water supply of the city of Sitka, Alaska; to the Committee on Public Lands and Surveys.

H. R. 3028. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near Sauk Rapids, Minn.;

H. R. 3164. An act to revive and reenact the act entitled "An act creating the St. Lawrence Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the St. Lawrence River at or near Ogdensburg, N. Y.," approved June 14, 1933, as amended;

H. R. 3257. An act to amend subtitle Insurance of title II of the Merchant Marine Act, 1936, as amended, to authorize suspension of the statute of limitations in certain cases, and for other purposes; and

H. R. 3602. An act to amend the act making it a misdemeanor to stow away on vessels; to the Committee on Commerce.

H. R. 3362. An act to fix the annual compensation of the secretary of the Territory of Alaska; to the Committee on Territories and Insular Affairs.

H. R. 3429. An act to amend section 1 of an act entitled "An act authorizing the Secretary of the Interior to employ engineers and economists for consultation purposes on important reclamation work", approved February 28, 1929 (45 Stat. 1406), as amended by the act of April 22, 1940 (54 Stat. 148), and

H. R. 3476. An act to approve a contract negotiated with the Klamath drainage district and to authorize its execution, and for other purposes; to the Committee on Irrigation and Reclamation.

H. R. 3722. An act to amend section 342 of the Nationality Act of 1940 in respect to fees for the issuance of certificates of arrival; to the Committee on Immigration.

H. R. 3870. An act to amend section 214 of the act of February 28, 1925; and

H. R. 4033. An act relating to the use of the penalty mail privilege; to the Committee on Post Offices and Post Roads.

CONTINUATION OF COMMODITY CREDIT CORPORATION—AMENDMENTS

Mr. BANKHEAD submitted several amendments intended to be proposed by him to the bill (H. R. 3477) to continue the Commodity Credit Corporation as

an agency of the United States, to revise the basis of annual appraisal of its assets, and for other purposes, which were severally ordered to lie on the table and to be printed.

ARTHUR C. NORCUTT—WITHDRAWAL OF PAPERS

On motion of Mr. BUTLER, and by unanimous consent, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers accompanying the bill (S. 648, 78th Cong.) for the relief of Arthur C. Norcutt, no adverse report having been made thereon.

AMERICAN PRISONERS OF WAR IN THE FAR EAST (S. DOC. NO. 150)

Mr. HATCH. Mr. President, yesterday the senior Senator from Utah [Mr. THOMAS], as chairman of a subcommittee of the Committee on Military Affairs, appointed by the distinguished chairman of that committee, the Senator from North Carolina [Mr. REYNOLDS], to investigate and keep in touch with the problems concerning our prisoners of war, made a report to the Senate, and the statement appears in the RECORD of yesterday. It is so important to the many people in this country who have loved ones who are prisoners of the Japanese that I think the report or statement should be made a public document. I ask unanimous consent that the statement made yesterday by the Senator from Utah be made a public document.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

ADDRESS BY SENATOR MEAD AT CONFERENCE OF COUNCIL OF AMERICAN O. R. T. FEDERATION

[Mr. MEAD asked and obtained leave to have printed in the RECORD a radio address delivered by him at the conference of the council of the American O. R. T. Federation, in New York City, December 12, 1943, which appears in the Appendix.]

A GUIDEPOST FOR AMERICA'S TOMORROW—ARTICLE BY STUART CHASE

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD an article entitled "A Guidepost for America's Tomorrow," written by Stuart Chase, and published in the Progressive of February 7, 1944, which appears in the Appendix.]

IN CASE OF ATTACK—ARTICLE BY DAVID LAWRENCE

[Mr. HATCH asked and obtained leave to have printed in the RECORD an article entitled "In Case of Attack," written by David Lawrence, and published in the Washington Evening Star of February 7, 1944, which appears in the Appendix.]

SMALL BUSINESS—EDITORIAL FROM BUFFALO EVENING NEWS

[Mr. MEAD asked and obtained leave to have printed in the RECORD an editorial entitled "Small Business Necessary," published in the Buffalo (N. Y.) Evening News of February 5, 1944, which appears in the Appendix.]

SOLDIER VOTING DURING THE CIVIL WAR

[Mr. FERGUSON asked and obtained leave to have printed in the RECORD an article from the Ann Arbor (Mich.) News of February 1, 1944; an article from the Washington Times-Herald of February 7, 1944, and chapter 253 of the laws of New York, passed April 21, 1864, to enable the qualified electors of the State of New York absent in the military service of the United States to vote, which appear in the Appendix.]

REPORTS ON AND CONFIRMATION OF SUNDRY NAVAL NOMINATIONS

Mr. WALSH of Massachusetts. Mr. President, as in executive session, I ask unanimous consent to submit several favorable reports from the Committee on Naval Affairs on the nominations of various officers in the Navy. I ask permission to submit the reports at this time because there are a large number of officers involved. The nominations have already been confirmed by the Senate, and the action I am now asking is merely to correct the dates of rank; that is, to fix the dates when the confirmation shall become applicable. If immediate action is taken by the Senate it will remove the necessity of having a long list of names printed twice in the CONGRESSIONAL RECORD, and $200 for printing will thereby be saved.

Mr. WHITE. Is the Senator asking immediate consideration of the nominations?

Mr. WALSH of Massachusetts. Yes, I ask unanimous consent that the reports be now received and for the immediate consideration thereof, and then I shall ask that the nominations be confirmed.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. WHITE. Reserving the right to object, since I was somewhat diverted when the Senator from Massachusetts rose, I should like to ask him whether he said that the nominations have all been acted upon.

Mr. WALSH of Massachusetts. They have all been acted upon, and the reason for now making the reports is that the dates may be specified in each case when the rank becomes fixed.

Mr. WHITE. Did the Senator say that the procedure he is suggesting would result in a saving of $200?

Mr. WALSH of Massachusetts. Yes.

Mr. WHITE. That is such an unusual suggestion to come from the other side of the Chamber that I am persuaded the request should be granted.

Mr. WALSH of Massachusetts. Otherwise the names would have to be printed twice in the RECORD.

I ask unanimous consent that the committee be permitted to make the reports, and that the nominations be acted upon.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and it is so ordered. The nominations will be stated.

The Chief Clerk proceeded to read sundry nominations in the Navy.

The ACTING PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc, and without objection, the President will be immediately notified of the confirmation of the nominations.

THE STATE BALLOT VERSUS THE FEDERAL BALLOT

Mr. MALONEY. Mr. President, in the latest issue of the United States News in a question box I find several interesting answers to the question "Should machinery for enabling men in the service to register and to vote for the office of President, Vice President, and Members of Congress be created by the Federal Government or by the individual States?" That question was submitted to a number of educators, law teachers, and teachers of political science. I find the answers most interesting and enlightening, and I ask unanimous consent that the column headed "Question of the week" be printed in the body of the RECORD.

The ACTING PRESIDENT pro tempore. Is there objection?

There being no objection, the column was ordered to be printed in the RECORD, as follows:

QUESTION OF THE WEEK

The long controversy in Congress over what kind of machinery will be set up to handle voting of servicemen is approaching a climax. With differing views prevailing in the House and Senate, the final version of the soldier-sailor vote law is likely to be written by a conference committee. Much of the debate has centered around whether the Federal Government or the States should have control over this balloting.

To present a cross section of authoritative opinion, the United States News asked professors of political science, government, and law:

"Should machinery for enabling men in service to register and to vote for the offices of President, Vice President, and Members of Congress be created by the Federal Government or by the individual States?"

Edward S. Corwin, Princeton, N. J., professor of jurisprudence, Princeton University; president, American Political Science Association (1931), answers:

"Unquestionably, the machinery should be created by the National Government, the States being unable to govern the acts of their citizens beyond their own borders. To be sure, the right to vote stems in all cases from State laws and cannot be enlarged by Congress, but once the right is claimable by a man in the armed services, Congress has the power to adopt all proper measures to facilitate its exercise.

"I deem this entire effort to canvass the votes of the men on the war front to be a serious mistake, one likely to hamper the conduct of the war and to keep the result of the election in doubt for an indefinite time. What reason is there for believing that the servicemen do not regard their home folk as capable of representing them at the polls?"

Francis W. Coker, New Haven, Conn.; professor of government, Yale University; president, American Political Science Association (1935) answers:

"I believe the machinery should be created and administered by the Federal Government. For the choice of Senators and Representatives, the power to do this is explicitly granted by the Constitution, in the provision (art. I, sec. 4) authorizing Congress 'at any time' to 'make or alter' the regulations concerning the manner of holding elections of these officers. For choice of Presidential electors, the power appears to be clearly implied by other provisions."

William Anderson, Minneapolis, Minn.; chairman, department of political science, University of Minnesota, answers:

"With our American forces scattered over all continents, one agency that can assure all service men and women the right to vote is the National Government. It is no invasion of States' rights for the National Government to provide for protecting the civil and political rights of its armed forces."

Benjamin F. Wright, Cambridge, Mass.; department of government, Harvard University, answers:

"A uniform Federal provision for soldiers' voting is the only equitable and the only feasible method of dealing with this ques-

tion. To leave the matter in the hands of the States would be to prevent millions from exercising their right of suffrage."

Clarence A. Berdahl, Urbana, Ill.; professor of political science, University of Illinois; member, Executive Council, American Society of International Law, answers:

"It is absolutely essential that the machinery be created by and be used under the control of the Federal Government. Even if it were possible for all the States to make the necessary changes, the problem of distribution of ballots is too vast."

H. C. Nixon, Nashville, Tenn.; lecturer in social science, Vanderbilt University, answers:

"Congress should act immediately to set up Federal machinery to enable men in the service to register and to vote for President, Vice President, and Members of both Houses of Congress. I see no danger of political manipulation in Federal control of soldier voting."

Arnold J. Zurcher, New York, N. Y.; director, Institute on Post-War Reconstruction, and visiting professor of government, Yale University, answers:

"Administrative difficulties make clear that national distribution of standardized ballot forms will be necessary if service personnel vote in the election. This need not deny the right of States to count the votes in accordance with existing suffrage laws, if Congress exercises ingenuity."

WARTIME METHOD OF VOTING BY MEMBERS OF THE ARMED FORCES

The Senate resumed the consideration of the amendment numbered 3 of the House of Representatives to the bill (S. 1285) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes.

The ACTING PRESIDENT pro tempore. The Chair thinks it might be helpful to the Senate to read a statement of the parliamentary situation, prepared by the Parliamentarian of the Senate.

The parliamentary procedure in the case of amendments made by the House of Representatives to a Senate bill is, in most respects, analogous to that followed in the consideration of amendments to a bill, as may be illustrated in the case of the House amendments to Senate bill 1285 and the committee amendment to Senate bill 1612.

Senate bill 1612 was reported with an amendment in the nature of a substitute, the part inserted being regarded, for the purpose of amendment, as original text. The same is true of House amendment No. 3 to S. 1285, which strikes out certain language of the bill and inserts in lieu thereof other language. In the case of the committee amendment to S. 1612, the question automatically is stated on agreeing to the same. However, before a vote is taken, two motions, under rule XXII, having precedence over the question of agreeing to the committee amendment, may be offered: First, to recommit the bill to the committee; and, second, to amend the amendment; after being perfected by amendment, the question then recurs upon agreeing to the committee amendment as amended.

In the case of House amendment No. 3 to S. 1285, similar motions, with the same order of precedence, above indicated, apply. If the motion to agree to the House amendment is first made, a motion to refer the amendments, together with the bill, to a committee has precedence; and the next motion in order would be to amend the House amendment. The Senate text stricken out by the House is, of course, not subject to amendment, as is provided under rule XVIII when a bill itself is under consideration.

Such amendment to the House amendment may (1) strike out a part of the amendment; (2) insert additional language; (3) strike out a part and insert matter in lieu thereof; or (4) strike out all of the House language and insert an entire substitute therefor. When the House amendment has been thus perfected, the question will recur on agreeing to the amendment as amended, which is equivalent to concurring in the House amendment with an amendment. If this is voted down, the question would recur on agreeing to the House amendment.

If the amendment as amended, or the amendment itself is disagreed to, a motion to disagree and send the amendments to conference would be in order.

Under the unanimous-consent agreement entered into yesterday, the pending question is on agreeing to the amendment of the Senator from Kentucky [Mr. BARKLEY] to House amendment No. 3 to Senate bill 1285.

Mr. TAFT. Mr. President, I do not remember whether my amendment was offered.

Mr. BARKLEY. No, Mr. President; the Senator's amendment was not offered, nor was the amendment of the Senator from Michigan [Mr. FERGUSON] offered. Inasmuch as the amendment to be offered by the Senator from Michigan is in the nature of a perfecting amendment to mine, and would cover language and provisions which it is proposed in the amendment of the Senator from Ohio to strike out, I suggest that the Senator from Michigan offer his amendment and have it voted on first.

Mr. TAFT. That is agreeable to me, Mr. President.

Mr. FERGUSON. Mr. President, the amendment which I proposed yesterday has had to be reworded. It must apply to the present print. So the language of the amendment has been changed, but it is to the same effect as that of the previous amendment. In the print now before the Senate the language of my amendment is to be inserted in different places than provided in the amendment as originally offered.

The ACTING PRESIDENT pro tempore. The amendment will be modified as requested by the Senator from Michigan.

Mr. FERGUSON. I shall now attempt to explain the amendment.

The ACTING PRESIDENT pro tempore. The Chair suggests that the Senator allow the amendment to be stated first.

Mr. FERGUSON. Very well.

The CHIEF CLERK. In amendment proposed by Mr. BARKLEY to House amendment numbered 3 to the bill S. 1285, on page 4, it is proposed to strike out lines 6 to 13, inclusive, and insert in lieu thereof the following:

(1) Members of the armed forces and the merchant marine of the United States, outside the United States, who state in their oath that they have not received State absentee ballots which include the officers who may be voted for under the provisions of this title.

(2) Persons serving with the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots, and the United Service Organizations, outside the United States who are attached to and serving with the armed forces of the United States, who state in their oath that they have not received State absentee ballots which include the officers who may be voted for under the provisions of this title.

On pages 7 and 8, in the form of oath, it is proposed to strike out paragraph (d) of subsection 5 thereof, and insert in lieu thereof the following:

(6) (Check appropriate item):

(a) I am outside the United States but have not received a State ballot for voting for electors for President and Vice President and for Senators and Representatives in Congress_____( );

(b) I am inside the United States but have not received a State ballot_____( ).

On page 20, line 14, it is proposed to strike out all after the period and lines 15 to 19, inclusive, and insert in lieu thereof the following:

The Secretaries of War and Navy shall, wherever practicable and compatible with military operations, cause such post cards to be delivered to each member of the armed forces for use for any general election at which electors for President and Vice President or Senators and Representatives in Congress are to be voted for, such delivery to be made outside of the United States not later than August 15 prior to the election, and within the United States not later than September 15 prior to the election. The post cards referred to shall also, wherever practicable and compatible with military operations, be made available to members of the armed forces at appropriate times, for use in general elections other than those referred to above and for primary and special elections.

Mr. AUSTIN. Mr. President, I should like to interrogate the Senator from Michigan. Does the Senator have any objection to having the words of his amendment "for primary and special elections" follow the words "general election"?

Mr. FERGUSON. May I ask the Senator from Vermont to what part of the amendment he refers?

Mr. AUSTIN. Where the words first appear in the Senator's amendment, to be applied to page 20 of the amendment of the Senator from Kentucky. I believe they appear in the last paragraph of the amendment just read at the desk.

Mr. FERGUSON. Mr. President, I will read the language of the part of the amendment to which the Senator refers.

On page 20, line 14, I propose to strike out all after the period and lines 15 to 19, inclusive, and insert in lieu thereof the following:

The Secretaries of War and Navy shall, wherever practicable and compatible with military operations, cause such post cards to be delivered to each member of the armed forces for use for any general election.

I take it for granted the Senator from Vermont desires the words "primary election" to be inserted before the words "general election."

Mr. AUSTIN. No, Mr. President, I should like to have the words "primary and special elections" follow the words "general election", because I believe those words are qualified not only by the words "at which electors for President and Vice President" but also by the words "or Senators and Representatives." It is quite important that we should cover the primaries with respect to Senators and Representatives.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. LUCAS. Let me inquire what the Senator from Vermont means by "special elections."

Mr. AUSTIN. Mr. President, if the Senator will permit me to make a statement at this point——

Mr. FERGUSON. I yield.

Mr. AUSTIN. I should like to say that, with respect to the ability to fill vacancies, I believe we already have knowledge of the probable existence of vacancies in the office of United States Senator, to be voted on at the same time when the primary is held for the general election. Therefore, I think it is highly important to make it possible for the soldier to have a post card that is adapted to primaries and to special elections.

Mr. LUCAS. Mr. President, will the Senator further yield?

Mr. FERGUSON I yield.

Mr. LUCAS. I am frank to say that this is the first time I have seen the amendment. Let me inquire what the words "general election" include.

Mr. FERGUSON. The words "general election," as used here, would merely include the election insofar as it relates to the Presidential election in November 1944.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. BARKLEY. Is not a general election an election provided for by law under all the laws of the States providing for an election in November for general election purposes? In the case of a special election, it may be held on the same day on which the general election is held. For instance, if a Senator dies or resigns, a special election to fill the vacancy is provided for. Such special election may be held on the same day on which the general election is held. In that case it would be a special election insofar as that particular office was concerned. It is conceivable that a special election might be called by a Governor for some other day than the day on which the general election was held; but in each case it would be, insofar as that particular office was concerned, a special election.

Mr. AUSTIN. Mr. President, that is the reason why I made the suggestion to the Senator from Michigan.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. LUCAS. On page 2 of the Senator's amendment I find the statement, "On page 20, line 14." I cannot find any page 20.

Mr. BARKLEY. Mr. President, it is page 20 of my amendment.

Mr. FERGUSON. It refers to the new print.

The ACTING PRESIDENT pro tempore. The amendment has been modified so as to have the appropriate page numbers.

Mr. LUCAS. Mr. President, I am wondering whether the Senator would agree to have the amendment temporarily laid aside until I can further examine it. I am not sure what the amendment would do with respect to the dates which the Senator has inserted and with respect to the 90-day matter and the various elections which are referred to. I certainly do not want to be in the position of saying to the Army and the Navy that they must deliver post cards for the general elections which will occur in this country in 1944. There will be many of them in addition to the one which will be held in November 1944.

Mr. BARKLEY. Mr. President, let me suggest to the Senator from Illinois and the Senator from Michigan, if the Senator from Michigan will yield to me——

Mr. FERGUSON. I yield.

Mr. BARKLEY. Let me suggest that what we are trying to do is to understand what we are arriving at. There may be a question as to whether the provision made in the Senator's amendment of the 15th of August and the 15th of September as the dates for the delivery of ballots or postal cards, whichever it is——

Mr. FERGUSON. Post cards.

Mr. BARKLEY. Very well; post cards—could have any relationship to primary elections held prior to that time. In my State the primary elections are held on the first Saturday in August. It would not do any good to send a post card to a soldier on the 15th of August or the 15th of September or any other date after the primary was held.

The suggestion of the Senator from Vermont that the same provision with respect to August 15 and September 15 be made applicable to primaries might result in having the War Department, the Navy Department, and other governmental agencies send the post cards to soldiers after the primary elections had been held.

However, what I rise to suggest is that I personally see no objection to what the Senator is attempting to accomplish. The language may be a little involved, and of course he has rewritten it so that it is different from the amendment he tendered yesterday. But assuming that the amendment is adopted, the whole thing must go to conference. The whole thing will be open in conference. The original language of the Senate bill stricken out by House amendment numbered 3, the language which the House put in, which is untouched by my amendment, the language which my amendment would strike out, and the language which my amendment would put in will all be in conference. So we need not be too meticulous with respect to the phraseology of amendments which must be worked out in conference anyway, assuming that they get that far—as I hope they will.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. LUCAS. With the statement made by the distinguished majority leader, I shall have no objection to the amendment. I think I know what the Senator is attempting to do by the amendment, and I agree that the purpose is proper. My only question was whether the amendment was phrased in such a way as to place on the Army and the Navy an administrative burden which should not be imposed on them. But, in view of the statement made by the Senator from Kentucky, I have nothing further to say.

Mr. FERGUSON. Mr. President, let me make a brief explanation as to what has been said by other Senators. I think the meaning is clear, when we read the last sentence of the amendment. It is unfortunate that I did not have the amendment printed last evening; but because of the changes in the wording, I changed it to meet the new page numbers, and added what I thought would clarify it.

With respect to the delivery of post cards in August and September, they would be for the particular general election. The words "for the general election" may be qualified, and I ask to have the words "November 7, 1944" inserted after the words "general election."

The ACTING PRESIDENT pro tempore. Does the Senator request such a modification of his amendment?

Mr. FERGUSON. I do.

The ACTING PRESIDENT pro tempore. The modification will be made.

Mr. BARKLEY. Mr. President, if the Senator is singling out the election on November 7, 1944, let me ask him, if the war goes on, what will happen in the case of other elections held after that date?

Mr. FERGUSON. Then we would have to change the date. For the time being, Mr. President, I will let the words "general election" stand.

Mr. BARKLEY. I hope we will not place ourselves in the position of having to bring in a new bill every time there is a general election. I will say to the Senator that, so far as I am concerned, inasmuch as his amendment is offered to my amendment, I have no objection to the objective he is seeking to accomplish. I am sure the language can be worked out in conference.

Therefore, insofar as I am concerned, I hope we can act upon the amendment, and proceed with the business in hand.

The ACTING PRESIDENT pro tempore. Does the Senator from Michigan still request the modification of his amendment?

Mr. FERGUSON. Not at the present time, Mr. President, because of what the Senator from Kentucky has said.

The ACTING PRESIDENT pro tempore. Very well.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. AIKEN. Since the discussion of this bill began there have been certain aspects of the whole question which have bothered me. I have been reluctant to vote for any bill which would deprive States of such rights as are justly theirs; but, on the other hand, I cannot lend my vote to any plan which would deprive a single one of the men and women in our armed forces of the right to vote in the coming election.

I am familiar with the objectives of the amendment offered by the junior Senator from Michigan, although I am

not familiar with its exact wording. If this amendment is finally written into the amendment offered by the Senator from Kentucky [Mr. BARKLEY], it would meet the objections which I have had to the plan suggested for the men and women of the armed services to vote.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. TOBEY. As I understand the amendment proposed by the Senator from Michigan, in effect it would extend the principles of the Danaher amendment to the men overseas.

Mr. FERGUSON. That is correct.

Mr. TOBEY. It would provide that the man overseas shall receive—it is mandatory—a post card by a certain date, delivered by the Army or Navy, on which he can make his request to his State for a State ballot. Is that correct?

Mr. FERGUSON. That is correct.

Mr. TOBEY. And when the State ballot is received, the soldier can vote the entire State ballot. In the absence of a State ballot, he can vote a Federal ballot. So he is certain to have an opportunity to vote his choice for President, Vice President, Senator, and Representatives. By adopting this amendment we purpose and intend that he will have an opportunity to vote for the whole State ticket.

Mr. FERGUSON. That is correct. That is the purpose of the amendment.

Mr. BARKLEY. Mr. President, I suggest that a vote be taken on the Senator's amendment.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. AIKEN. I wish to be sure that any technical or grammatical errors can be corrected in conference. Am I correct in that understanding?

Mr. BARKLEY. Yes.

Mr. AIKEN. Such being the case, I shall certainly vote for the amendment of the Senator from Michigan, and I hope it can be voted upon soon.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Michigan [Mr. FERGUSON] to the amendment of the Senator from Kentucky [Mr. BARKLEY] to House amendment No. 3 to Senate bill 1285.

Mr. TAFT. Mr. President, I should like to have the amendment stated. I have no idea what is in it.

The ACTING PRESIDENT pro tempore. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. In the amendment of Mr. BARKLEY to House amendment No. 3 to Senate bill 1285, it is proposed on page 4, to strike out lines 6 to 13, inclusive, and insert in lieu thereof the following:

(1) Members of the armed forces and the merchant marine of the United States, outside the United States, who state in their oath that they have not received State absentee ballots which include the officers who may be voted for under the provisions of this title.

(2) Persons serving with the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots, and the United Service Organizations, outside the United States who are attached to and serving with the armed forces of the United States, who state in their oath that they have not received State absentee ballots which include the officers who may be voted for under the provisions of this title.

On pages 7 and 8, in the form of oath, it is proposed to strike out paragraph (d) of subsection 5 thereof, and insert in lieu thereof the following:

(6) (Check appropriate item):

(a) I am outside the United States but have not received a State ballot for voting for electors for President and Vice President and for Senators and Representatives in Congress_____( );

(b) I am inside the United States but have not received a State ballot_____( ).

On page 20, line 14, it is proposed to strike out all after the period and lines 15 to 19, inclusive, and insert in lieu thereof the following:

The Secretaries of War and Navy shall, wherever practicable and compatible with military operations, cause such post cards to be delivered to each member of the armed forces for use for any general election at which electors for President and Vice President or Senators and Representatives in Congress are to be voted for, such delivery to be made outside of the United States not later than August 15 prior to the election, and within the United States not later than September 15 prior to the election. The post cards referred to shall also, wherever practicable and compatible with military operations, be made available to members of the armed forces at appropriate times, for use in general elections other than those referred to above and for primary and special elections.

Mr. TAFT. Mr. President, I think I understand the reason why this amendment is agreeable to the Senator from Illinois [Mr. LUCAS], the coauthor of the Green-Lucas bill and to the majority leader. It provides that a man must certify that he has not received the State ballot. The fact will be that he will never have received a State ballot when the Federal ballot is handed to him, because the time which we have set for the shipping of State ballots is 45 days before the election. That means that they would leave here on September 23, and presumably would arrive at various points throughout the world between the 7th of October and the 15th of October. Long before that time the Federal ballot election will have been held, and all the Federal ballots will have been voted. So, unless a man deliberately postpones voting, or refuses to vote a Federal ballot on the chance that he may receive a State ballot, he will vote the Federal ballot.

I do not see that the amendment would have the slightest effect on the voting of the Federal ballot. It seems to me that we would still have exactly what we would have without the amendment, namely, an election in every regiment, in which the Federal ballot will be handed to every man. I do not believe that the amendment would in any way modify the substance of the bill.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. FERGUSON. I cannot agree with the Senator from Ohio, because the language on page 12 reads as follows:

Whenever practicable and compatible with military operations, the appropriate commanding officer shall be required—

* * * * *

(2) To use his best efforts to assure that every person in or attached to and serving with his unit, who is entitled and desirous to vote under this title, has an opportunity to mark his ballot in secret before the latest date which should afford a reasonable opportunity for the return of executed ballots.

If that language means that a man may receive his ballot at an early date—say in July—and mark it as of that date, then I can see something to the argument of the able Senator from Ohio. However, I understand that language to mean that he would not receive the ballot to mark until such a day as would afford a reasonable opportunity for the return of the executed ballot.

I think we should clear this language up by adding, after the word "ballots" on page 13, line 2, the words "but in no event earlier than 30 days prior to such election." That would clear up the language and leave no doubt that a man would not mark his ballot earlier than 30 days prior to the election.

Mr. TAFT. I am not saying that the Senator could not modify his amendment in some way so as to make it satisfactory; but even if we should set the time at 30 days before the election, that would be the 7th of October, and a good many State ballots would not be received before that time.

We must also consider this question in the light of the fact that the Departments favor the Federal ballot. They have said that they cannot handle anything but a Federal ballot. We are forcing the Departments to accept State ballots. We are attempting to make sure that they will carry out a State ballot election, and at the same time making it possible for them to carry out a Federal ballot election.

It seems to me that, while the amendment may be unobjectionable, it rather promises a result which will not occur.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. DANAHER. The fact remains, does it not, that if indeed the absentee soldier receives his State ballot, no matter when it arrives, and executes it and returns it to his polling place, that ballot and not the Federal ballot will be counted?

Mr. TAFT. The Senator is correct; and yet I think it is perfectly clear that as to the ordinary man, 99 men out of 100 having voted a Federal ballot will throw away the next ballot that comes to them. I think there is no question about that. The soldier probably will not even bother with the next ballot which comes to him.

Mr. DANAHER. If I correctly understand the Senator from Ohio, he contemplates that the uniform post-card application for a State ballot will be in the hands of the men everywhere. Consequently, if a man in fact applies for a State ballot he expects and hopes that he will receive it. If indeed he receives it he may vote it. If he votes it, it is given priority at the election precinct at which

he is entitled to vote. If I am incorrect about that I should like to have the Senator from Ohio correct me.

Mr. TAFT. I do not wish to correct the Senator. I think he has stated a fact. But as a practical matter, after we get through with this amendment the net result will be that 99 soldiers out of 100 will vote the Federal ballot.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. DANAHER. If there be no Federal ballot, and if the soldier receives no State ballot, he will not vote at all. But if he receives his State ballot and votes it, it will be counted. If he does not receive his State ballot he will not be deprived of a vote if he has the privilege of voting the uniform Federal ballot. Is that not true?

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. FERGUSON. The Senator from Connecticut has correctly stated the proposition.

This amendment is an attempt to insure that the soldier will receive a ballot under any circumstances. He will first have the opportunity of receiving a State ballot on which he can vote not only for President, Vice President, Senators and Representatives, but for his State officials as well. I was careful to word the amendment so that he would not receive a bobtailed State ballot by which he would not be enabled to vote for such candidates. So I made it clear in the amendment that he must receive a State ballot which will include these officials. If he gets such a State ballot he will be entitled to vote it. If he does not get it he will be entitled to a Federal ballot, so that he may vote the Federal ballot. Under any circumstances he will have an opportunity to receive a ballot. I understand that we are trying to make sure that the soldiers will be given some ballot which they may vote at the coming election.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. LUCAS. Mr. President, I wish to make one observation in view of what has been said by the Senator from Ohio.

The able Senator made the best argument which could be made for the Federal ballot in stating a moment ago that when the soldier overseas receives a Federal ballot and votes that ballot in secret, he will not then take the time to vote the State ballot. I do not agree with that statement. However, what the Senator from Ohio has said indicates that the soldier is more interested in voting for Federal officials than he is in voting for State officials. That is the sum and substance of the argument which the Senator has made. In other words, he made an argument against States' rights when he said that the moment the soldier receives a Federal ballot and votes it, that is the only ballot he will vote, and that he will not take time to vote the State ballot.

Mr. TAFT. Mr. President, I wish to point out that I think the feeling is very strong in this country that a person should not vote twice. A person may be told that there is a law which provides that he may vote twice, but the ordinary person will not regard such a law. If he has voted once, he thinks he has exhausted his right. That is the basis of my argument, and not the suggestion of the Senator from Illinois.

Mr. President, so long as soldiers are given a choice between two ballots, they will vote the Federal ballot. On the first day of the debate on the pending bill the Senator from Illinois quoted the Secretary of War and the Secretary of the Navy as saying expressly, "We can take one ballot to the soldier, and only one." That has been their position from then until now, and will continue to be their position. So long as a Federal ballot procedure is established, no matter what provisions are put into the bill, the number of men who will receive State ballots will be small, because every possible objection will be raised to getting such ballots to the soldiers. When the ballots reach them, the method and convenience of voting will be all in favor of the Federal ballot so long as the Army has control of the situation. In effect, what we are asked to do by this bill is to turn over to the War and Navy Departments the conduct of an election in which the Commander in Chief is one of the interested candidates.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. DANAHER. Mr. President, I very greatly applaud the suggestion contained in the amendment of the Senator from Michigan. He would do precisely for the men overseas what I had sought hitherto to accomplish in reference to the men serving within the United States. It is an adoption and extension of the principle which the Senate hitherto accepted by a vote of 72 to 19.

There is one thing which has been said by the Senator from Ohio which, it seems to me, ought to be considered further. It is with reference to the matter of the control of elections. I do not believe there will be any attempted control of elections by officers in the armed forces. I am willing further to state that it is my expectation that when the explanations and voting instructions go forth to the men they will contain advice to the men that if they have applied for their State ballots they will be entitled to vote them, and that the State ballot will prevail and have priority over and sole acceptance at the polls in preference to the Federal ballot. So, Mr. President, it seems to me that in accepting this amendment we are doing no more than to guarantee, so far as it lies in our power to do so, that every member of the armed forces shall have an opportunity to vote.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BARKLEY. Does not the Senator from Connecticut feel, and do not other Senators feel, that the men and women of our armed forces are above the average in intelligence? They have been combed out not only for their physical fitness, but for their mental fitness. I do not believe it can be said, or even intimated, that the soldiers are not sufficiently intelligent to know what their rights are. They will know what their rights are when they receive the ballots, whether only one ballot, or both ballots. I also believe that they will know that only one ballot can be counted, and that priority in counting will be given to the State ballot.

Mr. DANAHER. Let me say further to the Senator from Kentucky, that the explanations and instructions which will go to the men will state just that. Certainly the ballot commission can so state in the instructions.

Mr. BARKLEY. Yes.

Mr. FERGUSON. Mr. President, I have had some experience with Army officials. I am a member of the committee from which this bill came. I agree that the Army will do everything possible to hold a proper election. I believe that the Army will deliver the post cards as suggested in this amendment, that it will do its very best to transmit the State ballots overseas, that it will give every opportunity to the servicemen to vote the State ballot, that it will, through its officials, properly execute the various instruments connected with the voting, and that in every respect it will do its duty, disinterestedly and from a nonpartisan viewpoint, properly to conduct the election. I think the Army will do its duty if we in the Senate will do our duty and see that the men are given an opportunity to vote. First let them have the opportunity to vote on a State ballot for all Federal and State officials. If for any reason, whether it be transportation or a defect in the State law, the soldiers cannot be given such opportunity, then they should be given an opportunity to vote on the Federal ballot so that it may come back, and the States may act under State laws, as now provided in the pending bill.

Mr. TOBEY. Mr. President, on the amendment of the Senator from Michigan, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Michigan [Mr. FERGUSON] to the amendment of the Senator from Kentucky [Mr. BARKLEY] to House amendment No. 3 to Senate bill 1285. The Chair is advised that technically there are three amendments contained in the amendment offered by the Senator from Michigan. Is there objection to voting on the amendments en bloc? Without objection, the amendments will be voted on en bloc. The yeas and nays have been requested. Is the demand seconded?

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. ROBERTSON (when his name was called). On this vote I have a pair with my colleague the senior Senator from Wyoming [Mr. O'MAHONEY]. If I were permitted to vote, I should vote "nay." If my colleague were present he would vote "yea."

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I am advised that he

would vote as I am about to vote. I am therefore at liberty to vote. I vote "yea."

Mr. WHEELER (when his name was called). On this vote I am paired with the senior Senator from Nevada [Mr. McCARRAN]. I understand he would vote as I intend to vote. Consequently, I am free to vote. I vote "yea."

The roll call was concluded.

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness. I am advised that if present and voting the Senator from Florida and the Senator from Virginia would vote "yea."

The Senator from Alabama [Mr. BANKHEAD] is detained in one of the Government departments on matters pertaining to the State of Alabama.

The Senator from Rhode Island [Mr. GERRY] is necessarily absent.

The Senator from Iowa [Mr. GILLETTE], the Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business. I am advised that if present and voting the Senator from Iowa [Mr. GILLETTE] and the Senators from Nevada [Mr. McCARRAN and Mr SCRUGHAM] would vote "yea."

Mr. WHITE. The Senator from Oregon [Mr. McNARY] is absent because of illness.

The Senator from New Hampshire [Mr. BRIDGES] is necessarily detained. If present, he would vote "yea."

The Senator from South Dakota [Mr. GURNEY] is detained on official business. I am advised that if present he would vote "yea."

The Senator from California [Mr. JOHNSON] is paired with the Senator from Virginia [Mr. GLASS]. I am advised that if present the Senator from California would vote "nay."

The result was announced—yeas 62, nays 20, as follows:

YEAS—62

Aiken	Ferguson	Radcliffe
Austin	Green	Reed
Ball	Guffey	Shipstead
Barkley	Hatch	Stewart
Bone	Hawkes	Thomas, Okla.
Brewster	Hayden	Thomas, Utah
Brooks	Holman	Tobey
Buck	Jackson	Truman
Burton	Johnson, Colo.	Tunnell
Bushfield	Kilgore	Tydings
Butler	La Follette	Vandenberg
Capper	Langer	Wagner
Chandler	Lucas	Wallgren
Chavez	McFarland	Walsh, Mass.
Clark, Idaho	Maloney	Walsh, N. J.
Clark, Mo.	Maybank	Wheeler
Danaher	Mead	Wherry
Davis	Murdock	White
Downey	Murray	Wiley
Eastland	Nye	Wilson
Ellender	Pepper	

NAYS—20

Bailey	McClellan	Reynolds
Bilbo	McKellar	Russell
Byrd	Millikin	Smith
Caraway	Moore	Taft
Connally	O'Daniel	Thomas, Idaho
George	Overton	Willis
Hill	Revercomb	

NOT VOTING—13

Andrews	Glass	O'Mahoney
Bankhead	Gurney	Robertson
Bridges	Johnson, Calif.	Scrugham
Gerry	McCarran	
Gillette	McNary	

So Mr. FERGUSON's amendment to the amendment of Mr. BARKLEY to House amendment numbered 3 to Senate bill 1285 was agreed to.

Mr. TAFT. Mr. President, I offer the amendment which I send to the desk to the amendment of the Senator from Kentucky [Mr. BARKLEY] to House amendment numbered 3.

The ACTING PRESIDENT pro tempore. The amendment to the amendment will be stated.

Mr. TAFT. I ask unanimous consent that the reading of the amendment be dispensed with. I can explain it, and the Senate is familiar with most of the features of the amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered, and the amendment to the amendment will be printed in the RECORD in full at this point.

The amendment to the amendment is as follows:

In the amendment of Mr. BARKLEY to House amendment numbered 3 to Senate bill 1285, on page 5, after line 15, insert:

"(c) This title shall not be applicable in December 31, 1945.

"(d) This title shall not be applicable in the case of the citizens of any State which has prior to June 1, 1944, made provision for absentee-voting ballots for members of the armed forces, complying with the following conditions:

"(1) Such ballots may be used without registration, in person.

"(2) Such ballots shall be printed and available for mailing at least 45 days in advance of the election.

"(3) Such ballots, with accompanying envelopes and voting instructions, shall weigh not more than one and two-tenths ounces. The Commission shall ascertain and certify to the Secretaries of War and Navy and to the Administrator of the War Shipping Administration, on or before July 1, 1944, the States which have not made provision for absentee-voting ballots in accordance with the conditions specified in this subsection.

"OFFICIAL WAR BALLOTS, ENVELOPES, AND EXPLANATIONS

"SEC. 5. (a) The Commission shall cause to be prepared and printed for use in voting in general elections under this title an adequate number of official war ballots. Each ballot shall be printed in the following form insofar as the offices enumerated are appropriate to the particular election:

"OFFICIAL WAR BALLOT

"Instruction: To vote, write in the name of the candidate of your choice for each office

"ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

"(A vote for President includes a vote for Vice President of the same party)

"Write in the name of your choice for President _____

"UNITED STATES SENATOR

"(Only if a Senator is to be elected in your State)

"Write in the name of your choice for Senator _____

"REPRESENTATIVE IN CONGRESS FOR YOUR DISTRICT

"Write in the name of your choice for Representative in Congress for your district _____

"REPRESENTATIVE AT LARGE IN CONGRESS

"(Only in the States entitled thereto)

"Write in the name or names of your choice for Representative at Large _____

"(Vote for one or two as the case may be)

"A vote for a Presidential candidate by name shall be deemed to be a vote for the candidates for Presidential and Vice Presidential electors of his party. No ballot shall be invalid by reason of mistake or omission in writing in the name of the candidate where the candidate intended by the voter is plainly identifiable. Where, because of any defect in marking, a ballot is held invalid as to any particular candidate for office, it shall remain valid as to the other candidates for office.

"(b) The Commission shall also cause to be prepared and printed an appropriate number of official inner envelopes for use in sealing the official war ballots. Each envelope shall be gummed ready for sealing. Upon one side of the envelope shall be printed:

"OFFICIAL WAR BALLOT FOR GENERAL ELECTION

"Name of voter _____
"(Print your name plainly here)

"Home residence:
"Street and number (if any) or rural route _____
"(Print street and number or rural route plainly here)

"City or town (if any) _____
"(Print your name plainly here)

"County _____
"(Print county plainly here)

"Upon the other side of such envelope shall be printed the following oath, at the top of which shall be set forth the date of the election:

"OATH OF ELECTOR FOR VOTING IN THE GENERAL ELECTIONS TO BE HELD IN 1944

"I do hereby swear (or affirm) that:

"(1) I am a citizen of the United States;

"(2) The date of my birth was _____;

"(3) For _____ years preceding this election my home residence has been in the State of _____;

"(4) For _____ years preceding this election my home residence has been in the (city, town, or village) of _____ in the county of _____ at (street and number, if any, or rural route) _____;

"(5) I am (check appropriate blank):

"(a) in the armed forces of the United States _____ ( );

"(b) in the merchant marine of the United States _____ ( );

"(c) serving with the American Red Cross ( ); the Society of Friends ( ), the Women's Auxiliary Service Pilots ( ), or the United Service Organizations ( ), outside the United States, and am attached to and serving with the armed forces of the United States;

and that I have not voted and do not intend to vote in this election at any address other than the above; and that I have not received or offered, do not expect to receive, have not paid, offered or promised to pay, contributed, offered, or promised to contribute to another, to be paid or used, any money or other valuable thing as a compensation or reward for the giving of a vote at this election, and have not made any promise to influence the giving or withholding of any such vote; and that I have not been convicted of bribery or any infamous crime, or, if so convicted, that I have been pardoned or restored to all the rights of a citizen, without restrictions as to the rights of suffrage.

"_____
"(Voter must write his usual signature here and oath must be administered and attested.)

"Subscribed and sworn to before me this ------ day of ----------, 194---.

"----------

"(Commissioned, noncommissioned, or petty officer not below the rank of sergeant or its equivalent, or other person authorized to administer and attest this oath.)

"(c) The Commission shall also cause to be prepared and printed an appropriate number of official outer envelopes for use in returning to the Commission official war ballots and official inner envelopes. Upon such outer envelope the following shall be printed:

"Free of all postage
including air mail
"(Official Federal War Ballot)

"To the Soldiers' and Sailors' War Ballot Commission:
"For transmission to the secretary of state of the State shown below:
"Voter's home residence:
"Street and number (if any) or rural route

"(Print clearly)
"City or town----------
"(Print clearly)
"County----------
"(Print clearly)
"State----------
"(Print clearly)

"(d) Ballots and envelopes for use outside the United States shall be suitable for air mailing.

"(e) The Commission shall also cause to be prepared and printed an adequate number of copies of explanations of voting procedure for use in accordance with the provisions of this title.

"(f) Where the Secretary of War or the Secretary of the Navy determines that the transmission abroad of any material required to be prepared and printed by the provisions of this section is inexpedient because of transportation difficulties or for other reasons arising from the conduct of the war, the Commission is authorized to arrange for such material to be printed outside the United States.

"BALLOTING

"SEC. 6. (a) Any person desiring and entitled to vote under the provisions of this title may apply for an official war ballot to the Soldiers and Sailors' War Ballot Commission, or to the Secretary of War, or to the Secretary of the Navy, or to the Administrator of the War Shipping Administration, or to the secretary of state of the State of his residence. The Secretary of War, the Secretary of the Navy, the Administrator of the War Shipping Administration, and the secretary of state of any State whose citizens may vote under the provisions of this title, receiving such an application, shall promptly transmit any such application to the Commission, and the Commission shall promptly forward an official war ballot to the person requesting the same. The application may be in any form, but for the convenience of persons entitled to vote under this title, the Commission shall prepare a convenient form of application, and distribute the same through the Secretary of War, the Secretary of the Navy, and the Administrator of the War Shipping Administration, to the various stations and ships and localities where persons entitled to vote under this title may be located, such distribution to be made before June 1, 1944.

"(b) Any person voting under the provisions of this title shall privately mark the ballot, place it in the official inner envelope, and securely seal the same. He shall then fill in and subscribe the oath printed upon the official inner envelope. After the oath has been duly attested, the voter shall then place the official inner envelope in the official outer envelope provided for the return of the ballot to the Commission and shall deliver it to a person designated by proper authority to receive executed ballots for transmission to the Commission.

"(c) Any commissioned, noncommissioned, or petty officer not below the rank of sergeant or its equivalent in the armed forces of the United States and any member of the merchant marine of the United States designated for this purpose by the Administrator of the War Shipping Administration is authorized to administer and attest such oaths as are required by this title. All such oaths shall constitute prima facie evidence that the voter is qualified to vote, unless the statements contained in such oath indicate the contrary.

"ADMINISTRATION

"SEC. 7. (a) The Secretaries of War and Navy shall be responsible for the administration of this title with respect to members of the armed forces and civilians attached to and serving with the armed forces and entitled to vote thereunder. The Administrator of the War Shipping Administration shall be responsible for the administration of this title with respect to members of the merchant marine of the United States entitled to vote thereunder.

"(b) In each year in which a general election for Senators and Representatives in Congress is to be held, the Commission shall furnish well in advance of the election an adequate number of copies of explanations of voting procedures to the Secretaries of War and Navy and to the Administrator of the War Shipping Administration.

"LISTS OF CANDIDATES

"SEC. 8. The secretary of state of each State shall furnish the Commission such information as the Commission shall request for compiling a list of candidates and their parties in any general election for President and Vice President or for Senators and Representatives in Congress. The Commission shall transmit to the Secretaries of War and Navy and the Administrator of the War Shipping Administration, at such times as it deems to be appropriate for balloting under this title, lists of candidates compiled from the information so received, even if incomplete. The Secretaries of War and Navy and the Administrator of the War Shipping Administration shall, in ample time for balloting under this title, transmit such lists to all units of the armed forces and to members of the merchant marine of the United States, to the extent that such transmission is practicable and compatible with military operations. Incomplete lists of candidates so furnished, or failure to furnish such lists, shall be no bar to balloting under the provisions of this title. No list of candidates furnished under this title shall include information as to a candidate other than his name, address, party affiliation, and office for which nominated.

"DISTRIBUTION AND COLLECTION OF BALLOTS FOR MEMBERS OF THE ARMED FORCES AND OTHERS

"SEC. 9. (a) The Secretaries of War and Navy, insofar as practicable and compatible with military operations, shall cause ballots, envelopes, explanations of voting procedure, and lists of candidates, promptly after receipt thereof from the Commission, to be distributed to members of the armed forces and to civilians attached to and serving with the armed forces and entitled to vote under this title, who desire to vote under this title, and shall cause executed ballots to be collected and transmitted to the Commission.

"(b) Wherever practicable and compatible with military operations, the appropriate commanding officers shall be required—

"(1) to cause lists of candidates to be posted and otherwise made available at conspicuous and convenient places, and to cause copies of explanations of voting procedure and all other necessary information to be furnished to members of his unit and civilians attached to and serving with such unit and entitled to vote under this title;

"(2) to use his efforts to assure that every person in or attached to and serving with his unit, who is entitled and desires to vote under this title, has an opportunity to mark his ballot in secret before the latest date which should afford a reasonable opportunity for the return of executed ballots;

"(3) to destroy, as soon as practicable after the completion of voting within his unit under this section, all official Federal war ballots in his custody remaining unused.

"(c) It shall be unlawful for any commissioned, noncommissioned, warrant, or petty officer in the armed forces of the United States (1) to suggest to any member of the armed forces that he shall vote, shall not vote, or that he shall vote or not vote for any candidate, or (2) to require any member of the armed forces to march to any polling place or places of voting.

"DISTRIBUTION AND COLLECTION OF BALLOTS FOR THE MERCHANT MARINE

"SEC. 10. The Administrator of the War Shipping Administration shall cause explanations of voting procedure, and lists of candidates for voting in general elections to be made available to members of the merchant marine of the United States upon request. The Administrator shall cause executed ballots to be collected and delivered to the Commission or to appropriate representatives of the War and Navy Departments for transmission to the Commission. The Secretaries of War and Navy shall arrange, so far as practicable, for the receipt of such ballots and their transmission to the Commission together with the ballots of members of the armed forces. The Administrator may delegate to the Secretary of War or the Secretary of the Navy, with the consent of such Secretary, any function of the Administrator under this title.

"PRIORITIES

"SEC. 11. The Secretaries of War and Navy and other appropriate authorities shall take all steps necessary to give to the transmission and delivery of ballots and communications under this title priority over all unofficial communications and priority over official communications except where, in the judgment of the appropriate military and naval authorities, such prority would interfere with the effective prosecution of the war. Ballots cast outside the United States shall be transmitted by air, wherever practicable and compatible with military operations.

"TRANSMISSION

"SEC. 12. The Commission, upon receiving any ballot cast under this title, shall promptly transmit it to the secretary of state of the State of the voter's residence who shall at an appropriate time transmit it to the appropriate election officials of the district, precinct, county, or other voting unit of the voter's residence. No person other than such appropriate election officials shall open any official outer or inner envelope purporting to contain a ballot cast under this title.

"REPORTS

"SEC. 13. (a) The Secretaries of War and Navy and the Administrator of the War Shipping Administration shall report to the Commission on balloting under this title, including the number of ballots distributed, received, and transmitted to the Commission, together with any comments thereon or explanation thereof.

"(b) The Commission shall prepare a statement of all ballots received and transmitted to the various secretaries of state. Each secretary of state shall prepare a report of all ballots received by him and transmitted to the various election officials, and within 30 days after the last day for counting

absentee ballots in any election in which ballots are cast under the provisions of this title, each secretary of state shall transmit such report to the Commission.

"VALIDITY OF BALLOTS

"SEC. 14. (a) The functions and powers of the Soldiers and Sailors' War Ballot Commission under this act shall be administrative only. Nothing in this act shall be construed to confer a right to vote upon any person who does not possess the qualifications prescribed and defined by State law for electors in the State of his residence; and nothing in this act shall be construed to affect the right of any State to prescribe and define the qualifications of electors entitled to vote in elections held in such State and to determine what persons possess such qualifications.

"(b) The Commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly contituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States. Votes cast under the provisions of this title shall be canvassed, counted, certified, and preserved in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified. The qualifications of voters shall be determined in accordance with State law.

"(c) No official war ballot shall be valid if—

"1. the voter has also voted in person or by absentee ballot in accordance with the procedure provided by State law; or

"2. the date of the oath of elector is later than the date of the holding of the election; or

"3. such ballot is received by the appropriate election official of the district, precinct, county, or other voting unit of the State of the voter's residence later than the date of the holding of the election, except that any extension of time for the receipt of absentee ballots permitted by State laws shall apply to ballots cast under this title.

"(d) All ballot envelopes received by a secretary of state at a date or time too late for proper delivery, and all ballot envelopes not delivered to polling places or to the proper officials shall not be opened but shall be endorsed with the date of reception and shall be retained by the secretary until the time has expired for contesting the election, when they shall be destroyed without examination.

"(e) The provisions of this section 14 shall apply both to title I and title II of this act.

"VOTING SAFEGUARDS

"SEC. 15. Every individual concerned with the administration of this title shall take all necessary steps to prevent fraud, to protect voters against coercion of any sort, and to safeguard the integrity and secrecy of ballots cast hereunder.

"PENALTIES

"SEC. 16. The provisions of State and Federal law prohibiting offenses against the elective franchise shall apply in the case of elections and voting conducted pursuant to the provisions of this title: *Provided, however,* That no act done in good faith by a member of the armed forces of the United States, in the exercise of his judgment as to what was practicable and compatible with military operations, shall constitute a violation of any such provision of law.

"APPROPRIATE STATE OFFICIALS

"SEC. 17. Wherever, in any State, an official other than the secretary of state is the appropriate State official to carry out any function vested in the secretary of state under this title, the term "secretary of state" shall mean such other official.

"OFFICIALS AND AGENCIES TO ACT FOR SECRETARY OF STATE

"SEC. 18. Each secretary of state may utilize the services of such State and local officials and agencies for such purposes and to such extent as he may deem appropriate in the exercise of his powers and duties under this title.

"ACT TO BE LIBERALLY CONSTRUED

"SEC. 19. The provisions of this act shall be construed liberally in order to effectuate its purposes.

"Wherever the words 'United States War Ballot Commission' appear in the act, they shall be amended to read 'Soldiers and Sailors' War Ballot Commission'."

Mr. TAFT. Mr. President, the Senate is now considering the Barkley amendment to House amendment numbered 3, to insert certain words in lieu of language proposed to be inserted by the House, beginning on page 2 and extending down to and including page 8. Of course, the result of inserting the proposed amendment right in the middle of the Eastland bill would create an extraordinary situation. It may be that the amendment is in order, but certainly it does not make sense. The net result would be, first, a section on State voting, then the insertion of title I, which is the Green-Lucas bill, which contains a long title on Federal voting. Then there would be title II, which contains a long section on State voting, besides the provision for State voting which is already in the Eastland bill. Then would come a third title, which contains, among other things, an antipropaganda amendment, which is included in the Green-Lucas bill. So, when we were through, we would have one section dealing with the Federal ballot, we would have two completely inconsistent sections dealing with the method of handling State ballots, and we would have two inconsistent sections, more or less alike, on the subject of propaganda.

I think it is not too much to say that this would be a legislative monstrosity when we got through with it. Yet apparently the amendment is in order. The Senator from Louisiana asked yesterday whether there is any requirement that the Senate, when it acts, make sense, and the present occupant of the chair said, "No; it is not necessary that we make sense."

Personally, I feel that the Senate is rather obligated to make sense. I think the Senate should vote down the Barkley amendment, because, in my opinion, it is not proper legislative procedure. I do not believe it makes sense. If, on reading the bill as it would appear after the amendment were adopted, the House then said, "All right; we will take your amendment," the bill would not mean anything to anyone; it would not be a law, because it would be so utterly lacking in meaning, so inconsistent with itself, that there would be no law. The Senate of the United States would be doing a perfectly futile and, I think, stupid thing by inserting the Green-Lucas bill as an amendment.

Since the amendment is before us, and open to amendment, I have offered another amendment, to raise again the issue which was previously presented, in an attempt to cut down the application of the Green-Lucas bill, so that it would apply only to citizens, in this country or abroad, of those States which do not provide a proper method of voting by State ballot. As we observed a few days ago, all but five or six States either have provided a method or are prepared to call their legislatures together to provide one. That seems to me the common-sense way out of the difficulty, and certainly the House should have the suggestion before it.

Incidentally, there was an overwhelming vote in the House against the Federal ballot. I think Congress would make itself look even more foolish, if a deadlock ensued, if it adopted this peculiar method of securing the Federal ballot, and if there is a desire to avoid a deadlock, I think the adoption of my amendment would afford some chance of getting the House to agree to the procedure proposed.

It has the great advantage that it assures every man in the armed forces a vote, even though his State fails to give him a vote, and it could not be said any man would be prevented from voting under the laws of his State and the United States.

Mr. President, I made a mistake yesterday in section 9 (a). I have changed section 9 (a) to accord with the provision which I originally offered. Yesterday, by mistake, I presented one of the later amendments to the Green-Lucas bill. I feel that my proposal is the correct solution. I feel very strongly that we should cut down the applications. I should prefer to go entirely to a State-voting system, and it seems to me the responsibility is on the States to provide their own citizens with opportunity to vote. But I have agreed to go along if the provision is cut down so as to apply to the citizens of those States which fail to provide a method of voting by the 1st day of June, which I think is the date fixed in the bill.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Georgia.

Mr. GEORGE. The question I shall ask the Senator may sound irrelevant to Senators who have had the opportunity to occupy seats in the Senate during the entire course of the debate, but I have not been able to be present all the time because of work on the tax bill and other outside matters, which kept me away from the Senate floor.

I understand that the amendment which the Senator is now offering permits and requires the sending of the State ballot to all men in the armed services and to the other classes which are permitted to vote, if the State, by July 1, 1944, has made provision for absentee voting.

Mr. TAFT. That is correct. There are certain requirements with respect to the ballots. The ballots must be printed 45 days before the election. The ballot must weigh not more than 1.2 ounces.

Mr. GEORGE. If the State has made provision for the absentee ballot by the date specified, and the other requirements of the amendment are met, then the Secretary of War, the Secretary of

the Navy, or the Maritime Commission, as the case may be, are instructed and directed to transmit the State ballots to all the men and women who are entitled to receive them and to vote them?

Mr. TAFT. That is correct.

Mr. GEORGE. If the State does not make provision for voting by absentee ballot by July 1, 1944, then a form of official or Federal ballot is to be sent for the use of the citizens of such State?

Mr. TAFT. They may apply for it. They must file applications just as they do for State ballots. The applications go to the war ballot commission and the commission furnishes the ballots. So the ballots are available to the citizens of States which do not provide for absentee voting.

Mr. GEORGE. That is the short-form ballot, very much as provided in the Green-Lucas bill?

Mr. TAFT. It is the same as now provided in the Green-Lucas bill since the Ferguson amendment, which struck out the provision for voting by party name.

Mr. GEORGE. So that under the amendment every member of the armed forces who desires to vote will be entitled and enabled to vote, either by using the State ballot, or by using the official or Federal ballot if his State has not made provision for absentee voting.

Mr. TAFT. The Senator states the proposition exactly.

Mr. GEORGE. I merely wanted to get the matter straight and clear in my mind. In the case of the State which I have the honor in part to represent in this body, the Governor of the State called an extra session of the legislature early in January. Georgia was the first State in the Union to take the initiative and leadership. It in effect waived registration, waived the payment of poll tax, provided for voting on the part of men and women in the armed forces or services, and likewise set up what is in effect a State balloting commission for the purpose of aiding and assisting the citizens of Georgia in the armed services to cast their votes.

I may say that in the summer of 1943 the State adopted a constitutional amendment which gives all men and women 18 years of age the privilege and right of voting in the State. So that all the members of the armed forces from the State of Georgia may now vote an absentee ballot in the primary, in the general, or in any special election, and the full machinery is available if the Federal Government will furnish the necessary aid to transmit those ballots to the men in the armed services, especially those outside the United States. Of course, the State ballot gives the full opportunity to vote not merely for President, Vice President, Senator, and Representative, but to vote for all local, county, and State officers as well. In other words, it is a full ballot.

It is very difficult for me to understand how anyone can object to the amendment offered by the Senator from Ohio, whatever view one may take. If the State does not provide for a ballot of a weight which will enable the Secretaries of War and Navy and the Maritime Commission to transmit the ballots to the citizens of the State, then the short-form ballot is made available substantially, as I understand, under the same conditions as in the Green-Lucas bill.

I am pleased to support the amendment of the Senator from Ohio, as I have heretofore, but I have not had the opportunity to examine it.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TAFT. If the Senator from Kentucky will wait a moment I shall yield to him.

Mr. President, I have just received some information which I was trying to obtain with regard to the practicability of transporting ballots by mail. The figures I gave the other day, which have not been contradicted, show that if the States make their ballots weigh 1.2 ounces, the total weight of all the ballots that may conceivably be required will not be over 130 tons. I see no reason whatever why two-thirds of the ballots required in the African and British areas should not be transported by boat. So that the total to be carried by air would be approximately 40 tons.

In the month of January the Army alone carried by air, letter mail weighing 410 tons. In other words, all the argument to the effect that State ballots cannot be carried because their transportation would interfere with the mails, is based on the fact that if additional planes are not provided, which I think can be done, it would be necessary to postpone one-tenth of the letter mail in order to secure to the soldiers this extraordinary right.

In addition to that, mail with air-mail postage carried by surface vessels amounted to 82 tons. The total of other mail carried by ship was 7,410 tons. So that in the month of January alone there was carried abroad to the men in the Army alone, not including the Navy, a total of 7,902 tons. And yet it is said the Army and Navy cannot possibly handle 130 tons of ballots.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. CONNALLY. Does the figure 130 tons apply only to foreign mail, or to domestic?

Mr. TAFT. It is based on the shipment of 4,000,000 ballots. I estimate that is the number which would be requested from abroad only.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. TAFT. I yield.

Mr. McKELLAR. With respect to what has previously been said by the senior Senator from Georgia [Mr. GEORGE] I think it ought to be added, and, if the Senator will permit me, I will do so, that the Senator from Virginia [Mr. BYRD] sent out a questionnaire to the Governors of all the States, and received answers from all of them, and that all except two either had done or would do exactly what the State of Georgia has done, and that really the matter is limited to about two States.

Mr. TAFT. My estimate is that when the States complete action on proposed constitutional amendments there will be about five or six States which either cannot conform or will not conform.

Mr. McKELLAR. Some of the States have not yet called special sessions of the legislatures but have signified a willingness to do so.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Arkansas.

Mr. McCLELLAN. If the information which the Senator from Ohio has just given to the Senate is correct, it confirms a belief which I have had, and which I think the country has, that those who oppose the proposal for a State ballot simply do not want a State ballot, not because a State ballot cannot be transmitted to our soldiers so as to give them an opportunity to vote for all State officers, but simply because they do not want to do it, but want to substitute a Federal ballot in order to drive the entering wedge into the control of State voting machinery.

Mr. TAFT. I thank the Senator.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. JOHNSON of Colorado. I wish to congratulate and thank the Senator from Ohio for his persistence in trying to perfect a compromise measure. The House has taken a very pronounced view of this question. I have been supporting the Green-Lucas theory. I feel certain that before we get through we shall reach some sort of compromise, some sort of adjustment, between the extreme views of the House and the Green-Lucas viewpoint; and it seems to me that the Taft amendment offers a reasonable compromise position for everyone. On that basis I supported the Taft amendment the other day when it was before the Senate, and I expect to support the amendment of the Senator from Ohio today on that basis.

Mr. TAFT. I thank the Senator.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BARKLEY. I desire to ask the Senator a question relative to the statement in his amendment—

> Shall ascertain and certify * * * on or before July 1 the States which have not made provision for absentee-voting ballots.

Under that provision, soldiers from States which, according to the certification of the commission, had not made provision for absentee-voting ballots might then apply for a Federal ballot, I assume. Is that a correct view of the situation under the Senator's amendment?

Mr. TAFT. Yes. That certification would be made on July 1. At any time thereafter the application the Senator suggests could be made, in the absence of such certification.

Mr. BARKLEY. Yes.

Mr. TAFT. As the Senator from Michigan provided, I also provide that the post cards must be furnished by the 1st of June and the 1st of July, respectively.

Mr. BARKLEY. In other words, under the Senator's amendment, in the case of soldiers from States which have not, according to the certification of the commission, made provision for absentee

voting, such soldiers desirous of voting a Federal ballot must then make application for a Federal ballot? Is that correct?

Mr. TAFT. Yes. I have provided that the ballot commission may make those ballots available at convenient points throughout the world.

Mr. BARKLEY. I understand that.

Mr. TAFT. And the soldier may make application in any form. He may make application by writing a letter or by asking for the ballot. No form is prescribed, although it is suggested that they have convenient forms made in any way they wish.

Mr. BARKLEY. But the soldier cannot make application until the certificate has been filed with the commission that the state from which the soldier comes has not made any provision; is that correct?

Mr. TAFT. That is correct; and the soldier cannot make application before the 1st of July.

Mr. BARKLEY. Before the 1st of July?

Mr. TAFT. Yes.

Mr. BARKLEY. Then, in the case of a soldier from a State certified by the commission as having made provision for absentee voting, even though that provision might not be adequate, the soldier could not make application for a Federal ballot at all, either before or after the 1st of July.

Mr. TAFT. If it is adequate. If the commission considers it adequate—

Mr. BARKLEY. The commission as to which so much objection has been made in connection with the matter of giving it any discretion to pass upon balloting matters would have to pass upon the adequacy of the State absentee voting law; would it not?

Mr. TAFT. That is correct.

Mr. BARKLEY. If it decided that the State absentee voting ballot was adequate, then under no circumstances could the soldier obtain a Federal ballot.

Mr. TAFT. Let me point out that the Danaher amendment, to which the Senator did not object, would require each secretary of state to certify that the State had made provision for members of the armed forces to vote, and that the State would accept post-card applications. Inasmuch as the Senator has accepted the Danaher amendment, he could hardly object to any amendment of mine vesting such discretion in the commission. No commission is going to say that a State law has been passed if it has not.

Mr. BARKLEY. I presume that, under the Senator's theory, if he had to make a choice between a statement by a secretary of state that the State had passed a law and a certification by the commission we are establishing under the pending measure, he would prefer to take the word of the secretary of state.

Mr. TAFT. No; I think not. Because the secretary of state may decide whether any State law is adequate. He may certify anything. The feeling may be so strong in a State that they want the State ballot that, even though their constitution forbids it—perhaps the Kentucky constitution does—the secretary of state might nevertheless say it is all right.

I think it is much better to have the ballot commission pass on the matter. Certainly, I do not see how the Senator could object to having the ballot commission pass upon it, inasmuch as by the Danaher amendment he has already agreed to let the secretaries of state pass on it.

Mr. BARKLEY. I thought the Senator had objected all the way through to giving the ballot commission very much discretion.

Now I should like to refer to the remarks made by the Senator from Arkansas that the War Department does not want anything except a Federal ballot to reach the soldiers.

I hold in my hand War Department Circular No. 33, issued on the 26th of January, which is made available to all servicemen. It gives them information not only as to their rights in primaries and in general elections but points out to them the date of the primary in Illinois, the date of the primary in Nebraska, the date of the primary in Pennsylvania; and it goes on to give specific information as to the dates of the primaries in the States of Louisiana, Illinois, Nebraska, and Pennsylvania. Most detailed information is furnished by the War Department to the soldiers and sailors and to others who are entitled to vote, as to the date of State primaries and as to all the conditions under which they may vote. Such circulars are issued from time to time. The one I hold in my hand happens to include information only as to four States, because their primary elections are imminent. It seems to me that is evidence of the desire and the effort of the War Department to give all the information that is possible and necessary to the members of our armed services.

Mr. TAFT. Mr. President, let me state by way of answer that the War Department is required by Public Law 712 to do what it is doing in the circular. I have no doubt that if the pending measure is passed the War Department will obey the law. That is why I want a State ballot provided for. But I do not think the Senator can deny that, with respect to the dispute in Congress in the last 2 months as between the State ballot and the Federal ballot, the War Department has said that it can handle the Federal ballot but cannot handle the State ballot, and that it prefers the Federal ballot.

However, I entirely agree with the Senator that I certainly would not charge the War Department with disobeying the law in any way. I merely say that the War Department prefers the Federal ballot, and has shown such a preference by its statement.

Mr. BARKLEY. The War Department's attitude on this matter is perfectly plain, as its representatives stated to Congress and to the committees that they thought it much easier to transport a Federal ballot than to transport a Federal ballot and a State ballot. But in the measure we are about to pass we have required the War Department to give equal treatment, insofar as practicable, to the State ballots; and I am quite satisfied that the War Department and all the other departments will carry out the instructions in the spirit as well as in the letter of the law.

Mr. TAFT. Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. GREEN. Mr. President, there are several comments which it seems to me I should make both as to the remarks made by the Senator from Georgia [Mr. GEORGE] and those made by the Senator from Ohio [Mr. TAFT]. The Senator from Georgia has seemed to assume that if a State had an absentee balloting law, it would take the place of any provision for a Federal ballot. A great many States have absentee balloting laws, but it does not follow that they are adequate. Almost all those laws were enacted with no thought of having voters overseas or in the armed services, and it seems to me impracticable for them to modify their laws, at least in time for the next election, so as to meet the situation properly.

The first of the three conditions which are set out in the Taft amendment, is that—

> Such ballots may be used without registration in person.

In other words, that if a State law complies with the three conditions, it will be satisfactory.

The first provision is that such ballots may be used without registration in person. That in itself is not sufficient. The second is that such ballots shall be printed and available for mailing at least 45 days in advance of the election. That alone is not sufficient. The third is that such ballots and the accompanying envelopes shall not exceed a certain weight.

While all those provisions are admirable provisions to the extent they go, they do not go far enough. A State might enact legislation complying with all those conditions, and still the legislation might not be satisfactory, or might not make it unnecessary to use the Federal ballot provided for in the Green-Lucas bill.

For example, when it is provided that registration need not be in person, that does not waive the requirement that there shall be registration. There may still be registration by mail. That means that the soldier overseas, before he can use a ballot at all, or even apply for a ballot, may have to apply for registration by mail. Furthermore, the payment of a poll tax might still be required. It is waived in the existing law. So hundreds of thousands of men who could vote under the existing law would be unable to vote under the proposed law. In other words, comparing the existing law with the proposed law, instead of increasing the number of soldiers who might vote, the proposed law would decrease the number who could possibly vote.

Moreover, while there is provision that a soldier overseas may receive a State ballot, State legislation may still provide that he must apply for the ballot. In some States which are enacting new legislation the conditions enacted are too onerous to make it possible to dispose of the necessity for a Federal ballot. For example, a special session of the

General Assembly of Illinois has just been held. The ostensible purpose was to reform the law so as to make it possible for soldiers to vote. However, under the law which was enacted for that declared purpose it is still necessary for application for a ballot to be made on a prescribed form. Application must be made for the form itself. Five carriages of mail are required from a soldier in the Far East, for example, to the secretary of state of Illinois and return. Under the law which has just been enacted by Illinois, such a soldier would have to write to the secretary of state for an application. The application would then be sent to him. He would then have to return the application for the ballot; the ballot would be sent to him, and then he would have to return the executed ballot. Even if there were sufficient time, which there probably will not be, for many soldiers to use that cumbersome machinery, the soldier himself, engaged in what he regards as far more important work than voting—namely, winning the war—will not care to have his attention diverted so many times from his daily work. He will become sick of the procedure. He will not use the opportunity which is given him. The opportunity is not a real opportunity because the machinery is so cumbersome.

That machinery is done away with in the Green-Lucas bill, but it is continued in the law which Illinois has just enacted. Using that illustration, it is hopeless to think of all the States making it possible for the soldier to vote in a reasonably convenient manner.

I now wish to turn my attention to the information given the Senate by the Senator from Ohio [Mr. TAFT] with regard to sending ballots by air mail. One listening to him would think that it would be a very easy matter to add the weight of these ballots to the mail which the airplanes in the service of the Army and Navy can carry. I do not question the facts which the Senator from Ohio stated. I merely question the deductions which he drew from the facts. I wish to present the following facts for the RECORD, so that not only Senators, but others who read the CONGRESSIONAL RECORD, may know what great additional burden would be placed upon the present air-mail facilities by this proposal.

The figures for January of this year show that the Army was unable to send by air mail approximately 20 percent of the air mail delivered for transmission. That amount of mail had to be carried by boat, although it was intended to be carried by air mail. One-fifth of the amount of mail which was intended to be carried by air could not be sent by air mail because there was not room for it on the existing planes.

It is all very well to say that all it would be necessary to do would be to add to the number of planes. Today we have not enough planes to provide proper coverage for the military operations on the coast of Italy. That is one reason why our men are being beaten back. We have not enough planes to carry on the operations in the South Pacific. We have not enough planes to carry the necessary material over the mountains into China; and such provisions for carrying on the war are more important than carrying mail even as important as ballots from here to the soldiers or from the soldiers back again, after the ballots have been executed.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. TAFT. I thought the Senator from Rhode Island and the Senator from Illinois [Mr. LUCAS] had in good faith accepted the amendment of the Senator from Michigan [Mr. FERGUSON] so that now both the State and Federal ballots were to be carried. I do not understand why the Senator now is raising the question about the inability to carry the ballots.

Mr. GREEN. I was commenting on the remarks of the Senator from Ohio, who seemed to indicate that it would be an easy matter to add this burden to the air mail, and that we could depend on it. The Army and Navy will undertake to carry by air mail these ballots, instructions, and other communications on the subject to the extent that they can be carried; but I wish to show how, even with the best will in the world, it cannot be done. Great quantities of air mail must be sent by ship, and therefore a much longer time must be allowed.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. DOWNEY. I should like to inquire of the distinguished Senator who is speaking, or of the Senator from Ohio, over what period of time the stated tonnage of mail would be delivered. I heard the figures with respect to the tonnage, but I did not understand what period of time was involved.

Mr. TAFT. The time to which I referred was a period of 30 days, during the month of January. I estimated that the State ballots would be delivered over a period of approximately 30 days.

Mr. GREEN. Mr. President, my contention is that that time is far too short to count on. As the Senator from Ohio has correctly stated, approximately 700,000 pounds of air mail were carried overseas. That included about a ton of V-mail letters. V-mail letters are of the greatest importance in maintaining the morale of the men overseas. One ton of V-mail letters means 12,000,000 separate V-mail letters. The number which would be displaced if preference over letters from home were given to all communications in connection with balloting is a very serious matter for us to consider. Of the 700,000 pounds of air-mail letters which were offered for transmission by air mail in January, 180,000 pounds could not find space on the planes and had to be sent by boat.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. TAFT. According to the figures which I gave, the amount transported by plane in January was not 700,000 pounds, but 1,480,000 pounds, or 740 tons. I do not quite see why any of the V-mail should be displaced. The Senator said that the V-mail amounted to only 1 ton, I believe. Am I correct?

Mr. GREEN. The Senator is correct. I said that 12,000,000 V-mail letters would weigh approximately 2,000 pounds, or 1 ton. There are about 6,000 V-mail letters to a pound. I gave those figures as a basis for use by any Senator in making a computation. We cannot tell what the number of letters will be in the future. We will have a far greater number of men overseas in the future than we have now. The Senator from Ohio estimated that we could expect to have 4,000,000 men overseas. I think there are others who are as competent to form an estimate as is the Senator from Ohio who will place the number very much higher. I am stating what the number was in January, and the length of time which will be required for transportation. In fact, air mail cannot be counted on for regular deliveries. Airplanes do not start every day at a certain hour and arrive at their destination at a certain hour. For example, during the past month the time varied with individual planes going to the southwest Pacific. The average was 13 days, but "average" is a very misleading term. The fluctuation in time was from 4 to 30 days. In other words, sometimes the air mail has taken only 4 days, and sometimes it has taken as much as 30 days to reach its destination.

Airplanes depend largely on the weather, and to a considerable extent also on military operations. So sufficient time must be allowed for sending anything as important as a ballot, which must be back at a certain time, or the application for the ballot, or the return of the application for the ballot, or the return of the executed ballot itself, involving in all five carriages of mail. We cannot allow 10 days for each trip, and multiply by five and say that is plenty of time. Most of the States, it is estimated, will provide 45 days for all these operations, and that much time is not sufficient.

Furthermore, with the increase in the military operations requiring more planes and perhaps twice the number of men overseas, whatever additional balloting material must be carried by air will displace to that extent home mail. As I have said before, home mail is the greatest morale builder for the men in the service.

The figures which the Senator from Ohio has read are not figures of mail which has been carried; they are figures of mail which has been dispatched. That is a very different matter, because there is no indication in what he has told us of how long it took to carry that mail overseas or when it arrived. So a check-up has been made, one result of which I have given in the figures relative to the actual experience in connection with air mail to the Southwest Pacific.

For these reasons any provision which shall give absolute priority to all material connected with the State ballots is indeed a very serious matter. There is one important advantage which the Federal ballot has over the State ballot. It is not because the Secretary of War or the Secretary of the Navy wishes to give the Federal ballot priority in importance;

not at all; it is because the weight of the small thin-paper ballots enables them to be sent in bulk by boat months ahead of the time they are to be voted. Under the laws of the various States more time will be required. The mail will be bulkier and even if the soldiers remain in the locations they were in when the ballots were sent to them, the ballots will not be received by them in time to be voted and returned because many of them will have to be sent by ship. Unfortunately, but because of the war effort, planes and more planes must be used for war purposes.

I have made these comments in order that Senators may have a realistic view of the whole situation.

Mr. BARKLEY. Mr. President, I wish to ask the Senator from Ohio [Mr. TAFT] a question with regard to his amendment.

Sections 1 and 2 of the present law relieve the voter of the necessity of registration and also of the payment of a poll tax. Section 1 deals with registration and section 2 deals with the poll tax. Would the Senator's amendment have the effect of repealing either one or both those sections?

Mr. TAFT. No; that would not be the effect of the amendment. My amendment would not change the Barkley amendment until subsection (b) of section 4 is reached. The rest of it, leaving sections 1 and 2 in the law, is still there.

Mr. BARKLEY. Why does the Senator in his amendment on page 2 seem to find it necessary in paragraph (1) to say "such ballots may be used without registration in person" when the law already provides they may be used without registration? If he finds it necessary to repeat in paragraph (1) a relief from registration on the part of the soldier, which is already the law, why did he happen to omit the provisions of section 2 of the law which waives the payment of poll tax?

Mr. TAFT. I do not quite understand the Senator's question.

Mr. BARKLEY. If the Senator will examine the language on page 2 of his amendment——

Mr. TAFT. Let me suggest this answer: The Senator accepted the Danaher amendment. On page 4 of the Senator's amendment subparagraph (3) reads as follows:

> Members of the armed forces who are inside of the United States who are residents of any State of which the secretary of state has not certified to the commission prior to August 1, 1944, that the State has made provision for such members to vote by absentee ballot and that the State will accept post-card applications as provided for in title II of this act—

And so forth. There is no mention of the poll tax.

Mr. BARKLEY. No; the amendment of the Senator from Connecticut was to the pending bill, which preserves sections 1 and 2 of the present law.

Mr. TAFT. So is mine. I do not change the provisions.

Mr. BARKLEY. I merely want to inquire why the Senator found it necessary to reiterate the exemption from registration which is already in the law?

Mr. TAFT. Well, I think it probably was unnecessary, as a matter of fact.

Mr. BARKLEY. And if he found it unnecessary to do that which is already in the law, why did he omit reference to the other section?

Mr. TAFT. Well, the Senator, as I said, has accepted the Danaher amendment.

Mr. BARKLEY. That has nothing to do with it.

Mr. TAFT. Yes; it has.

Mr. BARKLEY. The Danaher amendment did not deal with registration or the poll tax, and neither does Senate bill 1612 deal with those subjects, because they simply leave the present law as it is.

Mr. TAFT. The Danaher amendment does for servicemen in this country exactly what I propose to do for servicemen abroad. We were both faced with the same problem.

The Senator said that the State must make provision for members to vote by absentee ballot and must accept post-card applications as provided by title II of the act. That in effect deals with registration also, because it specifies post-card applications for registration.

Mr. BARKLEY. Senate bill 1612 and the Danaher amendment to it both proceed on the assumption that sections 1 and 2 of the present law are preserved and those measures do not deal with registration or the poll tax. The Danaher amendment has no application to my inquiry of the Senator. In other words, if he found it necessary in his amendment, which is the same as that which was rejected a few days ago, to repeat exemptions from registration, why did he not see fit to reiterate the exemption in section 2 of the present law? They are both on the same basis.

Mr. TAFT. For the same reason that the Senator has defended the Danaher amendment. I leave in effect the first two, three, and four pages of the Senator's amendment or of the Green-Lucas bill, and that strikes out only sections 3 to 15, inclusive. So that my amendment is on exactly the same basis. If I had said, instead of registration, that they will accept post-card applications, then it would have been exactly the same as the Danaher amendment.

Mr. BARKLEY. Not at all; a post-card application has nothing to do with registration; it is not a registration, because application has to be made for a ballot, even without registration, under the present law. I cannot quite understand why the Senator thought it necessary to emphasize a waiver of registration in his amendment, which is provided for already in section 1 of the present act.

Mr. TAFT. I can only say to the Senator that both the Senator from Connecticut and myself faced a very difficult problem in deciding when an absentee voter's law is satisfactory and when it is not. We tried to frame the provision in various ways, but the language I suggest I think is as good as the language the Senator from Connecticut drafted. I have no intention whatever of repealing the poll-tax section of the present law. With that statement for the RECORD, I trust it will satisfy the Senator.

Mr. LUCAS. Mr. President, will the Senator yield on that point?

Mr. BARKLEY. I have the floor, but I do not desire to keep it further, and so I yield the floor. I merely wanted to make an inquiry of the Senator from Ohio.

Mr. LUCAS. Mr. President, in section 14 (a) and (b) of his amendment, the Senator from Ohio embodies the same proposal which was contained in the amendment offered by the Senator from Louisiana, which the Senator from Louisiana told the Senator from Illinois not only went to the heart of the poll-tax provision in section 1 of the present law, and to the heart also of section 2, but literally tore the heart out of both.

Mr. TAFT. Let me reply to the Senator. All that section 14 (a) does is to say that the qualifications of voters must be determined in accordance with the State law. That is provided in the Constitution of the United States. If the poll tax is a qualification Congress cannot repeal it. The position of those who wish to repeal the poll tax is that the poll tax is not a qualification, and, if the poll tax is not a qualification, then section 14 (a) in no way affects the poll tax.

Mr. LUCAS. Of course, the Senator from Ohio would never have obtained the approval of the Senator from Louisiana to his amendment had he not embodied in it the very language that the Senator from Louisiana told the Senate would repeal section 2 of Public Law 712, which is the section having to do with the poll-tax requirement which was placed in the law after a bitter fight on the floor of the Senate more than a year ago. All the Senator from Ohio has to do is to read the RECORD and find out what the distinguished Senator from Louisiana said with respect to tearing the heart out of the poll-tax provision of Public Law 712 by the identical words which are now found in the amendment of the Senator from Ohio. Any Senator who votes for the Taft amendment is voting to repeal the poll-tax exemption which is now the law found in Public Law 712. Do not think that is not so, because I shall always be able to prove it by the very words of the distinguished Senator from Louisiana.

Mr. TAFT. Mr. President, the Senator is confused as to the Overton amendment.

Mr. LUCAS. I am not confused at all.

Mr. TAFT. The Overton amendment provided that the validity of the ballot should be determined in accordance with State law. That was a provision to which I objected, and I voted against that amendment, because it meant that the State law would prevail over any provision of this bill. But the provision in my amendment is not the amendment of the Senator from Louisiana. This is what is provided in my amendment:

> Nothing in this act shall be construed to confer a right to vote upon any person who does not possess the qualifications prescribed and defined by State law for electors in the State of his residence.

Can anybody object to that? Does not the Constitution in so many words say that the qualifications must be those

prescribed for electors for the most numerous branch of the State legislature? There can be no question about that. Those who are for the poll tax and those who are against the poll tax admit that the only question is whether the poll tax is a qualification or not a qualification. It is not true, as the Senator suggests, that this is the same question as that involved in the Overton amendment, which was voted down by the Senate, and it is not true that it invalidates the poll tax if the poll tax is not a qualification.

Mr. GREEN and Mr. McFARLAND addressed the Chair.

SEVERAL SENATORS. Vote!

The ACTING PRESIDENT pro tempore. The Senator from Illinois [Mr. LUCAS] has the floor.

Mr. TAFT. I beg the Senator's pardon.

The ACTING PRESIDENT pro tempore. Does the Senator from Illinois yield, and if so, to whom?

Mr. McFARLAND. Will the Senator yield to me to suggest the absence of a quorum?

Mr. LUCAS. I yield.

Mr. McFARLAND. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	George	Radcliffe
Andrews	Gerry	Reed
Austin	Green	Revercomb
Bailey	Guffey	Reynolds
Ball	Hatch	Robertson
Bankhead	Hawkes	Russell
Barkley	Hayden	Shipstead
Bilbo	Hill	Smith
Bone	Holman	Stewart
Brewster	Jackson	Taft
Brooks	Johnson, Colo.	Thomas, Idaho
Buck	Kilgore	Thomas, Okla.
Burton	La Follette	Thomas, Utah
Bushfield	Langer	Tobey
Butler	Lucas	Truman
Byrd	McClellan	Tunnell
Capper	McFarland	Tydings
Caraway	McKellar	Vandenberg
Chandler	Maloney	Wagner
Chavez	Maybank	Wallgren
Clark, Idaho	Mead	Walsh, Mass.
Clark, Mo.	Millikin	Walsh, N. J.
Connally	Moore	Wheeler
Danaher	Murdock	Wherry
Davis	Murray	White
Downey	Nye	Wiley
Eastland	O'Daniel	Willis
Ellender	Overton	Wilson
Ferguson	Pepper	

The ACTING PRESIDENT pro tempore. Eighty-six Senators have answered to their names. A quorum is present.

Mr. LUCAS. Mr. President, I wish to refer rather briefly to the amendment which has been offered by the Senator from Ohio and other Senators. I seriously doubt that all Senators really know just what is in what I call a sort of hodgepodge legislative monstrosity. The sponsors have included in their amendment almost every amendment that has been offered on the floor of the Senate to the soldiers' vote bill.

I desire to read a section which is very important from the standpoint of the men overseas actually getting a vote. I undertake to say that under the amendment, if it should be enacted and became the law of the land, not 10 percent of those overseas would ever have a real, honest-to-God opportunity to cast their ballots.

The Senator from Ohio never answered the Senator from Kentucky, the majority leader, with respect to the effect of his amendment on the question of balloting. Section 6 provides:

> Any person desiring and entitled to vote under the provisions of this title may apply for an official war ballot to the Soldiers' and Sailors' War Ballot Commission, or to the Secretary of War, or to the Secretary of the Navy, or to the Administrator of the War Shipping Administration or to the secretary of state of the State of his residence. The Secretary of War, the Secretary of the Navy, the Administrator of the War Shipping Administration, and the secretary of state of any State whose citizens may vote under the provisions of this title, receiving such an application, shall promptly transmit any such application to the Commission, and the Commission shall promptly forward an official war ballot to the person requesting the same.

Mr. President, that merely means that every man in the armed forces of this country who may be overseas, wherever he may be training or fighting at this hour, would be compelled to file an application to the ballot commission, or to the Secretary of War or to the Secretary of the Navy, in this country, before he could get a Federal ballot. In other words, the effort is made under the amendment to keep the Federal ballot from going to the soldier or sailor or marine overseas. The sponsors want the man over there, who is fighting for his life and our lives, to sit down, in one of the trying moments of his life, and send a card to the ballot commission, or to the Secretary of War or the Secretary of the Navy, and say, "Please, Mr. Secretary, send me a Federal ballot so that I can vote." That is exactly what the amendment means.

Mr. President, the soldier would be no better off than he would be if there was no law at all. He would better rely solely on the State method than to rely upon asking the Federal commission for a Federal ballot. It is absolutely worth nothing to say to the soldier that he can ask for a Federal ballot through the Federal commission, or the Secretary of War or the Secretary of the Navy. Why not ask for a State ballot in the first instance rather than ask for a Federal ballot?

Mr. TAFT. Will the Senator yield?

Mr. LUCAS. No; I do not yield.

Mr. TAFT. I wish to answer the Senator's question.

Mr. LUCAS. Of course the Senator has an answer, but most of his answers are only about 50 percent correct.

Mr. President, I have stated exactly what section 6 of the amendment would mean. The Senator from Ohio has been very frank in stating what he wants to do in connection with the proposal before the United States Senate. He has told the country that the Army and the Navy are prejudiced—that they are working for a fourth term. In other words, he wants to shear all the power he possibly can from the Army and the Navy in order to keep the Federal ballot from the soldier. That is what he wants. He wants to make it just as tough as possible for the soldier on the other side of the water to get a ballot. He has said he does not want the Army and the Navy to make it as easy as possible, in a time when a man is fighting for his life, to cast his ballot in possibly the greatest Presidential election since 1864.

The Senator from Ohio, like the distinguished Senator from Oregon, is afraid of what the boys will do in connection with the election. Mr. President, that is not the issue. The Senator from Oregon just a few days ago said that if Roosevelt would say to the country that he would not be a candidate for President we could pass the bill in 30 minutes. There is the crux of it all, insofar as most of those who are against this simple, uniform Federal ballot are concerned.

Why is it that the Senate of the United States and the other House of Congress will not make it as easy as possible and as expeditious as possible and as uniform as possible and with least complications possible to grant opportunity to vote to the man in dire distress, the citizen soldier, if you please, not a professional soldier, a soldier who has been called from the home and the farm and the factory without his consent, and literally transported overseas overnight? Why is it proposed to put all these barriers around him, as in the Taft amendment, and say to him, "We will make it difficult for you, Mr. Soldier, to cast your ballot"? Because, in the final analysis, as the Senator from Oregon said, "We are afraid you are going to vote for Mr. Roosevelt if he is a candidate."

Mr. President, it is not a question of who is to be the candidate for President, it is a question solely and simply of the right of suffrage, a function of representative government that goes to the very grass roots of citizens' rights. The right to vote is an integral part of the liberty for which the boys are fighting, and under the Taft amendment, a legislative monstrosity, I will wager that not more than 10 percent of the boys will ever have an opportunity to vote, and those who will vote will do so under title II, which gives them the opportunity to vote under the State system. The Federal ballot is dead under the Taft amendment, and that is exactly what the sponsors want to see brought about. They want to kill it in any way they possibly can.

The Senator from Ohio said, in his colloquy with the Senator from Kentucky, that his amendment had nothing to do with the poll tax, and he read from the beginning of the bill, paragraphs 1, 2, and 3 of subsection (d), which is the Ball amendment. The Senator apparently does not know what is in his amendment if he does not think the poll tax is in it, and I seriously doubt that he knows the poll tax is in it.

Mr. President, the Senator from Louisiana, would not have his name attached to the amendment unless it contained language which repealed section 2, dealing with the poll tax, that section now appears in Public Law 712, because the other day—and this is something which Senators who intend to vote for the Taft amendment must remember—when the Overton amendment was under consid-

eration two yea-and-nay votes and a voice vote were had on it; on one yea-and-nay vote the vote was 69 to 16, and on the other 66 to 23, and the sole and only issue was whether to repeal sections 1 and 2 of Public Law 712 dealing with registration and poll tax. The Senate went on record in those two votes, my colleagues, 66 to 23 and 69 to 16, and also on a voice vote against the amendment of the Senator from Louisiana dealing with section 2, and overwhelmingly defeated it.

Mr. CLARK of Missouri. Mr. President will the Senator yield?

Mr. LUCAS. I yield.

Mr. CLARK of Missouri. Is it not a fact that the Taft amendment, comprising as it does a number of amendments which have been individually overwhelmingly rejected by the Senate, is somewhat analogous to undertaking to make an adequate chain out of links which had individually been found unfit for use in the chain?

Mr. LUCAS. Of course, the Senator is correct. The way the names attached to the Taft amendment were obtained was by taking every other amendment which could be gathered into a hodgepodge and placing them in one amendment. Remember, Senators, that everyone who votes for the Taft amendment votes to repeal section 2 of Public Law 712 which was placed on the statute books in 1942 by a vote in the United States Senate of, as I recall, 60 to 5.

Mr. President, the Senator from Ohio never got to section 14. He spent literally all the time on the first part of his amendment. I doubt that he knows what is in section 14. But the Senator from Louisiana [Mr. OVERTON] knows. Let me read section 14 (a):

SEC. 14. (a) The functions and powers of the Soldiers and Sailors' War Ballot Commission under this act shall be administrative only. Nothing in this act shall be construed to confer a right to vote upon any person who does not possess—

Listen to this, Senators—

who does not possess, the qualifications prescribed by State law for electors in the State of his residence; and nothing in this act shall be construed to affect the right of any State to prescribe and define the qualifications of electors entitled to vote in elections held in such State and to determine what persons possess such qualifications.

Mr. President, if that does not by implication and indirectly and almost expressly repeal the poll-tax section in Public Law 712, then I do not understand the English language.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. MURDOCK. And does it not at least by implication put the Senate of the United States on record as condoning and approving the payment of a poll tax as a prerequisite to voting?

Mr. LUCAS. Of course. There can be no question about that, Mr. President. Senators who were Members of this body 2 years ago when Public Law 712 was passed will recall the delay that my colleague, the Senator from Florida [Mr. PEPPER] the present occupant of the chair, encountered in this Chamber over the question of writing in a proper amendment which would deal with the poll-tax situation. That is now the law of the land. If Senators are not satisfied with that language, let me read to them paragraph (b) of section 14, which is as follows:

(b) The Commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States. Votes cast under the provisions of this title shall be canvassed, counted, certified, and preserved in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified.

Mr. President, not satisfied with the language in the above paragraph with respect to the repeal of section 2 of Public Law 712, the Taft amendment embodies the identical language which was in the Overton amendment which was voted down on the floor of the Senate by a vote of 66 to 19. I refer to the provision which reads:

The qualifications of voters shall be determined in accordance with State law.

On page 1044 of last Wednesday's CONGRESSIONAL RECORD, it will be found that the Senator from Illinois asked the Senator from Louisiana a specific question on the three amendments presented by him, as to whether they did not repeal sections 1 and 2 of Public Law 712. The Senator from Louisiana answered "Yes" with respect to each and every one. With respect to the third amendment, I asked, Does not this language go direct to the heart of sections 1 and 2? The Senator from Louisiana said, "It not only goes to the heart of them, but actually tears the heart out of them." That is the language of the Senator from Louisiana. And now we find the same proposal in the Taft amendment. Senators who vote for the Taft amendment—and let them not forget it, for they will be reminded of it—will be voting to repeal provisions for which they fought in the Senate 2 years ago, and which the Senate of the United States adopted by a vote of 60 to 5.

One more point, Mr. President, and I am through. The Senator from Ohio is always grabbing figures out of the air. He speaks of tons and tons. He is a regular magician with figures. Of course, the War Department and the Navy Department do not know anything about the shipment of the ballots. Of course, they do not know anything about plane space and tonnage transportation difficulties and facilities. But it is easy for the Senator from Ohio to know, and he readily reeled off figures.

Let me give a statement with reference to the difficulty which exists in transportation of ballots and the transportation of war material, and so forth. I repeat what I have said all through the debate, that I wish the States could handle the ballots. I wish every individual soldier, sailor, and marine could have an opportunity to vote for all candidates, but I know that it cannot be done, and that is the only reason for the war ballot. Let me read a statement. This is something worth while; it is authentic; it is not mere "hooey"; it is not simply speculation and conjecture as to available transportation facilities. It shows how difficult transportation is. Listen to this, Senators:

There is another penalty hidden in the Ball amendment for overseas servicemen, who are limited thereby to voting under State absentee procedure. That their State reduces the excessive weight and bulk of its existing absentee balloting material to manageable size will not insure that the balloting material of such State can be carried by air. Their State is but 1 of 48. Many other States may continue to use large manila envelopes, heavy paper, and excessive quantities of such paper, and thus unnecessarily to overload the facilities for air carriage overseas and back. The Army and Navy cannot say: We will take the light-weight material of State A and send the heavy material of State B by freighter. They must treat such air-mailed matter alike, as requests to carry by air—weather, military operations, plane space permitting. If the heavy, bulky ballots from State B fill the available space in a plane, which would have accommodated thrice the number of light ballots of State A, then the servicemen from State A, despite its commendable conformity to the amendment's criteria, may lose their chance to vote.

The Army reports enormous and continuing increase in air-mail carriage overseas.

And that is obvious as we send the thousands upon thousands of boys constantly to every theater of war.

As more troops go overseas, this increase will intensify. Plane space facilities are now inadequate to carry over the air mailed material to the three principal overseas theaters. The Army reports that on one recent day, out of 63,000 pounds of air mail on hand, plane facilities were available eventually to carry only about 50 percent—the rest went by boat. If the planes were available to carry home mail by air, the Army would do it. It should also be pointed out that the * * * amendment would divide each unit of the Army and Navy into two groups, a source of endless difficulty and confusion when multiplied into thousands of little entities scattered throughout the world to whom the complications must be made perfectly clear.

Mr. President, those are not my words. Those are statements of fact which have been given to the committee by those in charge of this work for the Army and the Navy who know something about the difficulty which exists in connection with the plane facilities.

There is one more point, Mr. President, which I desire to make, and then I shall conclude. I made this point the other day, and one of the able Senators on the other side of the aisle, after listening to the able senior Senator from Tennessee [Mr. MCKELLAR] make a speech on the constitutionality of the bill introduced by the Senator from Rhode Island and myself, told me that the Senator from Tennessee had made one of the most remarkable speeches he had heard as to the constitutionality of this bill. The Senator from Tennessee did make a great speech. He almost brought me to tears in behalf of the old document which we all revere and respect.

Yes, Mr. President; but on the next day the same Senator attached his name to the Taft amendment; and if the

Green-Lucas bill is vulnerable from the standpoint of constitutionality, the Taft amendment does all the violence in the world to the Constitution.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. LUCAS. I am glad to yield.

Mr. McKELLAR. That is one Senator's opinion. The Senator from Illinois contends that the Taft amendment is unconstitutional.

Mr. LUCAS. I have not heard the Senator make a constitutional argument on it.

Mr. McKELLAR. Of course, Mr. President, the Senator can express that opinion, but there are a great many of us who do not think so. I believe that the only champion of the constitutionality of the Green-Lucas bill is the distinguished Senator from Rhode Island [Mr. GREEN], who has declared time and again that it is constitutional. His declaration has been overlooked, and I apologize to him, of course. He did claim that the bill is constitutional. But I know of no one else who even claims that the Green-Lucas bill is constitutional, while there are a host of Senators who are contending that the Taft amendment is constitutional.

Mr. LUCAS. Mr. President, I have always contended that the bill introduced by the Senator from Rhode Island and myself is constitutional. The Senator from Tennessee made a great argument on the floor of the Senate that it was unconstitutional, and he cited authorities, and, as I said a moment ago, I almost wept when I listened to his defense of the Constitution.

Mr. McKELLAR. Mr. President, will the Senator further yield?

Mr. LUCAS. I yield.

Mr. McKELLAR. Instead of almost bringing the Senator from Illinois to tears, I would a great deal rather have brought him back to the Constitution of the United States. [Laughter.]

Mr. LUCAS. Oh, yes, Mr. President, my good friend the Senator from Tennessee may say that he wants to bring me back to the Constitution of the United States; but if I had the same feelings the Senator from Tennessee has about the constitutionality of the Green-Lucas bill, I certainly would want to think a long time before I placed my name on the Taft amendment, which provides for the same kind of bobtailed ballot as set forth in our bill, and for having the bobtailed ballot go back to the election precincts and for having the bobtailed ballot counted in the election for President of the United States, if the measure is enacted into law. That is the whole argument the Senator from Tennessee always has made in connection with this matter.

Mr. President, that is the situation. It is not the Constitution for which the opponents of the bill are fighting. The Constitution, as I said before in a speech I made, is used as a cloak behind which to hide. It is impossible to reach any other conclusion when a Senator says one day that a bill is unconstitutional because it provides for a bobtailed ballot, and on the next day signs his name to an amendment which would provide for the same kind of ballot, and declares it to be constitutional.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. BREWSTER. Will the Senator agree that the issue here seems to be rapidly becoming, not whether the soldier votes, but whether the Senate votes?

Mr. LUCAS. Yes; and I have been wanting to vote for a long time.

Mr. BREWSTER. Then, will the Senator permit us to vote now?

Mr. LUCAS. Mr. President, I have been wanting to vote for a long time. The Senator apparently does not appreciate the argument I am making. Apparently he is afraid I will convince someone.

Mr. BREWSTER. The Senator from Illinois has tried it for 3 weeks. I think he has had sufficient time. Mr. President——

The ACTING PRESIDENT pro tempore. Does the Senator from Illinois yield further to the Senator from Maine?

Mr. LUCAS. No, Mr. President; I do not yield further. I thought the Senator from Maine wanted to discuss the constitutionality of the measure; because I know the Senator from Maine is a great lawyer, and I know he would not vote for anything he thought was unconstitutional.

Mr. President, one more word and I am through.

I undertake to say that the Senate of the United States is now about to cast one of the most important votes it has been called upon to cast in a great number of years. For a great number of years to come we will hear about this vote today.

With that, Mr. President, I conclude.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the modified amendment of the Senator from Ohio [Mr. TAFT], to the amendment of the Senator from Kentucky [Mr. BARKLEY] to House amendment numbered 3 to Senate bill 1285.

Mr. BARKLEY. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	George	Pepper
Andrews	Gerry	Radcliffe
Austin	Green	Reed
Bailey	Guffey	Revercomb
Ball	Gurney	Reynolds
Bankhead	Hatch	Robertson
Barkley	Hawkes	Russell
Bilbo	Hayden	Shipstead
Bone	Hill	Smith
Brewster	Holman	Stewart
Brooks	Jackson	Taft
Buck	Johnson, Colo.	Thomas, Idaho
Burton	Kilgore	Thomas, Okla.
Bushfield	La Follette	Thomas, Utah
Butler	Langer	Tobey
Byrd	Lucas	Truman
Capper	McClellan	Tunnell
Caraway	McFarland	Tydings
Chandler	McKellar	Vandenberg
Chavez	Maloney	Wagner
Clark, Idaho	Maybank	Wallgren
Clark, Mo.	Mead	Walsh, Mass.
Connally	Millikin	Walsh, N. J.
Danaher	Moore	Wheeler
Davis	Murdock	Wherry
Downey	Murray	White
Eastland	Nye	Wiley
Ellender	O'Daniel	Willis
Ferguson	Overton	Wilson

The ACTING PRESIDENT pro tempore. Eighty-seven Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment of the Senator from Ohio [Mr. TAFT] to the amendment of the Senator from Kentucky [Mr. BARKLEY] to House amendment numbered 3 to Senate bill 1285. On this question the yeas and nays have been ordered.

Mr. AIKEN. Mr. President, before we vote on this amendment I should like to point out that one of the results of adopting it at this place would be the elimination of the Ferguson amendment, which was overwhelmingly adopted by the Senate a short time ago. If it is the purpose of the sponsors of the amendment offered by the Senator from Ohio and his colleagues to place all plans before the conference committee to work over, then it seems to me that the amendment which is now proposed should be offered at another point in the bill, because if it is adopted at this point it would appear to have the effect of eliminating the amendments which were offered by the Senator from Michigan. I should like to have definite information on that point.

Mr. BARKLEY and Mr. TAFT addressed the Chair.

The ACTING PRESIDENT pro tempore. Does the Senator from Vermont yield, and if so, to whom?

Mr. AIKEN. I yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, in addition to what the Senator from Vermont says, the Taft amendment is in the nature of a substitute for that part of my amendment which begins in line 5 on page 5, including section 4 (b) near the top of page 5, and continuing through to page 28. That part of the bill, which is the heart of the Green-Lucas bill, would not go back to the House as part of the action of the Senate, and would therefore not be in conference.

Mr. AIKEN. That is as I understand it.

Mr. TAFT. Mr. President, I ask unanimous consent to modify my amendment, to incorporate in the proper place in it the amendment offered by the Senator from Michigan [Mr. FERGUSON].

The ACTING PRESIDENT pro tempore. The Chair is advised that, the yeas and nays having been ordered on the amendment, it cannot be modified except by unanimous consent.

Mr. TAFT. I ask unanimous consent to modify the amendment in that respect.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. CHANDLER. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. TAFT. Mr. President, the amendment of the Senator from Michigan is of no importance whatever if my amendment is adopted. The amendment of the Senator from Michigan provides that before a member of the armed forces may vote a Federal ballot, he must swear that he has not voted a State ballot.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. FERGUSON. It does not go that far. It provides that he must swear in

an affidavit that he has not received a State ballot.

Mr. TAFT. He must swear that he has not received a State ballot. If he receives a State ballot and votes it, then even if he should vote a Federal ballot, it would be invalid.

The purpose of my amendment is to remove all possibility of voting a Federal ballot in the case of anyone except a member of the armed forces from a State which does not provide a State ballot. While I am perfectly willing, with respect to the citizens of five or six such States, to have the Ferguson amendment in the bill, really it would not make the slightest difference on the main issue involved in the vote on my amendment.

Mr. BARKLEY. Mr. President, I do not wish to discuss the merits of any of these amendments. However, I wish to call attention to the parliamentary situation so that Senators may have it in mind when they vote.

The amendment offered by the Senator from Ohio is in the nature of a substitute for that part of my amendment which begins in line 5 on page 5, including subsection (b). Therefore if the Taft amendment is adopted, the following provisions in the Green-Lucas bill, which we have now perfected, and upon which we were ready to vote after the third reading yesterday, will go back to the House of Representatives entirely eliminated and excluded from the bill which we return to the House. Being eliminated, they will not be in conference. So the provisions of the bill on which we have been working for more than 2 weeks, upon which the Senate has agreed, and upon which it was ready to vote yesterday, will not be a part of the bill which we send back to the House of Representatives.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. The fact is that my amendment puts all of title I into the Senator's amendment. My amendment covers all of title I. The only part I have not undertaken to put in is that part containing provisions for State voting, because the House bill already contains a complete provision for State voting. Such provision was first made by the Senate in Senate bill 1285, which was amended by the House. So, with respect to State voting, the question would be entirely open in conference, and the confereees could do as they wished.

The curious effect of the Senator's amendment would be to have two entirely separate and contradictory provisions for State voting. It may be possible parliamentarily, but practically it is completely illogical. I think the Senator should have offered only title I. I am offering only title I.

Mr. BARKLEY. What the Senator says is only technically true, and grows out of the fact that we are undertaking to enact a Federal ballot law, which the bill as amended by the House does not contain. In conference any contradictory provisions can be adjusted by the elimination of one provision and the retention of another.

Mr. TAFT. I have incorporated in my amendment every provision with respect to the Federal ballot, namely, the entire title I of the Senator's amendment.

Mr. BARKLEY. Mr. President, I hope we may have a vote on the amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT] to the amendment of the Senator from Kentucky [Mr. BARKLEY] to House amendment numbered 3 to Senate bill 1285. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. ROBERTSON (when his name was called). On this vote I have a pair with my colleague the senior Senator from Wyoming [Mr. O'MAHONEY]. If I were at liberty to vote, I would vote "yea."

The roll call was concluded.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness. I am advised that if present and voting, he would vote "nay."

The Senator from Iowa [Mr. GILLETTE], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Nevada [Mr. SCRUGHAM] are absent on official business. I am advised that if present and voting, they would vote "nay."

The Senator from Montana [Mr. WHEELER], who is necessarily absent, is paired with the Senator from Nevada [Mr. MCCARRAN], who is absent on official business. I am advised that if present and voting, the Senator from Montana [Mr. WHEELER] would vote "yea" and the Senator from Nevada [Mr. MCCARRAN] would vote "nay."

Mr. WHITE. The Senator from California [Mr. JOHNSON] is paired with the Senator from Virginia [Mr. GLASS]. If present, the Senator from California would vote "yea," and I am advised that the Senator from Virginia would vote "nay."

The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The result was announced—yeas 41, nays 45, as follows:

YEAS—41

Bailey	Eastland	Overton
Ball	George	Reed
Bankhead	Gerry	Revercomb
Bilbo	Gurney	Reynolds
Brewster	Hawkes	Russell
Bridges	Hill	Shipstead
Brooks	Holman	Smith
Buck	Johnson, Colo.	Taft
Bushfield	McClellan	Thomas, Idaho
Butler	McKellar	Wherry
Byrd	Millikin	White
Capper	Moore	Willis
Caraway	Nye	Wilson
Connally	O'Daniel	

NAYS—45

Aiken	Green	Pepper
Andrews	Guffey	Radcliffe
Austin	Hatch	Stewart
Barkley	Hayden	Thomas, Okla.
Bone	Jackson	Thomas, Utah
Burton	Kilgore	Tobey
Chandler	La Follette	Truman
Chavez	Langer	Tunnell
Clark, Idaho	Lucas	Tydings
Clark, Mo.	McFarland	Vandenberg
Danaher	Maloney	Wagner
Davis	Maybank	Wallgren
Downey	Mead	Walsh, Mass.
Ellender	Murdock	Walsh, N. J.
Ferguson	Murray	Wiley

NOT VOTING—9

Gillette	McCarran	Robertson
Glass	McNary	Scrugham
Johnson, Calif.	O'Mahoney	Wheeler

So Mr. TAFT's amendment to Mr. BARKLEY's amendment to House amendment numbered 3 to Senate bill 1285 was rejected.

Mr. BARKLEY. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. CLARK of Missouri. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

The ACTING PRESIDENT pro tempore. The question now recurs on agreeing to the amendment of the Senator from Kentucky [Mr. BARKLEY], as amended, to House amendment numbered 3 to Senate bill 1285.

Mr. LUCAS. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. ROBERTSON (when his name was called). On this vote I have a pair with my colleague, the senior Senator from Wyoming [Mr. O'MAHONEY]. If I were permitted to vote, I should vote "nay."

Mr. WHEELER (when his name was called). On this vote I have a pair with the senior Senator from Nevada [Mr. MCCARRAN]. If he were present he would vote "yea." If I were permitted to vote, I should vote "nay."

The roll call was concluded.

Mr. HILL I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness. I am advised that if present and voting, he would vote "yea."

The Senator from Iowa [Mr. GILLETTE], the Senators from Nevada [Mr. MCCARRAN and Mr. SCRUGHAM] and the Senator from Wymoing [Mr. O'MAHONEY] are absent on official business. I am advised that if present and voting, these Senators would vote "yea."

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from California [Mr. JOHNSON] has a pair with the Senator from Virginia [Mr. GLASS]. If present the Senator from California would vote "nay," and I am advised that the Senator from Virginia would vote "yea."

The result was announced—yeas 46, nays 40, as follows:

YEAS—46

Aiken	Guffey	Radcliffe
Andrews	Hatch	Stewart
Austin	Hayden	Thomas, Okla.
Barkley	Jackson	Thomas, Utah
Bone	Johnson, Colo.	Tobey
Burton	Kilgore	Truman
Chandler	La Follette	Tunnell
Chavez	Langer	Tydings
Clark, Idaho	Lucas	Vandenberg
Clark, Mo.	McFarland	Wagner
Danaher	Maloney	Wallgren
Davis	Maybank	Walsh, Mass.
Downey	Mead	Walsh, N. J.
Ellender	Murdock	Wiley
Ferguson	Murray	
Green	Pepper	

NAYS—40

Bailey	Byrd	Holman
Ball	Capper	McClellan
Bankhead	Caraway	McKellar
Bilbo	Connally	Millikin
Brewster	Eastland	Moore
Bridges	George	Nye
Brooks	Gerry	O'Daniel
Buck	Gurney	Overton
Bushfield	Hawkes	Reed
Butler	Hill	Revercomb

Reynolds	Taft	Willis
Russell	Thomas, Idaho	Wilson
Shipstead	Wherry	
Smith	White	

NOT VOTING—9

Gillette	McCarran	Robertson
Glass	McNary	Scrugham
Johnson, Calif.	O'Mahoney	Wheeler

So Mr. BARKLEY's amendment, as amended, to the amendment of the House numbered 3 to Senate bill 1285 was agreed to.

Mr. BARKLEY. I move to reconsider the vote by which the amendment as amended was agreed to.

Mr. CLARK of Missouri. I move to lay the motion to reconsider on the table.

The ACTING PRESIDENT pro tempore. The question is on the motion of the Senator from Missouri to lay on the table the motion of the Senator from Kentucky to reconsider.

The motion to lay on the table was agreed to.

The ACTING PRESIDENT pro tempore. The question is on concurring in House amendment numbered 3 as amended.

The amendment, as amended, was concurred in.

The ACTING PRESIDENT pro tempore. The clerk will state the next amendment of the House to Senate bill 1285.

The next amendment of the House was amendment No. 4, on page 3, line 3, to strike out "2" and insert "3."

The ACTING PRESIDENT pro tempore. Without objection, the amendment is concurred in.

The next amendment of the House was amendment No. 5, on page 3, line 5, to strike out "war and," and insert "war."

The ACTING PRESIDENT pro tempore. Without objection, the amendment is concurred in.

The next amendment of the House of Representatives was amendment No. 6, on page 3, line 5, to strike out "Navy" and insert "Navy, and the Administrator of the War Shipping Administration respectively."

The ACTING PRESIDENT pro tempore. Without objection, the amendment is concurred in.

The next amendment of the House was amendment No. 7, on page 3, line 6, to strike out all after "in" down to and including "war" in line 10, and insert "transmitting to and from persons to whom this act is applicable, making applications therefor to their several States, such absentee ballots, and envelopes to be used in connection therewith, as may be provided under the laws of the several States for the use of such applicants, and to cooperate in the execution by such applicants of oaths in connection with such ballots."

The ACTING PRESIDENT pro tempore. Without objection, the amendment is concurred in.

The next amendment of the House was amendment No. 8, on page 3, lines 11 and 12, to strike out "ballots and envelopes, and communications in connection therewith, including postal cards" and insert "post cards, ballots, and envelopes, and instructions for voting procedure."

The ACTING PRESIDENT pro tempore. Without objection, the amendment is concurred in.

The next amendment of the House was amendment No. 9 on page 3, line 14, after "mails", to insert:

The Secretaries of War and Navy, and the Administrator of the War Shipping Administration, shall take all steps necessary to give to the transmission and delivery of such post cards, ballots, envelopes, and instructions for voting procedure priority over all unofficial communications and priority over official communications except where, in the judgment of the appropriate military and naval authorities, such priority would interfere with the effective prosecution of the war. Ballots cast outside the United States shall, wherever practicable and compatible with military operations, be transmitted by air.

(c) As used in this act—

(1) the term "United States" used geographically includes only the territorial limits of the several States of the United States and the District of Columbia; and

(2) the term "members of the merchant marine of the United States" means persons employed as officers or members of crews of vessels documented under the laws of the United States and persons enrolled for such employment with the United States War Shipping Administration, but does not include those in service or enrolled for service on the Great Lakes or the inland waterways; and

(3) the term "State" includes the Territories of Alaska and Hawaii.

Mr. BARKLEY. Mr. President, amendment No. 9 is a substantial one. I think it ought to go to conference, and, in order that that may be accomplished, the amendment should be disagreed to.

Mr. McKELLAR. May we have the yeas and nays?

The yeas and nays were not ordered.

Mr. TAFT. Mr. President, my impression is that this amendment is almost the same provision that appears in the amendment just concurred in. I do not see why the Senator does not want it concurred in.

Mr. BARKLEY. It is because I want it to go to conference. The language is different, and not concurring would permit the conferees to adjust it.

Mr. TAFT. It will be in conference, because the Senate has adopted another bill dealing with this whole subject. It is all in the same bill, and the provisions overlap and conflict, and certainly this would be in conference.

Mr. BARKLEY. This is a different amendment. If we concur, it will not be in conference; we would eliminate it from conference, although a provision on the same subject in the amendment just concurred in would be in conference. But no matter what the conferees might do in regard to that, this language would have to remain in the bill because we would have concurred in the amendment.

Mr. TAFT. I think that illustrates the difficulties the Senator has.

Mr. BARKLEY. If the Senator would help, instead of pointing out technical difficulties, it would be greatly appreciated.

Mr. TAFT. I do not quite see why the amendment should not be concurred in. It contains a very strong provision for handling State ballots. Let me read it. This is the amendment we are asked not to concur in:

The Secretaries of War and Navy, and the Administrator of the War Shipping Administration, shall take all steps necessary to give to the transmission and delivery of such post cards, ballots, envelopes, and instructions for voting procedure priority over all unofficial communications and priority over official communications except where, in the judgment of the appropriate military and naval authorities, such prority would interfere with the effective prosecution of the war.

Now let me read the Senator's amendment, which is another provision entirely separate in the bill.

The Secretaries of War and Navy and other appropriate authorities shall, so far as practicable and compatible with military operations, take all reasonable measures to facilitate transmission, delivery, and return of absentee ballots.

And another provision:

The Secretaries of War and Navy shall, whenever practicable and compatible with military operations, cause such information to be made available to members of the armed forces.

Mr. BARKLEY. Of course, the provisions are different, as the Senator has already discovered. In addition to that, this amendment contains a definition of "United States," it contains a definition of the members of the merchant marine of the United States, it contains a definition of the word "State," and is entirely different. All I am seeking to do is to avoid foreclosing the opportunity of conferees to consider this along with the other provisions.

Mr. TAFT. I am only anxious that we do not eliminate this language about priority over official and unofficial communications.

Mr. BARKLEY. It will be in conference. The Senator knows that technically we disagree to amendments frequently to which we have no objection, in order that they may be considered in the whole picture.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Kentucky.

Mr. CHAVEZ. Mr. President, I should like to ask the Senator from Kentucky a question. On page 11, line 23, I find subsection (3) of subdivision (c) of amendment numbered 9, which defines what the word "State" means. It says it includes "the Territories of Alaska and Hawaii." I ask that there be stricken out the word "and" between Alaska and Hawaii and that there be inserted a comma after Alaska and the name "Puerto Rico."

Mr. BARKLEY. The only way in which that could be done, from a parliamentary standpoint, would be to concur in the amendment with that amendment, and that is the very opposite of what I am seeking. If we do not concur in the amendment, it will then be in conference, and the conferees could deal with that subject.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Kentucky that the Senate not concur in House amendment numbered 9.

The amendment was not concurred in.

The ACTING PRESIDENT pro tempore. The clerk will state the next House amendment to Senate bill 1285.

The next House amendment was amendment numbered 10, on page 11, line 25, to strike out "3" and insert "4."

The amendment was concurred in.

The next House amendment was amendment numbered 11, on page 12, line 23, after the word "party" to strike out "presenting a candidate for President at the" and to insert "which polled at least 10 percent of the votes cast in the most recent Presidential."

Mr. BARKLEY. In view of what we have done heretofore, this amendment should not be concurred in.

Mr. TAFT. I agree with the Senator.

The ACTING PRESIDENT pro tempore. The question is on concurring in the amendment.

The amendment was not concurred in.

The next House amendment was amendment numbered 12, on page 13, line 4, after the word "newspapers", to strike out:

Such as Yank and Stars and Stripes; but the list of such books, magazines, and newspapers of general circulation shall be determined in accordance with the preference of the members of the armed forces in some reliable method to be determined by the Secretary of War and the Secretary of the Navy, and the conduct of servicemen's magazines or newspapers sponsored or paid for by the Government shall be wholly nonpartisan and nonpolitical, unless an equal amount of space is allotted in each issue to editorials, columns, or other argumentative matter supporting each party concerned in the Presidential election.

(3) Nothing herein shall prevent the sending of any letter, magazine, newspaper, or other literature by any individual, corporation, other than Government-owned corporation, or political committee to any member of the armed forces, addressed personally to such member of the armed forces, and paid for by him, or by the person or committee sending the same.

(4) No communication, order, magazine, newspaper, or other literature, and no broadcast, and no list of books, magazines, or newspapers, shall be deemed to be in violation of this section if it is first submitted to the United States War Ballot Commission, and found by such Commission not to be in violation of this section, but it shall not be compulsory to make such submission.

And to insert:

Or the presentation to members of the armed forces of motion-picture films, radio broadcasts, or rebroadcasts; but no such distribution or presentation shall be undertaken by any Federal agency: *Provided, however,* That nothing herein shall prevent or interfere with the customary activities of the War Shipping Administration or the United States Maritime Commission or the War, Navy, and Post Office Departments: *Provided further,* That it shall be unlawful for any commissioned officer or enlisted man in any branch of the armed forces of the United States to command, order, direct, or undertake to influence any member of the armed forces to cast his or her vote for any candidate or candidates, or party, in any election or primary. Any person violating this provision shall be subject to the provisions of State and Federal law prohibiting offenses against the elective franchise.

Mr. TAFT. Mr. President, I ask that this amendment not be concurred in. The Senate adopted language in sections 22 and 23 after long debate.

Mr. BARKLEY. I concur in the request.

The ACTING PRESIDENT pro tempore. The question is on concurring in the amendment.

The amendment was not concurred in.

The next House amendment was amendment numbered 13, on page 14, line 21, after the name "United States Government", to insert "to censor or interfere with any ballot or official inner envelope, or."

The amendment was concurred in.

The next House amendment was amendment numbered 14, on page 15, after line 9, to insert two new sections, as follows:

SEC. 5. There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

SEC. 6. Section 3 of the act of September 16, 1942 (Public Law 712, Seventy-seventh Congress), is hereby repealed.

Mr. TAFT. Mr. President, I ask that amendment numbered 14 be separated.

Mr. BARKLEY. It is already separated.

Mr. TAFT. I mean that sections 5 and 6 should be acted on separately. There are two sections there which I think are entirely different.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Ohio? The Chair hears none, and the clerk will state the first part of the amendment.

The LEGISLATIVE CLERK. On page 15, beginning in line 10, it is proposed to insert:

SEC. 5. There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

The ACTING PRESIDENT pro tempore. The question is on concurring in the amendment.

The amendment was concurred in.

The ACTING PRESIDENT pro tempore. The clerk will state the next part of the amendment.

The LEGISLATIVE CLERK. On page 15, after line 12, it is proposed to insert:

SEC. 6. Section 3 of the act of September 16, 1942 (Public Law 712, 76th Cong.), is hereby repealed.

Mr. TAFT. Mr. President, I move to concur in the amendment incorporating section 6, with an amendment, to strike out section 6 and insert the provision which I have offered as an amendment to the Barkley amendment.

Mr. BARKLEY. Mr. President, I make the point of order that that amendment having been already voted on and rejected, it is not in order to offer it again.

Mr. TAFT. On the point of order, Mr. President, I submit that it was offered as an amendment to the Barkley amendment. As the Senator himself pointed out, that eliminated all of title II and all of title III of the Barkley amendment, and presented, therefore, a substantially different question from that involved in the offering of the amendment in addition to the provisions of the Barkley amendment.

Mr. BARKLEY. Mr. President, earlier in the day the Senator from Ohio offered an amendment to the House amendments. The fact that it specified one particular House amendment did not relieve it of that status. The same amendment is now offered in another place, to another part of the House amendments, which is a part of the whole series of House amendments. It is the same amendment upon which we have voted and which has been rejected, and it seems to me it comes within the rule that the same amendment shall not be offered twice.

Mr. TAFT. Mr. President, of course when offered as an amendment to the Senator's amendment in the first place it left about four pages of the Senator's amendment which were not at all affected. It eliminated the remainder of title I of the Senator's amendment, it eliminated the remainder of title II of the Senator's amendment, it eliminated the remainder of title III of the Senator's amendment, and proposed in lieu thereof only this particular provision of title I as amended. Now I am proposing that we consider sending to the conferees this provision.

The measure already contains two completely separate provisions for State ballots—the House provision and title II of the Barkley amendment. It contains two completely separate provisions regarding the antipropaganda proposals—one in the Barkley amendment, in title III, and the other in the House bill. I now suggest that we also have two provisions regarding the Federal ballot, the Barkley-Green-Lucas proposal, and the proposal which I have made. Then we will have everything in common. That is the suggestion I make, and that is a very different proposition from the proposal simply to amend the Barkley amendment and to eliminate the Barkley proposal. If my amendment goes in the bill, then the conferees will have it before them, and they will have the Barkley proposal before them, whereas considered as an amendment to the Barkley amendment it would have entirely eliminated the Barkley proposal. So as now proposed it cannot possibly be the same question, as I see it.

Mr. BARKLEY. I do not want to prolong the argument on the point of order. The fact that the original Taft amendment, offered a while ago and rejected, retained a part of my amendment, has no bearing whatever upon the point of order. The fact that there may be two provisions in the bill as it now has been perfected, with respect to State ballots, has no merit on the point of order. The point is that the same amendment was offered to one part of the House amendments and has been rejected, and therefore it is not in order to offer it again to another part of the House amendments.

So far as the merits of the proposition are concerned, I do not care to discuss them on the point of order, but if it has any bearing or any weight with the Chair, or with the Senator from Ohio, it seems to me that it is no argument in behalf of the merits of his amendment that it injects another contradictory proposition into the bill as it will go back to conference.

The ACTING PRESIDENT pro tempore. The Chair would like to ask the Senator from Kentucky what he has to say with respect to the suggestion that the Taft amendment, when first offered, was offered to the Barkley amendment, which was an amendment of House amendment No. 3? In the present case the Taft amendment is offered to House amendment No. 14, as the Chair understands the situation, and it was determined by the Senate when the matter came up for consideration that the House amendments would be considered separately.

Mr. BARKLEY. Mr. President, my reply to that suggestion is that if we were considering a bill originally, and a similar proposition were offered to section 12 or 10 or 8 of the original bill which we had under consideration, and it were defeated, the same amendment would not again be in order to a subsequent section of the same bill. The mere fact that it is offered in a different place to a separate House amendment does not in my judgment relieve it of what former Chief Justice Hughes in the Sick Chicken case referred to as the "fatal infirmity" of offering it the second time and in a different way.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. MURDOCK. I should like to make a parliamentary inquiry. I inquire whether under the rules of the Senate the Senate may divide a House amendment, as was requested by the Senator from Ohio? It seems to me the proper procedure would be to move to concur in that amendment with an amendment, if the Senator desires to carry out what he proposes to do. I do not claim to know very much about the Senate rules, but it appears to me to be a rather irregular procedure to ask that a House amendment be divided into two parts.

The ACTING PRESIDENT pro tempore. It is the understanding of the Chair that where more than one subject occurs in matters to be considered, the subjects may be divided and separately considered.

Mr. MURDOCK. Notwithstanding the fact that two sections comprise one House amendment?

The ACTING PRESIDENT pro tempore. The Chair is now answering the question in regard to the several House amendments which are now before the Senate, and they together embrace several subjects and are separable, therefore, in consideration.

Mr. MURDOCK. As I understand, amendment numbered 14 includes as one amendment sections 5 and 6; and under the request of the Senator from Ohio, as I understood his request, the House amendment has been divided so that we are considering it now in two separate parts.

Mr. BARKLEY. Mr. President, I am making no point about the indivisibility of House amendment numbered 14, but I do seek to emphasize the point that if the Senator from Ohio can offer the same amendment to amendment numbered 14, he could have offered it to every other amendment of the House as we reached them and as they were rejected. The fact that he can offer it again in the same terms to one amendment would imply that he could have offered it to all of them if, as we reached them, his amendment were defeated. Certainly that is not in conformity with the rules of the Senate, either in the consideration of a bill originally or in the consideration of amendments to a bill.

The ACTING PRESIDENT pro tempore. The Chair would like to reply to the inquiry made by the Senator from Utah.

Mr. MURDOCK. Mr. President, I should like to have a ruling by the Chair.

The ACTING PRESIDENT pro tempore. When consideration of House amendment numbered 14 arose, it was moved by the Senator from Ohio that the amendment numbered 14 be separated. That was agreed to by the Senate, and that is the reason why the two parts of amendment numbered 14 are being separately considered.

Mr. MURDOCK. Does the present occupant of the chair hold that that is in conformity with the Senate rule?

The ACTING PRESIDENT pro tempore. The Chair holds that it was proper for the Senate to determine to divide amendment numbered 14, and the Senate did so on the motion of the Senator from Ohio, which was not objected to by the Senator from Kentucky, and was agreed to by unanimous consent.

Mr. MURDOCK. I thank the Chair.

The ACTING PRESIDENT pro tempore. It is the opinion of the Chair that the point of order is not well taken, due to the fact that the first amendment offered by the Senator from Ohio was offered to the Barkley amendment to House amendment numbered 3, whereas the present Taft amendment is offered not to any Senate amendment, but to House amendment numbered 14, which is different from House amendment numbered 3. The question therefore is on agreeing to the amendment of the Senator from Ohio to section 6 of House amendment numbered 14.

Mr. TAFT. Mr. President, in the first place I desire to modify the amendment by inserting at the proper place the amendment offered by the Senator from Michigan [Mr. FERGUSON], which was adopted in the Barkley amendment, relating to the inability of the soldier to vote a Federal ballot if he has already voted a State ballot.

The ACTING PRESIDENT pro tempore. The application by the Senator to modify his own amendment is in order. Does the Senate desire the amendment, as modified, to be reported? The Chair hears no request to that effect.

Without objection, the amendment, as modified, will be printed in the RECORD at this point.

Mr. TAFT's modified amendment to House amendment numbered 14 to Senate bill 1285 is as follows:

Strike out section 6 and insert:

"TITLE II

"SOLDIERS' AND SAILORS' BALLOT COMMISSION

"SEC. 3. (a) There is established a Soldiers' and Sailors' Ballot Commission (hereinafter referred to as the Commission), which shall be composed of four Commissioners, who shall be appointed by the President, by and with the advice and consent of the Senate, to serve a term which shall not exceed the duration of the war and 6 months thereafter. Two Commissioners shall be members of the political party casting the largest popular vote and two Commissioners shall be members of the political party casting the second largest popular vote for Presidential electors in the most recent Presidential election. Such Commissioners shall be appointed from lists of not less than six nominees submitted by the national committees of the respective political parties. Vacancies in the Commission shall be filled in the same manner as the original appointments, that is, from lists of not less than three nominees for each such vacancy submitted by the national committees of the respective political parties. No Commissioner shall hold or be a candidate for any elective public office. The Commission shall elect from among its members a chairman and vice chairman. Each Commissioner shall receive as compensation $25 for each day in which he is actually engaged in performing the duties of his office and shall also be reimbursed for any necessary expenses incurred in the performance of his duties. The vote of a majority of all the Commissioners shall be necessary to a decision by the Commission on any matter.

"(b) The Commission is authorized to appoint, without regard to the Civil Service Act, rules, and regulations, an executive director and such other officers, employees, or agents as may be necessary for the performance of its duties under this act. The Commission may receive assistance from other Federal departments and agencies in carrying out the purposes of this act.

"(c) It shall be the duty of the Commission, in performing its functions under this act, to consult with representatives of the War and Navy Departments and the War Shipping Administration and with State officials. As soon as practicable after any election to which the provisions of this title apply, the Commission shall report to the Congress on the administration of this act, including the number of ballots received by the Commission and transmitted to the secretaries of state of the several States, and the reports received by the Commission from such secretaries of state Any Commissioner disagreeing as to the contents of the report may set forth his separate views.

"APPLICATION OF THIS TITLE

"(a) The provisions of this title shall apply with respect to the following:

"(1) Members of the armed forces and the merchant marine of the United States, outside the United States, who state in their oath that they have not received State absentee ballots which include the officers who may be voted for under the provisions of this title.

"(2) Persons serving with the American Red Cross, the Society of Friends, the Women's Auxiliary Service Pilots, and the United Service Organizations, outside the United States who are attached to and serving with the armed forces of the United States, who state in their oath that they have not received State absentee ballots which include the officers who may be voted for under the provisions of this title.

"(3) Members of the armed forces who are inside the United States who are residents of any State of which the secretary of state has not certified to the Commission prior to August 1, 1944, that the State has made provision for such members to vote by absentee ballot and that the State will accept postcard applications as provided for in title II of this act; and the Commission shall promptly advise the Secretaries of War and Navy of the names of the States which have so certified. Any such member of the armed forces who is inside the United States and who has not received his State ballot may

vote under the provisions of this title, provided such member shall execute the oath hereinafter set forth.

"(b) As used in this act—

"1. the term 'members of the merchant marine of the United States' means persons employed as officers or members of crews of vessels documented under the laws of the United States and persons enrolled for such employment with the War Shipping Administration, but does not include those in service or enrolled for service on the Great Lakes or the inland waterways;

"2. the term 'United States,' used geographically, includes only the territorial limits of the several States of the United States and the District of Columbia."

Amendment to the House amendments to S. 1285 to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes, viz: Strike out all of pages 29 to 44, inclusive, and insert:

"(c) This title shall not be applicable after December 31, 1945.

"(d) This title shall not be applicable in the case of the citizens of any State which has prior to June 1, 1944, made provisions for absentee-voting ballots for members of the armed forces, complying with the following conditions:

"(1) Such ballots may be used without registration, in person.

"(2) Such ballots shall be printed and available for mailing at least 45 days in advance of the election.

"(3) Such ballots, with accompanying envelopes and voting instructions, shall weigh not more than one and two-tenths ounces. The Commission shall ascertain and certify to the Secretaries of War and Navy and to the Administrator of the War Shipping Administration, on or before July 1, 1944, the States which have not made provision for absentee voting ballots in accordance with the conditions specified in this subsection.

"OFFICIAL WAR BALLOTS, ENVELOPES, AND EXPLANATIONS

"SEC. 5. (a) The Commission shall cause to be prepared and printed for use in voting in general elections under this title an adequate number of official war ballots. Each ballot shall be printed in the following form insofar as the offices enumerated are appropriate to the particular election:

"OFFICIAL WAR BALLOT

"Instruction: To vote, write in the name of the candidate of your choice for each office.

"ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

"(A vote for President includes a vote for Vice President of the same party)

"Write in the name of your choice for President _____

"UNITED STATES SENATOR

"(Only if a Senator is to be elected in your State)

"Write in the name of your choice for Senator _____

"REPRESENTATIVES IN CONGRESS FOR YOUR DISTRICT

"Write in the name of your choice for Representative in Congress for your district _____

"REPRESENTATIVE AT LARGE IN CONGRESS

"(Only in the States entitled thereto)

"Write in the name or names of your choice for Representative at Large _____

"(Vote for one or two as the case may be)

A vote for a Presidential candidate by name shall be deemed to be a vote for the candidates for Presidential and Vice Presidential electors of his party. No ballot shall be invalid by reason of mistake or omission in writing in the name of the candidate where the candidate intended by the voter is plainly identifiable. Where, because of any defect in marking, a ballot is held invalid as to any particular candidate for office, it shall remain valid as to the other candidates for office.

"(b) The Commission shall also cause to be prepared and printed an appropriate number of official inner envelopes for use in sealing the official war ballots. Each envelope shall be gummed ready for sealing. Upon one side of the envelope shall be printed:

"OFFICIAL WAR BALLOT FOR GENERAL ELECTION

"Name of voter _____.
"(Print your name plainly here)

"Home residence:
"Street and number (if any) or rural route _____.
"(Print street and number or rural route plainly here)

"City or town (if any) _____.
"(Print city or town plainly here)

"County _____.
"(Print county plainly here)

"Upon the other side of such envelope shall be printed the following oath, at the top of which shall be set forth the date of the election:

"OATH OF ELECTOR FOR VOTING IN THE GENERAL ELECTIONS TO BE HELD IN 1944

"I do hereby swear (or affirm) that:

"(1) I am a citizen of the United States;

"(2) The date of my birth was _____.

"(3) For _____ years preceding this election my home residence has been in the State of _____;

"(4) For _____ years preceding this election my home residence has been in the (city, town, or village) of _____ in the county of _____ at (street and number, if any, or rural route) _____;

"(5) I am (check appropriate blank):

"(a) in the armed forces of the United States _____ ( );

"(b) in the merchant marine of the United States _____ ( );

"(c) serving with the American Red Cross ( ), the Society of Friends ( ), the Women's Auxiliary Service Pilots ( ), or the United Service Organizations ( ), outside the United States, and am attached to and serving with the armed forces of the United States;

and that I have not voted and do not intend to vote in this election at any address other than the above; and that I have not received or offered, do not expect to receive, have not paid, offered or promised to pay, contributed, offered, or promised to contribute to another, to be paid or used, any money or other valuable thing as a compensation or reward for the giving of a vote at this election, and have not made any promise to influence the giving or withholding of any such vote; and that I have not been convicted of bribery or any infamous crime, or, if so convicted, that I have been pardoned or restored to all the rights of a citizen, without restriction as to the rights of suffrage.

"_____
"(Voter must write his usual signature here and oath must be administered and attested.)

"Subscribed and sworn to before me this _____ day of _____, 194__.

"_____
"(Commissioned, noncommissioned, or petty officer not below the rank of sergeant or its equivalent, or other person authorized to administer and attest this oath.)

"(c) The Commission shall also cause to be prepared and printed an appropriate number of official outer envelopes for use in returning to the Commission official war ballots and official inner envelopes. Upon such outer envelope the following shall be printed:

"FREE OF ALL POSTAGE
INCLUDING AIR MAIL
"(Official Federal War Ballot)

"To the SOLDIERS AND SAILORS' WAR BALLOT COMMISSION:

"For transmission to the secretary of state of the State shown below.

"Voter's home residence:
"Street and number (if any) or rural route _____
"(Print clearly)

"City or town _____.
"(Print clearly)

"County _____.
"(Print clearly)

"State _____.
"(Print clearly)

"(Check appropriate item:)

"(a) I am outside the United States but have not received a State ballot for voting for electors for President and Vice President and for Senators and Representatives in Congress _____( )

"(b) I am inside the United States but have not received a State ballot _____( )

"(d) Ballots and envelopes for use outside the United States shall be suitable for air mailing.

"(e) The Commission shall also cause to be prepared and printed an adequate number of copies of explanations of voting procedure for use in accordance with the provisions of this title.

"(f) Where the Secretary of War or the Secretary of the Navy determines that the transmission abroad of any material required to be prepared and printed by the provisions of this section is inexpedient because of transportation difficulties or for other reasons arising from the conduct of the war, the Commission is authorized to arrange for such material to be printed outside the United States.

"BALLOTING

"SEC. 6. (a) Any person desiring and entitled to vote under the provisions of this title may apply for an official war ballot to the Soldiers' and Sailors' War Ballot Commission, or to the Secretary of War, or to the Secretary of the Navy, or to the Administrator of the War Shipping Administration or to the secretary of state of the State of his residence. The Secretary of War, the Secretary of the Navy, the Administrator of the War Shipping Administration, and the secretary of state of any State whose citizens may vote under the provisions of this title, receiving such an application, shall promptly transmit any such application to the Commission, and the Commission shall promptly forward an official war ballot to the person requesting the same. The application may be in any form, but for the convenience of persons entitled to vote under this title, the Commission shall prepare a convenient form of application, and distribute the same through the Secretary of War, the Secretary of the Navy, and the Administrator of the War Shipping Administration, to the various stations and ships and localities where persons entitled to vote under this title may be located, such distribution to be made before June 1, 1944.

"(b) Any person voting under the provisions of this title shall privately mark the ballot, place it in the official inner envelope, and securely seal the same. He shall then fill in and subscribe the oath printed upon the official inner envelope. After the oath has been duly attested, the voter shall then place the official inner envelope in the official outer envelope provided for the return of the ballot to the Commission and shall deliver it to a person designated by proper authority to receive executed ballots for transmission to the Commission.

"(c) Any commissioned, noncommissioned, or petty officer not below the rank of sergeant

or its equivalent in the armed forces of the United States and any member of the merchant marine of the United States designated for this purpose by the Administrator of the War Shipping Administration is authorized to administer and attest such oaths as are required by this title. All such oaths shall constitute prima facie evidence that the voter is qualified to vote, unless the statements contained in such oath indicate the contrary.

"ADMINISTRATION

"SEC. 7. (a) The Secretaries of War and Navy shall be responsible for the administration of this title with respect to members of the armed forces and civilians attached to and serving with the armed forces and entitled to vote thereunder. The Administrator or the War Shipping Administration shall be responsible for the administration of this title with respect to members of the merchant marine of the United States entitled to vote thereunder.

"(b) In each year in which a general election for Senators and Representatives in Congress is to be held, the Commission shall furnish well in advance of the election an adequate number of copies of explanations of voting procedures to the Secretaries of War and Navy and to the Administrator of the War Shipping Administration.

"LIST OF CANDIDATES

"SEC. 8. The secretary of state of each State shall furnish the Commission such information as the Commission shall request for compiling a list of candidates and their parties in any general election for President and Vice President or for Senators and Representatives in Congress. The Commission shall transmit to the Secretaries of War and Navy and the Administrator of the War Shipping Administration, at such times as it deems to be appropriate for balloting under this title, list of candidates compiled from the information so received, even if incomplete. The Secretaries of War and Navy and the Administrator of the War Shipping Administration shall, in ample time for balloting under this title, transmit such lists to all units of the armed forces and to members of the merchant marine of the United States, to the extent that such transmission is practicable and compatible with military operations. Incomplete lists of candidates so furnished, or failure to furnish such lists, shall be no bar to balloting under the provisions of this title. No list of candidates furnished under this title shall include information as to a candidate other than his name, address, party affiliation, and office for which nominated.

"DISTRIBUTION AND COLLECTION OF BALLOTS FOR MEMBERS OF THE ARMED FORCES AND OTHERS

"SEC. 9 (a) The Secretaries of War and Navy, insofar as practicable and to the fullest extent compatible with military operations, shall cause explanations of voting procedure, and lists of candidates to be distributed to members of the armed forces, and to civilians attached to and serving with the armed forces and entitled to vote under this title, in ample time to insure an opportunity to vote in general elections under this title and shall cause executed ballots to be collected and transmitted to the Commission.

"(b) Wherever practicable and compatible with military operations, the appropriate commanding officer shall be required—

"(1) to cause lists of candidates to be posted and otherwise made available at conspicuous and convenient places as soon as received and to cause copies of explanations of voting procedure and all other necessary information to be furnished to members of his unit and civilians attached to and serving with such unit and entitled to vote under this title;

"(2) to cause executed ballots to be collected and delivered for transmission to the Commission.

"DISTRIBUTION AND COLLECTION OF BALLOTS FOR THE MERCHANT MARINE

"SEC. 10. The Administrator of the War Shipping Administration shall cause explanations of voting procedure, and lists of candidates for voting in general elections to be made available to members of the merchant marine of the United States upon request. The Administrator shall cause executed ballots to be collected and delivered to the Commission or to appropriate representatives of the War and Navy Departments for transmission to the Commission. The Secretaries of War and Navy shall arrange, so far as practicable, for the receipt of such ballots and their transmission to the Commission together with the ballots of members of the armed forces. The Administrator may delegate to the Secretary of War or the Secretary of the Navy, with the consent of such Secretary, any function of the Administrator under this title.

"PRIORITIES

"SEC. 11. The Secretaries of War and Navy and other appropriate authorities shall take all steps necessary to give to the transmission and delivery of ballots and communications under this title priority over all unofficial communications and priority over official communications except where, in the judgment of the appropriate military and naval authorities, such priority would interfere with the effective prosecution of the war. Ballots cast outside the United States shall be transmitted by air, wherever practicable and compatible with military operations.

"TRANSMISSION

"SEC. 12. The Commission, upon receiving any ballot cast under this title, shall promptly transmit it to the secretary of state of the State of the voter's residence who shall at an appropriate time transmit it to the appropriate election officials of the district, precinct, county, or other voting unit of the voter's residence. No person other than such appropriate election officials shall open any official outer or inner envelope purporting to contain a ballot cast under this title.

"REPORTS

"SEC. 13. (a) The Secretaries of War and Navy and the Administrator of the War Shipping Administration shall report to the Commission on balloting under this title, including the number of ballots distributed, received, and transmitted to the Commission, together with any comments thereon or explanation thereof.

"(b) The Commission shall prepare a statement of all ballots received and transmitted to the various secretaries of state. Each secretary of state shall prepare a report of all ballots received by him and transmitted to the various election officials, and within 30 days after the last day for counting absentee ballots in any election in which ballots are cast under the provisions of this title, each secretary of state shall transmit such report to the Commission.

"SEC. 14. (a) The functions and powers of the Soldiers' and Sailors' War Ballot Commission under this act shall be administrative only. Nothing in this act shall be construed to confer a right to vote upon any person who does not possess the qualifications prescribed and defined by State law for electors in the State of his residence; and nothing in this act shall be construed to affect the right of any State to prescribe and define the qualifications of electors entitled to vote in elections held in such State and to determine what persons possess such qualifications.

"VALIDITY OF BALLOTS

"(b) The Commission shall have no powers or functions with respect to the determination of the validity of ballots cast under the provisions of this title; such determination shall be made by the duly constituted election officials of the appropriate districts, precincts, counties, or other voting units of the several States. Votes cast under the provisions of this title shall be canvassed, counted, and certified in each State by its proper canvassing boards in the same manner, as nearly as may be practicable, as the votes cast within its borders are canvassed, counted, and certified. The qualifications of voters shall be determined in accordance with State law.

"(c) No official war ballot shall be valid if—

"1. the voter has also voted in person or by absentee ballot in accordance with the procedure provided by State law; or

"2. the date of the oath of elector is later than the date of the holding of the election; or

"3. such ballot is received by the appropriate election official of the district, precinct, county, or other voting unit of the State of the voter's residence later than the date of the holding of the election, except that any extension of time for the receipt of absentee ballots permitted by State laws shall apply to ballots cast under this title.

"(d) All ballot envelopes received by a secretary of state at a date or time too late for proper delivery, and all ballot envelopes not delivered to polling places or to the proper officials shall not be opened but shall be endorsed with the date of reception and shall be retained by the secretary until the time has expired for contesting the election, when they shall be destroyed without examination.

"(e) The provisions of this section 14 shall apply both to title I and title II of this act.

"VOTING SAFEGUARDS

"SEC. 15. Every individual concerned with the administration of this title shall take all necessary steps to prevent fraud, to protect voters against coercion of any sort, and to safeguard the integrity and secrecy of ballots cast hereunder.

"PENALTIES

"SEC. 16. The provisions of State and Federal law prohibiting offenses against the elective franchise shall apply in the case of elections and voting conducted pursuant to the provisions of this title: *Provided, however,* That no act done in good faith by a member of the armed forces of the United States, in the exercise of his judgment as to what was practicable and compatible with military operations, shall constitute a violation of any such provision of law.

"APPROPRIATE STATE OFFICIALS

"SEC. 17. Wherever, in any State, an official other than the secretary of state is the appropriate State official to carry out any function vested in the secretary of state under this title, the term 'secretary of state' shall mean such other official.

"OFFICIALS AND AGENCIES TO ACT FOR SECRETARY OF STATE

"SEC. 18. Each secretary of state may utilize the services of such State and local officials and agencies for such purposes and to such extent as he may deem appropriate in the exercise of his powers and duties under this title.

"ACT TO BE LIBERALLY CONSTRUED

"SEC. 19. The provisions of this act shall be construed liberally in order to effectuate its purposes."

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. LUCAS. Am I correct in understanding that the amendment we are about to vote on is the same Taft amendment we have voted on previously?

The ACTING PRESIDENT pro tempore. The Senator is correct. It is the same amendment, except that the

amendment designated as the Ferguson amendment has, on application by the mover, the Senator from Ohio, been incorporated into the Taft amendment.

Mr. LUCAS. Is there any limitation as to the number of times this amendment can be offered?

The ACTING PRESIDENT pro tempore. The Chair rules that so long as the amendment is offered to different amendments of the House, so that it is related to different subject matters, it is admissible, and in the present instance it has been modified by the inclusion of material which was not included when it was offered to the Barkley amendment.

Mr. LUCAS. In other words, if it is modified again it can still be offered to another House amendment; and after that is voted down, it can be modified again and offered to another House amendment; is that correct?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. TAFT. Mr. President, I desire to take only 2 minutes to explain my purpose in offering the amendment a third time. My proposal is that it go to conference. The Senate has now indicated that it is willing to approve the Green-Lucas Bill. I propose that we also send this proposal to conference. Every other important proposal which has been made is now to be in conference. They will be in conference in the most illogical and irregular way, but they will be there. If the House by any chance were to accept the Senate amendments to the House amendments, the bill would not mean anything. It would have two entirely distinct and separate sets of amendments dealing with State ballots, namely, the Eastland amendment as modified and title II of the Barkley amendment. It would have two completely separate and distinct sections about the amendment of the Hatch Act, one contained in the Barkley amendment in title III, and the other as contained in the Senate bill and modified by the House.

I propose that there also be placed before the conferees two different proposals in respect to Federal ballots, so that the conferees will have everything before them and will be able to work out the matter.

Frankly, I think the move is one to obtain an agreement more quickly than in any other way by which an agreement could be obtained. We have practically said we have disagreed with the House; we are going to leave the matter to the committee of conference to work out some measure on which all can agree to provide for the soldiers to vote. In respect to having the committee of conference work out the matter, I think it should have this proposal before it as well as the other proposals which have been made; because certainly the proposal has the support of over 40 Senators and many newspapers. I think it should be in conference.

Mr. BARKLEY. Mr. President, just a word. The Senator from Ohio has said that if by any chance the House were to accept the Senate amendments to its amendments, the bill would mean nothing. I think I can say with equal sincerity that if the Senator's amendment is agreed to, and if the House by any chance were to accept the Senate amendments to its amendments, as then prepared and sent to the House, we would have not only the situation which the Senator has described—with which description I do not agree—but would have a measure containing diametrically opposed provisions, each of which would check out the other.

So it seems to me that, having twice defeated the Taft amendment, and having expressed the will of the Senate on the subject, it should not now be put into the bill simply in order that it might go to conference. We all understand the amendment, and I hope it will be rejected.

Mr. LUCAS. Mr. President, I wish to say merely a word. As the Senator from Kentucky has said, we have voted twice on the Taft amendment. It seems to me that at some time or other we in the United States Senate should exhibit a spirit of sportsmanship that would be worthy of us. [Laughter.]

The Senator from Ohio can laugh at that remark if he wishes to do so. He has been doing a good deal of laughing throughout the debate. It is one of the best things he does. But I say that sincerely. We have defeated the Taft amendment twice. I assure the Senate that if I, along with my colleague the Senator from Rhode Island, had been defeated once on this very important question, I would have taken my seat like a man, would have gone along with the program, and would not be here attempting at every opportunity I had to attach to the measure something which had been at least twice defeated in the Senate.

Mr. BARKLEY and Mr. OVERTON addressed the Chair.

The ACTING PRESIDENT pro tempore. Does the Senator from Illinois yield, and if so, to whom?

Mr. LUCAS. I yield to the Senator from Kentucky.

Mr. BARKLEY. I simply wished to ask the Senator from Illinois if in his opinion the adoption at this time of the Taft amendment, as a part of this bill, after the Taft amendment has been twice rejected, and inasmuch as it is exactly opposite to and contradictory of what we have done, would not put the United States Senate in a most ridiculous position.

Mr. LUCAS. Of course, the Senator is absolutely correct. It would only add utter chaos and confusion to the situation which now exists. That is exactly what the Senator from Ohio wants. He has talked about attempting to have everything before the committee of conference, for the purpose of clearing up the matter. All he wants is something which will kill the Federal ballot. That is what he wants, and that is all he wants; and if he can attach to the bill anything at any time that will finally drag it down to defeat, he is willing to do so. That is the sum and substance of the situation, and the Senator from Ohio knows it.

Mr. TAFT. Mr. President, I heard some question raised about the spirit of sportsmanship in respect to the question of bringing up the subject again. I should like to say that the sole difficulty which has arisen has been because of the attempt to bring up a second bill after we had passed a first bill, although the first bill was being considered by the House when the second bill was introduced in the Senate. If there is any question of sportsmanship, certainly the Senator from Illinois cannot accuse me of any lack of it.

Mr. LUCAS. Mr. President, of course the Senator from Ohio knows that the two bills are as different as day and night. There is no comparison at all between them, and no connection between what I said and what the Senator said.

Mr. TAFT. Mr. President, in the second place, I admit that it is illogical; but the Senator from Illinois already has been illogical for exactly the same purpose. We now have in the bill two provisions prescribing two entirely different kinds of post cards. Unless we eliminate one of them, they will both be provided for. We will not have disagreed to the House provision relative to post cards, and the House will not have disagreed to ours. Presumably the conferees will have to take either one or the other. They are absolutely inconsistent. We have already assumed the responsibility of saying that under the circumstances we will have inconsistent things before the conferees. I do not see why we cannot have inconsistent things in conference with respect to the Federal ballot.

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BANKHEAD. What would be the result if the House concurred in the Senate amendments to the House amendments, so that both provisions were enacted?

Mr. TAFT. Then the measure would be a perfectly ridiculous one; and furthermore it would be inconsistent if the Senate concurred in the House amendments without my amendment, because we would have two entirely separate and distinct provisions.

Of course, I admit that our procedure has been ridiculous and illogical; but having pursued it thus far, I think we should pursue it to its conclusion.

Mr. McKELLAR. I ask for the yeas and nays.

The yeas and nays were ordered.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Ohio to the second branch of House amendment numbered 14. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness. I am advised that if present and voting, he would vote "nay."

The Senator from Iowa [Mr. GILLETTE], the Senator from Nevada [Mr. SCRUGHAM], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business. I am advised that if present and voting, these Senators would vote "nay."

The Senator from Montana [Mr. WHEELER], who is necessarily absent, is

paired with the Senator from Nevada [Mr. McCARRAN], who is absent on official business. I am advised that if present and voting, the Senator from Montana [Mr. WHEELER] would vote "yea," and the Senator from Nevada [Mr. McCARRAN] would vote "nay."

The senior Senator from Wyoming [Mr. O'MAHONEY], who, if present, would vote "nay," is paired on this question with the junior Senator from Wyoming [Mr. ROBERTSON].

Mr. WHITE. The Senator from Oregon [Mr. McNARY] is absent because of illness.

The Senator from California [Mr. JOHNSON] has a pair with the Senator from Virginia [Mr. GLASS]. The Senator from California would vote "yea," and I am advised that the Senator from Virginia would vote "nay."

The Senator from Wyoming [Mr. ROBERTSON], who has a general pair with the Senator from Wyoming [Mr. O'MAHONEY], if present would vote "yea." He is unavoidably detained.

The result was announced—yeas 41, nays 45, as follows:

YEAS—41

Bailey	George	Reed
Ball	Gerry	Revercomb
Bankhead	Gurney	Reynolds
Brewster	Hawkes	Russell
Bridges	Hill	Shipstead
Brooks	Holman	Smith
Buck	Johnson, Colo.	Taft
Bushfield	McClellan	Thomas, Idaho
Butler	McKellar	Wherry
Byrd	Millikin	White
Capper	Moore	Wiley
Caraway	Nye	Willis
Connally	O'Daniel	Wilson
Eastland	Overton	

NAYS—45

Aiken	Ferguson	Murray
Andrews	Green	Pepper
Austin	Guffey	Radcliffe
Barkley	Hatch	Stewart
Bilbo	Hayden	Thomas, Okla.
Bone	Jackson	Thomas, Utah
Burton	Kilgore	Tobey
Chandler	La Follette	Truman
Chavez	Langer	Tunnell
Clark, Idaho	Lucas	Tydings
Clark, Mo.	McFarland	Vandenberg
Danaher	Maloney	Wagner
Davis	Maybank	Wallgren
Downey	Mead	Walsh, Mass.
Ellender	Murdock	Walsh, N. J.

NOT VOTING—9

Gillette	McCarran	Robertson
Glass	McNary	Scrugham
Johnson, Calif.	O'Mahoney	Wheeler

So Mr. TAFT's amendment to the second branch of House amendment numbered 14 was rejected.

Mr. BARKLEY. Mr. President, I move to reconsider the vote by which the amendment of the Senator from Ohio [Mr. TAFT] was rejected.

Mr. CLARK of Missouri. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The ACTING PRESIDENT pro tempore. The question recurs on concurring in House amendment numbered 14, on page 15.

The amendment was concurred in.

The ACTING PRESIDENT pro tempore. That disposes of all the amendments with the exception of the amendment to the title.

The amendment to the title was agreed to, so as to read: "An act to facilitate voting, in time of war, by members of the land and naval forces, members of the merchant marine, and others, absent from the place of their residence, and for other purposes."

The ACTING PRESIDENT pro tempore. That completes the consideration of the House amendments.

The Chair now lays before the Senate the unfinished business of the Senate, Senate bill 1612.

The Senate resumed the consideration of the bill (S. 1612) to amend the act of September 16, 1942, which provided a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence, and for other purposes.

The ACTING PRESIDENT pro tempore. The bill having been read the third time, the question is, Shall it pass?

Mr. BARKLEY. Mr. President, have the yeas and nays been ordered?

The ACTING PRESIDENT pro tempore. The yeas and nays have not been ordered on final passage.

Mr. TAFT. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. TAFT. What disposition was made of the House amendments to Senate bill 1285?

The ACTING PRESIDENT pro tempore. Some of the House amendments were concurred in, and others were not. Consideration of them has now been completed.

Mr. TAFT. Have they been ordered returned to the House?

The ACTING PRESIDENT pro tempore. In due course the House will be notified of the action which the Senate has taken. That proceeds automatically.

Mr. BARKLEY. Mr. President, on the final passage of Senate bill 1612 I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. NYE. Mr. President, there is not a Member of the Congress of the United States who is not wishing that a way may be found to make it possible for every man in the military service of our country, wherever he may be located, to exercise his full right to vote in popular elections. And, the States being willing, there is small reason why these servicemen should not have an opportunity to vote in the primary elections this year, and surely in the general election in November. But if that full privilege is to be afforded the servicemen, it is the States and not the Federal Government which must afford the largest measure of helpful legislation.

I have voiced no thought in this debate on the soldier vote except to remark that there was no appendix to the oath of office which we take as Senators, no cause whatsoever that would let us conscientiously conclude that there was a higher law than the Constitution of the United States. But I have followed the debate, and I have heard much about the constitutionality of the Green-Lucas-Roosevelt bill. I have heard much, too, about the advantage or disadvantage in a political way that would flow from this legislative undertaking to afford a so-called Federal ballot to be used by servicemen whose States were not providing them with a regular and legal ballot to vote.

Effort was made through the Danaher amendment, which has been adopted, and the Taft amendment, twice or thrice defeated by 2 or 3 votes, to lessen the extent to which this legislation would encroach upon the right and authority of States to conduct elections. It might be said that these amendments proposed to lessen the extent of contagion that would result from this legislation. To some extent amendments have reduced the abuses which might have prevailed except for them.

We are now confronted with the question of final passage of the bill, a bill which pretends to carry the full voting privilege to our men in the service all over the world. I said "pretend," and that is what I mean. For the fact is that the bill carries only a limited voting privilege to the servicemen. This proposed legislation provides only a blank ballot without names of candidates upon it, and it confines the soldiers to a chance to vote only for President and Members of Congress.

Now is the time to stand up and be counted. I am ready to be counted against the deception which prevails as a consequence of the Green-Lucas-Roosevelt proposal. I am not ready to favor a greatly restricted chance to the soldier to exercise his voting right while actually denying the soldier a chance to exercise his full, his whole, and his complete voting right as a citizen of the United States. Definitely that full voting right is not given the serviceman until he can vote a regular, a complete, and a legal State ballot bearing the names of all the candidates for all the offices to be filled by popular vote.

Never have I felt deeper disgust than I experienced with the purpose resting behind the insulting message which the President sent to Congress in support of this Green-Lucas-Roosevelt proposal. The purpose was one of frightening Congress into doing a thing it would not do if left free to his own choice and decision. The message was another example of the insistent effort which has taken place for many months to discredit the Congress, and build good will for the Executive at the expense of representative government. It was part of the seeming program to carry the American people a little closer to fascism and to dictatorship. Destroy confidence in Congress, in representative government, and there will be an end to representative government. But disregard these alleged purposes and results, if you will. Whatever might be the momentary attitude of the people of America on the subject, they, including America's brave and courageous boys in the military service, one day will rise in acclaim of what the House of Representatives did a few days ago when it refused to be browbeaten into submission to the will of the President. Prayerfully do I hope that the vote of the Senate today will be one in such order as to enjoy the same acclaim of the same people.

My disgust with the undertaking by our President is approached only by my

disgust with those who, hiding out somewhere behind Robin Hood's barn, get word to me in their round-about ways that if only I will comply and support this Green-Lucas-Roosevelt plan of getting the vote to the soldiers, I need have no fear of serious opposition in my seeking renomination and reelection in my State this year.

We have passed legislation through both Houses of the Congress which would expedite delivery of full and legal ballots to our servicemen all over the world in time to let them vote and have their votes counted in the elections, both general elections and primary elections. Our legislative action was an undertaking to cooperate with the States to the end that a complete and legal ballot could be made to reach our servicemen. Yet, the majorities in both the House of Representatives and in the Senate which afforded these aids to enable the servicemen to exercise their voting privilege have been termed "frauds" for having done so. It is hardly necessary to remark concerning the extent of resentment which has been engendered by this sort of attack by those who would have people believe that the Green-Lucas-Roosevelt proposal, affording a so-called Federal ballot, would carry to the soldiers the chance to exercise their full voting right.

The Green-Lucas-Roosevelt bill, defeated in the House of Representatives, which affords the so-called Federal ballot for voting by the servicemen, would in fact afford a ballot without names of candidates upon it, a ballot giving opportunity to the servicemen to vote only for President and Members of Congress. This ballot is expected to be received and counted in the precinct and State of the serviceman's voting residence, with the privilege left to the State, and election authorities within the State, to count the ballot as a legal one, or to refuse to count it as a legal one. Shall we pass this bill, and then tell the serviceman that we have given him a chance to exercise fully his voting right? What deception that would constitute!

In many of the States of the Union the primary election is the deciding factor in the selection of public officers, from President down. Yet the Green-Lucas-Roosevelt proposal does not in anywise provide for the servicemen to vote in the primary elections. Shall we go on calling the bill a proposal to let the servicemen exercise the full voting right and privilege which he is fighting to preserve? This bill is deception. Of course it is not intended to be that by its authors, but the fact nevertheless remains that this bill is being sold to the American people, and to the servicemen, as the one and only way in which the serviceman can be afforded a chance to exercise his right of voting. We would not, under the bill, afford the soldiers a chance to vote for State and county officials; indeed, we would in effect close the door to whatever chance the serviceman now has in some States to get the regular State ballot to be voted, the ballot that carries all candidates, including Presidential and congressional candidates.

I want to analyze the meaning of this last assertion of mine. If Congress passes this bill, most of the States are going to be led to believe that the full job of getting the vote to the soldier has been done. Legislatures will hardly be inclined to go further in providing more adequately for the delivery of the full and legal State ballot to and from the soldier in time to be counted. If we refuse or fail to pass the Green-Lucas-Roosevelt bill, most of the States that have not already done so will proceed to provide adequate chance for the soldiers to vote a regular and legal ballot. The Governor of my own State advises me that he is awaiting results of our consideration in Congress of the soldier vote bill to the end that there can be better gaging of what the State legislature needs to do to make it possible for the servicemen of North Dakota to exercise their full voting rights in approaching elections. I am sure that the Legislature of North Dakota would want to make that chance to vote as available in the primary election as in the general election. The North Dakota Legislature has already provided, in legislation passed earlier in the war, for a soldier vote, but it is apparent that there is need remaining to step up the time when the ballot can be printed and made available for dispatch to the absentee-soldier voters.

Mr. President, I am not a lawyer. My experience with law is confined to those years I have spent here in the Senate as a lawmaker. I should certainly not wish to be put in the light of offering the slightest pretense of being more than a novice as an authority on the Constitution of the United States, the fundamental law which I have sworn to support and defend against all enemies, foreign and domestic; the law to which I am sworn to bear true faith and allegiance; the law which I have sworn to uphold without mental reservation or purpose of evasion. No, I am not a constitutional lawyer, or even an approach to one, but I can read, at least I think I can, and I find article 2 of the Constitution providing that the President and Vice President shall be elected as follows:

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors.

Then follows the directed method by which the electors shall vote the choice of the State for President and Vice President.

The language of the Constitution is clear in that it grants to "each State" the right to determine how the electors shall be chosen by the State. The Constitution gives exclusive jurisdiction in this matter to the States. It leaves no room for the Federal Government to move over the head of the State in determining how electors shall be chosen. It gives the Federal Government no right to grant absentee voting rights or privileges to the voters of any State. Yet in this Green-Lucas-Roosevelt bill it is proposed that we change the method of electing electors in the States, by affording a form of ballot that the States will have no choice in determining. It would have the effect of inflicting Federal voting methods upon the States.

Is this quibbling? Well, Mr. President, when I sense what might result from this bill, when I see how readily the question of the constitutionality the votes of soldiers might be raised to upset by challenge any result next November's election might seem to return, when I see and when I hear as I do, I am ready to insist that it is high time to quibble, if that is what men want to call it.

I hear able lawyers argue that this Federal ballot could, in the event of close elections next November, result in contests that would challenge the right of a majority of the House of Representatives to their seats. I have heard men of ability seriously point to how this Federal ballot might be used to contest the election of a President of the United States and a Vice President. Thus would there be a challenge to the whole carefully planned order designed to make certain a smooth continuation of government from one administration to another, the continuation of representative government.

Mr. President, I want to see the men in our military service given the chance to exercise their voting right as much as any other man can want to see that privilege extended. But I do not want to do it in a way that lends itself to any form of challenge when we can instead do it in a way that will guarantee an unchallenged result, if only the States will do what obviously they stand ready to do, if only the Federal Government will provide adequately for the proper transportation of ballots to and from the servicemen. I shall vote against this Green-Lucas-Roosevelt bill because I am firmly convinced that its defeat will bring full provision by the States for the kind of a ballot for the servicemen that will be beyond the reach of a constitutional challenge; the kind of a ballot, the kind of voting right and privilege, that will extend a chance to the soldier to vote in primary as well as general elections, and to vote therein for any candidate for any office that is to be filled.

My attitude respecting this bill would not be changed if I had the power to know that every soldier, every sailor, every marine would vote for the candidates of my own party. I could not change my mind respecting this proposed legislation if I knew that every serviceman from North Dakota would vote the Federal ballot for me. To that extent my attitude toward this legislation is as nonpartisan as an attitude can be on any political question. But I submit that in some quarters there is room for comforting assurance that this whole undertaking is without partisan or personal bias.

Take a look at the proposed Federal ballot. It carries a blank space where the absentee soldier can write in the name of his choice for President, United States Senator, and Member of the House of Representatives from his district. No names are printed upon the ballot. Within the memory and minds of some of those who are expected to use

this Federal ballot there is but one lone name associated with the office of President of the United States. Again, however intelligent the absentee soldiers are, they will not even know, in many instances, that their State is to elect a United States Senator in this particular year, to say nothing of knowing perhaps which one of the terms of his two Senators is expiring. Yet here on the ballot before him is a blank space, and an invitation for him to vote, without even knowing whether there is a senatorial election in his State or who the candidates for the place may be. Furthermore, in many cases, the soldier will not know who is seeking election to the position of Representative in Congress from his home district. That is the extent of the Federal ballot which will be before the soldier and which, presumably, will afford the soldier the chance to exercise his rights as a voter.

During the Civil War there was not much question as to what more votes would mean to Abraham Lincoln. There must have been, indeed there was, great pressure upon Lincoln to make it easy for the soldiers to vote. In Indiana at that time there was doubt as to what the electorate would do with respect to the candidacy of Abraham Lincoln for reelection; and the Governor of that State urged President Lincoln to relax the exercise of the draft until after Indiana's October election, all to the end that there could be a greater vote available for recording for the President. What did Lincoln do? Did he urge a Federal ballot that might be used by the soldiers, a ballot that could not be recognized as legal by the States which then, as now, had the exclusive right to determine the manner in which an election should be conducted? Did he relax his draft orders or delay the draft? No; he responded to the suggestion of the Governor of Indiana with these plain, concise two sentences:

> I can have nothing to do with the matter. By the Constitution and the laws the President is charged with no duty in a Presidential election in any State.

That, my colleagues, had reference to the identical Constitution that is ours today. But that Constitution seems to lack at the moment the champion that it found in Abraham Lincoln in his day.

By all means let us help the absentee serviceman to a chance to exercise his full voting right. The Constitution gives the power and method of determining how Presidential electors shall be chosen wholly to the States; consequently all we can do about it here in Congress is to provide for expediting transportation of the ballots which the States will make available. If we strive to do much more than that, under the lashing by those who would not let the Constitution stand in the way of attaining any purpose, I fear we shall but be putting ourselves in the unexplained lot of the lemmings, a strange genus of little animals that every few years rush out of the forests of Norway and plunge into the sea to drown, leaving but a few of the race to rebuild it. No one has explained the reason for this regular lemming suicide. Maybe their president, their king, or their queen tells them to do it, dares them to do it, or by chance, shames them into doing it by telling them they are not as courageous as he or she.

The ACTING PRESIDENT pro tempore. The question is on the final passage of Senate bill 1612. The yeas and nays have already been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll, and Mr. AIKEN voted in the affirmative when his name was called.

Mr. WHITE. Mr. President, I make the point that there is not a quorum present.

Mr. BARKLEY. I suggest that the roll call having proceeded and one Senator having answered, it is too late to make the point

Mr. WHITE. The Senator is technically correct. I think I was one voice too late.

Mr. BARKLEY. One is enough.

The ACTING PRESIDENT pro tempore. The point is well taken. The clerk will resume the calling of the roll.

The legislative clerk resumed calling the roll.

Mr. ROBERTSON (when his name was called). I have a pair with my colleague the senior Senator from Wyoming [Mr. O'MAHONEY]. I am advised that if my colleague were present, he would vote "yea." If I were permitted to vote, I should vote "nay."

The roll call was concluded.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness. I am advised that if present and voting, he would vote "yea."

The Senator from Iowa [Mr. GILLETTE], the Senators from Nevada [Mr. MCCARRAN and Mr. SCRUGHAM] and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business. I am advised that if present and voting, these Senators would vote "yea."

The Senator from Montana [Mr. WHEELER], who is necessarily absent, is paired with the Senator from Nevada [Mr. MCCARRAN]. I am advised that if present and voting, the Senator from Montana [Mr. WHEELER] would vote "nay," and the Senator from Nevada [Mr. MCCARRAN] would vote "yea."

Mr. THOMAS of Utah. I have a general pair with the Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the Senator from Nevada [Mr. SCRUGHAM] and vote. I vote "yea."

Mr. WHITE. The Senator from Oregon [Mr. MCNARY] is absent because of illness.

The Senator from California [Mr. JOHNSON] has a pair with the Senator from Virginia [Mr. GLASS]. If present, the Senator from California would vote "nay," and I am advised that the Senator from Virginia would vote "yea."

The Senator from New Hampshire [Mr. BRIDGES] is unavoidably detained. He has a general pair with the Senator from Utah [Mr. THOMAS].

The result was announced—yeas 47, nays 38 as follows:

YEAS—47

Aiken	Chandler	Downey
Andrews	Chavez	Ellender
Austin	Clark, Idaho	Ferguson
Barkley	Clark, Mo.	Green
Bone	Danaher	Guffey
Burton	Davis	Hatch
Hayden	Mead	Truman
Jackson	Murdock	Tunnell
Johnson, Colo.	Murray	Tydings
Kilgore	Pepper	Vandenberg
La Follette	Radcliffe	Wagner
Langer	Reynolds	Wallgren
Lucas	Stewart	Walsh, Mass.
McFarland	Thomas, Okla.	Walsh, N. J.
Maloney	Thomas, Utah	Wiley
Maybank	Tobey	

NAYS—38

Bailey	Eastland	Overton
Ball	George	Reed
Bankhead	Gerry	Revercomb
Bilbo	Gurney	Russell
Brewster	Hawkes	Shipstead
Brooks	Hill	Smith
Buck	Holman	Taft
Bushfield	McClellan	Thomas, Idaho
Butler	McKellar	Wherry
Byrd	Millikin	White
Capper	Moore	Willis
Caraway	Nye	Wilson
Connally	O'Daniel	

NOT VOTING—10

Bridges	McCarran	Scrugham
Gillette	McNary	Wheeler
Glass	O'Mahoney	
Johnson, Calif.	Robertson	

So the bill S. 1612 was passed.

Mr. BARKLEY. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. LUCAS. I move to lay the motion on the table.

The motion to lay on the table was agreed to.

EXTENSION OF COMMODITY CREDIT CORPORATION

Mr. BARKLEY. Mr. President, it is my purpose to move that the Senate proceed to the consideration of calendar No. 641, House bill 3477, the so-called subsidy legislation, a bill for the extension of the Commodity Credit Corporation, with the understanding that the bill will not be taken up until tomorrow, and that we will not meet until 12 o'clock tomorrow.

Mr. MCKELLAR. A parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. MCKELLAR. Have conferees been appointed on the bill we have just passed this afternoon?

The ACTING PRESIDENT pro tempore. They have not been.

Mr. BARKLEY. I move that the Senate proceed to consider House bill 3477, the Commodity Credit Corporation bill.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 3477) to continue the Commodity Credit Corporation as an agency of the United States to revise the basis of annual appraisal of its assets and for other purposes, which had been reported from the Committee on Banking and Currency with an amendment.

TRIBUTE TO SENATOR MCCARRAN

Mr. TYDINGS. Mr. President, a few days ago the senior Senator from Nevada [Mr. MCCARRAN] succeeded to the chairmanship of the Committee on the Judiciary, and thereby left vacant, for the time being, the chairmanship of the Committee on the District of Columbia. Mr. JENNINGS RANDOLPH, a Representative from West Virginia, and the chairman of the similar committee in the House of Representatives, has written a letter which I think should be inserted in the RECORD. It is short, so I shall read it at this place:

Your chairmanship of the Senate District Committee, which you have now relinquished, has been marked by a constructive leadership for the National Capital.

I would be remiss in my sincere feelings if I failed to publicly express deep appreciation for the privilege which I have had personally of cooperating with you in our attention to District problems.

I am certain the above expressions are shared by a very large majority of those with whom you have come in contact during this important work.

Sincerely yours,

JENNINGS RANDOLPH,
Chairman.

Mr. President, as the Senator from Nevada leaves the Committee on the District of Columbia, I think it ought to be noted that in the long service I have had on that committee I do not believe he has been equaled for the attention he has given to District of Columbia matters. Although he has ably taken care of the affairs of his own State during all that time, and been constant in his attendance upon other committees and his duties as a Senator, his work on the Committee on the District of Columbia has been outstanding.

Mr. President, it is not a job for which usually the chairman receives much credit. But the Senator from Nevada has been oblivious of whether he has received credit or has not received credit. He has been patient. He has received innumerable delegations from the District of Columbia, and has held hearings on all manner of pending problems with which the District is now confronted. His courtesy, his constructive statesmanship, his patience, and his desire to promote the welfare of the National Capital, which after all belongs to all the States, I think entitle him to a word of commendation; hence I have seized this moment to bring to the attention of the public the very quiet and unobtrusive but very high caliber of service which the Senator from Nevada has rendered as Chairman of the Committee on the District of Columbia.

In yesterday's issue of the Evening Star there appeared two editorials praising the work the Senator from Nevada has done, and I ask unanimous consent that they may be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. (Mr. LA FOLLETTE in the chair). Without objection, it is so ordered.

Mr. TYDINGS. Mr. President, I regret to see the Senator from Nevada leave this important work, for I have rarely seen such detachment, such application to duty, and so many constructive results to flow from any committee as have come from the committee under the able leadership of the Senator from Nevada. The people of Nevada have made a real contribution to the welfare of the Capital of the United States. They are to be congratulated in having a man of the caliber the Senator from Nevada has shown himself to possess in this important position.

The editorials ordered to be printed in the RECORD are as follows:

A POST OF RESPONSIBILITY

Not only his good record of accomplishment in local legislation but the subjects for future legislation which have claimed his major interest have made Senator MCCARRAN'S service as chairman of the Senate District Committee of distinct benefit to this community.

It is gratifying to learn from him that his resignation of the chairmanship will not affect his participation in the continued search for the best solution of such problems as the grant of effective franchise to citizens of Washington; improvement and expansion of hospital and public-health facilities; reorganization of the water supply and distribution systems, in which the people of Washington are the heaviest investors and the National Government the exclusively controlling chief beneficiary; the assignment of proper jurisdictional control over the "no man's land" which has been created by expansion of the Federal establishment into adjacent Maryland and Virginia, and a more equitable and dependable system of dividing National Capital expenses between the Nation and the local taxpayer.

Senator BILBO'S succession to the chairmanship gives him the opportunity and incentive to carry on the work of developing the Capital in accordance with the pattern oulined by a long and for the most part distinguished list of Senators who have filled this post. Those who have worked for the best interests of Washington have contributed something to the best interests of the Nation and have enjoyed the satisfaction of having taken part in permanent and constructive accomplishment. To refer to the chairman of the Senate or House legislative committee as "mayor" of Washington is to belittle an office which in reality is the post of liaison between the National Government and the Nation's city, one which is worthy of the highest efforts of those whom the accidents of seniority, in House and Senate, place in control.

Senator BILBO will find his tasks as chairman lightened and made pleasant in proportion to his own work in behalf of sound, progressive government of Washington.

DISGRACEFUL UNIQUENESS

In his valedictory as chairman of the Senate District Committee, Senator MCCARRAN referred again to his belief that the District of Columbia was not intended by the founders to be a State. But he said, "There comes a question why eligible citizens of the United States residing in the National Capital should not have the right to cast their vote for President and Vice President."

The Senator is right. The District should not become a State. The District should remain under the legislative control of Congress. The people of the District should vote, not only for President and Vice President but for their own representatives in the exclusively controlling Congress. Can the people of the District thus vote without making the District a State? They could, with proper amendment of the Constitution to give Congress the power to extend to the people of the District these rights, limited as Congress chooses to limit them.

A District, represented in Congress and the electoral college but not possessing the powers or status of a sovereign State, would be unique. It would be something new under the sun. Is that any reason to believe that it would be improper? The District is now unique—unique in a manner that makes it a living contradiction of the very fundamentals of democratic government. Its uniqueness is a disgrace, which makes a sham of fine phrases as to our moral obligation in respect to self-determination for other peoples in other lands. The District may always remain unique, as far as the established pattern of statehood goes, but there is no reason why that uniqueness should continue to carry with it an implication which shames every principle of Americanism.

Mr. CHAVEZ. Mr. President, I agree with every word uttered by the Senator from Maryland [Mr. TYDINGS] concerning the services rendered by the Senator from Nevada [Mr. MCCARRAN] as chairman of the Committee on the District of Columbia.

I wish to take this opportunity, however, to say a word for the Senator who has succeeded the Senator from Nevada as chairman of the Committee on the District of Columbia. The Senator from Maryland has spoken of Senators and Representatives who, though they may come from sections of the country far from the District of Columbia, render fine service in the Congress to the people of the District. His statement is true. The chairman of the House Committee, Representative RANDOLPH, does not depend on the people of the District of Columbia for his election. The Senator from Nevada, the former chairman of the Committee on the District of Columbia of the Senate, did not depend on the people of the District of Columbia for his election. Members of both bodies have unselfishly rendered fine service to the District of Columbia.

Mr. President, when the question arose as to who should be the new chairman of the Senate Committee on the District of Columbia I was irritated to hear that citizens of the District of Columbia, who do not know anything concerning the capabilities, the honesty of purpose, or the integrity of the Senator who is now the chairman of the committee, sent in petitions of protest against his appointment. Why are not such people fair to the Members of this body and to the Members of the other body who forget all about their own home difficulties, forget about even their own districts in order to give service and do their duty as members of the committees dealing with the affairs of the District of Columbia in both bodies? I hope the citizenship of the District of Columbia will give the Senator from Mississippi [Mr. BILBO], the new chairman of the committee, an opportunity to show that he can render as fine service as has ever been rendered by any other Member of this body.

REMISSION OF GOVERNMENT CLAIMS ON ACCOUNT OF OVERPAYMENTS TO PART-TIME CHARWOMEN IN BUREAU OF ENGRAVING AND PRINTING

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1447) to remit claims of the United States on account of overpayments to part-time charwomen in the Bureau of Engraving and Printing, and for other purposes, which was, on page 2, to strike out all after line 20, over to and including line 2 on page 3, and insert:

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to make refunds of any and all amounts heretofore withheld or deducted from wages paid to any of said part-time charwomen for work performed after June 30, 1943, in satisfaction or partial satisfaction of any and all claims or asserted claims of the United States in consequence of said payments of wages at said rate of 78 cents and at said overtime rate. The annual appropriation for salaries and expenses, Bureau of Engraving and Printing, 1944, is hereby made available to the extent of $700 for the purpose of making said refunds as herein provided.

Mr. ELLENDER. I move that the Senate concur in the House amendment.

The motion was agreed to.

LOANS TRANSFERRED BY THE HOME OWNERS' LOAN CORPORATION TO PRIVATE LENDING INSTITUTIONS

Mr. MEAD. Mr. President, on Monday a resolution coming over from the previous day was laid before the Senate, but I did not press for action at the time. It is a resolution which I submitted, and it merely asks the Federal Home Owners' Loan Corporation for information to be furnished to the Senate for use by Senate committees when they consider appropriations for the agency.

Mr. WHITE. Mr. President, is the Senator asking for immediate consideration of the resolution?

Mr. MEAD. Yes.

Mr. WHITE. Has the resolution been passed upon by any committee?

Mr. MEAD. No. It is a resolution of the nature not generally referred to a committee. It merely asks information that any individual Member of the Senate could ask for and receive, but if the information is supplied to the Senate in the manner provided by the resolution it is transmitted through the Vice President and is made a matter of record.

Mr. WHITE. To what committee does the subject matter of the resolution belong?

Mr. MEAD. It could go to the Committee on Appropriations or to the Committee on Banking and Currency.

Mr. WHITE. Has the Senator spoken to any of the minority members of the Committee on Banking and Currency about the resolution?

Mr. MEAD. No; I have not spoken to anyone except the majority and minority leaders of the Senate.

The PRESIDING OFFICER. The resolution has been lying over under the rule.

Mr. BARKLEY. This is a resolution asking for information. It does not provide for legislation. It is lying over under the rule. It is not the sort of resolution that would ordinarily go to a committee. It carries no appropriation. It does not authorize anyone to do anything. It simply requests information.

Mr. WHITE. Mr. President, in view of what the majority leader has said, and in view of the statement of the Senator from New York [Mr. MEAD], I have no disposition to interpose objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 248), submitted by Mr. MEAD on February 1, 1944, was considered and agreed to, as follows:

Resolved, That the Commissioner of the Federal Home Loan Bank Administration be, and hereby is, instructed to report to the Senate by February 5, or as soon thereafter as possible, concerning the number and dollar amount of Home Owners' Loan Corporation loans which have been transferred to private lending institutions, whether these loans were increased in amount, the rates of interest charged, and in general the terms made to Home Owners' Loan Corporation borrowers when these transfers were effected; be it further

Resolved, That the Commissioner of the Federal Home Loan Bank Administration be instructed, in each case where more than 10 loans have been taken, to also report as to whether the institutions taking them received money from the Home Owners' Loan Corporation in return for defaulted mortgages; and if so, how much in each case; also if these lending institutions obtained money from the Treasury or the Home Owners' Loan Corporation for investment in their shares, securities, or deposits, and if there are still unpaid balances on these investments; also, if any of them are borrowers from the Federal Home Loan Bank System, and in what amounts; and be it further

Resolved, That the Commissioner of the Federal Home Loan Bank Administration be instructed to request from the Reconstruction Finance Corporation and include in said report information as to loans or advances made to any of the institutions which have taken Home Owners' Loan Corporation loans, in what amount, and what, if any, balances are now owed by these institutions to the Reconstruction Finance Corporation.

PROGRAM AS TO CALLING THE CALENDAR

Mr. BONE. Mr. President, let me inquire of the majority leader what his purpose is regarding the calendar?

Mr. BARKLEY. My purpose is to request that the calendar be called the very first day it is possible to do so. I would have requested that it be called today, except for the fact that Senators are tired after the long fight over the bill we have just passed, and I did not think it advisable to have the calendar called today. But I say to the Senator that within a very few days it is my purpose to ask to have the calendar called.

NO-STRIKE APPEAL BY AMERICAN FEDERATION OF LABOR

Mr. STEWART. Mr. President, I should like to call attention to an article appearing on the front page of today's Washington Post. It reads in part as follows:

LEADER APPEALS TO WORKERS FOR "ALL WE'VE GOT"

KANSAS CITY, February 7.—William Green, president of the American Federation of Labor, made a fervent no-strike appeal to unions today, calling on American workers to "give all we've got to the war effort."

Asserting there can be no "justification or excuse for any strike or stoppage of work," with the lives of our fighting men and victory in the balance, he told the International Boilermakers Union convention:

"No matter how unjust conditions may become, no matter how sharp the aggravation may be, the members of the American Federation of Labor should realize that they must stay on the job and keep producing to the limit of their ability until final victory is won."

Green declared it was labor's great responsibility to back up the vast military movements of the United Nations with the greatest possible supply of ships, planes, tanks, and guns—

And so forth. I call attention to the article because I think Mr. Green's statement is a highly patriotic one, for which he is to be greatly commended. Inasmuch as it comes from the president of one of the great labor organizations of the country, it can have only a most wholesome effect. In times such as those we have been experiencing since the war began, so patriotic a statement is extremely worth while. I commend President Green for the very fine statement he has made.

INTERNATIONAL COLLABORATION FOR PEACE

Mr. CAPPER. Mr. President, in the past few days I have received hundreds of letters—approximately a thousand, I believe—urging me as a Member of the Senate to support such steps by the United States in collaboration with other nations as will insure a just and lasting peace.

The immediate inspiration for these letters, I understand from their context, is a drive by Methodist bishops for world peace. I ask unanimous consent to have printed in the RECORD at this point my reply to a letter received from Mr. D. F. Burlin, of the El Dorado, Kans., National Bank, which expresses my views on this matter.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 5, 1944.

Mr. D. F. BURLIN,
El Dorado National Bank,
El Dorado, Kans.

DEAR MR. BURLIN: I have your letter of February 1, and am pleased to know of your active interest in the right kind of post-war program. I think most people share your desire for a just and lasting peace. There is no specific legislation on this subject before us now, but I am sure you know that I voted for the Connally resolution as finally amended so as to provide for the advice and consent of the Senate in these matters. This resolution would provide that the United States cooperate in securing a just and durable peace and join with other free and sovereign nations in the maintenance of international authority to preserve such a peace. I shall continue to work along that line.

It is always a pleasure to hear from you. I shall welcome your suggestion at any time.

Sincerely yours,

ARTHUR CAPPER.

Mr. CAPPER. In this connection, Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, a copy of the statement circulated among the members of the Methodist Church, asking that letters be written to the President of the United States, and to Members of Congress.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

YOUR PART IN THE CRUSADE FOR A NEW WORLD ORDER

WHY?

Why a crusade? To make sure that our own country will assume its share of responsibility for assuring peace in the future.

While Congress has already taken definite steps toward world collaboration, this is not enough. We must go even further and do our part to assure the kind of world living that will change the conditions that give rise to war.

This will have to be accomplished by our Government; by the administration, and by the Congress whose Members are elected by the people. Therefore, it will have to be accomplished by the people.

YOUR PART

The first step toward this end is for you to write immediately to your representatives in both Houses of Congress. Say briefly in your own words and on your own writing paper that you expect your representatives in Congress to support and vote for those measures that will enable our country to cooperate with the other nations of the world

in constructive plans for the prevention of conditions that permit aggression and war.

Say to them that you know that the United States alone can neither prevent war nor keep war away from its own shores, once it has begun; therefore, it must cooperate with other nations, regardless of the expense involved to its citizens; that you are willing to make the necessary personal sacrifices to insure peace.

DO NOT FAIL

The aim is at least one letter to your Senators and to your Representative from every Methodist home More letters will give added impetus to the movement.

Remember that the future of the world may rest with the mobilization of church people to secure and enforce that peace. Methodists, as followers of the Prince of Peace, are under divine imperative to use every means to establish a world order in which peace is possible.

Mr. CAPPER. Mr. President, I am heart and soul with the Methodists and with all others of our peace-loving people in their high and noble ambition to obtain from this terrible war some assurance of a post-war world that will make for a durable and lasting peace. I will do everything possible to attain that end. They may count upon my support.

But, Mr. President, I should be derelict in my duty to these people and to my country if I did not point out that the attainment of a just and lasting peace will depend upon more than the United States and its representatives at the peace conference.

The peoples of all the world, and the governments with which we are associated as allies in this World War, desire above all things a just and lasting peace to follow. Great Britain wants lasting peace; Russia wants lasting peace; China does; the United States does; and so do France, the Low Countries, the Scandinavian countries, and the other nations and peoples of all the continents.

But as I read the public prints, and from other information that comes to me, I realize that Russia's idea of a just and lasting peace includes rearrangements of boundaries and formation of governments in Europe which will insure the security of the Union of Soviet Socialist Republics, all 16 of them, and as many more as the Soviet considers it advisable to organize.

I realize also that Britain's idea of a just and lasting peace includes the retention and security of the British Empire. As Winston Churchill put it so patly, he does not intend to preside at the liquidation of the British Empire. My guess is that Britain will not yield the balance-of-power policy for continental Europe unless she can receive assurances of some kind that she will have the certain support of some powerful nation or nations, in case her Empire might be endangered as a result of one nation becoming all powerful in Europe.

I also believe our people should realize, when it comes to writing peace terms that will insure a just and lasting peace, that in the new world order under contemplation, China undoubtedly will desire, and probably will ask, for assurances that China will belong to the Chinese. Her relationships with European nations and European policies, as well as with Japan, will be one of the problems which will confront those who write the just and lasting peace terms to which we pledge ourselves.

In other words, Mr. President, I want to make it plain that my wholehearted and whole-souled support of a program for a just and lasting world peace and my pledge to work toward that end are undertaken with a full appreciation of some of the difficulties which we will face, and also with a full realization that at the conference tables there will be clashes of interests, as well as a general zeal for world-wide peace.

World peace is not going to be obtained merely by adoption of resolutions, by the enactment of legislation, or even by agreements and treaties among the powers. It must be backed up by a world-wide desire and insistence upon peace, and the same willingness to make the sacrifices necessary in order to obtain world peace that is evidenced by the hundreds of letters from the Methodists of Kansas which I am receiving.

Mr. President, I ask unanimous consent to have printed in the RECORD, following my remarks, a letter to me from C. K. Cary, lawyer, of Stafford, Kans., which I believe represents the best thinking of many of our people on this subject; and also letters from D. F. Burlin, cashier of the El Dorado National Bank, of El Dorado, Kans.; Mr. and Mrs. B. D. Brooks, of Centerview, Kans.; Mrs. V. G. Wells, of Sterling, Kans.; Mrs. M. W. Dragoo, of Salina, Kans.; Mrs. Carmen Harrison, of Glen Elder, Kans.; Miss Nannie Duvall, of Sedgwick, Kans.; the Reverend H. V. Clark, of Clearwater, Kans.; Walter J. Schoonover, of Haven, Kans.; the Reverend G. C. Meyer, minister of the Kansas Avenue Methodist Church, of Topeka, Kans.; Roy W. Terflinger, a school teacher, of Kansas City, Kans.; Miss Bertha Willhite, of Rosalia, Kans.; Mrs. Fred Karban, Jr., of Wilson, Kans.; Joel Van Meter, of Rural Free Delivery No. 3, Thayer, Kans.; Mr. and Mrs. H. G. Eshelman, of Sedgwick, Kans.; Mrs. R. O. Van Orman, of Topeka, Kans.; Mr. and Mrs. H. George Mulanax, of Cassoday, Kans.; Susan M. Reddick, of Arkansas City, Kans.; E. B. Patton, of Topeka, Kans.; the Reverend B. F. Young, of Belpre, Kans.; David D. Fishback, of Wichita, Kans.; the Reverend Clyde W. Odom, minister of the Methodist Church at Neodesha, Kans.; and John R. McFadden, professor of philosophy and religion, at Kansas Wesleyan University, Salina, Kans.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

STAFFORD, KANS., *February 1, 1944.*

Hon. ARTHUR CAPPER,
Senate Building, Washington, D. C.

DEAR SENATOR CAPPER: Our Methodist church has requested as many as possible of its 8,000,000 members to write to the President and to the various Members of each House of Congress, urging all such officials to a certain course of action. I am not certain that I am in harmony with what our church is specially urging upon the Government at this time. More than that, I feel certain that our public officials are much better prepared to act wisely on any matter before them than I am. However, I am breaking my usual rule about this matter by writing to you.

Our church, with other religious bodies, is strongly pacifist, and I doubt if there are many citizens of this country who are not. We are anxious that anything be done in reason that will tend to prevent war in the future. I doubt if there is any difference of opinion along that line.

Personally, I have urged upon anyone who would listen to me ever since the breaking out of World War No. 1 that there should be a superworld organization with power to stamp out any attempt on the part of any nation to make war on another nation or people. While I think such an international organization should exist and operate under a constitution strictly limiting its powers, I am not sufficiently experienced in government to know whether that is practical or not.

I felt at the time the League of Nations was created that it did not provide for means of enforcing its demands. There was no international army, navy, or other police power provided. Nations were at liberty to become member nations or not as they chose; and if they became members and found that they wanted to make war in violation of the provisions of the League of Nations, they merely seceded, like the Southern States attempted to do in 1861. If such an organization means anything, it must be a stronger confederation than that.

If such an organization, or any other, is effected to prevent war, I feel that its powers should be strictly limited by something in the nature of a constitution, strictly defining the limits of international authority. It should certainly have authority to use any force necessary to prevent an outbreak of war or put down any attempt of one nation to make war on another. It should have power to limit the armament that any nation might want to create that might enable it to defy the world government or attack its neighbor nation. It should provide for a world court with its authority strictly limited to international problems. In such case any nation aggrieved by the action or neglect of another would have a forum in which it could obtain justice and have any judgment enforced.

On the other hand, I feel that there is too much talk of removing causes of war by giving every nation what they might otherwise be moved to take by force. Some such idea as that of leaving the bank vaults and doors unlocked so robbers need not dynamite them or kill the cashier in order to secure the funds they need. We are talking of equal opportunities for all, both in America and elsewhere.

If that is interpreted to mean that we encourage the people of China, of India, and of the backward nations of the world to develop their own resources for their own benefit, that would be fine indeed. If on the other hand it means that the wealth and creative ability of Britain, of Germany, of Russia, and of the United States are to be used to provide the necessities of life to the masses in China, in Japan, in India, and other densely populated nations until their standards of living equal the standards of our people, it would merely mean that every white man on the average must support about three dark-skinned people.

Nor do I want the benefits of our national resources to be free to all people of the world by permitting "the free movement" of all people. I believe in China for the Chinese, Japan for the Japanese, and the United States for Americans. We have already been too liberal in allowing certain types of foreigners, Asiatics in particular, to come to America. Had we no Japanese in America, the problem of fighting this war would be easier to solve. I am perfectly willing that other nations bar migration from our country to their shores and we should have the same right.

I do not want our nation to become isolated and unmindful of the rights or needs of other nations or peoples. I want commerce to flow for the benefit of all nations but I do not want our Nation to buy surplus oil of Russia to give them an outlet for their oil or to buy products of cheap Chinese or Japanese labor, merely to benefit these nations without regard to our needs.

Now, my dear Senator CAPPER, I am not urging that you adopt any idea that I may have advanced. I am merely complying with the request of our church. I enclose one of the circulars we have received from our fellow churchmen but possibly not endorsing all that it stands for.

Very respectfully,

C. K. CARY.

EL DORADO NATIONAL BANK,
El Dorado, Kans., February 1, 1944.

Hon. ARTHUR CAPPER,
Senator from Kansas,
Senate Building,
Washington, D. C.

DEAR SENATOR CAPPER: Churches all over the Nation held special services on Sunday, January 30, 1944, on the subject of an enduring and satisfactory peace at the conclusion of World War No. 2, and church people from all over the country are being asked to cooperate in this movement, and have been requested to write to their Senators and Representatives in Congress, asking them to use their best efforts and influence toward this end.

I fully realize that our Congress is extremely busy with many weighty affairs, but this too is an important matter. The winning of the present conflict is not enough—we must have an enduring and satisfactory peace if our civilization is to survive. I feel confident that you will do all in your power as our Senator to bring this about, by voting for all constructive measures along this line.

With sincere regards, I remain,

Yours very truly,

D. F. BURLIN.

CENTERVIEW, KANS., *February 1, 1944.*

Mr. ARTHUR CAPPER,
Washington, D. C.

DEAR FRIEND: I am a retired Methodist minister, but because of the shortage of men, I have accepted the pastorate of a charge. We have long been readers of Capper's Weekly, and have often heard your talks on Sunday evenings.

Mrs. Brooks and I are both nearing 73 years of age, but we are as much interested in the welfare of our State and Nation as we have ever been. Now, in these tremendous days we are concerned as to the outcome of this awful war, and the order of the world after the battles are fought. What sort of peace shall we have?

No doubt many will be writing you to ask you to use your best influence in such a time, and we join in such request. We do not believe the letters to you are greatly needed, for we feel you would do that anyway. Many men in such position no doubt need such reminders, but I am not sure they will pay much attention to them. Perhaps these letters may help to show some feeling that is general, and so be of some help that way.

Jesus Christ is the Prince of Peace, and unless the principles He announced shall be heeded in the world, we can scarcely hope for a real and enduring peace.

It seems to us not too much to hope for a turn in sentiment that will again abolish many such palpable evils as the liquor traffic, gambling, social vice, and many other things that have been foisted upon us in the last decade or so. If the depravity of unscrupulous men cannot be curbed or regulated, there would seem to be small hope for any better days than we are seeing right now.

We have long felt that you are from principle, rather than merely from policy, trying to bring about an improvement in our national life, so we just want to bid you our heartiest "God bless you" in the your efforts.

Yours truly,

B. D. BROOKS.
MRS. LILLIE BROOKS.

STERLING, KANS., *February 1, 1944.*

Hon. ARTHUR CAPPER,

MY DEAR MR. CAPPER: Whatever the most brilliant Methodist has written you in this bishop's crusade is my sincere prayer. I lack the ability to put my thoughts into words.

I have faith that you will do your part.

Sincerely,

MRS. V. G. WELLS.

SALINA, KANS., *February 1, 1944.*

The Honorable ARTHUR CAPPER,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR CAPPER: We are being told from the pulpit that the time has come for the Christian people to make known to our leaders our desires for a just and enduring peace.

Also to let it be known just how much we are willing to collaborate with our allies to secure this just and enduring peace, we all so much desire to have brought about, in this war-torn world of ours.

Forgiveness of our enemies is preached to us; but as I understand my Bible, to be forgiven calls for repentance (Luke 17:3). So then they no longer are our enemies. How to bring the Germans and the Japs to cease being enemies is the post-war problem.

Personally I think there will have to be no more Germany and no more Japan. Their very government must be done away with and some other name be given those countries so that the innocent peoples that inhabit those countries will have a chance to learn decency and justice and not be discriminated against.

I would have the schools teach some other language and cease teaching German and Japanese. But not object to the people speaking their native tongue as that would be cruelty to those that speak no other language.

I think a brotherhood of nations could be builded up and hatred of nations cease; if the spirit of conquest toward the Poles, and so forth, could be done away with among the Allies. I'm willing to have rationing continue and whatever else is necessary to help all innocent suffering peoples in any country but the guilty ones should have their property taken from them to help in alleviating the suffering they have caused.

I am,

Respectfully,

MRS. M. W. DRAGOO.

GLEN ELDER, KANS., *January 30, 1944.*

The Honorable ARTHUR CAPPER,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR CAPPER: I am a housewife in a typical Kansas home. We have heard much talk of peace and the post-war world. I do hope, Mr. CAPPER, that you will support and vote for those measures that will enable our country to cooperate with the other nations of the world in constructive plans for the prevention of conditions that permit aggression and war. I hope that we can establish a world of law and order based on justice and brotherhood.

Sincerely,

MRS. CARMEN HARRISON.

SEDGWICK, KANS., *January 31, 1944.*

Senator ARTHUR CAPPER.

DEAR SIR: I have been thinking of the new world order and I want to ask you to use your influence for a Christian settlement of it. I think we ought to have a world peace for everybody and not for the strong nations alone. I gave a son to the First World War and hoped and prayed that I would never see another war and I pray now that the peace after this will be lasting. I hope that this peace treaty will bring world justice; and world brotherhood.

Sincerely,

NANNIE DUVALL.

CLEARWATER, KANS., *January 31, 1944.*

Hon. ARTHUR CAPPER,
Senate Office Building,
Washington, D. C.

MY DEAR SIR: I trust you agree that peace of the right kind should be made at the earliest possible moment. As my representative in Congress, I write to tell you what I think the right kind of peace requires.

1. That no people be held in subjection by any other.

2. Considering the large responsibility of all nations for the war, peace should be without retaliations, revenge, or penalties.

3. As all fortifications and armaments are challenges, directly threatening and provoking wars, the peace should disarm all nations, victors and vanquished alike, except for necessary police force.

4. Each nation should control its internal police. An international police force should be under the exclusive control of a council of all the nations, equitably formed into a world government, with responsibility for world peace.

5. Since international aggression is generally first economic, and becomes political and military only for economic purposes, peace should give all people equal privileges and opportunities for the use of natural resources, and for trade. National boundaries should not be trade barriers.

6. Peace should provide for a common standard of value, and for a common currency for all nations, as soon as an equitable plan can be made and put into operation.

7. It should end all exploiting of one people by another.

8. It should affirm the equal rights and privileges of all peoples, without respect to race, color, or to economic or cultural development.

9. It should acknowledge the obligation of each nation to seek for all others, all the good it would seek for itself.

10. It should secure to all men freedom to think, and to express any thought that is not criminal in intent.

Thanking you for your attention, I am

Yours very truly,

H. V. CLARK,
Presbyterian Minister, and Citizen of the United States, and of the World.

HAVEN, KANS., *January 30, 1944.*

DEAR MR. CAPPER: I have every confidence in your ability to handle the problems that come up on the Senate floor, so in regard to the crusade for a new world order I wish to make my personal suggestions. I believe that the United States must cooperate with the other nations in preserving peace and that the peace treaty must be just and right, and based on a spirit of brotherly love and cooperation between nations. Our enemies should be put on something of a parole system, encouraged for good behavior and punished, of course, for bad. We must treat them fair and square at all times to win their confidence and friendship. It is difficult to make a peace fair and just while the cruelties of war are so real and fresh in our minds but we must make it so, so there will be no more war. These enemy countries must not be allowed to rearm and prepare for aggression. But this must be done in friendly way and not with an air of superiority or brute force. I hope these few suggestions will be of help to you. I know you will do all in your power to insure peace.

Yours truly,

WALTER J. SCHOONOVER.

THE KANSAS AVENUE
METHODIST CHURCH,
Topeka, Kans., January 31, 1944.

The Honorable ARTHUR CAPPER,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR CAPPER: I am writing to you in the interest of the kind of peace we shall make at the conclusion of the war, and the post-war world.

We feel that this time we must have a just and lasting peace. In order to accomplish this, we feel that our country must oppose any policy of isolation. We dare not again refuse to take our share in the responsibility of working for and maintaining the peace of the world. We should follow a policy of cooperation with all the nations, and should lend our influence toward seeing that justice and righteousness shall prevail.

We feel also that the only sure hope for an enduring peace is, if that peace is established on Christian principles and teachings. Therefore it is our belief that we in the United States must become more Christian in all areas of our national life, and through our missionaries, we must bring Christ's teachings to all nations of the world.

We feel that as our duly elected Members of the Congress, you have the experience and the understanding of our Nation's laws and of international laws, and that you will do your very best in this respect of making the peace and planning for the post-war world.

Very sincerely,
G. C. MEYER, *Pastor.*

KANSAS CITY, KANS., *January 31, 1944.*

The Honorable ARTHUR CAPPER,
Washington, D. C.

MY DEAR MR. CAPPER: I am a school teacher in Kansas City, Kans. I have known of your integrity ever since you were Governor of Kansas. There are a few things I am much concerned about. That is why I am writing you.

It seems to me that our country should stand for a just peace brought about by cooperation rather than by the compulsion of our military might. Why should we police the world? World unity and mutual consultation are more desirable.

The world economic set-up should distribute the good things of life as widely as possible to all peoples of all nations. Tariffs and monopolies for the privileged groups should be wiped out.

No peace treaty can be permanent, but should provide for revision. Subject peoples like India need a better break than they have been getting under the old imperialism. In this respect our Government should be careful not to make any commitment that will stand in the way of the political and economic development of these peoples as independent and equal partners in a better world for all.

I am a heavy investor in the War Savings bonds. I hope everything will be done by our Government to prevent inflation and economic disaster, both here at home and in the world at large. The investment in our war industries should not be liquidated at a loss to the public, even if the Government has to continue to operate them for an indefinite period after the war.

I hope Congress will not be influenced by politics or pressure groups, but will do the important job it has to do.

Yours sincerely,
ROY W. TERFLINGER.

ROSALIA, KANS., *February 1, 1944.*

Hon. ARTHUR CAPPER.

DEAR SIR: I am very much interested in the crusade, and sure expect you to support and vote for those measures that will enable our country to cooperate with other nations of the world in constructive plans for the prevention of conditions that permit aggression and war.

Yours truly,
Miss BERTHA WILLHITE.

WILSON, KANS., *February 1, 1944.*

The Honorable ARTHUR CAPPER,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR CAPPER: I have my doubts as to just how much good it will do us, as citizens, to write these letters. Nevertheless I wish to let you know how I feel about the crusade for a new world order.

We are in this war and must fight to the finish. But this time we must be sure it is a finish. You, as a Senator in Congress, must then vote and support such measures that will benefit us as a nation.

The nations of this world must all cooperate and make this a war to really end wars. We must have world peace.

Sincerely,
MRS. FRED KARBAN, Jr.

THAYER, KANS., *January 30, 1944.*

DEAR SENATOR: The Methodist Church is putting on a letter-writing campaign to Congress in favor of internationalism. I want you to know that I am a Methodist who is still in favor of isolation. In fact our condition here in the United States of America has grown more serious ever since Wilson began to meddle in European affairs in World War No. 1.

It seems to me, by a careful study of the 1942 election results, that isolation is the more popular course with the people.

To be sure we want Christian leadership at the peace table, but please remember that one of our strongest allies has turned their back on Christianity within the last quarter of a century. I believe it's time for the United States of America to begin to plan to take care of America. We aren't strong enough, neither rich enough are we, to force all of our ideals and ideas on the world at large.

Yours truly,
JOEL VAN METER.

SEDGWICK, KANS., *January 31, 1944.*

Hon. ARTHUR CAPPER,
Senate Office Building,
Washington, D. C.:

We are writing you in the interest of world peace. The present war has issued out of a general world disorder—an earth-wide sickness of society which results in the destruction of the flower of our youth.

Technology has made the world into a neighborhood. War has made that same neighborhood into a slaughterhouse, and every thinking Christian American knows something should be done to prevent a recurrence of this awful holocaust. History must not be allowed to repeat itself in this manner every 25 years.

World peace will depend upon the cooperation of men in all lands, and we question whether civilization itself can survive if the way to a just and enduring peace is not found at the close of the present conflict.

We seriously urge that you will give your most earnest support to constructive plans and methods for insuring a Christian peace.

Sincerely,
Mr. and Mrs. H. G. ESHELMAN.

TOPEKA, KANS., *January 31, 1944.*

Senator ARTHUR CAPPER,
Washington, D. C.

DEAR MR. CAPPER: I am asking you to vote for and support the "Six Pillars of Peace" as recommended by the Federal Councils of Churches of Christ in America, and also concurred in by the leaders of the British churches, the crusade of a Christian world order. I am asking you to support such measures as will enable our country to cooperate with other nations in constructive plans for a world order, that will prevent aggression or exploitation which lead to war, and that will promote liberty and justice throughout the world for the common good and the general welfare of all peoples which promote peace.

Thanking you, I am,
Sincerely,
MRS. R. O. VAN ORMAN.

CASSODAY, KANS., *January 30, 1944.*

Hon. ARTHUR CAPPER,
Washington, D. C.

DEAR SIR: Am writing to ask you to do all you can to insure a lasting peace when this war is over.

We are paying a big price for our part in the war. The lives of our good American boys are beyond price; but when the price is paid we hope it will not have to be paid again in another 25 years.

We hope at the peace table there will be no greed or selfishness, that the golden rule will be the measuring stick used among all nations.

Will you do all you can to see that this is done?

Yours truly,
Mr. and MRS. GEORGE MULANAX.

ARKANSAS CITY, KANS., *January 30, 1944.*

Senator ARTHUR CAPPER,
Senate Building, Washington, D. C.

DEAR SIR: Since I have followed your decisions in the United States Senate for a number of years I feel free to ask you to vote for world collaboration in constructive plans for the prevention of conditions that permit aggression and war. I am definitely opposed to isolationism.

May the great Father above guide you in your part of peace negotiations.

Yours very truly,
SUSAN M. REDDICK.

TOPEKA SPICE MILLS,
Topeka, Kans., February 2, 1944.

Senator ARTHUR CAPPER,
Senate Building, Washington, D. C.

DEAR SENATOR: As the prospects of the war ending draws nearer we most sincerely believe that it behooves all of the Allied Nations to formulate some very definite arrangements for a lasting peace.

We do not believe that any thinking American will accept another Versailles Treaty. But we fully believe that the average American wants an honest, Christian representation at the peace table. That he is willing to bear the responsibility and financial cost necessary to insure a fair and lasting peace to all the world.

We should have a full and powerful representation at the peace conference composed of men of the highest integrity who will exert every effort for a peace that is lasting and just for large and small nations alike.

A world court with the backing of powerful military and economic cooperation of all the Allied Nations should be established to preserve this peace. Any gangster nation, or political body, should be brought before this court and punished in accordance with the offense committed.

Thousands of our men have died on bloody battlefields to win this peace, and if our statesmen will carry this same aggressive spirit to the peace table they will win a peace that will endure.

Knowing your past record, we feel certain that you will do your full part to establish a permanent and just peace.

Yours very truly,
E. B. PATTON.

BELPRE, KANS., *January 31, 1944.*

The Honorable ARTHUR CAPPER,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR CAPPER: I wish to speak a word of appreciation for the fine way in

which you are representing your people in these most difficult of days. We are all hoping that the war shall soon be over and killing shall cease and our sons and daughters shall take their place in a new world order. And that new world order is tremendously upon our hearts in these days: We are praying that the peace we shall have, shall not be one dictated by hatred or greed or retaliation, but shall be backed by sympathy and love and understanding and a desire to share.

Daily our prayers go up for you and other leaders who have a great influence in shaping the world of tomorrow that you may be Godled in every way.

Very sincerely yours,

Rev. B. F. YOUNG.

WICHITA, KANS., *February 2, 1944.*

Hon. ARTHUR CAPPER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR CAPPER: I know you are as interested as anyone in the future peace of the world. I also feel that you would like expressions of opinion from your constituents. I would like to add my feelings on the matter of preserving peace in the post-war period.

I think world peace might be analogous to an enforcement of a law in a community. It is true that a small police force is necessary, but the power of these few individuals would be helpless if the great mass of the community was not law abiding.

Therefore, the great problem is education on moral and religious lines, so that people would be law abiding without compulsion. I believe that if the educational side is neglected, and we concentrate on force to preserve the peace, it will merely plunge us into greater and bloodier wars.

If the Government will spend some money to develop Christian missions and educational facilities throughout the world giving all peoples a better knowledge of each other, it will save many billions of dollars in the long run, for there is nothing as expensive as wars—either in money or lives.

Sincerely yours,

DAVID D. FISHBACK.

NEODESHA, KANS., *January 31, 1944.*

Senator ARTHUR CAPPER,
The United States Senate,
Washington, D. C.

DEAR SENATOR CAPPER: This letter is written to you, thinking you would be interested in knowing how we feel concerning the coming peace for the world. Since you are one of the responsible leaders in the making of peace, we feel that you want to do your best to represent us in this important matter.

With most of the Methodists of the United States we feel that there can be no real and lasting peace without the United States. Therefore we want you to know that we will try to stand behind you as you work and plan toward this end—the international cooperation for the peace of the world.

I am also asking my church to write you their feeling in their own way and I hope many of them will respond.

With much appreciation for your long and splendid leadership, I am,

Sincerely,

C. W. ODOM.

KANSAS WESLEYAN UNIVERSITY,
Salina, Kans., February 2, 1944.

The Honorable ARTHUR CAPPER,
United States Senator,
Washington, D. C.

DEAR SENATOR CAPPER: If I am able to correctly judge or sense the feeling of the group with which I have most of my contacts, churchmen, educators, small-business men in Rotary, there is a deep conviction that we must not lose the peace when this war is over.

They have a feeling that our Nation must be prepared to go a long way in the spirit of brotherhood and hearty cooperation with other nations in seeking justice, righteousness, and peace. They are strong in the feeling that no permanent peace can be had without justice and righteousness. Hatred and revenge must not dominate over calm and considerate judgment. Nationalism must not usurp the place of internationalism. Isolation is, by the very logic of events and by the logic of the hour, outmoded and must give way for honest, serious collaboration with the nations of the earth.

When a young airman can bomb Berlin Monday night and sit down at a banquet in New York Tuesday night, as one did with a friend of mine, isolationism is an impossible political philosophy.

I need not to have written so long a letter to you in this matter, for I think we are quite agreed on the vital heart. Your family background and your long and able service in the Senate gives you a place of leadership and authority that not many Senators have.

With kindest personal regards and very best wishes, I am,

Sincerely yours,

JOHN R. MCFADDEN.

NATIONAL HOME IN PALESTINE FOR THE JEWISH PEOPLE

Mr. DAVIS. Mr. President, on June 30, 1922, the Sixty-seventh Congress of the United States enacted a joint resolution which placed this Nation on record as favoring the establishment in Palestine of a national home for the Jewish people.

At the time when that resolution was enacted, I was serving as Secretary of Labor in the Cabinet of the President of the United States; and I, together with a vast number of American leaders in all walks of life, heartily endorsed that resolution as well as the substance of the Balfour resolution which was subsequently issued by the British Government.

The tragic events of the last decade have proved conclusively, Mr. President, that the Jewish people—persecuted of person, tortured of mind, and thwarted of purpose in many nations of the world—stand in stark and serious need of a single national home.

There in Palestine these downtrodden, oppressed people can find that home. There they can reassemble the remnants of their scattered nation, and can rebuild them once again into a united, democratic state, under which they can master their own problems and create their own destiny as a proud and independent people.

Mr. President, I regard this problem as one of the most pressing issues of our time—a problem which must be solved if we are ever to attain the just and lasting peace for which our sons and brothers have pledged their honor and their very lives.

For these reasons, Mr. President, I rise to request the Committee on Foreign Relations to give immediate consideration to Senate Resolution 247, which is designed to insure the ultimate reconstitution of Palestine as a free and democratic Jewish commonwealth.

RENEGOTIATION OF WAR CONTRACTS

Mr. WALSH of Massachusetts. Mr. President, as a result of inquiries made of me and other Senators as to the important changes made in the renegotiation law by the bill passed yesterday by the Senate, I have asked the agencies administering this law to prepare a summary of the important changes. I have that information, and I ask that it be printed in the body of the RECORD at this point as a part of my remarks.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

RENEGOTIATION OF WAR CONTRACTS—IMPORTANT CHANGES IN THE RENEGOTIATION LAW, AS AGREED TO BY THE CONFEREES, OVER THE PROVISIONS OF THE EXISTING LAW

1. Renegotiation and repricing: The bill clearly separates repricing from renegotiation. The renegotiation provisions are contained in title VII and the provisions relating to repricing are incorporated in title VIII. Thus, both the renegotiation provisions and the repricing provisions stand on their own bottom. Under the repricing provisions the departments are authorized to fix fair and reasonable prices by agreement, if possible, but if no agreement can be reached, to do so by unilateral determination. Contractors aggrieved by such a unilateral determination may sue the United States for a fair and just compensation for the articles furnished or the services rendered.

2. War Contracts Price Adjustment Board: The bill creates a new joint board called the War Contracts Price Adjustment Board, in which is lodged all legal authority with respect to renegotiation. The Board is charged with the responsibility of fixing the policies, principles, procedures, and interpretations to be followed in renegotiation, although it may delegate any of its powers and duties to any of the departments or agencies concerned with war procurement. Contractors dissatisfied with the determinations reached by any person or agency to which such functions have been delegated may request the Board to review such determinations, but the Board is given discretion with respect to the granting of such a review.

3. Court review: Contractors dissatisfied with a unilateral determination of the Board may petition The Tax Court of the United States for a redetermination of their excessive profits. The proceedings before The Tax Court are de novo and the court may find an amount of excessive profits less than, equal to, or greater than the amount found by the Board.

4. Exemptions from renegotiation:

(a) Agricultural commodities: The bill exempts from renegotiation all contracts and subcontracts for agricultural commodities in their raw or natural tate.

(b) Specific exemption raised from $100,000 to $500,000: The bill increases the exemption measured by renegotiable volume from $100,000 a year to $500,000 a year.

(c) Contracts for the construction of buildings or facilities awarded as a result of competitive bidding are exempted from renegotiation.

(d) Discretionary exemptions: The Board is authorized, in its discretion, to exempt contracts or subcontracts where competitive conditions have been restored. It is also authorized to exempt subcontracts if it is not feasible to determine and segregate the renegotiable business from the nonrenegotiable business. Moreover, it may exempt contracts or subcontracts for "standard commercial articles" if there has been a restoration of competition in the fields covered by such contracts.

5. Factors in determining excessive profits: The present law contains no standards for the determination of excessive profits. The bill provides a list of factors which the Board must consider in determining the amount of excessive profits. These factors cover such matters as efficiency, costs, capital, risk, contribution to the war effort, and character of the contractor's business.

6. Unused amortization deductions: The bill provides that the excessive profits which

have been determined for any year shall be diminished on account of the later recomputation of unused amortization deductions.

7. Replacement costs: In the case of inventories of raw materials or agricultural products acquired at the exemption line over and above the current requirements of the business, the bill specifically provides that the profits realized because of the increment in value of such excess inventories shall not be subject to renegotiation.

8. Renegotiation by fiscal years: In general, the bill requires that renegotiation be conducted only on an over-all fiscal year basis.

9. Contractors required to file statements: Under the bill, every contractor subject to renegotiation must file a financial statement with the board 3 months after the close of his fiscal year.

10. The Board's report to the contractor: If the contractor so requests the Board is required to furnish him with a statement setting out the determination of excessive profits made in his case the facts used as a basis therefor and the Board's reason for such determination.

11. Statute of limitations: The Board is required to commence renegotiation within 12 months after the close of the contractor's fiscal year or within 12 months from the date on which his statement is filed, whichever is the later.

12. Application of the bill: In general, the provisions of the bill apply to all fiscal years ending after June 30, 1943. This means that those fiscal years ending before July 1, 1943, are covered by the provisions of the existing law, while those ending after such date come within the provisions of this bill. There are several minor exceptions to this rule.

13. Termination of renegotiation: Under the bill renegotiation terminates as of December 31, 1944. This date may be moved forward or backward by 6 months under a proclamation by the President.

PRODUCTION, TRANSPORTATION, AND MARKETING OF WOOL—EXTENSION OF RESOLUTION

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate I report favorably, without amendment, Senate resolution 233, and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The resolution (S. Res. 233) submitted by Mr. O'MAHONEY on January 11, 1944, was read, as follows:

Resolved, That Senate Resolution 160, Seventy-fourth Congress, first session, agreed to July 10, 1935, authorizing a special committee to investigate the production, transportation, and marketing of wool, as extended, is hereby further extended and continued in full force and effect until December 31, 1944; and the said committee may report to the Senate at any time prior to said date.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. WHITE. Mr. President, reserving the right to object, will the Senator from Illinois explain the resolution?

Mr. LUCAS. Mr. President, this is a resolution which merely continues the life of an existing committee, the special committee headed by the Senator from Wyoming [Mr. O'MAHONEY]. No funds are involved in the resolution.

Mr. WHITE. It merely continues the life of an existing committee?

Mr. LUCAS. Precisely so.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

DELLA M. BENDER

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate I report favorably, without amendment, Senate Resolution 234, and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The resolution (S. Res. 234) submitted by Mr. GILLETTE on January 11, 1944, was read as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Della M. Bender, wife of Charles E. Bender, late a doorkeeper of the Senate, a sum equal to 6 months' compensation at the rate he was receiving in such capacity, said sum to be considered inclusive of funeral expenses and all other allowances.

Mr. WHITE. Mr. President, may we have an explanation of the resolution?

Mr. LUCAS. I will say to the Senator from Maine that this resolution involves a small amount due to Della M. Bender, widow of the late Charles E. Bender, a doorkeeper of the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

INVESTIGATION OF RURAL ELECTRIFICATION ADMINISTRATION—LIMIT OF EXPENDITURES

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate I report favorably, with an amendment, Senate Resolution 238 and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. WHITE. Mr. President, reserving the right to object, as I understand, the resolution provides an additional appropriation of $5,000.

Mr. LUCAS. It provides for an additional appropriation of $5,000. Fifteen thousand dollars was requested, but the Committee to Audit and Control the Contingent Expenses of the Senate reduced the amount to $5,000.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution (S. Res. 238) submitted by Mr. BILBO (for Mr. SMITH) on January 19, 1944.

The PRESIDING OFFICER. The amendment reported by the Committee to Audit and Control the Contingent Expenses of the Senate will be stated.

The amendment was, at the end of the resolution, to strike out "$15,000" and insert in lieu thereof "$5,000", so as to make the resolution read:

Resolved, That the limit of expenditures authorized under Senate Resolution 197, Seventy-eighth Congress, first session, agreed to December 9, 1943 (authorizing the employment of assistants and the expenditure of funds in a proposed investigation of the administration of the Rural Electrification Act), is hereby increased by $5,000.

The amendment was agreed to.

The resolution, as amended, was agreed to.

HEARINGS BEFORE COMMITTEE ON BANKING AND CURRENCY—LIMIT OF EXPENDITURES

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate I report favorably, without amendment, Senate Resolution 240, and ask unanimous consent for its present consideration.

This resolution increases by $12,000 the amount provided for the Committee on Banking and Currency for general purposes. The amount originally allowed the committee was $10,000. As every Senator knows, that committee is exceedingly busy.

Mr. WHITE. Mr. President, may I ask for what purposes the money is to be used?

Mr. LUCAS. For the purpose of carrying on the work of the Committee on Banking and Currency. The committee has only a small amount left of the original $10,000 which was allotted to it for the entire year, and it is really in need of the money. It should have it without any question.

Mr. WHITE. As I understand, this is for the general purposes of the committee—for stenographic hire and other expenses incident to the work of the committee.

Mr. LUCAS. The Senator is correct.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 240) submitted by Mr. WAGNER on January 20, 1944, was considered and agreed to, as follows:

Resolved, That the amount authorized to be expended by the Committee on Banking and Currency, pursuant to Senate Resolution 42, agreed to January 18, 1943, is hereby increased by $12,000.

PRODUCTION OF INDUSTRIAL ALCOHOL, SYNTHETIC ALCOHOL, AND SYNTHETIC RUBBER—LIMIT OF EXPENDITURES

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate I report favorably, without amendment, Senate Resolution 232 and ask unanimous consent for its present consideration. This resolution provides an additional $3,500 for further investigation with respect to industrial alcohol, synthetic alcohol, and synthetic rubber.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 232) submitted by Mr. GILLETTE on January 11, 1944, was considered and agreed to, as follows:

Resolved, That the limit of expenditures authorized under Senate Resolution 224, Seventy-seventh Congress, agreed to March 5, 1942 (providing for an investigation with respect to industrial alcohol, synthetic alcohol, and synthetic rubber), and continued by

Senate Resolution 80, Seventy-eighth Congress, is hereby increased by $3,500.

INVESTIGATION OF VIOLATIONS OF RIGHT OF FREE SPEECH AND ASSEMBLY—PRINTING OF HEARINGS AND REPORTS

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate I report favorably, without amendment, Senate Resolution 224, and ask unanimous consent for its present consideration. This resolution is the continuation of a resolution originally submitted by the Senator from Wisconsin [Mr. LA FOLLETTE] who now occupies the chair. It does not provide additional money, but provides for the continuation of the committee for the sole purpose of making its report and ultimately winding up its affairs.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 224) submitted by Mr. LA FOLLETTE on December 21, 1943, was considered and agreed to, as follows:

Resolved, That the authority conferred under Senate Resolution 266, Seventy-fourth Congress, second session, agreed to June 6, 1936; and under Senate Resolution 70, Seventy-fifth Congress, first session, agreed to February 19, 1937; and under Senate Resolution 154, Seventy-fifth Congress, first session, agreed to August 12, 1937; and under Senate Resolution 266, Seventy-fifth Congress, third session, agreed to May 18, 1938; and under Senate Resolution 126, Seventy-sixth Congress, first session, agreed to August 4, 1939; and under Senate Resolution 135, Seventy-seventh Congress, first session, agreed to June 28, 1941; and under Senate Resolution 98, Seventy-eighth Congress, first session, agreed to February 25, 1943, to investigate the violation of the right of free speech and assembly and interference with the right of labor to organize and bargain collectively is hereby continued during the second session of the Seventy-eighth Congress for the sole purpose of concluding the printing of hearings and reports.

INVESTIGATION OF THE NATIONAL DEFENSE PROGRAM—LIMIT OF EXPENDITURES

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate, I report favorably, without amendment, Senate resolution 235, and ask unanimous consent for its present consideration.

This resolution, which comes from the Truman committee, provides for an increase in funds of $100,000 for the investigation of the national defense program.

The Senator from Missouri [Mr. TRUMAN] is present. If the minority leader desires to ask any questions I shall be glad to yield to the Senator from Missouri.

Mr. WHITE. Mr. President, up to this time the Senator from Illinois has been dealing in small figures.

Mr. LUCAS. That is true.

Mr. WHITE. This resolution deals with a much larger sum, and I should like to hear some explanation of the resolution.

Mr. LUCAS. That is why I am yielding to the Senator from Missouri.

Mr. TRUMAN. Mr. President, the investigations which are being continuously carried on by the special committee are conducted by the investigators, the counsel, and the clerical staff of the committee. This resolution represents the sum of money required to operate the committee for another year, if the Senate sees fit to continue the committee. I can furnish the Senate with a detailed report if it is desired.

Mr. WHITE. I am asking these questions more for the benefit of Senators who are absent than for my own benefit. I know something about the work of the Truman committee. I know much about the chairman of the Truman committee, and I think any request he makes is probably justified.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. McKELLAR. Mr. President, I desire to ask a question. I should like to know how much money the committee has spent up to this time.

Mr. TRUMAN. Two hundred and eighty thousand dollars.

Mr. McKELLAR. This will make a total of $380,000.

Mr. TRUMAN. This would make an even $400,000 if it were all spent.

Mr. McKELLAR. How long does the committee intend to examine the War Department?

Mr. TRUMAN. I will say to the Senator from Tennessee that the investigation is not confined to the War Department. The defense-program investigation includes the War Production Board, the Navy Department, the War Department, and the Maritime Commission. We are now engaged in an examination of certain expenditures by the various agencies. Such expenditures will require attention until the need for the committee to investigate the national-defense program ceases. I think the need will end when the war ends.

Mr. McKELLAR. Then the Senator does not think that this additional appropriation will complete the work of the committee?

Mr. TRUMAN. I do not know that it will, but I hope so.

Mr. McKELLAR. How long will the investigation probably take?

Mr. TRUMAN. That will depend upon how long the expenditures for war purposes last.

Mr. McKELLAR. The amount proposed is very large for an investigation. I will not object to the resolution, but I hope the Senator from Missouri will conclude the investigation as soon as possible. This year we are asked to spend approximately $100,000,000,000. As the Senator knows, because he is a distinguished member of the Appropriations Committee, our committee is trying its very best to curtail expenditures.

Mr. TRUMAN. Let me say to the Senator that the Special Committee to Investigate the National Defense Program has been credited with savings running all the way from $1,000,000,000 to $11,000,000,000. I think $280,000 is a relatively small sum.

Mr. McKELLAR. Will the Senator tell us some of the examples of savings which have been effected?

Mr. TRUMAN. Savings have been effected in the camp-construction program, in the shipbuilding program, and in a dozen other activities. The fact that we have a committee of this sort watching the gate has been exceedingly helpful in saving expenditures.

Mr. McKELLAR. I am thinking of a very small project in my own State. The War Department bought 800 acres of land there, and started a primary air training school.

Mr. TRUMAN. I am familiar with it.

Mr. McKELLAR. After spending about a million dollars the War Department is now discontinuing the project except for many caretakers and other persons to look after what is left. When I heard the facts it struck me that either there had been an extravagant waste of money when the project was started, or that it is an extravagant waste of money to remove it to some other place and build a new one.

Mr. TRUMAN. The Senator is exactly correct.

Mr. McKELLAR. I hope the Senator will look into it.

Mr. TRUMAN. I shall be very glad to do so.

Mr. McKELLAR. The expenditure involved is very small compared with the approximately $70,000,000,000 which we are spending for other purposes.

Mr. TRUMAN. However, many small sums make big ones.

Mr. McKELLAR. Yes. I hope the Senator will look into the situation.

Mr. TRUMAN. The Senator will recall the Wolf Creek investigation which we made in his home State to the benefit of the taxpayers. We now have under consideration several projects similar to that one.

Mr. McKELLAR. I heard the explanation by the War Department officials a day or two ago. The project was being moved because of the bad weather in Tennessee, and the lack of transportation facilities to the next order of camps. There were three railroads and dozens of the finest highways in the world. The next order of camps is very much closer to this project than to the ones which are being retained or the one which will probably be built to take the place of this one. I think it is very necessary for the Truman committee to examine into the matter. I hope that it will do so.

Mr. TRUMAN. I wonder why the War Department did not find out those conditions before it started to build.

Mr. McKELLAR. That is what I asked a War Department official. I asked him, "Why did you establish this camp before you found that the weather was bad in Tennessee and that the railroad and other facilities were so bad?" His answer was that he himself did not exactly understand the reason. As I recall, that was the substance of his answer. However, the War Department found that transportation facilities were bad and now the camp is being moved elsewhere. I think it is very essential that such leaks be stopped. I had heard that the Truman committee had made an examination into the situation. I hope it will make a report about it, because I think there has been an extravagant waste of the people's money. No one can take exception to what I am

saying because I am complaining of a situation existing in my own State.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 235), submitted by Mr. TRUMAN on January 12, 1944, was considered and agreed to, as follows:

Resolved, That the limit of expenditures under Senate Resolution 71, Seventy-seventh Congress, first session, agreed to March 1, 1941, and Senate Resolution 6, Seventy-eighth Congress, first session; agreed to January 25, 1943 (relating to the investigation of the war program), is hereby increased by $100,000.

INVESTIGATION RELATING TO TERMINATION OF GOVERNMENT PROCUREMENT CONTRACTS

Mr. LUCAS. Mr. President, I have one more resolution to report from the Committee to Audit and Control the Contingent Expenses of the Senate. I report favorably, with an additional amendment, Senate Resolution 198, and ask unanimous consent for its immediate consideration. The resolution was reported from the Committee on Military Affairs by the Senator from Montana [Mr. MURRAY]. It provides for an appropriation of $5,000.

A subcommittee was appointed by the chairman of the Committee on Military Affairs to study the subject of termination of war contracts, plant reconversion, and other post-war problems. The subcommittee has been in existence for some time, and it is asking for an appropriation of $5,000.

Mr. BARKLEY. Mr. President, what is the committee to which the Senator from Illinois has referred?

Mr. LUCAS. It is a subcommittee of the Military Affairs Committee appointed by the Senator from North Carolina [Mr. REYNOLDS]. The Senator from Montana [Mr. MURRAY] is chairman of the committee. The subcommittee has been making an investigation dealing with war contracts, plant reconversion, and other post-war problems.

Mr. BARKLEY. Mr. President, I shall not object to the resolution, but the Senate has a special committee on post-war problems, of which the Senator from Georgia [Mr. GEORGE] is chairman. It has been holding hearings on all phases of post-war problems, including reconversion, cancelation of contracts, and other matters. I am wondering how much duplication there is in the work of the two committees.

Mr. LUCAS. The Senator is correct in the statement which he makes with respect to the committee of which the Senator from Georgia is chairman. However, the Senator will recall that several times the Senator from Montana [Mr. MURRAY] has sat with our committee and contributed much advice and counsel.

Mr. BARKLEY. How much money is involved?

Mr. LUCAS. Five thousand dollars. Candidly, I am not sure just what the subcommittee is doing. The Senator from Montana is not present.

Mr. President, I ask unanimous consent for the present consideration of the resolution.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. WHITE. Mr. President, reserving the right to object, I understand that the resolution was reported from the Committee on Military Affairs some time ago.

Mr. LUCAS. The Senator is correct.

Mr. WHITE. I have the impression that I once objected to the resolution. I told the Senator from Montana that I would object to it.

Mr. LUCAS. The Senator is correct. He did object to it.

Mr. WHITE. I have great doubt as to the wisdom of the resolution. I once objected to it. I think there is overlapping. However, having objected once, I do not feel called upon to persist in the objection, and personally I shall not object.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution (S. Res. 198), submitted by Mr. MURRAY on October 28, which had been originally reported from the Committee on Military Affairs with amendments.

The first amendment of the Committee on Military Affairs was, on page 2, line 7, to strike out "make a full and complete study and investigation, in cooperation with such public and private agencies and such persons as it might see fit to consult regarding the termination of Government procurement contracts and problems relating thereto" and insert "participate with the Special Committee on Post-War Economic Policy and Planning in its study and investigation of the termination of Government procurement contracts and problems relating thereto; be it further."

The next amendment of the Committee on Military Affairs was, on page 3, after line 2, to strike out:

For the purpose of this resolution, such subcommittee is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-eighth Congress, to employ such clerical and other assistance, to require by subpena or otherwise, the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to make such investigations, to administer such oaths, to take such testimony, and to incur such expenditures as it deems advisable.

That the heads of the executive departments and other executive agencies detail and/or engage personnel temporarily to assist such subcommittee upon the request of the chairman thereof. The subcommittee may utilize such voluntary and uncompensated services as it may deem necessary and may utilize the services or facilities of the various departments and agencies of the Government.

The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the subcommittee, which shall not exceed $5,000, shall be paid from the contingent funds of the Senate upon vouchers approved by the chairman of the subcommittee.

The powers and expenditures authorized by this resolution shall be deemed retroactive to the date when such subcommittee commenced its operations and functions following its designation by the chairman of the Military Affairs Committee.

And to insert:

The expenses heretofore incurred by the subcommittee, which shall not exceed $5,000, shall be paid from the contingent funds of the Senate upon vouchers approved by the chairman of the subcommittee.

The amendment of the Committee to Audit and Control the Contingent Expenses of the Senate was to strike out all after the preamble, including the amendments reported by the Committee on Military Affairs, and insert:

Resolved, That the subcommittee of the Committee on Military Affairs, heretofore designated by the chairman of that committee, in connection with war contracts, the termination of war contracts, and related problems, be authorized and directed to make a full and complete study and investigation, in cooperation with such public and private agencies and such persons as it might see fit to consult, regarding war contracts, the termination of war contracts, and related problems; be it further

Resolved, That such subcommittee participate with the Special Committee on Post-War Economic Policy and Planning in its study and investigation of the termination of Government procurement contracts and problems relating thereto in the holding of joint hearings and in the preparation of joint legislation; be it further

Resolved, That such subcommittee be authorized and directed to consider and make recommendations to the full committee with respect to the subject above-mentioned and all legislative proposals pertaining thereto which are now pending before the Military Affairs Committee or are hereafter referred to it in regular course. The subcommittee shall report to the full committee, which shall in turn report to the Senate as soon as practicable the results of the foregoing study and investigations, together with its recommendations.

For the purpose of this resolution, such subcommittee is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-eighth Congress, to employ such clerical and other assistance, to require by subpena, or otherwise, the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to make such investigations, to administer such oaths, to take such testimony, and to incur such expenditures as it deems advisable.

That the heads of the executive departments and other executive agencies detail and/or engage personnel temporarily to assist such subcommittee upon the request of the chairman thereof. The subcommittee may utilize such voluntary and uncompensated services as it may deem necessary and may utilize the services or facilities of the various departments and agencies of the Government.

The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the subcommittee, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the subcommittee.

The powers and expenditures authorized by this resolution shall be deemed retroactive to the date when such subcommittee commenced its operations and functions following its designation by the chairman of the Military Affairs Committee.

The amendment of the Committee to Audit and Control the Contingent Expenses of the Senate was agreed to.

The resolution (S. Res. 198), as amended, was agreed to.

The preamble was rejected.

The title was amended so as to read: "Resolution to investigate war contracts, the termination of war contracts, and related problems."

EXECUTIVE SESSION

Mr. BARKLEY. I move the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDING OFFICER. If there be no reports of committees the clerk will state the nominations on the calendar.

THE JUDICIARY

The legislative clerk read the nomination of Sterling Hutcheson to be United States district judge for the eastern district of Virginia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of ANTHONY J. DIMOND, of Alaska, to be United States district judge for the third division of Alaska.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Herman E. Moore, of Illinois, to be United States district judge of the district court of the Virgin Islands.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Lynn J. Gemmill to be United States attorney for the first division of Alaska.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Norris Metzger Thomas to be United States marshal for the eastern district of South Carolina.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the postmaster nominations are confirmed en bloc.

Mr. BARKLEY. I ask unanimous consent that the President be notified of all confirmations of today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith of all nominations confirmed this day.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock p. m.) the Senate took a recess until tomorrow, Wednesday, February 9, 1944, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 8 (legislative day of February 7), 1944:

DIPLOMATIC AND FOREIGN SERVICE

Leslie W. Johnson, of Minnesota, now a Foreign Service officer of class 8 and a secretary in the Diplomatic Service, to be also a consul of the United States of America.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Irene E. Hodges, Ashville, Ala., in place of A. N. Runyans, transferred.

Sallie C. Athey, Grady, Ala. Office became Presidential July 1, 1943.

James T. Mabrey, Horton, Ala. Office became Presidential July 1, 1943.

Zada Davis, Magazine, Ala. Office became Presidential July 1, 1943.

Beekman L. Youngblood, Minter, Ala. Office became Presidential July 1, 1943.

Bessie M. Forman, Odenville, Ala. Office became Presidential July 1, 1943.

John Ellis, Ohatchee, Ala. Office became Presidential July 1, 1943.

Robert M. Craft, Owens Cross Roads, Ala. Office became Presidential July 1, 1943.

Addie G. Oliver, Panola, Ala. Office became Presidential July 1, 1943.

Nevada Tuggle, Quinton, Ala. Office became Presidential July 1, 1943.

Elsie Mae Fowler, Sumiton, Ala. Office became Presidential July 1, 1943.

Sarah E. Harding, Theodore, Ala. Office became Presidential July 1, 1943.

Rufus C. Johnson, Trafford, Ala. Office became Presidential July 1, 1943.

Danny D. Coleman, Whatley, Ala. Office became Presidential July 1, 1942.

ALASKA

Maude H. Boyle, Fairbanks, Alaska, in place of A. J. Ghezzi, resigned.

Sidney Arlington Banks, Yakutat, Alaska, in place of E. M. Axelson, retired.

ARKANSAS

Elizabeth F. Godfrey, Sweet Home, Ark. Office became Presidential July 1, 1943.

Claiborne A. Worthington, Tinsman, Ark. Office became Presidential July 1, 1943.

Jesse C. Bogy, Wabbaseka, Ark. Office became Presidential July 1, 1943.

Mattye E. Hendrix, Ward, Ark. Office became Presidential July 1, 1943.

CALIFORNIA

Marie G. Turner, Chatsworth, Calif., in place of B. E. White. Incumbent's commission expired July 1, 1940.

Joe Z. Silva, Sharp Park, Calif., in place of Blanche Vincent, resigned.

CONNECTICUT

Evelyn P. Estabrooks, Hampton, Conn. Office became Presidential July 1, 1943.

Lewis M. Cromwell, Poquonock Bridge, Conn. Office became Presidential July 1, 1943.

FLORIDA

Maggie L. Vaughan, Dinsmore, Fla. Office became Presidential July 1, 1943.

Joseph D. Coburn, Eagle Lake, Fla. Office became Presidential July 1, 1943.

Anna B. Chapman, Florida City, Fla. Office became Presidential July 1, 1943.

Olga L. Ward, Malone, Fla. Office became Presidential July 1, 1943.

Roy S. Troutman, Palm Harbor, Fla. Office became Presidential July 1, 1943.

Angus W. Pledger, Panama City Beach, Fla. Office became Presidential July 1, 1943.

Cornelia P. Deas, Perrine, Fla. Office became Presidential July 1, 1943.

Otis M. Ashmore, Sopchoppy, Fla. Office became Presidential July 1, 1943.

Kathleen Pullen, Wabasso, Fla., in place of M. W. Neeley, resigned.

Inez G. Arnold, Westville, Fla. Office became Presidential July 1, 1943.

GEORGIA

Anna L. Hinton, Dacula, Ga. Office became Presidential July 1, 1943.

William C. Spires, Doraville, Ga. Office became Presidential July 1, 1943.

Ethel Nash, Dunwoody, Ga. Office became Presidential July 1, 1943.

Robert J. Walsh, Garfield, Ga. Office became Presidential July 1, 1943.

Mark C. Ballcom, Georgetown, Ga. Office became Presidential July 1, 1943.

Willie H. Massey, Hahira, Ga., in place of H. C. Register, deceased.

Willie Pate Phillips, Harlem, Ga., in place of S. B. Fox, retired.

Alva D. Lindsey, Hephzibah, Ga. Office became Presidential July 1, 1943.

Mary Elizabeth Reeves, Luthersville, Ga. Office became Presidential July 1, 1943.

Annie C. Hays, Mansfield, Ga. Office became Presidential July 1, 1943.

HAWAII

Alfred Fernandes, Waimea, Hawaii, in place of Mansaru Yokotake, removed.

ILLINOIS

Mabel J. Spires, Kempton, Ill., in place of O. L. Dowse, transferred.

Edward J. Duffy, La Salle, Ill., in place of Mary Reardon. Incumbent's commission expired June 23, 1942.

INDIANA

Alice B. Robinson, Bruceville, Ind. Office became Presidential July 1, 1943.

Floyd L. Lindendoll, Orland, Ind. Office became Presidential July 1, 1943.

Omer R. Huff, Troy, Ind. Office became Presidential July 1, 1943.

James A. Beavans, Warren, Ind., in place of E. A. Gebhart, resigned.

IOWA

Lena Berg, Lockridge, Iowa. Office became Presidential July 1, 1943.

Velma Olson, McCallsburg, Iowa. Office became Presidential July 1, 1942.

Donald F. Sturtz, Montour, Iowa. Office became Presidential July 1, 1943.

William H. Lamoureux, Salix, Iowa, in place of Edna Pepin, resigned.

Anton Balik, Spillville, Iowa. Office became Presidential July 1, 1943.

KANSAS

William Benjamin Burrows, Lakin, Kans., in place of W. D. O'Loughlin, resigned.

Beth Constance, Shawnee, Kans., in place of M. J. Baier, removed.

Horace D. MacCloughan, Solomon, Kans., in place of G. W. Lank, retired.

Henry M. Otis, Wilsey, Kans. Office became Presidential July 1, 1943.

KENTUCKY

Mary E. Stiles, Cecilia, Ky., in place of R. H. Stiles, resigned.

LOUISIANA

Linus A. Sims, Hammond, La., in place of J. M. Blache, Sr. Incumbent's commission expired February 5, 1942.

Modiste C. Lavoilette, Mermentau, La. Office became Presidential July 1, 1942.

Irma Hawsey Chandler, Pineville, La., in place of M. H. David, retired.

MARYLAND

Russell M. Buck, Upper Marlboro, Md., in place of G. M. Coale, resigned.

MINNESOTA

Cora E. Thorson, Echo, Minn., in place of A. A. Mock, transferred.

MISSOURI

Josie Monan, Braggadocio, Mo. Office became Presidential July 1, 1943.

Florence C. Clifton, Gasconade, Mo. Office became Presidential July 1, 1943.

Oliver William Branneky, Pattonville, Mo. Office became Presidential July 1, 1943.

Herbert S. Bond, Sheridan, Mo., in place of O. H. Bond, retired.

Elizabeth C. Merrell, Vandalia, Mo., in place of W. H. McIntire, deceased.

NEW MEXICO

Hezekiah Hall, Magdalena, N. Mex., in place of Hezekiah Hall. Incumbent's commission expired June 23, 1942.

NEW YORK

Edward J Reidy, Elmira, N. Y., in place of G. W. Sheahan, removed.

Harry B. Hickey, Jr., Fredonia, N. Y., in place of H. B. Hickey, retired.

Marion E Kerr, Glenfield, N. Y., in place of S. K. Gibbs, deceased.

Grace A. Barker, Industry, N. Y. Office became Presidential July 1, 1943.

Dorothy W. Andersen, Mastic, N. Y. Office became Presidential July 1, 1943.

Mary I. McKernan, Olcott, N. Y. Office became Presidential July 1, 1943.

Frank J. Alianell, Retsof, N. Y. Office became Presidential July 1, 1943.

Charles De LaVergne, Salt Point, N. Y. Office became Presidential July 1, 1943.

William J. Griffin, Jr., Starlake, N. Y., in place of W. T. Griffin, Jr. Incumbent's commission expired June 23 1942.

Alice V. D. Laskoski, Tomkins Cove, N. Y. Office became Presidential July 1, 1943.

NORTH CAROLINA

Ruth R. Wyatt, Hobgood, N. C. Office became Presidential July 1, 1943.

Carl P. Linn, Landis, N. C., in place of J. C. Wright, resigned.

James R. Crutchfield, Moncure, N. C. Office became Presidential July 1, 1942.

NORTH DAKOTA

Alfred O. Fosness, Forest River, N. Dak. Office became Presidential July 1, 1943.

OHIO

Oscar D. Binkley, Gettysburg, Ohio, in place of Helen Stolz, resigned.

OREGON

Harriet F. House, Grande Ronde, Oreg. Office became Presidential July 1, 1942.

PENNSYLVANIA

Lawrence E. Oyler, Gettysburg, Pa., in place of C. A. Williams, deceased.

Emory C. Gardner, Hellam, Pa., in place of W. C. Blessing, deceased.

Tillie Kuchinsky, Lost Creek, Pa. Office became Presidential July 1, 1943.

Lucille J. Mensch, Marienville, Pa., in place of L. H. Mensch, deceased.

Frank Mager, Matamoras, Pa., in place of C. J. Wallace, resigned.

Donald R. Sheehan, Mehoopany, Pa. Office became Presidential July 1, 1943.

Hilda M. Fabian, Ottsville, Pa. Office became Presidential July 1, 1943.

Florence I. Risch, Sarver, Pa. Office became Presidential July 1, 1942.

PUERTO RICO

Juan Figueroa Ceiba, P. R. Office became Presidential July 1, 1943.

Saulo M. Giminez, Orocovis, P. R. Office became Presidential July 1, 1943.

Elias Almeda Aponte, San Lorenzo, P. R. Office became Presidential July 1, 1943.

SOUTH CAROLINA

Sophie F. Poston, Johnsonville, S. C. Office became Presidential July 1, 1943.

Lillian H. Rice, Burton, S. C. Office became Presidential July 1, 1943.

Foster M. Lynch, Coward, S. C. Office became Presidential July 1, 1943.

Robert A. Dobson, Fairforest, S. C. Office became Presidential July 1, 1943.

Joseph W. Holliday, Galivants Ferry, S. C. Office became Presidential July 1, 1943.

James A. Montgomery, Lane, S. C. Office became Presidential July 1, 1943.

Joseph G. Grabham, Olar, S. C. Office became Presidential July 1, 1943.

Inez M. McCollough, Salters Depot, S. C. Office became Presidential July 1, 1943.

Boyce B. Myers, Scranton, S. C. Office became Presidential July 1, 1943.

Oscar Tuck, Westminster, S. C., in place of Oscar Tuck. Incumbent's commission expired June 23, 1942.

TENNESSEE

George T. Cunningham, Dukedom, Tenn. Office became Presidential July 1, 1943.

James O. Massey, Finger, Tenn. Office became Presidential July 1, 1943.

Eugene N. Miller, Vanleer, Tenn. Office became Presidential July 1, 1943.

TEXAS

Ruth N. Floyd, Batson, Tex. Office became Presidential July 1, 1943.

Mabel F. Selkirk, Blessing, Tex. Office became Presidential July 1, 1943.

Mary A. Herrington, Caddo, Tex. Office became Presidential July 1, 1943.

Fordyce C. Sims, Cedar Hill, Tex. Office became Presidential July 1, 1943.

Viola L. Harris, Christoval, Tex. Office became Presidential July 1, 1943.

Eva L. Parker, Garden City, Tex. Office became Presidential July 1, 1943.

Frank E. Staudt, Harper, Tex. Office became Presidential July 1, 1943.

Annie Thomas, Hawley, Tex. Office became Presidential July 1, 1943.

Verna Gregory, Rice, Tex. Office became Presidential July 1, 1943.

Arthur N. Brown, Jr., Richland, Tex. Office became Presidential July 1, 1943.

Ida L. Cowan, Roanoke, Tex. Office became Presidential July 1, 1943.

VIRGINIA

Ira B. Forrest, Messick, Va. Office became Presidential July 1, 1943.

Thomas S. Hawkes, Wellville, Va. Office became Presidential July 1, 1943.

WEST VIRGINIA

Thomas R. Moore, Jr., Charles Town, W. Va., in place of T. R. Moore, resigned.

Winnona P. Kahl, Triadelphia, W. Va., in place of M. G. Raab, resigned.

WISCONSIN

Neal D. Strong, Chetek, Wis., in place of Carl Whitaker, retired.

Ottilia A. Agathen, Eagle, Wis., in place of Willis Engebretsen, resigned.

Paul E. Sweeney, Edgerton, Wis., in place of C. A. Hoen, retired.

Ida I. Serley, Exeland, Wis., in place of A. A. Veness, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 8 (legislative day of February 7), 1944:

THE JUDICIARY

UNITED STATES DISTRICT JUDGES

Sterling Hutcheson to be United States district judge for the eastern district of Virginia.

Anthony J. Dimond, to be United States district judge for the third division of Alaska.

Herman E. Moore to be judge of the District Court of the Virgin Islands of the United States.

UNITED STATES ATTORNEY

Lynn J. Gemmill to be United States attorney for the first division of Alaska.

UNITED STATES MARSHAL

Norris Metzger Thomas to be United States marshal for the eastern district of South Carolina.

IN THE NAVY

APPOINTMENTS TO CORRECT THE DATE OF RANK AS PREVIOUSLY NOMINATED AND CONFIRMED

The nominations of John P. Dobson et al. to be assistant surgeons;

The nominations of Joseph M. Clements et al. to be assistant dental surgeons;

The nominations of Austin H. Barnett, Jr., et al. to be assistant paymasters; and

The nominations of Raymond B. Krum et al. to be assistant civil engineers.

(NOTE.—A full list of the persons whose nominations for appointment in the Navy, to correct the date of rank as previously nominated and confirmed were today confirmed may be found in the Senate proceedings of the CONGRESSIONAL RECORD for February 2, 1944, under the caption "Nominations," beginning on p. 1077 with the name of John P. Dobson and ending on p. 1080 with the name of Walter M Enger.)

POSTMASTERS

OHIO

Carl W. Somerville, Frazeysburg.
Frank Cave, Mansfield.
James E. Rosser, McArthur.
Albert N. Weckerly, Whitehouse.

SOUTH DAKOTA

F. Marion Brooks, Florence.
Alice M. Hudgel, Garretson.
Freda Haberman, McLaughlin.
Jessie E. Hanson, Mound City.
John A. DeLay, Wessington Springs.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 8, 1944

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father, who art the giver of all mercies, we are grateful for the serene life, for the beneficence and for the supernal wisdom of our glorified Lord. In the plentitude of Thy all-comforting grace, bestow it upon all in need of encouragement, upon all with somber thoughts and sable melancholy, and clothe them with the radiancy of faith and power.

We are called unto liberty and not bondage, unto largeness, unto patience, and nobility of character. To be true after the ideals of our Master is to have a heart full of confidence in His work and mission; this would give the world a new meaning in our day. We pray that His example may be deeply pondered—to let alone the thing that is wrong, to abandon that which is evil and to take hold of the thing that is good. O God, Thy hand of mercy and rich blessing has been upon our country: "Freely we have received, freely give." Thy benefactions unto us, the wonderful endowments which Thou hast conferred upon us, these are the measures which we are to bestow upon others. We rejoice that Thy heart is the world's refuge; give us Thy power to be good and to do good under the influence of the sanctuary and the home, in the things which have broken down and in the things in which we rejoice; in all these experiences work in us to do Thy will and good pleasure. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the reports of

the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to a bill and a joint resolution of the House of the following titles:

H. R. 3687. An act to provide revenue, and for other purposes; and

H. J. Res. 208. Joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1944.

NOTIFICATION OF REPRESENTATIVES-ELECT TO CONGRESS

The SPEAKER laid before the House the following communications which were read by the Clerk:

FEBRUARY 8, 1944.

The honorable the SPEAKER,
House of Representatives.

SIR: The certificate of election in due form of law of Hon. SAMUEL K. MCCONNELL, JR., as a Representative-elect to the Seventy-eighth Congress from the Seventeenth Congressional District of the Commonwealth of Pennsylvania, to fill a vacancy in that district, is on file in this office.

Very truly yours,
SOUTH TRIMBLE,
Clerk of the House of Representatives.

FEBRUARY 8, 1944.

The honorable the SPEAKER,
House of Representatives.

SIR: The certificate of election in due form of law of Hon. JOSEPH M. PRATT, as a Representative-elect to the Seventy-eighth Congress from the Second Congressional District of the Commonwealth of Pennsylvania, to fill a vacancy in that district, is on file in this office.

Very truly yours,
SOUTH TRIMBLE,
Clerk of the House of Representatives.

SWEARING IN OF MEMBERS

Mr. PRATT and Mr. MCCONNELL presented themselves at the bar of the House and took the oath of office.

PROPOSED PURCHASE OF BAJA CALIFORNIA

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. HINSHAW addressed the House. His remarks appear in the Appendix.]

PERMISSION TO COMMITTEE ON FOREIGN AFFAIRS TO SIT DURING SESSIONS OF THE HOUSE TODAY

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may sit during the sessions of the House this afternoon.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a resolution adopted by the Board of Aldermen of the City of Chelsea, Mass.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MERROW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a communication I received from the New England Council dated February 4 in regard to termination of war contracts.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE PACIFIC FRONT

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CANFIELD. Mr. Speaker, I have just received a letter from a responsible officer of our Army in the southwest Pacific. He comes from New Jersey, and writes in part:

Suppose with election in the offing, there is plenty of oratory. Can see the lads beating their chests about the Jap atrocities. They could help us annoy Tojo if they would send us a little more stuff and less talk. We are still the forgotten front.

THE MILK SUBSIDY

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, the payment of milk subsidies has been in effect for about 2 months. Recently I received a number of letters and telegrams from my own district which have disturbed me no end. These messages attest that rank discrimination is being made in the payment of these subsidies, as great a discrepancy as 25, 40, or 50 cents on each hundredweight of milk.

Mr. Speaker, if other States close to upstate New York can be treated fairly and indiscriminately, the farmers of upstate New York have every right to anticipate fair treatment in this subsidy-payment program. A lot of us did not vote for subsidies, a lot of us did not care for the principle of subsidies. But it is high time if a program of subsidy payments as far as America is concerned is to be carried out it should be carried out effectively and it has got to be adopted along fair and equitable lines. Why should not our farmers receive as much as others inasmuch as everybody seems to be getting his and apparently is after what is coming to him?

Mr. REED of New York. Will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield to the gentleman from New York.

Mr. REED of New York. In other words, the payment of subsidies has not been equalized.

Mr. EDWIN ARTHUR HALL. The gentleman is correct, and I thank him.

The SPEAKER. The time of the gentleman has expired.

WALTER WINCHELL

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I would like to have the attention of the gentleman from Mississippi [Mr. RANKIN]. In Walter Winchell's column I find a statement attributed to the gentleman from Mississippi [Mr. RANKIN], and I want to know if the gentleman made it? Walter Winchell says:

RANKIN, one of the best examples—

And so forth—

accused this reporter of writing the bill to give the soldiers the vote.

Did the gentleman from Mississippi ever say that fellow had intelligence enough to write that bill?

Mr. RANKIN. I never said that little "kike" ever wrote anything that a decent Congressman would introduce. He is simply stirring up anti-Semitism and bringing trouble on his own people throughout the country. The sooner they get him off the air and out of the press the better it will be for them.

The SPEAKER. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. CARSON of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. CARSON]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. CASE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota [Mr. CASE]?

There was no objection.

[Mr. CASE addressed the House. His remarks appear in the Appendix.]

Mr. CASE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein the letter from the Chief of Engineers and also a paragraph from House Document No. 214 of the Seventy-sixth Congress, first session.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota [Mr. CASE]?

There was no objection.

Mr. HILL. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, to revise and extend my own remarks in the RECORD and to include therein a radio address by Lothrop Stoddard.

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. HILL]?

There was no objection.

[Mr. HILL addressed the House. His remarks appear in the Appendix.]

THE CITY OF PHILADELPHIA, PA., AND ITS TRADITIONS

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. GRAHAM]?

There was no objection.

Mr. GRAHAM. Mr. Speaker, it is a matter of great pride to those of us of the Pennsylvania delegation to welcome today two new Members to this House. May I take a moment to review the great history of Pennsylvania and particularly the city of Philadelphia and its vicinity from which these two gentlemen come, one from Philadelphia and the other from the adjoining county of Montgomery.

Here the First Continental Congress met. Out of that Congress went George Washington to command the armies of the United States. Here the Declaration of Independence was written. Here the Constitution of the United States was evolved, again under the leadership of George Washington. When the first Continental Congress met in the city of New York it was Frederick Muhlenberg of Pennsylvania who presided over the sessions and deliberations of that great meeting. Therefore we of Pennsylvania take great pride today in welcoming two of its illustrious sons to join us here in the deliberations of the Congress of the United States.

EXTENSION OF REMARKS

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short statement by Mr. Pettengill, of Indiana, on the soldier vote.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. MASON]?

There was no objection.

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a summary of a recent War Department release on the subject of mustering-out pay.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. KUNKEL]?

There was no objection.

Mr. MILLER of Connecticut. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. MILLER]?

There was no objection.

RUTH HULDA MILES

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. STEVENSON]?

There was no objection.

Mr. STEVENSON. Mr. Speaker, a young lady from Fennimore, Wis., in my congressional district, Ruth Hulda Miles, a senior in the Union Free High at Fennimore, has won an outstanding honor. She is one of the 12 girl winners of the third annual science talent search, which is conducted by Science Clubs of America. Twelve girls and 28 boys selected for their proven ability in science classes in their senior year among the high schools of the country are being invited on an all-expense-paid trip to the Nation's Capital during the first week in March to attend the Science Talent Institute in Washington, where 1 boy and 1 girl will be awarded a $2,400 Westinghouse grand science scholarship. Six boys and 2 girls will be awarded other Westinghouse science scholarships, and $3,000 additional in scholarships will be awarded to these outstanding high-school seniors of the country.

The science talent search was designed to discover and to develop scientific ability among high-school seniors. It is conducted by Science Clubs of America.

EXTENSION OF REMARKS

Mr. TALBOT. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Connecticut [Mr. COMPTON] may be permitted to extend his own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. COMPTON]?

There was no objection.

Mr. FELLOWS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement by the Governor of Maine.

The SPEAKER. Is there objection to the request of the gentleman from Maine [Mr. FELLOWS]?

There was no objection.

SERVICE IN THE ARMY OF MEN IN PENAL INSTITUTIONS

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. GROSS]?

There was no objection.

Mr. GROSS. Mr. Speaker, as the Army is calling for more and more fathers from all over the country, I am receiving letters from distracted mothers and from other people, and inquiries from some of the newspapermen around the country, as to what has become of the bill presented here some time ago that we induct the several hundred thousand able-bodied, sound-minded men in the penal institutions of this country prior to taking these fathers. I want to take this matter up with the Military Affairs Committee at an early date and urge that some action be taken.

I still can see no reason, and no one so far has brought forth any reason, why these able-bodied, sound-minded men in the penal institutions should not be given an opportunity to serve in the armed forces and redeem themselves so that a lot of these fathers may stay home with their wives and their children.

The SPEAKER. The time of the gentleman has expired.

EXTENSION OF REMARKS

(Mr. ELMER asked and was given permission to extend his own remarks in the RECORD.)

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein some sentiments in verse written at Christmastime by a United States marine in the South Pacific.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. KEEFE]?

There was no objection.

CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the call of bills on the calendar for Wednesday of this week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

EXTENSION OF REMARKS

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein excerpts from certain editorials.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

OUTLAWING OF CERTAIN RACKETEER INSURANCE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks in the RECORD and to include therein a bill which I have introduced this morning.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

Mr. RANKIN. Mr. Speaker, those of us who listened in on Sunday night heard Drew Pearson, one of the radio scavengers of America, in a most contemptible manner, falsely attack one of the most elegant ladies in Washington, the wife of a Member of this House.

Every person who is familiar with the incident tells us that Drew Pearson was lying about her in his statement. Yet he broadcast his false accusation to the entire country.

We are tired of these scandalmongers going on the radio, protected by racketeer insurance. He even attacked the commander of the American Legion. I am afraid we have some people in this country who do not like the word "American" in the "American Legion."

Mr. Speaker, I am today introducing a bill to outlaw the racketeer insurance which protects these people who slander other people through the mails, over the radio, and by means of moving pictures.

It is time for the forces of decency to take action.

The SPEAKER. The time of the gentleman has expired.

TREASURY-POST OFFICE APPROPRIATION BILL, 1945

Mr. LUDLOW. Mr. Speaker, I move that the House resolve itself into the

Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 4133) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1945, and for other purposes; and pending that motion, I ask unanimous consent that general debate may continue throughout this afternoon without limitation, the time to be equally divided and controlled by the gentleman from New York and myself.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, the gentleman from New York will be in the Chamber in a second. Is that request agreeable to him? I believe it is.

Mr. LUDLOW. That is the customary request. I am sure it is entirely satisfactory to him.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4133, with Mr. CLARK in the chair.

The Clerk read the title of the bill.

Mr. TABER. Mr. Chairman, I yield 15 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, the matter under consideration is the annual supply bill for the Post Office and Treasury Departments for the next fiscal year. I do not believe there will be serious controversy as to the major items of this bill. There are one or two things, however, that I feel should be brought to the attention of the Congress and the people of the country.

I assume most people have observed the statement of the Postmaster General to the effect that for the first time in 24 years the Post Office Department has kept postal expenditures within postal revenues and has a surplus of $1,332,849. As shown on page 2 of the hearings, when Postmaster General Walker appeared before the committee, he said:

> Instead of a permanent withdrawal of tax money from the Treasury for postal expenses, there was placed therein for use for other than postal purposes, $1,332,849.

Thus the impression is given to the Congress and to the people of the country that for the first time in 24 years the Post Office Department is operating in the black.

The Postmaster General further stated:

> Postal deficits have decreased from $41,602,000 in 1940 to $24,663,000 in 1941, and to $11,825,000 for the fiscal year ended June 30, 1942.

Then he announces, as I have indicated, that for the first time in 24 years the Post Office Department is now operating in the black.

I do not want to be critical of any person in the Post Office Department, neither do I intend to be critical of my good friend, Frank Walker, who is serving as Postmaster General. I consider him to be an able administrator and a fine gentleman. The splendid people who are serving in the offices of Assistant Postmasters General are all people who have served with distinction for many years in the service of their Government in the Post Office Department. However, I just wonder whether that statement of the Postmaster General is exactly accurate.

Let me call your attention to the few facts that indicate to me that perhaps instead of actually operating in the black, as we would all want the Post Office Department to do if it were possible, the figures, if intelligently analyzed, will, in my judgment, show that the postal service in this country is still operating in the red.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Kentucky.

Mr. O'NEAL. It has been my impression since being in Congress that the Postal Service has never attempted to be a revenue-producing or balanced-budget affair, that it has attempted to furnish service to the people of America at cost. I know in the preparation of our appropriation bill it has always been expressed since I have been here that the Department does not want to increase the revenue to the point where it will put something into the Treasury over and above the cost. I am rather inclined to think that Postmaster General Walker possibly did not mean that so much as a boast as a statement showing the tremendous volume of business which we are now doing, which has resulted in a surplus. Am I correct in that belief?

Mr. KEEFE. I think generally the statement of the gentleman may be accepted, but I do not agree with the innuendoes contained in his last remark. As I stated, I am not critical of Mr. Walker or anyone in the Post Office Department, but when the flat statement is made that the Post Office Department is operating in the black, I think the people should know the facts. If there is a true and real analysis of this Post Office Department and its receipts and expenditures, I think anyone must come to the inevitable conclusion that the Post Office Department is still operating in the red. I am not critical of the Post Office Department because it may be operating in the red, but I do not want misinformation brought which may be interpreted by certain politically minded individuals as indicating that under the administration of the present heads of the Post Office Department and by superior management they have finally succeeded in getting the Post Office Department into the black.

The facts of the matter are, which have not been stated generally to the public, that under the rules and regulations of the Post Office Department, prior to January 1, 1943, the Foreign Mail Service, which is tremendous in volume, was paid for out of the postal revenues of the Post Office Department. Let us see where we are at in this picture. On January 1, 1943, the Army and Navy took over the handling of foreign air mail, except the mail to South America and the West Indies. It cost money for the Army and the Navy to carry that mail to foreign ports. Does the Post Office Department out of their funds provide the funds for the Army and the Navy to transport the air mail from the fleet post offices to the foreign countries? They do not. The Post Office Department collects the revenue. You send a letter addressed to a foreign point with foreign air-mail postage on it. The Post Office Department has collected that revenue. All they have to do is to transport it to the fleet post office. There the real job of transporting it by air to foreign destination is paid for out of the Army and Navy funds. I have been unable, utterly, to get any figures that would indicate what the cost is to the United States Government for carrying foreign air mail by the Army and the Navy. If there is any question in the mind of anyone as to the facts that I am reciting, I invite their attention to pages 328, 329, 330, and 331 of the hearings, where I interrogated the representatives of the Post Office Department upon this very question.

Prior to January 1, 1943, who fixed the cost for transporting air mail? Everyone knows that the foreign air-mail service was handled by those agencies who had a certificate of convenience and necessity to operate, issued by the Civil Aeronautics Authority. We all know that those privately operated air lines like the American Export Air Line, the Pan-American Air Line, collected as fees for carrying the foreign air mail on a basis of rates fixed by the Civil Aeronautics Authority, and the Post Office Department was compelled to pay out of its revenues to these private carriers the amount of charge determined by the orders of the Civil Aeronautics Authority. May I say to my colleagues that that is a tremendous business and runs into a tremendous amount of money which since the Army and the Navy took it over has not come from the revenues of the Post Office Department, but the Post Office Department is getting the revenue.

I ask, in all fairness, if you have a plain simple cash statement showing how much the Post Office Department takes in and how much it expends, as the statement which they presented to our committee, it will show that they took in a million-and-odd dollars more than they spent, but the point I make is that there they have utterly failed to state that they are not performing the service that they used to perform, that was paid for out of the postal revenues before the Army and the Navy took over the handling of the mail.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. In a moment. I would like to have anybody who has the knowledge tell the people of this country if he can or tell the membership of this House what it is costing the people of America today to transport this foreign air mail. I defy anybody to dig it out of any record I have been able to find, because we have not had submitted to our committee, and the Post Office Department does not have available for our use, the contracts that may have been entered into by the Army and the Navy with the private carriers

whose planes they have requisitioned for carrying the mail. They are not subject to the orders of the Civil Aeronautics Authority, and they can pay for carrying the mail just as they please. Then how can it be said, under these circumstances, when you have properly allocable charges and costs that properly were charged against the postal revenues which are not now charged against them, that the Post Office Department is operating at a profit. I yield to the gentleman from Kentucky [Mr. O'NEAL].

Mr. O'NEAL. Mr. Chairman, the gentleman is making a fine and an interesting statement, in which he is attempting to show a cost which they used to assume, but no longer assume. Therefore the statement is hardly fair. It appears to me, if the gentleman is going to give an entire picture, he should include in his statement the costs which they are now assuming, they had not formerly assumed, and show a balance of the situation. For instance the Army and the Navy postal service has caused the Postal Service of America to carry two and a half billion dollars of mail they did not have to carry before, and if the revenue were paid in as postal charges would be, the revenue would amount to $75,000,000.

Mr. LUDLOW. That is the soldier mail.

Mr. O'NEAL. Yes, and the gentleman should also show where they have assumed the payment.

Mr. KEEFE. May I say to the gentleman that I think he knows and understands that I want to be perfectly fair. I assured the committee at the outset that I am not critical of Mr. Walker or the Post Office Department, and I resent this attempt to inject that sort of sentiment by the gentleman from Kentucky into my statement. I do not yield further.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. TABER. Mr. Chairman, I yield the gentleman 5 minutes more.

Mr. O'NEAL. Will the gentleman yield? Will the gentleman let me answer that statement?

Mr. KEEFE. Just let me answer it. I am fully aware that the Post Office Department has been burdened with the so-called soldiers' free mail, but I think if you will examine the hearings in this case before our committee you will find that the tremendous profits that the Post Office Department makes in the carrying of the mail results from the payment of postage on first-class mail matter, and I think you will find that the carrying of soldiers' free mail has resulted in about three letters going to the soldiers for every letter that the soldier writes, and the Post Office Department considers it to be a pretty good stroke of business, a very good "loss leader," if you please, in their business, when they can stimulate their postal business to the extent of getting three paid letters to go to the soldiers for every one that they carry free. And they are making plenty of money out of that transaction. Their postal receipts so indicate.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. HINSHAW. The gentleman is making a very interesting and important statement concerning international air mail. I think, and I believe that my committee feels, that there should be organized an international air-mail convention similar to the postal convention, in order that international air-mail rates may be established on an equitable basis. At the present time each country charges what it pleases for air mail to any other country, including the United States. The gentleman will be interested to know that I myself dispatched a letter of not over 1 ounce in Rio de Janeiro in Brazil to the United States, and it cost $1.50 Brazilian postage. I am sure most of that money remained with the Brazilian Government.

Mr. KEEFE. Yes.

May I say just the other day I sent a letter to one of my sons-in-law addressed to his present station at Bermuda. I had to pay 30 cents postage on it, air mail, at the rate of 6 cents for half an ounce.

Mr. ELMER. Mr. Chairman, will the gentleman yield to state whether that was United States money?

Mr. KEEFE. That was in United States money. The Post Office Department carried that letter to New York, to the fleet post office. That is all they did. The Navy carried it out to Bermuda.

If you want substantiation of what I have just said, let us read from the record on page 331:

Mr. LUDLOW. The Post Office Department gets the revenue but the Navy carries the mail. Do you make any adjustment with the Navy?

Mr. GRAYSON. No. We, of course, continue to pay for service to Canada, Mexico, Central and South America, and the West Indies.

Mr. LUDLOW. The expense is borne by the Navy but the Department gets the revenue.

Mr. GRAYSON. That is correct.

Mr. LUDLOW. There is no transfer of funds?

Mr. GRAYSON. No, sir.

Mr. LUDLOW. And there is not any transfer in handling foreign air mail?

Mr. GRAYSON. No, sir.

Now the point ought to be perfectly clear that if we had a true picture showing what the Navy and the Army are expending out of their funds to carry the mail that formerly was carried and paid for by the Post Office Department, then we would have a true picture to see whether in the over-all picture the Post Office Department is really operating at a profit.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. GROSS. Mr. Chairman, to corroborate what the gentleman from Wisconsin is saying, I have received this morning a letter from a soldier's wife, saying she wrote to her husband 120 letters and has not received 1 letter in return, simply because they cannot come through.

Mr. LUDLOW. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. LUDLOW. The gentleman from Wisconsin has accurately stated that there is no way of ascertaining the cost to the Navy Department for carrying foreign air mail. But we can secure an approximation of the cost by reading the testimony on pages 319 and 320, starting at the bottom of page 319 and at the top of 320, in which I made the following observation:

Mr. LUDLOW. And, I might state that the estimated cost of the foreign air mail in 1942 was $14,552,551; the estimated cost for 1943 was $5,674,906, or a reduction of $8,877,645. That was largely due, I suppose, to the fact that the Navy has taken over operations?

Mr. PURDUM. Yes, sir

Mr. LUDLOW. In the Pacific and up to Alaska.

Mr. PURDUM. Yes, sir.

Mr. LUDLOW. What service has the Navy taken over?

Mr. PURDUM. The Navy has taken over the service in the Pacific, to Alaska, and now it has taken over the Atlantic service.

So, while we do not have accurate figures, as the gentleman from Wisconsin so well said, we do have an approximation by which the measure of difference would be something over $8,000,000 in the cost paid by the Government. But, as the gentleman from Kentucky [Mr. O'NEAL] very properly pointed out, in order to get a balanced picture, you have to offset against that the $75,000,000 which it cost to carry the free soldiers' mail, which is many times the differential between the cost of carrying of foreign air mail by the Navy.

Mr. KEEFE. Mr. Chairman, if I may answer the question of the gentleman from Indiana, I think he has proven my case completely by that statement. I want to thank him for it. I had overlooked that series of questions by the distinguished gentleman from Indiana. But I think the facts he has now put into the record clearly demonstrate and conclusively establish the truth of the statement I have just made, because it clearly shows that due to the Navy taking over the carrying of foreign air mail, the request for appropriation was only $5,674,000, a reduction of $8,887,000. The answer to that is, if the Navy had not taken over the air mail they would have come in and asked for an appropriation of $8,877,000 instead of $5,674,000.

Mr. LUDLOW. I think the gentleman from Wisconsin is exactly right. He has stated the question exactly.

Mr. KEEFE. The differential right there on the face of the record clearly shows if the Post Office Department were charged with the expenses that it used to pay for carrying the mail as shown by those figures, it would still operate at a loss.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. O'NEAL. And it is also true that if they had been paid postage for the soldiers' mail, or $8,500,000 worth, they would have had $75,000,000 more in revenue, or a difference of $67,000,000 in favor of the post-office returns.

Mr. KEEFE. Oh, yes. If they did not carry penalty mail and franked mail and everything else, and if they did not have a subsidy for second- and third-class mail, they certainly would be able to show a profit. That is not an answer to the argument at all.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield further, so that I may finish my statement?

Mr. KEEFE. I yield.

Mr. O'NEAL. But the fact remains where you show one place where somebody is relieved of cost, you should show the costs which they have assumed, which are 9 or 10 times as much as that which they have been relieved of.

Mr. KEEFE. Mr. Chairman, the gentleman from Kentucky has shown, as usual, a desire to inject a partisan appeal into this matter, which I have attempted to eliminate, and he has missed the point I am making entirely. If the gentleman from Kentucky will take the time in the seclusion of his office, where it is perfectly quiet, and read this record and see my remarks tomorrow, he will see I have not tried to be critical of the Post Office Department. The simple point I want to make is that Mr. Walker says the Post Office Department is now operating in the black. The simple point I want to make is that if Mr. Walker had charged himself with the expense that he used to pay for carrying foreign air mail that is now being paid by the Army and Navy, he would still have to be operating in the red, and you cannot get away from that.

Mr. ROWE. Mr. Chairman, will the gentleman yield for an observation?

Mr. KEEFE. I yield.

Mr. ROWE. Which does not alter the situation which the gentleman from Kentucky refers to in the least.

Mr. KEEFE. No, it does not alter the situation which the gentleman from Kentucky refers to in the least.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. O'NEAL. Mr. Chairman, I would like to say I had no thought to inject any partisanship into this discussion. I want to say in behalf of the gentleman from Wisconsin that he has been a very constructive member of our committee and he has always tried to develop points and he has developed many which are very fine. My criticism was not in the spirit of partisanship, but in the spirit of that eminent fairness which the gentleman from Wisconsin shows and I just wanted him to put the other side of the picture in showing they had something to say on the side of assuming a greater load, as well as assuming the expense. Certainly, that is not showing partisanship.

Mr. KEEFE. Mr. Chairman, I would be a very poor Member of Congress and of the Committee on Appropriations if I did not fully realize that the Post Office Department has done a magnificent job.

I have stated that at least five times in this statement this afternoon. I fully realize the burden that the Post Office Department has had to carry, but that fact does not change the thesis of my argument or the conclusions I have reached.

Mr. LUDLOW. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. LUDLOW. Is it not true that the Postmaster General has given himself the credit of this postage that would have been paid? Had there not been free soldier mail he would have been in the black by six or seven million.

Mr. KEEFE. Of course, they would be in the black if they operated a lot of other things contrary to the provisions of the will of Congress, but he is operating his business down there pursuant to the laws of this Congress, I assume. Because he is so operating he is still operating in the red, his statement to the contrary in the hearings that he is now operating in the black for the first time in 24 years, notwithstanding.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. H. CARL ANDERSEN. The gentleman from Wisconsin is more responsible than any other Member of the House in calling attention to the great wastes by bureaus in this abuse of their free mailing privileges. In my opinion he is one of the most efficient and capable members of our great Committee on Appropriations.

Mr. KEEFE. This record clearly shows that the Post Office Department has had a pretty good deal out of this soldier free mail. It is a 3-to-1 proposition, and that is where the Post Office Department makes its money. Three letters are going to the soldier for every one that the soldier writes back, and most of them are carrying 6-cent air-mail stamps, and the Post Office Department is getting all that revenue, and they think they have a pretty good deal.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. JENSEN. While we want to give the Post Office Department credit for doing a good job, we also must not forget to give credit where credit is due, and that is to the postal employees who today and for the past 2 years have handled more pieces of mail per day than they ever did before, at about the same rate of pay.

Mr. KEEFE. I am in complete accord with what the gentleman has stated.

Mr. JENSEN. Certainly if it were not for the fine work that all those postal employees have done and the Department, the first, second, third and fourth assistants, and their officers, we would not be showing any black at all.

Mr. CLASON. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. CLASON. I wonder if the gentleman would be kind enough to comment on this: On page 17, it is shown by the Postmaster General that the average number of pieces of mail dispatched amounts to 6.13 per week. He also states that they think they are doing a pretty good job of delivering the mail with prompt expedition. Does the gentleman think there is any likelihood of any unusual delay in the delivery of the soldiers' ballots to them in order for them to vote at the national election, if other agencies work promptly also?

Mr. KEEFE. Well, I did not want to get into that situation at all, because that is foreign to what I had intended to say. I may say, however, that I have full and complete confidence that the Post Office Department will deliver State ballots in the ordinary processes of the mail, to every member of the armed forces within continental United States. It should be apparent to the gentleman, however, that the Post Office Department has nothing to do with the transporting of these ballots, air mail overseas, because the Army and the Navy have taken over that job.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. TABER. I yield the gentleman 5 additional minutes.

Mr. KEEFE. So, if we expect to deliver ballots to the soldiers, sailors, marines, and other members of the armed services overseas, it will have to be through direction from the Commander in Chief to the Army and the Navy, that they utilize the ample facilities which they have, to see to it that those ballots and full ballots go to the people overseas.

Now, I want to go into one other question. I want to call your attention to the fact that yesterday the House passed H. R. 4033, a bill introduced by the distinguished gentleman from Virginia [Mr. BURCH], chairman of the Committee on the Post Office and Post Roads, relating to the use of the penalty mail privilege. I have just this to say with respect to this legislation; The House will recall that the gentleman from Wisconsin, who is now addressing you, made a rather determined fight in the last Congress to try to get this question of penalty mail under control, and by an overwhelming vote of the last Congress on three roll-call votes, the attitude of the Congress was very distinctly expressed that we wanted steps taken to bring this excessive use of penalty mail under the jurisdiction and control of the Congress of the United States. Because of the apparent inactivity of the legislative committee, I saw fit to attach, as you will recall, a limiting amendment on the annual supply bill for the Post Office Department last year. That held that bill up until the 30th day of June, when it had to be passed with a compromise, put in by the conferees.

As a result of the activities of the Members of Congress who have shown a distinct interest in that problem, yesterday under unanimous consent, we passed H. R. 4033, which will ultimately bring back under the control of the Congress this whole subject of the free use of penalty mail by administrative and executive agencies of the Government.

I want to compliment the Committee on the Post Office and Post Roads for the splendid job which they did in writing this legislation and bringing it to the floor of the House and getting it passed. I hope that the Senate will likewise expedite the passage of this very much needed legislation.

Mr. ROWE. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. ROWE. I wonder if I do not have the breadth of the original point the gentleman tries to give the Congress in this statement, that if the moneys now paid from the United States Treasury through another department were charged against the Post Office Department, they would not be able to show their black figure, so to speak?

Mr. KEEFE. That is exactly the point, with utter and complete simplicity, but giving the ultimate fact exactly as I intended to say it.

May I say that the Post Office Department is not charged with an offense be-

cause of this. I simply want the facts to be as they are, and I think some agency of the Government ought to check into what it is costing the Army and the Navy, who are handling this mail situation without any restrictions as to cost imposed by the regulations of the Civil Aeronautics Authority. I do not have the slightest idea as to what the handling of this foreign air mail really amounts to.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. KEEFE] has again expired.

Mr. TABER. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, this bill is keeping up the record of bigger and better bills that was established by the Appropriations Committee with the independent offices bill. The amount involved in this bill, that is, what the Post Office and Treasury Departments will pay out as a result of it and as a result of other legislation, will be $11,985,000,000.

The items are as follows:

Direct appropriations for the Treasury, $212,000,000.

Direct appropriations for the Post Office, $1,105,000,000.

Refunds $795,000,000, permanent appropriations $5,455,000,000, trust funds $4,418,000,000, or a total of $11,985,000,000.

Mr. LUDLOW. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. LUDLOW. I think the gentleman should not include trust funds as part of the cost of government.

Mr. TABER. They are collected as taxes. I do not know whether or not they should be included, but they are the items that are paid out of the taxes collected.

Mr. LUDLOW. They are collected, however, for the benefit of the beneficiaries of these trusts.

Mr. TABER. After a fashion. On the other hand, there has always been a question as to the solvency of those funds.

There are some things that I wish to say here that I feel should be said, and that to my mind are very important. Eleven million of our young men and our young women are in the armed forces of the United States. They are fighting as best they can and giving a good account of themselves on the field of battle—on land, in the air, and on the high seas—but the archenemy of those young men and young women is the incompetence, the extravagance, and the wastefulness of the heads of the civilian branches of our Government.

On the 18th day of November 1943, the Ways and Means Committee of the House reported a bill amending the tax law. That bill contained a provision that hereafter no deductions should be allowed for losses on account of so-called hobbies. Immediately there followed an advertisement of the Secretary of the Treasury, Henry Morgenthau, Jr.'s, dairy herd for sale at auction. Very evidently Mr. Morgenthau realized that hereafter he would not be permitted to use his losses upon his dairy herd as a deduction on his taxable income. Very evidently Mr. Morgenthau was torn between two forces: One, his loyalty to his President, the head of his Cabinet, and his duty not to advertise the fact that the farmers were not receiving a price for their dairy products that would net them a profit; and, another, his duty to his own financial structure, which was imperiled by the provisions in the tax bill. Very evidently he chose his own financial interest, and protected it just as far as he might. Perhaps some of the President's friends might say he sold the President down the river; but worst of all is the other side of the picture. I quote from the New York World-Telegram, September 13, 1943:

> We now feel it would have been wise if he also had sold all but a few of his more than 1,500 acres as well as his dairy herd. We say this because Mr. Morgenthau is, by no stretch of the imagination, a farmer. One look at his property showed he has little interest in and probably a very poor understanding of either farm land or livestock.
>
> The short lane running from the highway to the tenant-farm quarters was like the rocky road to Dublin. None of the buildings had seen paint for several years, and farm machinery was scattered about in the yard gathering rust. Even the children's swing had deteriorated to a one-rope affair.
>
> And the dairy barns were far from impressive. Though originally well constructed, they were in a bad state of repair. Panes of glass were missing from windows and doors could be opened and closed only with difficulty. The whitewash on the interior walls was grimy and peeling.
>
> Mr. Morgenthau spent but little time at the sale. Clad in farmer attire and wearing smoked glasses, he stood very grimly watching the proceedings. No greetings were exchanged between him and his neighbors, and when his herd sire was given such little respect by those in attendance he turned on his heel and left, his pride, no doubt, having been cut to the quick.

Mr. FISH. Mr. Chairman, I feel forced to intervene at this juncture in defense of my distinguished constitutent and well-known dirt farmer, Henry Morgenthau, Jr. Mr. Chairman, Mr. Morgenthau just decided, in all fairness to him, that he would make a better horticulturist than dairyman. When he sold his herd of pedigreed blue-blooded cattle for $15,000 he did not relinquish his claim to being a dirt farmer because he went into growing apples, one of our biggest crops, and he has now become one of the foremost apple knockers in Dutchess County.

Mr. TABER. Does the gentleman mean that his apple trees have grown to the point where they are producing since the auction of the dairy herd?

Mr. FISH. They will produce in the future. You see we have just had a shortage of milk in the country and Mr. Morgenthau realized that due to the actions of O. P. A. and the ceiling price on corn he could not continue to produce milk at a profit. He thought therefore it would be more profitable to go into the apple business. Perhaps in the future he plans to solve post-war unemployment problems by growing enough apples so there will be plenty to go around.

The gentleman is a little unfair in his remarks to overlook and not to admit that Mr. Morgenthau has become a horticulturist, and horticulturists today are almost as much needed as dairy farmers except that one is needed now and the other in the future. It was merely a question of exchanging milk for apples or dairy cows for apple trees.

Mr. TABER. We shall, of course, have to give Mr. Morgenthau credit for being into something; in other words, he did not go out of the dairy business without getting started in something else even though he might not produce anything from it for 8 or 10 years.

Mr. FISH. Representing Dutchess County I, of course, would have to resent and deny the statement about the farm buildings not being kept up and not being painted. If that were true—and, of course, I do not want to question the accuracy of anything my colleague the gentleman from New York says—then it would be the only farm in my congressional district that is not painted and well kept up. I am sure there must be some error for I cannot believe that Mr. Morgenthau would have the only farm that was unpainted and in such a state of disarray.

Mr. TABER. The World-Telegram reporter who was there said it was not painted. He was there; he saw it.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. HOFFMAN. I should like to ask the gentleman from New York [Mr. FISH], if he saw it for himself; did he see it with his own eyes?

Mr. FISH. Me?

Mr. HOFFMAN. Yes.

Mr. FISH. Does not the gentleman know I have been a dirt farmer for 20 years like President Roosevelt and that I get around my district? I know these buildings well.

Mr. HOFFMAN. Did the gentleman see these buildings?

Mr. FISH. I have seen these buildings long before Mr. Morgenthau came up to Dutchess County and many times since.

Mr. HOFFMAN. Did the gentleman see them lately?

Mr. FISH. They were the finest barns and farm buildings in my entire district.

Mr. TABER. The gentleman said: "They were."

Mr. FISH. At that time.

Mr. TABER. That is it.

Mr. FISH. That was 15 years ago. I would hate to think that Mr. Morgenthau, this eminent businessman, the Secretary of the Treasury, could have brought ruin and havoc to the finest farm in my part of the State.

Mr. HOFFMAN. But the gentleman's experience was 15 years ago.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the leading farmer from Pennsylvania.

Mr. GROSS. I followed up Mr. Morgenthau's sale, for I have been interested in well-bred livestock. While he had some very fine stock he did not maintain the pedigrees in his lines and the men who came there to buy were discouraged and disgusted at what they had seen.

The condition of the buildings, which was referred to, is entirely correct. It just looked to me like one of those cases where a man was spending money on a farm to avoid paying income tax, to reduce his income tax. It is just one of that kind of rackets, it looked to me from what I gathered from the farm press.

Mr. TABER. But none of that money got into the paint.

Mr. GROSS. Evidently not. While there is a shortage of milk, there is no indication that when he went out of the dairy business with that high-priced herd it made any difference in the milk supply of the community.

Mr. HOFFMAN. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Michigan.

Mr. HOFFMAN. From what the gentleman from Pennsylvania, who is a real dairyman and a real farmer, says, it is evident some of these New Dealers have been getting into this dairy herd of Morgenthau's and that is what is the matter. It is just like these New Dealers have gotten into other things, the Government, for instance.

Mr. TABER. The gentleman means that the New Deal getting into the dairy herd has resulted in the rust and the broken windows, lack of paint, and all that sort of thing? I am inclined to agree with the gentleman.

Mr. FISH. Will the gentleman yield for one more question?

Mr. TABER. I yield to the gentleman.

Mr. FISH. The gentleman cannot possibly intimate that it was through any inefficiency on the part of the Secretary of the Treasury that he has failed to make a profit on his dairy herd?

Mr. TABER. I would like to call attention to this that to my mind is the most important thing. The worst of this whole business is that this same man who was running a farm is the chief executive of the Treasury of the United States. He is the Secretary of the Treasury, and the Treasury is being run just like Mr. Morgenthau's farm. We have had hearings before the committee for about a month on this.

Mr. LUDLOW. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Indiana.

Mr. LUDLOW. If our friends on that side of the center aisle are through making a Roman holiday of Mr. Morgenthau and his dairy farm, I would like to ask the gentleman one or two questions about information on the pending bill. He built up into a large total the appropriation and very truthfully did so, but I would like to call attention to the fact that he included in his summation of the total internal-revenue refunds, and customs refunds. These refunds are just paying out money that the Government has taken without rhyme or reason from the taxpayers and is paying back to them. Refunds are a bookkeeping proposition and should not be charged to appropriations.

Mr. TABER. If we credit ourselves with the taxes, we have to charge ourselves with the refund. I do not know what kind of bookkeeping would avoid it. It never used to be that way.

Mr. LUDLOW. May I call the gentleman's attention also to the fact he has in the permanent appropriations many items that are statutory, such as sinking fund and interest on the public debt. We could not control those things if we wanted to. The interest on the public debt has increased $1,100,000,000 during the last year. So it is hardly a fair picture to charge those appropriations that we cannot control. Nobody has a higher esteem for the gentleman from New York than I have. I call these facts to his attention because I know he wants to be fair.

Mr. TABER. The debt has increased a good deal more than $1,100,000,000. The interest on the public debt has increased at least that amount.

Mr. LUDLOW. That is what I stated. That was the increase in the interest rate.

Mr. TABER. But as long as we are going to spend at such rate as we are spending, we are bound to increase the interest on the public debt. That is the worst part of the whole business. The gentleman does not seem to realize the importance of this thing and the importance of calling to the attention of the public the fact that this Department is going to pay out $11,985,000,000.

I want the gentleman to understand why it is important. It is important because if we do not do it the public will not realize what a terrible thing it is to pile up such expenditures. It does not make any difference whether this committee is responsible for it or not, the fact that the money is going to be paid out is a serious menace to the financial structure of America. I want the gentleman to realize that and to realize the fact I am calling attention to it is absolutely necessary if we are going to get this across to the public. That is the thing that the gentleman does not seem to realize.

Mr. LUDLOW. The gentleman from New York is a good cutter and so am I. We are both good cutters. The gentleman knows I am in favor of cutting these appropriations and that I have tried to cut them all the time, because he and I have sat down together and we have tried conscientiously to cut out every dollar of expenditures that could be cut out without ruin to vital activities, but I think there ought to be some recognition given to the fact that there are certain items that we cannot control. The operating expenses of these two departments we have cut over $22,000,000 instead of increasing them and that ought to be stated, too.

Mr. TABER. I will get to all that sort of thing in a moment. In the meantime I do not want the gentleman, I do not want the country, and I do not want the House to forget for a minute that the Treasury has to pay out on account of its operations the $11,985,000,000.

Mr. LUDLOW. The gentleman would not think of offering an amendment to cut the interest on the public debt, would he?

Mr. TABER. Oh, no; I would not think of it. On the other hand, the gentleman wants to make the country believe that the Treasury does not have to pay out interest on the public debt, according to the way he approaches the problem. I do not like to see the gentleman follow that procedure. I think he is making a mistake in attempting to differentiate the appropriations that are made directly on the recommendation of the committee and the others, because if we do not take the whole picture of the expenditures of the Government and get at those, we are never going to get anywhere.

Let me call attention to these further facts. We have had hearings before the committee for a month on the Treasury Department and those hearings are printed and available. In addition to that, we have had an investigation made by the Appropriations Committee investigators which has demonstrated beyond doubt the inefficient manner in which this organization is conducted. I am going to recite some of those items. The gentleman from Indiana recited some of them yesterday himself and I did not interrupt him because I thought he was doing a good job in referring to them. I felt that the people should know the manner in which the Treasury Department is being run.

I am going to call attention to a few of the items that were covered by our investigators and by the hearings. I am not going to call attention to all of them because it would take too long and some of the evidence that the investigators found of extravagance and incompetency all through the agencies of the Government incidental to this investigation. I may say some cuts were made by the committee, but the cuts did not bring the bill in line with what the testimony before the committee and the investigators' report show clearly should be made. Those cuts I shall offer as the different items are reached.

In the Secretary's office 27 messengers on the roll cut to 18 does not do the job of cutting. There have been vacancies all the way through. The number of messengers leaves plenty to clutter up the roll. There were only about 13 people on the roll who would have any justification for being served by a messenger and most generally one messenger ought to be able to service at least a couple of people. This item will stand a much bigger cut than the committee gives.

Let me give you a picture of foreign funds control. It shows 80 employees with very much larger salaries than heretofore and those salaries came as a result of promotions. Their licensing activities have been reduced from 190,000 cases in 1942 to 120,000 in 1943. The applications sent to Washington have been reduced one-third and the percentage sent to Washington is down to 14 percent, yet the number of high-priced employees in the Department goes up by 8 and in the field by hundreds.

The number of clerical employees with salaries from $1,440 to $1,800 goes down by 50. The number with salaries from $1,680 to $1,980 goes down 30, from $1,800 to $2,130 goes down 15, indicating, according to the head of this organization, as appears on page 103 of the hearings, that there have been tremendous advances in salaries.

The field shows 31 employees with a very liberal salary.

The Division of Tax Research, the Tax Legislative Counsel and the Division of Research and Statistics are all way out of line. They have offered nothing to the Ways and Means Committee except to jumble up the whole operation. The Ways and Means Committee is obliged to rely entirely upon its own staff. I think it can be said without fear of contradiction that these people are respon-

sible for muddling the income tax and the terrific blanks that the people are obliged to fill out. I do not believe that these items are cut properly.

The Office of Tax Legislative Counsel told a terrific story about their overtime and how bad off they were that way, and when it came to be figured out it amounted to 5 minutes a day. One man was deferred from the draft to work upon sales tax and then the Secretary of the Treasury recommends against it. It has 11 attorneys with an average age of 33. The whole set-up is absolutely unnecessary.

The Division of Research and Statistics is headed by Doc Haas. Doc is the great pay-roll expert of the Treasury and he is not the least bit particular what pay roll his force is on, provided it is on a pay roll. A little while ago we found a large force of it illegally on the Processing Tax Board refund appropriation. At this time he only turns up on two pay rolls—the War Finance and his own—but it is in such shape it is difficult to tell just what he does do.

The Office of the General Counsel advises that it spends a substantial amount of time on legal research on broader fiscal, economic, and social programs or problems of general relationship to the functions of the Treasury Department. What we need this outfit and the Tax Counsel also for is difficult to follow. They are spending at a rate above their annual appropriation and should be brought down to earth. They are doing this with five vacancies. They tell us that they want 4 extra employees in the Personnel Division to take care of 17 deferments. If one person could not do the entire job, he would have to be dead from his feet up. The personnel set-up was just so bad that the committee was convinced that it should make a good cut here.

The Bureau of Accounts presented an estimate of $857,900. The Bureau has been spending a lot of time trying to make itself an auditing agency in accordance with Executive Order No. 8512, which has been in the newspapers a good deal and which was issued several years ago. We have refused to appropriate for these operations, but they have gone ahead and spent money to do the things Executive Order No. 8512 called for. That meant getting up a complete statement of the operations of the Government.

The Commissioner came before us and was exceedingly proud of himself and his operation. He brought along a fancy booklet that I will have here on the floor tomorrow to show what he was doing under this order. The funny part of it was that he showed a saving of $558,000,000 for recoveries on renegotiation of contracts. The actual facts were that about 10 percent of it was savings, or about $55,000,000, and the rest of it was made up by refunds of income and excess-profits taxes that the people whose contracts were renegotiated were entitled to get before they paid the excess earnings back to the Government. But he did not show that last part because that would have spoiled his story.

I want to see every dollar saved for the Government that can be fairly and honestly saved, but I do like to see these folks that come before us doing accounting tell the story as it is and not some other way.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Michigan.

Mr. CRAWFORD. If I understand the gentleman correctly, the gross amount is the amount before levying the excess-profits tax. Is that correct?

Mr. TABER. No; not exactly. The gross amount is the gross saving on account of renegotiation. The net amount is the amount these people would have to pay after deducting the refunds on the income and excess-profits taxes to which they would be entitled as a result of the renegotiation. In other words, their bill for income and excess-profits taxes is very much reduced as a result of the renegotiation operation, and they are entitled to deduct that from their renegotiation repayment before they pay it.

Mr. CRAWFORD. I think even at that the showing might be overstated, because under the present law you have the privilege of setting forward the taxable income against future losses, so as this moves on into the next 2 or 3 years it might develop that the companies involved should deduct all of that against future losses and thereby the Treasury could not show any savings at all.

Mr. TABER. That situation might readily exist.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. TABER. Mr. Chairman, I yield myself 10 additional minutes.

This organization has been trying to build up ever since I have been on the committee. They have been very ambitious without any occasion for it. If we are able to find one picture in what they present that is incorrect, it makes one wonder if any of it is correct.

We find on investigation that triplicate records are kept in many instances: One for the General Accounting Office, one for the Treasury Regulations, and the third to satisfy the requirements of the Bureau of the Budget. It is perfectly evident that their accounting procedure is antiquated and that they are not making the best use of it to get results. I have long been disturbed by this and by the fight for power that seems under way between the New Deal agencies and units. The investigation of our examiner shows that there are two personnel offices in the Bureau of Accounts—one for it and the other existing in the Division of Disbursements. Unquestionably there is duplication in the administrative set-up of these organizations and unquestionably there is duplication between this set-up and the personnel set-up in the department under Mr. Wilson.

It is a trouble that comes from having a department without an executive head. Our investigator found that there was an administrative duplication between the offices of the Bureau of Accounts and the Division of Disbursements in their entire operation.

The Division of Disbursements shows a request for personnel amounting to, on the surface, 1,927 man-years, or an increase of 80. There has been a cut by the committee of $250,000 in this appropriation, that cut being thoroughly justified.

These people state that there is a terrific increase in the machine rentals they have to use, and they do not expect to save anything by the installation of card checks. Just think of it—card checks to operate, to cover the accounting they have to do, done in 10 percent of the time that manual work would require, and they do not expect to save anything in help. That is the kind of a story they hand us.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. REES of Kansas. The gentleman calls attention to a reduction of $200,000 for the Bureau of Accounts, the Division of Disbursements, but that reduction is not a reduction in the expenses to the United States Government, is it, entirely?

Mr. TABER. It would be if it goes through what they save, and they are not allowed to get it back later on, because it is below the Budget estimate for that year.

Mr. REES of Kansas. I understand. I simply take the figure of $125,000 reduction under the heading "Deposit of withheld taxes, salaries, and expenses." That is not a reduction in the expenses, but simply withholding that deposit of funds. Is not that correct?

Mr. TABER. No; that is an item for salaries and expenses in administering the item of withheld taxes, under the tax law. That covers personnel rather than the amount withheld. For instance, in the Treasury Department there has to be a unit to withhold the taxes of the employees, and to handle that feature, and to account for it to the Bureau of Internal Revenue, just like every other department, and that cut here was in the amount of money that was asked to operate that unit of the Treasury Department, so that really there would be a saving, if we can keep it down to that figure.

Mr. REES of Kansas. I realize that the committee knows much more about this than I do, but I notice in the report of the committee it calls attention to reductions as compared with the request of the Bureau of the Budget, and the report of the committee justifies the reduction, because it is less than the Bureau of the Budget estimates, but not very much is said about the difference between the amount your committee is allowing for this year as compared with what it allowed last year.

Then I call attention especially to the item in respect to the Budget, the item of $437,000, and the committee says it is reduced to $423,000 for the year. Of course that is only a 3-percent reduction, practically all of which is for expenses, including salaries, but nevertheless, compared with last year's expenditures of the same amount, you have allowed more this year than last year. I am simply asking for information.

Mr. TABER. The gentleman will find a great many cases where we do allow more than we did last year. On the other hand, or at least the committee has tried to cut down the total, and there have been cuts, and compared with last year's expenditure, the total of this bill is $33,000,000 below the total amount that was carried or that will be carried in this current fiscal year, and $5,000,000 below the amount that has already been carried in the Treasury bill of last year, the difference between the two figures being made up by the so-called overtime pay, which is supposed to amount to somewhere around $28,000,000 for the whole Department, and that will be carried in a deficiency, or whatever is necessary will be carried in a deficiency bill a little later on.

Mr. REES of Kansas. In the item of the Bureau of Accounts, you have salaries and expenses, and in the report you make considerable over a reduction from the request of the Bureau of the Budget. I think you save possibly $27,000, but you have increased the amount $130,000 over last year, have you not?

Mr. TABER. That is true, and that is very largely included in the amount that would be required to cover the cost of this overtime pay. In that whole Bureau of Accounts' total there is yet to be provided approximately $600,000 of overtime pay, and the big increase in that figure is an item for the Division of Disbursements. I would say that other than that most of the items are down rather than up in that unit, but the Division of Disbursements is up, because of larger pay rolls.

Mr. REES of Kansas. I realize that we expect to depend very largely upon the judgment of the great Committee on Appropriations, but it does seem to me in making a report, there ought to be justification for these items, and not just show the amount requested and the amount allowed. The tendency is to take credit I think for having reduced these amounts a little below the amount requested by the Bureau of the Budget, and not call attention to the fact, except in the back of the report, that you have increased those items in many cases. When you do increase the item I think the committee ought to explain it.

Mr. TABER. I am inclined to agree with the gentleman.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. KEEFE. Mr. Chairman, I yield the gentleman 10 minutes more.

Mr. TABER. I have noticed in the bill here several particular items that I think deserve explanation, and I shall go into the detail of that when the item is reached in such a way that I believe the membership will fully understand why there has been an increase.

Mr. LUDLOW. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. LUDLOW. The gentleman from New York has very correctly, as he always does, stated the cuts that have been made in this bill. I would like to say to the gentleman from Kansas that I think the remarkable thing about it is that we were able to reduce the estimates on these two Departments at all, because these are service departments. They are distinctively service departments and the volume of mail is increasing by leaps and bounds. That made it difficult to cut the postal estimates. There is an enormous increase in the number of checks and accounts and records of the Treasury Department on account of the war. So I think the remarkable thing is that we were able to achieve such reductions as we have, or any reductions at all. The percentage which the gentleman has indicated is a very slight percentage, but with conditions as they are you would expect an increase instead of a decrease in these appropriations.

Mr. TABER. Mr. Chairman, if it had not been for the investigation that was made by the committee investigators who were put at this job and went at this Department, I do not believe we would have been able to get through in the committee the cuts that have been made here. On the other hand that investigation was only started about the 1st of December. I did not believe it was as thorough as it could have been if it had started earlier. I believe that there are many, many cases where a thorough review of the operation of any Department or agency of the Government will show that they are getting too much money and have too much personnel. I am in hopes that we may be able to do this on every department. I remember about 4 or 5 months ago the Byrd committee got after the War Department and as a result of that there was effected a cut in the number of employees of the War Department to the extent of 100,000 employees. Now, when the War Department, the active, military agency of the Government, can do that, it is pretty good evidence that a thorough business-like analysis of these Departments and agencies will yield a good deal more.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield right there?

Mr. TABER. I yield.

Mr. REES of Kansas. It is my understanding, however, even though there was a recommendation of a reduction of some 100,000 in the War Department, following it almost immediately, there was a recommendation for an increase of more than 100,000 in another organization spot in the War Department. Is the gentleman familiar with that?

Mr. TABER. The Byrd committee recommend a cut in personnel of 300,000 in the Government and there was a 100,000 reduction contributed toward that cut by the War Department. They did ask for some additional personnel, but the personnel question was reviewed somewhat and there was not so much allowed by any means as they asked for.

In the Bureau of the Public Debt, the investigation indicated that the Treasury Department itself in 1940 had made an investigation of this outfit and they had found that all counting was done by hand and that some pieces of paper were counted as much as 50 times in one form or another. A recommendation was made 4 years ago for the installation of counting machines and other labor-saving devices. Nothing of that kind has been done and all the way through the Bureau of the Public Debt and the War Finance organization is this same old-fashioned, antiquated, obsolete method of doing business.

They have 395 ledgers where 170 would be enough. They could save the Government $1,000,000 a year by paying their file clerks on a piece-work basis.

In connection with their activities for the sale of Government bonds, they are accustomed to supply the committees in the field with an enormous quantity of literature—literature that cannot possibly be used. A check-up that I made indicated that four times the amount required and four times the amount requested has generally been supplied. This represents a ridiculous state of affairs. In many cases the ardor of local committees is dampened by these incompetent operations. In the Chicago office 1,395 persons were employed on one job including 60 messengers or 5 percent of the total number. It is evident that 20 would be sufficient to do the work. They have been unable to get the clerical help that they claim they need and they are evidently trying to use up the money with superfluous messengers. The "expenses of loans" appropriation which was cut $3,000,000 is used to pay personnel in seven other sections. In Chicago they are asking for 10,516 personnel to do the work now performed by 6,152. The appropriation for the help is unquestionably more than it should be.

The investigation reveals that in the Office of the Treasurer, 50 percent of the currency destroyed is fit for reissue. This waste should be stopped. They destroy the paper by burning and do not save the pulp. This is gross waste.

In the Customs Service the committee has cut $500,000. There are at present 504 vacancies at an average salary of $2,900, or a chance for a $1,450,000 cut.

In the Bureau of Internal Revenue is also a cut of $9,500,000. There are presently 3,200 vacancies and this with other expenses would justify a saving of $11,500,000.

The Bureau of Printing and Engraving, we were told by the Secretary that there would be an increase because of additional cigarette stamps. On the other hand, the Bureau of the Budget shows a decreased revenue by many millions of dollars for cigarette stamps. This can save $350,000.

Certain cuts were made in the Bureau of Engraving and Printing because of things we felt could be improved in the management. The mechanical wiper should be used, but Secretary Morgenthau has prohibited its use. The Department made recommendations in November 1942 to eliminate certain bond examinations as superfluous. This has not been done. There are three types at the present time due to three issuing agents' sales records.

Absenteeism is terrific. The average for December was 19 7/10. Eighteen counts of each note are being made. The spoilage rate is brought up as high as 17½ percent. Engravers coming in at 7:30 lose an hour before daylight and yet have to work overtime in artificial light at night.

It is such a picture as I have here presented that establishes beyond dispute the total incompetence of the Treasury Department—waste, inefficiency, and incompetence are rampant at every turn. Every day that President Roosevelt continues that type of incompetence he is failing to support the boy who is fighting our battles overseas and working against the war effort. How much longer are the people at home and the boys overseas going to permit the boy overseas to have this sort of support from their Commander in Chief.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TABER. Mr. Chairman, I yield myself 1 additional minute.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. H. CARL ANDERSEN. I note, on page 20 of the report, the Treasury Department takes credit for $21,800,000 below the appropriations for 1944 because of the fact that this bill taking care of the 3½-percent interest rate has not yet been passed. But unquestionably if that is done, say this coming year, it will show up as a deficiency this coming fall; will it not? And in that case it would seem to me that $21,800,000 should be charged against the Treasury by right.

Mr. TABER. Well, it will be added to the appropriation if it is made.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. TABER. Mr. Chairman, I yield 15 minutes to the gentleman from Idaho [Mr. DWORSHAK].

Mr. DWORSHAK. Mr. Chairman, this has been the first opportunity which I have had to serve during the hearings as a member of the Subcommittee on Appropriations for the Treasury and Post Office Departments. Naturally I have had some interesting and enlightening experiences, but likewise there has been considerable disillusionment, as I sat daily at those hearings listening to the justifications of the executive heads of both the Treasury and the Post Office Departments.

It has been contended on the floor on many occasions that our Committee on Appropriatitons works under a disadvantage because of the fact that we do not have proper investigatorial staffs so that we may bulwark or fortify our own conclusions concerning these estimates which are submitted by the Bureau of the Budget.

I should like to pay tribute to the chairman of our subcommittee, the gentleman from Indiana [Mr. LUDLOW], and the ranking Republican Member, the gentleman from New York [Mr. TABER]. Both of them have served for at least a decade on this subcommittee, and I know that they are doing conscientious work on this particular appropriation bill.

Criticism is frequently heaped upon the legislative branch of government because of the extravagance of the various departments, bureaus, and boards functioning within the executive department. It is contended that Congress controls the purse strings and, therefore, it should not be difficult to curtail unnecessary activities and to prevent the expansion of bureaucratic controls and regulations at a time when the American people should be permitted to concentrate all of their energy upon winning a military victory over the Axis Powers.

DOES NOT SUPERVISE EXPENDITURES

It is true that Congress controls appropriations, but it does not have supervision over expenditures; neither does it exercise any control over the personnel of the bureaus which have made the executive branch a nightmare for business, industry, agriculture, and labor. The hearings just concluded by our subcommittee provided an exceptional opportunity to analyze the operation of the Treasury Department, which, undoubtedly, is typical, to a great extent, of all the other departments of the Federal Government. Budget estimates are submitted and attempts made to justify them by the heads of the important bureaus functioning under Secretary Morgenthau. The printed hearings of these deliberations will show conclusively that the members of our subcommittee conscientiously sought to economize and to make reductions wherever possible. It was obvious at all times that Budget estimates were presented in behalf of personnel during the coming fiscal year far in excess of the operating levels during the current year. The committee members were advised that the manpower situation is such that recruitment is extremely difficult and that, as a result, there are huge backlogs of accumulated business to transact.

It is paradoxical that the Federal Government should endeavor to recruit more and more employees at a time when private business and industry, together with the Nation's farms, are operating under tremendous handicaps. Private business finds it necessary to cope with such manpower problems by working under great pressure and by putting in far more hours than under normal conditions. Nevertheless, we observe the executive department utterly failing to sense this abnormal situation; and while there may be executives and supervisors, as well as some personnel, who fully sense this challenge to civilians, without question there are many thousands of Federal employees who are not producing to capacity. Whether it is their fault or the fault of those who direct their work, it is criminal to permit such conditions in wartime.

SEEK DEFICIENCY AMOUNTS

One of the most amazing procedures followed by these Federal bureaus and departments is that whereby Budget estimates may be ignored and appropriations made by Congress may be disregarded so that a deficiency appropriation may be considered necessary. Members of this body are fully aware that we have had supplemental and deficiency appropriation bills which provided operating funds in excess of original Budget estimates. This procedure virtually means that there is neither inducement nor requirement that these bureaus operate within their budgets, because they know that it is an easy matter to submit requests for deficiency appropriations, and that, with few exceptions, these additional appropriations are made available by the Congress.

THREE TIMES AS MANY EMPLOYEES

It has been recalled on many occasions that at the peak of the First World War, civilian employment in the executive branch of Government reached approximately 918,000 on November 11, 1918. I appreciate that the New Deal takes considerable credit for doing everything on a bigger and better scale, but that egotism should not justify having more than three times as many civilian employees in the executive department today than at the peak of the First World War.

The United States Civil Service Commission has just reported that on December 31, 1943, the total of civilian employees of all agencies in the United States was 2,811,813, with total civilian employment outside the continental United States reaching 195,300, or a grand total of 3,007,113. This does not include civilians serving without compensation, or on a dollar-a-year basis, the latter total being 273,907.

The foregoing figures should be compared with those of 1 year earlier, as of December 31, 1942, when total civilian employment in the United States, excluding Alaska and the Panama Canal Zone, was 2,810,871. It is obvious that during the calendar year of 1943 there was an increase of approximately 1,000 in civilian employment, instead of any decrease.

However, there is some confusion in the Commission's figures, as the basis of computation was changed radically last June. I have been informed that, on June 30, there were 154,500 civilian employees outside the United States, which, compared with the December 31 total of 195,300, shows an increase of about 40,000 in 6 months. Thus the entire personnel status is becoming more complicated and expansive instead of being simplified. The annual civilian pay roll of the executive department now totals about $8,000,000,000.

On December 31, 1942, the Treasury Department had 72,021 civilian employees, and on November 30, 1943 (which are the latest figures available), Treasury had 85,420 civilian employees. This is an increase of more than 13,000 in 11 months. It may be contended that there have been additional duties to perform because of the war program, which, in the Treasury Department, involves War bond drives and the collection of taxes. This, undoubtedly, is true, but likewise

there should be a diminution of peacetime requirements, obviating the apparent need of continually adding to the civilian personnel rolls.

I have raised my voice frequently against this constant expansion of Federal bureaucracy, and there have been congressional committees like the Byrd Committee on Nonessential Federal Expenditures, which has advocated a reduction of at least 10 percent in total employment.

MANPOWER HOARDED

The House of Representatives, about a year ago, directed a committee headed by the gentleman from Georgia [Mr. RAMSPECK] to make a thorough investigation of Federal employees. Hearings were held and some reports were submitted, which indicated that little effort was being made to curtail civilian pay rolls. I have not heard any reports from the Ramspeck committee for several months, and it is entirely possible that nothing is being done at the present time to insist upon further curtailment, or to correct the obvious abuses which indicate that the Federal Government is hoarding manpower in direct competition not only with the armed forces, but with private employers throughout the Nation.

I contend that, whether it be through control provided by appropriations for these departments or through other legislation, the Congress has failed to heed the demands of our Nation in requiring the executive department of the Federal Government to coordinate and reconcile its manpower needs with the best interests of the war program. It is deplorable that during the past year there has been no reduction in this personnel. This is most significant in view of the fact that this Congress has provided overtime pay and has made other inducements to encourage the most effective use of our civilian personnel.

WORKWEEK IS EXTENDED

In December of 1942, legislation was enacted by Congress to increase the workweek in Federal departments from 40 to 48 hours, with a 21.6 percent increase in salary schedules. The War Overtime Pay Act of 1943, which was approved on May 7, continued the foregoing temporary arrangement, so that the Federal Government would be operating on a comparable basis to private industry, with the longer workweek in effect. During the debate on this legislation, it was pointed out that the full utilization of civilian personnel in the Federal Government would make possible a reduction in the number of employees partially to offset the increased amounts required for the pay roll. Naturally, it was assumed that it would require fewer persons working 48 hours weekly to do the same amount of work than when only a 40-hour week was in effect. It was anticipated that the various agencies and bureaus in the executive departments of Government would cooperate in releasing unnecessary employees for the purpose of taking more essential employment in war industries or to join the armed forces of our Nation.

I am calling attention to this question of civilian personnel in the executive department because some action should be taken now. More than 2 years have elapsed since Pearl Harbor, and it is time that Federal employees should take their battle stations and prepare for effective action. The primary responsibility rests with the Chief Executive and the heads of the various departments for failing to streamline Federal Government. It is true that Congress has a joint responsibility, but when appropriations are made, it is impossible to follow through to see that expenditures are made in accordance with the established principles of efficient business. It may not be too late to help solve the Nation's manpower problems by insisting arbitrarily that all of the Federal bureaus, agencies, and departments materially curtail their personnel.

We need a national service act in Federal Government today more than we require such drastic legislation to regulate private employment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TABER. Mr. Chairman, I yield the gentleman from Idaho 10 additional minutes.

SUBSIDIES AND INFLATION

Mr. DWORSHAK. Mr. Chairman, I should like to use the remainder of my time to refer briefly to a colloquy in reference to subsidies and inflation which took place between Secretary Morgenthau and myself when the former presented his formal statement to our committee. In reference to this important subject, the Secretary made the following observation, and I quote:

Inasmuch as half of the production and half of what you pay for does not come back in the form of civilian goods, there is a tremendous shortage of the latter with the result that there is more money in the people's pockets than there are goods to go around.

Continuing the Secretary then said:

The President has Justice Byrnes and Judge Vinson working on these fronts, and I think up to now the country has fared fairly well. There is a crack here, a crack there, and a crack over there, and I am fearful that if the Congress does not act favorably on the Presidential request for subsidies, demands for increased wages will follow and right now we are at one of the most important crossroads insofar as our domestic economy is concerned and the responsibility rests with the Congress of the United States as to which way we go.

REPLY TO MORGENTHAU

That is the challenge which Congress received at the hands of Secretary Morgenthau when he appeared before our committee. I should like to direct your attention to pages 44, 45, 46, and 47 of the hearings, where I attempted to refute that charge made by the Secretary of the Treasury. I think you will agree from the colloquy that took place that I forced Secretary Morgenthau to admit that circumstances have prevailed in this country during the past 3½ years, or since July of 1940 when defense preparations and subsequently war preparations were engaged in by our country. We know these additional billions of dollars which have been appropriated by the Congress in order to prosecute this war and all such appropriations have been voted for almost unanimously in this body; but I attempted to point out to Secretary Morgenthau that throughout that 3½-year period our Government has expended billions and billions for these war contracts, almost all of which have been under the cost-plus-fixed-fee policy. Likewise, we know that when the war camps, cantonments, and installations throughout the country began to rise, the Secretary of Labor arbitrarily set up wage scales for labor which were effective in all these communities. These scales were abnormally high as compared with peacetime scales, and despite the fact that we were drafting young men of our country to serve under the colors at $21 a month.

ELEMENTS OF INFLATION

We recall that the American Legion, during the interval following the First World War, advocated the principle of universal service so there would be special privilege for none and equal service for all; yet throughout that period nothing was done. When we began active preparations for defense and later for war, we found that the Federal Government had been expending these billions of dollars, deliberately and willfully doing everything possible to inject those elements into the blood stream of our Nation which inevitably would cause inflationary trends to overwhelm our economic structure.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. DWORSHAK. I yield briefly.

Mr. H. CARL ANDERSEN. I feel that the gentleman from Idaho is to be complimented in bringing out one thing here today that cannot be too often called to the attention of the Congress for the good of the Nation, cannot too often be emphasized, and that is the fact that we still have 3,000,000 civilian employees on the pay roll at a time when at least half a million of these should be in the Army or should be elsewhere working in behalf of our war effort.

Mr. DWORSHAK. I agree with the gentleman that, regardless of whether we have Cabinet heads and executives appearing before the Congress to attempt to justify expenditure of these billions, the records are there and are conclusive, showing what has been done by the executive department of the Government.

And now may I just refer to one or two questions and answers involving the Secretary and myself. I quote Mr. Morgenthau:

I agree with you that the huge expenditures naturally put money into the people's pockets. The place that I disagree with you is the inference that it was through bad management.

To which I replied as follows:

May I just say this, Mr. Secretary, I did not intend in my remarks to point out any charges of mismanagement, but rather to point out, and I want to stress at this point, that after 3½ years of going down the path

involving the expenditure of these wartime billions, it was inevitable that we have some inflation, and that if we have that condition and have had it for 3½ years, it is humanly impossible for Congress or any other agency at this date to stem the constantly rising threats of inflation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TABER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. DWORSHAK. Mr. Chairman, Mr. Morgenthau then stated:

I do not say that they necessarily can stop it completely, but they certainly can retard it.

He is referring to the Congress.

I replied:

I think the entire Nation wants to retard it in the interest of our national welfare and security.

I quote Secretary Morgenthau again:

The people of the United States decided to go down the road of war, all out, and they naturally had to create the seeds of inflation.

Then I concluded:

So it is not for Congress to decide today?

To which the Secretary replied in conclusion:

No; but we are at the cross roads where we can take measures to retard this thing.

I agreed with him on that point.

EXTRAVAGANCE AND INEFFICIENCY

In closing may I say that much has been said about inflation and whether it is the responsibility of Congress or the executive departments. Naturally the Congress has been responsible as the legislative branch of government for the various laws and enactments, yet we must recognize that this wasteful extravagance, this ineptitude, and this inefficiency which have characterized the wartime administration in the executive departments, bureaus, and boards have been largely responsible for the fact that our national debt has reached monumental peaks.

May I say again that it has been primarily the responsibility of this administration. The Department of Labor statistics show that, since January 1, 1941, the average weekly earnings of workers up to October 1943 had increased 68 percent, while the cost of living increased only 23 percent. We have today, according to Secretary Morgenthau and his research bureau, approximately $35,000,000,000 of excess purchasing power for which there are no consumer goods or no personal services available.

I make that point, Mr. Chairman, because we have read in the press and we have heard over the radio recently that the Congress today is largely to blame for the inflationary trend which confronts our Nation. In refutation of that, I say the record proves that the Congress has been doing an efficient job most of the time, but that the inefficiency and extravagance and waste which are so prevalent down in these departments and bureaus are largely responsible for the economic fallacy, the chaos, and the turmoil which confront our Nation in this great wartime emergency.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LUDLOW. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Chairman, this bill carries appropriations for the operation of the activities of the Treasury Department. Prior to 1938 there was always included an appropriation to cover losses in shipment of valuable Government securities. From 1922 to 1936, inclusive, the Government paid out to private insurance companies $3,115,427 in premiums for insurance, and collected from the insurance companies during that period for losses only $187,534. When that came to my attention I introduced a bill which provided that the Government should take care of its own losses.

On the day that the President signed the bill we had before us in the House a deficiency bill which was handled by the gentleman from Virginia [Mr. WOODRUM], as acting chairman, and the gentleman from New York [Mr. TABER], ranking minority member of the Appropriations Committee. I secured a clearance from the Bureau of the Budget for an appropriation for $500,000 to be placed in the Treasury as a fund out of which losses would be paid. An amendment offered by me was added on the floor.

The first year that this was in operation, in 1938, no losses were required to be paid. In 1939, $100,000 was added to this fund, and in 1940, $91,803 was transferred from the securities trust fund under the act of August 10, 1939. In 1942, 1943, and 1944 no appropriation was necessary. In all, $693,803.13 was appropriated, and as of today there is $611,726.61 unencumbered balance. From 1938 to 1944, $82,408.90 was paid in losses. Of this amount, $332.38 was later recovered. I have an official statement in the form of a letter which I received from Hon. Daniel W. Bell, Under Secretary of the Treasury, relative to the operation of this fund.

Only in operation 5 years, this law has saved the taxpayers of the country over $7,000,000, according to Mr. Bell.

As part of my remarks, I include the letter I received as well as the statements referred to therein. They follow:

TREASURY DEPARTMENT,
Washington, February 3, 1944.

Hon. JOHN J. COCHRAN,
House of Representatives,
Washington, D. C.

MY DEAR MR. COCHRAN: In compliance with your letter of January 31, 1944, I am enclosing three statements relating to the operations under the Losses in Shipment Act.

During the 15 years from 1922 to 1936 preceding the enactment of the Losses in Shipment Act the Government paid out $3,115,427 for premiums as compared with losses paid to the Government by the insurance companies of only $187,534. Details of this are shown in statement 1.

Since 1938, to November 30, 1943, the Government shipped over $728,000,000,000 in valuables. Reported losses (less adjustments) amounted to $97,906.34, and losses actually paid amounted to $82,408.90, of which $332.38 has been recovered. The estimated savings to the Government on these shipments, based upon the lowest rates charged by private insurers during the 3-year period prior to the establishment of the self-insurance plan, amount to $7,627,243. The details of this are shown in statement 2.

Appropriations to the Government losses in shipment fund, plus the accretion of $91,803 to the fund by transfers from the securities trust fund, amounted to $693,803, of which $611,727 is unexpended on the books of the Treasury. Information showing appropriations, losses paid, recoveries, and unexpended balances, by years, is shown in statement 3.

Very truly yours,

D. W. BELL,
Under Secretary of the Treasury.

STATEMENT 1.—*Statement showing shipments made, premiums paid, and net losses under private insurance contracts for period from 1922 to 1936*

Fiscal year—	Value of shipments	Premiums paid	Losses paid to Government by private insurers
1922	$4,151,011,562	$300,004	$14,040
1923	4,287,434,214	276,165	9,440
1924	4,072,828,416	268,589	14,550
1925	3,964,630,171	194,659	29,587
1926	4,159,175,355	203,497	5,070
1927	4,139,472,453	189,474	3,200
1928	4,573,662,452	193,025	4,900
1929	5,296,392,620	205,356	2,000
1930	5,724,353,815	229,617	3,508
1931	4,930,515,868	131,126	300
1932	5,179,323,481	113,866	1,440
1933	6,013,934,253	170,760	6,870
1934	4,924,974,583	141,988	10,580
1935	12,365,319,222	352,889	2,049
1936	5,073,680,802	144,412	----------
Total	78,856,709,277	3,115,427	187,534
Average per year	5,257,113,952	207,695	12,502

STATEMENT 2.—*Statement of certain operations under Government losses in Shipment Act, as amended*

Fiscal year—	Value of shipments	Losses reported (less adjustments)	Losses paid [1]	Premium savings [2]
1938	$29,188,436,090	$432.36	----------	$159,812
1939	39,504,317,638	9.62	$376.10	456,403
1940	41,135,297,019	2,771.81	236.19	503,853
1941	81,632,871,381	944.63	2,479.75	798,196
1942	107,313,253,081	12,500.39	1,186.57	863,272
1943	276,319,878,442	74,467.49	9,305.68	3,165,159
1944 (to Nov. 30, 1943)	152,671,389,478	6,780.04	68,824.61	1,680,548
Total	727,765,443,129	97,906.34	[3]82,408.90	7,627,243

[1] On basis of approved vouchers.
[2] Based on lowest rates charged by private insurers during 3-year period prior to establishment of self-insurance plan.
[3] Of this amount, $332.38 has been recovered.

STATEMENT 3.—*Status of fund for payment of Government losses in shipment*

Fiscal year—	Appropriations	Losses paid [1]	Recoveries	Unencumbered balance
1938	$500,000.00	----------	----------	$500,000.00
1939	100,000.00	$376.10	----------	599,623.90
1940	[2]91,803.13 1,000.00	236.19	----------	692,190.84
1941	1,000.00	2,479.75	----------	690,711.09
1942	----------	1,186.57	$262.50	689,787.02
1943	----------	9,305.68	----------	680,481.34
1944 (to Nov. 30, 1943)	----------	68,824.61	69.88	611,726.61
Total	693,803.13	82,408.90	332.38	611,726.61

[1] On basis of approved vouchers.
[2] Transferred from securities trust fund under act of Aug. 10, 1939.

Mr. TABER. Mr. Chairman, I yield 15 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE. Mr. Chairman, the hearings on this bill contain references to a subject that is being widely ignored in the country today, yet it is a subject which has basic importance as far as the post-war world is concerned. The subject is gold.

I notice the distinguished chairman of this subcommittee, the gentleman from Indiana [Mr. LUDLOW], looks up when I mention gold. The gentleman questioned the Secretary of the Treasury during the hearing on this subject, and I desire to read a few of the questions and answers.

From page 32 of the hearings I read:

Mr. LUDLOW. Let us turn to gold for a moment. Are you buying gold at $35 an ounce?

Secretary MORGENTHAU. We still buy and still sell, but I think Congress will be pleased to know that we are selling now quite a good deal of gold. In the calendar year 1943, up to the end of November, we have made net sales of $661,000,000 in gold.

Mr. TABER. You mean you have sold more than you bought to that extent?

Secretary MORGENTHAU. Yes.

Mr. LUDLOW. What are the gold holdings now?

Mr. BELL. $22,065,000,000 at the end of November.

Mr. LUDLOW. You testified last year that they were $22,744,000,000.

Mr. BELL. They were $22,743,000,000 at the end of November 1942.

Mr. LUDLOW. You sold some gold. What was the prevailing price which you got for the gold?

Secretary MORGENTHAU. That was $35 plus one-fourth of 1 percent. We charged $35 plus a quarter of 1 percent for handling purposes.

On page 7 of the hearings the Treasury had inserted a table showing the gold held by the Treasury at the end of each month from January 1934 down to and including November of 1943. From that table one may note that the high point in our stock of gold was reached in October of 1941, when the stock amounted to $22,799,000,000. The table is of such importance that with the permission of the House I insert it at this point:

Gold held by Treasury at end of month ($35 per fine ounce)

[In millions of dollars]

	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943
January	[1] 5,465	8,390	10,182	11,358	12,755	14,681	17,931	22,116	22,747	22,683
February	7,401	8,526	10,166	11,436	12,776	14,874	18,177	22,231	22,704	22,644
March	7,695	8,567	10,184	11,574	12,794	15,258	18,433	22,367	22,687	22,576
April	7,756	8,709	10,225	11,799	12,869	15,790	18,770	22,505	22,690	22,472
May	7,779	8,858	10,401	11,989	12,915	15,956	19,209	22,575	22,714	22,426
June	7,856	9,115	10,608	12,318	12,963	16,110	19,963	22,624	22,737	22,387
July	7,930	9,143	10,647	12,445	13,017	16,238	20,462	22,674	22,744	22,334
August	7,978	9,203	10,716	12,566	13,135	16,645	20,913	22,719	22,756	22,243
September	7,978	9,368	10,845	12,740	13,759	16,932	21,244	22,761	22,754	22,175
October	8,002	9,693	11,045	12,803	14,064	17,091	21,506	22,799	22,740	22,116
November	8,132	9,920	11,184	12,774	14,312	17,358	21,800	22,785	22,743	22,065
December	8,233	10,123	11,258	12,750	14,511	17,643	21,995	22,736	22,726	-------

[1] Jan. 29, 1934.

Source: Daily Statement of the Treasury.

Now, it will be news, I think, to a great many Members of Congress that in selling gold at $35 an ounce we are selling it at about half what it has sold for in many countries of the world in the past few months.

NO GIFT TO GOLD

A few years ago, shortly after I came to the House, I made a talk here one day in which I spoke of the change in the price of gold from $20.67 an ounce to $35 an ounce, and I spoke of it as the myth of the New Deal gift to gold. There was a current fallacy in the country then that somehow the New Deal had done something for gold in the way of a present. The great majority of people did not know that actually the price of gold on the world market had been in excess of $35 an ounce. Nor is it generally known that after we increased the legal price in this country to $35 an ounce it again went above $35 an ounce in other countries.

And today a great many people in this country have forgotten that we placed an embargo on the shipment of domestic gold abroad in an attempt to hold the gold we were producing in this country, but that was actually the fact. The world wants gold. It wanted our gold then and wants it today.

A great many people have assumed that because the United States has accumulated a large stock of gold today we have the primary interest in gold among the nations of the world. Actually the United States has a minor interest in gold compared with other nations that are associated with us in the current war effort.

STAKE OF THE BIG THREE

It is true that the United States has the largest interest in the gold that has been produced in the past, because by our buying and hoarding policy we have accumulated the largest stock of past-mined gold. We have about 80 percent of it. But from the standpoint of its investment in gold-mine production and the standpoint of its investment in an industry, the United Kingdom today stands first among the nations of the world in its interest in gold. Russia stands second. South Africa alone produces three-fifths of the world production of gold.

These facts should make it clear to any thinking man why anyone who proposes any solution of post-war economic problems without considering gold is simply not looking at the facts.

Unless you assume that the Axis Powers are going to win the war, gold must of necessity be the basic factor in international trade and in any system of international economics after the war. To hold the contrary would mean you think that the United States, Great Britain, and the Republics of Soviet Russia, the three great military powers prosecuting our war effort today, will abandon the industry and the medium of exchange in which they have the major interest.

That may seem like a simple argument but it is a pretty substantial one. Gold will be important in the post-war world because the nations that are going to win the war are gold nations.

Behind that, however, are some lessons written deep in the history of nations. And fundamentally, the reason gold will be basic in post-war economics if we have an enduring peace is that the world has never found any substitute for gold.

I hold here a little booklet by Edwin Walter Kemmerer, emeritus professor of international finance, Princeton University, entitled "High Spots in the Case for a Return to the International Gold Standard." Mr. Kemmerer calls attention to the fact that an old proverb says, "We have gold because we cannot trust governments."

THE ONLY HOPE FOR PROGRESS

Mr. Kemmerer recalls that in the summer of 1931 the famous MacMillan committee, consisting of 14 eminent British financiers and economists, made a historic report on finance and industry. There was only one dissenting opinion to that report, made by Lord Bradbury, and although reservations were made by other members of the committee on some propositions, no one dissented from the recommendation for the retention of the gold standard. On this subject the committee said:

> There is, perhaps, no more important object in the field of human technique than that the world as a whole should achieve a sound and scientific monetary system. But there can be little or no hope of progress at an early date for the monetary system of the world as a whole, except as the result of a process of evolution starting from the historic gold standard.

Read that again—

> There can be little or no hope of progress * * * except as the result of a process of evolution starting from the historic gold standard.

Indeed, many students will say that had the nations of the world, had the leaders of the nations, fully appreciated the truth in the report of the MacMillan committee, a system of international exchange might have been adopted that would have avoided the terrible and devastating war in which the world is now engaged.

Professor Kemmerer, citing the quotation I have just read, says:

> With this declaration I am in full agreement, and this article is a brief statement of my principal reasons for this judgment.

In outlining his argument, Dr. Kemmerer says:

The monetary standard of the future should be a broadly international standard, and gold is the only standard at present that offers any reasonable prospect of becoming an international standard on a large scale.

Indeed, he says:

There is no other metal in the running.

And the reasons Dr. Kemmerer gives are four:

First—

After this war, people everywhere will experience a strong desire for economic and political stability. * * * They will be sick and tired of paper-money inflation and of governmental attempts to control prices and wages under inconvertible paper-money standards.

Second—

The gold standard puts up much stronger resistances to fiscal and political exploitation than any nonmetallic standard that has yet been devised. * * * Taking human nature as it is and politics as they are, any governmental body in a democracy that would try to control the nation's commodity price level in the manner contemplated by the advocates of highly managed paper-money standards would continually find itself under heavy political pressure.

Third—a point to which I have already alluded, namely—

The strong-vested interests which the three leading post-war nations will have in gold.

Fourth—

The simple fact that gold will offer for a long time to come the only early prospect of an international monetary standard on a large scale. * * * If we are to have an efficient system of international trade and finance * * * the leading countries of the world should all have the same monetary standard. For this important position the gold standard is the only candidate that has any chance of election.

The truths in the arguments advanced by Dr. Kemmerer are becoming more apparent every day. Possibly the most informative article that has appeared on the subject in recent months appears in the January number of the bulletin issued monthly by the National City Bank of New York, under the general heading of "Economic conditions; governmental finance; United States securities"; the National City Bank calls attention to several items pertaining to gold in recent weeks in the daily press:

The reports of official sales of gold to hoarders in India and Egypt at premium prices have aroused particular public interest.

Then—

A dispatch from Moscow quoted a Russian publication as advocating the use of gold currencies in settling international payment balances after the war.

Then the third item to which attention is called is the decline in our gold stocks in this country, which was cited by Secretary Morgenthau and referred to previously. The National City Bank bulletin says:

Despite the scorn heaped by the Axis Powers upon the use of gold, demand for the metal picked up after the fall of France, and prices in free markets began to rise beyond the $35 per ounce level set by the United States Treasury.

When I made a prediction to that effect a couple of years back some people made a little fun of it, but the National City Bank today declares it to be a fact of history.

It points out that—

The trend of gold prices in the Bombay bullion market will be seen from the accompanying chart. The peak of $77.25 per ounce was reached last May, just before the Indian Government launched a series of anti-inflationary measures.

The bulletin goes on to point out that—

Following the official tender of gold on the market, Indian bullion prices declined somewhat and late in November were at about the equivalent of $63 per ounce. In Egypt the Government was getting the equivalent of about $66 per ounce, but at that price the demand is reported to be smaller than generally expected.

PRICES IN LATIN AMERICA

Attention is also called by the National City Bank to the price gold is bringing in the Near and Middle East and also in the South American countries. The bulletin says:

In Buenos Aires, gold bars apparently have fluctuated this year between $37 and $44 per ounce.

I call your attention to that fact because in Secretary Morgenthau's statement he said the gold we were selling was being sold at $35 per ounce, and it was being sold primarily to countries in Latin America. Obviously, then, these countries buying our gold at $35 per ounce are making money on it in selling and disposing of it there at prices fluctuating between $37 and $44 per ounce. That is bullion gold bars.

The bulletin goes on to say—

Gold sovereigns have brought considerably more—from $44 to $52 per ounce. In Mexico the 50-peso gold coins command a premium of about 10 percent, equivalent to about $38–$39 per ounce.

That is, to the extent that they can get gold coins from our neighbor immediately to the south, they are worth at least 10 percent more than gold is sold for in this country.

Our gold policy today represents a peculiar combination of fallacy and unwillingness to face facts. Not only has the administration closed its eyes to what is happening abroad, but it is pursuing a course at home exactly opposite of what it blindly encourages abroad.

GOLD KILLED HERE, HELPED ABROAD

At the present time the gold mines of this country are shut down under a limitation order, issued some time more than a year ago. Those mines today are permitted only to maintain stand-by crews. They have no income from their gold-mining operations. At the same time we permitted the export of machinery and equipment to keep the gold mines in other countries going. We permitted the export of machinery and supplies to South Africa to keep the gold mines in South Africa going. We permitted the export of equipment and supplies to keep the gold mines in Nicaragua going. We permitted the export of equipment and supplies to keep the gold mines in Canada going.

That is, we followed that policy for several months, knocking an industry in the head at home and keeping it alive abroad. Finally, however, the inconsistency of that position became so apparent that the powers that be sought to correct it, not by permitting domestic mines to operate, but by a policy that could only produce resentment abroad, a policy of playing international favoritism. The story, as told in the Northern Miner, a Canadian publication, in its issue of December 13, 1943, follows:

American manufacturers were ordered not to ship certain items of equipment and repair parts required by the Canadian gold-mining industry. Certain items of supplies for Canada and other gold-mining countries were cut off. Because this interference was working great economic hardship in some of the Latin-American countries President Roosevelt was appealed to personally by representatives of these nations, and successfully. Canadian mines have simply learned how to do without American parts, usually by manufacturing them themselves or by having them made by Canadian manufacturers. Outcome of this particular American display of good neighborliness is that a pronounced fillip has been given to the movement to make the Canadian mining industry as independent as possible of all outside sources of supply of machinery, parts, and supplies. Canadian manufacturers should benefit.

Not content with the closing of the gold mines, wrecking communities, destroying home and property values, the War Manpower Commission came along and made the gold-mining industry the guinea pig of a labor-control policy by decreeing that gold miners thus thrown out of work could not be reemployed by anybody unless they got certificates from the War Manpower Commission office, thus effectually determining where they might be employed and by whom. At the same time, Canada has continued with her gold production to whatever extent manpower was available, thus permitting the mines to be kept alive and do enough business to pay expenses of stand-by crews at least. And within the past month, the equivalent of the Manpower Commission in Canada has assigned to the gold-mining interests of Canada an additional quota of 2,000 employees.

And while such a policy is followed here what about South Africa? Down in the Transvaal, gold mining booms with supplies sent from the United States. Here are the statistics as published in the South Africa Mining and Engineering Journal of July 24, 1943:

Gold production in the Transvaal—6 months' operating statistics compared

Month	Tons milled	Yield		Working revenue		Working costs			Working profit		Dividends
		Total ounces fine	Pennyweight per ton	Declared revenue	Revenue per ton	Total	Per ton milled	Per ounce	Total	Per ton milled	Total declared
				£	s. d.	£	s. d.	s. d.	£	s. d.	£
January 1943	5,022,300	1,074,754	4.102	8,680,892	34 7	5,372,916	21 5	104 4	3,307,976	13 2	
January 1942	5,758,300	1,216,164	4.065	9,863,410	34 3	6,125,303	21 3	104 8	3,738,107	13 0	
February 1943	4,678,900	1,011,672	4.136	8,159,802	34 11	5,102,802	21 10	105 6	3,057,000	13 1	
February 1942	5,308,300	1,129,319	4.091	9,151,244	34 6	5,688,386	21 5	104 9	3,462,858	13 1	
March 1943	5,242,400	1,108,789	4.066	8,988,684	34 4	5,610,663	21 5	105 3	3,378,021	12 11	
March 1942	5,790,900	1,214,130	4.037	9,851,831	34 0	6,103,809	21 1	104 5	3,748,022	12 11	
April 1943	5,023,200	1,075,363	4.114	8,724,776	34 9	5,469,415	21 9	105 10	3,255,361	13 0	25,000
April 1942	5,577,000	1,182,678	4.077	9,603,822	34 5	5,957,110	21 4	104 9	3,646,712	13 1	25,000
May 1943	5,177,800	1,096,195	4.067	8,875,295	34 3	5,583,529	21 7	106 1	3,291,766	12 8	
May 1942	5,784,800	1,214,987	4.036	9,840,290	34 0	6,105,583	21 1	104 7	3,734,707	12 11	
June 1943	5,003,400	1,064,572	4.103	8,655,754	34 7	5,482,583	21 11	106 10	3,173,171	12 8	7,590,245
June 1942	5,711,000	1,199,569	4.051	9,755,866	34 2	6,048,051	21 2	104 7	3,707,815	13 0	8,598,055
Total and average:											
1943	30,148,000	6,431,345	4.097	52,085,203	34 7	32,621,908	21 8	105 8	19,463,295	12 11	[1] 7,615,245
1942	33,930,300	7,156,847	4.059	58,066,463	34 3	36,028,242	21 3	104 8	22,038,221	13 0	[1] 8,623,055

[1] Including intercompany payments.

NOTE.—In arriving at working costs and profits, no account has been taken of expenditure charged to capital account, or expenditure in connection with debentures and loans. A few mines have some further expenses of trivial amount, which are not included. Various items of revenue from sources other than the sale of gold are included in the working revenue by certain mines.

Source: The South African Mining and Engineering Journal, July 24, 1943, p. 443.

In such a way, then, do we promote the economic life of other countries, and destroy it at home by wrecking an industry that is essential to proper post-war finance and peace.

CONCLUSIONS OF BABSON

A great many people respect the opinion of Mr. Roger W. Babson. At least his opinions are printed and broadcast in a great many newspapers of the country. In the Washington Post of the December 6, 1943, issue, Roger W. Babson says:

In World War No. 1 it was gold, not currency, which Colonel Lawrence used in order to win the support of Arab tribesmen. History repeated itself when our own Gen. Mark Clark landed in Africa with a bag of gold. Gold will always talk when no other form of money is effective. That a natural demand for gold exists today is shown by the price of gold in Bombay and Cairo markets, where it is selling for almost double the United States price of $35. This strengthens my belief that international currencies, including our own, will be further reduced in value. This would mean further monetary inflation and a rise after World War No. 2 of consumer inflation followed by even more monetary inflation.

Countries in which gold will freely circulate as a medium of exchange will be the best off. Countries which attempt to get along with some form of managed currency will be in the worst shape. Hence, we should ultimately have, in some form, a currency which, even if the circumstances were restricted would be exchangeable for gold. Thus, I predict that our present managed monetary system is on the way out.

The Northern Miner, published in Canada, to which I have referred, calls attention to the fact that the production of gold in the United States, after the production was stopped in the United States, has resulted in a reduction of our normal production of $200,000,000 down to about $30,000,000, which is obtained as a byproduct out of other mining operations. At the same time the production in Canada has fallen from about $205,000,000 annually to only $200,000,000 and the Northern Miner says that the main reason for that is due to a labor shortage, that from 30 percent to 40 percent of the individual gold miners have enlisted for active service. I am not advocating that anybody be kept out of the active service to operate gold mines, but I do say that the mines should be permitted to operate to whatever extent they can with the elderly men, the old miners, whose homes are around the mines, at least as long as we send mining supplies abroad to maintain the economy of other countries.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. CASE. Yes.

Mr. MURDOCK. Does the gentleman feel that we have made a mistake by shutting down gold mining so completely?

Mr. CASE. We have not only made a mistake, but we have made an expensive mistake. It has been expensive because the closing of those mines in community after community has thrown people out of work, has destroyed homes and values, and put many people adrift who could not fit into other occupations and whose ability to buy bonds and pay taxes to back up their boys on the fighting fronts was seriously injured thereby.

Mr. MURDOCK. I can confirm that opinion by observations from the intermountain country, and all through the West, where gold mining has prevailed. We have not any appreciable number of laborers who quit gold mining to go into copper mining, which was the original intent of the war order. I think some gold mines in this country should have continued to operate. Gold is important in a monetary sense. We got little labor from gold mining for the strategic metals.

Mr. CASE. Yes, that was the excuse that was offered, but I think the figures show that out of a possible 10,000 people thrown out of work, less than 500 were taken into the copper mines, and many of those found it impossible for health reasons to transfer from gold mines to the superhot copper mines. More than that, it has meant a disruption of communities, although in spite of that the gold mining towns in my district have consistently oversubscribed their quota of War bonds because that is the way they do things. And their records in war service and in the heroism of their boys are unexcelled by any other community. But I waive all this argument about the effect of our gold policies on the individual communities. Our current gold policies are wrong because they have worked against our national interest as holder of the world's greatest stock of mined gold. We have advertised a misconception of the proper place of gold in the economy of nations after the war is over. That is why I called attention to the facts in the January bulletin of the National City Bank, and to the conclusion of Roger Babson, and the conclusions of the MacMillan Committee in England and to the conclusions of Dr. Kemmerer, professor of finance in Princeton.

THREE THINGS NEEDED

I submit that there are three things which should take place. First of all, national leaders should show a more realistic appreciation of gold and should lead the public intelligence on gold, and its proper place in our economy and in post-war financing. Secondly, the order stopping the mining of gold should be rescinded so as to permit the mines to plan to resume and to resume as and when and to what extent conditions permit. And the third thing should be to pass legislation, which would make our gold buying and handling policy realistic. Then there could be no harm in the enactment of legislation that would provide that in our purchases of newly mined gold we should use either gold coins or gold certificates to pay for the gold purchased. And that would be the simplest way to reestablish the gold standard.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. TABER. Mr. Chairman, I yield the gentleman 2 minutes more.

Mr. CASE. In this connection, Mr. Chairman, I call attention to H. R. 3162,

which I introduced in the House on July 7, 1943, and which is similar to a bill I introduced in the previous Congress. H. R. 3162 proposes that the coinage of gold should be authorized and directed to the extent necessary to provide gold coins or certificates to pay for newly mined gold. Its effect would be the re-establishment of gold as a medium of exchange in this country and that would lead gold to its rightful and inevitable place in international affairs if we are to have an enduring peace. It is high time, Mr. Chairman, to adopt a realistic gold policy in the United States.

Mr. TABER. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. LANDIS].

Mr. LANDIS. Mr. Chairman, almost every edition of every newspaper these days reports the gallant deeds of some American hero fighting in some foreign battle area. All America is proud of the courageous sacrifice and the spirited fighting which are so typical of American fighting men.

We of Indiana are proud of the honor which has been bestowed upon Lt. Gerry Kisters, of Bloomington, Ind.

He received the Distinguished Service Cross for his patriotic efforts in north Africa and the Congressional Medal of Honor for his patriotic accomplishments in the Sicilian campaign. He is the first member of the armed forces to be awarded both medals, and as his Member of Congress I am very proud to make this announcement to the House and to the country.

Mr. LUDLOW. Mr. Chairman, I yield to the gentleman from Arizona such time as he may require.

Mr. MURDOCK. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. MURDOCK. Mr. Chairman, the gentleman from South Dakota [Mr. CASE] has given us a very informative speech a few minutes ago in regard to gold and its importance in the post-war world. I agree with him concerning its importance. From his answer to my question put to him it is apparent that he agrees with me that our country has suffered materially from the military necessity which is said to have caused the closing of our gold mines.

Ever since I have been a Member of this body I have heard it said on both sides of the aisle that our Government was doing a foolish thing in buying gold at $35 an ounce. To my mind there has been a lot of foolish suggestions about the worthlessness of gold. I am not saying anything about how we have used it during the past decade but I am saying that it is a mighty valuable asset for our Nation today. The human mind and other human conditions are going to have to change very much before gold becomes as useless and worthless as Members in this Chamber have implied.

While I agree with the gentleman from South Dakota regarding the monetary importance of gold, I would not have him overlook the fact that there are two precious metals. Let us remember that more than half of the human beings that occupy this planet prize the white metal more than the yellow metal. This great hoard of silver which some Members here have said was criminal to accumulate is or should be as great a national asset as our hoard of gold. We are blind if we do not see these facts and make them count to our advantage.

Mr. H. CARL ANDERSEN. Mr. Chairman, I ask unanimous consent to revise and extend the remarks I made previously in the Committee of the Whole.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, we are considering a measure involving, as I understand, approximately $12,000,000,000 of expenditures of which about $3,000,000,000 is for operating expenses, a tremendous amount of money. I realize it is difficult for Members of the House who are not members of the committee to analyze and perhaps criticize the legislation before us. We must depend upon the great Committee on Appropriations of the House to bring in a measure that can be justified to this Congress.

But I would like to call your attention to one or two things that I think are extremely important. We are going to expend during the year a sum estimated at about $100,000,000,000, and we will be in debt about $240,000,000,000 by July 1, and with all the taxes of all kinds, we will probably raise a little over $40,000,000,000.

Mr. Chairman, we have, on the one hand, a great committee known as the Committee on Ways and Means that provides the ways and means by which to raise the money to provide for these expenditures. Then we have this great Committee on Appropriations which provides for the spending of the money. I am not here to say that it is a case of the right hand not knowing what the left hand does, but I do suggest that there ought to be some means by which these two committees could coordinate more and arrange to see that we do not spend any more money than is absolutely necessary in view of the amount of money that is being raised by the Committee on Ways and Means and considering the fact the demand for expenditures are tremendous. So it is my suggestion: That in view of the tremendous debt against this country and in view of the hope and trust we will pay it sometime, the Committee on Appropriations not spend any more money than is raised by the Committee on Ways and Means or provided for, except it be used for war and emergency uses. I realize it is difficult to reach that sort of a situation, because the Committee on Appropriations has demands of all kinds from the various agencies. It is difficult to determine which items, in many cases, which items are really necessary for the prosecution of the war.

Mr. Chairman, legislation that would require that we raise the money before we spend it on all nonwar costs would have a wholesome effect.

In event there are nonwar items that overrun the income of revenue, then let the items be reported and require, say, a two-thirds vote on such items.

Now, we are going to have to come to a show-down and we might just as well face it. If we ever expect to balance the Budget after the war. Now is a good time to get ready for it.

We have two distinguished leaders on the floor of the House handling this particular bill. The gentleman from New York [Mr. TABER] and the gentleman from Indiana [Mr. LUDLOW]. They have done a pretty good job, I think, and have attempted to hold this expenditure down. Here is the difficulty. The heads of these agencies come before our committee and tell this committee how much money they need. They also tell us, of course, they have these figures based upon the Bureau's estimates that are handed to them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TABER. Mr. Chairman, I yield 3 additional minutes to the gentleman from Kansas.

Mr. REES of Kansas. But the problem we have is this. They bring in only suggestions as to the amount of money they feel they should have and very rarely make suggestions of reductions in the amount of funds they are going to need, or offer suggestions where important savings might be made by economizing in manpower and money. So I say, I think we ought to have legislation that will put us on a more or less cash basis, if we ever expect to get out of this terrific debt we are in. We can exclude, of course, as I mentioned a moment ago, the question of war expenditures. We must have funds, even though it is necessary to borrow—no one takes a contrary view with respect to that. With regard to all other expenditures and services, they should be reduced in the light of the condition of the Federal Treasury, and the need for war effort.

Mr. CASE. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I will be glad to yield to the gentleman from South Dakota who has just made a very able address, in just a moment.

Now, do you realize by the first of July this debt is going to amount to about $1,250 for every man, woman, and child in this country, about $3,500 or $4,000 for every taxpayer? I think it is time we should give these matters a little more definite study.

Now I shall be glad to yield to the distinguished Member from South Dakota.

Mr. CASE. The figures the gentleman has cited as to the per capita debt might be made even larger than he has given. Personally I think the per capita debt is probably closer to $2,000. However, I

want to say this. The Committee on Appropriations does try to restrict the appropriations below the authorizations made by the Congress. In the independent offices appropriation bill there was not a single non-war agency which got more money than it got last year except to meet the requirements of the war overtime pay bill to the extent of about $50,000,000. I am told that in this bill about $210,000,000 is required to meet the overtime pay act, and with respect to which the ruling is that the Committee on Appropriations is obligated to make those appropriations or face judgments against the Government in the Court of Claims.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. TABER. Mr. Chairman, I yield 2 additional minutes to the gentleman from Kansas.

Mr. REES of Kansas. In reply, let me say to the gentleman from South Dakota that the overtime pay bill was intended, of course, to provide for more work by each individual, when his salary was raised and when his hours were increased. I am not complaining about the action of the Committee on Appropriations, but, of course, it was intended by that bill to save manpower and provide for less personnel employment in the Government thereby, because the time was extended during which he should work, and provided additional pay for the additional time.

Now, if the Appropriations Committee saw fit to continue the appropriations or to increase them, that is a different story.

I realize, too, that because of the increase in cost of living it has been necessary to expend more funds; but the difficulty I am trying to drive home is that the Appropriations Committee is confronted with statements from these agencies and bureaus in the agencies who expend the funds. Members of the committee do not seem to have opportunity to go into the question as to whether or not there might be savings by doing away with duplications that have been pointed out and eliminating red tape and waste that is going on. At least, it was not shown by the hearings that the members of the committee had a chance to try to get these agencies to trim red tape and cut out waste of time and manpower and thereby reduce expenditures.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. FISH].

OPPOSING BRITISH POLICY IN PALESTINE

Mr. FISH. Mr. Chairman, prompted by the beatings of my heart and the impulses of my mind, I appeared before the Committee on Foreign Affairs of the House of Representatives this morning, on which committee I served for some 22 years, in favor of House Resolution 418 and House Resolution 419, protesting against the British White Paper and in favor of permitting Jewish immigration into Palestine.

Some 22 years ago, in 1922, I was the sponsor of the so-called Zionist resolution, placing Congress in favor of the establishment of a homeland for the Jewish people in Palestine. That resolution was passed by the Congress, signed by President Harding, and enacted into law on September 21, 1922, thereby placing the stamp of approval, not only of the Congress but of the American people, on the age-long aspirations of world Jewry for the rebuilding of their ancestral homeland in Palestine.

I have just received, among more than 100 others, a telegram from one of my distinguished constituents, which reads as follows:

NEWBURGH, N. Y., *February 4, 1944.*

HAMILTON FISH,

House Office Building, Washington, D. C.:

On behalf of 3,500 Jewish citizens of Newburgh, I urge your immediate public endorsement of H. Res. 418-419, and ask that you notify the Foreign Affairs Committee of your stand. I recall your sponsorship of the Lodge-Fish resolution of a quarter century ago, one of the finest actions taken during your lengthy public service. Today, as never before, it is vital that the United States publicly and officially stand back of Prime Minister Churchill, who has always been a friend of world Jewry, in voiding the dastardly White Paper which threatens cessation of immigration into Palestine March 31, 1944. Alleged suspension of the White Paper, as reported in the press, is a subterfuge. It merely extends visa rights to several thousand immigres, but closes the door to multithousands who, if denied entry where wanted, will die the Hitlerian death. Establishment of the Jewish commonwealth, as urged in the Lodge-Fish resolution in 1922, is paramount today. Palestine has been in the vanguard of the United Nations. Only land in the Near East heart and soul with us in winning the war. Palestine welcomes all the Nazi victims who can be transported, and, remember, the Mediterranean today is ours. I urge your valiant effort in this matter. Enlist your friends and have them notify the Foreign Affairs Committee of their attitude on this nondebatable, humanity-saving proposal.

SEYMOUR S. COHEN,
President, Newburgh Jewish Community Council.

In reply I sent the following telegram:

FEBRUARY 8, 1944.

SEYMOUR COHEN,

President, Newburgh Jewish Community, Newburgh, N. Y.:

In compliance with your friendly and ably worded request as president of the Newburgh Jewish Community Council and that of Freda F. Miller, of the Newburgh chapter of Hadassah, and Louis Leis, of the Walden Jewish community center, and numerous others, I have spoken to Chairman BLOOM and arranged, with his complete accord and cooperation, to appear before the Foreign Affairs Committee this Tuesday morning in behalf of the Wright-Compton bill, urging that Palestine be opened up to Jewish immigration in accordance with the terms of the Lodge-Fish resolution adopted by Congress 22 years ago. I agree that it is more important than ever to provide a homeland in Palestine for the Jewish victims of Nazi brutality and persecution.

HAMILTON FISH,
Member of Congress.

It is eminently proper that American citizens should protest against the violation and betrayal of the Balfour Declaration by the British Government. It must be self-evident to Jews and non-Jews alike that suspension of Jewish immigration into Palestine means that the homeland which was promised cannot be attained under the new British policy enunciated by the White Paper. The establishment of a homeland in Palestine depends from the beginning to the end on permitting Jewish immigration into the ancient land of their fathers.

The action of the British in prohibiting Jewish immigration into Palestine destroys the constructive efforts of Zionists the world over to create a homeland and restore prosperity to the Holy Land. The betrayal by the British Government of the Balfour resolution will be justly and deeply resented in the United States, because, relying on the good faith of Great Britain, millions of dollars were contributed by American citizens to help reconstruct Palestine as a center of Jewish culture.

Friends of Great Britain are amazed that the British Government should deliberately attempt to nullify the Balfour Declaration and turn it into another scrap of paper. Public opinion in the United States demands that Great Britain uphold the pledges given in the Balfour Declaration and the mandate convention of 1924 to facilitate the establishment of a Jewish national home in Palestine.

Back in 1922 I introduced the Zionist resolution, which passed the Congress and was signed by the President, thereby placing the stamp of approval not only of the Congress but of the American people on the age-long aspirations of world Jewry for the rebuilding of their ancestral homeland in Palestine.

I am not one of those who delights in twisting the tail of the British lion simply to hear him roar. I am still unwilling to believe that the British Government has definitely repudiated its plighted word. Great Britain has always gloried in the fact that its word was its bond, and it is not conceivable that it should default on the promises and pledges given in the Balfour Declaration and repeated in numerous peace treaties. Lord Balfour would turn over in his grave at the thought of such a betrayal of trust by the British Government.

The White Paper denying the entrance of Jews into Palestine is a mockery of the Jewish National Home, and a definite repudiation of the promise given by Great Britain to the civilized nations of the world. The issue is not so much now the reconstruction of Palestine but the honor of the British Empire. If the present Government does not withdraw its approval of the white paper, it will be responsible for breaking down the high position and reputation that Great Britain has built up among civilized nations for maintaining its pledges and plighted word.

I am a convinced Zionist, and do not believe that this temporary set-back will discourage Jewish leaders from continuing their constructive efforts to build a new center of Jewish civilization in Palestine.

Jewish people in America will still carry on and make even greater sacri-

fices, persuaded that no British Government can long endure and maintain the support of its people if it stands for the repudiation and betrayal of the Balfour Declaration which has been sanctioned by all civilized nations. Ever since the exile of the Jewish people, 1900 years ago, from the land given to Abraham by Jehovah, their hopes and dreams have centered upon Jerusalem and Palestine.

The Jews of the United States, in common with the Jews everywhere, have a deep attachment to their racial and religious ideals, and have remained devoutly loyal to the idea of rebuilding a center of Jewish civilization where their unique genius might again find unhampered expression as it did in the days of old.

Many of the most loyal Jews in this country are determined to make any sacrifice consistent with honor and their allegiance to the United States to help enable the persecuted and oppressed Jews of central and southeastern Europe find a refuge and a homeland in Palestine. In America, where 4,000,000 Jewish people now live, they have made outstanding contributions in every phase of our country's life and development. In peace and in war, in science and in industry, in commerce and in art, the Jews of America occupy a foremost place in our national life. They have contributed of their blood and treasure in all our wars. Their sons lie buried on the fields of France, in Africa and Italy, in the islands of the Pacific, or in American cemeteries on the battlefields wherever our heroes have fought and died. No one can impugn their loyalty, patriotism, or devotion to our flag and to the Republic.

The Balfour Declaration proclaimed on November 2, 1917, was a war measure. The United States was at that time in the World War on the side of Great Britain, and American Jews, along with those the world over, were thrilled by the pledge of one of the world's greatest nations to facilitate the establishment of the Jewish national home in Palestine. Because of the nobility of the idea, every civilized country in the world supported the Balfour Declaration.

All lovers of fair play and respecters of sacred promises should be alined with them in protesting against the repudiation of the Balfour Declaration by the British Government and help to make it possible for hundreds of thousands of Jews in eastern Europe, suffering from Nazi persecution and brutality, to find a haven in that ancient biblical land and once more make it flourish with milk and honey as in the days of Solomon and David.

As the author of the Zionist resolution for a homeland for the Jewish people in Palestine, enacted into law on September 21, 1922, I urge that there be no retreat, surrender, or compromise with the British betrayal of the promises and pledges given in the Balfour resolution. There can be no compromise with such a perfidious proposal to repudiate her plighted word as set forth in the White Paper to practically stop Jewish immigration into Palestine on March 31, 1944.

I hope that the Zionists and their friends all over the world will not yield to this proposed breach of trust in order to cajole the Arabs by double-crossing the Jewish people in Palestine and elsewhere and selling them out for a mess of porridge.

I urge the President, the State Department, and the Congress to demand that there shall be no modification of our treaty rights in Palestine without our consent.

The proposed disgraceful and shocking repudiation of the Balfour pledges, under which vast sums of money have been sent from America to Palestine to rebuild and establish it as a place of refuge for hundreds of thousands of Jewish people of central Europe, must be vigorously opposed. There never was a time when there was more need for such a homeland. There must be no compromise, otherwise all past efforts will have been in vain.

Mr. Chairman, I quote from the CONGRESSIONAL RECORD of May 24, 1933:

Mr. FISH. Mr. Chairman, I introduced the following resolution today, which is self-explanatory. It will be referred to the Committee on Foreign Affairs of the House, and it will depend upon the unanimity and character of the support given it by the Jewish people in the United States and their friends whether I shall request immediate consideration. If it is clearly shown that the Jewish people are united in demanding immediate and favorable action on this resolution, I shall urge prompt consideration and adoption:

"House Concurrent Resolution 19

"Whereas the German Government is persuing a relentless and ruthless policy of economic persecution and repression of Jews in Germany; and

"Whereas it is the avowed intention of the German Government to deprive the Jews of their civic, political, and economic rights; and

"Whereas the comparatively small number of Jews in Germany, not exceeding 600,000, or 1 percent of the German population, constitute a peaceful, law-abiding, industrious, and defenseless element of the population: Therefore be it

"Resolved by the House of Representatives (the Senate concurring), That the Congress of the United States regrets the continued persecution of the Jews in Germany and expresses its sympathy for them in their hour of trial, humiliation, and economic discrimination, and requests the President of the United States to use his good offices and make friendly representation to the German Government in the interest of humanity, justice, and world peace, to respect the civic and economic rights of its citizens of Jewish origin, and to put an end to racial and religious persecution."

Without in any way desiring to interfere with internal German institutions I appeal to a sense of justice, a spirit of tolerance and fair play not to turn back the hands of progress two centuries by disqualifying German Jews of citizenship and economic rights and driving them once again as outcasts into crowded and proverty-stricken ghettoes. * * *

The tragic persecution of the Jews in Germany is just another page in the long and dark history of the much-suffering Jewish people. The American Government has never given any sanction to bigotry or assistance to persecution, but, on the other hand, does guarantee to all citizens full liberty of conscience. Our traditional American policy toward our citizens of Jewish origin is best expressed in the words of George Washington to the Jewish congregation at Newport in 1790:

"May the children of the stock of Abraham who dwell in this land continue to merit and enjoy the good will of the other inhabitants, while everyone shall sit in safety under his own vine and fig tree, and there shall be none to make him afraid."

I appeal for a square deal and justice for the Jewish people in Germany, as elsewhere, who are decent and honorable citizens, practicing an ancient faith in peace and tranquillity and desiring merely the protection of their lives, property, and an equal opportunity to work. A continuation of the economic persecution of the Jews would be a disgrace to the cause of human liberty and modern civilization and will be a constant source of friction and irritation in maintaining friendly relations between nations. [Applause.]

It has always been a matter of deep regret to me that my resolution of 1933 at the outset of the persecution of Jews by Hitler in Germany was not adopted as it might have had far-reaching influence in stopping such persecution and on the history of the world.

In conclusion, I do not anticipate in 1944 that many American Jews will return to live in Jerusalem or Palestine, but they will make it possible for their coreligionists in central Europe, where they are hounded like animals and are in great distress, to enter Palestine from whence they were driven out centuries ago to endure centuries of persecution in many climes and in many foreign lands.

Mr. TABER. Mr. Chairman, I yield 3 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE. Mr. Chairman, I hesitate to inflict myself on the Committee any further this afternoon but I do want to call attention to one or two facts with regard to the matter of appropriations and the way in which the House itself sometimes ties the hands of the Appropriations Committee. If the Appropriations Committee were to appropriate money for all the authorizations that have been passed by the Congress it has been estimated that our annual appropriations for nonwar expenditures would be in excess of $100,000,000,000. The various appropriation subcommittees do go through these items and do sift those things down, but the hands of the Appropriations Committee are tied in two respects: One is in trust funds, interest on the public debt, and so forth, which, together account for more than ten of the twelve billions carried in the pending bills and the other is in legislation affecting salaries, because the courts have held and the Comptroller General has held that when increases of salaries are made mandatory by action of the Congress, that the action is mandatory upon the Appropriations Committee to appropriate money, or else these employees can go into the Courts of Claims and secure a judgment against the United States. I am not a member of the subcommittee that prepared the bill now before us and cannot speak with knowledge about its

details. In the Independent Offices appropriation bill, however, to which I referred and which I did help to prepare, additional appropriation of $50,000,000 was required to take care of salary increases provided by the wartime pay bill. Every item in that bill reported by our subcommittee was reduced from last year except for wartime pay increases and the agencies such as the Veterans' Administration, where we had to appropriate more money for hospitals and insurance; Civil Service, where the increased number of Federal employees automatically required more money for the retirement fund under general law; and the Maritime Commission, which had a large ship-construction program which was essential, we were told, to the invasions planned by the military and naval forces.

I do not happen to be a member of the Treasury-Post Office subcommittee which worked on the pending bill, but I have been told by one of the members that the plus signs are largely due to increases required by the overtime pay bill. That is where the Congress itself has tied the hands of the Appropriations Committee.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. CASE. I yield.

Mr. REES of Kansas. Notwithstanding that, the committee if it saw fit to do so could reduce the personnel, could it not?

Mr. CASE. The gentleman will find that in instance after instance the committee did reduce personnel. And I can assure the gentleman that I will welcome any move he makes to reduce personnel requirements in this or any other appropriation bill. The gentleman from Kansas is one of the most conscientious Members of this body and his efforts to save the taxpayer's money deserve commendation and support.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. TABER. Mr. Chairman, I yield 15 minutes to the gentleman from Wisconsin [Mr. MURRAY].

Mr. MURRAY of Wisconsin. Mr. Chairman, yesterday I placed in the RECORD four tables and a letter of transmittal from Dr. Goodsell, of the United States Department of Agriculture, Bureau of Agricultural Economics. These tables should not be of interest to only the Representatives who happen to come from rural areas, but I think they should be of interest also to every Member of Congress regardless of what kind of district he represents. These tables are found on pages 1363 and 1364 of the RECORD for February 7.

I might say in passing that if I knew how to solve this problem I would take it up with our able majority leader and try to work it out as I have on an occasion or two before in which he has cooperated so willingly, but I am afraid this has so many complications that it would take more than the majority leader and I to work it out. I present this information from the standpoint of our 1944 agricultural appropriations, and in the light of the subsidy controversy.

What I wanted to call to your attention in these tables was the fact that as far as farm incomes are concerned they are very comparable in variation in rates per hour to the incomes of our labor groups; in other words, there is just about as much variation in these farm-hourly incomes as there is in the hourly incomes of the people who work in factories and industrial plants at the present time. There is a great variation in hours as well as in the amount of pay they receive per hour. There are none of these farms in my district so I approach the problem purely from a factual standpoint.

The following table is made up from the official tables on pages 1363 and 1364 of the February 7 CONGRESSIONAL RECORD:

	Acres in farm	Acres in crops, 1942	Investment in land and buildings, 1942	Investment in machines and livestock	Total investment	Number of hours spent in each type of farming	Net cash and noncash return to all labor per hour in 1942
Southern Wisconsin, dairy	114	76	$7,296	$5,072	$12,368	6,438	$0.47
Central New York, dairy	146	56	5,245	4,005	9,250	5,094	.52
Corn Belt:							
Hog, dairy	139	84	10,671	3,926	14,597	5,631	.30
Cash grain	223	171	27,925	3,914	31,839	4,246	1.08
Hog-beef raising	181	89	8,031	3,500	11,531	4,169	.47
Winter wheat	625	404	13,125	3,250	16,370	3,075	1.67
Winter wheat, corn	570	329	23,730	3,150	26,880	4,025	.84
Winter wheat, sorghum	640	445	10,880	3,387	14,267	3,547	1.33
2-mule Georgia cotton	91	49	2,693	622	2,715	3,436	.22
Mississippi Delta cotton	40	30	2,390	478	2,868	3,126	.31
Black waxy, Texas	123	73	5,734	1,340	7,074	4,429	.19

You will note one group is in southern Wisconsin. The next is central New York, represented by our distinguished ranking member of this Appropriations Committee; then the Corn-Hog-Dairy Farm Belt, then the cash grain farms in the Corn Belt, then the hog and beef areas in the Corn Belt, then the winter wheat and corn, and the winter wheat, grain, and sorghum. Then we go south and we have the two-mule Georgia cotton farms, then we have the Mississippi Delta cotton farms, then the black, waxey land in the central part of Texas that I understand from my colleagues is included in a great many different Congressional districts.

One point I wish to bring out is the wide variation that there is in acreage, hourly return, and investment in these different types of farming. As far as the southern Wisconsin dairy farms are concerned, they average 114 acres, central New York 146 acres, Corn Belt hog and dairy farms 139 acres, Corn Belt cash grain 223 acres, Corn Belt hog and beef raising 181 acres. Then we get over into the winter wheat area and we have 625 acres, or nearly a section. Then we have the winter wheat and corn area 570 acres, and winter wheat, grain, and sorghum 640 acres, or a section.

Then we have a different picture on the two-mule Georgia cotton farms with 91 acres, Mississippi Delta with 40 acres, and the black, waxey Texas with 123 acres. That is quite a variation there from 40 to 640 acres. We are considering many different farm situations. As far as the land under cultivation in these farms is concerned, it varies very similar to the number of acres in the farms.

Now, I would like to call your attention to the number of hours that are spent in these different types of farms. In southern Wisconsin in 1942 it is 6,438 hours a year. In central New York they can get the job done with less work, and they spend 5,094 hours, the Corn Belt, hog and dairy is 5,631, cash grain in the Corn Belt is 4,246, Corn Belt hog and beef raising 4,169, and the winter wheat is only 3,075 hours.

I call your attention to these hours for the reason that the rate per hour must be taken into consideration in connection with the number of hours that they were able to get paid for on these different types of farms.

Then we drop down here to the two-mule Georgia cotton farmer and find he spends 3,436 hours, the Mississippi Delta cotton farmer 3,126 hours, and the black waxy Texas farmer 4,429 hours.

You ask, How much did they make in 1942? May I say again that you should read the letter of transmittal so that there will not be anyone go out and say that all the wheat farmers in the United States made $1.67 an hour last year, because that would not be a statement of fact. I want you to read that letter, and that will show what this study has been. It has been on selected typical farms in these different sections, and, as is pointed out in that letter of transmittal, in 1932 the hourly wage in the Winter Wheat Belt was only 5 cents an hour, whereas the dairy farmers in central New York in 1932 were receiving 20 cents an hour.

Mr. TABER. Will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield to the gentleman from New York.

Mr. TABER. When the gentleman says "6,438 hours" on a certain farm, does he mean the hours that were put in by all of those who worked upon the farm, the particular farm, rather than that number of hours was put in by 1 person?

Mr. MURRAY of Wisconsin. That is the total number of hours it took to produce these returns in the average of these farms in the 18 southern Wisconsin counties. In New York it required 5,094 hours.

There are a lot of interesting things in connection with this study because you

can see on the face of this table that in New York your cultivated land is 56 acres to the farm, the farms that they have studied in Wisconsin are 76 acres, showing that your people did two things, I would judge. They pastured a larger part of the farm and they also buy more feed than do these farmers in Wisconsin.

Mr. TABER. I think they would average up.

Mr. MURRAY of Wisconsin. How much did they get an hour in 1942? I cannot take the time to go through the whole series of years, but you can see in the table on page 1363 of the RECORD of February 7 the low returns in 1939. You will also see why the rural people do not like to have individuals use the 1939 year as their base because at that time most farm products were only bringing 50 to 75 percent of parity. I want this to be fair so everyone gets the significance of it. In the two last columns in the table on page 1363 of the February 7 RECORD are shown the net cash and noncash returns to all labor per hour. The next one says, "Net cash returned to all labor per hour." The difference in those two is that the figure in the first one is comparable to what a man would receive if he was working in a factory or industrial plant and the second one is the amount of cash that he has per hour but does not include the farm products he consumed. In other words, he gets a certain part of his living off of that farm and that is reflected in the difference between the two amounts.

On the selected farms in southern Wisconsin the 18 counties in 1942 received 47 cents an hour, in central New York they received 52 cents an hour, Corn Belt hog-dairy farms 30 cents an hour, Corn Belt cash grain where he sold everything he grew without going to the labor and expense of feeding it out they received $1.08 an hour and on the hog-beef farm they received 47 cents an hour and in the winter-wheat area—get this—$1.67 an hour.

In the winter wheat-corn area, they received 84 cents an hour; in the winter-wheat, grain-sorghum area, $1.32 an hour. The two-mule cotton farmer in Georgia received 22 cents an hour, the Mississippi Delta cotton farmer 31 cents an hour, and the black-waxy Texas farmer received 19 cents an hour.

When we come to a time like we have in this war, with manpower shortages and high labor costs on the farm as well as anywhere else, you can see that certain types of farms lend themselves to expansion, whereas the others do not. That is one of the reasons we have this low hourly return in these Southern States. This table is conclusive proof that a cotton farmer cannot obtain any war profits from 19-cent cotton. That is because cotton requires so much hand labor. You can easily see that their cotton program cannot be very materially expanded, because they have not the labor to carry on the work.

In the years I have been here, many times I have heard my colleagues on the floor make statements that the amount per hour a man can get for producing cotton is very much in line with the price per pound that cotton brings. You can see the similarity if you care to follow the table through, because it seems that the price of cotton of so much per pound, 19 or 20 cents, is also just about what these people get per hour for producing it.

This table is interesting to our good friends from New York City—for instance, like Mr. DICKSTEIN—because I think he would like to be able to explain to some of his constituents there in New York City that there are certain farmers who have been fortunate and smart enough in 1942 to be able to make $1.67 an hour.

I also think he would want to call attention to the fact that many of them are only getting from 19 to 22 and 31 cents an hour. It is going to be pretty difficult to make any of the New York City people believe that you need to roll the cotton farmer back any, because they are pretty well rolled back or held down now. And, as far as inflation is concerned, it would be pretty hard to make anyone believe that, if you gave these cotton farmers 2 or 3 cents a pound more for cotton and they got the returns from the increased price, that there would be much danger from inflation on account of this price advance to them.

Then we have our colleague from Kansas [Mr. REES] who, since I have been a Member of this House, every time he has the opportunity, offers an amendment trying to reduce the size of these Government pay checks. This last year is the first time he was able to carry his position through the House. I am sorry that afterward it did not have as good success as it did here in the House. Anyway, last year he was able to keep those payments down to $500.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield to the gentleman from Kansas.

Mr. REES of Kansas. I appreciate the gentleman's statement with reference to these extra payments that have gone to the big operators. May I add to the gentleman's statement the fact that we did expend in 1 year approximately half a billion dollars for these additional payments, and that about 70 percent of that fund went to 20 percent of the operators. In other words, most of it went to those who really did not need the money.

Mr. MURRAY of Wisconsin. May I answer the gentleman's question by saying that this table showing the 19-cent to 31-cent hourly wage for 1942 for cotton farmers shows that these cotton payments have not trickled down to these family-operated farms.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. TABER. Mr. Chairman, I yield 10 additional minutes to the gentleman from Wisconsin.

Mr. MURRAY of Wisconsin. The last time I figured up the subsidies that had been paid on these products they were about $1,500,000,000 to cotton, $3,000,000,000 to corn, and $1,000,000,000 to wheat. That has not been reflected down to the hourly wage of the man working the land himself, as these family operators do as far as cotton is concerned but this statement evidently does not apply to wheat and corn hourly returns. This convinces me more than ever that the gentleman had the right approach, and this situation must have consideration when the agricultural bill comes up for consideration.

I mention this today from two standpoints. First, there are some of these things we must get home to ourselves. We are in a war. In connection with the wartime food program, we just cannot throw this money around at this time. We must make those dollars work and produce food, if we ever had any obligation to do so. The agricultural appropriation bill will give the opportunity of taking a constructive course in this direction.

Second, we must get a little better picture of some of these things or else we are going to have one group implying that the farmers are all getting rich, an implication we see many times. That just cannot be done with most types of farming and with the O. P. A. ceilings in effect. Everybody, for instance, does not have a job in a war factory. There are a lot of men who belong to unions who still may not get over 40 or 50 cents an hour. I do not think it does the country or the war program any good to have these groups each figuring that the other one is taking advantage of them. That is the reason I say I want to take the time today to try to bring that picture out before the House. This table, as I said before, shows variations in farm labor income as obtains in factory or industrial labor income.

Mr. HULL. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield to the gentleman from Wisconsin.

Mr. HULL. I was very much interested in the gentleman's table showing the 47 cents an hour as a full noncash and cash return for labor on the farm. However, the table also shows that on the average farm there are 6,438 hours of labor. It shows that the average labor cost there is around $3,027. That must include a lot of hired labor on dairy farms, because the table further shows that in 1936, when dairy products were at a very low price, the average net return to the farmer himself was $315, and in 1942 the average net return was $463. The gentleman's figures also show that the average investment is over $12,000. It is very evident from these figures that 47 cents an hour average on a dairy farm includes hired labor that is relatively higher labor as compared to what the farmer receives for his and what his family receives.

Mr. MURRAY of Wisconsin. I thank my colleague. I know that from his own experience and the contacts he has made he knows it is impossible for a man to make a high hourly wage return in the dairy business, because any one man cannot milk enough cows to do that, any more than he can make a high hourly wage return in the cotton business as

long as there is the man-labor requirement there is to produce a pound or a hundred pounds of cotton or a pound of butterfat.

There are certain types of farming, such as wheat farming, that can be expanded, but, of course, that has its limitations. If you read the letter of transmittal, as I want everyone to do, you will see that it shows that is due largely to the influence of the weather as well as to a fairly favorable price in 1942.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. First I should like to state my appreciation of the gentleman's effort in bringing before the House statistical data upon which we can rely. I believe that more so than any other Member of the House the gentleman from Wisconsin has been responsible for furnishing us that information. I admire him for delving into the subject as he does.

There is one point on which I should like the gentleman's opinion. We hear, for instance, of the $18,000,000,000 agricultural income for 1943. Does that mean gross income or net income? The gentleman and I both know it is gross income. On my personal farm I have a certain amount of gross income, but when I figure the expenses that gross income is shaved at least 80 percent.

In other words, I am very fortunate if 20 percent of my gross income is net income. Therefore, I am wondering if this $18,000,000,000 and the other figures the gentleman quotes here today are not painting a picture which is far rosier than what actually exists.

Mr. MURRAY of Wisconsin. I thank the gentleman from Minnesota. I was very careful to point out in my opening remarks that these were not averages, that they related to selected farms. I am sure that if any Member of the House who is interested in any one of these systems of farming will contact Dr. Goodsell, he will be more than willing to give him the whole picture for each system of farming in the groups he has been studying for many years.

Look at the table with regard to the two-mule Georgia farm. You will find that the hourly wage there runs from 3 to 5 cents per hour during some of these years. Another fact that is very apparent from these tables as far as the people of the South are concerned is the difference between the "cash and noncash returns" and the "net cash returns," as reflected in the part where the farmer makes a considerable part of his own living from the farm. You will notice that this group of people get a large part of their living right on the farm, which is an admirable procedure for them to follow, whereas in many other places that is not the case. The point brought out by our colleague from Minnesota that income and net returns is shown in the Iowa returns, with an $8,000 per farm income in 1943. A lot of people think every farmer in Iowa made $8,000 last year. But if you figure the investment those people have made and the cost of production, his net may not be out of line even though he does happen to live in a State that has 25 percent of the A No. 1 land in America. Remember, there is very little land in the world that compares with that Iowa land. Naturally, when Iowa farmers have good years such as they have had in 1942-1943, and receives a pretty good price, he cannot help making a good return. But "one swallow does not make a summer."

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Wisconsin. Yes.

Mr. REES of Kansas. I particularly want to pay respects to the gentleman from Wisconsin for giving so much careful study to the farm problem. I believe that the House is particularly indebted to him because of the splendid work he has done not only as member of the great House Committee on Agriculture, but what he has done individually in bringing to the attention of the House a great deal of information that we might not otherwise have had with respect to the entire farm problem, and I rise to give him full credit for what he has done.

Mr. MURRAY of Wisconsin. I thank the gentleman for that, but so far as I am concerned I cannot take any personal credit for it, because this information is all down in these departments, and has been there, and this great committee that is here today is the one who has been granting appropriations to produce that information year after year. The only credit that I can take, is that I have had enough interest to get the facts, because as Members know when we have the facts, it is easy to know how to vote.

In conclusion, I call attention to one more thing and that is that we had better get rid of the subsidy argument as quickly as possible. Of course I want to fix it up in my way, as everybody else does in his way, but regardless of how it is fixed up, that should be done. It has hurt the food production for 1944 already, in such places as California where the planting is already in progress. The second thing is that we should be careful during this time not to do anything that will disturb the maximum war food program.

Mr. DICKSTEIN. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Wisconsin. Yes.

Mr. DICKSTEIN. Is it the gentleman's contention that we do not need subsidies for the production of food, that the everyday white-collar man and child needs for human consumption, and that we should do away with all subsidies and roll-backs. Is that the understanding?

Mr. MURRAY of Wisconsin. Will the gentleman from New York give me a little more time because I would like to answer that?

Mr. TABER. Very well, I will see the gentleman through.

Mr. MURRAY of Wisconsin. A subsidy as a result of supporting the support price is justified. It does not go to the producer and is paid by all the people. Personally I never could see any necessity of a roll-back subsidy for all of the population. I can explain very clearly in a short time. The Aiken-La Follette-Herter bill provides the food for the below-average income groups. I can give you a good concrete example.

The gentleman knows that you could not get a pound of potatoes around Washington a year ago unless you paid some 10 to 12 cents a pound for them. This last year the Banking and Currency Committee brought in legislation in which they put a floor on support price of 90 cents a bushel in the middle part of the United States. It was somewhat more in other places. It gave the producer some assurance that he would not lose too much if he produced potatoes. What was the result? We had a 1943 production of 461,000,000 bushels of potatoes. Potatoes are 3 to 4 cents per pound. A little has been lost in getting them marketed, but a small amount when the magnitude of the program is considered. That kind of a subsidy can be justified. You help all the consumers, and all the taxpayers pay for it. That was not a subsidy to the man who raised potatoes any more than the man who ate them. But how can one justify a roll-back in price for these potatoes to everyone without regard to income?

Mr. DICKSTEIN. I do not care what you call it or where you put it as long as we can keep the prices down to satisfy the masses of the people, that are rising up as a result of this black or blue market, or whatever you call it.

Mr. MURRAY of Wisconsin. There is only one way you can do that, and that is by getting it produced, because the man with the price will get it, regardless.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. TABER. I yield the gentleman 5 minutes more.

Mr. MURRAY of Wisconsin. Any subsidy that increases production should be supported.

Mr. DICKSTEIN. I do not know, but we are getting to the point that I want to make to you, that it is my judgment after listening to Chester Bowles and others, that unless we get some sort of a roll-back and to keep that line down, whether it comes from the right or the left, I do not care, there will be trouble. It is stated that it will cost this Government or the people much more than what the roll-back will be. Is that a fact?

Mr. MURRAY of Wisconsin. I do not subscribe to that statement. The method to protect the consumer is to have maximum food production.

Mr. DICKSTEIN. I appreciate the gentleman's view and thank him for giving me that information, but the fact remains that the masses of the people, the white-collar people, are suffering as a result of these high prices of commodities needed every day for human consumption. Why, with all of the food in this country, with all of the warehouses and the storage of food, is it possible that that food keeps on getting higher and higher.

Mr. MURRAY of Wisconsin. I would answer that by saying that for 10 or 15 years, regardless of the administration, every effort was made to lift the price of food products, and now we have shifted gears and are trying to hold down the price. If food is high, it is because there is not sufficient production, or else the O. P. A. does not protect the consumer. The prices to producers are not the cause. You want to remember in the last couple of years we have depleted the stock pile. We had a lot of feed in storage a couple of years ago, which we do not have today. When one group of our citizens is provided a cost-of-living bonus that exceeds the yearly income of other groups like the 2-mule Georgia farmer received in 1942, I am sure that the situation requires a constructive approach.

Mr. DICKSTEIN. I am not complaining about the farmer, you understand.

Mr. MURRAY of Wisconsin. In studying these tables, and from other studies, it appears to me that:

First. There is a reason why Mr. Tom Linder, commissioner of agriculture for Georgia, comes to Washington occasionally and gives Washington the benefit of his opinions.

Second. One can see why Mr. J. E. McDonald, commissioner of agriculture of Texas, has been justified in strongly presenting his viewpoints in Washington.

Third. The O. P. A. and W. F. A. is allowing the consumer to be the victims of high-priced synthetic foods.

Fourth. The O. P. A. is allowing too much spread between the producer and consumer. The 2- or 3-cent daily roll-back in grocery bills is insignificant to the amounts that could be saved the consumer if synthetic food products were not allowed and if the spread was reduced to where it rightly belongs.

Fifth. Many people in the low-income groups have been led to believe that 2 or 3 cents daily roll-back subsidy on their grocery bill should offset a meritorious wage adjustment.

Sixth. One group of our citizens is provided a cost-of-living bonus, even to those in $10,000 to $15,000 brackets, that is more than the annual total wage obtained by other groups of our society.

Seventh. Most food producers in 1942 received from 19 to 40 cents per hour. If food becomes high it will be due to lack of sufficient production and secondly a lack of efficient distribution and effective ceilings.

Eighth. While the Labor Board statistics, with its 23-percent advance shown, may be mathematically correct, the President's Committee showing the 47-percent advance in food prices may reflect the actual cost to the consumer due to synthetic food products, too wide price spreads, and above-ceiling sales.

Ninth. Of the thousands of Federal farm loans in Wisconsin there were only 269 Federal land-bank and 265 Commissioner loans placed in 1943 which is another indication that dairy farmers are not getting rich nor that they are attempting to get rich out of this war.

Tenth. The subsidy controversy should be settled one way or another, as the 1944 food program is suffering from the confusion that prevails today.

Eleventh. The Aiken-La Follette-Herter bill approaches the problem of furnishing food in the below-average income groups without passing on to future generations the grocery bills of people in the above-average income groups. Everyone realizes that a person with a $25 weekly income spends a large percentage of his income for food, but food costs to people receiving 5,000 to 15,000 a year is a small part of their cost of living, especially when one realizes that food is only 20 percent of the cost of living.

Twelfth. The only time we seem to hear about inflation is when the below-income group is involved or when the American farmer is in the picture.

Mr. LUDLOW. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. Mr. Chairman, I rise to call your attention to a bill that is on the Consent Calendar, H. R. 4103, to provide for loss of United States nationality under certain circumstances. By direction of my committee I placed this bill on the Consent Calendar, which was on yesterday. To my great amazement the gentleman from New Jersey [Mr. KEAN], whom I do not see on the floor at the present time, when the bill was called reserved the right to object. The gentleman from New Jersey [Mr. KEAN] said:

> Mr. Speaker, I reserve the right to object. This bill was put on the calendar on February 3, and I do not think it can be brought up today.

In other words, the gentleman from New Jersey [Mr. KEAN] took advantage of a technicality, which he had the right to do, and objected to the bill because it was not on the Consent Calendar for 3 days.

Another distinguished colleague, the gentleman from California [Mr. GEARHART] said:

> Mr. Speaker, I reserve the right to object. This deals with one of our most important subjects in respect to our citizenship. I do not think the bill should be called up. For that reason I object.

I do not see the gentleman from California [Mr. GEARHART] on the floor, and I regret very much that some of my colleagues on the Committee on Immigration and Naturalization did not make inquiry yesterday why there should be objection to something that is so urgent and which is so greatly needed and the immediate passage of which means so much to the war effort. What does H. R. 4103 provide? It is a bill to expatriate certain Japanese nationals. It is a bill that would expatriate certain persons who have openly avowed their disloyalty to the United States and have disclaimed loyalty to the United States, although they were born in this country.

We have over a thousand of them now who are ready to sign a statement renouncing their American nationality. If they do that—under this bill—we can take them out of circulation immediately and put them in a safe place until such time as we know what we can do with them. This is a bill that one gentleman objected to because it was not on the calendar for 3 days; and with reference to which another gentleman said, "It was too important to discuss it." Now, in heaven's name, will any Member of this House tell me why there should be any objection to a piece of legislation of this kind? The Committee on Immigration and Naturalization worked incessantly on it and has given the matter careful study and even advised the Senate Committee on Immigration to be ready to receive this bill for immediate action because we desire to take out of circulation certain Japanese who, we believe, are disloyal to this country.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. I certainly do yield to my distinguished colleague, who is a member of the Committee on Immigration and Naturalization.

Mr. REES of Kansas. I am a member of that committee and supported the bill.

Mr. DICKSTEIN. That is right.

Mr. REES of Kansas. I supported the bill in the committee of which the gentleman is our distinguished chairman. I would be glad to join with the distinguished chairman of the Committee on Immigration and Naturalization and go before the Committee on Rules of the House at any time at which it may be done, and ask or request a rule from that committee to bring the bill out for consideration, and if it might not be possible to do that in the immediate future so that no particular time may be lost in getting the measure before the House and letting the House consider the bill.

Mr. DICKSTEIN. Mr. Chairman, I want to thank the gentleman from Kansas [Mr. REES] who has been a very valuable member of the Committee on Immigration and Naturalization. If you remember, I called the committee together, and we discussed a number of bills dealing with this problem. We discussed them very thoroughly. We had the Attorney General before us. Information reached us that we can take at least between 1,000 and 1,500 Japanese out of circulation who were born in this country, but who are disloyal.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield further?

Mr. DICKSTEIN. I yield.

Mr. REES of Kansas. I appreciate the gentleman's statement, but, with all due deference to the gentleman, they did not object to the bill. They just simply felt that things should come before the House under a rule or that it might be brought up at another time. The gentleman from New Jersey probably was not familiar with the terms of the bill and, realizing that it just came here, thought possibly it should have been considered. I assume that is the case. I assume that probably was the case.

Mr. DICKSTEIN. My good friend knows of other urgent war measures that were brought to the floor of the

House from the Committee on Immigration and Naturalization with which we had similar experiences as far as objections are concerned. Some Members did not even take the trouble to read the reports and to find out exactly how urgent the measures were, but they objected.

Mr. REES of Kansas. I appreciate that, but, after all, the House was not familiar with the facts the gentleman has just given us.

Mr. DICKSTEIN. About 2 weeks ago I said that there was some criticism or attempted criticism by some members of the Committee on Immigration and Naturalization. They wanted to know why we did not have hearings on a number of bills dealing with the Japanese question. And if you recall, I made the statement on the floor that so far as I was concerned, and I was sure the committee agreed with me, we would be happy to do everything humanly possible to find a solution to the important problems raised in these bills.

Mr. REES of Kansas. I am very sure if he will bring it to the floor of the House he will have no difficulty after the bill is properly explained.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. FISH. Mr. Chairman, I have a very high regard for the ability of the gentleman from New Jersey and I know no more conscientious Member than the gentleman from New Jersey [Mr. KEAN], and no greater patriot in this House. The gentleman said that he objected. I would like to ask the gentleman this question: Was the gentleman from New York, my colleague, here to explain the bill when the gentleman from New Jersey objected to it?

Mr. DICKSTEIN. In the first place I am not attacking any Member as an individual. I am merely propounding a question as to why anyone should object to a bill on the Consent Calendar because it was not on the calendar for the full 3 days. If you read the bill it would definitely establish that this bill deals with a serious question for the interest of the country; that is all.

Mr. FISH. In all fairness to the gentleman from New Jersey [Mr. KEAN] who did object, was the gentleman from New York here himself?

Mr. DICKSTEIN. I was not here.

Mr. FISH. Was the gentleman here himself?

Mr. DICKSTEIN. I was not here.

Mr. FISH. And therefore the gentleman did not explain the conditions?

Mr. DICKSTEIN. I did not explain the bill. I was not here. This is not my bill. The author of the bill was on the floor, I believe.

Mr. FISH. Does not the gentleman from New York think that a Member of the House has a right to have the bill explained? He might think you did not go far enough and that you might have gotten rid of a great many more Japanese than you do by this bill.

Mr. DICKSTEIN. Let me tell the gentleman from New York something. I would like to get rid of all disloyal persons—Japanese or others. There is only one way you should get rid of them, and that is in a constitutional way. We have a Constitution. We are still a democracy. I do not have to tell you how I feel about it and how the American people feel about the Japanese because of what they have done to our soldiers. But nevertheless we are still a democracy and we have to follow the Constitution. This bill proposes to do that very thing. I am not accusing anybody and I am not charging anybody with being unpatriotic.

Mr. FISH. Will the gentleman yield further?

Mr. DICKSTEIN. I yield.

Mr. FISH. How can the gentleman expect a bill to be properly considered in the House if the gentleman is not here to explain it? Was not the gentleman from New Jersey [Mr. KEAN] within his right in expecting that the bill should be explained?

Mr. DICKSTEIN. As I say, I have no quarrel with the gentleman from New Jersey [Mr. KEAN], or anybody else. If an explanation was wanted it could have been secured from the author of the bill who was here.

Mr. FISH. Did you tell him you were going to speak today?

Mr. DICKSTEIN. No; I could not get him.

Mr. FISH. He was here a little while ago.

Mr. DICKSTEIN. I want to say this to you, the gentleman objected on the ground that the bill was not on the calendar for 3 days. He did not ask for an explanation of the bill. I am sure that a number of my colleagues—members of our committee—were on the floor and could have explained the bill had such an explanation been asked for. He was within his rights, technically, under the rules of the House. It was not on the calendar for 3 days. Then the distinguished gentleman from California [Mr. GEARHART] said that this was a very important piece of legislation and dealt with citizenship of individuals and he thought the bill should be objected to—I do not know why.

Mr. REES of Kansas. Will the gentleman yield again?

Mr. DICKSTEIN. I yield.

Mr. REES of Kansas. To be fair with the gentleman from New Jersey [Mr. KEAN], and the gentleman from California [Mr. GEARHART], in the first instance they were both within their rights?

Mr. DICKSTEIN. There is no question about that. I have a high regard for those gentlemen.

Mr. REES of Kansas. And secondly, the gentleman from New Jersey was correct in his statement that this is an important piece of legislation.

Mr. DICKSTEIN. That is true.

Mr. REES of Kansas. And the gentleman will agree with me that before the passage of a measure of this kind, or this particular measure, it should have been very carefully explained on the floor of the House, should it not?

Mr. DICKSTEIN. If an explanation was requested, but, apparently, from the RECORD, if the RECORD is correct—and I have no doubt it is—no explanation was requested. I did not feel good and I was not on the floor, but I told some of my colleagues to explain the bill and they were ready to explain the bill. However, no one was interested in an explanation of the bill at all.

Mr. REES of Kansas. Let me say further, it is my understanding that under the rules of the House, a bill must be on the calendar for a period of 3 days.

Mr. DICKSTEIN. That is true.

Mr. REES of Kansas. Now, as a member of the committee——

Mr. DICKSTEIN. I say he was within his rights. I am just taking these few minutes of the time of the House to appeal to the good judgment of the House, that bills of this character which deal so vitally with our armed forces and with aid to our Government, should have better cooperation.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. LUDLOW. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. DICKSTEIN. There have been a number of similar important pieces of legislation before us. I am not trying to criticize the gentleman from New Jersey [Mr. KEAN], or the gentleman from California [Mr. GEARHART], or anybody else. I am asking for cooperation on both sides of the aisle. In matters of this kind, I think it is very important. Before I personally would object to any bill I would read the bill. I would try to understand it. I would not object to anything unless I had some good reason to object to it. I do not think I have ever made a quorum call. But that is beside the point. Here we are with the Attorney General and the War Department on our necks asking us for speed. We gave them speed. I did not want to go before the Rules Committee. I could have gotten a rule. There would be no question about getting a rule. I was trying to save time.

Mr. KEAN. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. Certainly.

Mr. KEAN. I understand the gentleman from New York objected to my having stopped consideration of this bill yesterday.

Mr. DICKSTEIN. Yes.

Mr. KEAN. The gentleman knows that as far as the Consent Calendar is concerned, we study the bills that are on the list for the Consent Calendar. This bill was not on the list. I had not even looked at the bill. I do not know whether I am in favor of it or against it. It was not given to us as one of the bills on the Consent Calendar. Naturally, I opposed consideration of a bill which I had not as yet had an opportunity to look at on the Consent Calendar.

Mr. DICKSTEIN. I am sure the gentleman would not have objected had he known that this was a bill to expatriate a number of Japanese.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. TABER. Does not the gentleman feel that if it was a bill that called for special urgency, he should have been here and he should have asked for an opportunity to explain it and to tell the Members of the House why it was so urgent? It seems to me that is where the trouble is.

Mr. DICKSTEIN. As I say, I am not splitting hairs with my friend from New York, or my friend from New Jersey I cannot understand why the gentleman objected to it upon the ground that the bill was not on the calendar more than 3 days. Had the gentleman read the bill he would have seen the urgency of it.

Mr. KEAN I might well have been for it.

Mr. DICKSTEIN. Now, the gentleman from California [Mr. GEARHART] said:

This deals with one of the most important subjects in respect to our citizenship. I do not think the bill should be called up. For that reason I object.

So, how do you explain that? It is a little inconsistent.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield further?

Mr. DICKSTEIN. I yield.

Mr. REES of Kansas. It seems to me the record would be in much better shape if my distinguished friend would use the time in explaining the bill very carefully for the record, rather than in discussing the manner in which this matter came up, so that the membership might know the contents of it and expedite the handling of it when it came to the floor of the House under a rule. I believe the gentleman might do well to extend his remarks and include a very careful explanation of this important measure.

Mr. DICKSTEIN. There is not much explanation necessary on this bill. There are a number of native-born Americans of Japanese descent who have openly expressed loyalty to Japan. Most of them are in detention camps. They have indicated a desire to go back to Japan. I think we ought to accommodate that bunch and as many as want to go back.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. LUDLOW. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. DICKSTEIN. It is a very simple proposition to deal with the Japanese alien. We can handle him without much trouble and send him back. But a man who was born here has some inalienable rights under the Constitution. But if he is disloyal, if he has indicated a desire to go back, we want to find a way to accommodate him, and the only way we can accommodate him is by permitting him to expatriate himself from these United States and to go back to Japan. Whether or not later on we want to exchange them for Americans is another question. That is not up to the Congress. That is up to the administrative officers of the War Department. But I would like to get as many disloyal Japanese as possible into their category and we will solve the question after that. This bill proposes that very thing. It proposes to permit the Attorney General to obtain statements of renunciation of American nationality from these Japanese. Let them go where they belong. I do not have to tell you where I feel they ought to go. Unless we have this legislation, unless we expedite this legislation it is my judgment that many of these disloyal people will be able to escape detection later. For that very reason, I have taken this time to make this observation to the House. I assure you I will do everything I can. I will go before the Rules Committee, if necessary, but it was my judgment and I think it should be your judgment that a rule should not be necessary for a bill of this character.

I think in view of this statement I may ask for unanimous consent for the immediate consideration of this bill tomorrow.

Mr. Chairman, I yield back the balance of my time.

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER of Connecticut. Mr. Chairman, I was shocked a few days ago to learn—perhaps I should have learned it sooner—that men who had served in our armed forces, who had been wounded in action and discharged from hospitals and finally discharged from the service find themselves for a second time before their selective-service boards, and, in several cases, drafted for a second time and returned to the Army or Navy.

I realize that we need all the manpower we can get, especially single men in our armed forces, but I do not believe we have reached the point yet where our manpower is so short that we have to take men back into the Army who have served their country once, who have been wounded in action and honorably discharged. Men who were discharged as sergeants and corporals were taken back a second time and had to start all over again in the armed service as buck privates. This practice, at least, should be stopped, and I have assurance that it will be stopped, and those who have had a sergeant's rating, for instance, at the time of their previous enlistment, if it may be referred to as an enlistment, would be taken back at their old ratings; but I do not believe they should be taken back at all, certainly not for some time to come and not until the situation is a great deal more critical than it is today. I should think it would be exceedingly difficult for men who have been wounded and discharged to plan their future if hanging over all of them was always the possibility that some medical examiner or some board might find they were again physically fit for service in the armed forces. I do not know whether it can be cured by executive directives, or whether it will take legislation to prevent a continuation of that practice, but I do hope that whatever is necessary will be done in the near future.

While I am getting one "peeve" off my chest I might as well get another off. You perhaps noticed an item carried in the papers a few days ago to the effect that the War Department and Navy Department were not going to prepare any applications so that men entitled to mustering-out pay, for which we recently provided, could have such form to submit. They suggested instead that the newspapers in the country cooperate and print some form that the ex-serviceman might copy and use as an application for mustering-out pay. The newspapers of this country have been exceedingly generous with both space and publicity. They have responded to every appeal of the Government in bond drives and have been very generous with their space at a time when they are strictly limited on the amount of newsprint they may use. It seems to me like imposing on good nature to expect the newspapers to print the application forms for mustering-out pay. I imagine most all of you have had inquiries from men entitled to mustering-out pay. I hope it has not come to the point where, when Congress passes a law providing, as we did recently, for $300 mustering-out pay to men who have served 60 days, we should have to write into the law a definite instruction to the department involved—in this case the War and Navy Departments—to proceed to have printed the necessary application forms. When I think of the—I was going to say tons, but I will modify it and say hundreds of pounds—when I think of the hundreds of pounds of paper that come to my office every day from various governmental departments and which go into the waste basket immediately I am not convinced that the paper shortage is so acute that application forms cannot be furnished these service men and women.

Mr. Chairman, I yield back the balance of my time.

Mr. TABER. Mr. Chairman, we have no further requests for time.

Mr. LUDLOW. Mr. Chairman, I have no further requests for time on this side. I ask that the Clerk read.

The Clerk read down to and including page 1, line 7.

Mr. LUDLOW. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CLARK, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 4133, the Treasury-Post Office appropriation bill, 1945, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. TABER. Mr. Speaker, I ask unanimous consent that my colleague, the gentleman from Massachusetts [Mr. WIGGLESWORTH], may extend his own remarks in the RECORD, and include therein an editorial from a newspaper.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. TABER. I also ask unanimous consent that the gentleman from South

Dakota [Mr. CASE] may revise and extend the remarks he made in the Committee of the Whole this afternoon and include therein quotations from certain documents.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CHENOWETH. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and include therein a letter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SAUTHOFF. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and include therein a radio address made by me.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. COMPTON (at the request of Mr. TALBOT), for today, on account of official business.

ENROLLED JOINT RESOLUTION SIGNED

Mr. KLEIN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. J. Res. 208. Joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1944.

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 1255. An act to revive and reenact the act entitled "An act creating the Arkansas-Mississippi Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark., and for other purpose," approved May 17, 1939.

S. 1504. An act to extend the time for completing the construction of a railroad bridge across the Missouri River at or near Randolph, Mo. and

S. J. Res. 63. Joint resolution requesting the President to proclaim February 11, 1944, as Edison Day in commemoration of the birthday of Thomas Iva Edison.

ADJOURNMENT

Mr. LUDLOW. Mr. Speaker, I move the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 8 minutes p. m.) the House adjourned until tomorrow, Wednesday, February 9, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. Wednesday, February 9, and Thursday, February 10, 1944, in the caucus room of the Old House Office Building, for the consideration of post-war planning.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing on Thursday, February 10, 1944, at 10 a. m., on H. R. 2652, to amend section 222 (e) of subtitle "Insurance of Title II of the Merchant Marine Act, 1936," as amended.

COMMITTEE ON THE PUBLIC LANDS

The hearings on H. R. 2596, to protect Naval Petroleum Reserve No. 1, will be continued on Friday, February 11, 1944, at 10:30 a. m.

There will be a meeting of the Committee on the Public Lands at 10:30 a. m., Monday, February 14, 1944, to consider H. R. 1688, a bill relating to the administrative jurisdiction of certain public lands in the State of Oregon, also the companion bill, S. 275, and such other matters as may properly come before the committee.

COMMITTEE ON FLOOD CONTROL

SCHEDULE OF HEARINGS ON FLOOD CONTROL BILL OF 1944, BEGINNING TUESDAY, FEBRUARY 1, 1944, AT 10 A. M.

The Flood Control Committee will conduct hearings on flood-control reports submitted by the Chief of Engineers since the hearings conducted in June 1943, and on amendments to existing law. The committee is definitely committed to the view that flood-control projects for post-war construction will be among the most satisfactory public works and the committee plans an adequate backlog of sound flood-control projects available following the war.

1. Wednesday, February 9: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and the Director of the Bureau of Reclamation, and proponents and opponents of projects along the Kern River and tributaries in the Kern River area and along the Kings River area and tributaries in the Kings River area, and including other streams in the San Joaquin Valley.

2. Thursday, February 10: Continuation of the projects discussed on February 9.

3. Friday, February 11: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in the upper and lower Ohio River and tributaries, including Salt River, Taylorsville, Ky., the Potomac River and tributaries, the New England region, including the Connecticut and Merrimack Rivers, and the Middle Atlantic region, including New York, Pennsylvania, and New Jersey, and the South Atlantic region, including rivers flowing into the Atlantic Ocean and Gulf of Mexico east of the Mississippi River.

4. Tuesday, February 15: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Gen. M. C. Tyler, president of the Mississippi River Commission and division engineer, and proponents and opponents of projects along the lower Mississippi River and tributaries, including the Red and Arkansas Rivers, Conway County, Ark., and Purgatoire (Picket Wire) River, Colo., the White, St. Francis, and Yazoo Rivers.

5. Wednesday, February 16: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, Col. Miles Reber, former division engineer, Missouri River division, Omaha, Nebr., and proponents and opponents of projects along the Missouri River and tributaries.

6. Thursday, February 17: Continuation of the projects discussed on February 16.

7. Friday, February 18: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponets and opponents of projects in other regions in the United States.

8. Tuesday, February 22: Representatives of the Department of Agriculture, the Weather Bureau, Bureau of Reclamation, and other governmental agencies.

9. Wednesday, February 23: Senators and Representatives in Congress.

EXECUTIVE COMMUNICATIONS, ETC.

1165. Under clause 2 of rule XXIV, a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the National Capital Housing Authority for the fiscal year 1944, to remain available until June 30, 1945, in the amount of $14,000 (H. Doc. No. 407), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RAMEY: Committee on Claims. S. 933. An act for the relief of Lee S. Bradshaw; without amendment (Rept. No. 1082). Referred to the Committee of the Whole House.

Mr. RAMEY: Committee on Claims. S. 1164. An act for the relief of Lucille Sleet; without amendment (Rept. No. 1083). Referred to the Committee of the Whole House.

Mr. RAMEY: Committee on Claims. S. 1391. An act for the relief of W. R. Jordan and Mabel Jordan; without amendment (Rept. No. 1084). Referred to the Committee of the Whole House.

Mr. RAMEY: Committee on Claims. S. 1494. An act for the relief of the William J. Burns International Detective Agency; without amendment (Rept. No. 1085). Referred to the Committee of the Whole House.

Mr. FERNANDEZ: Committee on Claims. H. R. 1269. A bill for the relief of Frank E. Wilmot; with amendments (Rept. No. 1086). Referred to the Committee of the Whole House.

Mr. PATTON: Committee on Claims. H. R. 1411. A bill for the relief of Eddie T. Stewart; with amendments (Rept. No. 1087). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 1421. A bill for the relief of Paul B. Lingle; without amendment (Rept. No. 1088). Referred to the Committee of the Whole House.

Mr. ABERNETHY: Committee on Claims. H. R. 1891. A bill for the relief of W. G. Byars; without amendment (Rept. No. 1089). Referred to the Committee of the Whole House.

Mr. SAUTHOFF: Committee on Claims. H. R. 2013. A bill authorizing and directing the Secretary of the Treasury to reimburse Grand View Hospital; W. J. Pinkerton, medical doctor and surgeon; Ina Antilla, registered nurse; and Leone Gresiak, nurse; for services rendered and medical attention for Edwin Beckman, deceased, a former Civilian Conservation Corps enrollee of Camp Gogebic, Marenisco, Mich.; with amendment (Rept. No. 1090). Referred to the Committee of the Whole House.

Mr. FERNANDEZ: Committee on Claims. H. R. 2147. A bill for the relief of Perique Gomez and Mrs. Perique Gomez; without amendment (Rept. No. 1091). Referred to the Committee of the Whole House.

Mr. SAUTHOFF: Committee on Claims. H. R 2212. A bill for the relief of Clarence Waverly Morgan; with amendment (Rept. No. 1092). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 2234. A bill for the relief of Mrs. Christine Hansen; with amendments (Rept. No. 1093). Referred to the Committee of the Whole House.

Mr. GREEN: Committee on Claims. H. R. 2273. A bill for the relief of E. C. Fudge; with amendment (Rept. No. 1094). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 2332. A bill for the relief of Christian Wenz; with amendment (Rept. No. 1095). Referred to the Committee of the Whole House.

Mr. FERNANDEZ: Committee on Claims. H. R. 2472. A bill for the relief of Jonas Mullens; with amendment (Rept. No. 1096). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 2625. A bill for the relief of Edward E. Held and Mary Jane Held; with amendment (Rept. No. 1097). Referred to the Committee of the Whole House.

Mr. SAUTHOFF: Committee on Claims. H. R. 2757. A bill for the relief of Margaret Hamilton; with amendment (Rept. No. 1098). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 2925. A bill for the relief of Charles J. Goff; with amendment (Rept. No. 1099). Referred to the Committee of the Whole House.

Mr. RAMEY: Committee on Claims. H. R. 3298. A bill for the relief of Nels J. Pedersen; without amendment (Rept. No. 1100). Referred to the Committee of the Whole House

Mr. SAUTHOFF: Committee on Claims. H. R. 3324. A bill for the relief of the Postal Telegraph-Cable Co.; without amendment (Rept. No. 1101). Referred to the Committee of the Whole House.

Mr. CARSON of Ohio: Committee on Claims. H. R. 3466. A bill for the relief of the Mauger Construction Co.; with amendment (Rept. No. 1102). Referred to the Committee of the Whole House.

Mr KEOGH: Committee on Claims. H. R. 3538. A bill for the relief of the Reverend James T. Denigan; with amendment (Rept. No. 1103). Referred to the Committee of the Whole House.

Mr JENNINGS: Committee on Claims. H. R. 3547. A bill for the relief of Carl F. R. Wilson; without amendment (Rept. No. 1104). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 3781. A bill for the relief of Hall Farris; with amendment (Rept. No. 1105). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DIRKSEN:

H. R. 4149. A bill to facilitate the liquidation of Home Owners' Loan Corporation through the transfer and cash sale of its assets to individuals and to local banks, mutual savings banks, savings and loan associations, cooperative banks, trust companies, insurance companies, and other mortgage institutions; to the Committee on Banking and Currency.

By Mr. KLEIN:

H. R. 4150. A bill to eliminate the time limit within which an agency may recommend certain employees for classification under civil service; to the Committee on the Civil Service.

By Mr. RANKIN:

H. R. 4151. A bill to prohibit reimbursement or indemnification of another for damages or other loss resulting from slanderous or libelous utterances or publications uttered over the radio or sent through the United States mails; to the Committee on the Judiciary.

By Mr. HAGEN:

H. R. 4152. A bill to authorize members of the armed forces to remain in such forces until civilian employment has been obtained; to the Committee on Military Affairs.

By Mr. WELCH:

H. R. 4153. A bill to assist in relieving economic distress in Puerto Rico by providing work for unemployed persons, and for other purposes; to the Committee on Insular Affairs.

By Mr. HINSHAW:

H. J. Res. 232. Joint resolution authorizing negotiations for the acquisition of Lower California and adjacent territory, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HOFFMAN:

H. Res. 430. Resolution requesting information as to the status of Walter Winchell; to the Committee on Naval Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of New Jersey, memorializing the President and the Congress of the United States to adopt legislation, expeditiously, which will leave to the States the responsibility of providing the form of absentee ballots and all provisions for tabulation of the vote and which will provide for Federal action only in the delivery, collection, and return of the ballots; to the Committee on Election of President, Vice President, and Representatives in Congress.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOYKIN:

H. R. 4154 A bill for the relief of Elmira Area Soaring Corporation for use and benefit of its creditors; to the Committee on Claims.

By Mr. HARRIS of Virginia:

H. R. 4155. A bill conferring jurisdiction upon the United States District Court for the Eastern District of Virginia to hear, determine, and render judgment upon the claim of Norfolk Portsmouth Bridge, Inc., against the United States of America and Wood Towing Corporation; to the Committee on Claims.

By Mr. SOMERS of New York:

H. R. 4156. A bill for the relief of Myron Rubensztejn; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4755. By Mr. BELL: A resolution of the City Council of Kansas City, Mo., offered by Councilman Sheridan P. Farrell, and adopted January 24, 1944, urging enactment of legislation by the Congress and the State of Missouri to permit members of the armed forces and the merchant marine to vote in the coming primaries and elections; to the Committee on Election of President, Vice President, and Representatives in Congress.

4756. By Mr. CANFIELD: Resolution adopted by the governing body of the city of Clifton, N. J., requesting the Congress of the United States to enact laws to prohibit the sale in the United States of any article manufactured in Japan; to the Committee on Ways and Means.

4757. By Mr. COCHRAN: Petition of the Mizrachi Organization of St. Louis, Mo., P. Metlof, president, urging the passage of House Resolutions 418 and 419, providing for abrogation of the British White Paper and establishment of Jewish commonwealth in Palestine; to the Committee on Foreign Affairs.

4758. Also, petition of the Jewish National Fund Council, Prof. Gustave Klausner, president, St. Louis, Mo., urging the passage of House Resolutions 418 and 419, providing for abrogation of the British White Paper and establishment of Jewish commonwealth in Palestine; to the Committee on Foreign Affairs.

4759. By Mr. ELSTON of Ohio: Petition of Mabel G. Ballinger and 14 other residents of Cincinnati, Ohio, requesting the enactment of House bill 2082 which would stop the manufacture and sale of alcoholic beverages for the duration of the war and during demobilization; to the Committee on the Judiciary.

4760. By Mr. FITZPATRICK: Petition signed by sundry residents of the State of New York, particularly Bronx County, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4761. By Mr. FORAND: Petition appealing to the Government of the United States to take all appropriate actions to insure the withdrawal in its entirety of the Palestine White Paper of May 1939 with its unjustifiable restrictions on immigration and land settlement, and urging that the gates of Palestine be opened wide to Jewish immigration and that Palestine be reconstituted as a Jewish commonwealth, to the end that the Jewish people may be enabled to take their rightful place in the progressive order of mankind, which they pray may issue from this struggle; to the Committee on Foreign Affairs.

4762. By Mr. JENSEN: Petition of Mrs. R. C. Lake and sundry citizens of Orient, Iowa, urging the passage of House bill 2082, introduced by Hon. JOSEPH R. BRYSON; to the Committee on the Judiciary.

4763. By Mr. ROLPH: Senate Joint Resolution No. 9 of the State of California relative to memorializing Congress to provide for the deportation of alien and inimical Japanese at the conclusion of the present war; to the Committee on Immigration and Naturalization.

4764. Also, petition of the San Francisco Lodge, No. 21, B'nai B'rith, relative to the abrogation of the Chamberlain White Paper, and urging the establishment of a Jewish homeland in Palestine; to the Committee on Foreign Affairs.

4765. Also, Senate Joint Resolution No. 2 of the State of California relative to increase of price of crude petroleum and requesting the Office of Price Administration to raise the ceiling on prices which may be paid for crude oil and crude-oil products produced in California; to the Committee on Banking and Currency.

4766. Also, Senate Joint Resolution No. 3, of the State of California, relative to memorializing Congress to enact legislation to make possible the 1944 sugar-beet program recently

announced by the Federal War Food Administration; to the Committee on Banking and Currency.

4767. Also, Senate Joint Resolution No. 4, of the State of California, relative to memorializing the President and the Congress of the United States in relation to the restoration of ordinary standard time in the winter months, from October 1 to and including March 30; to the Committee on Interstate and Foreign Commerce.

4768. Also, Senate Joint Resolution No. 5, of the State of California, relative to substitution of United States Army for War Relocation Authority in the administration of Tule Lake Japanese center and other internment camps; to the Committee on Military Affairs.

4769. Also, Senate Joint Resolution No. 6, of the State of California, relative to memorializing the President and the Congress of the United States in relation to the discharge of disabled veterans from the armed forces; to the Committee on World War Veterans' Legislation.

4770. Also, assembly bill No. 3, of the State of California, relative to the soldiers' voting bill; to the Committee on Election of President, Vice President, and Representatives in Congress.

4771. Also, resolution of the Native Sons of the Golden West, Grand Parlor, at San Francisco, adopted January 29, 1944, relative to the Japanese situation; to the Committee on Military Affairs.